

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: A36-07703
Date Received: 1/17/1990
Receipt No: S010982
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DELBERT E. WATERS 208-825-5274
Address: 367 S. 1900 E.
JEROME, ID 83338

OR
Name: HARRIET WATERS 208-825-5274
Address: 367 S. 1900 E.
JEROME, ID 83338

2. Date of Priority: MAY 10, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	20E	5	NW	NE	NW	3	JEROME

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.570		

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

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	20E	32	SW		SW		IRR	38.0
			SE		SW		IRR	19.0
			SW		SE		IRR	20.0
			SE		SE		IRR	2.0
						Section Acres		79.0
09S	20E	5	NE		NE	1	IRR	9.0
			NW		NE	2	IRR	38.0
			NE		NW	3	IRR	36.0
			NW		NW	4	IRR	38.0
						Section Acres		121.0
						Total Acres		200.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

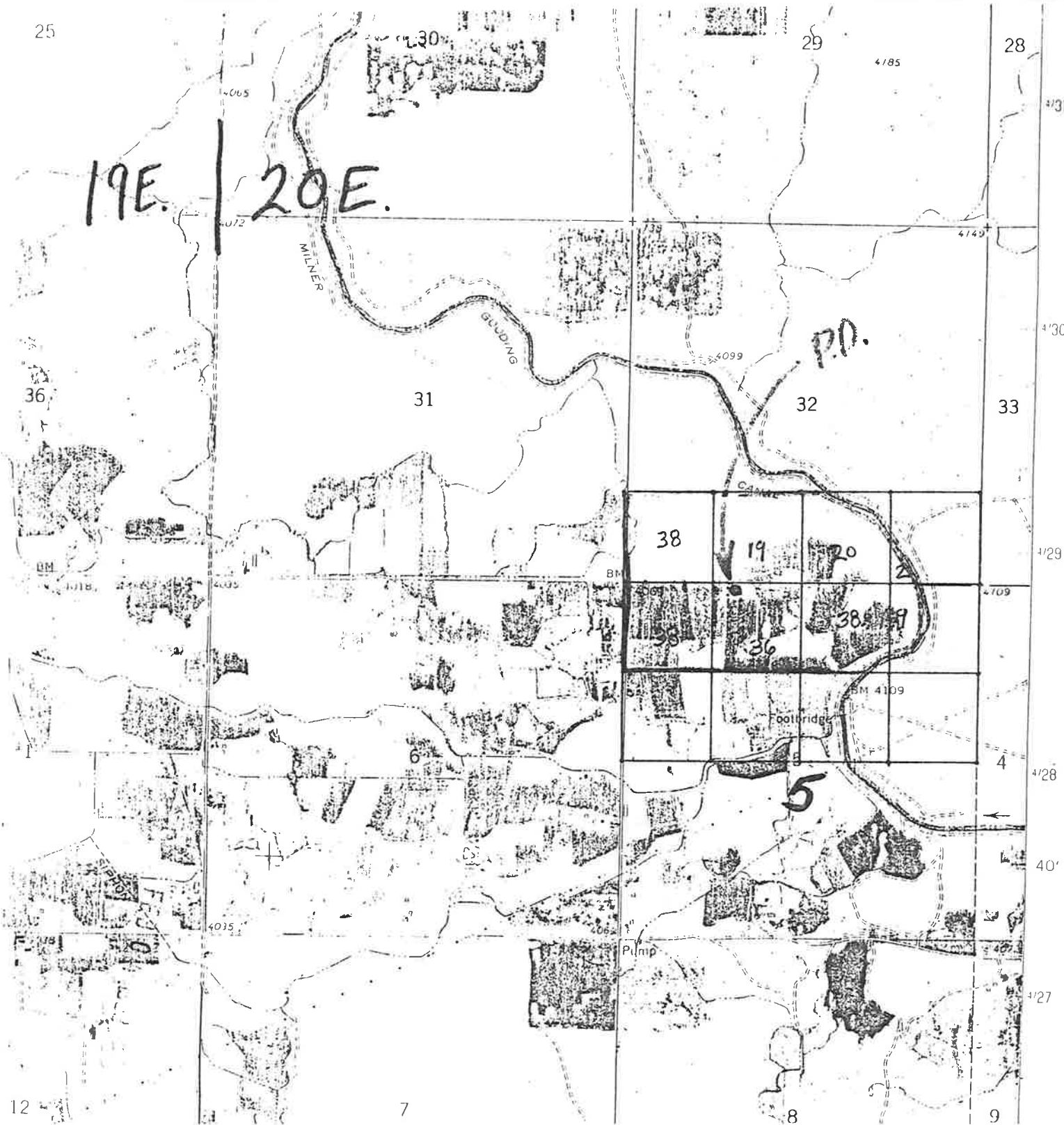
Signature of Claimant(s): Herbert E. Slaters Date: 1-17-1990

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of January 19 90
Seal Steve A. O.
Notary Public

Residing at Twin Falls
My Commission Expires Dec 7, 1994



Log for claim 36-07703

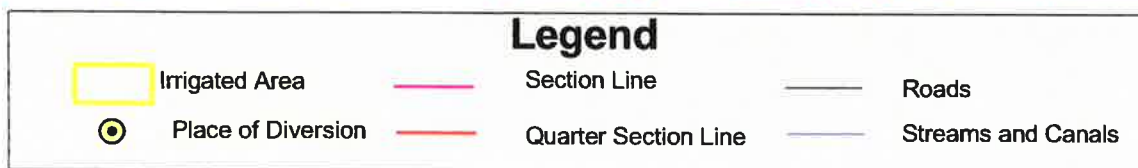
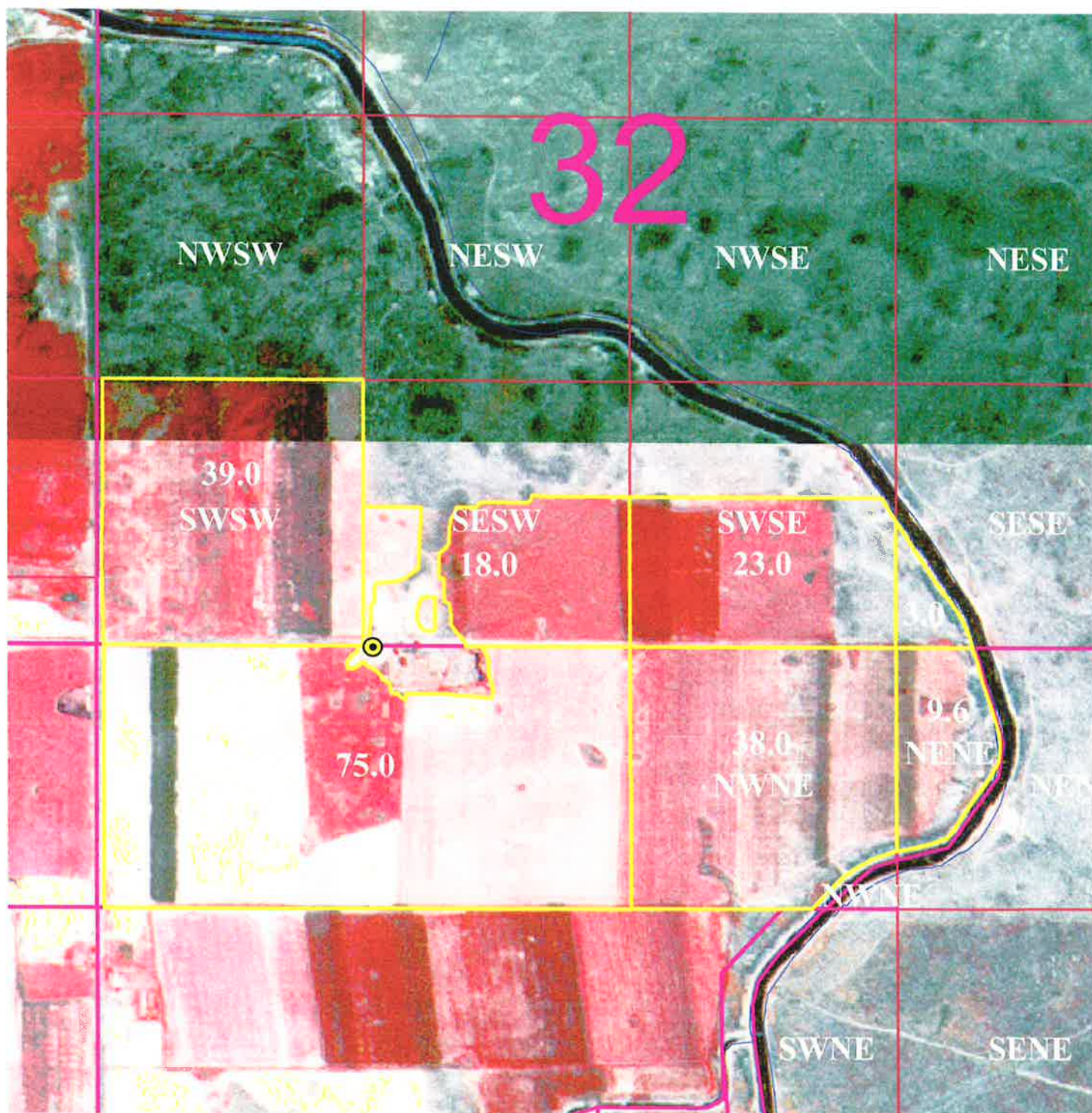
Spatial Dynamics LTD

9/11/01

TR	SEC	QQ	Acres Recommended	Acres Shaped	COMMENT
09s20e	5		74	75	
09s20e	5	NENE	9	9.6	
09s20e	5	NWNE	38	38	
08s20e	32	SWSW	38	39	
08s20e	32	SESW	19	18	
08s20e	32	SWSE	20	23	
08s20e	32	SESE	2	3	
Totals:			200	205.6	

Water Right Number 36-07703
Townships , 8S20E, 9S20E

09/11/2001



500 0 500 1000 Feet

SPATIAL
DYNAMICS

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILM

OCT 19 1994

RECEIVED

AUG 31 1993

Department of Water Resources
Adjudication Bureau

1
2
3 John A. Rosholt
4 ROSHOLT, ROBERTSON & TUCKER
5 P. O. Box 1906
6 Twin Falls, ID 83303-1906

7 Attorneys for Claimant/Respondent, Delbert Waters
8
9
10

11 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
12 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
13

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

Case No. 36-07703-001

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

NOTICE OF APPEARANCE

23 Petitioner,)
24)
25)

26 vs.)
27)
28)

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

33 Respondents.)
34)
35)

DATA ENTRY DONE
MICROFILMED
OCT 19 1994

RECEIVED

NOV 29 1993

Department of Water Resources

Snake River Basin

MICROFILMED

OCT 19 1994

1 TO: THE STATE OF IDAHO, and its attorney of record, Clive J. Strong:

2 YOU WILL PLEASE TAKE NOTICE that John A. Rosholt of the firm of
3 Rosholt, Robertson & Tucker hereby enters the appearance of said firm as attorneys of
4 record for Delbert Waters, Claimant/Respondent, in the above-entitled action.

5 DATED this 24 day of Aug, 1993.

6
7 ROSHOLT, ROBERTSON & TUCKER

8
9 By: John A. Rosholt
10 John A. Rosholt

11 CERTIFICATE OF MAILING

12 I hereby certify that on this 30th day of August, 1993, I served a copy of the
13 foregoing NOTICE OF APPEARANCE, by the method indicated below, and addressed
14 to each of the following:

15
16 Chief, Natural Resources Division
17 Office of the Attorney General
18 State of Idaho
19 P.O. Box 44449
Boise, ID 83711-4449

20 United States Department of Justice
21 Environment and Natural Resource Division
22 550 West Fort Street, Box 33
Boise, ID 83724

23 United States of America
24 Bureau of Reclamation
25 U. S. Department of Interior
26 1150 North Curtis
Boise, Idaho 83706-1234

27
28 John A. Rosholt

OCT 19 1994

1 John A. Rosholt
2 ROSHOLT ROBERTSON & TUCKER
3 P.O. Box 2139
4 Boise, Idaho 83701-2139
5 Telephone: (208) 336-0700
6
7
8
9

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

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

Case No. 36-07703-001

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

RESPONSE TO OBJECTION

Petitioner,

21 vs.)

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

Respondents.

26 INSTRUCTIONS

27 This form must be used to file a response to any objection filed against a
28 water right recommended in a Director's Report. You may respond to all objections filed

RESPONSE TO OBJECTION - 1

MICROFILMED

OCT 19 1994

1 against one water right, using one response form. If you choose this option, your
2 response should cover every issue raised in the objections. To respond to objections filed
3 against more than one water right, you must file a separate response form for each water
4 right. Forms may be obtained from the Idaho Department of Water Resources (IDWR),
5 or you may copy or reproduce this blank form. If you do, the text must be on the front
6 and back of each page exactly as it appears here. The response must be received by the
7 court on or before the deadline specified in the Notice of Filing the Director's Report
8 that IDWR mailed to you. Follow the Instructions for Mailing this response (Page 5),
9 or the court will not accept it for filing.

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

12 Any party filing 25 or more responses must make an appointment with the
13 Clerk of the SRBA Court.

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

18 I. GENERAL INFORMATION

19 Please fill in the following information:

20 1. *Party/Claimant responding to objection:*

21 Name: Delbert Waters

22 Address: 367 S. 1900 E.
23 Jerome, ID 83338

24 Phone: Home:208-825-5274

25 Briefly describe your interest in this water right:

26 OWNER

27 If this response is *filed by an attorney*:

28 Attorney Name: John A. Rosholt

Attorney Address: Rosholt, Robertson & Tucker
P. O. Box 1906
Twin Falls, ID 83303

1 Attorney Phone No. 208-734-0700

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

4 2. *Party/Claimant who filed objection:*

5 Name: United States of America

6
7 Address: Bureau of Reclamation
8 U.S. Department of Interior
9 1150 North Curtis
Boise, Idaho 83706-1234

10 II. STATEMENT OF THE RESPONSE

11 Please check each "box" which identifies your response.

- 12 1. ☐ *Name and Address:* I respond to the objection concerning the name and/or
13 address of the owner of the water right.
- 14 2. ☐ *Source:* I respond to the objection concerning the source of water.
- 15 3. ☒ *Quantity:* I respond to the objection concerning:
16 a. ☒ the total quantity of water used in cubic feet per second; or
17 b. ☐ the total quantity of water stored in acre-feet per year; or
18 c. ☐ the total quantity of water reserved for each and every purpose, including
19 all present and future uses.
- 20 4. ☐ *Priority Date:* I respond to the objection concerning the priority date.
- 21 5. ☐ *Points of Diversion:* I respond to the objection concerning the legal description
22 of the point(s) of diversion.
- 23 6. ☐ *Instream Flow:* I respond to the objection concerning the legal description of
24 the beginning and ending points of the instream flow.
- 25 7. ☐ *Purpose(s) of Use:* I respond to the objection concerning the purpose(s) of use.
- 26 8. ☐ *Period of Year:* I respond to the objection concerning the period of year when
27 water is used or is necessary for the purpose stated.

- 1 9. ☒ *Place of Use*: I respond to the objection concerning:
- 2 a. ☒ the legal description of the place of use; or
- 3 b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
- 4 10. ☒ *Consumptive Use*: I respond to the objection concerning the annual volume of
- 5 consumptive use.
- 6 11. ☐ *Remarks*: I respond to the objection concerning the "remarks" listed with the
- 7 water right.
- 8 12. ☐ *Water Right Recommendation*: I respond to the objection concerning:
- 9 a. ☐ this water right being recommended at all; or
- 10 b. ☐ this water right not being recommended.
- 11 13. ☐ *Description of Reservation*: I respond to the objection concerning the legal
- 12 description of the reservation.
- 13 14. ☐ *Other*: I respond to the objection concerning:

14 **REASONS SUPPORTING EACH BOX CHECKED**

15 In the space following, you must state the reason(s), by number, for each box

16 checked. You may use additional pages if necessary.

17 **Box 3: The quantity of water is not overstated.**

18 **Box 9: The legal description of the place of use should be changed to reflect the**

19 **deletion of 2 acres in the SESE Sec. 32, T.08S, R.20E.**

20 **Box 10: The annual volume of consumptive use is not overstated.**

21

22 **CHANGES TO THE DIRECTOR'S REPORT**

23 Specifically describe how you want the Director's Report to be changed. You may use

24 additional pages if necessary.

25 The Director's Report should be changed by deleting from the place of use the

26 two (2) acres in SESE Sec. 32, T.08S, R.20E, but there should be no decrease

27 in water quantity, as Claimant currently operates with less than the standard

28 inch per acre of water.

1 Please note that you should attach copies of documents which support your response.
2 Note on each document the "box number" it supports.

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

5 Copy of Water Right License for Water Right No. 36-7703 (one page); supports
6 Boxes 3, 9 and 10.

7 VERIFICATION (Must be Completed)

8 State of Idaho

9 County of Twin Falls

10 DELBERT WATERS, being first duly sworn, upon oath, deposes and says:
(Name of party/claimant filing response)

11 That I am the person or entity filing this response, (as listed on Page 2, Section 1,
12 "Person responding to objection"), as defined by I.C. § 42-1401A(1) and (7), and I have
13 read this response, know its contents and that the statements are true to the best of my
14 knowledge and belief.

15 *Delbert Waters*
Signature of party/claimant filing response

16 By: _____
17 (Attorney signing in representative capacity)

18 Subscribed and sworn to before me on

August 30, 1993
(Insert Date)

19 *Sharon Lait Stickle*
20 Notary Public for Idaho

21 Residing at: *Boonville*

22 My commission expires: *12-17-97*

23 INSTRUCTIONS FOR MAILING

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

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

28 RESPONSE TO OBJECTION - 5

MICROFILMED
OCT 19 1994

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of August, 1993, I mailed the original and copies of this response, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Name: DELBERT WATERS

Address: 367 S. 1900 E.
JEROME, ID 83338

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: UNITED STATES OF AMERICA
Address: BUREAU OF RECLAMATION
U. S. DEPARTMENT OF INTERIOR
1150 NORTH CURTIS
BOISE, ID 83706-1234

4. One copy to:

Chief, Natural Resource 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
Environmental and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

Delbert Waters

Signature of party/claimant or attorney

State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7703 Priority May 10, 1977 Amount 3.57 cfs

THIS IS TO CERTIFY, that Delbert Waters
of Jerome, Idaho, has complied with the terms and conditions of Permit
No. 36-7703 issued pursuant to Application for Permit dated May 10, 1977
and has submitted proof to the Department of Water Resources on February 11, 1981
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 3.57 cfs of water from a groundwater 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
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>3.57</u> cfs and	<u>800.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.57 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
800.0 acre feet per year, said waters to be diverted within the Government Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
Section 5, Twp. 9S, Rge. 20E in the County of Jerome

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8S	20E	32											38	19			20	2	79
9S	20E	5	GL1	GL2			GL3	GL4											121
			9	38			36	38											

Total number of acres irrigated 200

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 to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9th day of March, 19 83.

Director

MICROFILMED

1984

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

Delbert Waters

2. SUBJECT OF INQUIRY:

wanted direction on objection filed by
BLM. regarding 7 acres in 85-20E Sec 32 S05E.
Also wanted info regarding Gov lot designations.

3. RESPONSE TO INQUIRY:

I pulled file & found it recom. as licensed
and claimed. He stated that the bend in the canal
does include BLM GND & that he has been trying to
purchase the ground for some time. I gave him a
copy of the old photo that covers that ground & the Gov
lot layout in 95-20E Sec 5.

After he left I reviewed the lot desc. in Sec 5
& found a later survey that changes lots 2, 3, 4 to Tract A.
Therefore the recommendation is incorrect.

4. IDWR STAFF AND DATE:

Print name and Initial

WATER RIGHT CLAIM (Nos.):

Beryl A. Christensen 5-4-93

MICROFILMED

OCT 19 1994

RECEIVED

SEP 15 1993

Department of Water Resources
Southern Region Office

MEMORANDUM

DATE: 09/13/1993
TO: Allen Merritt
FROM: S. Frazee *df*
RE: A36-07703 & 36-07703 / Delbert Waters
John Rosholt Added as Attorney

Hi Allen. Per the attached Notice of Appearance received by the Department August 31, 1993, I have modified the records shown above to reflect the addition of John Rosholt as Attorney.

Please advise your staff of this addition and have this memo and NOA inserted in the file.

Thank you.

MICROFILMED

OCT 19 1994

RECEIVED

SEP 15 1993

Department of Water Resources
Southern Region Office

RECEIVED

AUG 31 1993

Department of Water Resources
Adjudication Bureau

John A. Rosholt
ROSHOLT, ROBERTSON & TUCKER
P. O. Box 1906
Twin Falls, ID 83303-1906

Attorneys for Claimant/Respondent, Delbert Waters

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. 36-07703-001

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

NOTICE OF APPEARANCE

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.

NOTICE OF APPEARANCE - 1

MICROFILMED

OCT 19 1994

1 TO: THE STATE OF IDAHO, and its attorney of record, Clive J. Strong:

2 YOU WILL PLEASE TAKE NOTICE that John A. Rosholt of the firm of
3 Rosholt, Robertson & Tucker hereby enters the appearance of said firm as attorneys of
4 record for Delbert Waters, Claimant/Respondent, in the above-entitled action.

5 DATED this 24 day of Aug, 1993.

6
7 ROSHOLT, ROBERTSON & TUCKER

8
9 By: John A. Rosholt
10 John A. Rosholt

11 CERTIFICATE OF MAILING

12 I hereby certify that on this 30th day of August, 1993, I served a copy of the
13 foregoing NOTICE OF APPEARANCE, by the method indicated below, and addressed
14 to each of the following:
15

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

20 United States Department of Justice
21 Environment and Natural Resource Division
22 550 West Fort Street, Box 33
Boise, ID 83724

23 United States of America
24 Bureau of Reclamation
25 U. S. Department of Interior
26 1150 North Curtis
Boise, Idaho 83706-1234

27
28 Sharon Salt RECEIVED

OCT 19 1994

1 John A. Rosholt
2 ROSHOLT ROBERTSON & TUCKER
3 P.O. Box 2139
4 Boise, Idaho 83701-2139
5 Telephone: (208) 336-0700
6
7
8
9

10 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
11 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
12

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

Case No. 36-07703-001

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

RESPONSE TO OBJECTION

20 Petitioner,)

21 vs.)

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

25 Respondents.)

26 INSTRUCTIONS

27 This form must be used to file a response to any objection filed against a
28 water right recommended in a Director's Report. You may respond to all objections filed

RESPONSE TO OBJECTION - 1

OCT 19 1994

1 Attorney Phone No. 208-734-0700

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

4 2. *Party/Claimant who filed objection:*

5 Name: United States of America

6
7 Address: Bureau of Reclamation
8 U.S. Department of Interior
9 1150 North Curtis
Boise, Idaho 83706-1234

10 II. STATEMENT OF THE RESPONSE

11 Please check each "box" which identifies your response.

- 12 1. ☐ *Name and Address:* I respond to the objection concerning the name and/or
13 address of the owner of the water right.
- 14 2. ☐ *Source:* I respond to the objection concerning the source of water.
- 15 3. ☒ *Quantity:* I respond to the objection concerning:
16 a. ☒ the total quantity of water used in cubic feet per second; or
17 b. ☐ the total quantity of water stored in acre-feet per year; or
18 c. ☐ the total quantity of water reserved for each and every purpose, including
19 all present and future uses.
- 20 4. ☐ *Priority Date:* I respond to the objection concerning the priority date.
- 21 5. ☐ *Points of Diversion:* I respond to the objection concerning the legal description
22 of the point(s) of diversion.
- 23 6. ☐ *Instream Flow:* I respond to the objection concerning the legal description of
24 the beginning and ending points of the instream flow.
- 25 7. ☐ *Purpose(s) of Use:* I respond to the objection concerning the purpose(s) of use.
- 26 8. ☐ *Period of Year:* I respond to the objection concerning the period of year when
27 water is used or is necessary for the purpose stated.

1 Please note that you should attach copies of documents which support your response.
2 Note on each document the "box number" it supports.

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

5 Copy of Water Right License for Water Right No. 36-7703 (one page); supports
6 Boxes 3, 9 and 10.

7 VERIFICATION (Must be Completed)

8 State of Idaho

9 County of Twin Falls

10 DELBERT WATERS, being first duly sworn, upon oath, deposes and says:
11 (Name of party/claimant filing response)

12 That I am the person or entity filing this response, (as listed on Page 2, Section 1,
13 "Person responding to objection"), as defined by I.C. § 42-1401A(1) and (7), and I have
14 read this response, know its contents and that the statements are true to the best of my
15 knowledge and belief.

16 *Delbert Waters*
17 Signature of party/claimant filing response

18 By: _____
19 (Attorney signing in representative capacity)

20 Subscribed and sworn to before me on August 30, 1993
21 (Insert Date)

22 *Sharon Lait Stickle*
23 Notary Public for Idaho

24 Residing at: Boonville

25 My commission expires: 12-17-97

26 INSTRUCTIONS FOR MAILING

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

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

MICROFILMED

State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7703 Priority May 10, 1977 Amount 3.57 cfsTHIS IS TO CERTIFY, that Delbert Watersof Jerome, Idaho, has complied with the terms and conditions of PermitNo. 36-7703 issued pursuant to Application for Permit dated May 10, 1977and has submitted proof to the Department of Water Resources on February 11, 1981that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 3.57 cfs of water from a groundwater 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
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>3.57</u> cfs and	<u>800.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.57 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 is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 800.0 acre feet per year, said waters to be diverted within the Government Lot 3(NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 5, Twp. 9S, Rge. 20E in the County of Jerome

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8S	20E	32											38	19			20	2	79
9S	20E	5	GL1	GL2			GL3	GL4											121
			9	38			36	38											

Total number of acres irrigated 200

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 to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of _____, 19 83.

March
Director

MICROFILMED

OCT 19 1984

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. 36-07703 -0001

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

RESPONSE TO OBJECTION

Petitioner,

vs.

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

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

2. Person who filed objection:

Name: US BUREAU OF RECLAMATION
Address: DEPT OF INTERIOR
1150 N CURTIS
BOISE ID 83706-1234

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

3. ☒ Quantity: I respond to the objection concerning:
- 3a. ☒ The total quantity of water used in cubic feet per second.
9. ☒ Place of Use: I respond to the objection concerning:
- 9a. ☒ The legal description of the place of use.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3, 3a., 9, 9a., and 10 and all allegations of the objection regarding these items, IDWR responds as follows:

IDWR lacks sufficient information to form a belief as to whether any or all of the lands upon which water is diverted, conveyed, or used pursuant to this right are owned by the United States. IDWR admits that if the place of use is reduced by the court, the quantity of water allocated to this water right should

likewise be reduced. IDWR denies the objection and all allegations of the objection not expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

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

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

No. of
Pages

Notice of Claim No. A36-07703

4

(Over)

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

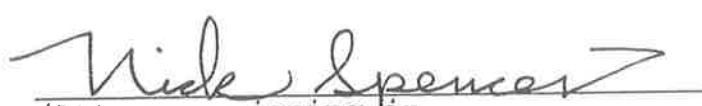
David B. Shaw, being first duly sworn, upon oath, deposes and says:

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.



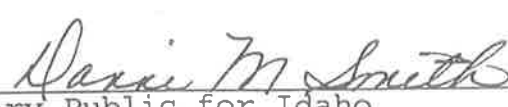
Signature of person filing response

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: DELBERT E & HARRIET WATERS
Address: 367 S 1900 E
JEROME ID 83338

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 W FORT ST BOX 33
BOISE ID 83724



Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07703
Date Received: 1/17/1990
Receipt No: S010982
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DELBERT E. WATERS 208-825-5274
Address: 367 S. 1900 E. 83338
JEROME, ID

OR 208-825-5274
Name: HARRIET WATERS
Address: 367 S. 1900 E. 83338
JEROME, ID

2. Date of Priority: MAY 10, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	20E	5	NW	NE	NW	3	JEROME

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.570		

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

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A36-07703

Page 1

Date: 01/17/90

RECORDED

OCT 19 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	20E	32	SW	SW		IRR	38.0
			SE	SW		IRR	19.0
			SW	SE		IRR	20.0
			SE	SE		IRR	2.0
						Section Acres	79.0
09S	20E	5	NE	NE	1	IRR	9.0
			NW	NE	2	IRR	38.0
			NE	NW	3	IRR	36.0
			NW	NW	4	IRR	38.0
						Section Acres	121.0
						Total Acres	200.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Helbert E. Glaters Date: 1-17-1990

Date: _____

State of Idaho)
County of Twin Falls) ss.

Subscribed and sworn (or affirmed) before me this 17th day
of January 19 90
Seal

Shirley A. [Signature]
Notary Public

Residing at Twin Falls
My Commission Expires Dec 7, 1996

19E. 20E.

T9S

A36-07703

04.1933
FILED

RECEIVED

APR 29 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

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

Petitioner,

vs.

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

Respondents.

Case No. 36-07703
(You must insert the
water right number you
are objecting to)

OBJECTION

36-07703 -0001/
93-04-0349

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 black 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.

OBJECTION - 1

(Over)

Case No. 36-07703

MICROFILMED

OCT 19 1994

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 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.

AJ5856NP

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

DATE: NOV-2-1992
PAGE: A-3052

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
36-07703	HARRIET WATERS DELBERT E WATERS 367 S 1900 E JEROME ID 83338	05/10/1977	IRRIGATION	04-01 10-31	3.57 800.0	CFS AFY LICENSE
			TOTAL QUANTITY:		3.57 800.0	CFS AFY
			CONSUMPTIVE USE:		600.0	AFY
	POINT OF DIVERSION: T09S R20E S05 LOT 3 (NWNENW)					
	PLACE OF USE: IRRIGATION					
	T08S R20E S32 SWSW 38.0 T09S R20E S05 Lot 4 (NENE) 9.0 Lot 2 (NWNE) 38.0 Lot 3 (NENW) 36.0 Lot 4 (NWNW) 38.0 200.0 ACRES TOTAL					
36-13615	JOE SIBBETT RT 2 BOX 277 RUPERT ID 83350	05/10/1977	DOMESTIC	01-01 12-31	.04	CFS BENEFICIAL USE
	NON-IRRIGATION-USES: DOMESTIC, 1 HOUSE					
	POINT OF DIVERSION: T09S R23E S36					
	PLACE OF USE: DOMESTIC					
	T09S R23E S36 NWSW					
	REMARKS: PARCEL NO. RP077300010060 PROPERTY ALSO KNOWN AS LOT 6, BLOCK 1, MINICO SUBDIVISION					

POOR ORIGINAL

MICROFILMED
OCT 19 1994

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



FEB 04 1993

RECEIVED

APR 29 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

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

Petitioner,

vs.

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

Respondents.

Case No. 36-07703
(You must insert the
water right number you
are objecting to)

OBJECTION

36-07703 -0001/
93-04-0349

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 black 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.

OBJECTION - 1

(Over)

Case No. 36-07703

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 objection:

Name: United States of America
Bureau of Reclamation
U.S. Department of Interior
Address: 1150 North Curtis
Boise, Idaho 83706-1234

Briefly describe your interest in this water right:

A portion of the place of use claimed in this water right is public land under the jurisdiction of the United States of America, Bureau of Reclamation.

2. Owner of the water right:

Name: Delbert E. Waters
Address: 367 S 1900 E
Jerome, Idaho 83338

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U.S. Department of Justice
550 West Fort Street
Box 33
Boise, Idaho 83724
Attorney Phone No.: 202-272-4134
202-272-8351

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 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.

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 29 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: Delbert E. Waters

Owner's address: 367 S 1900 E

Jerome, Idaho 83338

3. One copy to:

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

4. One copy to:

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


Signature of Objector or attorney
mailing on Objector's behalf

AUG-24-1992

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: SEP-24-1992

1. Water right number: A36-07703 or no. 36-7703 as on the water right
licene.

2. Name: Delbert E. Waters Harriett Waters

Address: 367 S 1900 east
Jerome, Idaho 83338

FEB 04 1993

Weekday Telephone Number: (208) 825-5274

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

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

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

Date of use should be Mar. 15 to Nov. 15
instead of 4-1 to 10-31

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

Mar. 15 to Nov 15

5. Describe why you disagree with the proposed recommendation:

Water license states date of use Mar. 15 to Nov. 15

6. Date: 9-9-92

SIGNATURE

Robert E. Walters

AJ5856NP

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

DATE: NOV-2-1992

PAGE: A-3052

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
36-07703	HARRIET WATERS DELBERT E WATERS 367 S 1900 E JEROME ID 83338	05/10/1977	IRRIGATION	04-01 10-31	3.57 800.0	CFS AFY LICENSE
					TOTAL QUANTITY:	3.57 800.0 CFS AFY
					CONSUMPTIVE USE:	600.0 AFY
POINT OF DIVERSION: T09S R20E S05 LOT 3 (NWNENW)						
PLACE OF USE: IRRIGATION						
T08S R20E S32 SWSW 38.0 SESW 19.0 SWSE 20.0 SESE 2.0 T09S R20E S05 Lot 4 (NENE) 9.0 Lot 2 (NWNE) 38.0 Lot 3 (NENW) 36.0 Lot 4 (NWNW) 38.0 200.0 ACRES TOTAL						
36-13615	JOE SIBBETT RT 2 BOX 277 RUPERT ID 83350	05/10/1977	DOMESTIC	01-01 12-31	.04	CFS BENEFICIAL USE
					TOTAL QUANTITY:	.04 CFS
NON-IRRIGATION-USES: DOMESTIC, 1 HOUSE						
POINT OF DIVERSION: T09S R23E S36 NWSW						
PLACE OF USE: DOMESTIC						
T09S R23E S36 NWSW						
REMARKS: PARCEL NO. RP077300010060 PROPERTY ALSO KNOWN AS LOT 6, BLOCK 1, MINICO SUBDIVISION						

POOR ORIGINAL

MICROFILMED
OCT 19 1994

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

Handwritten signature

FEB 04 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

08-Oct-1992

DELBERT E WATERS
367 S 1900 EAST
JEROME ID 83338

RE: Proposed Recommendation for Water Right(s) No(s): 36-07703

Dear Mr. Waters:

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

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

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

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

Sincerely,

Marci Sterling

Marci Sterling
Engineering Specialist (EIT)

FEB 04 1993

Old (D) Number -

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

*** C - CURRENT OWNER ***
WATERS

HARRIET

1 - 367 S 1900 E

2.

3.

City- JEROME

State- ID Zip- 83338

Phone - 208-825-5274

WATERS

DELBERT E

1 - 367 S 1900 E

2 -

3.

City- JEROME

State- ID Zip- 83338

Phone - 208-825-5274

+ - - Priority Date - - +
05/10/1977

+ - - - Region - - - +
17 SOUTHERN

```

+ - - - Stage - - - +
L - LICENSE

```

+ - - - Status - - - - +

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

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

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

09S 20E 5 NW NE NW 3 (53) JEROME

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	3.570	800.00

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
3.570	800.00	600.0	

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	20E	32	SW SW		38.0	01	IRRIGATION	(53) JEROME
08S	20E	32	SE SW		19.0	01	IRRIGATION	(53) JEROME
08S	20E	32	SW SE		20.0	01	IRRIGATION	(53) JEROME
08S	20E	32	SE SE		2.0	01	IRRIGATION	(53) JEROME
09S	20E	5	NE NE	1	9.0	01	IRRIGATION	(53) JEROME
09S	20E	5	NW NE	2	38.0	01	IRRIGATION	(53) JEROME
09S	20E	5	NE NW	3	36.0	01	IRRIGATION	(53) JEROME
09S	20E	5	NW NW	4	38.0	01	IRRIGATION	(53) JEROME

Total Acres: 200.0

+ - - Diversion Means - WELL, PUMP, DITCHES & SPRINKLERS.

+ - - Non-Irrigation Use -

Page 2

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

+	-	Remarks
		No Remarks found.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

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

	-Comments-
Date: 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 12/2/91. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 10/08/1992 User Id: SOUTH1 Subject: NOE - RESPONSE	
NO CHANGE MADE TO STANDARD SEASON OF USE. LETTER SENT 10/8/92.	M. STERLING

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

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/17/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010982	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	- B

77 04 1953

R PROOF



CVR



MAPS



PHOTOS



MISC

MICROFILMED
FEB 04 1985

Water Right Number - R36-07703

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
WATERS

DELBERT E.

1 - 367 S. 1900 E.

2 -

3 -

City- JEROME

Phone - 208-825-5274

State- ID Zip- 83338

WATERS

HARRIET

1 - 367 S. 1900 E.

2 -

3 -

City- JEROME

Phone - 208-825-5274

State- ID Zip- 83338

+ - - Priority Date - - +
05/10/1977+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - - +

+ - - Source - - - - - +
GROUNDWATER

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

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

Twn	Rng	Sec	Tract	Lot	RFlg	County
09S	20E	5	NW NE NW	3	(53)	JEROME

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	3.570	800.00

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
3.570	800.00	600.0	

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	20E	32	SW SW		38.0	01	IRRIGATION	(53) JEROME
08S	20E	32	SE SW		19.0	01	IRRIGATION	(53) JEROME
08S	20E	32	SW SE		20.0	01	IRRIGATION	(53) JEROME
08S	20E	32	SE SE		2.0	01	IRRIGATION	(53) JEROME
09S	20E	5	NE NE	1	9.0	01	IRRIGATION	(53) JEROME
09S	20E	5	NW NE	2	38.0	01	IRRIGATION	(53) JEROME
09S	20E	5	NE NW	3	36.0	01	IRRIGATION	(53) JEROME
09S	20E	5	NW NW	4	38.0	01	IRRIGATION	(53) JEROME

Total Acres: 200.0

+ - - Diversion Means - WELL, PUMP, DITCHES & SPRINKLERS.

+ - - Non-Irrigation Use -

Water right number - R36-07703

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

+	Remarks
	No Remarks found.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

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

+ - - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - - +
12/02/91 CHRISTEN

+ - - - - - 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	- 12/02/1991	Old Judicial District	-
Claim Received Date	- 01/17/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010982	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

REC'D 4 1959

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:54:05
09/15/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07703

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			Adm	N			NO	
POINT OF DIV	Y			N	1,5	2nd review by KKC al 2-12-91		
SOURCE				N				
PLACE OF USE	Y			N	1,5,4			
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE	-			N				
PURPOSES				N		no charges made		
PERIOD OF USE				N				
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:54:05
09/15/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07703

LAST: WATERS
ADDRESS: 367 S. 1900 E.
CITY: JEROME
PHONE NUMBER: 208-825-5274
OWNER CODE: C

FIRST: DELBERT E.
STATE: ID ZIP: 83338

LAST: WATERS
ADDRESS: 367 S. 1900 E.
CITY: JEROME
PHONE NUMBER: 208-825-5274
OWNER CODE: C

FIRST: HARRIET
STATE: ID ZIP: 83338

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

DATABASE
N
FIELD
EXAMINER

FEB 04 1991

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 11/13/90

APPOINTMENT MADE: Y(____) N(✓)

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

ACCOMPANIED BY: None

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A36-07703 PRIORITY DATE: 05-10-1977 STAGE: L
B. WR RECORD: # 36-07703 PRIORITY DATE: 05-10-1977 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

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

REMARKS:

RECOMMENDED PRIORITY DATE:
05-10-1977

REVIEWED BY

DATE

11/14/90

FEB 04 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07703	09S	20E	5	NW	NE	NW	3	JEROME

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-13848 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
00-07703	09S	20E	5		NE	NW	3	JEROME

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

A36-13848 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

Appears correct 25 claimed

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:

11/19/90

FEB 4 1993

A. ROOT WATER RIGHT NUMBERS: A36-07703

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	20E	32	SW	SW		WATERS, DELBERT E.	A36-07703 738.0	36-07703 738.0	40.0	39	38
08S	20E	32	SE	SW		WATERS, DELBERT E.	A36-07703 719.0	36-07703 719.0	30.0	18	19
08S	20E	32	SW	SE		WATERS, DELBERT E.	A36-07703 720.0	36-07703 720.0	24.0	15	20
08S	20E	32	SE	SE		WATERS, DELBERT E.	A36-07703 7 2.0	36-07703 7 2.0	2.0	-	2.0
09S	20E	5	NE	NE	1	WATERS, DELBERT E.	A36-07703 7 9.0	36-07703 7 9.0		9	9
09S	20E	5	NW	NE	2	WATERS, DELBERT E.	A36-07703 738.0	36-07703 738.0		38	38
09S	20E	5	NE	NW	3	WATERS, DELBERT E.	A36-07703 736.0	36-07703 736.0		36	36
09S	20E	5	NW	NW	4	WATERS, DELBERT E.	A36-07703 738.0	36-07703 738.0		39	38
TOTAL ACRES							A36-07703	200.00	200.00	96.00	200

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y
FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

accept 20 acre recommendation in 8S 20E 32 SW/SE & 20 acres
in SE/SE, based upon land sat data showing 7 then claimed acres
AKC

Rest within full area

RECOMMENDATIONS:

TOTAL ACRES: 200

REVIEWED BY: *Adm*

DATE: 11/14/90

A. AJ CLAIMED USES:

A36-07703 PURPOSES
IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

DIVERSION QUANTITY
3.570 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

3.570 CFS

B. WR RECORDED USES:

36-07703 PURPOSES
IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

DIVERSION QUANTITY
3.570 CFS 800.00 AE/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

3.570 CFS 800.00 AE/A

FEB 04 1983

C. CONSUMPTION 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	FIELD EXAMINER
N	_____
N	_____
N	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐) Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 3.570 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.570 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?

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

FIELD
DATABASE EXAMINER
N K

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: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 2.00 x 0.02 CFS/ACRE = 4.00 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 = 600.0 AE/A
ACRES 2.00 x CONSUMPTIVE VOL. AE/A FOR AREA 3.0 =
TOTAL CONSUMPTIVE USE 600.0 AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A
ACRES 2.00 x DIVERSION VOL. AE/A FOR AREA 4.0 =
TOTAL DIVERSION VOLUME 800.0 AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

No Overlap

FEB 04 2003

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 3.570 EXAMINER <u>3.570</u>	DATABASE <u>800</u> EXAMINER <u>800</u>	DATABASE 600.0 EXAMINER <u>600.0</u>
TOTAL FOR THIS RIGHT		3.570		600.0

REVIEWED BY: APM

DATE: 11/18/97

FEB 04 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07703

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-07703	A36-07703	3.570	-		36-07703	3.570
TOTAL CFS		3.570				3.570

DATABASE
3.570

EXAMINER

CFS

N/A

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:

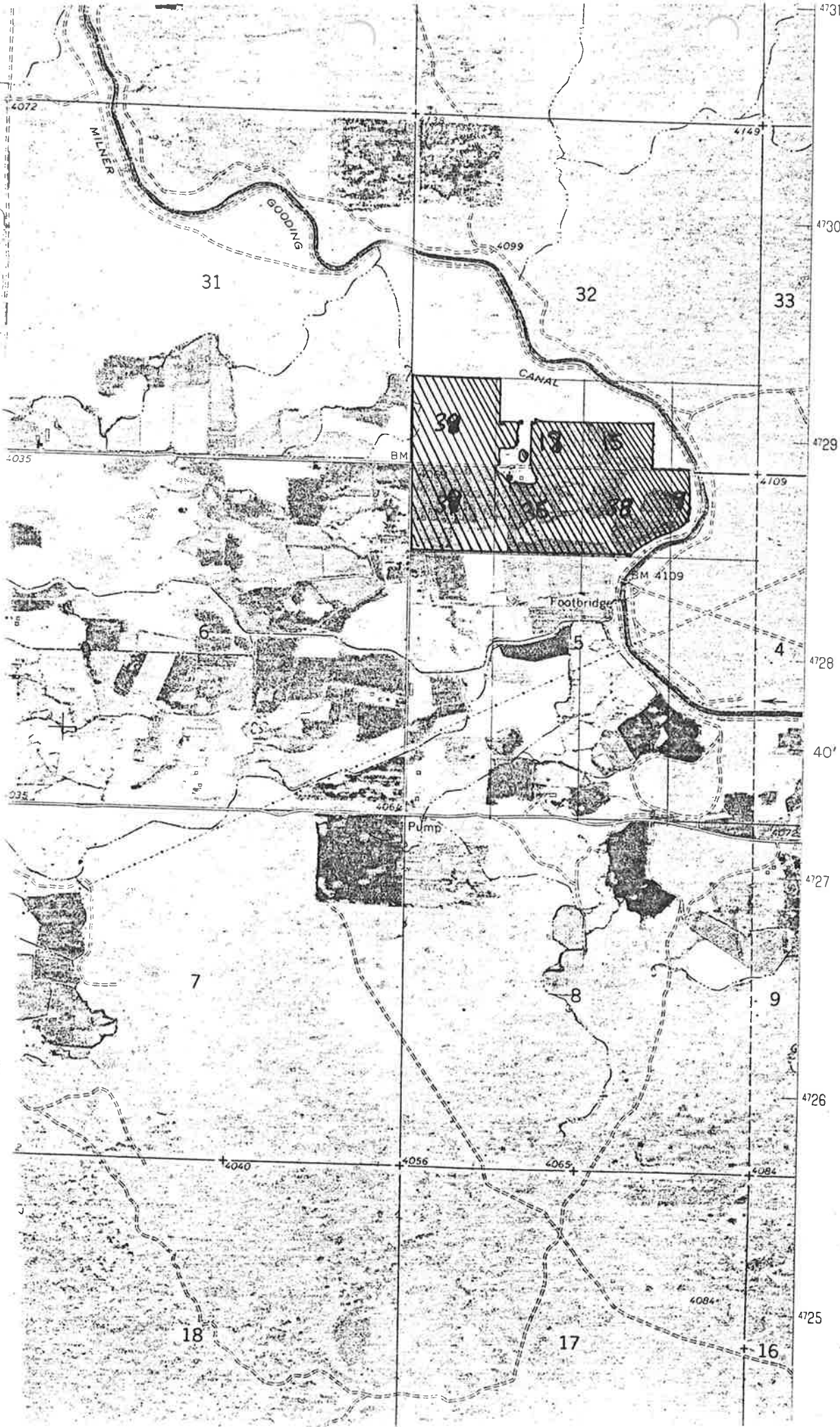
AUTHENTICATION:

SIGNATURE: *[Signature]*

NAME OF FIELD EXAMINER: _____

DATE: 11/14/90

TITLE: _____



1990
F.E.
AD

T8S
T9S

FEB 04 1993

