

DATA ENTERED BY: AD
DATE: 10/13/89

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: **A36-07899**
Date Received: 10/13/1989
Receipt No: S010074
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: CITY OF PAUL 208-438-4101
Address: P.O. BOX 13
PAUL, ID 83347

2. Date of Priority: FEB 27, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	23E	28	SE	SW			MINIDOKA
		32	NE	NW			MINIDOKA

5. Description of diverting works:
WELLS & PUMPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	1.510		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
M/ CITY OF PAUL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	23E	28				MUNI	
		29				MUNI	

A36-07899

Page 1

Date: 10/13/89

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FEB 05 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	23E	32			MUNI	
		33			MUNI	

11. Place of use in counties: MINIDOKA

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
A36-04083 AND A36-07206

14. Remarks:
P/U WITHIN CITY LIMITS OF PAUL.

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A36-07899

Date Received _____

Receipt Number 5010074 Adm

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 12 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) City of Paul Phone (208) 438-4101Mailing Address P.O. Box 13, Paul, Idaho Zip 833472. Date of Priority (Only one (1) per claim) February 27, 19803. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 9 S. Range 23 E. Section 28,
SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of MinidokaAdditional points of diversion if any: T. 9 S., R. 23 E., Section 32 NE 1/4 NW 1/4

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Two wells and two pumps

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal purposes from 1/1 to 12/31 amount 1.510 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.510 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) P/U within the city limits of Paul

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9S.	23E	28	WITHIN CITY LIMITS OF PAUL																
		29																	
		32																	
		33																	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Minidoka

12. Do you own the property listed above as place of use? Yes X No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
36-04083 and 36-07206 or None ()

14. Remarks: City of Paul owns some of the property located within the
city limits. The majority of the property is owned by
private land owners.

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FEB 05 1993

Last Name City of Paul Ident No. _____

Copies: White -State, Yellow-Claimant

R. 23E

Hwy 27

38

37

T. 9S

Hwy 25

32

33

SCANNED
FEB 07 2007

MICROFILMED
FEB 05 1993

Scale: 2 inches equal 1 mile.

Last Name City of Paul

Ident No. A36-07899

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 36-07899
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Attorney _____
Title _____

of _____ City of Paul _____, that I have signed the foregoing
Organization

document in the space below as _____ Attorney _____ of _____ City of Paul _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Attorney - City of Paul _____ Date 10/11/89

State of Idaho/or _____)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 11th day of October 19 89

SEAL

Notary Public Sharon D. Jarne

Residing at Rupert, Idaho

My Commission Expires 12/1/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Kent Fletcher will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Kent Fletcher

Address P.O. Box 910, Burley, Idaho 83318

Date 10/11/89

SCANNED
FEB 07 2007

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FEB 05 1993

Copies White-State, Yellow-Claimant

Last Name City of Paul Ident. Number _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Oct. 18, 1989

Re: A36-07899
A36-04083
A36-07206

CITY OF PAUL
P O BOX 13
PAUL ID 83347

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
FEB 05 1993

A36-13480
KENT FLETCHER
P.O. BOX 910

BURLEY

ID 83318

A36-07206
KENT FLETCHER
P.O. BOX 910

BURLEY

ID 83318

A36-07899
KENT FLETCHER
P.O. BOX 910

BURLEY

ID 83318

MICROFILMED

FEB 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Jul-1990 13:51

A36-04083 *
KENT FLETCHER
P.O. BOX 910

BURLEY

ID 83318

RE: Field examination of a water right claimed
in the Snake River Basin Adjudication

Dear Counselor,

The field staff of this agency may need to conduct water right field examinations of your client's water right claim(s) during the coming season. The field examiner may be visiting your client's property to obtain information necessary to verify the water use.

If a field exam is necessary your client will be contacted directly about the examination unless you contact us otherwise. If you wish to accompany your client at the time of any field examination, or if you have any questions regarding the field examination, you may contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Rights Supervisor

* See attached sheet for other Water Right Numbers

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FEB 05 1993

PARSONS, SMITH, STONE & FLETCHER

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE .
(208) 678-8382
FAX NO.
(208) 678-4435

November 7, 1990

RECEIVED

Allen Merritt
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

NOV 9 1990
Department of Water Resources
Southern Region Office

RE: City of Paul Adjudication Claim - A36-04083, A36-07206,
A36-07899

Dear Mr. Merritt:

This letter is in response to your letter of October 3, 1990.

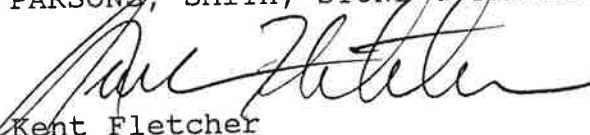
We are in the process of putting together evidence as requested in the letter. However, I cannot get the evidence to you by November 1st.

If you could extend the time period until approximately December 15th it would be appreciated.

Thank you for your consideration of this request.

Sincerely,

PARSONS, SMITH, STONE & FLETCHER



Kent Fletcher

KF/brd

MICROFILMED
FEB 05 1993

PARSONS, SMITH, STONE & FLETCHER

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910

BURLEY, IDAHO 83318
December 14, 1990

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-4435

RECEIVED

DEC 17 1990

Department of Water Resources
Southern Region Office

Allen Merritt
Water Rights Supervisor
Department of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, Idaho 83301

RE: City of Paul Adjudication Claim - A36-04083, A36-07206,
A36-07899

Dear Allen:

The claims filed on behalf of the City of Paul indicated that one of the basis for establishing water rights was Beneficial Use.

In October, you wrote a letter requesting the type of proof that will be submitted to support this claim.

If the Department objects to any portion of the claim, it will be much easier to address your requests.

When the Minidoka Project water rights were established, specific acres were not identified. Rather, general breakdowns per section were computed and the total number of acres that were irrigated were identified within a particular parcel.

Over the years, as water use practices have changed, the various acres that are irrigated have also changed. In many situations, additional acres are being irrigated using the same amount of water that was originally established for a particular parcel.

If, after examination, the Department has an objection to any particular irrigated area located within the City of Paul, the City will then obtain affidavits, property tax records, aerial photographs and other evidence as may be required by the Department of Water Resources.

The City of Paul is not claiming water rights greater than those that have been previously established by permit and/or decree. However, the number of acres to which those water rights are appurtenant may have increased due to changes in irrigation practices.

MICROFILMED
FEB 05 1993

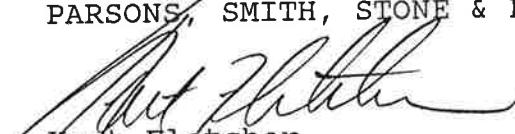
Allen Merritt
December 14, 1990
Page 2

If this letter does not provide you with sufficient clarification of the position of the City of Paul, please feel free to contact me.

Thank you for your attention to this.

Sincerely,

PARSONS, SMITH, STONE & FLETCHER



Kent Fletcher

KF/brd

pc: City of Paul

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FEB 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

KENT FLETCHER
P.O. Box 910
Burley, ID 83318

RE: Evidence of Priority for City of Paul and MID
Notices

Dear Mr. Fletcher:

In response to your recent letters on behalf of your client's notices of claim to water rights filed in the Snake River Basin Adjudication; we respectfully request proof of the date of priority for all claims based on Beneficial Use. Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. In the case of Beneficial Use water rights the date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date of a Beneficial Use water right can not be confirmed by field examination, proof must be provided supporting the priority date.

For your reference please find enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

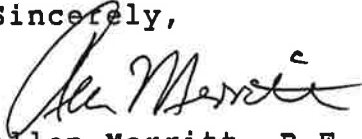
It is our goal to recommend the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notices have been or soon will be conducted by Department personnel. Since the Department can not confirm the priority date the way other elements of the water right are confirmed by field examination we are asking for evidence of the priority shown on the Notices to make the record complete before recommending a Beneficial Use water right to the court.

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

MICROFILMED
FEB 05 1993

Please submit the required evidence supporting the priority date(s) by January 10, 1991, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Allen Merritt". The signature is fluid and cursive, with a large initial "A" and "M".

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

MICROFILMED
FEB 05 1993

PARSONS, SMITH, STONE & FLETCHER

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910

BURLEY, IDAHO 83318

December 14, 1990

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-4435

RECEIVED

DEC 17 1990

Department of Water Resources
Southern Region Office

Allen Merritt
Water Rights Supervisor
Department of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, Idaho 83301

RE: City of Paul Adjudication Claim - A36-04083, A36-07206,
A36-07899

Dear Allen:

The claims filed on behalf of the City of Paul indicated that one of the basis for establishing water rights was Beneficial Use.

In October, you wrote a letter requesting the type of proof that will be submitted to support this claim.

If the Department objects to any portion of the claim, it will be much easier to address your requests.

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The City of Paul is not claiming water rights greater than those that have been previously established by permit and/or decree. However, the number of acres to which those water rights are appurtenant may have increased due to changes in irrigation practices.

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FEB 05 1993

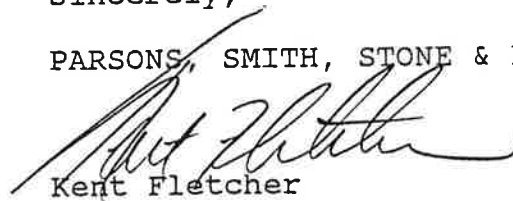
Allen Merritt
December 14, 1990
Page 2

If this letter does not provide you with sufficient clarification of the position of the City of Paul, please feel free to contact me.

Thank you for your attention to this.

Sincerely,

PARSONS, SMITH, STONE & FLETCHER



Kent Fletcher

KF/brd

pc: City of Paul

MICROFILMED
FEB 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

KENT FLETCHER
P.O. Box 910
Burley, ID 83318

RE: Evidence of Priority for City of Paul and MID
Notices

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For your reference please find enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

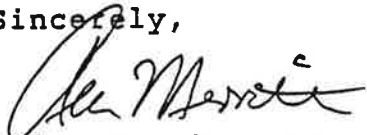
It is our goal to recommend the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notices have been or soon will be conducted by Department personnel. Since the Department can not confirm the priority date the way other elements of the water right are confirmed by field examination we are asking for evidence of the priority shown on the Notices to make the record complete before recommending a Beneficial Use water right to the court.

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

MICROFILMED
FEB 05 1993

Please submit the required evidence supporting the priority date(s) by January 10, 1991, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is fluid and cursive, with a large initial "A" and a stylized "M".

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

MICROFILMED
FEB 05 1993

COPY

200 OCT 19 PM 4:09

FILED
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	)	SUBCASE NO. 36-04083, 36-07206,
	)	36-07899
Case No. 39576	)	AMENDED
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership	☐ Split of Water Right
☒ Point of Diversion	☒ Place of Use
☒ Period of Use	☒ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

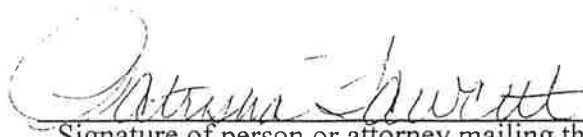
Dated: 10/16/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/19, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Beeman & Hofstetter
PO Box 1427
Boise ID 83701-1427
Kent Fletcher
PO Box 248
Burley ID 83318
3. One Copy to:
Claimant/Purchaser for Substitution of Party 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

09/18/2000

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

RIGHT NUMBER: 36-4083

NAME AND ADDRESS: CITY OF PAUL
PO BOX 13
PAUL, ID 83347

SOURCE: GROUND WATER

QUANTITY: 0.67 CFS

USE OF RIGHT NOS. 36-04083, 36-07206 AND 36-07899 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.51 CFS AND TO
A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1107.8 AF

PRIORITY DATE: 04/27/1920

POINT OF DIVERSION: T09S R23E S28 SESW Within MINIDOKA County
T09S R23E S32 NENW Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	1-01 12-31	0.67 CFS

PLACE OF USE:

PLACE OF USE IS WITHIN THE CITY OF PAUL AND SURROUNDING
SERVICE AREA

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Statutory Claim

09/18/2000

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

RIGHT NUMBER: 36-7206

NAME AND ADDRESS: CITY OF PAUL
PO BOX 13
PAUL, ID 83347

SOURCE: GROUND WATER

QUANTITY: 1.06 CFS
58 AFY

USE OF RIGHT NOS. 36-04083, 36-07206, 36-07899 IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 2.51 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1107.8

PRIORITY DATE: 08/09/1971

POINT OF DIVERSION: T09S R23E S28 SESW Within MINIDOKA County
T09S R23E S32 NENW Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	1-01 12-31	1.06 CFS 58.0 AFY

PLACE OF USE:

PLACE OF USE IS WITHIN THE CITY OF PAUL AND SURROUNDING
SERVICE AREA

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

09/18/2000

RIGHT NUMBER: 36-7899

NAME AND ADDRESS: CITY OF PAUL
PO BOX 13
PAUL, ID 83347

SOURCE: GROUND WATER

QUANTITY: 0.78 CFS

USE OF RIGHT NOS. 36-04083, 36-07206 AND 36-07899 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.51 CFS AND TO
A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1107.8 AF

PRIORITY DATE: 02/27/1980

POINT OF DIVERSION: T09S R23E S28 SESW Within MINIDOKA County
T09S R23E S32 NENW Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
1-01 12-31

QUANTITY
0.78 CFS

PLACE OF USE:

PLACE OF USE IS WITHIN THE CITY OF PAUL AND SURROUNDING
SERVICE AREA

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



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

DIRK KEMPTHORNE
GOVERNOR

October 19, 2000

KARL J. DREHER
DIRECTOR

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

RE: SRBA Claim(s) 36-04083, 36-07206, 36-07899 City of Paul

Dear Counselor:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Kent Fletcher

BEEMAN & HOFSTETTER, P.C.

Counselors and Attorneys at Law

608 West Franklin Street

P. O. Box 1427

Boise, Idaho 83701-1427

Josephine P. Beeman

Dana L. Hofstetter

Telephone: (208) 388-8900

Facsimile: (208) 388-8400

E-mail: beehof@micron.net

October 6, 2000

Doug Jones

Idaho Department of Water Resources

Southern Region

1341 Fillmore Street, Suite 200

Twin Falls, ID 83301-3380

RECEIVED

OCT 10 2000

**Department of Water Resources
Southern Region**

Re: Corrected Amended Director's Report
City of Paul's Subcase Nos. 36-04083, 36-07206, and 36-07899
Our File No. 2078.1

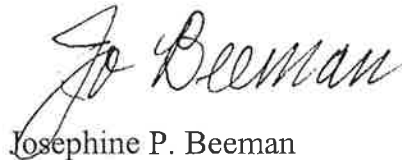
Dear Doug:

This letter will confirm our discussions regarding an Approved Transfer for the City of Paul (dated October 16, 1998, the "Transfer") and the July 2000 Amended Director's Reports submitted to the Snake River Basin Adjudication ("SRBA") Court based upon the completed transfer process. As we discussed, the Transfer, as approved, states that the "place of use is within the City of Paul and surrounding service area." However, the corresponding Amended Director's Reports state that the "place of use is within the city limits of Paul."

The purpose of the Corrected Amended Director's Report will be to include the language from the Approved Transfer ("place of use is within the City of Paul and surrounding service area") in the Corrected Amended Director's Reports for the City of Paul's Subcase Nos. 36-04083, 36-07206, and 36-07899.

Sincerely,

BEEMAN & HOFSTETTER, P.C.



Josephine P. Beeman

JPB:ja

cc: Rich Rau

Kent Fletcher

Nick Spencer, IDWR

D:\2078\4063

MEMORANDUM

TO: Trish Fawcett

FROM: Douglas Jones

DATE: 8/31/00

RE: City of Paul NCAP

Trish,

Jo Beeman called and needs to have a replacement NCAP filed to update the rights 36-04083, -7206 & -7899. Apparently she is anxious that the ADR's filed for these rights do not describe the POU remark properly per the approved transfer. I have edited the eCVR's to reflect the actual language in the transfer approval referencing the "service area" that is delivered municipal water. We used the standard remark of old that specifies the "city limits" and this falls short of the mark with respect to the I.C. changes for 42-202B and 42-222.

I have alerted Don that the remark should be changed. I suppose those of us dealing with claim review and data maintenance need to be aware of these obscure nuances. We'll try to embed needed language where it doesn't fly in the face of reason, or is in error.

COPY

200 JUL 12 AM 11:43

FILED
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) SUBCASE NO. 36-04083, 36-07206,
) 36-07899
)
) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

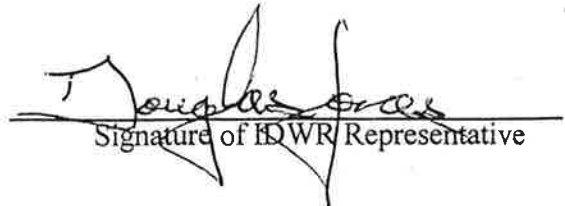
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐	Change in Ownership	☐	Split of Water Right
☒	Point of Diversion	☒	Place of Use
☒	Period of Use	☒	Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

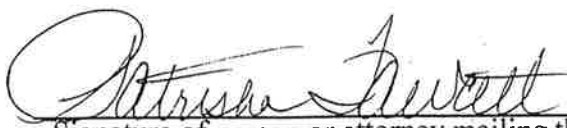
Dated: 7/7/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7/12, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Beeman & Hofstetter
PO Box 1427
Boise ID 83701-1427
Kent Fletcher
PO Box 248
Burley ID 83318
3. One Copy to:
Claimant/Purchaser for Substitution of Party 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

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

RIGHT NUMBER: 36-04083

SOURCE: GROUNDWATER

QUANTITY: 0.67 CFS

PRIORITY DATE: 04/27/1920

PURPOSE AND PERIOD OF USE:		PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MUNICIPAL		01-01 12-31	0.67 CFS

PLACE OF USE:

PLACE OF USE IS WITHIN THE CITY LIMITS OF PAUL.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - STATUTORY CLAIM

AJ5856NP

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

DATE: JUN-26-2000

PAGE: A-2

RIGHT NUMBER: 36-07206

NAME & ADDRESS: CITY OF PAUL
PO BOX 13
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 1.06 CFS
58.0 AFY

USE OF RIGHT NOS. 36-04083, 36-07206, 36-07899 IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 2.51 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1107.8.

PRIORITY DATE: 08/09/1971

POINT OF DIVERSION: T09S R23E S28 SESW Within MINIDOKA County
S32 NENW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MUNICIPAL	01-01 12-31	1.06 CFS
			58.0 AFY

PLACE OF USE:

PLACE OF USE IS WITHIN THE CITY LIMITS OF PAUL.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ5856NP

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

DATE: JUN-26-2000
PAGE: A-5

RIGHT NUMBER: 36-07899

NAME & ADDRESS: CITY OF PAUL
PO BOX 13
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 0.78 CFS

USE OF RIGHT NOS. 36-04083, 36-07206 AND 36-07899 IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 2.51 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1107.8 AF.

PRIORITY DATE: 02/27/1980

POINT OF DIVERSION: T09S R23E S28 SESW Within MINIDOKA County
S32 NENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MUNICIPAL	01-01 12-31	0.78 CFS

PLACE OF USE:

PLACE OF USE IS WITHIN THE CITY LIMITS OF PAUL.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE



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

July 12, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BEEMAN & HOFSTETTER
PO BOX 1427
BOISE ID 83701-1427

RE: SRBA Claim(s) 36-04083, 36-07206, 36-07899

Dear Counselor:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Kent Fletcher

NCA 2-211
Southern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5201
WATER RIGHT NO(S). 36-04083/36-07206/36-07899

RECEIVED

OCT 21 1998

Department of Water Resources
Southern Region

This is to certify that: CITY OF PAUL
PO BOX 13
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. 36-04083 :			
MUNICIPAL	01/01 to 12/31	0.67 CFS	
Priority: 04/27/1920			
Right No. 36-07206 :			
MUNICIPAL	01/01 to 12/31	1.06 CFS	58.0 AF
Priority: 08/09/1971			
Right No. 36-07899 :			
MUNICIPAL	01/01 to 12/31	0.78 CFS	
Priority: 02/27/1980			
	TOTAL:	* 2.51 CFS	* 1107.8 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 28, Township 09S, Range 23E
NENW , Sec. 32, Township 09S, Range 23E
MINIDOKA County

PLACE OF USE: See Remarks

CONDITIONS OF APPROVAL AND REMARKS

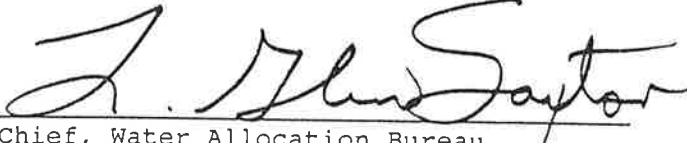
1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5201
WATER RIGHT NO(S). 36-04083/36-07206/36-07899

CONDITIONS OF APPROVAL AND REMARKS

3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Approval of Transfer 5201 does not confirm Claimed Right 36-04083.
- * 5. Rights 36-04083, 36-07206, and 36-07899 when combined shall not exceed a total diversion rate of 2.51 cfs, nor a total annual diversion volume of 1107.8 af.
6. Approval of Transfer 5201 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
7. Place of use is within the City of Paul and surrounding service area.

Dated this 16th day of October, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 36-04083, 36-07206 & 36-07899

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5201

DATE: October 15, 1998

Transfer 5201 adds a point of diversion under Rights 36-04083, 36-07206 and 36-07899, and changes the place, nature, and season of use under Right 36-07206.

Rights 36-04083 and 36-07899 were developed at different times from the same well for municipal use in the City of Paul. Right 36-07206 was developed from a different well for domestic and irrigation use in Meadow Brook Subdivision and assigned to the city prior to licensing. The SRBA recommendations include domestic use under Right 36-04083 to include use at Minico Jr. H.S. The transfer proposes to clarify the use of these wells by the city within their service area, identifying both wells and municipal use on all three rights.

In order to avoid enlargement through this transfer, Right 36-07206 is limited to the volume developed under the original domestic and irrigation uses. Season of use was modified to year round use and place of use identified as within the city and service area per current standards.

Recommended conditions include non-confirmation of claim, combined right limits, right-of-way, measuring & annual reporting and standard transfer conditions.

Change in Nature of Use Evaluation

	<u>Use</u>	<u>Rate</u>	<u>Div. Vol./C.U. Vol.</u>
Before: 36-07206	IRR 7 acres	0.14 cfs	28.0 af/21.0 af
	DOM	1.06 cfs	30.0 af/ 0.0 af
		1.06 cfs	58.0 af/21.0 af
After: 36-07206	MUNICIPAL	1.06 cfs	58.0 af

36-07899
RECEIVED
FEB 02 1998
Department of Water Resources

City of Paul

Josephine P. Beeman, Esq.
Dana L. Hofstetter, Esq.
Beeman & Hofstetter, P.C.
608 West Franklin Street
P. O. Box 1427
Boise, Idaho 83701-1427
Phone: (208) 388-8900
Fax: (208) 388-8400
E-Mail: beehof@micron.net

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

) Subcase No. 36-04083, 36-07206, 36-07899
)
)

Case No. 39576
_____)

NOTICE OF APPEARANCE

*blank prefix + 'R' records
modified 02-04-97.
- ps*

COMES NOW the firm Beeman & Hofstetter, P.C. and hereby enters its
appearance on behalf of the City of Paul in the above-mentioned subcases. Please serve a
copy of all future pleadings on Beeman & Hofstetter, P.C. at the following address:

Josephine P. Beeman, Esq.
Dana L. Hofstetter, Esq.
Beeman & Hofstetter, P.C.
608 West Franklin Street
P. O. Box 1427
Boise, Idaho 83701-1427
Telephone: (208) 388-8900
Facsimile: (208) 388-8400
e-mail: beehof@micron.net

DATED this 30th day of January, 1998.

BEEMAN & HOFSTETTER, P.C.
Attorneys for the City of Paul

By Josephine P. Beeman
Josephine P. Beeman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of January, 1998, I caused a true copy of the foregoing NOTICE OF APPEARANCE to be served by the method(s) indicated on the following:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
P. O. Box 2707
Twin Falls, Idaho 83303-2702
☐ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

Copies to:

W. Kent Fletcher
P. O. Box 248
Burley, Idaho 83318
☐ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098
☐ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

Chief, Natural Resources Division
Office of the Attorney General
P. O. Box 44449
Boise, ID 83711-4449
☐ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724
☐ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax



Josephine P. Beeman

D:\2078\1930

1998 JAN 12 PM 2: 27

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)

**Water Rights: 36-04083,
36-07206, 36-07899**

Case No. 39576)

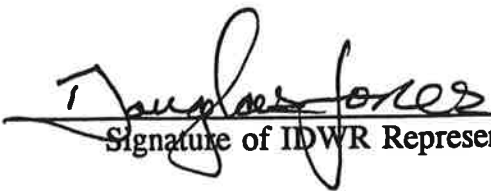
**NOTICE OF ADMINISTRATIVE
PROCEEDING**

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

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

☒ Correct typographical error☐ Substitution of Party/Split Water Right☐ I.C. § 42-222 transfer☐ point of diversion ☐ place of use☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than:
February 16, 1998.

DATED: 4/12/98

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1-12, 1998, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant or attorney of record:
City of Paul
c/o Kent Fletcher
PO Box 910
Burley ID 83318
3. One copy to:
Each party in the subcase, or attorney of record
4. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. 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

January 12, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KENT FLETCHER
PO BOX 910
BURLEY ID 83318

RE: SRBA Claim(s) 36-04083, 36-07206, 36-07899
City of Paul

Dear Claimant:

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

/tf
Enc

INTER-DEPARTMENT MEMO

TO: Trish Fawcett
FROM: Doug Jones

SUBJECT: NAP prep.
DATE: 1/12/48

Trish,

Please prepare an NAP for claims
36-07206, 36-07899, 36-04083 (City of Paul)
identifying the need to correct typographical error as the reason. We
will specify 1(one) month as time
required.

City of Paul
Kent Fletcher atty
PO Box 910
Burley ID 83318

Thank you!

() For your information

() Response required

Doug Jones
signature

BEEMAN & HOFSTETTER, P.C.

Counselors and Attorneys at Law

608 West Franklin Street

P. O. Box 1427

Boise, Idaho 83701-1427

Josephine P. Beeman

Dana L. Hofstetter

Telephone: (208) 388-8900

Facsimile: (208) 388-8400

E-mail: bechof@micron.net

January 12, 1998

*Via Facsimile (208) 736-3037
and U.S. Mail*

Doug Jones
Idaho Department of Water Resources
Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: City of Paul SRBA Claims 36-04083, 36-07206, and 36-07899
Our File No. 2078

Dear Doug:

The Snake River Basin Adjudication (SRBA) Court plans to issue decrees for the City of Paul's three water rights on January 15, 1998, but as you and I discussed on Friday, January 9, there are some changes which need to be made to the water rights, and the City of Paul would prefer to have these changes in the SRBA decree. Perhaps the most direct route may be for the Idaho Department of Water Resources (IDWR) to issue a Notice of Administrative Proceeding and ask the SRBA Court not to decree the rights while IDWR completes the necessary administrative proceedings.

The two wells which service the City of Paul's municipal system are located in Section 28 (NWSESW) and Section 32 (NENENW) of Township 9 South, Range 23 East. One of the necessary changes involves a typographical error in the point of diversion for a well in Section 32 (36-07206). I attach the IDWR memorandum dated July 5, 1995 discussing this matter. The ten-acre parcel for the well in Section 32 was correctly described for Water Right Nos. 36-04083 and 36-07899. For Water Right No. 36-07206, the ten-acre parcel is shown as the NWNENW and needs to be changed to NENENW. Following our conversation on Friday, January 9, I verified with Rich Rau of the City of Paul that the correct ten-acre parcel is described as the NENENW of Section 32.

Doug Jones
Re: City of Paul
January 12, 1998
Page 2

Another area which could be addressed by a transfer arises from the City's integrated municipal water system. The three water rights each list the two wells as points of diversion; however, the place of use on each of the three rights is different. For example, 36-07206 lists the place of use as Meadowbrook Subdivision; 36-04083 lists the place of use as lands within city limits of Paul and West Minico Junior High School; and 36-07899 lists the place of use as lands within the city limits of Paul. Since both wells supply water within the city limits of Paul and to its extended service area which includes Meadowbrook Subdivision, West Minico Junior High School, and properties between the city limits and West Minico Junior High School, the place of use for all three rights should be shown as lands within city limits of Paul and lands within the service area for the City of Paul's municipal water system. To address these issues, a transfer application and fee will be filed by Wednesday, January 14.

Since these requested changes are actually accomplished transfers predating 1987, the City of Paul would prefer to have its water rights removed from the decree list for January 15 so that these changes ultimately can be decreed in the SRBA.

Sincerely,

BEEMAN & HOFSTETTER, P.C.



Josephine P. Beeman

JPB:ja
cc: Kent Fletcher, Esq.
Rich Rau, City of Paul
D:\2074\1912

City of Paul

Josephine P. Beeman, Esq.
Dana L. Hofstetter, Esq.
Beeman & Hofstetter, P.C.
608 West Franklin Street
P. O. Box 1427
Boise, Idaho 83701-1427
Phone: (208) 388-8900
Fax: (208) 388-8400
E-Mail: beehof@micron.net

RECEIVED

FEB 02 1998

Department of Water Resources
Southern Region

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

In Re SRBA	)	Subcase No. 36-04083, 36-07206, 36-07899
	)	
	)	NOTICE OF APPEARANCE
Case No. 39576	)	
_____	)	

COMES NOW the firm Beeman & Hofstetter, P.C. and hereby enters its
appearance on behalf of the City of Paul in the above-mentioned subcases. Please serve a
copy of all future pleadings on Beeman & Hofstetter, P.C. at the following address:

Josephine P. Beeman, Esq.
Dana L. Hofstetter, Esq.
Beeman & Hofstetter, P.C.
608 West Franklin Street
P. O. Box 1427
Boise, Idaho 83701-1427
Telephone: (208) 388-8900
Facsimile: (208) 388-8400
e-mail: beehof@micron.net

DATED this 30th day of January, 1998.

BEEMAN & HOFSTETTER, P.C.
Attorneys for the City of Paul

By Josephine P. Beeman
Josephine P. Beeman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of January, 1998, I caused a true copy of the foregoing NOTICE OF APPEARANCE to be served by the method(s) indicated on the following:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
P. O. Box 2707
Twin Falls, Idaho 83303-2702
☐ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

Copies to:

W. Kent Fletcher
P. O. Box 248
Burley, Idaho 83318
☐ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098
☐ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

Chief, Natural Resources Division
Office of the Attorney General
P. O. Box 44449
Boise, ID 83711-4449
☐ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724
☐ U.S. Mail ☐ Fed Ex ☐ Hand ☐ Fax



Josephine P. Beeman

D:\2078\1930

COPY

1998 JAN 21 PM 2:16
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

**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: 36-04083, 36-07206,
36-07899**

**NOTICE OF ADMINISTRATIVE
PROCEEDING**

IDWR has received an application for an Administrative Proceeding for 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
 - ☒ point of diversion ☒ place of use
 - ☐ period of use ☒ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than:
January 20, 1999.

DATED: 1/16/98



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1-21, 1998, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant or attorney of record:
City of Paul
c/o Kent Fletcher
PO Box 910
Burley ID 83318
3. One copy to:
Each party in the subcase, or attorney of record
4. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. 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

January 21, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF PAUL
C/O KENT FLETCHER
PO BOX 910
BURLEY ID 83318

RE: SRBA Claim(s) 36-04083, 36-07206, 36-07899

Dear Claimant:

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

Trish Fawcett
Technical Records Specialist

/tf
Enc

Page 1 of 6

STATE OF IDAHO JAN 14 1998

Transfer No. _____

DEPARTMENT OF WATER RESOURCES

Bureau of Water Resources

Southern Region

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant City of Paul Phone 208-438-4101Post Office address P. O. Box 13, Paul, Idaho 83347

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes The changes are necessary to reflect the correct locations for the City's wells and the common place of use served by all of the City's water rights.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use | |
|-----------------|-----------------------|-----------------------|------------------|---------------|-------------------|
| <u>36-04083</u> | <u>April 27, 1920</u> | <u>.67 cfs</u> | <u>Municipal</u> | <u>Jan. 1</u> | <u>to Dec. 31</u> |
| <u>36-07206</u> | <u>Aug. 9, 1971</u> | <u>1.06 cfs</u> | <u>Municipal</u> | <u>Jan. 1</u> | <u>to Dec. 31</u> |
| <u>36-07899</u> | <u>Feb. 27, 1980</u> | <u>.78 cfs</u> | <u>Municipal</u> | <u>Jan. 1</u> | <u>to Dec. 31</u> |
| | | | | | |
2. Total amount of water being transferred 2.51 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water ground water tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SW	28	09S	23E	Minidoka	
	NW	NE	NW	32	09S	23E	Minidoka	

5. Lands irrigated or place of use:
- See remarks below.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

Water Right Number - 36-07899

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** A - ATTORNEY ***

FLETCHER

KENT

1 - PO BOX 910

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-000-0000

*** C - CURRENT OWNER ***

CITY OF PAUL

1 - PO BOX 13

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4101

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/27/1980 17 SOUTHERN L - LICENSE

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

Point of Diversion							Diversion Name
Twn	Rng	Sec	Tract	Lot	RFlg	County	
09S	23E	28	NW SE SW		(67)	MINIDOKA	
		32	NE NE NW		(67)	MINIDOKA	

Water Use		Diversion Rate		Diversion Volume
Code	Description	Period From	Period To	
40 - MUNICIPAL		01/01	12/31	0.780

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.780 86.3

Place of Use							Description	County
Twn	Rng	Sec	Tract	Lot	Acres	Code		

+ - - Diversion Means - WELLS & PUMPS.

+ - - Non-Irrigation Use - MUNICIPAL/CITY LIMITS OF PAUL

+ - - Other Rights for Same Use - A36-04083, A36-7206

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

GEN PLACE OF USE IS LANDS WITHIN CITY LIMITS OF PAUL.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF
THESE RIGHTS IS LIMITED TO 2.51 CFS.
OTHER RIGHT NOS.: 36-07206, 36-04083

POU

EXP

QNT

updated
12-9-97
KKE

Proved
12-10-97
KKE

Water right number - 36-07899

Prefix Translation: WATER RIGHT

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

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

+ - - Audit Fields - 04/16/91 STERLING 04/19/91 STERLING 02/06/92 THORNTON 02/11/92 THORNTON 02/18/92 THORNTON
07/18/92 POST-STD 08/28/92 PR-PRODM 11/02/92 CPSHAW 12/05/92 ADT-SHAW 03/29/95 POST-STD

+ - - Certified Numbers & Date Mailed - 257032 08/24/92

+ - - - - Comments - - - - - +
Date: 02/06/1992 User Id: THORNTON Subject: CHANGE IN LICENSED DIVERSION RATE
A36-04083 BASED ON BENEFICIAL USE WAS CONFIRMED DURING REVIEW. SINCE LICENSES 36-07206 AND 36-07899 TOALED THE CAPACITY OF THE
SYSTEM, THE DIVERSION RATE FOR THE BENEFICIAL USE OF .67 WAS RECOMMENDED ON A36-04083 AND THIS LICENSE (LATEST PRIORITY) HAD
AN EQUAL AMOUNT REDUCED, WITH THAT RATE BEING RECOMMENDED TO AN EARLIER PRIORITY. THE TOTAL SYSTEM CAPACITY IS COVERED BY THE
3 CLAIMS.

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 02/18/1992	Old Judicial District	-
Claim Received Date	- 10/13/1989	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	- S010074	Federal/State Indicator	- S
		POU Ownership Flag	- N	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Douglas Jones

DATE:
September 16, 1997 12:44pm

CUSTOMER:
jo beaman, atty

SUBJECT:
phone call (.) walk-in (X)

Requests copies of whole claim files for City of Paul. Send copies to Beaman & Hofstetter 608 W Franklin, Boise, ID 83702. Bill accordingly.

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED
FEB 1988

Water Right Number - R36-07899

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***
CITY OF PAUL

1 - PO BOX 13

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4101

*** A - ATTORNEY ***
FLETCHER

KENT

1 - PO BOX 910

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-000-0000

+ - - Priority Date - - +
02/27/1980+ - - - Region - - - +
17 SOUTHERN+ - - - Stage - - - +
L - LICENSE

+ - - - Status - - - - +

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

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

+ - - - - Point of Diversion - - - - - +							
TwN	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
09S	23E	28	NW SE SW		(67)	MINIDOKA	
		32	NE NE NW		(67)	MINIDOKA	

+ - - - - Water Use - - - - - +					
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
40 - MUNICIPAL		01/01	12/31	0.780	

+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Div. Capacity - +		+ - Total Consumptive Use - +		+ - KW Usage - +	
0.780						86.3			

+ - - - - Place of Use - - - - - +								
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County

+ - - Diversion Means - WELLS & PUMPS.

+ - - Non-Irrigation Use - MUNICIPAL/CITY LIMITS OF PAUL

+ - - Other Rights for Same Use - A36-04083, A36-7206

+ - - - - Remarks - - - - - +	
PLACE OF USE IS LANDS WITHIN CITY LIMITS OF PAUL.	
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION	
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF	
THESE RIGHTS IS LIMITED TO 2.51 CFS.	
OTHER RIGHT NOS.: A36-07206, A36-04083	

MICROFILMED
FEB 05 1993✓ correct
2/11/92 HJT

Water right number - R36-07899

Prefix Translation: RESEARCH

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

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT
- TO IDAHO CODE 42-1416A.

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

+ - - Audit Fields - 04/16/91 STERLING 04/19/91 STERLING 02/06/92 THORNTON

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

Date: 02/06/1992 User Id: THORNTON Subject: CHANGE IN LICENSED DIVERSION RATE
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AN EQUAL AMOUNT REDUCED, WITH THAT RATE BEING RECOMMENDED TO AN EARLIER PRIORITY. THE TOTAL SYSTEM CAPACITY IS COVERED BY THE
3 CLAIMS.

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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	- 02/06/1992	Old Judicial District	-
Claim Received Date	- 10/13/1989	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	- S010074	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- N	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag	-

MICROFILMED
FEB 05 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:45
12/19/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07899

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	N			N		HAT 2/4/92	mjs 4/15/91	
POINT OF DIV	* N			N				
SOURCE	N			N				
PLACE OF USE	X N			N				
DIV. AMOUNT CFS/VOLUME	N			N	Y*			
CONSUMPTIVE USE	-N			N	Y*			
PURPOSES	N			N				
PERIOD OF USE	N			N				
BASIS OF CLAIM	N			N				
REMARKS	X N			N				

"Other Rights" should be changed

"VERIFIED BY" CODES

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

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

Remarks
J03
E08

Condition
C03

MICROFILMED
FEB 05 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:45
12/19/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07899

LAST: CITY OF PAUL
ADDRESS: P.O. BOX 13
CITY: PAUL
PHONE NUMBER: 208-438-4101

FIRST:
STATE: ID ZIP: 83347

OWNER CODE: C

LAST: FLETCHER
ADDRESS: P.O. BOX 910
CITY: BURLEY
PHONE NUMBER: 208-000-0000

FIRST: KENT
STATE: ID ZIP: 83318

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
N

CLAIM REMARKS: P/U WITHIN CITY LIMITS OF PAUL.

MICROFILMED
FEB 05 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
FEB 05 1993

A. AJ CLAIM: # A36-07899 PRIORITY DATE: 02-27-1980 STAGE: L
B. WR RECORD: # 36-07899 PRIORITY DATE: 02-27-1980 STAGE: L

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

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

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
02-27-1980

REVIEWED BY mp DATE 4/2/91

=====

MICROFILMED
FEB 05 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07899	09S	23E	28		SE	SW		MINIDOKA
A36-07899	09S	23E	32		NE	NW		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-04083 NONE
A36-11716
A36-07206
A36-13669

WR RECORDS IN SAME 40 ACRE TRACT

36-04083
36-07206

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07899	09S	23E	28		SE	SW		MINIDOKA
36-07899	09S	23E	32		NE	NW		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-04083
36-07206

A36-04083 NONE
A36-11716
A36-07206
A36-13669
A36-13723

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

		DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	Y	<u>N</u>
DUE TO SOURCE DISCREPANCY? (Y/N)	N	N	<u>N</u>

MICROFILMED
FEB 05 1990

REMARKS:

P/D described only to 40 acre tract, not to 10 acres → 10 acre description only necessary if a field exam is done for some other reason.

MICROFILMED

FEB 05 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
09S	23E	28	NW	SE	SW	—	Minidoka
09S	23E	32	NE	NE	NW	—	Minidoka

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

478

DATE:

4/2/91

A. ROOT WATER RIGHT NUMBERS: A36-07899

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM ACRES
09S	23E	28				CITY OF PAUL	A36-07899 /	- / 3.5			
						CITY OF PAUL	A36-04083 /	- /			
						MACNEIL , VERNON	A36-11632 /	- /			
						STOLLER , JUNE M.	A36-11610 /	- /			
						MINIDOKA IRRIGATION DISTRICT		01-00008 /			
						U.S. DEPT. OF INTERIOR		01-00219 /			
09S	23E	29				CITY OF PAUL	A36-07899 /	- / 3.5			
						CITY OF PAUL	A36-04083 /	- /			
						MINIDOKA IRRIGATION DISTRICT		01-00008 /			
						U.S. DEPT. OF INTERIOR		01-00219 /			
09S	23E	32				CITY OF PAUL	A36-07899 /	- / 3.5			
						CITY OF PAUL	A36-04083 /	- /			
						MINIDOKA IRRIGATION DISTRICT		01-00008 /			
						U.S. DEPT. OF INTERIOR		01-00219 /			
09S	23E	33				CITY OF PAUL	A36-07899 /	- / 3.5			
						CITY OF PAUL	A36-04083 /	- /			
						TWISS , GEORGE	A36-11810 /	- /			
						TWISS , FAYE	A36-11811 /	- /			
						MEYER , ALBERT	A36-11890 /	- /			
						MEYER , ALBERT	A36-11891 /	- /			
						MINIDOKA IRRIGATION DISTRICT		01-00008 /			
						U.S. DEPT. OF INTERIOR		01-00219 /			
TOTAL ACRES							A36-07899		14.00		

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
N

MICROFILMED
FEB 05 1993

PRESUMPTION FLAG:

REMARKS:

WR describes POU as "within the city limits of Paul" → should be recommended that way.

MICROFILMED
FEB 05 1993

RECOMMENDATIONS:

TOTAL ACRES: 0

REVIEWED BY: MP

DATE: 4/2/91

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-07899 MUNICIPAL	FROM 01-01 TO 12-31	~~1.510~~ CFS .84
TOTAL DIVERSION RATE/VOLUME CLAIMED		~~1.510~~ CFS .84

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-07899 MUNICIPAL	FROM 01-01 TO 12-31	1.510 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.510 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>22</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u>22</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<u>22</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

36-04083 (BU) has been confirmed. The rate of flow for that water right is .67 cfs. This rt. is therefore decreased an equivalent amt.

MICROFILMED
FEB 05 1999

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(X) N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.510 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.510 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

N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A36-04083 & A36-07206

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-07899	MUNICIPAL	CITY OF PAUL	FROM 01-01 TO 12-31	1.510 CFS	
A36-04083	MUNICIPAL	CITY OF PAUL	FROM 01-01 TO 12-31	1.000 CFS	
A36-11632	DOMESTIC	MACNEIL , VERNON	FROM 01-01 TO 12-31	.040 CFS	
A36-11632	STOCKWATER	MACNEIL , VERNON	FROM 01-01 TO 12-31	.020 CFS	
A36-11610	DOMESTIC	STOLLER , JUNE M.	FROM 01-01 TO 12-31	.040 CFS	
A36-11610	STOCKWATER	STOLLER , JUNE M.	FROM 01-01 TO 12-31	.020 CFS	
A36-11810	DOMESTIC	TWISS , GEORGE	FROM 01-01 TO 12-31	.040 CFS	
A36-11810	STOCKWATER	TWISS , GEORGE	FROM 01-01 TO 12-31	.020 CFS	
A36-11811	DOMESTIC	TWISS , FAYE	FROM 01-01 TO 12-31	.040 CFS	
A36-11811	STOCKWATER	TWISS , FAYE	FROM 01-01 TO 12-31	.020 CFS	
A36-11890	DOMESTIC	MEYER , ALBERT	FROM 01-01 TO 12-31	.040 CFS	
A36-11890	STOCKWATER	MEYER , ALBERT	FROM 01-01 TO 12-31	.020 CFS	
A36-11891	DOMESTIC	MEYER , ALBERT	FROM 01-01 TO 12-31	.040 CFS	
A36-11891	STOCKWATER	MEYER , ALBERT	FROM 01-01 TO 12-31	.020 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

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

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

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

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

Municipal use - mostly for homes → ~~non~~-consumptive
See attached memos and calculations regard irrigation use w/i city limits of Paul.

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM	REC. PERIOD TO	REC. DIV RATE	REC. DIV CFS	REC. DIV VOL. AF/A	REC. CONS. USE
MUNICIPAL	01-01	12-31	DATABASE 1.510	EXAMINER .78	DATABASE EXAMINER	DATABASE 0.0 EXAMINER 86.3
TOTAL FOR THIS RIGHT			1.510	.78	HAT	0.0 86.3

REVIEWED BY:

WJ

HAT

DATE:

4/2/91

2/3/92

See attached memo re. diversion rate

The reason for discrepancy between .67 transferred to A36-04083 and .78 recommend is due to .06 cfs identified on license that over 1.45 capacity of well #1.

Well #1	Capacity ^{per field exam} 1.45	↔	Licensed ^{And.} 1.51
Well #2	1.06		1.06
	<u>2.51 capacity = 2.51</u>		

.06 cfs is part of rt already covered in 36-07206.

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07899

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	1.510	<u>1.51</u>	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07899	1.510	-		36-07899	1.510
TOTAL CFS		1.510				1.510

DIVERSION RATE REVIEW

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

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

REMARKS:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____
NAME OF FIELD EXAMINER: _____ TITLE: _____

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MEMORANDUM

A36-04083
A36-07206
A36-07899

To: FILE A36-04083
From: HELEN HARRINGTON-THORNTON
Date: February 3, 1992
Subject: RECOMMENDED RATE OF DIVERSION

According to documents from the Idaho Department of Public Health for the years 1947, 1949, 1950, and 1955, the well that supplied the municipality had a diversion capacity of 300 gpm. A report from 1946 stated 450 gpm, however, this rate was never referred to in any other supporting documents.

That well has since been abandoned and according to Rich Rau, city supervisor, the point of diversion for the historic beneficial use right is a new well which is also described in right 36-07899.

Since there is sufficient supporting documentation to show a water right from 1920, the rates of diversion for the three rights are as follows, with the diversion rate recommended on the earlier right being decreased from the latest right:

A36-04083	0.67 cfs
A36-07206 ~~07899~~	0.78 cfs
A36-07866 ~~07206~~	~~0.84~~ cfs
	1.06

2.51 cfs Total Capacity of system (per 1981 field exam)

All three rights divert into the same system. Therefore, both points of diversion are shown on all rights.

A36-04083	- no consumptive use
A36-07206	- consumptive use for Meadowbrook subdivision
A36-07899	- consumptive use for irrigation use w/i city limits of Paul

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SUPPLEMENTAL DIVERSION AMOUNT REVIEW SHEET

CLAIM NUMBER A36-07899

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

A. DIVERSION RATE 1.51 X NUMBER OF DAYS IN PERIOD OF USE 365 X 1.9835 = 1093 AF/A

B. RECOMMENDED GALLONS PER DAY _____ X NUMBER OF DAYS IN PERIOD OF USE _____ = _____ GALL/A

(_____) GALLONS/ANNUM = _____ AF/A

325,850 GALLONS/ACRE FOOT

See Appendix IV, "Idaho Water Law Handbook" for recommended gallons per day.

TOTAL DIVERSION VOLUME EQUALS THE SMALLER OF A OR B. _____ AF/A

IS THERE A CONSUMPTIVE USE ASSOCIATED WITH THIS WATER RIGHT? Y(X) N()

IF YES, USE THE SPACE BELOW TO CALCULATE THE CONSUMPTIVE USE.

210 acres in city limits, identified 57.5 of those as irrigated.
Approx. 50% of homes within city limits use city's system
for lawn watering, etc.

$$\text{Cons. Use} = (3.0 \text{ ac. ft/ac})(57.5 \text{ ac})(0.50) = 86.25 \text{ ac. ft/yr}$$

Vol. not required
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TELEPHONE & VISITOR LOG

Date: 4-18-91

Time: 1:30

Call ☒ Visit ☐

Name: Audrey Neiwerth

Clerk-Treasurer

Address: School District No. 331

633 Freemont Ave., Rupert, ID 83350

Phone No.: (208) 436-4727

Claim No(s): A36-07134 and A36-07135

RE: Irrigated acres at West and East Minico Jr. Highs

Conversation: Audrey Neiwerth called to tell me
that she looked at the deeds and determined
that the total acreage at West Minico Jr. High
is 23 acres and East Minico Jr. High is 21.37 acres.
Minico High is 39.7 acres.

She also indicated that ~~the~~ West Minico Jr. High is
connected to the water and sewer systems for the city
of Paul. *for indoor uses (drinking water, restrooms, etc.)*

SV Keen

Action Required:

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TELEPHONE & VISITOR LOG

Date: 4/11/91

Time: 3:30 pm

Call X Visit
(from me)

Name: City of Paul
Rich Rau

Address: P.O. Box 13
Paul, Idaho 83347

Phone No.: 438-4181

Claim No(s): A36-07206, 07899, 04083

=====

RE: Consumptive Use

Conversation: Estimated that 50% of the city's irri-
gation water for homes within city limits was
covered by the system, other 50% covered by MID.
One park uses city system for its water, park is
approx. 140' x 125'. West Minico school & Meadow
Brook subdivision also use system water. The newer
additions all use city water. City limits haven't
changed since before 1980.

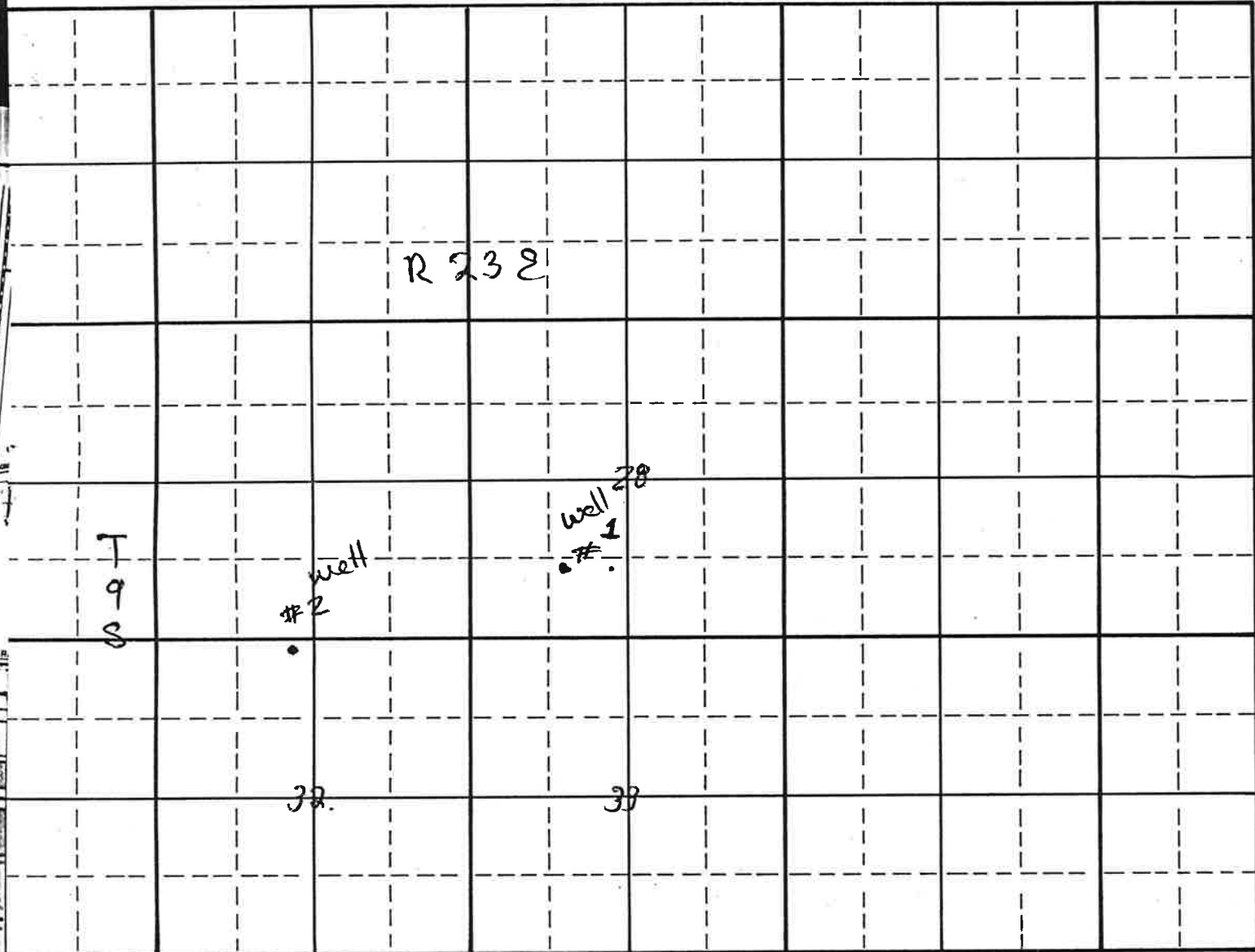
=====

Action Required:

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DECLASSIFIED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: well #2 NE 1/4 NW 1/4, sec 32 & well #1 SE 1/4 SW 1/4, sec 28 9S-23E

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	23E	28																	
		29																	
		32																	
		33																	

Recommended Amendments:

- ☐ Change P.D. as reflected above
 ☐ Add P.D. as reflected above
 ☒ None
- ☐ Change P.U. as reflected above
 ☐ Add P.U. as reflected above
 ☐ Other

Examiner's Signature [Signature]
 Date 4-16-1981

Checked by [Signature]
 Date 4/16/81

Approved by [Signature]
 Date 8/18/81

Claim #A36-1899

M.S.
4/12/91

City of Paul:

		<u>Acres:</u>	<u>% Irrigated:</u>	<u>Total Irr. Acres:</u>
<u>Sect. 28</u>	NESW	2	20	.4
	NWSW	13	30	3.9
	SWSW	40	25	10
	SESW	35	25	8.8
	SWSE	3	—	0
<u>Sect. 29</u>	NESE	11	25	2.8
	SWSE	16	20	3.2
	SESE	40	35	14
<u>Sect. 32</u>	NWNE	9	60	5.4
	NENE	15	25	3.8
<u>Sect. 33</u>	NWNW	26	20	5.2
		<u>210 Ac.</u>		<u>57.5</u>

$$\text{Irr. Consumptive Use} = (3.0 \text{ ac. ft/ ac.})(57.5 \text{ ac})$$

$$= 172.5 \text{ ac. ft}$$

Approx.

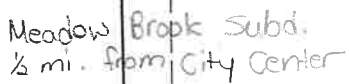
50% of outdoor use (lawns, etc.) within the city is covered by the Minidoka Irrigation District

$$\text{City System Irr. Consumptive Use} = (0.50)(172.5 \text{ ac. ft})$$

$$= 86.25 \text{ ac. ft}$$

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STREETS FORMING URBAN EXTENSIONS OF
FEDERAL-AID, PRIMARY STATE AND U.S. ROUTES

- UNIMPROVED
GRADED AND DRAINED
GRAVEL OR STONE
BITUMINOUS SURFACED-LOW TYPE
PAVED STREET

- OTHER CITY STREETS
- PAVED OR SURFACE TREATED
- SURFACED - (non dustless)
- UNIMPROVED
- DEDICATED - (not open)
- FEDERAL-AID PRIMARY SYSTEM
- FEDERAL-AID SECONDARY SYSTEM
- U.S. NUMBERED ROUTES

- STATE NUMBERED ROUTES
CITY CENTER
RAILROAD
CENTRAL BUSINESS DISTRICT
CORPORATE BOUNDARY LINE
END OF MARKED ROUTE
END OF FEDERAL-AID SYSTEM

T. 9 S., R. 23 E. B.M.

