



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

January 17, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARTIN FARMS CO
670 E 170 N
JEROME ID 83338

RE: Decreed Water Right 36-2612A, 36-2612B, 36-2608, 36-2577,
36-2386, 36-7906A, 36-7906B, 36-11149, 36-11150
Change of Address Notification

Dear Water Right Holder:

Thank you for notifying us of your change in address on the water
right referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

CHANGE IN ADDRESS

DEC 31 2001

Department of Water Resources
Southern Region

☐ Water Right Number(s):

36-02612B, 36-02612A
36-02608^D; 36-02577^D; 36-02386^D;
36-07906A; 36-07906B 36-11149
36-11150

☐ Old Mailing Address:

201 East Ave. A
Jerome, ID 83338

☐ New Mailing Address:

670 East 170 North
Jerome, ID 83338

☒ New Telephone Number:

(208) 324-8236

☒ Signature of Claimant(s):

Kristi L. Heidemann
President for Martin Farms Co.

Date:

4-12-01

FOR IDWR USE ONLY
Initial Review and Data Entry
Date: By:
Further Action Needed:

Further Action Taken
Date: By:
Final Review and Data Entry

Date: By:

1/8/02

juwatt



State of Idaho

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Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

1/8/02

juwatt

RECEIVED

MAR 21 2002

Department of Water Resources
Southern Region

7:22 PM -6 AM 10-48

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

) AMENDED FINAL ORDER DISALLOWING
) WATER RIGHT CLAIM 36-07906
)

) (Amended to Correct Clerical Error, I.R.C.P. 60(a))
)

On November 2, 1992, the Idaho Department of Water Resources (IDWR) filed a *Director's Report, Part 1, For Reporting Area 3 (Basin 36)*, which included a recommendation for the above water right. No objections to this recommendation were filed and the time for filing objections has now expired.

On June 23, 2000, IDWR filed an *Amended Director's Report* recommending that the above water right be split and decreed as 36-07906A and 36-07906B. No objection was filed to this *Amended Director's Report* and the time for filing objections has expired.

THEREFORE IT IS ORDERED AND ADJUDGED that water right claim 36-07906 is hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED 3-6-02

R. S. Burdick
ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the AMENDED FINAL ORDER DISALLOWING WATER RIGHT CLAIM 36-07906 was mailed on March 06, 2002, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

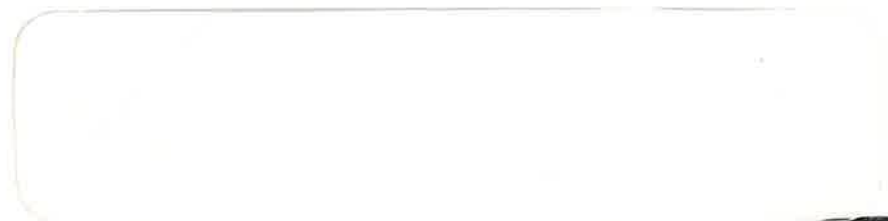
MARTIN FARMS CO.
919 19TH AVE E
JEROME, ID 83338
Phone: 208-324-5951


Deputy Clerk

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

Q

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD



COPY

700 JUN 23 PM 1:57

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

SUBCASE NO. 36-07906, 36-07906A,
36-07906B

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):

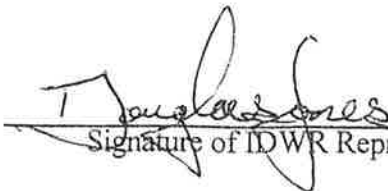
☐ Change in Ownership	☒ Split of Water Right
☒ Point of Diversion	☒ Place of Use
☒ Period of Use	☒ Nature of Use

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:

6/22/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/23, 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:
Martin Farms Co
201 E Ave A
Jerome ID 83338
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

AJ5859NP

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

DATE: JUN-21-2000
PAGE: A-4

RIGHT NUMBER: 36-07906

SEE NOS. 36-07906A AND 36-07906B.

AJ5856NP

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

DATE: JUN-21-2000
PAGE: A-3

RIGHT NUMBER: 36-07906A

NAME & ADDRESS: MARTIN FARMS CO
919 19TH AVE E
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.35 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02612A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.09 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 936 AF.

PRIORITY DATE: 03/26/1980

POINT OF DIVERSION: T08S R17E S11 SENENE Within JEROME County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.35 CFS

PLACE OF USE:	IRRIGATION	Within JEROME County			
	T08S R17E S11	NENE 40	NWNE 40		
	S12	NENW 40	NWNW 40	SWNW 37	SENW 37
	234 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 36-02612A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 234 ACRES IN A SINGLE
IRRIGATION SEASON.

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

RIGHT NO. 36-02612A IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

AJ5856NP

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

DATE: JUN-21-2000
PAGE: A-4

RIGHT NUMBER: 36-07906B

NAME & ADDRESS: MARTIN FARMS CO
201 EAST AVE A
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.11 CFS
25.4 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-02612B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.01 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 233.5 AF.

PRIORITY DATE: 03/26/1980

POINT OF DIVERSION: T08S R17E S11 SENE Within JEROME County

TWO POINTS OF DIVERSION LOCATED IN T08S, R17E, S11, SENE.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.11 CFS
	COMMERCIAL	01-01 12-31	24.7 AFY
			0.11 CFS
			0.7 AFY

THE WATER USED FOR COMMERCIAL PURPOSES UNDER THIS APPROVAL
IS APPLIED TO AND IRRIGATES LAND ADJACENT TO THE PLACE OF USE
DESCRIBED ABOVE TO SATISFY WATER QUALITY REQUIREMENTS. WATER
SHALL NOT IRRIGATE GROWING PLANTS UNLESS THE WATER IS FIRST
BENEFICIALLY USED IN THE DAIRY AS AUTHORIZED BY THESE WATER
RIGHTS.

PLACE OF USE: STOCKWATER Within JEROME County
T08S R17E S11 SWNE SENE

Place of use for COMMERCIAL is same as STOCKWATER

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

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SOUTHERN REGION

June 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARTIN FARMS INC
201 E AVE A
JEROME ID 83338

RE: SRBA Claim(s) 36-02612, 36-07906 - SPLITS

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5307
WATER RIGHT NO(S). 36-02612B/36-07906B

RECEIVED

AUG 10 1999

Department of Water Resources
Southern Region

This is to certify that: MARTIN FARMS CO
201 EAST AVE A
JEROME ID 83338

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. 36-02612B :			
STOCKWATER	01/01 to 12/31	0.90 CFS	202.3 AF
COMMERCIAL	01/01 to 12/31	0.90 CFS	5.8 AF
Priority: 05/06/1965			
SUBTOTAL:		0.90 CFS	208.1 AF
Right No. 36-07906B :			
STOCKWATER	01/01 to 12/31	0.11 CFS	24.7 AF
COMMERCIAL	01/01 to 12/31	0.11 CFS	0.7 AF
Priority: 03/26/1980			
SUBTOTAL:		0.11 CFS	25.4 AF
TOTAL:		* 1.01 CFS	* 233.5 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 11, Township 08S, Range 17E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 17E 11

SWNE

SENE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

TRANSFER NO. 5307
WATER RIGHT NO(S). 36-02612B/36-07906B

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
3. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. The total instantaneous diversion of water from all points of diversion under Transfer 5307 shall not exceed 1.01 cfs, nor a total combined annual volume of 233.5 af.
8. The water used for commercial purposes under this approval is applied to and irrigates land adjacent to the place of use described above to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used in the dairy as authorized by these water rights.

Two points of diversion are located within SENE, S11, T08S, R17E.

Dated this 6th day of August, 1999.

J. Glen Saylor
Chief, Water Allocation Bureau

QJ1
(E25)
USE

POD 9.2
(F02)

MEMORANDUM

TO: Files 36-02612 & 36-07906

FROM: Pam Skaggs *PS* / State Office

SUBJECT: Transfer 5307

DATE: July 28, 1999

Transfer 5307 adds and changes points of diversion, changes the place, nature and season of use under portions of Rights 36-02612 and 36-07906. The applicant is removing 80 acres from irrigation to provide for stockwater and commercial uses at a dairy to be developed on-site.

Two new wells will be constructed to serve the dairy, and season of use was adjusted to year round for dairy purposes. The place of use includes both quarter-quarters where acres have been removed from irrigation. The dairy and stock use was identified on the application map and in the remarks as being located on the retired acres. No expansion of use occurs through this transfer.

Recommended conditions include drilling permit requirements, measuring & annual reporting, water quality, county zoning, maximum diversion limits, land application and standard transfer conditions.

<u>Change in Nature of Use Evaluation</u>				
	<u>Rate</u>	<u>Use</u>	<u>Acres</u>	<u>Div. Vol./C.U. Vol.</u>
36-02612	3.64 cfs	IRR	314.0 acres	(1256.0 afa/942.0 afa)
36-07906	0.46 "	"	" "	(224.5 " /224.5 ")
	4.10 cfs	IRR	314.0 acres	1256.0 afa/942.0 afa
36-02612A	2.74 cfs	IRR	234.0 acres	(936.0 afa/702.0 afa)
36-07906A	0.35 "	"	" "	(170.8 " /170.8 ")
	3.09 cfs	IRR	234.0 acres	936.0 afa /702.0 afa
36-02612B	0.90 cfs	STOCK/COMM	(80.0 acres)	208.1 afa/208.1 afa
36-07906B	0.11 "	"	(80.0 ")	25.4 " / 25.4 "
	1.01 cfs	STOCK/COMM	(80.0 acres)	233.5 afa/233.5 afa
Parts A & B	4.10 cfs	IRR & Dairy	234.0 acres	1169.5 afa/935.5 afa