

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-07907

NAME & ADDRESS: BYRON D MARSHALL
RUBY M MARSHALL
97 S 350 W
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 09/11/1972

POINT OF DIVERSION: T08S R16E S21 SESW Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC 1 HOME		01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within JEROME County
T08S R16E S21 SESW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED:

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

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:

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-07907

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DEC 11 1996
Department of Water Resource
Southern Region

Vol.

CK for filing
Vol
KRC
1-3-96

AJ5809NP
No. R36-07907

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/19/96
PAGE: 254

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BYRON D MARSHALL	09/11/1972	DOMESTIC	01-01 12-31	0.04 CFS	
C	RUBY M MARSHALL					
	97 S 350 W			TOTAL DIVERSION:	0.04 CFS	
	JEROME ID 83338					
	(208) 324-4501					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T08S R16E S21

SESW

JEROME County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
08S	16E	21	:					:					:					:					:

POU County: JEROME

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. 08S16E217128

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 05/29/1991 User-ID: SRBA Subject: COPIED FROM REMARKS
THIS CLAIM IS A BENEFICIAL USE CLAIM BECAUSE THE PRIORITY DATE
GOES BACK TO TIME OF FIRST USE. REFERS TO LIC. 36-07907 WITH
PRIORITY DATE OF 03-26-1980.

Date: 10/14/1996 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE

MICROFILMED
DEC 0 5 1996
10/19/96

AJ5809NP
No. R36-07907

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/19/96
PAGE: 255

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Comments: Date: 10/14/1996 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 10/18/96 DSHAFF

MICROFILMED
DEC 05 1996

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: A36-07907
Date Received: 1/25/1990
Receipt No: S011056
Received By: SEC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BYRON D. MARSHALL 208-324-4501
Address: 97 S. 350 W.
JEROME, ID 83338
OR
Name: RUBY M. MARSHALL 208-324-4501
Address: 97 S. 350 W.
JEROME, ID 83338

2. Date of Priority: SEP 11, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	16E	21	SE	SW			JEROME

5. Description of diverting works:
6"X 199' WELL, 1 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	16E	21	SE	SW		DOMEST	

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS A BENEFICIAL USE CLAIM BECAUSE THE PRIORITY DATE
GOES BACK TO TIME OF FIRST USE. REFERS TO LIC. 36-07907 WITH
PRIORITY DATE OF 03-26-1980.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
FEB 05 1993

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 A36-07907
Date Received _____
Receipt Number 5011056 *gll*

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

RECEIVED

JAN 25 1990

Department of Water Resources
Southern Region Office

Please type or print clearly

- Name of Claimant (s) Byron D. Marshall or Ruby M. Marshall Phone (208) 324-4501
Mailing Address 97 South 350 West Jerome, ID Zip 83338
- Date of Priority (Only one (1) per claim) September 11, 1972
- Source of water supply (a) Groundwater
which is tributary to (b) _____
- Location of point of diversion is: Township 8S Range 16E
Section 21, SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot _____, B.M.,
County of Jerome
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. 1 H.P. Domestic Pump
Total Depth: 199' 6" Well Diameter
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
For Domestic purposes from 1/1 to 12/31 amount .04cfs (Both dates are inclusive) (cfs)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed .04 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) Domestic well serves one (1) household.

MICROFILMED
FEB 05 1993

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
8S	16E	21												D				

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐
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.
_____ or None (X)

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use ☒ ^{Rm} Posted Notice ☐ License ☒ Permit ☐
Decree ☐

If applicable provide IDWR Water Right Number 36-7907

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) Byron D. Marshall Date 1-25-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 25th day of January 19 90

SEAL

Notary Public Marie Slickly

Residing at 255 S 500 E Jerome, ID 83338

My Commission Expires July 5, 1994

Last Name Marshall Ident No. _____

Copies White-State, Yellow-Claimant

MICROFILMED
FEB 05 1993

12/01/90 03:17:22
PAGE 1

OLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

PHONE - 208-324-4501

+ - - - STATS - - - - +

+ - - - - - TRIBUTARY - - - - - +

THIS CLAIM IS A BENEFICIAL USE CLAIM BECAUSE THE PRIORITY DATE
GOES BACK TO TIME OF FIRST USE. REFERS TO LIC. 36-07907 WITH
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12/01/90 03:17:22
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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	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	01/25/1990	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
CLAIMS TAPE ERROR FLG	-		RECEIPT NUMBER	-	S011056	WATER DISTRICT	-	
FEE EXEMPT FLAG	-		POU OWNERSHIP FLAG	-	Y	FEDERAL/STATE INDICATOR	-	S
			NAME CONNECTOR	-	OR	PRESUMPTION FLAG	-	

08 8 16 21 71 28

VERIFIED
JAN - 1991