

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 37-7893A
Date Received: 12/13/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PHILIP F PUCHNER Phone: (208)788-2264
PO BOX 866
BELLEVUE ID 83313

2. Date of Priority: 04/02/1981

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	18E	28	SW SW	BLAINE	
01N	18E	28	NE SW	BLAINE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.23	70

7. Total Quantity Appropriated is:
0.23 C.F.S. and/or 70 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	28	NW	SW	IRRIGATION	6
			NE	SW	IRRIGATION	14
					Section Acres	20
					Total Acres	20

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

RECEIVED

JUN 01 1993

Department of Water Resources
Southern Region Office

J.R.J. DEVELOPMENT CO. (the "Assignor"), hereby assigns to PHILIP F. PUCHNER (the "Assignee"), whose address is P. O. Box 240, Ketchum, ID 83340, all of its right, title and interest in and to Idaho Water Permit No. 37-07893 to appropriate the public waters of the State of Idaho.

IN WITNESS WHEREOF, the Assignor has signed and executed this Assignment of Permit on the 22 day of May, 1993.

J.R.J. DEVELOPMENT CO.

By: *John McDonald*
John McDonald, its
GENERAL PARTNER

STATE OF IDAHO)
)
County of Blaine) ss.

On this 20th day of May, 1993, before me, the undersigned notary public in and for said state, personally appeared JOHN MCDONALD, known or identified to me to be a general partner of J.R.J. DEVELOPMENT CO. and the person who executed the foregoing instrument on behalf of said partnership and acknowledged to me that said partnership executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

J. P. Spaul
Notary Public for Idaho
Residing at: East Fork, ID
Commission expires: 1/27/97

ASSIGNMENT OF PERMIT - 1

APR 19 1994

MICROFILMED
NOV 27 1996

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SEP 18 1995

Department of Water Resources
Southern Region

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT**

1.2 cfs with point of diversion in the SW1/4NE1/4SW1/4, Section 28, Township 1 North, Range 18 East, B.M., Blaine County, Idaho, for the irrigation of the following sixty (60) acres, all in Township 1 North, Range 18 East, B.M.:

Section 28: SW1/4NW1/4 - 30 acres
SE1/4NW1/4 - 4 acres
NW1/4SW1/4 - 22 acres

RECEIVED

FEB 02 1994

Section 29: SE1/4NE1/4 - 4 acres

Department of Education
Southern Region

IN WITNESS WHEREOF, the Assignor has signed and executed this Assignment of Permit on the 31 day of January, 1994.

Philip F. Puchner
PHILIP F. PUCHNER

STATE OF IDAHO)
)
) ss.
County of Blaine)

On this 31 day of January, 1994, before me, the undersigned notary public in and for said state, personally appeared PHILIP F. PUCHNER, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

1. 
Notary Public for Idaho
Residing at: Idaho Falls, Idaho
Commission expires 08/13/98

ASSIGNMENT OF PERMIT

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NOV 27 1996

APR 19 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

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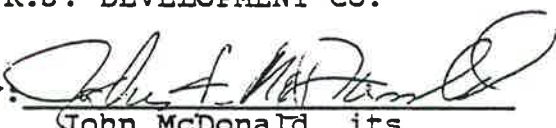
JUN 01 1993

Department of Water Resources
Southern Region Office

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IN WITNESS WHEREOF, the Assignor has signed and executed this Assignment of Permit on the 20 day of May, 1993.

J.R.J. DEVELOPMENT CO.

By: 

John McDonald, its
GENERAL PARTNER

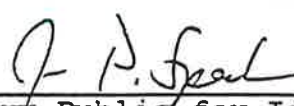
STATE OF IDAHO)

ss.

County of Blaine)

On this 20th day of May, 1993, before me, the undersigned notary public in and for said state, personally appeared JOHN McDONALD, known or identified to me to be a general partner of J.R.J. DEVELOPMENT CO. and the person who executed the foregoing instrument on behalf of said partnership and acknowledged to me that said partnership executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.


Notary Public for Idaho.Residing at: East Fork, IDCommission expires: 1/27/97

ASSIGNMENT OF PERMIT - 1

APR 19 1994

MICROFILMED
NOV 27 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: A37-07893
Date Received: 1/25/1989
Receipt No: C005288
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. R. J. DEVELOPMENT CO. 208-423-5411
Address: P.O. BOX 1724
TWIN FALLS, ID 83301

2. Date of Priority: APR 2, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	18E	18	NE	SW	SW	4	BLAINE

5. Description of diverting works:
12" CASING 430' DEEP WITH A 100 HP. PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	17E	13	SE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
	18E	18	SW	SW	IRR	38.0
			SE	SW	IRR	2.0
					Section Acres	40.0
					Total Acres	80.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A3700026, A3700027.

14. Remarks:
THIS WATER IS COMBINED IN THE SAME SYSTEM WITH A3700027 AND
A3700026.

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: 2

For Organizations:

I do solemnly swear or affirm that I am John H. McDonald of
J.R.S. Title
J.R.S. Organization, that I have signed the foregoing
document in the space below as John H. McDonald of
J.R.S. Title
J.R.S. Organization and that the statements contained in the
foregoing document are true and correct. John H. McDonald

Signature of Authorized Agent

Postmaster JRI
Title and Organization

4-24-91
Date

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of April 19 91 _____
Notary Public

Notary Public

Seal

Residing at Honolulu
My Commission Expires 8-5-93

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APR 29 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

Department of Water Resources
To provide additional time in which to submit proof
of beneficial use for a water right permit

For Office Use Only
\$15 FEE Received by 1
Date 4/29/91
Receipt # 100203

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. A37-07893

Name(s) of Permit Holder: J.R.J. Dev. Co.

Post Office Address: Box 1724 Twin Falls, ID 83303

Telephone No. 208-746-5135 - 746-5

Date Proof Is Due: _____

Describe what work has been completed toward the development of this water right: _____
(This must be filled out! If no work has been completed, show "none".)

Have worked with Silver Creek Irrigation Co.
to design a system.
This will be completed by 9-1-92

Costing \$?

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Swan Falls Irrigation

Permit holder(s) request an extension to 9-1-92, 19____.
(1 yr. minimum)

John R. McDonald
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

MICROFILMED
FEB 24 1993

Signed this _____ day of _____, 19____.

12/22/2006

RECEIVED

JAN 10 2007

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-7893A

PHILIP F PUCHNER

PO BOX 866

BELLEVUE ID 83313

Telephone Number: (208)788-2264

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 1/02/07 SIGNATURE: Philip F. Puchner

Please print your name: Philip F. Puchner

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

Note: I received No notification of water Rights
for Surface Water (stock) # 37-08564 approved 8/23/89
or Well-Ground Water # 37-08681 dated 9/14/90

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JAN 16 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

RECEIVED

JAN 10 2007

12/19/2006

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

RIGHT NUMBER: 37-7893A

NAME AND ADDRESS: PHILIP F PUCHNER
PO BOX 866
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.230 CFS
70.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/02/1981

POINT OF DIVERSION:

T01N R18E S28 NESW Within BLAINE County

T01N R18E S28 SWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	0.230 CFS 70.00 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T01N R18E S28	NESW	14.00	T01N R18E S28	NWSW	6.00
---------------	------	-------	---------------	------	------

20 ACRES TOTAL

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

This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

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

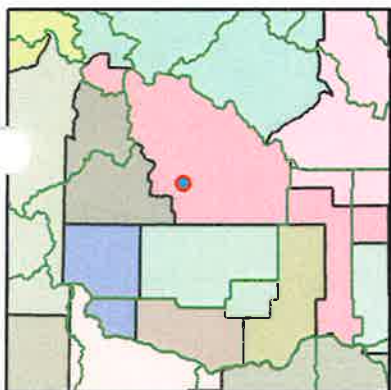
SRBA Recommendation:

37-7893A

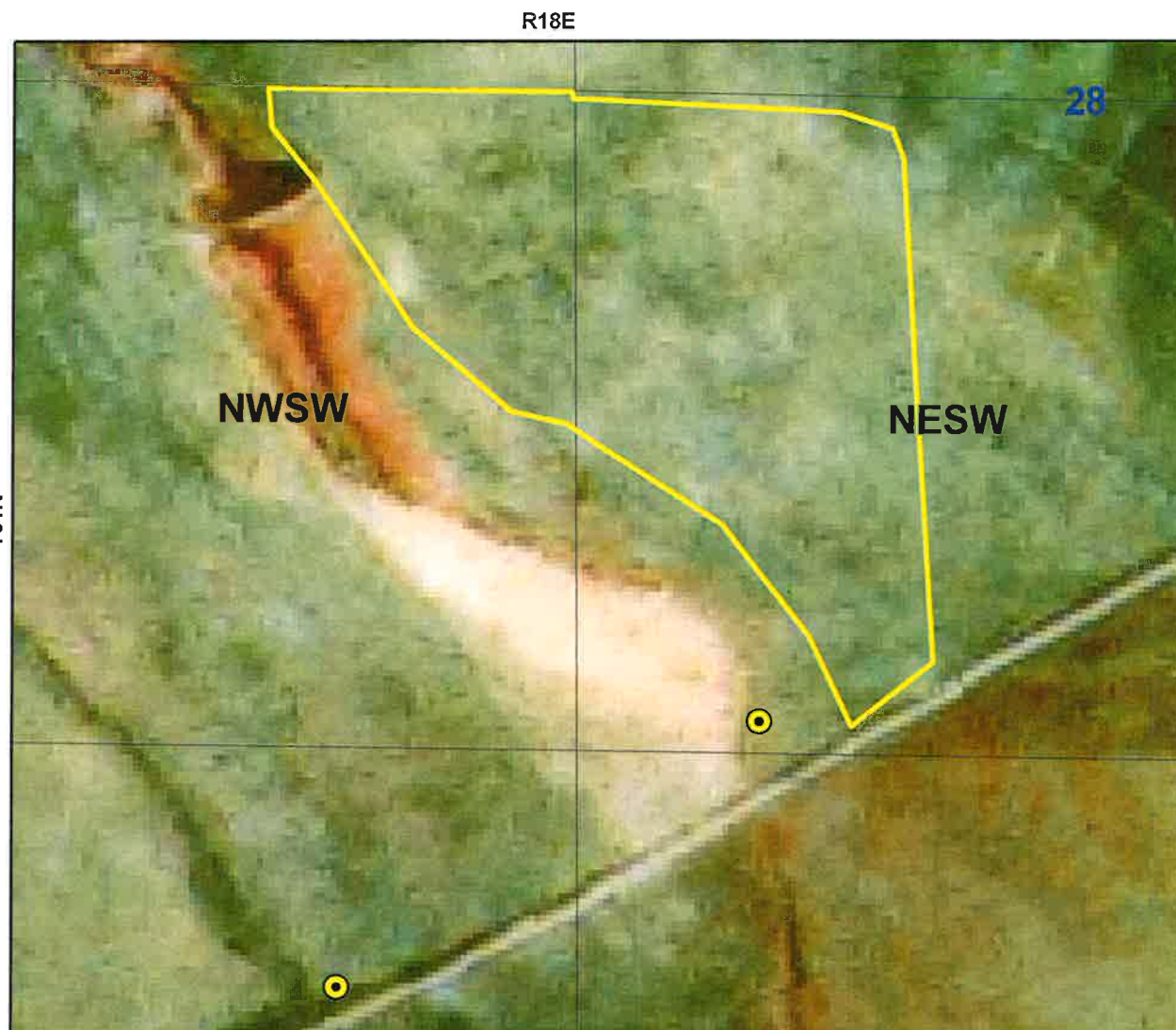
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Prepared by C. Skinner
On Tuesday, December 19, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07893A

Priority: April 2, 1981

Maximum Diversion Rate:

0.23 CFS

Maximum Diversion Volume:

70.0 AF

This is to certify, that PHILIP F PUCHNER

PO BOX 866

BELLEVUE ID 83313

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 2, 1981; and has submitted Proof of Beneficial Use on March 30, 1994. An examination indicates that the works have a diversion capacity of 0.230 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	4/1 to 10/15	0.23 CFS	70.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 28, Township 01N, Range 18E
SWSW , Sec. 28, Township 01N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

TWN RGE SEC

01N 18E 28

ACRES
NESW 1

ACRES
N 6

ACRES

TOTAL

20

number of acres irrigated:

20

CONDITIONS/REMARKS:

1. The maximum diversion volume is the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water permitted by this right is limited to the amount that can be beneficially used. The maximum diversion is subject to more accurately describe the use and the supplement accepted standards of diversion.
2. This water right is appurtenant to the place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. The Director retains jurisdiction of the right issued to change, add or remove any requirement as determined to be appropriate.

RECORDED
JUL 19 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

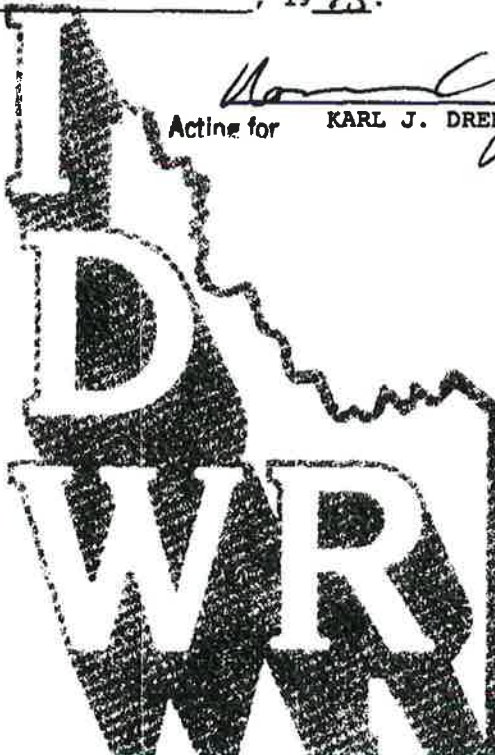
WATER RIGHT NO. 37-07893A

CONDITIONS/REMARKS:

8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 7th day of June, 1995.


Acting for KARL J. DREHER, Director



RECEIVED
JUL 19 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 19 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-07893 A

1. Owner: Phillip F. Puchner Phone No. 788-2264

Current Address: Box 866 Bellevue ID 83313

2. Accompanied by: Owner EXAM DATE: 7-14-94

Address: Same Phone No. Same

Relationship to Permit Holder: Owner

3. Source: Groundwater tributary to None

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: 37-08682 (application)

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE SW		28	1N	18E	Blaine	Ortho Photo Quad Map
			SW SW		28	1N	18E	Blaine	Ortho Photo Quad Map

2. Place(s) of Use:

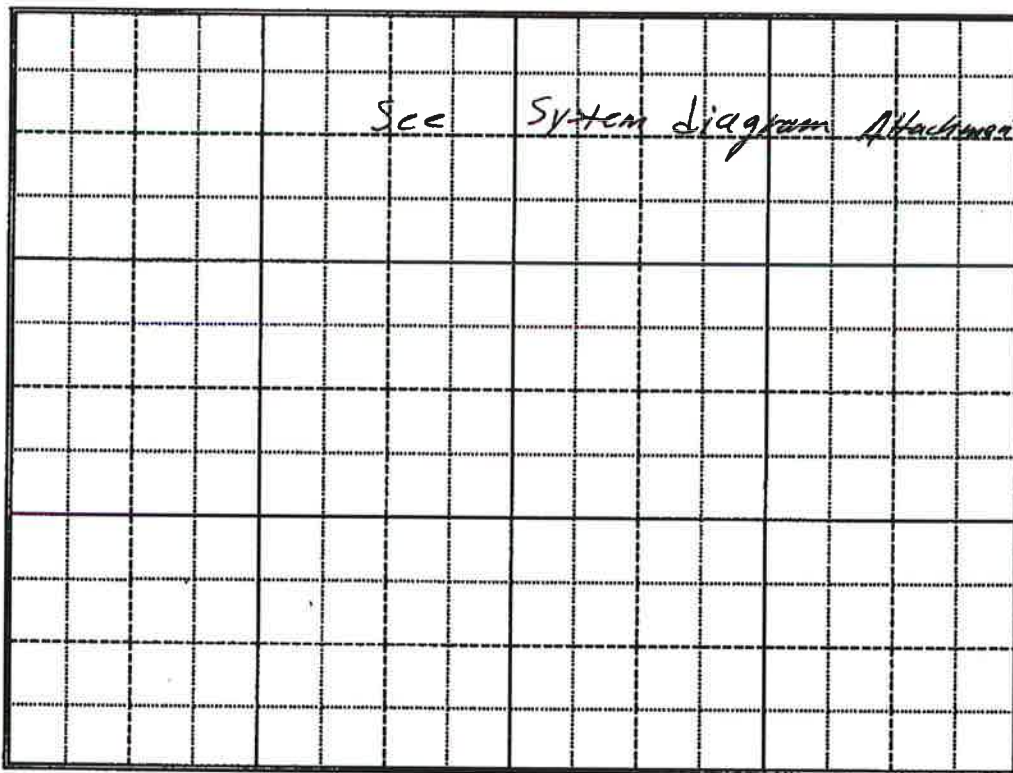
Indicate Method of Determination ASCS Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	18E	28																	20 ac.
																	</		

RECORDED

JUL 19 1995

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____



Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).



Aerial Photo Attached (required for irrigation of 10+ acres)



Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	Franklin	7.5	2822 019310	Sta-Rite	Unknown
2	Franklin	7.5	2822 019310	Sta-Rite	Unknown

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Pitot tube pressure measurements were taken on 5 sprinkler lines. The nozzle size used is a 3/4" diameter nozzle.

JUL 19 1995

E. NARRATIVE/REMARKS/COMMENTS

No overlapping water rights were found for the place of use or for the point of diversion.

The irrigation system consists of two wells, each with a 7.5 Hp submersible pump. 4 inch buried plastic mainline connects the two pumps together. From pump 2, the 4 inch buried mainline runs north westerly. 3-inch hand-move sprinkler lines with $\frac{3}{16}$ " nozzles, are used to irrigate the area.

The irrigated area was drawn onto the ASCS aerial map using the dimensions supplied by the owner from a private survey.

Have conditions of permit approval been met? ☒ yes ☐ no

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JUL 19 1995

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: $P_{avg} = \frac{20 + 27 + 29 + 32 + 33}{5} = 28 \text{ psi}$

$$Q = \frac{33 \left[30 \times \left(\frac{8}{64} \right)^2 \times \sqrt{28} \right]}{449} = .23 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 20(3.5) = 70 \text{ afa}$$

$$V_{DR} = [\text{Diversión Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .23(184)(1.9835) = 83.9 \text{ afa}$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 70 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversión Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-15	10-15	.23 cfs	70 afa
Totals:			.23 cfs	70 afa

2. Recommended Amendments

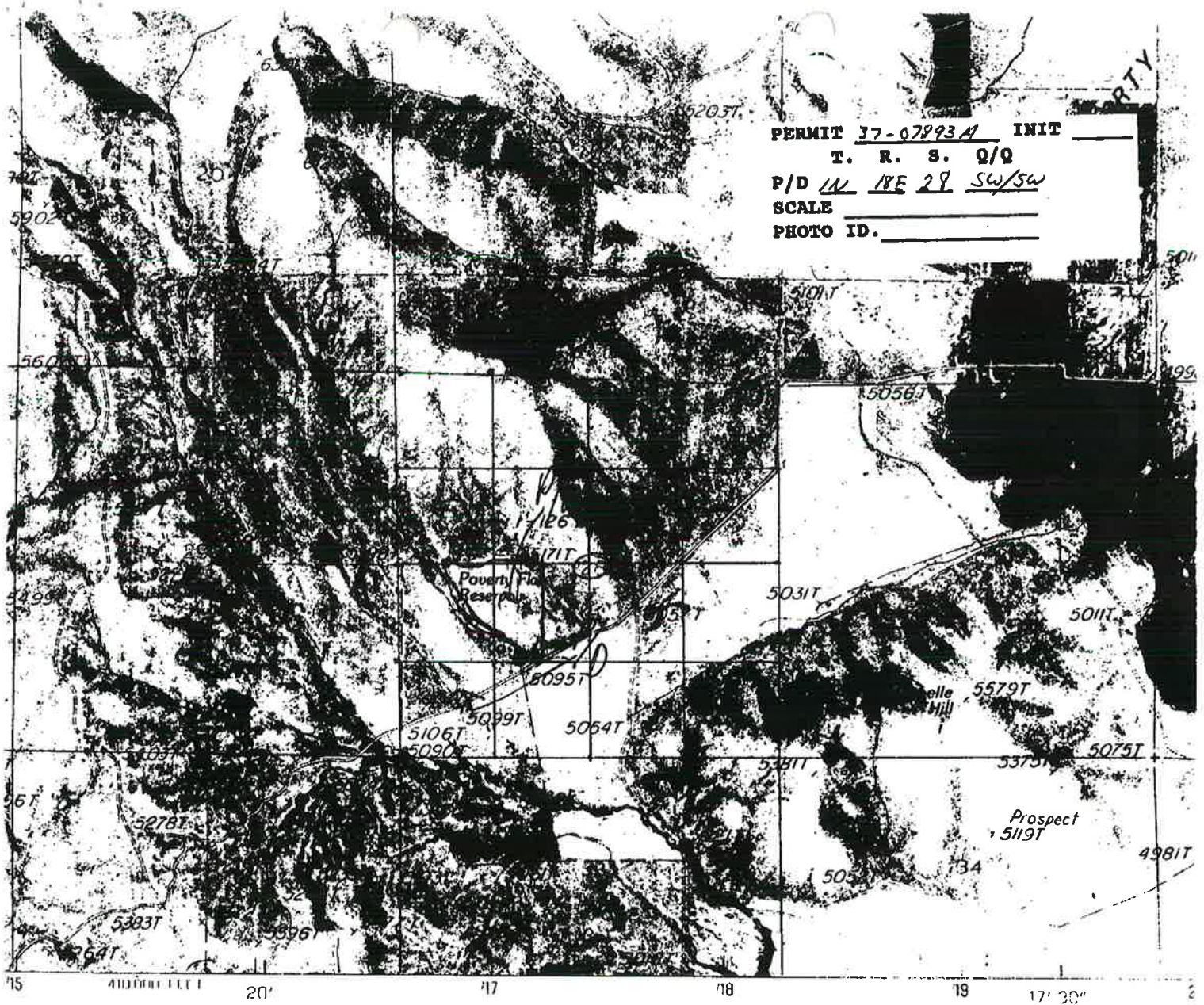
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name Alan Hanston Date 7-14-94

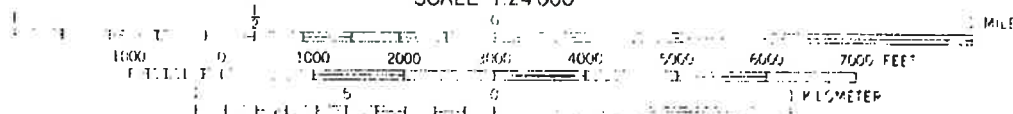
Reviewer _____ Date _____

MICROFILMED
 JUL 19 1995
 SEAL

PERMIT 37-07893 A INIT
 T. R. S. Q/Q
 P/D 1N 18E 29 SW/5W
 SCALE _____
 PHOTO ID. _____



SCALE 1:24 000



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

MICROFILM

JUL 19 1995

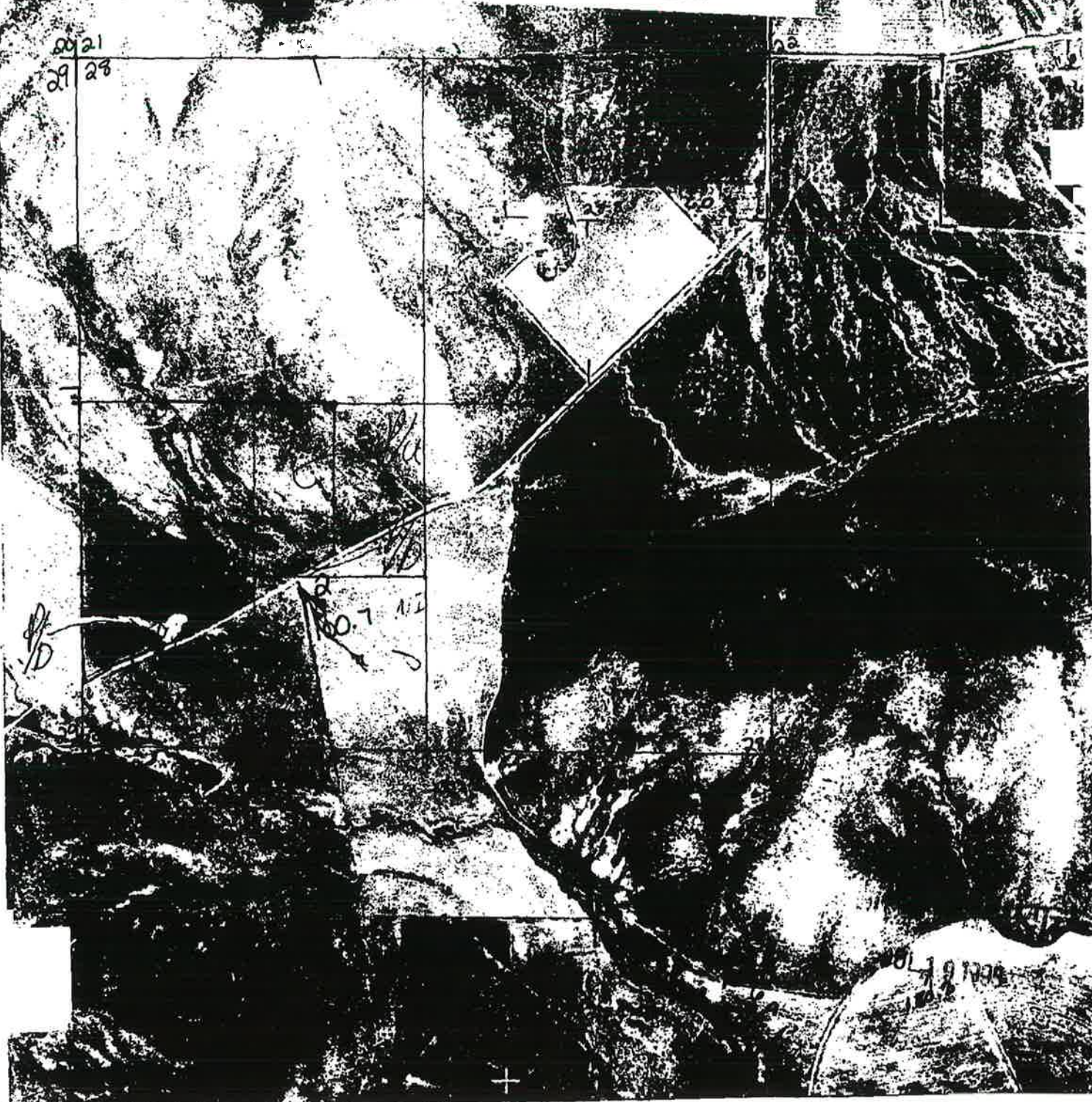
Copies Of These Maps Can Be Obtained
 At Bonneville Blue Print, Boise Idaho

BELLE'

17-10-77

PERMIT 37-008934 INIT
T. R. S. Q/Q
P/D 110 NE 28
SCALE
PHOTO ID.

21
29 28



PERMIT 37-07893A INIT

T. R. S. Q/Q

P/D

SCALE

PHOTO ID. System Diagram

4" Buried Plastic Pipe

3" Handlines

P/D (2)

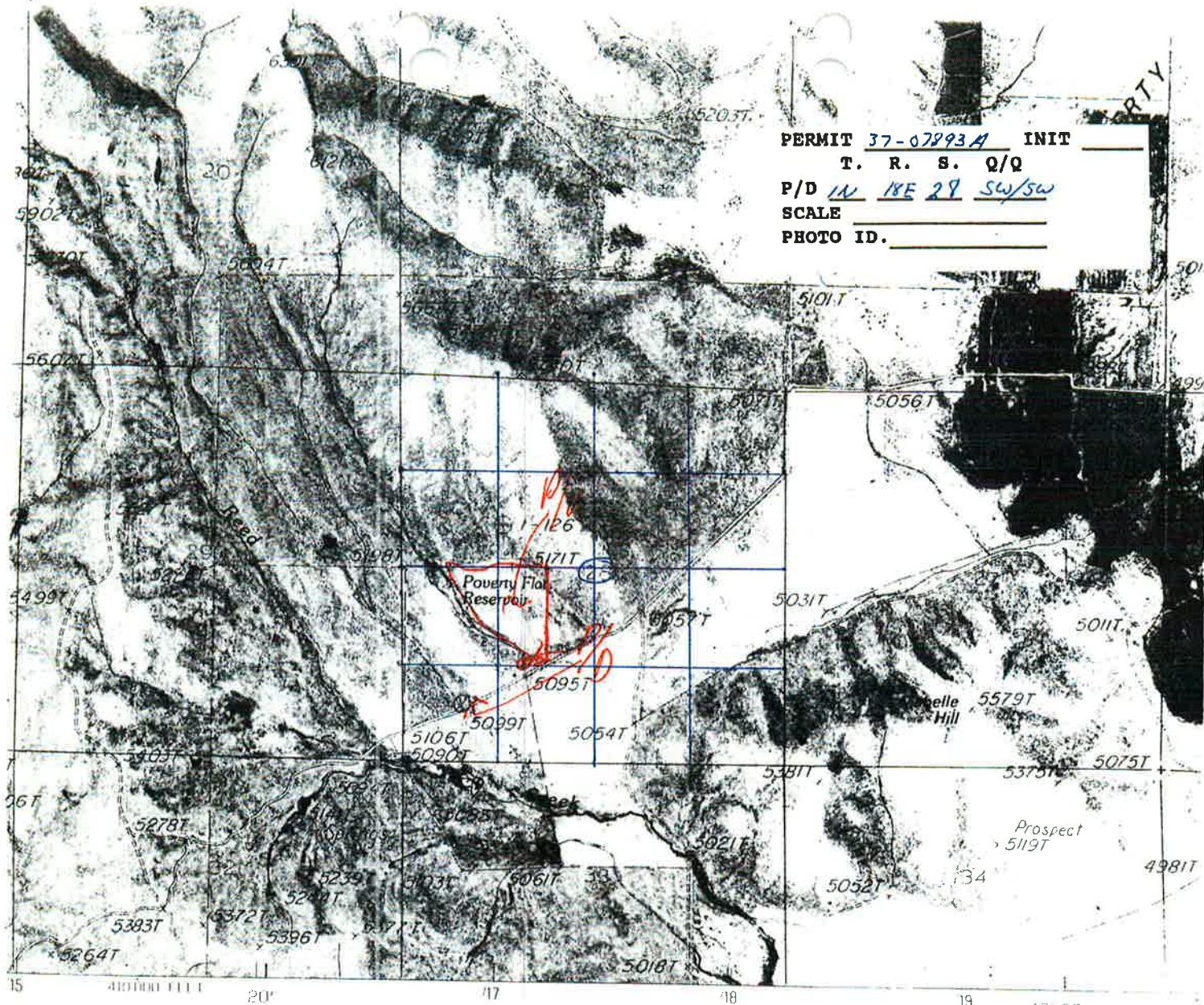
4" Buried Plastic Pipe

2
100.7

P/D (1)

MICROFILMED

JUL 19 1995



SCALE 1:24,000



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U.S. GEOLOGICAL SURVEY, MENLO PARK, CALIF. 94025

MICROFILM

JUL 19 1995

Copies Of These Maps Can Be Obtained
 At Bonneville Blue Print, Boise Idaho

BELLE

PERMIT 37-07893A INIT

T. R. S. Q/Q

P/D

ALE

PHOTO ID. System Diagram

4" Buried Plastic Pipe

3" Handlines

P/D (2)

4" Buried Plastic Pipe



P/D (1)

2

100.7

87.5

29.28
33.53

MICROFILMED

JUL 19 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

September 8, 1995

JIM SPECK
HOUGE, SPECK, & AANESTAD
PO BOX 987
KETCHUM, ID 83340

RE: SRBA CLAIM A37-07893
PUCHNER TO CONGER

DEAR SIR:

YOU WILL HAVE TO FORGIVE ME FOR I MAY SOUND ILL-INFORMED.
I RECEIVED AN ASSIGNMENT OF PERMIT FORM, 37-07893, ON MY DESK WITH AN
ADJUDICATION CLAIM NUMBER, A37-07893. I ASSUMED THAT THIS WAS TO BE
AN OWNERSHIP CHANGE FOR THE CLAIM.

I CANNOT DO THIS WITHOUT YOUR HELP. IT FIRST READS THAT JRJ
CORPORATION SOLD TO PUNCHER. PUCHNER THEN SOLD PART OF IT TO CONGER.
I DON'T HAVE A SIGNATURE FROM THE OWNER, CONGER. THE PLACES OF USES
ON THE ASSIGNMENT DO NOT MATCH THE ADJUDICATION CLAIM.

I AM SENDING YOU ALL THE INFORMATION I HAVE REGARDING THIS MATTER.
ANY INFORMATION YOU CAN GIVE ME WILL BE HELPFUL. IF YOU HAVE ANY
QUESTIONS, PLEASE GIVE ME A CALL AT THIS OFFICE. I THANK YOU FOR
YOUR TIME.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

MICROFILMED
NOV 27 1996

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
TRACY DUNLAP
MICHELE C. MESKE

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

September 15, 1995

Ms. Tara Backlund
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

Re: Permit No. 37-07893B

Dear Ms. Backlund:

Thank you for your letter of September 8, 1995. Enclosed you will find a copy of the approved application for amendment of a permit which changed the permissible point of diversion and place of use of the portion acquired by Mr. and Mrs. Conger from Mr. Puchner to lands owned by the Congers. The Congers have now filed proof of beneficial use and I believe a beneficial use field exam was conducted this Summer. When the license has been issued to the Congers, they will file the appropriate notice of change of ownership for the portion of the licensed water right owned by them and also file an amended notice of claim in the SRBA. I ask that you not take any action on the Congers' portion of this permit until the licensing process is completed and you receive those documents from the Congers or me.

Please call me if you have any further questions. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD, P.A.



James P. Speck

JPS/rb
cc: client (w/enc.)

RECEIVED
SEP 16 1995
Department of Water Resources
Southern Region

MICROFILMED
NOV 27 1996

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

08/23/95 14:50:42
Page 1

Water Right Number - A37-07893

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
J R J DEVELOPMENT CO

1 - PO BOX 1724
2 -
3 -
City- TWIN FALLS
Phone - 208-423-5411

State- ID Zip- 83301

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/02/1981 17 SOUTHERN P - PERMIT

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
01S 18E 18 NE SW SW 4 (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.600

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.600 200.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 17E 13 SE SE 40.0 01 IRRIGATION (13) BLAINE
01S 18E 18 SW SW 38.0 01 IRRIGATION (13) BLAINE
01S 18E 18 SE SW 2.0 01 IRRIGATION (13) BLAINE

Total Acres: 80.0

+ - - Diversion Means - 12" CASING 430' DEEP WITH A 100 HP. PUMP.

+ - - Non-Irrigation Use - NONE.

+ - - Other Rights for Same Use - A3700026,A3700027.

+ - - - - Remarks - - - - - +
THIS WATER IS COMBINED IN THE SAME SYSTEM WITH A3700027 AND
A3700026.

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

+ - - - - Conditions of Approval - - - - - +
01C - A flow measurement port or other device as specified by the
- Department shall be installed by the right holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.

MICROFILMED
NOV 27 1995

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

Prefix Translation: ADJUDICATION CLAIM

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	-	01/25/1989	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	-	C005288	Federal/State Indicator	-	S
Claims Tape Error Flg	-		POU Ownership Flag	-	Y	Presumption Flag	-	
Fee Exempt Flag	-		Name Connector	-		Notice of Error Flag	-	

MICROFILMED
NOV 27 1985

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/23/95 14:55:35
Page 1

Water Right Number - 37-07893A

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
PUCHNER

PHILIP F

1 - PO BOX 866

2 -

3 -

City- BELLEVUE

State- ID Zip- 83313

Phone - 208-788-2264

*** O - ORIGINAL OWNER ***
J R J DEVELOPMENT CO

1 -

2 -

3 -

City-

State- ID Zip-

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
04/02/1981 17 SOUTHERN L - LICENSE

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

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
01N	18E	28	NE SW			(13) BLAINE				
			SW SW			(13) BLAINE				

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	10/15		0.230	70.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.230 70.00 0.230

TwN	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
01N	18E	28	NE SW		14.0	01	IRRIGATION		(13) BLAINE
01N	18E	28	NW SW		6.0	01	IRRIGATION		(13) BLAINE

Total Acres: 20.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

MICROFILMED
NOV 27 1995

WR5808NP
(0D-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/23/95 14:55:35
Page 2

Water right number - 37-07893A

Prefix Translation: WATER RIGHT

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

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

+ - - - - Conditions of Approval - - - - - +

- R55 - This right is for the use of trust water and is subject to review
 - 20 years after the issuance of the permit to determine
 - availability of water and to re-evaluate the public interest.
- R56 - Diversion and use of water under this right is subject to an
 - annual use fee if rules are subsequently promulgated which
 - provide for the submittal of the fee.
- R57 - The Director retains jurisdiction of the right issued to
 - change, add or remove any requirement as determined to be
 - appropriate.
- R30 - This right when combined with all other rights shall provide no
 - more than .02 cfs per acre nor more than 3.5 afa per acre for the
 - lands above.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

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

+ - - Audit Fields - 03/10/94 ZIMMERMA 03/10/94 ZIMMERMA 03/18/94 ZIMMERMA 04/18/94 YARBROUG 07/20/94 BATES
06/16/95 ABATES 06/21/95 BCHAPMAN

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 04/01/1994	Field Exam Made - 07/14/1994	Field Exam Fee - R
Approved/Denied - 06/04/1981	Protested Date - 00/00/0000	Swan Falls - 7
Proof Made Date - 03/30/1994	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 06/16/1995	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - S016306	Water District - 37
Licensed Date - 07/07/1995	Appl Received - 04/02/1981	Transfer/Amended - C
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag - Y
Presumption Flag -		

MICROFILM
NOV 27 1995

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/23/95 14:59:55

Page 1

Water Right Number - 37-078938

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
CONGER

JAMES P

1 - C/O JAMES P SPECK
2 - HOGUE, SPECK & AANESTAD
3 - PO BOX 987

City- KETCHUM State- ID Zip- 833400987

Phone - 208-726-4421

CONGER

JOAN

1 - C/O JAMES P SPECK
2 - HOGUE, SPECK & AANESTAD
3 - PO BOX 987

City- KETCHUM State- ID Zip- 833400987

Phone - 208-726-4421

*** O - ORIGINAL OWNER ***
J R J DEVELOPMENT CO

1 -

2 -

3 -

City-

Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/17/1994 17 SOUTHERN P - PERMIT

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

TwN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
01N	18E	1	SW SE			(13) BLAINE				

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15		1.200	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.200

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01N	18E	1	NE SW		5.0	01	IRRIGATION	(13) BLAINE
01N	18E	1	SE SW		20.0	01	IRRIGATION	(13) BLAINE
01N	18E	1	SW SE		35.0	01	IRRIGATION	(13) BLAINE

Total Acres: 60.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

MICROFILMED
NOV 27 1995

Water right number - 37-07893B

Prefix Translation: WATER RIGHT

+ - - - - Remarks - - - - - +
No Remarks found.

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

+ - - - - Conditions of Approval - - - - - +
01C - A flow measurement port or other device as specified by the
- Department shall be installed by the right holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.
046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
46A - A well drilled pursuant to this permit must be located at least
- 500 feet from any existing well. Well spacing closer than 500
- feet must be approved by the Department of Water Resources.
46B - Construction of the well must comply with Idaho well
- construction standards.
051 - Any license issued by IDWR pursuant to the right or portion
- thereof for the use of trust water is subject to a term review
- of 20 years after the date of this approval to determine
- availability of water for the use and to re-evaluate the public
- interest at the end of the term.
052 - Diversion and use of water under this right is subject to an
- annual use fee if rules are subsequently promulgated which
- provide for the submittal of the fee.
053 - The Director retains jurisdiction of this right and/or
- subsequent license issued to change, add or remove any
- requirement as determined to be appropriate.
03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.
T17 - Prior to diversion of water under this approval, the right holder
- shall provide a means of measurement acceptable to the Department
- from all authorized points of diversion which will allow
- determination of the total rate of diversion.

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

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

+ - - - - Audit Fields - 03/10/94 ZIMMERMA 01/24/94 BALDWIN 01/24/94 BALDWIN 03/10/94 ZIMMERMA 03/18/94 ZIMMERMA
10/26/94 SCURTIS 11/29/94 JYARBROU 07/21/95 ABATES

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 01/01/1995	Field Exam Made	- 07/19/1995	Field Exam Fee	- R
Approved/Denied	- 06/04/1981	Protested Date	- 00/00/0000	Swan Falls	- 7
Proof Made Date	- 11/14/1994	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- C031642	Water District	- 37

MICROFILM
NOV 27 1995

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/23/95 14:59:55
Page 3

Water right number - 37-078938

Prefix Translation: WATER RIGHT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Licensed Date	- 00/00/0000	Appl Received	- 01/19/1994	Transfer/Amended	- C
Decree Date	- 00/00/0000	Name Connector	- AND/OR	POU Ownership Flag	- Y
Presumption Flag	-				

MICROFILMED
NOV 27 1998

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME LRJ Development CLAI ENT. NO. A37 07893
DATE RECEIVED 10-27-88 CK # 3346 AMOUNT \$ 577

1. Is the name and address complete with zip code? ☒ YES ☐ NO
2. Is a priority date entered? ☒ YES ☐ NO

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? ☒ YES ☐ NO
(b) Is a tributary to entered? (if required) ☒ N/A ☐ NO
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO
Is the period of use included? ☒ YES ☐ NO
Is a quantity claimed for each use? ☒ YES ☐ NO
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☒ N/A ☐ NO
Is the consumptive use correct? ☒ N/A ☐ NO
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ N/A ☐ NO
10. Is (are) the place(s) of use and purpose(s) indicated? 80 Acres ☒ YES ☐ NO
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ N/A ☐ NO
15. Is the basis of the claim indicated? ☒ YES ☐ NO
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ YES ☐ NO
Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO
Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO
Is the fee enclosed correct? 7.50 ☒ Exempt ☐ NO
If this claim is based on an existing water right, has the identification number been entered? ☒ N/A ☐ NO
Should this claim be receipted and data entered? ☒ YES ☐ NO

Claim checked by: [Signature]

Comments: _____

RECEIVED
FEB 24 1993

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 0020330

Date: 4/29/1991
Time: 15:32:23

Don - I added this to M3/99, but the adjudication claim A37-07893 is filed. Does this need to go in the permanent file? I think has the original 2 page ext Kellogg H-30-91

Yes pz

Received

From: MC DONALD, JOHN H.

Type of Payment	Program Acct Class	Amount
ADJUDICATION DOCKET SHEET SUBSCRIPTION	410196 9337 6515	7.50
EXTENSION OF TIME (A37-07893)	510199 1238 6390	15.00
Total		\$22.50

CHECK 111

Region: STATE

Signature: J. Carson

MICROFILMED
FEB 24 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 16, 1989

Mr. John H. McDonald
J.R.J. Development, Inc.
P. O. Box 1724
Twin Falls, ID 83301

Handwritten notes:
"R" of JRS
Ron Stanley is the "R" of JRS
423-5411 726-5135 726-5161 day X
Blaine
Opk → Box 1 Ketchum
is the J of JRS 83340

RE: A37-00026, A37-00027, A37-07893

Dear Mr. McDonald:

You will find enclosed a receipt for the bank's check covering the filing fees for the above referenced claims and additional pages for use with the claims. Also enclosed are photocopies of the claims you submitted.

Inadvertently, I'm sure, the claims that were prepared for you had the individual's signature block, as opposed to the organization's signature block. For the protection of the corporation, I would encourage you to sign these pages, having a notary public verify your signature and return them to include with the claims you previously submitted. Upon completing them, please return them to this office.

One other item from the claims, you had checked that you wished to receive the docket sheet. This service for an annual subscription requires the advance payment of \$7.50. If you still wish to receive the docket sheet monthly, please remit your payment.

Thank you for your assistance in this matter.

Yours Truly,

Donald V. Shaif
Adjudication Section Supervisor

DVS:db

Enclosures

Rec. C005288

Signature Pages (3)

A37-00026, A37-00027, A37-07893

MICROFILMED
FEB 24 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 21, 1991

John H. McDonald
J.R.J. Development, Inc.
Box 1
Ketchum, ID 83340

726 5161

RECEIVED

APR 26 1991

RE: Snake River Basin Adjudication (SRBA)
Blaine County - #A37-00026, A37-00027 & A37-07893

Department of Water Resources

Dear Mr. McDonald:

As we discussed this morning on the phone, enclosed are the three Notices of Claim referenced above. Please sign these claims in front of a Notary Public and return them to my attention immediately.

As I mentioned, if you still wish to be on the docket sheet subscription list, please enclose a check for \$7.50 payable to the Department of Water Resources.

Thank you for your prompt attention to this matter.

Sincerely,

Sally Frazee

Sally Frazee
Secretary, Adjudication Section

SF:state:tf

Enclosures:

(3) Notices of Claim Referenced Above
cc: John D. Carlson

MICROFILMED
FEB 24 1993

From: DWR03::FRAZEE 19-MAR-1991 14:40:48.09
To: DWR60::BEDKE
CC: FRAZEE
Subj: J.R.. DEVELOPMENT, INC./3 CLAIMS

HELLO AGAIN. I NEED TO KNOW IF YOU HAVE THE FOLLOWING 3 CLAIMS, PLS:

A37-00026, A37-00027 & A37-07893
J.R.J. DEVELOPMENT, INC.

I HAVE A 2/16/89 LETTER SENT TO JOHN H. MC DONALD RE THESE 3 CLAIMS. MR. MC DONALD WAS TO HAVE SIGNED THE ORGANIZATION SIGNATURE BLOCK AND RETURN THE CLAIMS TO US.

GUESS WHAT?! HE FAILED TO DO SO!!!! (OH NO, IS THIS SOMETHING NEW???!!!!)

WUD U PLS CHECK FOR ME WHEN U GET A SEC AND LET ME KNOW IF ALL IS IN ORDER. IF IT IS, I'LL SEND YOU THIS LETTER AND THE 3 CHECKLISTS FOR THE CLAIMS.

THANX AGAIN.....SAL

Brande Donna Has & 3-19-91

MICROFILMED
FEB 24 1993

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 01/10/91
Time: 11:05:08

Rec/No - C007178 AR/No -
From: - J.R.J. DEVELOPMENT

Receipt Type - MO Doc/No - 757332
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 06/02/1989

Type Of Payment	Program	Acct	Class	Fee
TRUST WATER RE-AD FEE (37-7893)	610199	1238	6490	20.00

*This # also shown on #C005288 pd by
Id 1st Nat'l Bank for J.R.J. Development.*

Total Due - 20.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
-------	--------	-------	--------	-------	--------

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

*Not shown on docket sheet
mailing list. 3-19-91/sf*

*1-10-91
Can't tell
if originals w/origam.
Signed returned NO
audit trail or this
also, this receipt doesn't
add to clarity
Kamini*

MICROFILMED
FEB 24 1993