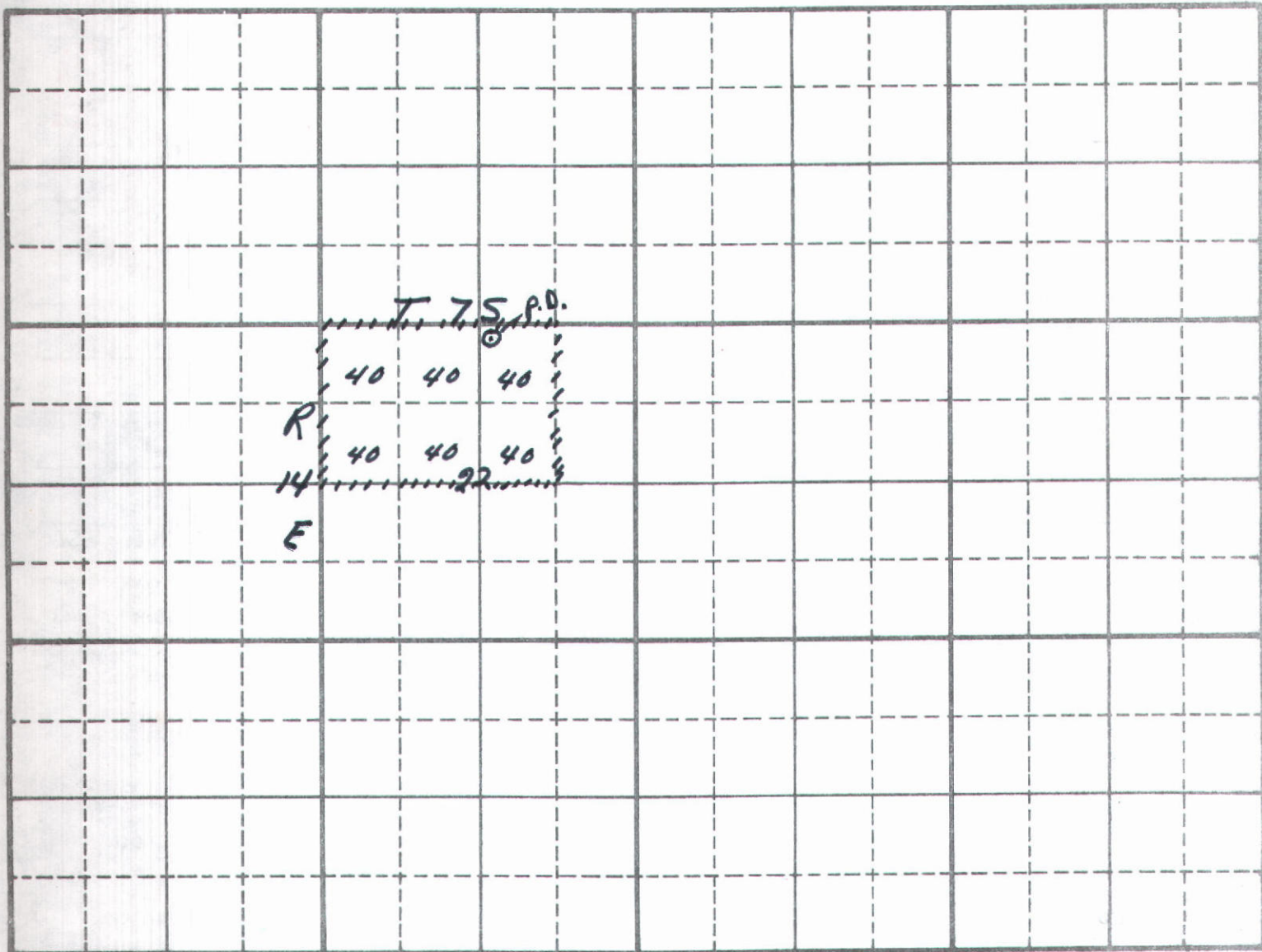


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Yavapai Falls, this 14th day of October, 19 75.

+ J. Maren Rieck
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Administrator, Operations Division

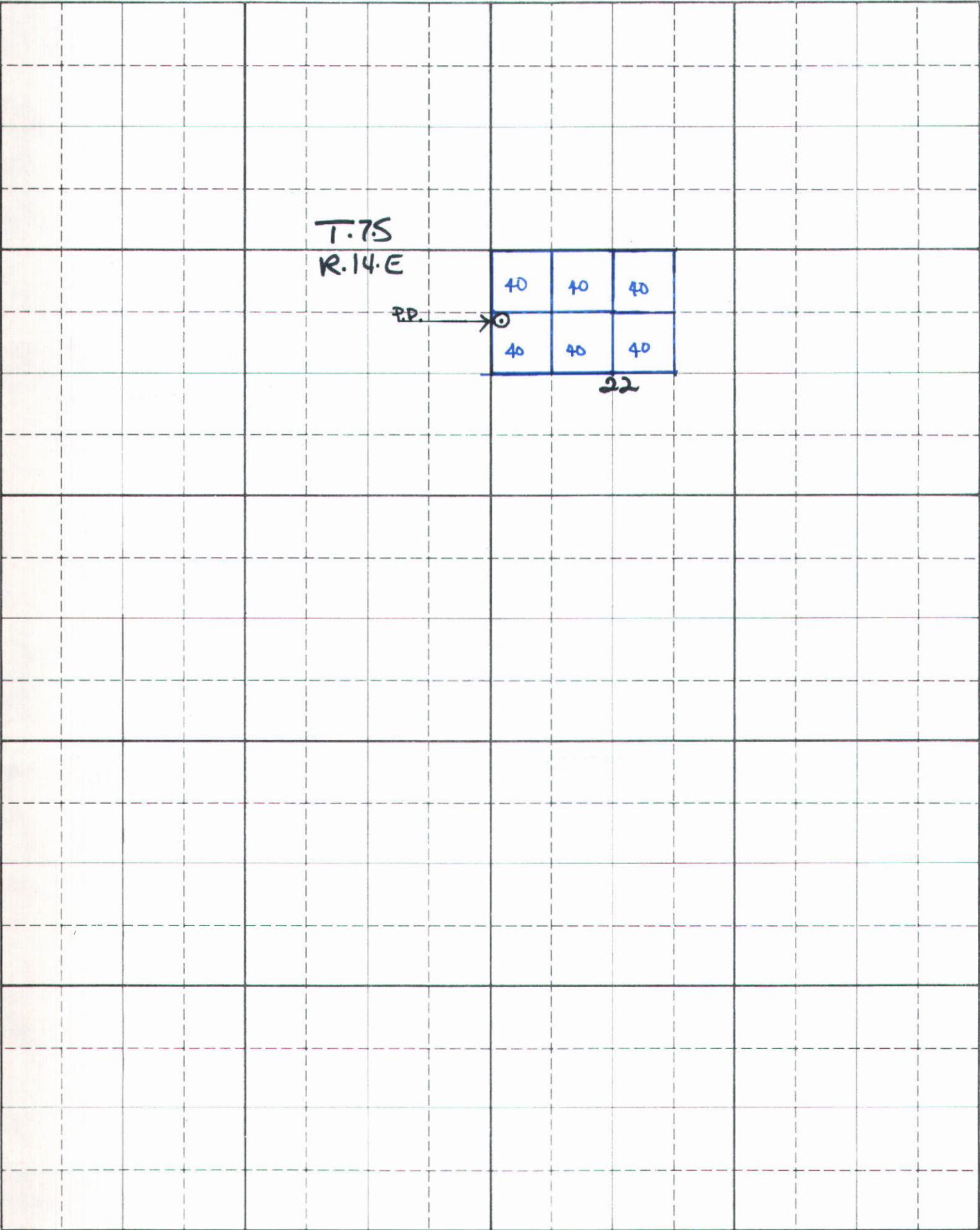
I, A. KENNETH DUNN, ~~Director~~ of the Department of Water Resources

hereby approve the above application for amendment for Permit No. 36-7535.

Witness my hand this 27th day of October, 19 75.

A. Kenneth Dunn
Director
A. KENNETH DUNN, Administrator
Operations Division

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

X Maven Bueh
(Applicant)

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Gooding } SS.

GORDON O. GLASMANN, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 17 day of April,

19 75, and the date of the last publication was on the 24

day of April, 19 75.

Gordon O. Glasmann

Subscribed and sworn to before me this 24

day of April, 19 75.
(SEAL)

Gannon H. H. H.
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 32 32

Number of Insertions 2 2

Lines tabular at 315c

32 Lines straight at 32 21c 6.72

32 Subsequent lines at 32 15c 4.80

TOTAL COST 11.52

MICROFILMED

COPY OF NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Marvin Priebe Box 93, Wendell, Idaho 83355 has on 4-7-75 submitted Application No. 36-7535 for a permit to appropriate 4.8 cubic feet per second of water from groundwater by means of well, pump and motor to sprinklers within the SW 1/4 NW 1/4, Section 22, Township 7S, Range 14E, B.M. Gooding County to be used from March 15-November 15 for irrigation of 240 acres within the W 1/2 NE 1/4, NW 1/4, Section 22, Township 7S, Range 14E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before May 5, 1975.

R. KEITH HIGGINSON
Director

Pub: 4-17, 24.

O.K.C. 4-25-75

RECEIVED

APR 25 1975

Department of Water Resources
Southern District Office

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

W. H. H. 6289

Nº 406

Diagram of System

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 Right 36-07535

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on December 30, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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 August 27, 2001


ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

Important Information About Your Water Right

August 27, 2001

MARVEN L. PRIEBE
SONYA L. PRIEBE
2735 S 1500 E
WENDELL, ID 83355

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-07535. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order* in combination with the *Partial Decree* that was issued for this water right on December 30, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney
Case Administrator

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 36-07535

1997 DEC 30 AM 9:45

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: SONYA L PRIEBE
MARVEN L PRIEBE
2735 S 1500 E
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 4.34 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07571 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.84 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1220 AF.

PRIORITY DATE: 04/09/1975

POINT OF DIVERSION: T07S R14E S22 NWNWNE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	4.34 CFS

PLACE OF USE:	IRRIGATION	Within GOODING County			
	T07S R14E S22	NENE 40	NWNE 40	SWNE 40	SENE 35
		NENW 40	NWNW 35	SWNW 35	SENW 40
	305 ACRES TOTAL				

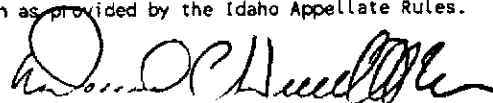
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 230 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 36-07571 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 305 ACRES IN A SINGLE
IRRIGATION SEASON.

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

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.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-07535

PAGE 1
DEC-17-1997

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7535 Priority April 9, 1975 Amount 4.34 cfs

THIS IS TO CERTIFY, that MARVEN L. & SONYA L. PRIEBE
of Wendell, Idaho, has complied with the terms and conditions of Permit
No. 36-7535 issued pursuant to Application for Permit dated April 9, 1975,
and has submitted proof to the Department of Water Resources on November 8, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.34 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>4.34</u> cfs and	<u>920</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 4.34 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
920 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, Twp. 7S,
Rge. 14E, B.M., in the County of Gooding

Description and location of place of use:

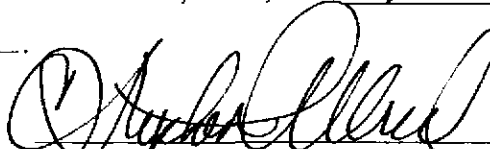
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	14E	22		40	40		40	35	35	40									230

Total number of acres irrigated 230

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
August, 19 79.


Director

MICROFILMED

RECEIVED

JUN 6 1979

ok-jc

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

Department of Water Resources

I, The Travelers Insurance Co., hereby assign to Marven L. Priebe and Sonya L. Priebe
Name
of Route 1, Wendell, Idaho 83355
Address

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No. 36-7535
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within
each 40-acre subdivision.)
- _____

Made this 1st day of June, 19 79.

THE TRAVELERS INSURANCE COMPANY

Emil A. Schmitt
Permit Holder
Emil A. Schmitt, Regional Manager

Wife of Permit Holder

State of ~~Idaho~~ Oregon)
County of Multnomah) ss.

On this 1st day of June, 19 79, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Helin M. Neville
Notary Public residing at _____
Portland, Oregon

My commission expires October 3, 1980

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

JAN 22, 1976

ASSIGNMENT OF PERMIT

Sonya L. Priebe The Travelers Insurance Company and
I, Marven L. Priebe &, hereby assign to Marven L. Priebe and Sonya L. Priebe
707 S.W. Washington Street, Real Estate Investment Dept, Name Portland, Oregon 97205
of and P.O. Box 93, Wendell, Idaho 83355,
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 36-7535
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within
each 40-acre subdivision.)

Made this 26th day of November, 19 75.

Marven L. Priebe

Permit Holder Marven L. Priebe

Sonya L. Priebe

Wife of Permit Holder Sonya L. Priebe

State of Idaho)
County of Jerome) ss.

On this 15th day of December, 19 75, personally

appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

W. L. Roberts
Notary Public residing at Jerome, Idaho

commission expires March 22, 1978

Receipt # 1719
10-14-75 CC

RECEIVED

06710

Department of Water Resources

Comes now MARVIN PRIEBE of (address) _____

Box 93, Wendell, Idaho 83355

That he is the owner and holder of Permit to appropriate the Public Waters of the State

1. Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22 Twp. 7S

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 4.8cfs for Irrig. purposes from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from _____ to _____ (both dates inclusive)

(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

[illegible]

240

SECRET

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.

Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Yuma Falls, this 14th day of October, 1975.

J. Maren Rich
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Administrator, Operations Division

I, A. KENNETH DUNN, ~~Director~~ of the Department of Water Resources

hereby approve the above application for amendment for Permit No. 36-7535.

Witness my hand this 27th day of October, 19 75.

A. Kenneth Dunn
A. KENNETH DUNN, Administrator
Operations Division

ASSIGNED TO: Travelers Insur. Co.
1-22-1976 & Marvin Priebe & Sonya Priebe

Identification No. _____

Application No. 36-7535

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant MARVIN PRIEBE Phone: 536-2312
post office address Box 93, Wendell, Idaho 83355

2. Source of water supply Groundwater which is a tributary of _____

3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22 Township 7S
Range 14E B.M. Gooding County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 4.8 cfs for Irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 4.8 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, pump & motor to sprinklers

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 18 inches; proposed depth of well is 280 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 60,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	14E	22		40	40		40	40	40	40									240

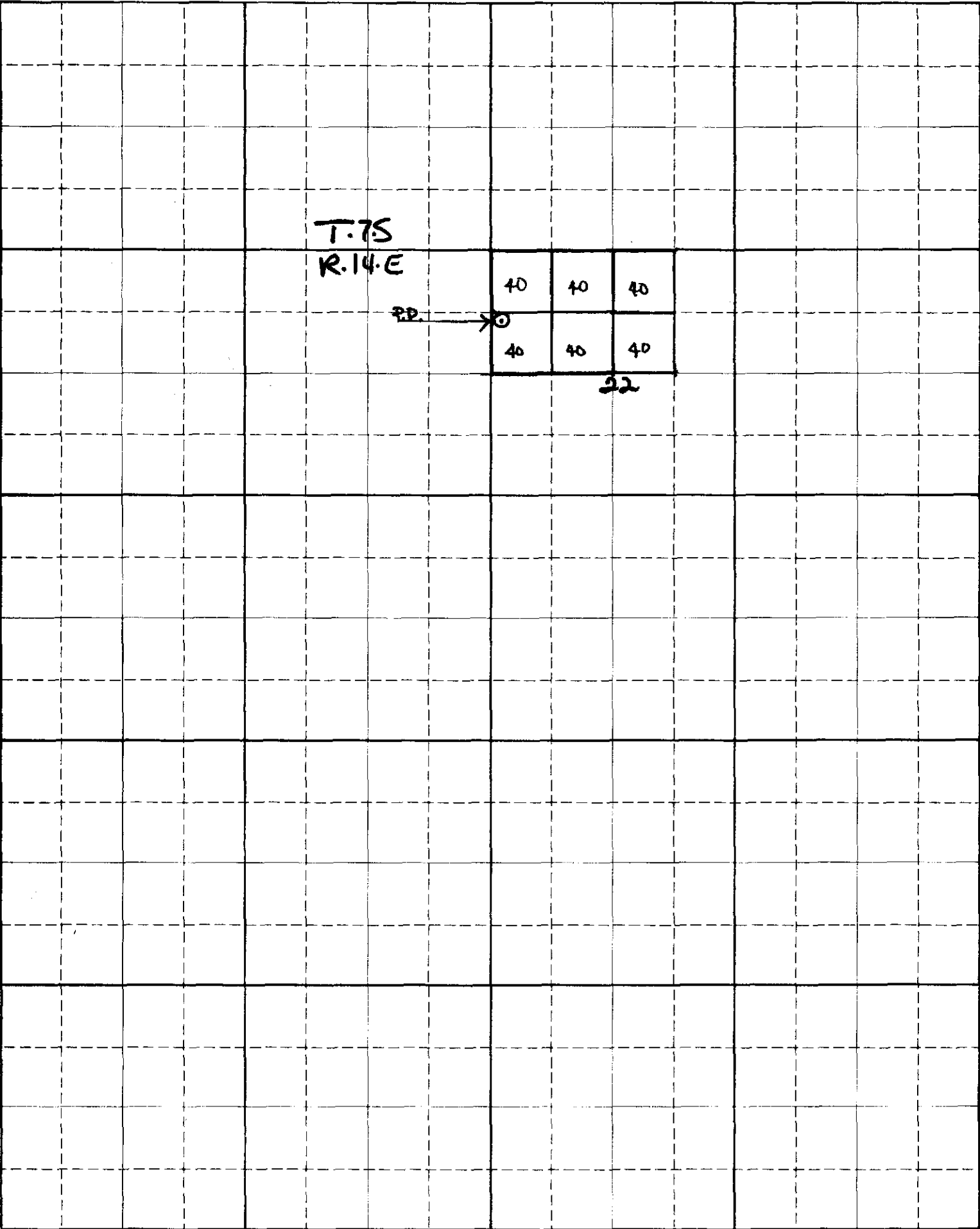
Total number of acres to be irrigated 240

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

X Maven Pich
(Applicant)

Proposed Priority 4-09-1975

Received by mls Date 4-7-75 Time 3:15
Preliminary check by RLW Fee \$ 65.00
Receipted by OW Date 4-9-75 # 14779
Publication prepared by CC Date 4-10-75
Published in Gooding County Leader
Publication dates 4-17 & 4-24-75
Publication approved CC Date 4-25-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JJS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7535, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 80.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 27 day of _____ May 19 75.


Director

For the Director by A. KENNETH DUNN,
Administrator, Operations Division

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

GORDON O. GLASMANN, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 17 day of April,

1975, and the date of the last publication was on the 24

day of April, 1975

Subscribed and sworn to before me this 24

day of April, 1975.
(SEAL)

Cameron H. H. H.
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 32 32

Number of Insertions 2 2

Lines tabular at 315c

32 Lines straight at 32 21c 6.72

32 Subsequent lines at 32 15c 4.80

TOTAL COST 11.52

COPY OF NOTICE

NOTICE OF APPLICATION
Marvin Priebe Box 93, Wendell, Idaho 83355 has on 4-7-75 submitted Application No. 38-7535 for a permit to appropriate 4.8 cubic feet per second of water from groundwater by means of well, pump and motor to sprinklers within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 7S, Range 14E, B.M. Gooding County to be used from March 15-November 15 for irrigation of 240 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 22, Township 7S, Range 14E, B.M. If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North Twin Falls, Idaho, 83301 on or before May 5, 1975.
R. KEITH HIGGINSON
Director

Pub: 4-17, 24.

RECEIVED

APR 25 1975

Department of Water Resources
Southern District Office

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

Wing 6289

No 406

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

August 27, 1979

Mr. & Mrs. Priebe
Route 1
Wendell, Idaho 83355

Dear Mr. & Mrs. Priebe,

RE: Permit NO. 36-7535

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

UNRECORDED
11-1979

June 12, 1979

Re: Permit No. 36-7535

Marven L. & Sonya L. Priebe
Route 1
Wendell, Idaho 83355

Dear Mr. and Mrs. Priebe:

We acknowledge receipt of the assignment submitted conveying the above referenced permit to you.

A representative of this Department made an examination of the works covered by your Permit No. 36-7535 on August 7, 1978, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 4.34 cfs Source: groundwater

The maximum quantity diverted shall not exceed 920 acre feet per
year.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, Twp. 7S, Rge. 14E, B. M.

Beneficial use: Irrigation of 230 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$,
Sec. 22, Twp. 7S, Rge. 14E, B. M.

Priority date established: April 9, 1975

If you do not concur with these findings please contact us within 10 days, otherwise
a water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Department Post office address Rt. 1, Wendell, ID 83355 Phone 208-283-2111
Southern District Office
Person to contact Marvin Priebe Phone 208-283-2111

3. Water will be used for the following purposes:

Other uses: _____

Max Rate of Diversion 4.80 cubic feet per second and annual volume _____ AF/Annum.

Township 7S N/S, Range 14E E/W, B.M., Section 22, Subdivision NW $\frac{1}{4}$ NE $\frac{1}{4}$, Gooding
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: well, motor and sprinkler system

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

240

[illegible]

Diagram of System

36-7535

DATE OF EXAM 8-7-78ACREAGE
Found 305
Recommended 230Irrigation Requirement 4.0 Ac Ft/AcUSE
Irrigation Q = 4.34 c.f.s. V = 920 AF/Ann. from MARCH 15 to Nov. 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____Is water co-mingled? yes _____ no ☒Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____Exchange? yes _____ no ☒Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____Total Q measured 1950 gal/min = 4.34 CFS Method of measurement MCCrometerTotal Q recommended 4.34 CFS Meter No. 75-10-370 Type 8" Condition NewTotal V recommended 920 AcFt/ANN.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

1950 gal/min ÷ 448.8 gal/min/CFS = 4.34 CFS. ALLOWED.VOLUME 920 AcFt/ANN = (RR Reg 4.0 AcFt/Ac.) (230 Acres)

SYSTEM DESCRIPTION:

G.E. MOTOR 250 Hp. Serial # M5K6286XH74A
WELL-LINE MOTOR Pump # 45613(2) PIVOT SYSTEMS W/ HANDLINES IN THE CORNERS.

REMARKS:

THIS WELL has a Permit for IRRIGATION also #36-7571Examiner's Signature [Signature] Date 12-18-78Checked by [Signature] Date 12-19-78

Approved by _____ Date _____

IDENT. NO. 36-7535

WATER RIGHT
DATA ENTRY LOG

Date _____

Item

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

5.179

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No.

OTd No.

New No.

136-7535

Record

1. Original Owner: Merrin Priebe

Present Owner:

Travelers Insurance Co. & Merrin L. & Sonya L. Priebe2. Address: P.O. Box 933. City: WendellState: NDZip: 833554. A. Source of Water: groundwater

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): P

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 4-9-1975D. County: 47E. Total Diversion Rate: 4.8

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank): A

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

6. A. Point of Diversion

Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
<u>NWNE</u>	<u>22</u>	<u>75</u>	<u>14E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 3-15 to 11-15 for A purposes. Amount 4.8
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date: 5-1-1980

B. Date Permit Approved or Denied: 5-12-1975

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: 01

14. Diversion Means (brief narrative): *well, jump & sprinklers*

November 10, 1976

Re: Permit No. 36-7535

Marvin & Sonya Priebe
Route 1
Wendell, Idaho 83355

Dear Mr. & Mrs. Priebe:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Twin Falls.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

cc: Travelers Insur. Co.
707 S. W. Washington St.
Real Estate Investment Dept.
Portland, OR 97205

NOT RECORDED

RECEIVED

NOV 8 1976

OKj

Department of Water Resources
Southern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Identification No. _____

Permit No. 36-7535

RECEIVED

NOV 9 1976

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Marvin Priebe

b) Post Office Address Route #1, Wendell, Idaho 83355

2. Permit Number 36-7535

3. Date of Priority that you are prepared to establish 4-9-75

4. a) Source from which water was appropriated Groundwater

b) Location of the point of diversion: NE 1/4 NW 1/4, Section 22

Township 7S, Range 14E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 4.8 cfs for Irrigation purposes from March 15 to Nov. 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 4.8 cfs ~~and/or acre-feet per annum~~

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) well, motor, sprinkler system.

b) Describe the type and size of measuring device which you have installed at your point of diversion:

McCrometer

c) Give well driller's name and address and the date the well was completed: R. O. Denton

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

RECEIVED

11/10/76 j

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	14E	22	40		40		40	40	40	40									240

Total number of acres irrigated 240

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

Nov-8-76
(Date)

x Marvin Piche
(Signature)

State of Idaho)
County of Twin Falls) ss.

On this 8th day of Nov, 1976, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Michael L. Shuck
Notary Public residing at
Twin Falls Idaho

My commission expires Lychem

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

RECEIVED

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

OCT 24 1975

1. WELL OWNER

Name Marvin Priebe

Address Wendell, Idaho

Owner's Permit No. 3675-33-

7. WATER LEVEL

Static water level 112 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____

Temperature _____ ° F. Quality _____

Artesian closed in pressure _____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type)

☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 20 inches Total depth 230 feet

Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>.250</u> inches	<u>20</u> inches	<u>1</u> feet	<u>19</u> feet
<u>.250</u> inches	<u>16</u> inches	<u>100</u> feet	<u>175</u> feet

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 19 ft Material used in seal ☒ Cement grout

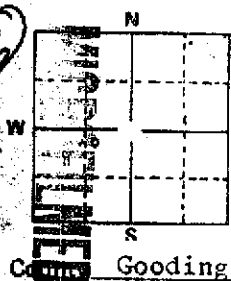
☐ Pudding clay ☐ Well cuttings

Sealing procedure used ☐ Slurry pit ☒ Temporary surface casing

☐ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

Gooding

NE 1/4 SW 1/4 Sec. 22, T. 7S, R. 14, BE/W

10.

Work started 9-2-75 finished 10-4-75

11. DRILLERS CERTIFICATION

Firm Name R. O. Denton & Son Firm No. 33

Address Box 364 Paul, Idaho Date 10-6-75

Signed by (Firm Official) R. O. Denton

and Randy R. Williams
(Operator)

"Note"

Proof of B/4

will have to be signed
by Traveler's +
Dierker.

January 30, 1976

Re: Permit No. 36-7535- Marvin L. And Sonya L. Priebe
Loan No. 197060 7

Travelers Insurance Company
707 S. W. Washington St.
Real Estate Dept.
Portland, Oregon 97205

-and-

Marven L. & Sonya L. Priebe
Box 93
Wendell, Idaho 83355

Gentlemen and Mr. & Mrs. Priebe:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records have been changed.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR



THE TRAVELERS

Department of Water Resources

Real Estate Investment Department
Agricultural Division
Emil A. Schmitt, Regional Manager

January 26, 1976

Department of Water Resources
State Capitol
Boise, Idaho 83720

RE: Loan No. 197060 7
PRIEBE, Marven L. and Sonya L.
P.O. Box 93
Wendell, Idaho 83355
Water Permit No. 36-7535

Gentlemen:

Enclosed is Assignment which we hold in connection with our real estate loan on the property served by the permit indicated. We hope to have the permit developed into a license at the earliest possible date.

Would you please file this Assignment so that the permit may not be transferred.

Very truly yours,

THE TRAVELERS INSURANCE COMPANY

Emil A. Schmitt
Regional Manager

EAS:tap

Enc.

cc: Mr. Jack C. McCall, Repr.

October 27, 1975

Re: Permit No. 36-7535

C
Mr. Marvin Priebe
Box 93
Wendell, Idaho 83355

Dear Mr. Priebe:

O
Enclosed is a copy of the approved application for amendment issued on the above referenced permit.

Sincerely,

P
BOBBY D. FLEENOR
Chief, Water Rights

BDE:JFR

Y
Enclosure

RECORDED
INDEXED

May 12, 1975

Re: Permit No. 36-7535

Mr. Marvin Priebe
Box 93
Wendell, Idaho 83355

Dear Mr. Priebe:

Enclosed is a copy of your approved Application for Permit No. 36-7535. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

7 MAY 1975

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

RA 4-9-75

Application No. 36-7525 Marvin Pribe

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) RA 4-9-75

In form to receipt

(2) _____

Send Copies to:

Idaho State Health Department

Idaho Fish and Game Department

Bureau of Land Management

(3) _____

Request Special Use Permit from U.S.F.S.

Request Easement from B.L.M.

Request Information from Applicant

(4) RA 4-9-75

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: ☒ _____

(11) CC 4-25-75

Affidavit of Publication received(date) 4-25-75

(12) _____

Final date for protests 5-5-75
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

Proposed Priority 4-7-75

Reason for Reduction

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District Southern

By Bob Haynes

Date 5-5-75

MICROFILMED

April 10, 1975

RE: Application For Permit No. 36-7535 - Marvin Priebe

Mr. Marvin Priebe
Box 93
Wendell, Idaho 83355

Dear Mr. Priebe:

Enclosed is your Receipt No. 14779 for Check No. 92-130 in the amount of \$65.00 for the above referenced application for permit which was received in this office on April 9, 1975.

Sincerely,

Mrs. Carol Clough
Secretary

MICROFILMED

April 10, 1975

RE: Application For Permit No.'s 36-7535 - Marvin Priebe
36-7536 - Joe Bennett

Gooding County Leader
Box 56
Gooding, Idaho 83330

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Bob Haynes
Southern District Engineer

Bill submitted: 4-25-75 CC

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Marvin Priebe Box 93, Wendell, Idaho 83355 has on 4-7-75 submitted Application No. 36-7535 for a permit to appropriate 4.8 cubic feet per second of water from groundwater by means of well, pump and motor to sprinklers within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 7S, Range 14E, B.M. Gooding County to be used from March 15-November 15 for irrigation of 240 acres within the W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 22, Township 7S, Range 14E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North Twin Falls, Idaho, 83301 on or before May 5, 1975.

B. KEITH HIGGINSON
Director

Pub: 4-17, 24.

*O.K. cc
4-16-75*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MARVIN PRIEBE

Box 93, Wendell, Idaho 83355

has on 4-7-75 submitted Application No. 36-7535

for a permit to appropriate 4.8 cubic feet per second ~~acre feet per annum~~ XXXXXXXXXXXXXXXXXXXXXXX

of water from groundwater

by means of well, pump & motor to sprinklers

within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 7S, Range 14E, B.M. Gooding County

to be used from March 15 - November 15

for Irrigation of 240 acres

within the W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 22, Township 7S, Range 14E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before May 5, 1975.

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader

on 4-17 and 4-24-75

RECORDED