

TOWNSHIP 08 SOUTH

RANGE 16 EAST

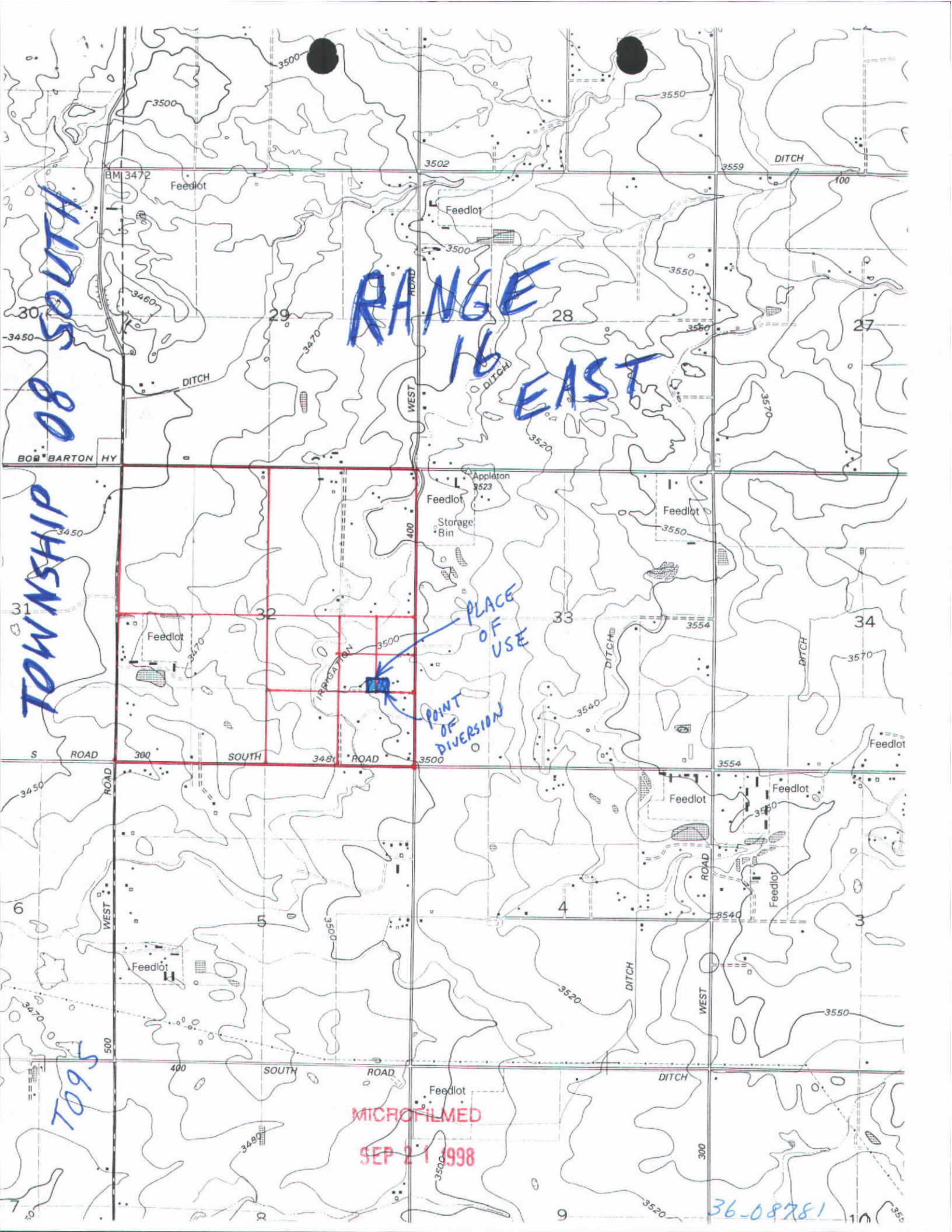
PLACE OF USE

POINT OF DIVERSION

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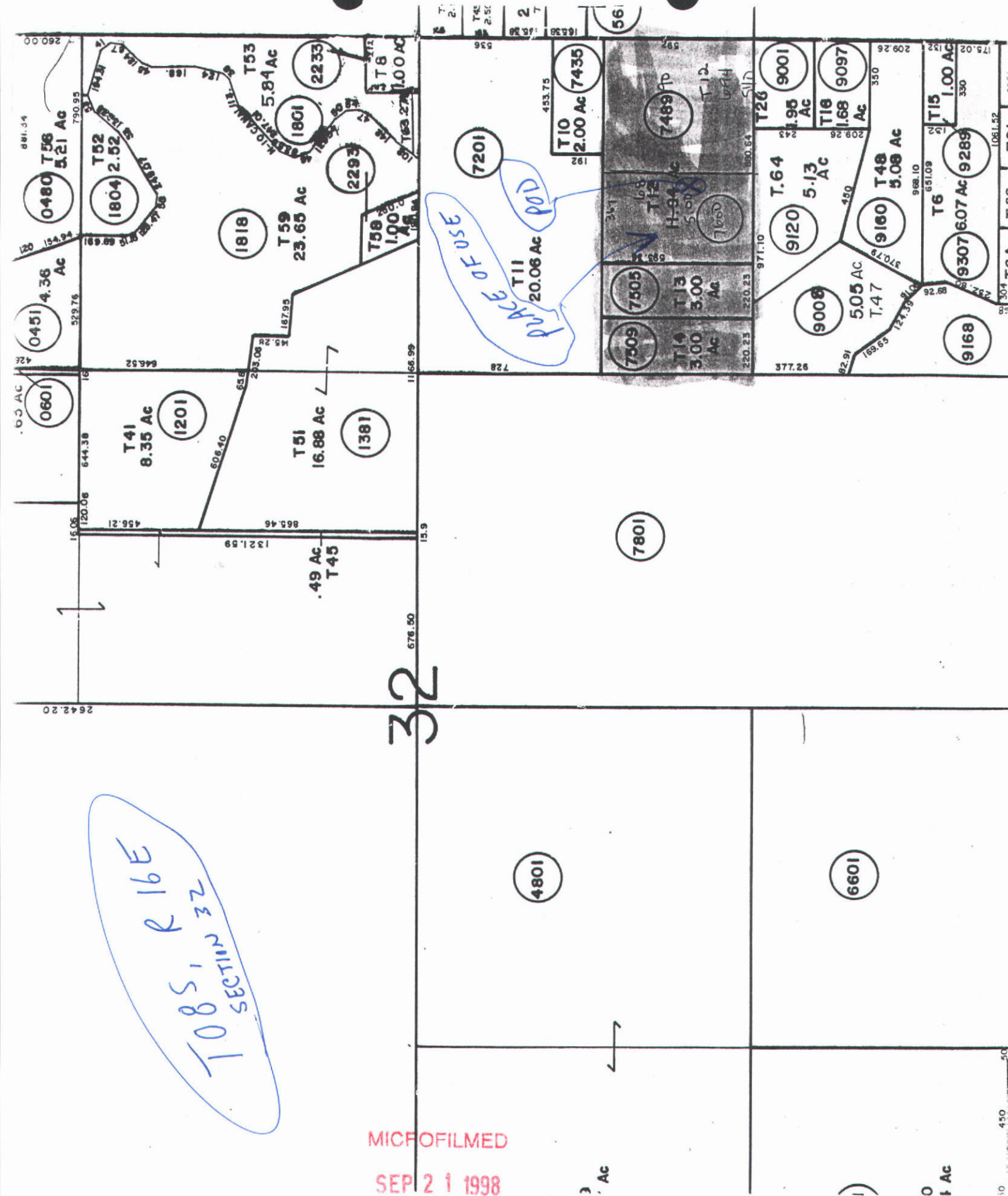
SEP 21 1998

36-08781



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SEP 21 1998

36-08781



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 23 1998

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08781 Telephone No. 208-324-7628
2. Name(s) of Permit Holder(s): Barbara & Scott Walker
3. Mailing Address: 275 South 412 West, Jerome, Id. 83338
4. Source of Water: well If GROUNDWATER (well), Date Drilled: mo. 5 / yr. 98
 - a. Well Driller: Eaton Drilling Drilling Permit Number: 36-98-5-0071-000
 - b. **OPTIONAL:**
Pump Horsepower: 3 h.p. Pressure (psi): 40-60 Dynamic pumping level (ft): 230
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 ~~2~~ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.24 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?	Yes _____ or No <u>X</u>
Has the measuring device been installed?	Yes _____ or No <u>X</u>
Flow Measurement Port: Is a flow measurement port required?	Yes _____ or No <u>X</u>
Has the measurement port been installed?	Yes _____ or No <u>X</u>

8. Fee Enclosed: \$ _____ (See Fee Schedule on back of the instructions for filling proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Scott Walker Telephone Number: work-731-7628
Home-324-7628
Address: 275 S. 412 W. Jerome

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Barbara Walker Scott Walker
(include your title, if on behalf of company or organization)

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SEP 21 1998 7-21-98

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08781

Proposed Priority: April 24, 1998

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **BARBARA WALKER**
SCOTT WALKER
600 S FILLMORE #18
JEROME ID 83338

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 32, Township 08S, Range 16E
JEROME County

PLACE OF USE: DOMESTIC

TWN RGE SEC

08S 16E 32

NESE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1999.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Domestic use is for 1 home.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day.
6. Irrigation occurring under this domestic use shall not exceed 1/2 acre.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

13 day of July, 1998.

Karl J. Dreher
Karl J. Dreher, Director

for

MICROFILMED
SEP 21 1998

Ident. No. 36-08781

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECEIVED
JUL 06 1998
APPLICATION FOR PERMIT

RECEIVED

To appropriate the public waters of the State of Idaho

APR 21 1998

Department of Water Resources

Department of Water Resources

1. Name of Applicant SCOTT WALKER & OR BARBARA WALKER Phone (208) 324-7628
Post Office address 600 SOUTH FILLMORE #18 JEROME, ID 83338
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is SE 1/4 of NE 1/4 of SE 1/4, Govt. Lot _____
Sec. 32 Township 08S Range 16E B.M. JEROME County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 cfs for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.03 cfs for IRRIGATION purposes from 04/01 to 10/31 (both dates inclusive) 3
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) 0.04 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. NEW WELL TO BE DRILLED

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

c. Proposed well diameter is 6" inches; proposed depth of well is 280 feet.

d. Is ground water with a temperature of greater than 35°F being sought? NO

e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (If irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity if KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. ONE HOUSEHOLD UNDER THIS APPLICATION (ALSO SEE REMARKS)

e. Other; describe fully. 1/2 ACRE OF IRRIGATION PER 42-111 IDAHO

CODE UNDER THIS APPLICATION IN CONNECTION
WITH HOUSEHOLD PROPOSED UNDER THIS APPLICATION

USE

SEP 21 1998

9. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	32													D				
															1/2				1/2

Total number of acres to be irrigated 1/2 ACRE

10. Describe any other water rights used for the same purposes as described above. 36-15284 (decreed)
domestic & stock will be diverted out of the same well used on parcel # RLOBS16E327490

11. a. Who owns the property at the point of diversion? SCOTT WALKER (PARCEL # RLOBS16E327600)

b. Who owns the land to be irrigated or place of use? SCOTT WALKER (PARCEL # RLOBS16E327600)

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: _____

12. Remarks: SEE ATTACHED

* DRILLING PERMIT # 36-98-S-0071-000 ISSUED FOR THIS
PROPOSED WELL ON 4/24/1998 (WELL CONSTRUCTION TAG # D0002491)
RECEIPTED ON SAME RECEIPT (S021027).

13. MAP OF PROPOSED PROJECT ATTACHED _____ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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

Scott Walker Barbara Walker
 (Applicant)

Received by A. SKINNER Date 04/21/98 Time P.M. Preliminary check by A. SKINNER
 Fee \$ 50.00 Received by C. SKINNER # S021027 Date 04/24/98
 Publication prepared by MB Date 5/8/98 Published in North Side News
 Publication approved MB Date 6/12/98

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SEP 21 1998

REMARKS

This application seeks to record a 13,000 gallon per day "domestic" right (including up to $\frac{1}{2}$ acre of irrigation) for a parcel owned by the applicant(s). This particular parcel is known as parcel #RL08S16E327600) per the Jerome County Assessor's office. This parcel is the west portion of what used to be parcel #RL08S16E327489 once owned entirely by Ron and Lonna Smith. The east portion of what used to be parcel #RL08S16E327489 is now known as parcel #RL08S16E3277490 and has been retained by Ron and Lonna Smith. The Smith's have a decreed domestic and stock claim (36-15284) for their home on the parcel that they retained. This decreed claim is for a point of diversion located within the SENESE $\frac{1}{4}$ of Section 32 (T08S, R16E). However, the Smith's actually get their domestic water covered under this claim from a well located in the SWNESE $\frac{1}{4}$ of Section 32 on parcel #RL08S16E327505 owned by George Stokesberry (note that decreed claim 36-15276 lists this point of diversion).

The applicant has entered into an agreement with Ron & Lonna Smith to provide the Smith's with their domestic water (covered under 36-15284) out of a well that will be drilled on the applicant's property (parcel #RL08S16E327600). This new well is the point of diversion that is described in this application for permit. Therefore, if this application is approved and developed accordingly, a well will be drilled on the applicant's property (in the SENESE $\frac{1}{4}$ of Section 32) and used to supply the domestic use proposed on this application for the applicant's property (parcel #RL08S16E327600). In addition, the well will also provide the domestic water to the Smith property (Parcel #RL08S16E327490) that is covered under decreed claim 36-15284. Note that this scenario will correct the current point of diversion discrepancy with 36-15284.

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36-08781

TOWNSHIP 80 SOUTH

RANGE 16 EAST

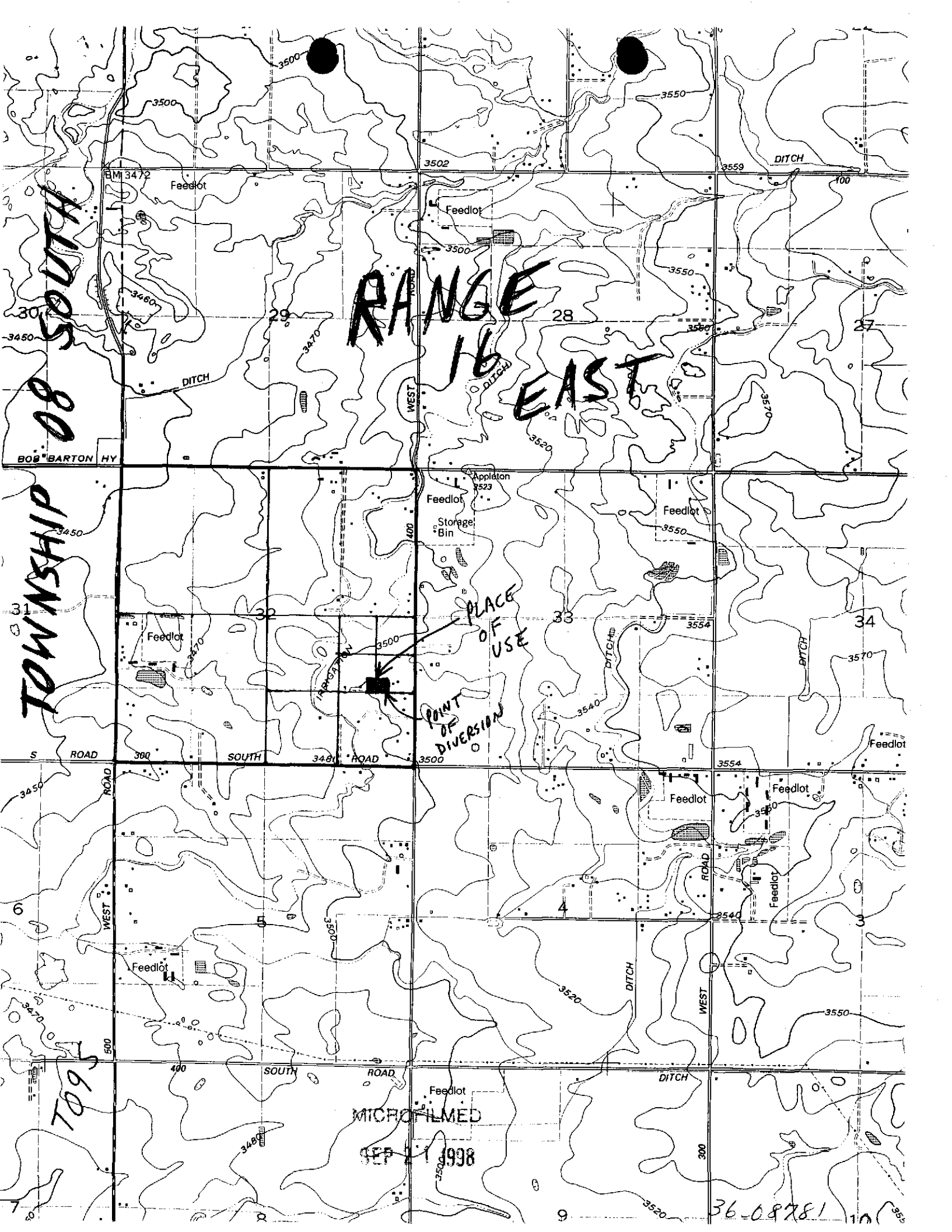
PLACE OF USE
POINT OF DIVERSION

7095

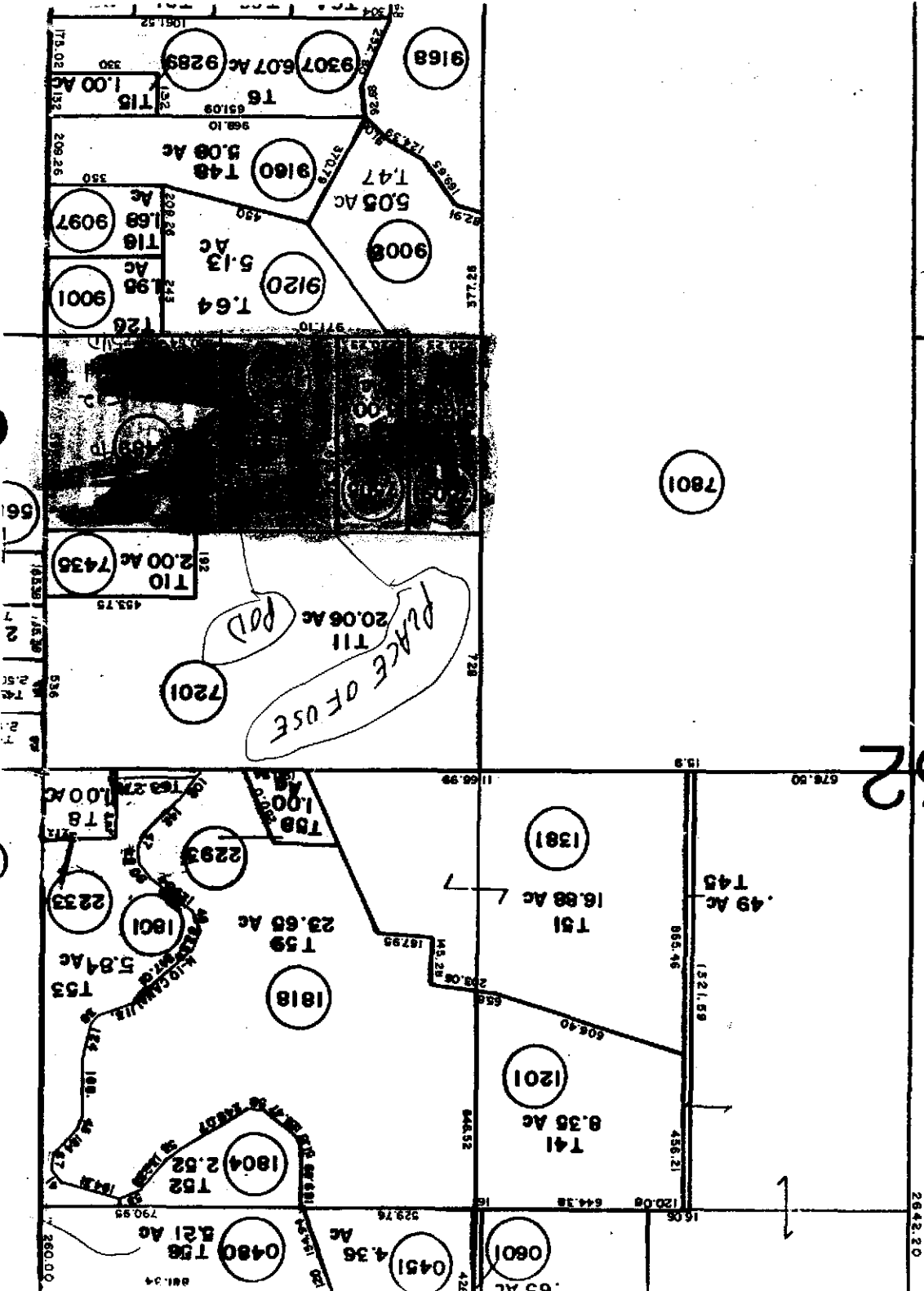
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SEP 21 1998

36-08781



1085, R 16E
SECTION 32



**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 36-08781 Reviewed by [Signature] Date 8-21-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit? dom
NO Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

 Surface water source
✓ Ground water source
yes Drilling permit required?
NO Copy in the file? Drilling Permit No. 36-98-S-2071-000
75- Amount paid for permit yes Correct?
NO Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

NO Required?
1 Amount Submitted
 Correct?
NO Required?
1 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address 275 S 412 W Proof Made 7-23-98
Jerome, 83338



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 24, 1998

Barbara and Scott Walker
275 S 412 W
Jerome ID 83338

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08781

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the department's **SOUTHERN** Regional Office in Twin Falls at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

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SEP 21 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 14, 1998

BARBARA WALKER
SCOTT WALKER
600 S FILLMORE #18
JEROME ID 83338

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08781

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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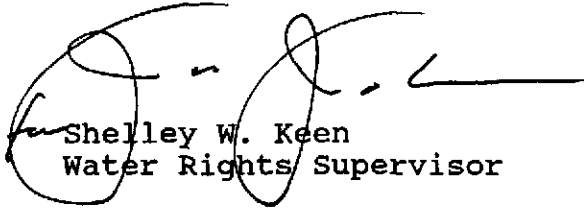
2002 1 1998

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Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

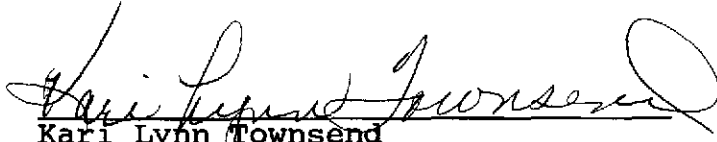
SEP 21 1998

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of July, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 36-08781

BARBARA WALKER
SCOTT WALKER
600 S FILLMORE #18
JEROME ID 83338


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 21 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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SEP 21 1998

WR0749NP
No. P36-08781

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/09/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BARBARA WALKER	04/24/1998	DOMESTIC	01/01 12/31	0.040 CFS	
C	SCOTT WALKER					
	600 S FILLMORE #18			TOTAL DIVERSION:	0.040 CFS	
	JEROME ID 83338					
	(208) 324-7628					

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T08S R16E S32 NESE JEROME County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
08S	16E	32	:		:		:		:		:		:		:		:		:		:		:		:		:		:		

Pou County: JEROME

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
36-07954

Other Water Rights Listing Overlapping Place(s) of use:
36-07954 36-08781

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.

Remarks: GEN Domestic use is for 1 home.

The domestic use authorized under this right shall not exceed
13,000 gallons per day.

Irrigation occurring under this domestic use shall not exceed
1/2 acre.

Dates:	App. Received:	04/24/1998	Priority Date:	04/24/1998
	Proof Due Date:	07/01/1999	Proof Made Date:	
	Exam Made Date:		Exam Sent to S.O.:	
	Licensed Date:			

Misc: Water District Number: Field Exam Fee:

Audit: 07/09/98 CZIMMERM

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by Cindy Lou

No.: 36-8781 Name: Walker Date: 7/8/98 Ad OK? ☒ / Gvmt Lts: ☒

AREA OF CONCERN:- No/Yes: ESRP Mor / GWMA / Trust / Non-trust**PROTESTED:**

- 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

- 26A-P17

≤ 1 year/no proof

- P16**GROUNDWATER: (✓ FLO-CH)**

WMD (✓ MAP)

- North / East / West

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

In Basin 34?

- 085

Irr. within WD

- P05 (new well location)

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD #)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

RIVER BASINS: (*Surface water):

Snake R (01)

- *W22 -P04, NA

(02/03-irr)

- 007 (w/ remark *WB9 if above Weiser), NA

Payette R(65)

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

Salmon R (70's)

- 029 (fish screens), NA

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area 071-070 rinks

Fire Protection

- 077

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req) -081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

Power

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Stockwater

- R37 (BLM/USFS); NA

Storage (✓3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

- P84 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Mitigation

- 120

SWAN FALLS FLAG (See Code Chart)- C

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:**STANDARD REMARKS:**- 0201 0202 mod 0203 mod.**BENEFICIAL USE DUE:**- 7/1/1998**COMMENTS:**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY C. SKINNER DATE 04/29, 1998
APPLICATION NO. 36-08781

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (see USGS quad for names of water sources)
☒ Point of diversion (10 Acres for spring, lot & block description, subdivisions, local name, flow &/or volume.)
☒ County
☒ Quantity (flow &/or volume)
☒ Period of use
☒ Nature of proposed use (include description of use)
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map
☒ Signature (If applicant is corp., partnership, or municipality, signature of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt
- PROPOSED PRIORITY DATE
APRIL 24, 1998

ADDITIONAL INFORMATION

- ☒ Overlapping place of use(Describe source & relationship to previous application on the back. NONE APPARENT)
☒ Overlapping point of diversion. 36-15284
Yes ☒ No ☐ Field check required
Field check by _____
Yes ☒ No ☐ Field report attached
Yes ☒ No ☐ Critical Ground water area
Yes ☒ No ☐ Groundwater management area
Yes ☒ No ☐ Send Dam safety information
Yes ☒ No ☐ Send power requirement letter
Yes ☒ No ☐ Send fish farm requirement letter
Yes ☒ No ☐ Power residency affidavit.
Yes ☒ No ☐ Power efficiency form
Yes ☐ No ☐ Within trustwater boundary(If yes, attach trustwater supplementary analysis sheet.)
Yes ☒ No ☐ Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)

See reverse side for additional information.

* REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Date Requested _____, 19____

PROCESSING ☒ Yes ☐ No
☐ Yes ☒ No
☒ Yes ☐ No

In form for Advertising
~~Not~~ Statewide Advertising
Fee amount, receipt date & No. recorded on app.

SEND COPIES TO: ☐ Idaho Dept of Health & Welfare ☐ USDI BLM
☐ Idaho Dept of Fish & Game ☐ USFS
☐ Idaho Dept of Lands ☐ Water Dist.
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received.
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates and paper, recorded on App.
☐ Yes ☒ No Protests received
Final date for Protest _____
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on app.
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what dist. _____
☐ Yes ☒ No Special conditions of approval or cover letter below. _____

See below for additional information

Date of priority recommended 9/24, 19 98
By AD Date 7/1, 19 98

STATE OFFICE REVIEW

See below for additional information

By _____ Date _____, 19 ____

ADDITIONAL INFORMATION:

JUN 1 AFFIDAVIT OF PUBLICATION

Department of Water Resources
Southern Region
State of Idaho
County of Jerome } ss.

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, 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 4th day of June, 1998, and the date of the last publication was on the 11th day of June, 1998.

Subscribed and sworn to before me this 11th day of June, 1998.
(SEAL)

Patty Nance

Norma W. Doe
NOTARY PUBLIC

21177/7604
NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

affidavit fee 2.25

Lines tabular at _____ 7¢/Pica

730.13 Lines straight at 43.81 6¢/Pica

730.13 Subsequent lines at 36.51 5¢/Pica

TOTAL COST 82.57

MICROFILMED
SEP 21 1998

COPY OF NOTICE

(Paste Here)

Collins #36-08780
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO

NOTICE OF APPLICATIONS FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

LARRY COLLINS &/OR
T.H. BARNES

5720 US HWY 93

JEROME ID 83338

Application for Permit No. 36-08780

Source: groundwater

Diversion Pt(s): NW1/4SW1/4, S26, T08S, R17E; Jerome County.

Use:

Domestic-two homes (0.04 cfs)

1/1-12/31

Irrigation (0.03 cfs)

4/1-10/31

Commercial (0.04 cfs)

1/1-12/31

Total Diversion: 0.04 cfs

In: irrigation of 1/2 acre per home, domestic & commercial use within NW1/4SW1/4, S26, T08S, R17E; Jerome County.

Date Filed: 4/17/98

SCOTT WALKER &/OR

BARBARA WALKER

600 S FILLMORE #18

JEROME ID 83338

Application for Permit No. 36-08781

Source: groundwater

Diversion Pt(s): NE1/4SE1/4, S32, T08S, R16E; Jerome County.

Use: Domestic (0.04 cfs) 1/1-12/31

Irrigation (0.02 cfs) 4/1-10/31

Total Diversion: 0.04 cfs

In: Domestic & irrigation of 1/2 acre within NE1/4SE1/4, S32, T08S, R16E; Jerome County.

Date Filed: 4/24/98

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before June 22, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

Pub: 6/4-6/11

N21177

NOTICE OF APPLICATIONS FOR
WATER PERMIT

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Use:

Domestic-two homes (0.04 cfs)

1/1-12/31

Irrigation (0.03 cfs)

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Jerome County.

Date Filed: 4/17/98

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BARBARA WALKER

600 S FILLMORE #18

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Source: groundwater

Diversion Pt(s): NE1/4SE1/4, S32,
T08S, R16E; Jerome County.

Use: Domestic (0.04 cfs) 1/1-12/31

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protest to the applicant.

Karl J. Dreher, Director

Published in the North Side News on
06/03 & 06/10/98.

MICROFILMED

SEP 21 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

May 11, 1998
21

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LEGALS DEPT
MAGIC VALLEY PUBLISHING CO
ATTN North Side News
PO BOX 468
JEROME ID 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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.

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED
SEP 21 1998

NOTICE OF APPLICATIONS FOR WATER PERMIT

The following applications have been filed to appropriate the public waters of the State of Idaho:

LARRY COLLINS &/OR
T.H. BARNES
5720 US HWY 93
JEROME ID 83338

Application for Permit No. 36-08780

Source: groundwater

Diversion Pt(s): NW1/4SW1/4, S26, T08S, R17E; Jerome County.

Use:		
Domestic-two homes	(0.04 cfs)	1/1-12/31
Irrigation	(0.03 cfs)	4/1-10/31
Commercial	(0.04 cfs)	1/1-12/31

Total Diversion: 0.04 cfs

In: irrigation of 1/2 acre per home, domestic & commercial use within NW1/4SW1/4, S26, T08S, R17E; Jerome County.

Date Filed: 4/17/98

SCOTT WALKER &/OR
BARBARA WALKER
600 S FILLMORE #18
JEROME ID 83338

Application for Permit No. 36-08781

Source: groundwater

Diversion Pt(s): NE1/4SE1/4, S32, T08S, R16E; Jerome County.

Use: Domestic	(0.04 cfs)	1/1-12/31
irrigation	(0.02 cfs)	4/1-10/31

Total Diversion: 0.04 cfs

In: Domestic & irrigation of 1/2 acre within NE1/4SE1/4, S32, T08S, R16E; Jerome County.

Date Filed: 4/24/98

Any protest against the proposed application(s) must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before June 22, 1998 to be considered by the Department in its decision to grant or deny any part of the proposed application(s). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the North Side News on 06/03 & 06/10/98.

MICROFILMED

SEP 21 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

May 21, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SCOTT WALKER &/OR
BARBARA WALKER
600 S FILLMORE #18
JEROME ID 83338

Re: Application for Permit No. 36-08781

Dear Applicants:

We regret to inform you that the legal advertising of your application in the North Side News was not published as anticipated.

Publication has been re-scheduled for 06/03 & 06/10/98; the last date for the timely submittal of protests is June 22, 1998.

We apologize for any inconvenience this delay may have caused you. If you have any questions or if this office can be of further assistance, please feel free to contact us.

Sincerely,

Mary A. Baldwin
Senior Secretary

MB

MICROFILMED

SEP 21 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

May 8, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SCOTT WALKER &/OR
BARBARA WALKER
600 S FILLMORE #18
JEROME ID 83338

Re: Application for Permit No. 36-08781

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office has scheduled advertising the application in the North Side News for 05/20 & >05/27/98. A period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If an application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

MICROFILMED

SEP 21 1998

MEMORANDUM

TO: Scott &/or Barbara Walker Application for Permit File
FROM: Corey Skinner /S
DATE: April 30, 1998
SUBJECT: Staff Review

The enclosed application, filed in the name of Scott &/or Barbara Walker, seeks to record a domestic water right out of a proposed well for a single family home on the applicant's property. This idea should be simple enough, but some additional circumstances have complicated the matter.

In reality, the applicants want to drill a well on their lot (parcel #RL08S16E327600) to serve a home on their lot, and a home on an adjoining lot (parcel #RL08S16E327490). The adjoining lot (7490) is owned by a party, the Smiths, other than the Walkers. The Smith's currently have a decreed domestic claim (36-15284) appurtenant to their lot (7490). The Smiths currently divert their water from a well located within the SWNESE $\frac{1}{4}$ of Section 32 on a lot (7505) that is owned by the Stokesberrys. However, decreed claim 36-15284 lists the Smith's well as being located within the SENESE $\frac{1}{4}$ of Section 32.

If the enclosed application is approved, and the applicants develop the well as proposed, they can obtain a domestic water right for a home on their property. Decreed right 36-15284 (in the name of the Smiths) will be diverted out of the applicants well, but used on different property. This will straighten out the current point of diversion discrepancy with right 36-15284 since the Smith's will actually divert their water from a point of diversion as described on their water right. In addition, both parties should have "up to 13,000 gallon a day" water rights per part (a) of §42-111, IDAHO CODE, instead of the "total use of 2,500 gallon per day" from part (b) which may result from a possible interpretation of Section (2) of §42-111.

MICROFILMED

SEP 21 1998

36-68781

Water Right Number - 36-15284

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
SMITH

RONNIE

1 - 275A S 400 W

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-8467

SMITH

LONNA

1 - 275A S 400 W

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-8467

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/01/1974 17 SOUTHERN D - DECREED+ - - Source - - - - - + + - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County Diversion Name

OBS 16E 32 SE NE SE (53) JEROME

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

01/01

12/31

0.040

04 - STOCKWATER

01/01

12/31

0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.060 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

OBS 16E

32

NE SE

04

STOCKWATER

(53) JEROME

OBS 16E

32

NE SE

43

DOMESTIC

(53) JEROME

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - NONE

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

EXP PARCEL NO. R108S16E327489
STOCKWATER, 2 HORSESTHIS PARCEL HAS BEEN
SUBDIVIDED INTO PARCEL# R108S16E327600 OWNED BY THE WALKERS
AND

R108S16E327490 OWNED (RETAINED) BY THE SMITHS.

THIS
DECREE
CLAIM WILL
BE REVERTED
OUT OF THE
WELL PROPOSED
ON SCOTT & /OR
BARBARA
WALKER'S
ENCLOSED
APPLICATION
FOR
PERMIT.WATER ACTUALLY CURRENTLY
DIVERTED OUT OF A WELL LOCATED
IN SWNESE 1/4 OF SECTION 32(WELL DESCRIBED AS
POD ON DECREED
CLAIM 36-15276)

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

04/16/98 16:59:33
Page 2

Water right number - 36-15284

Prefix Translation: WATER RIGHT

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

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

+ - - - - 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.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
STATE OF IDAHO UNITED STATES ET AL 12/10/1996

+ - - Audit Fields - 09/30/96 DSHAFF 10/02/96 D&S-DSHA 10/31/96 KCHRISTE 12/09/96 PD-DSHAF

+ - - - - Comments - - - - - +
Date: 10/02/1996 User Id: D&S-DSHA Subject: D&S CONDITION CODE UPDATE
CONDITION CODE N11 ADDED CONDITION CODE N13 ADDED

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

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	- 10/31/1996	Old Judicial District	-
Claim Received Date	- 11/13/1991	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	- S013899	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- OR	Notice of Error Flag	-

Water Right Number - 36-15276

Prefix Translation: WATER RIGHT

Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***
STOKESBERRY

GEORGE B

1 - 375B S 400 W
2 -
3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-7301

STOKESBERRY

LESLIE

1 - 375B S 400 W

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-7301

*** D - DIR RPT OWNER ***
DUNLOP

CONNIE

1 - 275B S 400 W

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-1250

DUNLOP

WALTER E

1 - 275B S 400 W

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-1250

+ - - Priority Date - - +
12/15/1975+ - - - Region - - - +
17 SOUTHERN+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

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

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

08S 16E 32 SW NE SE (53) JEROME

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

01/01

12/31

0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S 16E 32 NE SE

43 DOMESTIC

(53) JEROME

+ - - Diversion Means - SUBMERSIBLE 3 HP PUMP TIED INTO A PRESSURE TANK SYSTEM

+ - - Non-Irrigation Use - 1 HOME

THIS IS THE WELL LOCATION DIVERTED FROM
THAT 36-15284 IS ACTUALLY BE DIVERTED FROM
36-15284 WILL BE DESCRIBED ON SCOTT & OR
BARBARA WALKER'S
ENCLOSED APPLICATION
FOR PERMIT.

Water right number - 36-15276

Prefix Translation: WATER RIGHT

+ - - Other Rights for Same Use - NONE

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

EXP PARCEL NO. RL08S16E327505

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

+ - - - - - 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.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
STATE OF IDAHO UNITED STATES ET AL 11/26/1997

+ - - Audit Fields - 10/24/96 DSHAFF 10/28/96 DS1-PROD 03/07/97 SCLELLAN 02/18/98 PD-DSHAF

+ - - - - - Comments - - - - - +
Date: 01/10/1992 User Id: SMITH Subject: COPIED FROM REMARKS
TWO OTHER OWNERS AND SYSTEMS ARE TIED INTO THIS WELL. *Smiths (36-15276) will be diverted out of well on Walker property*
Date: 08/18/1995 User Id: KCHRISTE Subject: NAME CHANGE
THE DATA IN THE NAME FILE WAS CHANGED WITHOUT THE ABOVE USER
THE CURRENT OWNER OF THE WATER RIGHT. HOWEVER, THE CHANGE MAY
WITHOUT CHANGING THE CURRENT OWNER OF THE WATER RIGHT.
FOUND THAT THAT RECORD HAD BEEN CHANGED ON 2-24-95. THIS CHANGE
Date: 10/28/1996 User Id: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
ANY GEN REMARK CHANGED TO AN EXP REMARK.
NOTING EXACTLY WHAT WAS CHANGED. TYPICALLY THIS CHANGE IS TO
BE TO ADD OR DELETE AN ATTORNEY OR LIENHOLDER, FOR EXAMPLE,
** OWNERSHIP CHANGED. WHEN REVIEWING A RECORD FOR CLAIMANT, I
BRINGS THE BLANK RECORD CURRENT WITH THE A RECORD. KKC
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.

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

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	- 11/12/1991	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	- S013885	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-