

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: A21-07327
Date Received: 2/10/1989
Receipt No: 500 5997
Received By: 90

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PINEHAVEN PLANNING BOARD
Address: P.O. BOX 58
ISLAND PARK, ID 83429

2. Date of Priority: JUN 16, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	42E	11	NE	SE			FREMONT

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.110		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/13 LOTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	42E	11	NE	SE		DOMEST	
		12	NW	SW		DOMEST	

11. Place of use in counties: FREMONT

A21-07327

Page 1

Date: 03/07/89

A2107327



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12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:

FIRST USE OF WATER FROM WELL: 1966. PERMIT DATE: 06/16/1983

LOTS SERVED BY THE WELL:

BLOCK 4, LOTS 1-13

WELL (#7) IS LOCATED ON THE CORNER OF LOTS 8 AND 9, BLOCK 4,
PINEHAVAEN.

THE PINEHAVEN PLANNING BOARD IS THE LEGALLY RECORDED GOVERNING
BODY FOR PINEHAVEN AND NORTH PINEHAVEN SUBDIVISIONS.

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 _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Mayor and Member of the Board of Pinehaven Planning Board, that I have signed the foregoing Organization document in the space below as Mayor and Member of the Board of Pinehaven Planning Board and that the statements contained in the foregoing document are true and correct.

Benjamin Wideman
Signature of Authorized Agent
Mayor and Member of the Board
Pinehaven Planning Board
Title and Organization

Mar 8 1989
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of March 19 89

Betty J. Thompson
Notary Public

Seal

Residing at 1111 E. 1000 N. NOTARY PUBLIC
My Commission Expires 6-30-94

Pinehaven Planning Board
Box 58
Island Park, ID. 83429

Department of Water Resources
State Office Bldg.
150 Shoup Ave.
Idaho Falls, Idaho. 83401

RECEIVED
MAR 7 1990

26 March 1990

Department of Water Resources
Eastern District Office

Sirs,

The following named owners of lots in North Pinehaven have constructed a house and hooked up to the water supply from Wells No. 1, 2, and 5 in North Pinehaven:

Lots 23 and 24, Block 14, North Pinehaven
Dr. and Mrs. M. R. Mickelson.

Please add this house and owner(s) to Remarks, Item 14, for Permit No. A21-07329.

The following named persons are new owners of a house on Lot 10 Block 4 in Pinehaven, replacing Vaughn Wadsworth:

Lot 10 Block 14, Pinehaven
Mr. and Mrs. Robert Terry.

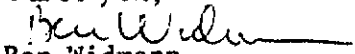
Please delete Vaughn Wadsworth and add Mr. and Mrs. Robert Terry to Remarks, Item 14 Permit No. A21-07327.

The following persons are new owners of a house on Lot 20 and 21 Block 1 in Pinehaven, replacing Amelia Brunt Estate:

Lots 20 and 21 Block 1, Pinehaven
Dr. and Mrs. Joe Motes.

Please delete Amelia Brunt Estate and add Dr. and Mrs. Joe Motes to Remarks, Item 14, Permit No. A 21-07333.

Thank you,


Ben Widmann,
Member of the Board and Mayor.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

A21-01285
4-A21-07327
Permanent file

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 23, 1990

Ben Widmann
Pinehaven Planning Board
Box 58
Island Park, ID 83429

RE: Snake River Basin Adjudication SRBA
Teton County - A21-07327

*2-22-91
Both SRBA
claims still
active.
Donna Smith*

Dear Mr. Widmann:

Your request for refund of the filing fees and proof of beneficial use fees was forwarded to this office.

The current status of the adjudication claim filings and water right records prevent me from approving your request. Both the Board's (21-07327) and Mrs. Wadsworth's filing (21-07285) and water right exist as valid records. Until such time as one of the records is withdrawn and/or relinquished, the staff for this agency will hold the funds for both filings.

Please inform this agency of any influencing results of the negotiations with Mr. Wadsworth or an agreement with respect to the water rights.

Regards,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state:eastern

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ACTION REQUIRED

FROM Ernest

March 31, 1989.

TO Mr. Staff

Under the circumstances described by Mr. Widmann, I
will recommend that we comply with his request.
Please let us know what action the Dept. does take.

RECEIVED

APR 06 1989

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Department of Natural Resources

PINEHAVEN PLANNING BOARD
BOX 58
ISLAND PARK, IDAHO 83429

Idaho Department of Water Resources
Eastern Regional Office,
150 Shoup Suite # 15,
Idaho Falls, ID. 83401

22 Mar 1989

The Pinehaven Planning Board recently filed Notices of Claim on each water right within Pinehaven and North Pinehaven on the basis of Permits issued by your Office. A total of seventeen wells covered by fifteen permits were included in this action. The Board also filed for Proof of Beneficial Use on all the wells.

We have since found out that rights on one of these wells (Well # 7, Permit A21-07327) had already been claimed by T. J. Wadsworth, a property owner whose property is serviced by the well, under permit A 21- 7285. He had also filed for Proof of Beneficial Use on that well. This unilateral action resulted in two permits, two water right filings, and two proof of beneficial use filings on the same well.

The Board will resolve the question of water right ownership for this well with the permit holder. We feel that it would be better for all parties serviced by the well for the well to be included under aegis of the Pinehaven Planning Board, the legally recorded permanent governing body for Pinehaven and North Pinehaven, rather than under the ownership of an individual who could sell the property. This well belongs to the property owners serviced by the well and should not be transferred to another property owner.

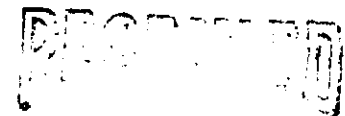
The Pinehaven Planning Board paid to your Office the sum of \$ 111, \$ 61 for water rights filing and \$ 50 for proof of beneficial use for Pinehaven Well # 7, permit A21-07327. The property owner, T. J. Wadsworth, had previously paid for the same actions, under Permit A21-7285. Request that the amount of \$ 111 be refunded to the Board.

When the Board obtains agreement from T. J. Wadsworth that this well should be properly under the Pinehaven Planning Board, the Board will apply for transfer of the Water Rights from Mr. Wadsworth and will reimburse him for his expenses in filing for the rights and proof of beneficial use.

For the Planning Board,

Ben Widmann
Ben Widmann,

Mayor and Member of the Board.



MAR 23 1989

Department of Water Resources
Eastern Regional Office

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OCT 21 1992

PINEHAVEN PLANNING BOARD
BOX 58
ISLAND PARK, IDAHO 83429

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Eastern Regional Office,
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For the Planning Board,

Ben Widmann
Ben Widmann,

Mayor and Member of the Board.

Department of Water Resources
Eastern Regional Office

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State of Idaho
Department of Water Resources

RECEIVED
MAY 23 1994

Department of Water Resources
Eastern District Office

WATER RIGHT LICENSE
WATER RIGHT NO. 21-07327

Priority: June 16, 1983

Maximum Diversion Rate:

0.05 CFS

Maximum Diversion Volume:

6.0 AF

This is to certify, that PINEHAVEN PLANNING BOARD
PO BOX 58

ISLAND PARK ID 83429 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 16, 1983; and
has submitted Proof of Beneficial Use on March 16, 1989. An examination indicates
that the works have a diversion capacity of .080 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>
DOMESTIC	01/01 to 12/31	0.05 CFS	6.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 6(NWSW), Sec. 12, Township 11N, Range 42E
FREMONT County

PLACE OF USE: DOMESTIC
TWN RGE SEC
11N 42E 12 Lot 6(NWSW)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described 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. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Place of use is located within Block 4, Pinehaven Subdivision #2. The total combined rate of diversion under this right and Right 21-07285 shall not exceed .08 cfs.
7. Domestic use is for 10 homes.

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NOV 05 1990

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 9TH
day of MAY, 1994.

Acting for R. Keith Higginson, Director