

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: A25-11407
Date Received: 11/23/1988
Receipt No: E004375
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GUY HINCKLEY 208-745-6562
Address: 685 N 3837 E
RIGBY, ID 83442

AND/OR

Name: LA PREAL HINCKLEY 208-745-6562
Address: 685 N 3837 E
RIGBY, ID 83442

2. Date of Priority: JAN 01, 1900

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	38E	36	SW	NE	NW		JEFFERSON
			SE	NE	NW		JEFFERSON
			SE	NW	NW		JEFFERSON

5. Description of diverting works:
3 WELLS & PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.030		
IRRIGATION	04/01	11/01	0.090		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 1 HOME, STOCKWATER - 75 CATTLE

A25-11407

Page 1

Date: 11/23/88

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	38E	36	NE	NW		IRR	3.0
			NE	NW		STOCK	
			NW	NW		STOCK	
					Section Acres		3.0
					Total Acres		3.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Guy W. Hinckley Date: 11/23/88
LaBreal Hinckley Date: 11-23-88

State of Idaho)
County of Bonner) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of Nov 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6/29/1994

25
36

25 30
36 31



Log for claim 25-11407

Spatial Dynamics CAT

12/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n38e	36	NENW	3	40	Indiscernible / POD Placement?
Totals:			3	40	

AJ5809NP
No. A25-11407

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/26/00
PAGE: 132

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GUY HINCKLEY	01/01/1900	IRRIGATION	04-01 11-01	0.090 CFS	
C	LA PREAL HINCKLEY		STOCKWATER	01-01 12-31	0.030 CFS	
	685 N 3837 E		DOMESTIC	01-01 12-31	0.040 CFS	
	RIGBY ID 83442					
	(208) 745-6562					
TOTAL DIVERSION:					0.160 CFS	
CONSUMPTIVE USE:						7.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T05N R38E S36 SWNENW SENENW SENWNW JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05N	38E	36	:								03									:	3.0
																				TOTAL ACRES	3.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
05N	38E	36	:							S	S									:

Place of use location for DOMESTIC is the same location as described for: STOCKWATER

POU County: JEFFERSON

Non-Irrigation Uses: DOMESTIC - 1 HOME, STOCKWATER - 75 CATTLE

Other Rights: NONE

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

25-10209	25-10304	25-10316	25-10980	25-11469	25-11470	25-12035	25-12104	A25-04048	A25-10209
A25-10304	A25-10316	A25-10817	A25-10980	A25-11469	A25-11470	A25-12035	A25-12104	A25-12135	A25-13401

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00109G	A01-00110E	A01-00111E	A01-00112E	A01-00113E	A01-00114C	A01-00115S	A01-00317	A25-04048	A25-13401
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Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 11/23/88 MCC 03/29/95 POST-STD

RECEIVED

JUL 23 1991

Department of Water Resources
Eastern District Office

State of Idaho
Department of Water Resources
Eastern District Office
150 Shoup — Suite 15
Idaho Falls, Idaho 83402

A25-11407
Guy & LaFreal Hinckley
685 N. 3837 E.
Rigby, Id 83442

EVIDENCE OF PRIORITY AFFIDAVIT

This is to verify that VICTOR HALL, a neighbor of the widow, Elsie Merrill Raymond and her family remembers well the pump in question. Victor plowed their garden spot every spring and will testify that the pump was in use from the years beginning in 1920. There was probably an open well before that time.

The water was used for household use from the pump.

Victor Hall was born and has lived in Annis, Idaho all of his life.
He was born November 11, 1905.

DATED this 22nd day of July, 1991.

Victor Hall
Victor Hall

NOTARIZED on this 22nd day of July, 1991.

Luis M. Pardo
NOTARY PUBLIC
Residing at Rigby, Idaho 83442
My Commission expires July 1992

RECORDED
NOV 11 1992

JUNE 20, 1991

GUY AND LAPREAL HINCKLEY
685 N 3837 E
RIGBY ID 83442

RE: SUPPORTING EVIDENCE ON PRIORITY DATE FOR NOTICE OF
CLAIM A25-11407

Dear Mr. Hinckley:

The Department of Water Resources is returning your Notice of Claim to a water right in regards to the priority date.

The "Evidence of Priority" submitted by O.D. and Annie Olaveson, on your behalf, in their affidavit received June 11, 1991, in this office (copy of their affidavit enclosed) supports a priority date of July, 1945. If you would like to change your priority date to July 1, 1945, you may do so by lining through January 1, 1900 and entering July 1, 1945. Please date and initial the change. Return the Notice to this office by July 22, 1991, to my attention. I will make the change in our data base.

If you feel your well was established earlier than 1945, then you must submit evidence to support the earlier date. Again, please return Notice by July 22, 1991.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

FILE:

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State of Idaho
Department of Water Resources
Eastern District Office
150 Shoup — Suite 15
Idaho Falls, Idaho 83402

A25-11407
GUY & LaPREAL HINCKEY
685 N 3837 E
RIGBY, ID 83442

RECEIVED

JUN 11 1991

Department of Water Resources
Eastern District Office

EVIDENCE OF PRIORITY AFFIDAVIT

This is to verify that O. D. OLAVESON & ANNIE OLAVESON, husband and wife, lived on the 3 acres of property in question for water beginning in July of 1945. There was an established well for water there at that time and had been used for years before that and continually every since.

The water was used for household use, watering lawn, flowers and garden.

DATED this 10th day of June, 1991.

O. D. Olaveson
O. D. OLAVESON, Previous Renter

Annie Olaveson
ANNIE OLAVESON, Previous Renter

NOTARIZED on this 10th day of June, 1991.

Claire A. Hanson
CLAIRE HANSON, NOTARY
Residing at Rigby, Idaho
My Commission expires 5/22/92

NOTARIZED

NOV 11 1992

April 29, 1991

Guy Hinckley
685 N. 3837 E.
Rigby, ID 83442

RE: Evidence of Priority

Dear Mr. Hinckley:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

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NOV 11 1992

Guy Hinckley

Page 2

Please submit the required evidence supporting the priority date by **May 29, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-11407
GUY HINCKLEY
LA PREAL HINCKLEY
685 N 3837 E
RIGBY

ID 83442

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