

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: A25-13480
Date Received: 9/14/1990
Receipt No: E015234
Received By: CS

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name:	W. DEAN HUMPHRIES	208-522-2936
Address:	9955 N. 15 E. IDAHO FALLS, ID	83401
OR		
Name:	BETTY HUMPHRIES	208-522-2936
Address:	9955 N. 15 E. IDAHO FALLS, ID	83401
OR		
Name:	LYLE L. WARD	208-522-8492
Address:	6020 W. ARCO HWY. IDAHO FALLS, ID	83402
OR		
Name:	RUBY H. WARD	208-522-8492
Address:	6020 W. ARCO HWY. IDAHO FALLS, ID	83402
OR		
Name:	REX O. YOUNG	208-523-4806
Address:	175 EVERGREEN IDAHO FALLS, ID	83401
OR		
Name:	EVA YOUNG	208-523-4806
Address:	175 EVERGREEN IDAHO FALLS, ID	83401

2. Date of Priority: SEP 23, 1901

3. Source: SPRING Trib. to: DRY HOLLOW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	40E	19	NE	NW	SW		BONNEVILLE

5. Description of diverting works:
DITCH FROM SPRING TO PONDS. OVERFLOW IRRIGATES PASTURE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.140		
DOMESTIC	01/01	12/31	0.040		
RECREATION STORAGE	01/01	12/31			2.00

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

2.00 A.F.A.

8. Total consumptive use is

21.6 Acre Feet Per Annum.

9. Non-irrigation uses:

2 HOMES, SINGLE OWNERSHIP

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	40E	19	SW	NE		IRR	5.2
			NW	SE		DOMEST	
			NW	SE		IRR	2.0
			NW	SE		REC S	
			NW	SE		REC	
						Section Acres	7.2
						Total Acres	7.2

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
IN-STREAM STOCKWATERING

14. Remarks:

THE SPRING FLOW IS DIVERTED INTO 3 SMALL PONDS. THE OWNER DOES NOT KNOW WHEN THESE PONDS WERE BUILT. THE OWNERS HAVE BEEN STOCKING THESE PONDS WITH TROUT FOR THEIR PERSONAL USE. THERE ARE 2 CABINS ON THE PROPERTY WHICH USE WATER FROM THE SPRING. THEY HAVE BEEN IN PLACE SINCE 1987. THERE ARE REMANANTS OF AN OLD HOUSE ON THE PROPERTY SO THE DOMESTIC PORTION IS CLAIMD AS A REPLACEMENT TO THIS OLD HOUSE. THE CLAIM IS BASED ON A RECORD ON THEIR DEED MENTIONING "100 INCHES OF DECREED WATER FROM POISON CREEK" (DRY HOLLOW ON USGS MAPS).
POSTED NOTICE ATTACHED
PARTNERS HAVE AN UNDIVIDED INTEREST IN THE PROPERTY

15. Basis of Claim: BENEFICIAL USE

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 Individuals:

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

Signature of Claimant(s): W. Dean Humphries Date: 9-19-1990

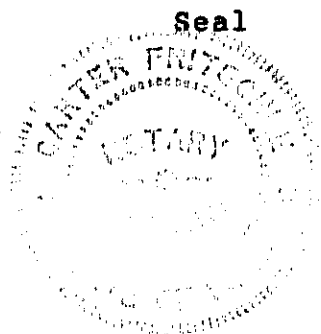
Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of September 19 90

Carter Fritschel
Notary Public

Seal



Residing at Payle, Id
My Commission Expires 3-21-94

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
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CIVIL CASE NUMBER: 39576

Ident. Number: A25-13480
Date Received: 9/14/1990
Receipt No: 6015234
Received By: EG

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. DEAN HUMPRIES 208-522-2936
Address: 9955 N. 15 E.
IDAHO FALLS, ID 83401

OR
Name: BETTY HUMPRIES 208-522-2936
Address: 9955 N. 15 E.
IDAHO FALLS, ID 83401

2. Date of Priority: SEP 23, 1901

3. Source: SPRING Trib. to: DRY HOLLOW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
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DOMESTIC	01/01	12/31	0.040		
RECREATION STORAGE	01/01	12/31			2.00

7. Total Quantity Appropriated is:
0.140 C.F.S. (and/or) 2.00 A.F.A.

8. Total consumptive use is 21.6 Acre Feet Per Annum.

9. Non-irrigation uses:
2 HOMES, SINGLE OWNERSHIP

A2513480



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	40E	19	SW	NE		IRR	5.2
			NW	SE		IRR	2.0
			NW	SE		REC S	
			NW	SE		REC	
			NW	SE		DOMEST	
Section Acres							7.2
Total Acres							7.2

11. Place of use in counties: BONNEVILLE

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15. Basis of Claim: BENEFICIAL USE

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 Individuals:

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

Signature of Claimant(s): W. Dean Humphries Date: 9-14-1990

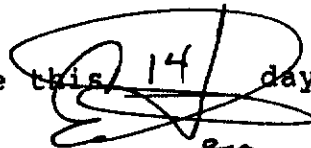
Betty Ann Humphries Date: 9-14-90

State of Idaho

County of Donnerville

) SS.

Subscribed and sworn (or affirmed) before me this 14 day
of September 19 90



Notary Public

Seal

Residing at Sub Falls, B.

My Commission Expires 22 Aug 1994

Log for claim 25-13480

Spatial Dynamics CAT

11/13/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n40e	19	SWNE	5	12	Indiscernible
01n40e	19	NWSE	2	0.5	Indiscernible
Totals:			7	12.5	

AJ5809NP
No. A25-13480

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 81

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	W DEAN HUMPHRIES	09/23/1901	IRRIGATION	04-01 11-01	0.140 CFS	
C	BETTY HUMPHRIES		DOMESTIC	01-01 12-31	0.040 CFS	
	9955 N 15 E		RECREATION STORAGE	01-01 12-31		2.00 AFA
	IDAHO FALLS ID 83401					
	(208) 522-2936					
			TOTAL DIVERSION:		0.140 CFS	2.00 AFA
			CONSUMPTIVE USE:			21.60 AFA

C LYLE L WARD
C RUBY H WARD
6020 W ARCO HWY
IDAHO FALLS ID 83402
(208) 522-8492

C REX O YOUNG
C EVA YOUNG
175 EVERGREEN
IDAHO FALLS ID 83401
(208) 523-4806

Water Source: SPRING

Tributary to: DRY HOLLOW CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T01N R40E S19

NENWSW

BONNEVILLE 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
01N	40E	19	:				05	:											02	:	7.2
																			TOTAL ACRES	:	7.2

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
01N	40E	19	:					:												:	0

Place of use Legal Description for: RECREATION STORAGE

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
01N	40E	19	:					:												:	R

POU County: BONNEVILLE

Non-Irrigation Uses: 2 HOMES, SINGLE OWNERSHIP

Other Rights: IN-STREAM STOCKWATERING

AJ5809NP
No. A25-13480

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 82

Remarks: GEN THE SPRING FLOW IS DIVERTED INTO 3 SMALL PONDS. THE OWNER DOES NOT KNOW WHEN THESE PONDS WERE BUILT. THE OWNERS HAVE BEEN STOCKING THESE PONDS WITH TROUT FOR THEIR PERSONAL USE. THERE ARE 2 CABINS ON THE PROPERTY WHICH USE WATER FROM THE SPRING. THEY HAVE BEEN IN PLACE SINCE 1987. THERE ARE REMANANTS OF AN OLD HOUSE ON THE PROPERTY SO THE DOMESTIC PORTION IS CLAIMD AS A REPLACEMENT TO THIS OLD HOUSE. THE CLAIM IS BASED ON A RECORD ON THEIR DEED MENTIONING "100 INCHES OF DECREED WATER FROM POISON CREEK" (DRY HOLLOW ON USGS MAPS).
POSTED NOTICE ATTACHED
PARTNERS HAVE AN UNDIVIDED INTEREST IN THE PROPERTY

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:
Audit: 09/14/90 VERNER 09/19/90 ESRBA 03/29/95 POST-STD

RECEIVED

JUN 11 1991

Department of Water Resources
Eastern District Office

June 7, 1991

Ernest Carlsen
Water Right Supervisor, Adjudication
Idaho Department of Water Resources
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83402

RE: Notice of Claim to Water Right
SRBAA25-13480
Civil Case No. 39576

Dear Mr. Carlsen:

Please further amend the Amended Notice of Claim to a Water Right Acquired Under State to reflect, where appropriate, that our claim is for private water on private land.

The Amended Notice, as it now appears, generally reflects the private nature of the water and our claim to the private water on private land, but I am not satisfied that the Notice is specific enough in that regard.

As previously indicated, the claimed water surfaces on our property and, on the surface, never leaves the property.

Unless I hear from you to the contrary, I presume that this letter will suffice for an appropriate further amendment to the referenced Amended Notice filed and pending in this matter.

Thank you for your courtesies and consideration.

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

Dated June 7, 1991.

W. Dean Humphreys
W. Dean Humphreys
Te D.H.

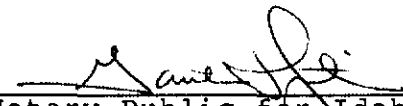
MICROFILMED

NOV 12 1992

Ernest Carlsen
June 7, 1991
Page - 2 -

STATE OF IDAHO)
)
County of Bonneville)

SUBSCRIBED AND SWORN to and affirmed before me this 7
day of June, 1991.



Notary Public for Idaho
Residing at: Isaac Grus
My commission expires: 7-7-94

MICROFILMED
NOV 12 1992

May 2, 1991

W. Dean Humphries
9955 N. 15 E.
Idaho Falls, ID 83401

RE: **Evidence of Priority**

Dear Mr. Humphries:

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.

Please submit the required evidence supporting the priority date by **June 3, 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.

MICROFILMED

NOV 12 1992

W. Dean Humphries

Page 2

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

A25-13480
W. DEAN HUMPHRIES
BETTY HUMPHRIES
9955 N. 15 E.
IDAHO FALLS ID 83401

MICROFILMED
NOV 12 1992

Recorded at request of
Bannock Abstract Co.,
August 28th 1901 at 9 a. m.

Geo. F. Gagon, Recorder,
By *W. H. Burns* Deputy.

WATER LOCATION)
of)
William H. Burns.)

NOTICE OF LOCATION, WATER.

Notice is hereby given that the undersigned a citizen of the United States, hereby claims the water flowing in what is known as Poison Springs Creek, in Bingham County, Idaho, to the extent of one hundred (100) inches, miners measure, to be diverted at a point about five hundred (500) feet S. E. or below the upper spring on said Poison Springs Creek, at the first turn in said stream, which said Creek is a tributary of Willow Creek.

Said diversion and this appropriation is for the purpose of creating and maintaining an artificial fish pond or lake as a hatchery for brook trout.

Said diversion and appropriation is intended by the undersigned, to be made by means of a certain dam sixty (60) feet long, thirteen (13) feet high, thirty (30) feet wide at the bottom, and sixteen (16) feet wide on the top, to be constructed in such a manner as to cause said water to fill a natural basin of about 7 acres, situated above said dam.

William H. Burns.

STATE OF IDAHO.)
County of Bingham.) SS.

William H. Burns being duly sworn, says that on the 23rd day of September, 1901, he posted a copy of the above notice in plain sight near the west end of the above described dam site, on said Poison Springs Creek.

William H. Burns.

Subscribed and sworn to before me this 23rd day of Sept., 1901.

H. L. Rogers,
Justice of the Peace.

Recorded at request of
J. Ed. Smith, Sept.,
23rd 1901 at 11 a. m.

Geo. F. Gagon, Recorder,
By *W. H. Burns* Deputy.

WATER LOCATION
of The Great Western Canal
and Improvement Company.

Notice is hereby given that the undersigned, The Great Western Canal and Improvement Company, a corporation organized under the laws of the State of Illinois, claims the water flowing in the Snake River, at a point in the Southwest

STATE OF IDAHO
County of Bingham
I certify the above
is a true and correct
copy of the original
as filed in my office
this 28th day of August
1901
By *W. H. Burns*
Recorder

SEP 17 1901

NOV 12 1992
MICROFILMED

B. O. N.

in and for said County and State, personally appeared WILLIAM W. CLIFFORD and SUSAN LEE



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FILMED

12 1992