

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: A29-04090
Date Received: 10/10/1989
Receipt No: 6010987
Received By: 221

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHANE IRICK 208-776-5298
Address: P.O. BOX 494
LAVA HOT SPRINGS, ID 83246

OR

Name: CYNTHIA IRICK 208-776-5298
Address: P.O. BOX 494
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: MAR 15, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	38E	21	NE	NW	NW		BANNOCK

5. Description of diverting works:
16"X195' WELL 100HP TURBINE PUMP. INTO MAINLINE/SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	2.000		

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

8. Total consumptive use is 620.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-04090

Page 1

Date: 10/10/89

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A2904090



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	38E	16	SW		SW		IRR	40.0
			SE		SW		IRR	40.0
							Section Acres	80.0
		20	NE		NE		IRR	40.0
			NW		NE		IRR	20.0
							Section Acres	60.0
		21	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	20.0
			SE		NW		IRR	8.0
							Section Acres	108.0
							Total Acres	248.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
SHARES IN LAVA IRRIGATION COMPANY

14. Remarks:
15 ACRES IN THE SE1/4 NW1/4 SEC 21 IS NOW OWNED BY IRIS ALLEY.
NO WATER FROM THIS SOURCE WENT WITH THIS PROPERTY ACCORDING TO
FORECLOSURE DOCUMENTS.

15. Basis of Claim: STATUTORY CLAIM

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: 3

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): Shane Lick Date: 10-10-89
_____ Date: _____

State of Idaho)
County of Sonneville) SS.

Subscribed and sworn (or affirmed) before me this 10 day
of October 19 89

[Signature]
Notary Public

Seal

Residing at Idaho Falls, Id.

My Commission Expires 22 Aug 1994

29-04090

① This claim appears to be filed on Lapsed Permit No. G 29568. Basis is 42-225a claim dated 18 July 1978. Lapsed since no proof of BU was submitted. Continuous use however.

② Claims 2.0 cfs on $E = 248 \frac{ft}{sec} = 0.0081 cfs/ft$

* Measurement Req'd.

Log for claim A29-04090

Spatial Dynamics AMH

8/11/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	16	SWSW	40	40	
09s38e	16	SESW	40	40	
09s38e	20	NENE	40	38	
09s38e	20	NWNE	20	17	
09s38e	21	NENW	40	40	
09s38e	21	NWNW	40	37	
09s38e	21	SWNW	20	43	
09s38e	21	SENW	8	37	Indiscernible
Totals:			248	292	

AJ5809NP
No. A29-04090

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
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Point(s) of Diversion:

T09S R38E S21

NENWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
09S	38E	16	:				:				:			40	40	:			80.0
09S	38E	20	:	40	20		:				:					:			60.0
09S	38E	21	:				:	40	40	20	08	:				:			108.0
																		TOTAL ACRES	248.0

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: SHARES IN LAVA IRRIGATION COMPANY

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00047A A29-00048 A29-04467 A29-10816

Remarks: GEN 15 ACRES IN THE SE1/4 NW1/4 SEC 21 IS NOW OWNED BY IRIS ALLEY.
NO WATER FROM THIS SOURCE WENT WITH THIS PROPERTY ACCORDING TO
FORECLOSURE DOCUMENTS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 10/10/89 VERNER 07/19/94 THOMPSON 03/29/95 POST-STD

AJ5809NP
No. A29-04090

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 148

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
-----		-----	-----	-----	-----	-----
C	SHANE IRICK	03/15/1961	IRRIGATION	01-01 12-31	2.000 CFS	
C	CYNTHIA IRICK					
	PO BOX 494					
	LAVA HOT SPRINGS ID 83246			TOTAL DIVERSION:	2.000 CFS	
	(208) 776-5298			CONSUMPTIVE USE:		620.00 AFA
Water Source: GROUNDWATER		Tributary to:		Stage: STATUTORY CLAIM		

RECEIVED

JUL 24 1978

Department of Water Resources

Notice is hereby given that Lava Hot Springs Resort, Inc.

(name of claimant)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Subterranean
_____, tributary to _____

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount 2.0 CFS Use Irrigation Period of Use: From Jan. 1 To Dec. 31

Amount Use Period of Use: From 9 To

Amount		Use		Period of Use:	From	To
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)			(both dates inclusive)

- (3) Total quantity of water claimed: 2.0 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) March 15, 1961

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

NW ¼ NW ¼ Sec. 21 Twp. 9 S. Rge. 38 E. B. M. County of Bannock

Additional points of diversion: Property has 200 inches of decreed water from Lava Irrigation Company.

- B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities: be as specific as possible. Well and sprinkling system.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

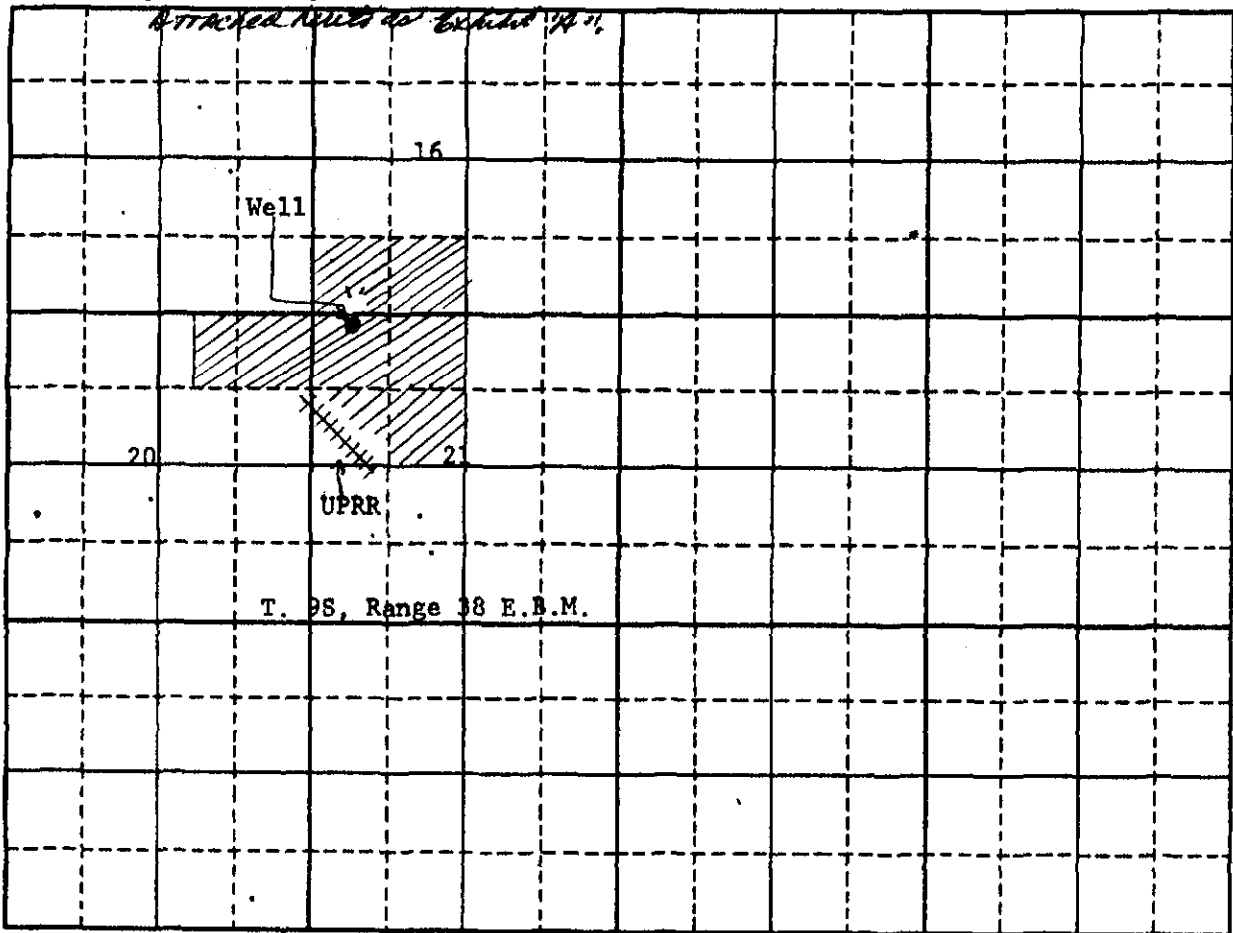
[illegible]

Total No. of acres 263

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:**

- (7) If you are claiming water as a member of an organization, list name of organization: Lava Hot Springs Resort, Inc.

(8) Remarks Originally, an application for permit No. G. 29568) was filed on said well on March 15, 1961, by one Harold Irick of Lava Hot Springs, Idaho. The well had been completed on August 5, 1960. The system has always been used since installation but Mr. Irick failed to file proof on permit and permit was cancelled on July 5, 1966. See J.B. IRICK AFFIDAVIT



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Bonneville)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Lava Hot Springs Resort, Inc.

Sworn to before me this 18 day of July

(Claimant)

19 78

Notary Public

Residing at Idaho Falls, Idaho

My commission expires Sept 10

For Department Use Only

Received by C.W. Date 8-02-78 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by EMC Date 8-02-78
\$10.00 fee received by BP 2271 Date 7-25-78
Approved for publication by 97 Date 9-17-78
Published in Idaho State Journal
Dates Aug. 10 + 17-1978

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Bonneville)

J. B. IRICK, being first duly sworn upon oath, deposes and says:

That he is a resident of the County of Bannock, State of Idaho, and has been for many years last past. That affiant makes this Affidavit in support of Claim to Water Right filed simultaneously herewith by Lava Hot Springs Resort, Inc., an Idaho corporation, with principal place of business in Bannock County, State of Idaho, and present mailing address at P. O. Box 621, Idaho Falls, Idaho.

That your affiant is familiar with the real property owned by Lava Hot Springs Resort, Inc., located near the City of Lava Hot Springs, in Bannock County, State of Idaho. That your affiant knows of his own knowledge and observation that during the year 1960, Harold Irick employed Sterling Sigmund to drill a well on said property in the location and designation as set forth in claimant's Claim to Water Right and that said well was drilled and completed on or about August 5, 1960. That said well is 16 inches in diameter and drilled to a depth of 255 feet, cased to 195 feet, with a water level at 90 feet from the top of the ground. That immediately following the drilling of said well and in August of 1960, your affiant observed the water being applicated to said real property by means of said pump and sprinkling system and that since that time your affiant has continuously observed said water being applied to the real property and lands as described and set forth in said Claim to Water Right.

That in approximately the year 1970 and the year 1971, said well was not used for the entire season. Other than for that short period of time your affiant has continually

seen the use of said well and sprinkling system and the appropriation of the waters set forth in said Claim to Water Right. That said waters have been appropriated by means of said well and applied to the real property through the sprinkling system located on said property since the month of August, 1960. That to your affiant's knowledge said well has been used at full capacity at a capacity of 2.0¹⁰¹ cubic feet per second.

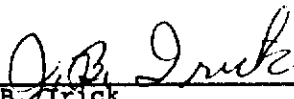
That during the year of 1977, your affiant and his family personally operated and farmed said real property and used said sprinkling system, the well and water works located thereon to its full capacity irrigating the lands and property as set forth in said Claim to Water Right.

That your affiant knows of no time since August of 1960, that the water or the use thereof have been denied or prevented by any person, firm, water district, corporation, municipality, county, state or federal government.

That during the times that your affiant has observed said well, water works and system the waters have been used, depending upon the season, from approximately the early spring until the snows in the fall.

That your affiant has examined and read the Claim to Water Right submitted herewith by the claimant, Lava Hot Springs Resort, Inc., and knows the contents thereof, and believes the same to be true and correct.

DATED This 3rd day of March, 1978.

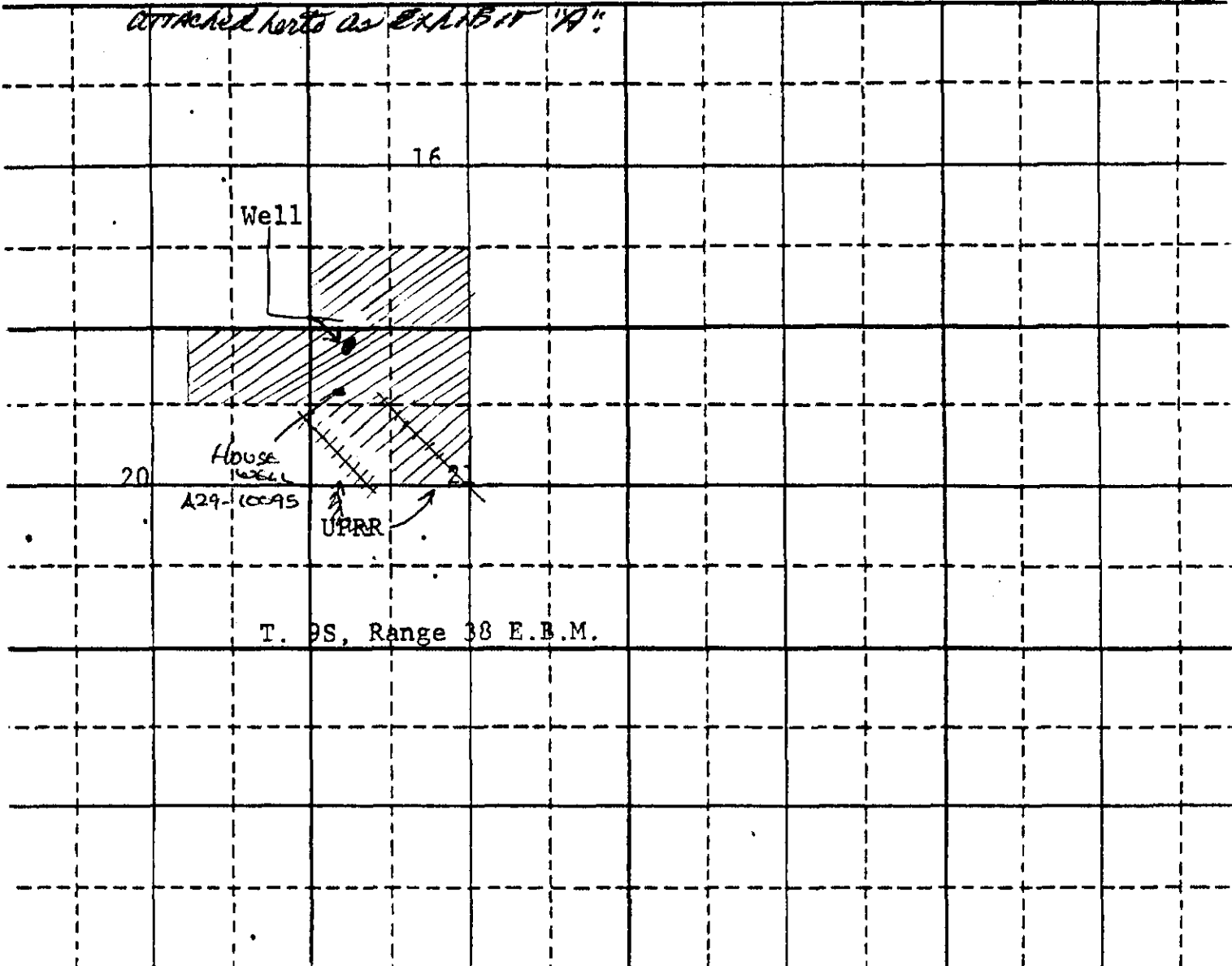

J. B. Irick

Subscribed and sworn to before me this 3rd day of March, 1978.


Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission expires: 6/15/79

(8) Remarks Originally, an application for permit (No. G. 29568) was filed on said well on March 15, 1961, by one Harold Irick of Lava Hot Springs Idaho. The well had been completed on August 5, 1960. The system has always been used since installation but Mr. Irick failed to file proof permit and permit was cancelled on July 5, 1966. SEE J.B. IRICK AFFIDAVIT

Attached hereto as EXHIBIT "A"



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Bonneville)

MICROFILMED

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Lava Hot Springs Resort, Inc.

(Claimant)

Sworn to before me this 18 day of July

19 78

EX-111-1111

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Bonneville)

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That during the year of 1977, your affiant and his family personally operated and farmed said real property and used said sprinkling system, the well and water works located thereon to its full capacity irrigating the lands and property as set forth in said Claim to Water Right.

That your affiant knows of no time since August of 1960, that the water or the use thereof have been denied or prevented by any person, firm, water district, corporation, municipality, county, state or federal government.

That during the times that your affiant has observed said well, water works and system the waters have been used, depending upon the season, from approximately the early spring until the snows in the fall.

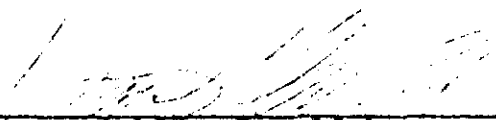
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DATED This 3rd day of March, 1978.



J. B. Irick

Subscribed and sworn to before me this 3rd day of March, 1978.



Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission expires: 6/15/79

WINERTON PUMPS - DIVISION OF WORTHINGTON CORPORATION

"WHEREVER LIQUID NEEDS A LIFT"

ESTIMATE SHEET

1941

Purchaser: Harold Irick
 Mail Address: Lava Hot Springs
 Ship To: Pocatello, Idaho

Date: _____
 Branch: _____
 Salesman: _____
 P.O. No.: _____
 Spec. No.: _____
 Job No.: _____ Branch No.: I-0122
 Well No.: _____ Pump No.: _____
 Curve No.: _____
 Delivery: _____
 Credit Approval: _____

Well Diameter: 16" to Depth of 195' and Dia. of _____ to Depth of _____ Total Depth _____
 Standing Water Level: 90 Bowl Laboratory Head: 360 (368) 343' Curve: 1800
 Pump: _____ GPM: 900 B.P.M.: 1800
 Rotating Speed: 1750 Bowl Laboratory H.P.: 96 Cycles: 60
 Head Above Center: 163 Laboratory H.P.: 96 Volts: 440
 Friction Head (Pipeline): 25 Shaft H.P. Loss: 1.77 Phase: 3
 Feet Head: _____ Field BHP: 97.77 Thrust Capacity: 5500
 Total Friction: 5.1 5.1 Field Eff. (Water to Water): _____ Heavy Duty: 2925
 Net Friction: 3.45

				Weight	Unit Price	% Dis.	Net Price
MOTOR: Type	<u>PW-VHS</u>	H.P.	<u>100</u>	Make	<u>U.S.</u>		
RPM	<u>1800</u>	Phase	<u>3</u>	Frq.	<u>Volts</u>		
Frame No.	<u>50HP</u>	IPD	<u>163</u>				
GEAR: <u>M.G.</u>	<u>At 100</u>	<u>At 100</u>	<u>Ratio</u>				
Flow Chart (see back)							
HEAD: Type	<u>PK-10</u>	Type	<u>Disch. Dia</u>				
		Length	<u>8"</u>				
		Per 10'					
	<u>150</u>						
		Tube	<u>2 1/2</u>	Shaft	<u>1 1/2</u>		
Length: <u>7-20'</u>		Tube					
<u>1-10'</u>		Fr.					
Couplings & Fittings							
COUPLER: No. couplings	<u>5</u>	Material	<u>12X-90</u>				
Material	<u>Brass</u>						
End. Material	<u>Enl. Cost</u>						
End. Material	<u>Stainless Steel</u>						
Length of Coupling	<u>71 3/4"</u>	End. Coupling	<u>11 1/2</u>				
End. Coupling	<u>2"</u>	End. Coupling	<u>5'</u>	(used T.W. Stock)			
End. Coupling	<u>Cone</u>	Material	<u>Galv.</u>				
ACCESSORIES: outdoor pumping plant							
Panel							
1-2" Flange Gate Valve	(used)						
3' 2" Steel pipe							
2' 3" Weld on Flange	I.F. Stock						
1' 8" Expansion Jt.							
1' 3" 12 grain steel Y							
1' 8" Ames VL-VBS							
INSTALLATION: with (without) foundation							
Wiring at \$2.00 H.P.							
Cut and weld into mainline							

MICROFILMED

NOV 13 1992

TOTAL

Subtotal

GRAND TOTAL

2315.37
 315.37
 2600.00