

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

RECEIVED

APR 12 1990

Ident. Number: A29-10581
Date Received: 3/15/1990
Receipt No: M006247
Received By: _____

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: E. FLOYD EVANS 208-226-2586
Address: 2898 MAYER ROAD
AMERICAN FALLS, ID 83217

2. Date of Priority: JUN 01, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	31E	8	SW	SW			POWER

5. Description of diverting works:
460'X8" WELL. 5HP JACUSSI SUB. PUMP SET AT 200' IN 8" CASING.

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		
IRRIGATION	04/01	11/01	0.080		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOME, 4 ACRES OF LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	31E	8	SW	SW		IRR	4.0
			SW	SW		DOMEST	

Section Acres 4.0

A29-10581

Page 1

Date: 03/15/90

MICROFILMED
NOV 16 1992

10. Place of Use: Continued

Total Acres 4.0

11. Place of use in counties: POWER

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

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

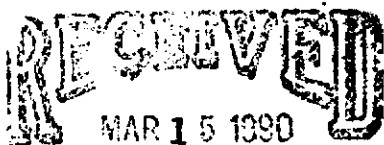
A29-10581

Date Received

3-15-1990

Receipt Number

E90 1006247



Department of Water Resources

NOTICE OF CLAIM
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW



APR 12 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) E. Floyd EVANSPhone (1226-2586)

Mailing Address

2898 Mayer Road, Twin Falls, Idaho

Zip

832172. Date of Priority (Only one (1) per claim) JUNE 1, 19633. Source of water supply (a) ground waterwhich is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 8 South Range 31 E. B.M. Section 8W 1/2 of SW 1/4 of SW 1/4, Govt. Lot, E. B.M., County of Power

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Level 19' - Pump set at 200' - 8" casing - 5hp JACUSSI
submersible pump

MICROFILMED

NOV 16 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

X For domestic purposes from JANUARY 1 to December 31 amount .04 or _____

For irrigation purposes from April 1 to Nov 1 amount .08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .12 (cfs) and/or (b) 12 (acre feet)

8. Total consumptive use claimed is 12 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 household, 4 Acres of LAWN

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
85	31E	8											4						4

Total number of acres irrigated 4

11. In which county (ies) are lands listed above as place of use located? Lower

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

None or None ()

14. Remarks:

MICROFILMED

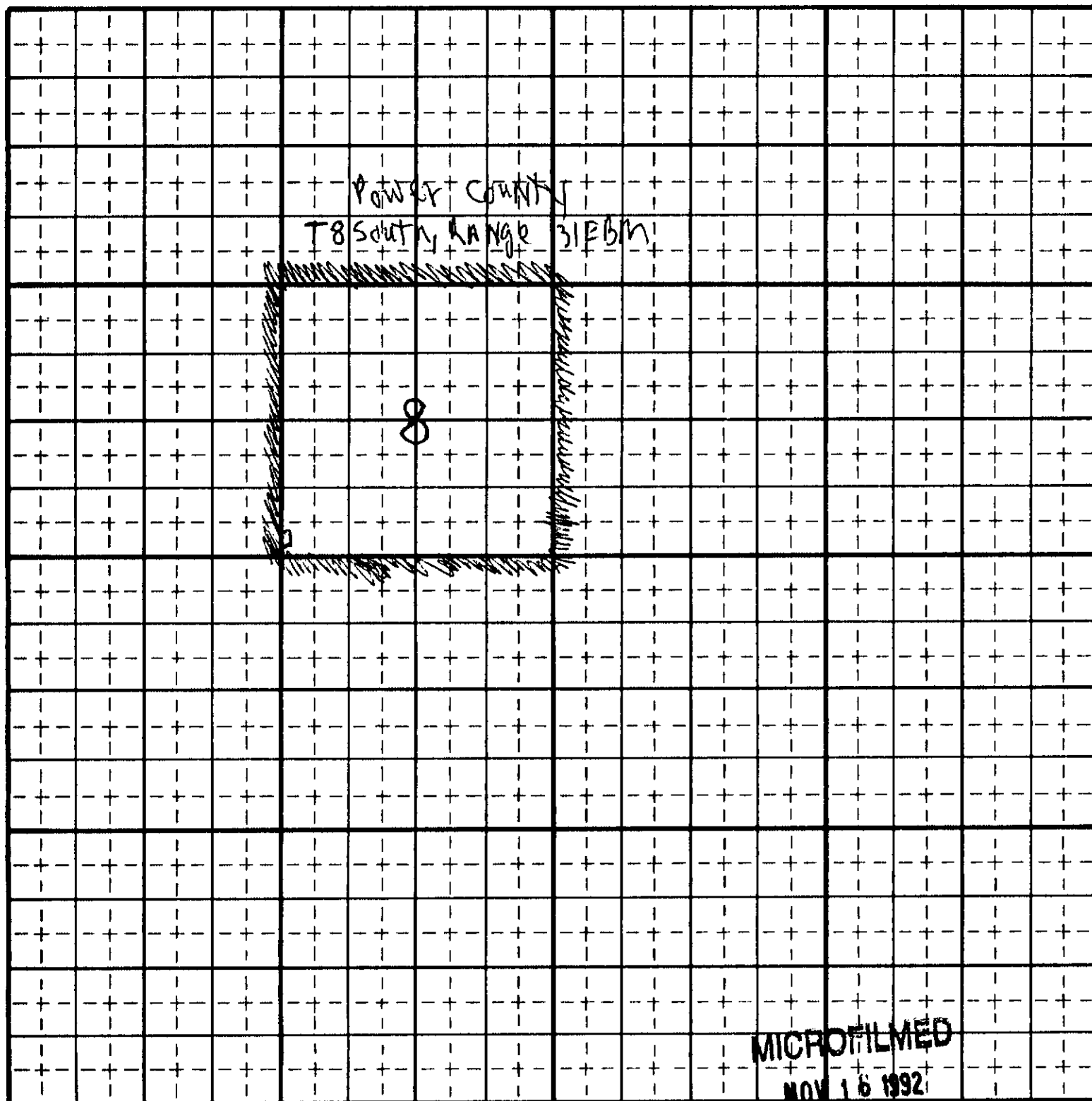
NOV 16 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) X [Signature] Date 3/9/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bonner) SS.

Subscribed and sworn (or affirmed) before me this 9th day of March 19 90

SEAL

Notary Public [Signature]

Residing at American Falls, Idaho

My Commission Expires 11/5/91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

NOV - 6 1990

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 4, 2001

E. Floyd Evans
2898 Mayer Road
American Falls, Idaho 83217

Re: Adjudication Claim 29-10581

Dear Water User:

Attached is a copy of an Adjudication Claim for a water right near American Falls, Idaho. This claim is based upon "beneficial use." This means that the underlying water right was perfected by the original user simply developing a diversion and using the right. Up until March 1963, this was a completely legal and appropriate method to perfect an irrigation right, but it did not result in a paper record of the water right with the department. Since 1963, only domestic and/or small stockwater uses could legally be developed from ground water without going through the formal permit and licensing procedures.

The file contains a well history verifying use back to 1968. This is adequate for the domestic portion of the right. In order to recommend the irrigation portion of the right, I need you to supply "evidence of priority" and "evidence of beneficial use" for irrigation beginning prior to March 25, 1963. The enclosed pamphlet describes some typical sources that may be used. If an affidavit is used, it must clearly show that the person making the affidavit personally observed the water use. The more detail the affidavit gives, indicating dates, circumstances, amounts and details of water use, the better. As I review the documentation provided, my standard will be:

The documentation should tend to indicate that diversion works were in place and had adequate capacity for the claimed use. The documentation should also tend to indicate that water was applied to the claimed beneficial use on the claimed place of use.

If the use did not start until later than 1963, you may still apply for a permit for a new water right based on pre-moratorium development. You may call this office and speak to an "Allocations Agent" to explore this further.

Please review these documents, and provide documentation of the historical use of this right. Feel free to call me if you have questions. You should be able to reach me Thursday or Friday mornings.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

Log for claim A29-10581

Spatial Dynamics AMH

6/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s31e	8	SWSW	4	4.5	
Totals:			4	4.5	

AJ5809NP
No. A29-10581

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 78

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	E FLOYD EVANS 2898 MAYER RD AMERICAN FALLS ID 83217 (208) 226-2586	06/01/1963	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.080 CFS 0.040 CFS	
TOTAL DIVERSION:					0.120 CFS	
CONSUMPTIVE USE:						12.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T08S R31E S08 SWSW

POWER 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	:	
08S	31E	8	:					:					:					:					:	4.0
																							TOTAL ACRES	4.0

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
08S	31E	8	:					:					:					:					:	
																							D	

POU County: POWER

Non-Irrigation Uses: ONE HOME, 4 ACRES OF LAWN

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02412 A29-07175

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	03/15/90 MOBILE3	08/03/94 THOMPSON	03/29/95 POST-STD



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

DATE: JAN. 3, 1995

A29-10581
E FLOYD EVANS
2898 MAYER RD
AMERICAN FALLS ID 83217

EVIDENCE OF PRIORITY

Dear Claimant:

The Notice of Claim identified above and or below has been filed in the Snake River Basin Adjudication(SRBA). The notice indicates a water usage of irrigation, or other commercial application that is based on **BENEFICIAL USE**. Water rights of this type are established by the historical use of water, dating back to when the water was first used for the purpose claimed. This date is know as the **PRIORITY DATE**, has not been confimed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the **PRIORITY DATE**.

For your reference, I have provided a printout of your Notice of claim and the pamphlet **EVIDENCE OF PRIORITY**. The pamphlet suggests which documents will fulfill this requirement.

The IDWR can not recommend the notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the documentation supporting the priority date by March 31, 1995, referencing the information with the corresponding Water right number. If you have any questions, please contact this office.

Dave Carlson
Water Right Agent, Adjudications

MICROFILMED
NOV 13 1995

AJ5809WP
No. A29-10581

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/28/94
PAGE: 11

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	E FLOYD EVANS 2898 MAYER RD AMERICAN FALLS ID 83217 (208) 226-2586	06/01/1963	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.08 CFS 0.04 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.12 CFS	12.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T08S R31E S08 SWSW POWER 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
08S	31E	8	:																	:	4.0
																				TOTAL ACRES	4.0

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	:	
08S	31E	8	:																	:	
																				D	

POU County: POWER

Non-Irrigation Uses: ONE HOME, 4 ACRES OF LAWN

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

MICROFILMED
NOV 13 1996

WELL HISTORY

Owner Earl Mayers

Date April 30 1980

Address 761 S. Highland
or Legal Box 90 - Northville, Idaho

Prospective Buyer: William C. Brown

A. Well Construction

1. Method drilled: Cable log Rotary
2. Diameter of hole 8 1/2"
3. Size of Casing 7 1/2"
4. Total depth 150 feet 190'
5. Approximate date well drilled 1968
6. Name of well driller Lee Valenzuela
7. Has well log been filed with the state? Yes
If so, is it attached? No
8. Gallons per minute 1000 Perdigis water
9. Please state any current or past problems with the well.

None known 1978
water 7.80 L/min

B. Pump information

1. Date pump purchased 1978 New Lion Head
2. Size 3 HP
3. Type Submersible
4. Gallons per minute it pumps
5. Maintenance required None
6. Please state any current or past problems with pump.

No

C. Water Quality

1. Last time water tested by state health dept.
2. Please state any current or past problems with the water quality
3. Current water test attached? Yes No Yes

Signature of Seller Earl Mayers

Date April 30 1980

RECEIVED

APR 30 1980

Department of Water Resources
Eastern District Office

MICROFILMED

NOV 13 1986