

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: A29-10791
Date Received: 3/28/1990
Receipt No: E012554
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LYNN W. STEWART 208-776-5308
Address: 204 W. FIFE STR.
LAVA HOT SPRINGS, ID 83246
OR
Name: MARGIE H. STEWART 208-776-5308
Address: 204 W. FIFE STR.
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: JUL 01, 1963

3. Source: SPRING Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	38E	20	SW	SW	SW	8	BANNOCK

5. Description of diverting works:
POND/ PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		
STOCKWATER	01/01	12/31	0.020		

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

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

9. Non-irrigation uses:
S/ INSTREAM STOCK 20 SHEEP, CATTLE, HORSES

A29-10791

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Date: 03/28/90

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	20	SW	SW	8	IRR	3.0
Section Acres							3.0
Total Acres							3.0

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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RLA

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MA 2-1-90

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Lynn W. or Margie H. Stewart Phone (208) 776-5308

Mailing Address 204 W. Fife St., Lava Hot Springs, ID Zip 83246

② Date of Priority (Only one (1) per claim) July 1, 1963

3. Source of water supply (a) Spring
which is tributary to (b) Portneuf River

4. a. Location of existing point of diversion is: Township 9S Range 38E Section 20,
1/4 of SW 1/4 of SW 1/4, Govt. Lot, 8 B.M., County of Bannock

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.

Portable pump, plastic pipe, sprinklers. The water naturally ponds.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .12 or _____

For Stock purposes from 1/1 to 12/31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

8. Total consumptive use claimed is 10 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Instream stock use for 20 sheep, cattle, horses mixed

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	
9S	38E	20											Lot 4						43

Total number of acres irrigated 43

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

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

or None (4)

14. Remarks:

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

Number of attachments _____

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

Signature of Claimant (s) [Signature] Date March 21, 90
Date _____

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

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 Bannock) SS.

Subscribed and sworn (or affirmed) before me this 21st day of March 19 90

SEAL

Notary Public [Signature]

Residing at Notary Public, Jerry Peltz

Notary at Boise, Idaho

My Commission Expires My Commission Expires December 1, 1994

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 _____

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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

R37E R38E

HO-SPRINGS QUADRANGLE

1917

U.S. GEOLOGICAL SURVEY



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Log for claim A29-10791

Spatial Dynamics PJM

8/24/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	20	SWSW	3	3.5	
Totals:			3	3.5	

RECEIVED
APR 30 1965

State Department of Water Resources
Eastern District Office
900 N. Skyline Drive
Idaho Falls, ID. 83402-1718

Department of Water Resources
Eastern District Office

Dear Sirs:

In regards to the "Beneficial Use" of water on the 3.7 acres of land, Adjudication Case No. 39576.

In researching documentation of the "Priority Date" I found that the 1963 date is wrong. A previous owner, Mr. LaVerl Johnson, indicated he used the sprinkler irrigation on this small parcel of ground in 1959. A notarized letter to this effect is attached.

Please change the "Priority Date" on my application, and advise me of any further information that is needed.

Thank you,



Lynn Stewart
P.O. Box 245
Lava Hot Springs, ID. 83246
(208) 776-5308 - Home
(208) 776-5271 - Work

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NOV 13 1968

State Department of Water Resources
Eastern District Office
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718

Dear Sirs:

I have used sprinkler type irrigation on the 3.7 acres of land located in lot 8 of section 20 township 9 South Range 38 E.B.M., Bannock County Idaho, owned by Lynn and Margie Stewart. Sprinkler irrigation was used by me starting in 1959 for the purpose of pasture.

Sincerely,

LaVerl A. Johnson

LaVerl A. Johnson
P.O. Box 606
Lava Hot Springs, ID. 83246

State of Idaho
County of Bannock

Subscribed and sworn to before me by *LaVerl A. Johnson*

This *30th* day of *March*, 19 *95*.

Gherard A. Thornton
Notary Public

My Commission Expires *11-15-99*

Residing at Lava Hot Springs

NOV 13 1998

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME StewartCLAIM ENT. NO. 829-10791DATE RECEIVED 3/27/90

CK # _____

AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | * |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: DCDate: 3/27/90Claim must be returned to claimant: (Yes) X (No)Claimant must be notified of modifications: (Yes) X (No)Receipt Prepared by: DCClaim data entered by: DC

Sent to claimant by: _____

Date: _____

Date: 3/27/90

Checked by: _____

Date: _____

Comments: _____

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