

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: A29-11158
Date Received: 5/ 4/1992
Receipt No: E012919
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH LO VETERE 208-254-3875
Address: 10241 SOUTH MARSH CREEK ROAD
MC CAMMON ID 83250

AND

Name: BARBARA LO VETERE 208-254-3875
Address: 10241 SOUTH MARSH CREEK ROAD
MC CAMMON ID 83250

2. Date of Priority: SEP 2, 1987

3. Source: LITTLE CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	36E	28	SE	SE	NE		BANNOCK

5. Description of diverting works:
DAM FORMS POOL 3' DEEP; USED FOR STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 28 HORSES, 10 COWS

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	36E	28	SE NE		STOCK	

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

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 _____

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July 13, 1990

Kenneth C. and Barbara J. LoVetere
10241 South Marsh Creek Road
McCammon, ID 83250

RE: Notices of Claim ID# A29-11158 and A29-11159

Dear Mr. and Mrs. LoVetere:

The Idaho Department of Water Resources (IDWR) is returning your Notices of Claim to a Water Right because of insufficient information. All items on the forms must be completed before the IDWR can process the notices.

Please correct the items identified on the cover sheet of each notice of claim and return the notices to the IDWR by August 13, 1990. Should extenuating circumstances prevent you from resubmitting the notices by this date, the IDWR must be contacted in order to hold action on the notices either return the corrected notices or provide justification for additional time will be cause for refunding the filing fees previously paid and removal of the notices from the IDWR records. Notices returned after the refund process has been initiated will be subject to a late fee of \$50.00 plus the \$25.00 filing fee, total \$75.00 per notice.

If you wish to make an appointment to discuss the corrections, please call the IDWR at (208) 525-7161.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:bb

Enclosure

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LoVetere - Page 2
A29-11158

This appears to be a "instream stockwater usage", please complete long form, having your signature notarized.

The location of the point of diversion (well or headgate) and place of use must be defined to at least the 1/4 of 1/4 Section (40-acre tract) in Items #4 and #10. If you are unable to determine the precise legal description, you may indicate the locations on the enclosed map or submit your own detailed map showing the locations within the Section.

A description of the diversion works must be entered in Item #5, for example, well/pump, springbox, or headgate/ditch. Include the dimensions such as depth, casing size, pump horsepower, etc., if known.

The number of households and/or the number and type of stock that use the water from the claimed source must be entered in Item #9.

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

Identification No. 429-11158Date Received 4-6-90Receipt Number EO12919IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMNOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

AUG 10 1990

RECEIVED

APR - 6 1990

Department of Water Resources
Eastern District Office

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) LOVETERE, KENNETH C & BARBARA J. Phone () 254-3875Mailing Address 10241 S. MARSH CREEK RD McCAMMON Zip 832502. Date of Priority (Only one per claim) SEPTEMBER 2, 1987 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other (X) (a) LITTLE CREEK

Name or kind of source

which is tributary to (b) MARSH CREEK TO PORTNEUF RIVER to SNAKE RIVER4. Location of point of diversion is: Township 9 S Range 36 ESection 28 E 1/2 of 1/4 of 1/4, Govt. Lot _____, Bl _____County of BANNOCK

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the date changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and of each well. _____

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For STOCKWATER purposes from JAN. 1 to DEC 31 amount 0.02For STOCKWATER purposes from JAN 1 to DEC 31 amount 0.02

(Both dates are inclusive)

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater. Type and Number of livestock) 10

A291158



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10. Place of use is: Township: 9S Range 36E
Section 28 EY2 NE1/4 of _____ 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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 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.
(X) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 _____

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

Signature of Claimant (s)

Lamont C. Tolatore
Barbara J. Tolatore

Date

4-2-90

Date

4-2-90

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 _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Bannock)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 2 day of April 1990

SEAL

Notary Public

Brett Miller

Residing at

Chubbuck

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My Commission Expires

2-17-1994

NOV 16 1992

Last Name _____

Ident No. _____

Copies: White-State, Yellow-Claimant

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 A29-11158Date Received 4-6-90Receipt Number E012919

RECEIVED

AUG 10 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) LOVETTERE, KENNETH & BARBARA Phone (208) 254-3875Mailing Address 10241 S. MARSH CR. RD McCammon Zip 832502. Date of Priority (Only one (1) per claim) 9-2-873. Source of water supply (a) LITTLE CREEKwhich is tributary to (b) MARSH CREEK4. a. Location of existing point of diversion is: Township 9S Range 36E Section 28SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of _____Additional points of diversion if any: 9S R 36E SEC 27

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

Township 9S Range 36E Section 28, SE 1/4 of SE 1/4 of NE 1/4,

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

ending point is: Township 9S Range 36E Section 27, S ~~NW~~ 1/4 of NW 1/4 ofNW 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. BEAVER DAM FORMING POOL7 WATER ABOUT 3 FEET DEEP & USED FOR STOCK WATER

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Horses & Cows purposes from 1-1 to 12-31 amount 904 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 28 horses 10 cows

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	36E	28				S													3

Total number of acres irrigated _____

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

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:

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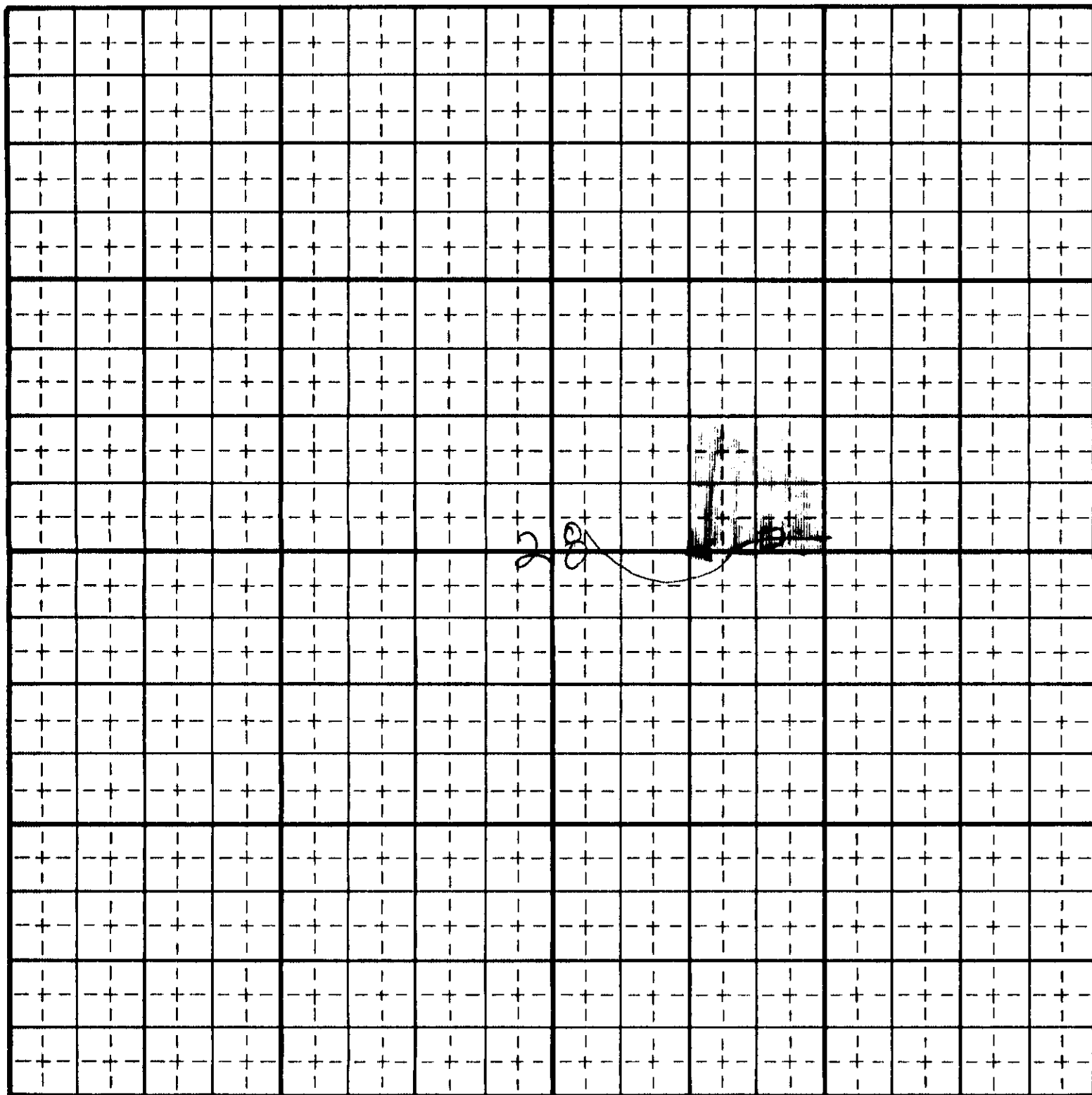
Last Name GUETERE Ident No. _____

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

9S R36E 36E SEC 28



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NOV 16 1992

Last Name LOVETRE

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X 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 _____
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s)

Ernest C. Felter
Barbara Lovette

Date

8-9-90

Date

8-9-90

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 _____

Title

of _____

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 _____

9th

day of

August

19

90

SEAL

Notary Public

Walter Fuentes

Residing at

Locust, Idaho

My Commission Expires

Sept. 12, 1991

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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NOV 16 1992

Last Name

LOUTERE

Ident. Number _____

Copies White-State, Yellow-Claimant

RIGHT NUMBER: 29-11158
NAME AND ADDRESS: BARBARA LOVETERE
10241 S MARSH CREEK RD
MC CAMMON ID 83250

KENNETH LOVETERE
10241 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: LITTLE CREEK TRIBUTARY: MARSH CREEK
QUANTITY: 0.04 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 09/02/1987

POINT OF DIVERSION:
T09S R36E S28 ~~SE~~ SENE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.040 CFS

PLACE OF USE:

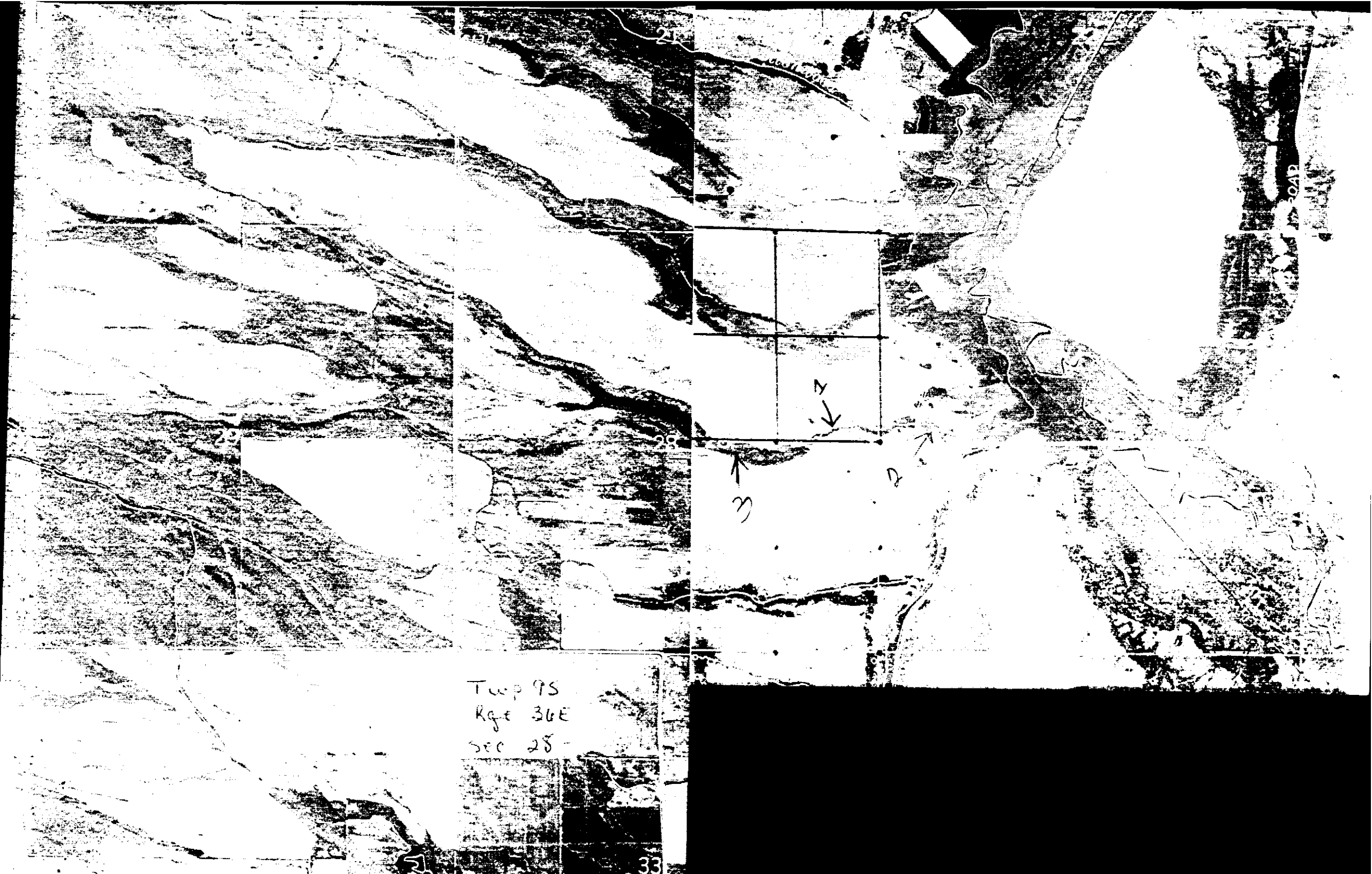
STOCKWATER Within BANNOCK County
T09S R36E S28 SENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

28 HORSES, 10 COWS
RP4223029502



Twp 9S
Rge 36E
Sec 28

OLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

1 - 10241 SOUTH MARSH CREEK ROAD

2 -
3 -

CITY- MC CAMMON

STATE- ID ZIP- 83250

PHONE - 208-254-3875

LO VETERE

SARBARA

1 - 10241 SOUTH MARSH CREEK ROAD

2 -
3 -

CITY- MC CAMMON

STATE- ID ZIP- 83250

PHONE - 208-254-3875

+ - - PRIORITY DATE - - +
09/02/1987

+ - - - REGION - - - +
15 EASTERN

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - -
LITTLE CREEK

+ - - - - - TRIBUTARY - - - - - +
MARSH CREEK

[illegible]

09S 36E 28 SE SE NE (5) BANNOCK

+	CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME	+
---	------	-------------	-------------	-----------	-----------	----------------	------------------	---

04 - STOCKWATER

01/01 12/31

0.040

+ - TOTAL DIV. RATE - +		+ - TOTAL DIV. VOLUME - +		+ - TOTAL DIV. CAPACITY - +		+ - TOTAL CONSUMPTIVE USE - +		+ - KW USAGE - +	
0.040						0.0			

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
14N	10E	36	1	1	1.00	1	1.00 AC. RES.	CLATSOP

095

365

28

SE NE

04 STOCKWATER

(5) BANNOCK

+ - - DIVERSION MEANS - DAM FORMS POOL 3' DEEP; USED FOR STOCKWATER

+ - - NON-IRRIGATION USE - STOCKWATER, 28 HORSES, 10 COWS

+ - - OTHER RIGHTS FOR SAME USE - NONE

	REMARKS
	NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

~~WATER~~ EXAMINER