

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: A29-11159
Date Received: 8/27/1990
Receipt No: E012923
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH C. LO VETERE 208-254-3875
Address: 10241 S. MARSH CREEK ROAD
MCCAMMON, ID 83250

AND

Name: BARBARA J. LO VETERE 208-254-3875
Address: 10241 S. MARSH CREEK ROAD
MCCAMMON, ID 83250

A291159

2. Date of Priority: SEP 02, 1987

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

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

5. Description of diverting works:
PIPE LINES, STORAGE TANKS, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.020		

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:
DOMESTIC, 1 HOME; STOCKWATER, 10 HORSES

10. Place of Use:

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

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 _____

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Lo VeteneCLAIM IDENT. NO. A29-11159

DATE RECEIVED _____

CK # _____

AMOUNT \$ _____

- | | YES | NO | Requires
Initials |
|--|-------------------------------------|--------------------------|--------------------------|
| 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) N/A | ☐ | ☐ | ☐ |
| 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? N/A | ☐ | ☐ | ☐ |
| Is the consumptive use correct? N/A | ☐ | ☐ | ☐ |
| 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. N/A | ☐ | ☐ | ☐ |
| 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.) N/A | ☐ | ☐ | ☐ |
| 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.) N/A | ☐ | ☐ | ☐ |
| 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? Exempt | ☐ | ☐ | ☐ |
| 21. If this claim is based on an existing water right, has the identification number been entered? N/A | ☐ | ☐ | ☐ |
| 22. Should this claim be data entered? | ☐ | ☐ | ☐ |

Claim checked by: JXDate: 8-24-90Claim must be returned to claimant: (Yes) ☐Claimant must be notified of modifications: (Yes) ☐

Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Checked by: _____

Date: _____

Comments: Code #10 as #4 - Docket Request - No Money sent for it.

MICROFILMED

NOV 16 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMIdentification No. A29-11159Date Received 4-6-90Receipt Number E012973**RECEIVED NOTICE OF CLAIM
TO A
WATER RIGHT**

AUG 10 1990

RECEIVEDDepartment of Water Resources
Eastern District OfficeACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

APR - 6 1990

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) SEPT 2, 1987 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or ☐ Other (K) (a) JENNIFER SPRINGS
which is tributary to (b) HOUSEHOLD & STOCK WATER SINKS
Name or kind of source4. Location of point of diversion is: Township 9S Range 36E
Section 28 SEW 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____, BM,
County of BANNOCK

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. PIPE LINES, STORAGE TANKS, DITCHES

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

For CULINARY-~~STOCK~~ purposes from JAN 1 to DEC 31 amount 0.02 (cfs)
(Both dates are inclusive)
For ~~CULINARY-~~STOCK~~~~ purposes from JAN 1 to DEC 31 amount 0.027. 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; Stock: water for and Number of livestock) (1) Household; 10 HORSES.**MICROFILMED**

NOV 16 1992

10. Place of use is: Township: 9S Range 36E
Section 28 EY27NE 1/4 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 X 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) Barbara J. Holbert Date 4-2-90
Barbara J. Holbert 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.

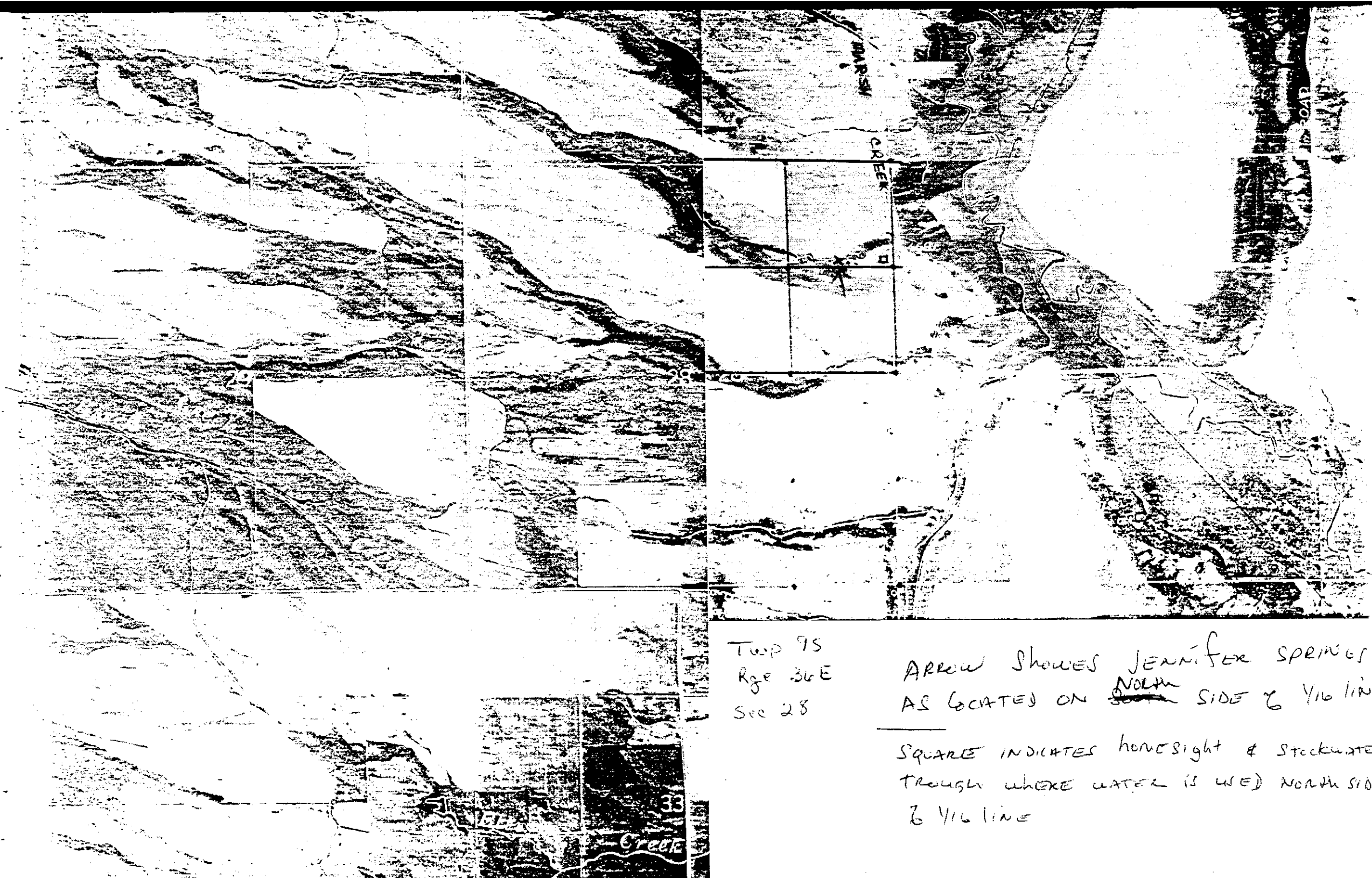
NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 2 day of April 19 90

SEAL Notary Public Brett Miller
Residing at Chubbuck
My Commission Expires 2-17-1994

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant **MICROFILMED** NOV 16 1992



Twp 7S
Rge 36E
Sec 28

Arrow shows Jennifer Springs
as located on ~~South~~ ^{North} side of 1/4 line

Square indicates homesight & stockwater
trough where water is used North side
of 1/4 line

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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NOV 16 1992

LoVetere - Page 3
A29-11159

In Item #3(b) list the first named stream the spring flow into or indicate "sinks" if it does not reach a named stream.

When water is diverted directly from a spring, the 1/4 of 1/4 of 1/4 Section (10-acre tract) designating the location of the spring must be listed in Item #4. If you are unable to determine the 10 acre tract, indicate the location of the spring on the enclosed map or submit your own detailed map showing the location within the Section.

In Item #6 Domestic and/or Stockwater claimed needs to be listed separately (see enclosed example).

The 1/4 of 1/4 Section (40-acre tract) designating the location where the water is used must be listed in Item #10. If you are unable to determine the 40-acre tract, you may indicate the location on the enclosed map or submit your own detailed map showing the location within the Section.

RECEIVED

AUG 10 1990

Department of Water Resources
Eastern District Office

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NOV 16 1992

RIGHT NUMBER: 29-11159

NAME AND ADDRESS: BARBARA J LO VETERE
10241 S MARSH CK RD
MCCAMMON ID 83250

KENNETH C LO VETERE
10241 S MARSH CK RD
MCCAMMON ID 83250

SOURCE: SPRING

TRIBUTARY: SINKS

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 SWNE NE 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	0.020 CFS
DOMESTIC	1/01 12/31	0.020 CFS

PLACE OF USE:

STOCKWATER Within BANNOCK County

T09S R36E S28 NENE

DOMESTIC Within BANNOCK County

T09S R36E S28 NENE

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

SOURCE IS ALSO KNOWN AS JENNIFER SPRINGS.
STOCKWATER, 10 HORSES
PARCEL NO. R4223029502

- Name should be found.
- Send map to show locations
of springs & stream?
- If in stream must file a log
book.

WATER RIGHT NUMBER - A29-11159

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
LD VETERE

BARBARA J.

1 - 10241 S. MARSH CREEK ROAD

2 -
3 -

CITY- MCCAMMON

STATE- ID ZIP- 83250

PHONE - 208-254-3875

1 - 10241 S. MARSH CREEK ROAD

2 -
3 -

CITY- MCCAMMON

STATE- ID ZIP- 83250

PHONE - 208-254-3875

LD VETERE

KENNETH C.

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
09/02/1987 15 EASTERN J - BENEFICIAL USE+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
SPRING SINKS+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LIT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

09S 36E 23 SW NE NE (5) BANNOCK

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

43 - DOMESTIC

01/01

12/31

0.020

04 - STOCKWATER

01/01

12/31

0.020

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 0.0+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LIT ACRES CODE DESCRIPTION COUNTY

09S

36E

23

SW NE

NE NE

04

STOCKWATER

(5) BANNOCK

09S

36E

23

SW NE

NE NE

43

DOMESTIC

(5) BANNOCK

+ - - DIVERSION MEANS - PIPES, LINES, STORAGE TANKS, LITCHES

+ - - QUALITY OF USE - DOMESTIC, IRRIGATION, STOCKWATER, etc.

+ - - OTHER COMMENTS -

+ - - - - -

+ - - - - -

WATER RIGHT NUMBER - A29-11159

PREFIX TRANSLATION: ADJUDICATION CLAIM

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

+ - - - - DECREE PLAINTIFF - - - - + + - - - - DECREE DEFENDANT - - - - + + - DECREE DATE - +
00/00/0000

+ - - ADJUT FIELDS - 09/27/90 THOMPSON

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	-	00/00/0000	FIELD INSPECTION MADE	-	00/00/0000	CIVIL CASE NUMBER	-	39576
DEPOSITION FILED DATE	-	00/00/0000	FIELD INSPECTION FLAG	-		OLD CASE NUMBER	-	
RESPONSE FILED DATE	-	00/00/0000	VERIFIED DATE	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	04/08/1990	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSIO DATE	-	00/00/0000	RECEIPT NUMBER	-	0012923	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLAG	-		POU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-	AND	NOTICE OF ERROR FLAG	-	

R 422302 9502

PROOF
OCT 03 1991

DATA ENTRY

ENTERED 8-19-92 Wul

CHECKED 10/23/92 Wul

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
NOV 20 1991

CERTIFIED
DEC 28 1991
WATER EXAMINER

MICROFILMED
APR 14 1994