

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: A29-11822
Date Received: 8/29/1990
Receipt No: E013847
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HERBERT DON PEUTRESS
Address: P.O.BOX 202
LAVA HOT SPRINGS, ID 83246

AND/OR

Name: SHIRLEY J. PEUTRESS
Address: P.O.BOX 202
LAVA HOT SPRINGS, ID 83246

2. Date of Priority: APR 26, 1986

3. Source: SPRINGS Trib. to: DEMPSEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	38E	18	SW	SE			BANNOCK

5. Description of diverting works:
WELL & PUMP

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		

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 HOUSEHOLD



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	38E	18	SW	SE		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:
LOT 184 LAVA RANCH PHASE 3

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

SR3A CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME PEWTERESSCLAIM IDENT. NO. A29-11822

DATE RECEIVED _____

CK # _____

AMOUNT \$ _____

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Requires Info
2. Is a priority date entered? ☒ YES ☐ NO ☐ Requires Info
3. Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ Requires Info
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Requires Info
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ Requires Info
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Requires Info
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Requires Info
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. ☒ YES ☐ NO ☐ Requires Info
- Is the period of use included? ☒ YES ☐ NO ☐ Requires Info
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Requires Info
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Requires Info
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ Requires Info
- Is the consumptive use correct? ☒ YES ☐ NO ☐ Requires Info
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. ☒ YES ☐ NO ☐ Requires Info
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Requires Info
11. Is (are) the country(ies) entered? ☒ YES ☐ NO ☐ Requires Info
12. Is the ownership of p.d. checked? ☒ YES ☐ NO ☐ Requires Info
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Requires Info
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.) ☒ YES ☐ NO ☐ Requires Info
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Requires Info
16. If the claimant requested a monthly docket sheet, is payment enclosed? (if yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ Requires Info
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Requires Info
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Requires Info
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Requires Info
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Requires Info
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ Requires Info
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Requires Info

Claim checked by: [Signature]Date: 8-24-90Claim must be returned to claimant: ☒ (Yes) ☐ (No)Claimant must be notified of modifications: ☒ (Yes) ☐ (No)

Receipt Prepared by: _____

Date: _____

Claim data entered by: [Signature]Date: 8/24/90

Checked by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Comments: Code # 5: well + Pump; Code # 6MICROFILMED

NOV 16 1992

03/20/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-11822

NAME AND ADDRESS: HERBERT DON PEWTRESS
SHIRLEY J PEWTRESS
PO BOX 202
LAVA HOT SPRINGS, ID 83246

SOURCE: SPRINGS TRIBUTARY: DEMPSEY CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 04/26/1986

POINT OF DIVERSION: T10S R38E S18 SWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1-01 12-31	0.04 CFS

PLACE OF USE:

DOMESTIC Within BANNOCK County
T10S R38E S18 SWSE

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: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RRLR3003400 PROPERTY ALSO KNOWN AS LOT 184, LAVA
RANCH PHASE 3

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. A79-11822
Date Received 4/30/90
Receipt Number E013847

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day

Filing Fee \$25

RECEIVED

APR 30 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Herbert DONTOR Shirley J. Pentress Phone () none

Mailing Address P.O. Box 202 Lava Hot Springs, Idaho Zip 83246-0202

2. Date of Priority (Only one per claim) APRIL 4/26/86 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other ☒ (a) Springs - all water
Name or kind of source

which is tributary to (b) Dempsey Creek

4. Location of point of diversion is: Township 10 S Range 38 E

Section 18 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____, BM.,

County of Bannock

Additional points of diversion if any: N/A

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. N/A

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

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount _____ (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; stockwater: type and Number of livestock) one household

MICROFILMED

NOV 18 1992

10. Place of use is: Township: 10 S Range 38 E
Section 18 SW 1/4 of SE 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 ✓ 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 _____

14. Remarks: Lot 184 Lava Ranch Phase 3

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 ✓ 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 Penters Date 4-26-90
Shirley J. Penters Date 4/26/90

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

of _____ Title _____ 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 26 day of April 19 90

SEAL

Notary Public J. J. [Signature]

Residing at Bannock County

My Commission Expires 1/12/95

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NOV 16 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - DECREE DATE - +
00/00/0000

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

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - 1

COURT REPORT FILING	-	00/00/0000	FIELD INSPECTION MADE	-	00/00/0000	CIVIL CASE NUMBER	-	39576
OBJECTION 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	-	04/30/1990	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	E013847	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		POU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-	AND/OR	NOTICE OF ERROR FLAG	-	

RRL R3663400

OCT 23 1991

ENTERED 9-20-93
CHECKED 12/5/93

☒ "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

AUG 23 1993

CERTIFIED
AUG 29 1993
WATER EXAMINER

MICROFILMED
APR 14 1994