

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. A29-12121Date Received 4-30-90Receipt Number E014784IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**RECEIVED** NOTICE OF CLAIM
TO A
WATER RIGHT**RECEIVED**Department 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 30 1990

Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant(s) Lane Avery Phone (208) 254-3687Mailing Address 2961 E. Price Ext. Rd. McAmmon, ID Zip 832502. Date of Priority (Only one per claim) June 1990 Month/Day/Year Estimated TA June 23 19903. Source of water supply (Check one) ☒ Groundwater or Other () (a) June 20 1990

Name or kind of source

--- of point of diversion is: Township 9S Range 37E--- 20 SW 1/4 of NW 1/4 of SW 1/4, Govt. Lot 1 BA--- Burrock

--- of diversion if any:

--- diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.) including the dates

--- of the diversion works as constructed and as enlarged and the

--- well casing, not deep, jet pump

--- 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 .06 (cfs)For Stockwater purposes from 1-1 Month/Day to 12-31 Month/Day amount .02 (cfs)

(Both dates are inclusive)

7. Total quantity claimed .06 (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) Domestic, 1 Home Stockwater, 20 cattle

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10. Place of use is: Township: 95 Range 37E
Section 20 NW 1/4 of SW 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: _____

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) Van Query Date 4/23/90

Samara Query Date 4-23-90

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

of _____ Title _____ that I have signed the foregoing

document in the space below as _____ of _____

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 _____) SS. **NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed and sworn (or affirmed) before me this 23 day of April 1990

SEAL

Notary Public Belva Olsen

Residing at McCammon, Id

My Commission Expires 10-95 **MICROFILMED**

Last Name _____ Ident No. _____ **NOV 16 1992**

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: A29-12121
Date Received: 7/ 1/1992
Receipt No: E014784
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LANE AVERY 208-254-3687
Address: 2961 E PRICE EXT RD
MC CAMMON ID 83250

2. Date of Priority: JUN 20, 1990

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	37E	20	SW	NW	SW		BANNOCK

5. Description of diverting works:
6" CASING, 60' DEEP, JET PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.060 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, 20 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	37E	20	NW	SW		STOCK	
			NW	SW		DOMEST	

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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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NOV 16 1992

JUNE 9, 1992

LANE AVERY
2961 E PRICE EXT RD
MC CAMMON ID 83250

RE: NOTICE OF CLAIM A29-12121

Dear Mr. Avery:

It has come to our attention the above Notice of Claim cannot be processed in the Snake River Basin Adjudication as it was submitted.

The date (month, day, and year) water was first used for the purpose(s) claimed must be listed in Item #2. If the precise date is unknown, estimate when it occurred. The place where this information is necessary has been highlighted on the Notice. Please initial and date your corrections before returning the Notice to this office.

To be eligible for the future benefits of having a decreed water right you must submit the Notice of Claim with the items mentioned above. (For a home owner, one such benefit is that some mortgage companies are now requiring a Notice of Claim be filed before the sale, the refinancing, or the purchase of a home will be finalized).

The Department has been directed to return any incomplete Notices. Although a claim can be refiled after the initial Notice is returned, the cost to the claimant will be substantially more. Therefore, I strongly urge you to give this matter your prompt attention.

**** RETURN DEADLINE: JULY 1, 1992 ****

Respectfully submitted,

Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R29-12121

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

AVERY

LANE

1 - 2961 E PRICE EXT RD

2 -

3 -

City- MCCANNON

State- ID Zip- 83250

Phone - 208-254-3687

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/20/1990 15 EASTERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

09S 37E 20 SW NW SW (5) BANNOCK

+ - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER 01/01 12/31 0.020

43 - DOMESTIC 01/01 12/31 0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.060 0.0

+ - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09S 37E 20 NW SW 04 STOCKWATER (5) BANNOCK

09S 37E 20 NW SW 43 DOMESTIC (5) BANNOCK

Total Acres:

+ - - Diversion Means - 6" CASING, 60' DEEP, JET PUMP

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - NONE

+ - - - - - - - - - - - - - Remarks - - - - - +

EXP STOCKWATER, 20 CATTLE
PARCEL NO. R4225008600

+ - - - - - - - - - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - R29-12121

Prefix Translation: RESEARCH

+ - - - - Conditions of Approval - - - - - +
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.
+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000
+ - - - - Comments - - - - - +
No Comments Found
+ - - Audit Fields - - +
01/15/98 DSMITH
+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
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 - 01/15/1998 Old Judicial District -
Claim Received Date - 06/08/1990 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - E014784 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - Presumption Flag -
Notice of Error Flag -

10KLB4
22498

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-22-1997

PAGE: A-55

RIGHT NUMBER: 29-12121

NAME & ADDRESS: LANE AVERY ✓
2961 E PRICE EXT RD
MCCAMMON ID 83250

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

PRIORITY DATE: 06/20/1990

POINT OF DIVERSION: T09S R37E S20 SWNWSW Within BANNOCK County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|------------------------------------|---------------|----------|
| | STOCKWATER | 01-01 12-31 | 0.02 CFS |
| | DOMESTIC DOMESTIC, 1 HOME; STOCKWA | 01-01 12-31 | 0.04 CFS |

PLACE OF USE: STOCKWATER Within BANNOCK County 2 ac
T09S R37E S20 NWSW

DOMESTIC Within BANNOCK County
T09S R37E S20 NWSW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Parcel # R4225008600

Verified by alw Date: 9/17/97

Verification Source: computer

03/20/2001

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

RIGHT NUMBER: 29-12121

NAME AND ADDRESS: LANE AVERY
2961 E PRICE EXT RD
MCCAMMON, ID 83250

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 06/20/1990

POINT OF DIVERSION: T09S R37E S20 SWNWSW 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 | 0.02 CFS |
| DOMESTIC | 1-01 12-31 | 0.04 CFS |

PLACE OF USE:

STOCKWATER Within BANNOCK County
T09S R37E S20 NWSW
DOMESTIC Within BANNOCK County
T09S R37E S20 NWSW

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

STOCKWATER, 20 CATTLE PARCEL NO. R4225008600