

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: A47-12285
Date Received: 12/15/1988
Receipt No: S004508
Received By: SEC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SHIRREL E. SILVESTER 208-734-4081
Address: RT 1
TWIN FALLS, ID 83301

AND/OR

Name: CAROL ANN SILVESTER 208-734-4081
Address: RT 1
TWIN FALLS, ID 83301

2. Date of Priority: JUN 21, 1910

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	16E	26	SE	SE	SW		TWIN FALLS

5. Description of diverting works:
325' WELL

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		
STOCKWATER	01/01	12/31	0.240		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOMES, S/300 BEEF STOCK

A47-12285

Page 1

Date: 02/03/89

MICROFILMED
MAR 12 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	16E	26	SE	SW	STOCK	
			SE	SW	DOMEST	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:
AMENDED TO CORRECT LEGALS.

15. Basis of Claim: BENEFICIAL USE

(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.

MAR 12 1993

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: A47-12285
Date Received: 1/30/1989
Receipt No: S004508
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHIRREL E. SILVESTER 208-734-4081
Address: RT 1
TWIN FALLS, ID 83301
AND/OR
Name: CAROL ANN SILVESTER 208-734-4081
Address: RT 1
TWIN FALLS, ID 83301
2. Date of Priority: JUN 21, 1910
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 11S | 16E | 26 | NE | SE | | | TWIN FALLS |
5. Description of diverting works:
325' WELL
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 | | |
| STOCKWATER | 01/01 | 12/31 | 0.240 | | |
7. Total Quantity Appropriated is:
0.280 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/2 HOMES, S/300 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	16E	26	NE SE		STOCK DOMEST	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/U UNDETERMINED

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 _____

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

Identification No. A47-12285
Date Received 12-5-88
Receipt Number 5004508

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

DEC - 5 1988

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Department of Water Resources
Southern Region Office

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

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Shirrel E. and Carol Ann Silvester Phone (208) 734-4081

Mailing Address RT 1 Twin Falls Idaho Zip 83301

2. Date of Priority (Only one per claim) June - 21 - 1910 year Month/Day/Year

3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 11 Range 16

Section 26 SWNW 1/4 of NESE; 10 of S 4 SE 10, Govt. Lot _____, BM.,

County of Twin Falls

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. Well. Depth 325 Feet

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 .04 (cfs)

For Stock Water purposes from 1-1 Month/Day to 12-31 Month/Day amount .24 (cfs)

(Both dates are inclusive)

7. Total quantity claimed .28 (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) 2 Homes 300 Head Live Stock

MICROFILMED

MAR 12 1993

10. Place of use is: Township: 11 Range 16

Section 26 SW NW 1/4 of SW 1/4 of NE 1/4 of SE 1/4 B.M.,

County of Twin Falls 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? Twin Falls

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

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 0

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

Signature of Claimant (s) Shirley Schuster Date 12-5-88

Date _____

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

of _____, 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 _____ } SS.

County of Twin Falls }

Subscribed and sworn (or affirmed) before me this 5th day of December 19 88

SEAL

Notary Public Mary A. Baldwin

Residing at Gooding, Id

My Commission Expires 10/16/1993

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Undermountain MAR 12 1993

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Silvester CLAIM IDENT. NO. A47-12285

DATE RECEIVED 12-5-88 CK # Cash AMOUNT \$ 25

	YES	NO
1. Is the name and address complete with zip code?	☒	☐
2. Is a priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?		
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
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?	<u>115.16.E</u> ☒	☐
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. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☒
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Was this claim filed on time, or was an extension granted?	☒	☐
Is the fee enclosed correct?	Exempt ☒	☐
If this claim is based on an existing water right, has the identification number been entered?	N/A ☒	☐
Should this claim be receipted and data entered?	☒	☒

Claim checked by: CFComments: "and" name connector, needs Canada signature

MAR 12 1989

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-12285

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

January 13, 1995 11:30 AM

NAME:

SHIRREL SILVESTER

CALLIN

RE:

LETTER FROM DOUG JONES

HE CALLED TO ASK ABOUT THE LETTER. I TOLD HIM WE NEEDED HIS HELP IN OBTAINING EVIDENCE OF PRIORITY FOR HIS WATER RIGHT... HE GAVE ME THE NUMBER **A47-12285**. AS WE DISCUSSED THE PRIORITY NEEDED I FOUND THE CLAIM TO BE A SIMPLE DOMESTIC/STOCK CLAIM WITH 0.28 CFS CLAIMED. HE TOLD ME THIS IS JUST USED FOR THE D/S. HE ASKED IF HE COULD SEND A LETTER STATING THAT AND I AGREED IT WOULD CLARIFY THE CLAIM. HE SAID HE WOULD INCLUDE THE WELL DESCRIPTION INFORMATION ALSO.

HE THEN ASKED A QUESTION ON THE TIMING AND EXTENSIONS FOR PERMITS; HE HAD A PERMIT LAPSE LAST JULY AND WONDERED WHY OTHER PERMITS ARE ALLOWED TEN YEARS OF DEVELOPMENT.

NOV 28 1996

COMMUNICATION DOCUMENTATION

Claim No. A47-12285

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IDWR Employee/Agent 7H Date 01-18-1995Contact Person(s) SHIRREL SILVESTERNature of Contact Arrival of the request by Doree Jones re: STK division amt. (See file)Substance of Communication Called the date-stamped letter - cc Vincent - orig. to file.

Explained the need to document priority date.
No w/ contact previous, closed, answer.
Emphasized need to retain evidence.
Called pamphlet and went over w/ him.

cc: DRT - letter
Priority re: div. amt. STK

To, The Idaho Dept. of Water Resources

Southern region

Attn. Douglas Jones

This letter is concerning the letter you sent to Shirrel Silvester on well number A47-12285. This well is a domestic and stock water well. The well casing six inch and the well is 325 feet deep. The water stands at 280 feet and the 1 1/2 hp. pump sets at 300 feet.

I called your office on Jan. 13th. and talked to a rep. He said to write this note and it would answer your question's.

Sincerely,

Shirrel Silvester

RECEIVED

JAN 18 1995

Department of Water Resources
Southern Region

NOV 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

Governor PHILIP E. BATT

R. KEITH HIGGINSON

Director

January 10, 1995

RECEIVED

JAN 18 1995

A47-12285

SHIRREL E. SILVESTER

CAROL ANN SILVESTER

RT 1

TWIN FALLS

ID 83301

Department of Water Resources
Southern Region

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

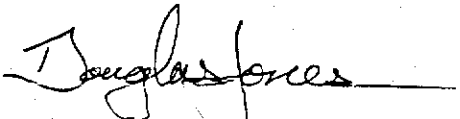
COPY

January 10, 1995
page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Douglas Jones", written over a horizontal line.

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

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

Water Right Number - R47-12285

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

SILVESTER

SHIRREL E

1 - 2550 E 3000 N

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-734-4081

SILVESTER

CAROL ANN

1 - 2550 E 3000 N

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-734-4081

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/21/1910 ERROR IN REGION J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County
11S	16E	26	SE SE SW		(83)	TWIN FALLS

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31	0.040	
04 - STOCKWATER		01/01	12/31	0.240	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.280 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
11S	16E	26	SE SW			04	STOCKWATER	(83) TWIN FALLS
11S	16E	26	SE SW			43	DOMESTIC	(83) TWIN FALLS

Total Acres:

+ - - Diversion Means - 325' WELL

+ - - Non-Irrigation Use - 2 HOMES

+ - - Other Rights for Same Use - NONE

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

EXP STOCKWATER 300 BEEF STOCK
PARCEL NO. RP 11S16E263600

Water right number - R47-12285

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

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

+ - - - - 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 - - - - - +

Date: 01/27/1998 User Id: SEGBERT Subject: COPIED FROM REMARKS
AMENDED TO CORRECT LEGALS.

+ - - Audit Fields - - +
01/27/98 SEGBERT

+ - - - - 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	- 01/27/1998	Old Judicial District	-
Claim Received Date	- 12/15/1988	Last Amended Date	- 02/03/1989	Temporary Right	- P
		Receipt Number	- S004508	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

AJ5856NP

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

DATE: AUG-20-1997
PAGE: A-71

RIGHT NUMBER: 47-12285

NAME & ADDRESS: SHIRREL E SILVESTER
CAROL ANN SILVESTER
~~RT 1~~ 2550 E 3000 N
TWIN FALLS ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.28 CFS

PRIORITY DATE: 06/21/1910

POINT OF DIVERSION: T11S R16E S26 SESEW ✓ Within TWIN FALLS County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.24 CFS
	DOMESTIC D/2 HOMES, S/300 BEEF STO	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within TWIN FALLS County
T11S R16E S26 SESW ✓

DOMESTIC Within TWIN FALLS County
T11S R16E S26 SESW ✓

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

AMENDED TO CORRECT LEGALS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP11S16E263600

Verified by D Smith Date: 9-9-97
Verification Source: Alpha Index

Water Right Number - A47-12285

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***

SILVESTER

SHIRREL E.

1 - RT 1

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-734-4081

SILVESTER

CAROL ANN

1 - RT 1

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-734-4081

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/21/1910 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County
11S	16E	26	SE SE SW		(83)	TWIN FALLS

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31	0.040	
04 - STOCKWATER		01/01	12/31	0.240	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.280 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
11S	16E	26	SE SW			04	STOCKWATER	(83) TWIN FALLS
11S	16E	26	SE SW			43	DOMESTIC	(83) TWIN FALLS

Total Acres:

+ - - Diversion Means - 325' WELL

+ - - Non-Irrigation Use - D/2 HOMES, S/300 BEEF STOCK

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
AMENDED TO CORRECT LEGALS.

NOV 28 1995

Water right number - A47-12285

Prefix Translation: ADJUDICATION CLAIM

```
+ - - - - Old Water Right Numbers - - - - +
+ - - - - Old Water Right Numbers - - - - +
      No Old Water Right Numbers Found
+ - - - - Conditions of Approval - - - - +
      No Conditions of Approval found.
+ - - - - Decree Plaintiff - - - +      + - - - - Decree Defendant - - - +      + - Decree Date - +
                                           00/00/0000
+ - - - - Comments - - - - +
      No Comments Found
+ - - - - Audit Fields - - +
                00/00/00
+ - - - - 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 -
      Response Filed Date - 00/00/0000   Verified Date - 00/00/0000   Old Case Number -
      Claim Received Date - 12/15/1988   Last Amended Date - 02/03/1989   Old Judicial District -
                                           Receipt Number - S004508   Temporary Right - P
                                           POU Ownership Flag - Y   Water District -
                                           Name Connector - AND/OR   Federal/State Indicator - S
                                           Presumption Flag -
                                           Notice of Error Flag -
```

NOV 28 1995

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-12285

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IDWR Employee/Agent Kelly K Christensen

DATE

March 15, 1995 10:40am

CUSTOMER

SHIRREL SILVESTER

SUBJECT: evidence of priority
phone call (X) walk-in (.)

He received an evidence of priority letter on his domestic system. He felt that he should be exempt. After he told me that the right was for .28cfs then I explained why he received the letter. I explained the requirements for evidence of priority and how it relates to his use. I also provided information concerning the mandatory measurement program. He indicated that his system consisted of a 2 hp pump set at 300 ft. Using that info and assuming a 40 psi pressure, it appears that the system would not be capable of delivering much more than 0.04 cfs. I explained to him his options. He did not indicate what he was going to do.

NOV 28 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-12285
SMIRREL E. SILVESTER
CAROL ANN SILVESTER
RT 1
TWIN FALLS

ID 83301

RE: Evidence of Priority

Dear Claimant:

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

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notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

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