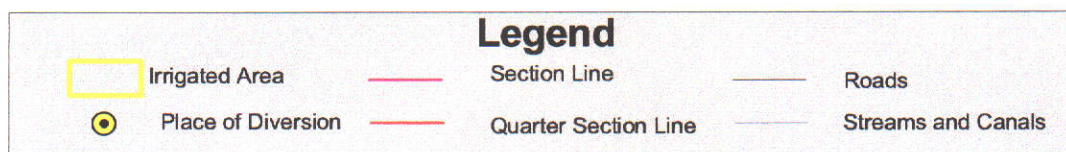
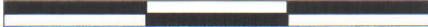


Water Right Claim Number 47-12988
Township , 10S17E

02/07/2001



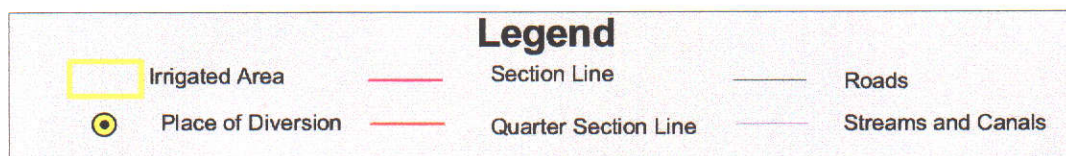
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 SPATIAL
DYNAMICS

Water Right Claim Number 47-12988
Township , 10S17E

02/07/2001

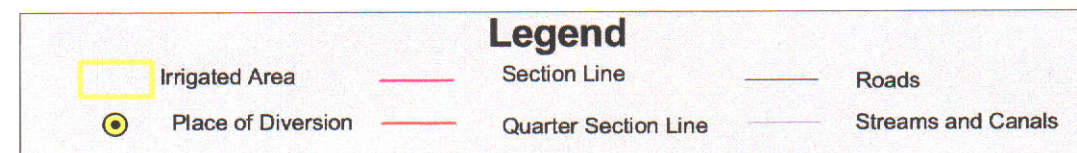


400 0 400 800 Feet



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DYNAMICS

02/07/2001



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: A47-12988
Date Received: 12/22/1988
Receipt No: S004985
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARLA VIESTRA 208-733-4047
Address: RT 2
KIMBERLY, ID 83341
AND/OR
Name: GREG VIESTRA 208-733-4047
Address: RT 2
KIMBERLY, ID 83341
2. Date of Priority: AUG 17, 1930
3. Source: CLAAR TUNNEL Trib. to: ROCK CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	17E	25	NE	SW	SW		TWIN FALLS
5. Description of diverting works:
DITCH, HEADGATES
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.126		
AESTHETIC	01/01	12/31	2.874		
7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
A/11 ACRE PARCEL

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	17E	25	SW	SW	AES IRR	6.3
Section Acres						6.3
Total Acres						6.3

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:

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.

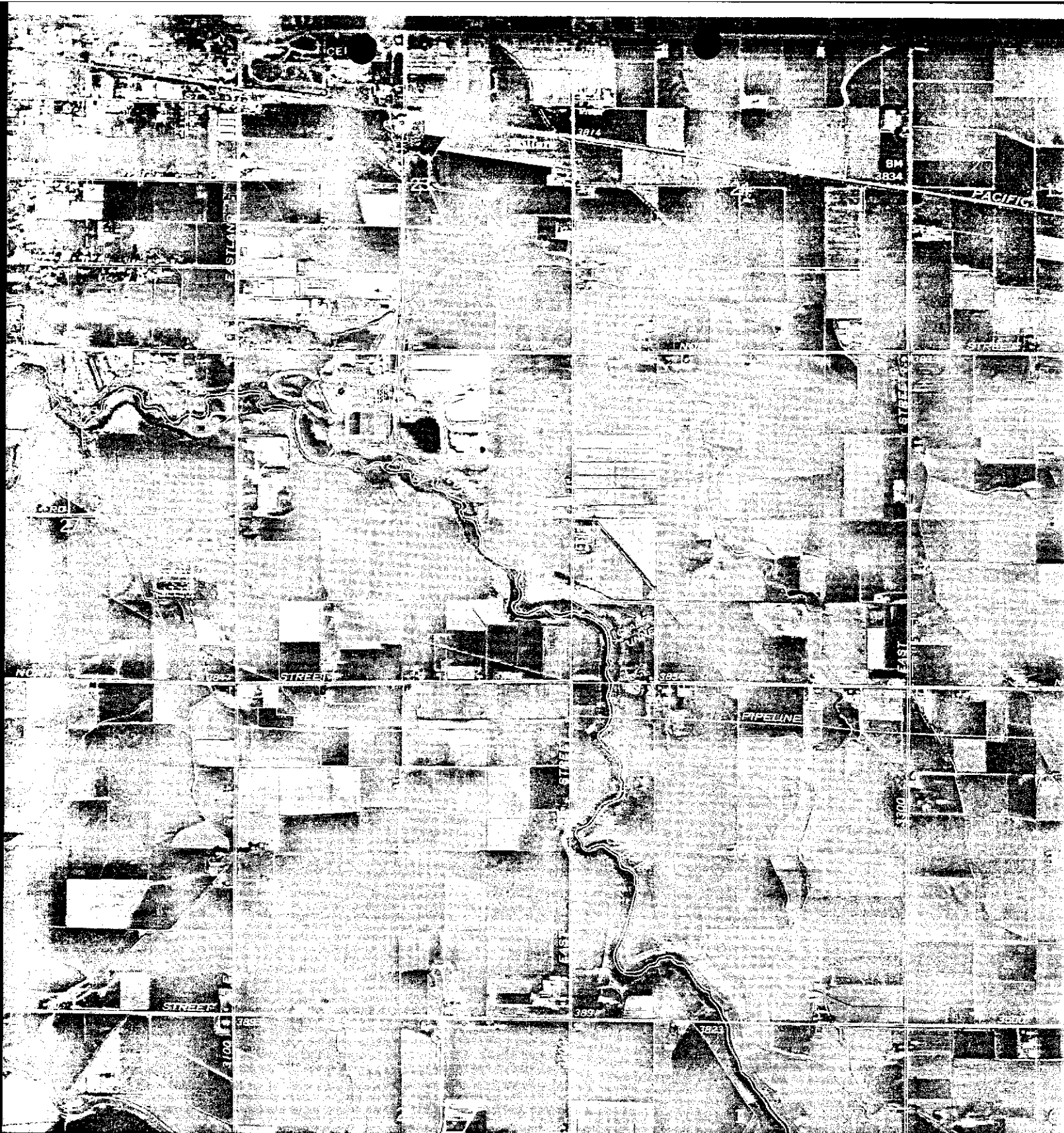
Signature of Claimant(s): Marla Verrata Date: 12-22-88
Date:

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of Dec 19 88 Loi White
Notary Public

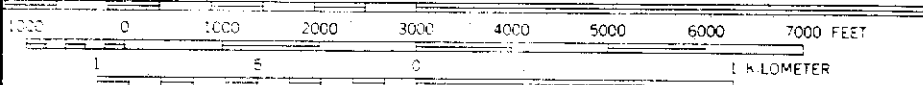
Seal

Residing at TF
My Commission Expires 5/94



SCALE 1:24 000

1 MILE



INTERIOR—

PRINC

Interstate R

MICROFILMED

MAR 14 1993



QUADRANGLE LOCATION

RECEIVED

MAR 15 1995

Department of Water Resources
Southern Region

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES

In Re Evidence of Priority
Water Right No. A47-12988

)
) AFFIDAVIT OF BYRON EACKER
)
)

STATE OF IDAHO)
) ss.
County of Twin Falls)

Byron Eacker, being first duly sworn upon oath, deposes and says:

1. I make the following statements based upon my personal knowledge.

2. In 1947, my father, Butch Eacker, diverted water from the Claar Tunnel and used that water to irrigate about 6.3 acres of pasture. He also used water from the Tunnel to water horses, mules, sheep, goats, pigs, turkeys and chickens that were kept on the pasture. Ever since that time, to the best of my recollection, the 6.3 acres has been irrigated either for pasture as it was used in 1947 or for other crops such as the corn crop which was first planted in 1952. The acreage which I am referring to is acreage in the Rock Creek Canyon in Sec. 25 of T10S, R17E, Twin Falls County.

MICROFILMED
DEC 10 1996

AFFIDAVIT OF BYRON EACKER - 1

RECEIVED

MAR 15 1995

Department of Water Resources
Southern Region

Further your affiant sayeth not.

Dated this 15th day of March, 1995.

Byron M Eacker
Byron Eacker

SUBSCRIBED and SWORN to before me this 15th day of March, 1995.

Neva Hunt
NOTARY PUBLIC FOR IDAHO
Residing at: Kimberly Idaho
My Commission Expires: 4-1-2000

(PDB\WATER\VIERSTRA.AFF)\lm

MICROFILMED
DEC 10 1996

AFFIDAVIT OF BYRON EACKER - 2

H_LH
Chartered
Hepworth,
Lezamiz &
Hohnhorst



Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

January 10, 1995

A47-12988
DARLA VIESTRA
GREG VIESTRA
RT 2
KIMBERLY

ID 83341

RE: Evidence of Priority

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

Dear Claimant:

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

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,

Douglas Jones, P.E.
Water Rights Supervisor

Enc.

MICROFILMED

DEC 10 1996

Log for claim 47-12988

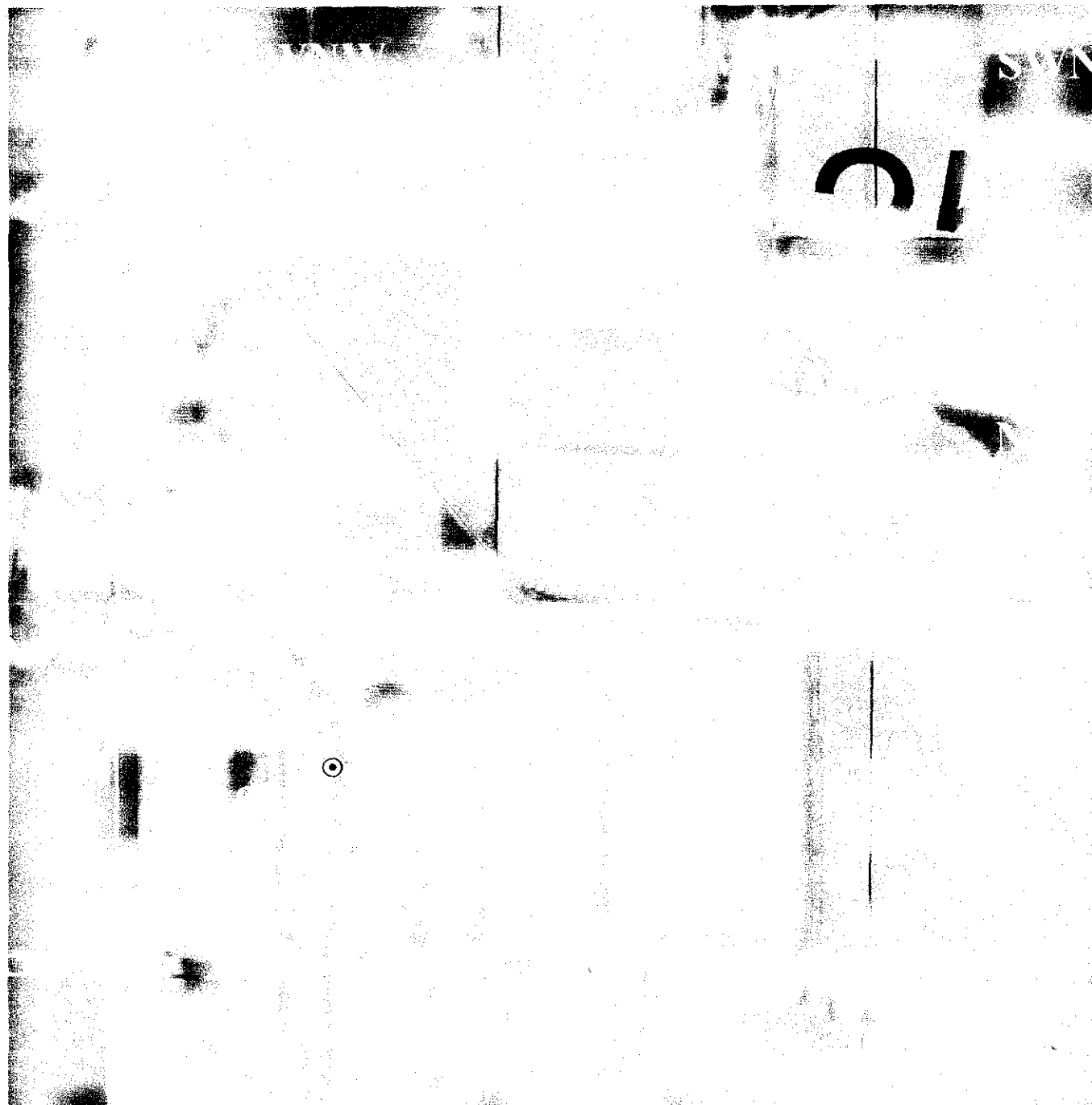
Spatial Dynamics BTD

2/7/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s17e	25	SWSW	6.3	6.4	
Totals:			6.3	6.4	

Water Right Claim Number 47-12988
Township , 10S17E

02/07/2001



Legend			
Irrigated Area	—	Section Line	—
Place of Diversion	⊙	Quarter Section Line	—
		Roads	—
		Streams and Canals	—

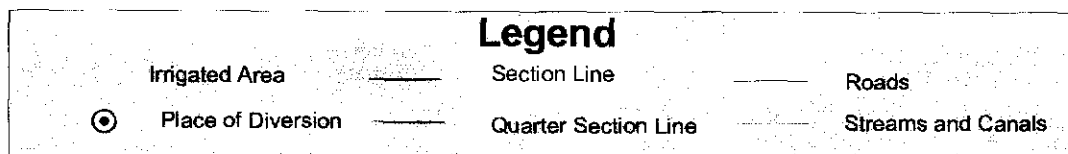
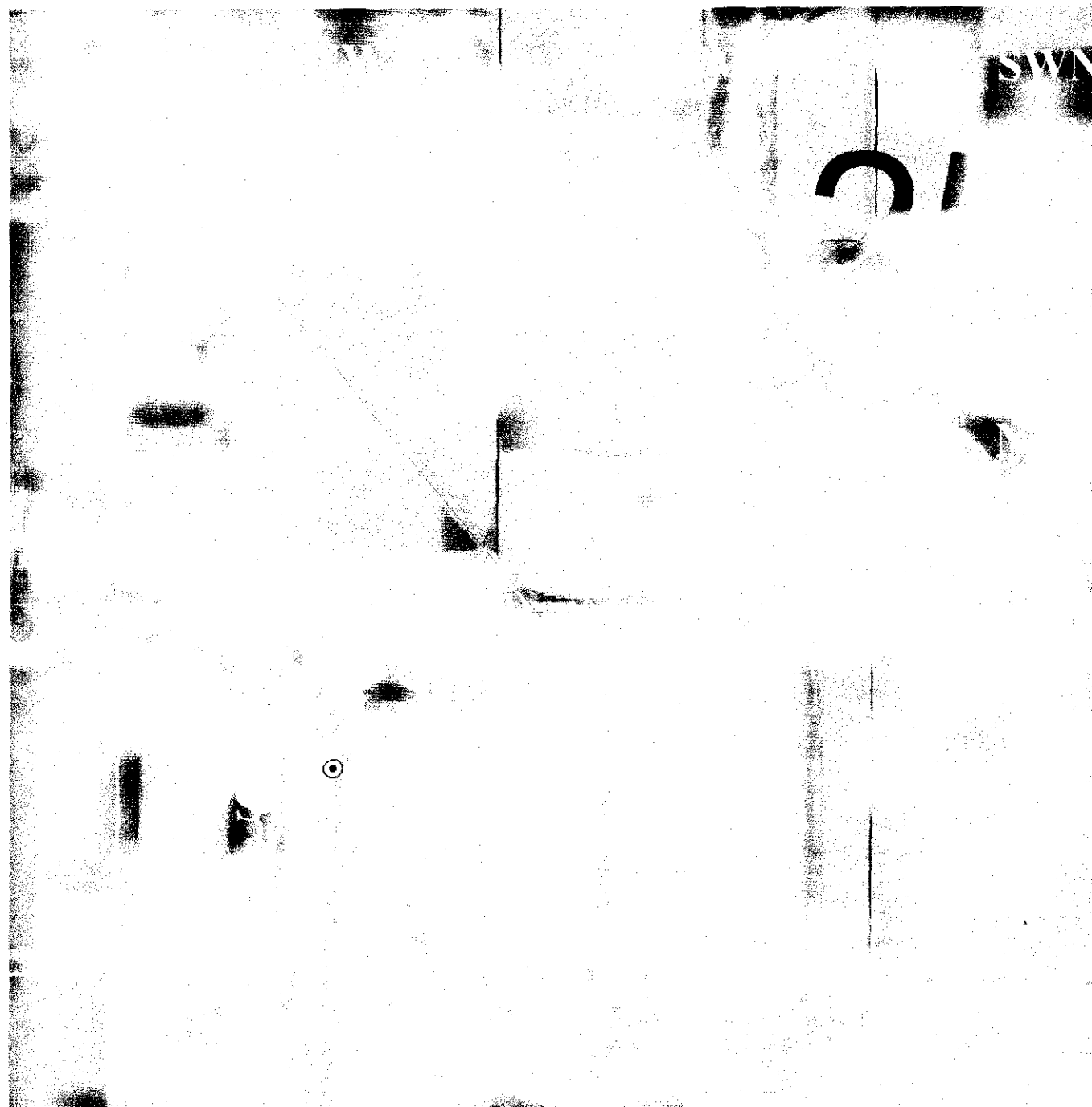
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-12988
Township , 10S17E

02/07/2001



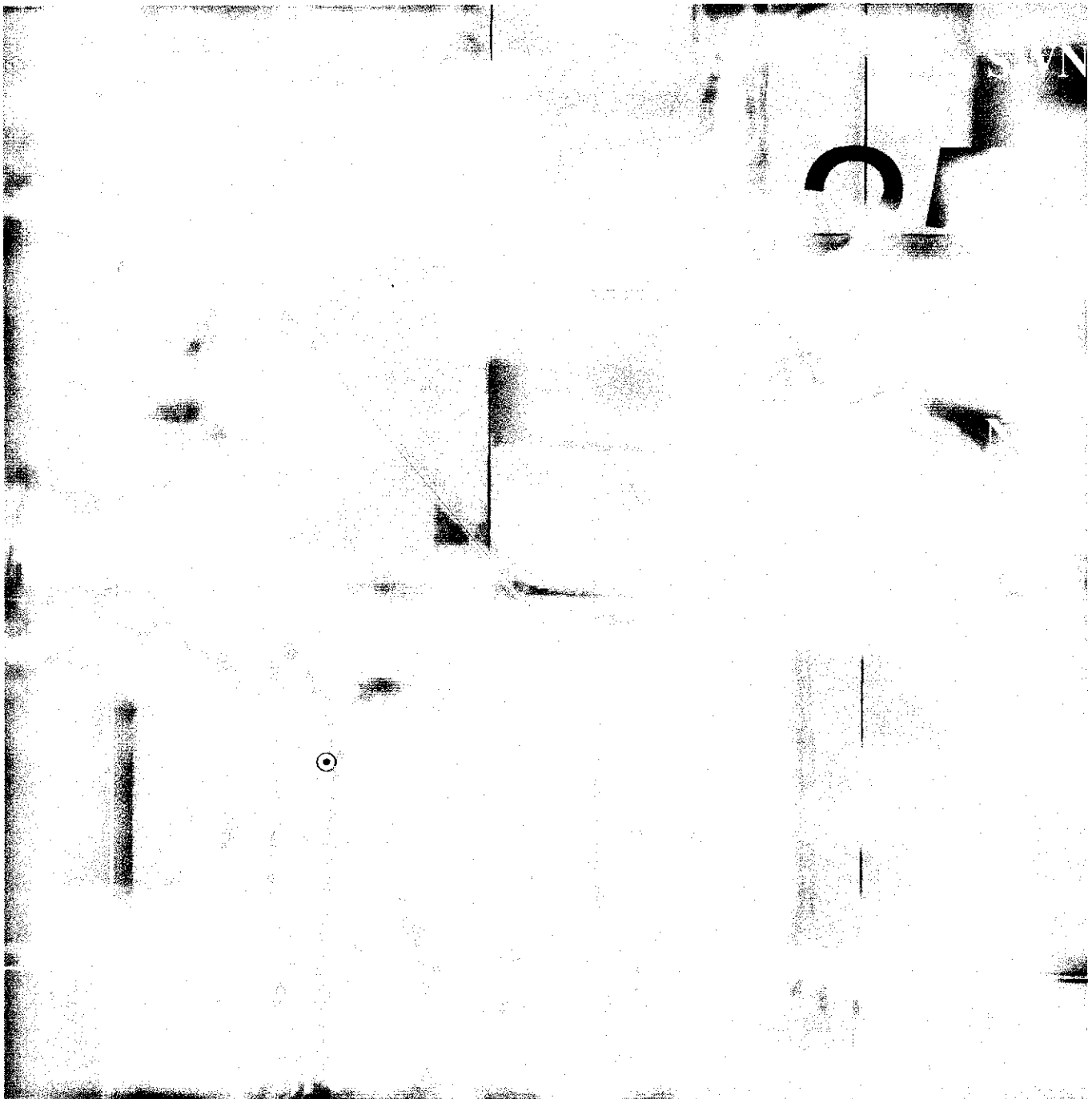
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-12988
Township , 10S17E

02/07/2001



Legend					
Irrigated Area	—	Section Line	—	Roads	
⊙	Place of Diversion	—	Quarter Section Line	—	Streams and Canals



400 0 400 800 Feet

A horizontal scale bar with four segments. The first segment is labeled '400', the second '0', the third '400', and the fourth '800'. The unit 'Feet' is at the end of the bar.

 SPATIAL
DYNAMICS

AJ5809NP
No. A47-12988

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/06/00
PAGE: 314

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GREG VIERSTRA	08/17/1930	IRRIGATION	03-15 11-15	0.126 CFS	
C	DARLA VIERSTRA RT 2 KIMBERLY ID 83341 (208) 733-4047		AESTHETIC	01-01 12-31	2.874 CFS	
TOTAL DIVERSION:					3.000 CFS	

Water Source: CLAAR TUNNEL

Tributary to: ROCK CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R17E S25

NESWSW

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
10S	17E	25	:					:					:			06		:						:	6.3
TOTAL ACRES																							6.3		

Place of use Legal Description for: AESTHETIC

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
10S	17E	25	:					:					:					:					:	

POU County: TWIN FALLS

Non-Irrigation Uses: A/11 ACRE PARCEL

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A47-04376

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020923

Remarks: EXP CORRECTED SPELLING OF VIERSTRA TO MATCH ORIGINAL CLAIM.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 12/22/88 WHITE 03/30/95 POST-STD 04/13/00 SSHERMAN