

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: ~~447-14963~~
Date Received: 6/14/1989
Receipt No: T007475
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CITY OF BUHL
Address: 203 N BROADWAY
BUHL ID 83316 208-543-5650
2. Date of Priority: JUL 15, 1960
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 09S | 14E | 34 | SE | SE | | | TWIN FALLS |
5. Description of diverting works:
WELL AND PUMP
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.060 | | |
| COMMERCIAL | 01/01 | 12/31 | 0.020 | | |
7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/NG ARMORY, 35 PERSONNEL; C/EQUIPMENT WASHING
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 09S | 14E | 34 | SE | SE | | COMMER | |
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:

3/24/97 TF; ADDRESS CHANGED PER REQUEST FROM BLAIR JAYNES.

5/8/2000 tf; OWNERSHIP CHANGED STATE OF IDAHO NATIONAL GUARD TO
CITY OF BUHL PER 1409(6) AND QUITCLAIM DEED REC'D 5/5/2000.

15. Basis of Claim: BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

November 1, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTN BARBARA GIETZEN
CITY OF BUHL
203 N BROADWAY
BUHL ID 83316

RE: SRBA Claim(s) A47-14963

Dear Mayor Gietzen:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc..

RECEIVED
MAY 05 2000
Department of Water Resources
Southern Region

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: A47-14963
Adjudication Claim No(s).: _____

2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant STATE OF IDAHO - NATIONAL GUARD
4040 W. GUARD STREET, BOISE, IDAHO 83705-5004

4. New Owner/Claimant(s) CITY OF Buhl
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 203 NORTH Broadway
City, State and ZIP Code Buhl, IDAHO 83316
New Telephone Number (208) 543-5650

5. Date you acquired the property MARCH 6, 1998

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) Barbara A. Taitze, Mayor City of Buhl

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

AJSBDBP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

01/20/00 08:38:01
Page 1

Water Right Number - A47-14963

Prefix Translation: ADJUDICATION CLAIM

Old (B) Number -

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

*** A - ATTORNEY ***
JAYNES

BLAIR D

1 - 4040 W GUARD ST
2 -
3 -

City- BOISE
Phone - 208-422-5474

State- ID Zip- 837055004

*** C - CURRENT OWNER ***
STATE OF IDAHO

1 - MILITARY DIVISION
2 - 4040 W GUARD ST
3 -

City- BOISE
Phone - 208-422-5474

State- ID Zip- 837055004

*** K - ALSO KNOWN AS ***
MILITARY

1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- X

+ - - Priority Date - - +
07/15/1960

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

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

+ - - - - Tributary - - - - - +

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

09S 14E 34 SE SE (83) TWIN FALLS

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

43 - DOMESTIC 01/01 12/31 0.060
10 - COMMERCIAL 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.080 0.0

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

09S 14E 34 SE SE 10 COMMERCIAL (83) TWIN FALLS

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - D/NG ARMORY, 35 PERSONNEL; C/EQUIPMENT WASHING

+ - - Other Rights for Same Use - NONE

AJ580BNP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

01/20/00 08:38:35

Page 2

Water right number - A47-14963

Prefix Translation: ADJUDICATION CLAIM

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

GEN 3/24/97 IF; ADDRESS CHANGED PER REQUEST FROM BLAIR JAYNES.

+ - - - - 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

+ - - Audit Fields - 10/30/89 SHAFF 03/24/97 TFAWCETT

+ - - - - 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
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	- 06/14/1989	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	- T007475	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- OR	Notice of Error Flag	-

PAGE 00

IDWR SOUTHERN REGION

208/363037

09:46

01/20/2000



MILITARY DIVISION, STATE OF IDAHO

4040 W. GUARD STREET, BLDG 600
BOISE, IDAHO 83705-5004
Telephone: (208) 422-5242/DSN: 422-5242
FAX: (208) 422-6179

DIRK KEMPTHORNE
GOVERNOR

THE ADJUTANT GENERAL
JOHN F. KANE

April 13, 2000

The Honorable Barbara Gietzen
Mayor for the City of Buhl
203 North Broadway
Buhl, ID 883316

Dear Mme. Mayor:

Reference: Water Rights associated with the Former National Guard Armory in Buhl.

I recently received a letter from Mr. Scott L. Bybee of J-U-B Engineers, Inc., regarding the Buhl Armory water right. This letter provided me with a copy of a Department of Water Resources (DWR) printout listing an adjudication interest in favor of the Idaho Guard. Sadly, Mr. Bybee's letter is the first time I saw this document. We had no documentation of the water right in our Buhl Armory file.

Earlier this morning I spoke with Mr. Scott Clelland, a DWR adjudication officer. He informs me that legal convention in this type water right transfer is quite routine. He informs me that with a proper copy of the deed and a completed Notice of Change form the DWR will transfer the water right from the Idaho National Guard to the City of Buhl. The new owner generally completes the Notice of Change form; in fact, there is no signature requirement for the former owner on the form. I invite you contact with Mr. Clelland directly to confirm this process by telephone, (208) 736-3033.

I hope that an agent for the City of Buhl will be able to complete this filing requirement quickly. I also regret that this process has expanded so dramatically. Please let me know if we may be of further assistance. My number is (208) 422-5474.

Sincerely,

A handwritten signature in cursive script, reading "David M. Dahle", is written over a horizontal line.

David M. Dahle
Major, Idaho National Guard
Staff Judge Advocate (AGR)

Enclosures



J-U-B ENGINEERS, Inc.
ENGINEERS • SURVEYORS • PLANNERS

115 Northstar Avenue
Twin Falls, ID 83301

208-733-2414
Fax: 208-733-9455

March 27, 2000

Major David M. Dahle
Idaho National Guard
Staff Judge Advocate (AGR)
Military Division
4040 West Guard Street, Building 600
Boise, Idaho 83705-5004

Re: Buhl National Guard Armory Water Rights

Dear Major Dahle:

I have reviewed your letter dated March 17, 2000 to Mayor Barbara Gietzen of Buhl and find it necessary to clarify the situation.

Attached is the Idaho Department of Water Resources Adjudication Claim indicating that the Water Right Number A47-14963 is in the name of the State of Idaho, Military Division. This water right is for 0.060 CFS for Domestic use and 0.020 CFS for Commercial use as indicated on the first page of the document. The priority date is 07/15/1960. This water right is apparently for the existing well located at the Buhl Armory facility.

In discussing the water right with IDWR, they indicate that the City can not continue with drilling a new well on this property without first resolving this existing water right ownership. They further indicated that this water right had not yet been transferred out of the ownership of the Idaho National Guard. IDWR will accept transfer of the existing right by completion of the "Notice of Change" form forwarded earlier in the year to your office.

I sincerely hope this helps resolve this situation to your satisfaction. Should you have any questions about the transfer or form, please let me know and I will do what I can to clarify further. I would be very happy to come to Boise and meet with you at your earliest convenience should you feel that this would expedite the transfer. I look forward to helping in any way I can and eagerly await your response.

Thank you for your time with this matter.

Respectfully,

J-U-B ENGINEERS, Inc.

A handwritten signature in dark ink, appearing to read "Scott L. Bybee". The signature is fluid and cursive, written over a horizontal line.

Scott L. Bybee, P.E.

cc: Mayor Barbara Gietzen, Buhl, Idaho



STATE OF IDAHO

QUITCLAIM DEED NO. 13237

COPY

NOW, KNOW YE, this 6th day of March, 1998, that the **STATE OF IDAHO**, for adequate and valuable consideration does hereby reconvey, release, and forever quitclaim unto the **CITY OF BUHL**, a municipal corporation of the State of Idaho, and to its successors and assigns, forever, the following described parcel of land situated, lying, and being in **TWIN FALLS COUNTY**, State of Idaho, and particularly described as follows, to-wit:

Commencing at the southeast corner of Section 34, Township 9 South, Range 14 East, Boise Meridian; thence West, 25.00 feet; thence North, 25.00 feet to a point, said point being the **REAL POINT OF BEGINNING**; thence West, 660.00 feet; thence North, 500.00 feet; thence South 71°10' East, 694.10 feet; thence South, 285.00 feet returning to the real point of beginning.

Together with the appurtenances thereon unto the said **CITY OF BUHL**. This reconveyance is per the Reversion Clause referred to in that certain deed from the **CITY OF BUHL** to the State of Idaho dated May 18, 1950, recorded on Page 332 in Book 165 of Deeds in Twin Falls County, Idaho records and as noted in Idaho Code, Sections 46-720 through 46-727.

IN WITNESS WHEREOF, the State Board of Land Commissioners has caused these presents to be executed by its President, the Governor of the State of Idaho, and countersigned by the Secretary of State, the Director, Idaho Department of Lands and the Adjutant General of the State of Idaho.

STATE BOARD OF LAND COMMISSIONERS

Philip E. Batt

Governor of the State of Idaho and President of the
State Board of Land Commissioners

COUNTERSIGNED:

Rob H. Casper

Secretary of State

Shirley F. Hammit

Director, Idaho Department of Lands

John F. Huns

State of Idaho Adjutant General



IDAHO COUNTY, IDAHO
RECORDED FOR: *City of Boise*

MAR 19 2:15

1998004805

STATE OF IDAHO)
(ss.
County of Ada)

ROBERT S. FORT
600 *LF*

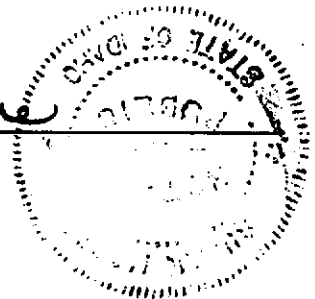
On this 6th day of March, 1998, before me, a Notary Public in and for said State, personally appeared **PHILIP E. BATT**, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners; **PETE T. CENARRUSA**, known to me to be the Secretary of State of the State of Idaho; and **STANLEY F. HAMILTON**, known to me to be the Director of the Department of Lands of the State of Idaho, that executed the said instrument and acknowledged to me that such State of Idaho and State Board of Land Commissioners executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

Susan Moore

NOTARY PUBLIC
Residing at: *Boise, Id*

My Commission expires: 6-8-2001



STATE OF IDAHO)
(ss.
County of Ada)

On this 17th day of February, 1998, before me, a Notary Public in and for said State, personally appeared **JOHN F. KANE**, State of Idaho Adjutant General, who executed the said instrument, and acknowledged to me that he executed said instrument in his official capacity for and on behalf of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

Blair D. Jones

NOTARY PUBLIC
Residing at: *Boise*

My Commission expires: *22nd 98*

This Indenture, Made this 18th day of May in the year of our Lord, one thousand nine hundred and Fifty between City of Buhl, Idaho, a municipal corporation of Buhl County of Twin Falls State of Idaho the part y. of the first part, and State of Idaho, A municipal Corporation of _____ County of _____ State of Idaho the part y. of the second part.

WITNESSETH, That the said part y. of the first part, for and in consideration of the sum of One Dollar and Other Valuable Consideration ----- DOLLARS lawful money of the United States of America, to it in hand paid by the said part y. of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and by these presents do as grant, bargain, sell and convey, and confirm unto the said part y. of the second part, and to its heirs and assigns forever, all of the following described real estate, situated in Twin Falls County, State of Idaho, to-wit:

Beginning at a point 25 feet North and 25 feet west of the Southeast Corner of Section 34, Township 9 South, Range 14 E. B. M.; Thence west a distance of 660 feet; thence North a distance of 500 feet; Thence South 71°10' East a distance of 694.1 feet; Thence South 285 feet to the point of beginning.

In the event these premises are not used for National Guard purposes they shall revert to the City of Buhl, Idaho. The right is reserved for any and all planes to fly over this property. Building plans must all be approved by CAA before construction., and if airport is lighted clearance lights must be placed on buildings.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity, of the said part y. of the first part:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part y. of the second part, and to its heirs and assigns forever. And the said part y. of the first part, and its heirs, the said premises in the quiet and peaceful possessions of the said part y. of the second part, its heirs and assigns, against the said party. of the first part, and its heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said part y. of the first part has hereunto set its hand and seal. the day and year first above written.

CITY OF BUHL, IDAHO

COPY

401210

Recorded to and Plat'd by me:
CLIFFORD THOMPSON
Assessor Twin Falls County

6-11-50

Warranty Deed

City of Buhl
T Idaho, Inc

TO

State of Idaho

Dated _____ 19____
STATE OF IDAHO
County of Twin Falls ss.

I hereby certify that this instrument
was filed for record at the request of

Mitigay, Deft
Private

at 55 minutes past 10
o'clock A. M. this 10
day of July, 1950
in my office, and duly recorded in
Book 165 of Deeds
at page 382

Cal. Reeves
Ex-Officio Recorder

By _____ Deputy.

Fees: No charge
State of Idaho
Military Deed
None

COPY

in and for said County, personally appeared Fred A. Kallusky, known to me to
be the Mayor of the City of Buhl, Idaho, and the person whose name
is subscribed to the within instrument known to me to be the person whose name

subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year
in this certificate first above written.

A. J. Gmoe
Notary Public Residing at Buhl, Idaho

My Commission expires November 5th, 1953

My Commission expires on the _____ day of _____, 19____

DEC 26 1996

Department of Water Resources
Southern RegionSNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

DEC 23 1996

WATER RESOURCES
WESTERN REGION[] Water Right Number(s): A-36-13721, A-47-14963A 61-072468, A61-072838A61-10124, A63-07420
A65-00217

[] Old Mailing Address:

P.O. Box 45Boise, ID. 83707-0045

[] New Mailing Address:

4040 W. Grand St.Boise, Id. 83705-5004

Telephone Number:

(208) 422-5474

[] Signature of Claimant:

Baird D. Jaynes
Baird D. Jaynes

Date:

13 Dec 96PLEASE SEND YOUR SRBA CHANGE OF ADDRESS TO THE NEAREST
REGION OFFICE:* IDWR WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705-5082
(208) 334-2190IDWR SOUTHERN REGION
222 SHOSHONE ST EAST
TWIN FALLS ID 83301-6602
(208) 736-3033IDWR EASTERN REGION
900 N SKYLINE
IDAHO FALLS ID 83402-3653
(208) 525-7161IDWR NORTHERN REGION
1910 NORTHWEST BLVD #210
COEUR D'ALENE ID 83814-2615
(208) 756-4639

Revised 5/95

IDWR: DATA ENTRY BY _____

DATE _____



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

A47-14963
STATE OF IDAHO
MILITARY DIVISION
P.O. BOX 45
BOISE

ID 83707-0045

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.

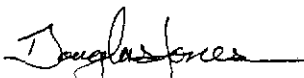
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in 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 1 1996

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-14963

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 Kelly K Christensen

DATE

February 15, 1995 8:26am

CUSTOMER

SGT MAJOR GRAY

SUBJECT: evidence of priority FOR A47-14963

He has bid records for the development of the well but no direct evidence of the date that the well was constructed. I indicated that an affidavit from someone who can remember when the system was built may be his best alternative.

MICROFILMED
DEC 1 1996

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-14963

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MICROFILMED

DEC 1 1996



OFFICE OF
THE ADJUTANT GENERAL

THE STATE OF IDAHO
MILITARY DIVISION
P.O. BOX 45
BOISE, IDAHO 83707-0045

RECEIVED

MAR 09 1995

Department of Water Resources
Southern Region

8 Mar 95

DOUGLAS JONES, P.E.
WATER RIGHTS SUPERVISOR
IDAHO DEPT OF WATER RESOURCES., SO. REGION
222 SHOSHONE ST, EAST
TWIN FALLS, ID 83301

SUBJECT: Notice of Claim (SRBA) # A47-14963 - Burley National Guard Armory

Enclosed is the original Affidavit of Ormond T. Smith, former member of the Idaho Army National Guard, which fixes the time of first beneficial use of the well water at the Burley National Guard Armory on or before 15 July 1960.

If you require anything further in regard to proof of priority date of this SRBA claim, please contact me directly at the above address or phone (208) 422-5474.


BLAIR D. JAYNES, Lt Col, IDANG
Staff Judge Advocate, Joint Staff

Encl.
A/s

cc:
DCSENGR
IDSR

MICROFILMED
DEC 1 1996

Blair D. Jaynes
Attorney at Law
4040 W. Guard Street
Boise, ID 83705-8048

Phone: (208) 422-5474
FAX: (208) 422-5976

RECEIVED

MAR 09 1995

Department of Water Resources
Southern Region

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF SRBA -
STATE OF IDAHO,
MILITARY DIVISION,
Claimant

)
) Notice #: A47-14963
)
)
)
)

AFFIDAVIT OF
ORMAND T. SMITH

ORMAND T. SMITH, First having been duly sworn; on his oath, deposes and says:

1. That I reside at 20037 U. S. Highway 30, Buhl, Idaho;
2. That I am a retired officer of the Idaho Army National Guard;
3. That I was drilling as an officer at the Idaho Army National Guard Armory located in Buhl in 1959 and 1960;
4. That I remember a well and well water being used at the Buhl Armory during that time; and
5. That this well and the ground water pumped out of that well was being used by the Idaho Army National Guard at the Buhl Armory for both domestic and vehicle washing purposes by 15 July 1960.

FURTHER, your affiant sayeth naught.


ORMAND T. SMITH

MICROFILMED

DEC 1 1996

STATE OF IDAHO)

COUNTY OF Twin Falls) ss.

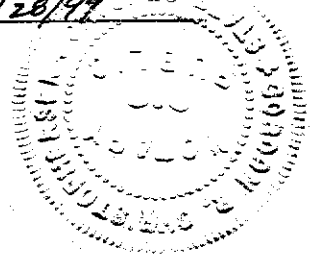
SUBSCRIBED and Sworn to before me, GORDON CHRISTOPHERSEN,
a Notary Public for Idaho, this 6TH day of MARCH, 1995.

Gordon R. Christopher

Notary Public

Residing at: Buhl, Twin Falls County, Idaho

My Commission Expires: 10/28/97



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: A47-14963
Date Received: 10/30/1989
Receipt No: T007475
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO 208-389-5288
Address: MILITARY DIVISION
P.O. BOX 45
BOISE, ID 83707-0045

2. Date of Priority: JUL 15, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	34	SE	SE			TWIN FALLS

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
COMMERCIAL	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/NG ARMORY, 35 PERSONNEL; C/EQUIPMENT WASHING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	34	SE	SE		COMMER	

A47-14963

Page 1

Date: 10/30/89

MICROFILMED

MAR 16 1993

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 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
_____,
Organization Title and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
_____ Print Name
acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

1/23/1988

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

State of Idaho Military Division

CLAIM IDENT. NO.

A47-14963
none

DATE RECEIVED

10/14/88

CK #

none

AMOUNT \$

0

YES

NO

Required
Info?

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

Claim checked by:

Bruce A. Schulz

Date:

10/21/89

Claim must be returned to claimant:

MICROFILMED (Yes) ☒ (No) ☐

Claimant must be sent a copy of amended claim for approval:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

MAR 1989

Checked by:

Date:

Comments:

Re Claim Ident No.

Total Quantity of Use is not indicated.

No fee

is attached

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: 39356

Ident. Number

447-14963

Date Received

10-14-88

Receipt Number

7007475

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
OCT 14 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) State of Idaho Military Division Phone (208) 389-5288
- Mailing Address P.O. Box 45, Boise, Idaho Zip 83707-0045
2. Date of Priority (Only one (1) per claim) 7/15/1960
3. Source of water supply (a) Groundwater
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 9S Range 14E Section 34,
_____ 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Twin Falls
- Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
- Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
- ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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 with pump and pipeline into Armory.

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MAR 16 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1/1 to 12/31 amount .06 or _____

For Commercial purposes from 1/1 to 12/31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic: NG Armory, 35 personnel, Commercial: Equipment Washing.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9S	14E	34																C D	

Total number of acres irrigated ~~XXXXXX~~

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 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. _____ or None ()

14. Remarks:

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MAR 16 1993

Last Name State of Idaho Military Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

MAR 16 1993

State of Idaho Military

Last Name	Ident No.
-----------	-----------

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am the Director of State Resources

Title

of the State of Idaho Military Division, that I have signed the foregoing

Organization

document in the space below as Director of State Resources of State of Idaho Military Division

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Thomas E. Gilbertz

Director of State Resources

Title and Organization State of Idaho Military Division

Date 11 Oct 88

State of Idaho/or _____)

) SS.

County of Ada)

Subscribed and sworn (or affirmed) before me this 11th day of October 19 88

SEAL

Notary Public Ted D. Boam Ted D Boam

Residing at Eagle, Idaho

My Commission Expires 23 June 1992

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Blair D. Jaynes will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Blair D. Jaynes

Address P.O. Box 45, Boise, ID 83707-0045

Date 11 Oct 88

MICROFILMED

MAR 16 1993

Last Name State of Idaho Military Ident. Number _____

Copies White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

March 17, 1995

W.F. RINGERT, ATTORNEY
RINGERT CLARK
PO BOX 2773
BOISE, ID 83701

RE: A47-14965

Dear Mr Ringert:

Your request for additional time in which to submit evidence of priority is granted. Please note that in addition to the above referenced claim, you also returned (as reference) a copy of the computer record for claim A47-14964.

Both claims reference attachments which may have accompanied the original filing of the notice of claim. If you wish to review what IDWR has on file for those claims you may review the microfiche in the State Office in Boise. We look forward to your submittals.

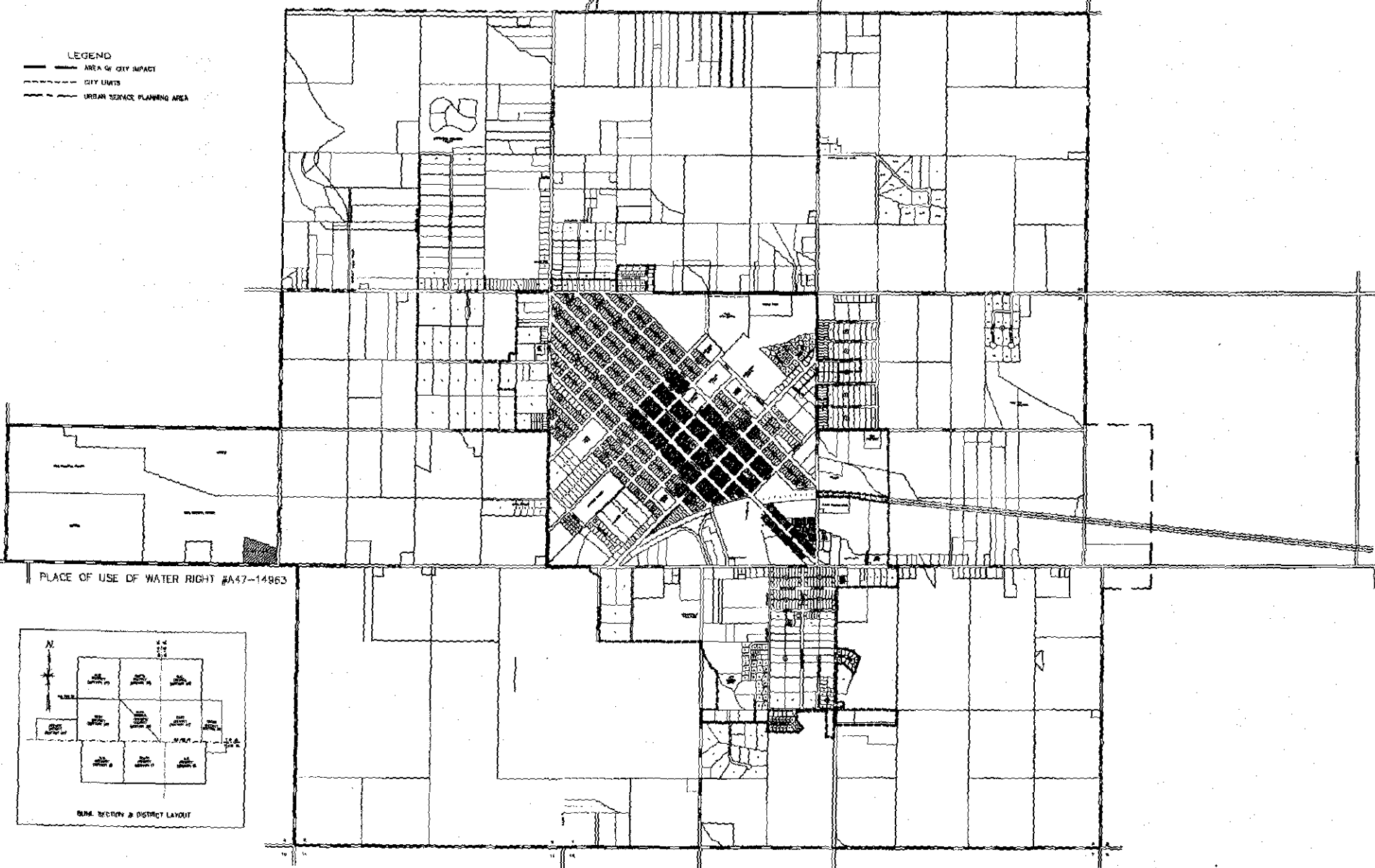
If you have any questions please contact us.

Sincerely,

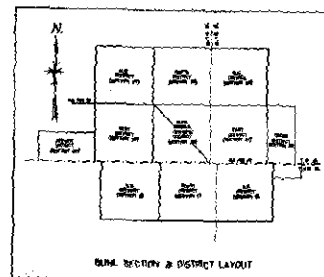
Douglas Jones, P.E.
Water Rights Supervisor

CITY OF BUHL

LEGEND
 ——— AREA OF CITY IMPACT
 - - - - - CITY LIMITS
 - - - - - URBAN SERVICE PLANNING AREA



PLACE OF USE OF WATER RIGHT #A47-14863



A B C D E F G H I J K L M N