

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: A47-07053
Date Received: 1/03/1989
Receipt No: S005597
Received By: See

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD J. DIVEN 208-543-6268
Address: RT. 4
BUHL, ID 83316
AND/OR
Name: HEIDI DIVEN 208-543-6268
Address: RT. 4
BUHL, ID 83316
2. Date of Priority: NOV 01, 1968
3. Source: UNNAMED STREAM Trib. to: SNAKE RIVER
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
09S 15E 9 SE SE TWIN FALLS
5. Description of diverting works:
DAM, PIPE, HEADWALL
6. Water is used for the following purposes:
Purpose From To C.F.S (or) A.F.A.
FISH PROPAGATION 01/01 12/31 11.110 8030.00
7. Total Quantity Appropriated is:
11.110 C.F.S. (and/or) 8030.00 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
H/2 CONCRETE PONDS: 4'X 15'X 80'

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	15E	9	SE	SE		FISH	

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:
2 P/D IN SESE, S9, T9S, R15E.

15. Basis of Claim: LICENSE

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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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
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Date Received _____

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NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 19 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Richard J. Diven and/or Heidi Diven Phone (208) 543-6268Mailing Address Rt. #4, Buhl, Idaho Zip 833162. Date of Priority (Only one (1) per claim) 11-01-19683. Source of water supply (a) Unnamed streamwhich is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 09S Range 15E Section 09,
1/4 of SE 1/4 of SE 1/4, Govt. Lot, B.M., County of Twin Falls

Additional points of diversion if any: 2nd PD in same legal: T 09S R 15E S 09, SESE

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.

Water is sent through a dam structure holding a pipe which delivers flow
through pens after blocking water at headwall with 2 x 6's.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Fish purposes from 01-01 to 12-31 amount 11,110 or 8030.00

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 11,110 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is -0- acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 2 concrete ponds: raceways 4' deep x 15' wide and 80' long.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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	
09S	15E	09																H	

Total number of acres irrigated N/A

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 XXX 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 (XX)

14. Remarks:

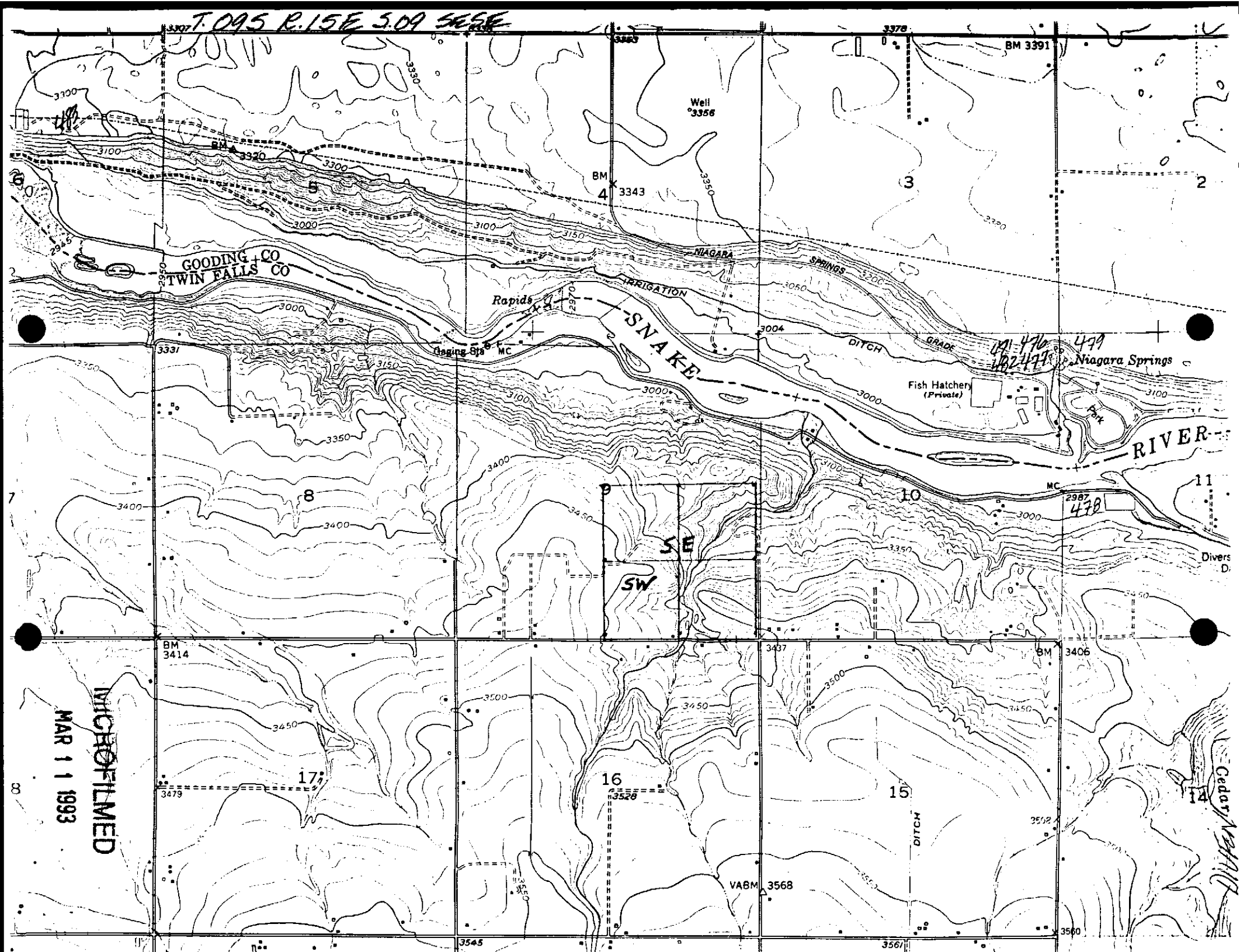
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Last Name Diven Ident No. _____

Copies: White -State, Yellow-Claimant

T.095 R.15E S.09 SESE



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

Decree _____

If applicable provide IDWR Water Right Number 47-07053

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 XX 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 Dec 15, 1988

Date Dec 28, 1988

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

Title

of _____, 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 _____

Title and Organization _____

Date _____

State of Idaho/or _____)

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 28th day of December 19 88

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name Diven Ident. Number _____

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Copies White-State, Yellow-Claimant

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

RICHARD DIVEN hereby nominates and appoints J. Evan Robertson of Nelson, Rosholt, Robertson, Tolman & Tucker, P. O. Box 1906, Twin Falls, ID 83303, as attorney-in-fact with full authority to act for and on behalf of him to execute any and all documents required or necessary to facilitate the filing of a water rights claim in the Snake River adjudication in Idaho.

My agent is hereby authorized to sign, seal, and deliver, as my act in deed, those said instruments of writing that may be necessary or proper to carry into execution and effect the aforementioned. Further, I hereby declare that each and every application, agreement, receipt, or payment which shall be by my said agent given, made or done for the aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of these presents.

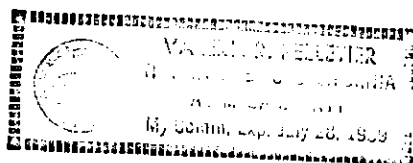
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 16th day of December, 1988.

Richard J. Diven
RICHARD DIVEN

STATE OF California)
County of Alameda) ss.

On this 16th day of December, 1988, before me, a Notary Public, in and for said County and State, personally appeared RICHARD DIVEN, known or identified to me to be the individual whose name is 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.



Valerie A. Pelletier
NOTARY PUBLIC FOR California
Residing at: Hayward
My commission expires: 7/28/93

Water Right Number - 47-07053 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

*** C - CURRENT OWNER ***
DALOS

EDWIN A.

1 - RT. 4
2 -
3 -

City- BUHL State- ID Zip- 83316

DALOS

ECHO M.

Phone -
1 - RT. 4
2 -
3 -

City- BUHL State- ID Zip- 83316

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/01/1968 17 L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
UNNAMED STREAM SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

09S 15E 9 SE SE (83) TWIN FALLS 272.0 410.0 1.0

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

19 - FISH PROPAGATION 01/01 12/31 11.110 8030.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
11.110 8030.00

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

09S 15E 9 SE SE 19 FISH PROPAGATION (83) TWIN FALLS

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

2 P/D IN SESE, S9, T9S, R15E.

Conditions of Approval - - - - - +
R01 - A measuring device of a type approved by this Department shall be
- maintained as a part of the diverting works.

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IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

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Page 2

Water right number - 47-07053

Adj. flag translation: Standard Water Right Number

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Microfilm Rolls -

+ - - Audit Fields - 02/26/85

05/28/88 CONVERT

[illegible]

Proof Due Date	-	00/00/0000
Approved/Denied	-	00/00/0000
Proof Made Date	-	00/00/0000
Start Work Date	-	00/00/0000
Order Show Cause	-	00/00/0000
Licensed Date	-	06/18/1979
Decree Date	-	00/00/0000

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 02/26/1985
Receipt Number -
Appl Received - 00/00/0000

Field Exam Fee	-
Swan Falls	-
Temporary Right	- P
DLE/Carey Act	-
Water District	-
Transfer/Amended	-

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