

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: A75-10941
Date Received: 3/ 2/1993
Receipt No: E015050
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: H.C. & I.V. HAVENS TRUST 208-756-2111
Address: H. DENNIS HAVENS, TRUSTEE
1107 MAIN ST.
SALMON ID 83467

2. Date of Priority: SEP 30, 1939

3. Source: KIDS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	8	NW	NW			LEMHI

5. Description of diverting works:
PUMP IN CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE LISTED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	8	NW	NW		IRR	1.3

Section Acres 1.3

10. Place of Use: Continued

Total Acres 1.3

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

CLAIMANT INDICATES SOURCE IS NOT FROM A SPRING, RATHER, THE CREEK HEADS FROM SPRINGS. THE WATER IS OBTAINED FROM A CREEK PUMP.

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

Ident. Number 675-10941

Date Received _____

Receipt Number E015050/90

RECEIVED

JUL 27 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) H.C. & I.V. Havens Trust Phone (208) 756-2111
Mailing Address P.O. Box E., Salmon, ID Zip 83467
2. Date of Priority (Only one (1) per claim) September, 1939
3. Source of water supply (a) Kids Creek
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 21N Range 22E Section 8,
NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Lemhi
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 _____
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. Pump and spring

A7510941

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount .03 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .03 (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.) _____

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	
21N	22E	8						1.3											1.3

Total number of acres irrigated 1.3

11. In which county (ies) are lands listed above as place of use located? Tenhi

12. Do you own the property listed above as place of use? Yes XX 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 (X)

14. Remarks:

Last Name Havens Trust Ident No. _____

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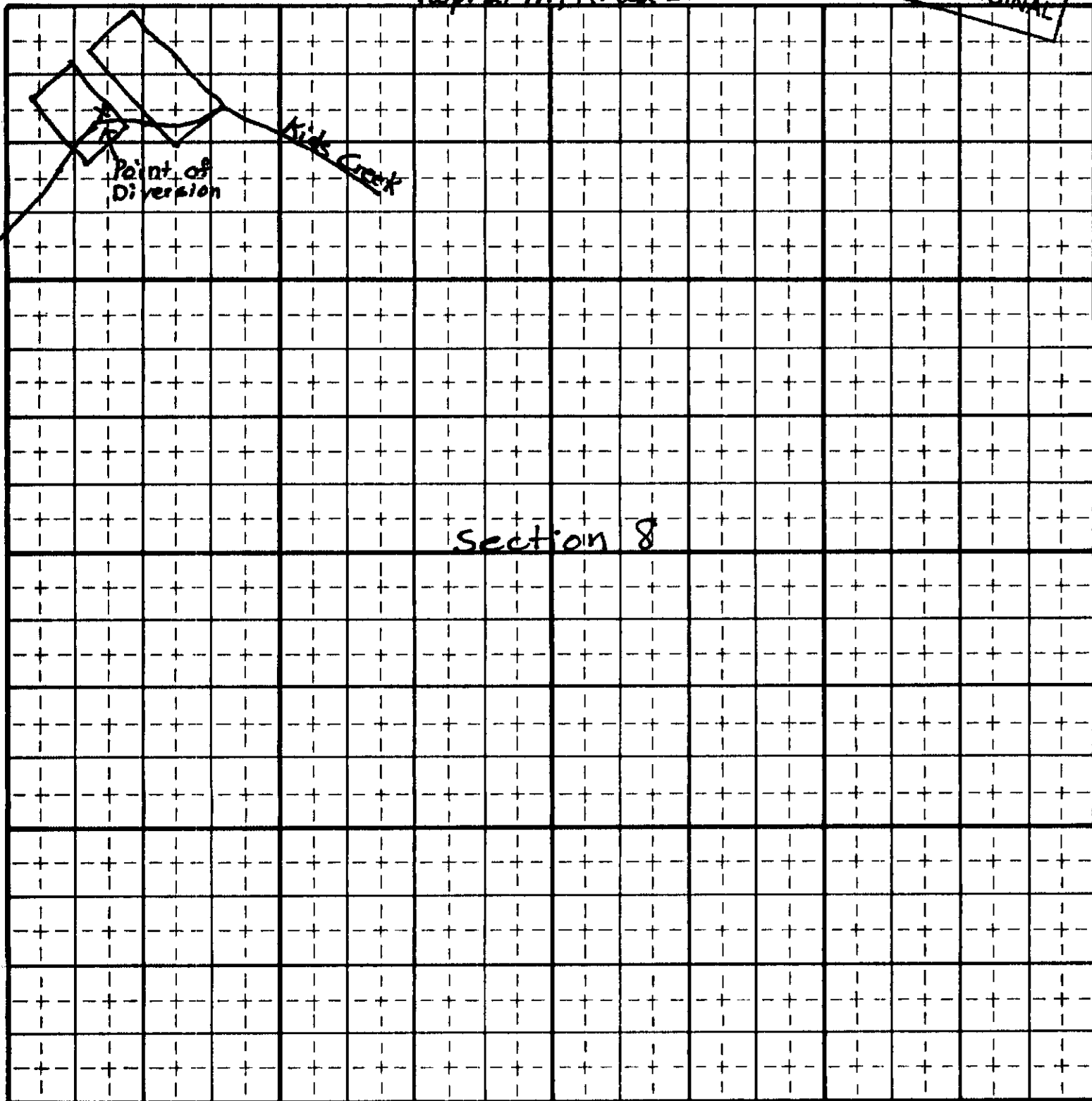
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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

POOR ORIGINAL

Twp. 21 N., R. 22 E.



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Last Name Havens Trust Ident No. _____

APR 19 1994
Copies: White-State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

POOR ORIGINAL

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 _____

of HC + LV Havens Trust _____ Title _____
that I have signed the foregoing
document in the space below as Trustee _____ of HC + LV Havens Trust _____
Title _____ Organization _____

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

Signature of Authorized Agent _____

Title and Organization _____

Date 7/13/90

State of Idaho/or _____)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 13th day of July 19 90

SEAL

Notary Public _____

Residing at Salmon, Idaho

My Commission Expires 9-4-93

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 Havens Trust Ident. Number _____

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APR 19 1994
Copies While State, Show-Claimant

MARCH 3, 1993

HC & IV HAVENS TRUST
H DENNIS HAVENS, TRUSTEE
1107 MAIN ST
SALMON ID 83467

RE: DOMESTIC ADJUDICATION NOTICES; A75-10941,
A75-10942, A75-10943, AND A75-10944

Dear Mr. Havens:

Please find enclosed computer generated copies of your Notices of Claim to a Water Right, A75-10941, A75-10942, A75-10943 and A75-10944. In review of the original claims, the following discrepancies were noted.

A75-10941; The date (month, day, and year) water was first used for the purpose(s) claimed was only partially completed in Item #2. Since the notice only listed a month and year the last day of that month was used to complete the priority date.

Item #5 has been modified to read "Pump in Creek".

A75-10942; The date (month, day, and year) water was first used for the purpose(s) claimed was only partially completed in Item #2. Since the notice only listed a month and a year the last day of that month was used to complete the priority date.

The legal description of the Place of Use was not complete in Item #10, therefore, the legal description of the Point of Diversion, in Item #4, was used to complete the entry.

Item #13 was completed by entering "None". This indicates no other water rights are used at this same location for the same purpose.

A75-10943; Required no modifications.

A75-10944; Item #13 was completed by entering "None". This indicates no other water rights are used at this location for the same purpose.

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HAVENS TRUST
PAGE 2

Please review the Notice(s) for accuracy. In a few cases, modifications were made by the Department for clarity. Should you determine certain items need to be changed, make the necessary changes on this form, sign it, having your signature notarized, and return it to this office by April 5, 1993. If there are no changes simply keep the Notice(s) for your records.

As requested, I have enclosed four Notice of Change of Water Right Ownership forms to accommodate the current recipients of the trust properties. As Trustee, you may sign the change of ownership forms as the Former Owner, in lieu of the signature of the recipient. Thank you for the assistance in this matter.

If you should have any questions regarding this matter please feel free to contact me at (208) 525-7161.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Agent - Adjudications

Enclosures: Notices of Claim A75-10941, A75-10942, A75-10943
and A75-10944

File: TIC

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POOR ORIGINAL

CONVERSATION MEMORANDUM

DATE 3-02-93

FILE A75-10939 H114

A75-10944

NAME OF PARTY H. DEANIS HAVENS

EMPLOYEE ASR

RE: NOTE: CHANGE OF ADDRESS: ~~526~~ 1107 MAIN ST.

MR. HAVENS INFORMS ME THAT HAVENS TRUST WAS DISPERSED
ABOUT 6 MOS. AGO TO TRUST BENEFICIARIES. REQUESTS CHANGE
OF OWNERSHIP FORMS.

RE: A75-10939 AND A75-10941 - BOTH CLAIMS INDICATE

#5 DESCRIPTION OF EXISTING DIVERSION WORKS AS: PUMP AND SPRING
WHILE SOURCE OF WATER, #3, INDICATES KIDS CREEK. MR.
HAVENS STATES THE PUMP IS IN THE CREEK WHICH HEADS
FROM SPRINGS.

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APR 19 1994

JORDAN P. SMITH
ATTORNEY AT LAW
807 MAIN STREET
SALMON, IDAHO 83467
208-756-2257
TELEFAX (208) 756-4626

RECEIVED

JUL 27 1990

Department of Water Resources
Eastern District Office

July 25, 1990

Department of Water Resources
Eastern Region
150 Shoup Avenue, Suite 15
Idaho Falls, ID 83401

Gentlemen:

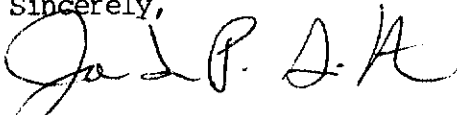
Enclosed please find the following documents:

1. Notice of Claim to a Water right (Havens Trust - Spring Creek)
2. Notice of Claim to a Water Right (Domestic -- Havens Trust - Spring Creek)
3. Notice of Claim to a Water Right (Havens Trust - Kids Creek)
4. Notice of Claim to a Water Right (Domestic -- Havens Trust - Kids Creek)
5. Notice of Claim to a Water Right (Domestic -- H. Dennis Havens - Kids Creek)
6. Notice of Claim to a Water Right (H. Dennis Havens - Kids Creek).

I also enclose Mr. Havens' check number 2960 in the sum of \$531 to cover the fees and penalties for late filing.

If you require any further information, please advise.

Sincerely,



Jordan P. Smith

JPS:sez

Enclosures

cc: H. Dennis Havens

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APR 19 1994

4/5/1989

FBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

HAWENS TRUST

CLAIM NO.

A75-10941

DATE RECEIVED

CK #

AMOUNT \$

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?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ *
3. (a) Is a source entered? ☐ YES ☐ NO ☐ *
(b) Is a tributary to entered? (if required) ☐ YES ☐ NO ☐ N/A ☐ *
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 ☐ NO ☐ N/A ☐ *
Is the consumptive use correct? ☐ YES ☐ NO ☐ 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. ☐ YES ☐ NO ☐ N/A ☐ *
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 ☐ NO ☐ N/A ☐ *
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 ☐ NO ☐ N/A ☐ *
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 ☐ NO ☐ Exempt ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO ☐ N/A ☐ *
22. Should this claim be data entered? ☐ YES ☐ NO ☐ *

Claim checked by: JXDate: 1-31-91Claim must be returned to claimant (Yes) ☐ (No) ☐Claimant must be notified of modifications: (Yes) ☐ (No) ☐

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Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Checked by: _____

Date: _____

Comments: Apply 30th #2 - Need 3rd gtr. for spg. NO
Crabbe right!