

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

01/09/2004

RIGHT NUMBER:	23-4031		
NAME AND ADDRESS:	EDNA HARDEN OTTINO PO BOX 72 SWAN VALLEY ID 83449-0072		
SOURCE:	UNNAMED SLOUGH	TRIBUTARY:	RAINEY CREEK
QUANTITY:	0.110 CFS		
PRIORITY DATE:	07/01/1959		
POINT OF DIVERSION:	T01N R43E S1 NENWNE Within BONNEVILLE County		
PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u> IRRIGATION	<u>PERIOD OF USE</u> 04/15 10/31	<u>QUANTITY</u> 0.110 CFS
PLACE OF USE:	<u>IRRIGATION Within BONNEVILLE County</u> T01N R43E S01 NWNE 5.3		

5.3 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

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: A23-04031
Date Received: 8/15/1989
Receipt No: E009855
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDNA HARDEN OTTINO
Address: P.O. BOX 72
SWAN VALLEY, ID

208-483-3804

83449

2. Date of Priority: JUL 01, 1959

3. Source: UNNAMED STREAM

Trib. to: RAINEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	43E	1	NE	NW	NE		BONNEVILLE

5. Description of diverting works:
3 HP. CENTRIFICAL PUMP WITH 14 RAINBIRD TYPE SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.140		

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

A.F.A.

8. Total consumptive use is

17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	43E	1	NW	NE	2	IRR	7.0
Section Acres							7.0

A23-04031

Page 1

Date: 08/15/89

MICROFILMED
NOV 10 1992

A2304031



10. Place of Use: Continued

Total Acres 7.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE PLACE OF USE IS ALSO KNOWN AS LOTS 18, 19, 20, 21, 28 AND 29
IN SWAN VALLEY.

15. Basis of Claim: STATUTORY CLAIM

OF WHAT?

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Edna Harden Ottens Date: 8/15/89

Date: _____

State of Idaho

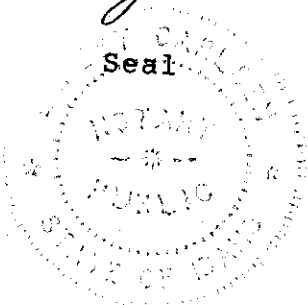
County of Bonneville)
) ss.

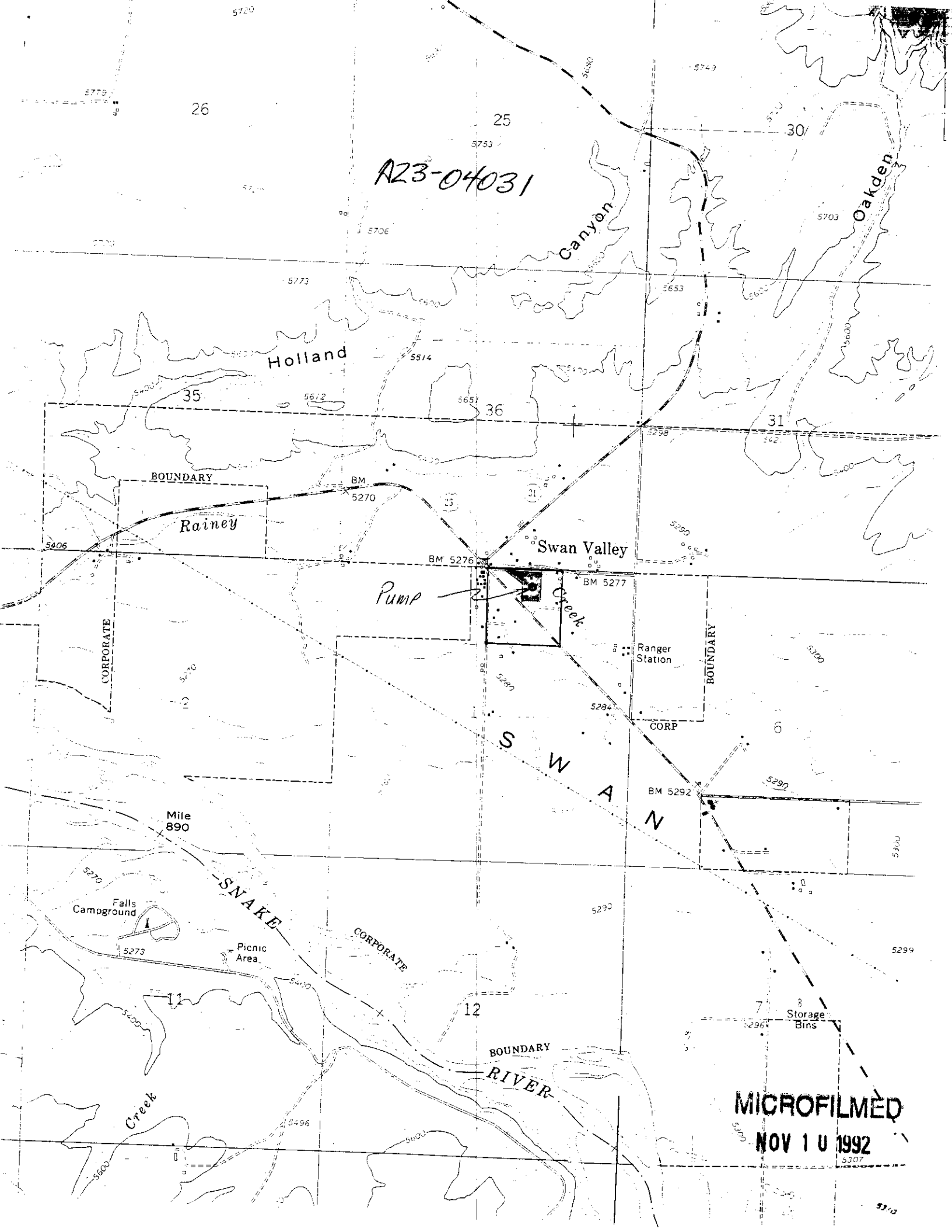
Subscribed and sworn (or affirmed) before me this 15 day

of Aug 19 89

Ernest Carlson
Notary Public

Residing at Black Falls, ID.
My Commission Expires 6-14-1994





A23-04031

Pump

Swan Valley

MICROFILMED

NOV 1 U 1992

04/03/2002

Contacts Data Entry Form

23-4031

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner EDNA HARDON COTTINO

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner CLAIMANT RESIDES IN NEVADA PART OF YEAR

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

STATUTORY CLAIM FOR 942-243 ICALTERNATE ADDRESS
P.O. Box 2089
OVERTON, NV89040PH: (702) 397-6804MID OCT. TO MID-APRILREQUEST FOR EVIDENCE OF PRIORITY MAIL 3/26/03.
2 AFFIDAVITS & CANCELS CHECK - OK8/14/03 Met w/ Mr. & Mrs. Offine Discussed USE, SOURCE etc.FE INDICATOR: POU, POP, IRRIG PRACTICE (pump) Measures?

Reviewer: _____

Date: _____

04/03/2002

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T IN, R 43E, Sec. 1, NE, NW, NE, County: BONN.Source: UNNAMED STREAM Tributary: RAINY CKRecommended Point of Diversion: T IN, R 43E, Sec. 1, _____, _____, _____, County: BONN.Source: RAINY CK Tributary: SNAKE RIVER

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov	Lot	QQQ of QQ of Q	County	Source	Tribs To:
<u>IN</u>	<u>43E</u>	<u>1</u>				<u>BONN</u>	<u>UNNAMED Slough</u>	<u>RAINY CK</u>
GPS Coordinates:								
GPS Coordinates:								
GPS Coordinates:								
GPS Coordinates:								
GPS Coordinates:								
GPS Coordinates:								
GPS Coordinates:								
GPS Coordinates:								

Other rights from this POD? CPS POD TAG# AOC 12417 (ON SHED DOOR)Noble's
019

Document how the POD and Source were verified and/or Pump and Motor data:

CLAIMS SOURCE AS UNNAMED STREAM. OQ-Y43
ACTUALLY AN UNNAMED Slough ⇒ SO RECOMMENDED

Motor: CENTURY BLECT., 3HP, # LB 4642
Pump: STA-RITE, MODEL DHH 67-3, 1 1/2 DISCH.
14 NOZZLES of 1 1/4"

Transfers Changing POD _____

Reviewer: _____

Date: _____

② Motor/Pump: AOSmith, 1HP, SN 1095
Pump model 390 262451, 1 1/2 suction

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 7/1/1959 Claimed Basis: STAT.Recommended Priority Date: 7/1/1959 Recommended Basis: BU☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

EVIDENCE REQUESTED BY MAIL 3/27/032 AFFIDAVITS IN FILE ≈ 1959 OKCheck for Pump 1959 OK

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
Total Acres								

Recommended Place of Use

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
1N	43E	1			BROWN			Forest
Total Acres								

Document how the POU was verified:

POU claims 7 ACRES - GPS DON'T SEEM TO INDICATE 7 AC.

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Irrig</i>	<i>4/1</i>	<i>11/1</i>	<i>0.14</i>	

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<i>Irrig</i>	<i>4/15</i>	<i>10/31</i>		

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

MeasurB system - Pump? NO < 0.20 cfs

Reviewer: _____

Date: _____

March 26, 2003

**Edna Harden Ottino
P.O. Box 72
Swan Valley ID 83449**

RE: EVIDENCE OF PRIORITY FOR WATER RIGHT CLAIM 23-04031

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 29. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". 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, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim referenced above, shows a Priority Date of July 1, 1959, for the unnamed stream.

I have enclosed a photo illustration of the immediate area showing parcel ownership according to the Bonneville County Assessor. Please indicate on the photo the location of the well and the 7 acres that are owned and irrigated by you.

Please return the annotated photo with the evidence of priority.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a 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. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit the documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding Claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim (copy) 23-04031

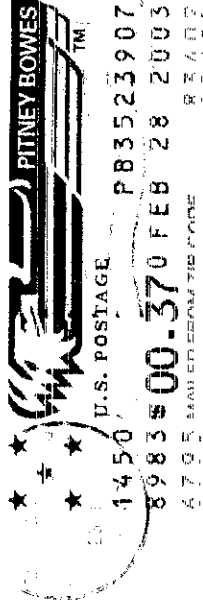
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

0771 072

EDNA HARDEN OTTINO
PO BOX 72
SWAN VALLEY ID 83449

OTTIO72 1A34492005 1802 04 03/03/03
OTTINO RETURN TO SENDER
RETURN TO SENDER



RECEIVED

OCT 31 1994

Department of Water Resources
Eastern District Office

October 28th, 1994

RE Claim #A23-04031

To Whom it may concern:

I, Estle Traugbber, know by personal observation that Albert & Edna Harden were irrigating by a sprinkler system by the fall of 1959; the place of said sprinkler irrigation is as follows:
T-01N R-43E S-1 — Boise Meridian — Also known as follows — Lots 18, 19, 20, 21, 28 and 29 — Swan Valley Plat.

Respectfully submitted
Estle Traugbber
Estle Traugbber

Frances H. Weeks
residing at: Brown 10 83428
My commission expires: 11/18/98

MICROFILMED
NOV 07 1996

October 28th, 1994

RE CLAIM # A23-04031

To Whom it May Concern:

I, Edna Harden Ottino, affirm that I and my late husband, Albert Harden, did commence sprinkler irrigation in the fall of 1959; the place of said sprinkler irrigation is as follows:

T.-01N R-43E S-1 - Boise Meridian -
Also known as follows - lots 18, 19, 20,
21, 28 and 29 - Swan Valley Plat.

Respectfully submitted,
Edna Harden Ottino
~~Edna Harden Ottino~~

Frances H Weeks
residing at Owner 10 83428
my commission Expires 11/18/98

RECEIVED
MICROFILMED
OCT 31 1994
NOV 07 1994
Department of Water Resources
Eastern District Office

A23.04031

MR. OR MRS. ALBERT HARDEN
BOX 72
SWAN VALLEY, IDAHO

285

August 28 1967 92-41
1241

PAY TO THE ORDER OF *Semi State Irrigation* \$ *213.08*
Two Hundred Thirteen and 08/100 DOLLARS

THE BANK OF COMMERCE
IDAHO FALLS, IDAHO

Sprinkler pipe Mrs. Albert Harden
⑆1241⑈004⑆ 3 109 220 8⑈ ⑈0000021308⑈

MR. OR MRS. ALBERT HARDEN
SWAN VALLEY, IDAHO

SEP 21 1959 50-I 1951 92-40
1241

DATE *Sept. 16* 19 *59* NO. *59*

PAY TO THE ORDER OF *Montroville Pumping* \$ *219.52*
Two hundred Nineteen and 52/100 DOLLARS

IDAHO FALLS OFFICE
First Security Bank of Idaho
NATIONAL ASSOCIATION
IDAHO FALLS, IDAHO

Albert Harden

Irrigation pipe 02 1173919

MICROFILMED
NOV 07 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 28, 2003

Dear Claimant in the Snake River Basin Adjudication (SRBA):

About 12 years ago you or your predecessor filed with the Idaho Department of Water Resources a claim to water rights in the Snake River Basin. The investigation phase of this process is now focused on your area, Basin 23.

You are invited to attend a **public meeting to be held on March 10 at 2:00 p.m. in the Swan Valley Elementary School Gymnasium, 3389 Swan Valley Hwy, Irwin.** The purpose of this meeting is for (1) the Department to update you on how the adjudication process works, and (2) for you, the claimant, to express concerns or discuss problems relating to water delivery in your area. This will help us to understand from an historical perspective the use and delivery of your water right.

Throughout this summer our adjudication staff, primarily from our Eastern Regional Office but also at times from Boise, will be contacting various water users in Basin 23. We ask for your cooperation in this process – the better we understand your water rights the better chance of you receiving an accurate decree from the SRBA Court that fully describes your water rights.

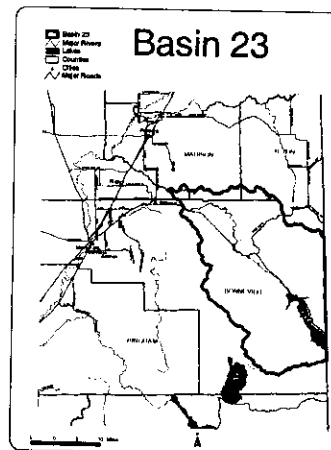
This investigation effort is being conducted by an experienced and successful staff. During recent years, this staff has accurately investigated and reported water rights in neighboring basins, including the Big Lost River, the Little Lost River, Birch Creek, Camas Creek and Portneuf River.

Please contact the Idaho Falls Office with any questions.

Sincerely,

Ernest Carlsen
Adjudication Supervisor, Eastern Region

Enclosures: Information Brochure



Log for claim 23-04031

Spatial Dynamics LTD

6/6/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01n43e	1	NWNE	7	5.6	
Totals:			7	5.6	



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
23-04031

Place of Use: (part of)
T1N, R43E Sec. 1 NWNE

Point(s) of Diversion:
T1N, R43E Sec. 1 NENWNE



LEGEND



Point of Diversion

SESE

Place of Use

Section

Quarter-Quarter

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: January 2004

31

26

Swan Valley

CRISP

JACOBSON

KENNEDY

OTTINO*

OTTINO*

CRISP

T2N, R43E

T1N, R43E

T2N, R44E

T1N, R44E

36	31
1	6

CROMWELL

GHETIA

GRIFFEL

CROMWELL

ALLEN

CAMPBELL

CAMPBELL

CRAFT

OLAVESON

OTTINO*

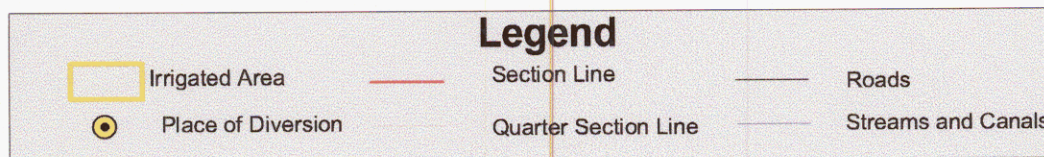
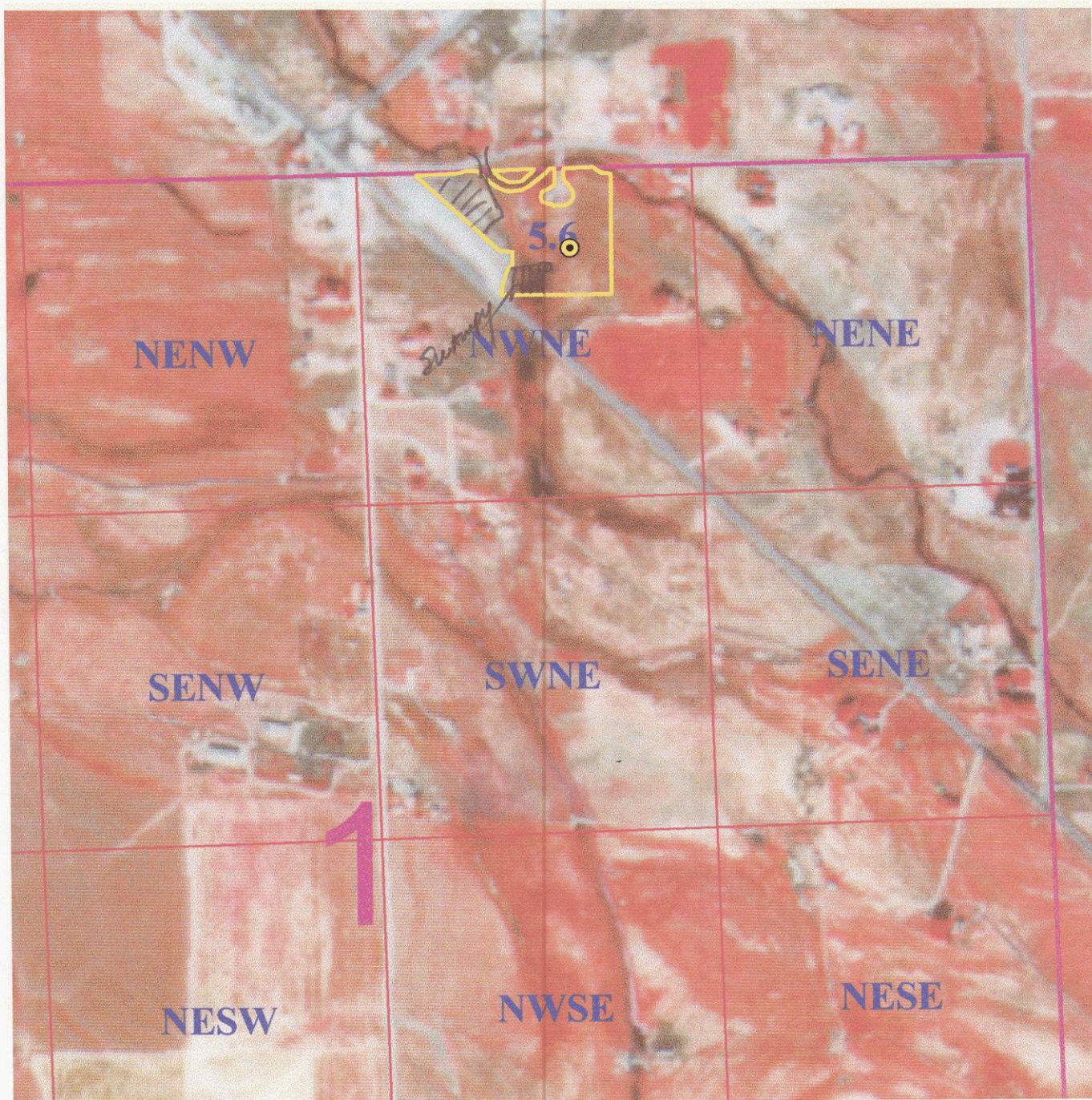
CRISP

CAMPBELL

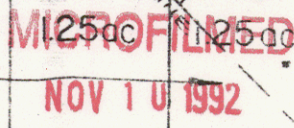
Rainey Creek

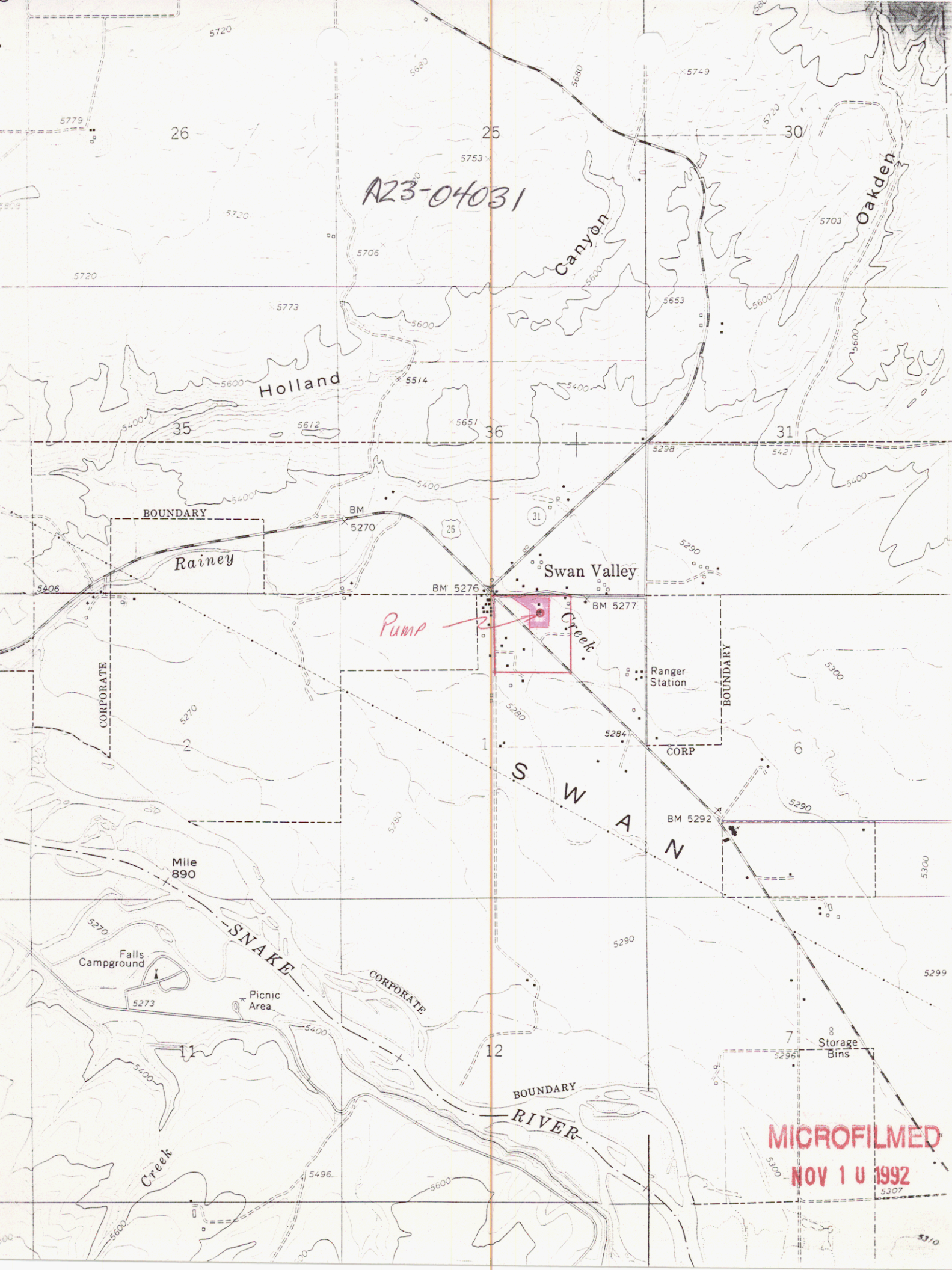
Water Right Claim Number 23-04031
Township , 1N43E

06/06/2001



A23-04031





A23-04031

Pump

MICROFILMED
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