

01/17/2001

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

RIGHT NUMBER: 31-10665

NAME AND ADDRESS: BETTE LINDERMAN
1366 N 1350 W
NEWDALE, ID 83436

SOURCE: GROUND WATER

QUANTITY: 0.10 CFS

PRIORITY DATE: 12/31/1925

POINT OF DIVERSION: T06N R35E S21 SWSWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC 4 HOMES	01-01 12-31	0.10 CFS

PLACE OF USE:

DOMESTIC Within JEFFERSON County
T06N R35E S21 SWSW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-10665

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BETTE LINDERMAN 1366 N 1350 W NEWDALE, ID 83436 (208)456-2345
Original Owner	SHAYNE LINDERMAN TERRETON, ID 83450 (208)663-4564

Priority Date: 12/31/1925
Basis: Beneficial Use
Status: Valid

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01	12/31	0.1 CFS		
Total Diversion	0.1 CFS				

Location of Point(s) of Diversion:

GROUND WATER	SWSWSW	Sec. 21	Township 06N	Range 35E	JEFFERSON County
--------------	--------	---------	--------------	-----------	------------------

DOMESTIC Use:

Number of homes: 4
Number of other uses: 1 Washroom Facilitie

Place(s) of use:

Place of Use Legal Description: DOMESTIC	JEFFERSON County
--	------------------

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
06N	35E	21		SWSW										

Conditions of Approval:

1. C18 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.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
csaxton	1/17/01	Recommendation	ECVR questions not answered for Domestic and Commercial rights.

Dates:

Water Right 31-10665

Licensed Date:
 Claim Received Date: 12/29/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	1/17/01 12:00:29 PM	csaxton			In Process
Priority Date	1/17/01 12:01:39 PM	csaxton			In Process
Summary	1/17/01 12:20:30 PM		1/17/01 12:20:30 PM	csaxton	Complete

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
Contacts	1/17/01 12:00:27 PM	csaxton	1. Appointment has not been scheduled.
			Comment for 1: Desktop Review
Priority Date	1/17/01 12:01:37 PM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source.
			4. (YES) The basis of claim is beneficial use.
			4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use.
			10. (YES) The claim file contains sufficient evidence of priority date.
			12. (YES) The claim is recommended.
			13. (YES) The claim is coded correctly.
			14. (NO) Priority remark was not required.
			15. (NO) Priority condition was not required.
Summary	1/17/01 12:20:28 PM	csaxton	1. (YES) The basis of the claim is beneficial use.
			2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed.
			5. (NO) General remark was not required.
			6. (NO) Explanatory remark was not required.
			7. (YES) Additional condition was required.
			8. (YES) Wanted to view the recommended right.
			9. (NO) This is not a split right.
			10. (NO) This is not a combined right.
			11. (NO) Documents were not linked or attached to this file.
			12. (YES) Set the verification date.

AJ0749NP
No. A31-10665

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE
C	BETTE LINDERMAN 1366 N 1350 W NEWDALE ID 83436 (208) 456-2345	12/31/1925	COMMERCIAL DOMESTIC	01-01 12-31 01-01 12-31	0.02 CFS 0.10 CFS
TOTAL DIVERSION:					0.12 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: BENE

Point(s) of Diversion:

T06N R35E S21

SWSWSW

JEFFERSON Co

Place of use Legal Description for: COMMERCIAL

				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
06N	35E	21	:					:					:					:				

Place of use Legal Description for: DOMESTIC

				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
06N	35E	21	:					:					:					:				

POU County: JEFFERSON

Non-Irrigation Uses: D/FOUR HOUSEHOLDS, C/ONE SM. MANU. BLDG.(WASHROOM FACILITIES).

Other Rights: NONE

Remarks: GEN WELL HAS BEEN USED IN THE PAST FOR P/D FOR WR#31-07010. WELL IS
NOW USED EXCLUSIVELY FOR THIS CLAIM(A31-10665). SMALL COMM.
BUILDING MANUFACTURES POTATOE CONVEYOR CHAIN.
CHANGED OWNERSHIP PER REQUEST/JH/4-3-98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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: A31-10665
Date Received: 12/22/1988
Receipt No: 5005381
Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHAYNE LINDERMAN 208-663-4564
Address: TERRETON, ID 83450

2. Date of Priority: DEC 31, 1925

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	35E	21	SW	SW	SW		JEFFERSON

5. Description of diverting works:
WELL AND PUMP TO FOUR HOMES AND ONE SMALL MANUFACTURING BLDG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.100		
COMMERCIAL	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/FOUR HOUSEHOLDS, C/ONE SM. MANU. BLDG.(WASHROOM FACILITIES).

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	35E	21	SW	SW		DOMEST	
			SW	SW		COMMER	

A31-10665

Page 1

Date: 12/22/88

A310665



MICROFILMED

NOV 18 1992

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:

WELL HAS BEEN USED IN THE PAST FOR P/D FOR WR#31-07010. WELL IS
NOW USED EXCLUSIVELY FOR THIS CLAIM(A31-10665). SMALL COMM.
BUILDING MANUFACTURES POTATOE CONVEYOR CHAIN.

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) *[Signature]* Date: 12-27-88
Date: _____

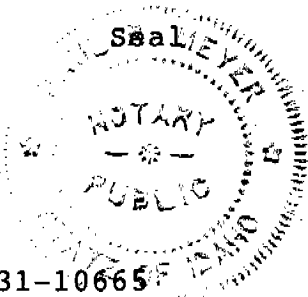
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of Dec 19 88

[Signature]
Notary Public

Residing at *[Signature]*

My Commission Expires 9-12-94



A31-10665

Page 2

Date: 12/22/88

MICROFILMED

NOV 18 1992

A310665

4787

4784

4857

JACKET

4856

4784

0

Well

4855

4786

BM

4785

4784

T6N
R35E

50'
4854

21

4853

4787

4788

P/D
3

4852

28

4851

NOT FILMED
JUL 13 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 3, 1998

BETTE LINDERMAN
1366 N 1350 W
NEWDALE ID 83436

RE: CHANGE IN OWNERSHIP FOR A31-07004, A31-07010, A31-07087, A31-07253, A31-07283, A31-07284, A31-07285, A31-07312, A31-10665

Dear Ms. Linderman:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
FEB 27 1998
Department of Water Resources
Eastern Region

DATE OF CLOSING: 4 April, 1997

LEGAL DESCRIPTION OF PROPERTY: See Attached Exhibit "A"

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[x] Water Rights Number(s)
Assigned by IDWR:

blank record
A31-10664, A31-10665, A31-07283, ✓
A31-07253, A31-07284, A31-07087, ✓
A31-07010, A31-07004, A31-07312 ✓
and A31-07285 ✓

[x] Name and Address of Former
Owner/Claimant(s)(Seller):

Linderman Terreton Farms, Inc.
1366 North 1350 West
Newdale, Idaho 83436

[x] New Owner/Claimant
(Purchaser):

Bette Linderman, Individually and as
Personal Representative of the Estate of
Shayne T. Linderman and Catherine
Linderman, a single woman

[x] New Mailing Address:

1366 North 1350 West
Newdale, Idaho 83436

[x] New Telephone Number:

(208) 456-2345

[x] Does the change in ownership result in a splitting of the water right owned/claimed?
_____ yes x no. If yes, then describe the portion of the water right that is
now owned/claimed by the new owner:

A31-10665

3-1-93

To whom it may concern:

POOR ORIGINAL

Dear Sirs;

In the year 1967, Shayne Linderman and Wemar Bott purchased land from Bill Siddoway. At that time there was a drilled well on the property. At this time we installed a pump in this well for culinary use.

At a later date an irrigation pump was also installed in the same well for irrigation.

The well is located in the Terreton area.

Description as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$

Sec. 21 TOWNSHIP 6N R. 35E

Wemar Bott

This is to Certify that on March 2, 1993 Wemar Bott known to me, signed this paper.

Newdale, Id 83436. Maes Robinson Notary Public.
Madison County, Idaho.

My Commission Expires 1994

MICROFILMED

APR 15 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION
FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

POOR ORIGINAL

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Bas Adjudication (SRBA). The Notice 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 Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a 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.

It is important that each element of the Notice be substantiated. 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 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 all of the 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".

EVIDENCE OF PRIORITY
Page - 2 -

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

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, 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.

Respectfully submitted,


Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED

APR 15 1994