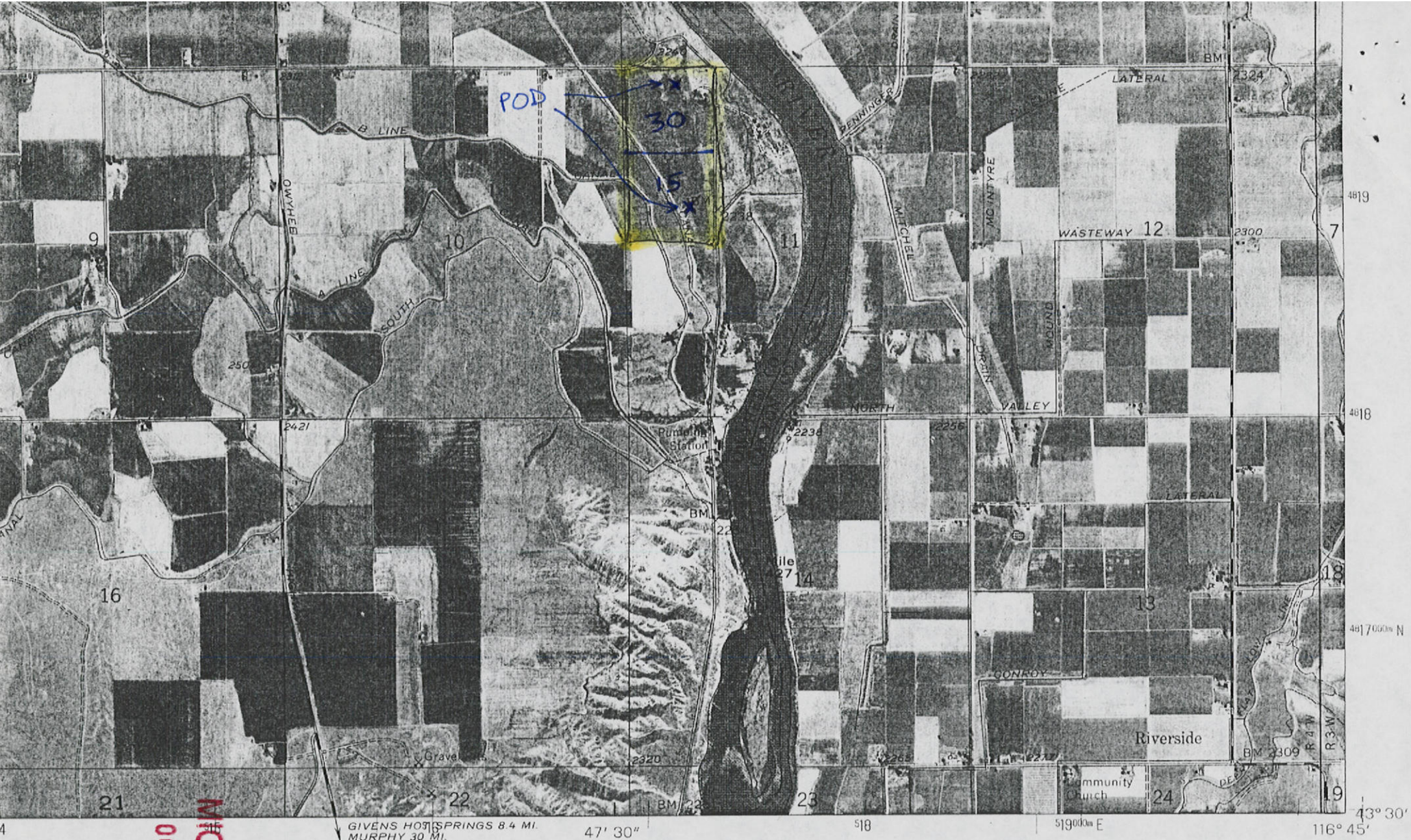




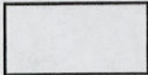
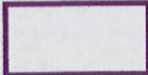
Idaho Department of Water Resources

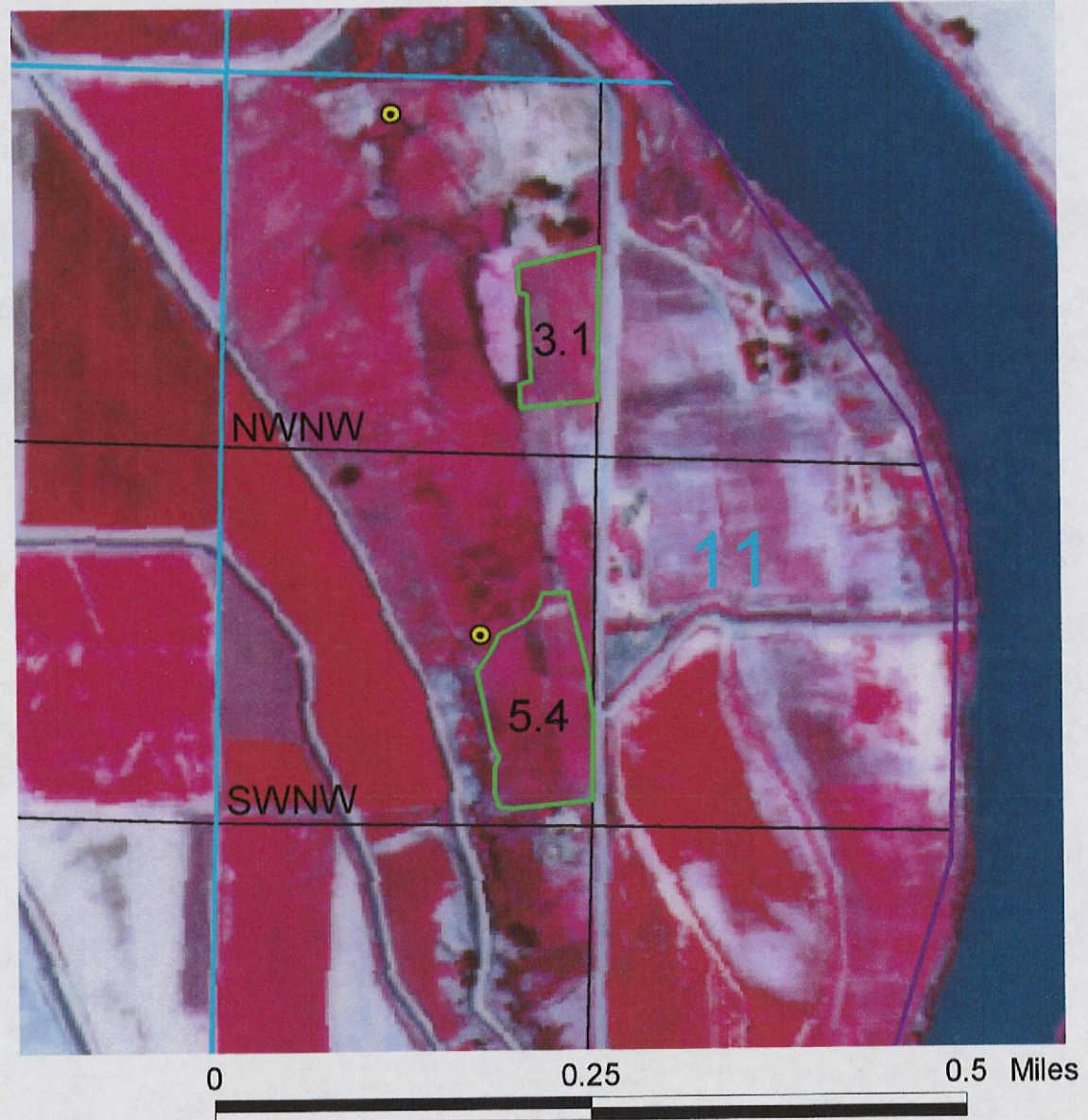
1987 Napp Photo

Claim Number: 57-04060

Legal: T02N, R04W, S11

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



GAVIOLEA

R4W

2N, 4W

POB #1

Home

3 1/2
10 1/4
1208
2015 T129

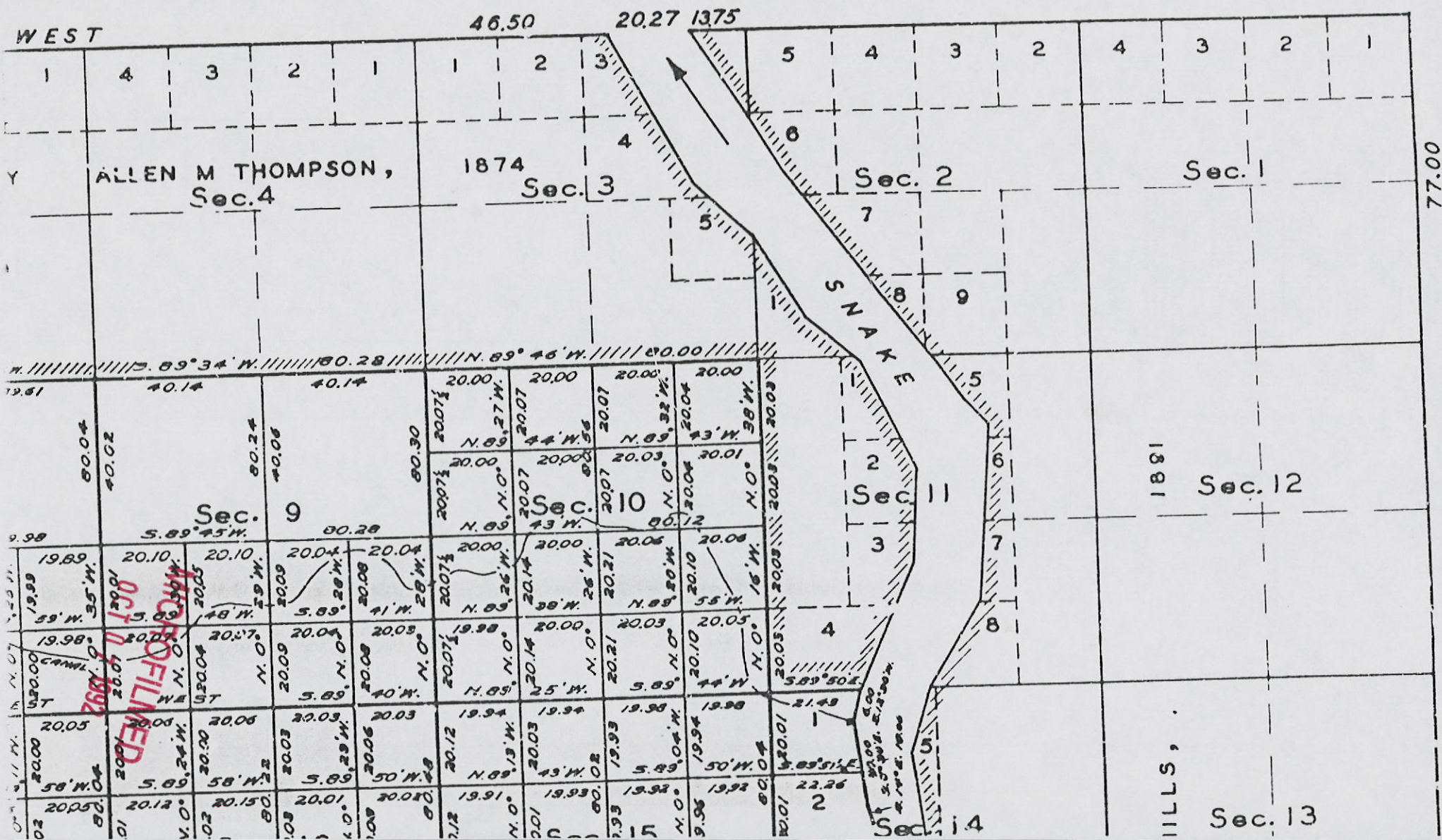
A736
341A T300

pus

A 13.2
B 11.4
C 9.3
D 5.1
E 10.1
F 4.5

cell 32

MICROFILMED
OCT 07 1992



David - A57-04060

11-90



P/D #1 -

Spring arised
here in bog area
and flows into
different channels
thru pasture area.



Pasture area -
water from
spring ends
up in the
ditch which
holds water
prior to
irrigation.

Davidson

11-90



Repression in
background holds
water before
irrigation of
land around
house



← Pond where
water naturally
soaks up if
not used.

Pond is quite
large, but
appears fairly
shallow.

MICROFILMED
OCT 07 1992

Laviola - A57-04060

11/90



P/D #2 -
Spring flows
into ditch -



Water
is dammed
in ditch
to allow
flow
into
corrugations
for
gravity
irrigation.

MICROFILMED
OCT 07 1992

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: A57-04060
Date Received: 12/14/1988
Receipt No: C003924
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EVELYN F. GAVIOLA 208-896-4231
Address: RT. 1 BOX 173
MARSING, ID 83639

OR
Name: JULIO GAVIOLA 208-896-4231
Address: RT. 1 BOX 173
MARSING, ID 83639

2. Date of Priority: JUL 01, 1939

3. Source: SPRINGS Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	04W	11	NE	NW	NW		OWYHEE
			SE	SW	NW		OWYHEE

5. Description of diverting works:
DITCH & GRAVITY IRR. SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.900		
STOCKWATER	01/01	12/31	0.130		

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

8. Total consumptive use is 157.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 DAIRY AND 50 HEIFERS

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	04W	11	NW		NW		IRR	30.0
			SW		NW		IRR	15.0
							Section Acres	45.0
							Total Acres	45.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
GEM IRRIGATION DISTRICT, WELL

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 1

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):

Julio Garcia

Date:

Dec. 14 88

State of Idaho)

) SS.

County of ADA)

Subscribed and sworn (or affirmed) before me this 14TH day

of DECEMBER 19 88

Jeff Peppersack

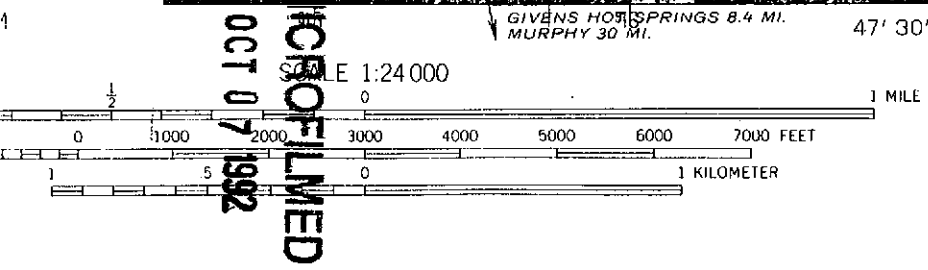
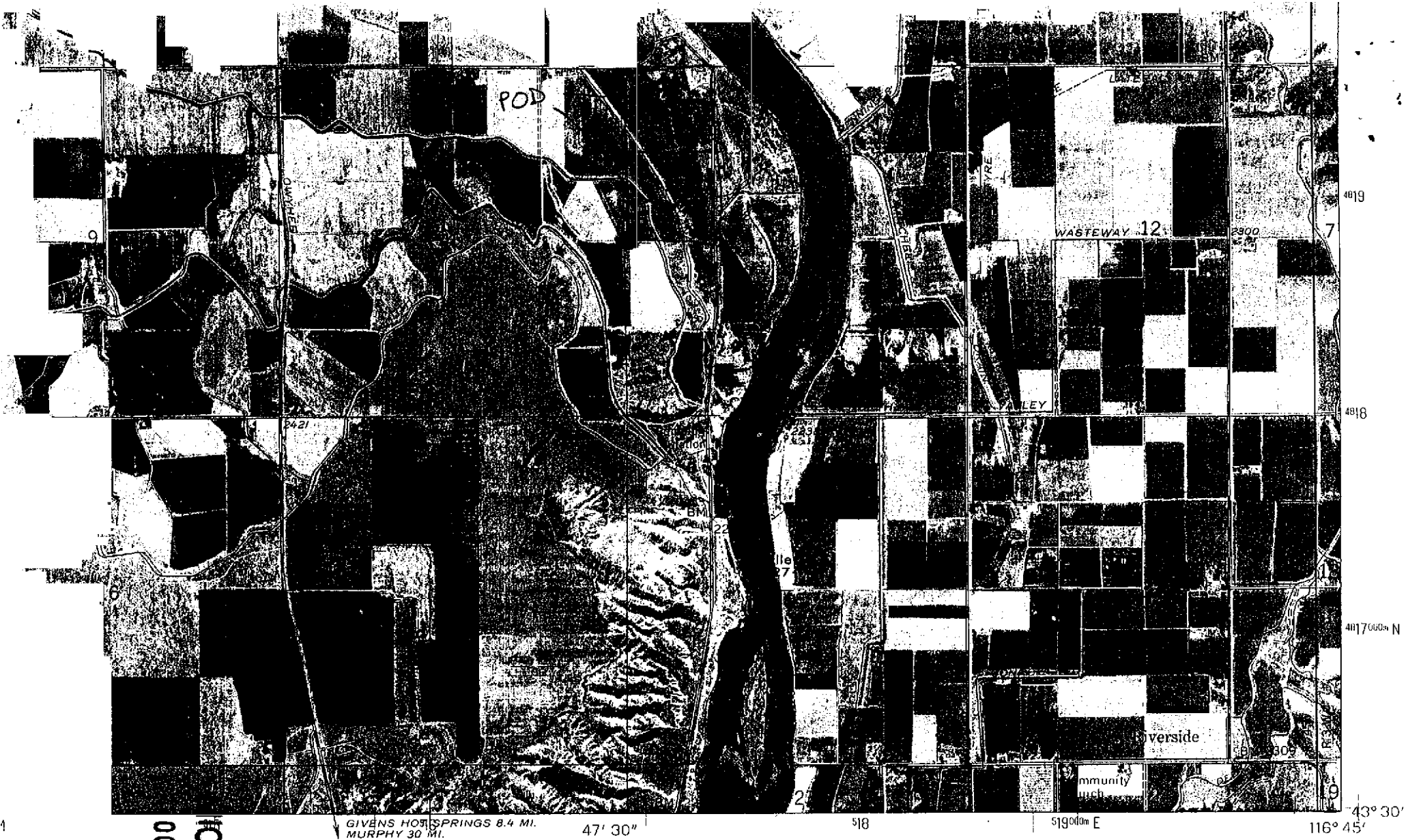
Notary Public

Seal

Residing at _____

My Commission Expires _____

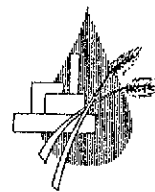
Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994



MARSING, IDAHO
N4330-W11645/7.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Julio &/or Evelyn F. Gaviola
(Name of Claimant)
Rt. 1 Box 173 Marsing, Id. 83639 Telephone No. 896-4231
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 7/1/1939

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Springs tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.90 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity	<u>.13</u>	Use	<u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 1.03 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 11, Twp. 2N, Rge. 4W, B.M., County of Owyhee
Additional points of diversion: SWNW¼, Sec. 11, T2N, R4W.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Gravity ditch below springs - gravity irrigation system.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>2N</u>	<u>4W</u>	<u>11</u>						<u>30</u>	<u>15</u>										<u>45</u>

No. of acres 45

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 150hd/dairy

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks South Board of control water rights also on
this land.

P.D. 30A
 P.D. 15A
 T 2 N
 R 4W
 11

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.
)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Julio Garcia
(Claimant)

Sworn to before me this 20 day of October, 19 81

Nancy M. Northway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by 9 KN Date 10/20/91 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by KG Date 10/21/91 claimant by: _____
 3d \$28.00 fee received by 9 KN Date 10/20/91 # 20296
 Published in Orange Register _____
 Dates 10-29 - 11-5-91 _____

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-04060

Date: 2-11-03

	TMS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim																				
	2N	4W	11						3.5	5										8.5
GIS									3.1	5.4										8.5
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 8.5

Overlapping FOU Claim #'s:

Total GIS Acres: 8.5

COMMENTS:

Per claim map.

Idaho Department of Water Resources

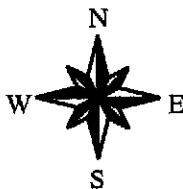
Claim Number: 57-04060

Legal: T02N, R04W, S11

Reviewed By:

1987 Napp Photo

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines
- Township/Range Lines



0 0.25 0.5 Miles

A horizontal scale bar with three segments. The first segment is labeled '0', the second '0.25', and the third '0.5 Miles'.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-04060

1998 FEB -9 PM 1:08

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: EVELYN F GAVIOLA
JULIO GAVIOLA
RT 1 BOX 173
MARSING ID 83639

SOURCE: SPRINGS TRIBUTARY: SNAKE RIVER
QUANTITY: 0.3 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/01/1939

POINT OF DIVERSION: T02N R04W S11 NWNWNW Within Owyhee County
SESWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.17 CFS
	STOCKWATER	01-01 12-31	0.13 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T02N R04W S11 NWNW 3.5 SWNW 5
8.5 ACRES TOTAL

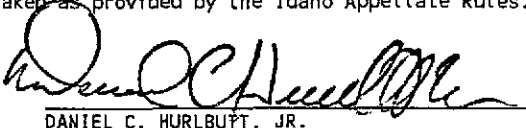
Place of use for STOCKWATER is same as IRRIGATION

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBURT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 14, 2003

JULIO GAVIOLA
EVELYN F GAVIOLA
6523 OLD BRUNEAU HWY
MARSING ID 83639

RE: Water Right No. 57-4060

Dear Claimant(s):

This office has received the enclosed documents, previously mailed to you from the SRBA Court, in which were returned due to the address on file not being current. We apologize for any inconvenience this may have caused. If your address is different than listed on the documents from the SRBA Court, please complete the enclosed Address Change form and return to this office at your earliest convenience.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

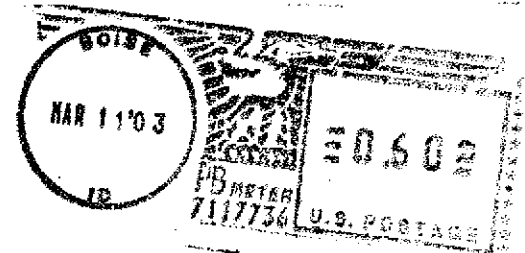
A handwritten signature in cursive script that reads "Denise Hatfield". The signature is written in dark ink and is positioned above the printed name and title.

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705



 **RETURNED
TO SENDER**

- ☐ Moved, Left No Address
- ☐ Attempted, Not Known
- ☐ Unclaimed ☐ Refused
- ☐ No Such Street
- ☐ No Such Number
- ☒ Insufficient Address

57-4060

RECEIVED

MAR 13 2003

WATER RESOURCES
WESTERN REGION

JULIO GAVIOLA
EVELYN F GAVIOLA
N BRUNEAU HWY
MARSING ID 83639

Owyhee County
Assessor

3-13-03

6523 Old Bruneau Hwy
Marsing

Sent again 3/13/03



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 10, 2003

RECEIVED

MAR 13 2003

WATER RESOURCES
WESTERN REGION

JULIO GAVIOLA
EVELYN F GAVIOLA
N BRUNEAU HWY
MARSING ID 83639

RE: Water Right No. 57-4060

Dear Claimant(s):

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Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Denise Hatfield".

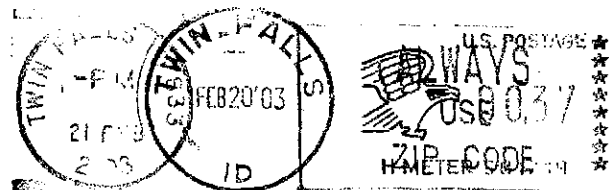
Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

59-4060



RECEIVED

MAR 10 2003

WATER RESOURCES
WESTERN REGION

N. Bruneau Hwy - Marsing

Evelyn F Gaviola
Julio Gaviola
Rt 1 Box 173
Marsing, Idaho 83639

RETURNED TO SENDER

- ☐ Moved, Left No Address
- ☒ Attempted, Not Known
- ☐ Unclaimed ☐ Refused
- ☐ No Such Street
- ☐ No Such Number
- ☐ Insufficient Address

83303/2707



Sent again w/ address chg form 3/10/03

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

February 20, 2003

Evelyn F Gaviola
Julio Gaviola
Rt 1 Box 173
Marsing, Idaho 83639

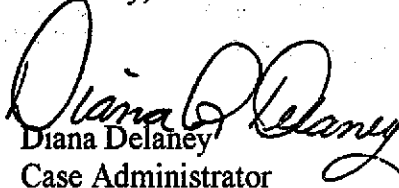
Dear Water Right Claimant(s):

This letter accompanies a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 57-04060. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order*, in combination with the *Partial Decree* that was issued for this water right on February 9, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of this water right. The original of the *Order* and the original of the *Partial Decree* for this water right is on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued on the same date that the *Partial Decree* was originally issued.

Sincerely,


Diana Delaney
Case Administrator

2003 FEB 20 PM 1 53

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

	)	Water Right 57-04060
In Re SRBA	)	
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, NUNC PRO TUNC

A *Partial Decree* was entered for the above-captioned irrigation water right on February 9, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on July 26, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-01 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated February 20, 2003

A handwritten signature in black ink, reading "Roger Burdick", is written over a horizontal line.

ROGER BURDICK

Presiding Judge

Snake River Basin Adjudication

AJ0749NP
No. R57-04060

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

DATE: 12/08/97
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EVELYN F GAVIOLA	07/01/1939	IRRIGATION	03-15 11-15	0.17 CFS	
C	JULIO GAVIOLA		STOCKWATER	01-01 12-31	0.13 CFS	
	RT 1 BOX 173					
	MARSING ID 83639			TOTAL DIVERSION:	0.30 CFS	
	(208) 896-4231					

Water Source: SPRINGS Tributary to: SNAKE RIVER Stage: BENEFICIAL USE

Point(s) of Diversion: T02N R04W S11 NWNWNW SESWNW OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
02N	04W	11	:									03	05							:	8.5
																				TOTAL ACRES	8.5

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OWYHEE

Other Rights: GEM IRR. DIST.

Conditions of Approval:

- W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.
- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

Remarks: EXP STOCKWATER, 100 DAIRY COWS & 50 HEIFERS.

Dates: Exam Made Date: Verified Date: 12/08/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 12/08/97 KWALKER

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: DEC-08-1997

PAGE: A-1

RIGHTS FROM: SOURCE: SPRINGS TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-04060

NAME AND ADDRESS: EVELYN F GAVIOLA
JULIO GAVIOLA
RT 1 BOX 173
MARSING ID 83639

SOURCE: SPRINGS TRIBUTARY: SNAKE RIVER

QUANTITY: 0.3 CFS

THE QUANTITY FOR NON/IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR STOCKWATER, 100 DAIRY AND 50 HEIFERS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/01/1939

POINT OF DIVERSION: T02N R04W S11 NWNWNW Within Owyhee County
SESNNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	0.17 CFS
		<u>03/15 11/15</u>	
STOCKWATER		01-01 12-31	0.13 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T02N R04W S11 NWNW 3.5 SWNW 5
8.5 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

CONSUMPTIVE USE: 2918 APY

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: DEC-08-1997

PAGE: A-2

57-04060 (CONT.)

USE OF THIS RIGHT IS COMBINED WITH WATER FROM
GEM IRRIGATION DISTRICT.

STOCKWATER, 100 DAIRY COWS & 50 HEIFERS.

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JULIO GAVIOLA	07/01/1939	IRRIGATION	03-15 11-15	0.17 CFS	
C	EVELYN F GAVIOLA RT 1 BOX 173 MARSING ID 83639 (208) 896-4231		STOCKWATER	01-01 12-31	0.13 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.30 CFS 29.8 AFA

Water Source: SPRINGS

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T02N R04W S11 NWNWNW SESWNW OWYHEE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
02N	04W	11	:					:					:					:					:	8.5
																							TOTAL ACRES	8.5

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 100 DAIRY AND 50 HEIFERS

Other Rights: GEM IRR. DIST.

Conditions of Approval:

W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.

Dates: Exam Made Date: 11/01/1990 Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 07/31/91 WALKER 11/13/91 WALKER 07/14/92 SCHULTZ 07/29/92 PR-PRODM

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OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:26:32
06/04/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-04060

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	N	JS 10-12-90 KW 5-20-91	KW & rm 11-90	N	5	KW 11-13-91	KW 11-13-91	
POINT OF DIV	N	N		Y	5			
SOURCE	N	N		N	5			
PLACE OF USE	N	N		Y	5, 2			
DIV. AMOUNT CFS/VOLUME	N	N		Y	5			
CONSUMPTIVE USE	-	N		Y	5			
PURPOSES	N	N		N	5			
PERIOD OF USE	N	N		N	5			
BASIS OF CLAIM	N	N		N	5			
REMARKS	Y	N		N	5			
		N		N	5			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

Gen. Irrig. Dist. water

MICROFILMED
OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:26:32
06/04/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-04060

LAST: GAVIOLA
ADDRESS: RT. 1 BOX 173
CITY: MARSING
PHONE NUMBER: 208-896-4231

FIRST: EVELYN F.

STATE: ID ZIP: 83639

OWNER CODE: C

LAST: GAVIOLA
ADDRESS: RT. 1 BOX 173
CITY: MARSING
PHONE NUMBER: 208-896-4231

FIRST: JULIO

STATE: ID ZIP: 83639

OWNER CODE: C

FIELD EXAM REQUIRED? Y- kw

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER
kw

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CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

~~See~~ See field exam - telephone conversation
memorandum.

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don't come after
3:00 in pm
needs Mannings(?)

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT Evelyn Gaviola

PHONE NUMBER 896-4231 ADJ. AGENT Kay 1/2

DATE SET FOR EXAM anyday before 3:00

LOCATION/DIRECTIONS 1 1/2 miles upriver from

Manning on Old Bruneau Hwy. 1 blk. after
bridge - left across tracks - only dairy farm
in area.

Diverting at full rates? NO

Type of measuring devices? _____

Places to make measurements? _____

Type of System? (pipelines, ditches) gravity flow

How many laterals are used? _____

Length and size of mainline? _____

Size of motor used for each P/D? _____

Estimate of depth to water? N/A

Pressure at well? N/A

Pressure at sprinkler heads? N/A

COMMENTS _____

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A. AJ CLAIM: # A57-04060 PRIORITY DATE: 07-01-1939 STAGE: S

B. WR RECORD: # 57-04060 PRIORITY DATE: 07-01-1939 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
[Signature]

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
07-01-1939

REVIEWED BY *[Signature]*

DATE

11-13-91

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OCT 07 1992

RECEIVED

MAY 31 1991

Department of Water Resources
Western Regional Office

Archie Dept of Water Resources

This is our evidence supporting our
water claims on our springs.

Claim No A57-04060

Julio Gavila
Box 740
Maricopa, AZ 83639

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OCT 07 1992

RECEIVED
MAY 31 1991

Department of Water Resources
Western Regional Office

May 29, 1991

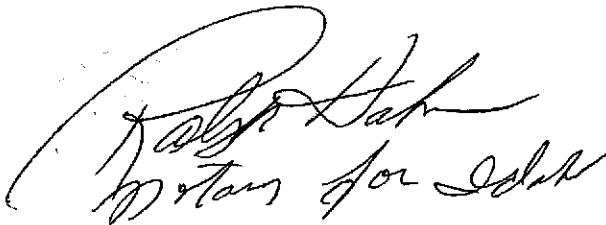
Idaho Dept. of Water Resources
Western Region
2735 Airport Way
Boise, Id 83705

Dear Sir:

I can verify that Julio and Evelyn F.
Gaviola have used water for cattle and
irrigation on their farm since 1939.

Sincerely,

Carroll Johnstone



Robert L. Hahn
Director for Idaho

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OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-04060	02N	04W	11	NE	NW	NW		OWYHEE
A57-04060	02N	04W	11	SE	SW	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-10244 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SPRINGS

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-04060	02N	04W	11		NW	NW		OWYHEE
57-04060	02N	04W	11		SW	NW		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A57-10244 NONE
A57-10803

SOURCE: SPRINGS

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER

[Signature]
[Signature]

REMARKS:

claimant added 10-ac. tract descriptions to p/d's -

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>2N</u>	<u>4W</u>	<u>11</u>	<u>NW</u>	<u>NW</u>	<u>NW</u>	<u>—</u>	<u>Owyhee</u>
<u>2N</u>	<u>4W</u>	<u>11</u>	<u>SE</u>	<u>SW</u>	<u>NW</u>	<u>—</u>	

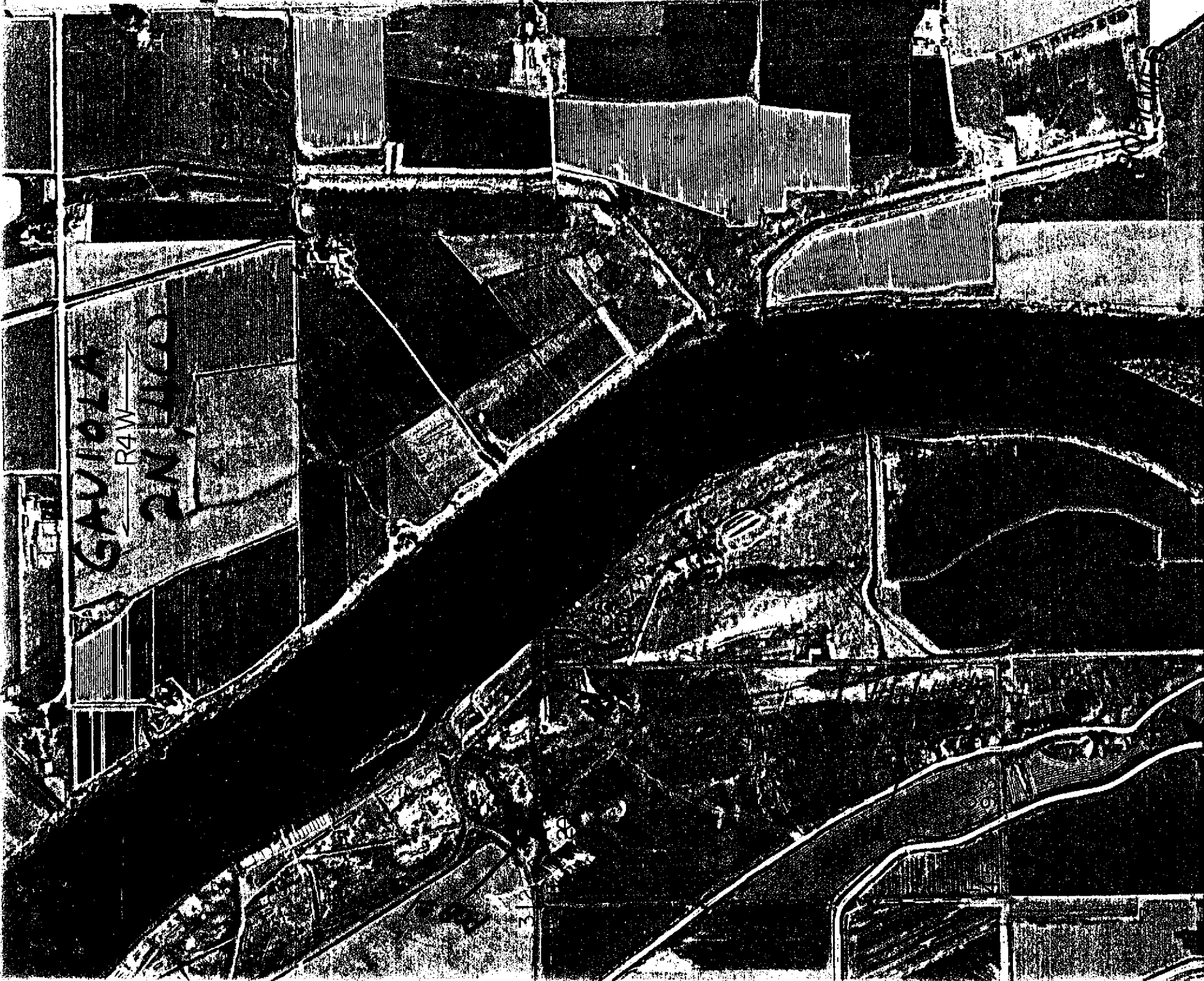
SOURCE: SPRINGS ✓

TRIB: SNAKE RIVER ✓

REVIEWED BY: KW

DATE: 11-13-91

MICROFILMED
OCT 07 1992

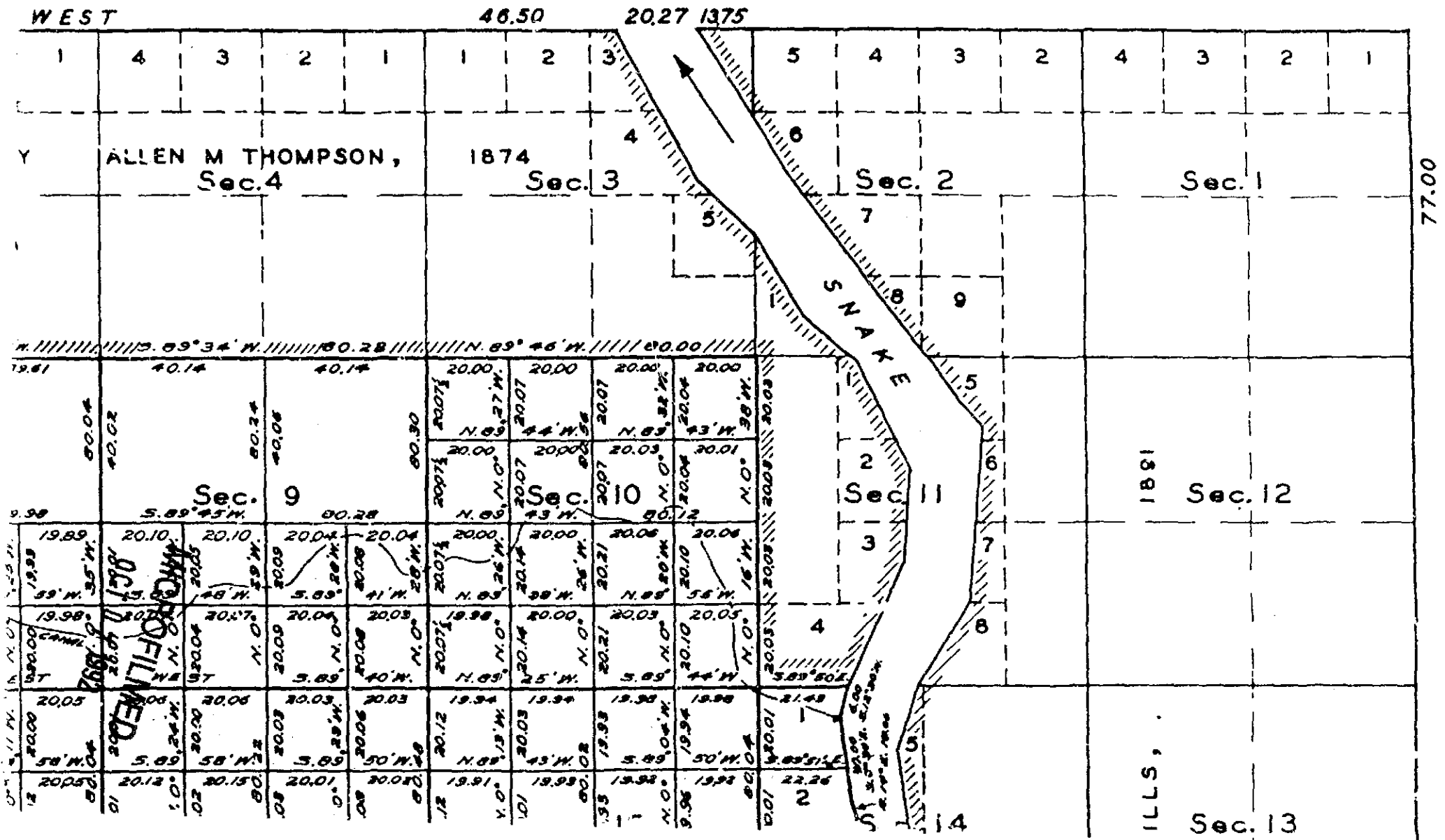


GAU101A

R4W

2N11C

No. 2 North WEST OF THE BOISE MERIDIAN, ID RESURVEY AND SUBDIVISION OF SECTIONS



A. ROOT WATER RIGHT NUMBERS: A57-04060

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	04W	11	NW	NW		GAVIOLA, EVELYN F.	A57-04060 /30.0	57-04060 /30.0	42.0	3.5	3.5
						GAVIOLA, JULIO	A57-10244 /	- /			
						SPRING VALLEY LIVESTOCK CO.,	IA57-10803 /	- /			
						GEM IRRIGATION DISTRICT		02-02014 /40.0			
						GEM IRRIGATION DISTRICT		02-02276 /22.0			
						THE GEM IRRIGATION DIST.		A02-00064 /			
						THE GEM IRRIGATION DIST.		A02-00065 /			
02N	04W	11	SW	NW		GAVIOLA, EVELYN F.	A57-04060 /15.0	57-04060 /15.0	45.0	5	5
						GEM IRRIGATION DISTRICT		02-02014 /40.0			
						GEM IRRIGATION DISTRICT		02-02276 /18.0			
						THE GEM IRRIGATION DIST.		A02-00064 /			
						THE GEM IRRIGATION DIST.		A02-00065 /			
TOTAL ACRES							A57-04060	45.00	45.00	87.00	8.5

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(✓) N()

IF YES SEE ATTACHED SHEET:

uses Gem Irrig. Dist. water

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

FW

PRESUMPTION FLAG:

REMARKS:

Claimant only irrigates a portion of his land with these springs - Uses mostly Gem Irrig. Dist. shares.

RECOMMENDATIONS:

TOTAL ACRES: *8.5*

REVIEWED BY: *KW*

DATE: *11-13-91*

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OCT 17 1992

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-04060 IRRIGATION	FROM 03-15 TO 11-15	.900 CFS
A57-04060 STOCKWATER	FROM 01-01 TO 12-31	.130 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.030 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-04060 IRRIGATION	FROM 03-15 TO 11-15	.900 CFS
57-04060 STOCKWATER	FROM 01-01 TO 12-31	.130 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.030 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<i>[Signature]</i>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<i>[Signature]</i>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<i>[Signature]</i>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

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OCT 07 1992

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.030 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.030 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

DATABASE EXAMINER
Y

FIELD
EXAMINER
fw

*Measurement was
required but not
possible. See photos
of diversion points
attached.*

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: GEM IRRIGATION DISTRICT, WELL

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-04060	STOCKWATER	GAVIOLA , EVELYN F.	FROM 01-01 TO 12-31	.130 CFS	
A57-10244	DOMESTIC	GAVIOLA , JULIO	FROM 01-01 TO 12-31	.040 CFS	
A57-10244	STOCKWATER	GAVIOLA , JULIO	FROM 01-01 TO 12-31	.040 CFS	
A57-10803	STOCKWATER	SPRING VALLEY LIVESTOCK CO.,	IFROM 01-01 TO 12-31	.230 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 8.5 x 0.02 CFS/ACRE = 0.17 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 157.5 AF/A

ACRES 8.5 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 ✓ =

TOTAL CONSUMPTIVE USE 29.8 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 0.900 <u>0.17</u>	DATABASE EXAMINER <u>N/A</u>	DATABASE EXAMINER 157.5 <u>29.8</u>
STOCKWATER	01-01 12-31	0.130 <u>0.13</u>		
TOTAL FOR THIS RIGHT		1.030 <u>0.30</u>		<u>29.8</u>

REVIEWED BY: kw

DATE: 11-13-91

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OCT 07 1992

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(✓)	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-04060

N/A

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.030

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-04060	1.030	-		57-04060	1.030
	TOTAL CFS	1.030				1.030

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

Kay Walker

Kay Walker

11-13-91

Sr. Agent

MICROFILMED
Oct 07 1992

DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet For

SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Claim Verification Report(CVR)
☒ Copy of Adjudication Claim
☒ Copies of pertinent files(prev. rts., exams, etc.)
☒ Well Inspection Form (If Needed)
☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography
☒ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.)
☒ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap yes no If yes: copy of claims & water rights incl?
Type of Overlap? Add acres or uses to existing system
Increase rate of flow or volume
Other:
☒ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
Overlap yes no If yes: copy of claims & water rights incl?
Type of Overlap? Increase rate of flow or volume
Add P/D's
Increase number of acres within tracts
Different source for same acres
Other:
☒ Appointment Letter Sent? 10-19-90 kw (initial & date)
☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- Fully Completed and Signed CVR Form
Photographs of Point(s) of Diversion and Place of Use
Completed map outlining Point(s) of Diversion and Place of Use

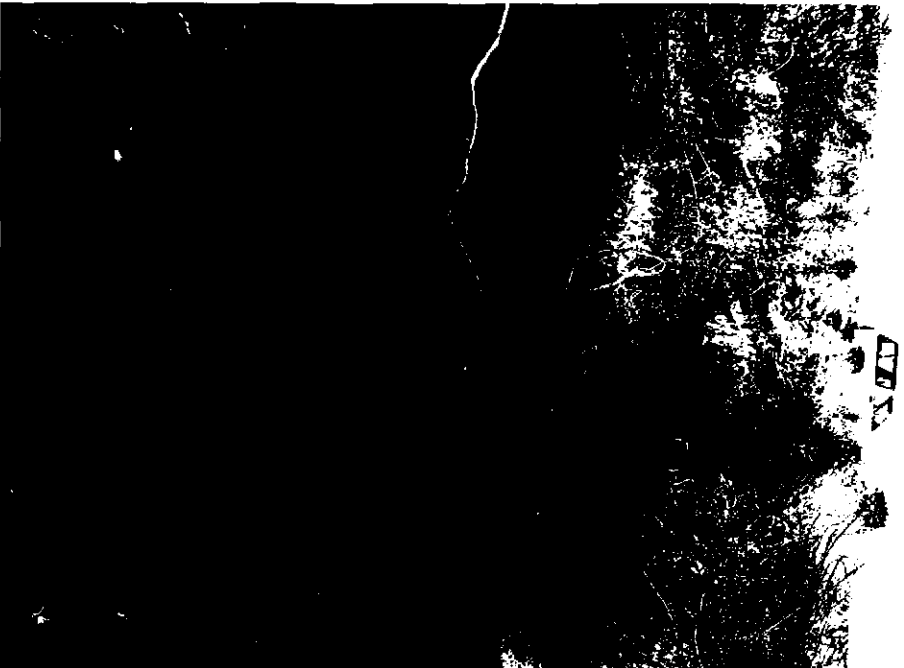
C. Review and Processing:

- Claim No. submitted for weekly exam completed prog. report? Yes No
Exam completed date data entered on claim (initial & date)
Claim Verification Report completed (initial & date)
Was CVR spot-checked by Supervisor? Yes No (initial & date)
R claim file created (initial & date)
Recommendations entered on R claim file (initial & date)

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OCT 8 7 1992

David - A57-04060

11-90

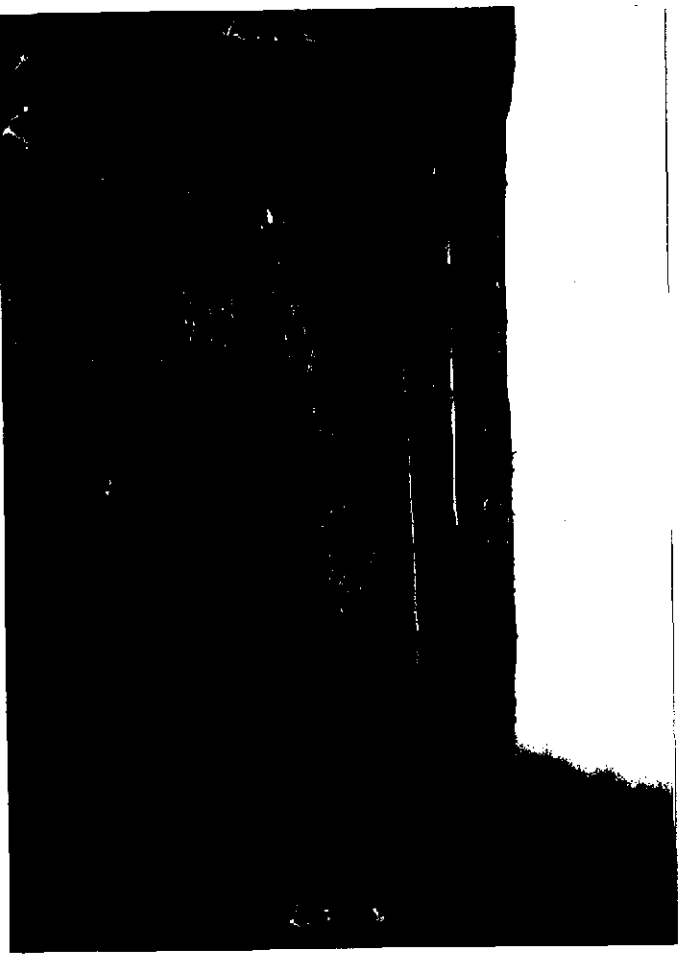


P/D #1 -

Spring arises
here in bog area
and flows into
different channels
thru pasture area.

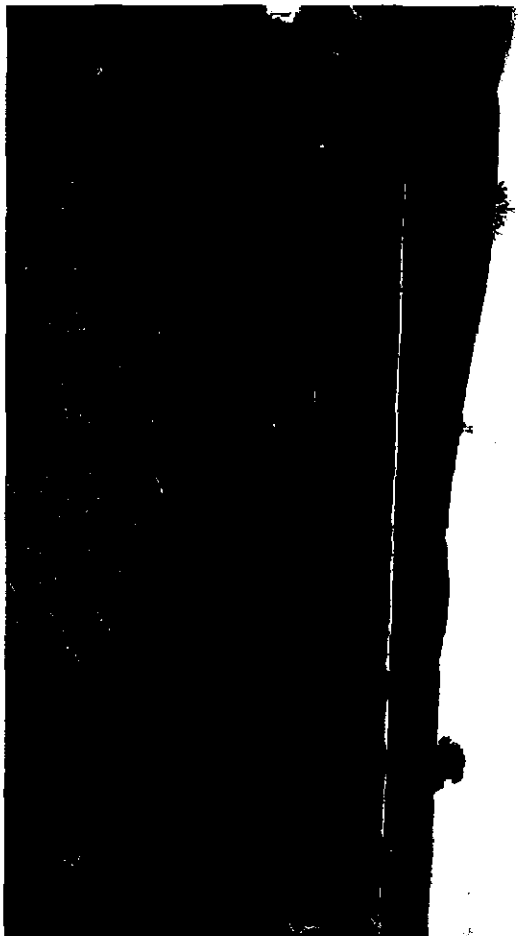
Pasture area -

water from
spring ends
up in the
ditch which
holds water
prior to
irrigation.

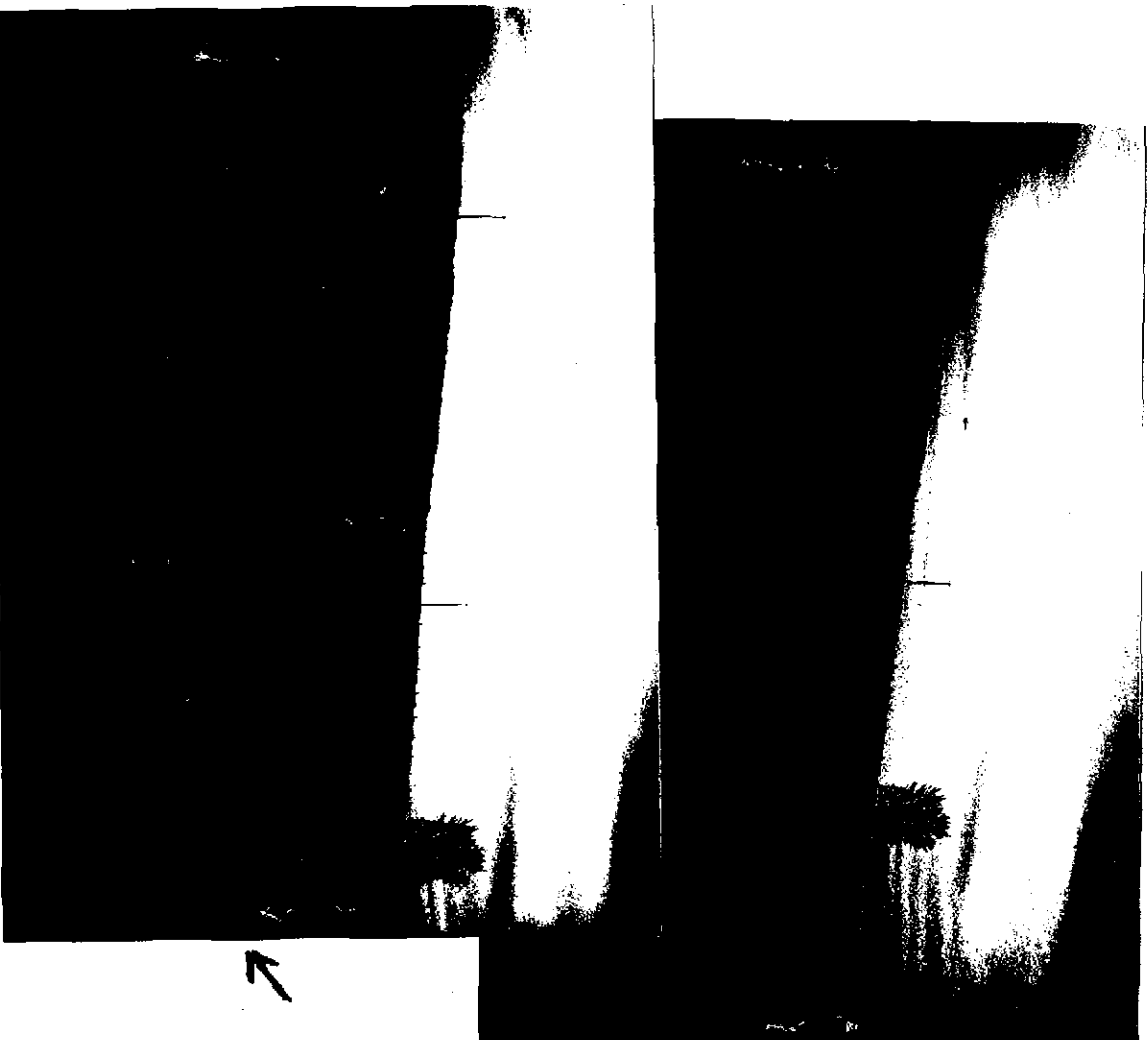


Davidson

11-90



Repression in
background holds
water before
irrigation of
land around
house



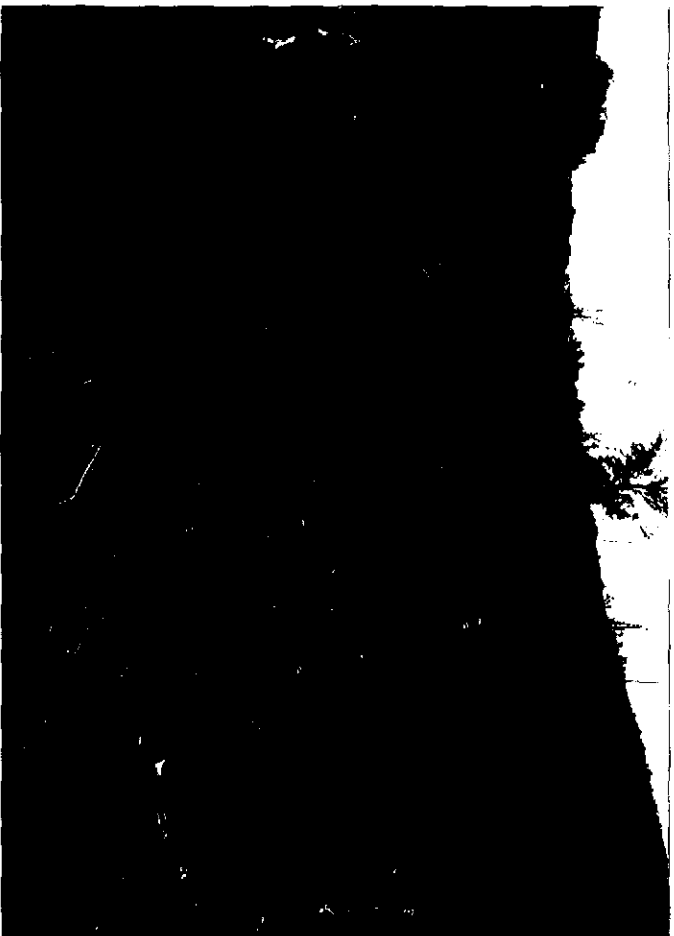
← Pond where
water naturally
ends up if
not used.

← Pond is quite
large, but
appears fairly
shallow.

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OCT 07 1992

Harwood - A57-04060

11/90



P/D #2 -
Spring flows
into ditch -



Water
is dammed
in ditch
to allow
flow
into
conduits
for
gravity
sewage.

MICROFILMED
OCT 07 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

MAILING DATE: May 20, 1991

RESPONSE DATE: June 3, 1991

RE: NOTICE OF CLAIM NO. A57-04060 Springs

Julio &/or Evelyn F. Gaviola
Rt. 1, Box 173
Marsing, ID 83639

Dear Mr. and Mrs. Gaviola:

We are currently in the process of preparing the above referenced Notice of Claim for court decree in the Snake River Basin Adjudication. During this review certain questions arose concerning the claims listed above. All claims with an A57 prefix number are being reviewed at this time. If you have other claims with this prefix, that are not shown here, we may be contacting you again if questions should arise during their review.

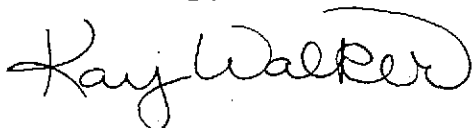
This claim was filed based on beneficial use of water dating back to July 1, 1939. On October 12, 1990, the Department sent you a letter requesting that you submit evidence supporting the priority date you have listed on the above claim. This evidence was to have been submitted by December 1, 1990. However, this evidence has not been received in our office.

Before the Department can make a recommendation to the Court for decree of this claim, some evidence of the priority date claimed must be submitted. Again we are enclosing a brochure outlining types of evidence you may submit. If we do not receive the requested information, this claim will be recommended for disallow due to lack of evidence supporting any priority date.

MICROFILMED
OCT 07 1992

Thank-you for your cooperation. If you should have any questions, or need help in any way, please feel free to contact me at (208)334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in dark ink and is positioned above the typed name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosure:
Evidence of Priority Brochure

MICROFILMED
OCT 07 1992

October 19, 1990

Evelyn F. &/or Julio Gaviola
Rt. 1, Box 173
Marsing, ID 83639

RE: Claims filed in the Snake River Basin Adjudication

Dear Claimants:

The Department of Water Resources is now conducting beneficial use and water right claim verification examinations in your area. An examination is needed to verify your water use in order to issue a water right license and/or decree.

Information on your permit or claim which may need to be verified includes source of water, type of usage, amount of water used and legal descriptions of the point of diversion and/or place of use.

In order to expedite these field examinations, due to the oncoming winter months, we request that you contact our office at (208)334-2190 within two weeks to make an appointment at a time convenient for you.

Although it is not mandatory that you accompany the field examiner, it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system, could accompany the examiner it would be appreciated.

In some cases, the date of priority also needs to be verified. Recently, letters were sent to some claimants notifying them that evidence of the date of first use of their water right(s) was required. If you received one of these letters and have questions, we can address those during our examination.

If you have any questions or problems with the exam verification, please call within the two week period.

Sincerely,

KAY WALKER
Water Resource Agent

KW:k

MICROFILMED
OCT 07 1992

2N 4W 11

State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

October 12, 1990

RE: Claim No(s): A57-04060

CECIL D. ANDRUS

GOVERNOR

A57-04060

EVELYN F. GAVIOLA

R. KEITH HIGGINSON

RT. 1 BOX 173

DIRECTOR

MARSING

ID 83639

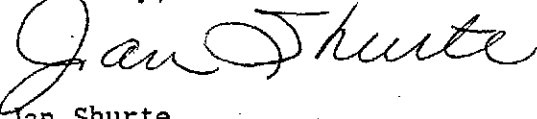
In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no license, decree or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of first use, or "Priority Date", for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes the types of evidence required and explains what kind of documents will fulfill this requirement. While we encourage you to read the entire pamphlet, we would like to direct your attention to the right-hand half of this pamphlet once you open it. There you will find information concerning the evidence requirements mentioned above. The other sections describe to you why this evidence is necessary.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, cannot be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the above claim(s) have been or soon will be conducted by Department personnel.

Please submit the required evidence supporting the priority date(s) by December 1, 1990, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact a water resource agent in this office.

Sincerely,



Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

MICROFILMED
OCT 07 1992