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Documents
In File

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: A57-10764
Date Received: 3/03/1989
Receipt No: W002343
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HARPER SAUNDERS 208-337-3821
Address: PO BOX 635
HOMEDALE, ID 83628

2. Date of Priority: OCT 01, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	05W	27	NW	SW	NW		OWYHEE

5. Description of diverting works:
8" CS, 130' DEEP, 1 HP PUMP, 400' OF 1" PIPE TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.030		
STOCKWATER	01/01	12/31	0.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOMES; S/25 HD CATTLE & HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	05W	27	NW	SW		DOMEST	
			NW	SW		STOCK	

A57-10764

Page 1

Date: 03/03/89

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OCT 06 1992

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 CO.

14. Remarks:
THIS WELL WAS REDRILLED IN 1972 TO REPLACE THE ORIGINAL WELL FROM
1952.

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 SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10764

NAME & ADDRESS: HARPER SAUNDERS
PO BOX 635
HOMEDALE ID 83628-0635

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/01/1952

POINT OF DIVERSION: T03N R05W S27 NWSWN Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.01 CFS
	DOMESTIC 2 HOMES	01-01 12-31	0.03 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T03N R05W S27 NWSW

DOMESTIC Within Owyhee County
T03N R05W S27 NWSW

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

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

DATED: NOV 15 1996



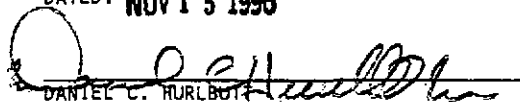
DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

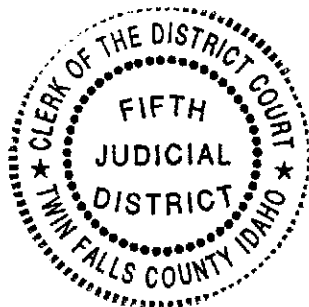
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JUN 06 1997

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.

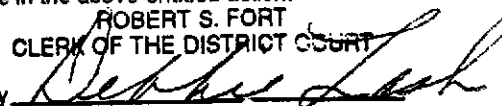
DATED: NOV 15 1996


DANIEL C. HURLBUT
PRESIDING JUDGE
Snake River Basin Adjudication



State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK

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JUN 06 1997

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-10764 ✓

NAME AND ADDRESS: HARPER SAUNDERS
PO BOX 635
HOMEDALE ID 83628-0635

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR: DOMESTIC; 2 HOMES; STOCKWATER; 25 HD

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

PRIORITY DATE: 10/01/1952

POINT OF DIVERSION: T03N R05W S27 NWSNW Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.01 CFS
	DOMESTIC 2 HOMES	01-01 12-31	0.03 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T03N R05W S27 NSWDOMESTIC Within Owyhee County
T03N R05W S27 NSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
PARCEL NO. RP0044104.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP0044104.
STOCKWATER, 25 RANGE CATTLEMICROFILMED
JUN 06 1997

AJ5856NP

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

DATE: OCT-1-1996
PAGE: A-216

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-10764

NAME & ADDRESS: HARPER SAUNDERS
PO BOX 635
HOMEDALE ID 83628-0635

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 10/01/1952

POINT OF DIVERSION: T03N R05W S27 NWSWN Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.01 CFS
	DOMESTIC DOMESTIC, 2 HOMES; STOCKW	01-01 12-31	0.03 CFS

PLACE OF USE: STOCKWATER Within Owyhee County
T03N R05W S27 NWSW

DOMESTIC Within Owyhee County
T03N R05W S27 NWSW

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

PARCEL NO. RP0044104. EXP

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

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JUN 06 1997

#11
#13
W002343
#25

2500

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

Identification No. A57-10764

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED
DEC 20 1988

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes Department of Water Resources
Where Daily Use is less than 13,000 gallons per day Western Regional Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Harper Saunders Phone (208) 337-3821

Mailing Address P.O. Box 635, Homedale Idaho Zip 83628

2. Date of Priority (Only one per claim) October 1, 1952 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 3 N. Range 5W BM

Section 27, NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____, BM.,

County of Owyhee

Additional points of diversion if any: None

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. well, 8 inch casing, 130 feet deep, 1 HP submersible pump,
400 feet 1 inch pipe to house.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For <u>Domestic</u> purposes from	Month/Day <u>1-1</u> to Month/Day <u>12-31</u>	amount <u>0.03</u> (cfs)
	(Both dates are inclusive)	
For <u>livestock</u> purposes from	Month/Day <u>1-1</u> to Month/Day <u>12-31</u>	amount <u>0.01</u>

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 2 households, 25 head cattle and horses.

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OCT 06 1988

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 3.N. Range 5 W.

Section 27, NW 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of Owyhee for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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

IRrig w/ Gem Irrig Co.

14. Remarks: THIS WELL WAS REDRILLED IN 1972 TO REPLACE THE ORIGINAL WELL FROM 1952.

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not XXX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments None

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Harper Saunders Date Dec. 1, 1988

Date _____

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____ }
County of Owyhee } SS.

Subscribed and sworn (or affirmed) before me this 1st. day of December 1988

SEAL

Notary Public Edna J. Grimes

Residing at Homedale Idaho

My Commission Expires 4-19-1993

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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OCT 06 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

UNCLASSIFIED

1/23/1988

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Laundon, Harper

CLAIM IDENT. NO.

A58-7

DATE RECEIVED

12-20-88

CK #

1626

AMOUNT \$

25

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ Required Info? *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ Required Info? *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Required Info? *
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 ☐ Required Info? *
- Is the period of use included? ☒ YES ☐ NO ☐ Required Info? *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ Required Info? *
- Is the consumptive use correct? ☒ YES ☐ NO ☐ Required Info? *
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 ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Required Info? *
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 ☐ Required Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ Required Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Required Info? *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ Required Info? *
22. Should this claim be receipted and data entered? ☒ YES ☐ NO ☐ Required Info? *

Claim checked by:

LW

Date:

3-2-89

Claim must be returned to claimant:

☐ (Yes) ☐ (No)

Claimant must be sent a copy of amended claim for approval:

☐ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

MICROFILMED

OCT 06 1992

Comments:

OLD (D) NUMBER -

STATE- ID ZIP- 83628

+ - - - - - MICROFILMED - - - - - CONDITIONS OF APPROVAL - - - - -
 NO CONDITIONS OF APPROVAL FOUND.

CERTIFIED
MAR 2 5 1991
WATER EXAMINER

CONVERSATION MEMORANDUM

DATE 3-2-89FILE 57-07111NAME OF PARTY Harper SaundersEMPLOYEE Linda WarnerRE: IRR CLAIM

Amount of water on license is 1.58 3-3-89
L.W.
Adj. Claim = 1.72 - OK to use 1.58 per license

Added stockwater usage - date of change
June 1979. Int. not claim for such
POU does not indicate irr. acres. Added
per map w/ permission of claimant - 3-3-89 L.W.

DOMESTIC CLAIM (A57-10764) L.W.
Homes under single ownership? YES 3-3-89

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OCT 6 1992