

7



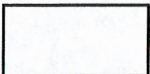
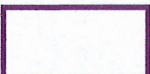
Idaho Department of Water Resources

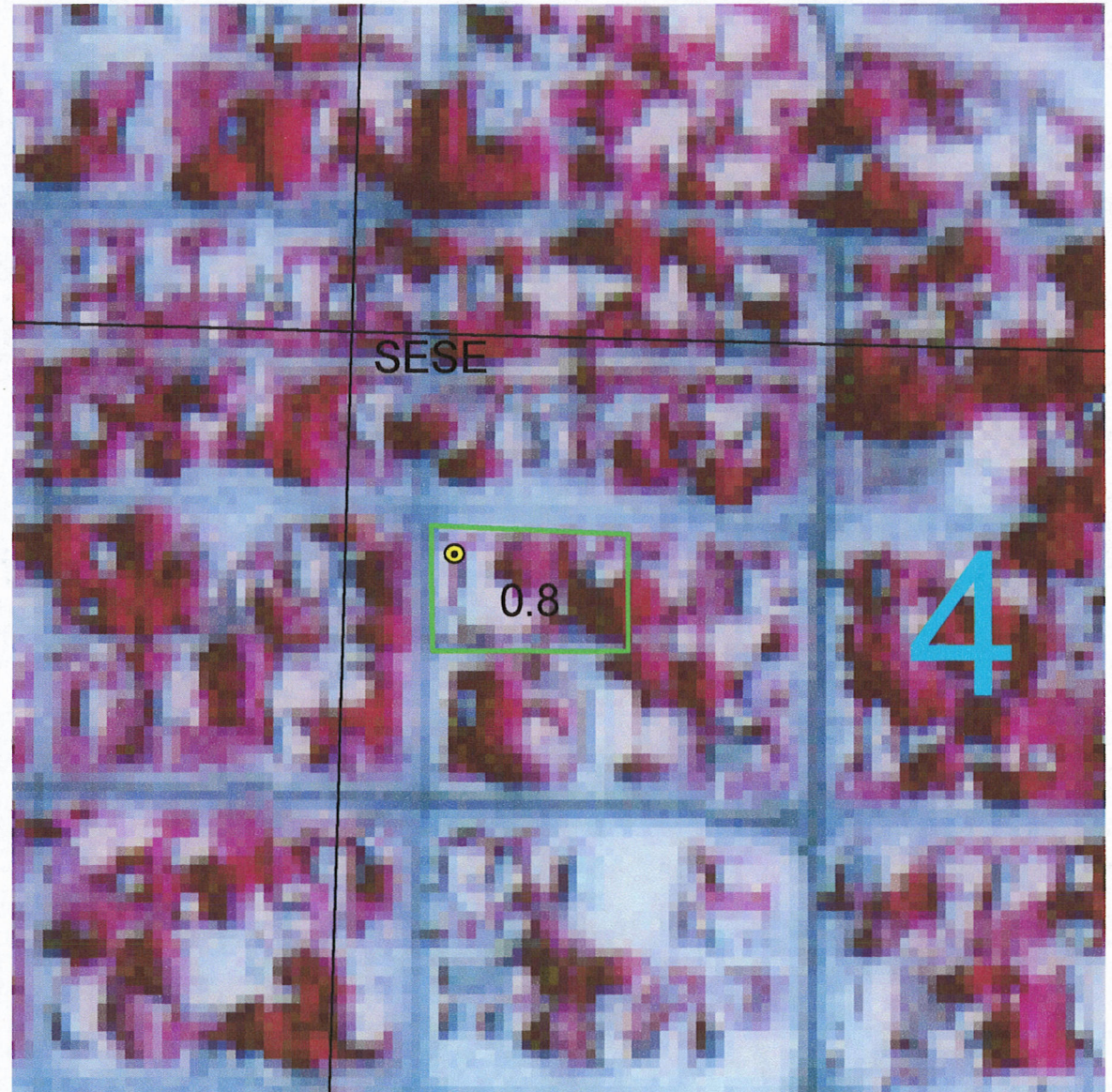
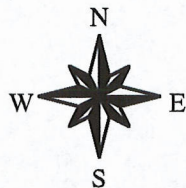
1987 Napp Photo

Claim Number: 57-10815

Legal: T03N, R05W, S04

Reviewed By:

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



0 0.25 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A57-10815
Date Received: 7/28/1989
Receipt No: C008661
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CECIL A. THOMAS 208-377-3206
Address: BOX 868
HOMEDALE, ID 83628

2. Date of Priority: MAY 01, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	4	NE	SE	SE		OWYHEE

5. Description of diverting works:
WELL, 6" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		

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

8. Total consumptive use is 2.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	4	SE	SE		IRR	0.8
Section Acres							0.8
Total Acres							0.8

A57-10815

Page 1

Date: 11/13/89

MICROFILMED
OCT 07 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:
NONE

14. Remarks:

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 _____

APPROVED REQUEST → 51-2
DENIED → 101-00IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576
457-10815

7/27/89

C008661

RECEIVED
JUL 27 1989

Department of Water Resources

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Cecil A. Thomas Phone (208) 377-3806Mailing Address Box 868 - Homedale, ID Zip 836282. Date of Priority (Only one (1) per claim) May 1 19493. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3N Range 5W Section 4,
NE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Owyhee

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. WELL - 6" casingMICROFILMED
OCT 07 1992

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.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrig purposes from 4-1 to 11-1 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	5W	4																0.8	0.8

Total number of acres irrigated 0.8

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.
NONE or None ()

14. Remarks:

MICROFILMED
OCT 07 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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.

RECEIVED
JUL 10 1988

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

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) X Carol A Thomas Date July 6, 1989

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 6th day of July 1989

SEAL

Notary Public Anna Baumbach

Residing at Boise Idaho

My Commission Expires 12/7 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
OCT 07 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



1/23/1900

SRBA CLAIMS RECEIVING CHECKLIST #2

C008661

CLAIMANT'S NAME

Thomas

CLAIM IDENT. NO.

A57-10815

DATE RECEIVED 7-27-89

CK # 2000

AMOUNT \$ 51⁰⁰

YES NO Required Info?

1. Is the name and address complete with zip code? ☒ ☐ *
2. Is a priority date entered? ☒ ☐ *
- Is the priority date acceptable in view of mandatory filing dates? ☒ ☐ *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ ☐ *
- (b) Is a tributary to entered? (if required) ☐ N/A ☒ ☐ *
4. Is the legal description of the p.d. sufficient? ☒ ☐ *
5. Is there a description of the diverting works? ☒ ☐ *
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. ☒ ☐ *
- Is the period of use included? ☒ ☐ *
- Is a quantity claimed for each use? ☒ ☐ *
7. Is a total quantity claimed entered? ☒ ☐ *
8. If required is a consumptive use entered? ☐ N/A ☒ ☐ *
- Is the consumptive use correct? ☐ N/A ☒ ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ N/A ☒ ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ ☐ *
11. Is (are) the county(ies) entered? ☒ ☐ *
12. Is the ownership of p.u. checked? ☒ ☐ *
13. Are other water rights listed or "none" indicated? ☒ ☐ *
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.) ☐ N/A ☒ ☐ *
15. Is the basis of the claim indicated? ☒ ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ N/A ☒ ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ ☐ *
20. Is the fee enclosed correct? ☐ Exempt ☒ ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ N/A ☒ ☐ *
22. Should this claim be receipted and data entered? ☒ ☐ *

Claim checked by: Rat

Date:

8-4-89

Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Sent to claimant by: _____

Checked by: _____

Date: _____

MICROFILMED

OCT 07 1992

Comments: _____

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-10815

Date: 2-24-03

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	5W	4																.8	.8
GIS																			.8	.8
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: .8

Overlapping EOU Claim #'s:

Total GIS Acres: .8

COMMENTS:

Per recommended claim with a small acre adjustment.
I'm not sure where agent came up with this location.
County data/boundaries don't match. I wasn't able to
find ownership in county data.

Idaho Department of Water Resources

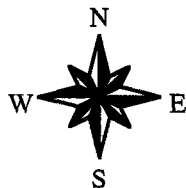
1987 Napp Photo

Claim Number: 57-10815

Legal: T03N, R05W, S04

Reviewed By:

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



0 0.25 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 57-10815

1997 DEC 15 AM 10: 59

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: CECIL A THOMAS
PO BOX 868
HOMEDALE ID 83628

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS
3.6 AFY

PRIORITY DATE: 05/01/1954

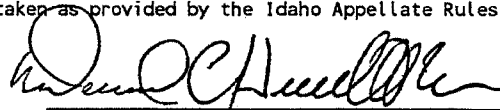
POINT OF DIVERSION: T03N R05W S04 NWSESE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE Irrigation Season	QUANTITY 0.02 CFS 3.6 AFY
-------------------------------	------------------------------	------------------------------------	---------------------------------

PLACE OF USE:	IRRIGATION T03N R05W S04 0.8 ACRES TOTAL	Within Owyhee County SESE 0.8
---------------	--	----------------------------------

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. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED

OCT 07 1998

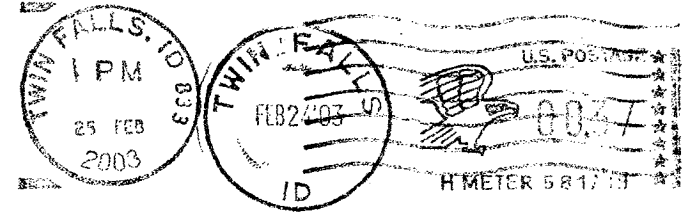
STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707



- ☐ MOVED, LEFT NO ADDRESS
- ☒ NOT DELIVERABLE AS ADDRESSED
- ☐ UNABLE TO FORWARD
- ☐ ATTEMPTED - NOT KNOWN
- ☐ UNCLAIMED ☐ REFUSED
- ☐ NO SUCH STREET - NUMBER _____
- ☐ DO NOT REMAIL IN THIS ENVELOPE
- ☐ INSUFFICIENT ADDRESS
- ☐ NO MAIL RECEPTACLE
- ☐ BOX CLOSED NO ORDER

Cecil A Thomas
PO Box 868
Homedale, Idaho 83628

Dear Water Right Claimant(s):



57-10815

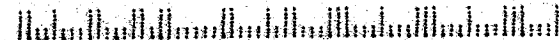
RECEIVED

MAR - 5 2003

Department of Water Resources

*new address
found*

07



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

Important Information About Your Water Right

February 24, 2003

Cecil A Thomas
PO Box 868
Homedale, Idaho 83628

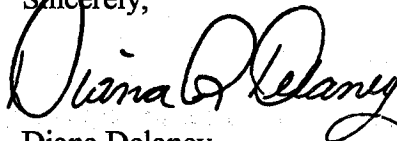
Dear Water Right Claimant(s):

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 57-10815. 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 December 15, 1997, 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 24 PM 2 27

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	)	Water Right 57-10815
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on December 15, 1997. 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 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 24, 2003



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

AJ0749NP
No. R57-10815

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

DATE: 11/24/97
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CECIL A THOMAS PO BOX 868 HOMEDALE ID 83628 (208) 377-3206	05/01/1954	IRRIGATION	03-15 11-15	0.02 CFS	3.60 AFA
TOTAL DIVERSION:					0.02 CFS	3.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T03N R05W S04

NWSESE

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	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
03N	05W	4	:					:					:					:					:		
																							.8	:	0.8
TOTAL ACRES																								:	0.8

POU County: OWYHEE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date: 11/24/1997

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 11/24/97 KWALKER

MICROFILMED

OCT 07 1998

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

DATE: NOV-24-1997

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-10815

NAME AND ADDRESS: CECIL A THOMAS
PO BOX 868
HOMEDALE ID 83628

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS
3.6 AFY

PRIORITY DATE: 05/01/1954

POINT OF DIVERSION: T03N R05W S04 NWSESE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	0.02 CFS
		<u>03/13 11/13</u>	3.6 AFY

PLACE OF USE: IRRIGATION Within Owyhee County
T03N R05W S04 SESE 0.8
0.8 ACRES TOTAL

CONSUMPTIVE USE: 2.18 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

MICROFILMED

OCT 07 1998

WESTERN REGION

CLAIM NUMBERS 57-10815

AGENT 10-24-97 DATE Ray

TOTAL ACRES FROM RECOMMENDATION 0.8

GEOGRAPHIC INFO SYSTEM ACRES 0.85

READY FOR DECREE ____ (YES)

SENT FOR DECREE ____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	3N	5W	4																.8
GIS	3N	5W	4																.85
RECOM																			
GIS																			

POLYGON CREATED ON 80 3

POLYGON # (25) () () () 10/24 UPDATED BY kw

ATTRIBUTES OF B57-POU.SHP (25) () () () ()

ATTRIBUTES OF B57-POD.SHP (15) () () () ()

B57-DBPOU.DBF 10/24 UPDATED BY kw

B57-DBPOD.DBF 10/24 UPDATED BY kw

RDH GPSTABLE

DRAFT

MICROFILMED
OCT 07 1998

AJ5809NP
No. R57-10815

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/18/92
PAGE: 232

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CECIL A THOMAS PO BOX 868 HOMEDALE ID 83628 (208) 377-3206	05/01/1954	IRRIGATION	03-15 11-15	0.02 CFS	3.6 AFA
					TOTAL DIVERSION:	0.02 CFS
					CONSUMPTIVE USE:	2.8 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T03N R05W S04

NWSESE

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	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
03N	05W	4	:					:					:					:					:		
																							.8	:	0.8
																							TOTAL ACRES	:	0.8

POU County: OWYHEE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date: 01/09/1992

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 07/31/91 WALKER 11/15/91 WALKER 01/09/92 WALKER 07/29/92 PR-PRODM

MICROFILMED
OCT 07 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-10815

"R" RECORD

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	IN-OFFICE VERIFICATION WHOM/DATE	VERIFIED BY CODE (SEE BELOW)	FIELD EXAM BY WHOM/DATE	CLAIMANT CONTACT NEEDED - Y/N*	REVIEW COMPLETED WHOM/DATE	DATA ENTRY COMPLETED WHOM/DATE	FINAL VERIFICATION DATE ENTERED WHOM/DATE
PRIORITY		not ok			Y Need Proof	KW 11-15-91		
PT. OF DIV.		ADD chg to Parcel	1		Y			
SOURCE		ok			N			
PL. OF USE		ok	1, 4		N			
DIV. AMOUNT CFS/AF		ADD vol.			N			
CONSUMPTIVE USE		chg. e.u.			Y			
NATURE OF USE		ok			N			
PERIOD OF USE		chg. to W.R. standard			Y			
BASIS OF CLAIM		ok			N			
REMARKS		—			N			

VERIFICATION CODES

*IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

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

COMMENTS

extension of time granted - no late fee req'd.
KW 10-31-91

MICROFILMED
OCT 07 1992

A. AJ CLAIM: # A57-10815 PRIORITY DATE: 05-01-1949 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE Y FIELD EXAMINER N

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

REMARKS: 1-23-91- Still waiting on proof of priority from the claimant.

See evidence in file - kw 11/15/91

RECOMMENDED PRIORITY DATE: No recommendation w/out proof.
5-1-1954

REVIEWED BY Linda Warner

DATE 1-23-91

MICROFILMED
OCT 07 1992

Cecil A. Thomas

Consulting Hydrologist, Civil Engineer, Land Surveyor
Idaho License No. 645

P O Box 868
Homedale, Idaho 83628

November 13, 1991

RECEIVED
NOV 15 1991

Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources
Western Region,
2735 Airport Way,
Boise, Idaho 83705-5082

Attn. Kay Walker

Dear sirs:

Regarding my claim No. A-57 -10815 I am enclosing an affidavit. She has lived as a neighbor next door to the lot where I live and use the water applied for. She has no doubt that water has been used from the pump on the land which adjoins her on the west. I have been using the water since I moved onto the place in 1989. Several owners have been here in the interim from 1954 to 1989. If necessary I could obtain affidavits from some of them, but it is time consuming.

I do not find the request you sent me on October 12, 1990.

If further proof is needed please let me know.

Cecil A. Thomas

Cecil A. Thomas

MICROFILMED
OCT 07 1992

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

AFFIDAVIT

A-57 -10815)
)
)
)

State of Idaho)
County of Owyhee)

I, Helen Graham being first duly sworn,

deposes and says: I am a neighbor of Cecil A. Thomas who lives next door to me. He lives at #2 E. Oregon Street on a city lot described as lots 12-18 inclusive and vacated alley adjacent to lots 17 and 18 all in Block 73 of the city of Homedale, Idaho. I have personal knowledge, having lived here during the period since, that the well has been used to irrigate the above described city lots since the summer of 1954.

Helen Graham
(Signature)

Subscribed and sworn to before me this
day 13th of November, 1991.

SEAL

Joyce A. Cuddelbank
(Notary Public)

Residing at Homedale, Idaho
My Commission Expires May 22, 1993.

MICROFILMED
OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-10815	03N	05W	4	NE	SE	SE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A57-10198 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
Y

FIELD
EXAMINER
W

REMARKS:

The map submitted w/claim indicates the diversion is in the NWSESE of section 4, not the NESESE of section 4.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>3N</u>	<u>5W</u>	<u>4</u>	<u>NW</u>	<u>SE</u>	<u>SE</u>	<u>---</u>	<u>OWY</u>

SOURCE: Groundwater

TRIB:

REVIEWED BY:

Linda Wernu

DATE: 1-23-91

MICROFILMED
OCT 07 1992

A. ROOT WATER RIGHT NUMBERS: A57-10815

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
03N	05W	4	SE	SE		THOMAS , CECIL A.	A57-10815 / 0.8	- / 14.0	19.0		0.8
						SMITH , AGNES M.	A57-10198 /	- /			
						MATTESON , JOHN E.	A57-10716 /	- /			
						GEM IRRIGATION DISTRICT		02-02014 / 40.0			
						GEM IRRIGATION DISTRICT		57-02118 / 40.0			
TOTAL ACRES							A57-10815	0.80	14.00	19.00	0.8

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

Both the 1979 O-P Quad & the 1987 Napp map shows irrigation in this area.

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

MICROFILMED
OCT 07 1992

A. AJ CLAIMED USES:

PURPOSES
A57-10815 IRRIGATION

3-15 11-15
MONTH/DAY
FROM 04-01 TO 11-01

per new map
rec'd 1/6/92-kw

DIVERSION QUANTITY
.020 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS

B. WR RECORDED USES:

PURPOSES
57-07242 IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

DIVERSION QUANTITY
.280 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.280 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N() Explain in remarks, below.

REMARKS:

See Claim investigation log III-B

MICROFILMED
OCT 07 1992

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

N/A Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.020 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: ~~0.280~~ 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?

FIELD
DATABASE EXAMINER
Y N

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

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
A57-10198	DOMESTIC	SMITH , AGNES M.	FROM 01-01 TO 12-31	.040 CFS	
A57-10716	DOMESTIC	MATTESON , JOHN E.	FROM 03-15 TO 11-01	.020 CFS	

MICROFILMED
OCT 07 1992

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES .8 x 0.02 CFS/ACRE = 0.02 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 2.0 AF/A

ACRES .8 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 ✓ =

TOTAL CONSUMPTIVE USE 2.8 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES .8 x DIVERSION VOL. AF/A FOR AREA 4.5 ✓ = OR $V(d.r.) =$

TOTAL DIVERSION VOLUME 3.6 AF/A

$0.02 \text{ cfs} \times 1.9835 \text{ AF/D} \times 246 \text{ d} = 9.8 \text{ AF/A}$

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

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

MICROFILMED
OCT 07 1992

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 0.020 <u>0.02</u>	DATABASE EXAMINER <u>3.6</u>	DATABASE EXAMINER 2.0 <u>2.8</u>
TOTAL FOR THIS RIGHT	3-15 to 11-15	0.020 0.02		2.0

REVIEWED BY: Linda Warner

DATE: 1-23-91

MICROFILMED
OCT 07 1992

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(X)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-10815

VIA

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE	EXAMINER	CFS
----------	----------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-10815	0.020	-		-	
TOTAL CFS		0.020				

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
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE

Linda Werner

DATE: 1-23-91

NAME OF FIELD EXAMINER:

Linda Werner

TITLE:

Sr. W.R. Agent

MICROFILMED
OCT 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MAILING DATE: October 31, 1991

RESPONSE DATE: November 8, 1991

RE: NOTICE OF CLAIM NO: A57-10815

Cecil A. Thomas
P.O. Box 868
Homedale, ID 83628

Dear Claimant:

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 claim 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. Also, if you filed other claims with yet a different prefix for the claim number, such as A02, A51 or A55, please be advised that these claims will be reviewed at a later date.

This claim was filed based on beneficial use of water dating back to May 1, 1949. 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.**

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

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures: Evidence of Priority Brochure

MICROFILMED
OCT 07 1992



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): A57-10815

CECIL D. ANDRUS

A57-10815

GOVERNOR

CECIL A. THOMAS

R. KEITH HIGGINSON

BOX 868

DIRECTOR

HOMEDALE

ID 83628

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

Date Received

RECEIVED
JUL 06 1989

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

approved

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Cecil A. Thomas

Name of Claimant

()

Phone Number

Box 868

Mailing Address

HOMEDALE

City

ID

State

83628

Zip

Owyhee

County(s) where place of use is located

Jan 19 1989

Date claim originally due

irrig claim for 0.8 Acres lawn "Beneficial Use"

Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Purchased Property May 15 1989. Previous owners DID NOT
File. If I'd received ^{the} commencement I would have filed
ON TIME. BUT I DIDN'T OWN THE PROPERTY UNTIL ~~THE~~ AFTER
THE DEADLINE. I WOULD APPRECIATE NOT HAVING TO
PAY THE LATE FEES. I WILL SUBMIT MY CLAIM UPON RECEIPT
OF THIS REQUEST. EITHER APPROVED OR DENIED.

Claimant requests an extension to

Aug. 1, 1989

Cecil A. Thomas

Signature

July 6, 1989

Date of request

Title

Owner

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to 8/1, 1989

Signed this 7 day of July, 1989

Director or his designated agent

DAVID B. SHAW

MICROFILMED
OCT 17 1992

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706