

RECEIVED

APR 30 1999

Department of Water Resources  
Eastern Region

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

A: Subcase 35-12392  
(Insert water right number)

Case No. 39576

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

B: NAME AND ADDRESS OF PERSON OBJECTING

Name: Saxton, Elias and/or Lorraine

Address: 1471 W 300S

PINGREE RD - 83262

Daytime Phone: 684-4351

Name & Address of Attorney, if any:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C: CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: SALE

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address  
Should be: \_\_\_\_\_
2. ☐ Source  
Should be: \_\_\_\_\_
3. ☒ Quantity  
Should be: as claimed 3.03 CFS
4. ☒ Priority Date  
Should be: as claimed
5. ☐ Point(s) of Diversion  
Should be: \_\_\_\_\_
6. ☐ Instream Flow Description  
Should be: \_\_\_\_\_
7. ☒ Purpose(s) of Use  
Should be: IRR
8. ☐ Period of Year  
Should be: \_\_\_\_\_
9. ☒ Place of Use  
Should be: 154 ACRES

11. I object because:

☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): \_\_\_\_\_

Well logs indicate the well was drilled  
in 1954. Irrigation in place. It is a  
valid claim

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

### CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 199\_\_, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf

F.

VERIFICATION (Must be Completed)

State of Idaho)

)ss.

County of Bonneville)

Elias Saxton

(Name of person filing objection)

, duly sworn, upon oath, deposes and says:

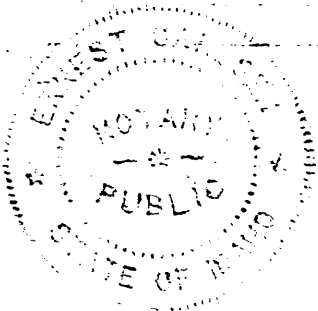
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Elias Saxton

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 16, 1999



Notary Public for MDR

Residing at: Idaho Falls

My Commission Expires: 6-14-2000

25 33E 1 w/4

ADJ-12572

Beneficial Use Right

• Measure Q ✓

• Verify POU w/ ASCS Photo ✓

• Verify POU ✓

• IFY Stock Use ✓

• E.P. - 2<sup>nd</sup> Notice SENT 12/18 - ALAGAN SENT ✓

□

7/8/92 2<sup>nd</sup> NOTICE SENT

Need EOP.

- Requested by Proulx, 9-23-93  
Mr. Sando said Property was  
Developed by Moorewood. He  
Reverses with Property  
was Developed will send  
A STATEMENT.

Disallowed.



A3512352

A3512352

Moore-

785-4868

Pou 676.

Pou 1316

To: File A35-12392  
Fr: Bryce A. Contor  
Date: 10/5/1999



Re: Flow Measurement

Today I went to the well at 02S 33E Section 1 NWNW with the new owner, James Evans. I used the Polysonic Tyme Flyte sonic flowmeter and obtained a 10-minute average flow of 1249 gallons per minute, or 2.78 cfs. This was a good, steady reading on a fair to good location. The pump open-discharges into a ditch for surface irrigation.

Using actual input kilowatts from timing the power meter disk and static water level from the well log, I calculated a theoretical flow of 1150 to 1340 gallons per minute, assuming a pumping plant efficiency of 60% to 70%.

A notation inside the meter can indicates that PCC measurements were performed on this pump in July by the Bingham Ground Water District. The site tag number is A0007024. I tried to call Bingham's secretary Becky at 684-5413 to find out what their technician had measured, but was not able to reach her.

Because this is surface irrigation on rolling ground, I propose recommending the full 2.78 cfs even though Eric Verner's findings indicate only 134 acres irrigated, which ordinarily would correspond to a recommendation of 2.68 cfs.

Attached are field notes, including a tape from the sonic instrument. Also attached are additional documents given to me by Mr. Evans.

JAMES J. EVANS  
13 S 600 W  
BLACKFOOT, IDAHO 83221  
Phone: (208)684-4514

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

ATTN: ERNEST CARLSEN

STATE OF IDAHO

COUNTY OF Bingham

On this 5th. day of October 1999, James J. Evans,  
who is personally known to me to be the signer of the above  
document, and he acknowledged that he signed it. "This Notary  
Certificate is prepared on a separate page and is attached to  
the Document entitled Claim No. 35-12392, containing one  
page and is attached to that document by means of staple."

  
Notary Public

Residing at Blackfoot, Idaho

My Commission expires 11/25/00

Jim Evans 10/5/99 9:15 AM  
Site tag A007024

Idaho Power Sangamo 33035336

$$K_h = 4.8 \quad M = 40$$

$$N = 4$$

$$T = (40.6 + 40.6 + 40.5) / 3 = 40.57$$

Note in panel per 7/14/99 RH

Motor US 75hp SN. 984341

Pump Layard Bowler open disch. VT 27802

Depth per owner (cites well log) 254 ft

$$\text{Power } (3.6 \times 4.8 \times 40 \times 4) / 40.57 = 68.1 \text{ KW}$$

$$\text{meter demand } 1.73 \times 40 = 69.2$$

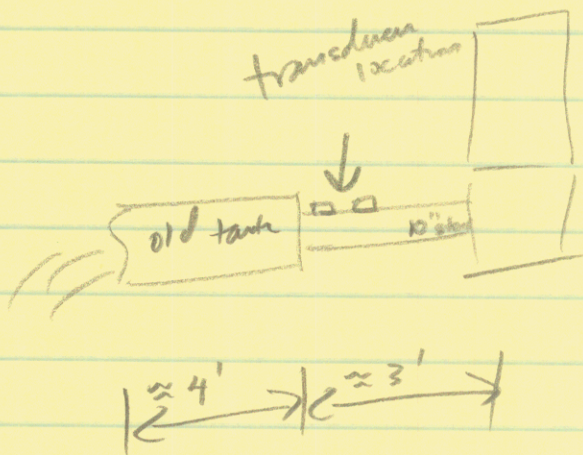
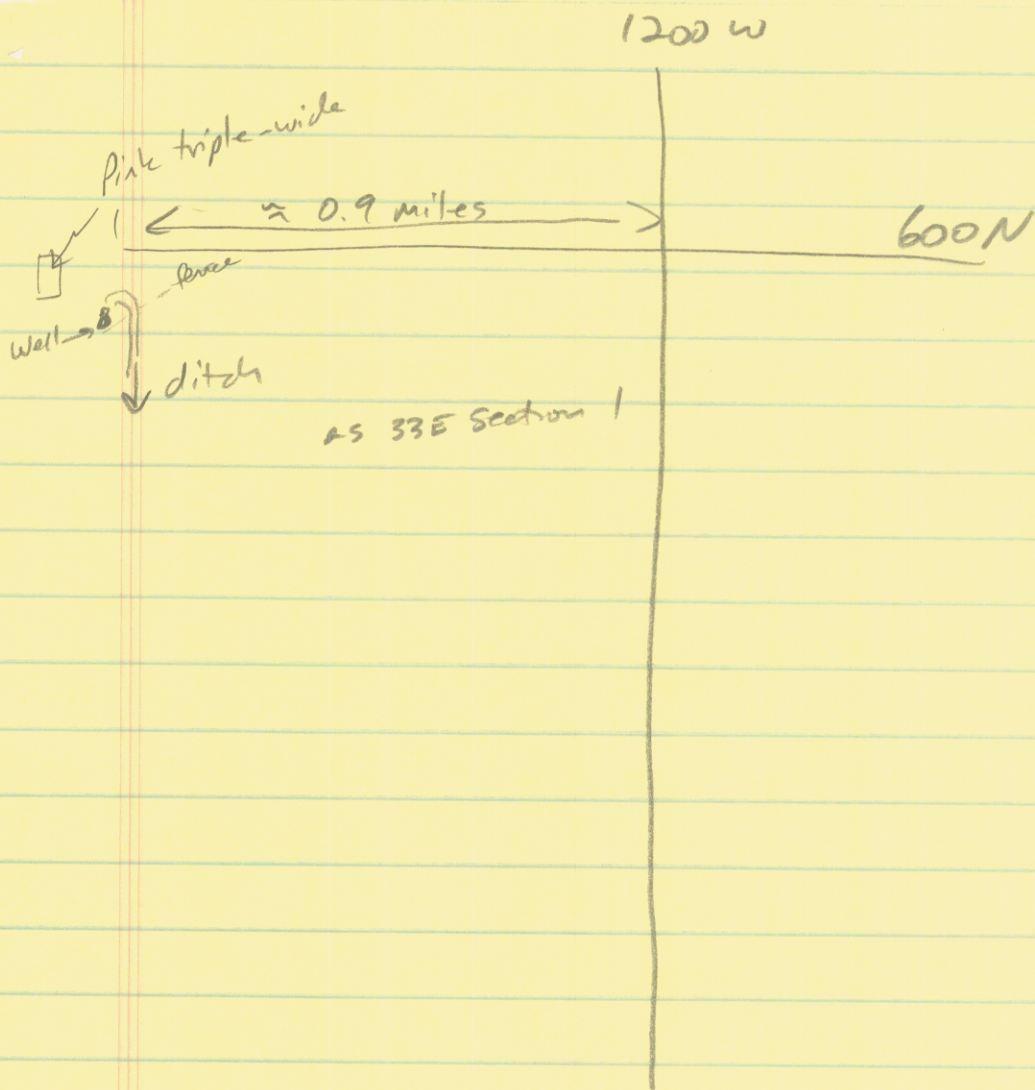
$$\text{Theoretical GPM} = \frac{\text{Water HP} \times 3960}{\text{TDM}}$$

$$= \frac{68.1 \times 1.34 \times 60\% \times 3960}{(254 + 25 \text{ friction})} = 777.1$$

Theoretical using 169' of well log

$$= \frac{68.1 \times 1.34 \times .60 \times 3960}{(169 + 20)} = 1147 \text{ gpm}$$

$$\text{Theoretical using 702} = \frac{68.1 \times 1.34 \times .70 \times 3960}{(169 + 20)} = 1338 \text{ gpm}$$



A0007024

10-1/1999

MODE SELECT *B. Contor*  
INPUTOUTER DIAMETER  
10.0000 INPIPE MATERIAL  
? CS,SSWALL THICKNESS  
.10600 ININNER LINING  
? NO LING.KIND OF FLUID  
? ANOTHERSOUND VELOCITY  
1450 M/S-SENSOR MOUNTING  
? UTYPE OF SENSOR  
? SMALLDATA CHANGE  
? NOSPACING  
7.315 IN UZERO MODE  
CLEARMODE SELECT  
DATA SETDATA SET MODE  
? PRINTER10-05 09:1200 \*R  
+ 1.226E 3GPM0373.9 MMSEC  
100.53 % T010-05 09:1200 \*R  
+002.90 % AI2ZERO MODE  
AUT ZERO10-05 09:1400 \*R  
+ 1.217E 3GPM09:19+ 1.225E 3GPM 00R  
+00122 \*10 G 00R  
-00000 \*10 G 00R09:20+ 1.246E 3GPM 00R  
+00243 \*10 G 00G  
-00000 \*10 G 00GDAMPING SET  
10 SEC09:21+ 1.219E 3GPM 00R  
10-05 09:2100 \*R  
+ 1.219E 3GPM+00372 \*10 G 00R  
-00000 \*10 G 00R09:23+ 1.241E 3GPM 00R  
+00614 \*10 G 00R  
-00000 \*10 G 00R09:24+ 1.250E 3GPM 00R  
+00743 \*10 G 00R  
-00000 \*10 G 00R09:25+ 1.242E 3GPM 00R  
+00868 \*10 G 00R  
-00000 \*10 G 00R09:26+ 1.244E 3GPM 00R  
+00993 \*10 G 00R  
-00000 \*10 G 00R09:27+ 1.250E 3GPM 00R  
+01118 \*10 G 00R  
-00000 \*10 G 00R09:28+ 1.239E 3GPM 00R  
+01242 \*10 G 00R  
-00000 \*10 G 00R09:29+ 1.256E 3GPM 00R  
+01367 \*10 G 00R  
-00000 \*10 G 00R09:30+ 1.238E 3GPM 00R  
+01491 \*10 G 00R  
-00000 \*10 G 00R09:31+ 1.252E 3GPM 00R  
+01616 \*10 G 00R  
-00000 \*10 G 00R09:32+ 1.228E 3GPM 00R  
+01739 \*10 G 00R  
-00000 \*10 G 00R09:33+ 1.240E 3GPM 00R  
+01863 \*10 G 00R  
-00000 \*10 G 00R09:34+ 1.250E 3GPM 00R  
+01988 \*10 G 00R  
-00000 \*10 G 00R
$$\frac{(1863 - 614)}{10} = 1249$$
  
GPM

JAMES J. EVANS  
13 S 600 W  
BLACKFOOT, IDAHO 83221  
Phone: (208) 684-4514

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

REF: SNAKE RIVER  
ADJUDICATION CLAIM  
NO. 35-12392

ATTN: ERNEST CARLSEN

Dear Sir:

The purpose of this letter is to submit supporting evidence for our application to obtain a SF5 (or any other supporting document) that will eliminate the Court Hearing on the above described Water Claim, and remove the Disallowed Disposition.

In reviewing the history of the Water Resource in question, we have found the following information.

The water right is on land that was owned by C. L. Williams in 1952. In that year the land was gifted to the Latter Day Saint Church. In February of 1953 Mr. Williams drilled a well on the property for irrigation purposes. This well was recorded in November of 1955 with the Bureau of Reclamation. The Church Farm raised Potatoes and Grain which were under irrigation. Upon sale of the farm to Dennis Lake, he continued to raise irrigated crops of Hay, Grain and Pasture. The next sale was to the Saxtons who raised irrigated crops of Grain and Potatoes until the time of the sale of the land to us, (Evans), which at the present time will be raising Hay and Grain under irrigation.

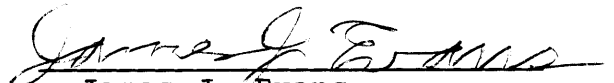
ATTACHMENTS added to this letter, are as follows:

- (1) Letter from Dept. of Water Resources covering Claim Disposition - Disallowd.
- (2) Letter from District Court Notification from Deputy Attorney General Idaho Dept. of Water Resources.
- (3) Form 42-1409(7) - New Property Owner Notice of Change of Water Right Ownership.
- (4) Well Log and Report to the State of Reclamation Engineer of Idaho Dated Nov. 15, 1955.

Please contact us for any questions or information that might be required to clear this Water Claim on this property.

Thanking you in advance, for your attention to this claim,  
We remain,

Sincerely,

  
James J. Evans

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AUG 23 1999

August 18, 1999

Dear Sirs:

Department of Water Resources

C.L. Williams to my understanding bought about 30,000 acres of desert ground North and West of Moreland, right after the war (1945?). I moved to Riverside in 1947 and started to farm. I don't remember when I first met him, but before this time, we were in the same church in 1947.

Many of the service men were renting ground from him and I rented ground from him in 1952. He gave the LDS church this 160 acre farm , and about 30 of the male members, went to look at it, and I was one of them. One member was disking the ground at the time we went to look at it. All the ones that I remember that went to look at it are dead. I know one fellow that said that he was the farm manager, and helped to develop it. He said, that they put water on it the year that it was developed, the same year that the well was drilled. He was a local farmer, and had his own farm. He said that the church hired someone to irrigate the ground. He is in his 80's and didn't remember the exact year.

The wards and stakes have divided several times now I moved to Pingree and wasn't part of it anymore.

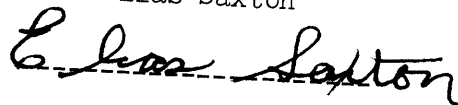
When I bought it in 1967, no one could give me any information on it. I gave the water Resource Board all the knowledge that I had about it, and to my knowledge everything was in order.

I came into possession of this well log this spring, a fellow who was buying a lot of ground around it, had the log, he didn't say how he got it. I turned it into The Water Resource Board in Idaho Falls, and they gave me 3 address's to send it to the courts, which I have done. According to the well log, the well was drilled in 1954.

I don't know what you people want of me. I have given everything that I know. You don't seem to believe anything that I say. You have access to all the records, those that I don't even know that exist.

I am a world War 11 veteran, I served under both General's Patch and Patton in the 3rd and 7th armies.. I was a machine gunner in the Infantry and spent 3 months in Dachau Prison. I have been fighting for Freedom ever since and feel like I have lost every battle. Some of these water rights date back 100 years. I feel that they should be honored.

Elias Saxton

A handwritten signature in cursive script that reads "Elias Saxton". The signature is written in dark ink and is positioned below the printed name.

1471 W. 300 S.  
Pingree, Idaho 83262

tel. 208-684-4351

F:

VERIFICATION (Must be Completed)

State of Idaho)  
County of Bonneville) ss.

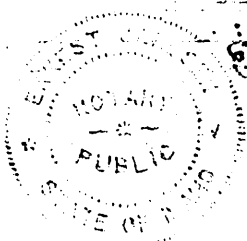
Elias Saxton, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Elias Saxton  
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 16, 1999



Ernest Carlson  
Notary Public for MDWR  
Residing at: Idaho Falls  
My Commission Expires: 6-14-2000

Section  
16/97

Page 3

Department of Water Resources

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AUG 23 1999



**STATE OF IDAHO**  
OFFICE OF THE ATTORNEY GENERAL  
ALAN G. LANCE

RECEIVED  
AUG 23 1999

Department of Water Resources

July 20, 1999

Elias and Lorraine Saxton  
1471 W 3005  
Pingree, ID 83262

RE: Snake River Basin Adjudication Claim No. 35-12392

Dear Mr. and Ms. Saxton

I am writing in regard to the objection to filed on the Department of Water Resource's recommendation on the above named claim. You objected to the Department's recommendation that this water right be disallowed.

You claimed a beneficial use water right with a priority date of May 1, 1953. Before the Department can recommend a beneficial use water right, it must receive some evidence that the water was put to use as of the claimed priority date. Our records show that Department staff requested evidence of your priority date on several occasions, but the Department has never received the requested evidence. Unless you can provide evidence of your priority, the Department will not change its recommendation.

If you have any questions, please contact me at 327-5404.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara C. Denniston", with a long horizontal line extending to the right.

Sara C. Denniston  
Deputy Attorney General  
Idaho Department of Water Resources



**STATE OF IDAHO**  
OFFICE OF THE ATTORNEY GENERAL  
ALAN G. LANCE

RECEIVED

AUG 23 1999

Department of Water Resources

July 20, 1999

Elias and Lorraine Saxton  
1471 W 3005  
Pingree, ID 83262

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If you have any questions, please contact me at 327-5404.

Sincerely,



Sara C. Denniston  
Deputy Attorney General  
Idaho Department of Water Resources

RECEIVED

August 18, 1999

AUG 23 1999

STATE OF IDAHO )

Department of Water Resources

COUNTY OF BINGHAM )

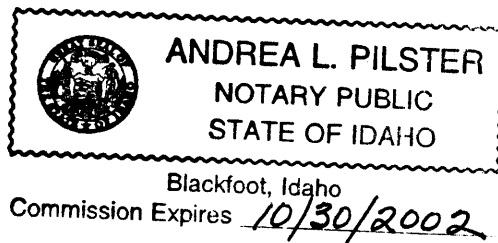
On this 18<sup>th</sup> day of August before me, the undersigned, a Notary of Public, in and for the State, personally appeared ANGLO ELIAS SAXTON and LORRAINE SAXTON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledge to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this Certificate above written.

Elias Saxton  
ELIAS SAXTON

Lorraine Saxton  
LORRAINE SAXTON

Andrea L. Pilster  
NOTARY PUBLIC OF IDAHO



WELL LOG AND REPORT TO THE  
STATE RECLAMATION ENGINEER OF IDAHO

Log No. 1000000  
Rec. NOV 15 1955  
Well No. 1000000  
Permit No. 1000000

(DO NOT FILL IN)

Owner L. D. L. Church Address Moreland  
Driller C. I. Williams Address Blackfoot Lic. No. 4  
Location of Well: NW 1/4 NW 1/4 Sec. 1 T. 2 S. R. 33 E. Bingham County,  
and feet N/S, and feet E/W from Corner of 1/4 Sec.  
Size of Drilled Hole 16" Total depth of Well 754  
Give depth of standing water from surface 169 Water Temp. 53 °Fahrenheit  
On pumping test delivery was g.p.m. or c.f.s. Drawdown was feet.  
Size of pump and motor used to make the test hr. minutes.  
Length of time pumped during check was hr. minutes.  
If flowing well, give flow in c.f.s. or g.p.m. and shut in pressure minutes.  
If flowing well, describe control works (TYPE AND SIZE OF VALVE, ETC.)  
Water will be used for irrigation Weight of casing per linear foot feet  
Thickness of casing Casing material E.G., PIPE, CONCRETE, WOOD.  
Diameter, length and location of casing (CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER;  
CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)  
Number and size of perforations located feet to feet  
from surface of ground.  
Other perforations feet to feet  
Date of commencement of well Feb 6 1954 Date of completion of well Feb 18, 1954  
Type of well rig feet to feet

CASING RECORD

| DIAM<br>CASING | FROM<br>FEET | TO<br>FEET | LENGTH | REMARKS - SEALS, GROUTING, ETC. |
|----------------|--------------|------------|--------|---------------------------------|
| 16"            | 18 ft        | to rock    |        |                                 |

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

This Well was not tested

NW NW S. 1 2 3 3 E

RECEIVED

AUG 23 1999

Department of Water Resources

# WELL LOG

| From<br>Feet | To<br>Feet | Type of Material                  | Drilling Time |       | Water-bearing<br>Formations<br>Am. Yes or No | Casing<br>Perforated<br>Am. Yes or No |
|--------------|------------|-----------------------------------|---------------|-------|----------------------------------------------|---------------------------------------|
|              |            |                                   | Hrs.          | Mins. |                                              |                                       |
| 0            | 8          | Adobe                             | 1             | 11    |                                              |                                       |
| 8            | 30         | Gray lava                         | 1             | 30    |                                              |                                       |
| 30           | 42         | dark cinders                      |               |       |                                              |                                       |
| 42           | 47         | soft red lava                     |               |       |                                              |                                       |
| 47           | 64         | red cinders                       |               |       |                                              |                                       |
| 64           | 95         | red lava                          |               |       |                                              |                                       |
| 95           | 110        | hard grey lava                    |               |       |                                              |                                       |
| 110          | 123        | red lava                          |               |       |                                              |                                       |
| 123          | 132        | red cinders                       |               |       |                                              |                                       |
| 132          | 137        | hard lava                         |               |       |                                              |                                       |
| 137          | 144        | brown clay & cinders              |               |       |                                              |                                       |
| 144          | 152        | porous grey lava                  |               |       |                                              |                                       |
| 153          | 179        | hard grey lava                    |               |       |                                              |                                       |
| 179          | 190        | hard red lava 1st water in crevas |               |       |                                              |                                       |
| 190          | 224        | hard grey lava                    |               |       |                                              |                                       |
| 224          | 227        | white clay & cinders              |               |       |                                              |                                       |
| 227          | 230        | hard red lava                     |               |       |                                              |                                       |
| 230          | 240        | soft red lava                     |               |       |                                              |                                       |
| 240          | 254        | red cinders 2nd water             |               |       |                                              |                                       |

## WELL DRILLERS STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed C. I. Wilbain

By

License No. 4

Dated 11-10-10



**STATE OF IDAHO**  
OFFICE OF THE ATTORNEY GENERAL  
ALAN G. LANCE

August 3, 1999

James and Sandra Evans  
12 S 600 W  
Blackfoot, ID 83221

RE: Snake River Basin Adjudication Claim No. 35-12392

Dear Mr. and Ms. Evans

I am writing in regard to the above named water right claim you purchased from Elias and Lorraine Saxton. The Saxtons filed an objection to the Department of Water Resource's recommendation on this claim.

This is a beneficial use claim which was filed for 3.13 cfs on 154 acres with a priority date of May 1, 1953. The Department recommended this claim for disallowal because despite the Department's requests, the Saxtons have not submitted any evidence of the claimed priority date. If you have evidence that water was put to use on this land as of the claimed priority date, please submit it to me at the address below and the Department will consider amending its recommendation. The enclosed brochure will give you guidelines on what types of evidence you can use to establish priority date.

If you have any questions, please contact me at 327-5404.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara C. Denniston", written over a horizontal line.

Sara C. Denniston  
Deputy Attorney General  
Idaho Department of Water Resources

1999 AUG 19 PM 01:43  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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 ) NOTICE SETTING SUBCASE(S)  
FOR INITIAL HEARING  
SUBCASE NO: 35-12392

The Initial Hearing for this subcase will be held as follows:

TUESDAY, OCTOBER 26, 1999 at 10:00 AM  
BINGHAM COUNTY COURTHOUSE  
501 N MAPLE  
BLACKFOOT, ID

Settlement documents must be filed with the court by  
OCTOBER 21, 1999 or hearing will not be vacated.

All parties are required to attend and must have full  
settlement authority.

At the Initial Hearing you will have an opportunity  
to meet with a representative of the Idaho Department of  
Water Resources (IDWR) and/or the objector in an attempt  
to reconcile any difference between the claim and the  
Director's Report. Bring any and all information you  
believe is relevant to your claim and/or objection. If  
the claim cannot be reconciled at the Initial Hearing,  
the court will set the subcase(s) for trial within 45  
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR  
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Dated: AUGUST 19, 1999

/S/ DEBBIE LASH  
Deputy Clerk  
Snake River Basin Adjudication

JAMES J EVANS  
SAUNDRA L EVANS  
13 S 600 W  
BLACKFOOT, ID 83221



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098**

**Phone: (208) 327-7900 FAX: (208) 327-7866**

---

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

**NOTICE OF PRESENTATION TO THE SNAKE  
RIVER BASIN ADJUDICATION DISTRICT COURT,  
THE PUBLIC AND INTERESTED WATER USERS**

At 7:00 P.M. on Wednesday, August 25, 1999, Karl Dreher, Director of the Idaho Department of Water Resources, will make a general presentation to the Snake River Basin District Court and the public, including interested water users, regarding technical investigations and planning to further implement conjunctive management in the Eastern Snake River Plain. The presentation will be held in the Aberdeen High School Auditorium at the following address:

268 South 4 West (Rear Entrance)  
Aberdeen, ID 83210

This presentation is open to the public and all parties to the Snake River Basin Adjudication. For further information call IDWR at 1-800-451-4129.



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

JAMES & SAUNDRA EVANS  
13 S 600 W  
BLACKFOOT ID 83221

RE: Notice of Change of Water Right Ownership (NCO) for 35-12392  
and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Evans:

On May 17, 1999, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Hoagland  
Technical Records Specialist

Enclosure

cc: Elias & Lorraine Saxton

|                |   |                                   |
|----------------|---|-----------------------------------|
| In Re SRBA     | ) | <b>NOTICE OF COMPLETED</b>        |
|                | ) | <b>ADMINISTRATIVE PROCEEDINGS</b> |
| Case No. 39576 | ) |                                   |
|                | ) |                                   |
|                | ) | <b>SUB CASE NO. 35-12392</b>      |

Does the change in "ownership" result in a splitting of the water right claimed? ☐Yes ☒No

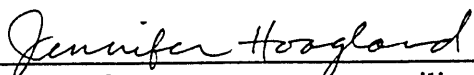
Phone: (208) 684-4514

Ernest Carlson.  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on 5/28, 1999, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:  
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls ID 83303-2707
2. One Copy to:  
Claimant/Seller for Substitution of Party or attorney of record:  
ELIAS & LORRAINE SAXTON  
1471 W 300 S  
PINGREE ID 83262
3. One Copy to:  
Claimant/Purchaser for Substitution of Party or attorney of record:  
JAMES J & SAUNDRA L EVANS  
13 S 600 W  
BLACKFOOT ID 83221
4. One Copy to:  
Each party in the subcase or attorney of record:  
N/A
5. One Copy to:  
Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449
6. One Copy to:  
United States Dept Of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

  
\_\_\_\_\_  
Signature of person or attorney mailing the form

| W.R. NUMBER | NAME & ADDRESS                                                         | CLAIM DISPOSITION | REASON                         |
|-------------|------------------------------------------------------------------------|-------------------|--------------------------------|
| 35-12392    | EVANS, JAMES J<br>EVANS, SAUNDRA L<br>13 S 600 W<br>BLACKFOOT ID 83221 | DISALLOWED        | NO LAWFUL APPROPRIATION SHOWN. |



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

DATE OF CLOSING: 5-17-99

LEGAL DESCRIPTION OF PROPERTY: Township T2S Range R33E  
Section 1, NW 1/4 of 1/4 of 1/4 Govt. Lot 1, BM.  
Lot 1, Block 1, Subdivision/Townsite 1.  
If you have additional legal descriptions, please attach separate sheet.

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

☐ Water Right Number(s)  
Assigned by IDWR: Case No 39576 35-12392

☐ Name and Address of Former Owner/Claimant(s)(Seller): Saxton, Elias and/or Lorraine  
1471 W 300S

☐ New Owner/Claimant (Purchaser): Pingree, ID 83562  
Evans, James J. and Sandra L

☐ New Mailing Address: 135 600 W  
BLACKFOOT, ID 83221

☐ New Telephone Number: (208) 684-4514

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

☐ Attach proof of ownership, describe proof attached: \_\_\_\_\_

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) James J. Evans Date 5-17-99  
Sandra L. Evans Date 5-17-99

☐ Signature of Former Owner/Claimant(s) Elias Saxton Date 5-17-99  
Lorraine Saxton Date 5-17-99

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

DATE OF CLOSING: 5-17-99

LEGAL DESCRIPTION OF PROPERTY: Township T2S Range R33E  
Section 1, NW 1/4 of 1/4 of 1/4 Govt. Lot       , BM.  
Lot       , Block       , Subdivision/Townsite       .  
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)  
Assigned by IDWR: Case No 39576 35-12392
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Saxton, Elias and/or Lorraine  
1471 W 300S  
Pingree, ID 83262
- ☐ New Owner/Claimant (Purchaser): Evans, James J. and Sandra L
- ☐ New Mailing Address: 135 600 W  
BLACKFOOT, ID 83221
- ☐ New Telephone Number: (208) 684-4514
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ Attach proof of ownership, describe proof attached: \_\_\_\_\_  
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): James J. Evans Date 5-17-99  
Sandra L. Evans Date 5-17-99
- ☐ Signature of Former Owner/Claimant(s): Elias Saxton Date 5-17-99  
Lorraine Saxton Date 5-17-99

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry  
Date: \_\_\_\_\_ By: \_\_\_\_\_  
Further Action Needed:

Further Action Taken  
Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry  
Date: \_\_\_\_\_ By: \_\_\_\_\_

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

# WARRANTY DEED

For Value Received ELIAS SAXTON and LORRAINE SAXTON, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto  
JAMES J. EVANS and SAUNDRA L. EVANS, husband and wife  
whose address is: \_\_\_\_\_

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

NW¼, Section 1, Township 2 South, Range 33 E.B.M., Bingham County, Idaho, excepting the following described parcel, A parcel of land in the NW¼NW¼ of Section 1, Township 2 South, Range 33 E.B.M., Bingham County, Idaho, described as: Beginning at a point 320 feet S. of the NW corner of Section 1; thence N. to said NW corner; thence E. 533 feet; thence S. 80 feet; thence SW to the point of beginning.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: MAY 17, 1999

Elías Saxton  
ELIAS SAXTON

Lorraine Saxton  
LORRAINE SAXTON

STATE OF IDAHO                    )  
                                          : ss.  
COUNTY OF BINGHAM            )

On this 17TH day of MAY, 1999, before me the undersigned, a Notary Public in and for the said county and state, personally appeared ELIAS SAXTON AND LORRAINE SAXTON, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.

\_\_\_\_\_  
Notary Public for Idaho  
Residing at: BLACKFOOT IDAHO  
My Commission Expires: 4-11-2000

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     | ) | NOTICE OF COMPLETED        |
|                | ) | ADMINISTRATIVE PROCEEDINGS |
| Case No. 39576 | ) |                            |
|                | ) |                            |
| _____          | ) | SUB CASE NO. 35-12392      |

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐Yes ☒No

**FROM: Claimant/Seller(s):**

Name and Address of Claimant/Seller(s):

ELIAS & LORRAINE SAXTON  
1471 W 300 S  
PINGREE ID 83262

Phone:

**TO: Claimant/Purchaser(s):**

Name and Address of Claimant/Purchaser(s):

JAMES J & SAUNDRA L EVANS  
13 S 600 W  
BLACKFOOT ID 83221

Phone: (208) 684-4514

The Claimant has filed Objections or Responses to the following water rights:  
\_\_\_\_\_ 35-12392

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 25, 1999

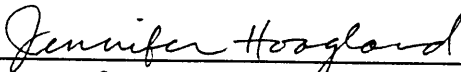


Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on 5/28, 1999, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:  
Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls ID 83303-2707
2. One Copy to:  
Claimant/Seller for Substitution of Party or attorney of record:  
ELIAS & LORRAINE SAXTON  
1471 W 300 S  
PINGREE ID 83262
3. One Copy to:  
Claimant/Purchaser for Substitution of Party or attorney of record:  
JAMES J & SAUNDRA L EVANS  
13 S 600 W  
BLACKFOOT ID 83221
4. One Copy to:  
Each party in the subcase or attorney of record:  
N/A
5. One Copy to:  
Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449
6. One Copy to:  
United States Dept Of Justice  
Environment & Natural Resource Div  
550 West Fort Street MSC 033  
Boise ID 83724

  
\_\_\_\_\_  
Signature of person or attorney mailing the form

AJ5857NP

IDAHO DEPARTMENT OF WATER RESOURCES  
CLAIMS/RIGHTS NOT RECOMMENDED

DATE: MAY-25-1999  
PAGE: B-1

| W.R. NUMBER | NAME & ADDRESS | CLAIM DISPOSITION | REASON |
|-------------|----------------|-------------------|--------|
|-------------|----------------|-------------------|--------|

---

|          |                                                                        |            |                                |
|----------|------------------------------------------------------------------------|------------|--------------------------------|
| 35-12392 | EVANS, JAMES J<br>EVANS, SAUNDRA L<br>13 S 600 W<br>BLACKFOOT ID 83221 | DISALLOWED | NO LAWFUL APPROPRIATION SHOWN. |
|----------|------------------------------------------------------------------------|------------|--------------------------------|



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

JAMES & SAUNDRA EVANS  
13 S 600 W  
BLACKFOOT ID 83221

RE: Notice of Change of Water Right Ownership (NCO) for 35-12392  
and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Evans:

On May 17, 1999, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Hoagland  
Technical Records Specialist

Enclosure

cc: Elias & Lorraine Saxton

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

A: Subcase

35-12392

(insert water right number)

Case No. 39576

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

B: NAME AND ADDRESS OF PERSON OBJECTING

Name:

Saxton, Elias and/or Lorraine

Address:

1471 W 300S

PINZFEETLE - 85262

Daytime Phone:

684-4351

Name & Address of Attorney, if any:

C: CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

SABLE

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address  
Should be: \_\_\_\_\_
2. ☐ Source  
Should be: \_\_\_\_\_
3. ☒ Quantity  
Should be: as claimed 3.03 CFS
4. ☒ Priority Date  
Should be: as claimed
5. ☐ Point(s) of Diversion  
Should be: \_\_\_\_\_
6. ☐ Instream Flow Description  
Should be: \_\_\_\_\_
7. ☒ Purpose(s) of Use  
Should be: IRR
8. ☐ Period of Year  
Should be: \_\_\_\_\_
9. ☒ Place of Use  
Should be: 154 ACRES

11. I object because:

☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): \_\_\_\_\_

Well logs indicate the well was drilled  
in 1954. Irrigation in place. It is a  
valid claim

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 199\_\_, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf

RECEIVED

19 April, 1999

APR 23 1999

Department of Water Resources

Dear Sir:

C. L. Williams gave this  $\frac{1}{4}$  section of ground to the Moreland and Riverside wards for a welfare farm.

I was a member of the Riverside ward, and Wallace Anderson had access to a School bus. He took a group of us out to look at the ground. The Moreland ward developed the ground. I was farming some of Les Williams land at the time.

Glen Larsen was the Elders Quorum President of the Moreland Ward, He used some of his equipment to build a levy across the North end of the property, so it could be gravity irrigated. He is about 80 years old now. He said, he couldn't remember the exact year that they recieved the ground. He is the only one that I know of that is still alive. Mr. Carlson called me and ask me if I knew when the well was drilled. I told him what I knew about it. He wanted me to get more clarification on it. (The date the well was drilled. I looked all over and could not find anything.

I called him before the deadline, and I understood that he had accepted what I had given him. It wasn't until last Thursday that I found out that it wasn't accepted.

I purchased the property about 1967 from Dennis Lake. The paperwork on it was not done on it at the time. The Riverside ward had divided the ward at the time, the Moreland Ward had divided two or three times, it became two or three wards. This property was several Miles from Dennis Lakes and I had some property next to him, so we traded property. His Lawyer couldn't tell me anything about the well, the depth or anything. All the Bishops of the different wards, that I knew of, had past on (died).

Mr. Williams passed away about 15 years ago.

We still use gravity irrigation, it works best for our purposes.

I went to Idaho Falls and met with Mr. Carlson last friday. I had come into possession of Mr. Williams well logs on this well and I am forewarding a copy to you.

Thank You.

Yours Truly,  
Elias Saxton

1471 W. 300 S.

Pingree, Idaho 83262

F.

VERIFICATION (Must be Completed)

State of Idaho )

)ss.

County of Benneville )

Elias Saxton

(Name of person filing objection)

, duly sworn, upon oath, deposes and says:

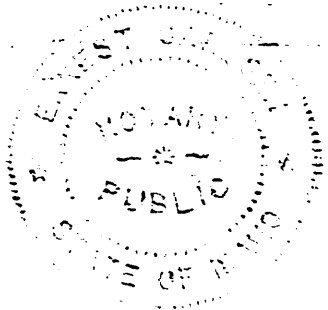
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Elias Saxton

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 16, 1999



Ernest Carlson

Notary Public for Idaho

Residing at: Idaho Falls

My Commission Expires: 6-14-2000

# WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

Log No. 117  
Rec. NOV 13 1955  
Well No. 117  
Permit No. 117

(DO NOT FILL IN)

Owner L. D. Church Address Moreland  
Driller C. Williams Address Blackfoot Lic. No. 4  
Location of Well: NW 1/4 NW 1/4 Sec 1 T. 2 S. R. 33 E. Bingham County,  
and 16 feet N/S, and 16 feet E/W from Corner of 1/4 Sec.  
Size of Drilled Hole 16" Total depth of Well 254  
Give depth of standing water from surface 169 Water Temp. 51 °Fahrenheit  
On pumping test delivery was        g.p.m. or        c.f.s. Drawdown was        feet.  
Size of pump and motor used to make the test         
Length of time pumped during check was        hr.,        minutes.  
If flowing well, give flow in c.f.s.        or g.p.m.        and shut in pressure         
If flowing well, describe control works        (TYPE AND SIZE OF VALVE, ETC.)  
Water will be used for irrigation Weight of casing per linear foot         
Thickness of casing        Casing material        E.G., PIPE, CONCRETE, WOOD.  
Diameter, length and location of casing         
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER;  
CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)  
Number and size of perforations        located        feet to        feet  
from surface of ground.  
Other perforations         
Date of commencement of well Feb 6 1954 Date of completion of well Feb 18, 1954  
Type of well rig       

## CASING RECORD

| DIAM<br>CASING | FROM<br>FEET | TO<br>FEET | LENGTH | REMARKS<br>SEALS, GROUTING, ETC. |
|----------------|--------------|------------|--------|----------------------------------|
| 16"            | 16.05        | 16.10      | 0.05   |                                  |

## GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

This Well was not tested

NW NW S. 1 2 3 33 E

# WELL LOG

| From<br>Feet | To<br>Feet | Type of Material                        | Drilling Time |      | Water-bearing<br>formation<br>Yes, Yes or No | Casing<br>Perforated<br>Yes, Yes or No |
|--------------|------------|-----------------------------------------|---------------|------|----------------------------------------------|----------------------------------------|
|              |            |                                         | Min.          | Sec. |                                              |                                        |
| 0            | 8          | Volcanic                                |               |      |                                              |                                        |
| 8            | 30         | Gray lava                               |               |      |                                              |                                        |
| 30           | 42         | dark cinders                            |               |      |                                              |                                        |
| 42           | 47         | soft red lava                           |               |      |                                              |                                        |
| 47           | 64         | red cinders                             |               |      |                                              |                                        |
| 64           | 95         | red lava                                |               |      |                                              |                                        |
| 95           | 110        | hard gray lava                          |               |      |                                              |                                        |
| 110          | 123        | red lava                                |               |      |                                              |                                        |
| 123          | 132        | red cinders                             |               |      |                                              |                                        |
| 132          | 137        | hard lava                               |               |      |                                              |                                        |
| 137          | 144        | brown clay & cinders                    |               |      |                                              |                                        |
| 144          | 152        | porous gray lava                        |               |      |                                              |                                        |
| 153          | 174        | hard gray lava                          |               |      |                                              |                                        |
| 174          | 190        | hard red lava 1st water in crevasse     |               |      |                                              |                                        |
| 190          | 224        | hard gray lava                          |               |      |                                              |                                        |
| 224          | 227        | 1/2" ash clay & cinders                 |               |      |                                              |                                        |
| 227          | 230        | hard red lava                           |               |      |                                              |                                        |
| 230          | 240        | soft red lava                           |               |      |                                              |                                        |
| 240          | 250        | not more space required use Sheet No. 2 |               |      |                                              |                                        |

## WELL DRILLERS STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed C. I. Williams

By \_\_\_\_\_

License No. 4

Dated Nov-10

WELL LOG AND REPORT TO THE  
STATE RECLAMATION ENGINEER OF IDAHO

Log No. \_\_\_\_\_  
Rec. \_\_\_\_\_ 19\_\_\_\_  
NOV 15 1955  
Well No. \_\_\_\_\_  
DEPARTMENT OF RECLAMATION  
Permit No. \_\_\_\_\_

(DO NOT FILL IN)

Owner L. D. I. Church Address Moreland  
Driller C. I. Williams Address Blackfoot Lic. No. 4  
Location of Well: NW 1/4 NW 1/4 Sec. 1, T. 2, R. 33, E. Bingham County,  
and \_\_\_\_\_ feet N/S, and \_\_\_\_\_ feet E/W from \_\_\_\_\_ Corner of \_\_\_\_\_ 1/4 Sec. \_\_\_\_\_  
Size of Drilled Hole 16" Total depth of Well 254  
Give depth of standing water from surface 169 Water Temp. 51 °F  
On pumping test delivery was \_\_\_\_\_ g.p.m. or \_\_\_\_\_ c.f.s. Drawdown was \_\_\_\_\_ feet.  
Size of pump and motor used to make the test \_\_\_\_\_  
Length of time pumped during check was \_\_\_\_\_ hr., \_\_\_\_\_ minutes.  
If flowing well, give flow in c.f.s. \_\_\_\_\_ or g.p.m. \_\_\_\_\_ and shut in pressure \_\_\_\_\_  
If flowing well, describe control works \_\_\_\_\_  
(TYPE AND SIZE OF VALVE, ETC.)  
Water will be used for irrigation Weight of casing per linear foot \_\_\_\_\_  
Thickness of casing \_\_\_\_\_ Casing material \_\_\_\_\_  
E.G., PIPE, CONCRETE, WOOD.  
Diameter, length and location of casing \_\_\_\_\_  
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER;  
CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)  
Number and size of perforations \_\_\_\_\_ located \_\_\_\_\_ feet to \_\_\_\_\_ feet  
from surface of ground.  
Other perforations \_\_\_\_\_  
Date of commencement of well Feb 6, 1954 Date of completion of well Feb 18, 1954  
Type of well rig \_\_\_\_\_

CASING RECORD

| DIAM<br>CASING | FROM<br>FEET     | TO<br>FEET | LENGTH | REMARKS... SEALS, GROUTING, ETC. |
|----------------|------------------|------------|--------|----------------------------------|
| 16"            | 16 ft<br>to rock |            |        |                                  |

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

This Well was not tested

NW NW S. 1 25 33 E

# WELL LOG

| From<br>Foot | To<br>Foot | Type of Material                  | Drilling Time |      | Wire-boring<br>Forming<br>Ann. Yes or No | Casing<br>Perforated<br>Ann. Yes or No |
|--------------|------------|-----------------------------------|---------------|------|------------------------------------------|----------------------------------------|
|              |            |                                   | Hrs.          | Min. |                                          |                                        |
| 0            | 8          | Volcanic                          |               |      |                                          |                                        |
| 8            | 30         | Gray lava                         |               |      |                                          |                                        |
| 30           | 42         | dry cinders                       |               |      |                                          |                                        |
| 42           | 47         | soft red lava                     |               |      |                                          |                                        |
| 47           | 64         | red cinders                       |               |      |                                          |                                        |
| 64           | 95         | red lava                          |               |      |                                          |                                        |
| 95           | 110        | hard grey lava                    |               |      |                                          |                                        |
| 110          | 123        | red lava                          |               |      |                                          |                                        |
| 123          | 132        | red cinders                       |               |      |                                          |                                        |
| 132          | 137        | hard lava                         |               |      |                                          |                                        |
| 137          | 144        | brown clay & cinders              |               |      |                                          |                                        |
| 144          | 152        | porous grey lava                  |               |      |                                          |                                        |
| 153          | 179        | hard grey lava                    |               |      |                                          |                                        |
| 179          | 190        | hard red lava 1st water in crevas |               |      |                                          |                                        |
| 190          | 224        | hard grey lava                    |               |      |                                          |                                        |
| 224          | 227        | shale clay & cinders              |               |      |                                          |                                        |
| 227          | 230        | hard red lava                     |               |      |                                          |                                        |
| 230          | 240        | soft red lava                     |               |      |                                          |                                        |
| 240          | 254        | red cinders 2nd water             |               |      |                                          |                                        |

## WELL DRILLERS STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed C. I. Willbain

By \_\_\_\_\_

Dated Nov 10 1955 License No. 4

JULY 9, 1992

ELIAS AND LORRAINE SAXTON  
1471 W 300 S  
PINGREE ID 83262

RE: EVIDENCE OF PRIORITY

Dear Mr. and Mrs. Saxton:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known at the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

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

\*\*\*\*\*

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

\*\*\*\*\*

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EVIDENCE OF PRIORITY  
Page - 2 -

Please submit the required evidence supporting the priority date by August 6, 1992, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 20 days of the date of this letter.

Respectfully submitted,

Eric Verner  
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"  
Proof Report

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9 71.7  
36  
POINT OF DIVERGENCE



8  
126.3

10  
58

TIS  
HEL

11  
7.1  
36

2795

T2S  
R  
33  
E

EXAM MAP

A35-12392

Eric Verna 7/7/92

HEL  
156.4

T.54.2  
741

134 = EXAM  
131 = ASCS

HEL  
276.3

NHEL  
2  
35.0

NHEL  
5  
5.7

28-Jun-1991

ELIAS SAXTON  
1471 W 300 S  
PINGREE, ID 83262

RE: **Evidence of Priority** A35-12392

Dear Claimant:

The Notice of Claim identified with the numbers shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by JULY 29, 1991, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

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Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner  
Senior Water Agent

EV:sc

Enclosure: Brochure on "Evidence of Priority"  
Proof Report

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CLAIMANT'S NAME: Elaine Lorraine Sexton

DATE: 8/15/89

EMPLOYEE: B. Schulz

RE: Reassigned Claim number as it has been used  
for another claim. Claim is now number 8512392  
was A35-11651

Send for verification of S/ POU.

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DEC 11 1992



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

Date: June 5, 1989

Elias and Lorraine Saxton  
1471 W. 300 S.  
Pingree, ID 83262

*Licenses* 35-2122  
35-7417  
35-7357B

RE: Water Right Claim Returned

Dear Claimants:

The Idaho Department of Water Resources (IDWR) is returning your check #862 (\$704.00) and Notices of Claim to a Water Right because of insufficient information and/or fees. All items on the claim forms must be correctly completed and fees submitted before the IDWR can process the claims.

Please correct the items identified below and return the forms to the IDWR within 30 days of the date of this letter. Failure to return the corrected claim within the 30-day period may result in an assessment of an additional \$50.00 late-fee for each claim.

### Irrigation Claims

- The IDWR records indicate there are three Licenses that cover the property you are claiming. However, the licensed information didn't precisely match the information submitted on the Notice of Claims. Please refer to the attached water right licenses and complete new Notices of Claim for each license.
- If you are claiming a portion of a license, you must also claim a portion of the amount. For example, if you are claiming 80% of the licensed acreage, you should also claim 80% of the total licensed amount.
- If you currently irrigate acres not covered by the licenses, you must submit an additional Notice of Claim for each expansion of acreage. The priority date for the additional claim(s) should be the date the expanded acreage was added.
- The consumptive use in Item #8 can be calculated by multiplying the total acreage in Item #10 by 3. For example, the total consumptive use for 200 acres is 600 acre feet per annum.

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- The filing fee for each irrigation Notice of Claim is \$50.00 plus \$1.00 per acre. However, if the same acreage is overlapped by two claims, you only must pay the \$1.00 per acre fee once for the overlapped acreage.

#### Domestic/Stock Claims

- The day and month water was first used must be entered for priority date. If you do not know the precise date, you must estimate the day and month, or apply the last day of the known year (December 31). Please check Item #2 on all claims for completeness.
- The location of the well and place of use must be defined to at least the 1/4 of 1/4 Section (40-acre tract). If you do not know the precise legal description, you may enclose a map illustrating the locations. Please check Items #4 and #10 on all claims for completeness.
- The amounts claimed must be entered. The amount guideline for one house with up to 1/2 acre irrigation is 0.04 cfs. The guidelines for various numbers and types of stock can be found in the enclosed table. Please check Items #6 and #7 on all claims for completeness.

If you have any questions, please call Tony Olenichak, Water Rights Agent, at (208)-525-7161.

Sincerely,

*Tony Olenichak*  
*for Ernest Carlsen*  
Ernest Carlsen  
Adjudication Supervisor

Enclosure

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4/11/1989

## SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME SAXTONCLAIM # ENT. NO. A35-11651/12392 <sup>PMS</sup>DATE RECEIVED 6/1/89

CK # \_\_\_\_\_

AMOUNT \$ \_\_\_\_\_

YES NO Required Info?

1. Is the name and address complete with zip code? . . . . . X     \*
2. Is a priority date entered? . . . . . X     \*
- Is the priority date acceptable in view of mandatory filing dates? X     \*
- See Adjudication Memos #1 and #4 to determine if a Permit is required. X     \*
3. (a) Is a source entered? . . . . . X     \*
- x (b) Is a tributary to entered? (if required) . . . . . N/A X     \*
4. Is the legal description of the p.d. sufficient? . . . . . X     \*
5. Is there a description of the diverting works? . . . . . X     \*
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. . . . . X     \*
- Is the period of use included? . . . . . X     \*
- Is a quantity claimed for each use? . . . . . X     \*
7. Is a total quantity claimed entered? . . . . . X     \*
- x 8. If required is a consumptive use entered? . . . . . N/A X     \*
- x Is the consumptive use correct? . . . . . N/A X     \*
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 X     \*
10. Is (are) the place(s) of use and purpose(s) indicated? . . . . . X     \*
11. Is (are) the county(ies) entered? . . . . . X     \*
12. Is the ownership of p.u. checked? . . . . . X     \*
- x 13. Are other water rights listed or "none" indicated? . . . . . X     \*
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 X     \*
15. Is the basis of the claim indicated? . . . . . X     \*
- x 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) . . . . . N/A X     \*
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. . . . . X     \*
18. Has the claim been signed, sealed, and dated by a notary? . . . . . X     \*
19. Was this claim filed on time, or was an extension granted? . . . . . X     \*
20. Is the fee enclosed correct? . . . . . Exempt X     \*
- x 21. If this claim is based on an existing water right, has the identification number been entered? . . . . . N/A X     \*
22. Should this claim be data entered? . . . . . X     \*

Claim checked by: TC Date: 7/24/89Claim must be returned to claimant:     (Yes) X (No)Claimant must be notified of modifications:     (Yes) X (No)

Receipt Prepared by: \_\_\_\_\_

Claim data entered by: SS-8-10-89

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Checked by: \_\_\_\_\_ Date: \_\_\_\_\_

Sent to claimant by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

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