

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: A65-01225A
Date Received: 5/26/1995
Receipt No: X999999
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: BARBARA E DIETRICH 208-365-6620
Address: 2110 N PLAZA RD
EMMETT ID 83617

2. Date of Priority: APR 10, 1905

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	01W	34	SW	SW			GEM

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	01W	34	SW	SW		DOMEST	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

TWO WELLS, ONE FOR HOUSE AND ONE FOR LAWN

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP, ET AL

vs Decree 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: _____

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)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

10/20/2000

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

RIGHT NUMBER: 65-1225A

NAME AND ADDRESS: BARBARA E DIETRICH
2110 N PLAZA RD
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
1.2 AFY

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

PRIORITY DATE: 04/10/1905

POINT OF DIVERSION: T07N R01W S34 SWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS
		1.2 AFY

PLACE OF USE:

DOMESTIC Within GEM County
T07N R01W S34 SWSW

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

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 8, 2000

Barbara E Dietrich
Dwight or Jean Parks
2110 N Plaza Rd
Emmett, ID 83617

Re: Claim No. A65-01225A

Dear Ms. Dietrich:

You have filed a water right claim on the above mentioned right. The original right (65-01225) was decreed in the Payette River Adjudication to Bell and Betty Drake for one home with the well located under the home.

Another party has also filed on this claim. This right can only be assigned to the party owning the original home that was filed on by the Drake's. If you can provide me with information showing that you own the original home, I can recommend this right in your name. If you do not own the original home, you can file a new claim for your well(s).

Please respond by June 23, 2000.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sue Bock'.

Sue Bock
Sr. Water Resource Agent

Enclosure: Profile report

AJ5809NP
No. A65-01225A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/97
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BARBARA E DIETRICH 2110 N PLAZA RD EMMETT ID 83617 (208) 365-6620	04/10/1905	DOMESTIC	01-01 12-31	0.04 CFS	1.2
TOTAL DIVERSION:					0.04 CFS	1.2

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R01W S34

SWSW

GEM County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
07N	01W	34	:																	:

POU County: GEM

Non-Irrigation Uses: DOMESTIC, 1 HOME

Remarks: GEN TWO WELLS, ONE FOR HOUSE AND ONE FOR LAWN

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 05/26/95 LWERNER

1966 House
RP00447000

NOT PER FRBA claim

DATE: 10/02/97
PAGE: 1

1.20 AFA

house

verify ownership
all PRBA claim
attached

ADJUDICATION MEMORANDUM

CLAIMANT: Barbara Dietrich CLAIM NO: AG5-22067
AG5-22068
AG5-01225A
EMPLOYEE: Linda Werner DATE: 5-26-95
SUBJECT: Duplicate claims filing

Claimant originally filed 2 claims for her usage. AG5-22067 & AG5-22068 for her wells. One for home & one for lawn. She came in prior to this as a result of claimant contact. At that time, I discovered that AG5-01225 had been filed by another party. After reviewing the info. Mrs. Dietrich thought that AG5-01225 might have been for her parcel since the original claimant, Dell Drake lived on the parcel she now owns. Consequently, Mrs. D. came in today to file claim on AG5-01225A. She has not withdrawn AG5-22067 & 22068 at this time until final determination is made during review.

MICROFILMED

OCT 18 1996

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF GEN

RECEIVED

AUG 26 1970

IDENT. NO. 15-1225

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM

TO A

WATER RIGHT

Department of Water Administration

Notice is hereby given that Betty L. and/or Betty L. Rinker (claimant) claims a right to the diversion of 1.5 Box 116, Emmett Idaho 83617

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows: ground water

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) April 1, 1905

(2) Describe source of water: (Name of stream, lake, spring, etc., or subsurface) ground water

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

Use domestic Period of Use From Jan 1 To Dec 31

Use domestic Period of Use From Jan 1 To Dec 31

Use domestic Period of Use From Jan 1 To Dec 31

Use domestic Period of Use From Jan 1 To Dec 31

Use domestic Period of Use From Jan 1 To Dec 31

(4) Quantity of water claimed: 0.02 Cubic Feet Per Second, or 1.7 Acre Feet Per Annum, and/or

(5) A) Point of Diversion: Give location of point where water is diverted from its source 1/4 Sec 34 Twp 7N Rge 1W B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)

Give sizes and capacities; be as specific as possible. well, pump

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

domestic use for one house

Effluent, sewage waste, or return water from this use is discharged into septic tank

(9) If you are claiming water as a member of an organization, list name of organization.

(9) Remarks 7N 1W B, Sec 34 #30

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use. ☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual Edna D. Rinker (Signature of Claimant)

Organization Edna D. Rinker (Signature of Authorized Agent)

State of Idaho County of Blaine On this 26 day of August, 1970, in the year 1970 before me,

a notary public, personally appeared Edna D. Rinker known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or

Notary Public residing at Boise, Idaho

My commission expires May 26, 1974

AP 10697

ADJUDICATION DIVISION

REPORT OF EXAMINERS

Claim No. 65-1925

1. Name of Applicant: Dell, A. B. & Co. Inc.

2. Priority: 4-6-1905

3. Source of Water: Colorado

4. Determine Purpose and Quantity of Water Found Used:

(Quantity) (Dom. Irr., Stk. water, etc.) (No. Day) (No. Day)

Use Dom Period of Use From 7/1 To 2/5

Use Dom Period of Use From 7/1 To 2/5

Use Dom Period of Use From 7/1 To 2/5

5. Location of Point of Diversion: SWSW of Section 34

6. Describe Diversion Works: Well w/ pump

7. Describe Location of Use:

8. Purpose Other Than Irrigation: Domestic

9. Remarks: Domestic water for stock water

This examination was made on the 4 day of Mar, 1916

(Signed) Edmund Z. Ballan Examiner

Scale: 1" = 1 MILE

Top: 7N RGE. 70 COUNTY 60W

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. AG5-01225ADate Received 5-26-95Receipt Number X 99...

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Barbara E Dietrich Phone () 365-6620
Mailing Address 2110 N Plaza Rd, Emmett Zip 83617

2. Date of Priority (Only one per claim) 4-1-1905 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 7N Range 1W
Section 34 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, BM.,
County of Gem

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well & Pump

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

For Domestic purposes from 1-1 ^{Month/Day} to 12-31 ^{Month/Day} amount 0.04 ^(cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic: 1 home

MICROFILMED

OCT 18 1996

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

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

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

10. Place of use is: Township: 7N Range 1W
Section 34, SW 1/4 of SW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

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 _____

14. Remarks: Two wells, one for house & one for lawn.

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

Court _____ Decree Date _____ Plaintiff vs Defendant State of ID vs A+C Corp et al.

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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

Number of Attachments _____

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 Barbara E. Dietrich Date 5-26-95
_____ Date _____

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

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 _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Ada) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 26 day of May 19 95

SEAL

Notary Public Linda Warner

Residing at Eagle ID 83616

My Commission Expires 12-8-2000

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 18 1996

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.

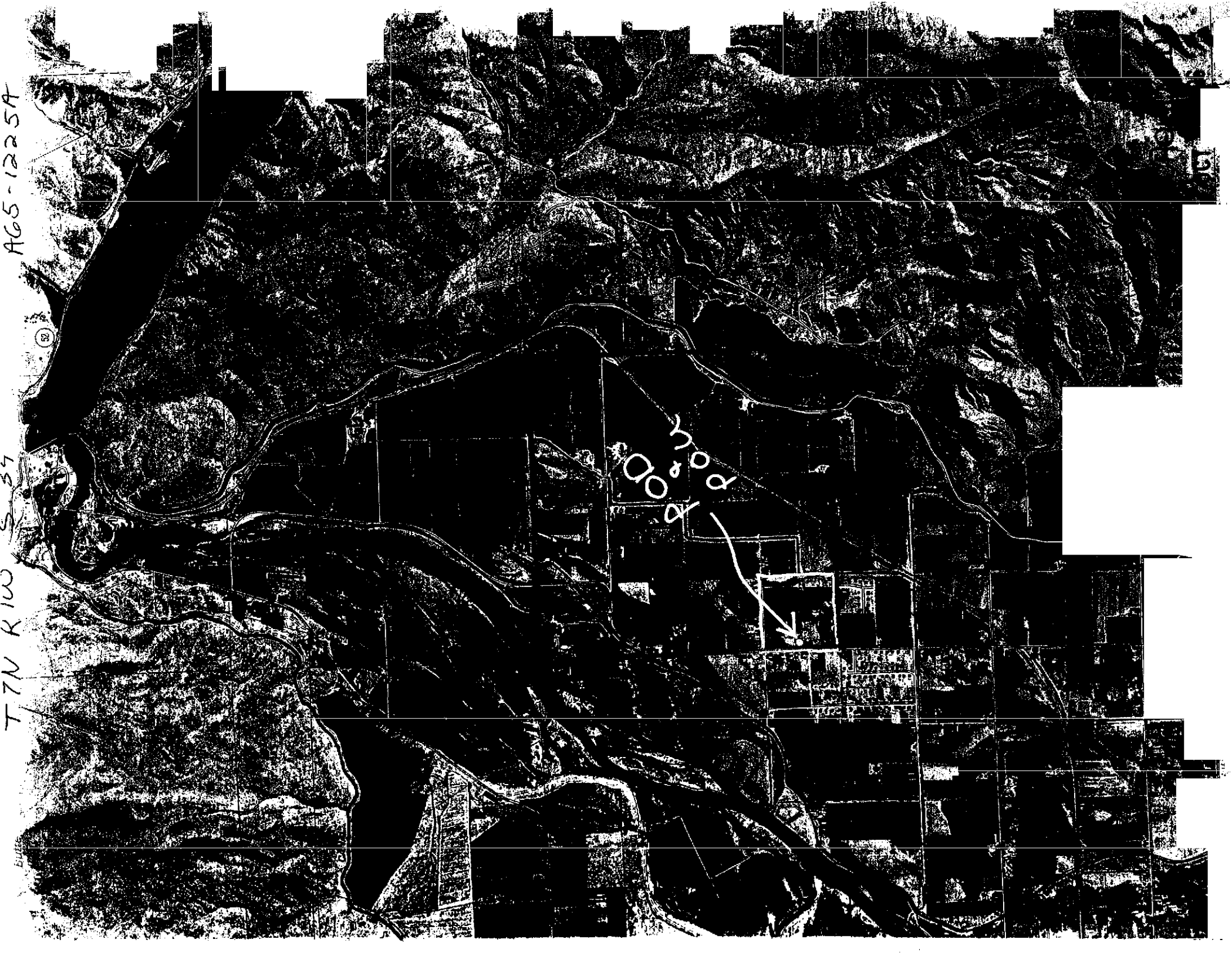
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

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.

AGS-1225A

S-37

T7N R1W



Dood

