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Documents
In File

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A65-01292**
Date Received: 12/ 6/1989
Receipt No: W018843
Received By: _____

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

1. Name: DENNIS L NELSON 208-365-5813
Address: 1486 S BOISE AVE
EMMETT ID 83617

OR
Name: DANEEN R NELSON 208-365-5813
Address: 1486 S BOISE AVE
EMMETT ID 83617

2. Date of Priority: APR 1, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01W	18	SW	NW	NE		GEM

5. Description of diverting works:
WELL WITH 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		1.20
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 5 STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	18	NW	NE		DOMEST	
			NW	NE		STOCK	

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:

NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Identification No. AL5-01292

Date Received 12-6-89

Receipt Number W018843

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) DENNIS L. NELSON OR DANEEN R. NELSON Phone (208) 365-5813

Mailing Address 1486 S. BOISE AVE. ID. Zip 83417

2. Date of Priority (Only one per claim) APRIL 1, 1940 OR JUNE 1968 Month/Day/Year 4/3/95

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 6N Range 1W

Section 18, SW 1/4 of NW 1/4 of NE 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 WITH Pump.

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

For DOMESTIC purposes from 1-1 to 12-31 amount .04 (cfs)

For STOCK purposes from 1-1 to 12-31 amount .02 (Both dates are inclusive)

7. Total quantity claimed .06 (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) 1 HOUSEHOLD & 5 STOCK

MICROFILMED

OCT 18 1996

RECEIVED

DEC 06 1989

Department of Water Resources
Western Regional Office

RECEIVED

APR 06 1995

WATER RESOURCES
WESTERN REGION

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: 6N Range 1W
Section 18, SW 1/4 of NW 1/4, Govt. Lot 100, 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 ✓ 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: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 65-01292

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) Dennis L. Nelson Date 12/4/89
Darren R. Nelson Date 12/4/89

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
document in the space below as _____ Organization _____ 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 Idaho)
County of Gem) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 4th day of December 19 89

SEAL

Notary Public Karen Browne

Residing at Emmett, Id. 83617

My Commission Expires 9-3-93

Last Name Browne 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.

01/22/2001

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

RIGHT NUMBER: 65-1292

NAME AND ADDRESS: DANEEN R NELSON
DENNIS L NELSON
1486 S BOISE AVE
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: 04/01/1940

POINT OF DIVERSION: T06N R01W S18 S18WNWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS 1.20 AFY

PLACE OF USE:

DOMESTIC Within GEM County
T06N R01W S18 NWNE

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

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

AJ5809NP
No. A65-01292

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/28/00
PAGE: 30

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DENNIS L NELSON	04/01/1940	~~STOCKWATER~~	01-01 12-31	~~0.020 CFS~~	
C	DANEEN R NELSON 1486 S BOISE AVE EMMETT ID 83617 (208) 365-5813		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.060 CFS	1.20 AFA

delete

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R01W S18

SWNWNE

GEM County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac									
06N	01W	18	: S	:	:	:	:								

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	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac									
06N	01W	18	: D	:	:	:	:								

POU County: GEM

Non-Irrigation Uses: DOMESTIC, 1 HOME; ~~STOCKWATER, 5 STOCK~~

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Cond: C18 + N11 + N13

*delete-stockwater component it is included in the domestic
but, more important it is not a component of the decreed
right*

WR5809NP
No. 65-01292

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/18/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARVILLA B. HART	04/01/1940	DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
C	WALLACE R. HART 1486 S. BOISE AVE. EMMETT ID 83617			TOTAL DIVERSION:	0.040 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06N R01W S18

NWNE

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	Lt	Ac	Lt	Ac
06N	01W	18	:			D																	

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-00192 65-00560 65-00604 65-00872 65-01121 65-01345 65-01516 65-01543 65-01964

Other Water Rights Listing Overlapping Place(s) of use:

65-00054X 65-00560 65-13609

Dates:	App. Received:	Priority Date:	04/01/1940
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

Cond: C18 + N11 + N13



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 1, 1995

Dennis L. Nelson
1486 S Boise Ave
Emmett ID 83617

RE: Snake River Basin Adjudication (SRBA)

Dear Claimant:

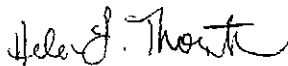
This office is presently processing the Notice of Claim to a Water Right you submitted during the Snake River Basin Adjudication claims filing in your area. However, due to the following item(s) we are unable to process your claim.

Enclosed is a summary report of the decreed water right which you identified as your basis of claim (65-01292). If you wish to use this right as your basis of claim, the elements on the claim should correspond to the elements of the decreed right (specifically, uses and amounts). If you wish to claim that right without describing corresponding elements, a \$25 filing fee is required.

Please be aware that a domestic use includes the water use in the home, irrigation of up to 1/2 acres of lawn and garden and associated stockwater uses not to exceed 13,000 gallons a day. If this accurately describes the actual water use and you wish to claim the water right as decreed, please line through the information which does not correspond to the decreed right and/or modify the claim as necessary, initial the changes and return to this office for processing. If you wish to claim the water right as shown presently, you will need to submit a fee of \$25 with the claim and we will process the claim. Please be aware that it is likely that the portion exceeding the decreed right will be recommended to the court to be disallowed.

Please complete these changes and return the necessary documents to this office within 30 days from the date of this letter. If the claim or fee requested is not received within this 30-day period, the claim will be rejected and fees, if paid previously, will be refunded. Please do not hesitate to contact this office if you have any questions or need assistance. If the claim is rejected and fees refunded, due to no response within the 30 days, the claim can be resubmitted up until claims in this area are prepared for court decree. However, a late fee may be due at that time in addition to any other required fees.

Respectfully,


Helen L. Thornton
Adjudication Staff

HHT:h
Enclosures

MICROFILMED
OCT 18 1996

IN 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: 39576

Identification No. _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHTRECEIVED
DEC 08 1989No ✓ inc.
Department of Water Resources
Western Regional Office

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) DENNIS L. NELSON OR DANEEN R. NELSON Phone (208) 365-5813
Mailing Address 1486 S. BOISE AVE. ID. Zip 83417
2. Date of Priority (Only one per claim) APRIL 1, 1940 Month/Day/Year
JULY 1963
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 6N Range 1W
Section 18, SW 1/4 of NW 1/4 of NE 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 WITH Pump.
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For DOMESTIC purposes from 1-1 to 12-31 amount .04 (cfs)
(Both dates are inclusive)
For STOCK purposes from 1-1 to 12-31 amount .02
7. Total quantity claimed .06 (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) 1 HOUSEHOLD & 50 STOCK

MICROFILMED

OCT 18 1996

10. Place of use is: Township: 6N Range 1W
Section 18, SW 1/4 of NW 1/4, Govt. Lot 122, 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 ☒ 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: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____
If applicable provide IDWR Water Right Number 165-01292

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) Dennis L. Nelson Date 12/4/89
Darren R. Nelson Date 12/4/89

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
document in the space below as _____ Organization _____ 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 Idaho)
County of Gem) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 4th day of December 19 89

SEAL

Notary Public Karen Browne
Residing at Emmett, Id. 83617
My Commission Expires 9-3-93

Last Name Browne Ident No. _____

WR-NUMBER:
65-01292

CURRENT OWNER:
ARVILLA B. HART
WALLACE R. HART
COUNTY: GEM
SOURCE: GROUNDWATER
WATER USE:
DOMESTIC

PRIORITY DATE:
04/01/1940

STAGE:
DECREED

WATER-DIST: 65

TRIBUTARY:
DIVERSION RATE: 0.040
DIVERSION VOLUME: 1.20
TOTAL: 0.040 1.20

PERIOD FROM: 01/01
PERIOD TO: 12/31

POINT OF DIVERSION: Twp Rge Sec Tract Lot
06N 01W 18 NW NE

PLACE OF USE LEGAL DESCRIPTION FOR: DOMESTIC

				NE				NW				SW				SE					
				NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
06N	01W	18:	:																		
			:	D																	

DECREE PLAINTIFF: STATE OF IDAHO
DECREE DEFENDANT: A & C CORP., ET AL.

END OF REPORT

MICROFILMED
OCT 18 1996