

No Color
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: A65-03443
Date Received: 4/11/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES W. STEPHENS 208-452-4550
Address: 5925 ELMORE RD.
NEW PLYMOUTH, ID 83655

OR

Name: DONNA RENAE STEPHENS 208-452-4550
Address: 5925 ELMORE RD.
NEW PLYMOUTH, ID 83655

2. Date of Priority: APR 1, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	11	NE	NE			PAYETTE

5. Description of diverting works:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	11	NE	NE		DOMEST	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

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
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CIVIL CASE NUMBER: 39576
Ident. No. A65-3443

RECEIVED
APR 11 1990

ATTACHMENT TO
OFFICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly:

Name of Claimant(s) James W. Stephens or
Donna Renae Stephens

Mailing Address 5925 Elmore Rd
(include Zip Code) New Plymouth, Id 83655

Phone Number (208) 452 - 4550

MICROFILMED

SEP 22 1992

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: A65-03443

Date Received:

Receipt No:

Received By: _____

RECEIVED
APR 11 1969

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: Department of Water Resources
JERRY STROUD

Address: ROUTE 1, BOX 233A
FRUITLAND, ID

83619

Name: ELENORA A. STROUD

Address: ROUTE 1, BOX 233A
FRUITLAND, ID

83619

2. Date of Priority: APR 01, 1969

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	11	NE	NE			PAYETTE

5. Description of diverting works:

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

7. Total Quantity Appropriated is:

0.040 C.F.S. (and/or)

1.20 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A65-03443

Page

1

Date: 04/11/90

MICROFILMED

SEP 22 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	11	NE	NE		DOMEST	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

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) X James W. Stephens Date: 4-11-90
_____ Date: _____

State of Idaho)
County of Fayette) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of April 1990
Seal

Anna Baumhoff
Notary Public

Residing at Anna Baumhoff, Notary Public
My Commission Expires December 7, 1994

DLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

PHONE - 208-000-0000

+ - - - STATUS - - - - +

+ - - - - - - - - - - TRIBUTARY - - - - - - - - - - - - - - - - +

STREAM INDEX (BLANK IF NO INDEX CODE)

1.20 —

0.040

COUNTY

(75) PAYETTE

+ - - NON-IRRIGATION USE - *domestic - home*

WATER RIGHT NUMBER - A65-03443

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - OTHER RIGHTS FOR SAME USE - *none*

+ - - - - REMARKS - - - - -
NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.

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

+ - - - - DECREE PLAINTIFF - - - +
STATE OF IDAHO
+ - - - - DECREE DEFENDANT - - - +
A & C CORP., ET AL.
+ - DECREE DATE - +
01/21/1986

+ - - AUDIT FIELDS - 07/24/91 HOLT

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

| | | | | | |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| COURT REPORT FILING | - 00/00/0000 | FIELD INSPECTION MADE | - 00/00/0000 | CIVIL CASE NUMBER | - 39576 |
| OBJECTION FILED DATE | - 00/00/0000 | FIELD INSPECTION FLAG | - | OLD CASE NUMBER | - |
| RESPONSE FILED DATE | - 00/00/0000 | VERIFIED DATE | - 00/00/0000 | OLD JUDICIAL DISTRICT | - |
| CLAIM RECEIVED DATE | - 04/11/1990 | LAST AMENDED DATE | - 00/00/0000 | TEMPORARY RIGHT | - P |
| PROOF DUE DATE | - 00/00/0000 | PROOF MADE DATE | - 00/00/0000 | WATER DISTRICT | - 65 |
| LICENSED DATE | - 00/00/0000 | RECEIPT NUMBER | - X999999 | FEDERAL/STATE INDICATOR | - S |
| CLAIMS TAPE ERROR FLG | - | POU OWNERSHIP FLAG | - Y | PRESUMPTION FLAG | - |
| FEE EXEMPT FLAG | - | NAME CONNECTOR | - OR | NOTICE OF ERROR FLAG | - |

958-001-0 35

DATA ENTRY

ENTERED

CHECKED

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
MAY 3 1992

PROOF
APR 6 1992

CERTIFIED
NOV 19 1992
WATER EXAMINER

12/29/2000

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

RIGHT NUMBER: 65-3443

NAME AND ADDRESS: DONNA RENAE STEPHENS
JAMES W STEPHENS
5925 ELMORE RD
NEW PLYMOUTH, ID 83655

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: 04/01/1969

POINT OF DIVERSION: T07N R05W S11 NENE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE:

DOMESTIC Within PAYETTE County
T07N R05W S11 NENE

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

PARCEL NO. 958-1

AJ0749NP
No. R65-03443

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

DATE: 04/24/00
PAGE: 1

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|-----------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C | JAMES W STEPHENS | 04/01/1969 | DOMESTIC | 01-01 12-31 | 0.040 CFS | 1.20 AFA |
| C | DONNA RENAE STEPHENS | | | | | |
| | 5925 ELMORE RD | | | | | |
| | NEW PLYMOUTH ID 83655 | | | | | |
| | (208) 452-4550 | | | | | |
| | | | | TOTAL DIVERSION: | 0.040 CFS | 1.20 AFA |

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R05W S11

NENE

PAYETTE 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 05W 11 | : | | : | | : | | : | | : | | : | | : | | : | |
| | : | | : | | : | | : | | : | | : | | : | | : | |

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- C18 - 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.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Parcel # 958-1
SDE

WR0749NP
No. 65-03443

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/24/00
PAGE: 1

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|--------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C | JERRY STROUD | 04/01/1969 | DOMESTIC | 01/01 12/31 | 0.040 CFS | 1.20 AFA |
| C | ELENORA A. STROUD | | | | | |
| | ROUTE 1, BOX 233A | | | TOTAL DIVERSION: | 0.040 CFS | 1.20 AFA |
| | FRUITLAND ID 83619 | | | | | |

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R05W S11 NENE PAYETTE County

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 | : Lt Ac | : Lt Ac | : Lt Ac | : Lt Ac | : Lt Ac | : Lt Ac | : Lt Ac |
| 07N 05W 11 | : D | : | : | : | : | : | : | : | : | : | : | : | : | : | : | : |

Pou County: PAYETTE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-03730

Other Water Rights Listing Overlapping Place(s) of use:
65-00066

| | | | |
|--------|-----------------|--------------------|------------|
| Dates: | App. Received: | Priority Date: | 04/01/1969 |
| | 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



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

James W. Stephens
5925 Elmore RD
New Plymouth ID 83655

4/24/2000

Dear Mr. Stephens:

In 1990 you filed a claim to a water right # 65-03443 in the Snake River Basin Adjudication. This water right is in the name of Jerry Stroud in our records. I assume you have purchased this property at some time but did not file a change of ownership with our office. Could you please provide documentation of ownership for the land that this water right is attached? This documentation could be a copy of your warranty deed or a recent tax notice. Thank you for your assistance.

Scott D. Van Hoff
Sr. Water Resources Agent.

Enclosed is a photocopy of our most recent tax notice (I just noticed it said tax "receipt") If this isn't sufficient, please call us at (208) 452-4550 and we will submit again.

We have owned this property ^{still reside there} since 1978. Apparently in the 1990 filing, my husband didn't realize more would be needed. He must of assumed since we were filing for that water right, it must be obvious we now owned the property. Thank you for bringing this to our attention.

Sincerely,
Mrs. James W. Stephens

KE CHECK PAYABLE TO:
TTE COUNTY TAX COLLECTOR
A COLLINGWOOD, TREASURER
3RD AVENUE NORTH
TTE, ID 83661
ONE: (208)642-6004

TAX YEAR 1999 CODE AREA 35

PARCEL: 958 1

STATE #:07N05W110300

REAL PROPERTY

***VALUATION**

LAND 32,480
IMPRVMNTS 81,110
PERS. PROP.
MOBILE HM
SUBTOTAL 113,590
-HM EXEMP 39,165
TOTAL 74,425

RECEIVED
MAY 05 2000
WATER RESOURCES
WESTERN REGION

STEPHENS, JAMES W.
5925 ELMORE RD
NEW PLYMOUTH ID 83655-9704

TAXING DIST *PHONE* **RATE** **AMOUNT**
COUNTY 642-6000 .004502699 335.13
RODENT DIST. 642-6021 .000115672 8.61
RECREATION 452-3542 .000400923 29.84
SCHOOL #373 452-3595 .007299529 543.27
PARKVIEW CEM. 452-3127 .000206324 15.36
HWY DIST.#1 278-3041 .001089392 81.08
N.P. FIRE 278-5338 .000335331 24.96
REDEEM JAIL BOND 642-6000 .000268612 19.99
SUBTOTAL .014218682 1,058.24
NEW LANDFILL FEE 642-6036 36.00
LANDFILL BOND .00

NENE S OF DITCH
SEC. 11, T 7 N, R 5 WBM

5925.0 ELMORE RD
TOTAL ACRES: 20.00

TAXES DELINQUENT FOR:

TOT TAX, SPECIALS, FEES 1,094.24
-CIRCUIT BREAKER EXEMPTION .00
SUBTOTAL 1,094.24

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

NET TAX, SPECIALS, FEES 1,094.24

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

PHENS, JAMES W. 958 1
YR: 1999
CD: 35

STEPHENS, JAMES W. 958 1
YR: 1999
CD: 35

DELINQUENCIES:

DELINQUENCIES:

TE #
05W110300
TAXES/SPECIALS 529.12
LANDFILL FEE 18.00
TOTAL DUE 547.12

STATE #
07N05W110300
TAXES/SPECIALS 529.12
LANDFILL FEE 18.00
TOTAL DUE 547.12

COUNTY: PAYETTE

COUNTY: PAYETTE

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2000

DATE PAID: CHECK #:
PAID BY: CASH

DELINQUENT IF NOT PAID ON OR BEFORE DECEMBER 20, 1999

DATE PAID: CHECK #:
PAID BY: CASH

TOT