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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: A65-22222
Date Received: 6/ 2/1998
Receipt No: W023957
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LORENZO T HOWARD
Address: 970 PLAZA RD N
EMMETT ID

208-884-3437

83617

2. Date of Priority: MAY 22, 1998

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	01W	3	SW	NE	SW		GEM

5. Description of diverting works:

45' WELL DRILLED IN 1993. SEE COPY OF WELL DRILLER'S LOG ATTACHED

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:

1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	01W	3	NW	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:

POU MATCHES EXHIBIT "A", BUT POD DOES NOT.

15. Basis of Claim: BENEFICIAL USE

RECEIVED

JUN 02 1998

WATER RESOURCE:
WESTERN REGIONIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMIdentification No. A65-22222
Date Received 6-2-98
Receipt Number W023957

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) LORENZO T. Howard Phone 208 884-3437
Mailing Address 970 plaza RD N. Emmett, ID. 83617 Zip 83617
2. Date of Priority (Only one per claim) 6-22-98 Month/Day/Year
3. Source of water supply (Check one) () Groundwater or Other () (a) Well Domestic
which is tributary to (b) _____ Name or kind of source
4. Location of point of diversion is: Township 6N Range 16W
Section 3 SW 1/4 of NE 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.
45' WELL DRILLED IN 1993 - SEE COPY OF WELL DRILLERS LOG ATTACHED (STONEBURNER)
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For _____ purposes from _____ to _____ amount _____ (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
7. Total quantity claimed _____ (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) SINGLE HOUSEHOLD

10. Place of use is: Township: 6 N Range 1 W
Section 3, SW 1/4 of NW 1/4, Govt. Lot SW, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

legal
description
attached

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

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: _____

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 _____

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 0

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

Signature of Claimant (s) [Signature] Date 5-22-98
_____ Date _____

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

_____ Title
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho Gem)

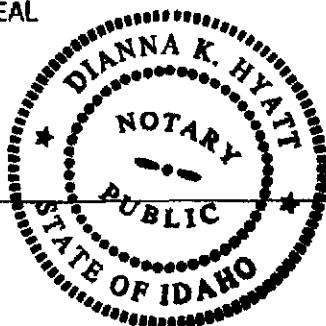
County of Gem)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 22nd day of May 19 98

SEAL



Notary Public Dianna K. Hyatt

Residing at Emmett, Idaho

My Commission Expires 3/05/04

Last Name HOWARD Ident No. _____

Copies: White-State, Yellow-Claimant

EXHIBIT "A"

Legal Description

A tract of land being the North half of the Southwest quarter of the Northwest quarter of the Southwest quarter of Section 3, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho, more particularly described as follows:

Beginning at the Southwest corner of the North half of the Southwest quarter of the Northwest quarter of the Southwest quarter of Section 3, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho, marked by a "PK Nail" and washer stamped PLS 6552; thence

North 01°30'13" East, 329.58 feet along the West line of said North half to a "PK Nail" and washer stamped PLS 6552 at the Northwest corner of said North half; thence

South 89°05'45" East, 657.10 feet along the North line of said North half to a 1/2" iron pin with plastic cap stamped PLS 6552 at the Northeast corner of said North half; thence

South 01°28'06" West, 331.26 feet along the East line of said North half to a 1/2" iron pin with plastic cap stamped PLS 6552 at the Southeast corner of said North half; thence

North 88°56'56" West, 657.29 feet along the South line of said North half to THE POINT OF BEGINNING.

Except ditch and road rights of way.

LESS the following described tract:

That portion of the North half of the Southwest quarter of the Northwest quarter of the Southwest quarter of Section 3, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho, more particularly described as follows:

Beginning at the Northwest corner of the North half of the Southwest quarter of the Northwest quarter of the Southwest quarter of Section 3, Township 6 North, Range 1 West, Boise Meridian, THE REAL POINT OF BEGINNING; thence

South 89°05'45" East, 534.66 feet to a found spike and washer PLS 6552; thence

South 01°28'06" West, 12.33 feet to a set 1/2" iron pin with plastic cap stamped PLS 6552; thence

North 88°22'03" West, 534.64 feet to a point on the West line of said North half of the Southwest quarter of the Northwest quarter of the Southwest quarter; thence

North 01°30'13" West, 5.53 feet along said West line to the REAL POINT OF BEGINNING.

AJ0749NP
No. R65-22222

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

DATE: 06/09/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LORENZO T HOWARD 970 PLAZA RD N EMMETT ID 83617 (208) 884-3437	05/22/1998	DOMESTIC	01-01 12-31	0.040 CFS	
TOTAL DIVERSION:					0.040 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T06N R01W S03 SWNWSW

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
06N	01W	3	:																

POU County: GEM

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: Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JUNE 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

[]

LORENZO T HOWARD
970 PLAZA RD N
EMMETT ID 83617

[]

Dear Claimant(s):

We have processed your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to either complete or change an item or items on your claim form(s). A copy of the computer generated copy with these changes and the receipt for the filing fee previously submitted are enclosed. **ONLY THE ITEM(S) SHOWN BELOW WITH A CHECKMARK HAVE BEEN EITHER CHANGED OR ADDED TO YOUR CLAIM(S). IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIM(S).**

_____ Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.

X Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.

_____ Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.

_____ Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

X Item #7 - The total quantity claimed was not completed.
The use(s) claimed have been added together and
this amount added to your claim.

_____ Item #9 - The number of homes was not listed on your claim.
It appears to be filed for one domestic home and
this information has been added to your claim.

_____ Item #10- The place of use appears to be incorrectly
described, or not described at all. Based on
other information submitted we have added in the
quarter-quarter, section, township and range.
If you had listed the Lot, Block and Subdivision
name, we have enclosed a copy of the subdivision
map from which we computed the quarter-quarter
legal description. Or, if you have listed a
quarter-quarter legal description under Item No.
4, we have listed this same quarter-quarter,
section township and range on this item.

_____ Item #12- The ownership of the place of use has not been
marked. We have assumed you own the place of use
and this information has been added to your
claim.

_____ Item #15- Basis of Claim was not completed. No previously
recorded water rights were found, therefore, we
have marked beneficial use of the water as the
basis for filing this claim.

_____ Other _____

If you have any problems or questions concerning these additions
and/or changes, please contact this office within 30 days from the
date of this letter. If we do not hear from you within this time, we
will assume you agree with these changes, and your claim will remain
on file as shown on the enclosed data entered copy.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office

Enclosures

**SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS
CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE
LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR
ADDRESS ON A WATER RIGHT.**

FIRST AMERICAN TITLE COMPANY OF IDAHO
108 EAST 6TH. STREET
EMMETT, IDAHO 83617
PHONE (208) 365-5343 FAX (208) 365-3650

May 29, 1998

IDAHO DEPARTMENT OF WATER RESOURCES
Western Region Office
2735 Airport Way
Boise, ID 83705

RECEIVED
JUN 02 1998
WATER RESOURCES
WESTERN REGION

ATTN: Adjudication Rights

RE: Our No.: FA-6881
Property Owner: Lorenzo Howard

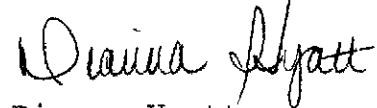
On behalf of the above property owner, enclosed is the Notice of Claim to a Water Right together with a copy of the well drillers log and the filing fee of \$25.00.

Should you have any questions regarding this matter please feel free to contact me.

Thank you.

Sincerely,

FIRST AMERICAN TITLE CO.



Dianna Hyatt
Escrow Officer

enc

STATEMENT

FROM

DATE

12-29-93

TO

Marian Stoneburner
140 Coyote Path
Stony Ford Cal 95919

TERMS

1	6" Well 1800 ft	45 ft	810	00
1	6" Well 1800 ft		100	00
1	6" Well Cap		40	00
1	6" Well Permit		55	00
			1585	00
Rocky Mountain Drillers				
1523 Michael St.				
Emmett Id. 83617				