

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: 29-2261 ³⁹⁵⁷⁶

Ident. Number _____

Date Received _____

Receipt Number _____

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

RECEIVED

MAR 10 2004

Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) Wayne & Patricia Avery Phone (208) 776-5628
Mailing Address 8888 Sunnyside Rd, Lava Hot Spgs, ID Zip 83246
2. Date of Priority (Only one (1) per claim) 07/10/1945
3. Source of water supply (a) Springs
which is tributary to (b) sinks
4. a. Location of existing point of diversion is: Township 09S Range 38E Section 9,
SW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Bannock
Additional points of diversion if any: T09S R38E S18 NENE NE Bannock County
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.
Two springs to a common line to P/U For Irr.,
Dom, Stock uses.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04/01 to 10/31 amount 0.040 or _____

For Domestic purposes from 01/01 to 12/31 amount 0.040 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.080 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 5.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic - 2 homes

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
09S	38E	17									2								2
09S	38E	17									D								

Total number of acres irrigated 2 acres

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

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.
_____ or None (X)

14. Remarks:

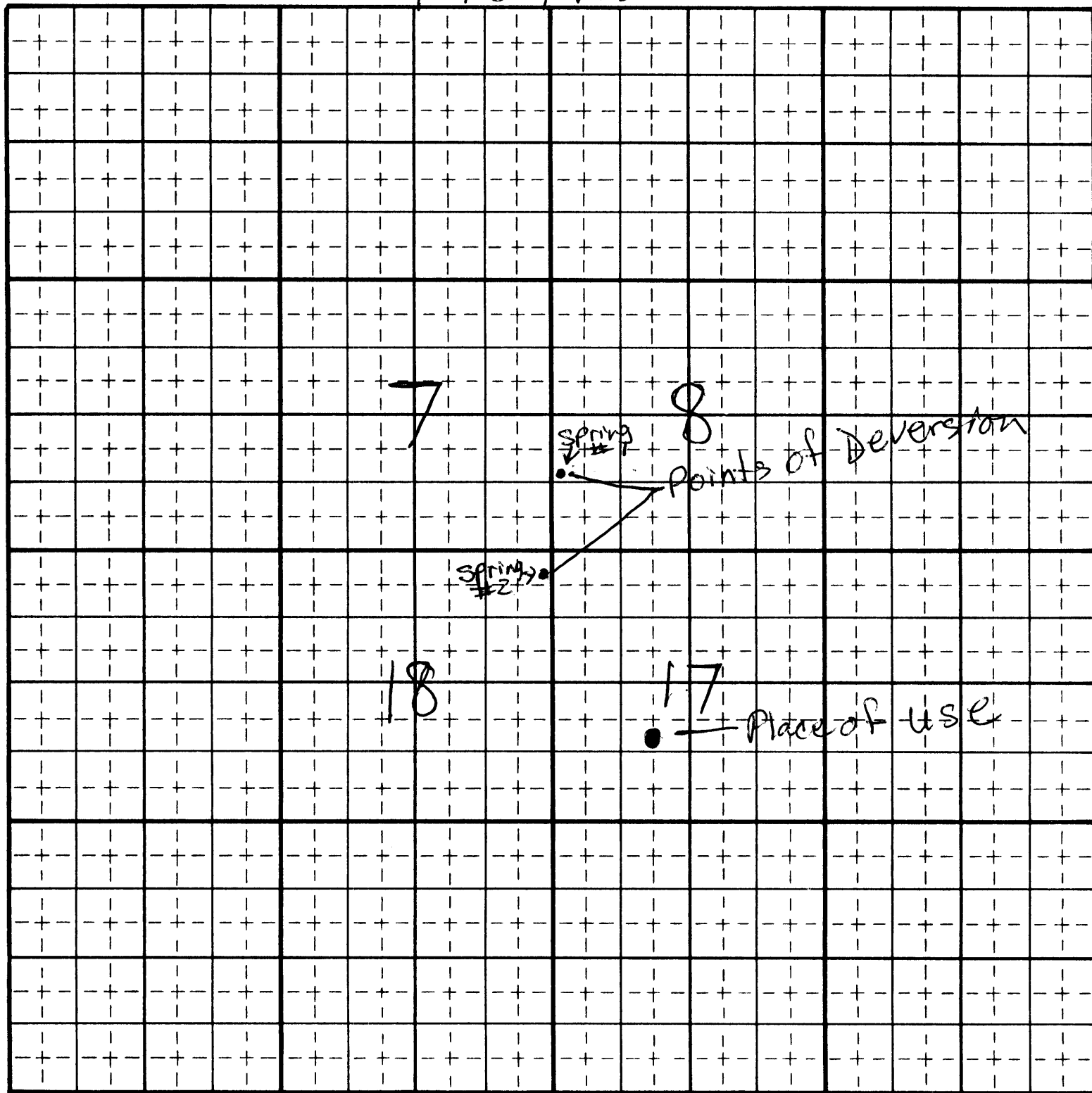
Last Name Avery Ident No. 29-2261

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T9S, R38E



Last Name

Avery

Ident No.

29-2261

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License ☒ Permit _____

Decree ~~3-9-04~~

If applicable provide IDWR Water Right Number 29-2261

Court _____ Case Number _____ Decree Date 07/10/1945

Plaintiff vs 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 1

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

Signature of Claimant (s) Wayne Avery Date 3-9-04

Patricia Avery Date 3-9-04

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

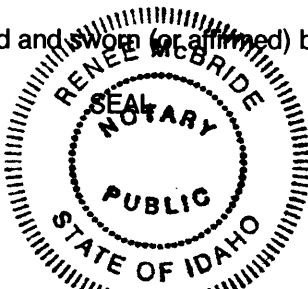
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 9th day of March 19 2004



Notary Public Renee McBride

Residing at lava Hot Springs, Idaho

My Commission Expires May 31, 2006

Please Print Name

17. Notice of Appearance.

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Avery Ident. Number 29-2261

Copies White-State, Yellow-Claimant

spring 1
photo 1

spring 2
photo 2

7 8
18 17

T9S, R38E

Recommended PODs

GPS PODs

Spring 1 - T09S R38E S8 SW NW SW

Spring 2 - T09S R38E S18 NE NE NE

Wayne Avery's
Place of
Use

