

VERIFIED BY

R. McHenry
7-19-94

07/19/94 14:49:46
Page 1

Water Right Number - R31-10737

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - +

*** C - CURRENT OWNER ***
BUCK

CAL

BUCK

ANITA

1 - HWY 33
2 -
3 -
City - TERRETON
Phone - 208-663-4606
1 - HWY 33
2 -
3 -
City - TERRETON
Phone - 208-663-4606

State- ID Zip- 83450

+ - - Priority Date - - + - - Region - - - + - - Stage - - - + - - Status - - - +
11/26/1942 15 EASTERN I - DISALLOWED

+ - - Source - - - - - + - - - - - + - - - - - + - - - - - +
GROUNDWATER

+ - - - - - + - - - - - + - - - - - + - - - - - +
Twn Rng Sec Tract Lot Rflg County Point of Diversion - - - - - +
06N 34E 22 NE NE NE (51) JEFFERSON

+ - - - - - + - - - - - + - - - - - + - - - - - +
Code Description Period From Period To Water Use Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.010
10 - COMMERCIAL 01/01 12/31 0.020
43 - DOMESTIC 01/01 12/31 0.010

+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
0.040 0.0

+ - - - - - + - - - - - + - - - - - + - - - - - +
Twn Rng Sec Tract Lot Acres Place of Use Code Description County
06N 34E 22 NE NE 04 STOCKWATER (51) JEFFERSON
06N 34E 22 NE NE 10 COMMERCIAL (51) JEFFERSON
06N 34E 22 NE NE 43 DOMESTIC (51) JEFFERSON

Total Acres:

- + - - Diversion Means - WELL/PUMP 280 FEET DEEP TO HOME, STOCKWATER, COMMERCIAL.
- + - - Non-Irrigation Use - D/ 3 HOMES; 3 COMMERCIAL BUILDINGS
- + - - Other Rights for Same Use - NONE

Water right number - R31-10737

Prefix Translation: RESEARCH

NO LAWFUL APPROPRIATION SHOWN. —

No Old Water Right Numbers Found

P01 - NO LAWFUL APPROPRIATION SHOWN: There are a number of

- circumstances in which a claim is proposed to be disallowed on
- this basis. This is most commonly included for a claim based on
- beneficial use or posted notice that is PROPOSED to be disallowed
- because the right claimed is not within an exception to the
- mandatory permit statute, and beneficial use of water prior to
- the mandatory permit statute was not confirmed. This is also
- included where a claim is PROPOSED to be disallowed because the
- claim is to water that is not public water subject to
- appropriation. This is also included where a right was
- determined not to exist in a prior adjudication.

- - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

Date: 07/19/1994 User Id: MCCARTHY Subject: REASON FOR DISALLOWAL - Comments -
EVIDENCE OF PRIORITY WAS REQUESTED ON 2-16-93 AND AGAIN ON 6-20-94. NO RESPONSE WAS RECEIVED. —

- - - Audit Fields - - - +

07/19/94 MCCARTHY

+ - - - - 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 | - 07/19/1994 | Old Judicial District | - |
| Claim Received Date | - 01/02/1990 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - E011446 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

June 20, 1994

*****FINAL REMINDER*****

Cal Buck
Hwy 33
Terreton, ID 83450
Claim No.: A31-10737

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date. This letter is the final reminder that the above documentation needs to be provided.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY

Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the documentation supporting the priority date by July 8, 1994, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Roxanne McCarthy
Water Right Agent, Adjudications

RM:r

File: To Claim

Enclosure: Brochure on "Evidence of Priority"
Proof Report



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 22, 1994

Cal Buck
Hwy 33
Terreton, ID 83450

Re: Snake River Basin Adjudication (SRBA)
Adjudication Claim No.: A31-10737

Dear Claimant,

The Department of Water Resources will be conducting adjudication claim verification examinations in your area the week of May 9th. After these examinations are complete, your water rights will be recommended for decree by Judge Hurlbutt in the Snake River Basin Adjudication. The recommendations will be based on our findings in the field.

Information on your claim that may need to be verified includes: the source of water used, water uses and amounts of use, legal descriptions of the point of diversion and place of water use, etc..

It is not mandatory that you accompany the field agent during the examination. However, it would be very helpful if you, or a knowledgeable representative, could be available should questions arise.

We will be contacting you to schedule the examination. If you have questions, or are ready to schedule the examination now, please call us in Boise.

Sincerely,

Roxanne McCarthy
(208) 327-7925

Bob Foster
(208) 327-7881

RM:rm:tf