

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: A45-02485
Date Received: 6/01/1989
Receipt No: M003804
Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARRETT FRANK SOMSEN 208-436-3623
Address: 212 PLEASANT WAY
RUPERT, ID 83350

OR
Name: DIANNE L SOMSEN 208-436-3623
Address: 212 PLEASANT WAY
RUPERT, ID 83350

2. Date of Priority: NOV 08, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	25E	28	SE	NE	NE		CASSIA
			NW	SW	NW		CASSIA

5. Description of diverting works:
16" WELL X 160' DEEP, 150 HP PUMP & 40 HP BOOSTER-COMMON TO PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	2.680		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A45-02485

Page 1

Date: 06/01/89

MICROFILMED

MAR 08 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	25E	28	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
							Section Acres	160.0
							Total Acres	160.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
45-02428, 45-04242

14. Remarks:

THE 2 WELLS FOR THESE 3 WATER RIGHTS ARE CONNECTED TOGETHER
IN A COMMON SYSTEM FOR IRRIGATING THE LANDS COVERED BY THE
3 LICENSES.

15. Basis of Claim: LICENSE
Water Right Number: 25261

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): *Robert Frank Sommer* Date: *6/1/89*
_____ Date: _____

State of Idaho)
County of *Cassia*) SS.

Subscribed and sworn (or affirmed) before me this *1st* day

of *June* 19*89*

Robert V. Horstelt
Notary Public

Seal

Residing at *Twin Falls, Idaho*
My Commission Expires *1/16/1995*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

March 5, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Gary Fowler
47 South 600 East
Rupert, ID 83350

Dear Mr. Fowler:

Pursuant to your recent request, please find enclosed proof reports of Snake River Basin Adjudication (SRBA) claims filed in the name of G. Frank Somsen. I have enclosed the following SRBA proof reports (highlighted in pink) for your reference:

A45-02428

A45-04242

~~A45-02485~~

A45-07192

A45-02491

SRBA claims A45-02428, ~~A45-02485~~, A45-02491, and A45-07192 are all based on water right licenses. I have also enclosed proof reports of these original water right licenses (highlighted in blue) for your reference.

When the SRBA court asks, our department will be making recommendations for the enclosed SRBA claims, and the court will eventually issue decrees for these claims. SRBA claimants will be notified when these recommendations are made, and when decrees are issued. To be sure that all notification is received, it is critical for claimants to notify our department regarding any ownership or address changes.

If you have any questions, feel free to contact this office at your convenience.

Sincerely,

Corey Skinner, EIT
Dam Safety Section

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

2/11/305
45-2485
SOMSEN
212 PLEASANT WAY
RUPERT ID 83350



TRANSMITTAL COVER SHEET

12-27-05

TO: Bill Goodman

208-436-4837

TOTAL PAGES SENT: _____
(including cover sheet)

DOCUMENT DESCRIPTION: partial decrees for Somsen: 45-2428,
45-2485, & 45-4242

FROM:

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE ST, STE 200
TWIN FALLS ID 83301-3380

PHONE: 736-3033

FAX: 736-3037

CHARGES: One (1) free copy
per request, cover sheet not
counted. Two (2) or more
copies per request will cost
\$0.25 per page. (\$0.50
minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: _____ Please remit to the above address.

SENDER: Jeanie Robertson,

COMMENTS: Bill - the problem is in the 10-acre tract for the
well in the SWNW. It was claimed in the NWSWNW in
all three rights, but was recommended in the SWSWNW.
*decreed
The correct location is the NWSWNW as claimed.
Need to 'set-aside' partial decrees in order to correct.

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 45-02485

NAME AND ADDRESS: DIANNE L SOMSEN
G FRANK SOMSEN
214 WESTSIDE DRIVE
RUPERT, ID 83350

SOURCE: GROUND WATER

QUANTITY: 2.68 CFS
640.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.98 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1728 AF. COMBINED RIGHT NOS. 45-2428,
45-2485 and 45-4242.

PRIORITY DATE: 11/08/1954

POINT OF DIVERSION: T09S R25E S28 SENENE Within Cassia County
SWSNNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.68 CFS 640.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
T09S R25E S28	NENE 35.0 SWNE 40.0 NENW 39.0 SNNW 38.0 NESE 40.0 NENE 40.0	NWNE 40.0 SENE 40.0 NWNW 40.0 SENW 40.0 SESE 40.0
S33		
432.0 Acres Total		

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 432 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 45-2428, 45-2485 and 45-4242.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

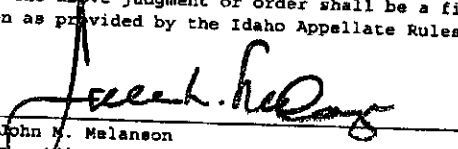
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John N. Melanson
Presiding Judge of the
Snake River Basin Adjudication

05/20/2003

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

RIGHT NUMBER: 45-2485

NAME AND ADDRESS: DIANNE L SOMSEN
GARRETT FRANK SOMSEN
212 PLEASANT WAY
RUPERT ID 83350

VERIFIED BY *KKC*

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.680 CFS
640.000 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.98 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1728 AF. COMBINED RIGHT NOS. 45-2428, 45-2485
and 45-4242.

PRIORITY DATE: 11/08/1954

POINT OF DIVERSION:

T09S R25E S28 SENENE Within CASSIA County Source: GROUND WATER

T09S R25E S28 SWSWNW Within CASSIA County Source: GROUND WATER

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.680 CFS 640.00 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County

T09S R25E S28	NENE	35.0	T09S R25E S28	NWNE	40.0
T09S R25E S28	SWNE	40.0	T09S R25E S28	SENE	40.0
T09S R25E S28	NENW	39.0	T09S R25E S28	NWNW	40.0
T09S R25E S28	SWNW	38.0	T09S R25E S28	SENW	40.0
T09S R25E S28	NESE	40.0	T09S R25E S28	SESE	40.0
T09S R25E S33	NENE	40.0			

432 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 432 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 45-2428, 45-2485 and 45-4242.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

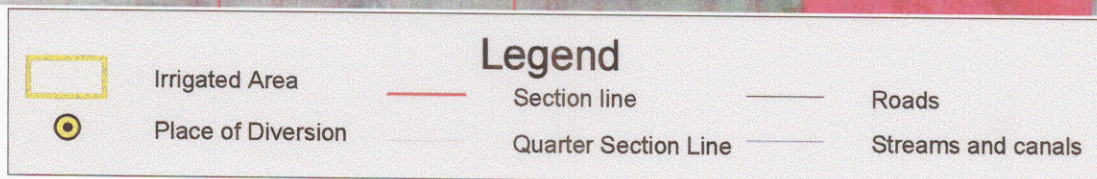
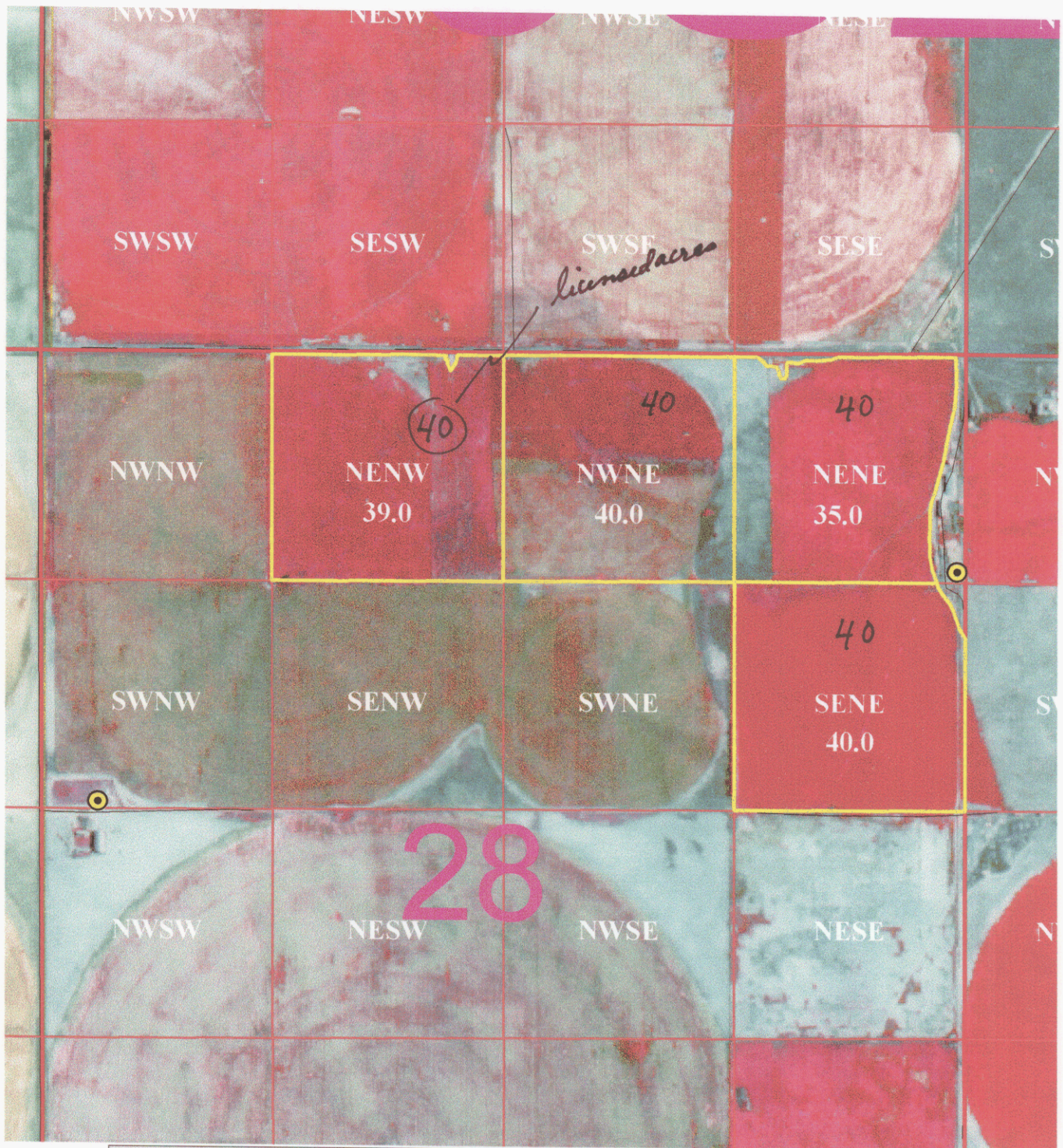
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Township , 9S25E



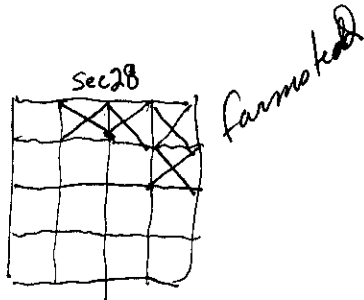
Log for claim A45-02485

Spatial Dynamics MWY

5/9/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s25e	28	NENE	40	35	
09s25e	28	NWNE	40	40	
09s25e	28	SENE	40	40	
09s25e	28	NENW	40	39	
Totals:			160	154	

*licensed on
160 ac*



*OL Right
2428
4242*

DATE: 03/08/00
PAGE: 304

Stage: LICENSE

CASSIA County

SE

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: 45-02428, 45-04242

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources),		
45-10658	A45-02428	A45-04242

Remarks: GEN THE 2 WELLS FOR THESE 3 WATER RIGHTS ARE CONNECTED TOGETHER IN A COMMON SYSTEM FOR IRRIGATING THE LANDS COVERED BY THE 3 LICENSES.

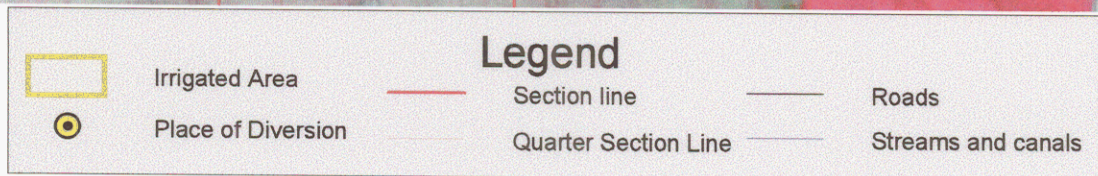
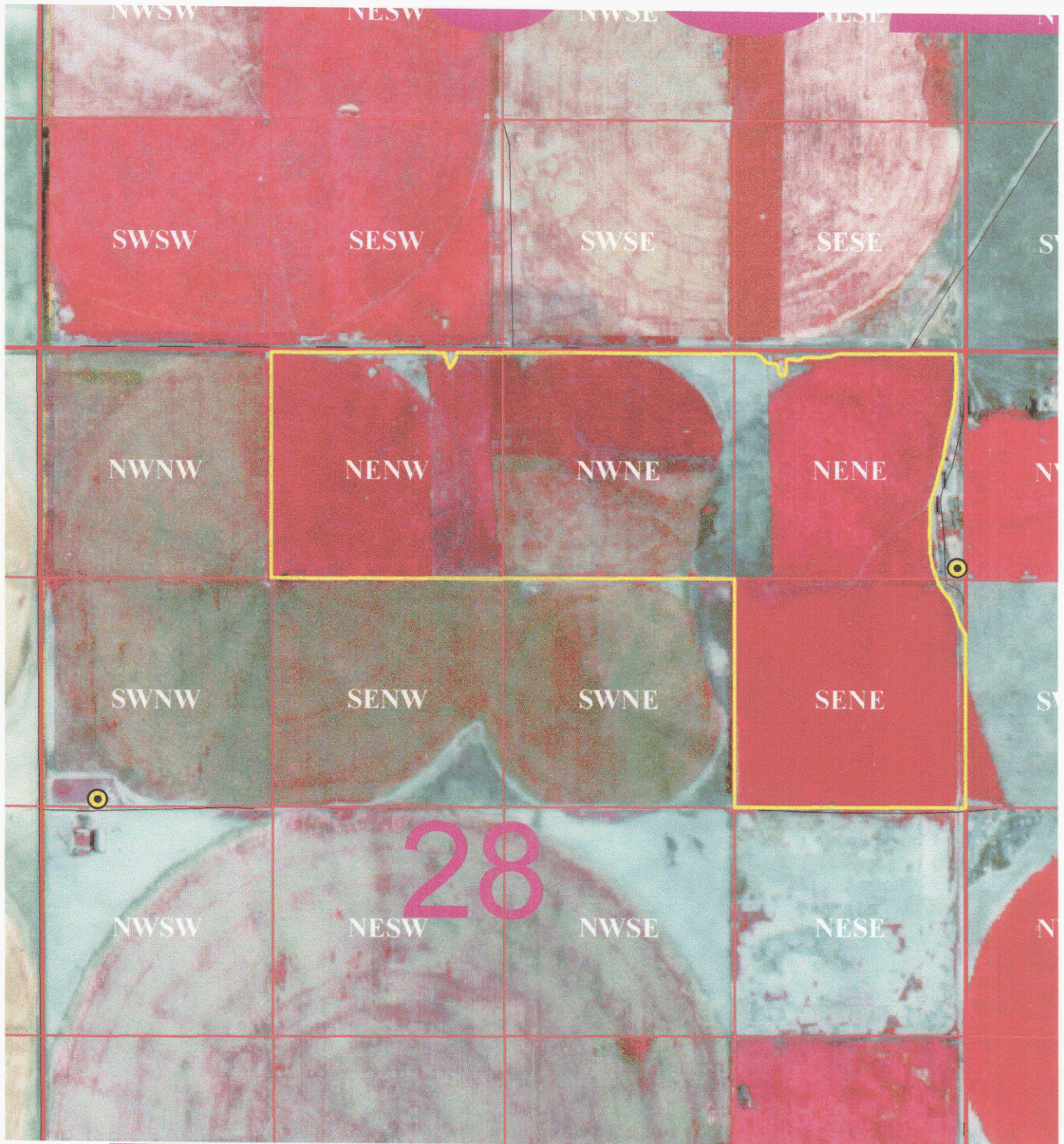
Dates:	Exam Made Date:	Verified Date:	04/23/1985	Objection Filed Date:
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Misc:	Water District Number:	Field Inspection Flag:
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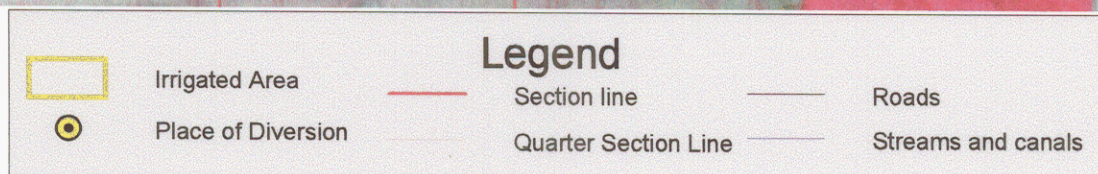
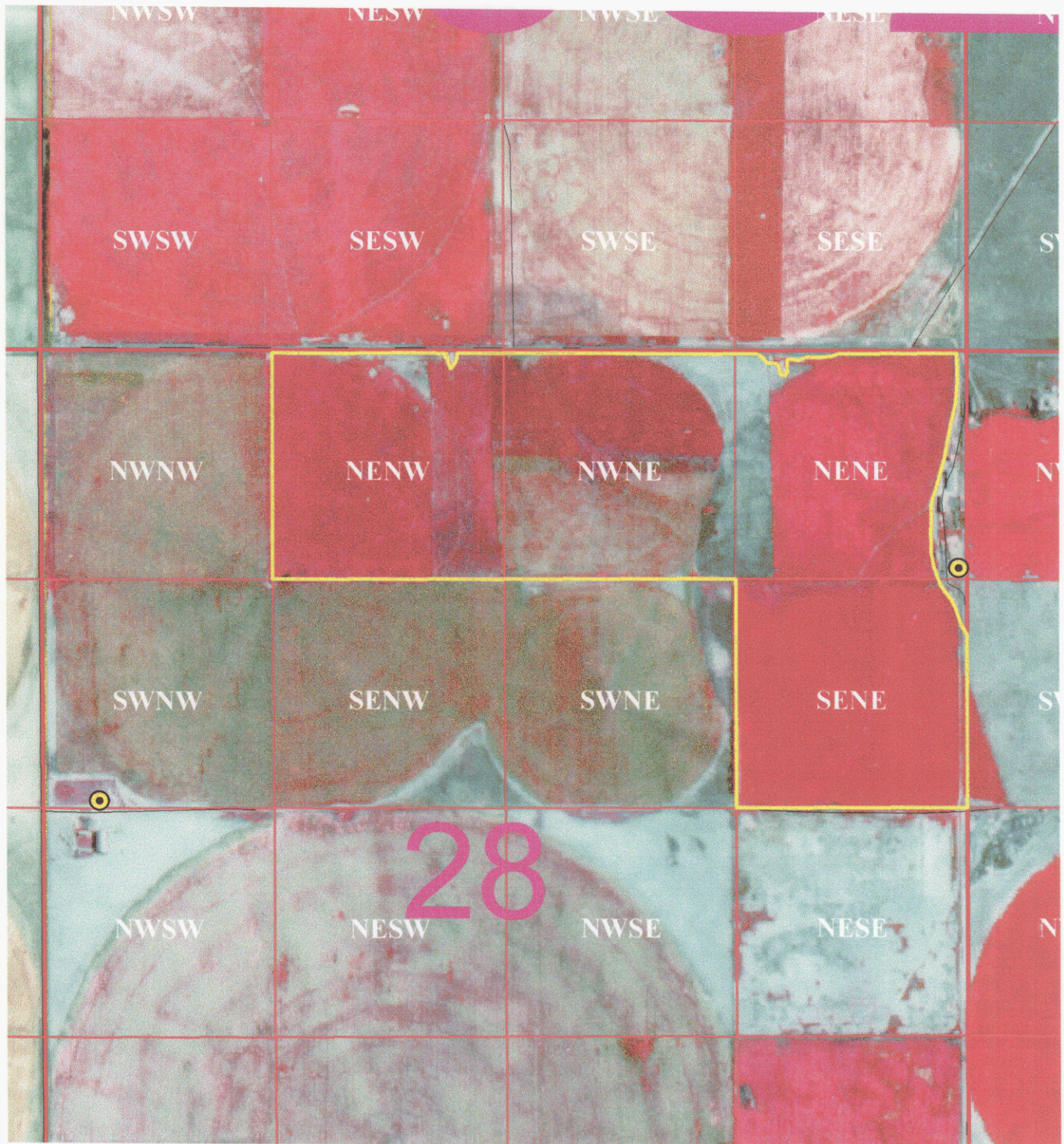
Presumption Flag:

Audit:	06/01/89 CARLSON	03/30/95 POST-STD
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Township , 9S25E



Township , 9S25E



State of Idaho
License and Certificate of Water Right

Water License No. G-25261

Amount 2.68

Water District No. _____

Priority 1954

THIS IS TO CERTIFY that GARRETT FRANK SOMSEN

of Wayan, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 8, 19 54; that Permit No. G-25261 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.68 second feet, was issued thereunder on July 29, 19 65, showing that said works were completed on the 10th day of November, 19 58; and that on the 10th day of November, 19 58, GARRETT FRANK SOMSEN

of Wayan, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-25261 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses at page 8198, on the 29 day of July, 19 65; The right hereby confirmed dates from November 8, 19 54;

The Point of Diversion is located

in the Wayan, Tp. 9 S., R. 25 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.68 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S	25 E	28	N $\frac{1}{2}$ NE $\frac{1}{4}$	80	80
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			Total number of acres to be irrigated		160

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 29th day of July, 19 65.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-25261This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Garrett Frank Somsen
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28
T. 9 S. R. 25 E. B.M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: _____

100 hp. F. Morse motor #155621

F. Morse Panama Turbine P.V. 1794

9 $\frac{1}{2}$ " delivery to south into closed line.

5 standard laterals. 3 $\frac{3}{4}$ " X 3 $\frac{1}{2}$ "

5. Water is used for:
- Irrigation

6. State whether or not water has been turned into works of diversion:
- yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, Township 9 South,
Range 25 East, B. M.

with 4 laterals - pump pressure = 60^{ft}

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

Q = by calculation

Talked to Ted Ketterling

Remeasured July 22 1965 - 5 laterals Q = 2.68 CFS

This examination was made on the 10 day of August, 1967(Signed) E. N. Humphrey Examiner.

25261

10" main

RECEIVED
JUL 27 1965

Department of Reclamation

RECEIVED
SEP 22 1959

Dept. of Reclamation

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Garrett Frank Somsen
Wayan, Idaho

#263623

Permit No. G-25361 1 P.M.

510 S 5th

Examination for Completion of Works &
Beneficial Use Proof

County Cassia

28-95-25E

Gr 3.2 out.

Se Well

P.D. = NE. NE, Sec. 28, T. 9S. R. 25E

1-1/2' D. = 1-1/2'

1/2 mi from ditch 12 mi

We = Irrigation

Retaining

6' @ pump.

Filed = Nov. 8, 1954

Dec = Nov. 13, 1958

Chinows 7' 8 high

R

no other

55# p.c. at pump

F Marie Mota 1004

44CV 117A #F 155621

PV-1794

To M. Pomona Trust

[D] Pumping Plant,
Pond type FAH

9' idel. to S. into closed
line

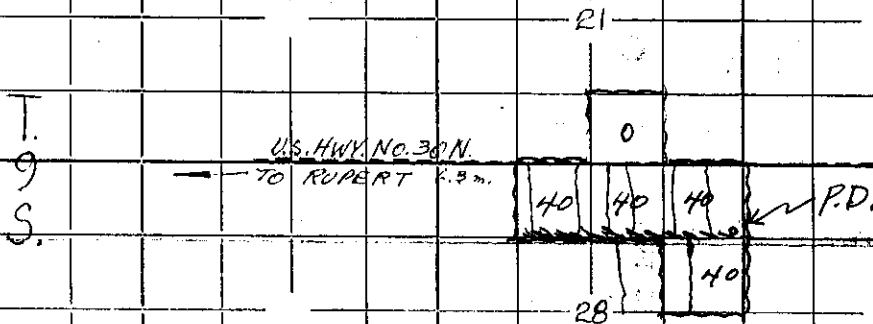
6' x 6' Cone base.

No product.

100 X 70 X 55 = 128"
240 X 62 1/2

Wedges = 3" x 1/2" x 1/4" each
or 8" x 3" x 1/16" double

R-25E.



Subdivisions = 4

Area = 160 acres.

$$Q = 128^{\frac{1}{2}}$$

~~256~~

Certificates issued May 13, 1965 cancelled

$$Q = 2.68 CFS$$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-25261

REPORT ON PROOF OF Completion of Works & Beneficial Use
Garrett Frank Somsen
Wayan, Idaho