

Barbara Payne

From: Barbara Payne [bpayne@dcdi.net]
Sent: Tuesday, September 23, 2003 5:01 PM
To: 'powder1@ida.net'
Cc: 'cbird@idwr.state.id.us'
Subject: Claim 27-11040 Boyd D. Malm

Boyd D. Malm
223 East 35 North
Blackfoot, ID 83221
T2S, R36E, Section 16, NWSW

Hi Skip,

I redid the shape for this claim according to your drawing on the spactial and come up with 1.7 acres. Cindy is wondering if they have enough shares in the Blackfoot Irrigation system to water this. If so we could put a condition on the claim that they would have to use the Blackfoot water before they use the groundwater.

So I guess the question is, how many shares do they have in the Blackfoot Irrigation system?

Thanks,
Barbara Payne

9/24/03. Skip called at 8:05am. They have hoses around the property to irrigate the pasture. They have several small pastures with different animal. Skip said water allocation always puts the remark/Cond. requiring they use there allotment of S.W. first.

CB

C_E_R_T_I_F_I_C_A_T_E

The undersigned hereby certifies that the well cited in Form No. A27-11040, Idaho Department of Water Resources, dated 10/27/94, was drilled as stated on the Adjudication Profile Report.

I was born on the property on August 4, 1918, and recollect helping to pump water from the well in question each day as soon as I was large enough to stand on a platform to reach the pump handle.

My earliest recollection was pumping water to my calf in 1925, each day before and after school.

To the best of my knowledge the well has been in use as specified since 1918.

Boyd D Malm
Boyd D Malm
223 E 350 N
Blackfoot, ID 83221

Date 3 Jan. 1995

On this 3rd day of JAN, 1995, before me, a Notary Public in and for said State, personally appeared BOYD MALM, known to me to be the person(s), whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

Donna L. Capron
Notary Public

Bekkt. ID
Residing

05/19/2000
Commission Expires: 13 1996
MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Zula Malm
223 East 350 North
Blackfoot, Idaho 83221

May 19, 2003

Reference: Snake River Basin Adjudication (SRBA)
Adjudication No. A27-11040

Subject: Change in Ownership & Evidence of Priority
Response Date: June 30, 2003

Dear Claimant(s),

Bingham County records indicate that you are the current owner of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property, we need form 42-248/42-1409(6) completed, signed and returned. I have enclosed the form for your convenience.

In the adjudication review process there is no filing fee. However, we will need a copy of the plat, survey map or aerial photo with the appropriate area marked and a copy of the warranty deed.

For your reference, I have enclosed the brochure entitled "Evidence of Priority". The brochure describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire 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".

Please submit the documentation by June 30, 2003 referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed brochure, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: form 42-248/42-1409(6) "Change in Water Right Ownership"
Notice of Claim A27-11040
Evidence of Priority brochure



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 21, 2002

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication

Dear Claimant:

The Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Blackfoot River, Willow Creek and South Fork of the Snake River Drainages. This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that personnel from Intrepid will make an effort to contact claimants to arrange for conducting a field investigation and obtain information about your water use. IDWR requests that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights. Information collected during this process will be reported to IDWR and used by a Senior Water Resource Agent to prepare a recommendation on the water right.

The process of adjudicating water rights is straightforward for most people, resulting in the issuance of decreed water rights. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

If you have sold your property, we request that you forward this letter to the purchaser. The new owner is responsible for advising IDWR of the change in ownership so future correspondence will be mailed to the correct party. If you are unable to forward this letter, please send any information regarding a new owner to our Eastern Regional Office located at 900 N Skyline Dr, Idaho Falls, ID, 83402, Attention: Jennifer Crabtree (208) 525-7161.

Sincerely,

Ernest Carlsen
Adjudication Section Supervisor
Eastern Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 28, 2003

Dear Claimant in the Snake River Basin Adjudication (SRBA):

About 13 years ago you or your predecessor filed with the Idaho Department of Water Resources a claim to water right in the Snake River Basin. The investigation phase of this process is now focused on your area, Basin 27.

You are invited to attend a **public meeting to be held on March 11 at 7:00 p.m. in the Eastern Idaho State Fairgrounds, Needle Craft Building, at the corner of Park and Maple streets.** The purpose of this meeting is for (1) the Department to update you on how the adjudication process works, and (2) for you, the claimant, to express concerns or discuss problems relating to water delivery in your area. This will help us to understand from an historical perspective the use and delivery of your water right.

Throughout this summer our adjudication staff, primarily from our Eastern Regional Office but also at times from Boise, will be contacting various water users in Basin 27. We ask for your cooperation in this process – the better we understand your water rights the better chance of you receiving an accurate decree from the SRBA Court that fully describes your water rights.

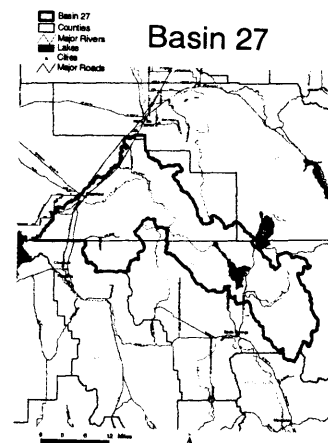
This investigation effort is being conducted by an experienced and successful staff. During recent years, this staff has accurately investigated and reported water rights in neighboring basins including the Big Lost River, the Little Lost River, Birch Creek, Camas Creek and the Portneuf River.

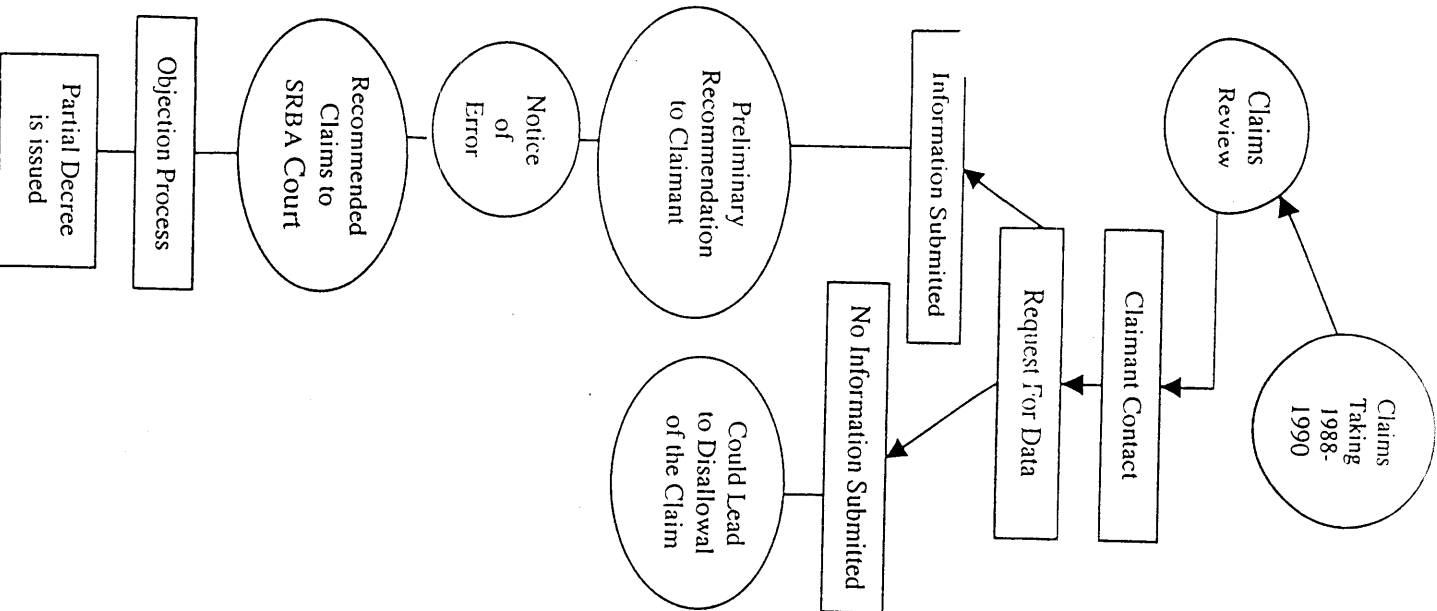
Please contact the Idaho Falls Office with any questions.

Sincerely,

Ernest Carlsen
Adjudication Supervisor, Eastern Region

Enclosure: Information Brochure





Questions and Answers:

Q: Why now? I adjudicated my water rights in 1989.

A. You filed your claims in 1989. Now we are investigating those claims to make accurate recommendations to the Fifth District Court.

Q: If I furnish more information will you take away my water right?

A. The State does not want your water right. We ask for additional information so that we may make accurate recommendations of Beneficial Uses of the water rights. Our schedule is very tight – we need the info ASAP.

Q: How much more money do you want?

A. You paid for your claim in 1989, or so. There might be additional fees only in extenuating circumstances, such as additional acres or new claims.

Q: How come you want me to file another claim?

A. If we suggest you file additional claims it means we have found

additional uses of water to which you may be entitled, or we have identified additional acres.

Q: What about my Domestic well and Stockwater?

A. There is no statutory requirement to file either; but IDWR accepts your Domestic and/or Stockwater claims.

The Tools We Use:

In the evaluation of water right claims and preparation of recommendations the adjudication staff utilize:

- State-of-the-art computer technology.
- High resolution 1987 NAPP photography to identify the place of use.
- Global Positioning System (GPS) used to pin-point points of diversion or detail significant features.
- Prior decrees, licenses and transfers.
- Water measurements for claims based on beneficial use.
- Watermaster records
- Historical records
- Claimant input and participation