



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

Karl Loveland
Rt. 6 Box 680
Pocatello, Idaho 83202

May 12, 2003

Re: Evidence of Priority

Claim No.(s) A27-11205

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, 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.**

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 enclosed 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 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**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

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

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Adjudication Claim Report

Bird, Cindy

From: Harold and Anne Marie Jones [powder1@ida.net]
Sent: Tuesday, November 11, 2003 3:41 PM
To: cbird@idwr.state.id.us
Subject: Karl Loveland

I checked the project map and the GPS file name for the house and stockwater well is 11205 and the irrigation well is 7069. Both points are on the map about 1/2 mile apart.

Skip

--

Anne Marie Jones
2101 Bramble Lane
Idaho Falls, Idaho 83402

Technology Fellow
Albertson Foundation
e-mail Ajones@ext.jkaf.org

Work:
Century High School
7801 Diamonback Lane
Pocatello, Idaho 83204
208-478-6863
e-mail jonesal@d25.k12.id.us

INTER-DEPARTMENT MEMO

TO: Skip
FROM: Cindy

SUBJECT: diversion rate
DATE: 10-1-03

Please verify info and see if you can measure the flow & get flow records.

Verify the address. 10-3-03

() For your information

(X) Response required

CB
signature

Loveland Livestock

Route 6, Box 680
Pocatello, Idaho 83202

June 23-03

Dear Cindy:

I bought this land where our house & corral are located Sept 14 - 1959 as the enclosed deed shows. The previous owner who were the Turner family bought it August 1934.

A few years ago the I D of W. R. required me to install a meter I think it cost about 55⁰⁰ & then I read the meter every month.

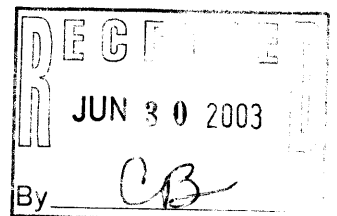
I am fairly certain the well was here before Turners bought the place but I cannot locate any well drilling information.

I have ~~enclosed~~ ^{enclosed} the oldest tax record of 1964 that I could find.

I hope this information is adequate.

Thanks for taking
care of us.

Karl Loveland



COUNT NUMBER

NAME AND ADDRESS OF OWNER		CODE AREA		DEL. TAXES	TRFD. TO	TRFD. FROM
		TAXING DISTRICTS				
		1	STATE			
		2	COUNTY			
		3	COUNTY SCHOOL			
		4	STATE SPECIAL			
		5	CITY			
		6	SCHOOL			
		7	FIRE DIST.			
		8	HIGHWAY DIST.			
		9	CEMETERY DIST.			

YEAR	EQUALIZED VALUE	CODE AREA TAX	SPECIAL TAXES		TOTAL TAX	BILLING NUMBER	SECOND INSTALLMENT	FIRST INSTALLMENT
			AMOUNT	CODE				
1964	4,358	405.72	6		405.72	94	202.86	202.86
DATE		REFERENCE	AMOUNT PAID	PREVIOUS BALANCE	PENALTY	INTEREST	BALANCE DUE	
DEC 3'64		5,371, 11.59	405.72-6	405.72			000	
4,817		414.36	6		414.36	109	207.18	207.18
1965								
JAN 24'66	5,371,074.66	212.43-6	414.36	207.18	4.14+5	1.11+8	207.18	000
JAN 24'66	5,371,074.67	207.18-6	207.18	207.18				

Karl C. & Chester Loveland
Loveland Livestock 6101
R#2, N. Pocatello, Idaho 5371 2

Twp. 4 So. Rge. 35 EBM Sec. 29
SW 1/4
Reservation

PROPERTY DESCRIPTION *Owners*

Karl C. & Chester Loveland
Loveland Livestock 6101
R#2, N. Pocatello, Idaho 5371 2

Twp. 4 So. Rge. 35 EBM Sec. 29
SW 1/4
Reservation

Adm.

THIS INDENTURE, Made the first day of August in the year of our Lord one thousand nine hundred and thirty-four (1934) between Theo Turner and Lucy P. Turner, husband and wife, of Pocatello, County of Bannock and State of Idaho,

the parties of the first part, and
Theo J. Turner of Pocatello, of the County of Bannock, and State of Idaho
the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of

One (\$1.00). DOLLARS, lawful money
of the United States of America, to them in hand paid by the said party of the second part, the receipt of which
and for other good and valuable considerations
is hereby acknowledged, do by these presents demise, release and forever quit-claim unto the said party of the second part, and
to his heirs and assigns, all that certain ~~lot, piece or parcel~~ real property
County, of the ~~the County of Bingham, and State of Idaho, and bounded and~~ situated in
the County of Bingham, and State of Idaho, and bounded and particularly described as follows, to-wit:

The Southwest quarter of Section 29, Township 4 South, Range 35 East of the Boise Meridian, in Idaho, containing 160 acres, according to the official plat thereof.

Also any and all water, water rights, ditches and ditch rights, however evidenced, belonging to or with said lands or any part or parcel thereof and particularly all water rights in the Fort Hall Government Irrigation Project.

This deed is subject to all encumbrances against said property and is made for the purpose of clearing the records because of said first parties having joined with said second party in the execution of mortgages thereon.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever. IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal s the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Doris D. Krager
Regina A. Kittock

Theo Turner (SEAL)
Lucy P. Turner (SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO
SS
COUNTY OF BANNOCK

On this first day of August, in the year 1934, before me, H. A. Reynolds, a Notary Public in and for said State of Idaho, personally appeared Theo Turner and Lucy P. Turner, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

SEAL

H. A. Reynolds, Notary Public
Residence, Pocatello, Idaho

Recorded at request of BANNOCK TITLE & ABSTRACT CO., Nov. 21, 1934 at 9:04 A. M.

P. B. DANCE Recorder.

Recorder's Fees, \$

By *Leara Miller* Deputy Recorder.
LM

20-10-37

WARRANTY DEED

BOOK 103 PAGE 174

For Value Received Fred D. Turner and Mary E. Turner, his wife

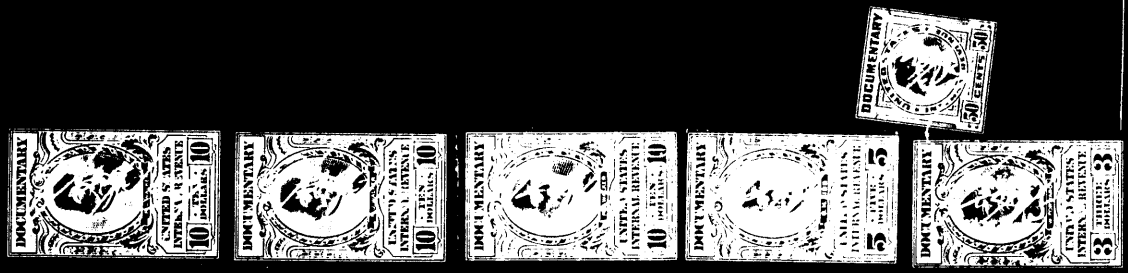
REVENUE STAMPS

The grantors, do hereby grant, bargain, sell and convey unto
Karl C. Loveland and Chester Loveland

the grantees, the following described premises, in Bingham County Idaho, to wit:

The Southwest Quarter of Section 29 and the East Half of the
Northeast Quarter of the Southeast Quarter of Section 30, all in
Township 4 South, Range 35 East of the Boise Meridian in Bingham
County, Idaho.

Subject to taxes for the year 1959 and levies and assessments
under the Fort Hall Irrigation Project.



TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee simple of said premises; that they are free
from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: Sept. 14, 1959.

Fred D. Turner
x *Mary E. Turner*

STATE OF IDAHO, COUNTY OF
On this 14 day of September 1959
before me, a notary public in and for said State, personally
appeared Fred D. Turner, husband of
Mary E. Turner

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Fred D. Turner
Notary Public
Residing at Pocatello, Idaho
Comm. Expires Sept. 14, 1960.

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder
By _____ Deputy.

Fees \$
Mail to:

INSTRUMENT No.

1162

STATE OF IDAHO }
County of Bingham, }

I hereby certify that the within
instrument was filed for record in
this office at the request of
The Bingham Life & Trust Co.

on the 25 day of Sept 1959
at 20 minutes past 3 o'clock
P. M. and was duly recorded in
book 103 of Deed Page
47
County Recorder
W. J. Hadden
County Recorder

Recorder's fee \$ 1.80
Deputy Recorder

State of California
County of Marin, ss

On this 15 day of September, 1959, before me, a Notary Public
in and for said State, personally appeared Mary E. Turner, wife of
Fred D. Turner, known to me to be the person whose name, is subscri-
bed to the within instrument, and acknowledged to me that she
executed the same.

[Signature] Notary Public
State of California
Residing at 63 CORNELL AVE LARKSPUR
Comm. Expires My Commission Expires Jan 1, 1961