

PD

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: A31-10389
Date Received: 11/01/1988
Receipt No: E003686
Received By: cm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY LEE
Address: BOX # 2480
HAMER,, ID

208-663-4321

83425

2. Date of Priority: JAN 01, 1910

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	35E	20	NW	NE			JEFFERSON

5. Description of diverting works:
WELL TO HOUSE & STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.230		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

ONE HOUSEHOLD ,1000 HEAD OF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	35E	20	NW	NE		DOMEST	
			NW	NE		STOCK	

A31-10389

Page

1

Date: 11/01/88

MICROFILMED

NOV 17 1992

A3110389



11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
400 SHARES OWLSEY CANAL CO.

14. Remarks:
NONE

15. Basis of Claim: BENEFICIAL USE

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): *Larry Lee* Date: 11-30-88
_____ Date: _____

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of November 19 88 *Kevin Christensen*
Notary Public

Seal

Residing at Terreton, Idaho 83450
My Commission Expires 11-30-93



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

POOR ORIGINAL

EASTERN REGION

FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

*

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.**

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

Please submit the required evidence supporting the priority date by MARCH 9, 1993, 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,

Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED

APR 15 1994

Water Right Number - R31-10389

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
LEE
LARRY
1 - BOX # 2480
2 -
3 -
City - HAMER,
Phone - 208-663-4321
State- ID Zip- 83425

Priority Date - - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/01/1910 ERROR IN REGION J - BENEFICIAL USE

Source - - - - - + + - - - - - Tributary - - - - -

Point of Diversion - - - - -

06N 35E 20 NW NE (51) JEFFERSON

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
43	- DOMESTIC	01/01	12/31	0.040		
04	- STOCKWATER	01/01	12/31	0.230		

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
0.270 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
06N	35E	20	NW NE			04	STOCKWATER		(51) JEFFERSON
06N	35E	20	NW NE			43	DOMESTIC		(51) JEFFERSON

Total Acres:

+ - - Diversion Means - WELL TO HOUSE & STOCKWATER
+ - - Non-Irrigation Use (ONE HOUSEHOLD , 1000 HEAD OF CATTLE)
+ - - Other Rights for Same Use - 400 SHARES OWLSEY CANAL CO.
Remarks - - - - -

EXP 1000 HEAD OF CATTLE
PARCEL NOS. MH06N35E201002, RP 06135E2000001
PROPERTY ALSO KNOWN AS 1672 E. 1500 N.

No Old Water Right Numbers Found - - - - - Old Water Right Numbers - - - - -

Prefix Translation: RESEARCH

Decree Plaintiff	Decree Defendant	Decree Date
00/00/0000		

+ ~ ~ Audit Fields ~ ~ +
01/22/98 SEGBERT

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	-	01/22/1998	Old Judicial District	-	
Claim Received Date		-	11/01/1988	Last Amended Date	-	00/00/0000	Temporary Right	-	P
				Receipt Number	-	E003686	Water District	-	
				POU Ownership Flag	-	Y	Federal/State Indicator	-	S
				Name Connector	-		Presumption Flag	-	
							Notice of Error Flag	-	

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-22-1997

PAGE: A-64

RIGHT NUMBER: 31-10389

NAME & ADDRESS: LARRY LEE ✓
BOX # 2480
HAMER, ID 83425

SOURCE: GROUNDWATER

QUANTITY: 0.27 CFS

PRIORITY DATE: 01/01/1910

POINT OF DIVERSION: T06N R35E S20 NWNE Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.23 CFS
	DOMESTIC ~~ONE~~ HOUSEHOLD 1000 HEAD 1 NONE	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within JEFFERSON County
T06N R35E S20 ✓ NWNE ✓

DOMESTIC Within JEFFERSON County
T06N R35E S20 ✓ NWNE ✓

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

NONE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

MH 06N 35E 20 1002
RP 06N 35E 20 00001

~~approximate~~
349 acres

Property at: 1672 E 1500 N
83425

Verified by Sandy Date: 9-24-97

Verification Source: Alpha roll



RONALD D. CARLSON
HYDROGRAPHER

STATE OF IDAHO
NORTHERN WATER MEASUREMENT DISTRICT
900 N. SKYLINE DR., SUITE A
IDAHO FALLS, ID 83402
(208) 525-7171 FAX (208) 525-7177

IDWR DIRECTOR
KARL J. DREHER

TREASURER
DEL RAYBOULD

November 19, 1998

ADVISORY COMMITTEE

Larry O. Lee
P.O. Box 2480
Hamer, ID 83425

KIRK JACOBS
CHAIRMAN

DALE COPE
MONTEVIEW

Re: Adjudication Claims A31-10389 and A31-10390

Dear Mr. Lee:

DAREN BITTER
TERRETON

CARL BALL
HAMER

DON PARKER
REXBURG

Two of your wells -- the domestic/feedlot wells at legal locations 6N 35E 17 SESE and 6N 35E 20 NWNE -- are included in the Water Measurement District because the claims are for 0.27 cubic feet per second (CFS). The district includes wells over 0.24 CFS. A theoretical calculation for a three horsepower pump in that area shows a capacity of about 0.05 CFS.

FRANK SULLIVAN
DUBOIS

LYNN WOOD
MONTEVIEW

NICK HILLMAN
HAMER

I've tried to put smaller diversions like yours on the back burner, but it is time now to inventory them and make a measurement determination. It looks like you will have two options. You can amend your adjudication claims to 0.24 CFS or less and those two wells will be removed from the district. Or, you can keep your claim at 0.27 CFS and remain in the water measurement district.

JERRY PANCHERI
HOWE

AARON SAVAGE
HAMER

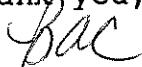
If you wish to amend your claim, please make an appointment with an Adjudication Agent at Idaho Department of Water Resources, (208) 525-7161. Take this letter when you go, and ask the agent to give Terry Klipfel a copy of the amended claims. She will then remove those two wells from the district.

If you wish to keep the claim, your water measurement district bill will continue to include these two wells. In addition, you will have to install flowmeters. For this type of diversion, I recommend a "city type" flowmeter rather than one of the more expensive irrigation

flowmeters. A summary sheet about flowmeters is enclosed.

Please call me at (208) 525-7171 or (208) 663-4854 if you have questions. I'd be glad to come look at your systems and we could talk about your options.

Thank you,



Bryce A. Contor
Assistant Hydrographer

cc: Terry Klipfel, NWMD
Ernie Carlsen, IDWR Adjudication ✓

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: **A31-10389**
Date Received: 11/ 1/1988
Receipt No: E003686
Received By: _____

AMENDED

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

AMENDED

1. Name: LARRY LEE
Address: BOX # 2480
HAMER, ID 83425 208-663-4321
2. Date of Priority: JAN 1, 1910
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|-----------|
| 06N | 35E | 20 | NW | NE | | | JEFFERSON |
5. Description of diverting works:
WELL TO HOUSE & STOCKWATER
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.040 | | |
| STOCKWATER | 01/01 | 12/31 | 0.230 | | |
7. Total Quantity Appropriated is:
0.230 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
ONE HOUSEHOLD ,1000 HEAD OF CATTLE
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|--------|-------|
| 06N | 35E | 20 | NW | NE | | DOMEST | |
| | | | NW | NE | | STOCK | |

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
400 SHARES OWLSEY CANAL CO.

14. Remarks:
NONE

15. Basis of Claim: BENEFICIAL USE

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): Larry Lee Date: 1/12/99

Date: _____

State of Idaho)
County of Bonner) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of Jan 19 99 Marie Caz
Notary Public

Seal

Residing at Highway 1
My Commission Expires 2/26/2002

ECU

12/15/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-10389

Owner Type Name and Address
Current Owner LARRY LEE
 BOX #2480
 HAMER, ID 83425
 (208)663-4321

Priority Date: 01/01/1910
Basis: Beneficial Use
Status: Valid

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.23 CFS ✓		
DOMESTIC	1/01	12/31	0.04 CFS ✓		
Total Diversion			0.23 CFS ✓		

Point(s) of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
06N 35E 20 NW NE 0 JEFFERSON

Place(s) of use:

Place of Use Legal Description: STOCKWATER JEFFERSON County

<u>Townsh</u>	<u>Rang</u>	<u>Secti</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>
<u>ip</u>	<u>e</u>	<u>on</u>	<u>t</u>			<u>t</u>			<u>t</u>			<u>t</u>		
06N	35E	20		NWNE										

Place of Use Legal Description: DOMESTIC JEFFERSON County

<u>Townsh</u>	<u>Rang</u>	<u>Secti</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>
<u>ip</u>	<u>e</u>	<u>on</u>	<u>t</u>			<u>t</u>			<u>t</u>			<u>t</u>		
06N	35E	20		NWNE										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory 1000 HEAD OF CATTLE PARCEL NOS. MH06N35E201002, RP 06135E2000001/ PROPERTY ALSO KNOWN AS 1672 E. 1500 N. ~~AKA~~

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
ECARLSEN	3/5/98	ADDED "1 HOME" TO NONIRRIGATION USES. ✓	SEE ABOVE