

No Color
Documents
In File

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: A63-22906
Date Received: 8/28/1989
Receipt No: C010415
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEITH SPIERS 208-362-0423
Address: 7670 HIDDEN VALLEY DR.
BOISE, ID 83709
OR
Name: MARSHA SPIERS 208-362-0423
Address: 7670 HIDDEN VALLEY DR.
BOISE, ID 83709
2. Date of Priority: JAN 01, 1973
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	01E	3	SE	SE	SW		ADA
5. Description of diverting works:
WELL, 4" CASING, 1 1/2 HP PUMP.
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		
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
DOMESTIC 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	01E	3	SE SE		DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. ALB-22906Date Received 8-28-89Receipt Number CO10415NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

AUG 28 1989

Filing Fee \$25

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) KEITH OR MARSHA SPIERS Phone (208) 362-0423Mailing Address 7670 HIDDEN VALLEY DR. BOISE Zip 837092. Date of Priority (Only one per claim) JANUARY 1, 1973 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 2N Range 1E.Section 3 SE 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____, BM.,County of ADA

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 1 1/2 HSP PUMP WITH 4" CASING

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC purposes from JAN. 1 to DEC. 31 amount 0.04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) DOMESTIC - SINGLE HOUSEHOLD

MICROFILMED

SEP 11 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 2N Range 1E
Section 3, SE 1/4 of SE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? ADA
12. Do you own the property listed above as place of use? Yes ☒ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
☒ None or _____
14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____
If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.
Signature of Claimant (s) Theresa Spier Date 8-28-89
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____
Title and Organization _____

State of Idaho/or _____)
County of Ada) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 28th day of August 19 89

SEAL

Notary Public Danni Smith

Residing at Danni Smith, Notary Public
Residing at Boise, Idaho

My Commission Expires My Commission Expires December 5, 1994

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant **MICROFILMED**
SEP 08 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 63-22906

NAME & ADDRESS: MARSHA SPIERS
KEITH SPIERS
1770 HIGHWAY 201
ADRIAN OR 97901-5334

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1973

POINT OF DIVERSION: T02N R01E S03 SESESW Within ADA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within ADA County
T02N R01E S03 SESW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. R3610210120
PROPERTY ALSO KNOWN AS LOT 18, BLK 2, HIDDEN VALLEY ESTATES #2

WATER RESOURCES
WESTERN REGION

In Re SRBA) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
Case No. 39576)
) Water Right 63-22906
)

X	Change of Address
_	Substitution of Party
_	I.C. 42-222 Transfer

Name of Claimant: MARSHA SPIERS
New Address: 1770 HIGHWAY 201
ADRIAN OR 97901-5334
Phone: (541) 339-4423

The Claimant has filed Objections or Responses to the following water rights:

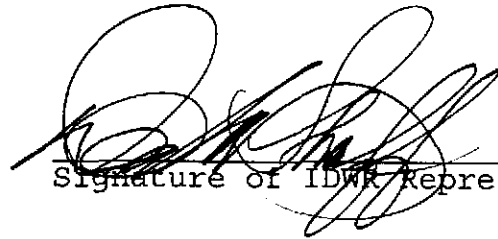
PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

4/6/99

A handwritten signature in black ink, consisting of several loops and flourishes, positioned above a horizontal line.

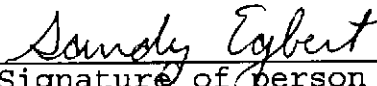
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4-7-99 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

MARSHA SPIERS
KEITH SPIERS
1770 HIGHWAY 201
ADRIAN OR 97901-5334
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

February 22, 1999

KARL J. DREHER
DIRECTOR

KEITH AND MARSHA SPIERS
1770 HIGHWAY 201
ADRIAN OR 97901-5334

RECEIVED

MAR 12 1999

Re: Snake River Basin Adjudication (SRBA)
Adjudication Claim #63-22906
Change of Address

Department of Water Resources

Dear Claimants:

*mand changed, NCAP prepared,
3-12-99, K*

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by March 1, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Marsha Spiers
Claimant Signature

1-541-339-4423
Telephone No.

return
to sender

fee due 50¢

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1361 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERV.
REQUESTED

PRESORTED
FIRST CLASS



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

7078757 U.S. POSTAGE

IMPORTANT WATER RIGHT INFORMATION

only WR

63-22906
MARSHA SPIERS
KEITH SPIERS
7670 HIDDEN VALLEY DR
BOISE ID 83709

SPIE670 837092006 1698 08 11/12/98
SPIERS
1770 HIGHWAY 201
ADRIAN OR 97901-5334
FORM 3547

837B9X6B44



U.S. POSTAL SERVICE
PS FORM 3547

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Spiers Keith or Marshall CLAIM IDENT. NO. A63-

DATE RECEIVED 8-28-89 CK # C010415 AMOUNT \$ _____

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: D. Smith Date: 10-25-89

Claim must be returned to claimant: (Yes) (No)

Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: _____

MICROFILMED

SEP 18 1989

DATE: 03/12/99
PAGE: 1

ADA County

Audit: 03/12/99 SSHERMAN

DATE: 07/16/98
PAGE: 1

ADA County

Audit: 07/16/98 CWALKER

WATER RIGHT NUMBER - A63-22906 PREFIX TRANSLATION: ADJUDICATION CLAIM
+ - - - DECREE PLAINTIFF - - - + + - - - DECREE DEFENDANT - - - +
00/00/0000
+ - - - AUDIT FIELDS - 06/28/90 HARRIS
+ - - - COMMENTS - - - - - NO COMMENTS FOUND
+ - - - 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 - 00/00/0000 OLD JUDICIAL DISTRICT - -
CLAIM RECEIVED DATE - 08/28/1989 LAST AMENDED DATE - 00/00/0000 TEMPORARY RIGHT - P
PROOF DUE DATE - 00/00/0000 PROOF MADE DATE - 00/00/0000 WATER DISTRICT - -
LICENSED DATE - 00/00/0000 RECEIPT NUMBER - C010415 FEDERAL/STATE INDICATOR - S
CLAIMS TAPE ERROR FLG - - POU OWNERSHIP FLAG - Y PRESUMPTION FLAG - -
FEE EXEMPT FLAG - - NAME CONNECTOR - - OR

R3610210120

Lot 18, B1k2
Hidden Valley Estates #2

PROOF
AUG 02 1991

CERTIFIED
JUN 25 1993
WATER EXAMINER

Verified By
Topo Map/Ortho-PQ
AGCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 28 1992

MICROFILMED DATA ENTRY
JUL 29 1991 ENTERED 8-10-91
CHECKED 10/16/91

06/16/91 01:50:52
PAGE 1

OLD (D) NUMBER -

[illegible]

1 - 7670 HIDDEN VALLEY DR.

STATE- ID ZIP- 83709

1 - 7670 HIDDEN VALLEY DR.

STATE- ID ZIP- 83709

[illegible]

	SOURCE	TRIBUTARY
GROUNDWATER		

[illegible]

(1) ADA

[illegible]

43 - DOMESTIC

01/01 12/31

0.040

[illegible][illegible]

43 DOMESTIC (1) ADA

4 - DIVERGENCE MEANS - WELL - 40 CASTING - 1 1/2 HD BLIND

4 - - NON-TOBACCO USE - DOMESTIC ; HOUSE

OTHER RIGHTS END SAME USE - NONE

+	REMARKS	+
	NO REMARKS ENTERED	

OLD WATER RIGHT NUMBERS
NO OLD WATER RIGHT NUMBERS ENDING

MICROFILMED

MICROFILMED

JUL 29 1994