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SRBA Court in

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, 12-28-00
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 63-23926
Date Received: 3/2/90
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 22 2000

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

ED & MABEL URQUIAGA TRUST Phone: (208)459-7082
14151 FROST RD
CALDWELL ID USA 83605

2. Date of Priority: 07/15/1906

3. Source: LUNDY DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
03N	04W	22	SW SW	CANYON

5. Description of diverting works:

URQUIAGA DRAIN OR LUNDY DRAIN, LIVE FLOW DRAIN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.03	

7. Total Quantity Appropriated is:

0.03 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
03N	04W	22	SW SW	STOCKWATER	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

DATA ENTRY CORRECTION TO THE PLACE OF USE. 9/10/97 LH
DATA ENTRY CORRECTION MADE FOR AMENDED CLAIM ON 12-18-00. JS

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 X 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): Ed Urquiza Date: 12-22-2000
OR Mark Urquiza 12-22-2000 Date:

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this
22 of DEC 2000

Ron Howerton

Notary Public

Residing at BOISE IDAHO

My commission Expires 12/8/06



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: **A63-23926**
Date Received: 3/ 2/1990
Receipt No: W010316
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	ED URQUIAGA	208-459-7082
Address:	14151 FROST RD	
	CALDWELL ID	83605
	OR	
Name:	MABEL URQUIAGA	208-459-7082
Address:	14151 FROST RD	
	CALDWELL ID	83605

2. Date of Priority: JUL 15, 1906

3. Source: WASTEWATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	22		SE	SW		CANYON

5. Description of diverting works:
URQUIAGA DRAIN OR LUNDY DRAIN, LIVE FLOW DRAIN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK 100 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	22	SE	SW		STOCK	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:
DATA ENTRY CORRECTION TO THE PLACE OF USE. 9/10/97 LH

15. Basis of Claim: BENEFICIAL USE

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: A63-23926
Date Received: 3/01/1990
Receipt No: W010316
Received By: DE JLL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ED URQUIAGA 208-459-7082
Address: 14151 FROST RD.
CALDWELL, ID 83605
OR
Name: MABEL URQUIAGA 208-459-7082
Address: 14151 FROST RD.
CALDWELL, ID 83605

2. Date of Priority: JUL 15, 1906

3. Source: WASTEWATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	22	SE	SW			CANYON

5. Description of diverting works:
URQUIAGA DRAIN OR LUNDY DRAIN, LIVE FLOW DRAIN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK 100 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	22	SE	SW		DOMEST	

11. Place of use in counties: CANYON

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 _____

Original claim sent to
SRBA Court. 12-13-00

Cattle

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. 463-23926Date Received 3-1-90Receipt Number W010316**RECEIVED NOTICE OF CLAIM
TO A
WATER RIGHT**

MAR 01 1990

Department of Water Resources
Western Regional OfficeACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes

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

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Ed or Mabel Urquiza Phone (208) 459-7082Mailing Address 14151 Front Rd Caldwell Id. Zip 836052. Date of Priority (Only one per claim) July 15, 1906 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) Wastewater

Name or kind of source

which is tributary to (b) Snake River4. Location of point of diversion is: Township 3N Range 4WSection 22 1/4 of 5E 1/4 of SW 1/4 1/4, Govt. Lot _____, BM.,County of Canyon

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. URQUIZA DRAIN OR Lundy DRAIN - Live Flow
DRAIN Ditch

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

For Stock purposes from JAN 1st to DEC 31st amount 1.03 (cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 1.03 (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) 100 head

MICROFILMED

SEP 11 1992

Cattle

10. Place of use is: Township: 3N Range 4W
Section 22, SE 1/4 of SW 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? _____

12. Do you own the property listed above as place of use? Yes X 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.
(X) 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Ed Unguaga Date JAN - 26 - 1990

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
document in the space below as _____ Organization
_____ Title _____ of _____ 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 Ad) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 26 day of Jan 19 90

SEAL

Notary Public [Signature]
Residing at Bonnie Lake
My Commission Expires 4/11/95

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Indian
MICROFILMED
SEP 11 1992

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 63-23926
Date Received: 3/2/90
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 22 2000

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

ED & MABEL URQUIAGA TRUST Phone: (208)459-7082
14151 FROST RD
CALDWELL ID USA 83605

2. Date of Priority: 07/15/1906

3. Source: LUNDY DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
03N	04W	22	SW SW	CANYON

5. Description of diverting works:

URQUIAGA DRAIN OR LUNDY DRAIN, LIVE FLOW DRAIN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.03	

7. Total Quantity Appropriated is:
0.03 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
03N	04W	22	SW SW	STOCKWATER	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

DATA ENTRY CORRECTION TO THE PLACE OF USE. 9/10/97 LH
DATA ENTRY CORRECTION MADE FOR AMENDED CLAIM ON 12-18-00. JS

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 X 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): Ed Urquiza Date: 12-22-2000
OR Mark Urquiza 12-22-2000 Date: _____

State of Idaho)
County of ADA) SS.

22 of DEC 2000

Ron Howerton

Notary Public

Residing at BOISE IDAHO

My commission Expires 12/8/06



CERTIFICATE OF MAILING

I hereby certify that on 12-29, 2000, I mailed the original and copies of the **Amended Notice of Claim to a Water Right**, including all attachments, to the following persons by mailing the original and/or copies, 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

via fax & mail

2. **Copies to:**

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Ed & Mabel Urquiaga
14151 Frost Road
Caldwell, ID 83605

Randy D. Hetrick
14168 Plum Road
Caldwell, ID 83605

Wally Holton
14251 Frost Road
Caldwell, ID 83607

Becky Hawley
Signature of person mailing this form

12/27/2000

IDAHO DEPARTMENT OF WATER RESOURCES
AMENDED DIRECTOR'S REPORT RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-23926

NAME AND ADDRESS: ED & MABEL URQUIAGA TRUST

14151 FROST RD
CALDWELL, ID 83605

SOURCE: WASTEWATER
LUNDY DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.03 CFS

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

PRIORITY DATE: 07/15/1906

POINT OF DIVERSION: T03N R04W S22

SESW
SWSW

Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
1-01 12-31

QUANTITY
0.03 CFS

PLACE OF USE:

STOCKWATER Within CANYON County
T03N R04W S22
SESW
SWSW

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 -

PARCEL NO. 1R33464-000--0
STOCKWATER, 100 RANGE CATTLE

September 27, 2000

SRBA Court

RE: Ed & Mabel Urquiaga Motion to Dismiss Partial Decree – Right No. 63-23926

On this date, Ed & Mabel Urquiaga came into my office concerning a partial decree they received which had an error in the source and legal descriptions. The partial decree was decreed as claimed, however, they both agreed the claim was filed in error.

After examining the map, it was determined that the legal description should be the SWSW, S22, T03N, R04W as the correct legal and the SESW, S22, T03N, R04W was incorrect. The source should have been Lundy Drain rather than wastewater as claimed.

I concur with these findings and recommend that the partial decree be dismissed and a new partial decree issued showing the correct legal and source.

Mr. & Mrs. Urquiaga also request a telephone hearing with myself and the special master, if convenient.

Thank-you and Sincerely,

A handwritten signature in cursive script, appearing to read "Jan Shurte".

Jan Shurte
Water Rights Supervisor
Adjudication Section
Western Region

Enclosure: Copy of map showing correct location

MOTION TO DISMISS PARTIAL DECREE – ED & MABEL URQUIAGA

RECEIVED
SEP 27 2000
WATER RESOURCES
WESTERN REGION

This is a request for a motion to dismiss a partial decree for Right No. 63-23926. The claim was filed incorrectly on the source and the legal description.

After looking at the map, the legal description should be the SWSW, S22, T03N, R04W, rather than the SESW, S22, T03N, R04W. The source is locally known as Lundy Drain and is not a wastewater source.

We would like to request a dismissal of the partial decree to correct this water right for future generations.

We have met with the Department of Water Resources and they agree with our assessment.

Thank-you and Sincerely,

Ed Urquiaga 9/24/00
Mabel Urquiaga 9/24/00

Ed & Mabel Urquiaga
14151 Frost Rd
Caldwell, ID 83605

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
MAY 25 2000
WATER RESOURCES
WESTERN REGION

1. Water Right No(s).: _____
Adjudication Claim No(s).: 63- 23922 ; 63- 23926

2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant ED + Mabel Urquiaga
14151 Frost Rd Caldwell ID 83605.

4. New Owner/Claimant(s) Ed + Mabel Urquiaga Trust
Name Connector (Check one): ☒ and ☐ or, ☐ and/or
New Mailing Address 14151 Frost Rd
City, State and ZIP Code Caldwell, Id 83607
New Telephone Number (208) 459-7082

5. Date you acquired the property Changed name to Trust

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) Ed + Mabel Urquiaga Trust
Mabel Urquiaga
Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

THE ED AND MABEL URQUIAGA TRUST

THIS Trust Agreement, made and entered into this 6th day of March, 1992, by and between ED URQUIAGA (also known as Edward P. Urquiaga) and MABEL URQUIAGA, husband and wife, as Grantors, hereinafter collectively referred to as "Grantors", and singly as "Grantor", and ED URQUIAGA (also known as Edward P. Urquiaga) and MABEL URQUIAGA, husband and wife, hereinafter referred to collectively as the "Trustees" or "Co-Trustees", and singly as "Trustee".

W I T N E S S E T H:

WHEREAS, The Grantors are the owners of certain property more particularly described in Schedule A attached hereto; and

WHEREAS, The Grantors desire to make provisions for the care and management of such property, the collection and disposition of the income therefrom; and

WHEREAS, The Grantors further desire to create a revocable trust to provide for the future needs of Grantors during their lifetimes and upon their death to distribute the trust estate promptly without court involvement as herein provided.

NOW, THEREFORE, The Grantors hereby specifically agree and declare as follows:

1. Trust Name: The trust shall be known as: THE ED AND MABEL URQUIAGA TRUST.

RECEIVED

OCT 21 2001

2001 OCT 29 PM 3: 06

FILED 31
TWIN FALLS CO., IDAHO

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

ORDER OF PARTIAL DECREE

For Water Right 63-23926

On December 14, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 63-23926 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED October 29th, 2001.



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

RECEIVED

NOV 08 2001

WATER RESOURCES
WESTERN REGION

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 63-23926

FILED
OCT 29 PM 3:06
T-SRBA
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: ED URQUIAGA
MABEL URQUIAGA
14151 FROST RD
CALDWELL, ID 83605

SOURCE: LUNDY DRAIN TRIBUTARY: SNAKE RIVER

QUANTITY: 0.03 CFS

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

PRIORITY DATE: 07/15/1906

POINT OF DIVERSION: T03N R04W S22 SWSW Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.03 CFS

PLACE OF USE: Stockwater Within Canyon County
T03N R04W S22 SWSW

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.

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2001 OCT 29 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 63-23926

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 63-23926 was mailed
on October 29, 2001, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ED URQUIAGA
MABEL URQUIAGA
14151 FROST RD
CALDWELL, ID 83605
Phone: 208-459-7082

ROBBIN GLATZ
Chief Deputy Clerk

SRBA

SUBCASE SUMMARY REPORT 63-23926

[Return to SRBA Home Page](#)

SRBA
03-23-2001

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 63-23926 FILE#: 00914
CLAIMANT: URQUIAGA, MABEL

STATUS: M/R/R FILED

WATER SOURCE: LUNDY DRAIN, SNAKE RIVER

**** PARTIES INVOLVED ****

MABEL URQUIAGA	C PRO SE
ED URQUIAGA	C PRO SE

**** ROA ENTRIES ****

04-07-2000	PARTIAL DECREE FILED		04-07-2000
09-28-2000	MOTION TO SET ASIDE/MODIFY PARTIAL DECREE F/B CLAIMANTS	MG	01-25-2001
10-23-2000	ORDER OF REFERENCE TO SPECIAL MASTER BILYEU		
10-27-2000	ORDER SETTING HEARING	HS	12-07-2000 1000
	MOTION TO SET ASIDE/MODIFY PARTIAL DECREE.		
12-07-2000	HEARING HELD - MOTION TO SET ASIDE/MODIFY	HH	12-07-2000 1000
12-07-2000	MINUTES - MOTION TO SET ASIDE/MODIFY		
12-14-2000	SPECIAL MASTER'S REPORT AND RECOMMENDATION ON MOTION TO SET ASIDE PARTIAL DECREE ASSIGNED MASTER WAS: 701 BILYEU, BRIGETTE		12-14-2000
12-29-2000	NOTICE OF FILING ORIGINAL CLAIM		
01-04-2001	AMENDED DIRECTOR'S REPORT - MOTION TO MODIFY CHG SOURCE; CHG POD, CHG POU;		
01-25-2001	ORDER ADOPTING SPECIAL MASTERS RECOMMENDATION; SETTING ASIDE PARTIAL DECREE AND ORDER SETTING OBJECTION AND RESPONSE PERIOD FOR AMENDED DIRECTORS REPORT:		
	OBJECTIONS DUE APRIL 11, 2001	8B	04-11-2001 0500
	RESPONSES DUE MAY 11, 2001	RB	05-11-2001 0500

[Return to SRBA Home Page](#)

AMENDED DIRECTOR'S REPORT

Subcase No. 63-23926

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

January 2, 2001

AMENDED DIRECTOR'S REPORT

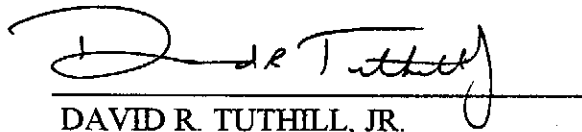
DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the *Notice of Amended Claim* filed on or about December 28, 2000 by Ed & Mabel Urquiaga along with the *Special Master's Report and Recommendation on Motion to Set Aside Partial Decree* issued by Special Master Bilyeu on December 14, 2000, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase (see attached print-out).

Respectfully submitted this 2nd day of January, 2001.



DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

CERTIFICATE OF SERVICE

I certify that on 1-4, 2001, I served the original and/or copies of this form, including all attachments, to the following persons by delivering the original and/or copies, 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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

U.S.D.I. BLM
U.S. Dept. of Justice
550 West Fort Street, MSC 033
Boise, ID 83724

☐ Overnight Mail
☒ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Chief, Natural Resource Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☐ Regular Mail
☒ Hand-Delivered
☐ Facsimile

Ed & Mabel Urquiaga
14151 Frost Road
Caldwell, ID 83605

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Randy D. Hetrick
14168 Plum Road
Caldwell, ID 83605

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Wally Holton
14251 Frost Road
Caldwell, ID 83607

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Canyon County Courthouse
1115 Albany St.
Caldwell, ID 83605

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Sandy Egbert
Signature of person delivering form

12/27/2000

IDAHO DEPARTMENT OF WATER RESOURCES
AMENDED DIRECTOR'S REPORT RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-23926

NAME AND ADDRESS: ED & MABEL URQUIAGA TRUST
14151 FROST RD
CALDWELL, ID 83605

SOURCE: WASTEWATER TRIBUTARY: SNAKE RIVER
LUNDY DRAIN

QUANTITY: 0.03 CFS

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

PRIORITY DATE: 07/15/1906

POINT OF DIVERSION: T03N R04W S22 SESW Within CANYON County
SWSW

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
1-01 12-31

QUANTITY
0.03 CFS

PLACE OF USE:

STOCKWATER Within CANYON County
T03N R04W S22 SESW
SWSW

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 -

PARCEL NO. 1R33464-000--0
STOCKWATER, 100 RANGE CATTLE



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

VIA FACSIMILE & U.S.MAIL

December 29, 2000

SRBA District Court
P.O. Box 2707
Twin Falls, ID 83303-2707
ATTN: SPECIAL MASTER BIL YEU

RE: 63-23926 (Urquiaga)

Dear Special Master Bilyeu:

Pursuant to your Order dated December 14, 2000, enclosed please find the original Amended Notice of Claim which has notarized signatures of Mr. & Mrs. Urquiaga. As you will note, pursuant to your Order, the other claimants on Lundy Drain have been served copies of this claim.

Also be advised that the Amended Director's Report for this amended claim is forthcoming and will be filed on or about January 2, 2001. Upon receipt of that report, please set the objection and response deadlines. If I can be of further assistance, please let me know.

Thank you for your continuing courtesy and cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Becky J. Harvey".

BECKY J. HARVEY
Paralegal

/bh
Enclosures

DATE: 10/13/98
PAGE: 1

Audit: 10/13/98 DBUFFING

DATE: 07/24/98
PAGE: 1

Audit: 07/24/98 CVALKER

DATE: 09/10/97
PAGE: 1

Audit: 09/10/97 L HARRIS

OLD (D) NUMBER -

[illegible]

1 - 14151 FROST RD.

CITY- CALDWELL
PHONE - 208-459-7082

CITY- CALDWELL
PHONE - 208-459-7082

+ + - -	PRIORITY DATE	- - +	+ - - -	REGION	- - - +	+ - - -	STAGE	- - - +	+ - - -	STATUS	- - - +
				14 WESTERN			J - BENEFICIAL USE				
				07/15/1906							

[illegible][illegible]

03N	04W	22	SE SW	(27)	CANYON
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CODE	DESCRIPTION	PERIOD FROM	WATER USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
1	1	1	1	1	1
2	2	2	2	2	2
3	3	3	3	3	3
4	4	4	4	4	4
5	5	5	5	5	5
6	6	6	6	6	6
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14	14	14	14	14	14
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72	72	72	72	72	72
73	73	73	73	73	73
74	74	74	74	74	74

0.030

[illegible]

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
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03N	04W	22	SE SW	43	DOMESTIC	(27) CANYON
-----	-----	----	-------	----	----------	--------------

+ - - DIVERSION MEANS - URQUIAGA DRAIN OR LUNDY DRAIN, LIVE FLOW DRAIN DITCH.

+ - - NON-IRRIGATION USE - STOCK 100 HEAD

+ - - OTHER RIGHTS FOR SAME USE - NONE

[illegible]

NO OLD WATER RIGHT NUMBERS FOUND.

--- CONDITIONS OF APPROVAL ---
--- NO CONDITIONS OF APPROVAL FOUND. ---

+ - DECREE DATE - +
00/00/0000

NO COMMENTS FOUND

[illegible]

CIVIL CASE NUMBER	-	39576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	

1K33464-000-0

Aug 10 1991

SEP 15 1963

WATER EXAMINER

ENTERED 10-14-93

CHECKED 7-31-94

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

VERIFIED

JAN 25 1992

MICROFILMED

OCT 10 1996