

Idaho Department of Water Resources

T03N, R01W,
S34

Claim No: 63-31852
Prepared By: Kimberly Brown
Date: March 8, 2004



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4



2000 NAPP

Idaho Department of Water Resources

T03N, R01W,
S34

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- Point of Diversion
- Place of Use
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- 1/4 1/4



2000 NAPP

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 63-31852
Date Received: 3/3/2004
Receipt No: C072894
Received By:

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

1. Name of Claimant(s)

THE BRICKER FAMILY TRUST
5020 S COUNTRY LIFE LN
MERIDIAN ID USA 83642

Phone: (208) 288-2008

2. Date of Priority: 06/15/1995

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	01W	34	NW NE	ADA	

5. Description of diverting works:

Well, 6" casing, 162 ft deep. 1 1/2 hp submersible pump, pipe to house.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 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	01W	34	NW NE	DOMESTIC	

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:

14. Remarks:

15. Basis of Claim: Beneficial Use

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

MAR 05 2004
WATER RESOURCES
WESTERN REGION

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A63-31852
Date Received 3-3-04
Receipt Number 0072894

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED 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

- Name of Claimant (s) THE BRICKER FAMILY TRUST Phone (208) 288-2008
Mailing Address 5020 S. COUNTRY Life Lane, Meridian, ID Zip 83642
- Date of Priority (Only one per claim) 06/15/1995 Month/Day/Year
- Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
Name or kind of source
which is tributary to (b) _____
- Location of point of diversion is: Township 3N Range 1W
Section 34 1/4 of NW 1/4 of NE 1/4, Govt. Lot _____, BM.,
County of Ada
Additional points of diversion if any: _____
- 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. Well, 6" casing, 162' deep. 1 1/2 h.p. submersible pump,
pipe to house.
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For domestic purposes from 1-1 to 12-31 amount 0.04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.04 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic - one household

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

1. 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: 3N Range 1W
Section 34 NW 1/4 of NE 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 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 _____

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

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

Signature of Authorized Agent Juan K. Bricker Date 3/3/2004
Title and Organization TRUSTEES of BRICKER FAMILY TRUST

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

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 3rd day of March 2004

Notary Public A. Sherman

Residing at Boise

My Commission Expires 11-14-2004

Last Name Bricker Family Trust Ident No. _____

Copies: White-State, Yellow-Claimant

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.

03/08/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31852

NAME AND ADDRESS: THE BRICKER FAMILY TRUST
5020 S COUNTRY LIFE LN
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/15/1995

POINT OF DIVERSION:

T03N R01W S34 NWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE:

DOMESTIC Within ADA County

T03N R01W S34 NWNE

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

PARCEL NO: S1234121015.

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. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31852 V1

WATER RIGHT NUMBER: 63-31852 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THE BRICKER FAMILY TRUST 5020 S COUNTRY LIFE LN MERIDIAN, ID 83642

Priority Date: 06/15/1995

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 34, Twp 03N, Rge 01W, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01W	34		X															

Conditions of Approval:

1. C18 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. Section 42-1412(6), Idaho Code.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
4. X01 Domestic use is for 1 home.

Remarks:

1. General PARCEL NO: S1234121015.

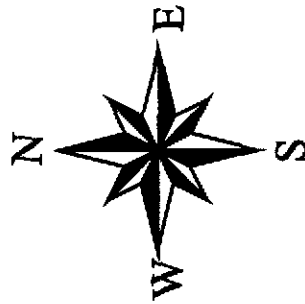
Comments:

Idaho Department of Water Resources

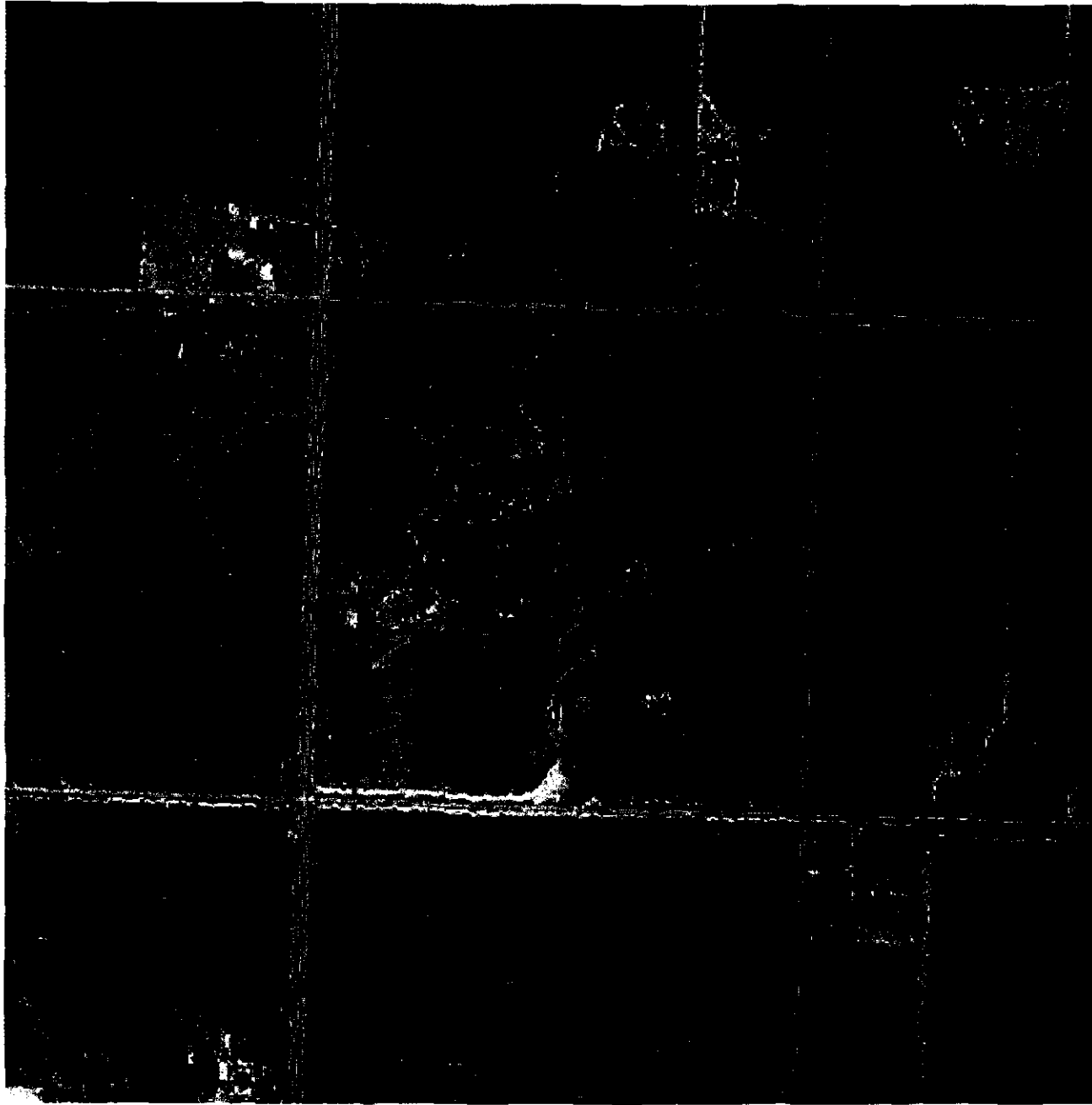
**T03N, R01W,
S34**

**Claim No: 63-31852
Prepared By: Kimberly Brown
Date: March 8, 2004**

- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4



2000 NAPP



0.4 Miles

0.3

0.2

0.1

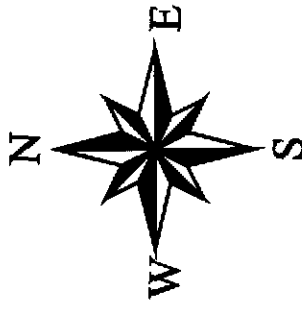
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Idaho Department of Water Resources

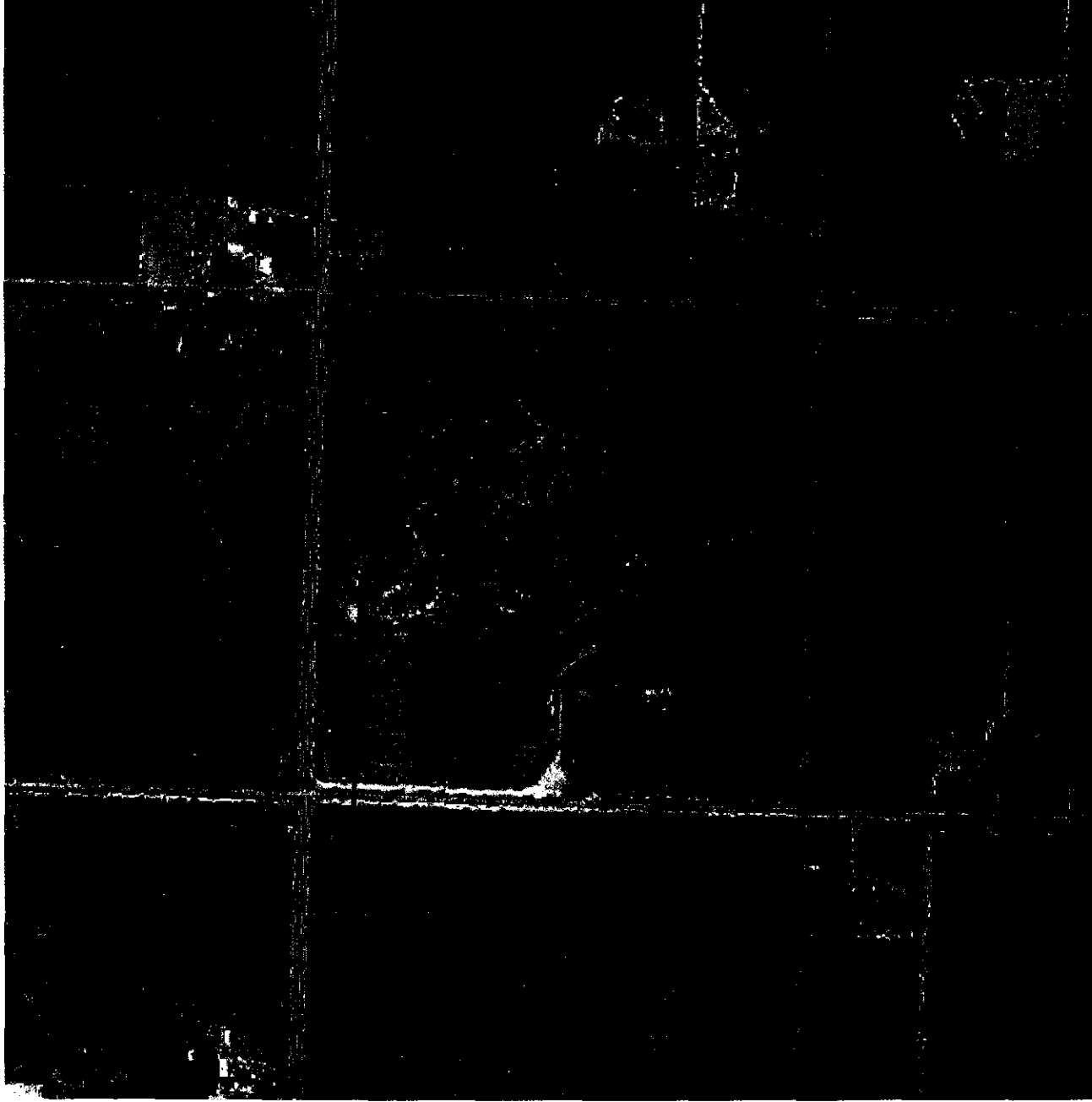
**T03N, R01W,
S34**

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- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4



2000 NAPP



0 0.1 0.2 0.3 0.4 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31852

WATER RIGHT NUMBER: 63-31852 ✓

Owner Type

Current Owner

Name and Address

THE BRICKER FAMILY TRUST ✓
 5020 S COUNTRY LIFE LN
 MERIDIAN, ID 83642

Priority Date: 06/15/1995 ✓

Basis: Beneficial Use ✓

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use

DOMESTIC ✓

From To

01/01 to 12/31 ✓

Diversion Rate

0.040 CFS ✓

Annual VolumeTotal Diversion:

0.040 CFS ✓

Location of Point(s) of Diversion

GROUND WATER

ADA County ✓

NW1/4NE1/4 ✓

Sec. 34, Twp 03N, Rge 01W, B.M. ✓

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	01W	34	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				X															

Conditions of Approval:

ADD X01 - Domestic use is for 1 home.

Remarks:

ADD N11 - The quantity shall not exceed 13,000 ga' per day.

Comments:

ADD N13 - The quantity of this right is not a determination of historical beneficial use.

ADD - Parcel No: 81234121015.

* no electronic back file available

Field Exam Date 3.8.04

(in office)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$25.00
- ☐ Well logs (if needed) N/A - Couldn't find any Well Log Report on website or in files.
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☐ Evidence of Priority - if none, talk with claimant N/A

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) 63-31852

Owner: Bricker Family Trust Phone No. (208) 288-2008

Current Address: 5020 S. Country Life Lane, Meridian 83642

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property?

Accompanied by: N/A

PRIORITY DATE

- ☒ No change - Complete evidence submitted or not necessary
- ☐ Incomplete - Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 6/15/1995

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☒ No Change - SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

162' Well, 6" casing, 1½ HP submersible pump.

OVERLAP REVIEWOther water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES☒ No change☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:** None☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: pipe to house.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(OVER)

Domestic use is for 1 home.

The quantity shall not exceed 13,000 gal/day.

The quantity is not a determination of historical beneficial use.

Parcel No: 81234121015.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU N/A
- ☐ GPS readings N/A
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3.8.04 (in office)

FIELD EXAMINER: Kimberly Brown

* 3.8.04

Since a map depicting the place of use and point of diversion was not submitted with the Notice of Claim, I called #288-2008 and spoke with Ken Bricker for assistance in creating a shape file. Mr. Bricker informed me that the water is used to irrigate $\frac{1}{2}$ acre of lawn around their home and directed me to the proper location of the well in relation to the home. Mr. Bricker verified the use of the water for internal domestic use also. -KLB



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 8, 2004

THE BRICKER FAMILY TRUST
5020 S COUNTRY LIFE LN
MERIDIAN ID 83642

Re: Notice of Claim to a Water Right No. 63-31852

Dear Claimant(s):

Enclosed is your copy of the above referenced claim(s), in which you recently filed with the Department.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

DB: db

Enclosure