

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 24-10686
Date Received: 11/8/2005
Receipt No:
Received By:

AMENDED

AMENDED

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

1. Name of Claimant(s)

NEVADA ROCK AND SAND CO Phone: (208)523-0620
C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID USA 83405-0130

2. Date of Priority: 04/01/1967

3. Source: UNNAMED STREAM Trib. to: CROW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	45E	22	NE SW NW	CARIBOU	

5. Description of diverting works:

INTAKE FACILITY AND STEEL PIPELINE WAS INSTALLED IN 1963 AND EARLY 1964 TO PERMIT WATER TO BE PRESSURIZED FOR GRAVITY FLOW SPRINKLING FOR ADDITIONAL LANDS TO THOSE PREVIOUSLY SERVED BY FLOOD IRRIGATION FROM THIS SOURCE. WHEEL LINES WERE INSTALLED IN EARLY 1967 TO PERMIT IRRIGATION OF ADDITIONAL ACREAGE PREVIOUSLY UNIRRIGATED.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/30	1	

7. Total Quantity Appropriated is:
1 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
10S	45E	14	SW	SW	IRRIGATION	7
					Section Acres	7
10S	45E	15	SW	SE	IRRIGATION	22
			SE	SE	IRRIGATION	3
					Section Acres	25
10S	45E	22	NE	NE	IRRIGATION	32
			NW	NE	IRRIGATION	30
			SW	NE	IRRIGATION	22
			SE	NE	IRRIGATION	20
					Section Acres	104
10S	45E	23	NW	NW	IRRIGATION	34
			SW	NW	IRRIGATION	10
					Section Acres	44
					Total Acres	180

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

Other water rights used at the same place and for the same purposes as described above: 24-4007, 24-4008, 24-10685, and 24-10684.

15. Basis of Claim: Beneficial Use

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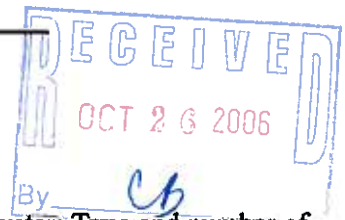
Date Received _____

Receipt Number _____

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

South Canyon

1. Name of Claimant(s) Nevada Rock & Sand Co. Phone (208) 523-0620
Mailing Address C/o Holden, Kidwell, Hahn & Crapo, PLLC, PO Box 50130, Idaho Falls, ID Zip 83405-0130
2. Date of Priority (Only (1) per claim) April 1, 1967
3. Source of water supply (a) Unnamed Stream
which is tributary to (b) Crow Creek
- 4.a. Location of existing point of diversion is:
Township 10S Range 45E Section 22, NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____,
County of Caribou
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. Intake facility and steel pipeline was installed in 1963 and early 1964 to permit water to be
pressurized for gravity flow sprinkling for additional lands to those previously served by flood irrigation from this source.
Wheel lines were installed in early 1967 to permit irrigation of additional acreage previously unirrigated.
6. Water is claimed for the following purposes: _____ (Both dates are inclusive) (cfs) (acre feet)
For Irrigation purposes from 04/01 to 10/31 amount 1.0 cfs or _____
7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)
8. Total consumptive use claimed is _____ acre feet per annum.
9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of
livestock Etc.) _____



10. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TLS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	45E	14											7						7
		15															22	3	25
		22	32	30	22	20													104
		23						34	10										44

Total number of acres irrigated 180

11. In which county(ies) are lands listed above as place of use located? Caribou

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.
24-4007 and 24-4008 24-10685 10684 or None ()

14. Remarks: _____

15. Basis of Claim (Check one) Beneficial Use ☒ Posted Notice ☐ Permit ☐ Decree ☐ License ☐
If applicable provide IDWR Water Right Number 24-10686
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. I do solemnly swear or affirm that I am the Corporate Secretary of Nevada Rock & Sand Co., that I have signed the foregoing document in the space below as the Corporate Secretary of Nevada Rock & Sand Co., and that the statements contained in the foregoing document is true and correct.

Signature of Authorized Agent Monte Stewart

Title and Organization Corporate Secretary, Nevada Rock & Sand Co. Date 24 Oct 06

State of Utah)
) SS.
County of Utah)

Subscribed and sworn (or affirmed) before me this 24th day of October, 2006.



Beverly A. Royer

Notary Public

Residing at Orem, Utah

My Commission Expires 03/01/07

Last Name Nevada Rock & Sand Co. Ident. Number 24-10686

17. Notice of Appearance:

Notice is hereby given that I KENT K. FISHER will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Kent K. Fisher

Address

PO Box 50130 IDAHO FALLS, ID 83405

Date

10/25/06

G:\WPDATA\KWA\10652 MARTIN, STEPHEN B\08 Nevada Rock & Sand\Amended Claims\Claim.24-10686.wpd:cdv

09/06/2006

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

RIGHT NUMBER: 24-10686

NAME AND ADDRESS: NEVADA ROCK AND SAND CO
527 REGENTS GATE DRIVE
HENDERSON NV 89012

DISALLOWED

SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

QUANTITY: 1.000 CFS

PRIORITY DATE: 04/15/1960

POINT OF DIVERSION: T10S R45E S22 NESWNW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/30	1.000 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T10S R45E S14	SWSW	16.00	T10S R45E S15	SWSE	8.20
T10S R45E S15	SESE	22.00	T10S R45E S22	NENE	40.00
T10S R45E S22	NWNE	27.00	T10S R45E S22	SWNE	17.00
T10S R45E S22	SENE	28.00	T10S R45E S22	NESE	6.50
T10S R45E S22	NWSE	3.70	T10S R45E S23	NWNW	31.00
T10S R45E S23	SWNW	4.00			

203.4 ACRES TOTAL

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

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

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1. Name of Claimant(s)

NEVADA ROCK AND SAND CO Phone:
527 REGENTS GATE DRIVE
HENDERSON NV USA 89012

2. Date of Priority: 04/15/1960

3. Source: UNNAMED STREAM Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	45E	22	NE SW NW	CARIBOU	

5. Description of diverting works:

COLLECTION BOX IN STREAM TO 12IN PIPELINE SERVING GRAVITY PRESSURIZED
SPRINKLER SYSTEM AND STOCK WATERING.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/30	1	

7. Total Quantity Appropriated is:
1 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
10S	45E	14	SW	SW		IRRIGATION	16
						Section Acres	16
10S	45E	15	SW	SE		IRRIGATION	8.2
			SE	SE		IRRIGATION	22
						Section Acres	30.2
10S	45E	22	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	27
			SW	NE		IRRIGATION	17
			SE	NE		IRRIGATION	28
			NE	SE		IRRIGATION	6.5
			NW	SE		IRRIGATION	3.7
						Section Acres	122.2
10S	45E	23	NW	NW		IRRIGATION	31
			SW	NW		IRRIGATION	4
						Section Acres	35
						Total Acres	203.4

11. Place of use in counties: CARIBOU

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

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NEVADA ROCK AND SAND CO Phone:
527 REGENTS GATE DRIVE
HENDERSON NV USA 89012

2. Date of Priority:

3. Source: UNNAMED STREAM Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
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6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/30	1	

7. Total Quantity Appropriated is:
1 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
10S	45E	14	SW	SW		IRRIGATION	16
						Section Acres	16
10S	45E	15	SW	SE		IRRIGATION	8.2
			SE	SE		IRRIGATION	22
						Section Acres	30.2
10S	45E	22	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	27
			SW	NE		IRRIGATION	17
			SE	NE		IRRIGATION	28
			NE	SE		IRRIGATION	6.5
			NW	SE		IRRIGATION	3.7
						Section Acres	122.2
10S	45E	23	NW	NW		IRRIGATION	31
			SW	NW		IRRIGATION	4
						Section Acres	35
						Total Acres	203.4

11. Place of use in counties: CARIBOU

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

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FROM THE SNAKE RIVER BASIN
WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 24-10686

Date Received 11-8-05

Receipt Number E031437

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

1. Claimant Nevada Rock and Sand Co.
527 Regents Gate Drive
Henderson NV 89012

2. Date of Priority 4/15/1960

3. Source of water (a) unnamed stream
which is tributary to (b) sinks

4. a. Location of points of diversion:

Township	Range	Section	QQQ	Diversion Name
10S	45E	22	NESWNW	

5. Description of existing diversion works. Collection box in stream to 12" pipeline serving gravity-pressurized sprinkler system and stock watering.

6. Water is claimed for the following purposes:

Purpose	Start Date	End Date	cfs	acre feet/year
Irrigation	4/1	10/30	1.00	

7. Total quantity claimed (a) 1.00 (cfs) and/or (b) (acre feet per year)

8. Total consumptive use claimed is _____-acre feet per annum.

9. Non-irrigation uses: none

10. Description of place of use

A24-04008 and new claim combined place of use

Township, Range	Section	QQ	Q	Acres
10S45E	14	SW	SW	16
Section Total				16
10S45E	15	SW	SE	8.2
10S45E	15	SE	SE	22
Section Total				30.2
10S45E	22	NE	NE	40
10S45E	22	NW	NE	27
10S45E	22	SW	NE	17
10S45E	22	SE	NE	28
10S45E	22	NE	SE	6.5
10S45E	22	NW	SE	3.7
Section Total				122.2
10S45E	23	NW	NW	31
10S45E	23	SW	NW	4
Section Total				35
Total Acres				203.4

11. Irrigated lands are located in county(s) of: Caribou

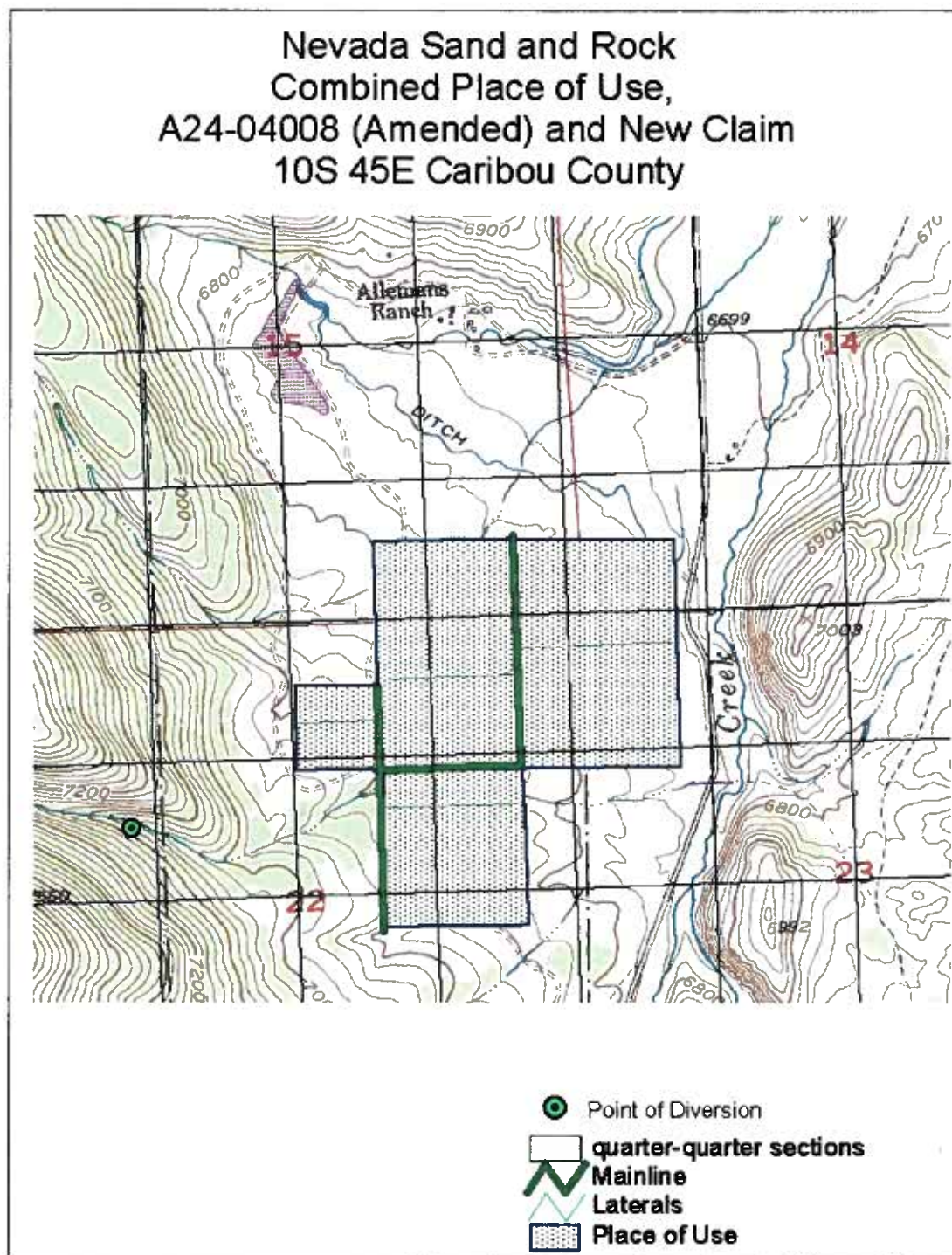
12. Do you own the property listed above as place of use? Yes

13. Describe any other water rights used at the same place and for the same purposes as described above: Place of use overlaps A24-04007 on the south. Place of use is combined with place of

use of for A24-04008. This claim represents additional acreage developed when sprinkler system was installed.

14. Remarks. This claim and A24-04008 together are for 203.4 acres of irrigation.

Map of project:



15: Basis of Claim: Beneficial Use

AJ Claim No. _____

Last name: Nevada Rock and Sand

IDWR water right number: none

16: Signatures

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

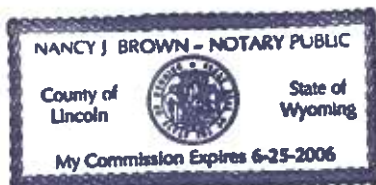
Signature of Claimant(s) Brent D Stewart Date 10/24/05
PRESIDENT of
(title)

Nevada Rock and Sand Co.

State of Idaho/or Wyoming)
County of Lincoln) SS.

Subscribed and sworn (or affirmed) before me this 24th day of October 20 05

SEAL



Notary Public Nancy J. Brown
Residing at Thayne WY
My Commission Expires 6/25/06