

Idaho Department of Water Resources

67-353B



T17N R01W S35

500 0 500 1000 Feet



Prepared by Sandy Egbert
7-30-04
1987 NAPP Photography

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: **A67-00353B**

Date Received: 10/24/1989

Receipt No: W006543

Received By: _____

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

1. Name: FRED STOVNER 208-253-4791
Address: R ROUTE
COUNCIL ID 83612

OR

Name: ADEL HEDI KRUSE 208-253-4791
Address: R ROUTE
COUNCIL ID 83612

2. Date of Priority: MAY 1, 1882

3. Source: MILL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	35	SE	NE		R	ADAMS
			NE	SW		R	ADAMS
			NE	SE			ADAMS
			NE	SE		R	ADAMS
			NW	SE			ADAMS
		36	NW	SW			ADAMS

5. Description of diverting works:
DAMS, DITCHES, CULVERTS, GRAVITY FLOWS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		

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

A.F.A.

SCANNED

APR 02 2004

8. Total consumptive use is

Acre Feet Per Annum

9. Non-irrigation uses:
INSTREAM STOCKWATER

MICROFILMED

AUG 05 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01W	35	NE SE		IRR	5.0
Section Acres						5.0
Total Acres						5.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A67-00349A, 350, 351, 352, 353B, 4420A.

14. Remarks:

SEE CLAIM A67-00349A FOR MAP.

2 PD IN NWSE SEC 35

2 REDIV. IN NESE SEC 35

3 REDIV. IN SENE SEC 35

SPLIT TO A67-00353E, 68 ACRES, 0.38 CFS TO PARADIS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs

Decree Defendant

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: _____

MICROFILMED

AUG 05 1994

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 _____

MICROFILMED
AUG 05 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

APR 07 1994

Department of Water Resources

DATE OF CLOSING: 1/25/94

LEGAL DESCRIPTION OF PROPERTY: Township 17N Range 02W
Section 35, 1/4 of 1/4 of 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

APR 08 1994

WATER RESOURCES
WESTERN REGION

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A67-00393B, A67-00354
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
Fred Stovner or Adel Hedi Kruse
R. Route
Council, ID 83612
- ☐ New Owner/Claimant (Purchaser):
Michael E. & Janice M. Paradis
- ☐ New Mailing Address:
P.O. Box 348
Council, ID 83612
- ☐ New Telephone Number: (208) 253-4458
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: copies of recorded deed(s).

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Michael E. Paradis Date 1-27-94
Janice M. Paradis Date 1-27-94
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

AUG 05 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

SEP 8 0 99A
Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsit~~e~~ or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

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: A67-00353B
Date Received: 9/19/1989
Receipt No: W006543
Received By: REL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRED STOVNER 208-253-4791
Address: R. ROUTE
COUNCIL, ID 83612
OR
Name: ADEL HEDI KRUSE 208-253-4791
Address: R. ROUTE
COUNCIL, ID 83612

2. Date of Priority: MAY 01, 1882

3. Source: MILL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	35	SE	NE		R	ADAMS
			NE	SW		R	ADAMS
			NE	SE			ADAMS
			NE	SE		R	ADAMS
			NW	SE			ADAMS
		36	NW	SW			ADAMS

5. Description of diverting works:
DAMS, DITCHES, CULVERTS, GRAVITY FLOWS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.410		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATER

A67-00353B

Page 1

Date: 10/24/89

MICROFILMED

OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
17N	01W	35	SW		NE		IRR	40.0
			SE		NE		IRR	6.0
			NE		SE		IRR	5.0
			NW		SE		IRR	22.0
							Section Acres	73.0
							Total Acres	73.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A67-00349A, 350, 351, 352, 353B, 4420A.

14. Remarks:

SEE CLAIM A67-00349A FOR MAP.

2 PD IN NWSE SEC 35

2 REDIV. IN NESE SEC 35

3 REDIV. IN SENE SEC 35

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

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): Fred D. Stover Date: Oct 24 1989

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 24 day
of Oct 19 89 Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-353B V1

WATER RIGHT NUMBER: 67-353B V1

Owner Type Name and Address
Current Owner ADEL HEDI KRUSE
 R RT
 COUNCIL, ID 83612
 (208)253-4791
Current Owner FRED STOVNER
 R RT
 COUNCIL, ID 83612
 (208)253-4791
Original Owner FRANK S GALEY
 , ZZ

Priority Date: 05/01/1882

Basis: Decreed

Status:

Source
MILL CREEK

Beneficial Use
IRRIGATION

From To
3/15 to 11/15

Tributary
WEISER RIVER

Diversion Rate
0.030 CFS

Annual Volume

Total Diversion:
0.030 CFS

Location of Point(s) of Diversion

MILL CREEK	SE1/4NE1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS County	(Rediversion)	
MILL CREEK	NW1/4SW1/4	Sec. 36, Twp 17N, Rge 01W, B.M.
ADAMS County		
MILL CREEK	NE1/4SE1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS County		
MILL CREEK	NE1/4SE1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS County	(Rediversion)	
MILL CREEK	NE1/4SW1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS County	(Rediversion)	
MILL CREEK	NW1/4SE1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS County		

Place of Use
IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
17N 01W 35	NE	NW	SW	SE	5.0

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-353B V1

Total Acres: 5

Conditions of Approval:Remarks:Comments:

1. segbert 7/30/2004 POD
Comment: Cannot verify PODs
2. segbert 7/30/2004 Quantity
Comment: Cannot verify quantity

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number: 67
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	7/30/2004 8:54:26 AM	segbert			
Source	7/30/2004 8:55:12 AM	segbert			
POU	7/30/2004 8:56:05 AM	segbert			
Use	7/30/2004 9:01:44 AM	segbert			
Season	7/30/2004 9:02:18 AM	segbert			
Quantity	7/30/2004 9:02:43 AM	segbert			

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
---------	-----------------	----------	----------

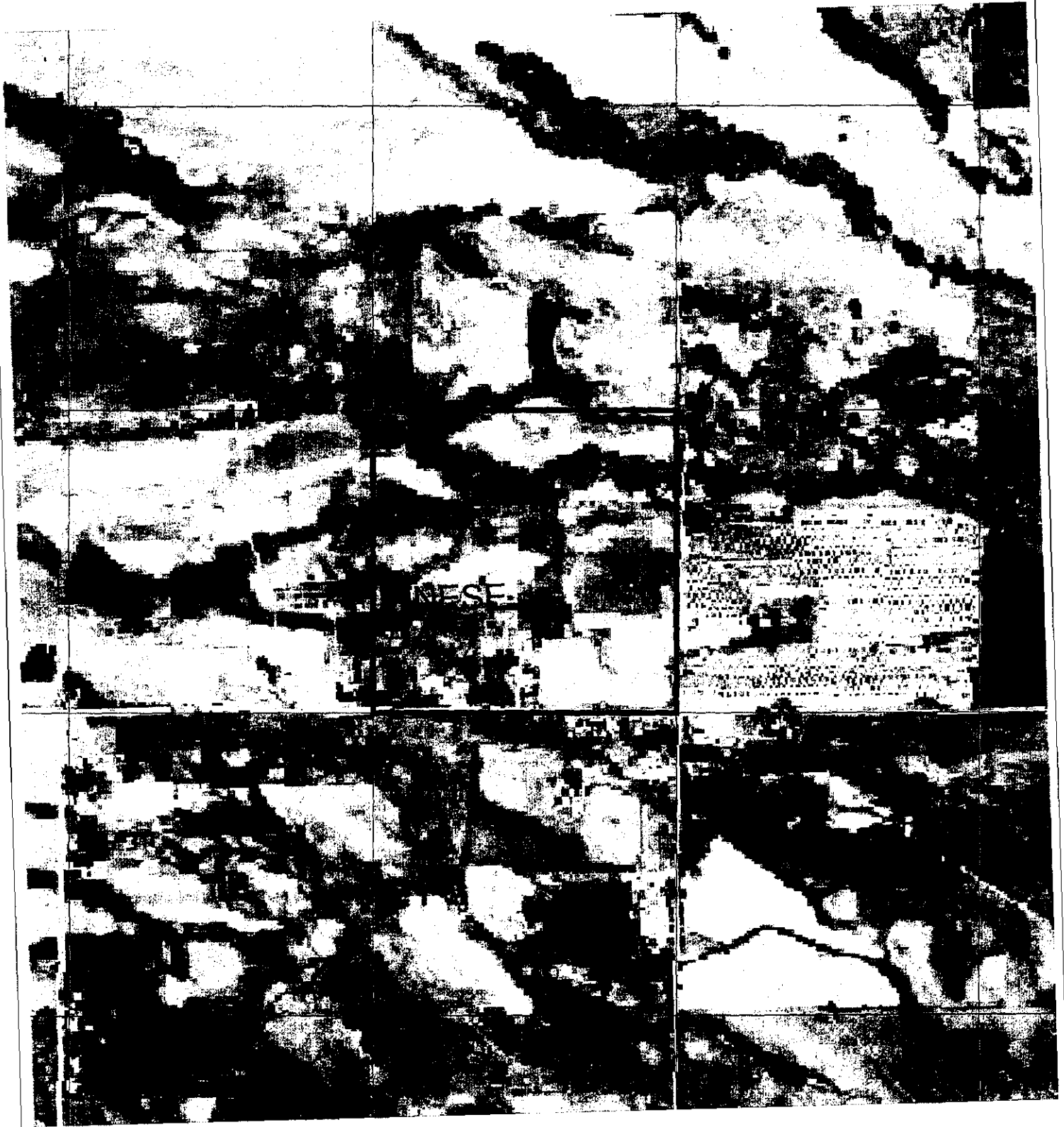
IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 87-353B V1

Priority Date	7/30/2004 8:54:27 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
Source	7/30/2004 8:55:14 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	7/30/2004 8:56:07 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
POU	7/30/2004 8:58:56 AM	segbert	Created polygon from PLS
Use	7/30/2004 9:01:46 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	7/30/2004 9:02:20 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
Quantity	7/30/2004 9:02:44 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume?

Idaho Department of Water Resources

67-353B



T17N R01W S35



500 0 500 1000 Feet

Prepared by Sandy Egbert
7-30-04
1987 NAPP Photography