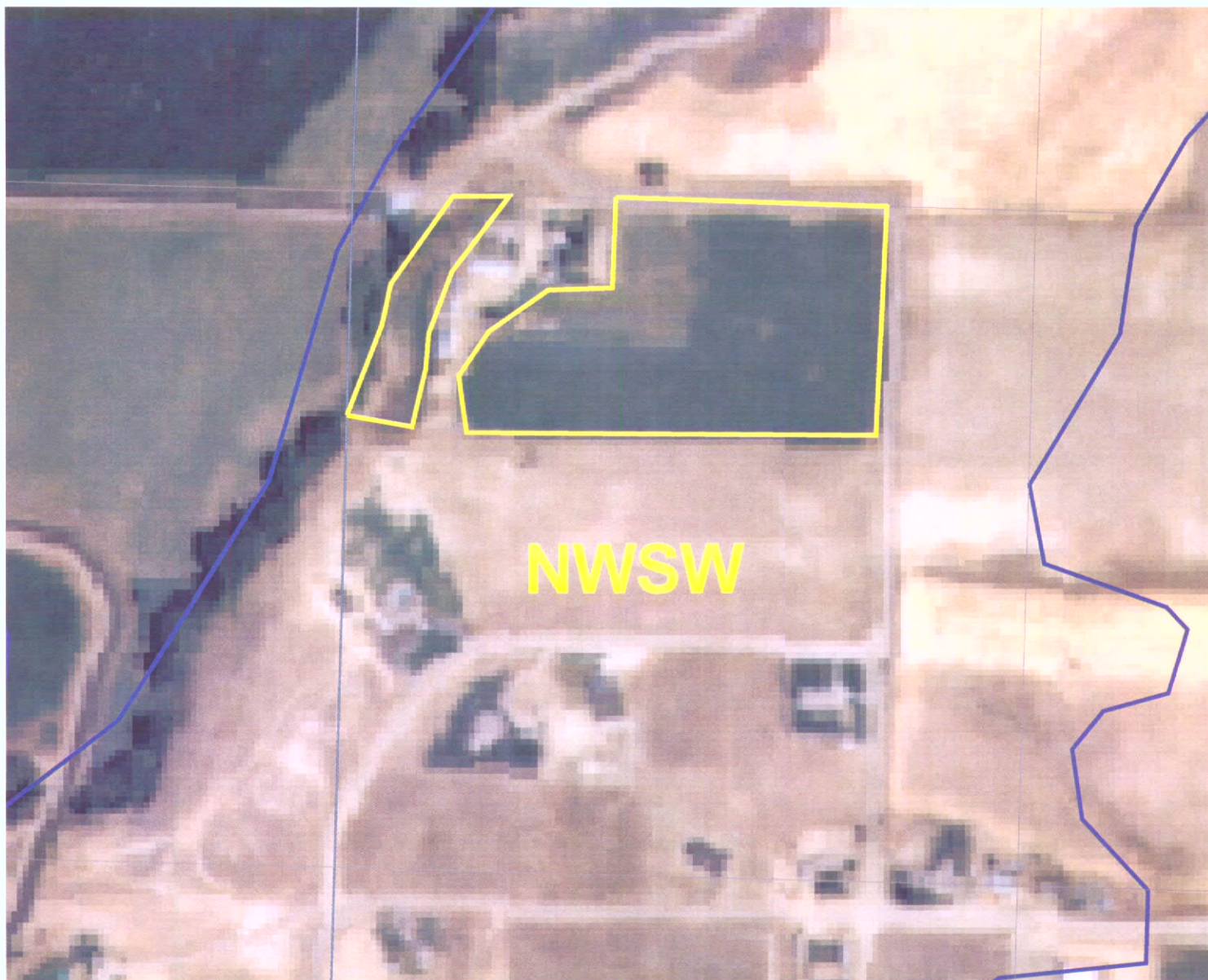


Idaho Department of Water Resources

67-7213



500 0 500 1000 1500 Feet



T11N, R05W, S28



Prepared by Anita L. Warntjes  
February 25, 2004  
1993/94 True Color Photo

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: **A67-07213**  
Date Received: 7/18/1989  
Receipt No: W003696  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

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

**COPY FOR  
YOUR FILES**

1. Name: JACK W HAND  
Address: 975 E INDIANHEAD RD  
WEISER ID

208-549-0294

83672

OR

Name: MAIDA I HAND  
Address: 975 E INDIANHEAD RD  
WEISER ID

208-549-0294

83672

2. Date of Priority: AUG 16, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County     |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 11N      | 05W   | 28      | NW     | SW     |     |     | WASHINGTON |

5. Description of diverting works:  
WELL AND PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.160 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.020 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.080 |      |        |

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

A.F.A.

8. Total consumptive use is 0.2 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, 2 HOMES; STOCKWATER, 15 RANGE CATTLE

10. Place of Use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 11N           | 05W   | 28      | NW SW      |     | IRR | 8.0   |
| Section Acres |       |         |            |     |     | 8.0   |
| Total Acres   |       |         |            |     |     | 8.0   |

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:  
67-07003, 67-02191

14. Remarks:

15. Basis of Claim: LICENSE

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 File 1-07213

Date Received 7-18-89

Receipt Number W003696

**RECEIVED**  
JUL 18 1989

Department of Water Resources  
Western Regional Office

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

Please type or print clearly

1. Name of Claimant (s) Jack W. or Maida I. Hand Phone ( 208) 549-0294

Mailing Address 975 E. Indianhead Rd. Weiser, ID Zip 83672

2. Date of Priority (Only one (1) per claim) August 19, 1974

3. Source of water supply (a) Groundwater  
which is tributary to (b) \_\_\_\_\_

4. a. Location of existing point of diversion is: Township 11 N. Range 5 W. Section 28,  
NW 1/4 of SW 1/4 of \_\_\_\_\_ 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Washington

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. Well: 8" casing, 100' deep,

3 hp submersible pump.

**MICROFILMED**

**OCT 23 1996**

## 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.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount .08 or \_\_\_\_\_

For Irrigation purposes from 4-1 to 10-31 amount .16 or \_\_\_\_\_

For Stockwater purposes from 1-1 to 12-31 amount .02 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.26 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 3.0 x 8ac. = .24 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic: 2 houses, 15 head of cattle

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 instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
|     |     |     | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |        |
| 11N | 5W  | 28  |        |       |       |       |        |       | 8     |       |        |       |       |       |        |       |       |       | 8.0    |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 8.0

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

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.  
Monroe Creek #'s 67-7003 & 67-02191 or None ( )

14. Remarks:  
This right is supplemental to Monroe Creek.

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**OCT 23 1996**

Last Name \_\_\_\_\_ 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.

RECEIVED

Scale: 2 inches equals 1 mile

R-5W

[illegible]

OCT 23 1996

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

*Copies: White-State, Yellow-Claimant*

15. Basis of Claim (check one) Beneficial Use X Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 67-7213  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs 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 \_\_\_\_\_

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

Signature of Claimant (s) Jack W Hand Date July 17, 1989  
Maida J. Hand Date July 17, 1989

**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 \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho 10 )  
County of Washington ) SS.

Subscribed and sworn (or affirmed) before me this 17<sup>th</sup> day of July 19 89

SEAL

Notary Public Tim Changer

Residing at Meridian, Idaho

My Commission Expires 8-6-91

Please Print Name

17. Notice of Appearance:  
Notice is hereby given that I, \_\_\_\_\_ 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 \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

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**OCT 23 1996**

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant

## ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

Hand, Jack & Maida

CLAIM IDENT. NO.

A67-07213DATE RECEIVED 7-18-89RECEIPT # 0003696FEE PAID \$ 58FEE REQ'D \$ 58

|                                                                                                                                                                                                           | YES      | NO       | Requir<br>Info? |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|-----------------|
| 1. Is the name and address complete with zip code? . . . . .                                                                                                                                              | <u>X</u> | <u>—</u> | *               |
| 2. Is a priority date entered? . . . . .                                                                                                                                                                  | <u>X</u> | <u>—</u> | *               |
| Is the priority date acceptable in view of mandatory filing dates? . . . . .                                                                                                                              | <u>X</u> | <u>—</u> | *               |
| See Adjudication Memos #1 and #4 to determine if a Permit is required.                                                                                                                                    |          |          |                 |
| 3. (a) Is a source entered? . . . . .                                                                                                                                                                     | <u>X</u> | <u>—</u> | *               |
| (b) Is a tributary to entered? (if required) . . . . . N/A <u>X</u>                                                                                                                                       | <u>—</u> | <u>—</u> |                 |
| 4. Is the legal description of the p.d. sufficient? . . . . .                                                                                                                                             | <u>X</u> | <u>—</u> | *               |
| 5. Is there a description of the diverting works? . . . . .                                                                                                                                               | <u>X</u> | <u>—</u> |                 |
| 6. Are the water uses appropriate for the form? . . . . .                                                                                                                                                 | <u>X</u> | <u>—</u> | *               |
| The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim. |          |          |                 |
| Is the period of use included? . . . . .                                                                                                                                                                  | <u>X</u> | <u>—</u> |                 |
| Is a quantity claimed for each use? . . . . .                                                                                                                                                             | <u>X</u> | <u>—</u> | *               |
| 7. Is a total quantity claimed entered? . . . . .                                                                                                                                                         | <u>X</u> | <u>—</u> |                 |
| 8. If required is a consumptive use entered? . . . . . N/A <u>—</u>                                                                                                                                       | <u>X</u> | <u>—</u> |                 |
| Is the consumptive use correct? . . . . . N/A <u>—</u>                                                                                                                                                    | <u>—</u> | <u>—</u> |                 |
| 9. Are the non-irrigation uses listed showing # of homes, hd. of stock? . . . . .                                                                                                                         | <u>X</u> | <u>—</u> | *               |
| If multiple domestic, is single ownership indicated? . . . . .                                                                                                                                            | <u>—</u> | <u>X</u> |                 |
| 10. Is (are) the place(s) of use and purpose(s) indicated? . . . . .                                                                                                                                      | <u>X</u> | <u>—</u> | *               |
| 11. Is (are) the county(ies) entered? . . . . .                                                                                                                                                           | <u>X</u> | <u>—</u> |                 |
| 12. Is the ownership of p.u. checked? . . . . .                                                                                                                                                           | <u>X</u> | <u>—</u> |                 |
| 13. Are other water rights listed or "none" indicated? . . . . .                                                                                                                                          | <u>X</u> | <u>—</u> |                 |
| 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.) . . . . . N/A <u>X</u>                            | <u>—</u> | <u>—</u> |                 |
| 15. Is the basis of the claim indicated? . . . . .                                                                                                                                                        | <u>X</u> | <u>—</u> |                 |
| 16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? . . . . . N/A <u>—</u>                                                                           | <u>X</u> | <u>—</u> |                 |
| If yes, compare claim w/existing right and attach proof report noting any differences in comments.                                                                                                        |          |          |                 |
| If no, was water right no. found? . . . . .                                                                                                                                                               | <u>—</u> | <u>—</u> | *               |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? . . . . . N/A <u>X</u>        | <u>—</u> | <u>—</u> |                 |
| (If yes, attach a proof report & complete number change)                                                                                                                                                  |          |          |                 |
| NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.                                                               |          |          |                 |
| 18. If the claimant requested a monthly docket sheet, was the fee paid? . . . . . N/A <u>X</u>                                                                                                            | <u>—</u> | <u>—</u> |                 |
| 19. Is the claim signed by the claimant, and is the signature appropriate? . . . . .                                                                                                                      | <u>X</u> | <u>—</u> | *               |
| 20. Has the claim been signed, sealed, and dated by a notary? . . . . .                                                                                                                                   | <u>X</u> | <u>—</u> | *               |
| 21. Was this claim filed on time? . . . . .                                                                                                                                                               | <u>X</u> | <u>—</u> | *               |
| (Check ML3 for date mailed-not all were mailed on the planned date)                                                                                                                                       |          |          |                 |
| If no, was an extension of time filed & approved? . . . . .                                                                                                                                               | <u>—</u> | <u>—</u> | *               |
| 22. Is the fee enclosed correct? . . . . . Exempt <u>—</u>                                                                                                                                                | <u>X</u> | <u>—</u> | *               |

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OCT 23 1996

|                                                                                                                                                                                            | YES                                 | NO                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| 23. Is this claim being rejected and returned to claimant? . . . . .                                                                                                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 24. Can this claim be data entered? . . . . .                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 25. Was claim modified? . . . . .                                                                                                                                                          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| If yes, do modifications require notification to claimant? . . . . .<br>Note: Modifications made must be explained in comments stating<br>where the information for any changes was found. |                                     |                                     |

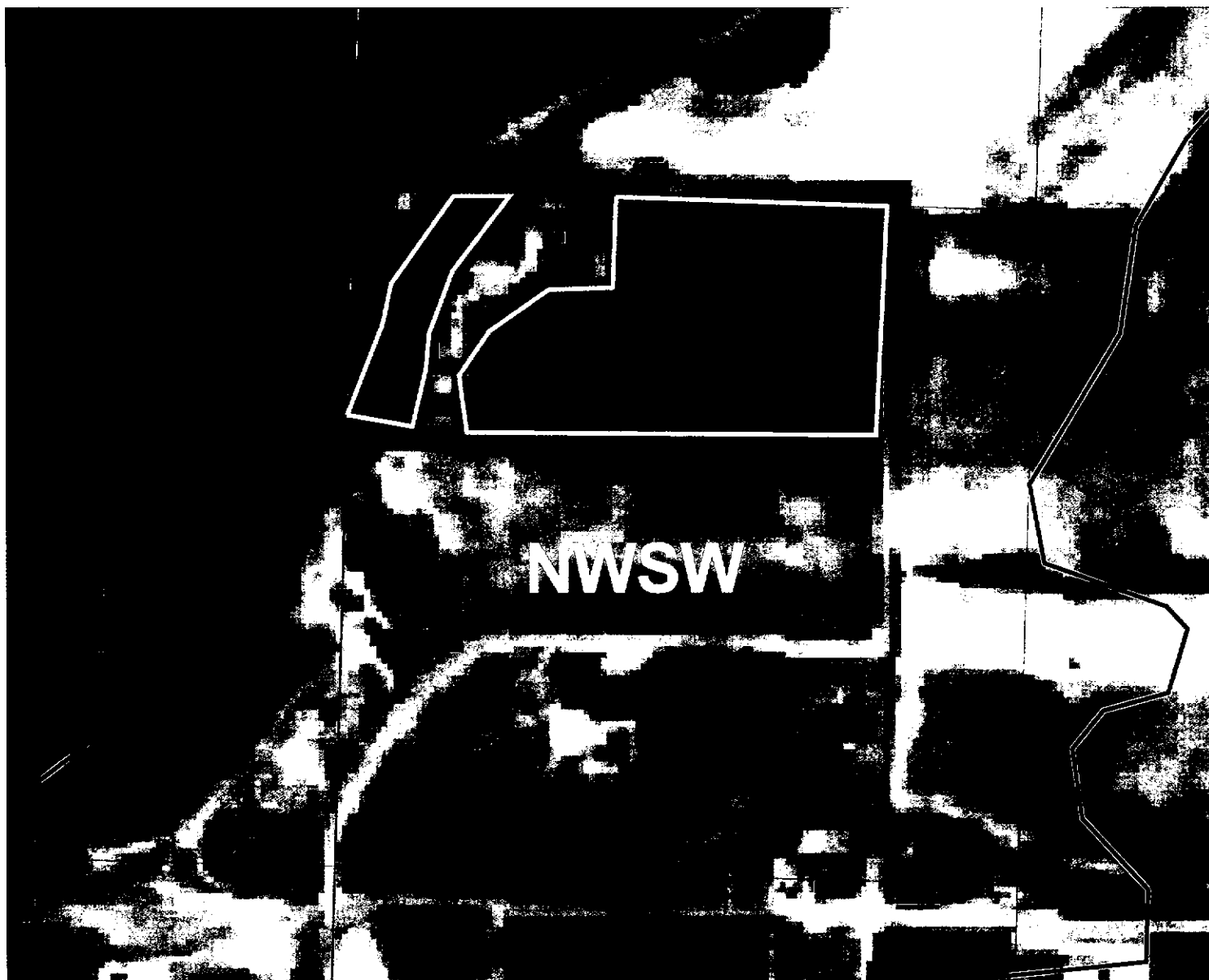
Claim reviewed by:   *Ad*   Date   7-28-93    
 Claim data entered by: \_\_\_\_\_ Date \_\_\_\_\_

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER  
 THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE  
 RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments:   *Basis of claim shown as Beneficial Use, should*    
  *be License, proof report attached. Priority date a month*    
  *different than on License.*    
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Idaho Department of Water Resources**

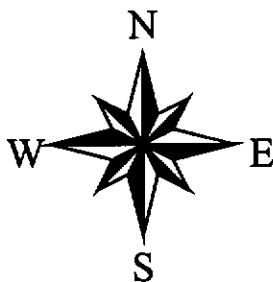
**67-7213**



500 0 500 1000 1500 Feet

A horizontal scale bar with alternating black and white segments, corresponding to the 500-foot increments marked above it.

**T11N, R05W, S28**



**Prepared by Anita L. Warntjes  
February 25, 2004  
1993/94 True Color Photo**