



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

August 30, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

NUTTMAN FAMILY REVOCABLE TRUST
HC 3 BOX 34
KEUTERVILLE ID 83522

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #79-2050

Dear Claimant:

We have been advised you are now the owner of the property and water right referenced above. Before we can modify our records to reflect your ownership of the water right, we require the enclosed Notice of Change of Water Right Ownership form be submitted.

Since the claim is still pending before the court, there is no fee to change the ownership.

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Form 42-248/42-1409(6)

08/25/2004

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

RIGHT NUMBER: 79-2050

NAME AND ADDRESS: CLARENCE B NUTTMANN
BOX 1
KEUTERVILLE ID 83538

SOURCE: SPRING TRIBUTARY: GRAVE CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 09/03/1914

POINT OF DIVERSION:

T31N R01W S10 SESESW Within IDAHO County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T31N R01W S15 NENW

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

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: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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: A79-02050
Date Received: 7/07/1988
Receipt No: W000617
Received By: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLARENCE B. NUTTMANN 208-962-3912
Address: BOX 1
KEUTERVILLE, ID 83538

2. Date of Priority: SEP 03, 1914

3. Source: SPRING Trib. to: GRAVE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
31N	01W	10	SE	SE	SW		IDAHO

5. Description of diverting works:
CONCRETE CATCH BASIN W/PIPELINE TO CISTERN W/PUMP TO STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/35-40 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
31N	01W	15	NE	NW		STOCK	

11. Place of use in counties: IDAHO

A79-02050

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Date: 09/08/88

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OCT 06 1992

RECEIVED
SEP 20 1988

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

Department of Water Resources
Western Regional Office

13. Other Water Rights Used:
SUPPLEMENTED BY A79-10309

14. Remarks:
DOMESTIC HOUSEHOLD USE NO LONGER IN USE ON THIS ORIGINAL WR.
WELL DRILLED FOR DOMESTIC USE AS CLAIMED ON WR# A79-10309, AND
THIS CLAIM IS ALSO USED AS BACK-UP FOR WELL.

15. Basis of Claim: LICENSE
Water Right Number: 10610

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: X

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): Clarence B. Nutman Date: Sept 23, 88

Date: _____

State of Idaho)
County of Idaho) ss.

Subscribed and sworn (or affirmed) before me this 23rd day
of September 19 88

Shirley R. Forsman
Notary Public

Residing at Cottonwood
My Commission Expires 4-27-93



A79-02050

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Date: 09/08/88

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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 79-2050

Date Received 07/07/88

Receipt Number W000617

RECEIVED
JUL 25 1988

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED
JUL 7 1988

Department of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes

Department of Water Resources
Western Regional Office

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) CLARENCE B. NUTTMAN Phone (208) 962-3912

Mailing Address Box 1, KEUTERVILLE, ID Zip 83538

2. Date of Priority (Only one (1) per claim) 9/3/1914

3. Source of water supply (a) SPRING
which is tributary to (b) GRAVE CREEK

4. Location of point of diversion is: Township 31N Range 1W

Section 10, SE 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of IDAHO

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. CEMENT CATCH BASIN W/ UNDERGROUND
PIPELINE INTO CISTERN WITH PUMP TO STOCKWATER

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) (cfs)
For STOCKWATER purposes from 1-1 to 12-31 amount 0.02 cfs
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) STOCKWATER - 35 - 40 HD.

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Copies: _____
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10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
31N	1W	15					S											

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

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.

Supplemented by A79-10309 or None (X)

14. Remarks: DOMESTIC USE LISTED ON LICENSE IS NOW STOCKWATER USE ONLY (BACK-UP FOR WELL ALSO) - WELL DRILLED FOR THE DOMESTIC USE. IN CASE OF FAILURE

15. Basis of Claim (check one) Beneficial Use ☐ Posted Notice ☐ License ☒ Permit ☐
Decree ☐

If applicable provide IDWR Water Right Number 79-2050

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) Clarence B. Guttman Date June 30, 1988
Date ☐

For Organizations: I do solemnly swear or affirm that I am ☐

of ☐ Title ☐
Organization ☐ , that I have signed the foregoing

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/or ☐)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 22nd day of July 19 88

Notary Public Leo R. Foreman

Residing at Cottonwood

My Commission Expires 4-27-93

Last Name ☐ Ident No. ☐

Copy This Seal To Claimant

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	YES	NO
1. Is the name and address complete with zip code?	☐	☐
2. Is priority date entered?	☐	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). Use care if claim is returned. Refer to Adjudication Memos # 1 (Adj. Claims/Applications) and # 9 (Rejection of Claims). Explain in Comments.		
3. (a) Is a source entered?	☐	☐
(b) Is a tributary to entered? (if required)	☐	☐
4. Is the legal description of the p.d. complete?	☐	☐
5. Is there a description of the diverting works?	☐	☐
6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form.	☐	☐
Is the period of use included?	☐	☐
Is a quantity claimed for each use?	☐	☐
7. Is a total quantity claimed entered?	☐	☐
8. Is the consumptive use correct?	☐	☐
If required is a consumptive use entered?	☐	☐
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim.	☐	☐
10. Is (are) the place(s) of use entered?	☐	☐
11. Is (are) the county(ies) entered?	☐	☐
12. Is the ownership of p.u. checked?	☐	☐
13. Are other water rights listed or "none" checked?	☐	☐
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.)	☐	☐
15. Is the basis of the claim checked?	☐	☐
16. Is the claim signed by the claimant? Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☐	☐
Has the claim been signed, sealed, and dated by a notary?	☐	☐
Is the fee enclosed correct?	☐	☐
If this claim is based on an existing water right, has the identification number been entered?	☐	☐
Should this claim be receipted and data entered?	☐	☐

Claim checked by: _____

Comments: _____

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