

DIVERSION
VOLUME

1.84 CFS

TOTAL DIVERSION: 1.84 CFS

Stage: LICENSE

BINGHAM County

[illegible]

Other Rights: 35-02201

Conditions of Approval:

- ```

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
 - SECTION 42-1425, IDAHO CODE.
E02 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
 - ABERDEEN SPRINGFIELD CANAL CO.
C12 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN BASIN 35:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

```

USE OF THIS RIGHT WITH RIGHT NO. 35-02201 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.98 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 860 AF.

USE OF THIS RIGHT WITH RIGHT NO. 35-02201 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 215 ACRES IN A SINGLE

AJ0749NP  
No. R35-07121A

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 01/06/99  
PAGE: 2

Remarks: IRRIGATION SEASON.  
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 124 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.  
EXP RIGHT NO. 35-02201 IS ALSO DIVERTED THROUGH POINT OF DIVERSION  
DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: Objection filed Date:

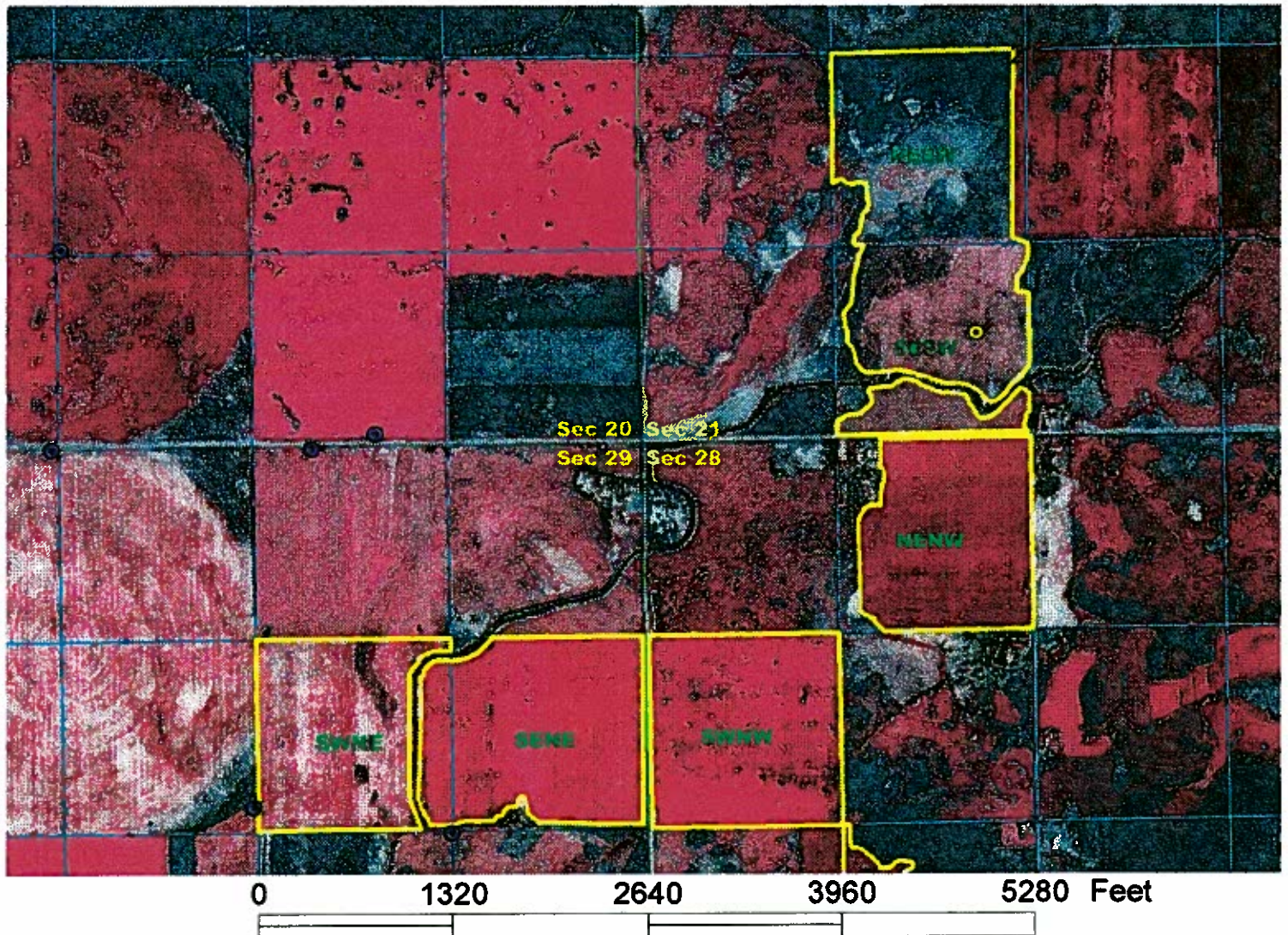
Misc: Water District Number: Field Inspection Flag: C  
Presumption Flag:

# IDAHO DEPARTMENT OF WATER RESOURCES

**DAN DEGIULIO**

**Water Right No(s).**

**35-02201 & 35-07121A**



Point of Diversion  
Location



Place of Use  
Boundary

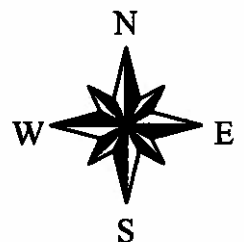


Section Lines



Quarter/Quarter Lines

**Township(s) 03S, Range(s) 33E**  
**Section(s) 21, 28 & 29**



GIS Place of Use Illustration  
1987/1988 NAPP Photography  
Prepared by: Greg Taylor  
Date: Jan. 6, 1999

Water Right Number - R35-12313

Prefix Translation:

RESEARCH

Old (D) Number -

\*\*\* C - CURRENT OWNER \*\*\*  
DE GIULIO DAN  
1 - 1573 W 400 S  
2 -  
3 -  
City- PINGREE  
Phone - 208-684-4194  
State- ID Zip- 83262

Priority Date - 03/29/1970  
Region - 15 EASTERN  
Stage -  
Tributary -  
Status - I - 01SALOMEO

Source - GROUNDWATER

| Town | Range | Section | Tract | Lot | RFLg | County       | Point of Diversion |
|------|-------|---------|-------|-----|------|--------------|--------------------|
| 03S  | 33E   | 21      | SE SW |     |      | (11) BINGHAM |                    |

| Code            | Description | Period From | Period To | Water Use | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|-----------|----------------|------------------|
| 01 - IRRIGATION |             | 04/01       | 11/01     |           | 1.840          |                  |

Total Div. Rate - 1.840  
Total Div. Volume - 1.840  
Total Consumptive Use - 0.0  
KW Usage -

| Town | Range | Section | Tract | Lot | Acres | Place of Use  | Code | Description | County       |
|------|-------|---------|-------|-----|-------|---------------|------|-------------|--------------|
| 03S  | 33E   | 21      | NE SW |     | 40.0  | 01 IRRIGATION |      |             | (11) BINGHAM |
| 03S  | 33E   | 21      | SE SW |     | 33.0  | 01 IRRIGATION |      |             | (11) BINGHAM |
| 03S  | 33E   | 21      | NE SE |     | 40.0  | 01 IRRIGATION |      |             | (11) BINGHAM |
| 03S  | 33E   | 21      | NW SE |     | 40.0  | 01 IRRIGATION |      |             | (11) BINGHAM |

Total Acres: 153.0

- - - Diversion Means - WELL AND PUMP

- - - Non-Irrigation Use - NONE

- - - Other Rights for Same Use - WATER LICENSE NO. 35-7121

NO BENEFICIAL USE FOUND.

No Old Water Right Numbers Found

Water right number - R35-12313

Prefix Translation: RESEARCH

Conditions of Approval - - - - -  
No Conditions of Approval found.

Decree Plaintiff - - - + - - - - Decree Defendant - - - + - - - - Decree Date - +  
00/00/0000

Comments - - - - -  
Date: 12/30/1993 User Id: TAYLOR Subject: COPIED FROM REMARKS  
A35-12313, BASED ON LICENSE 35-7121, COMBINES WITH A35-02201 TO IRRIGATE A TOTAL OF 153 ACRES.  
Date: 12/30/1993 User Id: TAYLOR Subject: DISALLOWED CLAIM  
NO ADDITIONAL WATER CAN BE RECOMMENDED BECAUSE THERE IS ALREADY 1<sup>st</sup>/ACRE ON LAND THAT IS ALREADY COVERED BY 35-02201 & 35-07121.

Audit Fields - - +  
12/30/93 TAYLOR

Adjudication Rights Dates and Flags Area - - - - -  
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576  
Objection Filed Date - 00/00/0000 Field Inspection Flag - 12/30/1993 Old Case Number -  
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District - 39576  
Claim Received Date - 07/10/1989 Last Amended Date - 00/00/0000 Temporary Right - P  
Receipt Number - M003867 Water District -  
POU Ownership Flag - Y Federal/State Indicator - S  
Name Corrector - Presumption Flag -  
Notice of Error Flag -

NO LATE FEE IF RECEIVED  
BY 7/6/89IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576  
Ident. Number A35-07121A  
Date Received 6/1/89  
Receipt Number 1003867  
Re # from - 35-12313

RECEIVED

JUL 10 1989

Department of Water Resources  
Eastern District OfficeNOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) DAN DEGIULIO Phone (208) 684-4194Mailing Address 1573 West 400 South, Pingree, Idaho Zip 832622. Date of Priority (Only one (1) per claim) March 29, 19703. Source of water supply (a) Groundwater  
which is tributary to (b) \_\_\_\_\_4. a. Location of existing point of diversion is: Township 3 So. Range 33 Section 21,  
SE 1/4 of SW 1/4 of \_\_\_\_\_ 1/4, Govt. Lot, E. B.M., County of Bingham

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 \_\_\_\_\_

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. 80 foot deep well with a 75 elec. h/p/ GE  
motor and a Berkley turbine pump; bowl setting at 60 feet; 2600 feet of 8-10 inch permanent  
steel mainline; and 5200 feet of 6-8 inch portable aluminum mainline; 75 h.p. Westinghouse  
motor and a Johnston Turbine pump

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4-1 to 11-1 amount 1.84 or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 1.84 (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.) none

10. Description of place of use:

a. If water is for Irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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 |        |
| 3 S. | 33  | 21  |        |       |       |       |        |       |       |       | 40     |       |       | 33    | 40     | 40    |       |       | 153    |
|      |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|      |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|      |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|      |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|      |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|      |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 153

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

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.

Water License No. 35-2201 or None ( )

14. Remarks:

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

Copies: White -State, Yellow-Claimant

**Scale: 2 inches equals 1 mlie**

DEC 11 1992

De Giulio

Ident No.

**Copies: White-State, Yellow-Claimant**

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License X Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 35-7121  
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 0

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

Signature of Claimant (s) Don DeGiulio Date 7-7-89  
\_\_\_\_\_  
Date \_\_\_\_\_

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/or \_\_\_\_\_ )  
County of Bingham ) SS.

Subscribed and sworn (or affirmed) before me this 7TH day of July 19 89

SEAL

Notary Public [Signature]

Residing at Blackfoot, Idaho

My Commission Expires 8-31-91

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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DEC 11 1992

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

Copies White-State, Yellow-Claimant

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME DEGULLIO CLAIM IDENT. NO. A35-12313

| DATE RECEIVED                                                                                                                                                                                                            | CK #   | AMOUNT \$           | YES      | NO       | Required Info? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|---------------------|----------|----------|----------------|
| 1. Is the name and address complete with zip code?                                                                                                                                                                       |        |                     | <u>X</u> |          | *              |
| 2. Is a priority date entered?                                                                                                                                                                                           |        |                     | <u>X</u> |          | *              |
| Is the priority date acceptable in view of mandatory filing dates?<br>See Adjudication Memos #1 and #4 to determine if a Permit is required.                                                                             |        |                     | <u>X</u> |          | *              |
| 3. (a) Is a source entered?                                                                                                                                                                                              |        |                     | <u>X</u> |          | *              |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                             | N/A    | <u>X</u>            |          |          |                |
| 4. Is the legal description of the p.d. sufficient?                                                                                                                                                                      |        |                     | <u>X</u> |          | *              |
| 5. Is there a description of the diverting works?                                                                                                                                                                        |        |                     | <u>X</u> |          |                |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.              |        |                     | <u>X</u> |          | *              |
| Is the period of use included?                                                                                                                                                                                           |        |                     | <u>X</u> |          |                |
| Is a quantity claimed for each use?                                                                                                                                                                                      |        |                     | <u>X</u> |          | *              |
| 7. Is a total quantity claimed entered?                                                                                                                                                                                  |        |                     | <u>X</u> |          |                |
| 8. If required is a consumptive use entered?                                                                                                                                                                             | N/A    |                     |          | <u>X</u> |                |
| Is the consumptive use correct?                                                                                                                                                                                          | N/A    |                     |          | <u>X</u> |                |
| 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, see Adjudication Memo # 4. | N/A    |                     | <u>X</u> |          | *              |
| 10. Is (are) the place(s) of use and purpose(s) indicated?                                                                                                                                                               |        |                     | <u>X</u> |          | *              |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                    |        |                     | <u>X</u> |          |                |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                    |        |                     | <u>X</u> |          |                |
| 13. Are other water rights listed or "none" indicated?                                                                                                                                                                   |        |                     | <u>X</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> |          |                |
| 15. Is the basis of the claim indicated?                                                                                                                                                                                 |        |                     | <u>X</u> |          |                |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)                                                                                        | N/A    | <u>X</u>            |          |          |                |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.                                                                                           |        |                     | <u>X</u> |          | *              |
| 18. Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                            |        |                     | <u>X</u> |          | *              |
| 19. Was this claim filed on time, or was an extension granted?                                                                                                                                                           |        |                     | <u>X</u> |          | *              |
| 20. Is the fee enclosed correct?                                                                                                                                                                                         | Exempt |                     | <u>X</u> |          | *              |
| 21. If this claim is based on an existing water right, has the identification number been entered?                                                                                                                       | N/A    | <u>SEE COMMENTS</u> |          |          |                |
| 22. Should this claim be data entered?                                                                                                                                                                                   |        |                     | <u>X</u> |          |                |

Claim checked by: TO Date: 7/20/89  
Claim must be returned to claimant: (Yes) X (No)  
Claimant must be notified of modifications: X (Yes) X (No)

Receipt Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_  
Claim data entered by: 35-7-21-89 Date: \_\_\_\_\_  
Sent to claimant by: \_\_\_\_\_ Date: \_\_\_\_\_  
Checked by: \_\_\_\_\_ Date: \_\_\_\_\_  
Comments: LICENSE 35-7121 ONLY FOR 124 ACRES. LICENSE PREVIOUSLY CLAIMED BY  
OTHER CLAIMANT. (14) CODE "A35-12313, BASED ON LICENSE 35-7121, COMBINES  
WITH A35-02201 TO IRRIGATE A TOTAL OF 153 ACRES."

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DEC 11 1992

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

RECEIVED

Ident. Number: A35-12313  
Date Received: 6/01/1989  
Receipt No: MOO 3867  
Received By: \_\_\_\_\_

OCT 22 1991

Department of Water Resources  
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: DAN DEGIULIO 208-684-4194  
Address: 1573 W. 400 S.  
PINGREE, ID 83262

2. Date of Priority: MAR 29, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 03S      | 33E   | 21      | SE     | SW     |     |     | BINGHAM |

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 | 04/01 | 11/01 | 1.840  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 03S      | 33E   | 21      | NE     | SW  |     | IRR | 40.0  |
|          |       |         | SE     | SW  |     | IRR | 33.0  |
|          |       |         | NE     | SE  |     | IRR | 40.0  |

A35-12313

Page 1

Date: 07/21/89

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10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 03S           | 33E   | 21      | NW     | SE  |     | IRR | 40.0  |
| Section Acres |       |         |        |     |     |     | 153.0 |
| Total Acres   |       |         |        |     |     |     | 153.0 |

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:  
WATER LICENSE NO. 35-7121

14. Remarks:  
A35-12313, BASED ON LICENSE 35-7121, COMBINES WITH A35-02201 TO IRRIGATE A TOTAL OF 153 ACRES.

15. Basis of Claim: LICENSE

(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.

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

Signature of Claimant(s): Don Wagoner Date: 10-21-91  
Date: \_\_\_\_\_

State of Idaho )  
County of Benewah ) SS.

Subscribed and sworn (or affirmed) before me this 21 day  
of October 19 91 L. L. L.

**Notary Public**

Residing at Blackfoot  
My Commission Expires 12-30-91

**RECEIPT  
For Monies Paid  
to the  
IDAHO DEPARTMENT OF WATER RESOURCES**

**Receipt No:** M003867

**Date:** 07/10/89  
**Time:** 14:39:21

**Received**  
**From:** DE GIULIO, DAN

| Type of Payment  | Program Acct Class | Amount         |
|------------------|--------------------|----------------|
| ADJUDICATION FEE | 0410162 9337 6490  | \$50.00        |
| <b>Total</b>     |                    | <b>\$50.00</b> |

CHECK 1540

WR/NO: A35-12313

Idaho Department of Water Resources

Region: MOBILE I

Signature: \_\_\_\_\_

*Changed claim no. from A35-07121 because  
a claim had already been entered for  
another claimant under A35-07121.*

*Tony O.*

*7/20/89*

**MICROFILMED  
DEC 11 1992**

OCTOBER 16, 1991

DAN DEGIULIO  
1573 W 400 S  
PINGREE ID 83262

RE: NOTARY PUBLIC/A35-12313

Dear Mr. Degiulio:

It has come to our attention the above Notice of Claim cannot be processed in the Snake River Basin Adjudication as it was submitted.

The Notice of Claim you submitted has not been "sealed". Because I have no way of knowing if the Notary that signed your Notice is still around, I am sending you a typed Notice of Claim. Please sign and have notarized this typed Notice. Return to this Department by OCTOBER 30, 1991.

To be eligible for the future benefits of having a decreed water right you must submit the Notice of Claim with the items mentioned above. (For a home owner, one such benefit is that some mortgage companies are now requiring a Notice of Claim be filed before the sale or purchase of a home will be finalized). The Department has been directed to return the filing fees on incomplete claims so if the Notice is not returned by OCTOBER 30, 1991, the refund process will be initiated. A Notice of Claim can be refiled after the initial filing fee is refunded, but the cost to the claimant will be substantially more. Therefore, I strongly urge this matter be given your prompt attention.

Respectfully submitted,



Ernest Carlsen  
Adjudication Supervisor

EC:jt

Enclosure

FILE: TIC

MICROFILMED  
DEC 11 1992



State of Idaho  
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

Date: June 6, 1989

Dan DeGiulio  
1573 W. 400 S.  
Pingree, ID 83262

RE: Water Right Claim Returned

Dear Mr. DeGiulio:

The Idaho Department of Water Resources (IDWR) is returning your check #1503 (\$203.00) and Notice of Claim to a Water Right because of insufficient information and/or fees. All items on the claim forms must be correctly completed and fees submitted before the IDWR can process the claims.

Please correct the items identified below and return the forms to the IDWR within 30 days of the date of this letter. Failure to return the corrected claim within the 30-day period may result in an assessment of an additional \$50.00 late-fee for each claim.

- It appears you are claiming a combination of more than one water right on the submitted Notice of Claim. A separate Notice of Claim must be completed for each Water Right (priority date or license).
- I have enclosed copies of Licenses 35-2201 and 35-7121 to assist you in completing the claims.
- If you are claiming a portion of the licensed acreage of a particular license, you should only claim a portion of the amount. For example, if you are only claiming (30 acres) 28% of License 35-2201, you should only claim 28% (0.6 cfs) of the licensed amount.
- If you currently irrigate more acreage than is listed on the licenses for each 40-acre tract, you must complete an additional claim for the expanded acres. The priority date for this claim should be the date the irrigated acreage was added.
- The filing fee for each Notice of Claim is \$50.00 plus \$1.00 per irrigated acre. However, if the same acreage is covered by more than one Notice of Claim, you must only pay the \$1.00 per acre fee once for the overlapping acres.

*Scott Stubblebeam, DeGiulio's attorney, called 7/6/89 to straighten out the problem and said he would send the corrected forms in as soon as he could get Claborn's signature.*

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DEC 11 1992

If you have any questions, please call Tony Olenichak, Water Rights Agent, at (208)-525-7161.

Sincerely,

*Tony Olenichak*  
*for Ernest Carlsen*

Ernest Carlsen  
Adjudication Supervisor

Enclosure

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