

RECEIVED

MAY 06 1996

WATER RESOURCES
WESTERN REGION

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: A63-02588
Date Received: 7/27/1989
Receipt No: W003849
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LOWELL GEIER TRUSTEE 208-286-7540
Address: LOWELL GEIER INTERVIVOS TRST 1
6974 PEARL RD
EAGLE ID 83616
OR
Name: SARA LEE GEIER TRUSTEE 208-286-7540
Address: LOWELL GEIER INTERVIVOS TRST 1
6974 PEARL RD
EAGLE ID 83616

2. Date of Priority: JUN 24, 1939

3. Source: WILLOW CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01E	19	NE	NE			GEM

5. Description of diverting works:
PUMP, SPRINKLERS AND OPEN DISCHARGE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATER

MICROFILMED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01E	19	NE	NE		IRR	5.0
Section Acres							5.0
Total Acres							5.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

A63-16717, APPL. FOR PERMIT 63-10865

14. Remarks:

CORRECTED ADDRESS DATA ENTRY FOR USPS DELIVERY.

15. Basis of Claim: LICENSE

Water Right Number: 18811

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS**

In Re Snake River Basin Adjudication Case)
No. 39576)

Notice of Filing Director's Report and Supplemental
Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

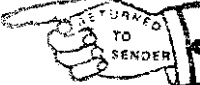
THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT. THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PROCEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

43759
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

- 63-16717 { corrected d.o. address for USPS delivery
02588 } PS 5/3/96*
- G. Richards*
- 
- ☐ Forwarding Order Expired
 - ☒ Insufficient Address
 - ☐ Moved, Left No Address
 - ☐ Unclaimed ☐ Refused
 - ☐ Attempted, Not Known
 - ☐ No Such Street
 - ☐ No Such Number

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APR 21 1995

Department of Water Resources

LOWELL GEIER TRUST
LOWELL GEIER INTER VIVOS TRUST
1
EAGLE ID 83615

Meridian 83642

RECEIVED
MAY 06 1995

WATER RESOURCES
WESTERN REGION

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: A63-02588
Date Received: 7/27/1989
Receipt No: W003849
Received By: R&L

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWELL GEIER, TRUSTE 208-286-7540
Address: LOWELL GEIER INTER VIVOS TRUST
1
6974 PEARL RD.
EAGLE, ID 83616

OR

Name: SARA LEE GEIER, TRUSTE 208-286-7540
Address: LOWELL GEIER INTER VIVOS TRUST
1
6974 PEARL RD.
EAGLE, ID 83616

2. Date of Priority: JUN 24, 1939

3. Source: WILLOW CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01E	19	NE	NE			GEM

5. Description of diverting works:
PUMP, SPRINKLERS AND OPEN DISCHARGE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATER

A63-02588

Page 1

Date: 07/27/89

MICROFILMED

AUG 18 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01E	19	NE	NE		IRR	5.0
Section Acres							5.0
Total Acres							5.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

A63-16717, APPL. FOR PERMIT 63-10865

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 18811

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): Lowell Green Date: 7-27-89

Date: _____

State of Idaho)
County of ADA) ss.

Subscribed and sworn (or affirmed) before me this 27th day

of July 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

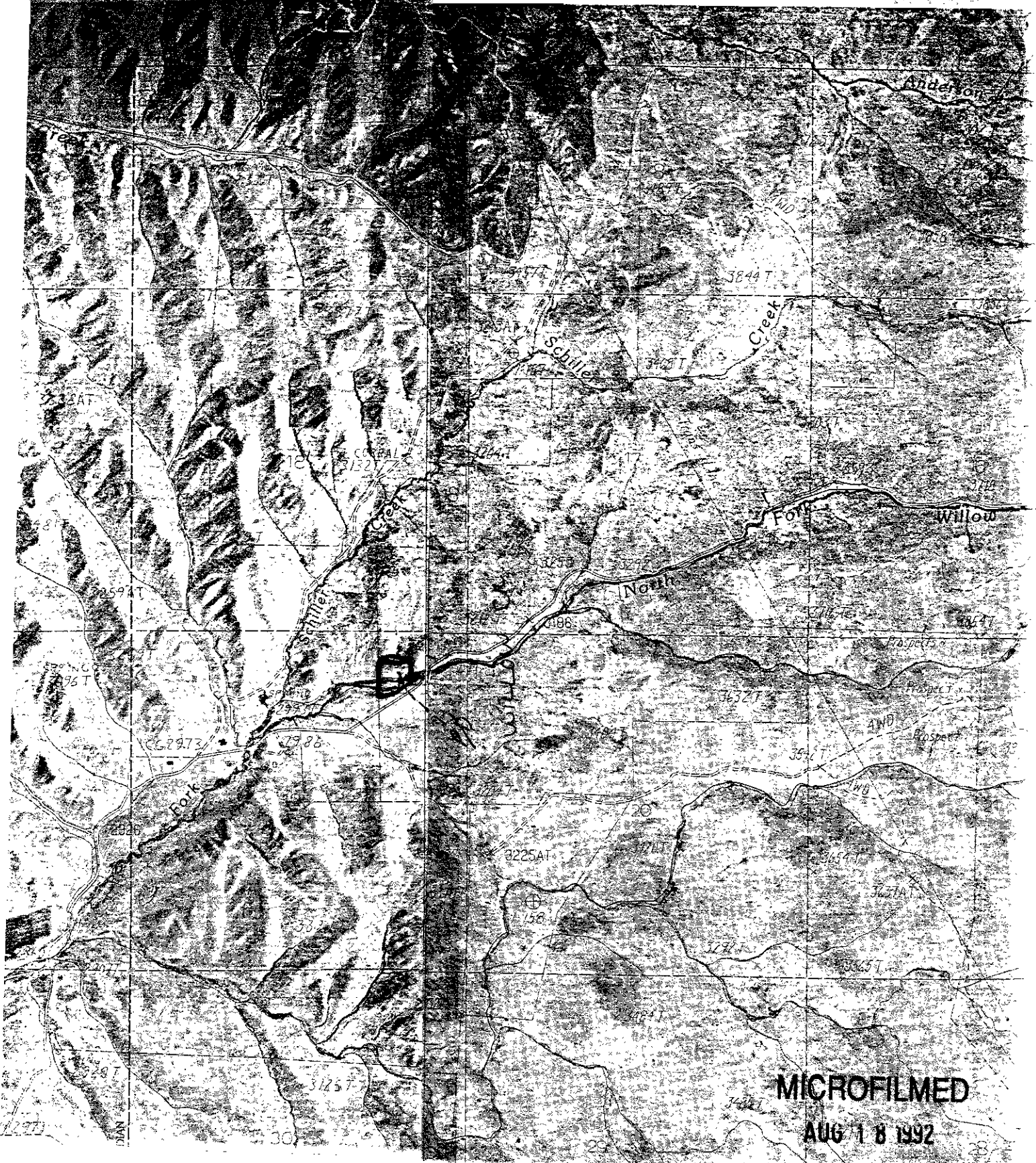
UNITED STATES

PHOTOQUAD DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

TGN RIE
SECTION
19
NE 4 NE 4

116°22'30"

51000m.E.



MICROFILMED

AUG 18 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
EAGLE
02:1A \$ 00.87
0004389393 FEB 02 2007
MAILED FROM ZIP CODE 83705

 **ATTEMPTED,
NOT KNOWN**

RECEIVED
FEB 08 2007
WATER RESOURCES
WESTERN REGION

ANK

LOWELL GEIER INTERVIVOS TRST 1
LOWELL GEIER TRUSTEE

63-2588

LOWELL GEIER INTERVIVOS TRUST 1
SARA LEE GEIER TRUSTEE
6974 PEARL RD
EAGLE, IDAHO 83612

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
02 1A \$ 01
0004310839 OCT
MAILED FROM ZIP CODE

ATTEMPTED
NOT KNOWN

RECEIVED
OCT 16 2003
WATER RESOURCES
WESTERN REGION

ANK

LOWELL GEIER INTERVIVOS TRST 1
LOWELL GEIER TRUSTEE

LOWELL GEIER INTERVIVOS TRST 1
SARA LEE GEIER TRUSTEE
604 PEARL RD
EAGLE ID 83616

63-2588

07/26/2006

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

RIGHT NUMBER: 63-2588

NAME AND ADDRESS: LOWELL GEIER INTERVIVOS TRST 1
LOWELL GEIER TRUSTEE
6974 PEARL RD
EAGLE ID 83616

LOWELL GEIER INTERVIVOS TRUST 1
SARA LEE GEIER TRUSTEE
6974 PEARL RD
EAGLE ID 83616

SOURCE: WILLOW CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.044 CFS

PRIORITY DATE: 06/24/1939

POINT OF DIVERSION:

T06N R01E S19 NENE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.044 CFS

PLACE OF USE: IRRIGATION Within GEM County

T06N R01E S19 NENE 3.50

3.5 ACRES TOTAL

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.

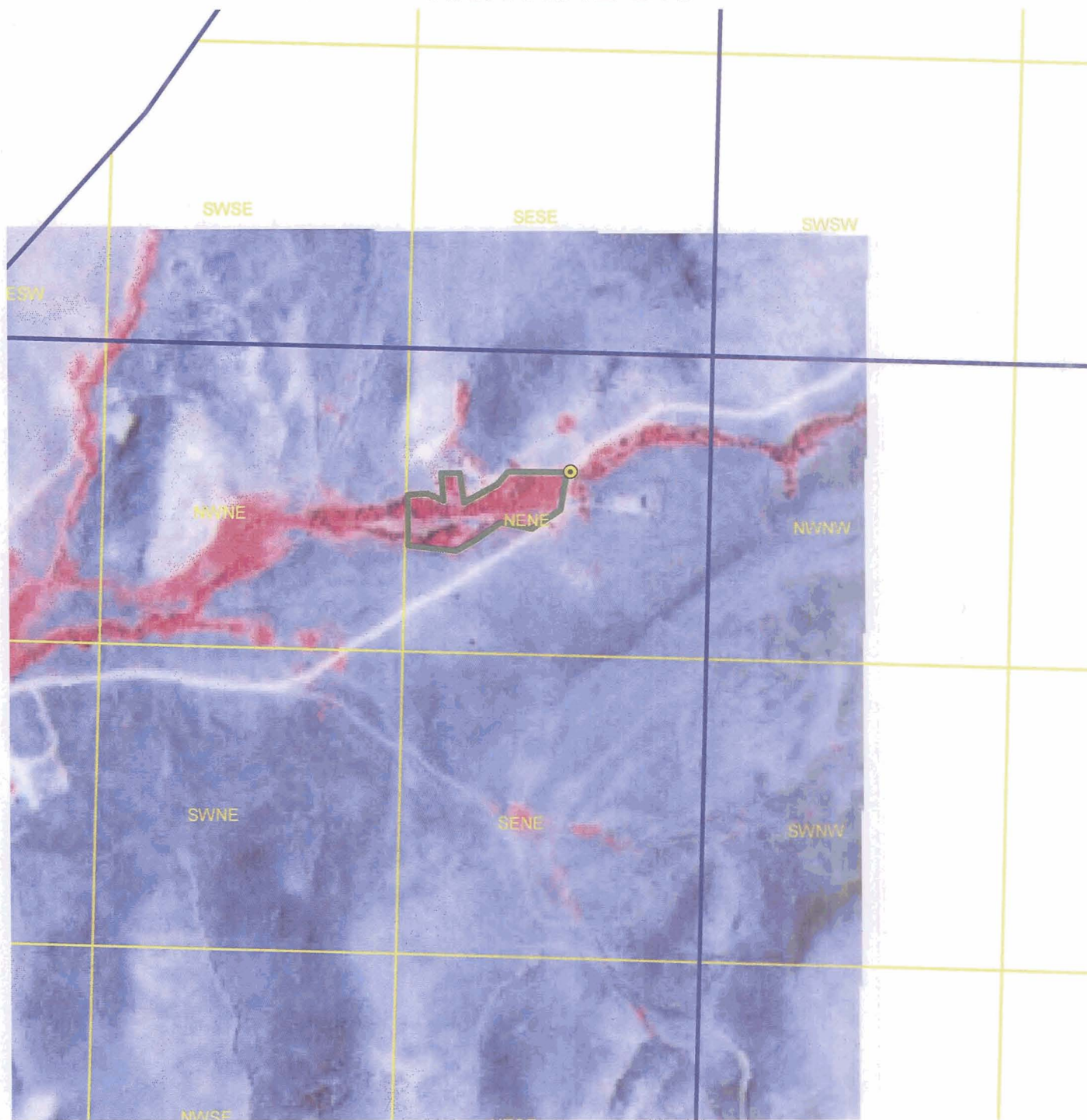
EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

63-2588

T06N R01E S19



- Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter

Total irrigated
acres = 3.5



600 0 600 1200 Feet

IDWR
Prepared by: Sandy Egbert
Date: July 26, 2006
1987 NAAP Photography

4040

State of Idaho
License and Certificate of Water Right

Water License No. 18811

Amount One second foot

Water District No. _____

Priority June 24, 1939

THIS IS TO CERTIFY that **MRS. C. E. FROST**

of **Route 1, Eagle, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **June 24, 1939**; that Permit No. 18811 was issued under said application; that Certificate of Completion of works, with a carrying capacity of **one second foot**, was issued thereunder on **June 28, 1944**, showing that said works were completed on the **24th** day of **June**, **1944**; and that on the **12th** day of **July**, **1950**,

MRS. C. E. FROST

of **Eagle**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of **Willow Creek**, a tributary of **Boise River**, for the purpose of **irrigation**, under Use Permit No. 18811 of the **Department of Reclamation** and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **8** of Licenses at page **4649**, on the **15th** day of **December**, **1950**;

The right hereby confirmed dates from **June 24, 1939**;

The Points of Diversion ~~are~~ located in the **SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20; and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19;**
~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~, Tp. **6 N.**, R. **1 E.**, B. M. **Gem County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **One** cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	1 E.	19	NE $\frac{1}{4}$ NE $\frac{1}{4}$	20)	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	20)	
		20	NE $\frac{1}{4}$ NW $\frac{1}{4}$	10)	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	10)	
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	15)	
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	5)	
			Number of Acres Actually Irrigated - - -		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

15th day of **December**, **1950**.

MARK R. KULP

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

63-2588

Application No. 25184
Permit No. 18811
District No.

1. Name of Applicant: MRS. C. E. FROST

Postoffice address Route 1, Eagle

County: Gem

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (c) Bonds to be issued:

- (b) Treasury stock:
- (d) Other resources:

2. Quantity of water claimed: One cubic feet per second.

3. Source of water supply: Willow Creek which is a tributary of Boise River

4. Location of point of diversion: (See remarks feet distant from the

corner of Section , T. , R. , B. M., and is in the

of Section , T. , R. , B. M., County of Gem

5. Water is to be used for: Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 100.00

8. Kind of works: Ditches and headgates

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width Two feet; height One feet.

11. Ditch: Width at bottom 2 feet; width at water line $2\frac{1}{2}$ feet; depth of water $1\frac{1}{2}$

feet; dimensions of flume:

Diameter of pipe inches; length of conduit (3 ditches) Approx. 1.2 miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five years.

13. The time required for the complete application of the water to the proposed use is Six additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? No. If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MRS. C. E. FROST

Applicant.

By C. E. Frost

Agent.

Date of first receipt at Department of Reclamation: 11:00 A.M. June 24, 1939

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18811

Recorded in Book 68 Page 18811 Approved June 28, 1939

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before August 27, 1939

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 28, 1941

The whole of said work to be completed on or before June 28, 1944

Beneficial use of water appropriated in accordance herewith, to be made on or before June 28, 1950

Witness my hand this 28th day of June, 1939

JAMES SPOFFORD

Commissioner of Reclamation.

Remarks: Points of diversion: No. 1- SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17; No. 2- NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20; No. 3- NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19;
 All in Twp. 6 North, Range 1 East, B.M.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
6 N.	1 E.	20					10	10	15	5									40
		19	20			20													40
Total Number of acres to be irrigated - - - - -																			80

IN TESTIMONY WHEREOF, We, C. A. BOTTOLFSEN, Governor of the State of Idaho, and GEO. H. CURTIS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th day of June, 1939.

(SEAL)

Countersigned:
 By GEO. H. CURTIS
 Secretary of State

STATE OF IDAHO
 By C. A. BOTTOLFSEN
 Governor

PERMIT NO. 18811
 Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that MRS. C. E. FROST, of Route 1, Eagle, County of Gem, and State of Idaho, the holder of Permit No. 18811, issued upon Application No. 26184, bearing date of priority of June 24, 1939, authorizing the diversion of One (1) second foot of the waters of Willow Creek, a tributary of Boise River, County of Gem, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use One (1) second foot of the waters of Willow Creek; that the points of diversion of said waters are as follows: No. 1- SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17; No. 2- NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20; No. 3- NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19; all in Township 6 North, Range 1 East, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 40 acres in NW $\frac{1}{4}$ Section 20, and 40 acres in E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19; all in Township 6 North, Range 1 East, B. M.

Witness my hand this 28th day of June, A. D. 1944.

Proof of completion of works made June 26, 1944
 Certificate of completion of works issued June 28, 1944.

MARK R. KULP
 State Reclamation Engineer

LICENSE ISSUED FOR SEC. 17
 24449

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 18811

This proof is for Beneficial use In Water District No. _____1. Name of applicant Mrs. C. E. Frost, Route 1, Eagle, Idaho2. Source of water supply Willow Creek, a tributary of Boise River
Are3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17; NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19,
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19,T. 6 N., R. 1 E., County of Cam

4. Describe works as they exist, giving dimensions and capacities of same: _____

The diversion is a small sod and stone dam approximately 1' high. There is but one
diversion, which is a ditch approximately 2' wide in the bottom, and is situated as
indicated on the map.

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation): _____

NW $\frac{1}{4}$ Section 20; E $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19;Twp. 6 N., Range 1 E., B. M.See accompanying map.

(Submit map on attached plat, showing location and details of above description.)

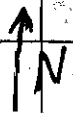
8. What large stream would the water here appropriated finally reach? Boise River.

Remarks: _____

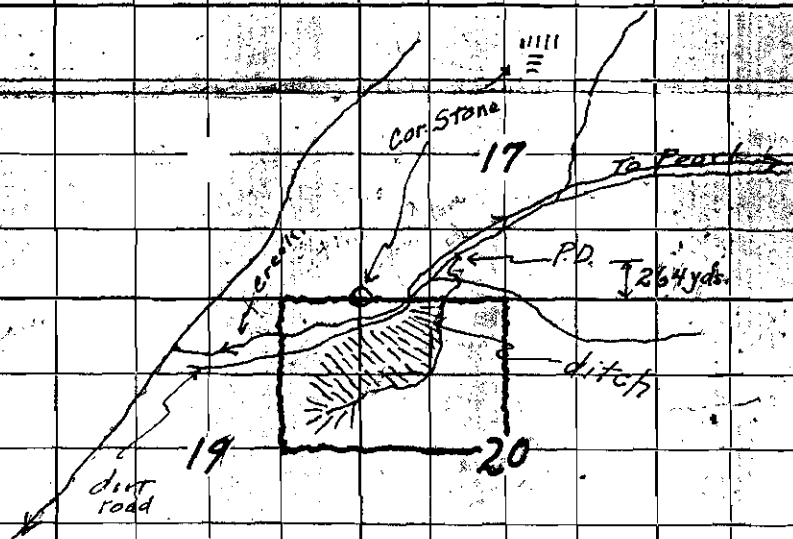
Some of the land under this ditch is quite gravelly. Mrs. Frost states that since
the development of the mines up at Pearl, there is considerably more water in the
stream than there formerly was and that sometimes the water is quite milky in ap-
pearance due to the tracing of ore with the water.

This examination was made on the 31st day of October, 1950(Signed) C. M. Humphrey Examiner

18811



T 6 N. R 1 E.



Sec 19 = 40 acres

Sec 20 = 40 acres

Total 80 acres