

09/18/2006

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

RIGHT NUMBER: 79-10150

NAME AND ADDRESS: THOMAS L NUTTMAN
254 NUTTMAN RD
KEUTERVILLE ID 83522-5198

ROSELYN M NUTTMAN
254 NUTTMAN RD
KEUTERVILLE ID 83522-5198

SOURCE: SPRING

TRIBUTARY: TELCHER CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION:

T31N R01W S28 SENENE Lot 1 Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DIVERSION TO STORAGE	01/01 12/31	0.020 CFS
STOCKWATER STORAGE	01/01 12/31	0.02 AFY
STOCKWATER FROM STORAGE	05/01 10/01	0.02 AFY

PLACE OF USE: STOCKWATER STORAGE Within IDAHO County

T31N R01W S28 Lot 1 NENE

STOCKWATER FROM STORAGE Within IDAHO County

T31N R01W S28 Lot 1 NENE

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: BASIS OF CLAIM - Beneficial Use

08/18/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 22, 2006

Water right number: 79-10150

THOMAS L NUTTMAN

RT 3 BOX 397

COTTONWOOD ID 83522

Telephone Number: (208)962-3409

254 Nuttman Road

Keuterville, ID 83522-5198

ROSELYN M NUTTMAN

RT 3 BOX 397

COTTONWOOD ID 83522

Telephone Number: (208)962-3409

254 Nuttman Road

Keuterville, ID 83522-5198

RECEIVED

AUG 29 2006

DEPARTMENT
WATER RESOURCE

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

the land Description T31N R01W S28 NE NE Lot 1

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 8-24-06

SIGNATURE:

Thomas L. Nuttman

Please print your name:

Thomas L. Nuttman

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

*Address changed
CD 8-30-06*

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: A79-10150
Date Received: 7/14/1988
Receipt No: M000399
Received By: EJK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS L. NUTTMAN 208-962-3409
Address: RT.3 BOX 397
COTTONWOOD, ID 83522

OR

Name: ROSELYN M. NUTTMAN 208-962-3409
Address: RT.3 BOX 397
COTTONWOOD, ID 83522

2. Date of Priority: JUN 01, 1962

3. Source: SPRING Trib. to: TELCHER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
31N	01W	28	SE	NE	NE		IDAHO

5. Description of diverting works:

SPRING FLOWS INTO 0.02 AF STOCK POND W/ OVERFLOW IN SPRING MONTHS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DIVERSION TO STORAGE	01/01	12/31	0.020		
STOCKWATER STORAGE	01/01	12/31			0.02
STOCKWATER FROM STORAGE	05/01	10/01	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/UP TO 5 HEAD MIXED FOR MONTHS 05 THRU 10

A79-10150

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Date: 07/14/88

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OCT 06 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
31N	01W	28	NE NE		STOCK	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): Thomas L. Huthman Date: 7-14-88
Date:

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 14 day

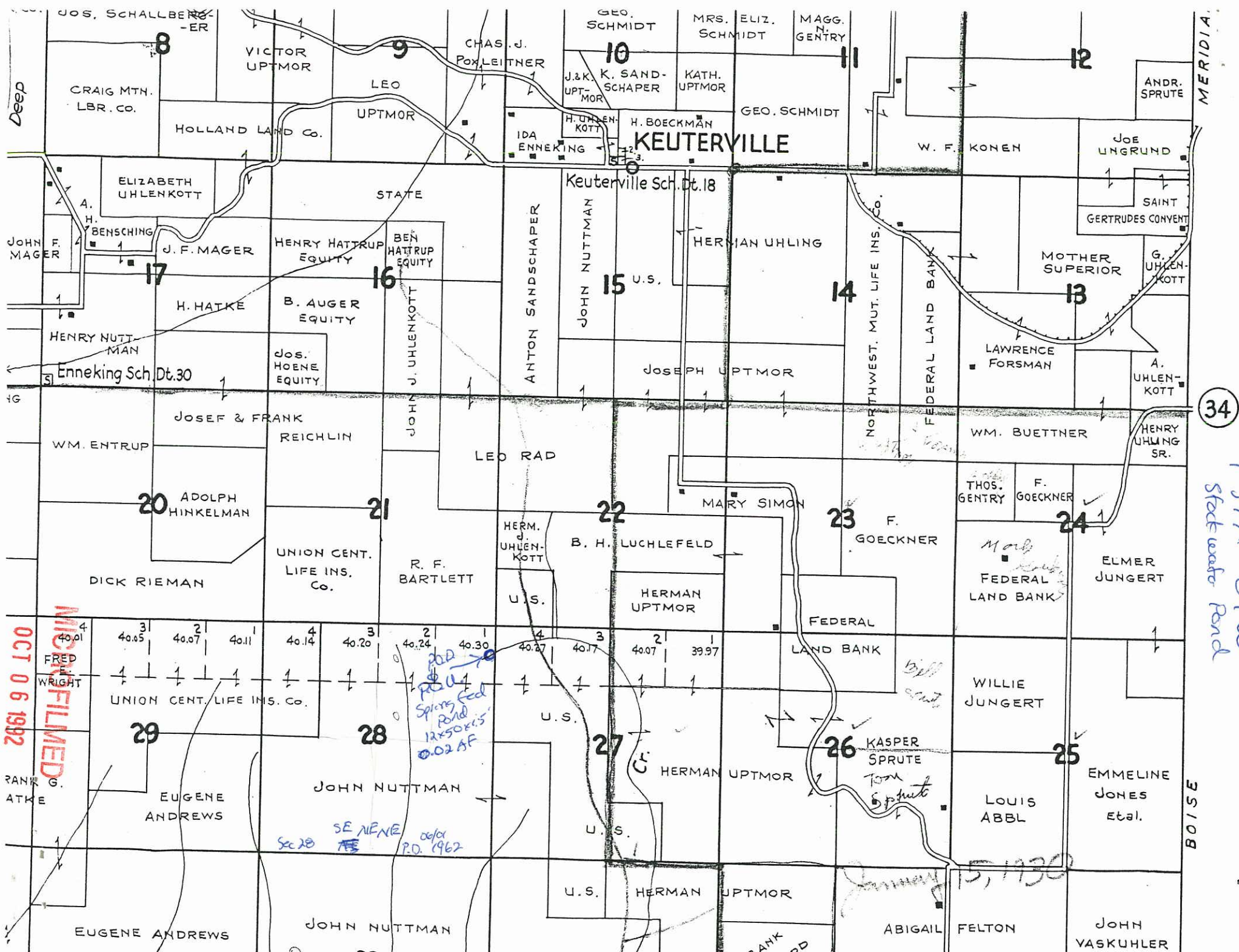
of July 19 88

John Dale Carlson
Notary Public

Seal

Residing at Boise Id

My Commission Expires 6/3/94



CLAIMANT'S NAME

Nuttman, Thomas L. or Roselyn M.CLAIM IDENT. NO. A79-10150

DATE RECEIVED

07/14/88

CK #

3055AMOUNT \$ 125.00

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 for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater).
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? ☒
- Should this claim be receipted and data entered? ☒
- If this claim is based on an existing water right, has the identification number been entered? ☒ N/A

Claim checked by: LW

Comments: _____

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OCT 06 1992