

01/05/2010

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

RIGHT NUMBER: 79-14229

NAME AND ADDRESS: ALBERT A AUGUSTUS
PO BOX 94
WHITEBIRD ID 83554

REBECCA S AUGUSTUS
PO BOX 94
WHITEBIRD ID 83554

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 05/15/1947

POINT OF DIVERSION:

T28N R01E S22 SWNW Lot 4 Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
Domestic use is for lawn and garden irrigation.		

PLACE OF USE: DOMESTIC in IDAHO County

T28N R01E S22 Lot 4 SWNW

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

Parcel No: RP00800004005AA

Property also known as Lots 5 through 9, Blk. 4, Village of Copperville.

Idaho Department of Water Resources



Adjudication Recommendation

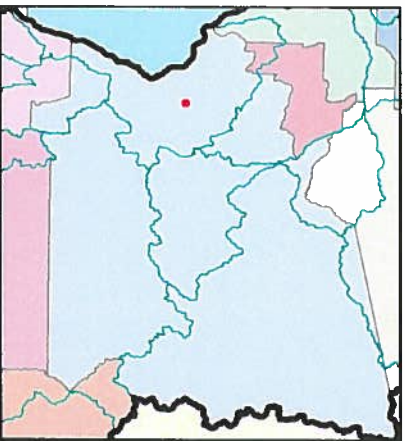
79-14229

(DOMESTIC)

R01E

Legend

-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Idaho County
IDWR Basin 79

Prepared by Craig Saxton
On January 05, 2010
2004 Aerial Photography



T28N



0 0.02 0.04 0.08 Miles

Saxton, Craig

From: Walker, Kay
Sent: Wednesday, July 29, 2009 1:33 PM
To: Saxton, Craig
Subject: RE: Albert & Rebecca Agustus (Augustus - just like my son's name)

Hi, Craig!

I am doing good today. Just got my "oval office" all arranged and workable. Vicky moved up to Aaron's old office and I moved into Vicky's old office without any SRBA file cabinets so it feels quite large. I even inherited your old plant in all this shuffle.

Yes, I know all about this one... I was trying to process an application for transfer and found that the portion of water they had purchased had never been claimed in the SRBA or it had been decreed to another person's land. It was a mess. I had John Homan do research of the deeds submitted and we decided that Augustus had purchased a portion of water right 79-4009 which had been decreed to other lands. In order to resolve the whole mess it was determined that there was still a portion of Rt. 79-4009 out there that had never been claimed in the SRBA and if Augustus would file a b/u claim our problems would not be so harsh as having to take away a right that had been recently decreed. To make a long story short, I have a whole file of information on this thing and Augustus did promise to withdraw the transfer application once the late claim was accepted by SRBA Court. I can send them a withdrawal request and then you will be able to legally transfer the filing fees and I can route the paperwork to be scanned (I guess). It is my understanding that they (Augustus) are living in the original homestead that was under the statutory claim of Harvey Hosley (before he moved in with his girl friend in same area and left his wife (Irene) to fend for herself and her kids). It's bad when you get all this neighborhood gossip stuck in your head!! Soooooo, I still have an active transfer and will request a withdrawal - I have just been waiting to see if the court would accept their claim. If you have questions, or want all this paperwork for the late claim file, let me know.

Thanks!
Kay

From: Saxton, Craig
Sent: Wednesday, July 29, 2009 12:35 PM
To: Walker, Kay
Cc: Fritschle, Carter
Subject: Albert & Rebecca Agustus

Hey Kay,

How are you doing today?

The court approved late claim 79-14229 in which no apparent filing fees have been paid. Attached to the order granting the motions is a copy of receipt W035044 for \$100 for a transfer application. There is a note on the receipt that appears to have been written by you that says:

Fee will be used for SRBA claim if court accepts late claim. App for transfer will be withdrawn upon acceptance of late claim. KW 4-1-2009

I was wondering if this rung a bell to you?

My concern is that I am reluctant to set the status of this claim to **Active** until I have confirmation that fees of some sort have been paid (or reassigned).

Do you know anything about this? If not, no worries. I am just thought I would check with you.

Thanks,

Craig