

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: A43-04175

Date Received: 6/ 5/1989

Receipt No: S007508

Received By: *[Signature]*

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: BRENT HOBSON 208-824-5727  
Address: 2595 EAST STREVELL RD  
MALTA ID 83342  
AND  
Name: TERRY HOBSON 208-824-5727  
Address: 2595 EAST STREVELL RD  
MALTA ID 83342

2. Date of Priority: JAN 1, 1896

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 16S      | 27E   | 27      | NE     | NE     | NW     |     | CASSIA |

5. Description of diverting works:  
WELL, PUMP\_(DUG WELL)

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.220 |      |        |
| COMMERCIAL | 01/01 | 12/31 | 0.220 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.060 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/3 HOMES C/RESTAURANT,DANCE HALL, BEER HALL

10. Place of Use:

|          |       |         |            |     |               |       |
|----------|-------|---------|------------|-----|---------------|-------|
| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
| 16S      | 27E   | 27      | NE         | NW  | IRR           | 10.0  |
|          |       |         | NE         | NW  | DOMEST        |       |
|          |       |         | NE         | NW  | COMMER        |       |
|          |       |         |            |     | Section Acres | 10.0  |
|          |       |         |            |     | Total Acres   | 10.0  |

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:  
43-4177.

14. Remarks:  
4-4-2000: OWNERSHIP CHG PER NOTICE RECD 3-16-00 WITH WARRANTY  
DEED. - VH

15. Basis of Claim: STATUTORY CLAIM

# STATE OF IDAHO

## IDAHO DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED  
MAR 16 2000  
Department of Water Resources  
Snake River Basin

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

1. Water Right No(s): \_\_\_\_\_ DA  
 Adjudication Claim No(s): 43-00286C A43-04175, A43-04177
  
2. The following **REQUIRED** information must be submitted with this form:
  - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating yo  
 ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**  
**AND**
  - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(  
 (These are usually attached to your deed or on file with the county.)  
**OR**
  - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Serv  
 Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHO**  
 should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
  
3. Name and Address of Former Owner/Claimant BOYD & AFTON HOSKINS  
HC 72 MALTA ID. 83342
  
4. New Owner/Claimant(s) BRENT & TERRY HOBSON  
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or  
 New Mailing Address 2595 EAST STREVELL RD.  
 City, State and ZIP Code MALTA, ID. 83342  
 New Telephone Number (208) 824-5727
  
5. Date you acquired the property 10/1/99
  
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only  
 portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe  
 detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) ,**  
**claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim  
 being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDW  
 office for assistance.
 

20 BEEF, 10 HORSES

Number of acres you irrigate with this water right 53.36 Number and type of stock 10 SHEEP

Diversion rate in CFS 3.20 Number of homes you acquired 1 Other uses IRRIGATION
  
7. Signature of New Owner(s) or Claimant(s) Brent Hobson
  
- Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
  
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish  
 IDWR to correspond with him or her for all matters related to your claims.

265286

When Recorded Mail To: Mr. and Mrs Brent Hobson  
2402 N. 4275 W.  
Plain City, Ut. 84404

WARRANTY DEED

FOR VALUE RECEIVED, <sup>Sr.</sup>BOYD I. HOSKINS, and AFTON L. HOSKINS, husband and wife, Grantors, as residents of Ogden, Utah, do hereby grant, bargain, sell and convey unto: BRENT HOBSON and TERRY HOBSON, husband and wife, as Joint Tenants, Grantees, of Plain City, Utah, the following described premises, in Cassia County, Idaho, to-wit:

ALL OF THE NW 1/4 OF SECTION 27, TOWNSHIP 16 SOUTH, RANGE 27 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TWENTY ACRE PARCEL: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 27, THENCE EAST 1320 FEET; THENCE SOUTH 660 FEET; THENCE WEST 1320 FEET; THENCE NORTH 660 FEET TO THE POINT OF BEGINNING.

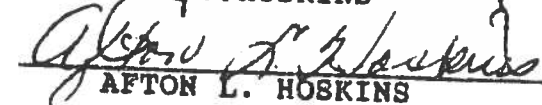
TOGETHER WITH ALL BUILDINGS AND FIXTURES THEREIN.

TOGETHER WITH: IRRIGATION WATER RIGHTS FROM CLEAR CREEK WATER SOURCE, TRIBUTARY TO: SINKS, STAGE: DECREED, FOR IRRIGATION BY GRANTEES OF 36 ACRES IN THE NE 1/4 OF THE ABOVE DESCRIBED NW 1/4 OF SAID SECTION 27.

SUBJECT TO: GRANTORS PERPETUAL RIGHT TO UTILIZE, IN COMMON WITH GRANTEES SAID WATER DISTRIBUTION FACILITIES ON SAID CONVEYED PREMISES IN THE IRRIGATION OF 17 ACRES OF THE GRANTORS' ADJACENT 20 ACRES OF PREMISES LOCATED IN THE NW 1/4 OF SAID NW 1/4 OF SAID SECTION 27.

SUBJECT TO: ANY EXISTING EASEMENTS AND RIGHTS OF WAY OF RECORD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, and assigns forever, and the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises, and that they are free of all encumbrances.

  
BOYD I. HOSKINS  
  
AFTON L. HOSKINS

STATE OF UTAH           )  
                                  : ss.  
County of Weber        )

On the 1st day of October, 1999, personally appeared before me, BOYD I HOSKINS and AFTON L. HOSKINS, husband and wife, the signers of the within instrument, who duly acknowledged to me that they executed the same.

**THIS DEED OF TRUST, Made the 1st 265287 day of October**  
**BETWEEN BRENT HOBSON and TERRY HOBSON, husband and wife,**  
 whose address is 2402 N. 4275 W. PLAIN CITY, UT. 84404

1999

herein called GRANTOR,

CASSIA COUNTY ABSTRACT COMPANY, LTD., an Idaho corporation, herein called TRUSTEE, and  
 OYD I. HOSKINS & AFTON L. HOSKINS, AS JOINT TENANTS

That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST,  
 WITH POWER OF SALE, that property in the County of Cassia  
 follows State of Idaho, described as

ALL OF THE NW 1/4 OF SECTION 27, TOWNSHIP 16 SOUTH, RANGE 27  
 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO, EXCEPTING THEREFROM  
 THE FOLLOWING DESCRIBED TWENTY ACRE PARCEL: BEGINNING AT THE  
 NORTHWEST CORNER OF SAID SECTION 27, THENCE EAST 1320 FEET;  
 THENCE SOUTH 660 FEET; THENCE WEST 1320 FEET; THENCE NORTH 660  
 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH IRRIGATION WATER RIGHTS FROM CLEAR CREEK WATER SOURCE,  
 TRIBUTARY TO: SINKS, STAGE: DECREED, FOR IRRIGATION OF 36 ACRES IN THE NE  
 1/4 OF THE ABOVE DESCRIBED NW 1/4 OF SAID SECTION 27.

TOGETHER WILL ALL BUILDINGS AND FIXTURES THEREIN

COPY

Real estate is secured by this Deed of Trust, and in the event that any of payments are not paid when due, or if the property subject to this Deed of Trust shall  
 be sold or transferred by the grantors of this Deed of Trust, then the whole sum of the unpaid balance of principal and interest thereof, shall become im-  
 mediately due and payable, at the option of the beneficiary thereof. A failure to exercise said option shall not constitute a waiver of the right to exercise the  
 same at any later time.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given  
 to and conferred upon Beneficiary to collect and apply such rents, issues and profits, for the purpose of securing payment of the indebted-  
 ness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of NINETY FOUR

THOUSAND Dollars (\$ 94,000.00 )  
 and to secure payment of all such further sums as may hereafter be

loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest, for any  
 purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest  
 on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall  
 be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall  
 stand as continuing security until paid for all such advances together with interest thereon.

To protect the security of this Deed of Trust, Grantor agrees:  
 By the execution of this deed of trust and the note secured thereby, there are hereby incorporated and made an integral part hereof,  
 for all purposes as though set forth herein at length, the provisions 1 to 6, inclusive, of Part A and provisions 1 to 9, inclusive, of Part B  
 of either of the deeds of trust, which provisions are identical in each, wherein the Cassia County Abstract Company, Ltd., was Trustee which  
 was recorded in the mortgage records in the office of the county recorder of the following counties on the respective dates and in the  
 books and pages hereinafter designated:

| County     | Grantors                                  | Recording Date    | Book | Page |
|------------|-------------------------------------------|-------------------|------|------|
| Twin Falls | John W. Thacker and Rena P. Thacker,      | October 17, 1958  | 183  | 148  |
| Gooding    | Verl L. Dixon and Elaine Dixon,           | October 22, 1958  | 83   | 217  |
| Blaine     | Doyle Ray Brewer and Alice Lavern Brewer, | October 29, 1958  | 84   | 210  |
| Camden     | Hal R. Donkin and Marjorie P. Donkin,     | October 27, 1958  | 48   | 491  |
| Jerome     | A. B. Crouch and Catherine L. Crouch,     | November 3, 1958  | 185  | 167  |
| Lincoln    | Oliver N. Murphy and Jack M. Murphy,      | November 21, 1958 | 84   | 495  |

Request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the Grantor  
 at his address hereinafter set forth.

*Brent Hobson*

*Terry Hobson*

BRENT HOBSON, GRANTOR

TERRY HOBSON, GRANTOR



NOTARY PUBLIC  
 PAUL T. KUNZ  
 8227 Ridgeway Dr.  
 Ogden, UT 84403  
 My Commission Expires

FOR RECORDING ONLY

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: A43-04175  
Date Received: 6/05/1989  
Receipt No: S007508  
Received By: *[Signature]*

**RECEIVED**

JUN 09 1989

Department of Water Resources  
Southern Region Office

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: BOYD HOSKINS (ISOM) 208-824-5750  
Address: HC 72, BOX 2350  
NAF, ID 83345

AND/OR

Name: AFTON L. HOSKINS 208-824-5716  
Address: HC 72, BOX 2350  
NAF, ID 83345

2. Date of Priority: JAN 01, 1896

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 16S      | 27E   | 27      | NE     | NE     | NW     |     | CASSIA |

5. Description of diverting works:  
WELL, PUMP\_(DUG WELL)

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.220 |      |        |
| COMMERCIAL | 01/01 | 12/31 | 0.220 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.060 |      |        |

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/3 HOMES C/RESTAURANT, DANCE HALL, BEER HALL

A43-04175

Page 1

Date: 06/05/89

**MICROFILMED**

**MAR 04 1993**

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 16S      | 27E   | 27      | NE     | NW  |     | IRR           | 10.0  |
|          |       |         | NE     | NW  |     | DOMEST        |       |
|          |       |         | NE     | NW  |     | COMMER        |       |
|          |       |         |        |     |     | Section Acres | 10.0  |
|          |       |         |        |     |     | Total Acres   | 10.0  |

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:  
43-4177.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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

Signature of Claimant(s): Boyd A. H. [Signature] Date: 6-6-89-  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 6th day  
of June 19 89 Robert V. [Signature]  
Notary Public

Seal

Residing at Twin Falls, Idaho  
My Commission Expires 1/16/1995



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

• Sept. 11, 1989

Re: A43-04175

- BOYD HOSKINS (ISOM)
- HC 72 BOX 2350
- NAF ID 83345

Dear Claimant(s):

Please review the computer generated claim(s) for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens  
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 04 1993



ate of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

December 5, 1991

R. KEITH HIGGINSON  
Director

A43-04175  
BOYD HOSKINS (ISOM)  
AFTON L. HOSKINS  
HC 72, BOX 2350  
NAF

ID 83345

RE: Evidence of Priority

**\*RESPONSE DEADLINE\***  
**FEBRUARY 3, 1992**  
**\*\*\*\*\***

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit.** The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

**The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.**

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.  
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 04 1993

05/10/2001

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: June 15, 2001

Water right number: 43-4175  
BRENT HOBSON  
2595 EAST STREVELL RD  
MALTA ID 83342  
Telephone Number: (208)824-5727

TERRY HOBSON  
2595 EAST STREVELL RD  
MALTA ID 83342  
Telephone Number: (208)824-5727

RECEIVED  
JUN 13 2001  
Department of Water Resource  
Southern Region

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

  X   I AGREE with this proposed recommendation: no changes need to be made.  
DATE: 6/6/01 SIGNATURE: Brent L Hobson  
Please print your name: BRENT L HOBSON

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

10/02/2000

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

RIGHT NUMBER: 43-4175

NAME AND ADDRESS: BRENT HOBSON  
TERRY HOBSON  
2595 EAST STREVELL RD  
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.07 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE  
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1896

POINT OF DIVERSION: T16S R27E S27 NENENW Within CASSIA County  
T16S R27E S27 NENENW Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04-01 10-31          | 0.07 CFS        |
| DOMESTIC 1 HOMES      | 01-01 12-31          | 0.02 CFS        |
| COMMERCIAL            | 01-01 12-31          | 0.02 CFS        |
|                       |                      | 1.1 AFY         |

PLACE OF USE:

|                                 |     |
|---------------------------------|-----|
| COMMERCIAL Within CASSIA County |     |
| T16S R27E S27 NENW              |     |
| DOMESTIC Within CASSIA County   |     |
| T16S R27E S27 NENW              |     |
| IRRIGATION Within CASSIA County |     |
| T16S R27E S27 NENW              | 4.6 |
| 4.6 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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR  
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL  
USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

**RIGHT: 43-4175**

IRRIGATION USE  
GROUNDWATER

**RECOMMENDED PLACE OF USE**

**TWP 16S, RNG 27E, Sec 27**

Data entry on October 2, 2000



● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES



GIS PLACE OF USE PRESENTATION  
1987/1988 NAPP AERIAL PHOTOGRAPHY  
DATA ENTRY BY VIKIE HANCOCK

| OWNER<br>CODE | NAME & ADDRESS      | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|---------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | BOYD HOSKINS (ISOM) | 01/01/1896       | IRRIGATION | 04-01 11-01           | 0.22 CFS          | 0.07                |
| C             | AFTON L HOSKINS     |                  | COMMERCIAL | 01-01 12-31           | 0.22 CFS          | 0.02                |
|               |                     |                  | DOMESTIC   | 01-01 12-31           | 0.06 CFS          | 0.02                |

TOTAL DIVERSION:

0.22 CFS

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion: T16S R27E S27

NENENW

CASSIA County

Stage: STATUTORY CLAIM

Place of use Legal Description for: IRRIGATION

| NE                              | NW                        | SW                        | SE                        | SUM                       |
|---------------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| T R S : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac |
| 16S 27E 27 :                    | : 10                      | :                         | :                         | : 10.0                    |
|                                 |                           |                           |                           | TOTAL ACRES               |
|                                 |                           |                           |                           | 10.0                      |

Place of use Legal Description for: COMMERCIAL

| NE                              | NW                        | SW                        | SE                        | SUM                       |
|---------------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| T R S : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac |
| 16S 27E 27 :                    | : C                       | :                         | :                         | : 10.0                    |
|                                 |                           |                           |                           | TOTAL ACRES               |
|                                 |                           |                           |                           | 10.0                      |

Place of use Legal Description for: DOMESTIC

| NE                              | NW                        | SW                        | SE                        | SUM                       |
|---------------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| T R S : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac |
| 16S 27E 27 :                    | : D                       | :                         | :                         | : 10.0                    |
|                                 |                           |                           |                           | TOTAL ACRES               |
|                                 |                           |                           |                           | 10.0                      |

POU County: CASSIA

Non-Irrigation Uses: D/HOMES C/RESTAURANT, DANCE HALL, BEER HALL  
Other Rights: 43-4177.

Dates: Exam Made Date: 03/07/1986  
Misc: Water District Number: Field Inspection Flag: Presumption Flag:

12/10  
11/12  
10/18  
2/25

POD 515-499 is old dug well

Comments  
now diverted from indoor domestic use deeper well drilled to drinking water stds same way  
big well still used for stock & me

5 acre CFS  
1.08086  
volume commercial  
industrial

5 ac storehouse  
0.02 house-one  
1.07 Capacity check  
1894

## RECOMMENDATION NOTES

**From:** Vikie Hancock 

9/8/00

**Regarding:** Claim 43-04175

This claim is based upon a statutory claim of the same number filed in 1983 by Boyd Hoskins. Mr. Hoskins sold this property to Hobson.

This claim represents the water first put to use at the Naf Store and Post Office. The priority date 01-01-1896 came from a previous owner who told the Hoskins the history of the store when they purchased it. Circumstantial evidence in the form of old pictures and affidavits included in the file, indicates that the claimed date is probably reasonable.

The original hand-dug well still exists, and a field exam was performed on June 2, 2000, by Scott King and Cindy Bird, Department engineers. It was determined that the original electric pumping system could not have produced more than 0.07 cfs. Since it is doubtful that the older windmill pump could have produced a diversion rate greater than the electric pump, 0.07 cfs. would be the maximum diversion capacity allowable with an 1896 priority date.

It is reasonable to assume that the original pump provided water for the three uses claimed - domestic to the one original house, irrigation to the surrounding few acres and yard, commercial within the mercantile and possibly dancehall. It may also have been used by children attending the school next door. Irrigation water was also available from Clear Creek. The diversion rate and/or volume of water developed for commercial use in 1896 can only be speculated. Water would have been used to wash produce and for general cleaning in the store, and in the beerhall/dancehall, even though there were no indoor toilets. I would suspect that the amount of water used for domestic and commercial circa 1896 would have been much less than either type of use would be today. If a total volume of 50.6 afa is assumed to have been produced by the well ( $723.94 \text{ af} \times .07 \text{ cfs}$ ), 20 afa would have been used for the irrigation of 5 acres (field headgate requirement = 4.0 af/ac). If current volume requirements of the three commercial buildings is 2.18 afa, then a volume equal to half that amount, or 1.09 afa should have been sufficient. The volume allowed for commercial in 43-04175 and 43-04177B should be limited to a combined total of 2.18 afa.

The hand dug well is still used for watering stock and irrigating. I found the surrounding few acres to be approximately five, including the yard. According to Scott King, the new drilled well now provides the water used within the house, mercantile & restaurant and beer & dance hall. An additional diversion rate for commercial and domestic was filed by Hoskins with a priority date of 1926 as claim 43-04177, now split into A and B portions. That priority date is

unsubstantiated as of this writing. Bud Tracy of Raft River Electric estimates that electrical service didn't arrive in Naf until about 1950. This would coincide with Boyd Hoskins statement that the new brick Naf store building was constructed around 1946. It is more probable that the increase in water consumption, and the drilling of a deeper well, came with the arrival of electricity.

## Estimated Pumping Rate Documentation Form

Flow Analysis Performed by: Scott KingDate: 7/14/2000

Page 1 of 1

|                                       |                                              |                                                                                  |                                               |
|---------------------------------------|----------------------------------------------|----------------------------------------------------------------------------------|-----------------------------------------------|
| Record ID                             | 107                                          | Measured Flow:                                                                   |                                               |
| Water Right No.                       | A43-04175                                    | Designed Flow:                                                                   |                                               |
| Name                                  | <del>Hookins</del> <i>Hobson</i> (Naf Store) | HP/Eff Flow:                                                                     | 0.07 cfs <--Max                               |
| pod                                   | 16S 27E 27 NENENW                            | Sprinkler Flow:                                                                  |                                               |
| year:                                 | current and within 20 years or so            | Pivot/System Flow:                                                               |                                               |
| Flow Measurement:                     |                                              | gpm                                                                              | =                                             |
| Curve/Pump Design:                    |                                              | gpm                                                                              | =                                             |
| <b>Horsepower / Efficiency Method</b> |                                              |                                                                                  |                                               |
| Horsepower                            | 0.5 hp                                       | Horsepower of dug-well submersible pump                                          |                                               |
| PWL                                   | 20 ft                                        | Estimated PWL                                                                    |                                               |
| Disch Psi                             | 10 psi                                       | Estimated discharge pressure while flood-irrigating                              |                                               |
| PUMP Eff Estimate                     | 0.73 %                                       |                                                                                  |                                               |
| TDH                                   | 43 ft                                        | 13.7 fps velocity in 1" discharge pipe at this flow                              |                                               |
| OHP                                   | 0.365 hp                                     |                                                                                  |                                               |
| Flow                                  | 34 gpm                                       | =                                                                                | 0.07 cfs                                      |
| <b>System Method:</b>                 |                                              |                                                                                  |                                               |
| No Lines                              |                                              | Nozzle Equation: $Q = C \cdot A \cdot \sqrt{2 \cdot g \cdot h} / \sqrt{1 - r^4}$ |                                               |
| Birds per line                        |                                              | C=                                                                               | 1.00 Nozzle coefficient; typical 0.97 to 1.00 |
| Ttl no nozzles                        | 0                                            | r=                                                                               | 0.0000 ft Nozzle radius                       |
| Nozzle size                           |                                              | A=                                                                               | 0.00000 ft^2 Nozzle area                      |
| Nozzle pressure                       |                                              | h=                                                                               | 0 ft Head                                     |
| Flow per nozzle                       | 0.00 gpm                                     | g=                                                                               | 32.2 ft/sec^2 Gravitational constant          |
| Sprinkler Flow                        | 0 gpm                                        | Q=                                                                               | 0.000 cfs Flow per nozzle                     |
| Percent Leaks                         | %                                            | =                                                                                | 0.000 gpm Flow per nozzle                     |
| Total Flow                            | 0 gpm                                        | =                                                                                |                                               |
| Pivot / System rating                 |                                              | gpm                                                                              | =                                             |

## Comments / Data Supplied:

snk 7/14/2000

Site visit on June 2, 2000. The system is 1/2 hp submersible well pump installed in very old hand-dug rock-lined fairly shallow well. 1" PVC discharge pipe supplies water to stock tanks and for irrigation, and used to also supply domestic water to store, etc.

Measured static water level at 36' 1". Note on wall indicates water level of 7 ft

on June 12, 1983. Estimated typical water level of 20 feet; in July owner stated that the water level has been increasing since our early June visit. Claimed flow of 0.22 cfs.

It appears unlikely that the 1/2 hp pump in the dug well has the capacity to produce 0.22 cfs. It may be possible that a larger pump was installed at some time in the past. However, the current owner has no knowledge of a larger system, and there was no clear indication in the pump house that a larger pumping system was ever used.

A second, deeper well is used to supply domestic water to the store and facility. However, this well is fairly recent and was installed per DEQ or EPA safe drinking water requirements, and therefore likely not representative of historic development of this right.

*Well GPS located but not tagged*

*N1E N1E NW Sec 27 16S 27E*

*Easting: 559219.6*

*Northing: 101354.3*

*IDTM coordinates*

*Approx altitude: 5314 ft by GPS. Topo shows 5290 ft.*

NAF Dig well

6/2/2000

1/2 hp submersible

Water level 7' June 17 '83

1" PVC discharge pipe  
to Stock & iris

SWL today  
 $40' - 3' 11" = 36' 1"$

Find curves/ratings for  
typical 1/2 hp submersible  
for approx 40' pwl and  
40 psi or so rating.

likely open disch while  
irrigating. Say 5 psi

Naf Merchantile  
Hoskins/Hobson  
June 2, 2000



Figure 1. Naf Merchantile

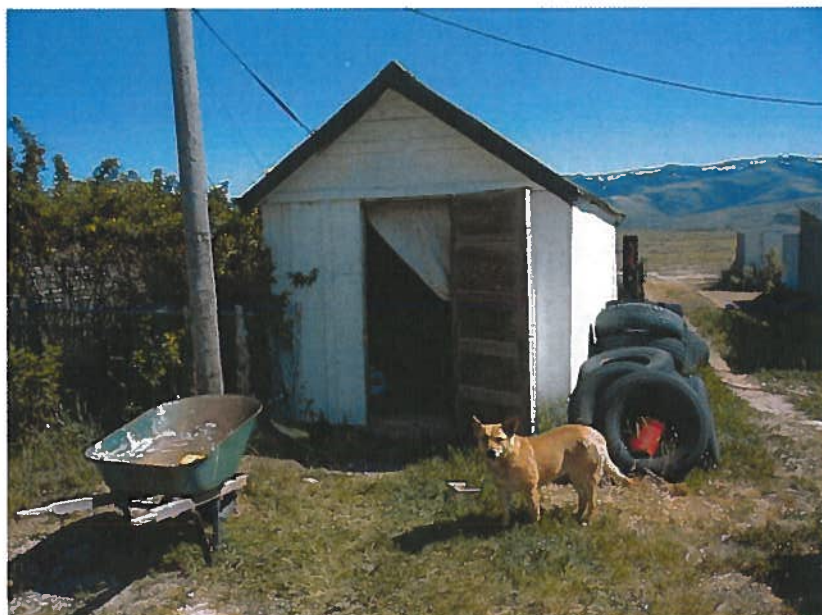


Figure 2. Naf Mercantile pump house. T16S R27E S27. Looking south towards Utah.



Figure 3. Inside the pump house at the Naf Mercantile.  
T16S R27E S27.

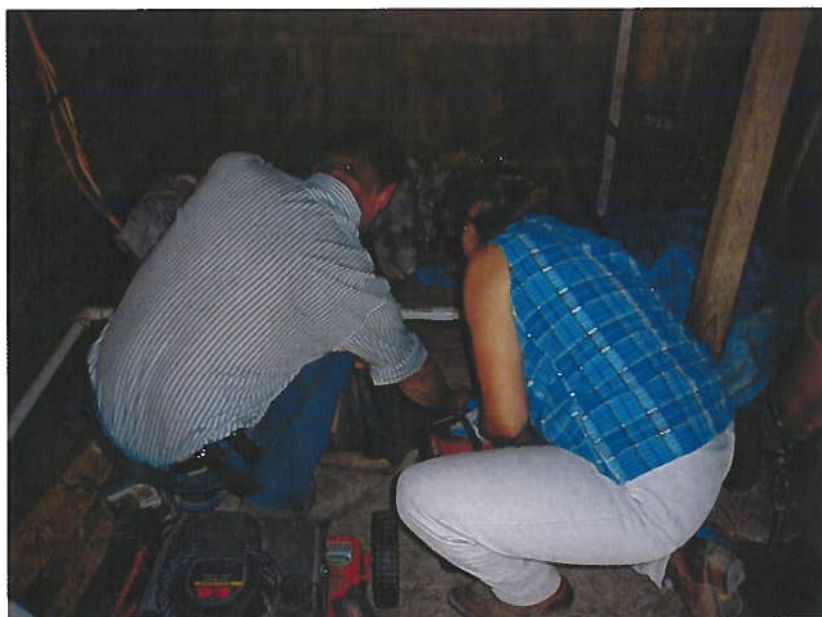


Figure 4. Inside the pump house of the hand dug well at the  
Naf Mercantile. T16S R27E S27.



Panel indicated  $\frac{1}{2}$ -hp pump.

Figure 5. Electric box inside the pump house in Naf.



1" PVC discharge pipe.

Figure 6. Hand dug well in Naf.



Figure 8. Hand dug well in Naf.



Figure 9. Looking down the hand dug well in Naf.



Figure 10. Naf Dance hall.

## NOTE TO FILE

**From:** Vikie Hancock

5/11/00

**Regarding:** Claim numbers A43-04175 & A43-04177B

Mr. and Mrs. Boyd Hoskins came into the office this date to provide information on the commercial use of water at the Naf Store and also to submit proof of beneficial use in the form of historical photos and an affidavit.

The Hoskins recently sold the store, but owned the property for 20 years and have more information regarding water use than the current owner of record, Brent Hobson. I asked them if they could provide answers to the questions I had sent to the Hobsons on April 5<sup>th</sup>, since I had received no reply from my letter.

- Mr. and Mrs. Hoskins told me that the store and restaurant were both located in the store building and there was one bathroom that contained a shower. They allowed patrons to use the shower when there was such a request. The dancehall and bar shared a separate building (bar in basement, dancehall on main floor). There were two restrooms in the building, men's and women's.
- For most of the 19 years the Hoskins owned the business – up until the last year or two – the store and restaurant were open 7 days a week. The dancehall was used for various functions including dances, meetings, quilting, weddings, pool tournaments, and was open approximately 200 days per year.
- On a Saturday night in the summer 200+ people would attend the dances. The restaurant contained three tables and an 8 stool counter. They estimated that, on average, 85 customers were served per day during their busy season.

According to the Hoskins, the Naf store and post office building, and the house located next to the store, were built by John Naf. The house and business were later owned by the Anderson family, and Raymond Anderson, now aged 80 years, was born in the house. Mr. Hoskins talked to a Mr. Clix Swaner, 101 years old, of Ogden, who lived in Naf as a child and remembered the store and post office. The affidavit from Ada Kempton Ospital, submitted today, dates the store to at least 1912. The original well used at the store was dug by hand and a windmill was used to pump the water. A second well was drilled in approximately 1926. The original store was moved to the north side of Strevell Road in 1946

building

and a new brick store built <sup>in its place.</sup> Electricity came to Naf about this time. The store and dancehall were owned by Mary Fredrickson Iverson for many years. The Hoskins purchased the business from her, and she is the one that told them the business first started in 1896.

The old dug well still produces enough to use in the house and yard next to the store. The well drilled in approximately 1926 provided water to the rest of the business and contributed to the domestic uses on both sides of the road until October of 1999. Since the ownership change, it is used exclusively on the south side of the road. If we assume that the new well was drilled in 1926 in response to increased water needs at the store, it may be that the commercial use for the dancehall began then.

There have been no measurements of the water use.

#### COMMERCIAL WATER USES PER IDWR GUIDELINES:

Store - with restroom: 400 gpd

Restaurant - 10 gpd per patron

10 X 85 = 850 gpd

Store and Restaurant = 1250 gpd X 365 days = 465,250

325,850 = 1.4 afa

---

Dancehall and Bar - 12 gpd per patron

12 X 200 = 2400 gpd X 52 (Saturday nights) = 124,500

325,850 = .38 afa

12 X 75 = 900 gpd X 148 (other day/nights) = 133,200

325,850 = .40 afa

Total = 0.78 afa

---

\* TOTAL COMMERCIAL USE = 2.18 AFA

*\* using figures provided by Boyd & Pat Hoskins*

my name is Ada Kempton Ospital  
A Born in Clear Creek - Nafton Utah  
Nov. 23. 1912 The Day Store as near  
as I remember was built in the  
early 1900's. That is where my family  
did their shopping before and  
after my birth.

The Day Store, Dance Hall, and  
Post Office were all in the town  
of Ida.

My family was all friends of  
Helen Carlisle in Day at the store  
there in 1918.

To the best of my knowledge  
this is a true statement

Ada K. Ospital.

RECEIVED

MAY 10 2000

Department of Water Resources  
Southern Region

May 9 - 2000  
Ada Ospital 1-835  
827-5715



← School house  
to west of store

original  
store  
←



← original  
house

PHOTOS  
PROVIDED BY  
BOYD & PAT  
HOSKINS



← SITE OF  
original dug  
well before  
electricity.  
Note windmill.

RECEIVED

MAY 10 2000

Department of Water Resources  
Southern Region

Photo circa 2000



NRF - STEEDSLL ROAD

← Dance hall

S ↑

← ORIGINAL house  
-- REMODELED

← "NEW" store built  
in 1946. same  
location as  
original store

RECEIVED

MAY 10 2000

Department of Water Resources  
Southern Region



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

April 5, 2000

RECEIVED  
JUN - 6 2000  
Department of Water Resources  
Southern Region

Brent and Terry Hobson  
2595 East Strevell Rd.  
Malta, Idaho 83342

RE: Snake River Basin Adjudication (SRBA)  
Claim Number(s): A43-04175, A43-04177, 43-00286E  
Change of Ownership Notification

Dear Mr and Mrs. Hobson:

The notification that we received on March 16, 2000 was sufficient to change the ownership of your portion of the irrigation claim on Clear Creek, your portion of claim A43-04177 for groundwater and all of claim A43-04175 for groundwater use at the Naf Store and associated buildings. Please carefully review the documents enclosed. Please note that the base irrigation claim on Clear Creek has already been recommended to the SRBA Court, and your claim 43-00286E represents a portion of that right as reported.

After I spoke to you on April 3<sup>rd</sup>, Mr. Hoskins called from Ogden. We discussed the lack of documentation in claim files A43-04175 and A43-04177 in regard to the date that water was first put to commercial use at the store, restaurant, beerhall and dancehall. I am just now investigating these two claims. Mr. Hoskins believed that he had submitted some documents, but I looked extensively, and found nothing in our records to show when use began. Because the Department did not require permits for diverting groundwater until 1963, many wells drilled, or dug, before that time are not documented in our files. I then went to the Twin Falls Public Library and looked in a book of history on the area compiled by the Daughters of Utah Pioneers. I found a brief, undated reference to Naf, but found nothing about the store.

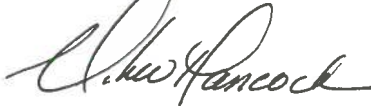
The only documents we have are the original statutory claims that Mr. Hoskins filed, which do not, in themselves, evidence that use began on the dates he claimed. There must be some circumstantial evidence in the form of dated pictures, written, or oral history of the beginnings of the store and dancehall. You mentioned that the farthest back you could date the store was the 1940s. If you believe that commercial water use began earlier than that, you might want to ask some of the older people still living in the area to write out a short statement about their knowledge of the history. (An un-notarized but signed affidavit from someone with no financial interest is perfectly acceptable). I would also suggest the Burley library as a source of information, or even the Cassia County Courthouse. They have records of property ownership and

assessments. If you are unable to obtain any additional information, please submit what you have, as without *any* proof of priority for beneficial use, I cannot recommend these water right claims, per Department policy.

There are two elements of these claims to a groundwater right that have never been documented: One is the date of priority as outlined above, the other is the amount of water actually used commercially. Without measuring the water pumped from the wells, we can make some calculations based upon certain information about the establishment. I realize that you are new to the business, but the following information will give me a basis for an accurate recommendation of the amount of water your establishment has historically used.

If you have any questions or concerns please don't hesitate to call. I am sending a copy of this letter to Mr. Hoskins to keep him informed of the status of the claims and with the knowledge that he may be of help to you in determining water usage. Please return the following information as soon as conveniently possible.

Sincerely,



Vikie Hancock  
Water Resource Agent

1. Number of days in the year that each portion of the business will be open:
  - Store - 365
  - Restaurant - 365
  - Dancehall - 5020
  - Beerhall - 365
2. Number of Restrooms. If they are shared by one or more sections of the business, please indicate:
  - Store - 1 SHARED
  - Restaurant - 1 SHARED
  - Dancehall - 2
  - Beerhall - 1
3. Average number of patrons per day. If you need to break this down to weekdays and weekends, please do so and indicate:
  - Store - 100 WE | 20 PER DAY WEEKDAYS
  - Restaurant - "
  - Dancehall - 250 PER 20 DAYS
  - Beerhall - SAME AS STORE
4. Any other information that may help me to determine the amount of water used commercially :

SEE ATTACHMENT.

The Storehouse was here when I was born.  
The old log cabin was here then. I was  
told that at one time it was the  
School house. I was born March 24, 1920.

Raymond Naf Anderson.  
May 29, 2000

399-9537 394-5008.  
Raymond N. Anderson.

I remember shopping at Naf Store  
in 1918 I lived in Clear Creek South of  
Naf. In Utah. Heber Carlyle was the  
Store Keeper and owner at Naf. I was born  
South of Naf Store in 1912. Water was  
drawn by a bucket from a well in the  
back yard.

Ada Hempton Capital  
June 2, 2000  
808-827-5715

RECEIVED

JUN - 6 2000

Department of Water Resources  
Canyon Region

(Attachment)

## COMMUNICATION DOCUMENTATION

**From: Vikie Hancock**

April 3, 2000

**Regarding:**

**Customer:**

A43-04175 and -04177

Boyd Hoskins/Brent Hobson

[illegible]

I called the number we had on file for the above rights and reached the Naf Store. I learned that Brent and Terry Hobson purchased the store, restaurant and dancehall from Hoskins in October 1999. The store and beer hall is open on weekends until summer when it will be open full time. The dancehall will not be open at all until summer. The dancehall is in a separate building but is located close to the store. Hobson did not purchase anything on the north side of Strevell Rd in section 22, only purchased property in the NW ¼ of section 27. Brent Hobson said they had sent in a change of ownership on an irrigation right.

I located the change of ownership that had been submitted March 16 2000 for A43-00286C from Clear Creek. There appears to be enough evidence submitted to change ownership of the above claims, however 43-04177, as well as 43-00286C, will have to be split.

After my conversation with Hobson, Boyd Hoskins called me back. He was (and to some extent still is) under the impression that he had sent in everything he needed for proof of beneficial use and priority. I told him that there was nothing in the file, but that I would look elsewhere. I looked in his Clear Creek file 43-00286C and the microfiche for both stat claims and found nothing but the original filings. I then went to the Twin Falls Public Library and researched the volume of Cassia County history put out by the Daughters of the Utah Pioneers. There was nothing in there about the Naf Store that I could use to verify the date that water use began there. Mr. Hoskins claims that the first store was a log cabin and the first well was a hand dug well done in approximately 1896. It is located on the south side of the road and is still functioning. Another drilled well, also on the south side of the road, was drilled in about 1926, he thought. It was owned by Mary Iverson, who was married to a Fredrickson at the time. He purchased the store from Iverson.

I asked him about the commercial use claimed on the north side of Strevel Road in section 22. He said that there were 5 mobile homes in a small park there when he filed the claim and now there are two. His residence is also there on the north side. He said the well that serves the north side of the road was drilled in 1980, and that Hobson does not own any portion of water from that well. I found that drilling record in our files. He specifically said that Hobson has the dug well and the 1926 drilled well on the south side, and that he had the 1980 well on the north side. He said he had a "permit" to irrigate

10 acres on the north side but had never done it. I found no additional water rights, permits, or AJ claims under Hoskins. Note that the 10 acres of irrigation claimed on 43-04175 is shown on the south side of the road in section 27 on the original statutory claim map. He does have water from Clear Creek to irrigate 34 acres in section 22.

Mr. Hoskins told me to get in touch with him if I determined that there was something more I needed for the claims. He gave me his home phone number in **Ogden Utah: 801-392-6433** and the phone number at the ranch in **Naf: 824-5716**. He also said he may be reached at Hoskins' Plumbing and Heating in Ogden as he goes into the office about once a week.

|                          |                                     |                                 |                                     |
|--------------------------|-------------------------------------|---------------------------------|-------------------------------------|
| For <u>Vicir</u>         |                                     | Urgent <input type="checkbox"/> |                                     |
| Date                     | <u>3-31-2000</u>                    | Time                            |                                     |
| M                        | <u>While You Were Out</u>           |                                 |                                     |
|                          | <u>Bryd Ibskins</u>                 |                                 |                                     |
| Of                       |                                     |                                 |                                     |
| Phone                    | <u>Nat</u>                          | <u>Td</u>                       | <u>h</u>                            |
|                          | AREA CODE                           | NUMBER                          | EXTENSION                           |
| Telephoned               | <input checked="" type="checkbox"/> | Please Call                     | <input type="checkbox"/>            |
| Came To See You          | <input type="checkbox"/>            | Will Call Again                 | <input checked="" type="checkbox"/> |
| Returned Your Call       | <input type="checkbox"/>            | Wants To See You                | <input type="checkbox"/>            |
| Message                  |                                     |                                 |                                     |
| <u>Do not understand</u> |                                     |                                 |                                     |
| <u>letter</u>            |                                     |                                 |                                     |
|                          |                                     |                                 |                                     |
|                          |                                     |                                 |                                     |
| Signed <u>me</u>         |                                     |                                 |                                     |

9711



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

March 29, 2000

Boyd Hoskins  
Afton Hoskins  
HC 72 Box 2350  
Naf, Idaho 83345

RE: Snake River Basin Adjudication (SRBA)  
Claim Nos.: A43-04175, A43-04177

Dear Mr. Hoskins:

I am in the final stages of recommending water right claims filed in the SRBA. Based upon the information in our files at this time, I will have to disallow the above two claims for Irrigation and Commercial use at Naf.

Claims for irrigation and commercial uses based upon beneficial use require documentation proving the date water was first put to use. They also require information about the amount of water that has historically been put to use. Several letters sent to you from the Department requesting this information have not been responded to, and I am speculating that it is because water is no longer being used for those purposes at the store, restaurant and dance hall.

If there is still domestic use of water at the site, these two claims may be recommended for domestic use only, however I am confused as to whether there are a total of two or three functioning wells. Please contact me so that I can accurately present these two claims to the SRBA Court. Baring any further information from you which proves some use of water at the site, I will have no choice but to completely disallow both claims.

Sincerely,

Vikie Hancock  
Sr. Water Resource Agent



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

**1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098**

**Phone: (208) 327-7900 FAX: (208) 327-7866**

A43-04175 V.H.  
A43-04177

February 10, 2000

**Second Notice**

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

HOSKINS, BOYD & AFTON  
HC 72 BOX 2350  
NAF ID 83345

RE: Information about historical water diversion flow rate

Dear Wateruser:

This past December IDWR sent a letter to you requesting your assistance in providing information about flow rates from certain diversions (copy attached). These letters are being sent to claimants with identified rights that have not previously been confirmed (measured) either through the licensing process or by decree. IDWR desires to make the most accurate recommendation to the SRBA Court and this requires your participation and cooperation, pursuant Idaho Code §42-1410.

One advantage of providing good, verifiable information to us is that the flow rate that we recommend will be the full measure of your water right as developed. Another benefit is that disputes over the recommendation are minimized. Lastly, documentation for flow rate will likely be dated and may support evidence of priority determination.

In the absence of good information about historical diversion flow rates IDWR may conclude any of three less desirable alternatives:

- 1) Recommend disallowal of right.
- 2) Recommend a flow rate limited to a licensed rate, if a licensed diversion is part of the system, but with additional diversion volume if the use and diversion capacity is documented to have occurred before 1963.
- 3) Recommend the right as an expansion in a critical ground water area, §42-1416B I.C., which limits the flow rate AND volume to the licensed quantity. This provision also sets the priority at 6/30/1985, regardless of development date between 1963 and 1985.

Thank you for your attention to this matter and we look forward to your quick response and documentation relating to this request. Water Resource Agents from the department may be contacting you in the near future should field work be required to finalize recommendations. Inquiries related to this diversion rate information request should be made to Scott King or Cindy Bird at (208) 327-7900. Inquiries about other aspects of your claim should be made to the Southern Region Office (208) 736-3033.

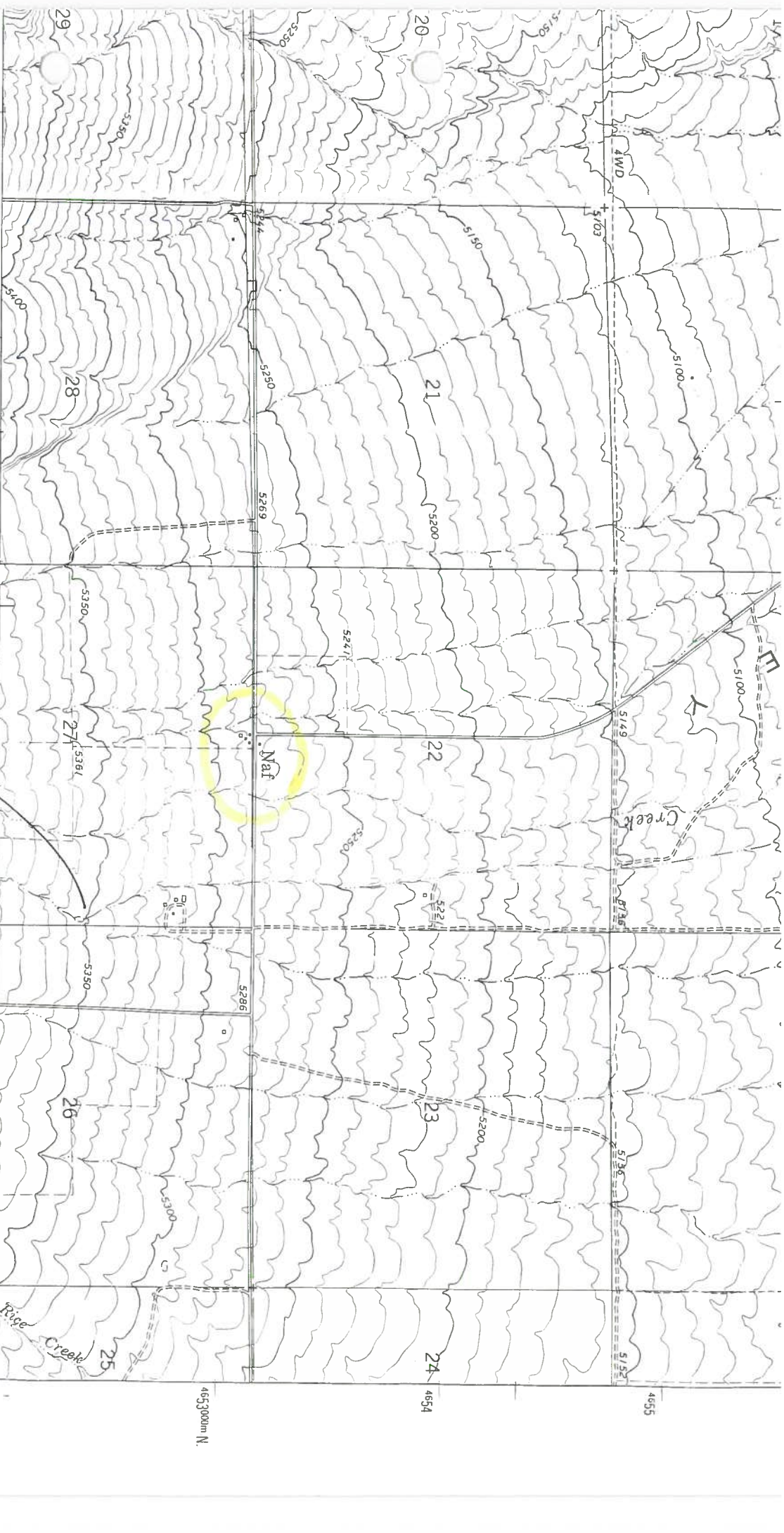
Sincerely,

Scott King

Enclosures

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092

CONTOUR INTERVAL 10 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929



ROAD CLASSIFICATION  
Primary highway, all weather, light-duty road, all weather,  
hard surface improved surface  
Unimproved road, fair or dry  
weather  
○ State Route

QUADRANGLE LOCATION



7.5' QUAD  
0082

NAF, IDAHO  
42113-A3-TF-024

70

530.00  
in pasted  
date

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Southern Region

1041 Pine Lakes Blvd. N.  
Twin Falls, Idaho 83301  
(208) 734-7572

SEPTEMBER 23, 1983

BOVD HOSKINS (150M)  
NAF

ID 87745

RE: Claim No. 42-4175

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-242 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim. If you have any questions, or if this office can be of further assistance, please feel free to contact us.

Yours truly,

*Allen D. Merritt*

ALLEN D. MERRITT  
Senior Water Resource Analyst

Enclosure

1/31/92  
Mr. Hoskins phoned  
will get the info for  
priority, 12th floor  
Feb. 3

*Al*

## 43-

**The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.**

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- | (cfs, af) |          | (Domestic, Irrigation, Stock, Etc.) | [Both dates inclusive]     |            |
|-----------|----------|-------------------------------------|----------------------------|------------|
|           |          |                                     | (Mo., Day)                 | (Mo., Day) |
| Quantity  | 0.22 cfs | Use IRRIGATION                      | Period of Use From 4-1     | To 11-1    |
| Quantity  | 0.22 cfs | Use COMMERCIAL                      | Period of Use From 8 JAN 1 | To Dec 3   |
| Quantity  | 0.06     | Use DOMESTIC                        | Period of Use From JAN 1   | To Dec 3   |
| Quantity  |          | Use                                 | Period of Use From         | To         |
| Quantity  |          | Use                                 | Period of Use From         | To         |

- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. *well Motor & pump. (dug well)*

- [illegible]

No. of acres 10

- NOTE:** Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

**R PROOF**

**CVR**

**MAPS**

**PHOTOS**

**MISC**

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