

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: A43-10504
Date Received: 6/15/1989
Receipt No: S008256
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: F. STANLEY LLOYD 208-638-5543
Address: HC 61 BOX 1510
ELBA, ID 83326

2. Date of Priority: APR 01, 1968

3. Source: GROUNDWATER Trib. to:
LLOYD SPRING SINKS
SPRING SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	25E	18	SE	SE	SW		CASSIA
		19	NE	NE	NE		CASSIA
			NE	NE	NW		CASSIA

5. Description of diverting works:
WELL AND PUMP, DITCHES, AND PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.440		

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

8. Total consumptive use is 305.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	25E	17	NE	SW		IRR	3.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
						Section Acres	83.0
		18	SW	SE		IRR	10.0
			SE	SE		IRR	29.0
						Section Acres	39.0
						Total Acres	122.0

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:
A43-02529, A43-04072, A43-04073

14. Remarks:
ACRES EXPANDED UNDER A43-10504.
THIS CLAIM IS FOR EXPANDED USE OF ACRES NOT FOR ANY INCREASE IN
WATERS DIVERTED; TOTAL OF ALL CLAIMS COMBINED CANNOT EXCEED
3.73 CFS.

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 _____ 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): *F. Stanley Lloyd* Date: 6/15/89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of June 19 89 *Steve Cello*
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7 1994

24E 25E

122Ac

14S.

Lloyd Spring

Spring

MICROFILMED
MAR 05 1993

A43-10504



State 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

A43-10504
F. STANLEY LLOYD
HC 61 BOX 1510

ELBA

ID 83326

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 05 1993

IN THE MATTER OF:

Water Right Number A43105041

State of Idaho

County of Cassia

AFFIDAVIT

F. Stanley Lloyd

being first duly sworn,

deposes and says: This Irrigation was brought under
Control ~~And~~ with better distribution by Surveyed
ditches And pipelines. This work was started
in 1963 And finished in 1968

F. Stanley Lloyd
(signature)

Subscribed and sworn to before me this 26th day of Feb. 19 92.

[Signature]
(notary public)

Residing at Kinsley, ID
My commission expires 6/30/94

MICROFILMED

MAR 05 1993

10/10/2000

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

RIGHT NUMBER: 43-10504

NAME AND ADDRESS: F STANLEY LLOYD
HC 61 BOX 1510
ELBA, ID 83326

VERIFIED BY KKC
10-10-00

SOURCE: GROUND WATER

QUANTITY: 0.62 CFS

USE OF THE RIGHTS LISTED BELOW SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.
RIGHTS 43-2529, 43-4072A, 43-4073, and 43-10504.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE
OF 1.21 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 513 AF.

PRIORITY DATE: 04/01/1968

POINT OF DIVERSION: T14S R25E S18 SESESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	0.62 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T14S R25E S17	NESW	3.9	T14S R25E S17	NWSW	38
T14S R25E S17	SWSW	33	T14S R25E S18	NESE	40
T14S R25E S18	NWSE	26	T14S R25E S18	SESE	38
T14S R25E S18	SWSE	37	T14S R25E S18	SESW	10

225.9 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 225.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-2529,
43-4072A, 43-4073, and 43-10504.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 114.9 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.

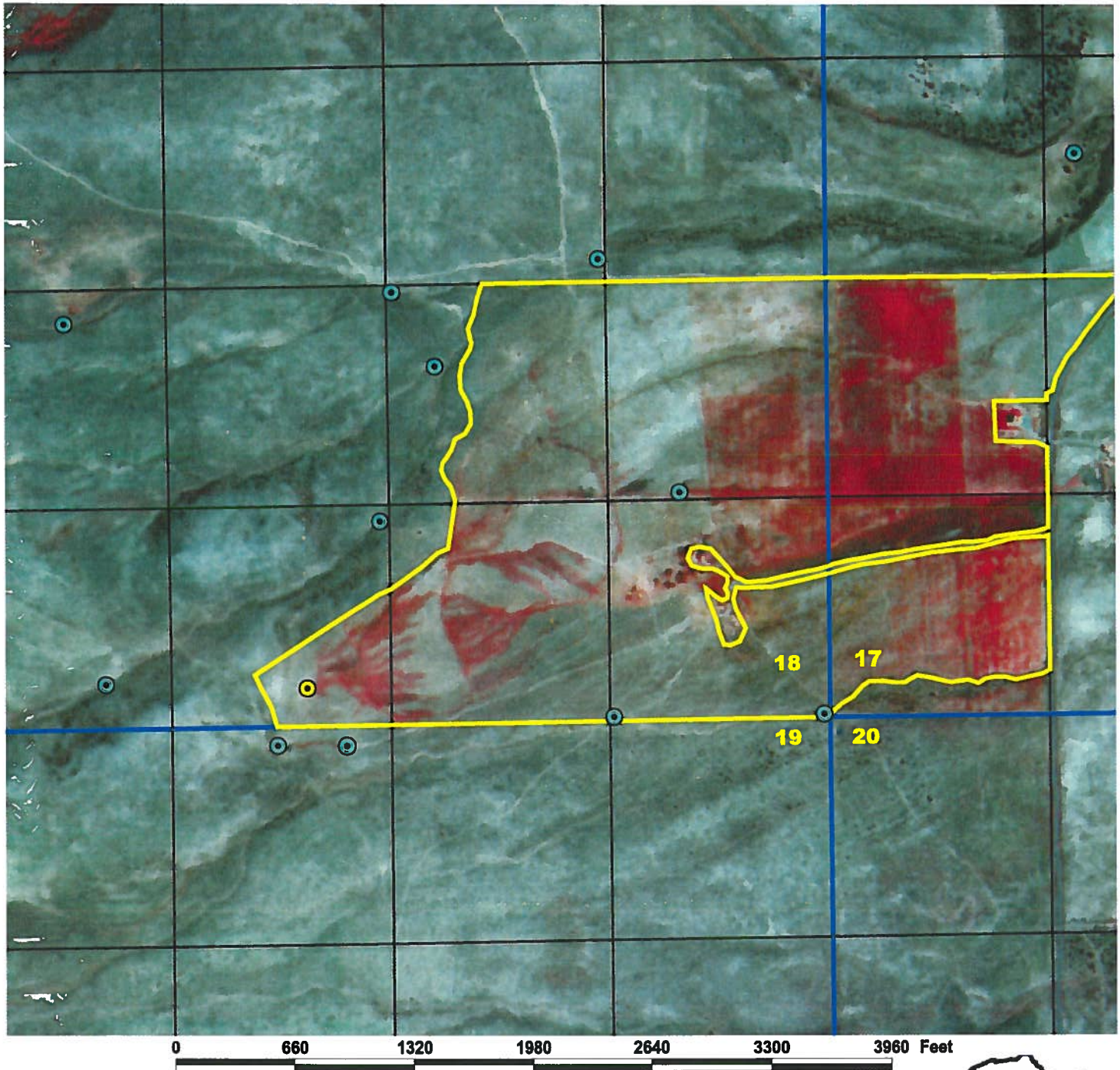
THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 43-2529 PURSUANT TO
SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL:
CLAIM - Beneficial Use

BASIS OF

THIS RIGHT IS FOR AN ENLARGEMENT OF 114.9 ACRES WITHIN THE PLACE OF USE
DESCRIBED FOR THIS RIGHT.

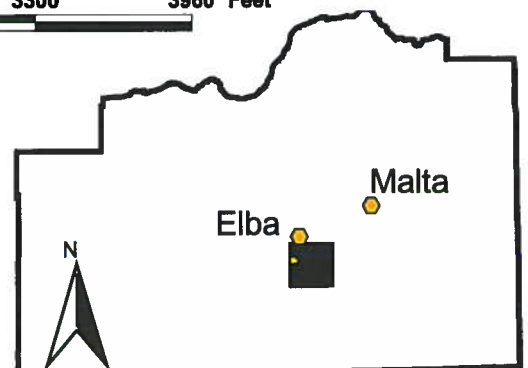
RECOMMENDED PLACE OF USE FOR 43-2529 and 43-10504



PLACE OF USE
TWP 14S, RNG 27E, SEC 18
Data entry on October 5, 2000

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**



CLAIM NUMBER
43-2529
43-10504

DATE
10-6-00

TRANSFER NUMBER

AGENT
KKC

CLAIMED ACRE TOTAL

GIS ACRE TOTAL
225.9

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
43-10504	14S	25E	17									3	40	40						83
GIS												3.9	38.3	33						
RECOM												3.9	38	33						74
43-10504			18															10	29	39
43-2529	14S	25E	18												10	40	20	30	11	11
GIS															10.1	40.1	26.4	36.8	37.8	
RECOM															10	40	26	37	38	151
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP

225.9 GIS Acres

SHAPE NOS.

111.0 licensed Acres 43-2529

114.9

B43-POD.SHP

the right was licensed for 1.21 CFS

NOS. DESCRIPTION

Vol calc 214 days * 1.21 CFS * 1.98 AF/CFS = 512.7 AF

See 18

225.9 Acres * 4 AF = 903.6 AF

SE SE SW

system capacity is the limiting factor

When 43-2529 & 10504 are comb. limit is 1.21 CFS

and 513 AF.

Div Rat rec for 43-10504

DBF TABLES UPDATED

1.21 / 225.9 ac * 114.9 ac = 0.615 ≈ .62 CFS

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

See 43-4072A for photos.

GIS map in 43-4072A

NOTES:

was the permitted P/U
irrigated prior to the
system?
license 43-7091 exists
on NE portion of P/U.
Proof Filed 1990. Not part of
ADJ

- ① P/Ds in the NWSE Sec 18 are not part of any claim.
- ② P/D SESW Sec 18 not claimed
- ③ P/D in SWNW Sec 19 not claimed under any Beneficial use claim.

spring
Source
only

43-04072 is from spring @ SW corner of the P/U. Flow rate cannot ~~adequately~~ ~~are~~ be beneficially used on the ground that it physically can reach as an independent source.
ir claimed rate = 0.50 cfs or 0.0025 cfs/Acre on the claimed 203 acres. P/U claim is in conflict with a portion of 43-10504
43-10504 claimed as an enlargement right of the springs, unnamed streams, & a well ^{of Sec 18}
P/U includes the southern portion of SE 1/4 and the W 1/2 of SW 1/4 Sec 17. What was the surveyed ditches & pipelines that added New Acres?

43-4073 source indicates Lloyds Spring. Actual Source is unnamed stream. ? on P/D claimed in NENE. When was it developed?

Oct. 27, 1999

Green Canyon System.

Notes on Map

Home place.

the 5 P/D's identified are correct for 4072
and the P/U is also OK

4073 1892 priority system

was the 3 P/D's using the ditch system
shown on GIS & then old system drawn
by Stan. Water could flow east of ditch
but normally not enough water was available

Need to split out domestic use (1955
priority) split from 4072 stock water to
stay with irr.

then need transfer to chg P/U.
1988 dom shifted to current home.

A43-10504

Claim lists multiple sources.

After visiting with Stan Lloyd this claim should be for the enlargement of the well only. the claimed P/U is greater than the found enlarged acres. I found 6 acres additional in NWSE Sec 18.

EVIDENCE OF PRIORITY FOR A43-04072, A43-04073 and A43-10504

During my first field examination of the place of use covered by the claims listed above on 07-28-1994, I found that the existing system did not fit well with the physical characteristics of the existing system. I also found several delivery systems that were not claimed. I asked Stan Lloyd about them and asked him how he wanted to deal with them. He indicated that he wanted them to be part of a claim. He stated that the system as developed consists of water that is primarily available during spring runoff, spring water that is diverted down stream from the actual spring sources, and ground water. Often a portion of the place of use is left dry once the spring runoff has ended. My understanding is that virtually the entire place of use is irrigated at least once during a normal irrigation season. During drought years water is consolidated on the best ground.

During our conversation he indicated that the surface water system was fully developed by 1968. A portion of the development was also claimed under A43-10504 as an enlargement claim. As the 1968 date is prior to the mandatory permit statute for surface water, the surface developments would be better represented as a beneficial use. Claim A43-10504 is still an enlargement claim but for groundwater only that was originally developed under A43-02529.

Rather than have him submit additional evidence of priority affidavits I elected to interview him in order to establish the required amendments and to be able to identify each point of diversion with their original development. There is an original affidavit in A43-04072 that addresses some of the elements of the historic use developed by his grandfather and father.

I interviewed Stan on 09-08-1999 and again on 10-27,1999. I used a GIS map titled **INTERVIEW MAP** to specifically identify each point of diversion and when it was developed. Between the September and October interviews I created a **PRELIMINARY SUMMARY** dated 10-22-99 on yellow paper. The preliminary summary identifies the numbered points of diversion with their respective legal descriptions.

A43-04073

This claim is to be amended to identify the original development only. The claimed priority date is June 1, 1892. I am accepting this date based upon the affidavit and my conversations with Stan Lloyd.

He indicated that the historical development occurred in stages. The first development occurred approximately in 1892 and consisted of the development of three different drainages that were roughly tied into a common ditch delivery system. They were labeled 6, 7, and 8 on the map. Stan indicated that his grand parents developed the delivery systems.

The historical place of use is not clear but the water can now be delivered to any location within the found irrigated place of use. I will address the place of use later in the analysis.

Point of diversion # 6 catches runoff from snow in the spring and rains during the summer. There is no steady spring source for water using this ditch. This system enters the claimed place of use at the western most point of the place of use, which is also the

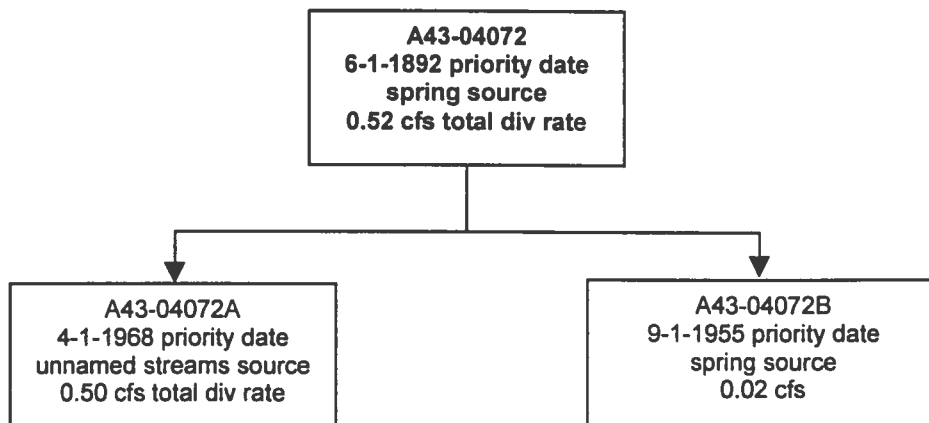
highest elevation point within the irrigated place of use. Water if available in sufficient quantities can reach all areas of the place of use through the various contour ditches.

Diversions 7 and 8 connect two different drainages and then deliver the water to the place of use. The water source for diversion 7 is a spring located approximately 340 feet west of the point of diversion. This spring normally runs year round, although the flows are generally minimal in the fall. The water source for diversion 8 is also a spring that Stan identified as Lloyd spring. This spring does not always flow enough water to irrigate with in the latter part of the irrigation season. The delivery ditch enters the irrigated place of use approximately 700 feet east of the western boundary of the irrigated place of use. Water from this system can reach all but the ground west of the ditch.

A43-04072

This claim originally identified a spring as the source for irrigation, stockwater and domestic uses. The claimed priority date was June 1, 1892.

This claim is to be amended to identify a group of surface water diversions tied into one delivery system. The claim also includes a domestic use that was developed from the spring. I am splitting the domestic use off from this claim as it represents a separate use and delivery system and at a different priority date. As the changes are all junior to the original claim, a new claim is not deemed necessary.



A43-04072A

In 1963 Stan Lloyd started to develop additional runoff sources and to add contour ditches to augment the historic system. Stan also submitted a short affidavit (in file A43-10504) dated 2-26-1992 that refers to the development. The system has again changed through the development of 43-07091. This is a groundwater right that was perfected after the commencement of the adjudication and is therefore not claimed in the adjudication. He indicated that the development of the ditch system by 1968 would allow the irrigation of the ground covered under the license.

Five different points of diversion were identified as appurtenant to this right. The three points of diversion in the NWSE of sec 18 were assigned numbers 1, 2, and 3. They collect spring runoff and rain runoff and deliver it to the place of use in the north ½ of the irrigated place of use.

Point of diversion numbered 4 diverts water from the channel that carries the Lloyd Spring water. This is the same channel that point of diversion # 7 diverts from which is claimed under 43-04073. This ditch system delivers water into the ditch from point of diversion # 6 (also claimed under 43-04073) which allows water to reach the entire place of use.

The last point of diversion (# 5) diverts spring runoff and also captures water coming from the place of use to the northwest. All of these points of diversion are inter-related through the contour ditch system and therefore I am recommending them within one claim.

A43-04072B

The spring was developed by constructing a small pond and piping the water to the original farmstead located within the SESE of sec 18. The water was used for culinary purposes and to water the yard and orchard. The irrigation portion was also supplemented through the ditch system. In 1988 the domestic in-house use was transferred to Stan's new home located in the NWSW of sec 17. A transfer was not filed. I have discussed this with Stan and I expect him to file a transfer after the claim has been split from the irrigation and stockwater uses.

A43-10504

This right was originally claimed as an enlargement right and included many of the original claimed surface water sources as well as the well claimed under A43-02529. As the surface water sources are being recognized as being developed by 1968 they are all being recognized as a beneficial use under the other two rights. This leaves the groundwater. The motor and pump have remained the same but as the ditch system was enlarged in the S½SE sec 18 and SWSW sec 17 under A43-04072A. The well is open discharge and the water enters the contour ditch system as described under the surface water sources. This allows the well water to be able to reach the entire place of use through one contour ditch or another.

A43-2529

This right is a licensed groundwater right that uses the existing ditch system for delivery purposes. The current delivery system can physically reach all of the place of use. This right was licensed for 111 acres and is now being recommended for those 111 acres within the PP/U of 225.9 acres. A43-10504 is an enlargement of this right for the balance of the PP/U or 114.9 acres. The system capacity becomes the limiting factor when calculating volume limits. (see attached land listing for calculations.)

PREPARED BY: Kelly K Christensen

October 28, 1999

Modified 10-10-2000

43-04072, 04073 & 10504 system



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

September 13, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

STANLEY LLOYD
HC61 BOX 1510
ELBA ID 83326

RE: SPLIT AND AMENDMENT OF A43-04072, AND AMENDMENT OF A43-04073
PLACE OF USE DISCUSSION

Dear Stan

Enclosed are the following documents.

Claims

A43-04072A; the irrigation portion of the original claim (currently the valid claim).	For your records
A43-04072B; the domestic portion of the original claim (also currently valid).	For your records

A43-04072A; AMENDED , for your review and signature if correct	Return to IDWR
A43-04072A; AMENDED , copy for your records if you sign the above form.	For your records

A43-04073; AMENDED , for your review and signature if correct	Return to IDWR
A43-04072A; AMENDED , copy for your records if you sign the above form.	For your records

Scanned copy of a portion of CFSA aerial photo P 30 dated 1978.

AERIAL PHOTO DISCUSSION

In reviewing another system I ran across a 1978 aerial photo that included your property. In reviewing the map I noticed a couple of areas of concern in relation to your claims and the place of use as identified on the photo.

The ASCS (now CFSA) did not identify a portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec 18 and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 17 as part of the crop land. I could not discern any physical features of a ditch system paralleling the south property line in the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec 18 nor does the ground north of the fence line have a discernable difference in appearance to the ground south of the fence line. The ground in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 17 does have a slight difference in appearance than the ground to the south but when comparing this photo with the 1987 NAPP photo, the characteristics of the ditch visible in the NAPP photo do not correspond with any features in the 1978 photo. Please provide me with an explanation for these discrepancies.

CLAIMS DISCUSSION

Based upon our meeting at your home on 10-27-1999 I have taken the following actions on your claims.

I split A43-04072 into the irrigation system (now A43-04072A) and the domestic system (now under A43-04072B). A43-04072 is no longer valid. The A and B portions are the current valid claims.

I have enclosed an amended version of A43-04072A (and a copy for your records). Please carefully review all elements of this claim and if it is correct, please sign the claim form and have your signature notarized. Return the signed claim to the department and keep the copy for your records.

I have enclosed an amended version of A43-04073 (and a copy for your records). Please carefully review all elements of this claim also claim and if it is correct, please sign the claim form and have your signature notarized. Return the signed claim to the department and keep the copy for your records.

Please note that the claims as amended do not necessarily represent what my recommendation will be for these claims. One or more elements of these claims may have to be changed based upon the information that is available when I complete my review.

Sincerely

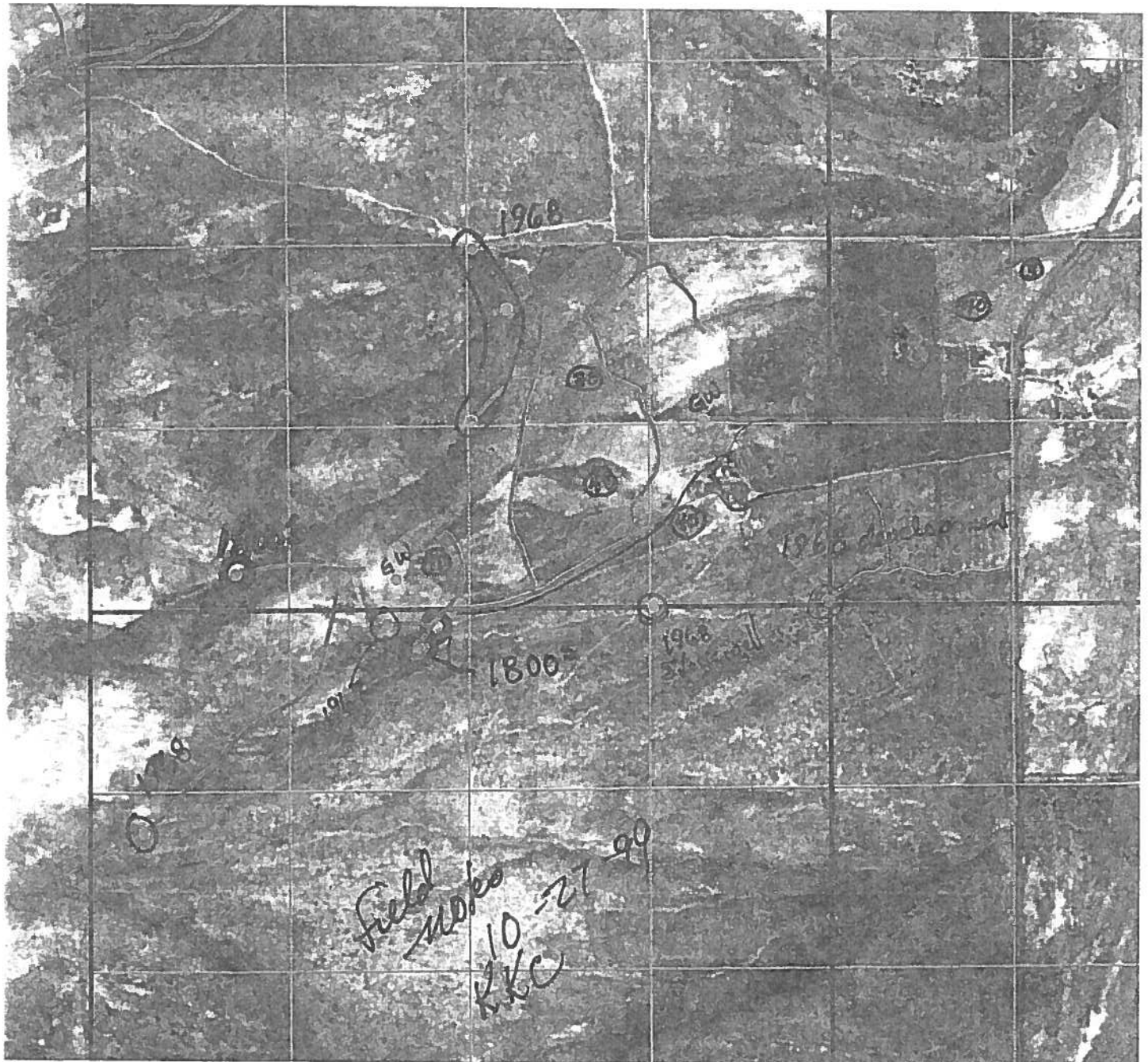
Kelly K Christensen
Sr Water Resource Agent



copy of map mailed to
 Stan Lloyd on 11-17-99
 (see letter same date)
 ASCS 1978 aerial photo
 P-30
 Question on Priority date of
 a portion of the claimed PUA.

IDAHO DEPARTMENT OF WATER RESOURCES

STAN LLOYD PROPERTY



0 660 1320 1980 2640 Feet

① = 7042

TWP 14S, RNG 25E, SEC 17 & 18

JPEG LAYOUT CREATED _____

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

- POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES

CASSIA CO.



9-8-99

9-27-99

INTERVIEW MAP

Map made during
the interview with

Shirley identifying
when each P/D
was originally
developed.

when were
these P/Ds
developed

was
west of
ditch

date of
Developer

1919
1929
1939

10504
4072

10504
40473

Ditch
in for
20+ yrs

Shirley
Wall

10504
04073

When was
this P/D developed

Date of Levels met?

ALOID
SPRING
10504

field notes

made 9 8-99

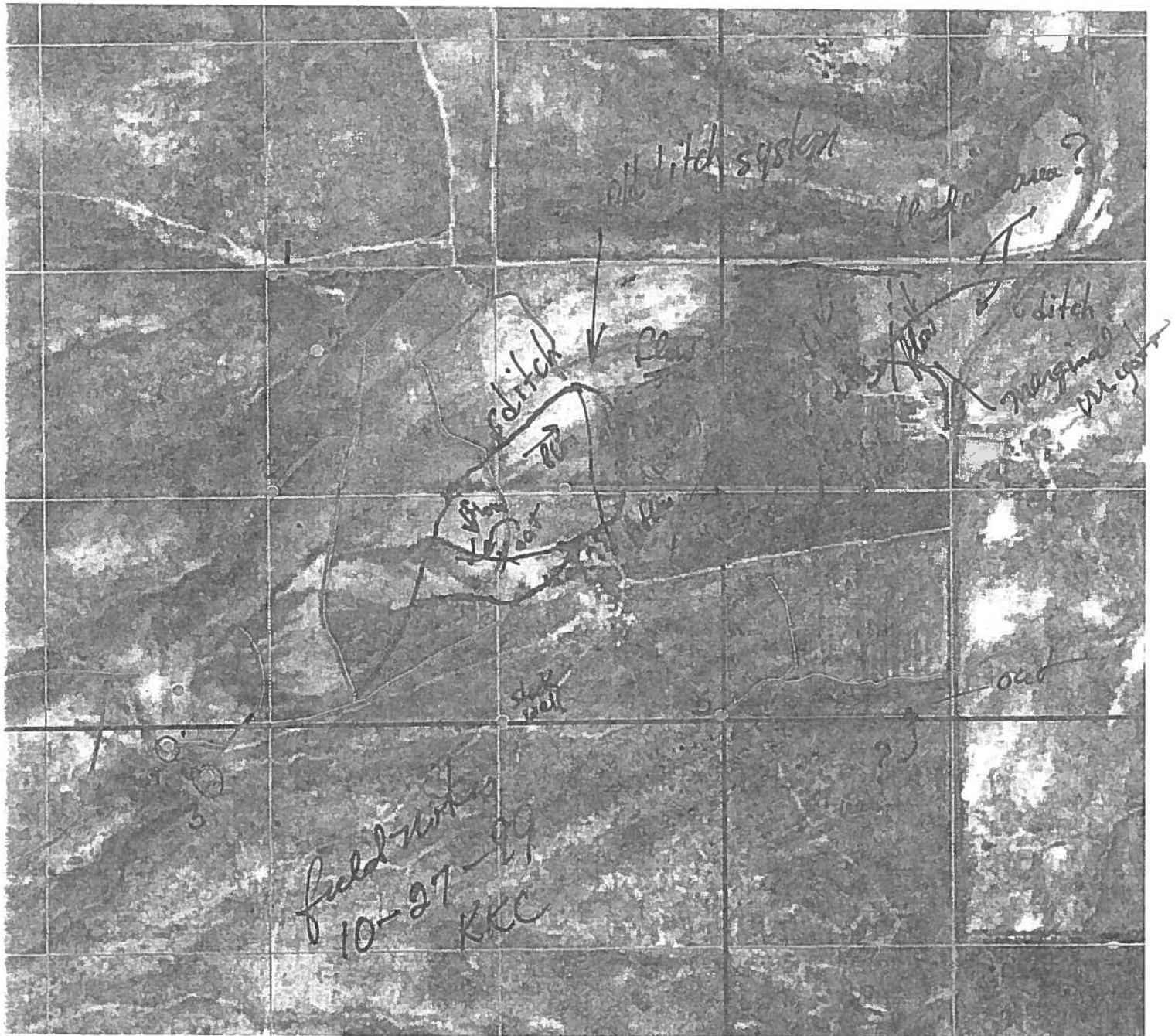
KKC

field notes in blue

IDAHO DEPARTMENT OF WATER RESOURCES

STAN LLOYD PROPERTY

43-10504



0 660 1320 1980 2640 Feet

TWP 14S, RNG 27E, SEC 18

JPEG LAYOUT CREATED _____

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KATHY L. GIBSON

- ⊙ POINT OF DIVERSION
- PLACE OF USE
- SECTION LINES
- QUARTER/QUARTER LINES



4072 Preliminary Summary
Priority date 4-1-1968

10-22-99
Kelly K. Christensen

Source: Unnamed Streams

Six Diversions

- | | | | |
|--------|--------|----|---------------------------------------|
| Sec 18 | NWNWSE | 1. | #6 = spring development |
| | NWNWSE | 2. | small dike with discharge |
| | SWNWSE | 3. | returning to natural channel |
| | SESESE | 5. | which is then diverted |
| Sec 19 | NWSWNW | 4. | approximately 300 ft down stream. |
| | | | The stored water cannot be delivered. |

P/U is virtually all irrigated ground (when enough water is available).

4073 Priority date 1892.

Source Unnamed Streams

Sec 18 SE SWSW 6

Sec 19 NENE NW 7) approx 130 ft apart

Sec 19 NENE NW 8

Place of use excludes ground east of old homestead. Also the ground generally south, south west of homestead. NW SW of Sec 17 also not part of original P/U.

NEED to DOCUMENT DOMESTIC USE

10504 - Expansion claim for GW system. Utilizing the existing ditch system developed in 1968 GW from the P/D in Sec 18 SESESW (43-02529) has been utilized over the balance of the property. (NOT IN CRITICAL GW AREA) see map for additional questions.