

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 43-11238
Date Received: 8/9/00
Receipt No: S023293
Received By:

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

1. Name of Claimant(s)

BOYD I HOSKINS Phone: (208) 824-5716

HC 72 BOX 2350
MALTA ID USA 83342

AFTON L HOSKINS Phone: (208) 824-5716

HC 72 BOX 2350
MALTA ID USA 83342

2. Date of Priority: 01/01/1926

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
16S	27E	22	SE SE SW	CASSIA

5. Description of diverting works:

ONE WELL, 120 FT DEEP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.04	
COMMERCIAL	01/01	12/31	0.14	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.14 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 38
Number of homes: 1
Number of homes: 5

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
16S	27E	22	SE	SW		STOCKWATER	
			SE	SW		DOMESTIC	
			SE	SW		COMMERCIAL	

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:

14. Remarks:

THIS CLAIM WAS INTENDED TO BE A PART B DOMESTIC CLAIM FOR USE AT CLAIMANTS MOBILE HOME PARK ONLY. CLAIMANT MISUNDERSTOOD AND WAS ADVISED BY PHONE AFTER I RECEIVED THE CLAIM THAT THERE MAY BE CHANGES IN THE RECOMMENDATION. VH 8-9-2000

15. Basis of Claim: Beneficial Use

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

CIVIL CASE NUMBER: 39576

Identification No. 043-04177A
Date Received 6/5/1989
Receipt Number X777777IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMNOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

RECEIVED
AUG - 2 2000
Department of Water Resources
Southern RegionRECEIVED
JUL 24 2000
Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Boyd I. & Afton L. Hoskins Phone (208) 824-5716Mailing Address HC 72 Box 2350 Malta, Id Zip 833422. Date of Priority (Only one per claim) 1-1-26 Jan 1-1926 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) Wellwhich is tributary to (b) Snake River Tributary Name or kind of source4. Location of point of diversion is: Township 16 S Range 27 ESection 22, 1/4 of S.E. 1/4 of S.E. 1/4, Govt. Lot SW, BM.,County of CASSIA

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. I WELL - 120 FEET DEEP

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 01/01 to 12/31 amount 0.03 cfsFor Stockwater purposes from 01/01 to 12/31 amount 0.140 cfs7. Total quantity claimed 13,000 (cfs) GALLONS PER DAY8. Total consumptive use claimed is de minimus 13,000 PER DAY9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 5 Mobile Homes - 13 Horses - 20 Cattle

5 Sheep

.04 per
phone
cost
with
cell

10. Place of use is: Township: 16 S Range 27 E
Section 22, SE 1/4 of SE 1/4, Govt. Lot SW, B.M.,
County of CASSIA for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? CASSIA

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 43-04175 Now 43-00286D

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Bryce J. Haskins Date 7-21-2000
Alfred A. Haskins Date 7-21-2000

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or Utah)
County of Weber) SS.

Subscribed and sworn (or affirmed) before me this 21st day of July 19 2000



Notary Public Stacy Erickson

Residing at _____

My Commission Expires _____

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

Date:
Time:

S023293

Received
From:

Type of Payment

Program A cct

8/ 4/2000
15:57:02

Amount

Total

HOSKINS, BOYD

DEMINIMUS DOMESTIC PART B

41503

337

1155

25.00

CHECK

984

\$

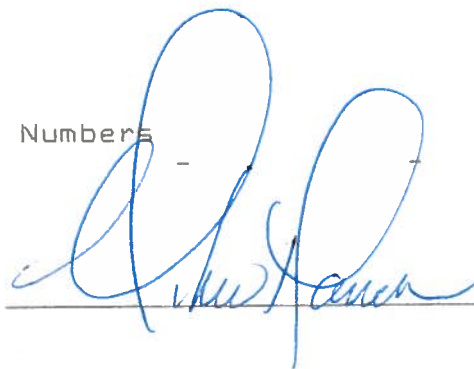
25.00

A43-16779

Water Right Numbers

Region: SOUTHERN

Signature: _____



09/07/2000

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

RIGHT NUMBER: 43-11238

NAME AND ADDRESS: AFTON L HOSKINS
BOYD I HOSKINS
HC 72 BOX 2350
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
2,500 GALLONS PER DAY.

PRIORITY DATE: 09/04/1981

POINT OF DIVERSION: T16S R27E S22 SESEW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 8 HOMES

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC Within CASSIA County
T16S R27E S22 SESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECOMMENDATION NOTES

From: Vikie Hancock

9/7/00

Regarding: Claim 43-11238

This claim was to be filed as domestic part B claim, to provide a water right for claimant's 8-space mobile home park across Strevell Road from the Naf Store in the SESW Section 22, T16S, R 27E. The claim was filed as a claim for commercial, stockwater and domestic. The priority date of the claim was to agree with the date of a new well that was drilled in 1981, with a domestic drilling permit, to provide water for the mobile home park. The claim was filed with a priority date to match a prior statutory claim filed for commercial, stockwater and domestic.

During my conversations with Mr. and Mrs. Boyd Hoskins, I had determined that prior to 1981, the only uses of water on the north side of Strevell road - from the two wells drilled on the south side of the road - had been domestic water for claimant's house, and stockwater for claimants stock. Claimant's irrigation water right came from Clear Creek, and the commercial use was at the store, restaurant and dancehall, all on the south side of the road. When the Hoskins' constructed the 8-space mobile home park, there was not enough water produced from the two existing wells, so this new well was drilled to provide sufficient water on the north side. All three wells were hooked together into a common system, however.

Claimant's property is within the Raft River Critical GW Area, which stopped all development of groundwater uses except domestic in 1963. This claim must be limited to part B Domestic and the diversion rate and volume legislated for that purpose, and recommended with the priority date that this use began, which was 1981.

Subject: Hoskins new claim
Entry Type: Phone call
Contact: Hoskins, Boyd

Start: Mon 7/31/00 12:00 PM
End: Mon 7/31/00 12:30 PM
Duration: 30 minutes

Categories: B43, Domestic, New Claim

Boyd Hoskins called regarding the new domestic claim that he was filing on GW at his Mobile Home park across from the Naf Store. He said that he had recieved my letter with his check and claim back, and had completed it. He told me that, if he hadn't done it correct this time to just cross out what he'd done and put in what it needed to be, because he didn't want to come into the office to do it, but also didn't want to have to send things back and forth all the time. I told him that I would do what needed to be done and advise him of it, if necessary.



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

July 25, 2000

Boyd Hoskins
HC 72 Box 2350
Malta, Idaho 83342

RE: Snake River Basin Adjudication (SRBA)
New Domestic Claim for mobile home park

Dear Boyd,

I have to return your claim and check for one minor detail. You must complete question 6 by claiming a diversion amount (see red arrow on claim form and see below). I also wanted to clarify the reason that you needed to file this domestic claim, and the limits that will be applied to it.

First of all, I apologize for not completely understanding your question during our phone conversation the other day, and for not doing a better job of outlining your irrigation and domestic claims to you. From some of your entries on the new claim we received July 24th, I think I may need to describe the water rights you have filed.

You currently have two claims in the Adjudication. 43-00286D is for irrigation from Clear Creek that can be used to irrigate 34 acres in section 22 and 17 acres in section 27. As you know, that claim was already investigated and recommended by Doug Jones.

You also have a portion of claim 43-04177 that was split between you and Brent Hobson into parts A and B. 43-04177 was originally filed for domestic, stockwater and commercial uses in sections 22 and 27 with a priority date of 1926. From our conversations, it was determined that the commercial use was for the store, dancehall and beerhall on the south side of the road in section 27, therefore, Hobson's portion of the right, 43-04177B, is for commercial and domestic uses in section 27. Your remaining portion of the right, 43-04177A, is for domestic and stockwater on the north side of the road in section 22. This right gives you 13,000 gallons per day for your residence, irrigation of one half acre and stockwater, with a priority date of 1926. This is the right I thought you were asking about on the phone, when you mentioned the 100 new trees that you planted.

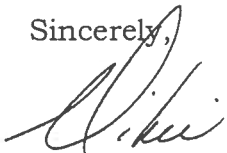
During that conversation, I should have reminded you that the new claim you were about to file, with a priority date of 1981, was a domestic claim you needed for water use at your mobile home park only, and that it will be assigned a completely new number. This claim will be limited to a diversion rate of 0.04 cfs and 2500 gallons per day, and would not include stockwater, as that use is included in your portion of 43-04177A outlined above. I am sending

you a copy of the definitions of Domestic Use, as passed by the Idaho Legislature. As you can see, paragraph B allows the Department to include mobile home parks under the domestic use umbrella, but with a limitation on the daily volume and diversion rate. You can use this guideline when you complete question 6 at the red arrow. Paragraph A defines water use associated with domestic residences, and I will follow those guidelines when I recommend your domestic and stockwater uses for claim 43-04177A.

After you complete and return the enclosed Notice of Claim form, you will have (1) a domestic claim for 13,000 gallons per day for use at your residence, (2) a domestic claim for 2500 gallons per day for use at the mobile home park, and (3) your irrigation right for 1.9 cfs from Clear Creek. I know that you are concerned that these claims will not give you rights for enough water to do all you planned at your residence and mobile home park. If they restrict you in some way, it is because you wished to develop an additional use of ground water after the date that all development of ground water was closed in your area.

You always have the option of applying for a transfer of water with our water allocations bureau, but it is complicated by the fact that you are in a critical ground water area. I feel that I have done what I can to protect your historical water uses in the Adjudication, but don't hesitate to follow legal channels if you think that I am wrong in my determination. Meanwhile, I've enclosed a pre-addressed envelope for your use in returning the Notice of Claim and check for \$25.00, and I hope your health continues to improve.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Vikie', with a stylized flourish extending from the end.

Vikie Hancock
Sr. Water Resource Agent

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

Identification No. 043-04177ADate Received 6/5/1989Receipt Number X777777

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED
JUL 24 2000
Department of Water Resource
Southern Region

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Boyd I. & Afton L. Hoskins Phone 208 824-5716Mailing Address HC 72 Box 2350 Malta, Id Zip 833422. Date of Priority (Only one per claim) 9-4-81 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) Wellwhich is tributary to (b) Snake River Tributary Name or kind of source4. Location of point of diversion is: Township 16-S Range 27-ESection 22 1/4 of S.E. 1/4 of S.E. 1/4, Govt. Lot SW BM.,County of CASSIA

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. I WELL - 120 FEET DEEP

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 01/01 to 12/31 amount (cfs)For Stockwater purposes from 01/01 to 12/31 amount (Both dates are inclusive)7. Total quantity claimed 13,000 (cfs) GALLONS PER DAY8. Total consumptive use claimed is de minimus 13,000 PER DAY9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 5 Mobile Homes - 13 Horses - 20 Cattle5 Sheep

10. Place of use is: Township: 16 S Range 27 E

Section 22, SE 1/4 of SE 1/4, Govt. Lot SW, B.M.,

County of CASSIA for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? CASSIA

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 43-04175 now 43-00286D

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Bryce J. Haskins Date 7-21-2000
Clayton S. Haskins Date 7-21-2000

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

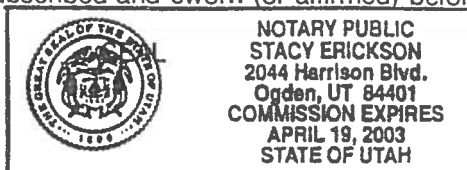
Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or Utah)

County of Weber) SS.

Subscribed and sworn (or affirmed) before me this 21st day of July, 192000



Notary Public Stacy Erickson

Residing at _____

My Commission Expires _____

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

BOYD ISOM HOSKINS, SR. 5-84 97-7761/3243 984
AFTON HOSKINS
NAF ACCOUNT
1365 - 21ST ST. 392-8115
OGDEN, UTAH 84401

PAY TO THE ORDER OF Idaho Dept. of Water Resources \$ 2500
Twenty five & no 00 DOLLARS

Goldenwest
Credit Union
147 25th Street, Ogden, UT 84401

MEMO Ref Water Rights Alfred S. Hoskins MP

1:324377613: 006999# 0984

DELIVER WALLET OR DUPLICATE

SAFETY PAPER



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

May 22, 2000

Boyd Hoskins
HC 72 Box 2350
Naf, Idaho 83345

RE: Snake River Basin Adjudication (SRBA)
New Claim for Domestic use
Twp 16S, Rng 27E, Section 22

Dear Boyd,

Here is an application to file a new Notice of Claim for domestic use in the SRBA. I am also enclosing a copy of the drilling report for the well in case you need it for dates. You need to have your signature notarized, and send a check for \$25.00 made out to Idaho Department of Water Resources. Be sure to call if you have any questions filling the claim out.

Sincerely,

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

Vikie Hancock
Sr. Water Resource Agent

NOTE TO FILE

From: Vikie Hancock

5/11/00

Regarding: Claim number A43-04177A

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. Along with the business and property in the NW ¼ of section 27, they also owned, and still own, property in the SW ¼ of section 22, directly across Strevel Road from the Naf Store. Until 1981, the two wells on the south side of Strevel Road – one hand dug well claimed with a priority of 1896, and one drilled well claimed with a priority date of 1926 - provided all the water for commercial use at the business and for domestic/stockwater use on the north and south sides of the road. In 1981 a new well was drilled in section 22, on the north side of the road. This new well was needed because Mr. Hoskins constructed 8 spaces for mobile homes on the north side, and the two wells located at the store did not produce enough water. The drilling permit was for domestic use. All three wells were then tied together.

In Statutory Claim 43-04177 filed in 1983, Mr. Hoskins claimed the 1926 well and the 1981 well for commercial and domestic use in both sections 22 (north side) and 27 (south side), with a priority date of 1926. He listed restaurant, bar, store and dancehall as the commercial uses, however these are all located in section 27. During our meeting, Mr. Hoskins identified the commercial use in section 22 as the mobile homes spaces he rents out.

As the Hoskins property is located within the Raft River Critical Groundwater Area, additional water for commercial uses would not have been approved in 1981, and there is no claim that other uses of groundwater were discontinued to allow for a transfer of commercial use to Mr. Hoskins property in section 22. It also seems clear, that neither the well dug in 1896 nor the well drilled in 1926 supplied adequate water to fulfill the increased needs in section 22. Therefore, on the north side of the road, a priority date of 1926 would only be valid for, and limited to, stockwater and domestic use at the current Hoskins residence in section 22.

A water right for domestic use, limited to 2500 gpd under definition B, could be filed by Mr. Hoskins for providing water to the mobile home park, and would seem to be an adequate supply for 8 spaces. A priority date of 1981 can be proven with the drilling permit already on file.

RURAL RESIDENCE USES PER IDWR GUIDELINES:

Residence – each person = 60 gpd

8 mobile homes X 4 people = 32 X 60gpd = 1920 gpd.

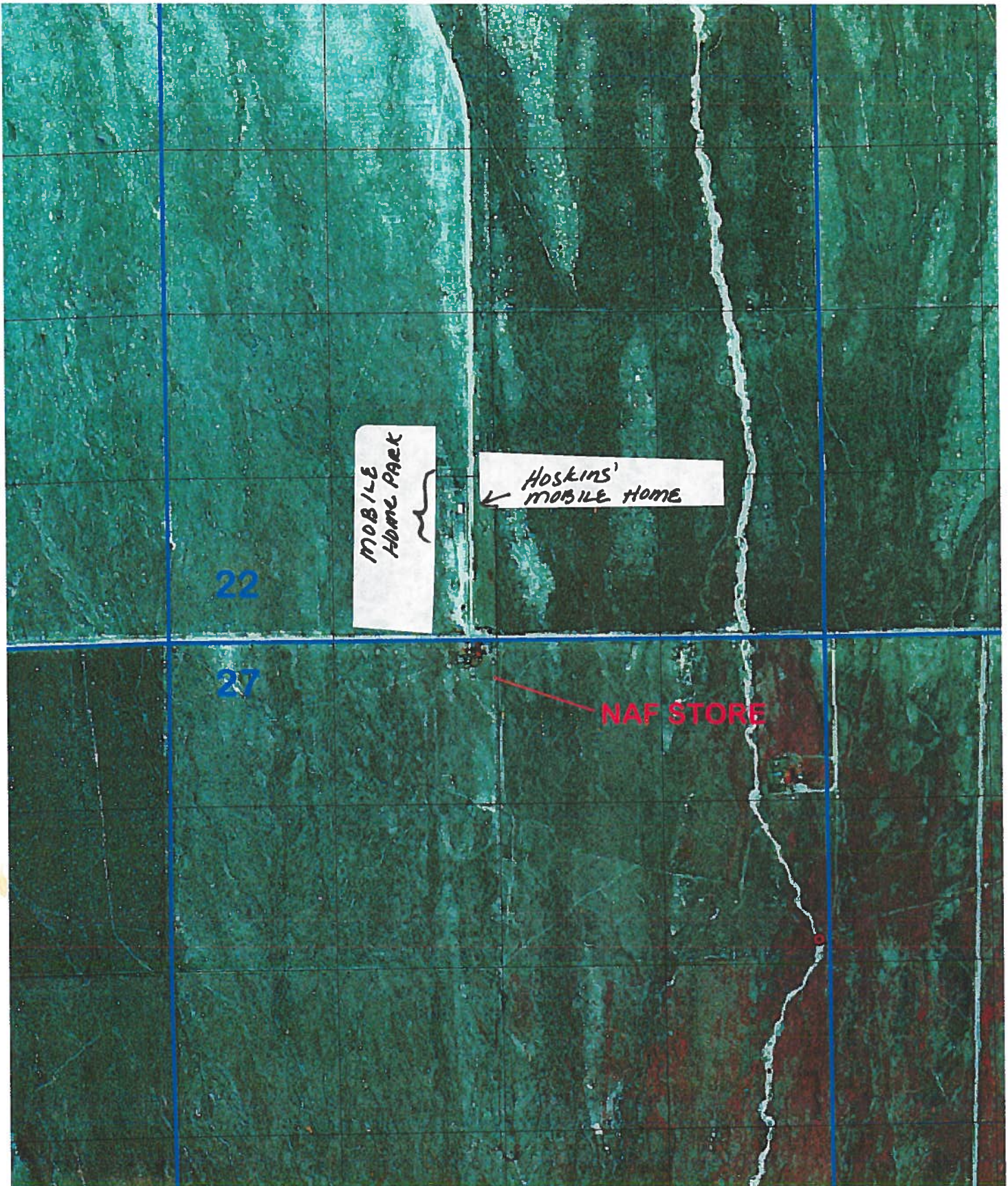
State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Beryl Haskins</u> Address <u>Naf Idaho</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>28</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF. Quality _____																																										
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☒ Bailer ☐ Air ☐ Other _____																																										
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type) _____	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Discharge G.P.M.</th> <th style="width: 33%;">Pumping Level</th> <th style="width: 33%;">Hours Pumped</th> </tr> </thead> <tbody> <tr> <td align="center"><u>50</u></td> <td align="center"><u>62</u></td> <td align="center"><u>15</u></td> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>50</u>	<u>62</u>	<u>15</u>																																				
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	<u>88</u>	<u>92</u>	<u>Light Broken clay and Sra</u>																																								
	<u>92</u>	<u>107</u>	<u>Sra. Light Brown clay</u>																																								
	<u>107</u>	<u>120</u>	<u>Sra. 1' 1' 1'</u>																																								
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____																																											

FILE NOTES

TWP 16S, RNG 27E
SEC 22, 27

CLAIM NO(S): A43-04177A



V. HANCOCK

5-8-2000 PER OWNERSHIP CHANGE.