

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 43-12969
Date Received: 3/9/01
Receipt No:
Received By:

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

1. Name of Claimant(s)

DALLAN SPENCER Phone: (208) 645-2629
JENNIFER SPENCER Phone: (208) 645-2629
PO BOX 112
MALTA ID USA 83342

2. Date of Priority: 04/25/1883

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13S	26E	14	NE NE NE	CASSIA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.08	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
13S	26E	12	SE NW	IRRIGATION	15
Section Acres					15
Total Acres					15

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:

Split through ownership change. parent right is 43-298A and was split into 43-12968 for Randy Briggs and 43-12969 for Dallan Spencer. Warranty deed specified 5 acre exception for Randy.

15. Basis of Claim: Decreed



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

E-mail address: kcriste@idwr.state.id.us

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 19, 2001

DALLAN SPENCER
PO BOX 112
MALTA ID 83342

RE: RESPONSE TO NOTICE OF ERROR FILED MAY 30, 2001

Dear Dallan

Enclosed are the recommendations as changed and a new map showing the adjusted boarder along Cassia Creek. Please review the documents to make sure that they are to your satisfaction.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

enclosures

RECOMMENDED PLACE OF USE FOR 43-12969, 43-12971, 43-12973, & 43-12975



PLACE OF USE
TWP 13S, RNG 26E, SEC 12
Data entry on July 18, 2001

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

● RECOMMENDED POINT OF DIVERSIO

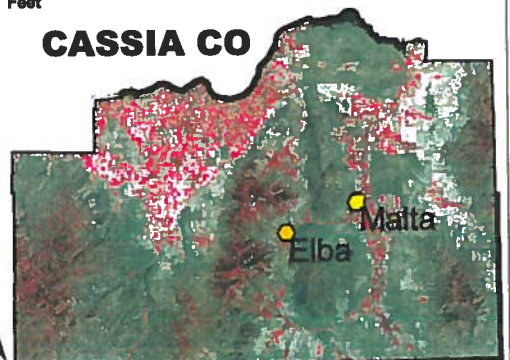
RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES



CASSIA CO



**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: 43-12969 *see 43-12971, 43-12973, 43-12975*

DALLAN SPENCER
PO BOX 112
MALTA ID 83342

JENNIFER SPENCER
PO BOX 112
MALTA ID 83342

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

I want the Boundary to follow the property boundary instead of Cassia Creek

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:

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

DATE: 5-30-01

SIGNATURE: _____

Dalla D Spencer

Please print your name: _____

Dallan D Spencer

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208)736-3033

03/12/2001

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

RIGHT NUMBER: 43-12969

NAME AND ADDRESS: DALLAN SPENCER
JENNIFER SPENCER
PO BOX 112
MALTA , ID 83342

SOURCE: CASSIA CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 0.08 CFS

VERIFIED BY KKC

PRIORITY DATE: 04/25/1883

POINT OF DIVERSION: T13S R26E S14 NENENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.08 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County
T13S R26E S12 SENW 15

15 ACRES TOTAL

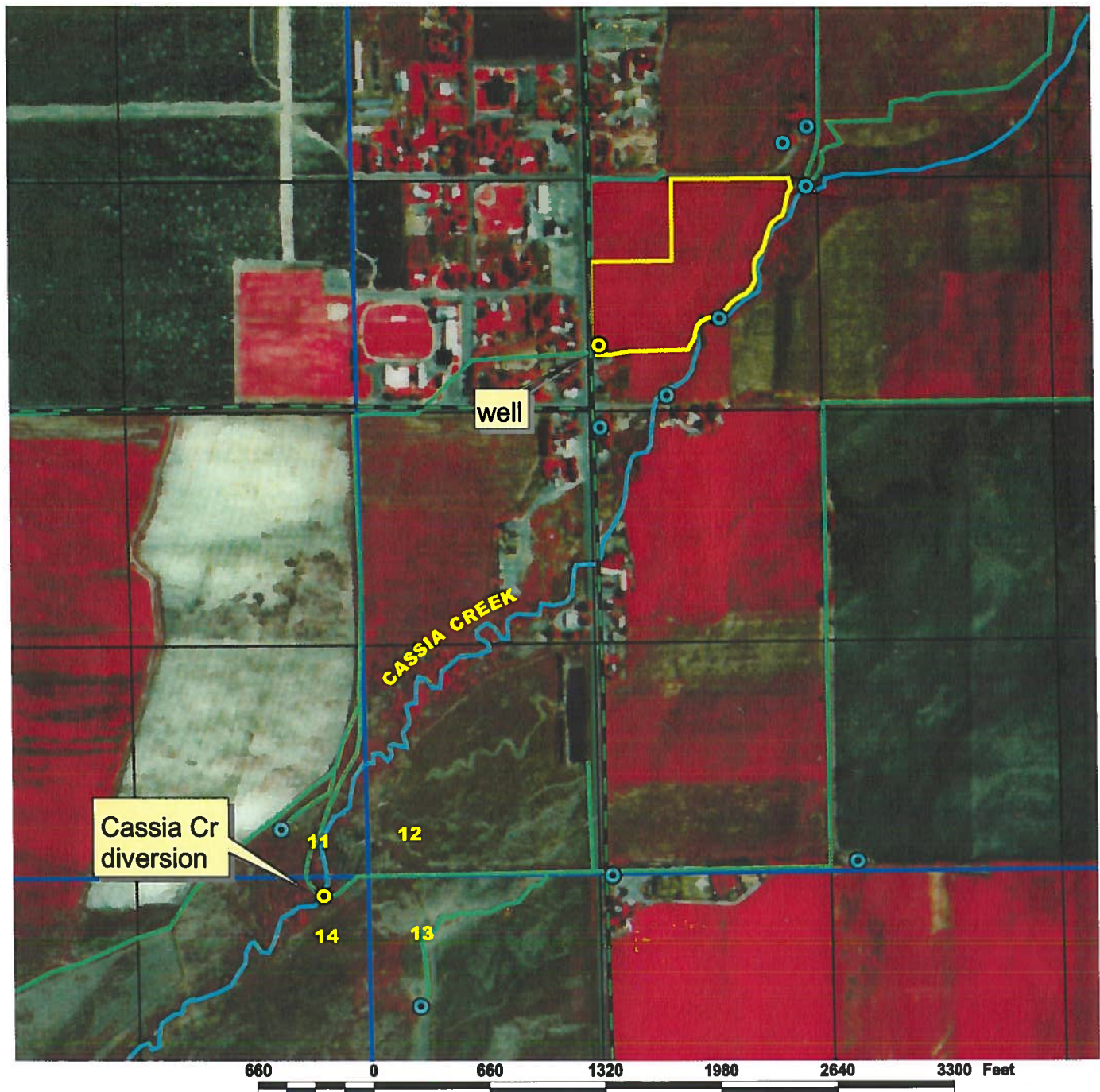
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 15 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS. 43-12969, 43-12971, 43-12973, AND 43-12975.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RECOMMENDED PLACE OF USE FOR 43-12969, 43-12971, 43-12973 and 43-12975



PLACE OF USE
TWP 13S, RNG 26E, SEC 12
Data entry on March 12, 2001

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



CASSIA CO

