

MAR-05-1997
0001

RIGHT NUMBER:

71-10047

NAME AND ADDRESS:

THOMAS M ROBERTSON
156 2ND AVE W
PO BOX 525
TWIN FALLS ID 83303-0525

SOURCE:

YELLOWBELLY CREEK

TRIBUTARY: ALTURAS LAKE CREEK

QUANTITY:

0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2.500
GALLONS PER DAY.

PRIORITY DATE:

07/01/1930

POINT OF DIVERSION:

T08N R14E S29

NWSE

Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

DOMESTIC 10 HOMES

~~DOMESTIC DOMESTIC ONE HOUSE/ 9 GW~~

STOCKWATER

~~STOCKWATER~~

PERIOD OF USE
01-01 12-31

QUANTITY
0.02 CFS

Irrigation Season
~~06/01 11/01~~

0.02 CFS
~~0/92 2/78~~

PLACE OF USE:

DOMESTIC

T08N R14E S29

Within BLAINE County

NWSE

STOCKWATER

T08N R14E S29

Within BLAINE County

NWSE

~~STOCKWATER~~

~~T08N R14E S29~~

~~Within BLAINE County~~

~~NWSE~~

OTHER MATTERS 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.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE

STOCKWATER, HORSES & CATTLE

PARCEL NO. 08N140288430

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 71-10047 & -10049.

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

September 2, 1997 1:34pm

NAME:
TOM ROBERTSON ESQ 08-27-1997
TF AT 11:10 AM

RE:
RA 4: 71-10047/-10049.

TF-MSG LEFT W/CARRIE-I VOLUNTEERED TO CALL HIM BACK AS I HAD DONE SOME OF HIS CLAIMS IN THE PAST DURING THE CLAIMING PERIOD.

TT AT 1:20-TCW. FILED THREE CLAIMS DOR DOM/STK. CONCERNED ABOUT THE LIMITATION RECOMMENDED FOR TWO AT 2,500 GPD.

DISCUSSED THE STATUTE FOR DOM AND THE TWO PARTS. SUGGESTED THAT THE REVIEWER PROBABLY KEYED ON THE MENTION OF GUEST RANCH AND THE NUMBER OF GUEST CABINS ON THE CLAIMS.

HE EXPLAINED THAT HIS AUNT DIED IN 1987 ABOUT THE TIME OF THE COMMENCEMENT AND THE FAMILY USES THE PROPERTY FOR THEIR OWN ENJOYMENT. THERE IS NO COMMERCIAL USE ASSOCIATED WITH THE GROUND.

TOLD HIM I WOULD PULL THE DIRECTOR'S REPORT AND CALL HIM BACK.

TT AT 3:25-TCW-REVIEWED THE CLAIMS AS RECOMMENDED VERSUS THE ORIGINAL CLAIMS. NOTED THAT THE OWNERSHIP WAS FOR HIMSELF, TENANT IN COMMON AND ON BEHALF OF AND TRUSTEE FOR.

ALSO NOTED THAT IN 71-10047 THE WORD "GUEST" IS USED TO IDENTIFY CABINS ASSOCIATED WITH THE DOM USE. IN 71-10049 THE SAME WORD IS USED IN CONJUNCTION WITH RANCH LAUNDRY AND RANCH CULINARY.

I NOTED THAT I WOULD HAVE CODED IT THE SAME WAY FOR THE "B" STATUTE DEFINITION GIVEN THOSE KEY WORDS WITHOUT ANY OTHER INFORMATION. THE OWNERSHIP ISN'T COMMERCIAL BUT THE BENEFICIAL USES APPEAR TO BE DESCRIBED AS A PROPRIETARY OPERATION.

DISCUSSED THE PENDING DEADLINE OF THE FOLLOWING DAY AT 5:00 PM AND HE SAID THAT HE WOULD GET AN OBJECTION FORM. WE DISCUSSED THE NOTICE PROCEDURE AND THE COURT BEING THE VENUE FOR THE FILING INSTEAD OF THE DEPARTMENT.

Water Right Number - R71-10047 Prefix Translation: RESEARCH Old (D) Number -

*** C - CURRENT OWNER *** ROBERTSON THOMAS M 1 - 156 2ND AVE W 2 - PO BOX 525 3 - City- TWIN FALLS Phone - 208-734-1224 State- ID Zip- 833030525 193

Priority Date 07/01/1930 Region ERROR IN REGION J - BENEFICIAL USE Stage - - - - - Status - - - - - Source - - - - - Tributary - - - - - YELLOWBELLY CREEK ALTURAS LAKE CREEK

Point of Diversion - - - - - Diversion Name - - - - - TwN Rng Sec Tract Lot Rflg County Diversion Name

08N 14E 29 NW SE (13) BLAINE Description 84 - STOCKWATER 43 - DOMESTIC 10 Period From 06/01 11/01 12/31 Water Use 0.020 0.020

Total Div. Rate 0.040 Total Div. Volume - - - - - Total Div. Capacity - - - - - Total Consumptive Use - - - - - KV Usage - - - - -

Place of Use - - - - - Description - - - - - County - - - - - TwN Rng Sec Tract Lot Acres Code 10 STOCKWATER 43 DOMESTIC (13) BLAINE (13) BLAINE

Diversion Means - INSTREAM STOCK WATER, PUMPS FOR DOMESTIC, DITCHES FOR BOTH Non-Irrigation Use - DOMESTIC 10 HOMES STOCKWATER, HORSES & CATTLE - - - - -

Other Rights for Same Use - - - - - Remarks - - - - - GEN PARCEL NO. 08N140288430 No Old Water Right Numbers found. No Old Water Right Numbers found. EXP

Conditions of Approval - - - - - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

1936 - other claims indicate this to be a PART 'B' Domestic. 3/3/97

Delete instream water rights claimed on divisions B & ending listed systems for water claimed for use No POD claimed for use 3/3/97

+ . . . - Decree Plaintiff - - +

.....Comments.....

..... Adjudication Rights and Flags Area+

25

RIGHT NUMBER 71-10047 NAME & ADDRESS THOMAS M ROBERTSON
156 2ND AVE W
PO BOX 525
TWIN FALLS ID 83303-0525

PRIORITY DATE 07/01/1930 PURPOSE OF USE STOCKWATER DOMESTIC

PERIOD OF USE FROM TO 06-01 11-01 01-01 12-31

MAXIMUM QUANTITY 0.02 CFS BENEFICIAL USE 0.02 CFS

BASIS OF CLAIM

NON-IRRIGATION USES:

DOMESTIC, 10 HOMES: STOCKWATER, HORSES & CATTLE
~~DOMESTIC, ONE HOUSE, 9 GUEST BARNES, STOCK HORSES & CATTLE~~
SOURCE: YELLOWBELLY CREEK
POINT OF DIVERSION:

T08N R14E S29 NWSE

PLACE OF USE: STOCKWATER NWSE

PLACE OF USE: DOMESTIC NWSE

REMARKS: PARCEL NO. 08N140288430

TOTAL QUANTITY: 0.04 CFS

How many horses & cattle ?

Verify that this is qualifies
as a domestic use under
I.C. 42-111.

receipt # 0004104
paid \$25.00

LA

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

RECEIVED

APR 10 1990

Ident. Number: A71-10047
Date Received: 10/26/1988
Receipt No: C004104
Received By: _____

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS M. ROBERTSON
Address: 156 2ND AVE. W.
P.O. BOX 525
TWIN FALLS, ID

208-734-1224
83303-0525

2. Date of Priority: JUL 01, 1930

3. Source: YELLOWBELLY CREEK Trib. to: ALTURAS LAKE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	29	NW	SE			BLAINE

5. Description of diverting works:
INSTREAM STOCK WATER, PUMPS FOR DOMESTIC, DITCHES FOR BOTH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	06/01	11/01	0.020		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, ONE HOUSE, 9 GUEST CABINS, STOCK HORSES & CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	29	NW	SE		DOMEST	

A71-10047

Page 1

Date: 03/30/90

MICROFILMED

MAR 17 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	14E	29	NW SE		STOCK	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
DOMESTIC WELL FOR DOMESTIC USE

14. Remarks:

COMPLETE NAME OF CLAIMANT IS AS FOLLOWS:
THOMAS M. ROBERTSON, A TENANT IN COMMON, ON BEHALF OF DAVID L.
MILLER, EDITH C. ROBERTSON, JACK CLARK ROBERTSON, MARY
ROBERTSON PAGE, BENJAMIN ROBERTSON PAGE, AND TRUSTEE FOR
ALEXANDER CLARK PAGE AND TIMOTHY MARKHAM PAGE.

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

SP
RhtIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No.

Date Received

Receipt Number

A71-10047

10-26-88

0004104

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

OCT 26 1988

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

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

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) THOMAS M. ROBERTSON, a tenant in common, on behalf of DAVID L. MILLER
EDITH C. ROBERTSON, JACK CLARK ROBERTSON, MARY ROBERTSON PAGE, BENJAM
ROBERTSON PAGE, and TRUSTEE FOR ALEXANDER CLARK PAGE AND
TIMOTHY MARKHAM PAGE Phone (208) 734-1224

Mailing Address 156 Second Avenue West, P. O. Box 525, Twin Falls, Zip 83303-0525
Idaho

2. Date of Priority (Only one per claim) 7-1-1930 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other (X) (a) Yellowbelly Creek
 which is tributary to (b) Alturas Lake Creek Name or kind of source

4. Location of point of diversion is: Township 8 N. Range 14 E.
 Section 29, 1/4 of NW 1/4 of SE 1/4, Govt. Lot E., BM.,

County of Blaine

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: In stream stock water; pumps from stream for domestic use; ditches for domestic and stock water.

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

For Stock Water purposes from 6-1 to 11-1 amount .02 (cfs)
 (Both dates are inclusive)
 For Domestic purposes from 1-1 to 12-31 amount .02

7. Total quantity claimed _____ (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 Domestic; nine guest cabins; horses and cattle

MICROFILMED

MAR 17 1993

4/5/1989

SRDA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Robertson

CLAIM IDENT. NO. A71-10047

DATE RECEIVED 10-26-86

CK # _____

AMOUNT \$ Coofla

- | | YES | NO | Require Info * |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: RAF

Date: 3/30/90

Claim must be returned to claimant:

(Yes) ☐ (No) ☒

Claimant must be notified of modifications:

(Yes) ☐ (No) ☒

Receipt Prepared by: _____
Claim data entered by: RAF
Sent to claimant by: _____

Date: _____
Date: 3/30/90
Date: _____

Checked by: _____

Date: _____

Comments: sign. OK per DVS.

MICROFILMED

MAR 17 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

AJ5808NP
(09-263)

WATER RIGHT NUMBER - A71-10047 PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (C) NUMBER - ADDRESS -

*** C - CURRENT OWNER ***
ROBERTSON

THOMAS M.

1 - 156 2ND AVE. W.
2 - P.O. BOX 525
3 -
CITY- TWIN FALLS
PHONE - 208-734-1224

STATE- ID ZIP- 833030525

PRIORITY DATE - 07/01/1930 + - - - - REGION - - - - +
ERROR IN REGION

SOURCE - YELLOWBELLY CREEK + - - - - TRIBUTARY - - - - +
ALTURAS LAKE CREEK

THN RNG SEC TRACT LOT RFLG COUNTY POINT OF DIVERSION - - - - - STREAM INDEX (BLANK IF NO INDEX CODE) - - - - -

08N 14E 29 NW SE (13) BLAINE

CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER 06/01 11/01 0.020
43 - DOMESTIC 01/01 12/31 0.020

TOTAL DIV. RATE - 0.040 + - - - - TOTAL DIV. VOLUME - + - - - - TOTAL DIV. CAPACITY - + - - - - TOTAL CONSUMPTIVE USE - + - - - - KW USAGE - + - - - -

THN RNG SEC TRACT LOT ACRES PLACE OF USE CODE DESCRIPTION COUNTY

08N 14E 29 NW SE 04 STOCKWATER (13) BLAINE
08N 14E 29 NW SE 43 DOMESTIC (13) BLAINE

DIVERSION MEANS - INSTREAM STOCK WATER, PUMPS FOR DOMESTIC, DITCHES FOR BOTH

NON-IRRIGATION USE - DOMESTIC, ONE HOUSE, 9 GUEST CABINS, STOCK HORSES & CATTLE

OTHER RIGHTS FOR SAME USE - DOMESTIC WELL FOR DOMESTIC USE

REMARKS - COMPLETE NAME OF CLAIMANT IS AS FOLLOWS:

THOMAS M. ROBERTSON, A TENANT IN COMMON, ON BEHALF OF DAVID L. MILLER, EDITH C. ROBERTSON, JACK CLARK ROBERTSON, MARY ROBERTSON PAGE, BENJAMIN ROBERTSON PAGE, AND TRUSTEE FOR ALEXANDER CLARK PAGE AND TIMOTHY MARKHAM PAGE.

OLD WATER RIGHT NUMBERS - - - - - ND OLD WATER RIGHT NUMBERS FOUND.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

AJS808NP
(OD-26)

PREFIX TRANSLATION: ADJUDICATION CLAIM

WATER RIGHT NUMBER - A71-10047

NO CONDITIONS OF APPROVAL FOUND.

DEGREE PLAINTIFF - - - - - DEGREE DEFENDANT - - - - -

DEGREE DATE - -
00/00/0000

AUDIT FIELDS - 01/25/89 HARRINGT 11/21/89 REFUNDML 03/30/90 HARRINGT

NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	-	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 10/26/1988	LAST AMENDED DATE	-	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	-	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	-	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	-	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

PROOF

OCT 23 1991

08N140288430

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

DATA ENTRY

ENTERED 7-7-92
CHECKED

VERIFIED

APR 18 1992

CERTIFIED
JUL 18 1992
WATER EXAMINER