

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: A71-10138
Date Received: 1/10/1990
Receipt No: S010906
Received By: hw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD A. GIFFEN 208-774-3525
Address: P.O. BOX 109
STANLEY, ID 83278

AND/OR
Name: DOROTHY GIFFEN 208-774-3525
Address: P.O. BOX 109
STANLEY, ID 83278

2. Date of Priority: JUN 01, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	13E	5	SW	SE			CUSTER

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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:
D/1 HOUSE

A71-10138

Page 1

Date: 01/10/90

MICROFILMED
MAR 17 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	13E	5	SW SE		DOMEST	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A71-10139

14. Remarks:

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): [Signature] Date: 1-10-90
_____ Date: _____

State of Idaho)
County of tf) ss.

Subscribed and sworn (or affirmed) before me this 10 day th
of Jan 19 90 Lo White
Notary Public

Seal

Residing at tf

My Commission Expires 5/94



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

September 3, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

DOROTHY GIFFEN
PO BOX 109
STANLEY ID 83278

RE: Notice of Error for SRBA claim 71-10139; Change of Ownership for SRBA claims 71-10139 & 71-10138

Dear Mrs. Giffen,

At your request for a change in the ownership of your recorded water rights, I have changed the record for the claims listed above. This information was forwarded to the SRBA court.

In response to your Notice of Error, I notice Allen Merritt informed you by letter on August 30, 1993 of the deed that specifically withheld this water right from the lands you purchased. The basis of your claim is right 71-00026 and this right is recommended to the US Forest Service (71-00026A for 0.10 cfs) and to Theodore Welp (71-00026B for 2.90 cfs). These rights fully account for the entire water right as decreed. Therefore, given this information I am unable to recommend your right as claimed.

If you still disagree with the recommendations made by the department you will have the opportunity to file an Objection to those recommendations when the Director's Report is filed with the SRBA court. Instructions on how to file an Objection will accompany the Report mailing you receive.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clelland'.

STEVE CLELLAND
Sr. Water Resource Agent

Enc:

cc: Roger Ling, Esq.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

AUG 13 1998

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

D.E.
9/3/98
SEC

1. Water Right or Adjudication Claim No(s): 71-10139, 71-10138 ✓
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 your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: HOWARD A. GIFFEN
DOROTHY GIFFEN
4. New Owner/Claimant(s): DOROTHY H. GIFFEN
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address: P.O. Box 109
 City, State and ZIP Code: STANLEY, ID 83278
 New Telephone Number: 208 774-3525
5. Date you acquired the property: _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): Dorothy H. Giffen
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.

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

Am

July 22, 1998

NOTICE OF ERROR
REPLY

RECEIVED

AUG 10 1998

Department of Water Resources
Southern Region

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: August 14, 1998

Water right number: 71-10139

HOWARD A GIFFEN
DOROTHY GIFFEN
PO BOX 109
STANLEY ID 83278

Daytime Telephone Number:

Evening Telephone Number:

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:

I have been working with my attorney Roger King as I disagree with these portions

☐ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 8-6-98 SIGNATURE: Dorothy Giffen
Please print your name: DOROTHY GIFFEN

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 09/03/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOROTHY GIFFEN PO BOX 109 STANLEY ID 83278 (208) 774-3525	06/01/1972	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Stage: DECREED

CUSTER County

MS

[illegible]

Other Rights: NONE

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000

- GALLONS PER DAY.

Objection Filed Date:

Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 21, 1997

Roger Ling
PO Box 396
Rupert, ID 83350

RE: Dorothy Giffen's Iron Creek Use (A71-10139)

Dear Roger:

In response to your recent letter, please find enclosed a copy of the January 16th, 1940, Cavanagh vs Shaw decree by Judge Guy Stevens. Additionally please find a source index I created for Iron Creek for all the SRBA records. I also include proof reports for all of the present SRBA claims on the creek. Please remit \$4.51 for copies and postage.

You are correct in your letter regarding Mrs. Giffen's application for permit 71-07175. It was protested by the Forest Service but no conference or hearing has been set yet to move the application forward. I will await your direction in attempting to schedule this matter for conference.

When I did meet with Mrs. Giffen at the time she filed the application for permit I recall I was informed that her husband had died. It was an oversight on my part in not encouraging her to file a "change of ownership form" at that time to get things totally in her name. Please find enclosed a "Notice of change of Water Right Ownership" to change her domestic right and the Iron Creek Claim solely into her name. I have also enclosed a form for Mrs. Giffen to use for you to be included in the Iron Creek Claim (A71-10139) for notice of appearance. I understand that if she wishes for you to be included on the domestic well (A71-10138) for notice of appearance you will need to file a motion directly with the SRBA Court since the recommendation has been issued.

If our office can be of further assistance or if you have questions, please feel free to contact our office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

CC: Dorothy Giffen

LING, NIELSEN & ROBINSON

ROGER D. LING
ROBERT M. NIELSEN
BRENT T. ROBINSON
BRENT C. TINGEY

ATTORNEYS AT LAW
615 "H" STREET
P. O. BOX 396
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE 436-4717
FAX 436-6804

May 19, 1997

RECEIVED

MAY 20 1997

Department of Water Resources
Southern Region

Allen D. Merritt, P.E.
Southern Region Manager
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301

RE: Dorothy Giffen - Application for Permit No. 71-07175

Dear Allen:

I have been retained by Dorothy Giffen to help her in obtaining water rights for her property in Custer County. From her file, I noticed that an Application for Permit was filed by her, and a Protest from the Forest Service was received by you. It does not appear that any further action has been taken on that Application. I am not requesting that any action be taken at this time, but merely want to confirm this fact.

I have also reviewed the Claims filed by Dorothy Giffen and her late husband. It appears from your letter of August 30, 1993 that you are recommending that the Claim for irrigation be disallowed. It is very likely that Mrs. Giffen will pursue this Claim, whether or not it is recommended by the Director. It appears that since the property was purchased by the Giffens in 1985, water was used from Iron Creek under a claim of right, and this use constitutes adverse possession of any right that was reserved. We also question whether or not the reservation was valid, as it does not indicate the lands to which the water was reserved for.

Finally, I would appreciate receiving from you a copy of the Cavanagh Decree for Water Right No. 71-00026. I would also appreciate receiving copies of any other claims that may have been filed on Iron Creek by others. If Mrs. Giffen's right to a portion of this Decree is established, it would not be necessary to proceed to obtain a permit and license for the use of water for irrigation. Meanwhile, I have instructed Mrs. Giffen to continue to use the water as she has since 1985. Of course, because of the high run-off, she certainly is entitled to a flood water right as there appears to be more

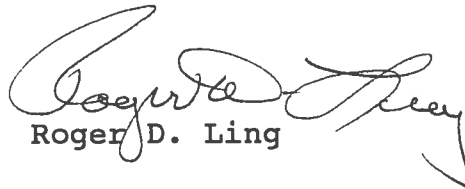
471-10139

Allen D. Merritt
May 19, 1997
Page 2

water than can be used by all of the persons with rights to Iron Creek.

I also was advised by Mrs. Giffen that she had advised the Department that her husband is no longer living. Accordingly the Claims should be changed to her name. In reviewing the recent recommendation as to her domestic water right, it does not appear that her husband's name has been removed. Would you please check your records to determine whether or not a change in name of the claimant has been filed with IDWR.

Very truly yours,



Roger D. Ling

RDL:jkb

pc: Dorothy Giffen

MAR-04-1997
0020

VERIFIED BY *JK* 3/5/97

RIGHT NUMBER: 71-10138

NAME AND ADDRESS:

DOROTHY GIFFEN
HOWARD A GIFFEN
PO BOX 109
STANLEY ID 83278

SOURCE:

GROUNDWATER

QUANTITY:

0.04 CFS

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

PRIORITY DATE:

06/01/1972

POINT OF DIVERSION:

T10N R13E S05

SWSWE

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC
T10N R13E S05

Within CUSTER County
SWSWE

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
PARCEL NO. RP10N13E058420

Water Right Number - R71-10138

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***

GIFFEN

DOROTHY

1 - PO BOX 109

2 -

3 -

City- STANLEY

Phone - 208-774-3525

1 - PO BOX 109

2 -

3 -

City- STANLEY

Phone - 208-774-3525

State- ID Zip- 83278

State- ID Zip- 83278

*** C - CURRENT OWNER ***

GIFFEN

HOWARD A

1 - PO BOX 109

2 -

3 -

City- STANLEY

Phone - 208-774-3525

State- ID Zip- 83278

State- ID Zip- 83278

Priority Date - +

06/01/1972

Region - +

17 SOUTHERN

Point of Diversion - +

County

Diversion Name

10N 13E 5 SW SW SE (37) CUSTER

Code

Description

Period From

Period To

Water Use

Diversion Rate

Diversion Volume

43 - DOMESTIC

01/01

12/31

0.040

0.040

0.0

*** C - CURRENT OWNER ***

GIFFEN

HOWARD A

1 - PO BOX 109

2 -

3 -

City- STANLEY

Phone - 208-774-3525

State- ID Zip- 83278

State- ID Zip- 83278

EXP

PARCEL NO. RP10N13E058420

No Old Water Right Numbers found.

pg 3

3/3/97

+ - - - - - + - - - - -

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

- - - - - Conditions of Approval - - - - -

+ - - - - Decree Plaintiff	- - +
+ - - - - Decree Defendant	- - +
+ - Decree Date	00/00/0000

+ - - Audit Fields - 07/17/92 SMITH 11/14/92 POST-STD 08/31/93 MERRITT 03/30/95 POST-STD 01/13/97 DS1-PROD

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+-----+-----+-----+-----+-----+-----+-----+-----+-----+
Date: 08/31/1993 User Id: MERRITT Subject: FIELD REVIEW OF P/D
ON 8/23/93 I DID THE FIELD REVIEW OF 71-10139 AND AT THAT TIME
DATE: 01/13/1997 User Id: DS1-PROD Subject: D&S 1 HOME UPDATE
I HAVE SINCE DETERMINED THAT 71-10139 WILL BE
TRACT. (SWANSE). I CONFIRMED THE LOCATION OF P/D OF THIS RIGHT DOWN TO 1D ACRE
DATE: 01/13/1997 User Id: DS1-PROD Subject: D&S 1 HOME UPDATE
DISALLOWED SO REFERENCE TO THIS RIGHT WAS REMOVED.
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
ANY GEN REMARK CHANGED TO AN EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
-----Comments-----

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	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	- 00/00/0000	Old Judicial District	- P
	Claim Received Date	- 01/10/1990	Last Amended Date	- 00/00/0000	Temporary Right	-
	Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- S
	Licensed Date	- 00/00/0000	Receipt Number	- Y010906	Federal/State Indicator	-
			POU Ownership Flag	-	Presumption Flag	-
			Name Connector	- AND/OR	Notice of Error Flag	-

OK

JUN-28-1995
0237

1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
-----------------	----------------	------------------	----------------	--------------------------	---------------------	----------------

71-10138	DOROTHY GIFFEN	06/01/1972	DOMESTIC	01-01 12-31	0.04	CFS BENEFICIAL USE
----------	----------------	------------	----------	-------------	------	--------------------

HOWARD A GIFFEN
PO BOX 109
STANLEY ID 83278

TOTAL QUANTITY: 0.04 CFS

NON-IRRIGATION USES:
DOMESTIC, 1 HOME
~~0/1 HOME~~

SOURCE: GROUNDWATER
POINT OF DIVERSION:
T10N R13E S05 SWSWSE

PLACE OF USE: DOMESTIC
T10N R13E S05 SWSWSE

REMARKS: PARCEL NO. RP10N13E058420

TRIBUTARY:

VERIFIED BY

8/3/97

RIGHT NUMBER:

71-10140

NAME AND ADDRESS:

CANDACE P HUMPHREYS
W MICHAEL HUMPHREYS
C/O H HOOK RANCH
10495 STONE QUARRY RD
PAYETTE ID 83661

SOURCE:

GROUNDWATER

QUANTITY:

0.03 CFS

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

PRIORITY DATE:

07/31/1984

POINT OF DIVERSION:

T08N R14E S22

NWNE

Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.03 CFS

PLACE OF USE:

DOMESTIC
T08N R14E S22

Within CUSTER County
NWNE

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
PARCEL NO. RP08N14E220601

Water Right Number - R71-10140

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - +

*** C - CURRENT OWNER ***
HUMPHREYS

CANDACE P

1 - C/O H HOOK RANCH
2 - 10495 STONE QUARRY RD
3 -

State- ID Zip- 83661

HUMPHREYS

W MICHAEL

City- PAYETTE
Phone - 617-431-1229
1 - C/O H HOOK RANCH
2 - 10495 STONE QUARRY RD
3 -

State- ID Zip- 83661

*** O - ORIGINAL OWNER ***
REDMOND II

JACK W

1 - 4577 GOLF COURSE DR
2 -
3 -

State- CA Zip- 91362

HAYS

RANDALL

City- WEST LAKE
Phone - 805-485-5150
1 - 5627 TERRA BELLA LN
2 -
3 -

State- CA Zip- 93010

City- CAMARILLO
Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/31/1984 17 SOUTHERN J - BENEFICIAL USE

+ - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

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

(37) CUSTER

08N 14E 22 NW NE

+ - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.030

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.030

+ - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

43 DOMESTIC

(37) CUSTER

+ - - Diversion Means - 200' WELL, PUMP

+ - - Non-Irrigation Use - 1 HOME

093

02/11/97

| | | | | | | |
|--|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| | 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 | - 01/11/1990 | Last Amended Date | - | Temporary Right | - P |
| | Proof Due Date | - 00/00/0000 | Proof Made Date | - | Water District | - |
| | Licensed Date | - 00/00/0000 | Receipt Number | - S010923 | Federal/State Indicator | - S |
| | | | POU Ownership Flag | - Y | Predemption Flag | - |
| | | | Name Connector | - AND | Notice of Error Flag | - |

| RIGHT
NUMBER | NAME & ADDRESS | PRIORITY
DATE | PURPOSE OF USE | PERIOD OF USE
FROM TO | MAXIMUM
QUANTITY | BASIS OF CLAIM |
|-----------------|--|------------------|----------------|--------------------------|---------------------|--------------------|
| 71-10140 | CANDACE P HUMPHREYS
10495 STONE QUARRY RD
2700 N HOOK RANCH
10495 STONE QUARRY RD
PAYETTE ID 83661 | 07/31/1984 | DOMESTIC | 01-01 12-31 | 0.03 | CFS BENEFICIAL USE |
| | W MICHAEL HUMPHREYS
C/O H HOOK RANCH
10495 STONE QUARRY RD
PAYETTE ID 83661 | | | | | |
| | <p>which is it ?</p> <p>01/11/95
confirmed
C/O H Hook Ranch
Payette ID 83661</p> | | | | | |
| | NON-IRRIGATION USES: | | | | 0.03 | CFS |
| | DOMESTIC, 1 HOME | | | | | |
| | 777 HOME | | | | | |
| | SOURCE: GROUNDWATER | | | | | |
| | POINT OF DIVERSION: | | | | | |
| | T08N R14E S22 | | | | | |
| | PLACE OF USE: DOMESTIC | | | | | |
| | T08N R14E S22 | | | | | |
| | REMARKS: PARCEL NO. RP08N14E220601 | | | | | |
| | TOTAL QUANTITY: | | | | 0.03 | CFS |
| | TRIBUTARY: | | | | | |

6/9/94

COMMUNICATION DOCUMENTATION

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 Allen D Merritt

DATE

June 26, 1996 3:41pm

CUSTOMER

Mrs. Giffen

SUBJECT: Filing of Application for permit
phone call (.) walk-in (X)

She came in to see about what to do about her water use. She had been out of the area for some time and was just now getting back to seeing about my preliminary recommendation that her claim be disallowed. She indicated that she had an attorney look the matter over and he concurred that she may have no claim to the decreed water. We then talked about amending her claim to beneficial use but after calling Custer county courthouse we found that the decree was reserved in 1972 so use of water based on beneficial use would not of been before 1971 so I told her if she then amended her claim I would likely have to disallow that also. We then talked about filing an application for permit. We reviewed the moratorium order which provides processing of applications if use existed prior to 1987. I told her we would process such an application and discussed the appropriation process. She filed an application.

R PROOF

X

CVR

Dunn Review

MAPS

X

PHOTOS

X

MISC

NOT FILMED
OCT 28 19

Water Right Number - R71-10138

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
GIFFEN
Last Name
First Name
Address
State- ID Zip- 83278

GIFFEN

DOROTHY

1 - PO BOX 109
2 -
3 -
City- STANLEY
Phone - 208-774-3525
1 - PO BOX 109
2 -
3 -
City- STANLEY
Phone - 208-774-3525
State- ID Zip- 83278

Priority Date - +
06/01/1972
Region - +
17 SOUTHERN
Stage - +
J - BENEFICIAL USE
Status - +

Source - +
GROUNDWATER
Tributary - +

Twn Rng Sec Tract Lot Rflg County Point of Diversion - +
10N 13E 5 SW SW SE (37) CUSTER

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040
Total Div. Rate - + Total Div. Volume - +
0.040
Total Consumptive Use - + KW Usage - +
0.0

Twn Rng Sec Tract Lot Acres Code Description County
10N 13E 5 SW SE 43 DOMESTIC (37) CUSTER

Total Acres:

+ - Diversion Means - WELL, PUMP
+ - Non-Irrigation Use - DOMESTIC, 1 HOME
+ - Other Rights for Same Use - NONE
PARCEL NO. RP10N13E058420
Remarks

MICROFILMED
OCT 28 1994

Water right number - R71-10138

Prefix Translation: RESEARCH

Old Water Right Numbers - - - - -
Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

Conditions of Approval - - - - -
No Conditions of Approval found.

Decree Plaintiff - - - - - Decree Defendant - - - - - Decree Date - - - - -
00/00/0000

Date: 08/31/1993 User Id: MERRITT Subject: FIELD REVIEW OF P/D I CONFIRMED THE LOCATION OF P/D OF THIS RIGHT DOWN TO 10 ACRE
ON 8/23/93 I DID THE FIELD REVIEW OF 71-10139 AND AT THAT TIME
TRACT. (SWSMSE). I HAVE SINCE DETERMINED THAT 71-10139 WILL BE DISALLOWED SO REFERENCE TO THIS RIGHT WAS REMOVED.

Audit Fields - - - - -
08/31/93 MERRITT

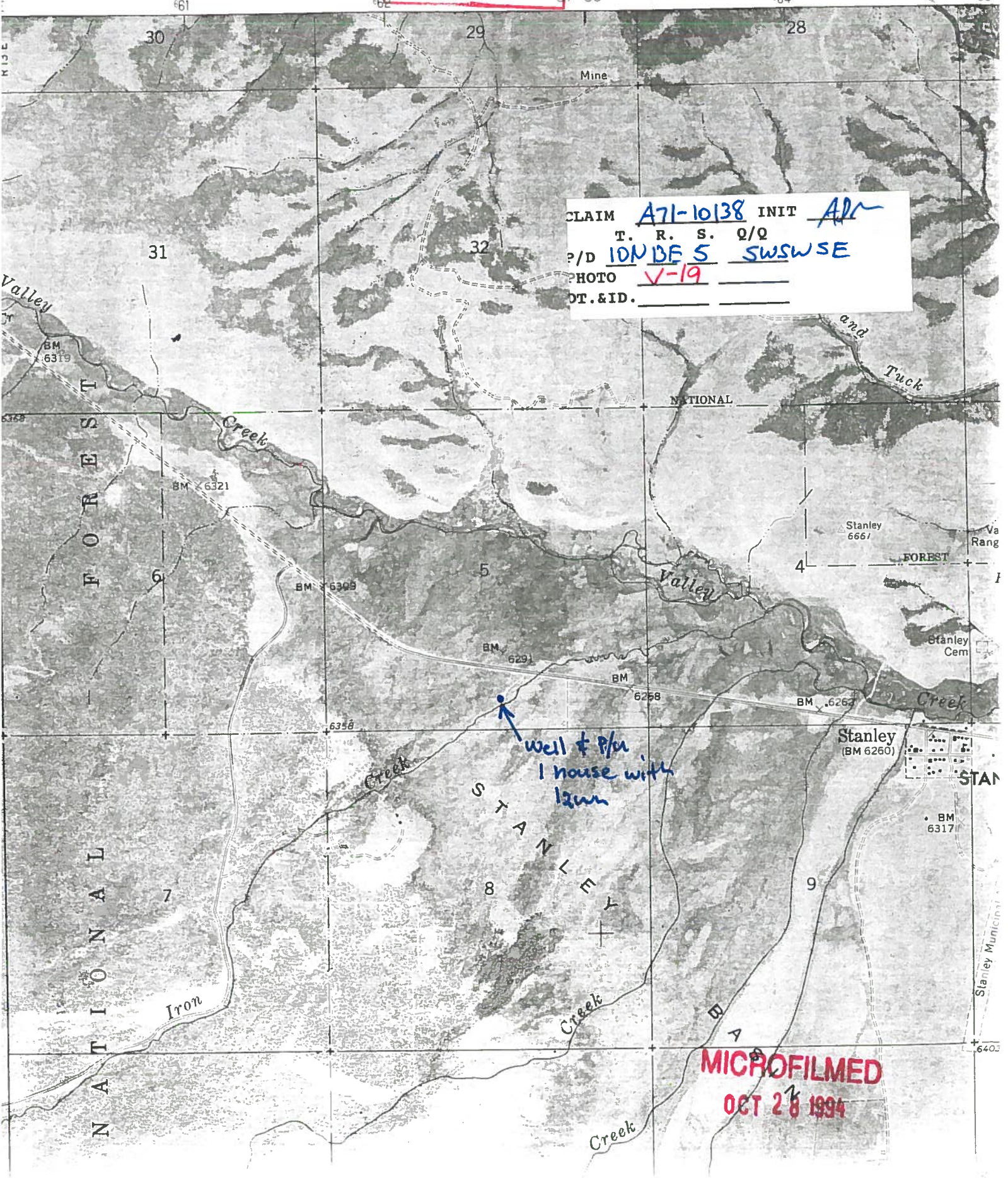
| Adjudication Rights Dates and Flags Area | | Civil Case Number |
|--|--------------|------------------------------------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made - 00/00/0000 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag - 00/00/0000 |
| Response Filed Date | - 00/00/0000 | Verified Date - 00/00/0000 |
| Claim Received Date | - 01/10/1990 | Last Amended Date - 00/00/0000 |
| | | Receipt Number - S010906 |
| | | POU Ownership Flag - Y |
| | | Name Connector - AND/OR |
| | | Federal/State Indicator - S |
| | | Presumption Flag - |
| | | Notice of Error Flag - |

MICROFILMED
OCT 28 1994

POOR ORIGINAL

Basin 71 045

CLAIM A71-10138 INIT ADM
T. R. S. Q/Q
P/D 10N DE S SWSWSE
PHOTO V-19
PT. & ID. _____



CFL209 94

0-28-72

FILE

16037

373

177

10000

POOR ORIGINAL

MICROFILMED
OCT 28 1994



WATER RIGHT NUMBER - A71-10138 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -
+ - - - - LAST NAME - - - - + + - - - - FIRST NAME - - - - + + - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
GIFFEN HOWARD A.

STATE- ID ZIP- 83278

GIFFEN DOROTHY

STATE- ID ZIP- 83278

+ - - - - PRIORITY DATE - - - - + + - - - - REGION - - - - + + - - - - STAGE - - - - + + - - - - STATUS - - - - +
06/01/1972 17 SOUTHERN J - BENEFICIAL USE

+ - - - - SOURCE - - - - - + + - - - - TRIBUTARY - - - - - +

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

10N 13E 5 SW SE (37) CUSTER

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

43 - DOMESTIC 01/01 12/31 0.040

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

+ - - - - TOWN RNG SEC TRACT LOT ACRES PLACE OF USE CODE DESCRIPTION COUNTY

10N 13E 5 SW SE 43 DOMESTIC (37) CUSTER

+ - - - - DIVERSION MEANS - WELL, PUMP

+ - - - - NON-IRRIGATION USE - D/1 HOUSE

+ - - - - OTHER RIGHTS FOR SAME USE - A71-10139

+ - - - - REMARKS - - - - - + NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - + NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - + NO CONDITIONS OF APPROVAL FOUND.

MICROFILMED
OCT 28 1994

