

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: A41-10104
Date Received: 3-16-90
Receipt No: 1006244
Received By: DB

Department of Water Resources
Southern Region Office
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAMAR ISAAK 208-226-2130
Address: 3235 SOUTH ISAAK LN
AMERICAN FALLS, ID 83211

OR

Name: DUANE ISAAK 208-226-2130
Address: 3235 SOUTH ISAAK LN
AMERICAN FALLS, ID 83211

2. Date of Priority: AUG 14, 1902

3. Source: UNNAMED STREAM Trib. to: LITTLE WARM CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
----------	-------	---------	--------	--------	-----	-----	--------

Beginning Point of Minimum Instream Flow							
09S	29E	25	SW	SW	NW		POWER

Ending Point of Minimum Instream Flow							
09S	29E	25	NW	SW	NW		POWER

5. Description of diverting works:
IN STREAM STOCK WATERING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	04/01	11/01	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

S/ UP TO 100 HEAD CATTLE
A41-10104

Page 1

Date: 03/16/90

MICROFILMED
MAR 02 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	29E	25	SW NW		STOCK	

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
NONE

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): Lamar Isaak Date: 3/16/90

Date: _____

State of Idaho)
County of Boise) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of March 19 90

Anna Baumhoff
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires My Commission Expires December 7, 1994

R29E R30E

YALE SE ORTHOPHOTOQUAD
IDAHO



A4T-10104

56

T9

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-29-1997

PAGE: A-50

RIGHT NUMBER: 41-10104

NAME & ADDRESS: LAMAR ISAAK
DUANE ISAAK
3235 SOUTH ISAAK LN
AMERICAN FALLS ID 83211

SOURCE: UNNAMED STREAM TRIBUTARY: LITTLE WARM CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 08/14/1902

POINT OF DIVERSION: T09S R29E S25 SWSNW (INSTREAM BEGINNING POINT) Within POWER County
NWSNW (INSTREAM ENDING POINT)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	04-01 11-01	0.02 CFS

PLACE OF USE: STOCKWATER Within POWER County
T09S R29E S25 SWNW

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 100 HEAD RANGE CATTLE

DATE: 07/15/97

~~0.03 CFS~~ 0.02
~~0.05 CFS~~ 0.02

Stage: BENEFICIAL USE

POWER County
POWER County

SE

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STOCKWATER, 100 HEAD RANGE CATTLE *exp*

objection Filed Date:

$$N \equiv N_B$$

See 9/18/97

DATA ENTERED BY son
DATE 9-24-97

Stage: BENEFICIAL USE

POWER County
POWER County[illegible]

Other Rights: NONE

Verified Date: 06/22/1995

Audit: 06/22/95 SCLELLAN

partial decree
7-24-98
R



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~KEITH HIGGINSON~~

Governor PHILIP E. BATT

R. KEITH HIGGINSON

Director

February 10, 1995

Dear Wateruser:

In response to the Bench Ditch Irrigation Company's letter to IDWR dated January 25, 1995, this letter is being sent to all waterusers of record in the Basin 41 Water District.

As you may know, the arbitration for delivery of water that has operated in the Rockland valley for over 100 years has been very effective in allowing the delivery of water rights by the local watermaster. The box method described in the arbitration has worked to divide the waters fairly, but recent studies of the boxes have determined the actual flow rates that have been delivered for years are different than the rates listed in the arbitration. This is largely due to the fact that the box method, as applied in the valley, is not a standard measuring device.

It is IDWR's position that:

Rights recommended in the ongoing Snake River Basin Adjudication, will be based on the historical beneficial use and historical diversion rate represented by use of the box method.

Conversion to an approved, standard measuring device is encouraged but should not result in a increase in the amount of water diverted. IDWR requests, before any old diversion structure is removed or destroyed, to view and measure the historical diversion rate as delivered by the box described in the arbitration.

Any change in measuring devices or structures that results in an increase of diversion rates above the historical beneficial use will result in injury to junior right holders within the Rock Creek system.

We look forward to working with all waterusers in the district. SRBA examinations will resume in the spring of 1995 and IDWR will measure and evaluate all of the structures diverting from Rock Creek and the East Fork of Rock Creek. If you have questions please contact me at my office in Twin Falls.

Sincerely,

STEVE CLELLAND
Water Resource Agent

441-10104

ISAAC

R29E

R30E

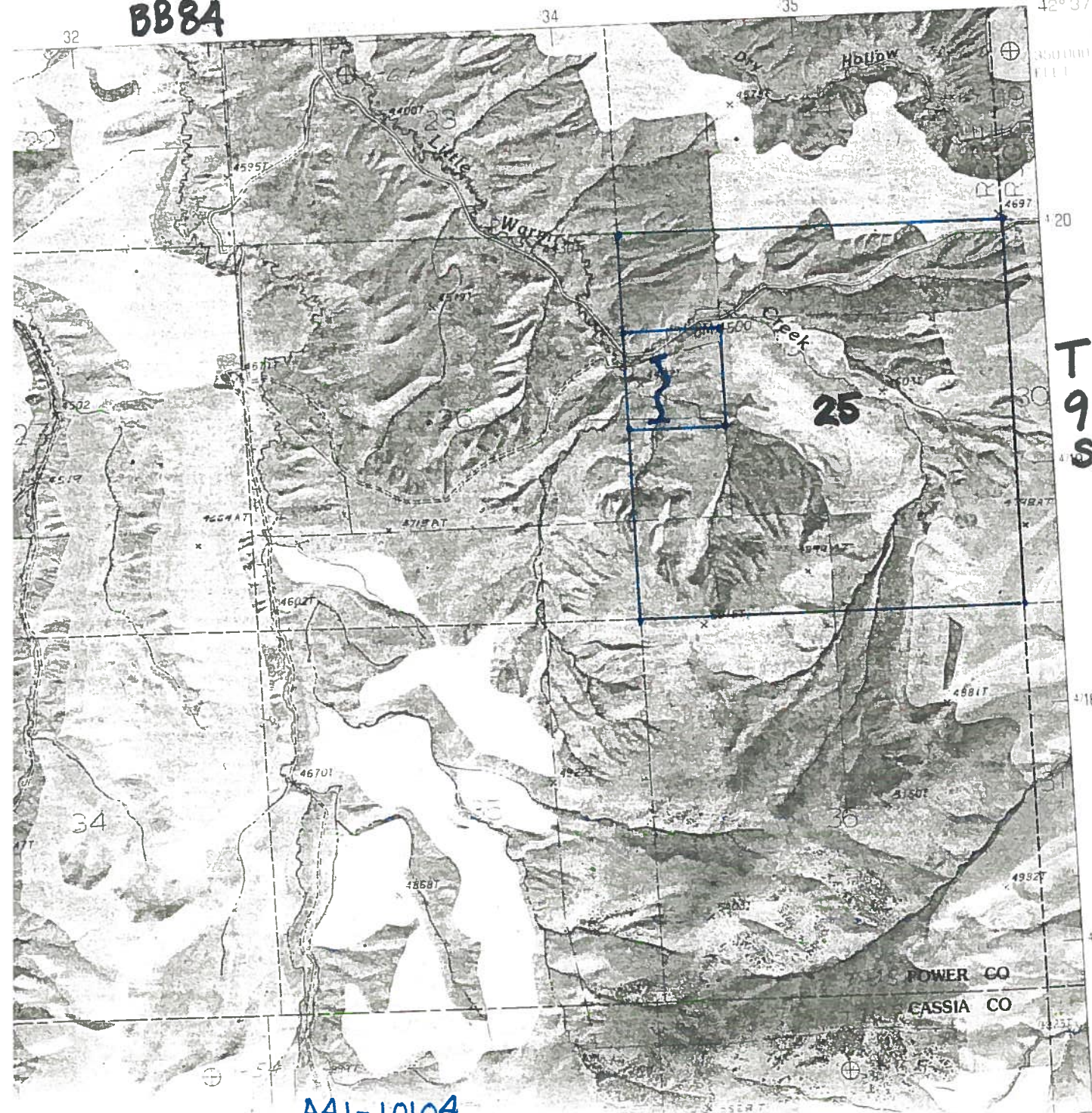
YALE SE ORTHOPHOTOQUAD
IDAHO

BB84

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S

A41-10104



CLAIM NO. A41-10104

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR DOMESTIC AND STOCKWATER CLAIMS IN PLACE OF A CVR

*Exam
5-10-95
No flow @ Exam*

1. ☒ No Change NAME:
☐ NEW OWNER: _____
☒ No Change ADDRESS: _____
☐ NEW ADDRESS: _____
- ☒ DATA ENTRY STANDARDS CHECKED?
2. ☒ No Change - DATE OF PRIORITY: No Field Verification Needed.
☐ CHANGE- Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable, explain in COMMENTS.)
3. ☒ No Change - SOURCE:
☐ CHANGE - Different Source found: _____
4. ☒ No Change - POINT OF DIVERSION:
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4
- Note: If the 10-acre tract is shown on the claim, then verification of the 10-acre parcel is needed. Otherwise the 10-acre tract is not required, unless the source is a spring.
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Incomplete desc., complete items missing, IF KNOWN.
HP of pump _____ Static water level _____ Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____
Method of irr. _____
6. ☒ No Change - WATER USES:
☐ Different uses, (list uses found).
- | | | | | |
|-----------|------------|----------|------------------|----------|
| Use _____ | From _____ | To _____ | Amount _____ cfs | _____ af |
| Use _____ | From _____ | To _____ | Amount _____ cfs | _____ af |
7. ☒ No Change - TOTAL VOLUME:
☐ Change found, The new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____
- ☒ DATA ENTRY STANDARDS (correct to..)

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4, 1/4

11. ☒ Checked: N/A

12. ☒ Checked: N/A

13. ☒ No change - OTHER RIGHTS FOR SAME USE:
☐ CHANGE: _____

14. ☒ None REMARKS: (copy existing remarks to comments in "R")
☐ Add the following standard remarks:
LIST STANDARD REMARKS FOR THE RECOMMENDATION:

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - J (circle one)

COMMENTS: (pertinent to field examination)

Exam: 5-18-95 No flow in stream but streambed weaves through
the pasture. Fences as shown on OFC for ownership as claimed.

ATTACHMENTS: Attached to
This Form.

Attachments are
in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM

☒
☒
☒

☐
☐
☐

DATE EXAM CONDUCTED: 5-18-95

FIELD EXAMINER:

STEVE CLELLAND

Signature

Steve Clelland

REVIEWED BY/DATE:

6-22-95 sca

DATA ENTRY BY/DATE:

VERIFICATION BY/DATE:

Water Right Number - A41-10104

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
ISAAK

LAMAR

1 - 3235 SOUTH ISAAK LN
2 -
3 -

City- AMERICAN FALLS

State- ID Zip- 83211

Phone - 208-226-2130

ISAAK

DUANE

1 - 3235 SOUTH ISAAK LN
2 -
3 -City- AMERICAN FALLS
Phone - 208-226-2130

State- ID Zip- 83211

+ - - Priority Date - - +
08/14/1902+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

+ - - - - Source - - - - - +
UNNAMED STREAM+ - - - - Tributary - - - - - +
LITTLE WARM CREEK+ - - - - Point of Diversion - - - - - +
Stream Index (Blank if no Index Code)Twn Rng Sec Tract Lot Rflg County
09S 29E 25 NW SW NW E (77) POWER
09S 29E 25 SW SW NW B (77) POWER

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

04 - STOCKWATER

04/01

11/01

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

09S 29E 25 SW NW

04 STOCKWATER

(77) POWER

+ - - Diversion Means - IN STREAM STOCK WATERING

+ - - Non-Irrigation Use - S/ UP TO 100 HEAD CATTLE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

Water right number - A41-10104

Prefix Translation: ADJUDICATION CLAIM

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

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

+ - - Audit Fields - 03/16/90 BAUMHOF

+ - - - - - -Comments- - - - - -
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	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/16/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- M006264	Federal/State Indicator	- S
Claims Tape Error Flag	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- OR		