

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 37-20727
Date Received: 5/21/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LOUIS LEGUINECHE Phone: (208)934-4180

1450 S 1750 E
GOODING ID USA 83330

MICKEY LEGUINECHE Phone: (208)934-4180

1450 S 1750 E
GOODING ID USA 83330

2. Date of Priority: 11/06/1979

3. Source: DOG CREEK , WASTE WATER Trib. to: DRY CREEK , DRY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	14E	11	SW NE	GOODING	
05S	14E	11	SW NE	GOODING	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.65	133.8

7. Total Quantity Appropriated is:
0.65 C.F.S. and/or 133.8 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	14E	11	SW	NE	IRRIGATION	11
			SE	NE	IRRIGATION	33.6
					Section Acres	44.6
					Total Acres	44.6

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

5/21/02, DJ: OWNER CHANGE WAS INCORRECTLY DATA ENTERED IN 8/2001. RIGHT WAS SPLIT INTO 37-20727 (LEGUINCHECE, 97%) AND 37-20728 (LOTT & BOLTE, 3%).

15. Basis of Claim: License

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: A37-07804
Date Received: 8/19/1988
Receipt No: S001581
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOUIS LEGUINECHE 208-934-4180
Address: RT. 1 BOX 63
GOODING, ID 83330

Name: MICKEY LEGUINECHE
Address: RT. 1 BOX 63
GOODING, ID 83330

2. Date of Priority: NOV 06, 1979

3. Source: WASTE WATER Trib. to: DRY CREEK
DOG CREEK DRY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	14E	11	SW	NE			GOODING

POSD = 115109

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.670		138.00

7. Total Quantity Appropriated is:
0.670 C.F.S. (and/or) 138.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A37-07804

Page 1

Date: 08/19/88

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FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	14E	11	SW	NE		IRR	11.0
			SE	NE		IRR	35.0
						Section Acres	46.0
						Total Acres	46.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

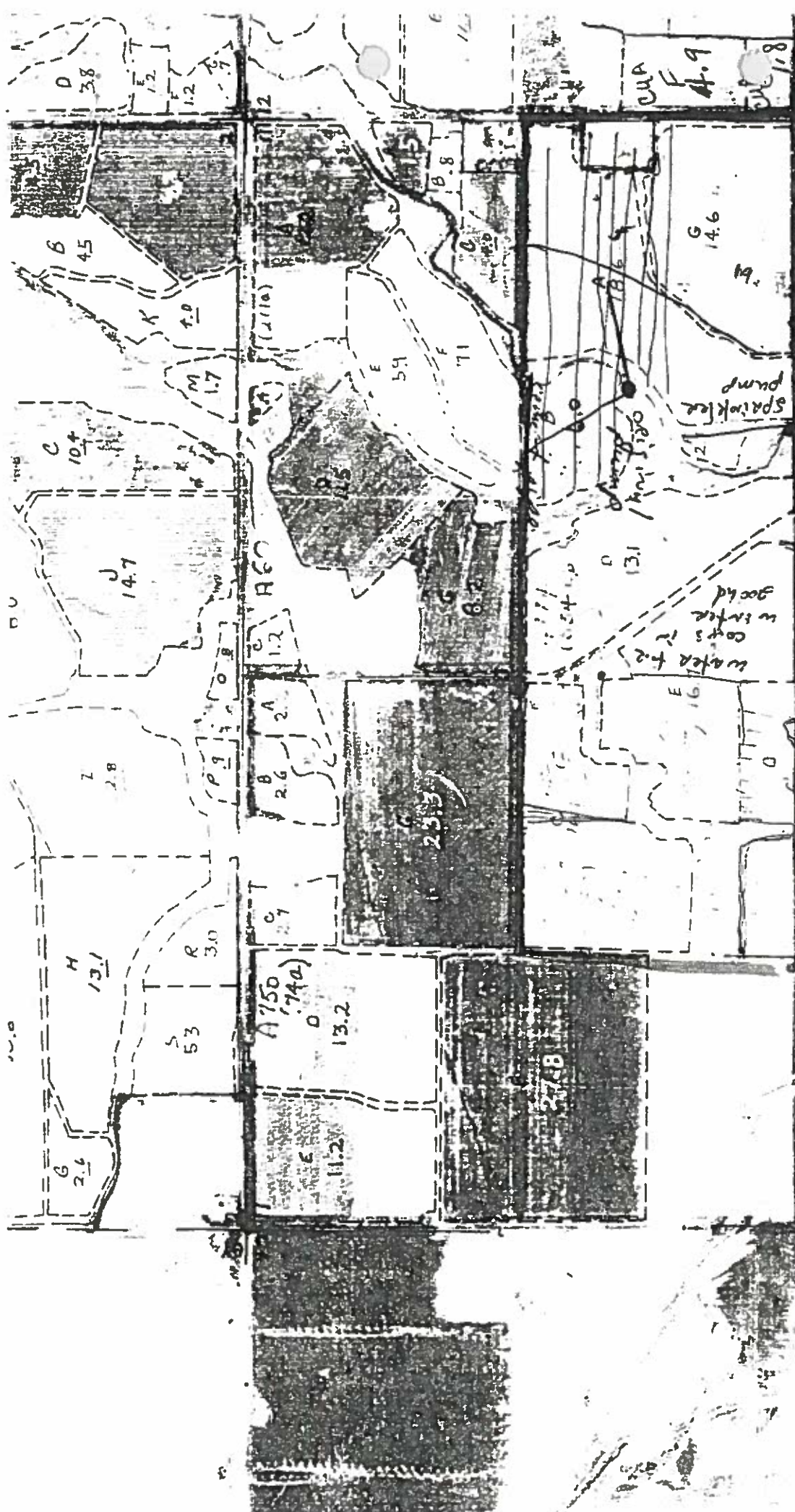
14. Remarks:

15. Basis of Claim: LICENSE

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FEB 24 1993

(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.

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FEB 24 1993



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FEB 24 1993

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 37-20727

NAME AND ADDRESS: LOUIS J LEGUINECHE
MICKEY R LEGUINECHE
1450 S 1750 E
GOODING, ID 83330

SOURCE: DOG CREEK TRIBUTARY: DRY CREEK
WASTE WATER TRIBUTARY: DRY CREEK

QUANTITY: 0.65 CFS
133.80 AFY

PRIORITY DATE: 11/06/1979

POINT OF DIVERSION: T05S R14E S11 SWNE Within Gooding County
SWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.65 CFS 133.80 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: Irrigation Within Gooding County
T05S R14E S11 SWNE 8.6 SENE 36.0
44.6 Acres Total

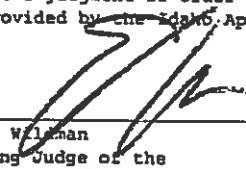
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Eric J. Wilman
Presiding Judge of the
Snake River Basin Adjudication

12/18/2006

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

RIGHT NUMBER: 37-20727

NAME AND ADDRESS: LOUIS J LEGUINECHE
1450 S 1750 E
GOODING ID 83330

MICKEY R LEGUINECHE
1450 S 1750 E
GOODING ID 83330

SOURCE: DOG CREEK
WASTE WATER

TRIBUTARY: DRY CREEK
TRIBUTARY: DRY CREEK

QUANTITY: 0.650 CFS
133.800 AFY

PRIORITY DATE: 11/06/1979

POINT OF DIVERSION:

T05S R14E S11 SWNE Within GOODING County

T05S R14E S11 SWNE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.650 CFS
133.80 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in GOODING County

T05S R14E S11 SWNE 8.60 T05S R14E S11 SENE 36.00

44.6 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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 - License

Use of this right is combined with water from Big Wood Canal Co.

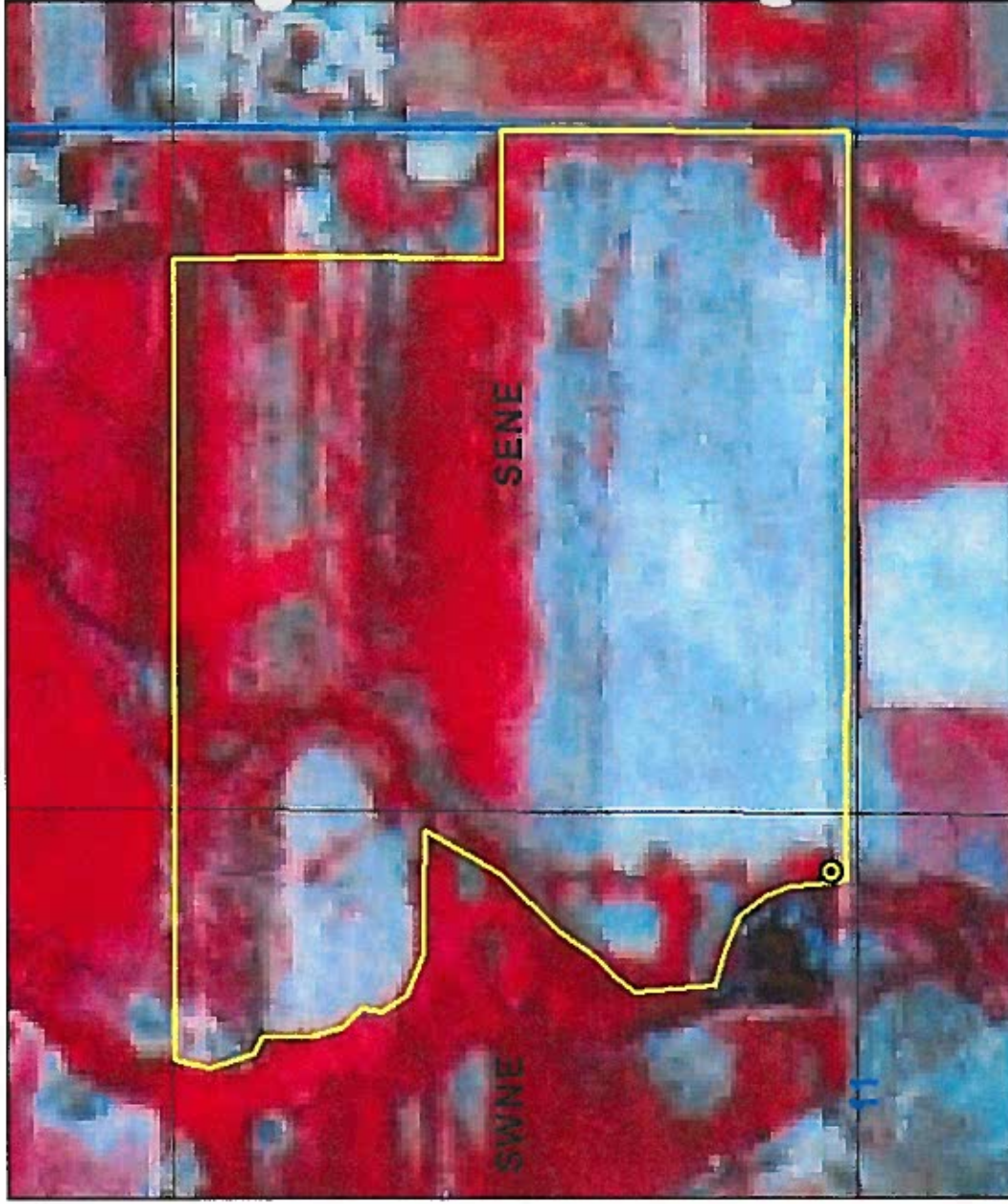


Idaho Department of Water Resources

SRBA Recommendation:

37-20727

R14E



T8S

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters

N



Gooding County
IDWR Basin 37

0 0.1 0.2 Miles

Prepared by N. Erickson
On Monday, December 18, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-7804

Priority: November 6, 1979 Amount: .67 CFS 138.0 AFA

This is to certify, that LOUIS LEGUINECHE
MICKEY LEGUINECHE

RT. 1 BOX 63

GOODING, ID 83330

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated October 25, 1979, and has submitted proof to the Department of Water Resources on June 13, 1985, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .67 cfs of water from;

WASTE WATER
DOG CREEK

tributary to DRY CREEK
tributary to DRY CREEK

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	04/01 to 11/01	.67 cfs	138.0 afa

LOCATION OF POINT OF DIVERSION(S): SWNE , Sec. 11, Township 5S, Range 14E
Gooding County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
5S	14E	11	SWNE 11	SENE 35			46

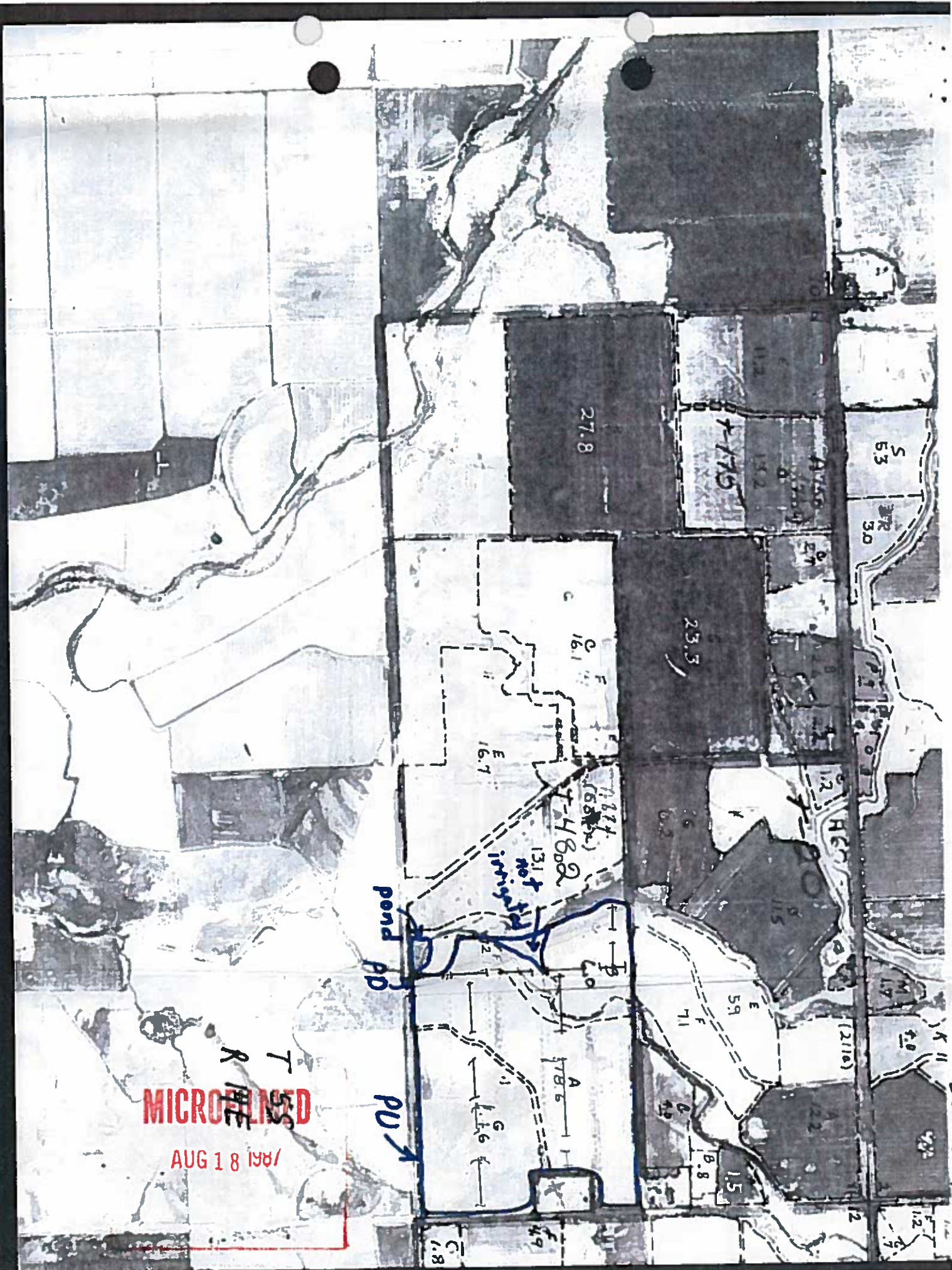
Total number of acres irrigated: 46

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license is subject to control by the watermaster of State Water District No. 37 .
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

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AUG 18 1981





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 21, 2002

Louis and Mickey Leguineche
1450 S 1750 E
GOODING ID 83330

Re: SRBA Claim(s) 37-7804 (now 37-20727 & 37-20728)

Dear Mr. & Mrs Leguineche:

Pursuant to the change in ownership request that has been submitted to the Department we have split the original right and updated ownership accordingly. Note that we have updated your address, but request that you notify us if this address is incorrect. Enclosed are copies of the computer records of the claim(s) representing the various changes. Review these records and if there is a mistake, or you have any questions, please contact this office.

We regret the previous error in the records for the ownership change and appreciate your bringing it to our attention.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor
Southern Adjudication Unit

Enc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

1450 S 1750 E



27-7804
Original Envelope



LOUIS LEGUINCHECE
RT 1 BOX 63
GOODING, ID 83330

RECEIVED

AUG 20 2001

Department of Water Resources
Southern Region

