

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 )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 45-10123

NAME AND ADDRESS: LARAYNE HULET  
VAUGHN DEMER  
505 E FLORIDA #14  
Nampa, ID 83686

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/31/1946

POINT OF DIVERSION: T11S R20E S06 SESE Within Twin Falls County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE  | QUANTITY |
|-------------------------------|-----------------|----------------|----------|
|                               | Domestic 1 HOME | 01-01 TO 12-31 | 0.04 CFS |

PLACE OF USE: Domestic Within Twin Falls County  
T11S R20E S06 SESE

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.

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.

  
Daniel C. Hurlbutt, JR.  
Presiding Judge  
Snake River Basin Adjudication

## Please Carefully Review Your Partial Decree

Carefully read and check all items to make sure they are accurate, especially:

1. Name and Address
2. Water Source
3. Date of Priority
4. Point of Diversion
5. Place of Use
6. Nature of Use

## If You Find An Error Or Something That Needs To Be Corrected

Call the IDWR Regional Office that handles your basin. The telephone numbers are on the back panel of this brochure. Your basin is designated as the first two digits of your water right.

The proper form will be mailed to you upon your request. Complete and return the form to the IDWR Regional Office that handles your basin not later than 60 days after the date printed on the partial decree.

Costs associated with this publication are available from the Idaho Department of Water Resources in accordance with Section 60-202, Idaho Code.  
IDWR-8,000-42001-11/96

*Printed on recycled paper*

## Here's How To Contact IDWR Regional Offices If You Need Assistance

### If your partial decree begins with 34:

IDWR Eastern Regional Office  
900 N. Skyline Dr., Idaho Falls, ID 83401  
(208) 525-7161  
Toll Free: (888) 2-SRBA34 (277-2234)

### If your partial decree begins with 36:

IDWR Southern Regional Office  
222 Shoshone St. E, Twin Falls, ID 83301  
(NOTE: moving mid-Dec. to 1341 Fillmore St. N., call first)  
(208) 736-3033  
Toll Free: (888) 2-SRBA36 (277-2236)

### If your partial decree begins with 57:

IDWR Western Regional Office  
2735 Airport Way, Boise, ID 83705  
(208) 334-2190  
Toll Free: (888) 2-SRBA57 (277-2257)

### A Very Important Reminder

While the SRBA continues, the law requires that you notify IDWR if there are any name or address changes. If the property to which the right applies changes hands, please file a change of ownership with the form obtained from an IDWR office. Failure to file an ownership change may result in your right not being included in the final decree at the end of the case, a penalty of up to \$100 and restrictions on water use.

## Guide To Reviewing Your Partial Decree Water Right In The Snake River Basin Adjudication



Idaho  
Department  
of Water  
Resources



5th Judicial  
District  
Court  
of Twin Falls

## **Congratulations**

### **Here's your decreed water right!**

*You have received your partial decree of water rights in the Snake River Basin Adjudication (SRBA) with this brochure. The partial decree is the SRBA Court's official decision on your water right based on the claim to a water right you submitted.*

*The term "Partial Decree" simply means your water right represents only a small portion of the future SRBA decree. This partial decree is final; however, you have the opportunity to correct errors and the right to an appeal.*

*The partial decrees being issued at this time cover only small domestic and stockwater water rights in Water Basins 34, 36 and 57. The first two digits of your water right identify the basin. Please note that contested claims and claims to water rights for irrigation and other uses are still being processed.*

*This brochure is designed to help answer questions you may have about your water right and to provide a way to get more information or to have your questions answered.*

## **Commonly Asked Questions**

### **1. Do I need to do something?**

Yes. Carefully check your partial decree to make sure all the information is correct. If there are errors, call the Idaho Department of Water Resources (IDWR) to request a change form. If you have a question about the decree, contact IDWR for further information. The phone numbers are on the back of this brochure.

If a change is needed, mail the form to IDWR within 60 days of the date printed on your partial decree.

If the partial decree correctly describes your water right, you do not need to do anything more. However, be sure to keep IDWR notified of any changes in ownership for all your water rights.

### **2. When will processing on my other water rights be completed?**

The domestic and stockwater partial decrees are being mailed in numerical batches during Nov. and Dec., 1996. Finalization of partial decrees on irrigation and other non-domestic and non-stockwater rights is ongoing. These partial decrees will be issued as hearings are completed. For more information, contact IDWR.

### **3. This is a copy of the partial decree for my water right. Where is the original?**

The original partial decree for your water right will be retained by the Snake River Basin Adjudication (SRBA) Court, and a certified copy will be permanently archived at IDWR. Copies are available upon request.

### **4. Why does this partial decree have a different format from the document that was mailed to me in 1992?**

The new format has basically the same information as the previous document. We have designed this new format to be more easily read. We also put any remarks near the element of the water right that they modify.

### **5. When will the SRBA be completed so my partial decree becomes part of the final decree?**

The final decree will be issued at the end of the case when all water rights have been reviewed and disputes resolved. The SRBA Court and IDWR are moving forward as quickly as possible. This is a large, complex case with many legal and technical problems to resolve.

We anticipate that finalization of the process will require many more years of hard work. In the meantime, your partial decree represents a completion of the effort to decree your individual water right, and if you are not advised otherwise you can consider this process complete.

### **6. When will partial decrees be issued for other basins?**

The SRBA Court and IDWR are setting up the procedures to issue partial decrees for small domestic and stockwater rights in other basins.

STATE OF IDAHO  
District Court  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707



UNDELIVERABLE  
AS ADDRESSED  
FORWARDING  
ORDER EXPIRED



U.S. POSTAGE  
0032  
METER 407

mp C-22

HULE505 836862018 IN 08 07/31/98  
RETURN TO SENDER

NO FORWARD ORDER ON FILE  
UNABLE TO FORWARD  
OPTION TO SENDER

83303-2707



AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-97

RIGHT NUMBER: 45-10123

NAME & ADDRESS: LARAYNE HULET  
VAUGHN DEMER  
505 E FLORIDA #14  
Nampa ID 83686

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/31/1946

POINT OF DIVERSION: T11S R20E S06 SESE Within TWIN FALLS County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE | QUANTITY |
|----------------|-----------------|---------------|----------|
|                | DOMESTIC 1 HOME | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: DOMESTIC Within TWIN FALLS County  
T11S R20E S06 SESE

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  
PARCEL NO. M93710066730

KRC  
Claim proofread by: C. J.

Date: 9-25

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: A45-10123

Date Received: 10/31/1988

Receipt No: C004373

Received By:

DATA ENTERED BY

DATE

7-26-89

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: VAUGHN DEMER 208-466-7987  
Address: 505 E. FLORIDA #14  
NAMPA, ID 83686

AND/OR

Name: LARAYNE HULET 208-466-7987  
Address: 505 E. FLORIDA #14  
NAMPA, ID 83686

2. Date of Priority: OCT 31, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County     |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 11S      | 20E   | 6       | SE     | SE     | SE     |     | TWIN FALLS |

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.

A45-10123

Page 1

Date: 07/26/89

MICROFILMED  
MAR 09 1993

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 11S      | 20E   | 6       | SE SE      |     | DOMEST |       |

11. Place of use in counties: TWIN FALLS

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): \_\_\_\_\_ 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  
RAB

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

Identification No. A45-10123  
Date Received 10-31-88  
Receipt Number 0004373

NOTICE OF CLAIM  
TO A  
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

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

RECEIVED

OCT 31 1988

Department of Water Resources  
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) VAUGHN, DEMER / OR LARAYNE HUBB Phone (208) 466-7987

Mailing Address 505 E FLORIDA #14 Nampa ID Zip 83686

2. Date of Priority (Only one per claim) 10-31-1946 Month/Day/Year

3. Source of water supply (Check one) (☒ Groundwater or Other ( ) (a) \_\_\_\_\_

Name or kind of source

which is tributary to (b) \_\_\_\_\_

4. Location of point of diversion is: Township 11S Range 20E

Section 6, 1/4 of SE 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, BM.,

County of TWIN FALLS

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. WELL & PUMP

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

For Domestic purposes from 1/1 Month/Day to 12/31 Month/Day amount 0.04 (cfs)

(Both dates are inclusive)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed 0.04 (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) D/I household

MICROFILMED

MAR 09 1993

## HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 11S Range 20E

Section 6, SE 1/4 of SE 1/4, Govt. Lot SE, B.M.,

County of TWIN FALLS for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any \_\_\_\_\_

11. In which county (ies) are lands listed above as place of use located? TWIN Falls

12. Do you own the property listed above as place of use? Yes ✓ No \_\_\_\_\_

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

NONE

14. Remarks: TAX # 464

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Vaughan M. Demer Date 10-31-88

Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing

document in the space below as \_\_\_\_\_ of \_\_\_\_\_

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )

County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 31<sup>st</sup> day of Oct. 19 88

SEAL

Notary Public Chad D. Menter

Residing at Kimberly, Id.

My Commission Expires 6/30/94

Last Name Hulet - Demer Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 09 1993

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.



CERTIFIED  
DEC 23 1991  
WATER EXAMINER