

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 45-10299

RECEIVED

AUG 14 1998

Department of Water Resources  
Southern Region

NAME AND ADDRESS: HOWARD L GRIFFIN  
LORALEI P GRIFFIN  
RT 1 BOX 1796  
BURLEY, ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 11/01/1980

POINT OF DIVERSION: T10S R24E S30 LOT 02 ( SWSE) Within Cassia 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 Cassia County  
T10S R24E S30 LOT 02 (SWSE)

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-8,000-42001-1/1/96

*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

## Commonly Asked Questions

### ***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.*

#### **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

### DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 27, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

45-10299  
HOWARD L GRIFFIN  
LORALEI P GRIFFIN  
RT 1 BOX 1796  
BURLEY ID 83318

RE: Domestic and/or Stockwater Rights in Basins 41, 43 and 45  
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basins 41, 43 and 45. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in these basins will be recommended in a later process.

Note that you have 120 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in American Falls, Malad City, Burley and Twin Falls, and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher  
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES  
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT  
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: February 27, 1998

PAGE: 1

RIGHT NUMBER: 45-10299

NAME AND ADDRESS: HOWARD L GRIFFIN  
LORALEI P GRIFFIN  
RT 1 BOX 1796  
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY-DATE: 11/01/1980

POINT OF DIVERSION T10S R24E S30 LOT 2 (SWSE) Within CASSIA 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 CASSIA County  
T10S R24E S30 LOT 2 (SWSE)

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. 000140010030

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

**RECEIVED**  
**AUG 14 1998**  
Department of Water Resources  
Southern Region



FOE



- ☐ MOVED - LEFT NO ADDRESS
- ☒ NOT DELIVERABLE AS ADDRESSED
- ☐ UNABLE TO FORWARD
- ☐ ATTEMPTED - NOT KNOWN
- ☐ UNCLAIMED ☐ REFUSED
- ☐ NO SUCH STREET NUMBER
- ☐ DO NOT RE-MAIL IN THIS ENVELOPE
- ☐ INSUFFICIENT ADDRESS
- ☐ NO MAIL RECEPTACLE
- ☐ BOX CLOSED NO ORDER

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
1301 North Orchard Street, P.O. Box 83720  
Boise, Idaho 83720-0098

RETURN SERVICE REQUESTED



**IMPORTANT WATER RIGHT INFORMATION**

*moved*



**RECEIVED**  
**MAR 06 1998**  
Department of Water Resources

83318+9746



AJ5856NP

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

DATE: SEP-9-1997  
PAGE: A-211

RIGHT NUMBER: 45-10299

NAME & ADDRESS: HOWARD L GRIFFIN  
LORALEI P GRIFFIN  
RT 1 BOX 1796  
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 11/01/1980

POINT OF DIVERSION: T10S R24E S30 LOT 2 ( SWSE) Within CASSIA 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 CASSIA County  
T10S R24E S30 Lot 2 (SWSE)

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. 000140010030

KKC  
Claim proofread by: CJA  
Date: 9-26

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: A45-10299  
Date Received: 3/31/1989  
Receipt No: S006742  
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: HOWARD L. GRIFFIN  
Address: RT. 1 BOX 1796  
BURLEY, ID 83318

AND/OR

Name: LORALEI P. GRIFFIN  
Address: RT. 1 BOX 1796  
BURLEY, ID 83318

2. Date of Priority: NOV 01, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10S      | 24E   | 30      | SW     | SE     |        | 2   | CASSIA |

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 HOUSEHOLD

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 10S      | 24E   | 30      | SW     | SE  | 2   | DOMEST |       |

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
P/U IS LOT 3 BLK. 1 OF RIVERSIDE SUBD.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Howard Larry Guffe Date: 3/31/89  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Thur Fall ) SS.

Subscribed and sworn (or affirmed) before me this 31 day  
of March 19 89

[Signature]  
Notary Public

Seal

Residing at Kimberly, ID  
My Commission Expires 6/30/94

200947

## WARRANTY DEED

For Value Received

DUANE L. RASMUSSEN AND MONICA RASMUSSEN, husband and wife

the grantors do hereby grant, bargain, sell and convey unto  
 HOWARD L. GRIFFIN AND LORALEI P. GRIFFIN, husband and wife  
 Route 1 Box 1796, Burley, Idaho 83318

the grantee s the following described premises, to-wit:

Lot 3 in Block 1 of the RIVERSIDE SUBDIVISION, as the same is platted in the official plat thereof, now of record in the office of the County Recorder of the County of Cassia, State of Idaho, LESS the South 5 feet of said Lot 3, lying West of the circular culdesac as platted in the official plat of RIVERSIDE SUBDIVISION.

SUBJECT TO General taxes for the year 1989 and subsequent years.

Assessments of the Burley Irrigation District, and the rights and powers of said District as by law provided.

Reservations and Restrictive Covenants for RIVERSIDE SUBDIVISION, dated February 7, 1977 and recorded February 9, 1977 as Instrument No. 96160 on Film No. 106, records of Cassia County, Idaho.

Utility easement over and across the South 20 feet of said property as shown on the recorded plat of RIVERSIDE SUBDIVISION.

COPY

Part of Lot 2  
 Section 30  
 and Part NW 1/4 NE 1/4  
 Section 31

Township 10 South  
 Range 24 East, Boise meridian

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee s their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s, that they are the owner s in fee simple of said premises; that said premises are free from all incumbrances except as above described, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: March 21, 1989

*Duane L. Rasmussen*

Duane L. Rasmussen

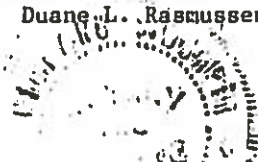
*Monica Rasmussen*

Monica Rasmussen

STATE OF IDAHO, COUNTY OF CASSIA:

On this 27<sup>th</sup> day of March, 1989, before me, a notary public in and for said State, personally appeared

Duane L. Rasmussen and Monica Rasmussen



RECORDED AT THE RE  
 CASSIA COUNTY  
 FRANK E. KEAR  
 RECORDER  
 MAR 27 10 18 1  
 FEE \$20.00

MICROFILMED

2009  
 MAR 29 1993



