



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

August 12, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FLOYD D WEST
206 N 840 E
DECLO ID 83323

RE: Snake River Basin Adjudication (SRBA)
Decreed Water Right 45-10642
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in Address on the water right referenced above. Our records have been updated accordingly. Enclosed you will find a computer printout of your water right showing the requested change.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FULLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

AUG 07 1998

Department of Water Resources
Southern Region

CHANGE IN ADDRESS

☐ Water Right Number(s):

45-10642

☐ Old Mailing Address:

ROUTE 1 BOX 32-A

DEULO, ID 83323

☐ New Mailing Address:

206 NORTH 840 EAST

DEULO, ID 83323

☐ New Telephone Number:

(208) 654-2147

☐ Signature of Claimant(s):

Joy D. P. Ward

Date:

8- -98

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

8-10-98

47



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

August 4, 1998

Floyd D. West
206 North 840 East
Declo, ID 83323

Dear Mr. West:

On July 25th, you wrote a letter to IDWR regarding the water use(s) from the well described in water right 45-10642. Upon review, IDWR would like to make the following comments for your consideration.

Water right 45-10642 has been recommended to be decreed by the Snake River Basin Adjudication court. This particular water right is based on the "domestic use" exemption described in §42-111, IDAHO CODE. After March 25, 1963, in order to divert groundwater, a water right had to be obtained by the application/permit/license procedure that is administered by our Department. The one exception to this rule was for "domestic uses" that fit the §42-111 description. Since the water use(s) from the well described in water right 45-10642 were developed after March 25, 1963, this particular water right is limited to the "domestic use" definition in §42-111, IDAHO CODE. I have enclosed a copy of this section of code for your reference.

Examination of §42-111 reveals that section (a) limits domestic use to 13,000 gallons a day and up to $\frac{1}{2}$ acre of irrigation in connection with a household. Section (2) of §42-111 further restricts the amounts allowed if the water use(s) are for a multiple ownership subdivision. Section (3) of §42-111 states that multiple, exempted, domestic use rights shall not be established to exceed the amounts defined in sections (1)(a) or (1)(b).

Your letter to the department states that the well described in water right 45-10642 is used to service your home, service a home apparently owned by Glenn Mason, and irrigate two acres of yard. Water right 45-10642 appears to be valid for one home and up to $\frac{1}{2}$ acre of irrigation if the total use does not exceed 13,000 gallons a day. The Department has no record of a water right for Mr. Mason's domestic use(s).

August 4, 1998
PAGE 2

Mr. Mason could still possibly obtain a water right for his domestic use(s), either by the application/permit/license process, or by filing a late claim in the Snake River Basin Adjudication. Any domestic filing by Mr. Mason would be limited to household use and irrigation of up to $\frac{1}{2}$ acre as long as his total use did not exceed 13,000 gallons a day.

You stated in your letter that you are using the well described in water right 45-10642 to irrigate two acres of yard. Water right 45-10642 is valid for up to $\frac{1}{2}$ acre of irrigation, in connection with your home. If Mr. Mason obtains a domestic water right, his right would be valid for up to $\frac{1}{2}$ acre of irrigation, in connection with his home. It appears that you are irrigating more land than is allowed by your domestic right(s). It should be noted that the use of water in Idaho without a valid water right is illegal pursuant to §42-351, IDAHO CODE, and subject to civil penalties. The illegal use of water for irrigation is subject to civil penalties of three hundred dollars (\$300) annually for each acre irrigated. You need a valid water right, or rights, authorizing your two acres of irrigation.

Since your area falls within the boundaries of the area affected by the Snake River Basin Moratorium, no new applications for a water right proposing new irrigation uses can be processed. Currently, our department can process applications for water right permits for uses that were in existence prior to November of 1987. The applicant must show clear and convincing evidence documenting the use(s) prior to November of 1987. An application for a water right permit for use(s) prior to November 1987 would receive a priority date of when the application, and filing fee, are filed at a Department office. An application for a water right permit is subject to public notice and protest, and may or may not be approved.

A valid existing water right could be transferred to a new location pursuant to §42-222, IDAHO CODE. If you can obtain a valid two acre irrigation water right in your area, you may be able to modify it through the transfer process so you could divert the water from the well described in water right 45-10642 and use it to irrigate your two acres. In the transfer process, the Department can not allow an expansion in the rate of diversion, annual diversion volume, or consumptive use of the existing water right. An application for transfer is subject to public notice and protest, and may or may not be approved.

August 4, 1998
PAGE 3

While reviewing your letter and water right 45-10642, I noticed that your new grid address is not listed on water right 45-10642. I have partially completed a change of address form for your use. Signing and submitting this form to our office will enable us to change the listed address on water right 45-10642 to your grid address. The address for our office is as follows:

Idaho Department of Water Resources
1341 Fillmore Street Suite 200
Twin Falls, ID 83301-3380

Changing the listed address on your water right will help ensure that you receive all information regarding your water right.

If you have any questions, feel free to contact this office at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Corey Skinner".

Corey Skinner, EIT
Dam Safety Section

Enclosures

RECEIVED

JUL 30 1998

Department of Water Resources
Southern Region

7-25-98

Dear Sir:

Regards, water Right 4.5-10642.
This well is serving two House
Holds & 2 acres of yard. The mason
is the other House. I told him
last year, he needed to fix. But it
appears he didn't. I don't think
13000 Gals is enough in the summer
the winter it is plenty.
Please let me know what we need
to do.

Thank you
Floyd West

The mason House has been using
water from this well since 1976.

Floyd D. West
206 N. 840 E.
Declo, ID 83323



RECEIVED

JUL 30 1998

Department of Water Resources
Southern Region

833012020 IN 06 07/29/98
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

TRYC-18



AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-416

RIGHT NUMBER: 45-10642

NAME & ADDRESS: FLOYD D WEST
RT 1 BOX 32-A
DECLO ID 83323

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/31/1979

POINT OF DIVERSION: T10S R24E S10 SESESE 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 S10 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. 10S24E109500 (T3898)

KKC

Claim proofread by: CA

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: A45-10642
Date Received: 5/18/1989
Receipt No: S007198
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FLOYD D. WEST 208-654-2147
Address: RT. 1 BOX 32-A
DECLO, ID 83323

2. Date of Priority: JUL 31, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	24E	10	SE	SE	SE		CASSIA

5. Description of diverting works:
84' WELL, 2 HP SUBM. 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 & LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	24E	10	SE	SE		DOMEST	

11. Place of use in counties: CASSIA

A45-10642

Page 1

Date: 05/18/89

MICROFILMED
MAR 08 1990

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 _____

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. A45-10642
Date Received _____
Receipt Number 5007198

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

MAY 18 1989

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Floyd D. West Phone (208) 654-2147

Mailing Address Rt 1 Box 32 A Dec 10 Zip 83323

2. Date of Priority (Only one per claim) 1979 July Month/Day/Year

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

which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 10 S Range 24

Section 10 SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot E, BM.,

County of Cassia

Additional points of diversion if any: Same

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. 2 House Sub
One House beginning in 79. Second House 1983/4

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

For Domestic purposes from Jan 1 to Dec 31 amount .04 (cfs)
(Both dates are inclusive)

For same purposes from _____ to _____ amount _____

7. Total quantity claimed .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) One home 7/8 acre land, no stock

MICROFILMED

MAR 18 1993

10. Place of use is: Township: 103 Range 24E

Section 10 SE 1/4 of SE 1/4, Govt. Lot _____, B.M.,

County of Butte-Cassia 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? Cassia

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: _____

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)

Number of Attachments _____

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

Signature of Claimant (s) Floyd D. West Date 5-16-89
Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, Title _____, 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 ID.)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 16 day of May 19 89

SEAL

Notary Public John Doe Cash

Residing at Butte Id.

My Commission Expires 4/2/94

Last Name Floyd D. West Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

. Aug 1, 1989

Re: A45-10642

. FLOYD D WEST
. RT 1 BOX 32-A
. DECLO ID 83323

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
MAR 08 1993

WATER RIGHT NUMBER - A45-10642

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - - +

+ - FIRST NAME - - +

+ - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
WEST

FLOYD D.

1 - RT. 1 BOX 32-A

2 -

3 -

CITY- DECLD

PHONE - 208-654-2147

STATE- ID ZIP- 83323

+ - - PRIORITY DATE - - +
07/31/1979

```

+ - - - REGION - - - +
  ERROR IN REGION

```

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

----- SOURCE -----
GROUNDWATER

+ - - - - - TRIBUTARY - - - - - +

[illegible]

10S 24E 10 SE SE SE (31) CASSIA

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
1	1	1	1	1	1	1

43 - DOMESTIC

01/01

12/31

0.040

+ - TOTAL DIV. RATE - +	+ - TOTAL DIV. VOLUME - +	+ - TOTAL DIV. CAPACITY - +	+ - TOTAL CONSUMPTIVE USE - +	+ - KW USAGE - +
0.040			0.0	

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

105

24E

10

SE SE

43 DOMESTIC

(31) CASSIA

+ - - DIVERSION MEANS - 84' WELL, 2 HP SUBM. PUMP

+ - - NON-IRRIGATION USE - D/I HOUSE & LAWN

+ - - OTHER RIGHTS FOR SAME USE - NONE

+	REMARKS										+
	NO REMARKS FOUND.										

+ - - - - - 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

+ - - AUDIT FIELDS - 05/18/89 CLELLAND

+ - DECREE DATE -
 00/00/0000
 MICROFILMED
 OCT 28 1994

WATER RIGHT NUMBER - A45-10642

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - 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	- 05/18/1989	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	- S007198	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

10524E109500 T3898

DATA ENTRY

ENTERED 12-1-92 [Signature]

CHECKED 2/6/93 [Signature]

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
OCT 26 1991

PROOF
SEP 16 1991

CERTIFIED
OCT 29 1991
WATER EXAMINER