

AJ5856NP

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

DATE: SEP-9-1997  
PAGE: A-656

RIGHT NUMBER: 45-10971

NAME & ADDRESS: LAMAR VIRGIN  
PO BOX 562  
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: 08/19/1961

POINT OF DIVERSION: T10S R23E S28 NWNE Within CASSIA County

| PURPOSE AND<br>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 R23E S28 NWNE

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. 10S23E280745

Claim proofread by:                     

Date:                     

*jk*

*CV1*

*9-22*

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: A45-10971  
Date Received: 6/01/1989  
Receipt No: C006623  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LAMAR VIRGIN  
Address: P.O. BOX 562  
BURLEY, ID 83318  
208-678-3484
2. Date of Priority: AUG 19, 1961
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:  

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10S      | 23E   | 28      | NW     | NE     |     |     | CASSIA |
5. Description of diverting works:
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 HOME
10. Place of Use:  

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 10S      | 23E   | 28      | NW     | NE  |     | DOMEST |       |
11. Place of use in counties: CASSIA

A45-10971

Page 1

Date: 06/01/89

MICROFILMED

MAR 08 1993

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-

Date Received 5-5-89

Receipt Number 000623

NOTICE OF CLAIM  
TO A  
WATER RIGHT

RECEIVED  
MAY 05 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

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) LaMar Virgin Phone ( 208) 678-3484

Mailing Address P.O. box 562 Burley, Id. Zip 83318

2. Date of Priority (Only one per claim) Aug. 19, 1961 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 10 Range 23  
Section 28 , 1/4 of N W 1/4 of N E 1/4, Govt. Lot \_\_\_\_\_, BM.,  
County of Cassia

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. \_\_\_\_\_

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

For Domestic purposes from 1-1 <sup>Month/Day</sup> to 12-31 <sup>Month/Day</sup> 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) 1 couple

MICROFILMED

MAR 08 1989

10. Place of use is: Township: 10 Range 23

Section 28, N W 1/4 of N E 1/4, Govt. Lot \_\_\_\_\_, B.M.,

County of \_\_\_\_\_ 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 x 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.

14. Remarks: \_\_\_\_\_

15. Basis of Claim (Circle One) Beneficial Use x 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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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) La Mar Virgin Date 5-4-89

Betty L. Virgin Date 5-4-89

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 CASSIA ) SS.

Subscribed and sworn (or affirmed) before me this 4 day of May 19 89

SEAL

Notary Public [Signature]

Residing at Barley

My Commission Expires 5-90

Last Name Taylor Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 08 1993

WATER RIGHT NUMBER - A45-10971

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

\*\*\* C - CURRENT OWNER \*\*\*  
VIRGIN

L A M A R

1 - P.O. BOX 562  
2 -  
3 -  
CITY- BURLEY  
PHONE - 208-678-3484

STATE- ID ZIP- 83318

+ - - PRIORITY DATE - - +  
08/19/1961

```

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

```

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

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - -  
GROUNDWATER

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

[illegible]

10S 23E 28 NW NE (31) CASSIA

| + | CODE | DESCRIPTION | PERIOD FROM | PERIOD TO | WATER USE | DIVERSION RATE | DIVERSION VOLUME | + |
|---|------|-------------|-------------|-----------|-----------|----------------|------------------|---|
|---|------|-------------|-------------|-----------|-----------|----------------|------------------|---|

|               |       |       |       |
|---------------|-------|-------|-------|
| 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<br>CODE | DESCRIPTION | COUNTY  |
|-----|-----|-----|-------|-----|-------|----------------------|-------------|---------|
| 14N | 10E | 36  | 36    | 1   | 0.10  | 00                   | RESIDENTIAL | CLATSOP |

|     |     |    |       |    |          |      |        |
|-----|-----|----|-------|----|----------|------|--------|
| 10S | 23E | 28 | NW NE | 43 | DOMESTIC | (31) | CASSIA |
|-----|-----|----|-------|----|----------|------|--------|

+ - - DIVERSION MEANS -

+ - - NON-IRRIGATION USE - D/1 HOME

+ - - 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 - 06/01/89 SRBA

**MICROFILMED**  
**OCT 26 1994**

