

AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-337

RIGHT NUMBER: 45-10531

NAME & ADDRESS: SEYMOUR OSTERHOUT
RT 1 BOX 1674
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: 12/31/1920

POINT OF DIVERSION: T10S R24E S34 NWNWSW Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T10S R24E S34 NWSW

DOMESTIC Within CASSIA County
T10S R24E S34 NWSW

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

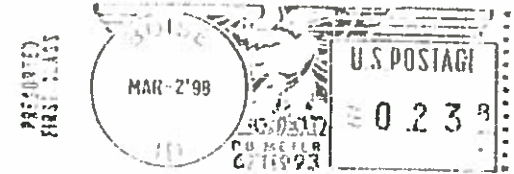
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 10S24E344800
STOCKWATER, VARIABLE AMOUNT

KKC
Claim proofread by: C1
Date: 9-26

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

DATA ENTRY DONE
REMAILED



3/12/98 AM
IMPORTANT WATER RIGHT INFORMATION

45-10531
SEYMOUR OSTERHOUT
RT 1 BOX 1674
BURLEY ID 83318

167 80 750E

RECEIVED
MAR 06 1998

Department of Water Resources

53318+9723



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: A45-10531
Date Received: 5/16/1989
Receipt No: S007132
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SEYMOUR OSTERHOUT 208-654-2466
Address: RT. 1 BOX 1674
BURLEY, ID 83318

2. Date of Priority: DEC 31, 1920

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	34	NW	NW	SW		CASSIA

5. Description of diverting works:
6"X 50' WELL, 3/4 HP 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		
STOCKWATER	01/01	12/31	0.020		

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 S/STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10S	24E	34	NW	SW		DOMEST	
			NW	SW		STOCK	

A45-10531

Page 1

Date: 05/16/89

MICROFILMED

MAR 08 1993

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:

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. A45-10531
Date Received 5/15/89
Receipt Number 5007132

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

MAY 16 1989

Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Seymour Osterhout Phone (654) 2466

Mailing Address Rt#1 Box 1674 Burley Idaho Zip 83318

2. Date of Priority (Only one per claim) 12/31 1920 Month/Day/Year

3. Source of water supply (Check one) (4 Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

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

Section 34, NW 1/4 of SW NW 1/4 of SW 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. 2" x 50' well 3/4 HP Pump.

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

		Month/Day	to	Month/Day	(cfs)
For <u>House hold</u> purposes from	<u>4/1</u>			<u>12/31</u>	amount <u>.004</u>
(Both dates are inclusive)					
For <u>Live stock</u> purposes from	<u>4/1</u>			<u>12/31</u>	amount <u>.02</u>

7. Total quantity claimed 10,000 (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 house hold & stock

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MAR 16 1989

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

Section 34, NW 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of 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 (X)

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 1

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

Signature of Claimant (s) Shannon Osterhout Date 5-15-89

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 Cassia } SS.

Subscribed and sworn (or affirmed) before me this 15th day of May 1989

SEAL

Notary Public Robert V. Worstell

Residing at Twin Falls, Idaho

My Commission Expires 1/16/1995

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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MAR 08 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

May 18, 1989

Re: A45-10531

Seymour Osterhout
Rt. 1 Box 1674
Burley, ID 83318

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

OSTERHOUT
POPE
PHILLIPS **CPAs**
AND COMPANY

1734 Overland Avenue • P.O. Box 608 • Burley, Idaho 83318

Phone (208) 678-3027 • Fax 678-0085

August 23, 1993

IDWR SOUTHERN REGION
222 Shoshone St. East
Twin Falls, ID 83301

Re: Notice of Claim No. A45-11078

Dear Sirs:

My father, Seymour Osterhout, asked that I explain the enclosed change of water right ownership and also inquire as to whether you have a record of the culinary/cattle water well he has at his present residence which was in existence when the farm was purchased from Penrod.

On October 10, 1958, Federal Land Bank of Spokane released a parcel of land from its real estate mortgage as part of the sale of the farm by Francis A. and Florean Penrod to Seymour O. and Leora N. Osterhout. A copy of the partial release and the Warranty Deed from Penrod to Osterhout is enclosed. The parcel released from the mortgage was gifted by the Osterhouts to their daughter and son-in-law Richard L. and Karen L. Wolf who have lived and continue to live on the property since that time. This parcel had a culinary well which was also used to water cattle. This is the well evidenced by your claim No. A45-11078.

While obtaining documentation to submit to you, we discovered that my parents had not provided a signed, recorded warranty deed to Richard L. and Karen L. Wolf. That was formally completed on August 19, 1993 and a copy is enclosed.

Would you please notify my father at Rt. 1, Box 1674, Burley, ID 83318 as to whether a claim was filed on the other well on his farm? The well would be located in the SE1/4, N1/2, SW1/4 of Section 34, Township 10 South, Range 24 East Boise Meridian. My mother passed away in December of 1991 and during her extended illness, filing the adjudication claim may have been overlooked.

Thank you for your assistance in this matter.

Sincerely,


Ronald D. Osterhout

cc: Seymour Osterhout, Richard & Karen Wolf

RECEIVED

AUG 24 1993

Department of Water Resources
Southern Region Office

MICROFILMED
OCT 28 1994

OSTERHOUT
POPE
PHILLIPS CPAs
AND COMPANY

1734 Overland Avenue • P.O. Box 608 • Burley, Idaho 83318

Phone (208) 678-3027 • Fax 678-0085

August 26, 1993

IDWR SOUTHERN REGION
222 Shoshone St. East
Twin Falls, ID 83301

Re: Seymour Osterhout
Rt 1 Box 1674, Burley, ID 83318
Our letter of August 23, 1993

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AUG 27 1993
Department of Water Resources
Southern Region Office

Dear Sirs:

The legal description used in last paragraph of my above referenced letter is wrong. The location of the culinary/cattle water at my father's present residence which was in existence when the farm was purchased is in the SW1/4, NE1/4, SW1/4, Sec 34, TS 10 South, Range 24 East Boise Meridian. A diagram of the property purchased from Penrod is as follows:

SW1/4, Sec 34

Seymour
Osterhout
Residence
with well

->

N1/2, SW1/4, Sec 34

SE1/4,
SW1/4,
Sec 34

<-

Richard & Karen
Wolf parcel with
well

Would you please notify my father as to whether he has filed a claim on the well at his residence in the present adjudication process?

Thank you for your assistance.

Sincerely

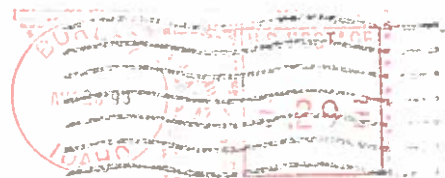

Ronald D. Osterhout

cc: Seymour Osterhout
S01DWR2

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OCT 28 1994

OSTERHOUT
POPE
PHILLIPS **CPAs**
AND COMPANY

1734 Overland Avenue
P.O. Box 608
Burley, Idaho 83318



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OCT 28 1994

IDWR SOUTHERN REGION
222 Shoshone St. East
Twin Falls, ID 83301

RECEIVED
AUG 27 1993
Department of Water Resources
Southern Region Office

SD-0604-2 Township: 10S Range: 24E Section: 34				Tract:		Lot:	
S	L	STATE	O	S	Max # Records	51	
E	O	Water	Name	T	Priority	Use	
L Tract	T	Right No.	Last, First	N	AC	G	Date Code Desc
NWNW	A45-11284	LEWIS FARMS	JORGENSEN, MARGARET L.	C		J	06/01/1909 43 DOMEST
NWNW	A45-11284	LEWIS FARMS	JORGENSEN, MARGARET L.	C		J	06/01/1909 43 DOMEST
SWNW	A01-00007Z0	BURLEY IRRIGATION DIST	LING, ROGER D.	C	40	D	04/01/1939 01 IRR
SENW	A01-00007Z0	BURLEY IRRIGATION DIST	LING, ROGER D.	C	40	D	04/01/1939 01 IRR
NESW	A01-00007Z0	BURLEY IRRIGATION DIST	LING, ROGER D.	C	40	D	04/01/1939 01 IRR
NWSW	A45-10531	OSTERHOUT, SEYMOUR		C		J	12/31/1920 43 DOMEST
NWSW	A45-10531	OSTERHOUT, SEYMOUR		C		J	12/31/1920 43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
OCT 28 1964



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

01-Sep-1993

SEYMOUR OSTERHOUT
RT 1 BOX 1674
BURLEY ID 83318

Dear Mr. Osterhout:

Enclosed please find a copy of your claim (A45-10531), as requested by your son, Ron. The other claim he inquired about (A45-11078), was already in the name of the Wolf's, so no changes were necessary there. If you have any other questions, or if I can be of any further assistance, please feel free to give me a call at the office.

Sincerely,


Jeanie Robertson
Records Clerk

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OCT 28 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

OCI 48004 DATE - +
00/00/0000

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

09/07/91 10:10:43
PAGE 2

WATER RIGHT NUMBER - A45-10531

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - AUDIT FIELDS - 05/16/89 CLELLAND

```

+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
                                -COMMENTS-
                                NO COMMENTS FOUND

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+ - - - - - - - - - - - - - - - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +
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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	- 05/16/1989	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	- S007132	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

10524E344800
~~10524E346000~~
DATA ENTRY
ENTERED 11-30-92 Ang
CHECKED 2/6/93 AB

"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 22 1991

CERTIFIED
OCT 8 1991
WATER EXAMINER

PROOF
SEP 16 1991