

AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-709

RIGHT NUMBER: 45-11047

NAME & ADDRESS: JOHN M GERRARD  
PO BOX 1043  
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: 12/31/1974

POINT OF DIVERSION: T10S R22E S30 SESENE 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 R22E S30 SENE

DOMESTIC Within CASSIA County  
T10S R22E S30 SENE

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. 10S22E302100  
STOCKWATER, 10 HORSES AND 10 CATTLE

Claim proofread by: CM

Date: 9-99



# 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

June 21, 1989

John M. Gerrard  
P.O. Box 1043  
Burley, Idaho 83318

A45-11047  
- 11048

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check # \_\_\_\_\_ for \$ \_\_\_\_\_ which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations. In checking your claim it appears that the following items need clarification:

*2 claims*

- ☒ Item #2 Priority *Dates these 2 wells were first used - By anyone*
- ☐ Item #4 Point of Diversion Legal Description
- ☐ Item #6 Uses descriptions
- ☐ Item #9 Description of Non-irrigation Uses
- ☐ Item #10 Place of Use Legal Description
- ☐ Item #16 Signature & Notorization
- ☐ Improper fee (THE CORRECT FEE IS \$ \_\_\_\_\_)
- ☐ Other or Remarks

~~If you wish to continue to press your claim please find enclosed instructions and another claim form to use.~~ If you will make the necessary corrections and return your claim with the correct fee and a copy of this letter within 30 DAYS of the date of this letter, your filing will be considered timely and will not be assessed an additional late fee of \$ 50.00.

BEFORE RETURNING THE CLAIM PLEASE READ THE ENCLOSED DRAFT TEXT FOR D&S BROCHURE. Due to recent rulings by the court you may defer filing the claim if you so desire but it is recommended by the Department that you continue to press your claim. If you have any questions contact our office.

Sincerely,

*Bob Worstell*

Bob Worstell  
Water Resource Agent

Encl:

DEC 03 1996

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: A45-11047

Date Received: 6/02/1989

Receipt No: S007502

Received By: R.V. 71

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JOHN M. GERRARD 208-678-9262  
Address: P.O. BOX 1043  
BURLEY, ID 83318

2. Date of Priority: DEC 31, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10S      | 22E   | 30      | SE     | SE     | NE     |     | CASSIA |

5. Description of diverting works:  
300' WELL, 5 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/10 HORSES & 10 CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use    | Acres |
|----------|-------|---------|--------|--------|-----|--------|-------|
| 10S      | 22E   | 30      | SE     | NE     |     | DOMEST |       |
|          |       |         | SE     | NE     |     | STOCK  |       |

A45-11047

Page 1

Date: 01/23/90

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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:

IDWR NOTE: PRIORITY DATE OBTAINED BY PHONE FROM GERRARD ON  
1/23/90. -RVW.

OWNERSHIP TRANSFERRED TO W. R. HENDERSON OF <sup>75 North Hwy LN.</sup> REXBURG, ID. 83440  
IN A LEGAL SETTLEMENT AFTER THIS CLAIM WAS FILED. -RVW, 1/23/90

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 FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576 11047

Identification No. 445-4047Date Received 6/2/1989Receipt Number 5007502NOTICE 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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) JOAN M GERRARD Phone (208) 678-9262Mailing Address PO. Box 1043 Burley Zip 833182. Date of Priority (Only one per claim) 12/31/74 Month/Day/Year3. 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 South Range 22 E.B.MSection 30, SE 1/4 of SE 1/4 of NE 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. Well 300' 5HP Submersible, House Stock Lauen

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

For Dom/stock purposes from 1-1 to 12-31 amount 0.04 (cfs)(Both dates are inclusive)  
For stock purposes from 1-1 to 12-31 amount 0.027. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership, Stockwater: Type and Number of livestock) 1 Household stock - 10 Horses, 10 Cattle

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10. Place of use is: Township: 10S Range 22E

Section 30, SE 1/4 of NE 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 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. None (X)

14. Remarks: Ownership transferred  
to W R Henderson - Rexburg,

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 \_\_\_\_\_

By signing I/We acknowledge reading the notice on the back of this claim form. I/We wish to receive for a small annual fee monthly copies of the docket sheet.  
YES \_\_\_\_\_ NO X

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

Signature of Claimant (s) John M. Herrand Date X 6/2/89  
\_\_\_\_\_ 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 2nd day of June 1989

SEAL

Notary Public Robert V. Stonestell

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

• Jan. 26, 1990

Re: A45-11047  
A45-11048

. JOHN M GERRARD  
. P O BOX 1043  
. 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 you claim(s), please contact this office.

Yours truly,

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

Judy Givens  
Adjudication Secretary

/jg

Enclosures:

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MAR 08 1993



PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - DECREE DATE - +  
00/00/0000

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

|                       |              |                       |              |                         |         |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| 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         | -       |
| RESPDNSE FILED DATE   | - 00/00/0000 | VERIFIED DATE         | - 00/00/0000 | OLD JUDICIAL DISTRICT   | -       |
| CLAIM RECEIVED DATE   | - 06/05/1989 | 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        | - S007502    | FEDERAL/STATE INDICATOR | - S     |
| CLAIMS TAPE ERROR FLG | -            | POU OWNERSHIP FLAG    | - Y          | PRESUMPTION FLAG        | -       |
| FEE EXEMPT FLAG       | -            | NAME CONNECTOR        | -            | NOTICE OF ERROR FLAG    | -       |

10522E302100

DATA ENTRY  
ENTERED 5/16/92 SW  
CHECKED 2/7/93 RB

"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  
NOV 02 1991

PROOF  
SEP 10 1991

CERTIFIED  
DEC 23 1991  
WATER EXAMINER