

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 85-7316
Date Received: 11/21/2003
Receipt No:
Received By: *0072068*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ENID NEWMAN Phone: (208)926-7522
PO BOX 337
STITES ID USA 83552

WAYNE NEWMAN Phone: (208)926-7522
PO BOX 337
STITES ID USA 83552-0337

2. Date of Priority: 10/27/1982

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
31N	04E	5	NW NE	IDAHO	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.02	9.8

7. Total Quantity Appropriated is:
0.02 C.F.S. and/or 9.8 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
31N	04E	5	NW	NE	IRRIGATION	6
Section Acres						6
Total Acres						6

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License

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: _____

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): Wayne Kuwman Date: 12-17-03

Date: _____

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 17th day of December 2003



Julianna G. Johnson
Notary Public

Residing at Boonsville, Id

My commission Expires 02-22-05

85-7316

W



08/20/2004

RECEIVED

SEP 03 2004

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 30, 2004

Water right number: 85-7316

ENID NEWMAN

PO BOX 337

STITES ID 83552

Telephone Number: (208)926-7522

WAYNE NEWMAN

PO BOX 337

STITES ID 83552-0337

Telephone Number: (208)926-7522

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 9-1-04

SIGNATURE: Wayne Newman

Please print your name: Wayne Newman

IDWR State Office, P.O. Box 83720, Boise, ID 83707-9815

SCANNED

SEP 03 2004

03/26/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 85-7316

NAME AND ADDRESS: ENID NEWMAN
PO BOX 337
STITES ID 83552

WAYNE NEWMAN
PO BOX 337
STITES ID 83552-0337

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS

USE OF THIS RIGHT WITH RIGHT NO. 85-7204 IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 18 AF.

PRIORITY DATE: 10/27/1982

POINT OF DIVERSION:

T31N R04E S5 NWNE Lot 2 Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.020 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T31N R04E S05 Lot 2 NWNE 6.0

6 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 85-7204 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 6 ACRES IN A SINGLE IRRIGATION
SEASON.

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

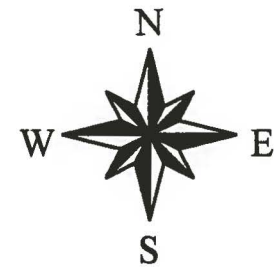
EXPLANATORY MATERIAL: License

85-7204 & 85-7316



T31N R04E
Section 5

● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: March 26, 2004
Photography: Aerial photo
Idaho Department of Water Resources

0 1000 2000 3000 Feet

A horizontal scale bar with four segments. The first segment is labeled '0', the second '1000', the third '2000', and the fourth '3000 Feet'.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1118 F. St, Lewiston, Idaho 83501

Phone: (208) 743-0301 FAX: (208) 743-0415 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 21, 2003

Wayne Newman
PO BOX 337
Stites ID 83552

Re: Snake River Basin Adjudication (SRBA) Notice of Claim No. 85-7316.

Dear Mr. Newman:

Please find enclosed a computer generated Notice of Claim that is based on license #85-7316. Please review the Notice for accuracy and if you agree with this claim, please sign in the presence of a Notary Public and return it to the address below with a check for \$56.00. The filing fee is \$50.00 plus \$1.00 per acre. If you disagree with any item on the Notice, please correct and then initial each change and again sign in the presence of a Notary Public.

I have also enclosed form 42-1409(2)b that you may use if you wish to file a Notice of Claim in the SRBA for your stockwater well upriver in section 8. The filing fee for this claim is \$25.00.

I have also enclosed an aerial photo of the area where your property is located. Please outline the area that is irrigated by 85-7316, and mark with an X, the location of the well(s). Send this aerial photo with your claim and filing fee.

Send Notice(s) to: IDWR
1301 N ORCHARD ST
BOISE ID 83706

If you have any questions regarding this matter, please do not hesitate to contact me at (208)743-0301.

Sincerely,

Gregory J. Taylor
Sr. Water Agent

Enc: Copies of Notice of Claim #85-7316; form 42-1409(2)b

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-07316

Priority: October 27, 1982

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

7.7 AF

This is to certify, that WAYNE NEWMAN

STITES ID 83552

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 27, 1982; and has submitted Proof of Beneficial Use on December 28, 1982. An examination indicates that the works have a diversion capacity of .020 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.02 CFS	7.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 5, Township 31N, Range 04E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
31N	04E	5	NWNE	6		6

Total number of acres irrigated: 6

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9th day of DECEMBER, 1991.

Acting for

R. Keith Higginson
R. Keith Higginson, Director

DEC 3 1991

Carl Wallace
1/2 portable pump, 1" pipe to handset
rainbirds

Enid
Grover Wayne Newman

85-4027

PO 837

Stites #d 83552

926-7522

5 NWNE 7316
~~71N 45 Sec. 8 NWNE 4027~~

— 2 —

85-7316 - 6 Ac. - Need claim groundwater

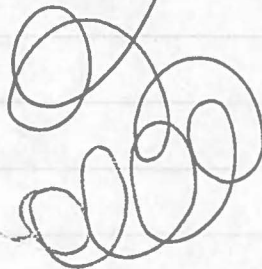
7204 - Processing in AT

10666 Spring Don-stock - decreed

7204 - Clearwater irr. 2 Ac.

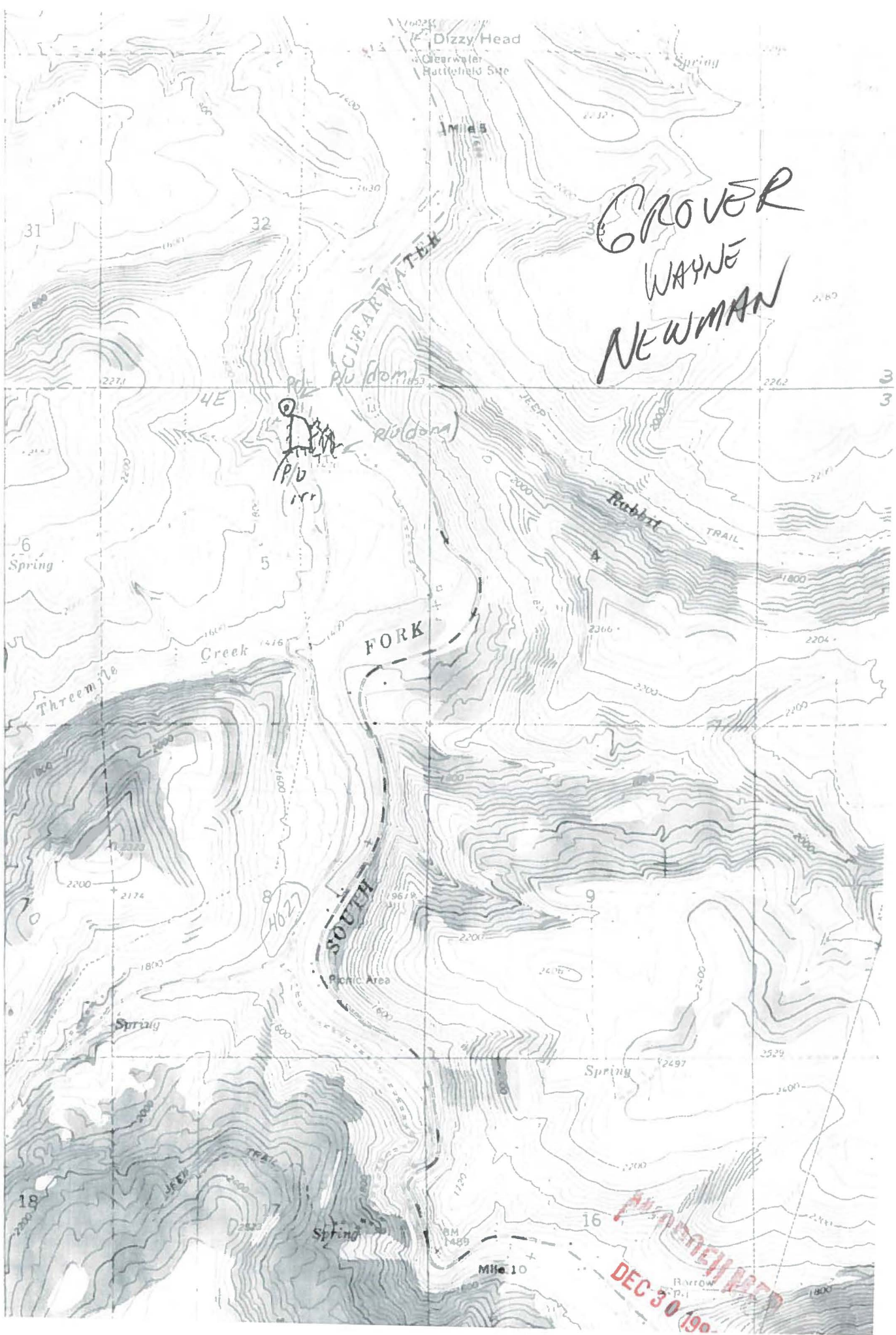
7202 - decreed groundwater

4039

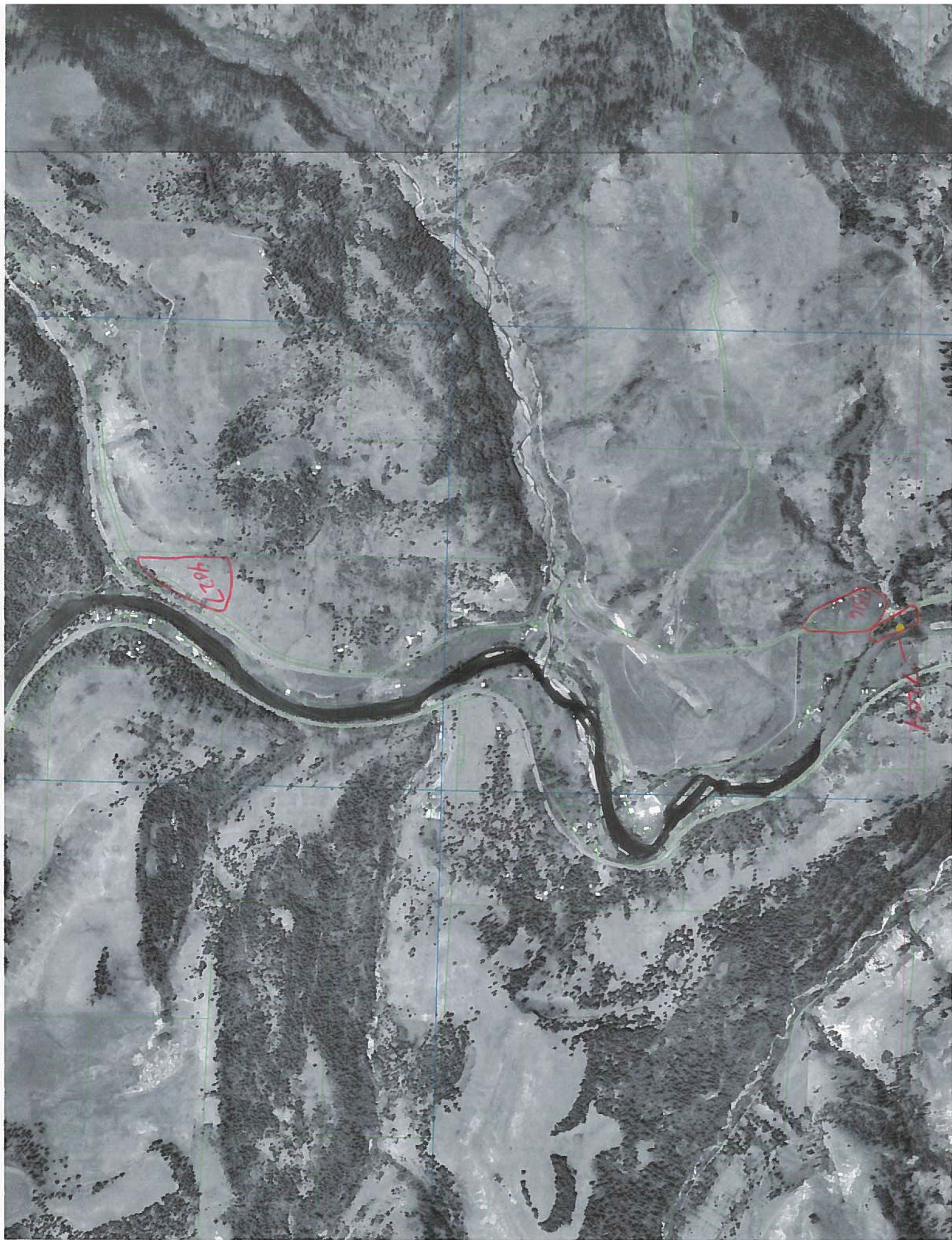


CROVER
WAYNE
NEWMAN

4E



DEC 30 1960



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 85-7316

WATER RIGHT NUMBER: 85-7316

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ENID NEWMAN PO BOX 337 STITES, ID 83552 (208)926-7522

Priority Date: 10/27/1982

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.020 CFS	7.70 AF
	<u>Total Diversion:</u>	0.020 CFS	7.70 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 5,	Twp 31N,	Rge 04E, B.M.
IDAHO County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
31N	04E	5		6.0															6.0

Total Acres: 6

Conditions of Approval:Remarks:Comments:Dates and Other Information:

7204



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

DIRK KEMPTHORNE
GOVERNOR

December 29, 2003

KARL J. DREHER
DIRECTOR

WAYNE NEWMAN
PO BOX 337
STITES ID 83552

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #85-7316 and
Unnumbered Notice of Claim to a Water Right – Idaho County

Dear Mr. Newman:

We have received your Notices of Claim to a Water Right referenced above. I have enclosed your receipt #C072068 for the filing fees. Please keep the receipt for your records.

We are returning your unnumbered Notice of Claim because we need your assistance before we can continue.

At Items #4 and #10, we do not have sufficient information to complete your legal description. The map you enclosed with your claims shows your Place of Use as Township 31N Range 4E Section 5, which is Notice of Claim #85-7316. The claim we are returning shows your Place of Use as 31N Range 4E Section 8.

I have enclosed a map of your area. Please mark the location of your property on this map and return it with the claim as soon as possible. You may wish to make a copy of your claim before returning it to me.

Please contact me at 208/327-7932 if you have any questions.

Sincerely,

Donald V. Shaff, Manager
Adjudication Technical Section

DVS:ss:region

Enclosures:

Incomplete Notice of Claim to a Water Right
Receipt #C072068
Map



State of Idaho

DEPARTMENT OF WATER RESOURCES

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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 85-7316
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Receipt No: 0072068
Received By:

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ACQUIRED UNDER STATE LAW**

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PO BOX 337
STITES ID USA 83552

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PO BOX 337
STITES ID USA 83552-0337

2. Date of Priority: 10/27/1982

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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31N	04E	5	NW NE	IDAHO	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
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Section Acres						6
Total Acres						6

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License

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: _____

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): Wayne Johnson Date: 12-17-03

Date: _____

State of Idaho)
County of Idaho) SS.

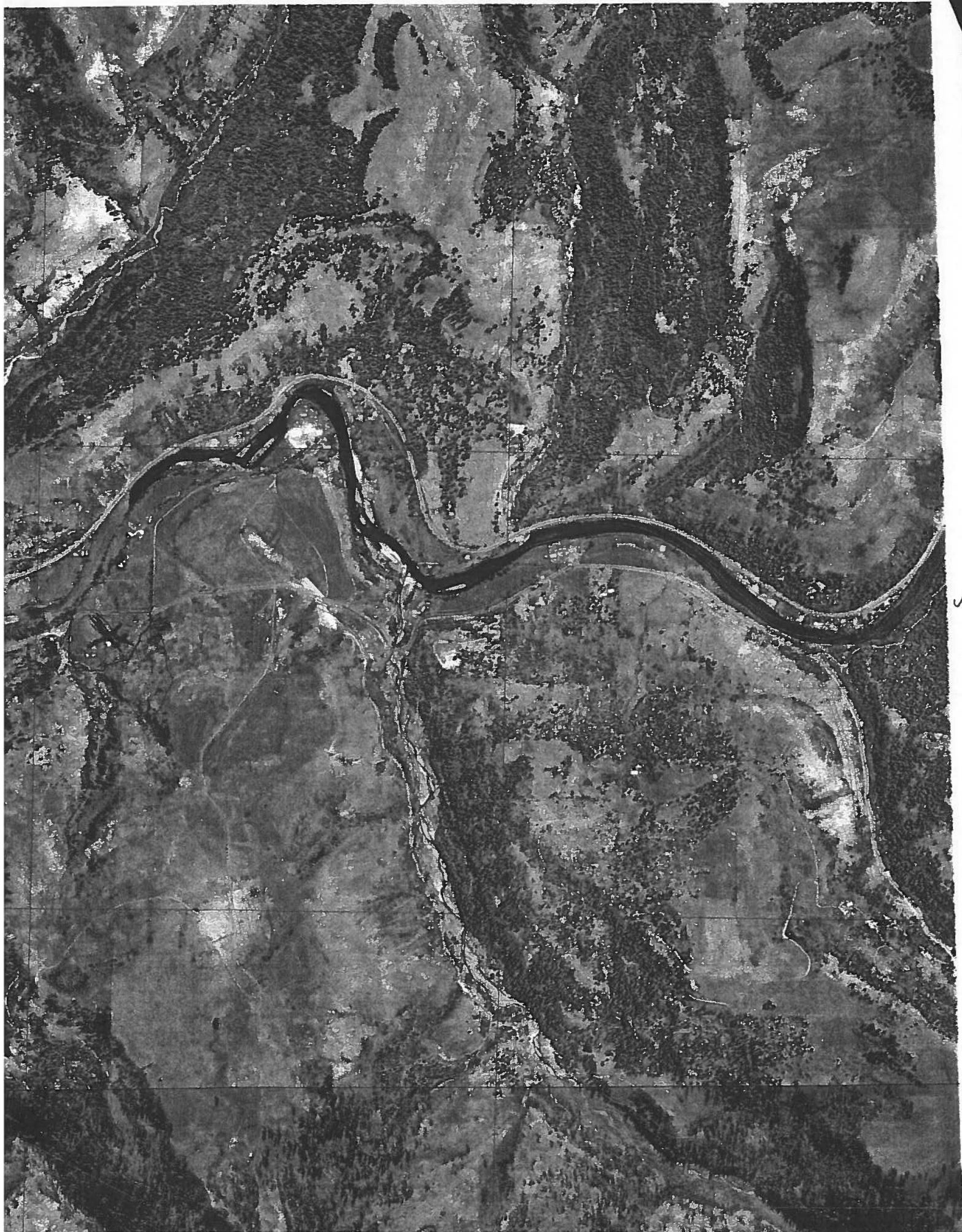
Subscribed and sworn (or affirmed) before me this 17th day of December 2003



Julianna G. Johnson
Notary Public
Residing at Idaho Falls, ID
My commission Expires 02-22-05

85-7316

W



5