

ELAM, BURKE AND BOYD

CHARTERED

ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

DAVID B. LINCOLN

February 24, 1992

Shelley Water Keen
Senior Water Resource Agent
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
FEB 25 1992

Department of Water Resources

Re: Snake River Ajudication
Aldecoa Notices of Claim

Dear Mr. Keen:

As requested by your letter to me of February 13, 1992, enclosed please find Notice of Appearance by Substitute Attorney at Law for the subject listed claims together with our client's check for \$164. Per your letter, I understand you will now mail to me a \$94 refund for our client in connection these claims. Thank you for your prompt attention to these matters.

Yours truly,

ELAM, BURKE & BOYD, Chartered



David B. Lincoln

DBL:lj1
Encl.

MICROFILMED
FEB 24 1993

NOTICE OF APPEARANCE BY SUBSTITUTE
ATTORNEY AT LAW

NOTICE IS HEREBY GIVEN that I, David B. Lincoln, of the firm Elam, Burke and Boyd, Chartered, will be acting as attorney at law on behalf of Basil and Dorothy Aldecoa and J.D. Aldecoa and Son, Inc., in substitution for Scott L. Campbell, and that all notices required by law to be mailed by the director to the claimants signing below should be mailed to me at the address listed below. This notice of appearance applies to all 26 claims heretofore filed by said claimants and more particularly described on the attachment hereto.

DATED This 18th day of February, 1992.

ELAM, BURKE & BOYD, Chartered

By *David B. Lincoln*
David B. Lincoln, Of the Firm
Attorneys for Claimants
P.O. Box 1539
Boise, Idaho 83701-1539

DATED This 21st day of February, 1992.

Basil Aldecoa
Basil Aldecoa

DATED This 21st day of February, 1992.

Dorothy Aldecoa
Dorothy Aldecoa

DATED This 21st day of February, 1992.

J.D. Aldecoa and Son, Inc.

By Dorothy Aldecoa, V.P. & Sec.

NOTICE OF APPEARANCE BY SUBSTITUTE
ATTORNEY AT LAW - Page 2

DBL 1.17

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FEB 24 1993

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

RECEIVED

AUG 19 1991

Ident. Number: A37-04387B
Date Received: 2/22/1991
Receipt No: C019731
Received By: _____

Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
Southern Region Office ACQUIRED UNDER STATE LAW

1. Name: J.D. ALDECOA AND SON INC. 208-343-1339
Address: 12 MESA VISTA DR.
BOISE, ID 83705

2. Date of Priority: MAY 1, 1910

3. Source: NEGRO CREEK Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	11E	10	SW	SW			ELMORE

5. Description of diverting works:
6' EARTHEN DAM CREATES STOCKWATER POND APPROX. 100' IN DIAMETER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.080		

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR UP TO 500 HEAD OF BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	11E	10	SW	SW		DOMEST	

11. Place of use in counties: ELMORE

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: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

17. Notice of Appearance:

17. Notice of Appearance:
Notice is hereby given that I, _____ will be
_____ Print Name
acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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

Identification No. _____

Date Received 2/25/91Receipt Number C 019731

NOTICE OF CLAIM TO A WATER RIGHT

FEB 22 1991

ACQUIRED UNDER STATE LAW

Department of Water Resources

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Should questions arise during
the processing of this
application please contact:SCOTT L. CAMPBELL
Elam, Burke and Boyd
P. O. Box 1539
Boise, ID 83701-1539
343-5454

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) J. D. Aldecoa and Son, Inc. Phone (208) 324-1339
Mailing Address 12 Mesa Vista Dr., Boise, ID Zip 83705

2. Date of Priority (Only one per claim) May 1, 1910 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other ~~XX~~ (a) Negro Creek
which is tributary to (b) Malad River Name or kind of source

4. Location of point of diversion is: Township 1 S. Range 11 E.
Section 10, 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, BM.,
County of Elmore

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. Earthen dam in Negro Creek creates stockwater pond approximately 100 feet in diameter - dam is approximately 6 feet high

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

For stockwater purposes from 1/1 ^{Month/Day} to 12/31 ^{Month/Day} amount 0.08 ^(cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.08 (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) Stockwater for up to 500 head of beef cattle

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FEB 24 1991

10. Place of use is: Township: 1S. Range 11E.

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

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? Elmore

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

~~XX~~ None or _____

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 Claim #37-4387

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 XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 0

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

Signature of Claimant (s) _____

Date _____

Date _____

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

of J. D. Aldecoa and Son, Inc., that I have signed the foregoing

Title

Organization

document in the space below as President

Title

of J. D. Aldecoa and Son, Inc.

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Dorothy Aldecoa

Date 1-29-91

Title and Organization _____

State of Idaho/or _____)

) SS.

County of Ada)

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 29th day of January 19 91

SEAL

Notary Public M. Judith Marlow

Residing at Bain

My Commission Expires 11-20-93

Last Name ALDECOA

Ident No. _____

Copies: White-State, Yellow-Claimant

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FEB 24 1993

GENERAL POWER OF ATTORNEY
OF BASIL P. ALDECOA

KNOW ALL MEN BY THESE PRESENTS: That I, Basil P. Aldecoa, of Boise, Ada County, Idaho, have made, constituted, and appointed, and by these presents do make, constitute, and appoint Dorothy Aldecoa, of Boise, Ada County, Idaho, as my true and lawful attorney for and in my name, place, and stead, and for my use and benefit to do the following:

(1) To ask, demand, sue for, recover, collect, and receive all such sums of money, debts, dues, accounts, legacies, bequests, interests, dividends, annuities, and demands whatsoever as are now or shall hereafter become due, owing, payable, or belonging to me; to have, use, and take all lawful ways and means in my name or otherwise for the recovery thereof, by attachments, arrests, distresses, or otherwise; to compromise and agree for the same, and acquittances, or other sufficient discharges for the same, for me and in my name; to make, seal, and deliver the same;

(2) To bargain, contract, agree for, purchase, receive, and take lands, tenements, and hereditaments; to accept the seisin and possession of all lands, deeds, and other assurances in the law therefor; to lease, let, gift, demise, bargain, sell, remise, release, convey, mortgage, and hypothecate lands, tenements, and hereditaments upon such terms and conditions and under such covenants as my said attorney shall think fit;

(3) To bargain, agree for, gift, buy, sell, mortgage, hypothecate, and in any and every way and manner deal in and with

goods, wares, merchandise, choses in action, and other property in possession or in action; to make, do, and transact all and every kind of business of whatever nature or kind; and to sign, seal, execute, deliver, and acknowledge such deeds, leases, and assignment of leases, covenants, indentures, agreements, mortgages, hypothecations, bottomries, charter parties, bills of lading, bills, bonds, notes, receipts, evidences of debt, releases, and satisfaction of mortgages, judgments, other debts, and such other instruments in writing of whatever kind and nature, as may be necessary or proper in the premises for me and in my name and as my act and deed;

(4) To prepare my federal income and gift tax returns and state income tax return; to sign the same on my behalf; to pay any and all taxes, charges, and assessments that may be levied or imposed upon me with respect thereto; to file for and collect any refunds pertaining thereto on my behalf; and to make court or audit appearances on my behalf with respect to such tax assessments or refund claims; and

(5) To do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might or could do if personally present (with full power of substitution or revocation); and I hereby ratify and confirm all that my said attorney (or my said attorney's substitute or substitutes) shall lawfully do or cause to be done by virtue of these presents.

As allowed by Idaho Code sections 15-5-501, et seq., this power of attorney shall not be affected by my disability, incapacity, or incompetence.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the 18th day of December, 1990.

Basil P. Aldecoa
Basil P. Aldecoa

Signed, sealed, and delivered
in the presence of

Michelle Murphy
Witness

Bertha H. Barton
Witness

STATE OF IDAHO)
County of Ada) ss.

On this 18th day of Dec., 1990, before me,
Caroline Vogel, a notary public in and for said state,
personally appeared Basil P. Aldecoa, and Michelle Murphy
and BERTHA H. BARTON, witnesses, known to me to be the
persons whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal, the day and year in this certificate first
above written.

Caroline Vogel
Notary Public for Idaho
Residing at Boise, Idaho
Commission Expires 7/18/94

GENERAL POWER OF ATTORNEY
OF BASIL P. ALDECOA - 3

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FEB 24 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RECEIVED

OCT 10 1991

Department of Water Resources
Southern Region Office

October 4, 1991

Teresa E. Teevan
Elam, Burke and Boyd
Key Financial Center
702 West Idaho
P. O. Box 1539
Boise, Idaho 83701

Re: J.D. Aldecoa & Sons, Inc., SRBA Claim #A37-04387B

Dear Ms. Teevan:

Enclosed is a copy of Notice of Claim #A37-04387B, which was revised to show "Stock" instead of "Domestic" in field #10.

Sincerely,

Shelley W. Keen
Water Resource Agent

Enclosure:

Notice of Claim #A37-04387B

Please enclose
in appropriate
claim file.

SW Keen

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FEB 24 1993

RECEIVED
AUG 23 1991

Department of Water Resources

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

August 22, 1991

Ms. Shelley Walter Keen
Water Resource Agent
Idaho Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720

Re: J.D. Aldecoa & Son, Inc., Claim #A37-04387B

Dear Ms. Keen:

Could you please review the claim referenced above as to a data entry error? I believe in field #10, Place of Use, under "Use" the filing should read "Stock" instead of "Domestic".

Could you confirm in writing the correction to this filing? Thank you for your assistance with this matter.

Very truly yours,

Teresa E. Teevan

TERESA E. TEEVAN

Paralegal

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FEB 24 1993

First Name	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
J.D. ALDECOA AND SON INC.						
C A63-24093	04/01/1910	SPRINGS	0.080	04	STOCK	
C A63-24095	04/01/1948	SPRING	0.100	01	IRR	
C A63-10120	09/02/1983	GROUNDWATER	0.240	01	IRR	
C A37-04387A	05/01/1910	SPRING	0.040	43	DOMEST	
C A37-14262	05/01/1910	SPRING	0.080	04	STOCK	
C A37-04387B	05/01/1910	NEGRO CREEK	0.080	04	STOCK	
C A63-26220	04/01/1948	SPRING	0.480	01	IRR	
					04	STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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