

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: A37-10596
Date Received: 7/13/1988
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAN PENCE 406-683-4669
Address: 1475 COSGROVE LANE
DILLON, MT 59725

AND

Name: LOIS PENCE 406-683-4669
Address: 1475 COSGROVE LANE
DILLON, MT 59725

2. Date of Priority: APR 20, 1977

3. Source: RICHFIELD CANAL Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	19E	28	NW	NW	NE		LINCOLN

5. Description of diverting works:
5 H.P. PORTABLE GASOLINE PUMP DELIVERING TO 500 GAL. TROUGH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	05/01	10/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 30 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03S	19E	28	NE SW		STOCK	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

OTHER INSTREAM CATCHMENT POND ON PROPERTY

14. Remarks:

THE SOURCE OF WATER IS ACTUALLY BIG WOOD RIVER TRIB. MALAD R.
P/D IN SENE SEC 30 T2S, R18E, BLAINE CO. AT HEAD OF RICHFIELD
CANAL. P/D LISTED IS REDIV. FROM EAST MAIN CANAL WHICH SPLITS
OFF OF RICHFIELD CANAL.

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

Ident. Number 437-10596

Date Received

Receipt Number

RECEIVED

5000 925

JUL 11 1988

Department of Water Resources
Southern Region Office

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. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) DAN & Lois PENCEPhone (406) 683-4669 gtrs

683-3987 Business

Mailing Address 1475 Cosgrove Lane, Dillon, MT 59712Zip 597252. Date of Priority (Only one (1) per claim) 4/20/773. Source of water supply (a) Richfield Canal
which is tributary to (b) originates at Magic Reservoir4. Location of point of diversion is: Township 3S Range 19ESection 28, NW 1/4 of NW 1/4 of NE 1/4, Govt. Lot _____, B.M.,County of Lincoln

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. 5 H.P. Gasline pump (portable) w/ 1 1/2 inch waterline; actually pumps water approx. 2000 feet to fill a 500 gal water trough, then pump is shut off until more water is needed, about 2 days later.

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

For Stockwater purposes from 5/1 to 10/31 amount 2200 cfs/day 0.02
(Both dates are inclusive) (cfs)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.02 (cfs)8. Total consumptive use claimed is de minimus 0.02

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) Stockwater pumped 2000 feet to fill 500 gal water trough used to water up to 30 beef cattle

FEB 25 1993

MICROFILMED

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
35	19E	28									S							

11. In which county (ies) are lands listed above as place of use located? Lincoln

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. Seasonal Runoff Storage in two Catchment ponds on the property or None ()

14. Remarks: One pond is immediately to the water trough (NE1/4, NE1/4, SW1/4, SE1/4) and the other is a small draw in SW1/4, SE1/4, NW1/4, SE1/4. Depending on year, water may last until mid-June. Actual run-off only lasts for a few days each spring.

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 _____ if there are any objections or problems with my application

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

Signature of Claimant (s) Don Pence Date 7/5/88

Bob M. Pence Date 7/5/88

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

of _____, Title _____, 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 _____

Title and Organization _____ Date _____

State of Idaho/or Montana)
County of Beaverhead) SS.

Subscribed and sworn (or affirmed) before me this 5 day of July 19 88

SEAL

Notary Public Robin Marsh

Residing at Billon

My Commission Expires 2-2-90

Last Name Pence Ident No. _____

Copies White-State, Yellow-Claimant

MICROFILMED

FEB 25 1993

WATER RIGHT NUMBER - A37-10596

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
PENCE

DAN

1 - 1475 COSGROVE LANE
2 -
3 -

STATE- MT ZIP- 59725

CITY- DILLON
PHONE - 406-683-4669

PENCE

LOIS

1 - 1475 COSGROVE LANE
2 -
3 -

STATE- MT ZIP- 59725

CITY- DILLON
PHONE - 406-683-4669

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
04/20/1977 ERROR IN REGION J - BENEFICIAL USE

+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
RICHFIELD CANAL *Big Wood River*

+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

03S 19E 28 NW NW NE (63) LINCOLN

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

04 - STOCKWATER 05/01 10/31 0.020

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.020 0.0

+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

03S 19E 28 NE SW *5 1/2 NW 1* 04 STOCKWATER (63) LINCOLN

+ - - DIVERSION MEANS - 5 H.P. PORTABLE GASOLINE PUMP DELIVERING TO 500 GAL. TROUGH

+ - - NON-IRRIGATION USE - S/ 30 RANGE CATTLE

+ - - OTHER RIGHTS FOR SAME USE - OTHER INSTREAM CATCHMENT POND ON PROPERTY

+ - - - - - REMARKS - - - - - +
THE SOURCE OF WATER IS ACTUALLY BIG WOOD RIVER TRIB. MALAD R.
P/D IN SENE SEC 30 T2S, R18E, BLAINE CO. AT HEAD OF RICHFIELD
CANAL. P/D LISTED IS REDIV. FROM EAST MAIN CANAL WHICH SPLITS
OFF OF RICHFIELD CANAL.

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

MICROFILMED
OCT 25 1994

WATER RIGHT NUMBER - A37-10596

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 07/13/88 MERRITT 09/26/89 REFUNDML

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

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

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	- 07/13/1988	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	- S000925	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND	NOTICE OF ERROR FLAG	-

A37
035196283600

DATA ENTRY

ENTERED *12-21-93 PS*

CHECKED *4-5-94 V*

"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

PROOF

JAN 06 1992

VERIFIED
FEB 14 1992

CERTIFIED

AK
MAR 22 1992

WATER EXAMINER