

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA ) SPECIAL MASTER'S REPORT  
Case No. 39576 )  
 ) FINDINGS OF FACT AND  
 ) CONCLUSIONS OF LAW  
 )  
 ) FOR WATER RIGHT 63-21924

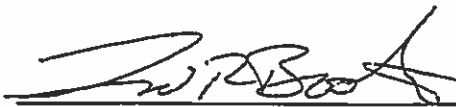
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On June 18, 2007, the Wilder Irrigation District, through its attorney Albert P. Barker, filed an objection to the *Director's Report*, asserting that the source of the water right should be described as wastewater. On October 16, 2008, the parties filed a *Standard Form 5 - Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-21924 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Nov. 3, 2008



Theodore R. Booth  
Special Master  
Snake River Basin Adjudication

DISTRICT COURT - SRBA  
 Fifth Judicial District  
 County of Twin Falls - State of Idaho  
 NOV - 3 2008  
 By \_\_\_\_\_  
 \_\_\_\_\_  
 Clerk  
 Deputy Clerk

NAME AND ADDRESS: DANA L DORSEY  
KRISTINA D DORSEY  
THOMAS EDWIN DORSEY  
THOMAS MATTHEW DORSEY  
20477 LOWELL RD  
CALDWELL, ID 83607

SOURCE: LUNDY DRAIN TRIBUTARY: SNAKE RIVER

The source of this water right is waste water. The wasting of water may be discontinued at any time.

An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it, and/or for access to the drain by the appropriator to divert water pursuant to this right, must be executed among the appropriator, the owner of the drain, and if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this right.

|                            |                  |                |                      |
|----------------------------|------------------|----------------|----------------------|
| QUANTITY:                  | 0.24             | CFS            |                      |
| PRIORITY DATE:             | 03/01/1934       |                |                      |
| POINT OF DIVERSION:        | T03N R04W S22    | NWNESW         | Within Canyon County |
| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE   | PERIOD OF USE  | QUANTITY             |
|                            | Irrigation       | 03-01 TO 11-15 | 0.24 CFS             |
| PLACE OF USE:              | Irrigation       |                | Within Canyon County |
|                            | T03N R04W S22    | NWSW 12.0      |                      |
|                            | 12.0 Acres Total |                |                      |

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. I.C. SECTION 42-1412(6).

**RULE 54 (b) CERTIFICATE**

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson  
Presiding Judge of the  
~~Snake River Basin Adjudication~~

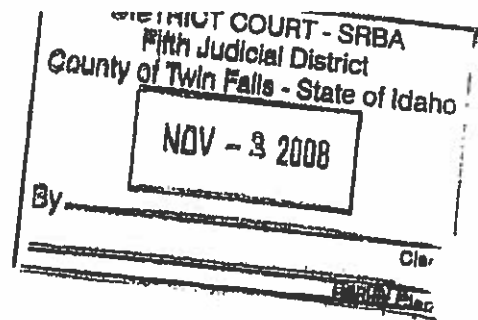
Stamp: After Final Adjudication

**RECOMMENDATION**

NOV - 3 2008

*[Signature]*

**SPECIAL MASTER**



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
Case No. 39576 )  
\_\_\_\_\_ )

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

Water Right(s): 63-21924

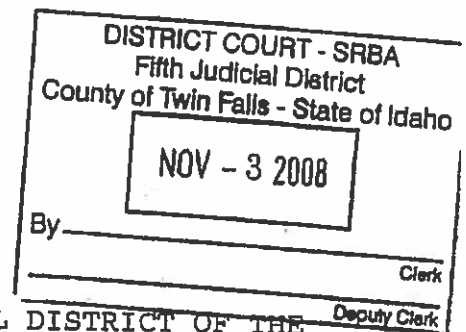
On November 03, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED November 03, 2008.

  
\_\_\_\_\_  
DIANA R. DELANEY  
Deputy Clerk



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 63-21924

#### CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on November 03, 2008, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

WILDER IRRIGATION DISTRICT

Represented by:  
ALBERT P BARKER  
1010 W JEFFERSON, STE 102  
PO BOX 2139  
BOISE, ID 83701-2139  
Phone: 208-336-0700

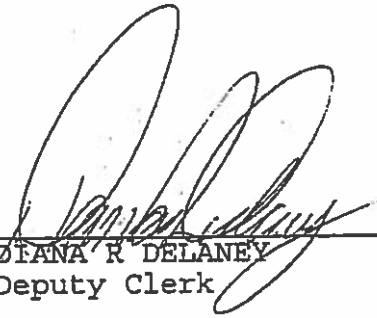
USDI BUREAU OF RECLAMATION

Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

CERTIFICATE OF MAILING

PAGE 1  
11/03/08

DANA L DORSEY  
KRISTINA D DORSEY  
THOMAS EDWIN DORSEY  
THOMAS MATTHEW DORSEY  
20477 LOWELL RD  
CALDWELL, ID 83607  
Phone: 208-459-2987



---

DIANA R DELANEY  
Deputy Clerk

RECEIVED

OCT 20 2008

DEPARTMENT OF  
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

) Subcase No. 63-21924  
)  
)  
)  
)  
)  
)

STANDARD FORM 5

STIPULATED ELEMENTS OF A  
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT

Thomas Mathew Dorsey

CLAIMANT

Kristina D. Dorsey

Thomas Mathew Dorsey 9/3/08  
Date

Kristina D. Dorsey 9/3/08  
Date

STANDARD FORM 5 - 63-21924

RECEIVED

SEP 12 2008

**CLAIMANT**

Thomas Edwin Dorsey

*Thomas E Dorsey 9-5-08*

Date

**CLAIMANT**

Dana L. Dorsey

*Dana L. Dorsey*

Date

**OBJECTOR**

Wilder Irrigation District

*Albert P. Barker 9-12-08*

Albert P. Barker, Attorney

Date

**RESPONDENT**

United States on behalf of  
Bureau of Reclamation

*David Gehlert 10/15/08*

David Gehlert

Date

Attorney, U.S. Department of Justice  
Environment and Natural Resources  
Division

**IDWR Concurrence:**

*Kay Walker 9-24-2008*

IDWR Agent

Date

*Nicholas Spencer 9-29-08*

Nicholas Spencer

Date

Deputy Attorney General

### CERTIFICATE OF MAILING

I certify that on 002 15, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

2. Copies to:

WILDER IRRIGATION DISTRICT

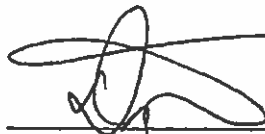
Represented by:  
ALBERT P BARKER  
1010 W JEFFERSON, STE 102  
PO BOX 2139  
BOISE, ID 83701-2139

USDI BUREAU OF RECLAMATION

Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

DANA L DORSEY  
KRISTINA D DORSEY  
THOMAS EDWIN DORSEY  
THOMAS MATTHEW DORSEY  
20477 LOWELL RD  
CALDWELL, ID 83607



Signature of person or attorney mailing the form

SF5 Right No. 63-21924

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

RIGHT NUMBER: 63-21924

NAME AND ADDRESS: THOMAS MATTHEW DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

KRISTINA D DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

THOMAS EDWIN DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

DANA J. DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

SOURCE: LUNDY DRAIN

TRIBUTARY: SHAKE RIVER

The source of this water right is waste water. The washing of water may be discontinued at any time.

An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it - and/or for access to the drain by the appropriator to divert water pursuant to this right - must be executed among the appropriator, the owner of the drain, and, if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this right.

QUANTITY: 0.240 CFS

PRIORITY DATE: 03/01/1934

POINT OF DIVERSION: T03N R04W S22 NW1/4SW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| IRRIGATION     | 03/01 11/15   | 0.240 CFS |

PLACE OF USE: IRRIGATION in CANYON County

T03N R04W S22 NW1/4 12.00

12 ACRES TOTAL

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: BASIS OF CLAIM - Beneficial Use

This right when combined with all other rights shall not exceed 0.02 cfs per acre at the field headgate.

Use of this right is combined with water from Wilder Irrigation District.

SF5 Right No. 63-21924

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

RIGHT NUMBER: 63-21924

NAME AND ADDRESS: THOMAS MATTHEW DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607KRISTINA D DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607THOMAS EDWIN DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607DANA L DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

SOURCE: LUNDY DRAIN TRIBUTARY: SNAKE RIVER

The source of this water right is waste water. The wasting of water may be discontinued at any time.

QUANTITY: 0.240 CFS

This right when combined with all other rights shall not exceed 0.02 cfs per acre at the field headgate

PRIORITY DATE: 03/01/1934

POINT OF DIVERSION:

T03N R04W S22 NWNESE Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 0.240 CFS       |

PLACE OF USE: IRRIGATION in CANYON County

T03N R04W S22 NWSW 12.00

12 ACRES TOTAL

SF5 Right No. 63-21924

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

An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it - and/or for access to the drain by the appropriator to divert water pursuant to this right - must be executed among the appropriator, the owner of the drain, and, if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this 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: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Wilder Irrigation District.

08/27/2008

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

RIGHT NUMBER: 63-21924

NAME AND ADDRESS: THOMAS MATTHEW DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

KRISTINA D DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

THOMAS EDWIN DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

DANA L DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

SOURCE: LUNDY DRAIN TRIBUTARY: SNAKE RIVER

The source of this water right is waste water. The wasting of water may be discontinued at any time.

QUANTITY: 0.240 CFS

PRIORITY DATE: 03/01/1934

POINT OF DIVERSION:

T03N R04W S22 NWNESW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 0.240 CFS       |

PLACE OF USE: IRRIGATION in CANYON County

T03N R04W S22 NWSW 12.00  
12 ACRES TOTAL

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

An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it - and/or for access to the drain by the appropriator to divert water pursuant to this right - must be executed among the appropriator, the owner of the drain, and, if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this 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: BASIS OF CLAIM - Beneficial Use

This right when combined with all other rights shall not exceed 0.02 cfs per acre at the field headgate.

Use of this right is combined with water from Wilder Irrigation District.

2008 AUG 04 AM 11:51  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

|                |   |                       |
|----------------|---|-----------------------|
| In Re SRBA     | ) | NOTICE SETTING STATUS |
|                | ) | CONFERENCE            |
| Case No. 39576 | ) |                       |
| _____          | ) | SUBCASE NO: 63-21924  |

Please be advised that Special Master THEODORE R. BOOTH  
has set a Status Conference in the above subcase(s)  
as follows:

TUESDAY, AUGUST 12, 2008 at 04:00 PM (MT)

SRBA  
DISTRICT COURT  
253 3RD AVENUE NORTH  
TWIN FALLS, ID

Parties may participate by telephone by dialing the number  
225-383-1099 and when prompted entering the code 675342.

Dated: AUGUST 04, 2008

/s/ DIANA R DELANEY  
Deputy Clerk  
Snake River Basin Adjudication

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

Page 1 8/04/08

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the NOTICE SETTING STATUS CONFERENCE was mailed on AUGUST 04, 2008, with sufficient first-class postage to the following:

WILDER IRRIGATION DISTRICT

Represented by:  
ALBERT P BARKER  
1010 W JEFFERSON, STE 102  
PO BOX 2139  
BOISE, ID 83701-2139  
Phone: 208-336-0700

USDI BUREAU OF RECLAMATION

Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720  
BOISE, ID 83720-0098

DANA L DORSEY  
KRISTINA D DORSEY  
THOMAS EDWIN DORSEY  
THOMAS MATTHEW DORSEY  
20477 LOWELL RD  
CALDWELL, ID 83607  
Phone: 208-459-2987



STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
LAWRENCE G. WARDEN

July 23, 2008

Albert P. Barker, Esq.  
BARKER, ROSHOLT & SIMPSON, LLP.  
P.O. Box 2139  
Boise, Idaho 83701-2139

Re: 63-5112, 63-5114, 63-5221, 63-19875, 63-21602,  
63-21924, 63-32166 & 63-32348

Dear Al:

Something that I thought had been resolved several months ago with regard to the SF-5s you guys are preparing to resolve wastewater objections in Basin 63 Part 3 has come to my attention again. We are holding the listed above SF-5s because each of them contains the following remark, which you are using to settle objections involving access to the drain:

Water shall not be diverted under this permit until an easement or right of way with the owner of the drain providing for access to the drain is filed with the Department.

Earlier I had alerted you to the fact that the use of the word "permit" caused confusion because the remark was being applied to rights that were not in the permit stage, and that ultimately would be decreed rights. I had suggested that the term "water right" be substituted for "permit". IDWR changed several SF-5s to use that term. Additionally it looks like several SF-5s with that remark have slipped through and made it unchanged to the Court.

On reflection the use of the remark causes additional problems that I had not initially recognized. First, it imposes upon IDWR the burden of keeping a repository of access agreements. That can be a problem because IDWR doesn't really have a place to file them. Since the agreements will be legally significant contracts I would think the irrigation districts themselves would want to keep them in their own records so they would have easy access to them.

Additionally, my understanding is that the same remark is being used to resolve two different situations, but does not make this clear. In some cases the irrigation district wants an agreement authorizing the appropriator to access the drain to divert the water; in other cases the irrigation district wants what Paul Arrington is calling a "crossing" agreement, whereby the appropriator grants to the irrigation district a right of way to cross the appropriator's property in order to get to the drain to maintain it. This is not in itself a problem, but I think it would help if the situation were clarified, since even we at IDWR did not initially understand the remark was doing double duty.

However, the remark creates a much more significant problem: it can be construed as placing upon the watermaster, and therefore by extension, IDWR the responsibility for policing the situation with regard to these agreements and shutting off the water of appropriators who have not entered into them. I do not think IDWR has legal authority to do this. Moreover, I would think that the irrigation districts would not want the watermaster or IDWR to be the arbiter of the meaning of private easement and right of way agreements. That is a responsibility for the courts.

For these reasons IDWR will not be able to sign off on any more SF-5s containing that remark. But in order to help keep the pace of settlement of this type of objection moving along, I have tried very hard to come up with a substitute remark that I believe more accurately describes what you are trying to accomplish in this type of situation. The remark is as follows:

An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it—and/or for access to the drain by the appropriator to divert water pursuant to this right—must be executed among the appropriator, the owner of the drain, and, if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this right.

Please ponder this and let me know what you think. I have tried to make it cover both of the situations you are dealing with, and to apply irrespective of whether the drain is owned by the Bureau of Reclamation or the irrigation district itself. I am not wedded to the language and would welcome any suggestions for improvements.

Assuming we can soon reach agreement on a substitute remark, IDWR will prepare substitute SF-5s for the group enumerated above and get them into circulation for re-signing. Also, in the future IDWR will gladly undertake the responsibility for preparing any additional SF-5s you wish to send out to claimants.

Thank you for your consideration. I look forward to hearing from you.

Best wishes,

A handwritten signature in black ink, appearing to read "Nick Spencer", with a long horizontal flourish extending to the right.

NICHOLAS B. SPENCER  
Deputy Attorney General

Cc: David Gehlert  
Gail McGarry

RECEIVED

MAY 26 2008  
DEPARTMENT OF  
WATER RESOURCES

2008 MAY 23 PM 12:57  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

|                |   |                          |
|----------------|---|--------------------------|
| In Re SRBA     | ) | ORDER SETTING SUBCASE(S) |
|                | ) | FOR INITIAL HEARING      |
| Case No. 39576 | ) |                          |
| _____          | ) | SUBCASE NO: 63-21924     |

The Initial Hearing for this subcase will be held before  
Special Master THEODORE R. BOOTH

THURSDAY, JUNE 19, 2008 at 03:00 PM (MT)  
IDAHO SUPREME COURT BUILDING  
451 WEST STATE STREET  
BOISE, ID

ATTENDANCE IS MANDATORY. All parties are required to  
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity  
to meet with a representative of the Idaho Department of  
Water Resources (IDWR) and/or the objector in an attempt  
to reconcile any difference between the claim and the  
Director's Report. Bring any and all information you  
believe is relevant to your claim and/or objection. If  
the claim cannot be reconciled at the Initial Hearing,  
the court will set the subcase(s) for trial within 45  
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR  
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by  
JUNE 16, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

(continued)

Dated: MAY 23, 2008

/S/ THEODORE R. BOOTH  
Special Master  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING  
SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 23, 2008 \_\_\_\_\_,  
with sufficient first-class postage to the following:

WILDER IRRIGATION DISTRICT

Represented by:  
ALBERT P BARKER  
1010 W JEFFERSON, STE 102  
PO BOX 2139  
BOISE, ID 83701-2139  
Phone: 208-336-0700

USDI BUREAU OF RECLAMATION

Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720  
BOISE, ID 83720-0098

DANA L DORSEY  
KRISTINA D DORSEY  
THOMAS EDWIN DORSEY  
THOMAS MATTHEW DORSEY  
20477 LOWELL RD  
CALDWELL, ID 83607  
Phone: 208-459-2987

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA ) A. Subcase 63-21924  
(Insert water right number)  
)  
Case No. 39576 ) STANDARD FORM 1  
) OBJECTION  
\_\_\_\_\_ )

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Wilder Irrigation District  
Address: 709 Cleveland Blvd  
Caldwell, ID 83605  
Daytime Phone: 208-459-3421

Name & Address of Attorney, if any:

Albert P. Barker  
Barker Rosholt & Simpson, LLP  
1010 W. Jefferson, Ste. 102, Boise ID 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Dana, Kristina, Thomas E and Thomas M Dorsey  
Address: 20477 Lowell Rd.  
Caldwell, ID 83607

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: \_\_\_\_\_

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Wilder Irrigation District.

3. ☐ **Quantity**

Should be: \_\_\_\_\_

4. ☐ **Priority Date**

Should be: \_\_\_\_\_

5. ☐ **Point of Diversion**

Should be: \_\_\_\_\_

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: \_\_\_\_\_

7. ☐ **Purpose(s) of Use**

Should be: \_\_\_\_\_

8. ☐ **Period of Year**

Should be: \_\_\_\_\_

9. ☐ **Place of Use**

Should be: \_\_\_\_\_

10 ☐ **I object because:**

☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

**E. REASONS SUPPORTING OBJECTIONS(S):** There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Wilder Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Wilder Irrigation District. Proposed wastewater remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of Idaho )  
County of Ada )ss.

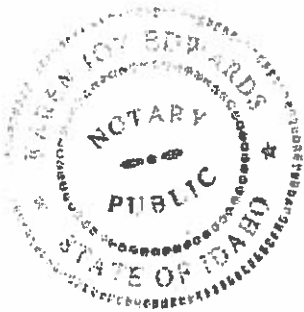
Albert P. Barker, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge..

(Signature of person filing objection)

[Signature]  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho  
Residing at: Boise, Idaho  
My Commission Expires: 8/2/2012

Karen Joy Edwards

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

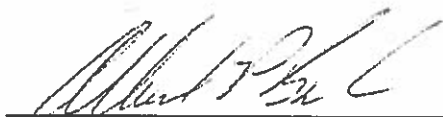
Name: Dana, Kristina, Thomas E and Thomas M Dorsey  
Address: 20477 Lowell Rd.  
Caldwell, ID 83607

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

United States Department of Justice  
Environment & Nat'l Resources Div  
550 W Fort Street, MSC 033  
Boise, ID 83724

Chief, Natural Resources Division  
Office of Attorney General  
PO Box 44449  
Boise, ID 83711-4449



Signature of objector or attorney  
mailing on Objector's behalf

12/10/2006

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

RECEIVED

DEC 12 2006

IDAHO  
WATER RESOURCES

RIGHT NUMBER: 63-21924  
NAME AND ADDRESS: THOMAS MATTHEW DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607  
  
KRISTINA D DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607  
  
THOMAS EDWIN DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607  
  
DANA L DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

SOURCE: LUNDY DRAIN TRIBUTARY: SNAKE RIVER  
QUANTITY: 0.240 CFS  
PRIORITY DATE: 03/01/1934  
POINT OF  
DIVERSION: T03N R04W S22 NWNESE Within CANYON County  
PURPOSE AND  
PERIOD OF USE:

|               | <u>PURPOSE OF USE</u>              | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|---------------|------------------------------------|----------------------|-----------------|
|               | IRRIGATION                         | 03/01 11/15          | 0.240 CFS       |
| PLACE OF USE: | <u>IRRIGATION in CANYON County</u> |                      |                 |
|               | T03N R04W S22 NWSW                 | 12.00                |                 |
|               | 12 ACRES TOTAL                     |                      |                 |

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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: BASIS OF CLAIM - Beneficial Use

This right when combined with all other rights shall not exceed 0.02 cfs per acre at the field headgate.

Use of this right is combined with water from Wilder Irrigation District.

08/23/2006

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

RIGHT NUMBER: 63-21924

NAME AND ADDRESS: THOMAS MATTHEW DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

KRISTINA D DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

THOMAS EDWIN DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

DANA L DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

SOURCE: LUNDY DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.240 CFS

PRIORITY DATE: 03/01/1934

POINT OF DIVERSION:

T03N R04W S22 NWNESE Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 0.240 CFS       |

PLACE OF USE: IRRIGATION Within CANYON County

T03N R04W S22 NWSW 12.00

12 ACRES TOTAL

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: BASIS OF CLAIM - Beneficial Use

This right when combined with all other rights shall not exceed 0.02 cfs per acre at the field headgate.

Use of this right is combined with water from Wilder Irrigation District.



# Idaho Department of Water Resources

SRBA Recommendation:

**63-21924**

*Acres = 12*

## Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County  
IDWR Basin 63



R04W



0 0.1 0.2 Miles



Prepared by K. Walker  
On Wednesday, August 23, 2006  
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 63-21924

WATER RIGHT NUMBER: 63-21924

Owner Type Name and Address  
Current Owner TOM L GROSSEN  
PO BOX 72  
INDIAN VALLEY, ID  
Current Owner NORMAN GROSSEN  
PO BOX 72  
INDIAN VALLEY, ID 83632-0072  
(208)256-4419

Priority Date: 09/17/1913

Basis: Beneficial Use

Status: Active

Source  
LUNDY DRAIN

Tributary  
SNAKE RIVER

Beneficial Use  
IRRIGATION

From To  
4/15 10/15

3/1 11/15  
Total Diversion:

Diversion Rate

0.260 CFS  
0.24  
0.260 CFS  
0.24 @ 1" ac

Annual Volume

N/A - surface  
water

Location of Point(s) of Diversion

LUNDY DRAIN

NW1/4NE1/4SW1/4

Sec. 22, Twp 03N, Rge 04W, B.M.

CANYON County

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 03N | 04W | 22  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 12     |

Total Acres: 12 per G/S shape -

Conditions of Approval:

1. OWNERSHIP CHANGED 08/24/1995 BY MM.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 4/6/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

OL w/ Wilder  
Dwrig. Dist - W59  
(per orig. claim)

known locally as  
Sandy aka Lundy Drain.

Dorsey's

Sec. by kw  
8/23/06

use standard

per top  
X54

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION FIELD REPORT**

**RECEIVED****AUG 23 2006**

DEPARTMENT OF WATER RESOURCES

**Prior to Field Exam**

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

**CLAIMANT INFORMATION – verify contact information is complete**Claim No(s) 63-21924Owner: Thomas Edwin Dorsey, Dana L Dorsey, Kristina D Dorsey,  
Thomas Matthew Dorsey Phone No. (208) 459-2987Current Address: 20477 Louxell Rd, Caldwell, Id 83607

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER

- ☒ No change Address
- ☐ NEW ADDRESS

- ☒ How long owned property? ownership changed 8/24/95, then purchased 2/2006  
family farmed property since 1906

Accompanied by: Thomas Edwin Dorsey cell (208) 573-2049**PRIORITY DATE**

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 9-17-1913

(If priority date, based on your exam, seems questionable, explain below.)

Thomas E Dorsey stated his family farmed the property  
since 1906.Source: Lundy Drain Tributary to Snake River

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: \_\_\_\_\_

**POINT OF DIVERSION**

- ☒ No change
- ☐ POD found is different than claimed: \_\_\_\_\_
- ☐ If different, when did POD change? \_\_\_\_\_

# DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

| ID # | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks<br>GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------|
| —    | —          | NW  | NE  | SW  | 22   | 3N   | 4W   | Canyon | N 43° 34' 88.3<br>W 116° 48' 41.9         |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |

Description of diverting works

Lund, Drain to 200'x100'x6' reservoir, 25 Hp Cornell pump  
6" discharge, ran @ 50 psi (60 psi std. for pivots) to 6" buried PVC  
w/ 30' lift to POU

## OVERLAP REVIEW

Other water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

## WATER USES

*200'x100'x6' reservoir/storage*  
*38 acres irrigated*  
*40-50 pr. Cattle*  
*changes due to this.*

☐ No change

☒ Different Uses

Use Irrigation From 4/15 To 10/15 Amount            CFS            AFA

Use Livestock From 01/01 To 12/31 Amount 0.157 CFS            AFA

Use Storage From 01/01 To 12/31 Amount            CFS            AFA

## TOTAL VOLUME – Groundwater only

N/A

- ☐ Incomplete on claim, the total is, Amount            CFS            AFA
- ☐ Changes found, the new total is, Amount            CFS            AFA
- ☐ More than 1" per Acre? Yes            (claimant must complete excess flow sheet)

## NON-IRRIGATION USES:

- ☐ No change
- ☒ Changes Exam found: Domestic # of homes — Stock # 40-50 pair <sup>dairy</sup> Cattle

Types            Additional comments: overflow from reservoir

## PLACE OF USE:

- ☐ No Change
- ☐ Changes shown below:

is utilized for cattle  
01/01 - 12/31 (rotate cattle  
around during the entire  
year, but always here  
during fall + winter)

| Place of Use |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|--------------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| TWP          | RGE | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 3N           | 4W  | 22  |    |    |    |    |    |    |    |    |    | 38 |    |    |    |    |    |    | 38     |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Overlap with other water rights: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: Lundy Drain to 700' x 100' x 6' reservoir, at dam 25HP Cornell pump, @ 50 psi, 6" steel discharge, to 6" buried PVC line to pivot (Zimmatic Arms Advance 3 phase, 4 sections w/ 9 nozzles on each section + a 100' end gun on the end). 38 acres is irrigated, with some additional spray in the northeast corner. Usual crops are corn or hay (rotated).

\* At Lundy Drain entrance to reservoir GPS is: N 43.34883 W 116.48.419

| Well or Diversion Identification No GPS ID | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge size |
|--------------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| Tag# on pump: A0002140                     | Cornell    | 25 | 5K6237X          | No tag    | 6" steel                          |
| N43.34.773                                 |            |    | H210A            |           |                                   |

at pump < W116.48.409

#### FLOW MEASUREMENTS:

Attach appropriate documents

#### NARRATIVE/REMARKS/COMMENTS

Supplemental Water: Have access to Lehigh Irrigation District water, but not used unless there's a drought. They have sufficient water supply from the ditch to fill the reservoir to pump water on to their acreage via their pivot, + overflow continued down Lundy Drain + used for livestock.

In 1987, there was a 25hp pump at the POD with a collection box, 6" discharge, pumped up to the north end of the property (ditch ditches w/ gravity flow north to south) then would make its way down to other ditch ditches crossing the property + following the slope of the hill (siphon tubes + gravity flow). With this system, there was kind of a "dry area" down in the southeast corner. 3

Confirmed with Tim Standeford/Aqui Lines in Parma  
(208) 722-5121 details on Zimmatic Pivot.

Directions: I84, Hwy 19/Greenleaf off-ramp, South on  
Farmway, west on Hwy 55/Karcher Blvd, at Simmons  
Fruit Ranch, turn Right on Lowell Rd. (20477 Lowell Rd  
is residence), Continue on Lowell Rd, Right Frost Rd,  
Lt Grape Ln (POD is 0.2 miles) after 20704 Grape Ln at bottom  
AFTER EXAM THE FILE SHOULD CONTAIN: of dip on south side. POU is property  
☒ Completed claim checklist on south side at the top of the dip  
☒ Photographs of POD's and POU (across from 20872 Grape Ln),  
☒ GPS readings  
☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 6-13-2006

FIELD EXAMINER:

Judy Hennerway

**Claim No. 63-21924**

**Name: Dorsey**

**Date Inspected: 5/16/2006**

**Field Inspector: Sandy Hemenway**

**Irrigation:**

\*\*\*Tim Standeford/Agri Lines, Parma (208) 722-5121 put in system and total acreage is 40 acres, with 37.9 acres being irrigated with the Zimmatic Pivot.

**Confirmed acres irrigated:** 38 acres x 0.02cfs = **0.76 cfs**

**Season:** 4/15 - 10/15 = 184 days

**Required V.i.r.** = allowable acres under permit x requirement IDWR chart (figure 2)=

38 acres x 4.5 = **171.0 afa**

**Potential V.d.r.** = max. allowable cfs x permit season x 1.9835 =

0.76 x 184 x 1.9835 = 277.37 = **277.4 afa**

**Pipe Flow Capacity for a 6" Pipe:** 0.98 cfs

**Diversion to Storage 01/01 - 12/31:**

Unable to measure flow coming down ditch, due to highly reeded and brushy area

**Irrigation Storage 1/1 - 12/31**

200' x 100' x 6' reservoir/43,560 = 2.75 af = **2.8 af**

**Irrigation from Storage 4/15 - 10/15:**

Pipe Flow Capacity for a 6" Pipe: **0.98 cfs**

Pumpback Computation Spreadsheet (attached) = **1.00 cfs**

**Stockwater 01/01 - 12/31:**

Rotate livestock during entire year, but at this location during fall and winter.

Table 1. Recommended Diversion for Stockwater, Exhibit 15A

40 - 50 pr. Dairy cattle = **0.07 cfs**

**Required V.i.r.** = # head X (gallon/day/head) X (days use/year)

100 X 35 X 365 / 325,850 = 3.92 af = **3.9 af**

**Potential V.d.r.** =

3.93 cfs X 365 X 1.9835 = **2845.2 af**

**\*\*\*Flow through pipe from reservoir that diverts water back into the Lundy Drain is a 12" PVC pipe. 12" pipe capacity = 3.93 cfs (this pipe contained "full-flow")**

**Zimmatic Pivot:**

\*\*\*Confirmed with Tim Standeford, with Agri Lines, Parma (208) 722-5121, installed this system.

The following information was obtained from his files:

Installed for irrigation of 37.9 acres; 3 towers with a 88' overhang; 150gpm end gun; 100 gpm per tower;

Pivot covers all of the 40 acres, except the corners (2 acres).

3 towers = 300 gpm

end gun = 150 gpm

Total gpm = 450 gpm/448.8 = **1.00 cfs**

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway  
Project: Flow Computation for A63-21924 Dorsey  
Given: See Data Table

Compute head losses with the Williams and Hazen Formula:  
 $f = 0.2083 \cdot (100/\text{roughness})^{1.85} \cdot (\text{cfs} \cdot 448.8)^{1.852} / \text{ID}^4 \cdot 8655 \cdot \text{Length} / 100$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 30.00 feet

Pressure Req'd: 50.00 psi

Required Head: 145.50 feet

Pump Horsepower: 25.00 horsepower

Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140  
aluminum - joint length 20' = 125, joint length  
30' = 130, joint length 40' = 132, joint length  
50' = 134, new riveted steel = 100  
old riveted steel = 100, old cast iron = 95,  
old pipes in poor condition = 60 to 80

| Inside Diameter in Inches | Equivalent Length in Feet | Unit Head Loss | Total Friction Head Loss from Pipe Friction | Head Loss per 100 ft |
|---------------------------|---------------------------|----------------|---------------------------------------------|----------------------|
| 5.50                      | 400.00                    | 8.02           |                                             | 2.01                 |
| 1.50                      | 0.00                      | 0.00           |                                             | #DIV/0!              |
| 1.00                      | 0.00                      | 0.00           |                                             | #DIV/0!              |

8.02

Initial Estimate of Rate of Flow:

1.000 CFS

Computation of Rate of Flow:

1.00

N ↑

20872

20704

← Lundy Drain

Grape Ln.

100' end gun  
usually  
covers this  
area

POD  
N43°34'88.3"  
W116°48'41.9"

200'x100'x6'  
reservoir

pump N43°34'77.3"  
W116°48'40.9"

dam  
overflow  
that goes  
down Lundy Drain  
used by livestock

pivot

buried  
6" PVC

POU: 38 acres  
(2 acres of corners  
not irrigated)

House

dirt road

Frost Rd

A63-21924 Dorsey  
5/16/2006 S.H.

■ = POU

● = POD

Lowell Rd



POD

Lundy  
Drain

Grape Ln.

5/16/2006 SAT



POD

N↑

Lundy  
Drain

200'x100'  
6' reservoir

dam

16/05/2006

5/16/2006 SAT.

AL3-21924 Dorsey

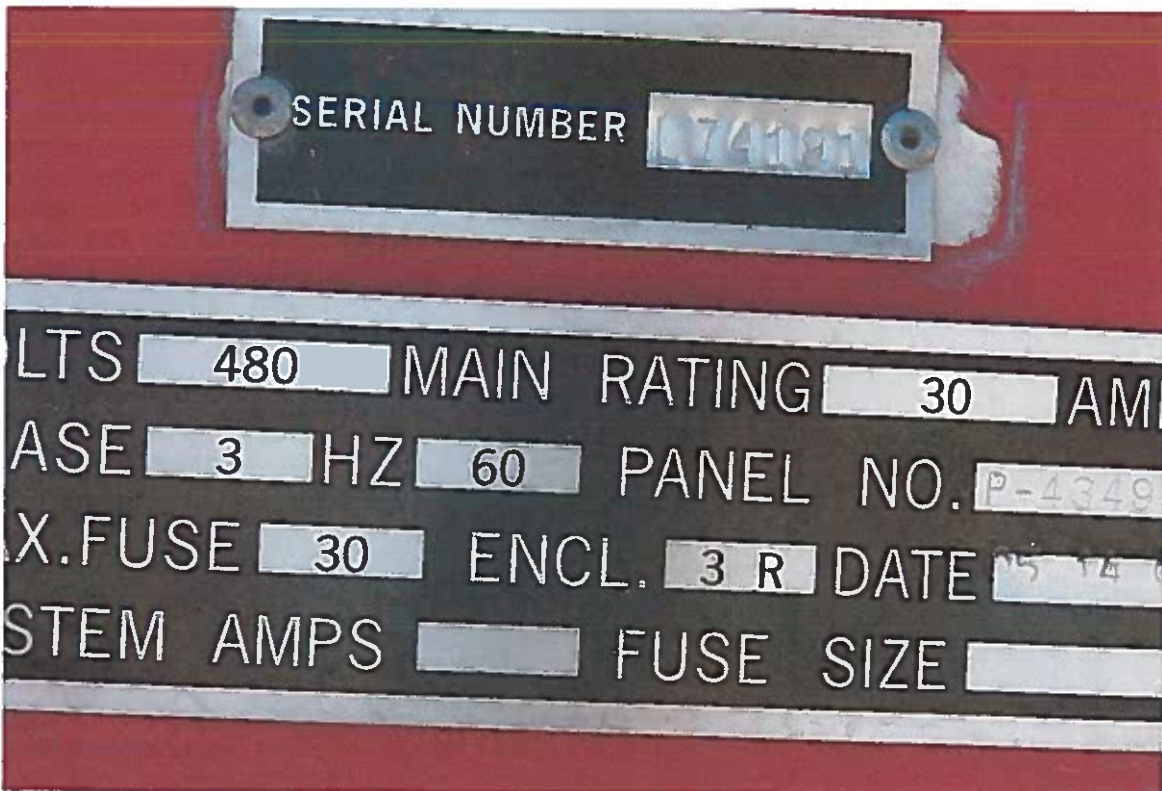
25Hp  
Cornell  
6" discharge  
to 6" buried  
PVC  
usually run  
@ 50 psi  
(60 psi std.  
for pivots)



POLL:  
 38 acres  
 3 tower  
 Zimmatic  
 Aims  
 Advance Pivo  
 4 sections  
 9 nozzles  
 each section  
 w/100'  
 end gun  
 60psi for pivot  
 water from  
 reservoir  
 pumped  
 through 6"  
 buried PVC  
 line to Pivot

5/16/2006 SH

- 100 gpm per tower
- 150 gpm from end-gun
- coverage for 37.9 acres (irrigation)



SN #  
 L74191  
 3 phase  
 Pivot

5/16/2006 SH.  
 A63-21924 Dorsey



Stockwater:

12"  
overflow  
from reservoir  
that continues  
down Lundy  
Drain  
dam

5/16/2006 SH



Livestock  
currently  
moved to  
corral but  
usually  
winter down  
in the  
Lundy Drain  
area, & are  
rotated around  
through the

5/16/2006 SH.  
A63-21924 Doracy



Serial 1987

□ = 1987-1994 system

□ = system put in during 1995

previously had dirt ditches & gravity flow



□ = system presently used (Pivot)

63-21924 Dorse

5116/2006 SH

Trial 1111-111



Gravel

200'x100'x6'  
Reservoir

Dorsey -  
tam. pump

→ 1552  
acres per  
Canyon Co.

has piece of the  
property under investigation

100' and  
then usually  
covers this  
area  
bordered  
6" PVC

NWSN

pivot

→ 38 acres  
(2 acres of crops  
not irrigated)



20477 Larned Rd

63-21924 Dorsen

5/16/2006 S.H.

Nalp  
8004

Tues 5/16/06 2:00

Sandy

**A63-21924 Field Exam Request:**  
**DORSEY**

**Contact:**

04/27/2006

Contact **Thomas Dorsey (or one of the other claimants)** at 459-2987 to set up a field exam.

**Property Address:**

✓ Get directions from claimant when setting up appointment.

**Requests:**

✓ \*Please verify **all the elements** of this right.

In addition, please verify:

✓ • GPS the location of the diversion point.

✓ • Is **Wilder Irrigation District** water used on this property also? *Only if a drought situation*

✓ • **1987 Aerial Photo:** Please draw the **13 acres** that were irrigated from the Lundy — *family has farmed this land since 1906; not sure why only 13 acres is listed*  
Drain in 1987 on the enclosed **1987 aerial photograph**. Draw the **diversion works** on the 1987 aerial photo along with the **point of diversion**.

✓ • **Capacity of System:** Verify that the claimed **0.26 cfs** is possible/applicable.

Kay Walker  
287-4953  
Sr. Water Resource Agent  
IDWR – State Office via Western Region



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

April 28, 2006

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

THOMAS EDWIN & DANA L DORSEY  
THOMAS MATTHEW & KRISTINA D DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

RE: Snake River Basin Adjudication (SRBA)  
Notice of Claim to a Water Right No. 63-21924

Dear Claimants:

We have processed the change in ownership for the above referenced Notice of Claim. Enclosed is a copy of the Claim for your files. Please note that we are required to conduct a field examination of the water developed and used under this Claim. A contractor, working for the Department, will be contacting you to schedule a time that she can conduct the examination.

We also found License No. 63-10616 appears to be appurtenant to the land you own. Enclosed is a copy of this license for your information. If you believe that you are the owner of this right you should submit the enclosed Notice of Change in Ownership form to our Department. This right is not included in the SRBA so a \$25.00 filing fee will need to be submitted with the change in ownership form.

If your mailing address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your water rights. If you have any questions concerning this letter, please do not hesitate to contact me at (208) 287-4953.

Sincerely,

KAY WALKER  
Sr. Water Resource Agent

KW:k  
Enclosures

State of Idaho  
Department of Water Resources

RECEIVED

AUG 31 1995

WATER RESOURCES  
WESTERN REGION

**WATER RIGHT LICENSE**

WATER RIGHT NO. 63-10616

Priority: April 14, 1988

Maximum Diversion Rate: 0.61 CFS  
Maximum Diversion Volume: 135.5 AF

This is to certify, that VERNON HAUMANN  
BILL HAUMANN

RT 4 BOX 528  
CALDWELL ID 83605

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 14, 1988; and has submitted Proof of Beneficial Use on July 18, 1988. An examination indicates that the works have a diversion capacity of 1.500 cfs of water from:

LUNDY DRAIN tributary to SNAKE RIVER

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       | 0.60 CFS                 | 135.0 AF             |
| STOCKWATER            | 01/01 to 12/31       | 0.01 CFS                 | 0.5 AF               |
| Totals                |                      | 0.61 CFS                 | 135.5 AF             |

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 22, Township 03N, Range 04W  
CANYON 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 03N        | 04W        | 22         | NESW         | 30           |              | 30           |

Total number of acres irrigated: 30

PLACE OF USE: STOCKWATER, same as IRRIGATION use

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.

## WATER RIGHT LICENSE

WATER RIGHT NO. 63-10616

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Stockwater use is for 35 range cattle.

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 15 day of April, 1992.

  
Acting for R. Keith Higginson, Director



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

April 19, 2006

THOMAS EDWIN & DANA L DORSEY  
20477 LOWELL RD  
CALDWELL ID 83607

**RE: NOTICE OF CLAIM NO: A63-21924**

Dear Claimants:

We are currently preparing the above referenced Notice of Claim for the Director's Report in the Snake River Basin Adjudication. Enclosed is a copy for your convenience. Our research indicates there may have been a change in the ownership for the this claim. IDWR records currently show the following name and address as the owner of the claim listed above:

**TOM OR NORMA GROSSEN  
BOX 72  
INDIAN VALLEY ID 83632**

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership form, as appropriate, to correct our records. We need to conduct a field examination of the system under this claim in the next couple of months and need to be able to contact the current owners.

If no response is received from you by May 15, 2006, all further legal notices concerning the claim will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please feel free to contact me at 287-4953.

Sincerely,

KAY WALKER  
Sr. Water Resource Agent

KW:k  
Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-21924

03/28/2006

1

| Right # | Type  | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use | Acres/Total | Name          |
|---------|-------|-----|-----|-----|----|----|-----|----------------|-------------|---------------|
| 21924   | Claim | 03N | 04W | 22  | NW | SW |     | IRRIGATION     | 13/13       | TOM L GROSSEN |

NO OK

## REAL PROPERTY INQUIRY

```

+++++
01 6R33466-000- -0 184-00 SCH139+ 01 26,800 43.21
+++++
DORSEY, THOMAS EDWIN + 05 200 3.66
& DORSEY, DANA L H/W + 10 25,300 1.00
& DORSEY, THOMAS MATTHEW + 19 2.50
& DORSEY, KRISTINA D H/W + 31 39,400
+ 32 4,200
20477 LOWELL RD +
CALDWELL ID 83607 +
+++++
22-3N-4W SW + TOTAL 104,600 75.85
N 1/2 SW LS TX 00485 & 05094 +
+ SURVEY INST 200506032
+ DRAIN DR VALUE APPR MKB
+ CLASS R2 REAP 02 MAN 01 UNIT 1
+ PARCEL 6R03N04W224800 H/O N C/B N
+ PRIOR ACCOUNT 5R33466-000- -0
+ 02 MH on Property NO
+ 03 Traits 04 Companion Sheet

```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R33466000 0 UNIT 001 TOTAL UNITS 1

SITE 14194 PLUM RD CA SEC/TWN/RNG 22-3N-4W

ASSESSED VALUE 104,600 ACREAGE 75.85

SUB/PARK NAME YEAR/MAKE

CLASS R2 RENTAL HOUSE CLASS '2' SPACE LOT BLOCK

```

+++++
YR BUILT 1922 AIR COND AIR - NONE CARPORT D2
STORY 1 STORY HEATING CARPORT SQ FT 360
FIRST SQ FT 1008 EXTERIOR WOOD SIDING DECK/PATIO? N
SECOND SQ FT ROOF COMP POOL? N
BEDS 2 BSMT SQ FT SPA? N
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

```

+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
REAL ACCOUNT

```

# Receipt Details for ID C016150

| Status | Adjustment Type  | Version |
|--------|------------------|---------|
|        | Adjusted Receipt | 1       |

## General Information:

| Date Received       | Date Deposited | Region           | Total Amount | Payment Type |
|---------------------|----------------|------------------|--------------|--------------|
| 4/6/1990 2:15:19 PM | 4/6/1990       | State            | \$113.00     | Check        |
| Payer               |                | HAUMANN, BILL G. |              |              |

## Account Information:

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 0175                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

Comment LATE FEE

## Fee Detail:

| Amount  | Description      | PCA    | Fund | Fund Detail | Subsidiary | Object |
|---------|------------------|--------|------|-------------|------------|--------|
| \$63.00 | ADJUDICATION FEE | 410162 | 9337 | 0           | 0          | 6490   |
| \$50.00 | LATE FEE         | 410162 | 9337 | 0           | 0          | 6490   |

## Refund(s):

| Amount  | Payee           | Date      | Document Number |
|---------|-----------------|-----------|-----------------|
| \$50.00 | BILL G. HAUMANN | 5/24/1990 |                 |

## Water Right Information:

| Basin Number | Sequence Number | Split Suffix | Amount  | Type  |
|--------------|-----------------|--------------|---------|-------|
| 63           | 21924           |              | \$63.00 | Claim |

*ok*

Print Report

NOV 29 1996

WATER RESOURCES  
WESTERN REGION

11-27-96.

Canyon  
Road  
Refig Water Right # 63-21924  
Tom & Garma Grassen  
Box 72  
Indian Valley, Id 83632  
208-256-4419

Enclosed find the original affidavit  
for the water from the Lundy Ditch  
on our property. This ditch is  
shared by Randy Metrick which  
Mr. Lane refers to as the "Lundy La"  
I am mailing Randy a copy of the  
affidavit.

If we need to do any further  
work to verify this claim  
please let us know.

Thank you,  
Tom & Garma Grassen.

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NOV 29 1996

WATER RESOURCES  
WESTERN REGION

IN THE MATTER OF )  
NOTICE OF CLAIM TO )  
A WATER RIGHT NO.(S) )

AFFIDAVIT

A 63-21924 )

State of Idaho )  
County of Canyon )

George Sams

being first duly sworn,

deposes and says: I have been A resident of Canyon County Since 1934.

I attended Huston grade school and Caldwell high school. Ifarmed land for  
several years within 3 miles of this 80 acres known to me as the Hammer farm

Description:

Township 3 north range 4 west

The north  $\frac{1}{2}$  of southwest  $\frac{1}{4}$  of section 22.

The farm south of this property was the Lundy farm. wendell Bates

married Helen Lundy. He farmed this farm from 1946 till 1963. He

will verify that the Lundy farm and the Hammer farm have always shared the  
water from the Lundy drain for irrigation and stock water purposes.

Also George R. Johnson and his family lived on the Hammer farm from 1938

till 1945. He will verify that these two farms have shared the water out

of the Lundy drain at that time. Wendell is my wifes brother. I have

traded work on the Lundy farm and am familiar with the water system.

George Sams  
(Signature)

Subscribed and sworn to before me this

day 18th of November, 1996.

SEAL

Jane R. Cook  
(Notary Public)

Residing at Nampa, ID.

My Commission Expires 6-10-1999.

For verification purposes:

Wendell Bates

I35706 Farm to Market Rd.

McCall,Id. 83638

Ph. 208-634-5520

George R. Johnson

I6494 Marsing Rd.

Caldwell,Id. 83605

Ph. 208-459-2701

George Sams

P.O.Box 39

Greenleaf,Id. 83626

Ph. 208-459-7233

# ADJUDICATION MEMORANDUM

CLAIM NO.: A63-21924

SUBJECT: Evidence of Priority

EMPLOYEE: T27212150001

DATE: 09/12/1995

I returned Mrs. Grossen's telephone call. She wanted to know if the evidence submitted (Rec'd 08/31/1995) was sufficient. Since Jan Shute and I had reviewed the documents yesterday and determined that they appear to represent the water rights associated with the Boise Project and not water from the draw. Mrs. Grossen said that they do pay for & receive Wilder Irr District water; that water is delivered through another ditch system. Irr District water goes into a pivot - drain water is ditched to corners and to area around the house.

They are in the process of haying. Depending on the weather they may or may not irrigate this year, but she will call when they are finished haying to schedule a field exam. Since I will be out of the office next week she will call either at the end of this week, or the week after next.

Aug. 29, 75.

Dept Water Resources  
Boise, Id 83720-9000

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AUG 31 1995

WATER RESOURCES  
WESTERN REGION

attn: Maria Minicucci,

Enclosed are copies of an abstract,  
Title dated Sept 17, 1913 & several other  
papers. We got these copies from  
Bill Hauman - we bought the 80 ac  
from him.

We share this water right in 2  
Lundy drain with Randy Ketrick.  
I sent Randy copies also & told him  
I was mailing this off to you.

Please let us know if this is  
sufficient. We want to be within  
the Sept 25th deadline as you stat  
in your letter. Our phone is 208-256

We appreciate your assistance  
on this water right # 43-10616.

Thank you,

Tom & Gamma Grassen  
Box 72  
Indian Valley, Id  
83405

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AUG 31 1995

WATER RESOURCES  
WESTERN REGION

No. 10502

# Idaho Abstract & Trust Co.

## ABSTRACTS OF TITLE

FOR CANYON COUNTY

### ABSTRACT OF TITLE

TO

The following described lands situate in the County of Canyon and State of Idaho:

The North East  $\frac{1}{4}$  of the South West  $\frac{1}{4}$  of Section 22 Township 3 North Range 4 West of the Boise Meridian.

Exclusive of water rights and rights of way for ditches.

-----

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AUG 3 1 1995

WATER RESOURCES  
WESTERN REGION

-1-

United States

-TO-

Albert T. Hammer

Certificate. #57032

Dated, Sept. 17, 1913

Recorded, Dec. 20, 1913. 3: P. M.

Book 2 of Pre. L. G. Pg. 231

It is hereby certified that pursuant to the provisions of Section 2291 Revised Statutes of the U. S., Albert T. Hammer, Caldwell, Idaho, has made payment in full for N $\frac{1}{2}$ SW $\frac{1}{4}$  Sec. 22 Twp. 3 N. R. 4 W. B. M. Idaho, containing 80 acres.

Now, Therefore, be it known that, on presentation of this certificate to the Commissioner of The General Land Office, the said Albert T. Hammer shall be entitled to receive a Patent for the lot above described.

Wm. Balderston, Register.

H. E. No. 10821 Serial No. 04978 Receipt No. 1139769- 1140696

This entry allowed subject to the Provisions of the Act of June 17, 1902 (Public 161) Proof made under Act June 6, 1912.

Subject to Lien Under Act of August 9, 1912, 37 Stat., 265.

RECEIVED

AUG 3 1 1995

WATER RESOURCES  
WESTERN REGION

-2-

United States,

-TO -

Albert T. Hammer

PATENT.

NO.

Dated, January 3, 1914

Recorded, October 28, 1914, 2:06 P.M.

Book 6. Pat., page 164.

Whereas, the Act of Congress approved Aug. 9, 1912, entitled "an Act providing for patents on reclamation entries, and for other purposes" provides; That every patent and water right certificate issued under this Act shall expressly reserve to the U. S. a prior lien on the land patented or for which water rights is certified, together with all water right appurtenant or belonging thereto, superior to all other liens, claims or demands whatsoever for the payment of all sums due or to become due to the U. S. or its successors in control of the irrigation project in connection with such lands and water right.

And it is further provided: That no person shall at any one time or in any manner, except as hereinafter otherwise provided, acquire, own, or hold irrigable land for which entry or water right application shall have been made under the said reclamation Act of June 17, 1902, and Acts supplementary thereto and amendatory thereof, before final payment in full of all installments of building and betterment charges shall have been made on account of such land in excess of 1 farm unit as fixed by the Secretary of the Interior as the limit of area per entry of public land or per single ownership of private land for which a water right may be purchased respectively; nor in any case in excess of 160 acres, nor shall water be furnished under said Acts nor a water right sold or recognized for such excess; but any such excess land acquired at any time in good faith by descent, by will, or by foreclosure of any lien may be held for 2 years and no longer after its acquisition; and every excess holding prohibited as aforesaid shall be forfeited to the U. S., by proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction; and this proviso shall be recited in every patent and water right certificate issued by the U. S. under the provisions of this Act.

And Whereas, it appears from a certificate of the Register at Boise, Idaho, that Albert T. Hammer is, under the provisions of said Act, entitled to a patent for the Farm Unit " G " according to Farm Unit Plat, or the North  $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 22 in Township 3 North Range 4 West of the B.M. in

RECEIVED

AUG 31 1995

WATER RESOURCES  
WESTERN REGION

Idaho, containing 80 acres, according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor General;

Now Know Ye, That the United States of America, in consideration of the premises, and in conformity with the several acts of Congress, in such case made and provided, has given and granted, and by these presents does give and grant, unto the said Albert T. Hammer and to his heirs, the Tract above described, together with the right to the use of water from the Boise Reclamation Project as an appurtenance to the irrigable lands in said tract, to have and to hold the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature thereunto belonging, unto the said Albert T. Hammer

and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognised and acknowledged by the local customs, laws, and decisions of Courts. But, excepting nevertheless, and reserving unto the U.S. rights of way over and across and through said lands for canals and ditches constructed, or to be constructed, by its authority, all in the manner prescribed, and directed by the Act of Congress approved August 30, 1890, (26 Stat., 391). To secure the payment to the U.S. or its successors in the ownership or control of the works constituting and appertaining to the said Reclamation Project, of all sums due or to become due the U.S. or its successors in control of said reclamation project in connection with said land and water rights, a lien prior and superior to all other liens, claims or demands whatsoever, upon the lands herein and hereby described and conveyed, upon all water rights thereto appurtenant, and upon the right to receive and use water from the reservoirs and canals of said reclamation project is expressly reserved.

RECEIVED

AUG 31 1995

WATER RESOURCES  
WESTERN REGION

-3-

Albert T. Hammer and Maria Hammer husband  
and wife

-TO-

Lee Charles Miller

Mortgage.

Dated, October 24, 1914

Recorded, October 28, 1914, 2:07 PM

Book 55 of Mtgs., Page 378.

Consideration, \$700.00

Property, -The NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 22 in Township 3 North Range 4  
West of the Boise Meridian and containing 40 acres of land.

Together with a full primary water right from the Boise River through the  
canals of the Boise Project and appurtenant to the said land.

The said Mortgagors hereby covenant and agree with said Mortgagee to pay  
as same matures, any amount due on water right to the United States Government  
or the Water Users Association representing the same, and if not so paid the  
Mortgagee herein, or his representatives or assigns may, at his option, pay the  
same and any sum so paid shall be added to the principal debt secured by this  
Mortgage, and shall draw interest at the rate of 12% per annum from the date  
of payment.

Secure the payment of one certain promissory note for \$700.00 due Jan.  
1, 1925, bearing even date herewith, bearing interest from November 1, 1914 as  
therein specified, also certain interest coupon notes executed concurrently  
therewith.

Acknowledged, October 27, 1914 before A.I. Myers Notary Public, Canyon County  
Idaho. (SEAL)

State of Idaho  
SS.  
County of Canyon

206-341-893  
WATER RESOURCES  
WESTERN REGION

WE HEREBY CERTIFY, That there are no unredeemed Tax Sales on taxes levied in Canyon County upon the lands described in the Caption of this abstract except as shown in said Abstract, and that taxes levied by said Canyon County for the year 1913 have been paid.

WE FURTHER CERTIFY, That there are no Judgments or liens of any kind against any of the within named grantees which are liens on the lands described below, as shown by the Judgment Docket of the District Court in and for said County.

WE FURTHER CERTIFY, That the above and foregoing entries numbered from one to 3 inclusive, constitute a true and correct abstract of all instruments upon record and on file for record in the office of the County Recorder of said County and State which in any way affect the title to the following described lands, being-----the same lands described in the Caption hereto

Same as described in the Caption of this Abstract.

Exclusive of water rights and rights of way for ditches.

"This Certificate is made to Lee Charles Miller at the request of Miller & Viele"

IN WITNESS WHEREOF, We have hereunto subscribed these presents by our Manager thereunto duly authorized and attested the same under our corporate seal this 28th day of October 1914 at 2:07 o'clock P.M.

IDAHO ABSTRACT AND TRUST COMPANY

By J. D. Munford  
Manager.

No. 10502.



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

**PHILIP E. BATT**  
GOVERNOR

August 24, 1995

**KARL J. DREHER**  
DIRECTOR

NORMA GROSSEN  
TOM GROSSEN  
BOX 72  
INDIAN VALLEY ID 83632

RE: Notice of Claim to a Water Right No(s): A63-21924

Dear Mrs. and Mr. Grossen:

The above-referenced claim was previously submitted in the Snake River Basin Adjudication (SRBA). Enclosed is a computer generated copy of the claim for your reference; please do not return the copy to this office.

Your claim was based on "beneficial use" of the water right. Water rights of this type are established by the historical use of water, but the rights have not been confirmed by IDWR. Item 2. on the claim, the priority date, is the date you have indicated that water was first used on your property for irrigation. Since your water right has not been previously confirmed by IDWR, the Department is under a legal requirement to gather evidence from claimants which supports the historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority". This pamphlet describes types of evidence that can be submitted to fulfill this requirement.

Please submit the required evidence supporting the priority date by September 25, 1995. If no evidence is submitted to this office, your water right will not be recommended to the court for decree; this could jeopardize your water use under this right in the future.

If you have any questions or need additional information, please do not hesitate to contact this office.

Sincerely,  
  
Maria Minicucci

Water Agent, Adjudication Bureau

MM:m

Encl: Copy of SRBA claim  
"Evidence of Priority" pamphlet



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

August 24, 1995

[  
NORMA GROSSEN  
TOM GROSSEN  
BOX 72  
INDIAN VALLEY ID 83632  
]

RE: Notice(s) of claim to a water right no. A63-21924

Dear Mrs. and Mr. Grossen:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the lands and appurtenant water right to you.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions in regard to your water right(s), please do not hesitate to contact this office.

Sincerely,

ADJUDICATION STAFF  
WESTERN REGION OFFICE

MM:M

Enc.



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

[ ]

BILL HAUMANN  
PATRICIA HAUMANN  
VERNON HAUMANN  
7042 DOVER CT  
HIGHLAND CA 92346

AUGUST 24, 1995

[ ]

**RE: Notice of Claim(s) to a Water Right No(s):**

A63-21924

**Dear Claimant:**

Enclosed is a copy of the "Notice of Change of Water Right Ownership" form which has been submitted to this office. This form identifies you as the former owner of the above-referenced water right(s).

This letter is to notify you that the ownership of the water right(s) has been changed to the name(s) identified as the New Owner/Claimant. This reflects the change in ownership of the land and appurtenant water right(s) to the new owner.

If you have any questions regarding this matter, please contact this office.

Sincerely,

Adjudication Staff  
Western Region Office

MM:m  
Enc.



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

August 18, 1995

**PREVIOUS OWNER**

|   |                     |   |   |                            |   |
|---|---------------------|---|---|----------------------------|---|
| [ |                     | ] | [ |                            | ] |
|   | GROSSEN             |   |   | BILL AND PATRICIAL HAUMANN |   |
|   | BOX 72              |   |   | 7042 DOVER CT              |   |
|   | INDIAN VALLEY 83632 |   |   | HIGHLAND CA 92346          |   |

NOTICE OF CLAIM TO A WATER RIGHT NO(S): A63-21924

This office has received information that you may be the current owner of the property represented in the above-referenced Snake River Basin Adjudication (SRBA) claim(s). The name of the previous owner is listed above.

Enclosed is a Change of Ownership form on which we have listed the SRBA claim number and the owner(s) as currently listed in IDWR records. Please complete this form, attach proof of ownership which includes the legal description of the property such as the warranty deed or tax notice, and return the form and documentation to this office.

Please note that you must sign the form as the New Owner/Claimant.

If no response to this letter is received by this office, the claim will remain in IDWR records as the name of the previous claimant.

Please contact this office if you need assistance or information.

Sincerely,

Adjudication Staff  
Idaho Dept of Water Resources

MM:m

Enc: Change of Ownership form



State of Idaho  
DEPARTMENT OF WATER RESOURCES

Western Region. 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

July 7, 1995

A63-21924  
BILL HAUMANN  
PATRICIA HAUMANN  
7042 DOVER COURT  
HIGHLAND

CA 92346

Re: Claim No(s). A63-21924

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section  
Department of Water Resources  
Western Region Office

lh  
Enclosures

# EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO  
Office of State Auditor

AGENCY USE

|                  |
|------------------|
| 9214             |
| Date<br>05/24/90 |
| Code<br>193002   |

**VENDOR:** If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

|              |      |
|--------------|------|
| Document No. |      |
| Pre-Audit    | Date |
| Warrant No.  |      |

CHECK ONE:

( 1 ) MISCELLANEOUS EXPENDITURE  
( ) STATE CONTRACT

PAY  
TO

BILL G. HAUMANN  
7042 DOVER CT.  
HIGHLAND, CA 92346

( ) PURCHASE ORDER  
( ) MISCELLANEOUS ENCUMBRANCE REQUISITION

PAYMENT: ( ) PARTIAL ( ) FINAL

Encumbrance Reference No.

| LINE No. | PROGRAM   | FUND | ACCT. |     | DESCRIPTION                                               | LINE AMOUNT | AGENCY USE                                                                                                                              |
|----------|-----------|------|-------|-----|-----------------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------|
|          |           |      | Maj   | Min |                                                           |             |                                                                                                                                         |
| 1        | 04 10 162 | 9337 | 8831  |     | REFUNDS<br>PER D. SHAFF<br>WR #A63-21924<br>5/16/90 50.00 | 50.00       | <div>RECEIVED<br/>JUN 13 1990<br/>Department of Water Resources<br/>Southern Region Office</div> <div>MICROFILMED<br/>SEP 08 1992</div> |
| TOTAL    |           |      |       |     |                                                           | 50.00       |                                                                                                                                         |

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

TO: Debbie Allen

FROM: D. Shaff *DS*

DATE: 05-16-90

RE: Receipt *C016150* Refund

Please process a refund of \$ *50.00* to:

*Bill G. Haumann  
7042 Dover Ct.  
Highland, CA 92346*

*(late fee not req'd.)*

*A63-21924*

MICROFILMED

SEP 08 1992

INTER-DEPARTMENT MEMO — 1

FROM

Valerie (Watson)

DATE

5-9-90

TO

Dave Shaw

SUBJECT

Claimant needs a \$50.00 refund for  
late fee paid, but not required. Receipt

#C016150. Send to  
Bill Haumann  
Claim # 463-21924  
7042 Dover Ct  
Highland CA 92346

RECEIVED

MAY 16 1990

RECEIVED

MAY 11 1990

MICROFILMED

SEP 08 1992

Department of Water Resources

Department of Water Resources

Approved 5-22-90  
Data Entry 10  
W4

Valerie J. Holt  
SIGNATURE

Date Received 4/6/90

*Approved*

State of Idaho  
Department of Water Resources  
REQUEST FOR EXTENSION OF TIME  
TO FILE ADJUDICATION CLAIM(S)

RECEIVED

APR 11 1990

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code. Idaho Department of Water Resources  
Western Regional Office

BILL HAUMANN (714) 425-9644  
Name of Claimant Phone Number  
7042 DOVER COURT HIGHLAND CA 92346  
Mailing Address City State Zip  
CANYON 3/22/90  
County(s) where place of use is located Date claim originally due  
A63-21924  
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

*I am buying farm from Vernon Haumann who has been ill  
therefore he wasn't able to let me know about filing date  
since I live in Calif I didn't find out about it until  
4/6/90. Therefore I Request \$50 Refund for late fee if  
it is granted.*

Claimant requests an extension to 4/6, 19 90  
Bill B. Haumann 4/6, 19 90  
Signature Date of request  
owner  
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

Proper notice of adjudication was not given.

and if granted the filing deadline is extended to April 6, 19 90  
Signed this 7 day of April, 19 90

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources  
1301 N. Orchard St.  
Boise, ID 83706

MICROFILMED  
SEP 08 1992