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AUG 11 1999

Department of Water Resources  
Southern Region

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 COMPLETED  
ADMINISTRATIVE PROCEEDINGS  
Water Right 37-12189

IDWR has completed the following Administrative Proceeding:

☒ Change of Address  
☐ Substitution of Party  
☐ I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: EDWARD W HERR  
New Address: 33 ROPES END RD  
BELLEVUE ID 83313-5070  
Phone: (208) 788-4902

Claimant's Water Rights: 37-12189

The Claimant has filed Objections or Responses to the following water rights:

NOTICE OF COMPLETED  
ADMINISTRATIVE PROCEEDING  
7/15/1999

37-12189

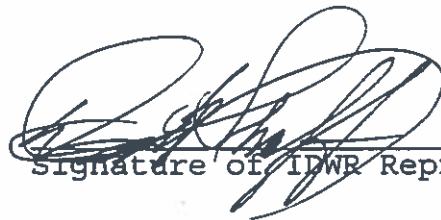
PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

7/23/99

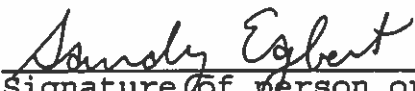
A handwritten signature in black ink, appearing to be "R. K. Hoff", is written over a horizontal line.

Signature of IDWR Representative

**CERTIFICATE OF MAILING**

I certify that on 8-5-99 I mailed the original  
and copies of this form to the following persons, 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. One Copy to:  
Each party in the subcase, or attorney of record:  
  
EDWARD W HERR  
33 ROPES END RD  
BELLEVUE ID 83313-5070
3. One Copy to:  
Chief, Natural Resources Division  
Office of the Attorney General  
P.O. Box 44449  
Boise, Idaho 83711-4449
4. One Copy to:  
United States Dept. of Justice  
Environment & Natural Resource Div.  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of person or attorney mailing the form

AJ5856NP

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

DATE: JUL-15-1999  
PAGE: A-6

RIGHT NUMBER: 37-12189

NAME & ADDRESS: EDWARD W HERR  
33 ROPES END RD  
BELLEVUE ID 83313-5070

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 10/01/1985

POINT OF DIVERSION: T03N R18E S27 NWNE Within BLAINE County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE | QUANTITY |
|-------------------------------|-----------------|---------------|----------|
|                               | DOMESTIC 1 HOME | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: DOMESTIC Within BLAINE County  
T03N R18E S27 NWNE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
PARCEL NO. 003400001200A

AJ0749NP  
No. 37-12189

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 07/12/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                              | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | EDWARD W HERR<br>33 ROPES END RD<br>BELLEVUE ID 833135070<br>(208) 788-4902 | 10/01/1985       | DOMESTIC  | 01-01 12-31           | 0.040 CFS         |                     |
| TOTAL DIVERSION: |                                                                             |                  |           |                       | 0.040 CFS         |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T03N R18E S27

NWNE

BLAINE County

Place of use Legal Description for: DOMESTIC

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |    |      |      | SE   |      |    |      |      |      |      |    |   |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|---|
| T   | R   | S  |   | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | :  | NESW | NWSW | SWSW | SESW | :  | NESE | NWSE | SWSE | SESE | :  |   |
|     |     |    |   | Lt   | Ac   | Lt   | Ac   | Lt | Ac   | Lt   | Ac   | Lt   | Ac | :    | Lt   | Ac   | Lt   | Ac | :    | Lt   | Ac   | Lt   | Ac | : |
| 03N | 18E | 27 | : |      |      | D    |      | :  |      |      |      |      | :  |      |      |      |      | :  |      |      |      |      | :  |   |

POU County: BLAINE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. 003400001200A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 10/01/1997 User-ID: CORR3 Subject: COPIED FROM REMARKS  
PARCEL NO. 003400001200A  
PROPERTY ALSO KNOWN AS LOT 120, INDIAN CREEK SUB #2, 201 APACHE LN

Date: 07/12/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE  
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 07/12/99 SSHERMAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

RECEIVE

JUL 12 1999

Department of Water Resources

DIRK KEMPTHORNE  
GOVERNOR

July 6, 1999

KARL J. DREHER  
DIRECTOR

EDWARD W HERR  
33 ROPES END RD  
BELLEVUE ID 83313-5070

Re: Snake River Basin Adjudication (SRBA)  
Water Right #37-12189  
Change of Address

*Record changed, NCAP prepared.  
m-7-12-99*

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by July 19, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally Sherman  
Technical Records Specialist  
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

*208-788-4902*

Telephone No.

*Water Right Number*

*37-0113 Not So.*

return  
to sender

fee due 50¢

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MAR 12 1999

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
1301 North Orchard Street, P.O. Box 83720  
Boise, Idaho 83720-0098

ADDRESS SERVICE  
REQUESTED

PRESORTED  
FIRST CLASS



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



IMPORTANT WATER RIGHT INFORMATION

*only w/r*

37-12189  
EDWARD W HERR  
PO BOX 2658  
HAILEY ID 83333

HERR658\* 833332011 1A98 08 03/08/99  
FORM 3547  
HERR EDWARD W  
333 ROPES END RD  
BELLEVUE ID 83313-5070

AUTO 83333



U.S. POSTAL SERVICE  
PS FORM 3547



AJ5856NP

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

DATE: OCT-24-1997  
PAGE: A-1140

RIGHT NUMBER: 37-12189

NAME & ADDRESS: EDWARD W HERR  
BOX 2658  
HAILEY ID 83333

PO ✓ ct 1/6/99

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 10/01/1985

POINT OF DIVERSION: T03N R18E S27 NWNE Within BLAINE County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE | QUANTITY |
|----------------|-----------------|---------------|----------|
|                | DOMESTIC 1 HOME | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: DOMESTIC Within BLAINE County  
T03N R18E S27 NWNE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
PARCEL NO. 003400001200A

D 7-29-98

Claim proofread by: WW

1103

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: A37-12189  
Date Received: 11/15/1988  
Receipt No: C003373  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: EDWARD W. HERR 208-788-4902  
Address: BOX 2658  
HAILEY, ID 83333

2. Date of Priority: OCT 01, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 03N      | 18E   | 27      | NW     |        | NE  |     | BLAINE |

5. Description of diverting works:  
WEE, 8"; PUMP 9GPM

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S. | (or) | A.F.A. |
|----------|-------|-------|--------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.040  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/ ONE HOUSEHOLD

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 03N      | 18E   | 27      | NW     | NE  |     | DOMEST |       |

11. Place of use in counties: BLAINE

A37-12189

Page 1

Date: 11/15/88

MICROFILMED  
FEB 26 1993

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

13. Other Water Rights Used:  
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 437-12189Date Received 10/14/88Receipt Number C003373NOTICE 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

Department of Water Resources  
Southern Region Office

OCT 14 1988

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Please type or print clearly

1. Name of Claimant (s) Edward W Herr Phone (208) 788-4902Mailing Address Box 2658 Hailey ID Zip 833232. Date of Priority (Only one (1) per claim) October 1 19853. Source of water supply (a) ground water  
which is tributary to (b) \_\_\_\_\_4. Location of point of diversion is: Township 3 N Range 18 ESection 27, NW 1/4 of NE 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, B.M.,County of Blaine

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.8" well with  
9 gpm pump

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

For domestic purposes from January 1 to December 31 amount 0.04 (cfs)  
(Both dates are inclusive)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of  
livestock) 1 Domestic

MICROFILMED

FEB 26 1993

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 |
| 3N  | 18E | 27  |        | D     |       |       |        |       |       |       |        |       |       |       |        |       |       |       |

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

12. Do you own the property listed above as place of use? Yes X No         
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. or None X

14. Remarks: Indian Creek Subdivision lot 120  
Subdivision No. 2

15. Basis of Claim (check one) Beneficial Use X 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.  
Number of attachments       

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

Signature of Claimant (s) Ed W Herr Date Oct 3 1988  
Edward W Herr Date OCT 3 1988

For Organizations: I do solemnly swear or affirm that I am        Title         
of        Organization       , that I have signed the foregoing  
document in the space below as        of        Organization         
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        )  
County of BLAINE ) SS.

Subscribed and sworn (or affirmed) before me this 11th day of October 19 88

SEAL

Notary Public James M. Cernan

Residing at Carney

My Commission Expires 11-7-88

Last Name        Ident No.        Copies White-State, Yellow-Claimant

MICROFILMED  
FEB 26 1993

WATER RIGHT NUMBER - A37-12189

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - - ADDRESS - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
HERR

EDWARD W.

1 - BOX 2658

2 -

3 -

CITY- HAILEY

PHONE - 208-788-4902

STATE- ID ZIP- 83333

+ - - PRIORITY DATE - - +  
10/01/1985+ - - - REGION - - - +  
ERROR IN REGION+ - - - STAGE - - - +  
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - - SOURCE - - - - - +  
GROUNDWATER

+ - - - - - TRIBUTARY - - - - - +

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

03N 18E 27 NW NE (13) BLAINE

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

43 - DOMESTIC 01/01 12/31 0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +  
0.040 0.0+ - - - - - PLACE OF USE - - - - - +  
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

03N 18E 27 NW NE 43 DOMESTIC (13 ) BLAINE

+ - - DIVERSION MEANS - WEE, 8"; PUMP 9GPM

+ - - NON-IRRIGATION USE - D/ ONE HOUSEHOLD

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +  
Lot 120 Indian Creek Sub 2 NO REMARKS FOUND.+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +  
NO OLD WATER RIGHT NUMBERS FOUND.+ - - - - - CONDITIONS OF APPROVAL - - - - - +  
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +  
00/00/0000

+ - - AUDIT FIELDS - 11/15/88 CARLSON 10/03/89 REFUNDML

MICROFILMED  
OCT 26 1994

PREFIX TRANSLATION: ADJUDICATION CLAIM

[illegible]

003400001200A

CHECKED 6-4-94

VERIFIED  
FEB 29 1992

PROOF  
JAN 06 1992

CERTIFIED  
MAY 17 1992  
WATER EXAMINER