

AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-1509

RIGHT NUMBER: 37-12889

NAME & ADDRESS: CAROLYN M HERZINGER
EUGENE M HERZINGER
1609 E 1700 S
GOODING ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.08 CFS

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

PRIORITY DATE: 04/06/1977

POINT OF DIVERSION: T05S R14E S26 NWSW Within GOODING County

PURPOSE AND

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

PLACE OF USE:	STOCKWATER	Within GOODING County
	T05S R14E S26	NWSW
	DOMESTIC	Within GOODING County
	T05S R14E S26	NWSW

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. RP05S14E26S774A
STOCKWATER, 2 CATTLE, 1 HORSE

D-7-27-98

Claim processed by: MH

Date: 11-3

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: A37-12889

Date Received: 2/28/1989

Receipt No: S002387

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EUGENE M. HERZINGER 208-934-5700
Address: 1609 E. 1700 S.
GOODING, ID 83330

AND/OR

Name: CAROLYN M. HERZINGER 208-934-5700
Address: 1609 E. 1700 S.
GOODING, ID 83330

2. Date of Priority: APR 06, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	14E	26	NW	SW			GOODING

5. Description of diverting works:
WELL, 200', 1-1/2 HP PUMP, 1-1/4" PIPE

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		
STOCKWATER	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/2 CATTLE, 1 HORSE

A37-12889

Page 1

Date: 03/02/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	14E	26	NW	SW		DOMEST	
			NW	SW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

* THIS CLAIM WAS ORIGINALLY BASED ON LAPSED PERMIT NO. *
* 37-07579. THROUGH CORRESPONDENCE, CLAIMANT CHANGED BASIS *
* OF CLAIM TO BENEFICIAL USE. *
* HLHT 3-2-89 *

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 _____

DATA ENTRY BY lat 3-2-89IN 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 A37-12889Date Received 8-26-88Receipt Number 5002387

RECEIVED

FEB 28 1989

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

AUG 26 1988

Department of Water Resources

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

Please type or print clearly

1. Name of Claimant (s) EUGENE M. HERZINGER and/or Phone (208) 934-5700
CAROLYN M. HERZINGERMailing Address 1609 E 1700 S. Gooding, Idaho Zip 833302. Date of Priority (Only one (1) per claim) April 6, 19773. Source of water supply (a) Groundwater
which is tributary to (b) _____4. Location of point of diversion is: Township 5 S. Range 14 E.Section 26, NW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot _____, B.M.,County of GOODING

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. _____Well 200 feet deep., with 1 1/2 H.P. pump, connected to 1 1/2 in. pipe underground to
sprinklers, and to one household. Irrigate lawn and trees and garden. Stockwater

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

(Both dates are inclusive)

(cfs)

For Domestic purposes from 1-1 to 12-31 amount 0.04For Stockwater purposes from 1-1 to 12-31 amount 0.047. Total quantity claimed 0.08 (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 2 head of beef cattle, 1 horse

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Copies: White-State, Yellow-Claimant



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 17, 1989

Mr. and Mrs. Eugene M. Herzinger
1609 E. 1700 S.
Gooding, Idaho 83330

Re: Snake River Basin Adjudication
Notice of Claim to a Water Right (No. A37-07579)

Dear Mr. and Mrs. Herzinger:

Your Notice of Claim to a Water Right for property in Gooding County and receipt No. S002387 are returned to give you the opportunity to withdraw or modify this claim.

You listed Permit 37-7579 as your basis of claim in Item 15. According to our files, that permit lapsed in 1979 because proof of beneficial use was never submitted to the Department. If development actually occurred within the conditions of the permit, you can have the permit reinstated. The priority date will be advanced to the date when proof is actually submitted. Currently, we are not requiring permit holders to file an adjudication claim if proof was not submitted prior to November 19, 1987.

Single residence domestic and small stockwater uses from groundwater are exempt from filing an application for permit. An option you may consider would be to file this claim based on beneficial use instead of the lapsed permit. Since you were exempt from the permit process in the first place, and if development and use actually began on your priority date of April 6, 1977, you would lose the priority date if you had the permit reinstated.

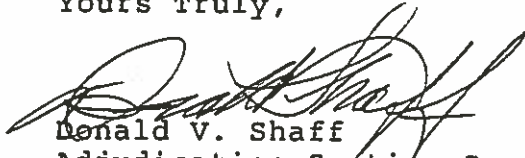
MICROFILMED
MAR 01 1993

Mr. and Mrs. Eugene Herzinger
February 17, 1989
Page 2

If you wish to have the permit reinstated, contact Mr. Tim Luke at (208) 334-7864. If you have any questions or need further explanation, please feel free to contact this office.

If you wish to continue with the filing of this Notice of Claim, please return the documents to this office at my attention. If you will make these corrections before March 17, 1989, you will not be assessed a late filing fee. Please do not hesitate to contact this office if you have any questions or concerns.

Yours Truly,



Donald V. Shaff
Adjudication Section Supervisor

DVS:db
Enclosures
Short Form Completed
Rec. #S002387

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MAR 01 1993



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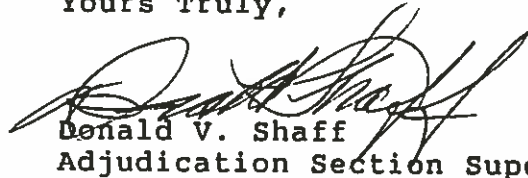
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MAR 01 1993

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AUG 26 1988

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For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

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Southern Region Office

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(Both dates are inclusive) (cfs)
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livestock) 1 Domestic 2 head of beef cattle, 1 horse

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MAR 01 1993

Copies: White State, Yellow Claimant

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
5 S.	14 E. B.M.	26										D&S						

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

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

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

14. Remarks: NONE

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

If applicable provide IDWR Water Right Number 37-7579

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 XX do not XX 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) Eugene M. Herzinger Date 8-26-88

_____ Date _____

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

_____ Title
of _____, that I have signed the foregoing
_____ Organization

document in the space below as _____ of _____
_____ Title _____ 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 Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day of August 19 88

SEAL

Notary Public Roxanne Storey

Residing at Buhl, ID

My Commission Expires 6-30-94

Last Name HERZINGER Ident No. _____

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MAR 01 1993
Copies: White-State, Yellow-Claimant

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

01/27/89 00:14:55
Page 1

Water Right Number - 37-07579

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HERZINGER

EUGENE

1 -
2 -
3 -

City-
Phone -

State- Zip-

HERZINGER

CAROLYN

1 -
2 -
3 -

City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
00/00/0000 17 L - LAPSED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ Microfilm Rolls -

MICROFILMED
MAR 01 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

01/27/89 00:14:55
Page 2

Water right number - 37-07579

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields - 03/26/85

05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 03/26/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MAR 0 1 1993
MICROFILMED

WATER RIGHT NUMBER - A37-12889

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
+ - - - - 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 - 03/02/89 HARRINGT 10/03/89 REFUNDML
+ - - - - -COMMENTS- - - - - +
NO COMMENTS FOUND
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 09/20/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- S002387	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

RPO 5514E 265774A

DATA ENTRY

ENTERED 11/7-93/18
CHECKED 2/3/94 DCD

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

PROOF
JAN 7 1992

VERIFIED
MAR 2 1992

CERTIFIED
JUN 6 1992
WATER EXAMINER