

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: A61-10442

Date Received: 11/28/1989

Receipt No: W006806

Received By: DE JAD

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: NEIL A BRILL 208-587-8979
Address: 3052 WEST 54 SOUTH
MT HOME ID 83647

AND

Name: SUSAN C BRILL 208-587-8979
Address: 3052 WEST 54 SOUTH
MT HOME ID 83647

2. Date of Priority: JUN 6, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	06E	15	NE	SW	SW		ELMORE

5. Description of diverting works:
555' WELL, 6" CASING, 5 HP SUB. PUMP, PIPE TO HOUSE

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:
DOMESTIC, 1 HOME, 1-5 HEAD CATTLE/HORSES, 10 PIGS

MICROFILME

AUG 12 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	06E	15	NE SW		DOMEST	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

NOTE ATTACHED WELL LOGS INCORRECTLY SHOW NW1/4 INSTEAD OF NE1/4
IS ACCURATE.

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 _____

MICROFILMED

AUG 12 1992

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

Identification No. AL1-10442Date Received 11-28-89Receipt Number W006806

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

RECEIVED
NOV 28 1989
Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Neil A. and Susan C. Brill Phone (208) 587-8979Mailing Address 3052 West 54 South, Mountain Home, Idaho Zip 836472. Date of Priority (Only one per claim) June 6, 1978 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 4 South Range 6 eastSection 15, NE 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____, BM.,County of ELMOREAdditional points of diversion if any: N1/2 E1/2 E1/2 E1/2 SW1/4 SW1/4 Section 15, T4S6E5. 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. Primary Well - 6 inch - 555 feet deep - Static Water 410 feet - 5 HP submersiblepump - pipe to house and fieldBack-up well - 8 inch - approx. 550 feet deep - pipe to house and field

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

For Domestic w/stock purposes from 1-1 Month/Day to 12-31 Month/Day 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 if single ownership; Stockwater: Type and Number of livestock) Domestic, 1 home, 0-5 head of cattle/horses or 10 pigs**MICROFILMED****AUG 12 1992**

10. Place of use is: Township: 4 South Range 6 East
Section 15, NE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes XXX 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.
(X) None or _____

14. Remarks: Copy of deed and logs reports of two wells on property

Note - Well logs incorrectly show NW 1/4 instead of NE 1/4 which is accurate/ proper

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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

Number of Attachments 3

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

Signature of Claimant (s) [Signature] Date 11-25-89
[Signature] Date 11-25-89

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

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 _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of ADA)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 27th day of November 19 89

SEAL

Notary Public [Signature]

Residing at Meridian Idaho

My Commission Expires 9/30/93

Last Name Wall Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

AUG 12 1992

DEED

FOR VALUE RECEIVED, First Security Bank of Idaho, N. A. a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto Neil A. Brill and Susan J. Brill, husband and wife grantees whose current address is 3252 West 54th South, Mountain Home, Idaho 83647

The following described real estate, to-wit:

The North 1/2 of the East 1/2 of the East 1/2 of the East 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 15, Township four (4) South, Range six (6) East, Boise Meridian, consisting of approximately two and one half 2 1/2 acres, or less, but subject to existing power and road easements and pertinent restrictions of records.

Together with all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees heirs and assigns forever

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 21st day of December, 1983.

By Thomas A. Needham
Vice President.

ATTEST:
Ramona Yrazabal
Assistant Secretary.

STATE OF IDAHO,

On this 21st day of December, 1983, before me, a Notary Public in and for said State, personally appeared Thomas A. Needham and Harvey J. Christensen, known to me to be the Vice President and Assistant Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Eltha S. Smith
Notary Public
Building at _____
Comm. Expires _____ Indefinite
Idaho

STATE OF IDAHO, COUNTY OF ELMORE

I hereby certify that this instrument was filed for record at the request of GUARANTY TITLE, INC.

at 54 minutes past 4 o'clock P.M.,
this 21st day of December
1983, in my office, and duly recorded in Book
of Deeds at Page

RAMONA YRAZABAL
Ex-Officio Recorder
By Keith L. Stinson
Deputy.
Fees \$ 2.00
Mail to:

INSTRUMENT NO. 215361

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Brill, Neil & Susan

CLAIM IDENT. NO. AG-1-10442

DATE RECEIVED 11-28-89

CK # 3268

AMOUNT \$ 25.00

Required

	YES	NO	Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
N/A <u>X</u>			
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
N/A <u>X</u>			
Is the consumptive use correct?	☒	☐	
N/A <u>X</u>			
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
N/A <u>X</u>			
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated? (see Item No. 17 for checking other water rights)	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
N/A <u>X</u>			
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim)	☒	☐	
N/A <u>X</u>			
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right	☒	☐	
N/A <u>X</u>			
18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
N/A <u>X</u>			
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time, or was an extension granted?	☒	☐	*
22. Is the fee enclosed correct?	☒	☐	*
Exempt			

MICROFILMED
AUG 12 1992

23. Should this claim be receipted and data entered?

YES NO

☒

Claim checked by: Jed

Date: 12-6-90

Claim must be returned to claimant:

☐ (Yes) ☒ (No)

Claimant must be notified of modifications:

☐ (Yes) ☒ (No)

Receipt Prepared by: Jed

Date: 12-6-90

Claim data entered by: Jed

Date: 3-12-92

Checked by: _____ Date: _____

Sent to claimant by: _____

Date: _____

Comments: Show additional point of diversion, with
legal ~~has~~ incomplete. Should this be claimed
separate? No, show PODs in NES05W

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

DATE: 07/12/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NELL A BRILL	06/06/1978	DOMESTIC	01-01 12-31	0.04 CFS	
C	SUSAN C BRILL					
	3052 W 54TH S					
	MOUNTAIN HOME ID 83647					
	(208) 587-8979					
				TOTAL DIVERSION:	0.04 CFS	

Stage: BENEFICIAL USE

ELMORE County

NE

MM

MS

SE

[illegible]

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A61-10642

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: POD 2 POINTS OF DIVERSION LOCATED IN T04S, R06E, S15, NESMSW.

USE DOMESTIC USE IS FOR 1 HOME, 5 RANGE ANIMALS & 10 PIGS.

EXP PARCEL NO. RP04S06E156010A

Dates:	Exam Made Date:	Verified Date:	07/12/1997	Objection Filed Date:
--------	-----------------	----------------	------------	-----------------------

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 04/23/1997 User-ID: KWALKER Subject: COPIED FROM REMARKS

MICROFILMED

JAN 26 1999

AJ0749NP
No. R61-10442

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

DATE: 07/12/97
PAGE: 2

Comments: Date: 04/23/1997 User-ID: KWALKER Subject: COPIED FROM REMARKS
NOTE ATTACHED WELL LOGS INCORRECTLY SHOW NM1/4 INSTEAD OF NE1/4
IS ACCURATE.

Audit: 07/12/97 KWALKER

MICROFILMED

JAN 26 1999

DATE: 06/18/97
PAGE: 1

USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
-----------------------	-------------------	---------------------

TOTAL DIVERSION: 0.04 CFS

Stage: **BENEFICIAL USE**

ELMORE County

NE.

POU County: ELMORE

Other Rights: NONE

Conditions of Approval:

- M1 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- M3 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: POD 2 POINTS OF DIVERSION LOCATED IN T04S, R06E, S15, NESMSW.

USE DOMESTIC USE IS FOR 1 HOME, 5 RANGE ANIMALS & 10 PIGS

EXP
PARCEL NO. RP04S06E156010A

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
--------	-----------------	----------------	-----------------------

Misc: **Water District Number:** **Field Inspection Flag:**

Presumption Flag:

Comments: Date: 04/23/1997 User-Id: KALKER Subject: COPIED FROM REMARKS
NOTE ATTACHED WELL LOGS INCORRECTLY SHOW NW1/4 INSTEAD OF NE1/4
IS ACCURATE.

Audit: 06/18/97 L HARRIS

MICROFILMED
JAN 26 1999

JUN-09-1997
0014

RIGHT NUMBER: 61-10442

NAME AND ADDRESS:

NEIL A BRILL
SUSAN E BRILL
3052 WEST 54 SOUTH
MOUNTAIN HOME ID 83647
MY HOME ID 83647

SOURCE:

GROUNDWATER

QUANTITY:

0.04 CFS

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

PRIORITY DATE:

06/06/1978

POINT OF DIVERSION:

T04S R06E S15

NESWSW

Within ELMORE County

2 POINTS OF DIVERSION LOCATED IN T04S, R06E, S15, NESWSW.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

DOMESTIC USE IS FOR 1 HOME, 5 RANGE ANIMALS & 10 PIGS.

PLACE OF USE:

DOMESTIC
T04S R06E S15

Within ELMORE County
SWSW

NESW

OTHER MATTERS 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. RPO4S06E156010A

MICROFILMED

JAN 26 1999

1

DATE: 04/22/97
PAGE: 1

DIVERSION
VOLUME

1

Stage: BENEFICIAL USE

ELMORE County

SE

20

use remark

use remark

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A61-10442

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DERIVED 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: GEN NOTE ATTACHED WELL LOGS INCORRECTLY SHOW NW1/4 INSTEAD OF NE1/4 IS ACCURATE.

to comment

Objection Filed Date:

Field Inspection flag:
Presumption flag:

Audit: 04/21/97 KWALKER 04/21/97 AJUS-DSH

4/1/4 INSTEAD OF NET/4

Flag:

Objection Filed Date:

EXD

add parcel #

add points of div

FDD - F02 (2 points within -)

MICROFILMED
JAN 26 1999

DATE: 04/10/97
PAGE: 17

DIVERSION
VOLUME

0.04 CFS

Stage: BENEFICIAL USE

ELMORE County

S

CHANGE TO
80805, J.C.J

5381

Remarks: GEN NOTE ATTACHED WELL LOGS INCORRECTLY SHOW NW1/4 INSTEAD OF NE1/4 IS ACCURATE.

objection Filed Date:

RP 84506E1560107A

JAN 26 1999