

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

RECEIVED

MAY 02 1991

Ident. Number: A37-13415
Date Received: 12/ 4/1989
Receipt No: C013170
Received By: _____

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VON R. BROSS 208-366-7737
Address: P.O. BOX 344
KING HILL, ID 83633
AND/OR
Name: DEBRA A. BROSS 208-366-7737
Address: P.O. BOX 344
KING HILL, ID 83633

2. Date of Priority: MAR 1, 1970

3. Source: CLOVER CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	11E	8	NE	SW			ELMORE

5. Description of diverting works:
.5 HP PUMP, 1" PVC 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		

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/1 HOUSE, GARDEN, CHICKENS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	11E	8	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:
A37-13392

14. Remarks:
USE CREEK WATER MOSTLY FOR GARDEN, GROUNDWATER FOR HOUSE.

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 _____

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APR 01 1991IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSDepartment of Water Resources
Twin Falls Regional Office

CIVIL CASE NUMBER: 39576

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Department of Water Resources
Southern Region OfficeNOTICE 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.

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DEC 1 1989

Department of Water Resource

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Van R Bross and/or Debra A Bross Phone (208) 366-7737Mailing Address P.O. Box 344 Kinghill Idaho Zip 836332. Date of Priority (Only one per claim) March 1, 1970 Month/Day/Year 3/1/703. Source of water supply (Check one) () Groundwater or Other ☒ (a) clover creek
which is tributary to (b) snake River Name or kind of source4. Location of point of diversion is: Township 5 south Range 11 EastSection 8, NE 1/4 of SW 1/4 of North of clover creek 1/4, Govt. Lot , BM.,County of ElmoreAdditional points of diversion if any: none5. 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. 1/2 Hp pump with 1" diameter PVC to garden spot about 20 feet from edge of creek
garden is 30 feet X 20 feet Big

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

For Domestic 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 household, 1 garden

MAR 01 1993

10. Place of use is: Township: 5 South Range 11 East
Section 8, NE 1/4 of SW 1/4, Govt. Lot B.M. K
County of Elmore 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 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.

We use are well some times for the garden too.

14. Remarks: We use the creek mostly to water the garden, and use the well for the house

15. Basis of Claim (Circle One) Beneficial Use we live right on the Cre. 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 _____

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

Signature of Claimant (s) Van R Bross Date Nov 28, 1989
Debra A. Bross Date 28 Nov 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 TF) SS.

Subscribed and sworn (or affirmed) before me this 4th day of Apr 19 91

SEAL

Notary Public Lon White

Residing at TF

My Commission Expires 5/94

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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State of Idaho
DEPARTMENT OF WATER RESOURCES

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

March 26, 1991

CECIL D. ANDRUS

Von R. and/or Debra A. Bross
P.O. Box 344
King Hill, ID 83633

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Dear Claimant(s):

This office has received your Notice of Claim(s) to a Water Right for the use of water within the Snake River Basin Water System. However, due to the item(s) checked below, we cannot process this claim(s). We are returning the claim(s) to you to complete only the following items showing a checkmark in the blank for that item. Receipt No. 2083170 in the amount of \$ 25 for the filing fee previously submitted is also enclosed.

_____ Fee - No fee received or inadequate fee received, fee due is _____.
See enclosed fee schedule for how this fee was computed.

_____ Late Notice of Claim - This claim was received on _____ which is after the deadline for filing claims in _____ County. The deadline for this County was _____, and the late fee now due is _____. The enclosed Late Fee Notice explains the late fee and how it was computed.

_____ Item No. 2 - Date of Priority - date water was first put to a beneficial use regardless of ownership.

_____ Item No. 2 & 3 - Priority Date and Source - An adjudication claim filed on a water use from a GROUNDWATER source with a priority date (date of first use) after March 25, 1963, for uses other than a single family domestic and/or stockwater use (up to 1,000 head), may be rejected at the time of review. The mandatory cutoff date for filing on grandfather uses, other than the single family domestic or stockwater exception listed above was March 25, 1963. After this date applications for permit were required to be filed prior to any development. If your use is for multiple domestic homes, a way to maintain the priority date for each home is to file a separate adjudication claim for each. Each claim would then meet the single family domestic exemption. However, a \$25.00 fee is still required for each claim filed. Claim forms with instructions are enclosed for your use. NOTE: Prior to completing a claim form for each single family domestic or stockwater use, please read the enclosed brochure entitled, "The Snake River Basin Water Right Adjudication, A Quick Guide to the Special Domestic and Stockwater Filing Procedure". One other alternative is to file an Application for Permit which could include all uses on one form. However, the date of priority for your uses will be the date the application is received in our office. Enclosed is an application for permit with instructions. Please note that there is no deadline for filing the application form. Your adjudication claim can still be filed as it was previously submitted, however, you may run the risk of losing your water right later if the claim is rejected due to the mandatory filing date for groundwater sources.

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Department of Water Resources
Southern Region Office

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Item No. 2 & 3 - Priority Date and Source -An adjudication claim filed on a water use from a **SURFACE WATER** source with a priority date(date of first use) after May 20, 1971, may be rejected at the time of review. The mandatory cutoff date for filing water rights on grandfather uses from a surface water source was May 20, 1971. The form to file for this use would be an application for permit. The date of priority for your uses will be the date the application is received in our office. Enclosed is an application for permit with instructions for your use in this matter. Please note that there is no deadline for filing the application form. Your adjudication claim can still be filed as it was previously submitted, however, you may run the risk of losing your water right later if the claim is rejected due to the mandatory filing date for surface water sources.

Item No. 4 - Point of Diversion -The point of diversion listed on this claim is not in the correct form for legal descriptions. Diversion points must be listed by quarter-quarter(40 acre tract), section, township, and range. This legal can be found either on your deed, sales contract or tax notice. If not, then the county assessor may be helpful. Lot and Block for a subdivision are not acceptable, however, please include this information in the remarks section of your claim.

Item No. 10 - Place of Use - The place of use listed on this claim is not in the correct form for legal descriptions. Places of use points must be listed by quarter-quarter(40 acre tract), section, township, and range. This legal can be found either on your deed, sales contract or tax notice. If not, then the county assessor may be helpful. Lot and Block for a subdivision are not acceptable, however, please include this information in the remarks section of your claim.

Item No. 12 - Ownership of Place of Use.

Item No. 15 - Basis of Claim - Please designate if your water right is based on beneficial use of the water - Beneficial Use, or if it is based upon a previously filed water right - Posted Notice, License, Permit or Decree.

Item No. 16 - Signature - this claim form does require your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed on this item.

Adjudication Claim Form No. 42-1409(2)a., needs to be filed instead of Claim Form No. 42-1409(2)b., due to the following reasons: _____

Enclosed is the correct claim form with instructions for completion. The fee schedule is also in the instruction sheets to help you figure the fee needed for filing this type of claim form.

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_____ An adjudication claim cannot be filed when no water use or development has taken place. An application for permit is the form to file at the time you decide to begin development. Claims are required only on development and uses completed prior to the commencement of the adjudication, November 19, 1987. Enclosed is an application for permit form with instructions to be completed at the time development will begin.

_____ An adjudication claim cannot be filed on an application for permit which has not been approved. Therefore, we are returning your Notice of Claim to you. An application for permit must be approved in order to establish a water right to file on.

✓ Other: If you choose to file the
application for permit, your \$25
paid will be applied towards the
application fee.

Please complete the above item(s) on your claim form(s), initial and date any changes or additions, and return the claim(s), with the requested fee (if one is required above), to our office within 30 days from the date of this letter. If the claim(s), or fee requested, is not received within this 30-day period, the claim(s) will be rejected and your fee (if one was paid previously) will be refunded. Please contact the agent listed in the address below, within the 30 day time period, either in writing or by phone, to let us know if there is a problem returning the claim(s), or fee, in order to keep this claim(s) valid. If the claim(s) is rejected and fee refunded, due to no response within the 30-days, the claim(s) can be resubmitted up until claims in this area are prepared for court decree. However, at that time the corrected claim(s) along with the regular filing fee that was refunded, and an additional late fee will be required. Please return your claim(s), any information needed, and the fee requested, if any, to the Western Region Office, 2735 Airport Way, Boise, ID 83705, to the attention of

LOUI WHITE.

Feel free to contact this office if you have any questions concerning the items checked in this letter.

Sincerely,

Jan Shurte by Lou White

JAN SHURTE
Water Rights Supervisor
Adjudication Section
Western Region

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MAR 01 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 04/05/91 WHITE

+ - - - - - 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 | - 12/04/1989 | 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 | - C013170 | FEDERAL/STATE INDICATOR | - S |
| CLAIMS TAPE ERROR FLG | - | PDU OWNERSHIP FLAG | - Y | PRESUMPTION FLAG | - |
| FEE EXEMPT FLAG | - | NAME CONNECTOR | - AND/OR | NOTICE OF ERROR FLAG | - |

05511 E 084820

DATA ENTRY

ENTERED 11-7-93 AS

CHECKED 2/3/94 DW

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

VERIFIED
MAR 04 1992

PROOF
JAN 07 1992

CERTIFIED
JUN 16 1992
WATER EXAMINER