

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: A47-02363
Date Received: 12/08/1988
Receipt No: S004351
Received By: W

WITHDRAWN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ESTHER TURNER 208-733-6928
Address: 602 ALTURAS DR NORTH
TWIN FALLS, ID 83301

AND/OR

Name: GARY D. TURNER 208-733-6928
Address: 602 ALTURAS DR NORTH
TWIN FALLS, ID 83301

2. Date of Priority: MAR 22, 1962

3. Source: HOUSE CREEK Trib. to: CEDAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	13E	20	NW	NE			TWIN FALLS

5. Description of diverting works:
STORAGE POND, 2 TROUGHS, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	13E	8	SW	NW		STOCK	
		9	SW	SW		STOCK	
		17	SW	NE		STOCK	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
NONE

14. Remarks:

WATER FLOWS FROM P/D TO STORAGE IN S17, THEN TO TROUGHS IN
SECTION 8 & SECTION 9.

15. Basis of Claim: LICENSE
Water Right Number: 30423

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): *Esther Turner* Date: *Dec 8 '88*

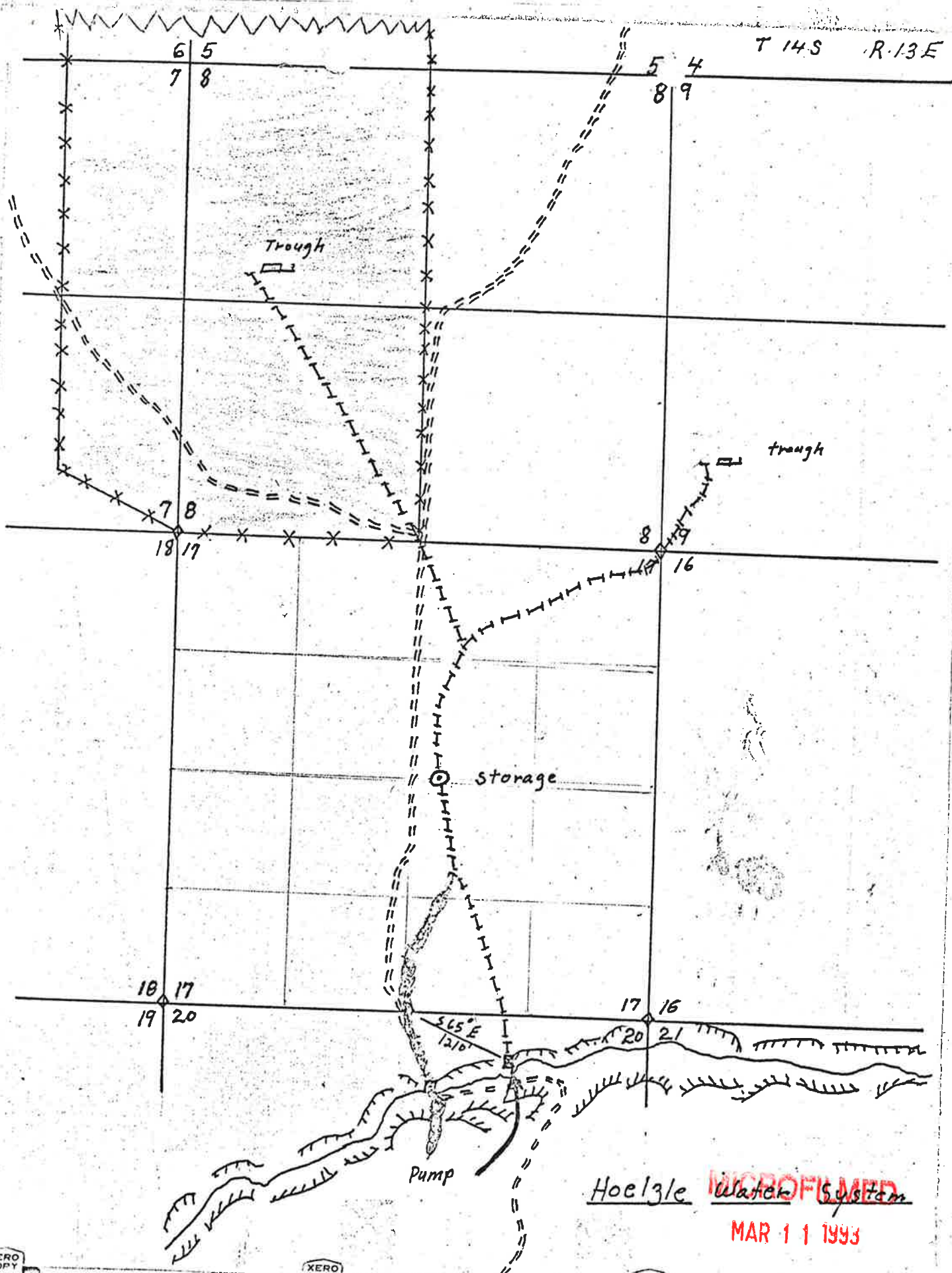
Date: _____

State of Idaho)
County of *TC*) SS.

Subscribed and sworn (or affirmed) before me this *8th* day
of *Dec* 19 *88*
Tom White
Notary Public

Seal

Residing at *TC*
My Commission Expires *5/95*



T 14 S R 13 E

Trough

trough

storage

Pump

S 65° E
1210'

Hoelzle Water System

MAR 1 1 1993

XERO COPY

XERO COPY

XERO COPY

XERO COPY

RECEIVED

NOV 3 1989

ESTHER TURNER
802 ALTURAS DR NORTH

PRESNELL, GAGE & CO.
BOISE OFFICE

TWIN FALLS ID 83301

FOR MORE INFORMATION CALL (208) 334-2510

REQUEST FOR WITHDRAWAL OF CLAIM

I/We acknowledge that I/We have received and read and understand the form entitled "Special Notice to Claimants of Small Domestic and Stockwater Rights in the Snake River Basin Adjudication."

By signing and returning this form I/We withdraw the Notice of Claim identified below, and request a refund of the fee for filing the claim.

Signed Esther Turner Date Nov. 3, 1989

Signed _____ Date _____

CLAIM NUMBER: A47-02363

CLAIM FEE:

\$25.00

RECEIPT NUMBER: 5004351

WITHDRAWAL REQUEST MUST BE MAILED BEFORE 11/24/1989

62

**IF YOU ARE SEEKING TO WITHDRAW YOUR CLAIM AND YOUR USE
QUALIFIES AS A SMALL DOMESTIC AND STOCKWATER USE THEN SIGN
THIS FORM, FOLD SO THE ADDRESS ON THE BACK SHOWS AND MAIL.
A STAMP IS REQUIRED**

MICROFILMED

MAR 11 1993

Old (D) Number - 30423

+ - - - - - Address - - - - - +

State- ID Zip- 83301

2 -
3 -
City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-733-6928

+ - - - Status - - - - +

+ - - - - Tributary - - - - -
CEDAR CREEK

Stream Index (Blank if no Index Code)

+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Div. Capacity - +		+ - Total Consumptive Use - +		+ - KW Usage - +	
	0.050								

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
14S	13E	8	SW NW			04	STOCKWATER	(83) TWIN FALLS
14S	13E	9	SW SW			04	STOCKWATER	(83) TWIN FALLS
14S	13E	17	SW NE			04	STOCKWATER	(83) TWIN FALLS

Total Acres:

+ - - Diversion Means - STORAGE POND, 2 TROUGHS, PIPE

+ - - Non-Irrigation Use - S/200 BEEF STOCK

+ - - Other Rights for Same Use - NONE

DATE	TIME	REMARKS
MAR 1	0800	WATER FLOWS FROM P/D TO STORAGE IN S17, THEN TO TROUGHS IN SECTION 8 & SECTION 9.

MAR 11 1993

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/03/95 11:04:15
Page 1

Water Right Number 47-02363 Prefix Translation: WATER RIGHT Old (D) Number - 30423

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

*** C - CURRENT OWNER ***
HOELZLE

FRED THEODORE

1 - RT. 1
2 -
3 -
City- BUHL
Phone -

State- ID Zip- 83316

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/22/1962 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
HOUSE CREEK CEDAR CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

14S 13E 20 NW NE (83) TWIN FALLS

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

04 - STOCKWATER

0.010

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.010

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

14S 13E 8 NE SW 04 STOCKWATER
14S 13E 9 NW SW 04 STOCKWATER

(83) TWIN FALLS
(83) TWIN FALLS

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
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

NOV 28 1996

Water Right Number - A47-02363 Prefix Translation: ADJUDICATION CLAIM Old (D) Number - 30423

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

*** C - CURRENT OWNER ***
TURNER

GARY D.

1 - 602 ALTURAS DR NORTH
2 -
3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-733-6928

TURNER

ESTHER

1 - 602 ALTURAS DR NORTH

2 -

3 -

City- TWIN FALLS

State- ID Zip- 83301

Phone - 208-733-6928

+ - - Priority Date - - +
03/22/1962+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +

+ - - Status - - - +
W - WITHDRAWN+ - - - - Source - - - - - +
HOUSE CREEK
WITHDRAWN+ - - - - Tributary - - - - - +
CEDAR CREEK

+ - - - - Point of Diversion - - - - - +

+ Tw n R n g S e c T r a c t L o t R f l g C o u n t y

14S 13E 20 NW NE (83) TWIN FALLS

+ - - - - Water Use - - - - - +

+ Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER 01/01 12/31 0.050

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.050 0.0

+ - - - - Place of Use - - - - - +

+ Tw n R n g S e c T r a c t L o t A c r e s C o d e D e s c r i p t i o n C o u n t y

14S 13E 8 SW NW 04 STOCKWATER (83) TWIN FALLS

14S 13E 9 SW SW 04 STOCKWATER (83) TWIN FALLS

14S 13E 17 SW NE 04 STOCKWATER (83) TWIN FALLS

Total Acres:

+ - - Diversion Means - STORAGE POND, 2 TROUGHS, PIPE

+ - - Non-Irrigation Use - S/200 BEEF STOCK

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

WATER FLOWS FROM P/D TO STORAGE IN S17, THEN TO TROUGHS IN
SECTION 8 & SECTION 9.

NOV 28 1996

AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

08/03/95 10:39:27
Page 2

Water right number - A47-02363

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

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - - +
08/03/95 JROBERTS

+ - - - - 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	- 12/08/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S004351	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

NOV 28 1995

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE	CUSTOMER
August 3, 1995 10:54am	RANDALL BREWER A47-00033, A47-02363

SUBJECT: OWNERSHIP CHANGE
phone call (.) walk-in (X)

He brought in an ownership change form signed by the previous owner for these two claims. Turned out A47-02363 had been Withdrawn by the previous owners and the money refunded. Changed A47-00033 and sent him a letter regarding A47-02363 and told him it was considered to be Withdrawn at this point but he COULD file on the License if he so chooses for \$25.00.

I noticed that the claim was different than the original License (more cfs and additional P/U) so perhaps he should file a beneficial use claim if he decides to refile, based on the priority date of the apparent expansion. If he does file on the License, the claim will be recommended as per the License and any expansion will either be disallowed or a new beneficial use claim will be required as of the date of the expansion...

NOV 28 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

August 3, 1995

DEVIL CREEK RANCH INC
C/O RANDALL BREWER
ROGERSON ID 83302

RE: SNRA Claim #A47-00033, A47-02363

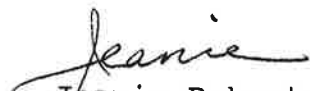
Dear Mr. Brewer:

Thank you for bringing in the change of ownership form for the two claims mentioned above. In processing your ownership change, I was able to change the ownership on A47-00033 but found that A47-02363 was withdrawn by Mrs. Turner and the fees paid were refunded. The current status of the claim is withdrawn and it will not be recommended in the SRBA.

Please note that Domestic and Stockwater uses under 13,000 gallons per day are deferrable and not required to be claimed, but should you wish to file for the water use you may do so at a cost of \$25.00. I have enclosed a brochure which explains this.

If you have any questions or wish to file a new claim, feel free to contact this office for the required forms.

Sincerely,



Jeanie Robertson
Water Rights Agent

/jr
Enclosures

NOV 28 1995



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type
(see instructions on back of page)

AUG 03 1995

DATE OF CLOSING: _____

Department of Water Resources
Southern Region

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A47-00033 & A47-02363 ← w/DRAWN
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): GARY TURNER
3868N 3700E
HANSEN IDAHO 83334
- ☐ New Owner/Claimant (Purchaser): Devil Creek Ranch, Inc
- ☐ New Mailing Address: PO RANDALL BREWER
Arco
ROGERSON IDAHO 83302
- ☐ New Telephone Number: (208) 857-2222
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
- _____
- _____
- _____

- ☐ Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Devil Creek Ranch Inc. Date _____
Randall Brewer President Date _____
- ☐ Signature of Former Owner/Claimant(s): Gary Turner Date 7/14/95
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data Entry

Date: 8/3/95 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

NOV 28 1995

WATER RIGHT NUMBER - A47-02353

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

CLD (D) NUMBER - 30423

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
TURNER

ESTHER

1 - 602 ALTURAS DR NORTH

2 -

3 -

CITY- TWIN FALLS

STATE- ID ZIP- 83301

PHONE - 208-733-6928

1 - 602 ALTURAS DR NORTH

2 -

3 -

CITY- TWIN FALLS

STATE- ID ZIP- 83301

PHONE - 208-733-6928

TURNER

GARY D.

Verified 2-26-85 & 2-6-91

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - +
03/22/1962 17 ERROR IN REGION W - WITHDRAWN

+ - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
HOUSE CREEK CEDAR CREEK

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)
14S 13E 20 NW NE (83) TWIN FALLS

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME
04 - STOCKWATER 01/01 12/31 0.050

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.050

+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY
14S 13E 8 SW NW 04 STOCKWATER (83) TWIN FALLS
14S 13E 9 SW SW 04 STOCKWATER (83) TWIN FALLS
14S 13E 17 SW NE 04 STOCKWATER (83) TWIN FALLS

TOTAL ACRES:

+ - - DIVERSION MEANS - STORAGE POND, 2 TROUGHS, PIPE

+ - - NON-IRRIGATION USE - S/200 BEEF STOCK

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +
WATER FLOWS FROM P/D TO STORAGE IN S17, THEN TO TROUGHS IN
SECTION 8 & SECTION 9.

AJ5808NP
(DD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

01/30/91 00:18:54
PAGE 2

WATER RIGHT NUMBER - A47-02363 ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

+ - - - - 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 - - - - - +
+ - - - - COMMENTS - - - - - +
+ - - - - NO COMMENTS FOUND - - - - - +
+ - - - - AUDIT FIELDS - 12/08/88 WHITE 10/17/89 REFUNDML 11/15/89 REFUNDED - - - - - +
+ - - - - 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	- 02/26/1985	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 12/08/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
CLAIMS TAPE ERROR FLG	-	RECEIPT NUMBER	- S004351	WATER DISTRICT	-
FEE EXEMPT FLAG	-	POU OWNERSHIP FLAG	- Y	FEDERAL/STATE INDICATOR	- S
		NAME CONNECTOR	- AND/OR	PRESUMPTION FLAG	-

VERIFIED

FEB 4 1991
alw

MICROFILMED

MAR 11 1993