

10/05/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-11053

NAME AND ADDRESS: DELILAH STAKER
PO BOX 111
NEWDALE ID 83436

DONALD STAKER
PO BOX 111
NEWDALE ID 83436

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS

The quantity of water under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 10/06/1960

POINT OF DIVERSION:

T07N R41E S26 SESESE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
11/01 08/01

QUANTITY
0.030 CFS

PLACE OF USE: DOMESTIC Within FREMONT County

T07N R41E S26 SESE

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.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Domestic use for potato cellar humidifier.

10/05/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 27, 2006

Water right number: 22-11053

DELILAH STAKER
PO BOX 111
NEWDALE ID 83436
Telephone Number: (208)458-4387

DONALD STAKER
PO BOX 111
NEWDALE ID 83436
Telephone Number: (208)458-4387

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10/16/2006 SIGNATURE: Donald Staker
Please print your name: Donald Staker

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED
OCT 16 2006
Department of Water Resources
Eastern Region

KMO
10/16



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

October 5, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

DONALD & DELILAH STAKER
PO BOX 111
NEWDALE ID 83436

RE: CORRECTED PRELIMINARY RECOMMENDATION 22-11053

Dear Mr. & Mrs. Staker:

Our office recently mailed you a preliminary recommendation packet for water right 22-11053. Unfortunately we made an error on the water right. It was described as "commercial" rather than "domestic."

Enclosed is the corrected version, along with a new "Notice of Error Reply" page. If you agree with this corrected version, please sign and date the page, and return it in the enclosed envelope.

We apologize for the inconvenience.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

Water Right No(s). A 22-11053

See attached photo

GPS data - 2694329
1413617

GPS File - 221105

GPS DATA:

Tag # A0015951 Location: on well casing guard

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: Submersed Model: _____ Hp: ?
SN: _____

PUMP

Make: Submersed Model: _____ Disch: _____
SN: _____

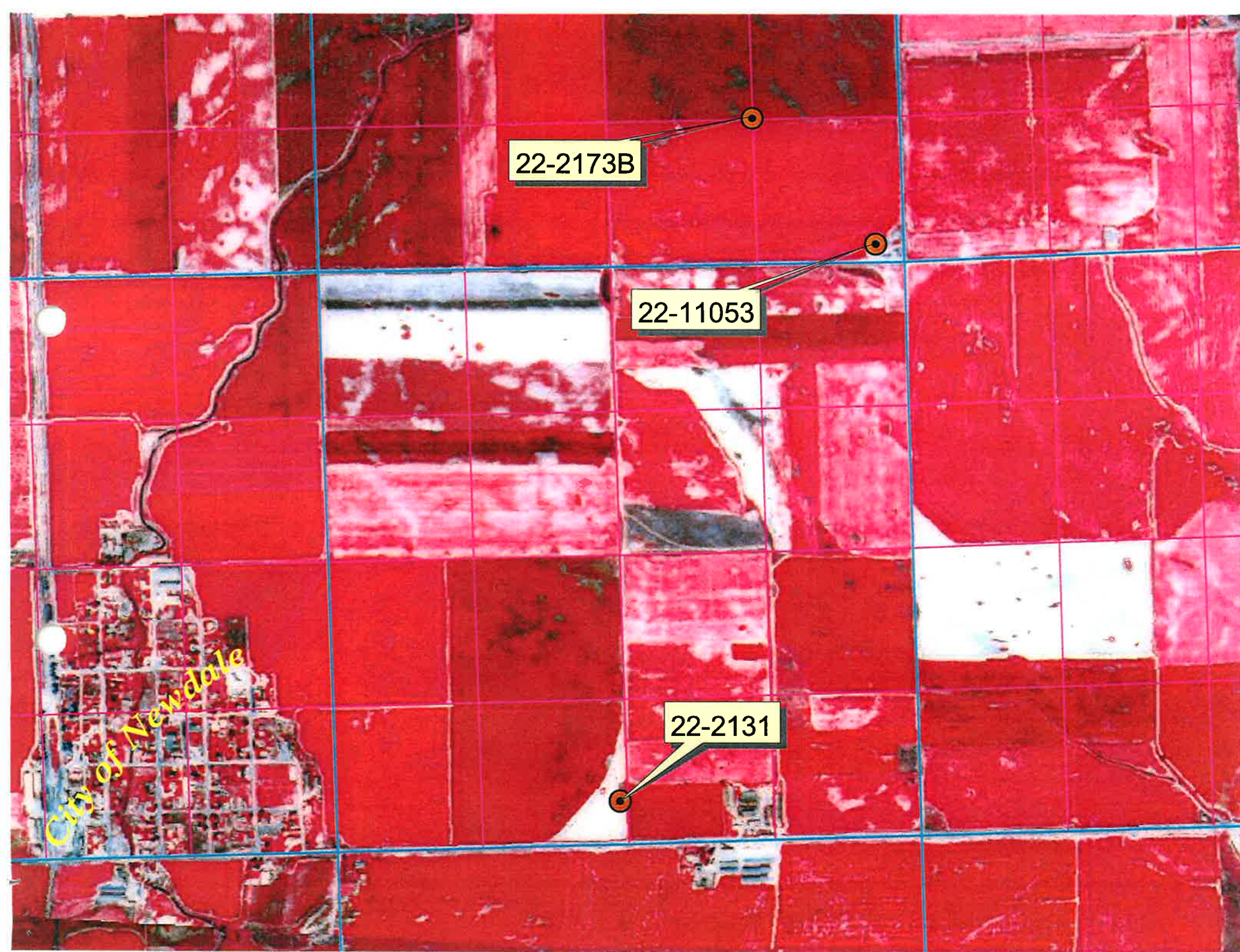
NOTES:

Domestic style well (6"-8" casing) to potato cellar.
No info on hp or depth of well. Claimant verified address
& phone #. P.O. & P.O. are the same

Field Exam Date: 9-2-2005 Agent: J. W. Jones



A 22-11053, looking North



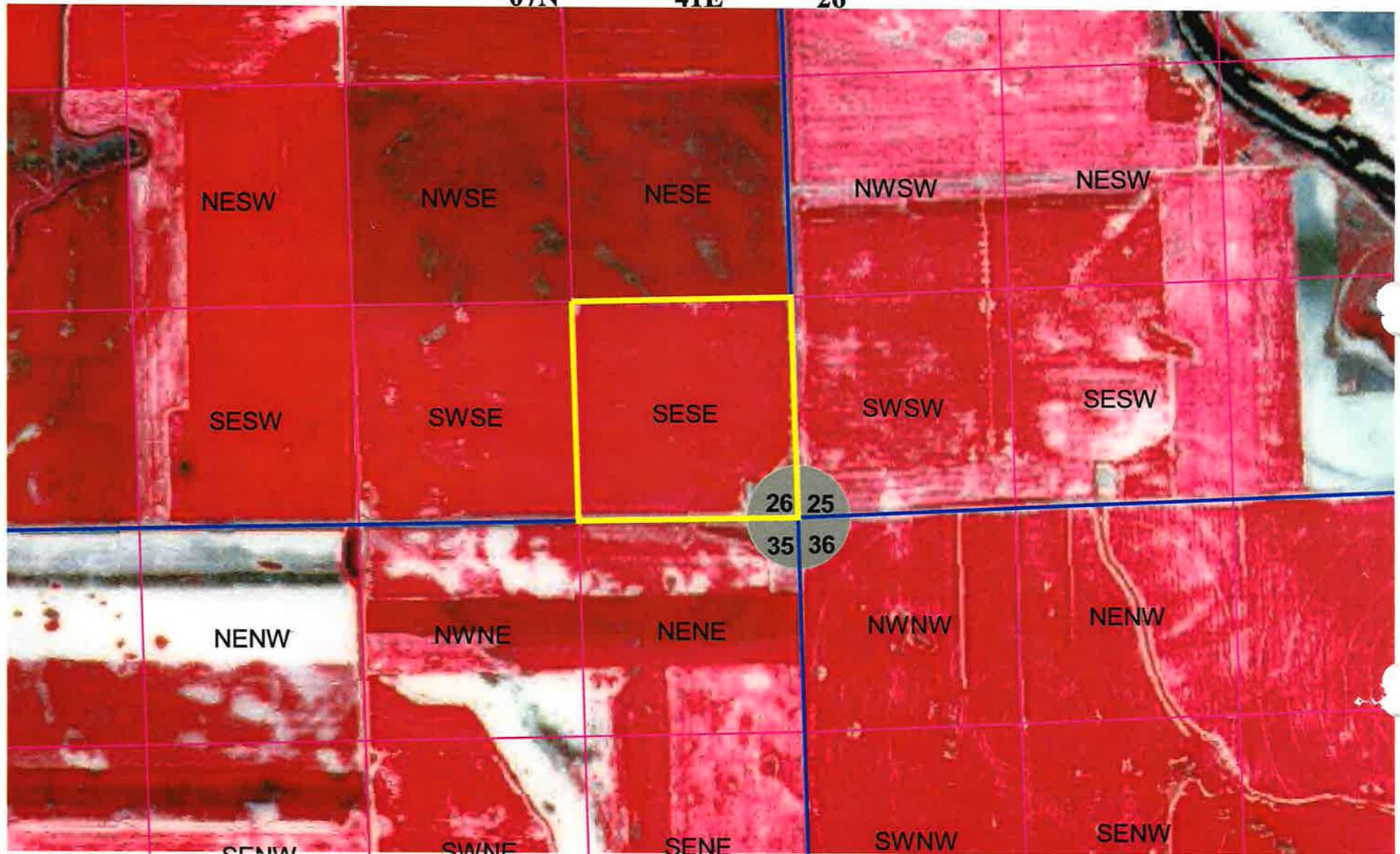
22-2173B

22-11053

22-2131

City of Newdale

Township **Range** **Section**
07N **41E** **26**



Notes:



600 0 600 1200 1800 2400 3000 3600 Feet

Water Right #: 2211053

Examiner:

Date:

Contacts Data Entry Form

Water Right No. A8211058

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	<u>Donald. J. Taker</u>					
Name connector: and						
Current Owner						
Current Owner						

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

B. U. Claim

Commercial. Claim

POTATO STORAGE FACILITY ? WHAT

RECOMMEND AS CLAIMED w/ PRIORITY BRIDGES. MANSIONS

NOT ROAD 40.20 LG

NOG
NH

FE pod/poc CONVYANCE/SYSTEM

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number: A2211053

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: 6 OCT. 1960 Claimed Basis: B.U.Recommended Priority Date: _____ Recommended Basis: B.U.☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

B.U. Claim

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry FormClaim Number: A2211053

Water Right Point of Diversion: T____, R____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 24, R 41E, Sec. 26, SE, SE, SE, County: FREMONTSource: GROUND WATER Tributary: _____

Recommended Point of Diversion: T____, R____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? GPS TAG #

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: A2211053☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
7N	41E	28	SE	SE	FREMONT			COMMERCIAL

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: A0211053☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Commercial	11/1	8/1		

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

IDWR STD. SDU. 1/1 - 12/31 Commercial

Reviewer: _____

Date: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

*I hope this well help
this is the oldest well in the Upper Valley
I don't know when it was drilled*

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 9, 1984

RECEIVED

MAR 02 2004

Don Staker and Melvin Schwendiman
Newdale, ID 83436

Department of Water Resources
Eastern Region

Dear Sirs,

Enclosed please find Inducement Resolution no. 84-66 passed by the Idaho Water Resource Board at its special meeting September 27, 1984 and Bond Resolution no. 84-66 passed at its regular meeting November 2 on behalf of your project.

These resolutions are the initial steps in concluding a financing through the Water Resource Development Revenue Bond program. We look forward to the timely completion of this financing and to project construction.

Sincerely,

A handwritten signature in cursive script, likely belonging to Penny Fenton, is written over the typed name.

Penny Fenton
Economics
334-4478

RECEIVED
EVIDENCE OF
PRIORITY 3-3-04

February 18, 2004

**DONALD STAKER
PO BOX 111
NEWDALE ID 83436**

RE: EVIDENCE OF PRIORITY FOR SRBA WATER RIGHT CLAIM 22-11053

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 23, the Swan Valley area. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claim, as referenced above, claims a Priority Date of October 6, 1960, from a well.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....
The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.
.....

Please submit the documentation supporting the priority date within 30 days of the date of this letter, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,

Nick L. Olson
Special Contract Agent
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"
Notice of Claim (copy)

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: A22-11053
Date Received: 8/19/1988
Receipt No: E001484
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD STAKER 208-458-4387
Address: P.O. BOX 111
NEWDALE, ID 83436
OR
Name: DELILAH STAKER 208-458-4387
Address: P.O. BOX 111
NEWDALE, ID 83436

2. Date of Priority: OCT 06, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	41E	26	SE	SE	SE		FREMONT

5. Description of diverting works:
WELL PUMP TO POTATO STORAGE FACILITY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	11/01	08/01	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/POTATO STORAGE FACILITY



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	41E	26	SE SE		COMMER	

11. Place of use in counties: FREMONT

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): Donald Shaber Date: Aug 19/1988
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

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

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6-94

A22-11053

NOV 06 1992

MICROFILMED

POINT OF DIVERSION
AND
PLACE OF USE

Newdale

R41E
T7N

TETON

Siphon

Gaging Sta