

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: A45-10440
Date Received: 5/04/1989
Receipt No: C008023
Received By: _____

RECEIVED

APR 10 1990

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAIRYMEN'S CREAMERY ASSN., INC.
Address: 520 ALBANY
P.O. BOX 578
ATTN: DICK COOPER
CALDWELL, ID

208-459-3687

83605

RECEIVED
JUL 03 1989

2. Date of Priority: DEC 31, 1930

3. Source: GROUNDWATER

Trib. to:

Department of Water Resources

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	22E	24	SE	SE	SE		CASSIA

5. Description of diverting works:

WELL, APPROX. 40' DEEP, 6" CASING, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.020		

7. Total Quantity Appropriated is:

0.020 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STAGING STOP FOR MILK DELIVERY ROUTE, RESTROOM

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	22E	24	SE	SE		COMMER	

A45-10440

Page

1

Date: 05/04/89

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MAR 10 1993

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:
ASSOCIATED DAIRIES, BURLEY STAGING AREA

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Organizations:

I do solemnly swear or affirm that I am Assistant Secretary of
Dairymen's Creamery Assn., Inc., that I have signed the foregoing
Organization
document in the space below as Assistant Secretary of
Dairymen's Creamery Assn., Inc. and that the statements contained in the
Organization
foregoing document are true and correct.



Signature of Authorized Agent
Assistant Secretary
Dairymen's Creamery Association, Inc.
Title and Organization

June 30, 1989

Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 30 day

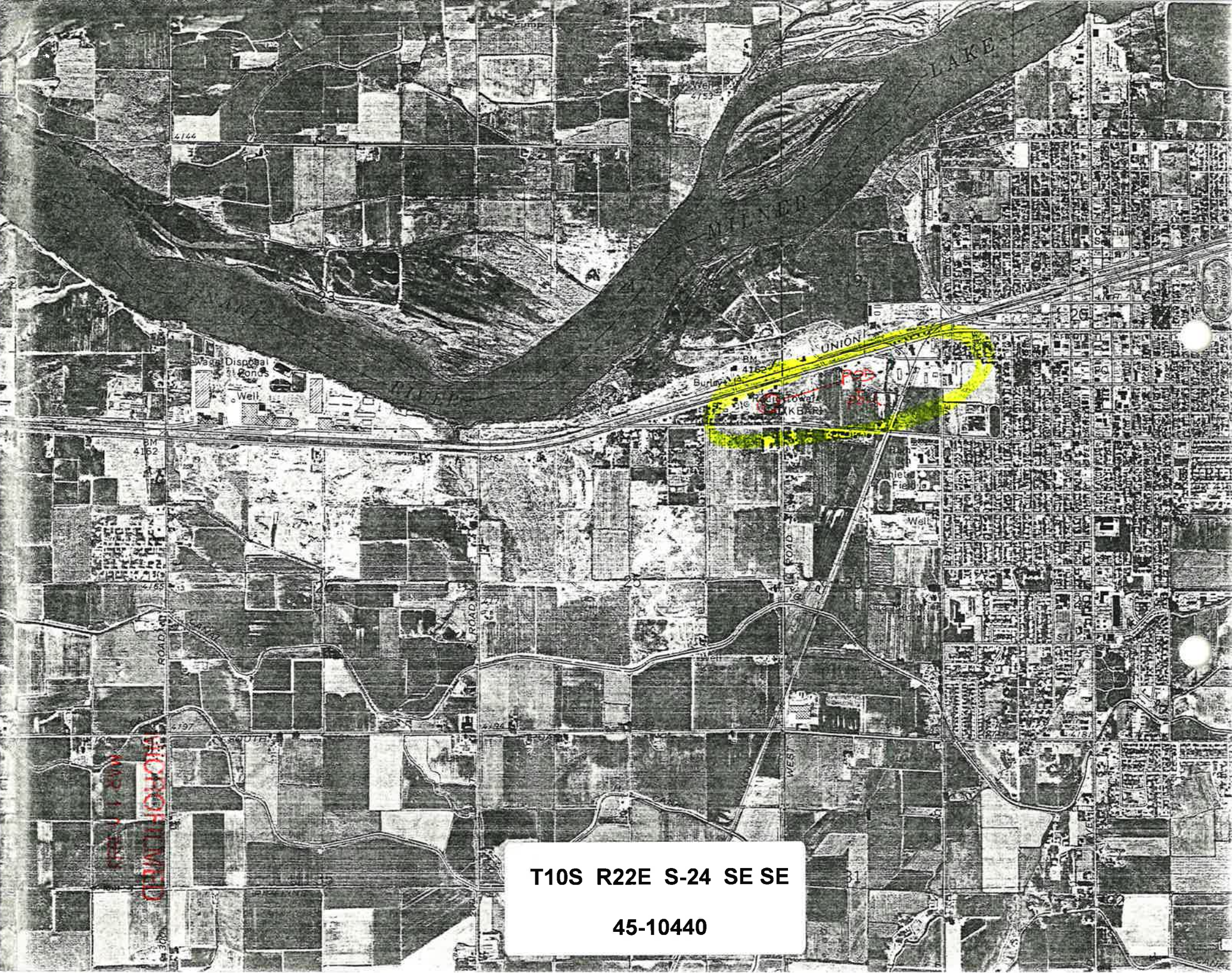
of June 19 89

Lisa Rae Sweet
Notary Public

Seal

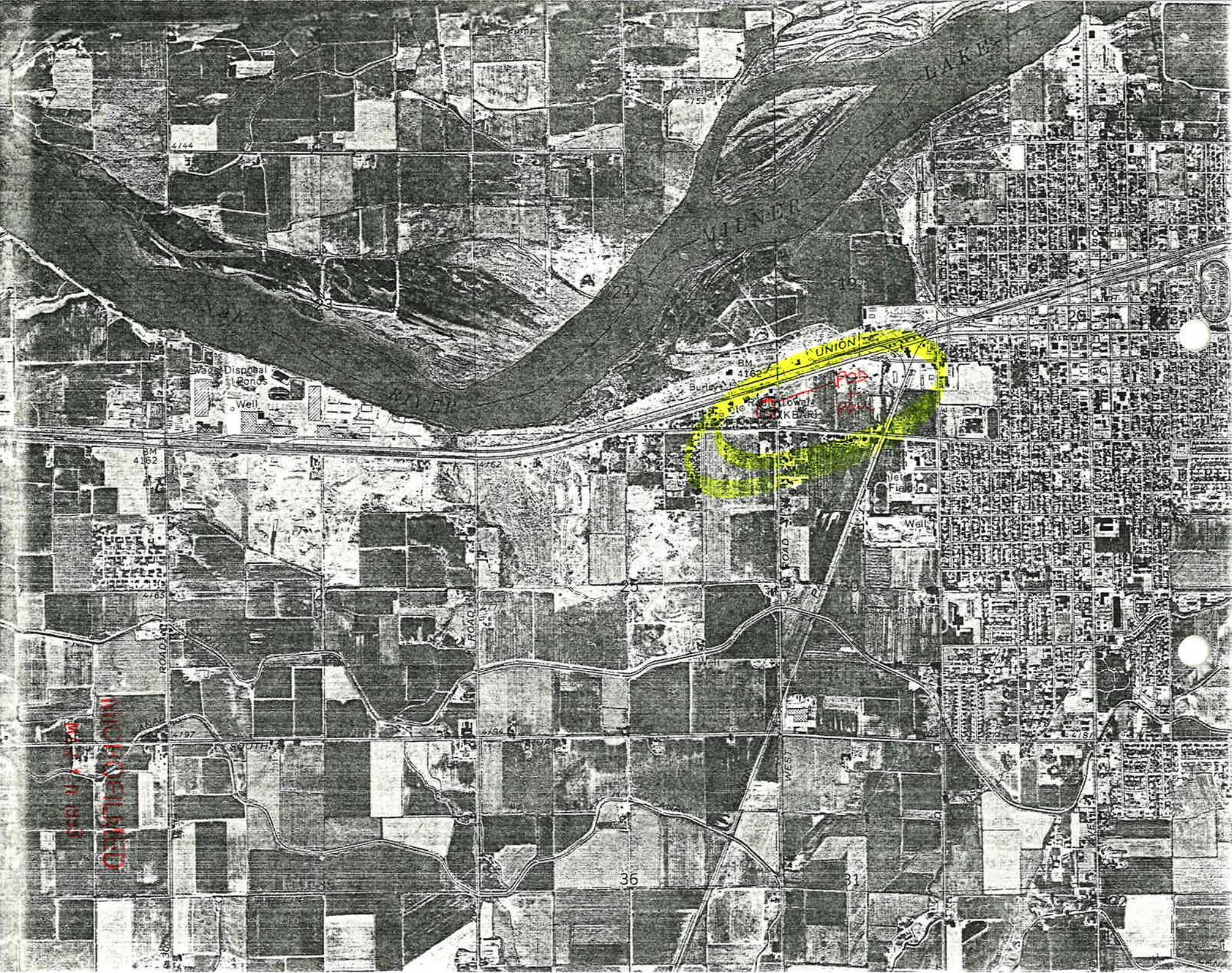
Residing at Wilder, Idaho

My Commission Expires 2/24/93



T10S R22E S-24 SE SE

45-10440



4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

DAIRYME

CLAIM

NT. NO.

A45-10440

DATE RECEIVED

7/13

CK #

C008023

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
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. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A *
- Is the consumptive use correct? ☒ YES ☐ NO N/A *
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. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
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.) ☒ YES ☐ NO N/A *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: BDate: 7/13Claim must be returned to claimant: ☒ (Yes) ☐ (No)Claimant must be notified of modifications: ☒ (Yes) ☐ (No)

Receipt Prepared by: _____
Claim data entered by: _____
Sent to claimant by: _____

Date: _____
Date: _____
Date: _____

Checked by: _____

Date: _____

Comments: fees 52⁰⁰ notice not received at this address; not late let 3/16/90

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

VERIFIED BY

KKC

PLACE OF USE: DOMESTIC Within CASSIA County
T10S R22E S24 SESE

The quantity of water decreed for this water right is not a determination of historical beneficial use.

Current owner per
Cassia Co. Assessor
Eddy Dale Timmons
1506 Washington Ave
678-2213

contact #,
677-2295

3
4
1
3
9

TC

**IDAHO DEPARTMENT OF WATER
RESOURCES**

1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

45-10440

TO

DAIRYMENS CREAMERY ASSN INC
ATTN: DICK COOPER
PO BOX 578
CALDWELL ID 83605



UNDELIVERABLE AS
ADDRESSED
FORWARDING ORDER
EXPIRED

UNDELIVERABLE AS
ADDRESSED
FORWARDING ORDER
EXPIRED



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037 DEPT INTERNET WEB SITE: www/idwr.state.id.us

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 15, 2004

T AND T TOWING
ATTN EDDY TIMMONS
1506 WASHINGTON AVE
BURLEY ID 83318

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM 45-10440

Dear Eddy

Pending

Enclosed is the change of ownership form for the right listed above. Also enclosed is a copy of the original claim filed by Dairymen's Creamery.

Please review the claim to make sure that you are familiar with the claim that we discussed.

I have highlighted items 4, 5, and 7. You need to complete those entries and then return this form with a copy of the warranty deed showing you as the current owner.

If you have any questions please give me a call at the number shown above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchrste@idwr.state.id.us

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

25-Jan-1993

R. KEITH HIGGINSON
Director

A45-10440
DAIRYMEN'S CREAMERY ASSN., INC.,
520 ALBANY
P.O. BOX 578
CALDWELL ID 83605

RE: Evidence of Priority

RESPONSE DEADLINE

APRIL 1, 1993

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". 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. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will at a later date conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

Please find enclosed a computer printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by **April 1, 1993**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

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MAR 1 1993