

12/29/2003

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

RIGHT NUMBER: 25-271
NAME AND ADDRESS: FRANK STOOR
3816 WAYAN LOOP RD
WAYAN ID 83285

PATRICIA STOOR
3816 WAYAN LOOP RD
WAYAN ID 83285

SOURCE: GRAVEL CREEK TRIBUTARY: GRAYS LAKE
QUANTITY: 0.625 CFS
PRIORITY DATE: 04/14/1887
POINT OF DIVERSION:

T05S R43E S26 NENWSW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/01 10/31	0.625 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County
T05S R43E S22 SWNE 40.0
STOCKWATER same as IRRIGATION

40 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Decreed

SCANNED

AUG 10 2004

Water Right 25-271

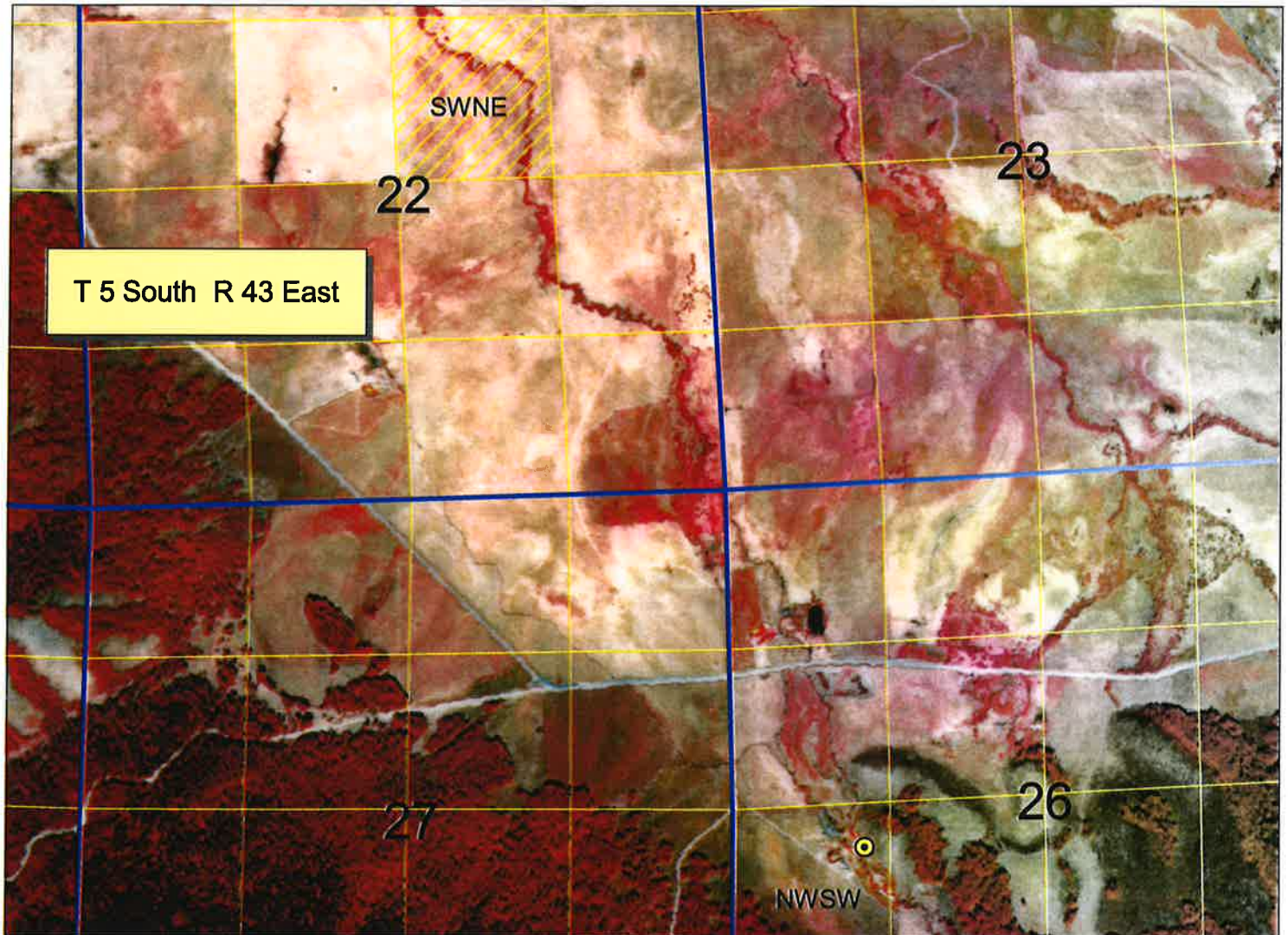


State of Idaho

Division of Water Resources

Eastern Region

Water Right(s): 25-00271



1320 0 1320 2640 3960 5280 Feet



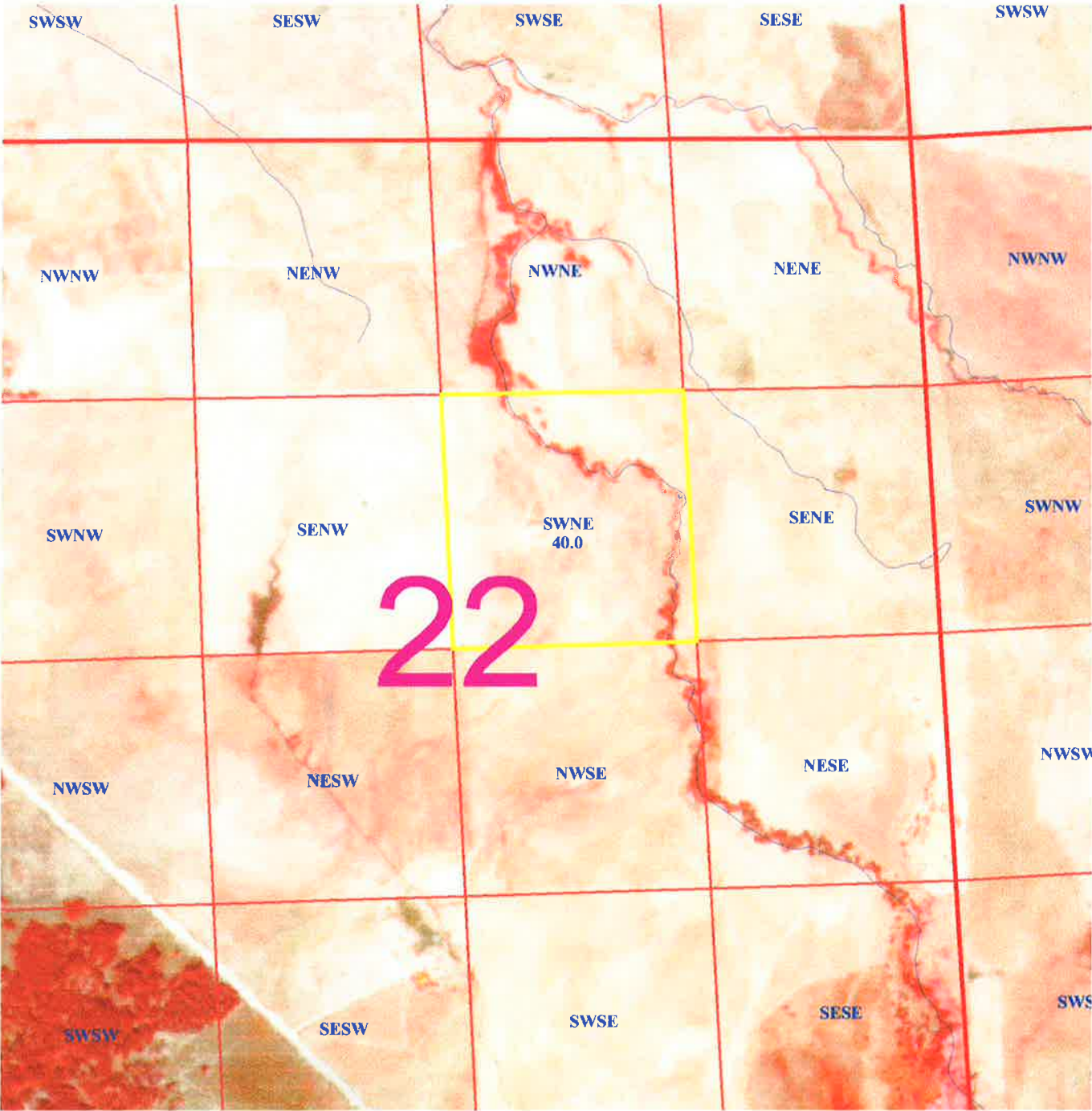
- ⊙ Point of Diversion
- Place of Use
- Section
- Quarter Quarter



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: December 2003

Water Right Claim Number 25-00271
Township , 5S43E

11/06/2000



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

 Roads

 Streams and Canals

Legend



 **Spatial
DYNAMICS**



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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 28, 2003

Dear Claimant in the Snake River Basin Adjudication (SRBA):

About 13 years ago you or your predecessor filed with the Idaho Department of Water Resources a claim to water right in the Snake River Basin. The investigation phase of this process is now focused on your area, Basin 25.

You are invited to attend a **public meeting to be held on March 10 at 7:00 p.m. in the West Coast/Red Lion Hotel, 475 River Parkway, Idaho Falls, Targhee and Bonneville Rooms.** The purpose of this meeting is for (1) the Department to update you on how the adjudication process works, and (2) for you, the claimant, to express concerns or discuss problems relating to water delivery in your area. This will help us to understand from an historical perspective the use and delivery of your water right.

Throughout this summer our adjudication staff, primarily from our Eastern Regional Office but also at times from Boise, will be contacting various water users in Basin 25. We ask for your cooperation in this process – the better we understand your water rights the better chance of you receiving an accurate decree from the SRBA Court that fully describes your water rights.

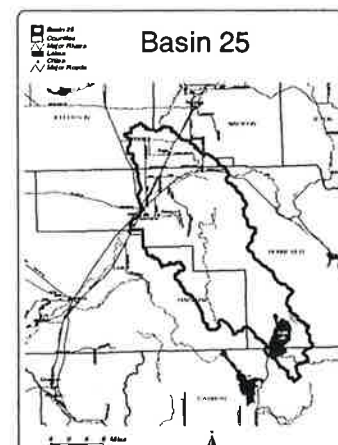
This investigation effort is being conducted by an experienced and successful staff. During recent years, this staff has accurately investigated and reported water rights in neighboring basins including the Big Lost River, the Little Lost River, Birch Creek, Camas Creek and the Portneuf River.

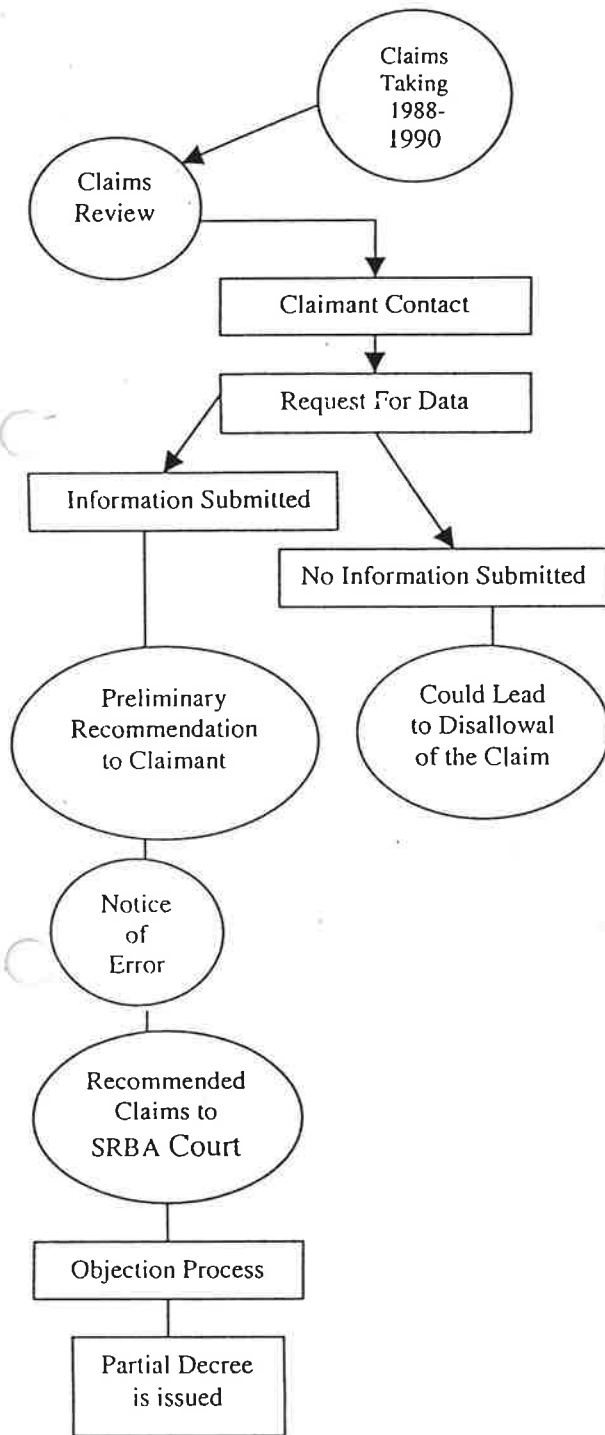
Please contact the Idaho Falls Office with any questions.

Sincerely,

Ernest Carlsen
Adjudication Supervisor, Eastern Region

Enclosure: Information Brochure





Questions and Answers:

Q: Why now? I adjudicated my water rights in 1989.

A. You filed your claims in 1989. Now we are investigating those claims to make accurate recommendations to the Fifth District Court.

Q: If I furnish more information will you take away my water right?

A. The State does not want your water right. We ask for additional information so that we may make accurate recommendations of Beneficial Uses of the water rights. Our schedule is very tight – we need the info ASAP.

Q: How much more money do you want?

A. You paid for your claim in 1989, or so. There might be additional fees only in extenuating circumstances, such as additional acres or new claims.

Q: How come you want me to file another claim?

A. If we suggest you file additional claims it means we have found

additional uses of water to which you may be entitled, or we have identified additional acres.

Q: What about my Domestic well and Stockwater?

A. There is no statutory requirement to file either; but IDWR accepts your Domestic and/or Stockwater claims.

The Tools We Use:

In the evaluation of water right claims and preparation of recommendations the adjudication staff utilize:

- State-of-the-art computer technology.
- High resolution 1987 NAPP photography to identify the place of use.
- Global Positioning System (GPS) used to pin-point points of diversion or detail significant features.
- Prior decrees, licenses and transfers.
- Water measurements for claims based on beneficial use.
- Watermaster records
- Historical records
- Claimant input and participation

SCANNED

JUL 2 2001

Log for claim 25-00271

Spatial Dynamics CAT

11/6/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s43e	22	SWNE	40	40	
Totals:			40	40	

AJ5809NP
No. A25-00271

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/18/00
PAGE: 15

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALFRED VIAS BOX 3878 WAYAN LOOP WAYAN ID 83285 (208) 574-2246	04/14/1887	IRRIGATION STOCKWATER	04-15 10-15 01-01 12-31	0.625 CFS 0.030 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.625 CFS	100.00 AFA

Water Source: GRAVEL CREEK

Tributary to: GRAYS LAKE

Stage: DECREED

Point(s) of Diversion:

T05S R43E S26

NENWSW

CARIBOU County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05S	43E	22	:				40	:												40.0
TOTAL ACRES																			40.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: CARIBOU

Non-Irrigation Uses: S/100 CATTLE

Other Rights: -

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A25-00270 A25-13418

Remarks: GEN P/D NOT GIVEN IN DECREE. DECREE GIVES 1/16 OF CK. TO IRRIGATED
LANDS.
|
CLAIMED FLOW RATE IS BASED ON ASSUMPTION GRAVEL CREEK IS FLOWING
10 CFS.

Dates: Exam Made Date: Verified Date: 05/20/1985 Objection Filed Date:

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

Audit: 01/23/90 MOBILE3 03/29/95 POST-STD

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 25-271
Date Received: 1/23/1990
Receipt No: M005576
Received By:

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

1. Name of Claimant(s)

FRANK STOOR Phone: (208)574-2244
3816 WAYAN LOOP RD
WAYAN ID USA 83285

PATRICIA STOOR Phone: (208)574-2244
3816 WAYAN LOOP RD
WAYAN ID USA 83285

2. Date of Priority: 04/14/1887

3. Source: GRAVEL CREEK Trib. to: GRAYS LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	43E	26	NE NW SW	CARIBOU	

5. Description of diverting works:

DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.625	
STOCKWATER	1/01	12/31	0.03	

7. Total Quantity Appropriated is:
0.625 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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05S	43E	22	SW	NE	IRRIGATION	40
					Section Acres	40
					Total Acres	40

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

P/D NOT GIVEN IN DECREE. DECREE GIVES 1/16 OF CK. TO IRRIGATED LANDS.
| CLAIMED FLOW RATE IS BASED ON ASSUMPTION GRAVEL CREEK IS FLOWING 10 CFS.

15. Basis of Claim: Decreed



EASTERN REGION

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 5, 2003

FRANK & PATRICIA STOOR
3816 WAYAN LOOP RD
WAYAN ID 83285

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 25-271

Dear Mr. & Mrs. Stoor:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

County of Caribou

I hereby certify that this instrument was filed at the request

of A. Bruce Larson

at 4:25 o'clock PM on this 12th day of

April, 1995 in my office and duly

recorded in Microfilm Records

Recorder: Edie Izatt

Genda K. Godfrey
Ex-Officio Recorder

6.00
Deputy

PERSONAL REPRESENTATIVE DEED

THIS INDENTURE, Made this 7th day of April, 1995, by and between **FRANK R. STOOR**, the duly appointed, qualified, and acting Personal Representatives of the Estate of Alfred R. Vias, deceased, the party of the first part, and **FRANK R. STOOR AND PATRICIA STOOR**, husband and wife, of 3816 Wayan Loop, Wayan, County of Caribou, State of Idaho, 83285, party of the second part:

WITNESSETH: That Whereas, the said Frank R. Stoor was appointed the duly qualified and acting Personal Representative of the said estate on the 31st day of October, 1994.

NOW, THEREFORE, the said Frank R. Stoor, Personal Representatives of the Estate of Alfred R. Vias, deceased, party of the first part, by virtue of the authority conferred upon their by statute, for an in consideration of the sum of **TEN DOLLARS**, lawful money of the United States of America, to his/her in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, all that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, bounded and more particularly described as follows, to-wit:

Parcel #1:

The N1/2N1/2 of Section 22 in Township 5 South, Range 43 East of the Boise Meridian, Caribou County, Idaho.

Parcel #2:

A strip of land 30 feet wide and being used as and for a road right of way. Said strip is 15 feet on each side of the following described centerline:

Beginning at a point 15 feet North of the Southwest corner of the NW1/4NW1/4 of Section 22, Township 5 South, Range 43 East of the Boise Meridian, and running thence East parallel to the South boundary line of the N1/2NW1/4 of said Section 22, a distance of 1335 feet to a point 15 feet East of the West line of the NE1/4 of said Section 22;

thence running South parallel to said West line of NE1/4 a distance of 1320 feet; thence running East parallel to the South line of the NE1/4 a distance of 1300 feet, to a point 20 feet west of the East line of the SW1/4NE1/4 of said Section 22, to the point of ending of said easement.

Parcel #3:

W1/2SE1/4NE1/4 of Section 22, Township 5 South, Range 43 East of the Boise Meridian.

Parcel #4:

SW1/4NE1/4 of Section 22, Township 5 South, Range 43 East of the Boise Meridian, Caribou County, Idaho.

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, all and singular, the above-mentioned and described premises, together with the appurtenances, unto the said parties of the second part.

IN WITNESS WHEREOF, the said party of the first part, as Personal Representative, has hereunto set his hand, the day and year in this instrument first above written.

Frank R. Stoor

FRANK R. STOOR

Personal Representative of the

Estate of Alfred R. Vias, Deceased

STATE OF IDAHO)

: ss.

County of Caribou)

On this 7th day of April, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared FRANK R. STOOR, known to me to be the Personal Representative of the Estate of ALFRED R. VIAS, deceased, and known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as said Personal Representative.

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

Marilyn A. Swain

NOTARY PUBLIC, State of Idaho

Residing at: *Wayan*

Commission expires: *April 15, 1997*

NOTARY
PUBLIC

RECEIVED

NOV 05 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
25-271					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. -NA
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Alfred Dias
4. New Owner/Claimant(s) Box 3878 Wayan Loop - Wayan ID 83285
FRANK STOOB + Patricia Stoor
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3816 Wayan Loop
- City, State and ZIP Code Wayan, Idaho 83285
- New Telephone Number 208-574-2244
5. Date you acquired the property 4-7-1995

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s) Frank Storr
(include title if applicable) Patricia Storr

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

JUL 27 2008

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

Frank Stoor
3816 Wayan Loop
Wayan, Idaho
83285
208-574-2244

Ident. Number: A25-00271
Date Received: 1/23/1990
Receipt No: *M00557C*
Received By: *TO*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALFRED VIAS
Address: BOX 3878 WAYAN LOOP
WAYAN, ID 83285
208-574-2246

2. Date of Priority: APR 14, 1887

3. Source: GRAVEL CREEK Trib. to: GRAYS LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	43E	26	NE	NW	SW		CARIBOU

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.625		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	43E	22	SW	NE		IRR	40.0
						Section Acres	40.0

A25-00271

Page 1

Date: 01/23/90

MICROFILMED

NOV 10 1992



10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
-

14. Remarks:

P/D NOT GIVEN IN DECREE. DECREE GIVES 1/16 OF CK. TO IRRIGATED
LANDS.

|
CLAIMED FLOW RATE IS BASED ON ASSUMPTION GRAVEL CREEK IS FLOWING
10 CFS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN SODERMAN ET AL
Decree Plaintiff

vs

DR. EVAN KACKLEY ET AL
Decree Defendant

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): X Alfred Bias Date: 1-23-90

Date: _____

State of Idaho)
County of Coubon) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of January 19 90

Seal

Anthony S. Olenchok
Notary Public

Residing at Snake Falls

My Commission Expires 9/12/1994