

02/11/2004

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

RIGHT NUMBER: 27-10185

NAME AND ADDRESS: CLAUDIA N CLAYSON
783 E 700 N
FIRTH ID 83236

NOLAN CLAYSON
783 E 700 N
FIRTH ID 83236

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 10/25/1969

POINT OF DIVERSION:

T01S R37E S32 NWNENW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within BINGHAM County

T01S R37E S32 NENW

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.

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

EXPLANATORY MATERIAL: **Beneficial Use**

PROFILED

SCANNED

MAY 17 2006

INTER-DEPARTMENT MEMO

TO: Pauline

SUBJECT: Tax lot info.

FROM: Cindy

DATE: 7-17-03

Please verify the tax-lot-information with Bingham Co. You might be able get this info from the Bingham tax lot info in ArcView.

Please note the Parcel Number 0537600

7-18-03

Talked to Claudia, she knows nothing. She will have Nolan call on Monday 7-21

() For your information

(X) Response required

Cindy L. Bird
signature

PROFILED

SCANNED
MAY 17 2005

Notes

E-mailed Candice about sending a letter to Mr. Clayson. 7-21-03.

His wife was going to have him contact us on Monday morning 7-21-03. Haven't heard from him.

11-14-03 Talked to Nolan Clayson. He said his brother talked to someone in I Fleet week. He will call me back next week. BP

2/11/04. No response from the Clayson's for evidence. She claimed priority date is after the 1963, Mandatory permit statute for groundwater. Recommending domestic only. CB



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
July 22, 2003



Nolan Clayson
783 East 700 North
Firth, Idaho 83236

RE: SRBA Claim No. 27-10185

Dear Mr. Clayson:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 27 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding the need for priority evidence for your SRBA claim no. 27-10185. However, the Department has not received the information requested. I have enclosed a brochure that discusses the type of evidence that can be helpful in proving the priority date for a water right claim.

In order to make a complete and accurate recommendation of your water rights, each element of the water right must be proven. At this time, the Department will not be recommending your water rights as claimed because you have not provided proof of priority for your claim.

Please contact Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources at 208-547-3993 or you can contact me directly at 208-327-5404.

Very truly yours,

A handwritten signature in black ink, appearing to read "Candice M. McHugh".

CANDICE M. McHUGH
Deputy Attorney General
Idaho Department of Water Resources

Enclosure

cc: Cindy Bird



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Nolan Clayson
783 East 700 North
Firth, Idaho 83236

May 7, 2003

Re: Evidence of Priority

Claim No.(s) A27-10185

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice 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 Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a 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.**

It is important that each element of the Notice be substantiated. 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 enclosed 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.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by June 26, 2003, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Adjudication Claim Report

Memo to File: The following letter date November 6, 2002, was sent out to the claimants and no response was received back to Intrepid.

November 6, 2002

Dear Sir or Madam:

Intrepid Technology and Resources, Inc. (ITR) has been contracted by the Idaho Department of Water Resources (IDWR) to verify information in the State's records regarding the enclosed claim(s). This letter is being sent to the address of record for the enclosed claim(s).

In June or July of 2002, ITR employees visited the point(s) of diversion for the claim(s) in question. The purpose of this letter is to follow up on that visit, and ask for your input to verify the boundary of the area irrigated by each point of diversion. IDWR has supplied the enclosed maps and/or aerial photographs. The points of diversion (wellheads, dams, etc.) are indicated as circles. The irrigated areas are traced with bright yellow lines.

Please take the time to review the map, and correct any inaccuracies by marking changes on the map, and sending the map and claim file back to us in the enclosed postage-paid envelope.

If the claim is no longer in use, please note it on the claim file and return it to us in the enclosed envelope.

This applies only to the enclosed claim file. Water rights or claims not included with this package will be dealt with separately. Please DO NOT mark wells, diversions, or irrigated areas not specifically addressed in this package.

If you have any questions about the letter itself or how to respond, please call Doug Larsen or myself at 208-529-5337. We will be happy to discuss it with you.

Sincerely,

Shaun Dustin, PE
Intrepid Technology & Resources, Inc.



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 27 10185
POD ID 152891
Folder No. A2710185
Claim Status In Use
IDTMEAST 650677
IDTMNORTH 245690
GPSID A0011986

Diversion Description

WELL AND PUMP. POD located in front yard.

Assumptions

Horse power, pressure head, and elevation head.

Invoice

2000-055-23-27-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing)
Phase-III (Complete w/issues)

Linked

photos\27-10185-001.JPG

Photos

photos\27-10185-002.JPG

GPS Accuracy (ft)

17 Feet

Date (M/D/Y)

07-24-02

Time

15:20

Flow Rate (CFS)

0.05

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope 0

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 1

Pressure Head (psi) 30

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

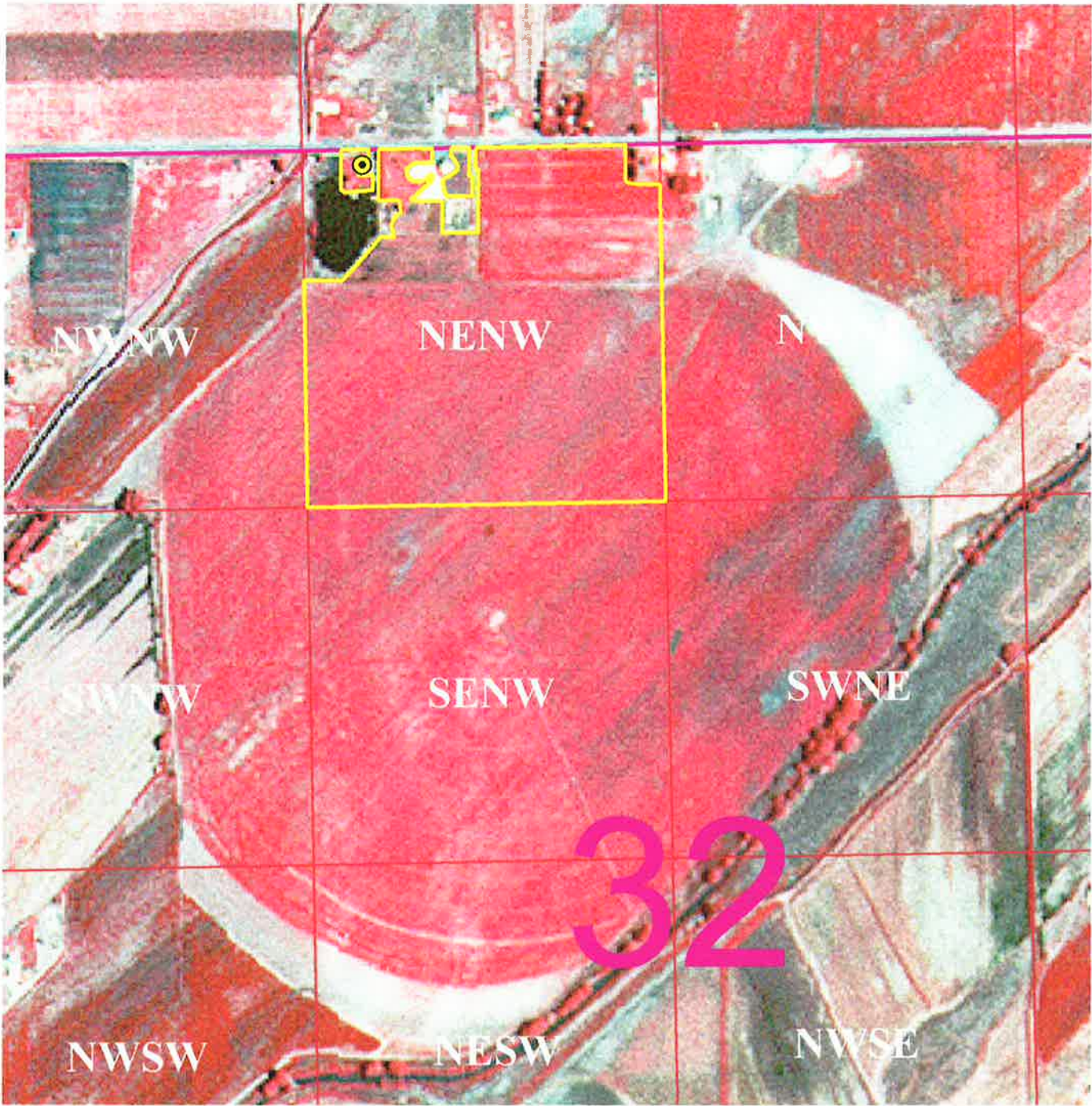
This Form and the associated query are the exclusive intellectual property of Intrepid Technology Resources Inc. , and may not be copied, modified, or distributed without the express written consent of Intrepid Technology and Resopurces, Inc.



FOLDER NO. A2710185

Water Right Claim Number 27-10185
Township , 1S37E

11/16/2000



Irrigated Area

Place of Diversion

Section Line

Quarter Section Line

Roads

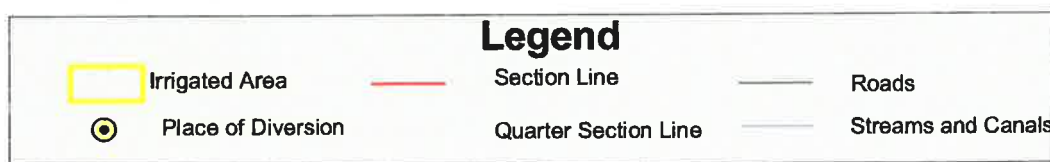
Streams and Canals

N



Water Right Claim Number 27-10185
Township , 1S37E

11/16/2000



JUL 20 2001

Log for claim 27-10185

Spatial Dynamics LTD

11/16/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
01s37e	32	NENW	0	36	POD placement? / Indiscernible
Totals:			0	36	

JUL 20 2001

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: A27-10185
Date Received: 4/07/1989
Receipt No: E006742
Received By: DM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NOLAN CLAYSON 208-346-6976
Address: 783 E. 700 N.
FIRTH, ID 83236

OR

Name: CLAUDIA N. CLAYSON 208-346-6976
Address: 783 E. 700 N.
FIRTH, ID 83236

2. Date of Priority: OCT 25, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	37E	32	NW	NE	NW		BINGHAM

5. Description of diverting works:
WELL AND PUMP

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		
IRRIGATION	10/01	04/15	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC; 1 HOUSEHOLD, STOCKWATER; 25 CATTLE

A27-10185

Page 1

Date: 04/07/89

MICROFILMED
NOV 12 1992

A2710185



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	37E	32	NE	NW		DOMEST	
			NE	NW		IRR	

11. Place of use in counties: BINGHAM

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): *John Chapman* Date: *April 2, 1989*

Date: _____

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

Subscribed and sworn (or affirmed) before me this *7th* day
of *April* 19 *89*

Betty J. Thompson
Notary Public

Seal

Residing at *BETTY J. THOMPSON, NOTARY PUBLIC*
My Commission Expires *RECEIVED AT 11:00 AM 1990*