

02/08/2005

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

RIGHT NUMBER: 27-11893

NAME AND ADDRESS: JOANNE DURSTELER
3415 HWY 34
SODA SPRINGS ID 83276

DALE RAY DURSTELER
3415 HWY 34
SODA SPRINGS ID 83276

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: 01/01/1930

POINT OF DIVERSION:

T06S R42E S9 SESE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

PLACE OF USE: DOMESTIC Within CARIBOU County

T06S R42E S09 SESE

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**

SCANNED

MAY 25 2006

Water Right 27-11893

FILED

12/09/2003

**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:

Water right number: 27-11893

JOANNE DURSTELER
3415 HWY 34
SODA SPRINGS ID 83276

DALE RAY DURSTELER
3415 HWY 34
SODA SPRINGS ID 83276

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: July 25-05 SIGNATURE: Dale Ray Dursteler
Please print your name: Dale Ray Dursteler

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



SCANNED
MAY 25 2006
PROFILED
RECEIVED
AUG 01 2005
Department of Water Resources
Eastern Region

KMJ
8/2

Notes

10-17-03 Checked with Caribou Co. there is a new owner for this property it's Dale Dursfelder

3415 Highway 34

Soda Springs, ID 83276

10-17-03 John he never owned a company. BP
10-31-03 New owner bought in ownership change + Warranty Road & plat map of T65, R42E west his location marked. BP

12/9/03 Recommend Domestic only - only 5 knew.

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Dale Ray Dursteler	3415 Hwy 34	Soda Springs	ID	83276	
Name connector: and	____, or ____	and/or				
Current Owner	Joanne Dursteler	Same				

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

Carbon Co. Assessors

Date: 12/9/03

Priority Date Data Entry FormClaim Number: A27-11893

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ 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:

domestic only

Reviewer: CBDate: 12/9/03

Priority Date

Claim No. 27 - 11893

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ☐ No ☒
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes ☐ No ☐
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes ☐ No ☐
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes ☐ No ☐
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes ☐ No ☒
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes ☐ No ☐
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes ☐ No ☐
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes ☐ No ☒
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes ☐ No ☒
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes ☐ No ☒
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes ☐ No ☐
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes ☐ No ☐
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes ☒ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes ☐ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes ☐ No ☐
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes ☒ No ☐
If Yes, go to 16
If No, Enter the appropriate basis of claim. **B. U.**
16. Is a Priority Date remark and/or condition required? Yes ☐ No ☒
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Point of Diversion and Source Data Entry FormClaim Number: A27-11893

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

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ 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? none

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

Transfers Changing POD _____

Reviewer: CBDate: 12/9/03

Point of Diversion

Claim No. _____ - _____

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the POD as shown on the Permit. Go to 10

Yes () No ()

4. Does the parent right have a POD?

If Yes, go to 5

If No, go to 6

Yes () No ()

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10

If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7

If No, go to 9

Yes () No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9

If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes () No ()

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10

If No, go to 9

Yes () No ()

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10

If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (X) No ()

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete

If No, POD review is complete.

Yes () No (X)

Source

Claim No. _____

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes () No (☒)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes () No (☒)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11
Yes () No ()
4. Does the parent right have a Source?
If Yes, go to 5
If No, go to 7
Yes () No ()
5. Can the claimed Source be verified using the water right file?
If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7
Yes () No ()
6. Is the basis of claim a Posted Notice?
If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7
Yes () No (☒)
7. Is there evidence that there has been a change in the Source?
If Yes, go to 8
If No, go to 10
Yes () No (☒)
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9
Yes () No ()
9. Did the claimant file a transfer?
If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10
Yes () No ()
10. Does the file contain all of the necessary information to verify the Source?
If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11
Yes (☒) No ()
11. Is a Source remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.
Yes () No (☒)

Purpose of Use Data Entry Form

Claim Number: A27-11893 Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
<u>Domestic</u>	<u>1</u>	<u>5 horses</u>	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Document how the Purpose of Use was verified:

domestic only for the 5 head of horses,
the stock is included.

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 12/9/03

Purpose of Use

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes () No (X)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes () No (X)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes () No ()

4. Does the parent right have a Purpose of Use?

If Yes, go to 5

If No, go to 6

Yes () No ()

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13

If No, go to 6

Yes () No ()

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7

If No, go to 11

Yes () No (X)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11

If No, go to 8

Yes () No ()

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9

If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes () No ()

9. Was an enlargement claim filed?

If Yes, go to 11

If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes () No ()

10. Did the claimant file an enlargement claim?

If Yes, go to 11

If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes () No ()

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (X) No ()

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13

If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes () No ()

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.

If No, purpose of Use review is complete.

Yes () No (X)

Place Of Use Data Entry Form

Claim Number: A27-11893☒ Use Claimed POU as Recommended POU

Claimed Place of Use

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

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:

domestic only

Transfers Changing POU _____

Reviewer: CBDate: 12/9/03

Place of Use

Claim No. _____

1. Is the basis of claim a Decree or License?

Yes () No (X)

If Yes, go to 2a

If No, go to 2b

2a. Is a POU required?

Yes () No ()

If Yes, go to 5

If No, go to 14

2b. Is a POU required?

Yes () No (X)

If Yes, go to 3

If No, go to 14

3. Is the basis of claim a Permit or Application?

Yes () No ()

If Yes, go to 4

If No, go to 7

4. Has the License been issued?

Yes () No ()

If Yes, go to 6

If No, recommend the POU as shown on the Permit. Go to 14

5. Does the parent right have a POU?

Yes () No ()

If Yes, go to 6

If No, go to 7

6. Can the claimed POU be verified using the water right file?

Yes () No ()

If Yes, recommend the POU as shown in the water right file. Go to 14

If No, go to 7

7. Is there evidence that there has been a change in the POU?

Yes () No ()

If Yes, go to 8

If No, go to 13

8. Can the change be verified as an accomplished transfer?

Yes () No ()

If Yes, add condition C05, go to 13

If No, go to 9

9. Does the change include an enlargement of the POU?

Yes () No ()

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10

If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

10. Was an enlargement claim filed?

Yes () No ()

If Yes, go to 13

If No, notify claimant that an enlargement claim is necessary. Go to 11

11. Did the claimant file an enlargement claim?

Yes () No ()

If Yes, go to 13

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

12. Was a transfer filed?

Yes () No ()

If Yes, recommend the POU as shown on the approved transfer. Go to 14

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

13. Does the file contain all of the necessary information to verify the POU?

Yes () No ()

If Yes, go to 14

If No, collect the necessary information. Conduct field exam if necessary. Go to 14

14. Is a POU remark and/or condition required?

Yes () No (X)

If Yes, enter the appropriate remark and/ or condition. POU review is complete.

If No, POU review is complete.

Period of Use and Quantity Data Entry FormClaim Number: A27-11893☐ 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

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Domestic	1/1	12/31	0.04	

Overall Diversion Rate 0.04 Overall Diversion Volume _____

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

add N13 Cond.

Reviewer: CBDate: 12/9/03

Period of Use

Claim No. _____

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes ☐ No ☒
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes ☐ No ☒
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
Yes ☐ No ☐
4. Does the parent right have a Period of Use?
If Yes, go to 5
If No, go to 6
Yes ☐ No ☐
5. Can the claimed Period of Use be verified using the water right file?
If Yes, go to 14
If No, go to 6
Yes ☐ No ☐
6. Is there evidence that there has been a change in the Period of Use?
If Yes, go to 7
If No, go to 12
Yes ☐ No ☒
7. Does the change include an enlargement in the Period of Use?
If Yes, go to 9
If No, go to 8
Yes ☐ No ☐
8. Can the change be recommended as an accomplished transfer?
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
Yes ☐ No ☐
9. Was an enlargement claim filed?
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
Yes ☐ No ☐
10. Did the claimant file an enlargement claim?
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes ☐ No ☐
11. Was a transfer filed?
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes ☐ No ☐
12. Does the file contain all of the necessary information to verify the Period of Use?
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
Yes ☒ No ☐
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?
If Yes, go to 14
If No, go to 15
Yes ☐ No ☒
14. Is irrigation claimed as a purpose of use?
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
Yes ☐ No ☐
15. Is irrigation claimed as a purpose of use?
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
Yes ☐ No ☒
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
Yes ☐ No ☐
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
Yes ☐ No ☐
18. Is a Period of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.
Yes ☐ No ☒

Quantity

Claim No. _____

1. Is the basis of claim a Decree or License?

Yes ☐ No ☒

If Yes, go to 4
If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes ☐ No ☒

If Yes, go to 3
If No, go to 6

3. Has the License been issued?

Yes ☐ No ☐

If Yes, go to 5
If No, recommend the Quantity shown on the Permit. Go to 11

4. Does the parent right have a diversion rate and/or volume?

Yes ☐ No ☐

If Yes, go to 5
If No, go to 7

5. Can the claimed diversion rate and/or volume be verified using the water right file?

Yes ☐ No ☐

If Yes, go to 8
If No, go to 7

6. Is the basis of claim a posted notice?

Yes ☐ No ☒

If Yes, consult the attorney assigned to the Basin. Go to 7
If No, go to 7

7. Is a flow measurement required?

Yes ☐ No ☒

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
If No, describe why a flow measurement is not required. Go to 9

8. Does the parent right have an annual diversion volume limit?

Yes ☐ No ☐

If Yes, go to 10
If No, go to 9

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

Yes ☐ No ☒

If Yes, go to 10
If No, go to 11

10. Is irrigation a purpose of use?

Yes ☐ No ☐

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 9
If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 9

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

Yes ☐ No ☒

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
If No, go to 12

12. Is a Quantity remark and/or condition required?

Yes ☒ No ☐

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.

Summary

Claim No. _____ - _____

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?
If Yes, go to 2
If No, go to 3
Yes () No (X)
2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5
Yes () No ()
3. Is the water being used for all of the purposes claimed and to the extent claimed?
If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4
Yes () No (X)
4. Is any portion of the claim being recommended?
If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5
Yes (X) No ()
5. Is an additional remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Go to 6
If No, go to 6
Yes (X) No ()
6. Would you like to view the recommended right?
If Yes, go to 7
If No, the review is incomplete. The recommendation must be viewed to complete the review.
Yes (X) No ()
7. Is this a "split" or "combined" right?
If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8
If No, go to 8
Yes () No (X)
8. Do you have documents you would like to attach or link to the file?
If Yes, go to PowerDOCS and profile the documents. Go to 9
If No, go to 9
Yes () No (X)
9. Would you like to set the verification date?
If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.
Yes (X) No ()

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

N11

N13

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.: 27-11893

Reviewer CB

Date 12/9/03

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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 (under the "split" heading), 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
	<u>A27-11893</u>	☐			☐
		☐			☐
		☐			☐
		☐			☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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) is 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) W. L. Thompson
3415 Hwy 34, Soda Springs
4. New Owner/Claimant(s) Dale Ray or Joanne Darsteler
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 3415 Hwy 34. Soda Spring
- City, State and ZIP Code Soda Spring Idaho 83276
- New Telephone Number (208) 575-2206
5. Date you acquired the property July 21 1998

Mail Tax Notice to:
Dale Ray Dursteler
3415 Highway 34
Soda Springs, ID 83276

WARRANTY DEED

STATE OF IDAHO
County of Caribou
Date: July 29, 1998
Time: 4:30 P.M.
Official Records
Recorder: Edna Izatt
Deputy: Linda S. Godfrey
Fee: 3.00 C.T.

For Value Received **WILLARD L. THOMPSON AND RITA K. THOMPSON**, husband and wife, the grantors, of McCammon, Bannock County, Idaho, do hereby grant, bargain, sell and convey unto **DALE RAY DURSTELER, a single man**, of Henry, Caribou County, Idaho 83276, the grantees, the following described premises, to-wit:

Caribou County, Idaho:

Township 6 South, Range 42 East of the Boise Meridian:

Section 9: Beginning at a point 900 feet North of the Southeast corner of said Section 9, and running thence West 390 feet; thence North 220 feet; thence East 390 feet; thence South 220 feet, to the point of beginning.

EXCEPT THEREFROM, any portion thereof lying within the right of way of State Highway No. 34 as presently located.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: July 21, 1998.

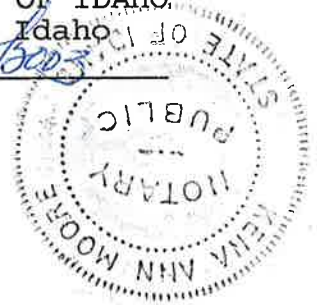
Willard L. Thompson
WILLARD L. THOMPSON

Rita K. Thompson
RITA K. THOMPSON

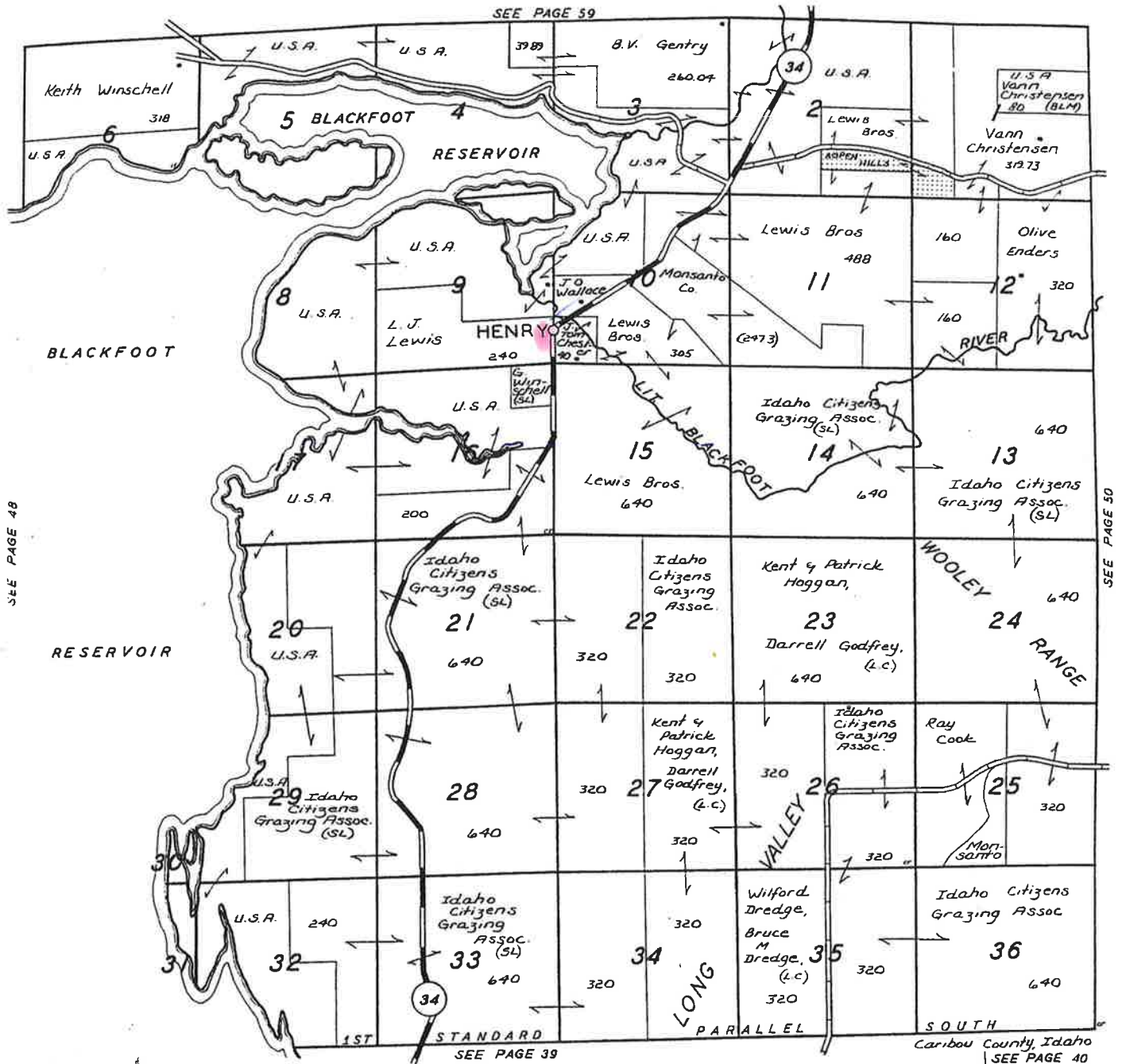
STATE OF IDAHO)
: ss.
County of Caribou)

On this 21st day of July, 1998, before me the undersigned, a notary public in and for said County and State, personally appeared **WILLARD L. THOMPSON AND RITA K. THOMPSON, husband and wife**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
NOTARY PUBLIC FOR THE STATE OF IDAHO
Residing at: Soda Springs, Idaho
My commission expires: 8/15/2003



T.6S.-R.42E.



This plat is made solely for the purpose of assisting in locating land, and the company assumes no liability for variations, if any, with an actual survey.



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

Dale Dursteler
3415 Highway 34
Soda Springs, ID 83276

October 17, 2003

REF: Snake River Basin Adjudication (SRBA)
Water Right Claim No. A27-11893

Subject: Change in Ownership

COPY

Response Date: November 14, 2003

Dear Claimant(s),

Caribou County records indicate that you are the current owner of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property and water right, we need form 42-248/42-1409(6) Notice of Change in Water Right Ownership, completed and returned to us.

We will also need a copy of the warranty deed, plat, survey map or aerial photo with the appropriate area marked.

Please fill out the highlighted areas on the notice of change form and submit with the necessary documents by the response date stated above.

When Claim 27-11893 was filed the purpose of use was stated that it was for domestic/stockwater purposes. According to Idaho code such claims are restricted to using the water for irrigation purposes on up to ½ acre of land. This guideline will be included in IDWR's recommendation to the SRBA Court.

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

CEB/PB

Enclosure: Form 42-248/42-1409(6) "Notice of Change in Water Right Ownership"



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 27.

You are invited to attend a **public meeting to be held on March 11 at 7:00 p.m. in the Eastern Idaho State Fairgrounds, Needle Craft Building, at the corner of Park and Maple streets.** 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 27. 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.

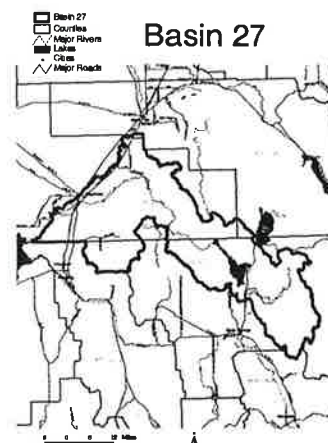
This investigation effort is being conducted by an experienced and successful staff. During recent years, this staff has accurately investigated and reported water rights in neighboring basins including the Big Lost River, the Little Lost River, Birch Creek, Camas Creek and the Portneuf River.

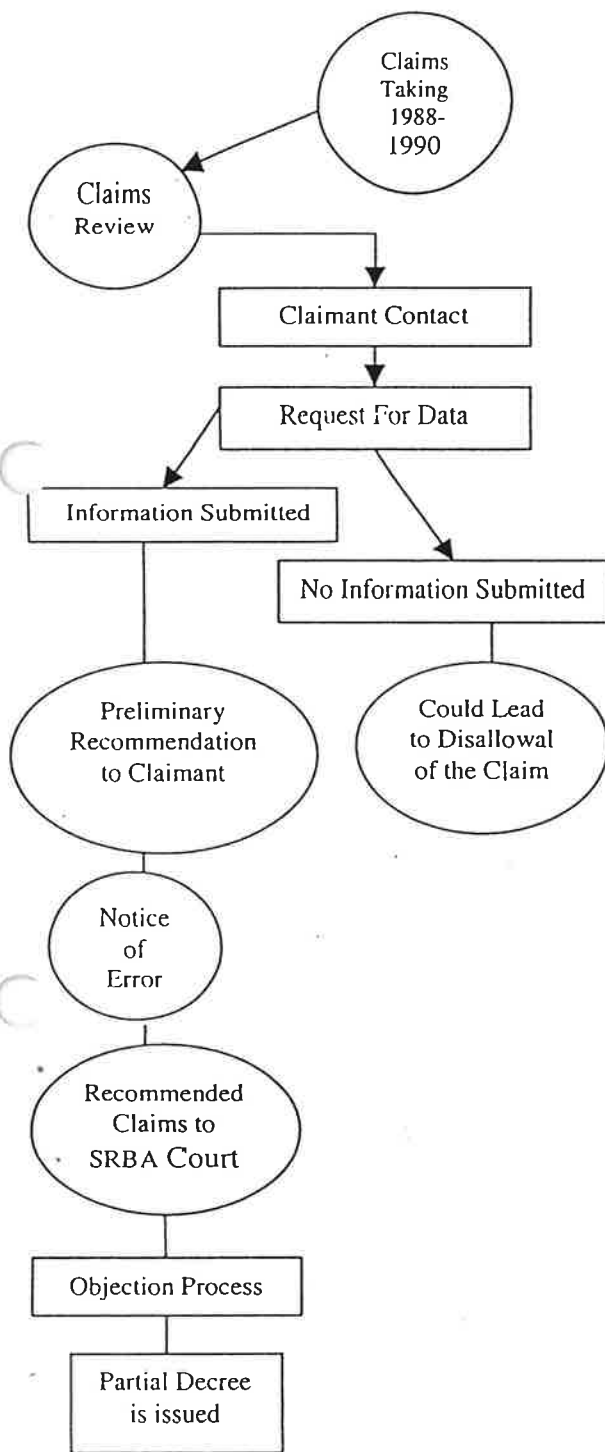
Please contact the Idaho Falls Office with any questions.

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

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: **A27-11893**
Date Received: 7/16/1998
Receipt No: _____
Received By: _____

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

1. Name: W L THOMPSON
Address: 3415 HWY 34
SODA SPRINGS ID 83276

OR

Name: RITA THOMPSON
Address: 3415 HWY 34
SODA SPRINGS ID 83276

2. Date of Priority: JAN 1, 1930

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	42E	9	SE	SE			CARIBOU

5. Description of diverting works:
WELL, PUMP AND PIPELINES

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		
STOCKWATER	01/01	12/31	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:
1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	42E	9	SE	SE		DOMEST	

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:

STOCKWATER, 5 HORSES

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

SCANNED

JUL 13 2000

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: A27-11893

Date Received: 7/16/1998

Receipt No: E024224

Received By: DM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. L. THOMPSON
Address: 3415 HIGHWAY 34
SODA SPRINGS ID 83276
OR
Name: RITA THOMPSON
Address: 3415 HIGHWAY 34
SODA SPRINGS ID 83276

2. Date of Priority: JAN 1, 1930

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	42E	9	SE	SE			CARIBOU

5. Description of diverting works:
WELL, PUMP AND PIPELINES TO ONE HOME PLUS STOCK FACILITY

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		
STOCKWATER	01/01	12/31	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:
ONE HOME WITH LAWN, FIVE HORSES

A2711893



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	42E	9	SE SE		DOMEST	

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:
N/A

14. Remarks:
PRIORITY DATE IS OWNERS' BEST ESTIMATE

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): W L Thompson Date: 7-17-98
Kita R. Thompson Date: 7-17-98

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of July 19 98

Jennifer Hoagland
Notary Public

Residing at Idaho Falls Idaho
My Commission Expires 9/23/03

