

01/20/2003

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

RIGHT NUMBER: 29-138

NAME AND ADDRESS: DOMINGO EGUILIOR
20751 HOWE RD
CALDWELL ID 83607-9012

SOURCE: PEBBLE CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 1.290 CFS

PRIORITY DATE: 06/01/1908

POINT OF DIVERSION:

T07S R37E S36 SESWSW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 09/15

QUANTITY
1.290 CFS

PLACE OF USE:

IRRIGATION Within CARIBOU County

T08S R37E S01	SWNE	21.0	T08S R37E S01 Lot 3 NENW	21.0
T08S R37E S01	SENE	6.7	T08S R37E S01 NWSE	16.0

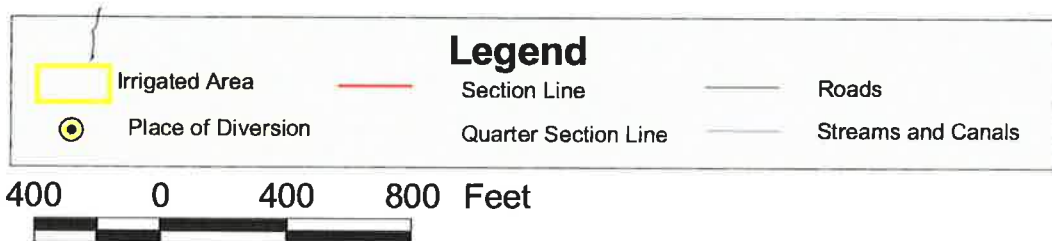
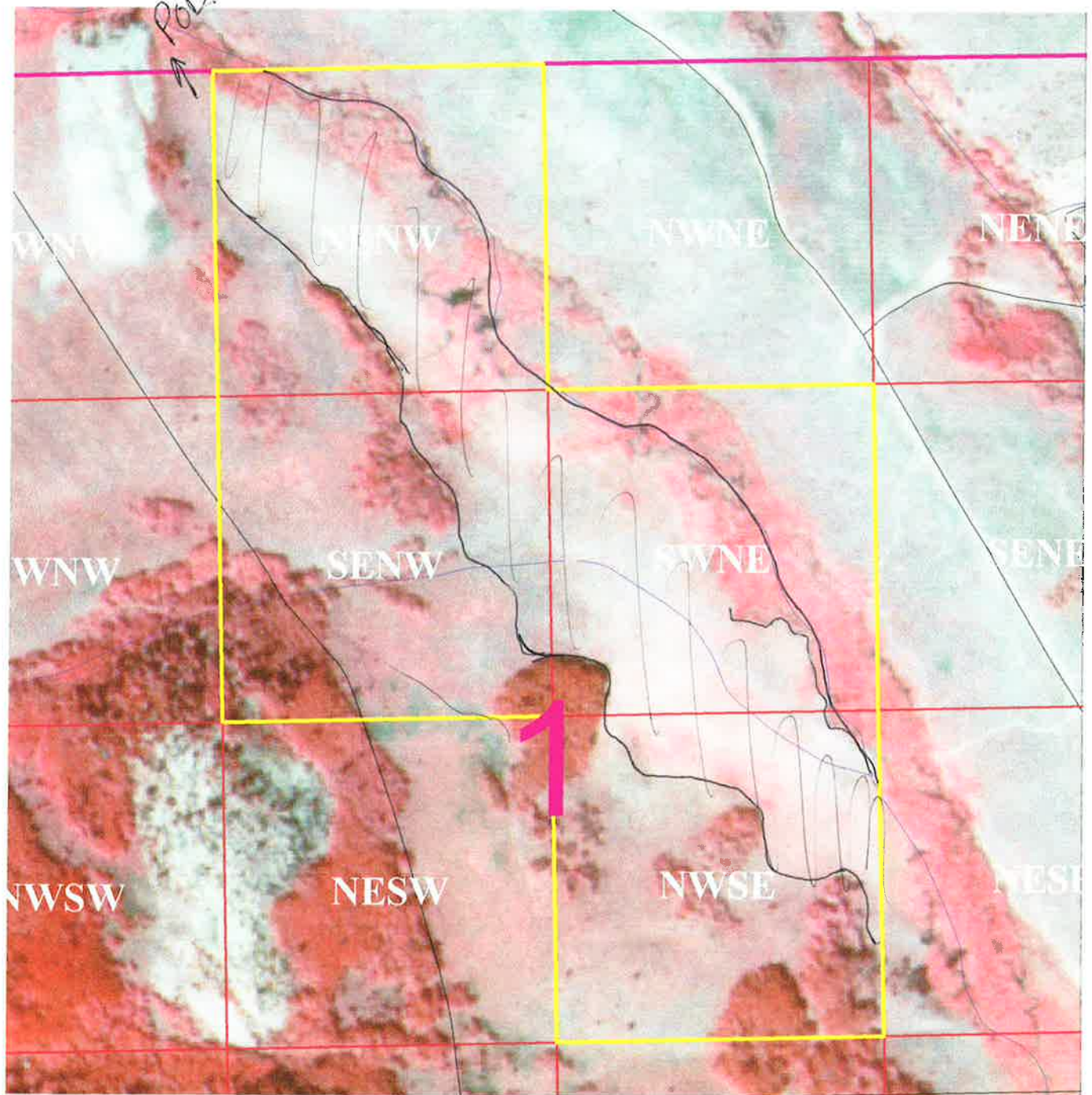
64.7 ACRES TOTAL

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

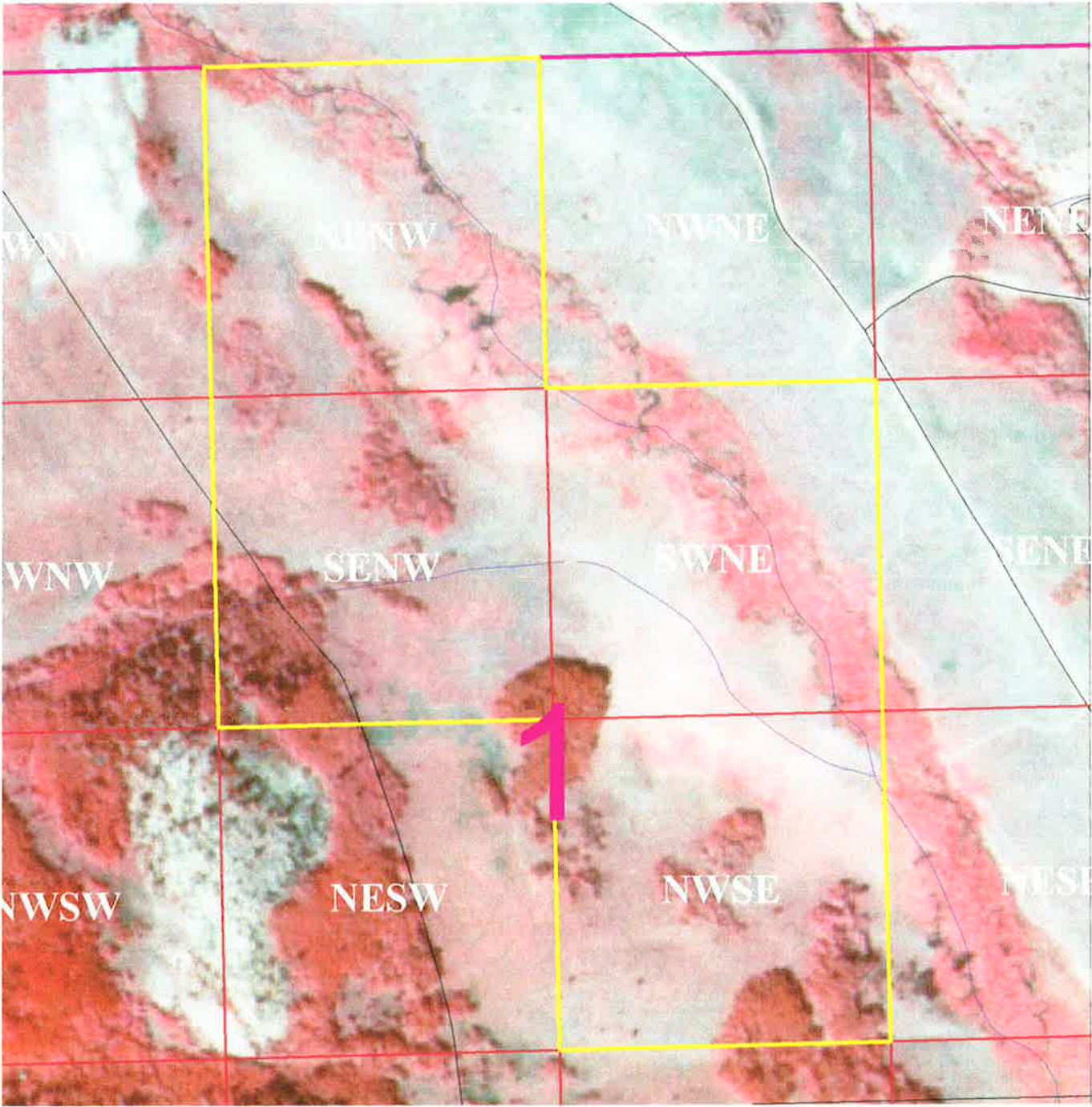
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

Townships , 7S37E, 8S37E



Townships , 7S37E, 8S37E



 Irrigated Area

 Place of Diversion

 Section Line

 Quarter Section Line

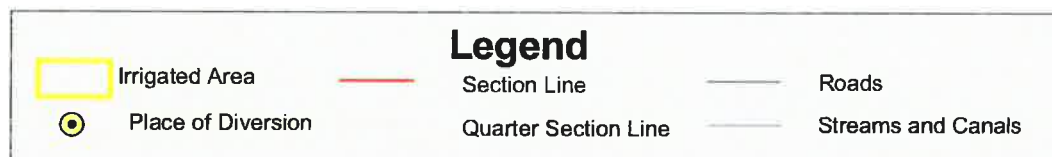
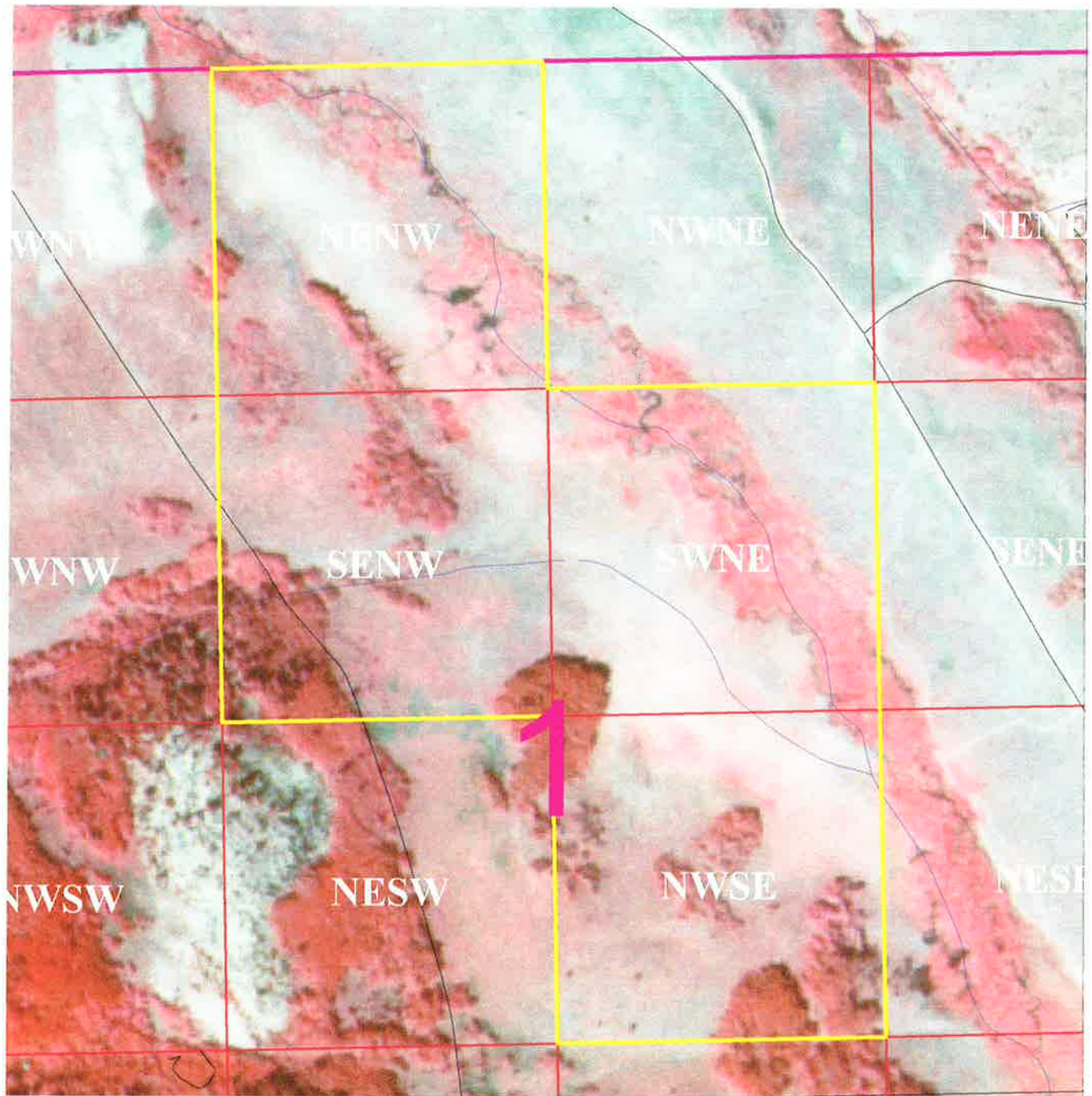
 Roads

 Streams and Canals

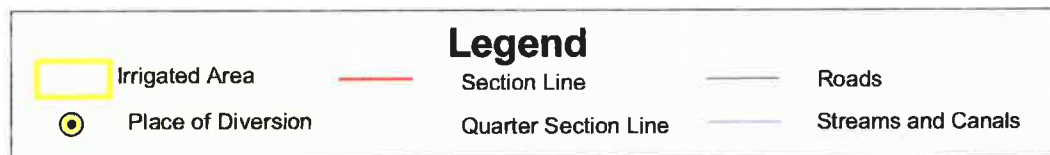
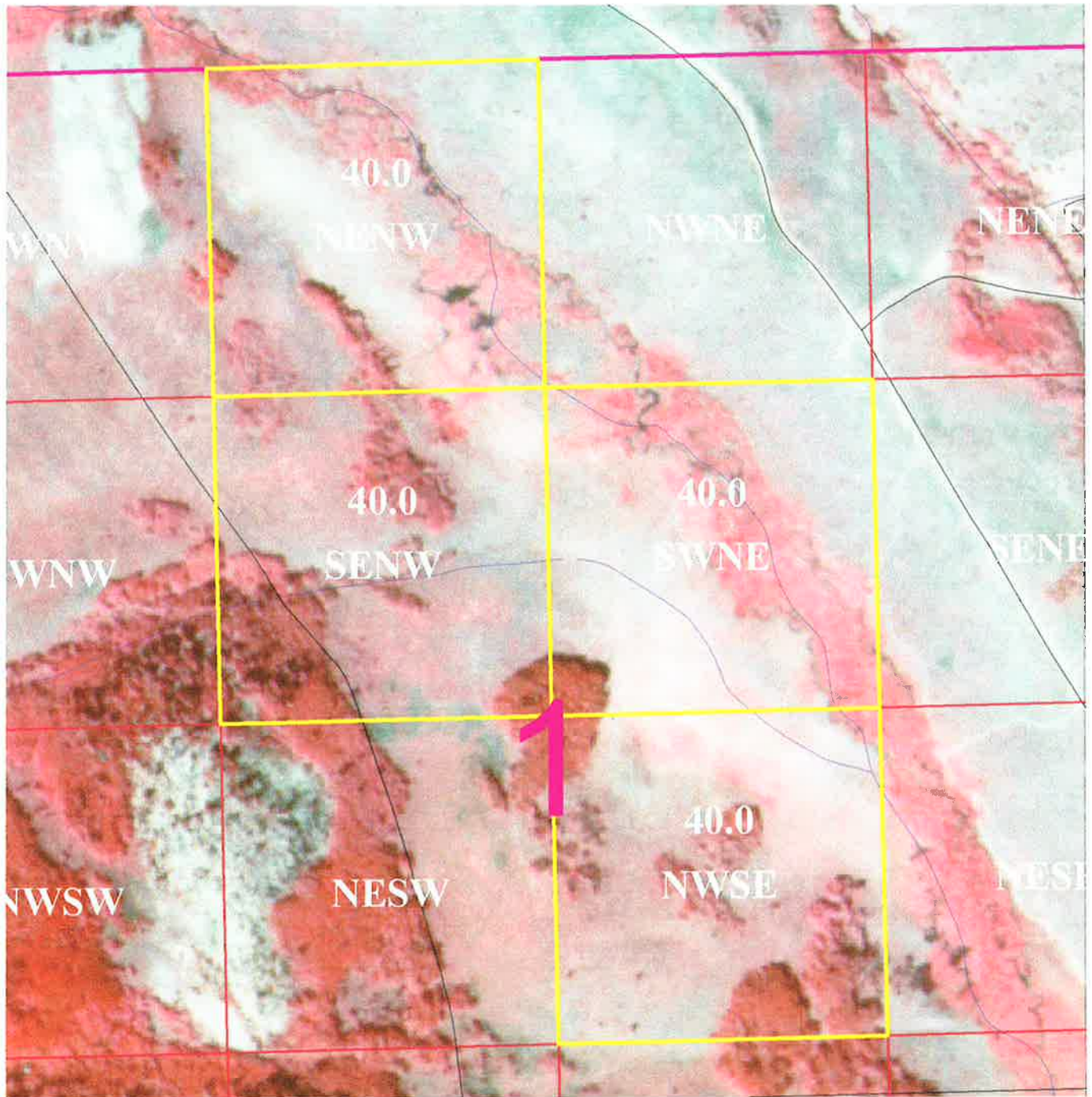
Legend



Townships , 7S37E, 8S37E



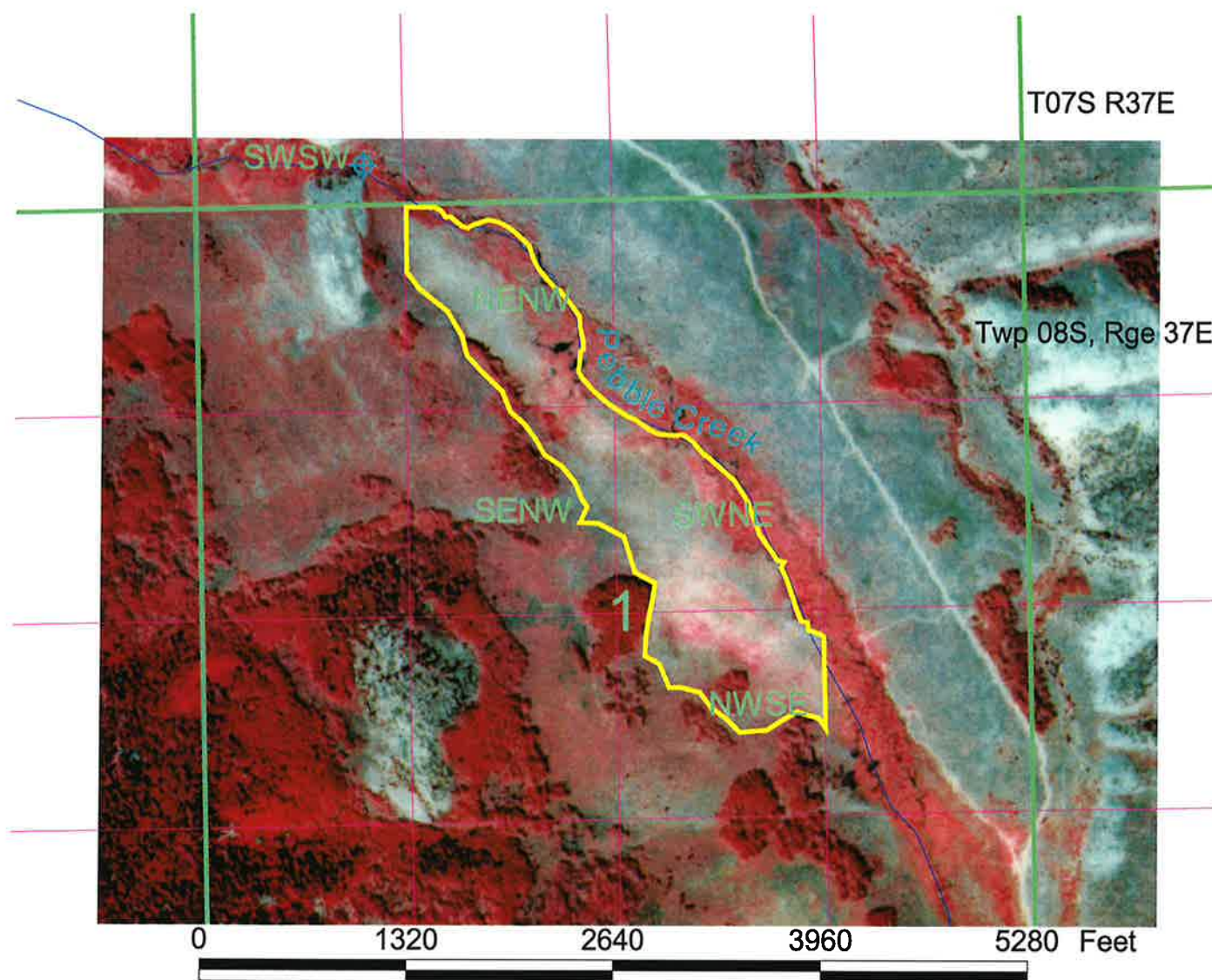
Townships , 7S37E, 8S37E





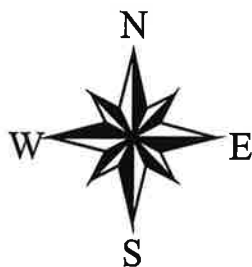
Department of Water Resources

Claim No.: 29-138



Irrigated Acres = 64.7

- Diversion.shp
- Place of use.shp
- Stream.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: January 2003

Cindy
02/08/2003

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: April 21, 2003

Water right number: 29-138

DOMINGO EGUILLIOR
20751 HOWE RD
CALDWELL ID 83607-9012
Telephone Number: (208)459-2379

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:

We don't know what the Acreage is

3. Give a brief explanation as to why you disagree with these portions:

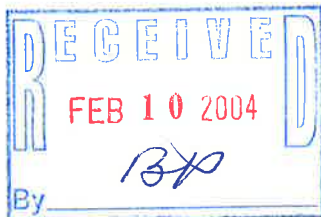
The meadow is 6300' - The BEAVERS CONTINUALLY
DAM The WATER, off - We STRIVE to get WATER
To the end of the ditch - BEAVERS change it.

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

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



RECEIVED

APR 25 2003

Department of Water Resources
Eastern Region

Notes

1/2/03 No acre limit in the UG+E decree.

Claimed POU matches legal description under UG+E decree. Recommend as claimed.

They have cattle instead of sheep per Domingo Equilino.

Spatial dynamics placed the POD in the wrong location. See claimant's map attached to claim.

POD matches decreed POD.

No field exam - disk top view only.

Claim No.: A29-138

Contacts Data Entry Form

Owner Type	Name	Address	City	State	Zip	Phone Number
C	Domingo Equilior	20751 Howard	Caldwell	ID	83607	459-2379

Contact Person	Todd Gilbert	Phone Number	775- 775-3698
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Date of Field Exam:	None	Time:	
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Directions to Property:

Additional Field Exam Information

Date of Field Exam:		Time:	
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Accompanied By:		Phone Number:		Relationship to Claimant:	
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Directions to Property (if different from above) and/or additional ownership information:

Claim No.: 29-138

Reviewer CD

Date 1/12/03

Priority Date Data Entry Form

Claimed Priority Date:	6-1-1908		Basis of Claim:	Success
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☒ **Use Claimed Priority Date and Basis as Recommended Priority Date and Basis**

Water Right Priority Date:				Basis of Right:	
---------------------------------------	--	--	--	------------------------	--

Recommended Priority Date:				Recommended Basis of Claim:	
---------------------------------------	--	--	--	--	--

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

Matches the decreed priority date in the UG & E decree.

Point of Diversion and Source Data Entry Form

Claimed Point of Diversion and Source

Twp	Rge	Sec	Gov Lot	1/4	1/4	1/4	County	Water Source
75	37E	36			SW	SW	Caribou	Pebble Creek.

☒ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Twp	Rge	Sec	1/4	1/4	1/4	County	Lot Num	Diversion Name	Source	Water Right Number

Source Information

Source	Source Qualifier	Tributary To	Tributary Qualifier

Recommended Point of Diversion

Twp	Rge	Sec	Gvt Lot	QQQ	QQ	Q	County	Source & Tributary	Type

Document how the POD and Source were verified:

See
verified with the decree.
Don't have 1987-88 imagery for the POD - (spatial placed POD in the wrong place)
→ field verify POD / no time to verify 1/12/03
locate the best you can.

Claim No.: 29-138

Place of Use Data Entry Form

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
8S	37E	1	SW	NE	Caribou		25	Irrigation.
			NE	NW	"		37.5	"
			SE	NW	"		22.5	"
			NW	SE	"		35.0	"

☒ Use Claimed POU as Recommended POU

Water Right Place of Use

Twp	Rge	Sec	1/4	1/4	County	Lot Num	Acres	Water Source	Water Right Number

Recommended Place of Use

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

Document how the POU was verified:

Total Acres _____

decree - 1987-88 NAPP Photograph - needs field verification.

at 1" per acre, irrigation, of 125 acres. (No acreage limit in decree).

Claim No.: 29-138Reviewer CBDate 1-9-02

Claim No.: _____

Purpose of Use Data Entry Form

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
Irrigation			

☒ Use Claimed Use as Recommended Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Water Right Number

Recommended Purpose of Use

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

Document how the Purpose of Use was verified:

decree

Claim No.: 29-138

Reviewer CB

Date 1-9-02

Period of Use and Quantity Data Entry Form

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	9/15	2.50	360.0

☒ Use Claimed Period of Use/Quantity as Recommended Period of Use/Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume	Water Right Number

Overall Diversion Rate		Overall Diversion Volume	
------------------------	--	--------------------------	--

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

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

decreed in the Union Grain & Elevator decree.
 → Needs a shoulder remark for our adm.
 SOU to 4/1 to 10/31. (No 808 Remark)

Field headgate requirement:

Vol: 120 AC * 3.0 = 360 AC-ft/year CB (1-9-02)

Summary Data Entry Form

Claim No.: _____

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

C18

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.: _____

Reviewer _____ Date _____

Priority DateClaim No. 29 - 138

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.
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

Claim No. 29 - 138

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 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 (☐)

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 (☐) 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 (☐)

Source

Claim No. 29-138

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 ☒

Place of Use

Claim No. 29 - 138

1. Is the basis of claim a Decree or License?
If Yes, go to 2a
If No, go to 2b
Yes (☒) No (☐)
- 2a. Is a POU required?
If Yes, go to 5
If No, go to 14
Yes (☒) No (☐)
- 2b. Is a POU required?
If Yes, go to 3
If No, go to 14
Yes (☐) No (☐)
3. Is the basis of claim a Permit or Application?
If Yes, go to 4
If No, go to 7
Yes (☐) No (☐)
4. Has the License been issued?
If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14
Yes (☐) No (☐)
5. Does the parent right have a POU?
If Yes, go to 6
If No, go to 7
Yes (☒) No (☐)
6. Can the claimed POU be verified using the water right file?
If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7
Yes (☒) No (☐)
7. Is there evidence that there has been a change in the POU?
If Yes, go to 8
If No, go to 13
Yes (☐) No (☐)
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C05, go to 13
If No, go to 9
Yes (☐) No (☐)
9. Does the change include an enlargement of the POU?
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
Yes (☐) No (☐)
10. Was an enlargement claim filed?
If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11
Yes (☐) No (☐)
11. Did the claimant file an enlargement claim?
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
Yes (☐) No (☐)
12. Was a transfer filed?
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
Yes (☐) No (☐)
13. Does the file contain all of the necessary information to verify the POU?
If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14
Yes (☐) No (☐)
14. Is a POU remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.
Yes (☐) No (☒)

Purpose of Use

Claim No. 29 - 138

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 Purpose(s) of Use as shown on the Permit. Go to 13
4. Does the parent right have a Purpose of Use? Yes (☒) No (☐)
If Yes, go to 5
If No, go to 6
5. Can the claimed Purpose of Use be verified using the water right file? Yes (☒) No (☐)
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
6. Is there evidence that there has been a change in the Purpose of Use? Yes (☐) No (☐)
If Yes, go to 7
If No, go to 11
7. Can the change be verified as an accomplished transfer? Yes (☐) No (☐)
If Yes, add condition C04, go to 11
If No, go to 8
8. Does the change include an enlargement of the Purpose of Use? Yes (☐) No (☐)
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
9. Was an enlargement claim filed? Yes (☐) No (☐)
If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes (☐) No (☐)
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
11. Does the file contain all of the necessary information to verify the Water Use? Yes (☐) No (☐)
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
12. Did the claimant file a transfer? Yes (☐) No (☐)
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
13. Is a Purpose of Use remark and/or condition required? Yes (☐) No (☒)
If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Period of Use

Claim No. 29 - 138

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.
Yes ☒ No ☐

Quantity

Claim No. 29 - 138

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 Quantity shown on the Permit. Go to 11
Yes (☐) No (☐)
4. Does the parent right have a diversion rate and/or volume?
If Yes, go to 5
If No, go to 7
Yes (☒) No (☐)
5. Can the claimed diversion rate and/or volume be verified using the water right file?
If Yes, go to 8
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 a flow measurement required?
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
Yes (☐) No (☐)
- 8. Does the parent right have an annual diversion volume limit?
If Yes, go to 10
If No, go to 9
Yes (☐) No (☒)
- 9. Is the source Ground Water and does the purpose of use require a diversion volume limit?
If Yes, go to 10
If No, go to 11
Yes (☒) No (☐)
10. Is irrigation a purpose of use?
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
Yes (☒) No (☐)
11. Has a diversion volume limit for this water use been established by a decree, license or transfer?
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
Yes (☐) No (☒)
12. Is a Quantity remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Quantity review is complete.
If No, quantity review is complete.
Yes (☐) No (☒)

Summary

Claim No. 29 - 138

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 (☐)

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 (☐)

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 (☐) 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

C18

Yes (☒) 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 (☒) 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 (☒)

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 (☒)

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 (☒) No (☐)

the Northwest quarter of the Southwest quarter of Section 10, Township 8 South, Range 38 E.B.M.

29 0133 ✓
100. CORBETT, J. FRED
1906 June 5. .7 c.f.s.

Said water to be diverted through a ditch having intake North 16 degrees 35 minutes West 671 feet from the Southwest quarter corner of Section 9, Township 8 South, range 38 E. B. M.; and also through another ditch having intake 40 degrees West, 1688 feet from the Southwest corner of the Southeast quarter of said Section 9, same Township and Range, for the irrigation of the Southwest quarter of the Southwest quarter, of Section 3, Township 8 South, Range 38 E.B.M.

29 0134 ✓
101. BELLU, J. and
MORIOTTO, O. 1.2 c.f.s.
1906 June 5.

Said water to be diverted through a ditch having intake at a point North 16 degrees 35 minutes West 671 feet from the Southwest corner of Section 9, Township 8 South, Range 38 E.B.M., for the irrigation of the Northwest quarter of the Southeast quarter; the East half of the Southwest quarter, the Southwest quarter of the Southwest quarter of Section 4, Township 8 South, Range 38, E. B. M.

29 0135 ✓
102. SMITH, JOSEPH A. 2.6 c.f.s.
1907 Mar. 27.
29 0136 ✓
1912 Jun. 1 1.4 c.f.s.

Said water to be diverted through a ditch having intake North 27 degrees 15 minutes West, 1331 feet from the South quarter corner, Section 9, Township 8 South, Range 38 E.B.M., for the irrigation of the South half of the Northeast quarter, and the Southeast quarter of Section 21; the West half of the Northeast quarter and the East half of the Northwest quarter of Section 28, Township 8 South, Range 38 E. B. M.

29 0137 ✓
103. MOSS, COMMODORE EARL 1 c.f.s.
1907 March 27

Said water to be diverted by means of a ditch, having intake North 27 degrees 15 minutes West, 1531 feet from the South quarter corner of Section 9, Township 8 Soth, Range 38 E. B. M., for the irrigation of the Southwest quarter of the Southwest quarter of Section 10; the West half of the Northwest quarter and the Northeast quarter of the Northwest quarter, Section 15, Township 8 South, Range 38 E.B.M.

29 0138 ✓
104. HOUTZ, KARL D. 2.5 c.f.s.
1908 June 1.

Said water to be diverted through a ditch having intake West bank of Pebble Creek at a point in the Southwest quarter of the Southwest quarter of Section 36, Township 7 South, Range 37 E.B.M. for the irrigation of the East half of the Northwest quarter; the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter, Section 1, Township 8 South, Range 37 East B. M.

Domingo

P00 SWSW
S36, T7S, R37E

Pou: ✓
E 1/2 NW, SW NE, NW SE ✓ SI, T8S, R37E.

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Claim Number(s): A29-138.

Previous Mailing Address: Domingo Equilion
Box 1059
Paul, ID
83347

New Mailing Address: Domingo Equilion
20751 Howe Rd
Caldwell, ID 83607

Telephone Number: (208) 459-2379.

Signature of Claimant(s): See 6/11/01 letter.

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

CONVERSATION MEMORANDUM

EMPLOYEE: Cindy Bird

FILE: A29-138

RE: Season of Use Letter from Boise

DATE: January 4, 2002

NAME OF PARTY

Domingo Equilior

1-208-459-2379

Phone Conversation

Domingo called the office about the letter he received from Boise about the season of use for the Union Grain and Elevator decree. He said the beavers above him dam up the spring and floods his property prior to the season of use designated in the decree. He doesn't irrigate prior to the irrigation season. He wanted to know if he needed to contact Boise about the letter. I said no because I would be reviewing his claim. Boise told him that I go to Boise sometimes and wondered if he could meet with me. I said I hadn't been to Boise since I moved here in July. But if I went to Boise I would give him a call. I also told him that once the snow melted that I would need to go out and visit the property. He said Todd Gilbert with Portneuf Cattle Association is running the place and has been for about the past 5 years. He suggested I call Todd in Inkom at 775-3698 when I'm ready to do the field examination this spring.

Call Todd Gilbert @ 775-3698 for field exam



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 11, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DOMINGO EGUILIOR

~~95 N 750 WEST RD~~

~~PAUL ID 83347~~

20751 Howe Rd

CALDWELL, Id 83607

RECEIVED

JUN 19 2001

RE: Snake River Basin Adjudication (SRBA)

Water Right #29-138

from envelope 5
9012
100

Department of Water Resources

Dear Water Right Holder:

Record Modified
6-19-01

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list **any other water rights you have**, and return this letter by June 25, 2001. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

#29-138 20751, Howe, Rd Caldwell, Idaho 83607

1-208-459-2379

95 N. 750 West Rd.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

29-138

- ☐ NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES
- ☐ NO POSTAGE REQUIRED
- ☒ NOT DELIVERABLE AS ADDRESSED
- ☐ UNABLE TO FORWARD
- ☐ ADDRESS NOT KNOWN
- ☐ UNDELIVERED ☐ REFUSED
- ☐ NO STREET NUMBER
- ☐ DO NOT RETURN IN THIS ENVELOPE
- ☐ INCORRECT ADDRESS
- ☐ POSTAGE REQUIRED
- ☐ RETURN TO SENDER



RECEIVED

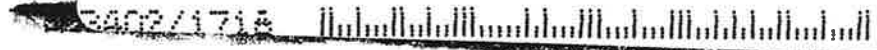
MAY 14 2001

Department of Water Resources
Eastern Region

EGUILIOR, DOMINGO
PO BOX 1059

NIXIE 2225 1 12 05/09/01

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD





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

December 28, 2001

A29-138
Domingo Eguilior
P.O. Box 1059
Paul, ID 83347

REF: Snake River Basin Adjudication (SRBA)

SUBJECT: CRP Contract

Dear Claimant(s);

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above in the "address" label has been filed in the Snake River Basin Adjudication (SRBA).

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. A field examination to verify items in the Notice will be conducted by Department personnel as soon as the weather permits. I was able to visit some of you this year before the snow arrived. While waiting for the weather to cooperate again I would like to collect some of the necessary documentation needed to recommend your claim to the SRBA court. The statute (42-104) requires the water be put to beneficial use to have a valid water right. One exception to the statute is if the land has been put into CRP. But evidence must be submitted to the Department of Water Resources to retain the water right otherwise the water right will not be recommended to the SRBA court.

If you have previously irrigated land that has been put into CRP, I would appreciate it if you could send me a copy of the contract when the land was put into CRP for my records, **by March 1, 2002. If you do not have any land in CRP please disregard this notice.** With no response from you, we will assume that you do not have any land in CRP. You may contact either the Farm Service Agency (FSA) or Natural Resource Conservation Service (NRCS) in Soda Springs at 547-4396 for a copy of the contract.

Please feel free to contact me in Soda at (208) 547-3993 if you have any additional questions. Have a safe and happy holiday.

Sincerely;

A handwritten signature in cursive script that reads "Cindy E. Bird".

Cindy E. Bird
Adjudication Bureau

MAY 4 2001

Log for claim A29-00138

Spatial Dynamics LTD

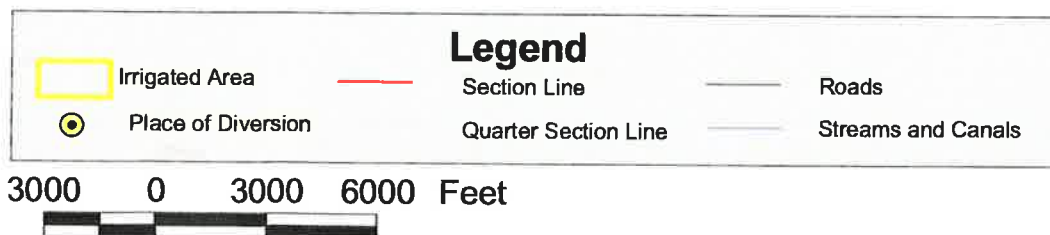
6/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s37e	1	SWNE	25	40	Indiscernible
08s37e	1	NENW	37	40	Indiscernible
08s37e	1	SENE	22	40	Indiscernible
08s37e	1	NWSE	35	40	Indiscernible
Totals:			119	160	

Water Right Claim Number A29-00138

06/08/2000

Townships , 7S37E, 8S37E



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 42

Water Source: PEBBLE CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T07S R37E S36 SWSW CARIBOU County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE														
T	R	S	Lt	Ac	NENE	SWNE	SENE	Lt	Ac	NENW	NWNW	SWNW	SENW	Lt	Ac	NESW	NWSW	SWSW	SESW	Lt	Ac	NENE	NWSE	SWSE	SESE	Lt	Ac		
08S	37E	1				25					37		22											35				120.0	
																									TOTAL ACRES				120.0

POU County: CARIBOU

Non-Irrigation Uses: S/2000 SHEEP

Other Rights: NONE

Dates: Exam Made Date: Verified Date: 12/09/1985 Objection Filed Date:

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag:

Audit: 06/29/89 OLENICHA 03/29/95 POST-STD



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: May 18, 1989

Domingo Eguilior
Box 1059
Paul, ID 83347

RE: Water Right Claim Returned

Dear Mr. Eguilior:

The Idaho Department of Water Resources (IDWR) is returning Notice of Claim to Water a Right because of insufficient information and fees. All items on the claim form must be correctly completed and fees submitted before the IDWR can process the claim.

Please correct the items identified below and return the forms to the IDWR before the Caribou County filing deadline, 2/15/1990. Failure to return the corrected claim before the deadline may result in an assessment of an additional \$50.00 late-fee.

- Item #8: The consumptive use must be entered. The consumptive use for 120 acres is 300 acre feet per annum.
- Item #10: The number of acres in each of the four 40-acre tracts must be entered (see enclosed map).
- Insufficient Fee: The filing fee for an irrigation claim is \$50.00 plus \$1.00 per irrigated acre. The total fee for the 120-acre claim is \$170.00.

You may make the changes to the previously enclosed form, or you may complete the new enclosed form. If you have any questions, please call Tony Olenichak, Water Rights Agent, at (208)-525-7161.

Sincerely,

Tony Olenichak
for Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

Enclosure

MICROFILMED

NOV 13 1992

MAY 4 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: A29-00138
Date Received: 6/29/1989
Receipt No: E007935
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOMINGO EGUILIOR
Address: ~~BOX-1059~~ 20751 Howe Rd.
PAUL, ID Caldwell, ID. 83347 83607

459-2379
208-438-5982

A2900138

2. Date of Priority: JUN 01, 1908 ✓

3. Source: PEBBLE CREEK ✓ Trib. to: PORTNEUF RIVER ✓

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	37E	36	SW	SW			CARIBOU

5. Description of diverting works:
DAM/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/15	2.500		

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

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/2000 SHEEP no sheep, they now have cattle.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	37E	1	SW	NE		IRR	25.0
			NE	NW		IRR	37.5
			SE	NW		IRR	22.5

A29-00138

Page 1

Date: 06/29/89

MICROFILMED

NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	37E	1	NW	SE		IRR	35.0
Section Acres							120.0
Total Acres							120.0

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:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.
Decree Defendant

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

\$170

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 A29 - 00138

Date Received 5/24/89

Receipt Number E00793.5

RECEIVED

MAY 24 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 17 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) DOMINGO Equilior Phone (208) 438-5982
Mailing Address Box 1059 PAUL, Idaho Zip 83347

2. Date of Priority (Only one (1) per claim) JUNE 1, 1908

3. Source of water supply (a) Pebble Creek
which is tributary to (b) PORTNEUF RIVER

4. a. Location of existing point of diversion is: Township 7 S. Range 37 Section 36,
SW 1/4 of SW 1/4 of 1/4, Govt. Lot, E B.M., County of CARIBOU

Additional points of diversion if any: Beavers and Creek Changes

b. If instream flow, beginning point of claimed instream flow is:

Township 8 S. Range 37 Section 1 E 1/2 of NW 1/4 SW 1/4 of NE 1/4
Govt. Lot 3 E B.M., County of CARIBOU NW 1/4 of SE 1/4

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of CARIBOU

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

A dam was placed
at point of diversion to the original
ditch.

MICROFILMED

NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 5-1 to 11-15 amount 2 1/2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2 1/2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 300 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Livestock 2000 sheep

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
85	37	1	E 1/2 of NW 1/4				SW 1/4 of NE 1/4				NW 1/4 of SE 1/4								

Total number of acres irrigated 120

11. In which county (ies) are lands listed above as place of use located? CARIBOU

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

MICROFILMED

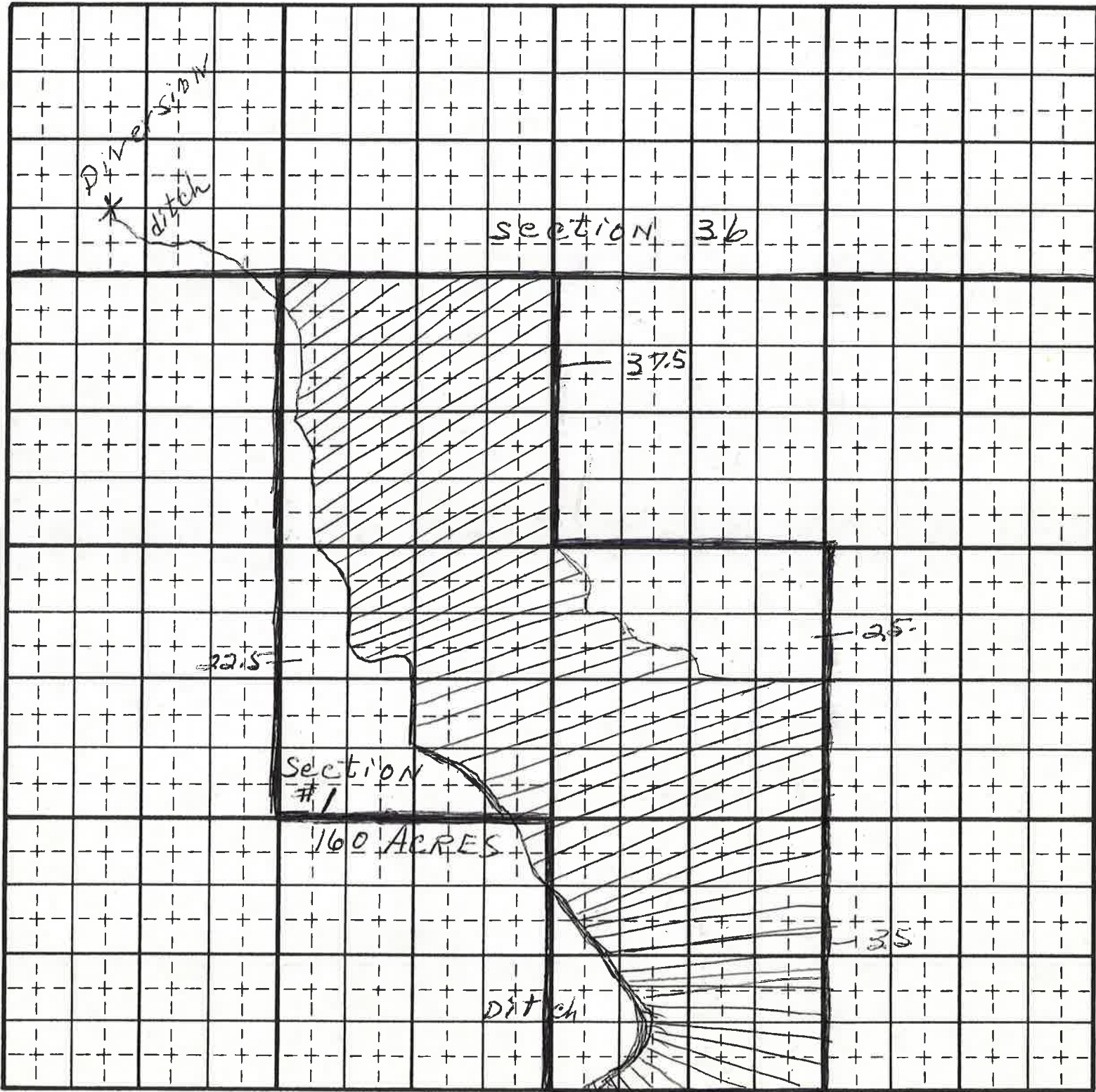
NOV 13 1992

Last Name EQUILIOR Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED
NOV 13 1992

Last Name EGUILIOR Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number 29 0138

Court BANNOCK Co. Case Number 2203

Decree Date JUNE 1, 1908

Plaintiff vs Defendant KARL D. HOLTZ

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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Tommy Equilior

Date 5-15-1989

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 15 day of May 1989

Notary Public Leslie M. Ponder

Residing at Nampa, Idaho

My Commission Expires July 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

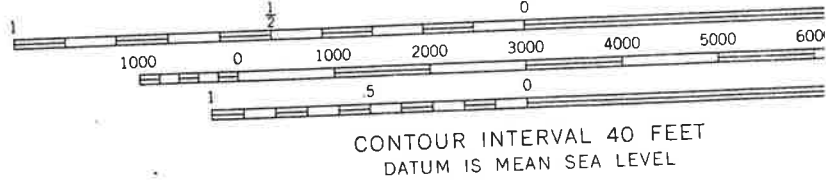
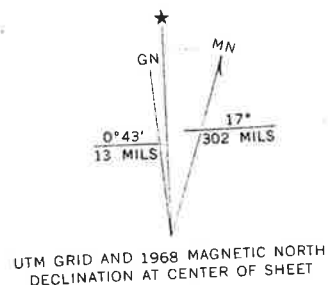
NOV 13 1992

Last Name Equilior Ident. Number _____



ed by the Geological Survey

methods from aerial
checked 1968
North American datum
coordinate system,
se Mercator grid ticks,
selected fence lines



MICROFILMED
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR BY
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE