

06/22/2002

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: July 23, 2002

Water right number: 37-4391

RONALD PAULS
2007 E 2000 S
GOODING ID 83330
Telephone Number: (208) 934-5003

DEBBRAH PAULS
2007 E 2000 S
GOODING ID 83330
Telephone Number: (208) 934-5003

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: 7-08-02

SIGNATURE: Deborah Pauls

Please print your name: Deborah Pauls

IDWR State Office, PO Box 83720, Boise ID 83707-9815

06/03/2002

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

RIGHT NUMBER: 37-4391
NAME AND ADDRESS: RONALD PAULS
2007 E 2000 S
GOODING ID 83330

DEBBRAH PAULS
2007 E 2000 S
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER
USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/01/1941

POINT OF DIVERSION:

T06S R15E S16 SWSWNW Within GOODING 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
IRRIGATION	03/15 11/15	0.040 CFS
		4.80 AFY
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within GOODING County

T06S R15E S16 SWNW

IRRIGATION Within GOODING County

T06S R15E S16 SWNW 1.2

STOCKWATER Within GOODING County

T06S R15E S16 SWNW

1.2 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.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF
HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL
CO.

37-4391

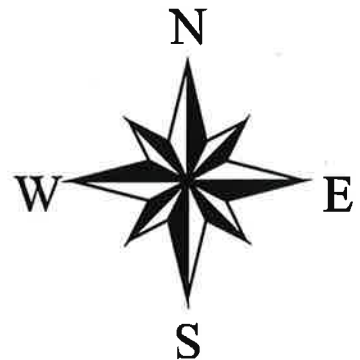


300 0 300 600 900 1200 1500 Feet

A horizontal scale bar with alternating black and white segments, marked with the numbers 300, 0, 300, 600, 900, 1200, and 1500, followed by the word 'Feet'.

T06S R15E S16

Map prepared by: Carter Fritschle
Date prepared: 06/03/02
1987-1988 NAPP photography
Idaho Department of Water Resources



5-31-02

26

37-4391

6" casing

1.5 HP pump - 215 ft. lift, 1 home

37-439D

216 ft Old windmill

1.5 HP pump

12 hydrants in stock pens

1 home

$$\frac{8.8 \times 1.5 \text{ HP} \times .7}{215' \times (2.0 \text{ psi} \times 2.31)} = 0.04 \text{ cfs}$$

Allow:

Irrigation 0.04 cfs 1.2 ac

4.8 AFA

Domestic 0.04 cfs

Stockwater 0.05 cfs

D and S < 13,000 gpd

37-4391



Replacement well looking southwest. New well is approximately 25 feet south of original well.
CLF 5-31-02

37-4391

5-16-1992



USGS

1 meter resolution

RECEIVED

APR - 8 2002

Department of Water Resources

37-4391

Ronald Pauls
Debbrah Pauls
2007 E. 2000 S.
Gooding , Idaho 83330

Affidavit on Water Right Identification Number 37-4390 and Water Right Identification
Number 37-4391

1. Name of Claimant (s)

RONALD PAULS Phone (208) 934-5003

2007 E. 2000 S.
GOODING , ID. USA 83330

DEBBRAH PAULS Phone (208) 934-5003

2007 E. 2000 S.
GOODING , ID. USA 83330

2. Date of Priority: 07/01/1916 Date of Priority 07/ 01/ 1941

3. Source GROUND WATER Trib. To:

4. Point of Diversion:

ID. Number 37-4390:

Township	Range	Section	¼ of ¼ of ¼ Lot	County	Type
06S	15E	16	SE NW	GOODING	

ID. Number 37-4391

Township	Range	Section	¼ of ¼ of ¼ Lot	County	Type
06S	15E	16	SW NW	GOODING	

5. WELL, PUMP

Affidavit for Water Right ID. Number 37-4390:

The above property was purchased by Peter Pauls from an unknown party in 1916. Mr. Pauls proceeded to have a well drilled to 220 ft. by Walt Perry that same year. Peter Pauls pumped water by a gas engine and pump; for domestic use, orchard, large garden, trees, shrubs, lawns, irrigated pasture and livestock.

In 1921 Emil Pauls purchased the above property from his father, Peter Pauls. He installed an Aermoter Windmill to pump water, and constructed a Red Wood storage tank above ground to store water, the water was used for the same above uses. On non-windy time of year he used a gas engine tractor to run the pump jack to pump water. Also at this time he bought 2000 head of sheep that he watered from this well spring, fall and winter.

In 1946 he installed an electrical pump jack and pressure system in this well. At this time the sheep were sold and he switched over to fattening beef cattle approx. 400 head a year.

In 1950 Emil Pauls switched over to a cow - calf operation and pre-conditioned feeder cattle, approx. 400 head of cattle. This operation continued until he passed away in 1988. We acquired the property from Emil Pauls, my father and we have continued this operation and water use up thru today.

Affidavit for Water Right ID. Number 37-4391:

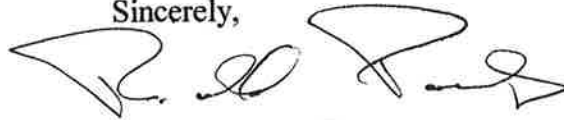
The above property was acquired by a gentleman named Tullis under the Carey Land Act shortly after the start of the 20th Century.

He used water for his needs from an underground cistern. In 1941 Reed Griffet purchased the above property. He had a well drilled to 220 ft. He installed a pump and pressure system for his domestic use, horses, small dairy herd, hogs, large orchard of several acres, lawn, shrubs, large garden, trees and some irrigated pasture.

In 1961 Emil Pauls purchased the property and I, Ronald Pauls, purchased the above property in 1963. The property and water was used for the same water uses continued other than most of the orchard was removed, More beef cattle was being watered at this time and to this day. The watering of livestock occurs at varying times of the year.

This farm has been in our family for 86 years now, and this affidavit is written to the best of my knowledge.

Sincerely,

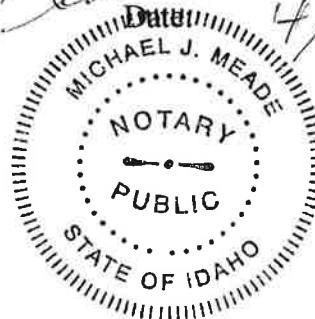

Deborah Pauls

RONALD PAULS
DEBBRAH PAULS

Date 4-3-02
Date 4-3-02

NOTARIZED BY:







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 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

37-4390
RONALD PAULS
2007 E 2000 S
GOODING ID 83330

March 7, 2002

RESPONSE DEADLINE
APRIL 12, 2002

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. I will be conducting field examinations for the SRBA claims with a Ground Water source in your area in late March and early April. Since the priority date of a beneficial use right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

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

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129. If you have multiple claims that require evidence of priority date, the labels with the identification numbers of the additional claims are attached below. Please submit evidence of the priority date for each of your beneficial use rights. Also, if there are multiple claimants of the claim at the same address, the additional claimants are identified on the labels attached below.

Sincerely,


Carter Fritschle
Water Rights Supervisor

37-4391

Enclosures

37-4390
DEBBRAH PAULS
2007 E 2000 S
GOODING ID 83330

37-4391
RONALD PAULS
2007 E 2000 S
GOODING ID 83330

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: A37-04391
Date Received: 8/23/1988
Receipt No: 5001666
Received By: gs

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RONALD PAULS 208-934-5003
Address: 2007 E. 2000 S.
GOODING, ID 83330

AND/OR

Name: DEBBRAH PAULS 208-934-5003
Address: 2007 E. 2000 S.
GOODING, ID 83330

2. Date of Priority: JUL 01, 1941

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	15E	16	SW	NW			GOODING

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.060		
STOCKWATER	01/01	12/31	0.088		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.188 C.F.S. (and/or) 12.70 A.F.A.

8. Total consumptive use is 12.7 Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 RANGE, DOMESTIC/1 HOME

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	15E	16			STOCK	
			SW	NW	DOMEST	
					IRR	3.0
					Section Acres	3.0
					Total Acres	3.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE STOCKWATER USE HERE IS FOR THE SAME ANIMALS AS COVERED BY
CLAIM A37-04390. ANIMALS MOVE BETWEEN THE TWO PROPERTIES.
IRRIGATION IS FOR LAWNS, TREES, PASTURE.

15. Basis of Claim: STATUTORY CLAIM

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Albert Paul Date: 8-23-88

Date: _____

State of Idaho)

County of Twin Falls) SS.

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

of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, ID

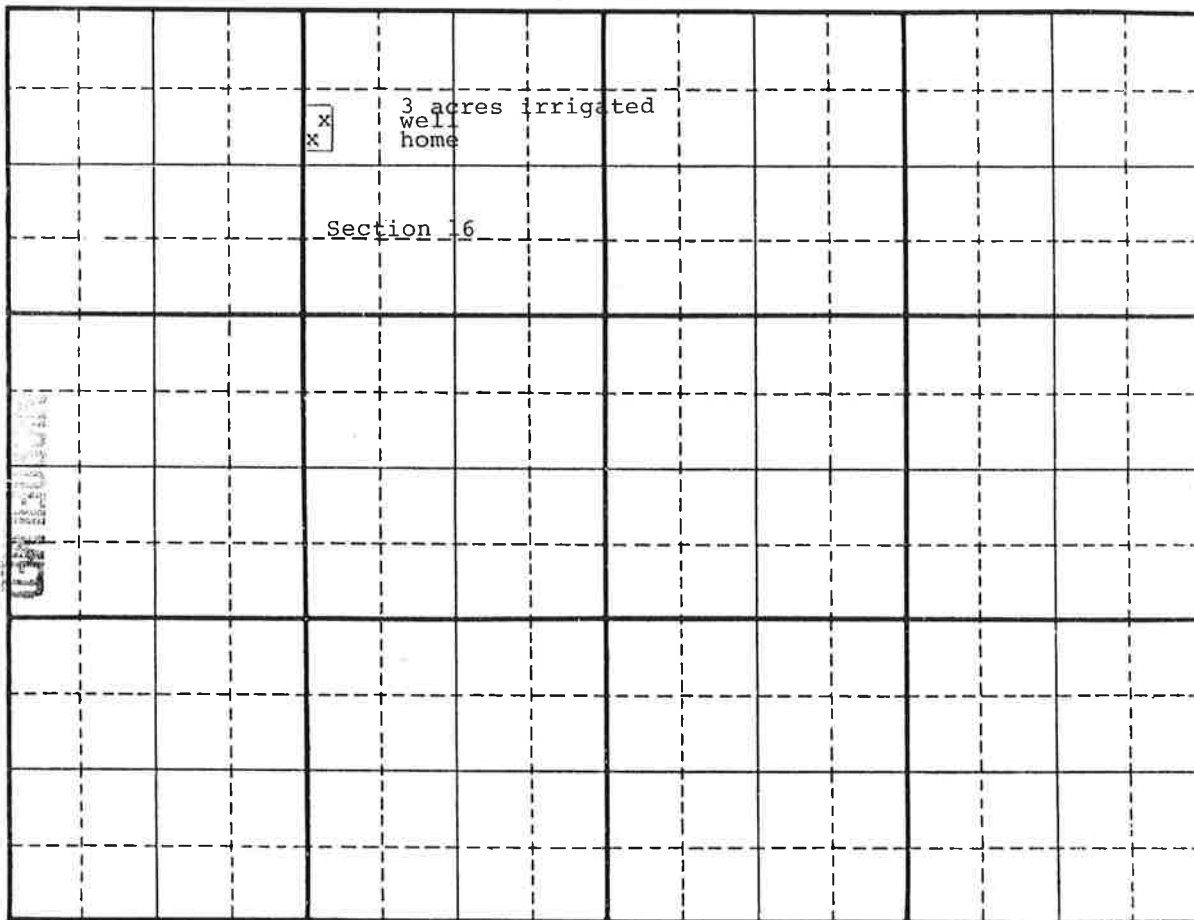
My Commission Expires 6-30-94

RECEIVED
JUN 8 1983
Department of Health and Social Services
Southern District Office

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____

Township 6 South, Range 15 E.B.M.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Gooding) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge. Lazy P Farms

By Ernie Pauls

Ernie Pauls
(Claimant) all partners

Sworn to before me this 24th day of June, 19 83.

Charles L. Hays
Notary Public
Residing at Gooding, Idaho

My commission expires 6/22/87

Received by SPC Date 6/30/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by SPC Date 6/18/83 claimant by: _____
\$30.00 fee received by SPC Date 6/27/83 #30011
Published in Gooding Co. Leader
Dates 8/31 + 9/7/83