



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

July 25, 2002

CAROLYN ELEXPURU
J MARTIN ELEXPURU
PO BOX 466
GOODING ID 83330

RE: Snake River Basin Adjudication (SRBA) Claim No. 37-7447B

Dear Claimants:

Thank you for returning the Notice of Error Reply for the SRBA claim referenced above. I have reviewed it and offer the following analysis. Your claim is for a portion of Licensed Water Right 37-7447, which has a place of use of 31 acres within Township 6 South, Range 15 East, Section 10, NW1/4 of the NE1/4. The portion of the NW1/4 of the NE1/4 that you acquired includes 16 acres of the place of use described for License 37-7447. You state in the Notice of Error Reply that you have been irrigating 21 acres instead of 16 acres. You may be able to acquire a water right to irrigate the five additional acres by filing an enlargement claim in the SRBA. I have enclosed a claim form you may complete to claim the additional 5 acres of irrigation. The filing fee is \$50.00 plus \$1.00 per acre, or \$55.00 total if you claim five acres for the enlargement right. If you choose to file an enlargement claim please return the completed form with filing fees and evidence of the priority date claimed to either of the following Idaho Department of Water Resources (IDWR) offices by August 2, 2002.

IDWR State Office
PO Box 83720
Boise ID 83707-9815

IDWR Southern Region Office
1341 Filmore St Ste 200
Twin Falls ID 83301-3380

If you have any questions, you may contact me toll free at 1-800-451-4129.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carter Fritschle', is written over a horizontal line.

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosure

Claim form w/instructions
Evidence of Priority pamphlet

RECEIVED

JUL 19 2002

Department of Water Resources
Southern Region

NOTICE OF ERROR
REPLY

RECEIVED

JUL 22 2002

06/22/2002

Department of Water Resources

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: 37-7447B

J MARTIN ELEXPURU

PO BOX 466

GOODING ID 83330

Telephone Number: (208) 934-8194

8355

CAROLYN F ELEXPURU

PO BOX 466

GOODING ID 83330

Telephone Number: (208) 934-8194

8355

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:

number irrigated acres from 16-21
We have no Am. Falls rights on this parcel

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:

7-19-02

SIGNATURE:

Carolyn Elxpuru

Please print your name:

Carolyn ELEXPURU

RECEIVED

JUL 19 2002

Department of Water Resources
Southern Region

06/22/2002

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

RIGHT NUMBER: 37-7447B
NAME AND ADDRESS: J MARTIN ELEXPURU
PO BOX 466
GOODING ID 83330
CAROLYN F ELEXPURU
PO BOX 466
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.310 CFS
64.00 AFY

PRIORITY DATE: 07/30/1975

POINT OF DIVERSION:
T06S R15E S10 NWNE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/15	0.310 CFS 64.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within GOODING County

T06S R15E S10 NWNE 16.0

16 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: BASIS OF CLAIM - License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS RESERVOIR DIST. NO. 2.

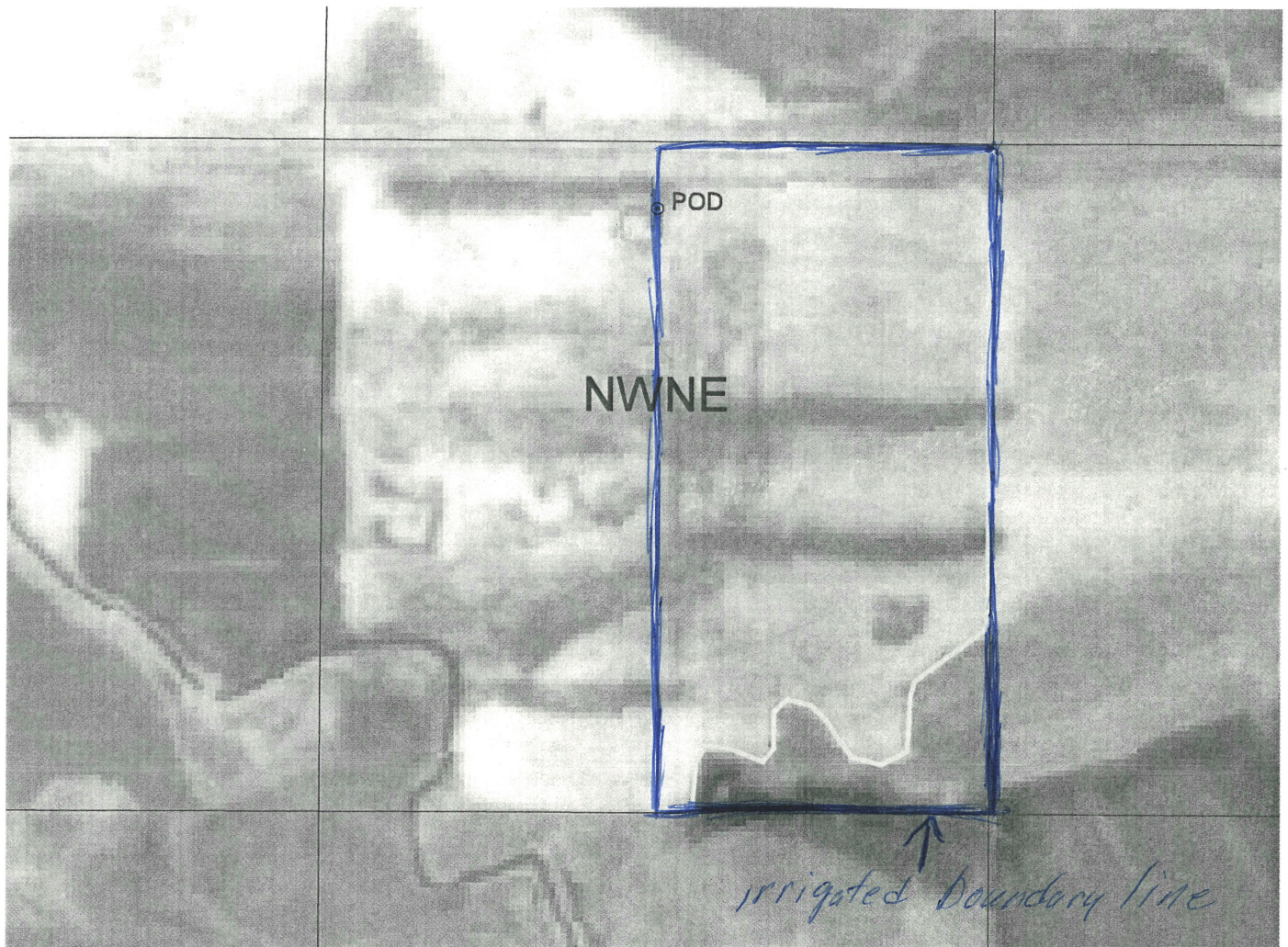
*We have no American Falls water
Shares on this parcel*
Carolyn Elexpuru

37-7447B

RECEIVED

JUL 19 2002

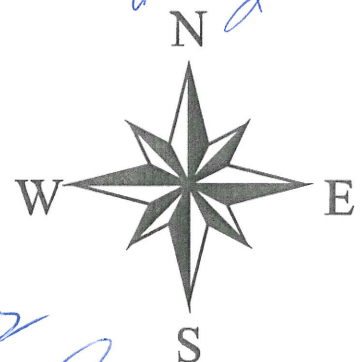
Department of Water Resources
Southern Region



500 0 500 1000 Feet

T06S R15E S10

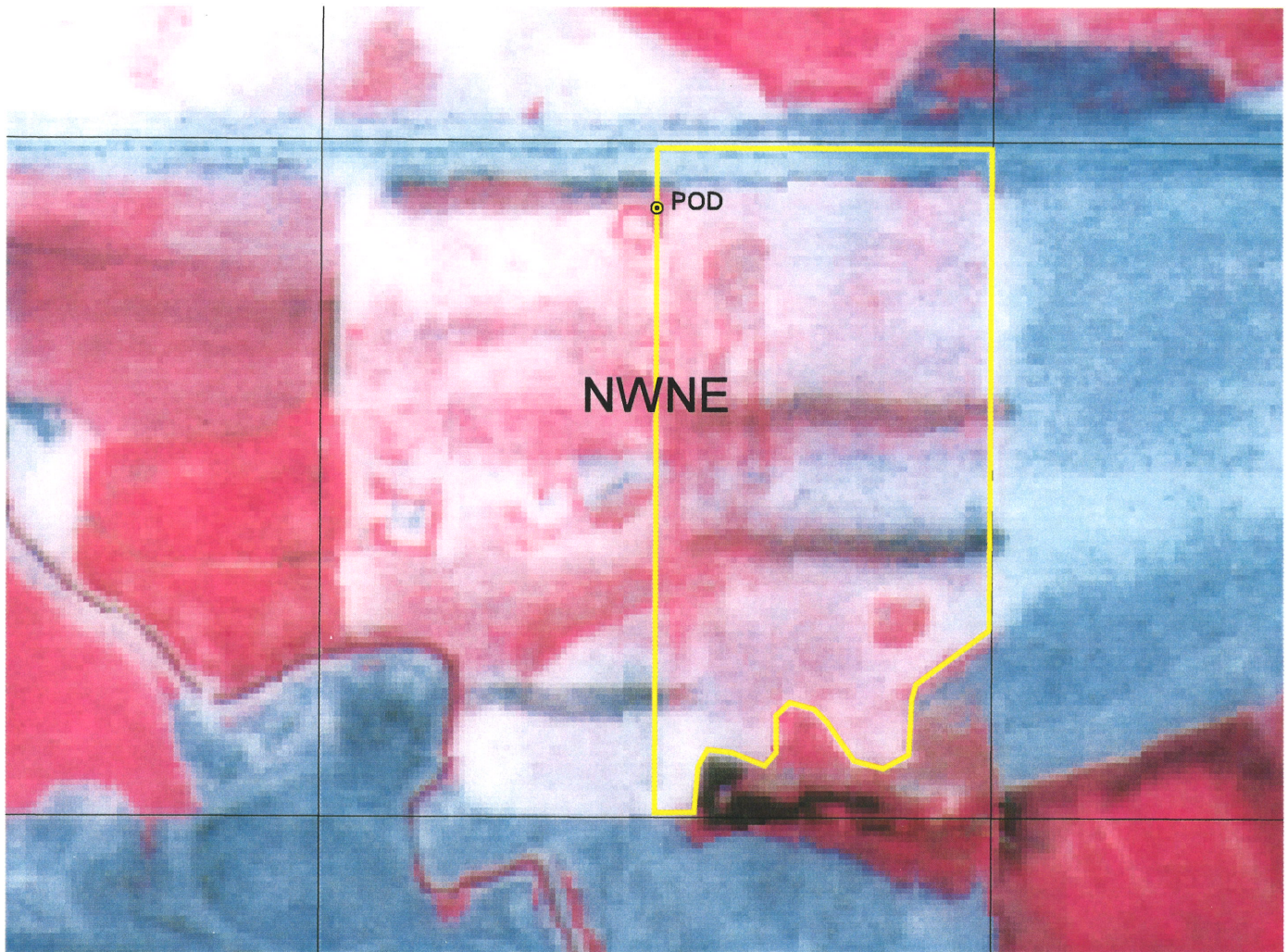
Map prepared by: Carter Fritschle
Date prepared: 04/19/02
1987-1988 NAPP photography
Idaho Department of Water Resources



*We have
always irrigated
21 Acres*

*7-19-02
Carolyn Blum*

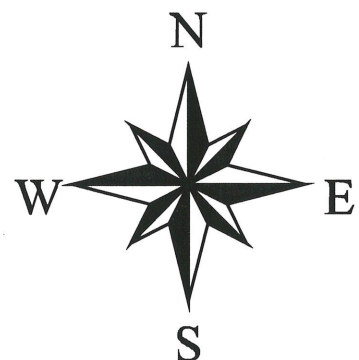
37-7447B



500 0 500 1000 Feet

T06S R15E S10

Map prepared by: Carter Fritschle
Date prepared: 04/19/02
1987-1988 NAPP photography
Idaho Department of Water Resources



04/22/2002

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

RIGHT NUMBER: 37-7447B

NAME AND ADDRESS: J MARTIN ELEXPURU
PO BOX 466
GOODING ID 83330

CAROLYN F ELEXPURU
PO BOX 466
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.31 CFS
64.0 AFY

PRIORITY DATE: 07/30/1975

POINT OF DIVERSION:

T06S R15E S10 NWNE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/15	0.310 CFS 64.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within GOODING County

T06S R15E S10 NWNE 16.0

16 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: License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS RESERVOIR DIST. NO. 2.

04/22/2002

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

RIGHT NUMBER: 37-7447
NAME AND ADDRESS: CAROLYN F ELEXPURU
PO BOX 466
GOODING ID 83330

J MARTIN ELEXPURU
PO BOX 466
GOODING ID 83330

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:
SEE NO. 37-7447B.

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 37-7447B
Date Received: 8/26/1988
Receipt No:
Received By:

COPY FOR FILE

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

J MARTIN ELEXPURU Phone: (208) 934-8194

PO BOX 466
GOODING ID USA 83330

CAROLYN F ELEXPURU Phone: (208) 934-8194

PO BOX 466
GOODING ID USA 83330

STEVE S STROUD Phone: (208) 934-8305

PO BOX 482
GOODING ID USA 83330

2. Date of Priority: 07/30/1975

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	15E	10	NW NE	GOODING	

5. Description of diverting works:

Pump, sprinkler system

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/15	0.6	124

7. Total Quantity Appropriated is:
0.6 C.F.S. and/or 124 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	15E	10	NW	NE	IRRIGATION	31
Section Acres						31
Total Acres						31

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:

14. Remarks:

Renumbered from 37-7447

15. Basis of Claim: License

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: A37-07447 B
Date Received: 8/26/1988
Receipt No: 5001788
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. MARTIN ELEXPURU 208-934-8194
Address: P.O. BOX 466
GOODING, ID 83330

AND/OR

Name: CAROLYN F. ELEXPURU 208-934-8194
Address: P.O. BOX 466
GOODING, ID 83330

AND/OR

Name: STEVE STROUD
Address: GOODING, ID 83330

2. Date of Priority: JUL 30, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	15E	10	NW	NE			GOODING

5. Description of diverting works:
PUMP, SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.600		124.00

7. Total Quantity Appropriated is:
0.600 C.F.S. (and/or) 124.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A37-07447 B

Page 1

Date: 08/26/88

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	15E	10	NW	NE		IRR	31.0
						Section Acres	31.0
						Total Acres	31.0

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:

14. Remarks:

15. Basis of Claim: LICENSE

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: 1

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): Carolyn Blupuen Date: Aug 26-1988

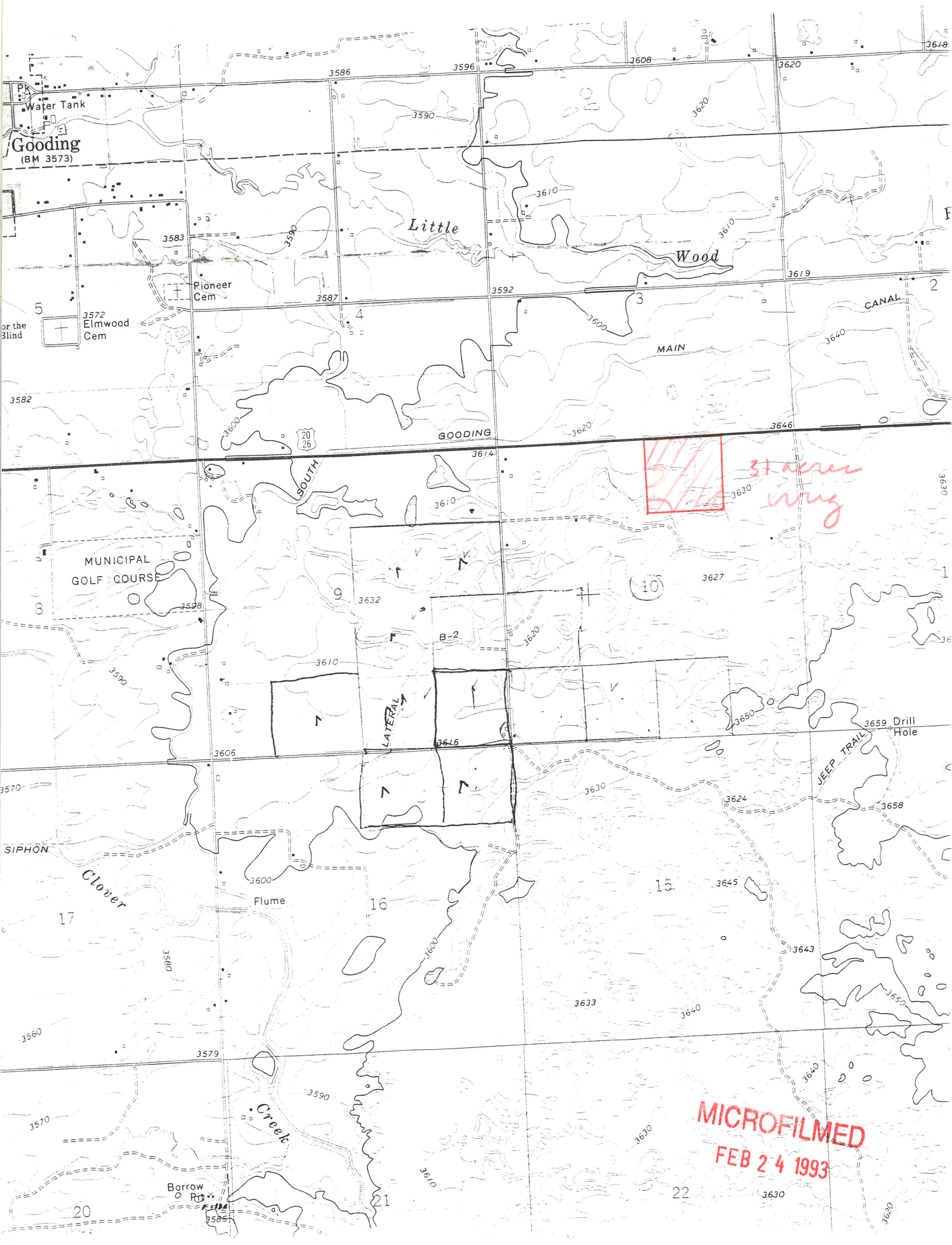
Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of August 19 88 Lois White
Notary Public

Seal

Residing at TF
My Commission Expires 5/95



MICROFILMED
FEB 24 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7447 Priority July 30, 1975 Amount 0.60 cfs

THIS IS TO CERTIFY, that ROBERT ENYART
of Gooding, Idaho, has complied with the terms and conditions of Permit
No. 37-7447 issued pursuant to Application for Permit dated July 30, 1975,
and has submitted proof to the Department of Water Resources on October 2, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.60 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>October 15</u>	at <u>0.60</u> cfs and	<u>124</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.60 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
124 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 6S,
Rge. 15E, B.M. in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6S	15E	10	31																31

Total number of acres irrigated 31

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
September, 19 80

Director

WATER RESOURCES