

05/06/2002

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

RIGHT NUMBER: 37-10119
NAME AND ADDRESS: ALICIA C EDEN
830 W 470 N
GOODING ID 83330
DALE EDEN
830 W 470 N
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1936

POINT OF DIVERSION:

T05S R16E S9 SWSWNW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01/01 12/31

QUANTITY
0.040 CFS

PLACE OF USE: DOMESTIC Within LINCOLN County

T05S R16E S09 SWNW

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

37-10119

7-16-1992





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

*Copy in Carter's non-bar-coded file.
This when
regards.*

May 2, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DALE EDEN
615 ARIZONA
GOODING ID 83330

*886-7117 Scott
Anna Simmons new owners.*

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #37-10119

Dear Mr. Eden:

Mail we sent to you was returned undeliverable. 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 May 13, 2002. 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 right claim referenced above, please call this office toll-free at 1/800-451-4129 so I can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,

Sally
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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

RECEIVED

MAR 14 2002

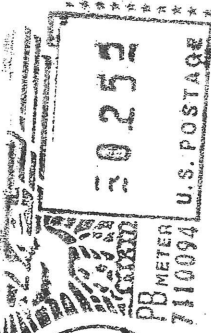
Department of Water Resources

Forwarding Order Expired
RETURN TO SENDER

37-10119
DALE EDEN
830W 470N
GOODING ID 83330

March 7, 2002

PRIORITY
FIRST CLASS





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

March 7, 2002

37-10119
DALE EDEN
830W 470N
GOODING ID 83330

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

Enclosures

37-10119
ALICIA C EDEN
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: A37-10119

Date Received: 6/10/1988

Receipt No: 5090392

Received By: DJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE EDEN
Address: 830W 470N 208-886-7735
GOODING, ID 83330

OR

Name: ALICIA C. EDEN 208-886-7735
Address: GOODING, ID 83330

2. Date of Priority: JAN 01, 1936

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	16E	9	SW	NW			LINCOLN

5. Description of diverting works:
6" DIA. WELL, 230'DEEP 1HP

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		
COMMERCIAL	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, COMERCIAL

A37-10119

Page 1

Date: 06/10/88

MICROFILMED
FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	16E	9	SW NW		DOMEST	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS WELL IS USED FOR DAIRY OPERATION AND TWO HOMES.

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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): Wale Edan Date: _____
Date: 6-10-88

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 10th day

of June 19 88

Mary G. Baldwin
Notary Public

Seal

Residing at Gooding Id
My Commission Expires 10/16/1992

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

CUSTOMER

January 11, 1996 2:34pm DALE EDEN A37-10120

SUBJECT: AMENDED CLAIM

phone call (.) walk-in (X)

He and another gentleman came in to amend this claim in order to correct the P/D and P/U legal description from the NESW to the SENW of Section 9. Seems the property is being sold. Mr. Eden also owns A37-10119, don't know if it's also being sold. Not quite sure of the explanation of why he wanted to amend this. At first he said the well used to be shared and the other guy put the legal description at his place and Mr. Eden wanted to show it on his property. I told him this was HIS claim and HE had sixed it originally. Then he just said the legal description was wrong and he wanted to change it. Had him indicate where the well was on a map and I amended his claim and changed both the A and R records. Also gave him a change of ownership form...

(Noticed that A37-10127, which has been "Withdrawn", says in Remarks: WELL IS SHARED WITH DALE EDEN) ???

MICROFILMED
NOV 27 1996

6/9/94

COMMUNICATION DOCUMENTATION

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IDWR Employee/Agent TARA BACKLUND

DATE January 8, 1996 5:02pm **CUSTOMER** EDEN

SUBJECT: A37-10119 & A37-10120
phone call (X) walk-in (.)

HE CALLED TO CONFIRM THESE TWO CLAIMS ARE STILL IN EDEN'S NAME. I
LOOKED ON THE COMPUTER AND CONFIRMED.

MICROFILMED
NOV 27 1996

CONVERSATION MEMORANDUM

NAME OF PARTY KATHY ANDERSON
EMPLOYEE COREY SKINNER

DATE 12/20/95
FILE A37-10120
A37-10119 & A37-10127
(WITHDRAWN)

RE: WATER RIGHT INQUIRY

TODAY MS. ANDERSON STOPPED BY THE OFFICE INQUIRING ABOUT ANY WATER RIGHTS IN 200 ACRES OF VARIOUS $\frac{1}{4}$ SECTIONS OF SECTION 9 OF TOS S, R16E. SHE WAS PARTICULARLY INTERESTED IN WATER RIGHTS IN THE NAME OF DALE EDEN. PLACE OF USE SEARCHES REVEALED NUMEROUS CANAL COMPANY RIGHTS IN THE AREA. HOWEVER, CLAIMS A37-10120, A37-10119, AND A37-10127 (WITHDRAWN) OVERLAPPED THE PLACE OF USE. I GAVE COPIES OF PROFILE REPORTS TO MS. ANDERSON OF CLAIMS A37-10120 AND 10119 AND WROTE ON ONE OF THE COPIES THAT CLAIM A37-10127 HAD BEEN WITHDRAWN. I ADVISED MS. ANDERSON TO CONTACT THE CANAL COMPANY TO SEE IF THERE WAS CANAL WATER ON THE PROPERTY IN QUESTION.

MICROFILMED
NOV 27 1996