

Claim No(s). 67-14889

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[illegible]

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14889 V1

WATER RIGHT NUMBER: 67-14889 V1

|                   |                                                                         |
|-------------------|-------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                 |
| Current Owner     | NANCY E HAWKINS<br>PO BOX 624<br>PINE VALLEY, CA 91962<br>(619)473-9776 |

Priority Date: 05/10/1918

Basis: Beneficial Use

Status: Active

|               |                  |
|---------------|------------------|
| <u>Source</u> | <u>Tributary</u> |
| WEISER RIVER  | SNAKE RIVER      |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION            | 03/15 to 11/15          | 0.080 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.080 CFS             |                      |

Location of Point(s) of Diversion

|              |            |                                    |
|--------------|------------|------------------------------------|
| WEISER RIVER | NW1/4SE1/4 | Sec. 1,   Twp 17N,   Rge 01W, B.M. |
| ADAMS County |            |                                    |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW  |    |    |    | SE  |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|-----|----|----|----|-----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE  | NW | SW | SE | NE  | NW | SW | SE | Totals |
| 17N | 01W | 2   |    |    |    |    |    |    |    |    | 1.9 |    |    |    | 4.1 |    |    |    | 6.0    |

Total Acres: 6

Conditions of Approval:

1. E62 This right when combined with Right No. 67-79B shall provide no more than .02 cfs per acre.
2. PLACE OF USE OVERLAPS WITH 67-79B.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
4. F05 Multiple Splits from Water Right No. 67-79, and 67-79B are also diverted through point of diversion described above.
5. E51 Right Nos. 67-79B and 67-14889 are limited to a total combined diversion rate of 0.02 cfs/acre during any single irrigation season.
6. C18 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.
7. 188 This right is limited to the irrigation of 6.0 acres within the boundary of the (irrigation entity).

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14889 V1

8. E37 This right authorizes the irrigation of 6.0 total acres.

Remarks:

Comments:

1. mvanbussum 2/20/2008 EOP

Comment: POU is exact overlap of decreed right. Recommend priority date day after Muir v. Allison.

2. mvanbussum 2/20/2008 Quantity

Comment: Claim filed to get decreed acreage up to 1 inch per acre.

3. mvanbussum 2/20/2008 POU

Comment: POU in claim was based on recommended acreage for 67-79B. We did a field exam and rewrote the recommendation for 67-79B. Claimant needs to amend this claim to include new acreage recommended under 67-79B. Letter sent 2-20-2008.

4. shemenway 10/9/2008 CFS

Comment: MAIN BURIED DISTRIBUTION LINE STARTS AT 12 INCH AND REDUCES DOWN TO 6 INCH FOR THE MAJORITY OF THE SERVICE AREA FOR WATER RIGHT 67-79. 6 INCH LINE MAXIMUM CAPACITY IS 0.98 CFS - 0.90 CFS REQUIRED TO COVER THE DECREE FOR 67-79 LEAVING 0.08 CFS REMAINING WHICH WILL BE RECOMMENDED FOR 67-14889.

5. shemenway 10/9/2008 SYSTEM

Comment: DIVERSION DAM IN WEISER RIVER TO HEADGATE, 36 INCH CULVERT TO 12 INCH BURIED PIPE THAT REDUCES DOWN TO 6 INCH RUNNING EAST TO WEST ACROSS THE NORTH PORTION OF THE CLAIMANTS PROPERTY. THERE IS A GATEVALVE THERE WHERE 4 " SCHEDULE 40 PVC BRANCHES OFF TO THE CLAIMANTS PROPERTY, OFF OF THE MAIN, RUNNING NORTH TO SOUTH. 3/4 INCH AND 1 INCH NOZZLES ON 1/2 INCH ALUMINUM HANDLINE (APPROXIMATELY 15 SPRINKLERS RUN AT 1 TIME) ARE RELOCATED TO WHERE EVER THEY ARE NEEDED, TO IRRIGATE THE UPPER PASTURE. THE 4 INCH LINE CONTINUES RUNNING SOUTH UNDER THE RAILROAD PATH AND REDUCES TO 2 INCH PVC, THEN BRANCHES OFF TO DIFFERENT LOCATIONS WHERE THERE ARE RISERS, VALVES, AND THREADED FAUCET HEADS FOR ATTACHING VARIOUS SIZES OF HOSES, AUTOMATIC DRIP SYSTEM AND HANDLINE TO IRRIGATE THE LOWER YARD/FIELD.

6. shemenway 10/9/2008 PRIORITY DATE

Comment: EOP SUBMITTED: DITCH COMPANY ESTABLISHED 6/1890. 12/1/1905 RIGHT OF WAY AND TRACK MAP FROM PACIFIC RAILROAD SHOWING FARM CROSSING ACCESS. 1915, 1927, AND 1944 ASSESSMENT ROLL FOR REAL PROPERTY SHOWING 2 ACRES IRRIGATED/AGRICULTURAL AND 25 ACRES GRAZING. 8/21/1955 CSS 1:20,000 AERIAL MAP SHOWING ENTIRE DITCH AND FARM AREA. THE MUIR V ALLISON DECREE WAS FINALIZED ON 5/9/1918, SO THE RECOMMENDED PRIORITY DATE FOR THIS CLAIM IS THE DAY AFTER THE MUIR V ALLISON DECREE WAS FINALIZED WHICH IS 5/10/1918.

7. shemenway 10/9/2008 ACCOMPLISHED CHANGE OF POD

Comment: THE POD FOR 67-14889 HAS ALWAYS BEEN THE SAME. A FIELD INSPECTION CONDUCTED ON 9/24/2007 CONFIRMED THE LOCATION FOR THE POD FOR 67-79, WHICH 67-14889 SHARES. THE SYSTEM USED TO BE AN OPEN DITCH FROM THE DIVERSION DAM TO THE POU, UNTIL THE FALL OF 1983 WHEN BURIED PIPE WAS INSTALLED. THE BURIED PIPE WAS LAID DIRECTLY WHERE THE DITCH WAS LOCATED, SO THERE WERE NO CHANGES MADE TO THE SYSTEM OR POD.

8. shemenway 10/9/2008 OVERLAP

Comment: 67-14889 POU OVERLAPS WITH 67-79B, AND SHARES THE SAME POD WITH 67-79 NUMEROUS SPLITS.

9. shemenway 10/9/2008 FIELD INSPECTION

Comment: SEE ORIGINAL FIELD NOTES IN 67-79B, CONDUCTED 10/2/2007 AND 10/9/2007. FIELD INSPECTION CONDUCTED 9/24/2007 67-79C CONFIRMS LOCATION ON POD.

10. shemenway 10/9/2008 COMBINED LIMIT

Comment: WATER RIGHT 67-79B AND 67-14889 HAVE A COMBINED LIMIT OF 0.02 CFS PER ACRE, OR A TOTAL COMBINED DIVERSION RATE OF 0.12 CFS DURING ANY SINGLE IRRIGATION SEASON. 67-14889 CLAIM IS ADDITIONAL WATER ON TOP OF 67-79B.

11. shemenway 10/9/2008 AMENDED CLAIM

Comment: RECEIVED 2/29/2008, SHOWS ACRES CLAIMED INCREASED FROM 4.5 ACRES TO 6.0 ACRES.

Water Supply Bank:

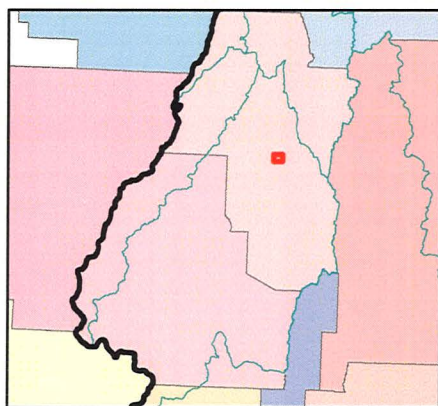


**SRBA Recommendation**  
**67-14889**  
**(IRRIGATION)**

# Idaho Department of Water Resources

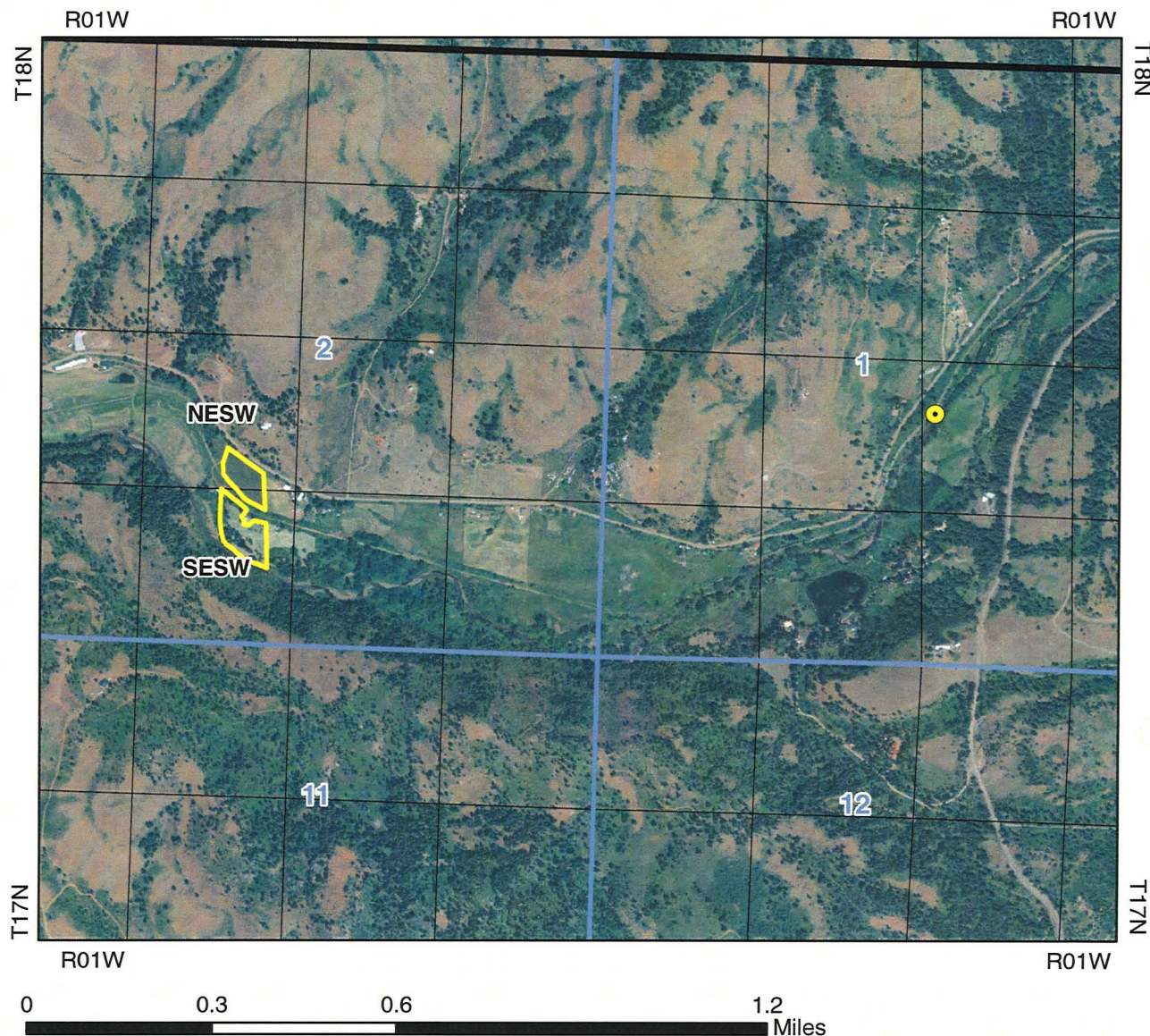
## Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



**Adams County**  
**IDWR Basin 67**

Prepared by Sandy Hemenway  
On October 09, 2008  
2004 Aerial Photography



## **RECOMMENDATION REVIEW:**

**Date:** 10/8/2008  
**Agent:** S. Hemenway  
**Claimant:** Nancy E. Hawkins  
**WR#** 67-14889  
**Mailing Address:** PO Box 624 Pine Valley, CA 91962  
**Phone #:** (619)473-9776  
**Location of POD:** same as 67-79 (Accomplished change of POD, confirmed location on 9/24/2007 during FE)  
**System Description:** Diversion dam in Weiser River to headgate, 36" culvert to 12" buried pipe that reduces down to 6".  
Exhibit "A" & "A1" are diagrams/pictures of the system: 4" schedule 40 PVC from the main ditch at the north, running north to south, converting to 2" at the shed, then branching off to different locations throughout the yard/field, with valves and threaded facets for running garden hoses, and automatic drip system.  
3/4" and 1" nozzles of 1/2" aluminum pipe, running approximately 15 sprinklers @ 1X  
Upper field irrigated by moving handlines as needed (per 10/9/2007 FE notes in 67-79B)  
**Measuring Device:** Water controlled at diversion dam and headgate by Watermaster.  
**Field Exam:** 10/2/07&10/9/2007 (67-79B, having the same POD/POU) 9/24/07 FE inspection 67-79C confirmed location of shared POD for 67-79, and 67-14889.  
**Nonirrigation Uses:** NONE  
**Other Uses:** NONE  
**Other WRs Used:** 67-79B (0.80 cfs for 6 acres; 0.0125 cfs per acre in accordance with Muir v Allison decree)  
**Supplemental Water:** NONE  
**Basis of Claim:** Beneficial Use  
**Priority Date:** 5/10/1918, can not grant claimant the claimed priority date of 6/1/1890, which is the priority date for WR#67-79 since this is not part of the Muir v Allison decree, but can allow for "the day after the decree was finalized which was 5/9/1918." Can not grant 12/1/1905, since the ditch supplying the water was filed for the Muir v Allison, and it would be the senior WR. Any other WRs filed on this would fall after the Muir v Allison decree was finalized.  
**Evidence of Priority:** Ditch company was established 6/1890 (6/1/1890 Priority Date for 67-79B utilizing same POD/POU, by means of Muir v. Allison Decree)  
12/1/1905 Right of Way and Track Map from Pacific Railroad showing farm crossing access  
Evidence of old dinnerware, a baby mug, and other artifacts were found on the lower section indicating a residence had been located there. Exhibit B  
1915 Assessment Roll for Real Property (showing 2 acres irrigated in lower field where residence was) Exhibit "C" 40 acres cut over and burnt over timber land, \$100 value for improvements.  
Per Claimant, earlier rolls were lost in a fire.  
1927 Assessment Roll for Real Property (showing 2 acres irrigated/agricultural, and 25 acres grazing

**Evidence of Priority (continued):**

land; \$1000 value for improvements)      Exhibit "D"  
1944 Assessment Roll for Real Property (still showing 2 acres irrigated in the lower field, 25 acres  
grazing, and 40 acres cut over and burnt over timber land; improvements @ \$800 value)  
8/21/1955 CSS 1:20,000 aerial map shows the entire ditch farm area, as it was being farmed.

**NOTES:**

9/24/2007 Field Inspection on 67-79C, confirmed location of POD, & maximum capacity of the system  
12" = 3.93 cfs      where the system converts from a 36" culvert to 12" buried line  
10" = 2.73 cfs      where the system reduces down from 12" to 10" buried line  
8" = 1.74 cfs      where the system reduces down from 10" to 8" buried line  
6" = 0.98 cfs, making up the majority of the buried distribution line, and the portion  
passing Nancy Hawkins property. 67-79 Muir v Allison decree requires  
0.90 cfs to supply water for all the splits, which would leave 0.08 cfs from  
the capacity of the distribution pipe to be utilized for 67-14889.  
4" = 0.44 cfs (which covers the majority of the west end of the distribution system,  
crossing 67-79C Jepsen property)  
Prior to the buried pipe distribution, water was distributed through an open ditch. Piped system was  
installed for the buried main in the fall of 1983.  
2" pipe that comes down on to claimants lower property = a maximum capacity of 0.11 cfs.  
Place of Use overlaps with Decreed Water Right 67-79B

**Recommendation:**

C18  
E51 and E62 Combined limit of 0.02 cfs/acre with WR#67-79B and 67-14889 during any single  
irrigation season.  
Place of Use overlaps with 67-79B.  
C03 accomplished change in POD (9/24/2007 Field Inspection confirmed location of diversion dam,  
which is the same POD as 67-79) POD has always been at the same location;no change  
F05 shared POD with 67-79B and multiple splits from 67-79.  
Allow 0.08 cfs Diversion Rate (2" pipe capacity is 0.11 cfs; and amount left over from the system  
once it meets the required amount to fulfill the 67-79 Decree is 0.98 cfs leaving 0.08 cfs  
remaining for this WR)  
188 Limited to 6.0 acres.  
E37 authorizes irrigation of 6.0 acres.

## Priority Date Data Entry Form

Claim Number 67-79B

Claimed Priority Date: 6/1/1890

Claimed Basis: Decreed

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date \_\_\_\_

Recommended Basis \_\_\_\_\_

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

decreed WR

Reviewer: MVBDate: 10/9/2007

## Point of Diversion and Source Data Entry Form

Claim Number 67-79B

Claimed Point of Diversion and Source

T17N R01W S1 NESESW Within ADAMS County Source: WEISER RIVER SNAKE RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

|  |  |
|--|--|
|  |  |
|  |  |
|  |  |

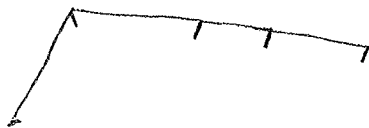
| Twp | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source |
|-----|-----|-----|---------|----------------|--------|--------|
|     |     |     |         |                |        |        |
|     |     |     |         |                |        |        |
|     |     |     |         |                |        |        |

Other rights from this POD? \_\_\_\_\_

Document how the POD and Source were verified:

POD is Glendale Ditch - GPSed by Sandy Hemenway 2310158  
 Source verified by imagery & FE 1517971

[Pond diversion A0016760 3 pics - B-Use late claim]  
 Diversion onto property Wpt 38 2308404  
 4" pipe to 2" pipe 1517673

Reviewer: MVBDate: 10/9/2007

## Place Of Use Data Entry Form

Claim Number 67-79B

Claimed Place Of Use

T17N R01W S02

SESW

7.50

Total Acres 7.5

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

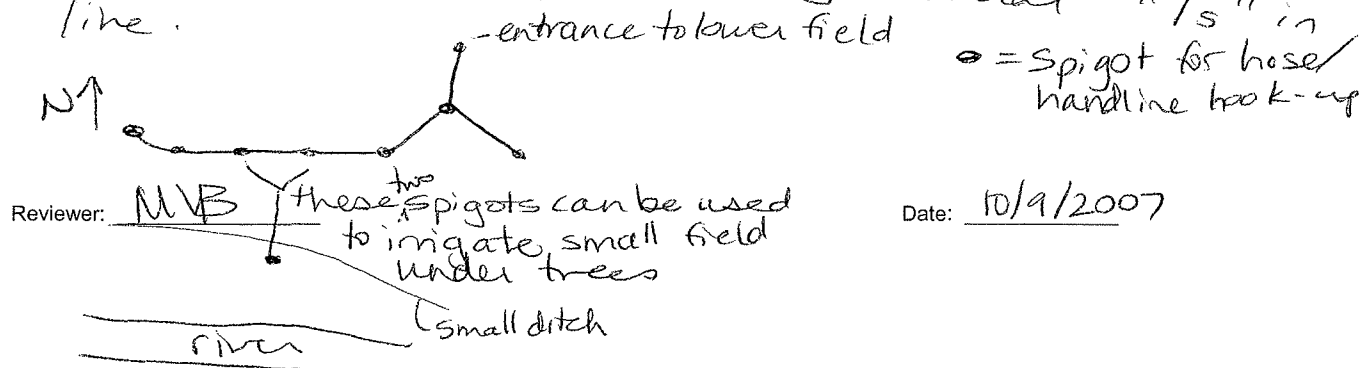
| Twp | Rge | Sec | QQ   | Q | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|------|---|--------|---------|-------|----------------|
| 17N | 1W  | 2   | SESW |   |        |         | 6     | Irrigation     |
|     |     |     |      |   |        |         |       |                |
|     |     |     |      |   |        |         |       |                |
|     |     |     |      |   |        |         |       |                |

Total Acres \_\_\_\_\_

Document how the POU was verified:

POU verified by walking fields with Nancy Hawkins

See attached ArcView printout for correct shape  
 Water comes onto property in 4" pipe & then 2" pipe  
 once on property. Upper field irrigated by moving  
 hand lines. Lower field irrigated by hose/sprinkler/  
 handline. Water comes into lower field & then  
 Hawkins can direct water through several "Ts" in  
 line.

Reviewer: MVBDate: 10/9/2007

## Purpose of Use Data Entry Form

Claim Number 67-79B

## Claimed Purpose of Use

| Water Use  | Number of Homes | Number of Stock | Acre Limit |
|------------|-----------------|-----------------|------------|
| IRRIGATION |                 |                 |            |

☐ 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 |
|-----------|-----------------|-----------------|------------|
|-----------|-----------------|-----------------|------------|

## Recommended Purpose of Use

| Water Use  | Number of Homes | Number of Stock | Acre Limit | Number of Other |
|------------|-----------------|-----------------|------------|-----------------|
| Irrigation | /               | /               | /          | /               |
|            |                 |                 |            |                 |
|            |                 |                 |            |                 |

Document how the Purpose of Use was verified:

Irrigation verified by field exam  
Entire property ~~is~~ is not typically irrigated all  
at once. Hawkins moves lines around as needed.

Reviewer: MVBDate: 10/9/2007

## Period of Use and Quantity Data Entry Form

Claim Number 67-79B

### Claimed Period of Use and Diversion Rate

| Water Use  | Start | End   | Rate | Volume |
|------------|-------|-------|------|--------|
| IRRIGATION | 3/01  | 12/01 | 0.15 |        |

Overall Diversion Rate 0.15      Overall Diversion Volume

### ☐ 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

### Recommended Period of Use and Diversion Rate

| Water Use  | Start | End   | Rate | Volume |
|------------|-------|-------|------|--------|
| Irrigation | 3/15  | 11/15 |      |        |
|            |       |       |      |        |
|            |       |       |      |        |

Overall Diversion Rate \_\_\_\_\_ Overall Diversion Volume \_\_\_\_\_

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

Recommend Standard SOU of 5/8" per  
acre in accordance w/ Mur v. Allison  
decree.

$$6 \text{ ac} \times \frac{0.0625 \text{ in}}{\text{acre}} \times \frac{0.02 \text{ cfs}}{\text{in}} = 0.075 \text{ cfs}$$

Reviewer: MYB

Date: 10/9/2007

## Contacts Data Entry Form

Claim Number: 67-79B

| Owner Type     | Full Name       | Address    | City        | State | Zip   | Phone         |
|----------------|-----------------|------------|-------------|-------|-------|---------------|
| Original Owner | T B BIGGERSTAFF |            |             | ZZ    |       |               |
| Current Owner  | NANCY E HAWKINS | PO BOX 624 | PINE VALLEY | CA    | 92062 | (619)473-9776 |

Comment for 1: Desktop review.

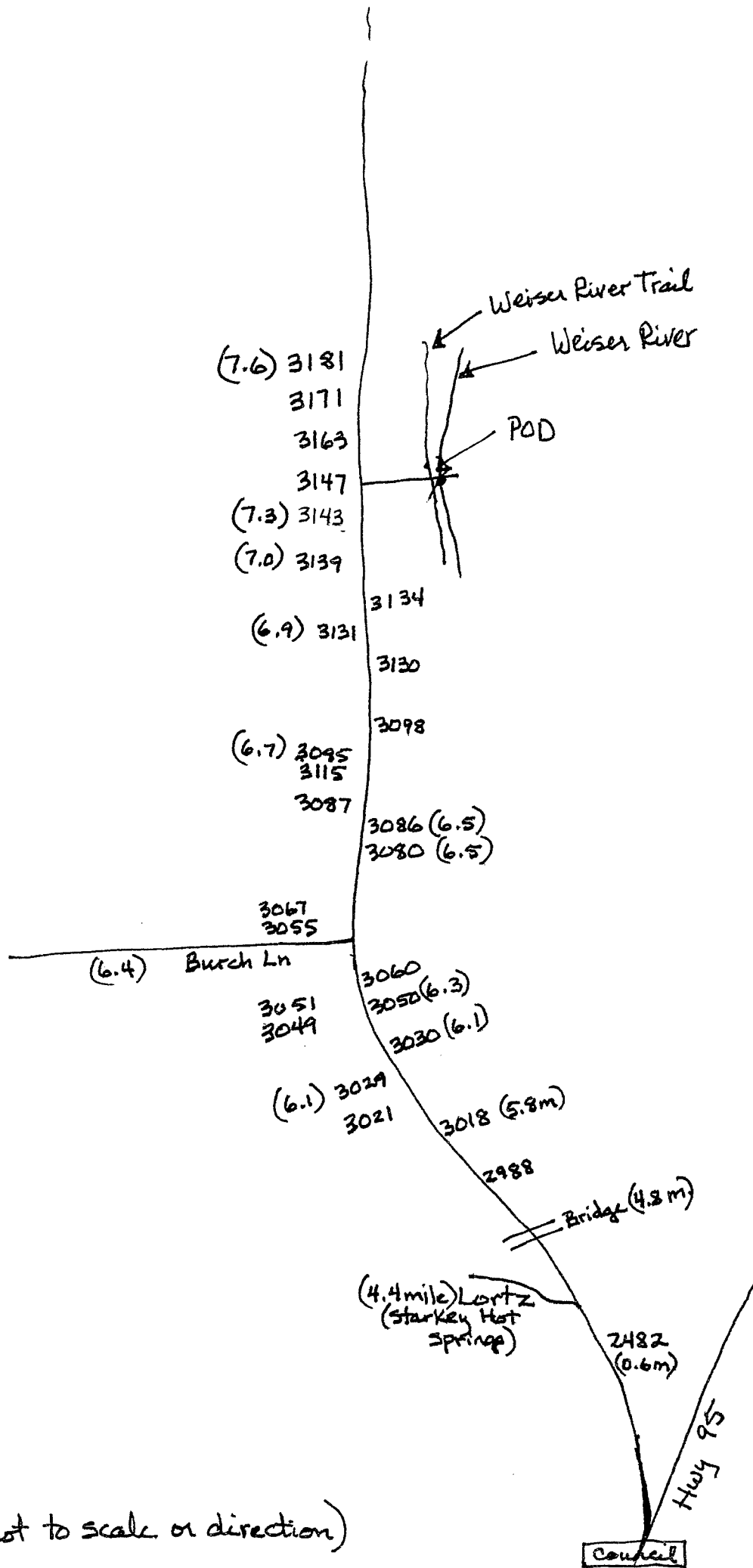
Date of Field Exam: 10/9/2007 Time: 3:00 pmAccompanied By: Nancy Phone Number: \_\_\_\_\_

Relationship to Claimant: \_\_\_\_\_

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

Bar  
Left onto Fruitvale - Glendale from Hwy 95 (N). Go to 5300 #s.  
Drive is hidden on (R) side. See wooden trailer  
along riverbanks. That's Nancy's neighbor, but  
they share the same driveway. Turn (L) at trailer to go on to Nancy  
cell phone for Nancy is 619. 871. 9776

Reviewer: M UBDate: 10/9/2007



67-79

Map (not to scale or direction)

67-79B Field exam map  
FE conducted 10/2/2007

entrance onto property  
4" to 2" pipe  
handlines more to irrigate  
= handline

4" pipe comes onto Hawkins property

can connect  
to 2 spigots  
on other side of  
creek

POD for pond 67-14889, ~~67~~-14890  
buried 8" pipe to pond

• = Spigot to connect hoses/handlines



Nancy Hawkins upper field. Photo taken 10/2/2007. Irrigation line is clearly visible going from fence in left third towards right center of picture. Spigot is at the top (left side in picture) of field at fence line and hoses and lines are moved in the field to irrigate.

67-79B

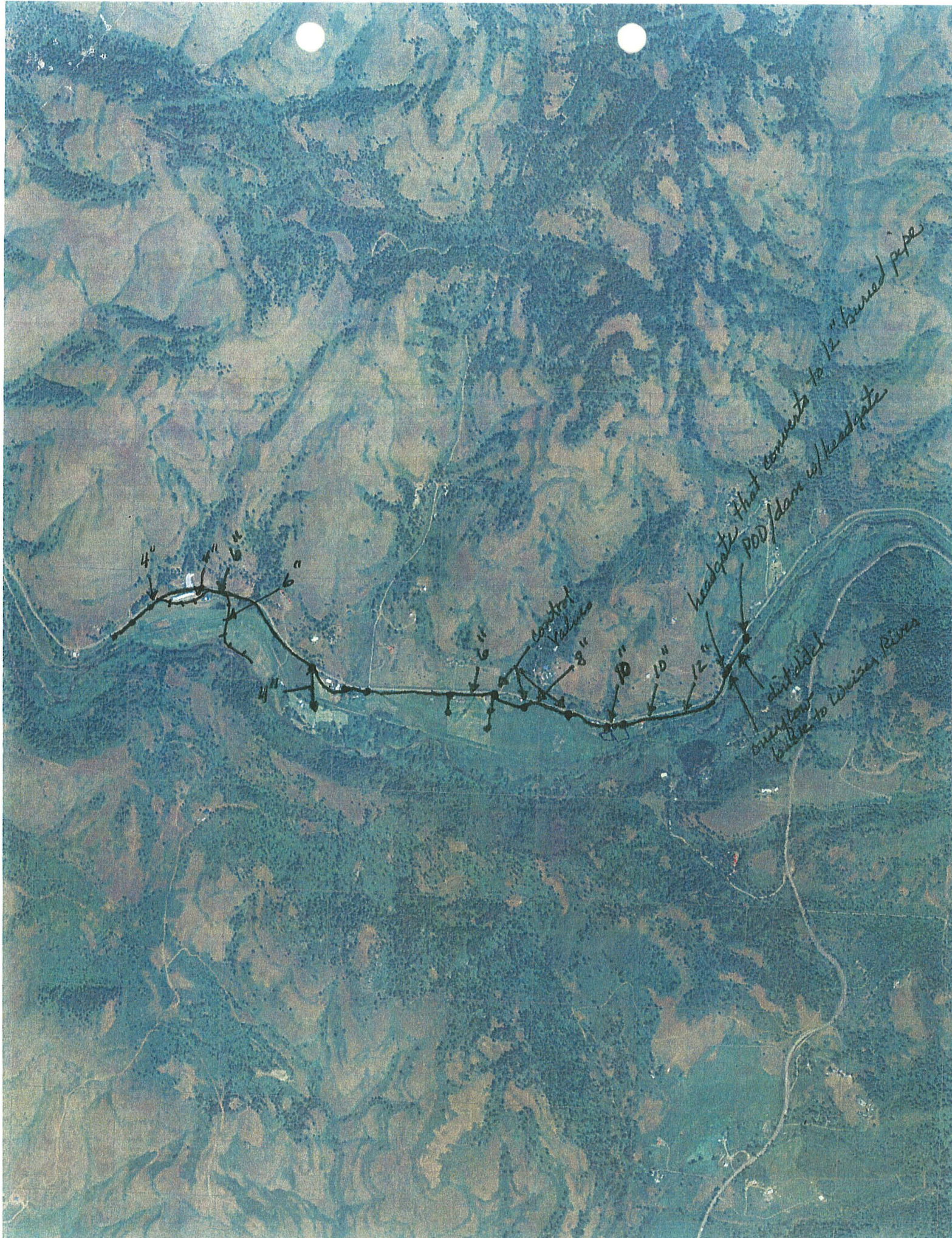


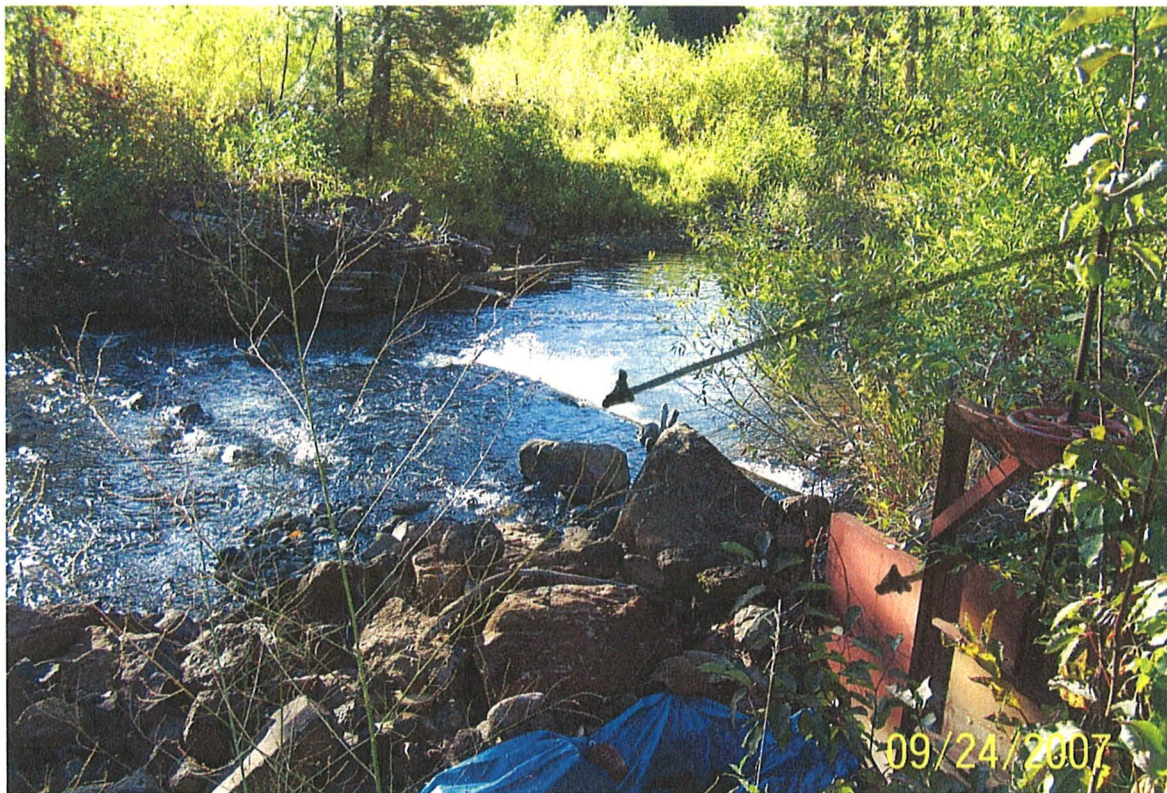
Nancy Hawkins lower field. Pictures taken 10/2/2007.

Two shots of irrigation infrastructure on Hawkins property. Top picture taken looking northeast with the Hawkins house seen in the background. Picture is of connecting device to orchard under trees at southwest portion of Hawkins property. In bottom picture, taken facing south towards the river with the house at the back of the photographer, one of the 2-inch pipe spigots dotting the property can be seen. The spigots are turned on and off as needed.

67-79B







original  
dam  
prior to  
flood

POD  
headgate



temporary  
dam  
constructed  
after flood

POD  
headgate  
w/36" culvert

67-79 + 67-14889 POD

9/24/2007 S. Hemerway



temporary  
dam  
constructed  
after  
flood

09/24/2007



overflow  
return  
to Weiser  
River

headgate  
converting  
to buried  
12" PVC,  
reducing  
to 10", 8",  
+ 6"  
towards  
end of  
system

09/24/2007

67-79 + 67-14889 POD

9/24/2007 S. Hemerway

## Split history for Decreed Right 67-79

### WR History

|       |             |
|-------|-------------|
| 67-79 | Biggerstaff |
| 0.9   | cfs         |
| 72    | ac          |
| 0     | af          |

0.0125  
Acreage calculated at 5/8 in per acre as decreed.

### Claim History

|        |             |              |
|--------|-------------|--------------|
| 67-79A | Watson      |              |
|        | 0.244       |              |
|        | 12.2        | S.2          |
| 67-79B | Hawkins     |              |
|        | 0.15        |              |
|        | 7.5         | S.2          |
| 67-79C | Jepsen      |              |
|        | 0.7         |              |
|        | 35          | S.1 (S.2)    |
| 67-79D | Fisher      |              |
|        | 0.5         |              |
|        | 20          | S.1 & S.12 ? |
| 67-79E | Barrett     |              |
|        | 0.08        |              |
|        | 2.7         | S.1          |
| 67-79F | Govedare    |              |
|        | 0.14        |              |
|        | 4.5         | S.2          |
| 67-79G | Dixon       |              |
|        | 0.18        |              |
|        | 9           | S.1          |
| 67-79H | Hohs        |              |
|        | 0.14        |              |
|        | 4.5         | S.2          |
| 67-79J | Hinton      |              |
|        | 5           | S.2          |
|        | 3           | af           |
| 67-79K | Moyer       |              |
|        | 0.5         |              |
|        | 20.5        | S.1 & S.2    |
| 67-79L | DeFreitas   |              |
|        | 0.22        |              |
|        | 7.3         | S.2          |
| 67-79M | Mc Laughlin |              |
|        | 0.6         | S.2          |
|        | 0.5         | AF           |

|            |       |
|------------|-------|
| Sum CFS =  | 2.954 |
| Sum Acre = | 128.8 |
| Sum AF =   | 3.5   |

|              |        |
|--------------|--------|
| Extra CFS =  | -2.054 |
| Extra Acre = | -56.8  |
| Extra AFA =  | -3.5   |

### Recommendation

|        |                |                                                                                                                                                                                                                                               |
|--------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 67-79A | Watson         | not in decreed POU                                                                                                                                                                                                                            |
|        | 0.0825         |                                                                                                                                                                                                                                               |
|        | 6.6            |                                                                                                                                                                                                                                               |
| 67-79B | Hawkins        | not in decreed POU                                                                                                                                                                                                                            |
|        | 0.075          |                                                                                                                                                                                                                                               |
|        | 6              |                                                                                                                                                                                                                                               |
| 67-79C | Jepsen         | not in decreed POU                                                                                                                                                                                                                            |
|        | 0.24125        |                                                                                                                                                                                                                                               |
|        | 19.3           |                                                                                                                                                                                                                                               |
| 67-79D | Fisher         | Per FE 10/2/2007, Fisher says he uses the Januik POD and not the Glendale ditch                                                                                                                                                               |
| 67-79E | Barnett/Hanzen | appears to be Michelle Hanzen                                                                                                                                                                                                                 |
|        | 0.015          |                                                                                                                                                                                                                                               |
|        | 1.2            |                                                                                                                                                                                                                                               |
| 67-79F | Govedare       | not in decreed POU - also has license 67-2053AD out of Weiser R for this ground w/ same priority date (disallowed and rec'd as Lost Valley from Lost Creek)<br>Claims priority date for Lost Creek decrees (possibly confused priority dates) |
|        | 0.05625        |                                                                                                                                                                                                                                               |
|        | 4.5            |                                                                                                                                                                                                                                               |
| 67-79G | Dixon          | More like sub, not really actively irrigated<br>Had trouble determining POU                                                                                                                                                                   |
|        | 0.0825         |                                                                                                                                                                                                                                               |
|        | 6.6            |                                                                                                                                                                                                                                               |
| 67-79H | Hohs           | not in decreed POU                                                                                                                                                                                                                            |
|        | 0.0525         |                                                                                                                                                                                                                                               |
|        | 4.2            |                                                                                                                                                                                                                                               |
| 67-79J | Hinton         | not in decreed POU and not apparent use<br>Mostly covered by RM Jepsen claim, which is also not in decreed POU<br>N part is above ditch<br>Irrigation is purpose of use, but did not claim cfs                                                |
| 67-79K | Moyer          | Recommend part in decreed POU                                                                                                                                                                                                                 |
|        | 0.1875         |                                                                                                                                                                                                                                               |
|        | 15             |                                                                                                                                                                                                                                               |
| 67-79L | DeFreitas      | not in decreed POU                                                                                                                                                                                                                            |
|        | 0.0275         |                                                                                                                                                                                                                                               |
|        | 2.2            |                                                                                                                                                                                                                                               |
| 67-79M | Mc Laughlin    | Claim includes storage, which was not part of original decree                                                                                                                                                                                 |
|        | 0.0125         |                                                                                                                                                                                                                                               |
|        | 1              |                                                                                                                                                                                                                                               |

|            |      |
|------------|------|
| Sum CFS =  | 0.83 |
| Sum Acre = | 66.6 |
| Sum AF =   | N/A  |

|              |       |
|--------------|-------|
| Extra CFS =  | 0.068 |
| Extra Acre = | 5.4   |
| Extra AFA =  | n/a   |

| Legend            |
|-------------------|
| OK to recommend   |
| Rec as disallowed |

\*Last updated 10-9-2007 (mvanbussum)  
For digital copy of Excel spreadsheet file: See Monica Van Bussum

Users of the same POD & Main for the distribution system.



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

RECEIVED

SEP 18 2008

DEPARTMENT OF  
WATER RESOURCES

June 16, 2008

Nancy E. Hawkins  
PO Box 624  
Pine Valley, CA 91962

RE: Late Claim to Water Right # 67-14889 and 67-14890, Request for Additional Information

Dear Ms. Hawkins:

Please answer the following questions by return mail, and draw and label items on the enclosed 2004 NAIP maps:

For 67-14889: (1) The 6 acres claimed has already been outlined. Draw the location of the buried line, and indicate the size. (2) Indicate the location for nozzles or handline, if applicable. (4) Describe how many nozzles and their type, which run at one time. (5) If gravity flow, indicate the location of the ditches and indicate the direction of the flow with an arrow. (4) Is the point of diversion for 67-14889 the same point of diversion as water right 67-79B? (5) If this is a different point of diversion than 67-79B, please send a map indicating the location of the point of diversion. (6) Submit Evidence of Priority for this claim (a guide has been enclosed to assist you with this).

For 67-14890: (1) Draw the location of the pond(s). (2) Draw the location of the springs you are claiming as point of diversion(s). (3) If the pond were low, could the individual springs be seen feeding the pond? (4) What is the average depth of the pond? (5) Does any of the overflow from Joseph Michael DeFreitas's pond or ditch contribute to supply water to your pond? If so, where and how is the water diverted to your pond? (6) Does the level of your pond correlate with the level of the Weiser River flow to the south? (7) Submit Evidence of Priority for this claim (a guide has been enclosed to assist you with this).

A postage paid envelope has been enclosed for you to return the completed maps, with your letter, and Evidence of Priority.

Thank you so much for your time. If you have any questions, please call me at (208) 287-4920, on my cell at (208) 761-0280, or via email:

[Sandy.Hemenway@idwr.idaho.gov](mailto:Sandy.Hemenway@idwr.idaho.gov)

Sincerely, 

Sandy Hemenway  
Sr. Water Rights Agent; IDWR Adjudication Bureau

For 67-14889

✓ (1) Draw the location of the buried line and indicate the size.

**The line is schedule 4" schedule 40PVC from the diversion valve to the right of way. It is reduced to 2" Schedule 40 for all of the lines/valve below the Trails right of way. Please see exhibit "A" for details**

✓ (2) Indicate the location of the nozzles and hand line is applicable.

**Please see exhibit "A" and "A1" All 2" lines are set up to take a full 2" threaded coupling as well as a reducer to run a garden hose. One Line, #2 is set up with a separate line to run an automatic drip system.**

✓ (3) **(No #3 in letter)**

✓ (4) Describe how many nozzles and type which run at one time.

**I was using ¾ inch and 1 inch nozzles on 1 and ½ inch aluminum pipe and ran approximately 15 sprinklers. Someone stole my pipe this past year, I will be replacing it after next spring**

✓ (5) If gravity flow, indicate the location of ditches and direction of flow with an arrow.

**Not applicable**

✓ (4) (#4 listed twice in letter!) Is the point of diversion for 67-14889 the same as 67-79 B?

**Yes it is.**

✓ (5) If this is a different point of Diversion than 67-79 B, please send a map indicating location of the point of diversion.

**Not applicable.**

✓ (6) Submit evidence of priority for this claim

**The ditch company was established in June of 1890 and has continuously been integral to the farm area where my property is located**

**Please see Exhibit "B" A 1 which is a 1905 Railroad map showing a preexisting farm crossing (my access road across the Rail Right of Way) at that time. There was a residence on the lower section of the property as evidenced by shards of old dinnerware a baby mug, and other artifacts found on the property.**

**Please see Exhibit “C” A 1915 tax Roll (earlier rolls were lost in a fire) showing 2 acres of irrigated land at the home site as well as \$100 assessed as improvements. There is still evidence of improvements/ habitation at the property including artifacts/ tools and the irrigation ditch with sections of square clay pipe (adjacent to the railroad fence)**

✓ **Exhibit “D” 1927 Assessment Roll showing improvements and acreage irrigated.**

✓ **Exhibit “E” 1944 Assessment Roll showing irrigated land and improvements**

**Exhibit “F” A 1955 Aerial map showing the entire ditch farm area as it was being farmed. My property is identified/outlined on the map.**

**For 67-14890**

(1) Draw location of Pond

**Please see exhibit 1**

(2) Draw location of springs you are claiming as a point of diversion

**Please see exhibit 1**

(3) If the pond were low could the individual springs be seen feeding the pond?

**Yes**

(4) What is the average depth of the pond.

**6-7 feet**

(5) Does any overflow from Joseph Michael De Freitas’s pond or ditch contribute to supply water to your pond.? **No, although Mr De Freitas’s ponds cause water to flow on my property heavily in the spring a lightly in the fall, The water ultimately enters the river east of the pond due to the elevation of the pond.**

(6) Does the level of the pond correlate to the level of the Weiser river to the south?

**Yes**

(7) Please submit evidence of priority for this claim.

**There was a homestead and farm on this land as is evidenced by tax records as well as still existing ditches/clay piping still on the property. Prior to the pond being installed, there was evidence of a prior pond at the same location with no river inlet yet there was and still remains water carrying ditches out of that same pond area. Please see exhibits submitted for 67-14890 for more details.**

**Please don't hesitate to contact me if you need more information.**

**Nancy Hawkins 619 473-9776**

## Hemenway, Sandy

---

**From:** Hemenway, Sandy  
**Sent:** Tuesday, July 01, 2008 2:38 PM  
**To:** Hemenway, Sandy  
**Subject:** FW: 67-79L

---

**From:** Hemenway, Sandy  
**Sent:** Tuesday, July 01, 2008 1:47 PM  
**To:** Van Bussum, Monica  
**Cc:** Ridgeway, Renea; Lester, Steve; Baxter, Garrick  
**Subject:** 67-79L

I just got off the phone with Nancy Hawkins, and she will be coming to Idaho the end of July, first part of August. She plans on attending the court hearing involving Michael DeFreitas 67-79L. Right now she is dealing with health issues with her father (possibly putting him in an assisted living facility). When she returns to Idaho, she will have all the information I requested in the letter I sent her 6/18/2008 (for 2 late claims she filed). Nancy has been working 2 weeks straight with extended hours working past 10pm, and her work schedule will not be reduced until the middle or end of July.

Nancy indicated that the valve that is near the northwest corner of Michael DeFreitas pasture is on her property; is piped with her water running north to south on the east property line. Nancy indicated that she could remove the two-way valve totally and install a single valve further north so there would be no indication or possibility of Michael hooking up to that system. She indicated that the two-way valve was not intended for Michael's use because then he would be using "her water."

Steve, (RE: 67-14611 & 67-14786) Nancy stated that she does not use or need any of the waste water from Michael DeFreitas ponds/property, and is really concerned about the ditch that he is piping in. She stated that if the water is piped in, that the velocity of the water and volume will be higher and increase the chances of her being flooded out on her property. She said that sometimes the water from his property comes onto her property and into her pond, instead of discharging through the overflow at his pond. This water is high in silt/top soil, and causes her pond to get really muddy. She's concerned about the mud being discharged back into the Weiser River.

Monica, I informed Nancy that you would be contacting her later on, as soon as you contacted individuals in "legal."

Sandy

7/10/2008



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

June 16, 2008

Nancy E. Hawkins  
PO Box 624  
Pine Valley, CA 91962

RE: Late Claim to Water Right # 67-14889 and 67-14890, Request for Additional Information

Dear Ms. Hawkins:

Please answer the following questions by return mail, and draw and label items on the enclosed 2004 NAIP maps:

For 67-14889: (1) The 6 acres claimed has already been outlined. Draw the location of the buried line, and indicate the size. (2) Indicate the location for nozzles or handline, if applicable. (4) Describe how many nozzles and their type, which run at one time. (5) If gravity flow, indicate the location of the ditches and indicate the direction of the flow with an arrow. (4) Is the point of diversion for 67-14889 the same point of diversion as water right 67-79B? (5) If this is a different point of diversion than 67-79B, please send a map indicating the location of the point of diversion. (6) Submit Evidence of Priority for this claim (a guide has been enclosed to assist you with this).

For 67-14890: (1) Draw the location of the pond(s). (2) Draw the location of the springs you are claiming as point of diversion(s). (3) If the pond were low, could the individual springs be seen feeding the pond? (4) What is the average depth of the pond? (5) Does any of the overflow from Joseph Michael DeFreitas's pond or ditch contribute to supply water to your pond? If so, where and how is the water diverted to your pond? (6) Does the level of your pond correlate with the level of the Weiser River flow to the south? (7) Submit Evidence of Priority for this claim (a guide has been enclosed to assist you with this).

A postage paid envelope has been enclosed for you to return the completed maps, with your letter, and Evidence of Priority.

Thank you so much for your time. If you have any questions, please call me at (208) 287-4920, on my cell at (208) 761-0280, or via email:

[Sandy.Hemenway@idwr.idaho.gov](mailto:Sandy.Hemenway@idwr.idaho.gov)

Sincerely,

Sandy Hemenway  
Sr. Water Rights Agent; IDWR Adjudication Bureau

SCANNED

JUN 18 2008



State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

---

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

February 20, 2008

NANCY HAWKINS  
PO BOX 624  
PINE VALLEY CA 91962

RE: SRBA claim 67-14889

Dear Nancy,

We received your late claims from the SRBA District Court and have begun the review process. Based on the new recommendation made for 67-79B, it appears you may want to amend 67-14889 to include additional acreage. I have enclosed an amended claim and changed the acres to reflect those recommended under 67-79B. Please look over the enclosed claim, make any changes you see necessary, sign it and return it to me at this office.

Please feel free to call me at (208) 287-4907 with any questions.

Respectfully submitted,

*Monica*

Monica P. Van Bussum  
Sr. Water Resource Agent  
Adjudication Bureau

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

**AMENDED CLAIM**

Ident. Number 67-14889  
Date Received: 8/15/2007  
Receipt No:  
Received By:

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

RECEIVED  
FEB 29 2008  
DEPARTMENT OF  
WATER RESOURCES

1. Name of Claimant(s)

NANCY E HAWKINS Phone: (619)473-9776

PO BOX 624  
PINE VALLEY CA USA 91962

2. Date of Priority: 06/01/1890

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 17N      | 01W   | 1       | NE SE SW              | ADAMS  |      |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 0.12   |            |

7. Total Quantity Appropriated is:  
0.09 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot | Use           | Acres |
|----------|-------|---------|----------------|---------------|-------|
| 17N      | 01W   | 2       | NE SW          | IRRIGATION    | 1.9   |
|          |       |         | SE SW          | IRRIGATION    | 4.1   |
|          |       |         |                | Section Acres | 6.0   |

SCANNED  
FEB 29 2008

Total Acres

6.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

Claim is for water on top of 67-79B and additional acreage.

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: \_\_\_\_\_

SCANNED

FEB 29 2008



State of Idaho

## DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

December 28, 2007

NANCY E HAWKINS  
PO BOX 624  
PINE VALLEY CA 91962

RE: Snake River Basin Adjudication (SRBA)  
Late Notices of Claim to a Water Right #67-14889 and 67-14890

Dear Claimant:

The Notices of Claim to a Water Right referenced above were received from the SRBA Court recently. I have enclosed your receipts #C085572 and C085573 for the fees you paid. Please retain the receipts for your file.

These Notices of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/287-4907 if you have any questions.

Sincerely,

Monica Van Bussum  
Sr. Water Rights Agent  
Adjudication Bureau

MVB:ss:region

Enclosures:

Receipts Referenced Above

SCANNED

DEC 27 2007

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

RECEIVED

CIVIL CASE NUMBER: 39576

DEC 21 2007

DEPARTMENT OF  
WATER RESOURCES

Ident. Number 67-14889  
Date Received: 8/15/2007  
Receipt No:  
Received By: *James CO85572*

LATE CLAIM

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NANCY E HAWKINS Phone: (619)473-9776

PO BOX 624  
PINE VALLEY CA USA 91962

2. Date of Priority: 06/01/1890

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 17N      | 01W   | 1       | NE SE SW              | ADAMS  |      |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 0.09   |            |

7. Total Quantity Appropriated is:  
0.09 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 Lot | Use        | Acres |
|---------------|-------|---------|----------------|------------|-------|
| 17N           | 01W   | 2       | NE SW          | IRRIGATION | 1.5   |
|               |       |         | SE SW          | IRRIGATION | 3     |
| Section Acres |       |         |                |            | 4.5   |

2007 SEP 13 PM 10 20  
FILED  
DISTRICT COURT - 5th JUDICIAL DISTRICT  
TWIN FALLS CO., IDAHO

Total Acres 4.5

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

Claim is generated for Nancy Hawkins to petition court to file late claim. Status is set to temporary until accepted by SRBA Court. mvanbussum 8/15/2007

Claim is for water on top of 67-79B and additional acreage.

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: 08/15/07

\_\_\_\_\_  
Date:

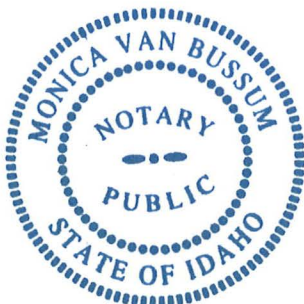
State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 15th  
of August 2007 \_\_\_\_\_  
*[Signature]*

Notary Public

Residing at Boise, ID

My commission Expires 4/11/2013



RECEIVED

DEC 21 2007

DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

DEC 20 2007

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

Clerk  
Deputy Clerk

In Re SRBA

Case No. 39576

Subcases: 67-14889 & 67-14890

ORDER GRANTING MOTIONS TO FILE  
LATE NOTICES OF CLAIM

On September 13, 2007, Nancy E. Hawkins filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on December 18, 2007. These *Motions* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated December 20, 2007.

  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING  
MOTIONS TO FILE LATE NOTICES OF CLAIM was mailed on December  
20, 2007, with sufficient first-class postage to the following:

NANCY E HAWKINS  
PO BOX 624  
PINE VALLEY, CA 91962  
Phone: 619-473-9776

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

ORDER

Page 1 12/20/07

FILE COPY FOR 00497

Deputy Clerk

DEC 24 2007

Hearing 12-18-07

RECEIVED

SEP 19 2007

DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED

2007 SEP 13 AM 10 20

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

In Re SRBA

Subcase 67-14889

(Insert water right number)

Case 39576

STANDARD FORM 4

MOTION TO FILE:

☒ LATE NOTICE OF CLAIM

☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is NANCY HAWKINS

My address is P.O. BOX 624  
PINE VALLEY CA 91962

My phone number is: Work \_\_\_\_\_ Home 619-473-9771

I am an attorney representing \_\_\_\_\_

My name is \_\_\_\_\_

My address is \_\_\_\_\_

My phone number is \_\_\_\_\_

### MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:  
THE INFORMATION WAS HELD BY THE  
POSTMASTER

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ \_\_\_\_\_.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 200.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on \_\_\_\_\_  
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

### MOTION TO FILE AN AMENDED NOTICE OF CLAIM

*A Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

---

---

---

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

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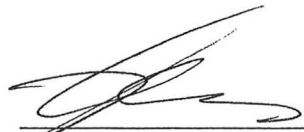
VERIFICATION (Must be completed)

State of Idaho

County of Ada

Nancy Hawkins, being first duly sworn, upon oath, deposes and says:  
(Insert name of person filing form)

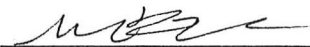
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

  
\_\_\_\_\_  
Signature of person filing motion

\_\_\_\_\_  
Attorney signing in representative capacity

Subscribed and sworn to before me on 15th of August 2007.  
(Insert Date)



  
\_\_\_\_\_  
Notary Public for IDWR  
Residing at: Boise, ID  
My Commission expires: 4/1/2013

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### CERTIFICATE OF MAILING

I certify that on September 10, 2007, 199\_\_, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)

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Signature of person or attorney mailing the form

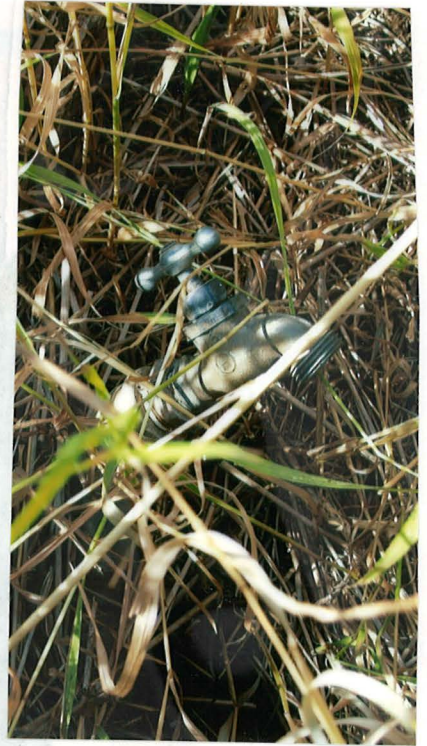
ALL VALVES IN LOWER FIELD  
AND FED BY 2 INCH  
LINES



VALVE # 2  
2 INCH



VALVE # 3



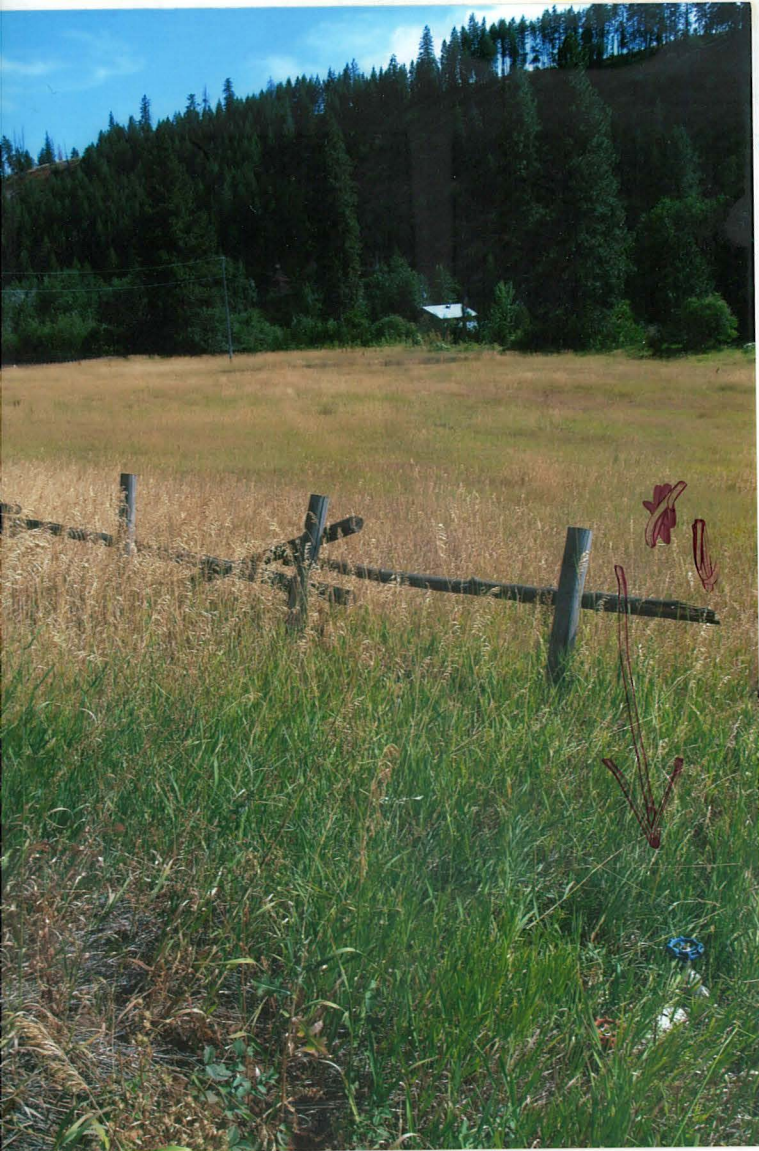
VALVE 3



NOT SHOWN VALVE # 5 BY POND  
VALVE # 3 BY FENCE / SEE DIAGRAM.  
EXHIBIT A

EXHIBIT

A-1



Location

OF

MAIN VALVE #1



Valve #1

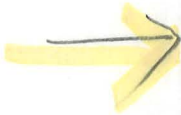
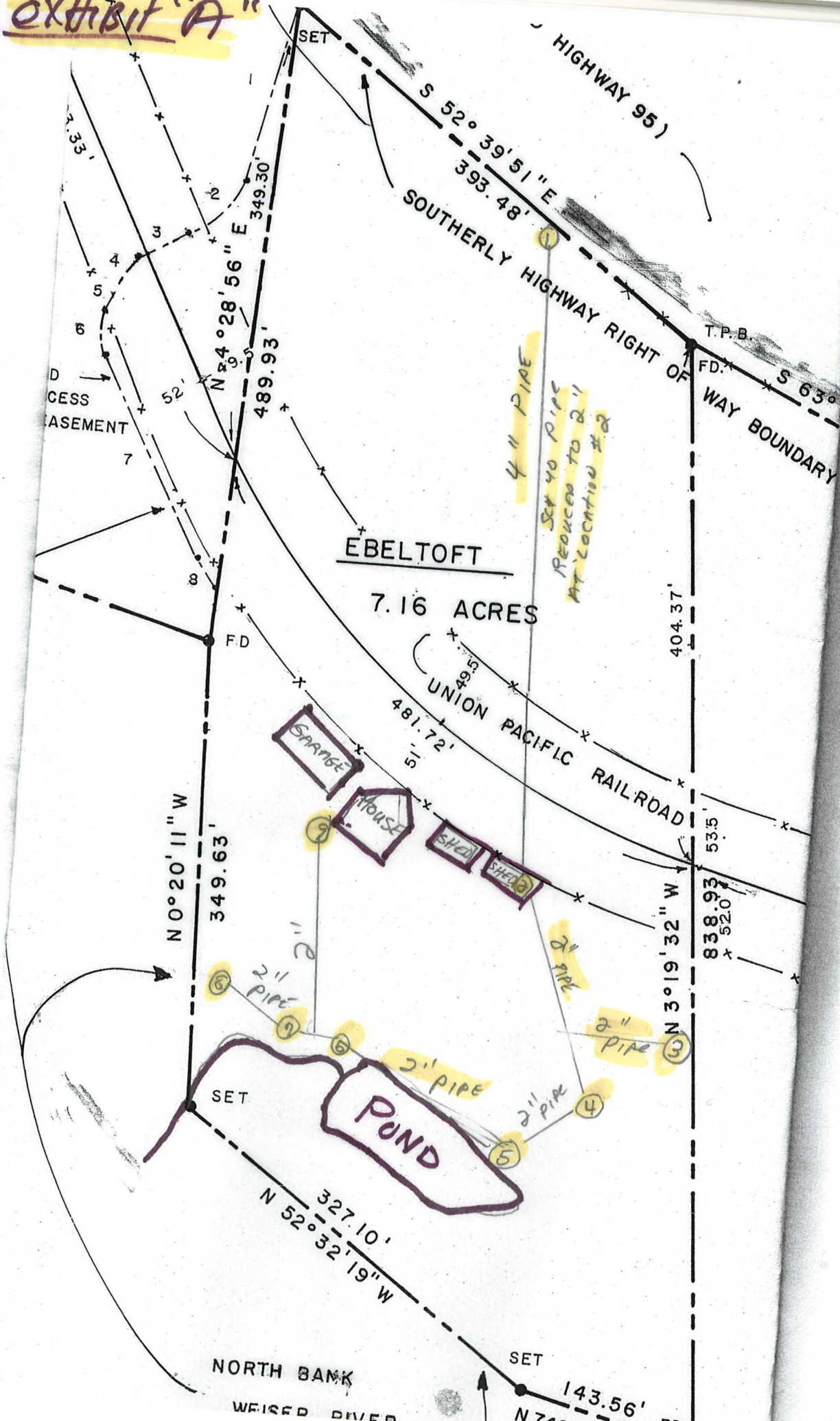


EXHIBIT "A"



67-14889

