

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-14896

NAME AND ADDRESS:

STEPHEN C VANZANDT
176 MAURICE ST N #309
TWIN FALLS ID 83301

SOURCE:

Source:

UNNAMED STREAM

Tributary:

THORN CREEK

QUANTITY:

0.020 CFS

0.000 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE:

05/20/1883

POINT OF DIVERSION:

~~T15N R01W S26 NWNENE Begin of Stream Flow Within ADAMS County~~

~~T15N R01W S26 SENENE Begin of Stream Flow Within ADAMS County~~

~~T15N R01W S26 NWNWNE End of Stream Flow Within ADAMS County~~

~~T15N R01W S26 NWNWNE End of Stream Flow Within ADAMS County~~

~~T15N R01W S26 NWNWNE Begin of Stream Flow Within ADAMS County~~

**PURPOSE AND
PERIOD OF USE:**

Purpose of use

Period of use:

Quantity:

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE:

STOCKWATER

within ADAMS County

ACRES TOTAL

T15N R01W S26 NENE

T15N R01W S26 NWNE

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

Amended Director's Report: 67-14896

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14896 V2

WATER RIGHT NUMBER: 67-14896 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEPHEN C VANZANDT 176 MAURICE ST N #309 TWIN FALLS, ID 83301 (208)736-7134

Priority Date: 05/20/1883
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	THORN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NW1/4NW1/4NE1/4	Sec. 26, Twp 15N, Rge 01W, B.M.
ADAMS County	(Ending of Reach)	
UNNAMED STREAM	SE1/4NE1/4NE1/4	Sec. 26, Twp 15N, Rge 01W, B.M.
ADAMS County	(Beginning of Reach)	

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	01W	26	X	X															

Conditions of Approval:

1. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
2. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
3. 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14896 V2

Comments:

1. shemenway 7/10/2008 OBJECTION FILED

Comment: CHANGED POD PLS TO ONLY SHOW ONE BEGINNING POINT. FILED SF5.

2. shemenway 7/10/2008 POD

Comment: UPDATED SHAPE.

3. shemenway 7/10/2008 DIVERSION RATE

Comment: BASIN WIDE ISSUE #12, THE MAXIMUM DIVERSION RATE FOR IN-STREAM STOCKWATER IS LIMITED TO 0.02 CFS.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POU	7/10/2008 7:36:29 AM	shemenway			Active
POD	7/10/2008 8:02:32 AM	shemenway			Active
Priority Date	7/10/2008 8:09:15 AM	shemenway			Active
Summary			07/10/2008	shemenway	Active
POD	7/10/2008 8:10:25 AM	shemenway			Active
POU	7/10/2008 8:10:30 AM	shemenway			Active
Source	7/10/2008 8:10:31 AM	shemenway			Active
Use	7/10/2008 8:10:34 AM	shemenway			Active
Season	7/10/2008 8:10:36 AM	shemenway			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14896 V2

POU	7/10/2008 7:36:30 AM	shemenway	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - VERSION 1, AND WARRANTY DEED SUBMITTED BY CLAIMANT; 2004 NAIP MAPS
POD	7/10/2008 7:59:50 AM	shemenway	Updated PLS
POD	7/10/2008 8:01:21 AM	shemenway	Updated PLS
General	7/10/2008 8:09:16 AM	shemenway	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - NO EVIDENCE OF PRIORITY IS REQUIRED WITH IN-STREAM STOCKWATER, PER CRAIG SAXTON, SUPERVISOR, AND IDAHO CODE 42-113.
Summary	7/10/2008 8:09:59 AM	shemenway	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Source	7/10/2008 8:10:33 AM	shemenway	(No) 1. Is the basis of claim Decree or License?
Use	7/10/2008 8:10:35 AM	shemenway	(No) 1. Is the basis of this claim a Decree or License?
Season	7/10/2008 8:10:38 AM	shemenway	(No) 1. Is the basis of claim Decree or License?
POU	7/10/2008 7:34:45 AM	shemenway	Updated PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14896 V2

POD	7/10/2008 8:02:34 AM	shemenway	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	7/10/2008 7:34:08 AM	shemenway	Updated Shape
POD	7/10/2008 7:59:17 AM	shemenway	Updated Shape
POD	7/10/2008 8:00:58 AM	shemenway	Updated Shape
POD	7/10/2008 8:10:27 AM	shemenway	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit?
POU	7/10/2008 8:10:31 AM	shemenway	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? Description for Question 13 - VERSION 1, AND WARRANTY DEED SUBMITTED BY CLAIMANT; 2004 NAIP MAPS

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14896 V1

WATER RIGHT NUMBER: 67-14896 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEPHEN C VANZANDT 176 MAURICE ST N #309 TWIN FALLS, ID 83301 (208)736-7134

Priority Date: 05/20/1883

Basis: Beneficial Use

Status: Closed

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	THORN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NW1/4NW1/4NE1/4	Sec. 26, Twp 15N, Rge 01W, B.M.
ADAMS County	(Ending of Reach)	
UNNAMED STREAM	NW1/4NW1/4NE1/4	Sec. 26, Twp 15N, Rge 01W, B.M.
ADAMS County	(Beginning of Reach)	
UNNAMED STREAM	NW1/4NE1/4NE1/4	Sec. 26, Twp 15N, Rge 01W, B.M.
ADAMS County	(Beginning of Reach)	

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	01W	26	X	X															

Conditions of Approval:

1. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
2. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
3. 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14896 V1

Comments:

1. shemenway 1/24/2008 POD

Comment: THERE ARE 2 UNNAMED STREAM PODS THAT BEGIN ON THE PROPERTY CLAIMED AND OWNED BY VANZANDT. THEY COMINGLE, AND THEN HAVE THE SAME ENDING POINT POD.

2. shemenway 1/24/2008 POD PLS

Comment: POD IN SEC 26 NENE DEFAULTED TO SENENE, AND HAD TO BE MANUALLY CHANGED TO NWNENE TO BE LOCATED WHERE THE UNNAMED STREAM FIRST COMES ON TO THE PROPERTY OWNED BY CLAIMANT, FOR THE IN-STREAM STOCKWATER.

3. csaxton 3/19/2008 Diversion Rate

Comment: Basin Wide Issue #12, the maximum diversion rate for In-Stream Stockwater is limited to 0.02 cfs.

4. kchriste 6/4/2008 POD

Comment: Claimant only filed on one stream segment therefore I changed the recommendation back to the claimed points of diversion. I also changed the beginning point of diversion back to the SE 10-acre tract because that is where it is located.

5. shemenway 7/10/2008 POD

Comment: Changed information back to original recommendation on version 1, and changes filed in the objection will be shown on version 2 (per Craig Saxton). This will be for purposes of keeping track of changes made for the court.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/24/2008 6:58:09 AM	shemenway			Closed
Priority Date	1/24/2008 6:59:58 AM	shemenway			Closed
Use	1/24/2008 7:01:52 AM	shemenway			Closed
Season	1/24/2008 7:03:25 AM	shemenway			Closed
Quantity	1/24/2008 7:04:43 AM	shemenway			Closed
POU	1/24/2008 7:48:00 AM	shemenway			Closed
POD	1/24/2008 8:03:46 AM	shemenway			Closed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14896 V1

Source	1/24/2008 8:04:56 AM	shemenway	Closed
Summary	01/24/2008	shemenway	Closed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/24/2008 6:58:09 AM	shemenway	(No) 1. Do you want to schedule an appointment? Comment for 1: In-Stream Stockwater (no field exam is required----Idaho Code 42-113)
POD	6/4/2008 8:15:32 AM	kchrste	Updated Shape
POD	6/4/2008 8:16:32 AM	kchrste	Updated Shape
POU	6/4/2008 8:17:48 AM	kchrste	Updated Shape
POD	1/24/2008 8:03:46 AM	shemenway	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	1/24/2008 8:04:56 AM	shemenway	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - 2004 NAIP MAPS, TOPO MAPS
General	1/24/2008 6:59:59 AM	shemenway	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? Description for Question 12/13 - No evidence of priority is required with In-Stream Stockwater, per Craig Saxton, supervisor, and Idaho Code 42-113.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14896 V1

Use	1/24/2008 7:01:52 AM	shemenway	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Late claim filed by Stephen Vanzandt.
Season	1/24/2008 7:03:26 AM	shemenway	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required? Description for Question 15 - In-Stream Stockwater is year-round.
Quantity	1/24/2008 7:04:44 AM	shemenway	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Due to Basin Wide Issue #12, the Maximum diversion rate for In-Stream Stockwater is 0.02 cfs.
POU	1/24/2008 7:48:01 AM	shemenway	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Govt. Lots, 2004 NAIP map, Late Claim description of POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14896 V1

Summary	1/24/2008 8:54:35 AM	shemenway	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	6/4/2008 8:15:55 AM	kchrste	Updated PLS
POD	6/4/2008 8:17:01 AM	kchrste	Updated PLS

Water Supply Bank:

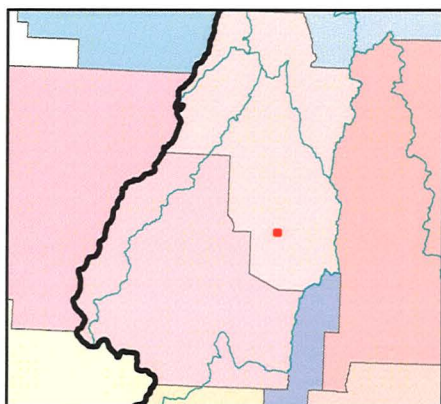


SRBA Recommendation
67-14896
(STOCKWATER)

Idaho Department of Water Resources

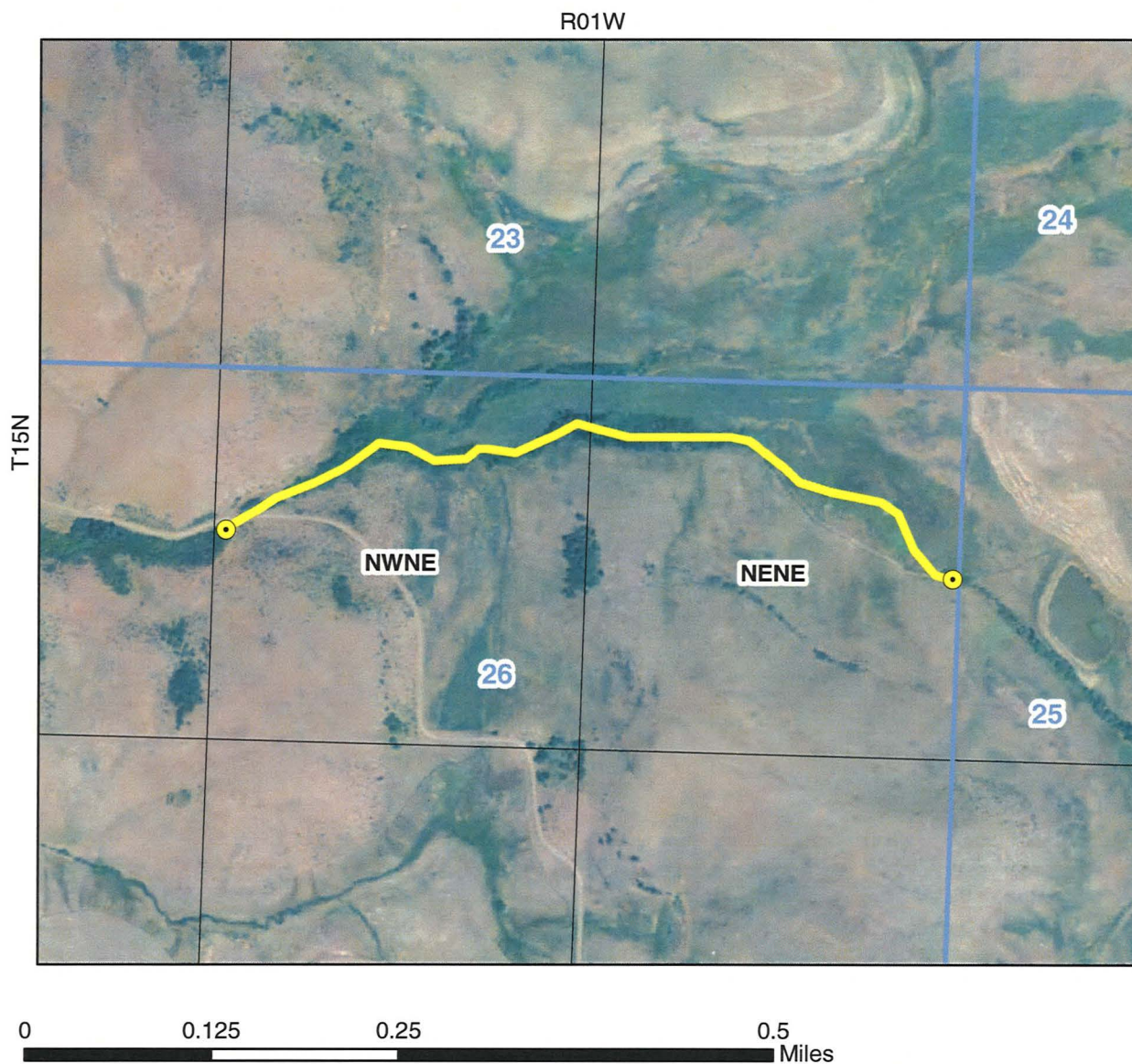
Legend

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



Adams County
IDWR Basin 67

Prepared by Sandy Hemenway
On Thursday, July 10, 2008
2004 Aerial Photography





Idaho Department of Water Resources

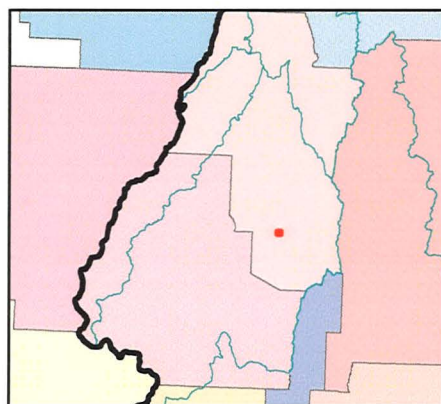
SRBA Recommendation

67-14896

(STOCKWATER)

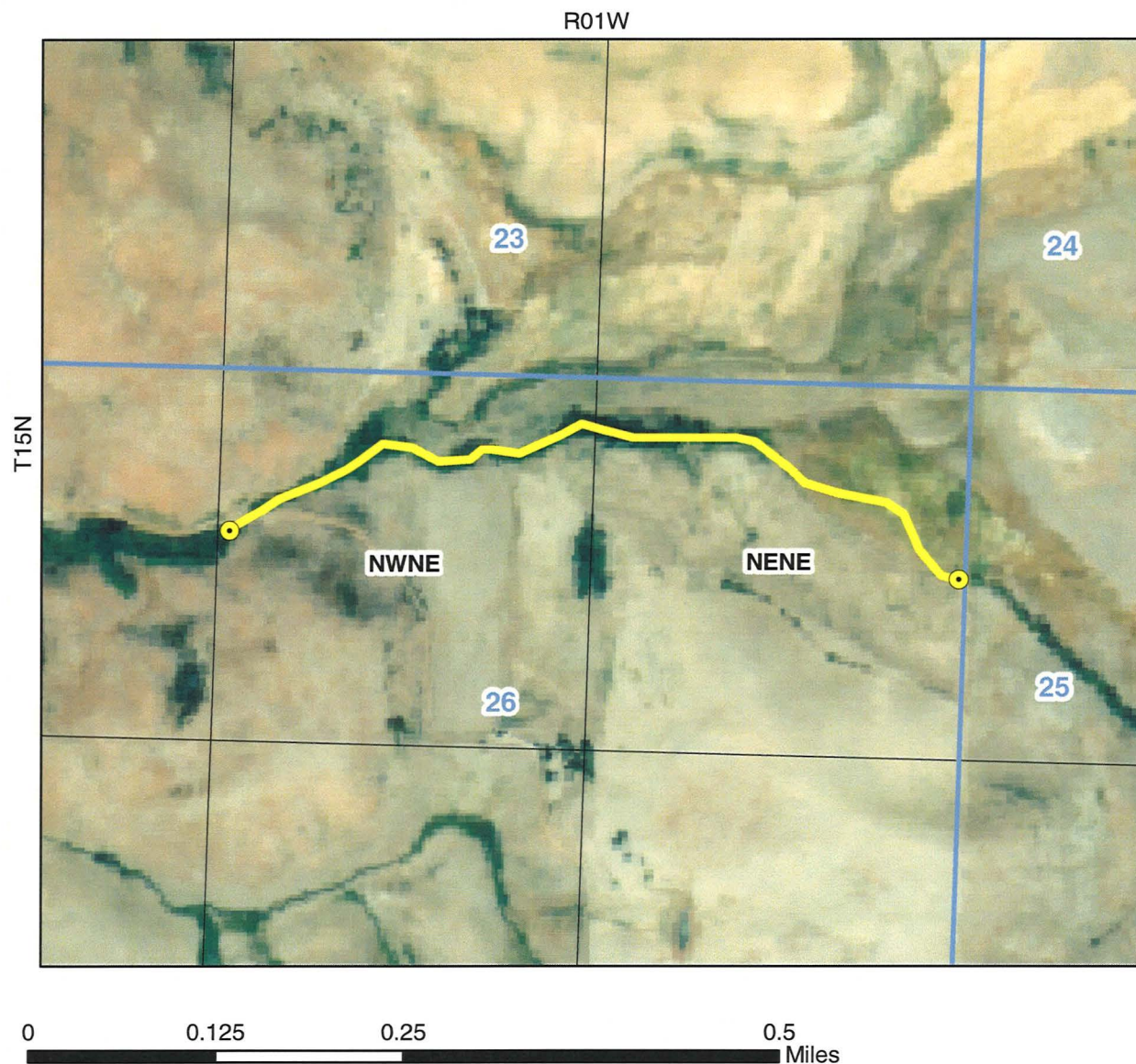
Legend

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



Adams County
IDWR Basin 67

Prepared by Craig Saxton
On Wednesday, June 04, 2008
1987/88 Aerial Photography



Saxton, Craig

From: Christensen, Kelly
Sent: Wednesday, June 04, 2008 8:34 AM
To: Saxton, Craig
Subject: 67-14896 late claim

I received a call from Vanzandt the other day about the recommendation. It was changed to recognize 2 stream segments and the original beginning point of diversion 10-acre tract was changed from SE to NW.

Vanzandt just wanted the single segment so I changed the recommendation to reflect the right as claimed. I also changed the point of diversion back to the SE 10-acre tract.

Any questions, give me a call.

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

RECEIVED

JUN 19 2008

DEPARTMENT OF
WATER RESOURCES

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

JUN 18 2008

By _____

Clerk

Deputy Clerk

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)

A. Subcase

67-14896

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

STEPHEN C. VANZANDT

Address:

176 MAURICE ST. N. #309
TWIN FALLS, ID 83301

Daytime Phone: (208) 736-2196

Cell (208) ~~736~~ 320-2252

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

STEPHEN C. VANZANDT

Address:

(SAME AS ABOVE)

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point of Diversion**
Should be: 15N 01W 26 SE NE NE BEGINNING
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: (THIS WAS ORIGINAL WAY IT WAS CLAIMED)
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☐ **I object because:**
☐ This water right Should not exist.
☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S):

THE TAX LOT
OWNERSHIP MAP LINES IN THE IDWR
ARE VIA SYSTEM FOR THAT PART OF MY
PROPERTY ARE IN ERROR. SEE ATTACHMENT ①
I HAVE CONFIRMED THAT PROPERTY BOUNDARY
IS AS ORIGINAL CLAIM WITH
ADAMS COUNTY ASSESSOR'S OFFICE,
(CONTACT: KELLY CHRISTENSEN, IDWR)

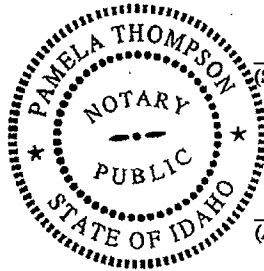
F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Jerome)

Stephen C. VANZANDT, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



Stephen C. Vanzandt
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 18, 2008
Pamela Thompson
Notary Public for State of Idaho
Residing at: Jerome, IDAHO
My Commission Expires: 1/31/2014

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JUNE 18, 2008, I mailed the original and copies of this objection, including all attachments, to the following persons:

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. One copy to the claimant of the water right at the following address:

Name: STEPHEN C. VANZANDT
Address: 176 MAURICA ST N. #309
TWIN FALLS, ID 83301

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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

Stephen C. Vanzandt
Signature of objector or attorney
mailing on Objector's behalf

ATTACHMENT ①

Primarily at issue is what portion of the stream segment should be included within the recommended POU. The conflict was triggered by the tax lot ownership that the department has access to. The beginning point of diversion and first 1,000 ft of the claimed stream segment are shown as being owned by Kenneth Alder (see Tax Lot Ownership view on the next page). If you now own the Alder parcel or there is some other compelling reason to include that stream reach, then you should file an objection to have the recommendation reflect the claim. However if the Alder property should not be included in the recommendation for your stockwater use then the current recommendation probably should be correct.

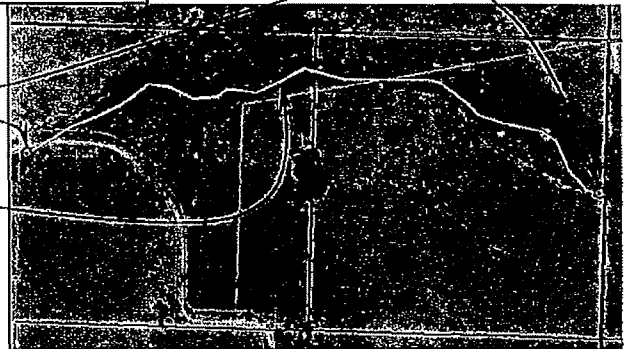
THIS IS
CORRECT

ORIGINAL CLAIM
WAS CORRECT

CLAIM SHAPES

The layout to the right shows what was claimed. The two green dots are the beginning point and ending point for the Points of diversion.

The light blue line represents the claimed stream segment.



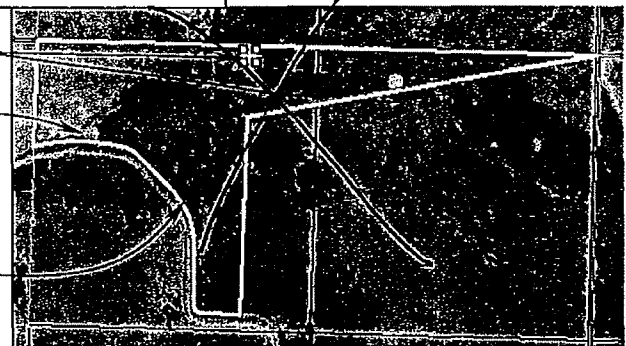
When the State office made the recommendation for this right they included a second unnamed stream segment (the highlighted beginning point of diversion). That stream segment is tributary to the original unnamed stream segment within your property boundary therefore it shares the same ending point of diversion. We did not discuss this segment but if this is acceptable to you then the second segment could be included in the recommendation. They also used the tax lot shape shown in your name as the place of use. That shape is not a big issue, rather more of an agent discretion issue. If the shapes as recommended are correct then no objection is necessary.

TAX SHAPE
IS INCORRECT

RECOMMENDED SHAPES

The current recommendation reflects the following;
Two beginning points of diversion for 2 stream segments and one ending point of diversion where the stream segment leaves the tax lot identified under your name.

The place of use is identified as the tax lot under your name (again, outlined in yellow)



Below is shown the ownership as shown on the Tax lot ownership layer that we use in Arc Map.

TAX LOT OWNERSHIP

The yellow outlined area to the right represents the parcel identified in our tax lot layer as;

UPDATED 03/01/2005
 PIN RP15N01W260075A
 OWNER VAN ZANDT, STEPHEN C
 ADDRESS1 176 MAURICE ST N #309
 ADDRESS2
 CITY TWIN FALLS
 STATE ID
 ZIPCODE 83301
 P_ADDRESS
 P_ZIPCODE 0
 LEGAL1 T15N R1W SEC 26
 LEGAL2 PT N2NE4
 LEGAL3 30.47 AC

If this represents the extent of your ownership then the beginning POD and POU would be at this point.

The beginning point would then be the NWNENE. The ending point would also shift

slightly but would still retain the same legal description as previously described.

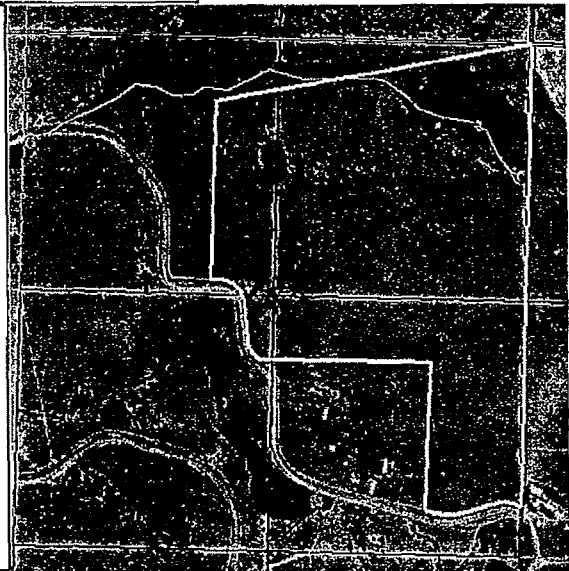


TAX LOT OWNERSHIP

The yellow outlined area to the right represents the parcel identified in our tax lot layer as;

UPDATED 03/01/2005
 PIN RP15N01W260300A
 OWNER ADLER, KENNETH PAUL
 ADDRESS1 3000 GOLD CREEK ROAD
 ADDRESS2
 CITY SANDPOINT
 STATE ID
 ZIPCODE 83864
 P_ADDRESS
 P_ZIPCODE 0
 LEGAL1 T15N R1W SEC 26
 LEGAL2 PT NE4
 LEGAL3 55.45 AC

If you now own the property then the recommendation should reflect the original claimed place of use.



VAN ZANDT property description

Exhibit A

Township 15 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 14: E $\frac{1}{2}$, SW $\frac{1}{4}$;

Section 23: E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Section 24: SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;

Section 26: All that portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ lying North of the County road which intersects said N $\frac{1}{2}$ NE $\frac{1}{4}$,

EXCEPT the following described tract in the N $\frac{1}{2}$ NE $\frac{1}{4}$:

Commencing at the Section corner common to Sections 23, 24, 25 and 26;

thence South 00°06'03" West 705.444 feet to the point where the Grays Creek/Fall Creek Ditch intersects the section line common to Sections 25 and 26, the REAL PLACE OF BEGINNING;

thence Westerly along the center line of said ditch to a point from which the said Section corner bears North 78°58'51" East 1,670.692 feet;

thence South 00°52'36" West 975.797 feet to the North right of way of the county road;

thence Easterly along said county road right of way to a point where the right of way intersects the Section line for Sections 25 and 26;

thence North 00°04'57" East 1,686.812 feet to the PLACE OF BEGINNING.

EXCEPTING roads as now established.



Idaho Department of Water Resources

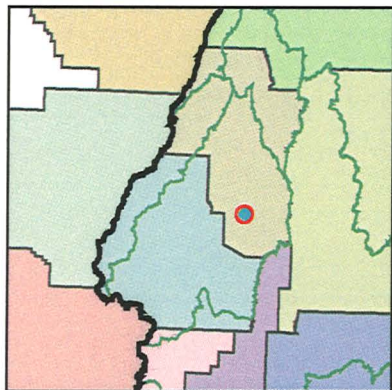
SRBA Recommendation:

67-14896

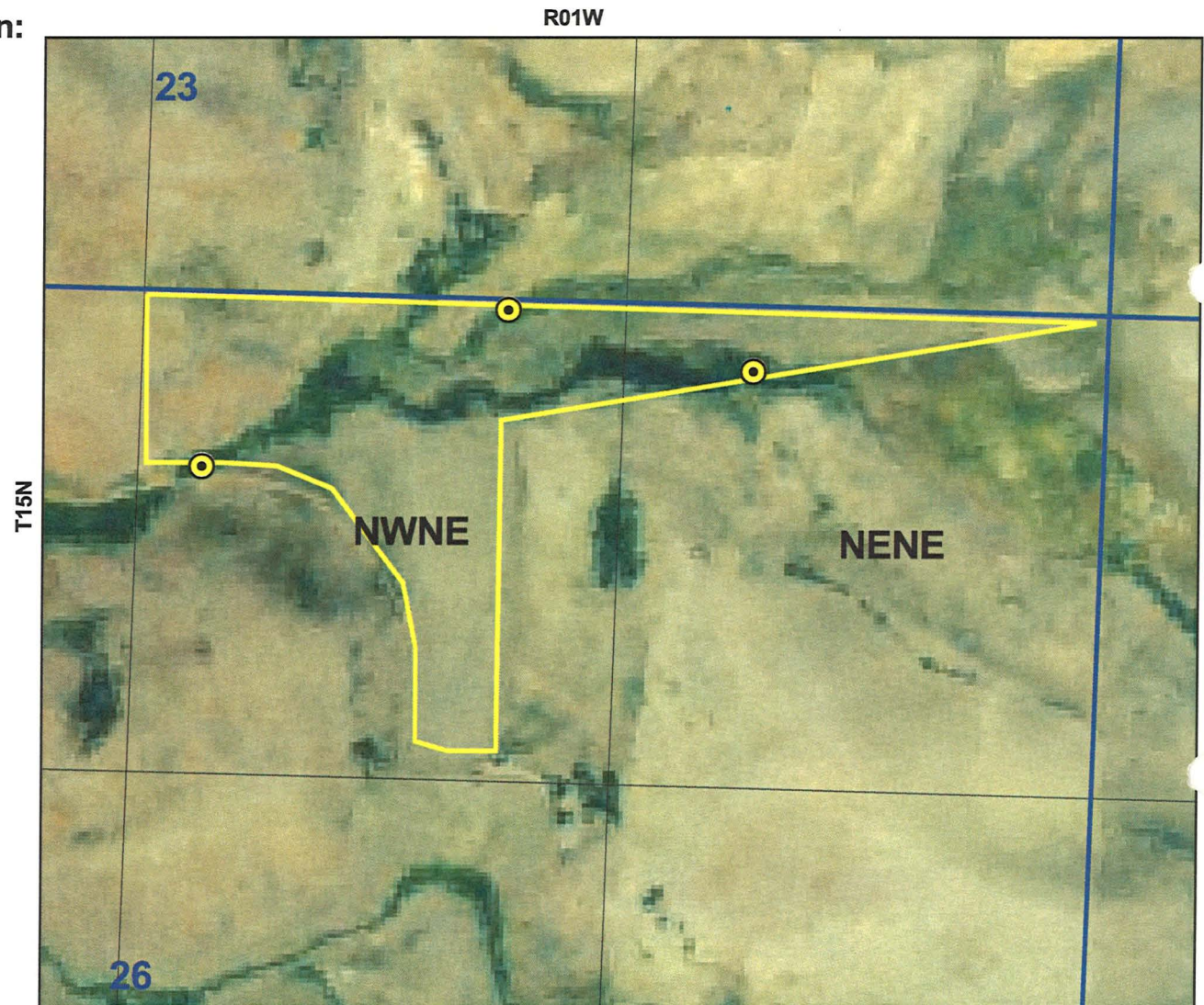
(Stockwater)

Legend

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



Adams County
IDWR Basin 67



0 0.2 0.4 Miles



Prepared by IDWR State Office
On Thursday, January 24, 2008
1987/88 Aerial Photography

Date: 1/24/2008
Agent: S. Hemenway
Claimant: Stephen C. Vanzandt
WR# 67-14896
Mailing Address: 176 Maurice St. N. #309, Twin Falls, ID 83301
Phone #: (208) 736-7134 WK (208)738-2190
Location of POD: T15N R1W Sec 26 SENENE beginning point; NWNWNE Ending point
System Description: In-Stream Stocwater Use
Measuring Device: N/A, not required due to Basin Wide Issue #12
Field Exam: N/A, not required (Idaho Code 42-113, and due to being <0.20 cfs (per Dave Tuthill, director IDWR)
Nonirrigation Uses: None
Other Uses: None
Other WRs Used: 67-98 (irrigation WR POU overlaps NENE, and NWNE Sec. 26)
Supplemental Water: None
Basis of Claim: Beneficial Use
Priority Date: 5/20/1883
Evidence of Priority: N/A, not required (Idaho Code 42-113)

NOTES:

2 unnamed streams come on to property claimed and owned by Vanzandt. They comingle, and end at the same point (ending point POD). Added the 2nd beginning point to ECVR in order to include the entire POU being claimed for In-Stream Stockwater Use.
When checking the QQQ on ArcView for the POD in the NENE, it defaulted to SENENE, and had to be manually changed to NWNENE, where the unnamed stream first comes on to the property owned, and being claimed by Vanzandt.

Recommendation:

N11, N13, X02, C18
BASIN WIDE ISSUE #12 (MAX. DIVERSION RATE IS 0.02 CFS)

SCANNED

JAN 24 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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 28, 2007

STEPHEN C VANZANDT
176 MAURICE ST N #309
TWIN FALLS ID 83301

RE: Snake River Basin Adjudication (SRBA)
Late Notice of Claim to a Water Right #67-14896

Dear Mr. Vanzandt:

The Notice of Claim to a Water Right you filed was received from the SRBA Court recently. I have enclosed receipt #C085569 for the fees you paid. Please retain the receipt for your records.

Your Notice 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:state

Enclosure:

Receipt Referenced Above

SCANNED

DEC 27 2007



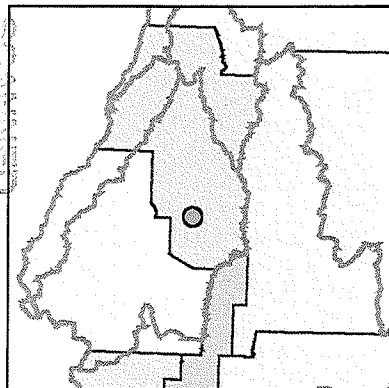
Idaho Department of Water Resources

Adjudication Claim Number: **67-VanZandt**

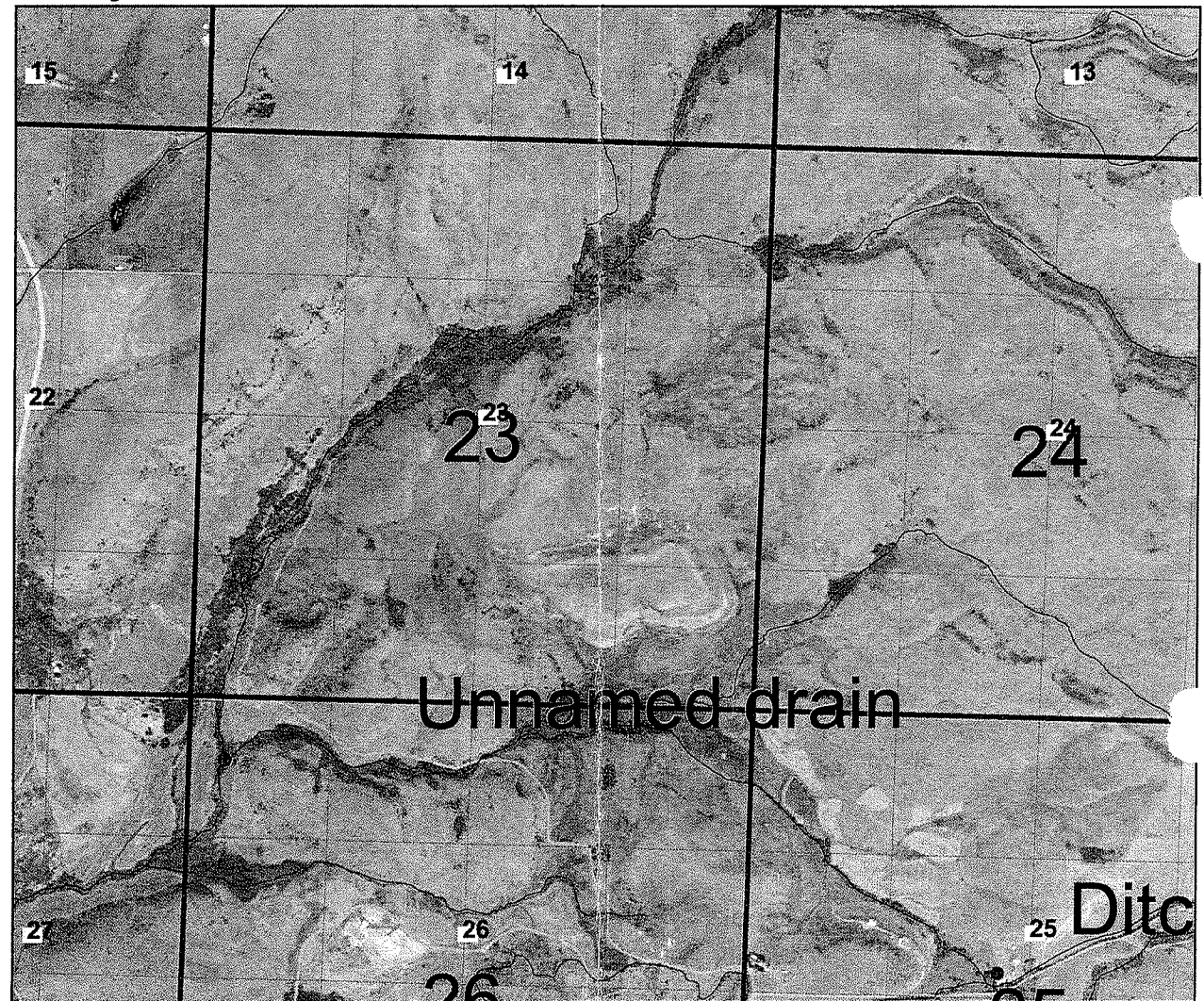
T15N R01W

Legend

- B-67streams.shp
- PLSS Section LinesGcdb_sections.shp
- GCDB15N01W GCDB
- Pods.shp



Washington County
IDWR Basin 67



0 0.8 1.6 Miles

Prepared by M. Van Bussum
On Friday, August 10, 2007
2004 NAIP Aerial Photography

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

RECEIVED

DEC 21 2007

DEPARTMENT OF
WATER RESOURCES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Ident. Number 67-14896
Date Received: 9/7/2007
Receipt No: C085569
Received By: AMB

2007 SEP 14 PM 4 25
FILED
TWIN FALLS, IDAHO
CLERK OF DISTRICT COURT

1. Name of Claimant(s)

STEPHEN C VANZANDT Phone: (208)736-7134
176 MAURICE ST N #309
TWIN FALLS ID USA 83301

2. Date of Priority: 05/20/1883

3. Source: UNNAMED STREAM Trib. to: THORN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
15N	01W	26	SE	NE	NE	ADAMS	Beginning Point
15N	01W	26	NW	NW	NE	ADAMS	Ending Point

5. Description of diverting works:

IN-STREAM STOCKWATER USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 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
15N	01W	26	NE	NE	STOCKWATER	
			NW	NE	STOCKWATER	

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:

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:

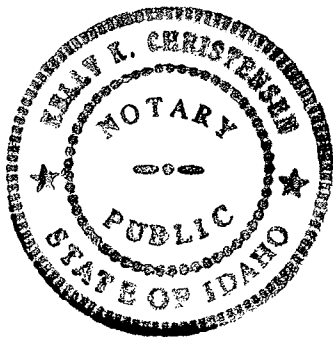
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Stephen C. VanFleet Date: 9/07/07

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th Day of Sept 2007



Kelly R. Christensen
Notary Public

Residing at Twin Falls, ID

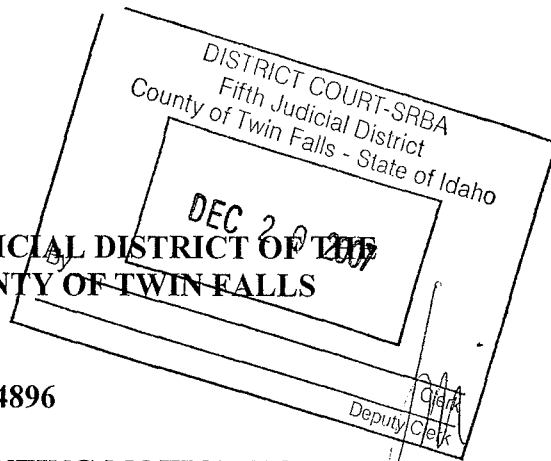
My commission Expires 4-2-2010

RECEIVED

DEC 21 2007

DEPARTMENT OF
WATER RESOURCES

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



In Re SRBA

Subcase: 67-14896

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On September 14, 2007, Stephen C. Vanzandt filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on December 18, 2007. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice 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 claim 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
MOTION TO FILE LATE NOTICE OF CLAIM was mailed on December 20,
2007, with sufficient first-class postage to the following:

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

STEPHEN C VANZANDT
176 MAURICE ST N #309
TWIN FALLS, ID 83301
Phone: 208-736-7134

Hearing 12-18-2007

RECEIVED

SEP 17 2007

DEPARTMENT OF
WATER RESOURCES

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 67-14896
(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 STEPHEN C. VAN ZANDT

My address is 176 MAURICE ST. N # 309
TWIN FALLS, ID 83301

My phone number is: Work (208) 736-2190 Home (208) 736-7134

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:

I WAS NOT AWARE OF THE EXISTENCE OF
NATURAL SPRINGS IN THE SAME UNNAMED
STREAM AS MY IRRIGATION WATER RIGHT
67-98. I did tell the IDWR REPRESENTATIVE
I WAS USING STREAM FOR IRRIGATION & STOCK WATER USE

☐ 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.)



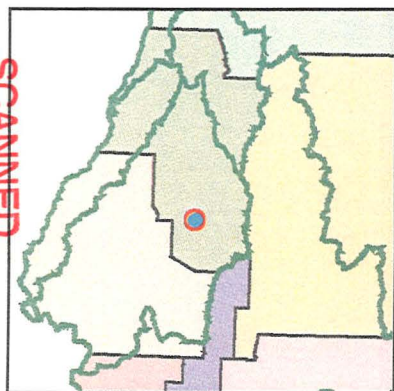
Idaho Department of Water Resources

Adjudication Claim Number: **67-VanZandt**

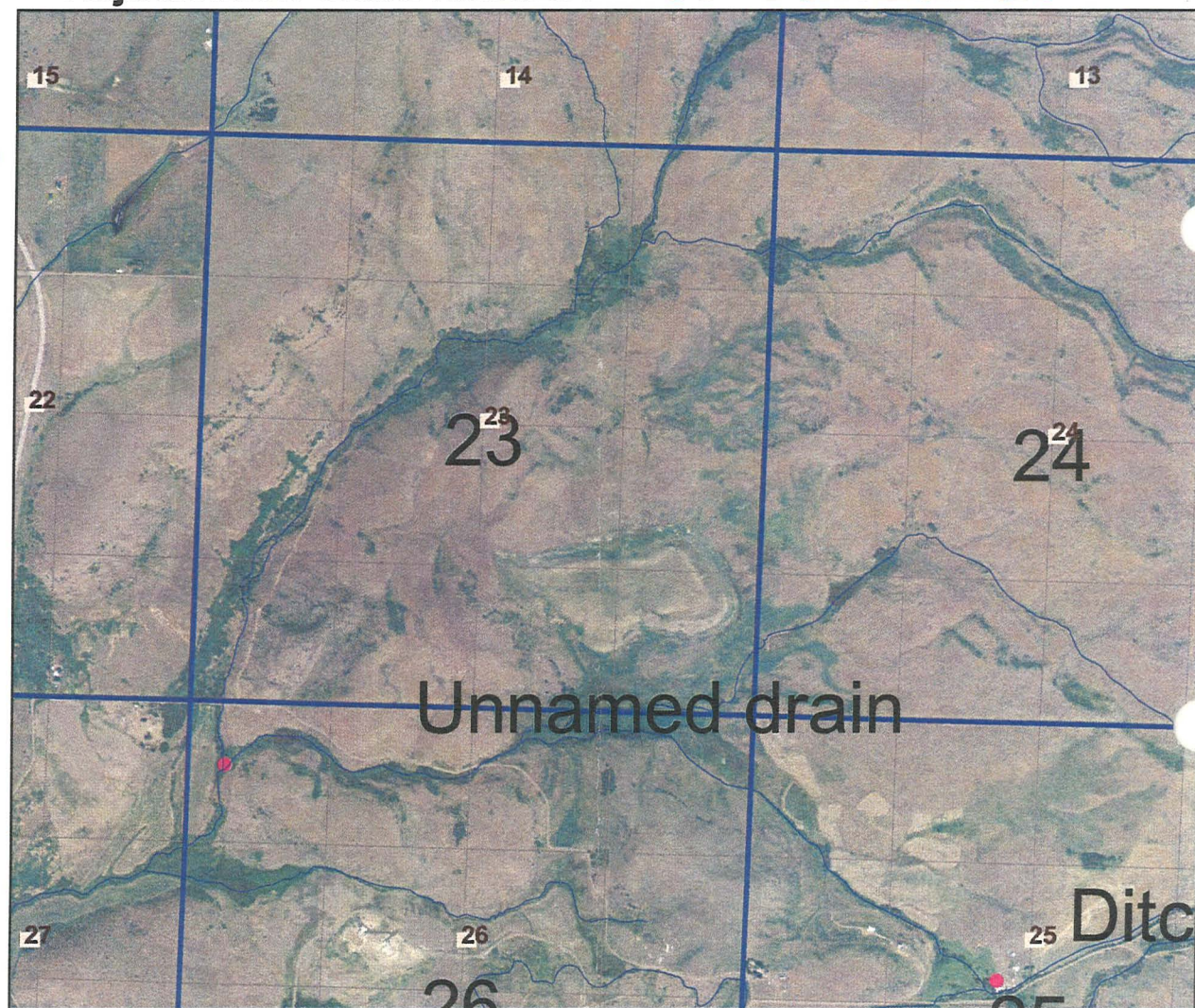
T15N R01W

Legend

- B-67streams.shp
- PLSS Section LinesGcdb_sections.shp
- GCDB15N01W GCDB
- Pods.shp



Washington County
IDWR Basin 67



0 0.8 1.6 Miles

Prepared by M. Van Bussum
On Friday, August 10, 2007
2004 NAIP Aerial Photography

SEP 17 2007

SCANNED

Claim No(s). 67-14896

Claim No(s). 67-14896

M. Van Bussum	12-27-07	Voluntary, d.e., gorres.	1.5
S. Hemerway	1-24-08	spreadsheet, d.e. ECVR, shapefiles, maps, report made version 2; d.e. ECVR,	4.5
S. Hemerway	7-10-08	shapefiles, maps, report sent e-mail to Renee Ridgeway/legal for SF5 recommendation comparison for court	2.0