

From: Erik Bevan
To: Thiel, Sandra
Subject: RE: Water Right Claim 87-4015
Date: Wednesday, June 9, 2021 10:51:21 AM
Attachments: image001.png
image002.png

I'm sorry, not sure why it appears empty but here are screenshots of the 2 pages:

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 PALOUSE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 59576

Claim ID: _____
Date Received: _____
Receipt No: _____
Claim Fee: _____ By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW For Domestic and/or Stockwater Purposes Where Daily Use is less than 13,000 gallons per day

Please type or print clearly

- Name of claimant(s) Bevan Farms LLC Phone (480) 250-9595
Mailing address 16506 E Desert Vista Trl Zip 85262
Street or Box City State
Email address (optional) erikbevan@gmail.com
- Date of priority: (Only one per claim) 01/01/1968 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water ☐ or Other (☒) (a) surface water storage
which is tributary to (b) none. This parcel has a hill above the pond which fills the pond
- Location of point of diversion is: Township T39N, Range R05W, Section S20,
NE 1/4 of SE 1/4, or Govt. Lot _____ BM, County of Latah;
Parcel no. RP39N05W202206
Additional points of diversion, if any: _____
If available, GPS coordinates: _____
- Description of diverting works (wells, pumps, spring boxes, pipelines, etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.
Surface Water Pond
- Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For Stock Water purposes from 01/01 to 12/31 amount .020 cfs (☒) or AFY (☐)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed .020 cfs (☐) or AFY (☐)
- Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
Stock Water for 60 mixed stock

9. Location of place of use is: Township T39N, Range R05W, Section S20,
NE 1/4 of SE 1/4, Govt. Lot _____, BM, Parcel no. RP39N05W202206
If different than shown in Item 4
for (check one) **Domestic** ☐ **Stock** ☒ **Domestic and Stock** ☐
Additional places of use, if any NESE

10. In which county(ies) are lands listed above as place of use located? Latah

11. Do you own the property listed above as place of use? Yes ☒ No ☐
If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
87-4015 ground water or None ☐

13. Remarks (include an explanation of the priority date selected):
The pond was build in 1967 we have dated pictures of it full in 1968

14. Basis of claim (check one) **Beneficial Use** ☒ **Posted Notice** ☐ **License** ☐ **Permit** ☐ **Decree** ☐
Court _____ Decree Date _____ Plaintiff v. Defendant _____
If applicable provide IDWR Water Right Number _____

15. **Signature(s)**
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Palouse River Basin Water System Adjudication."
(b.) I/We do ☐ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments: 1

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date: _____

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the
Manager of Bevan Farms LLC,
Agent's title (Please print) Name of organization (Please print)
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date 05/25/2021
Printed Name of Authorized Agent Erik Bevan

16. **Notice of Appearance:**
Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

From: Thiel, Sandra [mailto:Sandra.Thiel@idwr.idaho.gov]
Sent: Wednesday, June 9, 2021 9:42 AM
To: Erik Bevan
Subject: RE: Water Right Claim 87-4015

Good morning Erik. I'm not sure. The form is empty.

From: Erik Bevan [mailto:erikbevan@gmail.com]

Sent: Wednesday, June 9, 2021 10:04 AM
To: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Subject: FW: Water Right Claim 87-4015

Hi Sandra,

I think I need to send this soon. Does it look ok for the storage claim (pond),

Thank you,
Erik Bevan

From: Erik Bevan [<mailto:erikbevan@gmail.com>]
Sent: Tuesday, May 25, 2021 12:04 PM
To: 'Thiel, Sandra'
Subject: RE: Water Right Claim 87-4015

Can you see if this application for the pond looks correct before I sign it?

Thank you,
Erik Bevan

From: Thiel, Sandra [<mailto:Sandra.Thiel@idwr.idaho.gov>]
Sent: Tuesday, May 25, 2021 10:32 AM
To: Erik Bevan
Subject: RE: Water Right Claim 87-4015

The 13,000 gpd is based on the claim. You filed a Domestic claim with a fee of \$25. I will change the name.

<https://idwr.idaho.gov/forms/adjudication.html>

From: Erik Bevan [<mailto:erikbevan@gmail.com>]
Sent: Tuesday, May 25, 2021 11:14 AM
To: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Subject: RE: Water Right Claim 87-4015

Thank you for updating the recommendation. It still says 13000 gallons per day even though the CFS was increased to .060. Should the gallons per day increase as well? Also can we take the space out of the name as in change BE VAN to BEVAN, or will that mess up the priority date?

Do you have a link to a form for applying for the pond? It is surface water and the priority date is 1968.

Thank you,
Erik Bevan

From: Thiel, Sandra [<mailto:Sandra.Thiel@idwr.idaho.gov>]
Sent: Tuesday, May 25, 2021 8:56 AM
To: Erik Bevan
Subject: RE: Water Right Claim 87-4015

Hello, My apologies for not getting back to you sooner. Thank you for reviewing your recommendation. I have attached an updated version and a map showing the place of use and point of diversion. Please review the report and let me know if you see any errors. You may still file a late claim for the pond. I believe you said it is surface water and the priority date will be before the 1971 mandatory permit statute.

From: Erik Bevan [<mailto:erikbevan@gmail.com>]
Sent: Wednesday, May 19, 2021 11:43 AM
To: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Subject: RE: Water Right Claim 87-4015

Hi Sandra,

I got the Preliminary Recommendation in the mail for this claim. It looks like they didn't raise the rate from .03cfs to .06cfs like we put on the amended application. Should I send back the notice of error?

I had sent you picture of the pond to show it was there in 1968. Do I need to file a separate claim application for the pond?

Thank you,
Erik Bevan

From: Thiel, Sandra [<mailto:Sandra.Thiel@idwr.idaho.gov>]
Sent: Friday, July 17, 2020 11:56 AM
To: Erik Bevan
Subject: RE: Water Right Claim 87-4015

Thank you for the pictures.

From: Erik Bevan [<mailto:erikbevan@gmail.com>]
Sent: Friday, July 17, 2020 12:09 PM
To: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Subject: RE: Water Right Claim 87-4015

Hi Sandra,

We found the attached pictures with stamped film development dates showing the pond, the hill behind it and Tomers Butte in the background. The earliest is Aug 1968 but you can see that the grass is mature around it so it was built a couple years earlier. Will these work as evidence? If so, what is the next step to file a claim for the storage rights?

Thank you,
Erik Bevan

From: Thiel, Sandra [<mailto:Sandra.Thiel@idwr.idaho.gov>]
Sent: Wednesday, July 8, 2020 1:59 PM
To: Erik Bevan
Subject: RE: Water Right Claim 87-4015

Thank you for the quick turnaround.

From: Erik Bevan [<mailto:erikbevan@gmail.com>]

Sent: Wednesday, July 8, 2020 2:17 PM
To: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Subject: RE: Water Right Claim 87-4015

Hi Sandra,

Thank you for all your help! Here is the amended claim. I know the pond was built around 1966 so I'll try to find evidence of that. I would want it on a separate claim so that we don't change the priority date of the ground water claim. Here is the signed amended ground water claim that can be filed.

Erik

From: Thiel, Sandra [<mailto:Sandra.Thiel@idwr.idaho.gov>]
Sent: Wednesday, July 8, 2020 12:24 PM
To: Erik Bevan
Subject: RE: Water Right Claim 87-4015

Hello, I looked at your claim and realized that it is for ground water and a pond. Not the Palouse River. I apologize for that.

Your claim includes storage that was not on the exiting statutory claim. I have tried to find evidence the pond existed before May 20, 1971. After that date you are required to file an application for permit for the diversion of surface water. If you can provide evidence that the pond existed earlier, you can file a second claim for stockwater storage (see the evidence pamphlet from the last email). However, if you include the domestic and stockwater on the storage claim you will receive the priority date of when the pond was constructed. The current claim has a priority date of 1900. For example if you find evidence supporting a 1969 priority date for the pond, both the stock and domestic uses will also have the 1969 priority date if they are all on one claim.

The statutory claim was for just domestic and stockwater uses. You can file the attached amended claim for those uses and 0.06 cfs. The Latah County parcel data shows a year built of 1900 for the claimed property. Based on that I believe I can recommend the claimed priority date. If you agree with the changes please sign the document and return it to me. I've also included a map showing the place of use and point of diversion. If you need to make changes you can draw them on the map. Thank you for your help with this.

From: Erik Bevan [<mailto:erikbevan@gmail.com>]
Sent: Tuesday, July 7, 2020 5:18 PM
To: Thiel, Sandra <Sandra.Thiel@idwr.idaho.gov>
Subject: RE: Water Right Claim 87-4015

Hi Sandra,

Yes, please amend the cfs to match the one my dad filed. I did this quickly and I can't remember if I looked at the rate from the previous claim.

I think we can remove the Palouse River. The pond fills partially from rain, we don't pump anything from the Palouse river.

Let me know if you need any additional information or if I need to amend the claim.

Thank you,
Erik Bevan

From: Thiel, Sandra [<mailto:Sandra.Thiel@idwr.idaho.gov>]
Sent: Tuesday, July 7, 2020 3:57 PM
To: erikbevan@gmail.com
Subject: Water Right Claim 87-4015

Good morning, I am processing your water right claim that is based on a statutory claim of the same number. In 1977, Larry Bevan filed a ground water claim for domestic and stockwater uses. That water right is 0.06 cfs. You claimed a rate 0.03 cfs. Is that correct? We can amend the claim for the higher rate if that is what you have historically diverted. I want to make sure we recommend the right amount.

The statutory claim is for ground water. On the recent claim you included the Palouse River. Typically we allow one source per claim. The recent claim also included stockwater storage, a use not on the statutory claim. Do you fill the pond from your well or from the Palouse River?

If you diverted Palouse River water to the pond before May 20, 1971, or from ground water before March 25, 1963, you may file a claim for the water. However, if diversion to the pond occurred after those dates you must file an *Application for Permit*.

The attached documents include an *Application for Permit* and the instructions, and a *Notice of Claim* for stockwater and domestic purposes.

To file a claim you need to provide evidence of priority. The attached pamphlet explains the information required to establish a priority date.

I realize this is a lot of information. If you have any questions please respond to this email or call me at the number below.

Sandra Beer Thiel

322 E Front Street PO Box 83720
Boise ID 83720-0098
208.287.4881