

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-13956
Date Received: 2/09/1990
Receipt No: S011158
Received By: AC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES ITUARTE 208-436-4325
Address: RT. 1 BOX 417
200 E. 230 S.
RUPERT, ID 83350

OR

Name: VALENTINE ITUARTE 208-436-4325
Address: RT. 1 BOX 417
200 E. 230 S.
RUPERT, ID 83350

2. Date of Priority: JAN 01, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
10S	24E	2		7	MINIDOKA

5. Description of diverting works:
WELL, PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME S/450 RANGE, 6 SHEEP

A36-13956

Page 1

Date: 02/12/90

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FEB 18 1990

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	24E	2		7	DOMEST	
				7	STOCK	

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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FEB 18 1993

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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A 36-13956
Date Received 2/9/90
Receipt Number 16

RECEIVED

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

FEB 8 - 1990

FEB 1 - 1990

Department of Water Resources
Southern Region OfficeACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Jaime Huarte Phone (208) 436 4325Mailing Address Rte 1 Box 417 Rupert Idaho Zip 833502. Date of Priority (Only one per claim) 1/1/50 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source4. Location of point of diversion is: Township 10 So. Range 24
Section 2, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot 007, BM.,
County of Minidoka

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Sandpoint well, 1 1/2" diameter, 26' deep approx. redrilled in 1979.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from 1/1 to 12/31 amount .04 (cfs)For stockwater purposes from 1/1 to 12/31 amount .12 (Both dates are inclusive)7. Total quantity claimed .16 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) One household; 450 cattle (non dairy); 6 sheepMICROFILMED
FEB 18 1993

10. Place of use is: Township: 10 S Range 24

Section 2, 1/4 of 1/4, Govt. Lot 6-7, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

X None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) x Jaime Ituarte Date 1/31/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of _____) SS. **NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed and sworn (or affirmed) before me this 31st day of January 19 90

SEAL

Notary Public Joseph A. Bryant

Residing at Barber, Idaho

My Commission Expires 6/1/92

Last Name Ituarte Ident No. _____

Copies: White-State, Yellow-Claimant

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FEB 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

FEB 2 1990

RECEIVED

FEB 8 - 1990

Department of Water Resources
Southern Region Office

Jaime Ituarte
Rt 1 Box 417
Rupert, Id 83350

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check # 149 for \$ 25 which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations. In checking your claim it appears that the following items need clarification: (Please review enclosed instructions and use enclosed form to refile claim)

[]	Item #1	Name - Address	
[]	Item #2	Priority	
[]	Item #3	Source	
[✓]	Item #4	Point of Diversion Legal Description	WHICH IT IS WELL LOCATED IN? lot 7
[]	Item #5	Description of Diversion Works	
[]	Item #6	Uses descriptions	
[]	Item #7	Total Diversion Rate	
[]	Item #8	Total Consumptive Use	
[]	Item #9	Description of Non-irrigation Uses	
[✓]	Item #10	Place of Use Legal Description	WHICH IT IS HOUSE + CATTLE LOCATED IN? lot 7
[]	Item #11	County of Place of Use	
[]	Item #12	Ownership of Property	
[]	Item #13	Other water rights for same uses	
[]	Item #14	Remarks	
[]	Item #15	Basis of Claim	
[]	Item #16	Signature & Notorization	
[]	Improper fee	(THE CORRECT FEE IS \$ <u>75</u>)	Filing Fee \$ 25 Late Fee 50 <u>\$75</u>

If you will make any necessary corrections and return the documents with the correct fee within 30 days from the date of this letter, your filing will not be assessed an additional late filing fee. Please do not hesitate to contact this office if you have any questions or concerns.

Sincerely,

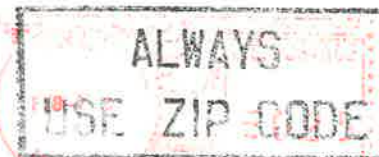


Allen Merritt, P.E.
Water Rights Supervisor

Enclosures:

MICROFILMED
FEB 18 1993

BARRUS, BYWATER & SMYSER
ATTORNEYS AT LAW
1918 OVERLAND AVENUE
P.O. BOX 487
BURLEY, IDAHO 83318



*Id. Dept. of Water Resources
2148 4th Ave East
Twin Falls, Id.
83301*

*MICROFILMED
FEB 18 1993*



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Feb. 16, 1990

Re: A36-13956

JAMES ITUARTE
RT 1 BOX 417
200 E 230 S
RUPERT ID 83350
Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

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FEB 18 1993

AJ5809NP
No. R36-13956

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAIME ITUARTE	01/01/1950	STOCKWATER	01-01 12-31	0.12 CFS	
C	VALENTINE ITUARTE RT 1 BOX 417 200 E 230 S RUPERT ID 83350 (208) 436-4325		DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.16 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R24E S02 Lot07 *NWNW*

MINIDOKA County

Lots Without 1/4 1/4 Description: STOCKWATER
10S 24E 2 07-S *NWNW*

Lots Without 1/4 1/4 Description: DOMESTIC
10S 24E 2 07-D *NWNW*

POU County: MINIDOKA

Non-Irrigation Uses: ~~DOMESTIC 1 HOUSE, STOCKWATER~~ 450 RANGE, 6 SHEEP

Other Rights: NONE

Remarks: GEN PARCEL NO. RP10S24E023020

Dates: Exam Made Date:

Verified Date: *1/1/98*

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Addit: 09/30/96 DSHAFF

grid?

RB 3/5/98

*vd orig
same/same*

*hold
to determine
Q/Q
KHC
11-19-96*

*updated

11-7-96*

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

11/13/90 01:22:00
PAGE 1

WATER RIGHT NUMBER - A36-13956

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA OLD (O) NUMBER -

+ - - - - - LAST NAME - - - - - +

+ - FIRST NAME - - +

+ - - - - - ADDRESS - - - - -

*** C - CURRENT OWNER ***
SITUARTE

JAMES

1 - RT. 1 BOX 417
2 - 200 E. 230 S.
3 -

CITY- RUPERT
PHONE - 208-436-4325

STATE- ID ZIP- 83350

ITUARTE

VALENTINE

1 - RT. 1 BOX 417
2 - 200 E. 230 S.

CITY- RUFERT
PHONE - 208-436-4325

STATE- ID ZIP- 83350

+ - - PRIORITY DATE - - +
01/01/1950

+ - - - REGION - - - +
17 ERROR IN REGION

+ - - - STAGE - - - +				+ - - - STATUS - - - - +			
J	-	BENEFICIAL	USE				

+ - - - - SOURCE - - - - +
GROUNDWATER

+ - - - - - TRIBUTARY - - - - -

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
1	2	3	4	5	6	7	8	9

10S 24E 2 7 (67) MINIDOKA

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
1	1	1	1	1	1	1

43 - DOMESTIC	01/01	12/31	0.040
04 - STOCKWATER	01/01	12/31	0.120

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.160

[illegible]

10S	24E	2	7	04	STOCKWATER	(67) MINIDOKA
10S	24E	2	7	43	DOMESTIC	(67) MINIDOKA

TOTAL ACRES:

+ - - DIVERSION MEANS - WELL, PUMP & PIPELINE

+ - - NON-IRRIGATION USE - D/1 HOME S/450 RANGE, 6 SHEEP

+ - - OTHER RIGHTS FOR SAME USE - NONE

REMARKS
NO REMARKS FOUND.

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FEB 18 1993

WATER RIGHT NUMBER - A36-13956

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.
+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.
+ - - - - DECREE PLAINTIFF - - - - + + - - - - DECREE DEFENDANT - - - - + + - DECREE DATE - +
00/00/0000
+ - - - - COMMENTS - - - - - +
NO COMMENTS FOUND
+ - - AUDIT FIELDS - 02/09/90 GIVENS
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 02/09/1990	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
CLAIMS TAPE ERROR FLG	-	RECEIPT NUMBER	- S011158	WATER DISTRICT	-
FEE EXEMPT FLAG	-	PQU OWNERSHIP FLAG	- Y	FEDERAL/STATE INDICATOR	- S
		NAME CONNECTOR	- OR	PRESUMPTION FLAG	-

RP 10S24E023020

DATA ENTRY

ENTERED 5/22/91 SW
CHECKED 2/27/92 AG

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

CERTIFIED
JAN 28 1991
WATER EXAMINER
PROOF
JAN 02 1991

VERIFIED
JAN 27 1991