

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-04374**

Date Received: 4/ 8/1988

Receipt No: S000021

Received By: _____

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

1. Name: GLEN M DAINS

Address: 1055 N 850 E

RICHFIELD ID

83349

AND/OR

Name: CHERYL K DAINS

Address: 1055 N 850 E

RICHFIELD ID

83349

2. Date of Priority: JUL 1, 1962

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	19E	7	NE	NE	SE		LINCOLN

5. Description of diverting works:

6" X 725' WELL WITH 500' OF 6" CASING WITH 3 H.P. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.070		
COMMERCIAL	01/01	12/31	0.070		
DOMESTIC	01/01	12/31	0.020		

7. Total Quantity Appropriated is:

0.070 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/VARIABLE AMT., C/DAIRY BARN

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OCT 24 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	19E	7	NE	SE		COMMER	
			NE	SE		DOMEST	
			NE	SE		STOCK	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

SHARES IN THE BIG WOOD CANAL COMPANY

14. Remarks:

WELL REDRILLED IN 1977 AND 3 H.P. PUMP INSTALLED IN 1977.
OWNERSHIP CHANGE MADE 6-23-94 BY TLB

15. Basis of Claim: STATUTORY CLAIM

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: _____

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State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DATE OF CLOSING: 1-20-94

FEB 02 1994

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) Assigned by IDWR: A37-04374

☐ Name and Address of Former Owner/Claimant(s)(Seller): Gleen M & Lorna B. Reeder

☐ New Owner/Claimant (Purchaser): Robert E. or Cheryl L. Dains

☐ New Mailing Address: 1055 N. 850 E.
Richfield Id. 83349

☐ New Telephone Number: () _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ~~no~~
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): Cheryl Lynn Dains Date 2-2-94

☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

OCT 24 1994

L-00640



WARRANTY DEED

RECEIVED

FEB 02 1994

For Value Received

Department of Water Resources
Southern Region Office

Glen M. Reeder and Lorna B. Reeder, husband and wife,

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Robert E. Dains and Cheryl L. Dains, husband and wife,

hereinafter referred to as Grantee, whose current address is

1055 North 850 East, Richfield, ID 83349

the following described premises, to-wit:

The North One-half of the Southeast Quarter lying East of Lateral
296 in Section 7, Township 4 South, Range 19 East of the Boise
Meridian, Lincoln County, Idaho.

TOGETHER with 30 shares of Big Wood Canal Company water.

157672

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <i>First American Title</i>
JAN 25 1994
at <u>33</u> minutes past <u>3 P.</u> M. recorded by <i>Nelson Jackson, Dep.</i> Fee: <u>3.00</u> Return to: <i>1st Am. By hand.</i>

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: January 20th, 1994.

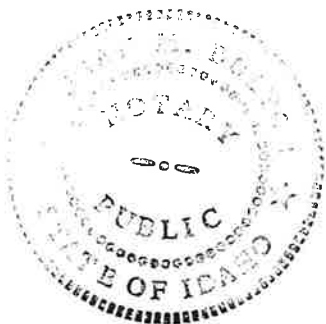
Glen M. Reeder
Glen M. Reeder

Lorna B. Reeder
Lorna B. Reeder

STATE OF IDAHO

COUNTY OF Gooding

On This 20th day of January, in the year 1994, before me, a Notary Public in and for said State, personally appeared Glen M. Reeder and Lorna B. Reeder, known or identified to me to be the persons whose names are subscribed to the within Instrument, and acknowledged to me that they executed the same.



Susan M. Bell
Notary Public for Idaho
Residing at Gooding, Idaho
Commission Expires: 10-16-98

First American Title Company of Idaho

SD-0604-2 Township: 04S Range: 19E Section: 7				Tract:		Lot:	
S	L	Water	Name	O	S	Max #	Records
E	O			W	T	Priority	Use
L	Tract	T	Right No.	Last, First	N	AC	G
							Date
							Code
							Desc
---	---	---	---	---	---	---	---
---	SWSW	4	A37-16960	US DEPT OF INTERIOR	C		J 01/01/1879
---				BLM	K		04 STOCK
---				HAUGRUD, JACK OR G GAR	A		16 WILDLF
---	SWSW	4	A37-16960	US DEPT OF INTERIOR	C		J 01/01/1879
---				BLM	K		04 STOCK
---				HAUGRUD, JACK OR G GAR	A		16 WILDLF
---	SESW		A37-17043	US DEPT OF INTERIOR	C		J 01/01/1879
---				BLM	K		04 STOCK
---				HAUGRUD, JACK OR G GAR	A		16 WILDLF
---	SESW		A37-17043	US DEPT OF INTERIOR	C		J 01/01/1879
---				BLM	K		04 STOCK
---				HAUGRUD, JACK OR G GAR	A		16 WILDLF
---	NESE		A37-04374	REEDER, GLEN M.	C		S 07/01/1962
---				REEDER, LORNA B.	C		04 STOCK
---							10 COMMER
---							43 DOMEST
---	NESE		A37-04374	REEDER, GLEN M.	C		S 07/01/1962
---							04 STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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OCT 24 1994

SD-0601-2 Last Name: REED

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
---	REEDER						
---	GLEN M.	C	A37-04374	07/01/1962	GROUNDWATER	0.070	04 STOCK 10 COMMER 43 DOMEST
---	LORNA B.	C	A37-04374	07/01/1962	GROUNDWATER	0.070	04 STOCK 10 COMMER 43 DOMEST
---	REED FARMS, INC.						
---		C	A37-11015	01/01/1978	GROUNDWATER	0.040	43 DOMEST
---	REEDY						
---	DALE	C	R37-13210	10/25/1883	GROUNDWATER	0.070	43 DOMEST 04 STOCK
---	DALE	C	R37-13211	02/19/1890	GROUNDWATER	0.060	43 DOMEST 04 STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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OCT 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

10-May-1994 09:25

GLEN & CHERYL DAINS
1055 N 850 E
RICHFIELD, ID 83349

RE: ADJUDICATION CLAIM(S): A37-04374
GLEN & LORNA REEDER

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM, WE HAVE CHANGED THE DEPARTMENT'S RECORD(S) AS YOU HAVE REQUESTED. PLEASE REVIEW THE RECORD(S) FOR ACCURACY.

SHOULD YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
RECORDS CLERK

/TLB
ENCLOSURE

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OCT 24 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-04374
Date Received: 4/08/1988
Receipt No: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLEN M. REEDER 208-487-2168
Address: 1055 N. 850 E.
RICHFIELD, ID 83349

AND/OR

Name: LORNA B. REEDER 208-487-2168
Address: 1055 N. 850 E.
RICHFIELD, ID 83349

2. Date of Priority: JUL 01, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	19E	7	NE	NE	SE		LINCOLN

5. Description of diverting works:
6" X 725' WELL WITH 500' OF 6" CASING WITH 3 H.P. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.070		
COMMERCIAL	01/01	12/31	0.070		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/VARIABLE AMT., C/DAIRY BARN

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	19E	7	NE	SE		COMMER	
			NE	SE		DOMEST	
			NE	SE		STOCK	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
SHARES IN THE BIG WOOD CANAL COMPANY

14. Remarks:
WELL REDRILLED IN 1977 AND 3 H.P. PUMP INSTALLED IN 1977.

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

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FEB 24 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: 0

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): Glen M. Beeder Date: 4/8/88
 Garna B. Beeder Date: 4-8-88

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 8 day
of April 19 88

 Loren O'Halloran
Notary Public

Seal

Residing at Twin Falls
My Commission Expires 3/21/93



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

July 5, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GLEN M DAINS
CHERYL K DAINS
PO BOX 218
RICHFIELD ID 83349-0218

8/1/02
response
-10

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #37-4374
Change of Address

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by July 23, 2002. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 60¢

U.S. POSTAL SERVICE
PS FORM 3547

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 60¢

U.S. POSTAL SERVICE
PS FORM 3547

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED



DAIN055 833492001 1102 04 06/27/02
FORM 3547
DAINS
PO BOX 218
RICHFIELD ID 83349-0218



RECEIVED
JUL - 2 2002

Department of Water Resources

CHERYL K DAINS

GLEN M DAINS
1055 N 850 E
RICHFIELD ID 83349

C10 86857

DAIN055

C10 266144

37-437

05/07/2002

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

RIGHT NUMBER: **37-4374**

NAME AND ADDRESS: GLEN M DAINS
1055 N 850 E
RICHFIELD ID 83349

CHERYL K DAINS
1055 N 850 E
RICHFIELD ID 83349

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/01/1962

POINT OF DIVERSION:

T04S R19E S7 SENESE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within LINCOLN County

T04S R19E S07 NESE

STOCKWATER Within LINCOLN County

T04S R19E S07 NESE

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

5/7/02 scu

37-4374

POU/POD Same as found in ^{STAT.} Claim file in Vault.

No Proof submitted for Commercial Uses.

= allow des Minimis P/S < 13000 gpd.

Limit
cfs >>

theo. Calc.
$$\frac{(8.8)(344)(.70)}{500 + (40 \times 2.31)} = \frac{18.48}{592.4} = \underline{\underline{0.03 \text{ cfs}}}$$

(water level @ 500' per stat. claim) (40 psi also)

IDAHO
DEPARTMENT OF WATER RESOURCES
Richmond Street, P.O. Box 83720
83720-0098

Postage Requested

RETURN SERVICE
REQUESTED

RECEIVED
FIRST CLASS

MAR 11 2002

Department of Water Resources



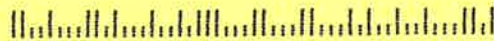
Sent COO &
COA forms
3/11/02
scv

37-4374

DAIN055

DAIN055 83349-0225 1102 06 03/08/02
RETURN TO SENDER
DAIN055
PO BOX 218
RICHFIELD ID 83349-0218
RETURN TO SENDER

83349-0218





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 4, 2002

37-4374

GLEN M DAINS
1055 N 850 E
RICHFIELD, ID 83349

Re: Evidence of Priority Date for SRBA Claim

RESPONSE DEADLINE
MARCH 29, 2002

Dear Claimant:

The Notice of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice number. If you have questions not covered by this letter or the enclosed pamphlet, please contact the office listed above.

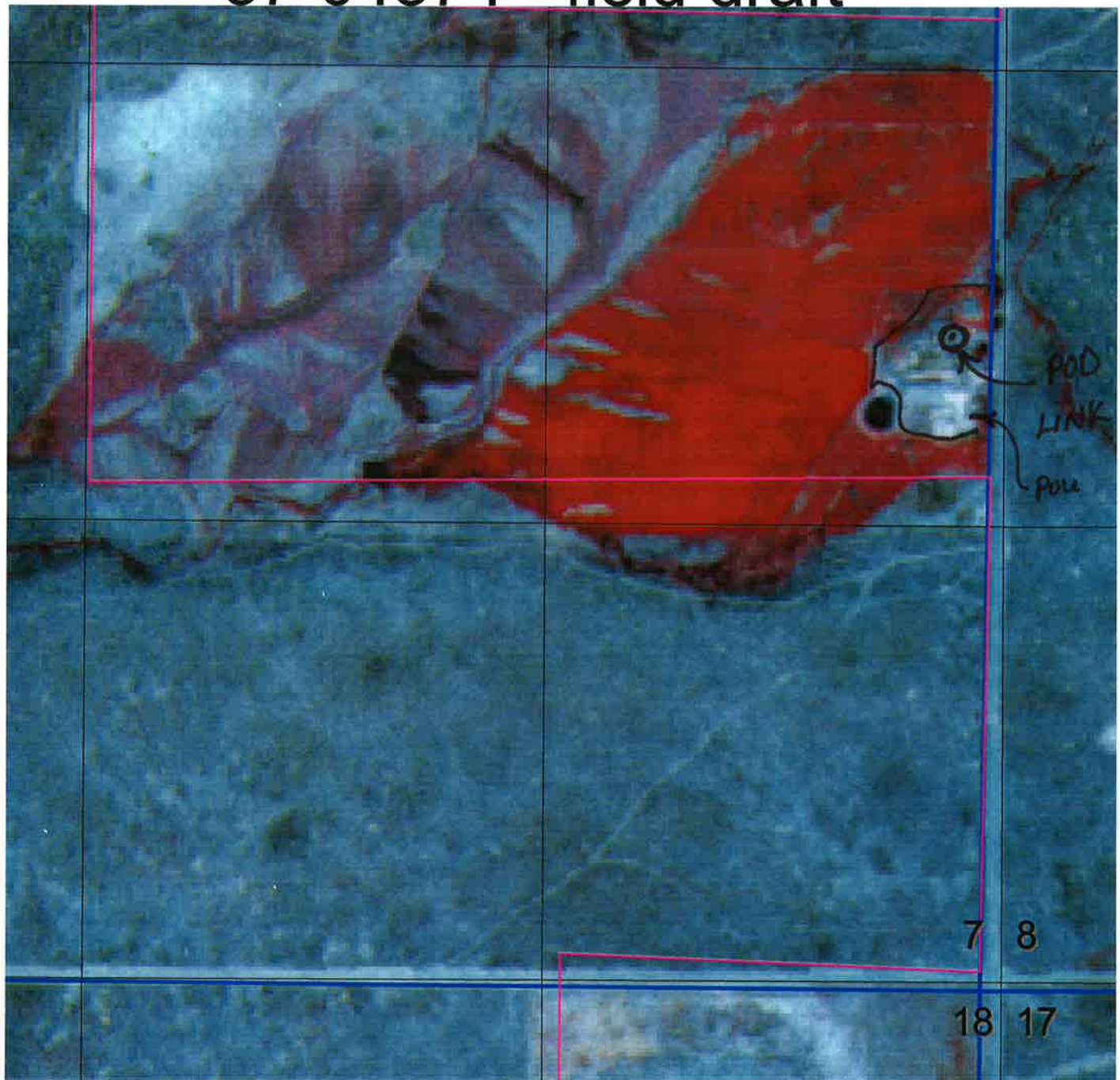
Sincerely,

Steve Clelland
Water Resource Agent, Sr.

Enclosures

IDAHO DEPT OF WATER RESOURCES

37-04374 - field draft



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 4S
RNG: 19E
SEC: 7 NESE

GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: October 31, 2001



GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-4374
DATE: 10-31-01
BY: SEC

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (3) \times (0.70)}{[(725) + (50 \times 2.31)]} = \frac{18.48}{840.5} = 0.022 \text{ cfs}$$

(@ 500' = 0.03 cfs)

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner (X)	owner ()	
area estimate ()	estimate (X)	Pump Make, Serial or ID, rating
well logs ()	owner gage ()	
Booster (Y) (N)		
REMARKS	3 HP pump	

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	CV-DV	
5/01-09/30	153	2-3	POTENTIAL = $\frac{(\dots) \times (1.98) \times (\dots)}{(\dots)}$
4/15-10/15	184	2.5-3.5	
4/01-10/31	214	3-4	POTENTIAL = $\frac{(\dots) \times (1.98) \times (\dots)}{(\dots)}$
3/01-11/30	275	VARIES	
3/15-11/15	246	VARIES	

REQUIRED Acre Feet/Acre/Annum = $\frac{(\text{AF/Ann/Ac irrigation requirement from chart for area})}{(\dots)}$
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()