

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: A37-10047
Date Received: 5/19/1988
Receipt No: 5003232
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PICABO LIVESTOCK CO., INC. 208-788-3539
Address: P. O. BOX 688
PICABO, ID 83348

AND/OR

Name: NICK PURDY

Address: PICABO, ID 83348

2. Date of Priority: JAN 01, 1910

3. Source: PICABO TOWN SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	20E	4	SW	NW	NE	2	BLAINE

5. Description of diverting works:
SPRING BOX, 2" PIPELINE TO STORAGE TANK, PIPELINES TO P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	11/15	05/15	0.020		
COMMERCIAL	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 14.50 A.F.A.

8. Total consumptive use is 14.5 Acre Feet Per Annum.

9. Non-irrigation uses:
DOM - 25 HOMES IN PICABO, 3 RANCH HOMES, STOCK/1500 RANGE.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	20E	27	NE		SW		STOCK	
			NE		SW		DOMEST	
			NE		SW		COMMER	
			NW		SW		STOCK	
			NW		SW		DOMEST	
			SW		SW		STOCK	
			SE		SW		STOCK	
			NW		SE		DOMEST	
			SW		SE		DOMEST	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

SPRING WATER IS COMINGLED WITH GROUNDWATER TO SERVE THESE USES.

14. Remarks:

CLAIMANT FURNISHES WATER TO PICABO TOWNSITE. COMMERCIAL USE IN STORE & GRAIN ELEVATOR.

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of
Quincy Lumber Co., that I have signed the foregoing
document in the space below as President of
_____ and that the statements contained in the
foregoing document are true and correct.

F. H. Pugh
Signature of Authorized Agent

President
Title and Organization

10-25-88
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of Oct. 19 88

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.

My Commission Expires 6/30/94



Idaho Department of Water Resources

SRBA Recommendation:

37-10047

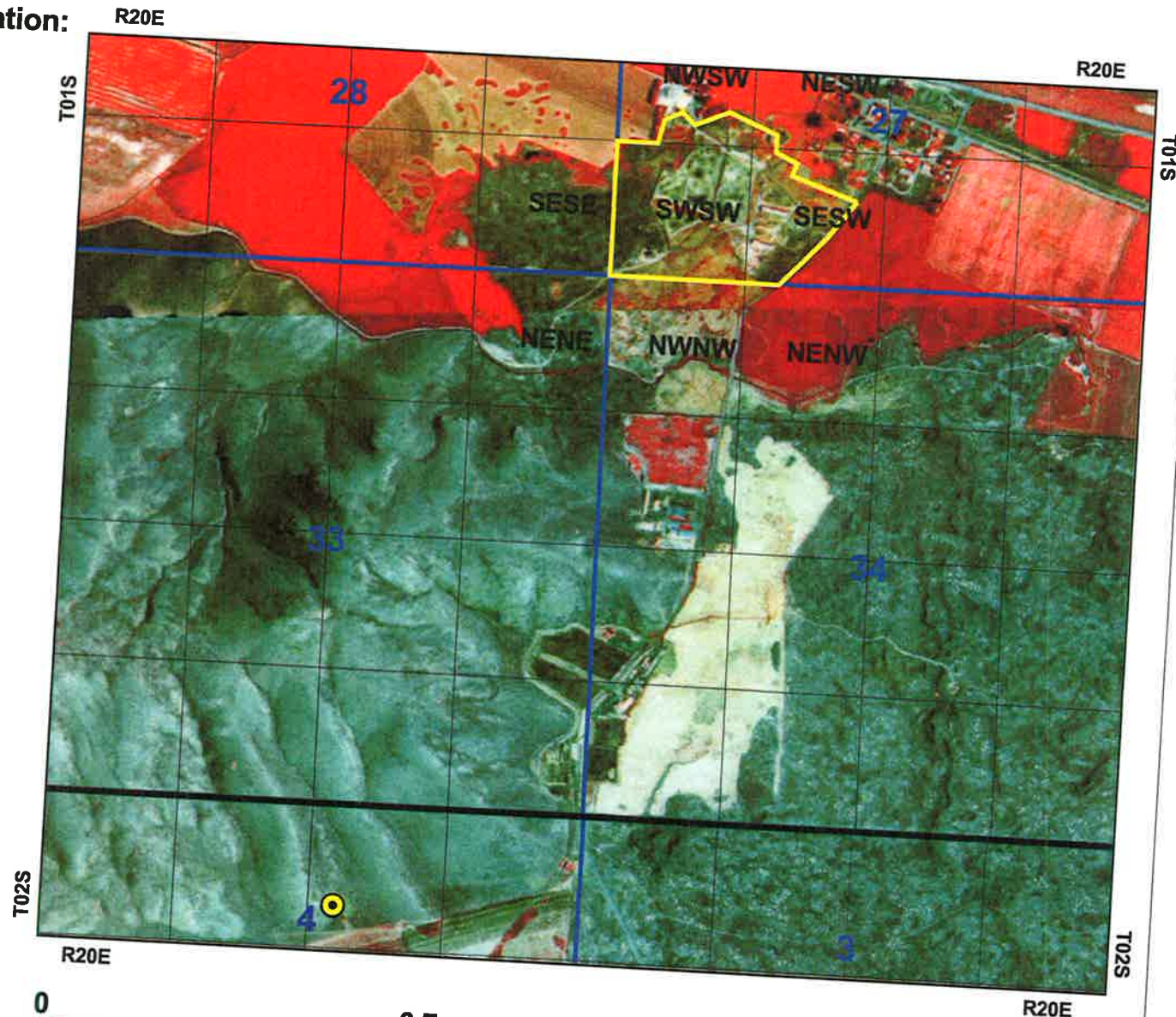
(Stockwater)

Legend

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

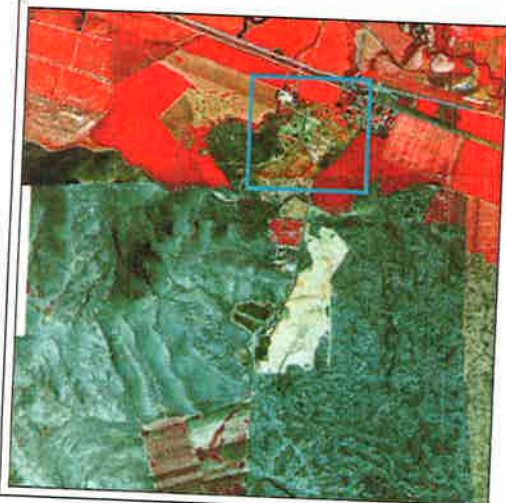
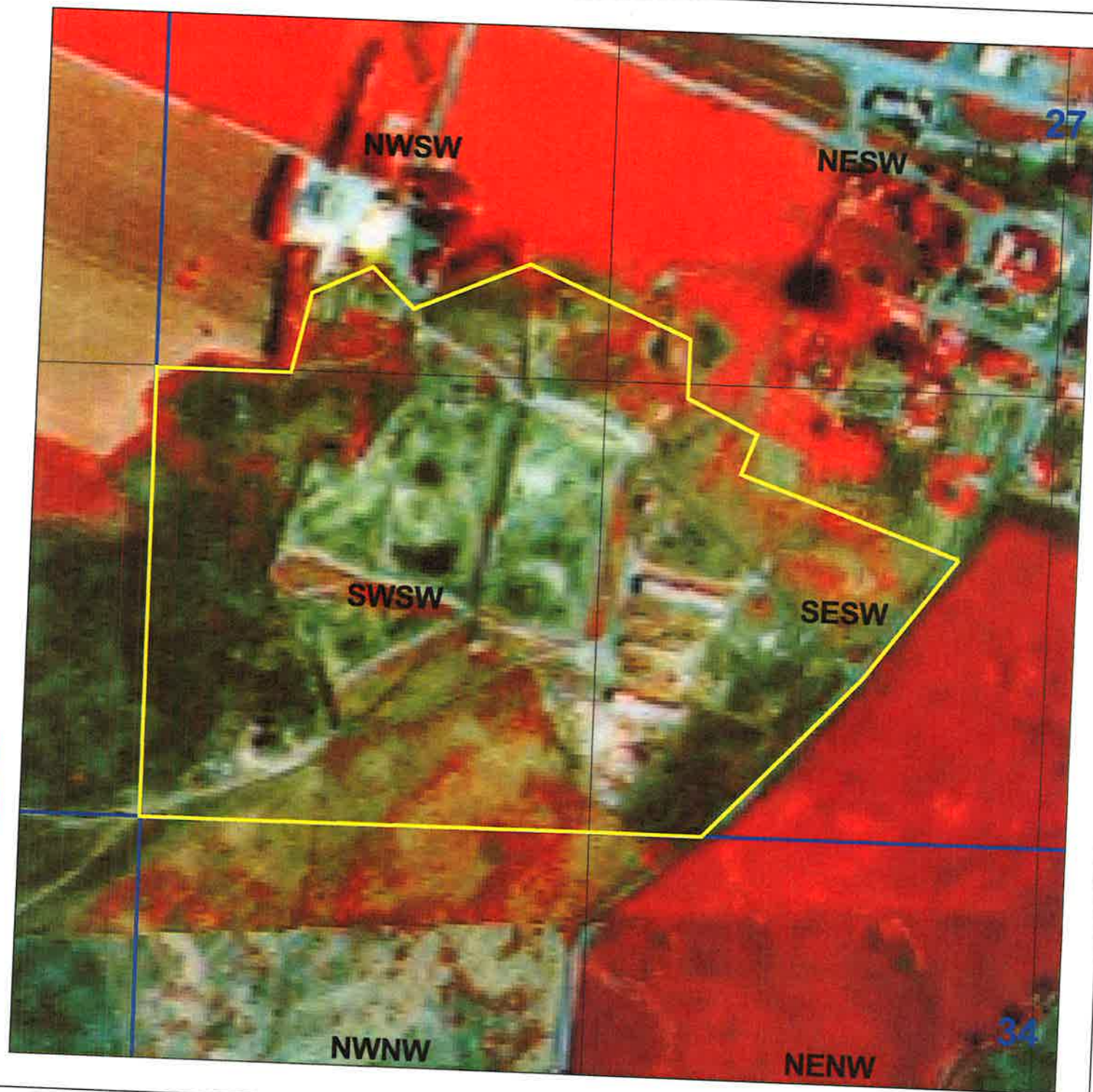


Blaine County
IDWR Basin 37



Prepared by M. Ciscell
On Wednesday, November 15, 2006
1987/88 Aerial Photography

37-10047





BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

April 26, 2005

Mr. Doug Jones
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RECEIVED
APR 28 2005
Department of Water Resources
Southern Region

Re: 37-10047 Evidence of Priority

Dear Doug:

Enclosed is a portion of a contract dated June 15, 1912 regarding construction of the Picabo water system, which includes an engineering drawing of the water tank which the spring supplied dated February 8, 1910. The contract indicates that the spring was "heretofore used" as a water supply, and references the "present line of pipe from said spring to said tank." This verbiage indicates that the line from the spring was pre-existing and that the spring had been used as a water supply prior to the date of the contract.

If you need anything further regarding this claim, please do not hesitate to contact me.

Cordially,

Charles G. Brockway, P.E.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Enc.

cc: Nick Purdy w/o enc.

RECEIVED

APR 28 2005

THIS MEMORANDUM OF AGREEMENT, Made this 18th day of June, 1912,

Department of Water Resources
Bozeman, Montana

by and between Inter-Mountain Bridge & Construction Company, a partnership consisting of O. A. Dunlap and Peter Asplund, of Tecumseh, Nebraska, First Party, and Kilpatrick Brothers Company, a Corporation duly organized under the laws of the State of Nebraska and duly authorized to transact business in the State of Idaho, Second Party:

WITNESSETH: That for the consideration hereinafter specified to be paid by second party to first party, the first party hereby agrees to furnish all material and do all the labor necessary to construct and complete in a good and workmanlike manner and to the entire satisfaction of second party a water works system at Pico, Idaho, and connections therewith, which system shall be constructed in the manner and consist of various parts hereinafter described, to-wit:

Approximately 9600 feet of 3" wire wound wooden pipe of manufacture satisfactory to second party, extending from the spring south of Pico, now and heretofore used by second party as a water supply, to the water tank hereinafter described; the trench in which is situated the second party's present line of pipe from said spring to said tank shall be excavated to a depth of at least four feet and the said new pipe installed and properly connected with said spring and said tank. First party shall excavate the second party's present line of pipe extending from said water tank, for a distance of approximately 3500 feet by the ranch house and extending down to and beyond second party's store at the station of Pico, Idaho, an approximate distance of 3500 feet; said excavation to be made to a depth of five feet and new 6" wire wound wooden pipe, of manufacture satisfactory to second party, installed in bottom of the trench, so excavated and properly connected with said tank hereinafter described and proper connections made from said pipe with all points where water is being used at present upon property of second party. The present line of pipe shall be removed from all of the trench so excavated, but said work of removal shall be carried on in such manner and in such relation to the installing of new pipe that the supply of water to the points at which the same is now used on second party's ranch and at Pico, shall be in no wise interrupted. The material refilled into said trench in the immediate proximity of the said pipe shall be carefully tamped and the remainder of the material from such trench refilled satisfactorily to second party.

Education 9/11





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

RESPONSE DEADLINE
JUNE 17, 2005

Re: Evidence of Priority

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label 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, in the coming year, 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 required 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 may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

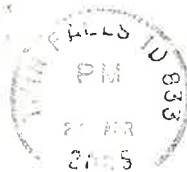
Enclosures



WAY
RING

ORTH
GTON
ITE 4

ALLS,
3301



Mr. Doug Jones
ID Dept of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

83301X2392 C01A

