

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 37-13301
Date Received: 11/24/1989
Receipt No: S010532
Received By:

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

1. Name of Claimant(s)

DANNY VAN HORN
PO BOX 345
FAIRFIELD ID USA 83327-0345

Phone: (208)764-2139

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID USA 83327-0345

Phone: (208)764-2139

2. Date of Priority: 08/01/1986

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01N	13E	29	SW	SE	NE	CAMAS	

5. Description of diverting works:

WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.33	

7. Total Quantity Appropriated is:
0.33 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
01N	13E	29	SE	NE	STOCKWATER	

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

CATTLE DRINK FROM CORRAL CREEK, LANSING CREEK AND THIS WELL ON A ROTATION BASIS.

15. Basis of Claim: Beneficial Use

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: A37-13301
Date Received: 11/08/1989
Receipt No: 5010532
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JON MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD, ID 83327

AND/OR

Name: LANA MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD, ID 83327

2. Date of Priority: AUG 01, 1986

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	29	SW	SE	NE		CAMAS

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.330		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 RANGE STOCK

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	13E	29	SE NE		STOCK	

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

CORRAL CREEK & LANSING CREEK WATER

14. Remarks:

CATTLE DRINK FROM CORRAL CREEK, LANSING CREEK AND THIS WELL
ON A ROTATION BASIS.

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):

John Mellen

Date: 11-22-89

Date: _____

State of Idaho

County of

tf

)
) SS.
)

Subscribed and sworn (or affirmed) before me this 22nd day

of Nov 19 89

Lon White
Notary Public

Seal

Residing at

tf

My Commission Expires

5/94

11/1/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 11/21/2006

Water right number: 37-13301

Danny Van Horn
PO Box 345
Fairfield, Id. 83327-0345
Telephone Number: (208) 764-2139

Valerie Van Horn
PO Box 345
Fairfield, Id. 83327-0345
Telephone Number: (208) 764-2139

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source) :

Place of use amounts, source, points of diversion changes, & diversion rate reductions.

2. Describe the changes you wish to make in the proposed recommendation:

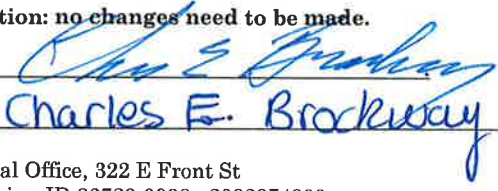
Current POU recommended, relocated & rename points of diversion, correct diversion rates

3. Give a brief explanation as to why you disagree with these portions:

Preliminary review indicates many components of the recommendation are incorrect, see note below.

 I AGREE with this proposed recommendation: ~~no changes need to be made.~~

DATE: 12/12/06

SIGNATURE: 

Please print your name: Charles E. Brockway

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

The preliminary recommendation for which this Notice of Error is submitted is dated November 6, 2006, and requires a reply by November 21, 2006. Due to extremely short period for review and reply, and the considerable number of related preliminary recommendations currently under review by our firm, the undersigned must categorically object to, and disagree with, any and all portions of the recommendation which may be contrary to, or inconsistent with, the claim which has been filed for the above-referenced water right.

09/12/2006

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

RIGHT NUMBER: 37-13301
NAME AND ADDRESS: DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.230 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.
PRIORITY DATE: 08/01/1986
POINT OF DIVERSION:

T01N R13E S29 NWNESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.230 CFS

PLACE OF USE: STOCKWATER Within CAMAS County
T01N R13E S29 NESE

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

Adjudication Claim Notes

Claim(s): 37-13301

Background Data

- Beneficial Use Claim
- Source is Groundwater
- Claimed 0.33 cfs for Stockwater

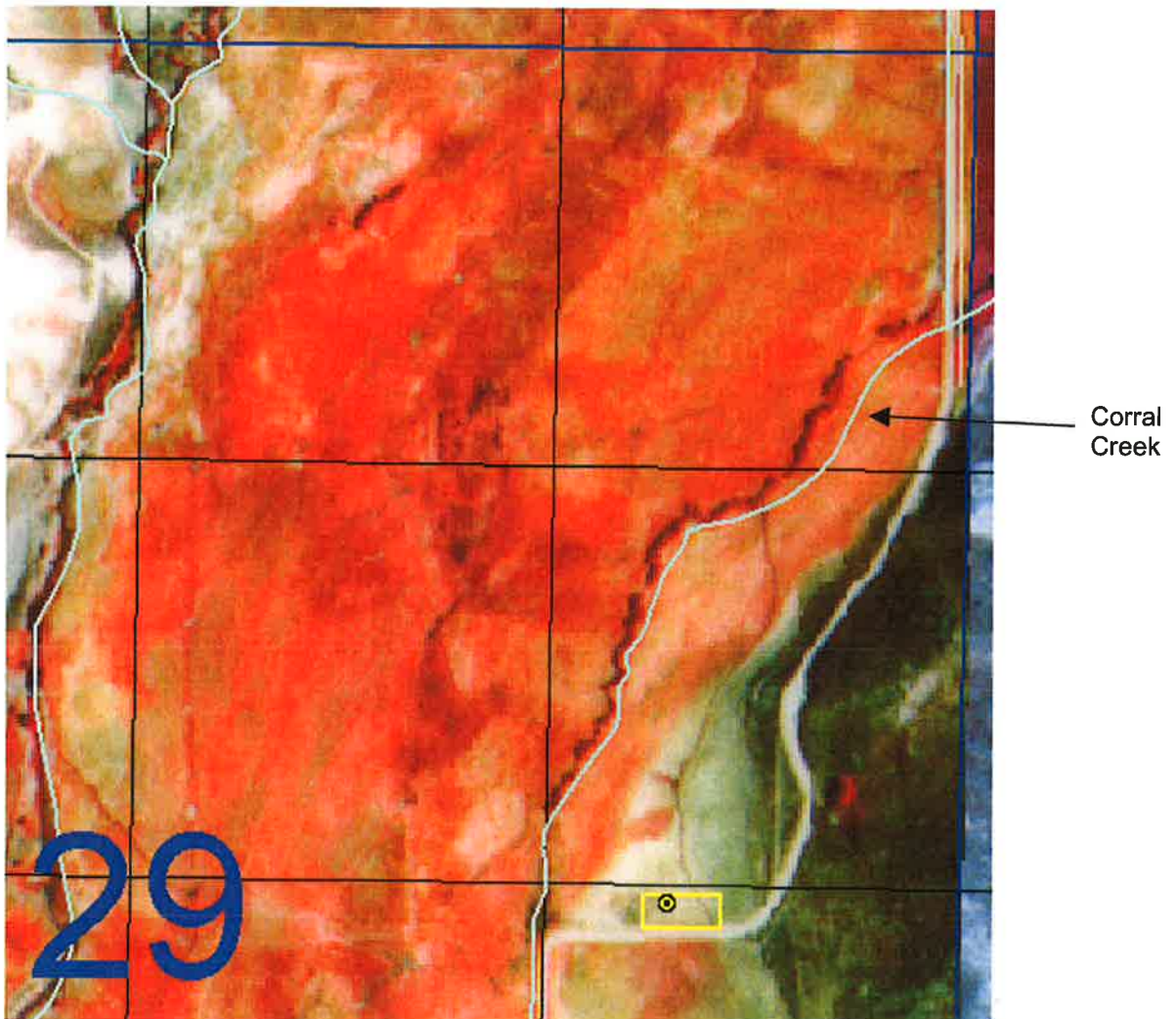
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



Notes

T1N R13E Section 29

- POD location identified by Chuck Brockway Sr. 3/14/06 during office visit.
- Claim filed as diminimus (\$25 fee) for 0.33 cfs for Stockwater. The maximum diversion rate for a diminimus stockwater claim is 0.23 cfs and a volume limit of 13,000 gal/day. If a larger diversion rate is desired, the claimant needs to file for a permit since the claimed priority date is 8/1/1986.
- Data used for review: 1987 & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

AJ0749NP
No. R37-13301

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/19/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JON MELLEN	08/01/1986	STOCKWATER	01-01 12-31	0.33 CFS	
C	LANA MELLEN RT 1 BOX 2015 FAIRFIELD ID 83327 (208) 764-2365					
TOTAL DIVERSION:					0.33 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T01N R13E S29 SWSENE

CAMAS County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
01N	13E	29	:					S	:									:	

POU County: CAMAS

Other Rights: CORRAL CREEK & LANSING CREEK WATER

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER, 1500 RANGE STOCK
PARCEL NOS. RP01N13E290105 AND RP01N13E292401

Dates: Exam Made Date: Verified Date: 10/19/1998 Objection Filed Date:

Misc: Water District Number: 37A Field Inspection Flag:
Presumption Flag:

Comments: Date: 10/19/1998 User-ID: DSMITH Subject: COPIED FROM REMARKS
CATTLE DRINK FROM CORRAL CREEK, LANSING CREEK AND THIS WELL
ON A ROTATION BASIS.

Audit: 10/19/98 DSMITH

5010532
\$2500
fee
Hold?
on dis
rate
KRC
2-11-99

AJ5856NP

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

DATE: SEP-5-1997

PAGE: A-67

RIGHT NUMBER: 37-13301

NAME & ADDRESS: JON MELLEN
~~JANA MELLEN~~
RT 1 BOX 2015
FAIRFIELD ID 83327

Carl + Janice Key

SOURCE: GROUNDWATER

QUANTITY: 0.33 CFS

PRIORITY DATE: 08/01/1986

POINT OF DIVERSION: T01N R13E S29 SWSENE Within CAMAS County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER S/1500 RANGE STOCK	01-01 12-31	0.33 CFS

PLACE OF USE: STOCKWATER Within CAMAS County
T01N R13E S29 SENE

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

CATTLE DRINK FROM CORRAL CREEK, LANSING CREEK AND THIS WELL
ON A ROTATION BASIS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP01N13E290105
RP01N13E292401

Verified by *Dad* Date: *9/7/98*
Verification Source: *G18*



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

September 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CARL & JANINE REY
RR1 BOX 2015
CORAL ID 83322

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right Nos. A37-13047, A37-13288, A37-13289,
A37-13292, & A37-13301

Dear Claimant:

We have been advised you may be the current owner of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please follow the instructions on the back of the form and return to my attention at this office by October 2, 1998.

Please call this office toll-free at 1-800-451-4129 if you have any questions.

Yours truly,

Danni M. Smith
SRBA Sr. Secretary

cc: Regional office

Enclosures: Form 42-248/42-1409(6)

Copy of Nos. A37-13047, A37-13288, A37-13289,
A37-13292, & A37-13301 water right filings

*10/19/98
no response
Raf*

WATER RIGHT NUMBER - A37-13302

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - 00/00/0000

+ - - AUDIT FIELDS - 11/09/89 WHITE

+-----COMMENTS-----
NO COMMENTS FOUND

+ - - - - - 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	-		QLO CASE NUMBER	-	
RESPONSE FILED DATE	-	00/00/0000	VERIFIED DATE	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	11/24/1989	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	37A
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	S010532	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		PDU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-	AND/OR	NOTICE OF ERROR FLAG	-	

RP01N13E 320600 T

DATA ENTRY
ENTERED 10-31-93 *RS*
CHECKED 2/4/94 *040*

"Verified By:"
 Town Clerk/City Clerk
 AGCS Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 DNR Records

VERIFIED
FEB 16 1992

CERTIFIED
FEB 7 1992
WATER EXAMINER