

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: **A37-19816**
Date Received: 10/14/1994
Receipt No: S017470
Received By: O/C AB

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

1. Name: JAMES EAVENSON 208-886-2228
Address: PO BOX 798
SHOSHONE ID 83352
AND/OR
Name: DELEAH EAVENSON 208-886-2228
Address: PO BOX 798
SHOSHONE ID 83352

2. Date of Priority: DEC 31, 1923

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	18E	12	SW	SE	SW		LINCOLN

5. Description of diverting works:
8" X 400' WELL ORIGINALLY 5 HP PUMP BUT NOW 1 1/2 HP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.150		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER/ 150 BEEF CATTLE; DOMESTIC/ 1 HOUSEHOLD CONNECTION

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NOV 29 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	18E	12	NE	SW		STOCK	
			NW	SW		STOCK	
			NW	SW		DOMEST	
			SW	SW		STOCK	
			SE	SW		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:
NONE

14. Remarks:

CLAIM A37-10492 IS OUT OF THIS SAME WELL BUT CLAIMED IN THE WRONG LOCATION. THEY HAVE 10% OWNERSHIP OF THE WELL. I HAVE THE REMAINING 90% OWNERSHIP IN THE WELL. THE WELL IS PHYSICALLY LOCATED ON MY PROPERTY. THE DOMESTIC USE IS FOR A CABIN. THE WELL IS LOCATED ON LOT 17, BLK 3 OF DIETRICH WEST SUBDIVISION WHICH IS APPROXIMATELY 1 1/2 ACRES IN SIZE BUT THE PLACE OF USE COVERS OTHER LAND OWNED BY ME.

OWNERSHIP CHANGE MADE 6/2/95 BY TLB.

15. Basis of Claim: BENEFICIAL USE

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JUNE 22, 1995

JAMES & DELEAH EAVENSON
PO BOX 798
SHOSHONE, ID 83352

RE: SRBA CLAIM A37-19816
HOLLIBAUGH

DEAR CLAIMANTS:

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

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

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

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NOV 29 1996



First American Title Company

P.O. BOX 446, 342 MAIN STREET, GOODING, IDAHO 83330
TELEPHONE (208) 934-4427

RECEIVED

MAR 01 1995

Department of Water Resources
Southern Region

Date: February 14, 1995
TO: James and DeLeah Eavenson
RE: Transfer of Water Rights

Dear Mr. and Mrs. Eavenson;

Please find attached a Notice of Change of Water Right Ownership form and a copy of your Warranty Deed. Please take to the Water Resource Board at 222 Shoshone Street East, Twin Falls and have recorded.

If you have any questions, please do not hesitate to contact our office at 1-800-757-4427.

Thank you for your business.

Sincerely,

FIRST AMERICAN TITLE

Wanda Cheatum

Wanda Cheatum

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NOV 29 1996

RECEIVED

MAR 01 1995



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

Department of Water Resources
Southern Region

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
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: A37-19816
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Clair L. Hollibaugh & Crystal D. Hollibaugh
P.O. Box 383, Dietrich, ID 83324
- ☐ New Owner/Claimant (Purchaser): JAMES AND DELEAH EADENSON
P.O. Box 798 Shoshone, ID 83352
- ☐ New Mailing Address: _____
- ☐ New Telephone Number: (208) 886-2228 (work)
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: Copy of 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): James Eadenson Date Jan 31, 95
Deleah Eadenson Date Jan 31, 95
- ☐ Signature of Former Owner/Claimant(s): Clair L. Hollibaugh Date JAN. 31, 95
Crystal D. Hollibaugh Date 1-31-95

(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: 6/22/95 By: HB

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

L-00747 E002456



WARRANTY DEED

For Value Received

Clair L. Hollibaugh and Crystal D. Hollibaugh, husband and wife,
hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

James Eavenson and DeLeah Eavenson, husband and wife,
hereinafter referred to as Grantee, whose current address is

P.O. Box 798, Shoshone, ID 83352

the following described premises, to-wit:

Lot 17 in Block 3 of DIETRICH WEST DIVISION NO. 1, Lincoln County,
Idaho, according to the plat thereof, recorded in the Office of the
County Recorder of said County.

EXCEPTING THEREFROM the West 20 feet of the South 136.30 feet.

TOGETHER with 1/2 share of Big Wood Canal Company water.

RECEIVED

MAR 01 1995

Department of Water Resources
Southern Region

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 31, 1995.

Clair L. Hollibaugh
Clair L. Hollibaugh

Crystal D. Hollibaugh
Crystal D. Hollibaugh

STATE OF IDAHO

COUNTY OF Lincoln

On This 31st day of January, in the year 1995, before me, a Notary Public
in and for said State, personally appeared Clair L. Hollibaugh and Crystal D.
Hollibaugh, 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.

158985

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
First American Title
FEB - 1 1995
at 5:3 minutes past 11 M
recorded by Nelson Jackson, Dep.
Fee: 3.00 Return to: 1st Am.
By hand.

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



First American Title Company of Idaho

L-00747 E002456



WARRANTY DEED

For Value Received

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warrant and defend the same from all claims whatsoever.

Dated: January 31, 1995.

Clair L. Hollibaugh
Clair L. Hollibaugh

Crystal D. Hollibaugh
Crystal D. Hollibaugh

STATE OF IDAHO

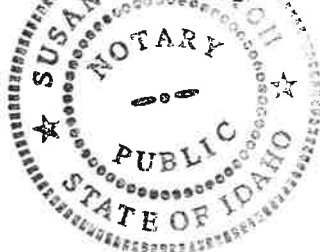
COUNTY OF Lincoln

On This 31st day of January, in the year 1995, before me, a Notary Public
in and for said State, personally appeared Clair L. Hollibaugh and Crystal D.
Hollibaugh, 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.

158985

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
First American Title
FEB - 1 1995
at 53 minutes past 11th M
recorded by Nelson Jackson, Dep.
Fee: 3.00 Return to: 1st Am.
By hand.

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



First American Title Company of Idaho

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: **A37-19816**
Date Received: 10/14/1994
Receipt No: S017470
Received By: Adm

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

1. Name: CLAIR L HOLLIBAUGH 208-544-2917
Address: PO BOX 383
DIETRICH ID 83324
AND/OR
Name: CRYSTAL D HOLLIBAUGH 208-544-2917
Address: PO BOX 383
DIETRICH ID 83324

2. Date of Priority: DEC 31, 1923

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	18E	12	SW	SE	SW		LINCOLN

5. Description of diverting works:
8" X 400' WELL ORIGINALLY 5 HP PUMP BUT NOW 1 1/2 HP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.150		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER/ 150 BEEF CATTLE; DOMESTIC/ 1 HOUSEHOLD CONNECTION

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	18E	12	NE	SW		STOCK	
			NW	SW		STOCK	
			NW	SW		DOMEST	
			SW	SW		STOCK	
			SE	SW		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:
NONE

14. Remarks:

CLAIM A37-10492 IS OUT OF THIS SAME WELL BUT CLAIMED IN THE WRONG LOCATION. THEY HAVE 10% OWNERSHIP OF THE WELL. I HAVE THE REMAINING 90% OWNERSHIP IN THE WELL. THE WELL IS PHYSICALLY LOCATED ON MY PROPERTY. THE DOMESTIC USE IS FOR A CABIN. THE WELL IS LOCATED ON LOT 17, BLK 3 OF DIETRICH WEST SUBDIVISION WHICH IS APPROXIMATELY 1 1/2 ACRES IN SIZE BUT THE PLACE OF USE COVERS OTHER LAND OWNED BY ME.

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.

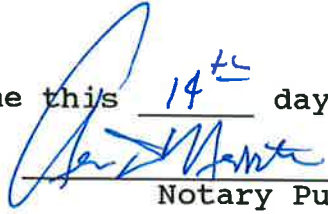
Signature of Claimant(s): Carla Schuman Date: 10-14-94

Date: _____

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State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of Oct 19 99

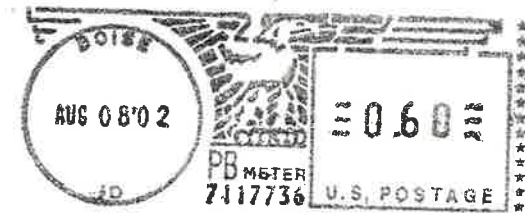

Notary Public

Seal

Residing at 6/30/2000 Kimberly, ID
My Commission Expires 6/30/2000

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NOV 29 1996

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



ATTEMPTED
NOT KNOWN

37-19816

DELEAH EAVENSON

JAMES EAVENSON
PO BOX 798
SHOSHONE ID 83352

RECEIVED
AUG 14 2002

Department of Water Resources



RETURNED
TO SENDER
ATTEMPTED
NOT KNOWN

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

RIGHT NUMBER: 37-19816

NAME AND ADDRESS: DELEAH EAVENSON
PO BOX 798
SHOSHONE ID 83352

JAMES EAVENSON
PO BOX 798
SHOSHONE ID 83352

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS

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

PRIORITY DATE: 12/31/1923

POINT OF
DIVERSION: T06S R18E S12 SESWSW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.060 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County

T06S R18E S12 SWSW

DOMESTIC Within LINCOLN County

T06S R18E S12 SWSW

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

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: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP D0100003004A STOCKWATER 150 BEEF CATTLE
PROPERTY ALSO KNOWN AS LOT 17 BLK 3 DIETRICH WEST SUB



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RE: Water Rights in Reporting Area 16, Basin 37
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your Ground Water right(s) in Basin 37 for portions of the Big Wood River and Little Wood River drainage basins. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note that you have until October 11, 2002 in which to review your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Gooding, Shoshone, Mountain Home, Fairfield, and Hailey, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed around the end of this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

NOTICE OF FILING OF DIRECTOR'S REPORT FOR IDWR REPORTING BASIN 37, PART I GROUND WATER FOR IRRIGATION AND OTHER WATER RIGHTS

The Director of the Idaho Department of Water Resources (IDWR) has filed with the Snake River Basin Adjudication (SRBA) District Court the Director's Report for irrigation and other water rights in IDWR Basin 37, Part I Ground Water. A map of the area covered by this Director's Report is attached to this Notice. This Director's Report contains the Director's recommendation to the SRBA court as to how each of your claimed ground water rights should be decreed in the SRBA.

This Director's Report encompasses the portion of IDWR's Administrative Basin 37 that is also within the Eastern Snake Plain Aquifer. Only those claims that list "Ground Water" as a source within this boundary are being reported in this Director's Report. This portion of Basin 37 is generally the Big Wood River Basin below Magic Reservoir, and the Little Wood River Basin from the Carey area downstream to the confluence with the Big Wood River and the Malad River to the Snake River.

This Director's Report includes claims for irrigation and other uses, including some small domestic and stock water uses. The Director's Report for most small domestic and stockwater rights for IDWR Basin 37 was sent to the SRBA court and individual water users on March 5, 1999. Some small domestic and stockwater claims were withheld from the earlier report. If a claim for small domestic and stockwater was withheld from the 1999 report, it is reported in this Director's Report.

Included with this Notice is the Director's recommendation for your water rights claimed in the SRBA not previously recommended in the small domestic and stockwater report. IDWR is providing individual reports like this one to all claimants of irrigation and other water rights in your area. A complete copy of the Director's Report, listing all of these irrigation and other rights claimed under state law and "dual based" claims by the federal government, is available at the SRBA courthouse in Twin Falls and the locations listed on the third and fourth pages of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

Finally, recommendations for surface water rights for the entirety of Basin 31 and the remaining portion of Basin 37 ground water rights will be reported in the future. You may need to review the Director's Report for subsequent parts of Basin 37. Claims in which you have an interest may be reported in other parts of the Basin 37 Director's Reports. However you will not receive any Notice of those reports unless you have water right claims that are reported in those subsequent parts. If you want to review someone else's water right you need to look at the complete Director's Report, which will be available at the SRBA courthouse in Twin Falls and other locations listed on the third and fourth page of this notice.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The description of your right, which is enclosed, is only the Director's recommendation to the SRBA Court on your water right. The Court will decide how it will decree your water right. You are free to agree or disagree with the Director's recommendation. If you agree with the

Director's recommendation you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR REVIEWING THE WATER RIGHTS OF OTHERS

The complete Director's Report contains recommendations to the SRBA Court on your water right and all other irrigation and other rights in your area. The Court will decide how it will decree all water rights. The Director's recommendations in the full report are listed in two sections of the report:

- 1) **List of Recommended Water Rights --** Water right recommendations are listed numerically by water right number.
- 2) **List of Claims Recommended to Be Disallowed --** Water rights recommended to be disallowed are listed numerically by water right number. A short statement of the reason for IDWR's recommendation for disallowance is provided.

Also included in the complete Director's Report are descriptions of the United States' claims under federal law that has also been claimed under a state law basis. These are called "dual based" claims. The Director does not investigate the federal portion of these claims and makes no recommendation whether they should be granted or not.

If you want to review someone else's water right you need to look at the complete Director's Report, which is available at the SRBA courthouse in Twin Falls and the locations listed on the third page of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

INSTRUCTIONS FOR TAKING A WATER RIGHT CLAIM TO COURT

What do I do if I disagree with a recommendation?

If you disagree with any element of the recommendation for your water right or anyone else's water right and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form available from any IDWR office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at www.srba.state.id.us.

Your objection must be **received** by the SRBA Court on or before **October 11, 2002**.

What do I do if someone else objects to my water right recommendation?

If someone files an objection to your water right, or anyone else's water right, you may file a response to that objection. Responses to objections must be made on the standard response form available from any IDWR office or from the SRBA Court. You may also download a copy of the response form from the SRBA Web Site at www.srba.state.id.us.

Your response must be **received** by the SRBA Court on or before **December 10, 2002**.

What do I do if I want to participate in the court case on someone else's water right?

If you want to be involved in the court case on any water right in the Director's Report, you must file either an objection or a response by the dates listed above.

What happens if there are no objections to a water right?

After the deadline for filing objections, IDWR will file a list of all water right recommendations with no objections. The SRBA Court will hear the uncontested recommendations on **December 11, 2002**, at **1:30 P.M.** at the **SRBA Courthouse**. Partial decrees will be issued following this hearing.

How will I know about the proceedings on water right recommendations to which objections were filed?

A notice will be mailed to you for court dates on your water right or for those where you filed an objection or a response. You will not receive notice of court dates on any other water right recommendations.

Additional information regarding water right claims can be found on the SRBA Web Site at www.srba.state.id.us.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA.

The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE SRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. Failure to notify IDWR may result in the loss of your water rights.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are available at the IDWR Southern Region office in Twin Falls. You are also welcome to call IDWR at any of its offices or the SRBA Court. You may also want to consider contacting an attorney to assist you.

**Snake River Basin Adjudication
District Court**
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011

Idaho Department of Water Resources
1301 North Orchard
Box 83720
Boise, Idaho 83720-0098
(208) 327-7906
(800) 451-4129

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 765-1450

Idaho Department of Water Resources
Southern Region
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380
(208) 736-3033

Idaho Department of Water Resources
Eastern Region
900 North Skyline, Suite A
Idaho Falls, Idaho 83402-3653
(208) 525-7161

Gooding County Courthouse
624 Main St.
Gooding, ID 83330

Lincoln County Courthouse
111 W. B St.
Shoshone, ID 83467

Blaine County Courthouse
1st & Croy St.
Hailey, ID 83333

Elmore County Courthouse
150 S. 4th E.
Mountain Home, ID 83647

Camas County Courthouse
501 Soldier Road
Fairfield, ID 83327

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 33.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in their records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "groundwater," "unnamed spring," "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

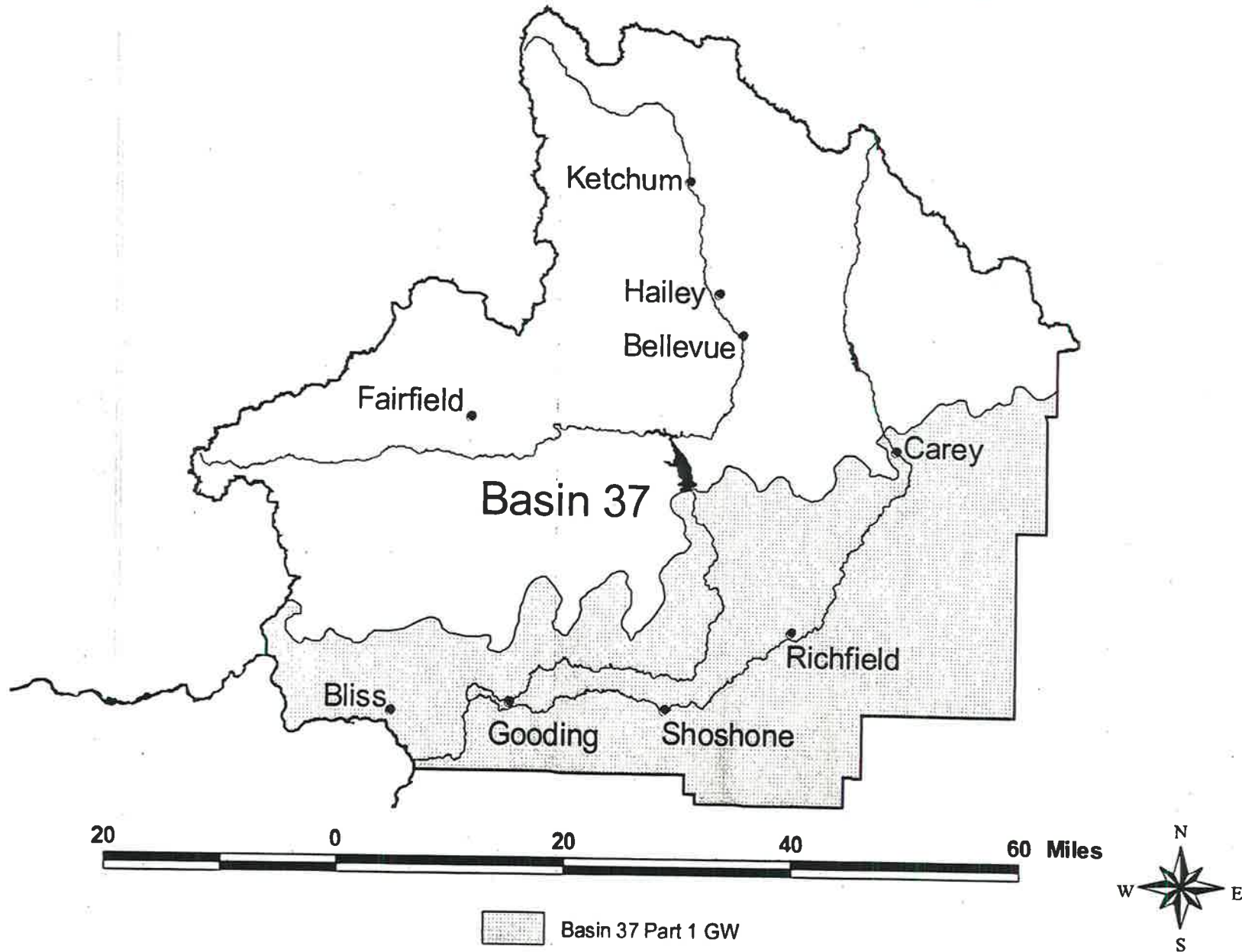
PRIORITY DATE: The date used to determine the priority of your right in relation to other rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, and stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your right.

Basin 37 Part 1 Ground Water



PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, permit.

DUAL BASED CLAIMS: In some cases, the federal government has claimed one right under two theories: a state basis and a federal law basis. Both theories will be reported on one form for that single water right. In most cases, the priority dates are different and will be listed separately. The federal law basis is separately indicated by a remark under the priority date that reads:

* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. *

THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW WITH AN APRIL 17, 1926, DATE OF PRIORITY
PURSUANT TO AN EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC WATER RESERVE 107.

IDWR does not investigate or make recommendations regarding federal law based claims.



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

June 24, 2002

To Ground Water Users of Basin 37 Part 1:

Please find enclosed the Preliminary Director's Report for your water right claims in the Snake River Basin Adjudication. This is an important opportunity to review the Idaho Department of Water Resources' (IDWR) conclusions regarding your water rights, resolve errors, and have questions answered **before** the report is finalized for the SRBA Court.

CONTENTS OF THIS MAILING:

- ❖ Preliminary Director's Report Instructions (blue page, front and back)
- ❖ Letter From Karl Dreher, Director of IDWR
- ❖ **Your Water Right Recommendation(s) & Map(s)** with Notice of Error form(s)
- ❖ General Map of Basin 37 Part 1 Ground Water, for vicinity reference
- ❖ Letter from the Presiding Judge, Snake River Basin Adjudication Court

Please join us for an informational presentation at **1:30 pm on July 8th, at Gooding County Extension Office, 203 Lucy Lane, at the Gooding County Fairgrounds**. If you miss the informational meeting or need additional assistance then give us a call to set up an appointment.

Sincerely,

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau
Idaho Department of Water Resources

(Instructions on the back)

HOW TO REVIEW YOUR WATER RIGHT:

- ❖ Examine the water right print out and map carefully.
- ❖ Look for errors in spelling, names, and addresses on the water right print out.
- ❖ Look for differences between what IDWR proposes to recommend and what you think your water right should be. Complete the Notice of Error form(s) as instructed below if you disagree – or even if you agree!
- ❖ If you no longer own the property represented in the water right please forward this mailing to the new owner or contact IDWR-Southern Region Office, Adjudication Unit, (208) 736-3033.
- ❖ If your address has changed correct the information on the Notice of Error form, sign it and return to IDWR. Or you may write a letter, signed by the claimant of record, describe the address change, and list the water rights involved.

NOTICE OF ERROR INSTRUCTIONS:

- ❖ Please review the preliminary recommendation carefully. Your name, water right number and address have been pre-printed on this reply for your convenience. Check to be sure that the pre-printed information on this form is accurate.
- ❖ Please fill in your daytime and evening telephone numbers.
- ❖ If there is any portion of the preliminary recommendation that is inaccurate, or with which you disagree, please complete items number 1, 2 and 3 on the reply, sign where indicated, and return the reply in the envelope provided. This reply must be mailed before **July 23, 2002**. If IDWR has questions about the information included in your reply, a staff member will be in contact with you to set up an appointment. You may also return the reply in person at the public meeting on **July 8, 2002, at 1:30 p.m. in the Conference Room in the Gooding County Extension Office at the Gooding County Fairgrounds, Gooding, Idaho.**
- ❖ Please indicate on the form if you agree with the proposed recommendation and return it to us. Feel free to write down questions, even if you agree, and we will strive to respond in a timely manner.
- ❖ If you have questions or do not understand this process, please call the Adjudication hotline toll free number: **1-800-451-4129**.

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

ADDRESS SERVICE
REQUESTED



RETURNED
TO SENDER
NOT DELIVERABLE
AS ADDRESSED -
UNABLE TO FORWARD

RECEIVED
JUL 24 2002
Department of Water Resources

Not at this
P.O. Box

DELEAH R. EVENSON

JAMES EVENSON
PO BOX 98
SHOONE ID

37-19816



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 24, 2002

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) for Ground Water in the Snake River Basin Adjudication (SRBA). We have enclosed a printout showing our preliminary recommendation for reporting your claim(s) to the SRBA District Court.

Please review the preliminary recommendation carefully. If there is any information on the printout you believe is inaccurate, please fill out the enclosed reply indicating what changes you believe should be made. Further instructions to assist you with the review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your claim(s) is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area. **The meeting will be held on Monday, July 8, 2002, at 1:30 p.m. in the Conference Room at the Gooding County Extension Office at the Gooding County Fairgrounds, 203 Lucy Lane, Gooding, Idaho.** Please come to the public meeting, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right claim. Please bring any and all information you have which will help the Department understand your claim(s) and describe them accurately.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary so that accurate information is provided to the SRBA District Court.

We look forward to hearing from you.

Sincerely,

Karl J. Dreher
Director

Enclosures

06/22/2002

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: July 23, 2002

Water right number: 37-19816

DELEAH EAVENSON
PO BOX 798
SHOSHONE ID 83352
Telephone Number: (208)886-2228

JAMES EAVENSON
PO BOX 798
SHOSHONE ID 83352
Telephone Number: (208)886-2228

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

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

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

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR State Office, PO Box 83720, Boise ID 83707-9815

06/22/2002

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

RIGHT NUMBER: 37-19816
NAME AND ADDRESS: DELEAH EAVENSON
PO BOX 798
SHOSHONE ID 83352

JAMES EAVENSON
PO BOX 798
SHOSHONE ID 83352

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.060 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1923

POINT OF DIVERSION:
T06S R18E S12 SESWSW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.060 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County
T06S R18E S12 SWSW
DOMESTIC Within LINCOLN County
T06S R18E S12 SWSW

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

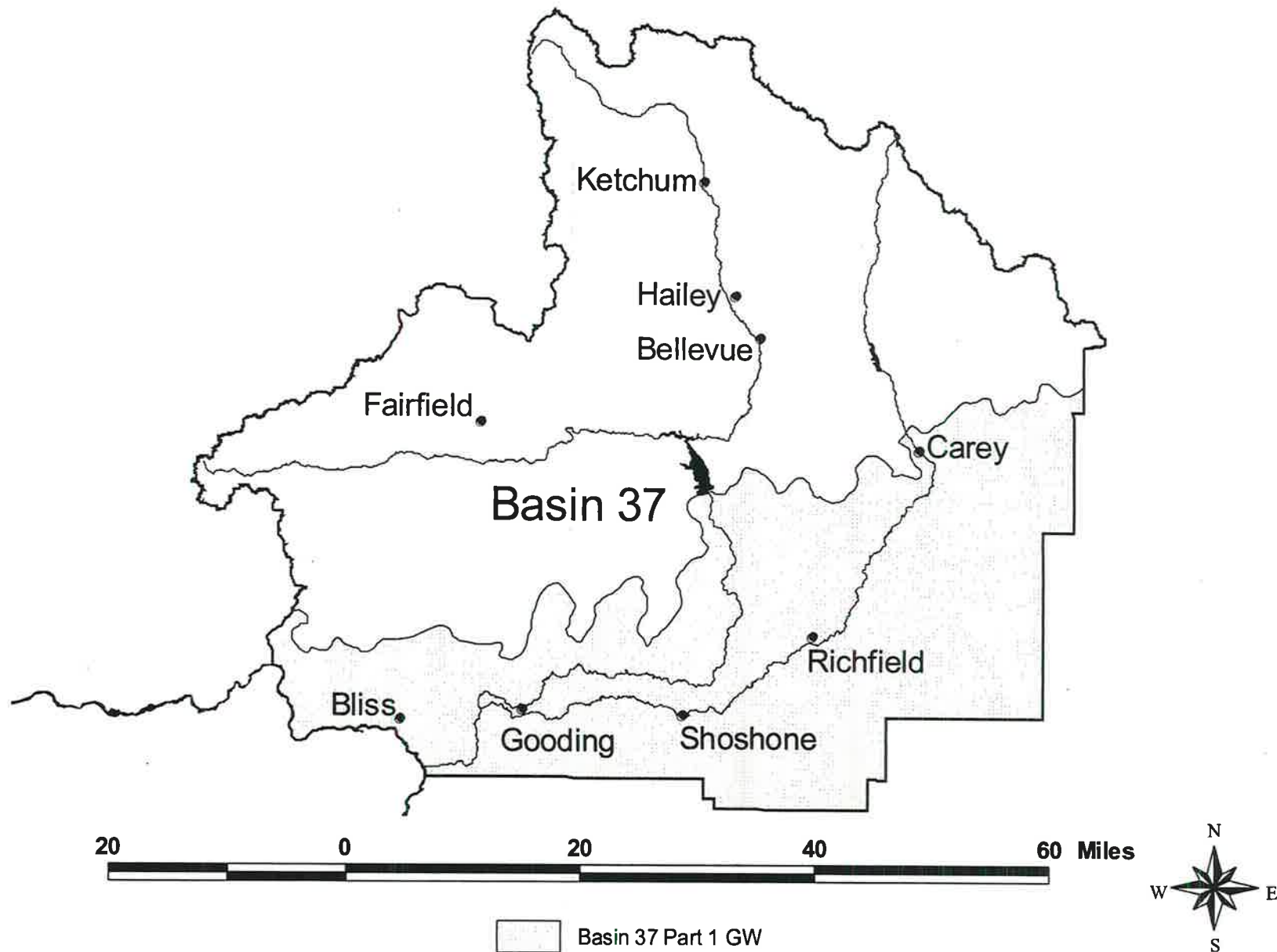
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP D0100003004A STOCKWATER 150 BEEF CATTLE
PROPERTY ALSO KNOWN AS LOT 17 BLK 3 DIETRICH WEST SUB

Basin 37 Part 1 Ground Water



DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



ROGER BURDICK
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Dear Water Right Claimant:

To help you with your water right claim(s) in the Snake River Basin Adjudication, this letter of explanation is being sent to you along with information sent by the Idaho Department of Water Resources (IDWR). Included are the following important documents which I ask you to please read carefully because they give you the opportunity to save a great deal of time and money:

1. **Preliminary Recommendation.** This is IDWR's *initial* finding and conclusion about your water right and how it should be reported to the SRBA Court. This preliminary recommendation is not filed with the court, but is provided to you to help correct errors or resolve any disagreement you may have over its content. This document has been prepared following IDWR's investigation and may be different than the claim(s) you actually filed.

Therefore, please review this preliminary recommendation carefully to find any errors or disagreements you have with IDWR's findings.

2. **Error Correction/Settlement Process.** This preliminary recommendation is a special service provided to you by IDWR to help you correct errors and resolve any other disagreement you have before the actual recommendations are ultimately filed with the court.

A description of how to work with IDWR is included. Our experience in the SRBA shows that by working in cooperation with IDWR most errors and differences can be addressed before coming into court. It's well worth your time to take full advantage of IDWR's helpful service. If your disagreement cannot be resolved, you will be able to file an objection to IDWR's actual recommendation when it is filed in court and have the final decision made by the Presiding Judge.

This error correction service is an important opportunity for you to work together with IDWR to make sure your water right claim(s) are decreed accurately. There is no cost to you other than your time reviewing the preliminary recommendation and talking to IDWR about any problem you see. Of course, you may always employ the services of an attorney if you wish.

The goal of the SRBA is to see that your water right(s) are decreed by the court as accurately and fairly as possible. It is important to me that this is done efficiently in order to reduce your costs and present you with your decree.

I strongly encourage you to take full advantage of this opportunity to use the fine and courteous services provided by IDWR.

Sincerely yours,

A handwritten signature in black ink that reads "Roger Burdick".

Roger S. Burdick
Presiding Judge
Snake River Basin Adjudication

05/29/2002

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

RIGHT NUMBER: 37-19816

NAME AND ADDRESS: DELEAH EAVENSON
PO BOX 798
SHOSHONE ID 83352

JAMES EAVENSON
PO BOX 798
SHOSHONE ID 83352

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 12/31/1923

POINT OF DIVERSION:

T06S R18E S12 SESWSW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.060 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County

T06S R18E S12 SWSW

DOMESTIC Within LINCOLN County

T06S R18E S12 SWSW

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

PARCEL NO. RP D0100003004A STOCKWATER 150 BEEF CATTLE
PROPERTY ALSO KNOWN AS LOT 17 BLK 3 DIETRICH WEST SUB

37-19816

- field exam - (5/8/02 s.c.)
- unable to find claimants at home.
- allow same POD as partially decreed in 37-10492; they are the same well.
- original homestead (i.e. 1923) is shown in GIS & Tena sewer maps as SESWSW.

* paid as \$25⁰⁰ de min. claim

03/06/2002

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 37-10492 V1

WATER RIGHT NUMBER: **37-10492** V1

Owner Type Name and Address
 Current Owner ANNE JAUREGUI
 769 E 470 S
 DIETRICH, ID 83324
 (208)544-2820
 Current Owner ROBERT E JAUREGUI
 769 E 470 S
 DIETRICH, ID 83324
 (208)544-2820

Priority Date: 06/10/1944

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
DOMESTIC	1/01	12/31	0.040 CFS
STOCKWATER	1/01	12/31	0.020 CFS
<u>Total Diversion:</u>			0.060 CFS

Location of Point(s) of Diversion

GROUND WATER

LINCOLN County

SE1/4SW1/4SW1/4

Sec. 12, Twp 06S, Rge 18E, B.M.

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
06S	18E	12	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
					X		

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
06S	18E	12	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	
					X		

Conditions of Approval:

1/10/2000
PARTIAL DECREE
 COPY

Shared
 well
 system...
correct legal?

↪ appears to be the correct POD

5/29/02
 scu

37-10492
 Same POD
 (claimed wrong?)
Partial Decree

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-10492 V1

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

Remarks:

1. Explanatory PARCEL NO. RP 00101004014A PROPERTY ALSO KNOWN AS LOTS 14-17
BLKS 3, 4
DIETRICH WEST SUB

Comments:Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-19816
DATE: 3-6-02
BY: SCC

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])

$$Q = \frac{(8.8) \times (1.5) \times (0.70)}{[(400) + (50 \times 2.31)]} = \frac{9.24}{515.5} = .0179 \text{ cfs}$$

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

assumed 2 levels 400' & 200' lifts.

(P) allowed 0.06 cfs as allowed on 37-10492

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	POTENTIAL =
5/01-09/30	153	2-3	(.....) X (1.98) X (.....)
4/15-10/15	184	2.5-3.5	
4/01-10/31	214	3-4	
3/01-11/30	275	VARIES	(.....)
3/15-11/15	246	VARIES	

POTENTIAL =

REQUIRED Acre Feet/Acre/Annum =
(AF/Ann/Ac irrigation requirement from chart for area)

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 ()

Microsoft TerraServer

Display Image

USGS Aerial Photograph

Dietrich, Idaho, United States 26 Jul



37-19816

SW

POU
POD →

11 12

14 13

37-19816

DRAFT

Exam
5/8/02
SCC

