

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 37-20799
Date Received: 9/3/2002
Receipt No:
Received By:

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

1. Name of Claimant(s)

MICKEY LEGUINECHE Phone: (208) 934-4180

1450 S 1750 E
GOODING ID USA 83330

LOUIS LEGUINECHE Phone: (208) 934-4180

1450 S 1750 E
GOODING ID USA 83330

2. Date of Priority: 02/11/1966

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	14E	12	NW NW	GOODING	

5. Description of diverting works:

WELL, PUMPS, DITCHES AND CONCRETE PIPE DELIVERS WATER TO FIELDS. PRIOR TO 1979
DITCH IRRIGATED AND RELIFTED BY PUMP. IN 1979 POND CONSTRUCTED AND PUMP RELIFTS
WATER TO WHEEL LINES ON THE PROPERTY ALONG THE ROAD.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	2.04	408

7. Total Quantity Appropriated is:
2.04 C.F.S. and/or 408 A.F.A.

8. Total consumptive use;

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05S	14E	11	SW	NE		IRRIGATION	32
			SE	NE		IRRIGATION	34
			SE	NW		IRRIGATION	36
						Section Acres	102
						Total Acres	102

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS PART OF RIGHT 37-2724. RIGHT 37-20727 IS ALSO USED ON PART OF THE PLACE OF USE DESCRIBED ABOVE.

15. Basis of Claim: License

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

Ident. Number

37-20799

Date Received

9/3/02

Receipt Number

5025192Id

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Louis orland Micket Leguineche Phone (208) - 934-4180Mailing Address 1450 S. 1750 E. Gooding ID Zip 833302. Date of Priority (Only one (1) per claim) 2-11-19663. Source of water supply (a) Ground water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township SS Range 14E Section 12,
_____ 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Gooding

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.Wells, pumps, ditches &
concrete pipe delivers water to fields. prior to
1979 ditch irrigated & relifted by pump. 1979 pond
constructed & pump relifts water to wheel lines on the
property along the road

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 2.04 or 408

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.04 (cfs) and/or (b) 408 (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
55	14E	11			32	34				36									102

Total number of acres irrigated 102

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

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

37-20727 Big Wood Canal co. shares or None ()

14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Be. ☐ Special Use ☐ Posted Notice ☐ License ☒ Permit ☐
Decree ☐
If applicable provide IDWR Water Right Number 37-2724
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Mickey Leguineche Date 9-3-02

Date _____

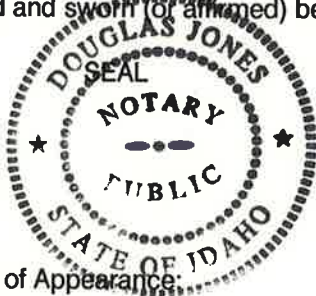
For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of Sept, 2002 1902



Notary Public Douglas Jones

Residing at Buhl ID

My Commission Expires 8/8/2006

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

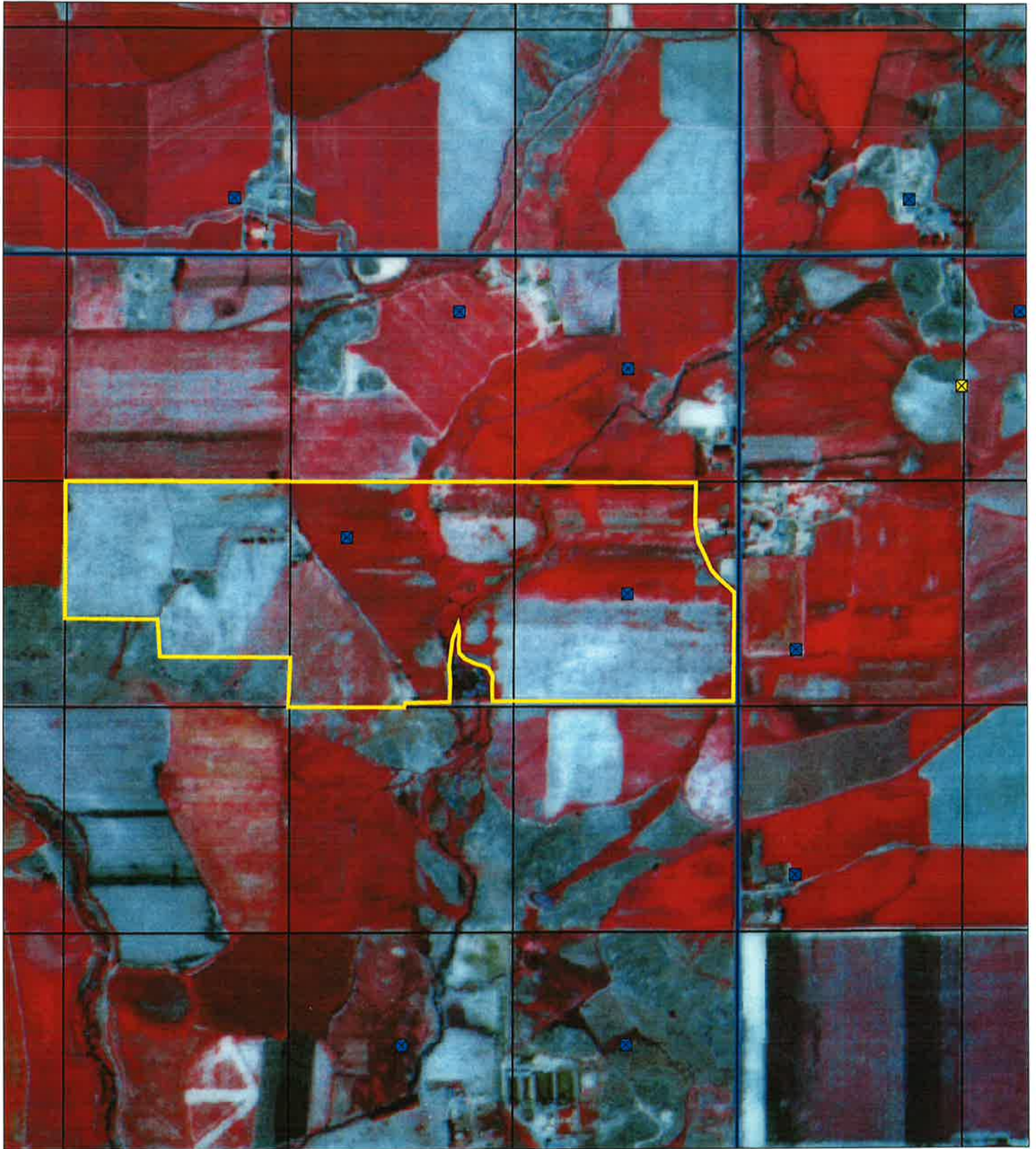
Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

IDAHO DEPARTMENT OF WATER RESOURCES



37-2724 part
Leguineche



1320 0 1320 Feet

12/22/2006

**NOTICE OF ERROR
REPLY**

RECEIVED

JAN 04 2007

DEPARTMENT OF
WATER RESOURCES

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: 01/05/2007

Water right number: 37-20799

MICKEY R LEGUINECHE

1450 S 1750 E

GOODING ID 83330

Telephone Number: (208)934-4180

LOUIS J LEGUINECHE

1450 S 1750 E

GOODING ID 83330

Telephone Number: (208)934-4180

RECEIVED

JAN 18 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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:

12/30/2006

SIGNATURE:

Louis J Leguineche

Please print your name:

Louis J Leguineche

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

SCANNED

JAN 04 2007

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

Use of this right is combined with water from Big Wood Canal Co.



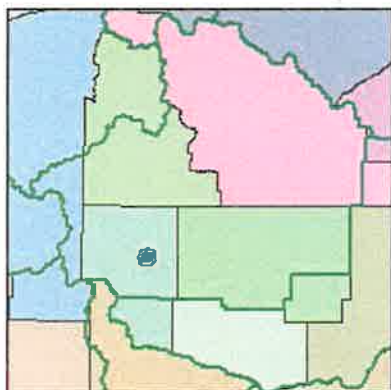
Idaho Department of Water Resources

SRBA Recommendation:

37-20799

Legend

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



Gooding County
IDWR Basin 37



0 0.4 0.8 Miles



Prepared by N. Erickson
On Monday, December 18, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32710/37-2724 Priority Feb. 11, 1966 Amount 3.32 cfs
(late proof)

THIS IS TO CERTIFY, that M. STALEY CHENEY
of Gooding, Idaho, has complied with the terms and conditions of Permit
No. 32710/37-2724 issued pursuant to Application for Permit dated January 31, 1966
and has submitted proof to the Department of Water Administration on February 11, 1971
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.82 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 3.32 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 3.32 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, Twp. 5 S, Rge. 14 E, B.M.

in the county of Gooding; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 498 acre feet per year or
3.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 S	14 E	12					28.2	35											63.2
		11			31.8	35.1				35.8									102.7

Total number of acres irrigated 165.9

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of
October, 19 72.


Director

37 2075

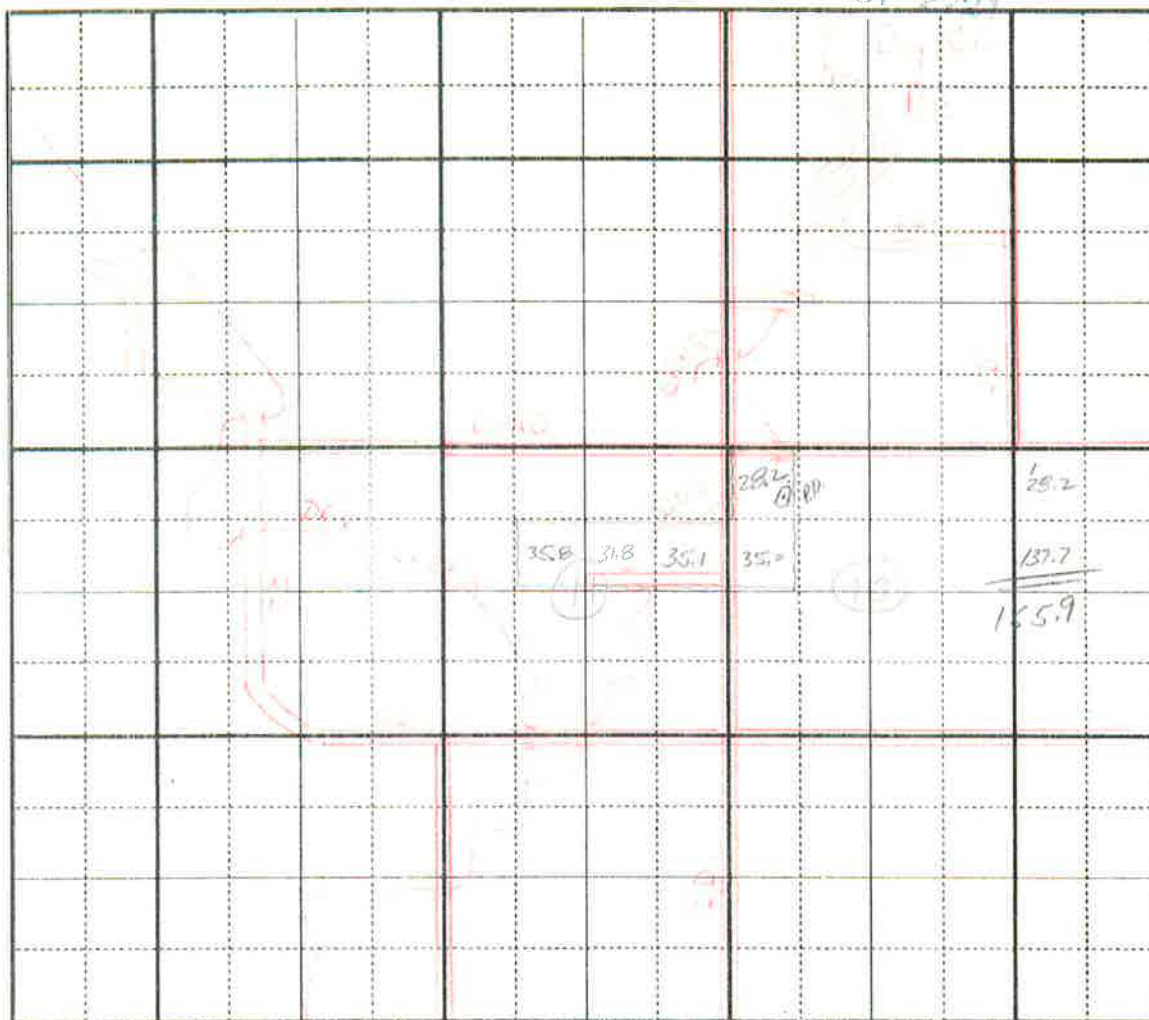


Diagram of System

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2724

WATER RIGHT NUMBER: 37-2724

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EULA SEVERANCE 1332 S 1700 E GOODING, ID 83330 (208)934-4864
Current Owner	RICHARD SEVERANCE 1332 S 1700 E GOODING, ID 83330 (208)934-4864

Priority Date: 02/11/1966

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	1.260 CFS	252.00 AF
	<u>Total Diversion:</u>	1.260 CFS	252.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 12, Twp 05S, Rge 14E, B.M.
GOODING County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 14E 12					28.0	35.0											63.0

Total Acres: 63

Conditions of Approval:

1. S40 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. S05 USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL CO.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2724

3. C18 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.

Remarks:Comments:

1. CFRITSCH 10/17/2001 Overlap Analysis

Comment: The field exam for licensing this right stated that the water was co-mingled with canal water. There are no overlapping claims from any source for this land. The unclaimed portion of this right appears to be on land not owned by the claimants in Section 11. An earlier license for ground water for 55 acres of the land in the NWNW and SWNW of Section 12 and 70 acres in Section 11 is not claimed (37- 2674). I assume since neither of the ground water rights appurtenant to the land in Section 11 are claimed, ground water is no longer used in Section 11.

Dates and Other Information:

Licensed Date:
Decreed Date: 12/11/2002
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:SubCase:

SubCase Number: 37-2724
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: Carter Fritschle
Basis of Claim:
Date Filed: 10/11/2002 Objection Status: Active

Water Supply Bank: