

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 37-21283
Date Received: 3/26/2004
Receipt No:
Received By: 5026590
KKC

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

1. Name of Claimant(s)

CARL D REY Phone: (208) 764-2924
JANINE M REY
7103 N PENCROSS WAY
MERIDIAN ID USA 83642

2. Date of Priority: 12/31/1880

3. Source: TURKEY DRAW SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	13E	30	SW SE NE	CAMAS	

5. Description of diverting works:

none existing

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	05/01	11/30	0.02	

7. Total Quantity Appropriated is:

0.02 C.F.S. and/or 3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 1000 head beef cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
01N	13E	30	SE NE	STOCKWATER	

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:

14. Remarks:

15. Basis of Claim: Beneficial Use



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 DEPT INTERNET WEB SITE: www/idwr.state.id.us

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 29, 2004

BROCKWAY ENGINEERING PLLC
2016 WASHINGTON ST N STE 4
TWIN FALLS ID 83301

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS 37-21280, 37-21282, 37-21283, AND
37-21284

Dear Chuck

Enclosed are the claims as data entered. Please review the claim forms to confirm that the data entries are correct.

While reviewing the claims as I entered them I found that I have a few questions. Item 5 in claim 37-21282 states "Previously developed with collector". If this is a developed system then the priority date is likely incorrect, as I doubt that the collector was in place in 1880. Likewise with claim 37-21284, item 5 states "Collector pipe". This one also appears to have a problem with the priority date. When entering the claimed point of diversion into our SDE layer I noted that claim 37-13288 (claimed by Fields Land Co.) appears to also claim the same spring. I did not research that claim to determine if the claim was for a development or just an instream use.

If the Reys are associated with Fields Land Co, then possibly the name and/or address may need to be updated.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchriste@idwr.state.id.us

Enclosures

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

37-21283

Date Received

Receipt Number

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

RECEIVED

MAR 26 2004

Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Carl & Janine Rey Phone (208) 764-2924
Mailing Address 7103 North Pencross Way Meridian, Idaho Zip 83642
2. Date of Priority (Only one (1) per claim) December 31, 1880
3. Source of water supply (a) Turkey Draw Spring
which is tributary to (b) Sinks
4. a. Location of existing point of diversion is: Township 01N. Range 13E. Section 30,
SW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Camas
Additional points of diversion if any: none
- 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. None existing

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Stockwater purposes from 05/01 to 11/30 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .02 (cfs) and / or (b) _____ (acre feet)

8. Total consumptive use claimed is 3 acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) Stockwater for beef cattle 1,000 head.

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 together 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
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
01N	13E	30				S													

Total number of acres irrigated _____

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

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

_____ Or None ☒

14. Remarks:

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) Be icial Use x Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____

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 1 map

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

Signature of Claimant (s) Carl D. Wiley

Date 3/19/04

Janine M. Rey

Date 3/19/04

For Organizations: I do solemnly swear or affirm that I am _____

Of _____, that I have signed the foregoing
Organization

Document in the space below as _____ of _____
Title Organization

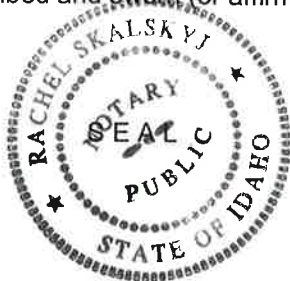
And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho / or Idaho)
County of Ada) ss.

Subscribed and sworn (or affirmed) before me this 19 day of March, 2004.



Notary Public Rachel Skalsky

Residing at Meridian, ID

My Commission Expires 2-19-2010

Please Print Name

17. **Notice of Appearance:**

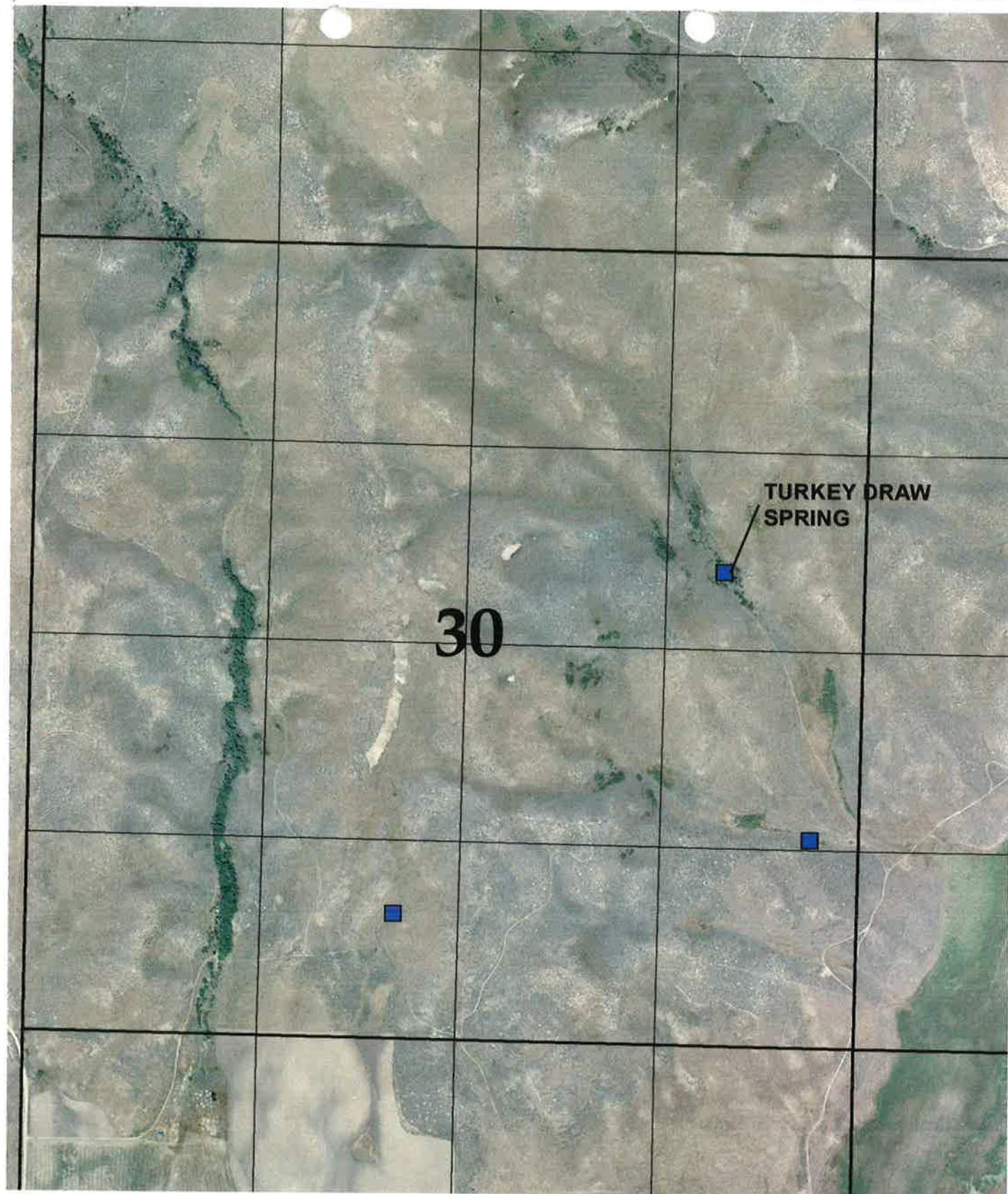
Notice is hereby given that I, _____ will be acting as attorney at law on behalf Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____



Carl & Janie Rey
01N. 13E. Sec 30
Aerio Graphics 2003 Photo

BROCKWAY ENGINEERING, PLLC
ALR FEB. 27, 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21283 V1

WATER RIGHT NUMBER: 37-21283 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CARL D REY 7103 N PENCROSS WAY MERIDIAN, ID 83642 (208)764-2924
Original Owner	JANINE M REY 7351 W LEDGERWOOD LN MERIDIAN, ID 83642 (208)340-0837
Current Owner	VALERIE VAN HORN PO BOX 345 FAIRFIELD, ID 83327-0345 (208)764-2139
Current Owner	DANNY VAN HORN PO BOX 345 FAIRFIELD, ID 83327-0345 (208)764-2139

Priority Date: 12/31/1880

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	UNNAMED STREAM

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	05/01 to 11/30	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

SPRING	SW1/4SE1/4NE1/4	Sec. 30, Twp 01N, Rge 13E, B.M.
CAMAS County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	13E	30				X													

Conditions of Approval:

1. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21283 V1

2. 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.
3. Spring is unnamed on USGS 1:24,000 Topographic Map, but it is locally known as Turkey Draw Spring.
4. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.

Remarks:

Comments:

Water Supply Bank:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No.(s)	Adjudication Claim No.(s)	Split	Water Right No.(s)	Adjudication Claim No. (s)	Split
_____	37-21282	☐	_____	_____	☐
_____	37-21283	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐

2. The following REQUIRED information must be submitted with this form:

- A. The appropriate FILING FEE. See instructions for fee amounts.
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): Carl D Rey
7103 N Pencross Way Meridian, Id 83642
4. New Owner/Claimant(s): Danny & Valerie Van Horn
 New Mailing Address: PO Box 345
 City, State, Zip Code: Fairfield, Id. 83327-0345
 New Telephone Number: (208) 764-2139
5. Date you acquired the property: April 29, 2005

SCANNED
 JAN 04 2007

SCANNED
 DEC 18 2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

7. Signature of New Owner(s) or Claimant(s):
(include title, if applicable)

Charles E. Brochman P.E.
Power of Attorney

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

FOR OFFICE USE ONLY

Received by: _____	Date: _____	Fee: _____
Received by: _____	Date: _____	Receipt No: _____
Processed by: _____ AJ	Date: _____	WR: _____ Date: _____

SCANNED

JAN 04 2007

SCANNED

DEC 18 2006

03/15/2006

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

RIGHT NUMBER: 37-21283

NAME AND ADDRESS: CARL D REY
7103 N PENCROSS WAY
MERIDIAN ID 83642

JANINE M REY
7351 W LEDGERWOOD LN
MERIDIAN ID 83642

SOURCE: SPRING TRIBUTARY: UNNAMED STREAM

QUANTITY: 0.020 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1880

POINT OF DIVERSION:
T01N R13E S30 SWSENE Within CAMAS County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 11/30	0.020 CFS

PLACE OF USE: STOCKWATER Within CAMAS County
T01N R13E S30 SENE

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

Spring is unnamed on USGS 1:24,000 Topographic Map, but it is locally known as Turkey Draw Spring.

Adjudication Claim Notes

Claim(s): 37-21283

Background Data

- Beneficial Use Claim
- Source is Turkey Draw Spring tributary to Sinks
- Claimed 0.02 cfs for Stockwater

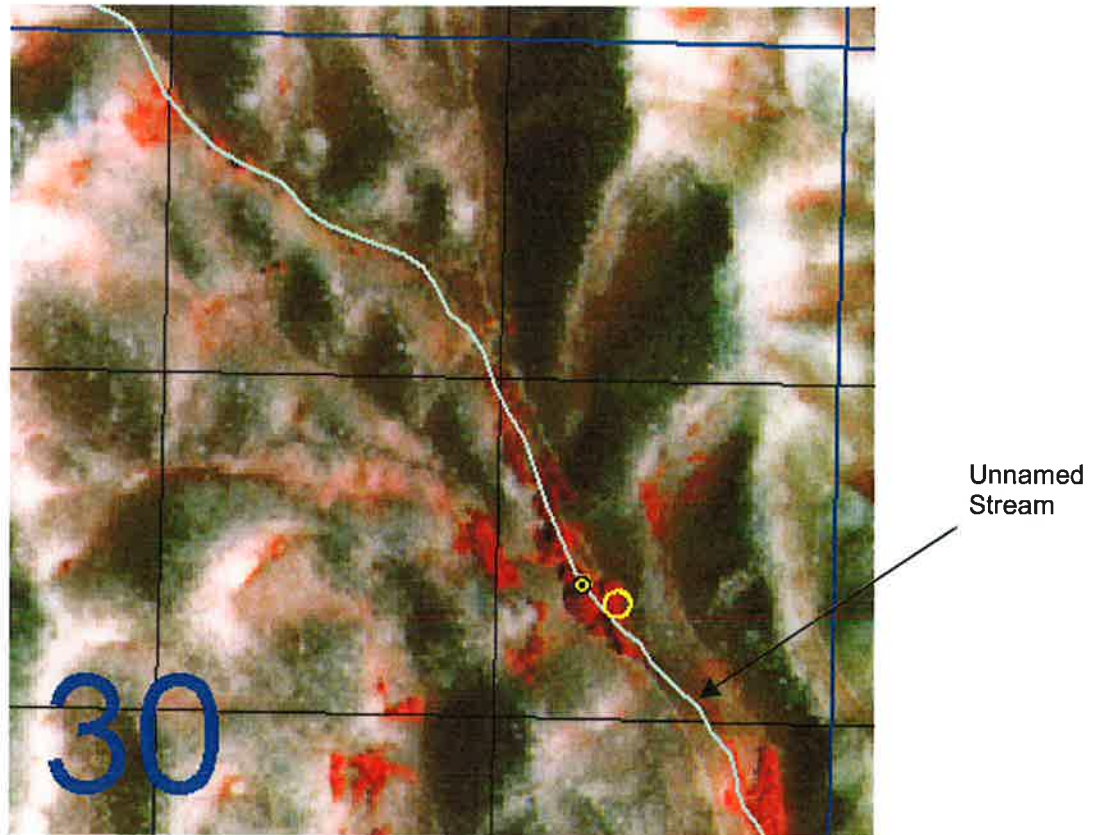
Place Of Use Data

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 30

- POU & POD digitized from claim map and conversation with Chuck Brockway Sr.
- Data used for review: 2004 aerial photo, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo