

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 37-21280
Date Received: 3/26/2004
Receipt No:
Received By:

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

1. Name of Claimant(s)

DANNY VAN HORN Phone: (208)764-2139
PO BOX 345
FAIRFIELD ID USA 83327-0345

VALERIE VAN HORN Phone: (208)764-2139
PO BOX 345
FAIRFIELD ID USA 83327-0345

2. Date of Priority: 12/31/1880

3. Source: LITTLE MARY CREEK SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01N	13E	20	SW	SW	NE	CAMAS	

5. Description of diverting works:

None

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 beef cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	13E	20	SW	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

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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 37-21280
Date Received: 3/26/2004
Receipt No: *SP26588*
Received By: *KKC*

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

1. Name of Claimant(s)

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

2. Date of Priority: 12/31/1880

3. Source: LITTLE MARY CREEK SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	13E	20	SW SW NE	CAMAS	

5. Description of diverting works:

None

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 beef cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
01N	13E	20	SW 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](http://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: kchrste@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 FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number 15-37-21280
Date Received 3-26-04
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) Little Mary Creek Spring
which is tributary to (b) Sinks
4. a. Location of existing point of diversion is: Township 01N. Range 13E. Section 20,
SW 1/4 of SW 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

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, 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	20			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 Official 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. Ray

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 _____

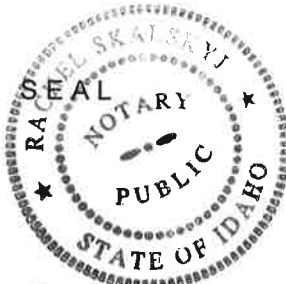
State of Idaho / or Idaho)
County of Ada) ss.

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

Notary Public Rachel Skyles

Residing at Meridian, ID

My Commission Expires Feb. 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 & Janine Rey
01N 13E Sec 20
Aerio Graphics 2003 Photo

BROCKWAY ENGINEERING, PLLC.
ALR FEB. 27, 2004



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: 37-21280

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. Brackley

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.

02/07/2006

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

RIGHT NUMBER: 37-21280

NAME AND ADDRESS: DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

SOURCE: SPRING

TRIBUTARY: SINKS

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 S20 SWSWNE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

05/01 11/30

0.020 CFS

PLACE OF USE: STOCKWATER Within CAMAS County

T01N R13E S20 SWNE

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

Spring is unnamed on USGS 1:24,000 Topographic Map, but it is locally known as Little Mary Creek Spring.

Adjudication Claim Notes

Claim(s): 37-21280

Background Data

- Beneficial Use Claim
- Source is Little Mary Creek 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)

2004 Aerial Photo



Notes

T1N R13E Section 20

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