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NOV 28 2005

DEPARTMENT OF
WATER RESOURCES

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 37-21593
Date Received: 10/4/2005
Receipt No: S028041
Received By: D. JONES

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

1. Name of Claimant(s)

LOIS A SCRUGGS Phone: (208)375-9084

9103 HALSTEAD DR
BOISE ID USA 83704

MARVIN M STOKES Phone: (208)375-9084

9103 HALSTEAD DR
BOISE ID USA 83704

2. Date of Priority: 09/04/2005

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	11E	12	NE SE	ELMORE	

5. Description of diverting works:

4 IN BY 40 FT PIPE BURIED 7.5 FT DEEP WITH 4 IN STANDPIPE AND 12 VOLT PUMP
DIVERTING INTO STOCK TANKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 100 CATTLE

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	11E	12	NE	SE	STOCKWATER	

11. Place of use in counties: ELMORE

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

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

Identification No. 37-21593Date Received 10/14/2005Receipt Number 5024041

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OCT 04 2005
Department of Water Resources
Southern Region

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use Is less than 13,000 gallons per day.

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SEP 21 2005
Department of Water Resources
Southern Region

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Marvin M. Stokes / Lois A. Scruggs Phone (208) 375-9084Mailing Address 9103 W Halstead Dr; Boise, ID Zip 837042. Date of Priority (Only one per claim) 1944 09-04-05 Month/Day/Year 09-04-05
01/01/443. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____

which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 2S Range 11ESection 12, E 1/2 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, BM.,County of Elmore

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. french well 2.5' deep, to water 50-100 head of stock

4" x 4" buried 7 feet into ground w/ 4 in. stand pipe to surface. from
this a 12 volt pump will pump 2 1/2 gal per minute which will be a
maximum of 3600 gallons per 24 hr period. There is no open trench - water pumped
into stock tanks

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Stock purposes from 01/01 to 12/31 amount 0.02 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.02 (cfs)8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Stockwater 50-100 head

4" x 4" →

* See attached explanation for location

10. Place of use is: Township: 2S Range 11E

Section 12, E 1/2 1/4 of SE 1/4, Govt. Lot _____, B.M.,

County of Elmore for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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.

14. Remarks: Parcel # RPO2S11E127210A

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 0

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

Signature of Claimant (s) Maurin Staher Date 9/4/2005

Lois Ruggs Date 9-4-2005

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

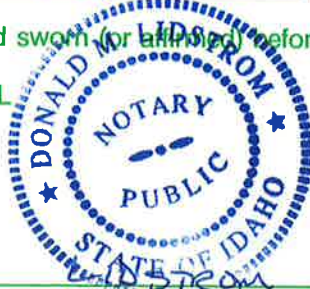
Title and Organization _____

State of Idaho/or _____)

County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 19th day of SEPT 2005

SEAL



Notary Public DONALD M. LIDSTROM

Residing at BOISE, IDAHO

My Commission Expires SEPT 9, 2008

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

02/09/2006

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

RIGHT NUMBER: 37-21593

NAME AND ADDRESS: LOIS A SCRUGGS
9103 HALSTEAD DR
BOISE ID 83704

MARVIN M STOKES
9103 HALSTEAD DR
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 09/04/2005

POINT OF DIVERSION:

T02S R11E S12 SWNESE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER Within ELMORE County

T02S R11E S12 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

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NOV 14 2006

11/02/2006

NOTICE OF ERROR
REPLY

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: November 21, 2006

Water right number: 37-21593

LOIS A SCRUGGS
9103 HALSTEAD DR
BOISE ID 83704
Telephone Number: (208)375-9084

MARVIN M STOKES
9103 HALSTEAD DR
BOISE ID 83704
Telephone Number: (208)375-9084

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

"Place of use" description

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

T02S R11E S12 SW1/4 of NE1/4 of the
SE1/4 of Sec12

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

We do not understand your description
of NESE

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

DATE: 11-13-06

SIGNATURE:

Lois A Scruggs
Lois A. Scruggs

Please print your name:

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

11/16/06 - MWA/hrs

Right reflects the POD + POU they identified on claim. POU ~~does~~ is not
normally described to QRP-like the POD.

SCANNED

NOV 14 2006

NOV 14 2006

11/02/2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

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BOISE ID 83704
Telephone Number: (208)375-9084

MARVIN M STOKES
9103 HALSTEAD DR
BOISE ID 83704
Telephone Number: (208)375-9084

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

2. Describe the changes you wish to make in the proposed recommendation:
TO 25 R11E S12 SW 1/4 OF THE NE 1/4 OF THE SE 1/4
OF SECTION 12

3. Give a brief explanation as to why you disagree with these portions:
WE DO NOT UNDERSTAND YOUR DESCRIPTION OF "NESE".

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

DATE: 11/13/2006 SIGNATURE: M. Stokes
Please print your name: MARVIN M. STOKES

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

SCANNED
NOV 14 2006

Adjudication Claim Notes

Claim(s): 37-21593

Background Data

- Beneficial Use Claim
- Source is Groundwater
- Claimed for 0.02 cfs for Stockwater

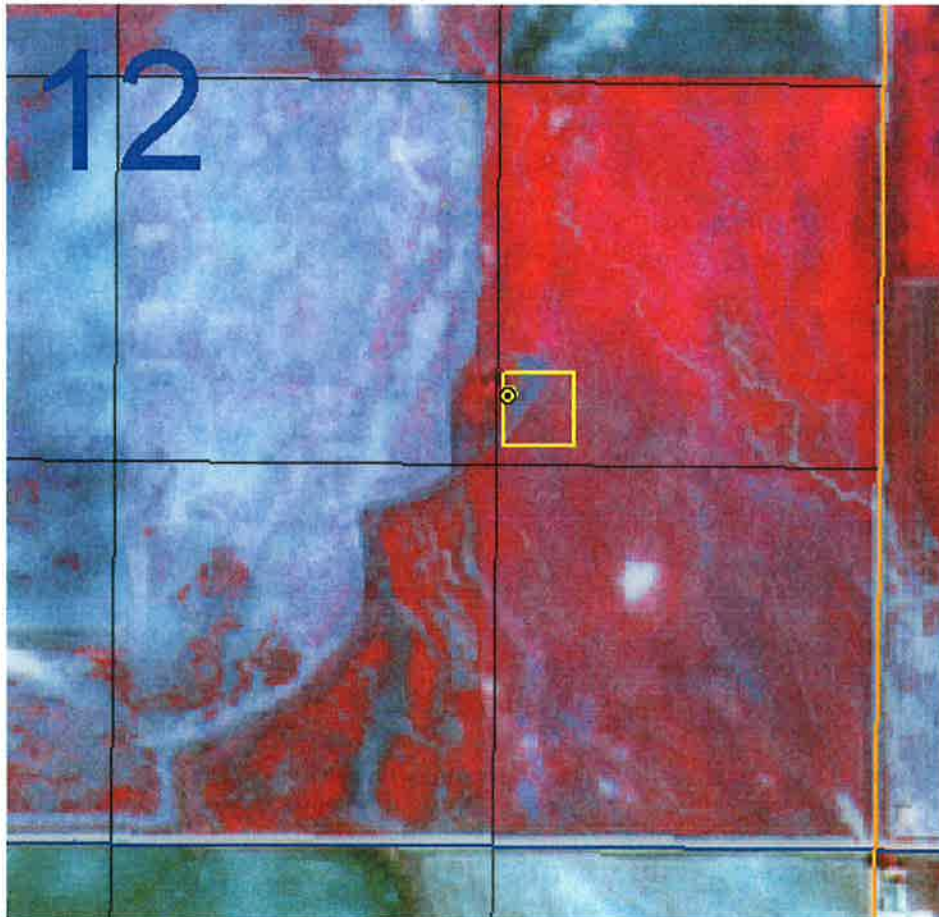
Place Of Use Data

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

T2S R11E Section 12

- POD and POU created by Doug Jones based on claim map
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

9-22-2005

Lois Scruggs & Marvin Stokes
9103 W HALSTEAD DR
BOISE ID 83704-6833

RE: Notice of Claim

Dear Ms. Scruggs & Mr. Stokes,

I am returning your recently received Notice of Claim for the following concerns and questions. Please mark on the map where your diversion is located and provide a written description of the "trench well" and how water is diverted. Do the cattle drink from the ponded water in the trench? Is the water piped?

The date of priority would be the date the trench was constructed and cattle began to drink from the developed source. Your claim indicates the trench was built on January 1, 1944 when the ground was likely frozen. This may be, however I am asking if this date can be corroborated with other information. If the water is diverted by pump the priority date would be the date the pump was installed.

Item 6 and Item 7 of the Notice appear to conflict and may be more flow than can be recommended. The number of head of cattle you claimed (50-100) consumes 600-1200 gallons of water per day and the upper limit of the type of claim you are filing is 13,000 gallons per day. If the system that the cattle utilizes is not pumped then a flow rate of 0.02 cfs would provide 13,000 gpd in one day. If the water is pumped or piped then the flow rate may be something else. Your description of the system, requested above, is important to address this concern. At any rate the values described in Items 6 & 7 need to be the same.

Item 10 describes that water from the trench is consumed in both 40 acre tracts of the E1/2 of SE1/4. Again, your description will assist me in verifying how to best recommend your claim.

Finally, return the corrected claim, map, system description and \$25 to this office. No fee was included in the initial mailing. Thank you and I look forward to hearing back from you.

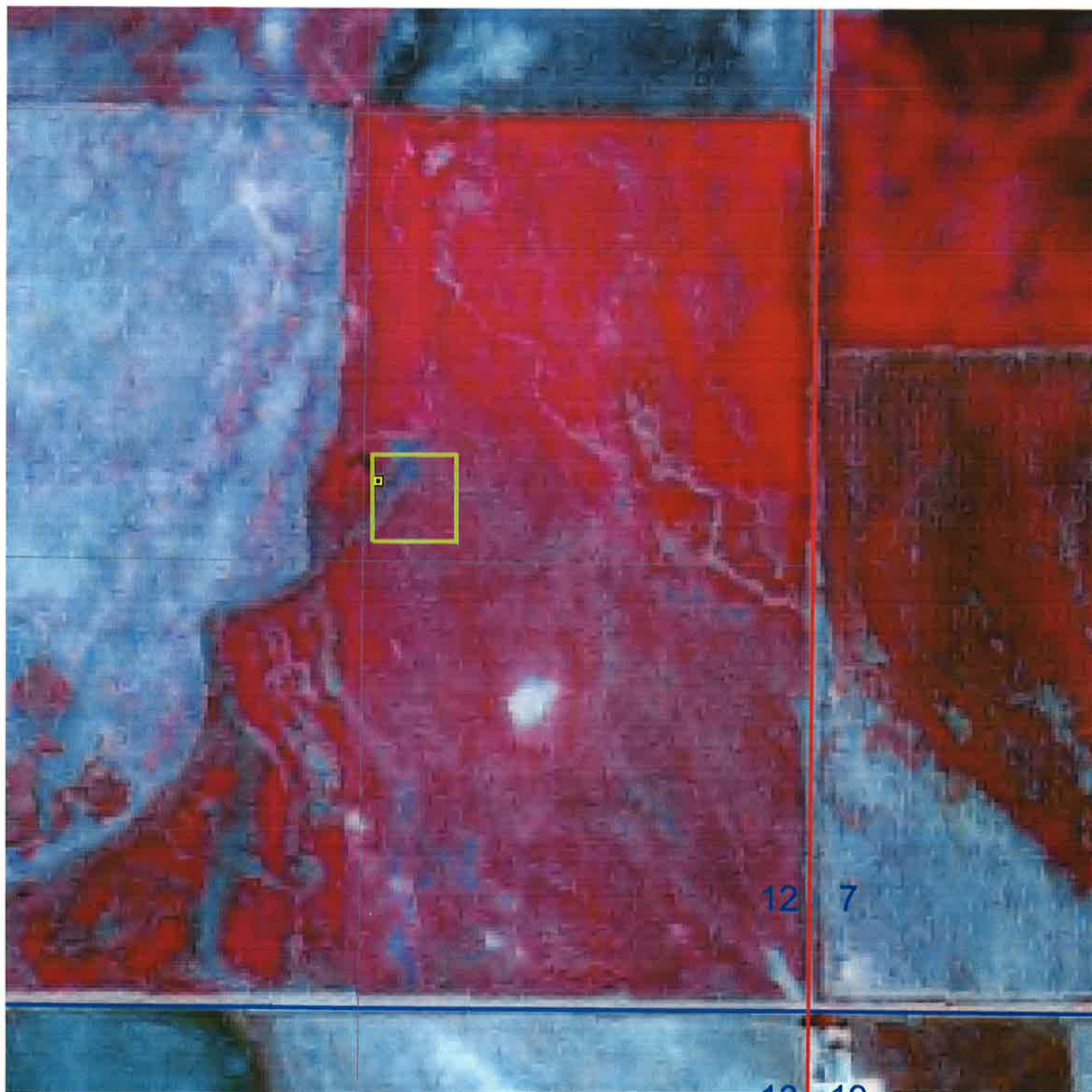
Sincerely,

Douglas Jones, PE
Water Rights Supervisor
Southern Adjudication Unit

SCANNED

NOV 28 2005

SRBA CLAIM 37-21593



660 0 660 Feet



- POU-RecChecked Out POU
- GCDB02S11E GCDB
- Claim POD
- Godb_tr.shp
- PLSS Section LinesGodb_sections.shp

SCANNED

NOV 28 2005

10-4-2005
D. Jones

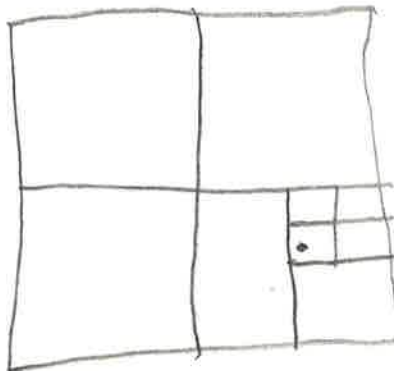
Volunteers - Changing the Future

10-2-15

Mr. Jones,

We are returning our application after further explaining what what & how we have developed the trench well. Also, this time we are including our check to cover filing fee; an oversight where we first sent our application

Liz Driggs

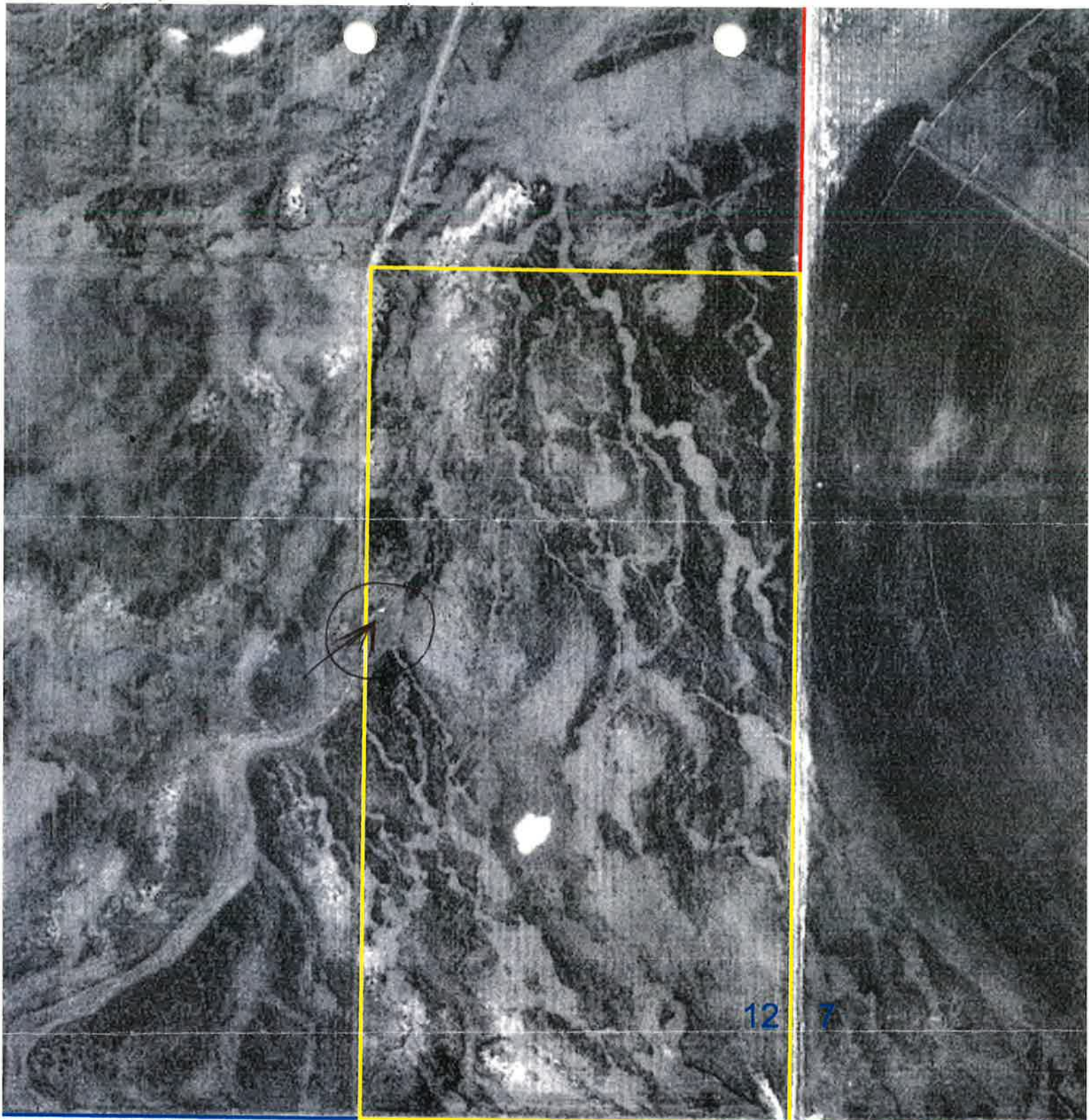


SW $\frac{1}{4}$ of N $\frac{1}{2}$ of T6
SE $\frac{1}{4}$ of SEC 12

SCANNED

NOV 7 8 2005

Submitted w/
Claim
10/4/05 IF



12 7

13 19

COANNED

NOV 7 1957