

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 37-21715
Date Received: 11/8/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DANNY VAN HORN
PO BOX 345
FAIRFIELD ID USA 83327-0345

Phone: (208) 764-2139

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID USA 83327-0345

Phone: (208) 764-2139

2. Date of Priority: 12/31/1880

3. Source: _____ Trib. to: _____

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County	Type
01N	13E	28	NW	NE	NE		CAMAS	
01N	13E	28	NE	NE	NE		CAMAS	
01N	13E	21	SE	SE	SE		CAMAS	
01N	13E	21	NE	SE	SE		CAMAS	
01N	13E	29	SE	SE	NE		CAMAS	
01N	13E	21	SE	NE	SE		CAMAS	
01N	13E	28	SE	NE	SE		CAMAS	
01N	13E	28	NE	SE	NE		CAMAS	
01N	13E	21	SW	NW	NE		CAMAS	
01N	13E	28	NW	SW	SE		CAMAS	

01N	13E	21	SW	SE	SE	CAMAS
01N	13E	28	SE	NW	SE	CAMAS
01N	13E	28	SW	SE	SW	CAMAS
01N	13E	21	NW	SE	SE	CAMAS
01N	13E	21	NW	NE	SE	CAMAS
01N	13E	21	NE	SE	NE	CAMAS
01N	13E	28	SE	NW	NE	CAMAS
01N	13E	21	SE	NE	NE	CAMAS
01N	13E	28	SW	NE	NW	CAMAS
01N	13E	28	NE	SW	SW	CAMAS
01N	13E	28	SE	NE	NE	CAMAS

5. Description of diverting works:

NATURAL SPRINGS WHERE CATTLE DRINK AND EIGHT SPRINGS WITH TROUGHS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.14	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	13E	21	NE	NE	STOCKWATER	
			NW	NE	STOCKWATER	
			SE	NE	STOCKWATER	
			NE	SE	STOCKWATER	
			SE	SE	STOCKWATER	
01N	13E	28	NE	NE	STOCKWATER	
			NW	NE	STOCKWATER	
			SE	NE	STOCKWATER	

			NE	NW	STOCKWATER
			NE	SE	STOCKWATER
			NW	SE	STOCKWATER
			SW	SE	STOCKWATER
			SW	SW	STOCKWATER
			SE	SW	STOCKWATER
01N	13E	29	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:

THIS FILING ENCOMPASSES ONE PASTURE MANAGEMENT UNIT.
ON THE ATTACHED MAP THE PURPLE DOTS INDICTE THE SPRING LOCATIONS AND THE "X"S ARE THE DEVELOPED SPRINGS WITH TROUGHS.

This right is a split from former right 37-13288 .

SRBA claim 37-13288 split into 37-21715 for the developed springs and 37-21716 for the undeveloped springs. (3/17/06)

15. Basis of Claim: Beneficial Use

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Ident. Number 37-13288
Date Received: 11/8/1989
Receipt No: S010422
Received By:

1

01N	13E	21	SW	SE	SE	CAMAS
01N	13E	28	SE	NW	SE	CAMAS
01N	13E	28	SW	SE	SW	CAMAS
01N	13E	21	NW	SE	SE	CAMAS
01N	13E	21	NW	NE	SE	CAMAS
01N	13E	21	NE	SE	NE	CAMAS
01N	13E	28	SE	NW	NE	CAMAS
01N	13E	21	SE	NE	NE	CAMAS
01N	13E	28	SW	NE	NW	CAMAS
01N	13E	28	NE	SW	SW	CAMAS
01N	13E	28	SE	NE	NE	CAMAS

5. Description of diverting works:

NATURAL SPRINGS WHERE CATTLE DRINK AND EIGHT SPRINGS WITH TROUGHS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.14	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	13E	21	NE	NE	STOCKWATER	
			NW	NE	STOCKWATER	
			SE	NE	STOCKWATER	
			NE	SE	STOCKWATER	
			SE	SE	STOCKWATER	
01N	13E	28	NE	NE	STOCKWATER	
			NW	NE	STOCKWATER	
			SE	NE	STOCKWATER	

NE	NW	STOCKWATER
NE	SE	STOCKWATER
NW	SE	STOCKWATER
SW	SE	STOCKWATER
SW	SW	STOCKWATER
SE	SW	STOCKWATER

01N	13E	29	SE	NE	STOCKWATER
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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:

THIS FILING ENCOMPASSES ONE PASTURE MANAGEMENT UNIT.
ON THE ATTACHED MAP THE PURPLE DOTS INDICTE THE SPRING LOCATIONS AND THE "X"S ARE THE DEVELOPED SPRINGS WITH TROUGHS.

15. Basis of Claim: Beneficial Use

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: 37-21715

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: Charles E. Brockway

Please print your name: Charles E. Brockway

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.

09/12/2006

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

RIGHT NUMBER: 37-21715
NAME AND ADDRESS: DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345
SOURCE: SPRING
SPRING
TRIBUTARY: SINKS
TRIBUTARY: UNNAMED STREAM
QUANTITY: 0.140 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 S21 SENENE Within CAMAS County
T01N R13E S21 NESENE Within CAMAS County
T01N R13E S21 SWESE Within CAMAS County
T01N R13E S28 SENWNE Within CAMAS County
T01N R13E S28 SWESEW Within CAMAS County
T01N R13E S28 SENESE Within CAMAS County
T01N R13E S28 NWSWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.140 CFS

PLACE OF USE: STOCKWATER Within CAMAS County

T01N R13E S21	NENE	T01N R13E S21	SENE
T01N R13E S21	SESE	T01N R13E S28	NWNE
T01N R13E S28	SESW	T01N R13E S28	NESE
T01N R13E S28	SWSE		

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

Adjudication Claim Notes

Claim(s): 37-21715

Background Data

- Beneficial Use Claim
- Source is Springs tributary to Sinks and Unnamed Streams
- Claimed 0.14 cfs for Stockwater

Place Of Use Data

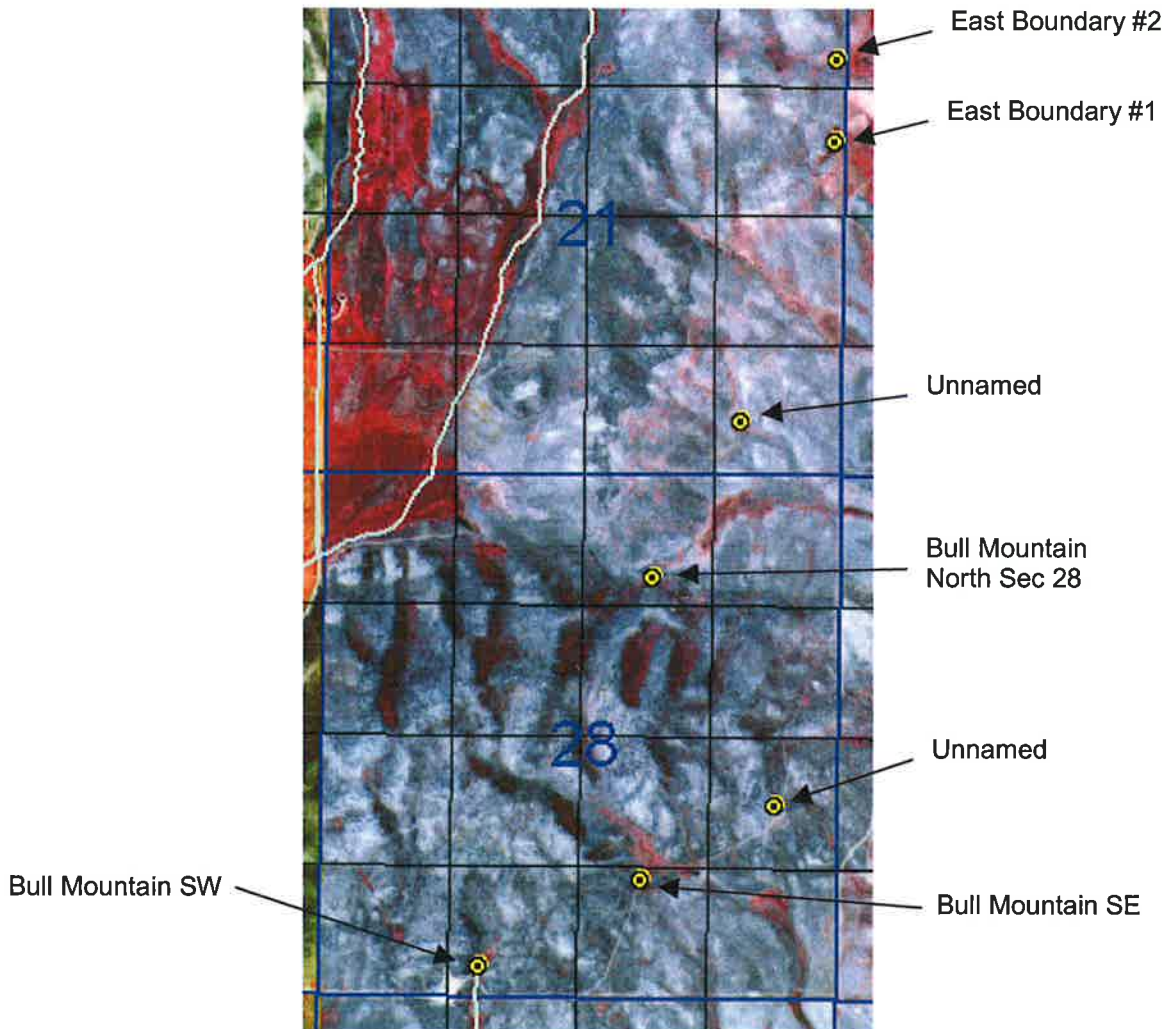
Yellow line is the draft Place of Use created by IDWR based on historical data and records.

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

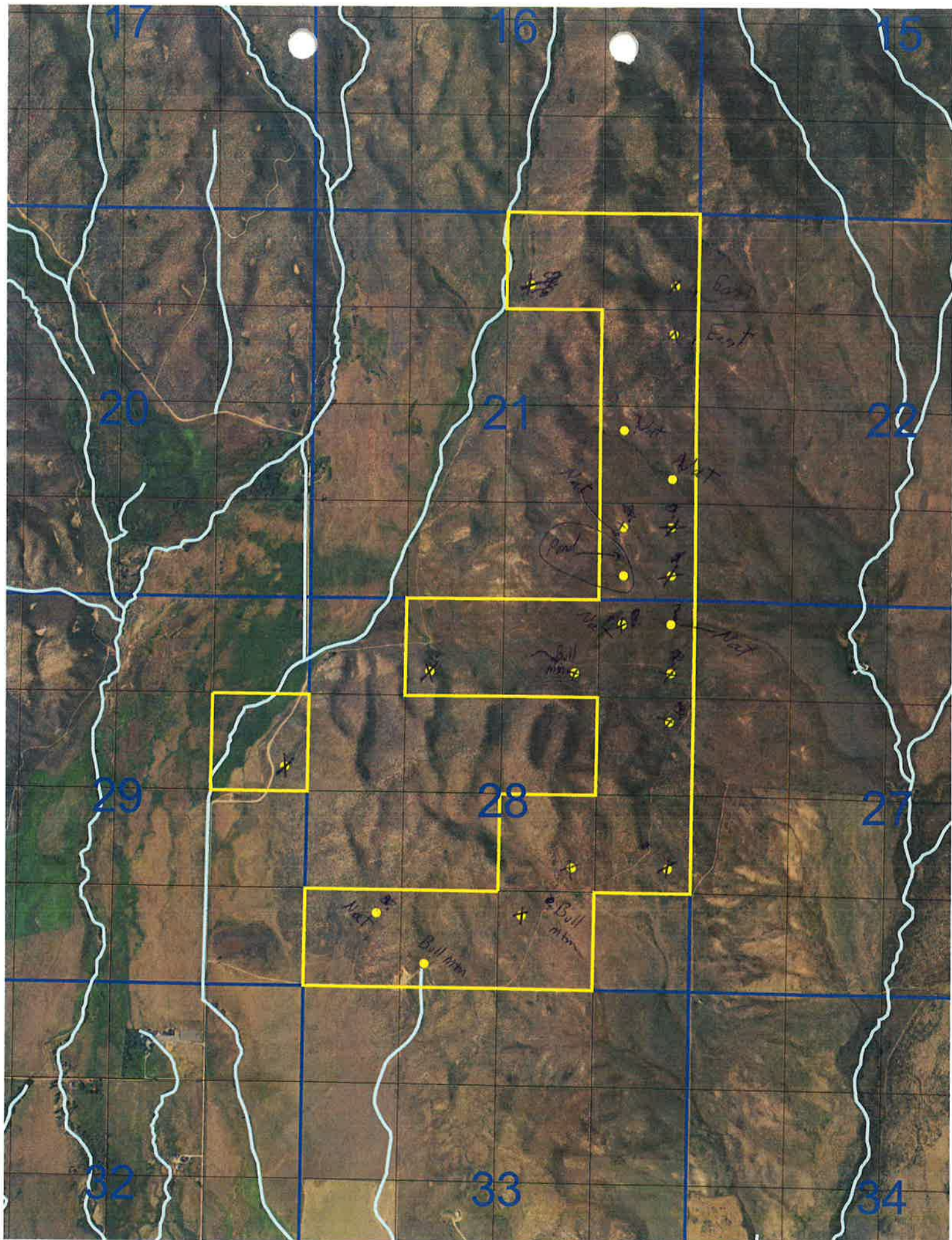
Developed Springs



Notes

T1N R13E Sections 21 & 28

- 3/14/06 – Met with Chuck Brockway Sr.. Mr. Brockway identified the developed and undeveloped springs. He was also able to locate each spring based on his fieldwork. Some of the claimed PODs were removed.
- Claim 37-13288 was split into
 - 37-21715 - developed springs
 - 37-21716 - undeveloped springs.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo



Anders, Matthew

From: Hahn, Carrie
Sent: Wednesday, February 08, 2006 7:58 AM
To: Anders, Matt
Subject: RE: 37-13288

Morning Matt,

I didn't have any luck in finding it.
Sorry, Carrie

-----Original Message-----

From: Anders, Matt
Sent: Tuesday, February 07, 2006 3:13 PM
To: Hahn, Carrie
Subject: 37-13288

Carrie,

Bar code says 37-13288 is at Southern. If it is, please send it to me.

Thanks!

Matt