



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

April 12, 2019

Robert Hoskins or
Barbara Kay Hoskins
674 West 275 South
Blackfoot, ID 83221

RE: Ownership of Water Rights 27-10268 and 27-10269

Dear Water Users:

During a recent review of water rights in Bingham County, I discovered errors in the Department's ownership records for water rights 27-10268 and 27-10269. This letter is intended to explain the errors and notify you of changes I have made to the ownership records for water rights 27-10268 and 27-10269.

On April 23, 1999, the Snake River Basin Adjudication ("SRBA") Court issued partial decrees for water rights 27-10268 and 27-10269. Water right 27-10268 bears a priority date of March 1, 1968 and authorizes the diversion of 0.06 cfs for domestic and stockwater use at a home located in the SENESW of Section 13, T03S, R34E. Water right 27-10269 bears a priority date of January 11, 1978 and authorizes the diversion of 0.04 cfs for domestic use at a home located in the SWNESW of Section 13. Andy and Joyce Novosad were the decreed owners of record for both water rights.

According to an aerial photo from 1987, there were only two homes in existence in the NESW of Section 13 in 1987: the home located at 652 West 275 S (still owned by Novosad) and the home located at 666 West 275 South (currently owned by Hansen). Therefore, one of the domestic rights (27-10268) would have been associated with the Novosad home and the other domestic right (27-10269) would have been associated with the Hansen home.

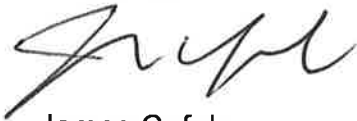
In April 2000, you acquired a 1.2-acre parcel in the southeast corner of the NESW of Section 13 from Joyce Novosad. This 1.2-acre parcel is a pasture area, just east of your home. In May 2003, you filed a Notice of Change in Water Right Ownership with the Department proposing to update the ownership records for water rights 27-10268 and 27-10269. The Department reviewed the deed from Novosad and listed you as the owner of both rights. I believe the ownership change was updated in error. The property you acquired from Novosad did not include either of the homes associated with water rights 27-10268 or 27-10269. These domestic rights are tied to the Novosad and Hansen homes and should not have been put in your name.

Your home, located at 674 West 275 South, is already covered by domestic right 27-10458, which was decreed by the SRBA Court in 1998. Water right 27-10458 bears a priority date of March 25, 1880 and authorizes the diversion of 0.07 cfs from ground water for domestic and stockwater use. Your domestic water right 27-10458 is senior to water rights 27-10268 and 27-10269.

I have changed the ownership records for water rights 27-10268 and 27-10269 back to the ownership listed on the 1999 SRBA decrees (Andy and Joyce Novosad). I have also updated the point of diversion and place of use shapes for the water rights to reduce the potential for mistakes in the future.

Please feel free to contact me if you have questions about the changes. We have spoken in the past about various water right issues and I would be happy to discuss the ownership of these rights with you, if needed.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Cefalo', written in a cursive style.

James Cefalo
208-525-7161

Encl: Partial Decrees 27-10268, 27-10269 and 27-10458; Map

Cc: Joyce Novosad (652 West 275 South, Blackfoot, ID 83221)
Steve Hansen (666 West 275 South, Blackfoot, ID 83221)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 27-10268

NAME AND ADDRESS: ANDY NOVOSAD
JOYCE NOVOSAD
652 W 275 S
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 03/01/1968

POINT OF DIVERSION: T03S R34E S13 SENESW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

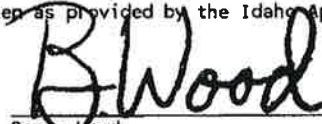
PLACE OF USE:	Stockwater		Within Bingham County
	T03S R34E S13	NESW	
	Domestic		Within Bingham County
	T03S R34E S13	NESW	

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.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 27-10269

NAME AND ADDRESS: ANDY NOVOSAD
JOYCE NOVOSAD
652 W 275 S
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/11/1978

POINT OF DIVERSION: T03S R34E S13 SWNESW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOUSE	01-01 TO 12-31	0.04 CFS

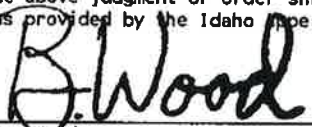
PLACE OF USE: Domestic T03S R34E S13 NESW Within Bingham County

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
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Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 27-10458

1998 DEC 21 PM 2:24

FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: BARBARA K HOSKINS
ROBERT A HOSKINS
674 W 275 S
BLACKFOOT, ID 83221

SOURCE: GROUNDWATER

QUANTITY: 0.07 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 03/25/1880

POINT OF DIVERSION: T03S R34E S13 LOT 04 (NWSW) Within Bingham County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOUSE	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.03 CFS

PLACE OF USE: Stockwater Within Bingham County
T03S R34E S13 LOT 04 (NWSW)

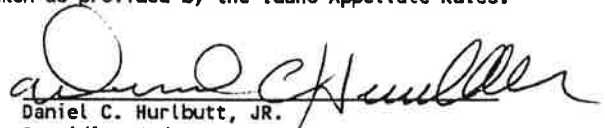
Domestic Within Bingham County
T03S R34E S13 LOT 04 (NWSW)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

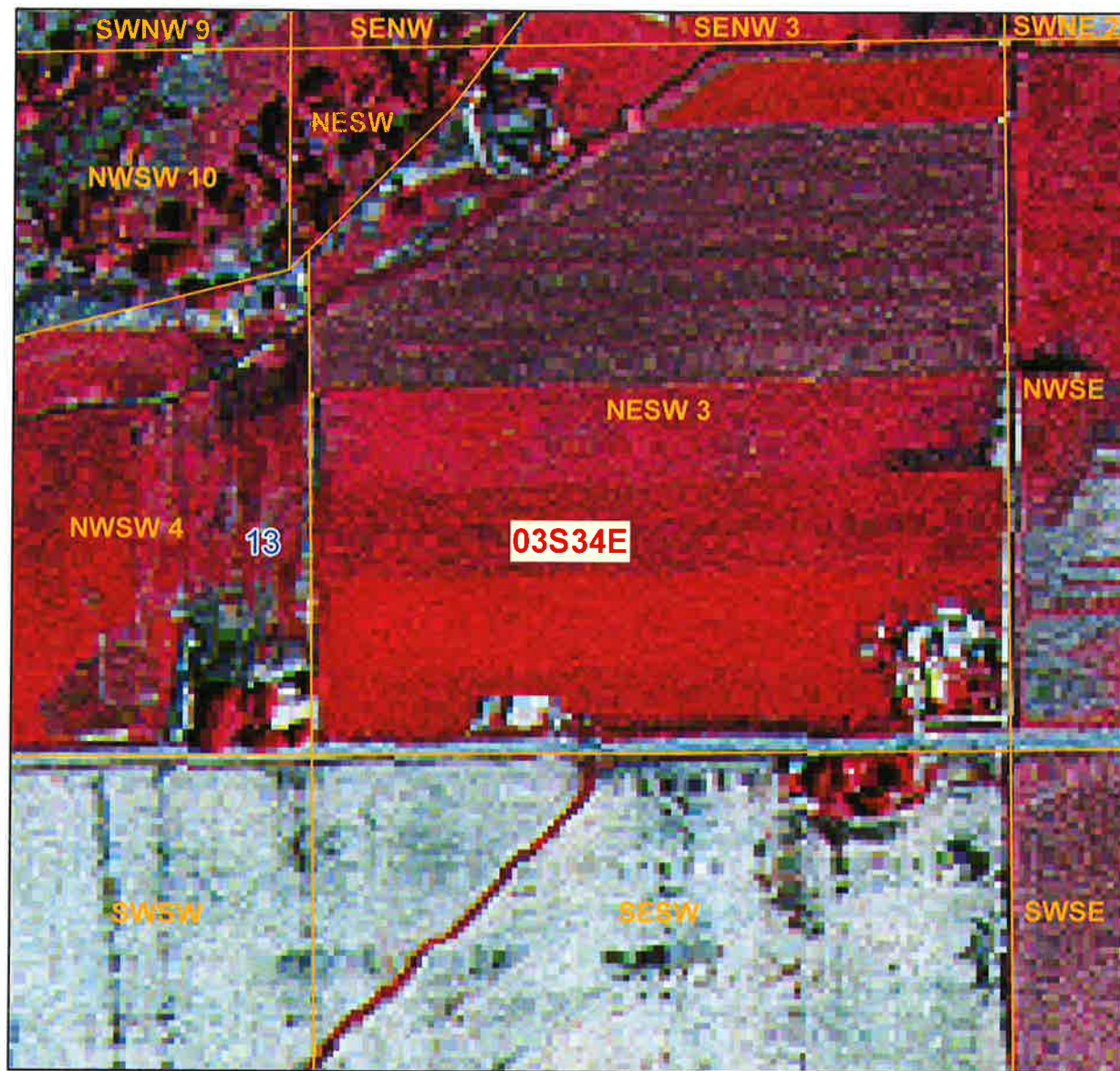
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

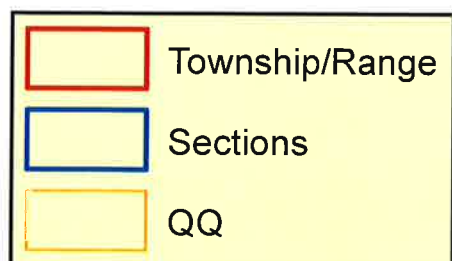
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Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

Water Rights 27-10268, 27-10269 and 27-10458



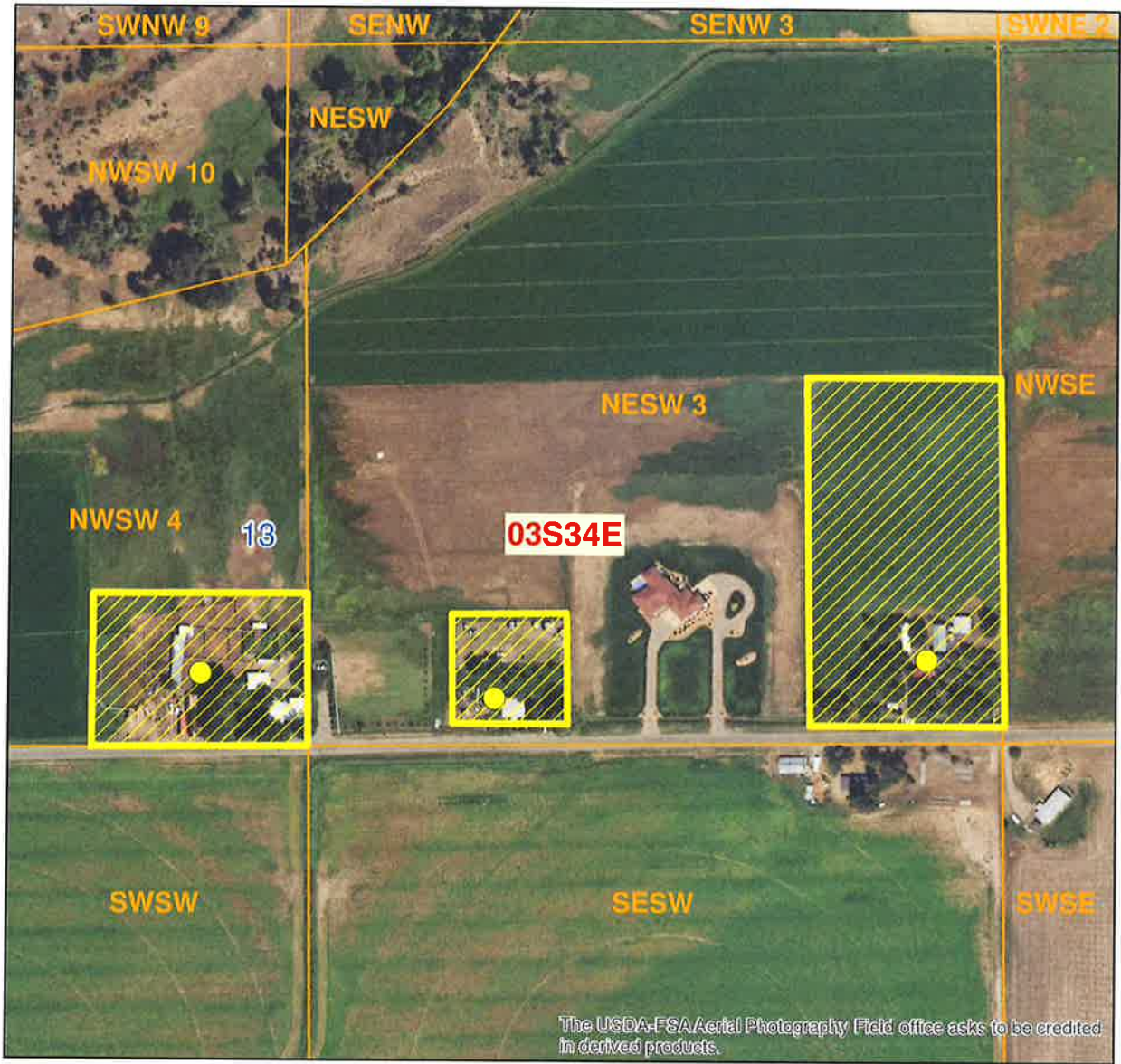
1987 Aerial Photo



0 400 800 Feet



Water Rights 27-10268, 27-10269 and 27-10458



2013 Aerial Photo

