

RECEIVED

FEB 22 2023

DEPARTMENT OF
WATER RESOURCES

Form No. 42-1409-2 (Internet 7/17)

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

FEB 17 2023

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Claim ID: 75-15064

Date Received: 2-22-23

Receipt No: 0115 377

Claim Fee: 25. By: ku

Cf Clerk

Deputy Clerk

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

Please type or print clearly

- Name of claimant(s) Sadie Barrett Phone (208) 469-0533
Mailing address 10 Riverside Drive Salmon, ID Zip 83467
Street or Box City State
Email address (optional) sadie.barrett@icloud.com
- Date of priority: (Only one per claim) May 1, 1968 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other (✓) (a) Spring (Lake Creek Spring)
which is tributary to (b) Lake Creek
- Location of point of diversion is: Township 19N, Range 21E, Section 2,
SW 1/4 of NE 1/4, or Govt. Lot _____ BM, County of Lemhi;
Parcel no. RP 000690080130
Additional points of diversion, if any: N/A
If available, GPS coordinates: _____
- Description of diverting works (wells, pumps, spring boxes, pipelines, 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.
Trow collection pipes flow into a 10,000 tank and is diverted into 2" and 4" inch pipes, which deliver water to my residence.
- Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For _____ Domestic _____ purposes from Jan 1 to Dec 31 amount 0.04 cfs (✓) or AFY ()
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.04 cfs (✓) or AFY ()
- Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
Domestic- 1 home

9. Location of place of use is: Township 19N, Range 21E, Section 2,
NE 1/4 of SE 1/4, Govt. Lot _____ BM, Parcel no. RP 00068004002A
If different than shown in Item 4

for (check one) **Domestic** (✓) **Stock** () **Domestic and Stock** ()

Additional places of use, if any T19N 21E Section 1 NW/SW (Residence is split between two sections)

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

11. Do you own the property listed above as place of use? Yes (✓) No ()
If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (✓)

13. Remarks (include an explanation of the priority date selected):
The priority date is when the spring was developed and pipeline installed. Water was delivered to my residence
at that time.

14. Basis of claim (check one) **Beneficial Use** (✓) **Posted Notice** () **License** () **Permit** () **Decree** ()
Court _____ Decree Date _____ Plaintiff v. Defendant _____
If applicable provide IDWR Water Right Number 75-15064

15. **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

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)  Date: Feb 13, 2023

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

_____ of _____,
Agent's title (Please print) Name of organization (Please print)
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on 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 _____ Date _____

Address _____

Name of claimant(s) Sadie Barrett Claim ID _____

10 Riverside Drive



2/13/2023, 11:19:08 AM

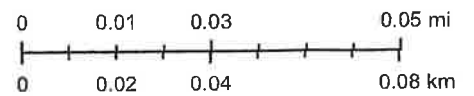
POD - Water Rights

Quarter Quarters

PLS Sections

 Townships

1:2,257



Maxar, Microsoft

RECEIVED
FEB 17 2023
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 SRBA)

Subcase 75-15064
(Insert water right number)

Case No. 39576)

MOTION FOR DETERMINATION OF
DEFERRED *DE MINIMIS* DOMESTIC OR
STOCK WATER USE

Please fill in the following information:

NAME AND ADDRESS OF WATER RIGHT CLAIMANT.

Name:

Sadie Barrett

Address:

10 Riverside Drive
Salmon, ID. 83467

Daytime Phone: (208) 469-0533

Name & Address of Attorney, if any:

I HAVE ATTACHED:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock water use pursuant to I.C. § 42-1414. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount required by the statute.

MOTION FOR DETERMINATION OF DEFERRED *DE MINIMIS* DOMESTIC OR STOCK WATER USE - 1 -

SCANNED
FEB 21 2023

I HAVE READ AND REVIEWED THE FOLLOWING:

- ☒ The procedures governing the filing and prosecution of this Motion as set forth in the Court's ***Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims***, entered in SRBA Case No. 39576 on June 28, 2012, and the ***Order Amending Procedure in the SRBA for Adjudication of Deferred De Minimis Stockwater Claims***, entered October 17, 2017.
- ☒ The ***Order Granting State of Idaho's Motion for Interim Order Implementing the Order Governing Procedures of Adjudication of Deferred De Minimis Domestic and Stock Water Claims***, entered in SRBA Case No. 39576 on December 18, 2013.

INSTRUCTIONS REGARDING THE HEARING ON THIS MOTION: A hearing on your Motion will be scheduled by the Court after the filing of the *Affidavit of Publication* as required under paragraph B.1. of the ***Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims***, entered in SRBA Case No. 39576 on June 28, 2012, and the ***Order Amending Procedure in the SRBA for Adjudication of Deferred De Minimis Stockwater Claims***, entered October 17, 2017.

Signed: _____

Sed. Gyal

Dated: _____

Feb. 13, 2023

CERTIFICATE OF MAILING

I certify that on February 13, 2023 I mailed original and copies of this form, including all attachments, via certified mail and addressed as follows to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Ave. North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div.
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

3. Certified Mail Copies to:

U.S. Attorney's Office
1290 W Myrtle St, Ste 500
Boise, ID 83702

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001



Signature of person or attorney mailing the form

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls-State of Idaho

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

MAY 22 2024

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 75-15064

By _____ *CHJ*
Clerk
Deputy Clerk

NAME AND ADDRESS: SADIE BARRETT
10 RIVERSIDE DR
SALMON, ID 83467

SOURCE: SPRING TRIBUTARY: LAKE CREEK

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/01/1968

POINT OF DIVERSION: T191 R21E S02 NESWNE Within Lemhi County

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

Domestic use is for 1 home.

PLACE OF USE:	Domestic	Within Lemhi County
	T19N R21E S01 LOT 9 (NWSW)	
	S02 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. I.C. SECTION 42-1412(6).

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.

[Signature]
Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

**DIRECTOR'S REPORT OF DEFERRED
DE MINIMIS DOMESTIC AND/OR STOCK WATER USE**

Claim No. 75-15064

In Re SRBA
Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Mathew Weaver, Director
Craig Saxton, Manager, Adjudication Section

October 4, 2023

DESCRIPTIVE SUMMARY

This is a Director's Report of Deferred *De Minimis* Domestic and/or Stock Water Use submitted by the Director of the Idaho Department of Water Resources (IDWR).

INTRODUCTION

A Motion for Determination of Deferred *De Minimis* Domestic and/or Stock Water Use (Motion), as well as a Notice of Claim to Water Right, was received by the Court on February 17, 2023, for water right claim no. 75-15064. The Claimant published notice of the Motion, and the Director has now completed his examination of the water right claim. The examination was conducted by Craig Saxton, Manager, Adjudication Section, on behalf of the Director. The materials used in and results of the examination of the elements of water right claim no. 75-15064 are discussed below.

DISCUSSION

Priority Date

The claimed priority date is May 1, 1968. Lemhi County parcel data shows a built date of 1969 supporting the claimant's statement in the claim file that the claimed priority date of May 1, 1968, is when the spring was developed, and pipeline was installed which delivered water to her home.¹ The priority date is recommended as claimed.

Point of Diversion

The claimed point of diversion is located on Latah County parcel RP000690080130. The location of the claimed point of diversion is described as Township 19 North, Range 21 East, Section 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

¹ The "build date" reflects the first year the county tax records are updated which can be up to a year after the residence was constructed. IDWR will commonly accept the "build date" as evidence of development up to one year prior to what is shown on the county records in lieu of conflicting evidence.

This claim was filed in connection with settlement of protests filed to Transfer Application 87151 and Application for Permit 75-15061 which revolve around use of the spring that is described as the claimed point of diversion for 75-15064. James Cefalo, Regional Manager of the Eastern Regional office of IDWR, has been working with the parties to reach settlement to the disputes, and is familiar with the claimed point of diversion location. I spoke with Mr. Cefalo on October 2, 2023, to verify the location of the point of diversion. He explained that the collection area of the spring water extended from Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) into the SW $\frac{1}{4}$ NE $\frac{1}{4}$. Because of the location of the spring being so close to quarter-quarter boundaries, Mr. Cefalo recommended that the point of diversion be described in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2. Claim 75-15064 only describes the point of diversion location to a 40-acre tract (SW $\frac{1}{4}$ NE $\frac{1}{4}$), however, to be consistent with the other rights that share the spring as a point of diversion, I described the recommended point of diversion to a 10-acre tract described as the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2.

Source

The source claimed is “spring” tributary to “Lake Creek”. This point of diversion is shared with multiple rights that describe the source as “spring”, and the tributary of Lake Creek was verified using USGS Quadrangle maps. The source is recommended as claimed.

Place of Use

The claimed place of use is located on Latah County parcel RP00068004002A. The location of the place of use is described as Township 19 North, Range 21 East, Section 2, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and Township 19 North, Range 21 East, Section 1, NW $\frac{1}{4}$ SW $\frac{1}{4}$. According to the Latah County parcel data, Sadie Barrett owns the property described as the claimed place of use. The place of use is recommended as claimed.

Purpose of Use and Period of Use

The claimed purpose of use is for domestic use for 1 home. In addition to the county data listing a built date of 1969, evidence of domestic structures is visible on available aerial photography. A year-round season of use for domestic use is generally recommended if claimed. The season of use for domestic use is recommended as claimed.

Quantity

The claimed quantity is 0.04 cubic feet per second ("cfs") and is within the typical range of diversion rates associated with domestic use². The quantity is recommended as claimed.

CONCLUSION

There is sufficient evidence to recommend water right claim 75-15064, as claimed, for domestic use. Pursuant to Judge Wildman's *Order Amending Procedures in the SRBA for Adjudication of Deferred De Minimis Stockwater Claims*, dated October 17, 2017, the Director submits this Director's Report of Deferred *De Minimis* Domestic and/or Stock Water Use, Claim No. 75-15064, which includes the recommendation of deferred *de minimis* water right no. 75-15064.

Respectfully submitted this 4th day of October, 2023.



CRAIG L SAXTON
Manager, Adjudication Section

² See IDWR's Application Processing Memo #22.

AMENDED CERTIFICATE OF SERVICE

I certify that on _____, 2023, I caused to be served a true and correct copy of this Director's Report of Deferred *De Minimis* Domestic and/or Stock Water Use, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ E-mail

2. Copies to:

Chief, Energy and Natural Resources Div.
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ E-mail

United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ E-mail

Lemhi County Courthouse
206 Courthouse Dr
Salmon, ID 83467

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ E-mail

Sadie Barrett
10 Riverside Dr.
Salmon, ID 83467

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ E-Mail

U.S. Attorney's Office
1290 West Myrtle Street
Suite 500
Boise, ID 83702

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ E-mail

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ E-mail

Signature of person delivering form

10/04/2023

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-15064

NAME AND ADDRESS: SADIE BARRETT
10 RIVERSIDE DR
SALMON ID 83467

SOURCE: SPRING

TRIBUTARY: LAKE CREEK

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 05/01/1968

POINT OF DIVERSION: T19N R21E S2 NESWNE Within LEMHI County

PURPOSE AND PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	DOMESTIC	01/01 12/31	0.040 CFS
	Domestic use is for 1 home.		

PLACE OF USE:

<u>DOMESTIC in LEMHI County</u>	
T19N R21E S01 Lot 9 NWSW	T19N R21E S02 NESE

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. Idaho Code § 42-1412(6).

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Property is also known as Lot 2 Less T-4386, Block 4, Lake Creek Subdivision Amended.

Point of Diversion parcel no. RP000690080130. Place of use parcel no. RP00068004002A

AMENDED NOTICE OF FILING DIRECTOR'S REPORT
OF DEFERRED *DE MINIMIS* DOMESTIC
AND / OR STOCK WATER USE
CLAIM NUMBER 75-15064

On October 6, 2023, the Director of the Idaho Department of Water Resources (IDWR) filed with the Snake River Basin Adjudication (SRBA) District Court the Director's Report of Deferred *De Minimis* Domestic and / or Stock Water Use Claim No. 75-15064 (DR). This DR contains the Director's recommendation to the SRBA Court as to how your *de minimis* domestic and/or stock water right, claimed under state law, should be decreed in the SRBA if allowed by the District Court.

On the same day, IDWR filed its *Notice of Filing Director's Report of Deferred De Minimis Domestic and/or Stock Water Use* (Notice) for Claim No. 75-15064. At that time, IDWR failed to effect service on a required entity pursuant to Idaho Code § 42-1411. IDWR is sending this **Amended Notice of Filing Director's Report** to correct this error in service.

As a result of IDWR's service error, the filing deadline for objections to the claim has been extended. Any objections received prior to the filing of this **Amended Notice** are still valid and **do not** need to be re-filed. Please note the changes to the filing deadlines as indicated below.

Why am I getting this mailing?

You have received this mailing because you filed a Motion for Determination of Deferred *De Minimis* Domestic or Stock Water Use with an accompanying Notice of Claim to Water Right in the SRBA. The Director has completed the examination of your claim and has filed his report and recommendation of your claim with the Court. This mailing contains only the Director's recommendation to the SRBA Court of your claim. Your mailing **does not** contain the Director's recommendations of any claims other than your own. A complete copy of this DR is also available at the SRBA courthouse in Twin Falls and at the locations listed at the end of this notice. Copies of the DR can be made but you may be charged for copying and mailing. The DR can also be accessed through the SRBA Court's website at <http://www.srba.idaho.gov> or IDWR's website at <http://www.idwr.idaho.gov>. A map of reporting areas, as well as other information pertaining to the SRBA, can be accessed on IDWR's website as well.

A Final Unified Decree was issued in the SRBA on August 26, 2014. Any future reporting of water rights, which were before the SRBA Court prior to the entry of the Final Unified Decree, or deferred *de minimis* domestic or stock water claims proceeding under the SRBA Court's *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims* of June 28, 2012, and as amended by the *Order Amending Procedures in the SRBA for Adjudication of Deferred De Minimis Stockwater Claims*, issued October 17, 2017, will be through individual reports or reports on small groups of rights. You will not receive notice of these future reports as they are filed with the SRBA Court unless you have an ownership interest in the water right claim that is being reported. Therefore, if you are interested in the status of water rights belonging to other people that have not yet been recommended by IDWR, you should periodically review the Court's docket sheet or check the

status of the water right on the Court's web page located at: <http://www.srba.idaho.gov>. Information about subscribing to the Court's docket sheet is provided on page three of this notice.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHTS

The description of your right, which is enclosed in the DR, is only the Director's *recommendation* to the SRBA Court on your water right. The Court will decide how it will decree your water right. You are free to agree or disagree with the Director's recommendation. If you agree with the Director's recommendation, you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR TAKING A WATER RIGHT CLAIM TO COURT

What do I do if I disagree with the recommendation?

If you disagree with any element of the recommendation of the water right and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form ("Standard Form 1") available from any IDWR office or from the SRBA Court. You may also download a copy of the objection form from the SRBA website at: <http://www.srba.idaho.gov>.

Your objection must be **received** by the SRBA Court on or before **Tuesday, February 13, 2024**. A copy of the objection must be mailed to the Director of IDWR. Should anyone else object to the recommendation of this right, the objector should mail a copy of their objection to the claimant of the right and to the Director of IDWR.

What do I do if someone else objects to my water right recommendation?

If someone files an objection to your water right, you may file a response to that objection. Responses to objections must be made on the standard response form ("Standard Form 2") available from any IDWR office or from the SRBA Court. You may also download a copy of the response form from the SRBA website at: <http://www.srba.idaho.gov>.

Responses must be **received** by the SRBA Court on or before **Monday, April 15, 2024**. A copy of the response must be mailed to the Director of IDWR and the objector to the water right.

What happens if there are no objections to my water right?

Should the deadline for filing objections and responses to your water right pass--with no objections or responses filed--the SRBA Court will hear the uncontested recommendation on **Tuesday, May 21, 2024, at 1:30 p.m. (Mountain Time)** at the SRBA courthouse. A partial decree will be issued following this hearing.

How will I know about the proceedings on my water right recommendation if objections are filed?

A notice will be mailed to you for court dates on your water right(s). Any other objectors or respondents to your water right will also receive notice of those court dates.

Additional information regarding water right claims can be found on the SRBA Court's website at: <http://www.srba.idaho.gov>.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed, as well as when Director's Reports are filed. It does not list court dates for individual water right cases but provides general information helpful to all participants in the SRBA.

The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA website at: <http://www.srba.idaho.gov>.

IMPORTANT INFORMATION REGARDING GENERAL PROVISIONS

General provisions are those parts of the SRBA Court's decree that apply to all the water rights in a basin, or to classes of similarly situated water rights within a basin. All general provisions recommended in the SRBA are now decreed. You may obtain a copy of the general provisions for your basin from the SRBA District Court in Twin Falls or at the courthouse location nearest to your basin. You may be charged for copying and mailing. You may also view the general provisions for every basin within the SRBA by going to IDWR's website at: <http://www.idwr.idaho.gov>.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE SRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right(s) changes. Failure to notify IDWR may result in the loss of your water right(s).

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are available at the IDWR Regional office nearest to the location of your water right. You are also welcome to call IDWR at any of its offices or its adjudication hotline at 1-(800) 451-4129. You may contact the SRBA Court, or you may also want to consider contacting an attorney to assist you.

Snake River Basin Adjudication**District Court**

253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011
<http://www.srba.idaho.gov>

Idaho Department of Water Resources***Western Region***

2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

Idaho Department of Water Resources***Southern Region***

650 Addison Avenue West, Suite 500
Twin Falls, Idaho 83301-3380
(208) 736-3033

Salmon Field Office

102 South Warpath
Salmon, ID 83467-4435
(208) 742-0658

Lemhi County Courthouse

206 Courthouse Drive
Salmon, ID 83467

Idaho Department of Water Resources

322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098
(208) 287-4800
(800) 451-4129
<http://www.idwr.idaho.gov>

Idaho Department of Water Resources***Northern Region***

7600 N. Mineral Drive, Suite 100
Coeur d'Alene, Idaho 83815
(208) 762-2800

Idaho Department of Water Resources***Eastern Region***

900 North Skyline, Suite A
Idaho Falls, Idaho 83402
(208) 525-7161

Preston Field Office

325 East 600 South, Suite 300
Preston, ID 83263-4921
(208) 701-7200

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 29, 43, or 72.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in its records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "groundwater," "unnamed spring," or "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your right in relation to other rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, or other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, or stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, or other survey information.

PLACE OF USE FOR IRRIGATION PROJECTS: Pursuant to Idaho Code Sections 42-219(2) and 42-1411(2)(h), IDWR has included GIS mapping for describing the place of use (digital boundary) for water rights meeting certain criteria (i.e., irrigation projects). The **PLACE OF USE** for irrigation projects is reported in digital format and uses GIS technology to particularly identify and display a geographic area encompassing the place of use with the aid of a computer. The GIS data is stored in digital format and contained on a CD-ROM and is properly marked for identification with the water right number. The CD-ROM will be retained by the SRBA Court. IDWR also retains a duplicate of the original CD-ROM. The electronic data contained on the CD-ROM is available for public use and is also accessible through the IDWR website (<http://www.idwr.idaho.gov>). *Upon request, IDWR will provide a copy of the CD-ROM with the electronic data to claimants.*

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, or permit.

IDWR does not investigate or make recommendations regarding federal law based claims.

State of Idaho
Department of Water Resources
Adjudication Recommendation
75-15064



0 0.05 0.1 0.2 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion



Saxton, Craig

From: Cefalo, James
Sent: Friday, September 29, 2023 12:59 PM
To: Saxton, Craig
Subject: SRBA Claim 75-15064

Craig,

Would you please forward this email to whoever is reviewing SRBA Claim 75-15064 filed by Sadie Barrett.

There is an existing domestic water right (75-13715) from a spring tributary to Lake Creek in the name of Sadie Barrett. The Department completed an ownership change on water right 75-13715 in 2013, updating the ownership for this right to Sadie Barrett. I have reviewed the water right file and relevant deeds and believe the ownership change was completed in error. From what I can tell, water right 75-13715 is appurtenant to the neighboring property, owned by Aksland Family 2020 Revocable Trust.

I currently have two protested applications pending before me: Application for Permit 75-15061 and Application for Transfer 87242. As part of a global settlement agreement with multiple water users on the shared spring, Application 75-15061 will be withdrawn. Application 87242 will be conveyed by Sadie Barrett to Aksland Family Trust, water right 75-13715 will be officially tied to the Aksland Family Trust property, and the ownership for water right 75-13715 will be changed to Aksland Family Trust. One component of the global settlement agreement is that Sadie Barrett would pursue an SRBA claim for her property.

To summarize, there is no existing recorded right for the Barrett property. Please don't create a combined limit between water right 75-15064 and any other water right. Please don't disallow claim 75-15064 because of duplicate rights. Water right 75-15064, if it can be recommended and decreed, will help facilitate a settlement of multiple water right disputes related to the shared spring.

Feel free to call me if you need more information.

James



IDAHO DEPARTMENT OF
WATER RESOURCES

James Cefalo | Regional Manager
900 N Skyline Drive, Idaho Falls, ID 83402
(208) 525-7161 | www.idwr.idaho.gov

MAY 01 2023

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 SRBA

Case No. 39576

Water Right Claim: 75-15064

**NOTICE OF EXAMINATION
OF DEFERRED *DE MINIMIS*
DOMESTIC AND/OR STOCK
WATER USE**

A Motion for Determination of Deferred De Minimis Domestic or Stock Water Use

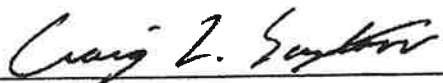
(Motion) was filed with the district court on February 17, 2023, for water right claim 75-15064.

The claimants have published notice of the Motion, and two objections to the claim have been filed; one filed by David Craig on March 23, 2023, and the other filed by Gilbert Kort on March 27, 2023. The Director of the Idaho Department of Water Resources (IDWR):

- ☐ Will not conduct an examination of the claim.
- ☒ Will conduct an examination of the claim and file a report with the district court on or by **April 22, 2024**. The Director estimates the costs for examination of the claim and preparation of the report to be **\$100.00**.
- ☐ Will commence an examination of the water system pursuant to Idaho Code § 42-1410 (2003) and file a report on its findings with the district court on or by _____. The Director estimates the costs for examination of the water system and preparation of the report to be _____.

Pursuant to the *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims* issued on June 28, 2012, in the Snake River Basin Adjudication (SRBA) main case no. 39576, the claimant shall forward the amount of costs estimated above, \$100.00, to the Director. IDWR has served a copy of this *Notice of Examination of Deferred De Minimis Domestic and/or Stock Water Use* on the claimant(s) as notification that the charges are now due. The claimant should remit payment to: IDWR, P.O. Box 83720, Boise, Idaho 83720-0098.

DATED: April 19, 2023



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 19, 2023, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight mail
☒ Regular mail
☐ Hand-delivered
☐ Facsimile

2. Copies to claimant:

Sadie Barrett
10 Riverside Drive
Salmon, ID 83467

☐ Overnight mail
☒ Regular mail
☐ Hand-delivered
☐ Facsimile

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

☐ Overnight mail
☐ Regular mail
☒ Hand-delivered
☐ Facsimile

Lori Harris
Signature of person mailing this document