

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: A74-00498
Date Received: 3/26/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 12 1990

Department of Water Resources
Eastern District Office

1. Name: JOSEPH NEBEKER
Address: P.O. BOX 598
SALMON, ID 83467

Name: MARGARET S. NEBEKER
Address: P.O. BOX 598
SALMON, ID 83467

2. Date of Priority: JUL 27, 1888

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	23E	30	NE	SW			LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	9	SE	NW		IRR	1.0

A74-00498

Page 1

Date: 06/29/90

MICROFILMED

DEC 14 1992

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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: 74-00498

DATE RECEIVED:

RECEIPT NO:

RECEIVED BY: _____

RECEIVED

JUN 27 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. NAME: JOSEPH NEBEKER
ADDRESS: P.O. BOX 598
SALMON, ID

83467

NAME: MARGARET S. NEBEKER
ADDRESS: P.O. BOX 598
SALMON, ID

83467

RECEIVED

MAR 26 1990

Department of Water Re

2. DATE OF PRIORITY: JUL 27, 1888

3. SOURCE: LEMHI RIVER

TRIB. TO: SALMON RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
21N	23E	30	NE	SW			LEMHI

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.060		

7. TOTAL QUANTITY APPROPRIATED IS:
0.060 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

A7400498

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
21N	22E	9	SE	NW		IRR	1.0
			NE	SW		IRR	1.0
						SECTION ACRES	2.0
						TOTAL ACRES	2.0

11. PLACE OF USE IN COUNTIES: LEMHI, LEMHI

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:
DIV. L-7.

15. BASIS OF CLAIM: DECREED
CASE NUMBER:
COURT :
DECREE DATE:

DECREE PLAINTIFF

VS

DECREE 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: _____

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): Joseph S Nebeker DATE: 6/25/90
Margaret S. Nebeker DATE: 6-25-90

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, TITLE
_____, AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Bear River) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 25 DAY

OF June 19 90

[Signature]
NOTARY PUBLIC

SEAL

RESIDING AT [Signature]

MY COMMISSION EXPIRES 6/2/92
DATE: 02/08/90 1363

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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

Identification No. 74-00498

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use Is less than 13,000 gallons per day.

RECEIVED

MAR 26 1990

no fee incl.
Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Joseph S Nebeker Phone (208) 756 2220
Mailing Address Box 107-H Zip 83467
2. Date of Priority (Only one per claim) July 27, 1888 Month/Day/Year
3. Source of water supply (Check one) () Groundwater or Other () (a) Lemhi River Drainage
which is tributary to (b) Salmon River Name or kind of source
4. Location of point of diversion is: Township 21N Range 23E S.9
Section 30 1/4 of NE 1/4 of SW 1/4, Govt. Lot _____, BM.,
County of Lemhi
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. Well 35' Deep
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
- | | Month/Day | Month/Day | (cfs) |
|-------------------------------------|------------|-----------------|-----------------|
| For <u>Home</u> purposes from | <u>1/1</u> | to <u>12/31</u> | amount <u>4</u> |
| (Both dates are inclusive) | | | |
| For <u>IRRIGATION</u> purposes from | <u>Mar</u> | to <u>Oct</u> | amount <u>4</u> |
7. Total quantity claimed 0.060 (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) 2 Horses 2 Mules

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10. Place of use is: Township: 29 N. Range 22 E
Section 9 1/4 of SE NW 1/4, Govt. Lot NE SW, B.M.,
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? Lenhi
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.
() None or _____
14. Remarks: Home use. Well IRR for 5.68 acres.

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 _____

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
document in the space below as _____ Organization
_____ of _____ Title _____ Organization
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 _____) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____
Residing at _____
My Commission Expires _____

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Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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FROM

S. Frayne

DATE

6-25-90

TO

File / Roxanne

SUBJECT

*Joseph S. Nebeker - 756-2220 ("in + out")
74-00498, -99, -50*

*Mr. Nebeker called this aft @ 1:40 p re your
ltr of 6-19-90. He's not angry, but confused as
to why there is a fee, when M.D. said
there wouldn't be. P/s call him.*

JHx. phoned 6/25 3:00

6/26 9:00, 11:00

6/28 10:00

6/29 8:00

S. Frayne

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DEC 14 1992

SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

June 19, 1990

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Mr. Joseph S. Nebeker
Rt. 1, Box 107-A
Salmon, ID. 83467

Re: Snake River Basin Adjudication - Lemhi County

Dear Mr. Nebeker:

We are returning your pre-printed Notices of Claim to a Water Right filed for your property in Lemhi County. We have noted a problem with these claims which we would like you to correct.

Please read the enclosed instructions, particularly those highlighted in pink. Your claims must be signed, and the signatures notarized, before they can be processed.

Additionally, we are returning your hand-written claim. The form you have used is limited to single family domestic and small stock water rights. Your claim indicates the irrigation of over 5 acres. As a result the fee for this claim would be \$50.00, plus \$100.00 per cfs or part thereof.

Please complete Form #42-1409(2a) (enclosed), sign the form, having your signature notarized and return it to this office, with the appropriate fee, to the attention of Roxanne McCarthy. If you will return the correct form before July 19, 1990, you will not be assessed a late filing fee. Please do not hesitate to contact this office if you have any questions or concerns.

Yours truly,

John D. Carlson
Adjudication Supervisor

JDC:RMC/lk

Enclosures:

Claim Nos. 74-00498, 74-00499, 74-00500
hand-written Notice of Claim
Long Form w/Instructions

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