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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: A75-04485

Date Received: 5/10/1990

Receipt No: E014411

Received By: De

ADDITIONAL \$125 (E025179)

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: STANLEY GROVER 208-523-0610
Address: 674 CLEVELAND
IDAHO FALLS ID 83401

OR

Name: FLORA GROVER 208-523-0610
Address: 674 CLEVELAND
IDAHO FALLS ID 83401

2. Date of Priority: JUL 1, 1932

3. Source: SAWLOG GULCH Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	19E	23	SW	SW			LEMHI
		26	NW	SE			LEMHI

5. Description of diverting works:
ROCK DIVERSION PIPE TO SINGLE DOMESTIC HOME

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
MINING	07/01	10/01	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	19E	23	SW	SW		DOMEST	
		26	NW	SE		MINING	

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 23 pages

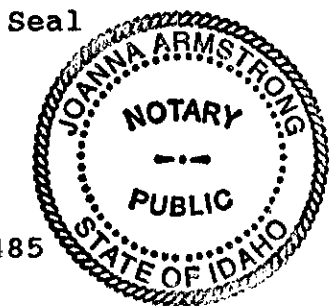
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Shirley P. Brown* Date: 7-13-99
Elena Brown Date: 7/12/99

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of July 19 99
Joanna Armstrong
Notary Public



Residing at Bonneville
My Commission Expires 06-18-2004

17. Notice of Appearance:

Notice is hereby given that I, Norman M. Semanko will be
Print Name

acting as attorney at law on behalf of 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 N. M. S.

Address P.O. Box 1906, Twin Falls, ID 83303-1906

Date July 28, 1999

ROSHOLT, ROBERTSON & TUCKER
ATTORNEYS AT LAW

142 THIRD AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, ID 83303-1906
(208) 734-0700
FAX (208) 736-0041

MEMORANDUM

TO: Dave
FROM: Crystal Vincent
DATE: August 2, 1999
SUBJECT: Stanley Grover Amended Claim A75-04485

RECEIVED

AUG 03 1999

Department of Water Resources
Eastern District Office

As discussed with you today by Kelly Christensen of Southern Regional, I am enclosing the Amended Claim A75-04485 with the fee of \$125.00. The claim was originally filed as domestic, however should have included mining. Per the Special Master's Recommendation will you please provide the court with a Notice of Compliance that this has been submitted.

I have also enclosed an extra front page of the claim to be conformed and returned in the enclosed envelope.

Thanks for your assistance.

80219991

RECEIVED JUL 07 1999

1999 JUL -2 PM 4: 20
DISTRICT COURT-SR3A
TWIN FALLS CO., IDAHO
FILED _____

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

Subcase: 75-04485

**SPECIAL MASTER'S
RECOMMENDATION TO
WITHDRAW DIRECTOR'S REPORT
RECOMMENDATION AND REMAND
CLAIM TO IDWR**

Subcase 75-04485 was scheduled for an Initial Hearing on July 2, 1999. At hearing, claimant Grover explained this water right was erroneously claimed as a small domestic and stock right. Grover seeks to claim mining as an additional use for this right. Grover asked the court to remand this right to the Idaho Department of Water Resources to allow it to be included in IDWR's investigation and *Director's Report* with the irrigation and other rights in Basin 75.

Objector United States concurred that the right should be included in the *Director's Report* for Basin 75 irrigation and other rights, but reserved its right to object to the right.

IT IS RECOMMENDED that the *Director's Report* for 75-04485 which was included in the domestic and stock recommendations for Basin 75 be withdrawn and that water right 75-04485 be remanded to IDWR to investigate and report along with the other irrigation and other rights for Basin 75. Grovers shall submit an amended claim for this right within 30 days, and provide the court with a Notice of Compliance that the amended claim has been submitted. IDWR may notify the court if an amended claim for this right is not submitted.

DATED: July 2, 1999.

BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

**SPECIAL MASTER'S RECOMMENDATION
TO WITHDRAW DIRECTOR'S REPORT
RECOMMENDATION
7/2/99**

RECEIVED JUL 6 1999

1999 JUL 02 PM 01:18
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	NOTICE SETTING SUBCASE(S)
	)	FOR INITIAL HEARING
Case No. 39576	)	
_____	)	SUBCASE NOS: 75-04410 75-10783

The Initial Hearing for this subcase will be held as follows:

TUESDAY, SEPTEMBER 07, 1999 at 10:00 AM
SRBA *by phone*
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

All parties are required to attend and must have full
settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Dated: JULY 02, 1999

/S/ TERI HRANAC
Deputy Clerk
Snake River Basin Adjudication

NORMAN M. SEMANKO
PO BOX 1906
TWIN FALLS, ID 83303-1906

Page 1 7/02/99

SRBA

SUBCASE SUMMARY REPORT 75-04485

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SRBA
08-02-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 75-04485 FILE#: 00090
CLAIMANT: GROVER, STANLEY
STATUS: M/R/R FILED
WATER SOURCE: UNNAMED STREAM, SALMON RIVER
ISSUES: WATER RIGHT RECOMMENDATION

**** PARTIES INVOLVED ****

STANLEY GROVER	ATTY: NORMAN M. SEMANKO
USDA FOREST SERVICE	ATTY: US DEPARTMENT OF JUSTICE
FLORA GROVER	ATTY: NORMAN M. SEMANKO

**** ROA ENTRIES ****

04-06-1999	OBJ 01 F/B USDA FOREST SERVICE	RB	08-09-1999	0001
04-26-1999	NOTICE SETTING INITIAL HEARING	1V	06-18-1999	0900
05-20-1999	NOTICE OF APPEARANCE FOR STANLEY & FLORA GROVER F/B NORMAN SEMANKO			
05-25-1999	STIPULATION TO RESET HEARING			
05-26-1999	NOTICE SETTING INITIAL HEARING	1S	07-02-1999	1000
07-02-1999	INITIAL HEARING HELD	1H	07-02-1999	1000
07-02-1999	MINUTES - INITIAL HEARING			
07-02-1999	SPECIAL MASTER'S RECOMMENDATION TO WITHDRAW DIRECTOR'S REPORT RECOMMENDATION AND REMAND CLAIM TO IDWR ASSIGNED MASTER WAS: 701 BILYEU, BRIGETTE		07-02-1999	

[Return to SRBA Home Page](#)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Stanley Grover

(Name of Claimant)

674 Cleveland

Idaho Falls, ID 83401

Telephone No. 523-0610

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) July 1, 1932

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Sawlog Gulch

tributary to

Salmon River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>1.0cfs</u>		Use <u>Mining</u>		Period of Use From <u>7-1</u>	To <u>10-1</u>
Quantity <u>1.0cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>6-1</u>	To <u>9-15</u>
Quantity <u>0.02</u>		Use <u>Domestic</u>		Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 1.0 TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 SE 1/4, Sec. 26 Twp. 24N Rge. 19E B.M., County of Lemhi

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Six inch pipe from Creek to Mill, Rock diversion and placed in stream for irrigation of orchard.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
24N	19E	26														5			5

No. of acres 5

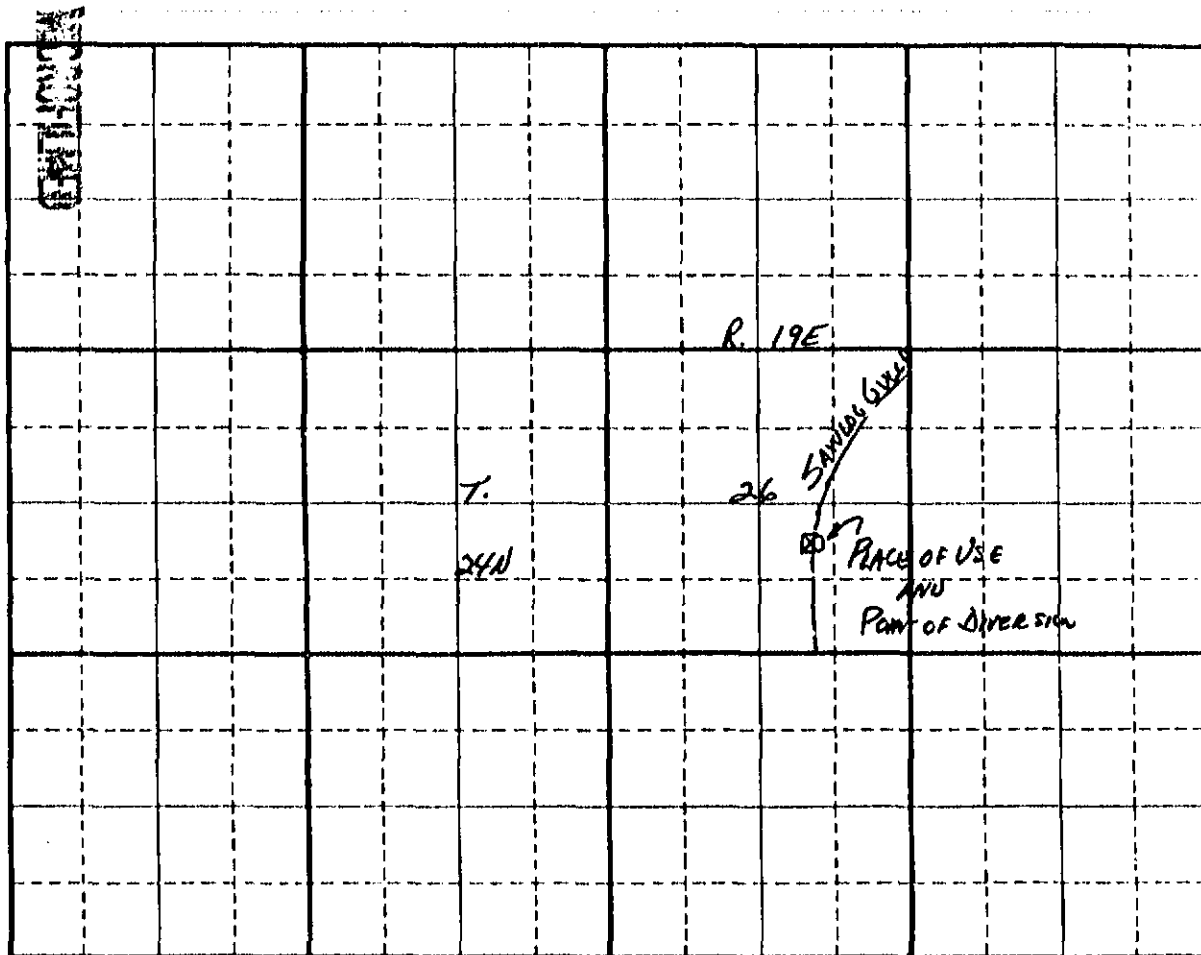
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Water is used in milling and crushing of ore associated with mining.

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Legal descriptions are only approximate because land is unsurveyed.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of

Donnerville

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this

28th

day of

June

19 83.

Notary Public
Residing at

Idaho Falls

My commission expires 6-15-85

FOR DEPARTMENT USE ONLY

Received by RDC
Prelim. check by SM
\$30.00 fee received by CW
Published in Recorder
Dates 11/3 & 11/10/83

Date 6-28-83
Date 9-8-1983
Date 6-28-83

Exception filed by:

Forwarded to
claimant by:

Date