

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: A75-07425  
Date Received: 5/21/1990  
Receipt No: E013897  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JOHN MIHALKA 208-756-6180  
Address: PO BOX 138  
CARMEN, ID 83462

OR

Name: MARIANNE MIHALKA 208-756-6180  
Address: PO BOX 138  
CARMEN, ID 83462

2. Date of Priority: JUN 25, 1985

3. Source: CARMEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 22N      | 22E   | 8       | SW     | SE     |     |     | LEMHI  |

5. Description of diverting works:  
PUMP AND PIPELINE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.020 |      | 1.50   |

7. Total Quantity Appropriated is:  
0.020 C.F.S. (and/or) 1.50 A.F.A.

8. Total consumptive use is 1.2 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 22N      | 22E   | 8       | SW     | SE  |     | IRR | 0.5   |

Section Acres 0.5

Total Acres 0.5

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: LICENSE

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): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

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 A75-07425Date Received 4-30-90Receipt Number E013897

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) JOHN & MARIANNE L. MINALKA Phone (208) 756-6180  
Mailing Address PO Box 138 CARMEN, ID Zip 83462

2. Date of Priority (Only one (1) per claim) JUNE 25 1985

3. Source of water supply (a) CARMEN CREEK  
which is tributary to (b) SALMON RIVER

4. a. Location of existing point of diversion is: Township 22N Range 22E Section 8,  
1/4 of SW 1/4 of SE 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of LEMMING

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_

\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

PUMP AND PIPE LINE WITH  
A DIVERSION CAPACITY OF .050 CFS, PUMP 1 1/2 HP, PIPE  
2"

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A7507425

6. Water is claimed for the following purposes: -

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04/01 to 11/01 amount 0.02 or 7.5

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) 7.5 (acre feet)

8. Total consumptive use claimed is 2.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) \_\_\_\_\_

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP        | RNG        | SEC      | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |            | Totals     |
|------------|------------|----------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|------------|------------|
|            |            |          | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4      |            |
| <u>22N</u> | <u>22E</u> | <u>8</u> |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       | <u>0.5</u> | <u>0.5</u> |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |            |            |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |            |            |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |            |            |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |            |            |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |            |            |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |            |            |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |            |            |

Total number of acres irrigated 0.5

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

12. Do you own the property listed above as place of use? Yes X 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.  
\_\_\_\_\_ or None (X)

14. Remarks:

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Last Name MIHALKA Ident No. 75-07425

Copies: White -State, Yellow-Claimant

**Scale: 2 inches equals 1 mile**

SEC 8

P/P P/V

OAKMEN CREEK

T22N  
R22E

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Last Name MHALKA

Ident No. 75-07425

*Copies: White-State, Yellow-Claimant*

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License ☒ Permit \_\_\_\_\_

Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number 75-07425

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 30 Apr 90

Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

Title \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing

Organization

document in the space below as \_\_\_\_\_ of \_\_\_\_\_

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 30<sup>th</sup> day of Apr 19 90

SEAL

Notary Public Betty J. Thompson

Residing at \_\_\_\_\_

BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires \_\_\_\_\_

RESIDING AT 1100 VALLEY BLVD

MY COMMISSION EXPIRES 6-30-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be 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 \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

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DEC 15 1992

Last Name MIHALKA Ident. Number 75-07425

Copies White-State, Yellow-Claimant