

Renumbered

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

to
175-13935

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No.

Date Received

Receipt Number

175-04470C
1/18/90
E011777

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

Department of Water Resources
Eastern District Office

Filing Fee \$25

RECEIVED

JAN 18 1990

Please type or print clearly

1. Name of Claimant (s) MARLON D. and/or LES USHER Phone (208) 865 2254Mailing Address 7 Old Giptown Road, Gibbonsville, ID Zip 834632. Date of Priority (Only one per claim) January 1, 1933 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other (X) (a) Anderson Creek
Name or kind of sourcewhich is tributary to (b) Dahlonga Creek4. Location of point of diversion is: Township Upper: 26N Range 21ESection 25 SE 1/4 of NW 1/4 of Govt. Lot BCounty of LemhiAdditional points of diversion if any: Lower: Twsp 26N, Range 21E, Sec. 25, NE 1/4 of SW 1/45. 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. Headgate and open ditch on both

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from Jan 1 Month/Day to Dec 31 Month/Day amount 0.04 (cfs)
(Both dates are inclusive)

For purposes from to amount 0.04

7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: give number of livestock) Domestic. One.

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10. Place of use is: Township: 26N Range 21E
Section 25 SE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of Lemhi 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? _____

12. Do you own the property listed above as place of use? Yes X Marlon D. Usher
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 (X)

14. Remarks: Place of use is Gibbonsville Townsite, lots G & H. Marlon D.

Usher, 721 S. San Antonio Ave, Upland, CA, 91786 is owner: Les Usher is lessee.
Place of use is Gibbonsville Townsite, lots G & H

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 75-4470

By signing I/We acknowledge reading the notice on the back of this claim form.
I/We wish to receive for a small annual fee monthly copies of the docket sheet.
YES _____ NO X

16. Signature (s) _____

Number of Attachments One sketch

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 16 Jan 90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____
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 LEMHI } SS.

Subscribed and sworn (or affirmed) before me this 16th day of JANUARY 19 90

SEAL

Notary Public

Laurie M. Santee
LAURIE M. SANTEE

Residing at

SALMON, ID

My Commission Expires

6-19-1995

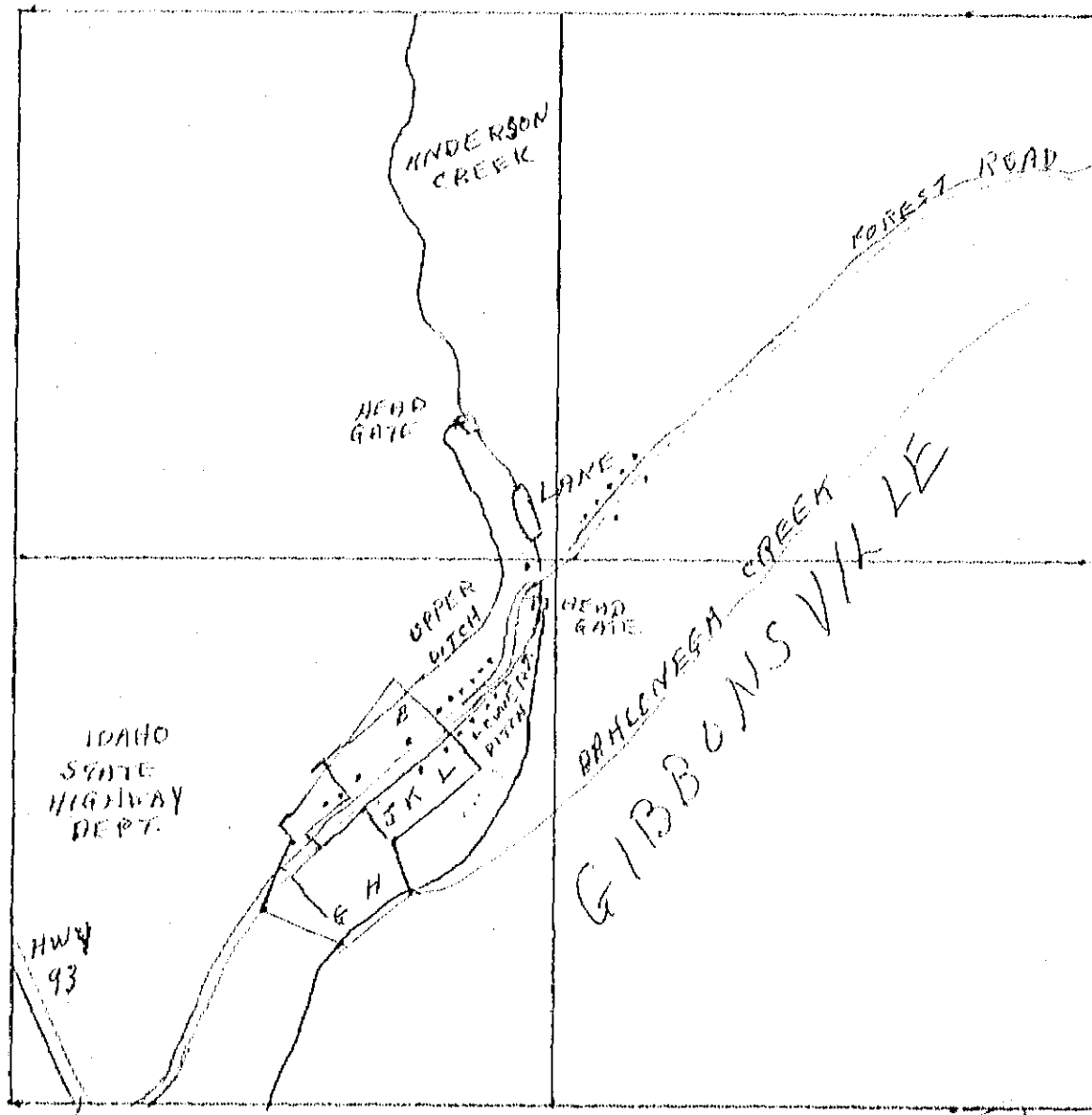
Last Name USHER, Les or Marlon D. Ident No. _____

Copies: White-State, Yellow-Claimant

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TOWNSHIP 26N
RANGE 21E
SECTION 25



3 1/2 MILES SOUTH
TO SALMON, ID.

USHER

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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

A75-13935
Ident. Number: ~~A75-04470C~~
Date Received: 1/19/1990
Receipt No: E011777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARLON D. USHER 208-865-2254
Address: 7 OLD GIBTOWN RD
GIBBONSVILLE, ID 83463

OR
Name: LES USHER 208-865-2254
Address: 7 OLD GIBTOWN RD
GIBBONSVILLE, ID 83463

2. Date of Priority: JAN 01, 1933

3. Source: ANDERSON CREEK Trib. to: DAHLONEGA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
26N	21E	25	SE	NW			LEMHI
			NE	SW			LEMHI

5. Description of diverting works:
HEADGATE AND OPEN DITCHES

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME

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Date: 01/19/90

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
26N	21E	25	SE	SW		DOMEST	

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: BENEFICIAL USE

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: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

A75-04470C

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Date: 01/19/90

A75-13985

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4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME UsherCLAIM IDENT. NO. A75-04470CDATE RECEIVED 1/18/90

CK # _____

AMOUNT \$ _____

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☐
2. Is a priority date entered? ☐
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☐
(b) Is a tributary to entered? (if required) ☐ N/A
4. Is the legal description of the p.d. sufficient? ☐
5. Is there a description of the diverting works? ☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐
Is the period of use included? ☐
Is a quantity claimed for each use? ☐
7. Is a total quantity claimed entered? ☐
8. If required is a consumptive use entered? ☐ N/A
Is the consumptive use correct? ☐ N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ N/A
10. Is (are) the place(s) of use and purpose(s) indicated? ☐
11. Is (are) the county(ies) entered? ☐
12. Is the ownership of p.u. checked? ☐
13. Are other water rights listed or "none" indicated? ☐
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ N/A
15. Is the basis of the claim indicated? ☐
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☐
18. Has the claim been signed, sealed, and dated by a notary? ☐
19. Was this claim filed on time, or was an extension granted? ☐
20. Is the fee enclosed correct? ☐ Exempt
21. If this claim is based on an existing water right, has the identification number been entered? ☐ N/A
22. Should this claim be data entered? ☐

Claim checked by: DCDate: 1/19/90Claim must be returned to claimant: (Yes) X (No)Claimant must be notified of modifications: (Yes) X (No)Receipt Prepared by: DCClaim data entered by: DCSent to claimant by: DCDate: 1/19/90Date: 1/19/90Date: 1/19/90

Checked by: _____

Date: _____

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Comments: _____

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AJ0749NP
No. R75-13935

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/17/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LES USHER	01/01/1933	DOMESTIC	01-01 12-31	0.04 CFS	
C	MARLON D USHER					
	7 OLD GIBTOWN RD					
	GIBBONSVILLE ID 83463					
	(208) 865-2254					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: ANDERSON CREEK

Tributary to: DAHLONEGA CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T26N R21E S25

SEW

NESW

LEMHI County

Place of Use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
26N 21E 25	:				:				:				:			
	:				:				:				:			

POU County: LEMHI

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP RP F00520000300A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 17, 1998

MILTON & LES USHER
7 OLD GIBTOWN RD
GIBBONSVILLE ID 83463

RE: RENUMBERED NOTICE

Dear Messrs. Usher:

The Department has changed the identification number for Notice of Claim A75-04470C. The new number is A75-13935. We have also modified receipt E011777 to reflect the new number.

A copy of the receipt and the claim are enclosed for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosures