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Department of Water Resources

2002 APR 17 PM 4:34

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

) Subcase 61-04112
)
)
)
)
)

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On January 18, 2002, Claimant Herman J. Bischoff and Lucille Bischoff filed a *Motion to File Late Notice of Claim*. A hearing was held on the *Motion* April 16, 2002. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this Late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for water right 61-04112 is **granted**.

The original Notice of Claim, as well as any filing fees submitted, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action.

IT IS SO ORDERED.

Dated 4-17-02



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

CERTIFICATE OF MAILING

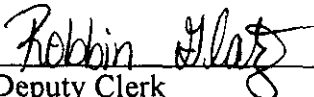
I certify that a true and correct copy of the **ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM** was mailed on 4/17/02, with sufficient first-class postage to the following:

Herman & Lucille Bischoff
RT 1 Box 878
Mountain Home, ID 83647

IDWR Document Depository
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
PO Box 44449
Boise, ID 83711-4449


Deputy Clerk

564

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: 89576

Ident. Number 61-4112

Date Received: DEC 17 2001

Receipt No:

Received By: *RB*

Clerk

Deputy Clerk

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

61-4112

1. Name of Claimant(s)

HERMAN J BISCHOFF Phone: 642-6844
RT 1 BOX 878
MOUNTAIN HOME ID USA 83647

OR

LUCILLE BISCHOFF Phone: 642-6844
RT 1 BOX 878
MOUNTAIN HOME ID USA 83647

2. Date of Priority: 03/15/1948

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	06E	1	NW NE 2	ELMORE	

5. Description of diverting works:

2 WELLS, SPRINKLER SYSTEM, DRIP LINE AND FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.15	

7. Total Quantity Appropriated is:
0.15 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	06E	1	NW	NE 2	IRRIGATION	5
Section Acres						5
Total Acres						5

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

TWO POINTS OF DIVERSION IN LEGAL DESCRIPTION.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): X *L. E. Bischoff* Date: X 14 Dec 2001
X Date: X

State of Idaho)
County of Payette) SS.

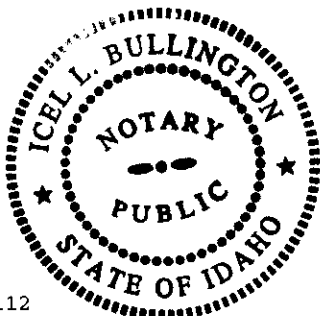
Subscribed and sworn (or affirmed) before me this
of Dec. 14 2001

ICEL L. BULLINGTON

Notary Public

Residing at *Amity Road*

My commission Expires 9-17-07



**CURRENT 5 ACRES
IRRIGATION**

**ADDITIONAL 2ND WELL
DRILLED IN 1976, USED
FOR IRRIGATION &
DOMESTIC**

**BOTH WELLS
USED FOR
DOMESTIC &
IRRIGATION**

**REPLACEMENT WELL IN 1962-1963
ABANDONED ORIGINAL WELL
AND MOVED IRRIGATION TO THE
NWNE, CURRENTLY IS STILL USED
FOR IRRIGATION.**

61-4112 OLD LOCATION

**T4S, R6E,
S01, NWNE
Lot 2
1987 NAPP**

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

61-4112

AFFIDAVIT

State of Idaho)
County of Elmore)

Lucille E. Bischoff being first duly sworn,
deposes and says: The original well was located
in the NE NE of Section 1. In approx 1962-
1963 the original well, water right # 61-4112, was
abandoned and a replacement well was dug
in the NW NE Quarter. Then in 1976 a
second well was drilled and is being used
at the same place of use for irrigation
and domestic. See attached maps.

The claimed date of priority, 3-15-48, was the beginning
of the irrigation season. The previous owner, Mr. Brubaker, raised
alfalfa previous to and since 1948. We continued to raise
alfalfa w/ water from the new location in NW NE, and
later raised grain and pasture.

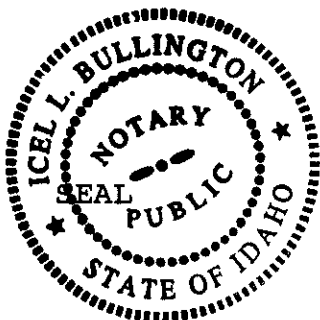
Lucille E. Bischoff
(Signature)

Subscribed and sworn to before me this
day 14th of December, 192001.

Joel J. Bullington
(Notary Public)

Residing at Prattland.

My Commission Expires 9-17-07.



IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

61-4112)
)
)
)
)

State of Idaho)
County of Elmore)

AFFIDAVIT

Lucille E. Bischoff being first duly sworn,
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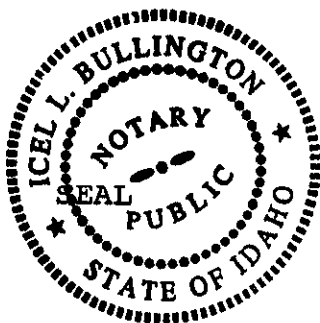
Lucille E. Bischoff
(Signature)

Subscribed and sworn to before me this
day 14th of December, 192001.

Idell L. Bullington
(Notary Public)

Residing at Truttsend.

My Commission Expires 9-17-07.



HERMAN J BISCHOFF
LUCILLE E BISCHOFF
2114 1ST AVE NORTH
PAYETTE, ID 83661-2748

1633

92-372/1231 3641

14 Dec 2001 DATE

PAY TO THE
ORDER OF

Clerk of the District Court \$ 55.00

Fifty five and ⁰⁰/₁₀₀ DOLLARS



usbank.

1-800-US BANKS
usbank.com

FOR

61-4112

Lucille E. Bischoff ^{MP}

⑆ 123103729⑆ 153301217581 ⑈ 1633