

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 63-31964
Date Received: 7/21/2004
Receipt No: W032023
Received By:

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

1. Name of Claimant(s)

ROGER MICHENER
2000 MOUNTAIN COVE RD
BOISE ID USA 83702

Phone: (208)336-7001

BARBARA MICHENER
2000 MOUNTAIN COVE RD
BOISE ID USA 83702

Phone: (208)336-7001

2. Date of Priority: 01/01/1930

3. Source: FREESTONE CREEK Trib. to: COTTONWOOD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
03N	02E	1	NE	NE	NE	ADA	

5. Description of diverting works:

This creek has been used for irrigation and stock water by the property owners Seth Hawkins, since 1930. I still use it for the same purposes, plus fire protection, as the current owner.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	02/01	08/01	0.02	

7. Total Quantity Appropriated is:
0.02 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
03N	02E	1	NE	NW	STOCKWATER	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Stockwater, 30 cows, 20 horses

Claimant noted: Fire protection

15. Basis of Claim: Beneficial Use

JUL 21 2004

Form No. 42-1409 (2) a 1/88 (Internet)

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

WATER RESOURCES
WESTERN REGION

**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 A63-31964
Date Received 7/21/04
Receipt Number 2500 W032023

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

Please type or print clearly

- Please type or print clearly
1. Name of Claimant (s) Roger or Barbara Michener Phone (208) 336-7001
- Mailing Address 2000 Mountain Cove Rd, Boise, ID Zip 83702
2. Date of Priority (Only one (1) per claim) 1930
3. Source of water supply (a) Freestone Creek
which is tributary to (b) Cottonwood Creek
4. a. Location of existing point of diversion is: Township 3N Range 2E Section 1,
NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Ad
- 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 _____ 1/4,
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.
- This creek has been used for irrigation and stock water by the property owners, Seth Hawkins, since 1930. I still use it for the same purposes, plus fire protection, as the current owner.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For B2M irrigation purposes from 2-1 to 8-1 amount 20 or _____

For stock water purposes from 2-1 to 8-1 amount 02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

8. Total consumptive use claimed is .02 total acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 30 cows, 20 horses

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	
3N	2E	1				S													
3N	2E	1																	

Total number of acres irrigated _____

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

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.

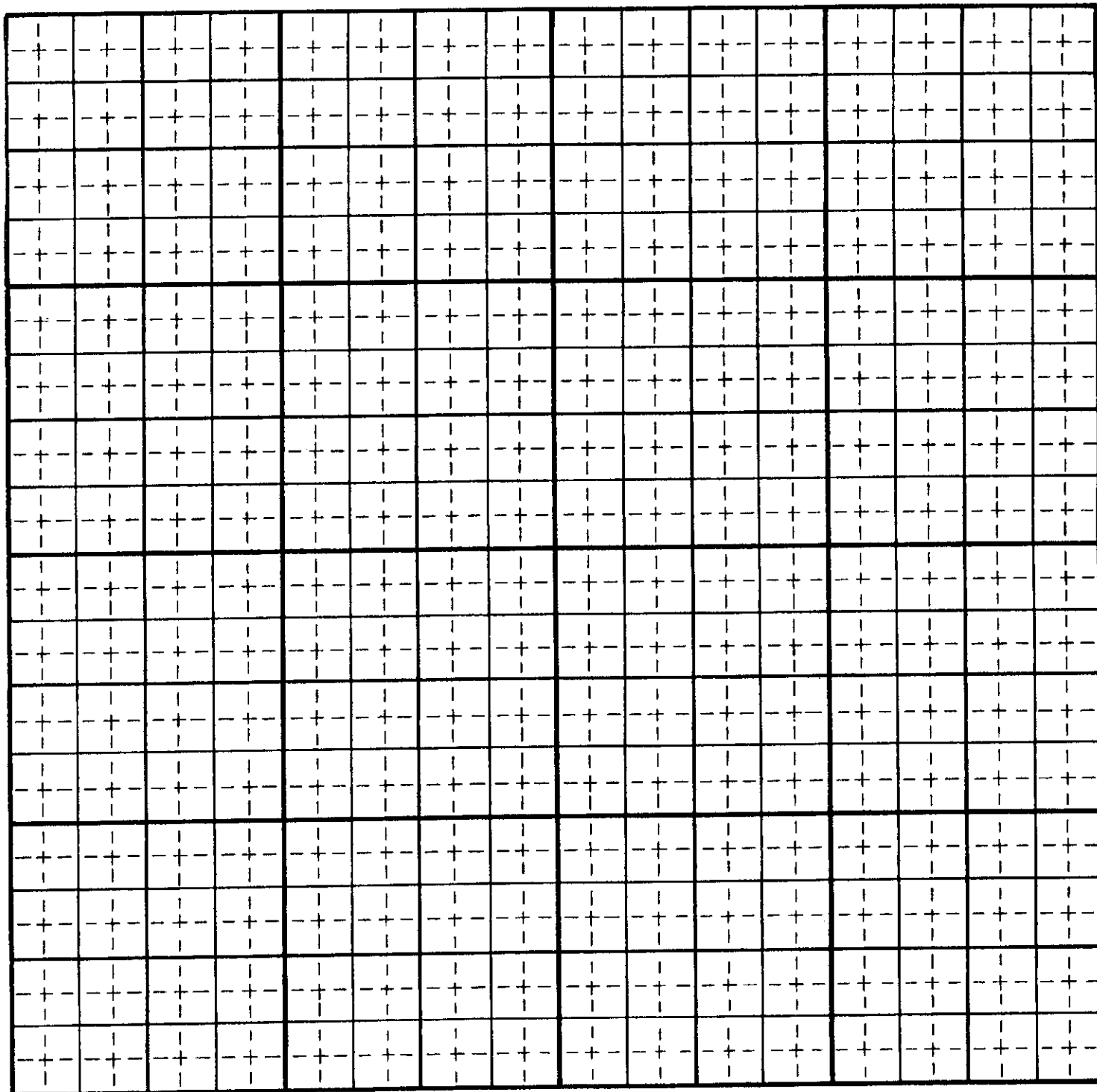
13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

Last Name _____ Ident No. _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

Beneficial Use

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____

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) _____ Date _____

_____ 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 Ada) SS.

Subscribed and sworn (or affirmed) before me this 21st day of July 2004

SEAL

Notary Public Craig L. Saxton

Residing at Ada Co

My Commission Expires 8/14/07

Please Print Name

17. Notice of Appearance:

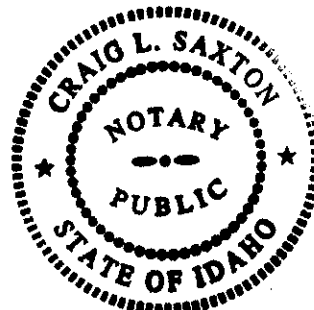
Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Barbara McHenry

Address _____

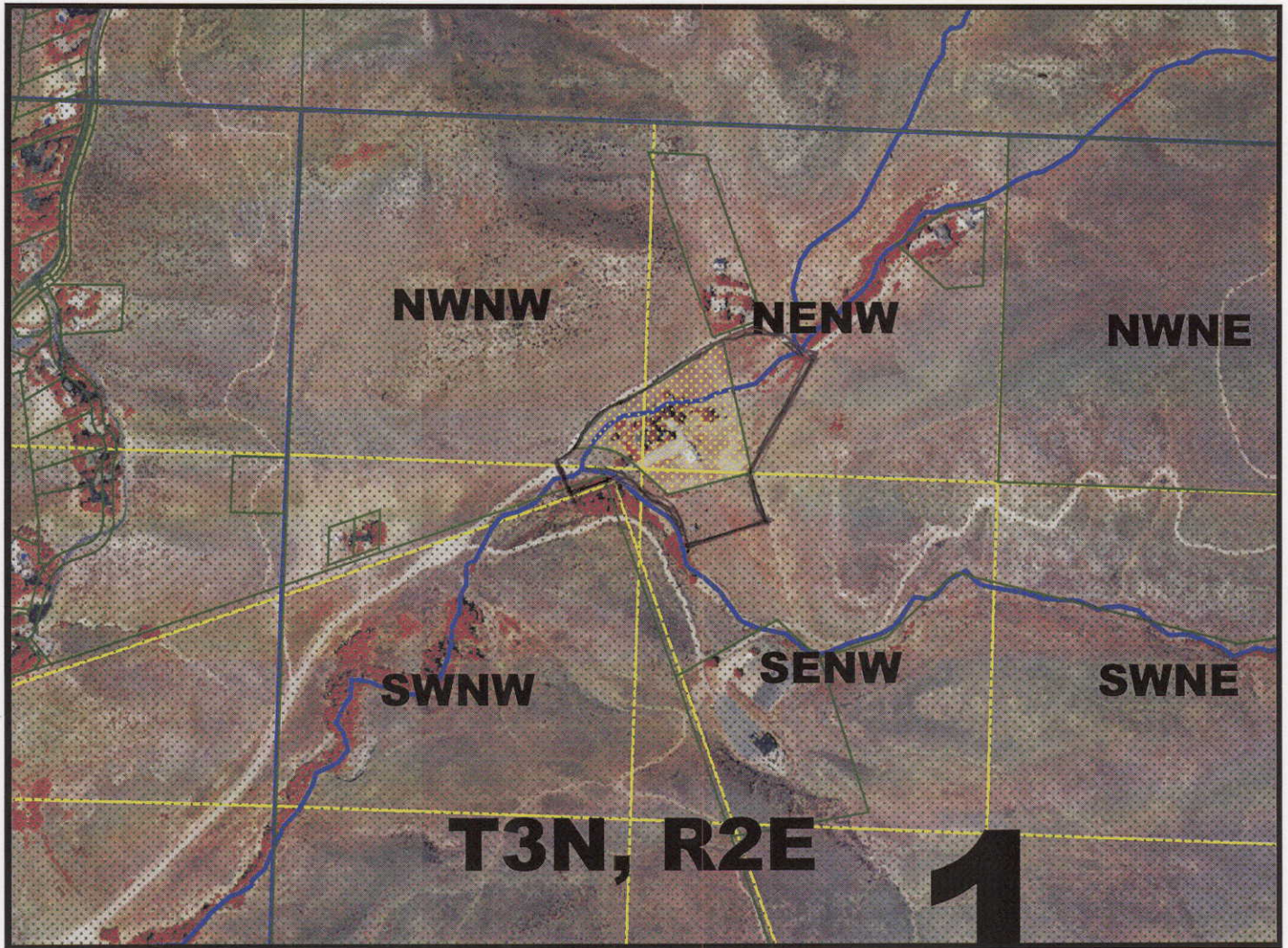
Date _____

Last Name _____ Ident. Number _____





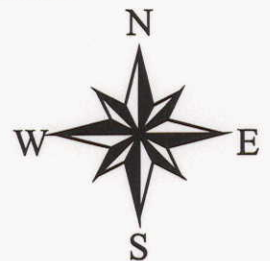
New Claim



1320 0 1320 Feet

-  Claimed Point of Diversion
-  Claimed Place of Use
-  Ada County Tax Lot Data -N/A
-  Quarter Quarter Lines
-  Section Lines

Total Claimed Acres: N/A



Prepared by: C. Saxton
Date: July 2004