



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

June 10, 2005

KARL J. DREHER
Director

2-7242C
MAURICE D LEE
PO BOX 190
GRAND VIEW, ID 83624

RESPONSE DEADLINE
July 22, 2005

Re: Snake River Basin Adjudication (SRBA) – Claim Number 2-7242C

Dear Mr. Lee,

The Idaho Department of Water Resources is currently in the process of reviewing SRBA claims in Basin 02.

During the review, it was found that the claimed points of diversion differ from what was licensed. The licensed point of diversion is in the SWSW of Section 34, Township 05S, Range 04E. In addition to the licensed point, the claim indicates an additional point of diversion in the SESW. Idaho Statute (IC 42-1425) allows IDWR to recommend a change in point of diversion as an accomplished transfer if that change took place prior to the commencement of the SRBA, November 19, 1987. Changes that occurred after that date require a formal transfer application filed with the IDWR Water Allocations Bureau.

At this time, without evidence that the change to two points of diversion took place prior to the commencement of the SRBA, the right will be recommended as licensed. If you disagree with this assessment, please provide me with evidence of when the additional point of diversion was first used and submit it to this office by July 22, 2005.

Evidence could be as simple as an affidavit stating when the change was made or something indicating the date of change such as receipts for equipment purchased or pump test records at the new point of diversion. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statements should be in the form of a notarized affidavit.

Enclosed you will find a computer printout of your claim with the additional point of diversion encircled. If you have any questions, please contact this office. Our toll free number is 1-800-451-4129. It will help speed things along if you have your claim number, 2-7242C, handy when you call.

Sincerely,

Steve Robischon
Adjudication Technical Section

Enclosure

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 2-7242C
Date Received: 1/18/1989
Receipt No: W002017
Received By:

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

1. Name of Claimant(s)

SONYA E LEE Phone:
29730 RIVER RD
BRUNEAU ID USA 83604-5098

MAURICE D LEE Phone:
29730 RIVER RD
BRUNEAU ID USA 83604-5098

2. Date of Priority: 02/10/1977

3. Source: SNAKE RIVER , SNAKE RIVER Trib. to: COLUMBIA RIVER , COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
05S	04E	34	SW	SW	OWYHEE	
05S	04E	34	SE	SW	OWYHEE	

5. Description of diverting works:

PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	3.35	

7. Total Quantity Appropriated is:
3.35 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
06S	04E	4	NE	NE	1	IRRIGATION 52
			NW	NE	2	IRRIGATION 43
			SW	NE		IRRIGATION 38
			SE	NW		IRRIGATION 6
			SE	NE		IRRIGATION 38
						Section Acres 177
						Total Acres 177

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

WATER UNDER THIS RT. SHALL NOT BE DIVERTED UNLESS THE FLOW OF THE SNAKE R. AT THE U.S.G.S. GAGING STATION AT MURPHY EXCEEDS 3300 CFS AND AT WEISER EXCEEDS 4750 CFS.

APPLICANT USES TWO POINTS OF DIVERSION, WANTS TO DIVERT 147 INCHES FROM P/D IN SE SW S.34, AND 20 INCHES FROM P/D IN SWSW S.34.

15. Basis of Claim: License