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Documents
In File

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: A57-07158
Date Received: 12/06/1988
Receipt No: 0002069
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARJIE BYBEE JESS 208-834-2949
Address: BOX 25
GRAND VIEW, ID 83624
OR
Name: PAULINE M. COLYER 208-834-2348
Address: BOX 25
GRAND VIEW, ID 83624
OR
Name: STACIE V. PROW 208-845-7720
Address: BOX 25
GRAND VIEW, ID 83624

2. Date of Priority: MAY 03, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	03E	23	SE	NE	SW		OWYHEE

5. Description of diverting works:
WELL & PUMP.

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		1.20

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
TWO DOMESTIC HOUSEHOLDS SINGLE OWNERSHIP, 30 BEEF CATTLE

A57-07158

Page 1

Date: 12/06/88

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JUN 6 1997
OCT 06 1992
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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	03E	23	NE	SW	DOMEST	
			NE	SW	STOCK	

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:
NONE

14. Remarks:
REINSTATED 8-24-1978. _THIS CLAIM WAS FOR TWO HOUSEHOLDS

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): *Pauline M. Taylor* Date: *Dec 6/88*

Date: _____

State of Idaho)
County of *Owyhee*) SS.

Subscribed and sworn (or affirmed) before me this *6th* day
of *Dec* 19 *88*
M. Paul Peterson
Notary Public

Seal

Residing at *Boise, Id*
My Commission Expires *9-2-1994*

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: NOV-04-1996

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-07158

NAME AND ADDRESS: PAULINE M COLYER
MARJIE BYBEE JESS
STACIE V PROW
BOX 25
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
1.2 AFY

THE QUANTITY FOR NON/IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR DOMESTIC, 2 HOMES, STOCKWATER, 30 BEEF CATTLE

PRIORITY DATE: 05/03/1976

POINT OF DIVERSION: T05S R03E S23 SENESW Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01-01 12-31	0.04 CFS
			1.2 AFY

DOMESTIC USE IS FOR 2 HOMES AND 30 RANGE CATTLE.

PLACE OF USE: DOMESTIC Within Owyhee County
T05S R03E S23 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
PARCEL NO. RP0153300

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
PARCEL NO. RP0153300

MICROFILMED
JUN 06 1997

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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-07158

NAME & ADDRESS: PAULINE M COLYER
MARJIE BYBEE JESS
STACIE V PROW
BOX 25
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 05/03/1976

POINT OF DIVERSION: T05S R03E S23 SENESW

Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 2 HOMES & 30 RANGE

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE: DOMESTIC Within OWYHEE County
T05S R03E S23 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED:

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED:

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED

JUN 06 1997

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-07158

PAGE 1
OCT-25-1996

WR5809NP
No. 57-07158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/04/96
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLIFFORD H. COLYER	05/03/1976	DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
C	PAULINE M. COLYER P.O. BOX 25 GRANDVIEW ID 83624					
TOTAL DIVERSION:					0.040 CFS	1.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05S R03E S23

NESW

OWYHEE 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	:			
05S	03E	23	:													:			
								D											

Pou County: OWYHEE

Remarks: REINSTATED 8-24-1978.

Dates:	App. Received:	Priority Date:	05/03/1976
	Proof Due Date: 06/01/1978	Proof Made Date:	01/01/1900
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date: 04/19/1982		

Misc: Water District Number: Field Exam Fee:

Audit: 01/21/85 05/01/88 CONVERT

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JUN 06 1997

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-10-1996

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-07158

NAME AND ADDRESS: PAULINE M COLYER
MARJIE BYBEE JESS
STACIE V PROW
BOX 25
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY FOR NON/IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR: DOMESTIC, 2 HOMES, STOCKWATER, 30 BEEF CATTLE

PRIORITY DATE: 05/03/1976

POINT OF DIVERSION: T05S R03E S23 SENESW Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 2 HOMES & 30 RANGE	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within Owyhee County
T05S R03E S23 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
PARCEL NO. RP0153300

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
PARCEL NO. RP0153300MICROFILMED
JUN 06 1997

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-1-1996
PAGE: A-305

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-07158

NAME & ADDRESS: PAULINE M COLYER
MARJIE BYBEE JESS
STACIE V PROW
BOX 25
GRAND VIEW ID 83624

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 05/03/1976

POINT OF DIVERSION: T05S R03E S23 SENESW Within Owyhee County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE 2. PERIOD OF USE QUANTITY
DOMESTIC ~~DOMESTIC~~, 2 HOMES; STOCKW EXP 01-01 12-31 0.04 CFS

PLACE OF USE: DOMESTIC Within Owyhee County
T05S R03E S23 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

PARCEL NO. RP0153300 EXP

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

fee ? M002069
\$50.00

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JUN 06 1997

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

DATE: 08/25/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAULINE M COLYER BOX 25 GRAND VIEW ID 83624 (208) 834-2348	05/03/1976	DOMESTIC	01-01 12-31	0.04 CFS	
				TOTAL DIVERSION:	0.04 CFS	
C	MARJIE BYBEE JESS BOX 25 GRAND VIEW ID 83624 (208) 834-2949					
C	STACIE V PROW BOX 25 GRAND VIEW ID 83624 (208) 845-7720					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T05S R03E S23

SENESEW

OWYHEE County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
05S	03E	23	:					:					:	0				:					:

POU County: OWYHEE

Non-Irrigation Uses: DOMESTIC, 2 HOMES; STOCKWATER, 30 BEEF CATTLE

Other Rights: NONE

Remarks: PARCEL NO. RP0153300

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 08/19/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 8/18/92. CHANGED NOE FROM BLANK TO A.

Date: 08/25/1992 User-ID: MCCARTHY Subject: RECOMMENDATION CHANGED
THE CLAIMANTS SUBMITTED A NOE REQUESTING A HIGHER DIVERSION RATE
FOR STOCKWATER PURPOSES. IT WAS NOTED THAT THE ORIGINAL LICENSE
AND CLAIM DID NOT INCLUDE STOCKWATER; STOCKWATER WAS ADDED BY
KEN DUNN. A LETTER HAS BEEN SENT EXPLAINING THE DEFINITION OF
DOMESTIC USE AND THE CORRECTION OF THE RECOMMENDATION TO REPRESENT THE RIGHT AS LICENSED.

MICROFILMED
OCT 06 1992

AJ0749NP
No. R57-07158

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

DATE: 08/25/92
PAGE: 2

Audit: 08/25/92 MCCARTHY

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OCT 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 25, 1992

Pauline M. Colyer
Box 25
Grandview, ID 83624

Re: Snake River Basin Adjudication
Response to Notice of Error Form
Recommended Right No.: 57-07158

Dear Ms. Colyer,

We recently received a Notice of Error form for the water right referenced above. On that form, you requested more stockwater be recommended under this right.

Your original claim, dated December 6, 1988, does not include stockwater as a separate use. The claim was based on a licensed right that did not include stockwater as a separate use. Due to an oversight, your recommended right included stockwater as a separate use. We have corrected our recommendation to represent your licensed right: a copy of our new recommendation is enclosed.

The legal definition of "domestic" includes the use of water for livestock (42-111, IC). Although we have corrected the right to read as licensed, please understand that this does not prevent the use of water for stockwatering. The total use under this right, however, can not exceed 13,000 gallons per day for both your home and stock.

If you feel that you require more than 13,000 gallons per day for your livestock, you have at least two options: you may file an additional stockwater claim or a new Application for Permit. Please call this office if you have further questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

MICROFILMED
OCT 06 1992

JUL-20-1992

NOTICE OF ERROR FORM

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

RECEIVED

AUG 18 1992

Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: AUG-20-1992

1. Water right number: *57-07158*
2. Name: *Pauline M. Colyer for Stacie V. Proulx*
margie's
gas
Address: *Box 25 -*
Grandview Ida 83624
Weekday Telephone Number: *734-2348* *margie's*
(Stacie's # 587-7364)

MICROFILMED

OCT 05 1992

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

O-D 2 CFS

4. Describe the changes you wish to have made in the proposed recommendation:

add CFS.

5. Describe why you disagree with the proposed recommendation:

Need more Stockwater than Recommended

6. Date: Aug 17/92

SIGNATURE

Rudene M. Colyer

WATER RIGHT NUMBER - A57-07158

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 12/06/88 GIBSON 10/24/89 REFUNDML

+ - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING - 00/00/0000	FIELD INSPECTION MADE - 00/00/0000	CIVIL CASE NUMBER - 39576
OBJECTION FILED DATE - 00/00/0000	FIELD INSPECTION FLAG -	OLD CASE NUMBER -
RESPONSE FILED DATE - 00/00/0000	VERIFIED DATE - 01/21/1985	OLD JUDICIAL DISTRICT -
CLAIM RECEIVED DATE - 12/06/1988	LAST AMENDED DATE - 00/00/0000	TEMPORARY RIGHT - P
PROOF DUE DATE - 00/00/0000	PROOF MADE DATE - 00/00/0000	WATER DISTRICT -
LICENSED DATE - 00/00/0000	RECEIPT NUMBER - M002069	FEDERAL/STATE INDICATOR - S
CLAIMS TAPE ERROR FLG -	POU OWNERSHIP FLAG - Y	PRESUMPTION FLAG -
FEE EXEMPT FLAG -	NAME CONNECTOR - OR	

RP 0153300

DATA ENTRY

ENTERED 10/25/91 SN

CHECKED 11-29-91 AG

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
MAR - 1991

CERTIFIED
MAR 21 1991
WATER EXAMINER