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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: A57-10769
Date Received: 11/16/1988
Receipt No: W002386
Received By: DE KAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NORRIS LINEBERGER 208-337-4133
Address: RT. 1
MARSING, ID 83639

2. Date of Priority: DEC 31, 1918

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	35	SE	SE	NE		OWYHEE

5. Description of diverting works:
210' WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME W/YARD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	35	SE	NE		DOMEST	

11. Place of use in counties: OWYHEE

A57-10769

Page 1

Date: 03/13/89

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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 _____

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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

1996 DEC -3 AM 10:50

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10769

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: NORRIS LINEBERGER
RT 1
MARSING ID 83639

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1918

POINT OF DIVERSION: T03N R05W S35 SESENE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.02 CFS

PLACE OF USE: DOMESTIC Within Owyhee County
T03N R05W S35 SENE

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: DEC - 3 1996


DANIEL C. HURLBUTT, JR.
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.

DEC - 3 1996

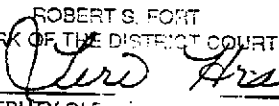
DATED:

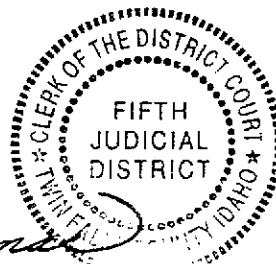

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED
JUN 06 1997

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the above entitled
action.

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10769

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

DEPUTY CLERK



AJ5809NP
No. R57-10769

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/20/96
PAGE: 41

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NORRIS LINEBERGER RT 1 MARSING ID 83639 (208) 337-4133	12/31/1918	DOMESTIC	01-01 12-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T03N R05W S35

SESENE

OWYHEE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
				NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
				D																	
03N 05W 35 :																					

POU County: OWYHEE

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 PARCEL NO. RP0048500.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 10/14/1996 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 10/18/96 DSHAFF

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

CIVIL CASE NUMBER: 39576

Identification No. 457-10769Date Received 11-16-88 RBWReceipt Number W002386NOTICE OF CLAIM
TO A
WATER RIGHTRECEIVED
MAR 13 1989RECEIVED
NOV 16 1988

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Department of Water Resources
Western Regional Office

Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources
Western Regional Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Norris Lineberger Phone (208) 331-4133Mailing Address Rt #1 Marsing, Idaho Zip 836392. Date of Priority (Only one per claim) approx 1918 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) Well for home
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 3N Range 5WSection 35, SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, BM.,County of Owyhee

Additional points of diversion if any: _____

5. 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. well approximately 210 feet

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

For home purposes from Jan 1 Month/Day to Dec 31 Month/Day amount .05 (cfs)

For _____ purposes from _____ to _____ (Both dates are inclusive)

7. Total quantity claimed _____ (cfs) 8 gal. per minute max.8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 home irrigate yard approx .9 acrecattle get water from a drain ditch
2 driveways, 2 out buildings and home reduce grass yard to
1/5 acre or less.

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 3N Range SW

Section 35 SE 1/4 of SE 1/4, ~~SW~~ NE 1/4 ~~SE~~

County of Owyhee 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? Owyhee

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.

14. Remarks: _____

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 _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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) Norris Lineberger Date Nov. 14 1988
_____ 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 _____ of _____

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 _____ } SS.

Subscribed and sworn (or affirmed) before me this 22nd day of MAR-2 1989

SEAL

Notary Public [Signature]

Residing at Marsing, Id

My Commission Expires 9-21-93

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

RECEIVED

DEC 8 1988

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

Identification No. AS 7-10769Date Received 11-16-88 RZWReceipt Number W002386

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
Western Regional OfficeDepartment of Water Resources
Western Regional Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Norris Leneberger Phone (208) 337-4133Mailing Address Rt #1 Marsing, Idaho Zip 836392. Date of Priority (Only one per claim) approx 1918 12-31-18 (see letter of 3/6/19)
Month/Day/Year3. Source of water supply (Check one) (X) Groundwater or Other () (a) Well for home
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 3N Range 5WSection 35 SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, BM.,County of Boise

Additional points of diversion if any: _____

5. 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. well approximately 210 feet

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

For home purposes from Jan 1 Month/Day to Dec 31 Month/Day amount .02 (cfs)For _____ purposes from _____ to _____ amount _____
(Both dates are inclusive)7. Total quantity claimed .02 (cfs) 8 gal. per minute max. see letter of 3/6/198. Total consumptive use claimed is de minimus

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9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 home irrigate yard approx .9 acre
cattle get water from a drain ditch
2 driveways, 2 out buildings and home reduce grass yard to
1/2 acre or less. 1 HOME

10. Place of use is: Township: 3N Range SW
Section 35 SE 1/4 of SE 1/4, ~~SW~~ NE 1/4 ~~SE~~

County of Owyhee 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? Owyhee

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.

14. Remarks: _____

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 _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Norris Lineberger Date Nov. 14 1988
_____ Date _____

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

of _____ Title _____
Organization _____ that I have signed the foregoing
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 _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 22nd day of MARCH 1989

SEAL

Notary Public [Signature]
Residing at Massing, ID
My Commission Expires 9-21-93 **MICROFILMED** **OCT 06 1992**

Last Name _____ Ident No. _____
Copies: White-State, Yellow-Claimant

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Linberger, NorrisCLAIM IDENT. NO. A57-10769DATE RECEIVED 16 Nov 88CK # 223AMOUNT \$ 25

YES NO Required Info?

1. Is the name and address complete with zip code? X 12-31-18 NOTIFIED IN LETTER OF 3/6/89
2. Is a priority date entered? X 12-31-18 NOTIFIED IN LETTER OF 3/6/89
- Is the priority date acceptable in view of mandatory filing dates? X *
3. (a) Is a source entered? X *
- (b) Is a tributary to entered? (if required) N/A X
4. Is the legal description of the p.d. sufficient? X *
5. Is there a description of the diverting works? X
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? X
- Is a quantity claimed for each use? X
7. Is a total quantity claimed entered? X OK when returned
8. If required is a consumptive use entered? N/A X
- Is the consumptive use correct? N/A X
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 X *
10. Is (are) the place(s) of use and purpose(s) indicated? X *
11. Is (are) the county(ies) entered? X
12. Is the ownership of p.u. checked? X
13. Are other water rights listed or "none" indicated? ✓ X
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 X
15. Is the basis of the claim indicated? X
16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) ✓ X
17. Is the claim signed by the claimant, and is the signature appropriate? X *
18. Has the claim been signed, sealed, and dated by a notary? ✓ X *
19. Was this claim filed on time, or was an extension granted? X *
20. Is the fee enclosed correct? X *
21. If this claim is based on an existing water right, has the identification number been entered? N/A X
22. Should this claim be receipted and data entered? ✓ X

Claim checked by: RBWDate: 12-27-88

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Claim must be returned to claimant: X (Yes) X (No)

OCT 06 1992

Claimant must be sent a copy of amended claim for approval: ✓ (Yes) X (No)

NOTIFIED CLAIMANT OF CHANGES IN LETTER OF 3/6/89

Receipt Prepared by: OpDate: 3/10/89

Checked by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Comments: Mon. and Day For priority, Needs to be Notarized. #9 statesirrigation of .9ac.✓ after received 2nd time.

OLD (D) NUMBER -

+ - - - - - ADDRESS - - - - - +

13 -

PHONE - 208-337-4133

+ - - - STATUS - - - - +

+ - - - - - - - - TRIBUTARY - - - - - - - - - - +

03N 05W 35 SE SE NE (73) DWYHEE

0.020

03N 05N 35 50 43 DOMESTIC (73) DWYHEE

+ - - OTHER RIGHTS FOR SAME USE - NONE

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- - - CONDITIONS OF APPROVAL - - -

+ - DECREE DATE - +

WATER RIGHT NUMBER - A57-10769

PREFIX TRANSLATION: ADJUDICATION CLAIM

-----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	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 03/10/1989	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	- W002386	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-		

RP 0048508

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OCT 06 1992

DATA ENTRY
ENTERED 11/25/91 CO
CHECKED 12-2-91 AD

"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 28 1991
WATER EXAMINER



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

3/6/89

[NORRIS LINDBERGER]

Rt. 1

[MARSING, ID 83639]

Dear Claimant(s):

This office has received your Notice of Claim(s) to a Water Right for the use of water within the Snake River Basin Water System. However, due to the item(s) checked below, we cannot process this claim(s). We are returning the claim to you along with your check number 223 in the amount of \$ 25 for the claim filing fee. The following items need to be corrected or added:

_____ Fee - No fee received or inadequate fee received, fee due is _____.
See enclosed fee schedule for computation of fees.

_____ Late Notice of Claim - Claim has been received after filing deadline
for _____ County. This date was _____. See enclosed Late
Fee Notice.

X Item No. 2 - Date of Priority - date water was first put to a beneficial
use. PLEASE LIST MONTH, DAY & YEAR. IF UNKNOWN, WE WILL USE 12/31/1918.

_____ Item No. 2 & 3 - Priority Date and Source - An adjudication claim filed
on a water use from a GROUNDWATER source with a priority date (date of
first use) after March 25, 1963, for uses other than a single family
domestic and/or stockwater use (up to 1,000 head), may be rejected at
the time of review. The mandatory cutoff date for filing on grandfather
uses, other than the single family domestic or stockwater exception
listed above was March 25, 1963. After this date applications for
permit were required to be filed prior to any development. If your use
is for multiple domestic homes, a way to maintain the priority date for
each home is to file a separate adjudication claim for each. Each claim
would then meet the single family domestic exemption. However, a \$25.00
fee is still required for each claim filed. Claim forms with
instructions are enclosed for your use. NOTE: Prior to completing a
claim form for domestic or stockwater use, please read the enclosed
brochure entitled, "The Snake River Basin Water Right Adjudication,
Domestic and Stockwater Use". One other alternative is to file an
Application for Permit which could include all uses on one form.
However, the date of priority for your uses will be the date the
application is received in our office. Enclosed is an application for
permit with instructions. Please note that there is no deadline for
filing the application form. Your adjudication claim can still be filed
as it was previously submitted, however, you may run the risk of losing
your water right later if the claim is rejected due to the mandatory
filing date for groundwater sources.

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Item No. 2 & 3 - Priority Date and Source -An adjudication claim filed on a water use from a SURFACE WATER source with a priority date(date of first use) after May 20, 1971, may be rejected at the time of review. The mandatory cutoff date for filing water rights on grandfather uses from a surface water source was May 20, 1971. The form to file for this use would be an application for permit. The date of priority for your uses will be the date the application is received in our office. Enclosed is an application for permit with instructions for your use in this matter. Please note that there is no deadline for filing the application form. Your adjudication claim can still be filed as it was previously submitted, however, you may run the risk of losing your water right later if the claim is rejected due to the mandatory filing date for surface water sources.

Item No. 3 - Priority Date -If your water use has been developed after the date of commencement of the Snake River Basin Adjudication, November 19, 1987, no filing is required. It is your option to file if you would like. Please return the enclosed claim form and check if you still wish to file. If you do not file, your priority date will still be the date your well was first used.

Item No. 4 - Point of Diversion -The point of diversion listed on this claim is not in the correct form for legal descriptions. Diversion points must be listed by quarter-quarter(40 acre tract), section, township, and range. This legal can be found either on your deed, sales contract or tax notice. If not, then the county assessor may be helpful. Lot and Block for a subdivision are not acceptable, however, please include this information in the remarks section of your claim.

Item No. 10 - Place of Use - The place of use listed on this claim is not in the correct form for legal descriptions. Places of use points must be listed by quarter-quarter(40 acre tract), section, township, and range. This legal can be found either on your deed, sales contract or tax notice. If not, then the county assessor may be helpful. Lot and Block for a subdivision are not acceptable, however, please include this information in the remarks section of your claim.

X Adjudication Claim Form No. 42-1409(2)a., needs to be filed instead of Claim Form No. 42-1409(2)b., due to the following reasons: IF YOU ARE IRRIGATING MORE THAN 1/2 ACRE, THEN THE 4-PAGE FORM IS COMPLETED. THIS WOULD NOT INCLUDE AREA FOR HOME, DRIVEWAY, ETC. IF, AFTER TAKING OUT AREA FOR THESE ITEMS, YOU ARE IRRIGATING 1/2 ACRE OR LESS, THEN RESUBMIT THE 2-PAGE FORM. Enclosed is the correct claim form with instructions for completion. The fee schedule is also in the instruction sheets to help you figure the fee needed for filing this type of claim form.

An adjudication claim cannot be filed when no water use or development has taken place. An application for permit is the form to file at the time you decide to begin development. Claims are required only on

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development and uses completed prior to the commencement of the adjudication, November 19, 1987. Enclosed is an application for permit form with instructions to be completed at the time development will begin.

— An adjudication claim cannot be filed on an application for permit which has not been approved. Therefore, we are returning your Notice of Claim to you. An application for permit must be approved in order to establish a water right to file on.

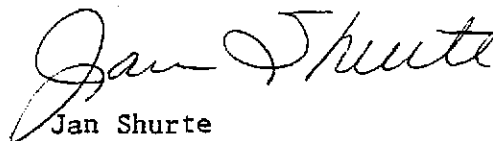
X Item No. 16 - Signature -this claim form requires your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item.

X Other: PLEASE COMPLETE ITEM NO. 7, AND 16.

If your uses are for domestic or stockwater, and after reading the enclosed brochure you still wish to file your claim(s), please complete the above item(s) on your claim form(s), initial and date any changes or additions, and return the claim(s) to our office, with the fee, prior to the deadline date for filing adjudication claims in your county. If you are returning a claim form which was received in our office, with the fee, by the deadline for your county, then as long as the corrected claim and fee are returned within 30 days of the date of this letter, no late fee will be charged. If your deadline is upcoming, please try to return the corrected claim by that date. The deadline date for your county is 4/9/89. If you have decided not to file your claim(s), no further correspondence is needed.

Please feel free to contact this office if you have any questions concerning this letter.

Sincerely,



Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

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