

No Color
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: A61-11883
Date Received: 3/16/1998
Receipt No: W023529
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: A WAYNE HURLEY 208-587-3254
Address: 2985 E 42ND S
MOUNTAIN HOME ID 83647

2. Date of Priority: MAR 4, 1998

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	07E	18		NW	NW		ELMORE

5. Description of diverting works:
WELL, 6" CASING, DEEP, 5 HP SUBMERSIBLE PUMP, PIPE TO HOUSE

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	07E	18	NW	NW		DOMEST	

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:

LOT 2, BLK 1, SOUTH HILLS SUBDIVISION (ESTATES).

15. Basis of Claim: BENEFICIAL USE

RECEIVED

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

MAR 16 1998

WATER RESOURCES
WESTERN REGIONIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A61-11883Date Received 3/16/98Receipt Number W023529 #6

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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) A. WAYNE HURLEY Phone (208) 587-3254Mailing Address 2985 E 42nd SOUTH, MOUNTAIN HOME, ID Zip 836472. Date of Priority (Only one per claim) 3/4/98 Month/Day/Year3. Source of water supply (Check one) (☒) Groundwater or Other () (a) _____
Name or kind of source
which is tributary to (b) _____4. Location of point of diversion is: Township 4S Range 7E
Section 18, NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of ELMORE

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, 6" CASING, DEEP, 5HP SUBMERSIBLE PUMP, PIPE TO HOUSE

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

For DOMESTIC purposes from 1-1- ^{Month/Day} to 12-31- ^{Month/Day} amount 0.04 ^(cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)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) SINGLE HOUSEHOLD, DOMESTIC USE

MAR 18 1988

JUL 18 1988

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: 4S Range 7E

Section 18 NW 1/4 of NW 1/4, Govt. Lot _____, B.M.,

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? ELMORE

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

(X) None or _____

14. Remarks: LOT 2, BLOCK 1, SOUTH HILLS SUBDIVISION(ESTATES)

COPY OF PERMIT FOR WELL

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 ONE + Check

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

Signature of Claimant (s) A Wayne Hurley Date 3-13-98

Minda P. Hurley Date 3-13-98

Minda P. Hurley

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 IDAHO)

County of ELMORE)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 13th day of March 1998

SEAL

Notary Public Shirley E. Miller

Residing at MOUNTAIN HOME, IDAHO 83647

My Commission Expires FEBRUARY 1999

Last Name Hurley Ident No. _____

Copies: White-State, Yellow-Claimant

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.

MAR-13-98 11:29 AM

Form 225-2, 1/97

Back of Card is Pre-Addressed

Idaho Department of Water Resources
1301 North Orchard Boise ID 83706-2237

Write Tag Number Here

00001661

(Not Valid Without Tag Number)

Start Card/Permit for a Domestic Well

(Cold Water 85 degrees or less)

Press Hard

1. Well Owner (please print): Wayne Hurley2. Owner's Address: 637 Brookside CourtCity MIN. Name State Id Zip 83647 Phone()3. Well Location: Twp: 4S Rge: 2E Sec: 18 1/4 NW 1/4 NW 1/4Gov't Lot No. County Elmore Lat. : : Long. : :Street Address of Well Site Hamilton RdCity MIN. Name Lot 2 Block 1 Sub 2 Hills Estate

4. Well Construction Information:

☒ New Construction, ☐ Deepen, ☐ Modify, ☐ Replace Existing Well (Previous #)5. Construction Start Date: 2-3-98 6. Well Driller Addiction License # 357. Signature of Driller or Owner: Julia Robinson Date 2/2/98

Submit White Copy to Department of Water Resources

Applicant agrees to comply with the Underground Fuel/Water Damage Prevention Act I.C. 55-2201 et seq. and contact the local service telephone number Dialing 1-800-342-1383 prior to commencing excavation.

2985 E 42 South

November 20, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED
NOV 30 1998
WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 61-11883

A WAYNE HURLEY
2985 E 42ND S
MOUNTAIN HOME ID 83647

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 27 Nov 98 SIGNATURE: Wayne Hurley
Please print your name: Wayne Hurley

AJ0749NP
No. R61-11883

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

DATE: 11/18/98
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	A WAYNE HURLEY 2985 E 42ND S MOUNTAIN HOME ID 83647 (208) 587-3254	03/04/1998	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T04S R07E S18 NWNW

ELMORE 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	Lt	Ac	:
04S	07E	18	:															:

POU County: ELMORE

Non-Irrigation Uses: 1 HOME

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 PROPERTY ALSO KNOWN AS LOT 2, BLK 1, SOUTH HILLS ESTATES SUB.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 11/18/98 LHARRIS

AJ5809NP
No. R61-11883

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/17/98
PAGE: 127

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	A WAYNE HURLEY 2985 E 42ND S MOUNTAIN HOME ID 83647 (208) 587-3254	03/04/1998	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T04S R07E S18

NWNW

ELMORE 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	Lt	Ac	Lt	Ac	:
04S	07E	18	:																	:

POU County: ELMORE

Non-Irrigation Uses: 1 HOME

Remarks: GEN LOT 2, BLK 1, SOUTH HILLS SUBDIVISION (ESTATES).

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 09/29/98 SBOCK

*Added
Null + N1B*

AJ5809NP
No. A61-11883

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/98
PAGE: 14

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	A WAYNE HURLEY 2985 E 42ND S MOUNTAIN HOME ID 83647 (208) 587-3254	03/04/1998	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T04S R07E S18

NWNW

ELMORE 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	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
04S	07E	18	:																					:
			:																					:

POU County: ELMORE

Non-Irrigation Uses: 1 HOME

Remarks: GEN LOT 2, BLK 1, SOUTH HILLS SUBDIVISION (ESTATES).

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



ERA

RECEIVED.

MAR 16 1998

WATER RESOURCES
WESTERN REGION

ERA® WEST WIND REAL ESTATE

March 13, 1998

Idaho Dept of Water Resources
2735 Airport Way
Boise, ID 83401

Dear Sir:

Enclosed please find copy of Water Right Application for A. Wayne Hurley.

Please send receipt that you received this as we need proof for VA that Mr. Hurley has filled for a Water Right.

Please mail said receipt to ERA West Wind Real Estate, 1310 American Legion Blvd., Mountain Home, ID 83647, Attn: Shirley. Closing is scheduled for March 23. We would like a receipt by that time. Thanking you in advance, for your prompt attention to this matter.

*Done
Sh 3/16/98*

Sincerely,



Shirley Miller,
Sales Associate

SFM/bs

Enclosures