

3,25-92
Not in "P"
Not in R.P.

DECEMBER 5, 1991

JOHNNY NUGENT
1050 S 2400 W
STERLING ID 83210

RE: NOTICE OF CLAIM #A35-12066

Dear Mr. Nugent:

The Notice of Claim you have presented conflicts with Idaho Code 42-230, and Water Appropriation Rules and Regulations, paragraph 2,15, concerning the appropriation of groundwater. Water uses developed from a groundwater source after March 25, 1963, for any uses other than residential domestic, stock water or any use not exceeding 2,500g/day, requires filing an Application for Permit. We can find no record of a permit or application for the uses you claim for this property. As result, you may withdraw this Notice in Bingham County and submit an Application for Permit. A Withdrawal of Claim form is enclosed for your use if needed. An application form is also enclosed , with instructions, for your use in this matter. We will be happy to proceed with processing the application if you will return the completed form to our office.

Should you decide to pursue before the court the exact water right you have presented on the Notice, please contact our office to discuss what action is needed before returning the Notice.

Please feel free to contact this office if you have any questions regarding this matter.

Respectfully submitted,

Gregory J. Taylor
Water Right Agent, Adjudication

GJT:sc

Enclosure

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4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME <u>NUGENT</u>		CLAIM DENT. NO. <u>A35-1206C</u>	
DATE RECEIVED <u>5/31/89</u>	CK # _____	AMOUNT \$ _____	
			Required Info?
1. Is the name and address complete with zip code?			YES <u>X</u> NO <u> </u> *
2. Is a priority date entered?			<u>X</u> <u> </u> *
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.			<u>X</u> <u> </u> *
3. (a) Is a source entered?			<u>X</u> <u> </u> *
X (b) Is a tributary to entered? (if required) N/A _____			<u> </u> <u> </u> *
4. Is the legal description of the p.d. sufficient?			<u>X</u> <u> </u> *
5. Is there a description of the diverting works?			<u>X</u> <u> </u> *
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.			<u>X</u> <u> </u> *
Is the period of use included?			<u>X</u> <u> </u> *
Is a quantity claimed for each use?			<u>X</u> <u> </u> *
7. Is a total quantity claimed entered?			<u>X</u> <u> </u> *
X 8. If required is a consumptive use entered? N/A _____			<u> </u> <u> </u> *
X Is the consumptive use correct? N/A _____			<u> </u> <u> </u> *
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 _____			<u>X</u> <u> </u> *
10. Is (are) the place(s) of use and purpose(s) indicated?			<u>X</u> <u> </u> *
11. Is (are) the county(ies) entered?			<u>X</u> <u> </u> *
12. Is the ownership of p.u. checked?			<u>X</u> <u> </u> *
X 13. Are other water rights listed or "none" indicated?			<u> </u> <u> </u> *
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 _____			<u>X</u> <u> </u> *
15. Is the basis of the claim indicated?			<u>X</u> <u> </u> *
X 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A _____			<u> </u> <u> </u> *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.			<u>X</u> <u> </u> *
18. Has the claim been signed, sealed, and dated by a notary?			<u>X</u> <u> </u> *
19. Was this claim filed on time, or was an extension granted?			<u>X</u> <u> </u> *
20. Is the fee enclosed correct? Exempt _____			<u>X</u> <u> </u> *
X 21. If this claim is based on an existing water right, has the identification number been entered? N/A _____			<u> </u> <u> </u> *
22. Should this claim be data entered?			<u>X</u> <u> </u> *

Claim checked by: _____ Date: _____

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

Claimant must be notified of modifications: _____ (Yes) _____ (No)

Receipt Prepared by: _____	Date: _____		
Claim data entered by: _____	Date: _____	Checked by: _____	Date: _____
Sent to claimant by: _____	Date: _____		

Comments: (14) CODE "BLOCK 15, STERLING TOWNSITE."NEEDS PERMIT

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