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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: A65-01919
Date Received: 5/23/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EMMETT MEAT CO.
Address: P.O. BOX 788
EMMETT, ID

83617

2. Date of Priority: APR 01, 1935

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01W	7	NE	SW			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.040		7.20
DOMESTIC	01/01	12/31	0.040		1.20
STOCKWATER	01/01	12/31	0.030		1.40

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 9.80 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	01W	7	NE	SW		DOMEST	

11. Place of use in counties: GEM

A65-01919

Page 1

Date: 07/05/90

MICROFILMED

SEP 18 1992

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

13. Other Water Rights Used:

14. Remarks:

LOT 1, WILLIAMS SUBDIVISION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

Decree Defendant

vs

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 _____

RECEIVED

MAR 16 2001

NOTICE OF ERROR
REPLY

Department of Water Resources

03/07/2001

RECEIVED

MAR 19 2001

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: April 13, 2001

Water right number: 65-1919

EMMETT MEAT CO
PO BOX 788
EMMETT ID 83617

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: 15 March 01

SIGNATURE: Leannette E. Novak

Please print your name: Leannette E. Novak

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

AJ0749NP
No. R65-01919

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

DATE: 06/14/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EMMETT MEAT CO PO BOX 788 EMMETT ID 83617	04/01/1935	STOCKWATER INDUSTRIAL DOMESTIC	01-01 12-31 01-01 12-31 01-01 12-31	0.030 CFS 0.040 CFS 0.040 CFS	1.40 AFA 7.20 AFA 1.20 AFA
TOTAL DIVERSION:					0.040 CFS	9.80 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06N R01W S07

NESW

GEM 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	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		

06N 01W 7 :																															

Place of use location for STOCKWATER is the same location as described for: DOMESTIC

Place of use location for INDUSTRIAL is the same location as described for: DOMESTIC

POU County: GEM

Conditions of Approval:

- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
- NOT EXCEED 13,000 GALLONS PER DAY.
- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

JDI
Lot 1, Williams Subdivision

WR0749NP
No. 65-01919

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/14/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EMMETT MEAT CO. P.O. BOX 456 EMMETT ID 83617	04/01/1935	STOCKWATER INDUSTRIAL DOMESTIC	01/01 12/31 01/01 12/31 01/01 12/31	0.030 CFS 0.040 CFS 0.040 CFS	1.40 AFA 7.20 AFA 1.20 AFA
TOTAL DIVERSION:					0.040 CFS	9.80 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R01W S07 NESW GEM 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	Lt Ac	Lt Ac	Lt Ac	Lt Ac
06N 01W 7 : : : D :															

Place of use location for STOCKWATER is the same location as described for: DOMESTIC

Place of use location for INDUSTRIAL is the same location as described for: DOMESTIC

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-00415	65-00907	65-00948	65-01013	65-01021	65-01045	65-01063	65-01156	65-01314	65-01466
65-01471	65-01538	65-01564	65-01710	65-01780	65-01781	65-01796	65-01906	65-05128	65-05328
65-10983									

Other Water Rights Listing Overlapping Place(s) of use:

65-00066

Remarks: GEN LOT 1, WILLIAMS SUBDIVISION.

Dates:	App. Received:	Priority Date:	04/01/1935
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 09/16/86 04/30/88 CONVERT

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 196

INDICATES TOTAL

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-1919	EMMETT MEAT COMPANY P. O. BOX 456, EMMETT, IDAHO 83617 REMARKS: LOT 1, WILLIAMS SUBDIVISION.	4/ 1/1935	INDUSTRIAL	1/ 1 12/31	7.20 AFA .04 CFS	NESW S 7 T 6N R 1W	SAME AS OTHER USE	BENEFICIAL USE
			DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESW S 7 T 6N R 1W		
			STOCKWATER	1/ 1 12/31	1.40 AFA .03 CFS *9.80*AFA *.04*CFS		SAME AS OTHER USE	
65-1192	FIGART, JACOB S. & FIGART, LULA ROUTE 2, BOX 24-H, EMMETT, IDAHO 83617	4/ 1/1935	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESW S31 T 7N R 1W	SESW S31 T 7N R 1W	BENEFICIAL USE
65-4180	FLYNN, VIRGIL L. ROUTE 1, FRUITLAND, IDAHO 83619	4/ 1/1935	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 3 S30 T 8N R 4W	LOT3 S30 T 8N R 4W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.20 AFA .02 CFS *1.40*AFA *.04*CFS		SAME AS OTHER USE	
65-5346	FRANK FUNDA ESTATE C/O GLADYS HEWITT, 12250 SOUTHWEST 29TH STREET, PORTLAND, OREGON 97219 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-5347 SHALL PROVIDE NO MORE THAN .02 CFS NOR 0.7 AFA FOR STOCKWATER.	4/ 1/1935	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESE S35 T 7N R 2W	NESE S35 T 7N R 2W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	.70 AFA .02 CFS *1.90*AFA *.04*CFS		SAME AS OTHER USE	
65-0888	GABERT, EDWARD & GABERT, GWEN T. ROUTE 1, BOX 131, EMMETT, IDAHO 83617	4/ 1/1935	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSW S12 T 6N R 3W	SWSW S12 T 6N R 3W	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	1.40 AFA .02 CFS *2.60*AFA *.04*CFS		SAME AS OTHER USE	



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 11, 1990

Mr. and Mrs. Mervyn E. Novak
Emmett Meat Co.
P.O. Box 788
Emmett, ID 83617

RECEIVED
MAY 23 1990

Department of Water Resources

RE: Notice of Claim to a Water Right A65-01919
Gem County

Dear Mr. and Mrs. Novak:

We are returning your Notice of Claim to a Water Right filed for your property in Gem County. We have noted some problems with your claim which we would like you to correct.

This claimant is shown as Emmett Meat Co. The signature(s) at Item #16, Signature of Claimant, must match the name at Item #1, Name of Claimant, unless documentation indicating a change of ownership or power of attorney is enclosed. If the water right is owned by you as individuals, please show the change in ownership on the attached form. If you are signing as agents of the company, you need to complete the "For Organizations" signature block, located immediately below the place you signed.

Please return the documents to this office to the attention of Helen. If you will make these corrections before June 11, 1990, you will not be assessed a late filing fee. Please do not hesitate to contact this office if you have any questions or concerns.

Sincerely,

Donald V. Shaff
ba Donald V. Shaff
Manager, Adjudication Section

DVS:HHT:sf:state
Enclosures:
Notice of Claim
Attachment

MICROFILMED

SEP 18 1992

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: 65-01919

DATE RECEIVED:

RECEIPT NO:

RECEIVED BY: _____

RECEIVED
MAY 23 1990

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: EMMETT MEAT CO.
ADDRESS: P.O. BOX ~~456~~ 788
EMMETT, ID

83617

2. DATE OF PRIORITY: APR 01, 1985

3. SOURCE: GROUNDWATER

TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	01W	7		NE	SW		GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(COR)	A.F.A.
INDUSTRIAL	01/01	12/31	0.040		7.20
DOMESTIC	01/01	12/31	0.040		1.20
STOCKWATER	01/01	12/31	0.030		1.40

7. TOTAL QUANTITY APPROPRIATED IS:

0.040 C.F.S. (AND/OR)

9.80 A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
06N	01W	7	NE	SW		DOMEST	

11. PLACE OF USE IN COUNTIES: GEM, GEM

65-01919

PAGE 1

DATE: 10/28/89

4383

RECEIVED
FEB 5 1990

Department of Water Resources

MICROFILMED

SEP 18 1992

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

LOT 1, WILLIAMS SUBDIVISION.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO

DECREE PLAINTIFF

VS

A & C CORP., ET AL.

DECREE DEFENDANT

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): Mervyn E. Novak DATE: 1-30-90
Emmett E. Novak DATE: 30 Jan 90

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM owner OF
TITLE
Emmett Meat Co., THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS owner OF
TITLE
Emmett Meat Co AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Mervyn E. Novak
SIGNATURE OF AUTHORIZED AGENT
Emmett Meat Co
TITLE AND ORGANIZATION
5-22-90
DATE

STATE OF IDAHO)
COUNTY OF Gem) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 30th DAY
OF January 19 90
SEAL

Deborah J. Lawrence
NOTARY PUBLIC
Emmett
RESIDING AT

MY COMMISSION EXPIRES 5-20-92
DATE: 10/28/89 4385

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Emmitt Mat Co.

CLAIM IDENT. NO.

A65-01919

DATE RECEIVED

CK #

X99999

AMOUNT \$

YES

NO

Require
Info?

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

Claim checked by:

RMC

Date:

5/29/90

Claim must be returned to claimant:

☐ (Yes) ☒ (No)

Claimant must be notified of modifications:

☐ (Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

SW

Date:

Date:

Date:

7-25-90

Checked by:

B

Date:

7/24/90

Comments:

MICROFILMED

SEP 18 1992