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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: A65-05648

Date Received:

Receipt No: _____

Received By: _____

REJECTED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

*Rejected:
Insufficient Fees
\$ 12/03/90*

1. Name: ROY WHITELEY
Address: 7524 BILL BURNS RD.
EMMETT, ID

83617

Name: MARLYN WHITELEY
Address: 7524 BILL BURNS RD.
EMMETT, ID

83617

RECEIVED
JUN 28 1990

Department of Water Resources

2. Date of Priority: APR 01, 1961

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	18	NW	NW			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		0.20

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

0.20 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	02W	18	NW	NW		STOCK	

A65-05648

Page 1

Date: 05/23/90

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11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

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): *Troy Whiteley* Date: *June 20, 1990*
Marlyn Whiteley Date: *June 20, 1990*

State of Idaho)
County of Gem) SS.

Subscribed and sworn (or affirmed) before me this 20th day

of June 19 90

Seal

Carolyn R Farber
Notary Public

Residing at Emmett, Idaho

My Commission Expires 1-14-1994

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) *Ray Whitley* DATE: January 4-1990
Marilyn Whitley DATE: January 4-1990

FOR ORGANIZATIONS:

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

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Gem) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 4th DAY

OF January 19 90

[Signature]
NOTARY PUBLIC

SEAL

RESIDING AT Emmott

MY COMMISSION EXPIRES 4-15-94
DATE: 10/28/89 7328

65-05648

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4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Whitely

CLAIM IDENT. NO.

A65-05648

DATE RECEIVED

6/28/90

OK #

AMOUNT

Exempt

YES

NO

Required 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 ☐ *
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: AD

Date:

7/9/90

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:

Date:

Date:

Date:

Checked by:

Date:

Comments:

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Water Right Number - A65-05648

Adj. Flag Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
WHITELY

ROY

1 - 7524 BILL BURNS RD.

2 -

3 -

City- EMMETT

State- ID Zip- 83617

Phone -

WHITELY

MARLYN

1 - 7524 BILL BURNS RD.

2 -

3 -

City- EMMETT

State- ID Zip- 83617

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1961 14 Error in Region X - REJECTED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County (Blank if no Index Code)

06N 02W 18 NW NW (45) GEM

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.020 0.20

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.020 0.20

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
06N 02W 18 NW NW 04 STOCKWATER (45) GEM

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
CLAIM RETURNED TO CLAIMANT 12/3/90. REJECTED FOR INSUFFICIENT FEES
NO EXTENSION REQUEST OR LATE FEES SUBMITTED. JDC.

REJECTED

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Water right number - A65-05648

Adj. flag 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 - - - +

STATE OF IDAHO

+ - - - - Decree Defendant - - - +

A & C CORP., ET AL.

+ - Decree Date - +

01/21/1986

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

HARRIS

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 00/00/0000

Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 00/00/0000
Last Amended Date - 00/00/0000
Receipt Number - X777777
POU Ownership Flag - Y
Name Connector -

Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District - 65
Federal/State Indicator - S
Presumption Flag -

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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

October 22, 1990

Roy & Marlyn Whiteley
7524 Bill Burns Rd.
Emmett, ID 83617

11-28-90
\$
ext. sf

RE: Snake River Basin Adjudication (SRBA)
Gem County - #A65-04803, #A65-05648

Dear Mr. & Mrs. Whiteley:

Your Notice of Claim forms referenced above have been received, but arrived after the filing deadline of June 25, 1990. This deadline was noted on the letter we sent you on May 24, 1990. The statutes governing the adjudication provide that late fees be assessed to encourage prompt filing of the Notices of Claims. Idaho Code §42-1409(8) sets these fees at \$50.00 or 15% whichever is greater. The late fees applicable to your claims would total \$100. If you feel you have a compelling reason for not complying with this deadline, you may request an extension of time and waiver of the fees. I have enclosed a form for your possible use in this matter.

We will suspend for 30 days the processing of your claims until the late fees are paid or waived. The claims will be returned after 30 days unless an extension is filed or late fees are paid as set forth above. You may resubmit another claim within the next two years by submitting \$100.00 (\$50.00 late fee for each claim) unless the law relative to late fees is changed.

Do not hesitate to contact this office if you have any questions or concerns.

Sincerely,

John D. Carlson
John D. Carlson
Adjudication Supervisor

JDC:MS:sf:tf

Enclosures:

Request for Extension
D & S Pamphlet

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