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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: A65-03535

Date Received: 4/18/1990

Receipt No: W012176

Received By: DE-PD 9/8/94

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOS E MC CLELLAND 208-452-5245
Address: 1905 NW 1ST AVE
FRUITLAND ID 83619
AND/OR
Name: GEORGE MC CLELLAND 208-452-5245
Address: 1905 NW 1ST AVE
FRUITLAND ID 83619
AND/OR
Name: ALDA MC CLELLAND 208-452-5245
Address: 1905 NW 1ST AVE
FRUITLAND ID 83619
AND/OR
Name: CAROL MC CLELLAND 208-452-5245
Address: 1905 NW 1ST AVE
FRUITLAND ID 83619

2. Date of Priority: APR 1, 1945

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	11	NW	NW			PAYETTE

5. Description of diverting works:

6" CASED WELL, 150' DEEP, 1 HP JET PUMP W/PIPE TO HOME & BARN.

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		1.20
STOCKWATER	01/01	12/31	0.020		0.20

7. Total Quantity Appropriated is:

0.060 C.F.S. (and/or) 1.40 A.F.A.

MICROFILMED
OCT 18 1996

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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OCT 18 1996

RECEIVED

JUL 22 1994

WATER RESOURCES
WESTERN REGION

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
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DOMESTIC	01/01	12/31	0.040		1.20
STOCKWATER	01/01	12/31	0.020		0.20

7. Total Quantity Appropriated is:

0.040 C.F.S. (and/or) 1.40 A.F.A.

com
1060

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9. Non-irrigation uses:
DOMESTIC, ONE HOME; STOCKWATER, 15 HEAD CATTLE.

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	05W	11	NW NW		DOMEST	

13. Other Water Rights Used:
FARMERS COOP IRRIGATION FOR LAWN & STOCK.

Decree date: 1/21/1986

vs Decree Defendant

Number of attachments:

Signature of Claimant(s): Carol D. Holland Date: 7-20-44

Date:

MICROFILMED

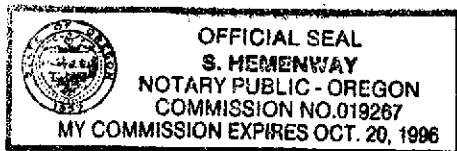
OCT 18 1996

Carol A. McClelland

State of ^{Oregon}~~Idaho~~)
County of Maine) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of July 19 94

Seal



S. Hemenway
Notary Public

Residing at Ontario OR

My Commission Expires 10-20-96

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OCT 18 1996

Filed for Record at Request of

Sandra J. Rovai, Esq.
Gordon, Thomas, Honeywell,
Malanca, Peterson & Daheim
P.O. Box 1157
Tacoma, WA 98401

COPY

QUIT CLAIM DEED

THE GRANTORS, Thomas and Alda McClelland, husband and wife, for and in consideration of love and affection convey and quit claim to George and Carol McClelland, husband and wife, a 26.66% undivided interest in the following described real estate, situated in the County of Payette, State of Idaho, including any after acquired title:

In Twp. 7 N., R. 5 W., B.M.;

GRANTEE ADDRESS:
1905 NW 1st Ave
Fruitland, ID 83619

Section 11: The NW $\frac{1}{4}$ NW $\frac{1}{4}$ excepting therefrom the following:

Beginning at the Northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Twp. 7 N., R. 5 W., B.M.;

thence South along the East line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 225.0 feet, more or less, to a point in a line parallel with and 110.0 feet distance Southwesterly from the Survey center line of Interstate Project No. I-80N-1(4)3 Highway Survey;

thence North 41°56'33.8" West, 220.0 feet, more or less, along said parallel line, to a point opposite Station 179-98.40 of said Survey center line;

thence Westerly along a line parallel with and 60.0 feet distant Southerly from the North line of said Section 11 a distance of 304.96 feet, to a point opposite Station 8-00 of a survey of a County Road Approach to a Grade Separation as shown on the official plat of said Highway Survey;

thence North 79°58'17.8" West, 202.79 feet to a point in the Southerly line of the existing County Road;

thence Northerly 25.0 feet to a point in the North line of said Section 11;

thence Easterly along said North line 655.11 feet to the PLACE OF BEGINNING.

Together with all water and water rights, ditches and ditch rights, tenements and hereditaments, appurtenances and fixtures, permits and licenses belonging thereto and in anywise appertaining

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including thirty-six (36) shares of water in Farmers Cooperative Irrigation Co., Ltd.

and

In Twp. 7 N.R. 5 W., B.M., Payette County, Idaho:

In Sec. 11: That portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying South and West of the Southwesterly right of way line of Interstate Highway and North of the center line of the Farmers Co-operative Irrigation Co., Ltd. ditch, said tract of land being more particularly described as follows:

Commencing at the Northwest corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence South along the West boundary thereof 225 feet, more or less, to a point in a line parallel with and 110.0 feet distant Southwesterly from the Survey center line of Interstate Project No. I-80N-1(4)3 Highway Survey, and the TRUE POINT OF BEGINNING for this description;

thence continue South along said West boundary 691 feet, more or less, to a point in the center line of the Farmers Co-operative Irrigation Co., Ltd. ditch; thence following the center line of said ditch to a point on the Southwesterly right of way line of Interstate Highway;

thence in a Northwesterly direction along said right of way line to the point of beginning.

and

T7 R5 of Sec. 10

That triangular piece described as follows:

Beginning at the SE corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ travel in a Northerly direction along the section line 300 feet, more or less, to a point which intersects the right-of-way of Highway 95; thence in a Southwesterly direction to a point approximately 30 feet West of the point of beginning, said point being 50 feet from the center of Highway 95; thence East 30 feet to the point of beginning.

IN WITNESS WHEREOF, Grantors executed this Quit Claim Deed respectively on the dates indicated by the accompanying notary acknowledgements.

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243859

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GRANTORS

Thomas F. McClelland
Thomas McClelland

Alda F. McClelland
Alda McClelland

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OCT 18 1996

243859

COPY

STATE OF WASHINGTON)

County of Thurston)

SS.

On this 21st day of December, 1992, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared THOMAS and ALDA McCLELLAND, to me known to be the persons that executed the foregoing instrument, and acknowledged the said instrument to be their free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.

Floyd E. Du Maus
 Notary Public in And For the State of Washington,
 residing at Alympsea
 My commission expires: 8-10-93



243859

State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of Thomas McClelland
May 26, 1993 10:42 A.M. in Book 48 Deeds pg. 243859
 I, Laura L. Stiggle, Ex-Officio Recorder by Debra J. Smith, Deputy

fee \$1200

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 OCT 18 1996

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. 165-Date Received 4-18-1990Receipt Number W012176NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

APR 18 1990

ACQUIRED UNDER STATE LAW

Department of Water Resources

For Domestic and/or Stockwater Purposes

Western Regional Office

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

RECEIVED

JUL 22 1994

WATER RESOURCES
WESTERN REGION

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) THOS. E. & ALDA McClelland Phone (206) 943 2505Mailing Address PO BOX 1312 Zip 985072. Date of Priority (Only one per claim) 4-21-1916 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 7N Range 5WSection 11, NW 1/4 of NW 1/4 of NW 1/4, Govt. Lot _____, BM.,

County of _____

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, 150' DEEP 1 h.p. Jet Pump,PIPE TO HOUSE & BARN

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 .04 (cfs)For Stockwater purposes from 1-1 to 12-31 amount .02 (Both dates are inclusive)7. Total quantity claimed .06 (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) ONE household 15 cowsMICROFILMED
OCT 18 1996

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.

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.

McClellandA65-DATE RECEIVED 4-18-90 RECEIPT # W012176 FEE PAID \$ 25 FEE REQ'D \$ 25

	YES	NO	Requirec Info?
1. Is the name and address complete with zip code? <u>Olympia WA</u>	☒	☐	*
2. Is a priority date entered? <u>per zip code</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.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) <u>N/A</u>	☒	☐	
4. Is the legal description of the p.d. sufficient? <u>Payette Co.</u>	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? ☒ The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered? <u>N/A</u>	☒	☐	
Is the consumptive use correct? <u>N/A</u>	☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	*
If multiple domestic, is single ownership indicated? <u>N/A</u>	☒	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
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.) <u>N/A</u>	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? <u>N/A</u> If yes, compare claim w/existing right and attach proof report noting any differences in comments. If no, was water right no. found?	☒	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? <u>N/A</u> (If yes, attach a proof report & complete number change) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	☐	☐	
18. If the claimant requested a monthly docket sheet, was the fee paid? <u>N/A</u>	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☐	☒	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time? (Check ML3 for date mailed-not all were mailed on the planned date) If no, was an extension of time filed & approved?	☐	☐	*
22. Is the fee enclosed correct? <u>Exempt</u>	☐	☐	*

WRQ1-Q

WRQ5-see

NOT CLAIMED 65-03535

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OCT 18 1990

	YES	NO
23. Is this claim being rejected and returned to claimant?	☒	☐
24. Can this claim be data entered?	☐	☒
25. Was claim modified?	☐	☒
If yes, do modifications require notification to claimant?		
Note: Modifications made must be explained in comments stating where the information for any changes was found.		

Claim reviewed by: KW Date 6-15-94

Claim data entered by: Date

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: _____

SD-0605-2 Township: 07N Range: 05W Section: 11 Tract: NWNWNW Lot:

S	L	R	STATE	O	S	Max #	Records	19		
E	O	D	Water	Name	W	T	Priority	Total		
L	Tract	T	V	Right No.	Last, First	N	G	Date	Source	Diversion
	NWNW		65-03535	KUHLMAN, MILLI	C	D	04/01/1945	GROUNDWATER	0.040	

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

MICROFILMED
OCT 18 1996

01/05/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-3535

NAME AND ADDRESS: ALDA MC CLELLAND
CAROL MC CLELLAND
GEORGE MC CLELLAND
THOS E MC CLELLAND
1905 NW 1ST AVE
FRUITLAND, ID 83619

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
1.4 AFY

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

PRIORITY DATE: 04/01/1945

POINT OF DIVERSION: T07N R05W S11 NWNW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.02 CFS
		0.20 AFY
DOMESTIC 1 HOMES	1-01 12-31	0.04 CFS
		1.20 AFY

PLACE OF USE:

STOCKWATER Within PAYETTE County
T07N R05W S11 NWNW
DOMESTIC Within PAYETTE County
T07N R05W S11 NWNW

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.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

STOCKWATER, 15 RANGE CATTLE

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOS E MC CLELLAND	04/01/1945	STOCKWATER	01-01 12-31	0.020 CFS	0.20 AFA
C	GEORGE MC CLELLAND		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
C	ALDA MC CLELLAND					
C	CAROL MC CLELLAND					
	1905 NW 1ST AVE					
	FRUITLAND ID 83619					
	(208) 452-5245					
				TOTAL DIVERSION:	0.040 CFS	1.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R05W S11

NWNW

PAYETTE County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
07N	05W	11	:					:					:					:					:

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
07N	05W	11	:					:					:					:					:

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

Other Rights: FARMERS COOP IRRIGATION FOR LAWN & STOCK.

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.
- 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:

Ex Rink *Stockwater, IS RANGE CATTLE*

WR0749NP
No. 65-03535

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/24/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY	WATER USE	USE PERIOD		DIVERSION	DIVERSION
		DATE		FROM	TO	RATE	VOLUME
C	MILLIE L. KUHLMAN ROUTE 1, BOX 225 FRUITLAND ID 83619	04/01/1945	STOCKWATER	01/01	12/31	0.020 CFS	0.20 AFA
			DOMESTIC	01/01	12/31	0.040 CFS	1.20 AFA
			TOTAL DIVERSION:			0.040 CFS	1.40 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R05W S11 NWNW PAYETTE 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	: Lt Ac	: Lt Ac	: Lt Ac	:
07N 05W 11	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

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

Pou County: PAYETTE

Other Water Rights Listing Overlapping Place(s) of use:
65-00066

Dates:	App. Received:	Priority Date:	04/01/1945
	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: 04/02/86 04/30/88 CONVERT

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUNDWATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM IDENT. NO.

TO A

WATER RIGHT

65 3535

MAP NO.

MAY 1971

Notice is hereby given that P. J. Pryor (Name of Claimant) claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 1945

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Groundwater

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)

Use Domestic (Domestic, irrigation, stock, etc.) Period of Use From 1-1 (Mo., Day) To 12-31 (Mo., Day)

Use Stockwater (Domestic, irrigation, stock, etc.) Period of Use From 10-1 (Mo., Day) To 10-1 (Mo., Day)

Use 1.4 (Domestic, irrigation, stock, etc.) Period of Use From 1.4 (Mo., Day) To 1.4 (Mo., Day)

(4) Quantity of water claimed: 1.4 Cubic Feet Per Second, or 1.4 Acre Feet Per Annum, and/or 1.4 Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source N 1/4 Sec. 11, Twp. 7 N, Rge. 5 W, B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Pump & pipeline to House

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	5W	11					X												

Total No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

(7) Effluent, sewage waste, or return water from this use is discharged into Septic Tank

(8) If you are claiming water as a member of an organization, list name of organization

(9) Remarks

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case

☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

5-14-71 (Date)

M. M. Miller (Signature of Claimant)

State of Idaho ss. County of Payette

Organization Seal

Organization KEYPUNCHED 8-22-77

(Signature of Notarized Agent)

On this 14th day of May, in the year 1971, before me,

a notary public, personally appeared known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

Notary Public residing at May M. Stanley

My commission expires 8-15-74

65-3535

Claim No.

COMMENDED RIGHT

MRS. MILLIE L. KUHLMAN
Route #1, Box 225
Fruitland, Idaho 83619

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 1945
- (2) Describe source of water: (Name of stream, lake, spring, etc., or groundwater) subterranean
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | |
|-----------------------------|-------------------------------------|-------------------------------|-----------------|
| Quantity <u>0.04 c.f.s.</u> | Use <u>domestic & stock</u> | Period of Use From <u>1/1</u> | To <u>12/31</u> |
| (CFS, GPD, AFS) | (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| Quantity | Use | Period of Use From | To |
| (CFS, GPD, AFS) | (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| Quantity | Use | Period of Use From | To |
| (CFS, GPD, AFS) | (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
- (4) 0.04 c.f.s. TOTAL QUANTITY CLAIMED.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source. NW 1/4 NW 1/4
Sec. 11 Twp. 7N Rge. 5W B.M.; additional points:
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. pump and pipeline to house
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
7N	5W	11	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
								X											

Total No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
- (7) Effluent, sewage waste, or return water from this use is discharged into septic tank
- (8) If you are claiming water as a member of an organization, list name of organization:
- (9) Remarks 1. 7/27/79
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case:
☐ C) Right based on application, license, or claim filed with the Idaho Department of Water Administration.

DATE OF EXAM

2/27/79

FIELD EXAMNER

S. L. P.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

RE: Notice of Claim to a Water Right

June 10, 1994
Thos. E. & Alda McClelland
P.O. Box 1312
Olympia, WA 98507

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dear Claimants:

This office has received the Notice of Claim to a Water Right for the use of water within the Snake River Drainage Basin. However, due to the items described below, we cannot process this claim. We are returning the claim to you, along with Departmental Receipt No. W012176 in the amount of \$25.00 for the filing fee submitted.

Your claim has been signed by an "Attorney-In-Fact". We need to have some documentation that this gentlemen is indeed authorized to sign for you. If you do not have the documentation available, you can also complete the enclosed 2nd page of notice of claim, sign it in the presence of a notary public and return it with page 1 of your claim.

In a review of our existing water right records, I found a decreed right in the name of Kuhlman that is in the same 40 acre tract as your home. If you purchased your home from the Kuhlman's, you need to submit your claim based on the decreed right. Please contact me, if this is the case, and I'll prepare a claim for your signature.

Please complete the above item on your claim form, **initial and date any changes or additions**, and return the claim, with the requested fee (if one is required above), to our office within 30 days from the date of this letter. If the claim or fee requested, is not received within this 30-day period, the claim will be rejected and your fee, if one was paid previously, will be refunded. Please contact us within the 30-day time period, either in writing or by phone, to let us know if there is a problem returning the claim, or fee, in order to keep this claim valid. If the claim is rejected and fee refunded, due to no response within the 30-days, the claim can be resubmitted up until claims in this area are prepared for court decree. However, at that time the corrected claim along with the regular filing fee that was refunded, and an additional late fee will be required. Please feel free to contact this office if you have any questions concerning this letter.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

MICROFILMED
OCT 18 1994

ADJUDICATION MEMORANDUM

CLAIM NO.: A65-03535SUBJECT: JENT COMP. GEN. CLAIMEMPLOYEE: JAN THURTEDATE: 7-11-94 FORM

Mrs. McClelland phoned stating that they own $\frac{1}{2}$ with the McClellands (Thos. & Aldo) who are her husband's parents. So added their names to the Fuhlman's right which ~~she~~ said is the place they now live in. She will have her husband sign & notarize this new claim form for A65-03535 and return with the proof of ownership both Thos. & Aldo, Carol & George McClelland as owners of this property.

MICROFILMED
OCT 18 1996

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. 165-Date Received 4-18-1990Receipt Number W012176

RECEIVED

APR 18 1990

NOTICE OF CLAIM TO A WATER RIGHT

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.

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) THOS. E. & ALDA McClelland Phone (206) 943 2805
Mailing Address PO BOX 1312 Zip 98507
- Date of Priority (Only one per claim) 4-21-1916 Month/Day/Year
- Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source
which is tributary to (b) _____
- Location of point of diversion is: Township 7N Range 5W
Section 11 NW 1/4 of NW 1/4 of NW 1/4, Govt. Lot _____, BM.,
County of _____
Additional points of diversion if any: _____
- 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, 150' DEEP 1 h.p. Jet Pump,
pipe to house & BARN
- 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 .04 (cfs)
(Both dates are inclusive)
For STOCKWATER purposes from 1-1 Month/Day to 12-31 Month/Day amount .02 (cfs)
- Total quantity claimed .06 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single owner; Stockwater: Type and Number of livestock) one household 15 cows

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APR 18 1990

10. Place of use is: Township: 7 N Range 5 W
Section 11, NW 1/4 of NW 1/4, Govt. Lot N52, 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? PAYETTE

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.
() None or FARMERS CO OP IRRIGATION for LAWN & Stock

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) ALDA F. McClelland ATTY IN FACT Date 4-13-90
ALDA F. McClelland ATTY IN FACT Date 4-13-90

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

_____, that I have signed the foregoing
Organization _____ Title _____
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 Idaho)

County of Payette)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 13 day of April 1990

SEAL

Notary Public Donald B. Williams

Residing at Fruitland, Id.

My Commission Expires Oct. 9, 1995

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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OCT 18 1996