

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: A65-04238
Date Received: 5/10/1990
Receipt No: X999999
Received By: [Signature]

REJECTED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE M. KYLE, SR. 208-642-9752
Address: 10670 HIGHWAY 95
PAYETTE, ID 83661

OR

Name: LA VONNE KYLE 642-975-0002
Address: 10670 HIGHWAY 95
PAYETTE, ID 83661

2. Date of Priority: JUL 01, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	05W	22	NE	NW	SE		PAYETTE

5. Description of diverting works:
WELL, 60' DEPTH, 6" CAS. W/ 1 HP PUMP & PIPE TO HOUSE, LAWN, GARDEN, STKTK

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

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME, LAWN, GARDEN, DOMESTIC STOCK

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	05W	22	NW SE		DOMEST	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
N/A

14. Remarks:

BLOCK 34, NORTH PAYETTE.

THE SYSTEM ALLOWS WATER TO BE TAKEN FROM IRRIGATION WELL COVERED
BY A65-02839 & A65-07161 BY OPERATION OF SWITCHING VALVES.

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): *Debra M. Kyles* Date: 5-10-90
Date:

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of MAY 19 90

Forrest E. Luthy
Notary Public

Seal

Residing at Forrest E. Luthy, Notary Public
Residing at Boise, Idaho
My Commission ~~Expires~~ Expires Nov. 8, 1994

Old (D) Number -

+ - - - - - Last Name - - - - - +

+ - First Name - - +

+ Address +

*** C - CURRENT OWNER ***
KYLE SR

DALE M

1 - 10670 HIGHWAY 95
2 -
3 -

State- ID Zip- 83661

KYLE

LA VONNE

City- PAYETTE
Phone - 208-642-9752
1 - 10670 HIGHWAY 95
2 -
3 -
City- PAYETTE
Phone - 642-975-0002

State- ID Zip- 83661

*** O - ORIGINAL OWNER ***
SCOTT

DON C.

1 - P.O. BOX #31
2 -
3 -
City- PAYETTE
Phone - 208-000-0000

State- ID Zip- 83661

+ - - Priority Date - - +
07/01/1965

+ - - - Region - - - +
14 WESTERN

+ - - - Stage - - - +

```

+ - - - Status - - - - +
X - REJECTED

```

+ - - - - Source - - - - - +
GROUNDWATER
REJECTED

+ - - - - - Tributary - - - - - +

SEE REMARKS

Point of Diversion						
Twn	Rng	Sec	Tract	Lot	RFlg	County

09N 05W 22 NE NW SE (75) PAYETTE

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
0000	Water Use				

43 - DOMESTIC	01/01	12/31	0.040	1.20
---------------	-------	-------	-------	------

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.040	1.20	0.0	

Place of Use							
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description
							County

09N 05W 22 NW SE 43 DOMESTIC (75) PAYETTE

Total Acres:

+ - - Diversion Means - WELL, 60' DEPTH, 6" CAS. W/ 1 HP PUMP & PIPE TO HOUSE, LAWN, GARDEN, STKTK

+ - - Non-Irrigation Use - DOMESTIC 1 HOME, LAWN, GARDEN, DOMESTIC STOCK

MICROFILMED
OCT 18 1996

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/10/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X999999	Water District	- 65
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 18 1996

Water Right Number - A65-04238

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***

KYLE, SR.

DALE M.

1 - 10670 HIGHWAY 95

2 -

3 -

City- PAYETTE

State- ID Zip- 83661

Phone - 208-642-9752

KYLE

LA VONNE

1 - 10670 HIGHWAY 95

2 -

3 -

City- PAYETTE

State- ID Zip- 83661

Phone - 642-975-0002

*** O - ORIGINAL OWNER ***

SCOTT

DON C.

1 - P.O. BOX #31

2 -

3 -

City- PAYETTE

State- ID Zip- 83661

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/01/1965 14 WESTERN X - REJECTED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER
REJECTED SEE REMARKS+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
09N 05W 22 NE NW SE (75) PAYETTE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040 1.20+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 1.20 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09N 05W 22 NW SE 43 DOMESTIC (75) PAYETTE

Total Acres:

+ - - Diversion Means - WELL,60'DEPH,6"CAS.W/1 HP PUMP & PIPE TO HOUSE,LAWN,GARDEN,STKTK

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		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 18 1996

REFUND REQUEST

SUBMITTED TO AUDITOR

ON 10-13-94

TO: S. Frazee to Log In
 FOR: D. Shaff/D. Allen
 FROM: Kay Walker Date: 9/16/94
 SUBJ: Receipt No. C016767 (Please attach ARQ2 Receipt copy)
 RE: PayOR Dale M. Kyle Sr. or Laverne Kyle
Address 10670 Hwy 95
Payette ID 83661

Claimant if NOT Payor _____

Refund Amount \$ 50.00 Claim Location (Region) Claimant _____

Extension Filed? (Y) N NA

Copy Attached? (Y) N NA

Late Fees Paid? (Y) N NA

Late Fee Receipt # _____

S.O. Verified Ext. by _____ on _____ D.B. Query by _____

Refund Generated By X Agent () Claimant

Refund Category Rejected insufficient fees

Date of Last Correspondence (copy attached) 6-2-94

RECEIVED

OCT 17 1994

**WATER RESOURCES
WESTERN REGION**

Claim No.	Use	Fees Paid	Correct Fee	Rec't #
<u>A65-18573</u>	<u>Domestic</u>	<u>\$ 25</u>	<u>75</u>	<u>C016767</u>
<u>A65-18572</u>	<u>Domestic</u>	<u>\$ 25</u>	<u>75</u>	<u>C016767</u>
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
Total		<u>\$ 50.</u>	<u>\$ 150-</u>	

Detailed Reason(s) for Refund Attached (Y) N

Region AJ Spvsr. Approval _____

S.O. AJ Spvsr. Approval _____

Don Shaff Approval _____

Hold 2/16

To Fiscal 10-13-94

Data Base Modified? (Y) N NA

A &/or R Records By _____ on _____

Logged 09-23-94

> will reject when refund goes to Fiscal.

> Rejected 10-13-94. [initials]

RECEIVED

SEP 23 1994

Department of Water Resources

MICROFILMED

10/29/92

OCT 18 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 27, 1994

DALE AND LA VONNE KYLE
10670 HWY 95
PAYETTE ID 83661

RE: Snake River Basin Adjudication (SRBA)
Payette County - Receipt #C016767

Dear Claimants:

In our letter to you of June 2, 1994, you were offered some options to record the water right for your property in Payette County. Since we have not received anything further from you, the refund process has been initiated with the State Auditor's Office for the fees you paid. You should receive your check in the near future.

If you later decide to refile, a new claim must be completed within one year with filing fees and appropriate late fees included at the time of submittal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff'.

Donald V. Shaff,
Manager, Adjudication Section

DVS:sf:ref

MICROFILMED
OCT 18 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 2, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Notices of Claims to Water Rights Nos. A65-02839, A65-04238,
A65-07161, A65-18572 and A65-18573

Dale M. Kyle, Sr. or LaVonne Kyle
10670 Highway 95
Payette, ID 83661

Dear Claimants:

Enclosed is a copy of the **DENIED** Extension of Time request form previously submitted in connection with the above referenced notices of claims. At the time you filed the Notices of Claims the required filing fee was exempt because of the recent decree in the Payette River Drainage Basin. However, because the claims were received after the filing deadline for Payette County, a late fee is required. The late fee is \$50.00 for each claim. Your extension request was filed to try and avoid having to pay this late fee, which now must be paid due to the denial of this request. The late fee due for these claims is \$250.00.

Since some of your claims are for domestic purposes, please read the enclosed brochure entitled, "The Snake River Basin Water Right Adjudication, A Quick Guide to the Special Domestic & Stockwater Filing Procedure". This brochure explains the deferral procedure available on filings for certain domestic and stockwater rights. Also enclosed is a "Request for Deferral of Claim" if you decide to defer your claims after reading this brochure.

Please submit the late fee within 30 days from the date of this letter in order to insure your claims are recommended to the court for decree in the Adjudication. If this late fee is not received within the 30-day time period, your claims will be returned to you, and unless we hear from you prior to submitting our report to the court, the water rights covered by these claims will be invalid. If there is a problem with submitting this late fee, either a letter or phone call must be received within the 30-day time limit to keep these claims valid. Feel free to contact this office with any questions you may have.

Sincerely,

ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

KW:k
Enclosures

MICROFILMED
OCT 18 1996

Form 42-1409(10)-1
5/89
APR 25 1990

2 notices sent on
1/8/90 -
1 long + 1 short form sent 4/17/90

ived 4/21/90

Department of Water Resources

Janni
4-25

IME
(S)

The Idaho Department of Water
period of time in which to file c

by the claimant for an additional
extension by section 42-1409(10), Idaho Code.

Name of Claimant DALE M. KYLE (208) 642 9252
Phone Number
Mailing Address 10670 Hwy 95 PAYETTE IDA. 83661
City State Zip

PAYETTE April 18, 1990
County(s) where place of use is located Date claim originally due

TAX 8 + 15.44, Less TAX 7 + Less Hwy N 270' of 51635' of Tax 2 less
Identify water right(s) for which extension is requested also: Loc: 10670 Hwy 95
Tax 7 BLK. 34 North Payette.

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

WORK REL CONSTRUCTION SO I'M OUT OF
TOWN MOST OF THE TIME, TO MY KNOWLEDGE
DID RECEIVE NOTICES OF PLINT OF OLD
DECEASED RIGHTS

Claimant requests an extension to MAY 10, 19 90 or Before
Signature Dale M Kyle Date of request 4-22, 19 90
this.

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [] granted [X denied] for the following reasons

Commencement notice was mailed 1/8/90 prior to
claimants leaving town 3/1/90.

and if granted the filing deadline is extended to _____, 19 _____

Signed this 19 day of May, 19 90

Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N Orchard St
Boise, ID 83706

DAVID B. SHAW

MICROFILMED
OCT 18 1996

WATER RIGHT NUMBER - A65-04233

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
KYLE, SR.

DALE M.

1 - 10670 HIGHWAY 95

2 -

3 -

CITY- PAYETTE

STATE- ID ZIP- 83661

PHONE - 208-642-9752

KYLE

LA VONNE

1 - 10670 HIGHWAY 95

2 -

3 -

CITY- PAYETTE

STATE- ID ZIP- 83661

PHONE - 642-975-0002

*** O - ORIGINAL OWNER ***
SCOTT

DON C.

1 - P.O. BOX #31

2 -

3 -

CITY- PAYETTE

STATE- ID ZIP- 83661

PHONE - 208-000-0000

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
07/01/1965 14 WESTERN D - DECREASED+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)
09N 05W 22 NE NW SE (75) PAYETTE+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME
43 - DOMESTIC 01/01 12/31 0.040 1.20+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 1.20 0.0+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY
09N 05W 22 NW SE 43 DOMESTIC (75) PAYETTE

+ - - DIVERSION MEANS - WELL, 60' DEPTH, 6" CAS. W/ 1 HP PUMP & PIPE TO HOUSE, LAWN, GARDEN, STOCK

+ - - NON-IRRIGATION USE - DOMESTIC 1 HOME, LAWN, GARDEN, DOMESTIC STOCK

+ - - OTHER RIGHTS FOR SAME USE - N/A

+ - - - - - REMARKS - - - - - +
BLOCK 34, NORTH PAYETTE.
THE SYSTEM ALLOWS WATER TO BE TAKEN FROM IRRIGATION WELL COVERED

WATER RIGHT NUMBER - A65-04238

PREFIX TRANSLATION: ADJUDICATION CLAIM

REMARKS
BY A65-02539 & A65-07101 BY OPERATION OF SWITCHING VALVES.

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

AUDIT FIELDS - 05/10/90 LUTHY

COMMENTS
NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 03/10/1990	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	- 65
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- X999999	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- OR	NOTICE OF ERROR FLAG	-

3006-001-0 11

DATA ENTRY

Pre
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t
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Verified By
Tops Man Orla PQ
AIDS (M.D.)
Watermaster Records
IDWR Project
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
MAY 18 1992

CERTIFIED
NOV 24 1992
WATER EXAMINER