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NOV 01 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
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-21526

Date Received: 10/31/1994

Receipt No: W012269

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MARLENE AUSTIN 208-278-5236
Address: 5047 SE 1 1/2 AVE
NEW PLYMOUTH ID 83655
AND/OR
Name: HYRUM AUSTIN 208-278-5236
Address: 5047 SE 1 1/2 AVE
NEW PLYMOUTH ID 83655

2. Date of Priority: DEC 31, 1934

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	04W	10	NW	NW	SW		PAYETTE

5. Description of diverting works:
WELL, 6" CASING, SUBMERSIBLE PUMP, PIPE TO HOUSE

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		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 100 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	04W	10	NW	SW		DOMEST	
			NW	SW		STOCK	

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:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

01/10/2001

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

RIGHT NUMBER: 65-21526

NAME AND ADDRESS: HYRUM AUSTIN
MARLENE AUSTIN
5047 SE 1 1/2 AVE
NEW PLYMOUTH, ID 83655

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS

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

PRIORITY DATE: 10/19/1977

POINT OF DIVERSION: T07N R04W S10 NWNWSW 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	0.04 CFS
DOMESTIC	1-01 12-31	0.04 CFS

PLACE OF USE:

STOCKWATER Within PAYETTE County
T07N R04W S10 NWSW
DOMESTIC Within PAYETTE County
T07N R04W S10 NWSW

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 - Beneficial Use

STOCKWATER, 100 RANGE CATTLE
PROPERTY ALSO KNOWN AS 5670 HWY 30 SOUTH.
PARCEL NO. 07N04W104800

AJ0749NP
No. R65-21526

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

DATE: 04/06/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARLENE AUSTIN	10/19/1977	STOCKWATER	01-01 12-31	0.040 CFS	1.2
C	HYRUM AUSTIN		DOMESTIC	01-01 12-31	0.040 CFS	1.2
	5047 SE 1 1/2 AVE					
	NEW PLYMOUTH ID 83655					
	(208) 278-5236			TOTAL DIVERSION:	0.080 CFS	2.4

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07N R04W S10

NWNWSW

PAYETTE County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
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 04W 10	:				:				:	S			:			

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
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 04W 10	:				:				:	D			:			

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

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.

Remarks: EXP STOCKWATER, 100 RANGE CATTLE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

*Partial # 07N04W104800
Also known as
5670 Hwy 30 South*

AJ0749NP
No. R65-21526

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

DATE: 03/05/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARLENE AUSTIN	10/19/1977	STOCKWATER	01-01 12-31	0.04 CFS	
C	HYRUM AUSTIN		DOMESTIC	01-01 12-31	0.04 CFS	
	5047 SE 1 1/2 AVE					
	NEW PLYMOUTH ID 83655			TOTAL DIVERSION:	0.08 CFS	
	(208) 278-5236					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07N R04W S10

NWNWSW

PAYETTE County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07N 04W 10	:		:		:		:		:		:		:		:	

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07N 04W 10	:		:		:		:		:		:		:		:	

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

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.

Remarks: EXP PARCEL NO. 07N04W104800
STOCKWATER, 100 RANGE CATTLE
PROPERTY ALSO KNOWN AS 5670 HWY 30 SOUTH

Dates: Exam Made Date: Verified Date: 03/05/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 03/05/98 DBUFFING

AJ0749NP
No. R65-21526

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

DATE: 02/20/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARLENE AUSTIN	10/19/1977	STOCKWATER	01-01 12-31	0.04 CFS	
C	HYRUM AUSTIN		DOMESTIC	01-01 12-31	0.04 CFS	
	5047 SE 1 1/2 AVE					
	NEW PLYMOUTH ID 83655					
	(208) 278-5236			TOTAL DIVERSION:	0.08 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T07N R04W S10

NWNWSW

PAYETTE County

Place of use Legal Description for: STOCKWATER

	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
07N 04W 10	:		:		:		:		:		:		:		:	

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
07N 04W 10	:		:		:		:		:		:		:		:	

POU County: PAYETTE

Non-Irrigation Uses: 1 HOME

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.

Remarks: EXP PARCEL NO. 07N04W104800 *Range*
STOCKWATER, 100 CATTLE
PROPERTY ALSO KNOWN AS 5670 HWY 30 SOUTH

Dates: Exam Made Date:

Verified Date:

02/20/1998

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 02/20/98 SEGBERT

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-26-1997

PAGE: A-512

RIGHT NUMBER: 65-21526

NAME & ADDRESS: MARLENE AUSTIN
HYRUM AUSTIN
5047 SE 1 1/2 AVE
NEW PLYMOUTH ID 83655 ✓

SOURCE: GROUNDWATER

QUANTITY: 0.08 CFS

PRIORITY DATE: 12/31/1934

POINT OF DIVERSION: T07N R04W S10 NWNWSW ✓ Within PAYETTE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS
	DOMESTIC DOMESTIC, 1 HOME; STOCKWA	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within PAYETTE County
T07N R04W S10 NWSW ✓

DOMESTIC Within PAYETTE County
T07N R04W S10 NWSW ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP07N04W104800

Property aka 5670 Hwy 30 South

Verified by *Dmf* Date: *12-9-97*
Verification Source: *Cty Alpha*

REFUND REQUEST RECEIVED

TO: Sherman S. Frazee to Log In 8-8 JUL 25 1994
 FOR: D. Shaff/D. Allen Department of Water Resources
 FROM: Kay Walker Date: 7-19-1994
 SUBJ: Receipt No. W012269 (Please attach ARQ2 Receipt copy)

RE: PayOR Austin, Marlene
 Address 5047 SE 1 1/2 Ave
 New Plymouth, ID 83655

Claimant if NOT Payor Marlene &/or Hyrum L. Austin
 Refund Amount \$ 100.00 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 (no response) (claim incomplete)
 Date of Last Correspondence (copy attached) 5-23-1994

Claim No.	Use	Fees Paid	Correct Fee	Rec't #
N/A	Domestic	\$ 25.	25.	W012269
N/A	Domestic	\$ 25.	25.	W012269
N/A	Domestic	\$ 25.	25.	W012269
N/A	Domestic	\$ 25.	25.	W012269
Total		\$ 100.00	\$ 100.00	

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

Region AJ Spvsr. Approval S.O. AJ Spvsr. Approval
 Don Shaff Approval 7-15-94 Hold ZWL To Fiscal 7-25-94
 Data Base Modified? Y/N (NA) A &/or R Records By on
 Refund cancelled. Late fees refunded (C031163)
 Claims returned corrected 10-25-94. 22

RECEIVED

NOV 01 1994

WATER RESOURCES
 WESTERN REGION

07/15/94

RECEIVED

NOV 01 1994

WATER RESOURCES
WESTERN REGION

COMMUNICATION DOCUMENTATION

Receipt No.: W012269

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: S. Sherman

Date: 10/20/94

Contact Person(s): Marlene Austin

Nature of Contact: I called Mrs. Austin to see when she and Hyrum would return the four claims Don returned to them for correction.

Substance of Communication: Mrs. Austin said, "oh, I guess I'd better look at that." I mentioned Don's 9/15/94 letter as well as the copy of the 5/23/94 letter from Western, and read to her the last sentence of Don's letter regarding 'possible late fees if claims not returned in 30 days'.

*10-20-94 Marlene called me. She had ? about
p-date. I told her to use her best
guess if she didn't know for sure.
- A. Sherman*

MICROFILMED

OCT 22 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 15, 1994

*refund ✓ mailed 9-21-94,
- R*

HYRUM L AND MARLENE AUSTIN
5047 SE 1½ AVE
NEW PLYMOUTH ID 83655

RE: Snake River Basin Adjudication (SRBA)
Payette County - Receipts #W012269 (Filing Fees) and
#C031163 (Late Fees)

Dear Mr. & Mrs. Austin:

Thank you for responding so quickly to the July 27, 1994, letter my secretary sent you regarding your Notices of Claim to a Water Right you filed for your property in Payette County.

Your request for extension of time was granted, and a refund of your late fees in the amount of \$200.00 has been initiated with the Auditor's Office. You should receive your check in the near future. Enclosed is a copy of your Request for Extension of Time and receipt #C031163 for late fees paid. These copies are yours to keep.

I am returning your four incomplete Notices of Claim because we need your assistance. There are some problems with your claims which need to be corrected before we can process them. Please complete the claims soon and return them promptly.

I have enclosed a facsimile copy of the letter sent to you by our Western Region office when they returned your Notices of Claim May 23, 1994. The incomplete items are highlighted on each of your original Notices of Claim. On the chance you no longer have the instruction booklet sent you, I've enclosed another one for you if you need more direction to complete an item.

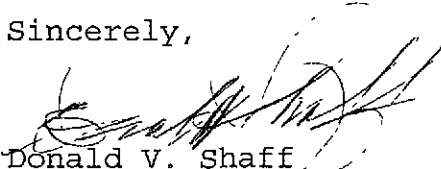
I noticed Marlene signed the claims, but "and" is between your names at Item #1. Please either put "/or" after the "and" at Item #1 or have Hyrum sign each claim as well having his signature notarized on the date he signs.

MICROFILMED
OCT 22 1996

Hyrum L. and Marlene Austin
September 15, 1994
Page 2

Do not hesitate to contact me at 327-7932 if you have any questions or desire an appointment to obtain assistance in completing the forms. Please return the documents to this office within 30 days or late fees may apply.

Sincerely,



Donald V. Shaff
Manager, Adjudication Section

DVS:ss:state:tf

Enclosures:

Four (4) Original Notices of Claim (Returned)
Facsimile Copy of May 23, 1994, Letter
Instruction Booklet
Copy of Approved Request for Extension of Time
Copy of Receipt #C031163

MICROFILMED
OCT 22 1996

REFUND REQUEST

SUBMITTED TO AUDITOR

TO: S. Sherman to Log In
 FOR: D. Shaff/D. Allen
 FROM: S. Sherman
 SUBJ: Receipt No. 0031163 (Please attach ARQ2 Receipt copy immediately behind blue form)

ON 9-19-94Date: 09-14-94

RE: PayOR

Austin Farms / Hyrum Austin

Address

5047 SE 1 1/2 Ave.New Plymouth ID 83655

Claimant(s) if NOT Payor

Hyrum & Marlene AustinRefund Amount \$200.00

Claim Location (Region/Claimant)

Extension Filed? (Y/N) NACopy Attached? (Y/N) NALate Fees Paid? (Y/N) NALate Fee Receipt # 0031163S.O. Verified Ext. by so on 9-14-94 D.B. Query by n/aRefund Generated By () Agent (so) () Claimant

Refund Category:

insufficient fees / claim incomplete / withdrawn (o-pmt)Date of Last Correspondence (copy attached) 07-27-94

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>not numbered yet</u>	<u>d+s</u>	<u>\$200.00</u>	<u>-0-</u>	<u>0031163</u>
		\$		
		\$		
		\$		
		\$		
Total		<u>\$200.00</u>	<u>\$ -0-</u>	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached (Y/N)Request for ext. approved.Region AJ Spvsr. Approval _____S.O. AJ Spvsr. Approval _____Don Shaff Approval _____Hold _____To Fiscal 09-14-94Logged 09-14-94Data Base Modified? Y/N (NA) A &/or R Records By _____ on _____

05/19/94

MICROFILMED

OCT 22 1996

Date Received _____

RECEIVED

AUG 30 1994

Department of Water Resources

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

HYRUM L. & MARLENE AUSTIN (208-278-5236
Name of Claimant Phone Number

5047 SE 1 1/2 AVE. NEW PLYMOUTH IDAHO 83655
Mailing Address City State Zip

PAYETTE
County(s) where place of use is located Date claim originally due

Wells
Identify water right(s) for which extension is requested

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

We were not aware of original notice.
When we were made aware Hyrum has
been out of state.

Claimant requests an extension to the present, 19 94

Marlene Austin 8-28-94, 19 94
Signature Date of request

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

and if granted the filing deadline is extended to October 14, 19 94

Signed this 9 day of Sept, 19 94

David B. Shaw
Director or his designated agent

DAVID B. SHAW

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

MICROFILMED

OCT 22 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

July 27, 1994

HYRUM L AUSTIN
5047 SE 1½ AVE
NEW PLYMOUTH ID 83655

RE: Snake River Basin Adjudication (SRBA)
Payette County - Receipt #W012269

Dear Mr. Austin:

Following my telephone conversation with you today, I have enclosed a copy of the letter sent to you and Mrs. Austin May 23, 1994, in which we returned your four (4) Notices of Claim to a Water Right that were incomplete.

During our conversation, you said you thought Mrs. Austin would know where your copies of the Notices of Claim which you submitted April 20, 1990, were located. Just in case she doesn't find the copies, I have enclosed copies of them for you, and blank forms to complete if you wish to continue the filing process.

Because the corrected Notices of Claim were not returned, late fees in the amount of \$50.00 per claim are required (\$200.00). I have also enclosed a Request for Extension of Time form which you may complete and return with your Notices of Claim. If your request is granted the late fees paid by you will be refunded promptly.

We need to receive original, signed and notarized Notices of Claim, the Request for Extension of Time and accompanying late fees in the amount of \$200.00 by August 28, 1994, or we will assume you have chosen not to continue the filing process and will refund the filing fees paid on receipt #W012269.

Please call me if you have any questions.

Sincerely,

Sally Sherman
Secretary, Adjudication Section

SS:state:tf
Enclosures:

Copy IDWR 05/23/1994 Letter
Copy of 4 Domestic Claims Filed April, 1990
Four Short Forms w/Instructions
Request for Extension of Time

MICROFILMED

OCT 22 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

July 26, 1994

HYRUM AND MARLENE AUSTIN
5047 SE 1½ AVE
NEW PLYMOUTH ID 83655

RE: Snake River Basin Adjudication (SRBA)
Payette County - Receipt #W012269

Dear Claimants:

In our letter to you in May 23, 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', written over a horizontal line.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref

MICROFILMED
OCT 22 1996

REFUND REQUEST

TO: Sherman S. Frazee to Log In
 FOR: D. Shaff/D. Allen
 FROM: Kay Walker Date: 7-19-1994
 SUBJ: Receipt No. W012269 (Please attach ARQ2 Receipt copy)

RE: PayOR Austin, Marlene
 Address 5047 SE 1 1/2 Ave
New Plymouth, ID 83655

Claimant if NOT Payor Marlene &/or Hyrum L. Austin
 Refund Amount \$ 100.00 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 ☒ Agent () Claimant
 Refund Category Rejected
 Date of Last Correspondence (copy attached) 5-23-1994

<u>Claim No.</u>	<u>Use</u>	<u>Fees Paid</u>	<u>Correct Fee</u>	<u>Rec't #</u>
<u>N/A</u>	<u>Domestic</u>	\$ <u>25.</u>	<u>25.</u>	<u>W012269</u>
<u>N/A</u>	<u>Domestic</u>	\$ <u>25.</u>	<u>25.</u>	<u>W012269</u>
<u>N/A</u>	<u>Domestic</u>	\$ <u>25.</u>	<u>25.</u>	<u>W012269</u>
<u>N/A</u>	<u>Domestic</u>	\$ <u>25.</u>	<u>25.</u>	<u>W012269</u>
Total		\$ <u>100.00</u>	\$ <u>100.00</u>	
Detailed Reason(s) for Refund Attached Y <u>(N)</u>				

Region AJ Spvsr. Approval [Signature] S.O. AJ Spvsr. Approval
 Don Shaff Approval Hold To Fiscal
 Data Base Modified? Y/N NA A &/or R Records By on
 Logged



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 23, 1994

RE: Notice of Claims to Water Rights Submitted in the Snake River
Basin Adjudication

Hyrum L. &/or Marlene Austin
5047 SE 1½ Ave
New Plymouth, ID 83655

Dear Claimants:

This office is presently processing the Notices of Claims to Water Rights you submitted during the Snake River Basin Adjudication claims filing in your area. However, due to the items below, we cannot continue to process these claims. We are returning these claims to you to complete items required that were incomplete on your claim forms. Also enclosed is the receipt for the filing fee previously submitted with these claims.

Item No. 2 - Date of Priority - ON EACH OF THESE CLAIM FORMS

Month/day/year that water was first put to use. This could be the same date your house was built and hooked up to the well, regardless of ownership. If month and day are unknown, the Department will recommend 12/31 of the year designated. Please date and initial the information you insert on these lines.

I did find one "old" water right which has not been claimed in the SRBA that may be for one of your wells. If the well in the NE¼SE¼, Section 10, Twp. 7N, Rge. 4W, was previously owned by Elbert Ashby you should probably file on the previously decreed water right that I found to be located in this legal description. If you have purchased a home previously owned by Mr. Ashby, please send in documentation to show the chain of ownership from Mr. Ashby to you along with a legal description of the property.

Items No. 6 & 7 - Amount of Water Claimed - ON EACH OF THESE CLAIM FORMS

For filing on domestic use the amount we normally allow is 0.04 cubic feet per second which is equivalent to 13,000 gallons per day. Stockwater use can be included under your domestic use as long as the daily use of the water is less than 13,000 gallons per day. If you are including your stockwater use under the domestic filings, indicate the number and type of stock to be watered on item 9. Please insert an amount of water on each of these forms under items 6 and 7, dating and intialing these additions.

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OCT 22 1996

You have also not indicated if there are other water rights used for these same purposes on item 13 of each form. We will assume you have no other water (such as city water) for these homes if you resubmit the forms and this item is still blank.

Also, on item 16 of each claim form, you have not indicated if you want to receive the monthly docket sheet or not. We will assume that you are not interested in receiving the docket sheet if this remains blank on the resubmitted forms.

Please complete the above items on your claim forms, **initial and date any changes or additions**, and return the claims to our office within 30 days from the date of this letter. If the claims are not received within this 30-day period, the claims will be rejected and your fee, 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 claims, in order to keep these claims valid. If the claims are rejected and your fee refunded, due to no response within the 30-days, the claims can be resubmitted up until claims in this area are prepared for court decree. However, at that time the corrected claims 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,

ADJUDICATION STAFF
Western Region Office
(208)334-2190

KW:k
Enclosures

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTIES UPON WHICH THESE CLAIMS WERE FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

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OCT 22 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. A65-Date Received 4-20-90Receipt Number W012269

RECEIVED NOTICE OF CLAIM TO A WATER RIGHT

Department of Water Resources

Western Regional Office

postmarked
4-18-90 kw

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

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

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Hiram L. Austin and Marlene Austin Phone 208 278-5236Mailing Address 5047 S.E. 1st Ave. New Plymouth Id. 83655 Zip 83655

2. Date of Priority (Only one per claim) _____ Month/Day/Year

3. 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 7 N. Range 4 W.Section 10 NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot _____, BM.,County of Payette

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" diameter pump - pipe to house

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 to 12-31 amount _____ (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed _____ (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) 1

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10. Place of use is: Township: 7 N. Range 4 W.
Section 10., NW 1/4 of SW 1/4, Govt. Lot _____, 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 _____

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 _____ 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) Marlene Austin Date April 18, 1990

Date _____

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

of _____, Title _____, that I have signed the foregoing
document in the space below as _____ Organization _____ 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 _____)

County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 18th day of April 19 90

SEAL

Notary Public Chella Sepple

Residing at Lewistown, Id.

My Commission Expires 1-27-93

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

NOTARIZATION REQUIRED FOR EACH CLAIM

12-1-92

CLAIMANT'S NAME

Austin (#2 of 4)

CLAIM IDENT. NO.

A65-DATE RECEIVED 4-20-90 RECEIPT # W012269 FEE PAID \$ 100. FEE REQ'D \$ 25.

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☐	☒	*
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)	☐	☒ N/A	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
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?	☐	☒ N/A	
Is the consumptive use correct?	☐	☒ N/A	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	*
If multiple domestic, is single ownership indicated?	☒ N/A	☐	
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.)	☐	☒ N/A	
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?	☐	☒ N/A	
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?	☐	☒ N/A	
(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?	☐	☒ Assume not wanted-	
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?	☐	☒ Exempt	*

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	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 5-23-94

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: _____

HYRUM L. AUSTIN
5047 S.E. 1 1/2 AVE.
NEW PLYMOUTH, ID 83655



Idaho Dept. of Water Resources
2735 Airport Way
Boise, Idaho 83745

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OCT 22 1996

Henry, Dean
M. J. Dean

if there were some
kind of a law
the check.

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OCT 22 1986

12-1-92

CLAIMANT'S NAME

Austin (#1 of 4)

CLAIM IDENT. NO.

A65-

DATE RECEIVED 4-20-90

RECEIPT # W012269

FEE PAID \$100.

FEE REQ'D \$25

- | | YES | NO | Required Info? |
|--|--|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☐ | ☒ | * |
| 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) | N/A ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 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? | N/A ☒ | ☐ | |
| Is the consumptive use correct? | N/A ☒ | ☐ | |
| 9. Are the non-irrigation uses listed showing # of homes, hd. of stock? | ☒ | ☐ | * |
| If multiple domestic, is single ownership indicated? | N/A | ☐ | |
| 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.) | N/A ☒ | ☐ | |
| 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? | N/A ☒ | ☐ | |
| 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? | N/A ☒ | ☐ | |
| (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? | Assume not wanted
N/A ☒ | ☐ | |
| 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? | Exempt | ☐ | * |

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OCT 22 1996

65-06778-NOT
claimed in SRBA

- | | 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 5-20-94
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: _____

Alaska Dept. of Wildlife Resources
9935 Airport Way
Bowie, Alaska 93705



HYRUM L. AUSTIN
5047 S.E. 1 1/2 AVE.
NEW PLYMOUTH, ID 83655

MICROFILMED
OCT 22 1996

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GER

**NOTICE OF CLAIM
TO A
WATER RIGHT**

IDENT. NO.

65-6778

NOV 19 1975

Department of Water: Administration

Station is hereby given that

Elbert T. Ashby

(Name of Claimant)

RF-2 New Plymouth, Idaho 83655

claims a right to the diversion

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

The content 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) about 1900

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

(2) Describe the purposes for which the water has been used and the time during the year when you have used the right claimed.

1.2 Use Domestic & Stock .04 Period of Use From all year To 12/31
(Domestic corporation, stock, etc.) (Mo./Day) (Mo./Day)

7.1 STOCK WATER .05 Period of Use From 11/1 To 12/31
(Domestic Irrigation, stock, etc.) (Mo., Day) (Mo., Day)

5.3 Use _____ (Domestic, irrigation, stock, etc.) Period of Use From _____ (Mo., Day) To _____ (Mo., Day) (Both Dates Inclusive)

(4) Quantity of water claimed: 0.5 Cubic Feet Per Second, or 5.3 Acre Feet Per Annum,
and/or 1.5 Gals. Per Minute.

(2) A) Point of Diversion: Give location of point where water is diverted from its source. SENE ARISE U,
 Sec. 10, Twp. 7 N., Rge. 4 W. B.M. B.M.; additional points: Payette County, Id.

2) Describe means of diversion of water. (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give date and character; be as specific as possible. Feb 1961

(4) Describe the 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.

[illegible]

Total No. of acres

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

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

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

44. 2015/12

(10) Basis of claim (Check one) ☒ 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. _____

It is 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

Oct 10 - 1973

Signature of Claimant

Organization

John Williams

KEYPOINT 8-12-77

State of Ill.County Lincoln

Organization
Seal

On this 18th day of November, in the year 1973, before me

A notary public, personally appeared Robert T. Gaffney, Esq. 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 individual) executed the same.

Notary Public residing at 1741 P. Lane

My commission expires 4-14-74

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OCT 22 1996

POOR ORIGINAL

65-6778
CLAIM No.

COMMENDED RIGHT

Robert T. Ashby
Route 2
New Plymouth, Idaho 83655

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 11/1/1900

(2) Source of water: (Name of stream, lake, spring, etc., or groundwater) 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:

Quantity .04 1/2 A.F. Use Domestic Period of Use From Jan. 1 To Dec. 31
(M. Day) (M. Day)
(Domestic, irrigation, stock, etc.)
Quantity .04 4.0 A.F. Use Stock Period of Use From Jan. 1 To Dec. 31
(M. Day) (M. Day)
(Domestic, irrigation, stock, etc.)
Quantity 25 A.P.M. Use Stock Period of Use From Jan. 1 To Dec. 31
(M. Day) (M. Day)
(Domestic, irrigation, stock, etc.)

(4) 25 A.P.M. TOTAL QUANTITY CLAIMED.

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE SE
Sec. 10 Twp. 7 N Rgn. 4 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 class and capacities; be as specific as possible well

(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	
<u>2N</u>	<u>4N</u>	<u>10</u>	<u>X</u>												<u>X</u>			<u>X</u>	

B) If water is used for other than irrigation, fully describe that use, being as specific as possible stock 300 head

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

(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 the Idaho Department of Water Administration.

DATE OF EXAM 2/19/74 FIELD EXAMINER Ray J. Page

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OCT 22 1996

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

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. AG 5-21526Date Received 8-30-94Receipt Number C031162 late feeW012269 filing fee

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

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

RECEIVED

OCT 25 1994

Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Hiram L. Austin & Marlene Austin Phone (208) 278-5236Mailing Address 50975 E 1st Ave. New Plymouth, ID Zip 836532. Date of Priority (Only one per claim) 12-31-1934 Month/Day/Year TH 10-20-943. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 7N Range 4WSection 10, NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot _____, BM.,County of Payette

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 submersible pump - pipe to house.

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 0-04 (cfs)For Stockwater purposes from 1-1 (Both dates are inclusive) to 12-31 amount 0-04TH 10-20-947. Total quantity claimed 0-08 (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) 1 cattle 50-100 head

MICROFILMED

OCT 22 1996

9-21-1980
1001 U & OVA

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.

RECEIVED

AUG 30 1994

Department of Water Resources

10. Place of use is: Township: 7N Range 4W
 Section 10, N.W. 1/4 of SW 1/4, Govt. Lot _____, B.M.,

County of Payette 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.

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". by 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) Marlene Austin Date 8-29-94
 _____ Date _____

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

of _____, that I have signed the foregoing
 _____, 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 _____ }
 County of Payette } SS.

Subscribed and sworn (or affirmed) before me this 29th day of Aug 1994

SEAL

Notary Public Cathy M. Myers

Residing at New Plymouth

My Commission Expires 4-16-97

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

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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.