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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: **A65-21638**
Date Received: 2/15/1990
Receipt No: W009025
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: KENNETH R BEAN 208-365-4049
Address: 815 TERRY DR
EMMETT ID 83617

OR

Name: PEARL S BEAN 208-365-4049
Address: 815 TERRY DR
EMMETT ID 83617

2. Date of Priority: APR 5, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	01W	8	NE	NW	NW		GEM

5. Description of diverting works:
20' WELL, 6" CASING, 2" PIPE, 1/2 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	04/01	10/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, LAWN & GARDEN ONLY

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	01W	8	NW NW		DOMEST	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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. AL65-21638Date Received 2-15-90Receipt Number W809025

RECEIVED

FEB 15 1990

P.M. 2-14-90

Department of Water Resources
Western Regional OfficeNOTICE 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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) KENNETH R. BEAN OR Phone 308 365-4049Mailing Address 815 TERRY DR. EMMETT ID 836172. Date of Priority (Only one per claim) April 5, 1974 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) WELL WATER
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 6 N Range 1 WSection 8, NE 1/4 of NW 1/4 of NW 1/4, Govt. Lot _____, BM.,County of CEM

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. 1 Well 30 ft deep 3" Pipe 6" casing
Y-pipe water

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

For Lawn & Garden purposes from 4-1 Month/Day to 10-31 Month/Day amount 0.04 cfs
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (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) NONE

MICROFILMED

OCT 22 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.

10. Place of use is: Township: 6N Range 1W
Section 8, NE 1/4 of NW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any garden & garden

11. In which county (ies) are lands listed above as place of use located? GEM

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.
(X) 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) Edward M. Bean Date 3-17-90

Date _____

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

of _____ Title _____
Organization _____ that I have signed the foregoing
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 Gem) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 14th day of February 19 90

SEAL

Notary Public Mary Ellen Stevens

Residing at Garnett, Idaho

My Commission Expires 10-20-94

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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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.

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Dean, Kenneth or Pearl

CLAIM IDENT. NO. _____

DATE RECEIVED 2-15-90 RECEIPT # 0009025 FEE PAID \$ 25⁰⁰ FEE REQ'D \$ 25⁰⁰

	YES	NO	Require Info?
1. Is the name and address complete with zip code?	<u>X</u>	___	*
2. Is a priority date entered?	<u>X</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.	<u>X</u>	___	*
3. (a) Is a source entered?	<u>X</u>	___	*
(b) Is a tributary to entered? (if required) N/A <u>X</u>	___	___	
4. Is the legal description of the p.d. sufficient?	<u>X</u>	___	*
5. Is there a description of the diverting works?	<u>X</u>	___	
6. Are the water uses appropriate for the form?	<u>X</u>	___	*
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?	<u>X</u>	___	
Is a quantity claimed for each use?	<u>X</u>	___	*
7. Is a total quantity claimed entered?	<u>X</u>	___	
8. If required is a consumptive use entered? N/A <u>X</u>	___	___	
Is the consumptive use correct? N/A <u>X</u>	___	___	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	___	<u>X</u>	*
If multiple domestic, is single ownership indicated?	___	___	
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	___	*
11. Is (are) the county(ies) entered?	<u>X</u>	___	
12. Is the ownership of p.u. checked?	<u>X</u>	___	
13. Are other water rights listed or "none" indicated?	<u>X</u>	___	
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 <u>X</u>	___	___	
15. Is the basis of the claim indicated?	<u>X</u>	___	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A <u>X</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? N/A <u>X</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? N/A <u>X</u>	___	___	
19. Is the claim signed by the claimant, and is the signature appropriate?	<u>X</u>	___	*
20. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	___	*
21. Was this claim filed on time?	<u>X</u>	___	*
(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	<u>X</u>	___	*

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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 exp'ained in comments stating where the information for any changes was found.		

Claim reviewed by: *LD* Date 12-13-94
 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: *Modify non-irrig. used*



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 9, 1998

SANDRA L WAYLAND-LEACOCK
815 TERRY DR
EMMETT ID 83617

Dear Claimant:

Enclosed is your Notice of Change of Water Right Ownership form that you recently submitted to our office. However, we cannot continue to process the ownership change without sufficient proof of ownership. This proof can be a copy of a warranty deed, sales contract or tax assessment in your name, which also includes the **name of the seller** and the legal description of the property by $\frac{1}{4}$, Section, Township and Range.

Please submit a copy of your proof of ownership and we will complete the ownership change.

Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:d

Enclosure

DATE: 03/12/98
PAGE: 1

Audit: 03/12/98 SBOCK

AJ0749NP
No. R65-21638

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

DATE: 03/10/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KENNETH R BEAN	10/19/1977	DOMESTIC	04-01 10-31	0.04 CFS	
C	PEARL S BEAN					
	815 TERRY DR					
	EMMETT ID 83617					
	(208) 365-4049					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T06N R01W S08

NENENW

GEM County

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
06N 01W 8	:	D	:	:

POU County: GEM

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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. RP 00174300

Dates: Exam Made Date:

Verified Date:

03/10/1998

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 03/10/98 SEGBERT

AJ5856NP

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

DATE: AUG-27-1997
PAGE: A-104

RIGHT NUMBER: 65-21638

NAME & ADDRESS: KENNETH R BEAN
PEARL S BEAN
815 TERRY DR
EMMETT ID 83617

N/D Leslie M Lillard
110 S Pine
Emmett ID 83617

Property
aka

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 04/05/1974

POINT OF DIVERSION: T06N R01W S08

NE
NENW ✓

Within GEM County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
DOMESTIC DOMESTIC, LAWN & GARDEN 0

PERIOD OF USE
04-01 10-31

QUANTITY
0.04 CFS

PLACE OF USE: DOMESTIC
T06N R01W S08

Within GEM County
~~NW~~ NENW ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

62

RP 00174300

Verified by Gmp Date: 11-5-97

Verification Source: City RR + Plat map



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

February 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES WAYLAND
100 EVERGREEN DR
EMMETT ID 83617

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right No. A65-21638

Dear Claimant:

We have been advised you may be the new owner of the property with the water right referenced above. Leslie Ballard telephoned our office stating you purchased this property in October, 1997

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please follow the instructions on the back of the form and return to my attention at this office by March 3, 1998.

Please call this office toll-free at 1-800-451-4129 if you have any questions.

Yours truly,

Danni M. Smith
SRBA Sr. Secretary

cc: Regional office

Enclosures: Form 42-248/42-1409(6)

Copy of No. A65-21638 water right filing

To. _____

Date _____ Time _____ ☐ AM ☐ PM

WHILE YOU WERE OUT

M. Leslie Ballard

of A65-21638

Phone Numbers

Office _____ ☐ Telephoned
Area Code _____ Number _____ Ext. _____ ☐ Please call
Voicemail _____ ☐ Returned your call
FAX Sold 10-15-97 ☐ Called to see you
Pager _____ ☐ Wants to see you
Mobile to ☐ Will call again
e-mail ✓ ☐ URGENT

Message

James Wayland
100 Evergreen Dr
Emmett 83617

Danni



AMPAD
EFFICIENCY®

Operator

Reorder
#23-000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

February 17, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LESLIE M BALLARD
110 S PINE
EMMETT ID 83617

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right No. A65-21638

Dear Claimant:

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Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please follow the instructions on the back of the form and return to my attention at this office by March 3, 1998.

Please call this office toll-free at 1-800-451-4129 if you have any questions.

Yours truly,

A handwritten signature in cursive script that reads "Danni M. Smith".

Danni M. Smith
SRBA Sr. Secretary

cc: Regional office

Enclosures: Form 42-248/42-1409(6)

Copy of No.A65-21638 water right filing