

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: 43-13382
Date Received: _____
Receipt No.: _____

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

1. Name of Claimant(s): Jay L. Black * Phone: (208) 824-5593
Mailing Address: P. O. Box 103, Almo, Idaho Zip: 83312

* See additional claimants described in Exhibit "A" attached hereto and made a part hereof.

2. Date of Priority (Only one (1) per claim): April 1, 1890

3. Source of water supply (a): Summit Creek

which is tributary to (b): Grape Creek

4. a. Location of existing point of diversion is: Township 14 S. Range 24 EBM Section 25
NW1/4 of SW1/4 of NW1/4, Govt. Lot, _____ B.M., County of Cassia

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. A diversion dam in Summit Creek, diverting summit Creek into a earthen ditch which carries the water from Summit Creek, a tributary to Grape Creek, to Grape Creek, where the water is commingled with the water of Grape Creek and becomes Grape Creek water for diversion from Grape Creek under Water Right Nos. 43-00402, 43-00403A, 43-00404, 43-00405, 43-00406, 43-00407, 43-02215, 43-02247, all rights held by claimants.

Last Name Black Ident.No. _____

6. Water is claimed for the following purposes:
(both dates are inclusive) (cfs) (acre feet)

For irrigation purposes from April 1 to October 31 amount 17.6 or _____

For stockwater purposes from January 1 to December 31 amount .05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed: (a) 17.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses – Describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Stockwater right not to exceed 13,000 gallons per day

10. Description of place of use: Acres described in water rights identified in paragraph 5 of this claim
a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	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	

Total number of acres irrigated: 728

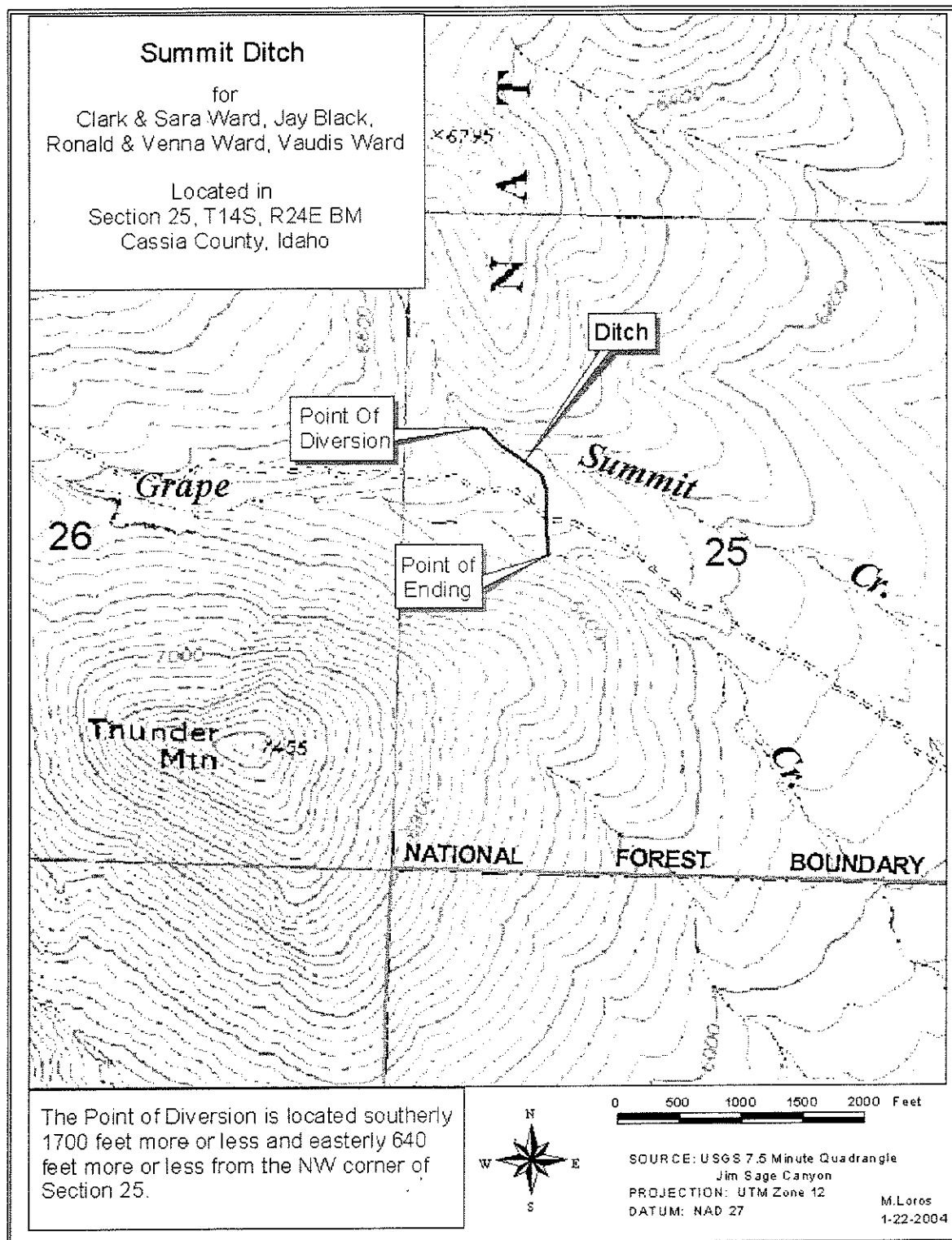
11. In which county(ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes ✓ 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.
See paragraph 5 or None ()

14. Remarks: The water diverted under this right has historically been diverted from Summit Creek into a ditch which carries the water of Summit Creek to Grape Creek to which Summit Creek is a tributary. The Summit Creek water then becomes a part of Grape Creek and is diverted pursuant to the water rights related to the diversion and beneficial use of water from Grape Creek by the claimants under the water rights described in paragraph 5. This water right has been established by the diversion from Summit Creek and the application of water to beneficial use as a part of Grape Creek.

Last Name Black Ident.No. _____



15. Basis of Claim (check one): Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐

If applicable, provide IDWR Water Right Number.: _____

Court _____ Case No. _____ Decree Date _____

Plaintiff vs. 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: one (1)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Jay L. Black Date Jan. 5-05
_____ Date _____

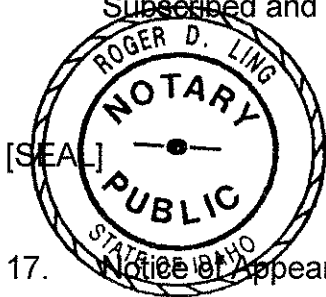
For Organizations: I do solemnly swear or affirm that I am _____ of _____, that I have signed the foregoing document in the space below as _____ of _____ and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho or _____)
County of Minidoka) ss.

Subscribed and sworn (or affirmed) before me this 5th day of January, 2005.



Roger D. Ling
Notary Public, State of Idaho
Residing at: Rupert, Idaho
My Commission expires: 10/30/06

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling, will be acting as attorney at law on behalf of the claimant signing the above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Roger D. Ling
Roger D. Ling
LING, ROBINSON & WALKER

Address: P. O. Box 396
Rupert, Idaho 83350-0396

Date January 5, 2005

Last Name Black Ident.No. _____

EXHIBIT "A" TO NOTICE OF CLAIM TO A WATER RIGHT

GRAPE CREEK WATER RIGHTS AND OWNERS

Water Right

Owners

43-00402	Jay L. Black and Kenneth S. Black
43-00403A	Jay L. Black and Kenneth S. Black
43-00404	Jay L. Black and Sharon P. Black
43-00405	Jay L. Black and Sharon P. Black
43-02247	Jay L. Black and Kenneth S. Black
43-00406	Ronald C. Ward and Venna C. Ward
43-00407	Clark Ward, Sara Jane Ward, and Vaudis J. Ward
43-02215	Clark Ward, Sara Jane Ward, and Vaudis J. Ward