

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:

Ident. Number

Date Received

Receipt Number

39576

75-4312

7-18-06

2081701

d.p. as 8-2-06

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ELEN M. MAY and Irene May Phone (208) 865-2454Mailing Address 488-4TH, JULY CREEK NORTH FORK ID Zip 832662. Date of Priority (Only one (1) per claim) 06-12-19063. Source of water supply (a) FOURTH JULY CREEK
which is tributary to (b) SALMON RIVER4. a. Location of existing point of diversion is: Township 24N Range 22E Section 09,1/4 of NE 1/4 of SE 1/4, Govt. Lot, B.M., County of LEMHIAdditional points of diversion if any: 24N, 22E, SECTION 16 NW 1/4 OF NE 1/4

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 _____

ending point 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.DITCHES / HEADGATE (DITCH #1 PER CASE NO 5-235)

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/01 to 8/01 amount 1.49 or _____

For IRRIGATION purposes from 8/02 to 11/01 amount 1.11 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.49 CFS to 8/01 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1.11 CFS 8/02 to 11/01 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>24N</u>	<u>22E</u>	<u>16</u>												<u>3.9</u>					<u>3.9</u>
		<u>21</u>					<u>28</u>	<u>33.0</u>											<u>33.8</u>

Total number of acres irrigated 37.7

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

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.
75-2156 LICENSE or None ()

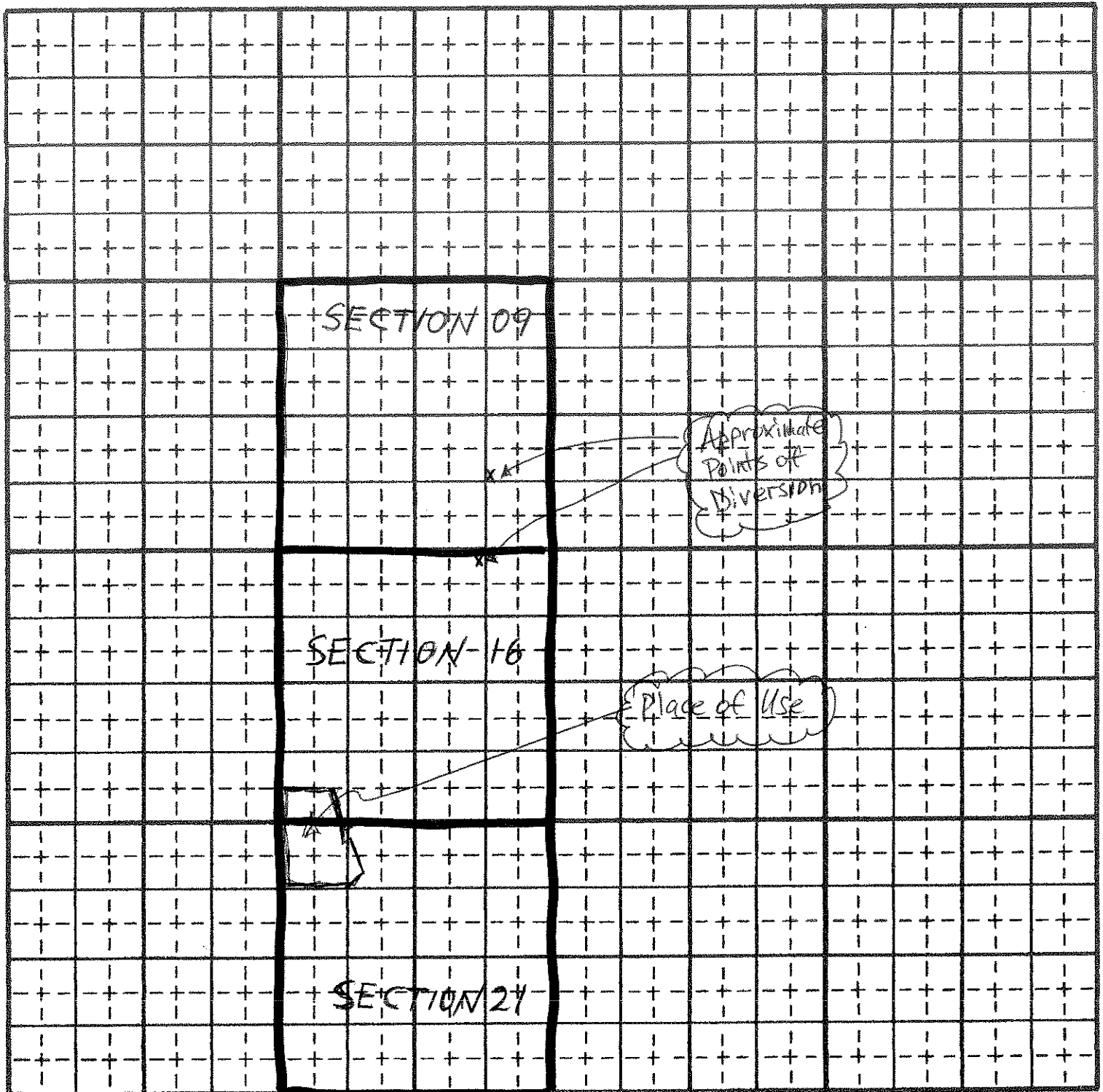
14. Remarks:

Last Name May Ident No. 75-14312

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T24N R22E



Last Name

May

Ident No.

75 14312

Description of Calculation Basis

Water Right 75-118 is for irrigation use with the following flows:

4/01 - 8/01 1.83cfs (priority date 6/12/1906)
 8/02 - 11/01 1.37cfs (priority date 6/12/1906)

The basis is a 1982 decree resulting from the Seventh Judicial District's Case No. 5235 involving the Fourth of July Creek drainage. 75-118 is for a parcel which has subsequently been split into two parcels. To establish our water right claim, a split calculation is required.

Pertinent Background Applicable to the Flow Calculation

To properly calculate the split for Water Right No. 75-118, additional information is needed as the irrigated acreage stated in the water right is incorrect. Please note that Water Right No. 75-118 under "Conditions of Approval" states "1. AC. IRR. DETERMINED FROM LEGAL DESCRIPTION OF P/U." The entire acreage bounded by the legal description is not irrigated.

A similar issue with ~~irrigated acreage~~ occurred on the split for Water Right 75-2156, which involves the same property as Water Right 75-118. Actual irrigated acres were calculated by Mr. Ernest Carlsen, Water Rights Supervisor-Adjudication Bureau at Idaho Department of Water Resources' Idaho Falls office in September, 2000. This calculation was made in the process of correcting the change in water right ownership split for 75-2156 (now 75-2156A and 75-2156B).

Therefore, using the same proportions and acreages previously determined and applied by Mr. Carlsen, the correct split for our property for Water Right No. 75-118 is:

~~37.7~~ 8.7 acres (our irrigated acreage)
~~37.7~~ 8.7 acres (neighbor's balance of irrigated acreage)
 46.4 acres (total irrigated acreage, true for both Water Rights 75-2156 and 75-118)
~~37.7~~ 8.7 acres (our irrigated acreage) ÷ [46.4 total irrigated acreage] x 100 = ^{81.25%}~~18.75%~~ (Our entitled % of water right)

Water Right No 75-118 Split Calculation

1.83 cfs diversion rate x ^{1.49cfs}~~18.75%~~ = ~~0.34 cfs~~
 1.37 cfs diversion rate x ^{81.25%}~~18.75%~~ = ^{1.11 cfs}~~0.26 cfs~~ from 8/02 - 11/01 (priority date 6/12/1906)

Place(s) of Use (for above 8.7 irrigated acres, same as 75-2156B)

Township	Range	Section	Lot	Tract	Acre	Lot	Tract	Acre
24N	22E	16		SWSW	1.4		SESW	6.0
		21		NENW	0.9		NWNW	0.4

75-14312

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number 75-118

Court SEVENTH JUDICIAL DISTRICT Case Number _____ Decree Date 12/16/82

Plaintiff vs Defendant MERRILL M. BROWN ETAL VS FRANK NELSON ETAL

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

Signature of Claimant (s)

Glen M May

Date July 13, 2006

Irene May

Date July 13, 2006

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

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 LENAH)

SS.

Subscribed and sworn (or affirmed) before me this

13TH

day of

July

19 2006

Notary Public

For Allen

Residing at

SANNO

My Commission Expires

2/19/2009

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing 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 _____

Address _____

Date _____

RECEIVED

JUL 18 2006

DEPARTMENT OF
WATER RESOURCES

Last Name

May

Ident. Number

75-14312

Idaho Department of Water Resources Internet Map Server

 Overview Map

Zoom/Pan



Identify



Locate



Capture

Screen



Print



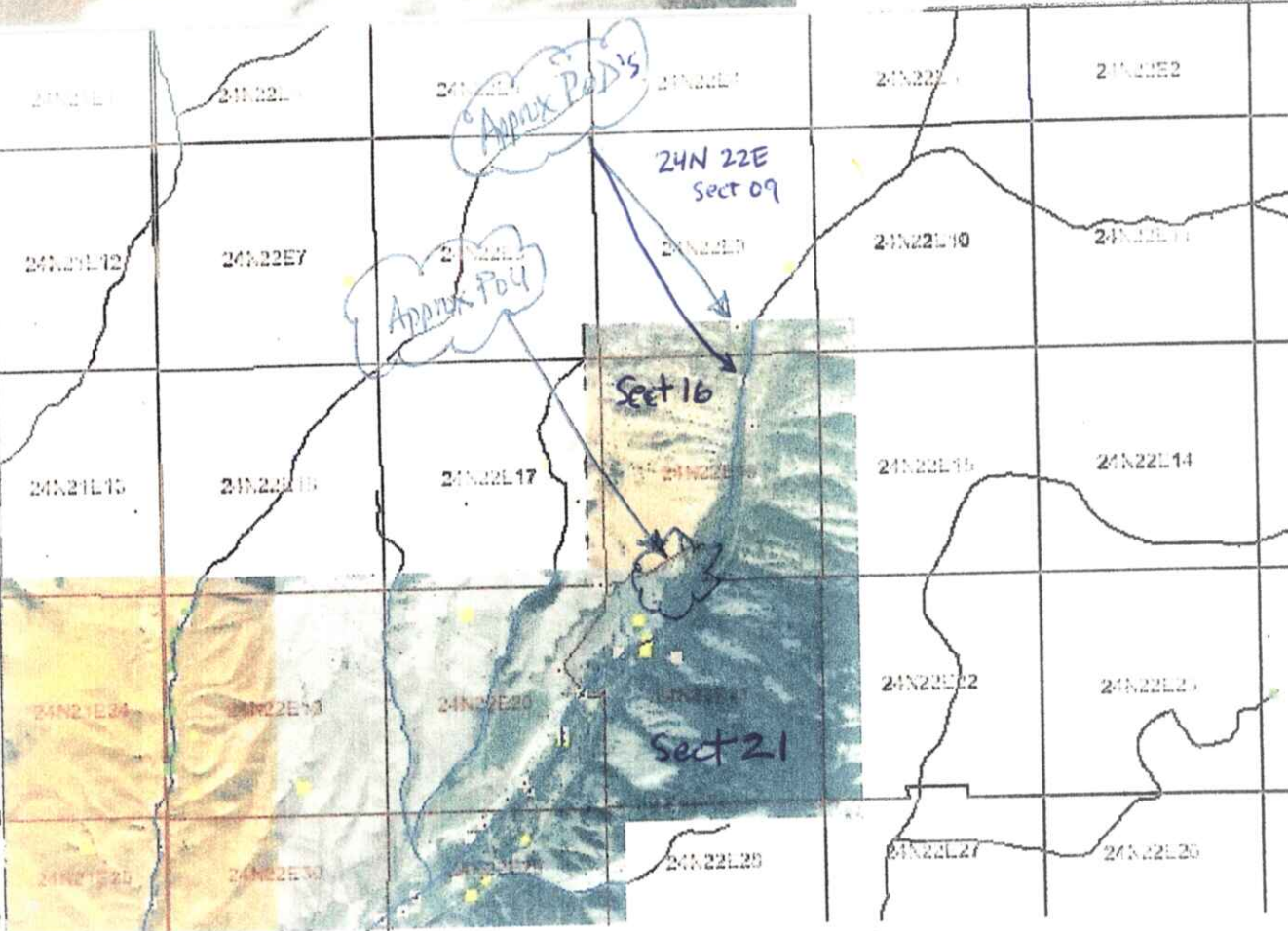
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 Map
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Layers | Legend | Metadata

Base Map

- ☒ Major Roads
- ☐ Streets
- ☐ Railroads
- ☐ Major Cities
- ☒ Cities
- ☐ Urban Areas
- ☒ Counties
- PLS - Township/Range
- ☒ PLS - Section
- PLS - Quarter/quarter
- ☐ Pipelines
- ☐ Transmission Lines
- ☐ Airports
- ☐ Latitude-Longitude
- ☒ State Boundary

Administrative Boundaries

- ☐ IDWR Planning Basins
- ☐ IDWR Regions
- ☐ Administrative Basins
- ☐ 250K Quad Map Boundaries
- ☐ 100K Quad Map Boundaries
- ☐ 24K Quad Map Boundaries
- ☐ IDFG Regions
- ☐ IDFG Units
- ☐ Legislative Districts
- ☐ Congressional Districts
- ☐ School Districts

Regulatory Boundaries

- ☐ Water Districts
- ☐ Ground Water Districts
- ☐ Ground Water Management
- ☐ Critical Ground Water Areas
- ☐ Groundwater Vulnerability

Active Layer

Counties

Refresh Map

75-14312