

No Color
Documents
In File

Butler

Withdrawn

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 A 78-04132
Date Received 5-10-88
Receipt Number 48806

C 627

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. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) Kevin or Corinne Butler
Ray or Ruth McCracken Phone 508 628-3667

Mailing Address Box 203 Pollock Idaho Zip 83547

2. Date of Priority (Only one (1) per claim) _____

3. Source of water supply (a) Ground water
which is tributary to (b) Little Salmon River

4. Location of point of diversion is: Township 23 N Range 1 E

Section 29, NW 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____, B.M.,

County of Idaho

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. _____

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

(Both dates are inclusive)
For Domestic purposes from 1-1 to 12-31 amount 0.04 (cfs)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) One Domestic

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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.

groundwater
Butler

Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
23N	1E	29			D													

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

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.
_____ or None (X)

14. Remarks: _____

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

Decree 78-4132

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ 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 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) x Ruth J. McCracken Date May 10 1988
x Ray J. McCracken Date 5-10-1988

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 _____ of _____
Title 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 Adams) SS.

Subscribed and sworn (or affirmed) before me this 10th day of May 19 88

SEAL

Notary Public Carter Fritzsche

Residing at Engle, Id.

My Commission Expires 3-21-94

Last Name Butler Ident No. A 78-04132

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.

Water Right Number - A78-04132

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
McCRACKEN

RAY OR RUTH

1 - BOX 203

2 -

3 -

City- POLLOCK

State- ID Zip- 83547

Phone - 208-628-3667

BUTLER

KEVIN OR CORINNA

1 - BOX 203

2 -

3 -

City- POLLOCK

State- ID Zip- 83547

Phone - 208-628-3667

*** O - ORIGINAL OWNER ***
SMITH

LLOYD H.

1 - P.O. BOX 192

2 -

3 -

City- RIGGINS

State- ID Zip- 83549

Phone - 208-000-0000

SMITH

MURNA

1 - P.O. BOX 192

2 -

3 -

City- RIGGINS

State- ID Zip- 83549

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/01/1971 14 WESTERN W - WITHDRAWN+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER LITTLE SALMON RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

23N 01E 29 NW SW NE (49) IDAHO

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

01/01

12/31

0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

23N

01E

29

SW NE

43 DOMESTIC

(49) IDAHO

Total Acres:

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Prefix Translation: ADJUDICATION CLAIM

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	- 01/13/1986	Old Judicial District	-
Claim Received Date	- 05/11/1988	Last Amended Date	- 06/03/1988	Temporary Right	- P
		Receipt Number	- C000627	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

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Water Right Number - A78-04132

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number -

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

+ - First Name - - +

+ - - - - Address - - - - - +

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MURNA

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2 -

3 -

City- RIGGINS

State- ID Zip- 83549

Phone - 208-000-0000

+ - - Priority Date - - +
01/01/1971+ - - - Region - - - +
14+ - - - Stage - - - +
S - STATUTORY CLAIM

+ - - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER+ - - - - Tributary - - - - - +
LITTLE SALMON RIVER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

23N 01E 29 NW SW NE (49) IDAHO

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

01/01

12/31

0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.040+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

23N

01E

29

SW NE

43 DOMESTIC

(49) IDAHO

Total Acres:

MICROFILMED
OCT 06 1992

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	-
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Claims Tape Error Flg	-	Receipt Number	- C000627	Water District	-
Fee Exempt Flag	-	POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR		

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OCT 06 1992

WATER RIGHT NUMBER - A78-04132

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (U) NUMBER -

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

*** C - CURRENT OWNER ***
MCCRACKEN

RAY OR RUTH

1 - BOX 203

2 -
3 -

CITY- POLLOCK

STATE- ID ZIP- 83547

PHONE - 208-628-3667

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3 -

CITY- RIGGINS

STATE- ID ZIP- 83549

PHONE - 208-000-0000

SMITH

MURNA

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
01/01/1971 14 WESTERN W - WITHDRAWN+ - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER LITTLE SALMON RIVER+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

23N 01E 29 NW SW NE (49) IDAHO

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

23N 01E 29 SW NE 43 DOMESTIC (49) IDAHO

+ - - DIVERSION MEANS - WELL, PUMP & PIPELINE

+ - - NON-IRRIGATION USE -

WATER RIGHT NUMBER - A78-04132

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - OTHER RIGHTS FOR SAME USE -

+ - - - - - REMARKS - - - - -
NONE

+ - - - - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 06/03/88 SRBA 09/26/89 REFUNDML 10/10/89 REFUNDED

+ - - - - - 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 - 39276
OBJECTION FILED DATE - 00/00/0000	FIELD INSPECTION FLAG -	OLD CASE NUMBER -
RESPONSE FILED DATE - 00/00/0000	VERIFIED DATE - 01/13/1986	OLD JUDICIAL DISTRICT -
CLAIM RECEIVED DATE - 05/11/1988	LAST AMENDED DATE - 06/03/1988	TEMPORARY RIGHT - P
PROOF DUE DATE - 00/00/0000	PROOF MADE DATE - 00/00/0000	WATER DISTRICT -
LICENSED DATE - 00/00/0000	RECEIPT NUMBER - C000627	FEDERAL/STATE INDICATOR - S
CLAIMS TAPE ERROR FLG -	PGU OWNERSHIP FLAG - Y	PRESUMPTION FLAG -
FEE EXEMPT FLAG -	NAME CONNECTOR - OR	

VERIFIED

FEB 6 1991

alw

RECEIVED
FEB 6 1991

RECEIVED

OCT 5 1989

PRESNELL, GAGE & CO.
BOULDER OFFICE

RAY DR RUTH MCCrackEN
BOX 203

POLLOCK ID 83547

FOR MORE INFORMATION CALL (208) 334-2510

REQUEST FOR WITHDRAWAL OF CLAIM

I/We acknowledge that I/We have received and read and understand the form entitled "Special Notice to Claimants of Small Domestic and Stockwater Rights in the Snake River Basin Adjudication."

By signing and returning this form I/We withdraw the Notice of Claim identified below, and request a refund of the fee for filing the claim.

Signed Ruth J. McCracken Date Oct 2 - 89
Signed Ruth McCracken Date Oct 2 - 89

CLAIM NUMBER: A78-04132

CLAIM FEE:

\$25.00

RECEIPT NUMBER: C000627

WITHDRAWAL REQUEST MUST BE MAILED BEFORE 11/03/1989

401-

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IF YOU ARE SEEKING TO WITHDRAW YOUR CLAIM AND YOUR USE QUALIFIES AS A SMALL DOMESTIC AND STOCKWATER USE THEN SIGN THIS FORM, FOLD SO THE ADDRESS ON THE BACK SHOWS AND MAIL. A STAMP IS REQUIRED

Fold On Line

Place
Stamp
Here

SRBA
D&S Claim Deferral
P.O. Box 2730
Boise, Idaho 83701

IDAHO DEPARTMENT OF WATER RESOURCES

P.O. BOX 2730 PH. 334-2510
BOISE, ID

1062

October 12, 89

92-155/1241

Ray McCracken

25.00

Twenty-five and no/100-----



Key Bank of Idaho
Capitol Center Office
P.O. Box 2800
Boise, Idaho 83701

Claim #A78-04132

J. B. Bloom
NOT NEGOTIABLE

⑈001062⑈ ⑆124101555⑆01 109097 4⑈