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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: **A67-07057**
Date Received: 10/18/1989
Receipt No: W006357
Received By: _____

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

1. Name: BOB D HEMENWAY 208-257-3801
Address: ROUTE 1 BOX 46
CAMBRIDGE ID 83610

OR

Name: JOANN C HEMENWAY 208-257-3801
Address: ROUTE 1 BOX 46
CAMBRIDGE ID 83610

2. Date of Priority: JUN 4, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	03W	11	NW	SW			WASHINGTON

5. Description of diverting works:

100' WELL, 12" CASING, 3/4 HP PUMP, PIPE TO HOUSE & BARN

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		1.20

7. Total Quantity Appropriated is:

0.020 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, 1 HOME; STOCKWATER, 150 SHEEP, 200 CHICKENS

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	11	NW	SW		DOMEST	

11. Place of use in counties: WASHINGTON

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: LICENSE

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 _____

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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. AG7-07057

Date Received 10-18-89

Receipt Number W0006357

RECEIVED

OCT 18 1989

NOTICE OF CLAIM
TO A
WATER RIGHT

Department of Water Resources
Western Regional Office

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) Bob D. Hemenway or JoAnn C. Hemenway Phone (208) 257-3801

Mailing Address Route 1 Box 46, Cambridge, Idaho Zip 83610

2. Date of Priority (Only one per claim) June 4, 1971 Month/Day/Year

3. Source of water supply (Check one) (x) Groundwater or Other () (a) _____
Name or kind of source
which is tributary to (b) _____

4. Location of point of diversion is: Township 14N Range 3W

Section 11, NW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot _____, BM.,

County of Washington

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 100', 12" casing 3/4 hp pump for domestic and stockwater, pipe to house and barn yard.

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 0.02 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.02 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic/stock one household, 150 head sheep, 200 chickens

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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.

10. Place of use is: Township: 14N Range 3W
Section 11, 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? Washington

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 License Posted Notice Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 67-7057

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 x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments none

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

Signature of Claimant (s) *John C. Hemenway* Date October 17, 1989
_____ Date _____

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 _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Washington) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 17th day of October 19 89

SEAL

Notary Public *B. G. Soules*

Residing at Cambridge, Idaho

My Commission Expires 8-21-91

Last Name Hemenway 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.

Water Right Number - A67-07057

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
HEMENWAY

BOB D.

1 -
2 -
3 -

State- ID Zip-

City- CAMBRIDGE
Phone -

HEMENWAY

JOANN C.

1 -
2 -
3 -

State- ID Zip-

City- CAMBRIDGE
Phone -+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/04/1971 14 WESTERN L - LICENSE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

14N 03W 11 NW SW (87) WASHINGTON

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

43 - DOMESTIC 01/01 12/31 0.020 1.20

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.020 1.20 0.0+ - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

14N 03W 11 NW SW 43 DOMESTIC (87) WASHINGTON

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +
No Remarks found.

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Water right number - A67-07057 Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Old Water Right Numbers - - - - - +

+ - - - - - 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

+ - - - - - -Comments- - - - - +
No Comments Found

+ - - - - - Audit Fields - - - +
07/28/93 HARRIS

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| 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 | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 07/28/1993 | Last Amended Date | - 00/00/0000 | Temporary Right | - T |
| | | Receipt Number | - | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

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ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Hemenway, Bob or Jo Ann CLAIM IDENT. NO. A67-07057DATE RECEIVED 10-18-89 RECEIPT # 0006357 FEE PAID \$ 25 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? | ☒ | ☐ | |
| 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?
If yes, compare claim w/existing right and attach proof report noting any differences in comments.
If no, was water right no. found? | N/A ☒ | ☒ | * |
| 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?
(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. | N/A ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, was the fee paid? | 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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| | YES | NO |
|--|---------------|---------------|
| 23. Is this claim being rejected and returned to claimant? | <u> </u> | <u>X</u> |
| 24. Can this claim be data entered? | <u>X</u> | <u> </u> |
| 25. Was claim modified? | <u> </u> | <u>X</u> |
| 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: JND Date 7-28-93
Claim data entered by: JND Date 8-9-93

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: _____

