



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

August 5, 2009

WONG-MCCLAIN FAMILY TRUST
85 INVERLEITH TER
PIEDMONT CA 94618

RE: Snake River Basin Adjudication (SRBA) claims 75-14551 and 75-14552

Dear Claimants:

As you know from my meeting with Dee Dee McClain in July, I have been reviewing water use in Wallace Creek to resolve some outstanding objections against water right claims. In my review of your water use on Wallace Creek, I have been unable to find a claim from you for water use in the area. You will need to file a late claim to pursue a right to use water from Wallace Creek on your property.

It appears you will need to file two claims because there are two priority dates that apply to water use on Wallace Creek – 1898 and 1902. You will need to file a claim for each priority date. I have enclosed two claims I completed that I believe describe your water use on Wallace Creek. Please look these over carefully and make any necessary changes before submitting them.

To file the late claims, you will need to file a motion to file a late claim with the SRBA Court. I have enclosed a motion for each of the claims I enclosed. Fill out all the applicable spaces in the motion, include a check for the fee and the claims, then follow the instructions for scheduling a hearing and mailing the claims. The fee for each claim is \$200, for a total of \$400. The fee breakdown is \$100 as a claim filing fee and \$100 as a late claim filing fee for each claim.

It is imperative you file these claims as quickly as possible so the water rights can move forward. I realize this must be confusing, so please feel free to call me at (208) 287-4907.

Sincerely,

Monica Van Bussum
Sr. Water Resource Agent
Adjudication Bureau

Cc: Dee Dee McClain w/ enclosures

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: 75-14551

Date Received:

Received By:

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

1. Name of Claimant(s)

WONG-MCCLAIN FAMILY TRUST

85 INVERLEITH TER
PIEDMONT CA 94618

2. Date of Priority: 5/13/1898

3. Source: WALLACE CREEK Tributary to: SALMON RIVER

4. Point of Diversion:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>	<u>Type</u>
22N	22E	6	NW SW		LEMHI	

5. Description of diverting works:

6. Water is used for the following purposes:

<u>Purpose</u>	<u>From To</u>	<u>C.F.S.</u>	<u>(or) A.F.A</u>
IRRIGATION	04/01 10/31	0.03	

7. Total Quantity Appropriated is: 0.03 C.F.S. and/or A.F.A

8. Non-irrigation uses:

9. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4</u>	<u>Lot</u>	<u>Use</u>	<u>Acres</u>
22N	22E	6	NE NW	4	IRRIGATION	0.6
			NW NE	3	IRRIGATION	0.7
			NW NE		IRRIGATION	2.1
Section Acres						3.4

10. Place of use in counties: LEMHI

11. Do you own the property listed above as place of use? Yes

12. Other Water Rights Used: 75-14552

13. Remarks: Claim is for a portion of decreed right 75-83A.

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: 75-14552

Date Received:

Received By:

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

1. Name of Claimant(s)

WONG-MCCLAIN FAMILY TRUST

85 INVERLEITH TER
PIEDMONT CA 94618

2. Date of Priority: 6/1/1902

3. Source: WALLACE CREEK Tributary to: SALMON RIVER

4. Point of Diversion:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>	<u>Type</u>
22N	22E	6	NW SW		LEMHI	

5. Description of diverting works:

6. Water is used for the following purposes:

<u>Purpose</u>	<u>From To</u>	<u>C.F.S.</u>	<u>(or) A.F.A</u>
IRRIGATION	04/01 10/31	0.04	

7. Total Quantity Appropriated is: 0.04 C.F.S. and/or A.F.A

8. Non-irrigation uses:

9. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4</u>	<u>Lot</u>	<u>Use</u>	<u>Acres</u>
22N	22E	6	NW NE	3	IRRIGATION	0.7
			NW NE		IRRIGATION	2.1
			NE NW	4	IRRIGATION	0.6

Section Acres 3.4

10. Place of use in counties: LEMHI

11. Do you own the property listed above as place of use? Yes

12. Other Water Rights Used: 75-14551

13. Remarks: Claim is for a portion of decreed right 75-84A.

14. Basis of Claim: Decreed

15. 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.

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty or perjury 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 _____

Please print name