



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 31, 1991

David and JoAnn Cereghino
P. O. Box 387
Lucille, ID 83542

RE: Refund on claim A79-07089

Mr. and Mrs. Cereghino:

I am writing to inform you of the status of your refund request, and to return the materials you left with me regarding the generation station.

On January 10, I made a formal request to Jan Shurte, Western Region Adjudication Section Supervisor, for prompt action on your withdrawal of claim A79-07089 and refund of fees. Jan forwarded the request to John Carlson in our State Office. John is presently reviewing the request and his office has been in contact with me. Unfortunately, I can't advise as to when Mr. Carlson will make his final decision. I will, however, try to monitor progress and keep you updated. I am holding your permit file (79-07089) and completed proof of beneficial use form in my office until such time as Mr. Carlson makes a decision; at that time I will contact you and process the form personally.

I want to assure you your permit 79-07089 will not be jeopardized by this temporary delay of beneficial use submittal. Your priority date will be unaffected even if the exam does not occur this year. I must caution you, though, that in the event the refund is not finalized by your proof due date of July 1, 1991, the exam fees must still be paid or an extension of time filed in order to protect your right.

Thank you for again for leaving me the engineer's performance report and data. I made a copy of the report and wanted to get it returned. The material will be very valuable for the exam, which will have to be conducted to verify location, water use, etc., but the performance data can take the place of an actual flow measurement. We will also have the option of greater scheduling flexibility, as we won't be limited to high flow periods in order to verify maximum output levels.

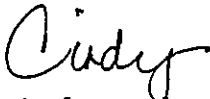
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Cereghino; 1/31/91; Page 2

Again, I'm sorry for all the delay and inconvenience this has caused you. I'll do what I can to keep the ball rolling, and in the meantime, feel free to call at 334-2190 if you have question.

Sincerely,



Cindy Hodges
Water Resource Agent

(enclosures)

cc: Jan Shurte

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P.S. / Orig app. + John's notes, copy of Receipt Attached.
— Copies of Permit copies also.

INTER-DEPARTMENT MEMO — 1

FROM Jan Thunte

DATE 1/28/91

TO Don Thapp & John Carlson

SUBJECT Attached Request.

At the time Mr. Carghins made
this request, his permit was a
app. & no claim needed. I agree
with Dave T. to refund, then
Anita enter claim as withdrawn?

SIGNATURE

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January 10, 1991

MEMORANDUM

TO: Jan Shurte 
FROM: Cindy Hodges
RE: David Cereghino adjudication filing refund

On April 24, 1990, David Cereghino requested from this office a refund of \$3585.00 paid as a result of an unnecessary adjudication filing, as evidenced by receipt number M000680. Mr. Cereghino visited the Regional office on January 9, 1991 to inquire of the status of his refund and to deliver a completed proof of beneficial use form for permit 79-07089.

I would like to request on behalf of Mr. Cereghino that the refund process be expedited, and that a part of his refund be applied toward the fees for his beneficial use exam.

I am currently holding the proof of beneficial use form for 79-07089. Please advise as to what should be done with the form. If the receipt for exam fees is to be generated at the State Office, I can forward the completed proof form along with this request. Total fees for the beneficial use exam are \$550.00. The difference between the adjudication filing fee and the B/U exam fee is \$835.00, to be refunded directly to Mr. Cereghino.

Proof due date is July 1, 1991, so there is ample time frame available to complete this transaction. However, there has already been an eight-month lapse since Mr. Cereghino first requested the refund, so I feel this matter should be resolved as soon as possible.

Thanks for your help.



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Request for Refund

TO: Idaho Department of Water Resources

FROM: David Cereghino

DATE: April 24, 1990

RE: Request for Withdrawal of Claim and Refund of Filing Fee, Water Right No. 79-7089

I have learned that I filed a claim in the SRBA relative to the above-referenced application for permit, even though a claim was not required. Accordingly, I request to withdraw the claim and also request a refund of the associated fee.

A handwritten signature in cursive script, reading "David Cereghino".

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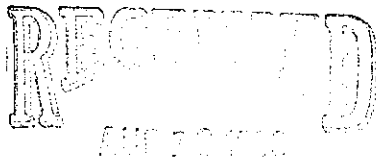
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7/27/88
gpc

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: A79-07089
Date Received: 7/01/1988
Receipt No: M000680 ✓
Received By: gpc en

Department of Water Resources
Western Regional Office
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: DAVID CEREGHINO 208-628-3986
Address: P.O. BOX 387
LUCILE, ID 83542
AND/OR
Name: JOANN CEREGHINO
Address: P.O. BOX 387
LUCILE, ID 83542

2. Date of Priority: AUG 10, 1981

3. Source: JOHN DAY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
26N	02E	20	NW	SE			IDAHO

5. Description of diverting works:
CONCRETE DIVERSION WORKS & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	22.000		

7. Total Quantity Appropriated is:
22.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A79-07089

Page 1

Date: 07/01/88

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
26N	01E	14	SW	SE		POWER	

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

POWER APPROX. 8,000,000 KWH PER YR.

15. Basis of Claim: APPLICATION

Water Right Number:

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): David Perceghian Date: 7-27-88

Date: _____

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of July 19 88

Neil Fales
Notary Public

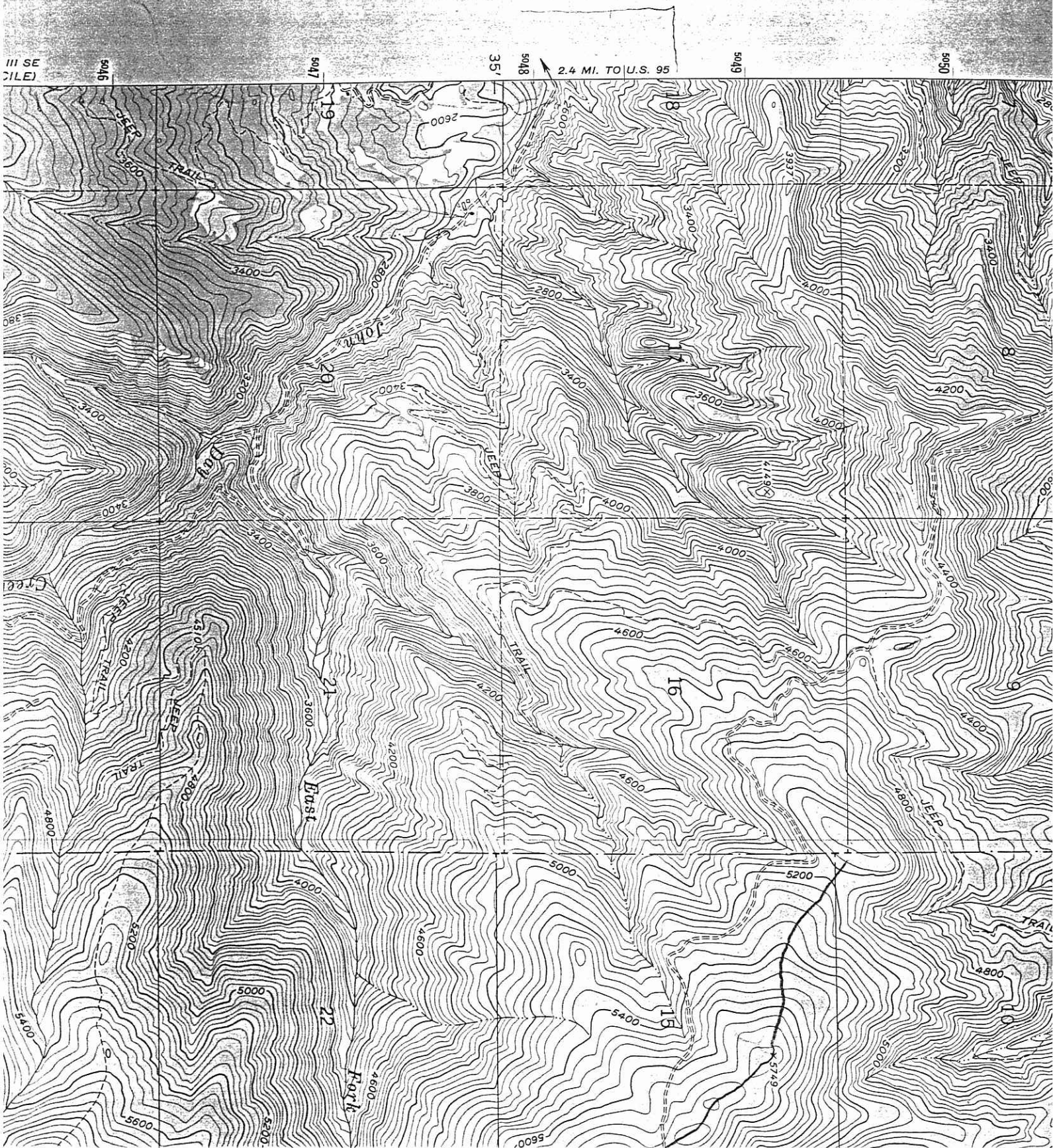
Seal

Residing at Grangeville
My Commission Expires 10-21-91



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T26N R02E Sec 20



✓ A79-07089 - Power. 1010 KW $\$50 + 3535 = \$3585$ 1 of 2

✓ A79-02066 Irr. $\$50 + 213Ac. = \$263^{00}$

✓ A79-04132 Irr. $\$50 + 35Ac. = \$85^{00}$ $\$18^{00}$ $\$67^{00}$
overlap with A7902066

✓ A79-04109 Irr. $\$50 + 40Ac. = \$190^{00}$
No overlap.

✓ A79-07000 Irr. $\$50 + 30Ac. = \$80^{00}$
No overlap.

RECEIVED
AUG 13 1988

✓ A79-07121 Irr. $\$50 + 10Ac. = \$60^{00}$
overlap with A79-07000

Department of Water Resources
Western Regional Office

✓ A79-10022 Don Stock $\$25^{00}$

A79-10029 Don Stock $\$25^{00}$

I helped Mr. David Cereghino on 7/1/88. There were no maps available for his area, so I reproduced claim from water rights. He did not wish to pay for them at the time as he felt there should have been more of an overlap on some of the acreages. He indicated he would be out of state for a couple of weeks and MICROFILMED each in with the money to fill the claims.

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I gave him some figure? (dollar amount) and requested he secure maps of the area for a more accurate acreage determination.

On July 27, 1988 Mr. David Cereghino came back in with a check for the amount of \$4195.00 and indicated that was the amount I gave him. There had been a death in his family and he did not obtain the necessary maps.

As this was the deadline to file without a \$600.00 late fee and we were extremely busy, the claims were taken.

Later when receipting the claims I was unable to come up with the same dollar amount I gave him the first time. It was \$18.00 short. In order to receipt all of the claims (I have no record of the initial figure I gave him) and that may very well have been the figure I gave him, I made an adjustment of \$18.00 on A79-04132 reducing it to \$67.00 from \$85.00.

Mr. Cereghino was a pleasure to work with and I feel we should request maps for the irrigated claims, or make maps for him to be sure the acreage figures are correct.

A 79-02066 did not get the notary seal.

And as it was in a hurry I did not advise him of the docket sheet, when the App. was submitted, I don't read it first time.

JDC

From: DWR03::SHAFF
To: DWR80::HODGES
CC: SHAFF
Subj: CERECHINO

25-FEB-1991 08:24:37.15

Cindy, the refund is on its way and the receipt will be changed to show the B/U Exam fee of \$550 on M000680. Please ask Jan to see that Claim 79-07089 is entered with the status Withdrawn.

*Data entry complete on 79-07089
JP 3/4/91*

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