

DEPARTMENT OF
WATER RESOURCES

☒ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is: Jerry L. Taylor

My address is: 7085 Elmore Road
Fruitland, Idaho 83619-3620

My phone number is: Work: retired
Home: (208) 452-3825

I am an attorney representing:

My name is: _____
My address is: _____
My phone number is: Phone: _____
FAX: _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge

☒ I did not file a Notice of claim to use of water in the SRBA because:
I contracted to have a well drilled on this property in 1992 for domestic and stockwater purposes and have continuously used the well since that time. It is my understanding that de minimis domestic & stockwater rights are of a deferrable class of claims within the SRBA proceeding. I wish to receive a decree for this beneficial use in the SRBA. I offer this motion for your consideration and ask Your Honor to grant the motion.

☒ I am providing legal and factual documentation to support my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to full this out if you are reinstating a Notice of Claim for domestic of stock watering use, but you must attach a copy of your Notice of Claim).

Notice of Claim, Deed, Well Drillers Report (as evidence of priority) and Maps.

I have attached:

☐ An amended Notice of Claim (available from IDWR).

☒ A claim filing fee for a domestic and stock water use. IDWR may charge this fee pursuant to I.C. 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 25.00.

☐ A claim filing fee and a late claim fee for those claims other than a domestic and stock water use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:
This motion will be heard on 3/15/11 @ 1:30 p.m.
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

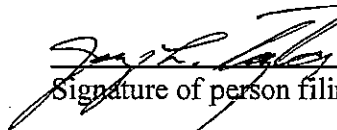
VERIFICATION (Must be completed)

State of Idaho

County of Payette

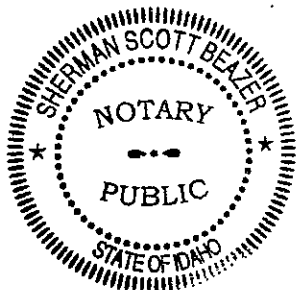
Jerry L. Taylor, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

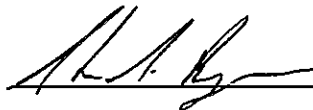
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.


Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on December 8th, 2010
(Insert Date)





Notary Public for Idaho

Residing at: Boise

My Commission expires: 12-10-2015

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on 12/20, 2010, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

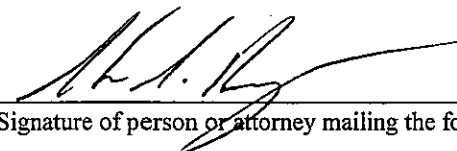
2. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

United States, Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or Special Master, you must serve a copy on all parties to that subcase.



Signature of person or attorney mailing the form

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 65-23439

Date Received: _____

Receipt No: _____

Received By: _____

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

- Name of Claimant(s) Jerry L. or Janet Taylor Phone (208) 452-3825
Mailing Address 7085 Elmore Road, Fruitland, Idaho Zip 83619-3620
Street or Box City State
- Date of Priority: (Only one per claim) 12-05-1992 (see well driller's report)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water (X) or Other () (a) _____
which is tributary to (b) _____
- Location of Point of Diversion is: Township 08N, Range 05W, Section 26, SE 1/4, of
SE, 1/4 of SE, 1/4 or Govt. Lot _____, BM., County of Payette; Parcel (PIN) No. _____
Additional points of diversion if any: _____
If available, GPS Coordinates _____
- Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, 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 (completed 12-05-1992), pump, pipelines,
depth 50', static water level 19', discharge 25 gpm (=0.0557 cfs).
The use of water for domestic & stock is limited to 13,000 gpd.
- Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)
For Domestic purposes from 01-01 to 12-31 amount 0.04 (cfs) or (AFA)
For Stockwater purposes from 01-01 to 12-31 amount 0.02
- Total Quantity claimed 0.056 (cfs) or (AFA)
- Non-irrigation uses. Describe fully. (eg. Domestic: Give number of households served if single ownership;
Stockwater: Type and number of livestock)
Domestic (1 household, up to 1/2 acre irrigation of lawn & pasture)
Stockwater (2-4 head domestic cattle)

9. Location of Place of Use is: Township 08N, Range 05W, Section 26,
SE, 1/4 of SE, 1/4, Govt. Lot _____, BM.; Parcel (PIN) No. _____

for (Circle One) Domestic Stock Domestic and Stock
 Additional places of use, if any _____

10. Which county (ies) are lands listed above as place of use located? Payette

11. Do you own the property listed above as place of use? Yes (X) No ()

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

None (X) _____

13. Remarks:

This claim is for dom & stock. The ~7.0 acres of irrigation
on the property is supplied through shares from Noble Ditch Co.
(65-00403).

14. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

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

Number of attachments: 11

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

Signature of Claimant (s) [Signature] Date: 12/20/2010
 _____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of 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

16. 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 _____

Last Name Taylor Identification No. 65-23439

WARRANTY DEED

For Value Received

ERICH J. GOLLER and HERMINE GOLLER, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

JERRY L. TAYLOR and JANET S. TAYLOR, husband and wife,

the grantees, whose current address is P.O. Box 212, Fruitland, ID 83619

the following described premises, in Payette

County Idaho, to-wit:

Land in Twp. 8 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 26: The East 549 feet of the S½SE½SE½, being otherwise described as the East 549 feet of Block 37 and all of Block 38 of ASSESSORS PLAT OF Sec. 26, Twp. 8 N. R. 5 W., B.M., as per Plat in Book 1, Page 40, Plat Records, Payette County, Idaho.

TOGETHER WITH all water and water rights, ditches and ditch rights, tenements and hereditaments, appurtenances and fixtures, and permits and licenses belonging thereto or in anywise appertaining, including eight (8) shares in the Noble Ditch Company, Ltd.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances excepting reservations, easements, incumbrances, restrictions and rights of way appearing of record and/or existing,

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: ^{9.8.} August 9, 1992

Erich J. Goller
Erich J. Goller

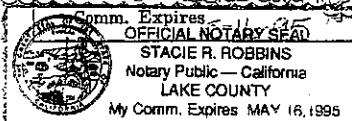
Hermine S. Goller
Hermine Goller

CALIFORNIA
STATE OF ~~IDAHO~~, COUNTY OF Lake
On this 09 day of September, 1992,
before me, a notary public in and for the said State, personally appeared

Erich J. Goller and
Hermine Goller

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Stacie R. Robbins
Notary Public

Residing at Lake County, CA., Idaho

STATE OF IDAHO, COUNTY OF Payette
I hereby certify that this instrument was filed for record at
the request of Land Tide Insurance Company

at 30 minutes past 2 o'clock P.M.,
this 10 day of September,
1992, in my office, and duly recorded in Book #8
of Deeds at Page 240492

LAURA L. STIGILE

Ex-Officio Recorder

By *Laura L. Stigile*
Deputy.

Fees \$ 3.00
Mail to:

08N05W26



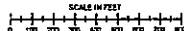
6	9	4	3	2	1
7	8	5	10	11	12
18	17	16	15	14	13
18	20	21	22	23	24
20	28	26	27		25
21	22	23	24	25	26

PARCEL LINE	
OLD PARCEL LINE	
ROW LINE	 DEEDED
SUBDIVISION BOUNDARY	
EASEMENT	-----
HYDRO EDGE	-----
HYDRO CENTERLINE	-----
RAILROADS	+++++
CITY BOUNDARY	-----
SECTION LINE	-----

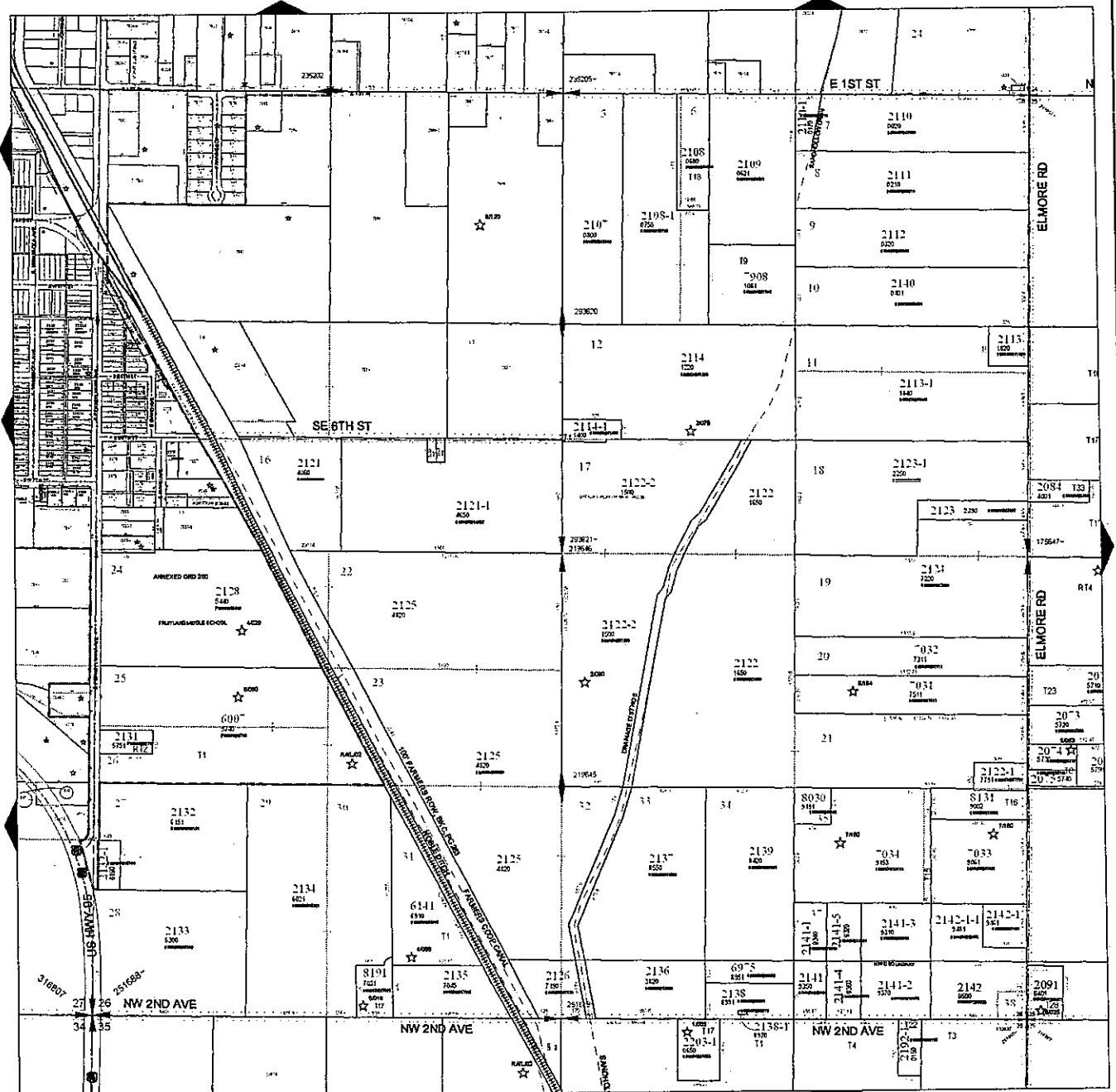
ASSESSORS PARCEL NUMBER 1541-2
STATE PARCEL NUMBER: 00N09W23100 or 1100
TAX DESCRIPTION: T-6
ADJACENT PARCELS SYMBOL: 
LOT NUMBER 1
BLOCK NUMBER 3
DEED DISTANCE: 1238.87 ALL DISTANCES IN U.S. SURVEY FEET
SURVEY DISTANCE: 1127.95 (unless noted)
RECORD DISTANCE: 1238.87
CURVE INFORMATION: L1000, R=1000
SECTION MONUMENTS 1/16 
SURVEY MONUMENT 
SURVEY MAP: 
U.S. HIGHWAYS 
STATE HIGHWAYS 
INTERSTATE HIGHWAYS 

THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY AND IS NOT TO BE CONSTRUED IN ANY RESPECT AS A GUARANTEE OF THE LOCATION OR DIMENSIONS OF ANY OF THE TRACTS OF LAND SHOWN.

SCALE: 1" = 407'



DATE	DESCRIPTION	DRW	CHK	APP
JULY 2000	FIRST DRAFT			



T15

08N05W269001

40.22

1-3

2142-1-1

2142-1

69310

08N05W269481

08N05W269461

250

NDARY

594

1-2

2142

05W269370

08N05W269500

38

201.23

2091

312.28

08N05W256401

T28

6/025

92-1 T22

08N05W350150

T3

133837

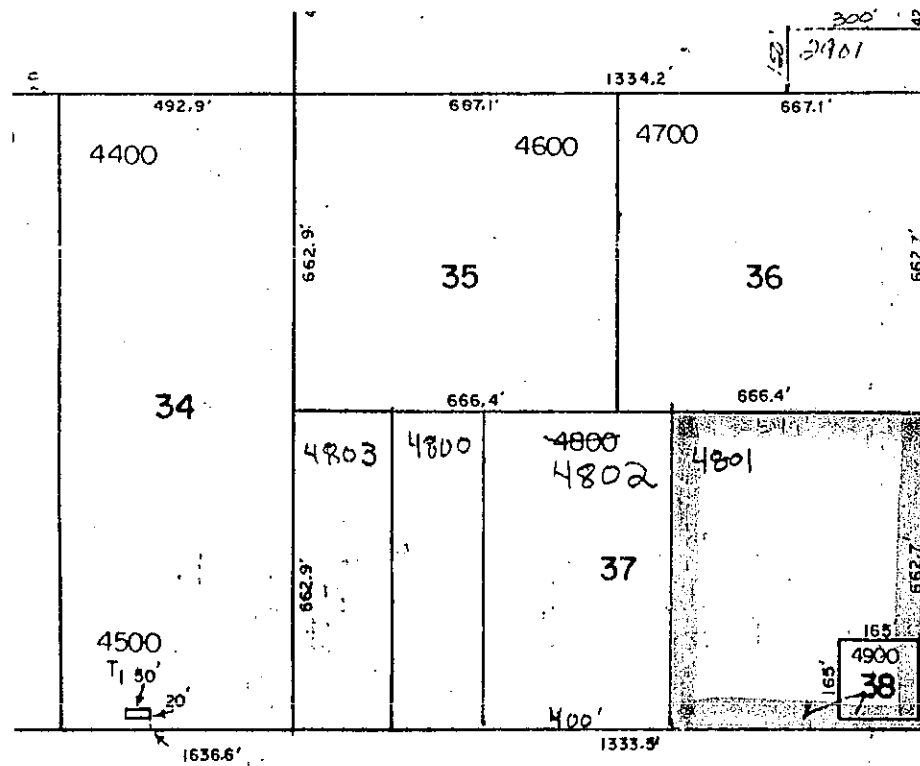
251690~

35

36

198.96

316807



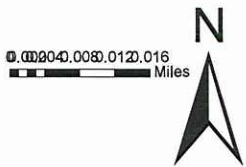


0.0003 0.06 0.09 0.12
Miles



Jerry Taylor Parcel
T08N, R05W, S26, SESESE

Basin 65
Payette County



Jerry Taylor Parcel
T08N, R05W, S26, SESESE

Basin 65
Payette County

USE TYPEWRITER OR
BALLPOINT PEN

MAR 2 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources, within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

DESCRIPTION OF DIVERSION WORKS

Item 5: Describe as completely as possible the means used to divert the water. Include the major components of the water delivery system such as wells, pumps, pipelines, headgates, ditches, collection boxes, troughs, or any other feature that is essential to your diversion system. Include the dimensions of the components as originally constructed, and if the system has been altered or enlarged since it was originally constructed, include the new dimensions. If changes or enlargements have occurred, describe the changes or enlargements and indicate the date(s) that the changes were made.

PURPOSE AND USE

Item 6: The purpose(s) for which the water is being used is limited to domestic and/or stockwater for claims filed on this claim form. Enter the day of the year the use begins and the day of the year the use ends each year. If the water is used all year, the dates would be from January 1 to December 31. The amount of water should be entered in cubic feet per second (cfs). For a reference, 0.02 cfs is approximately equal to 9 gallons per minute. Most water rights have the following amounts: Domestic use, 0.04 cfs for one household with up to 1/2 acre of lawn or garden irrigation (one household with in-house use only may be less). Stockwater use, see TABLE 1. Some systems may be capable of producing more water than the amounts shown for the preceding uses. You may claim the amount of water (in cfs) that your system actually produces provided the water is put to beneficial use.

Example of purposes, dates, and amounts of water use:

	Month/Day	Month/Day		(cfs)
For <u>Domestic</u> purposes from	<u>1-1</u>	to <u>12-31</u>	amount	<u>0.04</u>
For <u>Stockwater</u> purposes from	<u>1-1</u>	to <u>12-31</u>	amount	<u>0.02</u>
(both dates are inclusive)				

The well driller's report identifies that the well produces 25 gpm which equals 0.0557 cfs as an instantaneous diversion rate. If the lawn and livestock are watered at the same time, it appears I will be using all of what the system produces, therefore the total quantity should be 0.056 cfs rather than the sum of the two purposes (0.06 cfs). The instantaneous diversion rate of 0.056 cfs should be limited with the de minimis cap of 13,000 gpd.

25 gal 1 min 1 cubic foot = 25 = 0.0557 cfs

1 min 60 sec 7.4805 gal 448.83

WATER CONVERSION FACTORS

1 Miner's inch	9 GPM	0.02 CFS
1 cubic foot of water	7.4805 gallons.....	62.37 pounds of water
1 CFS	50 Miner's inches	
1 CFS	448.83 GPM	26,930 gallons per hour
1 CFS	646,315 gallons per day	1.9835 AF per day
1 CFS	59.502 AF per month (30 days)	723.94 AF per year
1 AF	enough water to cover 1 acre of land one foot deep	
1 AF	43,560 cubic feet	325,850 gallons
1 cubic meter per second	35.31 CFS.....	15,850 GPM
1 million gallons.....		3.0689 AF
1 million gallons per day		1,120.147 AF per year
1 PSI		2.31 FT. HEAD OF WATER (COLUMN)
1 ACRE		43,560 SQUARE FT

GPM = gallons per minute

CFS = cubic feet per second

AF = acre feet

PSI = pound per square inch



Idaho Statutes

TITLE 42

IRRIGATION AND DRAINAGE -- WATER RIGHTS AND RECLAMATION

CHAPTER 14

ADJUDICATION OF WATER RIGHTS

42-1414. FEES FOR FILING NOTICE OF CLAIMS WITH THE DIRECTOR. (1) In order to provide an adequate and equitable cost-sharing formula for financing the costs of adjudicating water rights the department of water resources shall accept no notice of claim required under the provisions of section 42-1409, Idaho Code, unless such notice of claim is submitted with a filing fee based upon the fee schedule set forth below. Failure to pay the variable water use fee in accordance with the timetable provided shall be cause for the department to reject and return the notice of claim to the claimant. The fee schedule set forth below applies to adjudication proceedings commenced or enlarged on or after January 1, 1985.

- | | | |
|------|--|---------------|
| (a) | Flat fee per claim filed: | |
| (i) | Claims for domestic and/or stock watering rights | . \$25.00 |
| (ii) | Claims for all other rights | \$50.00 |
- (b) Additional variable water use fee for claims filed based upon acreage, power generating capacity, c.f.s., or equivalent volume of water:
- | | | |
|-------|--|---------------------------|
| (i) | Irrigation use (one fee irrespective of number of claims): | \$1.00 per acre |
| (ii) | Power: | \$3.50 per kilowatt |
| | of capacity (manufacturer's nameplate rating), or \$250,000, whichever is less | |
| (iii) | Aquaculture: | \$10.00 per c.f.s. |
| (iv) | Municipal, industrial, commercial, mining, heating, cooling: | \$100.00 per c.f.s. |
| (v) | Public instream flow, public lake level maintenance, wildlife: | \$100.00 per c.f.s. |

(c) All fees collected by the department pursuant to this section shall be placed in the water resources adjudication account established in section 42-1777, Idaho Code.

(2) If a claimant increases in an amended notice of claim the amount of water claimed, the amount of land irrigated, or the kilowatt capacity of the generating facility, the claimant shall pay upon filing the amended notice of claim an additional variable fee in accordance with the rates set forth in subsection (1) of this section. Claimants shall be entitled to a return of filing fees or late fees only where the fee was miscalculated at the time the original or amended notice of claim was filed.

(3) If a claimant files a notice of claim after the date set by the director in the notice mailed or served in accordance with subsections (2), (3), or (4) of section 42-1408, Idaho Code, or with subsection (7) of section 42-1409, Idaho Code, the claimant shall pay the fee set forth in subsection (1) of this section, and in addition, the amount of fifty dollars (\$50) or fifteen percent (15%) of the original filing fee, whichever is greater. The director may waive the late processing fee or a portion thereof for good cause.

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