

RECEIVED

AUG 29 2006

DEPARTMENT OF
WATER RESOURCES

08/18/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 22, 2006

Water right number: 79-10162

CLARENCE D MC REYNOLDS

PO BOX 161

WHITE BIRD ID 83554-0161

Telephone Number: (208)839-2265

VIOLA E MC REYNOLDS

PO BOX 161

WHITE BIRD ID 83554

Telephone Number: (208)839-2265

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 8-24-06

SIGNATURE:

Clarence Mc Reynolds

Please print your name:

Clarence Mc Reynolds

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

03/31/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 79-10162

NAME AND ADDRESS: CLARENCE D MC REYNOLDS
PO BOX 161
WHITE BIRD ID 83554-0161

VIOLA E MC REYNOLDS
PO BOX 161
WHITE BIRD ID 83554

SOURCE: WHITE BIRD CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.090 CFS

PRIORITY DATE: 03/15/1953

POINT OF DIVERSION:

T28N R01E S22 NWNENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.090 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T28N R01E S22 NWNE 3.0

3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

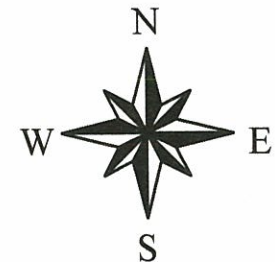
EXPLANATORY MATERIAL: Beneficial Use

79-10162



T28N R01E
Section(s) 22

● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: August 30, 2004
Photography: 1992 DOQQ
Idaho Department of Water Resources

0 500 1000 1500 2000 Feet

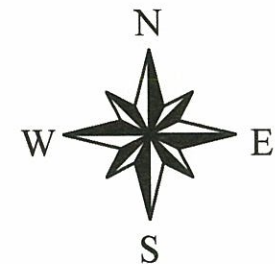
A horizontal scale bar with markings at 0, 500, 1000, 1500, and 2000 feet. The bar is divided into segments corresponding to these distances.

79-10162



T28N R01E
Section(s) 22

● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: August 30, 2004
Photography: 1992 DOQQ
Idaho Department of Water Resources

0 500 1000 1500 2000 Feet

A horizontal scale bar with markings at 0, 500, 1000, 1500, and 2000 feet. The bar is divided into segments corresponding to these distances.

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: A79-10162
Date Received: 7/19/1988
Receipt No: W000495
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLARENCE MCREYNOLDS 208-839-2265
Address: BOX 161
WHITEBIRD, ID 83544

OR

Name: VIOLA MCREYNOLDS 208-839-2265
Address: BOX 161
WHITEBIRD, ID 83544

2. Date of Priority: DEC 31, 1920

3. Source: WHITEBIRD CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
28N	01E	22	NW	NE	NE		IDAHO

5. Description of diverting works:
5HP PUMP FROM RIVER W/2" LINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/30	0.110		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A79-10162

Page 1

Date: 07/19/88

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OCT 06 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
28N	01E	22	NE	NE		IRR	1.0
			NW	NE		IRR	2.0
						Section Acres	3.0
						Total Acres	3.0

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 _____

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: 39356

Ident. Number A79-10162Date Received 07/11/88Receipt Number W000495
EJRRECEIVED
JUL 14 1988Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUL 11 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) CLARENCE OR VIOLA MCREYNOLDS Phone (208) 839-2265
Mailing Address BOX 161 WHITEBIRD, ID Zip 83544

2. Date of Priority (Only one (1) per claim) 1920

3. Source of water supply (a) WHITEBIRD CREEK
which is tributary to (b) SALMON

4. a. Location of existing point of diversion is: Township 28N Range 1E Section 22,
NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of IDAHO

Additional points of diversion if any: NONE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. PUMP (SHP) FROM RIVER
2" LINE TO SPRINKLERS

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 5/1 to 9/30 amount .11 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .11 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 9 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
28N	1E	22	1	2															3

Total number of acres irrigated 3

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:

Last Name MCREYNOLDS Ident No. A79-10162

Copies: White-State, Yellow-Claimant

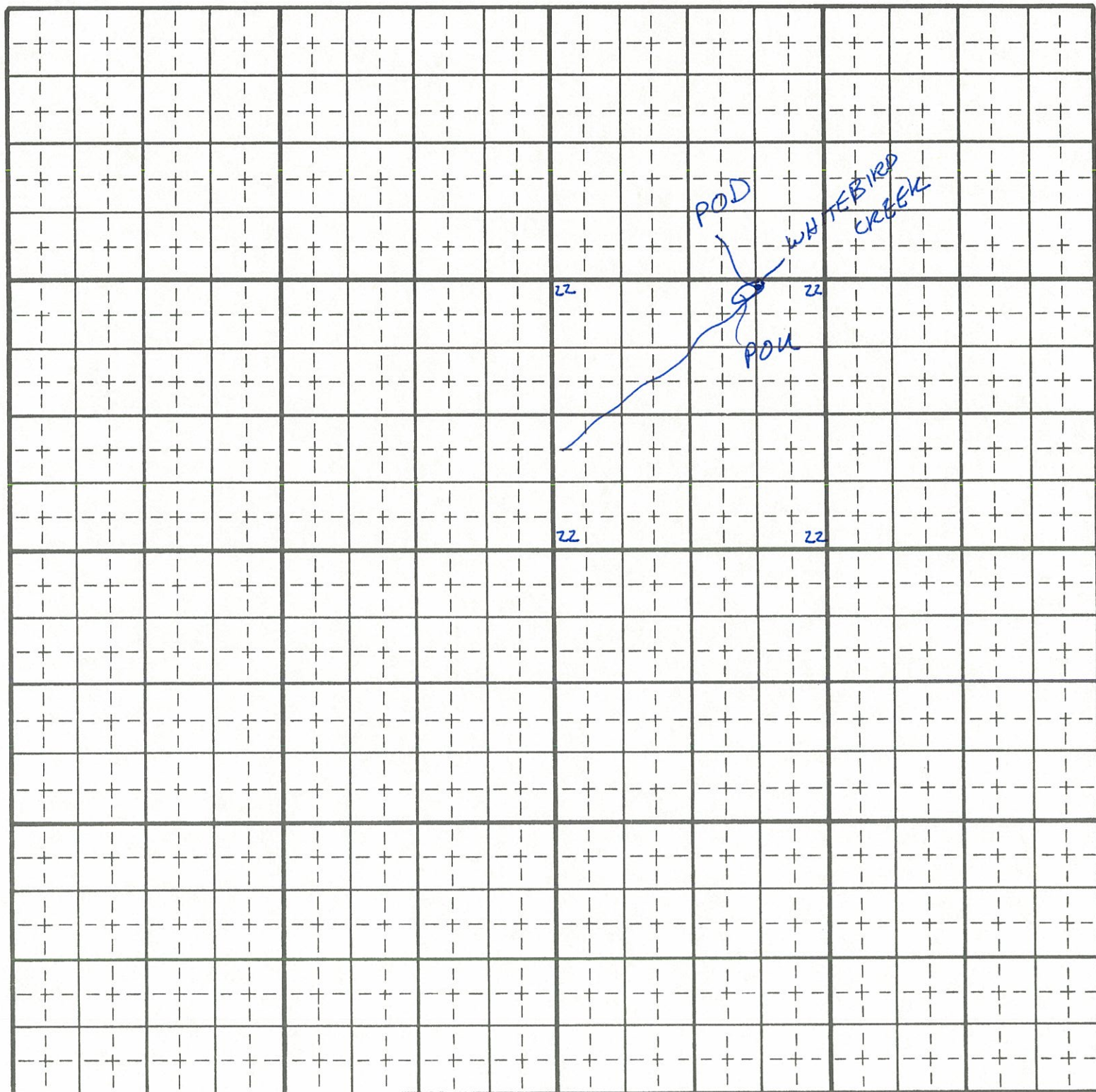
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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T28N R1E



Last Name McREYNOLDS

Ident No. A79-10162

Copies: White State, Yellow Claimant

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

Decree _____

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 _____ 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)

Van McReynolds

Date

7-5-88

Van McReynolds

Date

7-5-88

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 _____

Title

of _____

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 IDAHO)

) SS.

County of Idaho)

Subscribed and sworn (or affirmed) before me this 5th. day of July 19 88

SEAL

Notary Public

Roma P. McCarty

Residing at

Whitebird, Idaho

My Commission Expires

August 13, 1993

Please Print Name

17. 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 MCREYNOLDS Ident. Number A79-10162

Copies White-State, Yellow-Claimant

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OCT 16 1992

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME MC Reynolds, Clarence or Viola CLAIM IDENT. NO. A79-10162

DATE RECEIVED 07/19/88 CK # 4297 AMOUNT \$ 168⁰⁰

	YES	NO
1. Is the name and address complete with zip code?	☒	☐
2. Is priority date entered?	☒	☐
Is the water use exempt from Permit requirements? A Permit is required for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater).		
3. (a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	☒	☐
4. Is the legal description of the p.d. complete?	☒	☐
5. Is there a description of the diverting works?	☒	☐
6. Are the water uses appropriate for the form? The short form limited to domestic and stockwater. Instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
7. Is a total quantity claimed entered?	☒	☐
8. Is a consumptive use required?	☒	☐
If required is a consumptive use entered?	☒	☐
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim.	☒	☐
10. Is (are) the place(s) of use entered?	☒	☐
11. Is (are) the county(ies) entered?	☒	☐
12. Is the ownership of p.u. checked?	☒	☐
13. Are other water rights listed or "none" checked?	☒	☐
14. Are remarks required? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐
15. Is the basis of the claim checked?	☒	☐
16. Is the claim signed by the claimant?	☒	☐
Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Is the fee enclosed correct?	☒	☐
Should this claim be receipted and data entered?	☒	☐
If this claim is based on an existing water right, has the identification number been entered?	☐	☐

Revised 6-27-88

Claim checked by: LW

Comments: _____

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NCT 06 1002

AFFIDAVIT

STATE OF IDAHO)

SS.

COUNTY OF IDAHO)

I, DARRELL LINDSEY, swearing upon my oath, deposes and says:

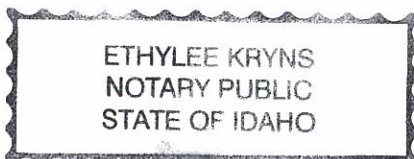
I am a resident of Idaho County, Idaho, and Clarence McReynolds is my brother-in-law and Viola Mc Reynolds is my sister. I have been their adjoining neighbor for the past five years. I maintain their lawns, fruit trees, shrubs, berry bushes and plant them a fairly large garden.

In the maintenance of said flora, the water is an absolute necessity. The water source is the utilization of a pump and pipe system, pumped from White Bird Creek. Utilization of the city water system would be cost prohibitive and not very dependable.

My identification number for said water right is A79-10162...received July 19, 1998.

Darrell A. Lindsey
DARRELL A. LINDSEY

SUBSCRIBED AND SWORN to before me this 15th day of march, 2005.



Ethylee Kryns
**Notary Public in and for
the State of Idaho
My Commission expires
June 13, 2008**

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: A79-10162
Date Received: 7/19/1988
Receipt No: W000495
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

208-839-2265

1. Name: CLARENCE MCREYNOLDS
Address: BOX 161
WHITEBIRD, ID

83544

OR

Name: VIOLA MCREYNOLDS
Address: BOX 161
WHITEBIRD, ID

83544

208-839-2265

2. Date of Priority: DEC 31, 1920

3. Source: WHITEBIRD CREEK

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	22	NW	NE	NE		IDAHO

5. Description of diverting works:
5HP. PUMP FROM RIVER W/2" LINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	09/30	0.110		

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

A.F.A.

8. Total consumptive use is

9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A79-10162

Page

1

Date: 07/19/88

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
28N	01E	22	NE	NE		IRR	1.0
			NW	NE		IRR	2.0
Section Acres							3.0
Total Acres							3.0

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

Clarence & Viola McReynolds Purchased This Parcel of land in 1953 at that time it had a ditch and flume for the water source from White Bird Cr. We have since went to a 5hp pump and 4in pipe line with sprinklers and drippers. We use this system from april to oct every year since 1953.

Thank you
3-18-05 Clarence McReynolds