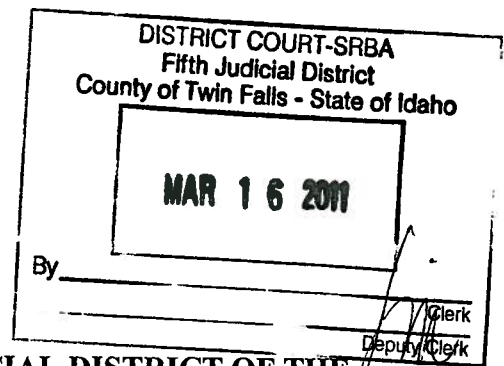


RECEIVED

MAR 17 2011

DEPARTMENT OF
WATER RESOURCES



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) Subcase: 65-23439

Case No. 39576

)
) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM
)
)
)

On December 22, 2010, Jerry L. and Janet Taylor filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on March 15, 2011. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated: March 16, 2011.

A handwritten signature in black ink, appearing to be "Eric J. Wildman", written over a horizontal line.

ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on March 16, 2011, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JANET TAYLOR
JERRY L TAYLOR
7085 ELMORE RD
FRUITLAND, ID 83619-3620
Phone: 208-452-3825

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".

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: DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC 22 2010

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

1. Name of Claimant(s) Jerry L. or Janet TaylorMailing Address 7085 Elmore Road, Fruitland, Idaho
Street or Box City StateZip 83619-3620By _____
Phone (208) 452-3825Clerk
Deputy Clerk2. Date of Priority: (Only one per claim) 12-05-1992 (see well driller's report)
Month/Day/Year (YYYY)3. Source of water supply (Check one) Ground Water (X) or Other () (a) _____
which is tributary to (b) _____4. 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 _____

5. 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.

6. 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 0.027. Total Quantity claimed 0.056 (cfs) or (AFA)8. 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**

Additional places of use, if any **Domestic and Stock**

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: August 9th, 1992

Erich J. Goller

Hermine Goller

CALIFORNIA
STATE OF ~~IDAHO~~, COUNTY OF Lake
On this 8th 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

Comm. Expires
OFFICIAL NOTARY SEAL
STACIE R. ROBBINS
Notary Public — California
LAKE COUNTY
My Comm. Expires MAY 16, 1995

STATE OF IDAHO, COUNTY OF Payette
I hereby certify that this instrument was filed for record at
the request of Land Title 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 48
of Deeds at Page 240492

LAURA L. STIGILE

Ex-Officio Recorder

By Patricia Frates Deputy.

Fees \$ 3.00
Mail to:

NOTARY SEAL
STACIE R. ROBBINS
Notary Public — California
LAKE COUNTY

08N05W26



0	1	2	3	4	5	6	7	8	9
10	11	12	13	14	15	16	17	18	19
20	21	22	23	24	25	26	27	28	29
30	31	32	33	34	35	36	37	38	39
40	41	42	43	44	45	46	47	48	49
50	51	52	53	54	55	56	57	58	59

LEGEND

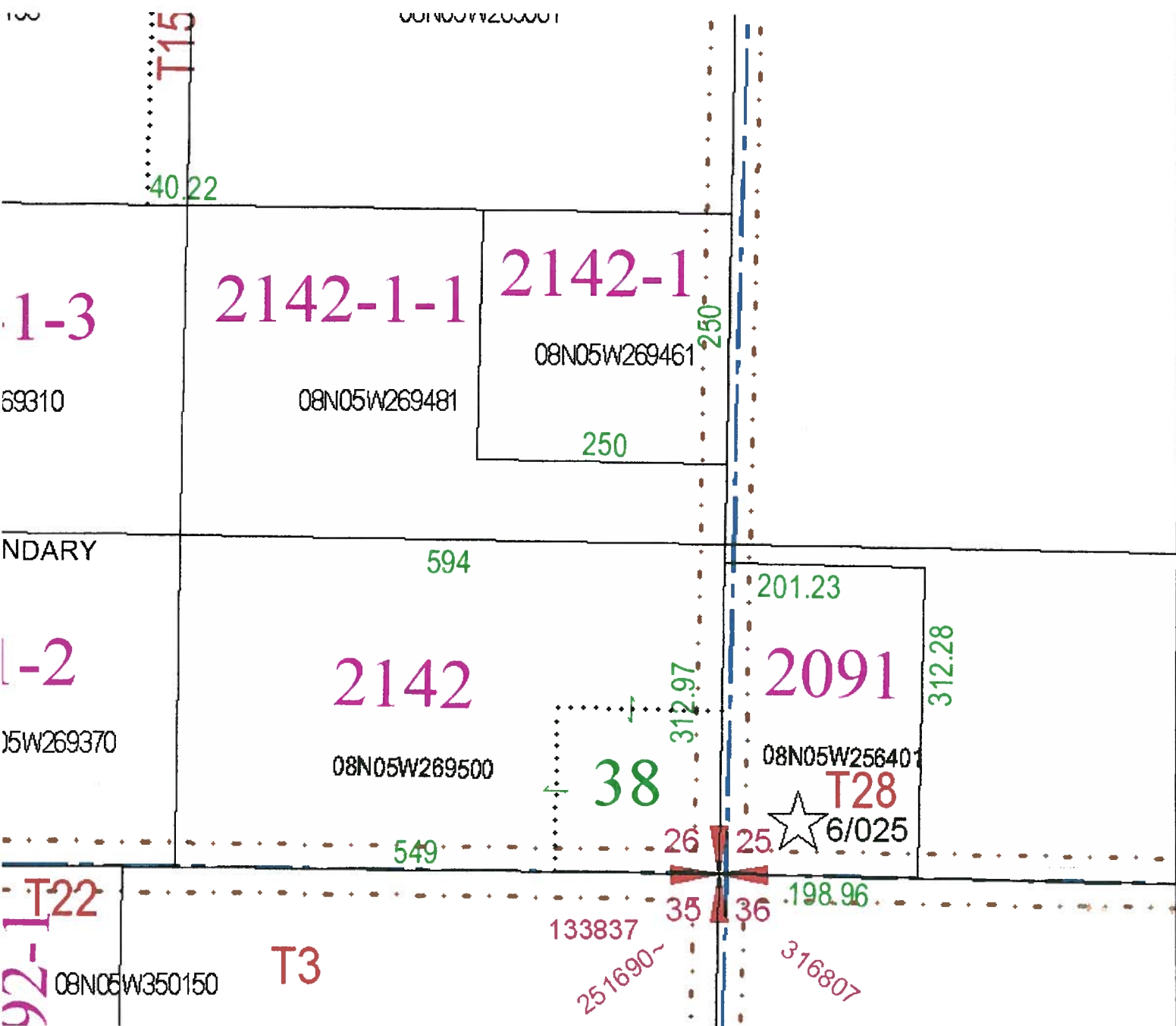
PARCEL LINE
OLD PARCEL LINE
DIEBOLD
ROW LINE
BUREAU OF LAND MANAGEMENT
EASEMENT
HYDRO EDGE
HYDRO CENTERLINE
RAILROAD
CITY BOUNDARY
SECTION LINE
ASSESSORS PARCEL NUMBER 1341.2
STATE PARCEL NUMBER: 08W06021100 or 1100
TAX DESCRIPTION: 16
ADJACENT PARCEL TYPICAL LOT NUMBER 3
BLOCK NUMBER 3
DEED DISTANCE 1207.98
CURVE DISTANCE: 1280.20
RECORD DISTANCE: 1280.20
CURVE INFORMATION: (1280.20)
SECTION MONUMENTS
SURVEY MONUMENT: 1/16" 6 GLD
SURVEY MAP: 1/16" 6 GLD
U.S. HIGHWAYS 21 23 24
STATE HIGHWAYS 21 23 24
INTERSTATE HIGHWAYS 21 23 24

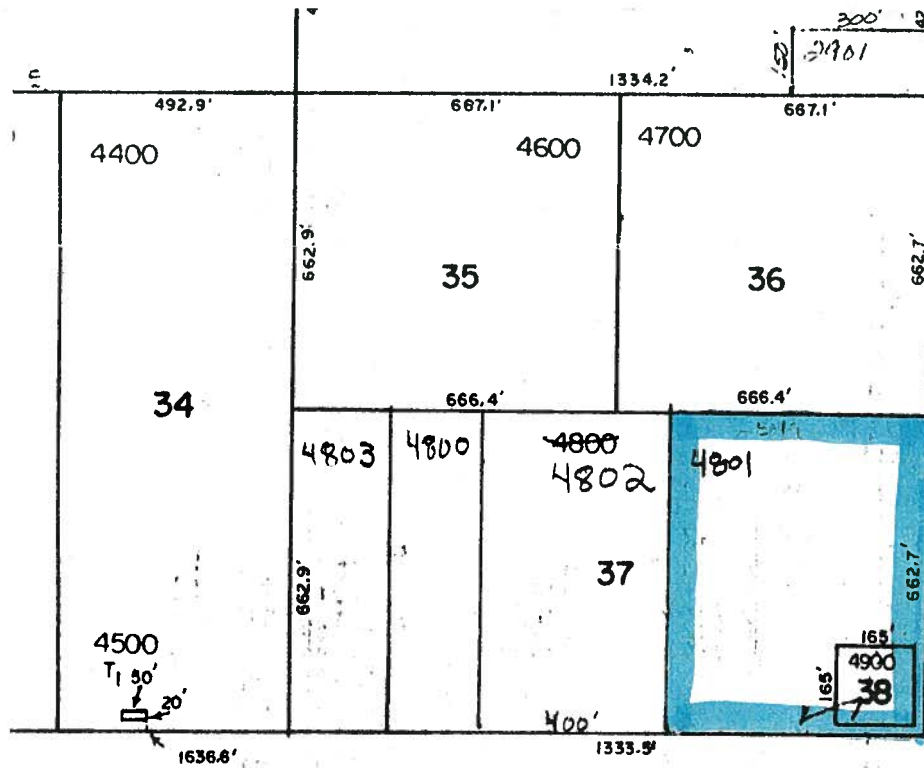
CANALS AND DRAINS ARE REPRODUCED FROM 25 AND 100K MAPPING, WHERE AVAILABLE. SOME HAVE BEEN DIGITIZED FROM 1"=100' AERIAL PHOTOGRAPHS OR ADJUSTED TO MATCH SURVEY DATA.

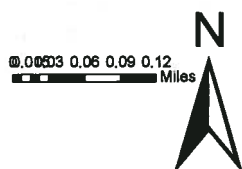
THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY AND IS NOT TO BE CONSTRUED IN ANY RESPECT AS A GUARANTEE OF THE LOCATION OR DIMENSIONS OF ANY OF THE TRACTS OF LAND SHOWN.

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[illegible]







Jerry Taylor Parcel
T08N, R05W, S26, SESESE

Basin 65
Payette County



0.0020 0.0080 0.0120 0.016 Miles



Jerry Taylor Parcel
T08N, R05W, S26, SESESE

Basin 65
Payette County

MAR 2 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESUSE TYPEWRITER OR
BALL POINT PEN

WELL DRILLER'S REPORT

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. FEB 3 1993

1. WELL OWNER Name <u>Jerry Taylor</u> Address <u>P.O. Box 212, Fruitland, ID</u> Drilling Permit No. <u>65-92-W-0355-000</u> Water Right Permit No. _____		7. WATER LEVEL Static water level <u>19'</u> Department of Water Resources Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>58</u> °F. Quality <u>Good</u> Describe artesian or temperature zones below.																																									
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Modification ☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)		8. WELL TEST DATA ☐ Pump ☐ Bailor ☒ Air ☐ Other _____																																									
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Monitor ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG 104877																																									
4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Auger ☐ Reverse rotary ☐ Cable ☐ Mud ☐ Other _____ (backhoe, hydraulic, etc.)		<table border="1"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>10</td><td>0</td><td>7</td><td>Top Soil</td><td></td><td></td></tr><tr><td>10</td><td>7</td><td>18</td><td>Brown Clay</td><td></td><td></td></tr><tr><td>6</td><td>18</td><td>25</td><td>Brown Clay</td><td></td><td></td></tr><tr><td>6</td><td>25</td><td>47</td><td>Gravel & Sand Brown</td><td></td><td></td></tr><tr><td>6</td><td>47</td><td>53</td><td>Clay Light Brown</td><td></td><td></td></tr></tbody></table>		Bore Diam.	Depth		Material	Water		From	To	Yes	No	10	0	7	Top Soil			10	7	18	Brown Clay			6	18	25	Brown Clay			6	25	47	Gravel & Sand Brown			6	47	53	Clay Light Brown		
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6	47	53	Clay Light Brown																																								
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ Thickness _____ Diameter _____ From _____ To _____ <u>2.50</u> inches <u>6</u> inches + <u>1</u> feet <u>50</u> feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☒ Torch ☐ Gun Size of perforation? <u>1/4</u> inches by <u>4</u> inches Number _____ From _____ To _____ <u>22</u> perforations <u>42</u> feet <u>47</u> feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer _____ Type _____ Top Packer or Headpipe _____ Bottom of Tailpipe _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>18</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Pudding clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port <u>San Seal</u>		10. Work started <u>12-4-92</u> finished <u>12-5-92</u>																																									
6. LOCATION OF WELL Sketch map location must agree with written description.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Payette</u> Address of Well Site <u>DELMAR RD FRUITLAND ID</u> (give at least name of road) <u>SW 1/4 SW 1/4 Sec 24</u> T. <u>8</u> N ☒ or S ☐ R. <u>5</u> E ☐ or W ☐		11. DRILLER'S CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Selwa Drilling</u> Firm No. <u>489</u> Address <u>P.O. Box 26 Layette</u> Date <u>12-4-92</u> Signed by Drilling Supervisor _____ and _____ (Operator) <u>for Selwa</u> (if different than the Drilling Supervisor)																																									

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 = 2.5 = 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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