

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: **A63-26395**
Date Received: 3/ 1/1990
Receipt No: W009975
Received By: DE-160

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

1. Name: STEPHEN W MARSHALL 208-459-8073
Address: 1824 FILLMORE
CALDWELL ID 83605
AND/OR
Name: RUTH M MARSHALL 208-459-8073
Address: 1824 FILLMORE
CALDWELL ID 83605

2. Date of Priority: JUN 21, 1942

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
04N 03W 27 NW SE CANYON

5. Description of diverting works:
125' WELL, 6" CASING, 2 HP PUMP AND PIPELINE.

6. Water is used for the following purposes:
Purpose From To C.F.S (or) A.F.A.
IRRIGATION 04/15 10/15 0.040

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

8. Total consumptive use is 6.7 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township Range Section 1/4 of 1/4 Lot Use Acres
04N 03W 27 NW SE IRR 2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:
SEE RECEIPT NOS. W014244 AND W014314 ALSO. TOTAL FEE PAID FOR
THIS CLAIM PAID = \$52.00.

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)
) SS.
County of _____)

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: 39576
Ident. Number A63-26395
Date Received 3-4-92
Receipt Number W014244 - #25.

See also Receipt #W00997E
for \$25.00

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

3/16/92 \$2.00 - W014314

MAR 04 1992

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Stephen W. Marshall and/or Ruth M. Marshall Phone (208) 459-8073
Mailing Address 1824 Fillmore Caldwell, Idaho Zip 83605

2. Date of Priority (Only one (1) per claim) June 21, 1942

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 4N Range 3W Section 27,
~~1/4 of NW 1/4 of SE 1/4~~ 1/4 of NW 1/4 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Canyon County
Additional points of diversion if any: _____

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. Well 6" Casing 125' deep. 2hp.
Stanrite pump, pipe to lawn and pasture - all irrigation

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SEP 14 1992

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/15 to 10/15 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 6.7 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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	
<u>4N</u>	<u>3W</u>	<u>27</u>														<u>2</u>			<u>2</u>

Total number of acres irrigated 2

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes _____ 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)

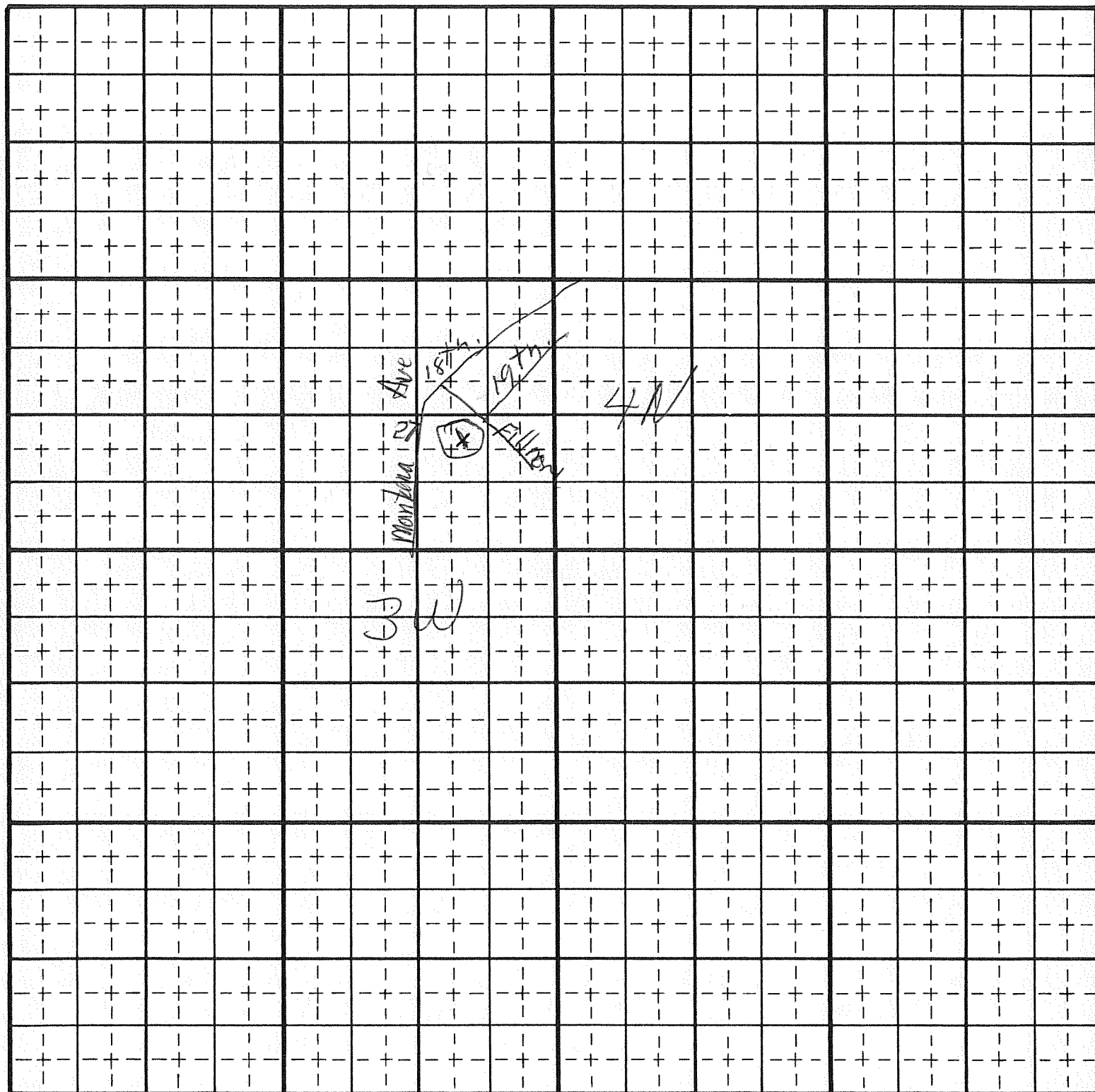
14. Remarks:

Last Name Marshall Ident No. 39576

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Copies: White - State, Yellow - Claimant
CED 1 A 4002

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

Scale: 2 inches equals 1 mile



Last Name

Marshall

Ident No.

39576

Copies: White-State, Yellow-Claimant

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SEP 14 1992

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) Stephen Marshall Date 3-3-92

Ruth M. Marshall Date 2/3/92

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 _____ of _____
Title 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 _____)
County of _____ Canyon _____) SS.

Subscribed and sworn (or affirmed) before me this _____ 3rd. _____ day of _____ March _____ 19 92

SEAL

Notary Public Sherry S. Ginn

Residing at Nampa, Id 83686

My Commission Expires 10/24/97

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 Marshall Ident. Number 39576

MICROFILMED
Copies White-State Yellow-Claimant
SEP 14 1992

THE FIFTH JUDICIAL DISTRICT OF THE
FOR THE COUNTY OF TWIN FALLSIN RE
OF R
THE

2-26-90

2 of 2 claims
enclosed.

CIVIL CASE NUMBER: 39576

Identification No. _____

Date Received _____

Receipt Number

W009973

M
MOF
TO A

WATER RIGHT

CLAIM

RECEIVED

MAR 04 1992

MAR 01 1990

ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional OfficeDepartment of Water Resources
Western Regional Office

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Stephen W. Marshall and/or Phone (208) 459-8073Mailing Address Ruth M. Marshall
1824 Fillmore Caldwell, Idaho Zip 836052. Date of Priority (Only one per claim) 6/21/42 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) groundwater

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 4 N Range 3 WSection ~~27 NE~~ NE 1/4 of SW 1/4 of 1/4 of _____ 1/4, Govt. Lot _____, BM.,County of CanyonAdditional points of diversion if any: SE Steunenberg's Acreage SE 25' of T17, R11, L185. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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 6" casing, 125' deep 2 hp starrite pump, pipe to
lawn and pasture irrigation

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount .04 (cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 house lawn, pasture 6 sheep.

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SEP 14 1992

10. Place of use is: Township: 4N Range 3W

Section 27, 1/4 of _____ 1/4, Govt. Lot _____, B.M., SE Stansberg
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____
acres
SE 25th g 20th 17
all lot 18.

11. In which county (ies) are lands listed above as place of use located? Canyon County

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.
(X) None or _____

14. Remarks: _____

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

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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) Stephen W. Marshall Date 2-26-90
Ruth M. Marshall Date 2-26-90

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Canyon) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 26th day of February 1990

SEAL

Notary Public Sherry S. Blackman

Residing at Hammond

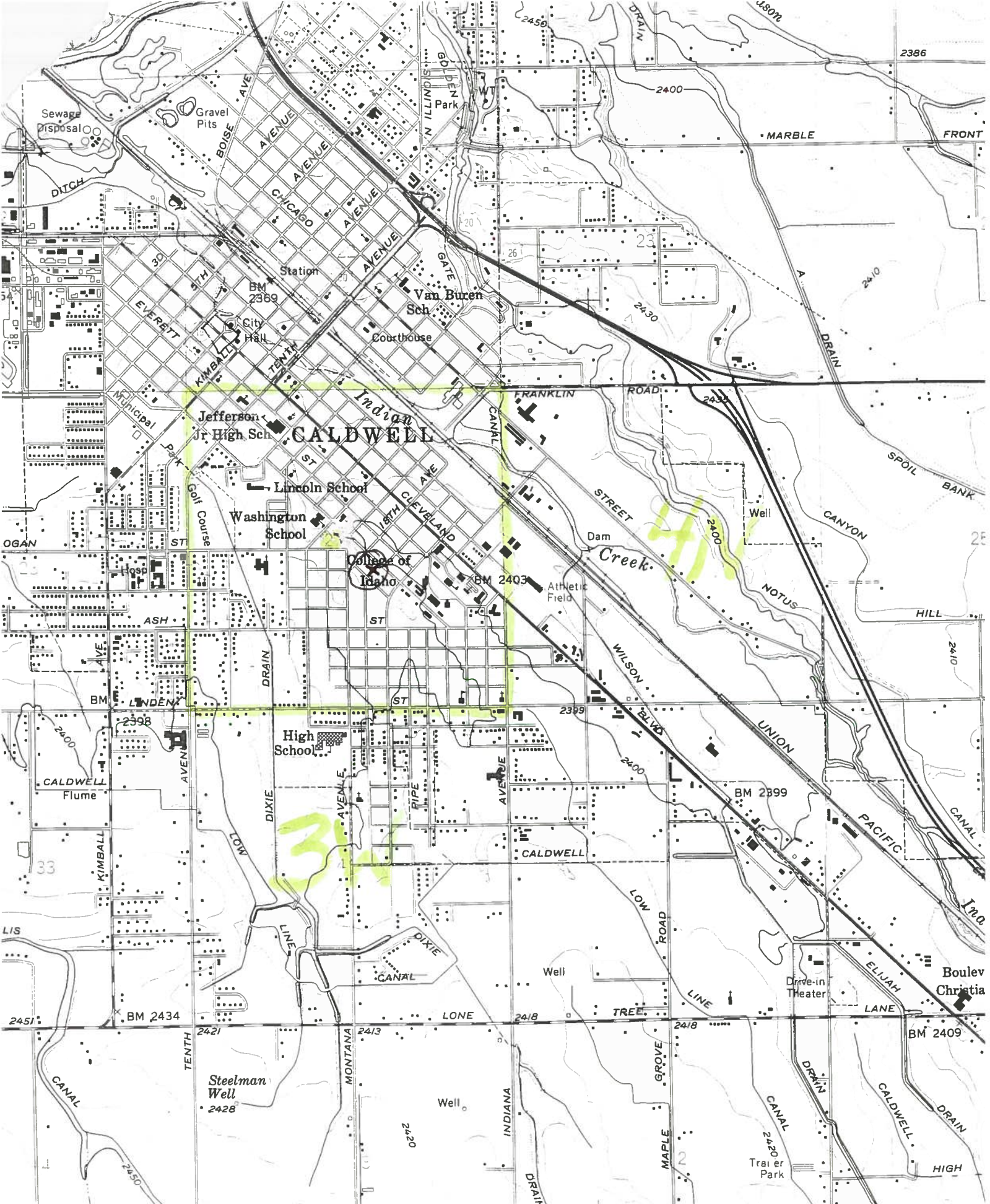
My Commission Expires Sept 1991

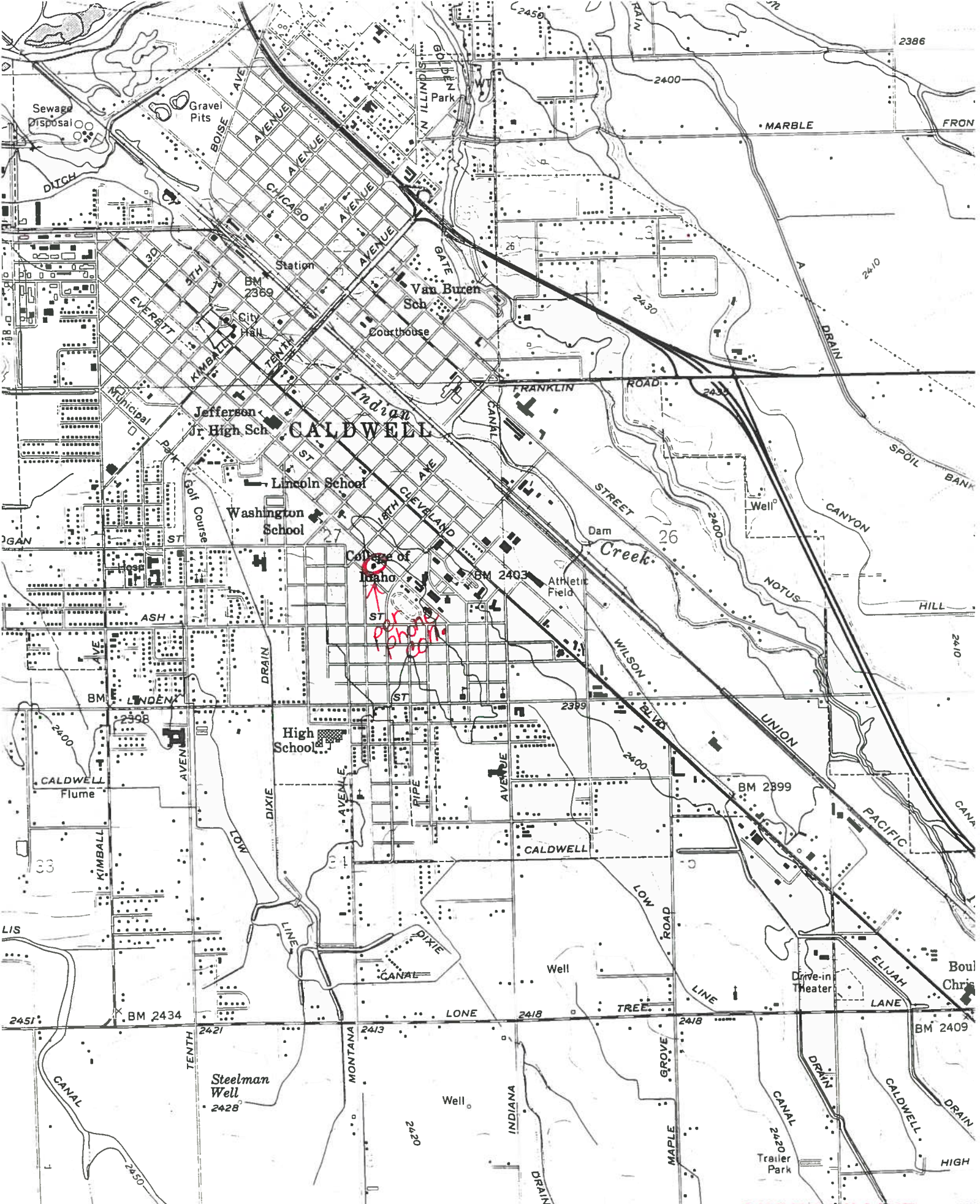
Last Name ~~Blackman~~
Marshall SUM 2-26-90

Ident No. _____
Copies: White-State, Yellow-Cl

MICROFILMED

SEP 14 1992





(LAKE LOWELL)
2671 II SW
SCALE 1:24 000

UNITED STATES GEOLOGICAL SURVEY, WASHINGTON, D. C.
628000m

SEP 14 1992

3/26/1990
SRBA CLAIMS RECEIVING CHECKLIST
CLAIMANT'S NAME Marshall CLAIM IDENT. NO. _____
DATE RECEIVED 3-1-90 CK # _____ AMOUNT \$ 25.

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered? Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒ ☒ ☒	☐ ☐ ☐	* * *
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	N/A ☒	☐	*
4. Is the legal description of the p.d. sufficient?	☐	☒	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☐	☒	* pasture irrig.
Is the period of use included?	☒	☐	*
Is a quantity claimed for each use?	☒	☐	
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	N/A ☒	☐	
Is the consumptive use correct?	N/A ☒	☐	
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, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☐	☒	*
11. Is (are) the county(ies) entered?	☒	☒	OK
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated? (see Item No. 17 for checking other water rights)	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	N/A ☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim)	N/A ☒	☐	
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right	N/A ☒	☐	
18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	N/A ☐	☒	Assume not
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☒	OK
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time, or was an extension granted?	☐	☐	*
22. Is the fee enclosed correct?	Exempt ☐	☐	*

YES NO

23. Should this claim be receipted and data entered?

Claim checked by: kw Date: 2-11-92

Claim must be returned to claimant: ☒ (Yes) ☐ (No)

Claimant must be notified of modifications: ☐ (Yes) ☐ (No)

Receipt Prepared by: _____ Date: _____

Claim data entered by: _____ Date: _____ Checked by: _____ Date: _____

Sent to claimant by: _____ Date: _____

Comments: This claim was withdrawn and
fee applied to an irrigation claim
for 2 acres - kw 3/5/92

06/27/2006

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

RIGHT NUMBER: 63-26395

NAME AND ADDRESS: STEPHEN W MARSHALL
1824 FILLMORE
CALDWELL ID 83605

RUTH M MARSHALL
1824 FILLMORE
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.010 CFS
1.800 AFY

PRIORITY DATE: 03/01/1941

POINT OF DIVERSION:

T04N R03W S27 NWSE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
0.010 CFS
1.80 AFY

PLACE OF USE: IRRIGATION Within CANYON County
T04N R03W S27 NWSE 0.40

0.4 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: BASIS OF CLAIM - Beneficial Use

Property is also known as SE 25' of Lot 17, all of Lot 18, Steunenbergs Acreage.

Use of this right is combined with water from Caldwell Irrigation District.

Idaho Department of Water Resources

**T04N, R03W,
SEC 27**

Claim No: 63-26395

Prepared By: Kimberly Brown

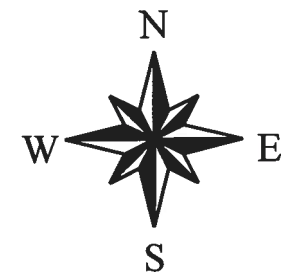
Date: June 23, 2006



-  Place of Use
-  Section Lines
-  1/4 1/4

 Point of Diversion

Irrigated Acres = 0.4



1.000512 Miles



1987 NAPP

09/29/2006

NOTICE OF ERROR
REPLY

RECEIVED

NOV 02 2006

WATER RESOURCES
WESTERN REGION

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: October 31, 2006

Water right number: 63-26395

STEPHEN W MARSHALL
1824 FILLMORE
CALDWELL ID 83605
Telephone Number: (208)459-8073

RUTH M MARSHALL
1824 FILLMORE
CALDWELL ID 83605
Telephone Number: (208)459-8073

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:

10/26/2006

SIGNATURE:

Stephen Marshall
Stephen Marshall

Please print your name:

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-26395

WATER RIGHT NUMBER: 63-26395

Owner Type
Current OwnerName and Address
STEPHEN W MARSHALL
1824 FILLMORE
CALDWELL, ID 83605
(208)459-8073

Current Owner

RUTH M MARSHALL
1824 FILLMORE
CALDWELL, ID 83605
(208)459-8073Current Owner:Stephen W. Marshall
1824 Fillmore St.
Caldwell 83605Priority Date: ~~06/24/1942~~ 03/01/41

Basis: Beneficial Use

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use
IRRIGATIONFrom To
4/15 to 10/15

Diversion Rate

0.01 - 0.040 CFS

Total Diversion:

0.040 CFS

0.01

Annual Volume

1.8 AFA

1.8 AFA

Location of Point(s) of Diversion

GROUND WATER

NW1/4SE1/4

Sec. 27, Twp 04N, Rge 03W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				✓ SE	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
✓ 04N	03W	27													~~2.0~~	~~2.0~~
															0.4	0.4

Total Acres: 2

0.4 AC

Conditions of Approval:

Comments: 1.

SEE RECEIPT NOS. W014244 AND W014314 ALSO. TOTAL FEE PAID FOR THIS CLAIM PAID = \$52.00.

Remarks:

Comments:

ADD JO1 - Place of use is also known as SE 25' of
H. 17 & Lot. 18, Steunenberg's Acreage Subd.ADD - Use of this right is combined with water
from Caldwell Irr. Dist.

Parcel No: K064222222. (0.59-0.6 AC)

Field Exam Date 6.23.06

(in-office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$52.00 (W 009975 - \$25.00) (W 014244 - \$25.00) (W 014314 - \$25.00)
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None in 827
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☒ Evidence of Priority - if none, talk with claimant

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) A63-26395

Owner: Ruth & Stephen Marshall Phone No. 459-8073

Current Address: 1824 Fillmore, Cadwell 83605

- ☒ No change NAME IS THE SAME (property address)
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property?

Accompanied by: N/A

PRIORITY DATE

- ☒ No change - Complete evidence submitted or not necessary
- ☐ Incomplete - Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates? * Telephone conversation on 6/23/06 substantiated

Priority date, per claimant, is: 06/21/1942

(If priority date, based on your exam, seems questionable, explain below.) claimed priority date.

Source: Ground Water Tributary to Plus, Steve Marshall's email statement

- ☒ No Change - SAME SOURCE
- ☐ Source found is different than claimed: submitted on 06/26/06 (see file).

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: The recommended priority date will be 03/01/1941
- ☐ If different, when did POD change?

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

125' well, 6" casing, 2 HP pump

OVERLAP REVIEW

Other water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

☐ No change

☐ Different Uses

Season of use is 3/01 to 11/15.

Use Irrigation From 3/1 To 11/15 Amount 0. CFS 1.8 AFA 0.008

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

0.4 AC
x 0.02 cfs/ac
0.008

(0.018)

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount _____ CFS 1.8 AFA

☒ Changes found, the new total is, Amount 0.01 CFS _____ AFA

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☐ No Change

☒ Changes shown below:

A.K.A. SE 25' of lot 17, all of lot 18, Steunenberg's Acreage

The Marshalls claimed 2 acres of irrigation, but according to 2005 Canyon Co. tax lot data, they only own 0.59 acres (the description: "SE Steunenberg acreage SE 25' of lot 17, all of lot 18" written on # 10 on the original

Parcel No: R0640800000 (0.59 - 0.62 AC) over

Notice of Claim matches the 2005 Canyon County Real Property Inquiry I found that shows this parcel is only 6.59 acres (see file). After removing the home, outbuildings, driveways, unirrigated land, etc. only 0.4 acre of irrigated land remains.

[illegible]

Overlap with other water rights: _____ (+) Caldwell Irrigation Dist.
(see email)

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain: _____

Delivery System Narrative: Pipeline

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS: See Intrepid Field Investigation Report,
Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

5/28/03

The 1 Field Investigation Report Remarks state:

surface pump has no impellers and has not been used for 1 (one) year. City irrigation water has been used since last year but well is hooked to sprinkler system so claimant intends to get well fixed sometime. In my 6/23/06 telephone conversation with Mrs. Keith Marshall, she said that they have not fixed the pump yet, but still have intentions to fix it (see Conversation Memorandum).

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU — Intrepid — 5/28/03
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 06/27/06 (in-office review)

FIELD EXAMINER: Kimberly Brown

REAL PROPERTY INQUIRY

+++++

01 6R 6408-000- -0 001-00 SCH132+ 20 29,500 .59

+++++ 41 143,000

MARSHALL, STEPHEN W
& MARSHALL, RUTH H/W

+

+

+

+

+

1824 FILLMORE ST

CALDWELL ID 83605

+

+++++

27-4N-3W SE STEUNENBERGS ACREAGE 8135 + TOTAL 172,500

SE 25' OF LT 17, ALL OF LT 18

+++++ .59

total acre(s)

Caldwell Steunenberg Res Hist Dist

+ SURVEY INST 8707427

+ DRAIN DR VALUE APPR KYL

+ CLASS 3 REAP 05 MAN 04 UNIT 1

1824 FILLMORE ST, CA

+ PARCEL 6RC8135000017A H/O N C/B N

+ PRIOR ACCOUNT 5R 6408-000- -0

+ 02 MH on Property NO

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R 6408000 0 UNIT 001 TOTAL UNITS 1

SITE 1824 FILLMORE ST CA SEC/TWN/RNG 27-4N-3W

ASSESSED VALUE 172,500 ACREAGE .59

SUB/PARK NAME STEUNENBERGS ACREAGE YEAR/MAKE

CLASS 3 OWNER / OCCUPIED HOUSE CLASS ' 3' SPACE LOT BLOCK

+++++

YR BUILT 1939 AIR COND CENTRAL AIR CARPORT N

STORY 2 STORY HEATING GAS FA CARPORT SQ FT

FIRST SQ FT 1696 EXTERIOR HARDBOARD DECK/PATIO? Y

SECOND SQ FT 1216 ROOF COMP POOL? N

BEDS 5 BSMT SQ FT 1632 SPA? N

BATHS 4.50 % BSMT FIN 75 LOT SIZE 100 x 256

FRPLC 1 GARAGE A2 NEIGHBORHOOD 0

GARAGE SQ FT 440

+++++

COMMENTS GREENHOUSE 8X16

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

land description matches # 4 and #10 land description of the
 Marshall's Notice of Claim filed on 3/01/90 (SE 25' of lot 17,
 all of lot 18, Steunenberg's Acreage).

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-26224

WATER RIGHT NUMBER: 63-26224

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RUTH M MARSHALL 1824 FILLMORE CALDWELL, ID 83605 (208)459-8073
Current Owner	STEPHEN W MARSHALL 1824 FILLMORE CALDWELL, ID 83605 (208)459-8073

— no overlap
(3n 3w)

Priority Date: 04/15/1953

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	1.200 CFS	
	<u>Total Diversion:</u>	1.200 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 3, Twp 03N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	03W	3																	38.3
																			38.3

Total Acres: 38.3

Conditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-26395

03/24/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2114	Claim	04N	03W	27	NW	SE		IRRIGATION	40/1000	PIONEER IRRIGATION DISTRICT
~~26395~~	~~Claim~~	~~04N~~	~~03W~~	~~27~~	~~NW~~	~~SE~~		~~IRRIGATION~~	~~2/2~~	~~STEPHEN W MARSHALL~~
2114	Water Right	04N	03W	27	NW	SE		IRRIGATION	40/1000	PIONEER IRRIGATION DISTRICT
2275	Water Right	04N	03W	27	NW	SE		IRRIGATION		PIONEER IRRIGATION DISTRICT
4955	Water Right	04N	03W	27	NW	SE		IRRIGATION	1/1	COLLEGE PARK ASSN
11130	Water Right	04N	03W	27	NW	SE		IRRIGATION	12/40	ALBERTSON COLLEGE OF IDAHO

- claim supplemental to Caldwell
Irrigation District water

Receipt Details for ID W009975

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/1/1990 10:15:07 AM	3/1/1990	Western	\$25.00	Check
Payer		MARSHALL, STEPHEN		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1630			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	26395		\$25.00	Claim

[Print Report](#)

Receipt Details for ID W014244

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/4/1992 2:01:26 PM	3/4/1992	Western	\$25.00	Check
Payer		MARSHALL, STEPHEN		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2952			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
--------------	-----------------	--------------	--------	------

Print Report

Receipt Details for ID W014314

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/16/1992 1:00:33 PM	3/16/1992	Western	\$2.00	Check
Payer	MARSHALL, STEPHEN			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
3290			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$2.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
--------------	-----------------	--------------	--------	------

Print Report

MARSHALL, STEVE [Seminis/2412]

From: MARSHALL, STEVE [Seminis/2412]
Sent: Monday, June 26, 2006 12:21 PM
To: 'kimberly.brown@idwr.idaho.gov'
Subject: FW: Water Rights # 63-26395 claim of original date of use - 6/21-1941

RECEIVED

JUN 27 2006

WATER RESOURCES
WESTERN REGION

From: MARSHALL, STEVE [Seminis/2412]
Sent: Monday, June 26, 2006 12:12 PM
To: 'Kimberly.brown@idwr.id.gov'
Cc: 'rmswmarshall@msn.com'
Subject: Water Rights # 63-26395 claim of original date of use - 6/21-1941

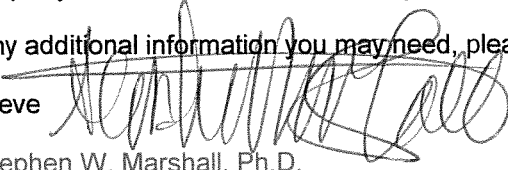
Dear Ms. Brown,

Per your telephone conversation with my wife, Ruth, 6/23/06 and me today I submit the following:

The well (6" casing) and pump (2 hp electric motor) on our property at 1824 Fillmore, Caldwell, ID 83605 located in the greenhouse attached to our home was drilled and put into service when the house was built in 1941 for use to irrigate the property and continues that use today and is our intended use in the future.

Any additional information you may need, please do not hesitate to contact me.

Steve


Stephen W. Marshall, Ph.D.
Senior Breeder, Director
Nampa Research Station
SEMINIS
1811 East Florida Ave.
Nampa, ID 83686 USA
Direct: 1 (208) 468-4525
Office: 1 (208) 466-3354
Mobile: 1(208) 880-0709
Fax: 1 (208) 467-1371
steve.marshall@seminis.com

*Evidence of
priority -
with
signature*

Notice of confidential information

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Also, CC via USPS to:

Kimberly Brown
IDWR
2735 Airport Way
Boise, ID
83705

Brown, Kimberly

From: MARSHALL, STEVE [Seminis/2412] [Steve.Marshall@seminis.com]
Sent: Monday, June 26, 2006 4:17 PM
To: Brown, Kimberly
Subject: RE: Water Right # 63-26395

Kimberly,

Yes, and I want to keep it since the Caldwell Lateral Irrigation District forced a LID to install a pressurized system which is very expensive for us but no way could be get out of it so I use the irrigation district to deep water our very large trees and as a **back up** to the sprinkler system with very dirty waste water which plugs up the filters!

Any other questions yell - don't hesitate to call or email.

Steve

From: Brown, Kimberly [mailto:Kimberly.Brown@idwr.idaho.gov]
Sent: Monday, June 26, 2006 4:13 PM
To: MARSHALL, STEVE [Seminis/2412]
Subject: RE: Water Right # 63-26395

Mr. Marshall,
After receiving your evidence of priority email, I began reviewing your claim and have one remaining question. In addition to your well, do you also use irrigation district water on your lawn? For instance, do you own shares in Pioneer or Caldwell Irrigation District Companies?

Sincerely,

Kimberly Brown
Senior Water Resource Agent
Western Region

-----Original Message-----

From: MARSHALL, STEVE [Seminis/2412] [mailto:Steve.Marshall@seminis.com]
Sent: Monday, June 26, 2006 12:21 PM
To: Brown, Kimberly
Subject: FW: Water Rights # 63-26395 claim of original date of use - 6/21-1941

From: MARSHALL, STEVE [Seminis/2412]
Sent: Monday, June 26, 2006 12:12 PM
To: 'Kimberly.brown@idwr.id.gov'
Cc: 'rmswmarshall@msn.com'
Subject: Water Rights # 63-26395 claim of original date of use - 6/21-1941

Dear Ms. Brown,

Per your telephone conversation with my wife, Ruth, 6/23/06 and me today I submit the following:

6/27/2006

The well (6" casing) and pump (2 hp electric motor) on our property at 1824 Fillmore, Caldwell, ID 83605 located in the greenhouse attached to our home was drilled and put into service when the house was built in 1941 for use to irrigate the property and continues that use today and is our intended use in the future.

Any additional information you may need, please do not hesitate to contact me.

Steve

Stephen W. Marshall, Ph.D.

Senior Breeder, Director
Nampa Research Station

SEMINIS

1811 East Florida Ave.

Nampa, ID 83686 USA

Direct: 1 (208) 468-4525

Office: 1 (208) 466-3354

Mobile: 1(208) 880-0709

Fax: 1 (208) 467-1371

steve.marshall@seminis.com

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Also, CC via USPS to:

Kimberly Brown
IDWR
2735 Airport Way
Boise, ID
83705

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6/27/2006

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-26395
Evidence of Priority**

June 23, 2006

I sent a request for evidence of priority to: 1824 Fillmore, Caldwell on March 29, 2006 with a due date of April 19, 2006. As of this date, I have not received any evidence. Since the 2005 Canyon County tax lot data shows that the Marshalls are still the current owners of this parcel of property, I called #459-8073. Ruth Marshall answered the telephone and when I asked if they received the letter I sent in March, she said that she remembered receiving the letter. I then asked her how she and her husband came up with the claimed 1942 priority date. Mrs. Marshall replied, "That's when the house was built and the well is built in the foundation of the house." I asked Mrs. Marshall if she would take a moment to write a similar statement on a piece of paper, sign it, put the water right number on the top, and send it to me within the week. Mrs. Marshall agreed and said that she would put her statement on paper and send it to me. I also took a moment to question Mrs. Marshall about contractor Karan Waters' remarks on the Field Investigation Report regarding not using the well in 2003 (see file). Mrs. Marshall said that they have not fixed the pump yet, but that they still have "intentions to fix it."

June 26, 2006

When I arrived at my desk on Monday morning, I found a note on my desk stating that, "Stephen (Marshall) called, slightly irritated, and wants you to call back. Apparently there is a deadline involved." When I returned to my desk after lunch at 11:30 a.m., there was another message from Steve Marshall. I called his work number at 11:42 a.m. Stephen Marshall began the conversation by stating that he doesn't believe that they got the evidence of priority letter in the mail. Nevertheless, he informed me that the well is an irrigation well that is located in their greenhouse and was put in when the house was built in 1941. When I mentioned that the claimed priority date was actually **1942**, Mr. Marshall said that the house was built in 1941; so the priority date should be **1941**.

Instead of the statement that Mrs. Marshall was going to send me in the mail, Mr. Marshall asked if he could send me an email instead. I replied that his statement in an email would be sufficient as evidence and gave him my email address.

Kimberly Brown
Senior Water Resource Agent
Western Region

Kimberly

June 23, 2006
(after 4:00 pm)

Stephan called, slightly irritated
and wants you to call back.

Apparently there is a deadline
involved.

Thanks Manuel

Stephan Marshall
Caldwell

63-26395

Well - ~~the~~

468-4525 work
880-0709 cell

Kimberly

FOR Kimberly **Urgent** ☐
DATE 6-26-06 TIME 11:19 **A.M.** ☒ **P.M.** ☐

While You Were Out

M Steve Marshall

OF _____

PHONE 468-4525
AREA CODE NUMBER EXTENSION

TELEPHONED		PLEASE CALL	☒
CAME TO SEE YOU		WILL CALL AGAIN	☐
RETURNED YOUR CALL	☒	WANTS TO SEE YOU	☐

MESSAGE _____

SIGNED lg

adams
9711



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

March 29, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

STEPHEN & RUTH MARSHALL
1824 FILLMORE
CALDWELL ID 83605

+ shapefile

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-26395

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled. **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by April 19, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. In the near future, you may be receiving a call from us in order to set-up an appointment for a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-26395

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

Field Investigation Report

Completed by **Karan Waters**

Claim Number 63-26395

Contact:

Source of Information

Contact Date:

RUTH M

MARSHALL

1824 FILLMORE

CALDWELL

ID

83605

(208)459-8073

Contact Comments

Also owns claim 63-26224

☒ **Verified**

☐ **New owner**

Appointment Date: 5/28/03

Appointment Time: 10:30 AM

POD id

248959

Legal Description

04N 03W 27 NW SE

Desc of Diversion W

125' well, 6" casing, 2hp pump and pipeline.

Site Tag #

A0002024

GPS File Name

231

Motor Make

A.O. Smith model k48m2p10

Pump Make

Sta-Rite DHG 52-8

Horsepower

2

Pressure gage

20 psi

pump bowl or static

static

Depth level

8 Ft.

dyn. pump level

18 Ft.

POD Remarks:

surface pump has no impellers and has not been used for 1 year. City irrigation water has been used since last year but well is hooked to sprinkler system so claimant intends to get well fixed sometime.

*default psi used for theoretical

Pressure gage at sprinkler

0 psi

Bucket Measurment (gps)

0

Calc Method:

Theoretical

Flow (cfs)

0.16

Photos

dsc00364 POU facing west
dsc00365 pump nameplate
dsc00366 pump system
dsc00367 motor name plate



DSC 00364



DS00365



DSC 00 366



DSC 00367



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RECEIVED
MAR 16 1992

March 5, 1992

RE: Notice of Claim to a Water Right

Department of Water Resources
Western Regional Office

Stephen W. &/or Ruth M. Marshall
1824 Fillmore
Caldwell, ID 83605

Dear Mr. and Mrs. Marshall:

We are in receipt of the Notice of Claim to a Water Right which covers the two acres of irrigation from your well. Enclosed you will find Departmental Receipt No. W014244 in the amount of \$25.00 which will be used in combination with the fee submitted under Receipt No. W009975 for the filing fee of the new claim form.

The filing fee for the claim form is \$50.00, which has been submitted and receipted as shown above; however, there is an additional dollar per acre fee which we must receive prior to processing this claim. Please submit the additional \$2.00 to our office at your earliest convenience. I apologize for not making this clear on the phone when we talked about this irrigation claim.

I looked over the new claim form and find that there is one question I have. You did not complete Item No. 12 on the claim form which describes the ownership of the two acres you have claimed. I will assume that you are the owner of this land unless you indicate otherwise.

Please submit the additional \$2.00 to my attention within the next 30 days. As soon as I receive it, I will data enter this claim and send you a copy. Feel free to contact me if you have any questions in regard to this matter.

Sincerely,

Kay Walker
KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosure

Thank you
Steve Marshall
3-13-92
yes, I am the owner.

MICROFILMED

CEP 14 1992

(Name of Claimant)
Claim #____/Receipt #____
____, 1989

RECEIVED
Form 25a
MAR 04 1992

REQUEST FOR WITHDRAWAL OF CLAIM

Department of Water Resources
Western Regional Office

Name of Claimant: Stephen W. &/or Ruth M. Marshall
(Please Print)
Mailing Address: 1824 Fillmore, Caldwell, ID 83605
Amount: \$ 25.00 Receipt No.: W009975
County of Water Right: Canyon
Claim No(s): unnumbered domestic claim

I wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I previously paid a filing fee to the Idaho Department of Water Resources. I do ____/do not ☒ request a refund of the filing fee. If a refund is requested I have attached an explanation of the justification for granting a refund.

I wish to have the \$25.00 shown above transferred to the attached Form 42-1409(2)a.

Stephen W. Marshall
(Signature of Claimant)

3-3-92
(Date)

Ruth M. Marshall
(Signature of Claimant)

3/3/92
(Date)

(Signature of Claimant)

(Date)

Return to:

Idaho Department of Water Resources
Adjudication Section
~~Statehouse Mail~~ 2735 Airport Way
Boise, Idaho ~~83720~~ 83705

For IDWR Use

	Initials	Date
Approval Region	_____	_____
Approval State Office	_____	_____
Data Entry	_____	_____
Claim File	_____	_____
<<25b>>		

MICROFILMED
SEP 14 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Feb. 12, 1992

RE: Notice of Claim to a Water Right

Stephen W. &/or Ruth M. Marshall
1824 Fillmore
Caldwell, ID 83605

Dear Mr. and Mrs. Marshall:

This office has received your Notice of Claim to a Water Right for the use of water within the Snake River Basin Water System. However, due to the items described below, we cannot process this claim. We are returning the claim to you to **complete only the items identified herein**. Receipt No. W009975 in the amount of \$25.00 for the filing fee previously submitted is also enclosed.

Item No. 4 - **Point of Diversion** - The point of diversion listed on this claim is not in the correct form for legal descriptions. Diversion points must be listed by quarter-quarter (40 acre tract), section, township, and range. This legal can be found either on your deed, sales contract or tax notice. If not, then the county assessor may be helpful. Lot and Block for a subdivision are not acceptable, however, please include this information in the remarks section of your claim.

Item No. 9 - **Non-Irrigation Uses** - You have indicated that this well is used for one home, 6 sheep, and irrigation of lawn and pasture. If the lawn and pasture cover more than 1/2 acre you need to file Adjudication Claim Form No. 42-1409(2)a. instead of this form. This form is to be used for domestic and stockwater purposes only. Domestic use can include up to 1/2 acre of lawn irrigation.

Item No. 10 - **Place of Use** - The place of use listed on this claim is not in the correct form for legal descriptions. Places of use must be listed by quarter-quarter (40 acre tract), section, township, and range.

We have enclosed a map to help you in identifying your property. Please mark the location of the well and the location of the place of use on this map. Then return the map with your claim and the additional information requested, if any. We can then determine the quarter-quarter legal description based on the locations marked on this map.

Please complete the above item(s) on your claim form, initial and date any changes or additions, and return the claim, to our office within 30 days from the date of this letter. If the claim is not received within this 30-day period, the claim will be rejected and your fee will be

*sent him a
"long" claim
form & request
for withdrawal
2-14-92
KW*

MICROFILMED

SEP 14 1992

refunded. Please contact me within the 30 day time period, either in writing or by phone, to let me know if there is a problem returning the claim, in order to keep this claim valid. If the claim is rejected and fee refunded, due to no response within the 30-days, the claim can be resubmitted up until claims in this area are prepared for court decree. However, at that time the corrected claim along with the regular filing fee that was refunded, and an additional late fee will be required. Please return your claim, and any information needed, to the Western Region Office, 2735 Airport Way, Boise, ID 83705, to my attention.

Feel free to contact this office if you have any questions concerning the items identified in this letter.

Sincerely,



KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures: Notice of Claim
Receipt
Map of Area

MICROFILMED

SEP 14 1992