



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

September 13, 2006

RECEIVED

SEP 18 2006

IDWR/North

MICHAEL W MERKLEY
PO BOX 394
LUCILE ID 83542

Re: Snake River Basin Adjudication (SRBA)
Ownership Change on Notice of Claim to a Water Right #79-4070

Dear Mr. Merkley:

We've received the Notice of Error Reply and your request to delete Carolyn Merkley from your water right. Before we can change our records, we require you to complete and submit a Notice of Change in Water Right Ownership form. I have enclosed that form for your possible use.

Please include a copy of the portion of the divorce decree that conveys the property to you. Since you and Carolyn are co-owners, we do not require a map, and there is no fee.

Please call me toll-free at 1/800-451-4129 if you have any questions or concerns.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Form 42-248/42-1409(6)

08/18/2006

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SEP 06 2006

DEPARTMENT OF
WATER RESOURCES

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: 79-4070

MICHAEL MERKLEY
PO BOX 394
LUCILE ID 83542

~~MICHAEL MERKLEY~~
PO BOX 394
LUCILE ID 83542

*Delete Carolyn Merkle's name, due
to divorce settlement 12 yrs ago*

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:

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

DATE: 8-31-06 SIGNATURE: Michael W. Merkle
Please print your name: Michael W. Merkle

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

SCANNED

SEP - 7 2006

01/06/2005

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

RIGHT NUMBER: 79-4070

NAME AND ADDRESS: MICHAEL MERKLEY
PO BOX 394
LUCILE ID 83542

CAROLYN MERKLEY
PO BOX 394
LUCILE ID 83542

SOURCE: COW CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.140 CFS

PRIORITY DATE: 01/01/1901

POINT OF DIVERSION:

T25N R01E S3 SWNW Lot 4 Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
02/15 11/30

QUANTITY
0.140 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T25N R01E S03 Lot 3 SENW 4.5

4.5 ACRES TOTAL

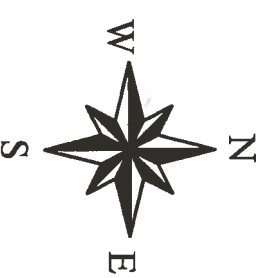
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

EXPLANATORY MATERIAL: Beneficial Use

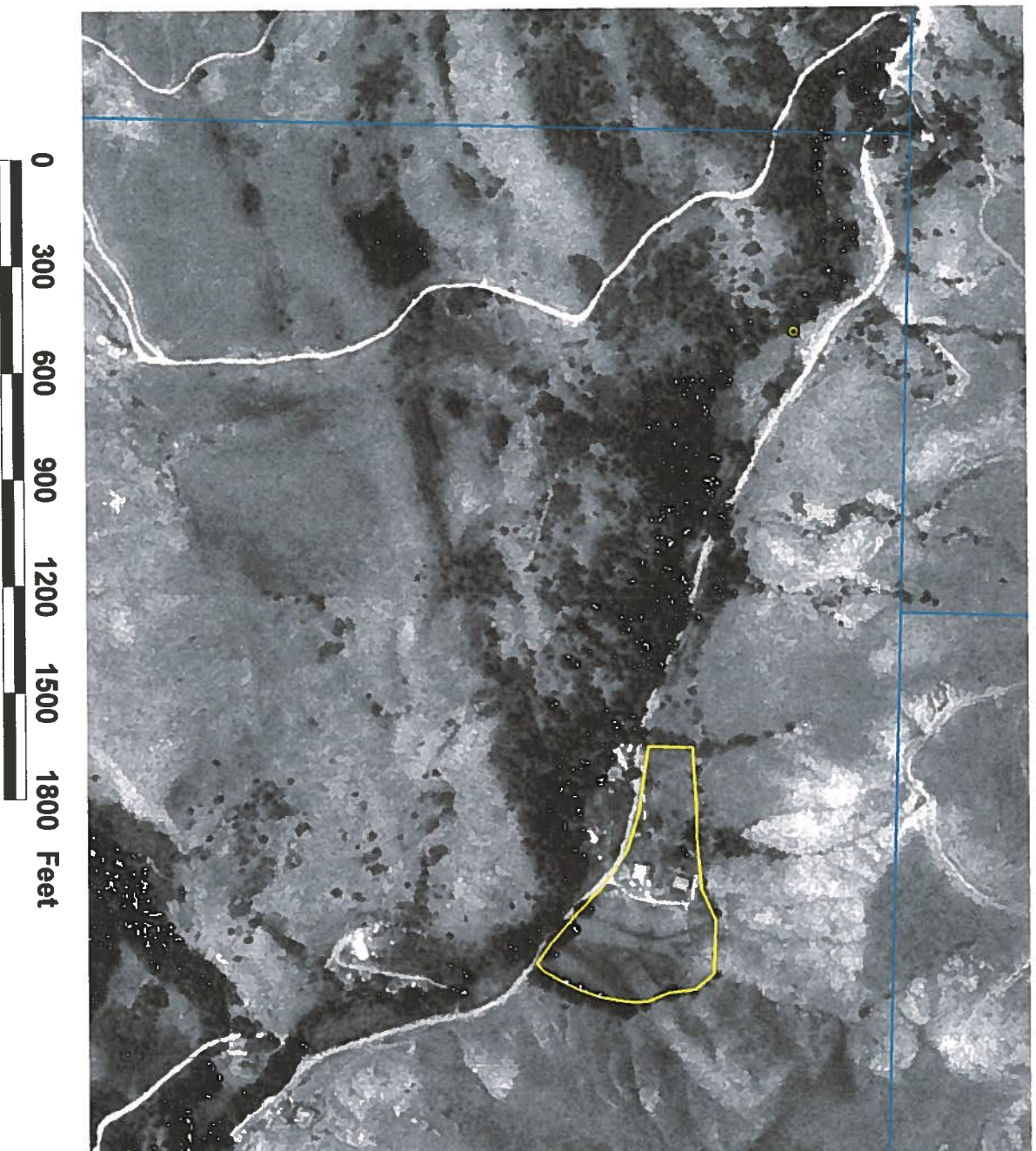
79-4070

**T25N R01E
Section(s) 3**

● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: January 6, 2005
Photography: 1992 DOQQ
Idaho 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A79-04070
Date Received: 8/01/1988
Receipt No: W000570
Received By: RW 7-5-88

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL MERKLEY
Address: P.O. BOX 394
LUCILE, ID 83542

Name: CAROLYN MERKLEY
Address: P.O. BOX 394
LUCILE, ID 83542

2. Date of Priority: JAN 01, 1901

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	01E	3	NW	NW			IDAHO

5. Description of diverting works:
DIVERSION DAM WITH DITCH TO FIELD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	10/31	0.150		

7. Total Quantity Appropriated is:
0.150 C.F.S. (and/or) 15.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
25N	01E	3	NE NW		IRR	5.0
Section Acres						5.0
Total Acres						5.0

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: STATUTORY CLAIM

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 _____

MICROFILMED
OCT 06 1992

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

A79-04070

Date Received

Receipt Number

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JUL 7 1988

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUL - 5 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) MICHAEL OR CAROLYN MERKLEY Phone ()Mailing Address BOX 394 LUCILE, ID Zip 835422. Date of Priority (Only one (1) per claim) 1901-Jan, 13. Source of water supply (a) COW CREEK
which is tributary to (b) SALMON RIVER4. a. Location of existing point of diversion is: Township 25N Range 1E Section 3,
1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of IDAHO

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. HEADGATE AND DITCH TOPLACE OF USE

RECEIVED
JUL 25 1988

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Western Regional Office

Copies: State, Federal, Claimant
JUL 26 1988

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

For purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .15 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 15 acre feet per annum.

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

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.

[illegible]

Total number of acres irrigated 5

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:

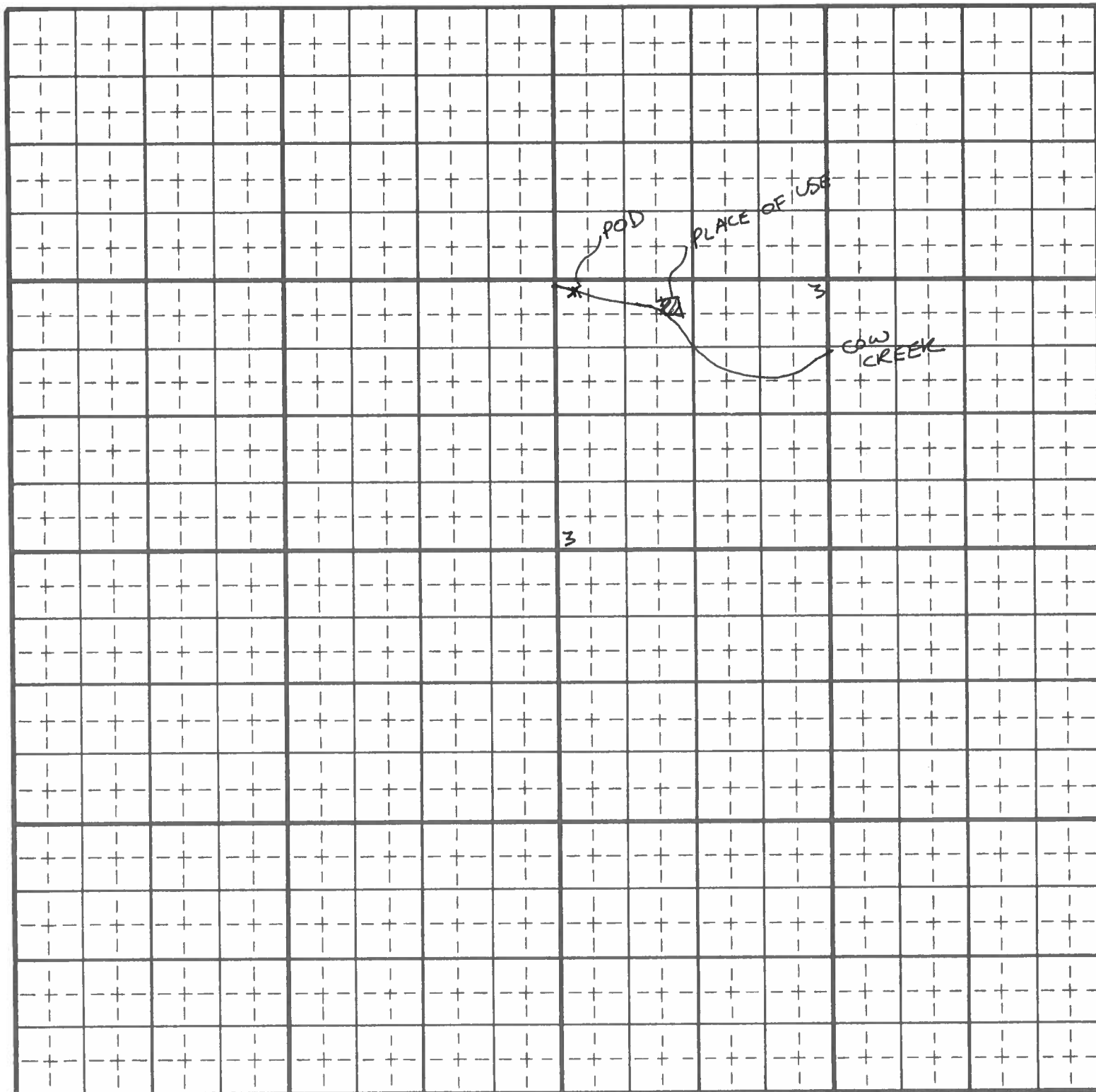
Last Name MERKLEY Ident No. A79-04070

Copies: White - State Yellow - Chairman

OCT 06 1992

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 MERKLEY

Ident No. A79-04070

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15. Basis of Claim (check one) Beneficial Use ☒ 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.

X Signature of Claimant (s) Michael M. Murphy Date 6-28-88

Date _____

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 Idaho) SS.

Subscribed and sworn (or affirmed) before me this 29 day of June 19 88

SEAL

Notary Public William E. Carpenter for the state of ID

Residing at Grangerille ID.

My Commission Expires 5/90

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 MERKLEY Ident. Number A79-04070

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Copies: White-State, Yellow-Claimant

OCT 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

July 15, 1988

R. KEITH HIGGINSON
Director

RE: A79-04069 & A79-04070

M.W. Merkley
P.O. Box 394
Lucille, ID 83542

SUBJECT: Adjudication Claims

Dear Mr. Merkley:

This will acknowledge the receipt of the above referenced Adjudication Claims and your checks, No.'s 2664 and 2665 in the amounts of \$25 and \$55 respectively.

Claim No. A79-04069 was completed correctly and has been filed in the Western Regional Office. Therefore, I am returning the yellow copy and your receipt for \$25 for filing said claim.

However, we were not able to file Claim No. A79-04070 due to a discrepancy in the Place of Use as stated under item #10(NW 1/4 NW 1/4, Sec. 3) and that on the map grid(NE 1/4 NW 1/4 Sec. 3).

I am returning the aforementioned claim(A79-04070) and check no. 2665 for \$55 so that the proper correction can be made. Please return said claim and filing fee ASAP(note the filing deadline for Idaho county is July 27, 1988) to the Western Regional Office, Attn.: Robert B. Whitney, and retain the yellow copy for your records.

If you have any questions regarding this request, please contact me at this office.

Sincerely,

Robert B. Whitney
Water Rights, Senior Agent

RW:sl
Enclosures

7-21-88

*I corrected the mistake
Thanks For your Help*

m.w. merkley

RECEIVED
JUL 25 1988

Department of Water Resources
Western Regional Office

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