

received
9-8-93

RECEIVED

13 1993

Department of Water Resources
Adjudication Bureau

1993 SEP -9 AM 8:22

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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)

Case No. 39576

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

ORDER GRANTING THE MOTION
OF JOSEPH L. PARKINSON TO
AMEND NOTICE OF CLAIM NO.
57-07521

Petitioner,)

57-07521 -0001/
93-09-0057

vs.)

United States; State of Idaho;)
and all unknown claimants to)
the use of water from the)
Snake River Drainage Basin)
Water System,)

Respondents.)

Joseph L. Parkinson, Boise, Idaho

David J. Barber, Deputy Attorney General, on behalf of the
Idaho Department of Water Resources.

The Motion to Amend Notice of Claim No. 57-07521 by Joseph
L. Parkinson came on for hearing and determination on August 24,
1993 at 1:30 p.m. Based on the hearing and record in this
matter, the court makes the following findings of fact and
conclusions of law:

ORDER GRANTING MOTION OF JOSEPH L. PARKINSON TO AMEND NOTICE OF
CLAIM NO. 57-07521 -- PAGE 1

RECEIVED
JUN 11 1993

FINDINGS OF FACT

1. Mr. Joseph L. Parkinson filed his motion to amend Notice of Claim No. 57-07521. The motion asked that existing stock tanks be added to this water right and that the following described land be added to the place of use: T4S, R1W: S28, SWNW, SENW, and S29 SENW. Mr. Parkinson represented that he would pay any necessary fee.

2. Mr. Parkinson served the following persons with copies of his motion:

a. Chief, Natural Resources Division, Office of the Attorney General, State of Idaho;

b. The United States Department of Justice; and

c. The United States Department of the Interior, Bureau of Land Management.

The Motion to Amend Notice of Claim also appeared on the Docket Sheet for the month of July 1993.

3. The Idaho Department of Water Resources (IDWR) filed a Response of the Idaho Department of Water Resources to Motion to Amend Notice of Claim No. 57-07521. The IDWR did not oppose the proposed amendment. The IDWR did request the District Court to grant it leave to charge the claimant its expenses of investigation regarding this additional stock tank.

6. Mr. Parkinson appeared at the hearing by telephone conference call.

7. Mr. Barber argued on behalf of the Idaho Department of Water Resources.

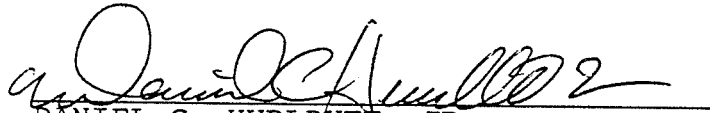
CONCLUSIONS OF LAW

1. Adequate notice of this proceeding was provided.
2. Mr. Parkinson's Motion to Amend Notice of Claim No. 57-07521 should be granted.

IT IS ORDERED that Mr. Parkinson's Motion to Amend Notice of Claim No. 57-7521 is granted. Attachment I contains the revised Notice of Claim.

IT IS HEREBY FURTHER ORDERED that Mr. Parkinson shall pay for the reasonable expenses of the IDWR's investigation and that the IDWR shall report those reasonable expenses to the District Court and to Mr. Parkinson.

DATED this 9 day of September, 1993.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

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: A57-07521
Date Received: 5/10/1991
Receipt No: W013300
Received By: _____

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

1. Name: JOSEPH L PARKINSON 208-383-4029
Address: 123 W HIGHLAND VIEW DR
BOISE ID 83702

2. Date of Priority: APR 13, 1990

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	01W	28	NW	NW	SW		OWYHEE

5. Description of diverting works:
WELL, 6" CASING, SUB. TURBINE PUMP, PRESSURE TANK AND PLUMBING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		7.00
DOMESTIC	01/01	12/31	0.020		0.60

7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) 7.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 700 HD CATTLE, 30 HD HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	01W	28	SW	NW		STOCK	
			SE	NW		STOCK	
			NW	SW		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	01W	28	NM	SW	DOMEST	
		29	SE	NW	STOCK	

11. Place of use in counties: OWYHEE

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: LICENSE

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 _____