

RECEIVED
FEB 20 2013
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
FEB 19 2013
By _____ Clerk 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 SRBA	)	Water Right Claim: 36-07382
	)	
Case No. 39576	)	ORDER GRANTING MOTION TO FILE
	)	LATE NOTICE OF CLAIM
	)	
	)	

On November 6, 2012, Cameron and Ida Guillory filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on February 19, 2013. 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: February 19, 2013.



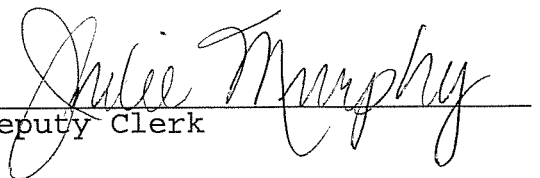
ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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 February 19, 2013, with sufficient first-class postage to the following:

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

CAMERON GUILLORY
IDA GUILLORY
1431 AUTUMN WAY
JEROME, ID 83338
Phone: 208-329-4598

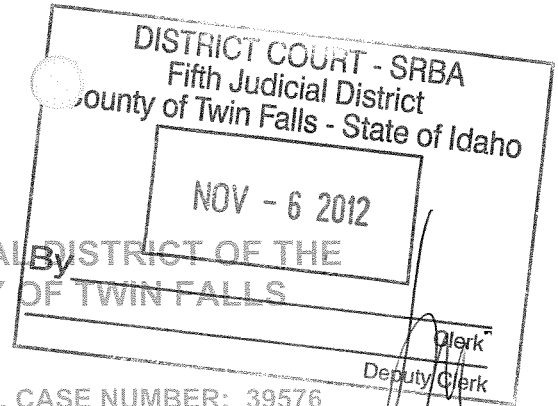
A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".

RECEIVED

FEB 20 2013

DEPT. 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

dent Number 36-7382

Date Received:

Receipt No:

Received By:

C096574

NOTICE OF CLAIM
TO A WATER RIGHT
ACQU RED UNDER STATE LAW

Please type or print clearly

- Name of Claimant(s) Cameron Guillory + Ida Guillory Phone (208) 329-4598
Mailing Address 1431 Autumn way Jerome 20 ID Z P 83338
Street or Box City State
- Date of Priority (Only one (1) per claim) September 30, 1973
Month Day Year (YYYY)

- Source of water supply (Check one) Ground Water ☒ or Other () (a)
which is tributary to (b)

- a Location of Point of Diversion is: Township 09S, Range 17E, Section 9,
SW, 1/4 of SW, 1/4 Govt Lot, BM, County of Jerome

Parcel (P N) no 2P09S17E096444A4R4

Additional points of diversion if any:

if available, GPS Coordinates

- b if instream flow, beginning point of claimed instream flow is:

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

Govt Lot, BM, County of

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

Govt Lot, BM, County of

- Description of existing diversion works (Dams, Reservoirs, Ditches, Weirs, Pumps, Pipe lines, 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 weir. one well with one pump

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Domestic purposes from 01/01 to 12/31 amount 0.04 ^{-cfs} or 1.60

For Irrigation purposes from 3/15 to 11/15 amount 0.10 or 20.00

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.10 (cfs) and/or (b) 20.60 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Domestic (4), Horses (2), Cows (4), + Chickens (12)

9. 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.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	9											5.0						5.0
09S	17E	9											D						

Parcel (P N) no(s)

Total number of acres irrigated 5.0

10 In which county (ies) are lands listed above as place of use located? Jerome

11 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

12 Describe any other water rights used at the same place and for the same purposes as described above

or None (✓)

13 Remarks:

When we purchased this property the owner gave us the water Right license. We did not realize that the previous owner had not claimed the water rights by may of 2002. When we asked the title company at closing, the title company said we did not have water rights from the North Side Canal Company but we had water rights based off of the license we were given. We are trying to sell the property and in the process discovered we needed to claim the water rights. We are claiming the rights for domestic and five acres of irrigation.

Last Name

Identification No

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License (✓) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 36-7382

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 notices 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: 3

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) _____

Date: 11/1/12

Date: 11/03/2012

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 _____

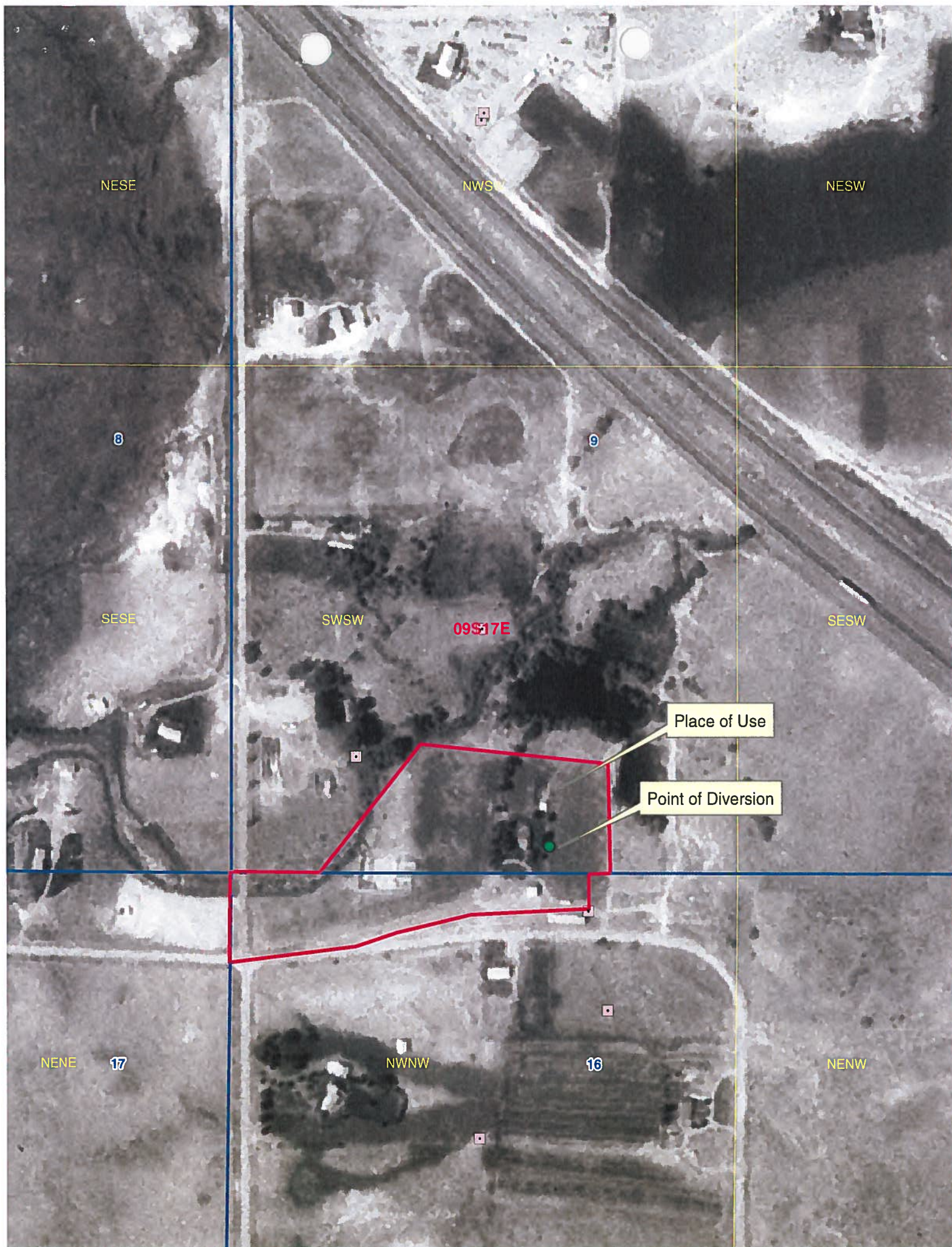
16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of 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 _____ Date _____

Address _____

Last Name _____ Identification No. _____



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7382 Priority Sept. 20, 1973 Amount 0.10 cfs

THIS IS TO CERTIFY, that PAUL H. MOSELEY
of Jerome, Idaho, has complied with the terms and conditions of Permit
No. 36-7382 issued pursuant to Application for Permit dated September 20, 1973,
and has submitted proof to the Department of Water Resources on September 4, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.10 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.04</u> cfs and	<u>0.6</u> acre feet
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>0.10</u> cfs and	<u>20.0</u> acre feet or
	from _____ to _____	at _____ cfs and	<u>4.0</u> af per acre
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.10 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
20.6 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 9,
Twp. 9 S, Rge. 17 E, B. M. in the County of Jerome

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S	17 E	9																	Five

Total number of acres irrigated Five

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7 day of
January 1975

Director



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

December 23, 1974

Mr. Paul Moseley
Route 3
Jerome, Idaho 83338

Dear Mr. Moseley:

A representative of this Department has made an examination of the works covered by your Permit No. 36-7382 and has found the following:

Quantity of water diverted: 0.10 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.10 cfs

The maximum quantity diverted shall not exceed 20.6 acre feet per year.

Beneficial use: For irrigation of 5 acres and for domestic purposes within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, Twp. 9S, Rge. 17E

Point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, Twp. 9S, Rge. 17E, B.M.

Priority date established: September 20, 1973

If you do not concur with these findings, please contact this office within 10 days; otherwise, a license will be issued as set forth above in this letter.

Sincerely,

Bobby D. Fleenor

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

WATER RESOURCE BOARD:

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Franklin Jones
Member

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