

ORIGINAL

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 **41-10272**
Date Received: 12/4/2000
Receipt No: C052894
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NORMAN HYRUM TURNBEAUGH

Phone: (208)548-2649

PO BOX 128
ROCKLAND ID USA 83271

RECEIVED

FEB 13 2003

Department of Water Resources

2. Date of Priority: 05/01/1886

3. Source: EAST FORK ROCK CREEK

Trib. to: ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	31E	6	NW SW SE	POWER	

5. Description of diverting works:

DELIVERED VIA WOODS DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
10S	31E	6	SW SW 7	IRRIGATION	1
Section Acres					1

Total Acres 1

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

14. Remarks:

12/4/2000 CLAIM WAS FAXED FROM SRBA COURT. I CALLED TERRI H. AND TOLD HER THE CLAIM IS INCOMPLETE AND SHE SAID TO SENT A LETTER SO THE ISSUES CAN BE ADDRESSED AT THE TIME THE MOTION IS HEARD. MISSING ITEMS WERE FILLED IN BY STEVE C. TO AID IN DATA ENTRY AND MAY NOT BE CORRECT AT THIS TIME.

15. Basis of Claim: Decreed

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): X Norman Tumbear Date: 2-11-03

_____ Date:

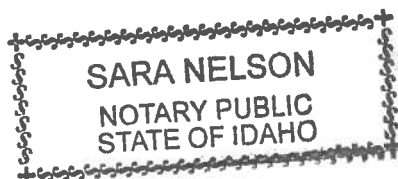
State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this
of Feb 2003

11th
Sara Nelson

Notary Public

Residing at Pocatello
My commission Expires 11-01-05



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
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MAR 23 2001

Department of Water Resources

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

41-10273
3-26-01
C052894

Please type or print clearly

1. Name of Claimant (s)

Norman Hyrum Turnbeough

Phone (208)

548-2649

Mailing Address

P.O. Box 128

Zip

83291

2. Date of Priority (Only one (1) per claim)

3. Source of water supply (a)

East Fork Rock Creek

which is tributary to (b)

Snake River

4. a. Location of existing point of diversion is: Township

Range

Section

SE

1/4 of SW

1/4 of

1/4, Govt. Lot,

E

B.M., County of

Power

Additional points of diversion if any:

None

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.

6. Water is claimed for the following purposes:

(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 _____

For _____ purposes from _____ to _____ amount _____ or _____

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

8. Total consumptive use claimed is _____ 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	
10	31	6																	3

Total number of acres irrigated 3

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

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 ()

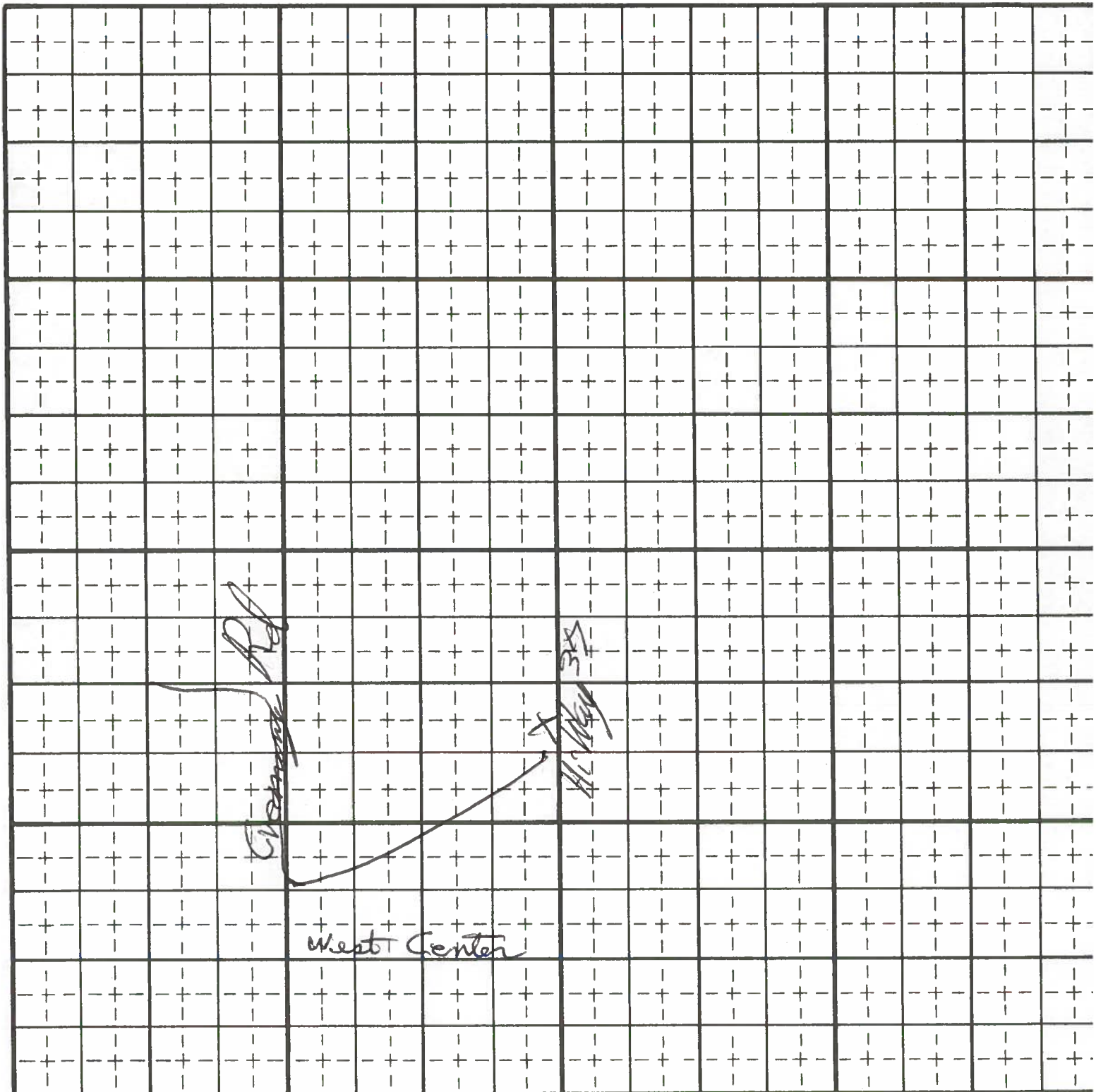
14. Remarks:

Last Name Turnbeaugh Ident No. 41-10272

Copies: White -State, Yellow-Claimant

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

Turnbeough

Ident No.

41-10272

Copies: White-State, Yellow-Claimant

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 3-12-188
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 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Norman Hyrum Turnbeach Date 11-29-00

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.

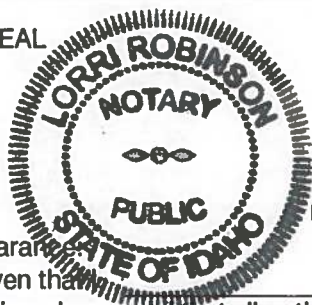
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Power) SS.

Subscribed and sworn (or affirmed) before me this 29th day of November 19 2000

SEAL



Notary Public Lorri Robinson

Residing at Rockland

My Commission Expires 7-23-2004

Please Print Name

17. Notice of Appearance
Notice is hereby given that _____ 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 Turnbeach Ident. Number 41-10272

Copies White-State, Yellow-Claimant

Idaho Department of Water Resources Receipt

Receipt ID C052894

Payment Amount	\$103.00	Date Received	3/26/01 3:59:36 PM	Region	State	Status
Payment Type	Money Order	Check Number	84179538652			

Payer TURNBEAUGH NORMAN

Comment CASE NE 39576 EAST FORK ROCK CREEK
SUBCASE 41-10275
10272 ✓

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$103.00	ADJUDICATION FILING FEE	0337		41503	1155



Signature Line (Dept. Representative)

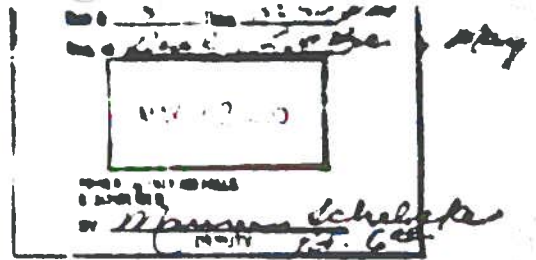
COPY
FOR YOUR FILES
DO NOT RETURN

Attachment

1

1576

DIANE L. CROFT & ASSOCIATES, P.C.
216 W. Whitman P.O. Box 370
Pocatello, Idaho 83204-0370
208-233-0132



IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO IN AND FOR THE COUNTY OF POWER

IN THE MATTER OF THE ESTATE OF

CLYDE TURNBEAUGH and
DOROTHY MARIE TURNBEAUGH,

deceased.

CASE NO. 93-1123

DEED OF DISTRIBUTION

THIS DEED, made by Leo Turnbeaugh, the grantor, is personal representative of the Clyde Turnbeaugh and Dorothy Marie Turnbeaugh Estate filed as Case No. 93-1123, filed in Power County, Idaho. The grantee is as follows: Norman Turnbeaugh, whose address is Rockland, Idaho.

The grantee is entitled to distribution of the following described property:

Beginning at a point 10 rods south of the northeast corner of Lot 7, Section 6, Township 10 South, Range 31, East Boise Meridian, Power County, Idaho, thence running south 10 - 1/4 rods; thence west 24 rods, thence north 10 - 1/4 rods, thence east 24 rods to the point of beginning

Also the water rights of Water District No. 41

Also commencing at a point 21 rods south of the northeast corner of Lot 7, in Section 6, Township 10 South, Range 31, E.B.M., running thence South 6 3/4 rods, thence West 21 1/2 rods, thence South 6 3/4 rods, thence East 21 1/2 rods to the point of beginning, containing one acre, more or less, together with one-tenth inch of water to be taken from the H. C. Wood Ditch, in Power County, Idaho.

41-10272

RECEIVED

MAR 26 2001

Department of Water Resources

2001 MAR 22 PM 4:14

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 SRBA

)

Subcase 41-10272

)

Case No. 39576

)

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

)

On December 4, 2000, Claimant Norman Turnbeaugh filed a *Motion to File Late Notice of Claim*. Hearing was held on the *Motion* March 22, 2001. 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 water right 41-10272 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.

IT IS SO ORDERED.

Dated March 22, 2001.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

Attachment
2

		TRANSACTION	
Date	April 10, 2000	Reference	NORMAN TUESDAY
To	Rockland Water Dist 41	Payment	\$ 2.96
For	Woods Ditch Assessment	Charge	—
Signed	Alfred J. Norman Sec/Treas		

41-10272

		TRANSACTION	
Date	May 10, 1999	Reference	NORMAN TUESDAY
To	Rockland Water Dist 41	Payment	\$ 2.23
For	Woods Ditch Assessment	Charge	—
Signed	Alfred J. Norman Sec/Treas		

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Turnbeaugh Norman Hyrum

CLAIM IDENT. NO.

41-10272

DATE RECEIVED

3-26-01

CK #

C052894

AMOUNT \$

103.-

1. Is the name and address complete with zip code?

Rockland

YES

NO

Required Info?

*

2. Is a priority date entered?

USE decreed date 3-12-1881

YES

NO

*

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?

YES

NO

*

(b) Is a tributary to entered? (if required)

N/A

YES

NO

4. Is the legal description of the p.d. sufficient?

YES

NO

*

5. Is there a description of the diverting works?

Woods Ditch rec'ds

YES

NO

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.

YES

NO

*

Is the period of use included?

YES

NO

Is a quantity claimed for each use?

YES

NO

*

7. Is a total quantity claimed entered?

YES

NO

8. If required is a consumptive use entered?

N/A

YES

NO

Is the consumptive use correct?

N/A

YES

NO

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.

N/A

YES

NO

*

10. Is (are) the place(s) of use and purpose(s) indicated?

YES

NO

*

11. Is (are) the county(ies) entered?

YES

NO

12. Is the ownership of p.u. checked?

YES

NO

13. Are other water rights listed or "none" indicated?

YES

NO

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

YES

NO

15. Is the basis of the claim indicated?

YES

NO

16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)

N/A

YES

NO

17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.

YES

NO

*

18. Has the claim been signed, sealed, and dated by a notary?

YES

NO

*

19. Was this claim filed on time, or was an extension granted?

YES

NO

*

20. Is the fee enclosed correct?

Exempt

YES

NO

*

21. If this claim is based on an existing water right, has the identification number been entered?

N/A

YES

NO

22. Should this claim be data entered?

YES

NO

Claim checked by:

J. Sherman

Date:

Claim must be returned to claimant:

YES

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:

J. Masi

Date:

3-26-01

Checked by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Comments:

#410 - Deed undated + unreadable; #6.

STAFF TIME LOG

LATE CLAIMS

Claim No(s). 41-10272

[illegible]



DIAL, MAY &
RAMMELL CHTD.

RECEIVED
FEB 14 2003
Department of Water Resources

February 12, 2003

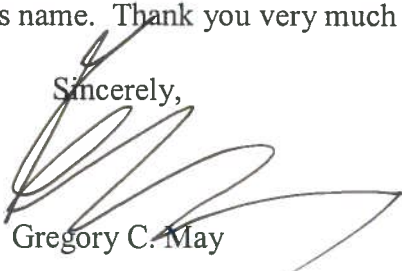
State of Idaho
Department of Water Resources
Attn: Steve Clelland
1301 N. Orchard St.
P.O. Box 83720
Boise, ID 83720-0098

RE: Claim 41-10272

Dear Steve:

Thank you for sending to us the form to complete and return to you. We have signed the document in front of a notary and returned it to you. Would you please do everything that you can that Mr. Turnbeaugh's water right becomes adjudicated and preserved in his name. Thank you very much for your attention.

Sincerely,



Gregory C. May

GCM/sa
Cc: Norm Turnbeaugh

ATTORNEYS

THOMAS F. DIAL
COURT APPROVED MEDIATOR

GREGORY C. MAY

BRON M. RAMMELL

AARON N. THOMPSON

PARALEGAL

KORTNY C. WHITE

(208) 233-0132 • Fax: (208) 234-2961
Railroad Credit Union Bldg. • P.O. Box 370 • Pocatello, ID 83204



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

FEBRUARY 5, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NORMAN HYRUM TURNBEAUGH
PO BOX 128
ROCKLAND ID 83271

RE: INCOMPLETE CLAIM 41-10272

Dear Mr. Turnbeaugh,

After initially reviewing your claim 41-10272 it was found to be incomplete in form and content. Several key items were missing like Priority Date and Quantity claimed. I have discussed your right as it is delivered by the water master for District 41 and have drafted a complete claim for you to review, sign and return to my office. Since the reporting deadline is fast approaching I need to get this signed claim back as soon as possible.

Again, review the claim, sign with Notary Public and return the claim to IDWR at the address above to my attention.

If you have further questions on this water right then please feel free to call me at our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

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 41-10272
Date Received: 12/4/2000
Receipt No: C052894
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NORMAN HYRUM TURNBEAUGH

Phone: (208) 548-2649

PO BOX 128
ROCKLAND ID USA 83271

2. Date of Priority: 05/01/1886

3. Source: EAST FORK ROCK CREEK

Trib. to: ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10S	31E	6	NW SW SE	POWER	

5. Description of diverting works:

DELIVERED VIA WOODS DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.02	

7. Total Quantity Appropriated is:

0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
10S	31E	6	SW SW 7	IRRIGATION	1
Section Acres					1

Total Acres 1

11. Place of use in counties: POWER

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

13. Other Water Rights Used:

14. Remarks:

12/4/2000 CLAIM WAS FAXED FROM SRBA COURT. I CALLED TERRI H. AND TOLD HER THE CLAIM IS INCOMPLETE AND SHE SAID TO SENT A LETTER SO THE ISSUES CAN BE ADDRESSED AT THE TIME THE MOTION IS HEARD. MISSING ITEMS WERE FILLED IN BY STEVE C. TO AID IN DATA ENTRY AND MAY NOT BE CORRECT AT THIS TIME.

15. Basis of Claim: Decreed

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): X Norman Tumbear Date: 2-11-03

_____ Date:

State of Idaho)
County of Bannock) SS.

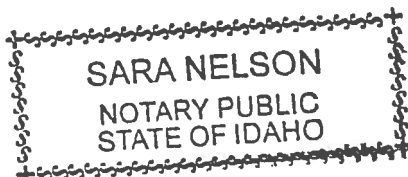
Subscribed and sworn (or affirmed) before me this 11th
of Feb 2003

Sara Nelson

Notary Public

Residing at Pocatello

My commission Expires 11-01-05



02/04/2003

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

RIGHT NUMBER: **41-10272**

NAME AND ADDRESS: NORMAN HYRUM TURNBEAUGH
PO BOX 128
ROCKLAND ID 83271

SOURCE: EAST FORK ROCK CREEK

TRIBUTARY: ROCK CREEK

QUANTITY: 0.020 CFS

THE QUANTITY LISTED ABOVE SHALL BE MEASURED AT THE POINT OF DIVERSION LISTED FOR THIS RIGHT BY MEANS OF A MEASURING BOX OF THE TYPE AND DIMENSIONS DECREED BY IN RE HOUTZ ET AL (ONEIDA COUNTY, SIXTH JUDICIAL DISTRICT COURT, JUNE 6, 1903). ANY CHANGE IN THE METHOD OF MEASUREMENT SHALL CONSTITUTE A CHANGE IN THE POINT OF DIVERSION REQUIRING APPROVAL BY THE IDAHO DEPARTMENT OF WATER RESOURCES AS A TRANSFER PURSUANT TO I.C. SECTION 42-222.

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION:

T10S R31E S6 NWSWSE Within POWER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.020 CFS

PLACE OF USE: IRRIGATION Within POWER County

T10S R31E S06 Lot 7 SWSW 1.0

1 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.

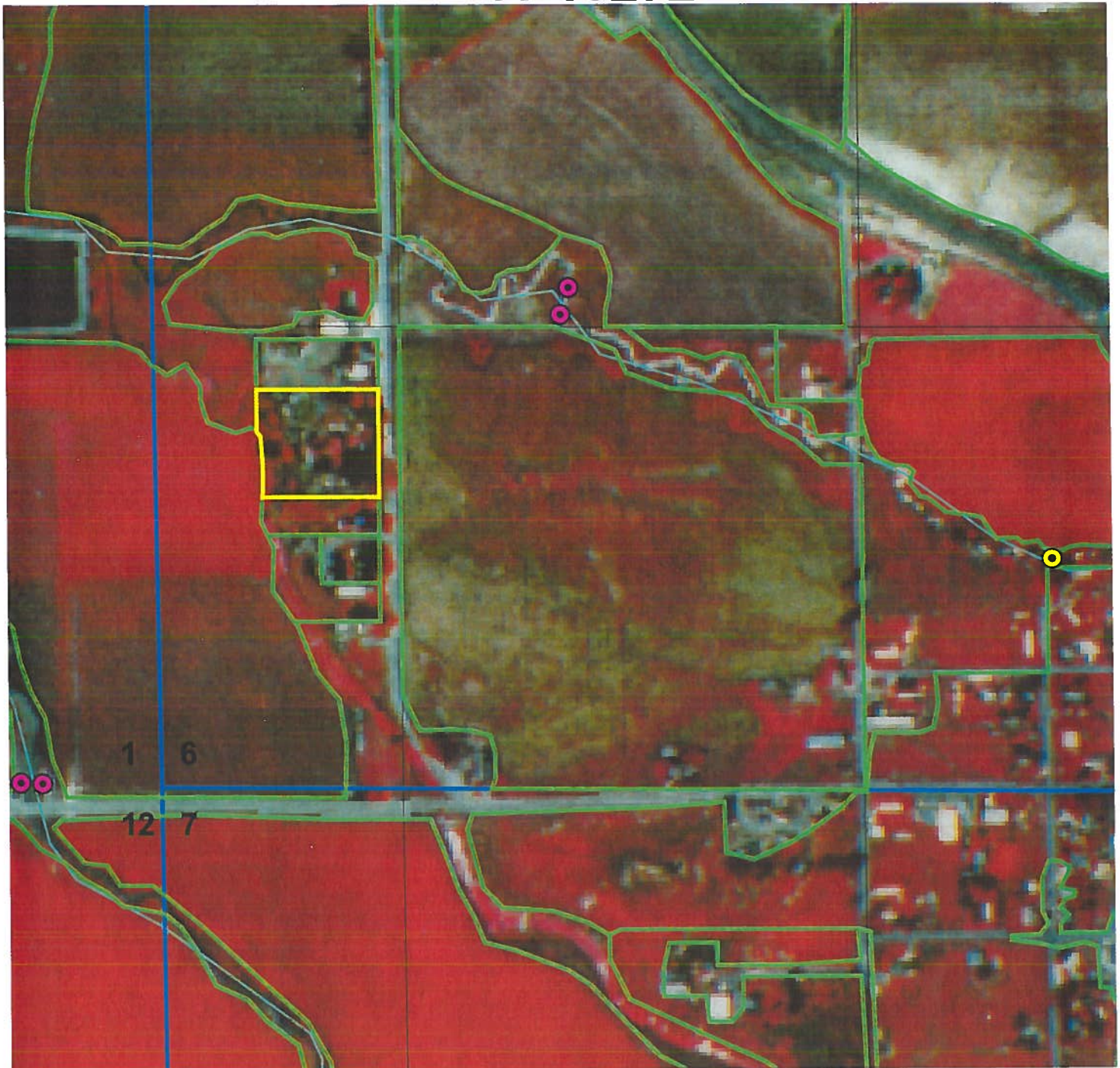
EXPLANATORY MATERIAL: Decreed

WATER IS DELIVERED THROUGH WOODS DITCH.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 41-33.

IDAHO DEPT OF WATER RESOURCES

41-10272



660 0 660 1320 Feet

T10S, R31E
SEC 6
SWSW LOT 7



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4 - 1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY: STEVE CLELLAND
DATE: FEBRUARY 4, 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

FEBRUARY 5, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NORMAN HYRUM TURNBEAUGH
PO BOX 128
ROCKLAND ID 83271

RE: INCOMPLETE CLAIM 41-10272

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Again, review the claim, sign with Notary Public and return the claim to IDWR at the address above to my attention.

If you have further questions on this water right then please feel free to call me at our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

41-10272

2/4/03
SCC

* Plan to allow 1" of 41-33 to replace the known, delivered right of 41-02. (swapped w/city)

POD: WOODS DITCH - T10S R31E S6 NWSWSE

POU: T10S R31E S6 SWSW LOT 7 (Confirmed w/ PLAT)

SOU: 4/1 to 10/31 (STD.)

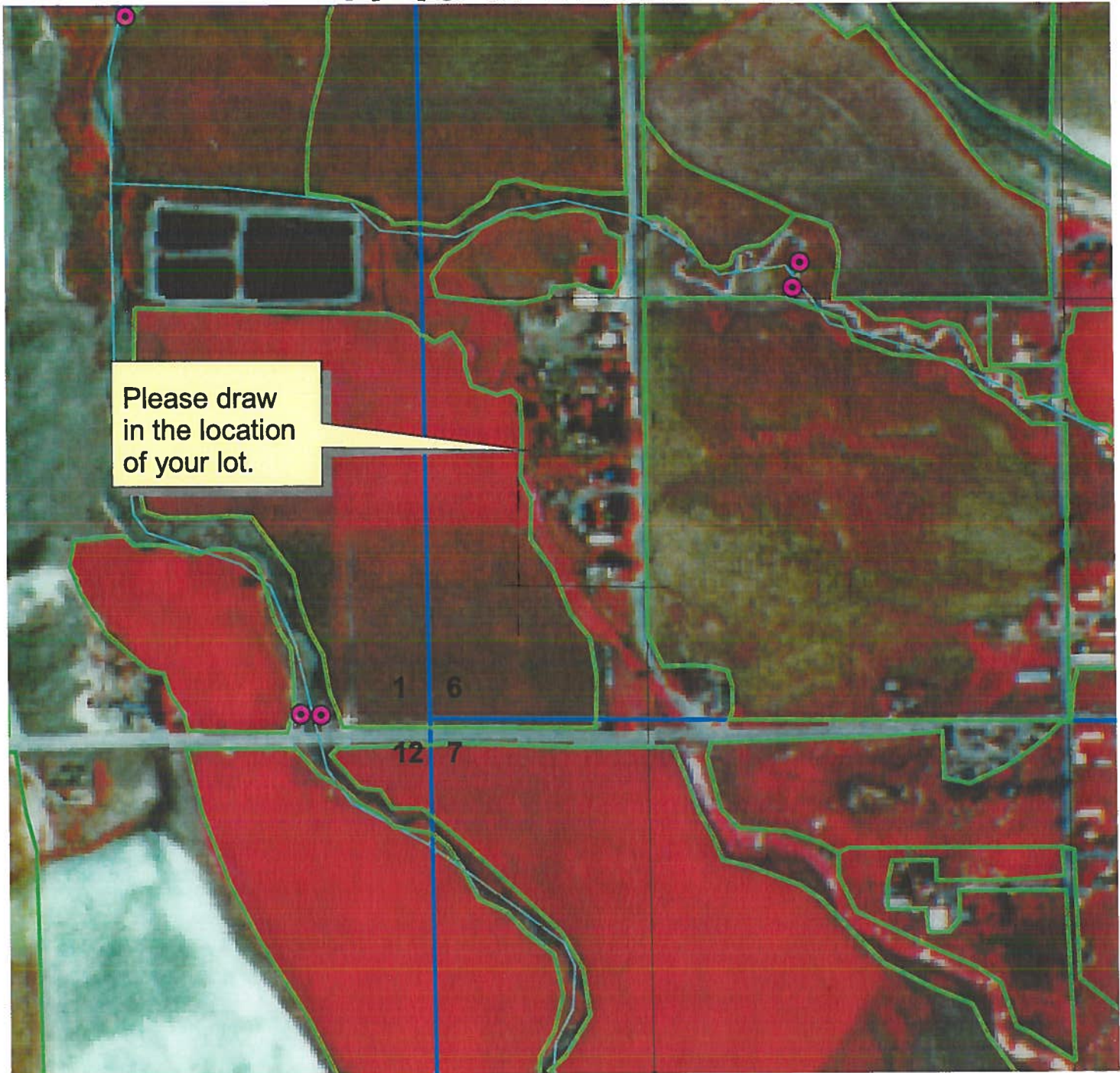
REMARKS: N16 QUANTITY (Houtz box)

Woods Ditch Assessments paid match that for 1" of water.
(as compared to his neighbors assessments.)

→ Sending claim out for signature, existing claim is incomplete.
New Claim is based on info from Watermaster & Reynold
Ralphs who delivers the water to claimant.

IDAHO DEPT OF WATER RESOURCES

41-10272 DRAFT



660 0 660 1320 Feet

T10S, R31E
SEC 6
SWSW LOT 7



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4 - 1/4 LINES

Not Sent

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY: STEVE CLELLAND
DATE: JANUARY 31, 2003

DRAFT

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Steve Clelland

1/30/2003 2:30 PM

NAME:

RE:

JAMES ROBINSON

CALLOUT

LATE CLAIMS -02

I called to ask about his view of recommending these late claims as part of the right 41-33. It will give them a 6/1/1886 date instead of the 5/1/1886 as decreed to the 41-02 right they appear to have been claiming. This right still has some water that has not been recommended. Since the city has part of the 41-02 right and part of the 41-33 right this appears to be a reasonable adjustment to the rights being recommended and will allow a valid right to be recommended instead of a disallowed right.

James will make the call to Alan Permann to keep these claimants on the water district mailing list for the up coming meeting. It appears there is still one party that failed to file a claim when the group was allowed to file late claims. Claims filed are 41-02, 41-10272, 41-10273 & 41-10274.



1320

0

1320

-  Property of Interest
-  Point(s) of Diversion
-  Section Lines
-  Quarter/Quarter Lines

TURNBEAUGH
Field Copy

T10S R31E 6



6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 41-15273

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Steve Clelland

6/26/2002 12:11 PM

NAME :

RE :

GREG MAY

CALLIN

41-02 LATE CLAIMS

He was calling on behalf of Norman Turnbeaugh as his attorney. I explained the situation as best I could; the bottom line is N. T. may have a valid claim for the use of 1 inch of water that he can get a quitclaim to from the City of Rockland, claims to more water than this have not been shown valid. Each party will need to pursue their own portion of the right as partially decreed and then file to transfer it to their property. I did mention the possible action of an Alter or Amend of the P. Decree. It seems to me to pursue the administrative route versus the litigation route.

COMMUNICATION DOCUMENTATION

Claim No. 41-10273

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Steve Clelland

6/17/2002 11:40 AM

NAME :

RE:

NORMAN TURNBEAUGH VOICEMAIL 41-02 LATE CLAIMS

He left me a msg saying he was granted the right by the court to file a claim and should have the water delivered accordingly. Callback before noon or call the next day. Phone 548-2649.

NOTE: I am researching the details of the late filings to present the most information available on the late claims.

[illegible]

6/18/2002 10:00 AM

NAME:

RE:

NORMAN TURNBEAUGH CALLIN 41-02 LATE CLAIMS

He called back to me and discussed several issues surrounding the recommendation of these late claims. He was concerned that his due process was allowed in this situation. I told him to call the court to argue the due process issue since I am not qualified to argue legal points such as this. I did tell him the recommendation for his right appears to be for disallowing his late claims at this point because the right has been fully appropriated by other users; the City of Rockland and Ivan Charles. I told him of the delay with Late Claims due to the process of reporting them once per year to the court as the court has instructed us to do. His rights will be reported next year in 2003. He said he will contact the City and Mr. Charles to have them sign the rights over to him. Phone 548-2649.

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO(208) 736-3011
FAX (208) 736-2121SPBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

TO:

Irish

Telephone:

FAX:

FROM:

SNAKE RIVER BASIN ADJUDICATION

Telephone: 208-736-3011

FAX: 208-736-2121

NO. OF PAGES INCLUDING COVER SHEET

Looks like either
41-00001 Part
or 41-00024 (1881)
incomplete no flow rate
priority rate but is on pg 4 (15) they
have
WR: 41-24 = 1.4
AJ: 41-24A } = .96
-24B }
Previous Discussions
w/ Raymond Rolpers indicates
this is part of 41-00002B, which
has been claimed & rec'd to
the City of Rockland
see
12/4/00

THIS FACSIMILE MAY CONTAIN CONFIDENTIAL INFORMATION THAT IS PROTECTED BY THE IDAHO COURT ADMINISTRATIVE RULES. IT IS INTENDED FOR THE USE OF THE INDIVIDUAL(S) NAMED ABOVE. IF YOU ARE NOT THE NAMED RECIPIENT OR AN EMPLOYEE RESPONSIBLE FOR DELIVERING THE FACSIMILE, YOU ARE INSTRUCTED NOT TO DELIVER, DISTRIBUTE OR COPY THIS FACSIMILE, NOR SHOULD YOU DISCLOSE ITS CONTENTS OR TAKE ANY ACTION IN RELIANCE ON THE INFORMATION IT CONTAINS. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY THE COURT IMMEDIATELY BY TELEPHONE TO ARRANGE THE RETURN OF THE TRANSMITTED DOCUMENTS TO US.

THANK YOU

Form No. 42-1409 (2) a 1/88

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number A 41-10272
Date Received
Receipt NumberNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Norman Hyrum Woodward Phone (208) 548-2649
Mailing Address P.O. Box 128 Zip 832912. Date of Priority (Only one (1) per claim) [REDACTED]3. Source of water supply (a) East Fork Rock Creek
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township [REDACTED] Range [REDACTED] Section [REDACTED]SE 1/4 of SW 1/4 of 1/4, Govt. Lot, E B.M., County of TowerAdditional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is:

Township [REDACTED] Range [REDACTED] Section [REDACTED] 1/4 of [REDACTED] 1/4 of [REDACTED] 1/4,Govt. Lot [REDACTED] B.M., County of [REDACTED]ending point is: Township [REDACTED] Range [REDACTED] Section [REDACTED] 1/4 of [REDACTED] 1/4 of[REDACTED] 1/4, Govt. Lot [REDACTED] B.M., County of [REDACTED]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.WOODS Ditch:
POD: T10S R31E S6
NWSWSE12/4/2000
suData Entry to
prepare for Court.

6. Water is claimed for the following purposes:

(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 _____

For _____ purposes from _____ to _____ amount _____ or _____

Date Entry:

IRRIG. 1"/AC

Std Season (acre feet)

= 3" .06 cfs

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

8. Total consumptive use claimed is _____ 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.

Pou from Map & Legs

SW SW - Lt 7

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10	31	6																	3

Total number of acres irrigated

3

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

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 ()

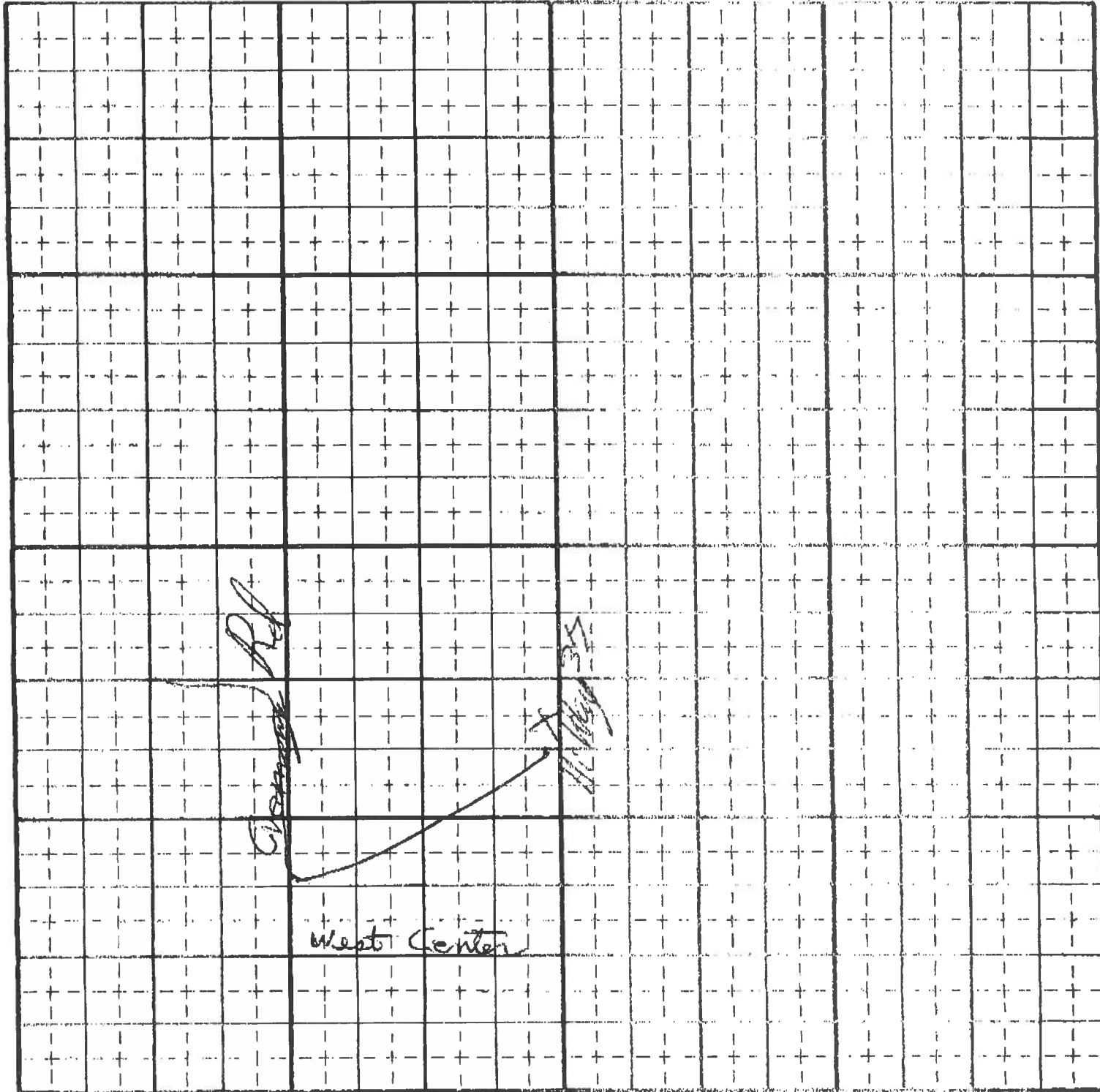
14. Remarks:

Last Name Turnbraugh Ident No. _____

Copy: White Sheet, Yellow Claimant

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

Turnbeough

Ident No.

Copies: White State, Yellow Client

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 3-12-1881
 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 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
 and correct.

Signature of Claimant (s) Norman Hyman Turnbeough Date 11-29-00
 _____ 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

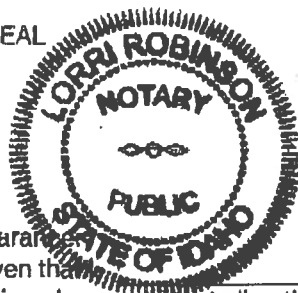
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
 County of Power) SS.

Subscribed and sworn (or affirmed) before me this 29th day of November 19 2000

SEAL



Notary Public Lorri Robinson

Residing at Rockland

My Commission Expires 7-23-2004

Please Print Name

17. Notice of Appearance
 Notice is hereby given that _____ 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 Turnbeough Ident. Number _____

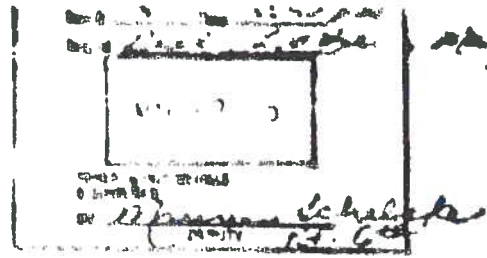
Copy to White-Smiley, Y. Rose Claimant

Attachment

1

1576

DIV. 1, COURT & CLERK'S OFFICE
 216 W. Whitman STREET
 Pocatello, Idaho 83201-0170
 208 233-0112



IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO IN AND FOR THE COUNTY OF POWER

IN THE MATTER OF THE ESTATE OF

CASE NO. 93-1123

CLYDE TURNBEAUGH and
 DOROTHY MARIE TURNBEAUGH,

DEED OF DISTRIBUTION

deceased.

THIS DEED, made by Leo Turnbeaugh, the grantor, is personal representative of the Clyde Turnbeaugh and Dorothy Marie Turnbeaugh Estate filed as Case No. 93-1123, filed in Power County, Idaho. The grantee is as follows: Norman Turnbeaugh, whose address is Rockland, Idaho.

The grantee is entitled to distribution of the following described property:

Beginning at a point 10 rods south of the northeast corner of Lot 7, Section 6, Township 10 South, Range 31, East Boise Meridian, Power County, Idaho, thence running south 10 - 1/4 rods; thence west 24 rods, thence north 10 - 1/4 rods, thence east 24 rods to the point of beginning

Also the water rights of Water District No. 41

Also commencing at a point 21 rods south of the northeast corner of Lot 7, in Section 6, Township 10 South, Range 31, E B M, running thence South to 14 rods, thence West 20 1/2 rods, thence North to 14 rods, thence East 20 1/2 rods to the point of beginning, containing one acre, more or less, together with one tenth inch of water to be taken from the H. C. Wood Ditch in Power County, Idaho.

Attachment
2

	
TRANSACTION	
Date	MAY 10, 1999
To	ROCKLAND WATER DIST 41
For	WOODS DETCH ASSIGNMENT
Reference	NORMAN TUESDAY
Payment	\$ 2.23
Charge	-
SIGNED <u>Alta F. Norman</u> Sec/Treas	

	
TRANSACTION	
Date	APRIL 10, 2000
To	ROCKLAND WATER DIST 41
For	WOODS DETCH ASSIGNMENT
Reference	NORMAN TUESDAY
Payment	\$ 7.96
Charge	-
SIGNED <u>Alta F. Norman</u> Sec/Treas	

200 DEC -4 AM 10:19

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILEDIN 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 _____

(Insert water right number)

Case 39576

STANDARD FORM 4

MOTION TO FILE:

☒ LATE NOTICE OF CLAIM☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

- ☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Norman Hyman Turabeau

My address is P.O. Box 128, Creamery Rd,
Rockland, Idaho "83261"

My phone number is: Work Same Home 548-2649

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

- ☒ I did not file a Notice of claim to the use of water in the SRBA because:

No knowledge that it had to
as I have a Recorded deed to my
Water Rights on Records I pay my taxes!

- ☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

- ☒ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.)

See Notice of Claim, Attachment 1, "Deed to said Property", and see Attachment 2, "payment of taxes on Woods Ditch".

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 103.00.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on 3/20/01 at 1:30 (in the Afternoon)
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)State of IdahoCounty of Power

Norman Hyrum Turnbeare being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Norman Hyrum Turnbeare
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on _____

(Insert Date)



Lorri Robinson
Notary Public for Idaho
Residing at: Rockland
My Commission expires: 7-23-2004

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on December 1st 2000, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert names/addresses of parties)

Norman Turnbaugh
Signature of person or attorney mailing the form

Rox ✓
Doug ✓
SCC ✓

RECEIVED

FEB 28 2001

RECEIVED

Department of Water Resources
Southern Region

DEC 05 2000

OFFICE OF THE
ATTORNEY GENERAL

MAIL



42023

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 41-10272

(Insert water right number)

Case 39576

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☐ AMENDED NOTICE OF CLAIM

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My address is P.O. Box 128, Creamery Rd,
Rockland, Idaho "83251"

My phone number is: Work Same Home 548-2649

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

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No knowledge that I had to
as I have a Recorded deed to my
Water Rights on Record & I pay my taxes!

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

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See Notice of Claim, Attachment 1, "Deed to said Property", and see Attachment 2, "payment of taxes on Wood's Ditch".

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I have attached:

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- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of Idaho

County of Power

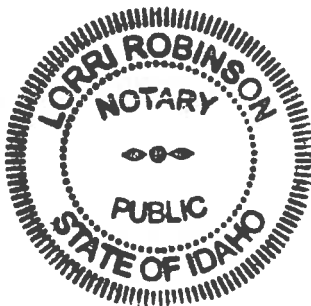
Norman Hyrum Turnbeare being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Norman Hyrum Turnbeare
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on _____
(Insert Date)



Lorri Robinson
Notary Public for Idaho
Residing at: Rockland
My Commission expires: 7-23-2004

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1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

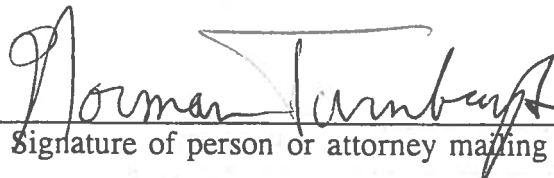
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Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

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(Insert names/addresses of parties)


Signature of person or attorney mailing the form