

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: A41-00021B
Date Received: 4/ 5/1990
Receipt No: X77777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARY K MUNK TRUST 208-548-2240
Address: C/O MARTIN MUNK
P O BOX 112
ROCKLAND ID 83271

AND

Name: JEFF ALLEN 208-548-2603
Address: P O BOX 311
ROCKLAND ID 83271

AND

Name: MELVIN R MUNK TRUST 208-548-2240
Address: C/O MARTIN MUNK
P O BOX 112
ROCKLAND ID 83271

2. Date of Priority: MAY 1, 1883

3. Source: ROCK CREEK, EAST FORK Trib. to: ROCK CREEK

4. Point of Diversion:

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

5. Description of diverting works:
VIA DANIELSON DITCH (10") AND STANGER DITCH (25")

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.700		

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

8. Total consumptive use is 147.5 Acre Feet Per Annum.

A41-00021B

Page 1

Date: 09/17/91

MICROFILMED

MAR 04 1993

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10S	31E	10	NW		NE		IRR	4.0
			SW		NE		IRR	20.0
			NE		NW		IRR	13.0
			NW		NW		IRR	17.0
			SE		NW		IRR	5.0
							Section Acres	59.0
							Total Acres	59.0

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:

A41-00022

14. Remarks:

THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN
ARBITRATOR'S FINDINGS AND CONCLUSIONS. THE ONLY PARTY
LISTED IN PLEADINGS IS H. P. HOUTZ.

CHANGE IN P/U OCCURRED PER UN-RECORDED TRANSFER AND P/U LISTED
IN DECREE HAS NEVER BEEN IRRIGATED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

HOUTZ

Decree Plaintiff

ET AL.

vs

Decree 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/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 _____



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

September 18, 1991

R. KEITH HIGGINSON
DIRECTOR

Martin Munk
P.O. Box 112
Rockland, ID 83271

RECEIVED

RE: Snake River Basin Adjudication (SRBA) **A41-00021B** OCT 10 1991
Power County - Change of Ownership - A41-00022
Melvin R. Munk and Mary K. Munk Trust

Department of Water Resources
Southern Region Office

Dear Mr. Munk:

Thank you for your response to my letter of June 20, 1991. Unfortunately, I am unable to describe the right in the manner you wish with the information I presently have on hand.

Claims #A41-00021 and #A41-00022, as originally filed by Jeff Allen, both had the same legal description, and therefore would appear to require splitting in proportion to the amount of land which changed hands.

As the department is not in a position to make decisions on who owns which portion of water rights, I propose that the water right files A41-00021 and A41-00022 each be put into both of your names (copies attached). Pending field investigation the coming year, we can get together with you personally on the property for a determination of which portion belongs to whom.

This will in no way jeopardize yours or Mr. Allen's right to this water.

I will be forwarding the documentation I have received from you to our southern region office in Twin Falls where the original file is located. We might be able to resolve this before the field exam is completed if you were to go into our southern region office and work personally with someone there showing them on a map how and where the water is conveyed.

One other option would be to have Mr. Allen sign an ownership change and have him describe the above on the form, exactly how much water and which acres are irrigated for each of the two rights.

MICROFILMED

MAR 04 1993

Martin Munk
September 18, 1991
Page Two

Thank you for working with me on this matter. I will hold this file information for two weeks before forwarding to our southern office in case you have any further information you would like to send.

Sincerely,

John D. Carlson
John D. Carlson
Adjudication Supervisor

JDC:sf:south

Enclosures:

A41-00021A+B and A4100022.

cc: Jeff Allen w/enclosures w/ownership form

MICROFILMED

MAR 04 1993

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 8022582

Date:
Time: 10/ 1/1999
14:47:35

Received
From: MUNK TRUST, MELVIN R MARY

Type of Payment	Program A cct	Amount
ADJUDICATION FEE	41503 337 1155	100.00
CHECK	2260	
Total		\$ 100.00

Water Right Numbers
A41-10260 A41-10261 - -

Region: SOUTHERN

Signature: 

AJ0743NP
(OD-124)
IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R41-00021B Prefix Translation: RESEARCH Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
MUNK TRUST MARY K 1 - C/O MARTIN MUNK
2 - PO BOX 112 State- ID Zip- 83271
3 -

MUNK TRUST MELVIN R City- ROCKLAND
Phone - 208-548-2240 State- ID Zip- 83271
1 - C/O MARTIN MUNK
2 - PO BOX 112
3 -

*** O - ORIGINAL OWNER ***
ALLEN JEFF City- ROCKLAND
Phone - 208-548-2240 State- ID Zip- 83271
1 - PO BOX 311
2 -
3 -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1983 17 SOUTHERN D - DECREED

+ - - Source - - - - - + + - - Tributary - - - - - +
ROCK CREEK, EAST FORK ROCK CREEK

+ - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

10S 31E 10 SE SW NE (77) POWER DANIELSON DITCH
11 SE SW NW (77) POWER STANGER DITCH

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 0.700

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Consumptive Use - - + + - - KW Usage - - +
0.700 0.0

+ - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

10S 31E 10 NW NE 2.7 01 IRRIGATION (77) POWER
10S 31E 10 SW NE 16.3 01 IRRIGATION (77) POWER
10S 31E 10 NE NW 10.0 01 IRRIGATION (77) POWER
10S 31E 10 NW NW 11.0 01 IRRIGATION (77) POWER
10S 31E 10 SE NW 5.0 01 IRRIGATION (77) POWER

Total Acres: 45.0

+ - - Diversion Means - VIA DANIELSON DITCH (10") AND STANGER DITCH (25")

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Prefix Translation: RESEARCH

Water right number - R41-00021B

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 41-00022

..... Remarks

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 35.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 45 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 41-00022 & 41-10260.

Old Water Right Numbers

A4100021

Conditions of Approval

No Conditions of Approval found.

+ - - - Decree Plaintiff - - +
 + - - - Decree Defendant - - +
 + - Decree Date - - +
 00/00/0000
 ET AL.

.....-coments-.....+

Date: 06/15/1999 User Id: SCLLELLAN Subject: COPIED FROM REMARKS
THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN
LISTED IN PLEADINGS IS H. P. HOUTZ.
CHANGE IN P/11 OCCURRED PER IN-RECORDED TRANSFER AND P/U LISTED
IN DECREE HAS NEVER BEEN IRRIGATED.
ARBITRATOR'S FINDINGS AND CONCLUSIONS. THE ONLY PARTY
connected

+ - - Audit Fields - - + 10/27/99 DJONES

	Adjudication Rights Dates and Flags Area	
1.		+

Court Report Filing	- 00/00/0000	Field Inspection Made	- 07/07/1994	Civil Case Number	-
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 04/05/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 41
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	- D
				Notice of Error Flag	-

Dept. of Water Resources
Adjudication Bureau
P.O. Box 88720
Boise, ID 83720-0098

ATTEMPTED - NOT KNOWN

ATTEMPTED - NOT KNOWN

ATTEMPTED - NOT KNOWN



R41-00021A
JEFF ALLEN
PO BOX 311
ROCKLAND

ID 83271



RECEIVED
JUL 01 1999
Department of Water Resources
Southeast Region

RECEIVED
JUN 23 1999

Department of Water Resources

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Dear Water Right Claimant:

To help you with your water right claim(s) in the Snake River Basin Adjudication, this letter of explanation is being sent to you along with information sent by the Idaho Department of Water Resources (IDWR). Included are the following important documents which I ask you to please read carefully because they give you the opportunity to save a great deal of time and money:

1. **Preliminary Recommendation.** This is IDWR's *initial* finding and conclusion about your water right and how it should be reported to the SRBA Court. This preliminary recommendation is not filed with the court, but is provided to you to help correct errors or resolve any disagreement you may have over its content. This document has been prepared following IDWR's investigation and may be different than the claim(s) you actually filed.

Therefore, please review this preliminary recommendation carefully to find any errors or disagreements you have with IDWR's findings.

2. **Error Correction/Settlement Process.** This preliminary recommendation is a special service provided to you by IDWR to help you correct errors and resolve any other disagreement you have before the actual recommendations are ultimately filed with the court.

A description of how to work with IDWR is included. Our experience in the SRBA shows that by working in cooperation with IDWR most errors and differences can be addressed before coming into court. It's well worth your time to take full advantage of IDWR's helpful service. If your disagreement cannot be resolved, you will be able to file an objection to IDWR's actual recommendation when it is filed in court and have the final decision made by the Presiding Judge.

This error correction service is an important opportunity for you to work together with IDWR to make sure your water right claim(s) are decreed accurately. There is no cost to you other than your time reviewing the preliminary recommendation and talking to IDWR about any problem you see. Of course, you may always employ the services of an attorney if you wish.

The goal of the SRBA is to see that your water right(s) are decreed by the court as accurately and fairly as possible. It is important to me that this is done efficiently in order to reduce your costs and present you with your decree.

I strongly encourage you to take full advantage of this opportunity to use the fine and courteous service provided by IDWR.

Sincerely yours,

A handwritten signature in cursive script that reads "B Wood".

Barry Wood
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 11, 1999

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) in the Snake River Basin Adjudication (SRBA). We have enclosed a print-out showing our preliminary recommendation regarding how your water right should be reported to the SRBA District Court.

Please review the preliminary recommendation carefully. If there is any information on the print-out you believe is inaccurate, please fill out the enclosed reply indicating what changes you believe should be made. Further instructions to assist you with the review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your water right is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area. **The meeting will be held on Wednesday, June 30, 1999, at 7:00 p.m. in the Rockland City Hall, 135 South Main.** Please come to the public meeting, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right. Please bring any and all information you have which will help the Department understand your water rights and describe them accurately.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary so that accurate information is provided to the SRBA District Court.

We look forward to hearing from you.

Sincerely,

Karl J. Dreher
Director

Enclosures

June 11, 1999

**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: July 9, 1999

Water right number: 41-00021B

JEFF ALLEN
PO BOX 311
ROCKLAND ID 83271

Daytime Telephone Number:

Evening Telephone Number:

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: _____ SIGNATURE: _____
Please print your name: _____

RIGHT NUMBER: 41-00021B

NAME AND ADDRESS: MARY K MUNK TRUST
MELVIN R MUNK TRUST
C/O MARTIN MUNK
PO BOX 112
ROCKLAND ID 83271

JEFF ALLEN
PO BOX 311
ROCKLAND ID 83271

SOURCE: ROCK CREEK, EAST FORK TRIBUTARY: ROCK CREEK

QUANTITY: 0.7 CFS

PRIORITY-DATE: 05/01/1883

POINT OF DIVERSION	T10S R31E S10	SESWNE	Within POWER County
	S11	SESWNW	

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.7 CFS

PLACE OF USE:	IRRIGATION	Within POWER County							
	T10S R31E S10	NWNE	2.7	SWNE	16.3	NENW	10	NWNW	11
		SENE	5						
	45 ACRES TOTAL								

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 35.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

DIVERSION
VOLUME

POWER County
POWER County[illegible]

Misc: Water District Number: 41 Field Inspection Flag: D
Presumption Flag:

A41-00021A

A41-00021B

A41-00022

DATE

6/15/99

AGENT

SW

TRANSFER NUMBER

CLAIMED ACRE TOTAL 92

GIS ACRE TOTAL 61.6

(all filed on same POU)

	TWP	RNG	SEC	NE				NW				SW				SE			
AIM	10s	31E	3																
IS			(A) only											10					10
COM														7.3					7.3
														7				(A) 7	
AIM			10		7	20		25	25		5								82
IS		NORTH	(A)		2.1	6.6		1.3	7.4		—							(A) 17.4	
COM		SOUTH	(B)		0.6	9.8		10	11		5							(B) 36.4	
					2.7	16.3		10	11		5							(B) 45	
AIM																		(A) 8	
IS																			
COM																			

Rec'd

(A) 1 7

1-POU.SHP

Change of ownership filed but No Deed found - exact
ownerships unclear:

APE NOS.

(NW) 16 AC.

15- (NE) 8.7 AC.

17- (SOUTH) 36 AC.

60.7 AC

41-00021A (ALLEN) STANGER DITCH

41-00021B

41-00022

MUNK &

ALLEN

Danielson Ditch

1-POD.SHP

S. DESCRIPTION

T10S R31E,

Limit set: Decree duty of Water 1" / Ac.

7- STANGER DITCH: S11, SESWNW

6- DANIELSON DITCH: S10, SESWNE

21A: 15" on 15Ac.

21B: 35" on 35Ac

22: 10" on 10Ac.

F TABLES UPDATED

-DBPOU.DBF

-DBPOD.DBF

GLAYOUT

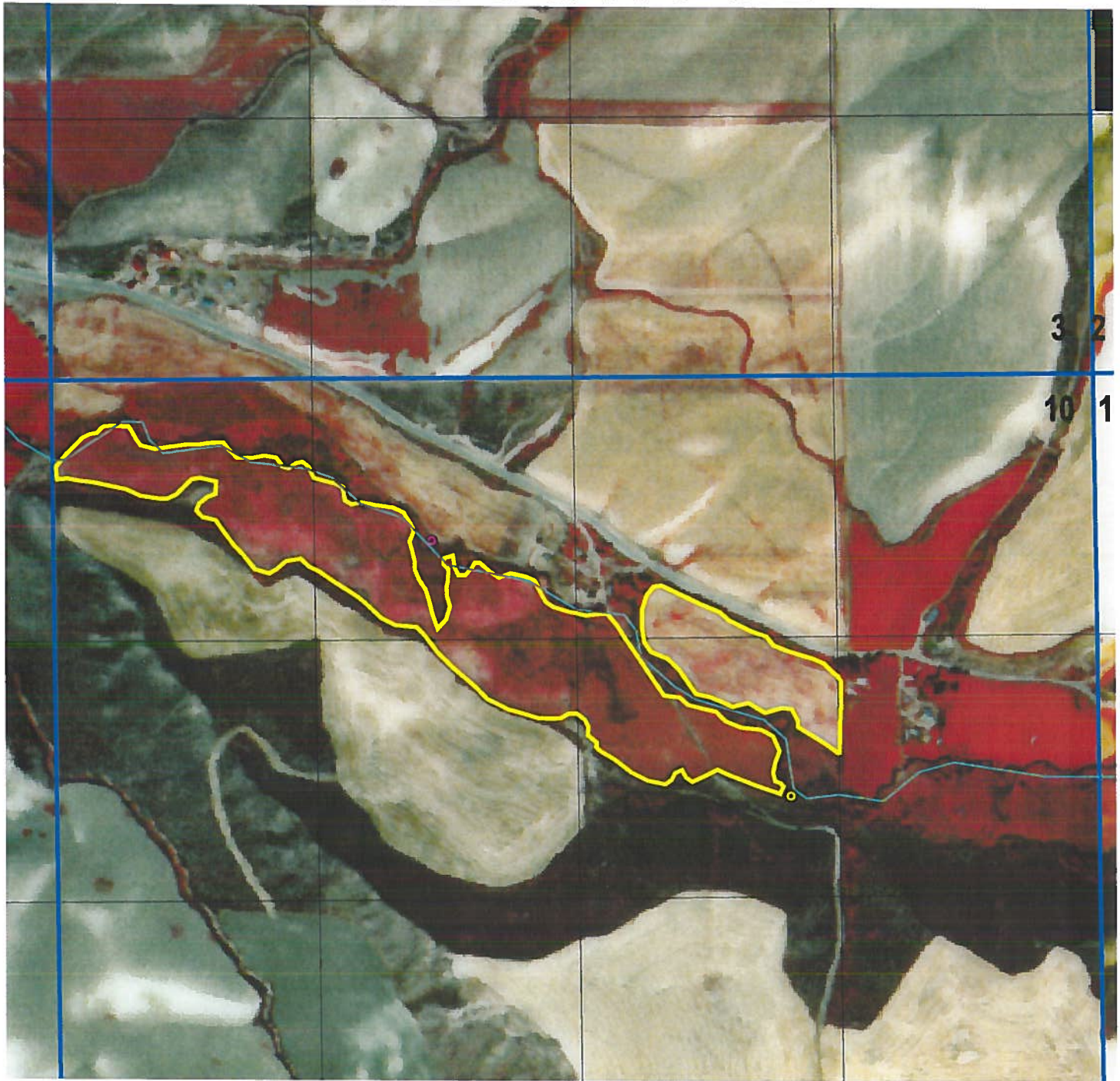
✓

41-00021A.jpg & 41-00021B.jpg

3/10/00
SW

IDAHO DEPT OF WATER RESOURCES

41-00021B & 41-00022



660 0 660 1320 Feet

T10S R31E SEC. 10



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

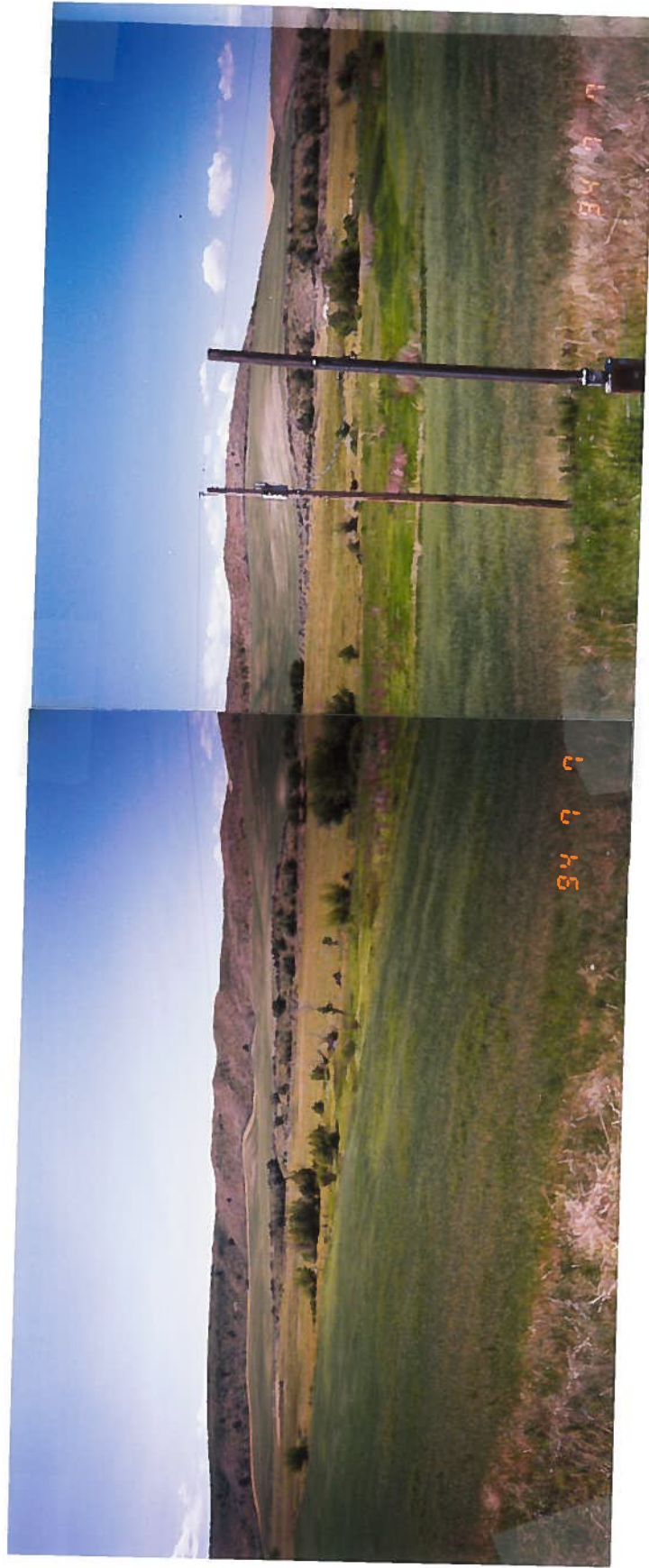
GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: June 15, 1999

SEE FULL REVIEW

IN PART

41-00021A



AA1-00021
MUNK

Photo
R41-7
by son
7-7-94



(LOCATION OF STANGER DITCH)
POU UNDER SPRINKLERS.

PHOTO. R41-8
by SCC 7-7-94

A41-00021
M. Munk



Pou AREA

East Fork Rock Creek

A41-000 21

M. Munk

Photo: R41-8
JMS
7-7-94

Water Right Number - 41-000218

Prefix Translation:

WATER RIGHT

Old (D) Number -

Last Name - + First Name - + Address - +

Priority Date - + Region - + Stage - + Status - +
00/00/0000 ERROR IN REGION

Source - + Tributary - +

Trn Rng Sec Tract Lot Rflg County Point of Diversion - Stream Index (Blank if no Index Code)

Code Description Period From Period To Water Use - Diversion Rate Diversion Volume

Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - +

Trn Rng Sec Tract Lot Acres Code Description County

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks
No Remarks found.

Old Water Right Numbers -
No Old Water Right Numbers found.

Conditions of Approval -
No Conditions of Approval found.

Decree Plaintiff - + Decree Defendant - + Decree Date - +
00/00/0000

Comments -
No Comments Found

Water Rights Dates and Flags Area -

Proof Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 00/00/0000 Protested Date - 00/00/0000 Swan Falls -
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right -
Exam to S.O. Date - 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -
Order Show Cause - 00/00/0000 Receipt Number - Water District -
Licensed Date - 00/00/0000 Appl Received - 00/00/0000 Transfer/Amended -
Decree Date - 00/00/0000 Presumption Flag -