

FEB-28-1997  
0018

VERIFIED BY R 2/28/97 1

RIGHT NUMBER:

72-04230

NAME AND ADDRESS:

PATRICIA A MALONEY  
MICHAEL M MALONEY  
HC 68 BOX 349  
WE 68 BOX 349  
CLAYTON ID 83227

SOURCE:

GROUNDWATER

QUANTITY:

0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE:

01/01/1985

POINT OF DIVERSION:

T10N R18E S24

NWNW

Within CUSTER County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
DOMESTIC 1 HOME

PERIOD OF USE  
01-01 12-31

QUANTITY  
0.04 CFS

PLACE OF USE:

DOMESTIC  
T10N R18E S24

Within CUSTER County  
NWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE  
PARCEL NO. RP000400020080A  
PROPERTY ALSO KNOWN AS LOT 8, BLOCK 2, EAST FORK SUBDIVISION

**IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT**

DATE: 01/17/97  
PAGE: 27

| PRIORITY | DATE       | WATER USE |
|----------|------------|-----------|
| 1        | 10/10/2023 | 1000      |
| 2        | 10/11/2023 | 1000      |
| 3        | 10/12/2023 | 1000      |
| 4        | 10/13/2023 | 1000      |
| 5        | 10/14/2023 | 1000      |
| 6        | 10/15/2023 | 1000      |
| 7        | 10/16/2023 | 1000      |
| 8        | 10/17/2023 | 1000      |
| 9        | 10/18/2023 | 1000      |
| 10       | 10/19/2023 | 1000      |
| 11       | 10/20/2023 | 1000      |
| 12       | 10/21/2023 | 1000      |
| 13       | 10/22/2023 | 1000      |
| 14       | 10/23/2023 | 1000      |
| 15       | 10/24/2023 | 1000      |
| 16       | 10/25/2023 | 1000      |
| 17       | 10/26/2023 | 1000      |
| 18       | 10/27/2023 | 1000      |
| 19       | 10/28/2023 | 1000      |
| 20       | 10/29/2023 | 1000      |
| 21       | 10/30/2023 | 1000      |
| 22       | 10/31/2023 | 1000      |
| 23       | 11/01/2023 | 1000      |
| 24       | 11/02/2023 | 1000      |
| 25       | 11/03/2023 | 1000      |
| 26       | 11/04/2023 | 1000      |
| 27       | 11/05/2023 | 1000      |
| 28       | 11/06/2023 | 1000      |
| 29       | 11/07/2023 | 1000      |
| 30       | 11/08/2023 | 1000      |
| 31       | 11/09/2023 | 1000      |
| 32       | 11/10/2023 | 1000      |
| 33       | 11/11/2023 | 1000      |
| 34       | 11/12/2023 | 1000      |
| 35       | 11/13/2023 | 1000      |
| 36       | 11/14/2023 | 1000      |
| 37       | 11/15/2023 | 1000      |
| 38       | 11/16/2023 | 1000      |
| 39       | 11/17/2023 | 1000      |
| 40       | 11/18/2023 | 1000      |
| 41       | 11/19/2023 | 1000      |
| 42       | 11/20/2023 | 1000      |
| 43       | 11/21/2023 | 1000      |
| 44       | 11/22/2023 | 1000      |
| 45       | 11/23/2023 | 1000      |
| 46       | 11/24/2023 | 1000      |
| 47       | 11/25/2023 | 1000      |
| 48       | 11/26/2023 | 1000      |
| 49       | 11/27/2023 | 1000      |
| 50       | 11/28/2023 | 1000      |
| 51       | 11/29/2023 | 1000      |
| 52       | 11/30/2023 | 1000      |
| 53       | 12/01/2023 | 1000      |
| 54       | 12/02/2023 | 1000      |
| 55       | 12/03/2023 | 1000      |
| 56       | 12/04/2023 | 1000      |
| 57       | 12/05/2023 | 1000      |
| 58       | 12/06/2023 | 1000      |
| 59       | 12/07/2023 | 1000      |
| 60       | 12/08/2023 | 1000      |
| 61       | 12/09/2023 | 1000      |
| 62       | 12/10/2023 | 1000      |
| 63       | 12/11/2023 | 1000      |
| 64       | 12/12/2023 | 1000      |
| 65       | 12/13/2023 | 1000      |
| 66       | 12/14/2023 | 1000      |
| 67       | 12/15/2023 | 1000      |
| 68       | 12/16/2023 | 1000      |
| 69       | 12/17/2023 | 1000      |
| 70       | 12/18/2023 | 1000      |
| 71       | 12/19/2023 | 1000      |
| 72       | 12/20/2023 | 1000      |
| 73       | 12/21/2023 | 1000      |
| 74       | 12/22/2023 | 1000      |
| 75       | 12/23/2023 | 1000      |
| 76       | 12/24/2023 | 1000      |
| 77       | 12/25/2023 | 1000      |
| 78       | 12/26/2023 | 1000      |
| 79       | 12/27/2023 | 1000      |
| 80       | 12/28/2023 | 1000      |
| 81       | 12/29/2023 | 1000      |
| 82       | 12/30/2023 | 1000      |
| 83       | 12/31/2023 | 1000      |
| 84       | 1/01/2024  | 1000      |
| 85       | 1/02/2024  | 1000      |
| 86       | 1/03/2024  | 1000      |
| 87       | 1/04/2024  | 1000      |
| 88       | 1/05/2024  | 1000      |
| 89       | 1/06/2024  | 1000      |
| 90       | 1/07/2024  | 1000      |
| 91       | 1/08/2024  | 1000      |
| 92       | 1/09/2024  | 1000      |
| 93       | 1/10/2024  | 1000      |
| 94       | 1/11/2024  | 1000      |
| 95       | 1/12/2024  | 1000      |
| 96       | 1/13/2024  | 1000      |
| 97       | 1/14/2024  | 1000      |
| 98       | 1/15/2024  | 1000      |
| 99       | 1/16/2024  | 1000      |
| 100      | 1/         |           |

**DIVERSION RATE**

01/01/1985 DOMESTIC

MICHAEL M MALONEY  
110 18 NOV 3/0

CLAYTON ID 83227

(208) 838-2428

**Water Source:** GROUNDWATER

**Tributary to:**

**Stage: BENEFICIAL USE**

Point(s) of Diversion:

T10N R18E S24

**ANNA**

Place of use Legal Description for: DOMESTIC

### FIN

MS

[illegible]

**POW County: CUSTER**

**Non-Irrigation Uses: 1 HOME**

**Other Rights: A72-10359 - SPRING**

**Conditions of Approval:**

of approval.

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

| Parcel No.                                                   | Remarks |
|--------------------------------------------------------------|---------|
| RP000400020080A                                              | EXP     |
| PROPERTY ALSO KNOWN AS LOT 8, BLOCK 2, EAST FORK SUBDIVISION |         |

**Objection Filed Date:**

**Verified Date:**

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

Comments: Date: 01/14/1997 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE  
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".  
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.  
ANY GEN REMARK CHANGED TO AN EXP REMARK.

|        |                |                |                   |                   |
|--------|----------------|----------------|-------------------|-------------------|
| Audit: | 06/11/93 SMITH | 06/15/93 SMITH | 03/30/95 POST-STD | 01/14/97 DS1-PROD |
|--------|----------------|----------------|-------------------|-------------------|

Done 2/27/97

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: A72-04230  
Date Received: 1/03/1990  
Receipt No: S010814  
Received By: ASV

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL M. MALONEY 208-838-2428  
Address: HC-68, BOX 349  
CLAYTON, ID 83227

Name: PATRICIA A. MALONEY 208-838-2428  
Address: HC 68 BOX 349  
CLAYTON, ID 83227

2. Date of Priority: JAN 01, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10N      | 18E   | 24      | NW     | NW     | NW     |     | CUSTER |

5. Description of diverting works:  
WELL & PUMP

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S | (or) | A.F.A. |
|----------|-------|-------|-------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.040 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/1 HOUSE

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 10N      | 18E   | 24      | NW NW      |     | DOMEST |       |

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:  
A72-10359 - SPRING

14. Remarks:  
P/U ALSO KNOWN AS EAST FORK SUB., DIV. LOT 8, BLOCK 2

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 \_\_\_\_\_

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

Identification No. A72-04230  
Date Received 12-26-1989  
Receipt Number 5010814

NOTICE OF CLAIM  
TO A  
WATER RIGHT

ACQUIRED UNDER STATE LAW  
For Domestic and/or Stockwater Purposes  
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

DEC 26 1989

Department of Water Resources  
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) MICHAEL M. MALONEY or PATRICIA A. MALONEY Phone (208) 838-2428

Mailing Address HC 68, Box 349, Clayton, Idaho Zip 83227

2. Date of Priority (Only one per claim) 10/01/1989 Month/Day/Year

3. Source of water supply (Check one) (X) Groundwater or Other ( ) (a) \_\_\_\_\_  
which is tributary to (b) \_\_\_\_\_  
Name or kind of source

4. Location of point of diversion is: Township 10 N Range 18 E  
Section 24, \_\_\_\_\_ 1/4 of NW 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_, BM.,  
County of Custer

Additional points of diversion if any: \_\_\_\_\_

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Well approximately 75 feet SE of dwelling.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 01/01 to 12/31 amount 0.04 (cfs)  
(Both dates are inclusive)  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Single dwelling and yard.

MAR 19 1993

10. Place of use is: Township: 10 N Range 18 E

Section 24, NW 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_, B.M.,

County of Custer for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any \_\_\_\_\_

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

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. None ( )  
Spring currently serves the home (72-04230)

14. Remarks: Lands where used are in Lot 8, Block 2, The East Fork Subdivision,  
Custer County, Idaho.

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff vs Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

16. Signature (s)

Number of Attachments 0

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

Signature of Claimant (s) Michael M. Maloney Date 12-21-89

Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing

document in the space below as \_\_\_\_\_ of \_\_\_\_\_

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Title and Organization \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Custer ) SS.

Subscribed and sworn (or affirmed) before me this 21st day of December 19 89

SEAL

Notary Public James Bennett

Residing at Challis Idaho

My Commission Expires 1-13-93

Last Name MALONEY Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 19 1993



MICROFILMED  
MAR 19 1993



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

Jan. 3, 1990

Re: A72-00176B  
A72-00230D  
A72-10359  
A72-04230

MICHAEL M MALONEY  
HC 68 BOX 349  
CLAYTON ID 83227

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens  
Adjudication Secretary

/jg

Enclosures:

MICROFILMED  
MAR 19 1993







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

March 5, 1996

PHILIP E. BATT  
GOVERNOR

JAMES BENNETTS  
PO BOX 36  
CHALLIS ID 83227

Re: Snake River Basin Adjudication (SRBA)  
Notices of Claims - A72-00176B and A72-04230  
Change of Address - Michael M or Patricia A Maloney

RECEIVED  
MAR 06 1996  
Department of Water Resources  
Southern Region

Dear Mr. Bennetts:

IDWR has been notified the address presently in our claim records for your clients referenced above is incorrect. The forwarding sticker on the returned mailpiece had the following address:

SPCC CASILLA 303  
TACNA PERU

We have not received proper notice as to an address change. Future notices related to your clients' SRBA claims can be sent only to the address on their claims or as otherwise changed by the claimant. The staff of this agency must avoid relying upon the word of others about their mailing address.

We have enclosed a form which can be used to change your clients' address. Please contact this office at 208/327-7862 or toll-free at 800/451-4129 if you have any questions.

Thank you for your help. We hope to assure your clients receive future notices about SRBA matters.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

Enclosure:

Form 42-1409(7)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT  
THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS

SNAKE RIVER BASIN ADJUDICATION CASE )  
576 ) Notice of Filing Director's Report and Supplemental  
Director's Report Part II & III, United States' and Tribal  
Non-consumptive Claims.

ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN  
HEREBY NOTIFIED OF THE FOLLOWING:  
DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH  
DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT.  
THESE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PRO-  
CEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND  
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION  
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT

Department of Water Resources  
1720

A72-04230  
+R  
~~A72-0~~

does Atty  
Bennett's change  
NOA in file? ↑  
A72-00176B

Presorted  
First Class Mail  
U.S. Postage Paid  
Boise, Idaho  
Permit No. 1

RECEIVED  
06 1996  
Water Resources  
Region

RECEIVED  
APR 21 1995  
Department of Water Resources

MAL0108  
PATRICIA A MALONEY  
MICHAEL M MALONEY  
HC 68 BOX 349  
CLAYTON ID 83227

MAL0108 832273002 1494 04/18/95  
FORWARDING TIME EXPIRED  
MALONEY  
SPCC CASILLA 303  
TACNA PERU  
RETURN TO SENDER



SD-0607-2 Prefix: A Basin: 72 Starting Water Right: 04220

STATE

| Water<br>Right No. | Name<br>Last, First    | O<br>W<br>N | Priority<br>Date | Stg/<br>Sts | Source                       | Use<br>Code Desc |
|--------------------|------------------------|-------------|------------------|-------------|------------------------------|------------------|
| A72-04224B         |                        |             | 09/01/1919       | /Z          | SPLIT CLAIM                  | 43 DOMEST        |
| A72-04224C         | COLLINS, WHITNEY       | C           | 09/01/1919       | J/          | LAST CHANCE CREE             | 01 IRR           |
|                    | COLLINS, CAROL M       | C           |                  |             |                              |                  |
| A72-04224D         | ROMANOWSKI TRUST, THOM | C           | 09/01/1919       | J/          | LAST CHANCE CREE             | 01 IRR           |
|                    | ROMANOWSKI TRUST, CARM | C           |                  |             |                              | 43 DOMEST        |
| A72-04226          | AMERICA ACTING THROUGH | C           | 05/01/1879       | J/          | SPRING GULCH SPR             | 04 STOCK         |
| A72-04227          | AMERICA ACTING THROUGH | C           | 05/01/1879       | J/          | WATT SPRING 1                | 04 STOCK         |
| A72-04228          | DOWTON, SYDNEY M       | C           | 06/01/1915       | S/          | SALMON RIVER                 | 01 IRR           |
|                    | DOWTON, KAREN A        | C           |                  |             |                              | 04 STOCK         |
| A72-04229          | REBENTISCH, ARDYTH     | C           | 06/01/1940       | S/          | SPRING                       | 43 DOMEST        |
|                    | HANSON, DEANNA         | C           |                  |             |                              |                  |
| A72-04230          | MALONEY, MICHAEL M     | C           | 01/01/1985       | S/          | GROUNDWATER                  | 43 DOMEST        |
|                    | MALONEY, PATRICIA A    | C           |                  |             |                              |                  |
| A72-04231          | SPLIT RIGHT,           | C           | 10/10/1911       | /Z          | CHALLIS CREEK<br>SPLIT RIGHT | 01 IRR           |
| A72-04231A         | LUSHER, BETTY RUSTIN   | C           | 10/10/1911       | J/          | CHALLIS CREEK                | 01 IRR           |

(Enter=Continue)

(GOLD7=This Query)

(Menu \_\_\_\_\_)



**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**

**PHILIP E. BATT  
GOVERNOR**

June 24, 1997

**KARL J. DREHER  
DIRECTOR**

JAMES R BENNETTS  
ATTORNEY AT LAW  
PO BOX 36  
CHALLIS ID 83226-0036

RECEIVED

JUN 27 1997

RE: Snake River Basin Adjudication (SRBA)  
Notices of Claim #72-04230 & 72-10359

Department of Water Resources  
Southern Region

Dear Mr. Bennetts,

In response to your inquiry dated June 9, 1997, I checked with region staff and can report the agency staff in reviewing the Maloneys' claims did not merely misplace the claim for the spring.

Seemingly the claims would be reviewed and processed together and were up to a point. However, the strength of the claim for the well raised a minor question whether the spring for the same purpose was still used. At the point of the question the claim for the spring (72-10359) was set aside for later review before the recent Director's Report was issued. Unfortunately as the push to meet the report deadline approached the claim for the spring remained on the sidelines.

Presuming the Maloneys do not have other factors dependent on the claims, claim 72-10359 is planned for reporting before this time next year when another Director's Report for irrigation and other small non-domestic and stockwater uses and all claims missed in the 1997 report will be submitted to the claimants and the Court.

The alternative is to file an Objection (SRBA Court Standard Form 1) with the Court protesting the absence of the claim from the report. I'm confident, presuming the water from the spring is still diverted and used, before the hearing for uncontested claims is heard, a settlement of the Objection would be an agreement (SF5) submitted to the Court that the Maloneys and IDWR would endorse the elements of the water right. This would put the claim for the spring on the same track as the claim for the well. Of course this tactic may not be worth the expense of just waiting for the later report.

A72-04230

James R. Bennetts  
June 24, 1997  
Page 2

Please convey my apologies to the Maloneys for this misstep in processing a report of over 3,000 water rights. I further apologize for the inconvenience to them. If you or they have any further questions, I stand ready to assist and respond.

Sincerely,



*for* Donald V. Shaff  
Manager, Adjudication Section

DVS:ss:region ✓

TELEPHONE  
(208) 879-4488

JAMES R. BENNETTS  
ATTORNEY AT LAW  
P.O. BOX 36  
CHALLIS, IDAHO 83226-0036

RECEIVED  
JUN 12 1997  
FAX  
(208) 879-4488  
Department of Water Resources

June 9, 1997

Idaho Department of Water Resources  
1301 North Orchard Street  
Statehouse Mail  
Boise, Idaho 83720-9000

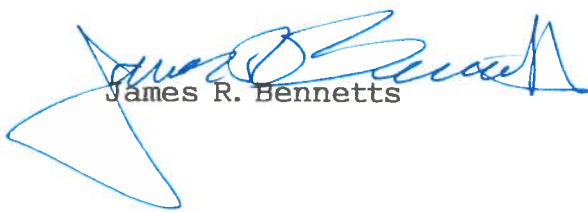
RE: Patricia A. Maloney and Michael M. Maloney  
Water Right No. 72-04230

Dear Sirs:

My clients, Patricia A. Maloney and Michael M. Maloney received the enclosed correspondence and copy of domestic water right (goundwater) from your department. Please review the file, as a spring source was also claimed by the Maloneys for domestic uses at the same home and yard area, but is not shown on the enclosed listing from the Director's Report.

Thank you for your attention to this matter.

Very truly yours,

  
James R. Bennetts

JRB:k  
Enclosure  
cc: Patty and Mike Maloney



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

April 30, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

72-04230

PATRICIA A MALONEY

MICHAEL M MALONEY

HC 68 BOX 349

CLAYTON ID 83227

RE: Recommended Water Rights Acquired Under State Law  
Snake River Basin Adjudication (SRBA)  
Domestic and/or Stockwater Rights in Reporting Area 4, Basins 71 and 72

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basins 71 or 72 (the Upper Salmon River Drainage Basin). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basins 71 and 72 will be recommended in a later process.

Note that you have 120 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the Custer County courthouse in Challis, the Blaine County courthouse in Hailey, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher  
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES  
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT  
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: April 30, 1997

PAGE: 1

RIGHT NUMBER: 72-04230

NAME AND ADDRESS: PATRICIA A MALONEY  
MICHAEL M MALONEY  
HC 68 BOX 349  
CLAYTON ID 83227

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY-DATE: 01/01/1985

POINT OF DIVERSION T10N R18E S24 NWNW Within CUSTER County

## PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE | QUANTITY |
|----------------|-----------------|---------------|----------|
|                | DOMESTIC 1 HOME | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: DOMESTIC Within CUSTER County  
T10N R18E S24 NWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
PARCEL NO. RP000400020080A  
PROPERTY ALSO KNOWN AS LOT 8, BLOCK 2, EAST FORK SUBDIVISION

From: DWR60::DJONES  
To: @DVS  
CC: DJONES  
Subj: 72-10359

16-JUN-1997 16:18:28.77

Don,

It does not look like this claim was caught in the D&S lists. I have looked at 4230 & 10358 and see that they were switch-numbered, but 10359 could have gone through. The original claim does say that the well is in use, but we would have normally also recommended the spring source.

Hope this helps.

Doug

From: DWR03::DSHAFF  
To: DWR60::DJONES  
CC: DSHAFF  
Subj: 72-10359

12-JUN-1997 14:19:57.59

You may be able to help me respond to an attorney for the Maloneys who inquired why this water right was not included in RA 4 report. Their claim 72-04230 was included prompting the inquiry about this claim to a spring for the same water use. This number is in the AB\*Holdback list. Thanks



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

RECEIVED  
NOV 05 2001  
Department of Water Resources  
Southern Region

December 29, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

*called - said mail takes 3  
wks to arrive.*

Michael M. Maloney  
Patricia A. Maloney  
Box 4870  
Smithers, BC Canada VOJ2N0

*cc: Becky H.*

RECEIVED

JAN 24 2000

Department of Water Resources

*cc: W.A.*

Re: Snake River Basin Adjudication (SRBA)  
Water Rights #72-00176J, 72-00230D, 72-04230, 72-10359 & 72-16554

*I status*

*obj*

*Records modified,  
NCA P prepared, 1-24-2k*

Dear Water Right Holders:

We have been advised the address for you presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by January 14, 2000. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right records.

Sincerely,

*Sally Sherman*

Sally Sherman  
Technical Records Specialist  
Adjudication Bureau

SS:region

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

*Patricia A. Maloney*

*250-847-015*