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APR 11 2014

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Subcase 63-33933

(Insert water right number)

Case No. 39576

MOTION FOR DETERMINATION OF
DEFERRED *DE MINIMIS* DOMESTIC OR
STOCK WATER USE

Please fill in the following information:

NAME AND ADDRESS OF WATER RIGHT CLAIMANT.

Name: Kurt & Teri Thaemert

Address: 11062 W. Inglin Dr.

Boise, Idaho 83709

Daytime Phone: (208) 377-3355

Name & Address of Attorney, if any:

Travis L. Thompson

Barker Rosholt & Simpson, LLP

195 River Vista Place, Suite 204

Twin Falls, Idaho 83301-3029

(208) 733-0700

I HAVE ATTACHED:

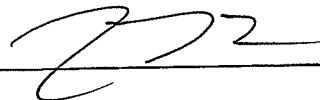
- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock water use pursuant to I.C. § 42-1414. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 25.00.

I HAVE READ AND REVIEWED THE FOLLOWING:

- ☒ The procedures governing the filing and prosecution of this Motion as set forth in the Court's *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on June 28, 2012.
- ☒ The *Order Granting State of Idaho's Motion for Interim Order Implementing the Order Governing Procedures of Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on December 18, 2013.

INSTRUCTIONS REGARDING THE HEARING ON THIS MOTION: A hearing on your Motion will be scheduled by the Court after you file an *Affidavit of Publication* in the above-captioned matter evidencing that you have caused to be published a notice of the pendency and purpose of your Motion once a week for not less than three (3) weeks in a newspaper of general circulation in the county in which the point of diversion is located or as otherwise required by this Court in accordance with paragraph B.1. of the *Order Governing Procedures I the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*.

Signed: _____



Dated: _____

4/9/14

CERTIFICATE FO MAILING

I certify that on April 30, 2014, I mailed original and copies of this form, including all attachments, via certified mail and addressed as follows to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Ave. North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div.
550 W Fort Street, MSC 033
Boise, ID 83724

U.S. Attorney's Office
800 Park Blvd., Ste. 600
Boise, ID 83712

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

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001



Signature of person or attorney mailing the form

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SRBA Form No. 42-1409-2 (Internet 1/09)

WATER RESOURCES
WESTERN REGION

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: 63-33933

Date Received: 3/24

Receipt No: W041936

Received By: C. H. H.

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

1. Name of Claimant(s) Kurt & Teri Thaemert Phone 208 377-3355

Mailing Address 11062 W. Inglin Dr. Boise ID Zip 83709
Street or Box City State

2. Date of Priority: (Only one per claim) 09/11/2008
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water ☒ or Other ☐ (a) _____
which is tributary to (b) _____

4. Location of Point of Diversion is: Township 7N, Range 4E, Section 26
NE 1/4 of SW 1/4, or Govt. Lot _____ BM., County of Boise;

Parcel (PIN) no. _____

Additional points of diversion if any: _____

If available, GPS coordinates: Lat. 43° 54.935N, Long. 115° 57.162W

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, 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.

domestic well and pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For domestic purposes from 1/1 to 12/31 amount 0.02 cfs ☒ or AFY ☐

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed 0.02 cfs ☒ or AFY ☐

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) 1 cabin

SCANNED

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9. Location of Place of Use is: Township 7N, Range 4E, Section 26,
NE 1/4 of SW 1/4, Govt. Lot _____ BM. Parcel (PIN) no. _____
If different than shown in Item 4
for (Check One) Domestic ☒ Stock ☐ Domestic and Stock ☐

Additional places of use, if any _____

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

11. Do you own the property listed above as place of use? Yes ☒ No ☐

If the answer is No, describe in Remarks below the authority you have to claim this water right.

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

None ☒ _____

13. Remarks:

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ wish to receive do not ☒ and pay a small annual fee for monthly copies of the docket sheet

Number of attachments: none

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date: 3-22-14

[Signature] Date: 3/22/14

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____
Title Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, Travis L. Thompson, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature] Date 9/5/14

Address 195 River Vista Pl., Ste 204 Twin Falls, ID 83301

Last Name _____ Identification No. _____

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MAR 25 2014

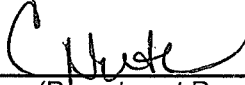
Idaho Department of Water Resources Receipt

Receipt ID: W041936

Payment Amount	\$25.00	Date Received	3/24/2014 12:06 PM	Region	WESTERN
Payment Type	Check	Check Number	8111		
Payer	THAEMERT, KURT				
Comments	NOTICE OF CLAIM TO WATER RIGHT CIVIL CASE 39576 KURT & TERI THAEMERT 7N 4E SEC 26 NE SW				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	ADJUDICATION FILING FEE	42503	0337			1155



Signature Line (Department Representative)