

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: **A63-30092**
Date Received: 3/ 7/1990
Receipt No: W010718
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: WILLIAM N CLARICH 208-674-2066
Address: 3255 OVERLOOK DR
PARMA ID 83660

AND/OR

Name: BETTY L CLARICH 208-674-2066
Address: 3255 OVERLOOK DR
PARMA ID 83660

2. Date of Priority: DEC 31, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	05W	5	SW	SW	NW	5	PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOUSEHOLD, STOCKWATER FOR 3 HORSES

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	05W	5	SW	NW	5	DOMEST	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 _____

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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. AG-3-30092Date Received 3-7-90Receipt Number W 10718

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

MAR 07 1990

Department of Water Resources
Western Regional Office

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

Filing Fee \$25

Please type or print clearly

AND/OR

1. Name of Claimant (s) WILLIAM N. CLARK / BETTY L. CLARK Phone (208) 674-2066Mailing Address 3255 OVERLOOK DR, PARMA, ID Zip 836602. Date of Priority (Only one per claim) 1940 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 6N Range 5WSection 5, SW 1/4 of SW 1/4 of NW 1/4, Govt. Lot 5, BM.,County of PAYETTE

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. _____

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

For DOMESTIC purposes from 1/1 Month/Day to 12/31 Month/Day amount 0.04 (cfs)For STOCK WATER purposes from 1/1 Month/Day to 12/31 Month/Day amount 0.02 (cfs)
(Both dates are inclusive)7. Total quantity claimed 0.06 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) ONE HOUSEHOLD, STOCKWATER FOR 3 HORSES

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10. Place of use is: Township: 6N Range 5W

Section 5, SW 1/4 of NW 1/4, Govt. Lot 5, B.M.,

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? PAYETTE

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.

() None or _____

14. Remarks: _____

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)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 ONE

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

Signature of Claimant (s) William N. Clavich

Date 2/2/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

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 Payette) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 2 day of March 19 90

SEAL

Notary Public Chris Enoki

Residing at Palma

My Commission Expires 12-3-90

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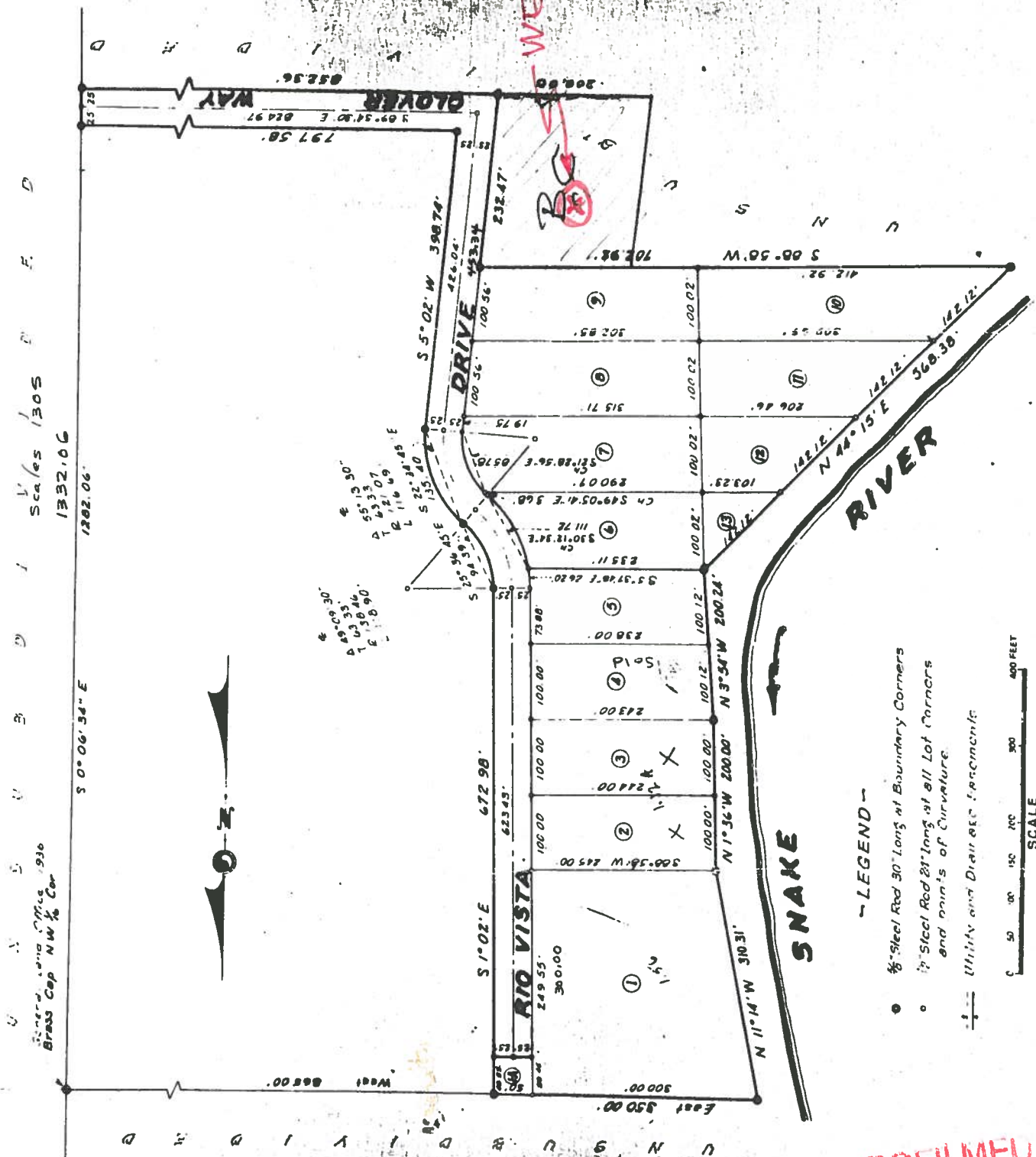
Last Name Enoki

Ident No. _____

Copies: White-State, Yellow-Claimant

RIO VISTA SUBDIVISION

A PART OF THE SW 1/4 SECTION 5, T.6 N., R.5 W., B. M.
HOFFMANN - FISKE - MILAR CONSULTING ENGINEERS



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12-1-92

ADJUDICATION CLAIM REVIEW CHECKLIST

CLAIMANT'S NAME

Clarich, Wm

CLAIM IDENT. NO.

AG 3-30096

DATE RECEIVED

3-7-90

RECEIPT #

W1078

FEE PAID \$

25

FEE REQ'D \$

YES

NO

Requir
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Requir Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Requir Info? *
 Is the priority date acceptable in view of mandatory filing dates?
 See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ Requir Info? *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Requir Info? *
 (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ Requir Info? *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Requir Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Requir Info? *
6. Are the water uses appropriate for the form? ☒ YES ☐ NO ☐ Requir Info? *
 The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.
 Is the period of use included? ☒ YES ☐ NO ☐ Requir Info? *
 Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Requir Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Requir Info? *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ Requir Info? *
 Is the consumptive use correct? ☒ YES ☐ NO ☐ Requir Info? *
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? ☒ YES ☐ NO ☐ Requir Info? *
 If multiple domestic, is single ownership indicated? ☒ YES ☐ NO ☐ Requir Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Requir Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Requir Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Requir Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Requir Info? *
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.) ☒ YES ☐ NO ☐ Requir Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Requir Info? *
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? ☒ YES ☐ NO ☐ Requir Info? *
 If yes, compare claim w/existing right and attach proof report noting any differences in comments.
 If no, was water right no. found? ☒ YES ☐ NO ☐ Requir Info? *
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? ☒ YES ☐ NO ☐ Requir Info? *
 (If yes, attach a proof report & complete number change)
 NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.
18. If the claimant requested a monthly docket sheet, was the fee paid? ☒ YES ☐ NO ☐ Requir Info? *
19. Is the claim signed by the claimant, and is the signature appropriate? ☒ YES ☐ NO ☐ Requir Info? *
20. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Requir Info? *
21. Was this claim filed on time? ☒ YES ☐ NO ☐ Requir Info? *
 (Check ML3 for date mailed-not all were mailed on the planned date)
 If no, was an extension of time filed & approved? ☒ YES ☐ NO ☐ Requir Info? *
22. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Requir Info? *

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YES NO

23. Is this claim being rejected and returned to claimant? ☐ YES ☒ NO
24. Can this claim be data entered? ☒ YES ☐ NO
25. Was claim modified? ☒ YES ☐ NO

If yes, do modifications require notification to claimant? ☒ YES ☐ NO
Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: LRW Date 7-20-94
Claim data entered by: LRW Date 7-20-94

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: _____

7-20-94
5:28 PM
136

09/29/2006

**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: October 31, 2006

Water right number: 63-30092

BETTY L CLARICH
3255 OVERLOOK DR
PARMA ID 83660
Telephone Number: (208)674-2066

WILLIAM N CLARICH
3255 OVERLOOK DR
PARMA ID 83660
Telephone Number: (208)674-2066

RECEIVED

OCT 19 2006

**WATER RESOURCES
WESTERN REGION**

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:

NO LONGER A NEED FOR STOCKWATER

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: 10-17-06 SIGNATURE: William N. Clarich

Please print your name: WILLIAM N. CLARICH

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

08/21/2006

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

RIGHT NUMBER: 63-30092

NAME AND ADDRESS: BETTY L CLARICH
3255 OVERLOOK DR
PARMA ID 83660

WILLIAM N CLARICH
3255 OVERLOOK DR
PARMA ID 83660

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1940

POINT OF DIVERSION:

T06N R05W S5 SWSWNW Lot 5 Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS
DOMESTIC	1/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within PAYETTE County

T06N R05W S05 Lot 5 SWNW

STOCKWATER same as DOMESTIC

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 3 horses.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

July 29, 1994

[William or Betty Clarich]
3255 Overlook Dr
Parma ID 83660
[]

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dear Claimant(s):

We have processed your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to either complete or change an item or items on your claim form(s). A copy of the computer generated copy with these changes and the receipt for the filing fee previously submitted are enclosed. **ONLY THE ITEM(S) SHOWN BELOW WITH A CHECKMARK HAVE BEEN EITHER CHANGED OR ADDED TO YOUR CLAIM(S). IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIM(S).**



Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.



Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.



Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.



Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

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- _____ Item #7 - The total quantity claimed was not completed. The use(s) claimed have been added together and this amount added to your claim.
- _____ Item #9 - The number of homes was not listed on your claim. It appears to be filed for one domestic home and this information has been added to your claim.
- _____ Item #10- The place of use appears to be incorrectly described, or not described at all. Based on other information submitted we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, we have enclosed a copy of the subdivision map from which we computed the quarter-quarter legal description. Or, if you have listed a quarter-quarter legal description under Item No. 4, we have listed this same quarter-quarter, section township and range on this item.
- _____ Item #12- The ownership of the place of use has not been marked. We have assumed you own the place of use and this information has been added to your claim.
- _____ Item #15- Basis of Claim was not completed. No previously recorded water rights were found, therefore, we have marked beneficial use of the water as the basis for filing this claim.
- _____ Other _____
- _____

If you have any problems or questions concerning these additions and/or changes, please contact this office within 30 days from the date of this letter. If we do not hear from you within this time, we will assume you agree with these changes, and your claim will remain on file as shown on the enclosed data entered copy.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office

Enclosures

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

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