

1998 JUL 24 PM 02:00
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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 45-10394

RECEIVED

AUG 14 1998

Department of Water Resources
Southern Region

NAME AND ADDRESS: CAROLYN K WHALEN
THOMAS P WHALEN
323 W 40TH
BURLEY, ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 11/03/1959

POINT OF DIVERSION: T11S R23E S05 NENW Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic T11S R23E S05 NENW Within Cassia County

OTHER PROVISIONS 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.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

Please Carefully Review Your Partial Decree

Carefully read and check all items to make sure they are accurate, especially:

1. Name and Address
2. Water Source
3. Date of Priority
4. Point of Diversion
5. Place of Use
6. Nature of Use

If You Find An Error Or Something That Needs To Be Corrected

Call the IDWR Regional Office that handles your basin. The telephone numbers are on the back panel of this brochure. Your basin is designated as the first two digits of your water right.

The proper form will be mailed to you upon your request. Complete and return the form to the IDWR Regional Office that handles your basin not later than 60 days after the date printed on the partial decree.

Costs associated with this publication are available from the Idaho Department of Water Resources in accordance with Section 60-202, Idaho Code.
IDWR-8,000-42001-11/96

Printed on recycled paper

Here's How To Contact IDWR Regional Offices If You Need Assistance

If your partial decree begins with 34:

IDWR Eastern Regional Office
900 N. Skyline Dr., Idaho Falls, ID 83401
(208) 525-7161
Toll Free: (888) 2-SRBA34 (277-2234)

If your partial decree begins with 36:

IDWR Southern Regional Office
222 Shoshone St. E, Twin Falls, ID 83301
(NOTE: moving mid-Dec. to 1341 Fillmore St. N., call first)
(208) 736-3033
Toll Free: (888) 2-SRBA36 (277-2236)

If your partial decree begins with 57:

IDWR Western Regional Office
2735 Airport Way, Boise, ID 83705
(208) 334-2190
Toll Free: (888) 2-SRBA57 (277-2257)

A Very Important Reminder

While the SRBA continues, the law requires that you notify IDWR if there are any name or address changes. If the property to which the right applies changes hands, please file a change of ownership with the form obtained from an IDWR office. Failure to file an ownership change may result in your right not being included in the final decree at the end of the case, a penalty of up to \$100 and restrictions on water use.

Guide To Reviewing Your Partial Decree Water Right In The Snake River Basin Adjudication



Idaho
Department
of Water
Resources



5th Judicial
District
Court
of Twin Falls

Congratulations **Here's your decreed water right!**

You have received your partial decree of water rights in the Snake River Basin Adjudication (SRBA) with this brochure. The partial decree is the SRBA Court's official decision on your water right based on the claim to a water right you submitted.

The term "Partial Decree" simply means your water right represents only a small portion of the future SRBA decree. This partial decree is final; however, you have the opportunity to correct errors and the right to an appeal.

The partial decrees being issued at this time cover only small domestic and stockwater water rights in Water Basins 34, 36 and 57. The first two digits of your water right identify the basin. Please note that contested claims and claims to water rights for irrigation and other uses are still being processed.

This brochure is designed to help answer questions you may have about your water right and to provide a way to get more information or to have your questions answered.

Commonly Asked Questions

1. Do I need to do something?

Yes. Carefully check your partial decree to make sure all the information is correct. If there are errors, call the Idaho Department of Water Resources (IDWR) to request a change form. If you have a question about the decree, contact IDWR for further information. The phone numbers are on the back of this brochure.

If a change is needed, mail the form to IDWR within 60 days of the date printed on your partial decree.

If the partial decree correctly describes your water right, you do not need to do anything more. However, be sure to keep IDWR notified of any changes in ownership for all your water rights.

2. When will processing on my other water rights be completed?

The domestic and stockwater partial decrees are being mailed in numerical batches during Nov. and Dec., 1996. Finalization of partial decrees on irrigation and other non-domestic and non-stockwater rights is ongoing. These partial decrees will be issued as hearings are completed. For more information, contact IDWR.

3. This is a copy of the partial decree for my water right. Where is the original?

The original partial decree for your water right will be retained by the Snake River Basin Adjudication (SRBA) Court, and a certified copy will be permanently archived at IDWR. Copies are available upon request.

4. Why does this partial decree have a different format from the document that was mailed to me in 1992?

The new format has basically the same information as the previous document. We have designed this new format to be more easily read. We also put any remarks near the element of the water right that they modify.

5. When will the SRBA be completed so my partial decree becomes part of the final decree?

The final decree will be issued at the end of the case when all water rights have been reviewed and disputes resolved. The SRBA Court and IDWR are moving forward as quickly as possible. This is a large, complex case with many legal and technical problems to resolve.

We anticipate that finalization of the process will require many more years of hard work. In the meantime, your partial decree represents a completion of the effort to decree your individual water right, and if you are not advised otherwise you can consider this process complete.

6. When will partial decrees be issued for other basins?

The SRBA Court and IDWR are setting up the procedures to issue partial decrees for small domestic and stockwater rights in other basins.



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 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

45-10394

THOMAS P WHALEN
CAROLYN K WHALEN
323 W 40TH
BURLEY ID 83318

RE: Domestic and/or Stockwater Rights in Basins 41, 43 and 45
Snake River Basin Adjudication (SRBA)

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 41, 43 and 45. 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 these basins 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 county courthouses in American Falls, Malad City, Burley and Twin Falls, and at 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

AJ5855NP
691

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

DATE: February 27, 1998
PAGE: 1

RIGHT NUMBER: 45-10394

NAME AND ADDRESS: THOMAS P WHALEN
CAROLYN K WHALEN
323 W 40TH
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY-DATE: 11/03/1959

POINT OF DIVERSION T11S R23E S05 NENW Within CASSIA 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 CASSIA County
T11S R23E S05 NENW

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. 00001002004A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098



IMPORTANT WATER RIGHT INFORMATION



RETURNED
TO SENDER
NOT DELIVERABLE
AS ADDRESSED -
UNABLE TO FORWARD

RECEIVED
MAR 04 1998
Department of Water Resources

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

RECEIVED

AUG 14 1998

Department of Water Resources
Southern Region



RETURNED
TO SENDER
NOT DELIVERABLE
AS ADDRESSED -
UNABLE TO FORWARD

45-10394

AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-268

RIGHT NUMBER: 45-10394

NAME & ADDRESS: THOMAS P WHALEN
CAROLYN K WHALEN
323 W 40TH
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 11/03/1959

POINT OF DIVERSION: T11S R23E S05 NENW Within CASSIA 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 CASSIA County
T11S R23E S05 NENW

OTHER PROVISIONS 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. 00001002004A

KKC

Claim proofread by: en

Date: 9-26

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: A45-10394
Date Received: 4/28/1989
Receipt No: S006952
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS P. WHALEN
Address: 323 WEST 40TH
BURLEY, ID 83318

AND/OR

Name: CAROLYN K. WHALEN
Address: 323 WEST 40TH
BURLEY, ID 83318

2. Date of Priority: NOV 03, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	23E	5	NE	NW			CASSIA

5. Description of diverting works:
6" X 175' WELL WITH 1 HP 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
11S	23E	5	NE	NW		DOMEST	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:

LOT 4, BLOCK 2, BILLENE PARK SUBDV., CASSIA CO.

OWNERSHIP CHANGE 6/27/90 BY JG

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 _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

27-Jun-1990 15:28

Thomas P. &/or Carolyn K. Whalen
323 West 40th
Burley, ID 83318

Re: Claim No(s). A45-10394

Dear Claimant(s):

Pursuant to the notification that you presently own the property inwhich the above referenced adjudication claim(s) is appurtenant, the Department has changed the record(s) of the current owner as you requested. Please find enclosed copy(s) of the computer record of the claim(s) noting the change in claimant. Please review the record(s) and if you have any corrections, please contact this office.

Sincerely,

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

Judy Givens
Adjudication Secretary

Encls:

c.c. Land Title and Escrow, Inc.
Barbara Ehle, Escrow Officer

MICROFILMED

MAR 08 1993

SD-33		LAST NAME: SAMPSON				STATE	
S	FIRST	O	WATER	PRIORITY		TOTAL	USE
E	NAME	N	RIGHT NO.	DATE	SOURCE	DIVERSION	CODE DESC
L							
—	SAMPSON						
—	PAUL	C	A45-10394	11/03/1959	GROUNDWATER	0.040	43 DOMEST
—	SHERYLL	C	A45-10394	11/03/1959	GROUNDWATER	0.040	43 DOMEST
—	TULLY	C	A85-11760	01/09/1947	GROUNDWATER	0.090	04 STOCK
—							43 DOMEST
—	TULLY	C	A85-11761	01/09/1947	SPRING	0.030	04 STOCK
—	TULLY	C	A85-11762	01/09/1947	SPRING	0.030	04 STOCK
—	MANFORD	C	A65-02578	05/18/1953	GROUNDWATER	0.120	01 IRR
—	ROSEMARY	C	A65-02578	05/18/1953	GROUNDWATER	0.120	01 IRR
—	ROSEMARY	C	A65-06645	04/01/1940	GROUNDWATER	0.040	43 DOMEST
—	MANFORD	C	A65-06645	04/01/1940	GROUNDWATER	0.040	43 DOMEST
—	TULLY	C	A85-11763	01/09/1972	GROUNDWATER	0.150	04 STOCK
—							43 DOMEST
—	TULLY	C	A85-04440	01/01/1947	LAPWAI CREE	0.250	01 IRR
—	JOHN	C	A29-11053	06/01/1963	SUNBEAM CRE	0.020	04 STOCK
—	BARBARA-JEAN	C	A29-11053	06/01/1963	SUNBEAM CRE	0.020	04 STOCK

(ENTER=CONTINUE)

(GOLD 7=THIS QUERY)

(MENU _____)

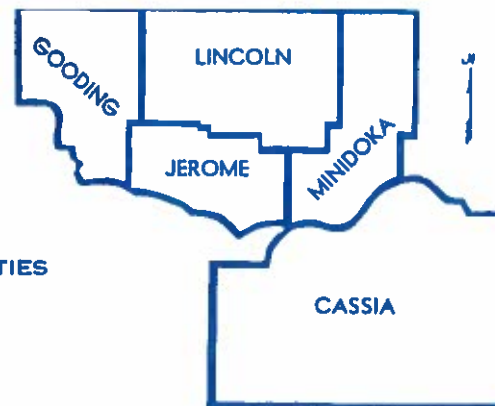
MICROFILMED

MAR 6 6 1993

Land Title and Escrow, Inc.

COMPLETE SERVICE

— 5 IDAHO COUNTIES



REFER TO:
OFFICE:

Burley

A 45-10394

Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

JUN 20 1990

Gentlemen:

Enclosed you will find an original and one copy of a completed executed Change in Ownership of Notice of Claim. Would you please sign the receipt on the copy and return to this office in the enclosed envelope.

If you should have any questions or need any additional information, please do not hesitate to contact this office.

Very truly yours,

LAND TITLE AND ESCROW, INC.

Barbara Ehle

Barbara Ehle,
Escrow Officer

encs.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-4842 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0608 - FAX 436-1199

MICROFILMED

MAR 28 1993

RECEIVED

JUN 20 1990

CHANGE IN OWNERSHIP

Page 1

Department of Water Resources Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

☒ Water Right Number(s): 39576

☒ Name and Address of
Former Claimant(s): Paul J. Sampson & Sheryll Ann Sampson
PO Box 4612
Page AZ 86040

[] New Claimant(s): Thomas P. Whalen + Carolyn K. Whalen

[] New Mailing Address: 323 West 40th
Burley, Idaho 83318

New Telephone Number: (208) - (no phone yet)

[] Does the change in ownership result in a splitting of the water right claimed? yes ~~X~~ no
If yes, then describe the portion of the water right that is now claimed by the new owner:

☒ Attach proof of ownership
Describe proof attached: Executed Warranty Deed
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s):

RECEIPT OF THE ORIGINAL OF
THIS DOCUMENT IS HEREBY ACKNOWLEDGED
THIS 20 DAY OF June, Date:
1990.

DEPARTMENT OF WATER RESOURCES

By: X [Signature]

MICROFILMED

MAR 08 1955

RECEIVED

CHANGE IN OWNERSHIP

JUN 20 1990

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

Department of Water Resources
Southern Region Office

☒ Water Right Number(s): 39576

☒ Name and Address of Former Claimant(s): Paul J. Sampson & Sheryll Ann Sampson

PO Box 4012

Page AZ 86040

[] New Claimant(s): Thomas P. Whalen & Carolyn K. Whalen

[] New Mailing Address: 323 West 40th
Burley, Idaho 83318

New Telephone Number: (208) _____ (no phone yet)

[] Does the change in ownership result in a splitting of the water right claimed? _____ yes ☒ no
If yes, then describe the portion of the water right that is now claimed by the new owner:

☒ Attach proof of ownership
Describe proof attached: Executed Warranty Deed
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s): _____

Date: _____

CHANGE IN OWNERSHIP

Page 2

[X] Signature of Former Claimant(s):

Paul R. M. Sampson
Sheryl Ann Sampson

Date:

6/17/90

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6/27/90 By: AC

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 6/27/90 By: AC

Claim Numbers of Split, if any:

WARRANTY DEED

For Value Received

PAUL JOHN SAMPSON and SHERYLL ANN SAMPSON, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

THOMAS P. WHALEN and CAROLYN K. WHALEN, husband and wife
ADDRESS: 323 West 40th Street, Burley, Idaho 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

The East 100 feet of Lot 4 in Block 2 of the Billene Park Subdivision, Cassia County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

SUBJECT TO:

Taxes for 1990 and subsequent years.

Assessments of the Burley Irrigation District and the rights and powers of said District as by law provided.

Restrictive Covenants for the Billene Park Subdivision, recorded November 3, 1959 as Instrument No. 203704 in Book 16 of Miscellaneous, Pages 163, 164 and 165, records of Cassia County, Idaho.

Easement as shown on the recorded plat of Billene Park Subdivision.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 5, 1990

Paul John Sampson
PAUL JOHN SAMPSON

Sheryll Ann Sampson
SHERYLL ANN SAMPSON

STATE OF IDAHO, COUNTY OF

On this day of June , 1990
before me, a notary public in and for said State, personally appeared

PAUL JOHN SAMPSON and
SHERYLL ANN SAMPSON

known to me to be the person s whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Notary Public

Residing at

, Idaho.

STATE OF IDAHO
COUNTY OF CASSIA

June 90 Paul John Sampson Sherrell Ann Sampson

Paul John Sampson
My commission expires Aug. 22, 1990

NOTARY PUBLIC

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: A45-10394
Date Received: 4/28/1989
Receipt No: S006952
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL SAMPSON 208-678-3268
Address: P.O. BOX 871
BURLEY, ID 83318

AND
Name: SHERYLL SAMPSON 208-678-3268
Address: P.O. BOX 871
BURLEY, ID 83318

2. Date of Priority: NOV 03, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	23E	5	NE	NW			CASSIA

5. Description of diverting works:
6" X 175' WELL WITH 1 HP 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
11S	23E	5	NE	NW		DOMEST	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:
LOT 4, BLOCK 2, BILLENE PARK SUBDV., CASSIA CO.

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 _____

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. A45-10394
Date Received 4/26/89
Receipt Number 5006952

RECEIVED
APR 26 1989
NOTICE OF CLAIM
TO A
WATER RIGHT

Department of Water Resources For Domestic and/or Stockwater Purposes
Southern Region Office Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Paul and Sheryll Sampson Phone (208) 678 3268
Mailing Address PO Box 871 Burley ID Zip 83318

2. Date of Priority (Only one per claim) November 3, 1959 Month/Day/Year

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

4. Location of point of diversion is: Township (Please see Item # 14) T-11 Range R-23
Section 5-5, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of Cassia

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 with 6 inch casing, 175 ft. deep. 1 horse power
submersible pump with piping to house

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)
(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) Domestic serving one household

MICROFILMED

MAR 08 1993

10. Place of use is: Township: T-11 Range N-23

Section 5-5, 1/4 of 1/4, Govt. Lot _____, B.M.,

County of Cassia 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? Cassia

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

14. Remarks: Location of Well, house, & land is: The East 100 ft. of Lot 4 in block 2 of the Billene Park Subdivision Cassia 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)

(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 _____

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

Signature of Claimant (s) Paul Sampson Date 4/24/89

Sheryl Sampson Date 4-25-89

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 Idaho)

County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 25th day of April 19 89

SEAL

Notary Public Steve Thompson

Residing at _____ MY COMMISSION EXPIRES 9-15-93

My Commission Expires _____ RESIDING AT RUPERT, IDAHO

MICROFILMED

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claim 100 0 1533

10. Place of use is: Township: T-11 Range N-23
Section S-5, NW 1/4 of NW 1/4 Govt. Lot _____, B.M.,
County of Cassia 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? Cassia

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

14. Remarks: Location of Well, house, & land is: The East 100 ft. of Lot 4 in block 2 of the Billene Park Subdivision Cassia County Idaho
Assisted with Legal Description by Cassia Co Assessors office.

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 _____

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

Signature of Claimant (s) Paul Sampson Date 4/24/89
Sheryl Sampson Date 4-25-89

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 _____ of _____
Title 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 Idaho }
County of Cassia } SS.

Subscribed and sworn (or affirmed) before me this 25th day of April 19 89

SEAL

Notary Public Steve Thompson

Residing at _____ MY COMMISSION EXPIRES 6-15-93

My Commission Expires _____ RESIDING AT _____

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 10 8 1993

WATER RIGHT NUMBER - A45-10394

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
WHALEN

THOMAS P.

1 - 323 WEST 40TH

2 -

3 -

CITY- BURLEY

STATE- ID ZIP- 83318

PHONE - 208-000-0000

1 - 323 WEST 40TH

2 -

3 -

CITY- BURLEY

STATE- ID ZIP- 83318

PHONE - 208-000-0000

WHALEN

CARDLYN K.

*** O - ORIGINAL OWNER ***
SAMPSON

SHERYLL

1 - P.O. BOX 871

2 -

3 -

CITY- BURLEY

STATE- ID ZIP- 83318

PHONE - 208-678-3268

1 - P.O. BOX 871

2 -

3 -

CITY- BURLEY

STATE- ID ZIP- 83318

PHONE - 208-678-3268

SAMPSON

PAUL

+ - - PRIORITY DATE - - +
11/03/1959

+ - - - REGION - - - +
ERROR IN REGION

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - TRIBUTARY - - - - - +

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

11S 23E 5 NE NW (31) CASSIA

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC

01/01

12/31

0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 0.0

+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

11S

23E

5

NE NW

43

DOMESTIC

(31) CASSIA

+ - - DIVERSION MEANS - 6" X 175' WELL WITH 1 HP PUMP.

+ - - NON-IRRIGATION USE - D/1 HOUSE.

MICROFILMED
OCT 27 1994

WATER RIGHT NUMBER - A45-10394

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +
LOT 4, BLOCK 2, BILLENE PARK SUBDV., CASSIA CO.

OWNERSHIP CHANGE 6/27/90 BY JG

+ - - - - 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

+ - - AUDIT FIELDS - 04/28/89 WORSTELL 06/27/90 GIVENS

+ - - - - -COMMENTS- - - - - +
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
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	- 04/28/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- S006952	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

00001002004A

DATA ENTRY

ENTERED 11-21-92 DML

CHECKED 7/6/93

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
OCT 19 1991

CERTIFIED
OCT 18 1991
WATER EXAMINER

PROOF
SEP 16 1991