

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 45-10544

NAME AND ADDRESS: PAULA KANE
RT 1 BOX 315
RUPERT, ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 03/15/1975

POINT OF DIVERSION: T09S R25E S18 LOT 01 (SENE) 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
	Stockwater	10-01 TO 05-01	0.02 CFS

PLACE OF USE: Stockwater Within Cassia County
T09S R25E S18 LOT 01 (NENE)
Domestic Within Cassia County
T09S R25E S18 LOT 01 (NENE)

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



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

45-10544

PAULA KANE
RT 1 BOX 315
RUPERT ID 83350

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

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: 45-10544

NAME AND ADDRESS: PAULA KANE
RT 1 BOX 315
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY-DATE: 03/15/1975

POINT OF DIVERSION T09S R25E S18 LOT 1 (SENE) Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	10-01 05-01	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T09S R25E S18 LOT 1 (NENE)DOMESTIC Within CASSIA County
T09S R25E S18 LOT 1 (NENE)

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. 09S25E180550
STOCKWATER, 50 BEEF, HORSES

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

RETURN SERVICE REQUESTED



IMPORTANT WATER RIGHT INFORMATION



RECEIVED
MAR 06 1998
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: SEP-9-1997
PAGE: A-350

RIGHT NUMBER: 45-10544

NAME & ADDRESS: PAULA KANE
RT 1 BOX 315
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 03/15/1975

POINT OF DIVERSION: T09S R25E S18 LOT 1 (SENESE)

Within CASSIA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
STOCKWATER
DOMESTIC 1 HOME

PERIOD OF USE

10-01 05-01
01-01 12-31

QUANTITY

0.02 CFS
0.04 CFS

*Not standard
in season leave
as is.
K K C*

PLACE OF USE: STOCKWATER Within CASSIA County
T09S R25E S18 Lot 1 (NENE)

DOMESTIC Within CASSIA County
T09S R25E S18 Lot 1 (NENE)

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. 09S25E180550
STOCKWATER, 50 BEEF, HORSES

Claim proofread by: C. J.

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: A45-10544
Date Received: 5/16/1989
Receipt No: 500 7122
Received By: ELL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAULA KANE
Address: RT. 1 BOX 315
RUPERT, ID 83350 208-436-1120

2. Date of Priority: MAR 15, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	25E	18	SE	NE	NE	1	CASSIA

5. Description of diverting works:
6"X 150' 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		
STOCKWATER	10/01	05/01	0.020		

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 S/50 BEEF, HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	25E	18	NE	NE	1	DOMEST	
			NE	NE	1	STOCK	

A45-10544

Page 1

Date: 05/16/89

MICROFILMED

MAR 08 1993

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:
IRRIGATION FROM M.I.D.

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. A45-10544Date Received 5-15-89

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

MAY 16 1989

Department of Water Resources
Southern Region 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

1. Name of Claimant (s) PAULA KANE Phone (208) 436-1120Mailing Address Route I Box 315 Rupert Zip 833502. Date of Priority (Only one per claim) 3/15/1975 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 9 South Range 25 EastSection 18, SE 1/4 of NE 1/4 of NE 1/4, Govt. Lot 1, 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. 6" x 150' well with Pump.

25' deep sand point - alternate supply B.V. 34

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

	Month/Day	Month/Day	(cfs)
For <u>Domestic</u> purposes from <u>1/1</u> to <u>12/31</u> amount <u>.04</u>			
(Both dates are inclusive)			
For <u>Stock</u> purposes from <u>10/1</u> to <u>05/1</u> amount <u>.02</u>			

7. Total quantity claimed .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) D/I House, 5/50 Beef Cattle + Horses

PROFILMED

MAR 08 1993

10. Place of use is: Township: 9 South Range 25 EAST

Section 18, NE 1/4 of NE 1/4, Govt. Lot 1, 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 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 (X)

14. Remarks: Irrigation Water from the Minidoka Irrig. Dist.

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 _____

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

Signature of Claimant (s) Paula Kane Date X 5-15-89

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 Cassia } SS.

Subscribed and sworn (or affirmed) before me this 15th day of May 1989

SEAL

Notary Public Robert V. Worstell

Residing at Twin Falls, Idaho

My Commission Expires 1/16/1995

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 08 1993

WATER RIGHT NUMBER - A45-10544 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER *** PAULA 1 - RT. 1 BOX 315
KANE 2 -
3 -
CITY- RUPERT STATE- ID ZIP- 83350
PHONE - 208-436-1120

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
03/15/1975 ERROR IN REGION J - BENEFICIAL USE

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

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
09S	25E	18	SE NE NE	1		(31)	CASSIA	

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
43 - DOMESTIC		01/01	12/31		0.040	
04 - STOCKWATER		10/01	05/01		0.020	

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

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
09S	25E	18	NE NE	1		04	STOCKWATER	(31) CASSIA
09S	25E	18	NE NE	1		43	DOMESTIC	(31) CASSIA

+ - - DIVERSION MEANS - 6"X 150' WELL, PUMP.

+ - - NON-IRRIGATION USE - D/1 HOUSE S/50 BEEF, HORSES

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +
IRRIGATION FROM M.I.D.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - +

MICROFILMED
OCT 28 1994
+ - DECREE DATE - +
00/00/0000

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

09/07/91 10:27:24
PAGE 2

WATER RIGHT NUMBER - A45-10544

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - AUDIT FIELDS - 05/16/89 CLELLAND

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

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[illegible]

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	-	05/16/1989	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	-	S007122	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		POU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-		NOTICE OF ERROR FLAG	-	

09525E | 80550
~~Contiguous w/~~
~~09525E | 80575~~

DATA ENTRY
ENTERED 11-30-92
CHECKED 2/6/93

"Verified By"
Topo Map/Ortho-PQ
ASCE Map
Webmaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
ID/FM Records

VERIFIED
OCT 23 1991

CERTIFIED
OCT 29 ..
WATER EXAMINER

PROOF
SEP 10 1981