



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

45-11015

ORVIL HYMAS
RT 1 BOX 1742
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,

A handwritten signature in black ink, appearing to read 'Karl J. Dreher', written over a horizontal line.

Karl J. Dreher
Director

Enclosures

AJ5855NP ,
1359

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: 45-11015

NAME AND ADDRESS: ORVIL HYMAS
RT 1 BOX 1742
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: 08/12/1937

POINT OF DIVERSION T10S R24E S32 NENENW 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
T10S R24E S32 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. 10S24E322400

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

for

833 1348743

|||||

11

AJ5856NP

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

DATE: SEP-9-1997
PAGE: A-689

RIGHT NUMBER: 45-11015

NAME & ADDRESS: ORVIL HYNAS
RT 1 BOX 1742
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: 08/12/1937

POINT OF DIVERSION: T10S R24E S32 NENENW 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
T10S R24E S32 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. 10S24E322400

Claim proofread by: CVI
Date: 9-22

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: A45-11015
Date Received: 6/01/1989
Receipt No: M003809
Received By: A. H. H.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORVIL HYMAS
Address: RT. 1 BOX 1742
BURLEY, ID 83318
208-654-2919

2. Date of Priority: AUG 12, 1937

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	24E	32	NE	NE	NW		CASSIA

5. Description of diverting works:
WELL 65' DEEP.

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/ ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10S	24E	32	NE	NW		DOMEST	

11. Place of use in counties: CASSIA

A45-11015

Page 1

Date: 06/27/89

MICROFILMED
MAR 08 1993

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

13. Other Water Rights Used:
HAS BID WATER

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 _____

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: A45-11015
Date Received: 6/01/1989
Receipt No: M003809
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORVIL HYMAS
Address: RT. 1 BOX 1742
BURLEY, ID 83318 208-654-2919

2. Date of Priority: AUG 12, 1937

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
10S	~~23E~~ 24	~~24~~ 32	NE NW		CASSIA

5. Description of diverting works:
WELL 65' DEEP.

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/ ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	~~23E~~ 24	~~24~~ 32	NE NW		DOMEST	

11. Place of use in counties: CASSIA

A45-11015

Page 1

Date: 06/02/89

MICROFILMED
MAR 08 1993

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

13. Other Water Rights Used:
HAS BID WATER

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 _____

MICROFILMED
MAR 08 1993

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. 445-11015
Date Received 6-1-89
Receipt Number 10038098

RECEIVED
JUN 1 1989

**NOTICE OF CLAIM
TO A
WATER RIGHT**

RECEIVED
MAY 26 1989

Department of Water Resources

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) Orval Hymas Phone (208) 654-2919
Mailing Address Rt #1 Box 1742 Burley Ida Zip 83318
- Date of Priority (Only one per claim) Aug 12 1937 Month/Day/Year
- Source of water supply (Check one) (☒) Groundwater or Other () (a) Domestic Pump
Name or kind of source
which is tributary to (b) _____
- Location of point of diversion is: Township 18 N Range 10 E
Section 32 1/4 of NE 1/4 of NW 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. 65 feet deep well

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

For Domestic purposes from 1-1 to 12-31 amount 0.04
(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 ownership

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MAR 08 1993

10. Place of use is: Township: 23E 32 Range 10

Section 24 NE 1/4 of N.W. 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? _____

12. Do you own the property listed above as place of use? Yes L 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: We also have a water right for this property through Burley Irrigation 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) Orval Hyman Date 5-25-89
_____ Date _____

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

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 NA)
County of Cassia) SS.

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

SEAL

Notary Public Julio A. Woodford

Residing at Burley, Idaho

My Commission Expires 8-1-94

Last Name WOODFORD Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED
MAR 08 1993

After lengthy negotiations with the U.S. Department of Justice, the Idaho Department of Water Resources (IDWR) has devised a special procedure for the adjudication of small domestic and stockwater rights (small D&S water rights) in the Snake River Basin Adjudication (SRBA). IDWR sought and obtained approval of the special procedure from the district court in the SRBA. The special procedure relieves owners of small D&S water rights from the requirement to file a notice of claim for such water rights in the SRBA at this time. The purpose of this brochure is to 1) describe the special procedure, 2) describe the water rights eligible for the special procedure, and 3) point out some concerns that the owner of a small D&S water right may want to consider before deciding whether or not to file a notice of claim to the water right in the SRBA at this time. It is the recommendation of IDWR that the best and cheapest way to assure the security of your small D&S water right is to file a notice of claim at this time.

THE SPECIAL PROCEDURE FOR SMALL DOMESTIC AND STOCKWATER RIGHTS

A notice of claim may but is not required to be filed for small D&S water rights in the SRBA at this time. The fee for filing a notice of claim to a small D&S water right at this time is \$25.00. If a notice of claim is filed, the claim will be reviewed as part of IDWR's investigation of water rights included in the Director's Report which contains recommendations as to water rights to be decreed, and included in the district court's decree of water rights, in accordance with the adjudication procedures set forth by statute in Title 42, chapter 14, of the Idaho Code.

A small D&S water right will not be forfeited if a notice of claim for the water right is not filed in the SRBA at this time. The owner of a small D&S water right may file a motion with the court to have the water right adjudicated when the need arises. ("Adjudicated" means determined by the district court and included in the district court's decree of water rights.) The procedure for adjudicating a small D&S water right at a later date is described in an order by the district court and is substantially similar to the supplemental adjudication procedure set forth at Idaho Code §42-1405. If a motion to have a small D&S water right adjudicated is filed at a later date, the claimant will be required to bear the cost of serving notice of the motion (which includes publication of notice of the motion three times in a local newspaper), and will be required to pay IDWR's cost of investigating and preparing a report of the water right claimed. These costs are likely to be more than \$25.00.

Small D&S water rights will not be subject to distribution by a watermaster in a water district unless all of the small D&S water rights have been adjudicated, or unless the director of IDWR determines that distribution of small D&S water rights by the watermaster is necessary. ("Not subject to distribution by a

-1-

watermaster" means that the watermaster will not shut off small D&S water rights to provide water for senior water rights, and will not shut off other water rights to provide water for a senior small D&S water right.) If the director determines that distribution of small D&S water rights in a water district is necessary, then the owner of a small D&S water right that has not been adjudicated will be required to have the water right adjudicated in order to have it distributed by the watermaster. Also, the owner of a small D&S water right that has not been adjudicated will be required to agree to have it adjudicated before the owner can seek approval of a change of the water right (such as a change in point of diversion, change in place of use, change in nature of use, etc.).

There are two limitations that will apply when the owner of a small D&S water right files a motion with the district court in the SRBA to have the water right adjudicated at a later date. First, the water right owner will only be allowed to claim a water right that is within the definition of small D&S use, as defined by the adjudication statute. (The definition of small D&S use is discussed further below.) Second, the extent of a small D&S water right is limited by actual beneficial use. There is no presumption that a small D&S use is entitled to the full 13,000 gallons per day that is permitted to be claimed as a small D&S water right.

All potential claimants of water rights in the SRBA will continue to be joined in the adjudication ("joined" means served with the Commencement Notice) and will be bound by any decrees entered in the adjudication. This includes owners of small D&S water rights, whether or not a notice of claim is filed for the small D&S water right at this time.

WATER RIGHT USES ELIGIBLE FOR THE SPECIAL PROCEDURE: Definition of Small Domestic and Stockwater Use

The special procedure is available for water rights used solely for small domestic and stockwater uses, as those terms are defined by statute. Idaho Code §42-1401A(5) provides that domestic use includes the use of water for homes, organization camps, public campgrounds, livestock, and any other purpose in connection with a residence, including irrigation of up to 4 acres of land, if the total amount of water diverted does not exceed 13,000 gallons per day. That section further provides that domestic use does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments. Rule 4.1.7 of the Adjudications Rules and Regulations adopted by IDWR provides that domestic use includes single-ownership, multiple-family domestic use, so long as the total amount of water diverted does not exceed 13,000 gallons per day. Idaho Code §42-1405(12) defines stockwater use as the use of water solely for livestock or wildlife where the total use does not exceed 13,000 gallons per day. Domestic use can include stockwater use (so long as the total use does not exceed 13,000 gallons per day), or the

-2-

stockwater use can be claimed as a separate water right.

A typical domestic use is a well used for a single family residence, including up to 1/2 acre of lawn and garden. This type of use would qualify for the special procedure. But since water rights are almost infinite in their variety and since the definition is fairly complicated, further explanation of the definition of domestic use is provided below.

DOMESTIC USE - CAMPGROUND USE

Based on the statute and the rules, there are five prerequisites that must be met for a campground use to be eligible for the special procedure:

1. The total amount of water claimed to be diverted cannot exceed 13,000 gallons per day.
2. The total amount of land claimed to be irrigated cannot exceed 4 acre per claim, and must be in connection with the campground.
3. The use must be for a campground or organization camp. This is not limited to "park and camp" campgrounds, but also may include campgrounds with trailer hook-ups and/or cabins, or picnic/rest areas.
4. The campground must be in single-ownership, but can be multiple-family. Single ownership means that the entire campground for which a water right is claimed must be owned by the same person or group of people. Water for several vacation cabins, each of which is owned by a different person or group of people, does not qualify as one domestic water right; but each vacation cabin may qualify as a separate domestic water right.

(Note that "owned by a group of people" means that each member in the group is an owner of the entire facility. Individual ownership of individual parcels is not the same thing, even though all of them together can be said to own all of the parcels.)



In example 1, the parcel is in single-ownership, although owned by a group of people, because A, B, C, and D each own a partial interest in the entire property. In example 2, each parcel is owned by a different person, and each is in separate ownership, even if A, B, C, and D are in the same family, either by blood or marriage. In example 3, each lot is owned by a different person,

-3-

and each is in separate ownership, even if Corporation A is wholly owned by A, because a corporation is its own legal entity separate from the people that own the corporation's stock. In example 4, the two lots can be considered one parcel, even if the lots were separately acquired or separately designated in county records, because they are owned by the same persons.]

5. The campground must not be a commercial or business establishment. In other words, a campground owned by a non-profit organization or public agency qualifies. A campground operated for profit or maintained by a for-profit business does not qualify. However, a campground that otherwise qualifies may claim water for an office used for the campground.

DOMESTIC USE - HOME USE

Again, there are five prerequisites for home use to qualify for the special procedure.

1. The total amount of water claimed to be diverted pursuant to the water right cannot exceed 13,000 gallons per day.
2. The total amount of land claimed to be irrigated cannot exceed 4 acre, and must be in connection with the home. The 4 acre limitation is a per claim limitation, not a per residence limitation.
3. The use must be for a home, where people live, or a use in connection with a home. A suburban residence used solely for a day-care center is not a home, even though the building may look just like the homes around it.
4. The residence or residential facility must be in single ownership, but it may be multiple family. For example, domestic use may include two houses owned by the same person or group of people, if the use meets the other four requirements. (See Item 4 under campground use for a discussion of "owned by the same person or group of people".)
5. The use cannot be for a commercial or business establishment. This is the element of the definition that usually causes the most confusion. Questions asked by many claimants include whether residential rental property is a commercial use, whether property used for farm related activities is a commercial use, whether water for a business operated out of the owner's home is a commercial use, etc. The focus is whether the use is primarily residential, even if it has some aspects that are arguably commercial. Some examples are provided below. The examples of domestic use below assume that the example meets the other four requirements for a domestic use.

a. Single family houses: A house used as a home by a single family is a domestic use, whether or not the house is a rental. A house used solely for a business (such as some day-care

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centers and some offices) is a commercial use. If the house is used as a home, but the resident uses part of the house as a business (such as a beauty shop in the basement or a lawn mower repair shop in the garage), the use is domestic.

b. Multiple family buildings (duplexes, multiplexes, apartment buildings): A multiple family residence can be a domestic use if it meets the other four requirements, even if some or all of the units are rentals.

c. Non-profit boarding houses are domestic uses (because they are primarily residential), but boarding houses operated for profit are commercial uses (because they are primarily commercial), regardless of whether the owner resides there or not.

d. Mobile home parks and motels are commercial uses, regardless of whether the owner lives there or not.

e. "Farmstead" uses are domestic uses. For example, if the claimant uses water for a home, plus an outbuilding for tractor maintenance, plus another building for storing crops, etc.- the use is domestic as long as it meets the other four requirements.

"I DON'T HAVE TO FILE A NOTICE OF CLAIM, BUT I MAY. SO SHOULD I?" Some Considerations

1. The claimant of a small D&S water right must pay a \$25.00 fee to file a notice of claim to a water right in the SRBA at this time. If the owner of a small D&S water right files a motion to have the water right adjudicated later, the owner will be required to pay the cost of serving the motion and IDWR's cost of investigating and preparing a report of the water right claimed. It will almost certainly cost more to do it later than to do it now.

2. If the small D&S water user a) is having problems getting water pursuant to his water right, b) does not expect to have such problems in the foreseeable future, or c) does expect to seek approval of a change of the water right in the foreseeable future, then adjudication of the water right at this time will be of greater benefit to the water user. If small D&S water user a) is not having problems getting water pursuant to his water right, b) does not expect to have such problems in the foreseeable future, and c) does not expect to seek approval of a change of the water right in the foreseeable future, then adjudication of the water right at this time will be of less immediate benefit to the water user.

3. If the small D&S water user has not filed any notices of claim in the SRBA, then the water user will not be on the list of claimants who will receive the notice of filing the Director's Report, which will include notice of the opportunity for and the deadline for filing objections to the recommendations to the district court in the Director's report. To make sure that the

-5-

small D&S water user does receive the notice of filing the Director's Report, the water user can either file the notice of claim (\$25.00) or get a subscription to the docket sheet (there is an annual subscription fee for the docket sheet, which is \$7.50 for calendar year 1989, and may go up slightly for subsequent years.)

4. If it is not clear whether the use is within the definition of small D&S use, then the water user may benefit from filing of the notice of claim at this time. If the water user does not file at this time, and it is later determined that the use exceeds the definition of small D&S water right, then the water user will be limited to a claim that is within the definition. The water user will still be able to claim that portion of the use, if any, that is within the definition of small D&S use.

THE BEST (AND CHEAPEST) WAY TO ASSURE THE SECURITY OF YOUR SMALL D&S WATER RIGHT IS TO FILE A NOTICE OF CLAIM AT THIS TIME.

-6-



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

May 31, 1989

Orval Hymas
Rt. 1 Box 1742
Burley, ID 83318

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check # NO CHECK for \$ _____ which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations. In checking your claim it appears that the following items need clarification:

- [] Item #2 Priority
- [] Item #4 Point of Diversion Legal Description
- [] Item #6 Uses descriptions
- [] Item #9 Description of Non-irrigation Uses
- [] Item #10 Place of Use Legal Description
- [] Item #16 Signature & Notorization
- [] Improper fee (THE CORRECT FEE IS \$ 25)
- [] Other or Remarks

~~If you wish to continue to press your claim please find enclosed instructions and another claim form to use.~~ If you will make the necessary corrections and return your claim with the correct fee and a copy of this letter within 30 DAYS of the date of this letter, your filing will be considered timely and will not be assessed an additional late fee of \$ 50.00.

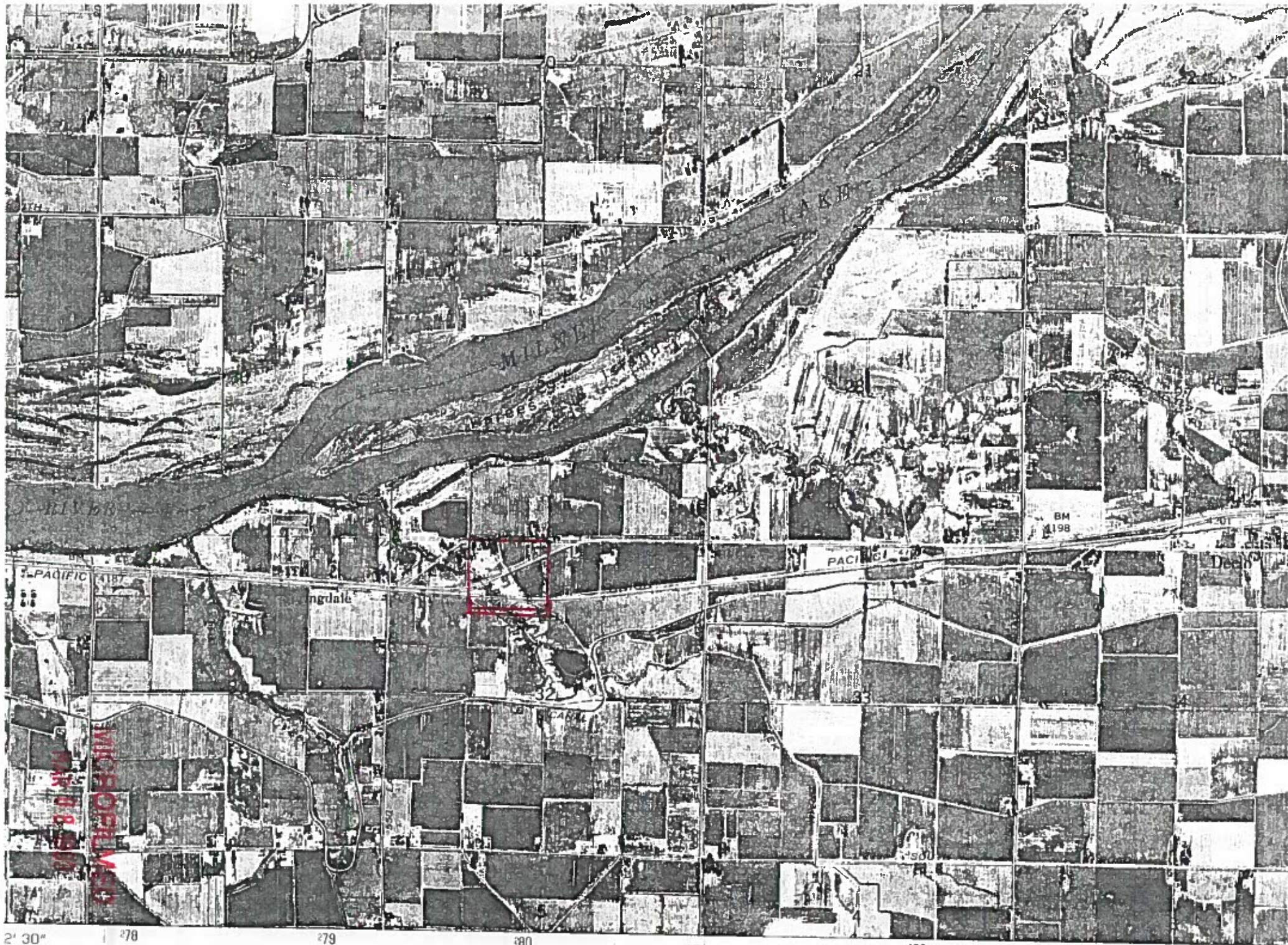
BEFORE RETURNING THE CLAIM PLEASE READ THE ENCLOSED DRAFT TEXT FOR D&S BROCHURE. Due to recent rulings by the court you may defer filing the claim if you so desire but it is recommended by the Department that you continue to press your claim. If you have any questions contact our office.

Sincerely,

L.W. for Allen Merritt
Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

MICROFILMED
MAR 8 1993



2' 30" 278 279 280 281 282 283 000 E

SCALE 1:24000

