

AJ5856NP

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

DATE: SEP-9-1997
PAGE: A-696

RIGHT NUMBER: 45-11028

NAME & ADDRESS: JESS J NEBEKER
1939 PLEASANT VIEW LANE
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: 03/01/1974

POINT OF DIVERSION: T10S R23E S28 NESENW 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 R23E S28 SENW

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. 10S23E284325

Claim proofread by: CS
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: A45-11028
Date Received: 7/24/1989
Receipt No: C007627
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JESS J. NEBEKER
Address: 1939 PLEASANT VIEW LANE
BURLEY, ID 83318
208-678-7418

2. Date of Priority: MAR 01, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	23E	28	NE	SE	NW		CASSIA

5. Description of diverting works:
WELL AND 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:
ONE HOUSE AND LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10S	23E	28	SE	NW		DOMEST	

11. Place of use in counties: CASSIA

A45-11028

Page 1

Date: 07/24/89

MICROFILMED
MAR 08 1993

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

13. Other Water Rights Used:
BURLEY IRRIG. DIST.

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): *James J. Nebeker* Date: *8/21/89*
Viola Nebeker Date: *8/21/89*

State of Idaho)
County of *OF*) SS.

Subscribed and sworn (or affirmed) before me this *21* day

of *Aug* 19 *84*

Don White
Notary Public

Seal

Residing at *OF*

My Commission Expires *5/94*

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Identification No. A45-11028
Date Received 6/14/89
Receipt Number C007627

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

RECEIVED
JUN 15 1989

Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Jess J. Nebeker Phone (208) 678-7418

Mailing Address 1939 Pleasant View Ln Burley, Idaho Zip 83318

2. Date of Priority (Only one per claim) 3/1/1974 Month/Day/Year

3. 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 10 South Range 23 East, Boise meridian

Section 28, NE 1/4 of SE 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. well + pump

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

For Dom purposes from 1/1 Month/Day to 12/31 Month/Day amount .04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

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 + lawn

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

Section 28, SE 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.

BED WATER USED ON PASTURE

14. Remarks: 1

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) Viola Nebecher Date 6/14/89

_____ 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 TF } SS.

Subscribed and sworn (or affirmed) before me this 14th day of June 19 89

SEAL

Notary Public Lon White

Residing at TF

My Commission Expires 5/94

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Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

Date Received 6/13/89

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED

JUN 15 1989

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Jess J. Nebecker
Name of Claimant

1939 Pleasant View Lane
Post Office Address

Burley, Idaho 83318
City, State, Zip Code

CASSIA
County(s) where Place of Use is located

June 8
Date Claim Originally Due

DOMESTIC WELL
Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Did not receive notice for water rights we had just moved there in April.

Claimant requests an extension to CLAIM ENCLOSED, 1989.

Vivian Nebecker
Signature

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
X granted _____ denied,
and the filing deadline extended to 6/15, 1989.

Signed this 22 day of June, 1989.

David B. Shaw
Director or his designated agent

DAVID B. SHAW

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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

August 16, 1989

Jess J. Nebeker
1939 Pleasant View Lane
Burley, ID 83318

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your ~~check~~ ^{COPY} # A45-11028 for \$ _____ which you submitted to our office. I am returning these pursuant to rule 10,4 of the Department's Adjudication Rules and Regulations. In checking your claim it appears that the following items need clarification:

- () Item #2 Priority date (day/month/year)
- () 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
- (2) Item #16 Signature & Notarization
- () Improper fee (THE CORRECT FEE IS \$ _____)
- (1) Other or Remarks

To be a valid claim this must be signed by
+ Notarized for JESS J. NEBEKER

Please sign the appropriate form + Return it.

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 and additional late fee of \$ 50.00.~~

Sincerely,

Steve Clelland
Water Right's Agent

enc:

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MAR 08 1993



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

. Aug. 23, 1989

Re: A45-11028

. JESS J NEBEKER
. 1939 PLEASANT VIEW LANE
. BURLEY ID 83316

Dear Claimant(s):

Please review the computer generated claim(s) for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures:

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MAR 08 1993

PREFIX TRANSLATION: ADJUDICATION CLAIM

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+ - - - - - + - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +
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10523E 284325

DATA ENTRY
ENTERED 8/18/92 SW
CHECKED 2/2/93 AB

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

VERIFIED
NOV 01 1991

PROOF
SEP 16 1991

CERTIFIED
DEC 23 1991
WATER EXAMINER