

AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-1287

RIGHT NUMBER: 45-11794

NAME & ADDRESS: BYRON G GREENER
NAOMI GREENER
3002 OVERLAND
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: 07/20/1962

POINT OF DIVERSION: T10S R23E S32 SENENW 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 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. 10S23E322999

Claim procured by: CA

Date: 9-29

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: A45-11794
Date Received: 7/07/1989
Receipt No: S008455
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BYRON G. GREENER 208-678-7805
Address: 3002 OVERLAND
BURLEY, ID 83318

AND/OR

Name: NAOMI GREENER 208-678-7805
Address: 3002 OVERLAND
BURLEY, ID 83318

2. Date of Priority: JUL 20, 1962

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	32	SE	NE	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:
D/1 HOUSE & LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	23E	32	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:

*** DWR NOTE ***

COMPLETE $\frac{1}{4}$ - $\frac{1}{4}$ DESCRIPTIONS TAKEN FROM WARRANTY DEED AND USGS MAP.

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

CIVIL CASE NUMBER: 39576

Identification No. A45-11794

Date Received _____

Receipt Number 5008455 SCNOTICE 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 2 1989

Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) Byron G. And/or Naomi GREENER Phone (208) 678-7805
Mailing Address 3002 Overland, Burley, Idaho Zip 83318
- Date of Priority (Only one per claim) approx. July 20, 1962 Month/Day/Year
- Source of water supply (Check one) (X) Groundwater or Other () (a) _____
Name or kind of source
which is tributary to (b) _____
- Location of point of diversion is: Township 10 South Range 23 East of Boise Meridian
Section 32, E 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of Cassia
Additional points of diversion if any: _____
- 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. There is a pump that pumps water to the house for household water and has two outside faucets. there are no ditches or other outside irrigation.
- 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 cfs
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.04 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 family Household water with 2 outside faucets to water the lawn

MICROFILMED

MAR 10 1993

10. Place of use is: Township: 10 South Range 23 E of Boise Meridian

Section 32, East 1/2 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? 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 ()

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)

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) Nasmi Greener Date 5-31-89

Bryan Greener Date 5-31-89

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 _____ } SS.

County of Cassia }

Subscribed and sworn (or affirmed) before me this 31st day of May 19 89

SEAL

Notary Public Paul B. Young

Residing at Busley Idaho

My Commission Expires 3-31-93

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 10 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2145 4th Ave. East Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

June 21, 1989

RECEIVED

JUL - 3 1989

Department of Water Resources
Southern Region Office

Byron G. &/or Naomi Greener
3002 Overland
Burley, ID 83318

RE: SPBA Claim

Dear Claimant:

Please find enclosed your claim and your check # 2162 for \$ 25.00 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 \$ _____)
- [] Other or Remarks

Need 1/4-1/4 LEGAL
Descriptions

Item #5 - incomplete

~~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.

Sirs: I don't know how else to describe it.
I have enclosed a copy of the Deed.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm SCC
Enclosures:

MICROFILMED

MAR 10 1993

WARRANTY DEED

For Value Received LEROY J. GOIBLE, also known as Roy Goible, a widower,

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

BYRON G. GREENER and NAOMI GREENER, husband and wife, whose current address is: 3002 Overland Avenue, Burley, Idaho 83318

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

That part of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 32, Township 10 South, Range 23, East of the Boise Meridian described as follows:

Beginning at a point 1,270 feet North of the Southeast corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of said Section 32; THENCE run North 90 feet; THENCE run West 290.4 feet; THENCE run South 90 feet; THENCE run East 290.4 feet to the point of beginning.

SUBJECT to Highway right-of-way

SUBJECT to the assessments of the Burley Irrigation District and the rights and powers of said District as by law provided.

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 130
NOV 5 1 16 PM '79
CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER
FEE \$44.00 DEPUTY *AK*
141.7.9.14

121199

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's, their heirs and assigns forever. And the said 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 described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 16, 1979

L. Roy J. Goible
LEROY J. GOIBLE

19 Nov 79

Eva Bowen

STATE OF IDAHO, COUNTY OF *Twin Falls*
On this *16th* day of *October*, 19 *79*
before me, a notary public in and for said State, personally appeared

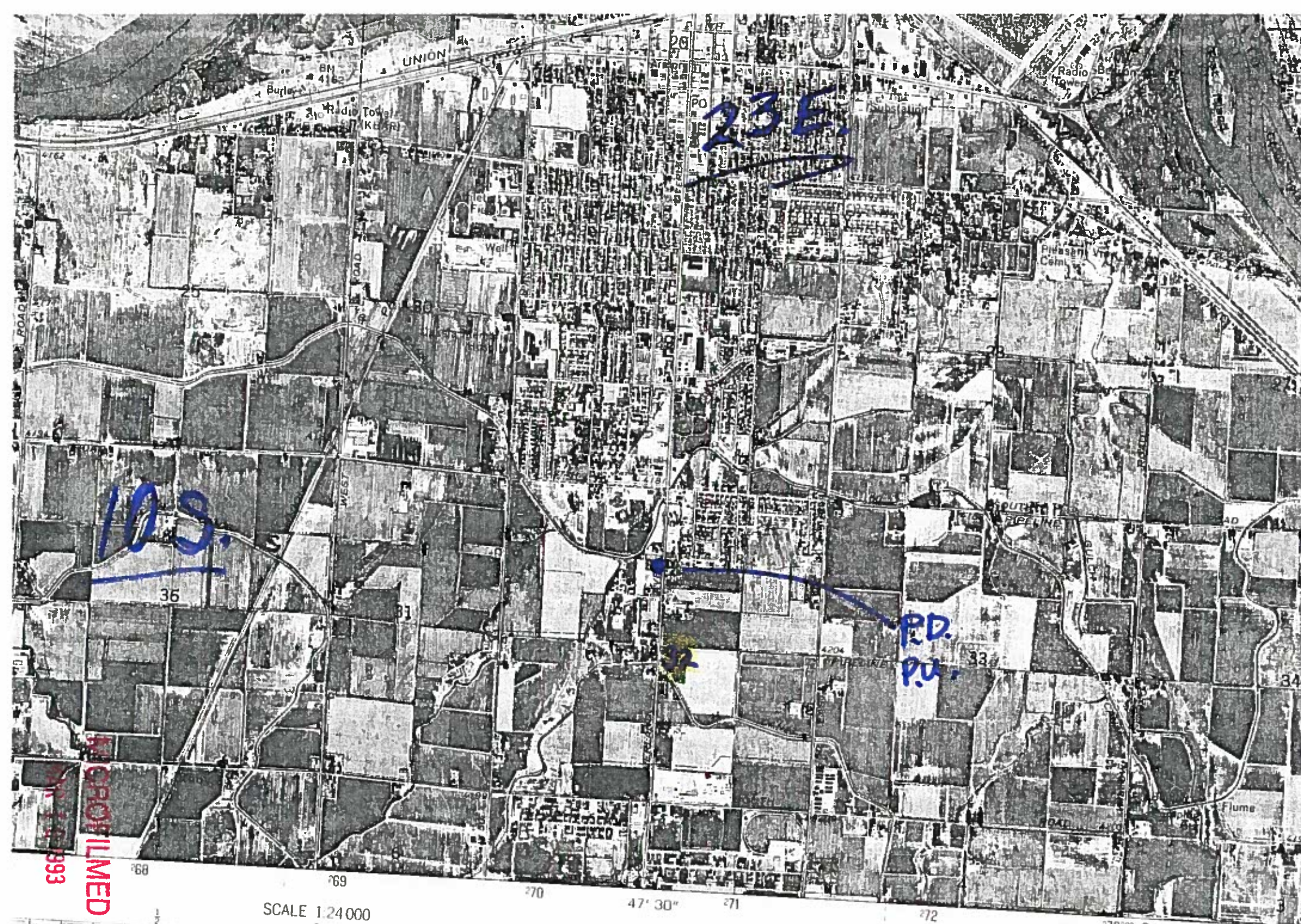
LEROY J. GOIBLE

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book

MICROFILMED

INSTRUMENT NO



23E.

10S.

P.D.
P.U.

MICROFILMED
NOV 10 1993

SCALE 1:24000



SE NE NW



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2146 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3576

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Aug. 14, 1989

Re: A45-11794

BYRON G. GREENER
3002 OVERLAND
BURLEY ID 83318

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim 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 dark ink, appearing to read 'Judy Givens', is written over the typed name.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 10 1993

OLD (C) NUMBER -

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

PHONE - 208-678-7805

NADMI

+ - - - STATUS - - - - +

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

MICROFILMED
OCT 26 1994

CERTIFIED
DEC 23 1991
WATER EXAMINER