

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: 45-11886

NAME AND ADDRESS: DON MERRILL
RT 2
2221 HILLCREST RD
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: 06/16/1963

POINT OF DIVERSION T10S R23E S28 NENENE 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 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. 10S23E280135

AJ5856NP

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

DATE: SEP-9-1997
PAGE: A-1358

RIGHT NUMBER: 45-11886

NAME & ADDRESS: DON MERRILL
RT 2
2221 HILLCREST RD
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: 06/16/1963

POINT OF DIVERSION: T10S R23E S28 NENENE 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 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. 10S23E280135

Claim proofread by: _____
Date: 9-29-97



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

45-11886
DON MERRILL
RT 2
2221 HILLCREST RD
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

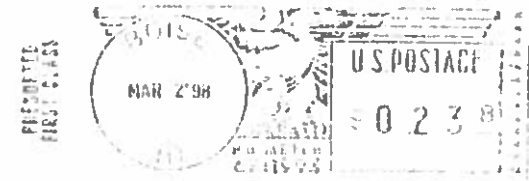
Enclosures

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

RETURN SERVICE REQUESTED

NOT DELIVERABLE
AS ADDRESSED —
UNABLE TO FORWARD

IMPORTANT WATER RIGHT INFORMATION



RECEIVED
MAR 06 1998
Department of Water Resources

85318+2709

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: A45-11886
Date Received: 8/01/1989
Receipt No: S008703
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON MERRILL
Address: RT 2 2221 HILLCREST RD
BURLEY, ID 83318 208-678-7293

2. Date of Priority: JUN 16, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
6" CASED WELL, GROUND FUSE PUMP, PIPE, PRESSURE TANK

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
10S	23E	28	NE	NE		DOMEST	

11. Place of use in counties: CASSIA

A45-11886

Page 1

Date: 08/01/89

MICROFILMED
MAR 10 1993

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

13. Other Water Rights Used:
NONE

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 _____

here

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. _____
Date Received _____
Receipt Number _____NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

JUN 7 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.

RECEIVED

JUL 25 1989

Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Don Merrill Phone (208) 678-7293Mailing Address Rt 2 2221 Hillcrest Rd. Zip 833182. Date of Priority (Only one per claim) approx. 1963 June 10 1963
Month/Day/Year3. 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 ~~10~~ 10 Range 23 East of Base
Section ~~22~~ 19 NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____, BM., meridian
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" casing - Ground fse pump - underground covered with dirt
pipd to house - pressure tank in Basement of house -
Depth unknown6. 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 20.04 (cfs) Gussed
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed 20.04 (cfs) not sure8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock one

MICROFILMED

MAR 10 1993

10. Place of use is: Township: 10 Range 23 East of Bosie Meridian

Section 28, NE 1/4 of NE 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 (X)

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 _____

X 16. Signature (s) Don Menill

Number of Attachments _____

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

Signature of Claimant (s) Don Menill Date 6-2-89

Date _____

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

of _____, Title _____, that I have signed the foregoing
document in the space below as _____ Organization
Title _____ of _____ 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 _____)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 24th day of July 19 89

SEAL

Notary Public Linda J. Hoxsey

Residing at Burley, Idaho

My Commission Expires Dec. '94

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

MAR 10 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

June 23, 1989

Don Merrill
Rt. 2 2221 Hillcrest Rd.
Burley, ID 83318

Claim #1

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check # 1900 for \$ 50.00 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
- (☒) Item #16 Signature & Notarization
- () Improper fee (THE CORRECT FEE IS \$ _____)
- () Other or Remarks

*Needs 1/4-1/4
Description*

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.

Sincerely,


Steve Clelland
Water Right's Agent

enc:

MICROFILMED

MAR 10 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: A45-11885
A45-11886

DON MERRILL
RT 2 2221 HILLCREST RD
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 cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 10 1993

SD-0601-2 Last Name: MERRILL

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
MERRILL							
	DONALD G	C	A45-10831	05/10/1940	GROUNDWATER	0.060	43 DOMEST 04 STOCK
	WANDA LOVELA	C	A45-11592	05/30/1983	GROUNDWATER	0.040	43 DOMEST
	DONALD G	C	A45-00226	04/12/1892	MARSH CREEK	1.320	01 IRR
	DONALD G	C	A45-00307D	04/01/1873	MARSH CREEK	0.600	01 IRR
	DONALD G	C	A45-00308A	03/01/1875	MARSH CREEK	1.080	01 IRR
	DONALD G	C	A45-02442	04/09/1953	GROUNDWATER	1.000	01 IRR
	JOHN C	C	A45-11849	07/15/1960	GROUNDWATER	0.040	43 DOMEST
	MARY LOUISE	C	A45-11849	07/15/1960	GROUNDWATER	0.040	43 DOMEST
	DON	C	A45-11885	05/15/1955	GROUNDWATER	0.040	43 DOMEST
	DON	C	A45-11886	06/16/1963	GROUNDWATER	0.040	43 DOMEST
	JOHN C	C	45-11849	07/15/1960	GROUNDWATER	0.040	43 DOMEST
	MARY LOUISE	C	45-11849	07/15/1960	GROUNDWATER	0.040	43 DOMEST
	DONALD G	C	A45-00318	04/01/1885	MARSH CREEK	3.200	01 IRR
	DON	C	45-11885	05/15/1955	GROUNDWATER	0.040	43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

STATE

OWN

WN

Priority
Date

Total
Diversion

Use	Code	Desc
-----	------	------

MERRILL

DON

C

45-11886

06/16/1963

GROUNDWATER

0.040

43 DOMEST

DONALD G

C

45-10831

05/10/1940

GROUNDWATER

0.060

43 DOMEST

04 STOCK

WANDA LOVELA

C

45-11592

05/30/1983

GROUNDWATER

0.040

43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu)

PAGE

CLD (C) NUMBER -

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

1 - RT 2 2221 HILLCREST RD
2 -
3 -
CITY- BURLEY
PHONE - 208-679-7293

STATE- ID ZIP- 83318

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

+ - - - STATUS - - - - +

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

STREAM INDEX (BLANK IF NO INDEX CODE)

(31) CASSIA

DIVERSION RATE DIVERSION VOLUME

0.040

DESCRIPTION

(31) CASSIA

+ - - OTHER RIGHTS FOR SAME USE - NONE

NO REMARKS FOUND.

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

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

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

DECREE DATE - +
00/0000
MICROFILMED
OCT 28 1984

CERTIFIED
DEC 23 1991
WATER EXAMINER