

AJ5856NP

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

DATE: SEP-9-1997
PAGE: A-1363

RIGHT NUMBER: 45-11892

NAME & ADDRESS: ROGER WOODBURY
KAREN WOODBURY
RT 2 BOX 2104
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: 05/20/1934

POINT OF DIVERSION: T10S R22E S36 NENESE Within CASSIA County

PURPOSE AND

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

PLACE OF USE: STOCKWATER Within CASSIA County
T10S R22E S36 NESE

DOMESTIC Within CASSIA County
T10S R22E S36 NESE

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. 10S22E367210
STOCKWATER, 15 RANGE, 20 SHEEP

Claim proofread by: 9-29

DATA ENTERED BY AD~
DATE 8/8/89

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: A45-11892
Date Received: 8/08/1989
Receipt No: S008792
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROGER WOODBURY 208-678-5817
Address: RT. 2 BOX 2104
BURLEY, ID 83318
AND/OR
Name: KAREN WOODBURY 208-678-5817
Address: RT. 2 BOX 2104
BURLEY, ID 83318

2. Date of Priority: MAY 20, 1934

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	22E	36	NE	NE	SE		CASSIA

5. Description of diverting works:
70' WELL WITH 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	01/01	12/31	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 HOUSEHOLD, S/ 15 RANGE, 20 SHEEP

A45-11892

Page 1

Date: 08/08/89

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MAR 10 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	22E	36	SE	NE		STOCK	
			NE	SE		DOMEST	
			NE	SE		STOCK	

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:

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 _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

Aug. 8, 1989

R. KEITH HIGGINSON
Director

Roger or Karen Woodbury
Rt. 2 Box 2104
Burley, Idaho 83318

Harold A. Anderson
1951 Washington St.
Burley, Idaho 83318

RE: Claims in SRBA A45-11891
A45-11892

Dear Claimants:

Please find your receipt enclosed and a copy of the way your particular claim has been data entered in our computer system. 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 please contact this office.

I'm writing this joint letter which involves a peculiar situation common to both parties identified above. The similarities of the claims identified above are as follows:

- 1) Both claims were for water uses in Cassia County and were received on 6/29/89 in the IDWR Southern Region with postmarks after 6/8/89 (Deadline for Cassia County).
- 2) Both claims had checks attached which were dated 6/7/89 and were both notarized by Ron G. Clawson in Minidoka Co. on 6/7/89.
- 3) Both claims were returned to the claimants in letters dated 7/5/89 for corrections and the late fees.
- 4) Both claims were returned 8/7/89 with the corrections and late fees and notes written on the initial 7/5/89 letter indicating that the claims were mailed in Rupert on 6/7/89.

Today I phoned the Rupert Post Office and they provide no further explanation. I also contacted Dave Shaw, Adjudication Bureau Chief, and Mr. Shaw indicated that he would consider a refund of the late fee if the claimants can provide evidence that the mail may have been held for some reason in the Post Office. If this can be documented please forward the documentation and request for refund with a copy of this letter to:

Department of Water Resources
Attn: Dave Shaw
Statehouse Mail
Boise, Idaho 83720

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MAR 10 1993

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8/8/89 letter to Anderson-Woodbury

If you have any questions please feel free to contact our office.

Sincerely



Allen Merritt, P.E.
Water Rights Supervisor

Enc:

ADM:adm

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MAR 10 1993

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 SYSTEMIdentification No. A45-11892
Date Received _____
Receipt Number 5008792NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

JUN 29 1989

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

1. Name of Claimant (s) Karen & Roger Woodbury Phone (208) 678-5817Mailing Address Rt. #2 Box 2104, Burley, ID 83318 Zip 833182. Date of Priority (Only one per claim) this well is approx 50 yrs old Month/Day/Year 5, 20, 343. 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 See Legal Attached Range 22 EastSection 36, NESE 1/4 of SENE 1/4 of _____ 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. Submersible Pump installed 6-5-89 - well depth 70feet8" top 5" casing 1/2 hp submersible motor6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.) 18 gals per minFor Domestic & Stockwater purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.04 (cfs)

For _____ purposes from _____ to _____ amount _____ (Both dates are inclusive)

7. Total quantity claimed 0.04 (cfs)8. 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) Domestic, one household

Stockwater, cattle - 15 head, sheep 20 head

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10. Place of use is: Township: 10 South SEE LEGAL ATTACHED Range 22 East

Section 36, NE 1/4 of SE 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 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.

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)
(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 two - legal & drawing of property

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

Signature of Claimant (s) Karen Woodbury Date June 7, 1989
_____ Date June 7, 1989

~~For Organizations: I do solemnly swear or affirm that I am _____ Title _____ of _____, that I have signed the foregoing document in the space below as _____ Organization _____ 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 XX Minidoka) SS.

Subscribed and sworn (or affirmed) before me this 7th day of June 19 89

SEAL

Notary Public Ron G. Clawson

Residing at Rupert, Idaho 83350

My Commission Expires 6-10-93

Last Name _____ Ident No. _____

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Copies: White-State, Yellow-Claimant
MAR 10 1993

SE⁴ NE⁴ Sec. 36, T. 10S, R. 22E, B.M.

N. 46° 20' W. 118.11'
 (Well)
 Measure directly
 S. 80° 50' W. 80.50'

NE⁴ Sec. 36, T. 10S, R. 22E, B.M.

S. 0° 05' W. 1452.51'
 144.35' S. 89° 51' E. 11.25' W. 271.92'
 11.25' E. 84° 20' W. 11.25' E. 67.18'
 11.25' E. 84° 20' W. 11.25' E. 67.18'
 492.05' 110° 37' W.

House [H]
 Well [W]

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 MAR 10 1993

Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 36: A parcel of land lying in the NE~~X~~SE~~X~~ and the SE~~X~~NE~~X~~ of Section 36, more particularly described as follows:

Beginning at the Northeast corner of the SE~~X~~ of said Section 36, which point shall be known as the True Point of Beginning;
Thence South 89°31' West 80.5 feet to a point on mid section line of Section 36;
Thence in a Northwesterly direction on a 17° curve to the left and paralleling the 2nd lift canal for 255 feet to a point;
Thence North 46°36' West for 178 feet, more or less, to a point;
Thence South 0°09' West for 1462.61 feet to a point in the bottom of the Burley Irrigation District 2nd lift canal;
Thence North 35°01' East along center line of canal for 144.35 feet to a point;
Thence North 0°48' West along center line of canal for 251.93 feet to a point;
Thence North 35°42' East along center line of canal for 234.75 feet to a point;
Thence North 29°32' East along center line of canal for 84.29 feet to a point;
Thence North 89°23' East for 67.18 feet to a point on the East section line of said Section 36;
Thence North 0°37' West along section line for 482.09 feet to the True Point of Beginning.

The following parcel of land is subject to a 20 foot access easement from the above description.

Beginning at the Northeast corner of the SE~~X~~ of said Section 36, which point shall be known as the True Point of Beginning;
Thence South 89°31' West 80.5 feet to a point on mid section line of said Section 36;
Thence in a Northwesterly direction on a 17° curve to the left and paralleling the 2nd lift canal for 255 feet to a point;

-Continued-

Schedule A Page 2 No. BF-022027

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MAR 10 1988

Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

Thence North 46°36' West for 178 feet, more or less, to a point;

Thence South 0°09' West 27.5 feet to a point;

Thence South 46°36' East for 178 feet, more or less, to a point;

Thence in a Southeasterly direction on a 17° curve to the right and paralleling the 2nd lift canal for 275 feet to a point;

Thence North 89°31' East for 100.5 feet to the East section line of said Section 36;

Thence North 0°37' West along section line for 20 feet to the Northeast corner of the SE¼ of said Section 36, the True Point of Beginning.

Schedule A Page 3 No. **BF-022027**

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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

July 5, 1989

RECEIVED

AUG -7 1989

Department of Water Resources
Southern Region Office

Karen &/Roger Woodbury
Rt. 2 Box 2104
Burley, ID 83318

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check # 975 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 *Please specify Month / Day / 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 *Please mark on map where well & house is located*
- ☐ Item #16 Signature & Notorization
- ☒ Improper fee (THE CORRECT FEE IS \$ 875)
- ☐ Other or Remarks

Claim was postmarked after Cassir Co. deadline of 6/8/89. It is considered late and subject to late fee of \$50.00.

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.~~

I have enclosed an additional check for penalty - This was mailed out of Rupert on the 7th. I don't understand where the delay was. Thank you -

Sincerely,

Allen Merritt
Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

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OLD (C) NUMBER -

MICROFILMED
OCT 28 1994

CERTIFIED
DEC 13 1991
WATER EXAMINER