

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 COEUR D'ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number: 95-9814
Date Received:
Receipt No: N021111
Amount Paid: \$89.00
Received By: _____

RECEIVED

MAY 01 2018

DEPARTMENT OF
WATER RESOURCES

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DANA MERKELEY
16301 E BUNCO RD
ATHOL ID 83801-5048

Phone:

OR

WARD MERKELEY
16301 E BUNCO RD
ATHOL ID 83801-5048

Phone: (208) 683-2473

OR

JEFF MERKELEY
16301 E BUNCO RD
ATHOL ID 83801-5048

Phone:

OR

TYLER MERKELEY
16301 E BUNCO RD
ATHOL ID 83801

Phone:

2. Date of Priority: 4/16/1977

3. Source:

UNNAMED STREAM
LEWELLEN CREEK

Trib. to:

LEWELLEN CREEK
SINKS

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
53N	02W	21	SW SW		KOOTENAI	
53N	02W	29	NE NE		KOOTENAI	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	03/15	11/15	0.2		90
WILDLIFE STORAGE	01/01	12/31			0.7
RECREATION STORAGE	01/01	12/31			0.7
FIRE PROTECTION STORAGE	01/01	12/31			0.7
DIVERSION TO STORAGE	01/01	12/31	0.08		

7. Total Quantity Appropriated is:

0.28 C.F.S. and/or 90.7 A.F.A.

8. Non-irrigation uses:

9. Place of use:

IRRIGATION within KOOTENAI County

Township	Range	Section	¼	of	¼	Lot	Acres
53N	02W	20	SE		SE		3
53N	02W	29	NE		NE		15
53N	02W	29	SE		NE		12

Total Acres = 30

WILDLIFE STORAGE within KOOTENAI County

Township	Range	Section	¼	of	¼	Lot	Acres
53N	02W	21	SW		SW		

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

Claimed priority date of license 99-7530 which was renumbered to license 95-9814.

Use of water under this water right will be regulated by the watermaster of State Water District No. 96A.

The right holder shall maintain a measuring device of a type approved by the Department.
Water

Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.

Wildlife storage and recreation storage are for a private pond.

13. Basis of Claim: License

14. 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 COEUR D'ALENE-SPOKANE River Basin Adjudication." (b.) I/We do _____ do not X 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):	DocuSigned by: <u>Tyler Merkeley</u>	Date: <u>4/22/2018</u>
	33E758AC18441C... <u>Jeffrey Merkeley</u>	Date: <u>4/22/2018</u>
	CD3665CF7CC044B... DocuSigned by: <u>Dana Merkeley</u>	Date: <u>4/23/2018</u>
	01B44239900D438...	Date: _____

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 COEUR D ALENE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number 95-9814
Date Received: 6/17/2009 7/1/9
Receipt No: N021111
Received By: K

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DANA MERKELEY Phone:

16301 E BUNCO RD
ATHOL ID USA 83801-5048

WARD MERKELEY Phone: (208)683-2473

16301 E BUNCO RD
ATHOL ID USA 83801-5048

JEFF MERKELEY Phone:

16301 E BUNCO RD
ATHOL ID USA 83801-5048

TYLER MERKELEY Phone:

16301 E BUNCO RD
ATHOL ID USA 83801

2. Date of Priority: 04/16/1977

3. Source: UNNAMED STREAM , LEWELLEN CREEK , TRAPPER CREEK Trib. to: LEWELLEN
CREEK , SINKS , LEWELLEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
53N	02W	28	NW NW	KOOTENAI	
53N	02W	29	NE NE	KOOTENAI	
53N	02W	28	SW NE	KOOTENAI	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.2	90
WILDLIFE STORAGE		01/01	12/31	
0.7				
RECREATION STORAGE			01/01	12/31
0.7				
FIRE PROTECTION STORAGE			01/01	12/31
0.7				
DIVERSION TO STORAGE			01/01	12/31 0.08

7. Total Quantity Appropriated is:
0.28 C.F.S. and/or 90.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
53N	02W	20	SE	SE	RECREATION STORAGE	
			SE	SE	FIRE PROTECTION STORAGE	
			SE	SE	WILDLIFE STORAGE	
53N	02W	28	NW	NW	IRRIGATION	5.9
			SW	NW	IRRIGATION	5.5
			SE	NW	IRRIGATION	20
			NE	SW	IRRIGATION	0.3
					Section Acres	31.7
53N	02W	29	NE	NE	IRRIGATION	7.5
			NE	NE	FIRE PROTECTION STORAGE	
			NE	NE	RECREATION STORAGE	
			NE	NE	WILDLIFE STORAGE	
					Section Acres	7.5
					Total Acres	39.2

11. Place of use in counties: KOOTENAI

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

13. Other Water Rights Used:

14. Remarks:

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

The right holder shall maintain a measuring device of a type approved by the Department.

Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.

Wildlife storage and recreation storage are for a private pond.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is limited to the irrigation of 30.0 acres within the place of use described above in a single irrigation season.

15. Basis of Claim: License

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 X do not X 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): Ward Winkley Date: July 1, 2009
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____