

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 PALOUSE RIVER BASIN WATER SYSTEM

RECEIVED

MAY 15 2019

CIVIL CASE NUMBER: 59576

Claim ID: 87-4027

Date Received: 5-15-19

Receipt No: N034489

Claim Fee: 2500 By: JA

IDWR / NORTH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) Beverly Fuller Phone (208) 882-0782
Mailing address PO Box 8982 Moscow ID Zip 83843
Street or Box City State
Email address (optional) gbfuller@turbonet.com
2. Date of priority: (Only one per claim) 10/14/1917 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (x) (a) Crumarine Creek
which is tributary to (b) South Fork of Palouse River
4. a. Location of point of diversion is: Township 40N, Range 5W, Section 36,
NE 1/4 of SW 1/4, Govt. Lot _____, BM, County of Latah
Parcel no. RP 40N 05W 36 4836 A
Additional points of diversion, if any: SE 1/4 SW 1/4 of Sec 36
If available, GPS Coordinates _____
- b. If instream flow, beginning point of claimed instream flow is:
Township 40N, Range 5W, Section 36, NW 1/4 of SW 1/4,
Govt. Lot _____, BM, County of Latah
Ending point is: Township 40N, Range 5W, Section 36, SE 1/4 of SW 1/4,
Govt. Lot _____, BM, County of Latah
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, 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.
In-stream. Horses drink water from Crumarine Creek.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD)

(cfs)

(acre-feet)

For Stock purposes from 1/1 to 12/31 amount 0.02 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Horses (8)

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
40N	5W	36									S	S		S					

Parcel no(s). RP 40N 05W 36 4836A Total number of acres irrigated _____

10. In which county(ies) are lands listed above as place of use located? Latah

11. 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.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (X)

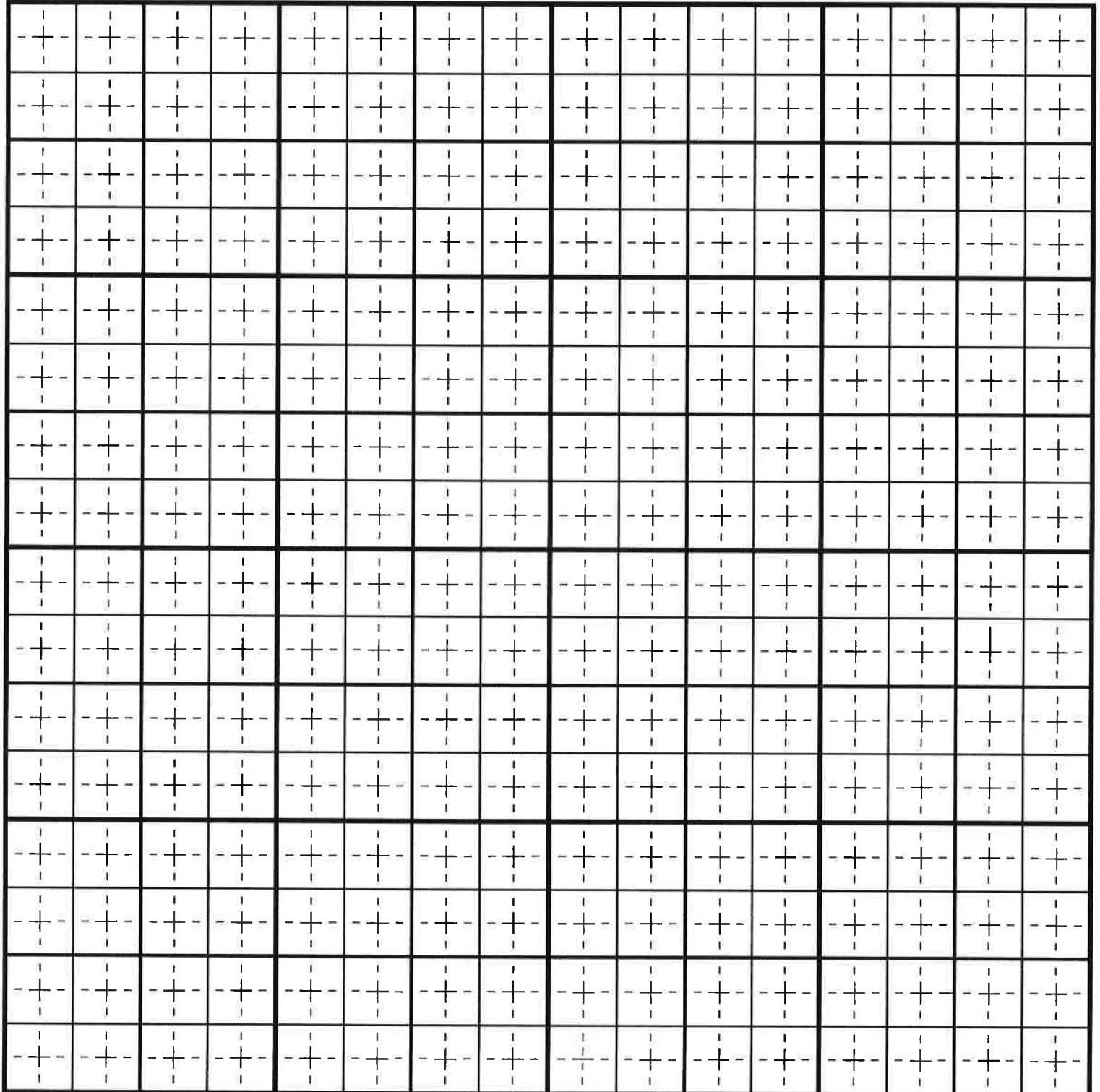
13. Remarks (Include an explanation of the priority date selected):

Grandfather acquired this property in 1917.

Name of claimant(s) Beverly Fuller Claim ID _____

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile



Name of claimant(s) Beverly Fuller Claim ID _____

14. Basis of claim (Check one) Beneficial Use (☒) Posted Notice (☐) License (☐) Permit (☐) Decree (☐)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Palouse River Basin Water System 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: 3

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) Beverly Fuller Date: 05/14/2019

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Agent's title (Please print) of _____
Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) Beverly Fuller Claim ID _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that HAROLD LYON

(name of claimant)

of Roure 4, Box 403, Moscow, Idaho, 83843 claims a right to the diversion and beneficial use of
(mailing address)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) CRUMARINE CREEK
_____, tributary to South Fork of Palouse River

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount 0.02 Use Stock Period of Use: From Jan. 1 To Dec. 31

Amount	Use	Period of Use: From	To

Amount Use Period of Use: From To

(cfs, gpm
or a/d)

(dom., irri.,
stock, etc.)

(both dates inclusive)

(both dates inclusive)

- (3) Total quantity of water claimed: 0.02 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) October 14, 1917

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36 Twp. 40N Rge. 5 W B. M. County of Latah

Additional points of diversion: SE 1/4 SW 1/4, of Sec. 36, Twp. 40 N, Range 5
M, in Latah County, State of Idaho

- B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. horses drink water from CRUMARINE CREEK

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

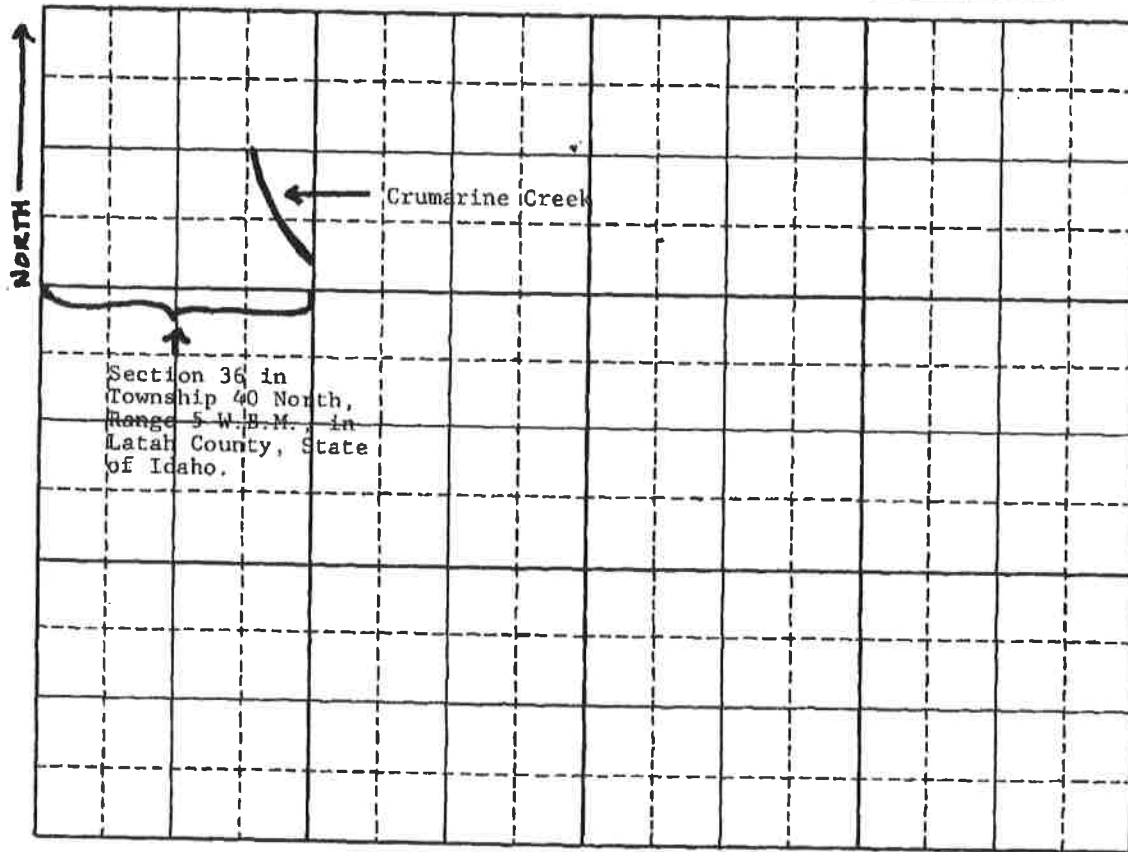
Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: for the watering of (drinking by) horses 8-hd - 24.

- (7) If you are claiming water as a member of an organization, list name of organization:

Beverly Fuller

- (8) Remarks The horses drink water from Crumarine Creek in the NE 1/4 SW 1/4 and SE 1/4 SW 1/4 in Sec. 36, Twp. 40 N. R 5 WBM, in Latah County, State of Idaho.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Latah)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 21 day of August, 19 77.

Harold M. Lyon
(Claimant)

[Signature]
Notary Public

Residing at Moscow, Idaho

My commission expires _____

For Department Use Only

Received by <u>JK</u>	Date <u>9-30-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JK</u>	Date <u>9-30-77</u>		claimant by:	
\$10.00 fee received by <u>JK</u>	Date <u>9-30-77 (946)</u>			
Approved for publication by <u>S. H. H. 10-3-77</u>				
Published in <u>Idaho Statesman</u>				
Dates <u>10-13-77</u>				
<u>OK 10-24-77</u>				

Beverly Fuller



— Crumarine Creek

Beverly Fuller