

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

CIVIL CASE NUMBER: 59576

Claim ID: 87-10558Date Received: 5-16-2019Receipt No: N034564Claim Fee: 25.00 By: _____

RECEIVED

MAY 16 2019

DEPT. OF WATER RESOURCES

NOTICE 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

Please type or print clearly

- Name of claimant(s) Cory Lemper, Sara Holden Phone (208) 596-6506
Mailing address 2130 old hwy 95 Genesee Idaho Zip 83832
Street or Box City State
Email address (optional) Zcor74260@yahoo.com
- Date of priority: (Only one per claim) 11/10/1892 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water (X) or Other () (a) _____
which is tributary to (b) _____
- Location of point of diversion is: Township 38 North, Range 5 West, Section 21
NW 1/4 of NE 1/4, or Govt. Lot _____ BM, County of Latah
Parcel no. RP38N05W211050A
Additional points of diversion, if any: _____
If available, GPS coordinates: _____
- Description of diverting works (wells, pumps, spring boxes, pipelines, 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.
225' well with 2hp pump
- Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For Domestic purposes from 1/1 to 12/31 amount .04 cfs (X) or AFY ()
For X purposes from _____ to _____ amount _____
- Total quantity claimed _____ cfs () or AFY ()
- Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
1 single dwelling home

9. Location of place of use is: Township 38 North, Range 5 West, Section 21,
NW 1/4 of NE 1/4, Govt. Lot _____ BM, Parcel no. _____
If different than shown in Item 4
for (check one) **Domestic** ☒ **Stock** () **Domestic and Stock** ()

Additional places of use, if any _____

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 ☒ No ()
If the 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 ☒

13. Remarks (include an explanation of the priority date selected):
Priority date based on date homestead was established

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: _____

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) by by Date: 5/14/19
Sarah Alden Date: 5/14/19

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 of behalf on 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) _____ Claim ID _____

THE UNITED STATES OF AMERICA.

Homestead Certificate No. 1077

Application 1571

To all to Whom these Presents shall Come—GREETING:

WHEREAS, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Lewiston Idaho whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Oliver Bergen

has been established and duly consummated, in conformity to law, for the North half of the North east quarter, the South east quarter of the Northeast quarter and the Northeast quarter of the South east quarter of Section Twenty one in Township Thirty eight North of Range Five West of Boise Meridian in Idaho containing one hundred and Sixty Acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW, KNOW YE, That there is, therefore, granted by the United States unto the said

Oliver Bergen

the tract of land above described:

TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said

Oliver Bergen

and to his his heirs

and assigns, forever; subject to any vested and accrued water rights for mining, agriculture, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

IN TESTIMONY WHEREOF, I, Jayam Harrison President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the twentieth day of April, in the year of our Lord one thousand eight hundred and Ninety two, and of the Independence of the United States the one hundred and Eighty sixth

BY THE PRESIDENT

Jayam Harrison

By

M. M. Keen

Secretary.

D. J. Roberts

Recorded Vol. 4 Page 53

Recorder of the General Land Office.

Filed for Record at 12 o'clock M., November 10 A. D. 1892, and recorded at the request of

Lambert & Co. 125

P. F. Lane

E. N. Hinckley Deputy.

R. B. Reardon