

# 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: 87-10867Date Received: 5-20-19Receipt No: 15034608Claim Fee: 2500 By: JA

RECEIVED

MAY 20 2019

## NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

IDWR / NORTH

Please type or print clearly

1. Name of claimant(s) Charles L. and/or Roberta S. Graham Phone (208) 882-8401  
 Mailing address 2040 Mill Rd Moscow ID Zip 83843  
Street or Box City State  
 Email address (optional) tomerbutte@gmail.com
2. Date of priority: (Only one per claim) June 1 1970 (Explain priority date selected in Remarks)  
Year Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water ( ) or Other (✓) (a) unnamed farm pond  
 which is tributary to (b) sinks
4. a. Location of point of diversion is: Township 39N, Range 5W, Section 15,  
SE 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, BM, County of Latah  
 Parcel no. RP 39N05W15 9755  
 Additional points of diversion, if any: \_\_\_\_\_  
 If available, GPS Coordinates \_\_\_\_\_
- b. If instream flow, beginning point of claimed instream flow is:  
 Township \_\_\_\_\_, Range \_\_\_\_\_, Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,  
 Govt. Lot \_\_\_\_\_, BM, County of \_\_\_\_\_  
 Ending point is: Township \_\_\_\_\_, Range \_\_\_\_\_, Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,  
 Govt. Lot \_\_\_\_\_, BM, County of \_\_\_\_\_
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.  
1 hp submersible pump

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For domestic purposes from Jan 1 to Dec 31 amount .04 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .04 (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.) domestic use for garden, lawn, and orchard

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     |        |
| 39N | 5W  | 15  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 1/2 ac | 1/2 ac |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |        |

Parcel no(s). RP39N05W159755 Total number of acres irrigated 1/2

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 your answer is No, describe in Remarks below the authority you have to claim this water right.

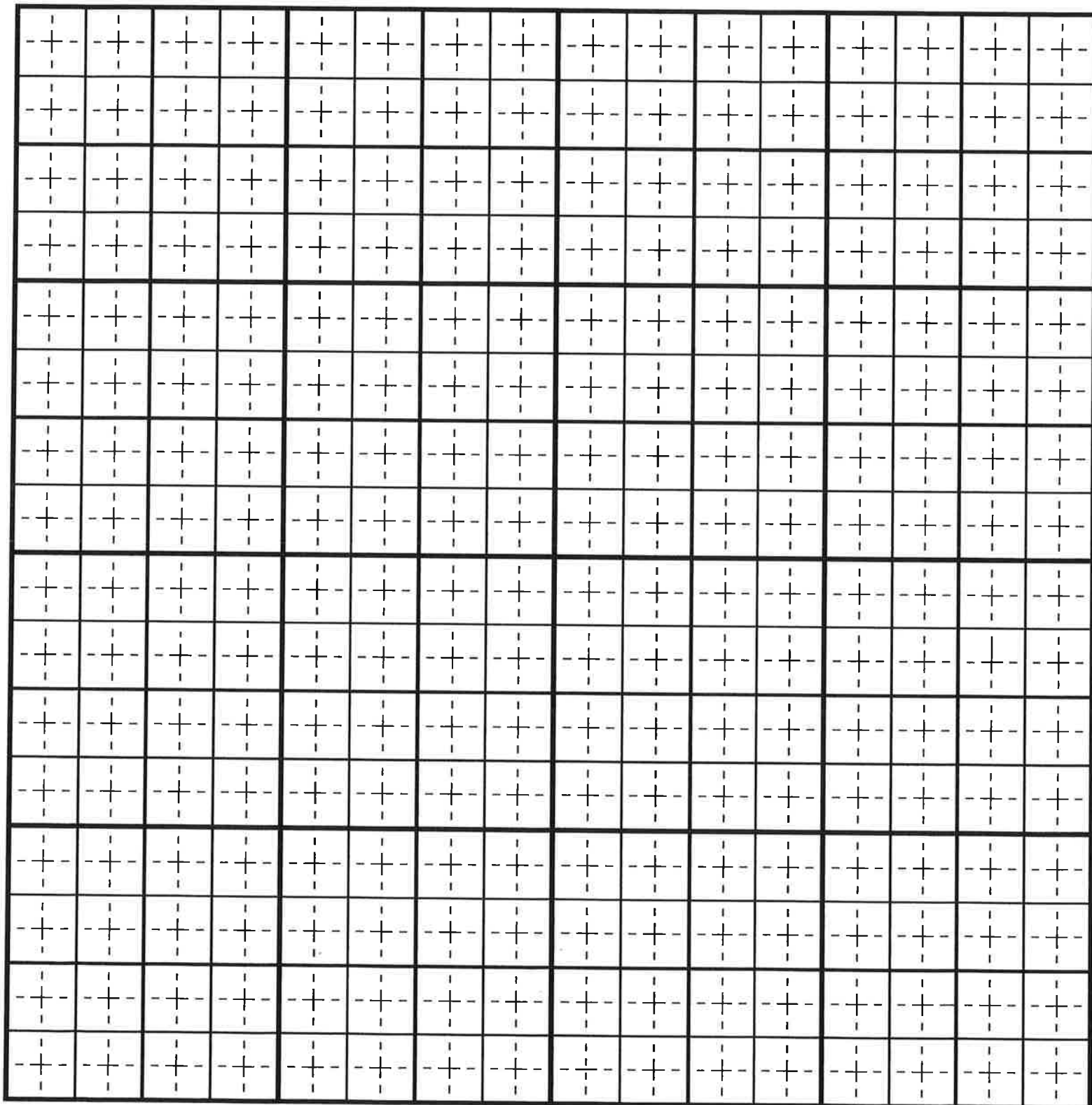
12. Describe any other water rights used at the same place and for the same purposes as described above.  
domestic well may be used at times to irrigate garden and orchard or None ( )

13. Remarks (Include an explanation of the priority date selected):  
Priority date of 1970 selected based on aerial photo showing recently constructed pond on 1970 photo

Name of claimant(s) \_\_\_\_\_ 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) Charles L. and/or Roberta S. Graham

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) Charles L. Graham Date: 5/6/19

Roberta S. Graham Date: 5/15/19

**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

\_\_\_\_\_ of \_\_\_\_\_  
Agent's title (Please print) 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) Charles L. and Roberta S. Graham Claim ID \_\_\_\_\_



Charles L. and/or Roberta S. Graham

T39N R05W Sec 15 SE  $\frac{1}{4}$  SE  $\frac{1}{4}$

6-26-70

pond

X-11V-106

2768

LAL

80



RECEIVED  
MAY 20 2019  
IDWR / NORTH

May 15, 2019

IDWR, Northern Region  
7600 Mineral Dr. Suite 100  
Coeur d'Alene, ID 83815

Re: Notices of Claim to a Water Right  
Palouse River Basin Adjudication

Dear IDWR:

Enclosed are three Notices of Claim to a Water Right for filing in the Palouse River Basin Adjudication, and a check for \$75. If you have any questions about the claims or require further information, please let me know.

By the way, we greatly appreciate the assistance provided by the IDWR people who traveled to Moscow to help us get the claims right. Very kind and helpful people. Thanks for making them available.

Sincerely,



Charles Graham

2040 Mill Rd.

Moscow, ID 83843

208-310-0454