

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

03/23/2001

RIGHT NUMBER: 29-7207

NAME AND ADDRESS: MARY P MULLER
PO BOX 214
LAVA HOT SPRINGS, ID 83246

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
1.6 AFY

PRIORITY DATE: 07/08/1974

POINT OF DIVERSION: T09S R37E S24 NENWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	0.04 CFS
DOMESTIC	01-01 12-31	1.00 AFY
		0.04 CFS
		0.60 AFY

PLACE OF USE:

IRRIGATION Within BANNOCK County
T09S R37E S24 NWSE 0.3
DOMESTIC Within BANNOCK County
T09S R37E S24
NWSE

0.3 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 0.30 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

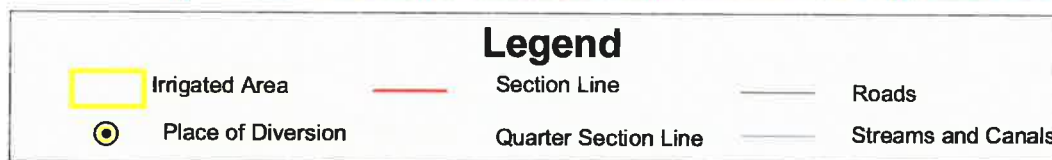
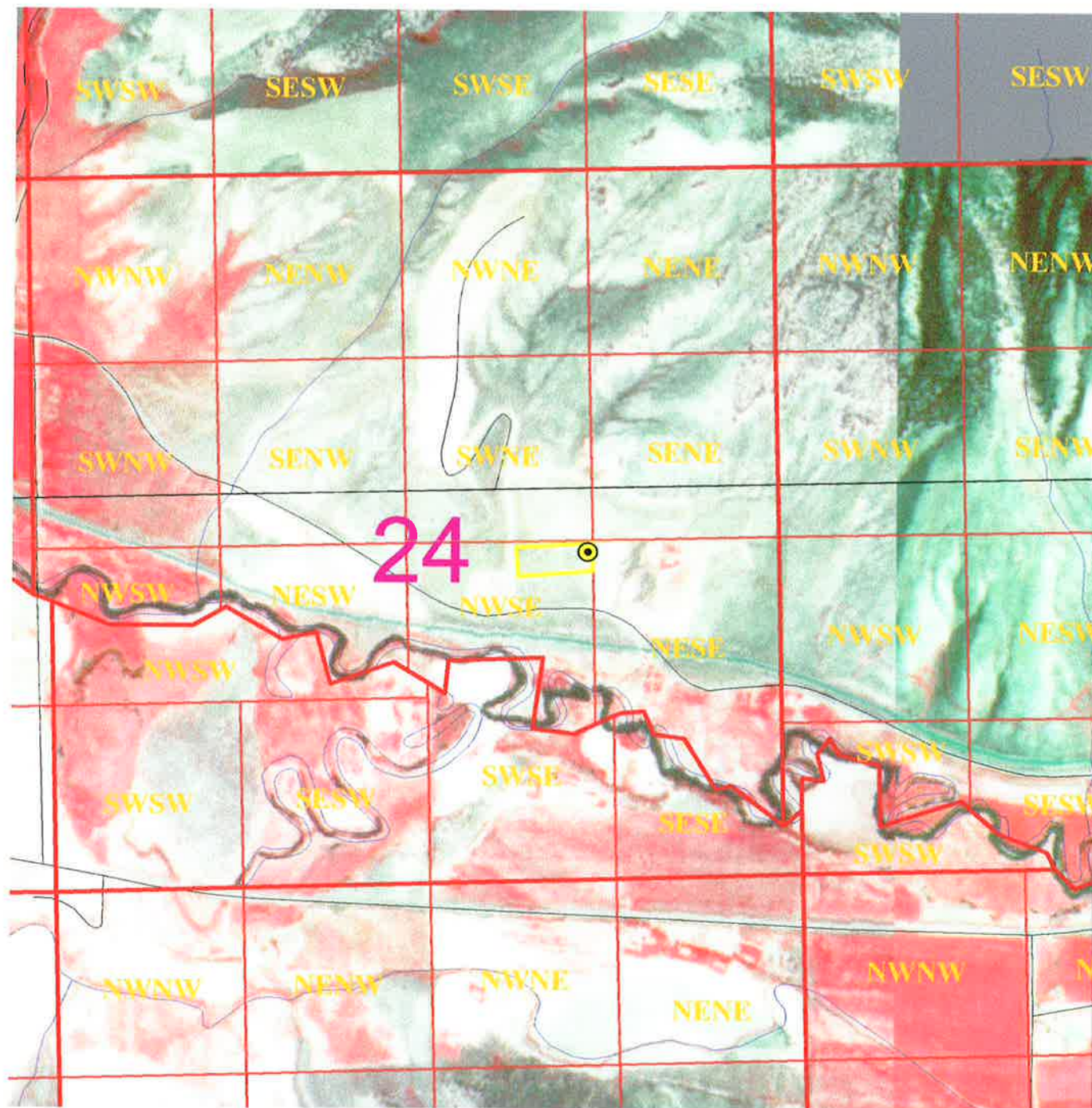
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Water Right Claim Number A29-07207

08/11/2000

Township , 9S37E



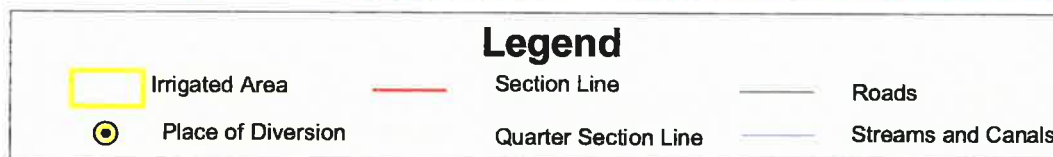
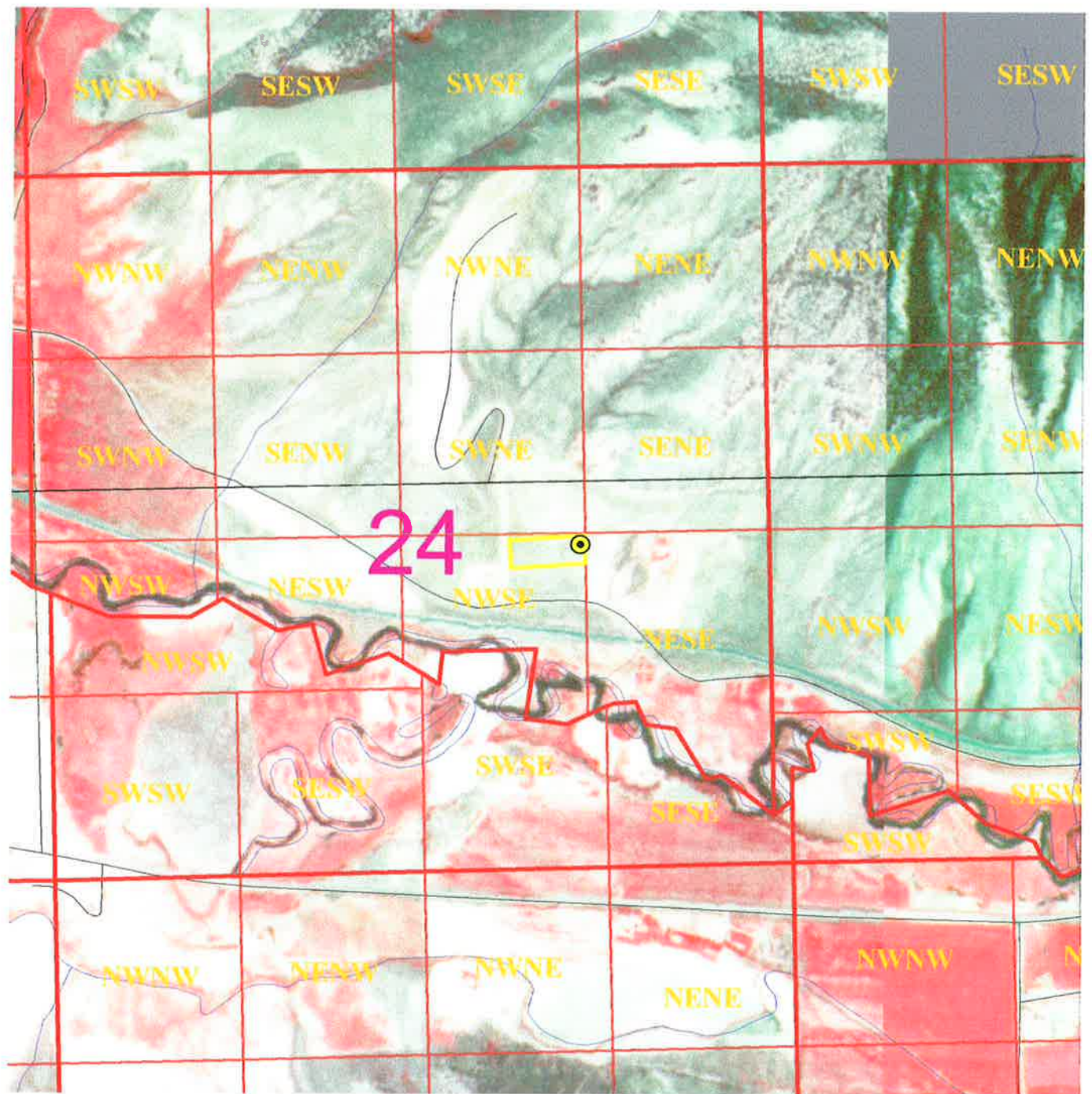
600 0 600 1200 Feet



Water Right Claim Number A29-07207

08/11/2000

Township , 9S37E



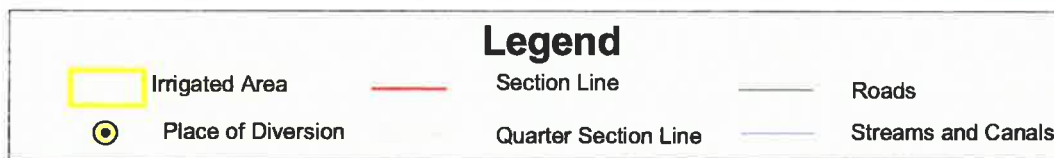
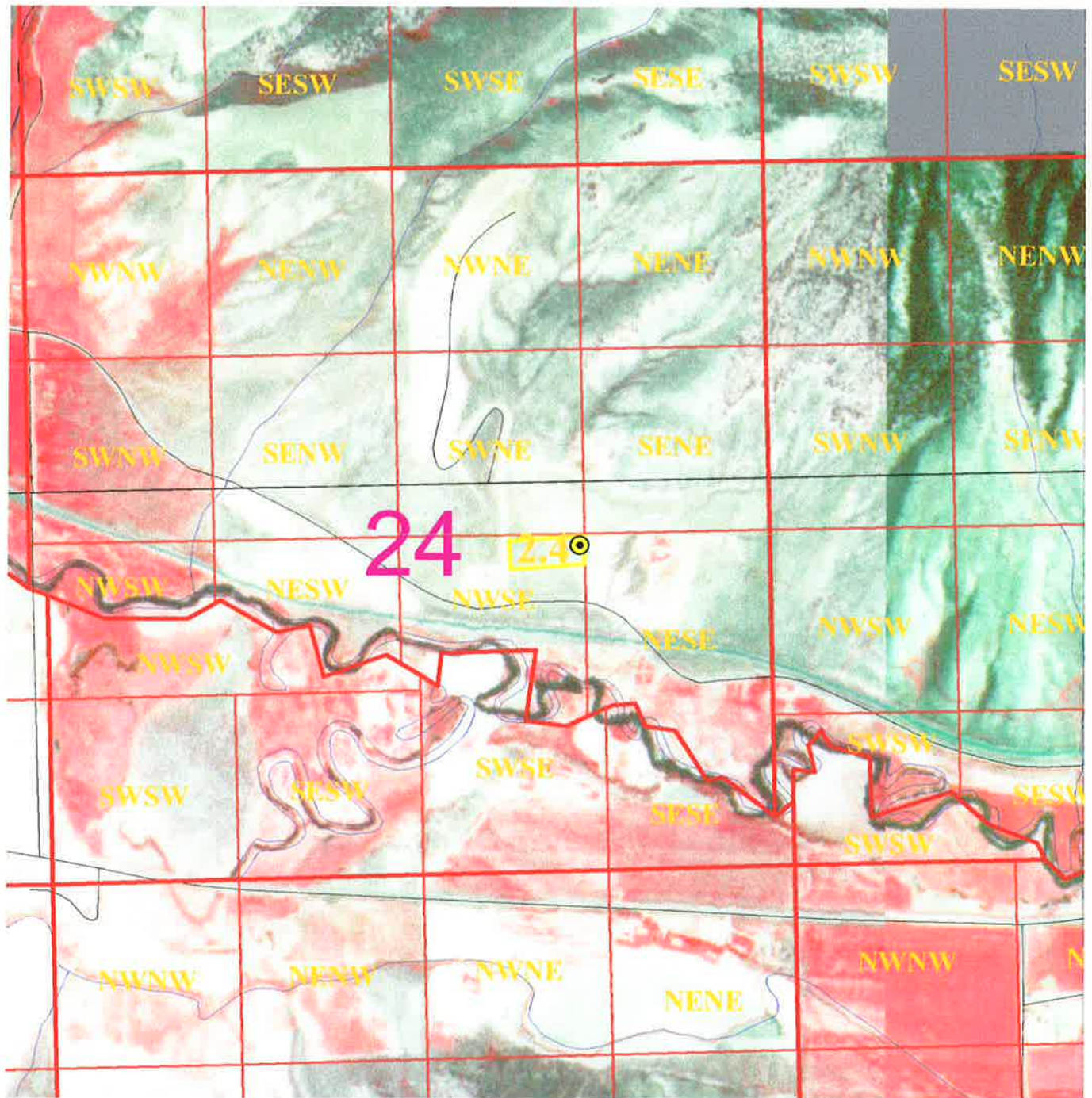
600 0 600 1200 Feet



Water Right Claim Number A29-07207

08/11/2000

Township , 9S37E



600 0 600 1200 Feet



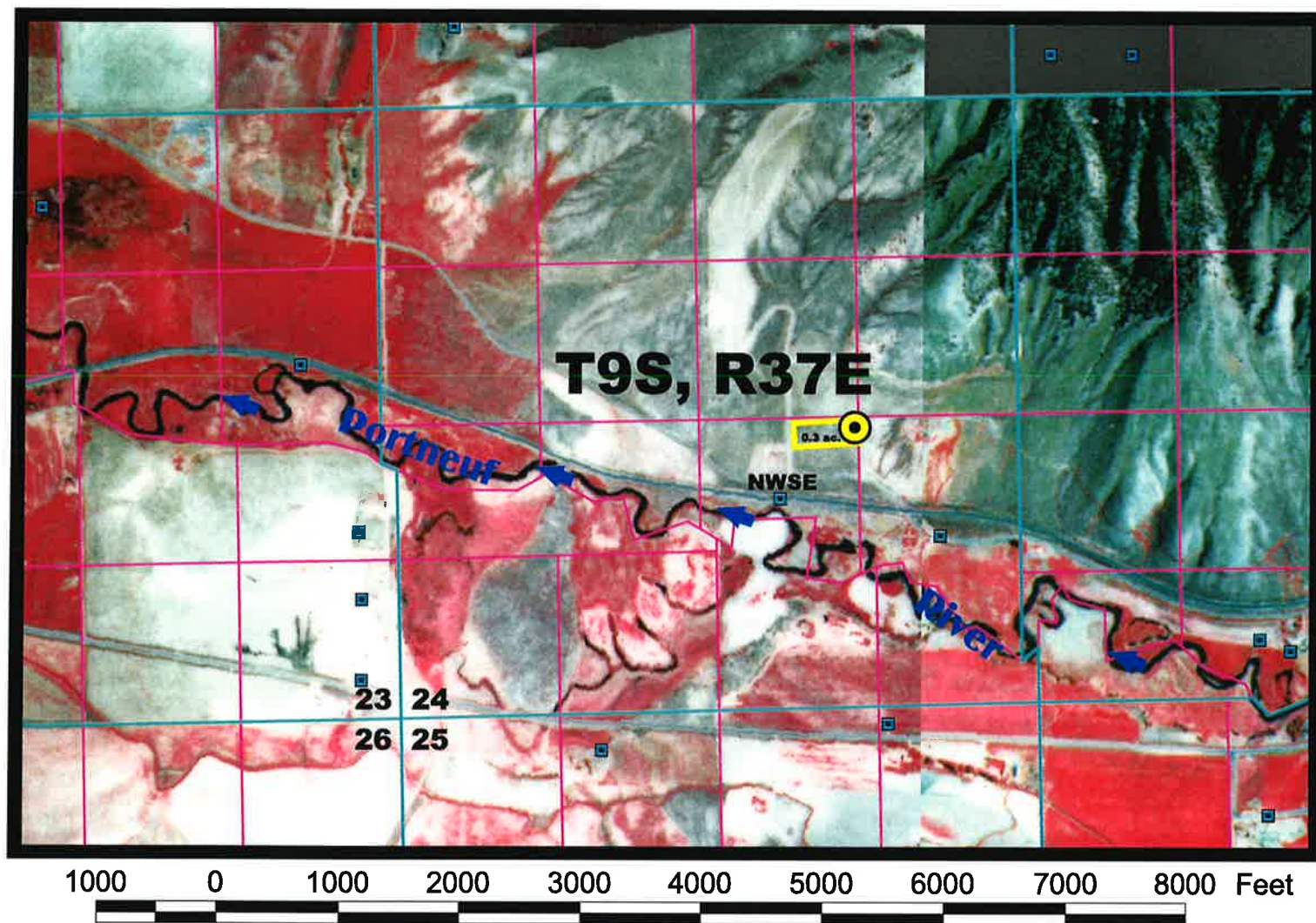


STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 29-7207



LEGEND

- SESE Place of Use
- Section
- Quarter-Quarter
- Point of Diversion

Place of Use: T9S, R37E,
(part of) Sec. 24 NWSE
(0.3 ac. w/i pou shown)

Point(s) of Diversion: T9S, R37E
Sec. 24 NENWSE

SCANNED

APR 20 2006



PROFILE

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: March 2001

02/25/2003

NOTICE OF ERROR
REPLY

allen

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-7207

MARY P MULLER

PO BOX 214

LAVA HOT SPRINGS ID 83246

Telephone Number: (208) 766-4522 - 776-5494
wrong -

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-9-03

SIGNATURE: Mary P. Muller

Please print your name: Mary P. Muller

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED

APR 20 2003

RECEIVED

APR 18 2003

Department of Water Resources
Eastern Region

SCANNED

JUN 06 2001

Log for claim A29-07207

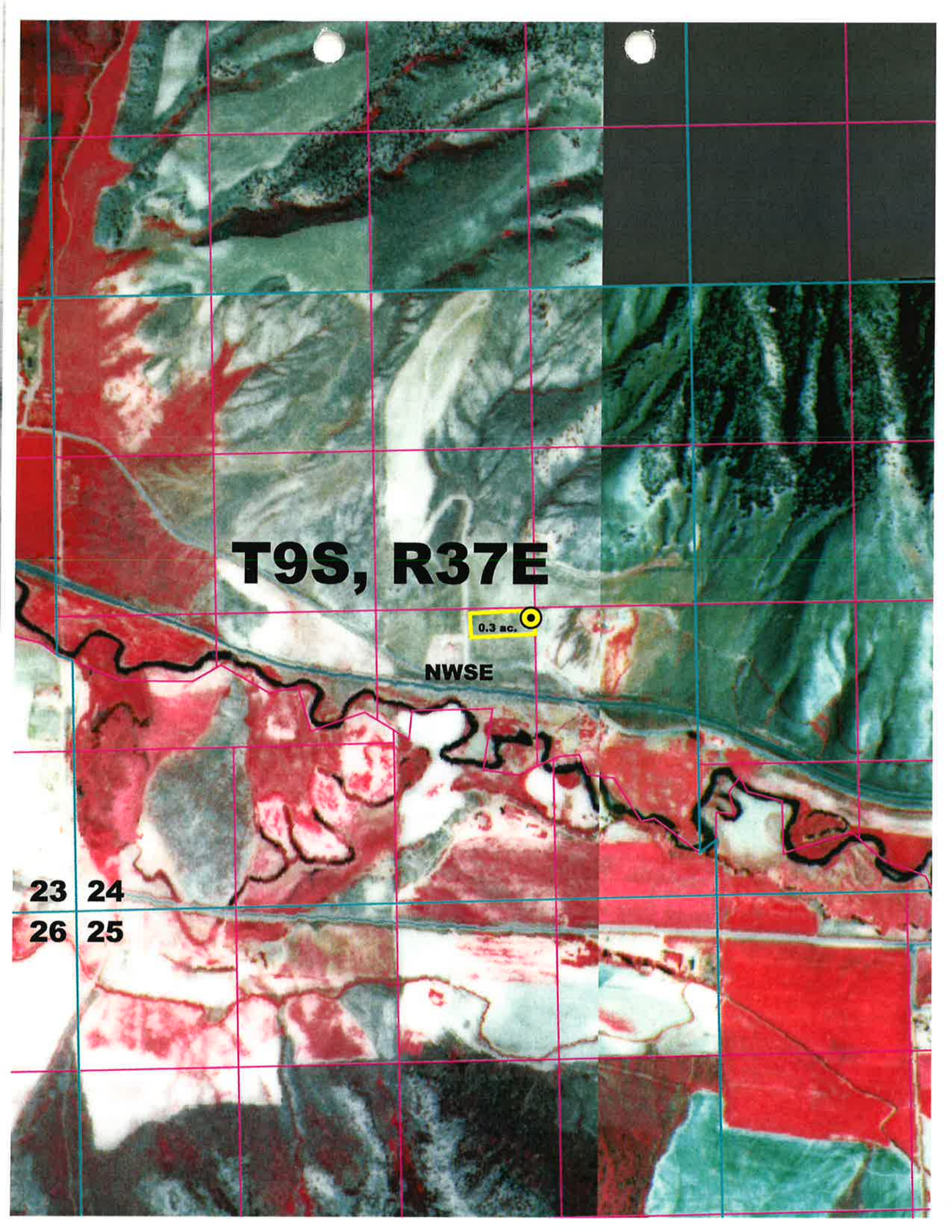
Spatial Dynamics AMH

8/11/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s37e	24	NWSE	0.3	2.4	
Totals:			0.3	2.4	

Claims as Licensed, So Recommended w/exceptions;

(1) Total Q Licensed @ 0.04 fs (.08 reduced to Lic Q)



T9S, R37E

0.3 ac.

NWSE

23 24

26 25

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07207

Priority: July 8, 1974

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume:¹ 1.6 AF

This is to certify, that ARTHUR H. MULLER
MARY P. MULLER

P.O. BOX 214

LAVA HOT SPRINGS, ID 83246

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 8, 1974; and has submitted Proof of Beneficial Use on July 9, 1984. An examination indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.04 CFS	1.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	Totals	0.04 CFS	1.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 24, Township 09S, Range 37E
BANNOCK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	37E	24	NWSE	0.3		0.3

Total number of acres irrigated: 0.3

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

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OCT 11 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-07207

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 29th
day of September, 1989.

Acting for


R. Keith Higginson, Director

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OCT 11 1989

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR EXTENSION OF TIME

AUG 1 1979

Department of Water Resources

State of Idaho)

County of BANNOCK)

Permit No. 29-7207

ARTHUR H. MULLER ^{OR MARY P. MULLER} of PO BOX 337 LAVA HOT SPRINGS
(name) (address)

State of IDAHO-P3246, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 29-7207

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before AUG 1, 1979.

That he has heretofore performed the following work described under said permit:

DRILLED WELL 280 FT. DEEP. INSTALLED CASING, PUMP, PUMP HOUSE, TANK,
WATER SYSTEM/LINES. TO FURNISH WATER FOR 4000 SQ FT HOUSE AND
GARDEN, CORRAL. (STILL WANT TO DEVELOP WATER TO AREA
REMAINING APPROX 75%) Costing \$ 6200.00

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: Financial Problems - DUE TO

INFLATION AND RISING PRICES ALLOTTED BUDGET DID NOT
PERMIT PRESENT COMPLETION. EXAMPLE, HAD ESTIMATED \$1200.00 TO DRILL
WELL, AS IT TURNED OUT IT COST ME \$200.00 INSTEAD. PIPING
AND INSTALLATION ALSO WAS 60% GREATER THEN ESTIMATED.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to AUG, 1984.

Arthur H. Muller
(signature) *

Subscribed and sworn before me this 30th day of July, 1979.

seal

Notary Public residing at

My commission expires 4-17-80

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use of water is extended
August 1, 1984.

Witness my hand this 8th day of August, 1979.

J. Glen Saxton
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. For
through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10-10-2001 BY 60320 JAW/STP

DO NOT FILM

Identification No. 29 7207
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

To Appropriation the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Arthur H. &/or Mary P. Muller
post office address P.O. Box 337, Lava Hot Springs, Idaho 83246
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24 Township 9S
Range 37E B.M. Bannock County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.04 for Irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
Amount 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs of flow per second or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.08 cubic feet per second and/or _____
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well and pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 6 inches; proposed depth of well is 280 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 7,000.00.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24 Township 9S
Range 37E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

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[illegible]

c. Describe any other water rights used for the same purposes as described above. _____

b. Who owns the land to be irrigated or place of use: Applicant Marvin P. Mueller

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks

DO NOT FILM
COPY
FOR YOUR FILES

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Range 37E

Township 25S

DO NOT FILM

COPY

FOR YOUR FILES

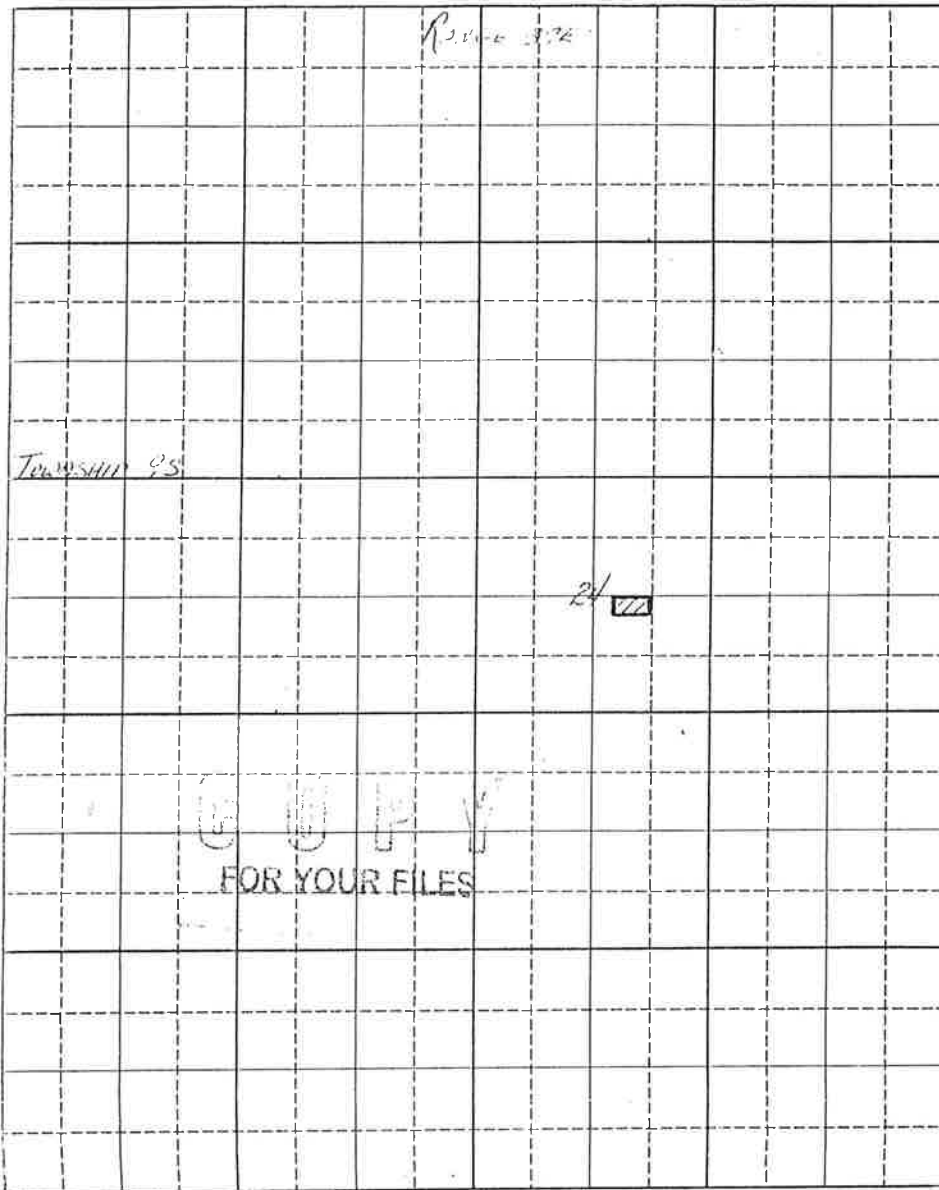
21

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Arthur H. Muller
(Applicant)
Mary P. Muller
MICROFILMED

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Attached Sheet Pertus H. Miller
(Applicant)
Mary P. Mully
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Proposed Priority 7-08-1974

Received by MB Date 8-7-74 Time 3:30 P.M.
Preliminary check by MB Fee \$ 10.00
Received by MB Date 8-1-74 # 12-46
Publication prepared by MB Date 8-1-74
Published in Idaho State Journal
Publication dates July 11-25, 1974
Publication approved MB Date 8-20-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by MB

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 29-7207, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August, 1979.
- c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 19 day of August, 19 74.

R. Keith Higgs
Director

SD-60
INQUIRY

Idaho Department of Water Resources
Water Rights Screen 4

Date: 07/30/91
Time: 08:32:10

Water Right Number: 29-07207

Stage/Status : L/
Region : 15
Transfer/Amended:
Swan Falls Spec : Z

Temporary Right: P
Water District :
Field Exam : R
DLE Carey Act :

Dates:
Appl. Rec.: 7/ 8/1974
Field Exam: 6/12/1987
Protested : / /
Verified : / /

Proof Made: 7/ 9/1984
Decree : / /
Hearing : / /
Show Cause: / /

Proof Due : 8/ 1/1984
Licensed : 9/29/1989
Appr/Deny : 8/19/1974
Start Work: / /

Receipt No.:
Old Number :
Diversion Capacity: 0.040
Civil Case No. :

Defendant:
Plaintiff:

(Enter=Exit)

(GOLD8=Cancel)

DO NOT FILM

Identification No. 29 7207

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Arthur H. &/or Mary P. Muller
post office address P.O. Box 337, Lava Hot Springs, Idaho 83246
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Range 37E B.M. Bannock County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
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Amount 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
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(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

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11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

RANGE 37E

TOWNSHIP 9S

24

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Arthur H. Mueller
(Applicant)
Mary P. Mully

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

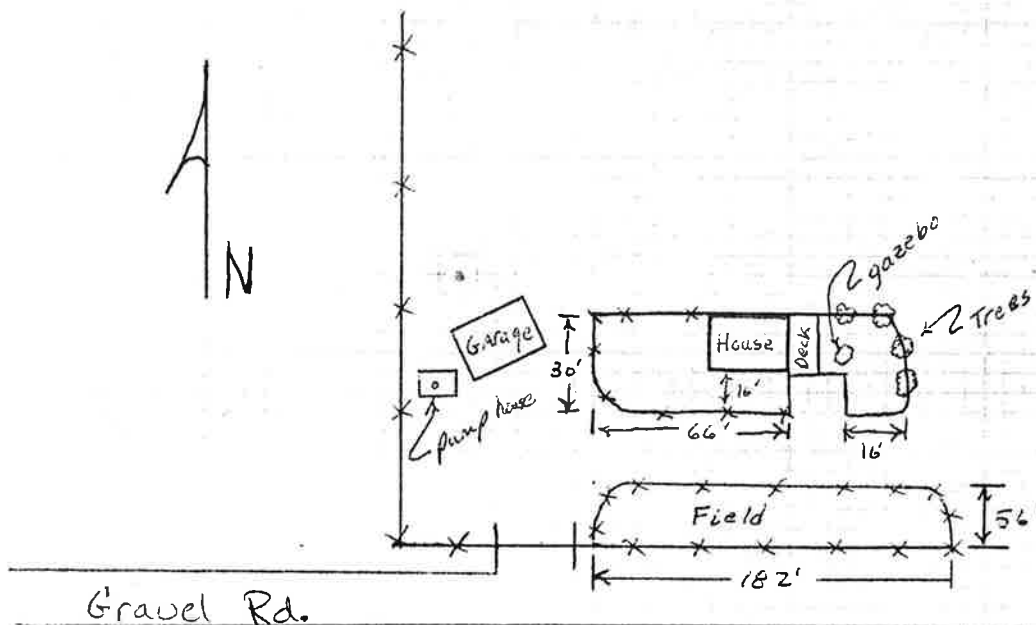
Permit No. 29-7207
1. Owner: Arthur H. i/or Mary P. Muller Phone No. 254-3682
Current Address: P.O. Box 214 Lava Hot Springs Idaho
2. Accompanied by: Cindy Irick EXAM. DATE: 6-12-87
Address: P.O. Box 494, Lava Hot Springs Id Phone No. 766-5298
Relationship to Permit Holder: Daughter
3. Source: Groundwater tributary to —

B. OVERLAP REVIEW

1. Other water rights with same place of use: N.A. ☐ Copies Attached
2. Other water rights with same point of diversion: N.A. ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" = 40'

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Bucket					2.5 gallon	
Stopwatch						

2. Measurements:

5/8" garden Hose was used for measurement.
2 - 5/8" garden Hoses were hooked up for measurement and
filled a 2.5 gal. bucket in 8.5 sec. and a secondary check
of 9 sec.
2.5 gallon / 8.75 sec.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q = \frac{2.5 \text{ gal}}{8.75 \text{ sec.}} \left(\frac{60 \text{ sec.}}{\text{min}} \right) = 17.14 \text{ g.p.m.} \div 448.8 \text{ C.F.S.} = .04 \text{ C.F.S.}$$

2. Alternate Method for Checking Purposes:

$$\text{Theoretical } Q = \frac{(3 \text{ hp})(8.814 \times .8)}{35' + (30 \text{ psi} \div 2.31)} = 0.20 \text{ C.F.S.}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) $\div$ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (.29)(3.5) = 1.02$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.04)(245)(1.9835) = 19.44$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1.02.$$

2. Volume Calculations for Other Uses:

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OCT 11 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 16, 1992

Mary P. Muller
P.O. Box 214
Lava Hot Springs, ID 83246

RE: Snake River Basin Adjudication (SRBA)
Bannock County - A29-07207

Dear Mrs. Muller:

Thank you for signing and returning your amended Notice of Claim referenced above. I have enclosed your receipt #C024498 for the late fees in the amount of \$49.00.

I still have not received your Request for Extension of Time and would remind you that if granted, your late fees in the amount of \$50.00 would be refunded.

I have also enclosed your yellow file copy of your original claim as well as a copy of the computer-generated amended claim. These copies are for your records; please retain them.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "John D. Carlson".

John Carlson
Adjudication Supervisor

JDC:sf:east

Enclosures:

Yellow Copy of Original Claim
Yellow Computer-Generated Copy of Amended Claim
Receipt #C024498

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NOV 13 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 2, 1992

Mary P. Muller
P.O. Box 214
Lava Hot Springs, ID 83246

RE: Snake River Basin Adjudication (SRBA)
Bannock County - #29-07207

Dear Ms. Muller:

We have not received an extension of time or late fee for the above referenced claim. To ensure these matters are resolved in a reasonable amount of time, please submit either late fees in the amount of \$49.00 or a Request for Extension of Time by July 31, 1992, or we will suspend processing of your claim and refund the \$52.00 fee that has been submitted.

You may resubmit the claim after this time with late fees if you are able to gather the information we have discussed previously.

If you have any questions on the above, please contact me.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:sf:state:tf
cc: Mary Muller
% Jean Hart
P.O. Box 2054
Central Valley, CA 96019

MICROFILMED

NOV 13 1992

MEMORANDUM

DATE: APRIL 13, 1992

TO: FILE A29-07207, MARY MULLER

FROM: JOHN CARLSON *gsc*

RE: PHONE CONVERSATION ON HOW SHE SHOULD FILE HER DOM/IRR.
CLAIM
Bannock Co.

Mrs. Muller went over the claim as she filed it and how it was licensed. I believe she was able to see the difference and I suggested that she talk to the ASCS and the County Assessor to come up with the actual acres she irrigates. I believe she feels it is closer to 1 ac. and she owns 2 acres.

We went through pd., pou., amount of water and the late fee/extension request, as well as 101 other things. I believe she is on a pension and will have difficulty coming up with the extra \$49.00 but will try to send it in if she has it.

I mentioned if she was not licensed for the correct amount of water she may wish to file a presumption claim for the additional .7 of an acre. She should probably file the claim as dom. and irr. if she thinks she will do this.

She represents she contacted either this office or the Idfalls office during the filing period and was told she did not have to file a claim. ~~However~~ ^{when} she spoke to may have looked at the license and saw the .3 of an acre with Dom. and said it was deferable which it may very well be, however she has some concerns with ~~8~~ subdivision going in next to her etc. etc. I am not sure she would have understood deferral without a little further explanation. I was on the phone for approx. 40 minutes, for the second time regarding the same request. Which I guess doesn't say much for my letter.

She will send in claim and late fee plus extension request and may get into Idfalls around July of this year.

T 5-13

MICROFILMED

NOV 13 1992

MEMORANDUM

DATE: 3/20/92
TO: FILE 29-07207
FROM: JOHN CARLSON *ja*
RE: BANNOCK COUNTY
AND TELEPHONE CONVERSATION ON SIGNING AND NOTARIZING CLAIM
EXTENSION REQUEST.

IN SPEAKING WITH MRS. MULLER, SHE DID NOT HAVE A GOOD UNDERSTANDING OF HOW MANY ACRES SHE IRRIGATES, BUT AFTER A WHILE SHE INDICATED THAT AT THE TIME OF THE FIELD EXAM SHE TRUSTED THE INDIVIDUAL WHO WAS OUT THERE FROM THE DEPT. AND IT IS PROBABLY CORRECT. SHE AGREED TO SIGN THE CLAIM AND HAVE NOTARIZED AND RETURN TO THE DEPT. WE WENT OVER THE ITEMS IN THE LETTER AND SHE SOMEWHAT UNDERSTOOD THEM BUT KEPT INDICATING SHE DEPENDS ON US. I SUGGESTED SHE HAVE A RELATIVE OR LAWYER GO OVER THEM.

THE LATE FEE SEEMED TO CONFUSE HER A LITTLE, AND SHE KEPT REFERRING TO HAVING SENT IN MONEY ON A PAYMENT PLAN, 10 BUCKS AT A TIME IN 1990 OR 1991.

I REQUESTED SHE SUBMIT THE EXTENSION REQUEST AND I WOULD LOOK INTO THE RECEIPTS FURTHER. SHE AGREED.

NO OTHER RECEIPTS UNDER MARY OR ARTHUR
ONLY C023392 UNDER MULLER

MICROFILMED

NOV 13 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

310-92

Mary P. Muller
P.O. Box 214
Lava Hot Springs, ID. 83246

RE: Snake River Basin Adjudication (SRBA). Claim to a water right
for 29-07207.
Bannock County

Dear Ms. Muller:

I am responding to your submission of a claim to a water right referenced above and requesting that you clarify a few items.

First I would like to mention that the right which you are claiming is for irrigation of .3 acres. Under the definition of domestic use a lawn and garden may be irrigated with the irrigation portion not to exceed .5 acres. As you are under this amount the right could be adequately covered under the definition of Domestic. The only advantage to you in describing your right as domestic use is that the filing fee for a domestic use is \$25.00, vs \$ 51.00 for the claim as filed with the irrigation use described separately. You may however file the claim as is with the following additions or corrections.

I have enclosed a data entered copy of your claim with the following additions or corrections. The form has AMENDED at the top of the page and should be signed and notarized if you agree with additions and/or corrections

Item #8 consumptive use. According to our information the consumptive use for the area is 2.5 Acre Feet Per Acre per year(AFAY), with .3 acres being equivalent to .75 AFAY. Your use for item number 8 would be .75 AFAY unless you have another figure in mind.

Item #7 Total Quantity appropriated is listed as twice that which was licensed. At this point the Department will not be able to recommend more than was licensed.

MICROFILMED

NOV 13 1992

Mary Muller
March 10, 1992
Page 2 - Bannock Co.

If you feel you are actually diverting this amount you may wish to submit an application for permit for the additional water or submit evidence that the licensed amount is not correct and that you were actually diverting this amount at the time of the field exam.

Item #10 Place of Use, it appears the 1/4 1/4's have been transposed and the place of use should be NW 1/4 SE 1/4 instead of the SE 1/4 NW 1/4.

The last item which I will mention reflects on your filing fee in that the time frame set out for submission of claims for Bannock Co. was 1/25/90 to 5/1/90. Our records show you were sent a commencement notice for round one on 1/25/90. As we received your claim on 3/2/92 a late fee is required. If however you feel you have a compelling reason for not submitting the claim during the required filing dates you may submit the enclosed request for extension of time. If the extension of time is approved you would not be required to pay the late fee of \$50.00. Also if you decided to file the claim solely as domestic the total fee including late fee is \$75.00 minus the \$52.00 already submitted and represented by enclosed receipt #C023392 with the balance due of \$23.00. If you return the claim with the irrigation use listed separately from the domestic use (as you presently have it) the total fee is \$101.00 with the balance of \$49.00 due.

In reviewing the form if you decide to delete the irrigation portion or make any other changes, please initial and date the changes.

If you have any question on the above please feel free contact me.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:state:tf

MICROFILMED

NOV 13 1992

Mary Muller
March 10, 1992
Page 3 - Bannock Co.

Enclosures:

Amended Claim to a Water Right A29-07207
Extension of time form
Receipt #C023392

CC: Mary Muller
% Jean Hart
PO Box 2054
Central Valley
CA. 96019

MICROFILMED

NOV 13 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Mary P. Muller CL IDENT. NO. A29-07207DATE RECEIVED 3-2-92 CK # 2699 AMOUNT \$ 52.00

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|--------------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☐ | ☒ | |
| Is the consumptive use correct? | ☐ | ☒ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | (Transposed) 1/4 * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☐ | ☒ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be data entered? | ☐ | ☐ | |

Claim checked by: CF Date: 3-3-9Claim must be returned to claimant: (Yes) (No)Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: _____

Claim data entered by: _____

Sent to claimant by: _____

Date: _____

Date: _____

Date: _____

Checked by: _____ Date: _____

Comments: _____

MICROFILMED

NOV 13 1992

JUN 06 2001

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

RECEIVED

Ident. Number: **A29-07207**
Date Received: 3/10/1992
Receipt No: C023392
Received By: _____

JUN 30 1992

Department of Water Resources
Eastern District Office

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

1. Name: MARY P MULLER
Address: PO BOX 214
LAVA HOT SPRINGS ID 83246
208-766-4522

2. Date of Priority: JUL 8, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	37E	24	NE	NW	SE		BANNOCK

5. Description of diverting works:
280 FT. DEEP 6 IN. CASED WELL WITH 5 HP. SUB. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		1.00
DOMESTIC	01/01	12/31	0.040		0.60

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 1.60 A.F.A.

8. Total consumptive use is 0.7 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	37E	24	NW	SE		IRR	0.3
			NW	SE		DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	0.3
					Total Acres	0.3

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

MRS MULLER SUBMITTED CLAIM WITH FEE OF \$52.00. LACKING SOME ITEMS
SO CLAIM WAS RETURNED. SHE HAS INDICATED SHE WILL RESUBMIT WITH
LATE FEE AND EXTENSION REQUEST. JDC/4/13/92.

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 _____ 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: _____

MICROFILMED
NOV 13 1992

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
NOV 13 1992

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: A29-07207

Date Received: 3/10/1992

Receipt No: C024498

Received By: *[Signature]*

LaTe Fee

C023392

JUN 1 1992

Department of Water Resources

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARY P MULLER
Address: PO BOX 214
LAVA HOT SPRINGS ID 83246 208-766-4522

2. Date of Priority: JUL 8, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	37E	24	NE	NW	SE		BANNOCK

5. Description of diverting works:
118 FT. DEEP 6 IN. CASED WELL WITH 5 HP. SUB. PUMP
280 Ft. m.m.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		1.00
DOMESTIC	01/01	12/31	0.040		0.60

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 1.60 A.F.A.

8. Total consumptive use is 0.7 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	37E	24	NW	SE		IRR	0.3
			NW	SE		DOMEST	

A29-07207

Page 1

Date: 03/10/92

MICROFILMED

NOV 13 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	0.3
					Total Acres	0.3

11. Place of use in counties: BANNOCK

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: 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 _____ 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): Mary P. Mullen Date: 6-8-92

Date: _____

State of Idaho

County of Bannock) ss.

Subscribed and sworn (or affirmed) before me this 8th day

of June 19 92

Phyllis Myers
Notary Public

Seal

Residing at Pocatello

My Commission Expires 7-12-94

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

29-07207

Date Received

3-2-92

Receipt Number

C023392

RECEIVED
MAR 2 1992

Department of Water Resources

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

Please type or print clearly

1. Name of Claimant (s) Mary P. Muller Phone (208) 766-4522

Mailing Address P.O. Box 214 Lava Hot Springs Idaho Zip 83246

2. Date of Priority (Only one (1) per claim) July 8, 1974

3. Source of water supply (a) ground water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 09 South Range 37 East Section 24,
N.E. 1/4 of N.W. 1/4 of S.E. 1/4, Govt. Lot, _____ B.M., County of Bannock

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., 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. 118 Feet Deep x - 6"

Casing well, 5 H.P. submersible pump

A2907207



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NOV 13 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount 0.04 cfs or _____

For Domestic purposes from 1/01 to 12/31 amount 0.04 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.08 cfs (cfs) and/or (b) 1.6 AF (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic 1 House

10. 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	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
095	37E	24								I									
										D									

Total number of acres irrigated 0.3

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

12. 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.

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

or None (X)

14. Remarks:

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NOV 13 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile - See attached sheet

NOV 13 1992

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 29-07207
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Mary P. Muller Date 2-1-92

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of ^{Virginia} ~~Idaho~~/or _____)
County of Arlington) SS.

Subscribed and sworn (or affirmed) before me this 1st day of February 19 92

SEAL

Notary Public Carl P. Walters, III

Residing at 3401 Columbia Pike Arlington, Va. 22204

My Commission Expires 3/31/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

MICROFILMED
NOV 13 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant