

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: 87-11857

Date Received: 8-29-2019

Receipt No: N035521

Claim Fee: 25.00 By: JL

RECEIVED

AUG 29 2019

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

IDWR / NORTH

Please type or print clearly

- Name of claimant(s) EDWARD KELCHNER/ANDRIA MARCUSSEN Phone (208) 875 1267
Mailing address 1205 CARSCALLEN RD POTLACH ID Zip 83855
Street or Box City State
Email address (optional) _____
- Date of priority: (Only one per claim) AUGUST 4, 1993 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water ☒ or Other () (a) _____
which is tributary to (b) _____
- a. Location of point of diversion is: Township 43, Range 04, Section 28,
NE 1/4 of SW 1/4, Govt. Lot _____, BM, County of LATAH
Parcel no. ~~TAX # 5219 NE SW 28 43 4~~ RP 43N04W 285285A
Additional points of diversion, if any: _____
If available, GPS Coordinates -116.8475 47.0365 DEG.
- 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 _____
- 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.
TILED WELL 6 FEET DEEP, PLUMBED TO HOUSE

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)
For DOMESTIC purposes from 01-01 to 12-31 amount 0.04 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (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.) ONE HOUSEHOLD WITH LAWN + GARDEN

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	
<u>43</u>	<u>04</u>	<u>28</u>									<u>D</u>								

Parcel no(s). RP 43N04W 28S285 A 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 (☒) 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 (☒)

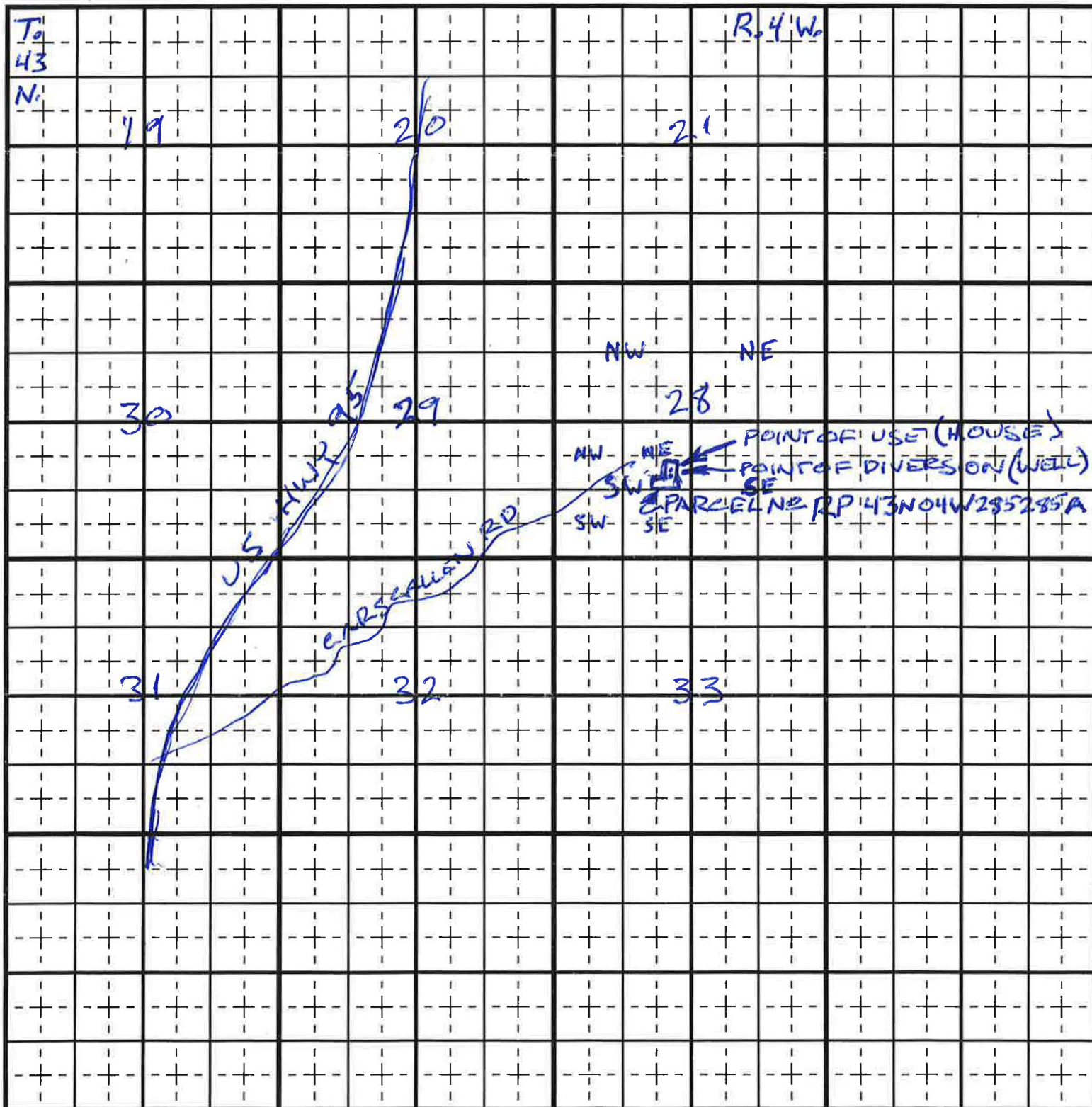
13. Remarks (Include an explanation of the priority date selected):

THE PRIORITY DATE SELECTED IS BASED ON THE OCCUPATION
OF THE PROPERTY AND USE OF WATER BY LLOYD AND DENISE FAIRMER
FOR AT LEAST FOUR YEARS PRIOR TO OUR PURCHASE AND
OCCUPATION OF THE PROPERTY ON AUGUST 4, 1997. THE WARRANTY DEED
FOR THE PROPERTY STATES "PERPETUAL USE OF TILED WELL - AS MORE
FULLY SET OUT IN INSTRUMENT RECORDED UNDER RECORDER'S FEE
Nº 196694" ALSO, "SUBJECT TO WATER RIGHTS, AS MORE FULLY
SET OUT IN INSTRUMENT RECORDED UNDER RECORDER'S FEE
Nº 197500." - LATAH COUNTY RECORDER, WARRANTY DEED 428966

Name of claimant(s) EDWARD KELCHNER/ANZIA MARCUSSEN 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) EDWARD KELCHNER / ANDRIA MARCUSSEN

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: _____

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)  Date: AUG 26, 2019
 Date: 8/26/19

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) EDWARD KELCHNER/ANDRIA MARCUSSEN

Claim ID _____