

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: 87-11881

Date Received: _____

Receipt No: N035601Claim Fee: 100.00 By: SLRefund of \$75.00 requested 9-11-19

RECEIVED

SEP 17 2019

IDWR / NORTH

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) CARL L PIXLEY Phone (208) 882-6373
Mailing address 1199 FLANNIGAN CREEK RD VIOLA ID Zip 83872
Street or Box City State
Email address (optional) PIXLEY06@HOTMAIL.COM
- Date of priority: (Only one per claim) 10/15/1956 (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) _____
- Location of point of diversion is: Township 41N, Range 05W, Section 26,
SW 1/4 of SW 1/4, or Govt. Lot _____ BM, County of LATAH;
Parcel no. RP41N05W266006
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.
WELL #1 WITH 1/2 HP SUBMERSIBLE 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 .02 cfs (☒) or AFY (☐)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed .02 cfs (☒) or AFY (☐)
- Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
DOMESTIC USE FOR 1 HOME

9. Location of place of use is: Township 41N, Range 05W, Section 26

SW 1/4 of SW 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):

DATE WHEN WELL WAS DRILLED

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)

Carl L. Riley
Sherry E. Riley

Date: 9/13/2019

Date: 9/13/2019

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 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) CARL L PIXLEY Claim ID

RECEIVED
SEP 11 2019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

IDWR/NORTH

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Carl L. Pixley (Name of Claimant)
Mailing Address: 1199 Flannigan Cr. Rd. Viola, ID 83872
Telephone No: 208-882-6373 Email: Pixley06@hotmail.com

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) OCT 15, 1956
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
tributary to _____

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)
Quantity _____	Use <u>365 Days Per Year</u>	Period of Use From <u>Jan 1</u> to <u>Dec 31</u>
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____

4. _____ TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 26 Township 41N Range 5W B.M. LATAH County; additional points
of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give
sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

1/2 H.P. Submersible pump

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.

D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
41N	5W	26											D						40

TOTAL ACRES 40

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific.

Domestic

NOTE: Include here the type and number of stock watered: 214

7. Remarks:

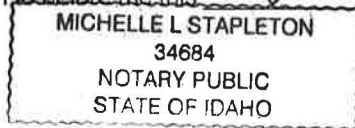
8. **Map** – Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of Idaho)
County of Latah) ss.

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

Carl L. Stapleton
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 20 day of August, 2019



Michelle L Stapleton
Notary Public
Residing at: moscow, id
My commission expires: 9/13/24

FOR DEPARTMENT USE ONLY

Received by ib Date 9-11-2019 Published in _____
Prelim. check by _____ Date _____ Publication dates _____
Fee 100.00 Receipt # N035601 Publication checked by _____ Date _____
Receipt prepared by _____ Date _____ Exceptions filed by _____

(Refund of \$75.00 requested 9-11-19)



Jan 20
1999

L1956

T41N R5W B.M. SEC 26 SW $\frac{1}{4}$ SW $\frac{1}{4}$