

10/23/2006

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

RIGHT NUMBER: 67-14765

NAME AND ADDRESS: LONNIE METHENY
11400 N RIVER RD
PAYETTE ID 83661

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.300 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 08/02/2006

POINT OF DIVERSION:

T09N R05W S15 SENE Lot 2 Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.100 CFS
STOCKWATER	01/01 12/31	0.200 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within PAYETTE County

T09N R05W S15 Lot 2 SENE

STOCKWATER same as DOMESTIC

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 -

Stockwater use is for 20 horses.



Idaho Department of Water Resources

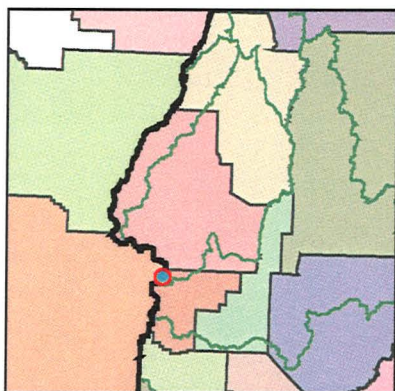
SRBA Recommendation:

67-14765

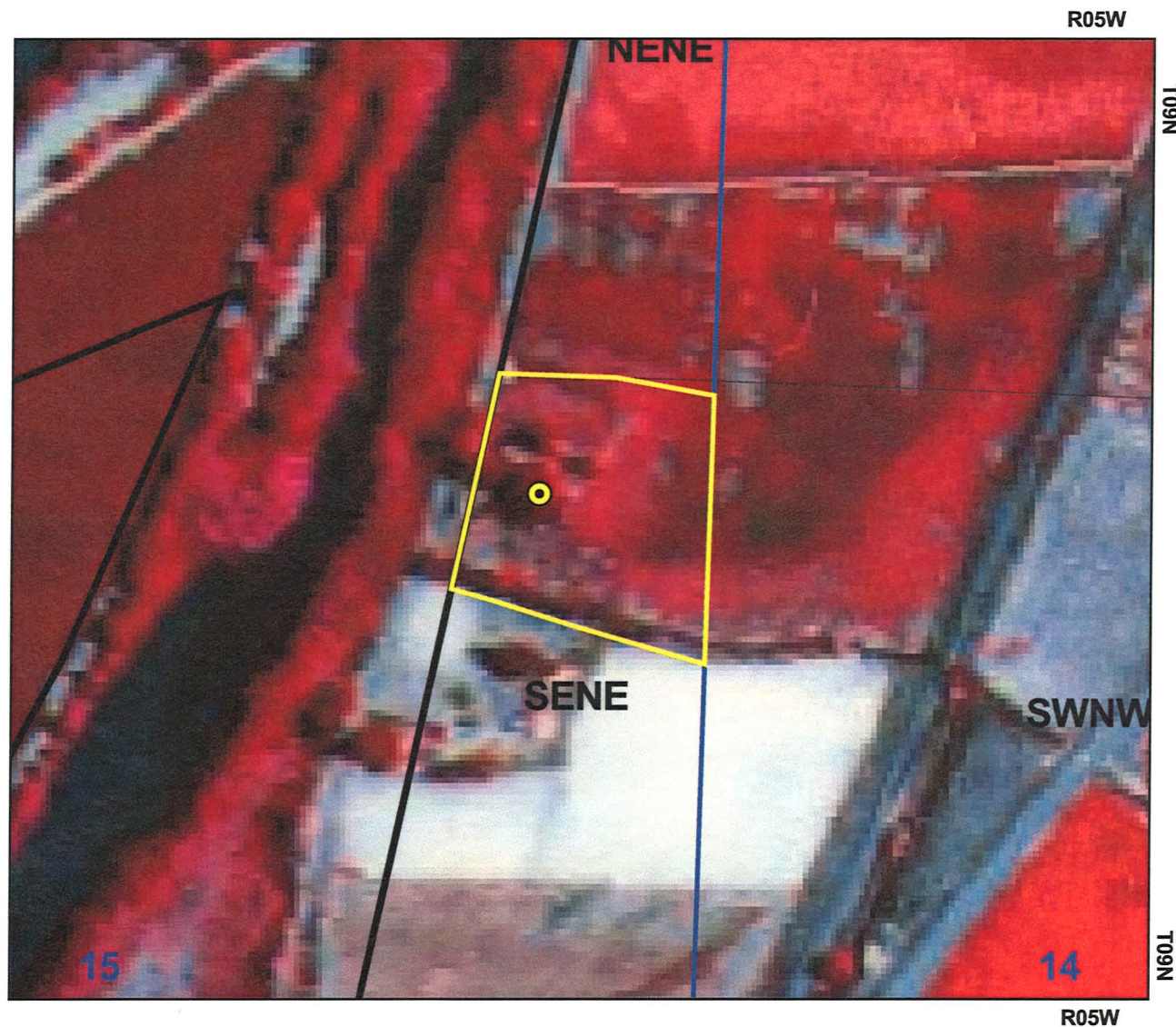
(Domestic)

Legend

-  **Point of Diversion**
-  **Place of Use**
-  **Townships**
-  **PLS Sections**
-  **Quarter Quarters**



Payette County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by C. Saxton
On Monday, October 23, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14765 V1

WATER RIGHT NUMBER: 67-14765 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LONNIE METHENY 11400 N RIVER RD PAYETTE, ID 83661 (208)642-0871

Priority Date: 08/02/2006

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.100 CFS	
STOCKWATER	01/01 to 12/31	0.200 CFS	
	<u>Total Diversion:</u>	0.300 CFS	

Location of Point(s) of Diversion

GROUND WATER	L2 (SE1/4NE1/4)	Sec. 15, Twp 09N, Rge 05W, B.M.
PAYETTE County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	05W	15				X													
						L 2													

STOCKWATER same as DOMESTICConditions of Approval:

1. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
2. C18 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.
3. X01 Domestic use is for 1 home.
4. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
5. X02 Stockwater use is for 20 horses.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14765 V1

Comments:

1. csaxton 10/23/2006 POD

Comment: POD placed in best guess based on photography. Map provided with claim shows an irrigation POD.

2. csaxton 10/23/2006 Purpose of Use

Comment: It appears that the claimant might have been attempting to claim an irrigation right. But the notes speak of surface water diversions and irrigation while the claim states ground water as a source. Cannot recommend as irrigation even if that was claimants intent.

3. csaxton 10/23/2006 From Claim (1)

Comment: Historical irrigation on entire parcel from existing pump/headgate on waste ditch, new owner desires to re-establish irrigation.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			10/23/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/23/2006 4:22:42 PM	csaxton	Updated PLS
POU	10/23/2006 4:25:34 PM	csaxton	Updated PLS for Active POU
POD	10/23/2006 4:22:09 PM	csaxton	Updated shape
POU	10/23/2006 4:25:26 PM	csaxton	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14765 V1

Summary	10/23/2006 4:30:11 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

August 9, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

LONNIE METHENY
11400 N RIVER RD
PAYETTE ID 83661

Dear Mr. Metheny,

Enclosed is the Notice of Claim to a Water Right you recently submitted to our office along with your \$25.00 check for the filing fee. However, due to the items checked below, we cannot continue to process this claim. We are returning this claim to you to complete items required that were incomplete on your claim form.

In addition, we are enclosing Standard Form 4, **Motion to File Late Notice of Claim**, as this claim is in an area that has already been submitted to the Snake River Basin Court (SRBA) in Twin Falls. This form will need to be completed and submitted with the claim form and appropriate fees to the SRBA Court. **ONLY THE ITEMS CHECKMARKED IN THIS LETTER NEED COMPLETION. IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIM.**

☒ Fee - Fee due is \$100. (See enclosed filing fees notice)

☒ Late Notice of Claim - **Submit Motion to File Late Notice of Claim**

☐ Item No. 2 - Date of Priority - month/day/year that water was first put to use, regardless of ownership. If month or day is unknown, the Department will recommend 12/31 of the year designated.

☒ Item No. 3 - Source of Water - **Only one source can be claimed**

☒ Item No. 4 - Point of Diversion - must be shown by quarter-quarter, (40 acre tract), section, township and range. Lot and block for subdivision are not acceptable as the legal description for the point of diversion, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

☐ Item No. 6 - Uses of Water

☐ Item No. 9 - Non-Irrigation Uses

☒ Item No. 10 - Place of Use - must be listed by quarter-quarter (40 acre tract), section, township, and range. Lot and block for subdivision are not acceptable as the legal description for place of use, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

_____ Item No. 12 - Ownership of place of use - It appears that the places of use filed on this claim are owned by separate individuals. This claim form can only be used when the places of use are under single ownership, even when all the uses are from one source. Enclosed are claim forms to be used to file on each separately owned place of use. The claim being returned will need to be modified to show one owner, with the changes initialed and dated. The \$25 fee for this claim has been submitted, however, the additional claims returned need to submit a \$25 fee each.

_____ Item No. 15 - Basis of Claim - Please designate if your water right is based on beneficial use of the water - Beneficial Use, or if it is based upon a previously filed water right - Posted Notice, License, Permit or Decree.

X _____ Item No. 16 - Signature - this claim form does require your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item.

_____ MAP ENCLOSED: Please mark the location of the well(s) and the location of the place(s) of use on this map. Then return the map with your claim and the additional information requested, if any. We can then determine the quarter-quarter ($\frac{1}{4}$ $\frac{1}{4}$) legal description based on the locations marked on this map.

_____ Other: _____

Please complete the above item(s) on your claim form, initial and date any changes or additions, and return the claim, with the requested fee to the SRBA Court in Twin Falls with the completed Motion to File Late Notice of Claim.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

JS: db
Enclosures

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

Identification No. _____

Date Received _____

Receipt Number _____

RECEIVED

AUG 07 2006
WATER RESOURCES
WESTERN REGION

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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Lonnie Metheny Phone (208) 642 0871

Mailing Address 11400 N River Rd, Payette Zip 83661

2. Date of Priority (Only one per claim) 8/2/06 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) Waste Ditch (Lower Payette)
Name or kind of source

which is tributary to (b) SNAKE RIVER

4. Location of point of diversion is: Township 9 North Range 5 West

Section _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.,

County of Payette

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Pump, well

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from Jan 1st to Dec 31 amount 10 (cfs)
For Stockwater purposes from April 1 to Oct 1 amount 20
(Both dates are inclusive)

7. Total quantity claimed 30 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock)

Domestic, 1 household; stockwater 20 horses
maximum

10. Place of use is: Township: 9 North Range 5 West

Section _____ 1/4 of _____ 1/4, Govt. Lot _____, B.M.,

County of Payette for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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.

14. Remarks: Historical irrigation on entire parcel from existing pump headgate on waste ditch, new owner desires to re-establish irrigation

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number none

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 1

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

Signature of Claimant (s) [Signature] Date 8-2-06

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____ }
County of _____ } SS.

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Last Name _____ Ident No. _____

Snake River

Point of Diversion
headgate / pump

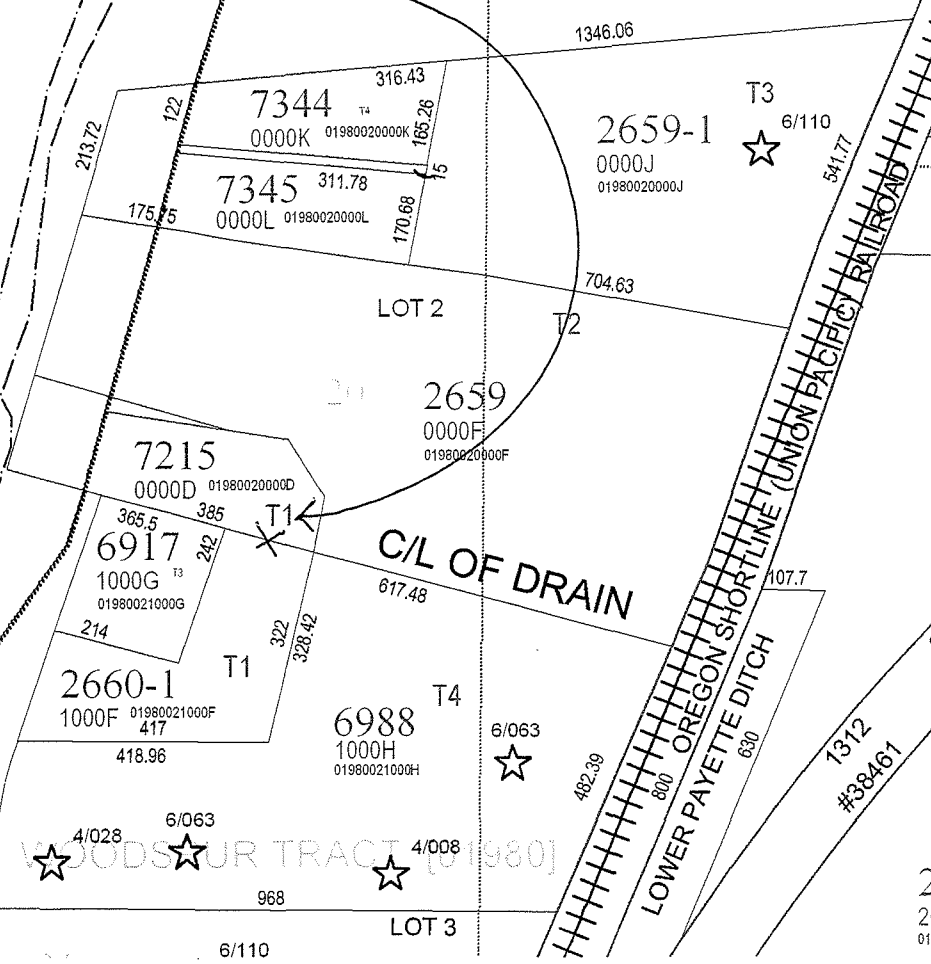
POOL ISLAND

LOT 5

LOT 6

LOT 2

LOT 3



LONNIE METHENY
TERESA METHENY
11400 N RIVER ROAD
PAYETTE, ID 83661
642-0871

2151
92-7279/3241

8-4-06

DATE

PAY TO THE
ORDER OF

IDWR

\$ 25⁰⁰

Twenty five + 00/100

DOLLARS



Cornerstone
CREDIT UNION

IGC BRANCH
(208) 459 - 3500

FOR

Water Right App Fee

MP

⑆3324172795⑆

100222121 2151

© HARLAND / LIBERTY

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 67-14765
Date Received: 8/7/2006
Receipt No: W034607
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LONNIE METHENY Phone: (208) 642-0871
11400 N RIVER RD
PAYETTE ID USA 83661

2. Date of Priority: 08/02/2006

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09N	05W	15	NE SE NE	PAYETTE	
09N	05W	14	NE	PAYETTE	

5. Description of diverting works:

Well, pump.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.2	
DOMESTIC	01/01	12/31	0.1	

7. Total Quantity Appropriated is:
0.3 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 20 Horses
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	05W	15	NE	SE	2	DOMESTIC
			NE	SE	2	STOCKWATER

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

Historical irrigation on entire parcel from existing pump/headgate on waste ditch, new owner desires to re-establish irrigation.

15. Basis of Claim: Beneficial Use

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

Identification No. A67-14765
Date Received 8-7-06
Receipt Number W034607 \$100.00

RECEIVED

AUG 07 2006

WATER RESOURCES
WESTERN REGION

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.

RECEIVED

AUG 23 2006

WATER RESOURCES
WESTERN REGION

Filing Fee \$25

Please type or print clearly

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which is tributary to (b) SNAKE RIVER

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Section 15 NE 1/4 of SE 1/4 of NE 1/4, Govt. Lot 2 BM., E
County of Payette 9 North 5 West Sec. 14 NE 1/4

Additional points of diversion if any: _____

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Court _____ Decree Date _____ Plaintiff vs Defendant _____
If applicable provide IDWR Water Right Number none

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 2

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

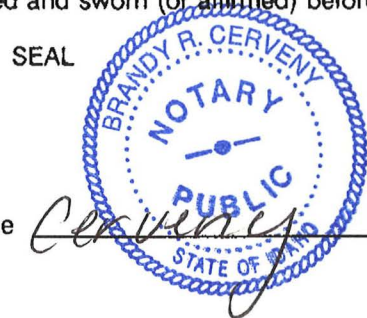
Signature of Claimant (s) [Signature] Date 8-22-06
[Signature] Date 8-22-06

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
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 _____ Date _____
Title and Organization _____

State of Idaho/or _____)
County of _____) SS.

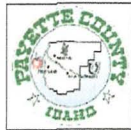
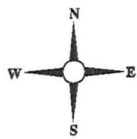
Subscribed and sworn (or affirmed) before me this 22 day of August 2006



Notary Public Brandy R. Cerveny
Residing at Wells Fargo Bank
My Commission Expires 7/12/12
Last Name Cerveny Ident No. 7706846

Township 9 North Range 5 West

09N05W15



6	5	4	3	2	1
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36

SUBDIVISIONS ON THIS PAGE

- WOODSPUR TRACT

LEGEND

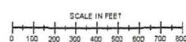
PARCEL LINE	---
OLD PARCEL LINE	---
ROW LINE	---
SUBDIVISION BOUNDARY	---
EASEMENT	---
HYDRO EDGE	---
HYDRO CENTERLINE	---
RAILROADS	---
CITY BOUNDARY	---
SECTION LINE	---

ASSESSORS PARCEL NUMBER 1412
 STATE PARCEL NUMBER: 09N05W21100 or 1100
 TAX DESCRIPTION: 14
 ADJACENT PARCEL TIE SYMBOL
 LOT NUMBER 1
 BLOCK NUMBER 1
 DEED DISTANCE: 1238.07
 SURVEY DISTANCE: 1237.99
 RECORD DISTANCE: 1238.07
 CURVE INFORMATION: L1000, R=1000
 SECTION MONUMENTS: 1/16, 1/4, 2 1/2, 11, 112
 SURVEY MONUMENT: 7/030 (book page)
 SURVEY MAP: 7/030 (book page)
 U.S. HIGHWAYS: 10, 20, 30
 STATE HIGHWAYS: 10, 20, 30
 INTERSTATE HIGHWAYS: 10, 20, 30

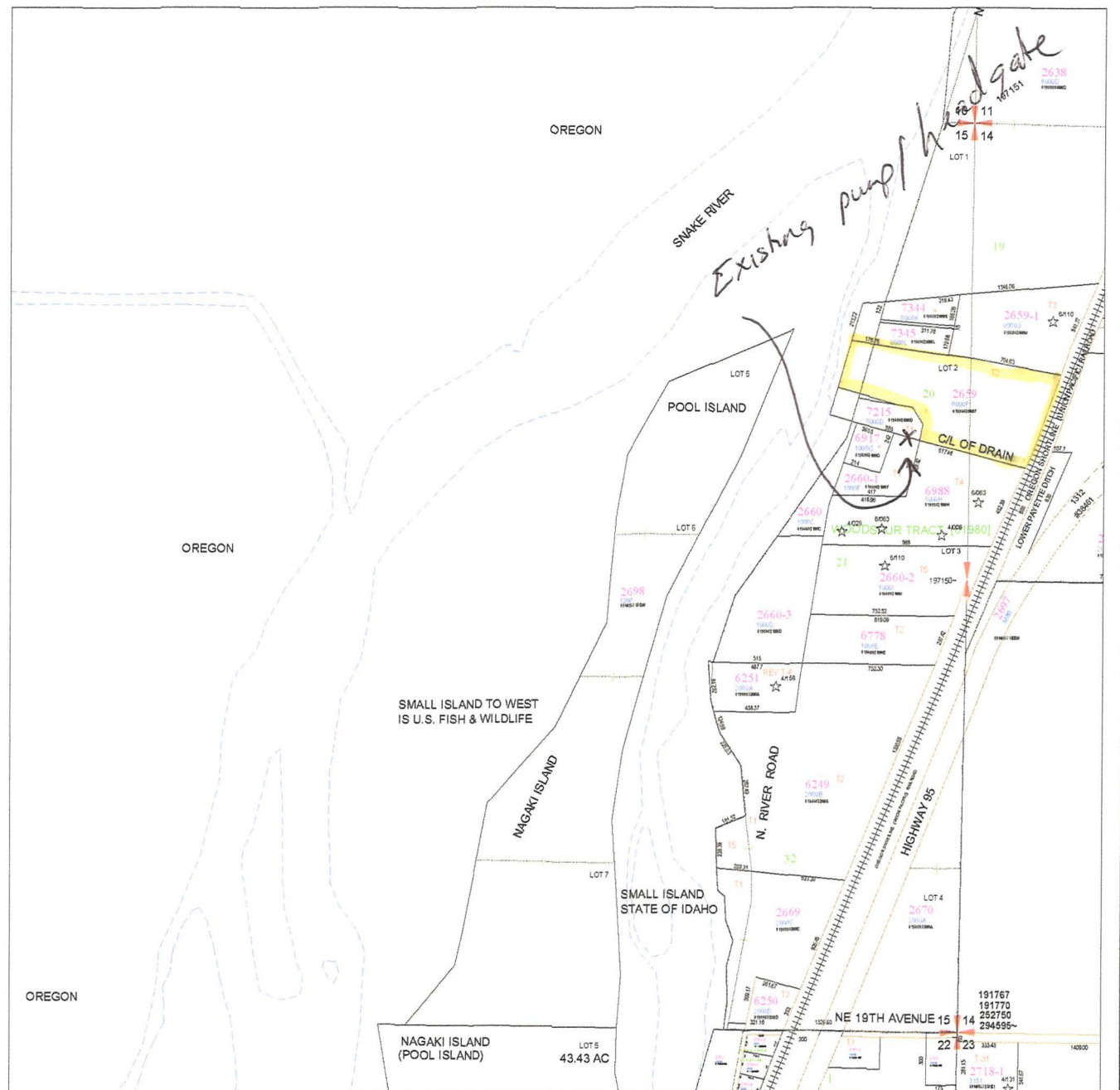
CANALS AND DRAINS ARE REPRODUCED FROM 24K AND 100K MAPPING WHERE AVAILABLE. SOME HAVE BEEN DIGITIZED FROM 1:400 AERIAL PHOTOGRAPHS OR ADJUSTED TO MATCH SURVEY DATA.
 THIS MAP HAS BEEN PREPARED FOR ASSESSMENT PURPOSES ONLY AND IS NOT TO BE CONSTRUED IN ANY RESPECT AS A GUARANTEE OF THE LOCATION OR DIMENSIONS OF ANY OF THE TRACTS OF LAND SHOWN.

© 2004 PAYETTE COUNTY IDAHO, ALL RIGHTS RESERVED

SCALE: 1" = 400'



DATE	DESCRIPTION	DRW	CHK	APP
MAY 2004	FIRST DRAFT			
JAN 2005	SECOND DRAFT			



SNAKE RIVER

Point of Diversion
headgate / pump
19

LOT 5
POOL ISLAND

LOT 6

