

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: A36-13706
Date Received: 10/25/1989
Receipt No: S010290
Received By: _____

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

1. Name: KATHY MUECKE
Address: RT 2 BOX 286
RUPERT ID 83350
208-436-9522

2. Date of Priority: JUL 27, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	23E	36	NW	SW			MINIDOKA

5. Description of diverting works:
90'X6" WELL, .5HP PUMP, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	23E	36	NW	SW		DOMEST	

11. Place of use in counties: MINIDOKA

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FEB 16 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:
MINICO SUBDIV. LT 5, BLK 2.

15. Basis of Claim: BENEFICIAL USE

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: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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FEB 16 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

JAN 05 1993

DATE OF CLOSING: June 23, 1992

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. _____
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

Department of Water Resources
Southern Region Office

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) _____
 Assigned by IDWR: 36-13706

☐ Name and Address of Former Owner/Claimant(s)(Seller): Richard & Christine Kelley

Rt 1 Box 435

☐ New Owner/Claimant (Purchaser): Rupert + Ida 83350

Kathy Muecke

☐ New Mailing Address: Rt. 2 Box 286

Rupert, Idaho 83350

☐ New Telephone Number: (208) 436-9522

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Kathy Muecke Date 12/26/92

Date

☐ Signature of Former Owner/Claimant(s): Richard L. Kelley Date 1/4/93

Christine KelleyDate 1-4-93

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

05-Jan-1993

KATHY MUECKE
RT 2 BOX 286
RUPERT ID 83350

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A36-13706

Dear Ms Muecke

Pursuant to the notification that you presently own the property in which the above-referenced adjudication claim is appurtenant, the department has changed the ownership of that claim to show you as the current owner.

Enclosed is a copy of the computer record changed. Please review the record and if you have any questions or corrections, contact this office and someone here will assist you.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

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FEB 16 1993

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: A36-13706
Date Received: 10/13/1989
Receipt No: S010290
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD KELLEY 208-436-9805
Address: RT 2 BOX 286
RUPERT, ID 83350

AND

Name: CHRISTINE KELLEY 208-436-9805
Address: RT 2 BOX 286
RUPERT, ID 83350

2. Date of Priority: JUL 27, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	23E	36	NW	SW			MINIDOKA

5. Description of diverting works:
90'X6" WELL, .5HP PUMP, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	23E	36	NW SW		DOMEST	

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:
MINICO SUBDIV. LT 5, BLK 2.

15. Basis of Claim: BENEFICIAL USE

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: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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FEB 16 1993

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. A36-13706

Date Received _____

Receipt Number _____

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

no ck
RECEIVED

OCT 13 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Richard and Christine Kelley Phone (208) 436-9805Mailing Address Rt. 2 Box 286 Rupert ID Zip 83350✓ 2. Date of Priority (Only one per claim) 7-27-70 (Date of Recording of Sub-Division plat)
Month/Day/Year3. Source of water supply (Check one) (✓) Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 9S Range 23 EBMSection 36, NW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot _____, BM.,County of Minidoka (Lot 5 of Block 2, Minico Subdivision)

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. well, 6" casing, 90' Deep, 1/2 H.P. pump, pipe to house.

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

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.04 (cfs)For _____ purposes from _____ to _____ amount _____
(Both dates are inclusive)7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) one householdMICROFILMED
FEB 18 1993

10. Place of use is: Township: 9 S Range 23 E 13 M
Section 36 NW 1/4 of SW 1/4, Govt. Lot _____, B.M.,
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? Minidoka

12. 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.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or Minico Subdivision, Lot 5 Block 2

14. Remarks: Minico Subdivision, Lot 5 Block 2

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 _____

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 ✓ 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) Richard Kelly Date 10-11-89

Christine Kelly Date 10-11-89

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 Minidoka)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 11th day of October 19 89

SEAL

Notary Public Roberta McCord

Residing at Burley ID

My Commission Expires 8/30/91

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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FEB 16 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

OCT 16 1989

R. KEITH HIGGINSON
Director

Richard and Christine Kelley
Rt. 2 Box 286
Rupert, Idaho 83350

A 36-13706

RE: SRBA Claim

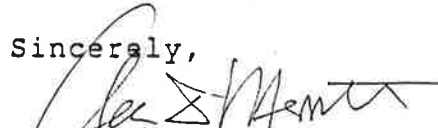
Dear Claimant:

Please find enclosed your claim and your check # _____ for \$ _____ which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations. In checking your claim it appears that the following items need clarification:

- ☐ Item #2 Priority
- ☐ Item #4 Point of Diversion Legal Description
- ☐ Item #6 Uses descriptions
- ☐ Item #9 Description of Non-irrigation Uses
- ☐ Item #10 Place of Use Legal Description
- ☐ Item #16 Signature & Notorization
- ☒ Improper fee (THE CORRECT FEE IS \$ 25⁰⁰)
- ☐ Other or Remarks

~~If you wish to continue to press your claim please find enclosed instructions and another claim form to use.~~ If you will make the necessary corrections and return your claim with the correct fee and a copy of this letter within 30 DAYS of the date of this letter, your filing will be considered timely and will not be assessed an additional \$50.00 late fee.

Sincerely,


Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm

Enclosures:

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FEB 16 1993

MEMO

FROM: LORI WHITE

TO: FILE

SUBJECT: ACCEPTING LATE CLAIMS WITHOUT LATE FEE FROM
MINIDOKA COUNTY.

I TALKED WITH NINA STEVENSON FROM THE RUPERT POST OFFICE AND KATHLEEN GREENWELL FROM THE PAUL POST OFFICE AND THEY VARIFIED THAT ALL THEIR OUT-OF-TOWN MAIL IS SHIPPED TO TWIN FALLS TO BE CANCELED AND WOULD, IN FACT, BE POST MARKED THE FOLLOWING DAY. ALSO IF MAIL WAS DROPPED OFF IN THE MAIL BOX AFTER 6:00 PM, IT WOULD BE POST MARKED THE FOLLOWING DAY, WHICH IS TRUE FOR ALL MINIDOKA COUNTY POST OFFICES.

10/16/1989

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FEB 16 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Nov. 7, 1989

Re: A36-13706

RICHARD KELLEY
RT 2 BOX 286
RUPERT ID 83350

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

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FEB 16 1993

AJ5809NP
No. R36-13706

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/20/96
PAGE: 155

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KATHY MUECKE RT2 BOX 286 RUPERT ID 83350 (208) 436-9522	07/27/1970	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

D RICHARD KELLEY
D CHRISTINE KELLEY
RT 2 BOX 286
RUPERT ID 83350
(208) 436-9805

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T09S R23E S36

NWSW

MINIDOKA County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
09S	23E	36	:					:					:					:					:

POU County: MINIDOKA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO RP077200020050
PROPERTY ALSO KNOWN AS LOT 5, BLOCK 2, MINICO SUBDIVISION

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 02/28/1991 User-ID: SMITH Subject: COPIED FROM REMARKS
MINICO SUBDIV. LT 5, BLK 2.

Date: 01/05/1993 User-ID: CHRISTEN Subject: OWNERSHIP CHANGE

RECORDED
5-1996
DEC

Updated
10-24-96
KKC

AJ5809NP
No. R36-13706

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/20/96
PAGE: 156

Comments: Date: 01/05/1993 User-ID: CHRISTEN Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED 1-5-93 BASED UPON A CHANGE OF OWNERSHIP FORM
LISTING THE CLAIM AND SIGNED BY THE PREVIOUS OWNERS AND THE
CURRENT OWNER. KKC.

Date: 10/14/1996 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 10/18/96 DSHAFF

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DEC 5 1996

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.

in case follow-up is needed.

Kathy Mucke
Rt 2 Box 286

Report Id 83350

2. SUBJECT OF INQUIRY:

She recently purchased a home from Richard
Kelly & wants to know if a claim exists

3. RESPONSE TO INQUIRY:

Found 36-13706 that appears to describe
prop. Told her that I would mail a chg of ownership form
to her. She stated that the Kellys were still around
& could sign the form.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

Kelly K. Christensen

36-13706

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OCT 24 1994

R PROOF



CVR



MAPS



PHOTOS



MISC



PHOTOFILMED
FEB 16 1993

WATER RIGHT NUMBER - A36-13706

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - AUDIT FIELDS - 10/25/89 WHITE

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 10/25/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
CLAIMS TAPE ERROR FLG	-	RECEIPT NUMBER	- S010290	WATER DISTRICT	-
FEE EXEMPT FLAG	-	POU OWNERSHIP FLAG	- Y	FEDERAL/STATE INDICATOR	- S
		NAME CONNECTOR	- AND	PRESUMPTION FLAG	-

RP 077206020050

PROOF
DEC 26 1990

DATA ENTRY

ENTERED 2-28-91 WMS
CHECKED 2/27/92 AB

"Verified By"
Topo Map/Ortho-PQ
ASCE Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Prelim Records
IDWR Records

CERTIFIED
JAN 10 1991
WATER EXAMINER

VERIFIED
NOV 14 1990