

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-29-1996

PAGE: A-16

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-10549

NAME AND ADDRESS: SUSAN L KEARLEY
WILLIAM P KEARLEY
3435 S 1800 E
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR DOMESTIC/1 HOME WITH LAWN

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1954

POINT OF DIVERSION: T08S R14E S14 NWSW Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within GOODING County
T08S R14E S14 NWSW

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

*Hold claim
includes
accomplished
Chg.*

*KKC
11-6-96*

CONDITIONS

*EXP C03
EXP C05*

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: A36-10549
Date Received: 8/22/1988
Receipt No: 5001987
Received By: J

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM P. KEARLEY 208-536-2379
Address: 3435 S. 1800 E.
WENDELL, ID 83355

AND/OR

Name: SUSAN L. KEARLEY 208-536-2379
Address: 3435 S. 1800 E.
WENDELL, ID 83355

2. Date of Priority: JAN 01, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	14E	14	NW	SW			GOODING

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.
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:
DOMESTIC/1 HOME WITH LAWN

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	14E	14	NW SW		DOMEST	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

PRESENT WELL REPLACED ORIGINAL DOMESTIC WELL IN 1973. ORIGINAL DOMESTIC USE WAS IN SWNW SEC. 14; USE IS NOW IN NWSW SEC. 14.

15. Basis of Claim: BENEFICIAL USE

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FEB 10 1993

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 x 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): William P Kearley Date: 8/31/1988

Date: _____

State of Idaho)
County of Thur) SS.
F216)

Subscribed and sworn (or affirmed) before me this 31st day
of Aug. 19 88

[Signature]
Notary Public

Seal

Residing at Kilberly, Id.
My Commission Expires 6/30/98

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED

SEP 24 1992

Department of Water Resources

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number:

36-10549

RECEIVED

SEP 28 1992

2.

Name:

William P. Kearley

Address:

3822 Camas St

Boise ID 83705

Weekday Telephone Number:

208-368-0232

Department of Water Resources
Region Office
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TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

The remarks section

4. Describe the changes you wish to have made in the proposed recommendation:

I was advised by IDWR that these remarks do not need to be on this domestic well. I would like

5. Describe why you disagree with the proposed recommendation:

them deleted.

6. Date:

9/23/92

SIGNATURE

William P Keanley



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

08-Oct-1992

William P. Kearley
2822 Camas Street
Boise, ID 83705

RE: Snake River Basin Adjudication (SRBA)
Notice of Error - A36-02295, A36-10547, A36-10549

Dear Mr. Kearley:

We are in receipt of the Notices of Error on the above referenced claims. We have removed the parcel number from the recommendation on A36-10549; we are not making any changes to the other recommendations at this time.

The rate of diversion of 2.22 cfs is based on information and calculations in our records. You may provide information to support a higher system capacity of 2.8 cfs. This information may be pump curves, measurements, or other evidence. If no further evidence is provided or the evidence is not supportive, this claim will remain as proposed in the Director's Report.

The rate of diversion recommended on A36-10547 is based on the proportional per acre rate. The 14 acres are an expansion of the above referenced license. The total 154 irrigated acres, divided by the diversion rate of 2.22 cfs equals 0.0144 cfs per acre. If supportive evidence described above is submitted, this diversion rate will also be reviewed. The 14 acres were determined to be the actual acres irrigated; you may provide evidence that additional acres are irrigated and we will review the recommendation.

Any evidence submitted must be received by October 14, 1992, to enable IDWR to review the evidence prior to finalizing the Director's Report.

If you still do not agree with the proposed IDWR recommendation to the court, you may file an objection with the

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court after you receive the final recommendation of your water right. The objection process will be explained when you receive your final recommendation of your water right.

Sincerely,

Helen Harrington-Thornton

Helen Harrington-Thornton
Water Resource Agent

HHT

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FEB 10 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUSAN L KEARLEY	01/01/1954	DOMESTIC	01-01 12-31	0.04 CFS	
C	WILLIAM P KEARLEY					
	3435 S 1800 E					
	WENDELL ID 83355			TOTAL DIVERSION:	0.04 CFS	
	(208) 536-2379					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T08S R14E S14

NWSW

GOODING County

Place of use Legal Description for: DOMESTIC

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

08S 14E 14 :																																	

POU County: GOODING

Non-Irrigation Uses: DOMESTIC/1 HOME WITH LAWN

Other Rights: NONE

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 05/16/1991 User-ID: SRBA Subject:
PRESENT WELL REPLACED ORIGINAL DOMESTIC WELL IN 1973. ORIGINAL
DOMESTIC USE WAS IN SWNW SEC. 14; USE IS NOW IN NWSW SEC. 14.

Date: 09/25/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/24/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 10/08/1992 User-ID: THORNTON Subject: COPIED FROM REMARKS
PARCEL NO. RP08S14E143600

Date: 10/08/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO C.
CLAIMANT REQUESTED REMOVAL OF PARCEL NUMBER FROM REMARKS. DONE.

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FEB 10 1993

Audit: 10/08/92 THORNTON

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FEB 10 1993



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

15-Oct-1992

William P. Kearley
3822 Camas Street
Boise, ID 83705

RE: Snake River Basin Adjudication (SRBA)
Notice of Error - A36-02295, A36-10547, A36-10549

Dear Mr. Kearley:

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FEB 10 1993

court after you receive the final recommendation of your water right. The objection process will be explained when you receive your final recommendation of your water right.

Sincerely,

Helen Harrington-Thornton

Helen Harrington-Thornton
Water Resource Agent

HHT

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FEB 10 1995

Memo

15-Oct-1992 13:20

Letter dated 8-Oct-92 was address^{ed} to the wrong address. It was returned to Southern Region on 10-13-92.

A new version of the letter, dated 10-15-92, was sent only giving the claimant until 10-20 to respond.

Helen Harrington-Thornton

Originally addressed to 2822; readdressed to 3822

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FEB 10 1993

WATER RIGHT NUMBER - A36-10549

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
KEARLEY

WILLIAM P.

1 - 3435 S. 1800 E.

2 -

3 -

CITY- WENDELL

STATE- ID ZIP- 83355

PHONE - 208-536-2379

KEARLEY

SUSAN L.

1 - 3435 S. 1800 E.

2 -

3 -

CITY- WENDELL

STATE- ID ZIP- 83355

PHONE - 208-536-2379

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
01/01/1954 ERROR IN REGION J - BENEFICIAL USE+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)
08S 14E 14 NW SW (47) GOODING+ - - - - - - - - - - - - - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME
43 - DOMESTIC 01/01 12/31 0.040+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040+ - - - - - - - - - - - - - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY
08S 14E 14 NW SW 43 DOMESTIC (47) GOODING

TOTAL ACRES:

+ - - DIVERSION MEANS - WELL & PUMP

+ - - NON-IRRIGATION USE - DOMESTIC/1 HOME WITH LAWN

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - - - - - - - - - - - - - REMARKS - - - - - +
PRESENT WELL REPLACED ORIGINAL DOMESTIC WELL IN 1973. ORIGINAL
DOMESTIC USE WAS IN SWNW SEC. 14; USE IS NOW IN NWSW SEC. 14.+ - - - - - - - - - - - - - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.MICROFILMED
FEB 10 1993VERIFIED
NOV 21 1990

WATER RIGHT NUMBER - A36-10549

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 - 08/22/88 STANTON 10/03/89 REFUNDML

+ - - - - 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 | - 08/31/1988 | LAST AMENDED DATE | - 00/00/0000 | TEMPORARY RIGHT | - P |
| CLAIMS TAPE ERROR FLG | - | RECEIPT NUMBER | - S001997 | WATER DISTRICT | - |
| FEE EXEMPT FLAG | - | POU OWNERSHIP FLAG | - Y | FEDERAL/STATE INDICATOR | - S |
| | | NAME CONNECTOR | - AND/OR | PRESUMPTION FLAG | - |

RP 08S14E14 3600

DATA ENTRY

ENTERED 1/18/91 SW

CHECKED 3/4/92 AS

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

CERTIFIED
CERTIFIED
DEC 27 1990
WATER EXAMINER
WATER EXAMINER

VERIFIED
NOV 21 1990