

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-10705

NAME & ADDRESS: GERALD W PICKETT
GERALDINE PICKETT
2658 S 1800 E
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 11/09/1983

POINT OF DIVERSION: T08S R15E S04 SWSWNE Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC MACHINE SHOP	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within GOODING County
T08S R15E S04 SWNE

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.

DATED:

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

*Question on
cond code. 9
N106-N130
KXC
11-3-97*

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED:

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RECEIVED

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-10705

DEC 11 1996

PAGE 1
NOV-26-1996

Department of Water Resource
Southern Region

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

DATE: OCT-30-1996

PAGE: A-24

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-10705

NAME AND ADDRESS: GERALD W PICKETT
GERALDINE PICKETT
2658 S 1800 E
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR DOMESTIC MACHINE SHOP RESTROOMS

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

PRIORITY DATE: 11/09/1983

POINT OF DIVERSION: T08S R15E S04 SWSWNE Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC <i>machine shop</i> <i>water shed</i> <i>KKC</i>	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within GOODING County
T08S R15E S04 SWNE

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.
PARCEL NO. RP08S15E041281

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP08S15E041281
MACHINE SHOP RESTROOMS.

MICROFILMED

DEC 5 1996

KKC
10-29-96

AJ5809NP
No. R36-10705

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD W PICKETT	11/09/1983	DOMESTIC	01-01 12-31	0.04 CFS	
C	GERALDINE PICKETT					
	2658 S 1800 E					
	WENDELL ID 83355					
	(208) 536-2906					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T08S R15E S04

SWSWNE

GOODING County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
08S	15E	4	:																
			:																

POU County: GOODING

Non-Irrigation Uses: ~~DOMESTIC~~ MACHINE SHOP RESTROOMS

Other Rights: NONE

Remarks: GEN PARCEL NO. RP08S15E041281

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 09/24/1991 User-ID: SMITH Subject: COPIED FROM REMARKS
GERRY'S COUNTRY DINING ON EAST FRONTAGE RD. CLAIMANT FILING FOR
APPLICATION. ALREADY USING WELL.
AMENDED CLAIM 10/22/1990: CLAIMANT SOLD RESTAURANT, KEPT WELL
FOR DOMESTIC USE. RESTAURANT OWNERS DRILLED OWN WELL, NO LONGER
USE THIS WELL FOR COMMERCIAL USE.

Audit: 09/30/96 DSHAFF

Comments suggest Personal use in 5 hop therefore N13 OK for this right KKC 10-23-96

updated H 10-24-96

MICROFILMED
Dec 5 1996

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: A36-10705
Date Received: 8/29/1988
Receipt No: S001828
Received By: lu

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GERALD W. PICKETT 208-536-2906
Address: 2658 S. 1800 E.
WENDELL, ID 83355

AND/OR

Name: GERALDINE PICKETT 208-536-2906
Address: 2658 S. 1800 E.
WENDELL, ID 83355

2. Date of Priority: NOV 09, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	15E	4	SW	SW	NE		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:
D/MACHINE SHOP RESTROOMS

RECEIVED

OCT 29 1990

A36-10705

Department of Water Resources
Page Southern Region Office

Date: 10/22/90

MICROFILMED
FEB 10 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	15E	4	SW NE		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:

GERRY'S COUNTRY DINING ON EAST FRONTAGE RD. CLAIMANT FILING FOR APPLICATION. ALREADY USING WELL.
AMENDED CLAIM 10/22/1990: CLAIMANT SOLD RESTAURANT, KEPT WELL FOR DOMESTIC USE. RESTAURANT OWNERS DRILLED OWN WELL, NO LONGER USE THIS WELL FOR COMMERCIAL USE.

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): Geraldine Pickett Date: 10/26/90

Date: _____

State of Idaho)
County of Coeur d'Alene) SS.

Subscribed and sworn (or affirmed) before me this 26 day

of October 19 90

John A. Bunn
Notary Public

Seal

Residing at Wardell, Idaho

My Commission Expires 3-25-91

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: A36-10705
Date Received: 8/29/1988
Receipt No: S001828
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GERALD W. PICKETT 208-536-2906
Address: 2658S 1800E
WENDELL, ID 83355

AND/OR

Name: GERALDINE PICKETT 208-536-2906
Address: 2658S 1800E
WENDELL, ID 83355

2. Date of Priority: JAN 01, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	15E	4	SW	SW	NE		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.
COMMERCIAL	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:
C/1 RESTAURANT & SHOP

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FEB 10 1990

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	15E	4	SW NE		COMMER	

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:

GERRY'S COUNTRY DINING ON EAST FRONTAGE RD. CLAIMANT FILING FOR APPLICATION. ALREADY USING WELL.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
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 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): Geraldine Robett Date: 8-29-88

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of August 19 88 Lon White
Notary Public

Seal

Residing at TF
My Commission Expires 5/95



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 3, 1990

A36-10705
GERALD W. PICKETT
2658 S. 1600 E.

WENDELL

TO 22855

Dear Claimant(s):

In the past you submitted the claim(s) identified with the number(s) shown above your name and address at the top of this letter. You indicated on the claim(s) that the basis for establishing the water right(s) was Beneficial Use, meaning the water right was not previously confirmed by a decree, water right license or permit before you filed the claim(s).

The purpose of this letter is to request evidence supporting the priority date(s) you have claimed. The enclosed pamphlet describes what this means. While I encourage you to read all of the pamphlet, I direct your attention to the right-hand half of the pamphlet after you open it. There you will find two sections: What Kind of Evidence is Required, and Some Examples of Documents which May Be Evidence of the Priority Date. These sections tell you what must be submitted. The other sections tell you why the evidence is necessary and what the consequences of not submitting the evidence could be.

Please submit the requested evidence by November 1, 1990. When returning to the Department please reference all documents with the claim(s) identification number(s) listed above.

If you have questions not addressed by the pamphlet or need other technical assistance, please feel free to contact this office. For advice on your water right(s), please contact your attorney.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

MICROFILMED
FEB 10 1993

WATER RIGHT NUMBER - A36-10705

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

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

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

+ - - AUDIT FIELDS - 08/29/88 WHITE 06/26/90 CLELLAND 10/22/90 WHITE

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

+ - - - - 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	- 08/29/1988	LAST AMENDED DATE	- 10/22/1990	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- S001828	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR		

RP 08S15E041281

DATA ENTRY

ENTERED 7/10/91 SW

CHECKED DLD 2/13/92

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

VERIFIED
JUN - 1991

CERTIFIED
JUN 28 1991
WATER EXAMINER