

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 36-12569

RECEIVED

DEC 11 1996

Department of Water Resource
Southern Region

NAME & ADDRESS: RICHARD H BOHLE
PO BOX 208
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS

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

PRIORITY DATE: 05/01/1955

POINT OF DIVERSION: T09S R24E S29

NENWNW

Within MINIDOKA County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
Irrigation Season

QUANTITY
0.09 CFS

PLACE OF USE: DOMESTIC
T09S R24E S29

Within MINIDOKA County
NENW

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.

*as claimed & rec
o obj AB 3/5/98*

DATED:

*Q/Q conflict
KKC
1-9-97*

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

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
PRESIDING JUDGE
Snake River Basin Adjudication

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: A36-12569
Date Received: 9/25/1989
Receipt No: S009317
Received By: B. V. N.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD H. BOHLE
Address: P.O. BOX 208
RUPERT, ID

208-436-3504

83350

2. Date of Priority: MAY 01, 1955

3. Source: GROUNDWATER.

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	24E	29	NE	NW	NW		MINIDOKA

5. Description of diverting works:
6" X 130' WELL, 3 HP PUMP FOR SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	03/01	11/30	0.090		

7. Total Quantity Appropriated is:
0.090 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 of	Lot	Use	Acres
09S	24E	29	NE	NW		DOMEST	

11. Place of use in counties: MINIDOKA

A36-12569

Page 1

Date: 09/25/89

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FEB 15 1993

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

13. Other Water Rights Used:
NONE.

14. Remarks:
WATER USED TO IRRIGATE 1 CITY LOT. LOT #4, BLOCK 2, COUNTRY SIDE
ADDITION, CITY OF RUPERT.

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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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. A36-12569
Date Received 9-25-1989
Receipt Number 500 9317

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) Richard H. Bohle Phone (208) 436-3504
Mailing Address Box 208 Rupert, Idaho Zip 83350

2. Date of Priority (Only one per claim) May, 1, 1955 Month/Day/Year

3. Source of water supply (Check one) (x) Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 9 South Range 24 East
Section 29 , N.E. 1/4 of N.W. 1/4 of N.W. 1/4, Govt. Lot _____, B.M.,
County of minidoka

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, 3 HP Electric Pump, 1 1/2" under ground sprinkler system on
One city lot. Well depth est. 130 ft.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Domestic purposes from March 1 to Nov. 30 amount .09 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .09 (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) One household

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10. Place of use is: Township: 9 South Range 24 East
Section 29, N.E. 1/4 of N.W. 1/4, Govt. Lot _____, B.M.,
for (Circle One) (Domestic) Stock Domestic and Stock
Additional places of use, if any None

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 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.
(x) None or _____

14. Remarks: Water used to irrigate one city lot. Lot No. 4--Block 2, Country Side
Addition, City Of Rupert

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 x 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 H. Bore Date 9/25/89

Date _____

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

of _____, that I have signed the foregoing
Organization
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 Minidoka)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 25 day of September 19 89

SEAL

Notary Public Charles W. Bails

Residing at Rupert, Idaho

My Commission Expires 3-15-91

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

RECORDED
FEB 15 1993

AUG-24-1992

NOTICE OF ERROR FORM

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

**Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000**

RECEIVED

SEP 1 1992

Department of Water Resources

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: 36-12569

2. Name: Trend, Inc.
Richard H. Bohle
Address: Box 208
Rupert, Idaho 83350

Weekday Telephone Number: 208-436-0221

RECEIVED

OCT 01 1992

Department of Water Resources
Southern 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:

Non-Irrigation Uses
Domestic 1 House

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

Should be: Irrigation use up to 1/2 acre of lawn and garden

5. Describe why you disagree with the proposed recommendation:

Source is shallow well, and pump is directly connected to sprinkler system. Water is not used in house.

6. Date: Aug. 31, 1992

SIGNATURE

Trend, Inc.

Richard A. Borg



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

Sept. 29, 1989

Re: A36-12569

. RICHARD H BOHLE
. P.O BOX 208
. RUPERT ID 83350

Dear Claimant(s):

Please review the computer generated claim(s) 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 your 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 15 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

. Trend Inc
: c/o Bohle, Richard
P.O. Box 208
Rupert, ID 83350

MAILING DATE:

RESPONSE DATE:

RE: NOTICE OF CLAIM NO[S]: A36-12569

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

. Richard Bohle
: P.O. Box 208
Rupert, ID 83350

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the **Response Date** indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

Donald V. Shaff
Manager Adjudication Section

state:region

Enclosures:

Change of Ownership Form
Change of Address Form

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

JUL 29 1991

Department of Water Resources
Southern Region Office

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FEB 15 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

September 30, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

OCT 01 1992

Trend, Inc.
Richard H. Bohle
Box 208
Rupert, ID 83350

Department of Water Resources
Southern Region Office

RE: Snake River Basin Adjudication (SRBA) Claim No. A36-12569
Notice of Error

Dear Mr. Bohle:

We are in receipt of the Notice of Error form you filed for the above referenced claim. We are not making any changes to the recommendation at this time.

Enclosed is a copy of Idaho Code §42-111, Domestic uses defined. As you will note, a domestic water use includes the irrigation of up to 1/2 acre of lawn and garden as well as other uses of water associated with the house. Therefore, the description of Non-Irrigation Uses as Domestic, 1 Home appears to be an accurate description of your use.

Please do not hesitate to contact this office if you have any questions or need assistance.

Sincerely,

Helen Harrington-Thornton
Senior Water Resource Agent

HHT:south
Enclosure:
Idaho Code §42-111

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FEB 15 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/30/92
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD H BOHLE PO BOX 208 RUPERT ID 83350 (208) 436-3504	05/01/1955	DOMESTIC	03-01 11-30	0.09 CFS	
TOTAL DIVERSION:					0.09 CFS	

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion:

T09S R24E S29

NENWNW

Stage: BENEFICIAL USE

MINIDOKA 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	:	NESE	NWSE	SWSE	SESE	:
09S	24E	29	:															:					:
								D															

POU County: MINIDOKA

Non-Irrigation Uses: DOMESTIC 1 HOUSE

Other Rights: NONE.

Remarks: PROPERTY ALSO KNOWN AS 110 PLEASANT WAY
PARCEL NO. RPR0320002004A

Dates: Exam Made Date: Verified Date:

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

Comments: Date: 06/04/1991 User-ID: SRBA Subject: COPIED FROM REMARKS
WATER USED TO IRRIGATE 1 CITY LOT. LOT #4, BLOCK 2, COUNTRY SIDE
ADDITION, CITY OF RUPERT.

Date: 09/01/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/1/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 09/29/1992 User-ID: THORNTON Subject: NOTICE OF ERROR RECONCILIATION
CHANGED FLAG FROM A TO B. NO CHANGE.
SENT LETTER CLARIFYING DEFINITION OF DOMESTIC USE.

Audit: 06/04/91 SRBA 09/19/91 SMITH 07/21/92 POST-STD 09/01/92 SCHULTZ
09/29/92 THORNTON

MICROFILMED
FEB 15 1993

MAR 13 1991
WATER EXAMINER