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NOV 22 2022

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV - 8 2022

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

By [Signature] Clerk
CIVIL CASE NUMBER: 39576 Deputy Clerk

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Ident. Number:

~~86-12154~~
86-12133
re

Date Received: 11.22.22
Receipt No: C114703
Claim Fee: \$25.00
Received By: Ku

**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**

1. Name of Claimant(s)

MELYNDA WARD
1081 WHITE PINE FLATS RD
TROY ID 83871

Phone: 208-310-4353

RORY WARD
1081 WHITE PINE FLATS RD
TROY ID 83871

Phone: 208-310-4082

2. Date of Priority: 7/15/1998

3. Source:

GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
40N	03W	27	SE NE		LATAH	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
DOMESTIC	01/01	12/31	0.01		

~~86-12154~~
86-12133
DP

7. Total Quantity Appropriated is:

0.01 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

N/A

9. Place of use:

DOMESTIC within LATAH County

Township	Range	Section	¼	of	¼	Lot	Acre s
40N	03W	27	SE		NE		

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

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

7/15/1998 is the completion date listed on the well driller report for D0005065

13. Basis of Claim: Beneficial Use

14. 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):



Date: 5-18-2022

Maryland L. Ward Date: 5/23/22

Application for Water Right



5/23/2022, 10:23:50 AM



POINT of DIVERSION
Override-1



PLS Sections



USE Boundary
Override-4



Townships



Counties



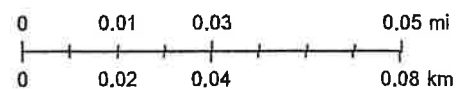
Quarter Quarters



Idaho Outline

Idaho Mask

1:2,257



Esri, HERE, Garmin, (c) OpenStreetMap contributors, Created by NRCS from 1:24,000 scale USGS topographic maps., Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

CERTIFICATE OF MAILING

I certify that on 9/29, 2021 I mailed original and copies of this form, including all attachments, via certified mail and addressed as follows to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Ave. North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div.
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

3. Certified Mail Copies to:

U.S. Attorney's Office
1290 W Myrtle St, Ste 500
Boise, ID 83702

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Signature of person or attorney mailing the form

RECEIVED

NOV 08 2022

DEPARTMENT OF
WATER RESOURCES

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

Subcase

86-12133

(Insert water right number)

MOTION FOR DETERMINATION OF
DEFERRED *DE MINIMIS* DOMESTIC OR
STOCK WATER USE

Please fill in the following information:

NAME AND ADDRESS OF WATER RIGHT CLAIMANT.

Name:

Address:

1081 WHITE PINE FLATS RD
TROY ID, 83871

Daytime Phone:

208-310-4082

Name & Address of Attorney, if any:

I HAVE ATTACHED:



A fully completed Notice of Claim (available from IDWR).



A claim filing fee for a domestic and stock water use pursuant to I.C. § 42-1414. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount required by the statute.

MOTION FOR DETERMINATION OF DEFERRED *DE MINIMIS* DOMESTIC OR STOCK WATER USE

SCANNED
- 1 -
NOV 08 2022

I HAVE READ AND REVIEWED THE FOLLOWING:

- ☒ The procedures governing the filing and prosecution of this Motion as set forth in the Court's ***Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims***, entered in SRBA Case No. 39576 on June 28, 2012, and the ***Order Amending Procedure in the SRBA for Adjudication of Deferred De Minimis Stockwater Claims***, entered October 17, 2017.
- ☐ The ***Order Granting State of Idaho's Motion for Interim Order Implementing the Order Governing Procedures of Adjudication of Deferred De Minimis Domestic and Stock Water Claims***, entered in SRBA Case No. 39576 on December 18, 2013.

INSTRUCTIONS REGARDING THE HEARING ON THIS MOTION: A hearing on your Motion will be scheduled by the Court after the filing of the *Affidavit of Publication* as required under paragraph B.1. of the ***Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims***, entered in SRBA Case No. 39576 on June 28, 2012, and the ***Order Amending Procedure in the SRBA for Adjudication of Deferred De Minimis Stockwater Claims***, entered October 17, 2017.

Signed: _____



Dated: _____

5-18-2022

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 86-12133

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 15 2023

By

Clerk

Deputy Clerk

NAME AND ADDRESS:

MELYNDA WARD
RORY WARD
1081 WHITE PINE FLATS RD
TROY, ID 83871

SOURCE:

GROUND WATER

QUANTITY:

0.01 CFS

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

PRIORITY DATE:

07/15/1998

POINT OF DIVERSION:

T40N R03W S27

SENE Within Latah County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Domestic

PERIOD OF USE
01-01 TO 12-31

QUANTITY
0.01 CFS

Domestic use is for 1 home.

PLACE OF USE:

Domestic
T40N R03W S27

SENE

Within Latah County

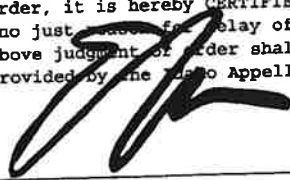
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

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 cause 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.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
AUG 15 2023	
By _____	Clerk
_____	Deputy Clerk

**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	)	
	)	ORDER OF PARTIAL DECREE
Case No. 39576	)	
	)	Water Right: 86-12133
_____	)	(Ward)

On February 24, 2023, the Idaho Department of Water Resources filed a *Director's Report of Deferred De Minimis Domestic and/or Stock Water Use Claim No. 86-12133*. No objections were filed to this water right claim and the time period for filing objections has expired. Hearing on this uncontested water right claim was held August 15, 2023.

Therefore, IT IS ORDERED that the water right listed above be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED August 15, 2023.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

2023 AUG 15 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 86-12133

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 86-12133 was mailed
on August 15, 2023, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

MELYNDA WARD
RORY WARD
1081 WHITE PINE FLATS RD
TROY, ID 83871

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
08/14/23

JAN 13 2023

DEPARTMENT OF
WATER RESOURCES

**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

Water Right Claim: 86-12133

**NOTICE OF EXAMINATION
OF DEFERRED *DE MINIMIS*
DOMESTIC AND/OR STOCK
WATER USE**

A Motion for Determination of Deferred De Minimis Domestic or Stock Water Use

(Motion) was filed with the district court on November 8, 2022, for water right claim 86-12133.

The claimants have published notice of the Motion, and no objections to the claim have been filed.

The Director of the Idaho Department of Water Resources (IDWR):

- ☐ Will not conduct an examination of the claim
- ☒ Will conduct an examination of the claim and file a report with the district court on or by **December 8, 2023**. The Director estimates the costs for examination of the claim and preparation of the report to be **\$100.00**.
- ☐ Will commence an examination of the water system pursuant to Idaho Code § 42-1410 (2003) and file a report on its findings with the district court on or by _____. The Director estimates the costs for examination of the water system and preparation of the report to be _____.

Pursuant to the *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims* issued on June 28, 2012 in the Snake River Basin Adjudication (SRBA) main case no. 39576, the claimants shall forward the amount of costs estimated above, \$100.00, to the Director. IDWR has served a copy of this *Notice of Examination of Deferred De Minimis Domestic and/or Stock Water Use* on the claimant(s) as notification that the charges are now due. The claimant should remit payment to: IDWR, P.O. Box 83720, Boise, Idaho 83720-0098.

DATED: November 29, 2022



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on November 30, 2022, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 3rd Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight mail
☒ Regular mail
☐ Hand-delivered
☐ Facsimile

2. Copies to:

Rory and Melynda Ward
1081 White Pine Flats Road
Troy, ID 83871

☐ Overnight mail
☒ Regular mail
☐ Hand-delivered
☐ Facsimile

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

☐ Overnight mail
☒ Regular mail
☒ Hand-delivered
☐ Facsimile

Jori Harris
Signature of person mailing this document