

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: A63-15857
Date Received: 6/23/1989
Receipt No: M003840
Received By: DS JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLARENCE EMBURY 208-888-3465
Address: 525 E. OVERLAND RD.
MERIDIAN, ID 83642

OR
Name: MABEL EMBURY 208-888-3465
Address: 525 E. OVERLAND RD.
MERIDIAN, ID 83642

2. Date of Priority: SEP 22, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	01E	19	NW	NE	NW		ADA

5. Description of diverting works:
WELL - 6" CASING, 96' DEEP, 3/4 SUB. 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 ONE HOUSEHOLD.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	01E	19	NE NW		DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

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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Date Received 6-23-89
Receipt Number MOD 3840

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.

RECEIVED
JUN 23 1989

Department of Water Resources
Western Regional Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) CLARENCE AND OR MABEL EMBURY Phone (208) 888 3465
Mailing Address 525-E. OVERLAND RD. MERIDIAN ID. Zip 83642

2. Date of Priority (Only one per claim) Sept 22-1972 Month/Day/Year

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

4. Location of point of diversion is: Township 3N Range 1E
Section 19, NW 1/4 1/4 of NE 1/4 1/4 of NW 1/4 1/4, Govt. Lot _____, BM.,
County of ADA NW 1/4 me NE 1/4 me NW 1/4 me

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 96' deep 3/4 Hp Sub. pump

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

For DOMESTIC purposes from 1-1 to 12-31 amount 0.04 cfs
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (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) DOMESTIC ONE Household

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10. Place of use is: Township: _____ Range _____

Section _____, _____ 1/4 of _____ 1/4, Govt. Lot _____, B.M.,

County of ADA 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? _____

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 ☒

14. Remarks: _____

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) _____

Number of Attachments _____

By signing I/We acknowledge reading the notice on the back of this claim form. I/We wish to receive for a small annual fee monthly copies of the docket sheet. YES _____ NO ☒

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) X Mabel Smiley Date 6/22/89

_____ Date _____

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 _____ } SS.

County of _____ }

Subscribed and sworn (or affirmed) before me this 22nd day of June 1989

SEAL

Notary Public Robert R. Emmett

Residing at Emmett, ID

My Commission Expires 8-91

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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DATE: 04/17/98
PAGE: 1

(REGIONAL)

PRIORITY
DATE

01-01 12-31	0.04 CFS
TOTAL DIVERSION:	
	0.04 CFS

Stage: BENEFICIAL USE

ADA County

MS
NN

FIN

[illegible]

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

Objection Filed Date:

Objection Filed Date:

DATE: 04/08/98
PAGE: 21

Audit: 02/07/97 CORR1

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 06/04/90 HOLT

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+-----+-----COMMENTS-----+
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NO COMMENTS FOUND
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[illegible]

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COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 06/23/1989
PROOF DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

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FIELD INSPECTION MADE      - 00/00/0000
FIELD INSPECTION FLAG      -
VERIFIED DATE              - 00/00/0000
LAST AMENDED DATE          - 00/00/0000
PROOF MADE DATE            - 00/00/0000
RECEIPT NUMBER             - M003840
POU OWNERSHIP FLAG         - Y
NAME CONNECTOR             - OR

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CIVIL CASE NUMBER	-	39576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	

~~R 7813770289
Lot 29 Exc E. 7.67'
Lots 30 & 31, B1E
Settlers' Shulage Suck~~

S1119212450
Gray, Richard E
525 E Overland
Meridian 83642

~~R 728800030~~
~~525^u~~
~~lot 4 Queensland Acres Sub.~~

~~Scott, Truman 64 Dons E~~
~~485 W Overland~~
~~Mendota ID 83642~~

DATA ENTRY

ENTERED

CHECKED 74 2-11-97

"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

PROOF
JUN 18 1991

CERTIFIED
AUG 13 1991
WATER EXAMINER

VERIFIED
AUG - 0 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 4, 1990

[Clarence or Mabel Embury]
525 E. Overland Rd.
Meridian, ID 83642
[]

Dear Claimant(s):

We have received your Notice(s) of Claim to a Water Right filed in the Snake River Basin Adjudication.

In the initial review of this claim(s) we found it necessary to complete some of the items on the claim form(s). A copy of your original claim(s) with these changes marked, along with the computer generated copy, and Receipt No. M3840 are enclosed. The following items have been added and/or changed on the claim(s) enclosed:

See next page.

_____ Item #2 - Only a portion of your priority date was listed. This item requires a month, day and year. We have added in the required information based on the Department's rules for dates of priority.

_____ Item #4 - The point of diversion appears to be incorrectly described or not described at all. Based on other information provided which included your legal description, we have added in the quarter-quarter, section, township and range. If you had listed the Lot, Block and Subdivision name, enclosed is a copy of the subdivision map from which we computed the quarter-quarter legal description.

_____ Item #5 - No description of diverting works was listed. Because the source was described as a groundwater source, we have completed this item with well, pump and pipeline. If your groundwater source is not a well, please notify us.

_____ Item #6 - The period of use is not listed for the use(s) claimed. The Department has recommended periods of use for certain uses. The recommended period of use has been added to your claim.

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Item #7 - The total quantity claimed was not completed.
The use(s) claimed have been added together and
this amount added to your claim.

Item #9 - The number of homes was not listed on your claim.
It appears to be filed for one domestic home and
this information has been added to your claim.

Item #10- The place of use appears to be incorrectly
described, or not described at all. Based on
other information submitted we have added in the
quarter-quarter, section, township and range.
If you had listed the Lot, Block and Subdivision
name, we have enclosed a copy of the subdivision
map from which we computed the quarter-quarter
legal description. Or, if you have listed a
quarter-quarter legal description under Item No.
4, we have listed this same quarter-quarter,
section township and range on this item.

Item #12- The ownership of the place of use has not been
marked. We have assumed you own the place of use
and this information has been added to your
claim.

Item #15- Basis of Claim was not completed. No previously
recorded water rights were found, therefore, we
have marked beneficial use of the water as the
basis for filing this claim.

Other I added the place of use same as item 4,
per our phone conversation of May 29, 1990.

If you have any problems or questions concerning these additions
and/or changes, please feel free to change the copy of your claim
form(s) and return it to this office. The new changes can then be
made and a computer generated copy showing these changes sent to you.
If we do not hear from you, we will assume these changes meet with
your approval and the claim(s) will remain as shown on the enclosed
copies.

Sincerely,

Linda Worrer
Sr. Water Resource Agent

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AUG 25 1992

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IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

Identification No. ALB-15857
Date Received 10-23-89
Receipt Number MOD 3840

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED
JUN 23 1989

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources
Western Regional Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) CLARENCE AND OR MABEL EMBURY Phone (208) 888 3465

Mailing Address 525-E. OVERLAND RD. MERIDIAN ID. Zip 83642

2. Date of Priority (Only one per claim) Sept 22-1972 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 3N Range 1E

Section 19, ENW 1/4 1/4 of N 1/4 1/4 of N 1/4 1/4, Govt. Lot _____, BM.,

County of ADA NW 1/4 me NE 1/4 me NW 1/4 me

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 96' deep 3/4 Hp Sub. pump

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

For DOMESTIC purposes from 1-1 to 12-31 amount 0.04 cfs
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (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) DOMESTIC ONE Household

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AUG 25 1992

Township: 3N Range 1E
19 NE 1/4 of 120 1/4, Govt. Lot _____, B.M.,

ADA for (Circle One) Domestic Stock Domestic and Stock

places of use, if any _____

which county (ies) are lands listed above as place of use located? _____

do you own the property listed above as place of use? Yes ☒ No _____

your answer is No, describe in Remarks below the authority you have to claim this water right.
Describe any other water rights used at the same place and for the same purposes as described above. None (☒)

14. Remarks: _____

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) _____
Number of Attachments _____
By signing I/We acknowledge reading the notice on the back of this claim form. I/We wish to receive for a small annual fee monthly copies of the docket sheet. YES _____ NO ☒

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) X Mabel Smiley Date 6/22/89
_____ Date _____

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

of _____, that I have signed the foregoing

document in the space below as _____ of _____
Organization 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 _____) SS.

Subscribed and sworn (or affirmed) before me this 22nd day of July 19 89

SEAL

Notary Public Robert R. West
Residing at Emmett, ID
My Commission Expires 8-9-1

Last Name _____ Ident No. _____
Copies: White-State, Yellow-Claimant

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AUG 25 1992

CONVERSATION MEMORANDUM

DATE 5-29-90

FILE A63-15857

NAME OF PARTY

Mabel Embury

EMPLOYEE

Linda Warner

RE:

item 10 - Called about POU - it is the
same location as the well. OK to add this

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AUG 25 1992

No Yes 1 DOES THIS CLAIM NEED ADDITIONAL CORRESPONDENCE

3/26/1990

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Embury, Clarence

CLAIM IDENT. NO. AG3-13857

DATE RECEIVED 6-23-89 CK # 1142

AMOUNT \$ 25

Required

- | | YES | NO | Info? |
|--|-------------------------------------|--------------------------|-------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? (see Item No. 17 for checking other water rights) | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit or decree is the existing water right number listed? (If yes, compare claim with the existing water right and either attach a proof report or state in comments that existing right was compared to claim) | ☒ | ☐ | |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. on the claim? (If yes, describe these rights in "Comments") NOTE: If the claim is for domestic/stockwater this check is not as necessary unless it is indicated there is an existing right | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? | ☒ | ☐ | * |

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YES NO

23. Should this claim be receipted and data entered?

Claim checked by: LW Date: 5-28-90

Claim must be returned to claimant: (Yes) (No)

Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: LN Date: 6-23-89

Claim data entered by: _____ Date: _____ Checked by: _____ Date: _____

Sent to claimant by: _____ Date: _____

Comments: _____

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AUG 25 1992