

To: Fred Price, BLM-ISO

CC: Candice McHugh, IDWR ADJUD.

From: A. Ruberry, IDWR Eastern Region

Re: B33 Irr POD's objected to by BLM

POD LOCATION

T11N R26E S10 NWNENE

This legal description defines the beginning of a channelized portion of Sawmill Creek. Apparently back in the 1920'-1930's there were several attempts tried to preserve water from Sawmill Creek because the stream would "break". Among them were things like a canal dug from Sawmill Creek to Summit Creek and a channelization project aimed at cleaning and to some extent straightening the Sawmill Creek channel as it flowed across Mud Flats (ref: OQ U-82).

SOS ATTACHED
LIST OF SOW
CL RIGHTS

In review of the adjudication claims from Sawmill Creek and the Little Lost River, it was initially considered that the source(s) could all be Little Lost River since it was difficult to determine where Little Lost River started and Sawmill Creek ended. Seeing no difference in source recommendations of Sawmill Creek claims were changed to Little Lost River. The Preliminary Director's Report was filed only to find that Sawmill Creek now occasionally breaks at the shearing corrals, which is about half-mile upstream from the confluence of Sawmill Creek and Summit Creek; The beginning of the Little Lost River. This new information seriously impacted recommendations since the Sawmill Creek claims, now changed to Little Lost River, became senior to the junior Little Lost River rights, causing injury to the junior Little Lost River appropriators.

Ultimately, the source issue was changed back to Sawmill Creek. Now a problem arose where a Point of Diversion had to be defined for the Sawmill Creek claims since actual deliveries are made from Little Lost River (except 33-00107 which is a true Sawmill Creek right, but, Decreed as a Little Lost River right). The 1927 Decree states "at the mouth of Sawmill Creek". However, there were no rights diverted at the mouth of Sawmill Creek. And, the dilemma of where was the mouth of Sawmill Creek. In consideration of the channelization project aimed at preserving waters of Sawmill Creek it was determined that the channelization had in-fact changed the streambed to a canal, saving water. Therefore, the beginning of the channelization would now become the Point of Diversion and the ending of the channelization would be a Point of injection back into the Sawmill Creek stream channel. The Point of Injection is near the shearing corrals, about half-mile upstream from the confluence of the streams. The Sawmill Creek claims Point(s) of Diversion are recommended as Points of Re-diversion from Little Lost River at or near their respective Place(s) of Use. This recommendation preserves both the source and the Sawmill Creek priority dates and, forgoes the injury issue of junior Little Lost River rights.

T9N R27E S4 SWNWNE

This objection is a true error. Apparently a typographical error was made during the recommendation process. The TRUE Point of Diversion should read **T9N R26E S4 SWSWNE**. The claimant, Mr. Waymire has been notified and is now aware of the issue.

33-00033
00037
000950

T11NR27E S31 NESESE

BLM believes this POD should read S31 SENESE based on GPS data. However, during the field exam of these claims several Points of Diversion were identified to include the one in question. The recommended POD in-question is an actual Point of Diversion where an unnamed stream intersects with the collector ditch and can be verified using OQ V-32. The site proposed by the BLM is a drainage that was dry during the field exam, thus no recommended POD.

33-00055
33-7087

T6N R28E S2 SESWSW

Specifically named is SRBA claim 33-10995. This claim identifies private lands historically irrigated by the Hawley's, later sold without water. The Point of Diversion used during the irrigation era is on BLM but is now longer used. The claimant filed this SRBA claim and Transfer No. 4551 in an effort to preserve the acreage irrigated by surface water. The transfer is in-place awaiting the BLM objection to prompt IDWR to review and act. However, the transfer is currently protested.

33-00051 Thru
33-00060

T6N R 28E S11 SESENW

This is an historic Point of Diversion dating back to the late 1800's (according to the water right priority dates, 1885-1891) and is one of three serving the ranch. One of which previously mentioned above, T6N R28E S2 SESWSW. The other is within the private holding of the ranch.

33-10996 is an enlargement claim for acres on BLM lands that were historically irrigated by the Hawley's and is part of the Transfer No. 4551 aforementioned. BLM is aware of this claim and supports the transfer of acreage to private lands. As mentioned previously, the transfer is protested.

T7N R28E S21 NWNWSW

According to the Proof of Beneficial Use filed for this right (33-07010) this well dates to the 1940's. However, the Licensed date of priority was March 19, 1971, but then Transfer No. 3809 was filed to "unstack" surface and groundwater rights. As a result, the priority date of the well was advanced to July 2, 1990. Surface water decreed to this ranch date to 1885 to 1891.

This particular well dating to the 1940's (unsupported evidence of prior claimant) was located according to the initial survey dating to July 9, 1890, which no doubt established fence lines. A resurvey of the East line of Section 21 was done in August 1941. Then, in 1978, another resurvey was done as, evidenced by the monument caps. This 1978 resurvey puts the TRUE Point of Diversion of the 33-07010 well in the NENSW (a BLM QQ). However, this matter was discussed with Ms Deena Teal, BLM, Idaho Falls District Office, in October of 1996, shortly after the discrepancy was found. Ms Teal indicated, at

Rocky Ross

that time, that since the well predated some 1976 ruling, by which BLM operated, they (BLM) would not protest the actual POD.

This basically explains the history of the well and the recommendation; however, the listing of the POD as NWNWSW is clearly an error. The CVR shows the POD to be located as NENWSW Sec. 21, which is accurate.

T8N R28E S31 SWNWSE

This POD defines a well used solely for mitigation and is defined as an amendment to the 1927 decree as a Judgement against Orville Nicholson, 1954. The recommendation does define a Place of Use; however, this POU is by exchange with surface waters as defined in the Judgement. The period of use is 4/1 to 7/15 annually, when all this well does is deliver water to the river. The Objection is not to the Point of Diversion, but rather to the Point of Injection. And, in-fact, as recommended this Point of Injection is accurate.

T6NR29E S31 NWSWNW

This is another typographical error. The recommended POD should read T6N R29E Section 30 NWSWNW. There is a pending Transfer to correct the actual POD location to T6N R28E Section 25 NESENE.

33-02228

33-318
48B
49B
50B
83C

Contor, Bryce
From: Contor, Bryce
Sent: Wednesday, January 19, 2000 4:27 PM
To: Ruberry, Allen; Carlsen, Ernie
Subject: Sawmill Creek Rights

This morning we met via teleconference with Dave Tuthill and Peter Anderson. One of the things we discussed was the Sawmill recommendations. During our call, Bill Stauffer called and reported that he had discussed the Sawmill recommendations with others, including Don Isham, James Andreason, and David Andreason. They all concur with the proposals in the January 6 letter. James Mays has sent us written concurrence.

Per Dave Tuthill's instructions to Al and me, I have gone ahead and changed the source of Sawmill Creek rights back to "Sawmill Creek, tributary to Little Lost River." The point of diversion is 11N 26E section 10, NWNENE, and the point of injection is 10N 27E section 18, NWSESW. The former points of diversion have been identified as points of redirection. I removed any comments relating to change of source and I removed condition C02.

The rights I changed were:

R33-00023B
R33-00030
R33-00043
R33-00077
R33-10070
R33-10073
R33-10084
R33-10086

I'll put a new profile report and a copy of this memo in each file.

There were other Sawmill rights which I did not change. These are:

R33-00038	1927 decree & claim list source as Little Lost River
R33-00096B	Recommended w/ source "Summit Creek"
R33-00107	Recommended originally w/ source "Sawmill Creek"

33-10464 Stockwater claim already PD w/ source
"Sawmill Creek"

RECEIVED

OCT 30 2000

Department of Water Resources

DISTRICT COURT-SR3A
TWIN FALLS CO., IDAHO
FILED

OCT 27 AM 8:53

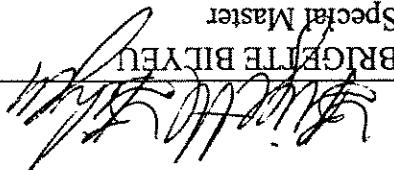
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Subcases: 33-00077 and 33-10086
ORDER REQUIRING SUBMISSION OF
STANDARD FORM 5

In Re SRBA
Case No. 39576

An Initial Hearing was held in the above subcases in Arco, Idaho on October 24, 2000. At the Initial Hearing the parties represented that a settlement had been reached in these subcases. IT IS ORDERED that fully executed *Standard Forms 5* shall be filed on or before November 28, 2000.

DATED October 27, 2000.


BRIGITTE BILYEU
Special Master
Snake River Basin Adjudication

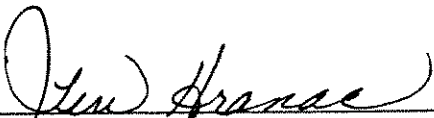
CERTIFICATE OF MAILING

I certify that a true and correct copy of ORDER REQUIRING SUBMISSION OF STANDARD FORMS 5 was mailed on October 27, 2000, with sufficient first-class postage prepaid to the following:

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

U.S. Dept. of Justice
Environment & Natural Resources Div.
550 W Fort St, MSC 033
Boise, ID 83724

Blaine County Canal Co.
HC 65 Box 1058
Howe, ID 83244


Deputy Clerk

APR 10 2000

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

A. Subcase 33-00077

(Insert water right number)

Case No. 39576

STANDARD FORM 1 OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Blaine County Canal Co.

Address: HC 65 Box 1058 Howe, ID. 83244

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: See attached _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POD. Claimant's water right should not include this POD.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

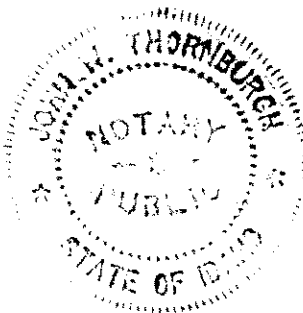
Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 6, 2000



John W. Thornburgh

John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 7, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: Blaine County Canal Co.

Address: HC 65 Box 1058 Howe, ID. 83244

Name:

Address:

Name:

Address:

Name:

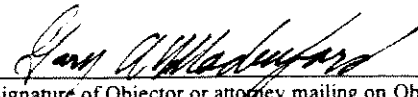
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

RIGHTS FROM:	SOURCE: SAWMILL CREEK	TRIBUTARY: LITTLE LOST RIVER			
RIGHT NUMBER:	33-00077				
NAME & ADDRESS:	BLAINE COUNTY CANAL CO HC 65 BOX 1058 HOWE ID 83244				
SOURCE:	SAWMILL CREEK	TRIBUTARY: LITTLE LOST RIVER			
QUANTITY:	1.43 CFS				
PRIORITY DATE:	05/25/1891				
POINT OF DIVERSION:	T10N R27E S18	NWSESW (INJECTION)	Within BUTTE County		
	T06N R28E S11	NENW (REDIVERSION)			
	T11N R26E S10	NWNENB	Within LEMHI County		
		BLM - POD NOT USED			
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY		
	IRRIGATION NONE	04-01 10-31	1.43 CFS		
PLACE OF USE:	IRRIGATION	Within BUTTE County			
	T06N R28E S25	SWNE 40	SENE 40	NENW 40	SENE 40
		NESW 40	NESE 40	NWSE 40	
	R29E S14	SWSW 39			
	S15	NESW 40	NWSW 40	SWSW 39	SESE 39
		NESE 40	NWSE 40	SWSE 39	SESE 39
	S17	NENE 38	NWNE 39	SWNE 40	SENE 39
		NESE 39	NWSE 40	SWSE 39	SESE 38
	S19	NENE 38	NWNE 38	SWNE 38	SENE 38
		NENW 38	NESE 40	NWSE 40	SENE 36
		NESW 3	NESE 40	NWSE 40	SWSE 40
		SESE 40			
	S21	NENE 40	NWNE 40	NESE 39	SESE 38
	S22	NENE 40	NWNE 40	SWNE 40	SENE 40
		NENW 40	NWNW 40	SWNW 40	SENE 40
		NESE 40	SESE 40		
	S23	NENE 11	NWNE 40	SWNE 40	SENE 39
		NENW 39	NWNW 33	SWNW 39	SENE 40
		NESW 40	NWSW 39	SWSW 37	SESE 40
		NESE 39	NWSE 40	SWSE 39	SESE 39
	S24	NENE 40	NWNE 40	SWNE 40	SENE 40
		NENW 40	SWNW 40	SENE 40	NESW 40
		NWSW 39	SWSW 39	SESE 39	NESE 40
		NWSE 40	SWSE 40	SESE 40	
	S25	NENE 40	NWNE 40	SWNE 40	SENE 39

Issue:

Point of diversion on BLM

RIGHTS FROM:		SOURCE: SAWMILL CREEK		TRIBUTARY: LITTLE LOST RIVER	
RIGHT NUMBER:		33-00077 (CONT)			
PLACE OF USE: (CONT)					
T06N R29E S25	NENW 40	NWNW 40	SWNW 40	SENW 40	
S26	NENE 40	NWNE 40	SWNE 40	SENE 40	
	NENW 39	NWNW 39	SWNW 39	SENW 40	
	NESE 39	NWSE 40	SWSE 39	SESE 36	
S27	NWNE 40	SWNE 40	NENW 40	NWNW 35	
	SWNW 40	SENW 40			
S28	NESW 40	NWSW 40	SWSW 40	SESW 40	
S29	NENE 35	NWNE 39	SWNE 40	SENE 39	
	NENW 40	NWNW 40	SWNW 40	SENW 40	
	NESW 40	NWSW 38	SWSW 39	SESW 39	
S33	NENW 40	NWNW 40	SWNW 39	SENW 40	
S34	NENW 39	NWNW 38	SWNW 39	SENW 40	
S35	NENE 38	NWNE 39	SWNE 40	SENE 39	
R30E S19	NWNE 15	SWNE 40	NESW 40	NWSW 40	
	SWSW 40	SESW 40	NESE 40	NWSE 40	
	SWSE 34	SESE 39			
S20	SWSW 40	SESW 38			
S29	NENW 40	NWNW 40	SWNW 40	SENW 40	
S30	NENE 39	NWNE 39	SWNE 40	SENE 40	
	NENW 40	NWNW 40	SWNW 40	SENW 40	
6198 ACRES TOTAL					

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4,880 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00003, 33-00004, 33-00005, 33-00068, 33-00075, 33-00098, 33-10086.

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

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. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

Contor, Bryce

From: Contor, Bryce
Sent: Wednesday, January 19, 2000 4:27 PM
To: Ruberry, Allen; Carlsen, Ernie
Subject: Sawmill Creek Rights

This morning we met via teleconference with Dave Tuthill and Peter Anderson. One of the things we discussed was the Sawmill recommendations. During our call, Bill Stauffer called and reported that he had discussed the Sawmill recommendations with others, including Don Isham, James Andreason, and David Andreason. They all concur with the proposals in the January 6 letter. James Mays has sent us written concurrence.

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R33-00030
R33-00043
R33-00077 ✓
R33-10070
R33-10073
R33-10084
R33-10086

I'll put a new profile report and a copy of this memo in each file.

There were other Sawmill rights which I did not change. These are:

R33-00038 1927 decree & claim list source as
Little Lost River
R33-00096B Recommended w/ source "Summit Creek"
R33-00107 Recommended originally w/ source
"Sawmill Creek"

33-10464 Stockwater claim already PD w/ source
"Sawmill Creek"



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 6, 2000

David Andreason
Watermaster, Water District 33
Howe, Idaho, 83244

Sawmill Creek Water Users
Water District 33
Howe, Idaho, 83244

Dear Watermaster and Water Users:

Based on the information available to the department at the time, Idaho Department of Water Resources recommended the Little Lost River as the source for water rights originally decreed with a source of Sawmill Creek. This change effectively puts the Sawmill Creek rights on a par with Little Lost River rights.

Through the Notice of Error process, additional information has been brought forward indicating that the recommendations should be changed to show the source as "Sawmill Creek" as originally decreed. This change would afford protection to holders of Little Lost River rights that have priorities junior to May 25, 1891, the priority for decrees from Sawmill Creek.

The 1927 decree lists "the mouth of Sawmill Creek" as the Point of Diversion, with implied injection into the Little Lost River and implied points of rediversion near the places of use.

It appears that the basis for these Sawmill Creek rights was a channelization or improvement of Sawmill Creek. We have tentatively selected the apparent beginning of the channelization as the recommended Point of Diversion, as illustrated on the attached maps. The confluence of Sawmill Creek and Summit Creek would be recommended as the Point of Injection, and the headgates on the Little Lost River as Points of Rediversion.

To administer Sawmill Creek rights separately from Little Lost River rights, the watermaster would have to measure the contributions of Sawmill Creek to the Little Lost River. The attached maps show the apparent historical location where these measurements were taken and a proposed alternate measurement point. The measurement point would not be specified in the water right recommendations but would be a practical matter for the watermaster's administration.

Please review these proposed changes to the recommendations and the enclosed maps and respond with the attached form. Feel free to mark the maps and add additional comments as needed. Please return any comments by January 15, 2000.

Sincerely,

Ernest Carlsen
Water Rights Supervisor

**RESPONSE TO PROPOSED CHANGES IN
SAWMILL CREEK RECOMMENDATIONS**

Name _____

Water Rights _____

I. Point of Diversion

I agree with the proposed Point of Diversion _____

I disagree. I propose instead: (describe below and mark maps)

II. Point of Injection and Points of Rediversion

I agree _____

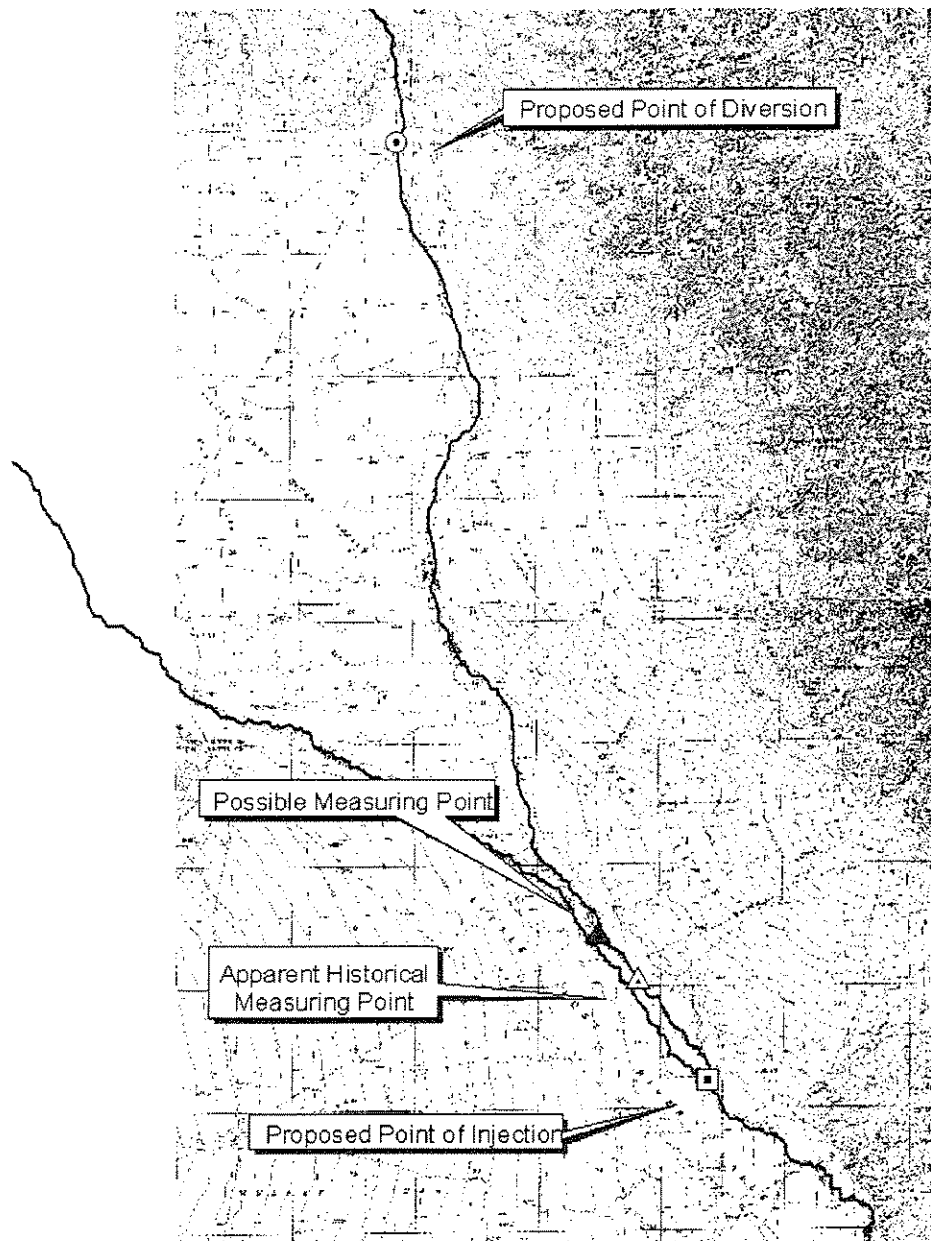
I disagree. I propose instead: (describe below and mark maps)

Signature _____ Date _____

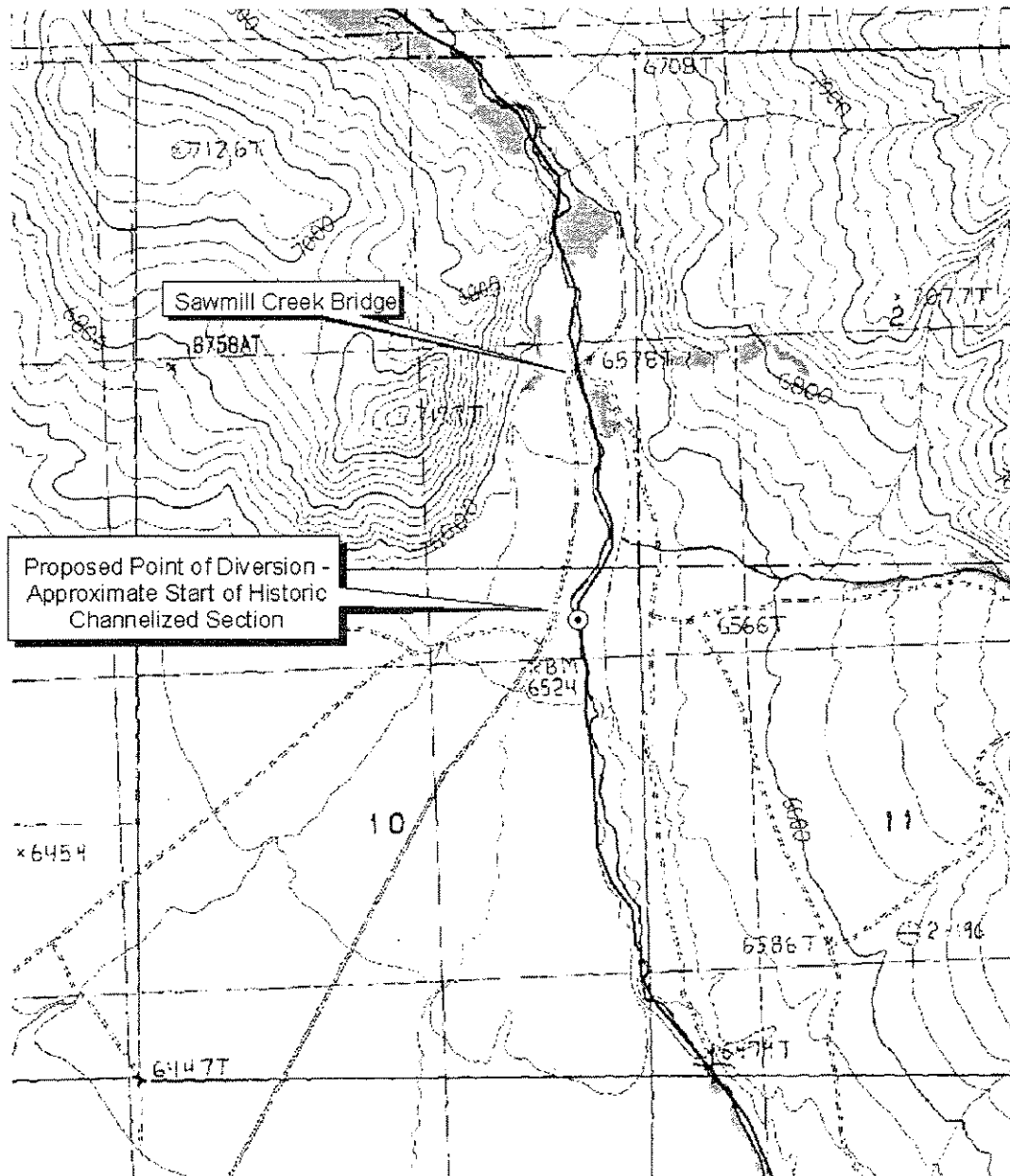
Please feel free to attach additional comments. Please return to:

IDWR Adjudication, 900 N Skyline Ste A, Idaho Falls, ID 83402, by January 15, 2000

Idaho Department of Water Resources Sawmill Creek Proposal



Idaho Department of Water Resources
Sawmill Creek Proposal



November 23, 1999

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 10, 1999

Water right number: 33-00077

BLAINE COUNTY CANAL CO
HC 65 BOX 1058
HOWE ID 83244

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Source

2. Describe the changes you wish to make in the proposed recommendation:

Change source To Sawmill Creek

3. Give a brief explanation as to why you disagree with these portions:

*water flow occasionally breaks
before confluence*

☐ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12-20-99 SIGNATURE: _____

Please print your name: _____

William C. Stoffe

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

Reg's hearing

To: File A33-00077
Fr: Bryce A. Contor
Date: 10/21/1999

Re: Change in source

Based on attached documentation and consultation w. Al Ruberry regarding other Sawmill Creek rights, I am recommending this wr with a change in source based upon historical watermaster practice.

assessing losses should be recommended.

2. Status of Sawmill Creek rights:

The Sawmill rights are perplexing. The watermaster has told me that there are no diversions from Sawmill Creek, that all of the Sawmill rights are diverted from the Little Lost River somewhere below the confluence of Sawmill and Summit Creeks. The one exception to this rule is that Pancheri diverts his Sawmill rights from West Creek. The Sawmill-Summit Creeks confluence is where the Little Lost River begins. There are no Sawmill rights which are diverted out of priority. A review of the decree shows that the point of diversion given for most Sawmill rights is listed as 'the mouth of Sawmill Creek'. The decreed places of use for many of these rights are as far south as the Howe area. I question whether any of the decreed Sawmill rights were ever actually diverted from Sawmill Creek. My water rights list indicates that all of the Sawmill rights are delivered with some type of loss. I do not know the basis of these loss assessments and suspect that they may have been charged due to informal point of diversion transfers made subsequent to the decree. Since we do not really know where these rights were originally diverted I would not suggest changing the existing loss assessments.

3. Exchange wells:

I have not had an opportunity to generate a separate list or summary of groundwater exchange wells and their points of injection and rediversions. I do suggest that the District should adopt a resolution regarding losses associated with these wells. One of the methods for evaluating losses outlined in the Brockway paper should be adopted. As Brockway has suggested, the Uniform Linear Loss method is preferable. As discussed by users, the district should consider installing the monitor radios on exchange wells and adopt a resolution requiring such installation and that the equipment and installation cost be borne by the exchange well owners.

4. Measuring devices and headgate controls:

The watermaster reports to me that nearly all of the diversion have adequate measuring devices. Brockway's paper indicates that some diversions either do not have measuring devices, they are inadequate or that they are in need of repair or maintenance. I would suggest that the District adopt a resolution that all diversions, including groundwater exchange well diversions and rediversions be fitted with adequate measuring devices and watermaster control by a specified date and that the watermaster be directed to refuse delivery for any diversion not adequately fitted with a measuring device. I will offer the district my or the Department's assistance in reviewing the diversions and measuring devices prior to or at the beginning of the irrigation season.

*Memo fr. Tim Luke to
H. Jones & R. Carlson
2/24/1993
Lyle A. Condon 12/21/1999*

To: Blaine County Canal Company claim files:

A33-00002
A22-00003
A33-00004
A33-00005
A33-00014
A33 00015
A33-00016
A33-00068
A33-00069B
A33-00071B
A33-00072B
A33-00075
A33-00077
A33-00098
A33-10084
A33-10086

Fr: Bryce A. Contor
Date: 10/19/1999



Re: Documentation.

General documentation relating to all the claims is found in file A33-00002. Documentation relating to the later-in-time Knollin rights (33-00069B, 33-00071B, 33-00072B) is found in file A33-00069B. Any other documentation specific to only one of these rights is found in its own claim file.

Contor, Bryce

To: Luke, Tim
Subject: RE: Wet Creek

If I you could send me copies of your 1993 memos that would help a great deal. Your recollections match what David has told me. As near as I can tell the delivery losses are assessed to those rights which have had an accomplished transfer of POU since the decree. As you say, most of the rights were decreed w/ POU near Howe but a number of them have been transferred even nearer to Howe.

I think you're right that at least some of the Sawmill rights are "savings" rights. The decree states "On account of saving through Sawmill Creek Canal..." as a prelude to 33-00006 through 33-00013. Al Ruberry and I both have recollections of people talking about annual work on Sawmill to increase delivery. That could indicate either an effort to enjoy Sawmill rights particularly, or just an effort to increase delivery in the system as a whole.

The only reason NOT to recommend an accomplished change in source would be if the watermasters had delivered Sawmill rights based on Sawmill's actual contribution to the Little Lost. David says to his knowledge, watermasters have not made that distinction. We discussed the idea that if a junior Little Lost right had historically enjoyed delivery when there was no water to deliver Sawmill rights, then changing the source on the Sawmill rights would injure that junior Little Lost right. David's response was that would never happen; junior LLR rights would be curtailed long before Sawmill began to decline.

Thanks, Bryce

-----Original Message-----

From: Luke, Tim
Sent: Thursday, October 14, 1999 10:13 AM
To: Contor, Bryce
Subject: RE: Wet Creek

Your description concerning delivery of Sawmill Creek rights coincides with my understanding of the matter. I spent some time studying that ball of wax and I think I described the problem in some 1993 memo's. I know I discussed with Ernie several times. Perhaps we should retrieve the 1993 file?

I believe these rights list Sawmill as a source but the decree describes the points of diversion and place of use down near Howe. I think that these rights may have resulted as some type of saved water project on Sawmill Creek. I believe the watermaster always delivered these rights with some fixed delivery loss, like 10%. I think I had leaned toward treating these as natural flow rights from the river where they are actually delivered and limiting or redoing the diversion rate to the decreed rate less any fixed shrink amount assessed by the watermaster.

Let me know if you want any stuff from the 1993 file.
Tim

-----Original Message-----

From: Contor, Bryce
Sent: Thursday, October 14, 1999 9:59 AM
To: Luke, Tim
Subject: RE: Wet Creek

Thank you Tim. Sorry about the "Wet Creek" reference, I meant "Sawmill Creek."

Many of the decreed rights list the source as "Sawmill" but David Andreason has been delivering them as "Little Lost River" rights. If this practice has a long-standing history we may want to recommend a change in source & recommend them as Little Lost River. Before we approach the legal beagles I want to get my ducks in a row.

-----Original Message-----

From: Luke, Tim
Sent: Thursday, October 14, 1999 9:57 AM
To: Contor, Bryce
Subject: Wet Creek

Bryce,
Dayna showed me your message asking for some water district records in Basin 33. The 1962 records are all on microfilm. Dayna copied all the daily log book records from that year and is mailing those copies to you this morning.

You had mentioned Wet Creek. I'm not too certain what you were looking for there. For your information, I do have some stream flow and diversion measurements on Wet Creek from 1993. Brockway made some measurements there in 1992. The '93 measurements and Brockways measurements should also be in the 1993 water district file. David should at least be measuring and reporting any Wet Creek diversions (currently I think there is just the one of Pancheri's). He may have also made some stream flow measurements of the Creek after 1993. We installed a couple of staff gages on the creek in 1993 - one was above the confluence of the river and one was above the confluence of Dry Creek.

Tim

To: Blaine County Canal Co. Adjudication File
Fr: Bryce A. Contor
Date: 8/25/1999
Re: Sawmill Creek rights

Bryce A. Contor

- 1) Decree point of diversion: (no legal descriptions given for points of diversion):

33-00006 through 33-00013	Headgate of Blaine County Canal Co
33-00030	Little Lost River
All others	Mouth of Sawmill

Note that USGS map V32 shows confluence of Sawmill & Summit Creeks & beginning of Little Lost River in 10N 26E 12 NESW.

- 2) Decree places of use:

5 water rights T 5N
6 water rights T 6N
3 water rights T 9N
1 water right T 10N R 27E. Note that this is likely below mouth of Sawmill
1 water right T 11N R 28E. While the decreed point of diversion for this right is
"Mouth of Sawmill," quantity description includes the notation
"to be measured at the point where it is diverted from the main channel of
Saw Mill Creek." Place of use is upstream of confluence of Sawmill Creek &
Summit Creek.

- 3) Priority Ranking vs. Little Lost River

Sawmill Rights include a few stockwater claims for 1879 priority, one claim for an amended priority of 1908, and the following decreed rights: One right with priority 3/14/1891, seven of priority 3/15/1891, thirteen of priority 5/25/1891, and one of priority 6/1/1891.

These priority dates fall smack in the middle of the priority hierarchy of the Little Lost River. Little Lost priorities begin with 9/1/1879 rights, and all rights up through 1891 are considered "older in time" rights. There are a number of 5/25/1891 Little Lost River rights which are equal priority to the bulk of Sawmill rights, and a number of 6/1/1891, 1900, 1905, 1906, 1908, 1912, and 1913 Little Lost River rights.

- 4) Confusion of names.

33-00107 (priority 1918) is decreed out of Little Lost River, with no point of diversion listed. However, the place of use is in T 12N R 26E, which is clearly upstream of the confluence of Sawmill Creek and Summit Creek, so the source must have been Sawmill Creek.

- 5) Statement of Watermaster and Watermaster records.

The attached Watermaster records appear to indicate that Sawmill Creek water is not accounted nor administered separately from Little Lost River water. David Andreason, Watermaster, confirmed this on the phone today. I asked him what effect changing the source on the Sawmill rights would have, he said, "None, that's how it's done now anyway." I asked if there was ever a determination made that Sawmill was not reaching the river & therefore to cut Sawmill rights in

preference to river rights, he said, "No, by the time that happens the river is so low that the later river rights are already cut anyway."

6) Conclusion

Based on the above I recommend an accomplished change in source and change in point of diversion of Sawmill Creek rights to Little Lost River.

7) Sarah Benington reviewed decree 1 agrees that a source w/ accomplished transfer is probably appropriate for all Sawmill rights which are now delivered from LLR.

Month of August 1998

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Name of owner of water rights, not tenant.

Name of Property Owner	26	27	28	29	30	31	Total in 24-hour Sec. Feet	REMARKS
Mays R.R.	4 14	4 14	4 14	4 14	4 14	4 14	141 96	Dry Creek
Pancheri In	3 68	3 68	3 68	3 68	3 68	3 68	135 20	3rd 41.75 cfs
Sham Farr	5 92	5 92	5 92	5 92	5 92	5 92	197 12	7th 38.39 cfs
my Leo	2 60	2 60	2 60	2 60	2 60	2 60	82 70	13th 34.61 cfs
Mays L&L	11 20	11 20	11 20	11 20	11 20	11 20	367 48	27th 28.48 cfs
Mays L&L	1 50	1 50	1 50	1 50	1 50	1 50	53 76	
Mays L&L	6 58	6 58	6 58	6 58	6 58	6 58	203 98	8-4-98 → 6-1-91's OFF
Pancheri In	3 80	3 80	3 80	3 80	3 80	3 80	146 00	8-15-98 → 5-25-91's OFF
Pancheri I	2 84	2 84	2 84	2 84	2 84	2 84	80 84	8-17-98 → 3-14-91's OFF
Pancheri I	0	0	0	0	0	0	10 80	8-18-98 → 88's & 89's OFF
Pancheri J	4 36	4 36	4 36	4 36	4 36	4 36	122 08	
Sermon Roi	3 00	3 00	3 00	3 00	3 00	3 00	93 00	
Pancheri In	4 64	4 64	4 64	4 64	4 64	4 64	148 70	
Jodie L&L	4 40	4 40	4 40	4 40	4 40	4 40	136 40	
Weeks De	1 40	1 40	1 40	1 40	1 40	1 40	43 40	
Weeks D.	90	90	90	90	90	90	43 44	
Norris R.	90	90	90	90	90	90	43 44	
Hawley Ven	1 10	1 10	1 10	1 10	1 10	1 10	34 10	
Hawley Ven	2 80	2 80	2 80	2 80	2 80	2 80	106 30	8-3-98
Hawley L	0	0	0	0	0	0	71 40	Badger Cr. Pump ON
Sage Willow	4 76	4 76	4 76	4 76	4 76	4 76	147 56	
ine Co CA	3 42	3 42	3 42	3 42	3 42	3 42	138 48	
ine Co CA	14 42	9 52	9 52	9 52	9 52	9 52	540 14	

Basin 33 Watermaster records

Month of July 19 97

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Name of Presse Owner	26	27	28	29	30	31	Total In 24-hour Sec. Feet	REMARKS
Mays R.R.	4 30	4 30	4 30	4 30	4 30	4 30	180 04	Dry Creek CFS
Pancheri Inc	3 68	3 68	3 68	3 68	3 68	3 68	167 84	7/5 59.43
Isham Farms	6 72	6 72	6 72	6 72	6 72	6 72	208 32	7/9 54.33
Amy Leo	2 60	2 60	2 60	2 60	2 60	2 60	95 30	7/15 45.22
Mays L&L	11 44	11 44	11 44	11 44	11 44	11 44	421 80	7/21 43.47
Mays L&L	1 50	1 50	1 50	1 50	1 50	1 50	63 80	7/28 42.32
Mays L&L	6 74	6 74	6 74	6 74	6 74	6 74	208 94	
Pancheri Inc	3 80	3 80	3 80	3 80	3 80	3 80	119 80	7/2 All rights Cut to 6-1-91
Pancheri Inc	3 92	3 92	3 92	3 92	3 92	3 92	135 02	7/16 6-1-91's 50% Cut
Pancheri Inc	0	0	0	0	0	0	87 60	7/22 6-1-91 rights OFF
Pancheri Inc	4 38	4 38	4 38	4 38	4 38	4 38	48 18	7/26 5-25-91 rights OFF
Seaman	3 00	3 00	3 00	3 00	3 00	3 00	93 00	
Pancheri Inc	4 64	4 64	4 64	4 64	4 64	4 64	174 14	
Woodie L&L	4 38	4 38	4 38	4 38	4 38	4 38	135 78	July 3rd
Weeks Den	1 40	1 40	1 40	1 40	1 40	1 40	43 40	Knollin Ranch
Weeks Den	90	90	90	90	90	90	52 40	Pumps Turned on.
Norris	90	90	90	90	90	90	52 40	
Hawley Vance	1 10	1 10	1 10	1 10	1 10	1 10	34 10	
Hawley Venice	2 20	2 20	2 20	2 20	2 20	2 20	145 70	
Hawley Veni	2 80	2 80	2 80	2 80	2 80	2 80	151 10	
Sage Willow	8 66	8 66	8 66	8 66	8 66	8 66	264 06	
Blaine Co Pa	3 42	3 42	3 42	3 42	3 42	3 42	216 42	
Blaine Co C	22 10	22 10	22 10	22 10	22 10	22 10	799 60	

Month of July 1996

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Name of Pre-Owner		REMARKS
Mays R.R.		<u>Dry Creek</u>
Pancheri Inc.		7-6-96 54.33 cfs
Isham Farn		7-10-96 50.60 cfs
Amy Leo		7-16-96 43.47 cfs
Mays L&L		7-19-96 27.99 cfs
Mays L&L		7-22-96 25.58 cfs
Mays L&L		
Pancheri Inc.		July 11-96
Pancheri Inc.		Measured Bell Mt. Water
Pancheri Inc.		3.52 cfs
Pancheri Inc.		
Sermon K		July 9th Pancheri Inc. transferred
Pancheri Inc.		Haeshbarger & Bell Mt. Water
Weeks D		to O'maley Hd Gate
Weeks D		July 8th 96 → 1900's & 6-1-91's
Weeks D		OFF
Norris		July 13th 96 → 5-25-91's { OFF
Hawley Veni		3-14-91's {
Hawley Veni		
Hawley L.R.		July 15th 96 → All 1888's & 1889's
Sage Willow		OFF
Blaine Co C		
Bcc		
Bcc		

Summary of Sawmill Rights fr. Decree

#	Priority	POD	POLL
33-0006-0013	* prior to and but Hobbs	Headgate BCC	BCC decree - 6N 28-30 E
33-0023	5/25/1891	Mouth of Sawmill	5N 29 E
33-0025	5/25/1891	" "	5N 29 E
33-0026	6/1/1891	" "	5N 29 E
33-0030	5/25/1891	From Little Lost River	5N 29 E
33-0043	5/25/1891	Mouth of Sawmill	5N 29 E
33-0047	5/25/1891	" "	6N 29 E
33-0050	5/25/1891	" "	6N 29 E
33-0054	5/25/1891	" "	6N 28 E
33-0057	5/25/1891	" "	6N 28 E
33-0060	5/25/1891	" "	6N 28 E
33-0063	5/25/1891	" "	7N 28 E
* 33-0084	3/14/1891	" "	11N 28 E 9N 27 E
33-0092	5/25/1891	" "	9N 27 E
33-0096	5/25/1891	" "	10N 27 E
33-0109	5/25/1891	" "	9N 27 E
33-0107	6/15/1918	(decree "Little Lost")	12N 26 E

Text w/ a states "measured where it is diverted from main channel of sawmill"

OD-5813
AJ5813NP
SELECTION FILE: LLR-BAC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION WATER MASTER REPORT
BY WATER SOURCE/PRIORITY DATE

DATE: 08/25/99
TIME: 15:26:22
PAGE: 1

*MPOD: Y = Multiple Pts of Diversion, Pod Diversion Rate(s) is 0
U = Multiple Pts of Diversion, Pod Diversion Rate(s) Not 0
N = No Multiple Pts of Diversion (1 or less)

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	S T G	POINT OF DIVERSION	F L G	TOTAL DIVERSION	POD DIVERSION NAME	*M P U O S D E
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WATER SOURCE: BIG SPRING CREEK

R33-02133	SAGEWILLOW INC	06/22/1949	L	07N 28E 5	NWSM	2960.000 AFA		Y 02
A33-02133	SAGEWILLOW INC	06/22/1949	L	07N 28E 5	NWSM	2960.000 AFA		Y 02

WATER SOURCE: LITTLE LOST RIVER

A33-10154	AMERICA ACTING THROUGH, UNITED STAT	05/01/1866	J	13N 26E 16	SMSE	0.020 CFS		N 04
33-10904	AMERICA ACTING THROUGH, UNITED STAT	01/01/1879	J	08N 27E 35	NAMESW	0.020 CFS		Y 04
A33-10904	AMERICA ACTING THROUGH, UNITED STAT	01/01/1879	J	08N 27E 35	NAMESW	0.020 CFS		Y 04
33-10900	AMERICA ACTING THROUGH, UNITED STAT	01/01/1879	J	07N 28E 18	NENESW	0.020 CFS		Y 04
33-10900	AMERICA ACTING THROUGH, UNITED STAT	01/01/1879	J	07N 28E 18	NENESW	0.020 CFS		Y 04
A33-10900	AMERICA ACTING THROUGH, UNITED STAT	01/01/1879	J	07N 28E 18	NENESW	0.020 CFS		Y 04
A33-10900	AMERICA ACTING THROUGH, UNITED STAT	01/01/1879	J	07N 28E 18	NENESW	0.020 CFS		Y 04
A33-10900	AMERICA ACTING THROUGH, UNITED STAT	01/01/1879	J	07N 28E 18	NENESW	0.020 CFS		Y 04
R33-10052	ISHAM FARMS	09/01/1879	D	06N 29E 32	SNMNM	5.920 CFS		Y 01
R33-00039A	PANCHERI INC	09/01/1879	D	05N 29E 4	SESE	1.060 CFS		Y 01
A33-00031H	U.S. DEPT. OF AGRICULTURE	09/01/1879	D	06N 29E 30	SNMNM	0.360 CFS		N 01
A33-00031H	MAYS LAND AND LIVESTOCK INC	09/01/1879	D	06N 29E 32	NMNM	1.440 CFS		N 01
A33-00039A	PANCHERI INC	09/01/1879	D	05N 29E 4	SESE	1.600 CFS		Y 01
A33-00031H	NORRIS, ROBERT J.	09/01/1879	D	06N 28E 24	NESE	0.350 CFS		N 01
R33-00031H	HANSEN, MARC T	09/01/1879	D	06N 29E 30	SNMNM	0.360 CFS		N 01
R33-00036C	PANCHERI INC	09/01/1879	D	06N 29E 32	NMNM	1.200 CFS		Y 01
A33-00031D	MAYS LAND AND LIVESTOCK INC	09/01/1879	D	06N 29E 32	NMNM	1.400 CFS		N 01
R33-00031P	AMY, LEO D	09/01/1879	D	05N 29E 4	NAMESW	2.600 CFS		Y 01
A33-10052	ISHAM FARMS	09/01/1879	D	06N 29E 32	SNMNM	5.920 CFS		Y 01
A33-00031P	AMY, LEO D	09/01/1879	D	05N 29E 4	NESE	2.600 CFS		N 01
A33-00031P	NORRIS, ROBERT J.	09/01/1879	D	06N 28E 24	SMSENE	0.350 CFS		N 01
R33-00031H	WOODIE LAND & LIVESTOCK	09/01/1879	D	06N 29E 32	SNMNM	2.880 CFS		N 01
A33-00031Q	WOODIE LAND & LIVESTOCK	09/01/1879	D	06N 29E 32	NMNM	2.880 CFS		N 01
A33-00036C	PANCHERI INC	09/01/1879	D	05N 29E 4	SESE	4.580 CFS		Y 01
A33-00031B	HANSEN, MARC T.	09/01/1879	D	06N 28E 11	SENMNM	1.440 CFS		Y 01
R33-00031B	HANSEN, MARC T.	09/01/1879	D	06N 28E 11	SENMNM	1.440 CFS		Y 01
A33-00027	PANCHERI INC	04/01/1881	D	06N 29E 32	NMNM	1.600 CFS		Y 01
A33-00115	PANCHERI INC	04/01/1881	D	06N 29E 30	SNMNM	1.600 CFS		Y 01
A33-00115	PANCHERI INC	04/01/1881	D	06N 29E 32	NMNM	1.600 CFS		Y 01
A33-00017B	MAYS FAMILY TRUST, R ROBERT AND WIL	04/01/1883	D	05N 29E 9	NEHE	1.300 CFS		Y 01
A33-00017A	MAYS LAND AND LIVESTOCK INC	04/01/1883	D	06N 29E 32	NMNM	1.900 CFS		N 01
R33-00017B	MAYS, ROBERT R	04/01/1883	D	05N 29E 9	NENENE	1.300 CFS		Y 01
R33-10154	AMERICA ACTING THROUGH, UNITED STAT	05/01/1884	J	12N 26E 34	SMSE	0.020 CFS		Y 04
33-10154	AMERICA ACTING THROUGH, UNITED STAT	05/01/1884	J	12N 26E 34	SMSE	0.020 CFS		Y 04
A33-00075	BLAINE COUNTY CANAL CO	07/15/1884	J	08N 27E 35	NENNM	3.430 CFS		N 01
A33-10462	SAGEWILLOW INC	07/15/1884	J	08N 27E 35	NENNM	0.040 CFS		Y 04
A33-00051	HAWLEY, ESTATE LAWRENCE R	01/01/1885	D	06N 28E 11	SENM	1.100 CFS		Y 01

*MPOD: Y = Multiple Pts of Diversion, Pod Diversion Rate(s) is 0
U = Multiple Pts of Diversion, Pod Diversion Rate(s) Not 0
N = No Multiple Pts of Diversion (1 or less)

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	S T	G	POINT OF DIVERSION	F L	G	TOTAL DIVERSION	POD DIVERSION NAME	*M P O S D E
A33-00048B	U.S. DEPT. OF AGRICULTURE	01/01/1885	D	06N 29E 30	SNW			0.550 CFS		N 01
R33-00048A	NORRIS, ROBERT J	01/01/1885	D	06N 28E 24	SWSENE			0.550 CFS		N 01
A33-00048A	NORRIS, ROBERT J	01/01/1885	D	06N 28E 24	SESENE			0.560 CFS		N 01
R33-00051	HAWLEY, ESTATE LAWRENCE R	01/01/1885	D	06N 28E 11	SENW			1.100 CFS		Y 01
R33-00048B	HANSEN, MARC T	01/01/1885	D	06N 29E 30	SNW			0.550 CFS		N 01
A33-00042A	PANCHERI INC	03/25/1885	D	09N 27E 33	NWNE			0.480 CFS		Y 01
A33-00042	SERMON, ROY L	03/25/1885	D	06N 29E 32	SWNW			2.400 CFS		N 01
A33-00044	SERMON, ROY L	03/25/1885	D	06N 29E 32	SWNW			2.400 CFS	HARTMAN #5	N 01
A33-00061	ROSS, ROCKY	03/25/1885	D	07N 28E 17	NWNE			1.400 CFS		Y 01
R33-00019B	MAYS, ROBERT R	04/01/1885	D	05N 29E 9	NWNE			0.400 CFS		N 01
A33-00019A	MAYS LAND AND LIVESTOCK INC	04/01/1885	D	06N 29E 32	NWNE			0.360 CFS		Y 01
A33-00019B	MAYS FAMILY TRUST, R ROBERT AND WIL	04/01/1885	D	05N 29E 9	NENE			0.260 CFS		Y 01
A33-00018B	MAYS FAMILY TRUST, R ROBERT AND WIL	06/01/1885	D	05N 29E 9	NENE			1.280 CFS		Y 01
A33-00018A	MAYS LAND AND LIVESTOCK INC	06/01/1885	D	06N 29E 32	NWNE			1.920 CFS		N 01
R33-00018B	MAYS, ROBERT R	06/01/1885	D	05N 29E 9	NWNE			1.280 CFS		Y 01
A33-00020B	MAYS FAMILY TRUST, R ROBERT AND WIL	04/01/1886	D	05N 29E 9	NENE			1.280 CFS		Y 01
A33-00045	PANCHERI INC	04/01/1886	D	05N 29E 4	SESE			2.400 CFS		Y 01
R33-00020B	MAYS, ROBERT R	04/01/1886	D	05N 29E 10	NWNE			1.280 CFS		Y 01
A33-00020A	MAYS LAND AND LIVESTOCK INC	04/01/1886	D	06N 29E 32	NWNE			1.900 CFS		N 01
A33-00001B	ANDREASON, JAMES O	04/01/1887	D	10N 26E 12	NESE			0.400 CFS		Y 01
A33-00001A	ANDREASON, DARL	04/01/1887	D	10N 27E 29	NESE			0.400 CFS		N 01
R33-10069	PANCHERI INC	04/01/1887	D	10N 26E 12	NWNE			0.360 CFS		Y 01
R33-00001A	ANDREASON, DARL	04/01/1887	D	09N 27E 16	SESENE			0.400 CFS		N 01
R33-00001A	ANDREASON, DARL	04/01/1887	D	10N 27E 29	NESE			0.400 CFS		N 01
A33-000052	HAWLEY, ESTATE LAWRENCE R	04/01/1887	D	06N 28E 11	SENW			2.800 CFS		Y 01
A33-00090D	MAYS LAND AND LIVESTOCK INC	04/01/1887	D	06N 29E 32	NWNE			0.400 CFS		N 01
A33-00090F	PANCHERI INC	04/01/1887	D	05N 29E 4	SESE			0.800 CFS		Y 01
R33-00052	HAWLEY, ESTATE LAWRENCE R	04/01/1887	D	06N 28E 11	SENW			2.800 CFS		Y 01
R33-00090F	PANCHERI INC	04/01/1887	D	09N 27E 16	SESENE			0.400 CFS		N 01
A33-00058	HAWLEY, ESTATE LAWRENCE R	04/01/1888	D	06N 28E 11	SENW			0.600 CFS		Y 01
R33-00058	HAWLEY, ESTATE LAWRENCE R	04/01/1888	D	06N 28E 11	SENW			0.600 CFS		Y 01
R33-00028	PANCHERI INC	04/01/1889	D	05N 29E 4	SESE			0.080 CFS		Y 01
A33-00024	PANCHERI INC	04/01/1889	D	05N 29E 4	SESE			0.400 CFS		Y 01
R33-00055	HAWLEY, ESTATE LAWRENCE R	04/01/1889	D	06N 28E 11	SENW			1.600 CFS		Y 01
R33-00024	PANCHERI INC	04/01/1889	D	05N 29E 4	SESE			0.400 CFS		Y 01
A33-00021A	MAYS LAND AND LIVESTOCK INC	04/01/1889	D	06N 29E 32	NWNE			0.240 CFS		N 01
R33-00021B	MAYS, ROBERT R	04/01/1889	D	05N 29E 9	NWNE			0.160 CFS		Y 01
A33-00028	PANCHERI INC	04/01/1889	D	05N 29E 4	SESE			0.080 CFS		Y 01
A33-00021B	MAYS FAMILY TRUST, R ROBERT AND WIL	04/01/1889	D	05N 29E 9	NENE			0.160 CFS		Y 01
A33-00055	HAWLEY, ESTATE LAWRENCE R	03/14/1891	D	05N 29E 4	NWNE			1.600 CFS		Y 01
R33-00038	ISHAM FARMS	03/14/1891	D	05N 29E 4	NWNE			0.800 CFS		Y 01
A33-00038	ISHAM FARMS	03/14/1891	D	05N 29E 4	NWNE			0.800 CFS		Y 01
R33-00099	WAYMIRE, MARGARET J	04/15/1891	D	10N 27E 19	NWNE			0.300 CFS		N 01
A33-00099	WAYMIRE, MARGARET J	04/15/1891	D	10N 27E 19	NWNE			0.300 CFS		N 01
A33-00023B	MAYS FAMILY TRUST, R ROBERT AND WIL	05/25/1891	D	05N 29E 9	NENE			0.420 CFS		Y 01
A33-00043	SERMON, ROY L	05/25/1891	D	06N 29E 32	SWNW			0.800 CFS		N 01
A33-00096A	ANDREASON, DARL	05/25/1891	D	10N 27E 29	NESE			0.500 CFS		N 01

3/14/1891
3/15/1891
5/25/1891

00-5813
A5813NP
SELECTION FILE: LIR-BAC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION WATER MASTER REPORT
BY WATER SOURCE/PRIORITY DATE

DATE: 08/25/99
TIME: 15:29:36
PAGE: 3

*MPOD: Y = Multiple Pts of Diversion, Pod Diversion Rate(s) is 0
U = Multiple Pts of Diversion, Pod Diversion Rate(s) Not 0
N = No Multiple Pts of Diversion (1 or less)

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY		POINT OF DIVERSION	TOTAL DIVERSION	POD DIVERSION NAME	P O S D E
		T DATE	S G				
R33-00096A	ANDREASON, DARYL	05/25/1891	D 10N 27E 29	NESE	0.500 CFS		N 01
R33-00023B	MAYS, ROBERT R	05/25/1891	D 05N 29E 10	NHNM	0.420 CFS		Y 01
R33-00043	SERMON, ROY L	05/25/1891	D 06N 29E 32	SNHNM	0.800 CFS	HARTMAN #5	N 01
R33-00053	HAILEY, ESTATE LAWRENCE R	06/01/1891	D 06N 28E 11	SESE	2.300 CFS		Y 01
R33-00040A	PANCHERI INC	06/01/1891	D 05N 29E 4	SESE	1.600 CFS		Y 01
R33-00059	HAILEY, ESTATE LAWRENCE R	06/01/1891	D 06N 28E 11	SENM	1.600 CFS		Y 01
R33-00095A	ANDREASON, DARYL	06/01/1891	D 10N 27E 29	NESE	0.700 CFS		N 01
R33-00062	ROSS, ROCKY	06/01/1891	D 07N 28E 17	NENHNE	1.300 CFS		N 01
R33-00083A	NORRIS, ROBERT J	06/01/1891	D 06N 28E 24	SNSENE	0.290 CFS		Y 01
R33-00022B	MAYS, ROBERT R	06/01/1891	D 05N 29E 9	NENENE	2.100 CFS		N 01
R33-00083A	NORRIS, ROBERT J	06/01/1891	D 06N 28E 24	NESE	0.290 CFS		N 01
R33-00091C	MAYS LAND AND LIVESTOCK INC	06/01/1891	D 06N 29E 32	NHNM	0.700 CFS		N 01
R33-00091D	AMY, LEO D	06/01/1891	D 05N 29E 9	NHNESE	2.100 CFS		Y 01
R33-00022B	MAYS FAMILY TRUST, R ROBERT AND WIL	06/01/1891	D 05N 29E 9	NENE	0.040 CFS		Y 01
33-10456	SAGEWILLOW INC	06/01/1891	J 08N 27E 15	NHSE	2.140 CFS		N 04
R33-00032A	PANCHERI INC	06/01/1891	D 09N 27E 33	NENHNE	2.140 CFS		Y 01
R33-00029	PANCHERI INC	06/01/1891	D 05N 29E 4	SESE	0.340 CFS		Y 01
R33-00032A	PANCHERI INC	06/01/1891	D 06N 29E 32	NHNM	3.120 CFS		N 01
R33-00022A	MAYS LAND AND LIVESTOCK INC	06/01/1891	D 06N 29E 32	SESE	0.340 CFS		Y 01
R33-00029	PANCHERI INC	06/01/1891	D 05N 29E 4	SESE	1.600 CFS		Y 01
R33-00059	HAILEY, ESTATE LAWRENCE R	06/01/1891	D 06N 28E 11	SENM	0.340 CFS		N 01
R33-00083C	HANSEN, MARC T	06/01/1891	D 06N 29E 30	SNHM	4.290 CFS		N 01
R33-00083C	BLAINE COUNTY CANAL CO	06/01/1891	D 06N 28E 11	NENM	0.340 CFS		N 01
R33-00083C	US DEPT OF AGRICULTURE	06/01/1891	D 06N 29E 30	SNHM	1.600 CFS		Y 01
R33-00040A	PANCHERI INC	06/01/1891	D 05N 29E 4	SESE	0.700 CFS		Y 01
R33-00091D	AMY, LEO D	06/01/1891	D 05N 29E 4	NESE	0.700 CFS		N 01
R33-00046	PANCHERI INC	06/01/1891	D 05N 29E 4	SESE	1.300 CFS		Y 01
R33-00053	HAILEY, ESTATE LAWRENCE R	06/01/1891	D 10N 27E 29	NESE	2.300 CFS		Y 01
R33-00095A	ANDREASON, DARYL	06/01/1891	J 08N 27E 15	NHSE	0.700 CFS		N 01
R33-10456	SAGEWILLOW INC	06/01/1891	D 10N 26E 12	NESH	0.040 CFS		N 04
R33-00095B	ANDREASON, JAMES O	06/01/1891	D 10N 26E 12	NENESH	0.700 CFS		Y 01
R33-00095B	ANDREASON, JAMES O	06/01/1891	D 10N 26E 12	NENESH	0.630 CFS		Y 01
R33-00108	ORR, CONNIE	05/01/1896	D 09N 27E 16	SESENE	1.800 CFS		N 01
R33-00108	ORR, JACK	05/01/1896	D 09N 27E 16	SESENE	1.800 CFS		N 01
R33-00049A	NORRIS, ROBERT J	05/15/1900	D 06N 28E 24	NESE	0.550 CFS		N 01
R33-00049B	HANSEN, MARC T	05/15/1900	D 06N 29E 30	SNHM	0.550 CFS		N 01
R33-00049B	U.S. DEPT. OF AGRICULTURE	05/15/1900	D 06N 29E 30	SNHM	0.550 CFS		N 01
R33-00049A	NORRIS, ROBERT J	05/15/1900	D 06N 28E 24	SNSENE	0.550 CFS		N 01
R33-00004	BLAINE COUNTY CANAL CO	01/23/1905	D 06N 28E 11	NENM	12.000 CFS		N 01
R33-00033A	PANCHERI INC	06/01/1905	D 06N 29E 30	SNHM	2.500 CFS		Y 01
R33-00088A	PANCHERI INC	06/01/1905	D 09N 27E 33	NENHNE	2.500 CFS		Y 01
R33-00088	AMERICA ACTING THROUGH, UNITED STAT	04/01/1906	D 09N 27E 4	NHNMSE	0.350 CFS		Y 01
R33-00088	AMERICA ACTING THROUGH, UNITED STAT	04/15/1906	D 09N 27E 4	NHNMSE	1.600 CFS		N 01
R33-00088	BLAINE COUNTY CANAL CO	01/14/1908	D 06N 28E 11	NENM	145.000 CFS		N 01
R33-00005	BLAINE COUNTY CANAL CO	05/01/1908	D 07N 27E 2	SNME	0.800 CFS		N 01
R33-00072	SAGE WILLOW INC	05/01/1908	D 06N 28E 11	NENM	0.800 CFS		N 01
R33-00072B	BLAINE COUNTY CANAL CO	06/01/1908	D 06N 28E 11	NENM	3.200 CFS		N 01
R33-00069B	BLAINE COUNTY CANAL CO	06/01/1908	D 06N 28E 11	NENM	3.200 CFS		N 01

5/25/1891

OD-5813
AJS813NP
SELECTION FILE: LIR-BAC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION WATER MASTER REPORT
BY WATER SOURCE/PRIORITY DATE

DATE: 08/25/99
TIME: 15:30:52
PAGE: 4

*MPOD: Y = Multiple Pts of Diversion, Pod Diversion Rate(s) is 0
U = Multiple Pts of Diversion, Pod Diversion Rate(s) Not 0
N = No Multiple Pts of Diversion (1 or Less)

WATER RIGHT NUMBER	CURRENT OWNER NAME	PRIORITY DATE	S T	G	POINT OF DIVERSION	F L	TOTAL DIVERSION	POD DIVERSION NAME	M P U O S D E
A33-00069	SAGE WILLOW INC	06/01/1908	D	07N	27E	2	3.200 CFS		N 01
A33-02007	SAGE WILLOW INC	02/15/1909	L	07N	27E	2	2.900 CFS		N 01
A33-00071B	BLAINE COUNTY CANAL CO	02/15/1909	D	06N	28E	11	3.200 CFS		N 01
A33-00079	SAGE WILLOW INC	04/01/1912	D	07N	27E	2	1.600 CFS		N 01
A33-00076	SAGE WILLOW INC	04/01/1913	D	07N	27E	2	6.800 CFS		N 01
A33-00074	SAGE WILLOW INC	08/06/1913	D	07N	27E	2	1.600 CFS		N 01
A33-00078	SAGE WILLOW INC	10/15/1913	D	07N	27E	2	3.200 CFS		N 01
A33-00107	ECD INC	06/15/1918	D	12N	26E	7	1.600 CFS		N 01
A33-00015	BLAINE COUNTY CANAL CO	03/04/1927	D	07N	28E	28	2000.000 AFA		Y 01
R33-02133	SAGEWILLOW INC	06/22/1949	L	07N	28E	5	2960.000 AFA		Y 02
A33-02133	SAGEWILLOW INC	06/22/1949	L	07N	28E	5	2960.000 AFA		Y 02
TOTAL:							333.950 CFS		

WATER SOURCE: SAWMILL CREEK

R33-00043	SERMON, ROY L	05/25/1891	D	06N	29E	32	0.800 CFS	HARTMAN #5	N 01
A33-00043	SERMON, ROY L	05/25/1891	D	06N	29E	32	0.800 CFS		N 01
TOTAL:							1.600 CFS		

WATER SOURCE: SUMMIT CREEK

R33-00001B	ANDREASON, JAMES O	04/01/1887	D	10N	26E	12	0.360 CFS		Y 01
R33-00095B	ANDREASON, JAMES O	06/01/1891	D	10N	26E	12	0.630 CFS		Y 01
TOTAL:							0.990 CFS		

This is a detailed topographic map of a region in Montana, centered around the Little Lost River. The map features a grid system with coordinates ranging from 25 to 38 in the north-south direction and 10 to 28 in the east-west direction. Key geographical features include the Little Lost River, which flows from the upper right towards the lower right, and several creeks such as Summit Creek, Sparrow Creek, and Dry Creek. The terrain is characterized by 'MUD FLATS' in the upper left and 'MULKEY BAR' in the lower left. The map also shows various roads, including a main road running north-south and several smaller roads branching off. Numerous landmarks and points of interest are marked, including 'CUSTER CO BUTTE CO' in the upper left, 'MUD FLATS' in the upper center, and 'LITTLE LOST RIVER' in the lower right. A red arrow points to a specific location near the river, labeled '2-142'. The map includes a scale bar at the bottom left, indicating distances in miles and feet. The map is titled 'LITTLE LOST RIVER' in large, bold letters across the center.

Point of Diversion
Point of Injection
10 N 26 E 12 NESW

Map V32

tributary and then re-diverted somewhere downstream. Some groundwater rights issued by the State recognize these exchanges in this basin. Other exchanges however are conducted without any groundwater rights which authorize such exchanges. These later exchanges may have been claimed in the adjudication.

B2) Dry Creek and Bell Mountain Creek rights: these are creeks in higher elevation canyons which are piped to lower elevations and run through hydro power plants, discharged into Wet Creek and Sawmill Creek respectively and then re-diverted at different points downstream under individual rights. You and a number of water users have consistently explained that these rights are delivered out of priority sequence and ahead of all other rights despite that these rights were decreed with 1891 priority dates. The decree specifically identifies Bell Mountain Creek as a non-tributary stream. Dry Creek does not have this same designation in the decree.

Administrative Direction:

All groundwater exchanges will be delivered with appropriate loss assessments between the points of injection and re-diversion on the river or tributary channel. Losses assigned to these exchanges will be based on the losses determined for the entire reach or reaches in which the transmission occurs. Any proposed changes in the points of injection and re-diversion or any changes which have been made since November 19, 1987 are not authorized until the water right holder has received approval from the Department under a water right transfer.

Groundwater exchanges initiated prior to November of 1987 without valid groundwater rights can continue to be delivered provided that such uses meet the three conditions outlined under category A above. In addition, any groundwater exchange not authorized by any valid water right should have been accomplished prior to March 25, 1963. All new groundwater uses initiated after March 25, 1963 were subject to mandatory permit filing requirements. Thus, if we can document that a groundwater exchange use was initiated after this date without a water right, then you would be directed to discontinue delivery of the exchange and the owner would have to file a new water right application and receive approval before the exchange could again be allowed, regardless of the owner's SRBA claims. As I think all of the exchanges without water rights in your district were accomplished prior to March of 1963, then the exchanges can continue and should be regarded as valid.

The Bell Mountain right and Dry Creek rights may continue to be delivered out of sequence and ahead of other rights. These rights will be treated similar to groundwater exchanges and losses will be assigned in delivery to the downstream re-diversion points.

C. Sawmill Creek Water and Water Rights

The decree identifies a number of rights where the source is

*Letter from Tim Luke to David
Anderson 5/19/1993
Dwight A. Contor 10/21/1999*

given as Sawmill Creek and a point of diversion listed as the mouth of Sawmill Creek. All but one of these rights have a 5/25/1891 priority date, the other has a 6/1/1891 priority. The total diversion rate under all these rights is over 16 cfs. The decreed place of use for most of these rights is a considerable distance downstream near Howe and most rights are still currently used in this area. It is not clear from the decree whether these rights should be administered as either natural flow rights or some type of saved water rights but there is evidence that these rights have always been delivered as natural flow rights. The decree gives no reason or information as to the dis-connective nature between the source and place of use but does contain some language directing that these rights be delivered with transmission losses between the mouth of Sawmill Creek and the respective points of diversion from the Little Lost River.

Administrative Direction:

No changes are recommended in the delivery of these rights as long as they meet the three conditions described above under item or category A.

D) Water Right Rotations

It is apparent that over the years a number of users have implemented water right rotations where whole water rights or portions of rights are periodically moved between two points of diversions at separate locations on the river. Many of these rotations involve moving water downstream within a losing reach.

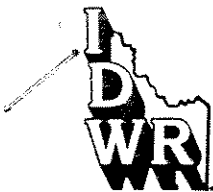
Administrative Direction: Rotations may be acceptable if they were in place prior to November of 1987 and the user's SRBA claims include both points of diversions. If the rotation occurs within a losing reach then the appropriate loss should be assigned. This loss may be based on either the actual loss between the upstream and downstream points of diversions, or the loss determined for the entire reach or reaches in which the transmission occurs. New rotations or rotation arrangements which have occurred after November of 1987 should not be continued unless a water right transfer application has been filed and then approved by the Department.

Finally, you should be aware that these directions regarding delivery of certain rights may be subject to some review and final determinations under the Snake River Basin Adjudication.

4) Measuring Devices and Headgates

All of the diversions which I have inventoried have headgates and measuring devices (except for the one exchange well injection point which you state has since been fitted with a measuring device.) However, nearly all of the measuring devices require some repair or modification and routine maintenance. A few headgates were in poor condition and/or lacked any means in which to lock the

These conditions
are:
1) claim filed,
2) claim appears to
have some merit,
3) no injury
BAC
full text of
memo in
A33-00002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

A 33-00004 +

1-16-91 All claims filed
Permanent file
Donna Smith
(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 17, 1989

Blaine County Canal Co.
HC 65, Box 1058
Howe, Idaho 83720

Butte Co.

Attn: Mr. Bryce A. Contor
Secretary/Treasurer

RE: Snake River Basin Adjudication
Water Right #33-00004(33-02000)/#33-00005(33-02134)
#33-00068/#33-00075/#33-00077/#33-00098

Dear Mr. Contor:

In response to your letter of April 10th, 1989, I have researched the above-referenced water rights. All of the water rights were Decreed in Blaine County Investment Co. vs. Robert G. Mayes, et al on March 4th, 1927.

In your letter you requested information concerning Permit Nos. 1119 and 3399. These permits were licensed as 33-02000 and 33-02134 respectively, and then decreed as 33-00004 and 33-00005 respectively. A decree normally supersede previous rights therefore, these Water Rights should probably be claimed as decreed rights #33-00004 and #33-00005.

The most current information available concerning the lands appurtenant to your Water Rights are the original Engineer's Report for 33-00004 and 33-00005, transfer 670 for 33-00098 and transfer 656 for 33-00068, 33-00075 and 33-00077. I have attached copies of these documents to the corresponding Water Rights.

In your letter you indicate that there has been unrecorded de facto transfers of water by the Canal Co., and you also express your concern about the proper method for filing these portions of your water rights. For transfers prior to May 26, 1969 no application was required therefore; the "Grandfather Clause" concerns transfers after that date and involves the

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NOV 18 1992

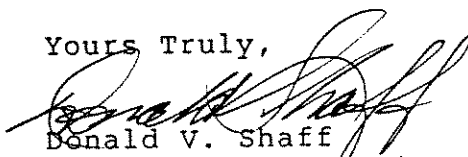
Mr. Bryce A. Contor
Blaine County Canal Company
Page 2
April 17, 1989

presumption that no expansion of the Water Right as Decreed has occurred (ie. no increase in the amount of water diverted). The result is that you may file your Water Right claiming the distribution and number of irrigated acres as of Nov. 19, 1987. Thus the filing of the Notice of Claim with the Snake River Basin Adjudication will in effect represent an application for transfer as well.

I hope the information and documentation enclosed will aide you in the preparation for your filing with the adjudication. I would also recommend you use our Eastern Regional Office at 150 Shoup in Idaho Falls for future assistance, as they are more accessible and familiar with the area your water rights cover.

If this office can be of any further help, please do not hesitate to contact us.

Yours Truly,



Donald V. Shaff
Manager, Adjudication Section

DVS:AB:mcc:state

Enclosures:

Proof Reports: #33-00004/#33-00005
#33-00068/#33-00075
#33-00077/#33-00098

With attachments

MICROFILMED

NOV 18 1992

11 April 1990

Blaine County Canal Company
C/O Bryce Contor
HC 65 Box 1058
Howe, Idaho 83244

RE: Amended Adjudication Claims for Blaine County Canal Co.
A33-00016/00068/00075/00077/00098/10086

Dear Mr. Contor:

As we discussed enclosed are the above numbered amended adjudication claims that I have completed using the information that you supplied this office. Please review the amended claims sign in front of a notary and return to this office as soon as possible. The additional variable fee was paid and receipted under receipt #E012738.

Sincerely,

Keith C. Wilson
Senior Resource Agent

MICROFILMED
NOV 18 1992

Blaine County Canal Co.
PO Box 1058
Howe, Idaho 83244
10 April 1989

APR 11 1989

Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

Dear Ladies and Gentlemen:

In preparation for the upcoming adjudication we are trying to find out exactly how our water rights are listed. Could you please send us a printout on the legal description of the lands to be irrigated under the following permits or licenses?

Permit 1119 issued 20 Feb 1905

Permit 3399 issued 8 Feb 1908

WR-number 33-0068 priority 1 Jun 1891

WR-number 33-0075 priority 15 July 1884

WR-number 33-0077 priority 25 May 1891

WR-number 33-0098 priority 15 Apr 1891

Last summer in an information meeting in Idaho Falls I was told about a "grandfather clause" which covered cases of flood irrigation converted to sprinklers, changing acres somewhat. Over the years shares of Blaine County Canal Company have been bought, sold, traded, and moved from one parcel of land to another. Does the "grandfather clause" cover this kind of activity? How should we file on these transferred shares?

Thank you,

Bryce A. Contor

Bryce A. Contor
Secretary-Treasurer

MICROFILMED

NOV 18 1992

11/08/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 33-77

NAME AND ADDRESS: BLAINE COUNTY CANAL CO
HC 65 BOX 1058
HOWE, ID 83244

SOURCE: SAWMILL CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 1.43 CFS

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER
DESCRIBED ABOVE AT THE POINT OF MEASUREMENT IN T10N, R26E,
S12, NESW.

PRIORITY DATE: 05/25/1891

POINT OF DIVERSION: T06N R28E S11 NENW Within BUTTE County
T10N R27E S18 NWSW Within BUTTE County

POINT OF REDIVERSION FROM LITTLE LOST RIVER

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4-01 10-31	1.43 CFS

PLACE OF USE:

IRRIGATION Within BUTTE County

T06N R28E S25	SWNE	40	T06N R28E S25	SENE	40
T06N R28E S25	NENW	40	T06N R28E S25	SENE	40
T06N R28E S25	NESW	40	T06N R28E S25	NESE	40
T06N R28E S25	NWSE	40	T06N R29E S14	SWSW	39
T06N R29E S15	NESW	40	T06N R29E S15	NWSW	40
T06N R29E S15	SWSW	39	T06N R29E S15	SESW	39
T06N R29E S15	NESE	40	T06N R29E S15	NWSE	40
T06N R29E S15	SWSE	39	T06N R29E S15	SESE	39
T06N R29E S15	NENE	38	T06N R29E S17	NWNE	39
T06N R29E S17	SWNE	40	T06N R29E S17	SENE	39
T06N R29E S17	NESE	39	T06N R29E S17	NWSE	40
T06N R29E S17	SWSE	39	T06N R29E S17	SESE	38
T06N R29E S19	NENE	38	T06N R29E S19	NWNE	38
T06N R29E S19	SWNE	38	T06N R29E S19	SENE	38
T06N R29E S19	NENW	38	T06N R29E S19	NWNW	35
T06N R29E S19	SWNW	30	T06N R29E S19	SENE	36
T06N R29E S19	NESW	3	T06N R29E S19	NESE	40
T06N R29E S19	NWSE	40	T06N R29E S19	SWSE	40
T06N R29E S19	SESE	40	T06N R29E S21	NENE	40
T06N R29E S21	NWNE	40	T06N R29E S21	NESE	39
T06N R29E S21	SESE	38	T06N R29E S22	NENE	40
T06N R29E S22	NWNE	40	T06N R29E S22	SWNE	40
T06N R29E S22	SENE	40	T06N R29E S22	NENW	40
T06N R29E S22	NWNW	40	T06N R29E S22	SWNW	40
T06N R29E S22	SENE	40	T06N R29E S22	NESE	40
T06N R29E S23	NWNE	40	T06N R29E S23	NENE	11
T06N R29E S23	SENE	39	T06N R29E S23	SWNE	40
T06N R29E S23	NWNW	33	T06N R29E S23	NENW	39
T06N R29E S23	SENE	40	T06N R29E S23	SWNW	39
T06N R29E S23	NWSW	39	T06N R29E S23	NESW	40
			T06N R29E S23	SWSW	37

*Printed from
Database
SAC*

R

T06N R29E S23	SESW	40	T06N R29E S23	NESE	39
T06N R29E S23	NWSE	40	T06N R29E S23	SWSE	39
T06N R29E S23	SESE	39	T06N R29E S24	NENE	40
T06N R29E S24	NWNE	40	T06N R29E S24	SWNE	40
T06N R29E S24	SENE	40	T06N R29E S24	NENW	40
T06N R29E S24	SWNW	40	T06N R29E S24	SENW	40
T06N R29E S24	NESW	40	T06N R29E S24	NWSW	39
T06N R29E S24	SWSW	39	T06N R29E S24	SESW	39
T06N R29E S24	NESE	40	T06N R29E S24	NWSE	40
T06N R29E S24	SWSE	40	T06N R29E S24	SESE	40
T06N R29E S25	NENE	40	T06N R29E S25	NWNE	40
T06N R29E S25	SWNE	40	T06N R29E S25	SENE	39
T06N R29E S25	NENW	40	T06N R29E S25	NWNW	40
T06N R29E S25	SWNW	40	T06N R29E S25	SENW	40
T06N R29E S26	NENE	40	T06N R29E S26	NWNE	40
T06N R29E S26	SWNE	40	T06N R29E S26	SENE	40
T06N R29E S26	NENW	39	T06N R29E S26	NWNW	39
T06N R29E S26	SWNW	39	T06N R29E S26	SENW	40
T06N R29E S26	NESE	39	T06N R29E S26	NWSE	40
T06N R29E S26	SWSE	39	T06N R29E S26	SESE	36
T06N R29E S27	NWNE	40	T06N R29E S27	SWNE	40
T06N R29E S27	NENW	40	T06N R29E S27	NWNW	35
T06N R29E S27	SWNW	40	T06N R29E S27	SENW	40
T06N R29E S28	NESW	40	T06N R29E S28	NWSW	40
T06N R29E S28	SWSW	40	T06N R29E S28	SESW	40
T06N R29E S29	NENE	35	T06N R29E S29	NWNE	39
T06N R29E S29	SWNE	40	T06N R29E S29	SENE	39
T06N R29E S29	NENW	40	T06N R29E S29	NWNW	40
T06N R29E S29	SWNW	40	T06N R29E S29	SENW	40
T06N R29E S29	NESW	40	T06N R29E S29	NWSW	38
T06N R29E S29	SWSW	39	T06N R29E S29	SESW	39
T06N R29E S33	NENW	40	T06N R29E S33	NWNW	40
T06N R29E S33	SWNW	39	T06N R29E S33	SENW	40
T06N R29E S34	NENW	39	T06N R29E S34	NWNW	38
T06N R29E S34	SWNW	39	T06N R29E S34	SENW	40
T06N R29E S35	NENE	38	T06N R29E S35	NWNE	39
T06N R29E S35	SWNE	40	T06N R29E S35	SENE	39
T06N R30E S19	NWNE	15	T06N R30E S19	SWNE	40
T06N R30E S19	NESW	40	T06N R30E S19	NWSW	40
T06N R30E S19	SWSW	40	T06N R30E S19	SESW	40
T06N R30E S19	NESE	40	T06N R30E S19	NWSE	40
T06N R30E S19	SWSE	34	T06N R30E S19	SESE	39
T06N R30E S20	SWSW	40	T06N R30E S20	SESW	38
T06N R30E S29	NENW	40	T06N R30E S29	NWNW	40
T06N R30E S29	SWNW	40	T06N R30E S29	SENW	40
T06N R30E S30	NENE	39	T06N R30E S30	NWNE	39
T06N R30E S30	SWNE	40	T06N R30E S30	SENE	40
T06N R30E S30	NENW	40	T06N R30E S30	NWNW	40
T06N R30E S30	SWNW	40	T06N R30E S30	SENW	40

6198 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4,880 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00003, 33-00004, 33-00005, 33-00068, 33-00075, 33-00098, 33-10086

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

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. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

10/18/2000

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

RIGHT NUMBER: 33-77

NAME AND ADDRESS: BLAINE COUNTY CANAL CO
HC 65 BOX 1058
HOWE, ID 83244

SOURCE: SAWMILL CREEK TRIBUTARY: Little Lost River

QUANTITY: 1.43 CFS

*Prepared as
Word Document -
not data entered
BAC*

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER DESCRIBED
ABOVE AT THE POINT OF MEASUREMENT IN T10N R26E SECTION 12 NESE.
POINT OF REDIVERSION FROM LITTLE LOST RIVER

PRIORITY DATE: 05/25/1891

POINT OF DIVERSION:	T06N R28E S11	NENW	Within BUTTE County	R
	T10N R27E S18	NWSESW	Within BUTTE County	±
	T11N R26E S10	NWNESE	Within LEMHI County	

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	1.43 CFS

PLACE OF USE:

IRRIGATION Within BUTTE County

T06N R28E S25	SWNE	40	T06N R28E S25	SENE	40
T06N R28E S25	NENW	40	T06N R28E S25	SENW	40
T06N R28E S25	NESW	40	T06N R28E S25	NESE	40
T06N R28E S25	NWSE	40	T06N R29E S14	SWSW	39
T06N R29E S15	NESW	40	T06N R29E S15	NWSW	40
T06N R29E S15	SWSW	39	T06N R29E S15	SESW	39
T06N R29E S15	NESE	40	T06N R29E S15	NWSE	40
T06N R29E S15	SWSE	39	T06N R29E S15	SESE	39
T06N R29E S17	NENE	38	T06N R29E S17	NWNE	39
T06N R29E S17	SWNE	40	T06N R29E S17	SENE	39
T06N R29E S17	NESE	39	T06N R29E S17	NWSE	40
T06N R29E S17	SWSE	39	T06N R29E S17	SESE	38
T06N R29E S19	NENE	38	T06N R29E S19	NWNE	38
T06N R29E S19	SWNE	38	T06N R29E S19	SENE	38
T06N R29E S19	NENW	38	T06N R29E S19	NWNW	35
T06N R29E S19	SWNW	30	T06N R29E S19	SENW	36
T06N R29E S19	NESW	3	T06N R29E S19	NESE	40
T06N R29E S19	NWSE	40	T06N R29E S19	SWSE	40
T06N R29E S19	SESE	40	T06N R29E S21	NENE	40
T06N R29E S21	NWNE	40	T06N R29E S21	NESE	39
T06N R29E S21	SESE	38	T06N R29E S22	NENE	40
T06N R29E S22	NWNE	40	T06N R29E S22	SWNE	40
T06N R29E S22	SENE	40	T06N R29E S22	NENW	40
T06N R29E S22	NWNW	40	T06N R29E S22	SWNW	40
T06N R29E S22	SENW	40	T06N R29E S22	NESE	40
T06N R29E S22	SESE	40	T06N R29E S23	NENE	11
T06N R29E S23	NWNE	40	T06N R29E S23	SWNE	40
T06N R29E S23	SENE	39	T06N R29E S23	NENW	39
T06N R29E S23	NWNW	33	T06N R29E S23	SWNW	39
T06N R29E S23	SENW	40	T06N R29E S23	NESW	40
T06N R29E S23	NWSW	39	T06N R29E S23	SWSW	37
T06N R29E S23	SESW	40	T06N R29E S23	NESE	39

T06N R29E S23	NWSE	40	T06N R29E S23	SWSE	39
T06N R29E S23	SESE	39	T06N R29E S24	NENE	40
T06N R29E S24	NWNE	40	T06N R29E S24	SWNE	40
T06N R29E S24	SENE	40	T06N R29E S24	NENW	40
T06N R29E S24	SWNW	40	T06N R29E S24	SENW	40
T06N R29E S24	NESW	40	T06N R29E S24	NWSW	39
T06N R29E S24	SWSW	39	T06N R29E S24	SESW	39
T06N R29E S24	NESE	40	T06N R29E S24	NWSE	40
T06N R29E S24	SWSE	40	T06N R29E S24	SESE	40
T06N R29E S25	NENE	40	T06N R29E S25	NWNE	40
T06N R29E S25	SWNE	40	T06N R29E S25	SENE	39
T06N R29E S25	NENW	40	T06N R29E S25	NWNW	40
T06N R29E S25	SWNW	40	T06N R29E S25	SENW	40
T06N R29E S26	NENE	40	T06N R29E S26	NWNE	40
T06N R29E S26	SWNE	40	T06N R29E S26	SENE	40
T06N R29E S26	NENW	39	T06N R29E S26	NWNW	39
T06N R29E S26	SWNW	39	T06N R29E S26	SENW	40
T06N R29E S26	NESE	39	T06N R29E S26	NWSE	40
T06N R29E S26	SWSE	39	T06N R29E S26	SESE	36
T06N R29E S27	NWNE	40	T06N R29E S27	SWNE	40
T06N R29E S27	NENW	40	T06N R29E S27	NWNW	35
T06N R29E S27	SWNW	40	T06N R29E S27	SENW	40
T06N R29E S28	NESW	40	T06N R29E S28	NWSW	40
T06N R29E S28	SWSW	40	T06N R29E S28	SESW	40
T06N R29E S29	NENE	35	T06N R29E S29	NWNE	39
T06N R29E S29	SWNE	40	T06N R29E S29	SENE	39
T06N R29E S29	NENW	40	T06N R29E S29	NWNW	40
T06N R29E S29	SWNW	40	T06N R29E S29	SENW	40
T06N R29E S29	NESW	40	T06N R29E S29	NWSW	38
T06N R29E S29	SWSW	39	T06N R29E S29	SESW	39
T06N R29E S33	NENW	40	T06N R29E S33	NWNW	40
T06N R29E S33	SWNW	39	T06N R29E S33	SENW	40
T06N R29E S34	NENW	39	T06N R29E S34	NWNW	38
T06N R29E S34	SWNW	39	T06N R29E S34	SENW	40
T06N R29E S35	NENE	38	T06N R29E S35	NWNE	39
T06N R29E S35	SWNE	40	T06N R29E S35	SENE	39
T06N R30E S19	NWNE	15	T06N R30E S19	SWNE	40
T06N R30E S19	NESW	40	T06N R30E S19	NWSW	40
T06N R30E S19	SWSW	40	T06N R30E S19	SESW	40
T06N R30E S19	NESE	40	T06N R30E S19	NWSE	40
T06N R30E S19	SWSE	34	T06N R30E S19	SESE	39
T06N R30E S20	SWSW	40	T06N R30E S20	SESW	38
T06N R30E S29	NENW	40	T06N R30E S29	NWNW	40
T06N R30E S29	SWNW	40	T06N R30E S29	SENW	40
T06N R30E S30	NENE	39	T06N R30E S30	NWNE	39
T06N R30E S30	SWNE	40	T06N R30E S30	SENE	40
T06N R30E S30	NENW	40	T06N R30E S30	NWNW	40
T06N R30E S30	SWNW	40	T06N R30E S30	SENW	40

6198 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 4,880 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00003, 33-00004, 33-00005, 33-00068, 33-00075, 33-00098, 33-10086

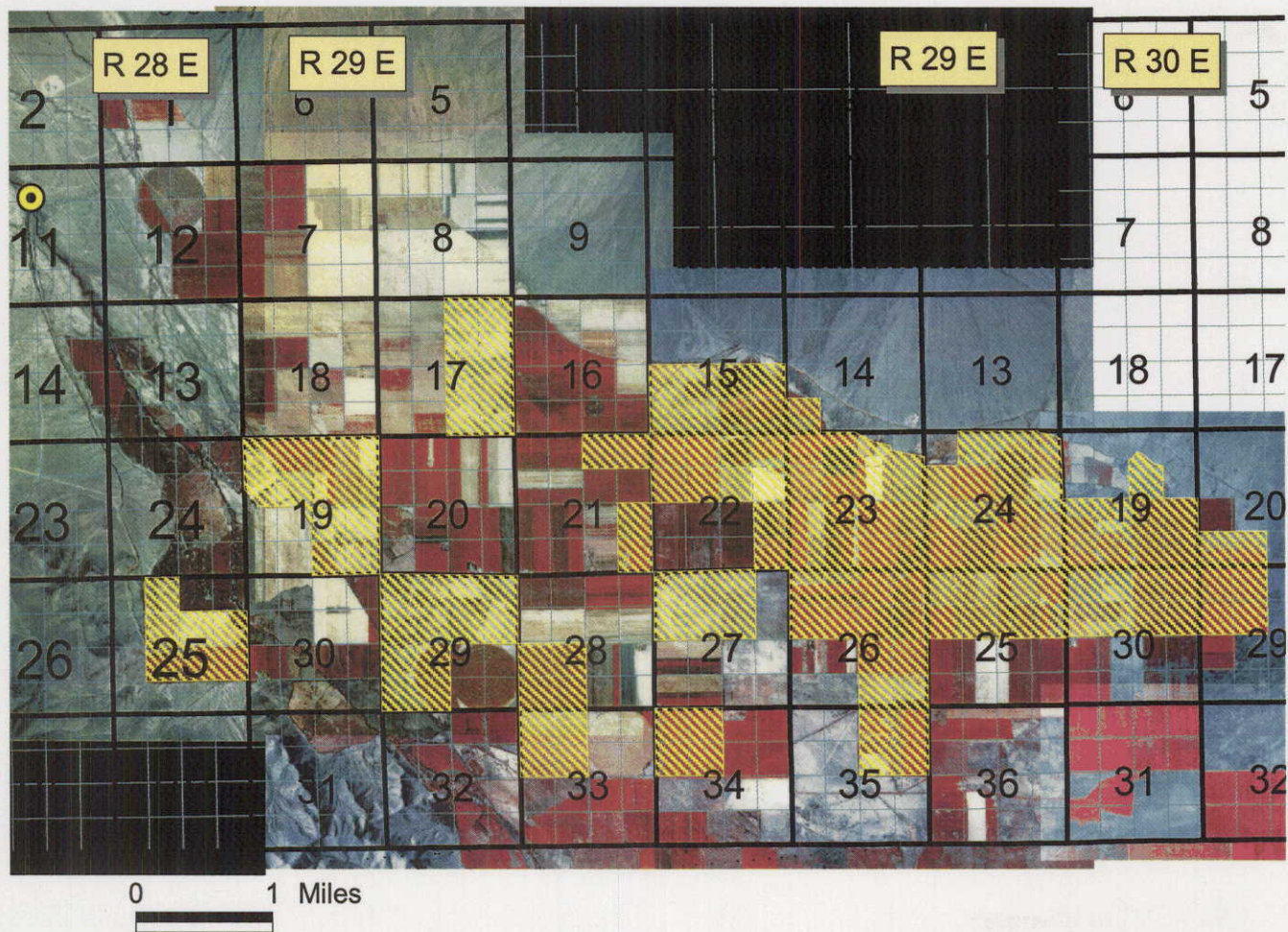
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

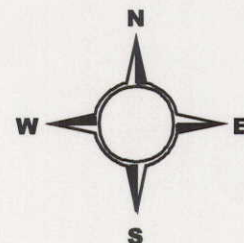
Idaho Department of Water Resources

Water Rights 33-00003, 33-00004, 33-00005, 33-00068,
33-00075, 33-00077, 33-00098, 33-10086



Township 6 North
Ranges 28 East, 29 East, 30 East

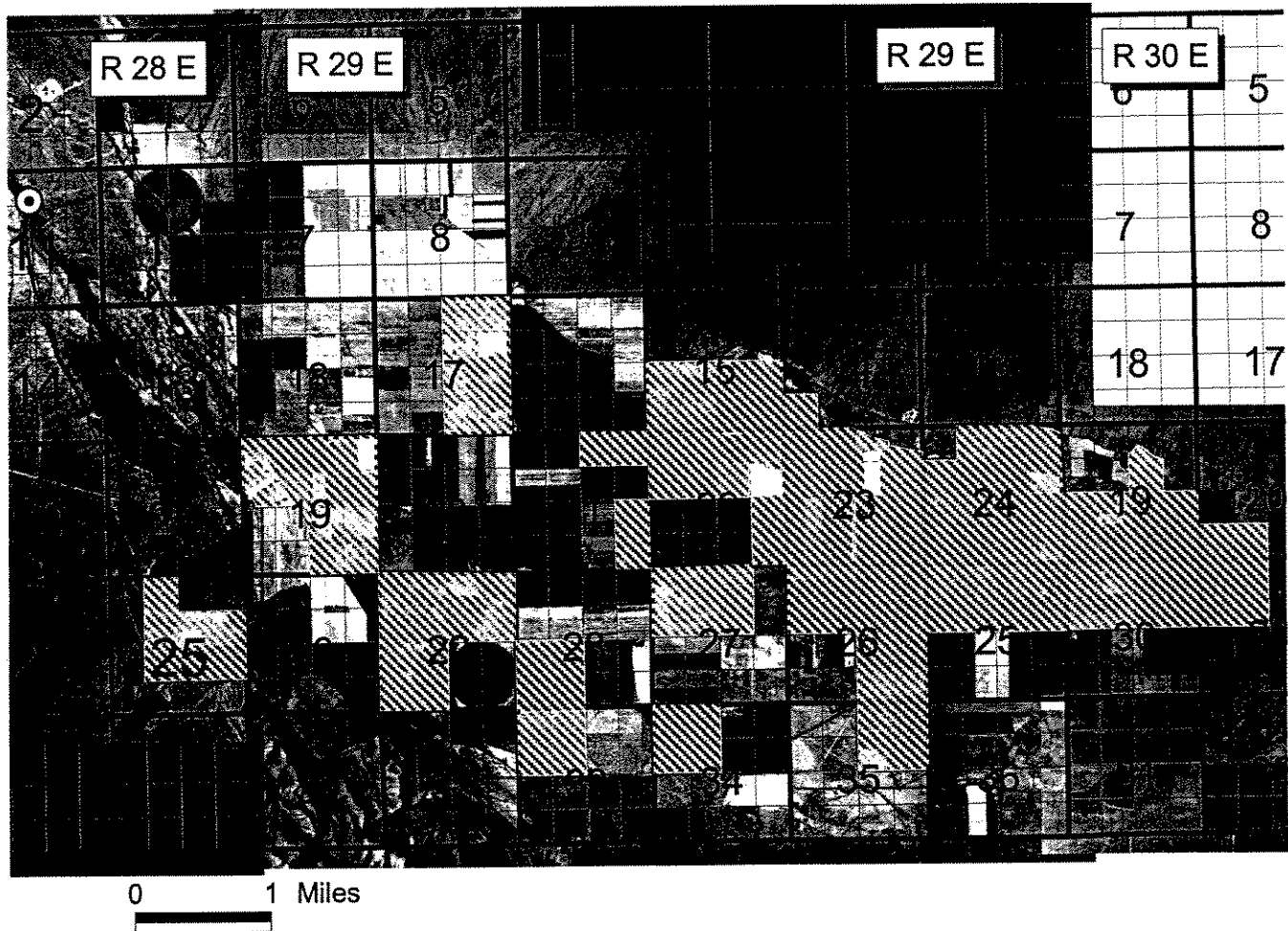
-  Point of Diversion
-  Permissible Place of Use - Recommended
-  Section Lines
-  Quarter-Quarter Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
October, 1999

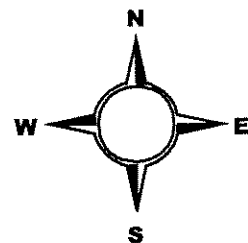
Idaho Department of Water Resources

Water Rights 33-00003, 33-00004, 33-00005, 33-00068,
33-00075, 33-00077, 33-00098, 33-10086



Township 6 North
Ranges 28 East, 29 East, 30 East

- ⊙ Point of Diversion
- ◻ Permissible Place of Use - Recommended
- ▬ Section Lines
- ▬ Quarter-Quarter Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
October, 1999

DATE: 01/19/00
PAGE: 1

OWNER	PRIORITY	USE PERIOD	DIVERSION	DIVERSION	
CODE	NAME & ADDRESS	DATE	WATER USE	RATE	VOLUME
C	BLAINE COUNTY CANAL CO	05/25/1891	IRRIGATION	04-01 10-31	1.430 CFS

Stage: DECREED

Point(s) of Diversions:	T11N R26E S10	NWNE	LEMMI County
Point(s) of Injection:	T10N R27E S18	NWSE	BUTTE County
Point(s) of Re-diversion:	T06N R28E S11	NENW	BUTTE County

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: BUTTE

Non-Irrigation Uses: NONE

Other Rights: 33-0002-0005/0068/0075/0098/10084

Conditions of Approval:

C18 - 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

AJ0749NP
No. R33-00077

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

DATE: 01/19/00
PAGE: 2

Conditions of Approval:

- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

Remarks: POU1

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 4,880 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00003,
33-00004, 33-00005, 33-00068, 33-00075, 33-00098, 33-10086.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 33

Field Inspection Flag:
Presumption Flag:

Comments:

Date: 10/18/1999 User-ID: BCONTOR Subject: COPIED FROM REMARKS
PERMISSIBLE PLACE OF USE AS CLAIMED. CLAIMANT HAS FILED A
TRANSFER TO CHANGE PERMISSIBLE PLACE OF USE, WHICH ALLOCATIONS
PLANS TO PROCESS AFTER ISSUE OF PARTIAL DECREE. SEE FILE
A33-00002 FOR DETAILS OF TRANSFER. BCONTOR 10/18/1999.
LIMITATION OF IRRIGATED ACRES FROM LONG-STANDING CANAL CO
PRACTICE OF 1 SHARE/ACRE W/ 4,880 OUTSTANDING SHARES. NOTE ALSO
HISTORY OF CAREY ACT IN IDAHO P. 26 STATES U.S. DISTRICT COURT
ACTION REDUCED ACREAGE IN PROJECT TO 5,000 ACRES. COPY IN FILE
A33-00002. BCONTOR 10/18/1999.

Audit:

01/19/00 BCONTOR

100

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

APR 11 1990

Department of Water Resources
Eastern District Office

Ident. Number: A33-00077
Date Received: 2/12/1990
Receipt No: E011547
Received By: Kew

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BLAINE COUNTY CANAL CO. 208-767-3203
Address: HC 65 BOX 1058
HOWE, ID 83244

2. Date of Priority: MAY 25, 1891

3. Source: SAWMILL CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	28E	11		NE	NW		BUTTE

5. Description of diverting works:
SAWMILL CK. TO LITTLE LOST R. TO HEADGATE TO CANAL W/LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.430		

7. Total Quantity Appropriated is:
1.430 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 13745.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	28E	25	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0

A33-00077

Page 1

Date: 04/11/90

MICROFILMED

NOV 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06N	28E	25	SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			Section Acres				280.0
	29E	14	SW	SW		IRR	39.0
			Section Acres				39.0
		15	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.0
			Section Acres				316.0
		17	NE	NE		IRR	38.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0
			NE	SE		IRR	39.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	38.0
			Section Acres				312.0
		19	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	38.0
			SE	NE		IRR	38.0
			NE	NW		IRR	38.0
			NW	NW		IRR	35.0
			SW	NW		IRR	30.0
			SE	NW		IRR	36.0
			NE	SW		IRR	3.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				454.0
		21	NE	NE		IRR	40.0
			NW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
06N	29E	21	NE	SE		IRR	39.0	
			SE	SE		IRR	38.0	
			Section Acres					157.0
		22	NE	NE		IRR	40.0	
			NW	NE		IRR	40.0	
			SW	NE		IRR	40.0	
			SE	NE		IRR	40.0	
			NE	NW		IRR	40.0	
			NW	NW		IRR	40.0	
			SW	NW		IRR	40.0	
			SE	NW		IRR	40.0	
			NE	SE		IRR	40.0	
			SE	SE		IRR	40.0	
			Section Acres					400.0
		23	NE	NE		IRR	11.0	
			NW	NE		IRR	40.0	
			SW	NE		IRR	40.0	
			SE	NE		IRR	39.0	
			NE	NW		IRR	39.0	
			NW	NW		IRR	33.0	
			SW	NW		IRR	39.0	
			SE	NW		IRR	40.0	
			NE	SW		IRR	40.0	
			NW	SW		IRR	39.0	
			SW	SW		IRR	37.0	
			SE	SW		IRR	40.0	
			NE	SE		IRR	39.0	
			NW	SE		IRR	40.0	
			SW	SE		IRR	39.0	
			SE	SE		IRR	39.0	
			Section Acres					594.0
		24	NE	NE		IRR	40.0	
			NW	NE		IRR	40.0	
			SW	NE		IRR	40.0	
			SE	NE		IRR	40.0	
			NE	NW		IRR	40.0	
			SW	NW		IRR	40.0	
			SE	NW		IRR	40.0	
			NE	SW		IRR	40.0	
			NW	SW		IRR	39.0	
			SW	SW		IRR	39.0	
			SE	SW		IRR	39.0	
			NE	SE		IRR	40.0	
			NW	SE		IRR	40.0	
			SW	SE		IRR	40.0	

MICROFILMED
NOV 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	24	SE	SE		IRR	40.0
							Section Acres 597.0
		25	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
							Section Acres 319.0
		26	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SE		IRR	39.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	36.0
							Section Acres 471.0
		27	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	35.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
							Section Acres 235.0
		28	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
							Section Acres 160.0
		29	NE	NE		IRR	35.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0
			NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	29	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	38.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
			Section Acres					469.0
		33	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			Section Acres					159.0
		34	NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			Section Acres					156.0
		35	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			Section Acres					156.0
30E		19	NW		NE		IRR	15.0
			SW		NE		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	34.0
			SE		SE		IRR	39.0
			Section Acres					368.0
		20	SW		SW		IRR	40.0
			SE		SW		IRR	38.0
			Section Acres					78.0
		29	NE		NW		IRR	40.0
			NW		NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	30E	29	SW	NW		IRR	40.0
			SE	NW		IRR	40.0
Section Acres							160.0
		30	NE	NE		IRR	39.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
Section Acres							318.0
Total Acres							6198.0

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

33-0002-0005/0014-0016/0068/0075/0098/10084/10086

14. Remarks:

AMOUNT OF 2.0 CFS REDUCED TO 1.43 FOR TRANSMISSION LOSS.
AS PER TRANS. 656.

THE CONFLUENCE OF SUMMIT CREEK AND SAWMILL CREEK IS THE BEGINNING
OF THE LITTLE LOST RIVER. THIS RIGHT FROM SAWMILL CREEK IS
ALLOWED TO FLOW DOWN THE LITTLE LOST RIVER AND DIVERTED THROUGH
THE BLAINE COUNTY CANAL HEADGATE.

AMENDMENT NOTES

ADDED NW $\frac{1}{4}$ SEC. 34 TO P/U; SECOND RECEIPT #S011171.
T6N. 29E.

AMENDMENT NOTES***RECEIPT #E012738 ADDED P/U
06N, R29E, SEC 17, NE $\frac{1}{4}$, SE $\frac{1}{4}$; SEC 25, S $\frac{1}{2}$ NE $\frac{1}{4}$;
SEC 29, NE $\frac{1}{4}$

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BLAINE COUNTY INVESTMENT CO.

Decree Plaintiff

vs

ROBERT G. MAYS, ET. AL.

Decree Defendant

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 Organizations:

I do solemnly swear or affirm that I am Secretary of
Title
Blaine County Canal Co., that I have signed the foregoing
Organization
document in the space below as Secretary of
Title
Blaine County Canal Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Byron A. Conton
Signature of Authorized Agent

Secretary, Blaine County Canal Co.
Title and Organization

17 Apr 90
Date

State of Idaho)
County of Butte) SS.

Subscribed and sworn (or affirmed) before me this 17 day

of April 19 90

Maguelina A. Araque
Notary Public

Seal

Residing at Blaine Idaho

My Commission Expires 4/6/99

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: A33-00077
Date Received: 2/12/1990
Receipt No: E011547
Received By: Sec

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BLAINE COUNTY CANAL CO. 208-767-3203
Address: HC 65 BOX 1058
HOWE, ID 83244

2. Date of Priority: MAY 25, 1891

3. Source: SAWMILL CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	28E	11		NE	NW		BUTTE

5. Description of diverting works:
SAWMILL CK. TO LITTLE LOST R. TO HEADGATE TO CANAL W/LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.430		

7. Total Quantity Appropriated is:
1.430 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 13745.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	28E	25	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0

A33-00077

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Date: 02/22/90

MICROFILMED

NOV 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	28E	25	SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
						Section Acres	280.0
	29E	14	SW	SW		IRR	39.0
						Section Acres	39.0
		15	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.0
						Section Acres	316.0
		19	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	38.0
			SE	NE		IRR	38.0
			NE	NW		IRR	38.0
			NW	NW		IRR	35.0
			SW	NW		IRR	30.0
			SE	NW		IRR	36.0
			NE	SW		IRR	3.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	454.0
		21	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	SE		IRR	39.0
			SE	SE		IRR	38.0
						Section Acres	157.0
		22	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	22	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 400.0

23	NE	NE	IRR	11.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	39.0
	NE	NW	IRR	39.0
	NW	NW	IRR	33.0
	SW	NW	IRR	39.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	39.0
	SW	SW	IRR	37.0
	SE	SW	IRR	40.0
	NE	SE	IRR	39.0
	NW	SE	IRR	40.0
	SW	SE	IRR	39.0
	SE	SE	IRR	39.0

Section Acres 594.0

24	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	39.0
	SW	SW	IRR	39.0
	SE	SW	IRR	39.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	24	SE	SE		IRR	40.0
						Section Acres	597.0
		25	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	240.0
		26	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SE		IRR	39.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	36.0
						Section Acres	471.0
		27	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	35.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	235.0
		28	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	160.0
		29	NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	29	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	38.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
							Section Acres	316.0
		33	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
							Section Acres	159.0
		34	NE		NW		IRR	39.0
			NW		NW		IRR	38.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
							Section Acres	156.0
		35	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
							Section Acres	156.0
	30E	19	NW		NE		IRR	15.0
			SW		NE		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	34.0
			SE		SE		IRR	39.0
							Section Acres	368.0
		20	SW		SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	30E	20	SE	SW		IRR	38.0
					Section Acres		78.0
		29	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
					Section Acres		160.0
		30	NE	NE		IRR	39.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
					Section Acres		318.0
					Total Acres		5654.0

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

33-0002-0005/0014-0016/0068/0075/0098/10084/10086

14. Remarks:

AMOUNT OF 2.0 CFS REDUCED TO 1.43 FOR TRANSMISSION LOSS.
AS PER TRANS. 656.

THE CONFLUENCE OF SUMMIT CREEK AND SAWMILL CREEK IS THE BEGINNING OF THE LITTLE LOST RIVER. THIS RIGHT FROM SAWMILL CREEK IS ALLOWED TO FLOW DOWN THE LITTLE LOST RIVER AND DIVERTED THROUGH THE BLAINE COUNTY CANAL HEADGATE.

AMENDMENT NOTES

ADDED NW¼ SEC. 34 TO P/U; SECOND RECEIPT #S011171.
T6N. 29E.

15. Basis of Claim: DECREED

Case Number:

MICROFILMED
NOV 18 1992

Court :
Decree date:

BLAINE COUNTY INVESTMENT CO.
Decree Plaintiff

vs

ROBERT G. MAYS, ET. AL.
Decree Defendant

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 Organizations:

I do solemnly swear or affirm that I am Secretary of
Title
Blaine County Canal Co., that I have signed the foregoing
Organization
document in the space below as Secretary of
Title

Blaine County Canal Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Byron A. Contor
Signature of Authorized Agent
Secretary, Blaine County Canal Co.
Title and Organization

23 Feb 1990
Date

State of Idaho)
County of Butte) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of February 19 90

Seal

Jacqueline P. Dwyer
Notary Public
Residing at _____
My Commission Expires 4-6-99

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: A33-00077
Date Received: 2/12/1990
Receipt No: E011547
Received By: SCC

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BLAINE COUNTY CANAL CO. 208-767-3203
Address: HC 65 BOX 1058
HOWE, ID 83244

2. Date of Priority: MAY 25, 1891

3. Source: SAWMILL CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	28E	11		NE	NW		BUTTE

5. Description of diverting works:
SAWMILL CK. TO LITTLE LOST R. TO HEADGATE TO CANAL W/LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.430		

7. Total Quantity Appropriated is:
1.430 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 13745.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	28E	25	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0

A33-00077

Page 1

Date: 02/12/90

MICROFILMED

NOV 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	28E	25	SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			Section Acres				280.0
	29E	14	SW	SW		IRR	39.0
			Section Acres				39.0
		15	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.0
			Section Acres				316.0
		19	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	38.0
			SE	NE		IRR	38.0
			NE	NW		IRR	38.0
			NW	NW		IRR	35.0
			SW	NW		IRR	30.0
			SE	NW		IRR	36.0
			NE	SW		IRR	3.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				454.0
		21	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	SE		IRR	39.0
			SE	SE		IRR	38.0
			Section Acres				157.0
		22	NE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	22	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 400.0

23	NE	NE	IRR	11.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	39.0
	NE	NW	IRR	39.0
	NW	NW	IRR	33.0
	SW	NW	IRR	39.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	39.0
	SW	SW	IRR	37.0
	SE	SW	IRR	40.0
	NE	SE	IRR	39.0
	NW	SE	IRR	40.0
	SW	SE	IRR	39.0
	SE	SE	IRR	39.0

Section Acres 594.0

24	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	39.0
	SW	SW	IRR	39.0
	SE	SW	IRR	39.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	24	SE	SE		IRR	40.0
						Section Acres	597.0
		25	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	240.0
		26	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SE		IRR	39.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	36.0
						Section Acres	471.0
		27	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	35.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	235.0
		28	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	160.0
		29	NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	29	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	38.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
						Section Acres	316.0
		33	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
						Section Acres	159.0
		35	NE	NE		IRR	38.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0
						Section Acres	156.0
30E		19	NW	NE		IRR	15.0
			SW	NE		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	34.0
			SE	SE		IRR	39.0
						Section Acres	368.0
		20	SW	SW		IRR	40.0
			SE	SW		IRR	38.0
						Section Acres	78.0
		29	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	30E	29	SE	NW		IRR	40.0
						Section Acres	160.0
		30	NE	NE		IRR	39.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	318.0
		34	NE	NW		IRR	39.0
			NW	NW		IRR	38.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
						Section Acres	156.0
						Total Acres	5654.0

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

33-0002-0005/0014-0016/0068/0075/0098/10084/10086

14. Remarks:

AMOUNT OF 2.0 CFS REDUCED TO 1.43 FOR TRANSMISSION LOSS.
AS PER TRANS. 656.

THE CONFLUENCE OF SUMMIT CREEK AND SAWMILL CREEK IS THE BEGINNING
OF THE LITTLE LOST RIVER. THIS RIGHT FROM SAWMILL CREEK IS
ALLOWED TO FLOW DOWN THE LITTLE LOST RIVER AND DIVERTED THROUGH
THE BLAINE COUNTY CANAL HEADGATE.

AMENDMENT NOTES

ADDED NW $\frac{1}{4}$ SEC. 34 TO P/U; SECOND RECEIPT #S011171.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

A33-00077

Page

6

Date: 02/12/90

MICROFILMED

NOV 18 1992

BLAINE COUNTY INVESTMENT CO.
Decree Plaintiff

ROBERT G. MAYS, ET. AL.
Decree Defendant

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 Organizations:

I do solemnly swear or affirm that I am Secretary of
Title

Blaine County Canal Co., that I have signed the foregoing
Organization

document in the space below as Secretary of
Title

Blaine County Canal Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Bryce A. Contor
Signature of Authorized Agent

Secretary, Blaine County Canal Co.
Title and Organization

12 February 1990
Date

State of Idaho)
County of Turn Falls) SS.

Subscribed and sworn (or affirmed) before me this 12th day

of February 19 90

Shirley Collins
Notary Public

Seal

Residing at Turn Falls

My Commission Expires Dec 7, 1994

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: A33-00077
Date Received: 1/09/1990
Receipt No: E011547
Received By: KUP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BLAINE COUNTY CANAL CO. 208-767-3203
Address: HC 65 BOX 1058
HOWE, ID 83244

2. Date of Priority: MAY 25, 1891

3. Source: SAWMILL CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	28E	11		NE	NW		BUTTE

5. Description of diverting works:
SAWMILL CK. TO LITTLE LOST R. TO HEADGATE TO CANAL W/LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.430		

7. Total Quantity Appropriated is:
1.430 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 13745.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	28E	25	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0

A33-00077

Page 1

Date: 01/09/90

A3300077



MICROFILMED

NOV 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	28E	25	SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
							Section Acres	280.0
	29E	14	SW		SW		IRR	39.0
							Section Acres	39.0
		15	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	39.0
							Section Acres	316.0
		19	NE		NE		IRR	38.0
			NW		NE		IRR	38.0
			SW		NE		IRR	38.0
			SE		NE		IRR	38.0
			NE		NW		IRR	38.0
			NW		NW		IRR	35.0
			SW		NW		IRR	30.0
			SE		NW		IRR	36.0
			NE		SW		IRR	3.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	454.0
		21	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			NE		SE		IRR	39.0
			SE		SE		IRR	38.0
							Section Acres	157.0
		22	NE		NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	22	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 400.0

23	NE	NE	IRR	11.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	39.0
	NE	NW	IRR	39.0
	NW	NW	IRR	33.0
	SW	NW	IRR	39.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	39.0
	SW	SW	IRR	37.0
	SE	SW	IRR	40.0
	NE	SE	IRR	39.0
	NW	SE	IRR	40.0
	SW	SE	IRR	39.0
	SE	SE	IRR	39.0

Section Acres 594.0

24	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	39.0
	SW	SW	IRR	39.0
	SE	SW	IRR	39.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	24	SE	SE		IRR	40.0
						Section Acres	597.0
		25	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	240.0
		26	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	39.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
			NE	SE		IRR	39.0
			NW	SE		IRR	40.0
			SW	SE		IRR	39.0
			SE	SE		IRR	36.0
						Section Acres	471.0
		27	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	35.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	235.0
		28	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	160.0
		29	NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	29E	29	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	38.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
							Section Acres	316.0
		33	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
							Section Acres	159.0
		35	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	40.0
			SE		NE		IRR	39.0
							Section Acres	156.0
	30E	19	NW		NE		IRR	15.0
			SW		NE		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	34.0
			SE		SE		IRR	39.0
							Section Acres	368.0
		20	SW		SW		IRR	40.0
			SE		SW		IRR	38.0
							Section Acres	78.0
		29	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	30E	29	SE	NW		IRR	40.0
						Section Acres	160.0
		30	NE	NE		IRR	39.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	318.0
						Total Acres	5498.0

11. Place of use in counties: BUTTE

12. Do you own the property listed above as place of use? ~~YES~~ NO *BAC*

13. Other Water Rights Used:
33-0002-0005/0014-0016/0068/0075/0098/10084/10086

14. Remarks:
AMOUNT OF 2.0 CFS REDUCED TO 1.43 FOR TRANSMISSION LOSS.
AS PER TRANS. 656.
THE CONFLUENCE OF SUMMIT CREEK AND SAWMILL CREEK IS THE BEGINNING
OF THE LITTLE LOST RIVER. THIS RIGHT FROM SAWMILL CREEK IS
ALLOWED TO FLOW DOWN THE LITTLE LOST RIVER AND DIVERTED THROUGH
THE BLAINE COUNTY CANAL HEADGATE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

BLAINE COUNTY INVESTMENT CO.
Decree Plaintiff

vs

ROBERT G. MAYS, ET. AL.
Decree Defendant

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 Organizations:

I do solemnly swear or affirm that I am Secretary of _____ Title

Blaine County Canal Co., that I have signed the foregoing Organization document in the space below as Secretary of Title

Blaine County Canal Co. and that the statements contained in the Organization foregoing document are true and correct.

Bryce A. Conton
Signature of Authorized Agent

Secretary, Blaine County Canal Co.
Title and Organization

9 January 1990
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9 day
of Jan 19 90

Betty J. Thompson
Notary Public

Seal

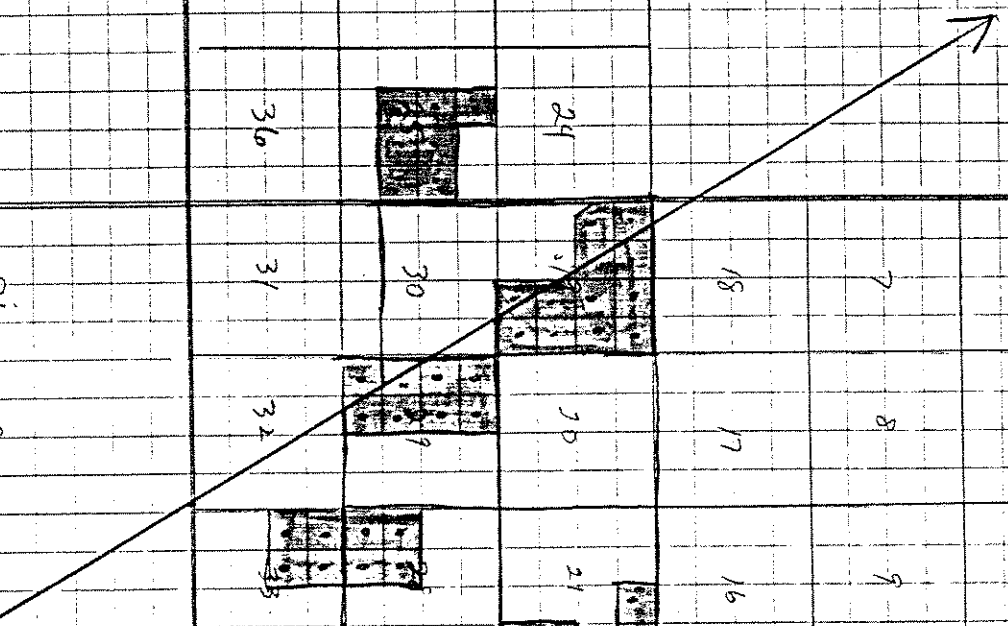
BETTY J. THOMPSON, NOTARY PUBLIC
Residing at RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94
My Commission Expires _____

R 28 E

R 29 E

R 30 E

T 6 N



Blaine Co Canal Co. Places of Use

1987 Adjudication

MICROFILMED
NOV 18 1992

A33-00077