

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

RECEIVED
DEC 01 1989

Ident. Number: A24-04010
Date Received: 11/07/1989
Receipt No: 6011232
Received By: ES

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEWART BROTHERS CO.
Address: P.O. BOX 42775
HUNTRIDGE STATION
ATTN: PAUL JUDD
LAS VEGAS, NV

602-583-3480

89116

2. Date of Priority: MAR 27, 1912

3. Source: ALLEMAN SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	45E	15	SW	SW	NE		CARIBOU

5. Description of diverting works:

WATER FLOWS FROM UNDERGROUND SOURCE TO LAKE TO DITCH/REDIVER PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/30	3.000		
STOCKWATER	04/01	10/30	0.090		
DOMESTIC	04/01	10/30	0.020		

7. Total Quantity Appropriated is:

3.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 625.0 Acre Feet Per Annum.

9. Non-irrigation uses:

316 HEAD RANGE CATTLE / ONE HOME

A24-04010

Page 1

Date: 11/07/89

MICROFILMED

NOV 06 1992

A2404010

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	45E	14	NW	SW		IRR	40.0
			SW	SW		IRR	30.0
					Section Acres		70.0
		15	SW	NE		IRR	40.0
			SE	NE		IRR	10.0
			NE	SE		IRR	40.0
			NW	SE		IRR	30.0
			SW	SE		IRR	20.0
			SE	SE		IRR	40.0
					Section Acres		180.0
					Total Acres		250.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
24-04007, 04008 & 04009

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 PARTNER of
Title
STEWART BROTHERS Co., that I have signed the foregoing
Organization
document in the space below as PARTNER of
Title
STEWART BROTHERS Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Robert L. Stewart
Signature of Authorized Agent

PARTNER, STEWART BROTHERS Co.
Title and Organization

Nov. 20, 1989
Date

State of ~~Idaho~~ NEVADA)
County of CLARK) SS.

Subscribed and sworn (or affirmed) before me this 20 day

of November 1989
NOTARY PUBLIC
STATE OF NEVADA
County of Clark
PAUL JUDD
My Appointment Expires Feb. 12, 1991

Paul Judd
Notary Public

Residing at LAS VEGAS, NEV.
My Commission Expires 2/12/91

Log for claim 24-04010

Spatial Dynamics BTD

4/4/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s45e	14	NWSW	40	38	
10s45e	14	SWSW	30	28	
10s45e	15	SWNE	40	37	
10s45e	15	SENE	10	8	
10s45e	15	NESE	40	39	
10s45e	15	NWSE	30	27	
10s45e	15	SWSE	20	20	
10s45e	15	SESE	40	40	
Totals:			250	237	

 **SPATIAL
DYNAMICS**

Department of Water Resources
Eastern District Office

Section 42-225a, Idaho Code

Fig. 1. 1 - of Water Parrot.

Notice is hereby given that STEWART BROTHERS COMPANY
(name of claimant)

The extent and nature of said claim is as follows:

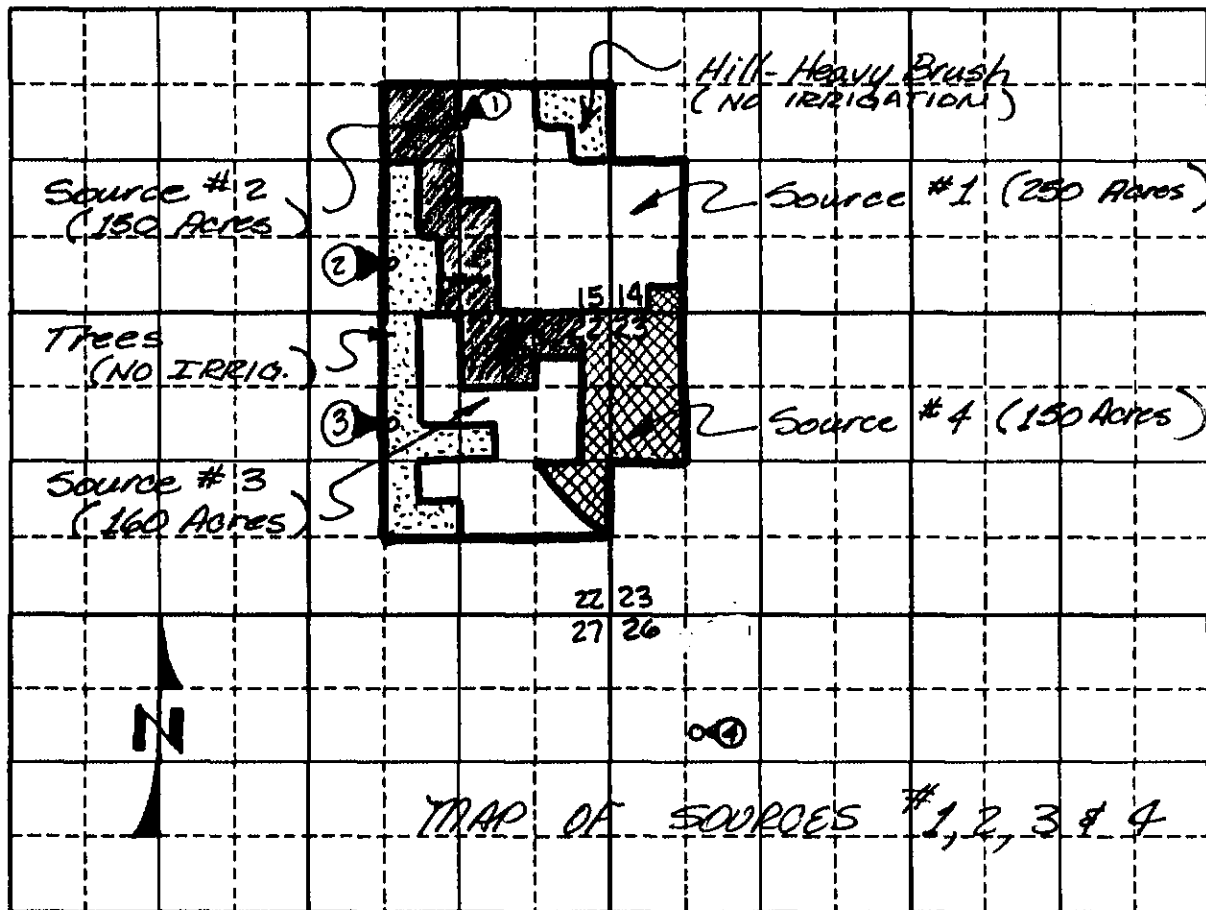
- | | | |
|--------------------|--|---|
| Amount | Use <u>Irrig.</u>
Use <u>Dom.</u>
Use <u>Stock</u> | Period of Use: From <u>Apr. 1</u> To <u>Oct. 30</u> |
| Amount <u>3cfs</u> | | Period of Use: From <u>"</u> To <u>"</u> |
| Amount | | Period of Use: From <u>"</u> To <u>"</u> |
| (cfs, gpm or a/l) | (dom., irri., stock, etc.) | (both dates inclusive) |

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of ~~Idaho~~ Nevada)
) ss.
County of CLARK)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 10 day of November, 19 75.

Harold Stewart
(Claimant)

Dorothy Berger
Notary Public

Residing at CLARK COUNTY, NEVADA
NOTARY PUBLIC
State of Nevada, Clark County
My commission expires Nov. 1, 1976

My commission expires 11-1-76

For Department Use Only

Received by <u>YMB</u>	Date <u>11-12-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>YMB</u>	Date <u>11-12-75</u>		claimant by:	
\$10.00 fee received by <u>YMB</u>	Date <u>11-12-75</u>			
Approved for publication by <u>YMB</u>	Date <u>12-08-1975</u>			
Published in <u>The Carson County News</u>				
Dates <u>Nov. 27 & Dec. 4, 1975</u>				

PETERSEN, MOSS, OLSEN, MEACHAM & CARR

GEORGE C. PETERSEN, JR.
REED L. MOSS
GREGORY R. MEACHAM
WM. CHARLES CARR
EARL BLOWER
SCOTT P. ESKELSON
STEPHEN D. HALL
KARL R. DECKER

ATTORNEYS AT LAW
485 "E" STREET
IDAHO FALLS, IDAHO 83402
(208) 523-4650

DENNIS M. OLSEN
(1930-1985)

November 30, 1989

RECEIVED
DEC 01 1989

Department of Water Resources
Eastern District Office

Mr. Eric Verner
Department of Water Resources
State of Idaho
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402

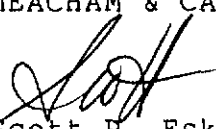
RE: A24-04009, 04010, 04008 and 04007

Dear Eric:

Please find notices of claim with respect to the above identified water rights. Also enclosed is a check for \$910.00 to cover necessary filing fees. Please return any documentation to my attention. Thank you for your help as always.

Very truly yours,

PETERSEN, MOSS, OLSEN,
MEACHAM & CARR


Scott P. Eskelson

SPE:jww

Enclosures

3822L

So ac. ft.

MICROFILMED

NOV 06 1992

NOV 17 1975

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Notice is hereby given that STEWART BROTHERS COMPANY

(name of claimant)

of P.O. Box 2775 Huntridge Sta.

Las Vegas, NV (mailing address) 89104

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Alleman Spring
_____, tributary to, _____

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	{ Use <u>Irrig.</u> Use <u>Dom.</u> Use <u>Stock</u>	Period of Use: From <u>Apr. 1</u> To <u>Oct. 30</u>
Amount <u>3cfs</u>		Period of Use: From <u>"</u> To <u>"</u>
Amount		Period of Use: From <u>"</u> To <u>"</u>
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: three cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) March 27, 1912

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source) POINT #1
SW ¼ NE ¼, Sec. 15 Twp. 10S Rge. 45E B. M. County of Caribou
Additional points of diversion: (Same point - further described) Bears approx.
N.33° W. 4257' from common corner of Sect. 14, 15, 22 & 23

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. This water flows from underground source into a lake and open ditches. A pump retrieves some for domestic use.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

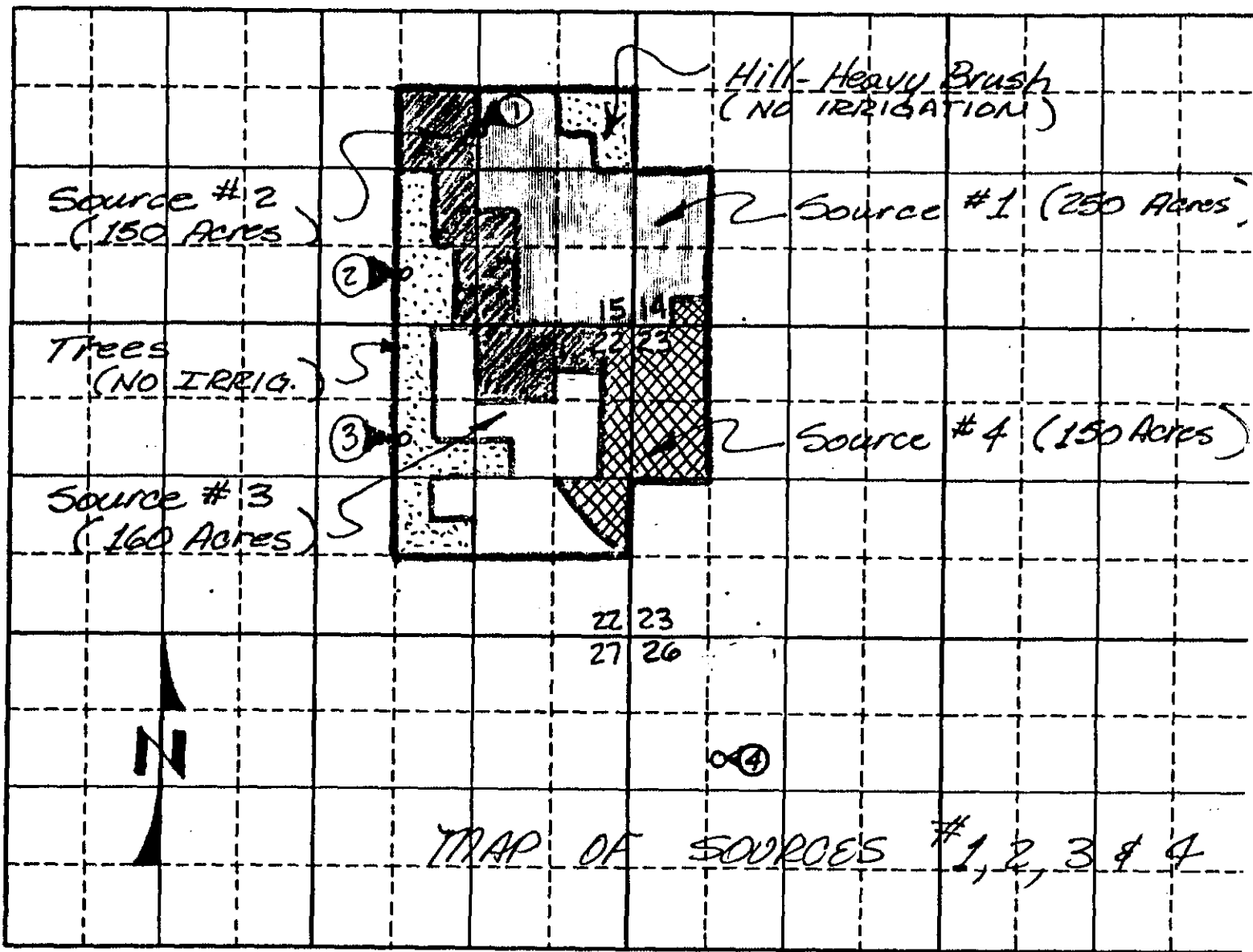
[illegible]

Total No. of acres 250

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: We use some to water stock and some for domestic use. The majority is used for flood irrigation.

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

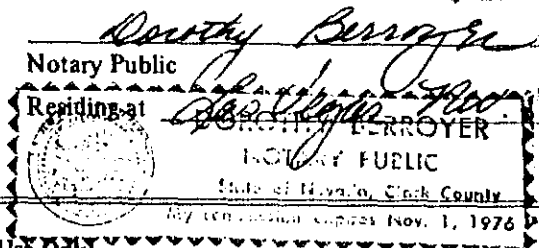
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(Claimant)

My commission expires 11-1-76



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Dates <u>Dec 27 & Jan 4, 1975</u>				