

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: A27-11245
Date Received: 10/16/1989
Receipt No: E011014
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHESTERFIELD LAND & LIVESTOCK COMPANY 208-425-3350
Address: BANCROFT, ID 83217

2. Date of Priority: JUN 17, 1897 ^{Dec 4/16/91 sec} 1879

3. Source: WARBONNET CREEK Trib. to: GRAVES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	39E	8	NW	SE	NE		CARIBOU

5. Description of diverting works:
PORTABLE DIVERSION DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	1.200		
STOCKWATER	05/01	11/01	0.100		

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

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	39E	8	NE	NE		IRR	20.0
			NE	NE		STOCK	

A27-11245

Page 1

Date: 10/26/89

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A2711245

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	39E	8	SW	NE		IRR	10.0
			SW	NE		STOCK	
			SE	NE		IRR	20.0
			SE	NE		STOCK	
			NE	SW		STOCK	
			NW	SW		STOCK	
			NW	SE		STOCK	
			SW	SE		STOCK	
					Section Acres		50.0
		9	NW	NW		IRR	10.0
					Section Acres		10.0
					Total Acres		60.0

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Chesterfield Land + Livestock Phone (208) 425-3350
Company
Mailing Address Bancroft, Idaho Zip 83217

2. Date of Priority (Only one (1) per claim) June 17 1879

3. Source of water supply (a) Warbonnet Creek
which is tributary to (b) Graves Creek

4. a. Location of existing point of diversion is: Township T5S Range 39E Section 8,
NW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Caribou

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Portable diversion Dams and
Ditches

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NOV 13 1989

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from May 1 to Nov. 1 amount 1.2 or _____
 For Stock watering purposes from May 1 to Nov. 1 amount 0.1 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.3 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 150 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwatering an average of 500 head

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
55	39E	8	20		10	20													50
55	39E	9					10												10
55	39E	8	5		5	5					5	5					5	5	

Total number of acres irrigated 60

11. In which county (ies) are lands listed above as place of use located? Caribou

12. Do you own the property listed above as place of use? Yes X No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks: Historically, it was assumed the filing for Graves Creek covered this use. See A27-04016

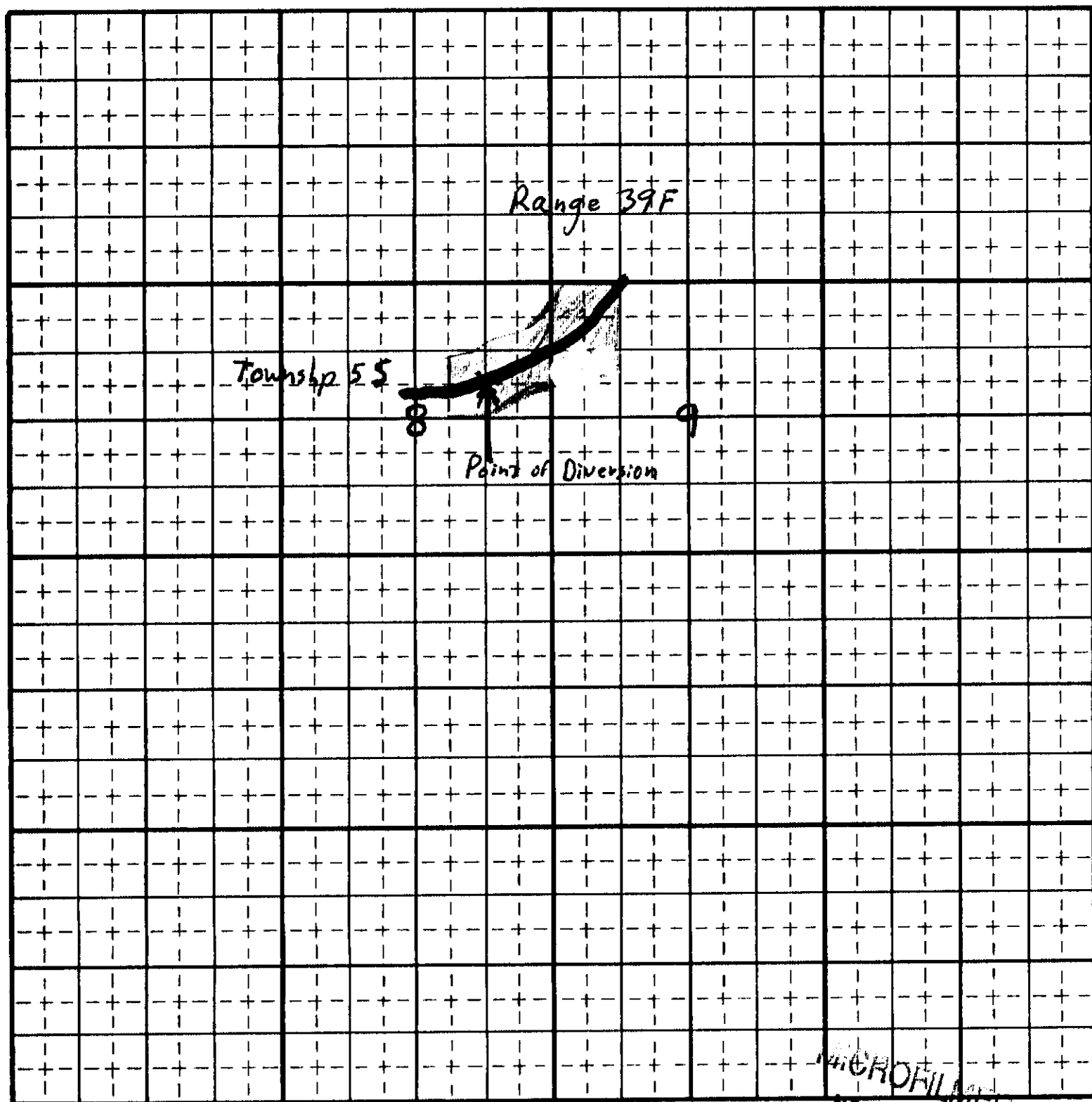
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Last Name _____ Ident No. _____

Copies: White - State, Yellow - Claimant

1. Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Title

of Chesterfield Land and Livestock , that I have signed the foregoing
Organization

document in the space below as Director of Chesterfield Land & Livestock
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Layne Hamilton

Title and Organization _____ Date May 1989

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 16th day of October 1989

SEAL

Notary Public Betty J. Thompson

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

RESIDING AT IDAHO FALLS, IDAHO

My Commission Expires MY COMMISSION EXPIRES: 6-30-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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NOV 13 1992

Log for claim 27-11245

Spatial Dynamics LTD

12/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s39e	8	NENE	20	6.7	
05s39e	8	SWNE	10	1.1	
05s39e	8	SENE	20	9	
05s39e	9	NWNW	10	12	
Totals:			60	28.8	

 SPATIAL
DYNAMICS

AJ5809NP
No. A27-11245

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00
PAGE: 109

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHESTERFIELD LAND & LIVESTOCK COMPANY BANCROFT ID 83217 (208) 425-3350	06/17/1879	IRRIGATION STOCKWATER	05-01 11-01 05-01 11-01	1.200 CFS 0.100 CFS	
TOTAL DIVERSION:					1.300 CFS	
CONSUMPTIVE USE:						150.00 AFA

Water Source: WARBONNET CREEK

Tributary to: GRAVES CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T05S R39E S08 NWSENE CARIBOU County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
05S	39E	8	:	20		10	20	:					:					:					:	50.0
05S	39E	9	:					:	10				:					:					:	10.0
TOTAL ACRES																							60.0	

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
05S	39E	8	:	S		S	S	:					:	S	S			:		S	S		:	

POU County: CARIBOU

Non-Irrigation Uses: S/500 HEAD

Other Rights: NONE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

AFFIDAVIT

Chas. Twitchell being first duly sworn,
deposes and says: _____

I can verify that in 1927 water from Warbonnet Creek and Graves Creek was used for irrigation and stockwater on T 5 S R 39 E Sections 8 & 9. I also know that William J Rawling lived in this Area.

I can verify that in 1927 water A27
From Sawmill Creek was used for irrigation 11262
and stockwater on T6S R40E Section 4.

I can Verify that in 1927 water A 27
From Dairy Spring was used for Irrigation 11 261
and stockwater on T65 R40 E Sections
4, 5 and 6

(Signature) *Charles L. Tawatchell*

Subscribed and sworn to before me this 25 day of January, 1925.

Betty J. Phangiso
(Notary Public)

Residing at _____
My Commission Expires _____
RESIDING AT _____
MY COMMISSION EXPIRES: 7-05-2000

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME CHESTERFIELD LAND + LIVESTOCK CLAIM NO. A27-11245DATE RECEIVED 10/16/89 CR # _____ AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|----------|-----|----------------|
| 1. Is the name and address complete with zip code? | <u>X</u> | ___ | * |
| 2. Is a priority date entered? | <u>X</u> | ___ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| | <u>X</u> | ___ | * |
| 3. (a) Is a source entered? | <u>X</u> | ___ | * |
| x (b) Is a tributary to entered? (if required) N/A | <u>X</u> | ___ | * |
| 4. Is the legal description of the p.d. sufficient? | <u>X</u> | ___ | * |
| 5. Is there a description of the diverting works? | <u>X</u> | ___ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | <u>X</u> | ___ | * |
| Is the period of use included? | <u>X</u> | ___ | |
| Is a quantity claimed for each use? | <u>X</u> | ___ | * |
| 7. Is a total quantity claimed entered? | <u>X</u> | ___ | |
| x 8. If required is a consumptive use entered? N/A | <u>X</u> | ___ | |
| x Is the consumptive use correct? N/A | <u>X</u> | ___ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | <u>X</u> | ___ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | <u>X</u> | ___ | * |
| 11. Is (are) the county(ies) entered? | <u>X</u> | ___ | |
| 12. Is the ownership of p.u. checked? | <u>X</u> | ___ | |
| x 13. Are other water rights listed or "none" indicated? | <u>X</u> | ___ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A | <u>X</u> | ___ | |
| 15. Is the basis of the claim indicated? | <u>X</u> | ___ | |
| x 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A | <u>X</u> | ___ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | <u>X</u> | ___ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | <u>X</u> | ___ | * |
| 19. Was this claim filed on time, or was an extension granted? | <u>X</u> | ___ | * |
| 20. Is the fee enclosed correct? Exempt | <u>X</u> | ___ | * |
| x 21. If this claim is based on an existing water right, has the identification number been entered? N/A | <u>X</u> | ___ | |
| 22. Should this claim be data entered? | <u>X</u> | ___ | |

Claim checked by: TO Date: 10/18/89Claim must be returned to claimant: (Yes) X (No)Claimant must be notified of modifications: (Yes) X (No)
 Receipt Prepared by: _____ Date: _____
 Claim data entered by: _____ Date: _____
 Sent to claimant by: _____ Date: _____
 Checked by: _____ Date: _____

Comments: _____

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NOV 13 1989

WATER LOCATION RECORD.

SALT LAKE HERALD P. & P. CO.

WATER LOCATION

-OF-

William J. Hannum

A27-11245

Territory of Idaho
County of Bingham

Know all men by these presents that I William J. Hannum, a Citizen of the United States and over the age of 21 Years do hereby claim and appropriate 300 inches of the Waters of a certain Creek known as Grave Creek, situated in Bingham County, Idaho Terr. Said Waters are diverted at a point where a Copy of this Notice is posted by means of a Dam and thence conveyed by a ditch, about 3 feet wide and one foot deep to the place of intended use.

Said Waters are diverted for the purpose of irrigating Lands of the undersigned in Bingham County, Idaho Territory.

William J. Hannum

Recorded at the request of

W. J. Hannum December 18th 1889

at 10 minutes past 1 o'clock p.m.

Geo. A. Robb Recorder
by George Kunkel Deputy.