

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: A75-00078
Date Received: 3/19/1990
Receipt No: E012421
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK F. ELLIS 208-756-2346
Address: POM BOX 301
SALMON, ID 83467

Name: DIANE M. ELLIS 208-756-2346
Address: PO BOX 301
SALMON, ID 83467

2. Date of Priority: MAY 01, 1898

3. Source: CARMEN CREEK TRIB. to: SALMON RIVER
SPRINGS SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
22N	23E	5	NE	NW	NW		LEMHI
		6	NE	NE	NE		LEMHI

5. Description of diverting works:
DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.300		
DOMESTIC	01/01	12/31	0.010		

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

8. Total consumptive use is 34.7 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME

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Date: 03/19/90

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	23E	5	NW	NW		IRR	1.8
						Section Acres	1.8
		6	NE	NE		IRR	0.5
						Section Acres	0.5
23N	23E	31	SE	SE		IRR	9.2
						Section Acres	9.2
		32	SW	SW		IRR	2.4
						Section Acres	2.4
						Total Acres	13.9

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

PART OF 75-0051 THRU 75-0057 OR 75-10062B

14. Remarks:

ALL WATER FROM SPRINGS ON LAND.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

DAVID MCNUTT, ET AL.

Decree Plaintiff

vs

THOMAS PALMER, ET AL.

Decree Defendant

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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) Jack F. or Diane M. Ellis Phone (208) 756-2346

Mailing Address

P.O. Box 301 Salmon, Id

Zip

834672. Date of Priority (Only one (1) per claim) 5-1-18983. Source of water supply (a) Golway Gulch

which is tributary to (b)

Freeman Creek4. a. Location of existing point of diversion is: Township 22N Range 23E Section 5,NE 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of LemhiAdditional points of diversion if any: NE 1/4, NE 1/4, NE 1/4 Sec 6 T22N R2E

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,

_____ 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.

Headgate and Ditch16" wide 6' long 3" deep

A7500078

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 10-1 amount .30 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .30 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 34.75 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic 1 household

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. 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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
22N	23E	5						1.8											1.8
		6	.5																.5
23N	23E	32											2.4						2.4
		31																2	9.2

Total number of acres irrigated 13.9

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

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.
Permit No. 8320 and Permit No. 75-4206 or None ()

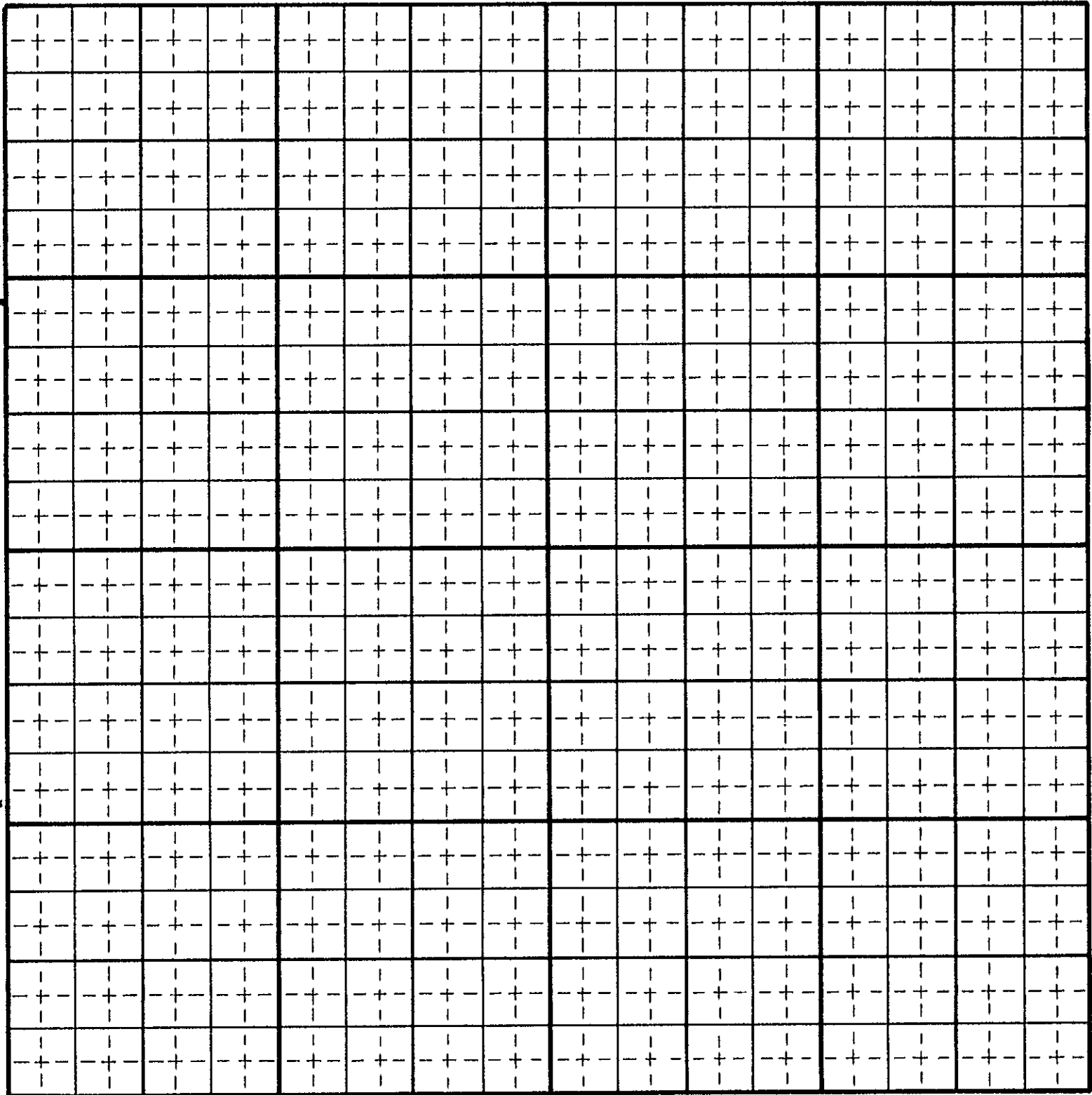
14. Remarks: This claim for decreed water was
awarded to Elwood D. Clark on May 1, 1898,
by court case: David McNutt, et al
US,
Thomas Palmer, et al
Judge: Joseph C. Rich Date of Decree May 9, 1902

Last Name Ellis Ident No. _____

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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. _____

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

Decree X

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date 5-9-02

Plaintiff vs Defendant David McNutt vs Thomas Palmer

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 1

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

Signature of Claimant (s) Jack F. Ellis Date 3-18-1990

Diane M. Ellis Date 3-18-1990

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 15 day of March 19 90

SEAL

Notary Public Cory Cook

Residing at Salt Lake

My Commission Expires 9-5-1991

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 Ellis Ident. Number _____

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