

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

Date Received

Receipt Number

5/5/04

0073748

Enlargement claim of

74-350

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Darrell J & Verna M Mc Phone (208) 768-2402

Mailing Address 1019 Lee Creek RD Zip _____

2. Date of Priority (Only one (1) per claim) 5/11/1910

3. Source of water supply (a) Big Eightmile Creek
which is tributary to (b) Lemhi River

4. a. Location of existing point of diversion is: Township 16N Range 25E Section 33,

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

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. diversion dam + headgate

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4-1 to 11-1 amount 7.04 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 7.04 cfs (cfs) and/or (b) _____ (acre feet)

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

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

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	
16N	25E	29					400	25.5											65.5

Total number of acres irrigated 65.5

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 Y 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 (✓)

14. Remarks: This ground was first irrigated in 1978 and was irrigated until 2001.

Last Name _____ Ident No. _____

7
02M

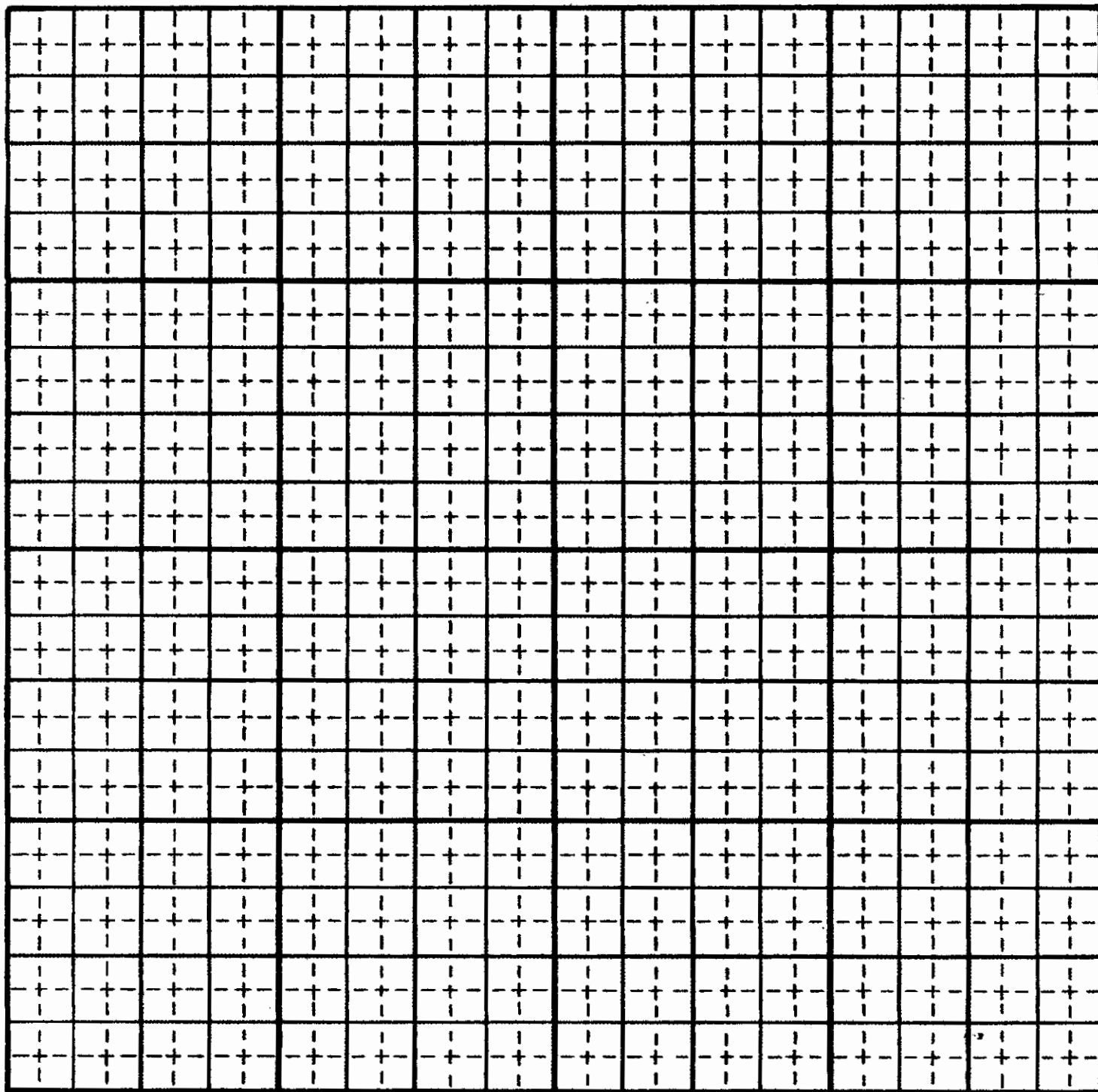
24/ B86
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02M



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

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

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

Decree Y

If applicable provide IDWR Water Right Number 74-350

Court Lemhi

Case Number 74-350

Decree Date 6-19-02

Plaintiff vs Defendant Darrell and Verna Neff vs STATE OF IDAHO

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 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)

Darrell Neff
Verna Neff

Date 4/27/04

Date 4/27/04

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 _____

Title

of _____

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

27th

day of

April

18th 2004

Notary Public

Robert E. Jark

Residing at

Salmon Id 83467

My Commission Expires

02-16-07

Please Print Name

17. Notice of Appearance

Notice is hereby given that _____ 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 _____

April 27, 2004
Leadore, Id. 83464

To whom it may concern:

Prior to when the moratorium went into effect Darrell Ray plowed and worked the 65 acres of sagebrush ground that lay above his hay fields - By use of a pump and a wheel-line he irrigated it until about 2000-2001. At that time he quit irrigating it.

I testify that he did use this hill until that time -

Harvey Peterson

the Pendleton reunion but it is the same week-end. Well, it is past bed time & we have to get up at 5 o'clock to move Cows so guess we'd best get in.

Wednesday June 16

I didn't accomplish much in the line of work today but it was an enjoyable day. I helped the guys move the cows that are in Jesse Adams to another field. It is so beautiful & peaceful. The snowtopped mountains, dark green pines, Preakies with their new leaves in light green, the green grass & carpet of lupine, larkspur & all the many other wildflowers & the wild game. We had a picnic with Max Beegler. I watered the garden & greenhouse & planted some cucumbers to replace those that didn't live & allowed my diet as usual.

Thursday June 17, 1982

I spent today fixing mail & sending out coupons and doing some baking. I made white bread & did some bean bread. I was a little disappointed in it. It was too spicy. At 4:30 I made a flying trip to Salmon, for the other

2
for the pump. Had to finish my
bread when I got home. Mike called
Friday June 18 1982
wanted to come for the week-end.

Straightened up the house & got the
bedroom ready for Mike & Karla. Darrell
& I went to Rify & Shaks Falls. They
glued my glasses but it didn't last.
Then we went to Burton to
Leone Beattie's funeral. After that
we went to Harner to Don & Don
& Darlene Williams wedding. It was
about 8 o'clock when we got home.
Mike & Karla got here about 20 minutes
before us. We had supper & Mike
fixed me a bar-b-que Cookout
pit.

Saturday June 19, 1982

We went to the range & fished
but the water was too high &
so we had a picnic & came
home. Mostly visited & had a
hamburger fry for supper. Darrell
& I went to Don & Darlene's
reception. Finally they got the pump going to
irrigate the hill.

Sunday June 20

Darrell had a bad break
this morning so it wasn't to
nir of a Fathers Day for him. The
shaft on the pump broke -

Tuesday July 5 1983

We went to Salmon today for a part for the pump and some groceries. I had to water the greenhouse & house plants. Also washed some clothes & cleaned the house.

Wednesday July 6

Delaine, Myra & kids came today. We had lunch & then went up Hawley Creek for the fish were really biting & the kids all caught some. It was fine. We came back & had a picnic in the pasture. They had some fire works & we had them after it got dark. Sharal, Amy, Bry & Douglas came out to see them. We had ice cream treats & called it a day.

Thursday July 7 1983

Myra & I fixed salads, cake & fried chicken while the guys did the water. We all went to Lost Trail Resort & swim & had a picnic. Darrell & Dean Treasore Sharal & family went. We really had fun. It sure is a great place. Tonight I was driving for the guys to gather up sprinkler pipe & move it. When they shut it off it blew a hole in the hose. Always seem to be a problem.

Friday July 8, 1983

I went to Salmon at 6:40 this morn to get a new hose. They were out! They had an old one they sent with me. They got it going & it lasted til we got home. I broke it with a new one. We missed the assembly for Darrell's 25th class reunion but made it for the picnic. We had to come home & not see the Centennial play. Had a flat off the tire on the way home. The spare isn't too good.

Saturday July 9 1983

They got the pipe moved this morning but not in time to make it

the graves. Myra, Karla & the kids met us at Burton and we had a good visit. Trent sure wanted to come home with us & I feel bad we didn't bring him but we feel another time would be better.

Monday 27 May 1985

Called Barbara and wished her a very happy birthday.

Did some cleaning chores that I needed done - frig washing and also baked an applesauce cake & some Raisin, junko oatmeal peanut butter cookies.

Darrell, Tony & I went in & fixed tables & chairs.
Tuesday 28 May 1985

Today was spent baking, getting decorations & all ready for the adult Relief Society social. Tonight it looked like there wasn't going to be very many come but it turned out to be a success. There were around 65 people. Everyone enjoyed the food, stories & singing plus Lorin did some readings. I'm sure glad it turned out okay. Travis's birthday today.

Wednesday 29 May 1985

Tony & I went to Barker to get some sprinkler pipe - We drag our wagon clear out only to find we couldn't use it to bring the pipe. Mr. Bloom

Let us take his pipe trailer. On the way home we had to stop for a truck check. There wasn't a license or lights on the trailer but they let us come on home anyway. On top of Gilmore a guy had trouble with his trailer so we stopped & Tony helped him get it off the road. We didn't get home until about 9:30 - it was a relief to get here.

~~Wed~~ Thursday 30 May 1985

Charles LeGrand is a year old today. He is still having ear troubles.

When we got home last night Darrell said we were out of water & we are still out today.

Darrell & I went to Salmon to get some belts for the pump. He met with President Jolley about insurance & Ethlyn's problem for better than an hour. After we came home I fixed a meal. I went over fishing & caught 4 fish.

Dwaine & Dorothy Nef & Evan came tonight. We visited until 10:00ish. Had some ice cream & cookies. It was good to have them.

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Wednesday 29 May 1985

Tony & I went to Parker to get some sprinkler pipe. We drag our wagon clear out only to find we couldn't

up in case we did & pulled us out.
 We went in to vote about 7:30 &
 then brought the pipe trailer home
 from Beylers. I picked up some groceries
 Sharal got me.

I made two new recipes today.
 A sauerkraut Chocolate cake & a
 Gourmet Dressing Casserole. I liked
 them both. Supper at 10 o'clock - not so
 good for the figure

Wednesday 28 May 1986

Mixed a batch of orange bread
 & left it in the frig & then went
 to drive for the guys to put pipe
 out. It has really turned hot. It
 has been quite a struggle to get
 everything lined out - lost our water
 again. I was up at the church
 practicing with Belva for our music
 number & went I got home Darrell
 was just going to see what had
 happened so I rode up with him.
 There were whole trees & stuff jammed
 against the boards. Darrell got it
 cleaned out ~~but~~ but it is too late to
 start the sprinklers. Supper at 10
 o'clock again.

Thursday 29 May 1986

Called Flamm Furniture in Payson &
 then had the electrician come last P

Wednesday 4 June 1986

Today Darrell's back felt better when he got up but it started bothering again when they changed the pipes.

Darrell & I took a couple of cows to Salmon to be butchered. Rocky Mt. Could not do them until Friday so we took them to moose. Hope they turn out okay. We really like the other place the best. We did a little shopping & came home & I got dinner while Darrell changed the water. We finally started eating without Tony - he had gone to check cows. He came right after we started. While we were eating Darrell's finger (thumb) started swelling. He had a small cut on the end. During the afternoon he chilled & fevered & by the time I came home from practicing with Belva he was really miserable & we took him to Salmon & admitted him to the hospital. I sure am concerned after the trouble I had with my finger. Sure hope they can get it taken care of okay.

Thursday 5 June 1986

Let the kids know about Darrell. Merrill & the boys helped Tony change the sprinkler pipes. They are giving Darrell two kinds of medicine & trying to determine what kind of infection it is. Tony is worried