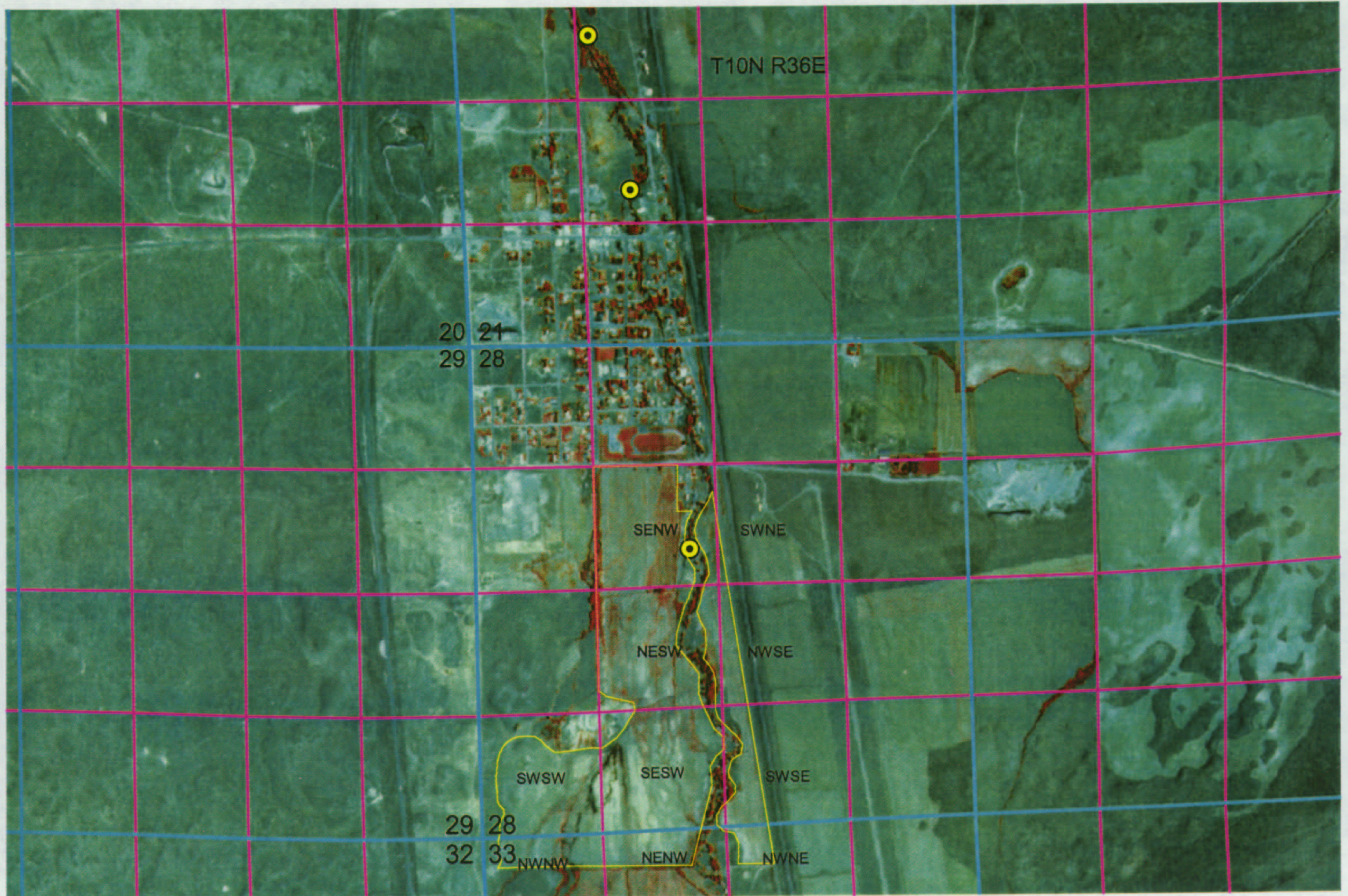




STATE OF IDAHO

Department of Water Resources

Water Right(s): **31-117**
 31-118A



0 1320 2640 3960 5280 6600 Feet

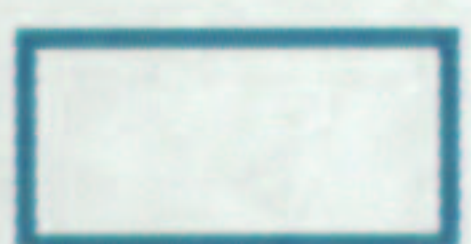
LEGEND



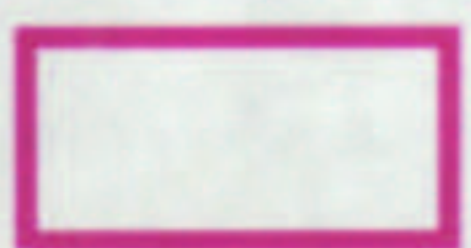
Point of Diversion



Place of Use



Section Line



Quarter-section line

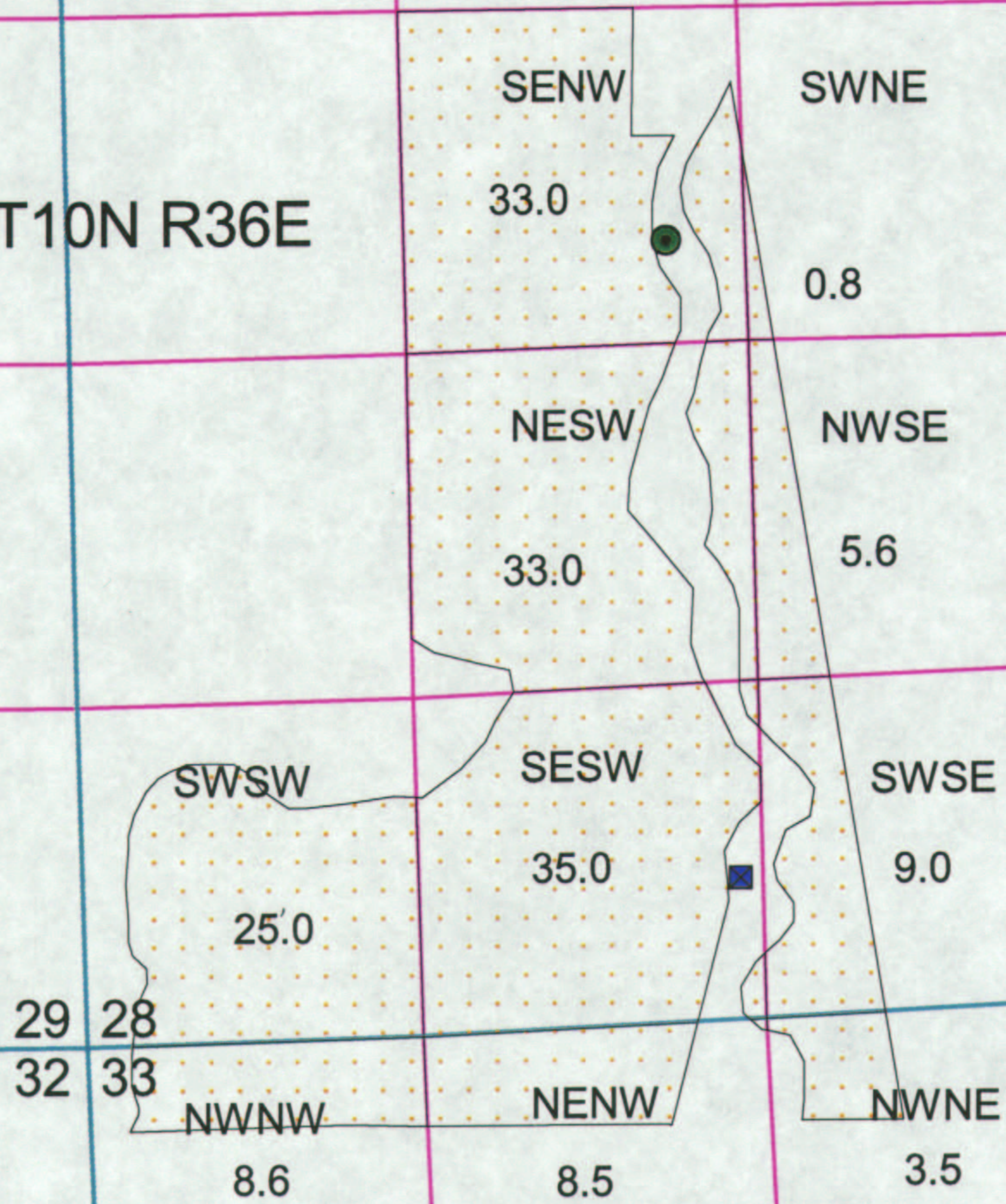
Acres Irrigated = 162



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: December 2000

31-117, 31-118A, 31-119, 31-122A

T10N R36E



12/27/2000

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

RIGHT NUMBER: 31-118A

NAME AND ADDRESS: ROY LAIRD RANCHES
VALERIA MAXWELL
PO BOX 194
DUBOIS, ID 83423

JUDITH A WAGONER
3700 BROOKFIELD LANE
IDAHO FALLS, ID 83406

SOURCE: BEAVER CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 2.66 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 9.41 CFS. COMBINED RIGHT NOS.: 31-
117, 31-118A, 31-119 & 31-122A.

PRIORITY DATE: 05/01/1894

POINT OF DIVERSION:	T10N R36E S21	SWSNW	Within CLARK County
	T10N R36E S21	SWNSW	Within CLARK County
	T10N R36E S28	SESNW	Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	2.66 CFS

PLACE OF USE:

<u>IRRIGATION Within CLARK County</u>			
T10N R36E S28	SWNE	0.8	T10N R36E S28 SENW 33
T10N R36E S28	NESW	33	T10N R36E S28 SWSW 25
T10N R36E S28	SESW	35	T10N R36E S28 NWSE 5.6
T10N R36E S28	SWSE	9	T10N R36E S33 NWNE 3.5
T10N R36E S33	NENW	8.5	T10N R36E S33 NWNW 8.6

162 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 162 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 31-117, 31-118A, 31-119 & 31-
122A.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

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 31-118A
Date Received: 11/21/00
Receipt No: E026336
Received By: JC

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

VALERIA MAXWELL Phone: (208)374-5563

PO BOX 194
DUBOIS ID USA 83423

JUDITH A WAGONER Phone: (208)524-1346

3700 BROOKFIELD LANE
IDAHO FALLS ID USA 83406

ROY LAIRD RANCHES Phone: (208)374-5563

PO BOX 194
DUBOIS ID USA 83423

2. Date of Priority: 05/01/1894

3. Source: BEAVER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
10N	36E	21	SW NE SW	CLARK
10N	36E	28	SE SE NW	CLARK
10N	36E	21	SW SE NW	CLARK

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	2.66	

7. Total Quantity Appropriated is:
2.66 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	36E	28	SW	NE	IRRIGATION	0.9
			NE	SW	IRRIGATION	31
			SE	NW	IRRIGATION	30
			SW	SW	IRRIGATION	36
			SE	SW	IRRIGATION	35
			NW	SE	IRRIGATION	5.5
			SW	SE	IRRIGATION	8
10N	36E	33	NW	NE	IRRIGATION	3.2
			NE	NW	IRRIGATION	8.7
			NW	NW	IRRIGATION	11
					Total Acres	169.3

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Judith Layman Date: 11/22/00
_____ Date: _____

For Organizations:

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

_____, that I have signed the foregoing

Organization
document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of Bonneville) SS.

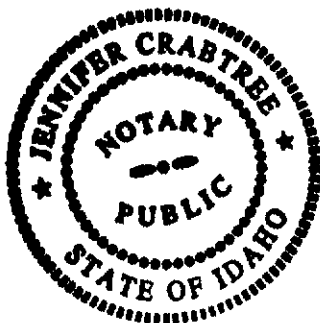
Subscribed and sworn (or affirmed) before me this 22nd
of Nov 2000

Jennifer Crabtree

Notary Public

Residing at Idaho Falls Id

My commission Expires 9/23/03



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 31-118A
Date Received: 11/21/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A3100118A



1. Name of Claimant(s)

VALERIA MAXWELL Phone: (208)374-5563

PO BOX 194
DUBOIS ID USA 83423

JUDITH A WAGONER Phone: (208)524-1346

3700 BROOKFIELD LANE
IDAHO FALLS ID USA 83406

ROY LAIRD RANCHES Phone: (208)374-5563

PO BOX 194
DUBOIS ID USA 83423

2. Date of Priority: 05/01/1894

3. Source: BEAVER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
10N	36E	21	SW NE SW	CLARK
10N	36E	21	SW SE NW	CLARK
10N	36E	28	SE SE NW	CLARK

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	2.66	

7. Total Quantity Appropriated is:
2.66 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
10N	36E	28	SW	NE	IRRIGATION	0.9
			NE	SW	IRRIGATION	31
			SE	NW	IRRIGATION	30
			SW	SW	IRRIGATION	36
			SE	SW	IRRIGATION	35
			NW	SE	IRRIGATION	5.5
			SW	SE	IRRIGATION	8
					Section Acres	146.4
10N	36E	33	NW	NE	IRRIGATION	3.2
			NE	NW	IRRIGATION	8.7
			NW	NW	IRRIGATION	11
					Section Acres	22.9
					Total Acres	169.3

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

FOR IRRIGATION.

11/21/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 31-118 *A*

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VALERIA MAXWELL PO BOX 194 DUBOIS, ID 83423 (208)374-5563
Current Owner	JUDITH A WAGONER 3700 BROOKFIELD LANE IDAHO FALLS, ID 83406 (208)524-1346
Current Owner	ROY LAIRD RANCHES PO BOX 194 DUBOIS, ID 83423 (208)374-5563
Original Owner	PHYLLIS L LAIRD BOX 62 DUBOIS, ID 83423
Original Owner	JAMES LAIRD X X, ZZ 0

Priority Date: 05/01/1894
Basis: Decreed
Status: Valid

Source BEAVER CREEK Tributary to CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/15	10/15	2.75 CFS	2.66	
~~STOCKWATER~~	~~4/15~~	~~10/15~~	~~0.09 CFS~~		

Total Diversion 2.75 CFS
2.66 cfs.

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
10N	36E	21	SW NE SW	0	CLARK ✓
~~10N~~	~~36E~~	~~4~~	~~SE NE SW~~	~~0~~	~~CLARK~~
10N	36E	28	SE SE NW	0	CLARK ✓
10N	36E	21	SW SE NW	0	CLARK ✓

IRRIGATION Use:
Acre Limit: ~~424~~ 169.3

Place(s) of use:

Place of Use Legal Description: IRRIGATION

CLARK County

Townshi	Rang	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	36E	28		SW ~~NE~~	10.9		SE NW	20.30						
				NESW	20.31		NWSW	2		SWSW	20.34		SESW	20.35

33

NWSE 45.5.
 NWNE 23.2.
 NENW 8 8.7.
 SWSE 48.
 NWNW 711.

Place of Use Legal Description: ~~STOCKWATER~~ CLARK County

Townshi	Rang	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
~~40N~~	~~36E~~	~~4~~		~~NESE~~			~~NWSE~~			~~SWSE~~				
~~14N~~		~~33~~		~~SWSE~~										

Total Acres: ~~124~~ 169.3

Remarks:

1. General

TRANS. 1988 ON WATER RIGHT 31-0118 ^{^^} P/D FOR STOCK NE SW, S4, T10N, R36E. ^{^^^} THIS CLAIM IS BASED ON WATER RIGHTS NUMBERS 31-0118 AND 31-0122. CHANGED ADDRESS PER REQUEST CV/06/13-00

Dates:

Licensed Date:
 Claim Received Date:
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: OR
 Overall Max Diversion Rate: 2.75
 Overall Max Diversion Volume: 0
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False



STATE OF IDAHO

Department of Water Resources

Water Right(s): 31-117
31-118A



0 1320 2640 3960 5280 6600 Feet

LEGEND



Point of Diversion

Place of Use

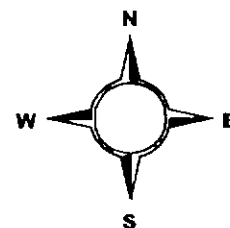


Section Line



Quarter-section line

Acres Irrigated = 162



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: December 2000

RECEIVED

01/16/2001

NOTICE OF ERROR
REPLY

FEB 09 2001

Department of Water Resources
Eastern Region

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: March 9, 2001

Water right number: 31-118A

ROY LAIRD RANCHES
VALERIA MAXWELL

PO BOX 194
DUBOIS, ID 83423

Daytime Telephone Number: (208)374-5563

Evening Telephone Number:

JUDITH A WAGONER
3700 BROOKFIELD LN
IDAHO FALLS, ID 83406

Daytime Telephone Number:

Evening Telephone Number: (208)524-1346

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

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

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

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

Feb 9, 01

SIGNATURE:

Valeria S. Maxwell

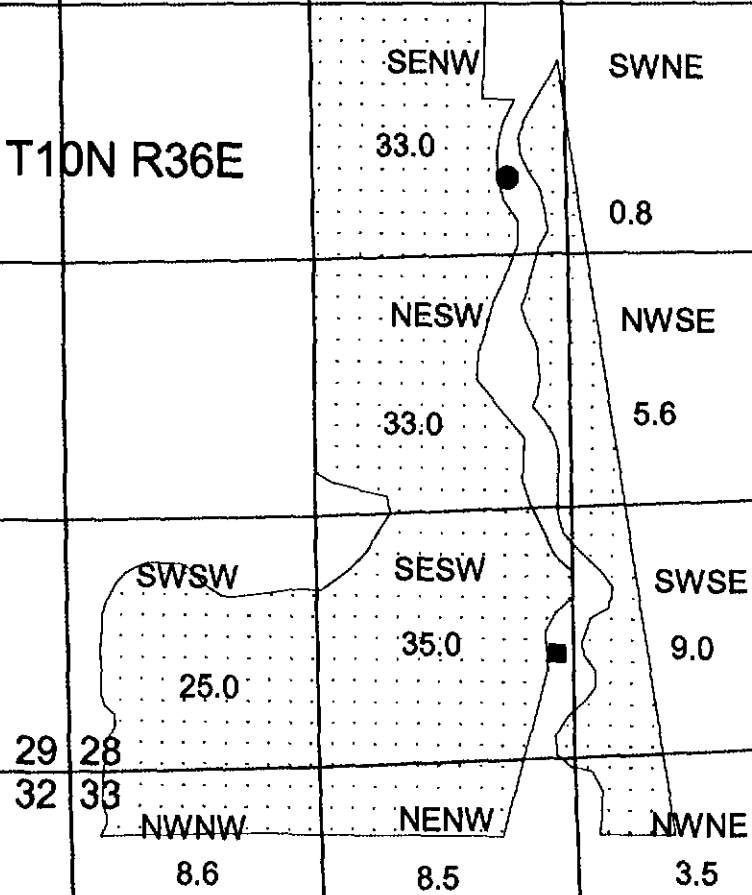
Please print your name:

Valeria S. Maxwell

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, (208) 525-7161

31-117, 31-118A, 31-119, 31-122A

T10N R36E



374 5563

Transfer No. 1988Application No. 31-011831-0117STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT **APPROVED**
To Change the Point of Diversion and/or the Place of UseName of applicant Phyllis L. Laird Phone 374-5217Post office address Box 62, Dubois, Idaho 83423

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to E. W. Laird (Name)In case of Ernest Sauve vs W. H. Abbott, et aldated Nov. 1, 1930 in U. S. Dist. Court county of Jefferson & Clark
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Beaver Creek tributary to Camas Creek4. Date of priority May 1, 1894

5. Water is used for the following purposes:

amount 2.75 for Irrigation purposes from Apr. 1 to Nov. 1

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)6. Total amount of water under right: a. 2.75 cubic feet per secondb. _____ &/or
acre feet per annum7. Location of original point of diversion is SE % of NW % of Section 21Township 10N Range 36E, B.M., in Clark CountyAdditional points of diversion, if any NE1/4, Sec. 21, NE1/4, Sec. 28, T. 10N, R. 36E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				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	
10N	36E	27							40			40							80
		28			5	37			0.63	40		40	40	8	33	30	9		246.63
		33	10	21			13	13											57

Total number of acres to be irrigated 383.63

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP	RANGE	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	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion

- a. Amount of water to be diverted 2.75 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion SE 1/4 NW 1/4, Section 21 Township 10N
Range 36E, B.M., Clark County _____
Additional points NE 1/4 SW 1/4, Sec. 21, NE 1/4 SW 1/4, Sec. 28, NE 1/4 SW 1/4, Sec. 4, T. 10N,
R. 36E, B.M.

c. Description of diverting works Pump, pipeline and 20,000 gal. storage tank

d. Describe the reasons for applying for a change in the point(s) of diversion
Wish to add stockwatering facilities located as indicated below.

2. Change in place of use

a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	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	
10N	36E	4			X											X			
		9		X											X				
11N	36E	33															X		

Total number of acres to be irrigated _____

-
- Hand-drawn map on grid paper showing a water system layout. The map includes a 'TUN TION' label, a 'P.D.' (Pond) label, a 'Storage Tank 20,000 gal.' label, and two 'Water Trough' labels. A 'Creek' is also labeled. The map is oriented with 'R36E' at the top and '33' on the left. A vertical line with arrows points downwards, and a horizontal line with arrows points to the right.

Scale. 2 inches equal 1 mile

3. Remarks (1) None of the lands being irrigated will be changed.
(2) No increase in amount of stock to be watered.
(3) 0.05 cfs to be diverted through new point of diversion
for stockwater.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

Sheldon David
(Signature of applicant)

Subscribed and sworn to before me this 3rd day of May, 19 76

Ronald P. Carson
(Notary public)

My commission expires 2/14/78

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0118 (1988),
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:

Witness my hand this 25 day of June, 19 76

R. Keith Higginson
R. KEITH HIGGINSON, Director

FOR DEPARTMENT USE ONLY

Received by W Date 5-23-76

Prelim. check by RDC Fee \$10.00

Receipted by W Date 5-23-76

Published in Enterprise-Religion #15788

Pub. dates May 26, 27, 1976

Watermaster recommendation requested on 5-15-76

DAN SHENTON #31 rec'd.

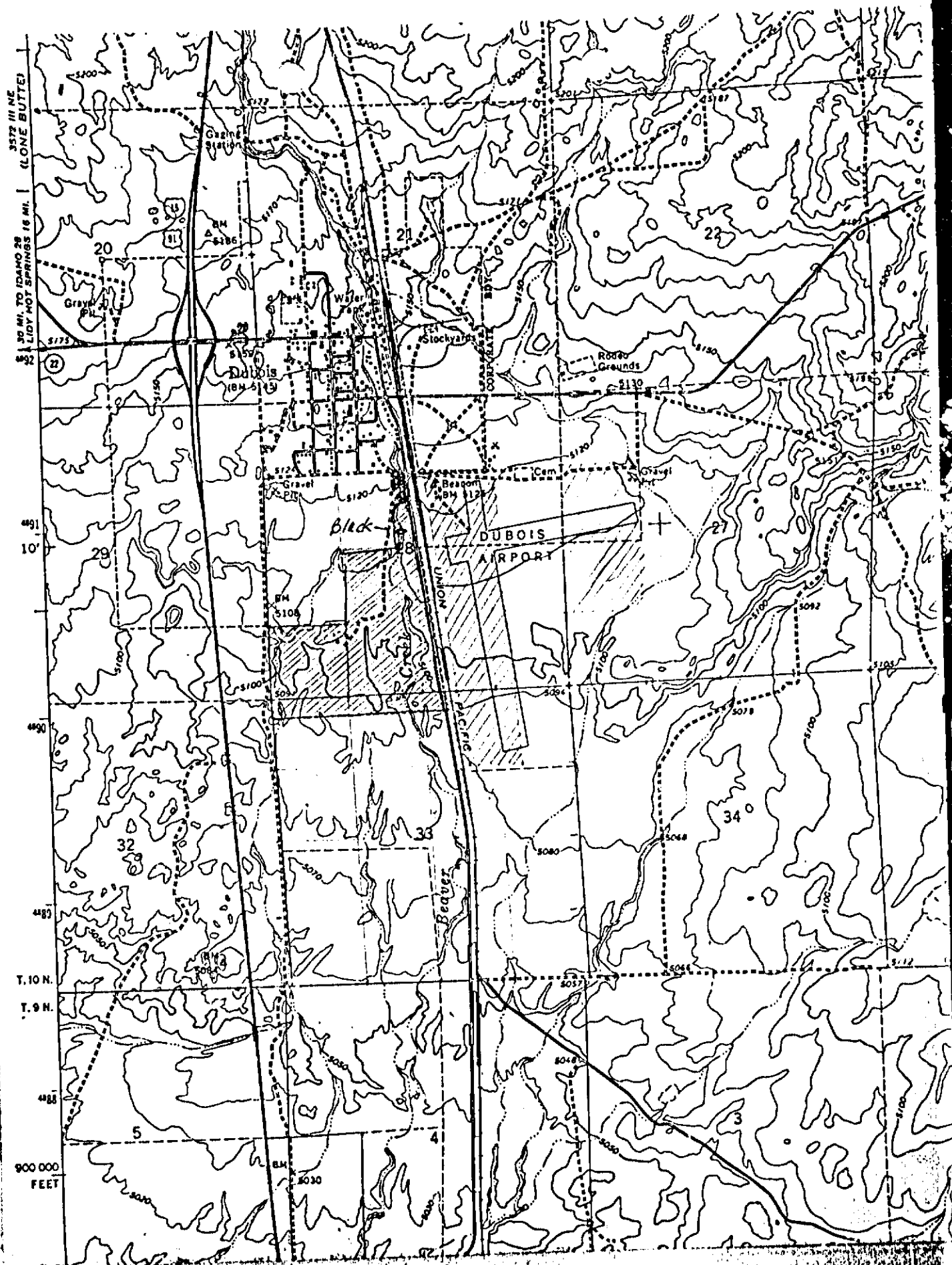
Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by DRT



R. W. Laird

1892- September 10 31 117 4.44 c.f.s.

1894 - May 1 31 118 2.75 c.f.s.

TRANS # 1988

Source: Dry Creek, otherwise known as Beaver Creek.

Points of Diversion: (1) In the Southeast Quarter of the Northwest Quarter of Section 21, Township 10 North, Range 36 East, B. M.; (2) In the Northeast Quarter of the Southwest Quarter of Section 21, Township 10 North, Range 36 East, B. M.; (3) In the Northeast Quarter of the Southwest Quarter of Section 28; Township 10 North, Range 36 East, B. M.

For use on the following described land, to-wit: The Southwest Quarter of the Northwest Quarter of Section 27; the Northwest Quarter of the Southwest Quarter of Section 27, Township 10 North, Range 36 East, B. M. Also a tract described by metes and bounds, and located in Sections 28 and 33, in said Township and Range, being particularly described as follows: Commencing at the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 28; thence East 85 feet; thence South 8°18' East, a little more than one mile to intersect the South line of the Northeast Quarter of the Northeast Quarter of said Section 33, at a point 940' West of the East section line of said Section 33; thence West 940' to intersect the East boundary line of the Oregon Short Line Railroad right-of-way; thence Northwesterly along the East line of said railroad right-of-way a little more than a mile to intersect the North line of the Southwest Quarter of the Northeast Quarter of said Section 28; thence East 1262.6' to the place of beginning, containing 133 acres.

E. W. Laird

(continued)

Also a tract of land in Sections 28 and 36, in said Township and Range, and more particularly described by metes and bounds as follows; Commencing at a point 974' East of the Northwest corner of the Southeast Quarter of the Northwest Quarter of Section 28; thence South 30' East 247'; thence East 67'; thence South 5' West 193'; thence East 13° North 103'; thence South 4°15' West 45'; thence West 13° South 250'; thence South 4°15' West 470'; thence South 10' East 324'; thence South 85°15' West 839'; to intersect the West line of the Northeast Quarter of the Southwest Quarter of Section 28; thence South 26' East 1327' to the Southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 28; thence West to the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 28; thence South 26' East 1864'; thence East 3111' to intersect the West boundary of the public highway 60' West of the West line of the Oregon Short Line Railroad right-of-way; thence Northwesterly along the West line of said public highway to intersect the North line of the Southeast Quarter of the Northwest Quarter of said Section 28; thence West 233' to the place of beginning, containing 170.63 acres, -- all of said land being in Township 10 North, Range 36 East, N. M.