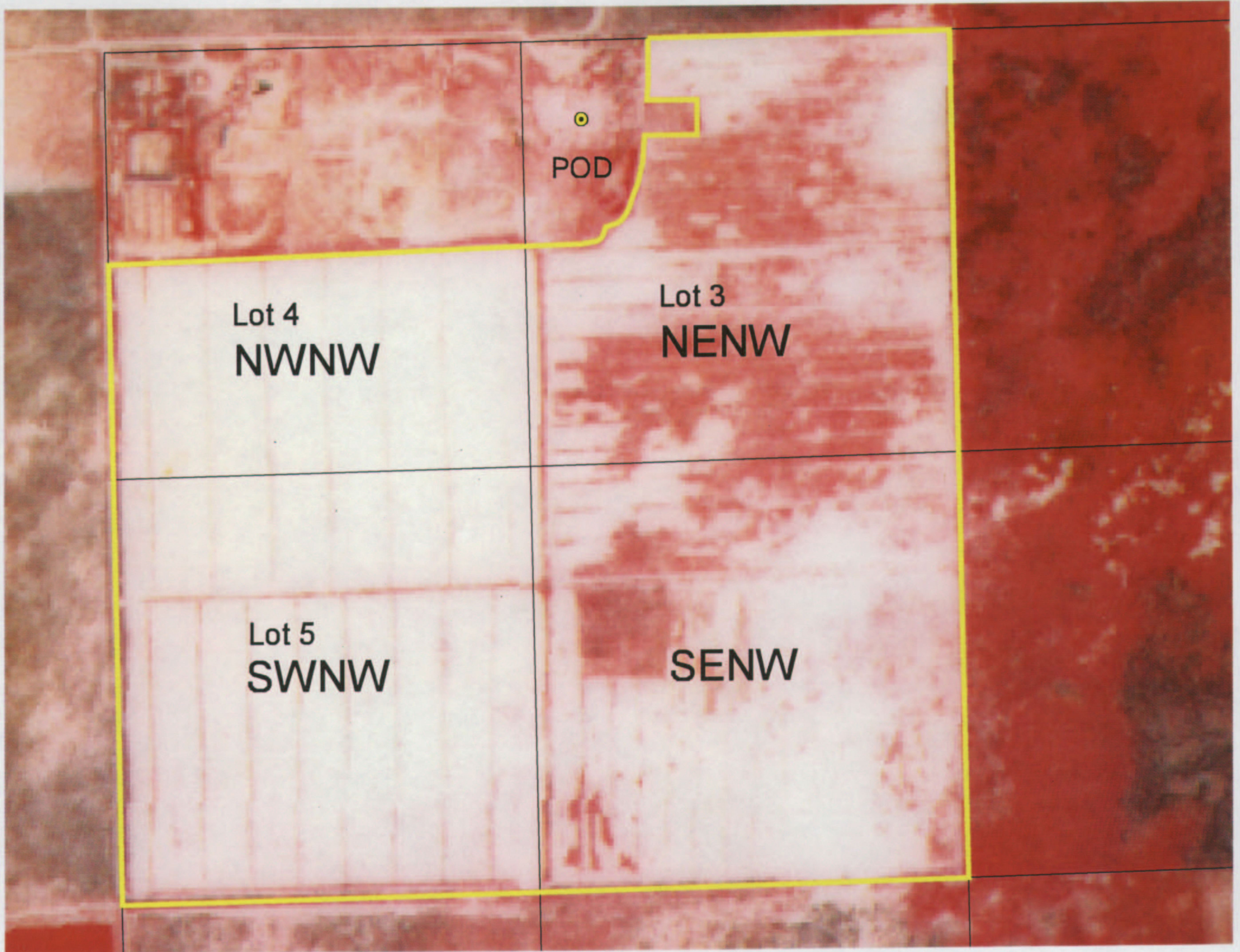


31-02338



700 0 700 1400 Feet

A horizontal scale bar with four segments. The first segment is labeled '700', the second '0', the third '700', and the fourth '1400 Feet'. The bar is black with white segments.

T07N R34E S06



Map prepared by: Carter Fritschle
Date prepared: 05-11-99
1987-1988 NAPP photography



T 7N 34E S6
POD-NWNE/W
10-4-94
Photo #1-1

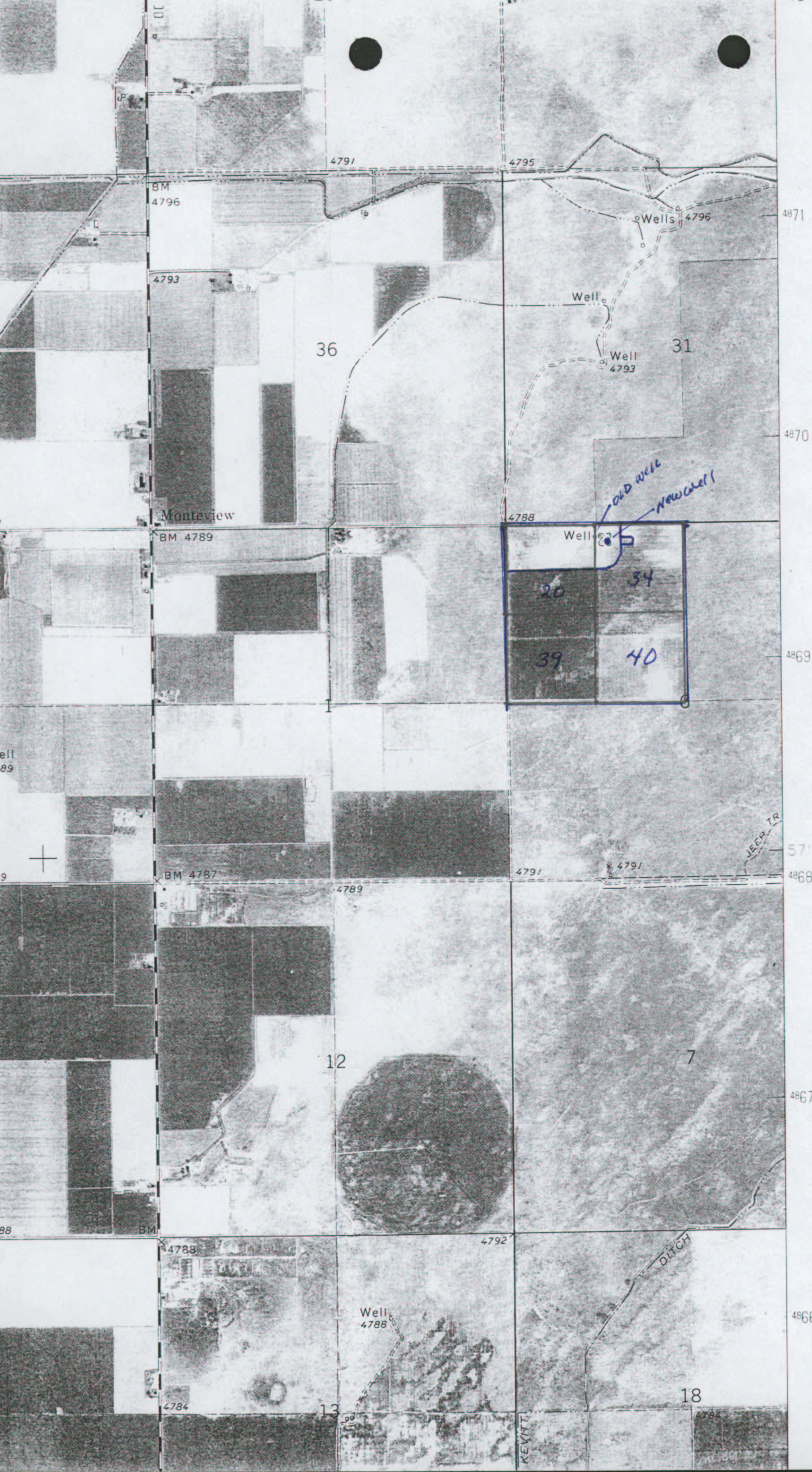
Photo #1-1 Looking NW from 20' SE of POD showing pump and location of what appears to be original POD location near the disconnected power pole in the background.



10-4-94
Photo #1-3

Photo #1-3 Looking SE from 20' NW of original POD location showing depression in the foreground and the new POD in the background.

A31-02338



T8N
T7N
R34E

W38
1980

A31-02338

IN SAE 56

(42)

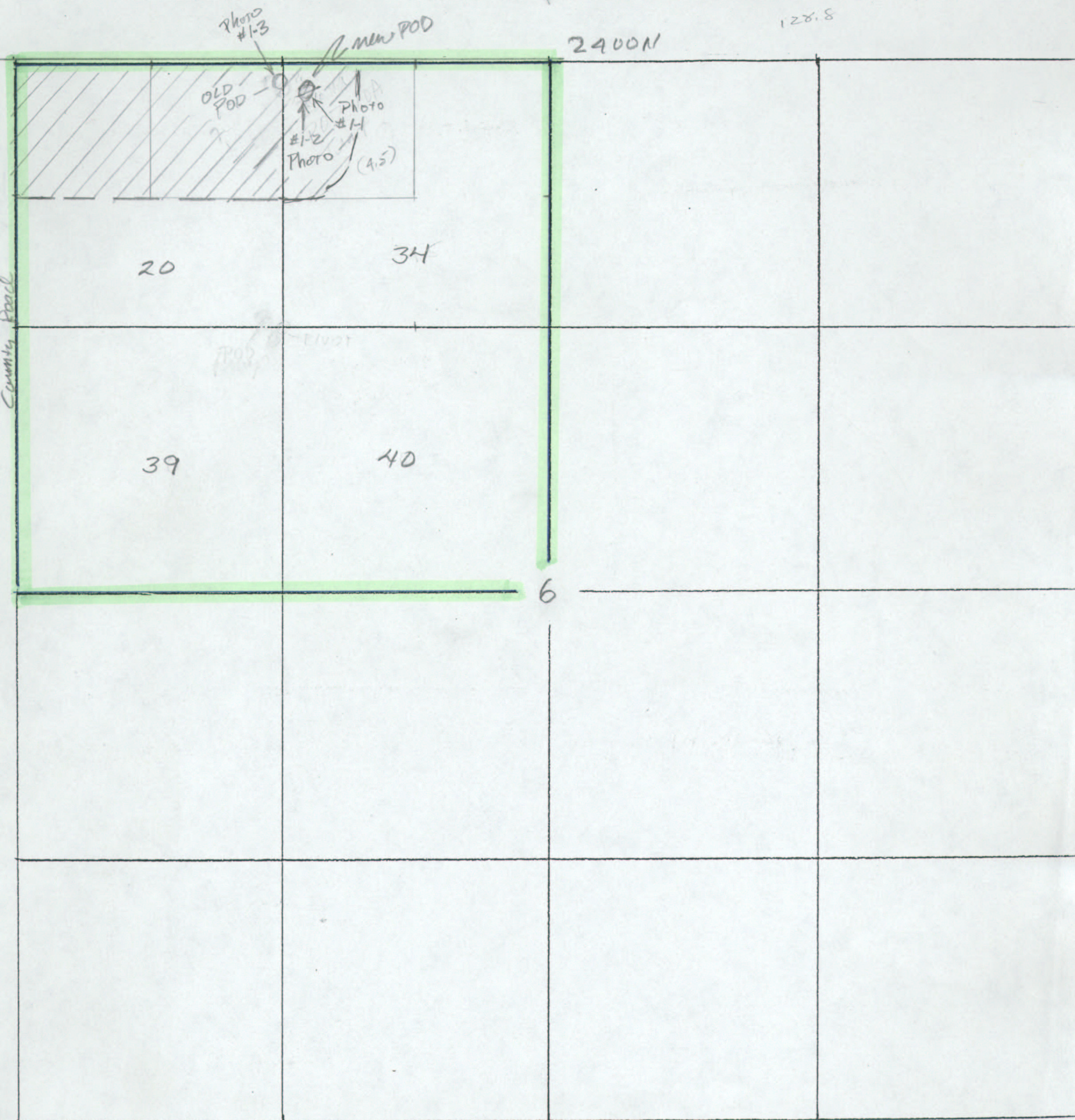
31 | 32
6 | 5



T7N
R34E

A31-02338

→ 8-4



Scale 8.0" = 1.0 Mile

Township 7N Range 34E Section 6DATE 8-18-94 & 10-4-94OPQ MAP # W38 NAPP # W38 NEAGENT ENTQPO # W38

Identification no. A31-02338

7N34E S6
POD NW NE NW
10-4-94

Photo #1-2



Photo #1-2 Looking N From
10' South of The New POD
Showing the improper installation &
construction of The WELL.

12/06/2000

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

RIGHT NUMBER: 31-2338

NAME AND ADDRESS: STEWART IND INC
1791 E 800 N
MONTEVIEW, ID 83435

SOURCE: GROUND WATER

QUANTITY: 2.5 CFS
465.5 AFY

PRIORITY DATE: 12/01/1954

POINT OF DIVERSION: T07N R34E S6 LOT 3 NWNENW Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4-01 10-31

QUANTITY
2.50 CFS
465.5 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R34E S6	SENW	40	T07N R34E S6	LOT 3	NENW	34	
T07N R34E S6	LOT 4	NWNW	20	T07N R34E S6	LOT 5	SWNW	39

133 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON-USE FROM
1980 TO 1988.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
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: A31-02338
Date Received: 2/06/1989
Receipt No: E004440
Received By: Caledon

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEWART IND., INC. 208-663-4473
Address: 1791 E. 800 N.
MONTEVIEW, ID 83435
2. Date of Priority: DEC 01, 1954
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	34E	6	NW	NE	NW		JEFFERSON
5. Description of diverting works:
WELL TO DITCHES TO FLOOD IRRIGATE PRIVATE GROUND
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	09/30	2.500		
7. Total Quantity Appropriated is:
2.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 387.5 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	34E	6	NE	NW		IRR	40.0
			NW	NW		IRR	35.0
			SW	NW		IRR	40.0

A31-02338

Page 1

Date: 02/06/89

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NOV 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	34E	6	SE	NW		IRR	40.0
Section Acres							155.0
Total Acres							155.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:
LEGAL DESCRIPTION OF POINT OF DIVERSION CORRECTED FROM
ORIGINAL LICENSE

15. Basis of Claim: LICENSE
Water Right Number: 25296

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

Midway

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39356
Ident. Number 15-31-2338
Date Received 11-28-88
Receipt Number EOO 4440NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Stewart Ind. Inc Phone (208) 663-4473
Mailing Address 1791 E 800 N Montevideo, Id Zip 834352. Date of Priority (Only one (1) per claim) 12-1-19543. Source of water supply (a) well
which is tributary to (b) sink4. a. Location of existing point of diversion is: Township 7N Range 34E Section 6,
NW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Jefferson

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 _____

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

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

_____ 1/4, Govt. Lot _____ B.M., County of Jeff5. 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. well to ditches to FloodArrogate all on Private ground

A3102338



MICROFILMED

NOV 17 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-15 to 9-30 amount 2.5 or 2.7

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.925 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 3825-145 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	
7N	34E	6					40	35	40	40									150
																			155

Total number of acres irrigated 155

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

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

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NOV 17 1992

Last Name Stewart Ident No. 31-2338

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Scale: 2 inches equals 1 mile

A large grid of graph paper, consisting of 20 columns and 20 rows of squares. Each square contains a small crosshair pattern. In the center of the grid, the text "See attached map." is handwritten in a cursive script.

NOV 17 1992

Ident No. 31-2338

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 _____ *Sec* _____

of *Stewart Ind. Inc.* _____ Title _____ that I have signed the foregoing

document in the space below as *Sec* _____ of *Stewart Ind. Inc.* _____

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

Signature of Authorized Agent *Chuck Stewart* _____

Title and Organization *Sec: Stewart Ind. Inc.* _____ Date *11-28-88*

State of Idaho/or _____)

County of *Bonneville*) SS.

Subscribed and sworn (or affirmed) before me this *28th* day of *Nov* 19 *88*

SEAL

Notary Public *Betty J. Thompson* _____

Residing at *Idaho Falls* _____

My Commission Expires *6-94* _____

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 _____

MICROFILMED

NOV 17 1992

Last Name *Stewart* Ident. Number *31-2338*

Copies White-State, Yellow-Claimant

36 | 31
1 | 6

31 | 32
6 | 5

Well
30.8
Irrigation
13.3

30.6
Larby A52
(A197)
Sweet

28.8
to

26.8
Sweet

27.7

6
12 | 7

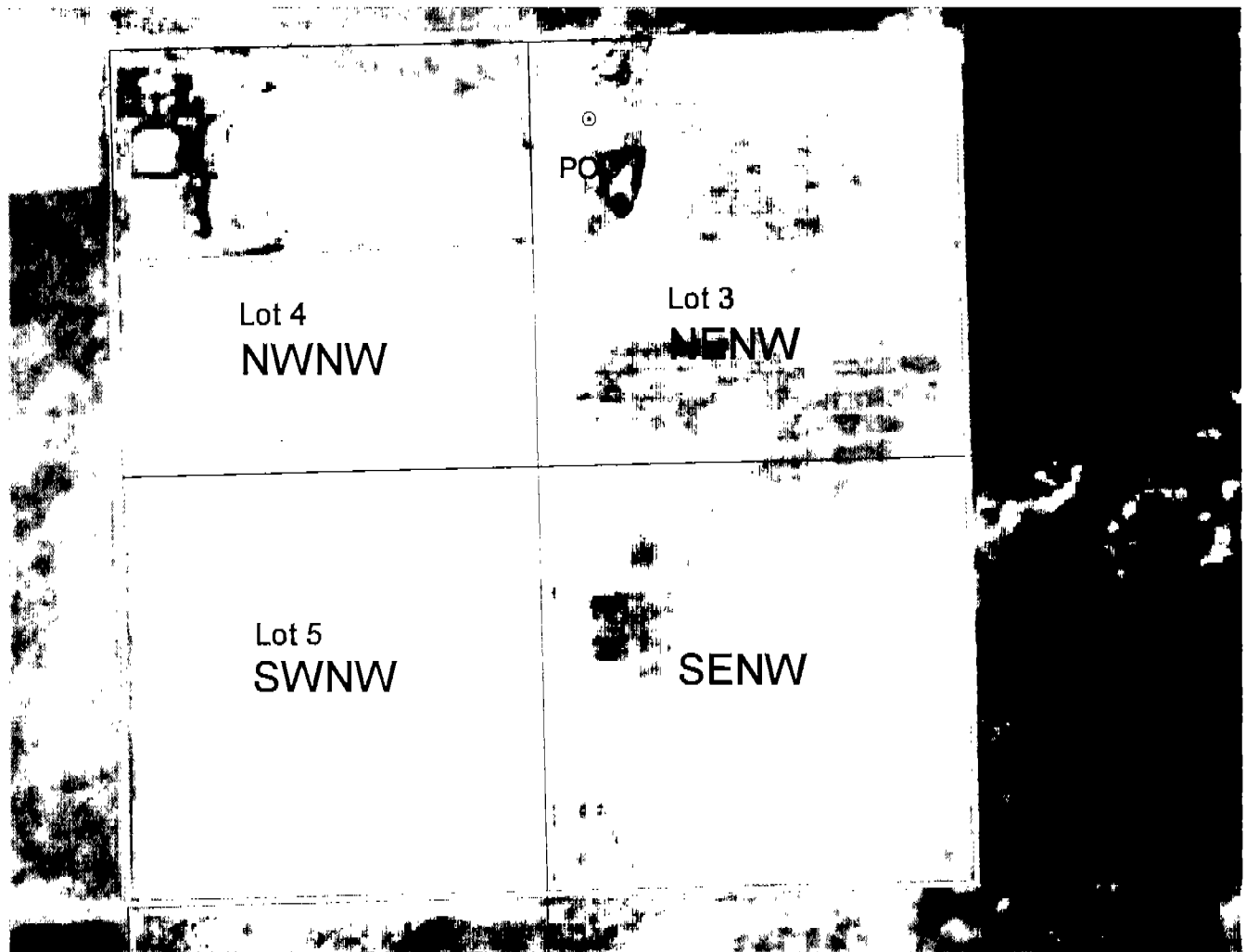
6 | 5
7 | 8

127.2

A81-02338
A31-10516

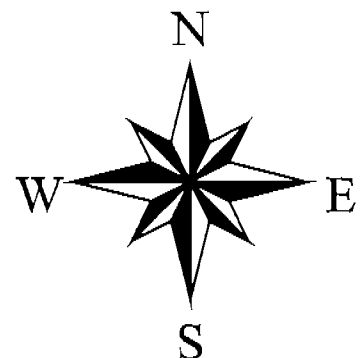
NOT TO SCALE

31-02338



700 0 700 1400 Feet

T07N R34E S06



Map prepared by: Carter Fritschle
Date prepared: 05-11-99
1987-1988 NAPP photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/95

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: R31-02338

LAST: WELSON
ADDRESS:
CITY: MONTEVIA
PHONE NUMBER: 208-600-0000

FIRST: KENNETH
STATE: ID ZIP: 83435

OWNER CODE: 0

LAST: STEWART INOX INOX
ADDRESS: 1791 WY 500 N.
CITY: MONTEVIA
PHONE NUMBER: 208-660-4470

FIRST:
STATE: ID ZIP: 83435

OWNER CODE: 0

FIELD EXAM REQUIRED:

VERIFICATION REQUIRED DUE TO REMARKS:

DATABASE
Y

FIELD
EXAMINER
Y

CLAIM REMARKS: LEGAL DESCRIPTION OF POINT OF DIVERSION CORRECTED FROM COPY TO CORRECTS
ORIGINAL RECORD

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 10/14/94

APPOINTMENT MADE: Y(____) N(☒)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A31-02338 PRIORITY DATE: 12-01-1954 STAGE: L

B. WR RECORD: # 01-02338 PRIORITY DATE: 12-01-1954 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATE: 4/28/94

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

NOTES: Priority date claimed matches license.

RECOMMENDED PRIORITY DATE:
12-01-1954

REVIEWED BY CF

DATE 4-28-94

A. NJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	AGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-02338	01N	04E	5	NW	NE	NW		JEFFERSON

OTHER NJ CLAIMS WITH SAME NJ POD
A PREFIX R PREFIX
NONE NONE

NR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIG:

B. NR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	AGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-02336	01N	04E	5		NW	NW		JEFFERSON

OTHER NR RECORDS WITH SAME NR POD
NONE

NJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
031-10515 NONE

SOURCE: GROUNDWATER

TRIG:

C. FIELD EXAM REQUIRED:

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
E

NOTES:

ORIGINAL well has been ABANDONED IN LIEU OF A NEW
well APPROX. 150 TO THE SE. OF IT.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RSE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
1N	34E	6	NE	NE	NE		Jefferson	

SOURCE: GROUNDWATER

TYPE:

REVIEWED BY:

21

DATE:

10-11-94

SYSTEM DESCRIPTION:

Well, Pump, Ditch

A. ROOT WATER RIGHT NUMBER: A31-02338

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AC #/ACRES	JR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	34E	6	N4	NW	3	STEWART INC., INC.	A31-02338 740.0	31-02338 740.0		34.5	34.5
07N	34E	6	N4	NW	4	STEWART INC., INC.	A31-02338 735.0	31-02338 735.0			
			N4	NW	4	STEWART INC., INC.	A31-10516 /	- /		20.0	20.0
07N	34E	6	34	NW	5	STEWART INC., INC.	A31-02338 740.0	31-02338 740.0		40.0	40.0
07N	34E	6	34	NW		STEWART INC., INC.	A31-02338 740.0	31-02338 740.0	25.0	40.0	40.0
TOTAL ACRES							A31-02338 155.00	31-02338 155.00	25.00	134.5	134.5

GIS acreage

34

20

39

40

133

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED:

DUE TO POB DISCREPANCY: (Y/N)

DATABASE
Y

FIELD
EXAMINER

POB COUNTY: JEFFERSON

*155
-133
22*

PRESUMPTION FLAG:

NOTES:

*Checked digitized govt. plats to determine govt. lots
22 acres of irrigation forfeited for non use.*

RECOMMENDATIONS:

TOTAL ACRES:

134.5 133

BT 5-11-99

REVIEWED BY:

20

DATE: 10-11-94

A. AS CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-02338 IRRIGATION	FROM 04-15 TO 09-30	2.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.500 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-02338 IRRIGATION	FROM TO	2.500 CFS
31-02338 DOMESTIC	FROM TO	2.500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.500 CFS

PRESUMPTION FLAG:

C. FIELD DATA REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)		_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)		_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() EXPLAIN IN NOTES, BELOW.

NOTES:

Recommended to WR Standards 4-1 to 10-31.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AW TOTAL CLAIMED DIVERSION RATE: 2.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.500 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND BY LAW IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y 2

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

N/A

SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME PWD AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME PWD BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-10516	STOCKWATER	STEWART END. INC.	FROM 01-01 TO 12-30	.040 CFS	

9.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES 134.5 X D.O.M. CFS/ACRE = 2.66 CFS
133 (TAKEN FROM P/W REVIEW)

1B. CALCULATIONS

2.66
2.66 > 2.50

DUES AMOUNT CLAIMED EXCEEDS D.O.M. CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(☒) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 177.5 AF/A

ACRES 134.5 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 336.3 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 467.5 AF/A

ACRES 134.5 X DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 470.5 AF/A

465.5

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION

SEE ATTACHED SHEET? Y() N(☒)

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE DFR		REC. DIV VTL. #/A		REC. CONS. USE	
		DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
<u>Irrigation</u>	<u>4-1 10-31</u>		<u>2.50</u>		<u>465.5</u>		<u>470.8</u>
TOTAL FOR THIS RIGHT			<u>2.50</u>		<u>465.5</u>		<u>470.8</u>
REVIEWED BY: <u>EL</u>		DATE: <u>10-11-94</u>					

The remainder of this right was forfeited for non-use
 from 1980* to 1994.**

- *1980 Date for O.Q. W38 showing non-irrigated land in N $\frac{1}{2}$ NWNW (Lot 4)
 and NW portion of NENW (Lot 3)
- **1994 Date of field exam finding lands described above contain
 large boulders and was not irrigated. See photos in file.

EL 5-11-99

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	()	()
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 11-00233

TOTAL DIVERSION RATE OF ALL SPLITS

DATABASE
2.500

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-02338	2.500	-		31-02338	2.500
TOTAL CFS		2.500				2.500

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLIT, EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITING REVIEW SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER

NOTES:

No Splits

AUTHENTICATION:

SIGNATURE: E. Paquet

DATE: 10-11-94

NAME OF FIELD EXAMINER: ELMIRAQUET

TITLE: WRA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/95

PAGE: 18
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-92358

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			10-4-94 EN	N		10-11-94 EN	10/12/94 EN	10-31-94 EN
POINT OF DIV	Y		/	N	5			
SOURCE			/	N	5			
PLACE OF USE	Y		/	Y	5			
DIV. AMOUNT CFS/VOLUME	Y			N	6			
CONSUMPTIVE USE	-			Y	6			
PURPOSES	Y		/	N	5			
PERIOD OF USE	Y			Y	6			
BASIS OF CLAIM			/		6			
REMARKS	Y							

"VERIFIED BY" CODES:

TOPO MAP/ORTHOPHOTO = 1
AERIAL MAP = 2
MASTER RECORDS = 3
AERIAL PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

Bar coded
RR 72 EN 11-1-94

Township	Range	Sec	1/4 Sec	Acres	Area
07N	34E	6	NENW	3	34.0
07N	34E	6	NWNW	4	20.0
07N	34E	6	SWNW	5	39.0
07N	34E	6	SENW	0	40.0

133

CA 5-11-99

Photo
#1-3

MIN. POD

2400N

128.8

OLD
PODPhoto
#1-1
Photo
#1-2
Photo
(4.5)

20

34

39

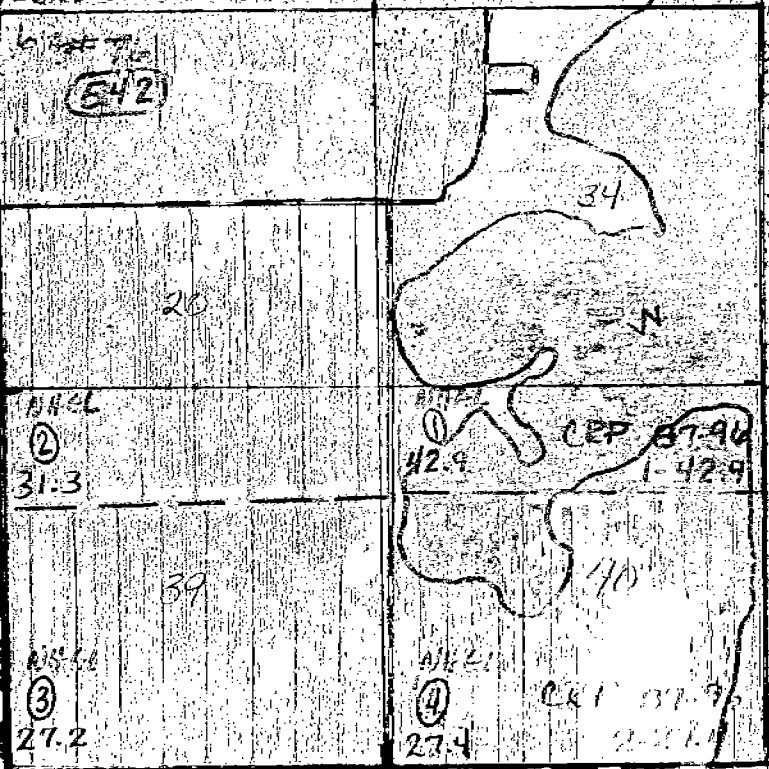
40

6

Scale 8.0" = 1.0 Mile

Township 7N Range 34E Section 6DATE 8-12-94 16-A-94OPQ MAP # W38 NAPP # W38 NEAGENT ENTQPO # W38

31	32
6	5



→ 64
W
T 1A1
R 341
A31-02338

T8N
T7N
R34E

W38
1980

T 711 3AE SL
POD - UNIDENT
10-4-94
Photo # 1-1

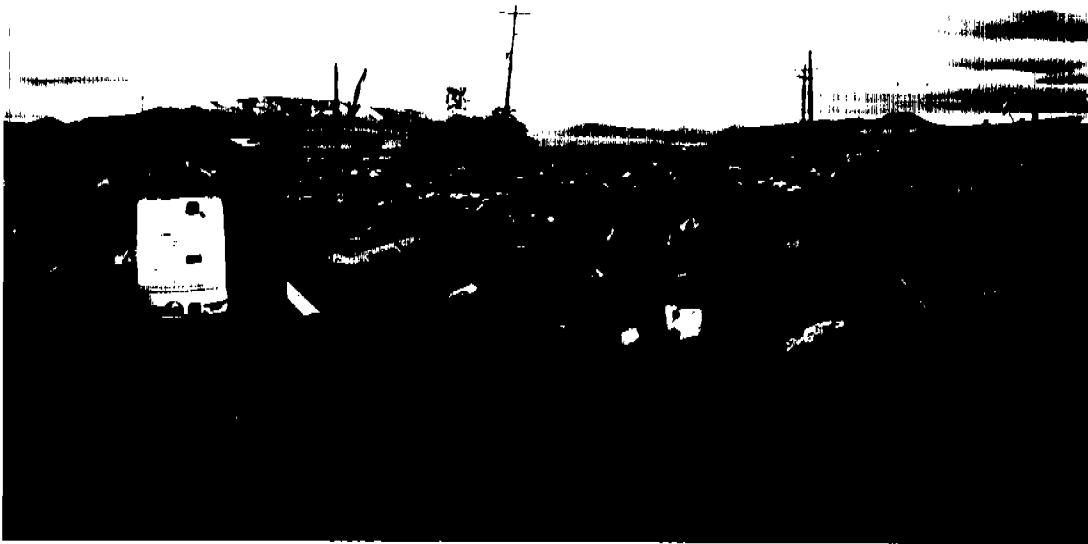


Photo # 1-1 Looking NW from 20' SE of 225 SW 1/4 PUMP
AND LOCATION SE LIGHT APPEARS TO BE ORIGINAL POD LOCATION
NOTE THE DISCONNECTED POWER POLE IN THE BACKGROUND.

T 10-4-94
Photo # 1-3



Photo # 1-3 Looking SE from 20' NW of 225 SW 1/4 PUMP
LOCATION SHOWING DEBRIS IN THE FOREGROUND AND THE
NEW POD IN THE BACKGROUND.

7134E S6
POD 11W1E 1100

10-4-94

Photo #1-Z

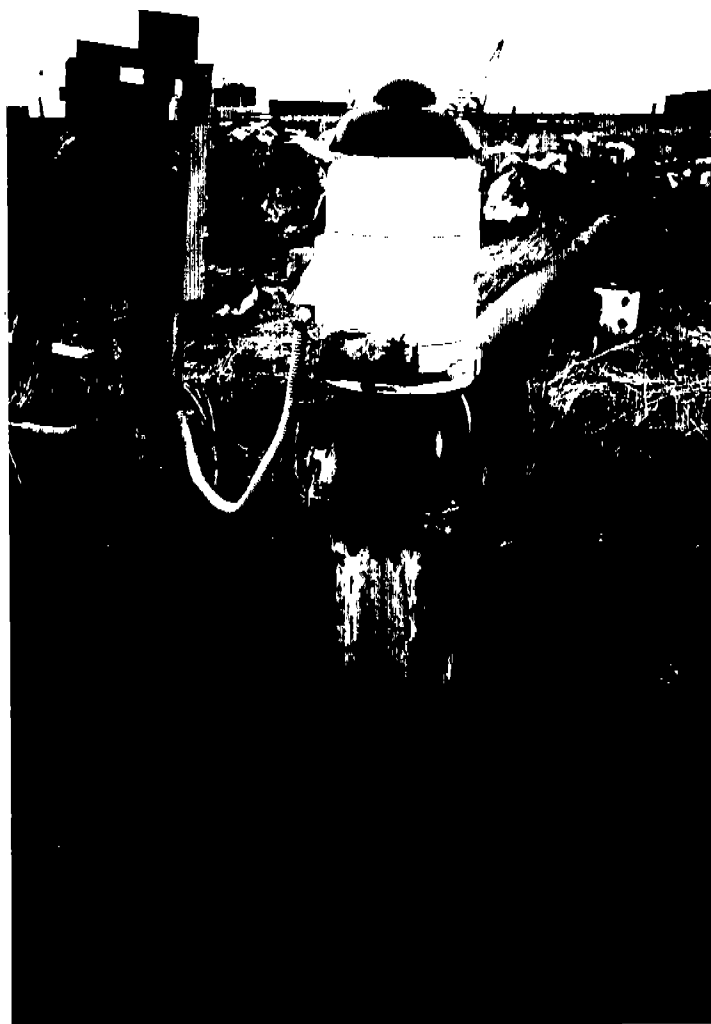


Photo #1-Z Looking N. From
10' South of the New POD
Showing the 11E33E-11S71112
Construction of the Well.

A31-02338 TN 34E S6

CARTER/ERIK
10-4-94

POD NW NENW

Photo 1-1 Looking NW from 20' SE of Pump, showing Pump with location of what appears to be original POD location near disconnected power pole.

US Motors Motor Layne Bowler Turbine Pump
POD Pumps into Irrigation Ditch.

Photo #1-2 Looking N from 10' S of POD Pump showing improper construction of well.

Photo 1-3 Looking SE from 20' NW of original POD showing depression in the foreground and the new POD in the background.

From: DWR03::CFRITSCH 28-OCT-1994 11:05:18.27
To: DWR70::DDUNN
CC: CFRITSCH
Subj: IMPROPERLY CONSTRUCTED WELL

Hi Dennis,

I thought I should check back with you to see if you found the improperly constructed well that Erik and I ran across earlier this month. The owner is Stewart Industries, and the water right is 31-02338. The well is located in the NENW of Sec. 6, T 7N, R 34E. Besides the improperly constructed new well, there is what appears to be an improperly abandoned old well on the line between the NWNW and NENW of Sec 6. The two wells are probably a couple of hundred feet apart. Let me know if you want me to Fax to Eastern a picture of the well.

Thanks,

Carter

State of Idaho

License and Certificate of Water Right

Water License No. G-25296

Amount 2.5 c.f.s.

Water District No. _____

Priority Dec. 1, 1954

THIS IS TO CERTIFY that KENNETH H. NELSON
of Montevieu, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 1, 1954; that Permit No. G-25296
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.5 second feet, was issued thereunder on September 26, 1960, showing that said works
were completed on the 7th day of December, 1959; and that on the 7th
day of December, 1959,

KENNETH H. NELSON

of Montevieu, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of Irrigation and
domestic use, under Use Permit No. G-25296 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

11 of Licenses at page 695, on the 26th day of September, 1960;

The right hereby confirmed dates from December 1, 1954;

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 6, Tp. 7 N., R. 34 E., B. M. County of Jefferson

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	34 E.	6	NE 1/4 NW 1/4	40	40
			NW 1/4 NW 1/4	40	35
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			Total number of acres to be irrigated:		155

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

26th day of September, 1960.

/s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

31 2338

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-25296

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Kenneth H. Neilson2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the _____ of Section 6T. 7 N R. 34 E.B.M. County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: 18" x 35' Csd 24"
h = 13' Lift = 35' Col = 6" x 35' 1 stage 12" bowl dd = 2' to 3'
10 hp W.S. Motor #1020349 No protection
124778 Pearless [D] controls on post to East 6'
well on ties over well. Delivery thru 8" x 30' pipe into a
holding pond

5. Water is used for: irrigation and domestic6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW 1/4 of Sec. 6., Twp. 7 N., Rge. 34 E.B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

Q = by observation checked by calculation

This examination was made on the 13 day of June, 1960

(Signed)

E. N. Humphrey

Examiner.

S25296

$R+34E.$

T.
7
N.

MCN REVIEW

W.P.D.

Prod. 175' x 175' x 5h

Subdivisions = 4

Area = 153 acres

$$Q = 12.5''$$

2.5%

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

25296



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 14, 2001

STEWART INDUSTRIES INC
996 E 2700 N
MONTEVIEW ID 83435

RE: CHANGE IN OWNERSHIP FOR A31-02278D, A31-02334E,
A31-10660F

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

Water right numbers A31-02338, A31-02278E, A31-10660C, A31-10235, A32-10148, A32-11237, A32-04061, A32-07100 have been changed to reflect the address on the top of this page.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
-----------------------	------------------------------	-------	-----------------------	------------------------------	-------

31-2278D		Ø			
----------	--	---	--	--	--

31-2334E		Ø			
----------	--	---	--	--	--

31-10660F		Ø			
-----------	--	---	--	--	--

31-2338 → ADDRESS CHANGE

31-2278E, 31-2334B 31-10660C ADDRESS CHANGE

2. The following **REQUIRED** information must be submitted with this form: 31-102351

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Evonne Adkins
167 Poplar Apt #22

4. New Owner/Claimant(s)

Black Foot, Id 83221

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

Stewart Industries Inc.
996 E 2700 N

New Mailing Address

City, State and ZIP Code

Montevideo, Idaho 83435

New Telephone Number

208 657-2277 or Mobile 208-521-2636

5. Date you acquired the property

10-11-00

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Stewart Ind. Inc (by Charles R Stewart)
(include title if applicable) (Secy)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

From: DWR70::VERNER 6-FEB-1989 09:37
To: DWR03::SHAFF
Subj: More house-keeping chores

Subject: The notice of claim number A31-02338 needs to be added to Receipt E004440.

Problem: Receipt E004440 was issued to Stewart Ind., Inc. The receipt covered several claims. One claim was not numbered when the receipt was issued. This claim has now been coded as A31-02338.

Solution: I have coded the claim under number A31-02338. The receipt indicates a fee of \$205.00 dollars was paid (155 acre irrigation claim) but the claim number is blank. Claim number A31-02338 should be added to this space on the receipt.

Followup: A copy of the corrected receipt needs to be sent to: Stewart Industries, Inc. 1791 E. 800 N., Montevue, Idaho 83435.?

Tx Eric

RECEIVED

NOV 2 1992

NOV 17 1992
Department of Water Resources
Eastern District Office