

**WATER CLAIMS BASED ON STEVENS 27-4**  
**Sent to AG's Office 7/14/04**

**27-4N**

**Don Esplin**

449 West Locust  
Shelley, ID 83274

Mortgage Farm Credit Services and Fielding, 9/14/95  
Notice of Change of Water Right Ownership 10/21/1998  
Letter IDWR re Change of Water Right Ownership to Fielding 9/22/1998  
Letter AG re proof of ownership 11/6/2003

**27-4AC**

**Arvel Fielding**

1115 East 1200 North  
Shelley, ID 83274

Deed of Water Right of 50" of 1/6 interest of E.V. Call decreed to Fox & Whitten, 4/10/1964  
Letter AG re proof of ownership, 11/6/2003

**27-10790**

**John Hamilton (deceased, wife is Eloise)**

2000 Riverton Road  
Blackfoot, ID 83221

Letter IDWR CB re POU 8/12/2003  
Postscript to copy of 8/12/2003 letter by Claimant re sending list of Miner's Ditch Water. 10/2/2003  
Letter AG to Claimant re proof of ownership 11/6/2003  
Letter from Claimant asking for help in reply to AG letter 11/13/2003  
Letter IDWR CB to Claimant re evidence of priority 12/9/2003

**27-10878**

**Little Butte Irrigation Co.**

P. O. Box 580  
Blackfoot, ID 83221

Letter AG re proof of ownership 11/6/2003  
File Note: Field exam by Skip Jones 5/21/04. He resent the 11/6/03 letter

**27-4AA**

**James Marriott**

799 West 200 South  
Blackfoot, ID 83221

Notice of Change of Water Right Ownership (Bell to Gundersen)  
10/7/1999  
Letter IDWR Jennifer Crabtree re Change of Ownership 11/18/1999  
Letter AG re proof of ownership 11/6/2003  
Copy of Watson Slough Ditch Company Certificate for 26 shares  
5/17/2002  
Warranty Deed McGovern to Marriott, 6/29/1978  
"Letter" Watson Slough Ditch Company re results of research of ditch company records, 11/24/2003

**27-10728**

**Eldro B. Pratt**

486 E. Weeding Lane  
Blackfoot, ID 83221

Amended claim in file, 3/3/04  
Notice of Change of Water Right, Nauman to Eldro Pratt 1/17/1995  
Letter from Jo Thompson to Claimant re ownership change 1/23/1995  
Letter IDWR Autumn Jones re address correction, 5/27/1999

Letter IDWR CB re documentation to substantiate water use, 8/12/2003  
Letter IDWR CB re Ownership change and change in POD/Source  
2/19/2004  
Warranty Deed Hansen to Twitchell 5/1/1958

**27-4M**

**Gary L. Pratt**

486 E. Weeding Lane  
Blackfoot, ID 83221

Letter AG re proof of ownership 11/6/2003  
File Note: Claimants claim in. Still need evidence to support the  
ownership of tis right. On the WR side this claim (4M) was transferred  
and split to (N,P,Q,R). So the M portion doesn't exist. They are going to  
go to the Courthouse to find additional evidence and mail it to me.  
Adjusted POU map marked. According to Gary this soil is sandy and  
requires all the water to irrigate and convey down the ditch. 3/3/04. CB

**27-4P**

**Sherman Whitten**

315 North 400 East  
Blackfoot, ID 83221

Letter AG re proof of ownership 11/6/2003  
Warranty Deed Francis Whitten to Sherman Whitten 4/24/2002 (Filing #  
512182)  
Warranty Deed Francis Whitten to Shermwn Whitten 4/24/2002 (Filing  
#512183)  
Notice of Change in Water Right Ownership Francis Whitten to Sherman  
Whitten, 11/10/2003  
File Note: According to Water Masters Report Sherman is being  
delivered water from 27-23 not 27-4. CB



Judgment Bk #107

In the District Court of the Fifth Judicial District of the State of Idaho, in and for Bingham County.

Fred S. Stevens et al, Plaintiffs,

vs

Eastern Idaho Water Co. et al, Defendants,

This cause having been heretofore tried by the Court, without a jury, and the Court having made its findings of fact and conclusions of law,

It is now ordered, adjudged and decreed that the following parties are entitled to divert from the Blackfoot River the amount of water herein indicated, and the right of each party dates from the time hereinafter stated and set opposite each name, to wit:—

Fred S. Stevens, July, 6<sup>th</sup> A.D. 1869. — 138 inches

Henry Durum, July, 1<sup>st</sup> A.D. 1870 — 300 inches

N.A. Just and

Emma Just, August, 1<sup>st</sup> A.D. 1871 — 200 inches

Leon Misslew, July, 1<sup>st</sup> A.D. 1873 — 200 inches

John Misslew, April, 1<sup>st</sup> A.D. 1874 — 120 inches

H. R. Lewis, March, 1<sup>st</sup> A.D. 1875 — 100 inches

Presto Burrell March, 1<sup>st</sup> A.D. 1876 — 100 inches

William Kirkpatrick May, 1<sup>st</sup> A.D. 1878 — 100 inches

F.M. Shornaker April 1<sup>st</sup> A.D. 1879 — 90 inches

Eastern Idaho Water Co. March, 25<sup>th</sup> A.D. 1880 — 1800 inches

J.B. Fox, Jr.

William Howard

A. Whitten

Susan E. Whitten

and Calvin Miles

March, 25<sup>th</sup> A.D. 1880 — 600 inches

Levi Warren, April 1<sup>st</sup> A.D. 1882, — 50 inches.

Emily Warren, April 1<sup>st</sup> A.D. 1883 — 106 inches.

Daniel G. Miller, April 1<sup>st</sup> A.D. 1883 — 100 inches.

Fred S. Stevens, October 1<sup>st</sup> A.D. 1884 — 140 inches

N.A. Just and

Emma Just April 1<sup>st</sup> A.D. 1885 — 100 inches.

Leon Misslew, May 1<sup>st</sup> A.D. 1885 — 300 inches.

Robert Miller, May 1<sup>st</sup> A.D. 1885 — 150 inches.

P. B. Fox Jr.  
 William Howard  
 A Whitten  
 Susan E Whitten  
 Calvin Miles

June 1st A.D. 1885 - 1500 inches

W. W. Ritter July 23<sup>d</sup> A.D. 1885 560 inches

Thomas G. Weber July 23<sup>d</sup> A.D. 1885 480 inches

Jamurs Drew October 1<sup>st</sup> A.D. 1885 6 inches

Eastern Idaho Water Co. October 1<sup>st</sup> A.D. 1885 1000 inches

H. R. Lewis and Sarah Lewis March 1<sup>st</sup> A.D. 1886 160 inches

Jamurs Welch March 20<sup>th</sup> A.D. 1886 400 inches

William A. Davidson April 5<sup>th</sup> A.D. 1886 352 inches

David S. Morgan April 5<sup>th</sup> A.D. 1886 132 inches

William Morgan April 5<sup>th</sup> A.D. 1886 100 inches

William A. Downing April 5<sup>th</sup> A.D. 1886 120 inches

F. Little October 4<sup>th</sup> A.D. 1886 240 inches

Charles S. Burton October 4<sup>th</sup> A.D. 1886 240 inches

John Sharp sr. November 1<sup>st</sup> A.D. 1886 320 inches

F. W. Jennings November 1<sup>st</sup> A.D. 1886 400 inches

Donald Tolmie April 1<sup>st</sup> A.D. 1887 100 inches

Samuel Bonup April 1<sup>st</sup> A.D. 1887 50 inches

Jacob Eliason

Caroline Eliason May 1<sup>st</sup> A.D. 1889 145 inches

Maylaw O'Fox December 4<sup>th</sup> A.D. 1889 640 inches

That the following rights hereinbefore set forth, to-wit:  
 The right of H. R. Lewis dating from the 1<sup>st</sup> day of March A.D.  
 1875, for 100 inches; the right of W. W. Ritter, dating from the  
 23<sup>d</sup> day of July A.D. 1885 for 560 inches; the right of Thomas  
 G. Weber, dating from the 23<sup>d</sup> day of July A.D. 1885 for 480 inches;  
 The right of H. R. Lewis and Sarah Lewis dating from the 1<sup>st</sup> day  
 of March, A.D. 1886, for 160 inches; the right of F. Little dating  
 from the 4<sup>th</sup> day of October, A.D. 1886, for 240 inches; the right  
 of Charles S. Burton, dating from the 4<sup>th</sup> day of October, A.D.  
 1886, for 240 inches; the right of John Sharp sr, dating  
 from the 1<sup>st</sup> day of November A.D. 1886, for 320 inches  
 the right of F. W. Jennings, dating from the 1<sup>st</sup> day of  
 November, A.D. 1886, for 400 inches; the right of Donald  
 Tolmie, dating from the 1<sup>st</sup> day of April A.D. 1887 for 100

dating from the 1st day of May A.D. 1889 for 145 inches; and the right of Moylaw O Fox, dating from the 4th day of December A.D. 1889, for 640 inches, shall only extend to the 1st day of July in each year for irrigating purposes, and the said H.R. Lewis, W.W. Ritter, Thomas G. Hibber, Sarah Lewis, F. Little, Charles S. Burton, John Sharp, sr., F.W. Jennings, Donald Pollock, Jacob Eliason, Caroline Eliason, Moylaw O Fox and each and all of them are hereby enjoined from diverting or using in any manner any part of the said water rights aforesaid, after the 1st day of July, in each and every year hereafter, for irrigating or any other than domestic purposes.

It is further ordered, adjudged and decreed that the following parties are entitled to divert from the Wolverine Creek a tributary of said Blackfoot River the amount of water herein indicated, and the right of each party dates from the time hereinafter stated, and set opposite each name, to-wit:-

Peter Morris, March 1st. A.D. 1882 — 60 inches.  
 Samuel Orr, July 1st. A.D. 1882 — 80 inches.  
 Peter Morris, April 1st. A.D. 1887 — 60 inches.  
 Saml M. Daylor April 1st A.D. 1888 — 10 inches.

It is further ordered, adjudged and decreed that the following parties are entitled to divert from Cedar Creek a tributary of Blackfoot River the amount of water herein indicated and the right of each party dates from the times hereinafter stated and set opposite each name to-wit:-

George Monroe }  
 and John Lyon } April 1st A.D. 1884 — 100 inches.  
 Samuel Borup April 1st A.D. 1887 — 50 inches.

It is ordered, adjudged and decreed that George Steaton is entitled to divert from the east fork of Bush Creek, a tributary of Blackfoot River one hundred and twenty-five (125) inches of water, said rights dating from the first day of May A.D. 1888, but the said right shall only extend to the 1st day of July in each year, for irrigating purposes, and the said Steaton is hereby enjoined from diverting or using in any manner any part of the said water right after the 1st day of July in each and every year hereafter for irrigating,

any other than domestic purposes.

It is ordered, adjudged and decreed that the following parties are entitled to divert from Cañon view Creek, a tributary of Blackfoot River, the amount of water herein indicated and the right of each party dates from the time hereinafter stated and set opposite each name to-wit:

Enoch Hansen - May 1st A.D. 1885 - 150 inches,  
James Sharp - October 11th A.D. 1886 - 640 inches,  
W.H. Rowe, - October 11th A.D. 1886 - 560 inches.

But these said rights of said Enoch Hansen, James Sharp and W.H. Rowe to waters of Cañon View Creek herein set forth shall only extend to the first day of July in each year, for irrigating purposes, and the said Hansen, Sharp and Rowe, and each and all of them are hereby enjoined from diverting or using in any manner any part of the said water rights after the first day of July in each and every year hereafter for irrigating or any other than domestic purposes.

It is ordered, adjudged and decreed, that the following parties are entitled to divert from Diamond Creek, a tributary of Blackfoot River, the amount of water herein indicated, and the right of each party dates from the time hereinafter stated, and set opposite each name, to-wit:

James Sharp - October 4th A.D. 1886, 560 inches.  
James Little - October 11th A.D. 1886, 560 inches.  
Charles Burton - October 11th A.D. 1886, 200 inches.

But these rights of said Sharp, Little and Burton to the waters of Diamond Creek herein set forth, shall only extend to the first day of July in each year, for irrigating purposes, and the said Sharp, Little and Burton, and each and all of them are hereby enjoined from diverting or using in any manner any part of said water rights after the first day of July in each and every year hereafter, for irrigating or any other than domestic purposes.

It is ordered, adjudged and decreed that the following parties are entitled <sup>to divert</sup> from Horse Spring Creek a tributary of Blackfoot River, the amount of water herein indicated, and the right of each party dates from the time hereinafter stated, and set opposite each name, to-wit:

W.H. Riley - October 4th A.D. 1886 - 320 inches.

27-012 Fred S. Stevens 138" 7/6/69  
 Stevens Plot 138" Fred S. Bell Boise, Id.

27-013 Henry Dunn 300" 7/1/1870  
 Pump river 100" Orvel Fielding (John Thompson)  
 (Shoe maker)  
 200" Jim Tarpley 237 acres

27-014 M.A. & Emma Just 200" 8/1/71  
 Pump river 200" Reid Bros.

27-016 Leon Misslen 200" 4/1/73  
 Hansen ditch 100" Owen Taylor  
 22" Young 221 3000  
 Ditch 50" Lewey Blockson

27-017 John Misslen 120" 7/1/1874  
 Pump river 120' miners Ditch (5 ft. plots) Kennel

27-018 H.R. Lewis 100" 3/1/1875  
 covered in Reservoir

27-005 Presto Burrill 100" 3/1/1876  
 Pump river 100" Darrel Cook