

05/16/2005

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

RIGHT NUMBER: 27-11945
NAME AND ADDRESS: LEO WALLACE
1921 W TABER RD
BLACKFOOT ID 83221

SHERRILYNN BAIR
1921 W TABER RD
BLACKFOOT ID 83221

RICHARD M WALLACE
1921 W TABER RD
BLACKFOOT ID 83221

STARLA THOMPSON
1921 W TABER RD
BLACKFOOT ID 83221

SOURCE: CLAUDS CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.030 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 02/02/1916

POINT OF DIVERSION:
T04S R39E S36 NENE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 11/01	0.030 CFS

PLACE OF USE: STOCKWATER Within BINGHAM County
T04S R39E S36 SWNE

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-4030

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 27-11945
Date Received: 6/26/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

LEO WALLACE Phone: (208)684-5271
1921 W TABER RD
BLACKFOOT ID USA 83221

SHERRILYNN BAIR Phone: (208)684-5271
1921 W TABER RD
BLACKFOOT ID USA 83221

RICHARD M WALLACE Phone: (208)684-5271
1921 W TABER RD
BLACKFOOT ID USA 83221

STARLA THOMPSON Phone: (208)684-5271
1921 W TABER RD
BLACKFOOT ID USA 83221

2. Date of Priority: 06/01/1914

3. Source: CLAUDS CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	39E	36	NE NE	BINGHAM	

5. Description of diverting works:

EARTH DIVERSION DAM, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.29	
STOCKWATER	04/01	11/01	0.03	

7. Total Quantity Appropriated is:
0.29 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
04S	39E	25	SE	SW	STOCKWATER	
			SW	SE	STOCKWATER	
04S	39E	36	NE	NE	STOCKWATER	
			NW	NE	STOCKWATER	
			SW	NE	STOCKWATER	
			SE	NE	STOCKWATER	
			NE	NW	STOCKWATER	
			NE	NE	IRRIGATION	0.5
			NW	NE	IRRIGATION	0.5
			SW	NE	IRRIGATION	17
			SE	NE	IRRIGATION	7.4
					Section Acres	25.4
					Total Acres	25.4

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11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-4030

15. Basis of Claim: Statutory Claim

06/26/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 27-4030

WATER RIGHT NUMBER: 27-4030

Owner Type Name and Address
 Current Owner WALLOBYS RETREAT INC
 152 N 200 E
 BLACKFOOT, ID 83221
 (208)782-9676

Priority Date: 06/01/1914
 Basis: Statutory Claim
 Status: **PARENT**

Source Tributary
 CLAUDS CREEK BLACKFOOT RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.000 CFS	
STOCKWATER	4/01 to 11/01	0.090 CFS	
<u>Total Diversion:</u>		1.000 CFS	

Location of Point(s) of Diversion

CLAUDS CREEK NE1/4NE1/4 Sec. 36, Twp 04S, Rge 39E, B.M.
 BINGHAM County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	39E	25																	10.0
04S	39E	36	3.0	25.0	6.0	10.0							5.0				5.0		49.0

*46 acres
28 acres*

Total Acres: 59

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	39E	25																	
04S	39E	36	X	X	X	X	X										X		

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 27-4030

Conditions of Approval:Remarks:

1. TWO P/DS IN NENE SEC. 36 T4S R39E.
CHANGED ADDRESS PER REQUEST/CV/09-20-00
2. General **SPLIT RIGHT: SEE RIGHT NOS. 27-11944 AND 27-11945**

Comments:Dates and Other Information:

Claim Received Date: 3/30/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number: 27
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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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 27-4030
Date Received: 3/30/1989
Receipt No: E006607
Received By:

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

1. Name of Claimant(s)

WALLOBYS RETREAT INC Phone: (208) 782-9676
152 N 200 E
BLACKFOOT ID USA 83221

2. Date of Priority: 06/01/1914

3. Source: CLAUDS CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	39E	36	NE NE	BINGHAM	

5. Description of diverting works:

EARTH DIVERSION DAM, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1	
STOCKWATER	4/01	11/01	0.09	

7. Total Quantity Appropriated is:
1 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
04S	39E	25	SE SW	IRRIGATION	5
			SW SE	IRRIGATION	5

			SE	SW	STOCKWATER	
			SW	SE	STOCKWATER	
					Section Acres	10
04S	39E	36	NW	NE ✓	IRRIGATION	25
			SW	NE ✓	IRRIGATION	6
			SE	NE ✓	IRRIGATION	10
			NE	NW ✓	IRRIGATION	5
			NE	NE ✓	IRRIGATION	3
			NE	NE	STOCKWATER	
			NW	NE	STOCKWATER	
			SW	NE	STOCKWATER	
			SE	NE	STOCKWATER	
			NE	NW	STOCKWATER	
					Section Acres	49
					Total Acres	59

11. Place of use in counties: BINGHAM

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

TWO P/DS IN NENE SEC. 36 T4S R39E.

CHANGED ADDRESS PER REQUEST/CV/09-20-00

15. Basis of Claim: Statutory Claim

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: A27-04030
Date Received: 3/30/1989
Receipt No: E006607
Received By: JDW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WALLOBY'S RETREAT, INC. 208-684-4007
Address: BOX 75
MOORELAND, ID 83256

2. Date of Priority: JUN 01, 1914

3. Source: CLAUD'S CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	39E	36	NE	NE			BINGHAM

5. Description of diverting works:
EARTH DIVERSION DAM, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		
STOCKWATER	04/01	11/01	0.090		

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

8. Total consumptive use is 147.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 400 HEAD RANGE CATTLE, 10 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	39E	25	SE	SW		IRR	5.0
			SE	SW		STOCK	

A27-04030

Page 1

Date: 03/30/89

A2704030



MICROFILMED
NOV 12 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	39E	25	SW	SE		IRR	5.0
			SW	SE		STOCK	
					Section Acres		10.0
		36	NE	NE		IRR	3.0
			NE	NE		STOCK	
			NW	NE		IRR	25.0
			NW	NE		STOCK	
			SW	NE		IRR	6.0
			SW	NE		STOCK	
			SE	NE		IRR	10.0
			SE	NE		STOCK	
			NE	NW		IRR	5.0
			NE	NW		STOCK	
					Section Acres		49.0
					Total Acres		59.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
A27-04029

14. Remarks:
TWO P/DS IN NENE SEC. 36 T4S R39E.

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

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

WALCORY'S RETREAT, that I have signed the foregoing Organization

document in the space below as VICE PRES. of Title

WALCORY'S RETREAT and that the statements contained in the Organization

foregoing document are true and correct.

Lessa Bergeron
Signature of Authorized Agent

VICE PRES. / WALCORY'S RETREAT
Title and Organization

March 30, 1989
Date

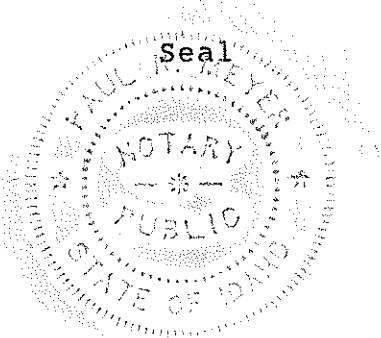
State of Idaho)
County of BOONEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 30 day
of MARCH 19 89

[Signature]
Notary Public

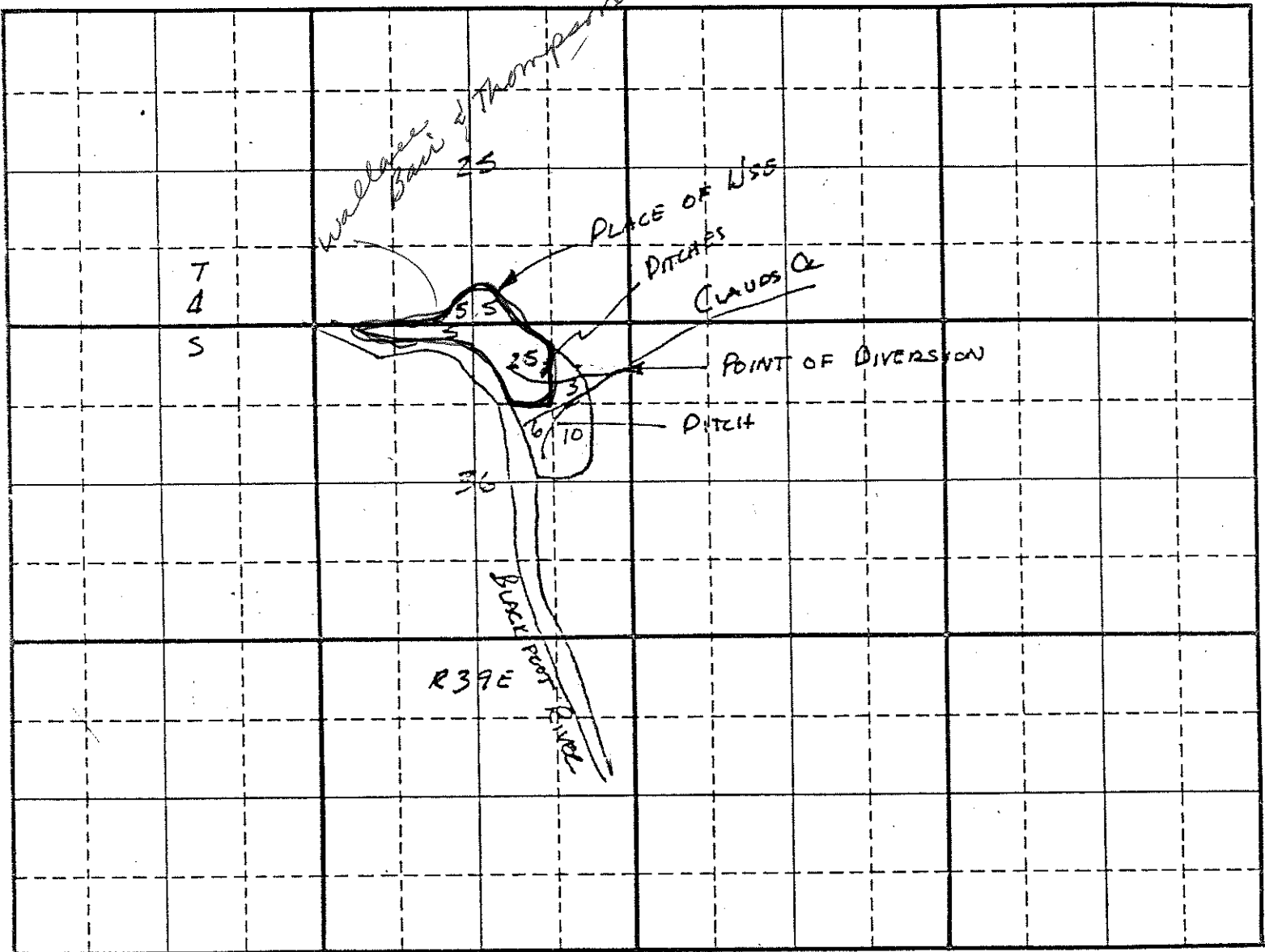
Residing at IDAHO FALLS

My Commission Expires 9-12-94



A 27-0403C

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Bonneville

)
) ss.

MICROFILMED

NOV 12 1992

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this

30th

day of

June

Leora Bergevin
(Claimant)

19 80

Wallace's Retreat Inc.

Colleen Wray