

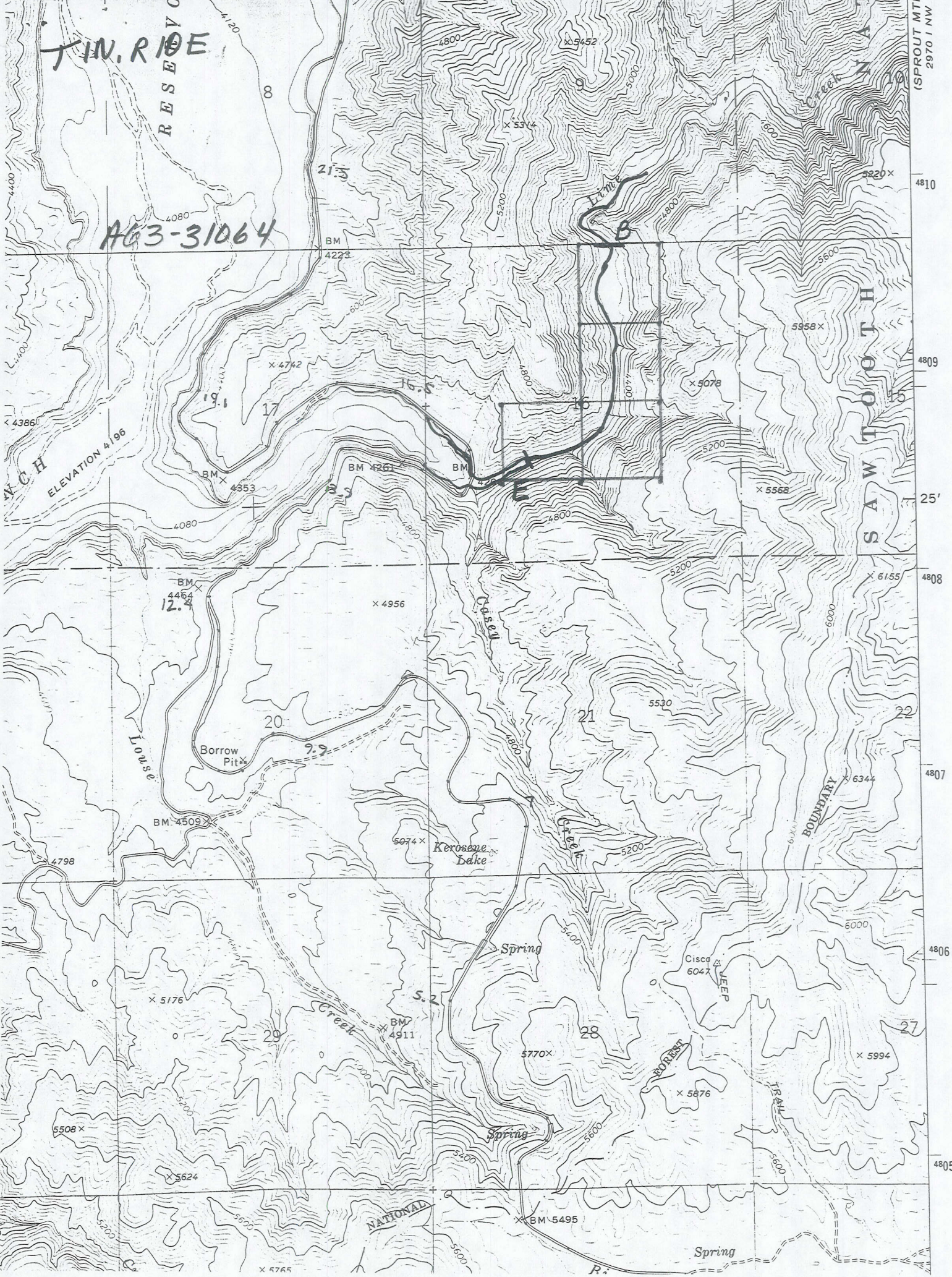
TIN. RIDE

RESEVO

AG3-31064

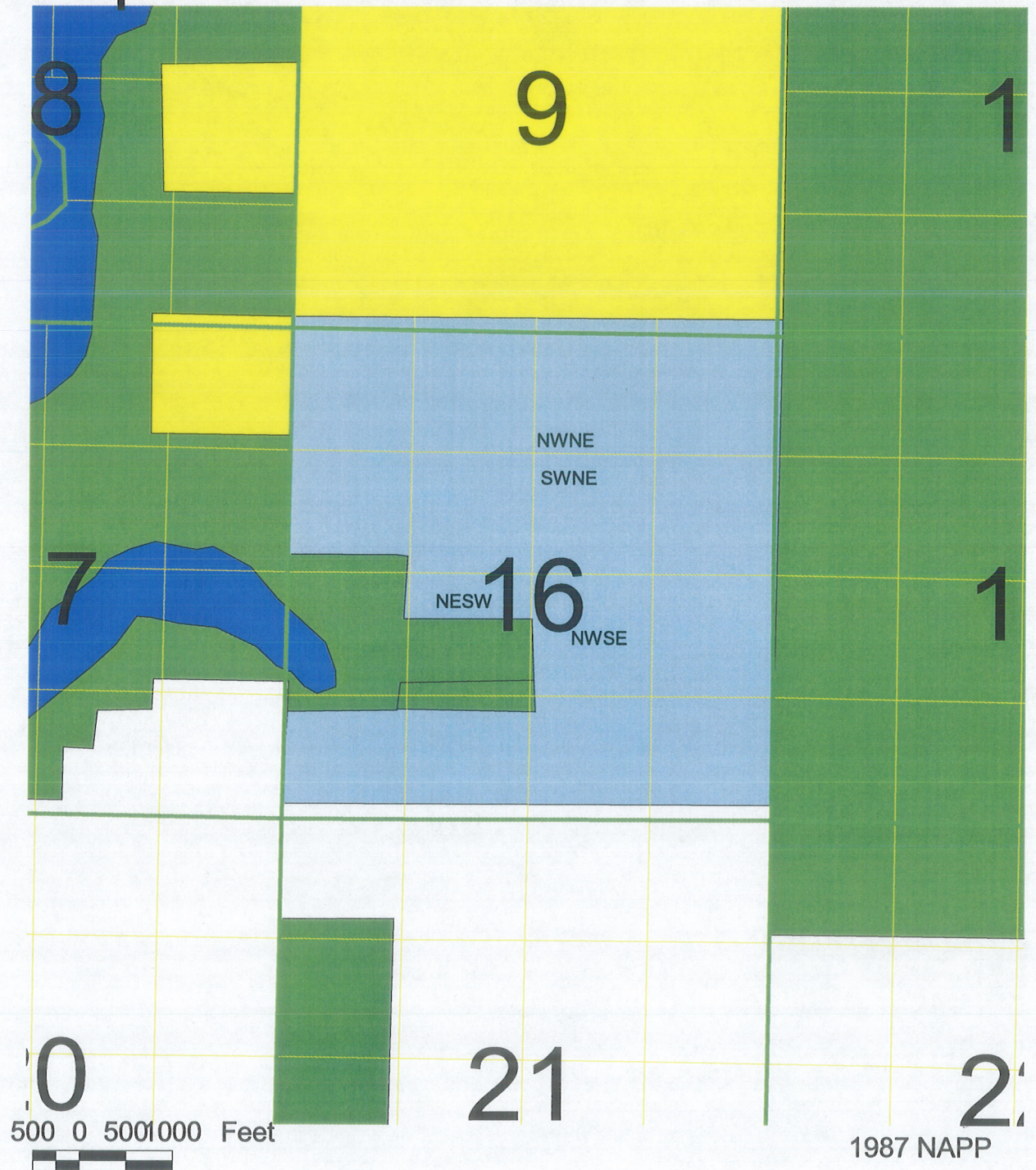
SPROUT MTN
2970' NW

SAWTOOTH



Idaho Dept of Water Resources

- S1n10e.shp
- T1n10e.shp
- Idown
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service



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 63-31064
Date Received: 9/20/1999
Receipt No: W025746
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MC GREW RANCH LLC
RT 1 BOX 463
GLENN'S FERRY ID USA 83623

Phone: (208)580-2996

2. Date of Priority: 04/01/1911

3. Source: LIME CREEK Trib. to: ANDERSON RANCH RESERVOIR

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01N	10E	16	SW	NE	SW	ELMORE	Ending Point
01N	10E	16	NW	NW	NE	ELMORE	Beginning Point

5. Description of diverting works:

INSTREAM USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 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
01N	10E	16	NW	NE	STOCKWATER	
			SW	NE	STOCKWATER	
			NW	SE	STOCKWATER	
			NE	SW	STOCKWATER	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

Name change by DB 3/28/2002

THE PROPERTY IS OWNED BY THE STATE OF IDAHO. THE CLAIMANT OWNS THE GRAZING LEASE. THE STATE DID NOT FILE A CLAIM FOR THIS USE.

15. Basis of Claim: Beneficial Use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAR 28 2002

WATER RESOURCES
WESTERN REGION

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
63-31064					

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

- 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)

4. New Owner/Claimant(s)

McGraw Ranch LLC

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

New Mailing Address

Same

City, State and ZIP Code

New Telephone Number

() _____

5. Date you acquired the property

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) McGrew Ranch LLC
(include title if applicable)

John R. McGrew manager

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 _____

① Assignment to John Wm McGrew
PO Box 450
of Glenns Ferry Id 83623
Recorded May 12 1997

STATE OF IDAHO
STATE LAND LEASE

LEASE NUMBER: G-6064

This lease agreement is made and entered into by and between the State of Idaho, acting by and through the State Board of Land Commissioners (lessor) and Bennett Family Partnership (lessee)

P. O. Box 400 Mountain Home, ID 83647
(Address) (City) (State) (Zip)

This lease shall commence January 1, 1997, and terminate December 31, 2006.

The annual rent payment is due on May 1 of each year.

② Assigned to McGrew Ranch, LLC
of Rt 1, Box 462
Glenns Ferry ID 83623
Recorded February 8th 2001

The lessor, in consideration of the rental paid and the covenants, conditions and restrictions hereinafter set forth, in attachment B, does hereby lease and demise unto the lessee the lands described in attachment A at the rates and uses specified herein; grazing 570.00 acres containing 37.00 AUMs, cropland 0.00 acres of dryland at 0.00 per acre, 0.00 acres irrigated land at 0.00 per acre and 0.00 acres of wasteland at 0.00 per acre, miscellaneous 0.00 per annum, or 0.00 premium bid.

IN WITNESS WHEREOF, The parties hereto have caused these presents to be duly executed the day and year first above written.

COUNTERSIGNED:

Pete T. Cenarrusa
Secretary of the State of Idaho

Stanley F. Hamilton
Director Department of Land

STATE BOARD OF LAND COMMISSIONERS OF THE STATE OF IDAHO

Philip E. Batt
President of the State Board of Land Commissioners
and Governor of the State of Idaho



STATE OF IDAHO

COUNTY OF Ada

On this 12 day of December, in the year 1996 before me, a Notary Public in and for said State, personally appeared Philip E. Batt, known to me to be the president of the State Board of Land Commissioners of the State of Idaho and the Governor of the State of Idaho; and Pete T. Cenarrusa, known to me to be the Secretary of the State of Idaho and Stanley F. Hamilton, known to me to be the Director, that executed the within instrument, and acknowledged to me that the State Board of Land Commissioners of the State of Idaho and the State of Idaho executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Residing at Meridian, ID, Commission expires 5/22/2001 Shirley A. Baker
Notary Public for Idaho

***** LESSEE *****

X Janis Jones
(lessee)

TENNESSEE
STATE OF IDAHO

X _____
(lessee)

COUNTY OF Davidson

On this 27 day of November, in the year 1996, before me, a Notary Public in and for said State, personally appeared JANIS JONES

known to me to be the lessee that executed the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

Residing at Madison, TN, Commission expires 1/22/99 Buffy Bell
Notary Public for Idaho
TN

STATE OF IDAHO
STATE LAND LEASE

LEASE NUMBER: G-6064

PAGE 2

ATTACHMENT A

DESCRIPTION OF PROPERTY:

COUNTY	ACRES	SUBDIVISION DESCRIPTION	SEC.	TWP.	RGE.	ENDOW.
ELMORE	570.00	E2,NW,PTSW	16 00	1 N	10.0 E	PS

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: A63-31064
Date Received: 9/20/99
Receipt No: W025746
Received By: KJ

RECEIVED

SEP 20 1999

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN MC GREW 208-587-1125
Address: RT 1, BOX 463
GLENNS FERRY ID 83623
2. Date of Priority: APR 1, 1911
3. Source: LIME CREEK Trib. to: ANDERSON RANCH RESERVOIR
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Instream Flow							
01N	10E	16	NW	NW	NE		ELMORE
Ending Point of Instream Flow							
01N	10E	16	SW	NE	SW		ELMORE
5. Description of diverting works:
INSTREAM USE
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
114 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	10E	16	NW	NE		STOCK	
			SW	NE		STOCK	
			NE	SW		STOCK	
			NW	SE		STOCK	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE PROPERTY IS OWNED BY THE STATE OF IDAHO. THE CLAIMANT OWNS
THE GRAZING LEASE. THE STATE DID NOT FILE A CLAIM FOR THIS USE.

15. Basis of Claim: BENEFICIAL USE

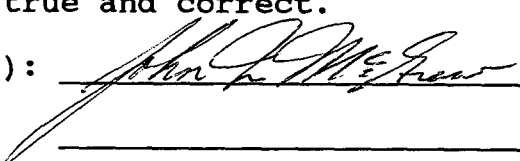
16. Signature(s)

(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 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: 7-17-99

Date: _____

State of Idaho)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of September 19 99

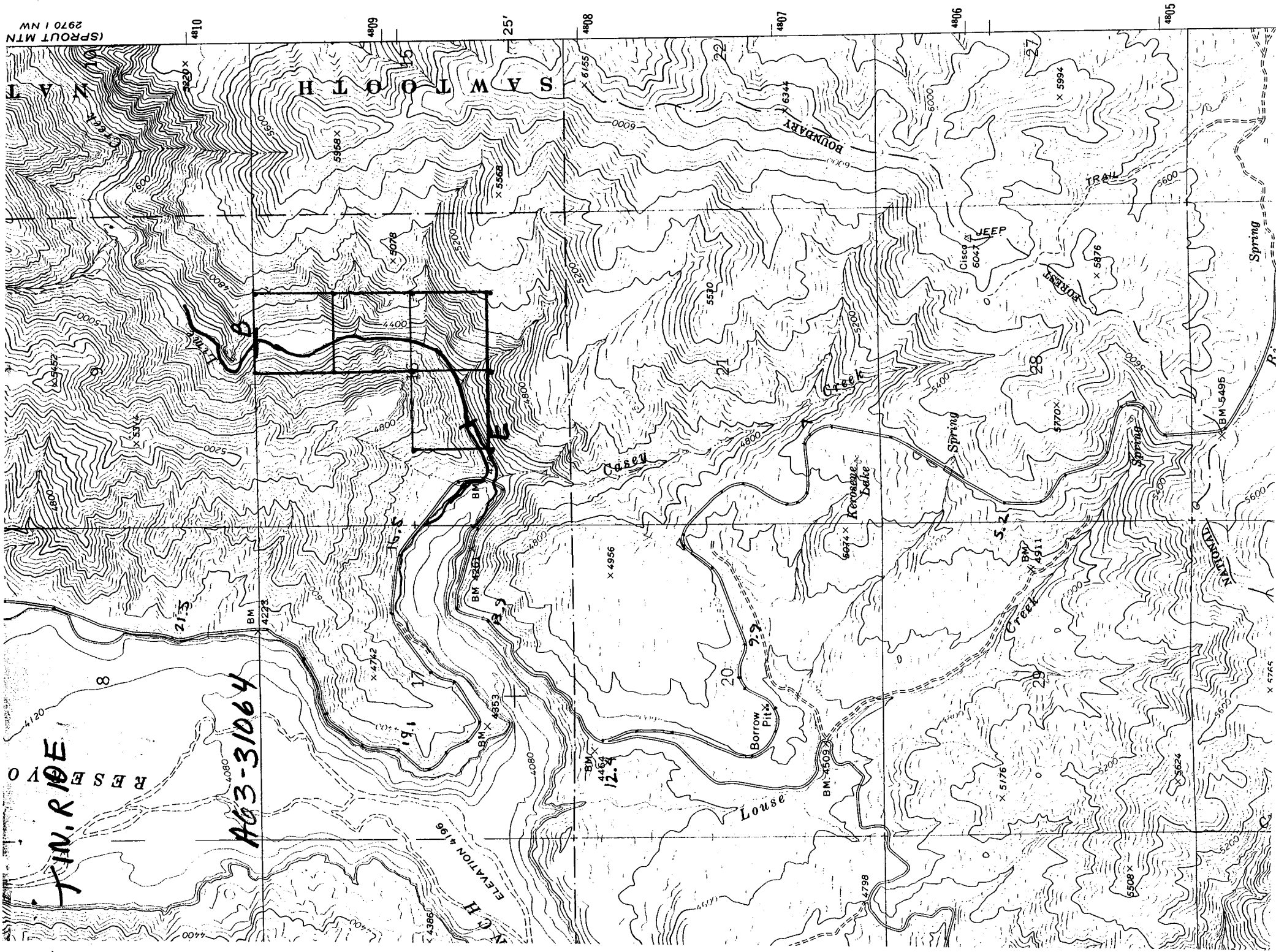
Freeda E. Meeks
Notary Public

Seal

Residing at Mtn Home, Idaho

My Commission Expires 6-20-2002

4080-
A63-31064



In Re SRBA) A. Subcase 63-31064
)
Case No. 39576)
) STANDARD FORM 1
) OBJECTION
)

B. NAME AND ADDRESS OF PERSON OBJECTING

Daytime Phone: (208) 334-0200

Attorney Name: LAWRENCE G. WARDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General
Idaho Department of Lands
Attorney Address: 700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400
Idaho State Bar # 2597

COPY

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: McGrew Ranch LLC
Address: Rt 1 Box 463
Glenns Ferry, ID 83623

D. I object to the following elements as recommended in the Director's Report.

1. ☒ **Name and Address**
Should be: Idaho Department of Lands
954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The State of Idaho, through the Idaho Department of Lands, is the owner of a portion of the land upon which use is claimed. This land is Public School endowment land. This land consists of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SWNE $\frac{1}{4}$, N $\frac{1}{2}$ NESW $\frac{1}{4}$, and NWSE $\frac{1}{4}$ of section 16, Township 1 North, Range 10 East, Boise Meridian. The Public School endowment land and the beginning point of the instream flow for Notice of Claim No. 63-31064 are shown on Attachment I. The claimant does not have a valid water right for use on the endowment land because a private claim cannot be made on such lands.

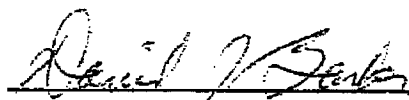
F. VERIFICATION

State of Idaho)
) ss.
County of Ada)

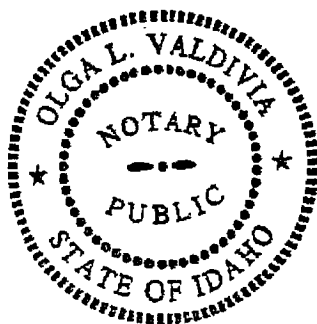
David J. Barber, being first duly sworn, upon oath, deposes and says:

That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands, which is a party/claimant in this proceeding as defined by I.C. § 42-1401A (1) and (6), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
DAVID J. BARBER
Deputy Attorney General
Idaho Department of Lands


By Attorney signing in representative capacity

Subscribed and sworn to before me on: 1-28-03
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/06

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 28, 2003, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

U.S. MAIL

2. One copy to the owner of the water right at the following address:

McGrew Ranch LLC
Rt 1 Box 463
Glenns Ferry, ID 83623

U.S. MAIL

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

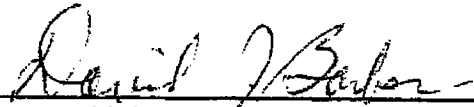
STATEHOUSE MAIL

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

U.S. MAIL



Signature of Objector or Attorney
Mailing on Objector's behalf

ATTACHMENT I

BASIN 63, PART 1 POINT OF DIVERSION

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

PLACE OF USE DESCRIBED ABOVE DOES NOT INCLUDE PUBLIC FEDERAL LAND.
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 QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use
STOCKWATER USE IS FOR 114 RANGE CATTLE.

Shurte

Shurte, Jan

From: Shurte, Jan
Sent: Monday, May 06, 2002 9:49 AM
To: Bock, Susan; Howerton, Ron; Saxton, Craig
Subject: B63, Part I, Prel. Rept. Mixed Ownerships

Sue, Ron & Craig,

I received memos from the BOR and BLM concerning claims recommended in our preliminary report for B63, Part I where the 1/4/14 description for the pod &/or pou include federal lands. We did have similar situations with the place of use in B65, Part III where we added a remark in some cases. Just so you know, the new buzzword they are calling this situation is "mixed ownerships".

So, I am sending around the memos from both. Please check the county ownership on these if you can. If the whole place of use shows BOR or BLM then we should contact the claimants to see if they want to amend their claim to remove that 1/41/4 or leave it on, letting them know of the possible objection when the Director's Report is filed. If you have a place of use on federal land, it could be that only a portion of the 1/4/14 is private and a portion is BOR or BLM. If the place of use recommended is on private land only then we can add the remark "Place of use described above does not include the irrigation of federal land." This is the U42 Condition for the place of use. It could be modified if the use is not irrigation. We could put "Place of use described above does not include federal land."

If the point of diversion is within the same 1/41/4, but is not on federal land, then we can describe the point of diversion down to the 10-acre tract of private land. If the 10-acre tract is owned in part by private and part by federal, then we will use the remark "Point of diversion described above does not include federal land". There is no condition in the ECVR for this one, so I would put it in as a pod remark.

If the point of diversion is totally on federal land then we leave it and the claimant will need to discuss the matter with the federal agency if the right is objected to. My reasoning on this is that even if we tell them it is on federal land and it might be objected to, they will have a hard time moving or removing the point of diversion. They may need to discuss it with the federal agency and end up getting a right of way. Someone else has told me that there is a federal law (1866, See Hutchins in Idaho Law Review - attached) which specifically provides for a right of way on federal lands for water delivery systems. However, the case could be they have never gotten a right of way and still can. Either way they can discuss that with the federal entity.

If you have questions or this is hard to understand, please let me know.

Thanks,

Jan

the landowner, or with-

the owner had issued a permit to appropriate private land.⁶⁸ It was held that the plaintiff had trespassed upon the land in his application for a permit. The fact that the State had transferred upon the application for the purpose of diverting water, it was held, was not a trespass upon the land without the consent of the owner or effect by reason of the permit. The court stated (at 144) that the land in question for the making of survey of applying for the permit, "either by the plaintiff or the defendant," and the plaintiff's contention in making

necessary data were proceedings were held (1959) that:

the right initiated by the plaintiff to divert water and puts the water to use does not, pursuant to the claim of right thus

related point of diversion intended appropriating the right of way to private property. As the plaintiff without entering the land having no title situated nevertheless the water to a beneficial use was held lawful.

condemn rights of way affecting water rights:

144, 153-158, 125 Pac. (2d) 722 (1931).

No trespass was shown, unless it should be considered trespass *per se* to apply for and receive a permit to appropriate public waters where the point of diversion is upon the land of another, without first acquiring consent or a grant of such right; and this the court did not agree to be the case. In this action the plaintiff was seeking to acquire the right to enter the property of the defendants in order to effectuate the diversion authorized by his permit; and the right of condemnation therefor was upheld.

The decision in *Bassett v. Swenson* was approved in a later case, the court saying that the trespass, in order to invalidate the appropriation, must be physical, not merely mental.⁶⁹

Rights of Way

Public Domain

Congress in 1866 enacted legislation to the effect that the rights of way for ditches and canals across public lands of the United States in connection with appropriative water rights for mining, agricultural, manufacturing, or other purposes, vested and accrued under local customs, laws and court decisions, should be acknowledged and confirmed; and provided in 1870 that all patents or preemptions or homesteads should be subject to such rights.⁷⁰

An easement in public lands of the United States for a ditch is acquired by a grant from the United States.⁷¹ It is not forfeited by mere nonuse.

The matter of forfeiture of a right of way obtained under the Act of Congress of March 3, 1891,⁷² was considered by a federal court in 1910.⁷³ The court held that the grant of right of way is *in praesenti*; that title to the land shown on the applicant's maps vests in him upon approval thereof by the Secretary of the Interior. With respect to section 20 of the act, providing for forfeiture of any section of the canal, ditch, or reservoir not completed within five years after the location of the section, the court said that:

This requirement being in the nature of a condition subsequent, the rule undoubtedly is that failure to comply therewith does not operate ipso facto to divest the grantee of the title

⁶⁸*Idaho Power Co. v. Buhl*, 62 Idaho 351, 357-358, 111 Pac. (2d) 1088 (1941).

⁶⁹U. S. Rev. Stats., secs. 2339 and 2340, respectively.

⁷⁰*Welch v. Garrett*, 5 Idaho 639, 641, 51 Pac. 405 (1897); *Ada County Farmers' Irr. Co. v. Farmers' Canal Co.*, 5 Idaho 793, 799-800, 51 Pac. 990 (1898). See *Swank v. Sweetwater Irr. & Power Co.*, 15 Idaho 353, 360, 98 Pac. 297 (1908).

⁷¹26 Stat. L. 1095, 1101, 1102; U. S. Code, tit. 43, secs. 946 to 949.

⁷²*United States v. Whitney*, 176 Fed. 593, 594-595 (C.C.D. Idaho, 1910). Appeal dismissed, *Whitney v. United States*, 190 Fed. 1023 (C.C.A. 9th, 1911).

Shurte, Jan

From: Dala Walton [DWALTON@pn.usbr.gov]
Sent: Friday, April 05, 2002 12:42 PM
To: JShurte@idwr.state.id.us
Cc: Gbaxter@idwr.state.id.us; Kathleen Carr
Subject: Mixed Ownerships in Basin 63 Part 1

Jan,

There are several preliminary recommendations in Basin 63, Part 1 that include PODs and POUs within the 40 acre description that include federal (Bureau of Reclamation withdrawn and acquired) and private land. In one of the previous preliminary reports, I think it was Basin 65 Part 3, we were given an opportunity to identify these to IDWR to consider including the remark typically used by BLM to resolve objections to mixed ownerships. In that way, we might prevent objections to these when the final report is issued. So, I thought I'd let you know on these in case the remark could be included in the final director's report. The recommendations are:

63-4286 *Ron*
63-30467 *Ron*
63-4139 *Ron*
63-4811 *Ron*
63-31064 *Steve McGrew*

Thanks,
Dala Walton
(208) 678-0461 Ext 23

63-30466 Ron

63-3435 Ron

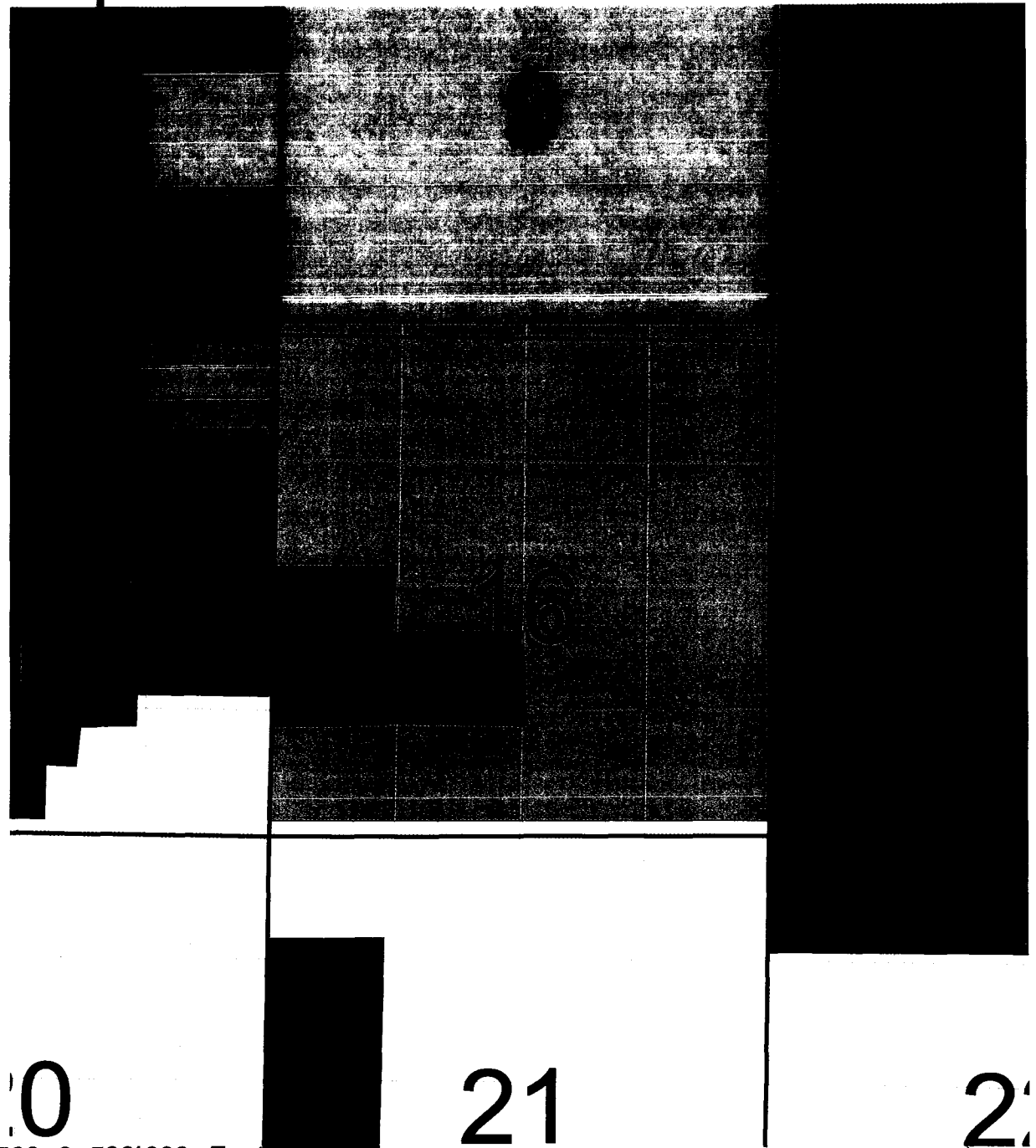
*PLACE OF USE DESCRIBED ABOVE DOES NOT INCLUDE
THE IRRIGATION OF FEDERAL LAND.*

SAME 1/4 but not the same land.

SEE MEMO

Idaho Dept of Water Resources

- ☐ S1n10e.shp
☐ T1n10e.shp
 Idown
☐ B.L.M.
☐ Bureau of Indian Affairs
☐ Department of Energy
☐ Forest Service
☐ Military Reservations
☐ National Parks & Monuments
☐ Open water
☐ Private
☐ State of Idaho
☐ U.S. Fish & Wildlife Service



500 0 500 1000 Feet
 0

21

2

1987 NAPP

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

STOCKWATER USE IS FOR 114 RANGE CATTLE.

NOTICE OF ERROR
REPLY

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: April 5, 2002

Water right number: 63-31064

JOHN MC GREW

RT 1 BOX 463

GLENNS FERRY ID 83623

Telephone Number: (208)587-1125

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:

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

DATE: 3-28-02

SIGNATURE: John W McGrew

Please print your name: John W McGrew

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

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RIGHT NUMBER: 63-31064

NAME AND ADDRESS: JOHN MC GREW
RT 1 BOX 463
GLENN'S FERRY ID 83623

SOURCE: LIME CREEK TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION:

T01N R10E S16 NWNWNE Begin of Stream Flow Within ELMORE County

T01N R10E S16 SWNESW End of Stream Flow Within ELMORE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER Within ELMORE County

T01N R10E S16	NWNE	T01N R10E S16	SWNE
T01N R10E S16	NESW	T01N R10E S16	NWSE

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 QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER USE IS FOR 114 RANGE CATTLE.

AJ5809NP
No. A63-31064

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/01
PAGE: 68

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN MC GREW RT 1, BOX 463 GLENN'S FERRY ID 83623 (208) 587-1125	04/01/1911	STOCKWATER ✓	01-01 12-31	0.020 CFS ✓	0.020 CFS ✓
TOTAL DIVERSION:					0.020 CFS	

Water Source: LIME CREEK

Tributary to: ANDERSON RANCH RESERVOIR ?

Stage: BENEFICIAL USE ✓

Point(s) of Beginning Stream Reach: T01N R10E S16
Point(s) of Ending Stream Reach: T01N R10E S16

NWNWNE
SWNESW ✓

ELMORE County
ELMORE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE																			
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:			
01N	10E	16	:			S		S								S															S	:			

POU County: ELMORE

Non-Irrigation Uses: 114 RANGE CATTLE

Other Rights: NONE

Remarks: GEN THE PROPERTY IS OWNED BY THE STATE OF IDAHO. THE CLAIMANT OWNS THE GRAZING LEASE. THE STATE DID NOT FILE A CLAIM FOR THIS USE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

C18
N11
N12