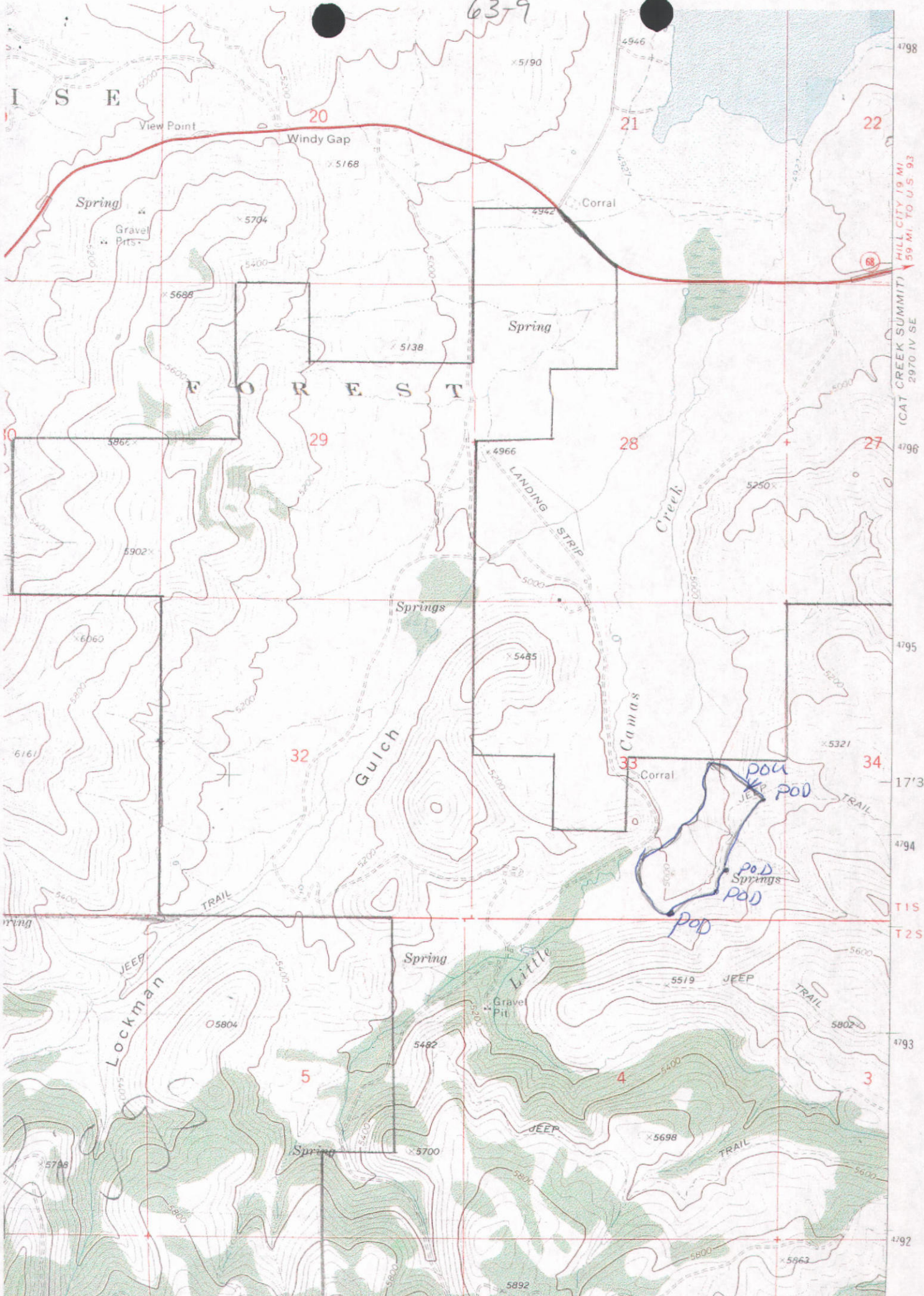


639

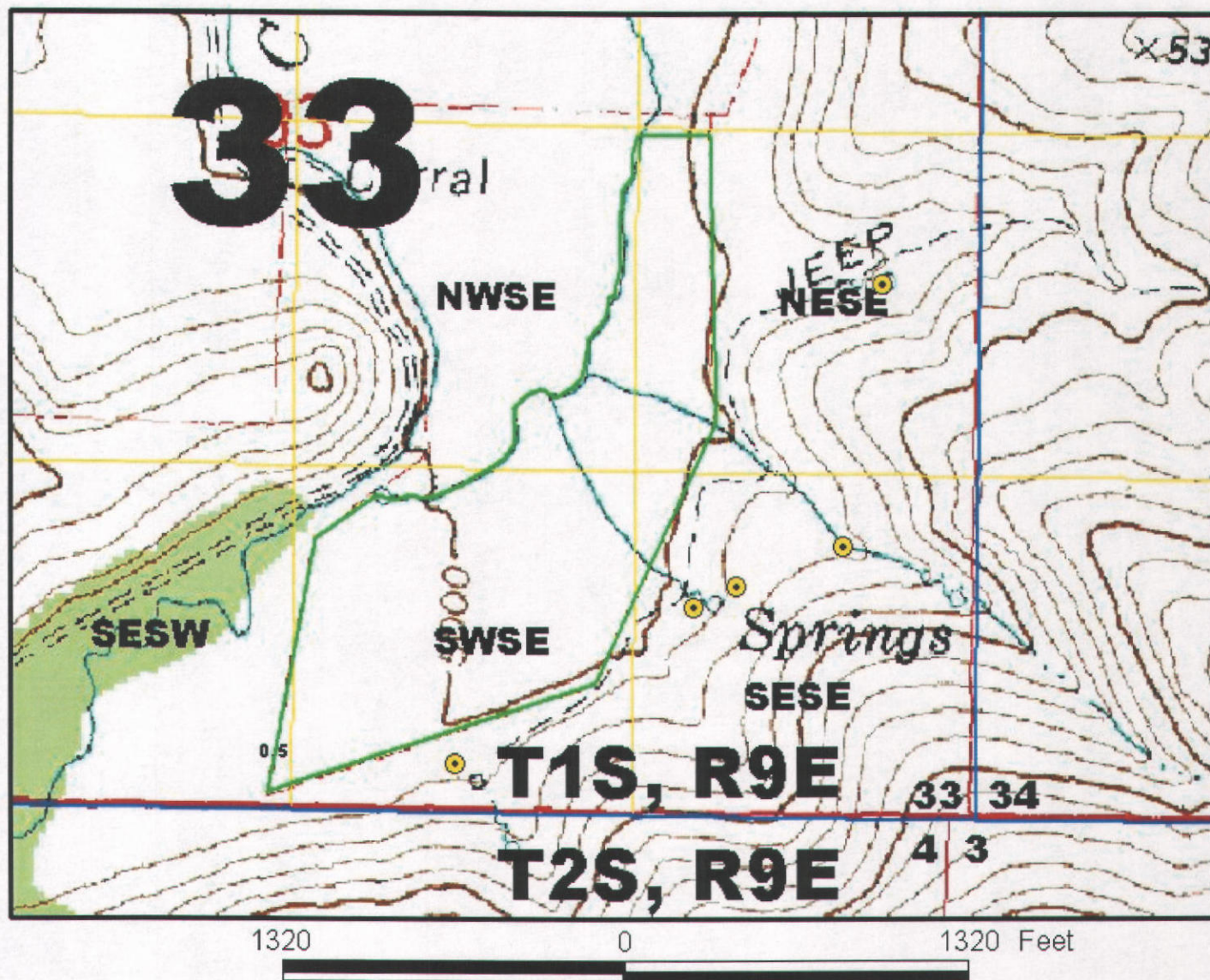




STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-31776



Total Irrigated Acres: 41.6

-  Point of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines

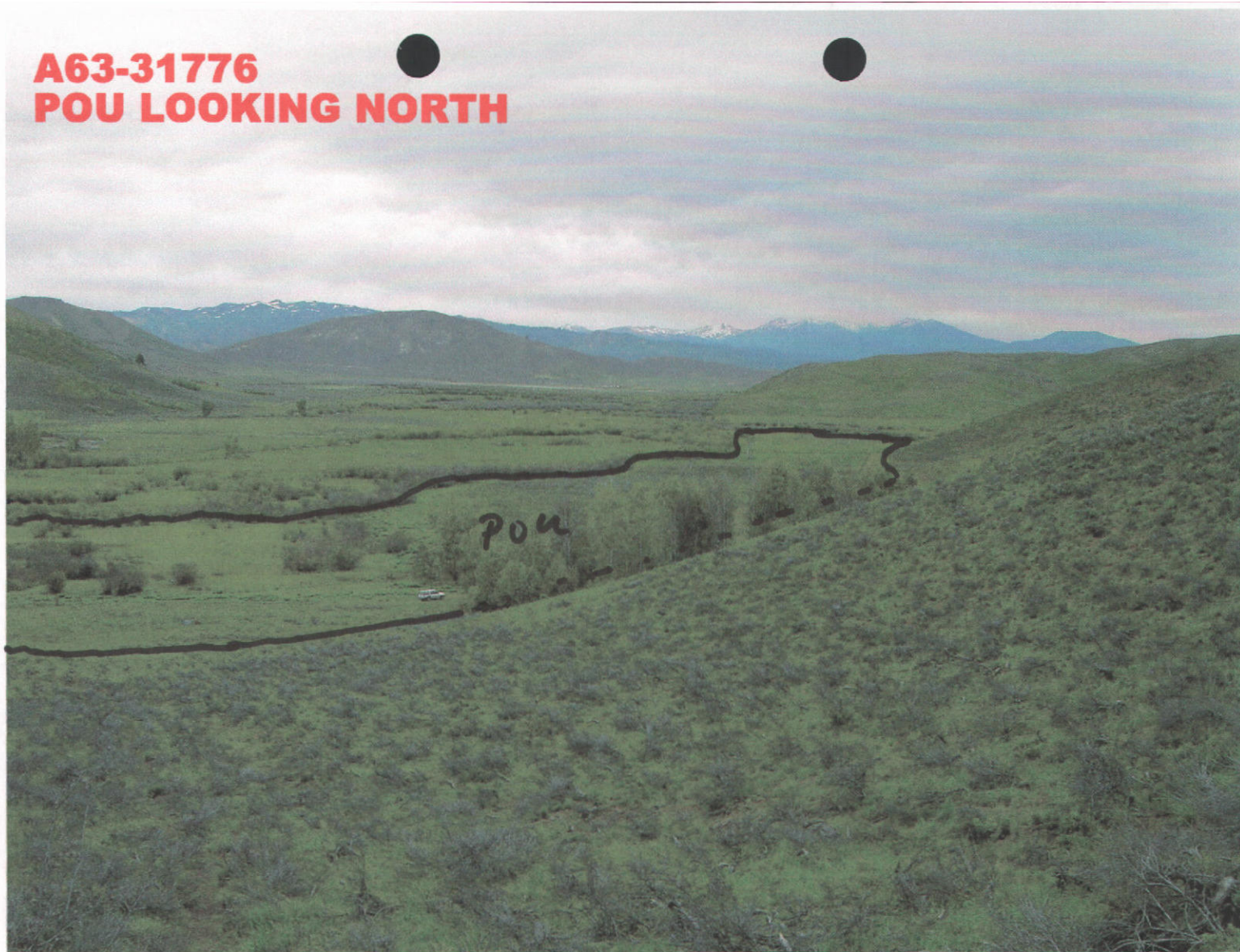


GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: August 2004

A63-31776
GATED PIPE FROM SPRING #1



A63-31776
POU LOOKING NORTH



A63-31776
PIPE FROM SPRING #2



A63-31776
SPRING #3 DITCH



A63-31776
NEW DIVERSION FROM
SPRING #3

* Spring #3



**A63-31776
PIPE FROM NEW DIVERSION
AT SPRING #3**

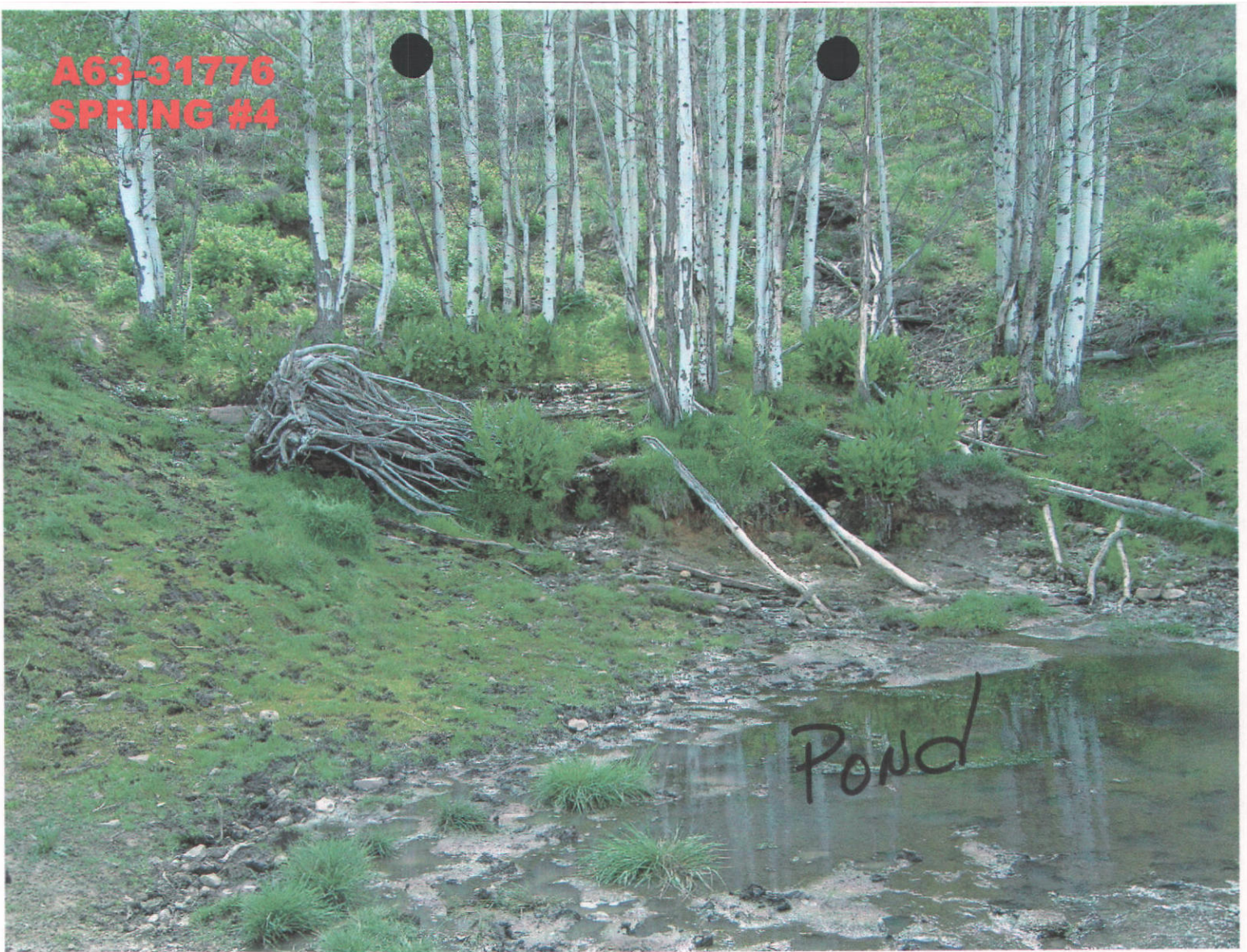


A63-31776
PIPE FROM NEW DIVERSION
AT SPRING #4 TO END POU

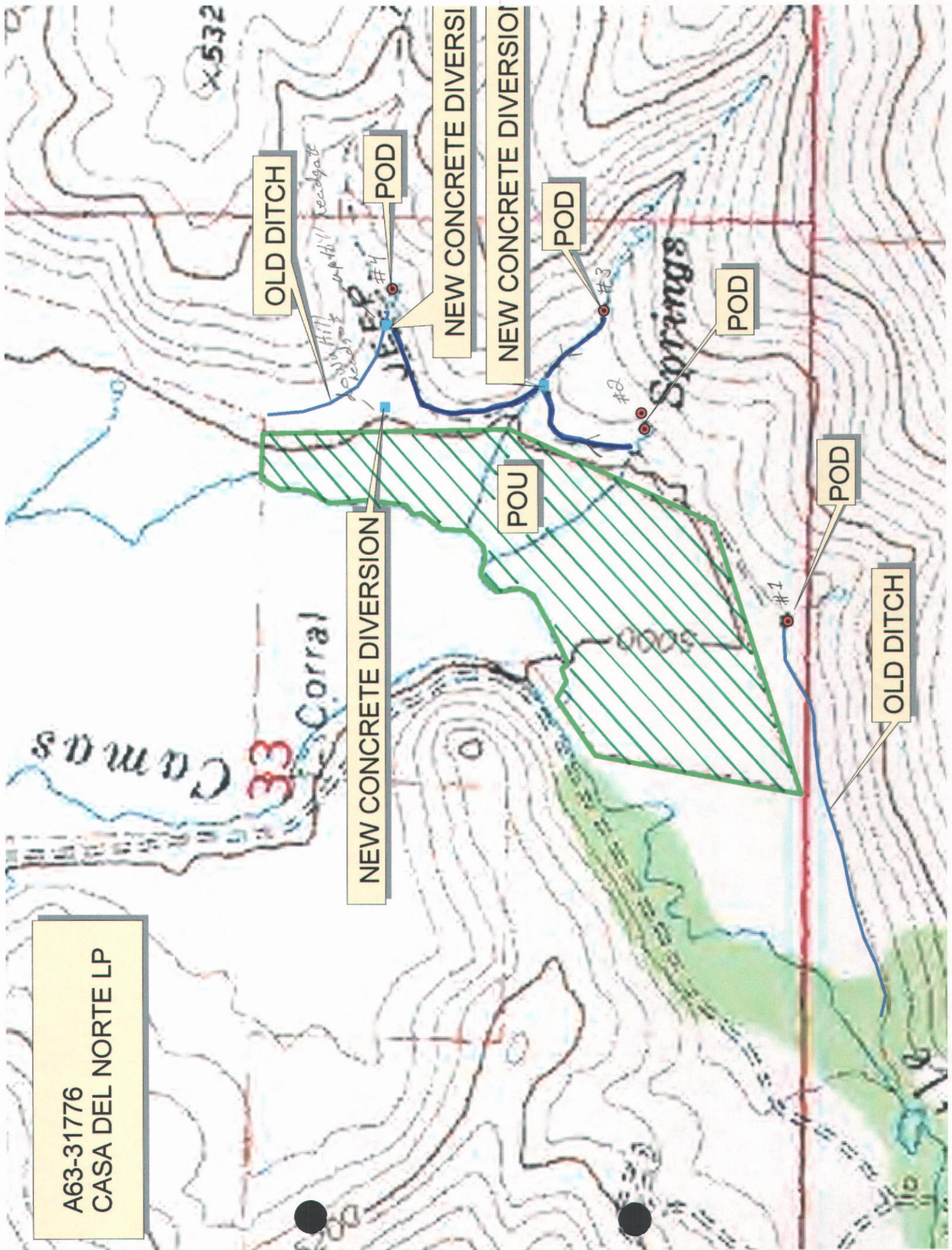


uphill Headgate

A63-31776
SPRING #4



A63-31776
CASA DEL NORTE LP



A63-31766
OLD DITCH, GATED PIPE AND POU



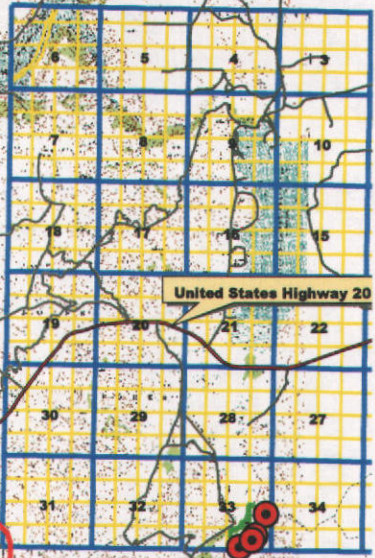
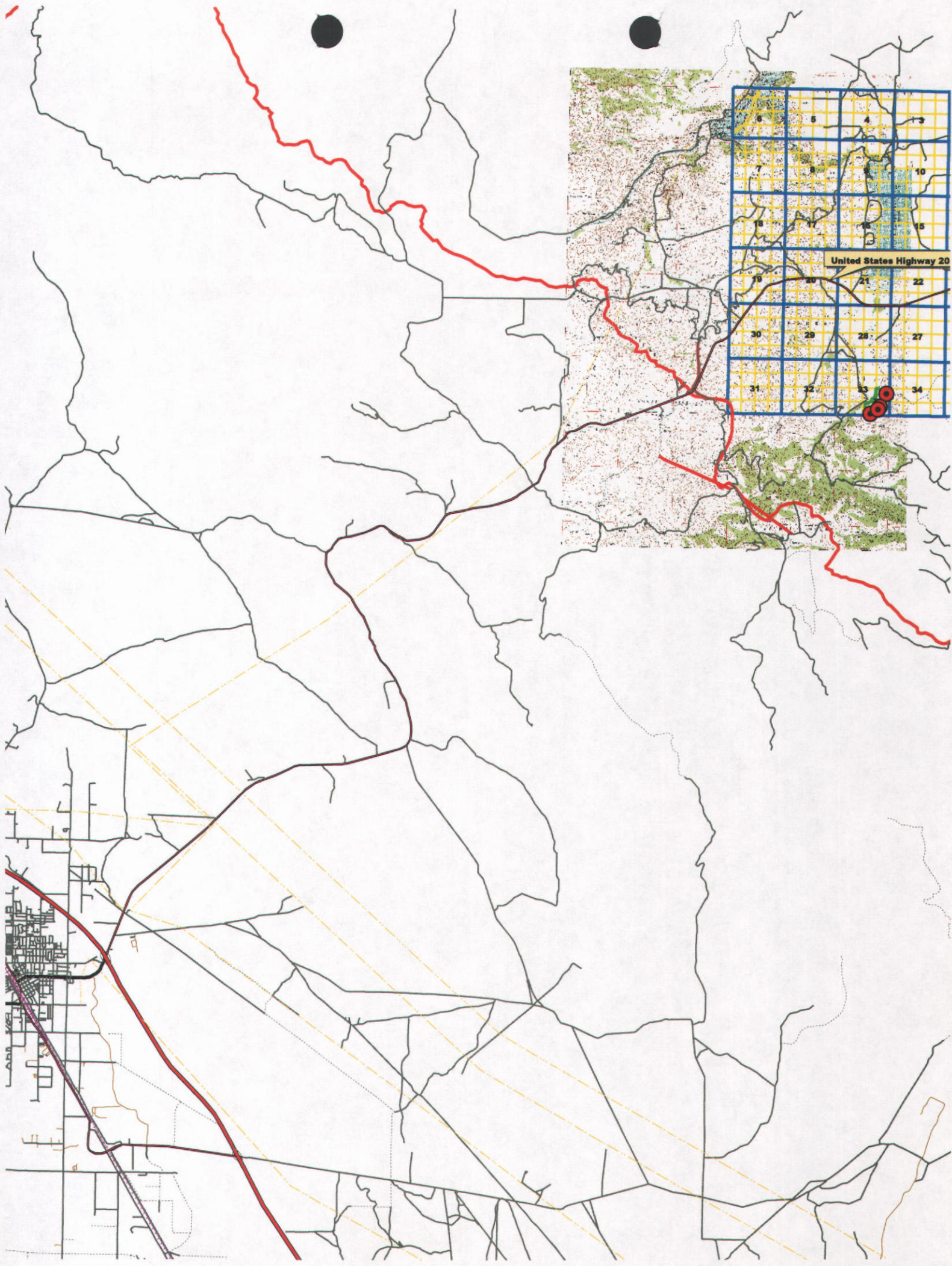
A63-31776
OLD DITCH

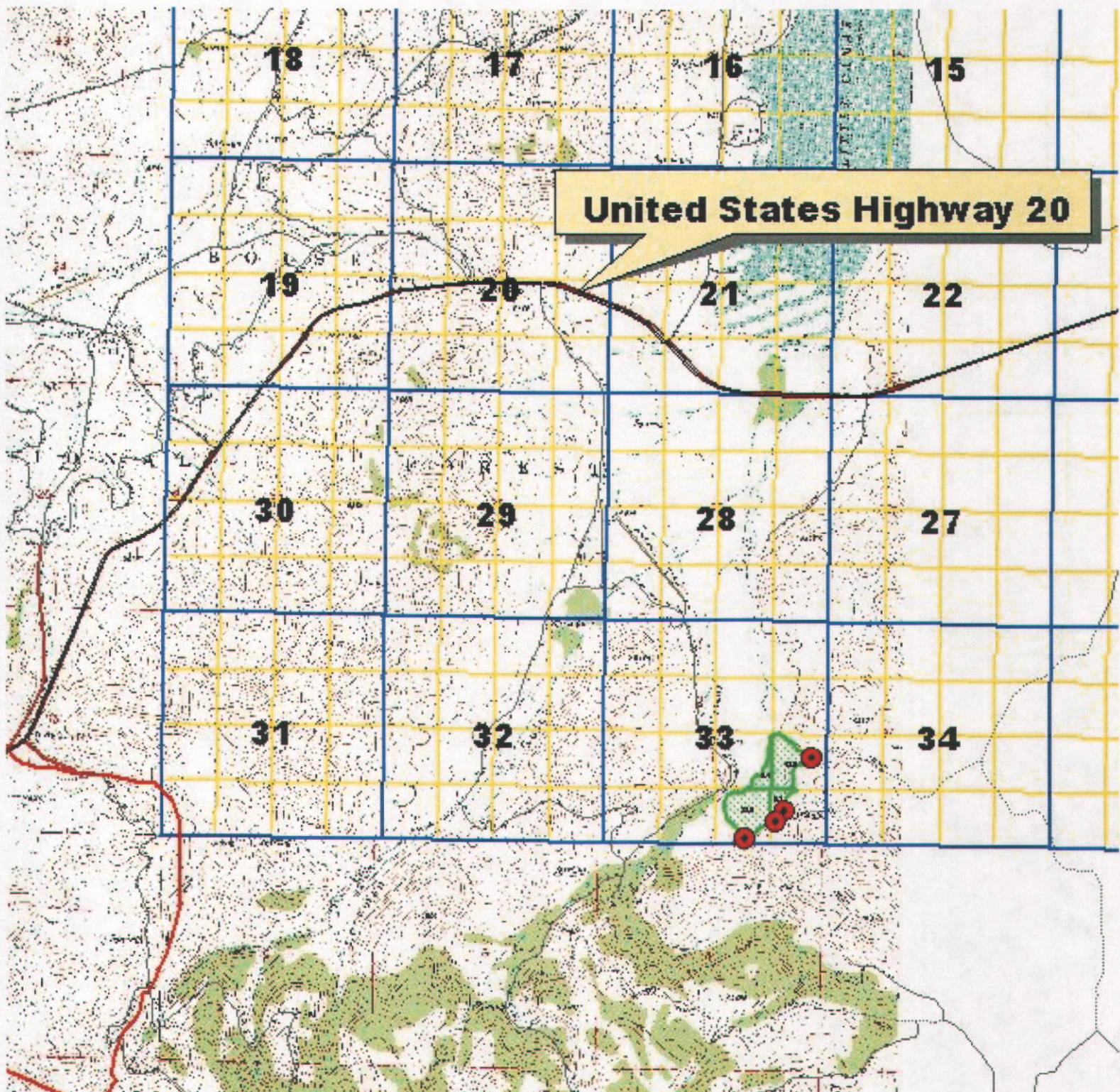


A63-31776
GATED PIPE IRRIGATING

POW



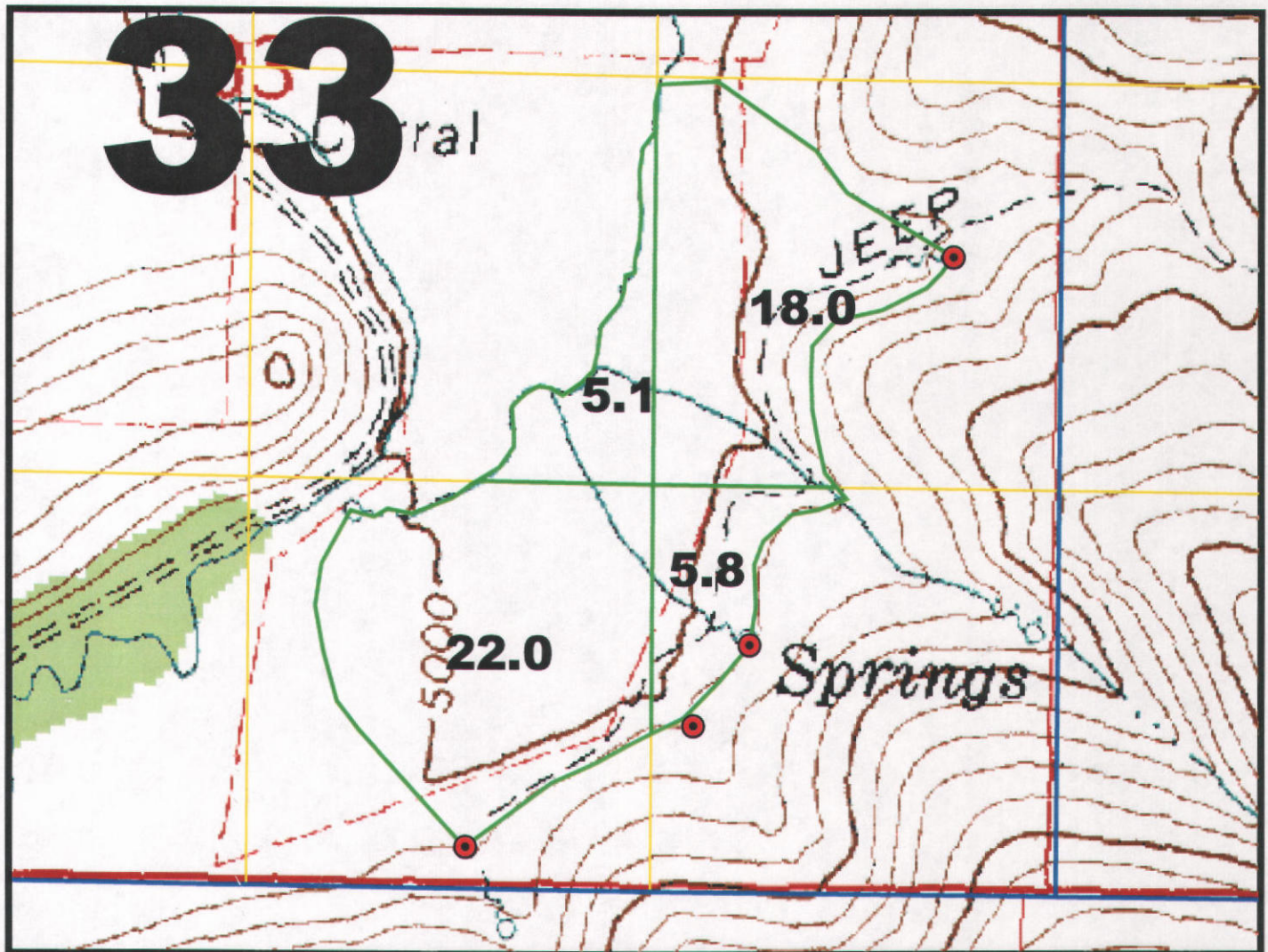






POU location Map

63-31766



1320

0

1320 Feet

● Point of Diversion

□ Claimed POU (?)

□ Ada County Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Total Claimed Acres: 59.0

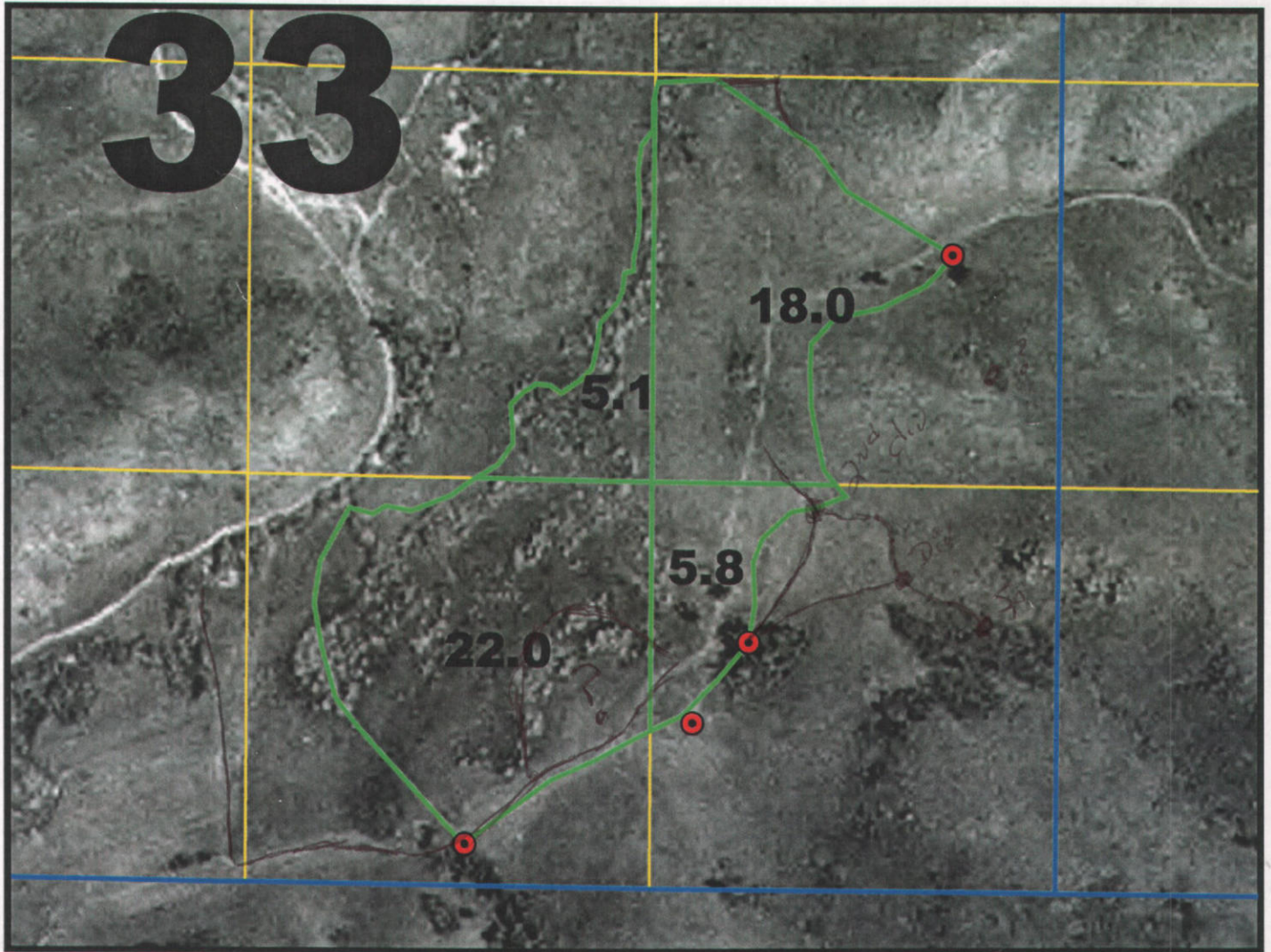


Prepared by: C. Saxton
Date: September 2003



POU location Map

63-31766



1320 0 1320 Feet

-  Point of Diversion
-  Claimed POU (?)
-  Ada County Tax Lot Data
-  Quarter Quarter Lines
-  Section Lines

Total Claimed Acres: 59.0



Prepared by: C. Saxton
Date: September 2003

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 63-31776
Date Received: 10/2/2003
Receipt No: W030972
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CASA DEL NORTE LP Phone: (208)366-7931
18196 SE WILSON RD
GLENN'S FERRY ID USA 83623

2. Date of Priority: 06/01/1888

3. Source: SPRINGS Trib. to: LITTLE CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01S	09E	33	SE	SW	SE	ELMORE	
01S	09E	33	SW	SE	SE	ELMORE	
01S	09E	33	NW	SE	SE	ELMORE	
01S	09E	33	NE	NE	SE	ELMORE	

5. Description of diverting works:

Pipe, ditch & plastic dam.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/15	1.18	

7. Total Quantity Appropriated is:
1.18 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
01S	09E	33	NE	SE		IRRIGATION	20
			NW	SE		IRRIGATION	5
			SW	SE		IRRIGATION	25
			SE	SE		IRRIGATION	9
						Section Acres	59
						Total Acres	59

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:

15. Basis of Claim: Beneficial Use

Form 42-1409 (2) a 1/88 (Internet)

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

Date Received

Receipt Number

A63-31776

10/2/03

W030972

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 02 2003

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) Casa Del Norte, LP Phone (208) 366-7931Mailing Address 18196 SE Wilson Rd Glenss Ferry ID Zip 836232. Date of Priority (Only one (1) per claim) 6-1-18883. Source of water supply (a) Sinks - Springs (4)
which is tributary to (b) Little Camas Creek4. a. Location of existing point of diversion is: Township 1S Range 9E Section 33SE 1/4 of SW 1/4 of SE 1/4 Govt Lot B.M. County of ElmoreAdditional points of diversion if any: T1S, R9E, 33, NWSESE & T1S, R9E, 33, NENESE

b. Downstream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of _____ 1/4

Govt Lot _____ B.M., County of _____

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

1/4, Govt Lot _____ B.M., County of _____5. 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.Pipe, Ditch, & Plastic Dam.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 10-15 amount 1.18 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.18 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

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.

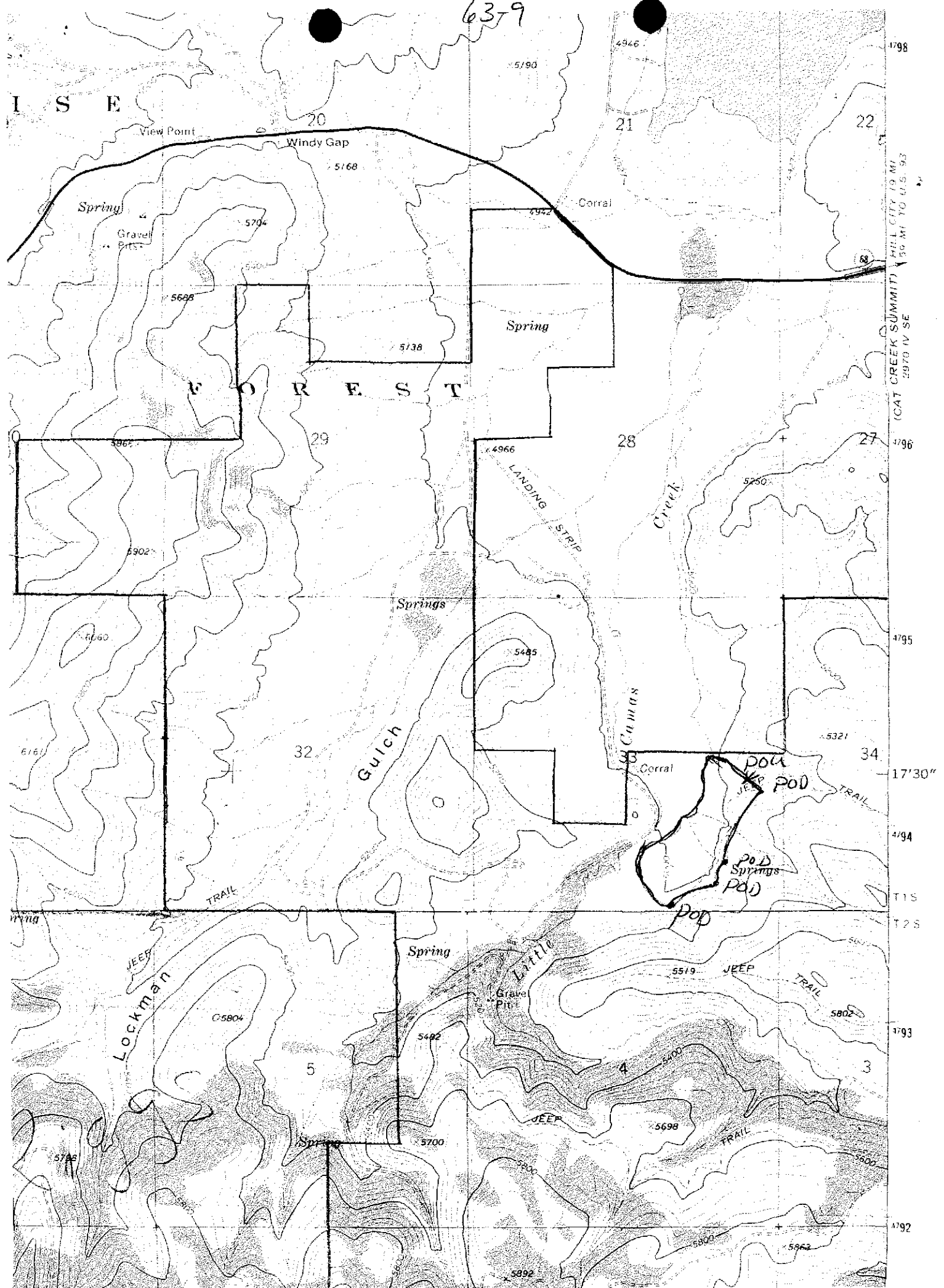
TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	9E	33													20	5	25	9	59

Total number of acres irrigated 5911. In which county (ies) are lands listed above as place of use located? Elmore12. Do you own the property listed above as place of use? Yes XX 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:

Last Name _____ Ident No. _____

63-9



15. Basis of Claim (check one) Beneficial Use XX 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 X 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 _____

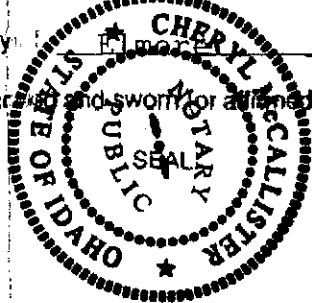
For Organizations: I do solemnly swear or affirm that I am _____ Managing Member
 Title
 of Casa Del Norte, LP _____, that I have signed the foregoing
 Organization
 document in the space below as _____ Manager _____ of Casa Del Norte, LP
 Title Organization
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]
 Title and Organization Manager, Casa Del Norte, LP Date 9/19/03

State of Idaho/or Idaho)
) SS.

County of _____)

Subscribed and sworn to (or affirmed) before me this 19th day of September 2003



Notary Public Cheryl McCallister

Residing at Glenns Ferry, Idaho

My Commission Expires 9-24-2006

Please Print Name Cheryl McCallister

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 _____

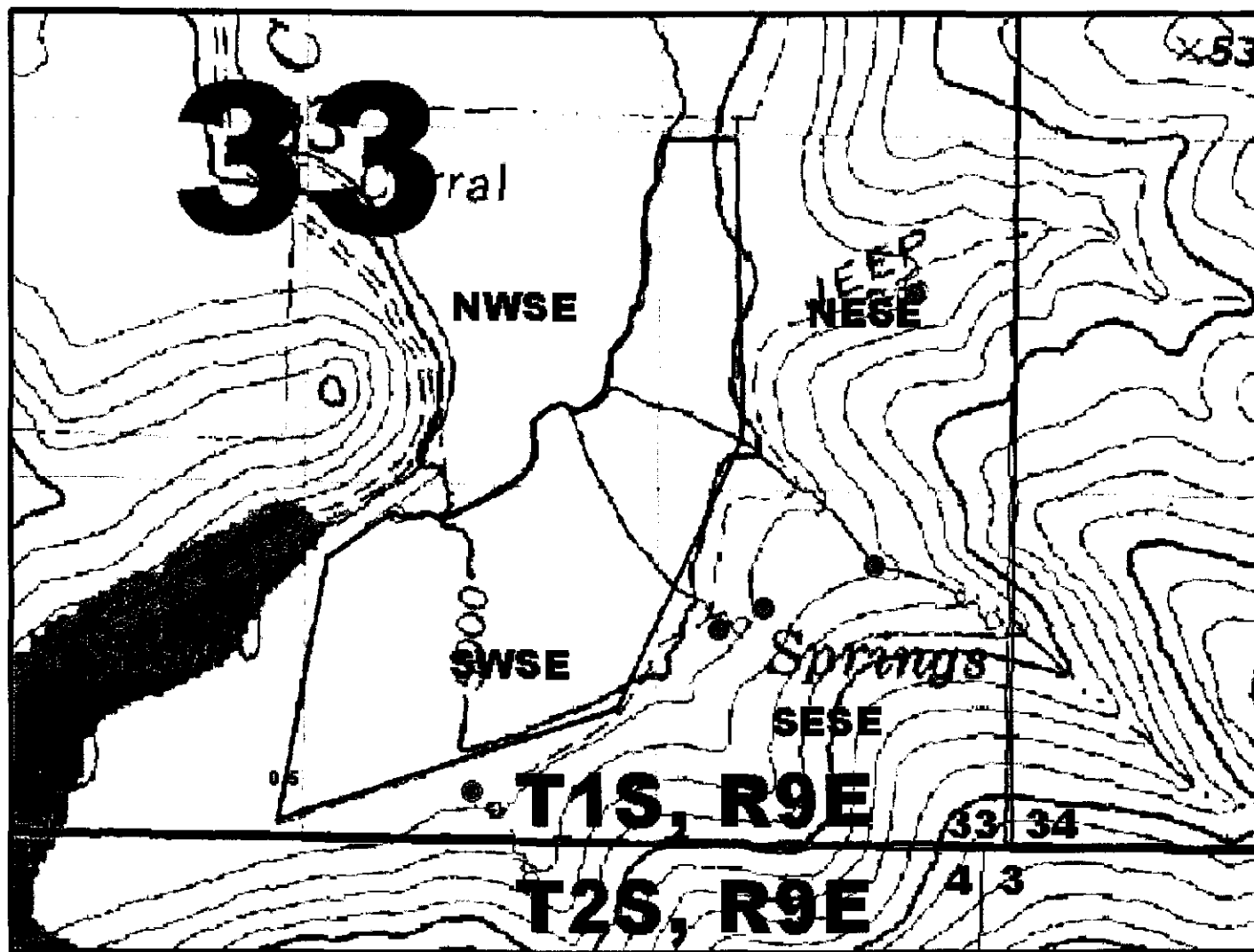
Last Name _____ Ident. Number _____



STATE OF IDAHO

Department of Water Resources
Western Region

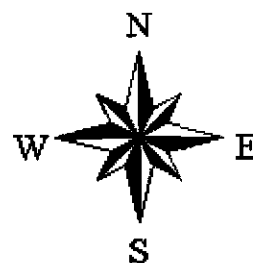
Water Right(s): 63-31776



1320 0 1320 Feet

Total Irrigated Acres: 41.6

- Point of Diversion
- Place of Use
- Quarter Quarter Lines
- Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: August 2004

08/16/2004

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

RIGHT NUMBER: 63-31776
NAME AND ADDRESS: CASA DEL NORTE LP
18196 SE WILSON RD
GLENN'S FERRY ID 83623
SOURCE: SPRINGS TRIBUTARY: LITTLE CAMAS CREEK
QUANTITY: 0.830 CFS
PRIORITY DATE: 06/01/1888
POINT OF DIVERSION:

T01S R09E S33 NENESE Within ELMORE County
T01S R09E S33 SWSWSE Within ELMORE County
T01S R09E S33 NESESE Within ELMORE County
T01S R09E S33 NWSESE Within ELMORE County
T01S R09E S33 NWESESE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.830 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T01S R09E S33	SESW	0.5	T01S R09E S33	NESE	8.5
T01S R09E S33	NWSE	5.4	T01S R09E S33	SWSE	26.0
T01S R09E S33	SESE	1.2			

41.6 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.

EXPLANATORY MATERIAL: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31776 V1

WATER RIGHT NUMBER: 63-31776 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CASA DEL NORTE LP 18196 SE WILSON RD GLENNS FERRY, ID 83623 (208)366-7931

Priority Date: 06/01/1888

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	LITTLE CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.830 CFS	
	<u>Total Diversion:</u>	0.830 CFS	

Location of Point(s) of Diversion

SPRINGS	NW1/4SE1/4SE1/4	Sec. 33, Twp 01S, Rge 09E, B.M.
ELMORE County		
SPRINGS	SW1/4SW1/4SE1/4	Sec. 33, Twp 01S, Rge 09E, B.M.
ELMORE County		
SPRINGS	NE1/4SE1/4SE1/4	Sec. 33, Twp 01S, Rge 09E, B.M.
ELMORE County		
SPRINGS	NW1/4SE1/4SE1/4	Sec. 33, Twp 01S, Rge 09E, B.M.
ELMORE County		
SPRINGS	NE1/4NE1/4SE1/4	Sec. 33, Twp 01S, Rge 09E, B.M.
ELMORE 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	
01S	09E	33																	
															.5	8.5	5.4	26.0	1.2

Total Acres: 41.6

Conditions of Approval:

1. C18 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31776 V1

Remarks:Comments:

1. csaxton 8/16/2004 Decreed Right

Comment: This right was claimed as beneficial use, but was later found to be based on the little Camas Creek Decree. McCoy Vs Cooper. Right 63-00009.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector:
Water District Number:
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

Combined Use Limits: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>
Contacts	8/16/2004 10:49:19 AM	csaxton			Active
Priority Date	8/16/2004 10:54:49 AM	csaxton			Active
POD	8/16/2004 10:55:00 AM	csaxton			Active
Source	8/16/2004 11:13:34 AM	csaxton			Active
POU	8/16/2004 11:13:53 AM	csaxton			Active
Use	8/16/2004 11:15:00 AM	csaxton			Active
Season	8/16/2004 11:15:29 AM	csaxton			Active
Quantity	8/16/2004 11:16:34 AM	csaxton			Active
Summary			08/16/2004	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	8/16/2004 10:49:20 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Gene Gibson conducted FE on 5/3/04.
POD	8/16/2004 11:03:50 AM	csaxton	Edited point location
POD	8/16/2004 11:06:13 AM	csaxton	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31776 V1

POD	8/16/2004 11:10:39 AM	csaxton	Edited point location
POD	8/16/2004 11:11:44 AM	csaxton	Edited point location
Source	8/16/2004 11:13:34 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	8/16/2004 11:13:53 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	8/16/2004 11:14:40 AM	csaxton	Edited PLS
Use	8/16/2004 11:15:00 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	8/16/2004 11:15:29 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	8/16/2004 11:16:35 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31776 V1

Summary	8/16/2004 11:17:27 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Priority Date	8/16/2004 10:54:49 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	8/16/2004 10:55:01 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	8/16/2004 11:09:39 AM	csaxton	Edited point location
POU	8/16/2004 11:14:24 AM	csaxton	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31776

WATER RIGHT NUMBER: 63-31776

Owner Type Name and Address
 Current Owner CASA DEL NORTE LP ✓
 18196 SE WILSON RD
 GLENN'S FERRY, ID 83623
 (208)366-7931

Priority Date: 06/01/1888 ✓

Basis: ~~Beneficial Use~~ *Decreed*

Status: Active ✓

Source Tributary
 SPRINGS ✓ LITTLE CAMAS CREEK ✓

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31 ✓	1.180 CFS <i>0.83</i> Total Diversion: 1.180 CFS <i>0.83</i>	N/A

Location of Point(s) of Diversion

SPRINGS	<i>SW</i> ~~SE~~ 1/4 SW 1/4 SE 1/4	Sec. 33, Twp 01S, Rge 09E, B.M. ✓
ELMORE County		
SPRINGS	<i>NE</i> ~~SW~~ 1/4 SE 1/4 SE 1/4	Sec. 33, Twp 01S, Rge 09E, B.M. ✓
ELMORE County		
SPRINGS	<i>NW SE SE</i> NW 1/4 SE 1/4 SE 1/4	Sec. 33, Twp 01S, Rge 09E, B.M. ✓
ELMORE County		
① SPRINGS	<i>NE</i> NE 1/4 NE 1/4 SE 1/4	Sec. 33, Twp 01S, Rge 09E, B.M. ✓
ELMORE 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		
01S	09E	33													0.5	20.0	5.0	25.0	5.0	59.0
																8.5	5.4	26	1.2	

Total Acres: 59

Conditions of Approval:Remarks:Comments:Dates and Other Information:

Claim Received Date: 10/2/2003

Mitigation Plan: False

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-31776

1. No Change NAME IS SAME

NEW OWNER: _____

No Change ADDRESS

NEW ADDRESS: _____

2. No Change DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. No Change — SAME SOURCE

Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION 10 AC Legals Are NOT correct if left in 40 AC
Point of diversion is different than the claim and/or new P/D's: Legals They are OK

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

1 2387232-1343709

2 2387562-1343913

3 2387689-1343958

4 2387734-1344260

5. No Change - DESCRIPTION OF DIVERTING WORKS

Incomplete description, list below:

Most of The old ditch System has been changed to pipe with New
concrete diversions. There is still parts of The old ditches
in place and parts of them are currently being used.

6. No Change - WATER USES
Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount _____ CFS _____ AFA

Changes found, the new total is, Amount _____ CFS _____ AFA

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. No Change - PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: _____

FIELD EXAMINER:

Mr. Gene Gibson

Print Name

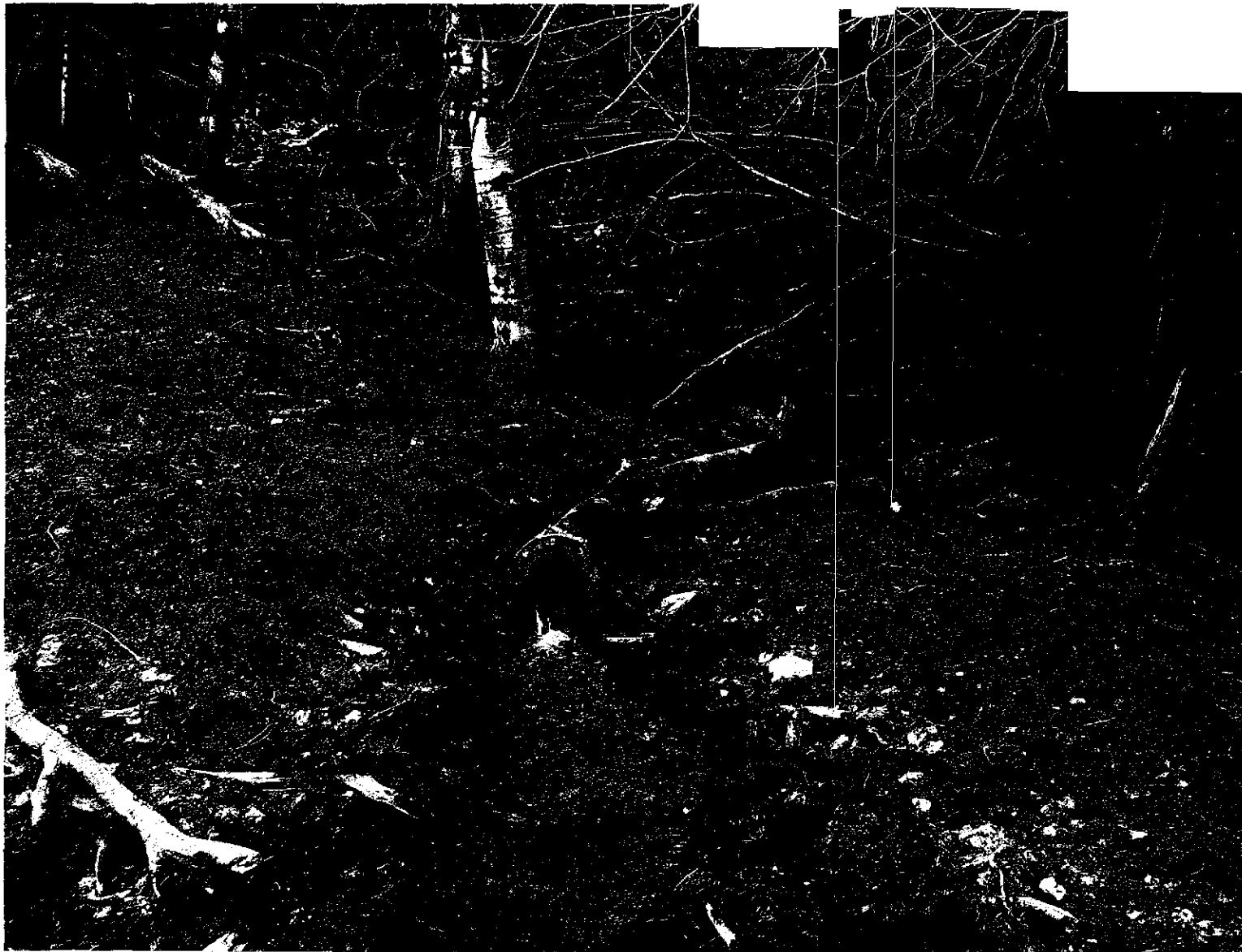
Mr. Gene Gibson

Signature



A63-31776
POU LOOKING NORTH





A63-31776
SPRING #3 DITCH

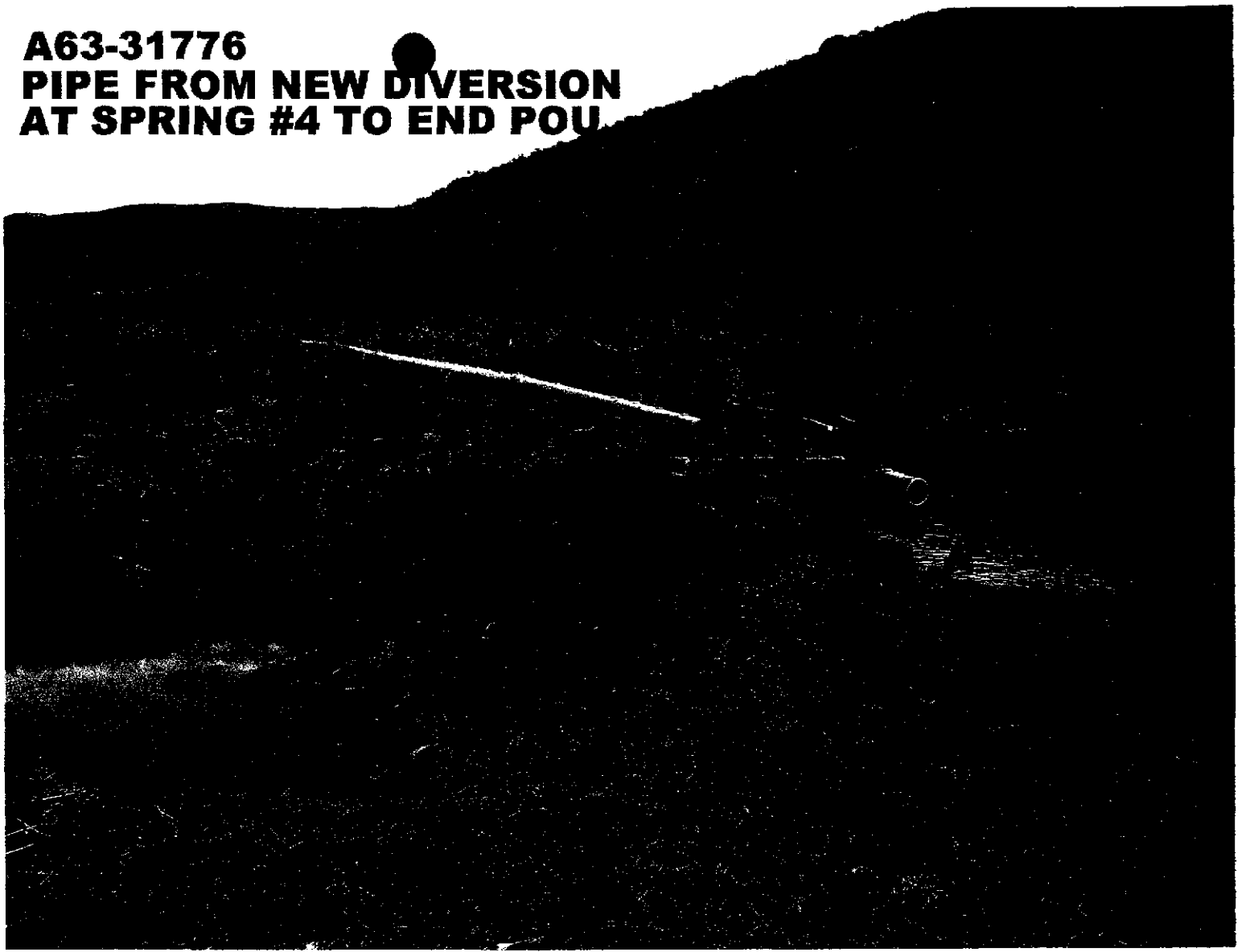




A63-31776
PIPE FROM NEW DIVERSION
AT SPRING #3



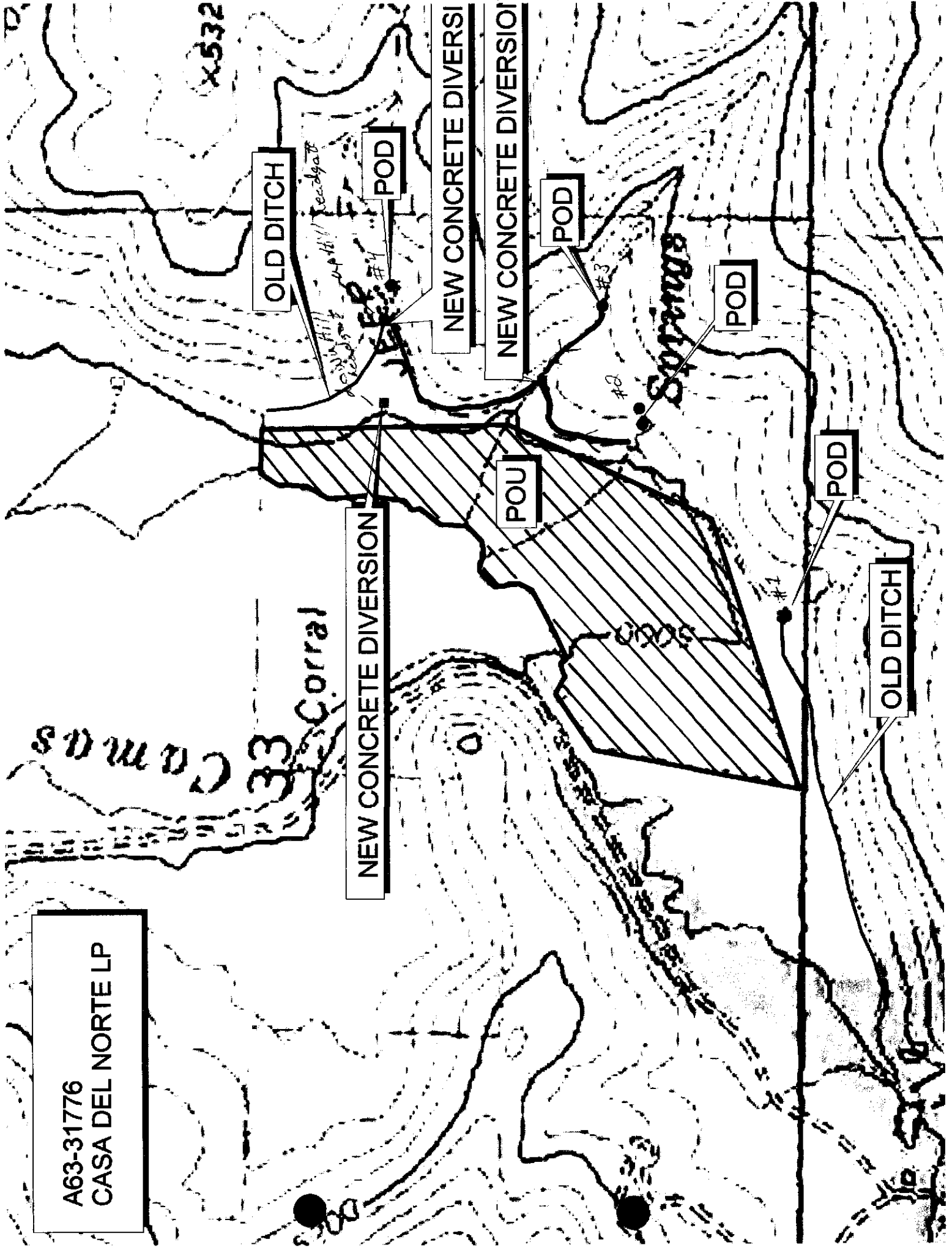
A63-31776
PIPE FROM NEW DIVERSION
AT SPRING #4 TO END POU



uphill Headgate



A63-31776
CASA DEL NORTE LP



A63-31766
OLD DITCH, GATED PIPE AND POU



A63-31776
OLD DITCH





FAX COVER SHEET**Mountain Home Irrigation District**

140 South 3rd East

Address (line 2)

Mountain Home, ID. 83647

USA

208-597-4867

208-587-4867 8168 Fax

SEND TO	
John Westra	Clayton Colthorpe
	Mountain Home Irrigation District
	140 South 3rd East
	Mountain Home, ID. 83647

☐ Urgent ☐ Reply ASAP ☒ Please comment ☐ Please review ☐ For your information

Total pages, including cover: 3**COMMENTS**

John will this work??

Mountain Home Irrigation Dist.

140 South 3rd East

MOUNTAIN HOME, IDAHO 83647

TO: Idaho Department of Water Resources
2735 Airport Way
Boise, ID. 83705-5082

ATT: Craig Saxton

NOTICE OF PROTEST AND OBJECTION

The Mountain Home Irrigation District protests and objects to adjudication claim Numbers 63-31673 and 63-31776 filed by Casa Del Norte L.P. The Mountain Home Irrigation District has filed on all waters of Little Camas Creek which includes all tributaries and springs. This water has been filed on several times in the past 100 years by Mountain Home Irrigation District with no objections.

Yours truly,

Mountain Home Irrigation District
Board of Directors

Calvin Ireland, Chairman

Mike Landers, Dist. #2

David Freer, Dist. #3

12-8-03 Form/ComplaintTracking

COMPLAINT DATA ENTRY FORMNAME complaint *against/by* _____DATE *month & year* received _____SITE *general* area _____SOURCE *surface* or *ground* water _____ SW or _____ GW

STAFF handling complaint _____

FILED IN results in ... check/complete one as follows:

_____ General: "Complaints-Current Year" folder in Complaints file cabinet

_____ Same: see complaint file labeled same as "Name" above

_____ Specific name: if cannot use "Same" for some reason
__________ WD: water district file # _____ if handled via watermaster, see WD
file in general file cabinet_____ WR/AJ #: see _____ WR or _____ AJ _____
number

_____ Other: file location not as above _____

TELEPHONE CONVERSATION MEMO

Clayton Colthorp—Mtn. Home Irrigation District

From: J. Westra, Western Reg.

Date: 6/10/04

RE: Filing an objection to Adj. claims 63-31673 & 63-31776

Casa Del Norte—John McCallum

Our office will put the signed objection in the claim files as a flag, but it is premature to file a formal objection at this point. The claims are filed late and are part of the Boise Basin part #2. A formal objection can be filed with the Adj. court once the Director's report has been received. Craig will mark his calendar to make you aware of the objection window, but there is no obligation. Ultimately, the responsibility is yours to submit the objection in a timely manner to the court. You will need to check with periodically check with the adj. section and look for notices for part #2. (the district has been a part of part #1 with Little Camas, but not part #2).

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Mountain Home Irrigation Dist.

140 South 3rd East

MOUNTAIN HOME, IDAHO 83647

RECEIVED
JUN 16 2004
WATER RESOURCES
WESTERN REGION

TO: Idaho Department of Water Resources
2735 Airport Way
Boise, ID. 83705-5082

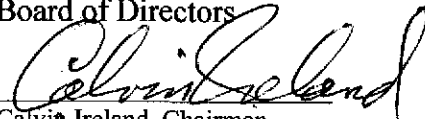
ATT: Craig Saxton

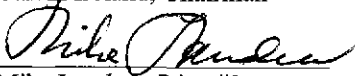
NOTICE OF PROTEST AND OBJECTION

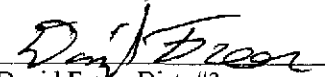
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Mountain Home Irrigation District
Board of Directors


Calvin Ireland, Chairman


Mike Landers, Dist. #2


David Freer, Dist. #3

SCANNED
JUN 16 2004

RECEIVED

JUN 16 2004

WATER RESOURCES
WESTERN REGION

COMPLAINT DATA ENTRY FORM

NAME complaint *against/by* _____

DATE *month & year* received _____

SITE *general* area _____

SOURCE *surface* or *ground* water _____ SW or _____ GW

STAFF handling complaint _____

FILED IN results in ... check/complete one as follows:

_____ **General:** "Complaints-Current Year" folder in Complaints file cabinet

_____ **Same:** see complaint file labeled same as "Name" above

_____ **Specific name:** if cannot use "Same" for some reason

_____ **WD:** water district file # _____ if handled via watermaster, see WD
file in general file cabinet

_____ **WR/AJ #:** see _____ WR or _____ AJ _____
number

_____ **Other:** file location not as above _____

SCANNED

JUN 16 2004

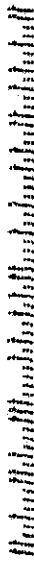
Mountain Home Irrigation District
140 South 3rd East
Mountain Home, ID 83647



IDAHO DEPARTMENT OF WATER RESOURCES
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

ATTN: Craig Saxton

83705-5082



10.3-03: This claimed based on B-use but appears to
be A decreed right Found in the:
↳ 63-00009

Little Camas Creek Decree
McCoy VS. Cooper

: No diversion Rate mentioned in the decree - It just
says "all of the Waters Flowing"

: Claimed POU Covered in 63-00009

Claimed POD Covered in 63-00009

Sources Spring + Springs listed in decree.

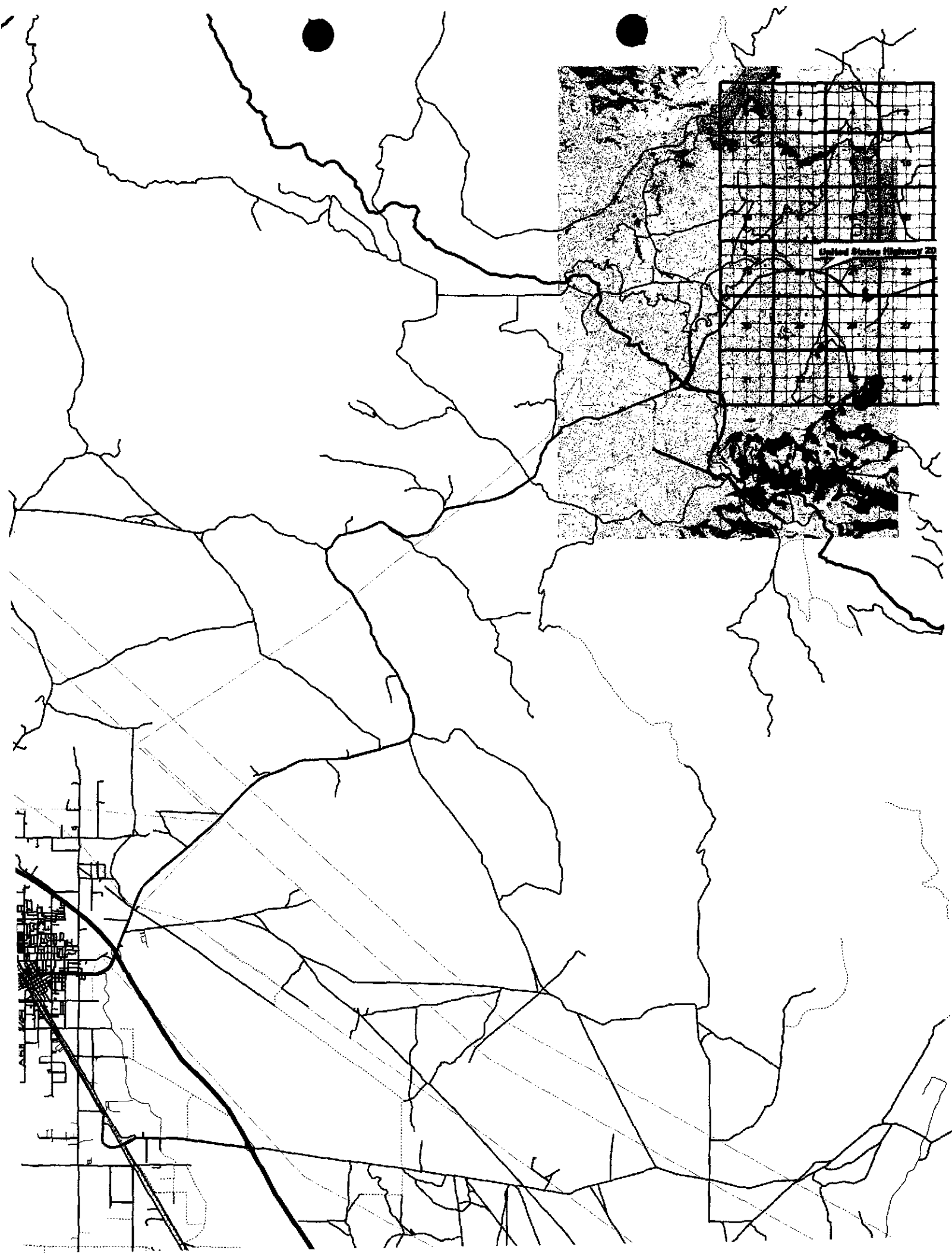
11-28-03: Doesn't need measurement as this is Based on a
a decreed Right despite that it says B-use

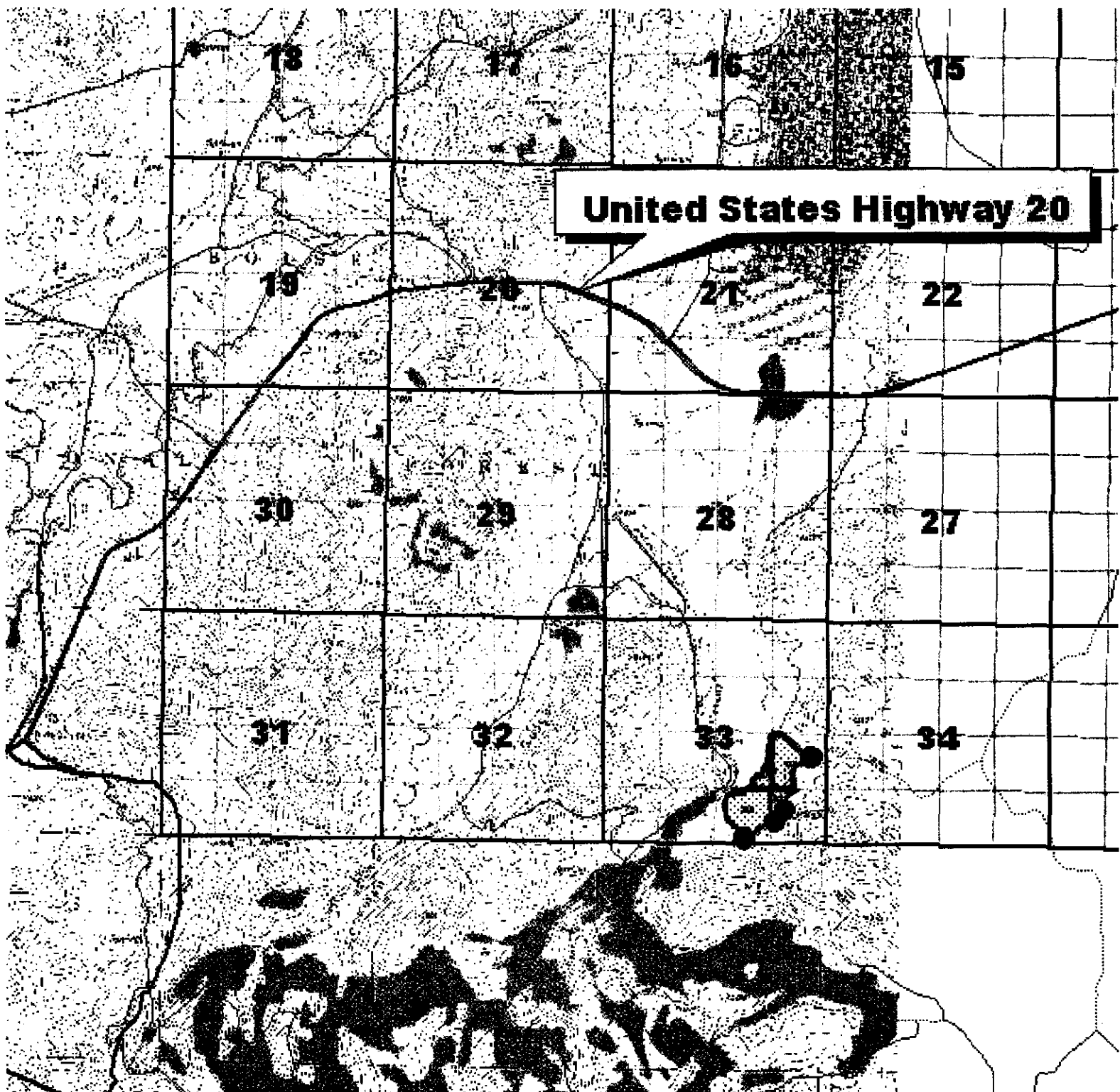
However, POD's, POU, and Irrigation systems
needs to be verified.

POU claims 59 acres but GIS shape Based on
claim map shows $\approx$ 51 acres. Need to Verify
Actual POU.

5-3-04 Meet AT Little Camas Inn 8:30 5-10-04

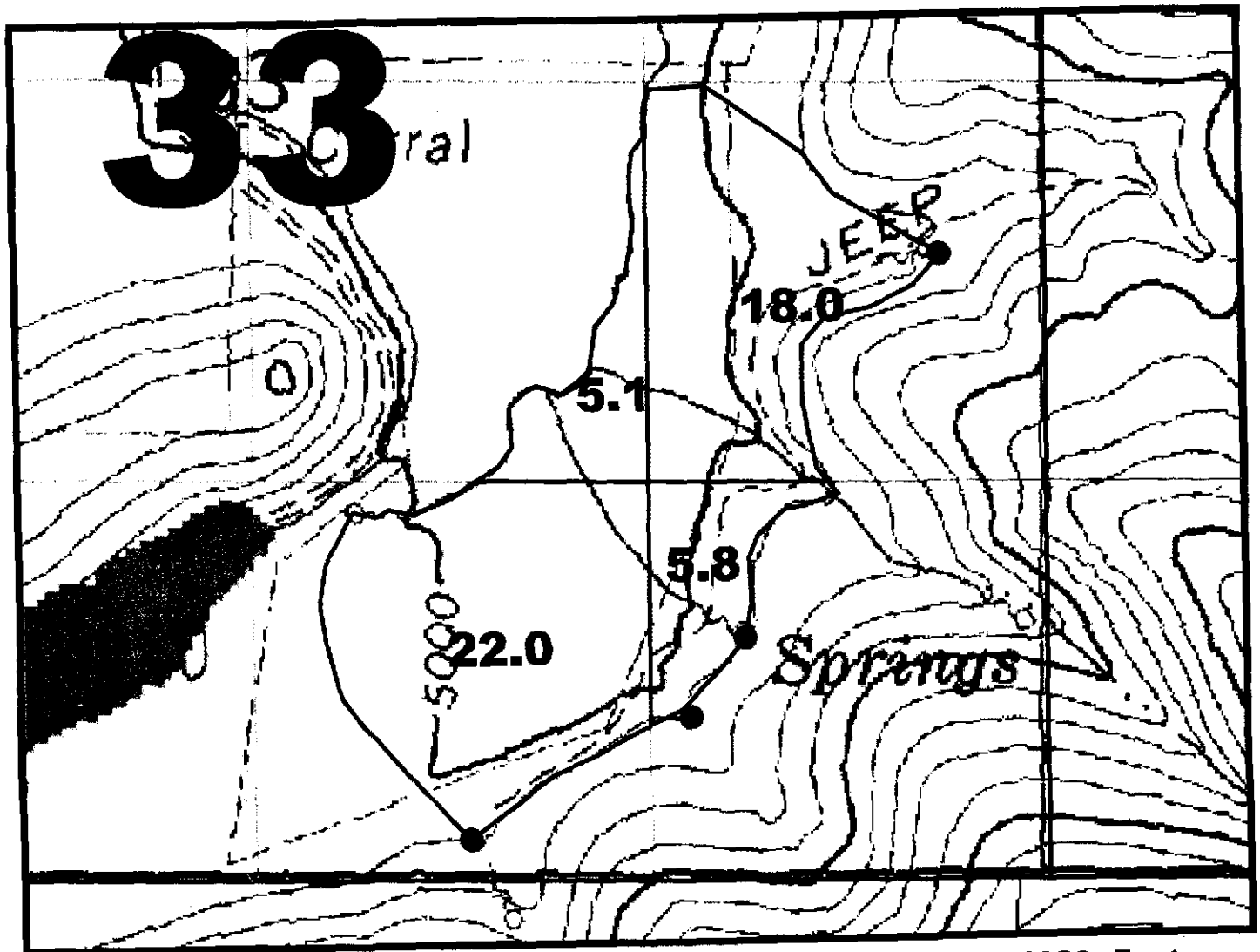
Teresa
McCallum
?
or John







POU location Map 63-31766



1320

0

1320 Feet



Point of Diversion



Claimed POU (?)



Ada County Tax Lot Data

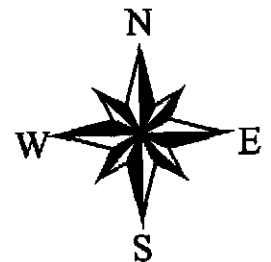


Quarter Quarter Lines



Section Lines

Total Claimed Acres: 59.0



Prepared by: C. Saxton
Date: September 2003



POU location Map 63-31766

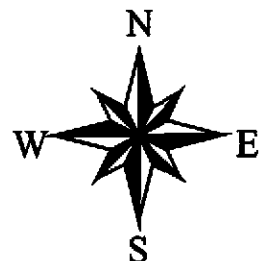


1320 0 1320 Feet

A horizontal scale bar with a black and white alternating pattern. It is labeled with '1320' at the left end, '0' in the middle, and '1320 Feet' at the right end.

- Point of Diversion
- Claimed POU (?)
- Ada County Tax Lot Data
- Quarter Quarter Lines
- Section Lines

Total Claimed Acres: 59.0



Prepared by: C. Saxton
Date: September 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9

WATER RIGHT NUMBER: 63-9

Owner Type Name and Address
 Current Owner ROSEMARY Y BAXTER
 , ZZ
 Current Owner SOLON MC COY
 , ZZ

Priority Date: 06/01/1888
 Basis: Decreed
 Status: Active

Source Tributary
 SPRINGS LITTLE CAMAS CREEK
 SPRINGS SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION / to /

Total Diversion:Location of Point(s) of Diversion

SPRINGS

SPRINGS

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	
01S	09E	33											X	X	X	X	X	X	
01S	09E	34									X	X							

Conditions of Approval:Remarks:

1. General TOTAL DIVERSION RATE: ALL.
 SOURCES ARE SPRINGS TRIB. LITTLE CAMAS CK. & SINKS (TRIB. NOT LISTED IN DECREE).

Comments:Dates and Other Information:

Decreed Date: 7/11/1901
 Water District Number: 63
 Decree Defendant: Solon McCoy, et al
 Decree Plaintiff: Fred Cooper, et al
 Mitigation Plan: False

IN THE DISTRICT *of the* COURT JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR ELMORE COUNTY.

FRED COOPER, J. W. BAILEY,
HENRY WILLIS and JOHN F. DYAR,
Plaintiffs.

vs.

Findings of Fact.

OLON MC COY, ROSEMARY Y. BAXTER,
SAMUEL BANE,
Defendants.

This cause came on regularly to be heard on the 8th day of July, 1901, before the Court without a jury, a jury having been expressly waived, in open Court, upon the plaintiffs complaint and the defendants answer and cross-complaint, E. F. Wolfe appeared for the plaintiffs and W. C. Howie appeared for the defendants. A Stipulation of facts was filed in the case and submitted to the Court as, and to be considered as, all the evidence in the case, being signed by each of the respective parties and their attorneys. The case was then taken under advisement and for preparation of findings and decree.

Now, on this 11th day of July, 1901, the court being fully advised in the premises, makes and files the following findings of facts and conclusions of law, to-wit:-

FINDINGS OF FACTS.

- 1.st. All the lands described in the pleadings are arid in nature and require water, artificially applied, during the irrigating season of ~~every~~ ^{each} year, in order to raise an agricultural crop of any kind.
- 2.nd. That the amount of water necessary to properly irrigate said land is one inch per acre, measured under a four inch pressure, or its equivalent in second feet.
- 3.rd. That each person using water from said Little Camas Creek shall, before he is entitled to use the same, place and maintain, at the point or points where said water is diverted from the creek, a head gate or head gates and a box or boxes suitably constructed for measuring water under a four inch pressure, or its equivalent in second feet.

(1)

143- 2074-Y-143.

over Henry
said land.

No. 1257

4.th. That each person using water under and by virtue of this decree should as soon as the beneficial use thereof has ceased return the waste water back into the stream.

5.th. That the parties hereto entitled to the use of the waters of said Little Camas Creek shall not be permitted to change the point of diversion to the detriment of any party hereto.

6.th. That all the parties hereto, to whom water is awarded should construct suitable ditches and laterals for the economical use of said water.

7.th. That the several tracts of land hereinafter ^{mentioned and} described were, at the times of the several appropriations of water, for use thereon, owned by the respective parties claiming the different tracts, or their grantors or predecessors in interest; that the said parties their grantors ^{and} predecessors in interest appropriated therefore, at the several dates mentioned herein, the several amounts of the waters of said Little Camas Creek for a beneficial use, and ever since have used the same upon said lands and are entitled to the use of said waters upon said lands in the order of their priority, in the amounts and from the dates hereinafter stated, to-wit;

Fred Cooper, the Northeast quarter of Section No. Thirty-three, Township No. One, South of Range Nine, East of Boise Meridian, 1883-June 1st, 120 inches.

J.W. Bailey, the Southeast quarter of the Northeast ~~quarter~~ quarter, the North half of the Southeast quarter, and the Southwest quarter of the Southeast quarter of Section No. Twenty-one in Township No. One South of Range Nine East, Boise Meridian, 1887-June 1st, 65 inches. 1893 June 1st 75 inches.

For use upon the South half of the Southwest quarter (1-4) of Section No. Twenty-one, and the North half of the Northwest quarter of Section No. Twenty-eight, Township No. One South, of Range Nine East, Boise Meridian, 1894-June 1st, 60 inches.

Henry Willia and John F. Ryan; Southeast quarter of the Southeast quarter of Section ^{no} Twenty-one, ~~and~~ the East half of the

Northeast quarter of Section No. Twenty-eight, the Northwest quarter of the Northwest quarter of Section No. Twenty-seven, the West half of the Northwest quarter, and the West half of the Southeast quarter of Section No. Twenty-eight, in Township No. One, South of Range Nine East, Boise Meridian, 1889-June 1st, 260 inches.

Samuel Bane, for use upon the South half of the Southwest quarter, and the North east quarter of the South west quarter, and the South east quarter of the North west quarter, Section No. Twenty-eight, Township No. One, South of Range Nine East Boise Meridian. 1893-June 1st, 160 inches.

Solon Mc Coy, for use upon the South half of the Southwest quarter and the West half of the Southeast quarter of Section No. Thirty-three, Township No. One, South of Range Nine East, Boise Meridian. 1893-July 1st 160 inches.

Rosemary Y. Baxter, for use upon the East half of the Southeast quarter of Section No. Thirty-three, and the West half of the Southwest quarter of Section No. Thirty-four, Township No. One, South, of Range Nine East, Boise Meridian. July 1st, 1893, 50 inches.

Solon Mc Coy and Rosemary Y. Baxter, for use jointly upon the South half of the South west quarter and the West half of the Southeast quarter and the East half of the Southeast quarter of Section No. Thirty-three, and the West half of the South-west quarter of Section No. Thirty-four, Township No. One South, of Range No. Nine East of Boise Meridian. 1888-June 1st, All of the water which rises or flows from the springs which rise on the land of said Rosemary Y. Baxter and that certain spring rising about three hundred yards in a Southeastwardly direction from the present house or residence of the said Solon Mc Coy.

That said Little Camas Creek runs low during the latter part of each irrigating season and does not furnish sufficient water to irrigate all the lands irrigated therefrom. That in Dipping Vat gulch a tributary of said stream is a suitable place for the construction of a reservoir or reservoirs for storing water; that defendants Solon Mc Coy and Rosemary Y. Baxter have begun arrangements to construct a reservoir or reservoirs on

said Gulch for the purpose of storing the waters of said Gulch and holding them for use during the late season on their lands described herein, and that such storage and use will be beneficial to all of the parties to this action and it has been agreed between the parties to this action, for a valuable consideration that said defendants shall have the exclusive right to build a reservoir or reservoirs on said Gulch, upon the construction of said reservoir or reservoirs, said defendants are to be entitled to all of the waters of said gulch that they are able to store in or use through such reservoir or reservoirs in addition to the other water awarded ^{to} them; all overflow and waste water of said gulch to be returned to said gulch and creek and subject to ~~diversion~~ ^{division} according to the priorities herein awarded, provided that said defendants shall not change the use of said waters of said gulch to lands below the lands of the plaintiffs herein.

That each party to this action shall pay his or her costs.

CONCLUSIONS OF LAW.

And as Conclusions of Law, from the foregoing facts, the Court finds;

1.st. That plaintiff Fred Cooper, is entitled to the following amounts of waters of Little Camas Creek from the following dates:

For use upon the North east quarter of Section No. Thirty-three, Township No. One, South of Range Nine East Boise Meridian, one hundred and twenty inches ~~dated~~ ^{dating} from June 1st, 1883.

2.nd. That the plaintiff J. W. Bailey is entitled to the following amounts of the waters of Little Camas Creek from the following dates; For use upon the Southeast quarter of ~~the~~ Northeast quarter, the North half of the Southeast quarter and the Southwest quarter of the Southeast quarter of Section Twenty-one, Township No. One

South, of Range Nine East of Boise Meridian, 65 inches dating from June 1st - 1887 and 75 inches ^{dating from}

June 1st, 1893; For use upon the following tract, to-wit: the South half of the Southwest quarter, Section No. Twenty-one, and the North half of the Northwest quarter of Section No. Twenty-eight, Township No. One, South of Range Nine East, 60 inches dating from June 1st, 1893.

3.rd. That Henry Willis and John F. Dyar are entitled to the following amount of the water of Little Camas Creek from the following date; For use upon the Southeast quarter of the Southeast quarter of Section No. Twenty One, The East half of the Northeast quarter of Section No. Twenty-eight, the north west quarter of the North-west quarter of Section No. Twenty-seven, the West half of the Northeast quarter and the West half of the Southeast quarter of Section No. Twenty-eight, all in Township No. One South of Range Nine East, Two-hundred and sixty inches, dating from June 1st, 1889.

4.th. That the defendant Samuel Bane is entitled to the following amount of ^{the} waters of Little Camas Creek from the following dates; For use upon the South half of the Southwest quarter, and the Northeast quarter of the Southwest quarter, and the Southeast quarter of the Northwest quarter of Section No. Twenty-eight, Township No. One South, of Range Nine East of Boise Meridian, One-hundred and sixty inches dating from the 1st day of June, 1893.

5. ~~th~~ That the defendants Solon Mc Coy is entitled to the following amounts of waters of Little Camas Creek from the following date; For use upon the South half of the South west quarter and the West half of the Southeast quarter of Section No. Thirty-three, Township No. One South of Range Nine East, 160 inches dating from the 1st day of July, 1893.

6.th. That the defendant Rosemary Y. Baxter is entitled to the following amounts of the waters of said Little Camas Creek from the following date; For use on the ^{East} ~~West~~ half of the Southeast quarter of Section No. Thirty-three and the West half of the Southwest quarter of Section No. Thirty-four, Township No. One, South, of Range Nine East of Boise Meridian, 50 inches dating from July, 1st, 1893.

7.th. That the defendants Solon Mc Coy and Rosemary Y. Baxter are entitled to all of the waters flowing from the springs which rise upon the lands of said Rosemary Y. Baxter (and that certain spring which rises about 300 yards in a Southerly direction from the present house or residence of said Solon Mc

POW: 15. 9E 533 E 1/2 SE 1/4
534 W 1/2 SW 1/4

Coy, for use upon the South Half of the Southwest quarter, and the West half ~~of the~~ of the Southeast quarter of Section No. Thirty-three, Township No. One South of Range Nine East, and the East half of the Southeast quarter of Section ^{No} Thirty-three and the West half of the Southwest quarter of Section No. Thirty-four, Township No. One, South Range Nine East Boise Meridian, dating from the 1st day of June, 1888.

8.th. That defendants Solon Mc Coy and Rosemary V. Baxter are hereby awarded the sale privilege as against the other parties to this action, of building a reservoir or reservoirs on Dipping Vat Gulch and that all of the other parties ^{to this action}, their and each of their heirs, successors and assigns and all persons claiming through, by or under them or either of them and their and each of their agents, representatives and attorneys be, and they are hereby restrained and perpetually enjoined from in any manner interfering with said defendants building said reservoir or reservoirs.

That on and after the building of said reservoir or reservoirs said defendants and hereby awarded in addition to the other waters awarded them, all of the waters of said gulch that they ^{can} store in or use through said reservoir or reservoirs, for use on said lands above described, Provided that the use of said water shall not be transferred to other lands below the lands of the plaintiff herein; all overflow and waste water from said reservoir or reservoirs to be returned to said Gulch and stream to be distributed in order of the priorities herein awarded.

9.th. That each of the parties hereto, to whom water is awarded, shall, before being allowed to use the same, place and maintain at the point or points where he or she diverts said water from said stream, a headgate or headgates, and a box or boxes, suitable constructed for measuring water under a four inch pressure, or its equivalent in second feet.

10.th. That each party hereto, to whom water is awarded, shall, whenever the beneficial use thereof has ceased turn the waters of said streams, so used, back into the channel thereof.

*Recd
Judgment
1888*

That each and every party hereto, their agents, attorneys, employees and privies and successors in interest, are hereby enjoined and restrained from interfering, in any manner, with the waters of said creek or its tributaries except as provided ^{in the decree herein provided} that in the flood water season, any party hereto may use more than the amount herein awarded, but, to in no way and at no time deprive any party hereto of the amount of water awarded herein.

II. th. Each party to this action shall bear his or her own costs. Let Judgement be entered accordingly.

Dated at Mountain Home, Idaho, this 11th of July, 1901.

Kirtland I. Parry,

E. M. Wolfe, Attorney
for Pltff.

Judge of the District Court of the Fourth
Judicial District of the State of Idaho, in
and for Elmore County.

Filed July 11th 1901.
A. G. Smith
State of Idaho,)
:ss.
County of Elmore.)

I hereby certify that this instrument was filed for record at request of E. M. Wolfe at 30 minutes past 10 o'clock A.M., this 12th day of July A.D. 1901 in my office.

A. G. Smith

Ex-Officio Recorder.

Fees \$4.50.

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR EMORE COUNTY.

FRED COOPER, J.W. BAILEY,
HENRY WILLIS and JOHN F. DYAR.

Plaintiffs,
vs.

DECEES.

SOLOMON MC COY, ROSEMARY V. BAXTER,
and SAMUEL BANE,

Defendants.

And now this cause coming on to be heard upon the findings of fact and conclusions of law hereinbefore filed, and the Court being fully advised in the premises, it is ordered, adjudged and decreed;

That the plaintiff Fred Cooper be and he is hereby awarded the use of the amount of the waters of Little Camas Creek hereinafter stated in each year from the following date of priority, to-wit; For the Northeast quarter of Section Thirty-three, Township No. One, South of Range Nine East, One hundred and twenty inches of water dating from June 1st 1883.

That the plaintiff J.W. Bailey be and he is hereby awarded the use of the amount of water of Little Camas Creek hereinafter awarded, in each year from the following date of priority, to-wit; For the Southeast quarter of the Northeast quarter, the North half of the Southeast quarter, and the Southwest quarter of the Southeast quarter of Section No. Twenty-one, Township No. One, South of Range Nine East, Sixty five inches dating from June 1st, 1887, and Seventy-five inches dating from June 1st 1893. For the South half of the Southwest quarter of Section No. Twenty-one and the North half of the Northwest quarter of Section No. Twenty-eight, Township No. One, South of Range Nine East, sixty inches of water, dating from June 1st, 1894.

That the plaintiffs Henry Willis and John F. Dyar, jointly, are hereby awarded the use of the amount of ^{the} waters of Little Camas Creek hereinafter stated, from the following date, to-wit;

(1)

For the Southeast quarter of the Southeast quarter of Section No. Twenty-one, and the Northeast quarter of Section No. Twenty-eight and the Northwest quarter of the Northwest ^{west} quarter of Section No. Twenty-seven and the West half of the South-east quarter of Section No. Twenty-eight, Township No. One, South of Range Nine, East of Boise Meridian, two hundred and sixty inches dating from June 1st, 1889.

That the defendant Samuel Bane, he and he is hereby awarded the use of the amount of the water of Little Camas Creek hereinafter stated, from the following date of priority, to-wit;

For use on the South half of the Southwest quarter and the Northeast quarter of the Southwest quarter, and the Southeast quarter of the Northwest quarter of Section No. Twenty-eight, Township No. One, South of Range Nine East, of Boise Meridian, One hundred and sixty inches dating from June 1st, 1893.

That the defendant Solon H. Coy, he and he is hereby awarded the use of the amount of water of Little Camas Creek, hereinafter stated from the following date of Priority, to-wit;

For use upon the South half of the Southwest quarter and the West half of the Southeast quarter of Section No. Thirty-three, Township No. One, South of Range Nine East, One hundred and sixty inches dating from July 1st, 1893.

That the defendant Rosemary Y. Baxter, he and she is hereby awarded the use of the amount of water of Little Camas Creek hereinafter stated, from the following date of priority, to-wit;

For use upon the East half of the Southeast quarter of Section No. Thirty-three, and the West half of the Southwest quarter of Section No. Thirty-four, Township No. One, South of Range Nine, East, Boise Meridian, Fifty inches dating from July 1st 1893.

That the defendants, Solon H. Coy and Rosemary Y. Baxter, are hereby awarded the joint use of all of the waters of the springs which rise upon the lands of ^{of} said Baxter and that

certain spring which rises about three hundred yards in a southerly direction from the present house or residence of said Solon Mc Coy, from the following dates of priority, to-wit;

June 1st, 1888, for use upon the following lands, to-wit;
The South half of the Southwest quarter and the West half of the Southeast quarter of Section No. Thirty-three, and the East half of the Southeast quarter of Section No. Thirty-three, and the West half of the Southwest quarter of Section No. Thirty-four, Township No. One South, of Range Nine East of Boise Meridian.

That all of said water herein awarded to the respective parties shall be measured at the point or points of diversion thereof from the channel of said stream, in a box or boxes, head-gate or headgates suitable constructed for measuring water under a four inch pressure or its equivalent in second feet, and said water shall be measured at said point or points of diversion under a four inch pressure or its equivalent in Second feet.

That defendants Solon Mc Coy and Rosemary V. Baxter are hereby awarded the sole privilege as against the other parties to this action, of building a reservoir or reservoirs on Dipping Vat Gulch, and that all the other parties to this action, their and each of their heirs, successors and assigns and all persons claiming through, by or under them or either of them and their and each of their agents, employees and attorneys, be and they are hereby restrained and perpetually enjoined from in any manner interfering with said defendants building said Reservoir or reservoirs. That on and after the building and completion of said reservoir or reservoirs said defendants are hereby awarded in addition to the other waters awarded them all of the water of said gulch that they can store in or use through said reservoir or reservoirs, for use upon the lands hereinbefore described, Provided that the use of said water shall not be changed or transferred to lands below the lands of the plaintiff herein; all overflow ^{and} waste water from said reservoirs to be returned to said Gulch and stream to be divided in the order of the priorities herein awarded.

It is further ordered, adjudged and decreed, that none of the
(3)

parties hereto, or their successors in interest, shall have the right to the use of the waters of said Little Camas Creek herein awarded, except for a beneficial purpose; and that when the beneficial use has ceased such party or parties shall turn the waters of said stream used by them back into the channel thereof; that each and every of the parties to this action, their servants, attorneys, employees, privies and successors in interest are hereby enjoined and restrained from any and all interference with or diversion or use of the waters of said Little Camas Creek except as provided in this decree. Provided that in the early spring during flood water season, any party hereto may use more than the amount herein awarded to him or her but such use shall not deprive any party of the amount awarded, in this decree.

It is further ordered, adjudged and decreed that each party to this action shall bear and pay his own costs and expenses herein.

Dated at Mountain Home, Idaho, this 11th, day of July 1901.

Kirtland I. Perky,

Judge of the Fourth Judicial District.

Filed July 11th, 1901.

A. G. Smith, Clerk.

By J. W. Ball, Deputy.

State of Idaho.)
 : ss.
County of Elmore.)

I hereby certify that this instrument was filed for record at request of E. K. Wolfe at 35 minutes past 10 o'clock A.M. this 12th, day of July A.D. 1901, in my office.

A. G. Smith.

Ex-Officio Recorder.

Fees \$2.25

W. H. S.
63-A

Source Little Kansas Co. Page
 Water Dist. 12-E County Elizabet
 Judicial Dist. 4th Judge Kirchard L. Perry
 Date of Decree 7-11-01 at Page No. File No. 12-E-1
 Recorded in Book No.

Title of Case Selen McCoy et al vs Fred Casper

RECORDED INDEX

NAME	AMOUNT INCHES OR FEET	PRIORITY	SUBDIV.	DIVISION SEC. 1 TWP. 18.	REMARKS, LAND TO BE IRRIGATED, ETC.
Fred Casper	120	6-1-83			NE 1/4 33-15-9E
J.W. Bailey	65	6-1-87			SE 1/4 NE 1/4, SW 1/4 SE 1/4 21-15-9E
Rosemary Y. Baxter Selen McCoy & Henry Willis & John F. Dyer	50 all 260	7-1-93 6-1-88 6-1-89			E 1/2 SE 1/4 33, NW 1/4 34-15-9E SW 1/4, W 1/2 SE 1/4 33, E 1/2 SE 1/4 33, W 1/2 SW 1/4 34-15-9E SE 1/4 SE 1/4 21, NE 1/4 28, NW 1/4 27, W 1/2 SE 1/4 28-15-9E
Samuel Bane	160	6-1-93			SW 1/4, NE 1/4 SW 1/4, SE 1/4 NW 1/4 28-15-9E
J.W. Bailey	75	6-1-93			Same as above 65" of 6-1-87
Selen McCoy	160	7-1-93			SW 1/4, W 1/2 SE 1/4 33-15-9E
Rosemary Y. Baxter	50	7-1-93			E 1/2 SE 1/4 33, W 1/2 SW 1/4 34-15-9E
J.W. Bailey	60	6-1-94			SW 1/4 21, N 1/4 NW 1/4 28-15-9E
Selen McCoy & Rosemary Y. Baxter					Sole privilege of considering here as more reserves on Dipping Vat Gulch for use on land not lower than their land described above, all overflow and waste water from said reserves to be returned to said Gulch

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