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SEP 23 2008

DEPARTMENT OF
WATER RESOURCES

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 67-4166
Date Received: 12/19/1989
Receipt No: W007197
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

RUSSELL L CHASTAIN Phone: (208)253-0030

PO BOX 870
COUNCIL ID USA 83612

VIVIAN SILVA Phone:

1496 SHAW LN
COUNCIL ID USA 83612

2. Date of Priority: 05/01/1905

3. Source: WEISER RIVER MIDDLE FORK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	01W	10	NW NW	ADAMS	

5. Description of diverting works:

PUMP, 2 HP PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	03/15 10/31	0.1	

7. Total Quantity Appropriated is:
0.1 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
15N	01W	10	NW	NW	IRRIGATION	5
Section Acres						5
Total Acres						5

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

This claims elements of decreed right 67-92

15. Basis of Claim: Decreed

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm under penalty of perjury, that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Russell L. Chastain Date: 9/14/08
 _____ Date: _____



of the Southeast Quarter of Section 10; the North half, and the East half of the Northeast Quarter of the Southeast Quarter of Section 21, the South half, the North half of the Northeast Quarter and the North half of the Northwest Quarter of Section 16, the Southwest Quarter, the South half and the West half of the Northwest Quarter of Section 9; the East half; the North half of the Southwest Quarter of Section 8; the east half of the Southwest Quarter, the South half of the Northwest Quarter and the Northeast Quarter of the Northwest Quarter of Section 17; all of Section 20; the West half of the Southeast Quarter and the West half of the Northeast Quarter of Section 19; all in Township 15 North, Range 1 West, Boise Meridian, the West half of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, and the West half of the Southeast Quarter of the Southwest Quarter of Section 14; the Northwest Quarter of the Northwest Quarter of Section 23; the North half of the Northeast Quarter, the North half of the Southwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 22; the South half, the Northwest Quarter, the South half of the Northeast Quarter, and the South half of the Northwest Quarter of the Northeast Quarter of Section 15, all in Township 15 North, Range 2 West Boise Meridian.

W. M. BAGGINS: The South half of the Southeast Quarter of Section 4, Township 15 North, Range 1 West Boise Meridian.

CATHERINE AUSTIN: The Southwest Quarter of Section 4, and the Northeast Quarter of the Southeast Quarter of Section 5, Township 15 North, Range 1 West Boise Meridian.

BEN WOODEN: The Northeast Quarter of Section Thirteen, the North half of the Northwest Quarter of Section 15, the Northeast Quarter of the Northeast Quarter of Section 14, and the Northwest Quarter of the Northeast Quarter of Section 14, Township 15 North, Range 1 West Boise Meridian.

HENRY HELLSOETH: The North half of the Northwest Quarter of Section 14, the South half of the Southwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 11, Township 15 North, Range 1 West Boise Meridian.

GEORGE SHAW: The Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 10 and the East half of the Southwest Quarter of Section 3, all in Township 15 North, Range 1 West Boise Meridian.

WILLIAM B. SHAW: The Northwest Quarter of the Northwest Quarter of Section 11, the Southwest Quarter of the Southwest Quarter of Section 2, the North half of the Southeast Quarter of Section 10, the South half of the Northeast Quarter and the Northeast Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 10, all in Township 15 North, Range 1 West Boise Meridian.

JOHN SWEARINGEN: The South half of the Southwest Quarter and the West half of the Southeast Quarter of Section 5, Township 15 North, Range 1 West Boise Meridian.

DAVE DUEEE: The Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 10, Township 15 North, Range 1 West Boise Meridian.

C. E. ROYER: The East half of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 12, Township 15 North, Range 1 West Boise Meridian.

OSCAR GILBERT: South half Northeast Quarter and Northwest Quarter Southeast Quarter, Section 25, Township 15 North, Range 1 West and Southeast Quarter Northwest Quarter, Section 30, Township 16 North, Range 1 East Boise Meridian (FW)

E R Windes	135	May 1, 1908
	20	May 18, 1910
First Bank of Council	5	May 18, 1910
	8	May 25, 1910

Biggerstaff Ditches.

T B Biggerstaff	45	June 1, 1890
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Middle Fork Weiser River.

Orchards Water Company	3500	Sept 11, 1909
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Lost Creek Storage

	6250	May 27, 1910
A L Freehafer Lost Creek Storage	360 A Ft	May 27, 1910
J A Carr Lost Creek Storage	300 A Ft	May 27, 1910
W M Baccus	14	May 1, 1891
Catherine Austin	24	May 1, 1891
	24	May 1, 1901
Ben Wooden	50	May 1, 1894
Henry Heimsoth	13	May 1, 1900
George Shaw	21	May 1, 1900
William B Shaw	44	May 1, 1903
John Sweetwinger	6	May 1, 1903
Dave Duree	5	May 1, 1905
C E Roper	7 1/2	May 1, 1911

Fall Creek.

James Harrell (Steward Ditch)	120	July 1, 1883
Jacob Cornett (Steward Ditch)	90	July 1, 1883
John Cornett	58	Dec 30, 1907
Oscar Gilbert (Steward Ditch)	40	May 1, 1899
Jesse Buzzard (Steward Ditch)	26	June 1, 1895
Hattie Gilbert Sub., for		
Oscar Gilbert, sub for A E Beigh	74	Dec 30, 1907
John Roberts	125	Dec 30, 1907
S L Goodwin	62 1/2	Dec 30, 1907
William M Woods (Wood-Cornett Ditch)	17 1/2	July 1, 1883
Samuel Woods (Steward Ditch)	93	June 1, 1883

East Fork Weiser River.

Tomlinson Yantis Ditch.

Mary E Tomlinson	50	June 13, 1905
E W Tomlinson	55	June 13, 1905
Sarah Yantis	40	June 13, 1905
L A Spira	10	June 13, 1905
Ralph Yantis	8	Dec 31, 1908

East Fork Ditch.

Frank E Brown	70	July 1, 1905
George H Bliss	55	July 1, 1905
J A Carr	15	July 1, 1905

THIS INDENTURE, Made this twenty eighth day of July in the year of our Lord nineteen hundred and nineteen, between DAVID DUREE AND ELLA DUREE, his wife, of Council, County of Adams, State of Idaho, the parties of the first part; and EDWARD AUSTIN, of Council, County of Adams, State of Idaho, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of TWENTY FIVE HUNDRED and NO/100 DOLLARS; lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs, and assigns forever, all the following described real estate, situated in Adams County, State of Idaho, to wit:

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION TEN, TOWNSHIP FIFTEEN, NORTH OF RANGE ONE WEST, B. M., excepting therefrom THAT PORTION THEREOF BOUNDED AND DESCRIBED AS FOLLOWS:- COMMENCING THEREFOR AT THE SOUTH-EAST CORNER OF THE SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION TEN, said TOWNSHIP AND RANGE, RUNNING THENCE NORTH ALONG THE EAST SIDE OF SAID QUARTER TO A POINT WHERE SAID EAST LINE INTERSECTS THE EASTERN BOUNDARY OF THE COUNTY ROAD RUNNING FROM INDIAN VALLEY TO COUNCIL, IDAHO, THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE EASTERN BOUNDARY OF SAID ROAD TO A POINT WHERE SAID BOUNDARY LINE OF SAID ROAD INTERSECTS THE SOUTH BOUNDARY LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION TEN, SAID TOWNSHIP AND RANGE, THENCE EAST ALONG SAID BOUNDARY LINE OF SAID QUARTER TO THE PLACE OF BEGINNING, TOGETHER with all waters, water rights, dams, ditches, flumes and irrigating works of whatever nature, used upon, belonging to or in anywise appertaining to said lands hereby conveyed.

It is understood and agreed that second party assumes a certain mortgage from David Duree and Ella Duree, his wife, to the State of Idaho, bearing date November 15, 1917, for the sum of \$1000.00 due five years after date, interest at 6% per annum.

TOGETHER, With all and singular the tenements, herditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property as well-in-law as in-equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described, premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. AND the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his his heirs, and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEED.

IN WITNESS WHEREOF, The said parties of the first part have
hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered

DAVID DUREE. (SEAL)

in the Presence of _____

ELLA DUREE. (SEAL)

6/18/23

I. R. \$1.50 attached and cancelled

STATE OF IDAHO |
COUNTY OF ADAMS | SS

On this day 28th of July, in the year 1919, before me J. A. Carr,
a Notary Public in and for said State, personally appeared David Duree
and Ella Duree, his wife, known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that they
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal, the day and year in this certificate first above written.

SEAL
J. A. Carr
Notary Public
State of Idaho.

J. A. Carr, Notary Public
residing at Council, Idaho.

Recorded at the request of Edward Austin at 4 o'clock P. M.
this 28th day of July A. D. 1919.

Fees \$1.20

Matilda Moser,

Ex-Officio Recorder.