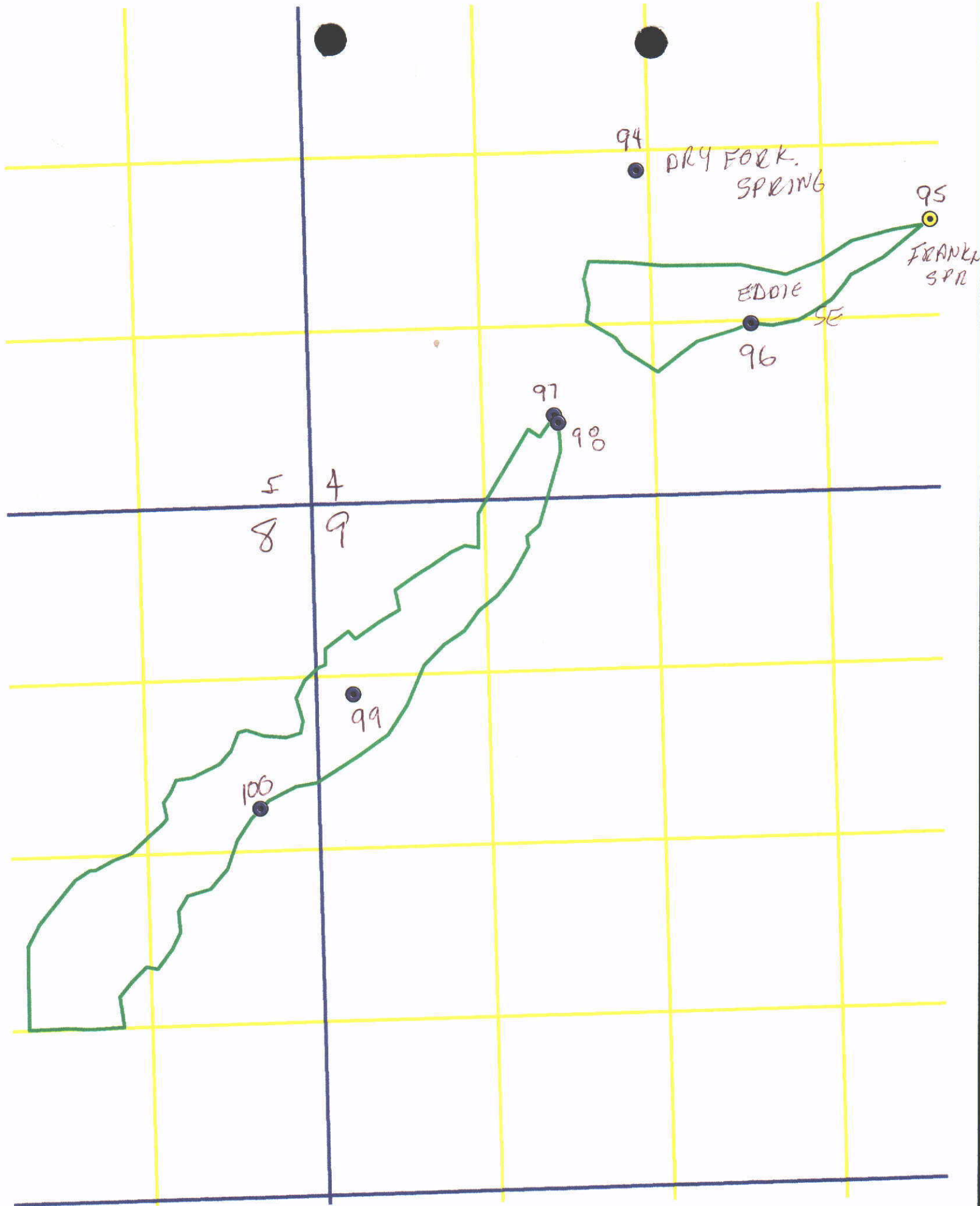
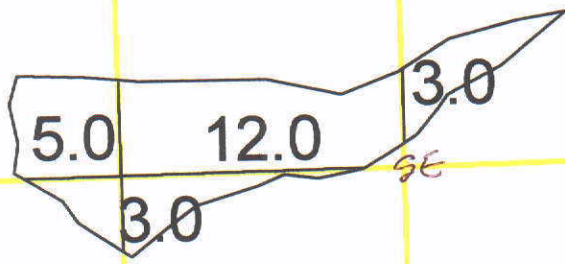
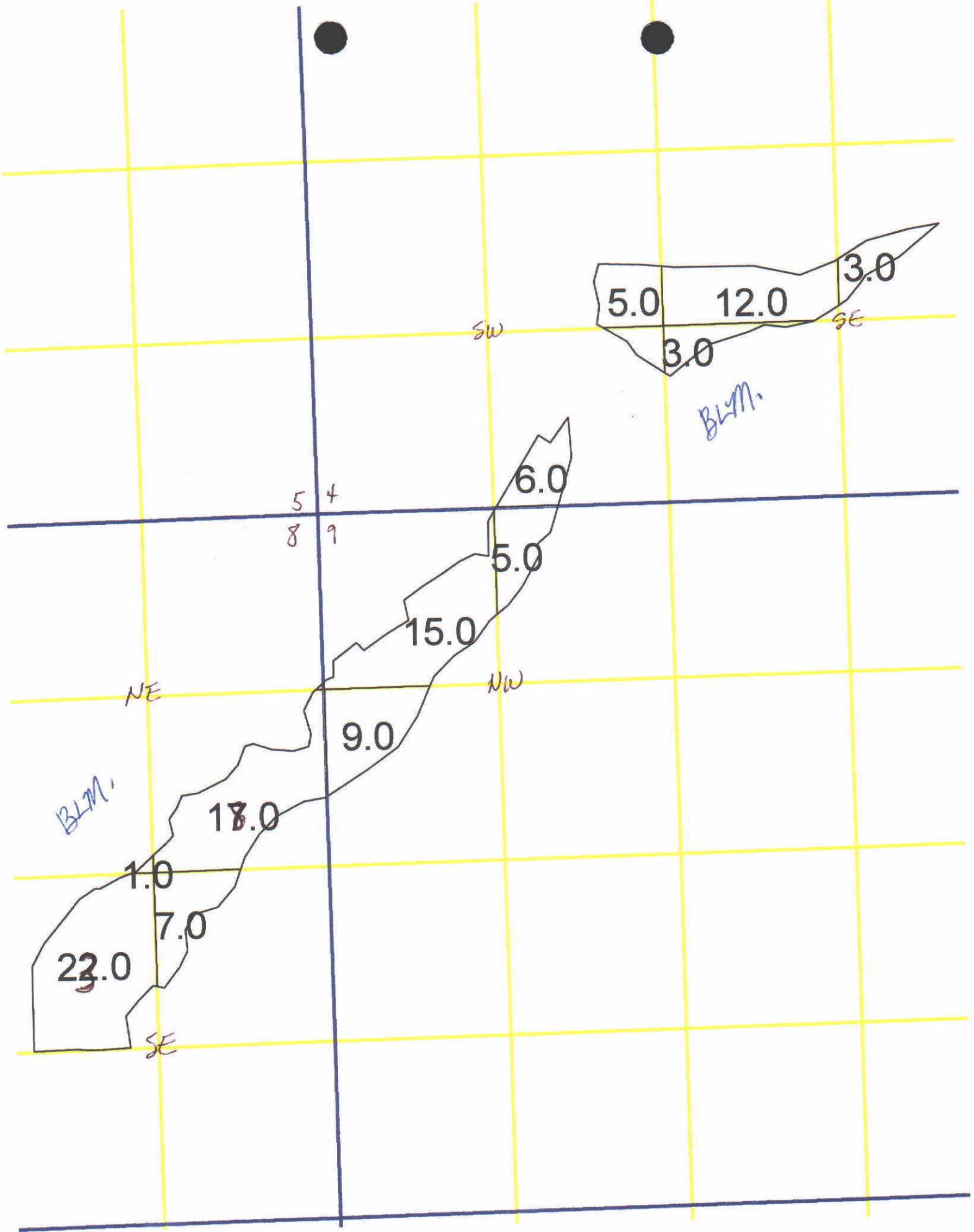






SW

SE

BLM.

5 4
8 9



NE

NW

BLM.

9.0

18.0

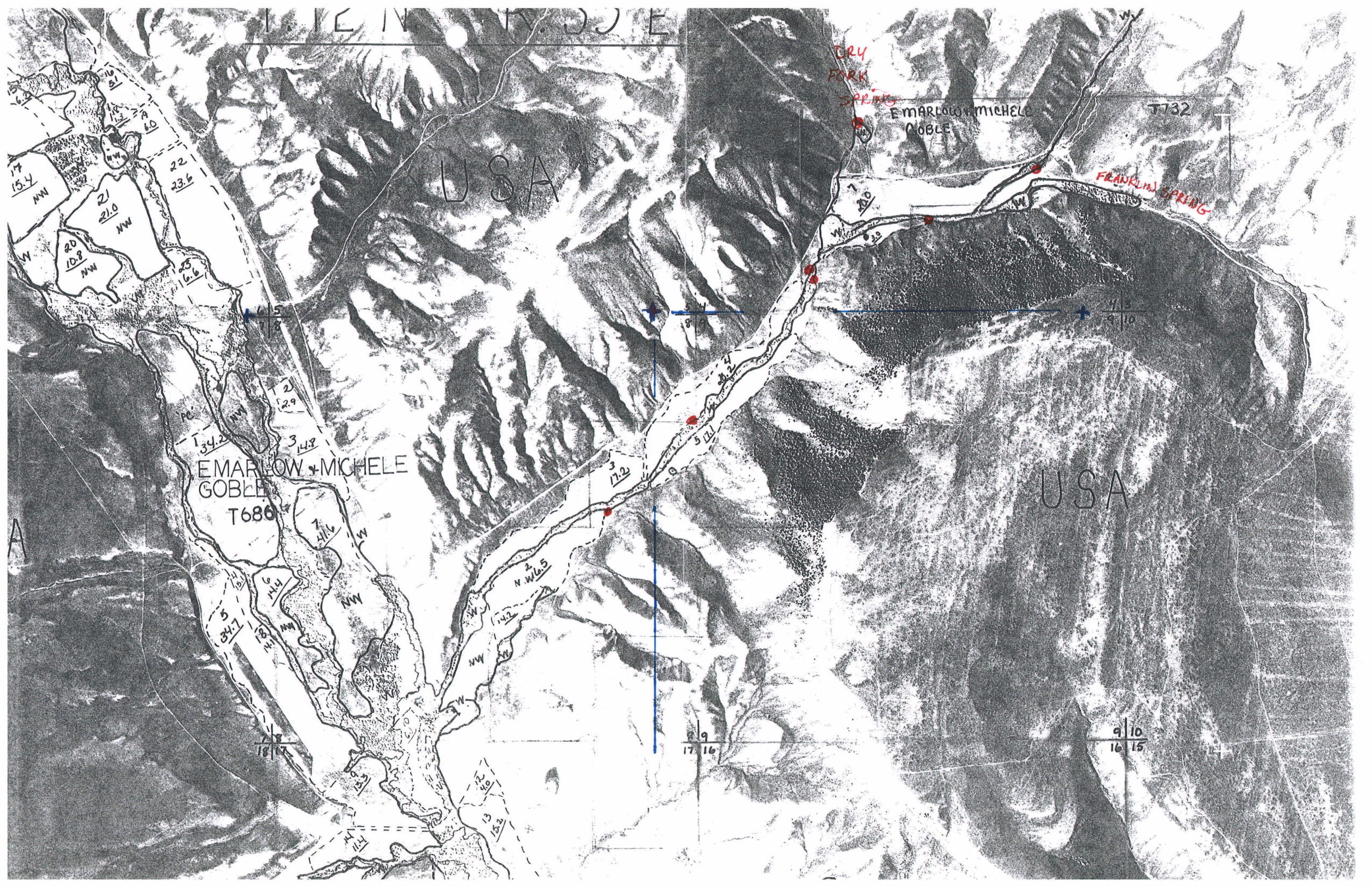
1.0

7.0

23.0

SE





RECEIVED

DEC 20 1999

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 SRBA

Case No. 39576

A. Subcase 32-10357

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; Paul F. Holleman, 202 305-0494

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

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

Name: Goble Land & Livestock

Address: 152 S 600 W, Logan, UT. 84321

Name:

Address: ,

Name:

Address: ,

Name:

Address: ,

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
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: See attached

11. **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 United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 16, 1999

Jean Earl

Jean Earl

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 08-01-2002

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 December 17, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: Goble Land & Livestock
Address: 152 S 600 W, Logan, UT. 84321

Name:
Address: ,

Name:
Address: ,

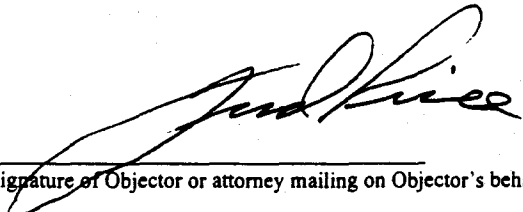
Name:
Address: ,

3. Copies to:

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

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf

AJ5556NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-14-1999
PAGE: A-109

RIGHTS FROM: SOURCE: DRY FORK SPRING TRIBUTARY: EDIE CREEK

RIGHT NUMBER: 32-10357

UNAUTHORIZED USE

NAME & ADDRESS: GOBLE LAND & LIVESTOCK
152 S 600 W
LOGAN UT 84321

SOURCE: EDIE CREEK
FRANKLIN SPRING
DRY FORK SPRING

TRIBUTARY: MEDICINE LODGE CREEK
EDIE CREEK
EDIE CREEK

QUANTITY: 3.2 CFS

USE OF THIS RIGHT IS LIMITED TO A DIVERSION RATE OF 1.60 CFS
FROM EDIE CREEK.

USE OF THIS RIGHT IS LIMITED TO A DIVERSION RATE OF 1.00 CFS
FROM FRANKLIN SPRING.

USE OF THIS RIGHT IS LIMITED TO A DIVERSION RATE OF 0.60 CFS
FROM DRY FORK SPRING.

PRIORITY DATE: 11/29/1915

POINT OF DIVERSION: T12N R33E S04

NENESW
SESW
NENESE
~~SESE~~ BLM
SESENE
NWSWNW

Within CLARK County

S08
S09

TWO POINTS OF DIVERSION LOCATED IN T12N, R33E, S 4, SESW.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
3.2 CFS

PLACE OF USE:

IRRIGATION
T12N R33E S04

Within CLARK County

NESW 5
~~SESE~~ 3 BLM
SWNE 1 BLM
NENW 5

SESW 6

NESE 3

NWSE 12

S08
S09

SENE 18
NWNW 15

NESE 7
SWNW 9

NWSE 23

107 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Issues:

Places of Use on BLM

AJES66NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-11-1999
PAGE: A-109

RIGHTS FROM: SOURCE: DRY FORK SPRING TRIBUTARY: EDIE CREEK

RIGHT NUMBER: 32-10357 (CONT)

OTHER PROVISIONS: (CONT)

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 32-00054,
32-00055, 32-00056.
STOCKWATER, 275 CATTLE

RECEIVED

DEC 20 1999

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 SRBA

Case No. 39576

A. Subcase 32-10357

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office
Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657
Daytime Phone: see below
Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; Paul F. Holleman, 202 305-0494

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

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

Name: Goble Land & Livestock
Address: 152 S 600 W, Logan, UT. 84321
Name:
Address: ,
Name:
Address: ,
Name:
Address: ,

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
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: See attached

11. **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 United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 16, 1999

Jean Earl

Jean Earl

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 08-01-2002

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 December 17, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: Goble Land & Livestock
Address: 152 S 600 W, Logan, UT. 84321

Name:
Address: ,

Name:
Address: ,

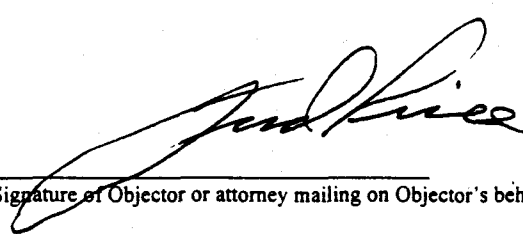
Name:
Address: ,

3. Copies to:

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

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney mailing on Objector's behalf

A05856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: OCT-14-1999
PAGE: A-109

RIGHTS FROM : SOURCE: DRY FORK SPRING TRIBUTARY: EDIE CREEK
 RIGHT NUMBER : 32-10357

UNAUTHORIZED USE

NAME & ADDRESS : GOBLE LAND & LIVESTOCK
 152 S 600 W
 LOGAN UT 84321

SOURCE: EDIE CREEK TRIBUTARY: MEDICINE LODGE CREEK
 FRANKLIN SPRING EDIE CREEK
 DRY FORK SPRING EDIE CREEK

QUANTITY: 3.2 CFS

USE OF THIS RIGHT IS LIMITED TO A DIVERSION RATE OF 1.60 CFS
 FROM EDIE CREEK.
 USE OF THIS RIGHT IS LIMITED TO A DIVERSION RATE OF 1.00 CFS
 FROM FRANKLIN SPRING.
 USE OF THIS RIGHT IS LIMITED TO A DIVERSION RATE OF 0.60 CFS
 FROM DRY FORK SPRING.

PRIORITY DATE: 11/29/1915

POINT OF DIVERSION: T12N R33E S04 NENESW Within CLARK County
 SESW
 NENESE
~~NWSE~~ BLM
 SESENE
 S09
 S09 NWSWNW

TWO POINTS OF DIVERSION LOCATED IN T12N, R33E, S 4, SESW.

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
 IRRIGATION 04-01 10-31 3.2 CFS

PLACE OF USE: IRRIGATION Within CLARK County
 T12N R33E S04 NESW 5
~~NWSE~~ 3 BLM
 S08 ~~SWNE~~ 1 BLM
 S09 NENW 5
 107 ACRES TOTAL
 SESW 6 NESE 3 NWSE 12
 SESE 18 NESE 7 NWSE 23
 NWNW 15 SWNW 9

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Issues:

Places of Use on BLM

AJ5955NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-11-1999
PAGE: A-109

RIGHTS FROM: SOURCE: DRY FORK SPRING TRIBUTARY: EDDIE CREEK

RIGHT NUMBER: 32-10357 (CONT)

OTHER PROVISIONS: (CONT)

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 32-00054,
32-00055, 32-00056.
STOCKWATER, 275 CATTLE

A32-10357

GEORGE WHITTAKER

FAY WHITTAKER

P.O. BOX 45

Goble Ranch

54	55	56
----	----	----

Stoll
(Ellis)

(FINISH)

(107¹⁰ 3.20)

6/4/95

8/23/98

S

Ditch

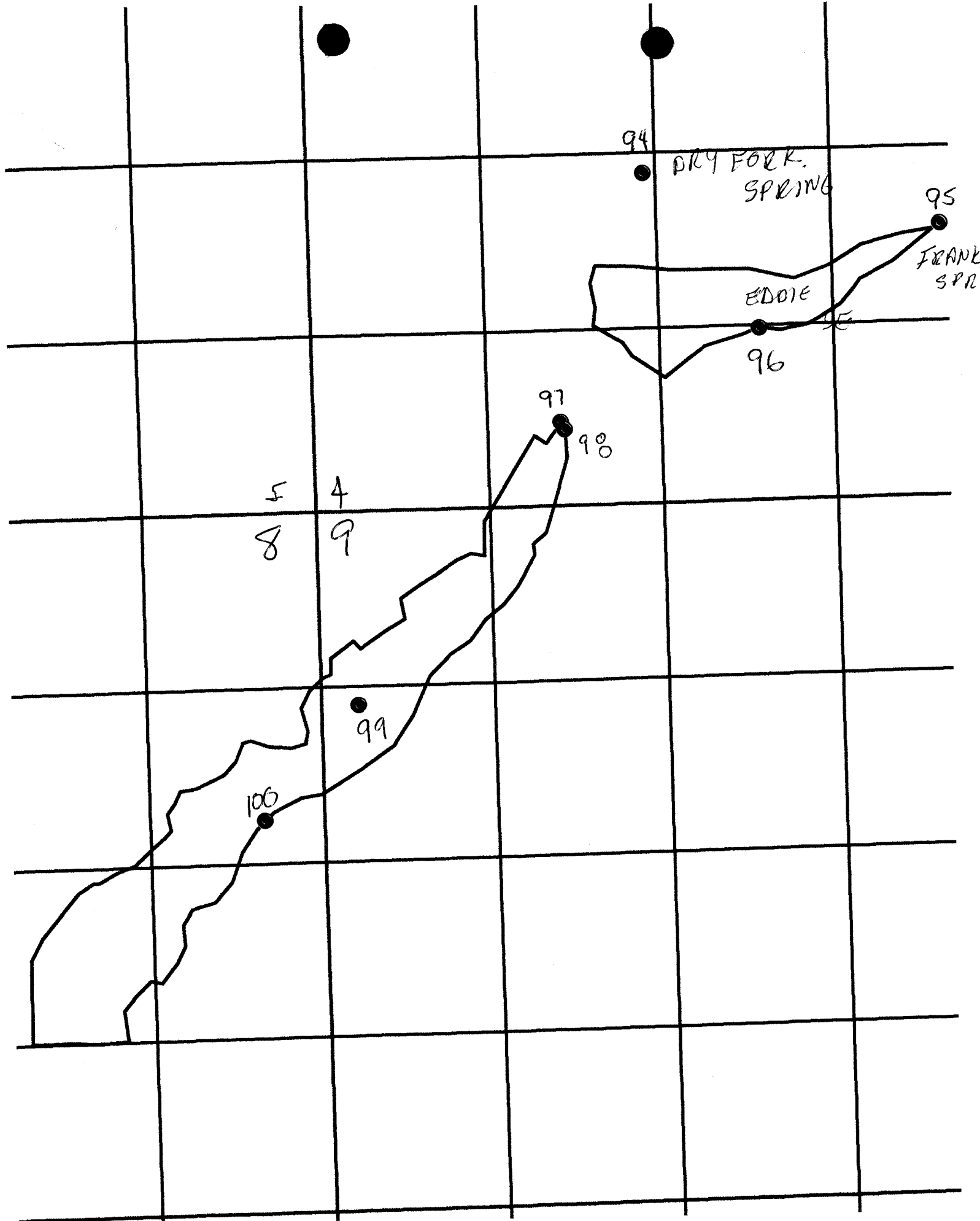
1. BELOW ROAD CROSSING EDE CULVET IN DITCH

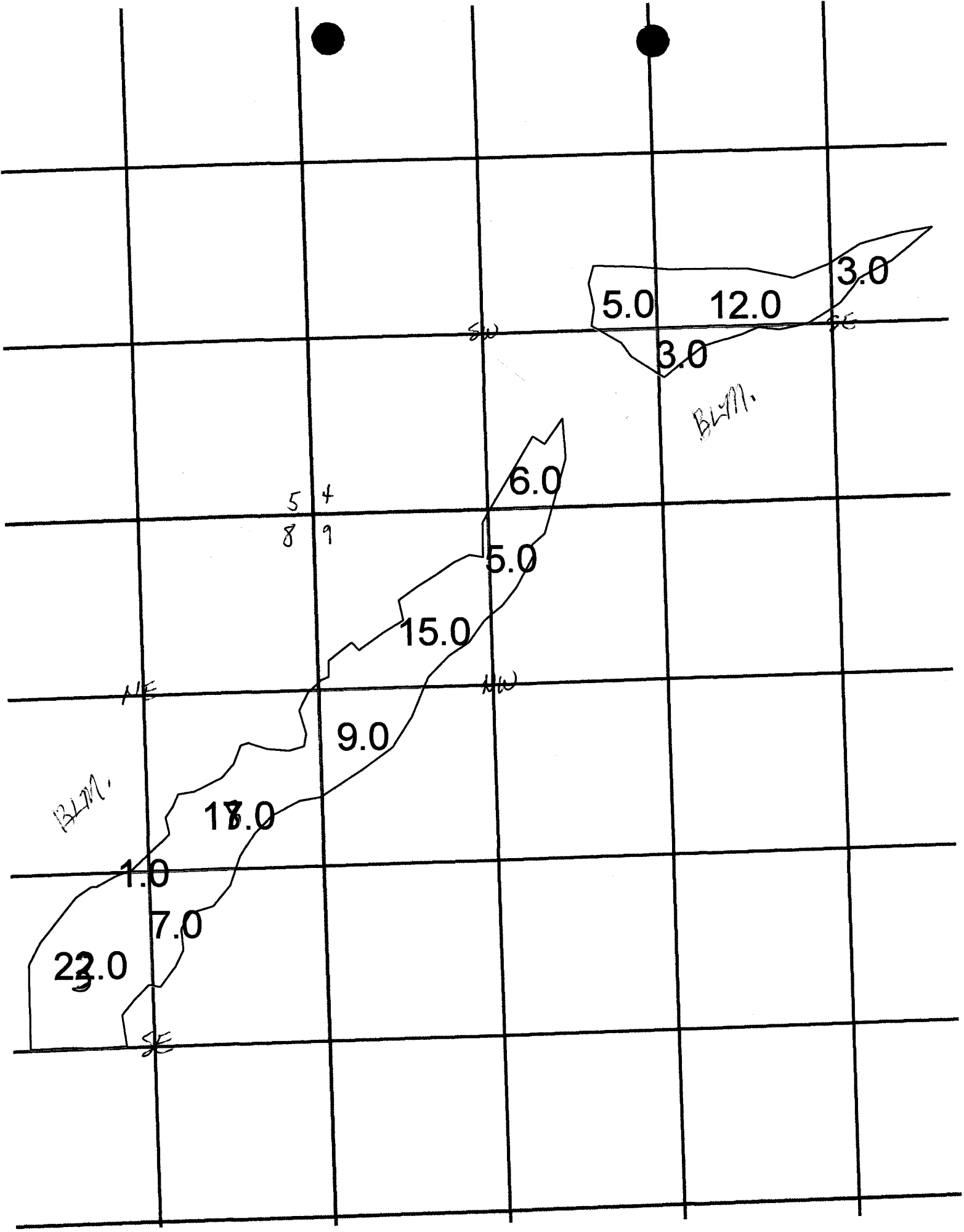
(12N 33E)

Permit (B)

LOOK UP

(Permit 11819)







750
MAY

USA

GEORGE W.



MICROFILMED
NOV 18 1992

U.S.A.

10.9
17/16

17.2

16.5

14.2

12.40

13.2

14.0

14.6

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT
OF IDAHO, IN AND FOR THE COUNTY OF CLARK

RUSSELL W. ELLIS,

Plaintiff,

vs.

PAUL STOLT, Water Master,
District 37 Idaho,

Defendant.

DECREE

This cause came on for hearing before the court sitting at Chambers, in Idaho Falls, Idaho, on this 29th day of January, 1954. T. W. Smith, appearing as counsel for the plaintiff and no one appearing for the defendant, and it appearing to the court that the said defendant, Paul Stolt, Water Master, District 37 Idaho, has been duly and personally served with summons and complaint in this action as required by law, and that plaintiff in said action has caused to be published once a week for not less than three weeks, a notice of the pendency and purpose of said action, in the Clark County Enterprise, a weekly newspaper, published in Dubois, Clark County, Idaho, as the judge of this court ordered; that defendant has not appeared herein, and that no answer, demurrer or other pleading has been served or filed in this action by the said defendant, Paul Stolt, or by another person or interested party whomever, and the time to appear, answer, demur or serve or file any other pleading has fully expired;

It is ordered and adjudged that the default of the said defendant, Paul Stolt, be and the same is hereby entered by the court.

Whereupon plaintiff offered for the consideration of the court, competent testimony and proof, both oral and documentary, that plaintiff is the owner of and in possession of all that certain part, parcel and tract of land situate, lying and being in the County of Clark, State of Idaho, and described as follows, to-wit:

NW¹₄SW¹₄, Section 3; NE¹₄SE¹₄, NE¹₄SW¹₄, Section 4; Township 12 North, Range 33 East Boise Meridian, Idaho.

That said lands are arid in character and require water for the irri-

IN THE DISTRICT COURT OF THE STATE OF IDAHO

gation thereof; that on or about the 29th day of November, 1915, Lina B. Owens (nee Lina B. Cleary, nee Lina B. Cleary Patch) made her application to the State Engineer of the State of Idaho, upon which was issued permit No. 11819, authorizing the diversion of 1.6 second feet of the waters of Eddie Creek; 1.0 second foot of the waters of Franklin Spring; and .6 second foot of the waters of Dry Fork Spring, for the irrigation of the lands described above, all formerly in Fremont County, but now in Clark County, Idaho; that at all times since the 29th day of November, 1915, to the date hereof, plaintiff and his predecessors in interest have used the waters from the above mentioned sources, and applied the same to the irrigation of the lands herebefore described on which have been grown agricultural crops continuously each and every year; that the above sources of water are tributary to Medicine Lodge Creek, the waters of which have been decreed in the case of Robson vs. Colson, et al, dated June 13, 1901, and recorded in Book 1 of judgements, page 30 of the records of the County of Clark, State of Idaho.

Now, therefore, it is ordered, adjudged and decreed:

That plaintiff and his predecessors have used the waters described in Permit No. 11819, on the lands therein described and hereinafter set forth, continuously and uninterruptedly since the 29th day of November, 1915; that the plaintiff is entitled to divert, convey and use 1.6 second feet of the waters of Eddie Creek, 1.0 second foot of the waters of Franklin Spring and .6 second foot of the waters of Dry Fork Spring, totaling 3.2 second feet, with a priority date of November 29, 1915; that said water right as herein set forth is subject and inferior to the adjudication of the waters of Medicine Lodge Creek in the case of Robson vs. Colson, above mentioned; that the use of the waters herein adjudicated to the plaintiff are applicable to all those certain tracts and parcels of land, situate, lying and being in the County of Clark, State of Idaho, and described as follows, to-wit:

NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3; NE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4, Township 12 North, Range 33, East Boise Meridian, Idaho.

It is further ordered that the Water Master of Water District No. 37, of the State of Idaho be, and he is hereby directed to distribute to the plaintiff, his successor and assigns, the waters herein adjudged and declared in accordance with the decree of this court.

Dated January 29th, 1954.

s/ Henry S. Martin
Judge of the District Court.

1612 IN R.00 E



T732

EMARLOW MICHELE
GOBLE

FRANKLIN SPRINGS

USA

EMARLOW MICHELE
GOBLE
T686

9/10
16/15

8/9
17/16

7/8
18/17

A

T. W. SMITH
ATTORNEY AT LAW
REXBURG, IDAHO

November 17, 1953

RECEIVED
NOV 18 1953
Department of Reclamation

Mr. Mark A. Kulp, Engineer,
State Reclamation Department,
Boise, Idaho.

Dear Mr. Kulp:

Re: Permit #11819

Attention: Mr. Roy W. Thompson

Attention is called to your letter of May 21, 1952, addressed to Mr. M. A. Thomas, Dubois, Idaho.

The present owner of the lands to which this water permit applies is Russel W. Ellis, Small, Idaho. Mr. Ellis has employed me to assist him in establishing the beneficial use to which the water rights covered by the permit have been put.

I note from the letter that a penalty of one year later in priority is imposed for every year the applicant failed to make beneficial use proof, and that in order to establish an earlier date it would be necessary to bring an action against the watermaster. I have not been successful, so far, in locating a decision on this point and I am wondering if you have in your file such a case that will give me a lead.

I am also interested to know whether any later filings have been made on these same waters, and in particular whether permits #'s 19126 - 20009 affect the priorities of permit #11819, when beneficial use is established.

Any further information you can give me with respect to this matter will be greatly appreciated.

T. W. Smith

11819

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO.

County of Fremont

Lina B. Cleary now

Lina B. Owens

ss.

being first duly sworn upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho No. 11819 and that his postoffice address is Duhola State of Idaho

Second: That the name of the stream from which said water is to be diverted is Edie Creek, Franklin Spring, Dry Fork Spring

Third: That the point of diversion of said water is Edie Creek NW 1/4 Sec. 4, Franklin Spring, NW 1/4 Sec. 3, Twp. 12 N., R. 23 E., S. 1, Fremont County, Idaho

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 11 1916

Fifth: That the use for which said water is intended is Irrigation and Domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

1. Kind of works: Dam and ditches

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 2 feet, length of dam at top 11 feet, length of dam at bottom 10 feet. Material used in construction earth and rock

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width 11 feet, height 11 feet.

(d) Conduit ditch width at bottom 2 feet, width at water line 5 1/2 feet, depth of water 7 inches, diameter of pipe inches;

(State whether ditch, flume or pipe)

average grade per mile is 50 feet. Length of conduit is 5 1/2 miles.

Seventh: That said works are capable of conducting to the place of intended use second feet of water.

Eighth: That water appropriated under said permit is available for 100 acres of land described as follows: NW 1/4 Sec. 4, Franklin Spring, NW 1/4 Sec. 3, Twp. 12 N., R. 23 E., S. 1, Fremont County, Idaho

Ninth: Remarks: That

Lina B. Owens
(Sign here.)

Subscribed and sworn to before me this 17th day of November 1916

CP Butler

Notary Public.

My commission expires March 10, 1919

11819

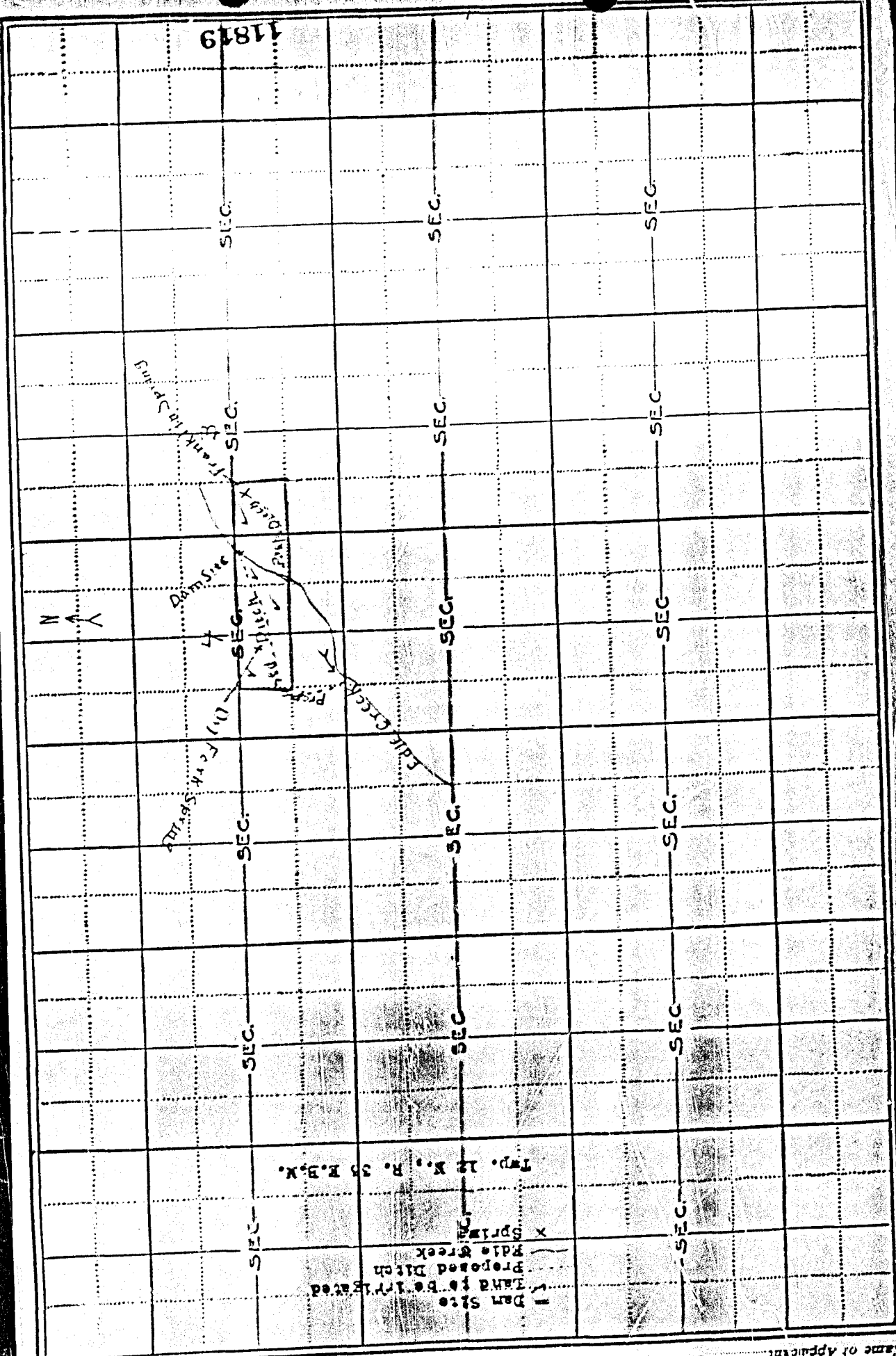
32 - 2082

31-2286

Name of Applicant: Lina S. Leary, Dubois, Idaho

Top. 12 N., R. 35 E., S. 34 N.

Land to be Leased
Proposed Ditch
Rd. Creek
Spring



SCALE: 2 INCHES=1 MILE DRAWN IN INK.

11819

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO**

1. Name of applicant: Lina B. Cleary

Postoffice address: Dubois

County: Fremont

State: Idaho

- I. If applicant is a corporation, give:
(a) Date and place of incorporation.
(b) The amount of capital stock:
(c) The amount paid in:
(d) Names and addresses of directors:

- II. The financial resources of the applicant are: (a) Cash on hand:
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:

2. The quantity of water claimed is 3.2 cubic feet per second.

3. Source of water supply: Edie Creek 1.6 cubic ft., Franklin Spring 1 cubic ft., Dry Fork Spring, .6 cubic ft.

4. Location of point of diversion: Edie Creek, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Dry Fork Spring NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, Franklin Spring, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 12 N., R. 33 E.B.M.

County of Fremont.

5. To be used for: Irrigation and domestic use

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: 160 acres.
(b) In the following legal subdivisions: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, Twp. 12 North, Range 33 E.B.M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

(b) Amount of power to be generated:

H. P. under ft. head

(c) Is water to be returned to any stream?
point of return:

(d) If so, name stream and locate

6. Estimated cost of works: \$200.00

7. Description of works for diversion:

I. Kind of works: Dam and ditches

II. Dimensions of works:

(a) Height of dam 2 feet, length of dam at top 12 feet.

length of dam at bottom 10 feet. Material used in construction: earth and rock

(b) Capacity of reservoir acres feet. (c) Size of headgate, width 1 1/2 feet.

Height 1 1/2 feet. (d) Conduit ditch width at bottom 2 feet.

width at water line 2 1/2 feet, depth of water 7 in. feet; diameter of pipe

inches; average grade per mile is 50 feet. Length of conduit is 2 1/2 miles, and it crosses the following quarter sections: SW $\frac{1}{4}$, Sec. 3, SE $\frac{1}{4}$ & SW $\frac{1}{4}$, Section 4, Twp. 12 North, Range 33 E.B.M.

8. The time required for the completion of the construction of such work is one years.

9. Time required for the complete application of the water to the proposed use is one additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Lina B. Cleary

Applicant.

By C. P. Button.

Agent.

Date of first receipt at office of **State Engineer** 9:00 A.M. Nov. 29, 1915

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 11819

Recorded in Book 40 Page 11819 Approved December 11, 1915.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of _____ to be filed on or before _____
Work to begin on or before February 9, 1916, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 11, 1916.

The whole of said work to be completed on or before December 11, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before

December 11, 1917.

Witness my hand this 11th day of December, 1915.

J. H. SMITH,

State Engineer.

Remarks:

Springs mentioned are located on land claimed by applicant.

Proof of completion of works made Nov. 17, 1916.

Certificate made Nov. 25, 1916.

PERMIT NO. 11819

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that Lina B. Owens, (Nee Lina B. Cleary) of Dubois, County of Fremont, and State of Idaho, the holder of Permit No. 11819, issued upon Application No. 17099, bearing date of priority of November 29, 1915, authorizing the diversion of 1.6 second feet of the waters of Edie Creek; 1 second-foot of the waters of Franklin Spring and .6 of 1 second-foot of the waters of Dry Fork Spring, County of Fremont, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.2 second feet of the waters of Edie Creek, Franklin Spring and Dry Fork Spring; that the points of diversion of said waters are as follows: From Edie Creek in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 4; from Dry Fork Spring in NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 4, and from Franklin Spring in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 3, all in T. 12N., R. 33 E., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 3; N $\frac{1}{2}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 4, T. 12N., R. 33 E., B. M.

Witness my hand this 25th day of November, A.D. 1916.

J. H. SMITH,

State Engineer of the State of Idaho.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:31
03/17/93

1813
CLAIM NUMBER: A32-10357

PAGE: 1
GENERAL INFORMATION

LAST: ELLIS
ADDRESS: N/A
CITY: N/A
PHONE NUMBER: 208-874-5435
OWNER CODE: 0
FIRST: RUSSELL W.
STATE: ID ZIP: 00100

LAST: WHITTAKER
ADDRESS: P.O. BOX 45
CITY: BIRDS
PHONE NUMBER: 208-874-5435
OWNER CODE: C
FIRST: GEORGE
STATE: ID ZIP: 83423

LAST: WHITTAKER
ADDRESS: P.O. BOX 45
CITY: BIRDS
PHONE NUMBER: 208-874-5435
OWNER CODE: C
FIRST: FAY
STATE: ID ZIP: 83423

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE Y
FIELD EXAMINER

CLAIM REMARKS: WATER FROM THE THREE SOURCES LISTED UNDER THIS RIGHT ARE COMBINED INTO A SINGLE IRRIGATION SYSTEM. THE USE OF THIS WATER WAS PREVIOUSLY DECREED AND ASSIGNED NO. 12-0034, 12-0055 AND 12-0056. THE P.O. IN THE WASH, SEC. 4 IS KNOWN AS FRANKLIN SPRING. THE P.O. IN THE WASH, SEC. 4 IS KNOWN DRY FORK SPRING. THERE ARE TWO P.O.'S IN THE WASH, SEC. 4.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: PHONE NUMBER: () - - -

DATE OF FIELD EXAM: / / 1994/1995 TIME: : : A() P()

APPOINTMENT MADE: Y() N()

ACCOMPANIED BY: PHONE NUMBER: () - - -

RELATIONSHIP TO CLAIMANT:

DIRECTION TO PROPERTY / NOTES:

3/99 OFFICE REVIEW

STAGE: 0

PRIORITY DATE: 11-29-1915

A. AJ CLAIM: # A32-10357

B. WR RECORD: NO WRITER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD DATA REQUIRED?

FIELD
EXAMINER

DATABASE
Y

ONE TO PRIORITY DATE DISCREPANCY? (Y/N)

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? ☒ () NO ☐ YES
IF YES EXPLAIN.

NOTES:

Decided

11-29-1915

RECOMMENDED PRIORITY DATE:

REVIEWED BY: DC

DATE: 3/99

A. AD CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	1/4	2/4	3/4	1/4	1/4	1/4	LOT	CNTY
A32-10357	12N	35E	5	SE	NW	SW		CLARK
A32-10357	12N	35E	4	NE	NE	SW		CLARK
A32-10357	12N	35E	4	SW	SE	SW		CLARK
A32-10357	12N	35E	4	NE	NE	SE		CLARK
A32-10357	12N	35E	0	SE	SE	NE		CLARK

OTHER AD CLAIMS WITH SAME AD DOB
R PREFIX
NONE

NR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: EDIE CREEK
FRANKLIN SPRING
DRY FORK SPRING

TRIP: MEDICINE LODGE CREEK
EDIE CREEK
EDIE CREEK

B. NR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIP: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO PCO DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y
FIELD
EXAMINER

NOTES:

SEE GRS MAPS

SOURCES ARE OK

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:				COUNTY	DIVERSION NAME
TW.	RSE.	SEC.	1/4	1/4	LOT
---	---	---	---	---	---
---	---	---	---	---	---
---	---	---	---	---	---
---	---	---	---	---	---
---	---	---	---	---	---
---	---	---	---	---	---
---	---	---	---	---	---
SOURCE:	T918:-----				

REVIEWED BY: DC DATE: 3/99

SYSTEM DESCRIPTION:
Ditch/flood irrigation

- sec 4 NENE SW - DRY FORK SPRING
SE SW - EDIE CRK
NENE SE - FRANKLIN SPRING
SWSE - EDIE CRK
- sec 8 SESE NE - EDIE CRK
9 NWSW NW - EDIE CRK

A. ROOT WATER RIGHT NUMBERS: A32-10357

B. ROW LISTING

TRP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #ACRES	AR #ACRES	LANDSAT DATA	FIELD EXA1.	RECOMM. ACRES
12N	33E	4	NE	SW		WHITTAKER, GEORGE ELLIS, RUSSELL A. ELLIS, RUSSELL A. ELLIS, RUSSELL A.	A32-10357 / 4.0	- 32-00054 / 32-00055 / 32-00056 /	16.0		5.0
12N	33E	4	SE	SW		WHITTAKER, GEORGE	A32-10357 / 8.0	-	10.0		6.0
12N	33E	4	NE	SE		WHITTAKER, GEORGE ELLIS, RUSSELL A. ELLIS, RUSSELL A. ELLIS, RUSSELL A.	A32-10357 / 4.0	- 32-00054 / 32-00055 / 32-00056 /	11.0		3.0
12N	33E	4	NE	SE		WHITTAKER, GEORGE ELLIS, RUSSELL A. ELLIS, RUSSELL A. ELLIS, RUSSELL A.	A32-10357 / 10.0	- 32-00054 / 32-00055 / 32-00056 /	13.0		12.0
12N	33E	4	SE	SE		WHITTAKER, GEORGE	A32-10357 / 5.0	-	2.0		3.0
12N	33E	0	SE	NE		WHITTAKER, GEORGE	A32-10357 / 1.0	-	8.0		1.0
12N	33E	0	SE	NE		WHITTAKER, GEORGE	A32-10357 / 20.0	-	21.0		18.0
12N	33E	0	NE	SE		WHITTAKER, GEORGE	A32-10357 / 5.0	-			7.0
12N	33E	0	NE	SE		WHITTAKER, GEORGE	A32-10357 / 20.0	-	25.0		23.0
12N	33E	0	NE	NE		WHITTAKER, GEORGE	A32-10357 / 5.0	-			5.0
12N	33E	0	NE	NE		WHITTAKER, GEORGE	A32-10357 / 17.0	-	16.0		15.0
12N	33E	0	SE	NE		WHITTAKER, GEORGE	A32-10357 / 8.0	-			9.0
TOTAL ACRES							107.00		122.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
 IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?
 YES TO ROW DISCREPANCY? (Y/N)
 FIELD EXAMINER
 DATABASE Y
 POU COUNTY: CLARK

SE SW 8

PRELIMINARY FLAG:

NOTES:

GIS MAP / ASCS map

RECOMMENDATIONS:

TOTAL ACRES:

107

REVIEWED BY:

DC

DATE:

3/23/99

A. AS CLAIMED USES:

PURPOSES
A32-10357 IRRIGATION
A32-10357 STOCKWATER

MONTH/DAY
FROM 04-31 TO 11-30
FROM 01-31 TO 12-31

DIVERSION QUANTITY
3.200 CFS
.020 CFS
3.200 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

B. AS RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

PRESUMPTION FLAG:

C. FIELD CLAIM REQUIRED?

	DATEBASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	A
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO AS STANDARD'S OR OTHER?

Y() N(X))
Y() N())

EXPLAIN IN NOTES, BELOW.

NOTES:

PRR - 4/ - PJ

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? ☒ Y ☐ N ()
BY TOTAL CLAIMED DIVERSION RATE: 5.200 CFS
OR NOT ABOUT TOTAL DIVERSION RATE: 55
32-00054
56
Decreed

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND A CLAIM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED? FIELD
EXAMINER
DATABASE EXAMINER
Y

DOES TO STATE OR DIVERSION RATE DISCREPANCY? (Y/N)

C. MEASUREMENT METHOD FLOW MEASUREMENT
SEE ATTACHED CALCULATIONS.

D. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME PCU AND IRRIGATION USAGE

NO RIGHTS WITH SAME PCU BUT NOT USED FOR IRRIGATION

0. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1B. CALCULATIONS

1A. IRRIGATION RATE
ADRES $\times 1.02 \text{ CFS/ACRE} =$ CFS
(TAKEN FROM P/U REVIEW)

0000 AMOUNT CLAIMED EXCEEDS 0.02 CFS/ACRE? Y() N()

AAA IF YES ADDITIONAL WATER USE FOR FILING AND ATTACHED? Y() N()

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 237.3 AF/A

ADRES $\times$ CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

3. DIVERSION OF OR TO VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ADRES $\times$ DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
FR		3.20		

TOTAL FOR THIS RIGHT

REVIEWED BY: DC DATE: 3/13/99

QNT LIMITED TO 1.60 CFS FROM EDIE CRK
LIMITED TO 1.00 CFS FROM FRANKLIN SPRING
LIMITED TO 0.60 CFS FROM DRY FORK SPRING
POD - 2 pod in 12N 33E sec 4 SESW
EXP - CMB OF 32-0054, 00055, 56
STOCKWATER 275 cfs

4. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED AS CLAIMED ☒ NEEDS REVIEW ☐

OWNERSHIP FORFEIT/AJUSTER
ADDITIONAL DIV. AMOUNT

5. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 62-10357

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

DATABASE EXAMINER CFS
4.800

WR RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A32-00054	432-10357	3.200	-	-	32-00054	1.600
32-00054	A32-10357	1.200	-	-	32-00054	1.600
12-00055	A32-10357	1.200	-	-	32-00055	1.000
32-00055	A32-10357	3.20	-	-	32-00055	3.600
TOTAL CFS		12.000			3.20	
					4.800	

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

FIELD EXAMINER

DATABASE N

NOTES:

OK 3.20 - 3.20 CFS

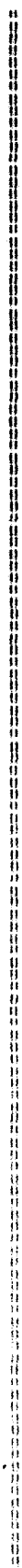
AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER: TITLE:

Dave Carlson
3/23/99
DAVE CARLSON
WA



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:31
03/17/93

PAGE: 15
QUICKLOOK INFORMATION

1851
CLAIM NUMBER: A32-10357

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CLAIM CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		DC/99	No				
POINT OF VIEW	Y			Yes				
SOURCE	Y			No				
PERIOD OF USE	Y			Yes				
DATE, AMOUNT OF SUBSIDY	Y			No				
CONSUMPTIVE USE	-							
PURPOSES	Y			Yes				
PERIOD OF USE	Y			Yes				
BASES OF CLAIM	Y			No				
REMARKS	Y			Yes				

VERIFIED BY CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
MASTER RECORDS = 3
AAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

DIVERSION RATE DIVERSION VOLUME

3.20 CFS	
0.02 CFS	

3.20 CFS	267.5

STAGE: DECREED

CLARK COUNTY
CLARK COUNTY
CLARK COUNTY

NESE	NPSE	SHSE	SESE	
LY	AC	LY	AC	LY
04	10	05		
05	20			
TOTAL ACRES				
				SUM
				31.0
				46.0
				30.0
				107.0

PLACE OF USE LOCATION FOR STOCKWATER IS THE SAME LOCATION AS DESCRIBED FOR: IRRIGATION

POU COUNTY: CLARK

NON-IRRIGATION USES: 5 / 278 RANGE CATTLE

OTHER AGENTS: NONE

REMARKS: WATER FROM THE THREE SOURCES LISTED UNDER THIS RHYTH ARE COMBINED INTO A SINGLE IRRIGATION SYSTEM. THE USE OF THIS WATER HAS PREVIOUSLY DECEASED AND ASSIGNED NO. 32-0054, AND 32-0055. THE P.O. IN THE NW 1/4, SEC. 4 IS KNOWN AS FRANKLIN SPRING. THE P.O. IN THE NW 1/4, SEC. 4 IS KNOWN DRY FORK SPRING. THERE ARE TWO P.O.'S IN THE SW 1/4, SEC. 4.

DATE:	TXN MADE DATE:	VERIFIED DATE:
01/01/2024	01/01/2024	01/01/2024
02/01/2024	02/01/2024	02/01/2024
03/01/2024	03/01/2024	03/01/2024
04/01/2024	04/01/2024	04/01/2024
05/01/2024	05/01/2024	05/01/2024
06/01/2024	06/01/2024	06/01/2024
07/01/2024	07/01/2024	07/01/2024
08/01/2024	08/01/2024	08/01/2024
09/01/2024	09/01/2024	09/01/2024
10/01/2024	10/01/2024	10/01/2024
11/01/2024	11/01/2024	11/01/2024
12/01/2024	12/01/2024	12/01/2024

HISC: WATER DISTRICT NUMBER: 52C FIELD INSPECTION FLAG:
 ON INSPECTION FLAG:

AJ0749NP
No. R32-10357

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/23/99
PAGE: 1

OWNER CODE NAME & ADDRESS
C GEORGE WHITTAKER
C FAY WHITTAKER
PO BOX 45
DUBOIS ID 83423
(208) 374-5436

PRIORITY DATE WATER USE
11/29/1915 IRRIGATION

USE PERIOD FROM TO
04-01 10-31

DIVERSION RATE
3.20 CFS

DIVERSION VOLUME
3.20 CFS

TOTAL DIVERSION:
3.20 CFS

Water Source: EDIE CREEK
FRANKLIN SPRING
DRY FORK SPRING

Tributary to: MEDICINE LODGE CREEK
EDIE CREEK
EDIE CREEK

Stage: DECREED

Point(s) of Diversion: T12N R33E S04
S08
S09

NENESW
SESENE
NWSWNW

SESW

NENESE

SWSE
CLARK County
CLARK County
CLARK County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		SUM																
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
12N	33E	4	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:			
12N	33E	8	:	01	18	:	:	:	:	:	05	:	:	:	:	:	03	12	03	:	29.0			
12N	33E	9	:	:	:	:	:	:	:	:	:	:	:	:	:	:	07	23	:	:	49.0			
																			TOTAL ACRES		:	:	:	107.0

POU County: CLARK

Conditions of Approval:
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT IS LIMITED TO A DIVERSION RATE OF 1.60 CFS
FROM EDIE CREEK.
USE OF THIS RIGHT IS LIMITED TO A DIVERSION RATE OF 1.00 CFS
FROM FRANKLIN SPRING.
USE OF THIS RIGHT IS LIMITED TO A DIVERSION RATE OF 0.60 CFS
FROM DRY FORK SPRING.

POD TWO POINTS OF DIVERSION LOCATED IN T12N, R33E, S 4, SESW.

EXP THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 32-00054,
32-00055, 32-00056.
STOCKWATER, 275 CATTLE

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

Misc: Water District Number: 32C Field Inspection Flag:

Presumption Flag: C

DATE: 06/08/95
PAGE: 1

PAGE: 1

DIVERSION
VOLUME

Stage: DECREED

SE	:	SUM	---
AC	:		
	:		
	:		
	:		

ity Date:

Made Date:

Sent to S.O.

Exam Fee:

DATE: 06/08/95
PAGE: 2

DIVERSION VOLUME

1.000 CFS

TOTAL DIVERSION: 1,000 CFS

Stage: DECREED

MS

```

: NESE NWSE SESE
: Lt AC Lt AC Lt AC Lt AC
: -----
:
: I I
:
:

```

Audit: 07/15/85 05/22/88 CONVERT

combined to
make 32-10357

WR5809NP
No. 32-00056

combined to
make 32-0357

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/08/95
PAGE: 3

OWNER CODE: C
NAME & ADDRESS: RUSSELL W. ELLIS
PRIORITY DATE: 11/29/1915
WATER USE: IRRIGATION
USE PERIOD FROM TO: 00-00 00-00
DIVERSION RATE: 0.600 CFS
DIVERSION VOLUME: 0.600 CFS
TOTAL DIVERSION: 0.600 CFS

Water Source: DRY FORK SPRING
Tributary to:
Stage: DECREED

Place of Use Legal Description for: IRRIGATION

		NE		NW		SW		SE			
		NENE		NNWN		NWSW		NWSE			
		S : Lt Ac		S : Lt Ac		S : Lt Ac		S : Lt Ac			
T	R	S : Lt Ac		S : Lt Ac		S : Lt Ac		S : Lt Ac		SUM	
12N 33E	3	:		:		:		:		:	
12N 33E	4	:		:		:		:		:	

Pou County: CLARK

Other Rights: 32-0054 & 0055.

Remarks: P/D & P/U INCOMPLETE.

Dates: App. Received: 11/29/1915
Proof Due Date:
Exam Made Date:
Exam Sent to S.O.:

Misc: Water District Number: 32C
Field Exam Fee:

Audit: 07/15/85 05/22/88 CONVERT

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

Renumbered to: 32-10357

Ident. Number: ~~A32-00054~~

Date Received: 6/07/1988

Receipt No: M 000065

Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE WHITTAKER 208-374-5436
Address: P.O. BOX 45
DUBOIS, ID 83423

AND/OR

Name: FAY WHITTAKER 208-374-5436
Address: P.O. BOX 45
DUBOIS, ID 83423

2. Date of Priority: NOV 29, 1915

3. Source: EDIE CREEK Trib. to: MEDICINE LODGE CREEK
FRANKLIN SPRING EDIE CREEK
DRY FORK SPRING EDIE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	33E	3	SE	NW	SW		CLARK
		4	NE	NE	SW		CLARK
			SW	SE	SW		CLARK
			NE	NE	SE		CLARK
		8	SE	SE	NE		CLARK

5. Description of diverting works:
WOODEN HEADGATES WITH WEIRS, GRAVITY FLOW DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/30	3.200		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 267.5 Acre Feet Per Annum.

A32-00054

Page 1

Date: 06/07/88

MICROFILMED
NOV 18 1992

Original
claim sent
to Court.
12-22-88

9. Non-irrigation uses:
S/ 275 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	33E	4	NE	SW		IRR	4.0
			SE	SW		IRR	8.0
			NE	SE		IRR	4.0
			NW	SE		IRR	10.0
			SW	SE		IRR	5.0
						Section Acres	31.0
		8	SW	NE		IRR	1.0
			SE	NE		IRR	20.0
			NE	SE		IRR	5.0
			NW	SE		IRR	20.0
						Section Acres	46.0
		9	NE	NW		IRR	5.0
			NW	NW		IRR	17.0
			SW	NW		IRR	8.0
						Section Acres	30.0
						Total Acres	107.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
NONE

14. Remarks:

WATER FROM THE THREE SOURCES LISTED UNDER THIS RIGHT ARE COMBINED INTO A SINGLE IRRIGATION SYSTEM. THE USE OF THIS WATER WAS PREVIOUSLY DECREED AND ASSIGNED NO. 32-0054, 32-0055 AND 32-0056. THE P.D. IN THE NWSW, SEC. 4 IS KNOWN AS FRANKLIN SPRING. THE P.D. IN THE NESW, SEC. 4 IS KNOWN DRY FORK SPRING. THERE ARE TWO P.D.S IN THE SWSESW, SEC. 4.

15. Basis of Claim: DECREED

Water Right Number:

Case Number:

Court :

Decree date:

RUSSELL W. ELLIS

Decree Plaintiff

vs

PAUL STOLT

Decree 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 _____ do not X 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): George W. Whitaker Date: 6/7/88

Date: _____

State of Idaho)
County of Clark) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of June 19 88 Ernest Carlson
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 4/22/1994

GEORGE WITTAKER

C93

USA

USA

MAY

750

89

13/16

WITTAKER

NOV 62

C

MERIDIAN EAST

