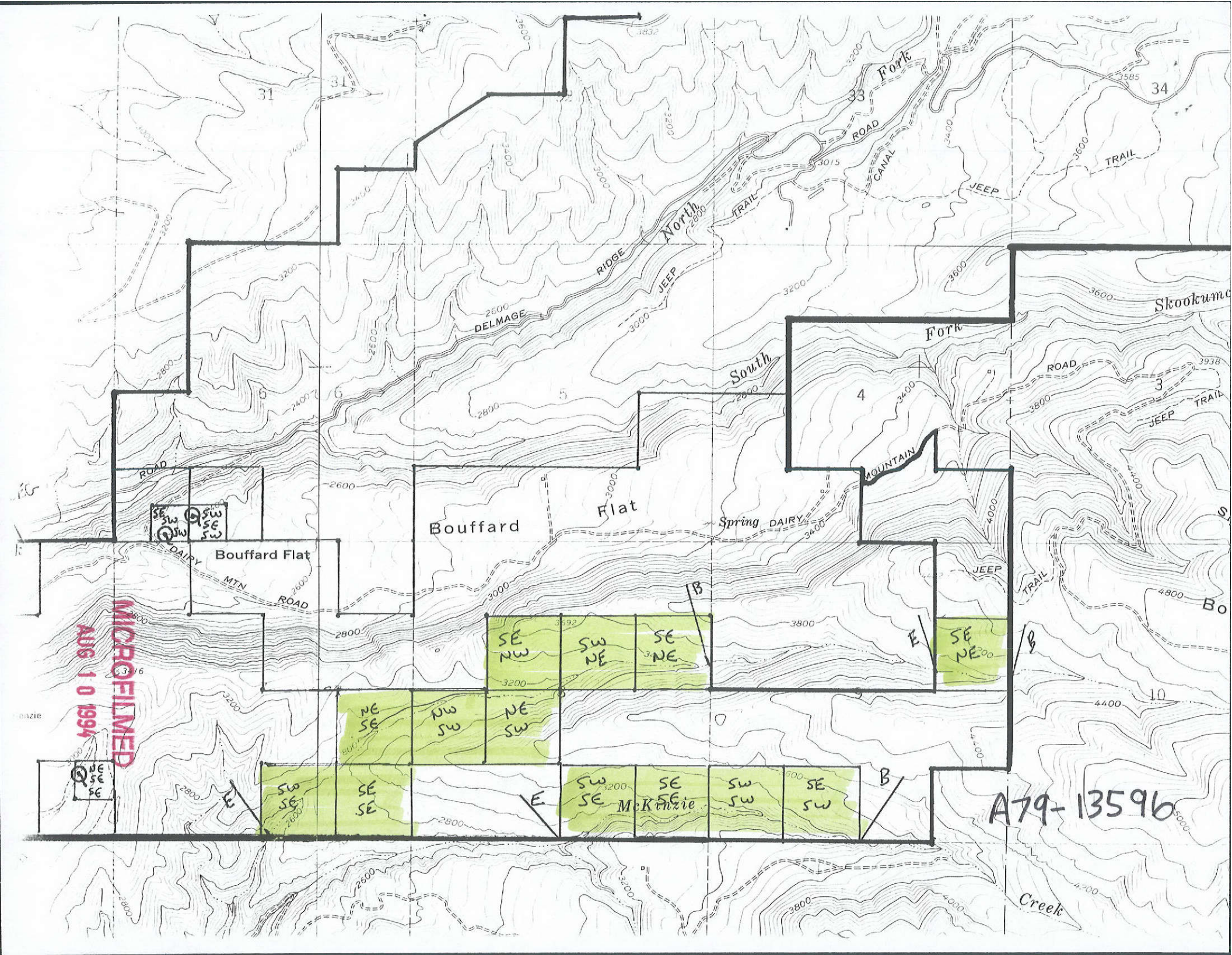
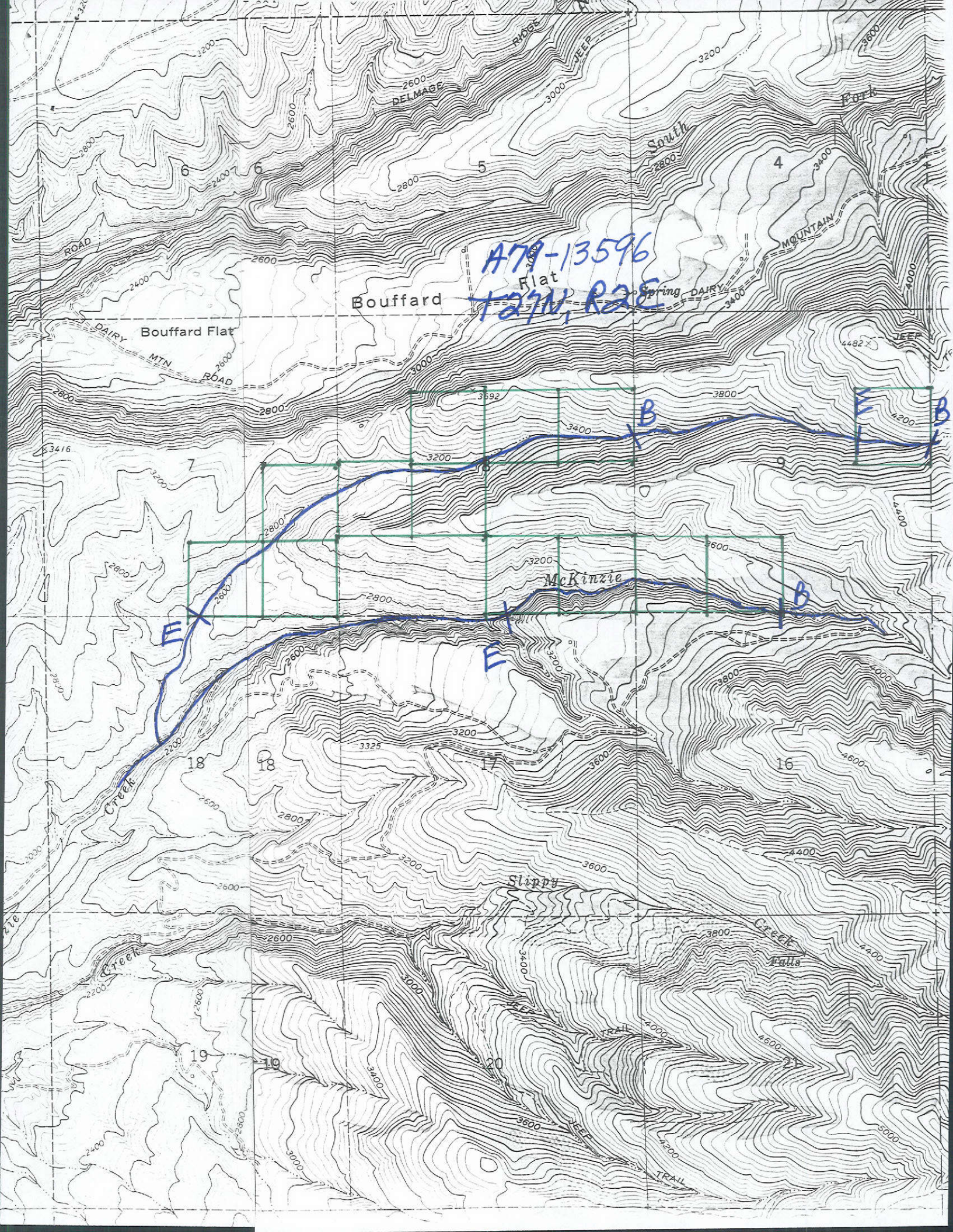




MICROFILMED
AUG 10 1994

A79-13596



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: **A79-13596**
Date Received: 5/25/1994
Receipt No: W017517
Received By: Rch

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

1. Name: CUTLER BOTHERS 503-889-8845
Address: 257 NW 16TH ST
ONTARIO OR 97914

2. Date of Priority: DEC 31, 1874

3. Source: UNNAMED STREAM Trib. to: MCKINZIE CREEK
MCKINZIE CREEK SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
Beginning Point of Instream Flow							
27N	02E	8		SE	NE		IDAHO
27N	02E	9	SE	SE	NE		IDAHO
27N	02E	9		SE	SW		IDAHO
Ending Point of Instream Flow							
27N	02E	7		SW	SE		IDAHO
27N	02E	8		SW	SE		IDAHO
27N	02E	9	SW	SE	NE		IDAHO

5. Description of diverting works:
INSTREAM STOCKWATER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.070		

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

A.F.A.

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8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 300 HD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
27N	02E	7	NE		SE		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	
		8	SW		NE		STOCK	
			SE		NE		STOCK	
			SE		NW		STOCK	
			NE		SW		STOCK	
			NW		SW		STOCK	
			SW		SE		STOCK	
			SE		SE		STOCK	
		9	SE		NE		STOCK	
			SW		SW		STOCK	
			SE		SW		STOCK	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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For Organizations:

I do solemnly swear or affirm that I am Manager/ Partner of
Cutter Brothers, that I have signed the foregoing
Organization document in the space below as Manager/ Partner of
Cutter Brothers and that the statements contained in the
Organization foregoing document are true and correct.

R. W. Cutter
Signature of Authorized Agent

Manager/ Partner, Cutter Bros
Title and Organization

May 25-1994
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of MAY 19 94

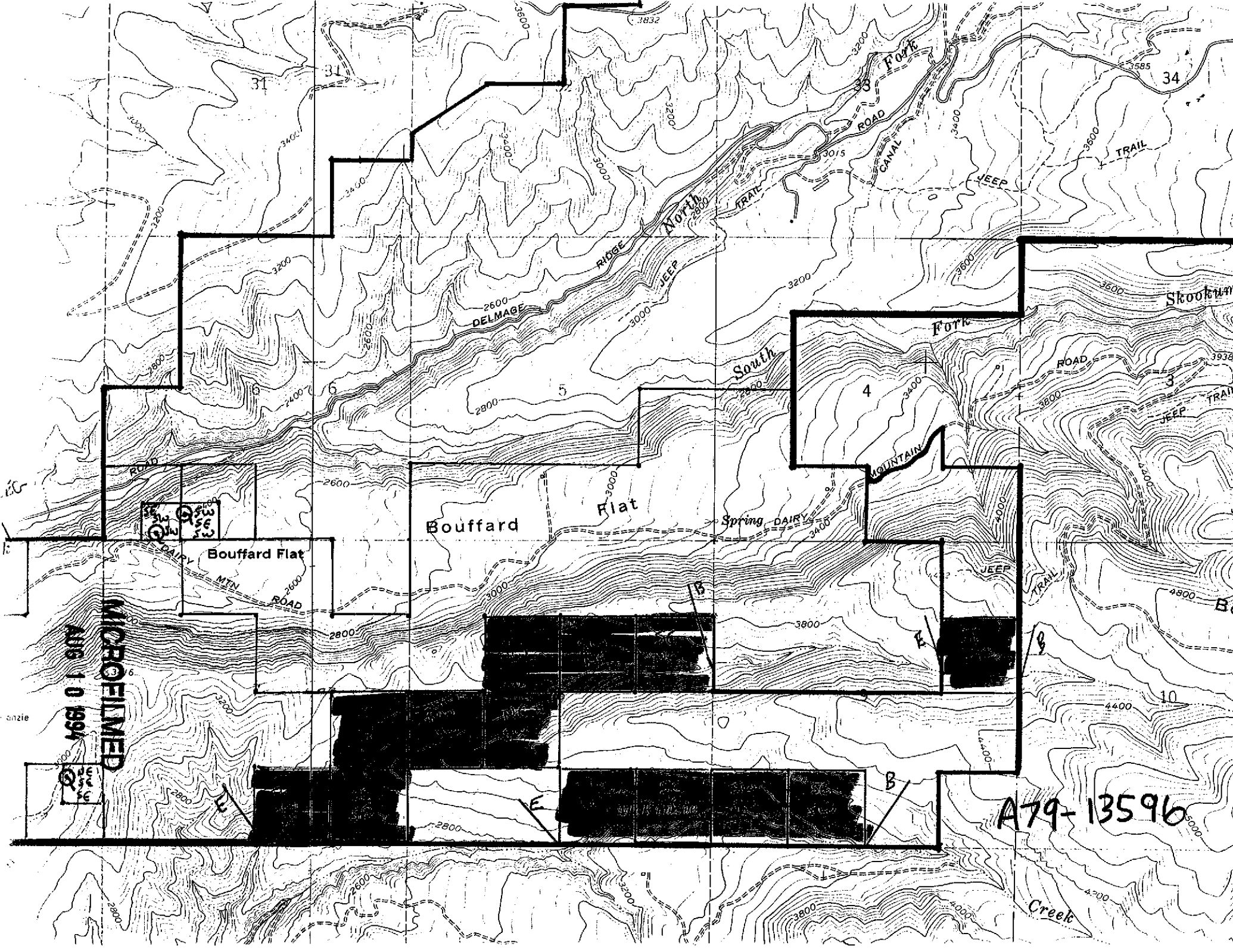
R. Hewerton
Notary Public

Seal

Residing at Ron Hewerton
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 8, 1994

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AUG 10 1994



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AUG 10 1994

A79-13596

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

DATE: 02/23/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CUTLER BOTHERS 257 NW 16TH ST ONTARIO OR 97914 (503) 889-8845	12/31/1874	STOCKWATER	01-01 12-31	0.02 CFS	
					TOTAL DIVERSION:	0.02 CFS
Water Source: UNNAMED STREAM MCKINZIE CREEK		Tributary to: MCKINZIE CREEK SALMON RIVER			Stage: BENEFICIAL USE	
Point(s) of Beginning Stream Reach: T27N R02E		S08	SENE		IDAHO County	
		S09	SESENE	SES	IDAHO County	
Point(s) of Ending Stream Reach: T27N R02E		S07	SWSE		IDAHO County	
		S08	SWSE		IDAHO County	
		S09	SWSENE		IDAHO County	

Place of use Legal Description for: STOCKWATER

								NE				NW				SW				SE												
			NENE		NNWN		SSEN		NENW		NNWN		SSNW		SENW		NESW		NWSW		SSSW		SESW		NESE		NWSE		SSSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
27N	02E	7	:						:								:															
27N	02E	8	:					S	S	:							:									S				S		S
27N	02E	9	:						S	:							:	S	S										S		S	

POU County: IDAHO

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP STOCKWATER, 300 RANGE CATTLE
PARCEL NOS. RP 27N02E070010, RP 27N02E080010, RP 27N02E090010

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

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

Comments: Date: 02/12/1999 User-ID: MSCHULTE Subject: DIVERSION RATE
THE DIVERSION RATE IS RECOMMENDED AT .02 CFS TO COMPLY WITH THE
PROVISIONS OF BASIN WIDE ISSUE #12.

Audit: 02/23/99 CWALKER

AJ0749NP
No. R79-13596

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

DATE: 02/12/99
PAGE: 1

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CUTLER BOTHERS 257 NW 16TH ST ONTARIO OR 97914 (503) 889-8845	12/31/1874	STOCKWATER	01-01 12-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	
Water Source: UNNAMED STREAM MCKINZIE CREEK		Tributary to: MCKINZIE CREEK SALMON RIVER		Stage: BENEFICIAL USE		
Point(s) of Beginning Stream Reach: T27N R02E S08 SENE		S09 SESENE		IDAHO County		
Point(s) of Ending Stream Reach: T27N R02E S07 SWSE		S08 SWSE		IDAHO County		
		S09 SWSENE		IDAHO County		

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
				NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
27N	02E	7	:																	:
27N	02E	8	:			S	S			S		S	S					S	S	:
27N	02E	9	:				S						S	S						:

POU County: IDAHO

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
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Dates: Exam Made Date: Verified Date: 02/12/1999 Objection Filed Date:

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

Comments: Date: 02/12/1999 User-ID: MSCHULTE Subject: DIVERSION RATE
THE DIVERSION RATE IS RECOMMENDED AT .02 CFS TO COMPLY WITH THE
PROVISIONS OF BASIN WIDE ISSUE #12.

Audit: 02/12/99 MSCHULTE

AJ5856NP

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

DATE: FEB-13-1998
PAGE: A-501

RIGHT NUMBER: 79-13596

NAME & ADDRESS: CUTLER BOTHERS
257 NW 16TH ST
ONTARIO OR 97914

SOURCE: UNNAMED STREAM MCKINZIE CREEK
MCKINZIE CREEK

TRIBUTARY: MCKINZIE CREEK
SALMON RIVER

QUANTITY: ¹⁰²
~~0.07~~ CFS

PRIORITY DATE: 12/31/1874

POINT OF DIVERSION:	T27N R02E S08	SENE (INSTREAM BEGINNING POINT)	Within IDAHO County
	S09	SESENE (INSTREAM BEGINNING POINT)	
		SESW (INSTREAM BEGINNING POINT)	
	S07	SWSE (INSTREAM ENDING POINT)	
	S08	SWSE (INSTREAM ENDING POINT)	
	S09	SWSENE (INSTREAM ENDING POINT)	

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
EXP	STOCKWATER STOCKWATER, 300 HP RANG	01-01 12-31	0.07 CFS 102

PLACE OF USE:	STOCKWATER	Within IDAHO County		
	T27N R02E S07	NESE	SWSE	SESE
	S08	SWNE	SENE	SENW
		NWSW	SWSE	SESE
	S09	SENE	SWSW	SESW
				NESW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

N11 + N13

Add Comment: BUI 12

RP 27N02E070010

080010

090010

