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State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 14, 2001

STEWART INDUSTRIES INC
996 E 2700 N
MONTEVIEW ID 83435

RE: CHANGE IN OWNERSHIP FOR A31-02278D, A31-02334E,
A31-10660F

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

Water right numbers A31-02338, A31-02278E, A31-10660C, A31-10235, A32-10148, A32-11237, A32-04061, A32-07100 have been changed to reflect the address on the top of this page.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

OK
32-D4061

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
-----------------------	------------------------------	-------	-----------------------	------------------------------	-------

✓ 31-2278D		Ø			
✓ 31-2334E		Ø			
✓ 31-10660F		Ø			

✓ 31-2338 → ADDRESS CHANGE
31-2278E, 31-2334B 31-10660C ADDRESS CHANGE

2. The following **REQUIRED** information must be submitted with this form: 31-10235

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Evonne Adkins
167 Poplar Apt #22
4. New Owner/Claimant(s) Black Foot, Id 83221
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
Stewart Industries Inc.
New Mailing Address 996 E 2700 N
City, State and ZIP Code Montevideo, Idaho 83435
New Telephone Number 208-657-2277 or Mobile 208-521-2636
5. Date you acquired the property 10-11-00

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box; you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Stewart Ind. Inc (by Charles R Stewart)
(include title if applicable) (secy)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 29, 2000

SENIOR PROT ASSOC
THE NATURE CONSERVANCY
2060 BROADWAY ST STE 230
BOULDER CO 80802

RE: Notice of Change of Water Right Ownership (NCO) for 32-4061, 32-7100, 32-10069, 32-10148 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir:

On October 11, 2000, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for 32-7100 for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

However, stockwater claims 32-4061, 32-10069 and 32-10148 have already been through the court process and have been partially decreed to Stewart Industries. To change the ownership on these rights, please another ownership change request to our state headquarters in Boise and include \$25.00 per right. Their address is: Allocations Bureau, Idaho Department of Water Resources, 1301 N. Orchard, Boise, ID 83706.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

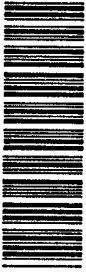
Jennifer Crabtree

Jennifer Crabtree

Technical Records Specialist

Enclosure

cc: Stewart Industries, Inc.



A3204061

1960 USE
11/14/95

FILIO GRAN

☐ MEASUREMENT (MAY-JUNE)

☐ VERIFY: POA

SEASON OF USE

? ☐ REQUEST EOP MEN REQ. 42-43

☐ SEASON OF USE WR 4-1/7-1 }

AC CIV 71 F8 PUBL

1/14/95 2700

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:15:18
12/08/94

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A32-04061

LAST: STEWART
ADDRESS: P.O. BOX 306
CITY: IDAHO FALLS
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: CHARLES
STATE: ID ZIP: 83402

LAST: STEWART IND., INC.
ADDRESS: 1791 N. 800 E.
CITY: MONTEVIEW
PHONE NUMBER: 208-663-4473
OWNER CODE: C

FIRST:
STATE: ID ZIP: 83435

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

DATABASE
N
FIELD
EXAMINER

CONTACT PERSON: _____

PHONE NUMBER: (____) _____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A32-04061	11N 29E	26	NW	SW				LEMHI		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
R PREFIX
NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: BIRCH CREEK

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
32-04061	11N 29E	26	NW	SW				LEMHI		

OTHER WR RECORDS WITH SAME WR POD
A PREFIX
R PREFIX
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX
NONE

SOURCE: BIRCH CREEK

TRIB: SINKS

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(✓) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(✓) N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(✓) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(✓) N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

SOURCE: BIRCH CREEK

TRIB = SINKS

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A32-04061

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
IIN	29E	26	SW	SW		STEWART IND., INC.	A32-04061	7 4.0	32-04061	7 4.0	
IIN	29E	26	SE	SW		STEWART IND., INC.	A32-04061	7 27.0	32-04061	7 27.0	
IIN	29E	26	SE	SW		STEWART IND., INC.	A32-07100	40.0	32-07100	40.0	
IIN	29E	35	NE	NW		STEWART IND., INC.	A32-04061	7 13.0	32-04061	7 13.0	
IIN	29E	35	NE	NW		STEWART IND., INC.	A32-07100	40.0	32-07100	40.0	
IIN	29E	35	SE	NW		STEWART IND., INC.	A32-04061	7 7.0	32-04061	7 7.0	
IIN	29E	35	SE	NW		STEWART IND., INC.	A32-07100	40.0	32-07100	40.0	

ADDITIONAL POU FOUND

TOTAL ACRES A32-04061 51.00 51.00
POU COUNTY: LEWHI

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

Y() N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A32-04061	BIRCH CREEK	STEWART IND., INC.	2.000	0.039		
A32-07100	GROUNDWATER	STEWART IND., INC.	2.400	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A32-07100

Y() N()

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☒) N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY FOU: (X) ORTHOPHOTOQUAD, IDWR NO. U-85, V-35; (X) TOPOGRAPHIC QUAD, IDWR NO. U-85, V-35;
(X) NAAPP, IDWR NO. 390-69 U-85 SW; () ASCS PHOTO; () OTHER

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A()

REVIEWED BY: _____ DATE: _____

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A32-04061 IRRIGATION	FROM 04-01 TO 11-01	2.000 CFS	
A32-04061 STOCKWATER	FROM 04-01 TO 11-01	.070 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
32-04061 IRRIGATION	FROM 04-01 TO 07-01	2.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(✓) N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N(✓)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(✓) N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N(✓)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N() ?

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y(✓) N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y(✓) N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE:2.000CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:2.000CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?N/A()Y(✓)N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?N/A()Y(✓)N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?Y()N(✓)

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?Y(✓)N()

E. MEASUREMENT METHODFLOW MEASUREMENT, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATEACRESx 0.02 CFS/ACRE = CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED?Y()N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED?Y()N()

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 127.5 AE/A

ACRESx CONSUMPTIVE VOL. AE/A FOR AREA =

TOTAL CONSUMPTIVE USEAE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRESx DIVERSION VOL. AE/A FOR AREA =

TOTAL DIVERSION VOLUMEAE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

1b. CALCULATIONS

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	EXAMINER	DIV VOL. AE/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE 2.000	EXAMINER	DATABASE 127.5	EXAMINER
STOCKWATER	04-01 11-01	0.070			
TOTAL FOR THIS RIGHT					

NON-IRRIGATION USES CLAIMED: 150 CATTLE, 1100 SHEEP.

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY:

DATE:

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()

NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 32-04061

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A32-04061	2.000	-		32-04061	2.000
TOTAL CFS		2.000				2.000

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 DESCRIBED BELOW () OR SEE ATTACHMENT()?

DATABASE
Y

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:15:18
12/08/94

PAGE: 15
QUICKLOOK INFORMATION

CLAIM NUMBER: A32-04061
15

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	ELEMENT DOCUMENTED WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS								

BARCODE UPDATED
WHOM/DATE

AC

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT		IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION		COPY INCLUDED IN FILE?	
TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)					
☒ ORTHOPHOTOQUAD		DATE OF PHOTO	1975, 1975	IDWR ID NO. 485, 435	Y() N()
☒ TOPOGRAPHIC		DATE FIELD CHECKED	1987, 1969	IDWR ID NO. 485, 435	Y() N()
☒ NAPP		DATE OF PHOTO	8-12-87	IDWR ID NO. 390-69 485SW	Y() N()
☐ ASCS AERIAL PHOTO		DATE OF PHOTO			Y() N()
☐ ASCS COLOR SLIDE		DATE OF PHOTO			Y() N()
☐ BLM OR USES AERIAL PHOTO		DATE OF PHOTO			Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)		DATE OF SURVEY			Y() N()
☐ SCS SOIL SURVEY MAP		DATE ISSUED			Y() N()
☐ SUBDIVISION PLAT MAP		DATE OF MAP			Y() N()
☐ OTHER		DATE			Y() N()
☐ OTHER		DATE			Y() N()
☐ OTHER		DATE			Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)		IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM		DATE OF FIELD EXAM		
☐ WATER RIGHT LICENSE		DATE LICENSE SIGNED		
☐ IDWR APPROVED TRANSFER		DATE TRANSFER APPROVED		
☐ SYSTEM DESCRIPTION		DATE DRAWN		
☐ PHOTOGRAPHS		DATE(S) PHOTOS TAKEN		
☐ SPLIT RIGHT REVIEW		DATE REVIEW COMPLETED		
☐ HUBBLE ANALYSIS		DATE ANALYSIS COMPLETED		
☐ CONVEYANCE LOSS ANALYSIS		DATE ANALYSIS COMPLETED		
☐ FLOW MEASUREMENT CALCULATIONS		DATE SYSTEM MEASURED		
☐ OTHER		DATE		
☐ OTHER		DATE		

Water Right Number - R32-04061
Prefix Translation: RESEARCH
Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
STEWART INDUSTRIES INC1 - 1791 N 800 E
2 -
3 -
City- MONTEVIEW
Phone - 208-663-4473

State- ID Zip- 83435

*** O - ORIGINAL OWNER ***
STEWARTCHARLES
1 - PO BOX 306
2 -
3 -
City- IDAHO FALLS
Phone - 208-000-0000

State- ID Zip- 83402

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1945 15 EASTERN S - STATUTORY CLAIM+ - - - - Source - - - - + + - - - - Tributary - - - - - SINKS
BIRCH CREEK+ - - - - Point of Diversion - - - - -
Twn Rng Sec Tract Lot Rflg County

11N 29E 26 NW SW (59) LEMHI

+ - - - - Water Use - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER 05/01 12/01 0.070

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Consumptive Use - - + + - - KW Usage - - +
0.070 0.0+ - - - - Place of Use - - - - -
Twn Rng Sec Tract Lot Acres Code Description County11N 29E 26 SW SW 04 STOCKWATER (59) LEMHI
11N 29E 26 SE SW 04 STOCKWATER (59) LEMHI
11N 29E 35 NE NW 04 STOCKWATER (59) LEMHI
11N 29E 35 SE NW 04 STOCKWATER (59) LEMHI

Total Acres:

+ - - Diversion Means - 2 DIVERSION DAMS TO DITCHES FOR STOCKWATER

+ - - Non-Irrigation Use - 150 CATTLE, 1100 SHEEP.

+ - - Other Rights for Same Use -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 04/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E012652	Water District	- 32D
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

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: A32-04061
Date Received: 4/02/1990
Receipt No: E012652
Received By: DEM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEWART IND., INC. 208-663-4473
Address: 1791 N. 800 E.
MONTEVIEW, ID 83435

2. Date of Priority: MAY 01, 1945

3. Source: BIRCH CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	29E	26	NW	SW			LEMHI

5. Description of diverting works:
2 DIVERSION DAMS TO DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		
STOCKWATER	04/01	11/01	0.070		

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

8. Total consumptive use is 127.5 Acre Feet Per Annum.

9. Non-irrigation uses:
150 CATTLE, 1100 SHEEP.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	29E	26	SW	SW		IRR	4.0
			SE	SW		IRR	27.0

Section Acres 31.0

A32-04061

Page 1

Date: 04/02/90

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A3204061



10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
11N	29E	35	NE	NW		IRR	13.0
			SE	NW		IRR	7.0
					Section Acres		20.0
					Total Acres		51.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
A32-07100

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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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: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

*Birch Creek Claim*IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number

AS2-04061

Date Received

4-2-90

Receipt Number

E012652NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s)

Stewart Ind. Inc.

Phone

(208) 663-4473

Mailing Address

1791 N 800E Montevideo, Id

Zip

83435

2. Date of Priority (Only one (1) per claim)

May 1, 1945

3. Source of water supply (a)

Birch Creek

which is tributary to (b)

Sinks

4. a. Location of existing point of diversion is: Township

11N

Range

29E

Section

26NW 1/4 of SW 1/4 of

1/4, Govt. Lot,

B.M., County of

LEMHI

Additional points of diversion if any:

b. If instream 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.Two diversion dams
to ditches for flood irrigation

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 7-1 amount 2.0 cfs or _____
For Irrigation purposes from 9-1 to 11-1 amount 2.0 cfs or _____
For IRRIGATION purposes from 4-1 to 11-1 amount 2.0 or _____
For Stock purposes from 4-1 to 11-1 amount 0.07 or _____

7. Total quantity claimed (a) 2.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 127.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Cattle & Sheep, Water out of ditch
150 hd 1100 hd

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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>11N</u>	<u>29E</u>	<u>26</u>											<u>4</u>	<u>27</u>					<u>31</u>
		<u>35</u>					<u>13</u>			<u>7</u>									<u>20</u>

Total number of acres irrigated 51

11. In which county (ies) are lands listed above as place of use located? Lemhi

12. Do you own the property listed above as place of use? Yes ✓ 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.
well permit No #32-7100 or None ()

14. Remarks:

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

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

Title

of Stewart Ind. Inc. _____, that I have signed the foregoing

Organization

document in the space below as Secretary _____ of Stewart Ind. Inc. _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Chuck Stewart

Title and Organization (Sec) Stewart Ind. Inc. Date 4-2-90

State of Idaho/or _____)

County of BONNEVILLE)

SS.

Subscribed and sworn (or affirmed) before me this 2 day of April 19 90

SEAL

Notary Public [Signature]

Residing at Idaho Falls

My Commission Expires 7-12-94

Please Print Name

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 _____

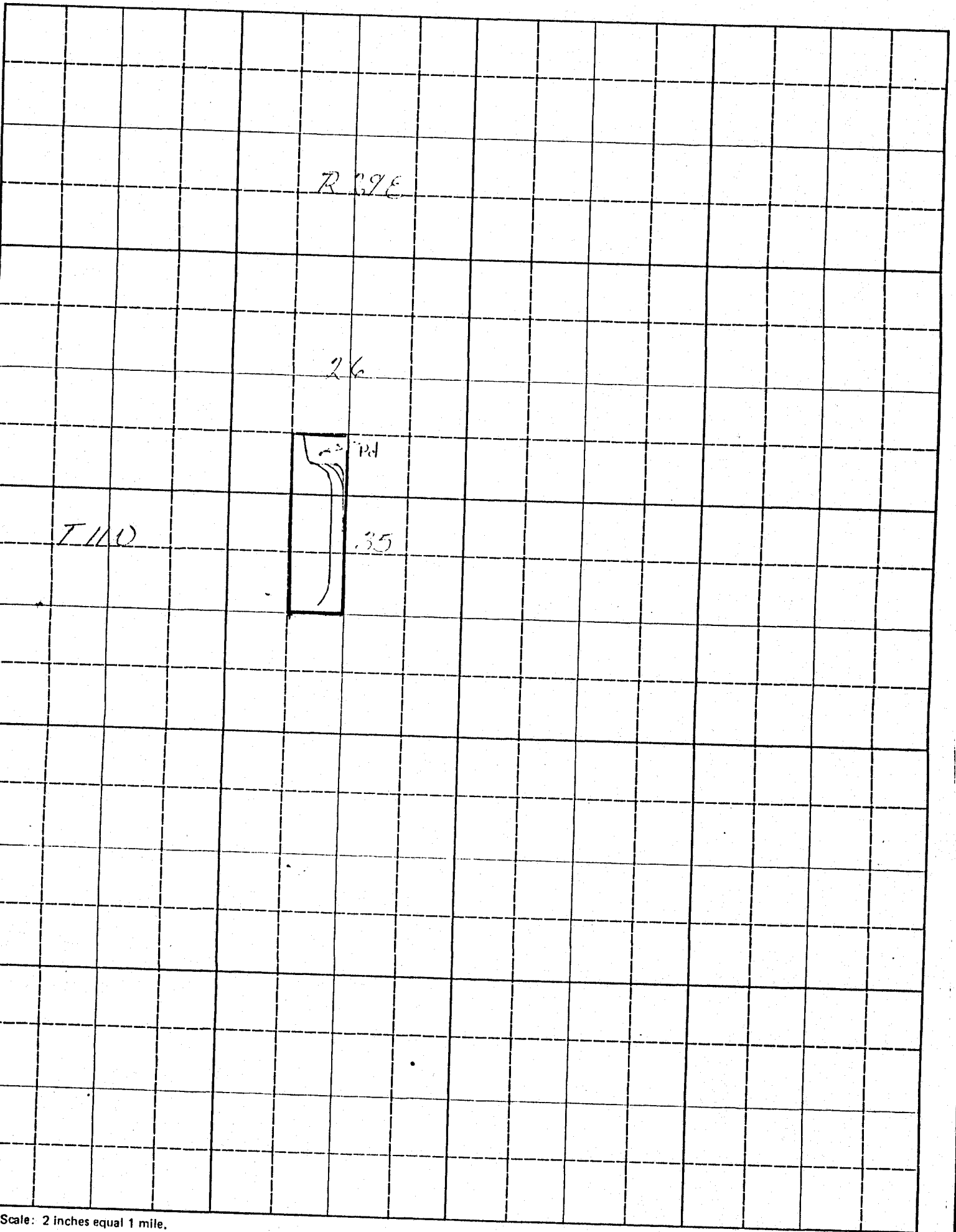
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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Charles J. Stewart
Charles J. Stewart (Son)
(Applicant)