

NENW
39.5

NW¹NW
19.2

NENW
20.2

SENW
36.5

SW¹NE
39.6

SENE
30.1

SW¹NW
28.5

SENW
38.7

NESW
38.6

NW¹SE
39.7

NESE
39.4

So B

107 acres

$107 \times 0.02 =$

2.14

NOTES: P.D.D. WAS CHANGED TO SENESE SEX. 25 T. 6N, R. 28E. W/O BENEFIT OF A TRANSFER.

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
06N	29E	30		SW	NW			BUTTE		
10N	27E	18		SE	SW		OR	BUTTE		
06N	28E	25	S1/4	N1/4	S1/4		R			

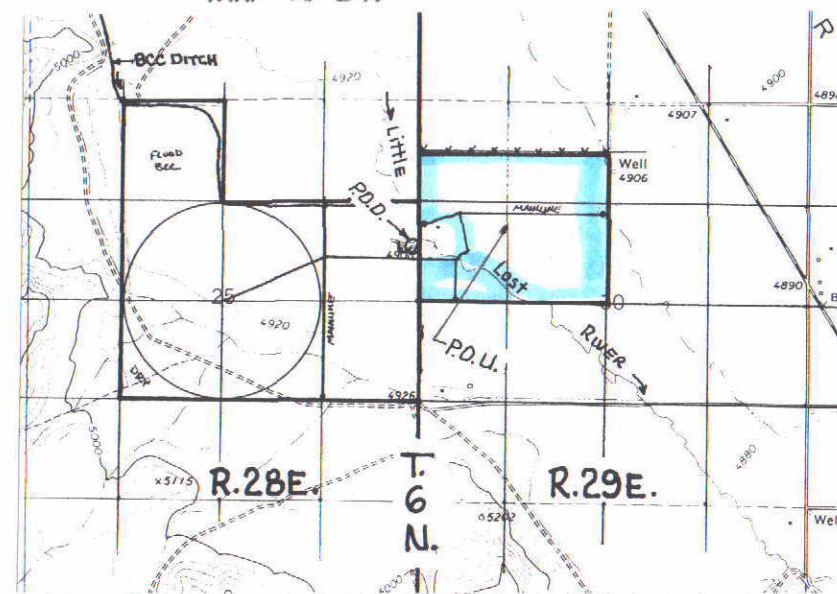
SOURCE: SAW MILL CREEK

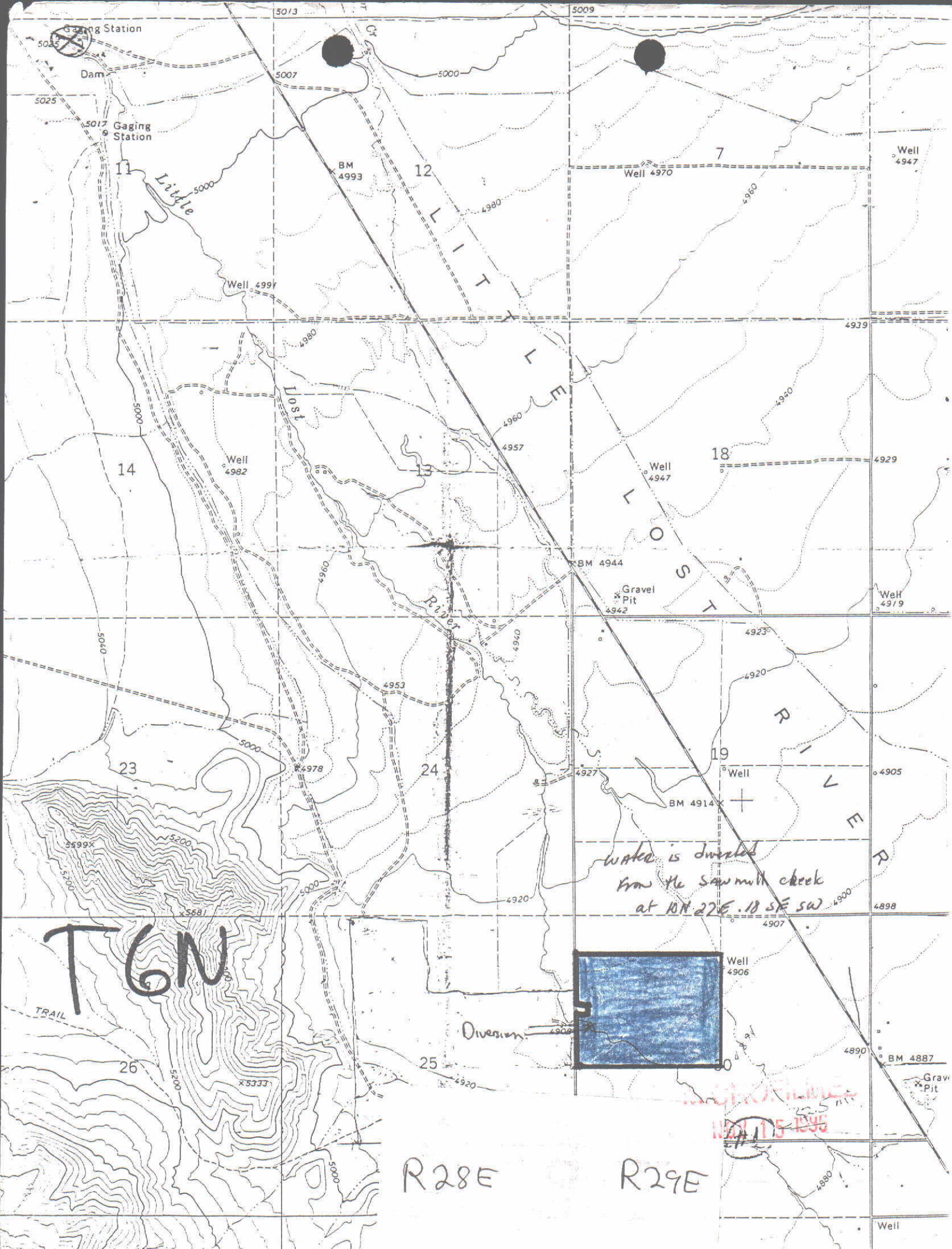
TRID: LITTLE LOST RIVER

REVIEWED BY: SB Rulancy DATE: 15 MAR 95

SUB A33-000488 FOR PHOTO OR DIVERSION WORKS,
DATA, AND PLACED OR USE (ASCS PHOTO COPY) MAP.

EXERT FROM U. S. G. S. QUAD
MAP W/-84.





10/11/10 11 April 2010

Sawmill Creek to Little Lost River April 2010

To: Fred Price, BLM-ISO

CC: Candice McHugh, IDWR ADJUD.

From: A. Ruberry, IDWR Eastern Region

Re: B33 Irr POD's objected to by BLM

POD LOCATION

T11N R26E S10 NWNENE

This legal description defines the beginning of a channelized portion of Sawmill Creek. Apparently back in the 1920'-1930's there were several attempts tried to preserve water from Sawmill Creek because the stream would "break". Among them were things like a canal dug from Sawmill Creek to Summit Creek and a channelization project aimed at cleaning and to some extent straightening the Sawmill Creek channel as it flowed across Mud Flats (ref: OQ U-82).

*See ATTACHED
LIST OF SAWMILL
CR RIGHTS.*

In review of the adjudication claims from Sawmill Creek and the Little Lost River, it was initially considered that the source(s) could all be Little Lost River since it was difficult to determine where Little Lost River started and Sawmill Creek ended. Seeing no difference in source recommendations of Sawmill Creek claims were changed to Little Lost River. The Preliminary Director's Report was filed only to find that Sawmill Creek now occasionally breaks at the shearing corrals, which is about half-mile upstream from the confluence of Sawmill Creek and Summit Creek; The beginning of the Little Lost River. This new information seriously impacted recommendations since the Sawmill Creek claims, now changed to Little Lost River, became senior to the junior Little Lost River rights, causing injury to the junior Little Lost River appropriators.

Ultimately, the source issue was changed back to Sawmill Creek. Now a problem arose where a Point of Diversion had to be defined for the Sawmill Creek claims since actual deliveries are made from Little Lost River (except 33-00107 which is a true Sawmill Creek right, but, Decreed as a Little Lost River right). The 1927 Decree states "at the mouth of Sawmill Creek". However, there were no rights diverted at the mouth of Sawmill Creek. And, the dilemma of where was the mouth of Sawmill Creek. In consideration of the channelization project aimed at preserving waters of Sawmill Creek it was determined that the channelization had in-fact changed the streambed to a canal, saving water. Therefore, the beginning of the channelization would now become the Point of Diversion and the ending of the channelization would be a Point of injection back into the Sawmill Creek stream channel. The Point of Injection is near the shearing corrals, about half-mile upstream from the confluence of the streams. The Sawmill Creek claims Point(s) of Diversion are recommended as Points of Re-diversion from Little Lost River at or near their respective Place(s) of Use. This recommendation preserves both the source and the Sawmill Creek priority dates and, forgoes the injury issue of junior Little Lost River rights.

T9N R27E S4 SWNWNE

This objection is a true error. Apparently a typographical error was made during the recommendation process. The TRUE Point of Diversion should read T9N R26E S4 SWSWNE. The claimant, Mr. Waymire has been notified and is now aware of the issue.

33-00033
00031
000930

T11NR27E S31 NESESE

BLM believes this POD should read S31 SENESE based on GPS data. However, during the field exam of these claims several Points of Diversion were identified to include the one in question. The recommended POD in-question is an actual Point of Diversion where an unnamed stream intersects with the collector ditch and can be verified using OQ V-32. The site proposed by the BLM is a drainage that was dry during the field exam, thus no recommended POD.

33-00065
33-7081

T6N R28E S2 SESWSW

Specifically named is SRBA claim 33-10995. This claim identifies private lands historically irrigated by the Hawley's, later sold without water. The Point of Diversion used during the irrigation era is on BLM but is now longer used. The claimant filed this SRBA claim and Transfer No. 4551 in an effort to preserve the acreage irrigated by surface water. The transfer is in-place awaiting the BLM objection to prompt IDWR to review and act. However, the transfer is currently protested.

T6N R 28E S11 SESENW

This is an historic Point of Diversion dating back to the late 1800's (according to the water right priority dates, 1885-1891) and is one of three serving the ranch. One of which previously mentioned above, T6N R28E S2 SESWSW. The other is within the private holding of the ranch.

33-10996 is an enlargement claim for acres on BLM lands that were historically irrigated by the Hawley's and is part of the Transfer No. 4551 aforementioned. BLM is aware of this claim and supports the transfer of acreage to private lands. As mentioned previously, the transfer is protested.

33-00051 thru
33-00060

T7N R28E S21 NWNWSW

According to the Proof of Beneficial Use filed for this right (33-07010) this well dates to the 1940's. However, the Licensed date of priority was March 19, 1971, but then Transfer No. 3809 was filed to "unstack" surface and groundwater rights. As a result, the priority date of the well was advanced to July 2, 1990. Surface water decreed to this ranch date to 1885 to 1891.

This particular well dating to the 1940's (unsupported evidence of prior claimant) was located according to the initial survey dating to July 9, 1890, which no doubt established fence lines. A resurvey of the East line of Section 21 was done in August 1941. Then, in 1978, another resurvey was done as, evidenced by the monument caps. This 1978 resurvey puts the TRUE Point of Diversion of the 33-07010 well in the NENWSW (a BLM QQ). However, this matter was discussed with Ms Deena Teal, BLM, Idaho Falls District Office, in October of 1996, shortly after the discrepancy was found. Ms Teal indicated, at

Rocky Ross

that time, that since the well predated some 1976 ruling, by which BLM operated, they (BLM) would not protest the actual POD.

This basically explains the history of the well and the recommendation; however, the listing of the POD as NWNWSW is clearly an error. The CVR shows the POD to be located as NENWSW Sec. 21, which is accurate.

T8N R28E S31 SWNWSE

This POD defines a well used solely for mitigation and is defined as an amendment to the 1927 decree as a Judgement against Orville Nicholson, 1954. The recommendation does define a Place of Use; however, this POU is by exchange with surface waters as defined in the Judgement. The period of use is 4/1 to 7/15 annually, when all this well does is deliver water to the river. The Objection is not to the Point of Diversion, but rather to the Point of Injection. And, in-fact, as recommended this Point of Injection is accurate.

T6NR29E S31 NWSWNW

This is another typographical error. The recommended POD should read T6N R29E Section 30 NWSWNW. There is a pending Transfer to correct the actual POD location to T6N R28E Section 25 NESENE.

33-02128
33-318
48B
49B
50B
83C

Contor, Bryce
From: Contor, Bryce
Sent: Wednesday, January 19, 2000 4:27 PM
To: Ruberry, Allen; Carlsen, Ernie
Subject: Sawmill Creek Rights

This morning we met via teleconference with Dave Tuthill and Peter Anderson. One of the things we discussed was the Sawmill recommendations. During our call, Bill Stauffer called and reported that he had discussed the Sawmill recommendations with others, including Don Isham, James Andreason, and David Andreason. They all concur with the proposals in the January 6 letter. James Mays has sent us written concurrence.

Per Dave Tuthill's instructions to Al and me, I have gone ahead and changed the source of Sawmill Creek rights back to "Sawmill Creek, tributary to Little Lost River." The point of diversion is 11N 26E section 10, NWNENE, and the point of injection is 10N 27E section 18, NWSESW. The former points of diversion have been identified as points of redirection. I removed any comments relating to change of source and I removed condition C02.

The rights I changed were:

R33-00023B
R33-00030
R33-00043
R33-00077
R33-10070
R33-10073
R33-10084
R33-10086

I'll put a new profile report and a copy of this memo in each file.

There were other Sawmill rights which I did not change. These are:

R33-00038 1927 decree & claim list source as
Little Lost River
R33-00096B Recommended w/ source "Summit Creek"
R33-00107 Recommended originally w/ source
"Sawmill Creek"

33-10464 Stockwater claim already PD w/ source
"Sawmill Creek"



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

May 4, 2000

LITTLE LOST RIVER LAND & CATTLE
C/O DENNIS WEEKS
3776 N 1800 W
HOWE ID 83244

RE: Transfer #5630 for water right(s) 33-00031R, 33-00048B,
33-00049B, 33-00050B, 33-00083C, 33-10982 and Notice of
Completed Administrative Proceeding (NCAP)

Dear Sir:

On April 27, 2000, the Idaho Department of Water Resources (IDWR) approved Transfer #5630, modifying the above referenced water right. Based on this transfer, IDWR water right records 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 the water right(s) as recorded in the SRBA.

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

Respectfully,


Jennifer Crabtree
Technical Records Specialist

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

Water Rights: 33-00031R,
33-00048B, 33-00049B,
33-00050B, 33-00083C, 33-10982

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer **5630**

☒ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 12 May 00.

Ernest Carlson.

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/15, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
LITTLE LOST RIVER LAND & CATTLE
C/O DENNIS WEEKS
3776 N 1800 W
HOWE ID 83244

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

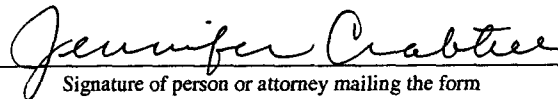
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

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

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5630
WATER RIGHT NO(S). 33-00031R/33-00049B/33-10982/33-00048B
33-00050B/33-00083C

RECEIVED
MAY 01 2000
Department of Water Resources
Eastern Region

This is to certify that: LITTLE LOST RIVER LAND AND CATTLE
C/O DENNIS WEEKS
3776 N 1800 W
HOWE ID 83244

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 33-00031R : IRRIGATION Priority: 09/01/1879	04/01 to 11/01	**** 1.80 CFS	315.0 AF
Right No. 33-00049B : IRRIGATION Priority: 05/15/1900	04/01 to 11/01	0.55 CFS	96.3 AF
Right No. 33-10982 : IRRIGATION Priority: 04/01/1983	04/01 to 10/31	**** 1.80 CFS	658.0 AF
Right No. 33-00048B : IRRIGATION Priority: 01/01/1885	04/01 to 11/01	0.55 CFS	96.3 AF
Right No. 33-00050B : IRRIGATION Priority: 05/25/1891	04/01 to 11/01	*** 0.50 CFS	87.5 AF
Right No. 33-00083C : IRRIGATION Priority: 06/01/1891	04/01 to 11/01	0.34 CFS	59.5 AF

TOTAL: ** 3.74 CFS ** 1312.5 AF

SOURCE

LITTLE LOST RIVER

TRIBUTARY OF

SINKS

TRANSFER NO. 5630
 WATER RIGHT NO(S). 33-00031R/33-00049B/33-10982/33-00048B
 33-00050B/33-00083C

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		NESENE , Sec. 25, Township 06N, Range 28E BUTTE County	

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 28E 25	SWNE 40	SENE 30	NENW 40	
	SENE 40	NESW 39	NESE 39	
	NWSE 40			268
29E 30	NENW 20	Lot 1 (NWNW) 19	Lot 2 (SWNW) 29	
	SENE 39			107
Total number of acres irrigated:				* 375

CONDITIONS OF APPROVAL AND REMARKS

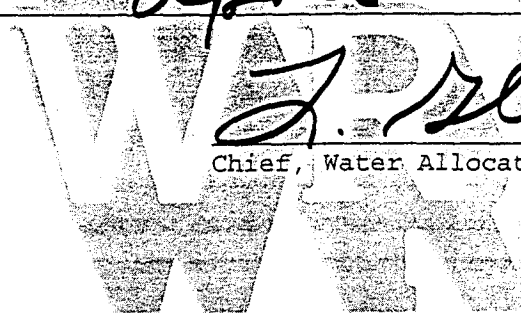
1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 33.
4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- * 6. Right 33-00031R is limited to the irrigation of 90 acres within the place of use described above in a single irrigation season.
- * 7. Right 33-10982 is limited to the irrigation of 188 acres within place of use described above in a single irrigation season.
- **** 8. Rights 33-00031R and 33-10982 when combined shall not exceed a total diversion rate of 1.80 cfs.
9. Approval of Transfer 5630 does not confirm Claimed Right 33-10982.
10. Right 33-10982 is an enlargement of Right 33-00031R pursuant to Section 42-1426, Idaho Code.
11. Right 33-10982 is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

TRANSFER NO. 5630
WATER RIGHT NO(S). 33-00031R/33-00049B/33-10982/33-00048B
33-00050B/33-00083C

CONDITIONS OF APPROVAL AND REMARKS

- * 12. Right 33-00048B is limited to the irrigation of 27.5 acres within the place of use described above in a single irrigation season.
- * 13. Right 33-00049B is limited to the irrigation of 27.5 acres within the place of use described above in a single irrigation season.
- * 14. Right 33-00050B is limited to the irrigation of 25 acres within the place of use described above in a single irrigation season.
- *** 15. The portion of Right 33-00050B used for conveyance losses is 0.08 cfs.
- * 16. Right 33-00083C is limited to the irrigation of 17 acres within the place of use described above in a single irrigation season.
- ** 17. Rights 33-00031R, 33-00048B, 33-00049B, 33-00050B, 33-00083C and 33-10982 when combined shall not exceed a total diversion rate of 3.74 cfs, a total annual maximum diversion volume of 1312.5 af at the field headgate, and the irrigation of 375 acres.
- 18. This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Dated this 27th day of April, 2000


J. Glen Saxton
Chief, Water Allocation Bureau

A33-00050B

MARC T. HANSEN

4/17/94 NO RECORDS AVAILABLE

NO INFORMATION
IN FILE

CALLING 800-222-7222
RECORDS - SAY 800-222-7222
AND TALK TO DENISE

SAW MILL CR



A33000050

ALSO SEE A33-00050A → R.J. NOBLE'S

NUMBER CHANGED TO 33-00050B

CRONIN

HC 65 Box 3/73
Howe, Id 83244
767-3015

Dennis Weeks
483-3535

Witter Lost River Land & Cattle
Partnership, Limited.

☐ WHEN WAS THE P.O.D. MOVED TO SEC 25 6/28
LOTTERY TO WM DIST. 33 25 APR 95



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

11/24/1999

Dennis Weeks
Little Lost River Land and Cattle
3776 N 1800 W
Howe, ID 83244

Dear Mr. Weeks:

Enclosed are copies of Adjudication Claims in the name of Little Lost River Land and Cattle, originally filed by Marc Hansen or Farmer's Home Administration. You will notice that they are marked "REJECTED." This is because we have not yet received the filing fees.

Another detail that will need prompt attention is to file a transfer changing the pump station from the west side of the road to the east side. This seems like a small detail but it moved the point of diversion not only to a different section but to a completely different survey range. Because this change took place after 1987, it can not be dealt with simply in the Adjudication Claim. There will be an additional transfer fee, total fees due are as follows:

Filing - 6 claims @ \$50	\$ 300.00
Acreage - 375 @ \$1	375.00
Transfer Fee	<u>100.00</u>
Total	\$ 775.00

Please call me or Allen Ruberry at 525-7161 if you have questions, or visit with us at the meeting in Howe on December 8. We're anxious to get this squared away so that we can recommend your water rights to the court.

Sincerely,

Bryce A. Contor

To: Little Lost River Land and Cattle Claims
A33-00031B
A33-00031M
A33-00048B
A33-00049B
A33-00050B
A33-00083C

Fr: Bryce A. Contor
Date: 11/24/1999



Re: Recommendation, PPU

Per conversation w/ Al Ruberry this morning, when fees are paid I can recommend all the rights on PPU basis for the whole farm w/o amended claims. This will be better than the r-records I have already prepared.

Al also notes that claimant needs to file a transfer to represent the post-87 change of POD from the west side of the road to the east side (which not only changed section, but changed from range 28E to range 29E).

Al also suggested combining 31B and 31M; this would reduce number of claims by one & therefore reduce fee \$50.

Also need enlargement claim for extra

acres w/ of road - see file 31M.

*letter to Weeks says "7 claims";
this covers combining 31B / 31M plus
allows for enlargement -*

To: Little Lost River Land and Livestock AJ Files
A33-00031B
A33-00031M
A33-00048B
A33-00049B
A33-00050B
A33-00083B
Fr: Bryce A. Contor *Bryce*
Date: 11/22/1999

Re: Recommendations

POU investigation and GIS acreage maps prepared by Al Ruberry, recommendations prepared more or less per Al's verbal instructions.

Al has been in contact with claimant regarding need to file fees. I expect that preliminary recommendation and NOE process will result in fees being paid, so recommendations are prepared but given status "X." Per Ernie, I have also given A-records status X and it is the A records that will be mailed. The "R" records are waiting in the wings in case fees are paid.

A33-00031B is renumbered from claim A33-10097, which included an enlarged place of use. With the change in statute we need an enlargement claim to recommend the full claimed POU but at this late date we don't have time. Hopefully as part of the NOE process, along with the fees for all the claims we can get an enlargement claim to recommend the full POU Al's GIS analysis shows. A33-00031B basically is for the lands in section 25, recommended for 72 acres @ 0.02 cfs/acre. This is because rights in the decree generally appear to have originally be decreed at 0.02/acre.

The other rights have enough overlap that they may be recommended on a permissible place of use basis for the lands in section 30. However, 0.02 cfs/acre limits these rights to slightly less than their sum. If these claims could be amended to include the section 25 lands, all the rights could be recommended on a permissible place of use basis on the entire farm. This would likely best reflect actual operational practice.

Please see maps in file A33-00031B.

The rights were recommended at 0.02 cfs/acre, as it generally appears that this is the basis of the decree. The land is sprinkler irrigated and the POD is at the POU, so there is no justification found for any increased authorized diversion rate.

NENW
39.5

NWNW
19.2

NENW
20.2

SENW
36.5

SWNE
39.6

SENE
30.1

SWNW
28.5

SENW
38.7

NESW
38.6

NWSE
39.7

NESE
39.4

50 B

107

107 X 0.02 =

2.14

FNA

Notes of Warranty

MARC T. HANSEN

6N 29E Sec 30

S $\frac{1}{2}$ Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) EXCEPT

BEGINNING AT A pt. on the E. Line of County R. Right-of-Way
964' N. from SW corner of the NW $\frac{1}{4}$ of Sec 30. T.6N 29E.

Thence southeasterly along a private lane 186'; thence N. 23S;
thence W 186'; thence S. 200 ft. to A.O.B.

S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$

S $\frac{1}{2}$ NW $\frac{1}{4}$

WR's (LLR)

(Part) 00031F 18" 9/1/1979

00048B(.5A) 27" 01/01/1985

(Asi 55" LLR)

(48A-NOVARS 0.55

00083C(.3A) 17" 06/01/1981

LESS 14% sharing BRADDER Ch. T.743

00049B 28" 05/15/1980

(Asi 55" LLR)

SMCK

00050B 35" 05/25/1981 LESS 17% sharing (Asi 50" SMCK)

33-07154

33-07181

*MARE HANSON'S
RIVER PLACE*

SD-4103
INQUIRY

Idaho Department of Water Resources
Water Rights Names Screen

Date: 09/14/94
Time: 15:44:45

Water Right Number: 33-07089

FIRST PAGE

Owner Codes: O Original Owner P Present Owner L Lien Holder T Trustee
C Current Owner R Representative S Lessee
K Also Known As A Attorney of Record D Dir Rpt Owner

Last: WESTINGHOUSE ELECTRIC CORP

Address: C/O DONALD PATON/VP INVST MGR
301 GRANT ST

State: PA ZIP: 15219

Owner Code: C

First:

FINAN SVCS/LEASE FINANCE GRP

City: PITTSBURGH

Phone: (208) -

Name Connector:

Last: DRY CREEK DEVELOPMENT INC.

Address:

First:

State: ID ZIP:

Owner Code: O

City:

Phone: (208) 

(Enter=Exit)

(GOLD4=Prev Screen)

(GOLD5=Next Screen)

(GOLD6=End of Data)

(GOLD8=Cancel)



*Committee
Committee*

5
4

HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TELEPHONE
COLORADO SPRINGS
ASTEN
BILLYGGS
BOISE
CHEYENNE
JACKSON
WASHINGTON, D.C.

SUITE 1400
WEST ONE E PLAZA
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

RECEIVED
MAY 13 1993

Department of Water Resources
Telephone (208) 343-5000
Facsimile (208) 343-8869

Dana L. Hofstetter

May 13, 1993

HAND DELIVERED

Idaho Department of Water Resources
Water Allocation Section
1301 North Orchard
Boise, ID 83706

Re: Idaho Water Permit Nos. 33-7089, 33-7154 and 33-7181

Dear Sir/Madam:

We are writing this letter to request that the Idaho Department of Water Resources ("IDWR") amend its records to reflect the transfer to Westinghouse Electric Company of Idaho Water Permit Nos. 33-7089, 33-7154 and 33-7181.

WCC was a wholly owned subsidiary of Westinghouse Electric Corporation. On May 3, 1993, WCC merged into Westinghouse Electric Corporation, the surviving corporation of the merger. As a result of the merger, all of WCC's personal and real property has been transferred to Westinghouse Electric Corporation. Enclosed are copies of the Articles of Merger, the Agreement and Plan of Merger, the First Amendment to Agreement and Plan of Merger and a Pennsylvania Certificate of Merger.

Section 2.2 of the Agreement and Plan of Merger indicates that all of WCC's real and personal property would be transferred upon merger to Westinghouse Electric Corporation. As a result of the merger, Westinghouse Electric now is the owner of the Dry Creek Hydroelectric Project and the three water right permits associated with that project, Nos. 33-7089, 33-7154 and 33-7181. The Dry Creek Hydroelectric Project is operational and Westinghouse Electric plans to continue operation of the Project.

We also enclose the following documents in support of our request that IDWR amend its records to reflect the new ownership:

1. A State of Idaho Certificate of Corporate Status for Westinghouse Electric Corporation dated May 10, 1993,

Idaho Department of Water Resources
May 13, 1993
Page 2

indicating that Westinghouse Electric Corporation has the authority to do business in the State; and

2. A January 29, 1987 Transfer Agreement and Water Service contract granting HDI Associates IV, a limited partnership, all of Dry Creek Development, Inc.'s right, title and interest in irrigation facilities used by the Dry Creek Hydroelectric Project. As a result of the prior foreclosure of HDI's interest in the Dry Creek Hydroelectric Project and the recent merger of WCC into Westinghouse Electric Corporation, Westinghouse Electric Corporation has succeeded to HDI's interest under this January 29, 1987 agreement.

Please let me know if you have any questions or need further documentation. Thank you for your attention to this matter.

Sincerely,

HORLAND & HART

Dana L. Hofstetter
Dana L. Hofstetter

DLH:dkb
Enclosures
29031/19623.1002

ATTORNEYS AND COUNSELORS AT LAW

LAUREL E. ELAM (1908-1974)
WILLIAM G. DRYDEN
MILVILLE W. FISHER II
TODD J. WILCOX SMALL
PETER C. M. KERRY
JOHN J. ROYD
JOHN H. DURTSCH JR.
JOHN S. GLORING
JOHN MAGEL
DAVID B. LINCOLN
RICHARD C. TILLEY JR.
JAMES O. LAUE
RANDALL A. PETERMAN
WILLIAM J. RUSSELL
KATE L. SCHUBERT
DAVID E. COMBESTOCK

BOBBALAS BURKHULTER
ELAINE CONIQUE
ALAN O'HANSON
JEFFERY J. VENTRELLA
JOHN J. JANIS
WENDY D. C. SMITH^{*}
^{*}FRENCH & CO. BARS ONLY

RECEIVED

FEB 03 1987

hard delivered

Department of Water Resources

Dear Jim:

I have enclosed a set of executed originals and a set of copies of the following documents regarding the above-referenced water permits:

- ✓ 1. Affidavit for Water Rights to be Used for Power Purposes;
- ✓ 2. Certificate of Limited Partnership, Secretary of State, State of Idaho;
- ✓ 3. Assignment of Permit forms executed by Rick Stauffer, dba D & D Stauffer, and Coleen Stauffer, his wife; and
- ✓ 4. Assignment of Permit forms executed by Rob Stauffer, dba D & D Stauffer, and Pennie Stauffer, his wife.

I believe that these documents satisfy the requirements of Idaho Code sections 42-207 and 42-206. If this is not the case, please notify me as soon as possible, and I will provide any documentation which is required by the Department.

If the documentation which I have presented does satisfy the Department's requirements with respect to assignment of the water permits referred to above, please stamp the copies of the documents which I have enclosed and return them to me in the enclosed self-addressed, stamped envelope. I would also appreciate a short cover letter, indicating that the Department has reviewed and approved the assignment of these water permits.

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

Rick Stauffer
I, dba D & D Stauffer, Inc., hereby assign to HDI Associates IV, Limited Partnership
of 10394 W. Chatfield Avenue, #108, Littleton, Colorado 80127
Address

☒ All my right, title, and interest in and to Permit No. 33-7089
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.
(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 12th day of December, 19 86.

Rick Stauffer dba D & D Stauffer
Permit Holder

Carmen Stauffer
Spouse of Permit Holder

State of Idaho _____ ss.
County of Butte

On this 12 day of December, 19 86, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

My commission expires: 4.6.94
Notary Public residing at
Idaho



STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 2, 1983

RE: Permit 33-7089 (Dry Creek Development, Inc.).

Dry Creek Development, Inc.
Attn: George Woodie
Howe, ID 83244

Gentlemen:

This office acknowledges receipt of several documents indicating that Dry Creek Development, Inc. (Dry Creek) has conveyed its interest of the above referenced permit to Rick & Rob Stauffer. The documents apparently were submitted to comply with the permit condition concerning sale, transfer, assignment or mortgage of the permit (42-207 I.C.).

While the information which was submitted appears to be satisfactory, this office requests evidence to show that you have complied with the permit condition requiring commencement of project construction within one year from the date the permit was issued (i.e. construction started on or before October 26, 1983). Enclosed are the applicable provisions of the Idaho Code relative to start of construction (42-204 I.C.).

Upon submittal of the information, the Department can then determine compliance with sec. 42-207 Idaho Code and hence the validity of the permit. (copy 42-207 enclosed)

If you have questions, please feel free to contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:ns

cc: Rick & Rob Stauffer Enclosures

DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

03/15/95

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A33-000508

LAST: FMHA
ADDRESS:
CITY: XXXXXXXX
PHONE NUMBER: 208-000-0000
OWNER CODE: K

FIRST: ID
STATE: ID
ZIP: 00000

LAST: MONSEN, ESQ.
ADDRESS: INDIAN RES SEC LND & NAT RES
US DEPT OF JUSTICE
599 18TH ST STE 945
CITY: DENVER
PHONE NUMBER: 303-294-1950

FIRST: PETER
CITY: CO
STATE: CO
ZIP: 00202

OWNER CODE: A
LAST: HANSEN
ADDRESS:
CITY: N/A
PHONE NUMBER: 208-000-0000

STATE: ID
ZIP: 00000

OWNER CODE: O
LAST: U.S. DEPT. OF AGRICULTURE
ADDRESS: FARMERS HOME ADMINISTRATION
3232 ELDER ST.
CITY: BOISE
PHONE NUMBER: 208-334-1577

AST:

ID
ZIP: 83705

OWNER CODE: K
LAST: AMERICA, ACTING TR
ADDRESS: USDA, FMHA
3232 ELDER S
CITY: BOISE
PHONE NUMBER: 208-334-1577

FIRST: UNITED STATES OF

ID
STATE: ID
ZIP: 83705

OWNER CODE: C
LAST: HANSEN
ADDRESS:
CITY: N/A
PHONE NUMBER: 208-000-0000
OWNER CODE: O

FIRST: EPHRAIM
ID
STATE: ID
ZIP: 00000

Δ Owners only
Name - Hansen
To: 25 April 95 -
Covers

A33-000508
MARC F HANSEN
HC 65 BOX 1079
HOME ID 83244

FIELD EXAM REQUIRED? ☒ YES ☐ NO
 VERIFICATION REQUIRED DUE TO REMARKS? ☒ YES ☐ NO
 CLAIM REMARKS: 5. CON'T. APPROX. 30 MILES NORTH FROM THE HEADGATE WHERE IT IS
 DIVERTED FROM THE LITTLE LOST RIVER BY A HEADGATE.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Mr. Hanson
 DATE OF FIELD EXAM: 03/06/95
 ACCOMPANIED BY: M.T. Hansen
 RELATIONSHIP TO CLAIMANT: Cousin
 DIRECTIONS TO PROPERTY / NOTES:
Met Mr. Hansen at appointed time at his home. Discussed where rights, P.O.U., P.D.D. and
change of property line per surveying off N²/S² NW⁴.

PHONE NUMBER: ()
 TIME: 11:30 A() P()
 PHONE NUMBER: () 767 3212

APPOINTMENT MADE: Y() N()

(A) A33-00050A R. Norreis
0.50cks SAWMILL 25 MAY 1891
PO.D. NESE SEC. 24 T6N, R. 28E.
P.O.U. SWNW⁴ SW⁴ SEC. 19
N² NW⁴ SEC. 30 T. 6N, R. 29E.

Norreis has no relation
OF THIS RIGHT OF 288E.

33-00050 E. J. M. Hansen
50⁴ (10cks) SAWMILL 25 MAY 1891
PO.D. NOT SPECIFIED
P.O.U. Lot 4, SE⁴SW⁴ SEC. 19
lots 112, E²NW⁴ SEC. 30 T. 6N, R. 29E.

(B) A33-00050B M. T. Hansen
0.50cks SAWMILL 25 MAY 1891
PO.D.
P.O.U. S² Lot 1 (EXCEPT HOUSE TRACT)
S²NE⁴SW⁴, S²NW⁴, SEC. 30 T. 6N, R. 29E.
(Same Tracts)

AT CLAIM # AG-000506 PRIORITY DATE: 05-25-1891 STAGE: D

MR RECORD: # 33-00050 PRIORITY DATE: 05-25-1891 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROVE OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

A. IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?

A. FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

NOTES:

XVI.

EPHRAIM HANSEN and MARY HANSEN, husband and wife:

From Little Lost River:

From Saw Mill Creek:

Points of diversion:

From Little Lost River:

From Saw Mill Creek: At the mouth of said stream.

to be used upon and appurtenant to:

Lot Four and the Southeast Quarter of the Southwest Quarter of Section Nineteen; also, Lots one and two and the East half of the Northwest quarter of Section Thirty, all in Township Six North, Range Twenty-nine East of the Boise Meridian.

RECOMMENDED PRIORITY DATE:

05-25-1891

REVIEWED BY

DATE 15 Mar 95

As claimed

AS RICHARDSON

55 inches, January 1, 1885
55 inches May 15, 1900
50 inches, May 25, 1891

Y() N()

Y() N()

Y() N()

N/A() Y() N()

N/A() Y() N()

N/A() Y() N()

N/A() Y() N()

N/A() Y() N()

Y() N()

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	1/4	LOI	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A33-000508	46N	27E	36									
A33-000508	10N	27E	18									

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
R33-10079

* 36 A PREFIX CLAIMS WITH THIS POD

WR RECORDS IN SAME 40 ACRE TRACT

33-02114

SOURCE: SAW MILL CREEK

TRIS: LITTLE LUCKY RIVER

B. WR POINT OF DIVERSION AND SOURCE:

3300050 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: SAW MILL CREEK

TRIS: LITTLE LOST RIVER

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 CPC 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 3-6-95)

NAME OF EXAMINER

A. RUSSEY

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: POD. WAS CHANGED TO SENESE SEC. 25 T.6N. R.28E. w/o BENEFIT OF A TRANSFER.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	R.28E.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		
27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		
27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		

27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		
27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		
27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		
27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		
27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		
27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		
27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		
27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		
27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		
27E	18	27E	18	SW	SE	SW			ROUTE BUTTE		

SOURCE: SAW MILL CREEK

TRIG: LITTLE CREEK RIVER

REVIEWED BY: MSB/Barney

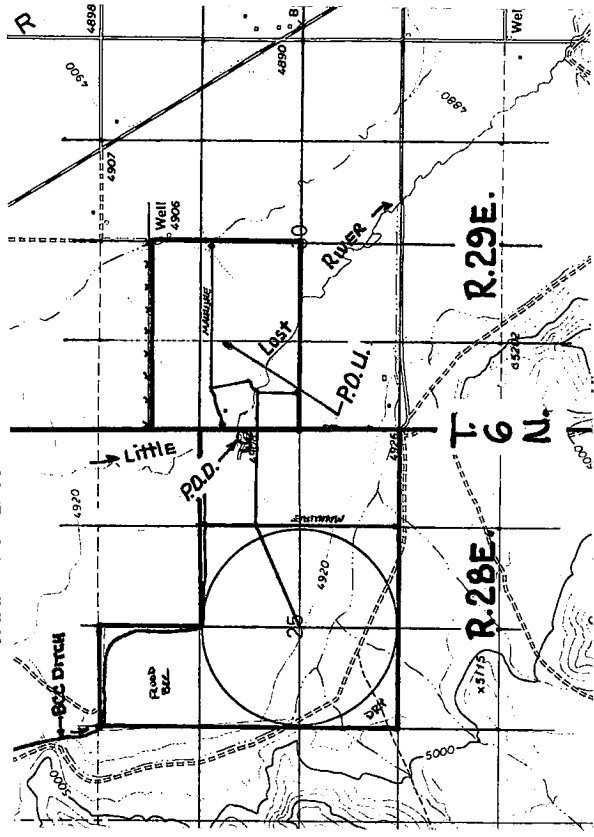
DATE: 15 Mar 93

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

EXERT FROM U.S.G.S. QUAD

MAP W-B4.

SURF A33-000488 FOR PHOTO OF DIVERSION WORKS, DATA, AND PLACE OF USE (AGES PHOTO COPY) MAP.



A. ROOT-WATER RIGHT NUMBERS: A33-00050A
A33-00050B

B. FUD LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WE #/ACRES	LANDSAT DATA	FIELD EXAM.	RECORD ACRES
06N	29E	30	NE	NW		AMERICA, ACTING THROUGH, UNITED STATES OF AGRICULTURE	33-000508 / 20.0				
			NE	NW		NORRIS, ROBERT J.	A33-00048A / 14.0				
			NE	NW		NORRIS, ROBERT J.	A33-00049A / 14.0				
			NE	NW		NORRIS, SUZANNE W.	A33-00050A / 14.0				
			NE	NW		NORRIS, ROBERT J.	A33-00048A / 14.0				
			NE	NW		NORRIS, ROBERT J.	A33-10019 / 14.0				
			NE	NW		U.S. DEPT. OF AGRICULTURE	A33-00048B / 20.0				
			NE	NW		NORRIS, ROBERT J.	A33-02105 / 14.0	33-02105	14.0		
			NE	NW		MONSON, ESQ., PETER	A33-00049B / 20.0				
			NE	NW		UNITED STATES OF AMERICA, ACTING THROUGH, UNITED STATES OF AGRICULTURE	A33-00048C / 20.0				
			NE	NW		SPLIT RIGHT	R33-000483				
			NE	NW		HANSEN, EPHRAIM	33-00048				
			NE	NW		HANSEN, EPHRAIM	33-00049				
			NE	NW		HANSEN, EPHRAIM	33-00050				
06N	29E	30	NW	NW		AMERICA, ACTING THROUGH, UNITED STATES OF AGRICULTURE	A33-000508 / 20.0				
			NW	NW		U.S. DEPT. OF AGRICULTURE	A33-00048B / 20.0				
			NW	NW		MONSON, ESQ., PETER	A33-00049B / 20.0				
			NW	NW	1	NORRIS, ROBERT J.	A33-00048A / 26.0				
			NW	NW	1	NORRIS, SUZANNE W.	A33-00049A / 26.0				
			NW	NW	1	NORRIS, ROBERT J.	A33-00050A / 26.0				
			NW	NW	1	NORRIS, ROBERT J.	A33-00048A / 26.0				
			NW	NW	1	NORRIS, ROBERT J.	A33-10019 / 26.0				
			NW	NW	1	UNITED STATES OF AMERICA, ACTING THROUGH, UNITED STATES OF AGRICULTURE	A33-00048C / 20.0				
			NW	NW	1	NORRIS, ROBERT J.	A33-02105 / 26.0	33-02105	26.0		
			NW	NW	1	SPLIT RIGHT	R33-000483				
			NW	NW	1	HANSEN, EPHRAIM	33-00048				
			NW	NW	1	HANSEN, EPHRAIM	33-00049				
			NW	NW	1	HANSEN, EPHRAIM	33-00050				
06N	29E	30	SW	SW		AMERICA, ACTING THROUGH, UNITED STATES OF AGRICULTURE	A33-000508 / 39.0				
			SW	SW		EMMA, DEPT. OF AGRICULTURE	A33-00048B / 39.0	33-00048B			
			SW	SW		THOMAS, LA MAR	A33-10079				
			SW	SW		MONSON, ESQ., PETER	A33-00049B / 39.0				
			SW	SW	2	UNITED STATES OF AMERICA, ACTING THROUGH, UNITED STATES OF AGRICULTURE	A33-00048C / 39.0				
			SW	SW	2	SPLIT RIGHT	R33-000483				
			SW	SW	2	HANSEN, EPHRAIM	33-00048				
			SW	SW	2	HANSEN, EPHRAIM	33-00049				
			SW	SW	2	HANSEN, EPHRAIM	33-00050				

U.S. GOVT LOT 3791W

U.S. GOVT LOT 3793W

ANNOUNCEMENT

10
11
12
13
14
15
16

12
13
14
15
16
17
18
19
20

100

10-10-68

[illegible]

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

LIST OF ALL RIGHTS WITH A SAME YOU AND ORIGINATOR USAGE

DE
EL
ES
EN
ER

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	DATE	VOLUME
A33-10079	DOMESTIC	THOMAS, LA MAR	FROM 01-01	TO 12-31	0.040 CFS
A33-10079	DOMESTIC	THOMAS, LA MAR	FROM 01-01	TO 12-31	0.040 CFS

*ΔWR Quivesine to
M. T. Hansen*

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y(☒) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 33-00049, 33-00048, 33-00053, 33-00031 *u*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 PHOTOGRAPH? 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(☒)

As Spurt. Sub. Bends

CHECK DOCUMENTS USED TO VERIFY POU: ☒ ORTHOPHOTOGRAPH, IOWA NO. W-04 ; ☐ TOPOGRAPHIC QUAD, IOWA NO. ;
☒ NAVY, IOWA NO. ; ☒ ASES PHOTO; ☒ OTHER DARDS

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: N/A()

REVIEWED BY: DATE:

A. AT CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A33-000508 IRRIGATION	FROM 04-01 TO 11-01	0.500 CFS	
TOTAL DIVERSION RATE/VOLUME		0.500 CFS	

B. WE REQUESTED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
33-00050 IRRIGATION	FROM TO	1.000 CFS	
TOTAL DIVERSION RATE/VOLUME		1.000 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 INQUIRY ANALYST'S 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(☐) **As Determined**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: 0.500 CFS

WR RIGHT TOTAL DIVERSION RATE: 1.000 CFS

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()

See D-20005/SPUR

C. * 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()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES $\times$ 0.02 CFS/ACRE = CFS
(Taken from per review)

1b. CALCULATIONS

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 DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES $\times$ DIVERSION VOL. AE/A FOR AREA 2.5 =

TOTAL DIVERSION VOLUME AE/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 397.5 AE/A

ACRES $\times$ CONSUMPTIVE VOL. AE/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE AE/A

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

NOTES:

NR RECORD CONDITIONS/REMARKS:
P/D AND P/U INCOMPLETE.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CTS	REC. DIV VOL. AC/A	REC. CONC. USE
IRRIGATION	04-01 11-01	DATABASE 0.500	DATABASE EXAMINER	DATABASE EXAMINER
	<i>As Directed</i>			
TOTAL FOR THIS RIGHT		0.500		297.5

NON-IRRIGATION USES CLAIMED:

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:

ACCEPTED AS CLAIMED ()
 NEEDS REVIEW ()
 ()
 ()

OWNERSHIP FORFEIT/ABANDON A. OWENSTON - EADS 25 APRIL 95
 ADDITIONAL DIV. AMOUNT

A WR OWNERSHIP TO MT. HANSEN REMOVED

E. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00050
 TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	-	-	-	-	33-00050	1.000
-	-	-	-	-	-	1.000
TOTAL CFS						1.000

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 N
 FIELD EXAMINER Y() N()

NOTES:

33-00050 1.00 cfs on UNSPECIFIED AVERAGE

33-00050A 0.50 cfs on 198.0 AC R.J. Norris

33-00050B 0.50 cfs on 119.0 AC M.T. Hansen (BY RMA)

Totals: 1.00 cfs 317.0 AC

DIVERSION RATE OF CLAIM IS CLAIMED IN-FULL - SUSPECT

OVERCLAIM OF AVERAGE - DIVERSITY DESCRIBES 240 AC. ±.

AUTHENTICATION:

SIGNATURE:

Adrian B. Rutherford

NAME OF FIELD EXAMINER:

Adrian B. Rutherford

DATE: 15 MAR 95

TITLE: SR. AGT.

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

COPY INCLUDED
ON FILE?

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED ON FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED	Y() N()
() NAPP	DATE ON PHOTO	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO	Y() N()
() ELM 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

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		
() HUBLE ANALYSIS	DATE ANALYSIS COMPLETED		
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED		
() OTHER	DATE		
() OTHER	DATE		

14:04:24
02/15/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 17
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-000508 35

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

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A33-00050B

A33-00050B

MARC T HANSEN
HC 65 BOX 1079
HOWE ID 83244

Water Source: SAW MILL CREEK

Point(s) of Diversion:

TOWN R29E S30
TION R27E S18

Tributary to: LITTLE LOST RIVER

SESW ~~Little Lost River~~ - R
SESW ~~SAW MILL CR~~ - D

Place of use Legal Description for: IRRIGATION

		NE		NW		SE		SW			
T	R	SENE		SENE		SENE		SENE			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
06N	29E	30	:	20	20	39	40	:	:	:	:
										TOTAL ACRES	
										119.0	
										119.0	

POU County: BUTTE

Other Rights: 33-00049, 33-0004B, 33-00083, 33-00031/M

Remarks: 5. CON'T: APPROX. 30 MILES NORTH FROM THE HEADGATE WHERE IT IS
DIVERTED FROM THE LITTLE LOST RIVER BY A HEADGATE.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: 33 Field Inspection Flag:
Presumption Flag:

USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
FROM	TO		
04-01	11-01	0.50 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:		0.50 CFS	297.50 AFA

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAY-15-2000
PAGE: A-4-----
RIGHTS FROM: SOURCE: LITTLE LOST RIVER TRIBUTARY: SINKS

RIGHT NUMBER: 33-00050B

NAME & ADDRESS: LITTLE LOST RIVER LAND AND CATTLE
3776 N 1800 W
HOWE ID 83244

SOURCE: LITTLE LOST RIVER TRIBUTARY: SINKS

QUANTITY: 0.5 CFS
87.5 AFY

THE QUANTITY OF WATER THAT MAY BE DIVERTED AT THE POINTS OF
DIVERSION DESCRIBED BELOW IS 0.42 CFS. THIS REDUCTION IN
QUANTITY IS DUE TO THE HISTORICAL PRACTICE OF ASSESSING A
CONVEYANCE LOSS FOR THE DELIVERY OF THE RIGHT.

PRIORITY DATE: 05/25/1891

POINT OF DIVERSION: T06N R28E S25 NESENE Within BUTTE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.5 CFS
			87.5 AFY

PLACE OF USE:	IRRIGATION	Within BUTTE County			
	T06N R28E S25	SWNE 40	SENE 30	NENW 40	SENE 40
		NESW 39	NESE 39	NWSE 40	
	R29E S30	NENW 20	Lot 1 (NWNW)19	Lot 2 (SWNW)29	SENE 39
	375 ACRES TOTAL				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 375 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00031R, 33-00048B,
33-00049B, 33-00083C, 33-10982.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

AJ5856NP

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

DATE: MAY-15-2000
PAGE: A-5

RIGHTS FROM: SOURCE: LITTLE LOST RIVER TRIBUTARY: SINKS

RIGHT NUMBER: 33-00050B (CONT)

EXPLANATORY MATERIAL: (CONT)

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 33-00031R, 33-00048B, 33-00049B,
33-00083C, 33-10982.

AJ0749NP
No. R33-00050B

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

DATE: 12/22/99
PAGE: 2

=====

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

Misc:	Water District Number: 33	Field Inspection Flag: Presumption Flag: C	
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Comments:	Date: 04/26/1995	User-ID: ARUBERRY	Subject: CHANGE OWNERSHIP CHANGE OF OWNERSHIP FILED 25APR95.
-----------	------------------	-------------------	---

Date: 11/22/1999	User-ID: BCONTOR	Subject: RECOMMENDATION RECOMMENDED PER VERBAL INSTRUCTIONS FROM AL RUBERRY.
------------------	------------------	---

Date: 12/22/1999	User-ID: BCONTOR	Subject: CHANGE OF SOURCE SOURCE CHANGED FROM SAWMILL CREEK TO REFLECT HISTORICAL PRACTICE. BCONTOR 12/1999.
------------------	------------------	--

Date: 12/22/1999	User-ID: BCONTOR	Subject: TRANSMISSION LOSS 17% PER DOCUMENTATION IN FILE A33-00002, FILE #2. BCONTOR.
------------------	------------------	--

Audit:	12/22/99 BCONTOR
--------	------------------

Water Right Number - A33-00050B	Prefix Translation:	ADJUDICATION CLAIM	Old (D) Number -
+ - - - - Last Name - - - - +	+ - First Name - - - +	+ - - - - Address - - - - - +	
*** C - CURRENT OWNER *** LITTLE LOST RIVER LAND AND CATTLE			
*** O - ORIGINAL OWNER *** FMHA			
MONSON, ESQ.	PETER	1 - 3776 N 1800 W 2 - 3 - City- HOME Phone - 208-767-3535 State- ID Zip- 83244	
		1 - 2 - 3 - City- XXXXXXXX Phone - 208-000-0000 1 - INDIAN RES SEC LND & NAT RES 2 - US DEPT OF JUSTICE 3 - 999 18TH ST STE 945 State- ID Zip- 80202	
HANSEN	MARY	1 - 2 - 3 - City- N/A Phone - 208-000-0000 State- ID Zip- 00000	
AMERICA, ACTING THROUGH	UNITED STATES OF	1 - USDA, FMHA 2 - 3232 ELDER ST. 3 - City- BOISE Phone - 208-334-1577 State- ID Zip- 83705	
HANSEN	EPHRAIM	1 - 2 - 3 - City- N/A Phone - 208-000-0000 State- ID Zip- 00000	
HANSEN	MARC T	1 - HC 65 BOX 1079 2 - 3 - City- HOME Phone - 208-767-3212 State- ID Zip- 83244	
U.S. DEPT. OF AGRICULTURE		1 - FARMERS HOME ADMINISTRATION 2 - 3232 ELDER ST. 3 - City- BOISE Phone - 208-334-1577 State- ID Zip- 83705	
+ - - Priority Date - - + 05/25/1991	+ - - - Region - - - + 15 EASTERN	+ - - - Stage - - - +	+ - - - Status - - - + X - REJECTED
+ - - - - Source - - - - + SAW MILL CREEK		+ - - - - Tributary - - - - + LITTLE LOST RIVER	

+ - - Audit Fields - - + 11/22/99 BCONTOR

Water Right Number - R33-00050B	Prefix Translation:	RESEARCH	Old (D) Number -
+ - - - - Last Name - - - - +	+ - First Name - - +	+ - - - - Address - - - - +	

*** C - CURRENT OWNER ***
LITTLE LOST RIVER LAND AND CATTLE

*** 0 - ORIGINAL OWNER ***
FMHA

MONSON, ESQ.

PETER

HANSEN

MARY

AMERICA, ACTING THROUGH

UNITED STATES OF

HANSEN

EPHRAIM

HANSEN

MARC T

U.S. DEPT. OF AGRICULTURE

+ - -	Priority Date	- - +	+ - - - Region	- - - +	+ - - - Stage	- - - +	+ - - - Status
- - -	05/25/1891	- - -	15 EASTERN	- - -	- - -	- - -	X - REJECTED

+ - - - - Source - - - - - +
 LITTLE LOST RIVER
 + - - - - Tributary - - - - - +
 SINKS

+ - - - - - Conditions of Approval - - - - - +
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

Water Right Number - A33-000508

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
HANSEN

MARC T

1 - HC 65 BOX 1079
2 -
3 -
City- HOME
Phone - 208-767-3212

State- ID Zip- 832440

*** O - ORIGINAL OWNER ***
FMHA

1 -
2 -
3 -

City- XXXXXXX
Phone - 208-000-0000

State- ID Zip- 00000

PETER

1 - INDIAN RES SEC LND & NAT RES
2 - US DEPT OF JUSTICE
3 - 999 18TH ST STE 945

State- CO Zip- 80202

HANSEN

MARY

City- DENVER
Phone - 303-294-1950
1 -
2 -
3 -

State- ID Zip- 00000

U.S. DEPT. OF AGRICULTURE

City- N/A
Phone - 208-000-0000
1 - FARMERS HOME ADMINISTRATION
2 - 3232 ELDER ST.
3 -

AMERICA, ACTING THROUGH
UNITED STATES OF

State- ID Zip- 83705

HANSEN

EPHRAIM

City- BOISE
Phone - 208-334-1577
1 - USDA, FMHA
2 - 3232 ELDER ST.
3 -

State- ID Zip- 83705

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
05/25/1891 15 EASTERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - + +
SAW MILL CREEK LITTLE LOST RIVER

+ - - - - - Point of Diversion - - - - - Diversion Name

Twn Rng Sec Tract Lot RFlg County
06N 29E 30 SW NW (23) BUTTE
10N 27E 18 SE SW (23) BUTTE

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

+ - Total Div. Rate	- +	+ - Total Div. Volume	- +	+ - Total Div. Capacity	- +	+ - Total Consumptive Use	- +	+ - KW Usage
		0.500				297.5		

Town	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
+	-	-	-	-	-	-	-	+

Total Acres: 119.0

+ - - Non-Irrigation Use -

[illegible]

	+-----+-----+-----+-----+-----+-----+	
	- - - - -	Old Water Right Numbers
	- - - - -	No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

+ + - - -	- Decree Plaintiff	- - - +
BLAINE COUNTY INVESTMENT COMP.		
+ - - - -	- Decree Defendant	- - - +
ROBERT G. WAYS, ET. AL.		
		+ - Decree Date
		03/06/1927

+ - - Audit Fields - 03/10/95 ARUBERRY 03/13/95 ARUBERRY 03/15/95 RMCCARTH 03/15/95 ARUBERRY 04/25/95 ARUBERRY

+-----+
-Comments-
No Comments Found

+ - - - - + - - - - Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-
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	- 03/23/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 33
Licensed Date	- 00/00/0000	Receipt Number	- X11111	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption 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: A33-00050 B
Date Received: 3/23/1990
Receipt No: X111111
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1577
Address: USDA, FMHA
3232 ELDER ST.
BOISE, ID 83705

2. Date of Priority: MAY 25, 1891

3. Source: SAW MILL CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	29E	30	SW	NW			BUTTE
10N	27E	18	SE	SW			BUTTE

5. Description of diverting works:
SAWMILL CREEK ENTERS LITTLE LOST RIVER; SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 297.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	30	NE	NW		IRR	20.0
			NW	NW		IRR	20.0
			SW	NW		IRR	39.0

A33-00050

Page 1

Date: NOV 15 1990 06/27/90

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	29E	30	SE	NW		IRR	40.0

Section Acres 119.0

Total Acres 119.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:

33-00049, 33-00048, 33-00083, 33-00031F

14. Remarks:

5. CON'T: APPROX. 30 MILES FROM THE HEADGATE WHERE IT IS
DIVERTED FROM THE LITTLE LOST RIVER BY A HEADGATE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BLAINE COUNTY INVESTMENT COMP.
Decree Plaintiff

vs

ROBERT G. MAYS, ET. AL.
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 _____ 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: _____

W. G. M. M. M.
NOV 15 1990

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 _____

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

33-00050B

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

ORIGINAL

A3300050B



Please type or print clearly

1. Name of Claimant (s) United States of America USDA - FWH Phone (208) 334-1577
Mailing Address 3232 Eldon Street, Boise Idaho Zip 83705

2. Date of Priority (Only one (1) per claim) May 25, 1891

3. Source of water supply (a) Sawmill Creek
which is tributary to (b) Little Lost River

4. a. Location of existing point of diversion is: Township 6N Range 29E Section 30,
SW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Butte

Additional points of diversion if any: _____

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

Township 10N Range 27E Section 18, SE 1/4 of SW 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of Butte

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. Sawmill Creek enters the Little Lost
River approx. 30 miles from the Headgate where it is diverted off by
Little Lost River by a Headgate.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 11/1 amount .5 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.5 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 291.5 acre feet per annum.

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

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	
6N	29E	30					20	20	39	40			*						119

Total number of acres irrigated 119

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

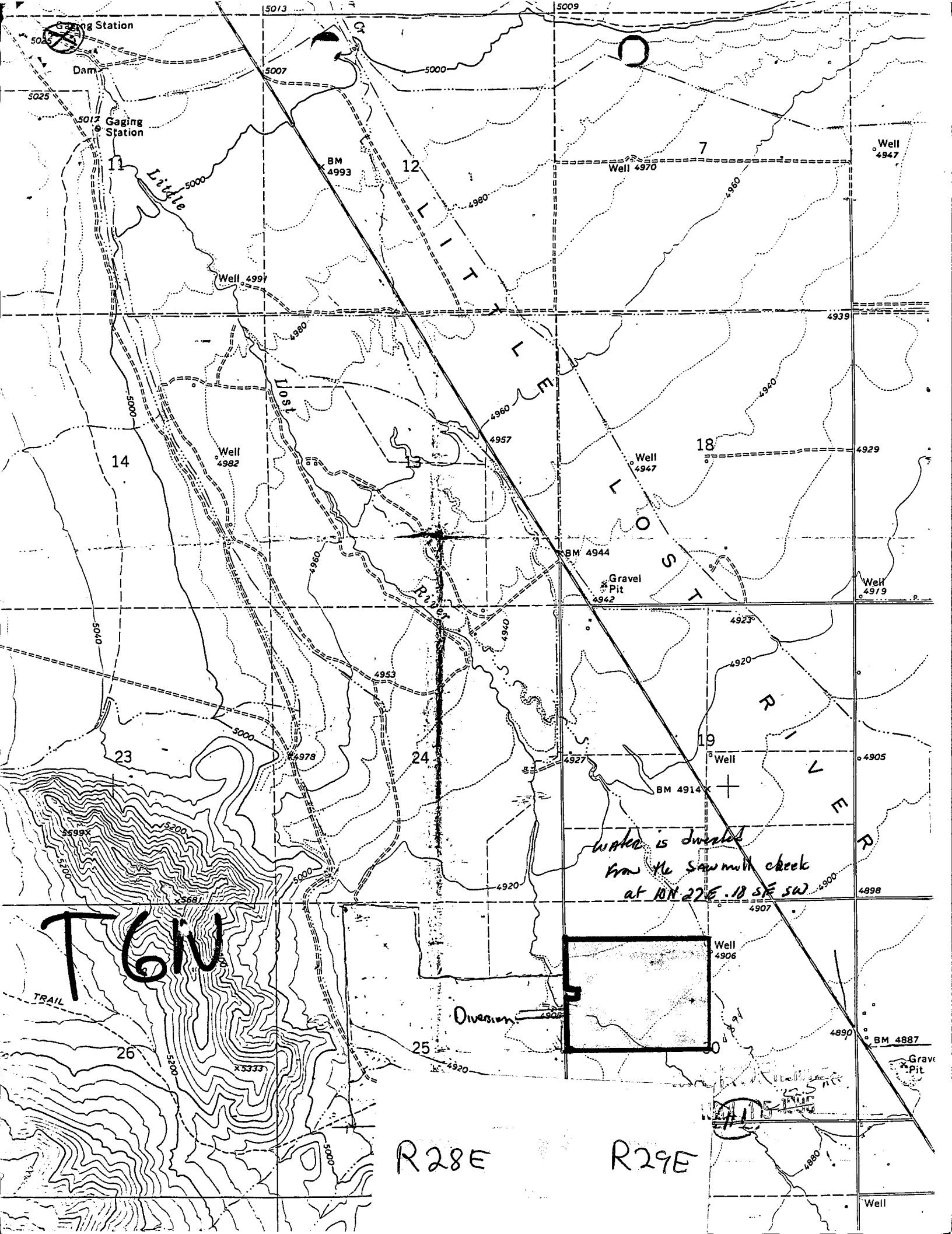
12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
33-00049, 33-00048, 33-00083, 33-00031F or None ()

14. Remarks:

Last Name USA - Smith Ident No. 33-00050

NOV 15 1998
Copies: White - State, Yellow - Claimant



Gaging Station

Dam

Gaging Station

Little

BM 4993

Well 4997

Well 4970

Well 4947

14

Well 4982

Well 4947

Well 4979

BM 4944

Gravel Pit 4942

23

24

19

Well 4905

BM 4914

T6iv

Water is diverted from the Sawmill creek at R28E 18 SE SW

Division

R28E

R29E

WATER

Well

Scale: 2 inches equals 1 mile

See Attachment

[illegible]

1963 5 20

Last Name *USA - Fm HA*

Ident No. 33-00050

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number 33-00050

Court US District

Case Number _____

Decree Date 3/04/1927

Plaintiff vs Defendant Blaine County Investment Co. vs Robert G. Mays

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 2

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 a County Supervisor

Title

of United States of America USDA FmHA, that I have signed the foregoing

Organization

document in the space below as County Supervisor of U.S.D. FmHA

Title

Organization

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

Signature of Authorized Agent John L. Johnson

Title and Organization County Supervisor U.S.D. FmHA Date May 31, 1989

State of Idaho/or _____)
County of Battle) SS.

Subscribed and sworn (or affirmed) before me this 31 day of May 19 89

SEAL

Notary Public [Signature]

Residing at Arco, Idaho

My Commission Expires 8-26-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Peter Monson, Esq. 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 Indian Resources Section, Land & Natural Resources Section, US Dept. of Justice
PO Box 44378, Washington, DC, 20026-4378

Date _____

NOV 15 1990

Last Name USA FmHA Ident. Number 33-00050

(Reas)

Copies White-State, Yellow-Claimant