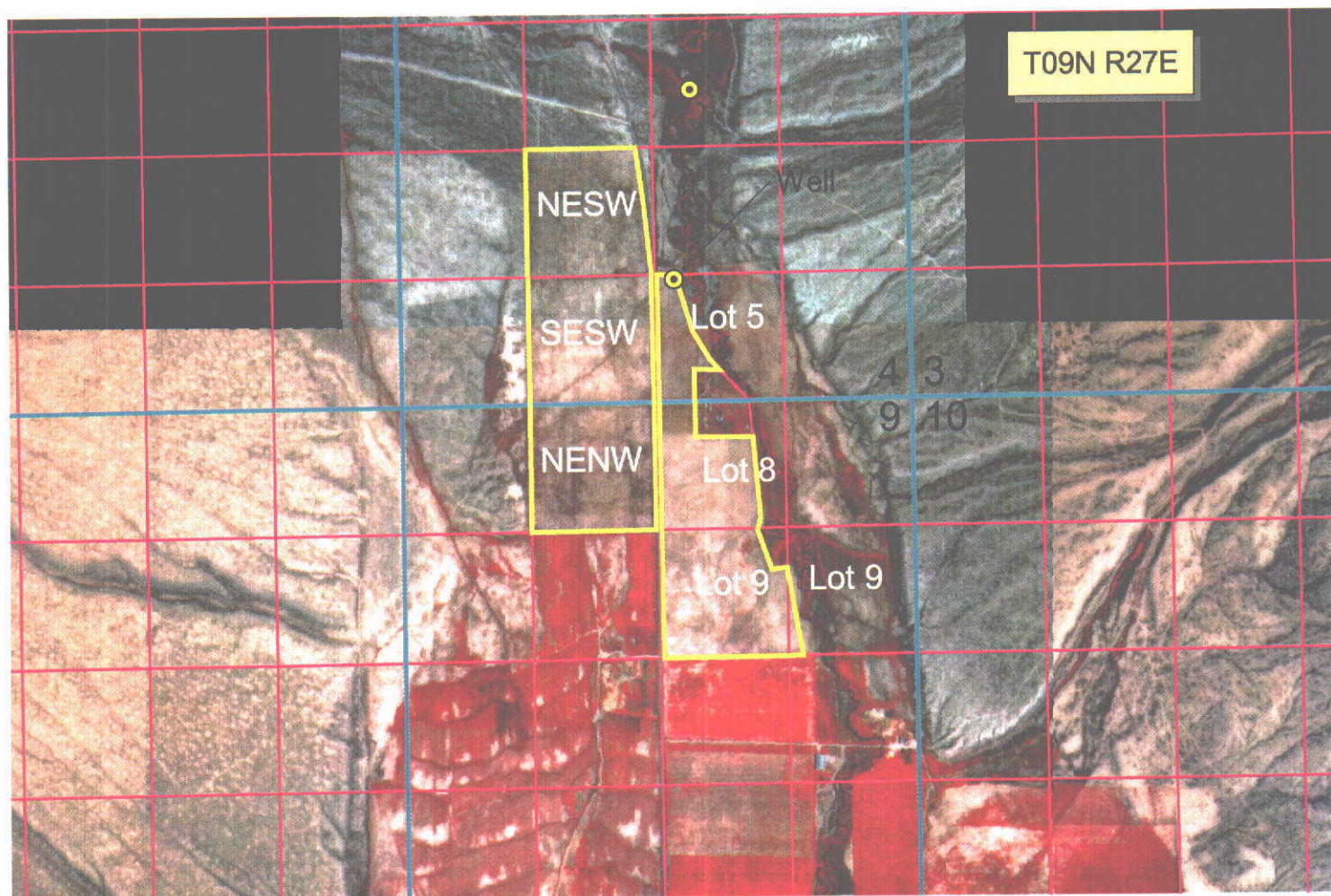




STATE OF IDAHO

Department of Water Resources

Water Right(s): 33-88, 33-89,
33-93D, 33-2089

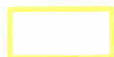


0 2640 5280 7920 Feet

LEGEND



Point of Diversion



Place of Use

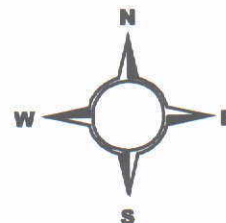


Section Line

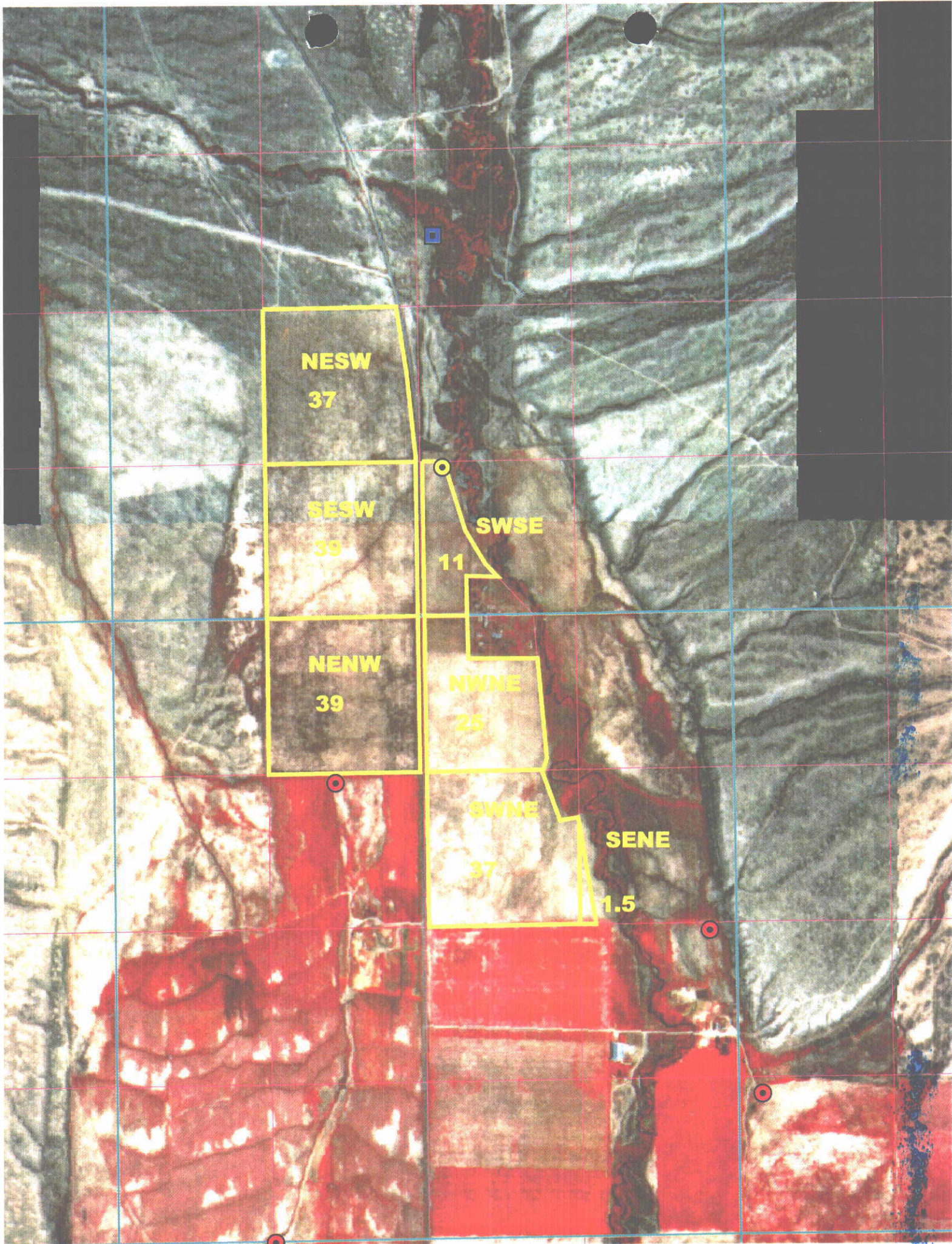


Quarter-section line

Acres Irrigated = 189.5



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: November 2000





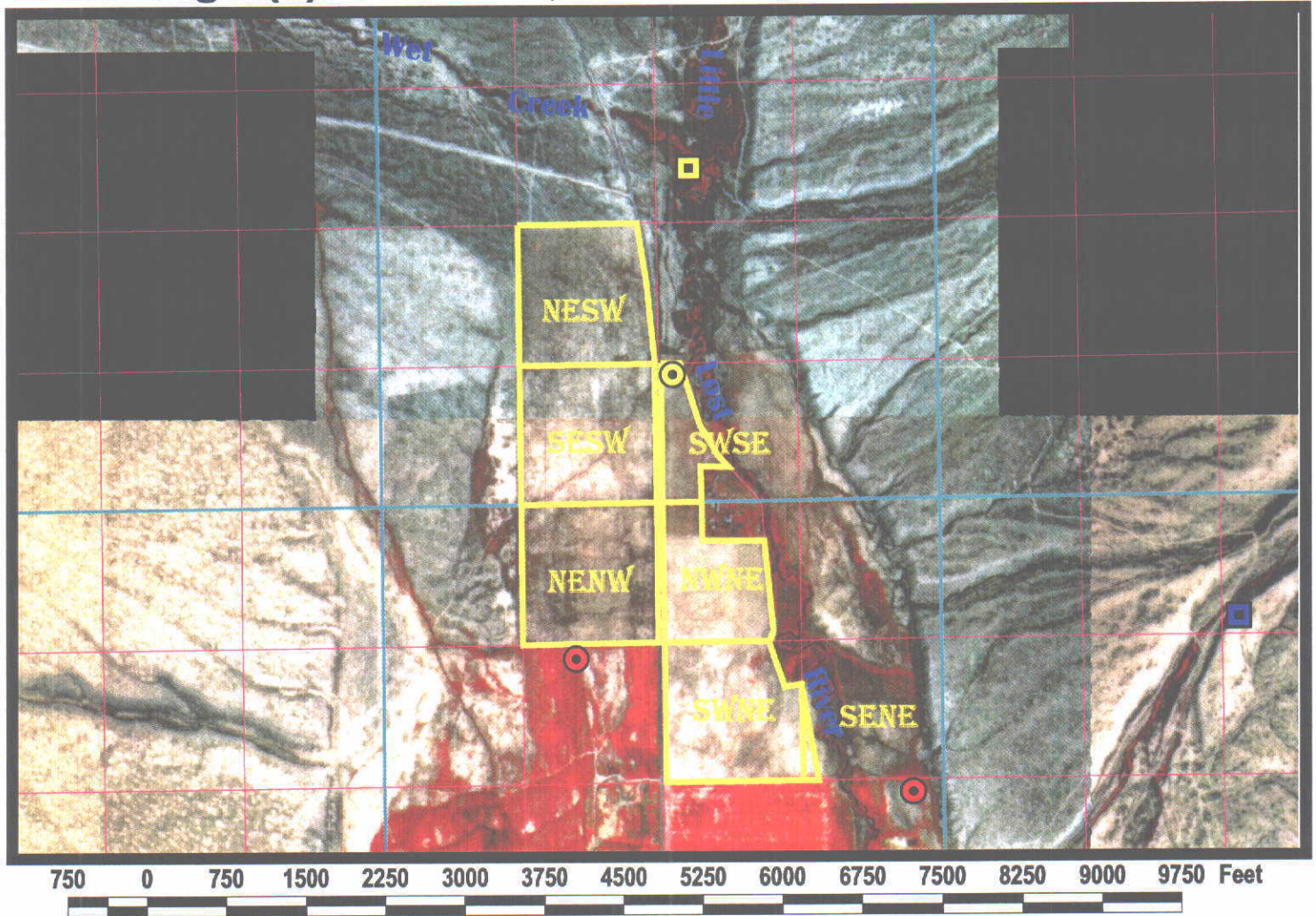
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Keith Waymire

Water Right(s): 33-02089, 33-00088, 33-00089, 33-00093D



LEGEND



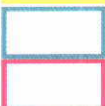
Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line



Quarter-section line

Place(s) of Use: T.9N., R.27E.

Sec. 4 (parts of) E2SW, SWSE,
Sec. 9 (parts of) NWNE, W2NE,
SENE

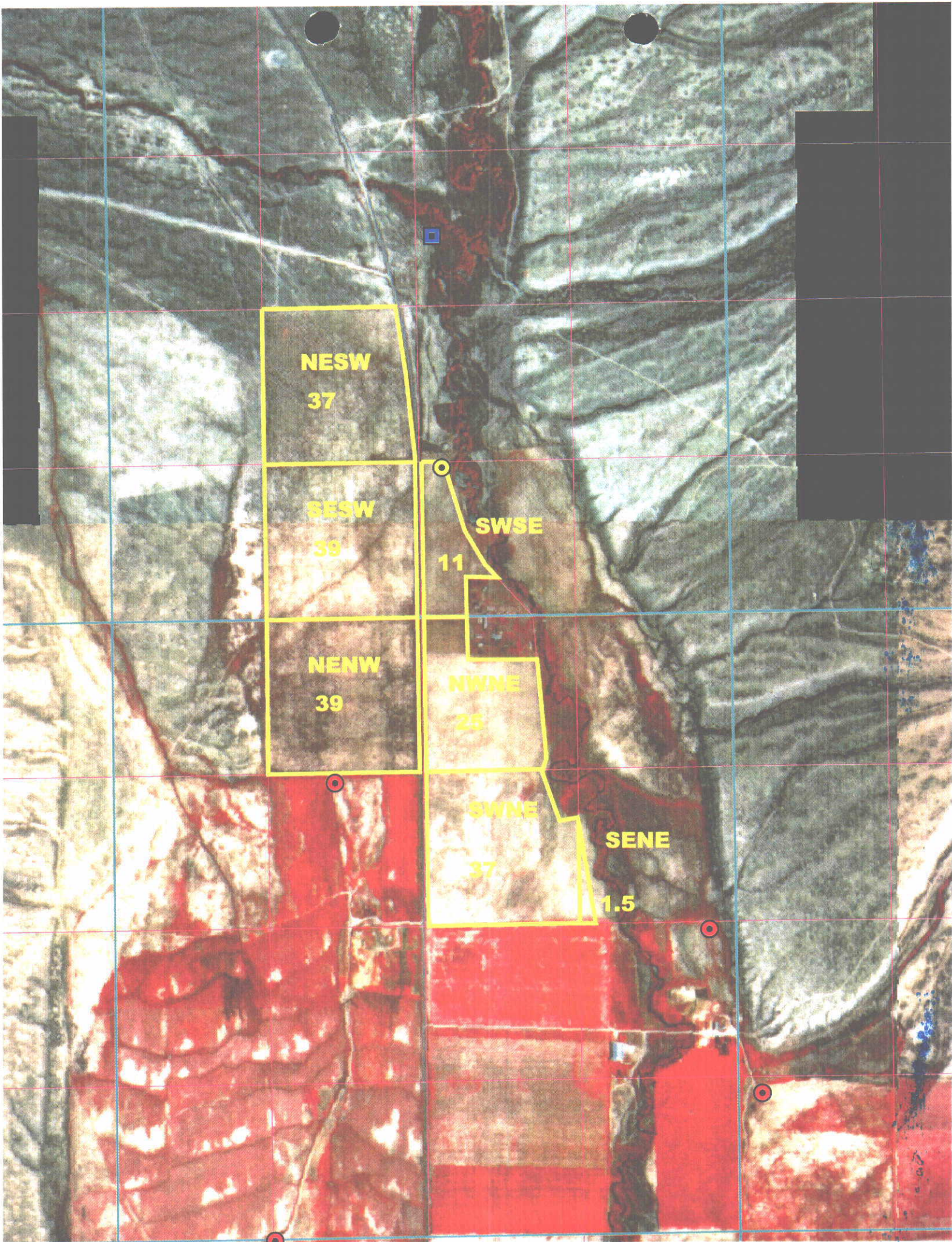
Point(s) of Diversion: T.9N., R.27E.

Sec. 4 SWSWNE (surface)
Sec. 4 NWSWSE (well)

**NOTE: Place of use revised per Notice
of Error process and filing of 33-00093D.**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: January 2000



RECEIVED

NOV 30 2000

Department of Water Resources

200 NOV 29 AM 8:47

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase: 33-00088 and 33-00089

ORDER GRANTING MOTION TO
AMEND CLAIM AND SETTING
SUBCASE DEADLINES

On October 24, 2000, the claimants Keith and Connie Waymire filed *Motions to Amend Claim* in the above subcases. Notice of the *Motions to Amend Claim* ^{was} ~~were~~ placed on the Docket Sheet, and a hearing was held on November 28, 2000. There was no opposition to the *Motions to Amend Claim*. Therefore, IT IS ORDERED that the *Motions to Amend Claim* in the above subcases, are granted. IT IS FURTHER ORDERED that the following deadlines shall apply for proceeding in these subcases:

December 28, 2000 5:00 pm

Deadline for Amended Director's Reports.

January 26, 2001 5:00 pm

Deadline for Objections to Amended Director's Reports.

February 9, 2001 5:00 pm

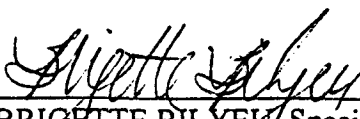
Deadline for Responses to Objections

February 13, 2001 10:00 am

TELEPHONE STATUS CONFERENCE

Location: SRBA District Court
253 Third Avenue North
Twin Falls, ID 83301

DATE November 29, 2000.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

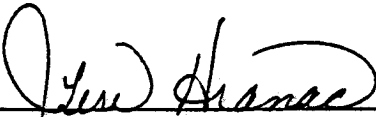
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO AMEND CLAIM AND SETTING SUBCASE DEADLINES was mailed on November 29, 2000, with sufficient first-class postage to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

United States Dept. of Justice
Environment & Natural Resources Div.
550 W. Fort Street, MSC 033
Boise, ID 83724

Keith and Connie Waymire
PO Box 47
Howe, ID 83244



Deputy Clerk

East
W

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

SUBCASE NO: 33-00089

(Insert Water Right Number)

Waymire

STANDARD FORM 4

MOTION TO FILE:

☐ LATE NOTICE OF CLAIM

☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

MAIL



☒ I have read SRBA Administrative Order 1, Rules of Procedure (amended Sept. 30, 1996).

My name is:

KEITH WAYMIRE AND CONNIE A. WAYMIRE
PO Box 47
Howe ID 83244

My address is:

My phone number is:

Work: () _____

Home: ²⁰⁸() 767-3035

I am an attorney representing:

My name is:

My address is:

My phone number is: () _____

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources (IDWR). Leave to amend a claim shall be freely given when justice so requires.

☒ I must amend my Notice of Claim to the use of water in the SRBA because:

- ① THE POINT OF DIVERSION WAS CLAIMED IN
THE WRONG QUANTON-QUANTON
- ② LOT NUMBERS WERE PROVIDED BY BLM TO ACCURATELY
DESCRIBE PDEE ON PRIVATE LANDS

☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of _____

County of _____

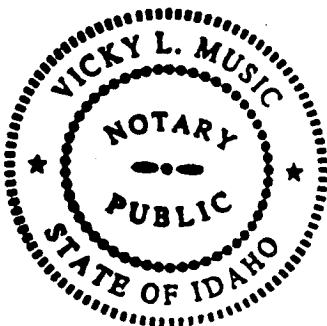
_____, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A (1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Keith O. Waymire
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 10/24/00
(Insert Date)



Vicky L. Music

Notary Public for Idaho

Residing at: Boise, ID

My Commission expires: 1/26/06

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on oct 24, 2000, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository *Hand*
P. O. Box 83720
Boise, Idaho 83720-0098

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

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or Special Master, you must serve a copy on all parties to that subcase.

(Insert Names Addresses of parties)

Keith D. Desjardine
Signature of person or attorney mailing the form

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 33-00007

Date Received _____

Receipt Number _____

AMENDED

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Kent H. Wayne & Wynne L. Wayne Phone (208) 767-3035

Mailing Address Box 47 Howe Idaho Zip 83244

2. Date of Priority (Only one (1) per claim) APR 7/24/1905

3. Source of water supply (a) WEST CREEK
which is tributary to (b) LITTLE LOST RIVER

4. a. Location of existing point of diversion is: Township 9N Range 27E Section 4
SW 1/4 of SW 1/4 of NE 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 _____ 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.

HEADGATE SEE STREAM

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04-01 to 11-01 amount 0.2 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ 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
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>9N</u>	<u>27E</u>	<u>4</u>																	
		<u>9</u>			<u>LB</u>	<u>LB</u>	<u>LB</u>				<u>37</u>			<u>39</u>			<u>45</u>		
					<u>25</u>	<u>37</u>	<u>37</u>	<u>39</u>									<u>11</u>		
							<u>KW 1.5</u>												

Total number of acres irrigated _____

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.
33-00088, 33-00093D, 33-00093W, 33-02089 (well)

or None ()

14. Remarks:

Last Name _____ Ident No. _____

Copies: White-Suite, Yellow-Custodian

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

Scale: 2 Inches equals 1 mile

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32
33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48
49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64
65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80
81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96
97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112
113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128
129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144
145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160
161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176
177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192
193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208
209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224
225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240
241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256
257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272
273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288
289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304
305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320
321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336
337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352
353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368
369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384
385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400
401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416
417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432
433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448
449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464
465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480
481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496
497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512
513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528
529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544
545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560
561	562	563	564	565	566	567	568	569	570	571	572	573	574	575	576
577	578	579	580	581	582	583	584	585	586	587	588	589	590	591	592
593	594	595	596	597	598	599	600	601	602	603	604	605	606	607	608
609	610	611	612	613	614	615	616	617	618	619	620	621	622	623	624
625	626	627	628	629	630	631	632	633	634	635	636	637	638	639	640
641	642	643	644	645	646	647	648	649	650	651	652	653	654	655	656
657	658	659	660	661	662	663	664	665	666	667	668	669	670	671	672
673	674	675	676	677	678	679	680	681	682	683	684	685	686	687	688
689	690	691	692	693	694	695	696	697	698	699	700	701	702	703	704
705	706	707	708	709	710	711	712	713	714	715	716	717	718	719	720
721	722	723	724	725	726	727	728	729	730	731	732	733	734	735	736
737	738	739	740	741	742	743	744	745	746	747	748	749	750	751	752
753	754	755	756	757	758	759	760	761	762	763	764	765	766	767	768
769	770	771	772	773	774	775	776	777	778	779	780	781	782	783	784
785	786	787	788	789	790	791	792	793	794	795	796	797	798	799	800
801	802	803	804	805	806	807	808	809	810	811	812	813	814	815	816
817	818	819	820	821	822	823	824	825	826	827	828	829	830	831	832
833	834	835	836	837	838	839	840	841	842	843	844	845	846	847	848
849	850	851	852	853	854	855	856	857	858	859	860	861	862	863	864
865	866	867	868	869	870	871	872	873	874	875	876	877	878	879	880
881	882	883	884	885	886	887	888	889	890	891	892	893	894	895	896
897	898	899	900	901	902	903	904	905	906	907	908	909	910	911	912
913	914	915	916	917	918	919	920	921	922	923	924	925	926	927	928
929	930	931	932	933	934	935	936	937	938	939	940	941	942	943	944
945	946	947	948	949	950	951	952	953	954	955	956	957	958	959	960
961	962	963	964	965	966	967	968	969	970	971	972	973	974	975	976
977	978	979	980	981	982	983	984	985	986	987	988	989	990	991	992
993	994	995	996	997	998	999	1000	1001	1002	1003	1004	1005	1006	1007	1008
1009	1010	1011	1012	1013	1014	1015	1016	1017	1018	1019	1020	1021	1022	1023	1024
1025	1026	1027	1028	1029	1030	1031	1032	1033	1034	1035	1036	1037	1038	1039	1040
1041	1042	1043	1044	1045	1046	1047	1048	1049	1050	1051	1052	1053	1054	1055	1056
1057	1058	1059	1060	1061	1062	1063	1064	1065	1066	1067	1068	1069	1070	1071	1072
1073	1074	1075	1076	1077	1078	1079	1080	1081	1082	1083	1084	1085	1086	1087	1088
1089	1090	1091	1092	1093	1094	1095	1096	1097	1098	1099	1100	1101	1102	1103	1104
1105	1106	1107	1108	1109	1110	1111	1112	1113	1114	1115	1116	1117	1118	1119	1120
1121	1122	1123	1124	1125	1126	1127	1128	1129	1130	1131	1132	1133	1134	1135	1136
1137	1138	1139	1140	1141	1142	1143	1144	1145	1146	1147	1148	1149	1150	1151	1152
1153	1154	1155	1156	1157	1158	1159	1160	1161	1162	1163	1164	1165	1166	1167	1168
1169	1170	1171	1172	1173	1174	1175	1176	1177	1178	1179	1180	1181	1182	1183	1184
1185	1186	1187	1188	1189	1190	1191	1192	1193	1194	1195	1196	1197	1198	1199	1200
1201	1202	1203	1204	1205	1206	1207	1208	1209	1210	1211	1212	1213	1214	1215	1216
1217	1218	1219	1220	1221	1222	1223	1224	1225	1226	1227	1228	1229	1230	1231	1232
1233	1234	1235	1236	1237	1238	1239	1240	1241	1242	1243	1244	1245	1246	1247	1248
1249	1250	1251	1252	1253	1254	1255	1256	1257	1258	1259	1260	1261	1262	1263	1264
1265	1266	1267	1268	1269	1270	1271	1272	1273	1274	1275	1276	1277	1278	1279	1280
1281	1282	1283	1284	1285	1286	1287	1288	1289	1290	1291	1292	1293	1294	1295	1296
1297	1298	1299	1300	1301	1302	1303	1304	1305	1306	1307	1308	1309	1310	1311	1312
1313	1314	1315	1316	1317	1318	1319	1320	1321	1322	1323	1324	1325	1326	1327	1328
1329	1330	1331	1332	1333	1334	1335	1336	1337	1338	1339	1340	1341	1342	1343	1344
1345	1346	1347	1348	1349	1350	1351	1352	1353	1354	1355	1356	1357	1358	1359	1360
1361	1362	1363	1364	1365	1366	1367	1368	1369	1370	1371	1372	1373	1374	1375	1376
1377	1378	1379	1380	1381	1382	1383	1384	1385	1386	1387	1388	1389	1390	1391	1392
1393	1394	1395	1396	1397	1398	1399	1400	1401	1402	1403	1404	1405	1406	1407	1408
1409	1410	1411	1412	1413	1414	1415	1416	1417	1418	1419	1420	1421	1422	1423	1424
1425	1426	1427	1428	1429	1430	1431	1432	1							

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
 Decree X
 If applicable provide IDWR Water Right Number 33-00089
 Court _____ Case Number _____ Decree Date _____
 Plaintiff vs Defendant _____

16. Signature (a)

(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) Keith Wayne Date Oct 24-2000

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____
 Organization _____ that I have signed the foregoing document in the space below as _____

Title _____ of _____
 Organization _____
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho _____)
 County of Ada) SS.

Subscribed and sworn (as attested) before me this

24th day of October 2000

Notary Public Vicky L. MUGIC

Residing at BRISQ ID

My Commission Expires 1/21/06

Please Print Name VICKY L. MUGIC

17. Notice of Appearance
 Notice is hereby given that I, _____

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 _____

Last Name _____ Ident Number _____

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	SECTION	SUBSECTION	DATE
1	1	1	
2	1	2	
3	1	3	
4	1	4	
5	1	5	
6	1	6	
7	1	7	
8	1	8	
9	1	9	
10	1	10	
11	1	11	
12	1	12	
13	1	13	
14	1	14	
15	1	15	
16	1	16	
17	1	17	
18	1	18	
19	1	19	
20	1	20	
21	1	21	
22	1	22	
23	1	23	
24	1	24	
25	1	25	
26	1	26	
27	1	27	
28	1	28	
29	1	29	
30	1	30	
31	1	31	
32	1	32	
33	1	33	
34	1	34	
35	1	35	
36	1	36	

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

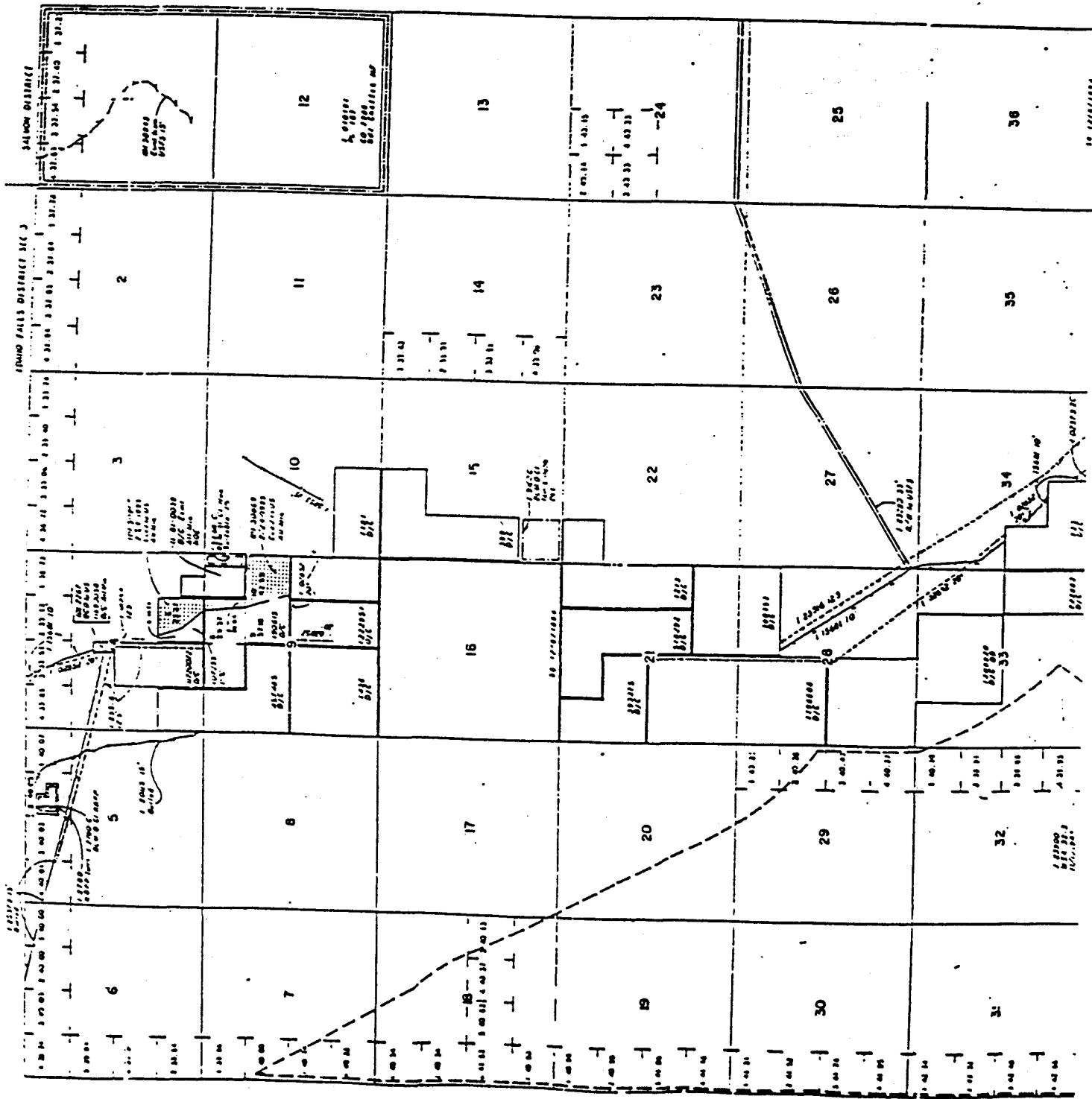
10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

10/10/1971 by the BLM (441 of 500, 2/2/2000)
Completed 10/10/1971, all of section 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36

Received 10/24/2000 BWR



NESW

SH

SENE

11 April 2000

Bureau of Land Management, April 2000

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).

*SAS ATTACHED
LIST OF SAs
OR RIGHT S.*

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.

33-00036
00037
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
33-7087

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.

33-00051 THRU
33-00060

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.

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:

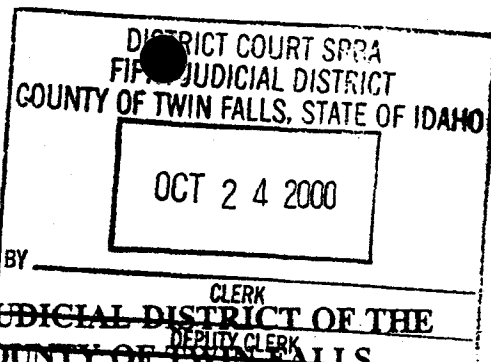
R33-00023B
R33-00030
R33-00043
R33-00077
R33-10070
R33-10073
R33-10084
R33-10086

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"



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Subcase(s): 33-00088, 33-00089

ORDER SETTING HEARING

☒ The court sets the following hearing in the above subcase(s):
Motion to Amend Claim

☐ Status Conference

☐ Settlement Conference

☐ Scheduling Conference

Date: November 28, 2000 2:30 pm phone

Location: SRBA Court 2:30 pm phone

DATED: 10/24/2000.

Brigitte Bilyeu
BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Order was hand delivered to the following:

Representative of:
Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Keith Waymire

Representative of:
United States Dept. of Justice
Environment & Natural Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Teri Hranac
Deputy Clerk

DISTRICT COURT SRBA FIFTH JUDICIAL DISTRICT COUNTY OF TWIN FALLS, STATE OF IDAHO OCT 24 2000 CLERK DEPUTY CLERK
--

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

SUBCASE NO: 33-00089

(Insert Water Right Number)

STANDARD FORM 4

MOTION TO FILE:

☐ LATE NOTICE OF CLAIM

☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read SRBA Administrative Order 1, Rules of Procedure (amended Sept. 30, 1996).

My name is: KEITH WAYMIRE AND CONNIE A. WAYMIRE
PO Box 47
Howe ID 83244

My address is: _____

My phone number is: Work: () _____ Home: ²⁰⁸ () 767-3035

I am an attorney representing: _____

My name is: _____

My address is: _____

My phone number is: () _____

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources (IDWR). Leave to amend a claim shall be freely given when justice so requires.

☒ I must amend my Notice of Claim to the use of water in the SRBA because:

- ① THE POINT OF DIVERSION WAS CLAIMED IN
THE WRONG QUANTON - QUANTON
- ② LOT NUMBERS WERE PROVIDED BY BLM TO ACCURATELY
DESCRIBE POOL ON PRIVATE LANDS

☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of _____

County of _____

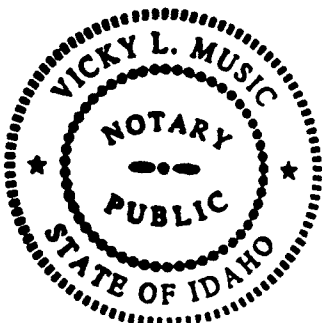
_____, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A (1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Keith O. Waymire
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 10/24/00
(Insert Date)



Vicky L. Music

Notary Public for Idaho

Residing at: Boise, ID

My Commission expires: 1/26/06

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on oct 24, 2000, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository *Hand*
P. O. Box 83720
Boise, Idaho 83720-0098

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

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or Special Master, you must serve a copy on all parties to that subcase.

(Insert Names Addresses of parties)

Keith D. Wasmire
Signature of person or attorney mailing the form

Form No. 42-1408 (2) 1/88

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 33-0007

Date Received _____

Receipt Number _____

AMENDED

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Keith Wayne Neal Connors & Wayne Phone (208) 767-3035Mailing Address Pox 47 Howe Idaho Zip 832442. Date of Priority (Only one (1) per claim) APR 7/24/19053. Source of water supply (a) WGT CREEK
which is tributary to (b) LITTLE LOST RIVER4. a. Location of existing point of diversion is: Township 9N Range 27E Section 4
SW 1/4 of SW 1/4 of NE 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 _____ 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.HEADGATE OFF STREAM

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For IRRIGATION purposes from 04-01 to 11-01 amount 0.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ 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
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>9N</u>	<u>27E</u>	<u>4</u>																	
		<u>9</u>			<u>LB</u> <u>25</u>	<u>L9</u> <u>37</u>	<u>L9</u> <u>37</u>	<u>39</u>			<u>37</u>			<u>39</u>			<u>LB</u> <u>11</u>		
						<u>KW</u> <u>1.5</u>													

Total number of acres irrigated _____

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.

33-00088, 33-00093D, 33-~~000~~ 02089 (weu) or None ()

14. Remarks:

Last Name _____ Ident No. _____

Copies: White-Suite, Yellow-Calcium

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

Scale: 2 inches equals 1 mile

A large grid of graph paper, consisting of 20 columns and 20 rows of squares. Each square contains a dashed crosshair. In the center of the grid, the text "5x8 GDS" is written in a stylized, handwritten font. The grid is used for technical drawing or layout design.

Last Name _____ Ident No. _____

Copies: White-Stone, Yellow-Cutmanu

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
 Decree X
 If applicable provide IDWR Water Right Number 33-00089
 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 9

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Krith D. WayneDate Oct 24, 2000

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____
 Organization _____, that I have signed the foregoing
 document in the space below as _____ of _____
 Title _____ Organization _____

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho forCounty of Ada

SS.

Subscribed and sworn (or affirmed) before me this

24th

day of

October2000

-19-

Notary Public

Residing at

Boise ID

My Commission Expires

1/27/06

Please Print Name

Vicky L. MUGIC

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 _____

Last Name _____

Ident. Number _____

Copies: White-State, Yellow-Claimant

MI PLAT

[illegible]

1 010191 Oct 14 1967 (Act of Cong 7/22/1955)
completed 4/14/1961, all of surface Map by
MSF

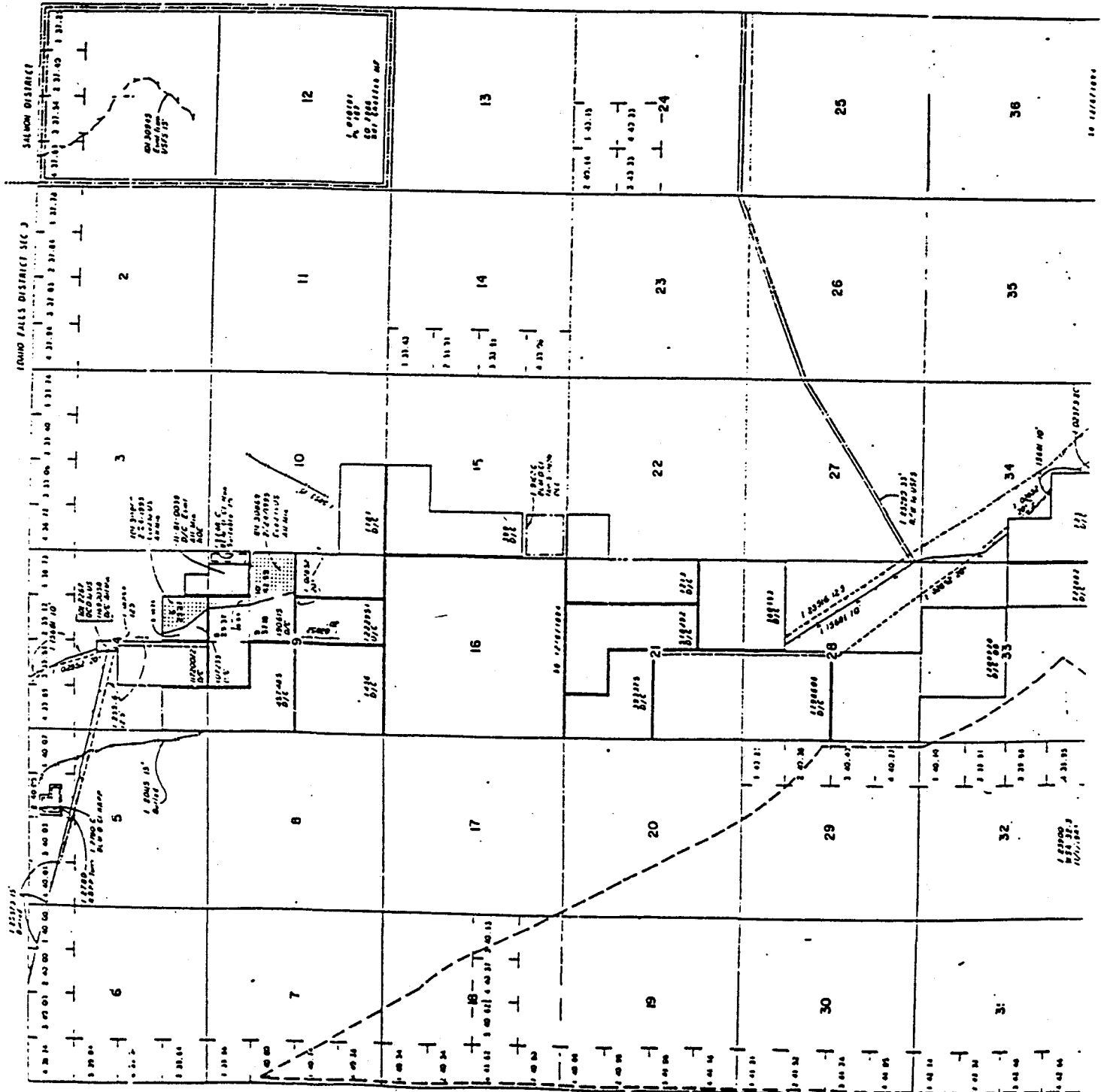
344192.00 msl to 1 N. pgs 1 d d b b 0842 104

UNCLASSIFIED DOCUMENTS

[illegible]

017 267

RECEIVED 10/24/2000 J.D.W.R.



NESW

SW

NE

39

SENE

1.5

RECEIVED

APR 10 2000

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase 33-00089

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

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

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

Daytime Phone: see below

Name & Address of Attorney, if any:

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

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

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

Name: Keith D. & Connie A. Waymire

Address: P.O. Box 47 Howe, ID. 83244

Name:

Address:

Name:

Address:

Name:

Address:

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

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☒ **Point(s) of Diversion**

Should be: See attached

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POD. Claimant's water right should not include this POD. Is this a typographical error? Several Places of use describe both federal and private land, the description should be specific enough to exclude Federal Land.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of Ada)

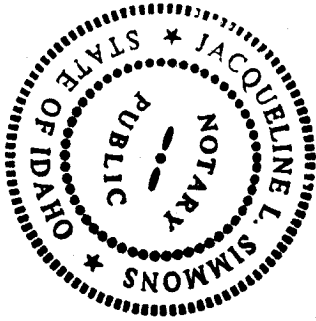
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

Fredric W. Price
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 7, 2000



Jacqueline L. Simmons
Jacqueline L. Simmons

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 04-07-2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 7, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: Keith D. & Connie A. Waymire

Address: P.O. Box 47 Howe, ID. 83244

Name:

Address:

Name:

Address:

Name:

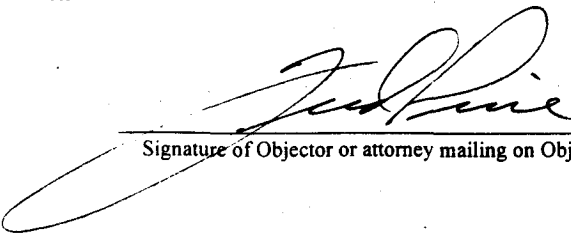
Address:

3. Copies to:

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

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

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



Signature of Objector or attorney mailing on Objector's behalf

RIGHTS FROM: SOURCE: WET CREEK TRIBUTARY: LITTLE LOST RIVER

RIGHT NUMBER: 33-00089

NAME & ADDRESS: CONNIE A WAYMIRE
KEITH D WAYMIRE
PO BOX 47
HOWE ID 83244

SOURCE: WET CREEK

TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 0.2 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.79 CFS. COMBINED RIGHT NOS.:
33-02089, 33-00088, 33-00093D.

PRIORITY DATE: 07/24/1905

POINT OF DIVERSION: T09N R27E S04

IS THIS A TYPOGRAPHICAL ERROR?
SWNNWNE BLM - PD NOT USED Within BUTTE County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 11-01

QUANTITY
0.2 CFS

PLACE OF USE: IRRIGATION
T09N R27E S04
S09
189.5 ACRES TOTAL

Within BUTTE County
NESW 37
LOT 8 NWNE 25
SESW 39
SWNE 37
LOT 9
LOT 5 SWSE 1.5
LOT 6 SENE 1.5
NENW 39

Mixed ownership
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 189.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02089, 33-00088, AND
33-00093D.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

504 SWSE → LOT 5 = PRIVATE
LOT 6 = BLM

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.

509 NWNE → LOT 8 = PRIVATE
LOT 7 = BLM

SWNE → LOT 9 = PRIVATE
LOT 10 = BLM

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

SENE → LOT 9 = PRIVATE
LOT 10 = BLM

Issue:

Point of diversion on BLM

Circled places of use are mixed ownership
between BLM and private

→ Claimant needs to clarify
lot numbers for places of use

→ Farming on public land is not
authorized

RIGHTS FROM:	SOURCE: WET CREEK	TRIBUTARY: LITTLE LOST RIVER
RIGHT NUMBER:	33-00089	(CONT)

EXPLANATORY MATERIAL: (CONT)

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.
RIGHT NO. 33-00088 AND 33-00093D ARE ALSO DIVERTED THROUGH THE
POINT OF DIVERSION DESCRIBED ABOVE.

A33-00089

McDaniel's Press
UNITED STATES OF AMERICA, ACTING

USDA, FMWA

3232 ELDER ST.

BOISE

ID 83705

Donato Pen
42-222 IC
POAF81 JNR8



A3300089

January 12, 2000

**NOTICE OF ERROR
REPLY**

RECEIVED

JAN 19 2000

Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: January 21, 2000

Water right number: 33-00089

CONNIE A WAYMIRE
KEITH D WAYMIRE
PO BOX 47
HOWE ID 83244

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 1/18/00 SIGNATURE: Keith Waymire
Please print your name: _____

November 23, 1999

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 10, 1999

Water right number: 33-00089

KEITH D WAYMRE
PO BOX 47
HOWE ID 83244

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Has Been Delivered as Dry Creek

2. Describe the changes you wish to make in the proposed recommendation:

Change from wet creek

Change to Permissible Place of Use.

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/15/99

SIGNATURE: *Keith D Waymre*

Please print your name: *Keith D Waymre*

Changed per telecon 1/11/2k

33-00089

SERVICE
ESTED

RECEIVED
DEC 2 1969
Department of Water Resources
Eastern Region



UNDELIVERABLE AS ADDRESSED -
NO FORWARDING ORDER ON FILE

LOS
307

R33-00089
UNITED STATES OF AMERICA ACTIN
USDA FARM SERVICES AGENCY
3232 ELDER ST

BOISE ID 83705

(208)
378-5650
9173 W. Barnes
Ste B
Boise ID 83709
Change address +
phone on E
records + re-
cord

Ruberry, Allen

From: Denniston, Sara
Sent: Tuesday, July 27, 1999 1:34 PM
To: Ruberry, Allen
Subject: Weymeyer

Hello,

Have you heard anything from either Mr. Weymeyer or the FSA on a change of ownership? If not, let's go ahead and recommend this right for disallowal in the preliminary report, and hopefully that will motivate Mr. Weymeyer to provide a change of ownership before the final report goes out.

10/19/99 No Response

*CC: A33-02089
A33-000088
A33-000089*

BY THE FmHA, BUT SINCE THE COURT RULLED THAT THE GOVT DID NOT HAVE TO PAY FILING FEES AND THAT THE KRYMARIO'S ARE THE "NOW" OWNERS BY CONTRACTUAL DUES - NOW SINCE ITS UNDER PRIVATE OWNERSHIP FEES ARE DUE AND CHANGE OF OWNERSHIP IS REQUIRED. THESE THINGS HAVE NOT BEEN DONE. NOW, SINCE NEW PRIVATE OWNERSHIP IS BEING PAID BUT, WIFE (A.J.) HAS BEEN USED. I DWRITE, AT THIS TIME WILL ATTORNEY: 1.) RECOMMEND A.J. CLAIMS IN THE NAME OF FmHA - OR - 2.) DISALLOW THE CLAIMS DUE TO INSUFFICIENT FEES (FEES NOT PAID). BUT, AS OF TODAY, THERE IS NO RECOMMENDATION OF REPAIRS TO THESE CLAIMS. NO WORK OF CHANGE OF OWNERSHIP.

The Question: Does the FmHA maintain on the state constitute the same FmHA position as CRP lands w/ W.R.'s? THAT BASED ON THE W.R.'S ARE DORMANT FOR THE CRP PERIOD.

MISS CAUSE CRITON TO DISCUSS MY ABOVE DISCUSSION AND REPAIRS. HIS IMPRESSION IS ALL IS ON RECOMMENDS TAKING TO FATER ANDERSON.

THE CAUSE FOR THE CASE: APPROPRIATE AN ATTORNEY CLAUDIA BANGOR REPRESENTS A SUIT IN A DISCRIMINATION SUIT BASED ON (INVOLUNTARY) CONDUCT - NO FURTHER DETAILS.

1052 TONY CUREY (DAVID LACEY, ATTORNEY FOR USA) INQUIRY INTO W.R.'S 33-0000000000, 020000, THE McDAVER'S PLACE. SHE AND ATTORNEY ARE CONCERNED WITH THE LEGALITY OF THE SAID DUE TO DISCRIMINATION. I EXPLAINED THE HISTORY OF THE W.R.'S ON THE McDAVER'S PLACE. NOW THEY WERE IN A MORTGAGE WITH FmHA BECAUSE THE PROPERTY COULD NOT BE SOLD DUE TO LOCAL ECONOMIC SITUATIONS. BUT HOW THE LANDS HAD BEEN LOANED FOR STOCK GETTING BUT NO WATER RIGHTS. THEN, IN 1996 THE PLACE WAS ADVERTISED FOR SALE AT \$112,000 BY W.R.'S - THE FmHA GOT CONCERNED ABOUT THE ABANDONMENT/FEARFULTY ISSUED. THE SAID WAS RECALLED - LATER RE-ADVERTISED AS "1994 LANDS OF DRY CROP LAND" FOR \$5,000. THE COURT CLAIM DUE WAS ISSUED DETERMINING THE W.R.'S (A.J. CLAIMS BY FmHA) IN DETAIL - KATH AND CONJUGS WASHINGTON WINS THE SUCCESSFUL BIDDERS. THEN ABOUT LATE 1996 (?) KATH WINS A CALL FOR THE S.W. - EVENTUALLY DAVID ANDERSON, WM B33, DELIVERED THE S.W. THE WALL WAS STARTED ABOUT THIS SAME TIME WITH HELP FROM SOME LOCAL (B33) PROPERTY OWNERS. FROM DAVID A. - I UNDERSTAND INQUIRIES HAVE BEEN MADE REGARDING THE W.R.'S; THOSE INQUIRIES WERE BY LOCALS AND ATTORNEY'S (UNKNOWN NAMES AND FOR REPRESENTATIONS). I.D. W.R.'S POSITION IS NEGATIVE "THERE IS A COLOR OF A W.R. - THEN THERE IS A W.R." SINCE NO LOCALS HAVE FORMALLY OBJECTED. THE PROBLEM WITH THE W.R. CLAIMS (A.J.'S) IS THIS - THE W.R.'S HAVE BEEN FILLED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:54
03/31/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A33-J0039

739

LAST: U.S. DEPT. OF AGRICULTURE
ADDRESS: FARMERS HOME ADMINISTRATION

CITY: 3232 ELDER ST.

PHONE NUMBER: 208-334-1577

OWNER CODE: K

FIRST:

STATE:

ID

ZIP: 83705

LAST: MONSON, ESQ.
ADDRESS: INDIAN RES SEC LND & NAT RES
US DEPT OF JUSTICE

CITY: 199 18TH ST STE 945

PHONE NUMBER: 303-294-1950

OWNER CODE: A

FIRST: PETER

STATE:

CO

ZIP: 80202

LAST: AMERICA, ACTING THROUGH

ADDRESS: USDA, FHMA

CITY: 5232 ELDER ST.

PHONE NUMBER: 208-334-1577

OWNER CODE: C

FIRST: UNITED STATES OF

STATE:

ID

ZIP: 83705

LAST: PECK

ADDRESS:

CITY:

PHONE NUMBER: 208-000-0000

OWNER CODE: D

FIRST: ROY

STATE:

ID

ZIP: 00000000

LAST: PECK

ADDRESS:

CITY:

PHONE NUMBER: 208-000-0000

OWNER CODE: D

FIRST: MAY

STATE:

ID

ZIP: 00000000

*Claim & amount
2/24/00 to correct 1st
POD read 1000 1000*

*Denial Resumption of
Right
Right is Denial pursuant
to 20-42-222 for FORFEITURE*

CITY: XXXXXXXXXXXXXXXXXXXX STATE: ID ZIP: 000000000
PHONE NUMBER: 208-000-0000

OWNER CODE: K

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE

Y

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS:

5. CON'T: AT NECK, SEC. 33, T10N, R25E B.M. IN CUSTER CO. THE
CANAL EMPTIES INTO NET CREEK AT SEC. 33, T10N, R25E B.M.
IN BUTTE COUNTY. THE WATER IS THEN DIVERTED OUT OF NET CREEK AT
THE ABOVE DIVERSION AND DELIVERED TO THE PROPERTY THROUGH A DITCH

cc: Comments

FIELD EXAMINATION INFORMATION

CONTACT PERSON: A. R. Banta PHONE NUMBER: () - - -

DATE OF FIELD EXAM: 11/1/86 APPOINTMENT MADE: Y() N() P()

CONTRACTED
ACCOMPLISHED BY: B. B. Banta PHONE NUMBER: (208) 522-3406

RELATIONSHIP TO CLAIMANT: - - -

DIRECTIONS TO PROPERTY / NOTES:

30 Nov 95 CALLUS FULTA Acre. Spoke to Russ Banta. FULTA REACQUIRED THIS PROPERTY 6/4/86.
IT WAS CONSIDERED BEING GRANTED: 5/15/90 TO 9/1/90 AND DURING 1984 BUT WAS REMOVED. CURRENT
SALE IS ADVERTISED AS \$82,000+ WHO WATER RIGHTS.
30 Nov 95 CONTACTED DAVID ANDERSON, WATERMASTER, DIST. 33. HE STATED THAT THE WTS. NOT DELIVERED
DURING WATER SINCE 1985. AND, WAS PERSONAL KNOWLEDGE THAT THE WELL WAS NOT USED
USED SINCE AT LEAST 1986 AND PROBABLY 1985 SINCE FULTA PURCHASED THE PROPERTY 6/4/86.

Condition:

POD 4 EVIDENCE / AS ORDERED

Remarks:

POD 4

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:07:54
03/31/95

PAGE: 12
QUICKLOOK INFORMATION

753
CLAIM NUMBER: A33-30089

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE		TELEPHON w/ BYER			ALL	ALL	ALL	ALL
POINT OF DIV	Y	DATA Fm HA, filed 30 NOV 95			30 NOV 95	30 NOV 95	30 NOV 95	30 NOV 95
SOURCE	Y	TELEPHON w/ DAVIS ADJUDICATION, WMD 1211 30 NOV 95						
PLACE OF USE	Y							
DIV. AMOUNT CF3/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

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

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

BAL COOR

RR 30

30 NOV 95

ALL

Cond / Remark

PdH PdH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:32:46
03/31/93
751

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A33-00089

OWNER CODE NAME & ADDRESS
C UNITED STATES OF AMERICA, ACTING THROUGH USDA, FHMA
3252 ELDER ST.
BOISE ID 83705
(208) 334-1577

PRIORITY DATE 04/15/1991 IRRIGATION

USE PERIOD FROM TO 04-01 11-01

DIVERSION RATE 1.60 CFS

DIVERSION VOLUME 1.60 CFS

295.0 AFA

WATER SOURCE: DRY CREEK

TRIBUTARY TO: LITTLE LOST RIVER

STAGE: DECREED

BUTTE COUNTY

POINT(S) OF DIVERSION: T09N R27E S04 NWNW

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

NE

WENE NW/4E SW/4E SENE : NENW NW/4E SW/4E SENE : SE

LT AC LT AC LT AC LT AC : LT AC LT AC LT AC LT AC : MESE NW/4E SW/4E SENE : SUN

09N 27E 4 : : : : 40 : : : : 118.0

TOTAL ACRES 118.0

POU COUNTY: BUTTE

OTHER RIGHTS: 33-02089

REMARKS: 5. CON'T: AT NEKNUC, SEC. 51, T10N, R25E B.M. IN CUSTER CO. THE CANAL EMPIES INTO WET CREEK AT SEKSEC, SEC. 53, T10N, R25E B.M. IN BUTTE COUNTY. THE WATER IS THEN DIVERTED OUT OF WET CREEK AT THE ABOVE DIVERSION AND DELIVERED TO THE PROPERTY THROUGH A DITCH

DATES: EXAM MADE DATES VERIFIED DATES

MISC: WATER DISTRICT NUMBER: 33 FIELD INSPECTION FLAG: PRESUMPTION FLAG:

DRIVER
RECEIVED
RECEIVED

RECEIVED
RR 30
30 Nov 95
ABN

Cano/Removal
APR 1997

ACCEPTED
AS CLAIMED

EXAMINER

CF5

**MR. RIGHT
NUMBERS**

CURRENT "R" CLAIM NUM.	"R" DIV. RATE
1	100
2	100
3	100
4	100
5	100
6	100
7	100
8	100
9	100
10	100
11	100
12	100
13	100
14	100
15	100
16	100
17	100
18	100
19	100
20	100
21	100
22	100
23	100
24	100
25	100
26	100
27	100
28	100
29	100
30	100
31	100
32	100
33	100
34	100
35	100
36	100
37	100
38	100
39	100
40	100
41	100
42	100
43	100
44	100
45	100
46	100
47	100
48	100
49	100
50	100
51	100
52	100
53	100
54	100
55	100
56	100
57	100
58	100
59	100
60	100
61	100
62	100
63	100
64	100
65	100
66	100
67	100
68	100
69	100
70	100
71	100
72	100
73	100
74	100
75	100
76	100
77	100
78	100
79	100
80	100
81	100
82	100
83	100
84	100
85	100
86	100
87	100
88	100
89	100
90	100
91	100
92	100
93	100
94	100
95	100
96	100
97	100
98	100
99	100
100	100

DIVERSION
RATE

33-00025A
33-00092E
33-00085
33-00093C
33-00089

0-580
0-590
2-925
5-200
0-200

1.205

**FIELD
EXAMINER**

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

DATE: _____

DATE: _____

FILE

FILE

A. AJ CLAIM: # 433-00089 PRIORITY DATE: 04-15-1891 STAGE: 0
B. WR RECORD: # 33-00089 PRIORITY DATE: 07-24-1905 STAGE: 0

C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) Y

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()

NOTES:

RECOMMENDED PRIORITY DATE:

REVIEWED BY DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TRP	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A33-00089	09N	27E	4		NW	NW		9UTTE

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

NR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: DRY CREEK TR18: LITTLE LOST RIVER

B. NR POINT OF DIVERSION AND SOURCE:

3300089 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: WET CREEK TR18: LITTLE LOST RIVER

C. FIELD EXAM REQUIRED?

DOE TO POD DISCREPANCY? (Y/N)	FIELD EXAMINER
DOE TO SOURCE DISCREPANCY? (Y/N)	

NOTES:

PAGE: 5
POINT OF DIVERSION REVIEW SHEET CONTINUED

RECOMMENDED POINT(S) TWP. RSE. SEC.	1/4	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---

SOURCE:

TRIM:

A. ROOT WATER RIGHT NUMBERS: A33-10073
A33-10074
A33-00089

9. POU LISTING

TRP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	UR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	27E	4	NE	SW		U.S. DEPT. OF AGRICULTURE	A33-00089 /40.0	/	37.0		
			NE	SW		MONSON, ESQ., PETER	A33-02089 /40.0	/			
09N	27E	4	SE	SW		U.S. DEPT. OF AGRICULTURE	A33-00089 /40.0	33-00089 /	40.0		
			SE	SW		MONSON, ESQ., PETER	A33-02089 /40.0	/			
09N	27E	4	SW	SE		U.S. DEPT. OF AGRICULTURE	A33-00089 /38.0	33-00089 /			
			SW	SE		MONSON, ESQ., PETER	A33-02089 /38.0	33-02089 /38.0			
TOTAL ACRES							A33-00089	118.00	77.00		

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

C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO POU DISCREPANCY? (Y/N) DATABASE Y
POU COUNTY: BUTTE

PRESUMPTION FLAG:
NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____
REVIEWED BY: _____ DATES: _____

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A33-00089 IRRIGATION	FROM 04-01 TO 11-01	1.600 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	1.600 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
33-00089 IRRIGATION	FROM TO	.200 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED	.200 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

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

EXPLAIN IN NOTES, BELOW.

NOTES:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 1-500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0-200 CFS

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

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 33-02089

LIST ALL RIGHTS WITH A SAME POW AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A33-00039	DRY CREEK	U.S. DEPT. OF AGRICULTURE	1-500	0-013	
A33-02039	GROUNDWATER	MONSON, ESQ., PETER	2-500	0-008	

NO RIGHTS WITH SAME POW BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

19. CALCULATIONS

1A. IRRIGATION RATE
ACRES _____ X 0.02 CFS/ACRE = _____ CFS
(TAKEN FROM P/D REVIEW)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 295.0 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

P/D NOT GIVEN.

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 1.600	DATABASE EXAMINER 295.0	DATABASE EXAMINER 295.0
TOTAL FOR THIS RIGHT		1.600		295.0

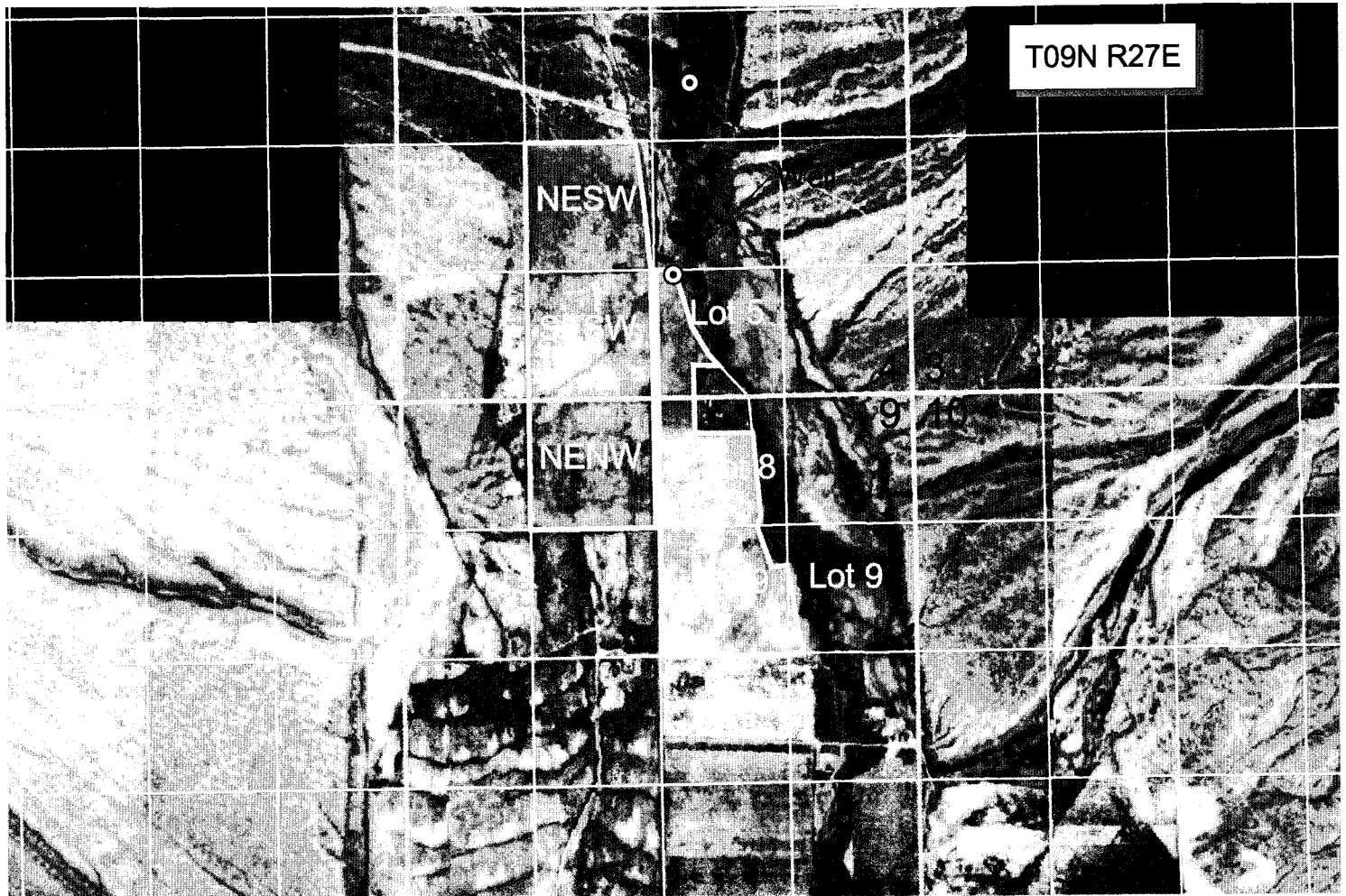
REVIEWED BY: DATE:



STATE OF IDAHO

Department of Water Resources

**Water Right(s): 33-88, 33-89,
33-93D, 33-2089**



0 2640 5280 7920 Feet

LEGEND

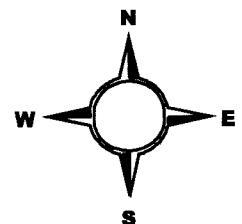


Point of Diversion

Place of Use

Section Line

Quarter-section line



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: November 2000

11/08/2000

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

RIGHT NUMBER: 33-89

NAME AND ADDRESS: CONNIE A WAYMIRE
KEITH D WAYMIRE
PO BOX 47
HOWE, ID 83244

SOURCE: WET CREEK	TRIBUTARY: LITTLE LOST RIVER
-------------------	------------------------------

QUANTITY: 0.2 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.79 CFS. COMBINED RIGHT
NOS.: 33-02089, 33-00088, 33-00093D

PRIORITY DATE: 07/24/1905

POINT OF DIVERSION: T09N R27E S4 ~~SWNWNE~~ SWSWNE Within BUTTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	0.20 CFS

PLACE OF USE:

<u>IRRIGATION Within BUTTE County</u>					
T09N R27E S4	NESW	37	T09N R27E S4	SESW	39
T09N R27E S4	SWSE	11	T09N R27E S9	NWNE	25
T09N R27E S9	SWNE	37	T09N R27E S9	SENE	1.5
T09N R27E S9	NENW	39			
189.5 ACRES TOTAL					

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 189.5 ACRES IN A
SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02089, 33-
00088, AND 33-00093D

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

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 -

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 33-00088 AND 33-00093D ARE ALSO DIVERTED THROUGH
THE POINT OF DIVERSION DESCRIBED ABOVE

BUTTE COUNTY 023

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

[illegible]

1 010191 Det PL 167 (Act of Cong 7/23/1955).
completed 2,74/1961. All NF surface Mgmt by
USFS

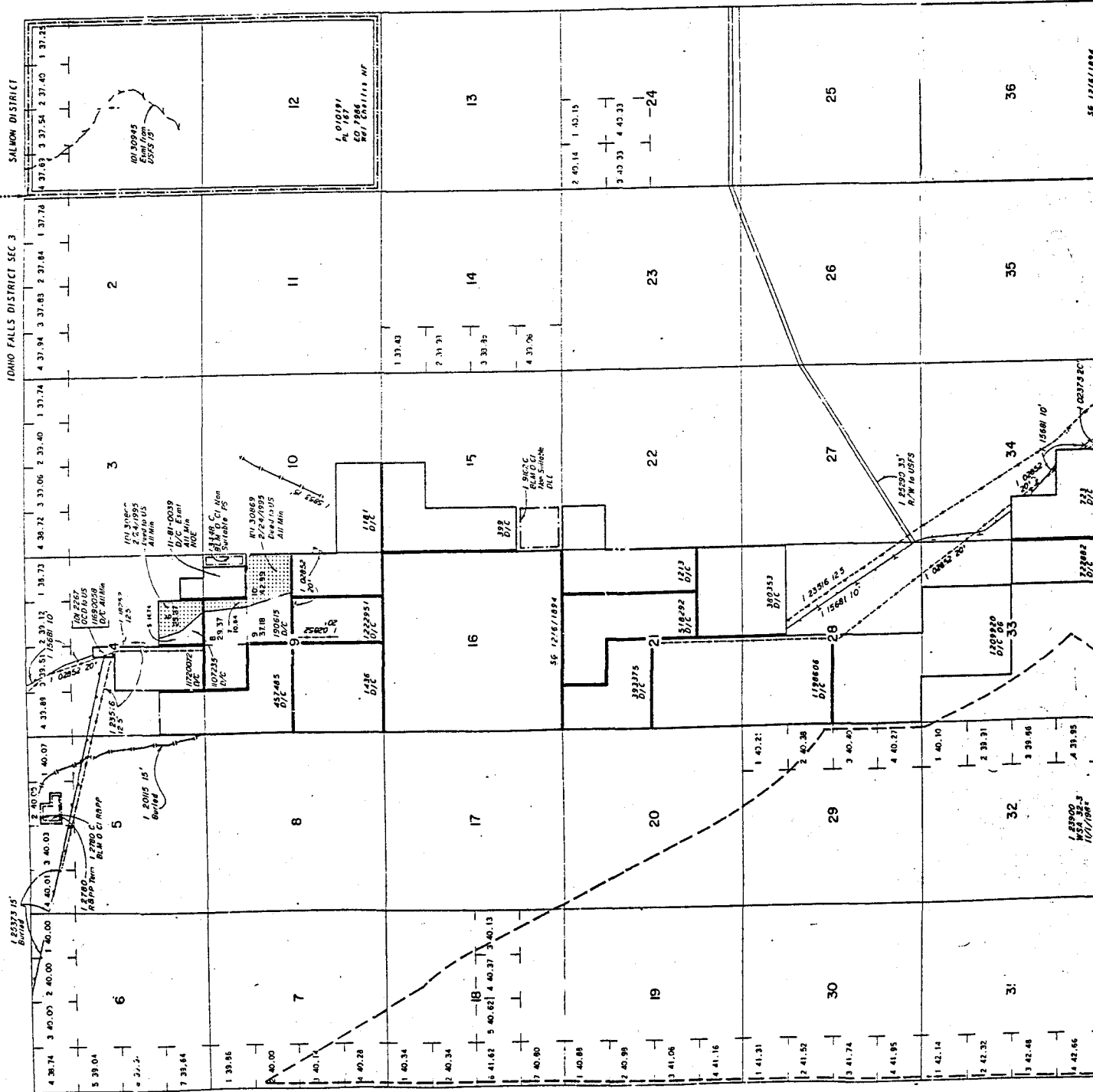
DOI 2780 RB PP Landfill Les Term 10/26/1991
Sec 5: S2NWNW1/4E, N2SWNW1/4E, N1/4SEWNW1/4E

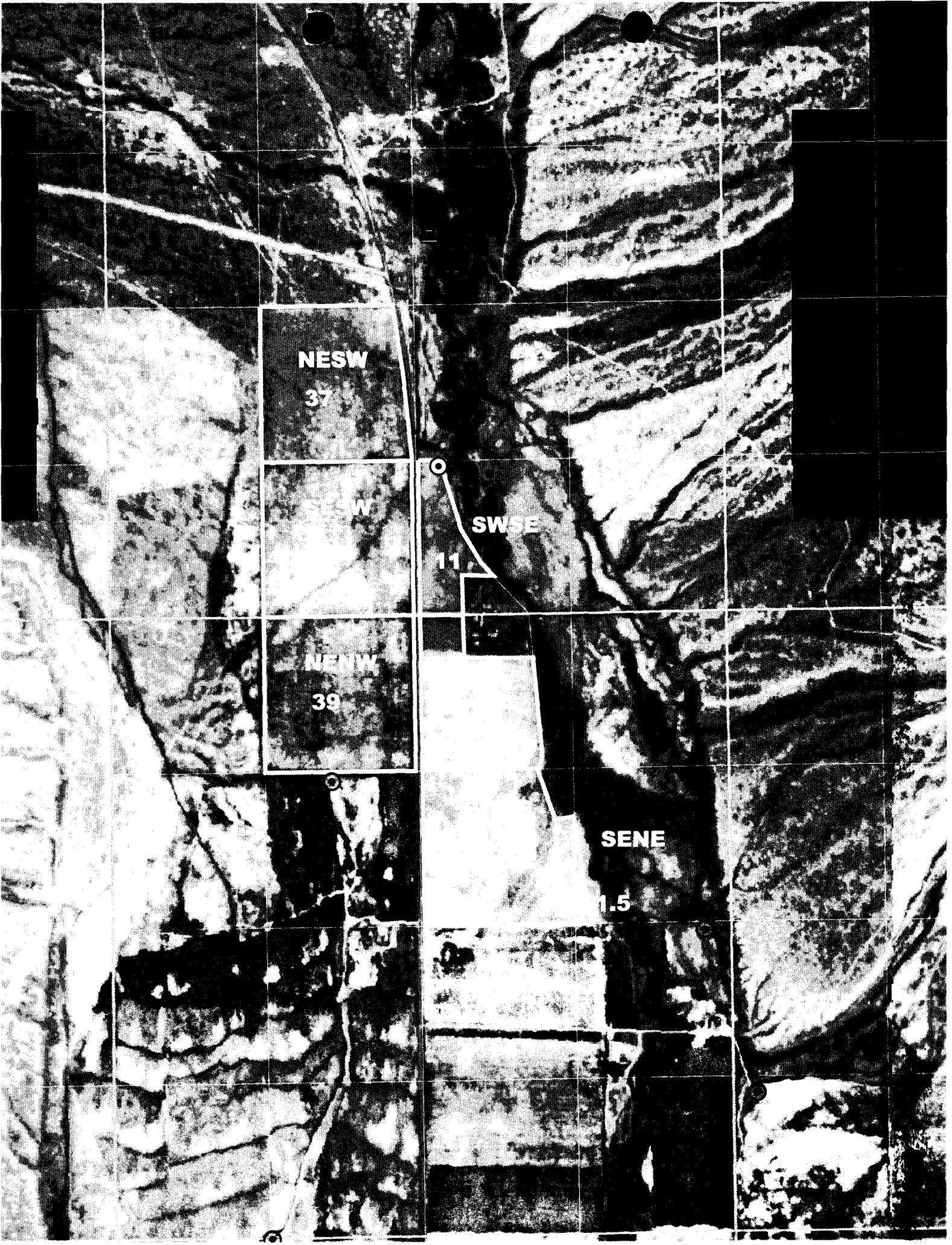
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
2001 11 15	

REF PLATS.

RECEIVED 10/24/2000 BWR





NESW

37

NENW

NENW

39

SWSE

11

SENE

1.5



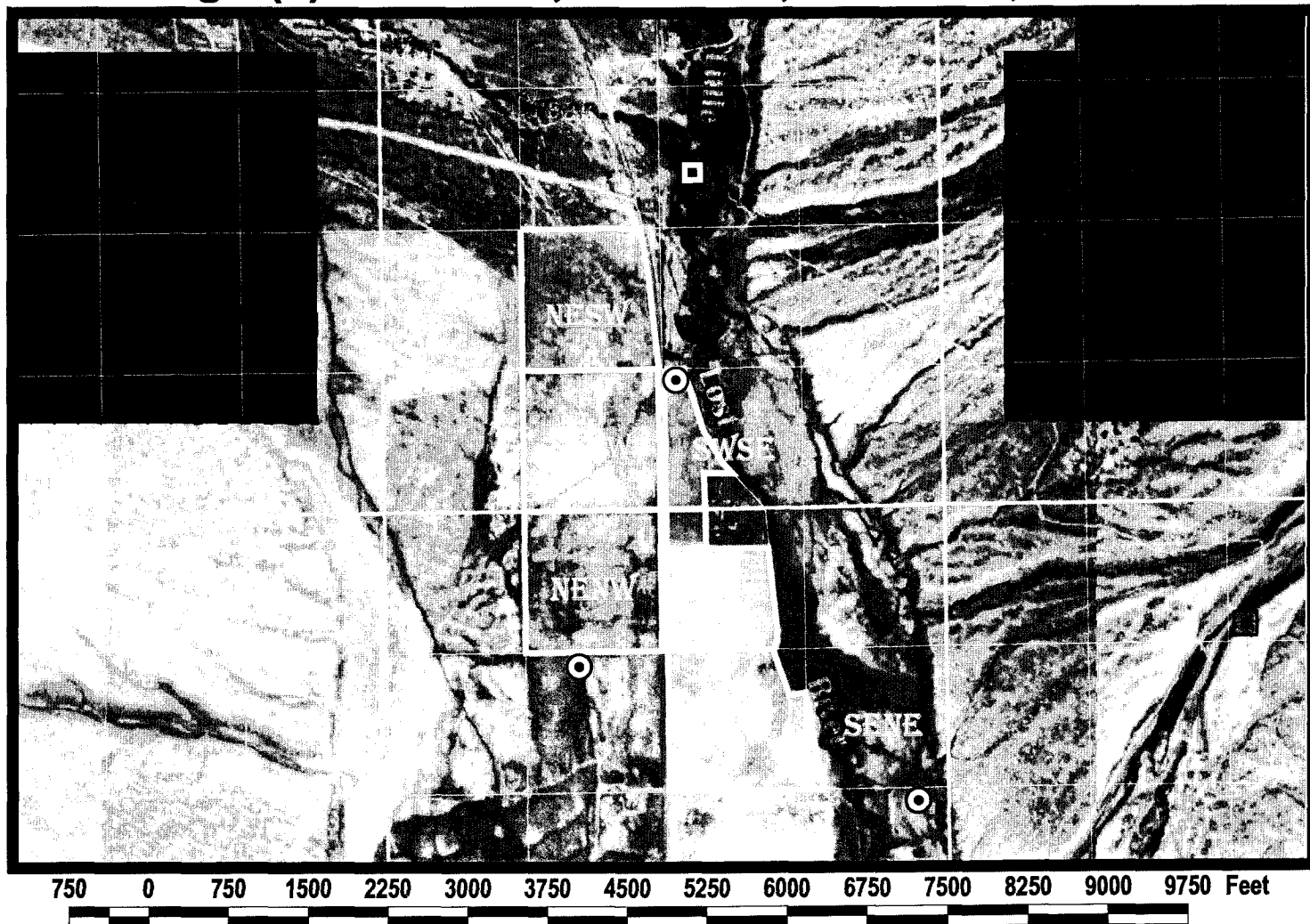
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Keith Waymire

Water Right(s): 33-02089, 33-00088, 33-00089, 33-00093D



LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use

Section Line

Quarter-section line

Place(s) of Use: T.9N., R.27E.

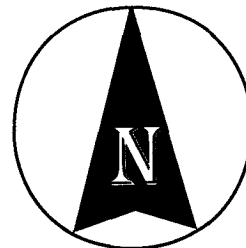
Sec. 4 (parts of) E2SW, SWSE,

Sec. 9 (parts of) NWNE, W2NE, SENE

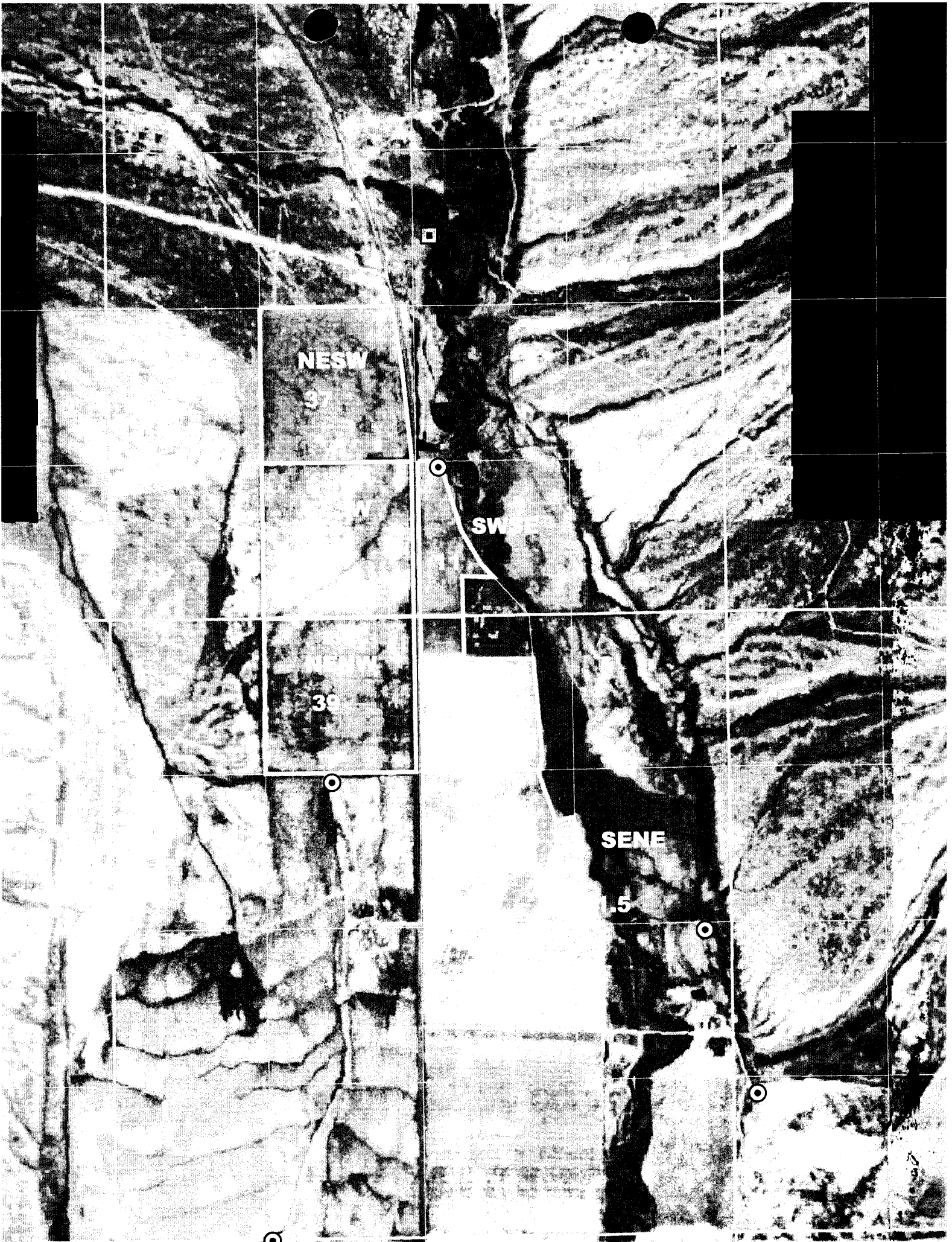
Point(s) of Diversion: T.9N., R.27E.

Sec. 4 SWSWNE (surface)

Sec. 4 NWSWSE (well)



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: January 2000



AJ0749NP
No. R33-00089

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

DATE: 01/11/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDA FARM SERVICES AGENCY 9173 W BARNES STE B BOISE ID 83709 (208) 378-5650	07/24/1905	IRRIGATION	04-01 11-01	0.200 CFS	
				TOTAL DIVERSION:	0.200 CFS	

C CONNIE A WAYMIRE
C KEITH D WAYMIRE
PO BOX 47
HOME ID 83244
(208) 767-3035

Water Source: WET CREEK Tributary to: LITTLE LOST RIVER Stage: DECREED
Point(s) of Diversion: T09N R27E S04 SWNE BUTTE County

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SESE	SUM
09N	27E	4	:	:	:	:	:	:	:	:	:	:
09N	27E	9	:	25	37	01	:	39	:	37	11	87.0
												102.5
												189.5
											TOTAL ACRES	

POU County: BUTTE

Other Rights: 33-02089, 33-00088, 33-00089.

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 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.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.79 CFS. COMBINED RIGHT NOS.: 33-02089, 33-00088, 33-00093D.

POU1

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 189.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02089, 33-00088, AND 33-00093D.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN

AJ0749NP
No. R33-00089

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

DATE: 01/11/00
PAGE: 2

Remarks:

THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP

RIGHT NO. 33-00088 AND 33-00093D ARE ALSO DIVERTED THROUGH THE
POINT OF DIVERSION DESCRIBED ABOVE.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 33

Field Inspection Flag:

Presumption Flag: C

Comments:

Date: 11/30/1995 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
5. CON'T: AT NE#NW#, SEC. 31, T10N, R25E B.M. IN CUSTER CO. THE
CANAL EMPTIES INTO WET CREEK AT SE#SE#, SEC. 33, T10N, R26E B.M.
IN BUTTE COUNTY. THE WATER IS THEN DIVERTED OUT OF WET CREEK AT
THE ABOVE DIVERSION AND DELIVERED TO THE PROPERTY THROUGH A DITCH

THIS RIGHT WAS CLAIMED AS A DRY CREEK RIGHT. IT IS DECREED AS A
WET CREEK RIGHT, THUS THE WET CREEK RECOMMENDATION. NO TRANSFERS.

Date: 11/22/1999 User-ID: AJU10-EC Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit:

01/11/00 ARUBERRY

AJ0749NP
No. R33-00089

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

DATE: 11/22/99
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME
C KEITH D WAYMIRE PO BOX 47 07/24/1905 IRRIGATION 04-01 11-01 0.200 CFS
HOME ID 83244
(208) 767-3035
TOTAL DIVERSION: 0.200 CFS

C UNITED STATES OF AMERICA ACTING THROUGH
USDA FARM SERVICES AGENCY
3232 ELDER ST
BOISE ID 83705
(208) 334-1577

C CONNIE A WAYMIRE
PO BOX 47
HOME ID 83244
(208) 767-3035

Water Source: WET CREEK

Tributary to: LITTLE LOST RIVER

Stage: DECREED

Point(s) of Diversion: T09N R27E S04

SWNWE

BUTTE County

Place of use Legal Description for: IRRIGATION

T	R	S	NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESH NWSE SWSE SESH				SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
09N 27E 4	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
09N 27E 9	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
TOTAL ACRES															
11.0															
63.5															
74.5															

POU County: BUTTE

Other Rights: 33-02089, 33-00088

Conditions of Approval:

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.5 CFS. COMBINED RIGHT NOS.:
33-02089, 33-00088.

POU1

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 74.5 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-02089, 33-00088.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP

RIGHT NO. 33-00088 IS ALSO DIVERTED THROUGH POINT OF

POU ID # - 19

POU ID # - 19

AJ0749NP
No. R33-00089

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

DATE: 11/22/99
PAGE: 2

Remarks: DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 33

Field Inspection Flag: C
Presumption Flag:

Comments: Date: 11/30/1995 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
5. CON'T: AT NERNW#, SEC. 31, T10N, R25E B.M. IN CUSTER CO. THE
CANAL EMPTIES INTO WET CREEK AT SEWSE#, SEC. 33, T10N, R26E B.M.
IN BUTTE COUNTY. THE WATER IS THEN DIVERTED OUT OF WET CREEK AT
THE ABOVE DIVERSION AND DELIVERED TO THE PROPERTY THROUGH A DITCH

THIS RIGHT WAS CLAIMED AS A DRY CREEK RIGHT. IT IS DECREED AS A
WET CREEK RIGHT, THUS THE WET CREEK RECOMMENDATION. NO TRANSFERS.

Date: 11/22/1999 User-ID: AJU10-EC Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 11/22/99 ARUBERRY

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: A33-00089

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: APR 15, 1891

3. Source: DRY CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	27E	4	NW	NW			BUTTE

5. Description of diverting works:
DRY CREEK WATER ENTERS DRY CREEK CANAL; 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	1.600		

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

8. Total consumptive use is 295.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	27E	4	NE	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	38.0

Original
Sent to
Court.
4-20-00

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	118.0
					Total Acres	118.0

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:
33-02089

14. Remarks:

5. CON'T: AT NE $\frac{1}{4}$ NW $\frac{1}{4}$, SEC. 31, T10N, R25E B.M. IN CUSTER CO. THE CANAL EMPTIES INTO WET CREEK AT SE $\frac{1}{4}$ SE $\frac{1}{4}$, SEC. 33, T10N, R26E B.M. IN BUTTE COUNTY. THE WATER IS THEN DIVERTED OUT OF WET CREEK AT THE ABOVE DIVERSION AND DELIVERED TO THE PROPERTY THROUGH A DITCH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

BLAINE COUNTY INVESTMENT CO.
Decree Plaintiff

vs

ROBERT G. MAYES, 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: _____

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 33-00089

Date Received

Receipt Number

Original
Sent to
Court.
4-20-00

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

This is NOT a
Dry Creek Right
ORIGINAL

Please type or print clearly

1. Name of Claimant (s) United States of America USDA - FALIA Phone (28) 334-1577

Mailing Address 3232 Eldon Street, Boise, Idaho Zip 83705

2. Date of Priority (Only one (1) per claim) April 15 1891 1905

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

4. a. Location of existing point of diversion is: Township 9N Range 27E Section 4,
NW 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 25E Section 31, NE 1/4 of NW 1/4 of _____

Govt. Lot _____ B.M., County of CUSTER

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. Dry creek water enters the Dry Creek

Canal at NE 1/4 NW 1/4, section 31, T10N, R25E Bm in Custer county. The canal empties into
Wet creek at SE 1/4 SE 1/4, Section 33, T10N, R26E Bm in Butte County. The water is then
diverted out of wet creek at the above diversion and delivered to the property through a
ditch.

A3300089



418

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Drainage purposes from 4/1 to 11/1 amount 1.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 295 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	
9N	27E	4									40			40			38		118

Total number of acres irrigated 118

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.

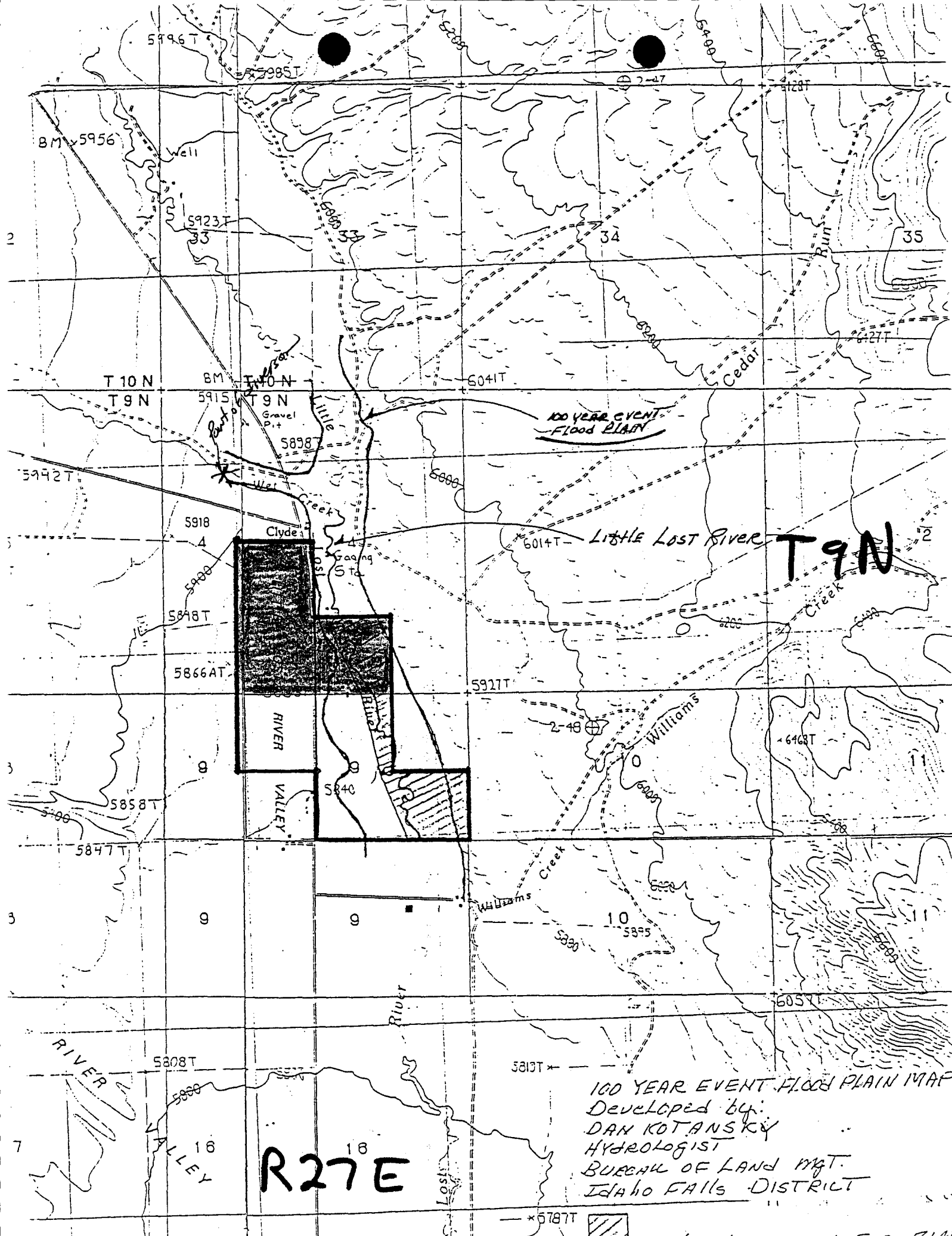
13. Describe any other water rights used at the same place and for the same purposes as described above.
33-02089 or None ()

14. Remarks:

Last Name USA - FMH Ident No. 33-00089

(McDaniel)

Copies: White -State, Yellow-Claimant



100 YEAR EVENT
FLOOD PLAIN

LITTLE LOST RIVER T 9 N

100 YEAR EVENT FLOOD PLAIN MAP
DEVELOPED BY
DAN KOTANSKY
HYDROLOGIST
BUREAU OF LAND MGT.
IDAHO FALLS DISTRICT

R 27 E

Scale: 2 inches equals 1 mile

See Attachment

[illegible]

~~USA - Em #4~~
(McDaniel)

Ident No.

33-00089

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 33-00089

Court US District

Case Number _____

Decree Date 3/4/1927

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 1 map

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 American USDA - FmHA

Organization

document in the space below as County Supervisor

Title

of U.S.A. FmHA

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.A. FmHA

Date May 31, 1989

State of Idaho/or _____)

County of Beetle)

SS.

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

SEAL

Notary Public John L. Johnson

Residing at Alto, 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

Indian Resources, Land & Natural Resources Section, US Dept. of Justice

Address PO Box 44378, Washington DC 20026-4378

Date _____

Last Name USA - FmHA

(McDaniel)

Ident. Number 33-00089

Copies White-State, Yellow-Claimant