



Photo 1. Shows the DRAINAGE
FROM THE OLD MINE TUNNEL
INTO NORTH CREEK. MAKES UP
ABOUT $\frac{1}{2}$ OF THE CREEK FLOW.



Photo 2. POINT OF DIVERSION FOR
AND 33-02023
DAVID WAYMIRE'S A33-02012.
SHOWS 12 inch STEEL MAINLINE AS
BEGINNING OF IRRIGATION SYSTEM.



Photo 3. (RIGHT) SHOWS A DITCH WHICH
IS NO LONGER USED. REPLACED BY THE 12"
≈1977
MAINLINE SHOWN ABOVE. NOTE THE BLUE
DASHED LINE SHOWS THE APPROXIMATE LOCATION
OF THE 12" (REDUCED TO 8") MAINLINE IN RELATION
TO THIS DITCH.

A33-02023
A33-02012 ABR
PHOTOS TAKEN 9 AUG 94

R.28E.

R.29E.

CLAIM NO(S) : A33-02012
DATE: Aug. 9, 1994 T. 8N. R. 29E.
SOURCE OF DOC: ASCS 87
SCALE: 1" = 660'
SIGNATURE: *Askelung*

Lot 5

Lot 4

Lot 3

POINT OF DIVERSION
Photo 2.

OLD MINE
Photo 1.

Photo 5.

Photo 4.

T. 8N.
T. 7N.

Lot 4

Lot 3

Lot 6

House & Yard
ABAND. DITCH
Photo 3.
DITCH
CORRALS & BLDGS.
STACK YARD

235
7-304
D WAYMIRE
40
20
41

20
37
34

84
14
VALVE

36
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44
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54
9

31
65

6.8 AC NON-TIEING.
153.0 AC tieing
159.8 AC

Lot 2
SW 1/4
40.23Ac

T.8N., R.29E.

Lot 5

Lot 4

Lot 3

2
D
W
M
10 E

36
31
16
44
310

54

31
65

T.7N., R.29E.

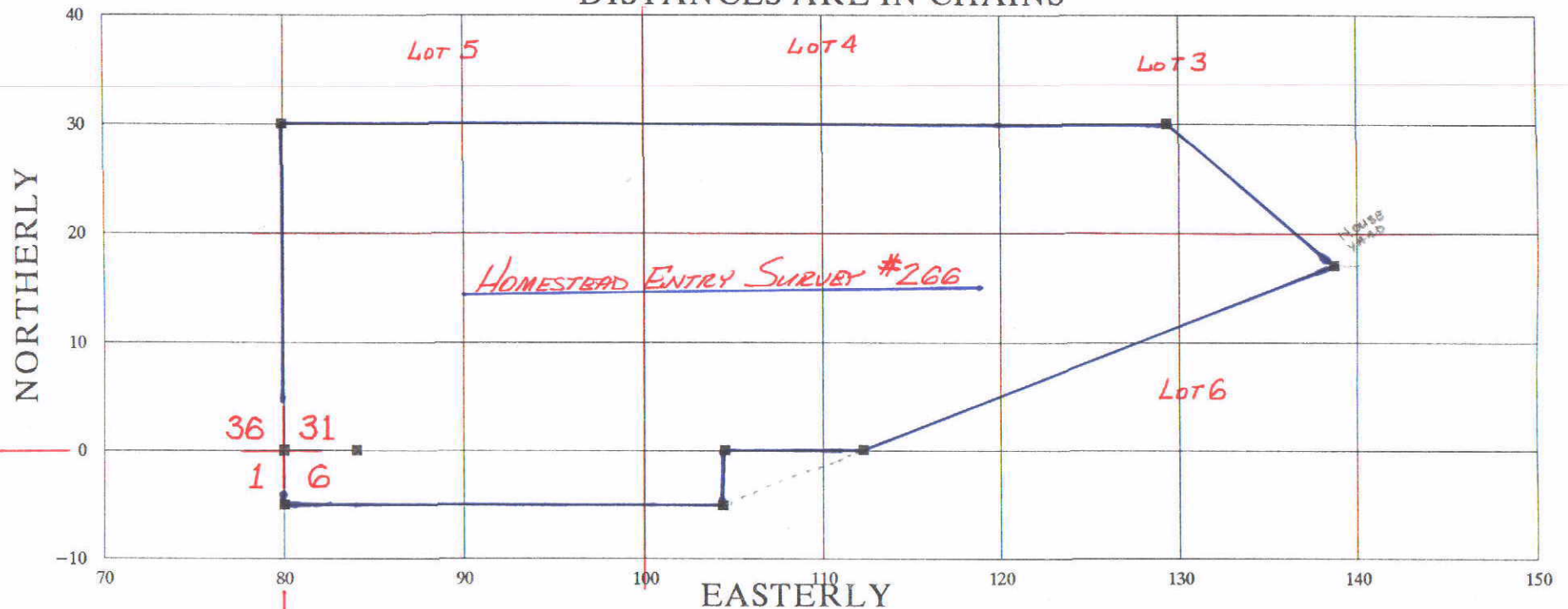
As Licensed:

133-02012 - 120Ac.

33-02023 - 120Ac.

METES & BOUNDS POLAR LOCATION PLOT

DISTANCES ARE IN CHAINS



POLAR COORDINATE X-COR Y-COR (CHAINS)		ANGLE			BEARING ANGLE DIRECTION	DIST (FT)	CUMULATIVE ACRES
		DEGREES	MINUTES	SECONDS			
80.00	0.00						
80.01	-5.00	0.00	5.00	0.00	SE	330.00	0.00
104.39	-5.06	89.00	52.00	0.00	SE	1609.08	0.07
104.50	0.05	1.00	13.00	0.00	NE	337.26	12.42
112.23	0.07	89.00	51.00	0.00	NE	510.18	12.47
138.69	17.08	57.00	16.00	0.00	NE	2076.36	89.80
129.34	30.07	35.00	46.00	0.00	NW	1056.00	159.93
79.94	30.07	90.00	0.00	0.00	NW	3260.40	159.93
80.04	0.07	0.00	12.00	0.00	SE	1980.00	159.96
80.04	0.07	0.00	0.00	0.00	SE	0.00	159.96

WARRANTY DEAD STATES

159.84 ACRES

Claim A33-02012 claims

159.80 ACRES

PRESUMPTION FLAG: A*

NOTES:

Attention on the date of the photo from the lower portion of the property (Parks or NWSW, SWSW Sec. 31, T.8N, R.29E, and part NW1/4 Sec. 31, T.8N, R.29E) does not show signs of a canalization - the NAPP photo clearly shows as does ASCS copy, that this entire property within existing fences was designated prior to 1987.

Agrees by Dot Count Method on ASCS Photo.

RECOMMENDATIONS:

120

TOTAL ACRES: 97.153.0 ac.

REVIEWED BY: AB Renny

DATE: 25 JAN 1995

* REVIEW OF 1910 LIC. 6902 AND 1915 LIC. 11419, PLACED(S) OF USE DO NOT ACCURATELY DESCRIBE LANDS UNDER CULTIVATION. LEGAL DESCRIPTIONS OF LOTS AND QUARTER-QUARTER, IN SOME CASES, DESCRIBED THE SAME PARCELS OF LAND. THE U.E.S. 266 WAS ESTABLISHED PRIOR TO ANY TOWNSHIP/RANGE SURVEY WAS MADE, THIS THE LOTS. LIC. # 11419, AND AMENDMENT, DO NOT LIST SWSW⁴ SEC. 31, T.8N, R.29E. AS INCLUDED IN PLACE OF USE. ALTHOUGH, THE AMENDMENT MAP DOES INDICATE ITS USE AND CULTIVATION.

THIS ARGUMENT IS ALSO TRUE FOR ROAD CHANGE.

LANDS SHOWN TO HAVE USE (ORIG.) ARE:

SEC. 31 T.8N, R.29E.

NWSW - 20AC

SWSW - 40AC

SESW - 37AC

97AC OF LIC. 120AC.

REMARK:

KDB: 97 ac.

EΦ9: A33- , 3.06 cfs, 382.5 A/H, 153.0 ac





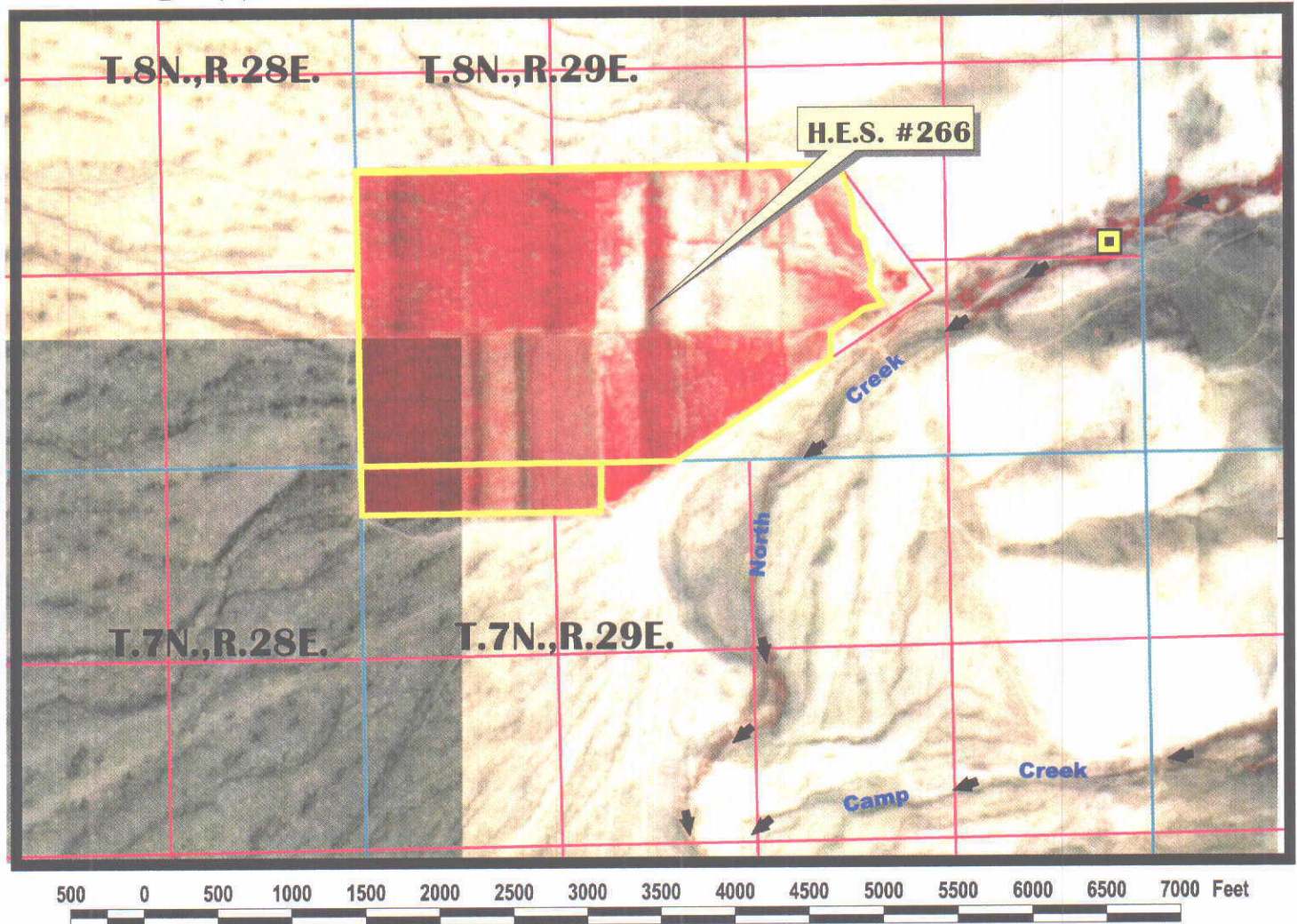
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: David L Waymire

Water Right(s): 33-02012, 33-02023



LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line



Quarter-section line

Place(s) of Use: T.7N., R.29E.

Sec. 6 (part of) N2NW,
T.8N.,R.29E. Sec. 31 (parts of)
SW, W2SE

All known as H.E.S. #266

Point(s) of Diversion: T.8N., R.29E.
Sec. 31 SENESE



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: April 1999

RECEIVED

OCT 30 2000

Department of Water Resources

2000 OCT 27 AM 8:56

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

Subcases: 33-02012 and 33-02023

Case No. 39576

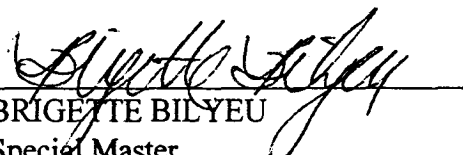
ORDER SETTING INITIAL HEARING

On October 24, 2000, an Initial Hearing was held in the above subcases in Arco, Idaho. The claimant, David L. Waymire, failed to appear. At the Initial Hearing, it was ORDERED that the Initial Hearing will be reset as follows:

Date: November 14, 2000 at 10:00 am
Location: SRBA District Court
253 Third Avenue North
Twin Falls, ID

ATTENDANCE IS MANDATORY. FAILURE TO APPEAR AT THIS HEARING
MAY RESULT IN YOUR WATER RIGHT BEING DECREED OTHER THAN AS
CLAIMED.

DATED October 27, 2000.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

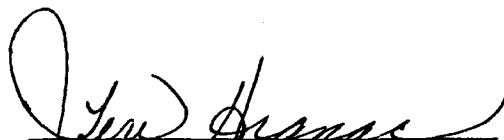
CERTIFICATE OF MAILING

I certify that a true and correct copy of ORDER SETTING INITIAL HEARING was mailed on October 27, 2000, with sufficient first-class postage prepaid to the following:

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

USDI BLM
U.S. Dept. of Justice
Environment & Nat'l Resource Div.
550 W Fort St., MSC 033
Boise, ID 83724

David L. Waymire
HC 65 Box 3151
Howe, ID 83244


Deputy Clerk

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 33-02012

(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: David L. Waymire

Address: HC 65 Box 3151 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: _____

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 Places of Use (POU). Claimant's water right should not include acres on Federal land within these POUs. Some of these POUs describe both public and private land and should be described specific enough to exclude Federal Land.

F.

VERIFICATION (Must be Completed)

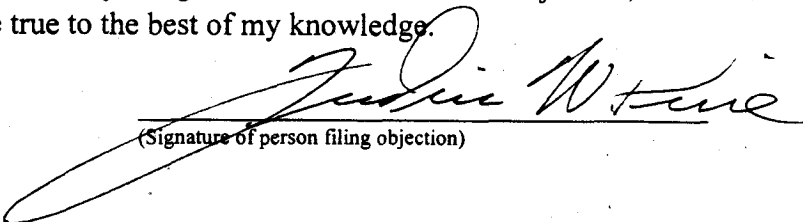
State of Idaho)

) ss.

County of Ada)

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

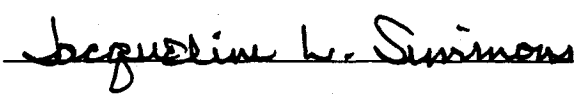
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

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





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: David L. Waymire
Address: HC 65 Box 3151 Howe, ID. 83244

Name:
Address:

Name:
Address:

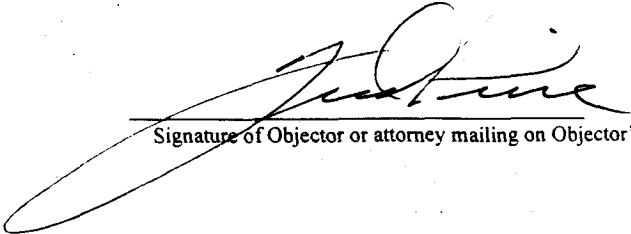
Name:
Address:

3. Copies to:

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

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

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


Signature of Objector or attorney mailing on Objector's behalf

RIGHTS FROM: SOURCE: NORTH CREEK TRIBUTARY: SINKS

RIGHT NUMBER: 33-02012

NAME & ADDRESS: DAVID L WAYMIRE
HC 65 BOX 3151
HOWE ID 83244

SOURCE: NORTH CREEK TRIBUTARY: SINKS

QUANTITY: 2.4 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NO. 33-02023 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.11 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 535.5 AF.

PRIORITY DATE: 11/28/1910

POINT OF DIVERSION: T08N R29E S31

SENENE BLM

Within BUTTE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE
IRRIGATION
STOCKWATER
DOMESTIC ONE HOMEPERIOD OF USE
04-01 10-31
01-01 12-31
01-01 12-31QUANTITY
2.34 CFS
0.02 CFS
0.04 CFS

PLACE OF USE:

IRRIGATION
T07N R29E S06
T08N R29E S31

Within BUTTE County

NENW 3.6
NESW 20
NWSE 8.4NWNW 10
NWSW 20
SWSE 14

SWSW 40

SESW 37

153 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 33-02023 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 153 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Place of use for STOCKWATER is same as IRRIGATION

Place of use for DOMESTIC is same as IRRIGATION

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

S06 NENW → WYZNWNENW
NWNW → NYZNNWNW

S31 NESW → S1/2 NESW (HES 266)
NWSW → S1/2 NWSW (HES 266)
SESW → HES 266
NWSE → HES 266
SWSE → HES 266

THERE IS SOME AUTHORIZED
USE OF PUBLIC LAND.

Issue:

① ~~Point of diversion on BLM~~

② Circled places of use are mixed ownership between BLM and private.

→ Claimant needs to clarify more specifically where irrigation is taking place.

→ Farming on public land is not authorized

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-29-2000
PAGE: A-597

RIGHTS FROM:	SOURCE: NORTH CREEK	TRIBUTARY: SINKS
RIGHT NUMBER:	33-02012	(CONT)

OTHER PROVISIONS: (CONT)

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS 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 - LICENSE

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

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

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 266.

STOCKWATER: 50 CATTLE, 10 HORSES.

RIGHT NO. 33-02023 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.



Field Exam:

- ☒ QP for P.O.D. - Spence? Dan?
- ☒ QP for P.O.U. = Accused
- ☒ P.D. PREDATE'S DECREE - WHY IS IT NOT INCLUDED
NOT TRIBUNAL
- ☒ ASCE Photo
- ☒ REGULATED BY WATERMASTER? 110
- ☐ Anything OVER AND ABOVE 120AC
WILL REQUIRE ANOTHER HI CLAIM. → IF YES, DO IT
WHAT ABOUT 33-02023? - REMAIN TO CLAIM THE DOMESTIC
WITH A 5th LATER P.D. → ACROSS FOR
- ☐ ~~COMARCO LIC.~~
ADVANCE PRODUCE DATA TO
THAT FOR AUGUST LIC.

☒ Source of Domestic water? No. Chlorinator is used AND IS LIC.

HES 266
Sec. 31 TEN. REGS. (part)
Sec. 6 pk. lots. 3 & 4 TYN. REGS.
(INTERNATIONAL MFG. BANK)

FEBRUARY 22, 1995

DAVID L WAYMIRE
HC 65 BOX 3151
HOWE ID 83244

RE: FAX ON NORTH CREEK

Dear Mr. Waymire:

Per your fax that we received today, I have enclosed copies of the Water Licenses 6902 and 11419. I have also enclosed copies of the "Proof Reports" for A33-10637 and A33-10285. I hope this answers some of your questions. Please feel free to call me with any concerns you may have.

Respectfully submitted,

Allen Ruberry
Water Rights Agent, Adjudication

AR:sc

Enclosure

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A33-02012

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent A.B. RUBBERY Date 10 FEB 95

Contact Person(s) DAVID WAYMIRE

APPOINTMENT @ 5:30 P.M., 9 FEB 95

Nature of Contact FIELD EXAM OF HIS RANCH

Substance of Communication MET MR. WAYMIRE AT THE SW CORNER OF HIS
PROPERTY. DISCUSSED LICENSE A33-02012. ABOUT 2.4 cfs AND LICENSED
FOR 120 AC BUT AS CLAIM WAS FOR 159.8 AC (ALL OF H.B.S. 266).

SINCE THIS LAND WAS NOT LICENSED THIS WAY TO RECOMMEND IT AS
CLAIMED WOULD SHOW EXPANSION. I SUGGESTED HE MAY CONSIDER
FILED ON THE OTHER LICENSE 33-02023. IT IS ALSO FOR 2.4 cfs
ON 120 AC, BUT, DIFFERENT ACREAGE (MOSTLY). BY DOING SO ALL LANDS
WOULD THEN BE COVERED AND FILED ON. COST WOULD BE MAYBE \$1000
(50⁰⁰ MAIL + 500⁰⁰ LATE FEE). MAYBE THAT THESE TWO WHEN FILED WOULD BE
COMBINED, THEREFORE, THE PRIORITY DATE WOULD ADVANCE TO 1915,
THAT OR LIC. 33-02023, OR, MAYBE EACH COULD BE FILED AS THE
PERMISSIBLE PLACE OF USE. HE LIKED THIS CONCEPT. I WILL PREPARE A CLAIM
OF THE LIC. 33-02023 AND SEND IT TO DAVID FOR SIGNATURE,
NOTARY AND FEES DUE. DAVID AGREED.

No-DO NOT of
both Lic

25 JANUARY 1995

MR DAVID L WAYMIRE
HC 65 BOX 3151
HOWE IDAHO 83244

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) CLAIM A33-02012

Dear Mr. Waymire:

In review of your SRBA claim to a water right, on your ranch, several questions have arisen. And, I have been unable to contact you by telephone.

It is our goal to recommend this historical water right within the Snake River Basin as accurately as possible. Please contact me as soon as possible so we can discuss these matters.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudications Bureau

*MR Waymire called 7 FEB 95. Set Appointment for 9 FEB @ 5:30 AM.
@ His Ranch.*



Photo 1. Shows the DRAINAGE FROM THE OLD MINE TUNNEL INTO NORTH CREEK. MAKES UP ABOUT $\frac{1}{2}$ OF THE CREEK FLOW.

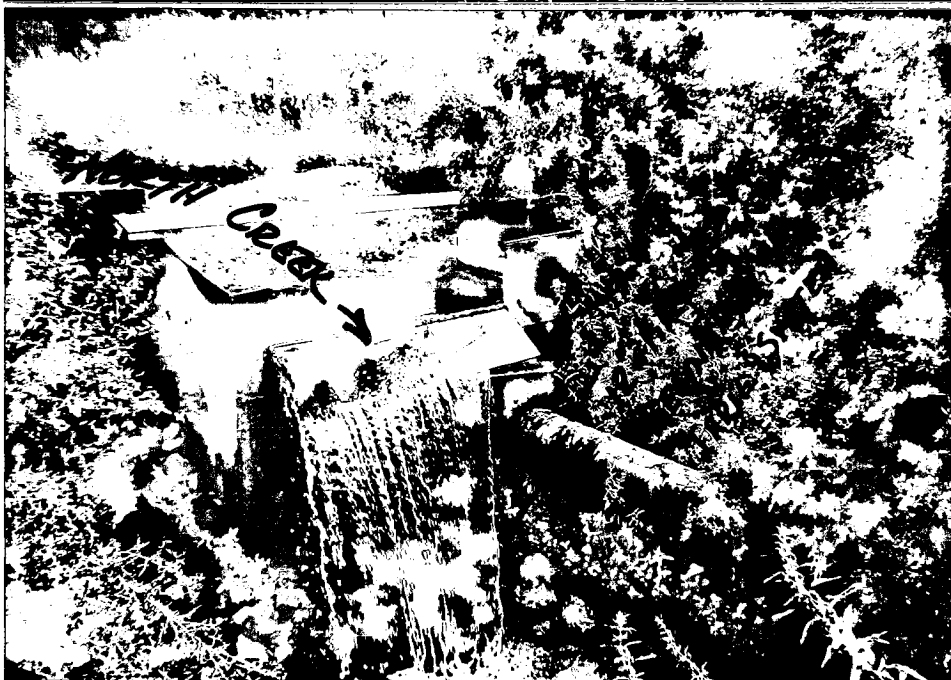


Photo 2. POINT OF DIVERSION FOR AND 33-02023 DAVID WAYMIRE'S A33-02012. SHOWS 12 INCH STEEL MAINLINE AS BEGINNING OF IRRIGATION SYSTEM.

Photo 3. (RIGHT) SHOWS A DITCH WHICH IS NO LONGER USED. REPLACED BY THE 12" ≈ 1977 MAINLINE SHOWN ABOVE. NOTE THE BLUE DASHED LINE SHOWS THE APPROXIMATE LOCATION OF THE 12" (REDUCED TO 8") MAINLINE IN RELATION TO THIS DITCH.



A33-02023
A33-02012 ABR
PHOTOS TAKEN 9 AUG 94

CLAIM NO(S) "A33-02012"
 DATE: Aug. 9, 1994 T. 8N. R. 29E.
 SOURCE OF DOC: ASCS 87

SCALE: 1" = 660'
 SIGNATURE: *ASLibary*

R.29E.

R.28E.

Lot 5

Lot 4

Lot 3

WATER MIRE
 20

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36 31

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Photo 5.

T. 7N.

T. 8N.

Lot 4

Lot 3

Lot 6

POINT OF DIVERSION
 Photo 2.

HOUSE & YARD

ABAND. DITCH
 Photo 3.

DITCH

CORRALS & BLDGS.

STACK YARD

VALVE

MAINLINE

14

84

OLD MINE
 Photo 1.

6.8 AC NON-IRRIg.
 153.0 AC irriig
 159.8 AC

Photo 4.

Lot 2
SW 1/4
40.23 AC

T. 8 N., R. 29 E.

Lot 5

Lot 4

Lot 3

2
T. 7 N., R. 29 E.
D. WAYNORE

41

Lot 6

36 31 ②
16 44.3

54.9

31

65

T. 7 N., R. 29 E.

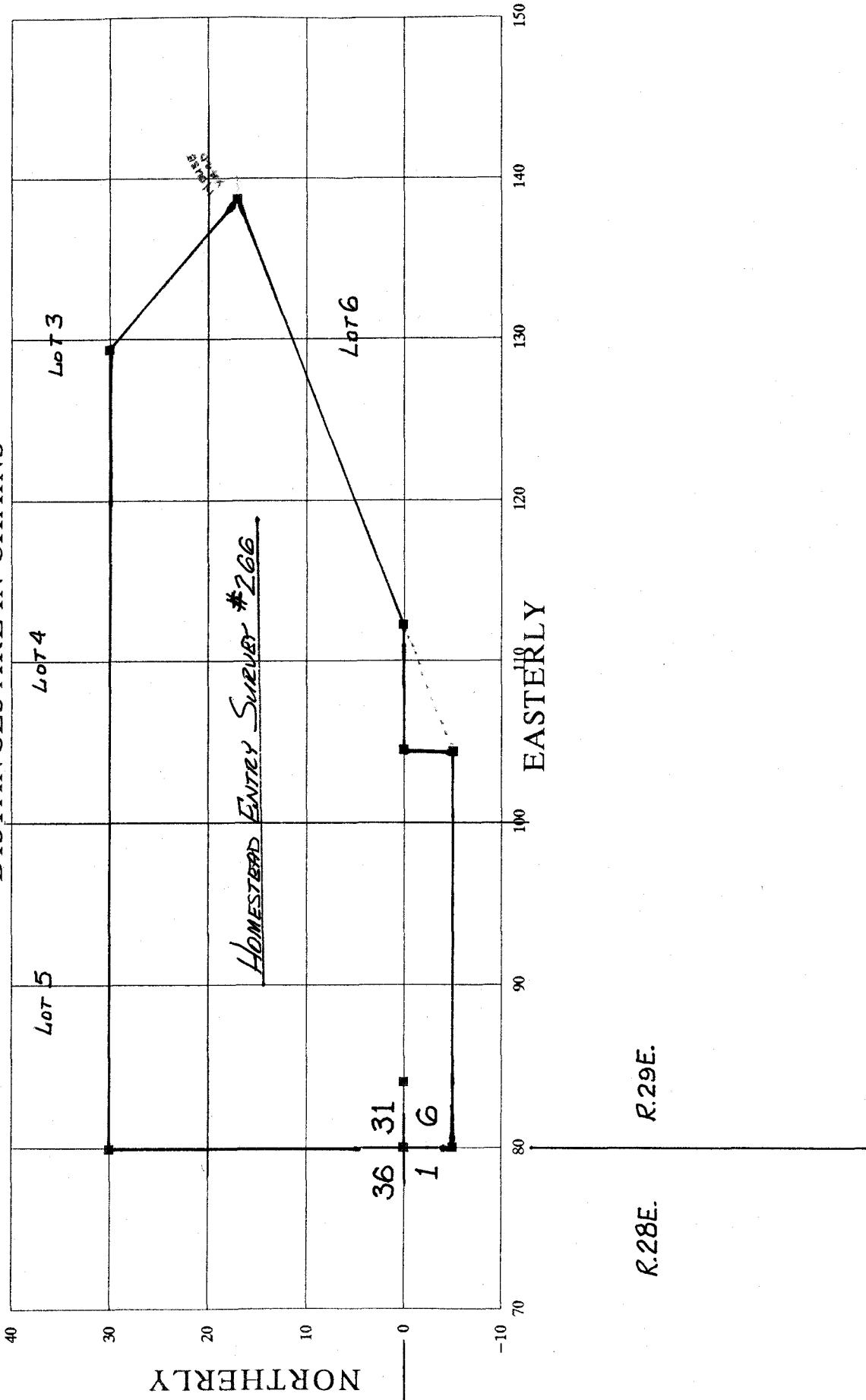
As Directed:

● 33-02022 - 120 AC.

● 33-02023 - 120 AC.

METES & BOUNDS POLAR LOCATION PLOT

DISTANCES ARE IN CHAINS



T.8N.
T.7N.

POLAR COORDINATE X-COR Y-COR (CHAINS)		ANGLE			BEARING ANGLE DIRECTION	DIST (FT)	CUMULATIVE ACRES
		DEGREES	MINUTES	SECONDS			
80.00	0.00						
80.01	-5.00	0.00	5.00	0.00	SE	330.00	0.00
104.39	-5.06	89.00	52.00	0.00	SE	1609.08	0.07
104.50	0.05	1.00	13.00	0.00	NE	337.26	12.42
112.23	0.07	89.00	51.00	0.00	NE	510.18	12.47
138.69	17.08	57.00	16.00	0.00	NE	2076.36	89.80
129.34	30.07	35.00	46.00	0.00	NW	1056.00	159.93
79.94	30.07	90.00	0.00	0.00	NW	3260.40	159.93
80.04	0.07	0.00	12.00	0.00	SE	1980.00	159.96
80.04	0.07	0.00	0.00	0.00	SE	0.00	159.96

WARRANTY DEED STATES

159.84 ACRES

CLAIM A33-02012 CLAIMS

159.80 ACRES

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME WaymireCLAIM # ENT. NO.

A33-02012

DATE RECEIVED 11/1/90

CK # _____

AMOUNT \$ _____

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☐ YES ☒ NO N/A
- Is the consumptive use correct? ☐ YES ☒ NO N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A
22. Should this claim be data entered? ☒ YES ☐ NO

Claim checked by: DCDate: 3/27/90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

☒ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by: _____

Sent to claimant by: _____

Date: _____

Date: _____

Date: _____

Checked by: _____

Date: _____

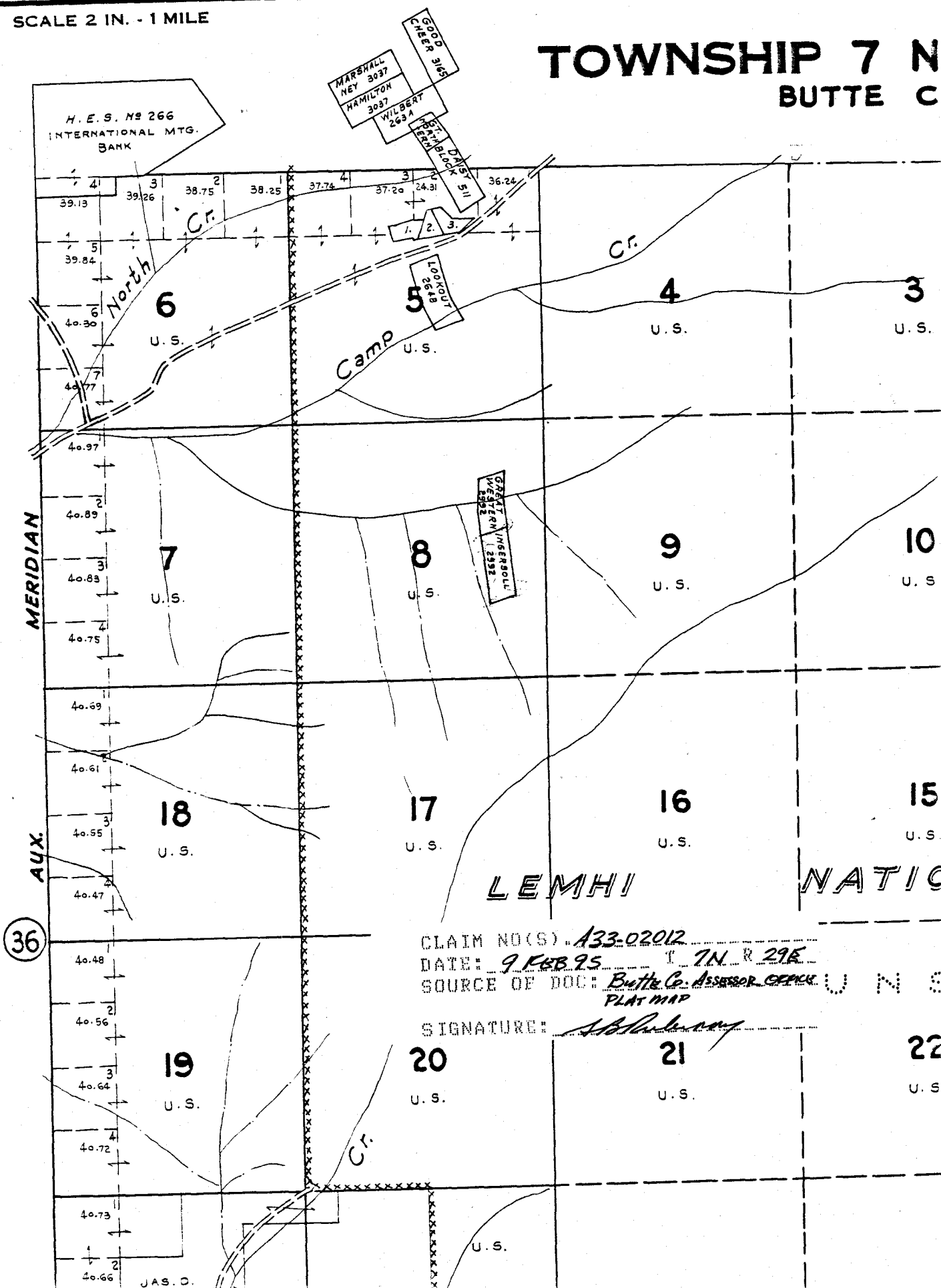
Comments: item #4 should be BN 29E 31 NE 1/4 of SE 1/4 item #7 shouldbe 2.4 item #8 should be 400 AF/ANNAH 400

MICROFILMED

NOV 18 1992

SCALE 2 IN. - 1 MILE

TOWNSHIP 7 N BUTTE C



Baker, W. L.

% Baker, Gaupl.

726 W 3005

Baigham Lt 84302

Lookout

Daisy Black Mill Site

Daisy Black, WILBERT Mill Site

Entered . . .	☒
Compared . . .	☒
Indexed	☒

WARRANTY DEED

For Value Received, I, MARGARET J. WAYMIRE, individually and as Personal Representative of the Estate of Donald F. Waymire, Deceased,

the grantor, do hereby grant, bargain, sell, and convey unto
DAVID L. WAYMIRE and MARY ROSE WAYMIRE, husband and wife, of
Howe, Butte County, Idaho 83244,

the grantees, the following described premises, to-wit:

A tract of 159.84 acres of land within the Lemhi National Forest,
Section 31, Township 8 North, Range 29, East of the Boise Meridian; and
Section 6, Township 7 North, Range 29, East of the Boise Meridian, all
in Butte County, Idaho, embraced in Homestead Entry Survey No. 266,
List No. 4-883, described by metes and bounds as follows:

Commencing at Corner No. 1, identical with the Northwest corner of
Section 6, Township 7 North, Range 29, East of the Boise Meridian, extending
thence South 0°51' East 5.00 chains to Corner No. 2; thence South 89°52' East
24.38 chains to Corner No. 3; thence North 1°13' East 5.11 chains to Corner
No. 4; thence North 89°51' East 7.73 chains to Corner No. 5; thence North
57°16' East 31.46 chains to Corner No. 6; thence 35°46' West 16.00 chains
to Corner No. 7; thence West 49.40 chains to Corner No. 8; thence South
0°12' East 30.00 chains to Corner No. 1, the place of beginning;

Also, one steel granary located upon the above-described premises;

SUBJECT to existing rights of way for public roads and utility lines,
existing irrigation ditches, and to all existing building, zoning and other
regulations of use;

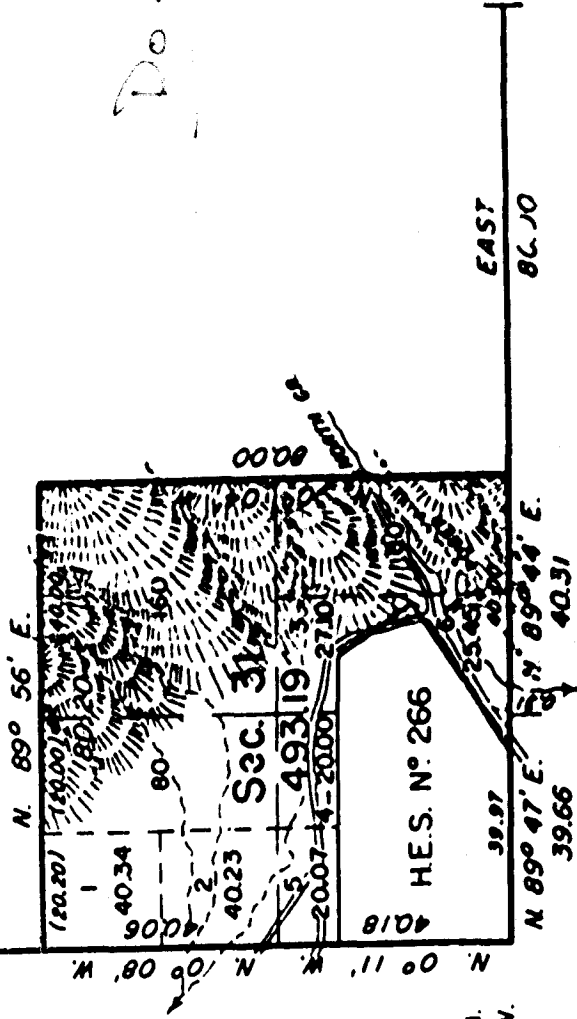
SUBJECT also to taxes for the year 1977 which the Grantees assume.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantor do hereby covenant to and
with the said Grantees, that he the owner in fee simple of said premises; that said
premises are free from all incumbrances except as hereinabove set forth and that he will warrant and
defend the same from all lawful claims whatsoever.
Dated: March 18, 1977.

Margaret J. Waymire
Individually and as Personal Representative
of the Estate of Donald F. Waymire, Deceased.

TOWNSHIP 8N., RANGE 29E.

Do NOT Film



Latitude 43° 59' N.
Longitude 113° 03' W.

South boundary of secs. 31 and 32 surveyed by Gordon C. Smith in 1909. North boundary (2nd Standard Parallel North) resurveyed by Robert L. Fuller in 1938. East boundary of sec. 36 resurveyed and the north 5 miles of the east boundary of T. 8 N., R. 29 E., surveyed by Robert L. Fuller in 1940. West boundary of T. 8 N., R. 30 E., resurveyed by Robert L. Fuller in 1941.

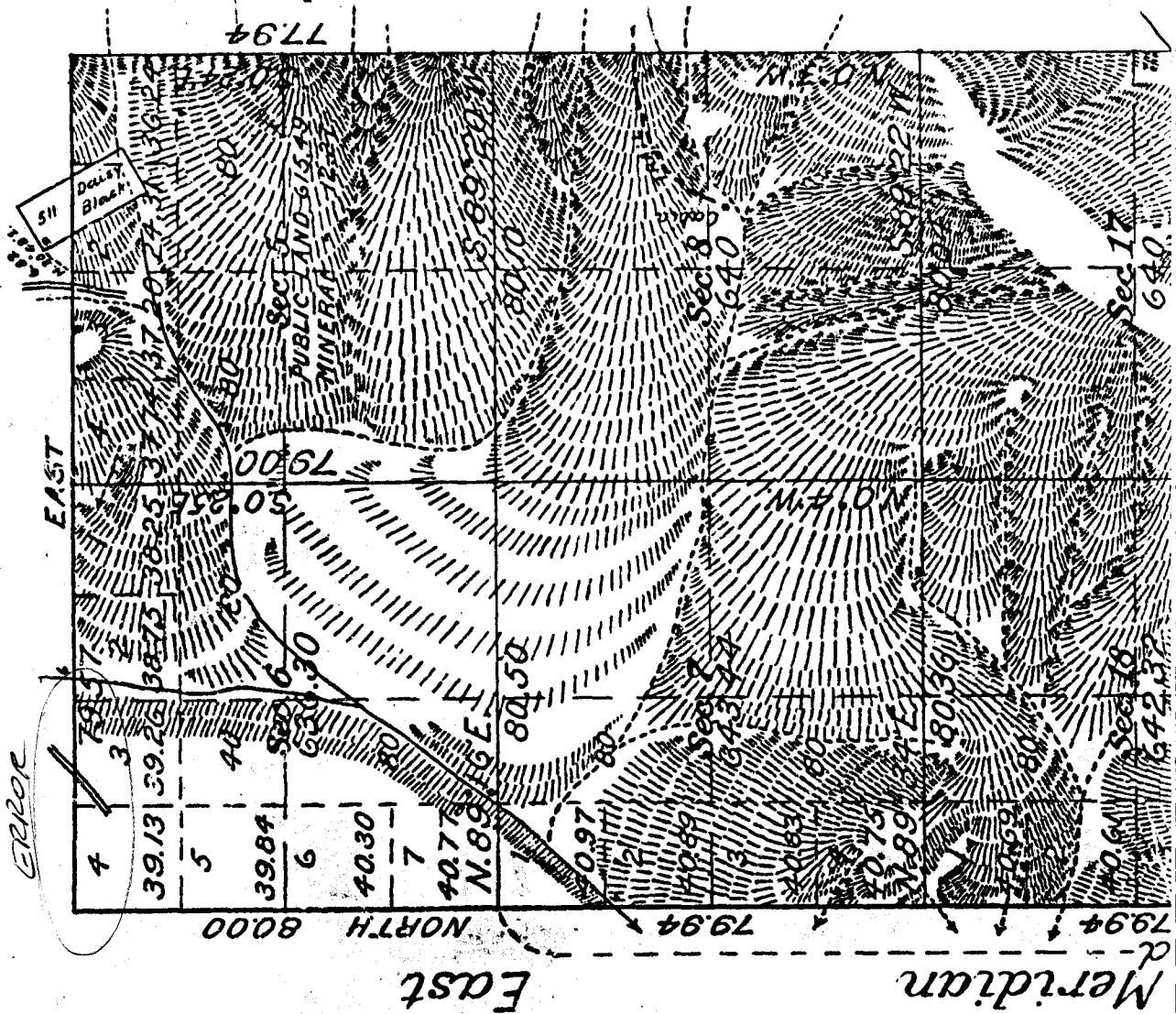
Resurvey of the south boundary and survey of the north and east boundaries of sec. 31 executed by Robert L. Fuller on July 29, 1940, under special instructions for Group 242, dated August 24, 1936.

Topography within sec. 31 compiled from aerial photographs and coordinated the section line control obtained during survey.

G g F f E e D d C c

Mo H.E.S. Snows

6721202



100

Sec. 4

Sec. 3

Do Not Film

Sec. 9

Sec. 10

Sec. 16

Sec. 15

County: Blaine
Stream: North creek
Amount: 2.4 sec. ft.
Use: Irrigation
Priority: 11-08-1910

STATE OF IDAHO

Water License No. 6902

WHEREAS, On the 28th day of November, A. D. 1910,

Jesse C. Sutton

of Blackfoot, County of Bingham, State of Idaho, duly made application (No. 9969) to me for a permit to use 3.2 cubic feet per second of the waters of

RUTTE CO.

North Creek

County of Blaine, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 3rd day of December, A. D. 1910, Permit No. 6902 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 3rd day of December, A. D. 1912, and for the application to beneficial use of said water on or before the 3rd day of December, A. D. 1913, and,

WHEREAS, On the 30th day of November, A. D. 1912,

Jesse C. Sutton

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 6902, dated March 3rd, 1915, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of water, with date of priority of November 28, 1910, and

WHEREAS, On the 30th day of November, A. D. 1912,

Jesse C. Sutton

the holder of said permit, duly made proof of the application to beneficial use of 2.4 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to

Jesse C. Sutton

of Blackfoot, County of Bingham, State of Idaho, the holder and owner of said Permit No. 6902, a perpetual right, dating from November 28, 1910, to the use of 2.4 cubic feet per second of the waters of North Creek

in the County of Blaine and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E.B.M.,

and conducted to and upon 120 acres, divided as follows: 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 8 N., R. 29 E.B.M.,

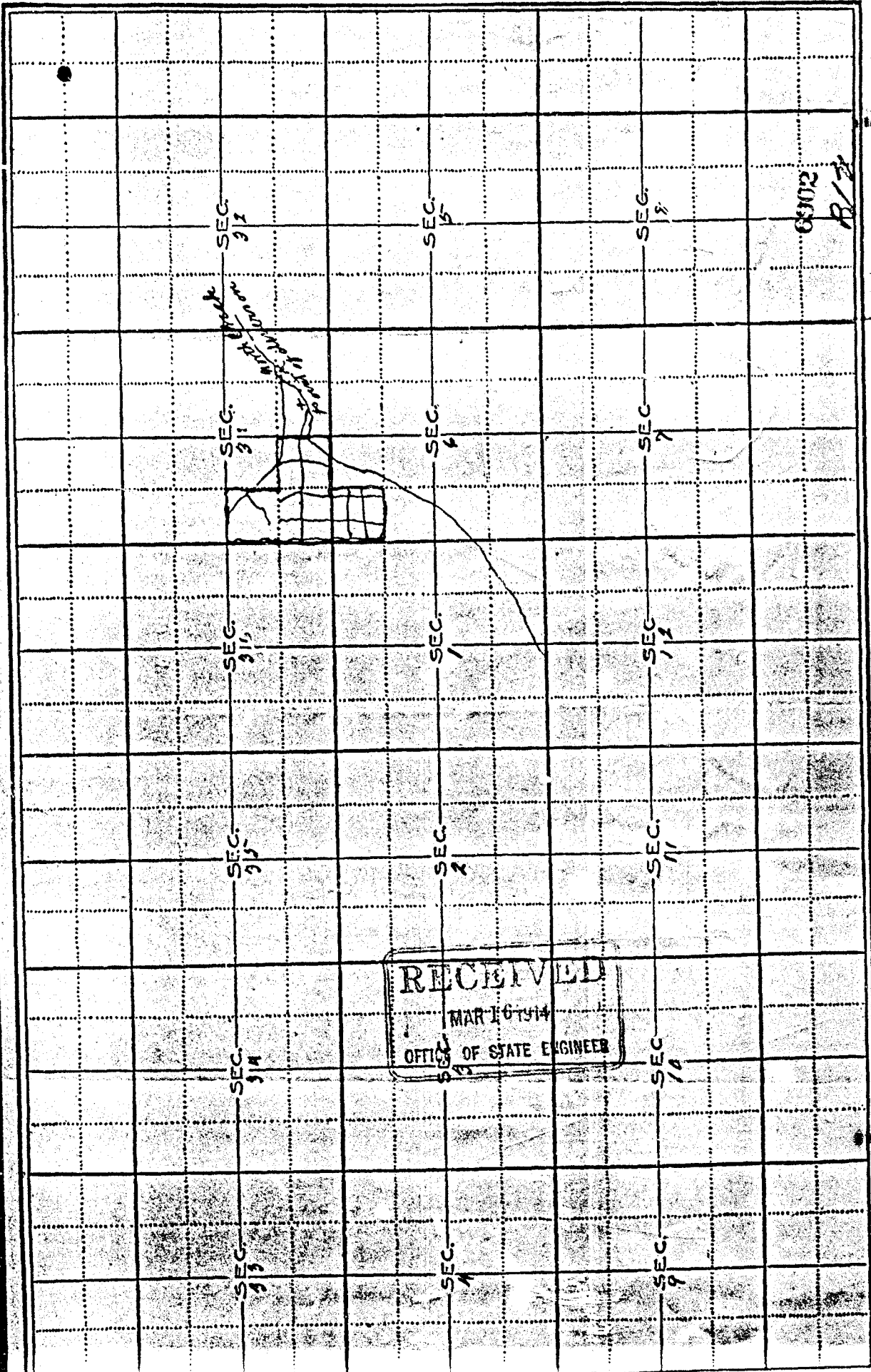
for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source or supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 3rd day of March, A. D. nineteen hundred and fifteen.

Herbert Wing,

Acting State Engineer

(Seal)



RECEIVED
MAR 16 1914
OFFICE OF STATE ENGINEER

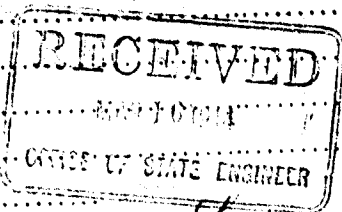
63002
R/2

REPORT OF ENGINEER.

1. State name of applicant and number of permit: *James C. Shotton - 6902*
2. State source of water supply: *Sw. S. E. North Creek*
3. Location of point of diversion: *Sec. 3.1, T. 8. N. 2. E. 13. W. R. 2. E.*
4. State whether or not the works of diversion are fully completed and in accordance with the terms of permit: *yes*
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: *about 3 feet*
 - (b) Width at water line: *3 1/2*
 - (c) Depth of water: *10 in*
 - (d) Grade per mile: *2.0 feet*
 - (e) Capacity of ditch: *3 1/5* second feet.
6. State whether or not water has been turned into works of diversion, and if so, to what extent: *yes and for the purpose of irrigation*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract: *the 3 three quarters of 1. 1/4 Sec. 3.1 T. 8. N. 2. E. 13. W. R. 2. E. 1. one 1/4 M. 1/4 Sec. 6. T. 7. N. R. 2. E. 3-40 acre tracts fully under cultivation*

8. Submit map on enclosed plat, showing source of supply, point of diversion, route of ditch or ditches and cross-hatch lands to be irrigated.

Remarks: *Having no meter to measure the water I did the best in measuring that I could*



Lorenzo Talbot

STATE OF IDAHO,
County of *Blaine*

Lorenzo Talbot, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this *13* day of *March* 191*4*

My Commission Expires *Dec 13 1915*

6902

Notary Public

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:54
03/31/93

PAGE: 1
GENERAL INFORMATION

1201
CLAIM NUMBER: A33-32012

LAST: SUTTON

FIRST: JESSE C.

ADDRESS:

CITY: BLACKFOOT

STATE: ID ZIP: 000

PHONE NUMBER: 208-000-0000

OWNER CODE: 0

LAST: WAYMIRE

FIRST: DAVID L~~X~~

ADDRESS: MC 65 BOX 3151

CITY: HOME

STATE: ID ZIP: 83244

PHONE NUMBER: 208-767-3392

OWNER CODE: C Work-526-4993

FIELD EXAM REQUIRED?

DATABASE Y FIELD EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: LICENSE INCORRECTLY INDICATES COUNTY AS BLAINE. cc comments

CONTACT PERSON: AL RUSSELL

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 8/2/94

APPOINTMENT MADE: Y(X) N()

TIME: 5:30 A() P(X)

ACCOMPANIED BY: DAVID WAYMIRE

9 FEB 95

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: OWNER

DIRECTIONS TO PROPERTY / NOTES:

ATTEMPTED TO CONTACT MR. WAYMIRE SEVERAL TIMES BY PHONE - NO ANSWER - I
UNDERSTAND HE WORKS AT FBI.

VISITED THE PROPERTY Aug. 9th. UNACCOMPANIED.

NOTED: P.O.D., SEARCHED, P.O.U., SYSTEM.

MET MR. WAYMIRE AT HIS RANCH 9 FEB 95 PER APPOINTMENT.

A. AJ CLAIM: # A33-02012 PRIORITY DATE: 11-28-1910 STAGE: 1

B. WR RECORD: # 33-02012 PRIORITY DATE: 11-28-1910 STAGE: 1

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

FIELD
EXAMINER
DATABASE
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(✓) N() WHY DOES THIS RIGHT INFORMATION THE BCE V REGMMS DATES? IF YES EXPLAIN.

NOTES: P.D. CLAIMED MATTERS LICENSE.

WATER LICENSE NO. 6902 (now 33-02012) WAS ISSUED 3 MARCH 1915 BY HUBBERT WING.
THIS CLAIM IS NOT MENTIONED IN THE BCE/PGM PRESS. NEVIN CASE WAS NOT
CONSIDERED IN ANYWAY TO CLP APPLICATION. FURTHER, THAT THE ORIGINAL CLAIMANT OF
LICENSE 6902 (now 33-02012) IS NOT MENTIONED IN THE PRESS.
REPORT OF ENGINEER FOR LICENSE 11919 (now 33-02023) UNCLAIMED IN SEBA) STATES
IN THAT B. PL. NEVIN CASE SINKS ENTIRELY WITHIN ABOUT 1 MILE OF THE LEGGERS
POINT OF DIVERSION IS ALLOWED TO FLOW EAST.

CLAIMED 4/20/19

RECOMMENDED PRIORITY DATE:
11-28-1910

As claimed

REVIEWED BY

DATE

15 June 97

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A33-02012	03N	29E	31		NE	SE		BUTTE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: NORTH CREEK

TRIG: BIG SPRING CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
33-02012	03N	29E	31		SW	SE		BUTTE

OTHER WR RECORDS WITH SAME WR POD
A PREFIX
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
R PREFIX
NONE

SOURCE: NORTH CREEK

TRIG: BIG SPRING CREEK

C. FIELD EXAM REQUIRED?

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

NOTES:

- 1. ENGINEER'S REPORT OF 13 March 1914 STATES POINT OF DIVERSION AS: SWSE SEC. 31, 04N/29E, LN, 33-02012
- 2. Map From Amendment to (11419 Lic.) 33-02023 shows POD. AS SESE SEC. 31, 8N, 29E.
- 3. Sat. Photo & map of August Day Point of Diversion in SENESE SEC. 31, T.8N, R.29E.

COND: CDS, APP

A. ROOT WATER RIGHT NUMBERS: A33-02012

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	29E	6	N4	N4	N4	WAYMIRE, DAVID L. RODGERS, WILLIAM	A33-02012 /10.0	33-02023 /10.0			10.0
08N	29E	31	NE	SW	NE	WAYMIRE, DAVID L. RODGERS, WILLIAM	A33-02012 /20.0	33-02023 /20.0			20.0
08N	29E	31	N4	SW	N4	WAYMIRE, DAVID L. RODGERS, WILLIAM	A33-02012 /20.0	33-02023 /10.0			20.0
08N	29E	31	S4	SW	S4	WAYMIRE, DAVID L. ALL	A33-02012 /40.0	33-02012 /40.0			40.0
08N	29E	31	SE	SW	SE	WAYMIRE, DAVID L. RODGERS, WILLIAM	A33-02012 /40.0	33-02012 /40.0			37.0
08N	29E	31	N4	SE	N4	WAYMIRE, DAVID L. RODGERS, WILLIAM	A33-02012 /13.0	33-02023 /10.0			8.4
08N	29E	31	S4	SE	S4	WAYMIRE, DAVID L. RODGERS, WILLIAM	A33-02012 /16.8	33-02023 /25.0			14.0
TOTAL ACRES							159.80	120.30			

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

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

N8NW SEC. 6, T.7N., R.29E. 3.6

153.0

Remark: Jp 2: 266

29 JULY 1940, SURVEY OF SEC. 31 SHOWS BOUNDARIES OF H.E.S. No. 266. FOR LOT LOCATION IN SEC. 31. SURVEY PLAT OF SEC. 6 T.7N., R.29E. DOES NOT SHOW THOSE PARTS OF H.E.S. 266 IN LOTS 3 & 4. ALTHOUGH COMPUTER PLOT OF PROPERTY DESCRIPTION FROM WARRANTY DEED SHOWS AS BEING PART OF H.E.S. 266.

ENGINEER'S REPORT, DATED 13 MARCH 1914, INDICATES THE NW 1/4 NW 1/4 SEC. 6, T.7N., R.29E. WAS THEN UNDER CULTIVATION. HOWEVER, THE LICENSE, DATED 3 MARCH 1915, DOES NOT RECOGNIZE SEC. 6 AS CULTIVATED, IN PART OR WHOLE.

33-02023 License DATED 14 JUNE 1916, SHOWS SEC. Lot 3 (N8NW) AND 10 AC. Lot 4 (N8NW) SEC. 6, T.7N., R.29E

PRESUMPTION FLAG: A*

NOTES:

Amount on the Data on the Buro Exam the lower portion of the Property (Part of NW1/4, SWSW Sec. 31, T.8N., R.29E. and Part NW1/4 Sec. 6 T.7N., R.29E.) does not show signs of a ^{poor} irrigation - The HARP photo clearly shows as does ASCS map. That this entire property within BUSTINE PARKS was irrigated prior to 1987.
Agrees by Dot Count Method on ASCS Photo.

Don't want

RECOMMENDATIONS:

120

TOTAL ACRES: 97/153.0 ac.

REVIEWED BY: ABR

DATE: 25 JAN 1995

* REVIEW OF 1910 LIC. 6902 AND 1915 LIC. 11419 PLACED(S) OF USE DO NOT ACCURATELY DESCRIBE LANDS UNDER CULTIVATION. LEGAL DESCRIPTIONS OF LOTS AND QUARTER-QUARTERS, IN SOME CASES, DESCRIBED THE SAME PARCELS OF LAND. THE H.E.S. 266 WAS ESTABLISHED PRIOR TO ANY TOWNSHIP/RANGE SURVEY WAS MADE, THIS THE LOTS. LIC. # 11419, AND AMENDMENT, DO NOT LIST SW4SW4 SEC. 31, T.8N., R.29E. AS INCLUDED IN PLACE OF USE. ALTHOUGH, THE AMENDMENT MAP DOES INDICATE ITS USE AND CULTIVATION.

THIS AMENDMENT IS ALSO TRUE FOR RAD. CHANGE.

LANDS SHOWN TO HAVE USE-IRRIG.) ARE:

SEC. 31 T.8N., R.29E.

NWSW - 20AC

SWSW - 40AC

SESW - 37AC

97AC OF LIC. 120AC.

REMARK:

K06: 97 ac.

E09: A33-, 306 cfs, 302.5 AFK, 153.0 ac



A. AJ CLAIMED USES:

PURPOSES
A33-02012 IRRIGATION
A33-02012 DOMESTIC
A33-02012 STOCKWATER

FROM	MONTH/DAY	TO	TOTAL DIVERSION RATE/VOLUME CLAIMED
FROM 03-15	TO 11-15		
FROM 01-31	TO 12-31		
FROM 01-31	TO 12-31		

DIVERSION QUANTITY
2,400 CFS
- 340 CFS
- 320 CFS
2,400 CFS

How is this used?

Home lawnmower? Properly dimensioned?

How many?

TYPE? Total

B. HR RECORDED USES:

PURPOSES
33-02012 IRRIGATION
33-02012 DOMESTIC

FROM	MONTH/DAY	TO
FROM	TO	TO

DIVERSION QUANTITY
2,400 CFS
2,400 CFS
2,400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG: A

INCREASE IN USE OVER LICENSED 1203

Amount with M. License 02012, 02023

C. FIELD EXAM REQUIRED?

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

PERMISSIBLE FOR PER

DAVID WYNNIS 22APR99.

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

() N ()

() N ()

EXPLAIN IN NOTES, BELOW.

→ Dept STD April 1 to Oct 31

NOTES:

- 1) STRIPS OF USE UNSPECIFIED BY ORIGINAL LICENSE.
- 2) RECOMMEND 1 ADDITION TO ALLOCATION AS PER DEPT'S RATE (ACTUALLY THE WATER RIGHT WAS NOT ENTERED INTO THE DURESS/REVENUE TO THE BEST OF THE KNOWLEDGE).
- 3) STOCKWATER AND DOMESTIC SOURCES ARE FROM NORTH CENTRAL - THEY ARE ALSO DIRECTLY FROM THE IRRIGATION SYSTEM.

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

AJ TOTAL CLAIMED DIVERSION RATE: 2-400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2-400 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

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

No

, SEE ATTACHED CALCULATIONS.

Only Rights on Creek

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

OTHER RIGHTS LISTED IN CLAIM: NONE 33-02023

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

33-02023 - CLAIMANT REQUESTS PERMISSIONS PLAS OR USE OF BOTH RIGHTS TO PRESERVE PRIORITY DATE
OR 02012, AS 1910.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

18. CALCULATIONS

~~Lic. for 2. Acts. 12000~~

9796/12012 signed by Lic. 02012

~~97 x.02 = 1.94 cfs~~

2.5

QF/A

3/22/99

EF / 14

Mini

AF/A

SEE ATTACHED SHEET? ☒ YES ☐ NO ()
 LICENSE INCORRECTLY INDICATES COUNTY AS BLAINE. *B. J.*

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

4.) Stockwater for 50 head cattle, 10 horses - Pete Tabus, 51-100 head livestock = 0.03265

214
209

214
209

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	DATABASE EXAMINER	REC. DIV VUL. NF/A	DATABASE EXAMINER	REC. COMS. USE
IRRIGATION	04-15 12-15	1.94				
Stockwater	01-01 12-31	0.03				
Domestic	01-01 12-31	0.02				
TOTAL FOR THIS RIGHT		1.99				

REVIEWED BY: DATE:

REMARKS: 549: 33-02023, 3.06 cfs, 382.5 AF, 97 AC.

33-02023 ~~FILED IN SRBA~~ 4/22/99, ASR

LIC. 02012 PD 1910
IRRIGATED ACRES.
NW SW 20.0
SW SW 40.0
SE SW 37.0
97.0 x 0.02 = 1.94 cfs
Domestic = .02 cfs
Stockwater = .03 cfs
1.99 cfs

LIC. 02023 PD 1915
153.0 TOTAL AC
- 97.0 02012
56.0 AC @ 0.02 = 1.12 cfs

~~CFs IRRIG. TOTAL~~
~~02012 - 1.94~~
~~02023 - 1.12~~
~~3.06 cfs~~

~~CFs AC TOTAL~~
~~02012 - 1.99~~
~~02023 - 1.12~~
~~3.11 cfs~~

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED AS CLAIMED ☒ NEEDS REVIEW ☐

OWNERSHIP FORFEIT/ABANDON ADDITIONAL DIV. AMOUNT ☐

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-02012

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
-	A33-02012	2.400	-	-	33-02012	2.400
TOTAL CFS		2.400				2.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N) ☐ Y

FIELD EXAMINER ☐

NOTES:

* RIGHT IS OVERCLAIMED NOW COMPARED TO LICENSE IN TERMS OF AVERAGE.
NO SPLIT. AVERAGE OF 151MG. SHOWN TO BE 100MG. CHANGE OCCURRED IN 1977 WATER YEAR.
MANUAL WAS NOT TAKEN FROM THE CROON (P.O.P.) C03
C04 NO AS LIC IT'S OR
C05

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 10 FEB 94
NAME OF FIELD EXAMINER: ANDREW B. PERRY TITLE: SR. AGENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:54
03/31/93

1213
CLAIM NUMBER: A33-32012

PAGE: 13
QUIT: KLOCK INFORMATION

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								
POINT OF DIV	Y			Y	25.6			
SOURCE				N	15.6			
PLACE OF USE	Y			Y	25.6			
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-			Y				
PURPOSES	Y			N				
PERIOD OF USE	Y							
BASIS OF CLAIM				N				
REMARKS	Y							

VERIFIED BY CODES

- TOPO MAP/ORTHO-PQ = 1
- ASCS MAP = 2
- AIRMASTER 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.

Presumption - PC

BAR CODE

COND/REMARK CODE
SPZ PQA
FDS
KPC



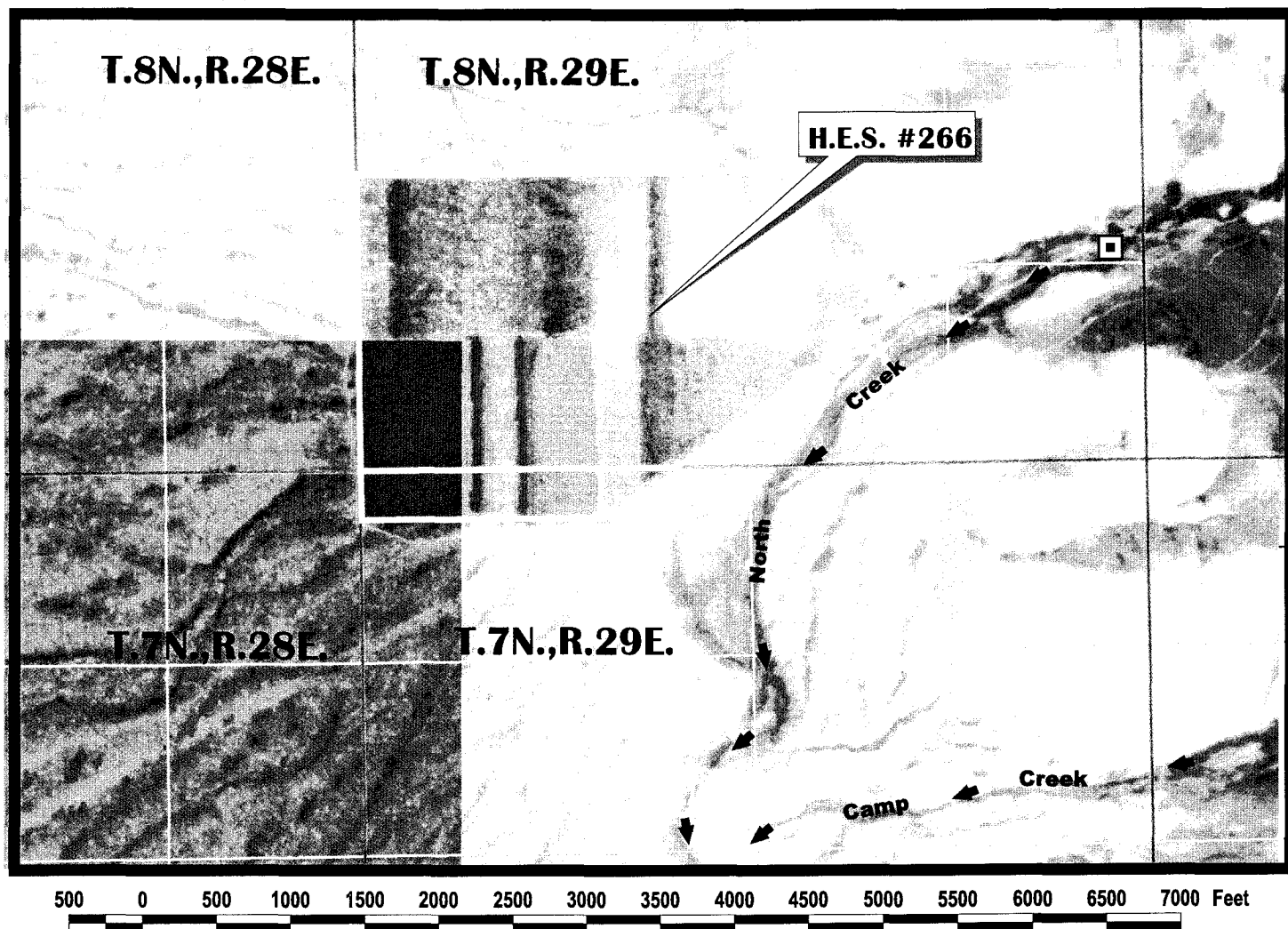
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: David L Waymire

Water Right(s): 33-02012, 33-02023



LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

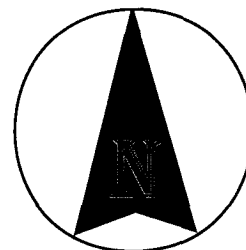
Quarter-section line

Place(s) of Use: T.7N., R.29E.

Sec. 6 (part of) N2NW,
T.8N.,R.29E. Sec. 31 (parts of)
SW, W2SE

All known as H.E.S. #266

Point(s) of Diversion: T.8N., R.29E.
Sec. 31 SENESE



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: April 1999

AJ0749NP
No. R33-02012

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

DATE: 04/23/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVID L WAYMIRE HC 65 BOX 3151 HOME ID 83244 (208) 767-3391	11/28/1910	IRRIGATION STOCKWATER DOMESTIC	04-01 10-31 01-01 12-31 01-01 12-31	2.34 CFS 0.02 CFS 0.04 CFS	
TOTAL DIVERSION:					2.40 CFS	

Water Source: NORTH CREEK Tributary to: SINKS Stage: LICENSE
Point(s) of Diversion: T08N R29E S31 SENESE BUTTE County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		SUM			
T	R	S	NE	SE	NE	SW	SE	NE	SW	SE	SE
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07N	29E	6	03	10	20	20	40	37	13.6		
08N	29E	31							139.4		
TOTAL ACRES										153.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: BUTTE

Non-Irrigation Uses: ONE HOME

Other Rights: 33-02023

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- N09 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N14 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 33-02023 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.11 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 535.5 AF.

POU1

USE OF THIS RIGHT WITH RIGHT NO. 33-02023 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 153 ACRES IN A SINGLE IRRIGATION SEASON.

POU 38
POU 50

Remarks:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 266.
STOCKWATER: 50 CATTLE, 10 HORSES.
RIGHT NO. 33-02023 IS ALSO DIVERTED THROUGH POINT OF
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: 02/14/1995 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
LICENSE INDICATES COUNTY AS BLAINE. CHANGED TO BUTTE.
AT THE TIME OF LICENSING IT WAS BLAINE CO.
ORIGINAL LICENSE ERRORS IN POU BY QQ.

Date: 03/24/1999 User-ID: ARUBERRY Subject: CHANGES TO THE SYSTEM
THE IRRIGATION WATER WAS PUT INTO A MAINLINE IN 1977. DOMESTIC
USE AND STOCKWATER ALSO COME FROM THE IRRIGATION MAINLINE. POINT
OF DIVERSION IS A STEEL HEADBOX IN THE CREEK WITH A PIPELINE FOR
CONVEYANCE TO THE PLACES/PURPOSES OF USE. C03,C05. LICENSED WITH
DOMESTIC USE.

Audit:

04/23/99 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: A33-02012
Date Received: 1/11/1990
Receipt No: C014010
Received By: _____

*Original
Sent to
court.*

4-20-00

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID L. WAYMIRE 208-767-3391
Address: HC 65 BOX 3151
HOWE, ID 83244

2. Date of Priority: NOV 28, 1910

3. Source: NORTH CREEK Trib. to: BIG SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	29E	31		NE	SE		BUTTE

5. Description of diverting works:
HEAD BOX TO PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.400		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME S/ UP TO 30 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	29E	6	NW	NW		IRR	10.0
Section Acres							10.0

A33-02012

Page 1

Date: 03/27/90

MICROFILMED

NOV 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	29E	31	NE		SW		IRR	20.0
			NW		SW		IRR	20.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NW		SE		IRR	13.0
			SW		SE		IRR	16.8
							Section Acres	149.8
							Total Acres	159.8

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:
NONE

14. Remarks:
LICENSE INCORRECTLY INDICATES COUNTY AS BLAINE.

15. Basis of Claim: LICENSE
Water Right Number: 6902

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

CIVIL CASE NUMBER: 39576

Ident. Number A33-02012Date Received 1/16/90Receipt Number C014010Original
Sent to
court.
4-20-00NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN 15 1990

posted Jan. 11, 1990

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) DAVID L WAYMIRE Phone (208) 767-3391
Mailing Address HC 65 Box 3151 Howe, Idaho Zip 832442. Date of Priority (Only one (1) per claim) 11-28-19103. Source of water supply (a) North Creek
which is tributary to (b) Sinks4. a. Location of existing point of diversion is: Township 8 N Range 29 E Section 30,
SE 1/4 of SE 1/4 of SE 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 _____

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. HEAD BOX AND GATE MADEFrom 1/4" STEEL, BUILT 6 FT. SQUARE, TO DIRECT
WATER INTO 12" PIPE

A3302012

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NOV 18 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3-15 to 11-15 amount 2.4 or _____

For domestic purposes from 1-1 to 12-31 amount .04 or _____

For Stockwater purposes from 1-1 to 12-31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.46 (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.) 1 household and Stockwater for 30 BEEF cows

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	
7	29	6					10												10
8	29	31									20	20	40	40		13	16.84		149.84

Total number of acres irrigated 159.84

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. _____ or None (X)

14. Remarks:

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NOV 18 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

See attached map

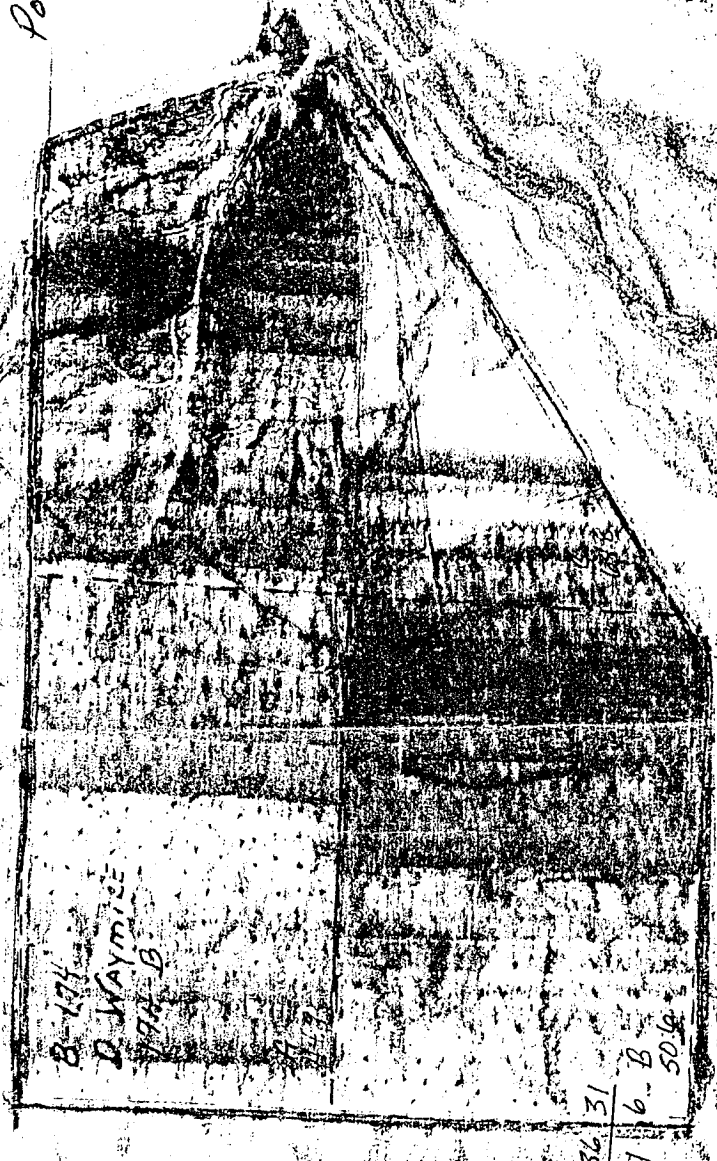
[illegible]

NOV 18 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

Point of Diversion



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License 6902 Permit _____
Decree 33-2012
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) David L. Wayne Date 1-11-90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
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/or _____)
County of Butte) SS.

Subscribed and sworn (or affirmed) before me this 11th day of January 1990

SEAL

Notary Public Laurie Garrett

Residing at Arco, Id

My Commission Expires 1-18-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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NOV 18 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant