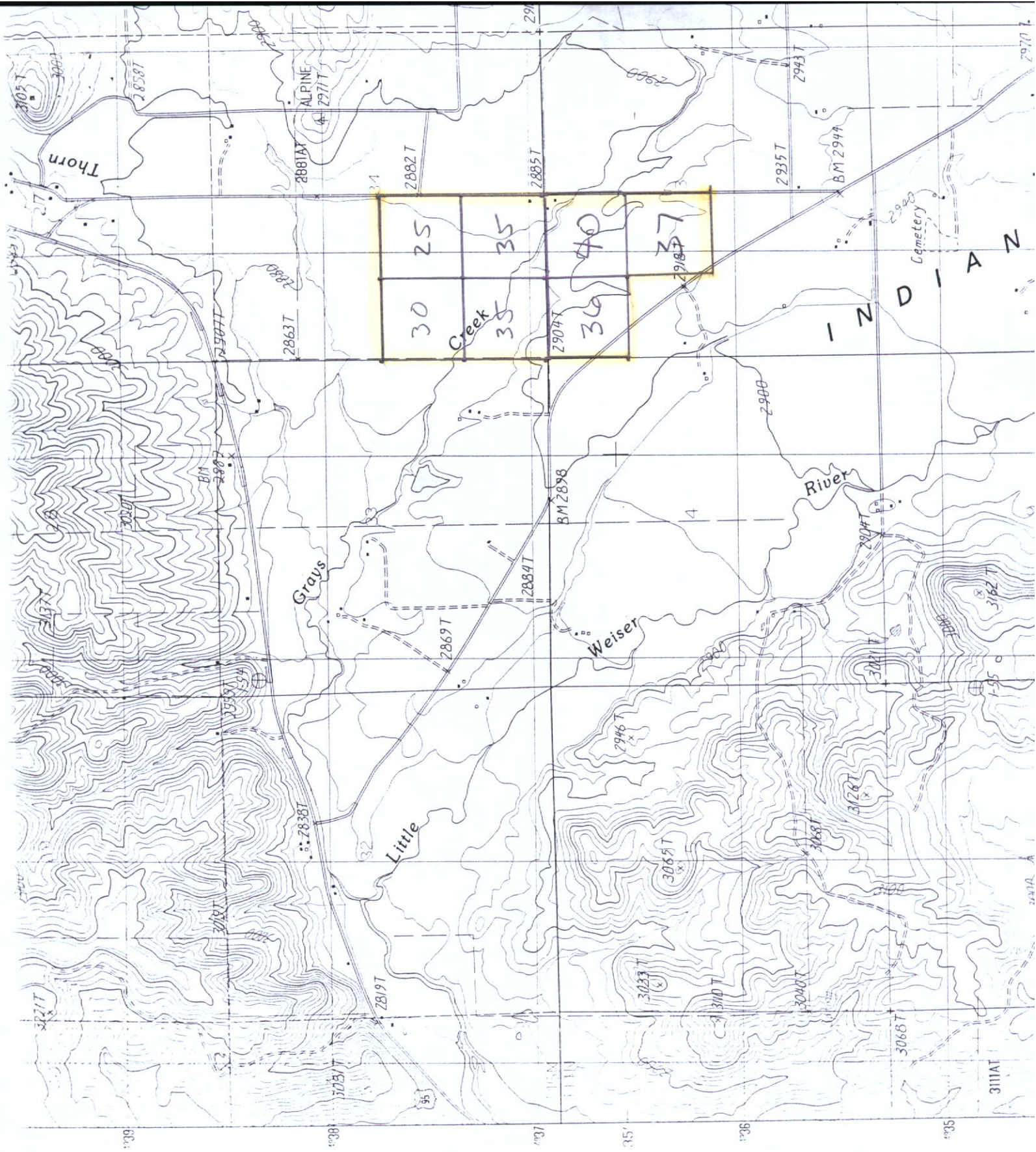




MICROFILMED
OCT 01 1992

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: A67-00431
Date Received: 9/12/1989
Receipt No: 2011572
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALVIN Y. LEGG 208-257-3547
Address: P.O. BOX 118
CAMBRIDGE, ID 83610

AND/OR

Name: KATHLEEN L. LEGG 208-257-3547
Address: P.O. BOX 118
CAMBRIDGE, ID 83610

2. Date of Priority: JUN 01, 1883

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	01W	23	SE	SW	NW		ADAMS

5. Description of diverting works:
GRAYS CREEK DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.700		

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

8. Total consumptive use is 714.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	01W	3	NE	NW	3	IRR	40.0
			NW	NW	4	IRR	36.0
			SE	NW		IRR	37.0
						Section Acres	113.0
15N	01W	34	NE	SW		IRR	25.0
			NW	SW		IRR	30.0
			SW	SW		IRR	35.0
			SE	SW		IRR	35.0
						Section Acres	125.0
						Total Acres	238.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A67-00471, A67-00469, A67-04454, A67-04452

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

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: 1

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): Chin Y. Legg Date: Sept 12, 1989
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 12TH day
of SEPTEMBER 19 89

Jeff Peppersack
Notary Public

Seal

Residing at _____

My Commission Expires _____

Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

MEMORANDUM

Steve ✓
Jan ✓
Gary ✓

DATE: 9/12/2002

FROM: Lori Graves

TO: Steve Lester, Jan Shurte, Gary Spackman

RE: Little Weiser Irrigation District Complaint

Isaac Ward, representing the Little Weiser Irrigation District, called to complain that five separate individuals were "spreading" river water on acres that have not been historically irrigated. I met with Isaac at the Indian Creek Store 8/22/02, where he identified the specific acres on associated maps that I had brought. After researching the problem, I found that the landowners had included the additional acres on their decreed rights.

As Isaac pointed out, the expanded acres should not be allowed the same priority as the original decreed acres. Because specific acres were not identified in the Allison/Muir decree, Gary Spackman stated that the PPU's claimed should be limited to the duty of water decreed, which was 5/8ths inch/acre. Jan Shurte stated that at the time of claims taking, listing PPU's was allowed. Now a separate beneficial use claim is required for expanded acres, with the date of priority being the time of the expansion rather than the decree date. This right, when combined with the decreed right, cannot exceed the decreed flow rate for the original acres.

The following is a list of individuals and their associated rights that include expanded acres:

Name	Right	Decreed Inches	Duty of Water (5/8"/ac)
Tom Grossen	67-427	97	155
	67-432	45	72
	67-436B	19.5	<u>31</u>
Totals Acres Decreed			258
Total Acres Claimed			<u>484</u>
Expanded Acres			226
Alvin Legg	67-431	85	136
	67-469	34	54
	67-471	14	<u>22</u>
Total Acres Decreed			212
Total Acres Claimed			<u>238</u>
Expanded Acres			26

Richard Kretten	67-429	35	<u>56</u>
Total Acres Decreed			56
Total Acres Claimed			<u>80</u>
Expanded Acres			24
 David Wells	 67-439	 17	 <u>27</u>
Total Acres Decreed			27
Total Acres Claimed			<u>152</u>
Expanded Acres			125
 Russell Wilkerson	 67-482	 25	 40
	67-489	80	<u>131</u>
Total Acres Decreed			171
Total Acres Claimed			<u>196</u>
Expanded Acres			25

To resolve the Irrigation District's complaint, separate beneficial use claims need to be filed on ~426 expanded acres before the 2003 irrigation season. I will coordinate this claims taking process with SRBA staff ASAP.