

Notes

12-6-05 Sent claimant 2 line disallow letter. AB.

12/29/05 Sec 10 is a short section. The NENE L-1 doesn't exist. According to the GCDR L-1 is the NWNE. So I removed it from the POU.

Reed Luthi has passed away. Dean Luthi (son) has the property but has not responded to any of our requests for information, ownership change or evidence of priority. ~~I was couldn't~~ ~~or~~ for that reason I couldn't verify the commercial use and only recommended a minimum stock watering. ~~the table was~~ CB. There is probably a well there so I recommended stock watering. CB

10/2/06 Katy Jackson forwarded the Noe reply to the office in Soda Springs. The property has sold. Katy is sending the new owners an ownership change form.

I update the ~~ownership~~ change number of stock in the database. CB

Notes

10-21-04 Cassano's Dpe;

VV + JN Luthi Family Trust

Vona Lee Luthi

PO Box 249

Freedom, WY 83120

3-28-05 Kim Luthi returned my call. Reed died. Dean Reed to now own the property. Phone# 307-883-1180. Alana# 208.873-2563. BP

5-31-05 There is NO NENE in Sec 10.

Quail + Topo maps added. Also printout of Arc View 1987.

5-31-05 Left message for them to call re address for Dean Reed Jr. BP

6-24-05 Called claimant again. left message to return our call. PB

6-28-05 Received call from Dean Luthi said to send ownership form to his attorney Kevin Voils 307-883-7887

6-28-05 Attorney's office called gave Dean Luthi's address. BP

6-29-05 Sent ownership change to Dean

9-6-05 When ownership change was sent in June, IF letterhead was used. Wait to get all Luthi files back from IF before making a 2nd request from claimant. BP

9/23/05 Sent claimants an evidence of priority letter and another ownership change form. CB

10-14-05 response date

12-5-05 Talked to wife, Chris Ellis (307+883-2194). She said brother Dean Luthi inherited the farm. Left message on phone to call (307+883-1180) re ownership change. BP

RECEIVED

SEP 20 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

12/29/2005

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:

Water right number: 24-10038

VONA VEE LUTHI
4089 STATELINE RD
FREEDOM WY 83120
Telephone Number: (208)873-2364

REED LUTHI
4089 STATELINE RD
FREEDOM WY 83120
Telephone Number: (208)873-2364

DECEASED 08/16/2004

DECEASED 12/31/1998

RECEIVED
SEP 25 2006

Department of Water Resources
Eastern Region

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

LAND NOW OWNED JOINTLY BY:

DEAN REED LUTHI, JR.

& BRYAN TY LUTHI

P.O. BOX 249

FREEDOM, WYOMING 83120

(307) 883-1180

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

NO LONGER HAVE DAIRY COWS

NOOD WATER FOR 250 RANGE COWS

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: 09/18/06

SIGNATURE:

Dean R. Luthi Jr.

Please print your name:

DEAN REED LUTHI, JR.

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



COMPLETED
10/11/06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION
IDAHO FALLS ID
208-525-7161 - PHONE
208-525-7177 - FAX

TRANSMITTAL COVER SHEET

OMNIFAX

TO: CINDY FROM: Katy

DOCUMENT DESCRIPTION: NOE W/ISSUES -
ORIGINAL TO Follow IN MAIL
24-10683 + 24-10038

TOTAL NUMBER OF PAGES (Including this page): _____

* Billing address: _____ *
* _____ *
* _____ *
* No of Pages _____ Cost / Page _____ Total Charge _____ *

RECEIVED

SEP 20 2005

12/29/2005

DEPARTMENT OF
WATER RESOURCES

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& BRYAN TY LUTHI
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SIGNATURE:

Dean R. Luthi, Jr.

Please print your name: DEAN REED LUTHI, JR.

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

COMPLETED

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
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Current Owner _____

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (If different from above) and/or update owner information:

Dean Reed Luthi
has never returned the ownership form
No evidence from claimant

Reviewer: _____

Date: _____

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: 24-10038

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

 Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: _____

Date: _____

Priority Date Data Entry Form

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes () No (X)
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes () No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes () No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No (X)
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No (X)
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No (X)
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit.
Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No (X)
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No (X)
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No (X)
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes () No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim.
16. Is a Priority Date remark and/or condition required? Yes () No ()
If Yes, Enter the appropriate basis of claim. Priority Date review is complete.
If No, Priority Date review is complete.

Priority Date

Claim No. A24 - 10038

Point of Diversion and Source Data Entry Form

Claim Number: 24-10038

Water Right Point of Diversion: T____, R____, Sec.____, County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____, County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____, County:_____

Source:_____ Tributary:_____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

1. Is the basis of claim a Decree or License? Yes () No ()
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10
4. Does the parent right have a POD? Yes () No ()
If Yes, go to 5
If No, go to 6
5. Can the claimed POD be verified using the water right file? Yes () No ()
If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6
6. Is there evidence that there has been a change in the POD? Yes () No ()
If Yes, go to 7
If No, go to 9
7. Can the change be verified as an accomplished transfer? Yes () No ()
If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8
8. Was a transfer filed? Yes () No ()
If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9
9. Does the file contain all of the necessary information to verify the POD? Yes () No ()
If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10
10. Is a POD remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.

Point of Diversion

Claim No. A24 - 10038

1. Is the basis of claim a Decree or License? Yes () No ()
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11
4. Does the parent right have a Source? Yes () No ()
If Yes, go to 5
If No, go to 7
5. Can the claimed Source be verified using the water right file? Yes () No ()
If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7
6. Is the basis of claim a Posted Notice? Yes () No ()
If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7
7. Is there evidence that there has been a change in the Source? Yes () No ()
If Yes, go to 8
If No, go to 10
8. Can the change be verified as an accomplished transfer? Yes () No ()
If Yes, add condition C02. go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9
9. Did the claimant file a transfer? Yes () No ()
If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10
10. Does the file contain all of the necessary information to verify the Source? Yes () No ()
If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11
11. Is a Source remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.

Source

Claim No. A24 - 100.38

Purpose of Use Data Entry Form

Claim Number: 24-10038☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

1. Is the basis of claim a Decree or License? Yes () No ()
If Yes, go to 4
If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 3
If No, go to 6
3. Has the License been issued? Yes () No ()
If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13
4. Does the parent right have a Purpose of Use? Yes () No ()
If Yes, go to 5
If No, go to 6
5. Can the claimed Purpose of Use be verified using the water right file? Yes () No ()
If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6
6. Is there evidence that there has been a change in the Purpose of Use? Yes () No ()
If Yes, go to 7
If No, go to 11
7. Can the change be verified as an accomplished transfer? Yes () No ()
If Yes, add condition C04, go to 11
If No, go to 8
8. Does the change include an enlargement of the Purpose of Use? Yes () No ()
If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12
9. Was an enlargement claim filed? Yes () No ()
If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10
10. Did the claimant file an enlargement claim? Yes () No ()
If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13
1. Does the file contain all of the necessary information to verify the Water Use? Yes () No ()
If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
2. Did the claimant file a transfer? Yes () No ()
If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13
3. Is a Purpose of Use remark and/or condition required? Yes () No ()
If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.

Purpose of Use

Claim No. A24 - 10038

Place Of Use Data Entry Form

Claim Number: 24-10038☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Transfers Changing POU _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

1. Is the basis of claim a Decree or License?
If Yes, go to 2a
If No, go to 2b
Yes () No ()
- 2a. Is a POU required?
If Yes, go to 5
If No, go to 14
Yes () No ()
- 2b. Is a POU required?
If Yes, go to 3
If No, go to 14
Yes () No ()
3. Is the basis of claim a Permit or Application?
If Yes, go to 4
If No, go to 7
Yes () No ()
4. Has the License been issued?
If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14
Yes () No ()
5. Does the parent right have a POU?
If Yes, go to 6
If No, go to 7
Yes () No ()
6. Can the claimed POU be verified using the water right file?
If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7
Yes () No ()
7. Is there evidence that there has been a change in the POU?
If Yes, go to 8
If No, go to 13
Yes () No ()
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C05, go to 13
If No, go to 9
Yes () No ()
9. Does the change include an enlargement of the POU?
If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12
Yes () No ()
10. Was an enlargement claim filed?
If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11
Yes () No ()
11. Did the claimant file an enlargement claim?
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13
If Yes, go to 13
Yes () No ()
12. Was a transfer filed?
If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13
Yes () No ()
13. Does the file contain all of the necessary information to verify the POU?
If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14
Yes () No ()
14. Is a POU remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.
Yes () No ()

Place of Use

Claim No. A24 - 10038

Period of Use and Quantity Data Entry Form

Claim Number: 24-10038☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes () No ()
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes () No ()
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
Yes () No ()
4. Does the parent right have a Period of Use?
If Yes, go to 5
If No, go to 6
Yes () No ()
5. Can the claimed Period of Use be verified using the water right file?
If Yes, go to 14
If No, go to 6
Yes () No ()
6. Is there evidence that there has been a change in the Period of Use?
If Yes, go to 7
If No, go to 12
Yes () No ()
7. Does the change include an enlargement in the Period of Use?
If Yes, go to 9
If No, go to 8
Yes () No ()
8. Can the change be recommended as an accomplished transfer?
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
Yes () No ()
9. Was an enlargement claim filed?
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
Yes () No ()
10. Did the claimant file an enlargement claim?
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes () No ()
11. Was a transfer filed?
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes () No ()
12. Does the file contain all of the necessary information to verify the Period of Use?
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
Yes () No ()
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?
If Yes, go to 14
If No, go to 15
Yes () No ()
14. Is irrigation claimed as a purpose of use?
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
Yes () No ()
15. Is irrigation claimed as a purpose of use?
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
Yes () No ()
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
Yes () No ()
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
Yes () No ()
18. Is a Period of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
If No, Period of Use review is complete.
Yes () No ()

Period of Use

Claim No. A24 - 10038

1. Is the basis of claim a Decree or License? Yes () No ()
 If Yes, go to 4
 If No, go to 2
2. Is the basis of claim a Permit or Application? Yes () No ()
 If Yes, go to 3
 If No, go to 6
3. Has the License been issued? Yes () No ()
 If Yes, go to 5
 If No, recommend the Quantity shown on the Permit. Go to 11
4. Does the parent right have a diversion rate and/or volume? Yes () No ()
 If Yes, go to 5
 If No, go to 7
5. Can the claimed diversion rate and/or volume be verified using the water right file? Yes () No ()
 If Yes, go to 8
 If No, go to 7
6. Is the basis of claim a posted notice? Yes () No ()
 If Yes, consult the attorney assigned to the Basin. Go to 7
 If No, go to 7
7. Is a flow measurement required? Yes () No ()
 If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9
 If No, describe why a flow measurement is not required. Go to 9
8. Does the parent right have an annual diversion volume limit? Yes () No ()
 If Yes, go to 10
 If No, go to 9
9. Is the source Ground Water and does the purpose of use require a diversion volume limit? Yes () No ()
 If Yes, go to 10
 If No, go to 11
10. Is irrigation a purpose of use? Yes () No ()
 If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
 If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
11. Has a diversion volume limit for this water use been established by a decree, license or transfer? Yes () No ()
 If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12
 If No, go to 12
12. Is a Quantity remark and/or condition required? Yes () No ()
 If Yes, enter the appropriate remark and/or condition. Quantity review is complete
 If No, quantity review is complete.

Quantity

Claim No. A24 - 10038

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?
If Yes, go to 2
If No, go to 3
Yes ☐ No ☒
2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5
Yes ☐ No ☐
3. Is the water being used for all of the purposes claimed and to the extent claimed?
If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4
Yes ☐ No ☒
4. Is any portion of the claim being recommended?
If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5
Yes ☐ No ☒
5. Does this right have any combined used limits with other rights?
If Yes, go to 6
If No, go to 6
Yes ☐ No ☒
6. Is an additional remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Go to 7
If No, go to 7
Yes ☒ No ☐
7. Would you like to view the recommended right?
If Yes, go to 8
If No, the review is incomplete. The recommendation must be viewed to complete the review.
Yes ☒ No ☐
8. Is this a "split" or "combined" right?
If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 9
If No, go to 9
Yes ☐ No ☒
9. Do you have documents you would like to attach or link to the file?
If Yes, go to PowerDOCS and profile the documents. Go to 10
If No, go to 10
Yes ☐ No ☒
10. Would you like to set the verification date?
If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.
Yes ☒ No ☐

Summary

Claim No A24 - 10038

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

P01

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.: A24-10038

Reviewer _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

6 December 2005

Dean Luthi
PO Box 820
Thayne, WY 83127

COPY

Re: Snake River Basin Adjudication (SRBA)
Claim 24-10038

Subject: CLAIM RECOMMENDATION - DISALLOW

Dear Claimant(s):

Please be advised that since we have had no response from you, we will recommend to the Court that the above referenced claim be disallowed.

Respectfully,

Pauline Bassett



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

September 23, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

VV & JN Luthi Family Trust
P.O. Box 249
Freedom, WY 83120

Re: Snake River Basin Adjudication (SRBA)
Claim 24-10038

Subject: EVIDENCE OF PRIORITY & OWNERSHIP CHANGE

Response Date: October 14, 2005

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 24. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The basis of the above referenced Notice of Claim is a "beneficial use claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding your claim for stock water and commercial use, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Also, Caribou County records, indicates a change in ownership. Before we can modify our records, we need the Change in ownership form filled out and returned to us with the documentation supporting the priority date by the above noted response date. If you have any questions not covered by this letter, please feel free to contact us at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Ownership Change Form 42-248/42-1409(6) July, 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Dean Luthi
P.O. Box 820
Thayne, WY 83127

COPY

June 29, 2005

Re: Snake River Basin Adjudication (SRBA)
Claim Numbers: 24-2018 & 24-10038

Subject: CHANGE IN WATER RIGHT OWNERSHIP

Response Date: July 15, 2005

Dear Claimant;

As I informed you on June 28th on the phone, both water rights are in Reed and Vona Vee Luthi's names. Before we can modify our records to reflect your ownership of the property, we need form 42-248/42-1409(6) completed, signed and returned to us.

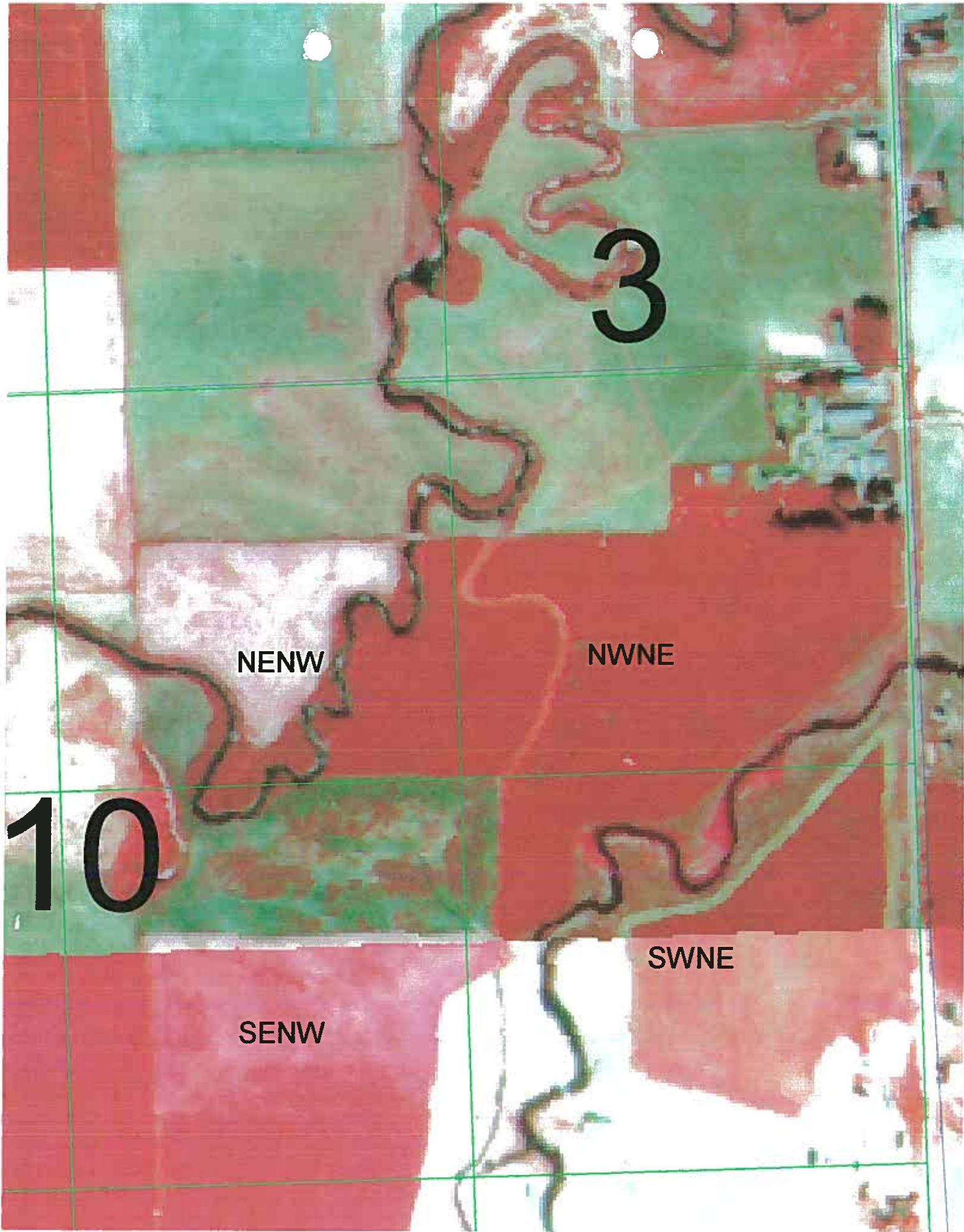
Please file out the "Notice of Change in Water Right Ownership" form and return to our office along with the required documents. Since this claim is still in the adjudication review process there is no filing fee required, if returned by the response date noted above.

If you have any questions please feel free to call us at (208) 547-3993.

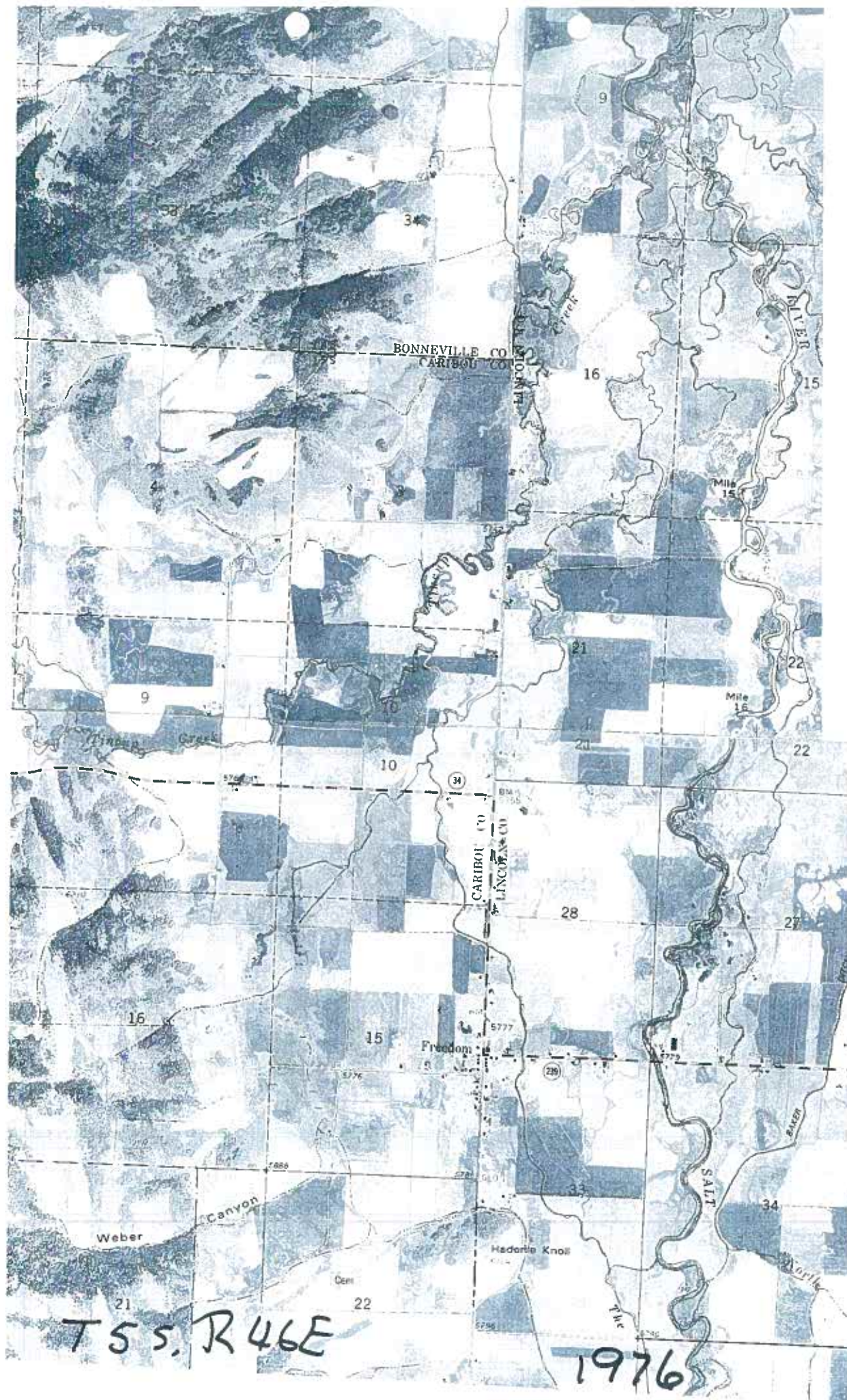
Respectfully,

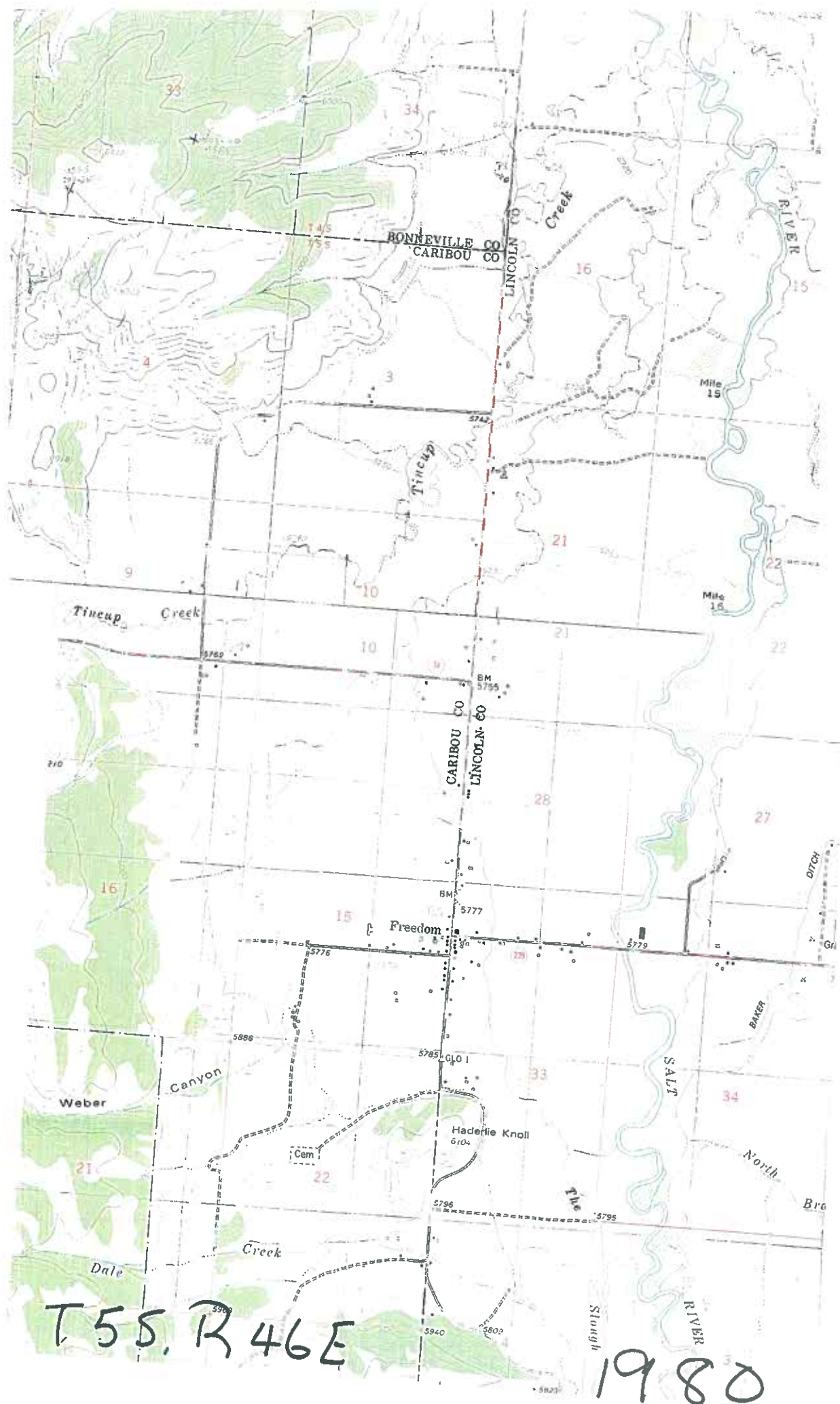
Pauline Bassett

Enclosure: Form 42-248/42-1409(6) Notice of Change in Water Right Ownership



1987





Reed Lick

11810

11540

Panel 11810

5, 46, 10, TR1

Ingrated 29 ac

panel 11540

5, 46, 3, TR5

Dry grazing 8

Ingrated 37

10-21-04

24-10038

Reed & Vona Vee
Luthi

No Layout Needed

Stockwater

09/11/2006

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

RIGHT NUMBER: 24-10038

NAME AND ADDRESS: VONA VEE LUTHI
4089 STATELINE RD
FREEDOM WY 83120

REED LUTHI
4089 STATELINE RD
FREEDOM WY 83120

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1935

POINT OF DIVERSION:

T05S R46E S10 NWNE Lot 1 Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within CARIBOU County

T05S R46E S10 Lot 1 NWNE

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 - Beneficial Use

Stockwater use is for 170 range cows and 80 dairy cows.

SCANNED

1990 JUN 15

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE SNAKE RIVER BASIN WATER SYSTEM.

Ident. Number: A24-10038
Date Received: 2/14/1990
Receipt No: E012061
Received By: Ray

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: REED LUTHI
Address: 4089 STATELINE ROAD
FREEDOM, WY 83120
OR
Name: VONA VEE LUTHI
Address: 4089 STATELINE ROAD
FREEDOM, WY 83120
208-873-2364
208-873-2364

2. Date of Priority: JUN 01, 1935
3. Source: GROUNDWATER
Trib. to:

4. Point of Diversion:
Township 05S Range 46E Section 10
1/4 of 1/4 of 1/4 Lot 1
County CARIBOU CARIBOU

5. Description of diverting works:
WELL PUMP MAINLINE TO STOCK TROUGH & DAIRY
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		
COMMERCIAL	01/01	12/31	0.070		

7. Total Quantity Appropriated is: 0.120 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/170 RANGE CATTLE, C/80 DAIRY CATTLE

A24-10038

Page

1

Date: 02/14/90



A2410038

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NOV 06 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	46E	10	NE	NE	1	STOCK	
			NE	NE	1	COMMER	
			NW	NE	1	STOCK	
			NW	NE	1	COMMER	

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
NONE

14. Remarks:
COMMERCIAL USE IS FOR DAIRY USE. CLAIMANT HAS 170 RANGE & YOUNG DAIRY CATTLE ALONG WITH 80 MILKING COWS.

15. Basis of Claim: BENEFICIAL USE

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): Reed Luthi Date: 2-14-90
Date:

State of Idaho)
County of Bonneville) ss.

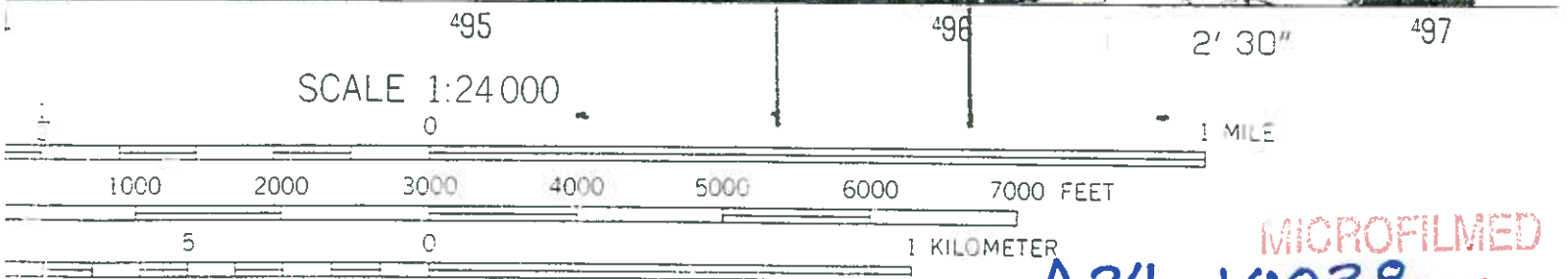
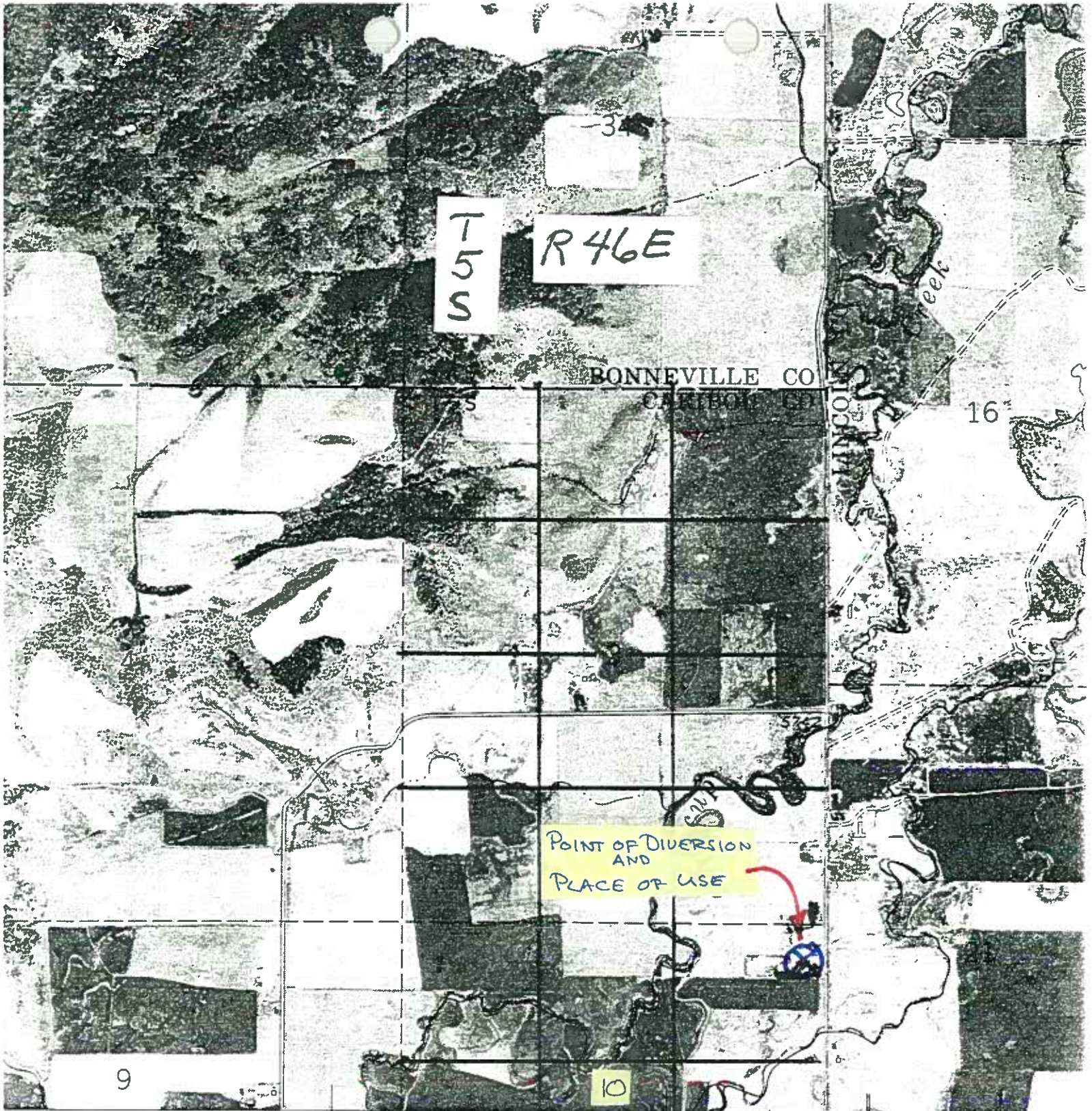
Subscribed and sworn (or affirmed) before me this 14 day
of Feb 19 90

Betty J. Thompson
Notary Public

Seal



Residing at NO LATE FEE IF RECEIVED
My Commission Expires BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94



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A24-10038
NOV 06 1992