

12/13/2004

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

RIGHT NUMBER: 77-2188

NAME AND ADDRESS: DIANA SWIFT HAYNES
WAPITI MEADOW RANCH
HC-72
C/O BARRY BRYANT
CASCADE ID 83611

SOURCE: COX CREEK
FORSTRUM CREEK
MOOSE CREEK
SAWMILL CREEK
UNNAMED STREAM

TRIBUTARY: JOHNSON CREEK
TRIBUTARY: JOHNSON CREEK
TRIBUTARY: JOHNSON CREEK
TRIBUTARY: JOHNSON CREEK
TRIBUTARY: JOHNSON CREEK

QUANTITY: 1.900 CFS

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

PRIORITY DATE: 05/06/1965

POINT OF DIVERSION:

T18N R08E S30 SESE Within VALLEY County
T18N R08E S32 NENW Within VALLEY County
T18N R08E S32 SENW Lot 3 Within VALLEY County
T18N R08E S32 NESW Lot 4 Within VALLEY County
T18N R08E S32 NWSW Lot 7 Within VALLEY County
T18N R08E S32 NWSW Lot 7 Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.900 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T18N R08E S32 Lot 1 NENW	10.0	T18N R08E S32	NWNW	18.0
T18N R08E S32	SWNW	30.0	T18N R08E S32 Lot 2 SENW	7.0
T18N R08E S32 Lot 5 NESW	5.0	T18N R08E S32 Lot 7 NWSW		24.0

DOMESTIC Within VALLEY County
T18N R08E S32 Lot 7 NWSW

94 ACRES TOTAL

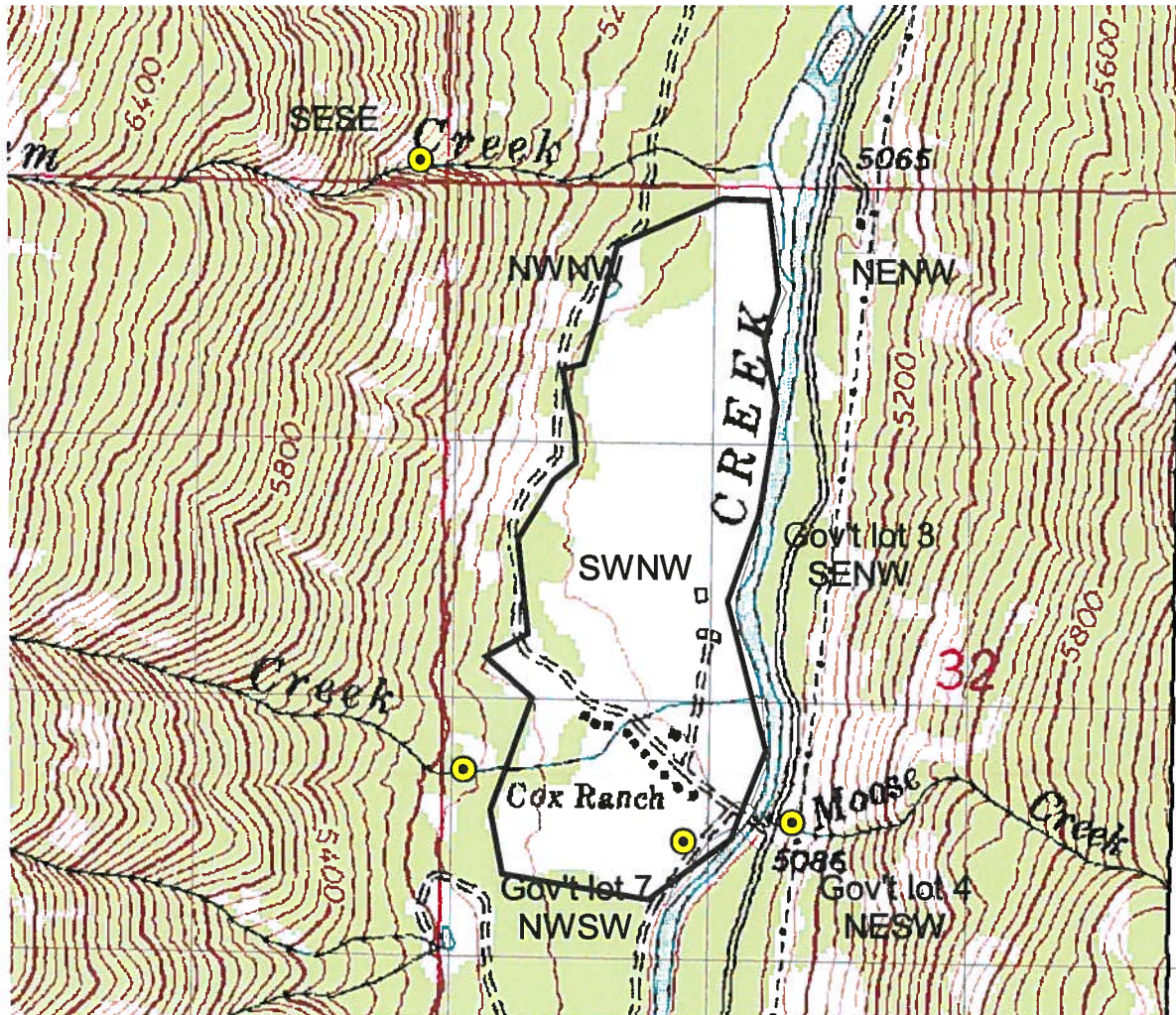
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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

EXPLANATORY MATERIAL: License

77-2188



0 600 1200 Feet

Sections 30 & 32
T18N R8E

● Point of Diversion

□ Place of Use

Map prepared on January 10, 2005
By Kenneth Knoblock
Idaho 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A77-02188
Date Received: 11/17/1988
Receipt No: m001959
Received By: Rdh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DIANA SWIFT HAYNES 208-382-4336
Address: WAPITI MEADOW RANCH
HC-72
C/O BARRY BRYANT
CASCADE, ID 83611

2. Date of Priority: MAY 06, 1965

3. Source: MOOSE CREEK Trib. to: JOHNSON CREEK
COX CREEK JOHNSON CREEK
SAWMILL CREEK JOHNSON CREEK
FOSTRUM CREEK JOHNSON CREEK
UNNAMED STREAMS JOHNSON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	08E	30		SE	SE		VALLEY
		32		NE	NW		VALLEY
				SE	NW		VALLEY
				NE	SW		VALLEY
				NW	SW		VALLEY

5. Description of diverting works:
DITCHES, CULVERTS, GRAVITY FLOWS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	1.900		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 190.0 Acre Feet Per Annum.

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Date: 11/17/88

MICROFILMED
OCT 05 1992

9. Non-irrigation uses:
DOMESTIC

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	08E	32	NE	NW		IRR	10.0
			NW	NW		IRR	15.0
			SW	NW		IRR	35.0
			NW	SW		IRR	35.0
						Section Acres	95.0
						Total Acres	95.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:
2 P/D IN NWSW, S32, T18N, R8E.
LIC. INCORRECTLY DESC. P/D AS SENE, S31, T18N, R8E.
SOURCES ARE MOOSE, COX, SAWMILL, FOSTRUM CK. & UNNAMED STREAMS.

15. Basis of Claim: LICENSE
Water Right Number: 32357

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Business Manager of
Title
Wapiti Meadow Ranch, that I have signed the foregoing
Organization
document in the space below as Business Manager of
Title
Wapiti Meadow Ranch, and that the statements contained in the
Organization
foregoing document are true and correct.

M. Barry Bryant
Signature of Authorized Agent

Business Manager
Title and Organization

11-17-88
Date

State of Idaho)
County of Valley) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of Nov. 19 88

John Dale Carlson
Notary Public

Seal

Residing at Boise Id

My Commission Expires 4/2/91

7-8681
V.C.

State of Idaho License and Certificate of Water Right

Water License No. 32357

Amount 1.90 c.f.s.

Water District No. _____

Priority May 6, 1965

THIS IS TO CERTIFY that LAFE E. COX

of Cascade, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 6, 19 65; that Permit No. 32357 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.90 second feet, was issued thereunder on February 20, 19 67, showing that said works were completed on the 27th day of July, 19 66; and that on the 27th day of July, 19 66, LAFE E. COX

of Cascade, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Moose, Cox, Sawmill, Fostrum Creeks, 2 unnamed streams, a tributary of Johnson Creek, for the purpose of domestic use & irrigation, under Use Permit No. 32357 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

14 of Licenses at page 8681, on the 20 day of February, 19 67;

The right hereby confirmed dates from May 6, 19 65;

The Point of Diversion is located SE1/4 NE1/4, Sec. 31; NE1/4 NW1/4, SE1/4 NW1/4, 2 points NW1/4 SW1/4, in the NE 1/4 SW 1/4, Sec. 32, Tp. 18 N R. 8 E, B. M. Valley County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.90 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
18 N	8 E	32	NE1/4 NW1/4	40	10
			NW1/4 NW1/4	40	15
			SW1/4 NW1/4	40	35
			NW1/4 SW1/4	40	25
			Total number of acres to be irrigated:		95

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 20th day of February, 19 67.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

(SEAL)

77 2188

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 32357

This proof is for Completion of Works & Beneficial Use Water District No.

1. Name of applicant Life Cox
2. Source of water supply: Moose Creek
3. Location of point of diversion: Is in the NE1/4, 1 pt. SE1/4, 2 pts. NW1/4, 2 pts. NE1/4 of Section 32
SE1/4, Sec. 31
T. 18 N. R. 8 E., B.M. County of VALLEY
4. Describe works as they exist, giving dimensions and capacities of same:

5. Water is used for: Domestic & irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N1/4, SW1/4, NW1/4, Sec. 32, T. 18 N., R. 8 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Johnson Creek

Remarks: Mr. Life Cox along

Sawmill Creek - NW1/4 SW1/4, Sec. 32 Allow .30 cfs or 15"

Cox Creek - NW1/4 SW1/4, Sec. 32 Allow .60 cfs or 30"

Unnamed Creek - SE1/4 NW1/4, Sec. 32 Allow .06 cfs or 3"

Unnamed Creek - NE1/4 NW1/4, Sec. 32 Allow .13 cfs or 6.5"

Moose Creek - NE1/4 SW1/4, Sec. 32 Allow .61 cfs or 30.5"

Fostrum Creek - SE1/4 NE1/4, Sec. 31 Allow .20 cfs or 10"

Totals 1.90 cfs or 95 minors inches

This examination was made on the 15 day of September, 1966

(Signed)

Donald W. Eldredge
Examiner.

32357

Plat