

03/22/2005

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

RIGHT NUMBER: 77-7025

NAME AND ADDRESS: ALVIN H TUTT
465 PARKWAY
CHULA VISTA CA 92010

STEVEN ALVIN TUTT
465 PARKWAY
CHULA VISTA CA 92010

SOURCE: GOVERNMENT CREEK

TRIBUTARY: LOGAN CREEK

QUANTITY: 0.100 CFS
3.000 AFY

This right when combined with water right number 77-7031 shall not exceed
0.14 cfs and 3.6 acre feet per annum.

PRIORITY DATE: 04/11/1972

POINT OF DIVERSION:

T21N R09E S35 NWNW Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.100 CFS 3.00 AFY

PLACE OF USE: DOMESTIC Within VALLEY County

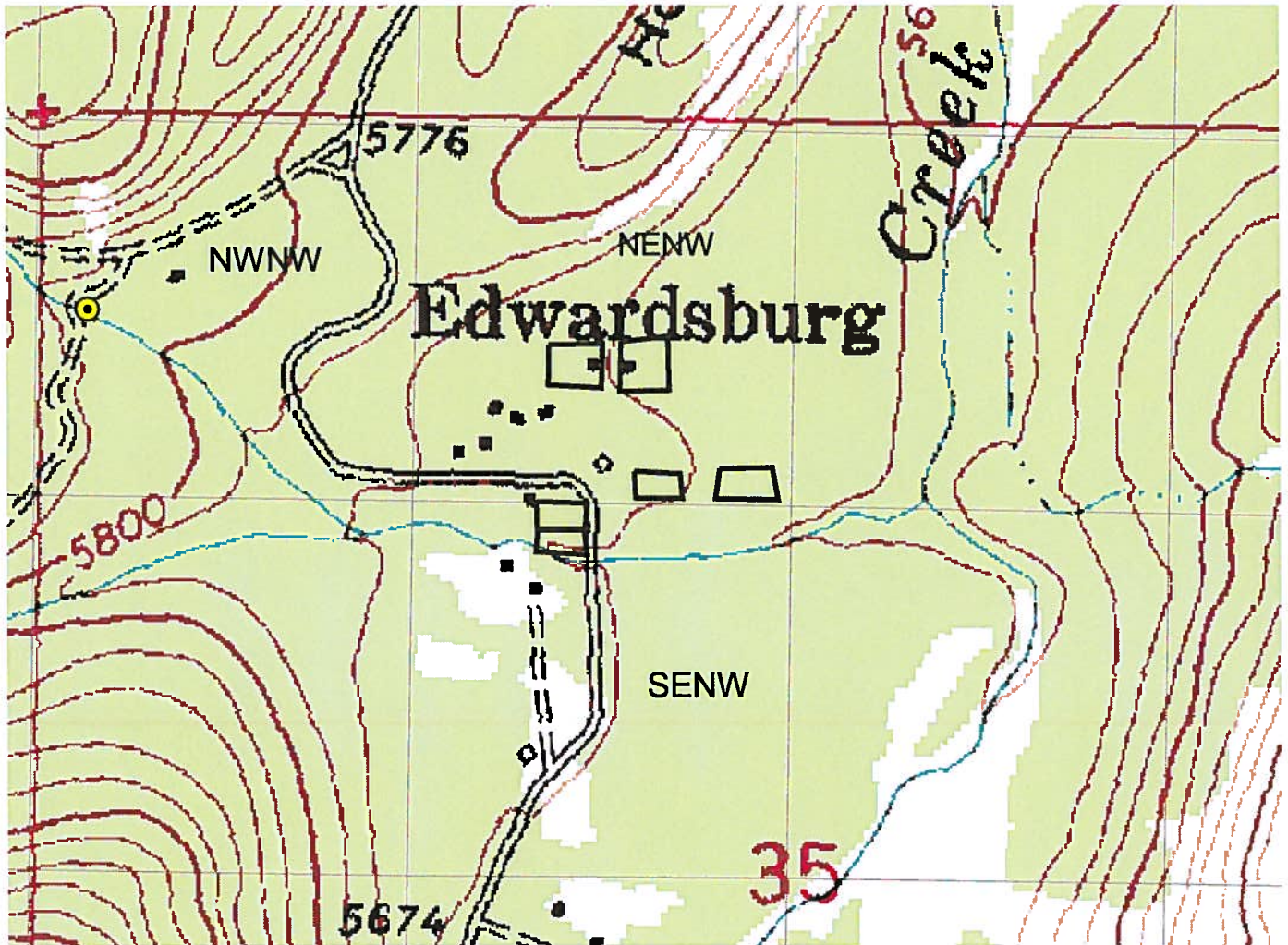
T21N R09E S35	NENW	T21N R09E S35	SENW
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: License

77-7025



0 500 1000 Feet

Section 35
T21N R9E



● Point of Diversion

□ Place of Use

Map prepared on March 22, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 77-7025 Priority April 11, 1972 Amount 0.10 cfs

THIS IS TO CERTIFY, that ALVIN H. &/or ANNA M. TUTT
of Chula Vista, California 83677, has complied with the terms and conditions of Permit
No. 77-7025 issued pursuant to Application for Permit dated April 11, 1972,
and has submitted proof to the Department of Water Resources on July 26, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.10 cfs of water from Government Creek,
tributary to Logan Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.10</u> cfs and	<u>3 acre feet</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.10 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3 acre feet per year, said waters to be diverted within the NW 1/4, Sec. 35, Twp. 21N,
Rge. 9E, B. M. in the County of Valley

Description and location of place of use:

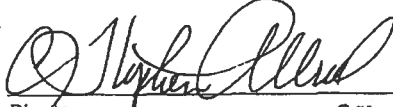
Twp.	Range	Sec.	NEW				NW¼				SW¼				SE¼				Totals
			NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	
21N	9E	35					X				X								

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of
February, 19 79.


Director

MICROFILM

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: A77-07025
Date Received: 9/07/1988
Receipt No: 0002495
Received By: RS

SEP 16 1988

Department of Water Resources
Western Regional Office

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: STEVEN ALVIN TUTT 619-422-1520
Address: 465 PARKWAY
CHULA VISTA, CA 92010

AND/OR

Name: ALVIN H. TUTT 619-422-1520
Address: 465 PARKWAY
CHULA VISTA, CA 92010

2. Date of Priority: APR 11, 1972

3. Source: GOVERNMENT CREEK Trib. to: LOGAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	09E	35	NW	NW			VALLEY

5. Description of diverting works:
PIPELINE, BOX AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME

A77-07025

Page 1

Date: 09/07/88

MICROFILMED
OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	09E	35	NE	NW		DOMEST	
			SE	NW		DOMEST	

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:
PLACE OF USE EDWARDSBURG TOWNSITE, LOTS 25 AND 26.

15. Basis of Claim: LICENSE

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): Alvin H. Tuth Date: 9-7-88
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of September 19 88
Don W. Shaff
Notary Public

Seal

Residing at Boise Idaho
My Commission Expires June 10, 1994

Pipeline works

Permit No.

Alvin M. TUNTT

Harry GARNER

Ray Threl

E. Ward

Joe Atkins

Section 35

7/14

1-2-3

National
Forest
Land.

private property

77-07031
Government Creek
waterblers Association
pipeline of
which Tutt 77-07025
also shares.

7707031

Paulsen-
haus

A. A. A. A. A.

Big Cr-Yellow Pine Rd

R/W 66' wide

line to cross under
roadway.

77-07031

← 77-07025 →

Bib

By

1

上

54422

THRAILL
YACOB
LATIMER
(3)

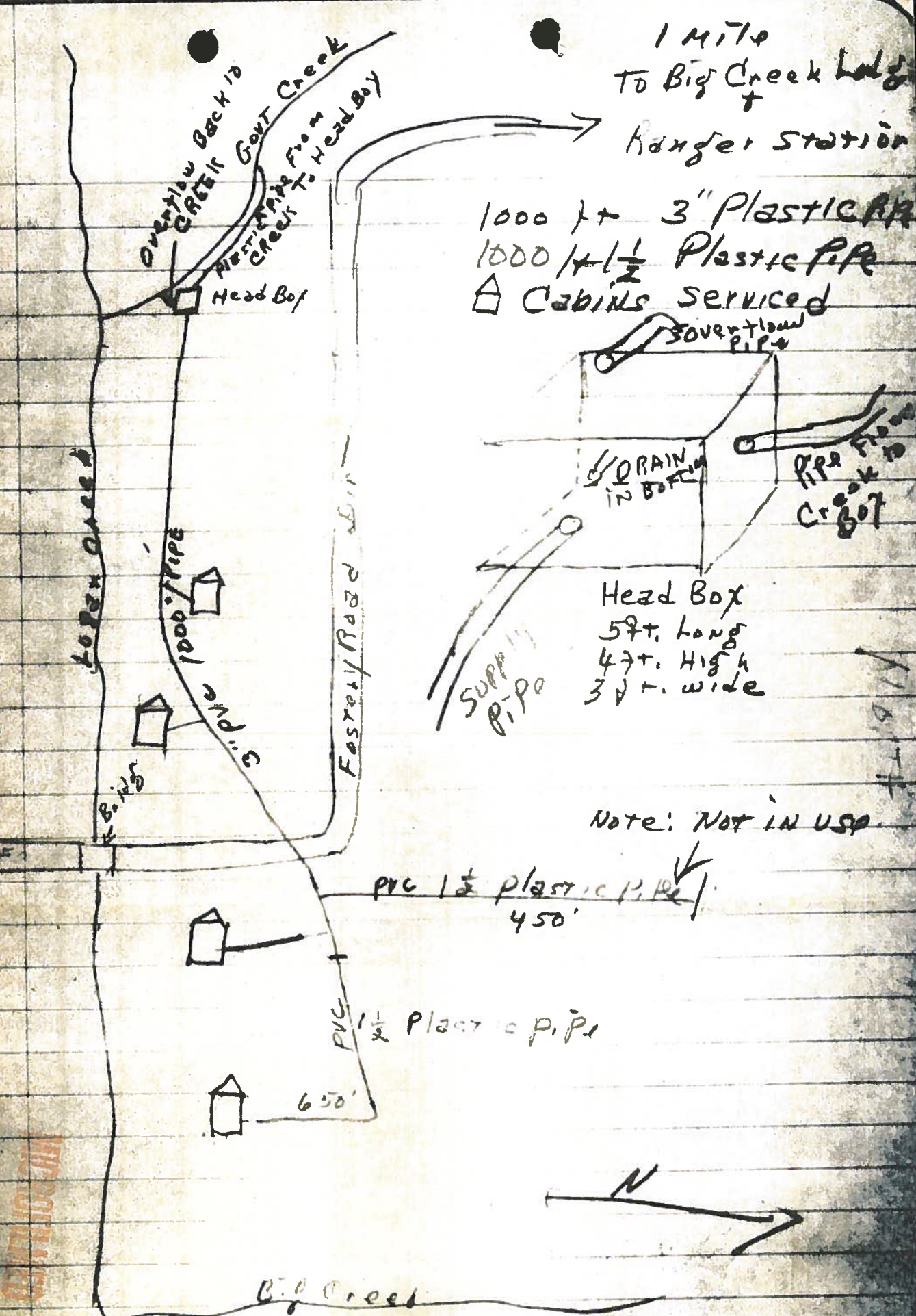
GARNER
(91)

MICROFILMED

Tutt

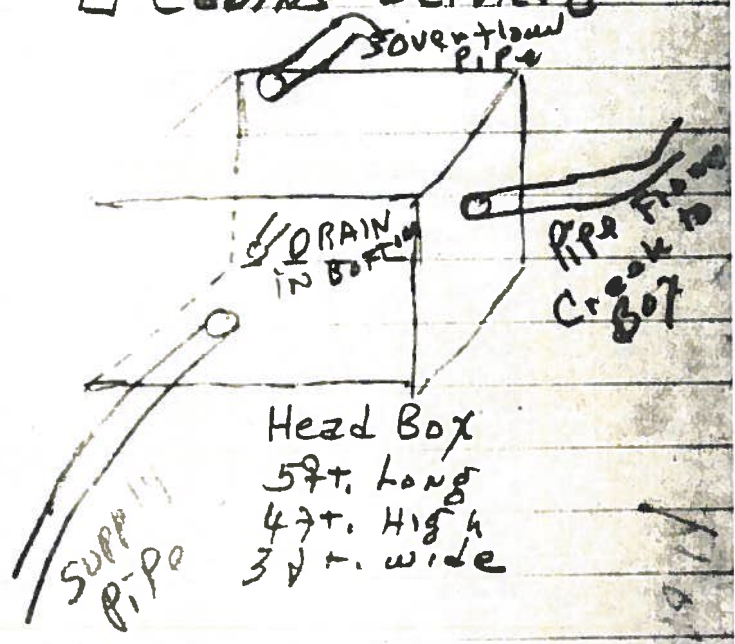
77-07025

OCT 05 1992



1 mile
to Big Creek Lake
+
Ranger Station

1000 ft 3" Plastic Pipe
1000 ft 1 1/2" Plastic Pipe
△ Cabins serviced

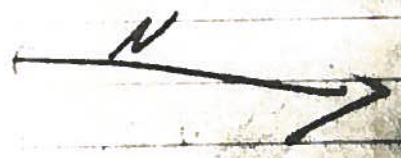


Note: NOT IN USE

PVC 1 1/2" plastic pipe 450'

PVC 1 1/2" Plastic pipe

650'



Big Creek

ROUGH SKETCH of water system

DATE OF EXAM

8/24/77

ACREAGE

Found

Recommended

Irrigation Requirement Ac Ft/Ac

USE

Irrigation Q = c.f.s.

V =

AF/Ann. from

to

Domestic Q = 0.10 c.f.s.

V =

3.0

AF/Ann. from

Jan. 1

to

Dec. 31

Livestock Q = c.f.s.

V =

AF/Ann. from

to

Is water co-mingled? yes no ☒

Name source:

twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4

County

Exchange? yes no ☒

Name source exchanged with:

twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4

County

Point of injection:

twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4

County

Point of exchange:

twp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4

County

Total Q measured 0.10 cfs Method of measurement estimate

Total Q recommended 0.10 cfs Meter No. Type Condition

Total V recommended 3.0 AF/year

Recommended Amendments:

P.D.

Place of Use

Other

None ☒

MEASUREMENT CALCULATION:

Q estimate = 0.10 cfs

Allow 0.6 AF/year household for second home sites.

V = 5 X 0.6 AF/year = 3.0 AF/year

SYSTEM DESCRIPTION:

55 gallon drum with top cut off sideways in Government Creek as collection box. Water piped down stream to holding tank (approx 400 gal) with overflow returning to Government Creek. Water is piped to six second home sites.

REMARKS:

Single P.D. in NW 1/4 NW 1/4, sec. 35, T 21 N, R 9 E, B.M.

Recommend 5 domestic uses only.

Examiner's Signature

Walter H. Mac Allister

Date

8/31/77

Checked by

Date

Approved by

Date

DATE: 11/09/98
PAGE: 28

DIVERSION VOLUME

307

Stage: **BENEFICIAL USE**

VALLEY County

35

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: NESE NWSE SWSW SESE
: Lt AC Lt AC Lt AC Lt AC
: -----
:
:

```

del

DOMESTIC,

Other Rights: NONE

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

PARCEL NO. RP00078002026AA

Objection Filed Date:

Field Inspection

Comments: Date: 12/01/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS
PLACE OF USE EDWARDSBURG TOWNSITE, LOTS 25 AND 26
I SUSPECT THAT THIS RIGHT IS INTENDED FOR BIG CREEK WATER ASSOC.
PER PHONE CONVERSATION W/ BRUCE MINTER (208)634-8744. FLAG THIS

Date: 12/01/1993 User-Id: DUNN1 Subject: COPIED FROM REMARKS
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PER PHONE CONVERSATION W/ BRUCE MINTER (208)634-8744. FLAG THIS

WR5809NP
No. 77-07025

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/06/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALVIN H. TUTT	04/11/1972	DOMESTIC	01/01 12/31	0.100 CFS	3.00 AFA
C	ANNA M. TUTT					
	CHULA VISTA CA 83677					
TOTAL DIVERSION:					0.100 CFS	3.00 AFA

Water Source: GOVERNMENT CREEK Tributary to: LOGAN CREEK Stage: LICENSE
Point(s) of Diversion: T21N R09E S35 NW1W VALLEY County

Place of use Legal Description for: DOMESTIC

		NE		NW		SW		SE	
T	R	S	: Lt Ac	NE NE	SW NE	SW NE	SW NE	SW NE	SE SE
---	---	---	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
21N	09E	35	:	:	:	:	:	:	:

Pou County: VALLEY

Dates:	App. Received:	Priority Date:
	Proof Due Date:	04/11/1972
	Exam Made Date:	Proof Made Date:
	Licensed Date:	Exam Sent to S.O.:
	10/16/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 02/26/85 05/01/88 CONVERT

RECEIVED

AUG 29 1988

A77-07025

Department of Water Resources

IOWR State Office
1301 N. Orchard St
Boise Id. 83720
Gentlemen;

48-91
filed 9/7/88
on 0002495
Damm Smith

Alvin H. Tutt
465 Parkway
Chula Vista, Ca. 92010
8-24-88

In accordance with instructions contained in a four (4) page pamphlet, I received yesterday (8-23-88), issued by R. Keith Niggimmon Director, I.O.W.R. To comply with Idaho Code, Section 42-1409, It is requested that I be furnished four (4) claim forms and instructions for completing and filing the notices of claims for water rights.

My son and I own five acres, with one cabin located on it, in Big Creek, Valley County Idaho. We have water rights approved about 1973. The Certificate granting this approvable and correspondence pertaining to this water rights, are at the cabin in Big Creek. I plan to be in Big Creek about the 8th Sept.

Incidentally the Notification, I received yesterday (8-23-88) is the first I have received to file notice with IOWR for water rights as required by Idaho Code Section 42-1409

Alvin H. Tutt
Steven A. Tutt

465 Parkway
Chula Vista
Ca. 92010

Thank you
Alvin H. Tutt

MICROFILMED
OCT 05 1992

WATER RIGHT NUMBER - A77-07025

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.
+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.
+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000
+ - - AUDIT FIELDS - 09/07/88 SHAFF 11/22/88 ROUSH 10/10/89 REFUNDML
+ - - - - COMMENTS - - - - - +
NO COMMENTS FOUND
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 02/26/1985	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 09/07/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- C002495	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

RP 0007800 2026A A

DATA ENTRY
ENTERED 12-1-93
CHECKED 3-31-94

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
SEP 12 1992

CERTIFIED
MAR 29 1993
WATER EXAMINER

MICROFILMED
OCT 24 1996

3/16/05

PMO100 - PARCEL MASTER INQUIRY

11:58:19

PARCEL: RP 00078002026A A

F17=DD F19=SP

LEGAL DESCRIPTION

TUTT, STEVEN ALVIN

EDWARDSBURG RECORDER'S

PLAT NO. 1

LOTS 25 & 26 BLOCK 2

ProVal Area Number 1

293 VENTURE ST

CODE AREA 8-0000 OWNER CD

PARC TYPE LOC CODE 4700

SAN MARCOS CA 92078

EFFDATE 1011993 EXPDATE

PREV PARCEL RP00078002026AA

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
15	2001	4890	AC	24270				
37	2001			32410				

TOTALS

4890

56680

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU