

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 43-177E
Date Received: 6/13/89
Receipt No: S008206
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TRAVIS L WHITAKER
2165 S 2350 E
MALTA ID 83342

Phone: (208) 645-2624

JENNIFER L WHITAKER
2165 S 2350 E
MALTA ID 83342

Phone: (208) 645-2624

2. Date of Priority: 05/24/1909

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
14S	27E	20	NE	NW	SW	CASSIA	Ending Point
14S	27E	20	SE	SE	SW	CASSIA	Beginning Point

5. Description of diverting works:

DITCHES

6. Water is used for the following purposes:

Purpose
IRRIGATION

From To C.F.S.
3/01 11/30 3.085

(or) A.F.A

7. Total Quantity Appropriated is:
3.085 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14S	27E	20	SE	SW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
					Section Acres	160
					Total Acres	160

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 665
THIS IS A PORTION OF WR 43-00177
DWR NOTE P/D IS INCOMPLETE. LISTED AS INSTREAM FLOW ON CLAIM

3/16/01 tf; ownership changed Grush to Whitaker per 1409(6) and warranty deed received 3/16/01.

15. Basis of Claim: Decreed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
MAR 16 2001
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	<u>A43-00177</u>	<u>E</u>	_____	_____	_____
_____	<u>A43-02421</u>	_____	_____	_____	_____
_____	<u>A43-04096</u>	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Peter and/or Sylvia Grush
HC 72 Box 2046 Malta, ID 83342

4. New Owner/Claimant(s)

Mr. & Mrs. Peter and/or Jennifer Whitaker
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

2165 South 2350 East

City, State and ZIP Code

Malta Idaho 83342

New Telephone Number

(208) 645-2624

5. Date you acquired the property

3/20/94

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Sho L. Whiteaker ad/or Jerome L. Whiteaker

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by *[Signature]* Date 3/16/01 Fee *[Signature]*
 Receipted by _____ Date _____ Receipt No. _____
 Processed by *[Signature]* AJ Date 3/16/01 WR _____ Date _____

229975

WARRANTY DEED

For Value Received PETER J. GRUSH AND SYLVIA T. GRUSH, HUSBAND AND WIFE

the grantors do hereby grant, bargain, sell and convey unto
TRAVIS L. WHITAKER AND JENNIFER L. WHITAKER, HUSBAND AND WIFE
HC-72 Box 2193, Malta, ID 83342

the grantee s the following described premises, to-wit:

TOWNSHIP 14 SOUTH, RANGE 27 EAST, BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 20: SW1

SUBJECT TO: General taxes for the year 1994 and subsequent years.

Obligations to the Malta Land and Irrigation Company as evidenced by
Special Warranty Deed, recorded May 3, 1955 as Instrument No. 186112 in
Book 59 of Deeds on pages 23 and 24, records of Cassia County, Idaho.
AND Special Warranty Deed recorded January 26, 1959 as Instrument No.
100106 in Book 62 of Deeds on pages 32 and 33, records of Cassia County,
Idaho.

RECORDED AT THE REQUEST OF
CASSIA COUNTY ABSTRACT

254

MAR 30 1994

229975

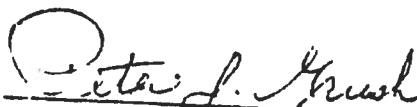
J. WILLIAMS
RECORDER

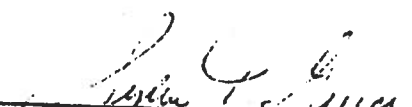
FEES 300 DEPUTY LM

CASSIA COUNTY ABSTRACT

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee s
their heirs and assigns forever. And the said Grantor s do hereby covenant to
and with the said Grantees that they are the owner s in fee simple of said premises; that
said premises are free from all incumbrances except as above described, and that they will
warrant and defend the same from all lawful claims whatsoever.

Dated: March 28, 1994


Peter J. Grush


Sylvia T. Grush

18 17
19 20

9
8.0

10
123.0

11
6.6

12
27.8

13
50.4

4
78.6

T1651

1
4.0

2
4.0

3
8.5

4
133.4

5
6.9

19 20

30 29

T1652

1
32.5

2
48.4

T1653

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: A43-00177E
Date Received: 6/13/1989
Receipt No: S008206
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PETER J. GRUSH 208-645-2361
Address: HC 72 BOX 2046
MALTA, ID 83342
AND/OR
Name: SYLVIA T. GRUSH 208-645-2361
Address: HC 72 BOX 2046
MALTA, ID 83342

2. Date of Priority: MAY 24, 1909

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
14S	27E	20	SE SE	SW	CASSIA
Ending Point of Minimum Instream Flow					
14S	27E	20	NE NW	SW	CASSIA

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/30	3.085		

7. Total Quantity Appropriated
3.085 C.F.S. (and/or

8. Total consumptive use is Per Annum.

9. Non-irrigation uses:

A43-00177E

Pag

Date: 06/13/89

MICROFILMED
MAR 02 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	20	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	160.0
						Total Acres	160.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
A43-04096, A43-02421

14. Remarks:

TRANS. 665.

THIS IS A PORTION OF WR 43-00177.

DWR NOTE

P/D IS INCOMPLETE. LISTED AS INSTREAM FLOW ON CLAIM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.

Decree Plaintiff

vs

JOBE ADAMS ET AL

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: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

A43-00177 E

Date Received

Receipt Number

RECEIVED

JUN 6 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Peter J. Ana/or Sylvia T. Grush Phone (208) 645-2361Mailing Address He 72 Box 2046 Malta, Idaho Zip 833422. Date of Priority (Only one (1) per claim) 5/24/19093. Source of water supply (a) Raft River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 14S Range 27E Section 20, SE 1/4 of SE 1/4 of SW 1/4,Govt. Lot _____ B.M., County of Cassiaending point is: Township 14S Range 27E Section 20, NE 1/4 of NW 1/4 of
SW 1/4, Govt. Lot _____ B.M., County of Cassia5. 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. Ditch on South and West of field
as marked.

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MAR 02 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/1 to 11/31 amount 3.085 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.085 (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.) None

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	
14S	27E	20									40	40	40	40					160

Total number of acres irrigated 160

11. In which county (ies) are lands listed above as place of use located? Cassia

12. Do you own the property listed above as place of use? Yes ☒ 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.
Beneficial Use #43-04096, License #43-02421 or None ()

14. Remarks:

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MAR 02 1993

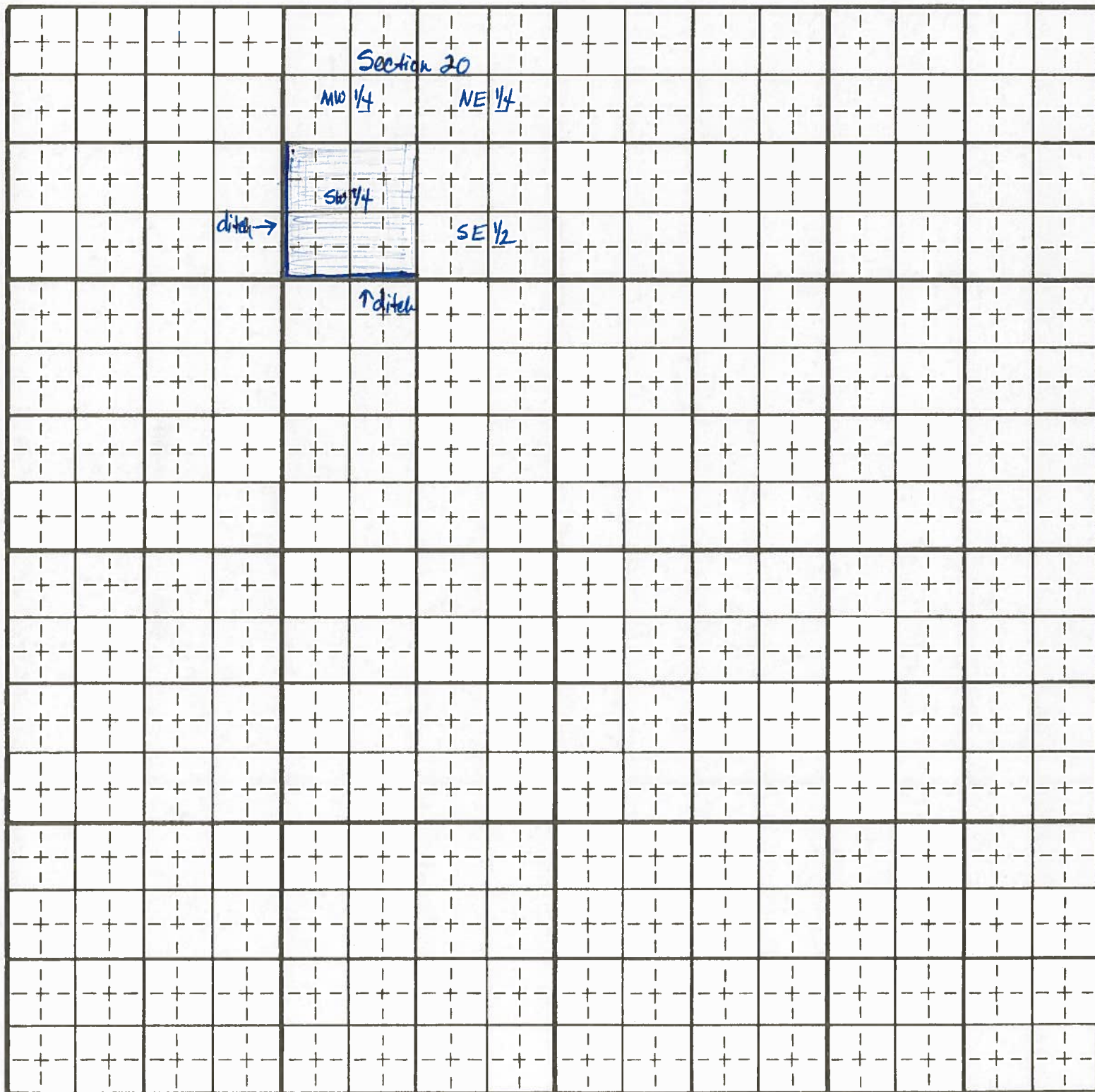
Last Name Grush Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TWP 14S Range 27E



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MAR 02 1993

Last Name

Grush

Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number #43-00177

Court _____ Case Number _____ Decree Date 10/18/1928

Plaintiff vs Defendant Albion Idaho Land Co. vs Jobe Adams Et Al

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 2

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

Signature of Claimant (s) Sylvia J. Grush Date 6/5/89

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 Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 5 day of June 19 89

SEAL

Notary Public Janet Volney

Residing at Malta Idaho

My Commission Expires 3/17/92

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 _____

MICROFILMED

MAR 02 1993

Last Name Grush Ident. Number _____

Copies White-State, Yellow-Claimant

Water Right Number - 43-00177

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

*** C - CURRENT OWNER ***
MALTA LAND & IRRIGATION CO.

*** O - ORIGINAL OWNER ***
INTERNATIONAL MORTGAGE BANK

Priority Date - 05/24/1909
Region - 17
Stage - D - DECREASED
Tributary - SNAKE RIVER

Source - RAFT RIVER
Point of Diversion -

Twn Rng Sec Tract Lot Rflg County

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION
21.600

Total Div. Rate - 21.600
Total Div. Volume -
Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
13S	27E	31	SW NE			01	IRRIGATION	31	CASSIA
13S	27E	31	SE NE			01	IRRIGATION	31	CASSIA
13S	27E	31	NW SE			01	IRRIGATION	31	CASSIA
13S	27E	32	SW NW			01	IRRIGATION	31	CASSIA
13S	27E	32	NW NW			01	IRRIGATION	31	CASSIA
14S	27E	5	NW NW			01	IRRIGATION	31	CASSIA
14S	27E	17	SW SW			01	IRRIGATION	31	CASSIA
14S	27E	17	SE SW			01	IRRIGATION	31	CASSIA
14S	27E	18	NE SE			01	IRRIGATION	31	CASSIA
14S	27E	18	SE SE			01	IRRIGATION	31	CASSIA
14S	27E	20	NE NW			01	IRRIGATION	31	CASSIA
14S	27E	20	NW NW			01	IRRIGATION	31	CASSIA
14S	27E	20	SW NW			01	IRRIGATION	31	CASSIA
14S	27E	20	SE NW			01	IRRIGATION	31	CASSIA
14S	27E	20	NE SW			01	IRRIGATION	31	CASSIA
14S	27E	20	NW SW			01	IRRIGATION	31	CASSIA

4/28 X 21.6 = Cfs

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MAR 02 1993

Water right number - 43-00177

Adj. flag translation: Standard Water Right Number

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14S	27E	20	SW SW				01	IRRIGATION	CASSIA
14S	27E	20	SE SW				01	IRRIGATION	CASSIA
14S	27E	29	NE NW				01	IRRIGATION	CASSIA
14S	27E	29	NW NW				01	IRRIGATION	CASSIA
14S	27E	29	SW NW				01	IRRIGATION	CASSIA
14S	27E	29	SE NW				01	IRRIGATION	CASSIA
14S	27E	29	NE SW				01	IRRIGATION	CASSIA
14S	27E	29	NW SW				01	IRRIGATION	CASSIA
14S	27E	29	SW SW				01	IRRIGATION	CASSIA
14S	27E	32	NW NW				01	IRRIGATION	CASSIA
14S	27E	32	SW NW				01	IRRIGATION	CASSIA
14S	27E	32	NW SW				01	IRRIGATION	CASSIA

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

TRANS. 665.

Remarks

No Conditions of Approval found.

+ - - Decree Plaintiff - - - +
ALBION-IDAHO LAND CO.+ - - Decree Defendant - - - +
JOBE ADAMS ET AL+ - Decree Date - +
10/18/1928

+ - - Audit Fields -

+ - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Svan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 04/23/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 43B
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- T
Decree Date	- 10/18/1928				

MICROFILMED
MAR 02 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

.Aug. 25, 1989

Re: A43-00177E
A43-02421
A43-C4096

.PETER J GRUSH
.HC 72 BOX 2046
.MALTA ID 83342

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 02 1993

05/11/2001

**NOTICE OF ERROR
REPLY**

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: June 15, 2001

Water right number: 43-177E

TRAVIS L WHITAKER
2165 S 2350 E
MALTA ID 83342
Telephone Number: (208)645-2624

JENNIFER L WHITAKER
2165 S 2350 E
MALTA ID 83342
Telephone Number: (208)645-2624

RECEIVED
JUL 23 2001
Department of Water Resources
Southern Region

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

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

3. Give a brief explanation as to why you disagree with these portions:

1 I AGREE with this proposed recommendation: no changes need to be made.

DATE:

7-15-01

SIGNATURE:

Travis L Whitaker + Jennifer L. Whitaker

Please print your name:

Travis L. Whitaker + Jennifer L. Whitaker

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

VERIFIED BY *[Signature]* 3/19/01

03/19/2001

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

RIGHT NUMBER: 43-177E

NAME AND ADDRESS: JENNIFER L WHITAKER
TRAVIS L WHITAKER
2165 S 2350 E
MALTA, ID 83342

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.79 CFS

PRIORITY DATE: 05/24/1909

POINT OF DIVERSION: T14S R27E S20 SESESW Beginning of Stream Within CASSIA County
Flow

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	2.79 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T14S R27E S20	NESW	40	T14S R27E S20	NWSW	36
T14S R27E S20	SWSW	31	T14S R27E S20	SESW	40

147 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 147 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-00177E, 43-02421, & 43-04096.

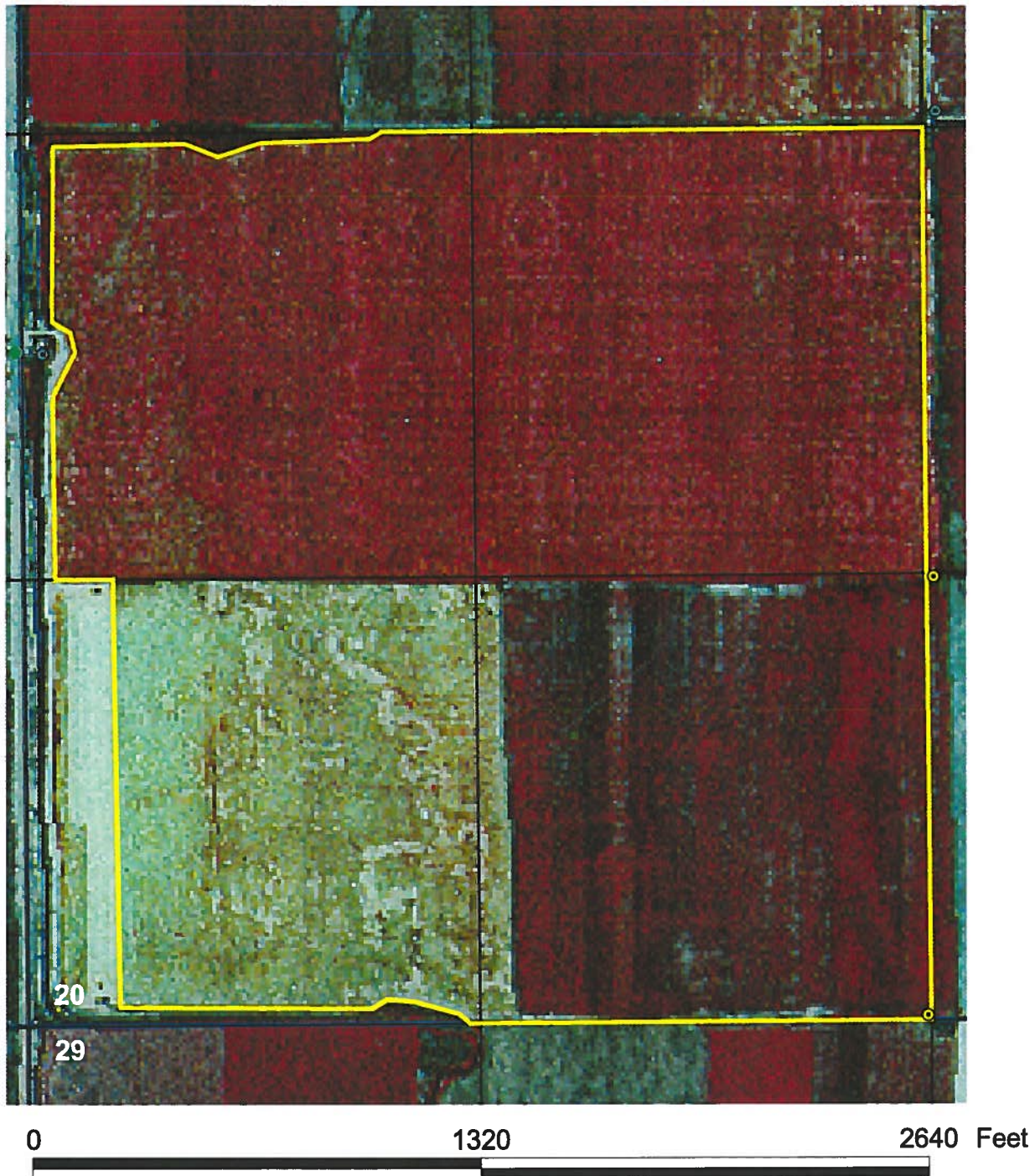
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

43-00177E, 43-02421, & 43-04096



RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR. 19, 2001
TWP 14S, RNG 27E, SEC. 20



- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

WR5809NP
No. 43-00177

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/16/01
PAGE: 1

OWNER NAME & ADDRESS
C MALTA LAND & IRRIGATION CO.
MALTA ID 83342

PRIORITY DATE
05/24/1909 IRRIGATION

USE PERIOD FROM TO
00/00 00/00

DIVERSION RATE
21.600 CFS

TOTAL DIVERSION: 21.600 CFS

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE			
	T	R	S	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE	NE
13S 27E 31	1															
13S 27E 32																
14S 27E 5																
14S 27E 17																
14S 27E 18																
14S 27E 20																
14S 27E 29																
14S 27E 32																

Trans. Whittaker

Pou County: CASSIA

Other Water Rights Listing Overlapping Place(s) of use:

43-00173	43-00178C	43-02295D	43-02323A	43-02323B	43-02333	43-02334	43-02389	43-02395	43-02405
43-02414	43-02415	43-02421	43-02528	43-02562A	43-02562B	43-04000	43-04096	43-02298	43-02395
T43-02416	T43-04022	T43-04023	T43-04024	T43-04025	T43-04026	T43-04130B	T43-11200		

Remarks: GEN TRANS. 665.

Dates: App. Received: 05/24/1909
Proof Due Date:
Exam Made Date:
Exam Sent to S.O.:

Licensed Date:

Misc: Water District Number: 43B Field Exam Fee:

Audit: 09/05/86 05/28/88 CONVERT

$40 \times 28 \text{ acres} = 1120 \text{ Ac.}$
 $21.6 \div 1120 \text{ Ac} = 0.019 \text{ cfs/Ac.}$
 $0.019 \times 147 \text{ Acc. ac} = 2.79 \text{ cfs}$
 $0.019 \times 160 \text{ d. ac.} = 3.04 \text{ cfs}$

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:43:19
03/16/01
3

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-00177E

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SYLVIA T GRUSH	05/24/1909	IRRIGATION	03-01 11-30	3.085 CFS	
C	PETER J GRUSH					
TOTAL DIVERSION:					3.085 CFS	
~~CONSUMPTIVE USE:~~					2.79	~~480.00 AFA~~

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Beginning Stream Reach: T14S R27E S20 SESESW

CASSIA County

Point(s) of Ending Stream Reach: ~~T14S R27E S20 NENWSW~~

CASSIA County

Place of use Legal Description for: IRRIGATION

NE								NW								SW								SE								
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
14S	27E	20	:																												160.0	
TOTAL ACRES																												160.0				

POU County: CASSIA

Other Rights: A43-04096, A43-02421

Remarks: GEN TRANS. 665.
THIS IS A PORTION OF WR 43-00177.
DWR NOTE
P/D IS INCOMPLETE. LISTED AS INSTREAM FLOW ON CLAIM.

Dates: Exam Made Date: Verified Date: 04/23/1985 Objection Filed Date:

Misc: Water District Number: 43B Field Inspection Flag:
Presumption Flag:

Cond. Code C18
Remarks:
POU E14 147 Ac.
mfall

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:43:18
03/16/01

PAGE: 2
QUICKLOOK INFORMATION

2
CLAIM NUMBER: A43-00177E

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	-							
POINT OF DIV	-							
SOURCE	-							
PLACE OF USE	-							
DIV. AMOUNT CFS/VOLUME	-							
CONSUMPTIVE USE	-							
PURPOSES OF USE	-							
PERIOD OF USE	-							
BASIS OF CLAIM	-							
REMARKS	-							

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC

—

—

—

—

—

RIGHT
NO

RIGHT
NO

RIGHT
NO

RIGHT
NO

[illegible]

A43-00177E 5/24/1909 3.085 cfs 160 Ac.

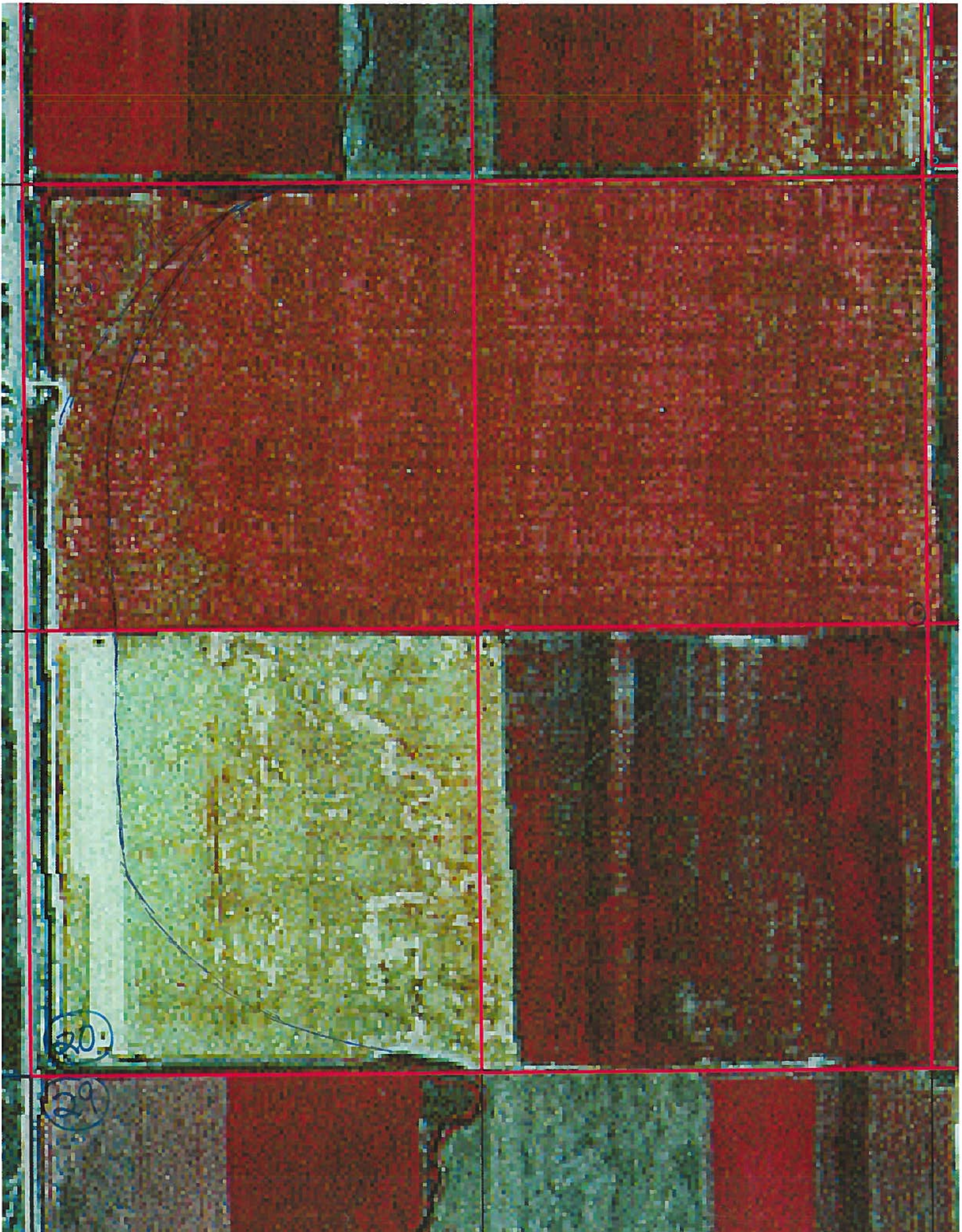
→ R43-00177 5/24/1909 2.79 Ac. 147 Ac.

A43-02421 2/5/1955 1.6 cfs 160 Ac.
be done 7/9/1958 (1.94 meas.)

→ R43-02421 2/5/1955 1.6 cfs / ~~588 AF~~ 147 Ac.

A43-04096 2/5/1955 .6 cfs 160 Ac.

→ R43-04096 7/9/1958 .34 cfs 147 Ac.
field ~~exam~~ ^{date} for 43-02421 & meas. limit
measured 1.94 (minus 1.6 ac.) = 0.34 cfs



CLAIM NUMBER A43-00177E DATE _____
A43-02421 AGENT _____
A43-04096

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 160
 GIS ACRE TOTAL _____

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	14S	27E	20									40	40	40	40				160
GIS	14S	27E	20																
RECOM	14S	27E	20																
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

*needs O/C
to Whiteaker
?*

B43-POU.SHP _____
 SHAPE NOS. _____

B43-POD.SHP _____
 NOS. DESCRIPTION _____

DBF TABLES UPDATED _____
 B43-DBPOU.DBF _____
 B43-DBPOD.DBF _____
 JPEG LAYOUT _____

DAHO
CASSIA
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture
Agri. Stab. & Conserv. Svc.
Abbreviated 156 Farm Record

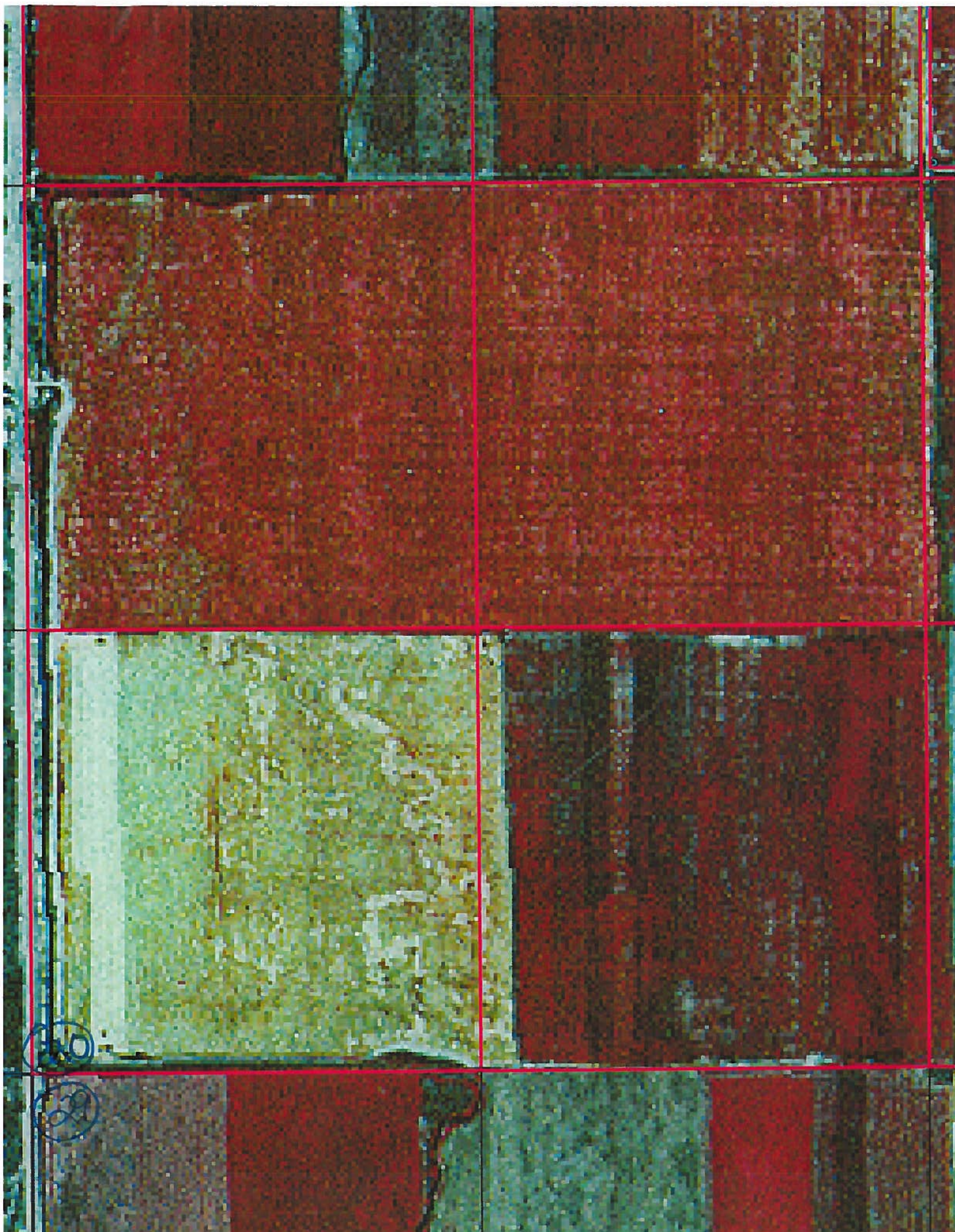
FARM 3214
Prepared: 04/13/94
Crop Year: 94
Page: 2

No. of Tracts: 4

Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	HEL	027	A027	W	CW	FW	PC	AW	MW	RW	HG	CWTE	CWNA	PCW
1425	800.0	323.8	323.8	Y	Y	Y	Y	N	N								N
IDENTIFIER			X30 S8 T14 R25														
OWNER			1 - DENTON L WHITAKER														
1644	280.0	272.0	272.0	N	N	N	Y	N	N								N
IDENTIFIER			EE30 S4.5.8 T14 R25														
OWNER			1 - DENTON L WHITAKER														
1645	60.0	58.1	58.1	N	N	N	Y	N	N								N
IDENTIFIER			EE30 S8 T14 R27														
OWNER			1 - DENTON L WHITAKER														
1651	163.0	156.8	156.8	N	N	N	Y	N	N								N
IDENTIFIER			EE32 S20 T14 R27														
OWNER			1 - JENNIFER WHITAKER, 2 - TRAVIS WHITAKER														

*used to belong to
Juan Tracy*



NHEL/W

12B
60.0

12C
60.0

NHEL/W

12D
7.9

NHEL/W

13
35.8

NHEL/W

14
50.4

NHEL/W

4
78.6

NHEL/W

2533
T1651

4.0

NHEL/W

NHEL/W

2
4.0

922
T1650

1
39.7

NHEL/W

PC

3

4

5

19

20

8.5
NHEL/W

133.4

NHEL

6.9

3

37.1

NHEL/W

30

29

901
T165

3

NHEL/W

26.1

4

22.3

5

31.7

NHEL/W

1850
T1653

T1651
Our records
show Peter
Orush,
ASCs show
Jennifer & Travis
Whitaker

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: _____
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant _____

4. New Owner/Claimant(s) _____
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address _____
City, State and ZIP Code _____
New Telephone Number () _____
5. Date you acquired the property _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner _____
or Claimant(s) _____
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

SD-0604-2 Township: 13S Range: 26E Section: 25

Tract: SWNE Lot: 49

S	L	STATE	O	S	Max #	Records	49				
E	O	Name	W	T	Priority	Use					
L	Tract	T	Water	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---	---	---
---	SWNE		A43-10445	GRUSH, PETER J	C			J	05/01/1980	43	DOMEST
---	SWNE		A43-10450	GRUSH, SYLVIA T	C			J	05/31/1979	43	DOMEST
---	SWNE		A43-02455	GRUSH, PETER J	C						
---				GRUSH, SYLVIA T	C						
---				PIERCE, A D	O			L	02/08/1957	01	IRR
---				PIERCE, BEULAH	O					04	STOCK
---				PIERCE, JACK A	C						
---				CHAPMAN, SHERL L	R						
---	SWNE		43-10449	GRUSH, SYLVIA T	C			D	12/01/1979	04	STOCK
---				GRUSH, PETER J	C						
---	SWNE		R43-10445	GRUSH, PETER J	C			J	05/01/1980	43	DOMEST
---				GRUSH, SYLVIA T	C						
---	SWNE		R43-10450	GRUSH, SYLVIA T	C			J	05/31/1979	43	DOMEST
---				GRUSH, PETER J	C						
---	SWNE		A43-10449	GRUSH, PETER J	C			J	12/01/1979	04	STOCK
---				GRUSH, SYLVIA T	C						

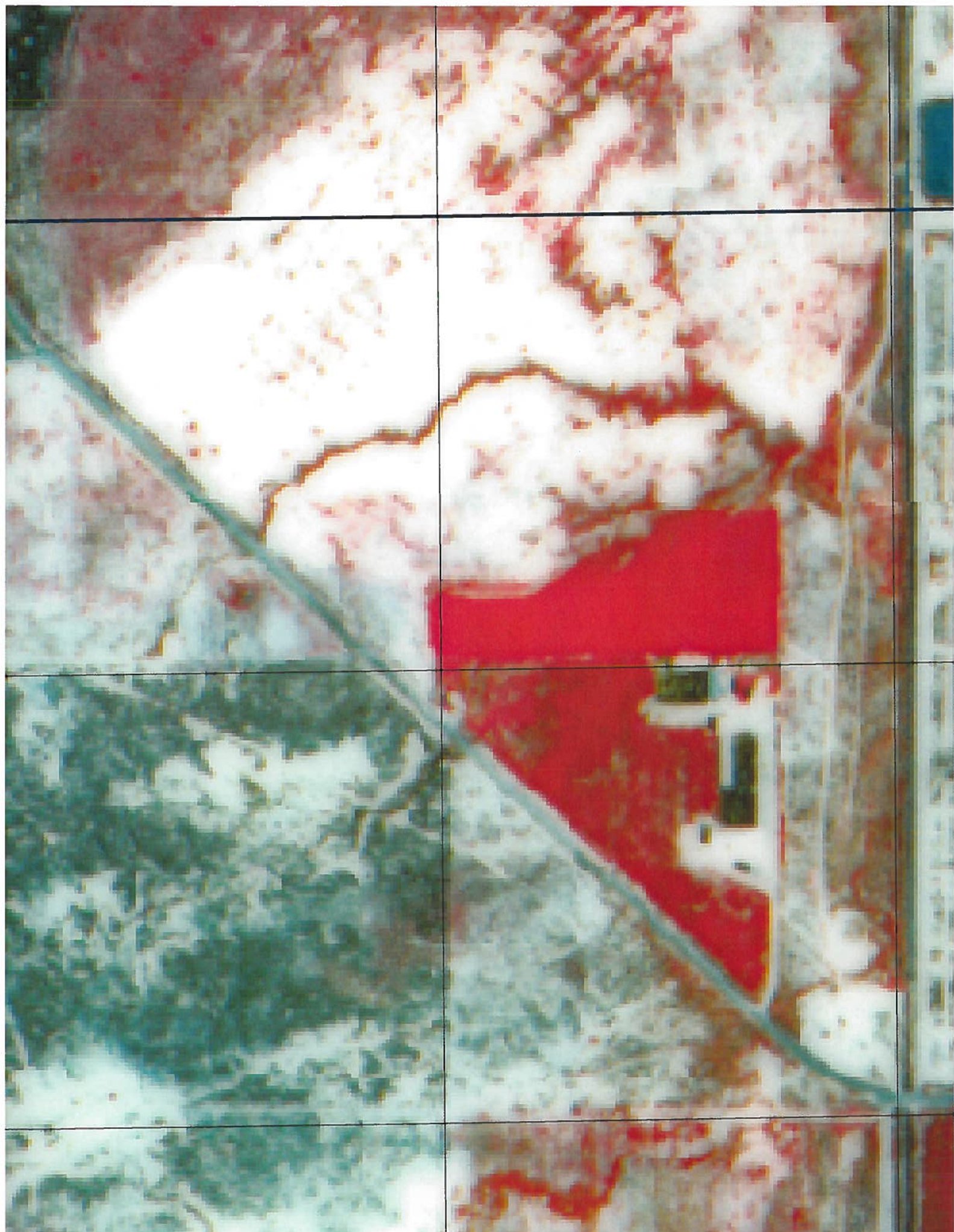
END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE

(Enter=Continue) (GOLD7=This Query) (Menu _____)

looks like some
irrigation (10.5 Ac.)
but only D & S
claims by Grush
? ? ?

NWNE
Sec. 25

SWNE



IDAHO
CASSIA
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture
Agri. Stab. & Conserv. Svc.
Abbreviated 156 Farm Record

FARM 3145
Prepared: 03/02/94
Crop Year: 94
Page: 2

No. of Tracts: 9

Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	HEL	027	A027	W	CW	FW	PC	AW	MW	RW	HG	CWTE	CWNA	PCW
1	160.0	144.4		Y	Y	Y		N									N
IDENTIFIER			EE26	S19.20	T13	R27											
OWNER		1 - C BAR CATTLE CO															
1595	15.0	10.5	10.5	N	N	N	Y	N	N								N
IDENTIFIER			DD26	S25	T13	R26											
OWNER		1 - PETER GRUSH															
1603	180.0	172.1	172.1	Y	Y	Y	Y	N	N								N
IDENTIFIER			EE30	S6.7	T14	R27											
OWNER		1 - DOUG NYE															
1604	240.0	219.8	219.8	N	N	N	N	N	N								N
IDENTIFIER			EE30	S7	T14	R27											
OWNER		1 - JAY DEE HUTCHISON															
1643	260.0	251.6	251.6	N	N	N	Y	N	N								N
IDENTIFIER			EE30	S5.8	T14	R27											
OWNER		1 - DECLO STKE WLF FRM															
8709	972.0	742.9	742.9	Y	Y	Y		N									N
IDENTIFIER			S-19.24.25.30	T-13	R-27	DD26-28											
OWNER		1 - C BAR CATTLE CO															
8746	90.0	77.5	77.5	N	N	N	Y	N	N								N
IDENTIFIER			S-13	T-13	R-26	DD26											
OWNER		1 - A D NYE															
8747	300.0	289.1	289.1	N	N	N	Y	N	N								N
IDENTIFIER			S-13	T-13	R-26.S-18	T-13	R-27	DD26									
OWNER		1 - A D NYE															
8748	70.0	69.3	69.3	N	N	N	Y	N	N								N
IDENTIFIER			S-13	T-13	R-26	DD26											
OWNER		1 - A D NYE															

*this is in
different location
from claim...*

IDAHO
CASSIA
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture
Agri. Stab. & Conserv. Svc.
Abbreviated 156 Farm Record

FARM 3145
Prepared: 03/02/94
Crop Year: 94
Page: 1

OPERATOR: Name, Address & I D No.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	EFFECTIVE CROPLAND	FARM IDENTIFIER	STATUS
166-42-1077 S PETER GRUSH MALTA	2287.0 208-645-2361 ID 83342 0000	1977.2	1832.8	1977.2	NONE	ACTIVE

CRP: .0
IFM: N
RECON. REF. NO.: A40037
OFAY NORMAL PLANTED ACRES: .0

CROP	ROT.	BASE	CRP REDUCTION	ADJ. BASE	DATE	-----P&CP-----		-----YIELD-----			
						YEAR		YEAR	NI	IR	
WHEAT	1	114.9	.0			93	113.3	94	26	71	
						92	125.2	85	26	77	
	IAM	131.3				91	131.3				
						90	119.4				
	NAW	.0				89	85.6	94	71		
						88	105.0	85	77		
	BARLEY	1	461.3	.0			93	493.7	94	26	82
							92	512.4	85	26	85
		IAM	537.8				91	536.9			
							90	375.4			
NAW		.0				89	388.1	94	82		
						88	655.6	85	85		
OATS		1	62.9	.0			93	57.6	94	25	68
							92	59.0	85	25	71
		IAM	52.3				91	52.3			
							90	99.0			
	NAW	10.6				89	46.4	94	61		
						88	31.3	85	63		
	CORN	1	1.7	.0			93	1.7	94	50	72
							92	1.7	85	50	76
		IAM	.0				91	1.6			
							90	1.7			
NAW		1.7				89	2.1	94	50		
						88	1.7	85	50		

