

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 43-2414
Date Received: 8/30/89
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PETER J GRUSH Phone: (208) 645-2361
2025 S HWY 81
MALTA ID 83342

SYLVIA GRUSH Phone: (208) 645-2361
2025 S HWY 81
MALTA ID 83342

2. Date of Priority: 12/08/1954

3. Source: GROUND WATER

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
14S	27E	18	SE	SE	NE		CASSIA
14S	27E	18	SE	SE	SE		CASSIA

5. Description of diverting works:

TWO WELLS & PUMPS DELIVERING TO PIPELINE NETWORK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	3.1	

7. Total Quantity Appropriated is:
3.1 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	18	NW	NE	IRRIGATION	30
			SW	NE	IRRIGATION	8
			SE	NE	IRRIGATION	40
			NE	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
			NE	NE	IRRIGATION	40
					Section Acres	198
					Total Acres	198

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:

ADDRESS CHANGE FORM RECEIVED 9/4/98 jr
11/28/00 tf; ownership changed Anderson to Grush per 1409(6) and warranty deed
received 11/27/00.

15. Basis of Claim: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

November 28, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PETER GRUSH
SYLVIA GRUSH
2025 S HWY 81
MALTA ID 83342

RE: SRBA Claim(s) 43-02414, 43-10605, 43-10606,
 43-10607, 43-10608, 43-10609,
 43-10610, 43-10611

Dear Mr. and Mrs. Grush:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

I am also enclosing a copy of a letter sent to the Andersons by Jeanie Robertson on September 28, 2000. I draw your attention to the second paragraph regarding the filing of an expansion claim. The Andersons did not pursue this option and should you wish to do so, please contact Jeanie immediately. Thank you for your prompt attention to this matter.

Sincerely,

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

Trish Fawcett
Technical Records Specialist

enc.

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

RECEIVED
NOV 27 2000
 Department of Water Resources
 Southern Region

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

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>See attached</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) American West Properties Inc.
4. New Owner/Claimant(s) Peter Grush and/or Sylvia Grush
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2025 So. Highway 81
- City, State and ZIP Code Malta, ID 83342
- New Telephone Number () _____
5. Date you acquired the property November 15, 2000

Exhibit B

Water Rights

1. Water Rights as per proclamation sheets IDWR

- ✓ #A43-02414 for 3.1 CFS - groundwater pr date 12/08/1954
- ✓ #A43-10605 for 1.75 CFS - groundwater pr date 04/01/1944
- ✓ #A43-10606 for .88 CFS - raft river water pr date 04/01/1871
- ✓ #A43-10607 for 1.13 CFS - raft river water pr date 04/01/1881
- ✓ #A43-10608 for 3.2 CFS - raft river water pr date 12/12/1911
- ✓ #A43-10609 for .04 CFS - domestic pr date 12/31/1940
- ✓ #A43-10610 for .04 CFS - stockwater pr date 12/31/1940
- #A43-10611 for .08 CFS - domestic, stockwater pr date 01/01/1972
(Trailer house and dairy barn)

272162

WARRANTY DEED

THIS INDENTURE, made this 15th day of November, 2000, between American West Properties, Inc., ("Grantor"), and Peter Grush and Sylvia Grush, husband and wife, whose address is 2025 South Highway 81, Malta, Idaho 83342, ("Grantee").

WITNESSETH:

The Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following described real estate situated in the County of Cassia, State of Idaho, to-wit:

See Exhibit A.

SUBJECT TO: See Exhibit C.

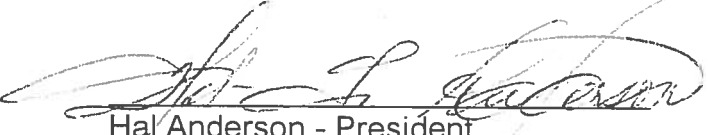
TOGETHER with all water rights as set forth on Exhibit B, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property as well in law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with appurtenances unto the Grantee and to the heirs and assigns of Grantee forever.

1 The Grantor shall and will warrant and by these presents will forever
2 defend the said premises in the quiet and peaceable possession of the Grantee, and the
3 heirs and assigns of Grantee against all and every person and persons whomsoever
4 lawfully claiming the same, except as aforesaid.

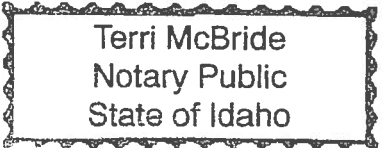
5
6 IN WITNESS WHEREOF, the Grantor has executed this Deed the day and
7 year first above written.

8 AMERICAN WEST PROPERTIES, INC.

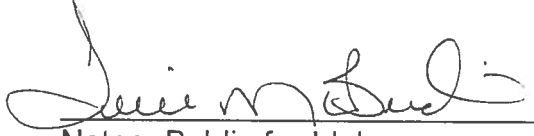
9
10 
Hal Anderson - President

11 STATE OF IDAHO)
12) ss
13 County of CASSIA)

14 On this 15th day of November, in the year 2000, before me, The
15 Undersigned, ~~the undersigned~~, a Notary Public in and for said State,
16 personally appeared Hal Anderson, known or identified to me to be the President, of the
17 corporation that executed the instrument or the person who executed the instrument on
18 behalf of said corporation, and acknowledged to me that such corporation executed the
19 same.

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Terri McBride
Notary Public
State of Idaho


Notary Public for Idaho
Residing at Super
My commission expires on 2/5/2002

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Exhibit A

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

Section 18 NE ¼ and E½SE¼

Exhibit B

Water Rights

1. Water Rights as per proclamation sheets IDWR
- #A43-02414 for 3.1 CFS - groundwater pr date 12/08/1954
 - #A43-10605 for 1.75 CFS - groundwater pr date 04/01/1944
 - #A43-10606 for .88 CFS - raft river water pr date 04/01/1871
 - #A43-10607 for 1.13 CFS - raft river water pr date 04/01/1881
 - #A43-10608 for 3.2 CFS - raft river water pr date 12/12/1911
 - #A43-10609 for .04 CFS - domestic pr date 12/31/1940
 - #A43-10610 for .04 CFS - stockwater pr date 12/31/1940
 - #A43-10611 for .08 CFS - domestic, stockwater pr date 01/01/1972
- (Trailer house and dairy barn)

Exhibit C

Right of Way Deed from Milton Neddo and Gladys Neddo, husband and wife, to Raft River Highway District, a quasi-municipal corporation, dated July 3, 1940 and recorded June 19, 1964 as Instrument No. 19186 on Film No. 28, records of Cassia County, Idaho, over the East 25 feet of the NE $\frac{1}{4}$

Right of Way Deed between Malta Land 8: Irrigation Co., a corporation, and the Raft River Highway District, a quasi-municipal corporation, dated July 3, 1940 and recorded June 19, 1964 as Instrument No. 19190 on Film No. 28, records of Cassia County, Idaho, granting a right-of-way for public highway over the East 25 feet of the E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 18, Township 14 South, Range 27 East of the Boise Meridian.

Oil, Gas and Mineral Lease between Tommy D. Smith and Carol S. Smith, husband and wife, Lessor, and Standard American Co., Lessee, dated October 31, 1973 and recorded November 14, 1973 as Instrument No. 73344 on Film No. 85, records of Cassia County, Idaho, covering the E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 18, Township 14 South, Range 27 East of the Boise Meridian.

ASSIGNED TO: Lamond B. Keller and Sue Ellen Keller, husband and wife, by Assignment from Tommy D. Smith and Carol S. Smith, husband and wife, dated March 5, 1975 and recorded June 3, 1975 as instrument No. 83739 on Film No. 95, records of Cassia County, Idaho.

ASSIGNED TO: Wesley M. Gilbert and Ina M. Gilbert, husband and wife, by an Assignment of Leases from Lamond B. Keller and Sue Ellen Keller, husband and wife, dated July 20, 1977 and recorded July 22, 1977 as Instrument No. 100378 on Film No. 110, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., the Seller, and Keith H. and Cloe T. Anderson, as Consumer, dated March 7, 1990 and recorded June 21, 1990 as Instrument No. 208188 on Film No. 217, records of Cassia County, Idaho, covering E $\frac{1}{2}$ SE $\frac{1}{4}$ and the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 18, Township 14 South, Range; 27 East of the Boise Meridian.

Agreement For Electrical Service (Irrigation) between Raft River Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and American West Properties, Inc., Hal Anderson, President, Consumer, dated April 12, 1991 and recorded April 16, 1991 as Instrument No. 212923 on Film No. 224, records of Cassia County, Idaho, covering the E $\frac{1}{2}$ SE $\frac{1}{4}$ and the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 18, Township 14 South, Range 27 East of the Boise, Meridian.

Mortgage recorded 01/26/96 as instrument number 240804 on film number 273, D.L. Evans Bank, Mortgagee.

CASSIA COUNTY, IDAHO
DARRELL H. ROCKWELL
RECORDER
FEE \$15.00 RETURN
NOV 15 PM 4 30
RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

T1645

1
111.6

2
108.2

7

8

T1606

18

17

T1

1
74.3

2
78.2

3
75.7

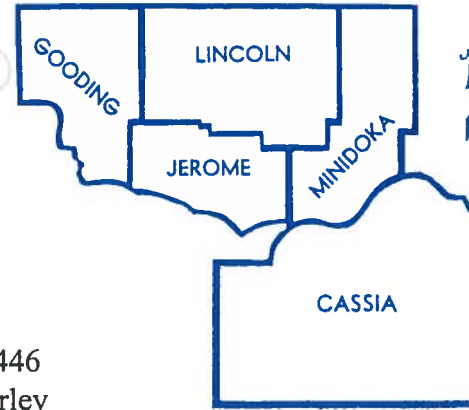
18 17

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SEE MA

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: 33446
OFFICE: Burley

November 24, 2000

Department of Water Resources
1341 Fillmore St., Ste 200
Twin Falls, ID 83301

RECEIVED
NOV 27 2000
Department of Water Resources
Southern Region

RE: Grush/American West

Dear Agent:

Enclosed please find a Notice of Change In Water Right Ownership for Peter Grush. Also enclosed please find an aerial map and a copy of the Warranty Deed as required to change this claim.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours
Land Title and Escrow, Inc.

A handwritten signature in blue ink, appearing to read "Terri L. McBride".

Terri L. McBride
Escrow Officer

BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 - FAX 878-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 834-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0606 - FAX 438-1199

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: A43-02414

Date Received: 8/30/1989

Receipt No: S009007

Received By: address change

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAL T ANDERSON 208-645-2345
Address: 2142 S 2450 E
MALTA ID 83342
AND/OR
Name: KEITH H ANDERSON 208-645-2345
Address: 2142 S 2450 E
MALTA ID 83342

2. Date of Priority: DEC 8, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	18	SE	SE	NE		CASSIA
			SE	SE	SE		CASSIA

5. Description of diverting works:
TWO WELLS & PUMPS DELIVERING TO PIPELINE NETWORK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.100		

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

8. Total consumptive use is 594.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	27E	18	NE		NE		IRR	40.0
			NW		NE		IRR	30.0
			SW		NE		IRR	8.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 198.0

Total Acres 198.0

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:

A43-10605 & CLAIMS FOR RAFT RIVER DECREES.

14. Remarks:

ADDRESS CHANGE FORM RECEIVED 9/4/98 jr

15. Basis of Claim: LICENSE

Water Right Number: 25318

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: _____



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

RECEIVED

SEP 04 1998

PHILIP E BATT
GOVERNOR

Department of Water Resources
Southern Region

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

☐ Water Right Number(s):

^R
A43-10604, ^PA43-10609, ^RA43-10611, A43-10610
43-10603, A43-10612, 43-10613, A43-1080
A43-04176, A43-04088, A43-04087
A43-04024A, A43-02414, A43-10605, A43-1060
A43-10607, A43-10608, A43-02399, A43-02298A

or American West Group/Enterprises
Hal T. Anderson Inc.

☐ Old Mailing Address:

H.C 72 Box 2150
Malta, Idaho 83342

☐ New Mailing Address:

2142 So. 2450 East
Malta, Idaho 83342

☐ New Telephone Number: () -

☐ Signature of Claimant(s):

Hal T. Anderson

Date:

Sept 4, 1998

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: 9/4/98 By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: 9/8/98 By:

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

RECEIVED

AUG 30 1989

Ident. Number: A43-02414
Date Received: 8/15/1989
Receipt No: 5009007
Received By: AD

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAL T. ANDERSON 208-645-2345
Address: H.C. 72 BOX 2150
MALTA, ID 83342

AND/OR
Name: KEITH H. ANDERSON 208-645-2345
Address: H.C. 72 BOX 2150
MALTA, ID 83342

2. Date of Priority: DEC 08, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	18	SE	SE	NE		CASSIA
			SE	SE	SE		CASSIA

5. Description of diverting works:
TWO WELLS & PUMPS DELIVERING TO PIPELINE NETWORK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.100		

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

8. Total consumptive use is 594.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A43-02414

Page 1

Date: 08/30/89

MICROFILMED

MAR 03 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	27E	18	NE		NE		IRR	40.0
			NW		NE		IRR	30.0
			SW		NE		IRR	8.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	198.0
							Total Acres	198.0

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:
A43-10605 & CLAIMS FOR RAFT RIVER DECREES.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 25318

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 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): [Signature] Date: August 30, 1989
Date: _____

State of Idaho)
County of Trail Falls) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of Aug 19 89 [Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/94

T145

R26K
R27E

145 27E
S 618

30 40
8 40
40 40

1/1/1970
D/I
S/D
300 ft

WELL

42-02414

12/1/1940
D/I

Flow for East River
Wet

12/31/1940

WELL

MICROFILMED

MAR 03 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 17, 1989

Mr. Hal T. Anderson
DBA: American West Enterprises, Inc.
HC 72, Box 2150
Malta, ID 83342

RE: Snake River Basin Adjudication (SRBA)
Cassia County

Dear Mr. Anderson:

Thank you for your letter dated July 1, 1989 regarding your denied Request for Extension dated June 2, 1989 and the protection of your water rights in Cassia County.

This letter is an extension of time for the filing of Notice of Claims to a Water Right. The original filing deadline for these claims was June 8, 1989. The extension is granted until September 5, 1989. Please keep this extension of time with your other legal documents.

This extension is granted under the authority of §42-1409 (10), Idaho Code.

Signed this 17th day of August, 1989.

David B. Shaw
Adjudication Bureau Chief

DBS;dms

MICROFILMED
MAR 03 1993

VERIFIED BY

3/5/01

03/05/2001

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

RIGHT NUMBER: 43-2414

NAME AND ADDRESS: PETER J GRUSH
SYLVIA GRUSH
2025 S HWY 81
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 3.1 CFS
792 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-10605 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.1 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 792 AF.

PRIORITY DATE: 12/08/1954

POINT OF DIVERSION:	T14S R27E S18	SESENE	Within CASSIA County
	T14S R27E S18	SESESE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	3.10 CFS 792.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T14S R27E S18	NENE	39	T14S R27E S18	NWNE	39
T14S R27E S18	SWNE	36	T14S R27E S18	SENE	39
T14S R27E S18	NESE	39	T14S R27E S18	SESE	38

230 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 198 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 230 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02414, 43-10605, 43-10608, 43-11283,
43-11284, 43-11285, 43-11286, & 43-11287.

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 - License

RIGHT NO. 43-10605 IS AN EXPANSION OF THIS RIGHT PURSUANT
TO SECTION 42-1416B, IDAHO CODE.

Water Right 43-2414

11/30/2000

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

11/30/2000

RIGHT NUMBER: 43-2414
NAME AND ADDRESS: PETER J GRUSH
SYLVIA GRUSH
2025 S HWY 81
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 3.1 CFS
792 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-10605 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.1 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 792 AF.
~~THIS RIGHT WHEN COMBINED WITH RIGHT NOS. LISTED BELOW SHALL PROVIDE NO MORE THAN~~
~~.02 CFS PER ACRE. COMBINED RIGHT NOS.: 43-02414, 43-10605, 43-11283, 43-11284, 43-~~
~~11285, 43-11286, & 43-11287.~~

PRIORITY DATE: 12/08/1954

POINT OF DIVERSION: T14S R27E S18 SESENE Within CASSIA County
T14S R27E S18 SESESE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	3.10 CFS 792.0 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County					
T14S R27E S18	NENE	39	T14S R27E S18	NWNE	39
T14S R27E S18	SWNE	36	T14S R27E S18	SENE	39
T14S R27E S18	NESE	39	T14S R27E S18	SESE	38

230 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 198 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL
OF 230 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-02414, 43-10605,
43-10608, 43-11283, 43-11284, 43-11285, 43-11286, & 43-11287.

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.

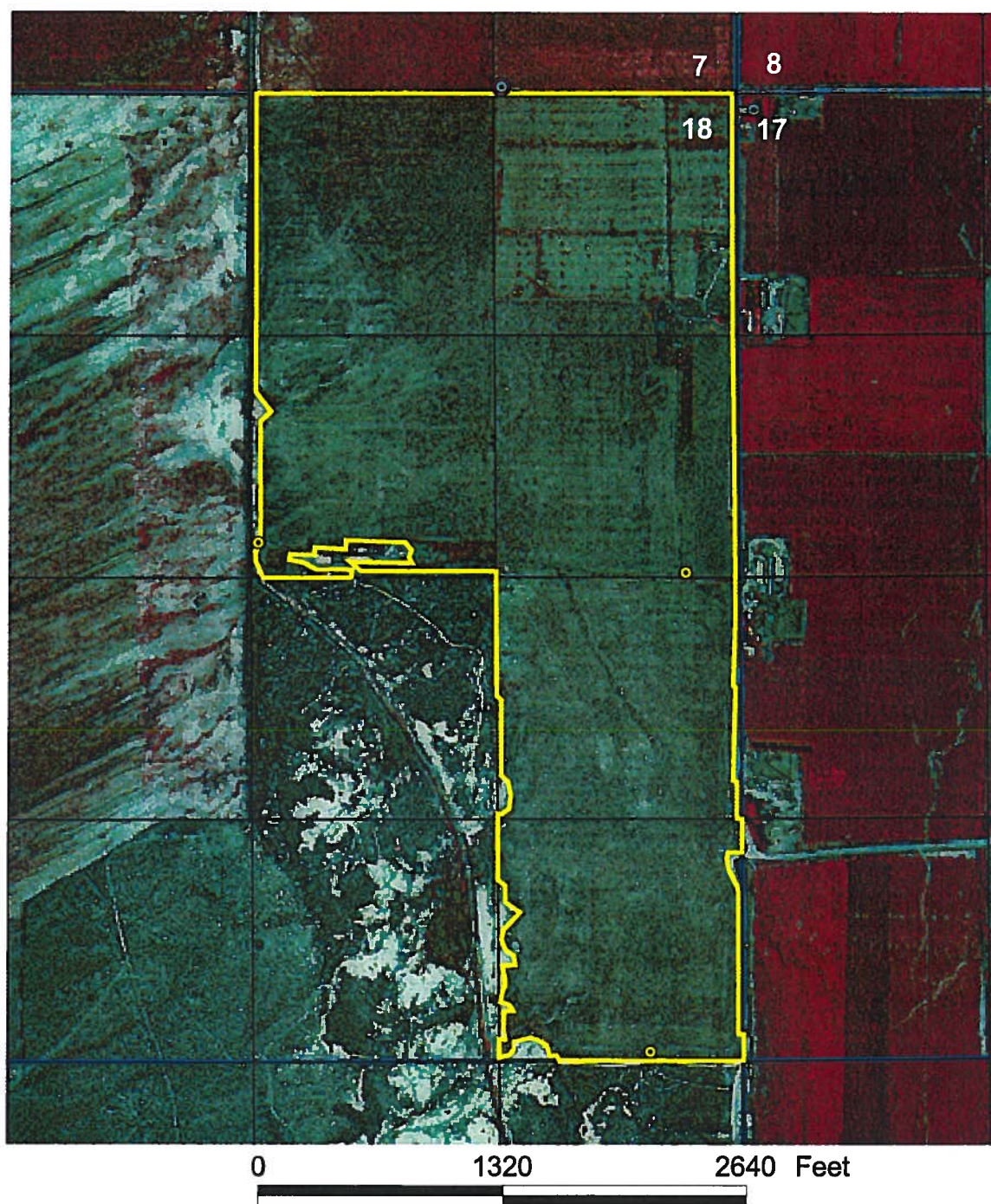
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 43-10605 IS AN EXPANSION OF THIS RIGHT PURSUANT
TO SECTION 42-1416B, IDAHO CODE.

Water Right 43-2414

Idaho Department of Water Resources

43-02414, 43-10605, 43-10608, 43-11283,
43-11284, 11285, 43-11286 & 43-11287



RECOMMENDED PLACE OF USE
DATA ENTRY ON NOV. 30, 2000
TWP 14S, RNG 27E, SEC. 18

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

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

Claimed = 240 Ac.
GIS = 230 Ac.
Lic = 198 Ac.
EXP = 32 Ac.

A43-02414 12/8/1954 3.1 cfs 198 Ac.

- well licensed in SESE of Sec. 18
- claim for 2 wells (SESE & SENE)

R43-02414 12/8/1954 3.1 cfs / 792 AF 198/230 ppu

A43-10605 4/1/1944 1.75 cfs 240 Ac.

- claims both wells (SESE & SENE)
- remarks state that right was developed when the well in the SENE was developed
- two permits were filed originally

G24176 6/6/1953 first identified well in SENE, but later was amended to well in SESE as other had caved in (p.e. in 1960)

G25318 12/8/1954 identified well in SESE and was eventually licensed under 43-02414

- since license was already issued to well in SESE, other permit (G24176) was canceled (1963)
- '62 & '68 aerial photography show only 181 irrigated acres (although license was for 198 acres)
- only Evidence of Priority submitted was an affidavit for 1991
- Scott's memo (7/17/2000) shows there are still problems with well in SENE and says it is not hooked up since the 1980's (according to statements) then only 10 h.p.^{pu}
- if some additional Evidence of Priority were submitted, perhaps a small diversion rate (2.6 cfs theoretical from Scott) could be recognized under this right, but since the permit was canceled in 1963 it's doubtful

A43-10605 cont.

- will recommend this right as an expansion of license 43-02414 for 32 acres with a 6/30/1985 priority date and no additional diversion rate or volume per - 14166 ($3.1 \div 230 \text{ Ac.} \times 32 \text{ Ac.} = 0.43 \text{ cfs}$)

R43-10605 6/30/1985 0.43 cfs 32/230 ppu

A43-10606

- was claimed as a combination of portions of several old decrees with the same priority date.
- split into three new claims to show varying seasons of use (43-11283, 43-11284, & 43-11285)
- recommended to irrigated acres in original decreed POU

A43-10607

- was claimed as a combination of portions of several old decrees with the same priority date
- split into two new claims to show varying seasons of use (43-11286 & 43-11287)
- recommended to irrigated acres in original decreed ^{POU}

A43-10608

- also claimed as a combination of portions of two old decrees with the same priority date
- no specified season of use (no need to split)
- high water, so not included in limiting remark of 0.02 cfs per acre when combined

CLAIM NUMBER _____ DATE _____
 _____ AGENT _____

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 24
 GIS ACRE TOTAL 230

	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	18	40	40	40	40									40			40	2
GIS				39	39	36	39									39			38	0
RECOM				39	39	36	39									39			38	2
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP _____

SHAPE NOS. _____

B43-POD.SHP _____

NOS. DESCRIPTION _____

DBF TABLES UPDATED _____

B43-DBPOU.DBF _____

B43-DBPOD.DBF _____

JPEG LAYOUT _____

A43-02414 198 Ac

rest claim 240 Ac.
40 Ac. per tract

30-02414

40-02414

8-02414

40-02414

40-02414

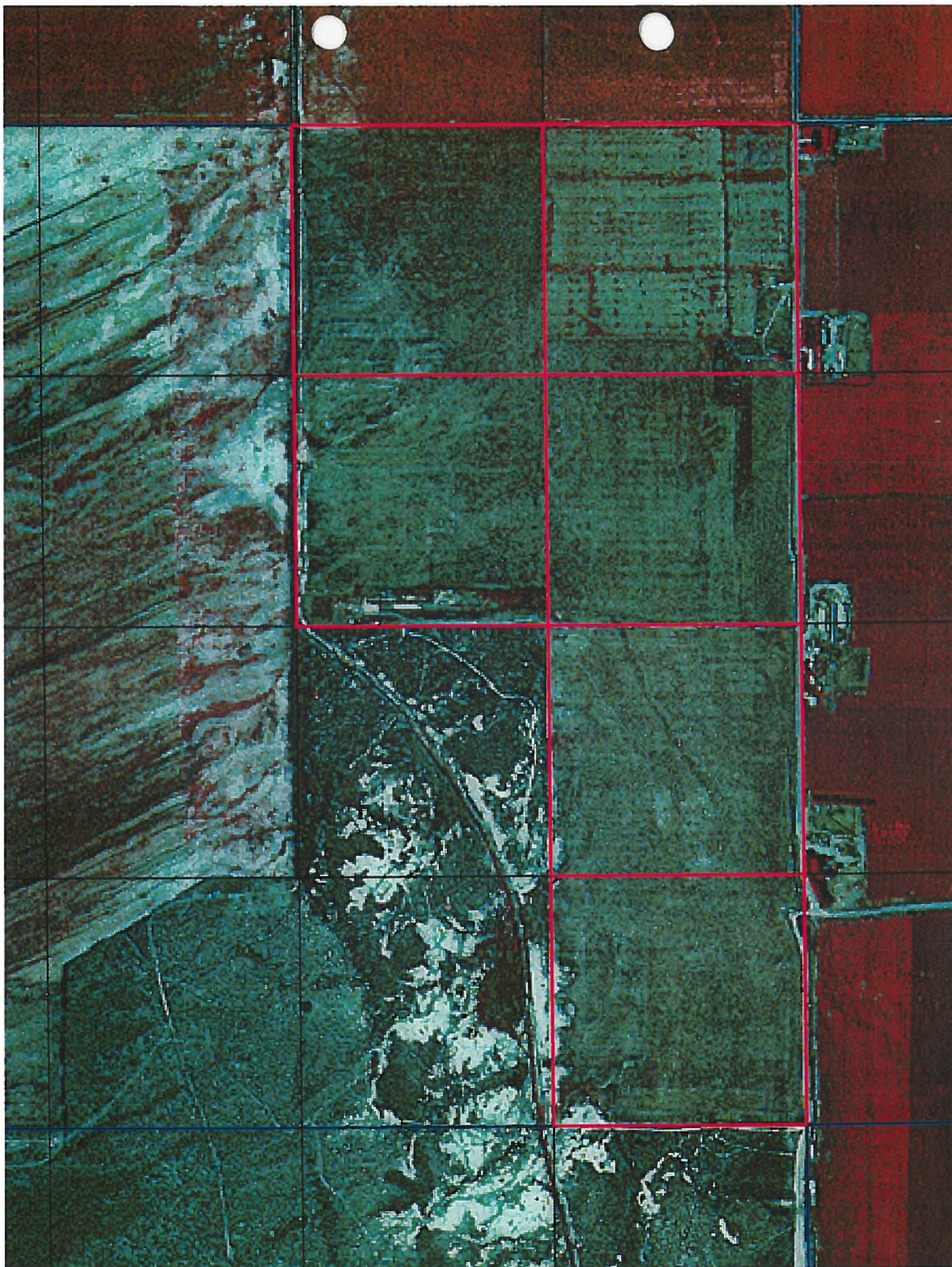
40-02414

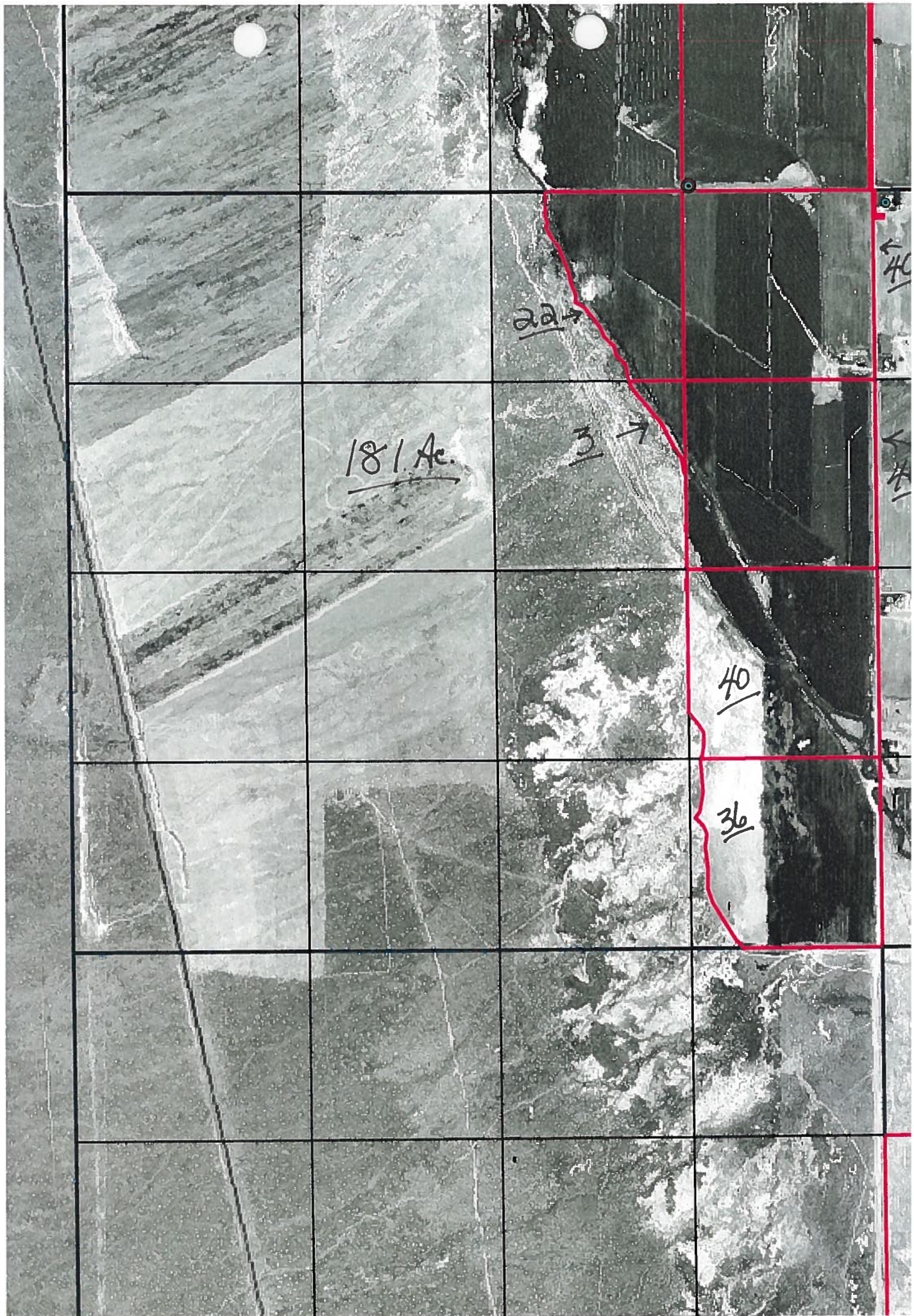
⑦ ⑧

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⑮ ⑯

⑰ ⑱





T14S, R27E, Sec. 18

1962 photo

18

18

18

18

1962

T 14S, R 27E, Sec. 18

1968 photo

18

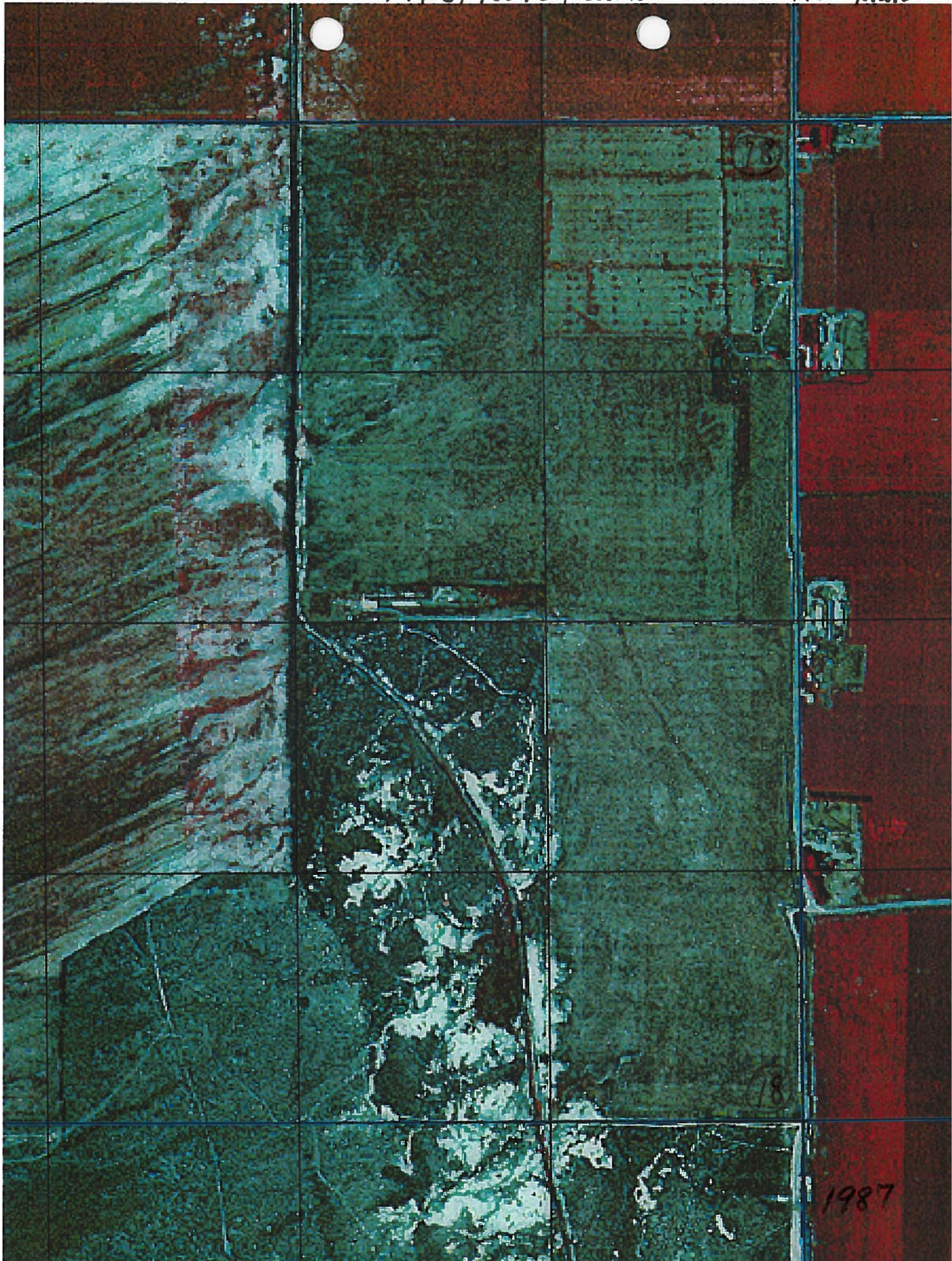
18

18

1968

T14S, R27E, Sec. 18

1987 photo



IDAHO
CASSIA
Report ID: ASCS-156EZ

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

FARM 3251
Prepared: 05/09/9
Crop Year: 9
Page:

No. of Tracts: 6

Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	HEL	027	A027	W	CW	FW	PC	AW	MW	RW	MG	CWTE	CWNA	PCW
1606	240.0	228.2	228.2	Y	Y	Y	N	N	-								N
IDENTIFIER		EE30.32 S18.19 T14 R27															
OWNER		1 - AMERICAN WEST ENTERPRISES INC. <i>Proprietors</i>															
1642	360.0	356.2	356.2	N	N	N	Y	N	+								N
IDENTIFIER		EE30 S5.8 T14 R27															
OWNER		1 - HAL ANDERSON <i>AWE Inc</i>															
1676	721.0	712.8	712.8	Y	Y	Y	N	N	+								N
IDENTIFIER		GG26 S14.23 T13 R27															
OWNER		1 - JACK A RAMPTON <i>AWE, Inc.</i>															
8428	40.0	.0		N	N	N	N	N	+								N
IDENTIFIER		DD28 S-25 T-13 R-26															
OWNER		1 - AMERICAN WEST ENTERPRISES INC.															
8593	320.0	315.2	315.2	Y	Y	Y	Y	N	+								N
IDENTIFIER		EE30.32 S-16 T-14 R-27															
OWNER		1 - AMERICAN WEST ENTERPRISES INC.															
8594	320.0	310.5	310.5	Y	Y	Y	Y	N	+								N
IDENTIFIER		FF30.32 S-16 T-14 R-27															
OWNER		1 - AMERICAN WEST ENTERPRISES INC.															

IDAHO
CASSIA
Report ID: ASCS-156EZ

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

FARM 3251
Prepared: 05/09/94
Crop Year: 94
Page: 1

OPERATOR: Name, Address & I D No.	FARMLAND	CROPLAND	IRRIGATED CROPLAND	EFFECTIVE CROPLAND	FARM IDENTIFIER	STATUS
82-0399438 E AMERICAN WEST ENTERPRISES INC. HC 72 BOX 2150 MALTA	2001.0 801-451-0630	1922.9	1922.9	740.2	NONE	ACTIVE
ID 83342						

CRP: 1182.7

IFM: N

RECON. REF. NO.: A40115

OFAY NORMAL PLANTED ACRES: .0

CROP	ROT.	BASE	CRP REDUCTION	ADJ. BASE	DATE	YEAR	-----P&CP-----	YEAR	YIELD NI
WHEAT	1	302.4	153.9	148.5	05/09/94	93	305.1	94	25
						92	302.9	85	25
IAM		142.5				91	296.4		
NAW		6.0				90	306.8		
						89	300.8	94	69
						88	318.4	85	75
BARLEY	1	1057.6	663.9	393.7	05/09/94	93	1061.7	94	25
						92	1065.5	85	25
IAM		399.9				91	1063.8		
NAW		.0				90	994.0		
						89	1103.4	94	80
						88	1082.0	85	83

AW

147.0

5

NHEL/W

58.4

2560
T1645

AW

2
108.2

7

8

58.1

1
111.6

NHEL/W

10

12

NW

1020
T1647

T1606

NHEL/W

5

1

NHEL/W

2

30.4

AW

NHEL/W

27.9

5

25.9

NHEL/W

6

16.0

HEL NW

2

T1.3

NHEL/W

T1606

SEE EE

1020
T1647

12

55

NHEL/W

HEL 18

17

19

20

15.7

NHEL/W

128

60.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:44:55
11/29/00

PAGE: 2
QUICKLOOK INFORMATION

2
CLAIM NUMBER: A43-02414

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

—

—

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—

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CIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that MILTON L. NEDDO of Malta, County of Cassia, and State of Idaho, the holder of Permit No. G-25318 issued upon Application No. G-33158 bearing date of priority of December 8, 1954, authorizing the diversion of 3.2 second feet of waters of a well County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.1 second feet of the waters of a well from subterranean flow that the point of diversion of said waters SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 14 S., R. 27 E., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 198 acres in the NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 18, T. 14 S., R. 27 E., B.M.

Witness my hand this 18 day of August, A.D. 1960

/s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: October 29, 1959

PERMITS ISSUED FOR 3.1 SEC. FT.
Page 6944

~~License will be issued on Permit No.
G-25318 rather than Permit No. G-24176.
G-24176 has the earlier priority but
Permit No. G-25318 carries the large
quantity of water.~~

As per Ralph Thomas
7/27/60

See letter 7-25-60
R.T.

July 25, 1960

Re: Permit No, **G-24176**
G-25318

Milton L. Neddo
 Malta, Idaho

Dear Mr. Neddo:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. **G-25318** shows the well is (are) capable of conveying **155** miner's inches, or **3.1** c.f.s. of water for the irrigation of **198** acres.

Upon receipt of the statutory fees, totaling \$ **17.00**, we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ **12.00**, based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of **December 8, 1954** to the use of **3.1** second feet of subterranean water with the point of diversion in the **SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18** for irrigation of **198** acres in the **NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 18, Township 14 South, Range 27 East, B.M.**

The engineer's report on Permit No. **G-24176** shows the well actually in the **SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18**, though the permit record shows it in the **SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18**, had collapsed on account of earth movement and no license will be issued under that permit.

Very truly yours,

GEO. N. CARTER
 State Reclamation Engineer
 By

The Well

(Mrs.) Edna P. Rule
 Chief Clerk

25318

EPR:mr

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-25318

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

1. Name of applicant: Milton L. Neddo

2. Source of water supply: Underground or subterranean

3. Location of point of diversion: Is in the SE¹SE¹₄ of Section 18

T. 14 S R. 27 E.B.M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: 200' x 16" cas 167'

h = 35' b = 90' 10" x 120' column 440V.

30hp. H.S. 1025759 Shade over pump.

Layne B. Turbine #21844 6' x 6' Concrete base

Delivery to south 10" x 10' into concrete trough.

Westinghouse meter To field by gravity

5. Water is used for: 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):

E¹NE¹₄, E¹SE¹₄, W¹NE¹₄, All in Sec. 18, T. 14 S., R. 27 E.B.M., making a total of 240 acres

umps this water in with regular deereed water from river.

Covers whole of irrig. farm.

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

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

Remarks: Bob Williams along

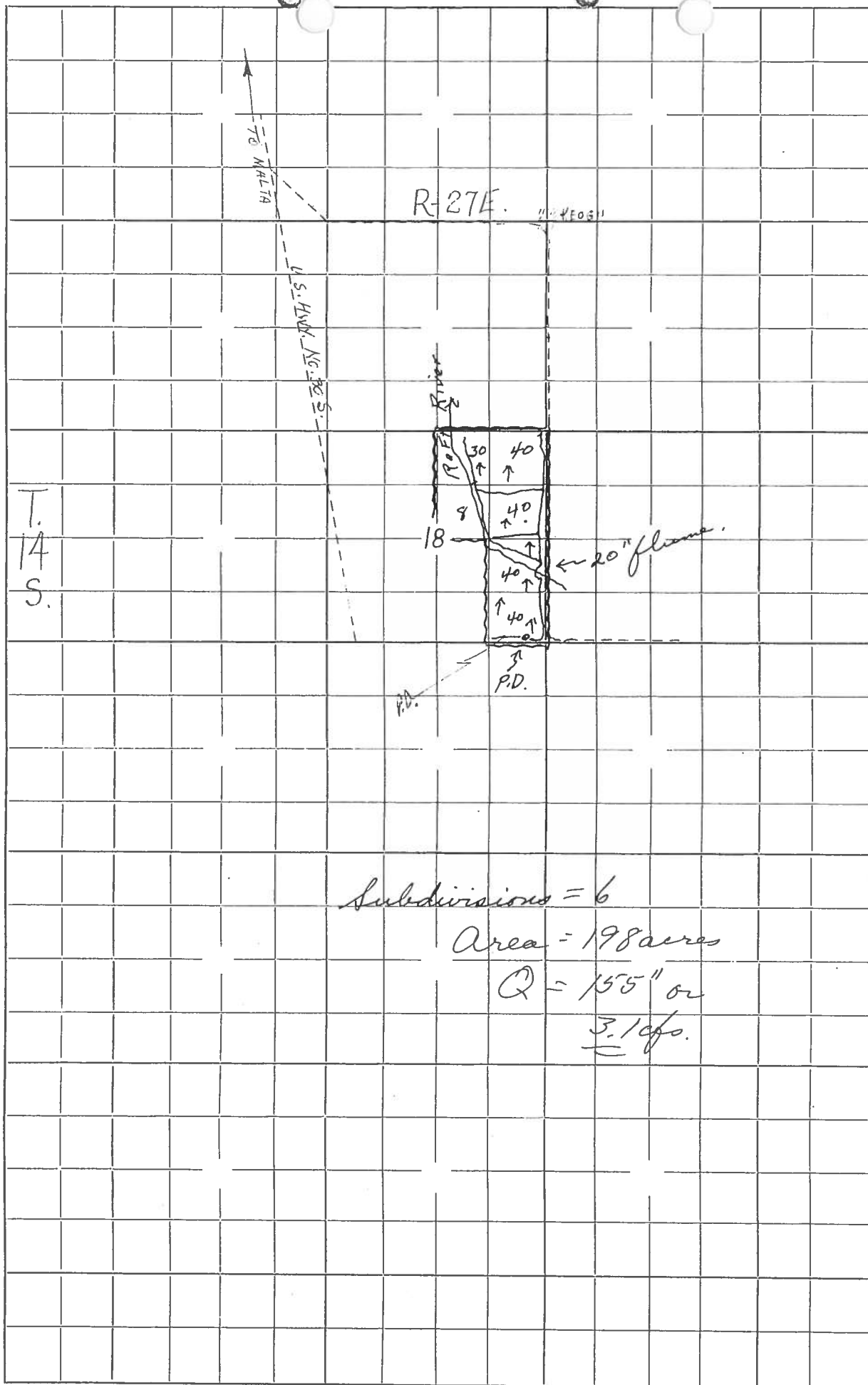
M. L. Neddo along.

Sparling meter used.

This examination was made on the 9 day of June, 1960

G25318

(Signed) E. H. Humphrey
Examr.



Subdivisions = 6

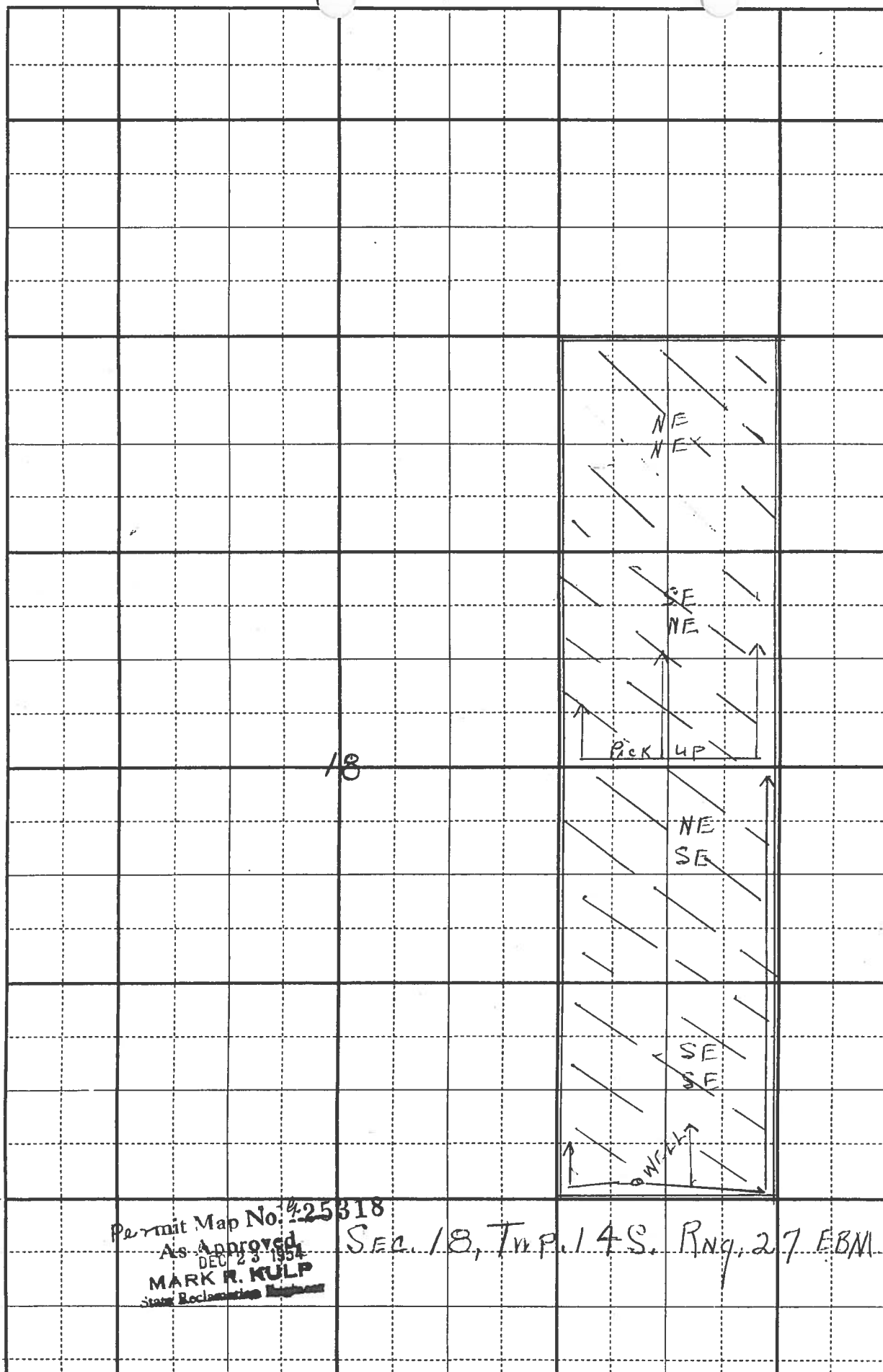
Area = 198 acres

Q = 155" or

3.1 cfs.

NAME OF APPLICANT Milton L. ...

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

25318

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE February 14, 1997 10:00am CUSTOMER JAY WARD/MTN. WEST REALTY

SUBJECT: HAL ANDERSON - AJ, WR, WELL LOGS
phone call (X) walk-in (.)

Gave me leagal descriptions and asked for profile reports (both WR and AJ) and well logs, if available, for the following areas:

Parcel #1 - T14S, R27E, S16:		
A43-02399	A43-10612	A43-10613
Parcel #2 - T14S, R27E, S5 & S8:		
A43-04024	A43-10604	A43-10801
Parcel #3 - T14S, R27E, S18:		
A43-02414	A43-10605	A43-10606
A43-10607	A43-10608	A43-10609
A43-10610	A43-10611	
Parcel #4 - T13S, R27E, S14 & S23:		
A43-04087	A43-04088	A43-04176
A43-10603		