

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 43-10535
Date Received: 6/20/1989
Receipt No: S008308
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

RUTH O STEWART Phone: (801)753-2027

1655 SUNSET DR
LOGAN UT USA 84321

REID S STEWART Phone: (801)753-2027

1655 SUNSET DR
LOGAN UT USA 84321

2. Date of Priority: 06/30/1985

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
15S	26E	24	SW	NW	CASSIA	
15S	26E	24	SE	SW	CASSIA	
15S	26E	24	SW	SE	CASSIA	

5. Description of diverting works:

WELLS, PUMPS, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	26.28	

7. Total Quantity Appropriated is:
26.28 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
15S	26E	24	NW	SW	IRRIGATION	35
			SW	SW	IRRIGATION	7
			SE	NE	IRRIGATION	6
			SW	SE	IRRIGATION	1
			Section Acres			
15S	26E	25	NW	NW	IRRIGATION	40
			NE	NE	IRRIGATION	10
			NW	NE	IRRIGATION	13
			NE	NW	IRRIGATION	40
			Section Acres			
15S	26E	26	NW	NE	IRRIGATION	7
			SE	NE	IRRIGATION	7
			Section Acres			
Total Acres					166	

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:

A43-00128A, 00129, 00130, 00131, 02167A, 02534A, 02381A, 02521, 02276, 04035. THIS CLAIM REPRESENTS ACRES WHICH HAVE BEEN EXPANDED ONTO SINCE THE LANDS WERE INITIALLY DECREED OR ISSUED LICENSES. THESE EXPANDED ACRES ARE DUE TO THE BETTERING OF THE WATER DISTRIBUTION SYSTEM WHEREIN WATERS ARE NOW DISTRIBUTED TO ACRES WHICH WERE PREVIOUSLY OUT OF REACH. THE DIVERSION RATE OF WATERS TO THESE LANDS IS INCLUDED WITHIN THE RIGHTS TO WHICH THEY ARE SUPPLEMENTAL 7-17-01 INCREASED EXPANSION ACRES PER CLAIMANT.- VH

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Bird A Stewart Date: 7-17-01

Date:

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of July 2001 Vikie Hancock

Notary Public

Residing at Buhl Idaho

My commission Expires 5-3-2007



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: A43-10535
Date Received: 6/20/1989
Receipt No: S008308
Received By: tw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: REID S. STEWART 801-753-2027
Address: 1655 SUNSET DR.
LOGAN, UT 84321

AND/OR

Name: RUTH O. STEWART 801-753-2027
Address: 1655 SUNSET DR.
LOGAN, UT 84321

2. Date of Priority: JUN 30, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	26E	24	SW	NW			CASSIA
			SE	SW			CASSIA
			SW	SE			CASSIA

5. Description of diverting works:
WELLS, PUMPS, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	26.280		

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

8. Total consumptive use is 156.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A43-10535

Page 1

Date: 06/20/89

MICROFILMED
MAR 05 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	26E	24	SE	NE		IRR	6.0
			SW	SE		IRR	1.0
			Section Acres				7.0
		25	NE	NE		IRR	10.0
			NW	NE		IRR	13.0
			NE	NW		IRR	5.0
			NW	NW		IRR	3.0
			Section Acres				31.0
		26	NW	NE		IRR	7.0
			SE	NE		IRR	7.0
			Section Acres				14.0
			Total Acres				52.0

7
due map
SE 1/4

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:
SEE REMARKS

14. Remarks:

A43-00128A, 00129, 00130, 00131, 02167A, 02534A, 02381A, 02521, 02276, 04035. THIS CLAIM REPRESENTS ACRES WHICH HAVE BEEN EXPANDED ONTO SINCE THE LANDS WERE INITIALLY DECREED OR ISSUED LICENSES. THESE EXPANDED ACRES ARE DUE TO THE BETTERING OF THE WATER DISTRIBUTION SYSTEM WHEREIN WATERS ARE NOW DISTRIBUTED TO ACRES WHICH WERE PREVIOUSLY OUT OF REACH. THE DIVERSION RATE OF WATERS TO THESE LANDS IS INCLUDED WITHIN THE RIGHTS TO WHICH THEY ARE SUPPLEMENTAL.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ 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

443-10535

Date Received

Receipt Number

RECEIVED

JUN 12 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT

This document prepared by:
BARNETT INTERMOUNTAIN WATER CONSULTANTS
106 WEST 500 SOUTH, SUITE 101
BOUNTIFUL, UT 84010
(801) 292-4662
Please contact us for technical inquiries.

Expanded Use Claim

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Reid S. and/or Ruth O. Stewart Phone (801) 753-2027Mailing Address 1655 Sunset Drive, Logan, Utah Zip 843212. Date of Priority (Only one (1) per claim) Nov. 19, 19873. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 15S Range 26E Section 24,
_____ 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of CassiaAdditional points of diversion if any: also two wells in SE SW & SW NW Sec. 24, T15S R26E.

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. 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. _____Wells, pumps, and pipelines to place of use.

MICROFILMED

MAR 05 1993

6. Water is claimed for the following purposes: (both dates are inclusive) (cfs) (acre feet)
- For Irrigation purposes from Mar 15 to Nov 15 amount 26.28 or _____
- For _____ purposes from _____ to _____ amount _____ or _____
- For _____ purposes from _____ to _____ amount _____ or _____
- For _____ purposes from _____ to _____ amount _____ or _____
7. Total quantity claimed (a) 26.28 (cfs) and/or (b) _____ (acre feet)
8. Total consumptive use claimed is 156 acre feet per annum.
9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____
10. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - 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	
15S	26E	24				6											1		7
15S	26E	25	10	13			5	3											31
15S	26E	26		7		7													14

Total number of acres irrigated 52

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 X 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.
43-128A, 129, 130, 131, 2167, 2534, 2381, 2521, 2276, and 4035. or None ()
14. Remarks:

This claim represents acres which have been expanded onto since the lands were initially decreed or issued licenses. These expanded acres are due to the bettering of the water distribution system wherein waters are now distributed to acres which were previously out of reach. The diversion rate of waters to these lands is included within the rights to which they are supplemental.

Last Name Stewart Ident No. _____

MICROFILMED
Copies: White -State, Yellow-Claimant
MAR 05 1993

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

Scale: 2 inches equals 1 mile



MICROFILMED

Last Name STEWART Ident No. _____

Copies: White-State, Yellow-Chadmoit MAR 05 1993

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

Decree ☐

If applicable provide IDWR Water Right Number ☐

Court ☐ Case Number ☐ Decree Date ☐

Plaintiff vs 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 none

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

Signature of Claimant (s) *Richard Stewart* Date 6-8-89

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 Utah)

County of Davis) SS.

Subscribed and sworn (or affirmed) before me this 8th day of June 1989

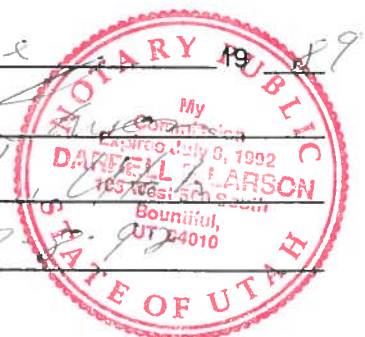
SEAL

Notary Public *Daniel Larson*

Residing at Bountiful

My Commission Expires 7-5-92

Please Print Name



17. Notice of Appearance:

Notice is hereby given that I, Richard Stewart 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 ☐

Last Name Stewart Ident. Number ☐

MICROFILMED

MAR 05 1993

Copies White-State, Yellow-Claimant

Reid S. Stewart
1655 Sunset Drive
Logan, UT 84321
(801) 753-2027

RECEIVED

June 8, 1989

JUN 12 1989

Department of Water Resources
Southern Region Office

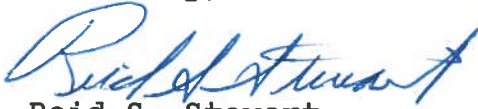
Idaho Department of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 83301

RE: Adjudication Claims for W.R.'s 43-0083, 2509A, 2167,
2521, 4035, 2276, 0129, 0128A, 0130, 0131, 2534, 2381,
2285, and an unnumbered claim.

To whom it may concern:

Attached please the above referenced claims as part of the Snake River Adjudication. Also attached please find a payment representing 20% (\$402) of the total claim fees (\$2010). If you have any questions regarding this payment or the enclosed claims, please contact me.

Sincerely,



Reid S. Stewart

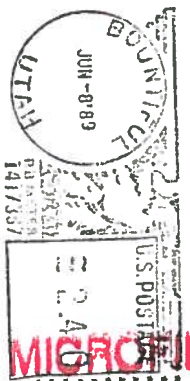
enclosures

MICROFILMED

MAR 05 1993

HIGGINSON-BARNETT, CONSULTANTS
106 West 500 South Suite 101
BOUNTIFUL, UTAH 84010

IDAHO DEPT. OF WATER RESOURCES
2148 4th Ave. East
Twin Falls, Idaho 83301



MAR 05 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

.REID S STEWART
.STEWART RANCH
.MALTA ID 83342

Dear Claimant(s):

A43-02381A
A43-00130
A43-00129
A43-02285A
A43-0008C
A43-04035
Re: A43-02167A
A43-02276
A43-02521
A43-02509A
A43-00131
A43-02534A
A43-10535
A43-00128A

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,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-10535
REID S. STEWART
RUTH O. STEWART
1655 SUNSET DR.
LOGAN

UT 84321

RE: Evidence of Priority

RESPONSE DEADLINE
FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date**, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date"**.

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 05 1993



BARNETT INTERMOUNTAIN WATER CONSULTING

106 West 500 South, Suite 101
Bountiful, Utah 84010-6232
(801) 292-4662

RECEIVED

APR 27 1992

Department of Water Resources
Southern Region Office

April 23, 1992

Allen Merritt, P.E.
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Dear Allen:

Re: Evidence of Priority for Claim A43-10535

As you requested, attached herewith please find three affidavits which support and confirm the priority date indicated by Mr. Reid Stewart in an expansion Claim to Water Right #A43-10535 in the Snake River Basin Adjudication. Based upon our conversations, it is our understanding that these affidavits fulfill the proof required by the State in this matter. Therefore, we kindly request that you attach them to the appropriate file.

If you have any questions or concerns regarding this or any other matters, please contact us. We appreciate your efforts with regards to this matter.

Sincerely,

Don A. Barnett
Staff Engineer

hsm
attachment

cc: Reid Stewart

Don A. Barnett

JACK A. BARNETT, P.E.
MICROFILMED

Water Resources - Water Rights - Forensic Geohydrology - Ground-water Geology - Geothermal Investigations
MAR 25 1993

AFFIDAVIT OF REID S. STEWART

RECEIVED

In the matter of Idaho)
CLAIM TO A WATER RIGHT)
No. A43-10535)

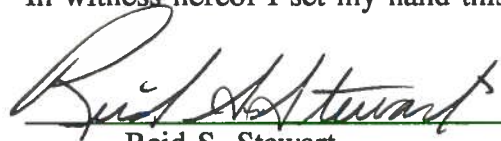
APR 27 1992

Department of Water Resources
Southern Region Office

Comes now Reid S. Stewart, of Cassia County, State of Idaho, who being first duly sworn on oath, disposes and says:

- 1) That I am the current owner of certain lands in Bridge, Idaho to which the above referenced water right claim is appurtenant. That I purchased such lands and other lands adjacent thereto under a lease option beginning in 1975.
- 2) That prior to my purchasing of these lands, I have been familiar with the farming and irrigation practices thereon since the summer of 1971.
- 3) In the spring of 1973, I was present and witnessed the installation of additional power capacity by the Raft River REA such that the then operator of the ranch, Bridge River Ranches, could expand and develop a pressure irrigation system on the full property. This change allow them to expand their irrigation onto the full acreage described in the claim above, which was greater than their historic abilities to irrigate using the before flood irrigation techniques on portions of the land previously.
- 4) That this same expanded irrigation was practiced by me when I purchased the properties in 1975 and did continue until 1989 when I placed a portion of the lands into a federal set-aside program.

In witness hereof I set my hand this 17th day of April, 1992.



Reid S. Stewart

Subscribed and sworn before me this 17th day of April, 1992.

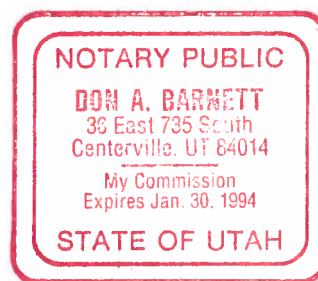


(Notary Public)

(seal)

My commission expires 1/30/94.

My residence is Centerville, UT.



MICROFILMED

MAR 05 1993

AFFIDAVIT OF IVAN DARRINGTON

RECEIVED

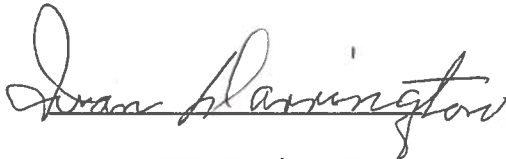
In the matter of Idaho)
CLAIM TO A WATER RIGHT)
No. A43-10535)

APR 27 1992
Department of Water Resources
Southern Region

Comes now Ivan Darrington of Cassia County, State of Idaho, who being first duly sworn on oath, disposes and says:

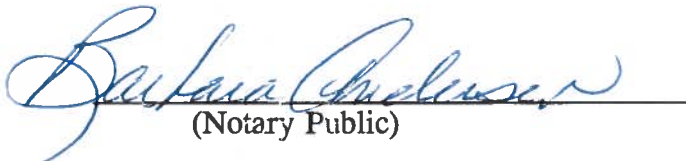
- 1) That I have been familiar with the irrigation practices and farming operations of the Stewart farms in Bridge, Idaho, since 1966
- 2) That I was the owner (or operator) of the farms immediately adjacent to the west of the Stewart farms from 1966 until 1992 +
- 3) That when I initially became familiar with the Stewart Ranches, they were owned and operated by a Mr. Harlan Jensen. During the 1960s and before, Mr. Jensen irrigated the farms with surface- and ground-water sources using flood irrigation techniques. In the early 1970s, Mr. Jensen and an entity then operating the farm and known as Bridge River Ranches, converted the flood irrigation system to a pressure irrigation system. This allowed Bridge River Ranches to expand their ability to irrigate with their existing sources to lands which were historically above where they could be irrigated by gravity.

In witness hereof, I set my hand this 18 day of March, 1992.



Ivan Darrington

Subscribed and sworn before me this 18th day of March, 1992.


(Notary Public)

(seal)

My commission expires 7/23/93.

My residence is Albion, Idaho.

MICROFILMED

MAR 05 1993

AFFIDAVIT OF WILLIAM TRACY

In the matter of Idaho)
CLAIM TO A WATER RIGHT)
No. A43-10535)

RECEIVED

APR 27 1992

Department of Water Resources
Southern Region Office

Comes now William Tracy of Cassia County, State of Idaho, who being first duly sworn on oath, disposes and says:

- 1) That I have been familiar with the irrigation practices and farming operations of the Stewart farms in Bridge, Idaho, since 1960.
- 2) That I was the owner (or operator) of the farms immediately adjacent to the east of the Stewart farms from 1960 until 1983.
- 3) That when I initially became familiar with the Stewart Ranches, they were owned and operated by a Mr. Harlan Jensen. During the 1960s and before, Mr. Jensen irrigated the farms with surface- and ground-water sources using flood irrigation techniques. In the early 1970s, Mr. Jensen and an entity then operating the farm and known as Bridge River Ranches, converted the flood irrigation system to a pressure irrigation system. This allowed Bridge River Ranches to expand their ability to irrigate with their existing sources to lands which were historically above where they could be irrigated by gravity.

In witness hereof, I set my hand this 2 day of ^{April}~~March~~, 1992.
~~March~~

William Tracy

William Tracy

Subscribed and sworn before me this 2 day of ^{April}~~March~~, 1992.

Robert E. Blackwell
(Notary Public)

(seal)

My commission expires June 4, 1996.

My residence is Bunby, Idaho.

MICROFILMED

MAR 05 1993

07/17/2001

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

RIGHT NUMBER: 43-10535
NAME AND ADDRESS: REID S STEWART
RUTH O STEWART
1655 SUNSET DR
LOGAN, UT 84321

SOURCE: GROUND WATER

QUANTITY: 3.16 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.32 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3140 AF. COMBINED RIGHT NOS.: 43-2276, 43-2521, 43-2381A, 43-2534A, 43-4035, 43-10535, 43-13102

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION:	T15S R26E S24	NWSWNW	Within CASSIA County
	T15S R26E S24	NESESW	Within CASSIA County
	T15S R26E S24	SWSWSE	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	3.16 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>							
T15S R26E S23		SESE	4.1	T15S R26E S24		NENE	40
T15S R26E S24		SWNE	35	T15S R26E S24		SENE	40
T15S R26E S24		SWNW	39	T15S R26E S24		SENW	38
T15S R26E S24		NESW	40	T15S R26E S24		NWSW	40
T15S R26E S24		SWSW	40	T15S R26E S24		SESW	40
T15S R26E S24		NESE	40	T15S R26E S24		NWSE	40
T15S R26E S24		SWSE	40	T15S R26E S24		SESE	40
T15S R26E S25		NENE	40	T15S R26E S25		NWNE	40
T15S R26E S25		NENW	40	T15S R26E S25		NWNW	40
T15S R26E S26		NENE	39	T15S R26E S26		NWNE	33
T15S R26E S26		SWNE	40	T15S R26E S26		SENE	40
T15S R27E S18	LOT 4	SWSW	48	T15S R27E S19	LOT 1	NWNW	49
T15S R27E S19	LOT 2	SWNW	49	T15S R27E S19	LOT 3	NWSW	49

1023.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 158 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 1023 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-046, 43-128A, 43-129, 43-130, 43-131, 43-2167A, 43-2276, 43-2327, 43-2381A, 43-2461, 43-2521, 43-2534A, 43-4035, 43-4095, 43-10535, 43-13102.

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.

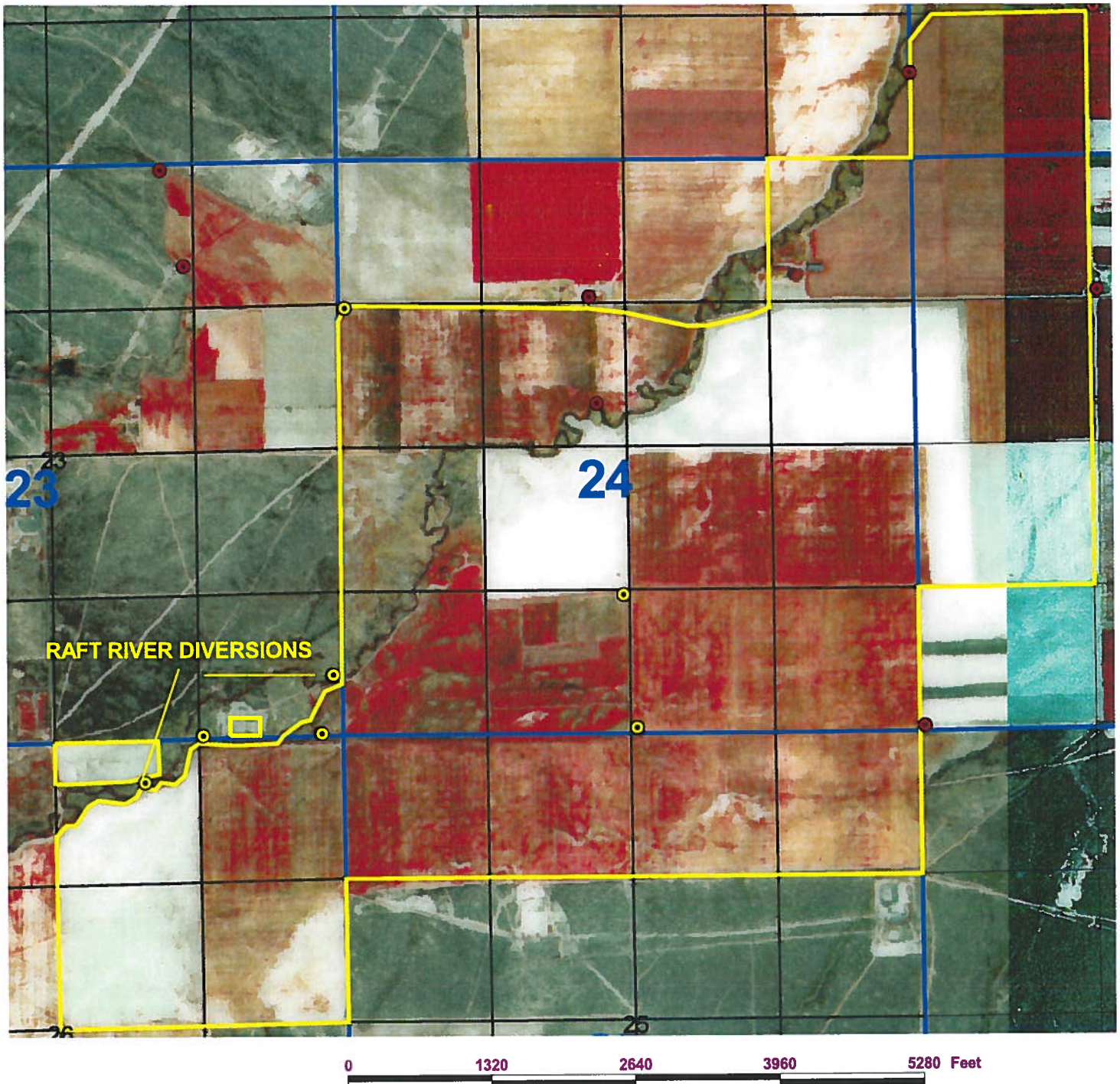
THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-2276, 43-2381A, 43-2521, 43-2534A, 43-4035 & 43-13102 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

RIGHTS: 43-046, 43-128A, 43-129, 43-130,
43-131, 43-2167A, 43-2276, 43-2327, 43-2381A,
43-2461, 43-2521, 43-2534A, 43-4035, 43-4095,
43-4097, 43-10535, 43-13102

RECOMMENDED PLACE OF USE
TWP 15S, RNG 26E
TWP 15S, RNG 27E
Data entry on July 17, 2001



⊙ RECOMMENDED POINT OF DIVERSION

□ RECOMMENDED PLACE OF USE

□ SECTION LINES

□ QUARTER/QUARTER LINES



GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
PREPARED BY VIKIE HANCOCK

7-17-01

OK

Total acres irrigated = 1023

less { Allowed for claim 43-2387 = 80
43-2276 = } 517 (comb)
43-2461 = }
43-2381A = 105
43-2521 = 71
43-2534A = 64
43-4095 = } comb with 2387
43-4035 = } Darlington/Crooks
43-13102 = 23

Expansion acres as of 1987 = 158 Bal

43-10535 = 158

- 0 -

ALL 1023 acres covered By W.Rts.

Revised combined limits - Quantity: cfs af

43-2276	2.81	
43-4035	4.32	2068
43-2521	1.42	284
43-2534A	1.24	276
43-2381A	1.07	420
43-13102	.46	92
	<u>11.27</u>	<u>2,100</u>

11.32 cfs
3140 af

1) Home place now equals ^{≈1021} 1012.8 ac
with addition of 42.4 ac
in SW Sec 24 into PPU. ~~place~~
(3 polygons of 1012.8, 7.98 & 1.01 ac ea)

2) POD on Raft River moved to
correct location in Sec 26. NWNE

3) Need ownership chg on 43-4095 (Crooks)

4) PPU for GW on Grow place that
encompasses POU for Clear Creek, licensed
GW & Expansion acres.

5) Amendment needed for Expansion

35 ac NWSEW (24) acres at Home place. Possibly
7 ac SWSW (24) will find evidence of BU for 40
35 NWNE (25) ac in NESEW Sec 24.
37 NWNE (25)

6) Grow PPU Equals 702 acres PPU

Meeting notes 6-13-01 UH

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

6/13/2001

Regarding:

Contact:

Claims of Reid Stewart

Reid Stewart and Don Barnett

In regards to the expansion claim 43-10806 on the "home place"

Mr. Stewart needs to amend this claim and add acres to cover more expansion acres found than previously filed for, and to encompass the increase in the PPU which he requested in the W½ of the SW Section 24. He is hoping to find collaborating evidence of irrigation from ground water prior to 1962 on the NESW of section 24 as it appears from 1962 photos that it may be occurring, and this will decrease the number of acres needed for an expansion claim.

See claim 43-13102

DA 7/17/01

REVISED Combined Limits needed.

02/15/2001

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

RIGHT NUMBER: 43-10535

NAME AND ADDRESS: REID S STEWART
RUTH O STEWART
1655 SUNSET DR
LOGAN, UT 84321

SOURCE: GROUND WATER

QUANTITY: 1.04 CFS *3.16*

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A COMBINED
DIVERSION RATE OF 10.86 CFS AND A COMBINED ANNUAL DIVERSION
VOLUME OF 3040 AF. COMBINED RIGHT NOS.: 43-2276, 43-2521,
43-2381A, 43-2534A, 43-4035, 43-10535 *+ 43-13102*
WHEN COMBINED, RIGHT NOS. 43-046, 43-128A, 43-129, 43-130,
43-131, 43-2167A, 43-2276, 43-2327, 43-2381A, 43-2461, 43-
2521, 43-2534A, 43-4035, 43-4095, & 43-10535, SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.

11.32 cfs 3140 AFA

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION:	T15S R26E S24	NWSWNW	Within CASSIA County
	T15S R26E S24	NESESW	Within CASSIA County
	T15S R26E S24	SWSWSE	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	1.04 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>							
T15S R26E S23	SESE	4.1	T15S R26E S24	NENE	40		
T15S R26E S24	SWNE	35	T15S R26E S24	SENE	40		
T15S R26E S24	SWNW	39	T15S R26E S24	SENE	38		
T15S R26E S24	NESW	40	T15S R26E S24	NWSW	6.8		
T15S R26E S24	SWSW	31	T15S R26E S24	SESE	40		
T15S R26E S24	NESE	40	T15S R26E S24	NWSE	40		
T15S R26E S24	SWSE	40	T15S R26E S24	SESE	40		
T15S R26E S25	NENE	40	T15S R26E S25	NWNE	40		
T15S R26E S25	NENW	40	T15S R26E S25	NWNW	40		
T15S R26E S26	NENE	39	T15S R26E S26	NWNE	33		
T15S R26E S26	SWNE	40	T15S R26E S26	SENE	40		
T15S R27E S18	LOT 4 SWSW	48	T15S R27E S19	LOT 1 NWNW	49		
T15S R27E S19	LOT 2 SWNW	49	T15S R27E S19	LOT 3 NWSW	49		

980.9 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 52 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

158
Added Exp ac
new BU claim
43-13102
WA
7-17-01

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 892 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2276, 43-2327, 43-2381A, 43-2461, 43-2521, 43-2534A, 43-4035, 43-4095, 43-10535.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 981 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-046, 43-128A, 43-129, 43-130, 43-131, 43-2167A, 43-2276, 43-2327, 43-2381A, 43-2461, 43-2521, 43-2534A, 43-4035, 43-4095, & 43-10535 + 43-13102.

1023

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.

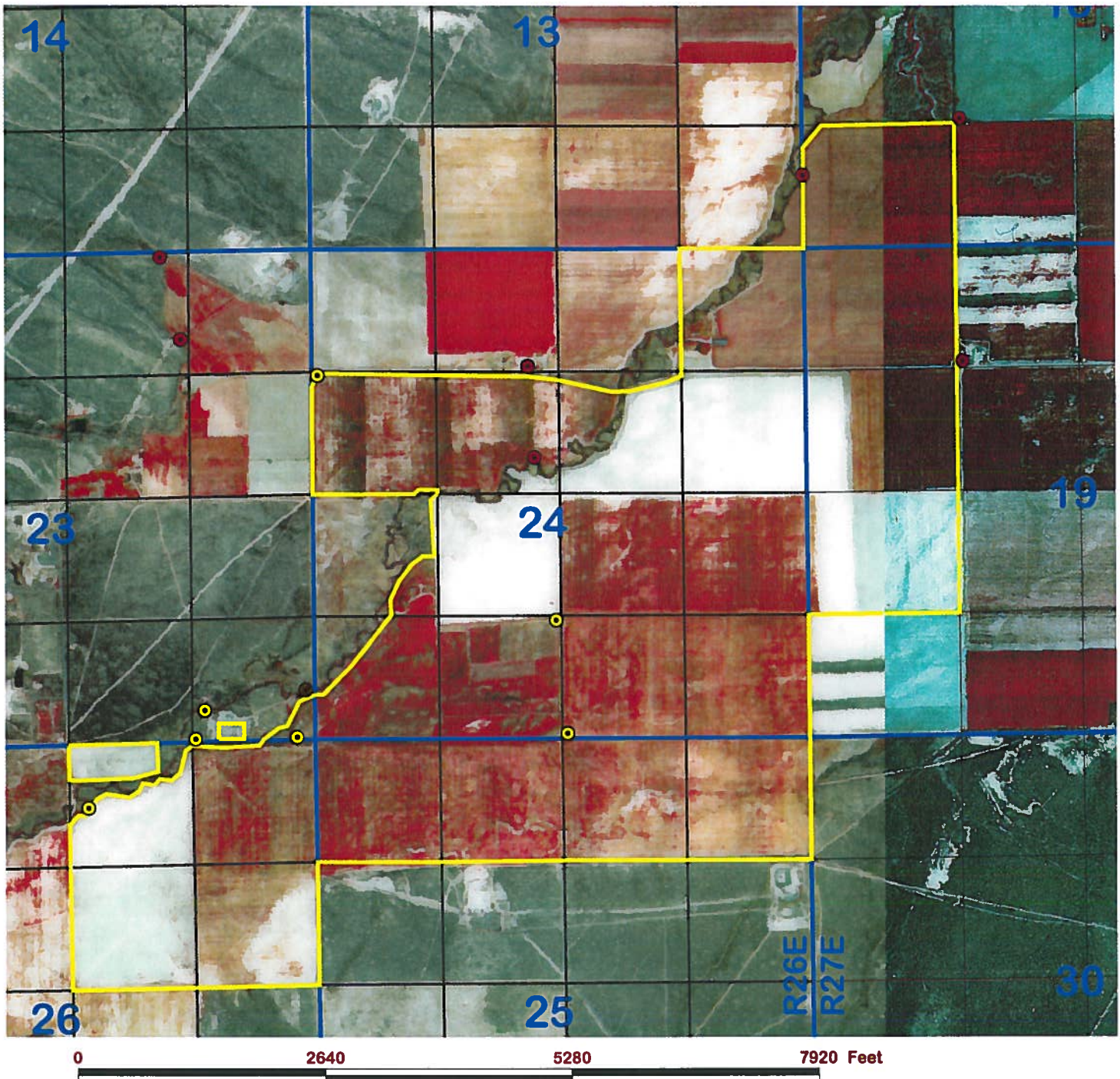
THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-2276, 43-2381, 43-2521, 43-2534A & 43-4035 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

RIGHTS: 43-046, 43-128A, 43-129, 43-130,
43-131, 43-2167A, 43-2276, 43-2327, 43-2381A,
43-2461, 43-2521, 43-2534A, 43-4035, 43-4095,
43-4097, 43-10535

RECOMMENDED PLACE OF USE
TWP 15S, RNG 26E,
TWP 15S, RNG 27E,
Data entry on February 12, 2001



○ RECOMMENDED POINT OF DIVERSION

□ RECOMMENDED PLACE OF USE

□ SECTION LINES

□ QUARTER/QUARTER LINES



*Superseded
7-17-01
VH*

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK

CLAIM NUMBER: A43-10535

156.00 AEA

Stage: BENEFICIAL USE

CASSIA County

SESTOTAL ACRES

Other Rights: SEE REMARKS

THEY ARE SUPPLEMENTAL.

Verified Date:

Field Inspection Flag:
Presumption Flag:

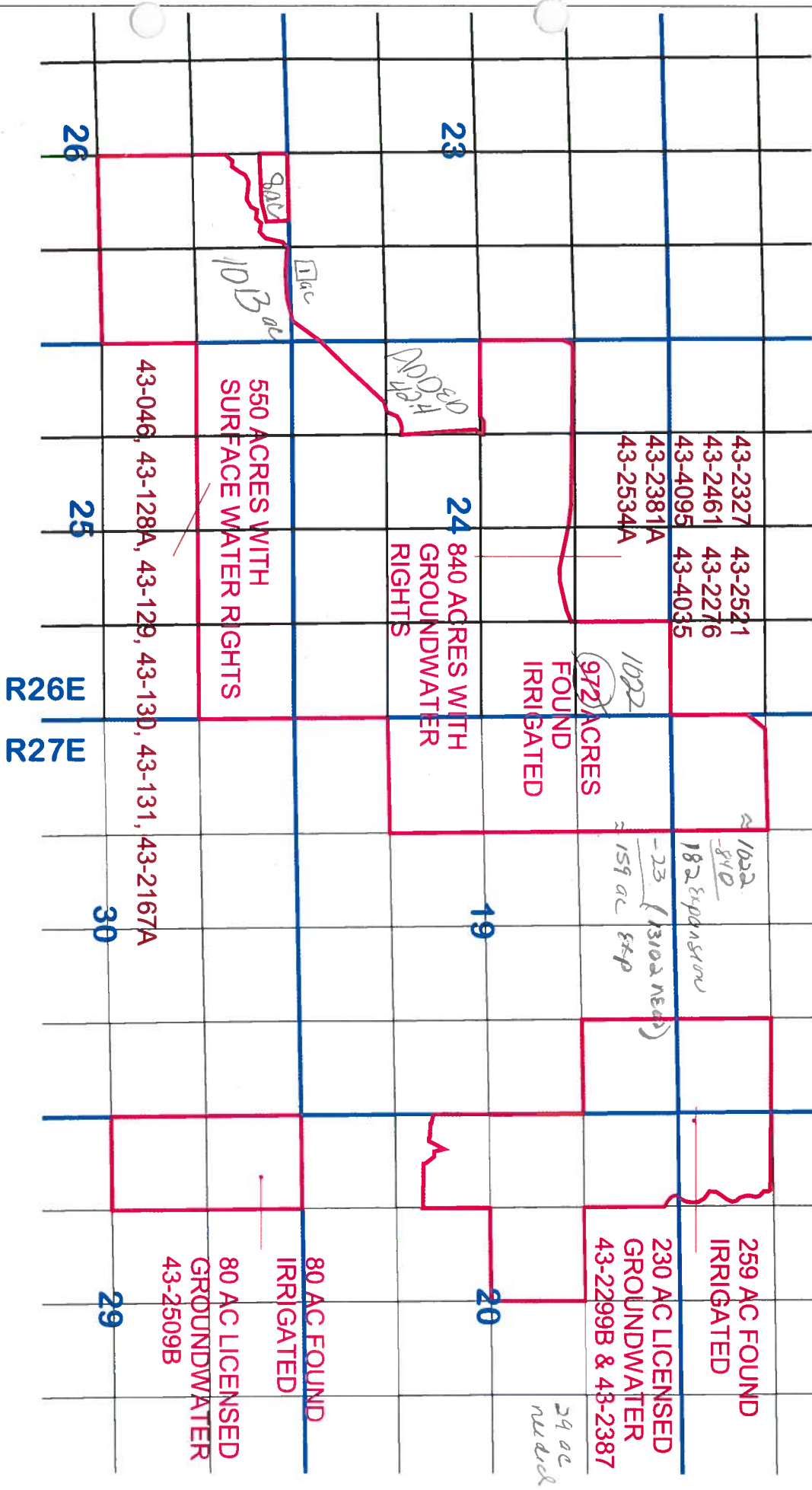
0
x

15

for

GROUNDWATER AND SURFACE WATER RIGHTS

TOTAL AC FOUND RELIANT = 1319
TOTAL AC WITH WATER RIGHTS 1210



THIS ANALYSIS DOES NOT INCLUDE EXPANSION CLAIM 43-10535



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 22, 2000

Don E. Barnett
Barnett Intermountain Water Consultants
106 West 500 South, Suite 101
Bountiful, Utah 84010

RE: Snake River Basin Adjudication (SRBA)
Claims of Reid Stewart

Dear Mr. Barnett,

In response to your phone call of December 15th, I have done a review of Mr. Stewart's claims in preparation for recommendation in our Preliminary Director's Report due out the end of January, 2001. The following is a summary of the status of the existing claims so that you and Mr. Stewart may determine if any additional filings are required to cover the use of water on his Idaho property. Be aware that the recommended elements are not final for any of the claims summarized herein.

Claim numbers 43-046, 43-128A, 43-129, 43-130, 43-131, 43-4097 and 43-2167A represent filings for surface water for irrigation from Raft River. Based upon my review of the decrees, aerial photos and other historical documents, it is indicated that 43-046 represents a valid right for 2.0 cfs on 100 acres. 43-128A represents 4.67 cfs on 233.5 acres. 43-129, -130 and -131 represent a combined total of 3.52 cfs on 176 acres. The number of acres allowed for the decreed rights is based upon the Jobe Adams Decree, which specifies 1 inch per acre. 43-2167A represents Mr. Stewart's 50% portion of the 1914 license that is appurtenant to the property he retained through a transaction with Richard Miller. This claim would therefore properly be for 40 acres and .80 cfs. Without additional compelling proof, the "winter season irrigation" use represented by 43-4097 will not be recognized as a beneficial use by the Department, however the claim does represent a .08 cfs stockwater right.

Three claims for ground water are appurtenant to the Darrington and Crooks lands. There was quite a history surrounding four wells that exist in the SESE of Section 23. It has been determined that 43-2327 represents a valid right to 0.21 cfs on 80 acres, that 43-2461 represents 1.5 cfs on an overlapping 75 acres and that 43-4095 may represent 0.04 cfs used for domestic, heating, and the irrigation of 1 acre from the wastewater used first for heating. The three rights combined are limited to 1.71 cfs and 80 acres of irrigation. Also note that Department personnel visited the site of the geothermal wells and documented that there is currently no existing domestic or heating use at the site. Also note that information in IDWR files show that,

upon the successful drilling of the replacement irrigation well in the SESESE Section 23 by Ivan Darrington in 1967, the two wells existing at that time in the SWSESE were to have been abandoned. It appears that one of those wells is currently an uncapped artesian.

There are two groundwater claims based upon licenses that were originally appurtenant to the property split in the real estate transaction between Mr. Stewart and Richard Miller. Mr. Stewart's portion of license 43-2534, claimed as 43-2534A, appears to be 1.24 cfs on 69 acres. His portion of 43-2381, claimed as 43-2381A, appears to be 1.07 cfs on 105 acres.

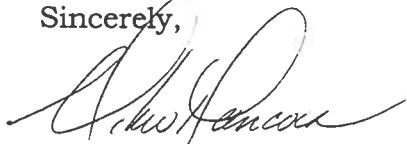
43-2509B, which was originally filed for 5.55 cfs on 80 acres will be adjusted to a proportionate diversion rate of 1.39 cfs, which agrees with transfer 3697. According to our records, the remainder would be recommended to Wayne Rich.

The following rights for groundwater appear to be as originally filed: 43-2521, 1.42 cfs on 71 acres. 43-2299B, 1.86 cfs on 105 acres. 43-2387, 2.44 cfs on 125 acres. 43-2276, 2.81 cfs on 141 acres. Statutory claim 43-4095 for water put to beneficial use in 1958 by Harlan Jensen, overlaps 112 acres licensed in 1935 under 43-2276. Therefore claims 43-4095 and 43-2276 combined, will be limited to a total of 517 acres. 1962 aerial photography does support Mr. Jensen's claim to the development of these acres circa 1958. Other than this overlap of acres, the only apparent adjustments to Mr. Stewart's claims for groundwater would be in diversion rate, not acres.

Expansion claim 43-10535 was filed for 52 acres located in various tracts. Please compare the attached GIS layout representing the extent of development in 1987 to your records. I hope it will help you determine if it is necessary for you to amend or file additional expansion claims for irrigation from groundwater. I have no map outlining the current boundary of Mr. Stewart's property. The layout represents the extent of irrigation only within tracts claimed by him for irrigation from groundwater and Raft River.

Because we are getting close to the time when our Preliminary Report is due to the SRBA Court, I would ask that if you wish to amend or file claims, or see a gross error in the tracts I found irrigated, please contact me as soon as possible. Of course, if for some reason we do not make the preliminary deadline, we can always address the issues during the Notice of Error process. At any rate, I look forward to speaking with you again.

Sincerely,



Vikie Hancock
Sr. Water Resource Agent

[illegible]

1987 NAPP AERIAL PHOTOGRAPHY