

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 43-10608
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
2025 S HWY 81
MALTA ID 83342

Phone: (208) 645-2361

SYLVIA GRUSH
2025 S HWY 81
MALTA ID 83342

Phone: (208) 645-2361

2. Date of Priority: 12/12/1911

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
14S	27E	18	SW SW NE	CASSIA

5. Description of diverting works:

125 H.P. PUMP IN CREEK 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	3.2	

7. Total Quantity Appropriated is:
3.2 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	SE	SE		IRRIGATION	40
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			NE	SE		IRRIGATION	40
			NE	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
						Section Acres	240
						Total Acres	240

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:

THIS CLAIM IS BASED ON 1.6 CFS OF 43-00177 AND 1.6 CFS OF 43-00178B COMBINED WITH THE LATER PRIORITY

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: Decreed



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)

27216

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.

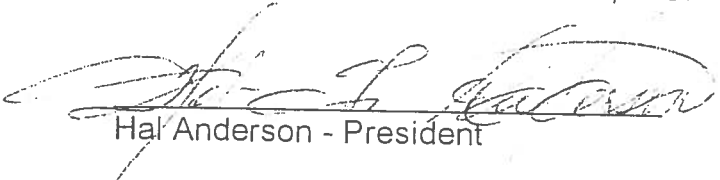
TOGETHER with all water rights as set forth on Exhibit B, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property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

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

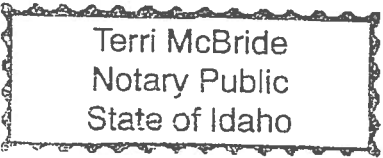
IN WITNESS WHEREOF, the Grantor has executed this Deed the day and year first above written.

AMERICAN WEST PROPERTIES, INC.


Hal Anderson - President

STATE OF IDAHO)
County of CASSIA) ss

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


Terri McBride
Notary Public
State of Idaho


Notary Public for Idaho
Residing at Boise
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.

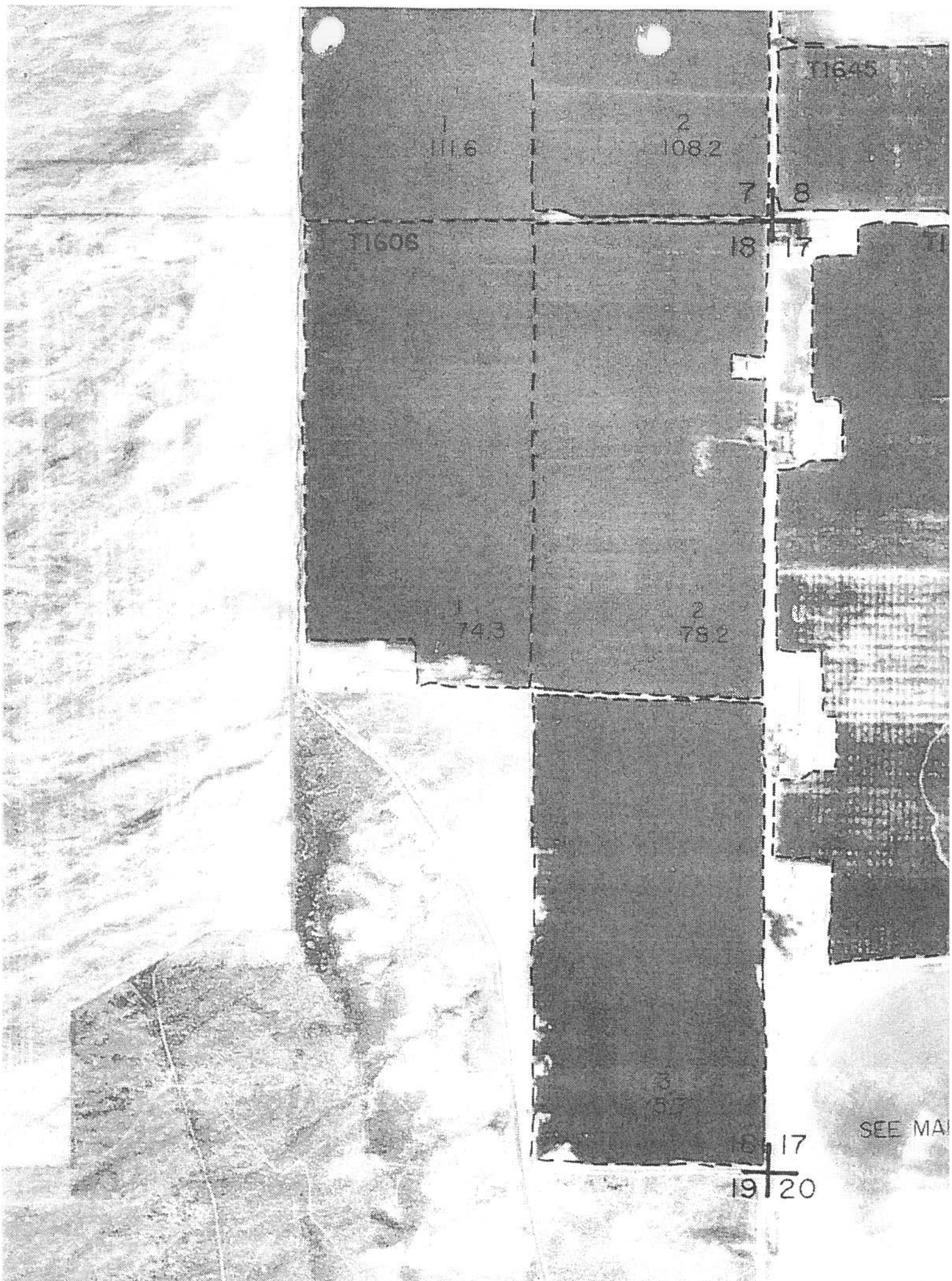
Mortgage recorded 01/26/96 as instrument number 240804 on film number 273, D.L. Evans Bank, Mortgagee.

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

NOV 15 PM 4 30

FEE \$15.00 DEPUTY CLERK

CASSIA COUNTY, IDAHO
BARTLEY R. ROBERTS
CLERK



T1645

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108.2

7 8

T160S

18 17

1
74.3

2
78.2

3
53.7

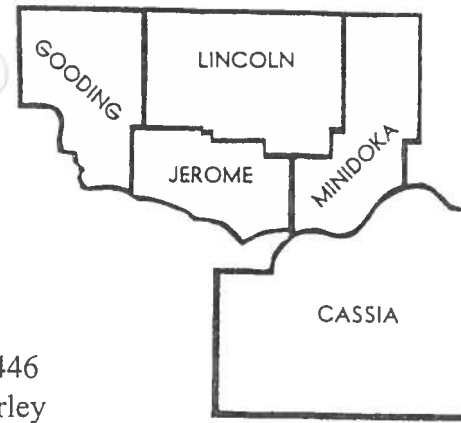
16 17

19 20

SEE MAP

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

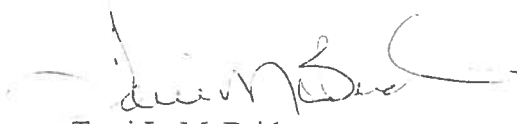
RE: Grush/American West

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.


Terri L. McBride
Escrow Officer

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

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: A43-10608

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 12, 1911
3. Source: RAFT RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	18	SW	SW	NE		CASSIA
5. Description of diverting works:
125 H.P. PUMP IN CREEK 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	3.200		
7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 720.0 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	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 240.0

Total Acres 240.0

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:
A43-02414, 10605 THRU 10608.

14. Remarks:
THIS CLAIM IS BASED ON 1.6 CFS OF 43-00177 AND 1.6 CFS OF
43-00178B COMBINED WITH THE LATER PRIORITY.
ADDRESS CHANGE FORM RECEIVED 9/4/98 jr

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

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: _____



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

RECEIVED

SEP 04 1998

Department of Water Resources
Southern Region

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

^R43-10604, ^R43-10609, ^R43-10610, ^R43-10611
43-10603, A43-10612, 43-10613, A43-1080
A43-04176, A43-04088, A43-04087
A43-04024A, A43-02414, A43-10605, A43-10606

☐ Water Right Number(s): 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

Ident. Number: A43-10608
Date Received: 8/30/1989
Receipt No: 5009007
Received By: 40m

RECEIVED

AUG 30 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAL T. ANDERSON
Address: H.C. 72 BOX 2150
MALTA, ID

208-645-2345

83342

AND/OR

Name: KEITH H. ANDERSON
Address: H.C. 72 BOX 2150
MALTA, ID

208-645-2345

83342

2. Date of Priority: DEC 12, 1911

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
14S	27E	18	SW	SW	NE		CASSIA

5. Description of diverting works:
125 H.P. PUMP IN CREEK 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	3.200		

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

A.F.A.

8. Total consumptive use is 720.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A43-10608

Page 1

Date: 08/30/89

MICP
M

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	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	240.0
							Total Acres	240.0

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:
A43-02414, 10605 THRU 10608.

14. Remarks:
THIS CLAIM IS BASED ON 1.6 CFS OF 43-00177 AND 1.6 CFS OF
43-00178B COMBINED WITH THE LATER PRIORITY.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Map A43-02419

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 31, 1989
Date: _____

State of Idaho)
County of Twink Tails) 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 6/30/92



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

MICROFILM

MAR 05 1993

VERIFIED BY

11/30/2000

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

RIGHT NUMBER: 43-10608

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

SOURCE: RAFT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.2 CFS

PRIORITY DATE: 12/12/1911

POINT OF DIVERSION: T14S R27E S18

SWSWNE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03-15 11-15

QUANTITY
3.20 CFS

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

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.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

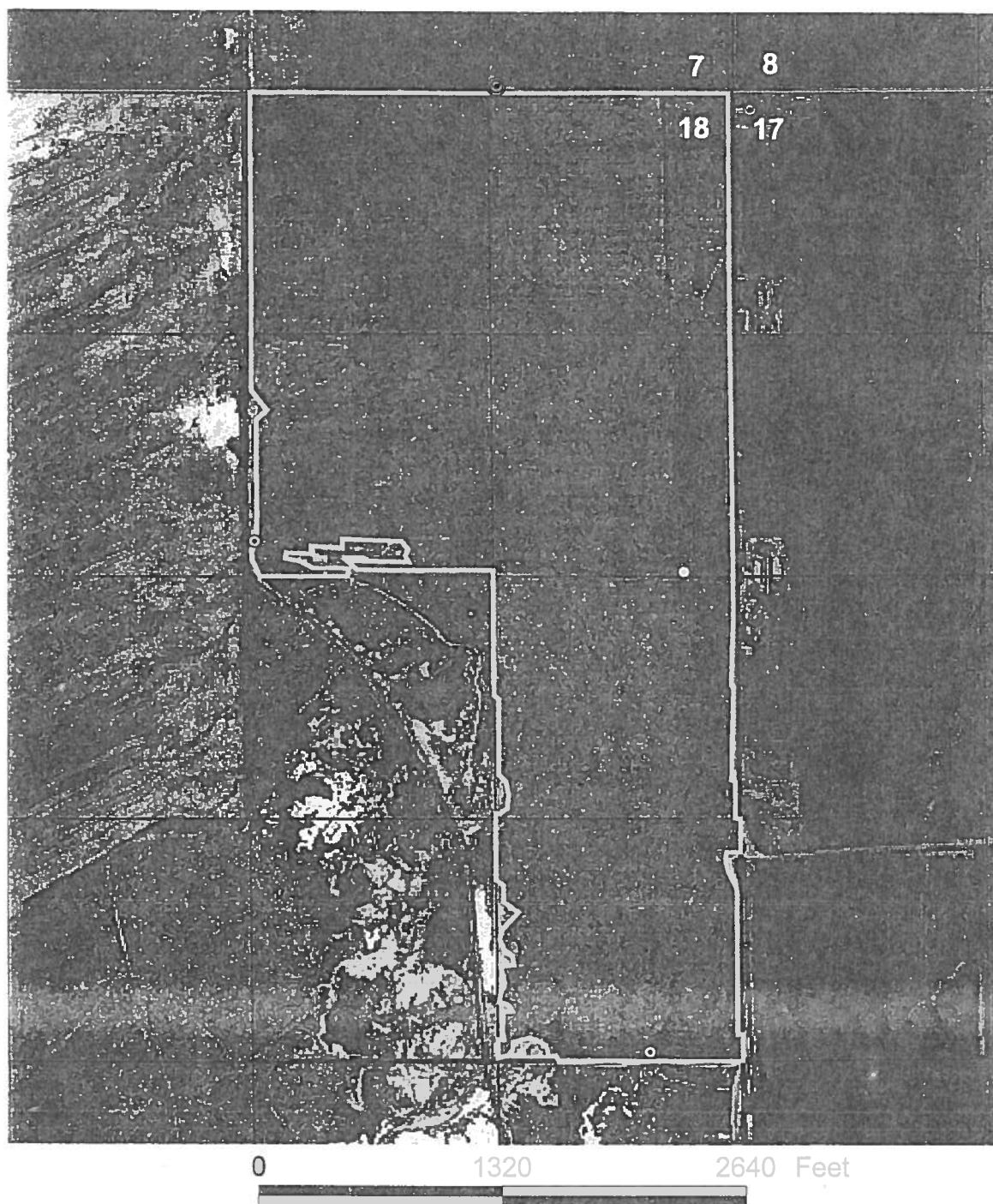
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 43-00177, & 43-00178C.

Water Right 43-10608

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

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 decrees
POU

A43-10607

- was claimed as a combination of portions of seven 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 decrees

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 remainder of 0.02 cfs per acre when combined

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 ppy

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

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 199
- 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.
- 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

This table suggests a possible method of splitting rights that were combined at claims taking, and a possible assignment of diversion rates to the splits.

Root Right Number Total Quantity Deceased	Priority Date	Season of use	L. Elison POU	E. Elison POU	Hutchinson POU	A. Harper POU	Warr POU	Harper POU (Nye)	Anderson POU	Whitaker POU
43-00164	04-01-1871	04-30 to 07-01	A43-10085A 0.059	A43-10791A 0.036	A43-10792A 0.10	A43-10378A 0.174	A43-10381A 0.705	0.048	A43-10606A 0.174	A43-10435A 0.348
43-00165 (* Combined w/ 43-00164)	04-01-1871	04-30 to 07-01	A43-00165A 0.38	A43-00165B 0.23	A43-00165C 0.61	*	*	0.30	*	*
43-00166	04-01-1871	04-01 to 07-01	A43-10086 1.26	A43-10788 0.76	A43-10789 1.41	A43-10378C 0.30	A43-10381C 2.02	0.30	A43-10606C 0.50	A43-10435B 1.00
43-00167 (* Combined w/ 43-00166)	04-01-1871	04-01 to 07-01	*	*	*	*	*	*	*	*
43-00168	04-01-1879	07-01 to 10-01	A43-00168A 1.14	A43-00168B 0.69	A43-00168C 1.83	A43-10379A 0.46	A43-10387A 1.83	0.46	A43-10607A 0.46	A43-10433A 0.91
43-00169A	04-01-1879	04-01 to 10-01	A43-00169C 1.53	A43-00169D 0.91	A43-00169E 1.37	A43-10379C 0.87	A43-10388 2.44	0.34	A43-10607B 0.61	A43-10433B 1.48
43-00169B (* Combined w/ 43-00169A)	04-01-1879	04-01 to 10-01	*	*	*	*	*	0.27	*	*
43-00170 (* Combined w/ 43-00173)	04-01-1881	04-01 to 10-01	A43-00170A 0.29	A43-00170B 0.17	*	*	A43-00170C 0.46	0.11	0.11	0.34
43-00171	03-01-1883	04-01 to 10-01	A43-00171A 1.64		A43-00171B 4.73					
43-00172	06-01-1879	04-01 to 10-01	A43-00172A 0.38	A43-00172B 0.23	A43-00172C 0.61	A43-10379B 0.15	A43-10387B 0.61	0.30	A43-10607C 0.15	0.30
43-00173	04-01-1882	04-01 to 10-01	A43-00173A 0.76	A43-00173B 0.38		A43-10380 0.53	A43-00173C 1.22			0.91
43-00175	04-01-1871	Not Specified	A43-10085B 0.059	A43-10791B 0.036	A43-10792B 0.10	A43-10378B 0.03	A43-10381B 0.10	0.048	A43-10606B 0.024	A43-10435C 0.048
43-00176 (* Combined w/ 43-00166)	04-01-1871	04-01 to 07-01	*	*	*	*	*	0.40	*	*
43-00178	12-12-1911	Not Specified	A43-00178J 5.40	A43-00178C 2.90	A43-00178D 3.20	A43-00178F 4.00	A43-00178E 8.00	A43-10257 2.80	A43-10608 1.60	A43-10434 4.80
48.80										

Hutchinson's rights are limited by Transfer No. 5140.

Nye claimed 4.88 cfs with a priority date of 12-12-1911 and a season of use of 3-15 to 11-15 under A43-10257. Additional claims could be filed for a maximum of 6,466 cfs. The amounts shown in blue represent Nye's (Harper's) share of each of the rights.

The amounts shown in red were not claimed by the claimant. An additional claim or claim(s) will be necessary to claim the unclaimed amounts.

A Combined w/ 43-00173 and then later priority date

*177/230 Ac-PDU
(one it has 78 ac. over in original deeded PDU and other has 77 - will go with 77 in combination)*

SD-0611-2 Basin: 43 Parting Water Right: 0017

S	Water	Name	O	Priority	STG/	Use	S
L	Right No.	Last, First	N	Date	STS	Source	Desc
1.6	43-00177	MALTA LAND & IRRIGAT	C	05/24/1909	D/	RAFT RIVER	IRR W
	A43-00177	SPLIT RIGHT	C	05/24/1909	/Z	RAFT RIVER	IRR A
						SPLIT RIGHT	
63	A43-00177A	JONES, GLENN L	C	05/24/1909	D/	RAFT RIVER	IRR A
		JONES, HAZEL R	C				
		JONES, LORIN G	C				
63	A43-00177B	WILLETT, JODEE	C	05/24/1909	D/	RAFT RIVER	IRR A
		WILLETT, OLETA	C				
96	A43-00177C	WILLETT, LE VON	C	05/24/1909	D/	RAFT RIVER	IRR A
28	A43-00177D	WARR BROTHERS	C	05/24/1909	D/	RAFT RIVER	IRR A
28	A43-00177E	GRUSH, SYLVIA T	C	05/24/1909	D/	RAFT RIVER	IRR A
85		GRUSH, PETER J	C				
1.6	A43-00177F	HARPER, D JAY	C	05/24/1909	D/	RAFT RIVER &/OR	IRR A
		HARPER, JEANETTE W	C				

END OF DATA...FOR REPORTS - PRESS GOLD1 OR GOLD 6 IF NOT ALREADY ACTIVATED -
OR MENU OPTION AND/OR PRESS ENTER TO CONTINUE (G8=Cancel)
(Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

28 tracks * 40 ac / track = 1120 Ac.

21.6 cfs ÷ 1120 Ac = .0192 / Ac.

4.63 A
4.63 B
.096 C
4.628 D
3.085 E

17.069
+ 1.34 F (.02 / Ac.)
18.409 cfs
+ 1.6 - 10608
20.009

total claimed under 43-00177

* 1.6 cfs of right # 43-00177 claimed under A43-10608 by Hbl Anderson

4.63 A
4.63 B
.096 C
4.628 D
3.085 E

17.069
1.6 (-10608)
18.669

21.6 - 18.669 = 2.931 for part F? (but, on 70 Ac., that would be 2" / Ac)

WR5809NP
No. 43-00177

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/25/00
PAGE: 4

OWNER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MALTA LAND & IRRIGATION CO. MALTA ID 83342	05/24/1909	IRRIGATION	00/00 00/00	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	SW	SE	SW	SE	SW	SE	SUM	
13S	27E	31	1	1							
13S	27E	32									
14S	27E	5		04-1							
14S	27E	17									
14S	27E	18									
14S	27E	20									
14S	27E	29									
14S	27E	32									

Pou County: CASSIA

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

TOTAL DIVERSION: 45.600 CFS

Stage: DECREED

Pou County: CASSIA

Dates:	App. Received:	Priority Date:
		12/12/1911

Proof Due Date:	Proof Made Date:
Exam Made Date:	Exam Sent to S.O.:
Licensed Date:	

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:45:19
11/29/00
15

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-10608

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAL T ANDERSON	12/12/1911	IRRIGATION	03-15 11-15	3.200 CFS	
C	KEITH H ANDERSON					
TOTAL DIVERSION:					3.200 CFS	
CONSUMPTIVE USE:						720.00 AFA

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T14S R27E S18 SWSWNE CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
14S	27E	18	:	40		40		:					:					:	40				:	240.0
TOTAL ACRES																						240.0		

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: A43-02414, 10605 THRU 10608.

Remarks: GEN THIS CLAIM IS BASED ON 1.6 CFS OF 43-00177 AND 1.6 CFS OF
43-00178B COMBINED WITH THE LATER PRIORITY.
ADDRESS CHANGE FORM RECEIVED 9/4/98 jr

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Cond. Coale C18
Remarks:
POU1 K06
E14 230Ac.
EXP P15
(comb. of)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:44:55
11/29/00

PAGE: 2
QUICKLOOK INFORMATION

14
CLAIM NUMBER: A43-10608

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	- N							
POINT OF DIV	- N							
SOURCE	- N							
PLACE OF USE	Y.							
DIV. AMOUNT CFS/VOLUME	- N							
CONSUMPTIVE USE	/							
PURPOSES OF USE	- N							
PERIOD OF USE	- N							
BASIS OF CLAIM	- N							
REMARKS	Y.							

BARCODE UPDATED
WHOM/DATE

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		

R PROOF

CVR

MAPS

PHOTOS

MISC

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