

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

RECEIVED
JAN 10 2005

RECEIVED
JAN 10 2005
Department of Water Resources
Southern Region

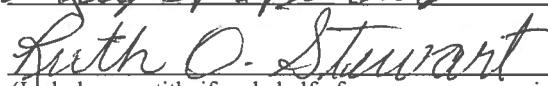
[] Water Right Number(s): ALL WATER RIGHTS.
CASSIA CO. (MALTA.)
BINGHAM CO. (ABERDEEN)

[] Name(s): REID S. STEWART
RUTH O. STEWART

[] Old Mailing Address: REID S. STEWART
1655 SUNSET DR.
LOGAN, UTAH 84321

[] New Mailing Address:  Reid & Ruth Stewart
3014 N. 1600 E.
North Logan, UT 84341

Telephone Number: (435) 753 - 2027

[] Signature(s) of Owner(s) 

(Include your title if on behalf of company or organization)

Date: 1-7-05

43-13102



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

January 12, 2005

REID & RUTH STEWART
3014 N 1600 E
NORTH LOGAN UT 84341

RE: Snake River Basin Adjudication (SRBA)
Change of Address Notification

Dear Claimant:

Thank you for notifying us of your change in address on the water rights claimed in Malta and Aberdeen. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Carrie Hahn
Clerk

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 43-13102
Date Received: 7/17/2001
Receipt No: S024149
Received By:

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

1. Name of Claimant(s)

REID STEWART Phone: (435)753-2027
1655 SUNSET DR
LOGAN UT USA 84321

RUTH O STEWART Phone: (435)753-2027
1655 SUNSET DRIVE
LOGAN UT USA 84321

2. Date of Priority: 03/15/1949

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	NE	SE	SW	CASSIA	
15S	26E	24		SW	SE	CASSIA	
15S	26E	24		SW	NW	CASSIA	

5. Description of diverting works:

PUMPS, MAINLINES, WHEELINES, HANDLINES. PUMPS ARE INTERCONNECTED.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.8	
STOCKWATER	01/01	12/31	0.11	

7. Total Quantity Appropriated is:
0.8 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	NE	SW	IRRIGATION	40
			NE	SW	STOCKWATER	
					Section Acres	40
					Total Acres	40

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:

WELLS WERE TIED TOGETHER WITH METAL PIPE IN 1975 WHEN PROPERTY PURCHASED.
SPRINKLER IRRIGATION WAS THEN OCCURRING. STOCKWATER FOR 500 RANGE CATTLE.

15. Basis of Claim: Beneficial Use

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

43-13102

Date Received

7-17-2001

Receipt Number

SQ 24149

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 17 2001

Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s)

Reid Stewart

Phone (435)

753-2027

Mailing Address

1655 Sunset Drive Layman, ID

84231

2. Date of Priority (Only one (1) per claim)

3-15-1949

3. Source of water supply (a)

Groundwater

which is tributary to (b)

4. a. Location of existing point of diversion is: Township

15S

Range 24E

Section 24

NE 1/4 of SE 1/4 of SW 1/4, Govt. Lot,

B.M., County of

CASSIA

Additional points of diversion if any:

Sec 24 SWSSE, SWNW

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

NA

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 of

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.

wheelines, handlines

pumps, mainlines,

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 3-15 to 11-15 amount .8 or _____

For Stockwater purposes from 1-1 to 12-1 amount .11 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .8 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is NA acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER 1500 RANG

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15S	24E	24									40								40

Total number of acres irrigated 40

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.
_____ or None ()

14. Remarks: WELLS WERE TIED TOGETHER WITH METAL PIPE
IN 1975 WHEN PROPERTY PURCHASED. SPRINKLER
IRRIGATION WAS THEN OCCURRING.

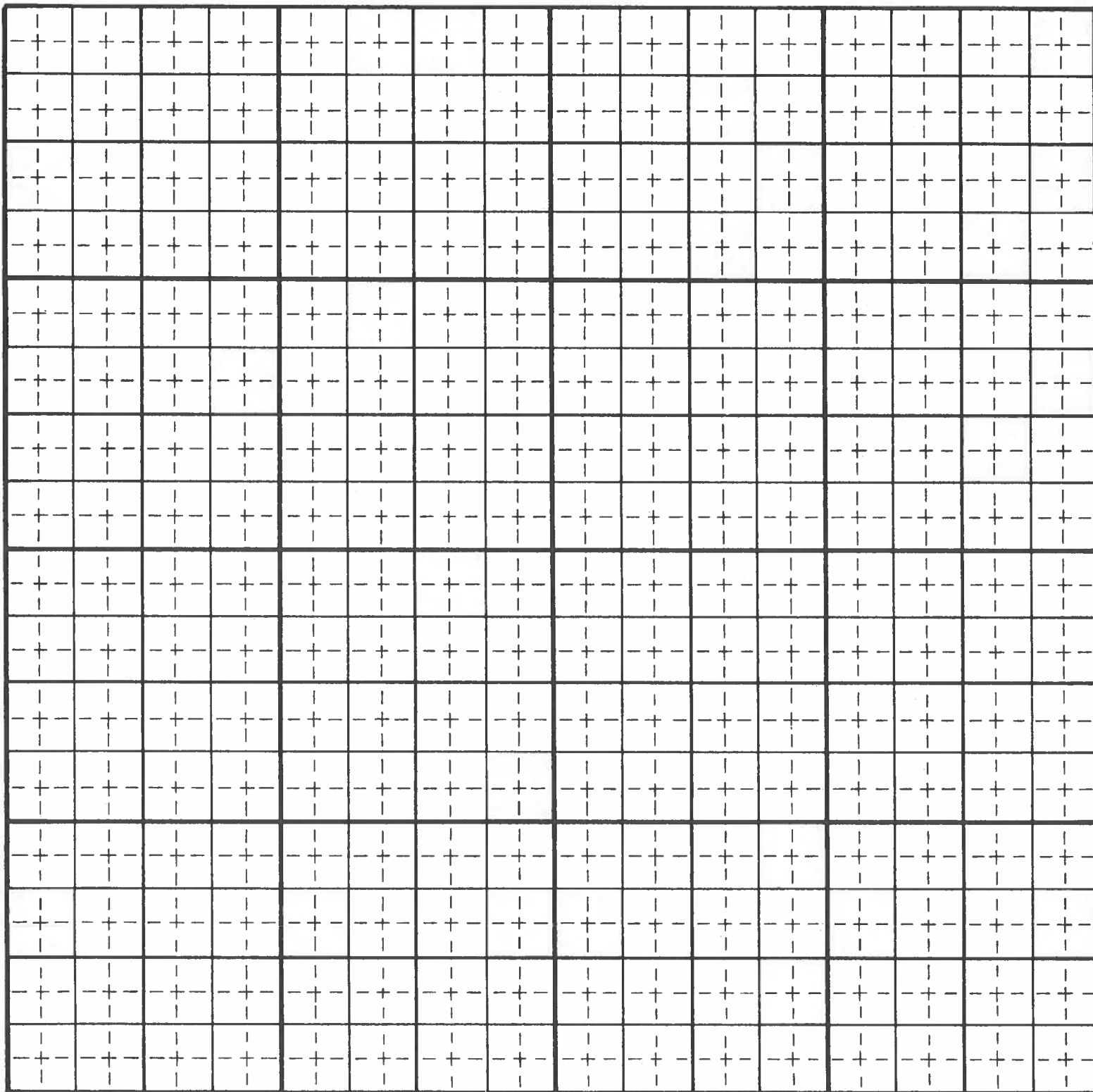
Last Name R. Stewart Ident No. 43-13102

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

SEE 1962 Photo with 404 AFIDAVIT



Last Name Stewart
4313102

Ident No. 43-13102

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X 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 _____

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 7-17-01

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.

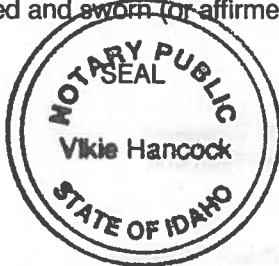
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Turn Falls) SS.

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



Notary Public Vikie Hancock

Residing at Buhl, Idaho

My Commission Expires 5-7-2003

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

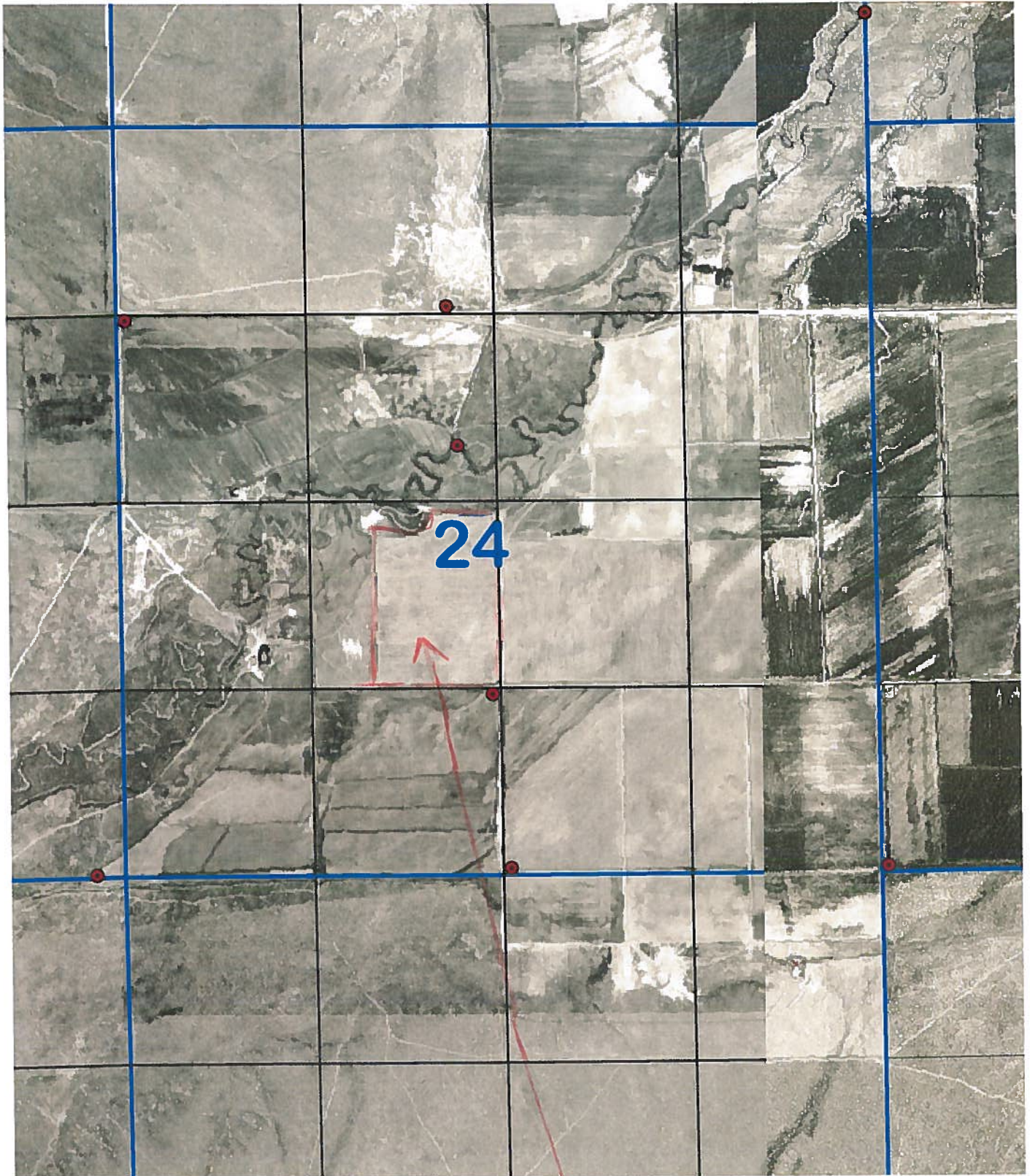
Date _____

Last Name Stewart Ident. Number 4373102

Copies White-State, Yellow-Claimant

Stewart

TWP 15S, RNG 26E



1962 AERIAL PHOTOGRAPHY

Refer back to same 1st Affidavit. L.U.

43-13102

**AFFIDAVIT OF RICHARD LANCE UDY
REGARDING USE OF WATER ON STEWART PROPERTIES**

STATE OF IDAHO)
 :ss
COUNTY OF CASSIA)

RICHARD LANCE UDY, being first duly sworn, deposes and states as follows:

1. In 1946 my father and my uncle bought what was the Bill Hawkins farm which is just north of what was the Lester Hawkins farm now owned by Reid Stewart.
2. I was born in 1943 and raised working on my father's farm. As a youth I helped my father work the farm which included the irrigation.
3. Also as a youth I remember swimming in the concrete box associated with the old Lester Hawkins warm well located in the SE¼ SW¼ of Section 24, T15S, R26E, B.M. I remember a highline (elevated) canal which conveyed waters from the well and which was used to irrigated lands west of the well. Water was conveyed west in the canal and then diverted with siphon tubes to flood irrigate the land. Such irrigation of these lands west of the well was occurring as far back as I can remember which would have been the late 1940's or early 1950's.
4. I obtained my father's farm north of Reid Stewart's properties in the early 1970's and continued to own it until about 14 years ago. In the more recent years the lands west of the old Hawkins warm well were irrigated with sprinklers.

DATED this 18 day of July, 2001.

*possible error
by notary
UDH* →

Richard Lance Udy
Richard Lance Udy
1529 East Highway 77
Malta, Idaho 83342

The foregoing Affidavit was acknowledged to me this 18th day of July, 2001.



My Commission Expires: 7-23-05

*See Attached Map
1943 to 1950 12/1/4*

07/17/2001

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

RIGHT NUMBER: 43-13102

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

SOURCE: GROUND WATER

QUANTITY: 0.46 CFS
92 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

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, 43-232534A, 43-4035, 43-
10535, 43-13102.

PRIORITY DATE: 03/15/1949

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	0.46 CFS 92.00 AFY
STOCKWATER	01-01 12-31	0.11 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

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	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

STOCKWATER Within CASSIA County

T15S R26E S23	NESE	T15S R26E S23	SESE
T15S R26E S24	NENE	T15S R26E S24	NWNE
T15S R26E S24	SWNE	T15S R26E S24	SENE
T15S R26E S24	SWNW	T15S R26E S24	SENE
T15S R26E S24	NESW	T15S R26E S24	NWSW
T15S R26E S24	SWSW	T15S R26E S24	SESW
T15S R26E S24	NESE	T15S R26E S24	NWSE
T15S R26E S24	SWSE	T15S R26E S24	SESE
T15S R26E S25	NENE	T15S R26E S25	NWNE
T15S R26E S25	NENW	T15S R26E S25	NWNW
T15S R26E S26	NENE	T15S R26E S26	NWNE
T15S R26E S26	SWNE	T15S R26E S26	SENE
T15S R27E S18	LOT 4 SWSW	T15S R27E S19	LOT 1 NWNW
T15S R27E S19	LOT 2 SWNW	T15S R27E S19	LOT 3 NWSW

1023.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 23 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.

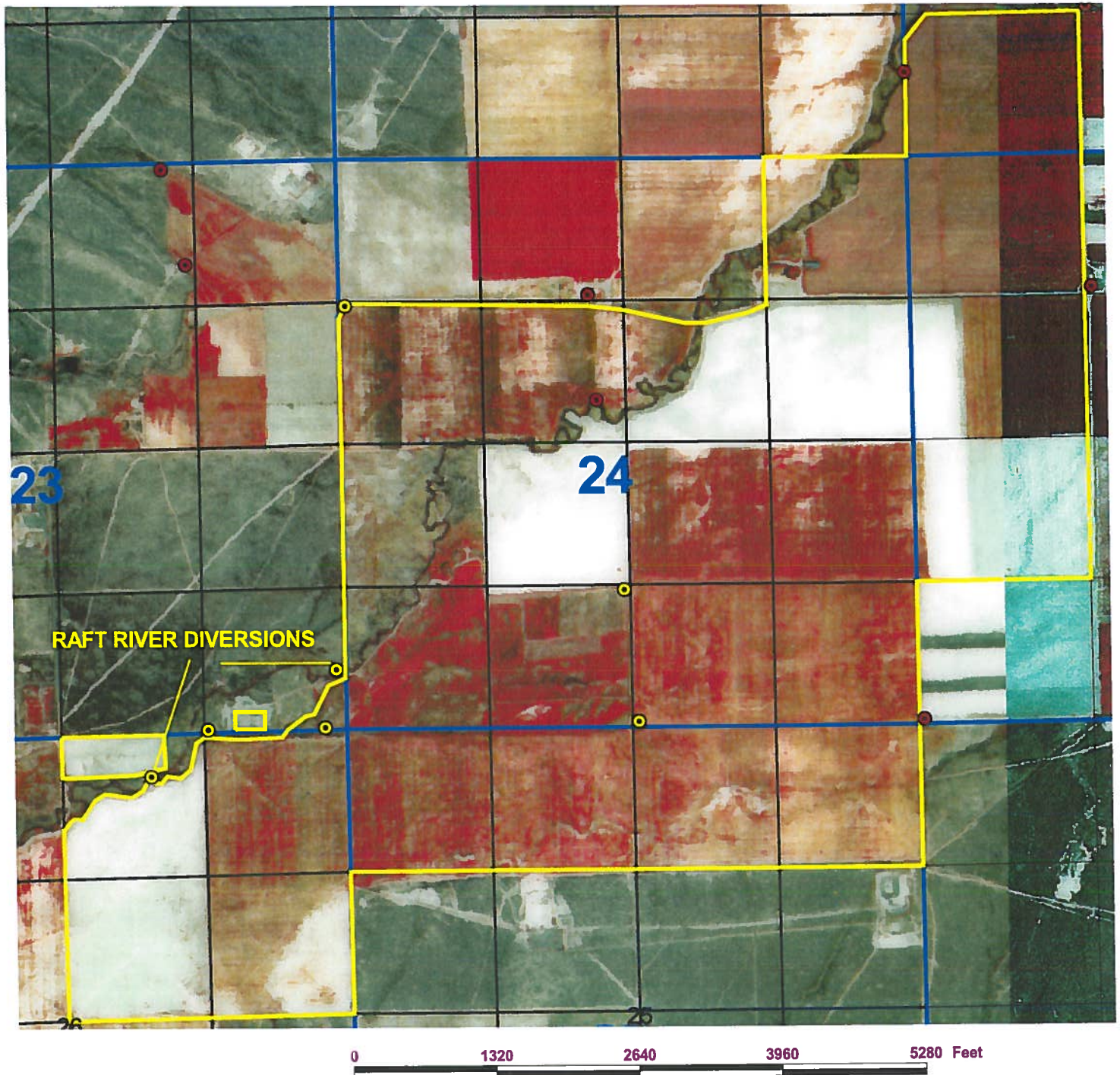
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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**



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

July 17, 2001

Don Barnett
Barnett Intermountain Water Consulting
106 West 500 South #101
Bountiful, UT 84010

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

Dear Don,

Here are copies of the claims as filed or amended, and my preliminary recommendations of each. Also enclosed are revised GIS maps of the two Stewart properties that represent two distinct permissible places of use.

All Reid's other claims will have combined limit changes in the quantity and place of use remarks sections due to the additional beneficial use claim 43-13102 and increased acres recommended under expansion claim 43-10535 on the home place, and the addition of expansion claim 43-13103 on the Grow property. I didn't have time to do the data entry on all the other claims, as I wanted to get these copies to you and Reid by this afternoon's mail.

Please let me know if you see something I overlooked or something that needs corrected on these three recommendations. As usual it was a pleasure to work with Reid today, and I thank you for your help in this last minute endeavor.

Sincerely,

Vikie Hancock
Sr. Water Resource Agent
Southern Regional Office, Twin Falls

REID STEWART

43-13102

TWP 15S, RNG 26E

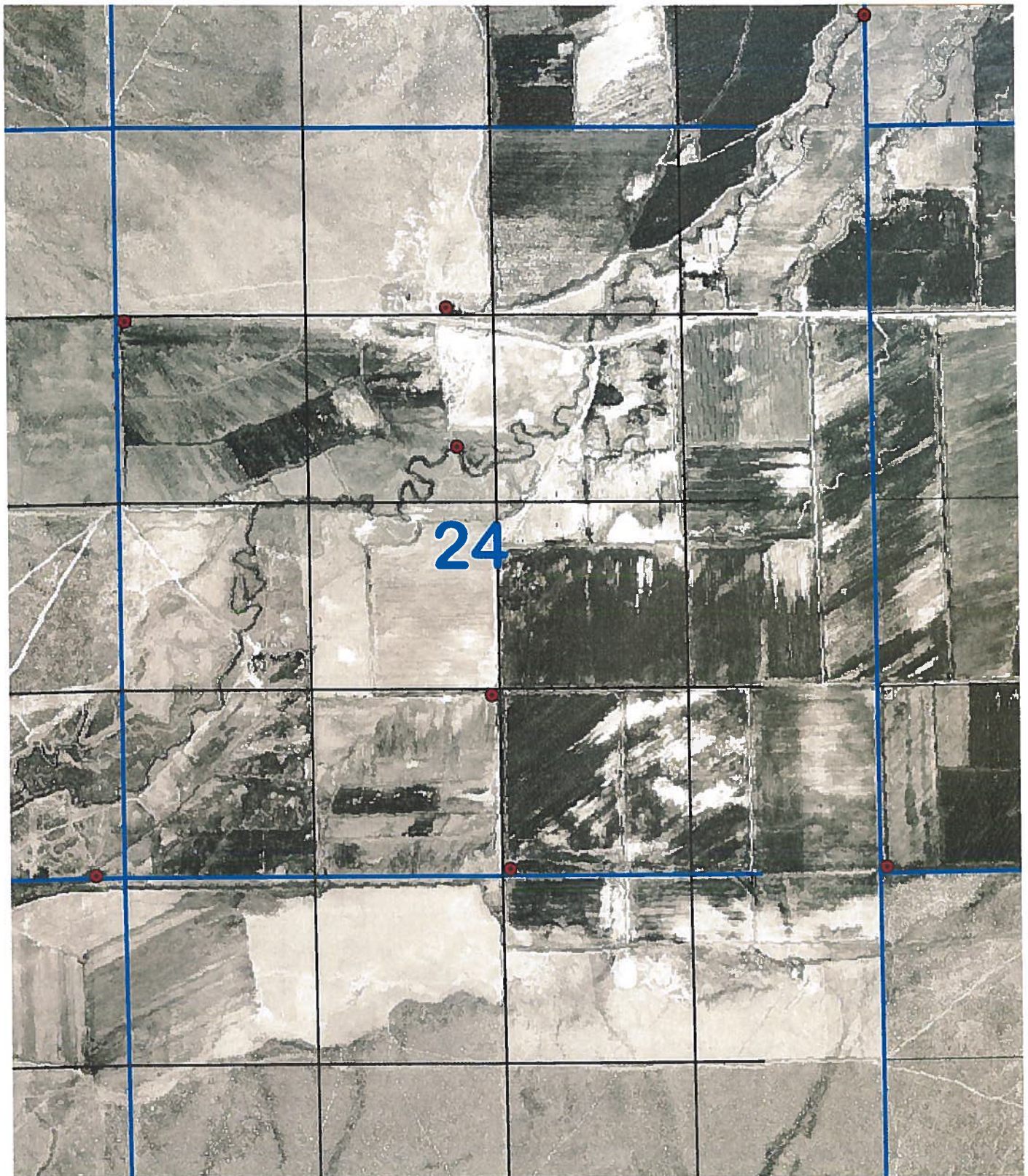


1962 AERIAL PHOTOGRAPHY

SEE AFFIDAVIT FROM LANCE UDY DATED 7-18-01

Stewart

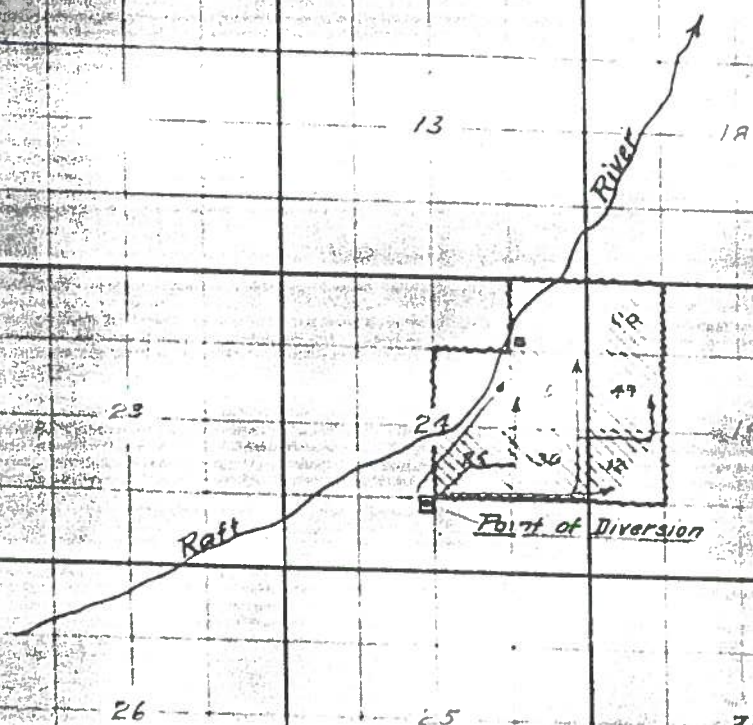
TWP 15S, RNG 26E



1968 AERIAL PHOTOGRAPHY

LIC 43-2276

Found developed by FE 1940



No measurement
in file. LIC for
1" per acre
Gas Turbine Pump
Concrete Box to
divert.

LIC. 43-2276

Proposed development Sept 1935

Proposed Mills
Proposed Mills
Boundary =
Area to be irrigated

1720

25

30

30

Barley 2000 - 5000 - 10000

SEP 10 1935
R.W. PARIS