

RECEIVED

JAN 13 2016

WATER RESOURCES
WESTERN REGION

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 _____
Date Received: _____
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

- Name of Claimant(s) THOMAS R. STUART III Phone (208) 343-3017
+ ANNE PASLEY-STUART
- Mailing Address 749 HIGH POINT LN BOISE ID Zip 83712-6561
Street or Box City State
- Date of Priority: (Only one per claim) MAY/01/1963
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other ☒ (a) SALMON RIVER
which is tributary to (b) SNAKE RIVER
- Location of Point of Diversion is: Township 11N, Range 13E, Section 34,
SE 1/4 of SE 1/4, or Govt. Lot _____ BM., County of CLUSTER;
BLOCK 1, LOTS 1 & 2, STANLEY GOV'T TRNN SITE
Parcel (PIN) no. _____
Additional points of diversion if any: _____
If available, GPS coordinates: N44° 14.05' W 114° 55.0'
- Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, 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.
PUMP: 1-1 1/2 HP, PIPELINE + HOSES TO APPROX 1/2 ACRE
- Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)
For Domestic Irrigation purposes from JAN 1 to DEC 31 amount <13,000 gal/day
For _____ purposes from _____ to _____ amount _____
- Total Quantity claimed _____ cfs () or AFY () Not exceeding 13,000 gal/day
- Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;
Stockwater and Number of livestock) Domestic, 1 household in single ownership.

9. Location of Place of Use is: Township 11 N, Range 13 E, Section 34,
SE 1/4 of SE 1/4, Govt. Lot 1, Block 1, Lots 1+2, Stanley Gov't Townsite (same) BM. Parcel (PIN) no. _____
If different than shown in Item 4

for (Check One) Domestic (☒) Stock () Domestic and Stock ()

Additional places of use, if any _____

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

11. Do you own the property listed above as place of use? Yes (☒) No ()
If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

None () Well-drilled in 2006 for residence on site

13. Remarks: See attached letter, with supplemental information.

14. Basis of Claim (Check One) Beneficial Use (☒) Posted Notice () License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number ORIGINAL, 71-4011 (copy attached)
AMENDED, 71-4012

15. 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 Coeur d'Alene-Spokane River Basin Adjudication." (b.) I/We do _____ wish to receive do not ☒ and pay a small annual fee for monthly copies of the docket sheet

Number of attachments: 1 - supplemental information letter

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date: 01/15/2013

[Signature] Date: 01/15/2013

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____
Title Organization

that I have signed the foregoing 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 _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of 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 _____ Date _____

Address _____

Last Name _____ Identification No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

DECEMBER 18, 1979

THOMAS R. III STUART
1719N 11TH
BOISE ID 83702

RE: Claim No. 71-4011

Dear Claimant:

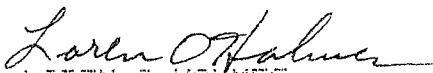
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-242 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,


LOREN O. HOLMES
Southern Region Supervisor

Enclosure

Form No. 243
7/78

Claim No. 71-4011

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

RECEIVED
OCT 30 1983
Department of Water Resources
Southern District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

THOMAS R. STUART III
(Name of Claimant)

1719 N. 11, BOISE, ID 83702
(Mailing Address) (Zip Code)

Telephone No. 345-4417

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) MAY 1963

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

SALMON RIVER tributary to N/A

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.10 cfs</u>	Use	<u>DOMESTIC, IRRIG</u>	Period of Use From <u>JAN 1</u>	To <u>DEC 31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .10 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

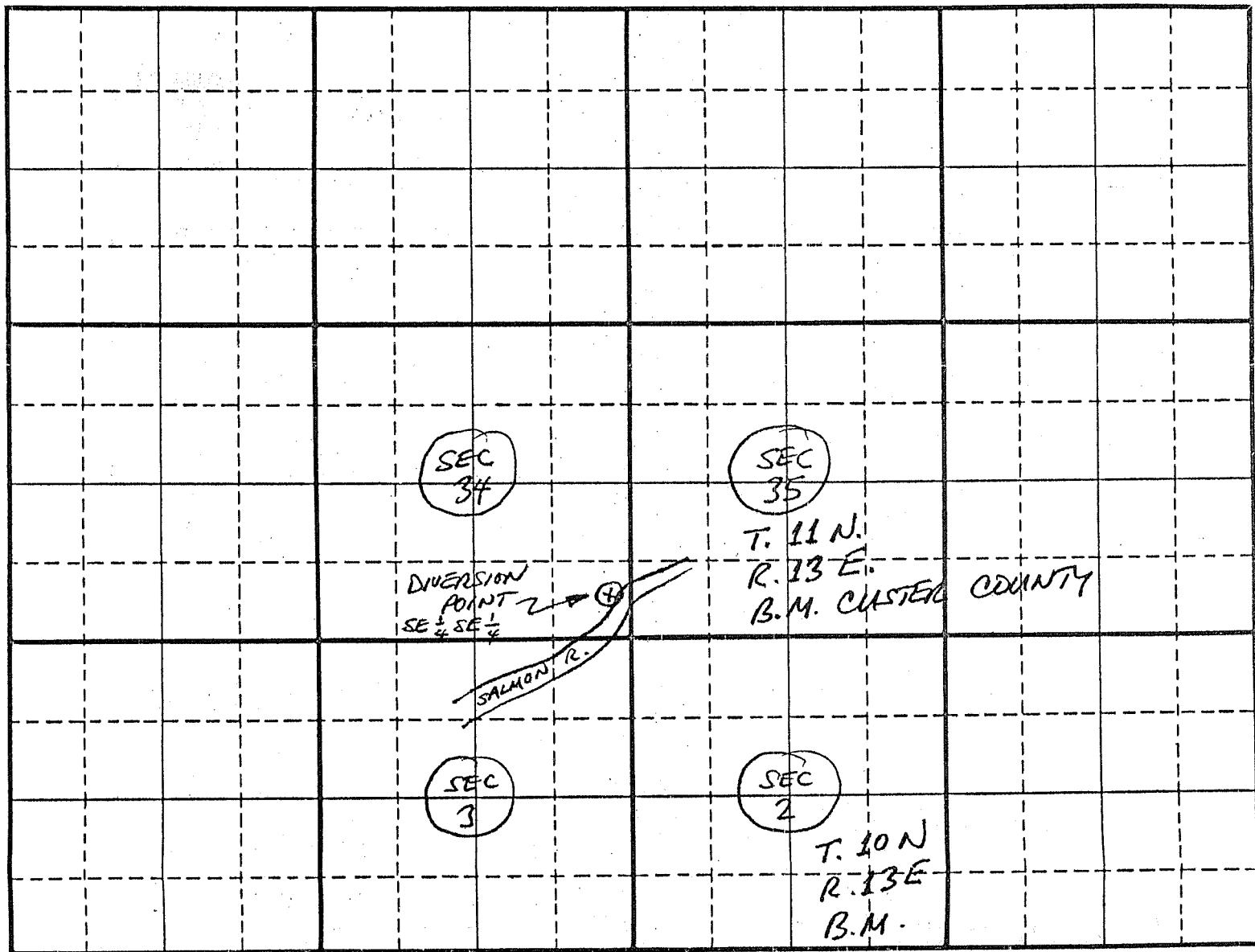
(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 SE 1/4, Sec 134 Twp. 11 N Rge. 13 E B.M., County of CUSTER

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field

(8) Remarks DIVERSION POINT: STANLEY GOV'T TOWNSHIP,
BLOCK 1, LOTS 1 AND 2.



Scale: 2 inches equal 1 mile

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: November 6, 1998
PAGE: 1

RIGHT NUMBER: 71-04012

NAME AND ADDRESS: THOMAS R STUART III
 2301 HILLWAY DRIVE
 BOISE ID 83702

(combined rights)

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.03 CFS

PRIORITY-DATE: 05/01/1944

POINT OF DIVERSION	T11N R13E S34	LOT 2 (NESESE)	Within CUSTER County
		LOT 2 (SESESE)	

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	05-01 10-31	0.03 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

 T11N R13E S34 LOT 2 (SESE) 1

 1 ACRES TOTAL

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 71:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PROPERTY IS KNOWN AS REDWOOD MOTEL.
PROPERTY IS WITHIN LOTS 1 THRU 7, BLK. 1 OF STANLEY TOWNSITE
(LOWER STANLEY).
FIRE PROTECTION FOR MOTEL IS INCIDENTAL

— How should be
lots 3-7, Block 1 —
for Redwood Water

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Redwood
River irrigation
Court decree - all -

PAGE 1
Mar-10-1999

Thomas R. Stuart & Anne Pasley-Stuart
749 High Point Lane
Boise, Idaho 83712-6561

RECEIVED

JAN 18 2013

WATER RESOURCES
WESTERN REGION

IDWR – Western Region
2735 Airport Way
Boise ID 83705-5082

01/17/2013

Re: information to supplement Notice of Claim for Water Right

Dear Sir or Madam,

This letter provides supplementary information to assist you with the enclosed Notice of Claim for a Water Right at my residence in Stanley, Idaho, with specific references to other related water rights.

History: I purchased the subject property for this claim (Block 1, lots 1 and 2, Stanley Gov't Townsite) in 1975, and have irrigated it every year under existing water rights. The original water right claimed was #71-4011 (copy attached). Later, I also purchased an adjacent property, the Redwood Motel & Cabins (Block 1, lots 3-7, Stanley Gov't Townsite), and operated that business under provisions of claim #71-4012. During the Snake River Basin Adjudication, these two separate claims (71-4011 and 4012) were combined into one (#A71-4012). I questioned the wisdom of combining the two claims at the time, because of my view that the two properties would eventually be separated, with different owners, different uses, and a need for separate water rights. The two properties are now separated.

The Redwood Motel & Cabins was sold in late 2005 to Mr. Greg Hogan of Ketchum, Idaho, who now operates that business and continues using claim #A71-4012 on that property (Block 1, lots 3-7). Expect further correspondence from him, noting the change of ownership and amending the lots where that water right is now used.

Please update your records for my claim of a domestic water right at my Stanley residence, as filed. Note that the priority date of 1963 for my domestic right is appropriate for that property (per original claim #71-4011), rather than the 1940 priority date appropriate for the Redwood Cabins property, per claim #A71-4012.

Thank you for your assistance; feel free to contact me if I can provide any further information.

Regards,



Thomas R. Stuart

THOMAS R STUART
ANNE PASLEY-STUART
749 E. HIGH POINT LN
BOISE, ID 83712

6561
92-7362/3241

01/17/2013

Date

\$ 25.00

Pay to the Order of IDWR
Twenty-five

Dollars



Security
Features
Details on
Back

Idaho
Central
CREDIT UNION | Your money.
Your trusted choice.

For Domestic filing fee

Theresa

MP

⑆324173626⑆

62013338 06561

TRANSIT ROUTING NUMBER

ACCOUNT NUMBER