

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

RECEIVED

MAR 17 2000

Department of Water Resources

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

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

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

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. I.C. SECTION 42-1412(6).

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

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Mar-15-2000

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: **A02-10042**
Date Received: 12/ 5/1989
Receipt No: C013282
Received By: _____

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

1. Name: WILBUR F WILSON RANCH 208-366-2411
Address: PO BOX 33
HAMMETT ID 83627

2. Date of Priority: FEB 1, 1931

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	08E	1		NE	NE		ELMORE
				SW	NE		ELMORE
	09E	6		NW	NW		ELMORE

5. Description of diverting works:
DIVERSION FOR STOCKWATER FROM SNAKE RIVER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 1200 HEAD SHEEP, 100 HEAD CATTLE, 30 HEAD HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	08E	1	NE	NE		STOCK	
			NW	NE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	08E	1	SW	NE		STOCK	
	09E	6	NW	NW		STOCK	

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS A RESULT OF ONE CLAIM FILED FOR BOTH THE COLD SPRINGS CREEK SOURCE AND THE SNAKE RIVER SOURCE SINCE THE USE WAS STOCKWATER IN THE SAME DRAINAGE AREA, SAME HEAD OF STOCK AND SAME PRIORITY. HOWEVER, EACH SOURCE HAS A SEPARATE ADMINISTRATIVE BASIN, THEREFORE, TWO CLAIMS WITH EACH BASIN WERE GENERATED. SEE CLAIM NO. A61-10718.

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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: A02-10042
Date Received: 12/ 5/1989
Receipt No: C013282
Received By: DE JAY

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

1. Name: WILBUR F WILSON RANCH 208-366-2411
Address: PO BOX 33
HAMMETT ID 83627

2. Date of Priority: FEB 1, 1931

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER
COLD SPRINGS CREEK SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	09E	31	NW	NE	SW		ELMORE
06S	08E	1		NE	NE		ELMORE
				SW	NE		ELMORE
	09E	6		NW	NW		ELMORE

5. Description of diverting works:
DIVERSION FOR STOCKWATER FROM SNAKE RIVER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 1200 HEAD SHEEP, 100 HEAD CATTLE, 30 HEAD HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	09E	31	SW	SW		STOCK	
06S	08E	1	NE	NE		STOCK	
			NW	NE		STOCK	
			SW	NE		STOCK	
	09E	6	NW	NW		STOCK	

11. Place of use in counties: ELMORE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS A RESULT OF ONE CLAIM FILED FOR BOTH THE COLD SPRINGS CREEK SOURCE AND THE SNAKE RIVER SOURCE SINCE THE USE WAS STOCKWATER IN THE SAME DRAINAGE AREA, SAME HEAD OF STOCK AND SAME PRIORITY. HOWEVER, EACH SOURCE HAS A SEPARATE ADMINISTRATIVE BASIN, THEREFORE, TWO CLAIMS WITH EACH BASIN WERE GENERATED. SEE CLAIM NO. A61-10718.

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: _____

MICROFILMED

AUG 10 1992

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

AUG 10 1992

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

Identification No. AL-10718
Date Received 12-5-89
Receipt Number C013282

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.

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Wilbur F. Wilson Ranch Phone (208) 366-2411
Mailing Address P.O. Box 33, Hammett, Idaho Zip 83627
2. Date of Priority (Only one per claim) 2/1/1931 Month/Day/Year
3. Source of water supply (Check one) () Groundwater or Other (X) (a) Cold Springs Creek & Snake River
which is tributary to (b) Snake River
Name or kind of source TRB Columbia R
4. Location of point of diversion is: Township 5S Range 9E
Section 31 , NW 1/4 of NE 1/4 of SW 1/4, Govt. Lot , BM.,
County of Elmore
Additional points of diversion if any: T6S, R8E, Sec. 1, NENE; SWNE; T6S, R9E, Sec. 6, NWNW
5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Diversion structure in Cold Springs Creek, lateral ditches for distribution.
Diversion for stock water from Snake River.
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Stock purposes from 1/1 ^{Month/Day} to 12/31 ^{Month/Day} amount .02 ^(cfs)
(Both dates are inclusive)
For purposes from to amount
7. Total quantity claimed .02 (cfs)
8. Total consumptive use claimed is de minimus
9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1200 head of sheep, 100 head of cattle, 30 head of horses.

MICROFILMED

AUG 10 1992

10. Place of use is: Township: 5S Range 9E

Section 31, SW 1/4 of SW 1/4, Govt. Lot _____, B.M.,

for (Circle One) **Domestic** Stock **Domestic and Stock**
Additional places of use, if any T6S, R9E, Sec. 6, NWNW; T6S, R8E, Sec. 1 NENE, NWNE, SWNE

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

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.

(X) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 0

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Trustee

of Wilbur F. Wilson Ranch, that I have signed the foregoing

document in the space below as Trustee of Wilbur F. Wilson Ranch

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Ann Wilson Neeson Date 12/5/89

Title and Organization Trustee, Wilbur F. Wilson Ranch

State of Idaho/or _____)

County of Adair) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 5 day of December 19 89

Notary Public Sherlie Chapman

Residing at 2389 Little Way Meadows Rd

My Commission Expires 6/14/94

Last Name Wilbur F. Wilson Ranch Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED

AUG 10 1992

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)**

(REGIONAL)

HAMMETT ID 83627
(208) 366-2411

T06S R08E S01 Lot01(NENE) Lot05(SWNE)
R09E S06 Lot04(NWNW)

三

Other Rights: NONE

- ✓ N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- ✓ N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

STOCKWATER, 1200 SHEEP, 100 RANGE CATTLE, 30 HORSES ✓
PARCEL NOS. 06S08E010010. 06S09E062525 ✓

Comments:	Date: 04/09/1997	User-ID: CORR2	Subject: COPIED FROM REMARKS THIS CLAIM IS A RESULT OF ONE CLAIM FILED FOR BOTH THE COLD
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AJ0749NP
No. R02-10042

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/11/99
PAGE: 2

Comments: Date: 04/09/1997 User-ID: CORR2 Subject: COPIED FROM REMARKS
SPRINGS CREEK SOURCE AND THE SNAKE RIVER SOURCE SINCE THE USE WAS
STOCKWATER IN THE SAME DRAINAGE AREA, SAME HEAD OF STOCK AND SAME
PRIORITY. HOWEVER, EACH SOURCE HAS A SEPARATE ADMINISTRATIVE
BASIN, THEREFORE, TWO CLAIMS WITH EACH BASIN WERE GENERATED.
SEE CLAIM NO. A61-10718.

Date: 05/05/1997 User-ID: KWALKER Subject: RECOMMENDATIONS
REMOVED THE P/D & P/U FOR COLD SPRINGS CREEK. SEE NO. R61-10718
FOR THAT WATER. ADDED GOV. LOT DESCRIPTIONS TO RECOMMENDATIONS.
SEE COPIES OF GOV. LOT PLATS IN FILE.

Audit: 02/11/99 KWALKER

DATE: 05/05/97
PAGE: 1

Not finished
2/11/99

Comments:

Date: 04/09/1997 User-ID: CORR2 Subject: COPIED FROM REMARKS
THIS CLAIM IS A RESULT OF ONE CLAIM FILED FOR BOTH THE COLD
SPRINGS CREEK SOURCE AND THE SNAKE RIVER SOURCE SINCE THE USE WAS
STOCKWATER IN THE SAME DRAINAGE AREA, SAME HEAD OF STOCK AND SAME
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SEE COPIES OF GOV. LOT PLATS IN FILE.

Audit: 05/05/97 KWALKER

WATER RIGHT NUMBER - A02-10042

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

LAST NAME - FIRST NAME - ADDRESS -

*** C - CURRENT OWNER ***
WILSON RANCH

WILBUR F

1 - PO BOX 33
2 -
3 -
CITY- HAMMETT
PHONE - 208-366-2411

STATE- ID ZIP- 83627

PRIORITY DATE - 02/01/1931
REGION - ERROR IN REGION

STAGE -
BENEFICIAL USE

STATUS -

SOURCE - SNAKE RIVER
COLD SPRINGS CREEK

TRIBUTARY - COLUMBIA RIVER
SNAKE RIVER

TWN RNG SEC TRACT LOT RFLG COUNTY POINT OF DIVERSION
STREAM INDEX (BLANK IF NO INDEX CODE)

05S 09E 31 NW NE SW (39) ELMORE
06S 08E 1 NE NE (39) ELMORE
09E 6 NW NW (39) ELMORE

CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE
DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER

01/01

12/31

0.020

TOTAL DIV. RATE - TOTAL DIV. VOLUME - TOTAL DIV. CAPACITY - TOTAL CONSUMPTIVE USE - KW USAGE -

TWN RNG SEC TRACT LDT ACRES PLACE OF USE
DESCRIPTION COUNTY

05S 09E 31 SW SW 05-09E31, 6010. (39) ELMORE
06S 08E 1 NE NE (39) ELMORE
06S 08E 1 NW NE 66808E010010 (39) ELMORE
06S 08E 1 SW NE (39) ELMORE
09E 6 NW NW 0489E06, 2525- (39) ELMORE

DIVERSION MEANS - DIVERSION FOR STOCKWATER FROM SNAKE RIVER.

NON-IRRIGATION USE - STOCKWATER, 1200 HEAD SHEEP, 100 HEAD CATTLE, 30 HEAD HORSES

OTHER RIGHTS FOR SAME USE - NONE

REMARKS

THIS CLAIM IS A RESULT OF ONE CLAIM FILED FOR BOTH THE COLD SPRINGS CREEK SOURCE AND THE SNAKE RIVER SOURCE SINCE THE USE WAS STOCKWATER IN THE SAME DRAINAGE AREA, SAME HEAD OF STOCK AND SAME PRIORITY. HOWEVER, EACH SOURCE HAS A SEPARATE ADMINISTRATIVE BASIN, THEREFORE, TWO CLAIMS WITH EACH BASIN WERE GENERATED.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 5, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Notice of Claims to Water Rights Nos. A61-10718 & A02-10042

Wilbur F. Wilson Ranch
P.O. Box 33
Hammett, ID 83627

Dear Claimant:

We are preparing all domestic and stockwater claims in Basin 61 for court action. In looking at the claim you submitted for stockwater purposes, it was determined that the two sources claimed should be split into two separate claims. I have included a copy of your original claim for your convenience. Please be advised that we have numbered the Cold Springs Creek use A61-10718, and the Snake River use A02-10042. Enclosed, for your convenience, are copies of the two claims as recorded.

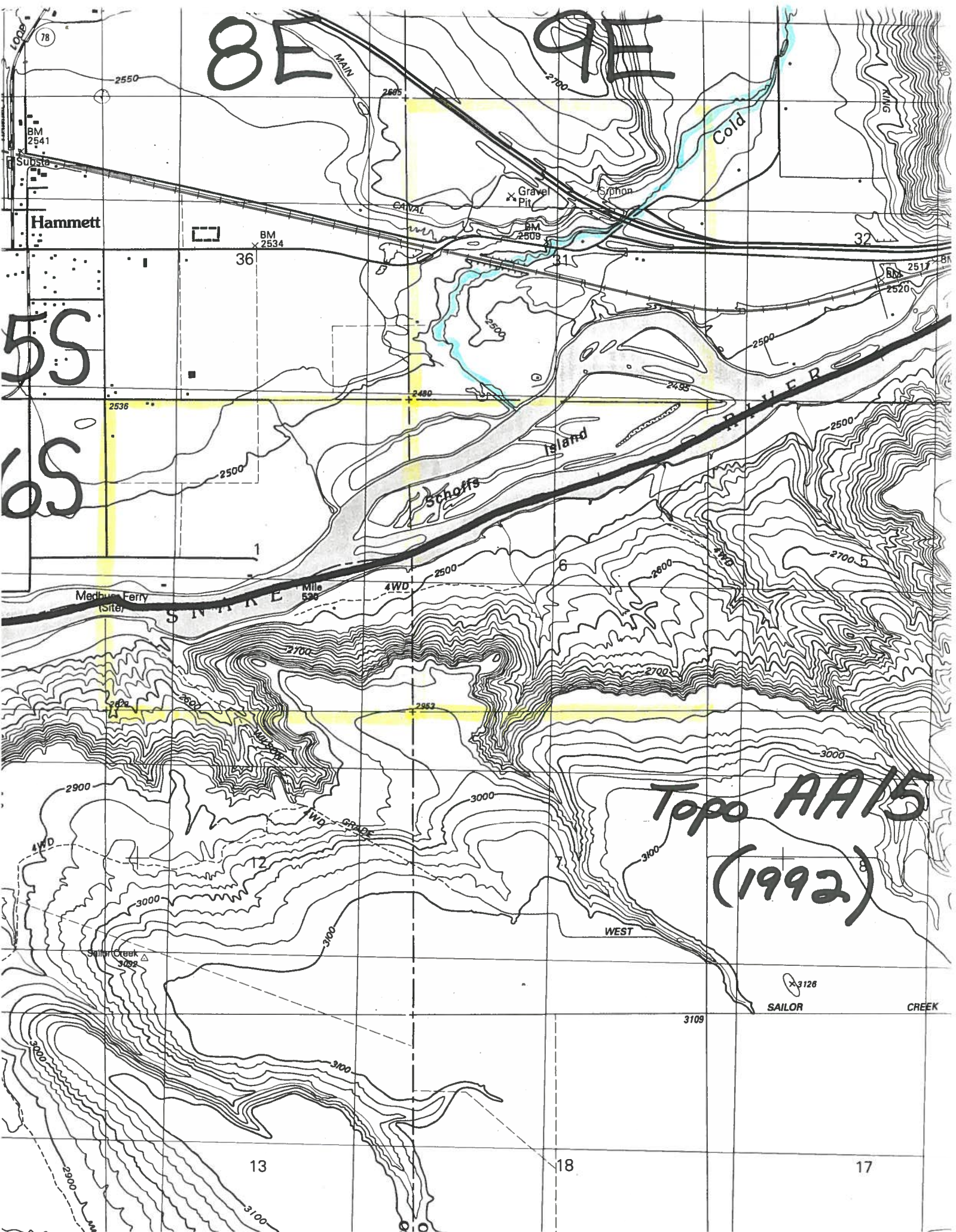
If you disagree with any of the information contained in these claims, please contact me within the next 30 days. If we don't hear from you within this time period, we will assume that you agree with the splitting of your claim.

You will be receiving a notice regarding the Cold Springs Creek water around the end of June of this year. You will be given an opportunity to object to the recommendations, of that claim, when you receive your notice. If you have any questions concerning your claims, please do not hesitate to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures



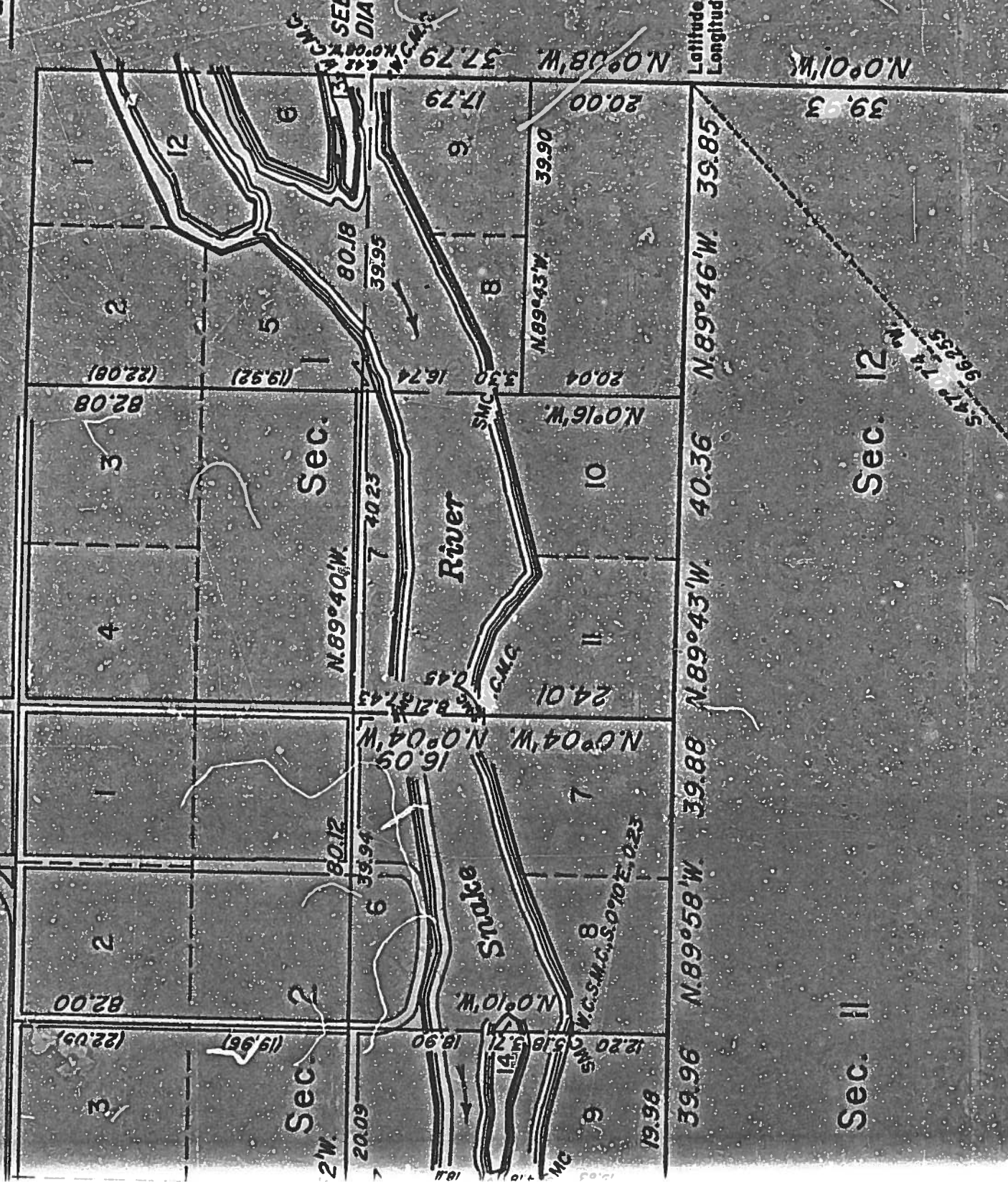
ENLARGED DIAGRAM "A"

Not to Scale

65-89
65989

SEE ENLARGED
DIAGRAM "A"

Latitude 42°55'25.41" N
Longitude 115°26'25.97" W
NAD 1927



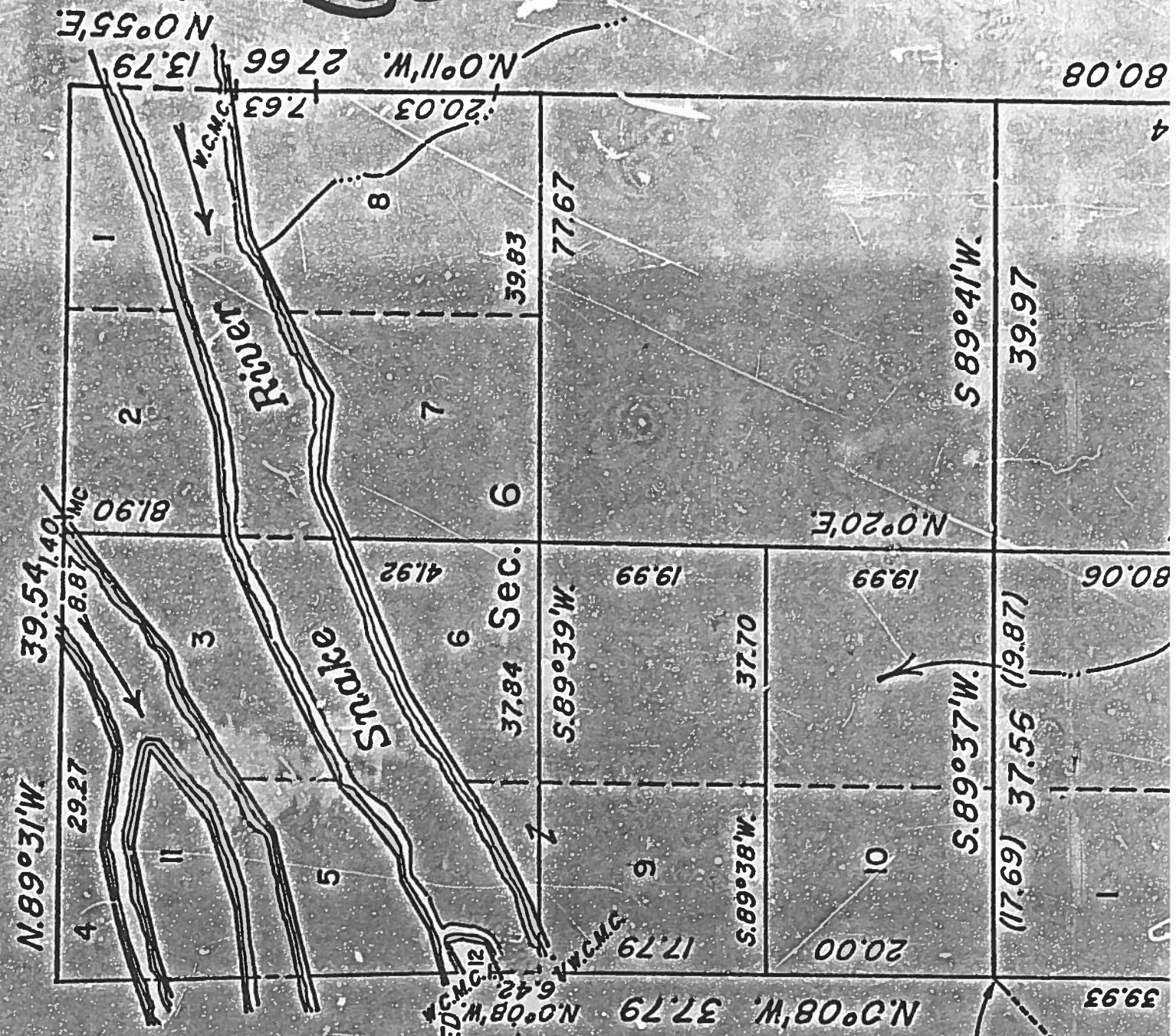
42°55'25.41" N.
115°26'25.97" W.
NAD 1927

Resurveyed concurrently under Group No. 676

SEE ENLARGED
DIAGRAM "A"
M.C.12

SEE ENLARGED
DIAGRAM "B"
M.C.12

9E
(6589)



AJ5809NP
No. A61-10718

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/10/97
PAGE: 9

OWNER CODE NAME & ADDRESS
C WILBUR F WILSON RANCH
PO BOX 33
HAMMETT ID 83627
(208) 366-2411

PRIORITY DATE WATER USE
02/01/1931 STOCKWATER

USE PERIOD FROM TO
01-01 12-31

DIVERSION RATE
0.02 CFS

DIVERSION VOLUME
0.02 CFS

TOTAL DIVERSION:
0.02 CFS

Water Source: COLD SPRINGS CREEK
SNAKE RIVER

Tributary to: SNAKE RIVER
COLUMBIA RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:
T05S R09E S31
T06S R08E S01
R09E S06

WNWESW
NENE (LOT 1) SWNE (LOT 5)
NNW (LOT 4)

ELMORE County
ELMORE County
ELMORE County

Place of use Legal Description for: STOCKWATER

		NE				NW				SW				SE			
		NENE		NWNE		SWNE		SENE		NNW		NWSW		SESW		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
05S	09E	31	:	14	12	45	:	:	:	:	:	:	:	:	:	:	
06S	08E	1	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
06S	09E	6	:	:	:	:	:	:	:	:	:	:	:	:	:	:	

POU County: ELMORE

Non-Irrigation Uses: STOCKWATER, 1200 HEAD SHEEP, 100 HEAD CATTLE, 30 HEAD HORSES

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A02-00028 A02-10042 A61-02338 R02-00028 R02-10042

Remarks: GEN THIS CLAIM IS A RESULT OF ONE CLAIM FILED FOR BOTH THE COLD SPRINGS CREEK SOURCE AND THE SNAKE RIVER SOURCE SINCE THE USE WAS STOCKWATER IN THE SAME DRAINAGE AREA, SAME HEAD OF STOCK AND SAME PRIORITY. HOWEVER, EACH SOURCE HAS A SEPARATE ADMINISTRATIVE BASIN, THEREFORE, TWO CLAIMS WITH EACH BASIN WERE GENERATED. SEE CLAIM NO. A02-10042.

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

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

NOTE: May want to
remove Snake R.
source, p. d's & Pouch
See A02-10042 - need
to remove Cold Springs
Creek source, p. d's & Pouch
from the 02 claim.

06S09E06 - NWSW (LOT 4) RP06S09E062525 A
06S08E01 - RP06S08E010010 A
05S09E31 - SWSW (LOT 4) RP05S09E316010 A