

Water Right Number - A71-00061A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
COMBINED RIGHT

1 -
2 -
3 -
City- X
Phone - 208-000-0000
State- ID Zip- 0

*** O - ORIGINAL OWNER ***
BOYLE

GARY

1 - USDA FOREST SERVICE
2 - 324 25TH STREET
3 -
City- OGDEN
Phone - 801-625-5360
1 - BUSTERBACK RANCH
2 - STAR RT.
3 -
City- KETCHUM
Phone - 208-774-2271
1 - US DEPT OF JUSTICE
2 - ENV & NR DIV GEN LIT SEC
3 - PO BOX 663
City- WASHINGTON
Phone - 202-272-4134
1 - FOREST SERVICE
2 - 324 25TH STREET
3 -
City- OGDEN
Phone - 801-625-5360
State- UT Zip- 0

ENRIGHT ENTERPRISES INC.

State- ID Zip- 83340

HAUGRUD, JACK AND/OR GEOFFREY GARVER

State- DC Zip- 200440663

US DEPT OF AGRICULTURE

State- UT Zip- 844012394

USFS

State- UT Zip- 0

AMERICA ACTING THROUGH

UNITED STATES OF

City- X
Phone - 208-000-0000
1 - USDA FOREST SERVICE
2 - 324 25TH STREET
3 -
City- OGDEN
Phone - 801-625-5360
State- UT Zip- 844012394

+ - - Priority Date - - +
08/30/1933

+ - - - Region - - - +
17 SOUTHERN

+ - - - Stage - - - +
Z - SEE REMARKS

Source - - - - -
SALMON RIVER
COMBINED RIGHT

Tributary - - - - -
SNAKE RIVER

+ - - - - Point of Diversion - - - - - +				
Twn	Rng	Sec	Tract	Lot
07N	14E	3	SE SW	(37) CUSTER
		10	SW SW	(37) CUSTER
08N	14E	33	NE NE	(13) BLAINE

Water right number - A71-00061A

Prefix Translation: ADJUDICATION CLAIM

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

01 - IRRIGATION		04/15	10/15		39.000	
+ - Total Div. Rate - +				+ - Total Div. Volume - +	+ - Total Consumptive Use - +	
39.000					3750.0	

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
-----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres:

+ - Diversion Means - DIVERSION DAM: SEE REMARKS

+ - Non-Irrigation Use - THIS IRR. WATER ALSO WATERS 1200 TO 1500 CATTLE MAY THRU OCTOBER

+ - Other Rights for Same Use - 72-00059

USFS AMENDED A71-00061 TO INCLUDE BOTH A71-00061A & A71-00061B IN
ONE CLAIM NOW NUMBERED A71-00061.

No Old Water Right Numbers Found

Conditions of Approval -
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
L. L. BRECKINRIDGE CO.	MORGAN C. WILLIAMS ET AL	00/00/0000

-Comments-
No Comments Found

Audit Fields - +
02/27/95 AMERRITT

Adjudication Rights Dates and Flags Area

Court Report Filing	00/00/0000	Field Inspection Made	00/00/0000	Civil Case Number	39576
Objection Filed Date	00/00/0000	Field Inspection Flag	00/00/0000	Old Case Number	
Response Filed Date	00/00/0000	Verified Date	00/00/0000	Old Judicial District	
Claim Received Date	07/27/1989	Last Amended Date	00/00/0000	Temporary Right	P
		Receipt Number	X777777	Water District	
		POU Ownership Flag	Y	Federal/State Indicator	S
		Name Connector	OR	Presumption Flag	
				Notice of Error Flag	

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: **A71-00061A**

Date Received: 7/27/1989

Receipt No: X777777

Received By: *ownership change*

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

1. Name: UNITED STATES OF AMERICA ACTING THROUGH 801-625-5360
Address: USDA FOREST SERVICE
324 25TH STREET
OGDEN UT 84401-2394

2. Date of Priority: AUG 30, 1933

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	14E	3	SE	SW			CUSTER
		10	SW	SW			CUSTER
08N	14E	33	NE	NE			BLAINE

5. Description of diverting works:
DIVERSION DAM: SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	39.000		

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

8. Total consumptive use is 3750.0 Acre Feet Per Annum.

9. Non-irrigation uses:
THIS IRR. WATER ALSO WATERS 1200 TO 1500 CATTLE MAY THRU OCTOBER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	14E	3	NE	NW	3	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	14E	3	NW		NW	4	IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
							Section Acres	320.0
		4	NE		NE	1	IRR	40.0
			NW		NE	2	IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	280.0
		9	NE		NE		IRR	40.0
							Section Acres	40.0
		10	NW		NW		IRR	40.0
							Section Acres	40.0
08N	14E	28	SW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SE		NW		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	220.0
		33	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
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	320.0
		34	NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
					Section Acres	200.0
					Total Acres	1420.0

11. Place of use in counties: CUSTER, BLAINE

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

13. Other Water Rights Used:
72-00059

14. Remarks:

MAP SHOWING RANCH WHERE WATER RIGHTS ARE USED IS ATTACHED.
ITEM 5 (CONT.)

1. SECTION 3 - ELABORATE CONCRETE DIVERSION DAM INCORPORATING FISH LADDER AND SCREENS WHICH WERE CONSTRUCTED BY THE IDAHO DEPARTMENT OF FISH AND GAME. THIS REPLACED THE OLD STRUCTURE. DIMENSIONS ARE: 31/2 FT. HIGH X 24 FT. WIDE. DATE OF RENOVATION, NOVEMBER 1980.

2. SECTION 10 - OLDER DIVERSION DAM CONSTRUCTED OF WOOD. DIMENSIONS ARE: 31/2 FT. HIGH X 22 FT. WIDE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

L. L. BRECKINRIDGE CO.
Decree Plaintiff

MORGAN C. WILLIAMS ET AL
vs Decree Defendant



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type
(see instructions on back of page)

DATE OF CLOSING: April 2, 1992

DEC 10 1993

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BLM Northern Region Office
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet. - See attached.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR: A71-00059, 00061, 00064B, 00066, and 00068

[] Name and Address of Former Owner/Claimant(s)(Seller): Enright Enterprises, Inc.
Busterback Ranch, Star Route
Ketchum, Idaho 83340

[] New Owner/Claimant (Purchaser): United States of America

[] New Mailing Address: USDA - Forest Service
324 25th Street
Ogden, Utah 84401

[] New Telephone Number: (801) 625 - 5360

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: Warranty Deed and Special Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) United States of America (USDA Forest Service) Date 12/10/93
(for) GRAY F. REYNOLDS, Regional Forester Date _____

[] Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED made this 3rd day of April, 1992, between ENRIGHT ENTERPRISES, INC., a Corporation authorized and existing under the law of the State of Idaho and fully authorized to do business in the State of Idaho, GRANTOR, and the UNITED STATES OF AMERICA, GRANTEE.

WITNESSETH: That the said Grantor, for the execution and delivery of the Warranty Deed between Enright Enterprises, Inc., and the United States of America dated April 2, 1992, to the Grantor in hand paid by the Grantee, the receipt of which is hereby acknowledged, under the provisions of the Economy Act of June 30, 1932 (47 Stat. 382, as amended, 31 U.S.C. 686), Bonneville Project Act (16 U.S.C. Sec. 832 et. seq.), the Federal Columbia River Transmission Act (16 U.S.C. Sec. 838 through 838k), the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. Sec. 839 through 839h), the Act of August 22, 1972, the Sawtooth National Recreation Act (16 U.S.C. 460aa), the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and the Department of the Interior and Related Agencies Appropriation Act, 1992, does by these presents grant, bargain, sell, convey, and confirm unto the said Grantee and its assigns forever, all springs, wells, water, and water rights applied for, adjudicated, appropriated, decreed, vested, or appurtenant to or used in connection with the real property located in Blaine and Custer Counties, State of Idaho, more particularly described in Exhibit A attached hereto and made a part hereof, (hereinafter the "Land"), including without limitation all, permits, applications, proofs, certificates, and maps therefore; together with all dams, ditches, diversions, licenses, easements, structures, measuring devices, headgates, culverts, ponds, reservoirs, canals, pipelines, water well casings, water well pumping equipment, troughs, and all other means, methods, systems of using water and water rights and applying them to beneficial use on the Land and including, but not limited to stockwater and stockwater rights for use on the Land; and further including but not limited to, Water Rights more particularly described as follows, to wit:

<u>License No.</u>	<u>Date</u>	<u>Amount(cfs)</u>	<u>Stream</u>
A 71-0059	1912	25.60	Salmon River
A 71-0061	1933	40.00	Salmon River
A 71-0064	1915	7.86	Alturas Lk.Cr.
A 71-0066	1930	10.75	Alturas Lk.Cr.
A 71-0068	1935	12.32	Alturas Lk.Cr.

RESERVING UNTO SAID GRANTOR for a period of four years from the date of this Deed (the "Reservation Period"), the right to use 1.00 c.f.s. of water under Water Right No. A71-0061, Salmon River, priority date August 30, 1933, on the real property owned by Grantor and located adjacent to the Land, in Custer County, Idaho, consisting of approximately 80 acres, more particularly described in Exhibit B attached hereto and made a part hereof (the "Adjoining Land"), together with the existing ditch, ditch right and easement appertaining to the Adjoining Land for delivery of water diverted pursuant to such Water Right No. A71-0061, but without any right to require the concurrent delivery in the same ditch of other water diverted under Water Right No. A71-0061 or under any other water right. Said Grantor intends that said Grantee shall have an indefeasibly vested remainder interest in such 1.00 c.f.s. of water, and that at the end of the Reservation Period described above, all of Grantor's right, title and interest in and to such 1.00 c.f.s. of water shall automatically revert to and vest in said Grantee, its successors and assigns.

TO HAVE AND TO HOLD the Water Rights unto Grantee, its successors and assigns, forever.

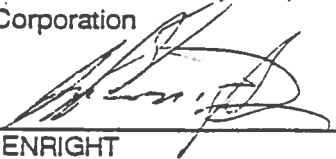
Grantor does hereby covenant and warrant to and with Grantee, that Grantor has not conveyed any of the Water Rights, or any rights, title, or interest therein, to any other person or entity, and that Grantee has not done, made or suffered any liens or other encumbrances with respect to any of the Water Rights.

The acquiring agency is the BONNEVILLE POWER ADMINISTRATION, Department of Energy, and the managing agency is the FOREST SERVICE, U.S. Department of Agriculture.

Checked as to price, acreage,
description, and quantity of
purchase, and found correct.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the day and year first above written.

ENRIGHT ENTERPRISES, INC., an Idaho
Corporation

BY 
LEE P. ENRIGHT
Secretary, Sole Shareholder, and Trustee



BLAINE CO. REQUEST
OF BLAINE COUNTY TITLE

1992 APR -2 P 4: 27

MARY GREEN, CLERK
FEES \$

18⁰⁰

MP

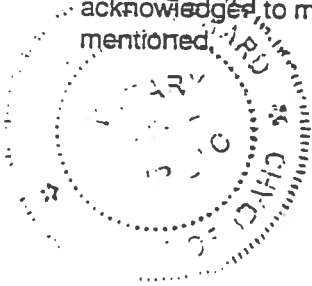
339467

Deed

ACKNOWLEDGMENT

STATE OF Idaho)
COUNTY OF Blaine)ss

On this 2nd day of April, 19 92, before me Carol L. Shepherd, a Notary Public in and for Blaine County, State of Idaho, personally appeared LEE P. ENRIGHT, Secretary, Sole Shareholder, or Trustee of ENRIGHT ENTERPRISES, INC., an Idaho Corporation, or known to me (or satisfactorily proved to me on the oath of _____, a competent and creditable witness for that purpose by me duly sworn), to be the person described in and who executed the foregoing instrument and who duly acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.



Carol L. Shepherd
Notary Public
My commission expires 10-19-93

EXHIBIT A

The Land which the above described Water Rights are appurtenant to or used in connection with is described as follows:

Property Description

Boise Meridian

BLAINE COUNTY, Idaho

Township 7 North, Range 14 East,

Section 4, Lots 1 and 2, S1/2NE1/4, E1/2SE1/4, NW1/4SE1/4;
Section 9, NE1/4NE1/4.

Township 8 North, Range 14 East,

Section 28, W1/2SE1/4, SW1/4 East of U.S. Highway No. 93 (now State
Scenic Highway No. 75);
Section 32, E1/2NE1/4, SW1/4NE1/4, SE1/4;

EXCEPT a parcel of land in the NE1/4NE1/4 described as follows:

BEGINNING at the Southeast corner of Pettit Lake Subdivision, said corner of said Section being S. 44°48'45" W., 1865.4 feet from the Northeast corner of Section 32; thence N. 0°04' W., 150.0 feet on the East line of said Subdivision to a point; thence N. 89°51' East, 100.0 feet to a point; thence S. 0°04' E., 150.0 feet to a point; thence S. 89°51' W., 100.0 feet to the Point of Beginning.

Section 33, all.

EXCEPTING from the above mentioned parcels, U.S. Highway No. 93 right-of-way (now Scenic Highway No. 75).

CUSTER COUNTY, Idaho

Township 7 North, Range 14 East,

Section 3, Lots 3 and 4, S1/2NW1/4, SW1/4;
Section 10, NW1/4NW1/4.

Township 8 North, Range 14 East,

Section 28, NW1/4 East of U.S. Highway 93 (now State Scenic Highway No. 75) and the SW1/4NE1/4;

EXCEPTING THEREFROM: A parcel of land being on the Easterly side of the centerline of State Highway 75 Project No. BR-F-2392(34) Highway Survey as shown on the plans thereof now on file in the office of the Idaho Transportation Department, Division of Highway, and being a portion of the NW1/4NW1/4 of Section 28, Township 8 North, Range 14 East, Boise Meridian, described as follows, to-wit:

COMMENCING at the Northwest corner of Section 28, Township 8 North, Range 14 East, thence N. 88°47' E. along the North line of the NW1/4NW1/4 of said Section 28, a distance of 229.0 feet to a point in the Easterly right-of-way line of existing State Highway No. 75, Project No. BR-F-2392(34) Highway Survey that bears N. 89°32' E., 33.0 feet from Station 1071+29.73 of said Highway Survey and being the REAL POINT OF BEGINNING; thence continuing N. 88°47' E., along said North line 27.0 feet to a point in a line parallel with and 60.0 feet Easterly from the centerline that bears N. 89°32' E., from Station 1071+30.09 of said Highway Survey; thence S. 0°28' E., along said parallel line 232.17 feet to a point that bears N. 89°32' E., from Station 1068+97.92 of said Highway Survey; thence S. 89°32' W., 27.0 feet to a point in said existing right-of-way line and opposite Station 1068+97.92 of said Highway Survey; thence N. 0°28' W. along said existing Easterly right-of-way line 231.81 feet to the REAL POINT OF BEGINNING.

Section 34, W1/2NW1/4, NW1/4SW1/4, S1/2SW1/4.

TOGETHER WITH all right, title, and interest of Owner in and to that portion of existing State Scenic Highway No. 75, adjacent to Property above described.

Highway Station Reference: 1068+97.92 to 1071+30.09

Said Property contains 2,201.00 acres, more or less.

EXHIBIT B

Boise Meridian

CUSTER COUNTY, Idaho

Township 7 North, Range 14 East,

Section 10, NW1/4SW1/4, SW1/4NW1/4.

Said Property contains 80.0 acres, more or less.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

17-Dec-1993

JACK HAUGRUD
US DEPT OF JUSTICE
ENV & NR DIV GEN LIT SEC
PO BOX 663
WASHINGTON DC 20044-0663

RE: CHANGE OF OWNERSHIP/ ADJUDICATION CLAIM NO. A71-00059, A71-00061A,
A71-00061B, A71-00064B,
A71-00066, A71-00068
ENRIGHT ENT/USDA FOREST SERVICE

MR. HAUGRUD:

PURSUANT TO THE NOTIFICATION THAT YOU ARE REPRESENTING THE CLAIMANT(S)
ON THE ABOVE REFERENCED ADJUDICATION CLAIM(S), PLEASE FIND ENCLOSED
THE COMPUTER GENERATED CLAIM(S) BASED ON THE INFORMATION FROM THE
ORIGINAL CLAIM AND THE CHANGE OF OWNERSHIP FORM.

PLEASE REVIEW THESE RECORDS AND IF YOU HAVE ANY CORRECTIONS OR ANY
QUESTIONS, FEEL FREE TO CONTACT THIS OFFICE.

SINCERELY,


JEANIE ROBERTSON
RECORDS CLERK

/jr
Enclosures

Water Right Number - A71-00061A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** A - ATTORNEY ***
HAUGRUD, JACK AND/OR GEOFFREY GARVER

1 - US DEPT OF JUSTICE
2 - ENV & NR DIV GEN LIT SEC
3 - PO BOX 663
City- WASHINGTON
Phone - 202-272-4134
State- DC Zip- 200440663

*** C - CURRENT OWNER ***
AMERICA ACTING THROUGH

UNITED STATES OF

1 - USDA FOREST SERVICE
2 - 324 25TH STREET
3 -
City- OGDEN
Phone - 801-625-5360
State- UT Zip- 844012394

*** K - ALSO KNOWN AS ***
US DEPT OF AGRICULTURE

1 - FOREST SERVICE
2 - 324 25TH STREET
3 -
City- OGDEN
Phone - 801-625-5360
State- UT Zip- 844012394

USFS

2 -
3 -
City- X
Phone - 208-000-0000
State- UT Zip- 0

*** O - ORIGINAL OWNER ***
ENRIGHT ENTERPRISES INC.

1 - BUSTERBACK RANCH
2 - STAR RT.
3 -
City- KETCHUM
Phone - 208-774-2271
State- ID Zip- 83340

*** R - REPRESENTATIVE ***
BOYLE

GARY

1 - USDA FOREST SERVICE
2 - 324 25TH STREET
3 -
City- OGDEN
Phone - 801-625-5360
State- UT Zip- 844012394

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/30/1933 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON RIVER SNAKE RIVER

+	Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	+
07N	14E	3	SE SW				(37) CUSTER		
		10	SW SW				(37) CUSTER		
08N	14E	33	NE NE				(13) BLAINE		

Water right number - A71-00061A

Prefix Translation: ADJUDICATION CLAIM

+ - - - - +
Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 39,000
+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
39,000 3750.0

Place of Use						County	
Tran	Ring	Sec	Tract	Lot	Acres		
Description							
07N	14E	3	NE NW	3	40.0	01 IRRIGATION	(37) CUSTER
07N	14E	3	NW NW	4	40.0	01 IRRIGATION	(37) CUSTER
07N	14E	3	SW NW		40.0	01 IRRIGATION	(37) CUSTER
07N	14E	3	SE NW		40.0	01 IRRIGATION	(37) CUSTER
07N	14E	3	NE SW		40.0	01 IRRIGATION	(37) CUSTER
07N	14E	3	NW SW		40.0	01 IRRIGATION	(37) CUSTER
07N	14E	3	SW SW		40.0	01 IRRIGATION	(37) CUSTER
07N	14E	4	SE SW	1	40.0	01 IRRIGATION	(13) BLAINE
07N	14E	4	NE NE	2	40.0	01 IRRIGATION	(13) BLAINE
07N	14E	4	NW NE		40.0	01 IRRIGATION	(13) BLAINE
07N	14E	4	SE NE		40.0	01 IRRIGATION	(13) BLAINE
07N	14E	4	NE SE		40.0	01 IRRIGATION	(13) BLAINE
07N	14E	4	NW SE		40.0	01 IRRIGATION	(13) BLAINE
07N	14E	4	SE SE		40.0	01 IRRIGATION	(13) BLAINE
07N	14E	9	NE NE		40.0	01 IRRIGATION	(37) CUSTER
07N	14E	10	NW NW		40.0	01 IRRIGATION	(37) CUSTER
08N	14E	28	SW NE		40.0	01 IRRIGATION	(37) CUSTER
08N	14E	28	NE NW		40.0	01 IRRIGATION	(37) CUSTER
08N	14E	28	NW NW		40.0	01 IRRIGATION	(37) CUSTER
08N	14E	28	SE NW		20.0	01 IRRIGATION	(37) CUSTER
08N	14E	28	NW SE		40.0	01 IRRIGATION	(13) BLAINE
08N	14E	28	SW SE		40.0	01 IRRIGATION	(13) BLAINE
08N	14E	33	NE NE		40.0	01 IRRIGATION	(13) BLAINE
08N	14E	33	NW NE		40.0	01 IRRIGATION	(13) BLAINE
08N	14E	33	SW NE		40.0	01 IRRIGATION	(13) BLAINE
08N	14E	33	SE NE		40.0	01 IRRIGATION	(13) BLAINE
08N	14E	33	NW SE		40.0	01 IRRIGATION	(13) BLAINE
08N	14E	33	SW SE		40.0	01 IRRIGATION	(13) BLAINE
08N	14E	33	SE SE		40.0	01 IRRIGATION	(13) BLAINE
08N	14E	34	NW NW		40.0	01 IRRIGATION	(37) CUSTER
08N	14E	34	SW NW		40.0	01 IRRIGATION	(37) CUSTER
08N	14E	34	NW SW		40.0	01 IRRIGATION	(37) CUSTER
08N	14E	34	SW SW		40.0	01 IRRIGATION	(37) CUSTER
08N	14E	34	SE SW		40.0	01 IRRIGATION	(37) CUSTER

Total Acres: 1420.0

+ - - Other Rights for Same Use - 72-00059

MAP SHOWING RANCH WHERE WATER RIGHTS ARE USED IS ATTACHED.

ITEM 5 (CONT.)

1. SECTION 3 - ELABORATE CONCRETE DIVERSION DAM INCORPORATING FISH LADDER AND SCREENS WHICH WERE CONSTRUCTED BY THE IDAHO DEPARTMENT OF FISH AND GAME. THIS REPLACED THE OLD STRUCTURE. DIMENSIONS ARE: 31/2 FT. HIGH X 24 FT. WIDE. DATE OF RENOVATION, NOVEMBER 1980.

2. SECTION 10 - OLDER DIVERSION DAM CONSTRUCTED OF WOOD. DIMENSIONS ARE: 31/2 FT. HIGH X 22 FT. WIDE.

No Old Water Right Numbers Found

Conditions of Approval - -
No Conditions of Approval found.

+ - - - Decree Plain
L. L. BRECKINRIDGE CO.

- - -Comments- -
No Comments Found

12/16/93 ROBERTSO

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/27/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P

Receipt Number	-	X777777	Water District	-
POU Ownership Flag	-	Y	Federal/State Indicator	-
Name Connector	-	OR	Presumption Flag	-
			Notice of Error Flag	-

FROM: Allen Merritt

DATE: February 28, 1995

TO FILES: A71-00059, A71-00061 (United States Forest Service)
A71-00064B, A71-00066 & A71-00068

A71-00061A

SUBJECT: Review, Analysis & Recommendation

These subject claims were originally filed in the name of Enright Enterprises, Inc. in 1989. In 1992 the land and water rights were purchased by the United States through the USFS. Through the summer of 1993 I conducted field reviews of the irrigated lands in basin 71. At that time I observed that the lands in question were not being irrigated. During that the summer I knew that the USFS had done something but was not sure exactly what the arrangement was. I discussed this matter with Dave Shaw who directed me to contact Randy Bramer, attorney with USFS Adjudication team in Boise. I made several attempts and additionally contacted Valdon Hancock, water rights specialist with Sawtooth National Forest District office in Twin Falls. On my numerous contacts with these individuals I suggested they file change of ownership documents to get the claims into the USFS name and also I requested that they provide me information as to how the land was irrigated. Valdon was not willing or able to describe how the land was irrigated. He always refereed me to the attorneys. In discussions with Randy Bramer I was promised that the ownership change was being worked on and nothing as to how the land was irrigated.

On 11/23/93 I met with Valdon Hancock in the Sawtooth Valley to go over USFS claims. At that time he indicated again they couldn't provide information as to the irrigation of the old Enright place.

On 12/10/93 we received the change of ownership documents from Enright to USFS. With the documents was an agreement for delivery of a portion of 71-00061 for a few years. To document this special agreement I split 71-00061 into A & B.

On 3/9/94 IDWR received amendments to all the claims which changed the use from irrigation to instream flows. 71-00061 was amended in whole so when I recently data entered this amendment I recombined A & B portions back into 71-00061.

To my knowledge the subject lands were last irrigated in 1991 or 1992 with the exception of the land subject to the special agreement for use of a portion of 71-00061. I do not know the status of those lands. NAPP shows the lands essentially all irrigated in 8/22/88.

Based on my understanding the unrecorded change in nature of use from irrigation to instream flow occurred after Nov. 19, 1987 without the benefit of a transfer pursuant to 42-222, I recommend that the claims be disallowed.