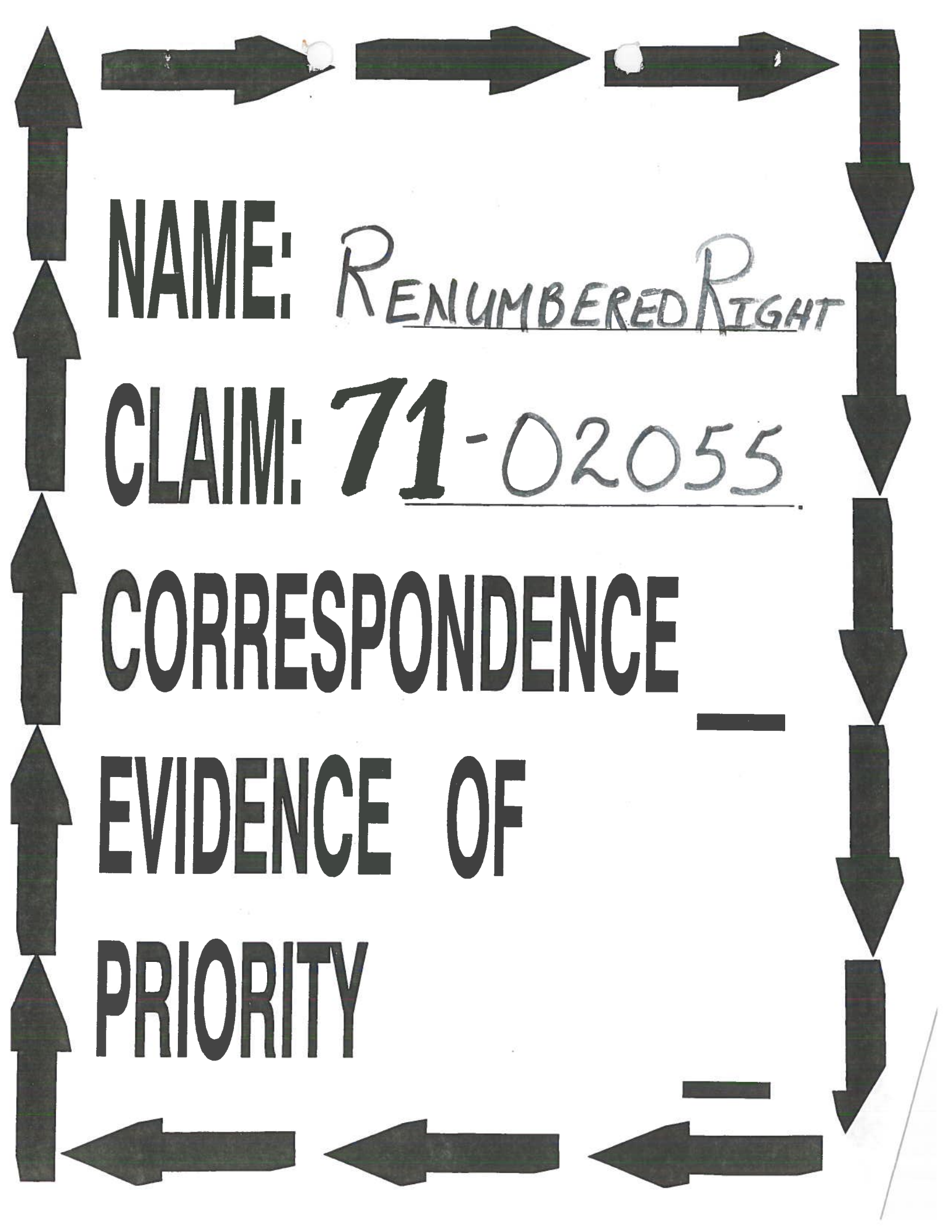




NAME: RENUMBERED RIGHT

CLAIM: 71-02055

CORRESPONDENCE

EVIDENCE OF

PRIORITY

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: A71-02055

Date Received: 11/14/1989

Receipt No: 5010763

Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES E. LORD
Address: 137 OLD FIELD RD.
FAIRFIELD, CT

06430

OR

Name: MARGARET P. LORD
Address: 137 OLD FIELD RD.
FAIRFIELD, CT

06430

RECEIVED

DEC 27 1989

Department of Water Resources
Southern Region Office

2. Date of Priority: SEP 07, 1930

3. Source: ELK CREEK

Trib. to: VALLEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	12E	15	NE	NE			CUSTER

5. Description of diverting works:
OPEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

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

A.F.A.

8. Total consumptive use is 57.5 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

MAR 17 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	12E	13	NW	SW		IRR	22.0
Section Acres							22.0
Total Acres							22.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/U INCOMPLETE BUT DESIGNATED FOREST H.E. #577. SEE FILE.
AC. IRR. = 22.

15. Basis of Claim: LICENSE
Water Right Number: 17360

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):

Charles E. Lind

Date: 12/20/89

Margaret P. Herzl

Date: 12/20/89

State of Connecticut
~~Idaho~~

County of Fairfield
)
) SS. Fairfield
)

Subscribed and sworn (or affirmed) before me this 20th day

of December 19 89

Quint C. Durbin
Notary Public

Seal

Residing at Trumbull, CT

My Commission Expires My Commission Expires March 31, 1991.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave., East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Dec. 28, 1989

Re: A71-10074

A71-02055

CHARLES E LORD
137 OLD FIELD RD
FAIRFIELD CT 06430

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 17 1993

Water Right Number - R71-02055

Prefix Translation:

RESEARCH

Old (D) Number - 17360

*** C - CURRENT OWNER ***
RENUMBERED RIGHT

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

*** O - ORIGINAL OWNER ***
LORD

MARGARET P

1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 0

LORD

CHARLES E

1 - 137 OLD FIELD RD
2 -
3 -
City- FAIRFIELD
Phone - 208-000-0000
1 - 137 OLD FIELD RD
2 -
3 -
City- FAIRFIELD
Phone - 208-000-0000

State- CT Zip- 06430

+ - - Priority Date - - +
09/07/1930

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +

+ - - Status - - - +
1 - DISALLOWED

Source - - - - -
ELK CREEK
RENUMBERED RIGHT

Tributary - - - - -
VALLEY CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
11N 12E 15 NE NE (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.440

+ - Total Div. Rate - + + - Total Div. Volume - +
0.440

+ - Total Consumptive Use - + + - KW Usage - +
57.5

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
11N 12E 13 NW SW 22.0 01 IRRIGATION (37) CUSTER

Total Acres: 22.0

+ - - Diversion Means - OPEN DITCH

+ - - Non-Irrigation Use -

VERIFIED BY KKC

MICROFILMED
OCT 27 1994

MICROFILMED
OCT 21 1980

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()

NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-02055

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.440

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A71-02055	A71-02055	0.440	-	-	71-02055	0.440
A71-02055A	A71-02055A	0.440	-	-	71-02055	0.440

TOTAL CFS 0.880

0.440

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

Claim Renumbered. Recommended as 71-00044B.

Remark P86

Cond P86

Statue - I

see Attached narrative

AUTHENTICATION:

SIGNATURE:

Kelly T. Christensen

DATE:

5-17-94

NAME OF FIELD EXAMINER:

TITLE: *State Resource Agent,*

*See A71-00044B for Recommendation of
Investigator report*

*only one page
of CVR
is retained*

MICROFILMED

133

FIELD EXAM ATTACHMENT

DATE: 5-12-94PAGE: 1/1AGENT: KKC

POOR ORIGINAL

FILES: A71-02055A71-02055AATTACHMENT SUBJECT: Analysis of 71-02055And related Adjudication claims

71-02055 had a 9-7-1930 priority date with a field verification date of 7-18-1934.

The Cavanagh vs Merritt decree dated 1-16-1941 included, but not limited to, Valley Creek diversions and the tributaries to Valley Creek.

Specifically described is 71-00044 which is the diversion from Elk Creek being appurtenant to the ground within HES 577. This is the same place of use as described in the licensing field exam for 71-02055. The exam identified 22 acres as being irrigated and a diversion capacity of 3.2 CFS.

This right was replaced with the decreed right and as such is not currently a valid water right.

A71-02055 - recommended for disallowal code "I" Remark P06 & referencing A71-00044B

A71-02055A is to be re-numbered to A71-00044A and recommended as a valid right based upon the Cavanagh vs Merritt decree. see CIR for system analysis & additional details

A10743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/12/96 12:21:46
Page 1

Water Right Number - A71-02055

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 17360

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

*** C - CURRENT OWNER ***
RENUMBERED RIGHT

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

*** O - ORIGINAL OWNER ***
LORD

MARGARET P
1 - 137 OLD FIELD RD
2 -
3 -
City- FAIRFIELD
Phone - 208-000-0000
1 - 137 OLD FIELD RD
2 -
3 -
City- FAIRFIELD
Phone - 208-000-0000
1 - PO BOX 746
2 -
3 -
State- CT Zip- 06430

LORD

CHARLES E

BEIN

WILLIAM C

State- WI Zip- 53020
City- ELKHART
Phone - 414-892-6035
1 - PO BOX 746
2 -
3 -
State- WI Zip- 53020

BEIN

LINDA H

State- WI Zip- 53020
City- ELKHART
Phone - 414-892-6035

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
09/07/1930 17 SOUTHERN 2 - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
ELK CREEK VALLEY CREEK

+ - - - - Point of Diversion - - - - - +
Turn Rng Sec Tract Lot Rflg County
11N 12E 15 NE NE (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.440

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.44D 57.5

Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - OPEN DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

OWNERSHIP CHANGE MADE 1/12/96 BY TLB.
RENUMBERED RIGHT TO A71-00044B.

No Old Water Right Numbers Found

Conditions of Approval

001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.

005 - Use of water under this right is subject to control by the
- watermaster of State Water District No. 1

007 - The right shall not be assigned or sold without first securing
- the written approval of the Department of Water Resources.

016 - See remarks for additional conditions of approval.

1
2
3
+

- - -Comments- -
No Comments Found

Adjudication Rights Dates and Flags Area					
00	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576
00	Field Inspection Flag	-	Old Case Number	-	
00	Verified Date	- 00/00/0000	Old Judicial District	-	
00	Last Amended Date	- 00/00/0000	Temporary Right	- P	
89	Receipt Number	- S010763	Water District	-	
	POU Ownership Flag	- Y	Federal/State Indicator	- S	
	Name Connector	- AND/OR	Presumption Flag	-	
			Notice of Error Flag	-	

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/12/96 12:07:17
Page 1

Water Right Number - R71-02055

Prefix Translation: RESEARCH

Old (D) Number - 17360

+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - - +
*** C - CURRENT OWNER ***
RENUMBERED RIGHT
1 -
2 -
3 -
City- X
Phone - 208-000-0000
State- ID Zip- 0

*** O - ORIGINAL OWNER ***
LORD

MARGARET P

CHARLES E

1 - 137 OLD FIELD RD
2 -
3 -
City- FAIRFIELD
Phone - 208-000-0000
1 - 137 OLD FIELD RD
2 -
3 -
City- FAIRFIELD
Phone - 208-000-0000
State- CT Zip- 06430

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/07/1930 17 SOUTHERN I - DISALLOWED

+ - - Source - - - - - + + - - Tributary - - - - - +
ELK CREEK
RENUMBERED RIGHT VALLEY CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
11N 12E 15 NE NE (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.440

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.440 57.5

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
11N 12E 13 NW SW 22.0 01 IRRIGATION (37) CUSTER
Total Acres: 22.0

+ - - Diversion Means - OPEN DITCH
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use - NONE

Water right number - R71-02055

Prefix Translation: RESEARCH

REMARKS
RECOMMENDED AS RIGHT NO. 71-000448.
OWNERSHIP CHANGE MADE 1/12/96 BY TLB. LORD-BEIN WARRANTY DEEDS
INCLUDED.

No Old Water Right Numbers Found

- 001 - A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.
- 005 - Use of water under this right is subject to control by the watermaster of State Water District No. 1.
- 007 - The right shall not be assigned or sold without first securing the written approval of the Department of Water Resources.
- 016 - See remarks for additional conditions of approval.

Decree Plaintiff - - - + Decree Defendant - - - + Decree Date - +
00/00/0000

Comments - - - - -
Date: 05/17/1994 User Id: CHRISTEN Subject: BASIS FOR RENUMBERING MERRITT DECREE AND WARRANTY DEED 131095 INDICATED THAT A
LICENSED RIGHT 71-02055 WAS SUPERCEDED BY THE CAVANUGH VS
PROPORTIONATE SHARE OF WATER WAS RETAINED ON THIS P/U. THEREFORE THE BASIS OF THIS CLAIM IS THE DECREED RIGHT 71-00044.KKC 5-17-94
Date: 05/17/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
P/U INCOMPLETE BUT DESIGNATED FOREST H.E. #577. SEE FILE. AC. IRR. = 22.
Date: 03/30/1995 User Id: DSWITH Subject: DATA ENTRY
CONFORMED MAILING ADDRESS DMS

Audit Fields - - - +
01/12/96 TBACLUN

Adjudication Rights Dates and Flags Area			
Court Report Filing	- 00/00/0000	Field Inspection Made	- 09/10/1993
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000
Claim Received Date	- 12/27/1989	Last Amended Date	- 00/00/0000
		Receipt Number	- S010763
		POU Ownership Flag	- Y
		Name Connector	- OR
		Civil Case Number	-
		Old Case Number	-
		Old Judicial District	-
		Temporary Right	- P
		Water District	-
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	-