

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

Please type or print clearly

1. Name of Claimant (s) Annette Luthi Phone (208) 873-2624

Mailing Address 4001 Stateline Rd. Freedom WY ZIP 83120
Street or Box City State

2. Date of Priority (Only one (1) per claim) August 5, 1933
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (☒) (a) Salt River
which is tributary to (b) Snake River Basin

4. a. Location of Point of Diversion is: Township 35 N, Range 119W, Section 33,
NE, 1/4 of SE, 1/4 Govt. Lot _____, BM., County of _____

Parcel (PIN) no. _____

Additional points of diversion if any: Diversion point is located in the state of Wyoming.

If available, GPS Coordinates _____

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

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., 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. I am not aware of the precise description of the existing

diversion works. Head gate on the Salt River to slough To
pump to wheel and hand lines.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

2.16

(cfs)

(acre feet)

For Irrigation purposes from 4-15 to 10-31 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.16 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) _____

9. 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.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	46E	10												30				38	68
5S	46E	15		23			17												40

Parcel (PIN) no(s). Deed # 192299

Total number of acres irrigated 108

NEW Survey 2012

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

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your 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.

Permit No. 5832 E & 5840 E or None ()

13. Remarks: I've done the best I could. I do not understand all - I've included Permits and Certificates.

Area of use is equal to the total acreage of area shown on the map.

Aerial map with outlined irrigated property attached.

Last Name Luthi

Identification No. _____

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 _____

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 notices 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: 1 5

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) Corrette Luthi Date 11/6/14

Date: _____

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

Title of _____ Organization

that I have signed the foregoing document in the space below as

Title of _____ 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:

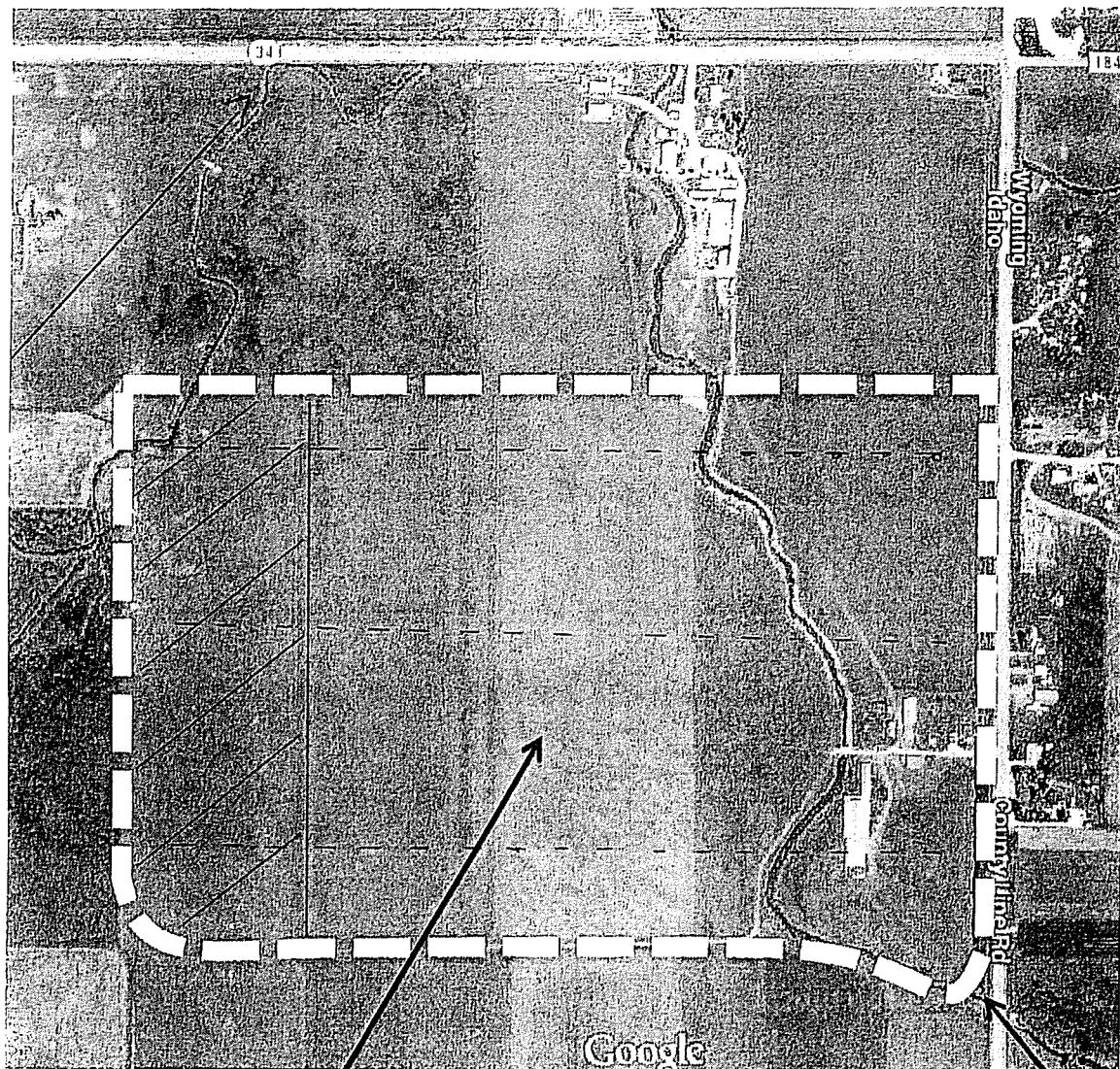
Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Last Name LUTHI Identification No. _____

End of
feed-in enlarged
canal
5832 E



Area of use.



Combination of
Kirkbride 1 & 2 &
West Fork of Sch
5840 E River

Point where water
enters the State of
Idaho.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	46E	10												30				38	68
5S	46E	15		23			17												40
~~5S~~	~~46E~~																		

Parcel (PIN) no(s). Deed # 192299

Total number of acres irrigated 108

TABULATION OF ADJUDICATED BYRDS

PERMIT	DITCH	APPROPRIATOR	PRIORITY	USE	C. F. S.	ACRES	H. G. LOC	PRESENT OWNER
							S. T. R.	
2425E	Enl. Durney	Janet A. Humphreys	5-22-1911	I	0.26	18.00	22-35-119	
2362E	Enl. Pine Tree (East Side)	James M. Brower	9-29-1911	I	0.93	65.00	35-34-119	
2262E	Enl. Pine Tree (East Side)	Harry M. Correll	9-29-1911	I	0.13	9.00	35-34-119	
2562E	Enl. Pine Tree (East Side)	Albert C. Wille	9-29-1911	I	0.34	24.00	35-34-119	
262E	Enl. Pine Tree (East Side)	Albert C. Wille	9-29-1911	I	1.14	80.00	35-34-119	
3258E	Enl. Baker & Heap	Nezard J. Robinson	9-08-1913	I	0.43	30.00	34-35-119	
3258E	Enl. Baker & Heap	Nezard J. Robinson	9-08-1913	I	0.83	58.00	34-35-119	
3186E	Enl. Porter	Paul Christopher	4-10-1915	I, S, D	1.13	79.00	4-29-118	
3186E	Enl. Porter	Paul Christopher	4-10-1915	I, S, D	1.10	77.00	4-29-118	
4009E	Enl. Pine Tree (East Side)	Henry Erickson	1-22-1919	I	4.57	320.00	35-34-119	
4071E	Enl. Pine Tree (East Side)	Company Pipeline (Line C), 27-36-119	9-08-1919	I	5.5	146.00	35-34-119	
4150E	Enl. Porter	Alfred W. Porter	7-22-1920	I	0.28	17.38	4-29-118	
16107	Enl. Willow	Alfred F. Anderson	6-01-1921	I	0.27	20.03	11-32-118	
18087	Enl. Jenkins	Byrum Gillyard	11-22-1922	I, S, D	0.27	19.00	25-32-118	
5791E	Enl. Union Canal	Levi J. Jenkins	6-11-1932	I, S, D	0.19	13.80	33-35-118	
5832E	Enl. Union Canal	Harold M. Brower	8-05-1933	I, S	0.54	37.70	23-35-118	
5832E	Enl. Union Canal	Church of Jesus Christ of Latter Day Saints	8-05-1933	I, S	0.04	2.64	4-34-119	
5832E	Enl. Union Canal	Ivan Drancy, et al	8-05-1933	I, S	0.01	0.53	4-34-119	
5832E	Enl. Union Canal	Martha Haderlie	8-05-1933	I, S	0.07	5.00	4-34-119	
5832E	Enl. Union Canal	Martha Haderlie	8-05-1933	I, S	0.06	4.00	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.01	1.00	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.86	59.81	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.69	48.56	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.04	2.83	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.95	120.30	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.60	42.00	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.03	2.44	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.01	0.65	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.04	2.87	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.44	31.17	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.00	0.21	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	1.55	108.81	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.01	0.90	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	1.11	77.00	4-34-119	
5832E	Enl. Union Canal	Welford Haderlie	8-05-1933	I, S	0.02	1.68	4-34-119	
5840E	Enl. Kirbide No. 1 & 2	Ernest Bros.	8-05-1933	I, S	1.00	33.35-119		
5840E	Enl. Kirbide No. 1 & 2	John J. Haderlie	8-05-1933	I, S	1.10	77.00	33-35-119	
5840E	Enl. Kirbide No. 1 & 2	John J. Haderlie	8-05-1933	I, S	0.65	45.60	33-35-119	
5840E	Enl. Kirbide No. 1 & 2	John J. Haderlie	8-05-1933	I, S	0.65	45.60	33-35-119	
5840E	Enl. Kirbide No. 1 & 2	John J. Haderlie	8-05-1933	I, S	1.57	109.80	33-35-119	
5840E	Enl. Kirbide No. 1 & 2	John J. Haderlie	8-05-1933	I, S	0.86	60.00	33-35-119	
5840E	Enl. Kirbide No. 1 & 2	John J. Haderlie	8-05-1933	I, S	0.96	67.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	
4922E	Enl. Ames & Gould (McNeel)	Wallace McNeel	11-14-1933	I, S	0.93	30.00	28-36-119	

THE STATE OF WYOMING

Certificate of Appropriation of Water

Certificate Record No. 54, Page 230

WHEREAS, Jean Luthi has presented to the Board of Control of the State of Wyoming proof of the appropriation of water from Salt River, tributary of Snake River through the Enl. Kirkbride No. 1 & No. 2 Ditch under Permit No. 5840 Enl. for stock use and for irrigation of the lands herein described, lying and being in Caribou County, Idaho ~~County, Wyoming~~.

NOW KNOW YE, That the State Board of Control, under the provisions of the Statutes of Wyoming, has, by an order duly made and entered on the 29th day of March, A. D. 1957, in Order Record No. 13, Page 349, determined and established the priority and amount of such appropriation as follows:

Name of Appropriator Jean Luthi; Postoffice Address Freedom, Wyoming;

Date of Appropriation August 5, 1933; Total Acreage One Hundred Nine and Eight Tenths (109.8) Acres;

Amount of Appropriation 1.57 cu. ft. per sec.; Description of land to be irrigated and for which this appropriation is determined and established:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 S.	46 E.	10											35	35.5	Ac. Lot 4;				71.5
5 S.	46 E.	15	19.3	Ac. Lot 1;			19	Ac. NE $\frac{1}{4}$ NW $\frac{1}{4}$;											38.3
	B.M.																Total		109.8

The right to water hereby confirmed and established is limited to irrigation and stock use and the use is restricted to the place where acquired and to the purpose for which acquired; rights for irrigation not to exceed one cubic foot of water per second for each seventy acres of land for which the appropriation is herein determined and established, except when there is surplus water in the stream as provided by Sections 71-216 to 71-224, Wyoming Compiled Statutes, 1945.

IN TESTIMONY WHEREOF, I, L. C. BISHOP, President of the State Board of Control, have hereunto set my hand this 29th day of March, A. D. 1957, and caused the seal of said Board to be hereunto affixed.

Attest: Earl Lloyd Ex-officio Secretary.

L. C. Bishop President.

39359

STATE OF IDAHO }
County of Caribou } SS

I hereby certify that this instrument was
and for record at the request of

V. G. Jenkins

41 ... part *9* o'clock

a.m., this *29* day of *July*

A. D., 19*57* in my office and duly recorded

in Book *one* of

Water Rights at page *200*

Colin C. Hester

Ex-Officio Recorder.

By _____ Deputy

Fee \$ *1.00*

COMPAED ✓

FILED ✓

THE MILLS COMPANY, SHERIDAN 83181

39567

STATE OF IDAHO }
County of Caribou } SS:

I hereby certify that this instrument was
filed for record at the request of

R. D. Jenkins

at 55 minutes past 9 o'clock

A. M., this 29 day of July

A. D., 1957 in my office and duly recorded

in Book one of

Water Locations at page 219

Colin Chester

Ex-Officio Recorder.

By _____ Deputy

Fee \$ 1.00

COMPARED ✓
INDEXED ✓

THE STATE OF WYOMING

Certificate of Appropriation of Water

Certificate Record No. 64, Page 215

WHEREAS, Charles Luthi and Jean Luthi ~~have~~^{has} presented to the Board of Control of the State of Wyoming proof of the appropriation of water from Salt River, tributary of Snake River through the Idaho Enl. Freedom Canal ~~Ditch~~ under Permit No. 5832 Enl. for stock use and for irrigation of the lands herein described, lying and being in Caribou County, Idaho ~~County, Wyoming.~~

NOW KNOW YE, That the State Board of Control, under the provisions of the Statutes of Wyoming, has, by an order duly made and entered on the 29th day of March, A. D. 1957, in Order Record No. 13, Page 348, determined and established the priority and amount of such appropriation as follows:

Name of Appropriator Charles Luthi and Jean Luthi; Postoffice Address Freedom, Wyoming;

Date of Appropriation August 5, 1933; Total Acreage Sixty-six and Three Tenths (66.3) Acres;

Amount of Appropriation 0.95 cu. ft. per sec.; Description of land to be irrigated and for which this appropriation is determined and established:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 S.	46 E.	9									19.3					24	23		66.3
	B.M.																		

The right to water hereby confirmed and established is limited to irrigation and stock use and the use is restricted to the place where acquired and to the purpose for which acquired; rights for irrigation not to exceed one cubic foot of water per second for each seventy acres of land for which the appropriation is herein determined and established, except when there is surplus water in the stream as provided by Sections 71-216 to 71-224, Wyoming Compiled Statutes, 1945.

IN TESTIMONY WHEREOF, I, L. C. BISHOP, President of the State Board of Control, have hereunto set my hand this 29th day of March, A. D. 19 57, and caused the seal of said Board to be hereunto affixed.

Attest: Earl Lloyd Ex-officio Secretary.

L. C. Bishop President.

39568

STATE OF IDAHO }
County of Caribou } SS :

I hereby certify that this instrument was
filed for record at the request of

A. G. Jenkins

at 56 minutes past 9 o'clock

A. M., this 29 day of July

A. D., 1957 in my office and duly recorded

in Book one of

Water Locations at page 218

Colin Chester

Ex-Officio Recorder.

By _____ Deputy

Fee \$ 1.00

COMPARED ✓

INDEXED ✓