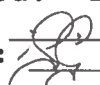


DEC 21 2000

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: A47-02048
Date Received: 1/11/1989
Receipt No: M002513
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS LENO 208-733-1329
Address: RT.1 BOX 62 2600 E.
FILER, ID 83328
OR
Name: DOROTHY LENO 208-733-1329
Address: RT.1 BOX 62 2600 E.
FILER, ID 83328
2. Date of Priority: JAN 27, 1910
3. Source: MULE CREEK Trib. to: SHOSHONE CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	16E	20	SW	of	NW		TWIN FALLS
5. Description of diverting works:
DITCHES
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
DOMESTIC	01/01	12/31	0.040		
7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 40.0 Acre Feet Per Annum.
9. Non-irrigation uses:
300 HEAD BEEF CATTLE, ONE DOMESTIC HOUSEHOLD

A47-02048

Page 1

Date: 01/12/89

MICROFILMED

MAR 11 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16S	16E	20	SE SW		IRR	20.0
Section Acres						20.0
Total Acres						20.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

A47-07106, A47-07287, A47-14285

14. Remarks:

P/D INCOMPLETE. SEE FILE.

MAP ACCOMPANYING ENGINEERS REPORT ALSO SHOWS A P/D IN NESW S20, T16S, R16E.

15. Basis of Claim: LICENSE

Water Right Number: 5706

MICROFILMED

MAR 11 1993

Dorothy LENO could not show the P.O.D. or P.O.U.
on the Aerial Photo's. The P.O.D. & P.O.U. needs to
be checked to make sure they are correct

MICROFILMED

MAR 11 1993

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: _____

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 47-0204P

Date Received 12/22/82

Receipt Number 0002513

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED
JAN 11 1983

Department of Water Resources

Please type or print clearly

- Name of Claimant (s) THOMAS OR DOROTHY LENO Phone (208) 733-1329
Mailing Address RT1 Box 62, 2600 E. FILER, ID. Zip 83328
- Date of Priority (Only one (1) per claim) 1/27/1910
- Source of water supply (a) Mule Creek
which is tributary to (b) Sho Shone Creek
- a. Location of existing point of diversion is: Township 16S Range 16E Section 20,
1/4 of SW 1/4 of NW 1/4, Govt. Lot, B.M., County of Twin Falls
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____
1/4, Govt. Lot _____ B.M., County of _____
- 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. Ditches with Floods

MICROFILMED

MAR 11 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irr. purposes from April 1 to Nov 1 amount .40 cfs or _____

For Stock water purposes from Jan 1 to Dec 31 amount .20 or _____

For Domestic purposes from 1-1 to 12-31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is .40 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5/30hd. Range Cattle D/I

10. 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.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>16S</u>	<u>16E</u>	<u>20</u>												<u>20</u>					<u>20</u>

Total number of acres irrigated 20 Ac

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

12. 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.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A47-07106, 47-07287 or None ()

14. Remarks: Ditches with Flood and sprinkler Irr. MAPS NOT Avail AT This Time.

MICROFILMED

MAR 1 1993

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

MAR 11 1993

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number 47-07048

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) X Dorothy Keno Date X 1/11/89

Date _____

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

of _____ Title _____, 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 _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 11th day of Jan 19 89

SEAL

Notary Public M. D. C. C. C.

Residing at Boise, ID

My Commission Expires 9-2-1994

Please Print Name

17. Notice of Appearance:

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

Address _____

Date _____

MICROFILMED

MAR 11 1993

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

10/18/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-2048

NAME AND ADDRESS: DOROTHY LENO
4020 N 2600 E
FILER ID 83328

THOMAS LENO
4020 N 2600 E
FILER ID 83328

SOURCE: MULE CREEK

TRIBUTARY: SHOSHONE CREEK

QUANTITY: 0.400 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre for irrigation of the lands below.

Right Nos. 47-2118 and 47-2048 are limited to a total combined diversion rate of 0.40 cfs.

PRIORITY DATE: 01/27/1910

POINT OF DIVERSION:

T16S R16E S20 NESWNW Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.400 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within TWIN FALLS County

T16S R16E S20 SESW 11.00 T16S R16E S29 NENW 9.00

STOCKWATER same as IRRIGATION

20 ACRES TOTAL

Right Nos. 47-2118 and 47-2048 are limited to the irrigation of a combined total of 20 acres in a single irrigation season.

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

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. Section 42-1412(6), Idaho Code.

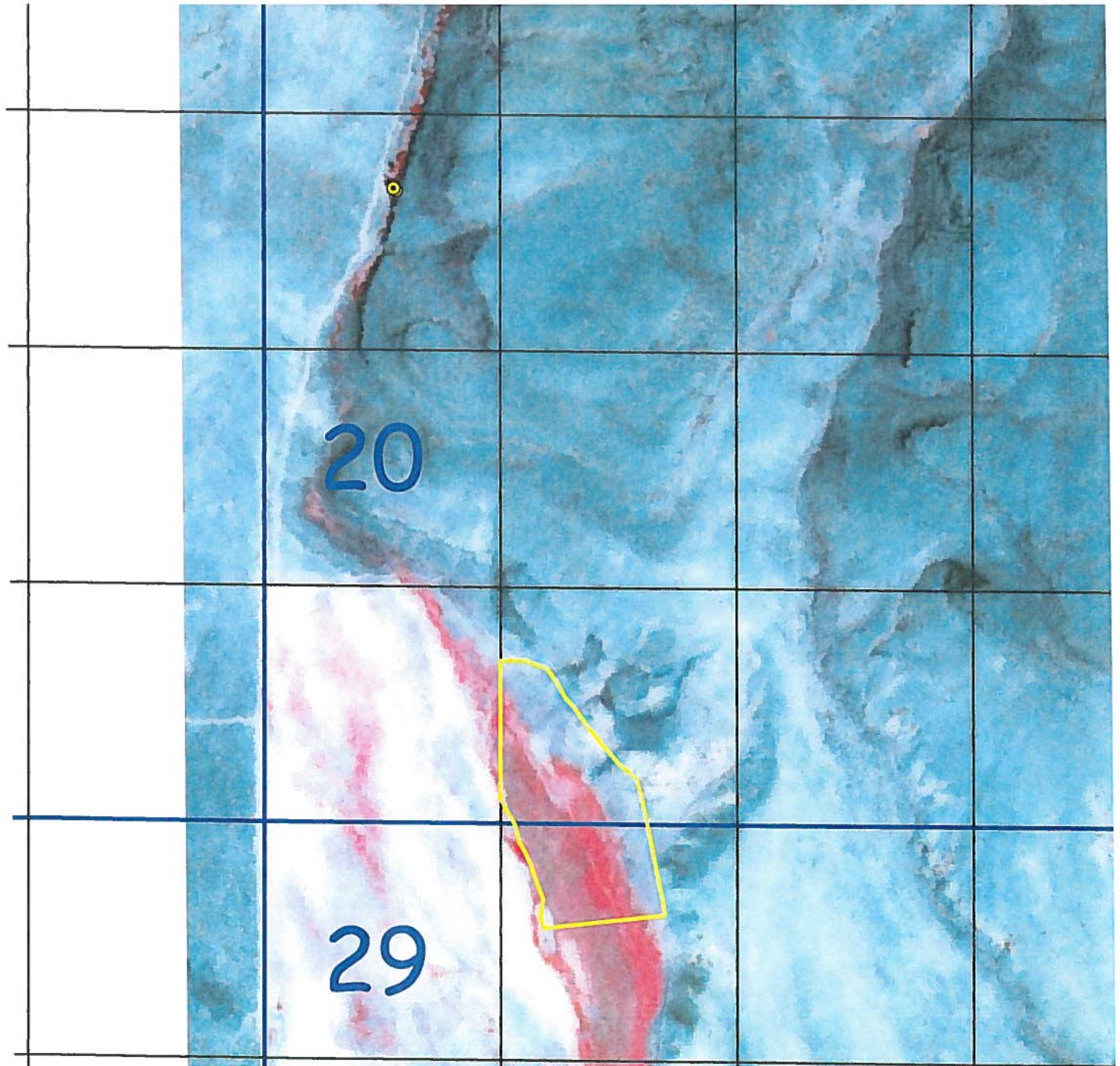
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

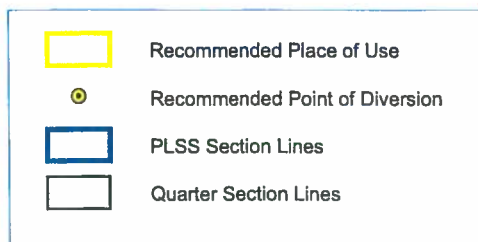
Idaho Department of Water Resources

Right(s): 47-2048

**Recommended Place of Use
TWP 16S RNG 16E S20, 29
Prepared October 18, 2006**

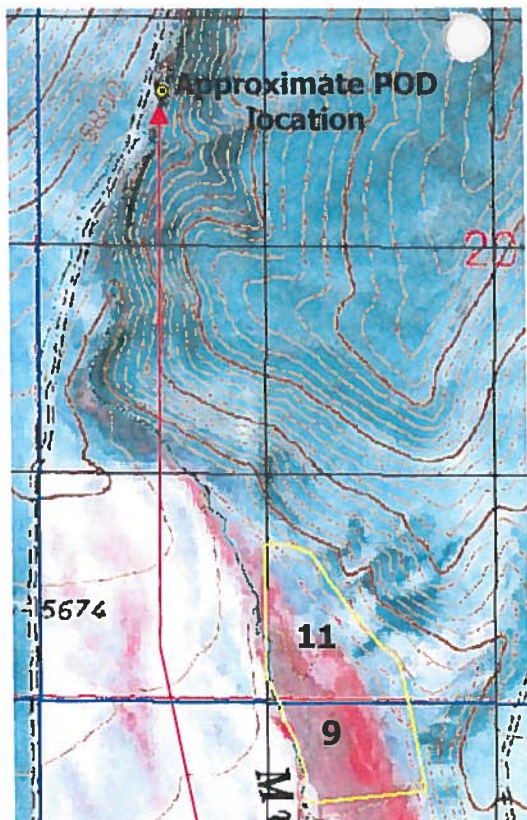


660 0 660 1320 Feet

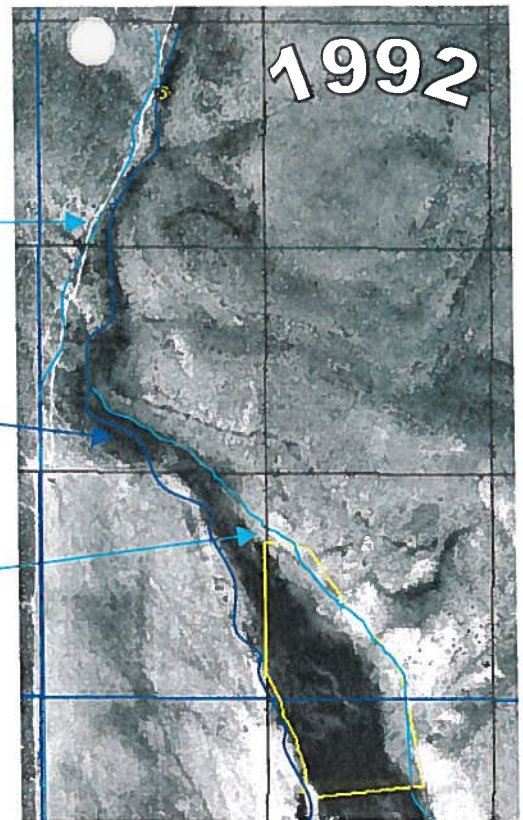


GIS Place of Use Presentation
1987 NAPP Aerial Photography

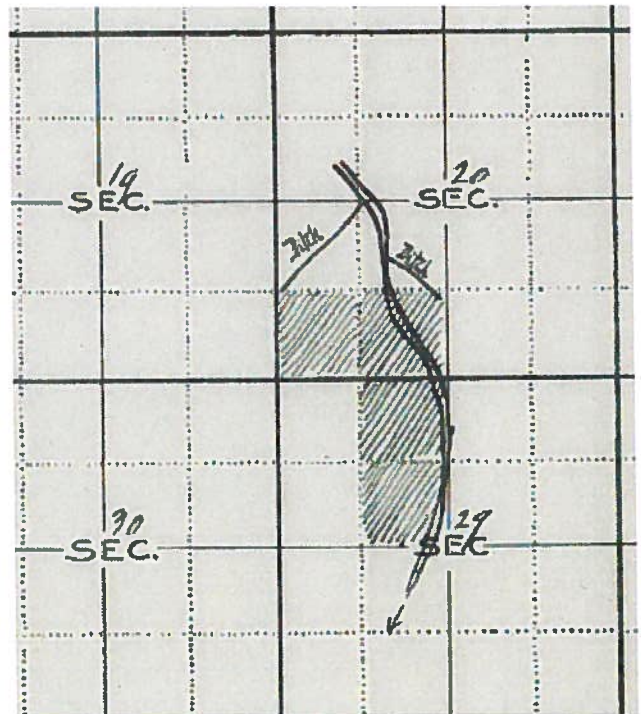
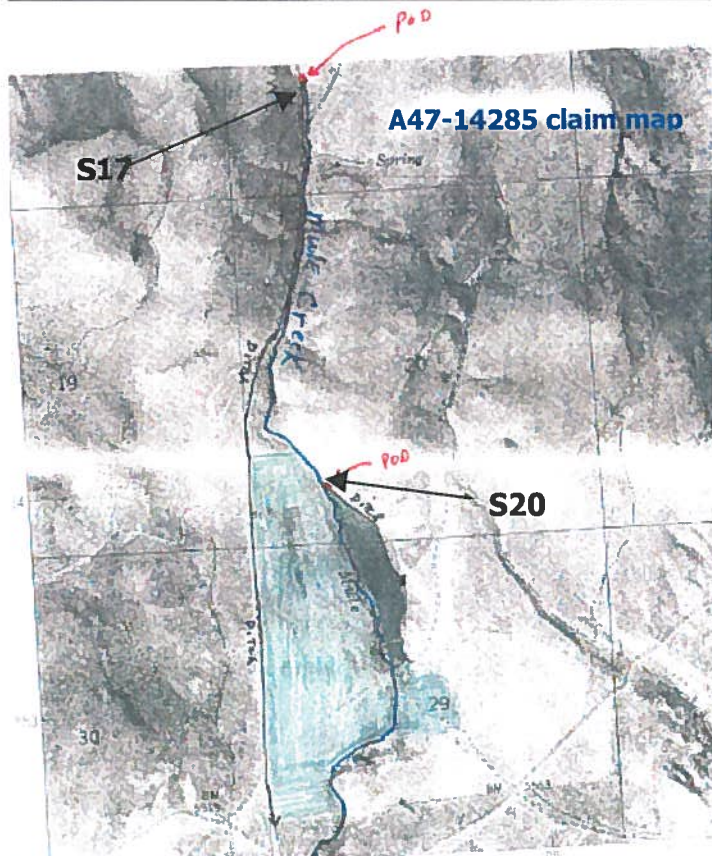
Prepared by Amanda Kriwox



47-2048



4. Location of point of diversion: 1 1/4 miles East 1/4 Cor. Sec. 19 - 24, T. 16 S.R. 15 -16 E.



Domestic use also licensed and claimed but no domestic use identified per 1976-2004 imagery on POU... however, domestic use appears to be located at SENW S29.

Domestic use will be recommended as Stockwater at 0.02 cfs

Licensing exam map pretty uninformative. No definite way, based on 1987-2004 imagery, to replicate the exact POU acre distribution...will recommend the same POU as 47-2118 as an accomplished change in place of use.

POD location..." 1/4 miles EAST 1/4 corner Sec 19-20..."
1 1/4 = approx. 1886.25 feet...ArcView measuring tool measuring SE hits Mule Creek but not an any place with a definite ditch coming off...POD will be digitized at approximate location based on licensed legal description.

AJ5809NP
No. A47-02048

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/12/01
PAGE: 44

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS LENO	01/27/1910	IRRIGATION	04-01 11-01	0.400 CFS	
C	DOROTHY LENO		DOMESTIC	01-01 12-31	0.040 CFS	
	RT1 BOX 62 4020 N 2600 E					
	FILER ID 83328			TOTAL DIVERSION:	0.400 CFS	
	(208) 733-1329			CONSUMPTIVE USE:		40.00 AFA

Water Source: MULE CREEK

Tributary to: SHOSHONE CREEK

Stage: LICENSE

Point(s) of Diversion:

T16S R16E S20

SWNW

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
16S	16E	20	:																	20.0
																			TOTAL ACRES	20.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: TWIN FALLS

Non-Irrigation Uses: 300 HEAD BEEF CATTLE, ONE DOMESTIC HOUSEHOLD

Other Rights: A47-07106, A47-07287, A47-14285

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
47-16295

Other Water Rights Listing Overlapping Place(s) of Use:
A47-02118 A47-07106 A47-07287 A47-14285

Remarks: GEN P/D INCOMPLETE. SEE FILE.
MAP ACCOMPANYING ENGINEERS REPORT ALSO SHOWS A P/D IN NESW S20,
T16S, R16E.

Dates: Exam Made Date: Verified Date: 04/08/1985 Objection Filed Date:

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

Audit: 01/12/89 GIBSON 08/17/89 WORSTELL 03/30/95 POST-STD

Twin Falls County
Hule Creek,
3 3/5 cubic feet per second
Irrigation and domestic
Priority 1/27/1910

S T A T E O F I D A H O

Water Licence No. 5706.

WHEREAS, On the 27th day of January, A.D. 1910, RHODA WALLACE SCOTT, of Twin Falls, County of Twin Falls, State of Idaho, duly made application (No. 8245) to me for a permit to use 3 cubic feet per second of the waters of Hule Creek, County of Twin Falls, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 1st day of February, A.D. 1910, Permit No. 5706 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 1st day of August, A.D. 1910, and for the application to beneficial use of said water on or before the 1st day of August, A.D. 1911, and,

WHEREAS, On the 1st day of August, A.D. 1910, RHODA WALLACE SCOTT, the holder of said permit duly made proof of the completion of adequate works for the diversion of 3 cubic feet per second of said waters, as evidenced by my Certificate No. 5706, dated September 2nd, 1910, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3 cubic feet per second of water, with date of priority of January 27th, 1910, and,

WHEREAS, On the 1st day of August, A.D. 1911, RHODA WALLACE SCOTT, the holder of said permit duly made proof of the application to beneficial use of 2/5 of one cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to RHODA WALLACE SCOTT, of Twin Falls, County of Twin Falls, State of Idaho, the holder and owner of said Permit No. 5706, a perpetual right, dating from January 27th, 1910, to the use of 2/5 of one cubic foot per second of the waters of Hule Creek, in the County of Twin Falls and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 1 1/2 miles East of quarter Corner of Section 19 - 20, Township 16 South, Range 15 - 16, East of the Boise Meridian, and conducted to and upon 20 acres in the Southeast quarter of the Southwest quarter (SE 1/4 SW 1/4), Section 20, Township 16 South, Range 16, East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 20th day of November, A.D. nineteen hundred and eleven.

17 2048

A. E. Robinson.

State Engineer.

(SEAL)

47-2048

No. 8245.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant : Rhoda Wallace Scott

Postoffice address: Twin Falls c/o Salmon Dam

County: Twin Falls State: Idaho

2. The quantity of water claimed is three (3) cubic feet per second.

3. Source of water supply: Mule Creek

County of Twin Falls

4. Location of point of diversion: $1\frac{1}{4}$ miles East $1/4$ Cor. Sec. 19 - 24, T. 16 S.R. 15 - 16 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: One hundred and sixty (160) acres

(b) In the following legal subdivisions: Unsurveyed. About $3\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 20, and E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 29, All in T. 16 S.R. 16 E.

6. Estimated cost of works: Two hundred dollars: (\$200.00)

7. Description of works for diversion:

I. Kind of works: Diversion dam and ditch

II. Dimensions of works:

(a) Height of dam 4 feet, length of dam at top 30 feet, length of dam at bottom 6 feet. Material used in construction: Earth, stone & wood.

(d) Conduit ditch, width at bottom 2 feet, width at water line $3\frac{1}{2}$ feet, depth of water $1/2$ foot. Average grade per mile is 12 feet. Length of conduit is $3/8$ mile and it crosses the following quarter sections: Unsurveyed, about $1\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 20, T. 16 S.R. 16 E., to land described in 5 1 (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is 6 months.

9. Time required for the complete application of the water to the proposed use is 1 additional year.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Rhoda Wallace Scott,

Applicant

Remarks: Mule Creek is a small spring - fed stream heading in south end of Lost Creek Mt.. Is in Shoshone Creek drainage, but sinks about $1/2$ mile south of state line or three miles before reaching Shoshone Creek.

Above filing is for entire spring flow of stream, which begins to diminish in July and almost disappears in August. The irrigation of the above described 160 acres is probably the only beneficial use to which this water can ever be put.

APPROVAL OF STATE ENGINEER.

The number of this permit is 5706.

Date of first receipt of application: 9 .00 a.m. January 27, 1910

Recorded in Book :17. Page 5706. Approved February 1, 1910.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before April 2, 1910, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before May 1, 1910.

The whole of said work to be completed on or before August 1, 1910.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to August 1, 1911

Witness my hand this first day of February, 1910.

Jas. Stephenson, Jr
State Engineer

Blank notice for proof of completion mailed applicant May 1, 1910
Notice received May 31, 1910, fixing August 1, 1910 as date and Rock Creek, as place of proof.
Publication notice mailed Twin Falls Times, June 28, 1910.
Deposition blanks mailed Lawrence Hansen, June 28, 1910
Jas. McMillan authorized June 28, 1910, to make examination of works.
Depositions, affidavit of publication and fees received August 4, 1910
Water Commissioner's report received August 19, 1910.
Certificate issued September 2, 1910.

Permit No. 5706

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that RHODA WALLACE SCOTT, of Twin Falls, County of Twin Falls, and State of Idaho, the holder of Permit No. 5706, issued upon Application No. 8245, bearing date of priority of January 27, 1910, authorizing the diversion of 3 second feet of the waters of MULE CREEK, County of Twin Falls, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3 second feet of the waters of MULE CREEK, that the point of diversion of said waters is at a point $1\frac{1}{2}$ mile East of $1/4$ corner of sections 19, 24, township 16 South of Ranges 15, 16, East of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: (Unsurveyed) About the South half of southwest quarter ($S\frac{1}{2}$ $SW\frac{1}{4}$) Section 20, and East half of Northwest quarter ($E\frac{1}{2}$ $NW\frac{1}{4}$) of section 29, all in Township 16 South of Range 16 East of the Boise Meridian.

Witness my hand this second day of September, A.D. 1910.

D.G. Martin

State Engineer of the State of Idaho

License Issued for 4 1/2 second feet
Page 1000

Report of Engineer

1. State name of applicant and number of permit: Rhoda Wallace Scott-Permit 5706
2. State source of water supply: Mule creek
3. Location of point of diversion: 1 1/4 mi. E. of 1/4 cor. Sec. 19-24,
Tp. 16 S., R. 16 EBM
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: fully completed
5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 2 1/2'
 - (b) Width at water line: 4'
 - (c) Depth of water: 1 1/4'
 - (d) Grade per mile: 15'
6. State whether or not water has been turned into works of diversion and if so, to what extent: full
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: S25 NW 1/4 Sec 20: E2 NW 1/4 Sec 29: T.16 S. R.16 E BM.
20 acres under cultivation SE 1/4 NW 1/4 Sec 20 T.16 S. R.16 E BM.
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: _____

Harold Mackin
Water Commissioner

STATE OF IDAHO,

County of _____

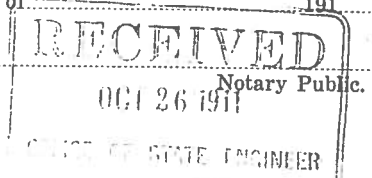
} ss.

5706

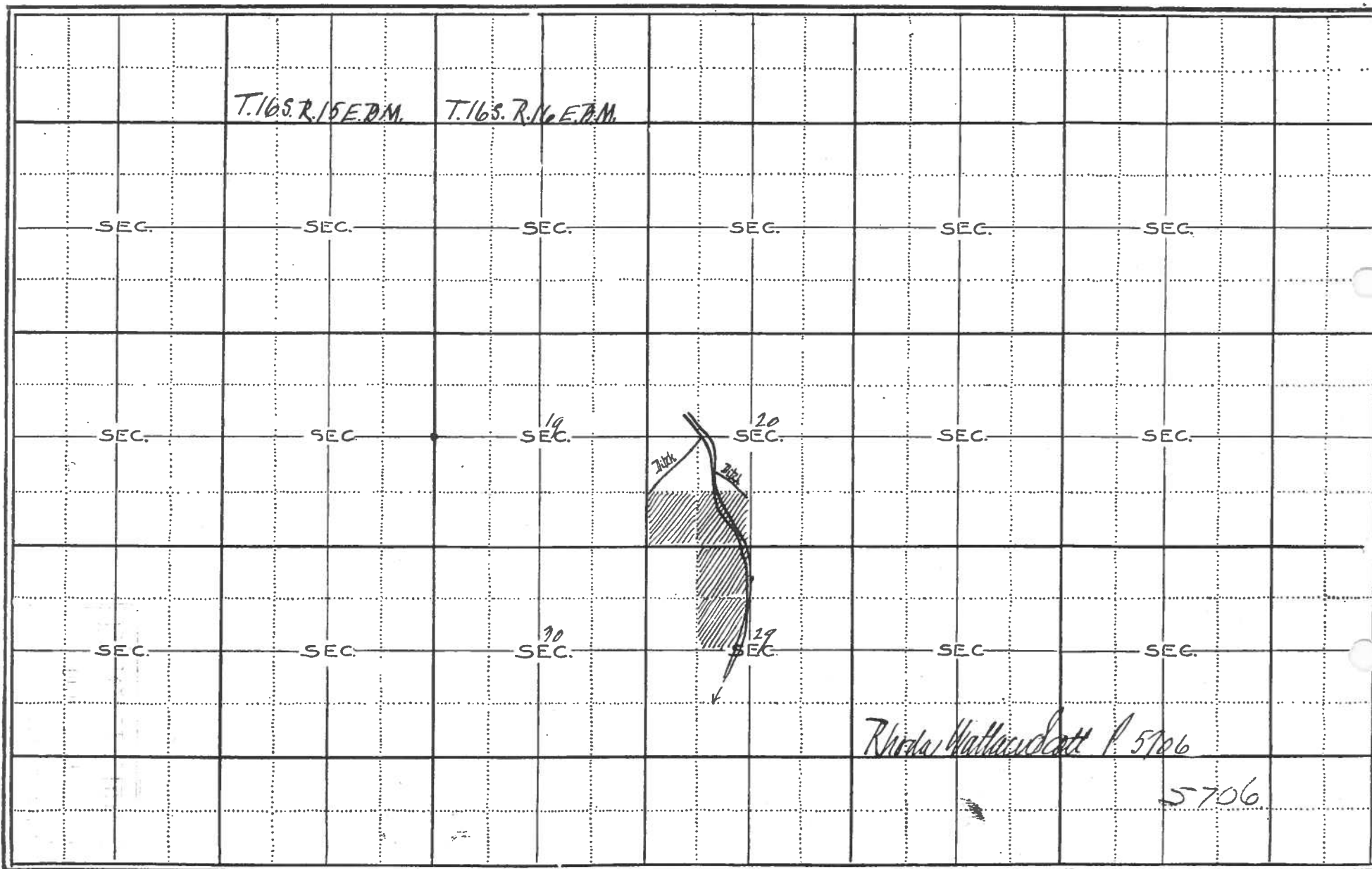
_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 1911

My Commission Expires _____



Name of Applicant



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

Printed and for sale by the Statesman Shop, Boise, Idaho.