

10/25/2005

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31600

NAME AND ADDRESS: ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
ARLEN A DE MEYER JR PERSONAL REPRESENTATIVE
MAYFIELD STAGE HC 34
BOISE ID 83716

SOURCE: SPRING
UNNAMED STREAM

TRIBUTARY: POLE GULCH CREEK
TRIBUTARY: BLACKS CREEK

QUANTITY: 0.020 CFS

The quantity of water under this right for stockwater use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 04/01/1945

POINT OF DIVERSION:

T02N R04E S22 NENW Within ELMORE County
T02N R04E S22 NWNW Within ELMORE County
T02N R04E S22 SWNW Within ELMORE County
T02N R04E S22 SENW Within ELMORE County
T02N R04E S22 NESW Within ELMORE County
T02N R04E S22 NWSW Within ELMORE County
T02N R04E S26 NENW Begin of Stream Flow Within ELMORE County
T02N R04E S26 SWNW End of Stream Flow Within ELMORE County
T02N R04E S26 SENW Begin of Stream Flow Within ELMORE County
T02N R04E S26 NESW Begin of Stream Flow Within ELMORE County
T02N R04E S26 NWSW End of Stream Flow Within ELMORE County
T02N R04E S26 NWSW End of Stream Flow Within ELMORE County
T02N R04E S27 NENE Begin of Stream Flow Within ELMORE County
T02N R04E S27 SENE End of Stream Flow Within ELMORE County
T02N R04E S27 SENE End of Stream Flow Within ELMORE County
T02N R04E S27 SESE End of Stream Flow Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 08/01	0.020 CFS

PLACE OF USE: STOCKWATER Within ELMORE County

T02N R04E S22	NENW	T02N R04E S22	NWNW
T02N R04E S22	SWNW	T02N R04E S22	SENW
T02N R04E S22	NESW	T02N R04E S22	NWSW
T02N R04E S26	NENW	T02N R04E S26	NWNW
T02N R04E S26	SENW	T02N R04E S26	NESW
T02N R04E S26	NWSW	T02N R04E S27	SENE
T02N R04E S27	NESE		

10/25/2005

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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 - Beneficial Use

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Stockwater use is for mixed stock: up to 30 head of range cattle and/or horses.

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 63-31600
Date Received: 12/20/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
ARLEN A DE MEYER JR PERSONAL REPRESENTATIVE
MAYFIELD STAGE HC 34
BOISE ID USA 83716

Phone: (208) 343-9894

2. Date of Priority: 04/01/1945

3. Source: GROUND WATER Trib. to:
 SPRING POLE GULCH CREEK
 UNNAMED STREAM BLACKS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
02N	04E	22	NW	NE	SW	ELMORE	
02N	04E	22		NE	NW	ELMORE	
02N	04E	22		NW	SW	ELMORE	
02N	04E	26		NW	NW	ELMORE	
02N	04E	26		NE	NW	ELMORE	
02N	04E	27		SE	NE	ELMORE	
02N	04E	26		NW	SW	ELMORE	
02N	04E	26		NE	SW	ELMORE	
02N	04E	26		SE	NW	ELMORE	
02N	04E	27		NE	SE	ELMORE	
02N	04E	22		SW	NW	ELMORE	
02N	04E	22		SE	NW	ELMORE	

02N 04E 22 NW NW ELMORE

5. Description of diverting works:

Instream use

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	04/01	08/01	0.02	

7. Total Quantity Appropriated is:

0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: Stockwater, 30 Cattle and/or horses

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	04E	22	NE	SW	STOCKWATER	
			NW	NW	STOCKWATER	
			NE	NW	STOCKWATER	
			SW	NW	STOCKWATER	
			SE	NW	STOCKWATER	
			NW	SW	STOCKWATER	
02N	04E	26	NW	NW	STOCKWATER	
			NE	NW	STOCKWATER	
			NW	SW	STOCKWATER	
			NE	SW	STOCKWATER	
			SE	NW	STOCKWATER	
02N	04E	27	SE	NE	STOCKWATER	
			NE	SE	STOCKWATER	

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:

14. Remarks:

See attached map for PODs and POUs.

15. Basis of Claim: Beneficial Use

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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF
RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER
SYSTEM

Identification No. 63-31600
Date Received 12/20/02
Receipt Number W029936

RECEIVED

DEC 20 2002

WATER RESOURCES
WESTERN REGION

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.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant(s) Estate of Margarette Elizabeth Odom DeMeyer, by Arlen A. DeMeyer, Jr., Personal Representative
Phone (208) 343-9894

Mailing Address c/o Mayfield Stage HC34, Boise, Idaho Zip 83716

2. Date of Priority (Only one per claim) 04/01/1945 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other (X) (a) spring/stream in Pole Gulch; Black's Creek,
unnamed gulch south of Black's Creek

which is tributary to (b) Boise River

4. Location of point of diversion is: Township 2N Range 4E

Section 22, NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____, BM.,

County of Elmore

Additional points of diversion if any: instream: Pole Gulch in T2N, R4E, Sec. 22, NW1/4, and NW1/4 of SW1/4;

Black's Creek, T2N R4E, Sec. 26 N1/2 of NW1/4, Sec 27 SE1/4 of NE1/4; unnamed gulch, T2N, R4E, Sec. 26 N1/2 of
SW1/4, SE1/4 of NW1/4, Sec. 27, NE1/4 of SE1/4

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. none—instream use

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For stock water purposes from April 1 to August 1 amount 0.02 (cfs)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.02 (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) 30 cattle and/or horses

10. Place of use is: Township 2N Range 4E

Section 22, NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____, BM.,

County of Elmore for **STOCK**

Additional places of use, if any instream: Pole Gulch in T2N, R4E, Sec. 22, NW1/4, and NW1/4 of SW1/4; Black's Creek, T2N R4E, Sec. 26 N1/2 of NW1/4, Sec 27 SE1/4 of NE1/4; unnamed gulch, T2N, R4E, Sec. 26 N1/2 of SW1/4, SE1/4 of NW1/4. Sec. 27. NE1/4 of SE1/4

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. _____

14. Remarks: See attached map for location of points of diversion and use

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

Court	Decree Date	Plaintiff vs. Defendant
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If applicable provide IDWR Water Right Number N/A

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 1

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

Signature of Claimant(s) Allen A. DeMeyer, Jr. Date 12/19/02
Personal Representative of the Estate of Margarette
Elizabeth Odom DeMeyer

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

Title _____
of _____, that I have signed the foregoing

Organization _____
document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title of Organization _____

State of Idaho)
_____) _____

STATE) ss.

County of Alameda) ss. Alameda

Subscribed and sworn (or affirmed) before me this 4th day of December, 2012

NOTARY

SEAL Notary Public [Signature]

Residing at Melrose

My Commission Expires 12-24-2014

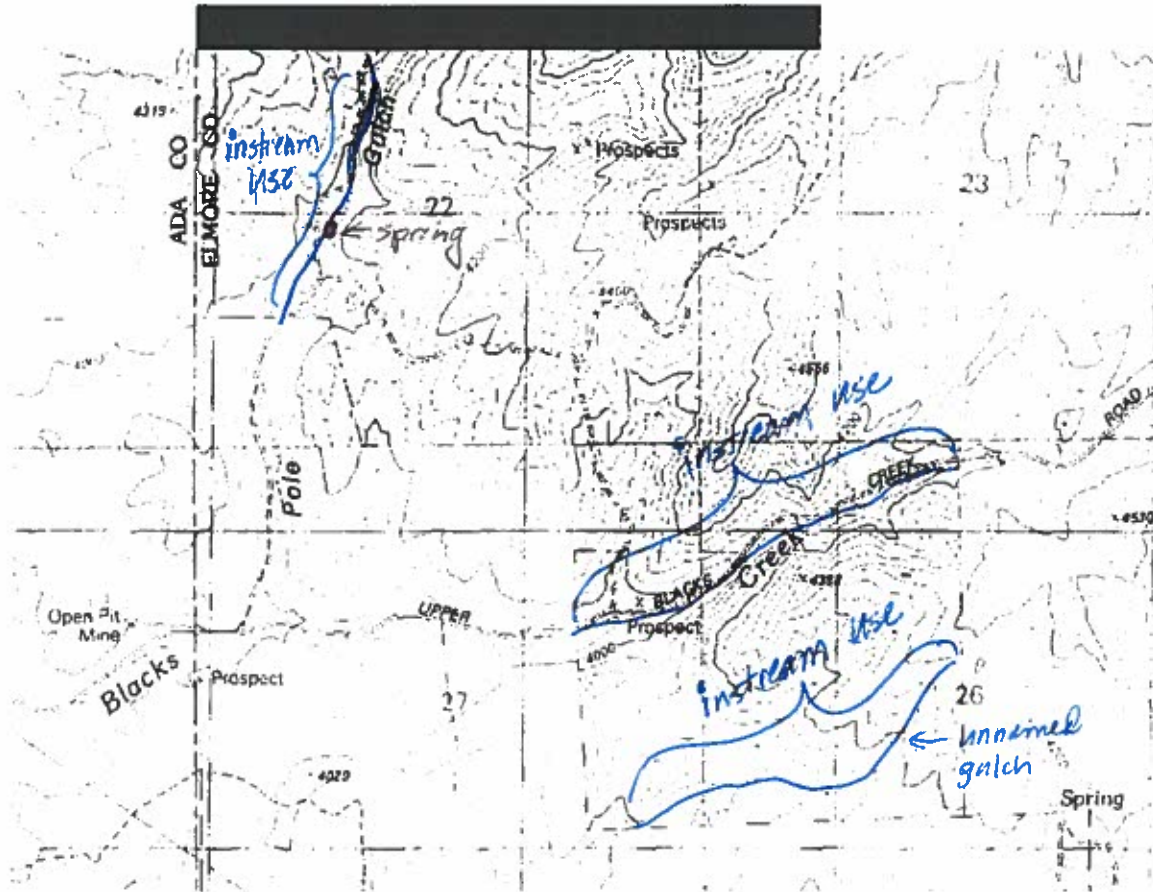
Last Name _____ Ident. No. _____

STATE OF IDAHO

[39657-000175L0-5-2021] -2-

Topographical Map Smith / Johnson Ranch

ATTACHMENT



**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31600**

04/13/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
31600	Claim	02N	04E	22	NE	NW		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
31600	Claim	02N	04E	22	NW	NW		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
31600	Claim	02N	04E	22	SW	NW		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
31600	Claim	02N	04E	22	SE	NW		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
31600	Claim	02N	04E	22	NE	SW		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
31600	Claim	02N	04E	22	NW	SW		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
31600	Claim	02N	04E	26	NE	NW		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
31600	Claim	02N	04E	26	NW	NW		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
31600	Claim	02N	04E	26	SE	NW		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
31600	Claim	02N	04E	26	NE	SW		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
31600	Claim	02N	04E	26	NW	SW		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
31600	Claim	02N	04E	27	SE	NE		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER
31600	Claim	02N	04E	27	NE	SE		STOCKWATER		ESTATE OF MARGARETTE ELIZABETH ODOM DE MEYER