

RECEIVED

MAR 11 2003

Fee: \$50.00

Department of Water Resources

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 37-177K
Date Received: 3/4/2003
Receipt No: C067842
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

~~STATE~~ ERNEST A BRYANT III

Phone: (208)886-2731

PO BOX 669
SHOSHONE ID USA 83352

2. Date of Priority: 04/01/1883

3. Source: LITTLE WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	17E	34	SE SE	LINCOLN	
05S	17E	34	NW SE	LINCOLN	

5. Description of diverting works:

HARRIS 69-P9 PUMP, STUTZ 69-P10 PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.16	

7. Total Quantity Appropriated is:
0.16 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05S	17E	34	NW SE	IRRIGATION	10.5
			SE SW	IRRIGATION	9

SW	SW	IRRIGATION	4.8
NW	SW	IRRIGATION	2
NE	SW	IRRIGATION	25
SW	NE	IRRIGATION	5

Section Acres 56.3

Total Acres 56.3

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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): Ernest & Bryant by Fred Brassy P.A. Date: 3/10/03

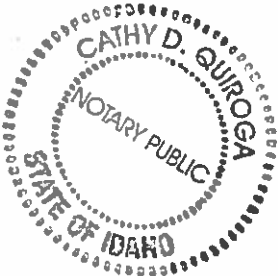
_____ Date:

State of Idaho)
County of Lincoln) SS.

Subscribed and sworn (or affirmed) before me this 10
of March 2003

Cathy D. Quiroga
Notary Public

Residing at Shoshone, Idaho
My commission Expires 9-26-06



BRYANT RANCHES
ERNEST A. BRYANT III
P. O. BOX 669
SHOSHONE, IDAHO 83352

KNOW ALL PERSONS BY THESE PRESENTS:

That the undersigned does hereby make, constitute and appoint Frederic A. Brossy III, of Shoshone, Lincoln County, Idaho the true and lawful attorney for and in the name, place and stead of the undersigned in the adjudication of all his claims to waters of the Snake River or its tributaries.

The undersigned gives and grants unto said attorney full authority and power to do and perform all and every act and thing whatsoever requisite and advisable to be done in order to complete this adjudication process.

This power of attorney shall remain in full force and effect until revoked by the undersigned.

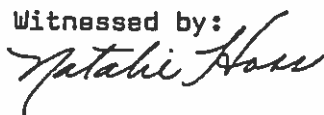
This power of attorney set forth above is signed and dated at Shoshone, Lincoln County, Idaho this 7th day of July 1988.

Signed by:



Ernest A. Bryant III

Witnessed by:



MICROFILMED
FEB 22 1993

03/17/2005

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

RIGHT NUMBER: 37-177K
NAME AND ADDRESS: LENNIE L UHRIG
PO BOX 732
SHOSHONE ID 83352

JOHN T UHRIG
PO BOX 732
SHOSHONE ID 83352

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.160 CFS
PRIORITY DATE: 04/01/1883
POINT OF DIVERSION:
T05S R17E S34 NWSESE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.160 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R17E S34	NESE	0.2	T05S R17E S34	NWSE	7.8
---------------	------	-----	---------------	------	-----

8 ACRES TOTAL

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.

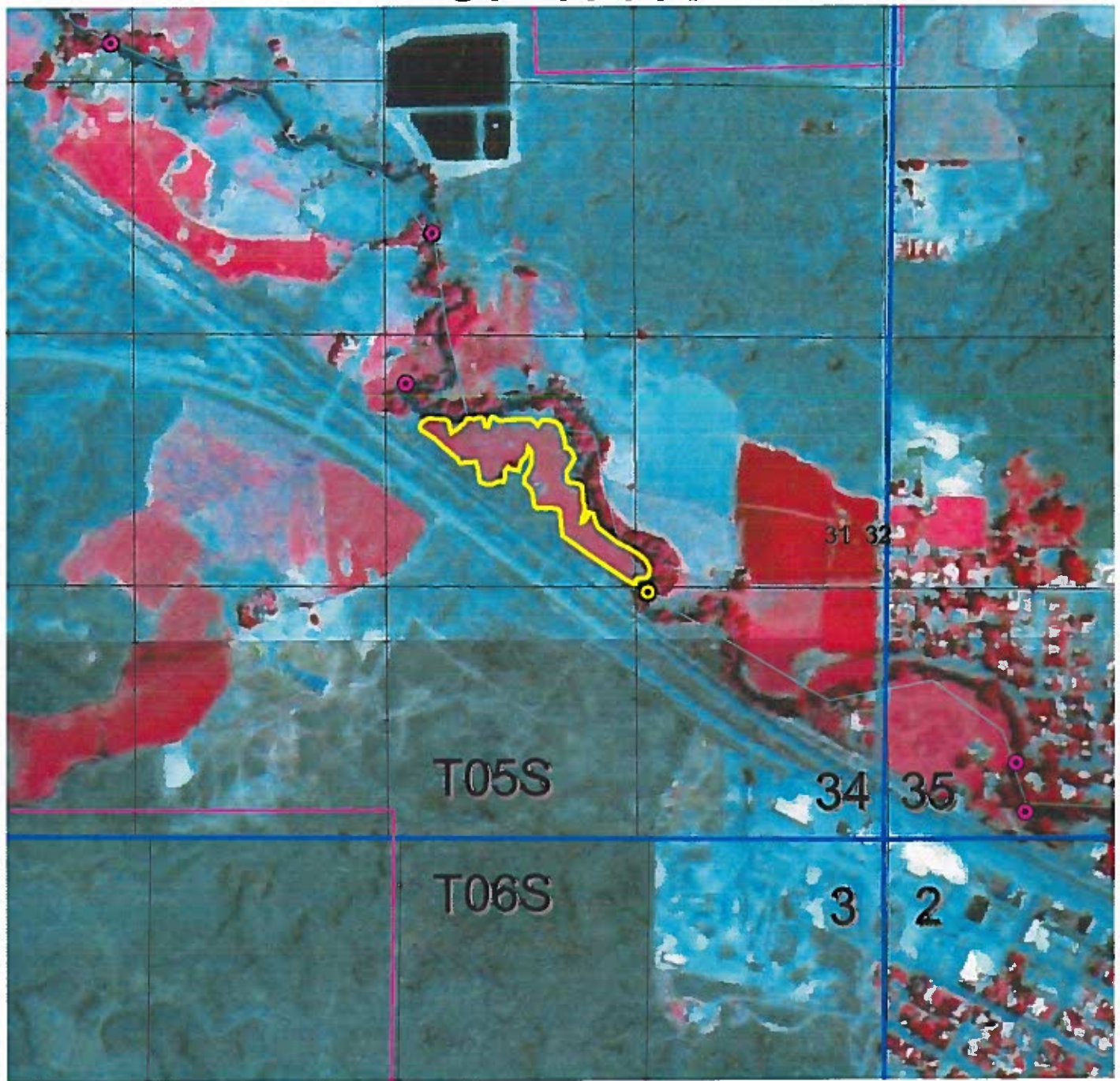
EXPLANATORY MATERIAL: Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS
RESERVOIR DIST. NO. 2.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL
CO.

IDAHO DEPT OF WATER RESOURCES

37-177K



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 5S
RNG: 17E
SEC. 34



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: MARCH 17, 2005

Clelland, Steve

From: Fawcett, Trish
Sent: Monday, October 25, 2004 9:05 AM
To: Clelland, Steve
Subject: 37-177J & -177K

Good morning Steve!

I sure enjoyed visiting with you last week. Are you ready to get back to the grind? I don't think I am.....

Looks like last Friday Corey took an owner change for a portion of 37-177K. According to research completed by him, it appears transfer 2861 made this right appurtenant to only the property the new owners bought (tax lot 2), but when Bryant filed the claims he combined it with J. Now we have an owner change that will require either splitting the right or amending it based on the approved transfer. I have the warranty deed and a copy of the Agreement for Purchase and Sale that outlines how many inches of water the buyers are to get. So after all that, I think it would be better to send this one to you and let you sort it all out rather than have me jump into the mix. I guess I'm just giving you fair warning it's on its way. Gee, welcome back..... I'll put it in today's mail. Hope the rest of week improves. Later.....

Trish

03/17/2003

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

RIGHT NUMBER: 37-177K

NAME AND ADDRESS: ERNEST A BRYANT III
PO BOX 669
SHOSHONE ID 83352

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.160 CFS

PRIORITY DATE: 04/01/1883

POINT OF DIVERSION:

T05S R17E S34 NWSESE Within LINCOLN County Source: LITTLE WOOD RIVER

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.160 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R17E S34	NESW	22.0	T05S R17E S34	NWSW	2.4
T05S R17E S34	SWSW	5.1	T05S R17E S34	SESW	9.7
T05S R17E S34	NESE	0.2	T05S R17E S34	NWSE	8.2

47.6 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-177J IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 47.6 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

8 acres listed
in WR record

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: Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM AMERICAN FALLS RESERVOIR DIST. NO. 2.

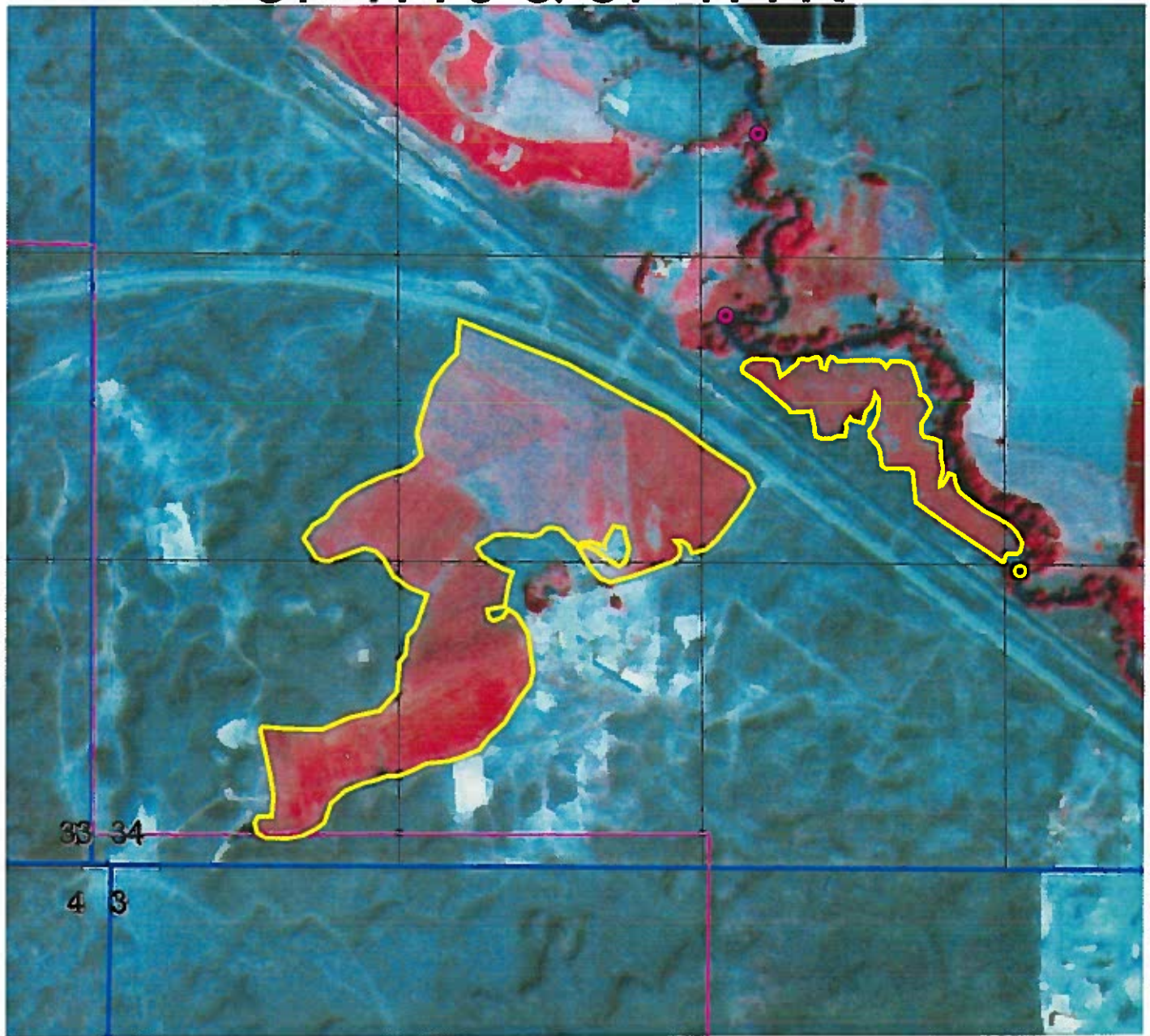
USE OF THIS RIGHT IS COMBINED WITH WATER FROM BIG WOOD CANAL CO.

Water Right 37-177K

Revised:
3/17/05
511
split pole from 1775
Call to Albing about current
mailing address - he confirmed
the PO Box is correct. Grid
address was his but not where he gets
his mail.
1

IDAHO DEPT OF WATER RESOURCES

37-177J & 37-177K



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 5S
RNG: 17E
SEC: 34



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: MARCH 17, 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-177K

WATER RIGHT NUMBER: 37-177K

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CHARLES DILL
	, ID
Current Owner	O J HARRIS
	PO BOX 6
	SHOSHONE, ID 83352

Priority Date: 04/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	to 11/01	0.160 CFS	
	<u>Total Diversion:</u>			0.160 CFS

Location of Point(s) of Diversion

LITTLE WOOD RIVER	SE1/4SE1/4	Sec. 34, Twp 05S, Rge 17E, B.M.
LINCOLN County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	17E	34													1.0	8.0	1.0		10.0

Total Acres: 10

Conditions of Approval:

1. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

1. General TRANS. 723, 2861.
AC. IRRIG. = 8.3.
P/U IS SOUTH OF LITTLE WOOD R.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-177K

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37M
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

COMMUNICATION DOCUMENTATION

GOODING

MARCH 4, 2003

**ERNESTATE A BRYANT III
PO BOX 669
SHOSHONE ID 83352**

RE: SPLIT CLAIMS 37-177 J-K-L

Dear Fred,

Your claim 37-177J has been split into 37-177J -177K & 37-177L to better describe the water rights as you requested. Please refer to these numbers in future correspondence regarding this right. Please review and then sign the two enclosed claims, have them notarized and return them to me with the total fees due of \$100.00. I will soon be contacting you to arrange a field exam time to review these rights.

If you have further questions on this water right then please feel free to call me at our office.

Sincerely,

**STEVE CLELLAND
Sr. Water Resource Agent**

ENC: