

COPY

2021 JUN 18 PM 1:42

FILED
JUN 18 2021
TWIN FALLS, IDAHO

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

In Re SRBA

)

SUBCASE NO. 37-10803, 37-10805

)

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

)

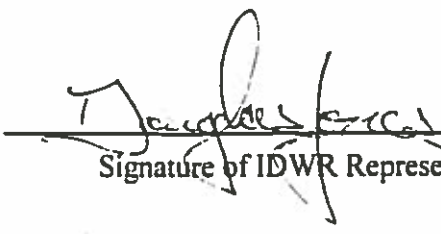
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

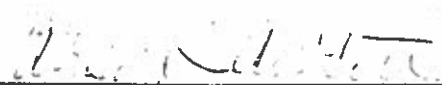
Dated: 1/17/21


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1/18, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Duane Cutright
PO Box 501
Bliss ID 83314
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Marty Bennett
Ami Bennett
2407B E 1300 S
Gooding ID 83330
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

01/17/2001

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

RIGHT NUMBER: 37-10803

NAME AND ADDRESS: AMI BENNETT
MARTY L BENNETT
2407B E 1300 S
GOODING, ID 83330

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 03/01/1982

POINT OF DIVERSION: T05S R16E S7 NWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.04 CFS
DOMESTIC	1-01 12-31	0.04 CFS

PLACE OF USE:

STOCKWATER Within GOODING County
T05S R16E S7 NWNW
DOMESTIC Within GOODING County
T05S R16E S7 NWNW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO. RP05S16E070600A STOCKWATER, 100 BEEF CATTLE, 4
GOATS, 4 HORSES

01/17/2001

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

RIGHT NUMBER: 37-10805

NAME AND ADDRESS: AMI BENNETT
MARTY L BENNETT
2407B E 1300 S
GOODING, ID 83330

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1940

POINT OF DIVERSION: T05S R16E S7 NWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1-01 12-31	0.02 CFS
DOMESTIC	1-01 12-31	0.04 CFS

PLACE OF USE:

STOCKWATER Within GOODING County
T05S R16E S7 NWNW
DOMESTIC Within GOODING County
T05S R16E S7 NWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

PARCEL NO. RP05S16E070600A



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

January 18, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARTY BENNETT
AMI BENNETT
2407B E 1300 S
GOODING ID 83330

RE: SRBA Claim(s) 37-10803, 37-10805

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Duane Cutright

JAN 03 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-10803</u>	<u>37-10803</u>	☐	_____	_____	☐
<u>37-10805</u>	<u>37-10805</u>	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐

2. The following REQUIRED information must be submitted with this form:

- A. The appropriate FILING FEE. See instructions for fee amounts.
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, WITH ATTACHED LEGAL DESCRIPTION.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
 OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Duane E. Cutright
454 River Rd PO Box 501 Bliss, ID 83314
4. New Owner/Claimant(s) Marty Bennett and Ami Bennett
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 247 B East 1300 South
- City, State and ZIP Code Gooding, ID 83330
- New Telephone Number 208 934-9153
5. Date you acquired the property December 31, 1998

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received

Duane E. Cutright And Carol V. Cutright, HUSBAND AND WIFE.

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto
Marty L. Bennett, A SINGLE MAN.

the grantee(s), whose current address is

~~U.O. BOX 262, GOODING, ID 83330~~ *pls*

2407 B. East 1300 South, Gooding, ID 83330

the following described premises, to-wit:

See Attached Exhibit "A"

TOGETHER WITH:

138 Shares Big Wood Canal Co. Water

62 Acres American Falls Reservoir District Water

Idaho Department of Water Resources License #'s A37-04303/A37-04302

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: December 30, 1998

Duane E. Cutright
DUANE E. CUTRIGHT

Carol V. Cutright
CAROL V. CUTRIGHT

STATE OF IDAHO

: ss

COUNTY OF GOODING

On This 31st, of DECEMBER in the year 1998, before me, a Notary Public in and for said State, personally appeared Duane E. Cutright And Carol V. Cutright, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Dranna M. Keyes
Notary Public of Idaho
Residing at WENDELL, Idaho
Commission Expires: 03/22/02

178574

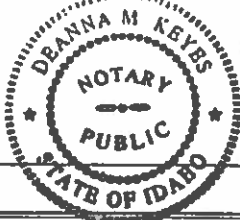
STATE OF IDAHO COUNTY OF GOODING

Filed for record at the GOODING TITLE & ESCROW

43 min. past 3 o'clock P.m. this 31st

December, 1998 9.00

Permy Archibald Deputy



TITLE & ESCROW
COMPANIES

EXHIBIT A

G980524

Township 5 South, Range 16, East of the Boise Meridian, Gooding County, Idaho

Section 7: Government Lots 1 and 2, the East one-half of the Northwest Quarter and the West one-half of the Northeast Quarter

TOGETHER WITH a 30 foot easement described as follows:

COMMENCING at the Northwest corner of said Section 7;
Thence South 89°40'48" East 304.56 feet along the North section line of said Section 7 to the
POINT OF BEGINNING;
Thence South 89°40'48" East 30.00 feet along said line to a point;
Thence South 16°52'17" East 287.14 feet to a point;
Thence North 89°40'48" West 30.00 feet to a point;
Thence North 16°52'17" West 287.14 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM a strip of land 25 feet wide on the Southerly side of the following described centerline of road as surveyed and shown on the official plat of the Big Wood River S-246(1) Road Survey on file in the Office of the Department of Public Works of the State of Idaho lying over and across the North one-half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of said Section 7, said centerline described as follows:

BEGINNING at Station 214+50 of the said Road Survey, which station is a point on tangent approximately coincident with the Northwest corner of said Section 7;
Thence running South 89°51'30" East 1,190.8 feet to Station 226+40.8 of said Survey, which station is an angle point of angle 0°06' right;
Thence South 89°45'30" East on tangent 2,742.2 feet to Station 253+83, which station is a point on tangent approximately 1,334.4 feet East from the North quarter corner of said Section 7.

ALSO EXCEPTING THEREFROM a parcel of land located in Government Lots 1 and 2, of said Section 7, more particularly described as follows:

COMMENCING at the Northwest corner of Section 7 which is the TRUE POINT OF BEGINNING;
Thence South 89°40'48" East, 198.77 feet along the North Section line of Section 7 to a point on said line;

Thence South 31°48'00" East, 348.81 feet to a point in the center line of Thorn Creek;
Thence Southwesterly on a 500 foot radius arc 215.95 feet to the left, long chord bearing
South 13°23'30" West, 214.22 feet to a point in the center line of Thorn Creek;
Thence Southwesterly on a 300 foot radius arc 116.91 feet to the right, long chord bearing
South 13°24'39" West, 116.17 feet to a point in the center line of Thorn Creek;
Thence Southwesterly on a 420 foot radius arc 336.16 feet to the right, long chord bearing
South 38°46'11" East, 327.26 feet to a point on a bridge;
Thence South 15°31'23" East, 370.67 feet to a point on the center line of the Big Wood River;
Thence South 35°56'00" West, 581.47 feet to a point on the center line of the Big Wood
River;
Thence South 54°02'25" West, 332.21 feet to a point on the West section line of Section 7;
Thence North 0°00'00" West, 1897.20 feet along the West section line to the TRUE POINT
OF BEGINNING.

SUBJECT TO a 25 foot road right-of-way on the North boundary.

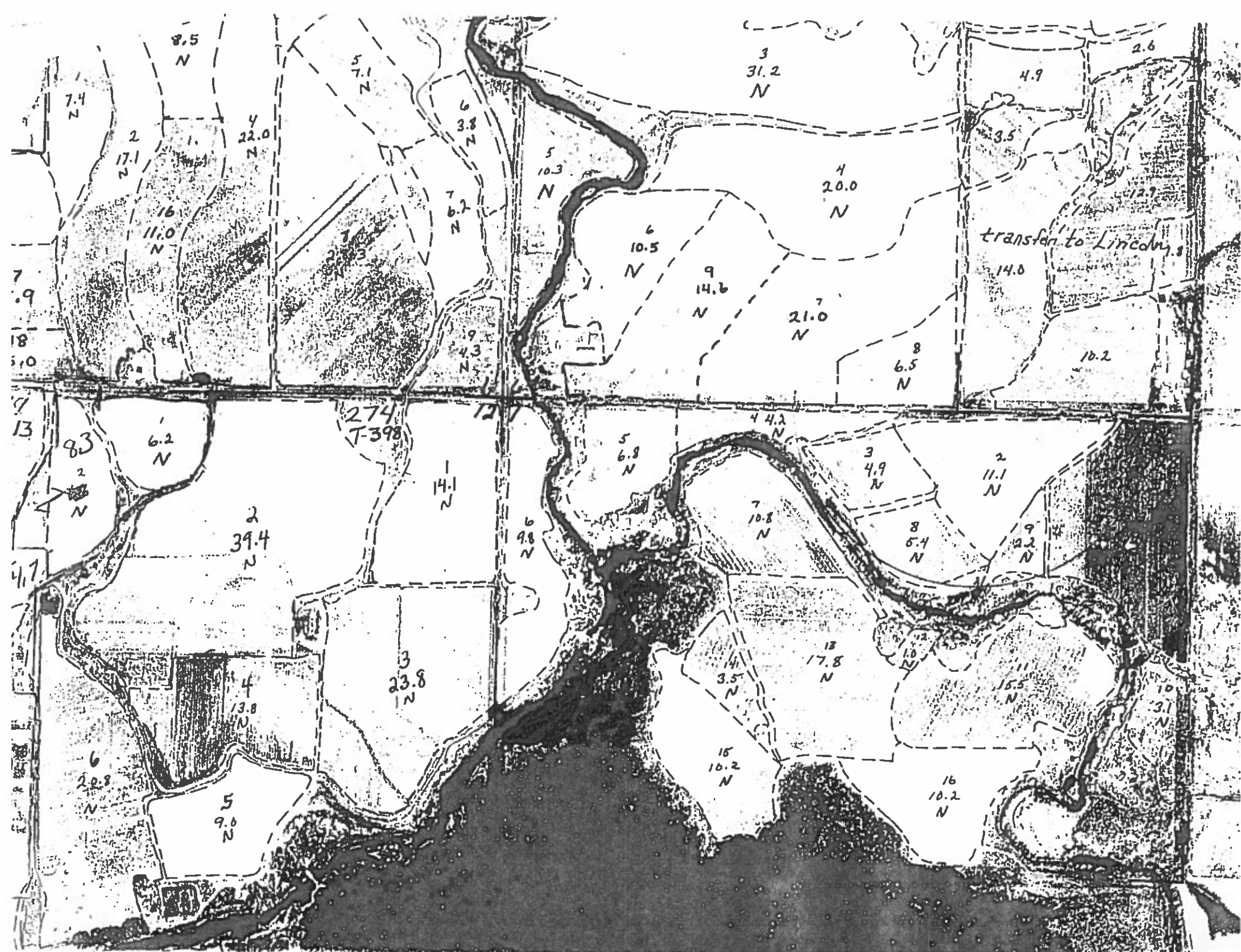
ALSO EXCEPTING THEREFROM a parcel of land located in Government Lot 1 of said
Section 7, more particularly described as follows:

COMMENCING at the Northwest corner of said Section 7;
Thence South 89°40'48" East 198.77 feet along the North section line of said Section 7 to the
TRUE POINT OF BEGINNING;
Thence South 89°40'48" East 400.79 feet along the said section line to a point on said line;
Thence South 0°00'00" East 275.00 feet to a point;
Thence North 89°40'48" West 232.40 feet to a point on the center line of a canal;
Thence North 31°45'00" West 322.48 feet along the canal center line to the TRUE POINT
OF BEGINNING.

SUBJECT TO a 25 foot road right of way along the North boundary.

ALSO SUBJECT TO a 30 foot easement described as follows:

COMMENCING at the Northwest corner of said Section 7;
Thence South 89°40'48" East 304.56 feet along the North section line of said Section 7 to the
POINT OF BEGINNING;
Thence South 89°40'48" East 30.00 feet along said line to a point;
Thence South 16°52'17" East 287.14 feet to a point;
Thence North 89°40'48" West 30.00 feet to a point;
Thence North 16°52'17" West 287.14 feet to the POINT OF BEGINNING.



COPY

1999 JUN 14 PM 3:12

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA

Case No. 39576

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
)
)

) SUBCASE NO. 37-10803, 37-10804,
37-10805

IDWR has completed the following Administrative proceeding: CHANGE OF ADDRESS

Name and New Address of Claimant:

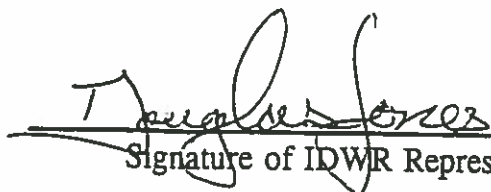
Duane E Cutright
454 River Rd
Bliss ID 83314
Phone:

The Claimant has filed Objections or Responses to the following water rights: None

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 6/8/99


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/14, 1999, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One Copy to:

Claimant or attorney of record:
Duane E Cutright
454 River Rd
Bliss ID 83314

3. One Copy to:

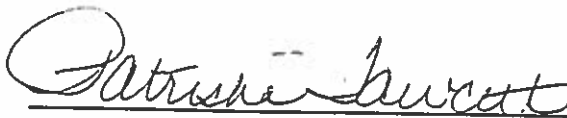
Each party in the subcase or attorney of record:

4. One Copy to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

5. One Copy to:

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: MAY-25-1999
PAGE: A-19

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 37-10803

NAME & ADDRESS: DUANE E CUTRIGHT
454 RIVER RD
BLISS ID 83314

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 03/01/1982

POINT OF DIVERSION: T05S R16E S07 NWNW Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T05S R16E S07 NWNW

DOMESTIC Within GOODING County
T05S R16E S07 NWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RPO5S16E070600A
STOCKWATER, 100 BEEF CATTLE, 4 GOATS, 4 HORSES

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: MAY-25-1999
PAGE: A-7

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 37-10804

NAME & ADDRESS: DUANE E CUTRIGHT
454 RIVER RD
BLISS ID 83314

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1930

POINT OF DIVERSION: T06S R13E S16 NWNW Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T06S R13E S16 NWNW

DOMESTIC Within GOODING County
T06S R13E S16 NWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP06S13E163000A
STOCKWATER, 12 HORSES, 16 HEIFERS

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: MAY-25-1999
PAGE: A-10

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 37-10805

NAME & ADDRESS: DUANE E CUTRIGHT
454 RIVER RD
BLISS ID 83314

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1940

POINT OF DIVERSION: T05S R16E S07 NWNW Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within GOODING County
T05S R16E S07 NWNW

DOMESTIC Within GOODING County
T05S R16E S07 NWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP05S16E070600A



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DUANE E CUTRIGHT
454 RIVER RD
BLISS ID 83314

RE: SRBA Claim(s) 37-10803, 37-01804, 37-10805

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

April 19, 1999

DUANE E CUTRIGHT
454 RIVER RD
BLISS ID 83314

RE: Snake River Basin Adjudication (SRBA) Change of Address
Water Right No. A37-10805

Dear Water Right Holder:

IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office at your earliest convenience. Make corrections to your name and address at the top of this letter if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership in any of the properties connected with the water right(s) referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Cheryl Timm
SRBA Records Clerk

The address is correct as shown above or as otherwise changed.

yes - changed 3/15/99

Signature of water right claimant

data entered 5/10/99 Ct

RECEIVED
APR 29 1999
Department of Water Resources
Southern Region

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

AJ0749NP
No. 37-10805

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/10/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DUANE E CUTRIGHT	01/01/1940	STOCKWATER	01-01 12-31	0.02 CFS	
	454 RIVER RD		DOMESTIC	01-01 12-31	0.04 CFS	
	BLISS ID 83314					
	(208) 934-4317					
				TOTAL DIVERSION:	0.06 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T05S R16E S07 NWNW

GOODING County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
05S	16E	7	:																	:
			:																	:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
05S	16E	7	:																	:
			:																	:

POU County: GOODING

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP05S16E070600A

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Comments: Date: 05/10/1999 User-ID: CTIMM Subject: ADDRESS CHANGE

NGP

AJ0749NP
No. 37-10805

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/10/99
PAGE: 2

=====

✓ Comments: Date: 05/10/1999 User-ID: CTIMM Subject: ADDRESS CHANGE
CHANGED ADDRESS AS PER REQUEST RECEIVED 04/29/99.

Audit: 05/10/99 CTIMM

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-24-1997

PAGE: A-446

RIGHT NUMBER: 37-10805

NAME & ADDRESS: DUANE E CUTRIGHT
PO BOX 501
2401 E 1300 S
GOODING ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1940

POINT OF DIVERSION: T05S R16E S07 NWNW Within GOODING County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE:	STOCKWATER	Within GOODING County
	T05S R16E S07	NWNW
	DOMESTIC	Within GOODING County
	T05S R16E S07	NWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP05S16E070600A

Claim proofread by: Uto
Date: 1104

7-29-98

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: A37-10805
Date Received: 8/04/1988
Receipt No: S001299
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DUANE E. CUTRIGHT 208-934-4317
Address: BOX 501
2401 E. 1300 S.
GOODING, ID 83330

2. Date of Priority: JAN 01, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	16E	7	NW	NW			GOODING

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	16E	7	NW	NW		DOMEST	

A37-10805

Page 1

Date: 08/04/88

MICROFILMED

FEB 25 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	16E	7	NW	NW		STOCK	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

A37-10805

Date Received

Receipt Number

5001299

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

AUG 4 1988

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Department of Water Resources
Southern Region Office

Please type or print clearly

- Name of Claimant (s) Duane E. Cutright Phone (208) 934 4317
Mailing Address Box 501 (2401 E-1300 S) Gooding, Idaho Zip 83330
- Date of Priority (Only one (1) per claim) Jan 1st 1940
- Source of water supply (a) Ground water
which is tributary to (b) _____
- Location of point of diversion is: Township 5 Range 16
Section 7, NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____, B.M.,
County of Gooding
Additional points of diversion if any: _____
- 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. Well - pipes to dairy barn &
corrals
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) (cfs)
For Domestic purposes from Jan 1st to Dec 31st amount .04
For Stockwater purposes from Jan 1st to Dec 31st amount .08
- Total quantity claimed .06 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) 1 House hold

MICROFILMED
Copies: White State, 1993 v. Claimant
FEB 25 1993

MICROFILMED
OCT 25 1994

CERTIFIED
MAR 22 1992
WATER EXAMINER