

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
RECOM	3N	26E	1						25	33										58
GIS									23	32										55
RECOM																				
GIS																				
RECOM																				
GIS																				
RECOM																				
GIS																				

UPDATED

B36-DBPOU.DBF

POLYGON #

ATTRIBUTES OF B36-POU.SHP (10)

UPDATED

6 Aug 97

B36-DBPOD.DBF

ATTRIBUTES OF B36-POD.SHP (33)

6 Aug

BRIAN M. ANDERSON

① P.O.D./SOURCE Munsey Ditch #33 /BLR

PO Box 308

Arco ID 83213

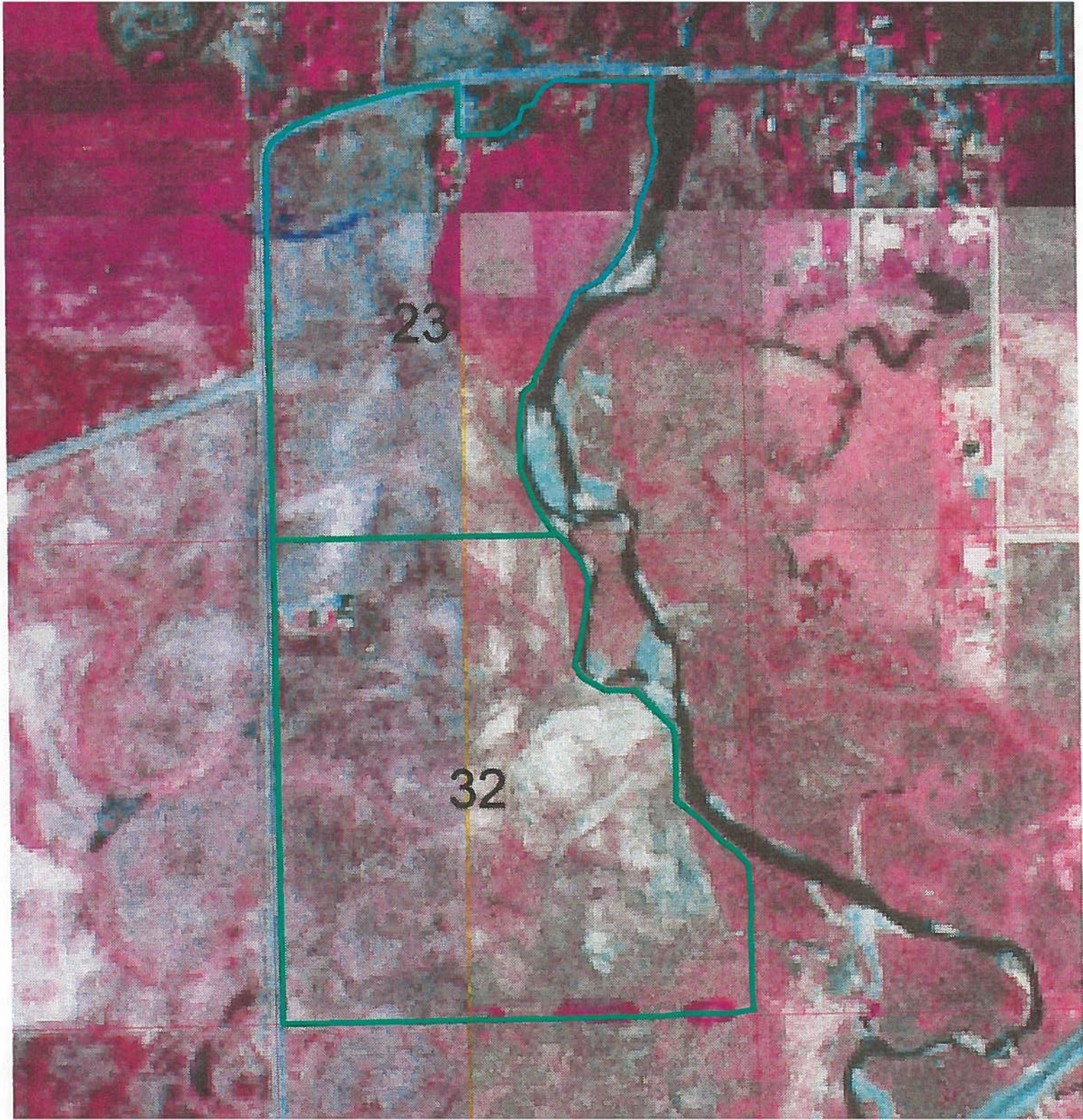
Ph: (208) 527-8206

NAME CHANGED FROM THORON ANDERSON

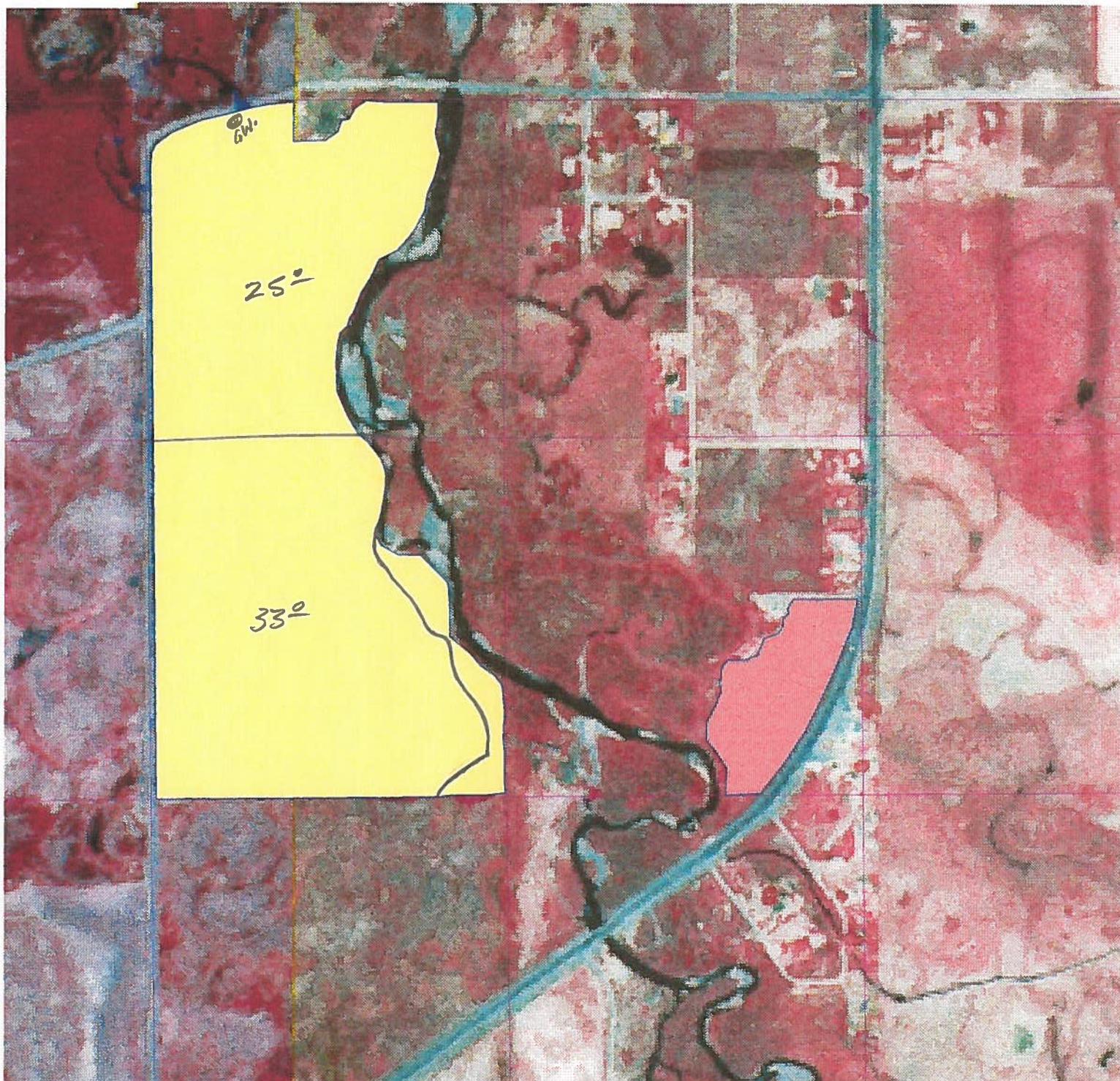
Also, SUB A34-07008, G.W. Lic, @ NWNW Sec.1

P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()



POD NW/4 NW/4
Sec. 26
44 26 26
POD NW/4 NW/4
Sec. 26
34 26 26



AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

07/29/97 15:36:39
Page 1

Water Right Number - R34-00003A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

ANDERSON

BRIAN M

1 - PO BOX 308
2 -
3 -
City- ARCO
Phone - 208-527-8206

State- ID Zip- 83213

*** D - DIR RPT OWNER ***

ANDERSON

FRANCESA

1 - RFD #1 BOX 258
2 -
3 -
City- ARCO
Phone - 208-527-3221

State- ID Zip- 83213

ANDERSON

THERON L

1 - RFD #1 BOX 258
2 -
3 -
City- ARCO
Phone - 208-527-3221

State- ID Zip- 83213

+ - - Priority Date - - +

06/01/1887

+ - - Region - - - +

15 EASTERN

+ - - Stage - - - +

D - DECREED

+ - - Status - - - +

+ - - - - Source - - - - - +

BIG LOST RIVER

+ - - - - Tributary - - - - - +

SINKS

+ - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot RFlg County

04N 26E 26 NW NW NW (23) BUTTE MIDDLE DITCH

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 05/01 10/15 1.400

+ - Total Div. Rate - +

1.400

+ - Total Div. Volume - +

+ - Total Consumptive Use - +

0.0

+ - KW Usage - +

+ - - - - Place of Use - - - - - +

TwN Rng Sec Tract Lot Acres Code Description County

03N 26E 1 NW NW 4 25.0 01 IRRIGATION (23) BUTTE

03N 26E 1 SW NW 33.0 01 IRRIGATION (23) BUTTE

Total Acres: 58.0

+ - - Diversion Means - HEADWORKS OF MIDDLE DITCH.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 34-07008

Water right number - R34-00003A

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

QNT

USE OF THIS RIGHT WITH RIGHT NO. 34-07008 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.58 CFS.

POU1

USE OF THIS RIGHT WITH RIGHT NO. 34-07008 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 58 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP

WATER IS DELIVERED THROUGH MIDDLE DITCH.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

C03 -

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

+ - - - - Decree Plaintiff - - - +

UTAH CONSTRUCTION CO.

+ - - - - Decree Defendant - - - +

JOHN F. ABBOTT, ET AL

+ - - Decree Date - - +

10/21/1925

+ - - - - Comments - - - - - +

Date: 07/01/1991 User Id: MEYER Subject: COPIED FROM REMARKS

*** MEMO TO THE FILE ***

SUBMITTED BY CLAIMANTS. PRM.

Date: 07/15/1991 User Id: KEEN Subject: CLAIM REVIEW

INITIAL EXAM AND RECOMMENDATIONS BY PAUL R. MEYER. FINAL REVIEW AND DATA ENTRY COMPLETED BY S.W. KEEN ON 7-15-1991.

Date: 07/15/1991 User Id: KEEN Subject: CALC. OF COMBINED DIVERSION RATE

1. 58 ACRES * .02 CFS = 1.16 CFS (THE GOAL)

2. (1.4 CFS S.W.) * 0.7 (DITCH LOSS ALLOWANCE) = .98 CFS S.W.

3. 1.16 CFS - .98 CFS = 0.18 CFS OF G.W. NEEDED

4. 1.4 CFS S.W. + .18 CFS G.W. = 1.58 CFS TOTAL FROM BOTH SOURCE

Date: 03/31/1992 User Id: FRITSCHL Subject: NOTICE OF ERROR FLAG

NOTICE OF ERROR FLAG CHANGED FROM "A" TO "B". CLAIM REVERIFIED.

Date: 06/07/1995 User Id: JTHOMPSO Subject: NAME CHANGE

THE DATA IN THE NAME FILE WAS CHANGED WITHOUT THE ABOVE USER

THE CURRENT OWNER OF THE WATER RIGHT. HOWEVER, THE CHANGE MAY

WITHOUT CHANGING THE CURRENT OWNER OF THE WATER RIGHT.

Date: 06/07/1995 User Id: JTHOMPSO Subject: CHANGED OWNERSHIP

6/7/95/JT; SF3 RET'D BY THE COURT.

Date: 08/05/1996 User Id: DCARLSON Subject: COPIED FROM REMARKS

USE OF THIS RIGHT WITH RIGHT NO. 34-07008 IS LIMITED TO A

ANNUAL CONSUMPTIVE USE VOLUME OF 145 AF, AND TO THE IRRIGATION

WATER IS DELIVERED THROUGH MIDDLE DITCH.

Date: 08/05/1996 User Id: DCARLSON Subject: REFORMATED/PRESUMPTION FLAG

REFORMATED

THIS CLAIM WAS MODIFIED 29 NOV. 1990 TO REFLECT HANDWRITTEN FORM

TOTAL COMBINED DIVERSION RATE OF 1.58 CFS, A TOTAL COMBINED
OF A COMBINED TOTAL OF 58.0 ACRES IN A SINGLE IRRIGATION SEASON.

NOTING EXACTLY WHAT WAS CHANGED. TYPICALLY THIS CHANGE IS TO
BE TO ADD OR DELETE AN ATTORNEY OR LIENHOLDER, FOR EXAMPLE,

ADDED C03 POD CHANGE

+ - - Audit Fields - - +

00/00/00

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000

Field Inspection Made - 00/00/0000

Civil Case Number - 39576

Objection Filed Date - 00/00/0000

Field Inspection Flag -

Old Case Number -

Response Filed Date - 00/00/0000

Verified Date - 00/00/0000

Old Judicial District -

Water right number - R34-00003A Prefix Translation: RESEARCH

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +					
Claim Received Date	- 05/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E007642	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- C
				Notice of Error Flag	- B

IN RE T
OF RIG
THE SI

Don Starr:
588-2231

*
Middle

ATION
TER FROM
ER SYSTEM

CIVIL CASE NUMBER: 39330
Ident. Number A34-00003A
Date Received 5-18-89
Receipt Number E007642

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) THEODORE, FRANCES A. ANDERSON Phone (208) 527-3221

Mailing Address RED #1 Box 258 Zip 83213

2. Date of Priority (Only one (1) per claim) JUNE 1, 1887

3. Source of water supply (a) MOUNSEY CANYON AND HURST HEADGATE = Middle Ditch
which is tributary to (b) BIG LOST RIVER

4. a. Location of existing point of diversion is: Township 3N Range 26E Section 1,
NW 1/4 of NW 1/4 of NW 1/4, Govt. Lot, 4 B.M., County of BUTTE

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

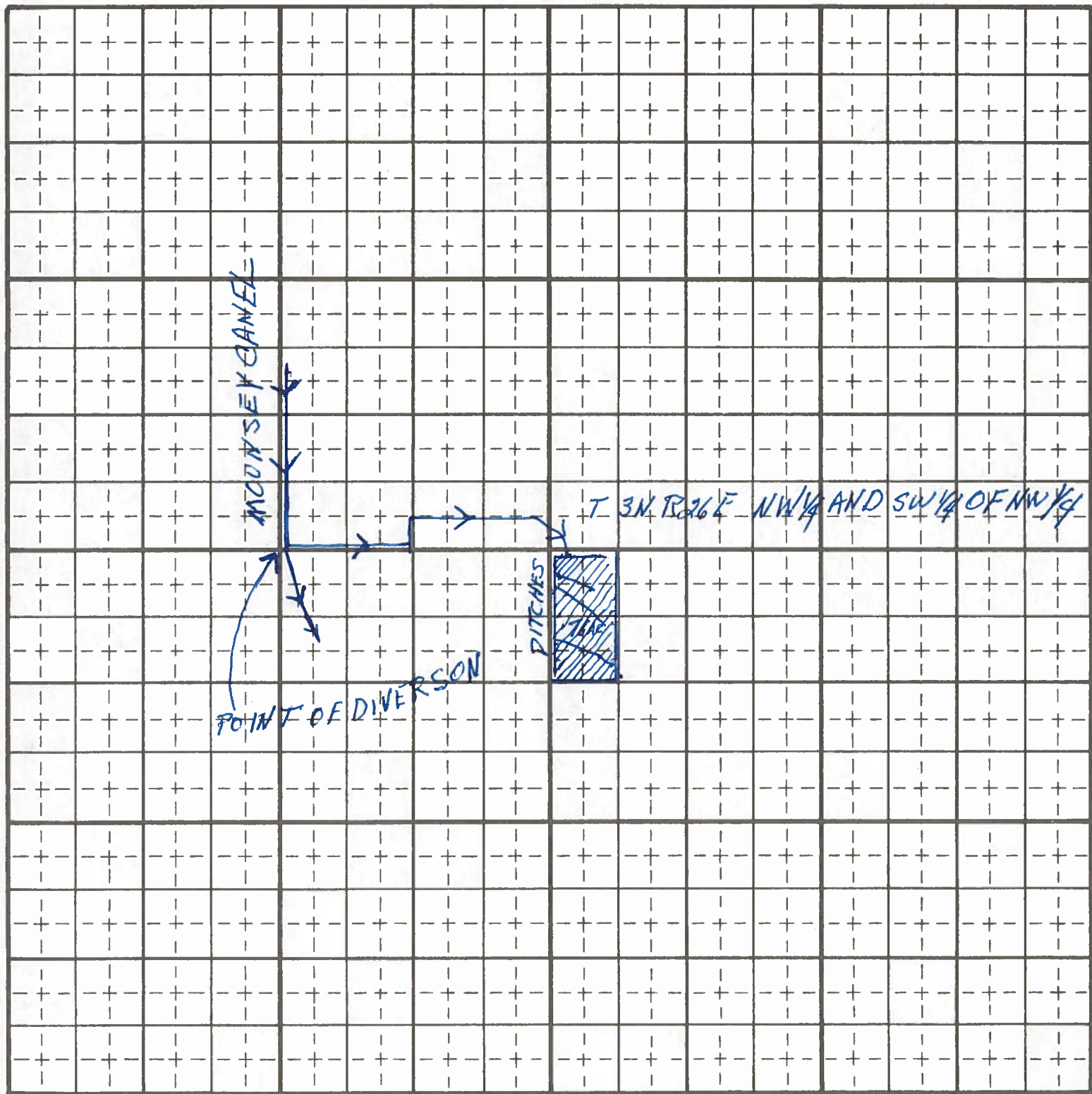
_____ 1/4, Govt. Lot _____ B.M., County of _____

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. DITCHES, HEADGATES

14. Remarks:



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) Theron L. Anderson Date May 17, 1989
Frances A. Anderson Date May 17, 1989

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

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 _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18th day of May 19 89

SEAL

Notary Public Betty J. Thompson

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

RESIDING AT IDAHO FALLS, IDAHO

My Commission Expires MY COMMISSION EXPIRES, 6-30-94

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 _____

Is the priority date acceptable in view of mandatory filing dates:
See Adjudication Memos #1 and #4 to determine if a Permit is required.

3. (a) Is a source entered? Big Lost River ✓ _____ *
- (b) Is a tributary to entered? (if required) sinks N/A _____ okay _____ *
4. Is the legal description of the p.d. sufficient? ✓ _____ *
5. Is there a description of the diverting works? ✓ _____ _____
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ✓ _____ *
- Is the period of use included? ✓ _____ _____
- Is a quantity claimed for each use? ✓ _____ *
7. Is a total quantity claimed entered? ✓ _____ _____
8. If required is a consumptive use entered? ✓ _____ N/A _____
- Is the consumptive use correct? ✓ _____ N/A _____ 19028
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ✓ _____ N/A _____ *
10. Is (are) the place(s) of use and purpose(s) indicated? ✓ _____ _____ *
11. Is (are) the county(ies) entered? ✓ _____ _____
12. Is the ownership of p.u. checked? ✓ _____ _____
13. Are other water rights listed or "none" indicated? ✓ _____ _____
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ✓ _____ N/A _____
15. Is the basis of the claim indicated? ✓ _____ _____
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ✓ _____ N/A _____
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ✓ _____ _____ *
18. Has the claim been signed, sealed, and dated by a notary? ✓ _____ _____ *
19. Was this claim filed on time, or was an extension granted? ✓ _____ _____ *
20. Is the fee enclosed correct? ✓ _____ Exempt _____ *
21. If this claim is based on an existing water right, has the identification number been entered? ✓ _____ N/A _____
22. Should this claim be data entered? ✓ _____ _____

Claim checked by: RLT

Date: 5-24-89

Claim must be returned to claimant:

_____ (Yes) 1 (No)

Claimant must be notified of modifications:

_____ (Yes) 1 (No)

Receipt Prepared by:

Date:

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: A34-00003A
Date Received: 5/18/1989
Receipt No: E007642
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THERON L. ANDERSON 208-527-3221
Address: RFD #1 BOX 258
ARCO, ID 83213
OR
Name: FRANCESA ANDERSON 208-527-3221
Address: RFD #1 BOX 258
ARCO, ID 83213
2. Date of Priority: JUN 01, 1887
3. Source: BIG LOST RIVER Trib. to: SINKS
4. Point of Diversion:
- | | | | | | | | | | |
|----------|-------|---------|-----|----|-----|----|-----|-----|--------|
| Township | Range | Section | 1/4 | of | 1/4 | of | 1/4 | Lot | County |
| 03N | 26E | 1 | NW | | NW | | NW | 4 | BUTTE |
5. Description of diverting works:
DITCHES, HEADGATES
6. Water is used for the following purposes:
- | | | | | | |
|--------------------|-------|-------|--------|------|--------|
| Purpose | From | To | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 04/01 | 11/01 | 1.400 | | |
| IRRIGATION STORAGE | 04/01 | 11/01 | | | 37.72 |
7. Total Quantity Appropriated is:
1.400 C.F.S. (and/or) 37.72 A.F.A.
8. Total consumptive use is 625.7 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

Township	Range	Section	1/4 of	1/4 of	Loc	Use	Acres
03N	26E	1	NW	NW		IRR	36.0
			NW	NW		IRR S	
			SW	NW		IRR	40.0
			SW	NW		IRR S	

Section Acres 76.0

Total Acres 76.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
34-7008

14. Remarks:

*** MEMO TO THE FILE ***

THIS CLAIM WAS MODIFIED 29 NOV. 1990 TO REFLECT HANDWRITTEN FORM
SUBMITTED BY CLAIMANTS. PRM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree 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: _____

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 _____

LAST: ANDERSON
ADDRESS: RFD #1 BOX 258
CITY: ARCO
PHONE NUMBER: 208-527-3221
OWNER CODE: C

FIRST: THERON L.
STATE: ID ZIP: 83213

LAST: ANDERSON
ADDRESS: RFD #1 BOX 258
CITY: ARCO
PHONE NUMBER: 208-527-3221
OWNER CODE: C

FIRST: FRANCESCA
STATE: ID ZIP: 83213

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS:

DATABASE
Y

FIELD EXAMINER

*** MEMO TO THE FILE ***
THIS CLAIM WAS MODIFIED 29 NOV. 1990 TO REFLECT HANDWRITTEN FORM
SUBMITTED BY CLAIMANTS. PRM.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 6/28/91 APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A34-00003A PRIORITY DATE: 06-01-1887 STAGE: D
B. WR RECORD: # 34-00003A PRIORITY DATE: 06-01-1887 STAGE: D

C. FIELD EXAM REQUIRED? DATABASE FIELD
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: No change

RECOMMENDED PRIORITY DATE:
06-01-1887

REVIEWED BY ADW DATE 7-1-91

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A34-00003A	03N	26E	1	NW	NW	NW	4	BUTTE
OTHER AJ CLAIMS WITH SAME AJ POD								
A PREFIX				WR RECORDS IN SAME 40 ACRE TRACT				
A34-07008				NONE				
R PREFIX								
R34-10042								

SOURCE: BIG LOST RIVER

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
34-00003A	04N	26E	36			SW		BUTTE
OTHER WR RECORDS WITH SAME WR POD								
				AJ CLAIMS IN SAME 40 ACRE TRACT				
				A PREFIX				
				R PREFIX				
34-00355				NONE				
34-00356				A34-10764				
				A34-10311				

SOURCE: BIG LOST RIVER

TRIB: SINKS

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
	Y		
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	

REMARKS:

POD H.ODIE JENY - Recommend Δ to actual POD.

PRESUMPTION FLAG:

REMARKS:

Recommend as found in field above 6-28-91 JPM

RECOMMENDATIONS:

TOTAL ACRES:

58

REVIEWED BY:

JPM

DATE:

7-1-91

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY		DIVERSION QUANTITY
	FROM	TO	
A34-00003A IRRIGATION	04-01	11-01	1.400 CFS
A34-00003A IRRIGATION STORAGE	04-01	11-01	37.72 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED			1.400 CFS 37.72 AF/A

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
34-00003A IRRIGATION	FROM 05-01 TO 10-15	1.400 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.400 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY?	Y ☒ N ☐
DUE TO DIVERSION RATE DISCREPANCY?	Y ☐ N ☒
DUE TO PERIOD FROM/TO DISCREPANCY?	Y ☐ N ☒

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?
RECOMMEND TO WR STANDARDS OR OTHER?

Y ☐ N ☒
Y ☒ N ☐

Explain in remarks, below.

REMARKS:

Recommend as per U.C. Decree 05-01-10/15

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.400 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) N FIELD
DATABASE EXAMINER

B. FLOW MEASUREMENT

MEASUREMENT METHOD SC, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 34-7008

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A34-00003A	BIG LOST RIVER	ANDERSON, THERON L.	1.400	0.018	37.72	0.49
A34-04076	GROUNDWATER	BOWN, RICHARD F.	0.200	0.031		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A34-10042	DOMESTIC	ANDERSON, FRANCES A.	FROM 01-01 TO 12-31	.040 CFS	
R34-10042	DOMESTIC	ANDERSON, FRANCES A.	FROM 01-01 TO 12-31	.040 CFS	
A34-10062	DOMESTIC	ANDERSON, BRIAN	FROM 01-01 TO 12-31	.040 CFS	
R34-10062	DOMESTIC	ANDERSON, BRIAN	FROM 01-01 TO 12-31	.040 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 58 x 0.02 CFS/ACRE = 1.16 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? YES NO

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y NO ***

Now Q:
$$\frac{58 \text{ ac.} \times 0.02}{0.70} = 1.66 \text{ cfs}$$

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 625.7 AF/A

ACRES 58 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 145 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 37.72 AF/A

ACRES 58 x DIVERSION VOL. AF/A FOR AREA 3.0 =
TOTAL DIVERSION VOLUME 174 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y NO

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

Reclaim Q as claimed.

* Claim showed irrigation storage as use. Storage in Reservoir will be included in claims from Biggest Ice. Irrigation Storage in 34-00003A DELETED

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<u>Leakdown</u>	<u>3/5/01-10/1/15</u>	<u>1.40</u>		
		<u>1.40</u>		

TOTAL FOR THIS RIGHT

REVIEWED BY: [Signature] DATE: 7-1-91

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP	ACCEPTED AS CLAIMED	NEEDS REVIEW
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 34-00003		DATABASE	EXAMINER	CFS		
TOTAL DIVERSION RATE OF WR SPLITS		2.800				
SPLITS:						
OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A34-00003A	1.400	-		34-00003A	1.400
-	A34-00003B	1.400	-		34-00003B	1.400
-			-		34-00003	
TOTAL CFS		2.800				2.800

DIVERSION RATE REVIEW	DATABASE	FIELD
DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	N	EXAMINER
IF NO, is the written review sheet attached? (Y/N)		

REMARKS: Fee. STORAGE will be included in BLE Fee's claims.

AUTHENTICATION:
SIGNATURE: Shelley A. Keen
NAME OF FIELD EXAMINER: Shelley Walter Keen
DATE: 7-15-91
TITLE: Water Resource Agent

for Paul R. Meyer
Sr. Agent

MR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		6-28-91 JDM	N	1,4,5	7-1-91 JDM	S.W. Keon 7-15-91	
SOURCE								
PLACE OF USE	Y			Y	1,4,5 JDM			
DIV. AMOUNT CFS/VOLUME	Y			Y	" JDM			
CONSUMPTIVE USE	-			Y	6 JDM			
PURPOSES	Y			Y	P.C. JDM			
PERIOD OF USE	Y			Y	L JDM			
BASIS OF CLAIM	Y			Y	S.W. Keon			
REMARKS	Y			Y				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-P4 = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

6/26/91
VERSION 1.1

SOURCE	NUMBER	DATE	PRIORITY	CLAIMED	CUS
				CES	CF

METHOD: FLOOD & SPRINKLER &

$$= \frac{30}{\frac{6.W}{(\text{SOURCE})}} = 0$$
15 

RECOMMENDABLE DIVERSION RATES & VOLUMES

[illegible]

ditions: Nove

arks:

34-6706 9; 1.58 cts; 145 AF; 58 ACRES

Middle Ditch

CALCULATION OF COMBINED DIVERSION RATE

- ① 58 acres $\times .02$ cts = 1.16 cts (The Good)
- ② (1.4 cts of Surface Water) $\times .7$ (Orbit Loss) =
- ③ 1.06 - .98 = .18 cts of Groundwater Need
- ④ 1.4 cts + .18 cts = 1.58 total Max

MIC

Z

REVIEWER: S.W. Keen

DATE: 7-15-91

CLAIM NUMBER: A34-00003A WATER RIGHT NUMBER: 34-00003A

Place of Use

Claimed Place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	26E	1						25	33										58.0

Recorded Place of Use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	26E	1						X	X										

If the P.O.U. doesn't match, determine if there has been an expansion in place of use or if there has been an unrecorded transfer, and determine when the change occurred.

Is there an apparent transfer in place of use? NO.

Analysis:

Has there been an expansion in use? NO.

Analysis:

Land Description

NW1/4, (Lot 2) SW1/4, Sec. 1, 3/26

<u>Priority Date</u>	<u>Decreed Inches</u>	<u>Acres Approved</u>	<u>Storage Inches</u>	<u>Decree No.</u>	<u>Transfer No.</u>
6/1/1887	70	25	943	221	

Map Reference: M21

Assessed at:
55 @ 1
21 @ 5

Delivery Canal Munsey and Hurst

1 of 1

Transport Agreement
expires.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

07/17/91
P

ht Number - R34-00003A

Prefix Translation: RESEARCH

Old (D) Number -

Last Name - - - - -

+ - First Name - - +

+ - - - - Address - - - - -

URRENT OWNER ***

THERON L.

1 - RFD #1 BOX 258

2 -

State- ID Zip-

3 -

State- ID Zip-

City- ARCO

State- ID Zip-

Phone - 208-527-3221

State- ID Zip-

iority Date - - +

6/01/1887

+ - - - Region - - - +

+ - - - Stage - - - +

+ - - - Status

Source - - - - -

15 EASTERN

+ - - - Tributary - - - - -

BIG LOST RIVER

SINKS

Rng Sec Tract Lot RFlg County

(23) BUTTE

Stream Index (Blank if no Index Code)

26E 26 NW NW NW

(23) BUTTE

Description

Period From Period To

Diversion Rate

Diversion Volume

1 - IRRIGATION

05/01

10/15

1.400

1 Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + -

1.400

0.0

wn Rng Sec Tract Lot Acres Code Description

Place of Use

County

3N 26E 1 NW NW

4

25.0

01

IRRIGATION

(23) BUTTE

3N 26E 1 SW NW

33.0

01

IRRIGATION

(23) BUTTE

Total Acres: 58.0

Version Means - HEADWORKS OF MIDDLE DITCH.

on-Irrigation Use - NONE

her Rights for Same Use - 34-07008

USE OF THIS RIGHT WITH RIGHT NO. 34-07008 IS LIMITED TO A

TOTAL COMBINED DIVERSION RATE OF 1.58 CFS, A TOTAL COMBINED

ANNUAL CONSUMPTIVE USE VOLUME OF 145 AF, AND TO THE IRRIGATION

OF A COMBINED TOTAL OF 58.0 ACRES IN A SINGLE IRRIGATION SEASON.

W.Keen

MICHAEL
NOV

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

07/17/91
P

File number - R34-00003A

Prefix Translation: RESEARCH

----- Old Water Right Numbers -----
----- Old Water Right Numbers -----
----- No Old Water Right Numbers found. -----

----- Conditions of Approval -----
----- No Conditions of Approval found. -----

- Decree Plaintiff - - - +
STRUCTURE CO. + - - - - Decree Defendant - - - +
JOHN F. ABBOTT, ET AL 10/21/1992

dit Fields - 07/01/91 MEYER 07/15/91 KEEN 07/16/91 KEEN

----- Comments -----
/01/1991 User Id: MEYER Subject: COPIED FROM REMARKS THIS CLAIM WAS MODIFIED 29 NOV. 1990 TO REFLECT HANDWRITING TO THE FILE ***
ED BY CLAIMANTS. PRM. Subject: CLAIM REVIEW
/15/1991 User Id: KEEN Subject: BY PAUL R. MEYER. FINAL REVIEW AND DATA ENTRY COMPLETED BY S.W. KEEN ON 7-15-1991.
EXAM AND RECOMMENDATIONS BY PAUL R. MEYER. FINAL REVIEW AND DATA ENTRY COMPLETED BY S.W. KEEN ON 7-15-1991.
/15/1991 User Id: KEEN Subject: CALC. OF COMBINED DIVERSION RATE
ACRES * .02 CFS = 1.16 CFS (THE GOAL) 2. (1.4 CFS S.W.) * 0.7 (DITCH LOSS ALLOWANCE) = .98 CFS
6 CFS - .98 CFS = 0.18 CFS OF G.W. NEEDED 4. 1.4 CFS S.W. + .18 CFS G.W. = 1.58 CFS TOTAL FROM 1

----- Adjudication Rights Dates and Flags Area -----
Court Report Filing - 00/00/0000 Field Inspection Made - 07/01/1991 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag -
Response Filed Date - 00/00/0000 Verified Date - 07/16/1991 Old Case Number -
Claim Received Date - 05/18/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Proof Due Date - 00/00/0000 Proof Made Date - 00/00/0000 Water District -
Licensed Date - 00/00/0000 Receipt Number - E007642 Federal/State Indicator - S
Claims Tape Error Flag -
Fee Exempt Flag - Name Connector - OR Presumption Flag -

JAN-18-1992

NOTICE OF ERROR FORM

RECEIVED
FEB 12 1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: MAR-02-1992

1. Water right number: *34-00003A*
 2. Name: *Theron L. Anderson, Frances A. Anderson*
Address: *RFD #1 Box 258 Arco, Idaho 83213*
- Weekday Telephone Number: *527-3221*

MICROFILMED

NOV 18 1992

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

4. Describe the changes you wish to have made in the proposed recommendation:

5. Describe why you disagree with the proposed recommendation:

This water right is the first in time on this homestead land. It represents water for all the acres of the farm and should remain as filed on the Notice of Claim to a Water Right.

6. Date: *Feb. 10, 1992*

SIGNATURE *Theron E. Anderson*

THIS IS A COPY OF YOUR WATER RIGHT AS IDWR PROPOSES TO RECOMMEND IT TO THE DISTRICT COURT*

*THIS IS NOT A FINAL DETERMINATION OF YOUR CLAIM. YOU MUST FILE A NOTICE OF ERROR WITH IDWR IF YOU DISAGREE WITH THE PROPOSED RECOMMENDATION.

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
34-00003A	THERON L. ANDERSON FRANCESCA ANDERSON RFD #1 BOX 258 ARCO ID 83213	06/01/1887	IRRIGATION	~~04-01 11-1~~ ~~05-01 10-15~~ ~~04-01 11-01~~ ~~04-01 11-01~~	1.40 CFS	DECREED
			IRRIGATION STORAGE		37.72 AFY	
				TOTAL QUANTITY:	1.40 CFS	
				TOTAL VOLUME:	37.72 AFY	
				CONSUMPTIVE USE:	~~625.7~~ AFY 625.72	

SOURCE: BIG LOST RIVER
POINT OF DIVERSION:

TRIBUTARY: SINKS

104N R26E S26 NNNNNW
T03N R26E S01 E07 /4 (NNNNNN)

PLACE OF USE: IRRIGATION

T03N R26E S01 L01 4 (NNNN) ~~25.0~~ 36.0 SWNW ~~33.0~~ 40.0
76.0 NNNN 38.0 SWNW 40.0

~~58.0~~ ACRES TOTAL

1178.0 ACRES TOTAL

PLACE OF USE: IRRIGATION STORAGE

T03N R26E S01 NNNN

REMARKS: USE OF THIS RIGHT WITH RIGHT NO. 34-07008 IS LIMITED TO A

~~TOTAL COMBINED~~ DIVERSION RATE OF ~~1.58~~ CFS, A TOTAL ~~COMBINED~~
ANNUAL CONSUMPTIVE USE VOLUME OF ~~1.5~~ AF, AND TO THE IRRIGATION
OF A ~~COMBINED TOTAL OF 58.0~~ ACRES IN A SINGLE IRRIGATION SEASON.
WATER IS DELIVERED THROUGH MIDDLE DITCH.

76.0

625.72

MICROFILMED
NOV 18 1992

IDWR Contact Person: (print and sign) Carter Fritschle Carter Fritschle

Verified 3-31-92 Cd

Claimant Contact Person: Theron L. Anderson

Others Present _____

Contact By: (Give Date) _____

Meeting (location): Arco 3-27-92

Phone Call

Letter (attach letter) _____

I. Changes to be made to proposed recommendation: No change at this time.

II. Explanation of reasons for recommendation: Recommendations discussed.
Additional Irrigation Requirement form given to
claimant.

III. Other: _____

WATER RIGHT NO(S): 34-07008 34-00003A

NAME Theron L. Anderson

ADDRESS Rt 1 Box 258 Arco ID 83213

WEEKDAY TELEPHONE NO. 527-3221 IDWR CONTACT PERSON: C Antisble

APPOINTMENT - TIME: 10:00 A.M. DATE: 3-27-92 LOCATION: Arco

CLAIMANT DISAGREES WITH THIS PART OF THE RECOMMENDATION:

CLAIMANT WOULD LIKE THE FOLLOWING CHANGES MADE:

COMMENTS:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

03/31/92
Pa

it Number - R34-00003A

Prefix Translation:

RESEARCH

Old (D) Number -

Last Name - +

+ First Name - +

+ Address -

JRRENT OWNER ***

THERON L.

FRANCESCA

1 - RFD #1 BOX 258
2 -
3 -
City- ARCO
Phone - 208-527-3221
1 - RFD #1 BOX 258
2 -
3 -
City- ARCO
Phone - 208-527-3221

State- ID Zip- 8
State- ID Zip- 8

urity Date - +
/01/1887

+ - - - Region - - - +
15 EASTERN

+ - - - Stage - - - +
D - DECREED

+ - - - Status

- - - Source - - - +
BIG LOST RIVER

+ - - - Tributary - - - +
SINKS

ig Sec Tract Lot RFlg County Point of Diversion
3E 26 NW NW NW (23) BUTTE

a Description Period From Period To Water Use Diversion Rate Diversion Volume
- IRRIGATION 05/01 10/15 1.400

Div. Rate - + - Total Div. Volume - +
1.400 + - Total Consumptive Use - + - KW
0.0

1	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
N	26E	1	NW NW	4	25.0	01	IRRIGATION	(23) BUTTE
N	26E	1	SW NW	33.0	01	IRRIGATION		(23) BUTTE

Total Acres: 58.0

ersion Means - HEADWORKS OF MIDDLE DITCH.

-Irrigation Use - NONE

er Rights for Same Use - 34-07008

USE OF THIS RIGHT WITH RIGHT NO. 34-07008 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.58 CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 145 AF, AND TO THE IRRIGATION

Reverified
CA 3-31-92

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

03/31/92
Page

t number - R34-00003A

Prefix Translation: RESEARCH

OF A COMBINED TOTAL OF 58.0 ACRES IN A SINGLE IRRIGATION SEASON.
WATER IS DELIVERED THROUGH MIDDLE DITCH.

o Old Water Right Numbers Found

o Old Water Right Numbers

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff - - - +
RUCATION CO.

+ - - - Decree Defendant - - - +
JOHN F. ABBOTT, ET AL

+ - Decree
10/21/

1/1991 User Id: MEYER Subject: COPIED FROM REMARKS THIS CLAIM WAS MODIFIED 29 NOV. 1990 TO REFLECT HANDWRIT-
TO THE FILE ***
BY CLAIMANTS. PRM.
5/1991 User Id: KEEN Subject: CLAIM REVIEW
XAM AND RECOMMENDATIONS BY PAUL R. MEYER. FINAL REVIEW AND DATA ENTRY COMPLETED BY S.W. KEEN ON 7-15-1991.
5/1991 User Id: KEEN Subject: CALC. OF COMBINED DIVERSION RATE
RES * .02 CFS = 1.16 CFS (THE GOAL)
CFS - .98 CFS = 0.18 CFS OF G.W. NEEDED
1/1992 User Id: FRITSCHL Subject: NOTICE OF ERROR FLAG
ERROR FLAG CHANGED FROM "A" TO "B". CLAIM REVERIFIED.

t Fields - - +
03/31/92 FRITSCHL

Court Report Filing	- 00/00/0000	Field Inspection Made	- 07/01/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	- 03/31/1992	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E007642	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	- B

MICROF
NOV 11

RECEIVED

MAY 14 1989

APPROVED

8. Lands presently irrigated or place of use:

[illegible]

Total number of acres presently irrigated 77

Fred Hurst
(Successor in interest of Mark Hurst)

✓ 1896-September 28 4.4 c.f.s.
✓ 1911-May 17 0.9 c.f.s.
✓ 1912-April 15 2.5 c.f.s.

No. 219

Jno. Hurst and Jos. A. Boillin

✓ 1896-August 1 1.61 c.f.s.

No. 220

Mina Hurst

✓ 1887-June 1 2.8 c.f.s.

No. 221

Geo. A. Hyde

✓ 1899-May 6 0.8 c.f.s.

No. 222

To be diverted from Big Lost River as follows:
0.6 c.f.s. of priority September 28, 1896 to be diverted through the Hurst Ditch having its point of diversion in the Southwest quarter of Section 36, Township 4 North, Range 26 East, B. M., the balance to be diverted through the Muncy ditch having its point of diversion in the Southeast quarter of Section 26, Township 4 North, Range 26 East, B. M., for the irrigation of the following described land, to-wit:

South half of the Northwest quarter, West half of the Northeast quarter, Northwest quarter of the Southeast quarter, Northeast quarter of the Southeast quarter and the Southeast quarter of the Northeast quarter of Section 13, Township 3 North, Range 26 East, B. M. and Lot 3 and the Northeast quarter of the Southwest quarter of Section 18, Township 3 North, Range 27 East, B. M.

To be diverted from Big Lost River through the Jno. Hurst Ditch having its point of diversion in the Southeast quarter of Section 26, Township 4 North, Range 26 East, B. M., for the irrigation of the following described land, to-wit:

North half of the Southwest quarter and Southeast quarter of the Southwest quarter of Section 36, Township 4 North, Range 26 East, B. M.

To be diverted from Big Lost River through the Hurst Ditch having its point of diversion in the Southwest quarter of Section 36, Township 4 North, Range 26 East, B. M., for the irrigation of the following described land, to-wit:

West half of the Southwest quarter, Southwest quarter of the Northwest quarter and Lot 4 of Section 1, Township 3 North, Range 26 East, B. M.

To be diverted from Big Lost River through the Harris & Vaught Ditch having its point of diversion in the Northwest quarter of Section 34, Township 7 North, Range 24 East, B. M., for the irrigation of the following described land, to-wit:

Northwest quarter of the Southwest quarter of Section 5, Township 6 North, Range 25 East, B. M.

34CC03

Water Right Number - 34-00003A

Prefix Translation: WATER RIGHT

Old (D) Number -

Last Name - + First Name - + Address - +

*** C - CURRENT OWNER ***

ANDERSON

BRIAN M

1 - PO BOX 308
2 -
3 -
City- ARCO
Phone - 208-527-8206

State- ID Zip- 83213

*** D - DIR RPT OWNER ***

ANDERSON

FRANCESA

1 - RFD #1 BOX 258
2 -
3 -
City- ARCO
Phone - 208-527-3221

State- ID Zip- 83213

ANDERSON

Theron L

1 - RFD #1 BOX 258
2 -
3 -
City- ARCO
Phone - 208-527-3221

State- ID Zip- 83213

Priority Date - + 06/01/1887

Region - + 15 EASTERN

D - DECREED

Status - +

Source - + BIG LOST RIVER

Tributary - + SINKS

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
04N	26E	26	NW NW NW			(23) BUTTE	

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		05/01		10/15	1.400	
Total Div. Rate - +		Total Div. Volume - +		Total Consumptive Use - +		KM Usage - +
1.400				0.0		

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
03N	26E	1	NW NW	4	25.0		01	IRRIGATION	(23) BUTTE
03N	26E	1	SW NW		33.0		01	IRRIGATION	(23) BUTTE
Total Acres:					58.0				

Diversion Means - HEADWORKS OF MIDDLE DITCH.

Non-Irrigation Use - NONE

Other Rights for Same Use - 34-07008

Water right number - 34-00003A Prefix Translation: WATER RIGHT

REMARKS
USE OF THIS RIGHT WITH RIGHT NO. 34-07008 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.58 CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 145 AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF 58.0 ACRES IN A SINGLE IRRIGATION SEASON.
WATER IS DELIVERED THROUGH MIDDLE DITCH.

No Old Water Right Numbers Found

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff
UTAH CONSTRUCTION CO.

Decree Defendant
JOHN F. ABBOTT, ET AL

Decree Date
10/21/1925

Comments
Date: 07/01/1991 User Id: MEYER Subject: COPIED FROM REMARKS THIS CLAIM WAS MODIFIED 29 NOV. 1990 TO REFLECT HANDWRITTEN FORM
*** MEMO TO THE FILE ***
SUBMITTED BY CLAIMANTS. PRM.
Date: 07/15/1991 User Id: KEEN Subject: CLAIM REVIEW
INITIAL EXAM AND RECOMMENDATIONS BY PAUL R. MEYER. FINAL REVIEW AND DATA ENTRY COMPLETED BY S.W. KEEN ON 7-15-1991.
Date: 07/15/1991 User Id: KEEN Subject: CALC. OF COMBINED DIVERSION RATE
1. 58 ACRES * .02 CFS = 1.16 CFS (THE GOAL)
3. 1.16 CFS - .98 CFS = 0.18 CFS OF G.W. NEEDED
Date: 03/31/1992 User Id: FRITSCHL Subject: NOTICE OF ERROR FLAG
NOTICE OF ERROR FLAG CHANGED FROM "A" TO "ng". CLAIM REVERIFIED.
Date: 06/07/1995 User Id: JTHOMPSO Subject: NAME CHANGE
THE DATA IN THE NAME FILE WAS CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. TYPICALLY THIS CHANGE IS TO
THE CURRENT OWNER OF THE WATER RIGHT. HOWEVER, THE CHANGE MAY BE TO ADD OR DELETE AN ATTORNEY OR LIENHOLDER, FOR EXAMPLE,
WITHOUT CHANGING THE CURRENT OWNER OF THE WATER RIGHT.
Date: 06/07/1995 User Id: JTHOMPSO Subject: CHANGED OWNERSHIP
6/7/95/JT; SFS RETID BY THE COURT.

Audit Fields
06/07/95 JTHOMPSO

Adjudication Rights Dates and Flags Area			
Court Report Filing	- 06/18/1992	Field Inspection Made	- 07/01/1991
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000
Claim Received Date	- 05/18/1989	Last Amended Date	- 00/00/0000
		Receipt Number	- E007642
		POU Ownership Flag	- Y
		Name Connector	- OR
		Civil Case Number	-
		Old Case Number	-
		Old Judicial District	-
		Temporary Right	- P
		Water District	-
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	- B

ABSTRACT OF TITLE

To

The Following Described Real Estate in Butte County, Idaho:

(Lot Four and SW $\frac{1}{4}$ of NW $\frac{1}{4}$) of THE WEST HALF OF THE
NORTHWEST QUARTER OF SECTION ONE, TOWNSHIP THREE,
NORTH OF RANGE TWENTY-SIX EAST OF THE BOISE MERIDIAN.

----- Butte County was created by an act of the Legislature of the State of Idaho, as shown by the Session Laws for the State of Idaho, for the year 1917, Chapter 98. The property as shown in this Abstract was formerly in Blaine County, Idaho. -----

Compiled by
LOST RIVER TITLE COMPANY
Bonded Abstracters

MICROFILMED

Marcus Hurst and Nina
Hurst, his wife.

Mortgage.

Dated February 11, 1903.

Recorded February 26, 1903,
Book 3 of Mortgages, page 500.

TO

Acknowledged February 19, 1903,
William Matthews, Notary Public,
State of Idaho, County of Blaine,
Notarial Seal affixed.

R. Livingstone.

Consideration \$1,000.00

Grant, bargain, sell, and convey:

(with other lands) The southwest quarter

of the northwest quarter and Lot numbered four (4) of Section one

(1) in Township three (3) North, of Range twenty-six (26) East,

Boise Meridian. Together with a decreed water right and all rights
in a private ditch from Big Lost River.

As a mortgage to secure payment of five certain promis-
sory notes as specifically described therein.

**Transcribed from Book "N" of Mortgages, page 545 of the Blaine
County Records.

Exhibit 'A'

BM
MBM
3.02.

TOWNSHIP 3 NORTH, RANGE 26 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO.

SECTION 1: LOT 4 AND THE SW1/4NW1/4.

EXCEPT: A parcel of land in the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) of Section 1, Township 3 North, Range 26 East, Boise Meridian, Butte County, Idaho, more particularly described as follows:

Beginning at a point on the West boundary line of said Section 1320 feet South of the Northwest corner of said Section, which point is the true Point of Beginning; thence South along the said West boundary line 160 feet to a point; thence at right angle East 272 feet to a point; thence at a right angle North 160 feet to a point; thence at a right angle West 272 feet to the True Point of Beginning.

February, 1960, by and between ARTHUR J. DUNFORD and BOBIE
A. DUNFORD, husband and wife, of Paul, County of Minidoka, State of
Idaho, hereinafter called the Sellers, and THERON L. ANDERSON and
FRANCES A. ANDERSON, husband and wife, of Arco, County of Butte,
State of Idaho, hereinafter called the Purchasers;

WITNESSETH:

WHEREAS, The parties hereto entered into an agreement on
the 6th day of March, 1959, for the sale and purchase of the property
hereinafter described, and entered into a written Memorandum embodying
some of the terms of the agreement, and

WHEREAS, The parties now desire to reduce the agreement
to a formal written contract, changing some of the terms thereto and
making additional provisions,

NOW THEREFORE, In consideration of the above premises
and the stipulations herein contained and the payments to be made as
hereinafter specified, the Sellers hereby agree to sell to the Purchasers,
and the Purchasers hereby agree to purchase from the Sellers, the
following described real estate, situate in the County of Butte, State of
Idaho, to-wit:

Lot Four (4) and the Southwest Quarter of the Northwest
Quarter (SW 1/4 NW 1/4) of Section One (1), Township
Three (3) North, Range Twenty-six (26) East of the Boise
Meridian, (E. B. M.). Together with appurtenances.
Together with existing water rights however evidenced.

for the sum of Eighteen Thousand (\$18,000.00) Dollars hereinafter called
the Purchase Price, an account of which the sum of Five Hundred

Handwritten: BMA - 2157, Feb
THIS AGREEMENT, Made and entered into this 15th day of
January 1994 by and between THERON L. ANDERSON and FRANCES A.
ANDERSON, husband and wife, of Arco, County of Butte, State of
Idaho, hereinafter called the Sellers, and BRIAN M. ANDERSON and
MONICA G. ANDERSON, husband and wife, of Arco, County of Butte,
State of Idaho, hereinafter called the Purchasers;

WITNESSETH:

WHEREAS, The parties hereto entered into an agreement on the
1st day of January, 1994, for the sale and purchase of the property
hereinafter described, and entered into a written Memorandum
embodying some of the terms of the agreements, and

WHEREAS, The parties now desire to reduce the agreement to a
formal written contract, changing some of the terms thereto and
making additional provisions,

NOW THEREFORE, In consideration of the above premises and the
stipulations herein contained and the payments to be made as
hereinafter specified, the Sellers hereby agree to sell to the
Purchasers, and the Purchasers hereby agree to purchase from the
Sellers, the following described real estate, situate in the
Country of Butte, State of Idaho, to-wit: SEE EXHIBIT "A".

Handwritten: J.G.C. MEA BMA
~~Lot Four (4) and the Southwest Quarter of the Northwest~~
~~Quarter (SW 1/4 NW 1/4) of Section one (1), Township~~
~~Three (3) North, Range Twenty six (26) East of the Boise~~
~~Meridian, (E. B. M.). Together with appurtenances.~~
together with existing water rights however evidenced.

for the sum of Forty Thousand (\$40,000.00) Dollars hereinafter

call the Purchase Price. The balance of Forty

WATER RIGHT LICENSE

License of Water Right No. 34-7008 Priority June 24, 1968 Amount 0.88 cfs

THIS IS TO CERTIFY, that THIERON L. ANDERSON

of Arco, Idaho, has complied with the terms and conditions of Permit No. 34-7008 issued pursuant to Application for Permit dated June 24, 1968, and has submitted proof to the Department of Water Administration on July 19, 1973, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 1.36 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>May 1</u> to <u>Sept. 30</u>	at <u>0.88</u> cfs and	<u>132 acre feet or</u>
			<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.88 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 132 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 1, Twp. 3 N, Rge. 26 E, B. M. in the County of Butte

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			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 $\frac{1}{4}$	
3 N	26 E	1					14	30											44

Total number of acres irrigated 44

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director affixed at Boise, Idaho, this 17th day of

MICROFILMED

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

December 7, 1973

Re: Permit No. 34-7008

Thernon L. Anderson
R.F.D. 1, Box 87
Arco, Idaho 83213

Dear Mr. Anderson:

A representative of this Department has made an examination of the works covered by your Permit No. 34-7008 and has found the following:

Quantity of water diverted: 1.36 cfs

Amount of water that can be recognized as beneficially used under Idaho law: .88 cfs

The maximum quantity diverted shall not exceed 132 acre feet per year.

Beneficial use: For irrigation of 44 acres within the W¹/₂NW¹/₄,

Sec. 1, Twp. 3 N, Rge. 26 E

Point of diversion: NW¹/₄NW¹/₄ Sec. 1, Twp. 3 N, Rge. 26 E, B.M.

Priority date established: June 24, 1968

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

Bobby D. Fleenor

BOBBY D. FLEENOR
Assistant Director

jfr

MICROFILMED

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: A34-10042
Date Received: 5/18/1989
Receipt No: E007642
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANCES A. ANDERSON 208-527-3221
Address: RFD #1 BOX 258
ARCO, ID 83213

AND
Name: THERON L. ANDERSON 208-527-3221
Address: RFD #1 BOX 258
ARCO, ID 83213

2. Date of Priority: JUN 01, 1887

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	26E	1	NW	NW	NW		BUTTE

5. Description of diverting works:
WELL

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1

EASTERN REGION

JUNE 7, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BRIAN M ANDERSON
PO BOX 308
ARCO ID 83213

RE: CHANGE IN OWNERSHIP FOR 34-07008, 34-10042, 34-00003A

Dear Mr. Anderson:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

MICROFILMED

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.

Case No. 39576

STANDARD FORM 3

The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department
of Water Resources,

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF
PARTY

vs.

The United States; the State of Idaho; and
all Claimants to the Use of Water From
the Snake River Basin Water System,

Respondents.

No action taken. 5-31-95 so
6-7-95 A-Bld changed
c/o Ltr. sent

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

I.C. § 42-1409(7) where a water right recommendation is not before the court.

As used in this form, the term "prior claimant/seller" means any person who, pursuant to I.C. § 42-1409(2), (3) and (6), filed a notice of claim asserting the right to the use of water or on whose behalf the right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of a "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The *Substitution* shall be filed by the new claimant/purchaser.

Check either the *Change in Address* or *Consent to Substitution of Party* box and fill in the requested information. A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here.

Follow the instructions on the form or the court will not accept it for filing. The Verification and the Certificate of Mailing must be completed.

The standard form may be obtained from the Idaho Department of Water Resources and the court. You must provide a copy of this form to each party, or to their legal counsel, in any subcase in which you are a party.

☐ CHANGE IN ADDRESS

My name is _____

I am the claimant of _____

(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

My address is P.O. Box 308, Arco, Idaho 83213

My phone number is: Work _____ Home 208-527-8206

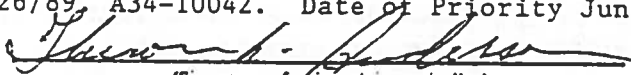
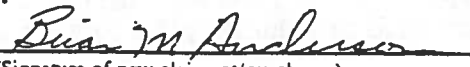
The name and address of the party who I wish to be substituted for are:
Theron L. Anderson, Rt. 1 Box 287, Arco, Idaho 83213

I am the new claimant/purchaser of 340003A, 34-7008, A34-10042 and
(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

For 340003A Abstract of Title, Page 1 and Page 3. Contract for Real Estate: Dated February 1960 page 1. Contract for Real Estate: Dated February 1994. Page 1, and Exhibit "A".

Water Right License: No. 34-7008 dated June 24, 1968. Letter of Authorizatio Dated December 7, 1973. Letter The General Adjudication of Rights to the use of Water Date 09/26/89, A34-10042. Date of Priority June 01, 1887.

 
(Signature of prior claimant/seller) (Signature of new claimant/purchaser)

☐ ATTORNEY OF RECORD COMPLETING FORM

My name is _____

I am the attorney of record for _____
(Identify party/claimant)

My address and phone number are _____

VERIFICATION

(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of Idaho

County of Butte

Brian M Anderson, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

Brian M Anderson
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on May 1, 1995.
(Insert Date)

Quentin A. Dalgard
Notary Public for Idaho
Residing at: Grise Idaho
My Commission expires: 12-31-1999

the parties mentioned in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on May 1st, 19995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

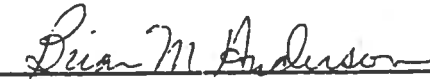
3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

5. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



(Signature of person or attorney mailing the form)