

Q

—

TRIBUTARY: TETON RIVER

PURPOSE AND
PERIOD OF USE:

QUANTITY

0.290 CFS

T04N R45E S25	NESW	0.60	T04N R45E S25	NWSE	9.70
---------------	------	------	---------------	------	------

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

KARL J. DREHER
Director

January 16, 2007

IVO & BAERBEL LUCCHITTA
6969 SNOWBOWL VIEW CT
FLAGSTAFF AZ 86001

RE: Notice of Change of Address for 22-418A, 22-12982 and Notice
of Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Lucchitta:

On January 10, 2007, the Idaho Department of Water Resources (IDWR) received a change of address for the above referenced water right(s). Based on this change, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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)

Water Rights: 22-418A, 22-12982

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☒ Address change IVO & BAERBEL LUCCHITTA

☐ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

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: January 18, 2007

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Jan 19, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail 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/Seller for Substitution of Party or attorney of record:
IVO & BAERBEL LUCCHITTA
6969 SNOWBOWL VIEW CT
FLAGSTAFF AZ 86001

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

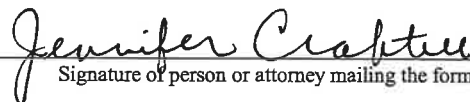
Each party in the subcase, or attorney of record
N/A

5. One copy each 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

RECEIVED

JAN 10 2007

Department of Water Resources
Eastern Region

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

IDAHO DEPT OF WATER RESOURCES
EASTERN REGION
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

RECEIVED

DEC 29 2006

DEPARTMENT OF
WATER RESOURCES

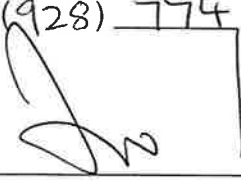
[] Water Right Number(s): 22 - 418 A
22 - 12982

[] Name(s): IVO + BAERBEL
LUCCHITTA

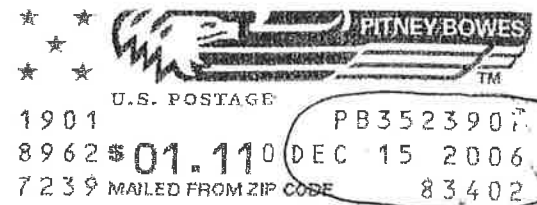
[] Old Mailing Address: 1111 NAVAJO DR.
FLAGSTAFF, AZ
86001

[] New Mailing Address: 6969 SNOWBOWL VIEW C.
FLAGSTAFF, AZ
86001

Telephone Number: (928) 774 - 0136

[] Signature(s) of Owner(s)  Lucchitta
Baerbel Lucchitta
(Include your title if on behalf of company or organization)

Date: 12/26/06



RECEIVED

3 2006

DEPARTMENT OF
WATER RESOURCES

**Department of Water Resources
Eastern Region**

JAN 10 2007

RECEIVED

IDAHO DEPT. OF WATER RESOURCES

Eastern Region
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402-1718
(208) 525-7161

TO

BAERBEL K LUCCHITTA
IVO LUCCHITTA
6969 W SNOWBOWL CT
FLAGSTAFF AZ 86001

Please excuse the late submittal of these forms. But we did not receive the materials until Dec 24, 2006. Please note above mailing date to us. The forms were sent to the wrong address.

Received 4-20-44

RECEIVED

JAN 10 2007

NOTICE OF ERROR
REPLY

Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-12982

IVO LUCCHITTA
1111 NAVAJO DR
FLAGSTAFF AZ 86001
Telephone Number: (602)774-0136

BAERBEL K LUCCHITTA
1111 NAVAJO DR
FLAGSTAFF AZ 86001
Telephone Number: (602)774-0136

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Allotment of cfs

2. Describe the changes you wish to make in the proposed recommendation:

Add 0-11 cfs for a total of 0.4 cfs for 20 acres of decree rights.

3. Give a brief explanation as to why you disagree with these portions:

Our original water rights are 0.4 cfs for 20 acres. You gave us only 0.29 cfs for 10-3 acres. Missing are 0-11 cfs for approximately 10 acres located in

I AGREE with this proposed recommendation: no changes need to be made. T04 N R45E S25

DATE: 12/26/06

SIGNATURE:

Ivo Lucchitta Baerbel K Lucchitta
NESW

Please print your name:

IVO LUCCHITTA

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

QC 1-10-07



Idaho Department of Water Resources

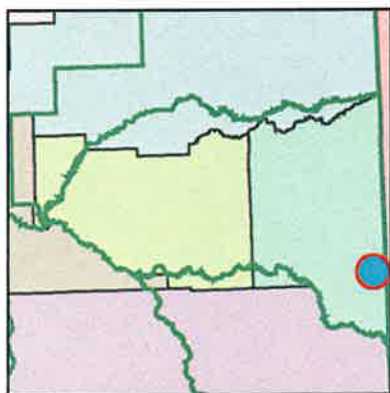
SRBA Recommendation:

22-12982

(Irrigation)

Legend

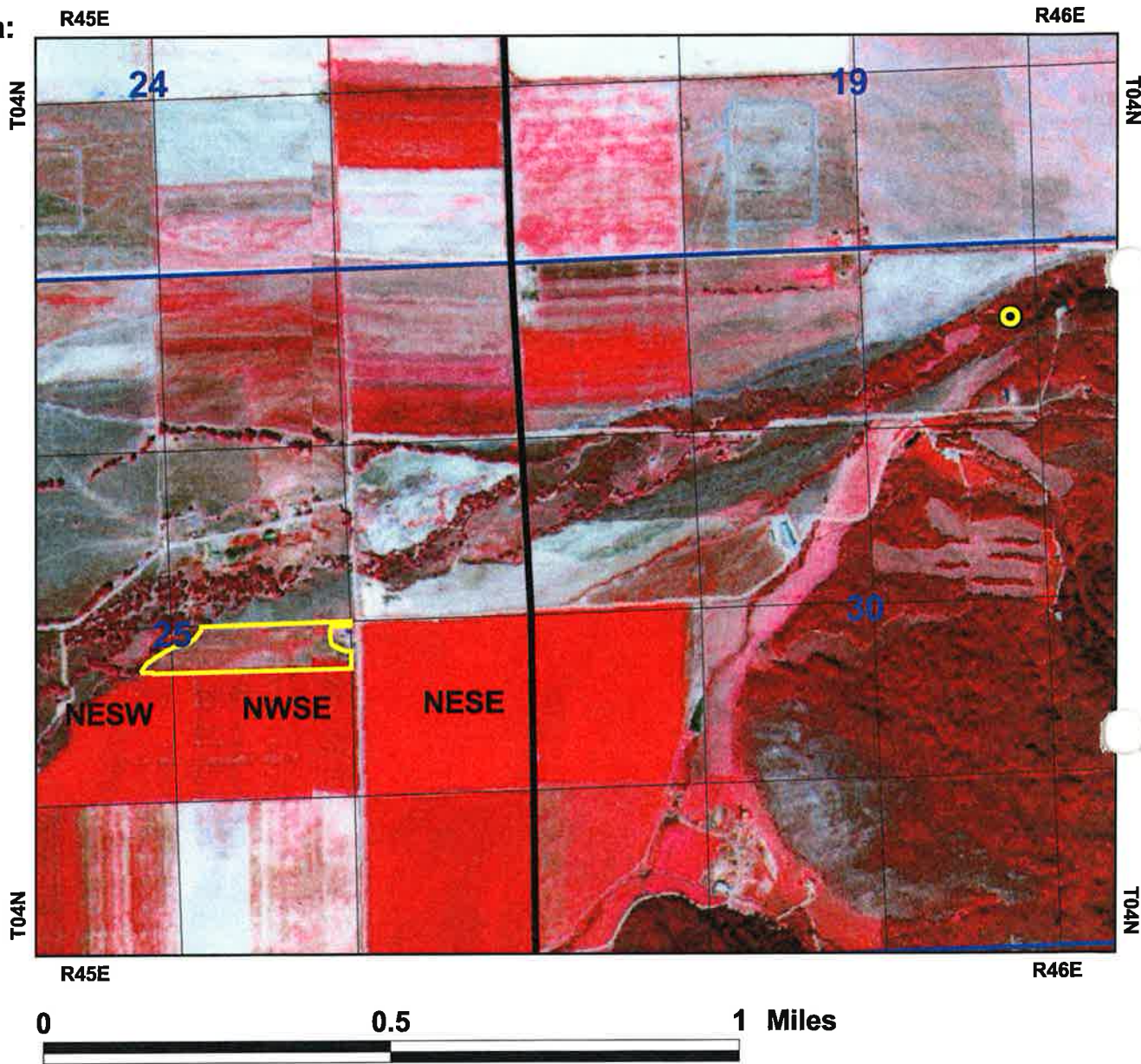
- ⊙ Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters

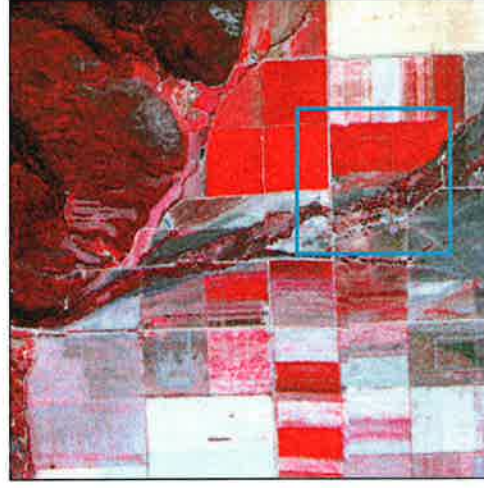
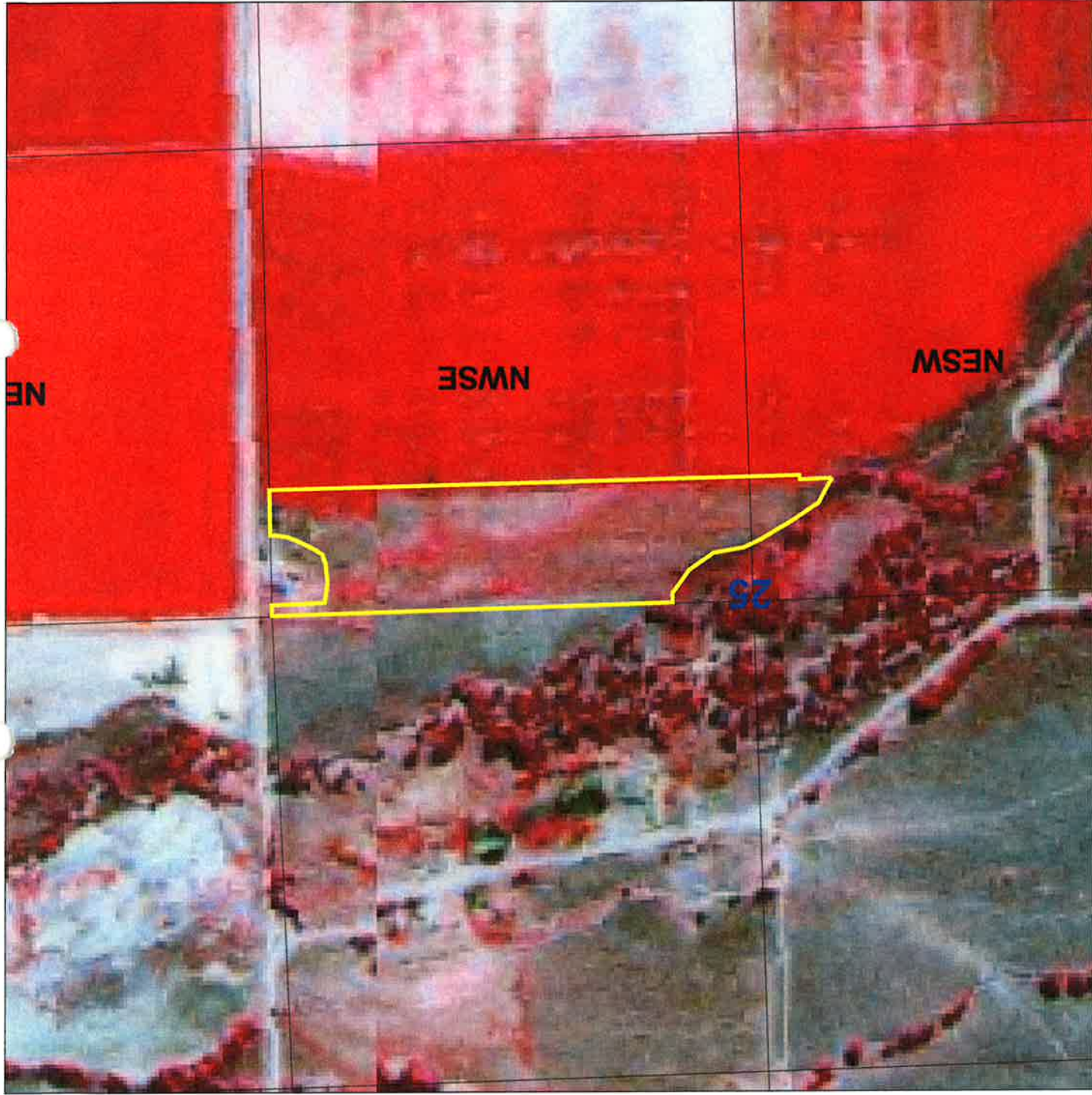


Teton County
IDWR Basin 22



Prepared by T. Galbraith
On Tuesday, October 10, 2006
1987/88 Aerial Photography





22-12982

10-10-06

- Indemnity decree
- In 1987 257.3 acres were being irrigated
- 80 in = 1.6 cfs
- $1.6 \text{ cfs} / 57.3 \cdot 10.3 \text{ acres owned by Lucia}$
= 29 cfs

TF

Adjudication # A 22-12871

RIGHT STONE, Recorder
Instrument # 467704

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT STATE OF IDAHO
OF IDAHO, IN AND FOR THE COUNTY OF FREMONT

W.C. Wanlass, and I. F. Wanlass,
both single,
Plaintiffs
v.
Lynn Crandall, Watermaster,
District 36 Idaho,
Defendant.

DECREE

County of Teton
I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of the original as filed in my office.
Date: Sept 28 1949
Dwight C. Stone
Recorder
County of Teton

THIS CAUSE came on regularly to be heard in open Court at Driggs, Idaho, before the Honorable Henry S. Martin, District Judge of the Ninth Judicial District of Idaho, in and for the county of Fremont, S. H. Atchley of Driggs, Idaho, appearing as counsel for the plaintiffs, and it appearing to the satisfaction of the court that the defendant was served with a copy of the summons and a copy of the complaint in this action, and that he failed to appear and plead to said complaint, and that the default of said defendant was duly entered herein September 21, 1949; and,
It further appearing that an order was made on the 4th day of August, 1949, directing the publication of a notice, once a week for not less than 3 weeks successively, in the Teton Valley News, a newspaper published weekly at Driggs, Idaho, in Teton county, and in the TetonPeak Chronicle, a newspaper published weekly at St. Anthony, Fremont county, Idaho, containing the title of the Court and cause, the name of the stream or date and short title of the decree of this Court heretofore entered, fixing the permanent rights in and to the waters of Snake River and its tributaries; that the said notice was published in accordance with said order and the proof of publication has been filed herein; that no person or persons have appeared to defend against said action;
The plaintiffs introduced documentary and oral proof in support of their said complaint and the Court, after hearing the evidence and examining the proofs adduced, finds as follows:

File to claim

That the plaintiffs are residents of Teton county, Idaho, and are entitled to the quantity of water diverted by them; that the plaintiffs are the owners of, and the land irrigated by them is situate in Teton county, Idaho, and is described:

Northwest Quarter of Southeast Quarter and Northeast Quarter of Southwest Quarter, section 25 Twp. 4 N. Range 45 E. B.W.

That said land is arid in character and requires artificial application of water by irrigation to produce agricultural crops; that the plaintiffs and their predecessors-in-interest, ever since the 15th day of May, 1896, have diverted 80 miner's inches of the waters of Fox Creek, through the Wanlass Canal; that the diversion works of plaintiffs are located approximately one mile west of the Idaho-Wyoming State line north-east of Victor, Teton county, Idaho; that ever since said May 15, 1896, the plaintiffs and their predecessors-in-interest have applied said quantity of water, during the irrigation seasons, to beneficial use in the irrigation of crops grown upon the aforementioned lands; that said water right was not adjudicated in that certain decree known as the "Bexburg or Snake River Decree."

From the findings above the Court concludes that the plaintiffs are entitled to, and, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, That the plaintiffs for the irrigation of the hereinbefore described land, are awarded the use of 80 miner's inches of water, with a priority date of May 15, 1896, of the waters of Fox Creek, hereinbefore described.

It is further ordered, adjudged and decreed, that the rights awarded and decreed in that certain decree commonly known as the "Bexburg or Snake River Decree," made and entered in this Court December 18, 1910, both as to dates of priority and the amounts of the rights awarded, are binding upon the plaintiffs in this action.

Done in open Court at Driggs, Idaho, September 21, 1949.

Henry S. Martin
District Judge

STATE OF IDAHO.)
COUNTY OF FREMONT)

I, T. H. Foley, Clerk of the District Court, and Ex-Officio Auditor and Recorder, in and for the County of Fremont, State of Idaho, do hereby certify that the attached is a full, true, and correct copy of a certain Decree, W. C. Wanlass and I. F. Wanlass both single VS Lynn Crandall, Watermaster, District 36 Idaho as the same now appears of record on file in my office, as instrument No. 287259 IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office this 22 day of September A. D., 1949

T. H. Foley

Clerk of District Court, and Ex-Officio Auditor and Recorder.

STATE OF IDAHO)
COUNTY OF TETON)

Filed for Record at the Request of S. H. Atchley at 46 Minutes past 11 O'clock am. this 22 day of September 1949. Dwight C. Stone Recorder
1.50

Instrument # 47010

Filed 11-10-49
J.C. Packrell, Judge

IN THE PROBATE COURT OF TETON COUNTY, IDAHO

In the Matter of the Estate of,

DECREE



Water Right No(s). _____

GPS DATA:

Tag # A0012260 Location: East wing of hudgett

Diversion Data:

Source: Fox Creek Trib to: Teton River

MOTOR

Make: _____ Model: _____ Hp: _____
SN: _____

PUMP

Make: _____ Model: _____ Disch: _____
SN: _____

NOTES:

hudgett is a concrete structure with screw-type
gate.

Field Exam Date: 5/24/06 Agent: DO

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Water Right Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to

Other rights from this POD? _____

Transfers Pending or approved: _____

Document how the POD and Source were verified:8/24/06
DDPOD is concrete headgate with a screw-type gate
located on Fox Creek

Reviewer: _____ Date: _____

Place Of Use Data Entry Form

Claim Number: _____

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total acres _____

Pending or approved Transfers: _____

Overlapping rights: _____

Document how the POU was verified:

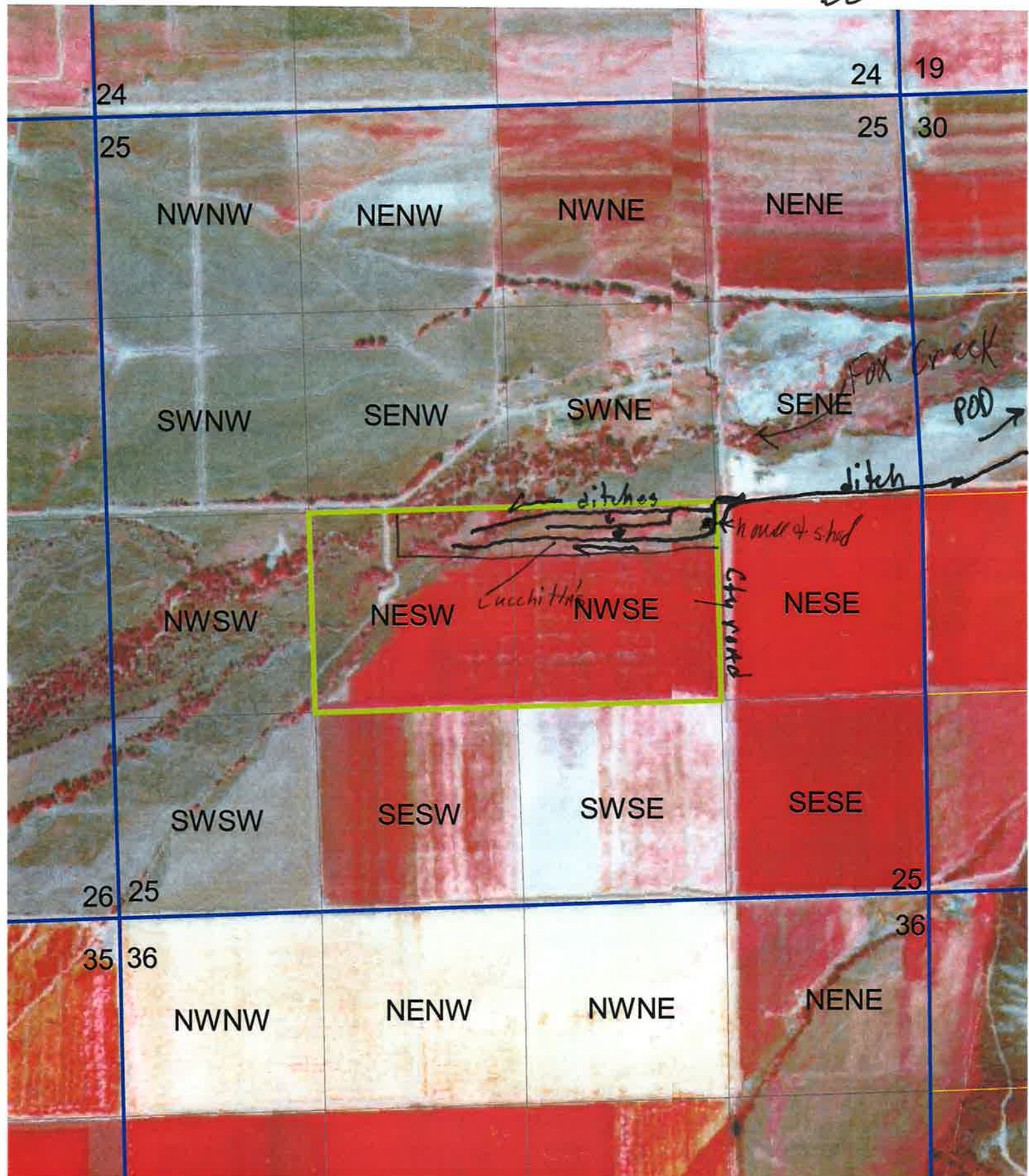
9/16/06
DD

Field exam showed approx. 20 acres irrigated with a series of ditches and dams.

Reviewer: _____ Date: _____

22-12982

9/16/06
DO





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 27, 1994

IVO OR BAERBEL K LUCCHITTA
1111 NAVAJO DR
FLAGSTAFF AZ 86001

Re: Snake River Basin Adjudication (SRBA)
Teton County - #A22-12982
Identification Number Change

Dear Claimants:

The Identification Number to your Water Right has been changed from #A22-12871 to #A22-12982. This change does not affect your claim in any other way. A copy is enclosed for your records. Please use the new number in future inquiries or correspondence you may have with our Department.

Do not hesitate to contact this office if you have any questions or concerns.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:region

Enclosure:

Copy of Notice of Claim A22-12982

MICROFILMED
NOV 0 / 1990

IVO LUCCHITTA

1111 NAVAJO DRIVE

FLAGSTAFF, ARIZONA 86001

Mr. Dennis Dunn
Idaho Dept. of Water Resources
Idaho Falls, ID

August 19, 1991

Dear Dennis:

On June 26 we stopoped by your office and filed an amendment to our Water Claim A 22-00418 A and filed another claim A 22-12871. Additional documentation was required for both claims, and is here enclosed.

Claim A 22-00418 A concerns water rights originally decreed to George F. Moulton. The original decree listed the section as 29, which was a mistake. The section should have been 25. You requested that we furnish documentation that George F. Moulton acquired property in Sec. 25 but not in Sec. 29. The enclosed records are the earliest real estate transactions recorded in Teton County, and show that G.F. Moulton indeed acquired the property in Sec. 25 from the U.S. Government in 1902, whereas nobody acquired equivalent property in Sec. 29.

Claim A 22-12871 concerns a decree issuing from a plaint by Wanless against Lynn Crandall. A copy of this decree is enclosed, as per your request.

We enjoyed talking with you in your office. Perhaps you may recall that we are the geologists with property on Fox Creek, near Victor. Please say hello to Sandra for us. We are enclosing a few items that she might find useful in her teaching. They are all aimed at the general public rather than the specialist. We will be at our Idaho property for the next two weeks, excepting an as-yet not determined interval of about five days when we will be hiking in the Wind River Mtns. Should you be in the area, please give us a call and stop by. The number, (208) 787-2898, is that of the lady who lives downstairs from us. She can call us or relay the message.

We hope you are having an excellent summer. Best regards,

Ivo & Baerbel Lucchitta

Ivo and Baerbel Lucchitta

MICROFILMED
NOV 01 1991

MICROFILMED
NOV 07 1992

TITLE
OF
CASE

WATER DIST.

COUNTY

JUDICIAL DIST.

JUDGE

DATE OF DEGREE

RECORDED

IN BOOK NO. AT PAGE NO. FI

P.N.	D.N.	DEGREED OWNER	NAME	PRESENT OWNER	AMT. INCHES SEC. FT.	PRIORITY	DIVERSION				REMARKS, LAND TO BE IRRIGATED, ETC.
							SUBDIV.	SEC.	TWP.	RG.	
22-2112		Blanchard, John J.		Trail Creek	1.6	6-26-1924	NESW	19	3N	46E	S1/2SW1/4, Sec. 16; Twp. 3N, Rge. 45E.B.M.
22-2114		Tonks, E. W.		" "	1.3	10-20-1924	SENE	13	3N	45E	N1/2NW1/4, Sec. 34; Twp. 4N, Rge. 45E.B.M.
22-0165		Beezley, Ebenezer & J.		Fox Creek	1.6	6-1-1889					NE1/4, Sec. 23; Twp. 4N, Rge. 45E.B.M.
22-0558		Trans. No. 351 Tonks, George M.		" "	0 (1.1)	7-15-1889					E1/2NW1/4, NE1/4SW1/4, NW1/4SE1/4, S1/2SE1/4, SE1/4SW1/4, Sec. 34; SW1/4SW1/4, Sec. 35; Twp. 4N, Rge. 45E.B.M.
22-0166		Beezley, Ebenezer & J.		" "	1.6	6-1-1890					NE1/4, Sec. 23; Twp. 4N, Rge. 45E.B.M.
22-0192		Byrne, Michael		" "	2.4	"					SW1/4, Sec. 27; S1/2SW1/4, Sec. 26; Twp. 4N, Rge. 45E.B.M.
22-0350		Jenkins, William		" "	1.6	"					E1/2SE1/4, Sec. 23; Twp. 4N, Rge. 45E.B.M.
22-0360		Kimball, R. C. & A. L.		" "	2.2	"					SE1/4, Sec. 28; E1/2NE1/4, Sec. 24; Twp. 4N, Rge. 45E.
22-0228		Dewey, George A.		" "	3.2	6-1-1891					S1/2NE1/4, S1/2NW1/4, Sec. 27; Twp. 5N, Rge. 45E.
22-0202		Christensen, Nels C.		" "	"	6-1-1894					Lot 1, Sec. 30; SE1/4NW1/4, Lot 4, Sec. 19; NE1/4NW1/4, Sec. 30; Twp. 4N, Rge. 46E.B.M.
22-0432		Parker, B. F.		" "	0.3	6-1-1895					SE1/4NW1/4, Lot 1, Sec. 19; SE1/4SW1/4, Lot 4, Sec. 18; Twp. 4N, Rge. 46E.B.M. SE1/4, Sec. 27; Twp. 4N, Rge. 45E.B.M.
22-0417		Moulton, Charles		" "	2.0	5-15-1896					SE1/4NW1/4, Lots 2 & 3, Sec. 30; Twp. 4N, Rge. 46E.
22-0418		Moulton, George F.		" "	"	"					SE1/4NE1/4, Sec. 25; Twp. 4N, Rge. 45E.B.M.
22-0108		Rasmussen, Hal & Leisle		" "	1.6	"					E1/2SW1/4, W1/2SE1/4, Sec. 25; Twp. 4N, Rge. 45E.B.
22-0185		Bush, George W.		" "	2.0	6-1-1896					SE1/4SW1/4, SW1/4SE1/4, Sec. 25; Twp. 4N, Rge. 45E.
22-0187		" "		" "	0.8	"					SE1/4, Sec. 19; NE1/4SW1/4, NW1/4SE1/4, Lot 3, Sec. 18; Twp. 4N, Rge. 46E.B.M.
22-0361		Kimball, R. C. & A. L.		" "	1.6	"					Same as above
22-0445		Penfold, Farley		" "	0.4	"					SE1/4, Sec. 28; E1/2NE1/4, Sec. 24; Twp. 4N, Rge. 45E.
22-0540		Stone, Henry J.		" "	3.2	"					N1/2NE1/4, SW1/4NE1/4, Sec. 25; Twp. 4N, Rge. 45E.
											NW1/4, Sec. 26; Twp. 4N, Rge. 45E.B.M.

LEGEND

P.N. = PRIORITY NUMBER

D.N. = DEGREE NUMBER

C.T. = CUMULATIVE TOTAL

Lucchitta

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT
OF IDAHO, IN AND FOR THE COUNTY OF FREMONT

W.C. Wanlass, and L. F. Wanlass,
both single,

Plaintiffs

vs.

Defendant.

DECREE

STATE OF IDAHO
County of Teton

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of the original thereof, on file in my office.
Dated June 28 1949

Asa J. Drake
Ex-Officio Auditor & Recorder
Clerk of the District Court
Bonnie Reel
Deputy Clerk

on regularly to be heard in open Court at Driggs, Idaho, before the Honorable Henry S. Atchley, of the Ninth Judicial District of Idaho, in and for the county of Fremont, S. H. Atchley appearing as counsel for the plaintiffs, and it appearing to the satisfaction of the court as served with a copy of the summons and a copy of the complaint in this action, and appear and plead to said complaint, and that the default of said defendant was duly entered September 21, 1949; and, finding that an order was made on the 4th day of August, 1949, directing the publication of notice for not less than 3 weeks successively, in the Teton Valley News, a newspaper published at Teton, in Teton county, and in the Teton Peak Chronicle, a newspaper published weekly at Teton, Idaho, containing the title of the Court and cause, the name of the stream or in which the plaintiffs claim an interest, the date of priority claimed by them, as is required, and the date and short title of the decree of this Court heretofore entered, fixing the permanent rights in and to the waters of Snake River and its tributaries; that the said notice was published in accordance with said order and the proof of publication has been filed herein; that no person or persons have appeared to defend against said action;

The plaintiffs introduced documentary and oral proof in support of their said complaint and the Court, after hearing the evidence and examining the proofs adduced, finds as follows:

That the plaintiffs are residents of Teton county, Idaho, and are entitled to the quantity of water diverted by them; that the plaintiffs are the owners of, and the land irrigated by them is situated in Teton county, Idaho, and is described:

Northwest Quarter of Southeast Quarter and Northeast Quarter of Southwest Quarter, section 26 Twp. 4 N. Range 45 E.B.M.

That said land is arid in character and requires artificial application of water by irrigation to produce agricultural crops; that the plaintiffs and their predecessors-in-interest, ever since the 15th day of May, 1896, have diverted 80 miner's inches of the waters of Fox Creek, through the Wanlass Canal; that the diversion works of plaintiffs are located approximately one mile west of the Idaho-Wyoming State Line north-east of Victor, Teton county, Idaho; that ever since said May 15, 1896, the plaintiffs and their predecessors in interest have applied said quantity of water, during the irrigation seasons, to beneficial use in the irrigation of crops grown upon the aforementioned lands; that said water right was not adjudicated in that certain decree known as the "Rexburg or Snake River Decree."

From the findings above the Court concludes that the plaintiffs are entitled to, and, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, That the plaintiffs for the irrigation of the hereinbefore described land, are awarded the use of 80 miner's inches of water, with a priority date of May 15, 1896, of the waters of Fox Creek, hereinbefore described.

It is further ordered, adjudged and decreed, that the rights awarded and decreed in that certain decree commonly known as the "Rexburg or Snake River Decree," made and entered in this Court December 16, 1910, both as to dates of priority and the amounts of the rights awarded, are binding upon the plaintiffs in this action.

Done in open Court at Driggs, Idaho, September 21, 1949.

Henry S. Martin
District Judge

STATE OF IDAHO,)
COUNTY OF FREMONT)

I, T. H. Foley, Clerk of the District Court, and Ex-Officio Auditor and Recorder, in and for the County of Fremont, State of Idaho, do hereby certify that the attached is a full, true, and correct copy of a certain Decree, W. C. Wanlass and L. F. Wanlass both single VS Lynn Crandall, Watermaster, District 36 Idaho as the same now appears of record on file in my office, as instrument No. 267259 IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office this 22 day of September A. D., 1949

T. H. Foley
Clerk of District Court, and Ex-Officio
Auditor and Recorder.

STATE OF IDAHO)
COUNTY OF TETON)

Filed for Record at the Request of S. H. Atchley at 45 Minutes past 11 O'clock am. this 22 day of September 1949. Dwight C. Stone Recorder
1.50

Instrument # 47010

Filed 11-10-49
J.C. Packrell, Judge

IN THE PROBATE COURT OF TETON COUNTY, IDAHO

In the Matter of the Estate of,

DECREE

Adjudication # A 22-12871

File to claim



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: **A22-12982**
Date Received: 6/26/1991
Receipt No: E016265
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: IVO LUCCHITTA 602-774-0136
Address: 1111 NAVAJO DRIVE
FLAGSTAFF AZ 86001
OR
Name: BAERBEL K. LUCCHITTA 602-774-0136
Address: 1111 NAVAJO DRIVE
FLAGSTAFF AZ 86001

2. Date of Priority: MAY 15, 1896

3. Source: FOX CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	46E	30	NW	NE			TETON
			SE	NW			TETON

5. Description of diverting works:
HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 40.0 Acre Feet Per Annum

9. Non-irrigation uses:
STOCKWATER FOR 4 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	45E	25	NE	SW		IRR	10.0
			NW	SE		IRR	10.0
Section Acres							20.0
Total Acres							20.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
A22-00418A

14. Remarks:

15. Basis of Claim: DECREED

Case Number: 47010

Court : NINTH

Decree date: 9/21/1949

<u>W.C. WANLESS</u>		<u>LYNN CRANDALL</u>
Decree Plaintiff	vs	Decree Defendant

MICROFILMED
NOV 0 1 1990

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A2212982



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MICROFILMED
NOV 07 1992

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NOV 07 1992

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Decree date: 9/21/1949

W.C. WANLESS
Decree Plaintiff

LYNN CRANDALL
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: _____

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): Bonnie K. Grunke Date: 6/26/91

Date: _____

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NOV 07 1991

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NOV 07 1992

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of June 19 91 Dave Carls
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/92

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NOV 0 / 1990

~~MICROFILMED~~
NOV 07 1992

