

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

RIGHT NUMBER: 34-13585

NAME AND ADDRESS:

LESTER W BROADIE
PO BOX 65
ARCO ID 83213

SOURCE:

Source:

Tributary:

UNNAMED STREAM

SINKS

~~UNNAMED STREAM~~

~~CHAMPAGNE CREEK~~

~~SOUTH LAVA CREEK~~

~~SINKS~~

Point of injection into and point of redirection from South Lava Creek.

QUANTITY:

3.000 CFS

Use of this right with Right No. 34-10668 is limited to a total combined diversion rate of 6.64 cfs.

PRIORITY DATE:

04/01/1944

POINT OF DIVERSION:

T02N R24E S11 SWNNW

Within BUTTE County

T02N R24E S11 SESWNW Injection

Within BUTTE County

~~T02N R24E S11 NENESW Rediversion~~

~~Within BUTTE County~~

T02N R24E S11 NWSE Rediversion

Within BUTTE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

3.000 CFS

PLACE OF USE:

IRRIGATION

within BUTTE County

T02N R24E S11 SWNW 11.0

T02N R24E S11 SENW 2.0

T02N R24E S11 NESE 14.0

T02N R24E S11 NWSE 13.0

T02N R24E S11 SESE 14.0

T02N R24E S12 NWSW 16.0

T02N R24E S12 SWSW 10.0

80 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 34-10668 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 166 ACRES IN A SINGLE IRRIGATION SEASON.

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

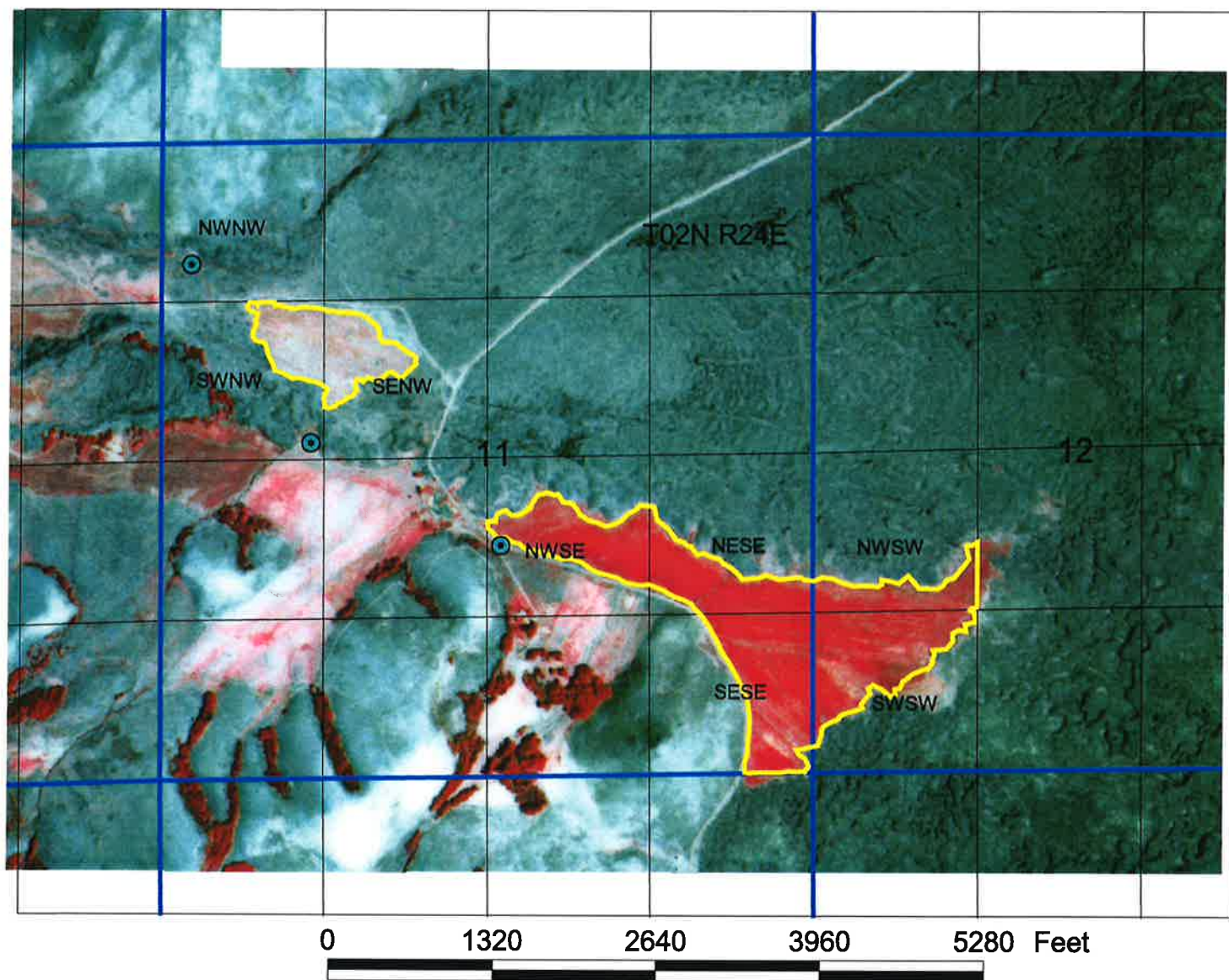
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL:

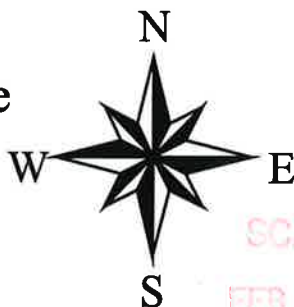
BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

Claim No.: 34-13585



- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Ernest Carlsen
Date Prepared: September 2005

SCANNED
FEB 06 2009

Claim no. 34-13585

Claimant Contact Log

Date 9-21-2005 Remarks Agent initials

Blw

I met on-site with Lester Broedie & his son "Moj" Broedie. I explained that Claim 34-13585 duplicated elements of 34-10668 & seemed unnecessary.

Mr. Broedie then requested copies of 34-13585 & 34-10668 be sent to him so he could consult his attorney, Charles Hunsaker in Boise. Mr. Broedie had no idea of why the duplication exists between claims, but stated that his attorney filed all claims.

Charles Hunsaker phone is 208-342-4591



Culvert in Lava Creek

A34-13585-1, Upper Splitter area with ditch to properties
other than P.O.U. for A34-13585 - Lava Creek
for info only

COPIED
FBI 06 270

34-13585-2. Division on Linnard Stream
GPS data 1369087 - 1369087 - 1369087
Section II. Ditch continues to #3 on map
+ injects water into South Lava Creek.





34-13582-3 - Ditch from unnamed stream injects into
South Lava Creek

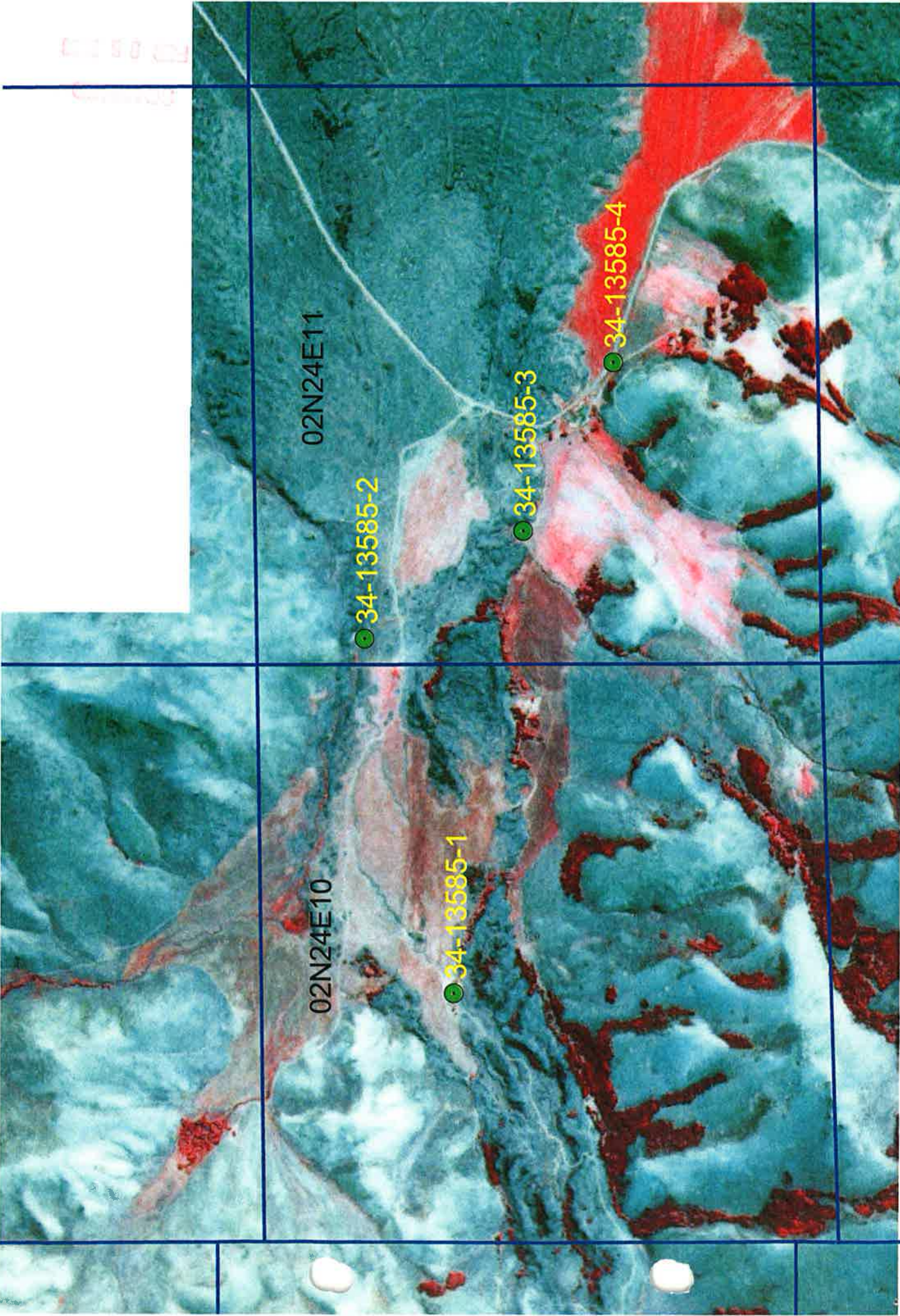
RECEIVED
FEB 10 2011



34-13582-4 Rediversion of unnamed Stream water

+ Diversion of S. Lava Creek water.

2011
10 03 2011



SUMMARY OF FIELD FROM 9/25/91

434-02241. AND 434-10668.

Accompanied By Oliver, Leroy Beadie AND Paul Meyer, Iowa.

DATE- 5/23/91 ERIC LERGER 5/25/91

I went BACK ON-SITE TO VERIFY THE LOCATION OF THE SPRING AND IRRIGATION SYSTEM FOR LOCUS 84-02241. ALSO I WENT TO VERIFY POINTS OF DIVERSION AND PLACES OF USE FOR STREAMS CLAIMED IN 434-10668.

Met Mr. Beadie @ his home at 1200 AM. He showed Paul AND I the location of the SPRINGS UNDER 434-02241. The source is a SPRING THAT FLOWS FROM A LAVA TUBE INTO A SMALL DEPRESSION WHICH FLOWS TO FORM A NATURAL POND. THE DIVERSION IS DONE TO BE USED TO IRRIGATE THE 12 ACRE FIELD IN THE S $\frac{1}{2}$ NW $\frac{1}{4}$ SEC. 11. THIS WATER CAN'T BE USED FOR IRRIGATION ABOVE THIS FIELD (THERE IS SOME NATURAL SUB-SURFACE AROUND THE DITCH COURSE). ANY WATER NOT USED ON THIS FIELD IS DIVERTED TO THE LOWER FIELDS, CONVERGING W/ OTHERS CHANNELS. NORTH OF SOUTH LAVA CREEK WATER IS THE ONLY NW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 11. THIS WATER IS PRIMARILY USED TO IRRIGATE THE LARGE FIELD IN THE SE $\frac{1}{4}$ SEC. 11.

WE WENT VISITED THE DIVERSION FROM NORTH AND SOUTH LAVA CREEKS. THE NORTH LAVA CREEK DIVERSION IS AT A SPRING WHICH SUPPLIES INTO NORTH LAVA CREEK. THE SPRING SUPPLIES THE MORE RELIABLE FLOW, BUT NORTH LAVA CREEK IS ALSO DIVERTED INTO THE SAME DITCH. ~~WATER IS USED~~. WE COLLECTED INTEGRATED DATA AS THE DITCH TO BE ABLE TO USE MANUALLY EQUIPMENT.

0000 0000 26 15

SUMMARY OF FIELD STAFF BY LAVER BRONIE -

A34-02241 AND A34-10668.

ACCOMPANIED BY CHASE, LAVER BRONIE AND PAUL MAYER LOWE.

DATE - 5/23/91 FOUO 5/23/91

I WENT BACK ON-SITE TO VERIFY THE LOCATION OF THE SPRING AND IRRIGATION SYSTEM BY LICENSE 34-02241. ALSO WENT TO VERIFY POINTS OF DIVERSION AND PLACES OF USE BY STREAMS CLAIMED IN A34-10668.

MET MR. BRONIE @ HIS HOME AT 10:00 AM. HE STATED APRIL AND MAY LOCATION OF THE SPRING CHARGED A34-02241. THE SOURCE IS A SPRING THAT FLOWS FROM A LAVA TUBE INTO A SMALL DEPRESSION WHICH FILLS FROM A NATURAL POND. THE DIVERSION IS INTENDED TO BE USED TO IRRIGATE THE 12 ACRE FIELD IN THE S $\frac{1}{2}$ SW $\frac{1}{4}$ SEC. 11. THIS WATER CAN'T BE USED FOR IRRIGATION ABOVE THIS FIELD (THERE IS ANNO. NATURAL SUB-IRRIGATION ALONG THE DITCH COURSE). SOME WATER NOT USED ON THIS FIELD IS DIVERTED TO THE LOWER FIELDS, CONJUGATING W/ DITCHES CANALIZED NORTH / SOUTH LAVA CREEK WATER INTO THE NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 11. THIS WATER IS PRIMARILY USED TO IRRIGATE THE LARGE FIELD IN THE SE $\frac{1}{4}$ SEC. 11.

WE THEN VISITED THE DIVERSION FROM NORTH AND SOUTH LAVA CREEKS. THE NORTH LAVA CREEK DIVERSION IS AT A SPRING WHICH SUPPLIES INTO NORTH LAVA CREEK. THE SPRING SUPPLIES THE MORE RELIABLE FLOW, BUT NORTH LAVA CREEK IS ALSO DIVERTED INTO THE SAME DITCH, ~~UNLESS IT IS DRY~~. WE COLLECTED AUGMENTATION FOR THE DITCH TO BE ABLE TO USE MANNING'S EQUATION.

CM
OF
6.64
7.24
3.24

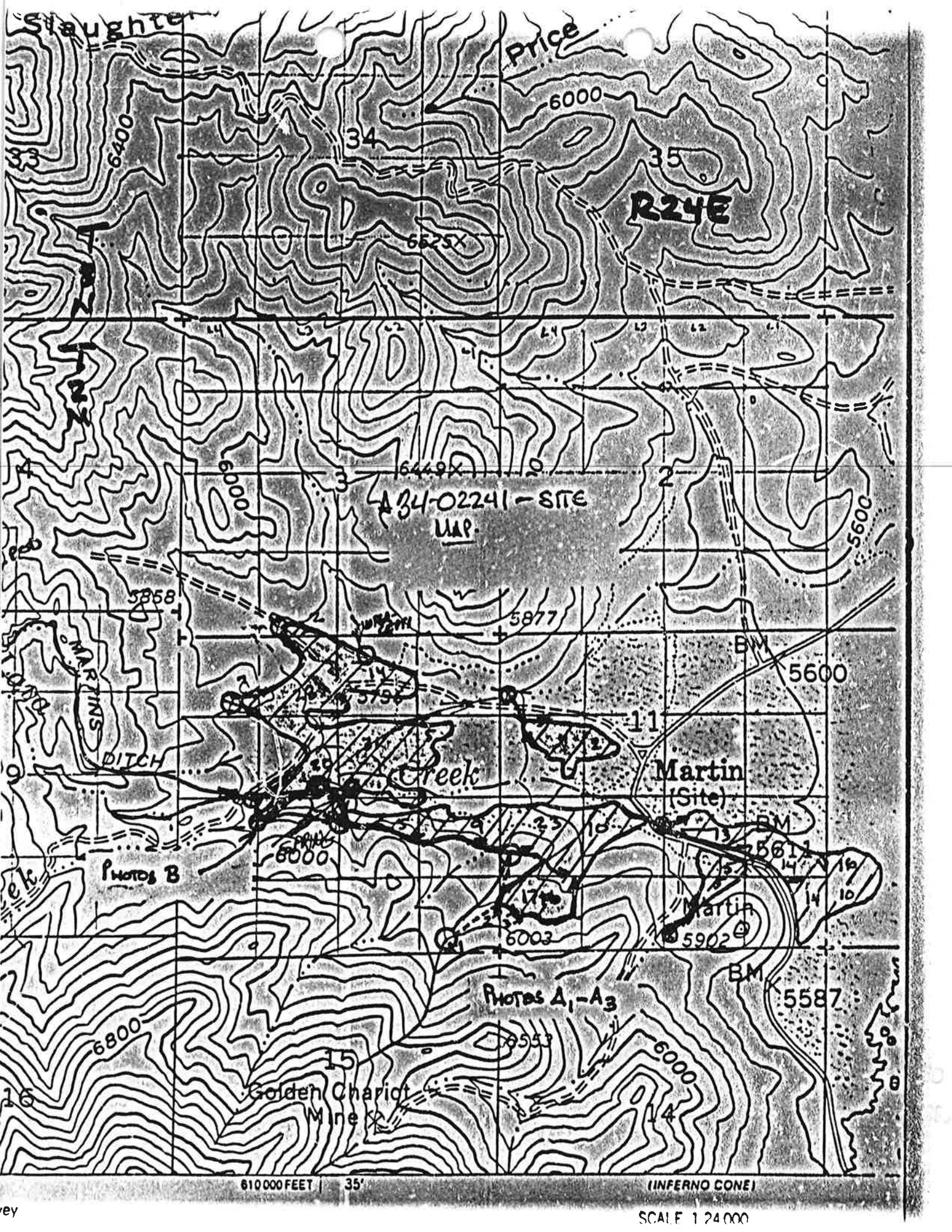
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3.24

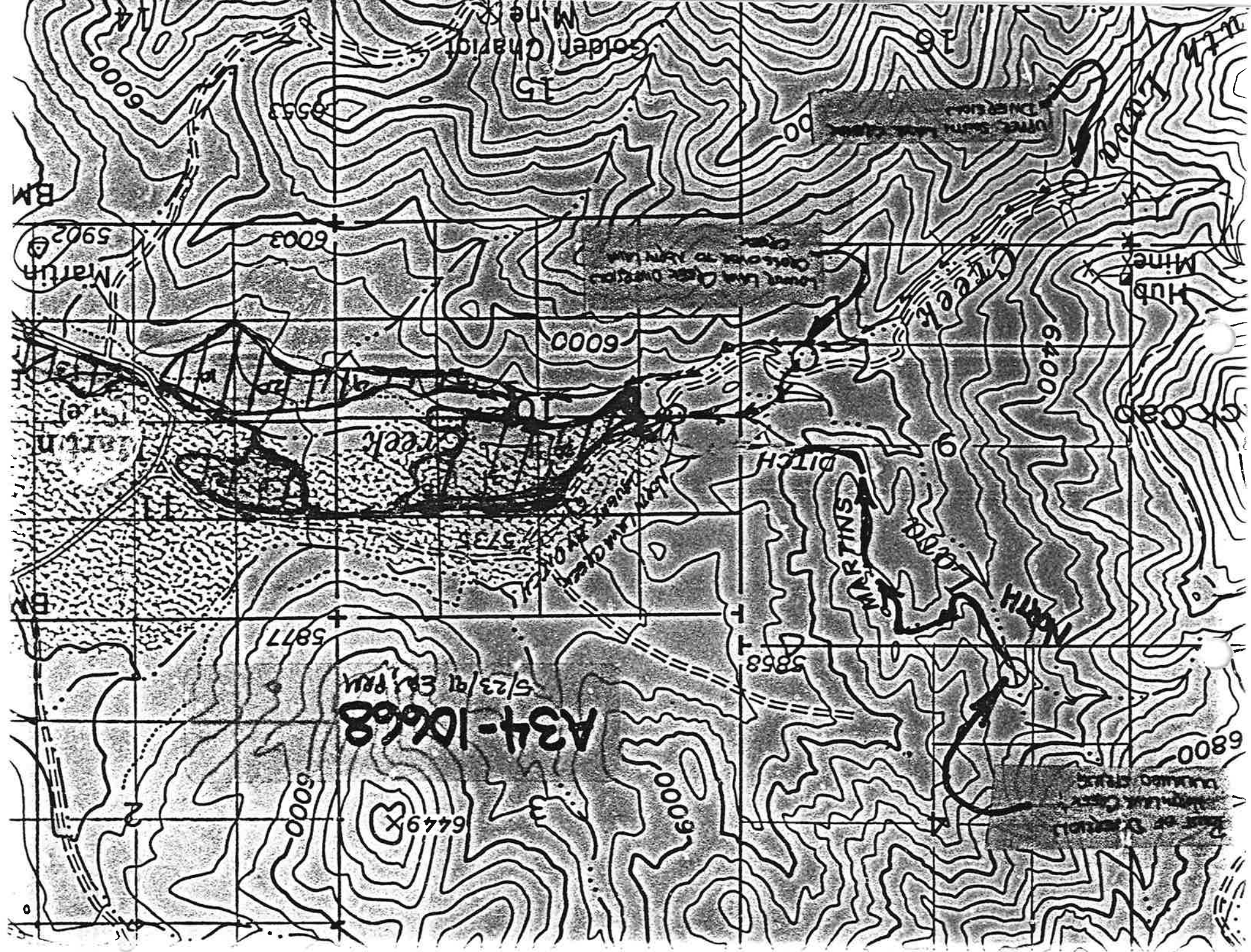
238.6

32x10

25x10

32x10





RECEIVED

OCT 1 1998



Department of Water Resources

A3A-13585

Dear Don

I received a letter from
my Attorney Charley Honsi in
you need \$50.00 for my water
chain here is the check

I'll be leaving 30 Sept. for
Wisconsin so with be gone
for 2 weeks or so

I'll call you when I
get back home so I'll be
here when you investigate
my water chain

Thank you
Les Broadie

LOST RIVER ELECTRIC COOPERATIVE, INC.
Mackay, Idaho

COPIED
FEB 05 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

September 16, 1998

KARL J. DREHER
DIRECTOR

CHARLIE HONSINGER
RINGERT CLARK CHTD
PO BOX 2773
BOISE ID 83701-2773

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A34-13585 - Lester W. Broadie

Dear Mr. Honsinger:

The Notice of Claim to a Water Right for your client, Lester W. Broadie, was received from the SRBA Court recently. We have enclosed your receipt #C043416 for part of the filing fees paid by Blizzard Mountain. Please retain the receipt for your records.

Before Mr. Broadie's Notice of Claim can be investigated and reported to the Court, a late fee in the amount of \$50.00 is required by statute, Administrative Order 1 and Standard Form 4.

Please contact me at 208/327-7932 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff'.

Donald V. Shaff
Manager, Adjudication Section

DVS:ss:region

Enclosure:

Receipt #C043413

SCANNED
FEB 06 2000

1998 SEP 11 PM 5:09
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILEDIN 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. 34-13585

Case No. 39576

ORDER GRANTING MOTION TO
FILE A LATE NOTICE OF CLAIM

On August 13, 1998, a Motion to File a Late Notice of Claim was filed. All procedural requirements under *Administrative Order 1* were complied with in filing this *Late Notice of Claim*. No valid objections were made to this *Notice of Claim*. The Motion is GRANTED.

IT IS SO ORDERED

DATED: Sept 11, 1998

DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

ORDER GRANTING MOTION TO FILE
A LATE NOTICE OF CLAIMCOPIED
SEP 11 1998

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the **ORDER GRANTING MOTION TO FILE A LATE NOTICE OF CLAIM** was served on September 14, 1998, on the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098
Via first-class mail

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449
Via first-class mail

U.S. Dept of Justice
Environment & Natural Resources Div
550 West Fort Street, MSC 033
Boise, ID 83724
Via first-class mail

Charlie Honsinger
FOR LESTER W. BROADIE
Ringert Clark Chtd
PO Box 2773
Boise, ID 83701-2773
Via first-class mail


Ami Alberdi
Deputy Clerk of the Court
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

EAST RECEIVED
EC AUG 07 1998

Department of Water Resources

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

In Re SRBA)
)
)
Case 38576)
)
)
_____)

Subcase 34-13585 ^W

STANDARD FORM 4

MOTION TO FILE LATE NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

I am an attorney representing Lester W. Broadie.

My address is: RINGERT CLARK, CHARTERED, P.O. Box 2773, Boise, Idaho 83701

My phone number is: 208/342-4591

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

Mr. Broadie did not file a Notice of claim for the use of this water in the SRBA because:

Mr. Broadie assumed that he had claimed the source claimed pursuant to this late claim as part of his initial SRBA claim filings. Mr. Broadie was not present during the initial IDWR investigation of his other SRBA claims, and thus was not able to describe his irrigation system and property to the investigating agent. As a result, Mr. Broadie did not discover his error in failing to claim this water right until recently. The recommendation and decree of Mr. Broadie's claim no. 34-10668 included the place of use claimed as irrigated pursuant to this late claim to a water right. Based on the decree of water right no. 34-10668, Mr. Broadie assumed that he had claimed, and that IDWR had investigated and recommended all sources and points of diversion irrigating this claimed place of use.

Mr. Broadie is providing legal and factual documentation for his claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

Mr. Broadie has attached an Affidavit of Lewis Rothwell filed in the case of Smith v. Broadie, Butte County case No. 1698 in support of this late claim. This affidavit establishes that all water from Lava Creek and its tributaries has been used on property now owned by Mr. Broadie since at least 1944.

I have attached:

A fully completed Notice of Claim (available from IDWR).

A claim filing fee for an irrigation water right. IDWR may charge this fee pursuant to I. C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$50.00.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on EXPEDITED HEARING REQUESTED
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

SEARCHED
FEB 11 1997

VERIFICATION (Must be completed)

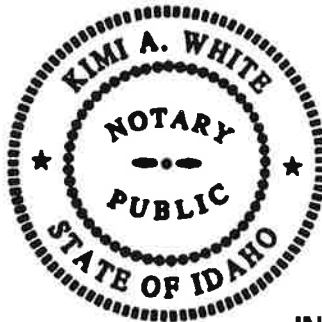
State of Idaho)
)
County of Ada)

Charles L. Honsinger, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I. C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Charles L. Honsinger
Attorney signing in representative capacity

Subscribed and sworn to before me on August 6, 1998
(Insert Date)



Kimi A. White
Notary Public for Ada County
Residing at: Boise, Idaho
My Commission expires: 04/01/04

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on August 6th, 1998, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

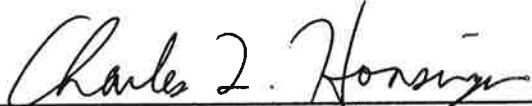
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing form

RECEIVED
FEB 26 2001

ANDERSON, KAUFMAN, ANDERSON & RINGERT
503 Idaho Building, Boise, Idaho
Attorneys for Defendant
Telephone: 342-4591

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BUTTE

HAROLD E. SMITH,

Plaintiff,

-vs-

LESTER BROADIE,

Defendant.

Case No. 1698

AFFIDAVIT IN SUPPORT OF

MOTION FOR SUMMARY JUDGMENT

STATE OF IDAHO)
) ss.
COUNTY OF BUTTE)

Lewis W. Rothwell, being first duly sworn, on oath deposes
and says:

That I have been familiar with what is now the Lester Broadie
Ranch on Lava Creek in Butte County, Idaho, for thirty years, or more,
and operated that ranch myself for two years in the mid-1950's.

That during that entire 30-year period, I have never observed
anyone other than Lester Broadie or the persons who owned the ranch

before him divert water from Lava Creek for irrigation or any other use, and during that same 30-year period all the water of Lava Creek and its tributaries, with the possible exception of some extremely high spring runoff, has been used for irrigation of the lands on the Broadie Ranch.

Lewis W. Rothwell
Lewis W. Rothwell

SUBSCRIBED AND SWORN to before me this 29th day of October, 1974.

Fred H. Buyer
Notary Public for the State of Idaho
Residing at Arco, Idaho

I hereby certify that service of the within and foregoing Affidavit in Support of Motion for Summary Judgment was made this 29th day of October, 1974, by mailing a copy thereof to Mr. Fred J. Hahn, Holden, Holden, Kidwell, Hahn & Crapo, Attorneys for Plaintiff, at P. O. Box 129, Idaho Falls, Idaho 83401.

William F. Ringert
William F. Ringert

AUG 07 1998

Department of Water Resources

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A34-13585
Date Received: 1/ 9/1990
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LESTER W BROADIE
Address: BOX 565
ARCO ID

841-5024
208-527-3193

83213

2. Date of Priority: APR 1, 1944

3. Source: NORTH LAVA CREEK
UNNAMED STREAM

Trib. to: SINKS
NORTH LAVA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	24E	10	SW	NW	NW		BUTTE
			NE	SE	NW	I	BUTTE
		11	NW	SW	NW	R	BUTTE
			NW	SW	NW		BUTTE

A3413585



5. Description of diverting works:
DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	3.000		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	24E	11	SW	NW		IRR	11.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	24E	11	SE	NW		IRR	2.0
			NE	SE		IRR	14.0
			NW	SE		IRR	13.0
			SE	SE		IRR	14.0
			Section Acres				54.0
		12	NW	SW		IRR	16.0
			SW	SW		IRR	10.0
			Section Acres				26.0
			Total Acres				80.0

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:
34-02218 AND 34-02241

14. Remarks:

POINT OF INJECTION INTO NORTH LAVA CREEK FROM UNNAMED STREAM.
POINT OF REDIVERSION FROM NORTH LAVA CREEK.

15. Basis of Claim: BENEFICIAL USE

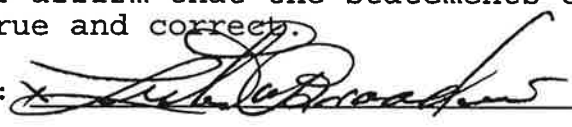
16. Signature(s)

(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: Aug. 4-98

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 4TH day
of August 19 98 Roxanne Brown
Notary Public



Residing at Brae, ID
My Commission Expires 5/16/2002

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: A34-13585

Date Received: 1/9/1990

Receipt No: C043416 C043580

Received By: *[Signature]* 9/16/98 *[Signature]* 12/05/98

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LESTER W BROADIE 208-527-3193
Address: BOX 565
ARCO ID 83213

2. Date of Priority: APR 1, 1944

3. Source: NORTH LAVA CREEK Trib. to: SINKS
UNNAMED STREAM NORTH LAVA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	24E	10	SW	NW	NW		BUTTE
			NE	SE	NW	I	BUTTE
		11	NW	SW	NW	R	BUTTE
			NW	SW	NW		BUTTE

5. Description of diverting works:
DITCHES TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	3.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	24E	11	SW	NW		IRR	11.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	24E	11	SE	NW		IRR	2.0
			NE	SE		IRR	14.0
			NW	SE		IRR	13.0
			SE	SE		IRR	14.0
						Section Acres	54.0
		12	NW	SW		IRR	16.0
	SW		SW		IRR	10.0	
						Section Acres	26.0
						Total Acres	80.0

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:
34-02218 AND 34-02241

14. Remarks:

POINT OF INJECTION INTO NORTH LAVA CREEK FROM UNNAMED STREAM.
POINT OF REDIVERSION FROM NORTH LAVA CREEK.

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: Aug. 4-98

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 4TH day
of August 19 98 Roxanne Brown
Notary Public



Residing at Boise, ID
My Commission Expires 5/16/2002

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

BROAIE

CLAIM IDENT. NO.

A34-1358.5

DATE RECEIVED

9-16-98

CK #

CO43416

AMOUNT \$

50

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| 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? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | N/A | |
| 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 | |
| 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:

Date:

9-16-98

Claim must be returned to claimant:

(Yes) ☒ (No)

Claimant must be notified of modifications:

(Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date: 9-16-98

Date:

Date:

Checked by:

Date:

Comments:

750 LATE FEE REQUIRED BY STATUTE AND A.O.1

AND STANDARD FORM 4.