

03/30/2005

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

RIGHT NUMBER: 27-23C

NAME AND ADDRESS: DOROTHY LYON
397 N 800 E
FIRTH ID 83236

EVERETT L LYON
397 N 800 E
FIRTH ID 83236

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.800 CFS
PRIORITY DATE: 03/25/1880
POINT OF DIVERSION:

T02S R37E S11 NWNWSW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R37E S16 Lot 2 NENW	37.0	T02S R37E S16 Lot 3 NWNW	6.0
T02S R37E S16 Lot 2 SENW	8.0		

51 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: **Decreed**

WATER IS DELIVERED THROUGH JUST DITCH.



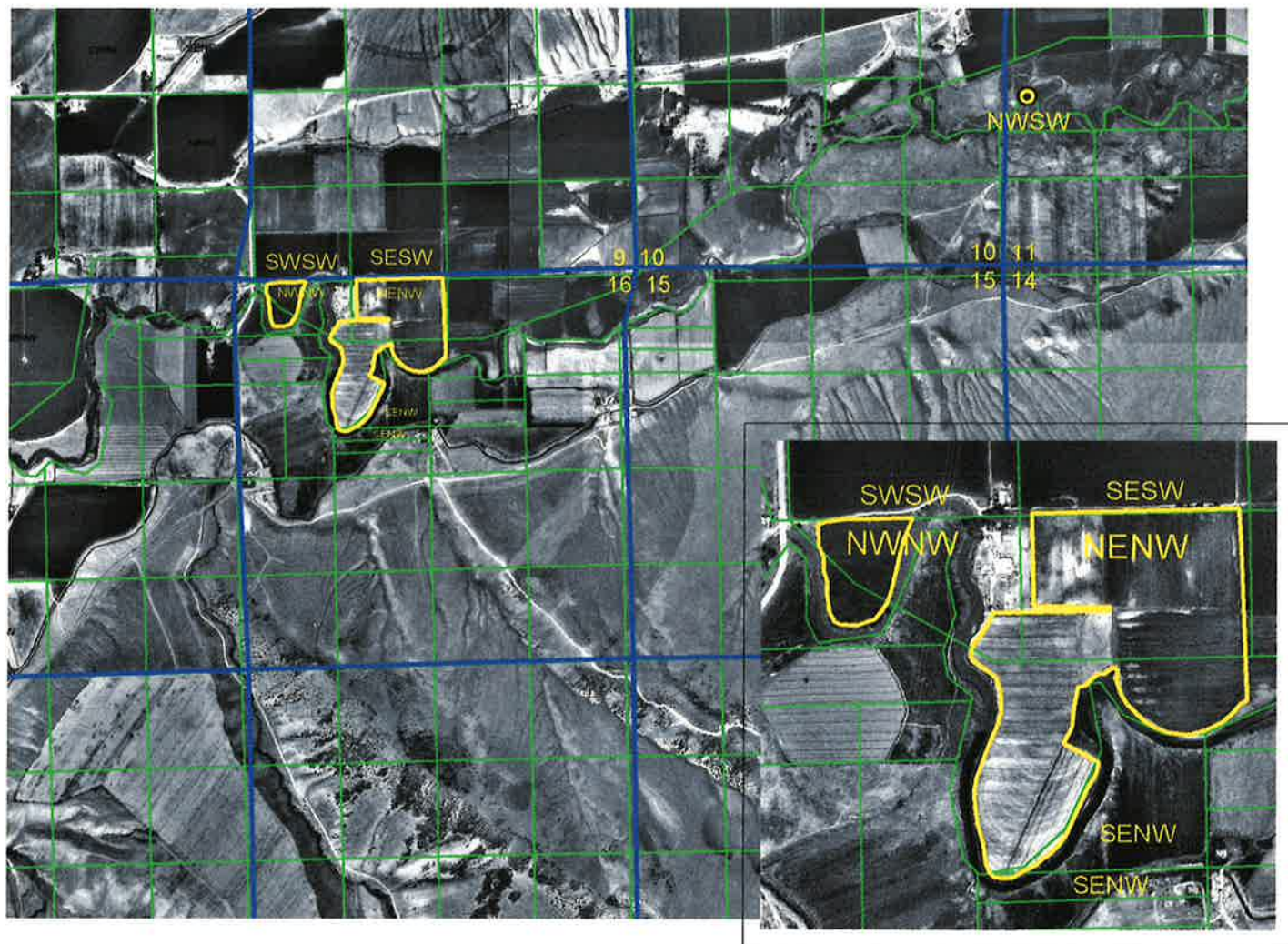
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-23C



800 0 8001600 Feet



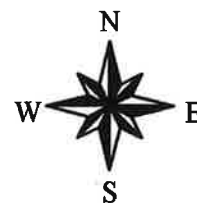
IRRIGATED ACRES 51.0

LEGEND

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

Place of Use: T2S, R37E:
(part of) Sec. 9, SESW.
(part of) Sec. 16, NENW, NWNW, SENW.

Point(s) of Diversion: T2S, R37E:
Sec. 11, NWNWSW.



GIS Place of Use Illustration
1992 Mr. Sid Imagery
B. Payne
Date: March 2005.

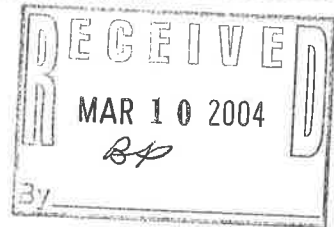
SCANNED

DEC 30 2005

PROFILED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 784



THIS IS TO CERTIFY That ALVIN JUST and CHARLES JUST, of Firth, Idaho, are the owners of and using a certain water right for one and eight tenths (1.8) cubic feet per second of the waters of Blackfoot River with priority of March 25, 1890, said water being decreed to P. E. Fox, Jr., William Howard, A. Whitten, Susan E. Whitten and Calvin Miles by Judge Charles Cobb of the District Court of the 5th Judicial District of the State of Idaho, in and for the County of Bingham, in the case of

FRED S. STEVENS, ET AL.,
Plaintiff,

vs.

EASTERN IDAHO WATER COMPANY, ET AL.,
Defendant.

said decree bearing date of August 1, 1891, and being appurtenant, in part, to the following described lands, to-wit:

W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 20, Township 2 South,
Range 36 East, B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 1 of Decrees, beginning at Page 31.

That said Alvin Just and Charles Just have become the owners of said water right through purchase.

And that now, upon the application of Alvin Just and Charles Just, of Firth, Idaho, for the transfer of 1.8 cubic feet per second of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 1.8 cubic feet per second of the waters of Blackfoot River on the above described lands is hereby abandoned and the land to which the water right hereby confirmed shall, by this certificate, become appurtenant for irrigation and domestic purposes is described as follows, to-wit:

West 736 feet of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the
West 736 feet of Lot 4, Section 10
and Lots 1, 2, and 3 in Section 16,
all in Township 2 South, Range 37 East, B.M.

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

That the water right hereby transferred has heretofore been conducted to the first above described lands from Blackfoot River through the Fox and Whitten Ditch and Blackfoot Slough with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Township 2 South, Range 37 East, B.M.

That the water right hereby transferred shall hereafter be conducted to the last above described land through the N. A. Just and Anna Just Ditch with point of diversion in Lot 4, Section 11, Township 2 South, Range 37 East, B.M.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 4th day of January, A.D. 1952.

Mark R. Kulp
MARK R. KULP
State Reclamation Engineer





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

September 5, 2008
EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Dorothy Lyon
397 N 800 E
Firth, Idaho 83236

RE: Water Right 27-23C POD

Dear Dorothy,

After our conversation this morning, I looked for a receipt showing a change of point of diversion (POD). I found a receipt number E000184 dated 5-5-1988 for \$50 that is for a transfer of water right 27-29C POD. Transfer # 3434 changed the point of diversion from the Just Ditch to a pump in the Blackfoot River. However, there is no record of a POD transfer for water right 27-23C from the Just Ditch.

I have enclosed a transfer application that is partially filled out for your convenience. Please read through the application to verify that the information is correct. There is one section on page two (Line Item 6a) of the application that you will need to complete. The last page requires your signature and needs to be notarized. IDWR can notarize the document if you would like to bring the application to the office. I have also included a transfer Fee Schedule showing that it will be \$250 to process this transfer.

Please complete the application and return it with the fee to the office at your convenience. If you have any further questions or concerns, please give me a call.

Sincerely,

Denise Kidman
Water Resource Agent

Enclosure

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of Applicant Dorothy Lyon Phone 785-0654

Mailing address 397 N. 800 E. Firth, Id 83236 Email _____

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other

2. Describe the reason for the proposed changes No longer deliver water through just
Wetch. Placed another pump into Blackfoot River.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. <u>Right Number</u>	<u>Priority</u>	<u>Amount (cfs/ac-ft)</u>	<u>Nature of Use</u>	<u>Period of Use</u>
27-23C	3/25/1880	0.8 cfs	Irrigation	4/01 to 10/31
				to
				to
				to

2. Total amount of water being transferred 0.8 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Blackfoot River tributary to Snake River

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
	SE	SW	SW	9	62S	37E	Bingham	

5. Lands irrigated or place of:

5. Lands irrigated or place of use:

[illegible]

Total Acres _____

PART 1

6. General Information:

a. Description of diversion system _____

_____b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

_____d. Remarks:

_____**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

For the Director

FEE SCHEDULE

Transfer fees (cfs = cubic feet per second -- AF = Acre feet)

cfs	AF		cfs	AF	
0.00 -- 0.20	0 -- 20	\$100.00	11.01 -- 12.00	1101 -- 1200	\$690.00
0.21 -- 1.00	21 -- 100	\$250.00	12.01 -- 13.00	1201 -- 1300	\$730.00
1.01 -- 2.00	101 -- 200	\$290.00	13.01 -- 14.00	1301 -- 1400	\$770.00
2.01 -- 3.00	201 -- 300	\$330.00	14.01 -- 15.00	1401 -- 1500	\$810.00
3.01 -- 4.00	301 -- 400	\$370.00	15.01 -- 16.00	1501 -- 1600	\$850.00
4.01 -- 5.00	401 -- 500	\$410.00	16.01 -- 17.00	1601 -- 1700	\$890.00
5.01 -- 6.00	501 -- 600	\$450.00	17.01 -- 18.00	1701 -- 1800	\$930.00
6.01 -- 7.00	601 -- 700	\$490.00	18.01 -- 19.00	1801 -- 1900	\$970.00
7.01 -- 8.00	701 -- 800	\$530.00	19.01 -- 20.00	1901 -- 2000	\$1010.00
8.01 -- 9.00	801 -- 900	\$570.00	20.01 -- 100.00	2001 -- 10000	*
9.01 -- 10.00	901 -- 1000	\$610.00	101.01 -- 500.00	10001 -- 50000	**
10.01 -- 11.00	1001 -- 1100	\$650.00	500.01 & over	50001 & over	***

* \$1010.00 plus \$20.00 for each additional 1.0 cfs or part thereof or 100 acre feet or part thereof over the first 20.0 cfs or 2,000 acre feet.

** \$2610.00 plus \$10.00 for each additional 1.0 cfs or part thereof or 100 acre feet or part thereof over the first 100.0 cfs or 10,000 acre feet.

*** \$6610.00 plus \$2.00 for each additional 1.0 cfs or part thereof or 100 acre feet or part thereof over the first 500.0 cfs or 50,000 acre feet.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right as evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

- [illegible]

- [illegible]

Total Acres _____

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

- [illegible]

- [illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.**

Scale: 2 inches equal 1 mile. Draw plan in ink.

Water District 27
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402
Phone: (208) 525-7161 Fax: (208) 525-7177

April 21, 2008

Dorothy Lyon
397 North 800 East
Firth, ID 83236

Dear Ms. Lyon:

In our telephone conversation last week, you mentioned that there are a few changes that may need to be made to your water rights (27-23C and 27-29C). First, you asked that Everett's name be removed from both water rights. Enclosed is a form titled "Notice of Change in Water Right Ownership." Please contact a water right agent at the Idaho Department of Water Resources in Idaho Falls (525-7171) to discuss how this form should be completed. Because the adjudication process for the Blackfoot River is still pending, there will likely not be a fee for changing ownership at this time.

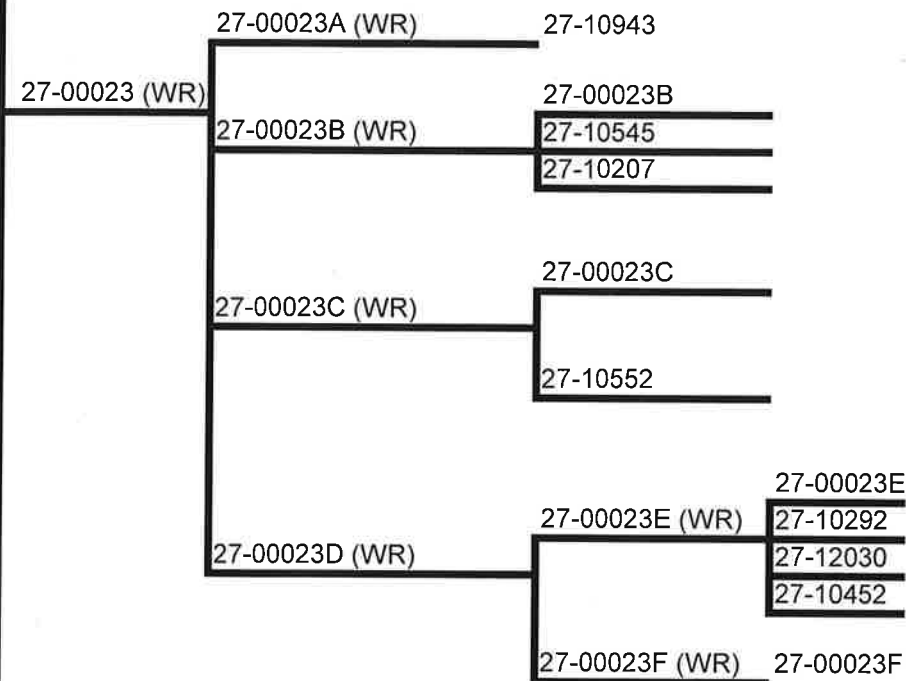
Second, you stated that water right 27-23C may have an incorrect point of diversion. Currently, water right 27-23C has a single recommended point of diversion: the head of the Just Ditch. This point of diversion was recommended by the state as part of the adjudication process. You stated that both of your water rights should have the same point of diversion: the location of your pumps on the Blackfoot River.

I investigated the documents underlying water right 27-23C and found that the right was recommended as it was claimed. When Everett filed the original adjudication claim in 1989, he listed the point of diversion as the head of the Just Ditch and noted that the right was used for flood irrigation rather than sprinklers. Because the point of diversion was claimed at the head of the Just Ditch, it may be difficult to change the point of diversion until after the adjudication process is completed. Please contact a water right agent (525-7171) to discuss your options.

Sincerely,

James Cefalo
Deputy Watermaster
Water District 27
208-525-7161

Enclosures: Notice of Change in Water Right Ownership (4 pages)

PEDIGREE**PRIORITY DATE** 03/25/1880

Water right #	Water right #	to adjudication claim #
27-00023	27-00023A	27-10943
	27-00023B	27-00023B
		27-10545
		27-10207
	27-00023C	27-00023D
		27-00023E
		27-10552
	27-00023D	
	27-00023E	27-00023A
		27-10943
		27-00023C
		27-10552
		27-10292
		27-12030
		27-10452
	27-00023F	27-00023F

03/30/2005

**NOTICE OF ERROR
REPLY**

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: 27-23C

Everett L. Lyon
397 North 800 East
Firth, ID 83236
Telephone Number: (208) 785-0654

Dorothy Lyon
397 North 800 East
Firth, ID 83236
Telephone Number: (208) 785-0654

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

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

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

✓ **I AGREE with this proposed recommendation: no changes need to be made.**

DATE: 6-24-05 SIGNATURE: Dorothy Lyon

Please print your name: DOROTHY LYON

IDWR Regional Office, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, (208) 525-7161

PROFILED

**SCANNED
DEC 30 2005**



KMT
6/24/05

Notes

3/18/05 Danielle from Boise called back on this issue. She said that this is basically "no mans land" and that we just need to project the lines and make our best guess to the locations.

DO NOT UPDATE PLS IN WORKFLOW. The edits will need to be done by hand. CB

INTER-DEPARTMENT MEMO

TO: Barbara

SUBJECT: Layout

FROM: Andy

DATE: 3/14/05

Use Bingham Co tax lot info to verify Pon.

Create Layout.

() For your information

() Response required

CB
signature

Notes

3/4/01 sent claimant a letter requesting evidence of ownership. Response date 3-25-01 CB

3/5/04 Watermaster reports show delivery of 27-23,29 from 1976-1988. CB

1976-1983 27-23,29

1984-1986 27-28,29 ?

1987-1988 27-23,29 .

Claimed 27-23C & 29C.

I can resolve 27-29C from a split 27-29F on the W/R side.

3-10-04 Received from Claimant the following docs:

Quitclaim Deed 1-9-60 Just et al to Lyon

Warranty Deed 1-9-60 " " " "

Drawing of POW

Order Granting Transfer 784

Certificate of W R Transferred 784

Copy of Notice of Claim

RP

3-16-04 Dorothy called re is docs she sent sufficient?

I told her when we received them if it was not sufficient we would call/write her. 185

1-9-1960

Quitclaim Deed

THIS INDENTURE, Made this 9th day of January, between
 in the year of our Lord one thousand nine hundred and sixty,
 CHARLES J. JUST and THORA JUST, husband and wife, CLAYTON A. JUST and
 LEO LA ELAINE JUST, husband and wife; FRANKLIN H. JUST and SHERYL C.
 JUST, husband and wife; and GARY B. JUST and RUTH P. JUST, husband and
 wife,

~~State of~~ ~~County of~~
 the parties of the first part, and

EVERETT LYON and DOROTHY LYON, husband and wife,

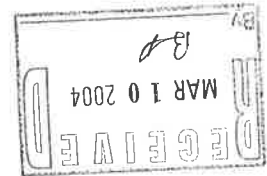
of the County of Bingham,
 State of Idaho, the parties of the second part.

WITNESSETH That the said parties of the first part, for and in consideration of the sum
 of TEN and No/100 - - - - - DOLLARS,
 lawful money of the United States of America, to them in hand paid by the said parties
 of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, re-
 lease and forever QUITCLAIM, unto the said parties of the second part, and to their
 heirs and assigns, all those certain lots, pieces or parcels of land, situate,
 lying and being in the County of Bingham, State of
 Idaho, bounded and particularly described as follows, to-wit:

All lands lying North of the Blackfoot
 River and South of Lots Two and Three, of
 Section Sixteen, in Township Two South, Range
 Thirty-seven, East of Boise Meridian, which
 were acquired by accretion or reliction;

Together with the tenements, hereditaments,
 appurtenances, ditches, ditch rights of way,
 water and water rights thereunto appertaining
 or belonging.

10.0.5



TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the part ies of the second part, and to their heirs and assigns forever.

IN WITNESS WHEREOF, The said part ies of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Charles J. Just (SEAL)
Thora Just (Seal)
Clayton A. Just (Seal)
Leola Elaine Just (Seal)
Franklin H. Just (Seal)
Sheryl C. Just (SEAL)
Gary B. Just (SEAL)
Ruth P. Just (SEAL)

STATE OF IDAHO

County of Bingham

On this 21st day of January, in the year 1960 before me

Dwain H. Stufflebeam, a Notary Public

in and for said State, personally appeared CHARLES J. JUST and THORA JUST, husband and wife; CLAYTON A. JUST and LEOLA ELAINE JUST, husband and wife; FRANKLIN H. JUST and SHERYL C. JUST, husband and wife; and GARY B. JUST and RUTH P. JUST, husband and wife, known to me to be the person s whose name s are subscribed to the within instrument,

and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Dwain H. Stufflebeam
Notary Public for the State of Idaho.

Residing at Blackfoot, Idaho

No. 113286

QUITCLAIM DEED

TO

Dated _____, 19____

STATE OF IDAHO

County of _____ } ss.

I hereby certify that this instrument was filed for record at request of _____

The Bingham Title & Trust Co.

at _____ minutes past _____

o'clock _____ M., this _____ day

of _____, A. D. 19____

in my office and duly recorded in Book _____

of _____ at page _____

GRACE WILLIAMS

Ex-Officio Recorder.

By Grace Williams Deputy.

Fees, \$ 1.50

Mail to _____

WARRANTY DEED

1-9-1960

THIS INDENTURE, Made this 9th day of January,

in the year of our Lord one thousand nine hundred and sixty, between
 CHARLES J. JUST and THORA JUST, husband and wife; CLAYTON A. JUST and
 LEOLA ELAINE JUST, husband and wife; FRANKLIN H. JUST and SHERYL C.
 JUST, husband and wife; and GARY B. JUST and RUTH P. JUST, husband and
 wife, ~~County of~~ ~~State of~~

the parties of the first part, and EVERETT LYON and DOROTHY LYON, husband
 and wife,

of the County of Bingham, State of Idaho,

the parties of the second part.

WITNESSETH, that the said parties of the first part, for and in consideration of the
 sum of SIXTEEN THOUSAND FIVE HUNDRED and No/100 - - - - - DOLLARS
 lawful money of the United States of America,

to them in hand paid by the said
 parties of the second part, the receipt whereof is hereby acknowledged, have granted,
 bargained and sold, by these presents do grant, bargain, sell, convey and confirm unto
 the said parties of the second part, and to their heirs and assigns forever, all of the
 following described real estate, situated in the County of
 Bingham, State of Idaho, to-wit:

Lots Two and Three of Section Sixteen,
 Township Two South, Range Thirty-seven, East
 of the Boise Meridian, in Bingham County,
 Idaho, lying North of the Blackfoot River;

Together with the tenements, hereditaments,
 appurtenances, ditches, ditch rights of way, water
 and water rights thereunto belonging.



TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part,

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever and the said parties of the first part and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of }

STATE OF IDAHO } ss.
County of Bingham }
On this 21st day of January, in the year 1960, before me,

Sheryl C. Just (SEAL)
Thora Just (SEAL)
Clayton A. Just (SEAL)
Leola Elaine Just (SEAL)
Franklin H. Just (SEAL)
Sheryl C. Just (SEAL)
Gary B. Just (SEAL)
Ruth P. Just (SEAL)

the undersigned, a Notary Public in and for said State, personally appeared CHARLES J. JUST and THORA JUST, husband and wife; CLAYTON A. JUST and LEOLA ELAINE JUST, husband and wife; FRANKLIN H. JUST and SHERYL C. JUST, husband and wife; and GARY B. JUST and RUTH P. JUST, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and

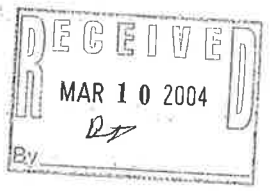
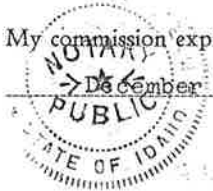
acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

My commission expires:

December 5th, 1962

William H. Stillman
Notary Public for the State of Idaho
residing at Blackfoot, Idaho



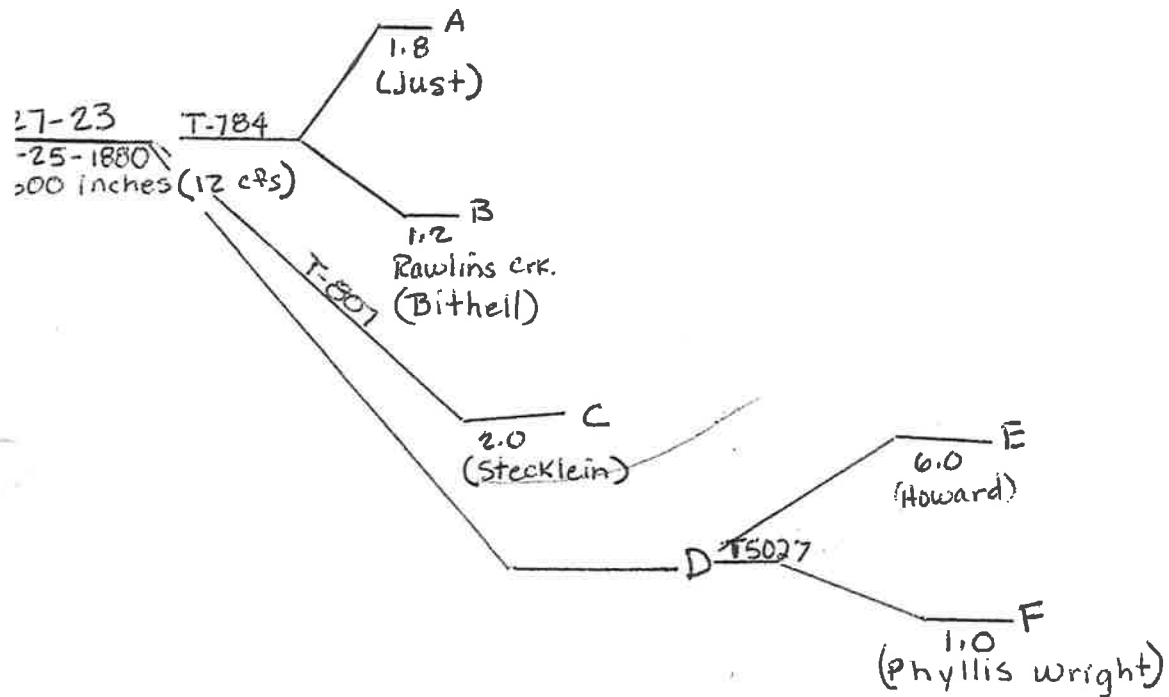
No. 113285
WARRANTY DEED
TO
Dated _____, 19____
STATE OF IDAHO
County of _____ } ss.
I hereby certify that this instrument was filed for record at request of _____
at _____ minutes past _____ o'clock P. M. this _____ day of _____ A. D. 19____
in my office, and duly recorded in Book _____
VOL. 2 OFFICIAL RECORD
GRACE WILLIAMS
Ex-Officio Recorder
By Grace Williams Deputy.
Fees, \$ 1.80
Mail to _____

WATER RIGHT INFORMATION

27-23

March 25 1880

600 inches (12.0 cfs)





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 4, 2004

Everett L. Lyon
Dorothy Lyon
397 N. 800 E.
Firth, ID 83236

REF: Snake River Basin Adjudication (SRBA)
Notice of Claims 27-23C

Subject: Water Ownership documentation

RESPONSE DATE: MARCH 25, 2004

Dear Claimants:

The Department of Water Resources is currently investigating water right claims in Basin 27. IDWR's information indicates that your water right claim is based on a water right decreed in *Stevens v. Eastern Idaho Water Co.*, Judgment Book 1, pp 106-117 (Bingham County, Idaho August 1, 1891), Fox and Whitten. This water right was decreed for 600 inches (12.0 cfs) with a March 25, 1880, priority date. The Department later renumbered this water right to 27-23.

In order to make a complete and accurate recommendation of your water right, each element of the water right must be proven. The Department needs information that shows you are a successor to the original Fox and Whitten water right. This could be established through deeds or other conveyance documents that show you own a portion of the original water right.

This office must receive your response by the date shown above. If no response is received, then your claim to water will not be recommended to be decreed. If you have any questions, please feel free to contact me at the Soda Springs Satellite office at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Claim 27-23C

Recap Watermaster Report

1976

Fred Reid
Vincent Reid
Everett Lyon

Blackfoot River	Presto Ditch
Blackfoot River	Just Ditch
Blackfoot River	Just Ditch

1977

Fred Reid
Vincent Reid
Everett Lyon

Blackfoot River	
Blackfoot River	Just Ditch
Blackfoot River	Just Ditch

1978

Fred Reid
Vincent Reid
Everett Lyon

Blackfoot River	Presto Ditch
Blackfoot River	Just Ditch
Blackfoot River	Just Ditch

1979

Vincent Reid
Everett Lyon

Blackfoot River	27-4, 14, 21, 22, 23, 28
Blackfoot River	27-23, 29

1980

Vincent Reid
Everett Lyon

Blackfoot River	27-4, 14, 21, 22, 23, 28.
Blackfoot River	27-23, 29.

1981

Vincent Reid
Fred Reid
Wally Reid
Everett Lyon

Blackfoot River	27-4, 14, 21, 22, 23, 28
Blackfoot River	27-4, 14, 21, 22, 29
Blackfoot River	27-4, 14, 21, 22, 28
Blackfoot River	27-23, 29

1982

Vin Reid
Fred Reid
Wally Reid
Everett Lyon

Blackfoot River	27-4, 14, 22, 23, 28, 21
Blackfoot River	27-4, 14, 21, 22, 29
Blackfoot River	27-4, 14, 21, 22, 28
Blackfoot River	27-23, 29

1983

Vin Reid
Fred Reid
Wallace Reid
Everett Lyon

Blackfoot River	27-4, 14, 21, 22, 23, 28
Blackfoot River	27-4, 14, 21, 22, 29
Blackfoot River	27-4, 14, 21, 22, 28
Blackfoot River	27-23, 29

1984

Vin Reid
Fred Reid
Wallace Reid
Everett Lyon

Blackfoot River
Blackfoot River
Blackfoot River
Blackfoot River

27-4, 14, 21, 22, 23, 28
27-4, 14, 21, 22, 29
27-4, 14, 21, 22, 28
27-28, 29

1985

Vin Reid
Fred Reid
Wallace Reid
Everett Lyon

Blackfoot River
Blackfoot River
Blackfoot River
Blackfoot River

27-4, 14, 22, 23, 28, 21
27-4, 14, 21, 22, 29
27-4, 14, 21, 22, 28
27-28, 29

	DITCH	OWNER	DESCRIPTION OF LAND			
			Subdivision	Sec.	Twp.	Rge.
1.	Earl Ockerman		27-2018			
2.	Don Esplin		27-0004			
3.	Barlow Cook		27-001-002-003-004-005-Blackfoot Irrig.			
4.	Arvel Fielding		27-004-013			
5.	Vin Reid		27-004-014-022-023-028-021			
6.	Fred Reid		27-004-014-021-022-029			
7.	Wallace Reid		27-004-014-021-022-028			
8.	Everett Lyon		27-028-029			
9.	James Mattson		Blackfoot Irrigation			
10.	J.D. Robertson		27-016			
11.	John Taney		27-029			
12.	Lloyd H. Young		27-029			
13.	Joe Oleson		27-4077			
14.	Vera Belnap, Sec.		27-022-035			
15.	Rex Hale		27-004			
16.	Herchell Mynarcik		27-004			
17.	Fred Poindexter		27-023			
18.	Neal Powell		27-004			
19.	Annette Stephenson		27-023			
20.	Francis Whitten		27-023			
21.	Adrian Young		27-004			
22.	Merrill Packer		27-004 013 Blackfoot Irrigation			
23.	Lambert Produce		27-022-035-038-29-040-041			
24.	LaRoy Howell, Sec.		27-003-004-017-020-022-029			Corbet Slough
25.	Eloise Hamilton, Sec.		27-012			Blkft. Irrig.
26.	Shipley & Coles		27-027			
27.	Harvey Coffman		27-004			
28.	O.E. Cook		27-027			
29.	Gordon Durney		27-027			
30.	Dan Daniele		27-027			
31.	Cordell Stewart		27-027			
32.	Darwin Thompson		27-027-023			
33.	Norman Wright		27-004-025-027-037 Blackfoot Irrigation			
34.	Stan McDaniels, Sec.		27-003-004-022-023-026-037 Blkft. Irrig.			
35.	Albert Bell, Sec.		Smith Maxwell			
36.	Layne Hamilton, Sec.		27-7129			
37.	Walt Hamilton		27-4016			
38.	Chesterfield Land & Livestock		27-023			
39.	Neil Bithell		27-4079			
40.	Joe Oleson		27-049			
41.	Merlin Frandsen		27-023-056			
42.	Gene Rishel		27-022			
43.	Earl Hunter		27-047-055			
44.	Ron Jensen		27-054			
45.	Lloyd Stolworthy		27-050-051-004-022-035-016-29			
46.	Clinton Cox		27-051			
47.	Lloyd Stolworthy		Sand Creek			
48.	Vera P. Belnap		Sand Creek			
49.	Basil Poulson		Sand Creek			
50.	Bruce Bradshaw		Sand Creek			
51.	Florian Werenette		27-0073-2132			
52.	Don Allen		27-0074-0080			
53.	Calvin Dredge		27-0076			
54.	Alma Hubbard		27-0075			
55.	L.W. White		27-2009-2040			
56.	Mary Sheridan		27-2069-2075			
57.	Lake & Ellis		27-0094			
58.	Sydney Thompson		27-203-20238-2028			
59.	Grant Lloyd		27-7008 A&B			
60.	Stauffer Chemical		27-4115			
61.	Jougard Sheep Co.		27-2011			
62.	Harris Bros.		27-2003			
63.	E. S. Stuck		27-2054-20542			
64.	D.W. Beckstead		27-0070			
65.	Calvin Bennett		27-0042-0043-0062-0063-0066-0070			
66.	Preston Allen		27-0060-0061-0065-0066-0067-0068-0069			
67.	Roland Allen		27-0060-0061-0065-0066-0067-0068-0069			
68.	Bear Lake Cattle Assn.		27-0033			
69.	Tom Cellan		27-0049			
70.	Corbridge Bros		Trans. #1641 W.R. #35-001			
71.	Monsanto Chemical		27-097-098			
72.	J.H. Stockings		27-7127-7118 Trans #2433 W.R. #01-0028A			
73.	Galen Christensen		27-7302			
74.	Conda Partnership		27-4066 27-4068			
75.	Lynn Rasmussen					

1986

OWNER OR DITCH	WATER RIGHT IDENT NO.	DESCRIPTION OF LAND		
		Subdivision	Sec	Top
<u>BLACKFOOT RIVER</u>				
1. Circle 2 Bar Ranch		27-2018		
2. Don Esplin		27-004		
3. Barlow, Cook		27-001-002-003-004-005. Blackfoot-Irrigation		
4. Arvel Fielding		27-004-013		
5. Vin Reid		27-004-014-021-022-029		
6. Fred Reid		27-004-014-021-022-029		
7. Wallace Reid		27-023-029		
8. Everett Lyon		Blackfoot-Irrigation		
9. James Mattson		27-016		
10. J.D. Robertson		27-029		
11. John Taney		27-029		
12. Lloyd W. Young		27-4077		
13. Joe Oleson				
<u>EASTERN IDAHO WATER CO.</u>		27-022-035		
14. Vera Bulnap, Sec.				
<u>FOX & WHITTEN WATER</u>				
15. Rex Hale		27-004		
16. Merchell Hynarcik		27-004		
17. Fred Joindexter		27-023		
18. Neal Povel		27-004		
19. Annette Stephenson		27-004		
20. Francis Whitten		27-023		
21. Adrian Young		27-023		
22. Merrill Packer		27-004		
<u>HANSEN DITCH</u>		27-004-013 Blackfoot Irrigation		
23. Lambert Produce				
<u>LITTLE BUTTE CANAL CO.</u>		27-022-035-038-039-040-041		
24. LeRoy Howell, Sec.				
<u>MINERS DITCH CO.</u>		27-003-004-017-020-022-029 Corbett Slough		
25. Eloise Hamilton, Sec.		Blackfoot Irrig		
<u>STEVENS DITCH</u>				
26. Shipley & Coles		27-012		
27. Harney Coffman		27-027		
28. O.E. Cook		27-004		
29. Gordon Burney		27-027		
30. Dan Daniels		27-027		
31. Cordell Stewart		27-027		
32. Darwin Thompson		27-027-023		
33. Norman Wright				
<u>CENTRAL DITCH CO.</u>		27-004-023-027-037 Blackfoot Irrigation		
34. Stan McDaniel, Sec.				
<u>RIVERTON DITCH CO.</u>		27-003-004-022-023-026-037 Blackfoot Irrig.		
35. Albert Bell, Sec.				
<u>SMITH MAXWELL DITCH CO.</u>		SMITH Maxwell		
36. Layne Hamilton, Sec.				
<u>GRAVE CREEK</u>				
37. Wate Hamilton		27-7129		
38. Chesterfield Land & Livestock		27-4016		
<u>RAWLINS CREEK</u>				
39. Neil Bithell		27-023		
40. Joe Oleson		27-4079		
41. Merlin Frandsen		27-049		
<u>BRUSH CREEK</u>				
42. Gene Rishel		27-023-056		
<u>MINER CREEK</u>				
43. Earl Hunter		27-022		
<u>OPDAR CREEK</u>				
44. Ron Jensen		27-047-055		
45. Lloyd Stolorthy		27-054		
<u>WOLVERINE</u>				
46. Cinton Cox		27-050-051-004-022-035-016-029		
47. Lloyd Stolorthy		27-051		
<u>SAND CREEK</u>				
48. Vera P. Belnap		Sand Creek		
49. Bessie Toulson		Sand Creek		
50. Bruce Bradshaw		Sand Creek		
51. Florian Bernette		Sand Creek		

1987

1987

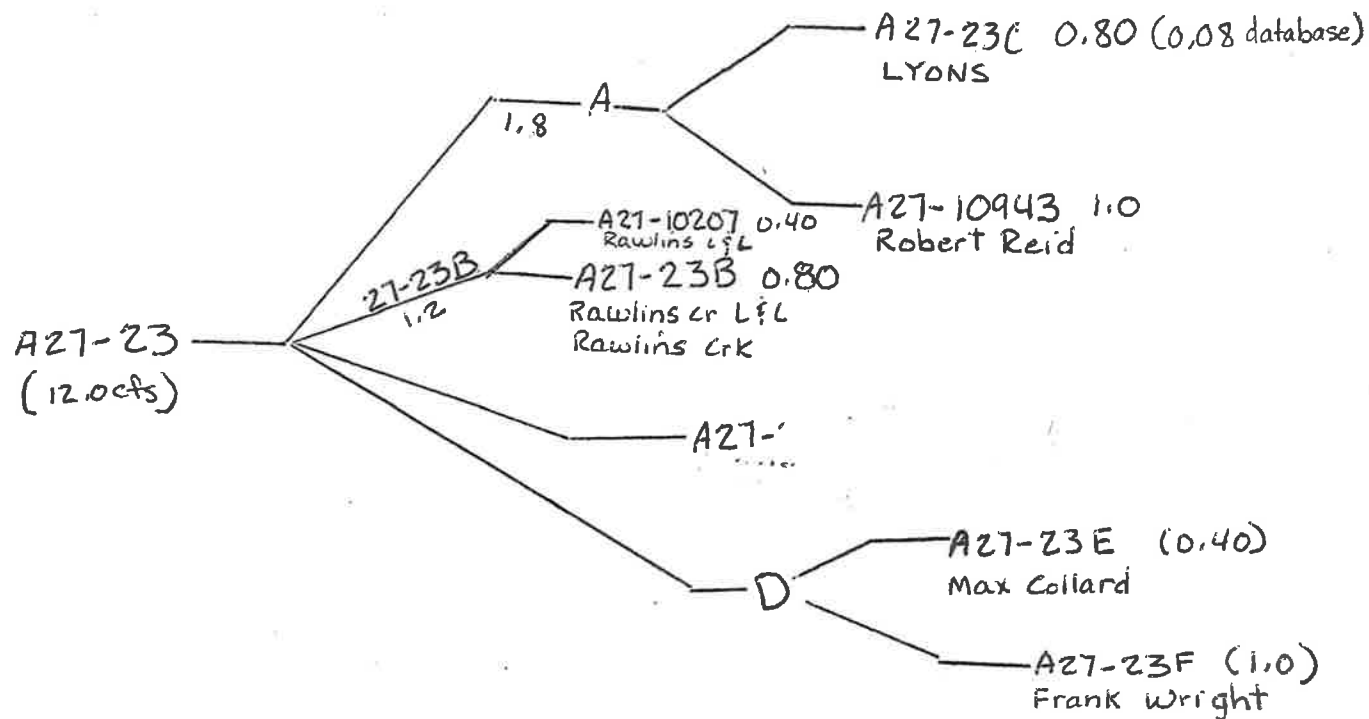
OWNER OR DITCH	WATER RIGHT IDENT. NO.	DESCRIPTION OF LAND		
		Subdivision	Sec.	Twp. Rge.
<u>BLACKFOOT RIVER</u>				
Circle 2 Bar Ranch	27-2018			
Don Esplin	27-004			
Barlow Cook	27-001-002-003-004-005 Blkf. Irrig.			
Arvel Fieldin	27-004-013			
Vin Reid	27-004-014-021-022-029			
Fred Reid	27-004-014-021-022-029			
Wallace Reid	27-004-014-021-022-028			
Everett Lyon	27-023-029			
James Mattson	Blackfoot Irrigation			
Marion Walker	27-016			
Pat Taney	27-029			
Lloyd W. Young	27-029			
Joe Oleson	27-4077			
<u>EASTERN IDAHO WATER CO.</u>				
Leah Jones, Sec.	27-022-035			
<u>FOX & WHITTEN WATER</u>				
Rex Hale	27-004			
Gary Pratt	27-004			
Fred Poindexter	27-023			
Neal Powell	27-004			
Mark Pratt	27-004			
Francis Whitten	27-012			
Adrian Young	27-023			
Merrill Packer	27-004			
<u>HANSEN DITCH</u>				
Lambert Produce	27-004-013 Blackfoot Irrig.			
<u>LITTLE BUTTE CANAL CO.</u>				
LeRoy Howell, Sec.	27-022-035-038-039-040-041			
<u>MINERS DITCH CO.</u>				
Eloise Hamilton, Sec.	27-003-004-017-020-022-029			
	Corbett Slough Blkf. Irrig.			
<u>STEVENS DITCH</u>				
Dean Shipley	27-012			
Harvey Coffman	27-027			
O.E. Cook	27-004			
Gordon Durney	27-027			
Dan Daniels	27-027			
Cordell Stewart	27-027			
Darwin Thompson	27-027			
Norman Wright	27-027-023			
<u>CENTRAL DITCH CO.</u>				
Stan McDaniels, Sec.	27-004-025-027-037 Blkft. Irrig.			
<u>RIVERTON DITCH CO.</u>				
Lola Dawn Hernandez, Sec.	27-003-004-022-023-026-037 Blkf. Irrig.			
<u>SMITH MAXWELL DITCH CO.</u>				
Layne Hamilton, Sec.	Smith Maxwell			
<u>GRAVE CREEK</u>				
Walt Hamilton	27-7129			
Chesterfield Ln. & Lvstk.	27-4016			
<u>RAWLINS CREEK</u>				
NEIL BITHELL	27-023			
Joe Oleson	27-4079			
Dennis Frandsen	27-049			
<u>BRUSH CREEK</u>				
Gene Rishel	27-023-056			
<u>MINER CREEK</u>				
Earl Hunter	27-022			
<u>CEDAR CREEK</u>				
Ron Jensen	27-047-055			
Lloyd Stolworthy	27-054			
<u>WOLVERINE</u>				
Cox Enterprise	27-050-051-0404-022-035-016-029			
Lloyd Stolworthy	27-051			
<u>SAND CREEK</u>				
Vera P. Belnap	Sand Creek			
Basil Poulson	Sand Creek			
Bruce Bradshaw	Sand Creek			
Florian Wernett	Sand Creek			

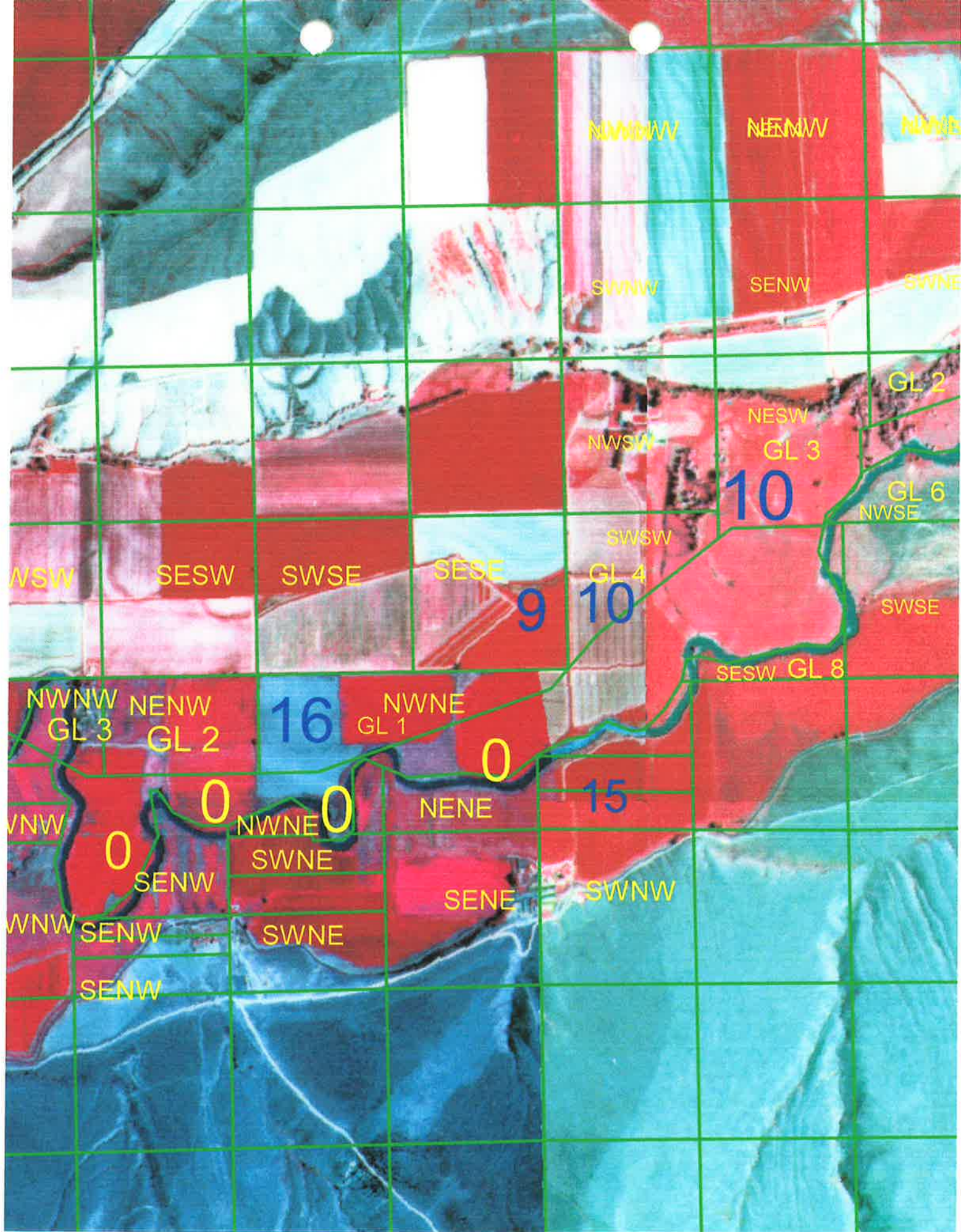
1988

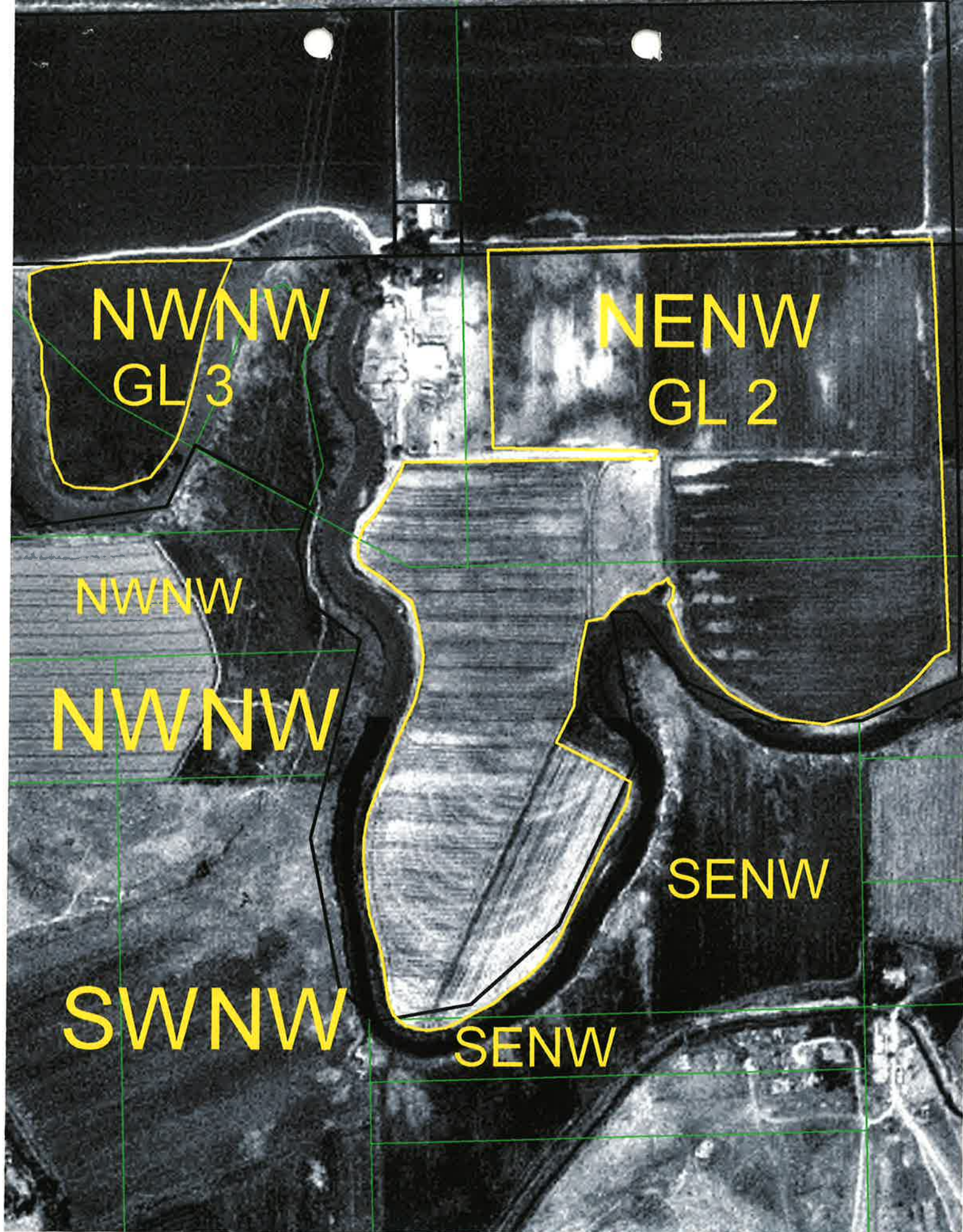
— 27-23E	Max Collard	0.60
— 27-10550	Robert Ganske	0.10
— 27-10452	Robert Hoskins	1.0
✓ 27-23C	Everett Lyon	0.80
✓ 27-23B	Rawlings LfL	0.80
✓ 27-10207	Rawlings LfL	0.40
✓ 27-10943	Robert Reid	1.0
— 27-10552	LaVerelle Stecklein	3.0
— 27-23F	Franklin Wright	1.0
— 27-10292	Gary Wright	1.8
— 27-10545	Adrian Young	1.0

SRBA CLAIMS

27-23
March 25, 1880
600 inches (12.0cfs)



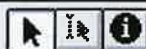




1992 imagery



0 of 11 selected



27-23c.apr

New

Open

Print



Views



Tables



Charts



Layouts



Scripts

Attributes of 27-10213.shp

Attributes of 27-10395.shp

Attributes of 27-11040.shp

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Attributes of 27-11532.shp

Attributes of 27-23c.shp

Attributes of 27-4150.shp

Attributes of 27-7113.shp

Attributes of 27-7113pod.shp

Attributes of 27-7290.shp

Attributes of B24-27-pod.shp

Attributes of B24-27-pou.shp

Attributes of B24-27-pou.shp

Attributes of B24-27-pou.shp

Attributes of B24-27-pou.shp

Attributes of Basin 27 gpss.s

Attributes of Basin 27 gpss.sm

Attributes of Bingham.shp

Attributes of Intsct299.shp

Sourcedate	T _r	T _{rs}	T _{rsq}	T _{rdot}	Acres
1998	02S37E	02S37E9	02S37E9SESW		0.3
1998	02S37E	02S37E16	02S37E16NENW	02S37E16 2	23.1
1998	02S37E	02S37E16	02S37E16NW	02S37E16 3	0.4
1998	02S37E		SE N W	27, 119.9	
1998	02S37E	02S37E16	02S37E16SENW	02S37E16 17	0.6
1998	02S37E	02S37E16	02S37E16SENW	02S37E16 18	0.1
1998	02S37E		N W N W		1.7
1998	02S37E	02S37E16	02S37E16NWNW	02S37E16 3	3.7
1998	02S37E	02S37E9	02S37E9SWSW		0.6
1998	02S37E	02S37E16	02S37E16NWNW	02S37E16 3	0.0
1998	02S37E	02S37E9	02S37E9SWSW		0.0

51.0

View 1

Master Layout

Attributes of L...

Attributes of L...

SCANNED

JUL 13 2001

Log for claim 27-00023C

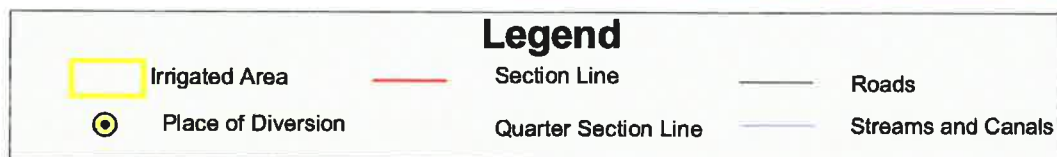
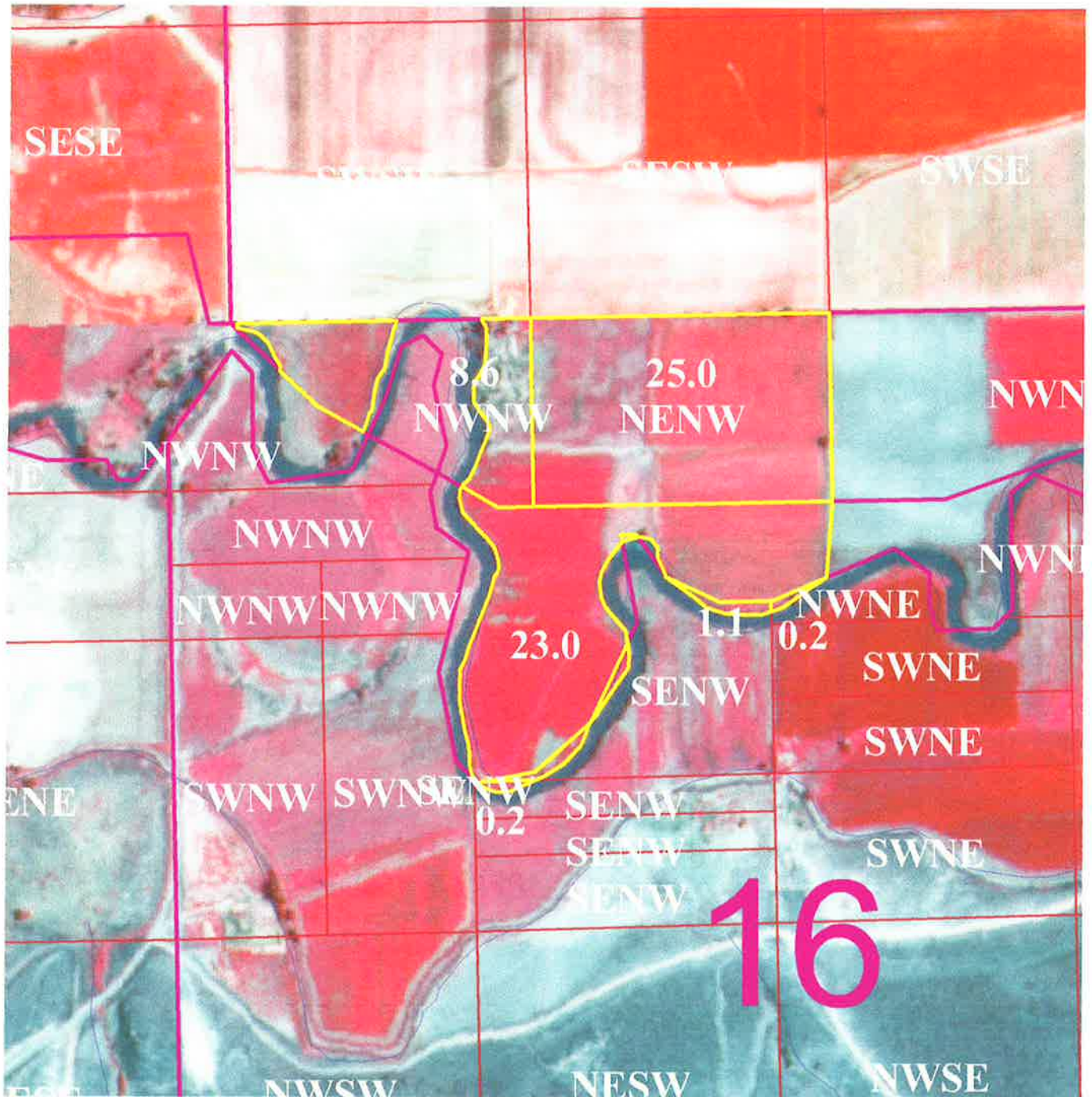
Spatial Dynamics LTD

11/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s37e	16	SEnw	8	23	
02s37e	16	NWNE	0	0.2	
02s37e	16	NENw	37	25	
02s37e	16	NWNw	6	8.6	
02s37e	16	SEnw	0	1.1	
02s37e	16	SEnw	0	0.2	
02s37e	16	SEnw	0	0	
Totals:			51	58.1	

11/08/2000

Water Right Claim Number 27-00023C
Township , 2S37E

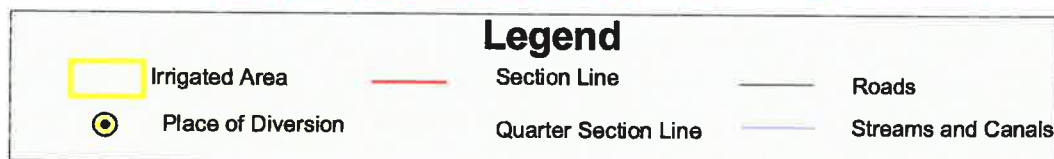


400 0 400 800 Feet



11/08/2000

Water Right Claim Number 27-00023C Township , 2S37E



STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

Alvin Just and Charles Just)
of Firth, Idaho)

ORDER GRANTING TRANSFER

For a Transfer of Water Right, in Water)
District No. 34, Bingham County, Idaho.)

No. 784

WHEREAS, On the 20th day of December, 1951, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of an application of Alvin Just and Charles Just of Firth, Idaho, for a transfer of Water Right, came on regularly for hearing, pursuant to the published notice, in due and statutory form; and,

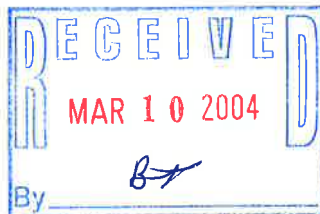
WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more beneficial use, and that no one will be injured thereby.

NOW, THEREFORE, IT IS HEREBY ORDERED That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicants herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 4th day of January, 1952.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer



STATE OF IDAHO,
County of Bingham

On this

8th

day of

March

in the year 1955, before me,

E. P. Monson

a Notary Public

in and for said County and State, personally appeared

J. Henry Felt and Mabel Felt, husband and wife,

known to me to

be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

E. P. Monson

Notary Public.

Residence Blackfoot, Idaho.

WARRANTY DEED

40923

10

Date

19

STATE OF IDAHO,

County of Bingham

I hereby certify that this instrument was filed for

record at the request of

E. P. Monson

at 5 minutes past 1

o'clock P. M., this 10 day

of March A. D. 1955

at my office and duly recorded in Book 89

of Deeds as per

E. P. Monson

Notary Public

By Eugene T. Stansfield

Deputy,

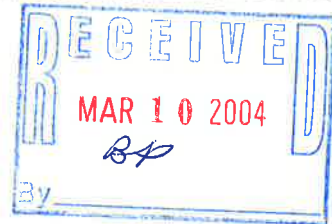
Fee, \$1.25

PRINTER & BINDER, POCAHONTON, IDAHO

Buyer 727 Blackfoot

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Certificate of Water Right
Transferred Right No. 784



THIS IS TO CERTIFY That ALVIN JUST and CHARLES JUST, of Route 1, Firth, Idaho, are the owners of and using a certain water right for one and eight tenths (1.8) cubic feet per second of the waters of Blackfoot River with priority of March 25, 1890, said water being decreed to P. E. Fox, Jr., William Howard, A. Whitten, Susan E. Whitten and Calvin Miles by Judge Charles Cobb of the District Court of the 5th Judicial District of the State of Idaho, in and for the County of Bingham, in the case of

FRED S. STEVENS, ET AL.,
Plaintiff,
vs.

EASTERN IDAHO WATER COMPANY, ET AL.,
Defendant.

said decree bearing date of August 1, 1891, and being appurtenant, in part, to the following described lands, to-wit:

W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 20, Township 2 South,
Range 36 East, B.M.

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 1 of Decrees, beginning at Page 31.

That said Alvin Just and Charles Just have become the owners of said water right through purchase.

And that now, upon the application of Alvin Just and Charles Just, of Firth, Idaho, for the transfer of 1.8 cubic feet per second of said water, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 1.8 cubic feet per second of the waters of Blackfoot River on the above described lands is hereby abandoned and the land to which the water right hereby confirmed shall, by this certificate, become appurtenant for irrigation and domestic purposes is described as follows, to-wit:

West 736 feet of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the
West 736 feet of Lot 4, Section 10
and Lots 1, 2, and 3 in Section 16,
all in Township 2 South, Range 37 East, B.M.

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount, to-wit:

That the State of Idaho has heretofore been governed
by the first above described DEPARTMENT OF RECLAMATION
Blackfoot River with point of diversion in the SW 1/4 Section 17,
Township 2 South, Range 36 East, B.M.
Certificate of Water Right
Transferred Right No. 784

That the water right hereby transferred shall hereafter be conveyed to
the land above described through the N. A. Just and Charles Just with point
of diversion in Lot 4, Section 10, Township 2 South, Range 36 East, B.M.

THIS IS TO CERTIFY That ALVIN JUST and CHARLES JUST, of Route 1, Firth,
Idaho, are the owners of and using a certain water right for one and eight tenths
(1.8) cubic feet per second of the waters of Blackfoot River with priority of
March 25, 1880, said water being decreed to P. B. Fox, Jr., William Howard, A.
Whitten, Susan E. Whitten and Calvin Miles by Judge Charles Cobb of the District
Court of the 5th Judicial District of the State of Idaho, in and for the County
of Bingham, in the case of Reclamation of the State of Idaho to be hereunto assigned
and decreed, this 4th day of February, A.D. 1906.

FRED S. STEVENS, ET AL.,
Plaintiff,

vs.

EASTERN IDAHO WATER COMPANY, ET AL.,
Defendant.

said decree bearing date of August 1, 1891, and being appurtenant, in part, to the
following described lands, to-wit:

W 1/2 SW 1/4 Section 20, Township 2 South,
Range 36 East, B.M.

That said decree has been entered in the records of the Department of
Reclamation of the State of Idaho, in Volume 1 of Decrees, beginning at Page 31.

That said Alvin Just and Charles Just have become the owners of said
water right through purchase.

And that now, upon the application of Alvin Just and Charles Just, of
Firth, Idaho, for the transfer of 1.8 cubic feet per second of said water, made
before the State Reclamation Engineer of the State of Idaho, and said application
having been granted, the right to the use of 1.8 cubic feet per second of the
waters of Blackfoot River on the above described lands is hereby abandoned and the
land to which the water right hereby confirmed shall, by this certificate, become
appurtenant for irrigation and domestic purposes is described as follows, to-wit:

West 736 feet of the NW 1/4 SW 1/4 and the
West 736 feet of Lot 4, Section 10
and Lots 1, 2, and 3 in Section 16,
all in Township 2 South, Range 37 East, B.M.

That said water is to be limited at any given time to an amount actually
needed and beneficially used for such purposes, and shall not exceed the following
amount, to-wit:

1.8 cubic feet per second of the
water of Blackfoot River with
Priority of March 25, 1880.

That the water right hereby transferred has heretofore been conducted to the first above described lands from Blackfoot River through the Fox and Whitten Ditch and Blackfoot Slough with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, Township 2 South, Range 37 East, B.M.

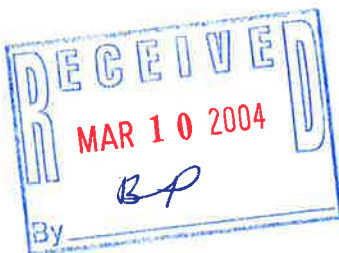
That the water right hereby transferred shall hereafter be conducted to the last above described land through the N. A. Just and Emma Just Ditch with point of diversion in Lot 4, Section 11, Township 2 South, Range 37 East, B.M.

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 4th day of January, A.D. 1952.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer



AJ5809NP
No. A27-00023C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 24

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DOROTHY LYON	03/25/1880	IRRIGATION	04-01 11-01	0.800 CFS	
C	EVERETT L LYON					
	397 N 800 E					
	FIRTH ID 83236			TOTAL DIVERSION:	0.080 CFS	
	(208) 785-0654			CONSUMPTIVE USE:		127.50 AFA

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T02S R37E S11 NWNSW BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
02S	37E	16	:					:	02-37	03-06		02-08	:					:						51.0
																							TOTAL ACRES	51.0

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A27-00004T A27-00014A A27-00014B A27-00014C A27-00014D A27-00021A A27-00021B A27-00021C A27-00021D A27-00022D
A27-00028 A27-00028A A27-00029B A27-00035D A27-10398 A27-10657 A27-10667 A27-10943

Other Water Rights Listing Overlapping Place(s) of Use:

A27-00023A

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

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

Audit: 04/21/89 JONES 09/27/94 JTHOMPSO 03/29/95 POST-STD 02/22/96 CFRITSCH

JUL 13 2001

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: A27-00023C

Date Received: 4/21/1989

Receipt No: E 006972

Received By: HLT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EVERETT L. LYON 208-785-0654
Address: 397 N. 800 E.
FIRTH, ID 83236

OR

Name: DOROTHY LYON 208-785-0654
Address: 397 N. 800 E.
FIRTH, ID 83236

2. Date of Priority: MAR 25, 1880

3. Source: BLACKFOOT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	37E	11	NW	NW	SW		BINGHAM

5. Description of diverting works:
HEADWORKS OF JUST DITCH TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

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

8. Total consumptive use is 127.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A27-00023C

Page 1

Date: 04/21/89

MICROFILMED
NOV 12 1992

A2700023C



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02S	37E	16	NE		NW	2	IRR	37.0
			NW		NW	3	IRR	6.0
			SE		NW	2	IRR	8.0
Section Acres								51.0
Total Acres								51.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Water Right Number: 270023
Case Number:
Court :
Decree date: 8/01/1891

FRED STEVENS
Decree Plaintiff

vs

EASTERN IDAHO WATER COMP.
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 X 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): X *Charles T. Jones* Date: X 4-21-89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21th day
of April 19 89

Betty J. Thompson
Notary Public

Seal

Residing at _____
My Commission Expires _____
BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT 112 S. 10th, IDAHO
MY COMMISSION EXPIRES 4-20-91

