

05/15/2009

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

RIGHT NUMBER: 27-23B

NAME AND ADDRESS: RAWLINGS CREEK LAND AND LIVESTOCK CO
C/O JANE CRAWFORD
843 N 550 E
FIRTH ID 83236

SOURCE: RAWLINS CREEK

TRIBUTARY: BRUSH CREEK

QUANTITY: 0.800 CFS

PRIORITY DATE: 03/25/1880

POINT OF
DIVERSION:

T03S R39E S15 SWNESE Within BINGHAM County
T03S R39E S22 NENWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.800 CFS

PLACE OF USE: IRRIGATION in BINGHAM County

T03S R39E S15	SWSE	9.00	T03S R39E S15	SESE	0.30
T03S R39E S22	NENE	4.40	T03S R39E S22	NWNE	5.60
T03S R39E S22	SENE	13.00			

32.3 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: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

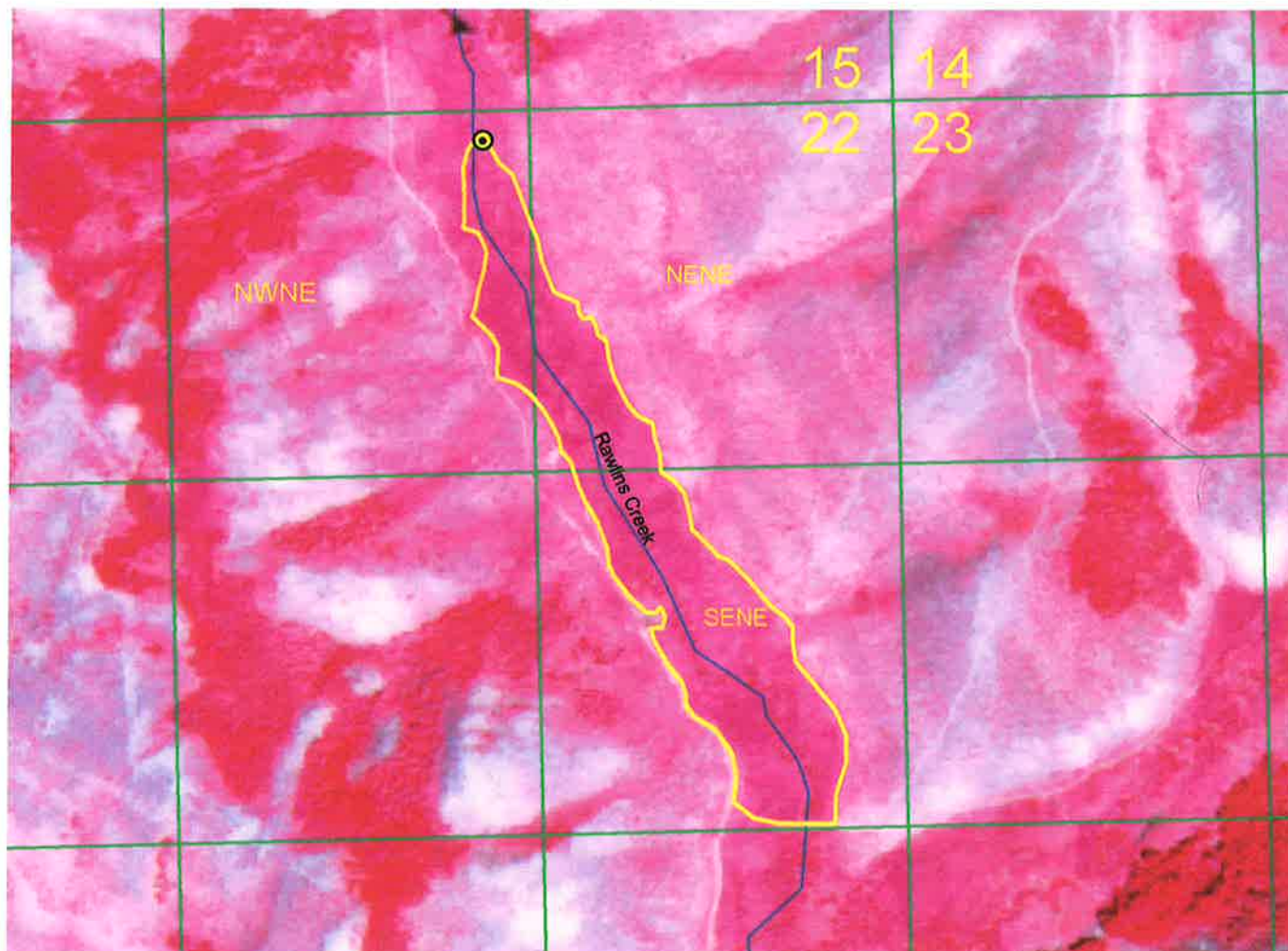


STATE OF IDAHO

Department of Water Resources
Eastern Region



Water Right(s) 27-23B



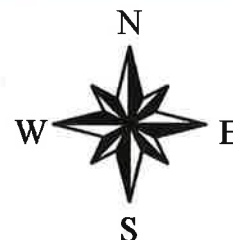
200 0 200 400 Feet

IRRIGATED ACRES 20.9

- LEGEND
-  POD
 -  POU
 -  Quarter-Quarter

Place of Use: T3S, R39E:
(part of) Sec. 22, NENE,
NWNE, SENE.

Point of Diversion: T3S, R39E:
Sec. 22, NENWNE.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by C. Bird
Date: March 2005

DEC 30 2005

PROFILED



Idaho Department of Water Resources

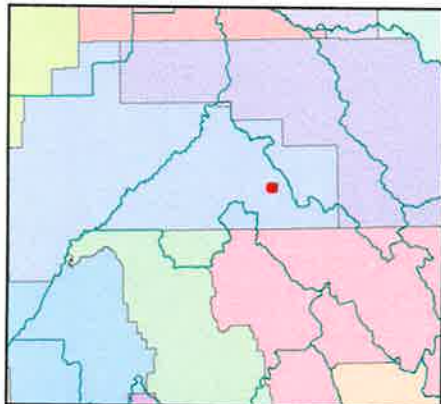
Adjudication Recommendation

27-23B

(IRRIGATION)

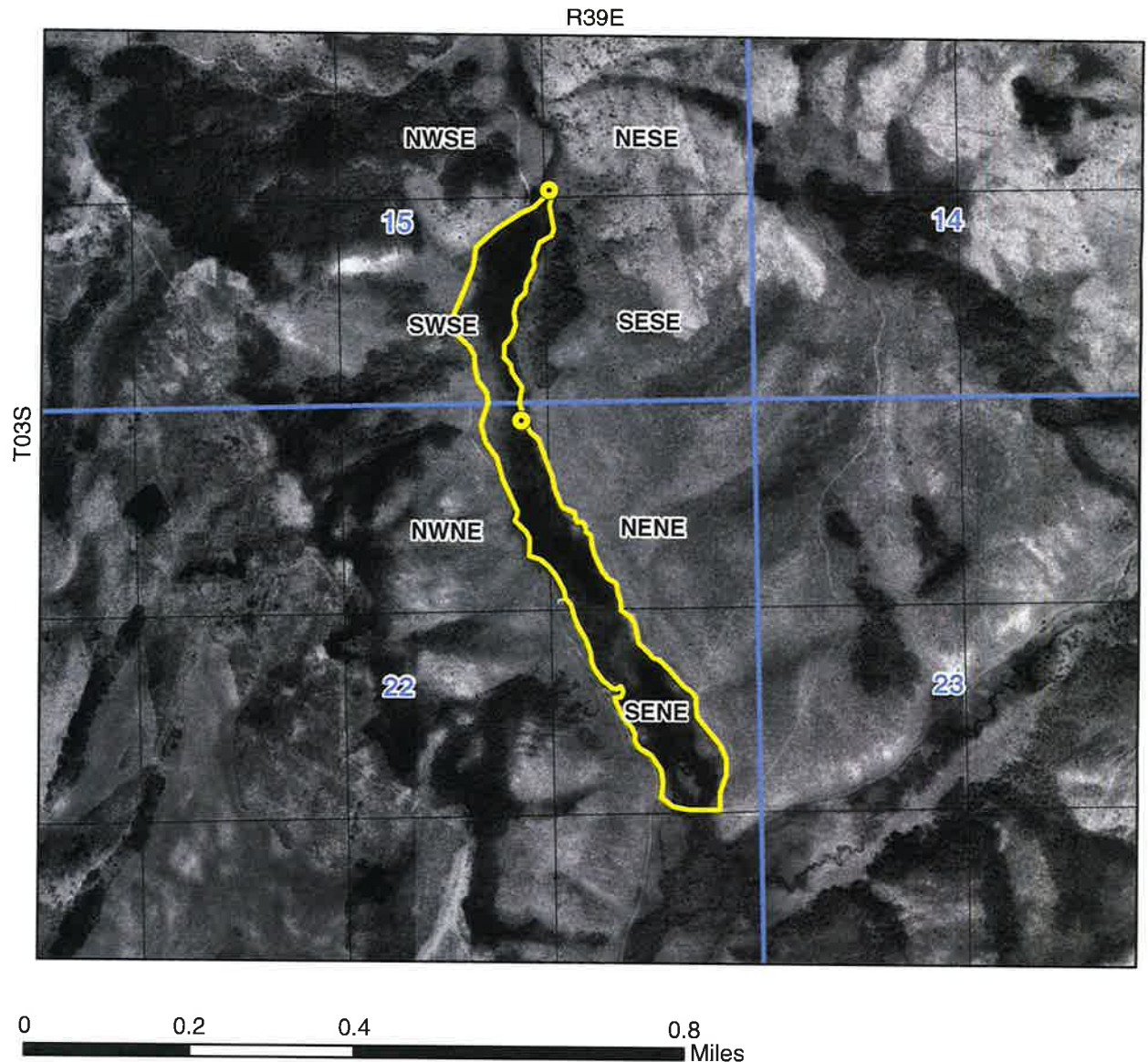
Legend

-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Bingham County
IDWR Basin 27

Prepared by Michael Holliday
On May 15, 2009
1992 Aerial Photography



27-23B

Fax to: 208-287-6700

**Idaho Dept of Water Resources
322 E. Front St.
P O Box 83720
Boise, ID 83720-0098**

Attn: Sally

From:

**Jane Crawford
Rawlings Creek Land and Livestock Co.
843 N. 550 E.
Firth, Idaho 83236**

208-346-4455

Re: Address change

NWNE 2.1

SWSE 9

SESE 0.3

RECEIVED

DEC 07 2007

**Department of Water Resources
Eastern Region**

SCANNED

DEC - 4 2007

SCANNED

DEC - 9 2007

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): 27-23B , 27-10207 , ~~27-10545~~
Previous Mailing Address: c/o Terry McNeely
PO Box 54
Firth ID 83238
New Mailing Address: Rawlings Creek Land and Livestock
c/o Jane Crawford
843 N 550 E, Firth, ID 83236
Telephone Number: (208) 346-4455
Signature of all Claimant(s): Jane Crawford
Please print your name below your signature.
Jane Crawford

orig. owner was Rawlings Creek

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
7600 N. Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
Ph. 208/762-2800 or
FAX 208/762-2819

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/736-3033 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/525-7161 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098
Ph 208/287-4800
FAX 208/287-6700

SCANNED

DEC - 4 2007

Date: 12-4-07

SS
ADDRESS FM.doc
Revised 12/07/06

IDWR Use Only:
Data Entry: SS

NCOP prepared

2007 JUN 29 AM 8:42

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

ORDER GRANTING MOTION TO
AMEND TRIAL SCHEDULESUBCASE NOS.: EXHIBIT A
(IRRIGATION USE)

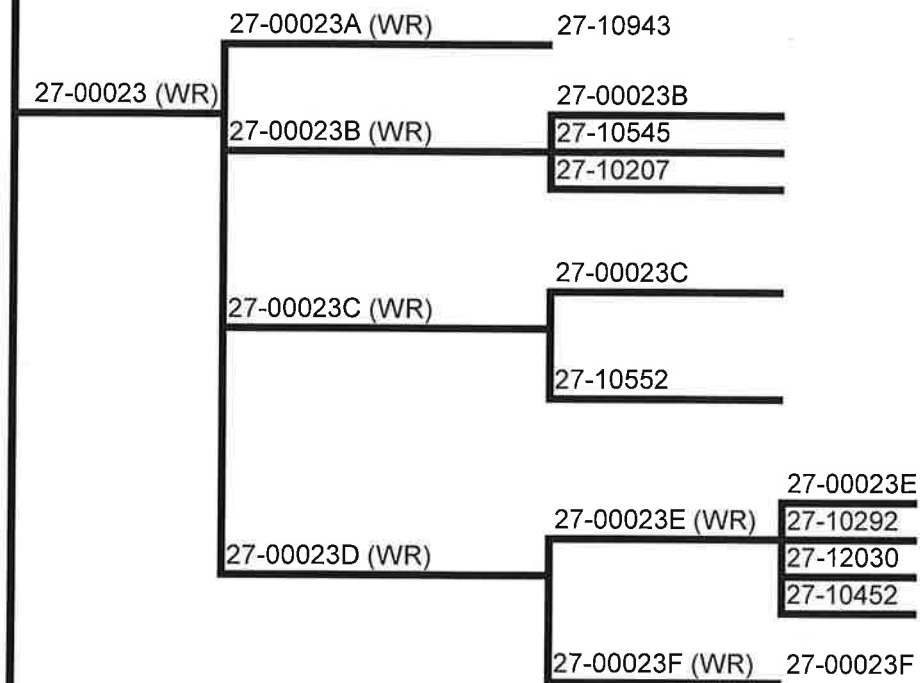
A Joint Motion to Amend Trial Schedule Order and Request for Expedited Hearing was filed on May 4, 2007. A hearing was held on May 10, 2007. At the hearing, the parties asked for relief from the current trial schedule. The parties explained that they have agreed to fund and collect additional water diversion data. The parties represented to the court that the additional data could significantly assist in the resolution of the contested issues, especially the volume issue. There was no opposition to the *Motion*. Therefore, the *Joint Motion to Amend Trial Schedule Order* is granted.

Please be advised that Special Master Brigitte Bilyeu has set the following dates in the above listed subcases:

December 5, 2007	11:00 am	Scheduling Conference Location: Snake River Basin Adjudication 253 3 rd Ave. North Twin Falls, Idaho 83301
December 14, 2007	5:00 pm	Deadline for Discovery to be Completed
January 25, 2008	5:00 pm	Deadline to file Standard Form 5
January 25, 2008	5:00 pm	Deadline to file Motion for Summary Judgment

SCANNED

DEC - 4 2007

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

04/27/2005

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: 27-23B

RAWLINGS CREEK LAND AND LIVESTOCK CO

C/O TERRY MCMEELY

P.O. BOX 54

FIRTH ID 83238

Telephone Number: (208) 357-2223

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:

6/10

SIGNATURE:

Terry L McMeely

Please print your name:

Terry L. McMeely

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

RECEIVED

JUN 20 2005

Department of Water Resources
Eastern Region

SCANNED

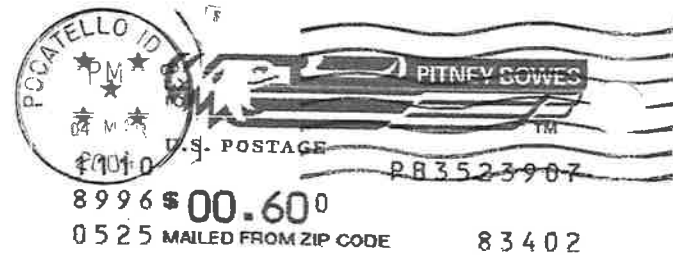
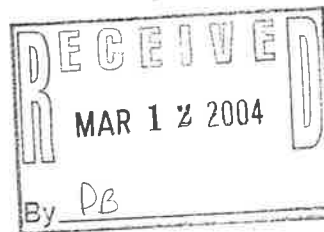
DEC 30 2005

PROFILED

6/10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
15 West Center Street
Soda Springs, Idaho 83276

Return Service Requested



BITH392 T832212007 1B03 04 03/11/04
RETURN TO SENDER
BITHELL, NEIL
TEMPORARILY AWAY
RETURN TO SENDER

83221X3913-R000 832212007 1B03 04 03/11/04

No. C 15301	Due no later than February 29, 2004 Annual Report Form		2. Registered Agent and Office NO PO BOX
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080	1. Mailing address is printed in the box of the corporation RAWLINGS CREEK LAND AND LIVESTOCK C TERRY MCNEELY BOX 54 FIRTH, ID 83236		TERRY MCNEELY BOX 54 FIRTH, ID 83236
NO FILING FEE IF RECEIVED BY DUE DATE	3. Now Registered Agent Signature		
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.			
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u> <u>State</u> <u>Zip</u>
	President	Alan Gentillon	604 E 925 N Firth ID 83236
	V. Pres.	Vera Gentillon	602 E 925 N Firth ID 83236
	Secretary	Terry McNeely	560 E 1000 N Firth ID 83236
5. Organized Under the Laws of: IDAHC C 16801		6. Signature: <i>Terry McNeely</i> Date: <u>2-12-04</u> (Type or Name of Agent) <u>Terry McNeely</u> Title: <u>Secretary</u>	
Issued 12/01/2003		Do Not Tape or Staple 2171	

346-4297
 oliv...
 346-6200

**SNAKE RIVER BASIN ADJUSTICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Claim Number(s):

27-23B

Previous Mailing Address:

Rawlings Creek Land & Livestock Co.
% Neil F. Bithell

392 E 400 N.

Blackfoot, ID 83221

New Mailing Address:

Rawlings Creek Land & Livestock Co.
% Terry McNeely

PO Box 54

Firth, ID 83238

Telephone Number:

(208) 357-2223

Signature of Claimant(s):

Terry L McNeely

Please return this completed form to the address indicated below:

☐ Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

☐ Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

☐ Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

☐ Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste A.
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

 Adjudication Bureau
Idaho Dept. of Water Resources
15 West Center Street
Soda Springs, ID 83276
Ph. 208/547-3993 or
FAX 208/547-3939





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

1 June 2004

Rawlings Creek Land & Livestock
% Terry McNeely
P. O. Box 54
Firth, ID 83238

COPY

Re: Snake River Basin Adjudication (SRBA)
Claim 27-23B

Subject: Changes to water right.

Response Date: 14 June 2004

Dear Claimant (s):

IDWR's initial investigation of the Notice of Claim listed above indicates that there has been a change in the point of diversion (POD) and place of use (POU) as described below:

Previous POD: SWNE, section 15, T3S, R39E.

Claimed POD: NWNE, section 22, T3S, R39E.

Previous POU: SWNE, SWSE, section 15, T3S, R39E.

Claimed POU: NENE, NENW and SENE, section 22, T3S, R39E.

A water right owner who has made a change in use of a water right prior to commencement of the SRBA without prior IDWR approval may claim the change in the SRBA. IDWR may recommend a right as changed, however, only if the change meets certain requirements. One of those requirements is that the changes not result in injury to other water rights, or that the change be conditioned to prevent injury to other water rights.

Before IDWR may recommend your claim, you must provide IDWR with the date the change was made and some evidence tending to support that date. If the change was made before November 19, 1987, then the date provided must include the month, day and year. If the change was made after November 19, 1987, then a specific date is not necessary, and the evidence need only support that the change occurred sometime after November 19, 1987.

It's our goal to recommend historical water rights within the Snake River Basin Adjudication as accurately as possible. This office must receive your response by the date shown above. If no response is received, then your claim to water from the new source, point of diversion and place of use **will not be recommended to the SRBA court.**

I have also enclosed a copy of a Change in Address of Notice of Claim form that needs to be signed and returned to this office.

If you have any questions, please feel free to contact me at the office in Soda Springs at 547-3993.

Respectfully,

A handwritten signature in cursive script, appearing to read "Cindy E. Bird".

Cindy E. Bird
Adjudication Bureau

CEB/bjp

Enclosure:

Change in Address of Notice of Claim



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

Rawlings Creek Land & Livestock
Neil F. Bithell
392 E. 400 N.
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claim 27-23B

Subject: Changes to water right.

Response Date: March 25, 2004



Dear Claimant (s):

IDWR's initial investigation of the Notice of Claim listed above indicates that there has been a change in the point of diversion (POD) and place of use (POU) as described below:

Previous POD: SWNE, section 15, T3S, R39E.

Claimed POD: NWNE, section 22, T3S, R39E.

Previous POU: SWNE, SWSE, section 15, T3S, R39E.

Claimed POU: NENE, NENW and SENE, section 22, T3S, R39E.

A water right owner who has made a change in use of a water right prior to commencement of the SRBA without prior IDWR approval may claim the change in the SRBA. IDWR may recommend a right as changed, however, only if the change meets certain requirements. One of those requirements is that the changes not result in injury to other water rights, or that the change be conditioned to prevent injury to other water rights.

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It's our goal to recommend historical water rights within the Snake River Basin Adjudication as accurately as possible. This office must receive your response by the date shown above. If no response is received, then your claim to water from the new source, point of diversion and place of use **will not be recommended to the SRBA court**. If you have any questions, please feel free to contact me at the office in Soda Springs at 547-3993.

Respectfully,

A handwritten signature in cursive script that reads "Cindy E. Bird".

Cindy E. Bird
Adjudication Bureau

CEB/ceb

Notes

4/20/05 recommendation complete. CB.

Needs NOE printed. CB.

INTER-DEPARTMENT MEMO

TO: Skip

SUBJECT: POU/POD

FROM: Cindy

DATE: 2/9/05

Change in POD & POU from T287.

Accomplished change?

This is just above the Telfads. Would this change cause injury to the Telfads?

Should be irrigating in section 15 not 22.

() For your information

() Response required

CB
signature

References

[Contact](#)
[Help](#)
[Desk](#)

[Document](#)
[Management](#)
[Search](#)

[Launch](#)
[ArcView](#)

[Administrative](#)
[Rules](#)

[Query](#)
[Tools](#)

[Data](#)
[Entry](#)
[Standards](#)

Show Help

Screen ID
 384
 Process:
 Claim
 Verification
 Record
 Step:
 Update
 Information

Quick Look **Contacts** Priority Date POD Source POU Water Use

Review/Verify Log

Status

Claim Number 27 23 8

Version Number 1

View Documents

Check List

Print Form

☒ Priority Date☒ Contacts

No

☐ Point of Diversion☒ Source☐ Place of Use☒ Purpose of Use☒ Period of Use☐ Quantity☐ Summary

Yes to All

Contacts

NENE 4.4

NWNE 3.5

SENE 13.0

20.9

Comments

Author CBIRD

Text

Subj

Date 03 - 11 - 2005

Add

Edit

Remove Selected

Hide References

Next Step

Return to Home

Previous
Steps:

Select Claim

Screen
ID
384

Notes

3/4/04 T787 changed the source From Blackfoot River to Rawlins Crk.

POD: SWNE, Sec. 15, T3S, R39E; Rawlins Crk.

POU: NWSE, SWSE, Sec. 15, T3S, R39E, NO
Specific Number of acres.

3/4/04 Sent claimant a letter requesting information on change in POD & POU. Response date 3-25-04/08

3-12-04 Letter came back from claimant, temporarily away. PB

6-1-00 Resent letter & change of address form, BTD

6-15-04 Received change of address form from claimant, PB

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Rawlings Crk. Land & Livestock Co.					
Name connector: and	/o Terry McNeely					
Current Owner	P.O. Box 54					
Current Owner	Firth, ID 83238					

357-2223

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

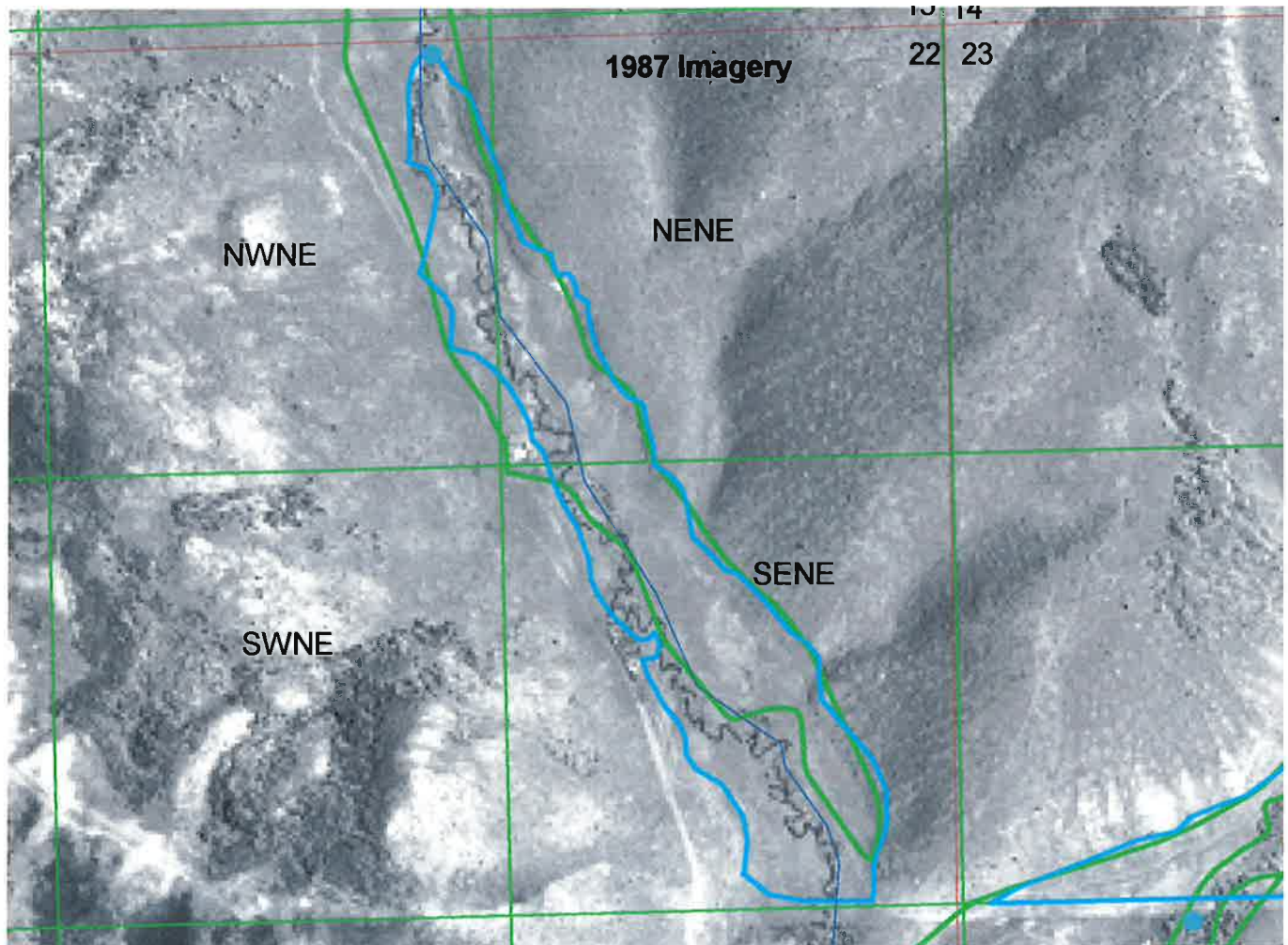
Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

ownership chg received 5/15/04

Reviewer: CBDate: 2/9/05

27-23B



0.09 0 0.09 0.18 Miles

Hyd250.shp

Stream

Canal or Ditch

Intermittent

Other Hydro

B24-27-pod.shp

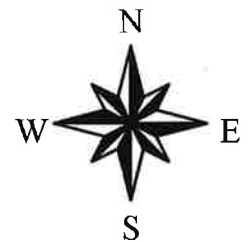
27-10207pou.shp

27-23b.shp

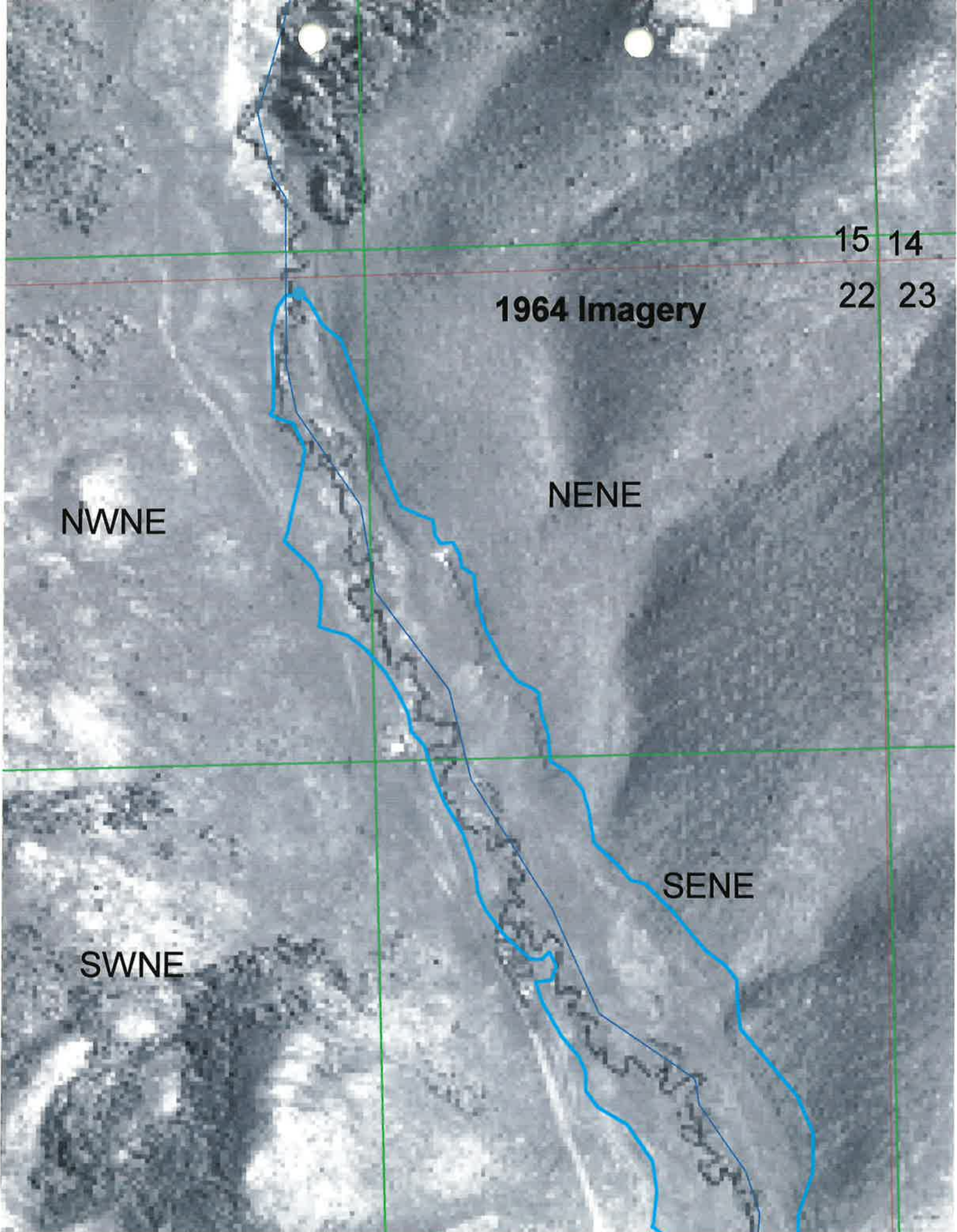
Ft hall irr1987.shp

PLSS Section LinesSections.shp

T03s39e.shp



1964 Imagery



1964 Imagery

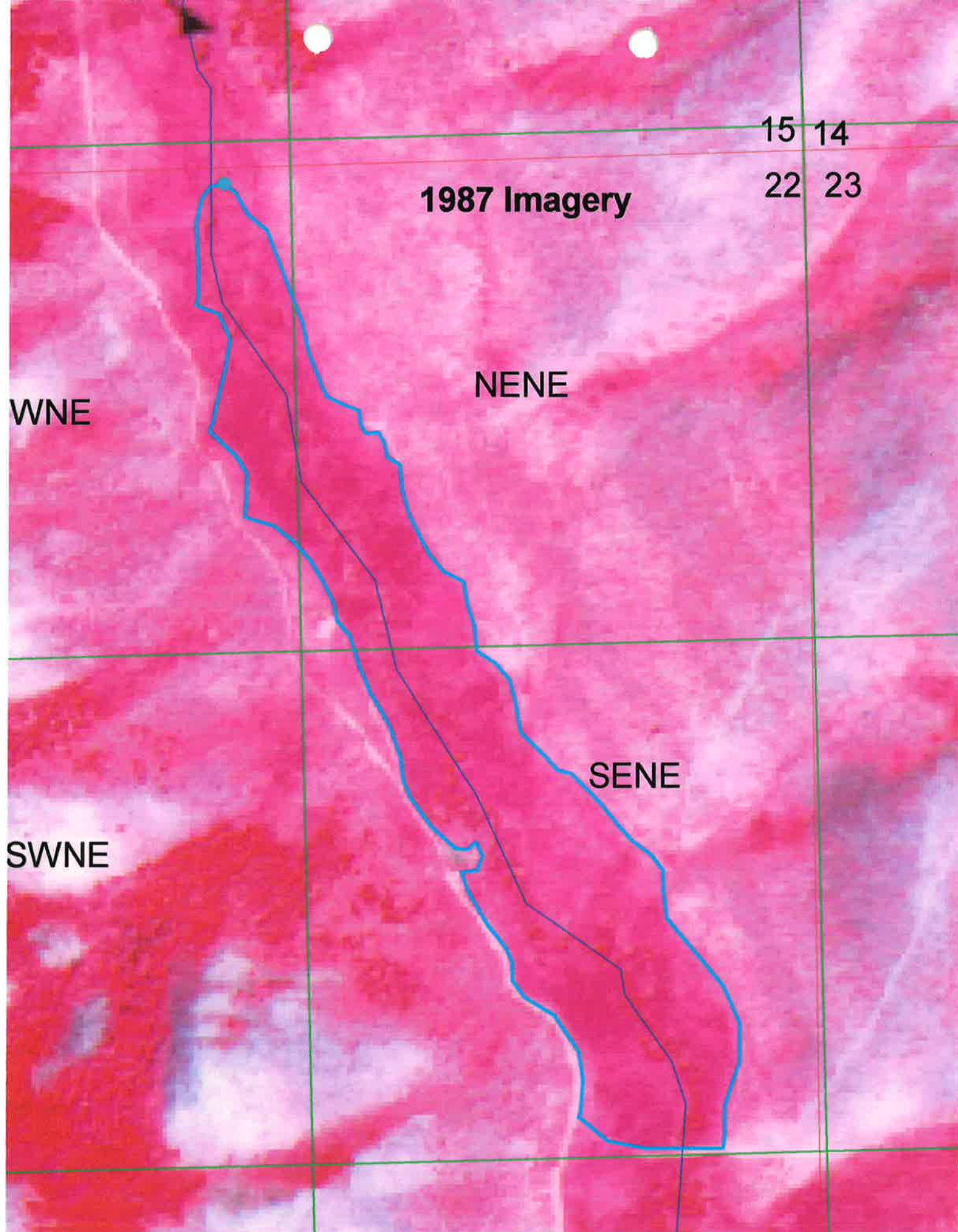
15 14
22 23

NWNE

NENE

SENE

SWNE



Log for claim 27-00023B

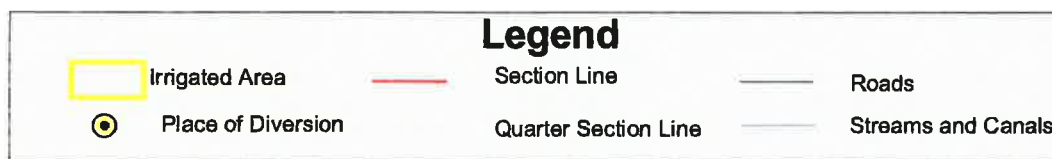
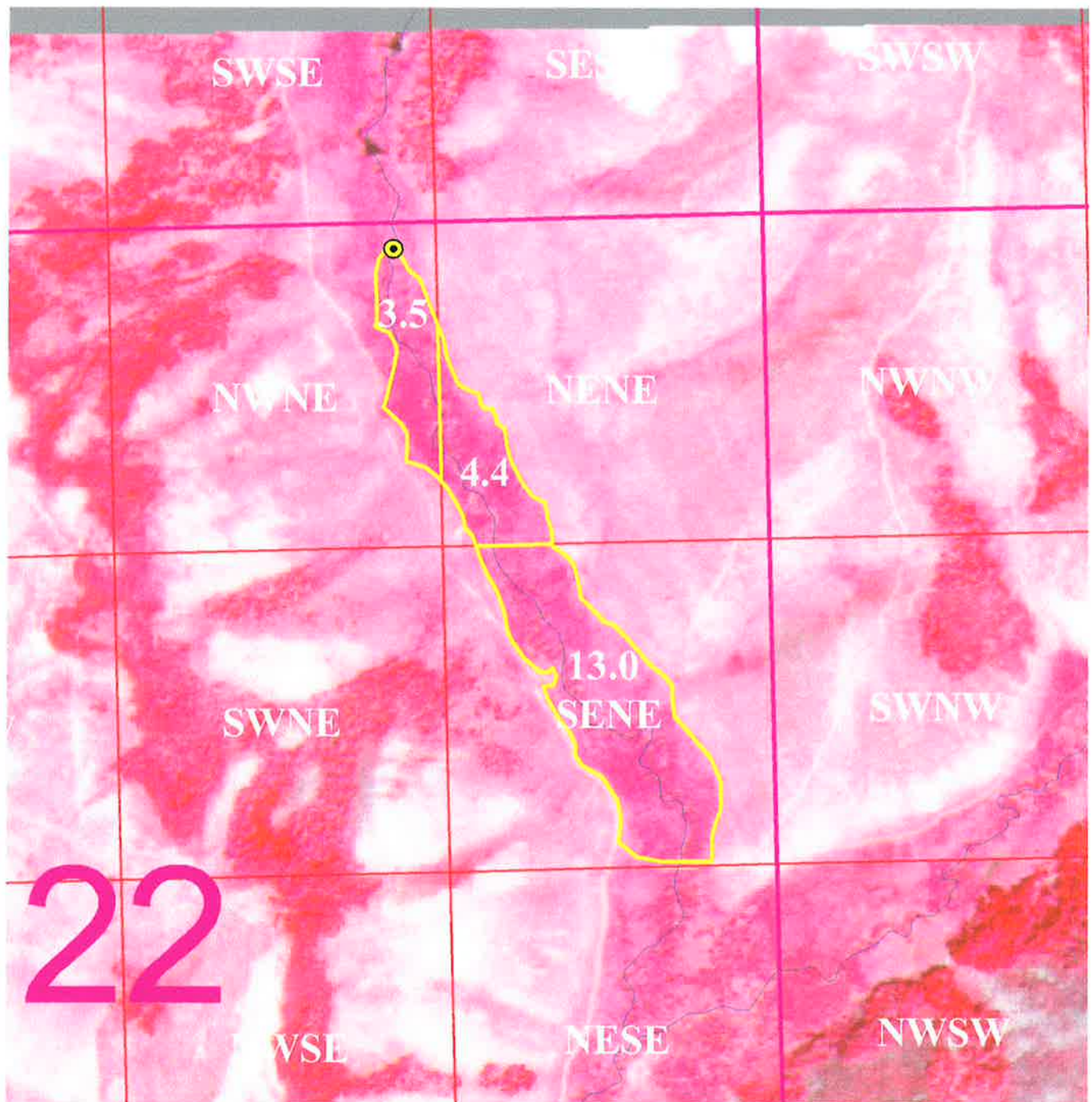
Spatial Dynamics LTD

11/22/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s39e	22	NENE	5	4.4	
03s39e	22	NWNE	3	3.5	
03s39e	22	SENE	15	13	
Totals:			23	20.9	

Water Right Claim Number 27-00023B
Township , 3S39E

11/22/2000



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

#27-0023

Certificate of Water Right
Transferred Right No. 787

THIS IS TO CERTIFY That WALTER C. BITHELL and NEIL F. BITHELL, of Route 3, Blackfoot, Idaho, are the owners of and using a certain water right for one and two-tenths (1.2) 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

FRED S. STEVENS, ET AL.,
Plaintiffs,

vs.

EASTERN IDAHO WATER COMPANY, ET AL.,
Defendants.

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

E $\frac{1}{2}$ 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 Walter C. Bithell and Neil F. Bithell have become the owners of said water right through purchase.

And that now, upon the application of Walter C. Bithell and Neil F. Bithell, of Route 3, Blackfoot, Idaho, for the transfer of one and two-tenths (1.2) 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 1.2 cubic feet per second of the waters of Blackfoot River on the above described lands is hereby abandoned in exchange for 1.2 cubic feet per second of the waters of Rawlings Creek, a tributary of Blackfoot River, to be used upon the following lands to which the water right hereby confirmed shall, by this certificate, become appurtenant for irrigation and domestic purposes,

W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 15, Township 3 South,
Range 39 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:

1.2 cubic feet per second of the water
of Rawlings Creek, a tributary of Black-
foot 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 with point of diversion in Lot 5, 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 from Rawlings Creek, a tributary of Blackfoot River with point of diversion in the SW 1/4 NE 1/4 Section 15, Township 3 South, Range 39 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 22nd day of February, A.D. 1952.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

AJ5809NP
No. A27-00023B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAWLINGS CREEK LAND AND LIVESTOCK CO C/O NEIL F BITHELL 392 E 400 N BLACKFOOT ID 83221 (208) 785-0575	03/25/1880	IRRIGATION	04-01 11-01	0.800 CFS	
					TOTAL DIVERSION:	0.800 CFS
					CONSUMPTIVE USE:	57.50 AFA

Water Source: RAWLINGS CREEK

Tributary to: BLACKFOOT RIVER

Stage: DECREED

Point(s) of Diversion: T03S R39E S22 NWNE BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
03S	39E	22	: 05 03 15	:	:	:	:	:	:	:	:	:	:	23.0		
													TOTAL ACRES	23.0		

POU County: BINGHAM

Non-Irrigation Uses: N/A

Other Rights: N/A

Remarks: GEN TRANS. 787. IN EXCHANGE OF 1.2 CFS OF THE WATERS OF BLACKFOOT
RIVER FOR 1.2 CFS FROM RAWLINGS CK.

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

Misc: Water District Number: 27 Field Inspection Flag:
Presumption Flag: C

RECEIVED

APR 13 2009

DEPARTMENT OF
WATER RESOURCES

Hearing:

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 39576

*done by
MWH.
fees ok
Shops made by MWH.*

Subcase

27-238

(Insert water right number)

STANDARD FORM 4

MOTION TO FILE:

☐ LATE NOTICE OF CLAIM

☒ AMENDED 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.

RECEIVED

MAY 01 2009

Department of Water Resources
Eastern Region

SCANNED

APR 13 2009

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

My name is Jane Crawford

My address is 843 N 550 E, Firth ID 83236

My phone number is: ^{cell}
Work 208-403-6688 Home 208-346-4455

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

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.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my 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.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. 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 \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. 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 \$ _____.

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 _____
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:

A point of diversion and acreage was
inadvertently left off of the original claim.

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).
- ☒ Payment of the following additional fees required by IDWR:

\$10- IDWR

VERIFICATION (Must be completed)

State of Idaho

County of Bonneville

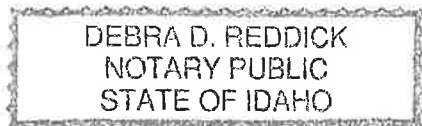
Jane Crawford, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

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.

Jane Crawford
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on April 10, 2009
(Insert Date)



Debra D. Reddick
Notary Public for Idaho
Residing at: Bonneville Co.
My Commission expires: 3/27/2013

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 the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on April 11, ²⁰⁰⁹~~199~~, 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:

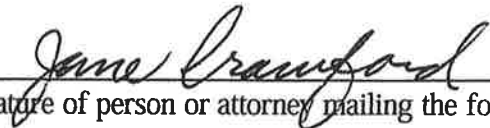
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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 the form

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 27-23B
Date Received: 4/12/1989
Receipt No: E006822 *C090076
Received By: MWH

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

1. Name of Claimant(s)

RAWLINGS CREEK LAND AND LIVESTOCK CO Phone: (208)346-4455
C/O JANE CRAWFORD
843 N 550 E
FIRTH ID USA 83236

2. Date of Priority: 03/25/1880

3. Source: RAWLINS CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
03S	39E	22	NE	NW	NE	BINGHAM	
03S	39E	15	SW	NE	SE	BINGHAM	

5. Description of diverting works:

ROCKS IN CHANNEL WITH DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/31	1.20	

7. Total Quantity Appropriated is:
1.20 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
03S	R39E	15	SW	SE	IRRIGATION	9
		15	SE	SE	IRRIGATION	0.3

					Section Acres	9.3
03S	39E	22	NE	NE	IRRIGATION	4.4
			NW	NE	IRRIGATION	5.6
			SE	NE	IRRIGATION	13.0
					Section Acres	23
					Total Acres	32.3

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:

14. Remarks:

TRANS. 787. IN EXCHANGE OF 1.2 CFS OF THE WATERS OF BLACKFOOT RIVER FOR 1.2 CFS FROM RAWLINGS CK.

15. Basis of Claim: Decreed

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 Organizations:

I do solemnly swear or affirm that I am agent of _____
Title

Rawlings Creek Land & Livestock Co., that I have signed the foregoing
Organization

document in the space below as agent of _____
Title

Rawlings Creek Land & Livestock Co. and that the statements contained in the
Organization

foregoing document are true and correct.

Jane Crawford
Signature of Authorized Agent

Rawlings Creek Land and Livestock Co
Title and Organization

4/10/09
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this

of April 2009

10th day
Debra D. Reddick

Notary Public

DEBRA D. REDDICK
NOTARY PUBLIC
STATE OF IDAHO

Residing at

Bonneville Co.

My commission Expires

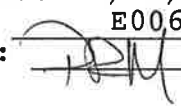
3/27/2013

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: A27-00023B
Date Received: 4/12/1989
Receipt No: E006822
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAWLINGS CREEK LAND AND LIVESTOCK CO. 208-785-0575
Address: C/O NEIL F. BITHELL
392 E. 400 N.
BLACKFOOT, ID 83221

2. Date of Priority: MAR 25, 1880

3. Source: RAWLINGS CREEK Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	39E	22	NW	NE			BINGHAM

5. Description of diverting works:
ROCK HEADGATES WITH DITCHES FOR FLOOD IRRIGATION.

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:
0.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 57.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	39E	22	NE	NE		IRR	5.0
			NW	NE		IRR	3.0

A27-00023B

Page 1

Date: 04/12/89



MICROFILMED
NOV 12 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	39E	22	SE	NE		IRR	15.0
Section Acres							23.0
Total Acres							23.0

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:

N/A

14. Remarks:

TRANS. 787. IN EXCHANGE OF 1.2 CFS OF THE WATERS OF BLACKFOOT RIVER FOR 1.2 CFS FROM RAWLINGS CK.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FRED S. STEVENS, ET AL.

Decree Plaintiff

vs

EASTERN IDAHO WATER CO., ET AL

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: 1

For Organizations:

I do solemnly swear or affirm that I am SECRETARY of _____ Title

RAWLINGS CO. LAND & LIVESTOCK CO., that I have signed the foregoing Organization

document in the space below as SECRETARY of Title

RAWLINGS CO. LAND & LIVESTOCK CO. and that the statements contained in the Organization

foregoing document are true and correct.

Niel F. Bithell
Signature of Authorized Agent

SEC. RAWLINGS CO. LAND & LIVESTOCK
Title and Organization

4-12-1989
Date

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of APRIL 19 89

[Signature]
Notary Public



Residing at IDAHO FALLS
My Commission Expires 4-12-94

T3S
R39E

A27-00023B

540 000
FEET

Creek

Potson

Rawlins

Hor

NOV 12 1992

