

03/30/2005

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

RIGHT NUMBER: 27-29C

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: 0.400 CFS
PRIORITY DATE: 05/01/1885
POINT OF DIVERSION:

T02S R37E S9 SESWSW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.400 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R37E S09	SWSW	2.0	T02S R37E S09	SESW	18.0
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20, 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: License

This right is a split from former right 27-29E.



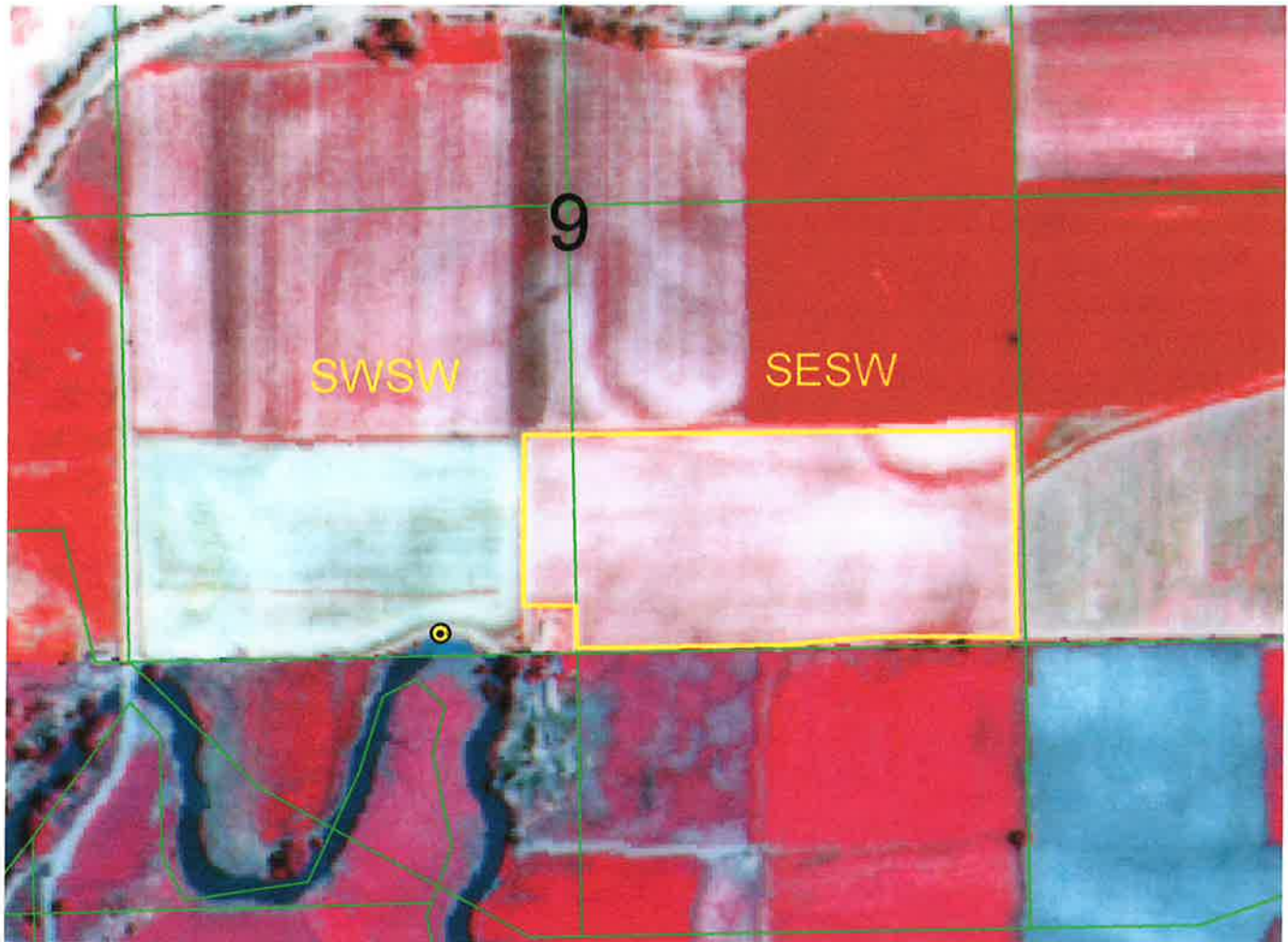
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-29C



400 0 400 800 Feet

IRRIGATED ACRES 20.0

LEGEND

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

Place of Use: T2S, R37E:
(part of) Sec. 9, SESW, SWSW.

Point(s) of Diversion: T2S, R37E:
Sec. 9, SESWSW

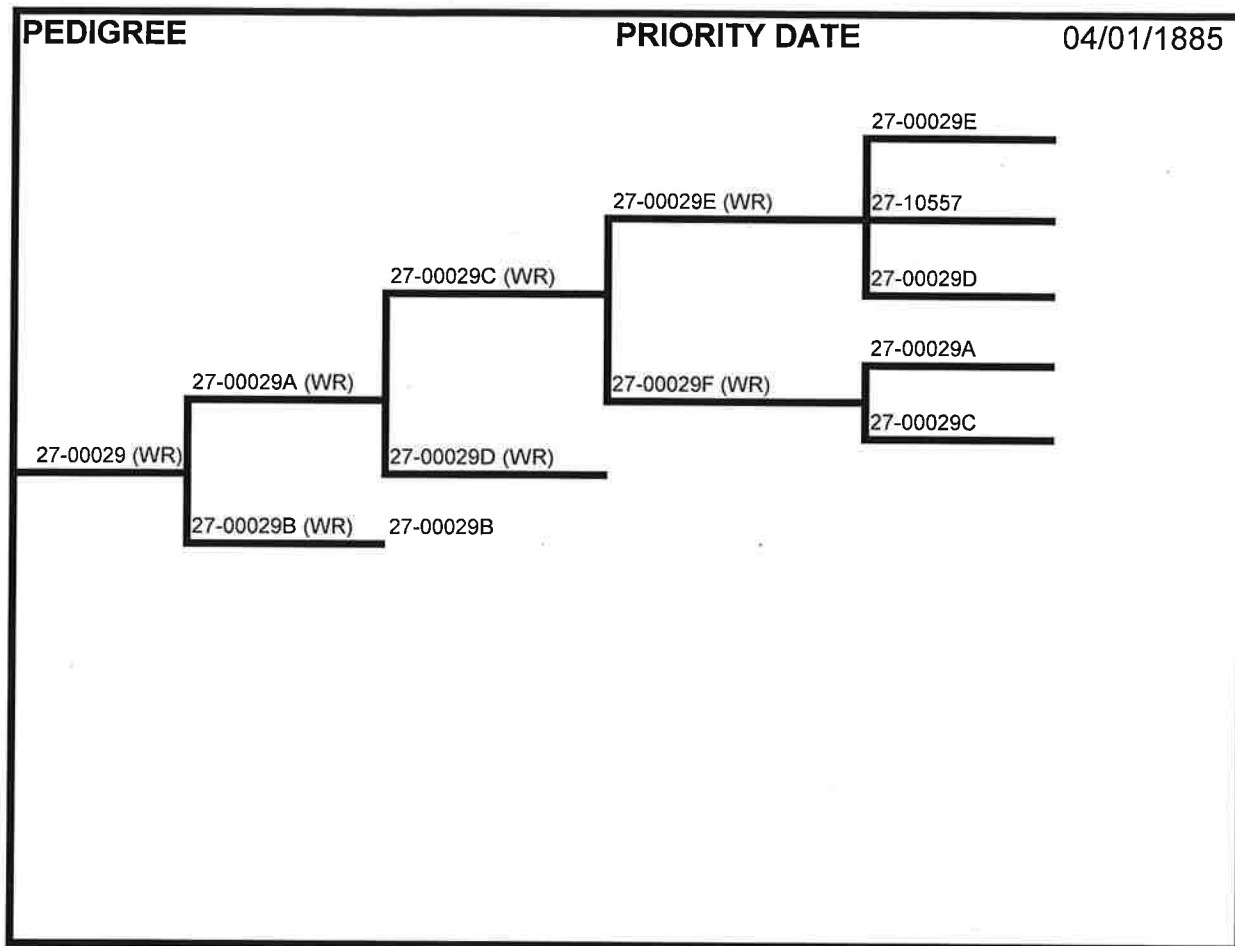


GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: March 2005.

SCANNED

JAN 06 2006

PROFILED



Water right #	Water right #	to adjudication claim #
27-00029	27-00029A	
	27-00029B	27-00029B
27-00029A	27-00029C	
	27-00029D	
27-00029C	27-00029E	27-00029E
		27-10557
		27-00029D
	27-00029F	27-00029A
		27-00029C

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: 27-29C

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
JAN 06 2006



KUT
6/28

Notes

3/4/04 Analysis of breakdown of 27-29 located in file. This claim does appear to come from water right 27-29F, created by T34/34. Steve Lyon claimed the remainder of this right.

The SRBA claim matches the water right.

3/4/04 Create layout as noted on spatial map and do ecvr as noted. CB.

3/5/04 watermaster reports from 1976-1988 Shows delivery of 27-23 & 29.

1976-1983 27-23, 29

1984-1984 27-28, 29?

1987-1988 27-23, 29.

Claimed 27-23C & 29C.

3-16-04 Dorothy called re did she need to provide info for 27-29C as well as 27-23C? I ~~had~~ told her we would call/write her if we needed more. BP

Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner: see claim

Name connector: and _____, or _____, and/or _____

Current Owner: _____

Current Owner: _____

INTER-DEPARTMENT MEMO

TO: Barbara

FROM: Cindy

SUBJECT: Poi / layout

DATE: 3/14/05

Use Bingham Co tax lot info to locate this Poi. According to claims on the spatial map it goes into the SWSW. Verify with Bingham Co. where the 20 acres are located.

Create layout & ready for review

SESW	18.3	County says it is in the
SWSW	1.7	5 1/2 SW & total 21.49 ac. / 8-15-05
	20.0	Bingham Tax Lot: 22.04 ac.

() For your information

() Response required

CB
signature

Reviewer: CB

Date: 3/14/04

Priority Date Data Entry FormClaim Number: 27-29C

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

License

Reviewer: CBDate: 3/4/04

Priority Date

Claim No. _____

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes (X) No ()
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes (X) No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes (X) No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No ()
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (X) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim. *disallow decree*
16. Is a Priority Date remark and/or condition required? Yes () No (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Claim Number: 27-296.

Water Right Point of Diversion: T____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T____, R____, Sec. _____, _____, _____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T____, R____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

Use Claimed POD and Source as Recommended POD and Source

[illegible]

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD

Reviewer: _____

Date:

3/4/04

Point of Diversion

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the POD as shown on the Permit. Go to 10

Yes (☐) No (☐)

4. Does the parent right have a POD?

If Yes, go to 5

If No, go to 6

Yes (☒) No (☐)

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10

If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7

If No, go to 9

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9

If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes (☐) No (☐)

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10

If No, go to 9

Yes (☐) No (☐)

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10

If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (☐) No (☐)

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete

If No, POD review is complete.

Yes (☐) No (☒)

Source

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Source as shown on the Permit. Go to 11

Yes (☐) No (☐)

4. Does the parent right have a Source?

If Yes, go to 5

If No, go to 7

Yes (☒) No (☐)

5. Can the claimed Source be verified using the water right file?

If Yes, recommend the Source as shown in the water right file. Go to 11

If No, go to 7

Yes (☒) No (☐)

6. Is the basis of claim a Posted Notice?

If Yes, consult the attorney assigned to the basin. Go to 7

If No, go to 7

Yes (☐) No (☐)

7. Is there evidence that there has been a change in the Source?

If Yes, go to 8

If No, go to 10

Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C02, go to 10

If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

Yes (☐) No (☐)

9. Did the claimant file a transfer?

If Yes, recommend the Source as shown in the transfer. Go to 11

If No, go to 10

Yes (☐) No (☐)

10. Does the file contain all of the necessary information to verify the Source?

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11

If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

Yes (☐) No (☐)

11. Is a Source remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Source review is complete.

If No, Source review is complete.

Yes (☐) No (☒)

Purpose of Use Data Entry Form

Claim Number: 27-29C☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

See decree, T3434

Transfers Changing Purpose of Use noReviewer: CBDate: 3/4/04

Purpose of Use

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

Yes (☐) No (☐)

4. Does the parent right have a Purpose of Use?

If Yes, go to 5

If No, go to 6

Yes (☒) No (☐)

5. Can the claimed Purpose of Use be verified using the water right file?

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13

If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the Purpose of Use?

If Yes, go to 7

If No, go to 11

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C04, go to 11

If No, go to 8

Yes (☐) No (☐)

8. Does the change include an enlargement of the Purpose of Use?

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9

If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

Yes (☐) No (☐)

9. Was an enlargement claim filed?

If Yes, go to 11

If No, Notify claimant that an enlargement claim is necessary. Go to 10

Yes (☐) No (☐)

10. Did the claimant file an enlargement claim?

If Yes, go to 11

If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

11. Does the file contain all of the necessary information to verify the Water Use?

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (☐) No (☐)

12. Did the claimant file a transfer?

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13

If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

Yes (☐) No (☐)

13. Is a Purpose of Use remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.

If No, purpose of Use review is complete.

Yes (☐) No (☒)

Place Of Use Data Entry Form

Claim Number: 27-29C☒ Use Claimed POU as Recommended POU

Claimed Place of Use

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

Total Acres _____

Recommended Place of Use

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

Total Acres 20

Document how the POU was verified:

T32/34, 1987 NApp photography,

Transfers Changing POU 34/34Reviewer: CPDate: 3/4/04

Place of Use

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 2a
If No, go to 2bYes (☒) No (☐)

2a. Is a POU required?

If Yes, go to 5
If No, go to 14Yes (☒) No (☐)

2b. Is a POU required?

If Yes, go to 3
If No, go to 14Yes (☐) No (☐)

3. Is the basis of claim a Permit or Application?

If Yes, go to 4
If No, go to 7Yes (☐) No (☐)

4. Has the License been issued?

If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14Yes (☐) No (☐)

5. Does the parent right have a POU?

If Yes, go to 6
If No, go to 7Yes (☒) No (☐)

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7Yes (☒) No (☐)

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8
If No, go to 13Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13
If No, go to 9Yes (☐) No (☐)

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12Yes (☐) No (☐)

10. Was an enlargement claim filed?

If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11Yes (☐) No (☐)

11. Did the claimant file an enlargement claim?

If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13Yes (☐) No (☐)

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13Yes (☐) No (☐)

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14Yes (☐) No (☐)

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.Yes (☐) No (☒)

Period of Use and Quantity Data Entry Form

Claim Number: 27-29C.☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

T3434, Decree

Reviewer: CBDate: 3/4/04

Period of Use

Claim No. _____

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes ☒ No ☐
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes ☐ No ☐
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
Yes ☐ No ☐
4. Does the parent right have a Period of Use?
If Yes, go to 5
If No, go to 6
Yes ☒ No ☒
5. Can the claimed Period of Use be verified using the water right file?
If Yes, go to 14
If No, go to 6
Yes ☒ No ☐
6. Is there evidence that there has been a change in the Period of Use?
If Yes, go to 7
If No, go to 12
Yes ☐ No ☐
7. Does the change include an enlargement in the Period of Use?
If Yes, go to 9
If No, go to 8
Yes ☐ No ☐
8. Can the change be recommended as an accomplished transfer?
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
Yes ☐ No ☐
9. Was an enlargement claim filed?
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
Yes ☐ No ☐
10. Did the claimant file an enlargement claim?
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes ☐ No ☐
11. Was a transfer filed?
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes ☐ No ☐
12. Does the file contain all of the necessary information to verify the Period of Use?
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
Yes ☐ No ☐
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?
If Yes, go to 14
If No, go to 15
Yes ☐ No ☐
14. Is irrigation claimed as a purpose of use?
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
Yes ☒ No ☐
15. Is irrigation claimed as a purpose of use?
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
Yes ☐ No ☐
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
Yes ☐ No ☒
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
Yes ☐ No ☐
18. Is a Period of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
Yes ☐ No ☒

Quantity

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Quantity shown on the Permit. Go to 11

Yes (☐) No (☐)

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5

If No, go to 7

Yes (☒) No (☐)

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8

If No, go to 7

Yes (☒) No (☐)

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7

If No, go to 7

Yes (☐) No (☐)

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9

If No, describe why a flow measurement is not required. Go to 9

Yes (☐) No (☐)

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10

If No, go to 9

Yes (☐) No (☒)

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10

If No, go to 11

Yes (☐) No (☒)

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes (☐) No (☐)

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, go to 12

Yes (☐) No (☒)

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.

If No, quantity review is complete.

Yes (☐) No (☒)

Summary

Claim No. -

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2

If No, go to 3

Yes (☒) No (☐)

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4

If No, status will be set as Active. Go to 5

Yes (☐) No (☒)

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5

If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes (☐) No (☐)

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5

If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes (☐) No (☐)

5. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 6

If No, go to 6

Yes (☒) No (☐)

6. Would you like to view the recommended right?

If Yes, go to 7

If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (☒) No (☐)

7. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8

If No, go to 8

Yes (☒) No (☐)

8. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 9

If No, go to 9

Yes (☐) No (☒)

9. Would you like to set the verification date?

If Yes, the review is complete.

If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (☒) No (☐)

Claim No.: _____

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

P21 Gen Rem 27-29F

Split or Combined Right Analysis:

see file

Attached Field Notes or Other Documents:

CB

Claim No.:

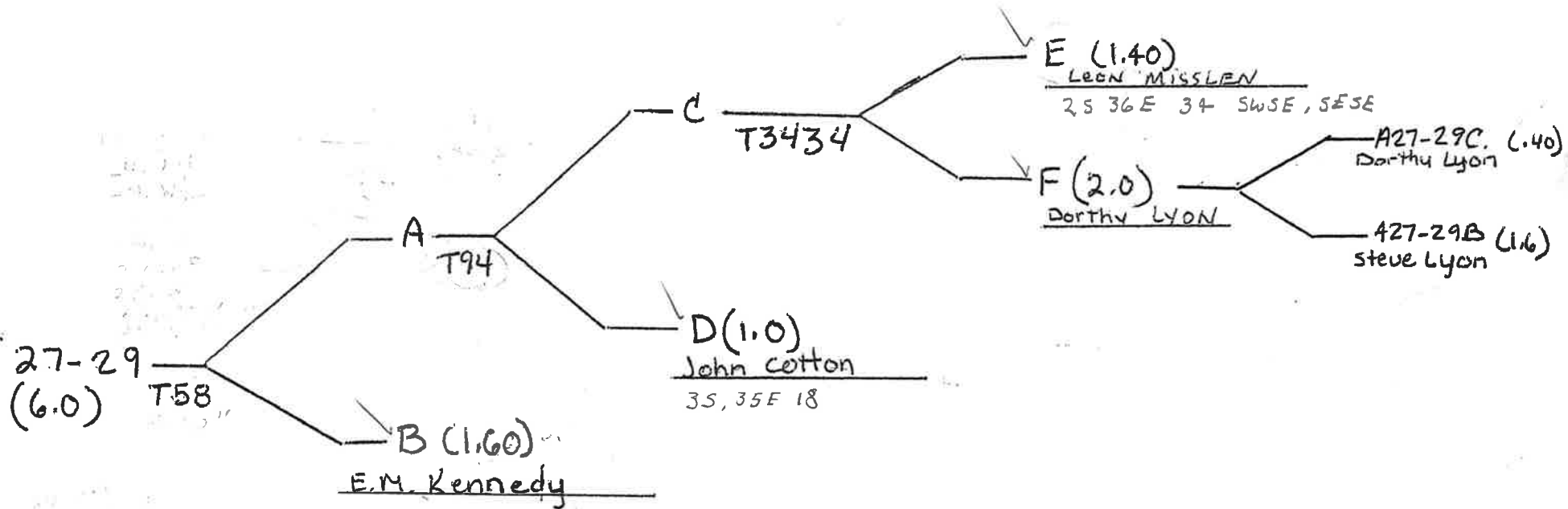
27-29C

Reviewer

CB

Date

3/4/04



3/4/04
Prepared by P.A. : 8

T2S, R37E SECTION 9 SESE

<u>Basin</u>	<u>Seq</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority</u>	<u>Date</u>	<u>Rate(cfs)</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
27	14	A	Decreed	Active	1871-08-01		0.87	BLACKFOOT RIVER	IRRIGATION	LYON, SHAREN (Current); LYON, STEVE (Current)	wrAdjudicationClaim
27	28	A	Decreed	Active	1885-04-01		0.43	BLACKFOOT RIVER	IRRIGATION	LYON, SHAREN (Current); LYON, STEVE (Current)	wrAdjudicationClaim
27	29	B	Decreed	Active	1885-05-01		1.6	BLACKFOOT RIVER	IRRIGATION	LYON, SHAREN (Current); LYON, STEVE (Current)	wrAdjudicationClaim

This s

T2S, R37E, SECTION 9 SESW

<u>Basin</u>	<u>Seque</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
27	21	C	Decreed	Active	1879-04-01	0.28	BLACKFOOT RIVER	IRRIGATION	REID, BILLIE (Current); REID, PAUL (Current)	wrAdjudicationClaim
27	28		Decreed	Active	1885-04-01	2	BLACKFOOT RIVER	IRRIGATION	REID, BILLIE (Current); REID, PAUL (Current)	wrAdjudicationClaim
27	29	C	Decreed	Active	1885-05-01	0.4	BLACKFOOT RIVER	IRRIGATION	LYON, DOROTHY (Current); LYON, EVERETT L (Current)	wrAdjudicationClaim
27	10657		Decreed	Active	1885-06-01	0.48	BLACKFOOT RIVER	IRRIGATION	REID, BILLIE (Current); REID, PAUL (Current)	wrAdjudicationClaim

This legal corresponds to 27-29F on w/2 side.

<u>Basin</u>	<u>Seq</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Ta</u>
27	14	A	Decreed	Active	1871-08-01	0.87	BLACKFOOT RIVER	IRRIGATION	LYON, SHAREN (Current); LYON, STEVE (Current)	wrAdjudica
27	28	A	Decreed	Active	1885-04-01	0.43	BLACKFOOT RIVER	IRRIGATION	LYON, SHAREN (Current); LYON, STEVE (Current)	wrAdjudica
27	29	B	Decreed	Active	1885-05-01	1.6	BLACKFOOT RIVER	IRRIGATION	LYON, SHAREN (Current); LYON, STEVE (Current)	wrAdjudica

T2S R37E Sec 9

SWSE (27-29F w/r)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-29F

WATER RIGHT NUMBER: 27-29F

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EVERETT L LYON 397 N 800 E FIRTH, ID 83236 (208)785-0654
Current Owner	DOROTHY LYON 397 N 800 E FIRTH, ID 83236 (208)785-0654
Original Owner	LEON MISLEN ID
Current Owner	STEVE LYON 397 N 800 E FIRTH, ID 83236 (208)785-4529

Priority Date: 05/01/1885

Basis: Decreed

Status: Active

Source

BLACKFOOT RIVER

Tributary

SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2.000 CFS	
<u>Total Diversion:</u>		2.000 CFS	

Location of Point(s) of Diversion

BLACKFOOT RIVER BINGHAM County	NW1/4NW1/4SW1/4	Sec. 11, Twp 02S, Rge 37E, B.M.
BLACKFOOT RIVER BINGHAM County	SE1/4SW1/4SW1/4	Sec. 9, Twp 02S, Rge 37E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
02S	37E	9																	20.0	40.0	40.0	100.0

Total Acres: 100

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-29F

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. R25 This right when combined with all other rights shall provide no more than 3.5 afa per acre for irrigation of the lands above.
3. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. T05 The use of water on the lands to which the above referenced water rights were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water rights.

Remarks:

1. General TRANS. 3434.

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 8/1/1891
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Eastern Idaho Water Co, et al
Decree Plaintiff: Fred S Stevens, et al
Civil Case Number:
Judicial District: Fifth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-29D

WATER RIGHT NUMBER: 27-29D

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN COTTON
	BLACKFOOT, ID 83221
Original Owner	LEON MISLEN
	, ID

Priority Date: 05/01/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BLACKFOOT RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

BLACKFOOT RIVER
BINGHAM County

Sec. 18, Twp 03S, Rge 35E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03S	35E	18	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-29D

Dates and Other Information:

Licensed Date:
Decreed Date: 8/1/1891
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Eastern Idaho Water Co, et al
Decree Plaintiff: Fred S Stevens, et al
Civil Case Number:
Judicial District: Fifth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-29E

WATER RIGHT NUMBER: 27-29E

Owner Type Name and Address

Current Owner LEON MISSELEN

, ID

Priority Date: 05/01/1885

Basis: Decreed

Status: Active

Source

BLACKFOOT RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 11/01

Diversion Rate

1.400 CFS

Annual VolumeTotal Diversion: 1.400 CFSLocation of Point(s) of Diversion

BLACKFOOT RIVER

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02S	36E	34															X	X	

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-29E

Dates and Other Information:

Licensed Date:
Decreed Date: 8/1/1891
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Eastern Idaho Water Co, et al
Decree Plaintiff: Fred S Stevens, et al
Civil Case Number:
Judicial District: Fifth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Right Report 27-29B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LEON MISSLEN , ID
Current Owner	E M KENNEDY BLACKFOOT, ID 83221

Status: Active

<u>Source</u>	<u>Tributary</u>
BLACKFOOT RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.600 CFS	
	Total Diversion:	1.600 CFS	

BLACKFOOT RIVER
BINGHAM County

Sec. 3, Twp 02S, Rge 36E, B.M.

IRRIGATION

[illegible]

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-29B

Dates and Other Information:

Licensed Date:
Decreed Date: 8/1/1891
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Eastern Idaho Water Co, et al
Decree Plaintiff: Fred S Stevens, et al
Civil Case Number:
Judicial District: Fifth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-29F

WATER RIGHT NUMBER: 27-29F

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EVERETT L LYON 397 N 800 E FIRTH, ID 83236 (208)785-0654
Current Owner	DOROTHY LYON 397 N 800 E FIRTH, ID 83236 (208)785-0654
Original Owner	LEON MISSLEN
	, ID
Current Owner	STEVE LYON 397 N 800 E FIRTH, ID 83236 (208)785-4529

Priority Date: 05/01/1885 ✓
 Basis: Decreed ✓
 Status: Active

<u>Source</u>	<u>Tributary</u>
BLACKFOOT RIVER ✓	SNAKE RIVER ✓

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	4/01 to 11/01 ✓	2.000 CFS ✓	
<u>Total Diversion:</u>		2.000 CFS	

Location of Point(s) of Diversion

BLACKFOOT RIVER	NW1/4NW1/4SW1/4	Sec. 11, Twp 02S, Rge 37E, B.M.
BINGHAM County		
BLACKFOOT RIVER ✓	SE1/4SW1/4SW1/4 ✓	Sec. 9, Twp 02S, Rge 37E, B.M.
BINGHAM County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	37E	9													20.0		40.0	40.0	100.0

Total Acres: 100

Conditions of Approval:

Steve claimed
27-29B

IDAHO DEPARTMENT OF WATER RESOURCES

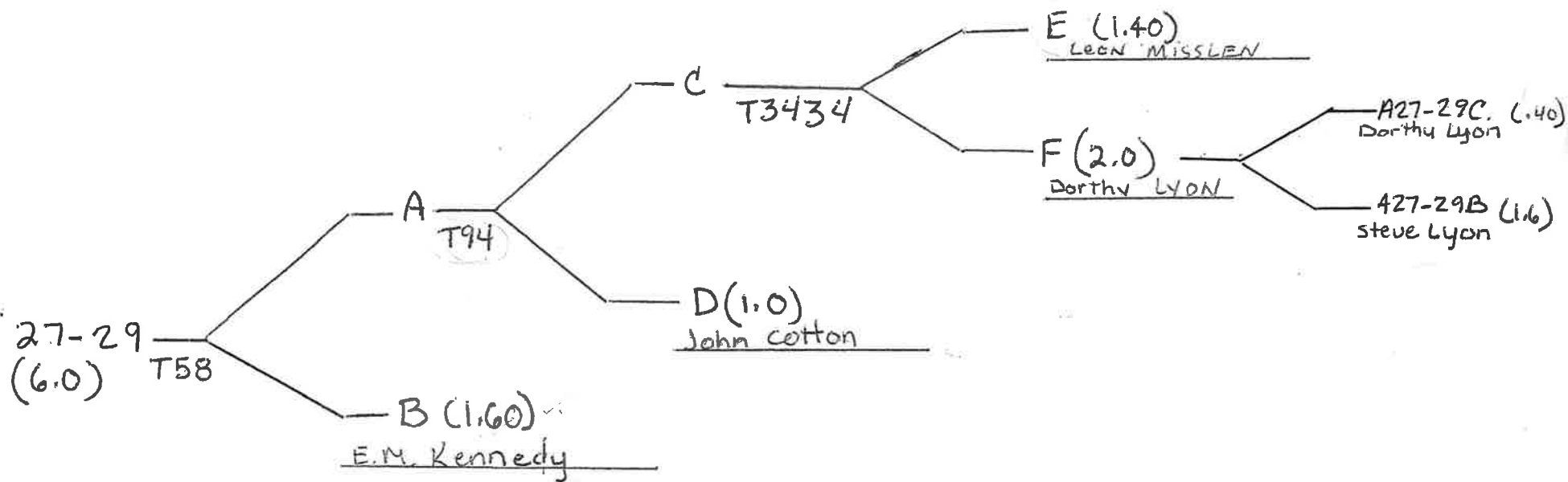
Water Right Report 27-29F

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. R25 This right when combined with all other rights shall provide no more than 3.5 afa per acre for irrigation of the lands above.
3. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
4. T05 The use of water on the lands to which the above referenced water rights were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water rights.

Remarks:

1. General TRANS. 3434.

Comments:



3/4/01
Prepared by CBird

DEED RECORD, BINGHAM COUNTY

QUITCLAIM DEED

No. 2275

BOOK NO. 15

1-12-1912

This Indenture, made the twelfth *day of* January
in the year of our Lord one thousand nine hundred and twelve *between*
Leon Misslin and Jennie L. Misslin husband and wife
James Just *of the first part, and*
the party *of the second part.*

Witnesseth, That the said part 1st *of the first part, for and in consideration of the sum of*
Two hundred (\$1200.00) *DOLLARS, lawful money*
of the United States of America, to them *in hand paid by the said part* of the second part, the receipt whereof is hereby
acknowledged, do by these presents devise, release and forever quitclaim unto the said part of the second part, and to
his heirs and assigns *all the* certain lot piece or parcel *of*
land situated in the County of Bingham, and State of Idaho, and bounded and particularly described as follows, to-wit:

The Southeast quarter of Section 23, the northeast quarter of section 26, Lots one and
two of section 25, and the Southwest quarter and Lot 2 of Section 24, all in township two
South of range 36 East of the Boise Meridian, together with one hundred inches of the
decreed waters of the Blackfoot River as shown by the Decree filed Aug 1st 1891 in
the case of Fred S Stevens et al Vs Eastern Idaho water Co et al Said water being a
part of the Leon Misslin 1885 appropriation of 300 inches.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining,
and 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 said part of the second
part, and to his *heirs and assigns forever.*

In Witness Whereof, The said part 1st *of the first part ha* hereunto set their hand *and seal* *the day and*
year first above written.

Signed, Sealed and Delivered in the Presence of

V R Pugsire

Isabel Misslin

Leon Misslin (SEAL)

Jennie L. Misslin (SEAL)

(SEAL)

(SEAL)

State of Idaho
 County of

I do hereby certify that; On this 12th day of January in the year of 1912 before
 me in and for said County and State
 personally appeared Leon Misslin personally known to me to be the person whose name is
 subscribed to the within and foregoing instrument and acknowledged to me that he executed
 the same.

And I do hereby certify that; On this 12th day of January in the year 1912 before me
 in and for said County and State personally
 appeared Jennie L. Misslin personally known to me to be the person whose name is subscribed
 to the within and foregoing instrument, described as a married woman, the wife of the
 above named Leon Misslin and acknowledged to me that she executed the same.

IN Witness whereof I have hereunto set my hand and affixed my official seal at
 the day and year first above written.
 My commission expires 1912.

J H McDonald Notary Public

DEC 12 1989

Seal

Recorded at request of James Just, Jan 15, 1912, at 9:15 A M

T Carruth

Recorder.

By Jessie Boyd

Deputy Recorder.

5.11.5

QUITCLAIM DEED

THIS INDENTURE made this 7th day of April, 1950, between JAMES JUST and CRILLIA JUST, husband and wife, of Firth, Bingham County, State of Idaho, parties of the first part, and GEORGE WILLIAM JUST of El Cajon County of San Diego, State of California, and VERA EUDORA CHRISTENSEN of Tremonton, County of Boxelder, State of Utah, parties of the second part.

4-7-1950

WITNESSETH, that the said parties of the first part, for and in consideration of love and affection and as a gift to said parties of the second part, and by these presents said parties of the first part, do give and convey unto the said parties of the second part, the following described irrigation water used through what is known as the N. A. and Emma Just Ditch in Bingham County, Idaho, the following described water, to-wit:

One Hundred (100) inches of the decreed waters of the Blackfoot River as shown by the Decree filed August 1st, 1891, in the case of Fred S. Stevens, et al, vs. Eastern Idaho Water Company, et al, said water being a part of the Leon Misslin 1885 appropriation of 300 inches.

TO HAVE AND TO HOLD the above described water 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 water 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 in this instrument above written.

James Just (Seal)
Crillia Just (Seal)

MICROFILMED

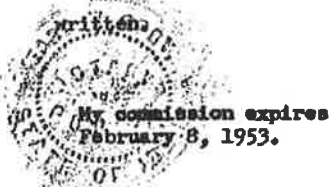
DEC 12 1969

8.9

STATE OF IDAHO,)
) ss.
County of Bingham.)

On this 7th day of April, 1950, before me, Earl W. Cory,
a Notary Public commissioned in and for the State of Idaho, personally
appeared James Just and Crillis Just, husband and wife, known to me to
be the persons whose names are subscribed to the within and foregoing
Quitclaim Deed 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



Earl W. Cory
Notary Public for State of Idaho;
Residing at Blackfoot, Idaho

MICROFILMED
DEC 12 1980

1-9-1960

Quitclaim Deed

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 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~~ the part ies of the first part, and

EVERETT LYON and DOROTHY LYON, husband and wife,

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

WITNESSETH That the said part ies 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 part ies of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said part ies of the second part, and to their heirs and assigns, all those certain lot s , piece s or parcel s 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.

WARRANTY DEED

113225

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.



10.0.3

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 part ies 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 part ies 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 part ies of the first part ha ve hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of Charles E. Galt (SEAL)
Theresa Galt (SEAL)
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

Notary Public for the State of Idaho

residing at Blackfoot, Idaho



No. 113235

WARRANTY 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 2:5 minutes past 4 o'clock P M, this 5 day of MAR 5 1965 A. D. 19____ in my office, and duly recorded in Book VOL. 14 OFFICIAL RECORD

GRACE WILLIAMS

Ex-Officio Recorder,

By Edna M. Williams

Fees, \$ 1.80 Deputy.

Mail to _____

Warranty Deed
(IDAHO)

KNOW ALL MEN BY THESE PRESENTS, That **WILLIAM JUST a/k/a GEORGE WILLIAM JUST,**
dealing with his separate property,
and **LOUISE JUST a/k/a /**, his wife,
~~First~~
of the County of ~~San Diego~~ San Diego, State of ~~California~~ California
parties of the first part, for and in consideration of the sum of **THIRTEEN THOUSAND ONE HUNDRED**
TWENTY-FIVE & NO/100 - - - - - Dollars (\$ 13,125.00),

in lawful money of the United States of America, and other valuable consideration, to them

in hand paid by **EVERETT LYON** and **DOROTHY LYON**

~~of the County of San Diego, State of California~~
of ~~San Diego, State of California~~ **Firth, Bingham County, Idaho**
his wife/hereinafter called party of the second part, do hereby GRANT, BARGAIN, SELL and CON-
VEY unto the party of the second part, as a community property estate, and to the heirs and assigns of the second
party, all of the following-described property situate, lying and being in the County of **Bingham**
State of Idaho, to wit:

A portion of the **S $\frac{1}{2}$ SE $\frac{1}{4}$** of Section 9, T. 2 S., R. 37 E.B.M.
described as:

Beginning at the NE corner of the **SE $\frac{1}{4}$ SE $\frac{1}{4}$** of said Section 9
and running thence S. 80 rods to the SE corner of said
Section; thence W. along the S. line of said Section 102
rods, thence N. 80 rods; thence E. 102 rods to the point
of beginning.

Together with all water and water rights, ditches and ditch rights,
used thereon or appurtenant thereto, including but not limited to
rights to the waters of the Blackfoot River consisting of **40 miners**
inches diverted from said river by ditches, *

Subject to exceptions and reservations contained in patents from the
United States.

Subject to existing easements for roads, highways, ditches, canals,
laterals, and power and transmission lines.

* NOTE: DOCUMENT
DONE IN California
where 1 cfs = 40 miners
inches
should read 50 for Idaho



MICROFILMED
Idaho (Rev. 1-8-82)
DEC 12 1989

10.6.9

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all improvements, water and water rights appurtenant thereto or reasonably necessary to the use of the real property, and the rents, issues and profits thereof.

To HAVE AND TO HOLD the said premises together with the appurtenances thereto unto the party of the second part, as community property, and to the heirs and assigns of the second party forever.

The parties of the first part, for themselves
and for their heirs, executors and administrators, do hereby covenant to and with the party of the second part, and with the heirs and assigns of second party, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, and that they will and their heirs, executors and administrators shall warrant and forever defend the title thereto against all lawful claims and demands whatsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand(s) and seal(s) this 18th day of July, 1967

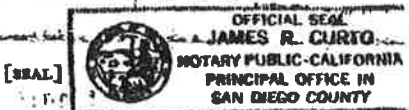
William Just a/k/a George William Just [SEAL]
William Just a/k/a George William Just (Husband)
dealing with his separate property
Louise Just a/k/a Louise B. Just [SEAL]
Louise Just a/k/a Louise B. Just (Wife)

ACKNOWLEDGMENT

STATE OF ~~TEXAS~~ California
COUNTY OF ~~TEXAS~~ San Diego

On this 18th day of July, 1967, before me, a Notary Public in and for said County and State, personally appeared WILLIAM JUST a/k/a GEORGE WILLIAM JUST, dealing with his separate property, and LOUISE JUST a/k/a LOUISE B. JUST, his wife, to me known to be the identical individual(s) described in and who executed the within and foregoing instrument and whose name(s) are subscribed thereto, and acknowledged to me that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above mentioned.



James R. Curto
Notary Public in and for the State of ~~TEXAS~~ CALIF
Residing at ~~732 W. 16th St.~~ 1011 E. 10th St.
My commission expires: My Commission Expires Mar. 24, 1970

Recorded in _____
County, ~~TEXAS~~, on _____
in Book _____
at Page _____

MICROFILMED

DEC 12 1989

OFFICIAL RECORDS BRANCH
FEE \$10.00
RECORDED AT REQUEST OF
San Diego Title & Trust

67 Aug 1 PM 4 46

NO
DINER
ORACE
PHILIP
RECORDED

1A215

200

123

USDA - FHA
Form FHA 427-11 Idaho
(1-5-62)
~~COMMUNITY DOCUMENT~~
(Community)

Warranty Deed
(IDAHO)

KNOW ALL MEN BY THESE PRESENTS, That

Verna J. Christensen, a/k/a Verna Christensen, and Wallace C. Christensen,
a/k/a Wallace Christensen, and her husband,
of Tremonton,
of the County of Box Elder, State of Utah

12-15-1969

parties of the first part, for and in consideration of the sum of Eleven Thousand Two Hundred
Seventy-seven and 75/100 - - - - - Dollars (\$ 11,277.75),

in lawful money of the United States of America, and other valuable consideration, to them

in hand paid by Everett L. Lyon and Dorothy Lyon,

his wife, parties of the second part, do hereby GRANT, BARGAIN, SELL and CONVEY unto the

parties of the second part, ~~not as tenants in common and not as a community property estate, but as~~
~~joint tenants with right of survivorship, that certain~~ and the heirs and assigns of the parties of the first part
and to the heirs and assigns of the second party, all of the
following-described real property situate, lying and being in the County of Bingham,
State of Idaho, to wit:

A portion of the S $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T. 2 S., R. 37 E. B. M.,
Bingham County, Idaho, described as

Commencing at a point 102 rods W. of the SE corner of said Section 9,
and running thence W. along the S. line of said Section 9, 146 rods,
thence N. 40 rods, thence due E. 88 rods to the center line of said
Section 9, thence due N. along said center line 40 rods, thence due
E. 58 rods, thence due S. 80 rods to the place of beginning.

Together with all water and water rights, ditches and ditch rights, ~~(including~~
used thereon or appurtenant thereto, including but not limited to, ~~ASTM~~
rights to the waters of the Blackfoot River consisting of 50 miners
inches diverted from said river by ditches.

Subject to exceptions and reservations contained in patents from the
United States.

Subject to existing easements for roads, highways, ditches, canals,
laterals, and power and transmission lines.

RECORDED
DEC 12 1969

10.11

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all improvements, water and water rights appurtenant thereto or reasonably necessary to the use of the real property, and the rents, issues and profits thereof.

To HAVE AND TO HOLD the said premises together with the appurtenances thereto unto the parties of the second part, ~~as tenants in common and to their assigns, and to the survivors of them and to the heirs and assigns of the survivors of them~~ as community property and to the heirs and assigns of second party forever.

The parties of the first part, for themselves

and for their heirs, executors and administrators, do hereby covenant to and with the parties of the second part, ~~their assigns, and the heirs and assigns of the survivors of them~~ and the heirs and assigns of the survivors of them, that they are lawfully seized in fee simple of said premises, that they are free from all

encumbrances, and that they will and their heirs, executors and administrators shall warrant and forever defend the title thereto against all lawful claims and demands whatsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand(s) and seal(s) this 15th day of December, 1969

WITNESSES:

Edward R. Galt

Verna J. Christensen [REAL]
Verna J. Christensen, s/k/a Verna Christensen (wife)
Wallace C. Christensen [REAL]
Wallace C. Christensen, s/k/a Wallace Christensen (husband)

ACKNOWLEDGMENT

STATE OF *Utah*
COUNTY OF *Box Elder*

On this 15th day of December, 1969, before me, a Notary Public in and for said County and State, personally appeared

Verna J. Christensen, s/k/a Verna Christensen, and Wallace C. Christensen, s/k/a Wallace Christensen, her husband,

who are to me known to be the identical individuals described in and who executed the within and foregoing instrument and whose name(s) are subscribed thereto, and acknowledged to me that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above mentioned.



Edward R. Galt
Notary Public in and for the State of Utah
Residing at *Portland, Utah*
My commission expires: *4-1-1972*

Recorded in _____
County, Idaho, on _____
in Book _____

at Page _____

(Continued on next page)

OFFICIAL RECORD OF
FEES & DOCUMENTS
RECORDED AT REQUEST
ANALYST TITLE & TRUST C

63 Dec 17 P. 2

NO
151231
DEC 17 1969
GPO 817083

DEC 12 1969

STATE OF IDAHO

T58

OFFICE OF STATE ENGINEER

~~CERTIFICATE NO. 58~~, AUTHORIZING TRANSFER OF WATER RIGHT.

Permission is hereby granted E. M. KENNEDY, of Blackfoot, County of Bingham, State of Idaho, to transfer the use of two hundred (200) inches of the waters of BLACKFOOT RIVER, Bingham County, Idaho, from the lands upon which it is now used, i.e., East half of Southwest Quarter (E2 SW4), Southeast quarter of Northwest quarter (SE4 NW4) and Northwest quarter of Southeast quarter (NW4 SE4) Section thirty-four (34), Township two (2) South, Range thirty-six (36) East of Boise Meridian, to the following described tract, to-wit: Southwest quarter of Southwest quarter (SW4 SW4) Section 3, South half of Southeast quarter (S2 SE4), Section four (4), and Eighty (80) acres beginning at the Southwest corner of Section three (3), thence west 8 rods, thence south 1860 feet of Blackfoot river, thence along said river 850 feet to O.S.L. right-of-way, thence along said right-of-way to south line of Section Three (3), Township Two (2) South, Range Thirty-five (35) East of Boise Meridian, thence west along said section line about 60 rods to place of beginning.

The water right appurtenant to the above described lands was adjudged by decree, dated August 1st, 1891, of Charles Cobb, Judge of Fifth Judicial District of the State of Idaho in and for Bingham County, in the matter of F. S. Stephens, plaintiff, vs. Eastern Idaho Company, a corporation, defendant, in the following words:

"It is now ordered, adjudged and decreed,
That the following parties are entitled
to divert from Blackfoot river, the amount
of water herein indicated
John Misslen, July 1st A.D.1874, 120 inches.
Leon Misslen, July 1st A.D.1885, 300 inches."

120 inches of above water rights was purchased from John Misslen and 80 inches from Leon Misslen, by E. M. Kennedy.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this twenty-first day of October, A. D. 1910.

(SEAL)

D. G. Martin,

State Engineer.

MICROFILMED

DEC 12 1989

E M Kennedy - Blackfoot River 200 Gals/hr -
Kennedy (John Misslen) 120" 7-1-1874 27-0017
" (Leon Misslen) 80" 7-1-1885 27-0029

Change Linda
Transfer
Not in file

T2S, R36E

E 1/2 SW Sec 34
SE NW
SW SE



SWSW Sec 3
S 1/2 SE Sec. 4

and 80 acres.

begin SW corner Sec 3

8 rods W. T2S, 35E

S 1860'

File 27-C 27-016
27-029

STATE OF IDAHO

-----OFFICE OF STATE ENGINEER-----

CERTIFICATE NO. 94, AUTHORIZING TRANSFER OF WATER RIGHT.

Permission is hereby granted JOHN COTTON, of Blackfoot, County of Bingham, State of Idaho, to transfer the use of Fifty (50) inches of the waters of Blackfoot river, in Bingham County, State of Idaho, from the place at which it is now used, i. e., Southeast quarter (SE4) Section 23, the Southwest quarter (SW4) and Lots One (1) and Two (2) of Section 24, Lots One (1) and Two (2) of Section 25, Northeast quarter (NE4) Section 26, Township 2 South, Range 36, East of Boise Meridian, also, the Southeast quarter of Northwest quarter (SE4 NW4), the East half of Southwest quarter (E2 SW4), the West half of Southeast quarter (W2 SE4) and Lot One (1) of Section 34, Township 2 South, Range 36 East of Boise Meridian, to the following described tract: Beginning at the southwest corner of Section 18, Township 3 South, Range 35 East of Boise Meridian, thence running north 15 chains, thence East 5 chains, thence North 42° East 12.86 chains, thence North 36° East 28 chains, thence South 52° East 6 chains, thence North 52 1/4° East 4.54 chains, thence East 7.30 chains, to the west bank of the Blackfoot river, thence following the meanderings of the west bank of the Blackfoot river as follows: South 37° East 5.72 chains, thence South 34 1/2° West 6.66 chains, thence South 55 1/2° West 5.10 chains, thence South 24 1/4° West 4.34 chains, thence South 15 3/4° East 5.54 chains, thence South 61 1/4° West 6.10 chains, thence South 19 3/4° West 4.54 chains, thence South 34 1/2° West 5.19 chains, thence West 5.93 chains, South 56° West 11 chains, thence South 22 3/4° West 2.46 chains, thence South 3° 5' East 7.90 chains, thence West 11.91 chains, to the point of beginning, containing 93.87 acres, also, several acres of riparian land.

The water appurtenant to the above described land was adjudged by decree, dated August 1891, of Charles Cabb, Judge of the Fifth Judicial District of the State of Idaho, in and for Bingham County, in the matter of Fred S. Stevens, et al, plaintiffs, vs. Eastern Idaho Water Company, Defendant,

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this twenty-seventh day of June, A.D. 1912.

(SEAL)

A. E. Robinson.
State Engineer.

Application for Transfer of Water Right.

State of Idaho, }
County of Bingham } ss.
John Cotton, being first duly sworn, deposes and says:
That his name is John Cotton; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Blackfoot, Idaho
That he is the owner and using a certain water right of 50 inches of the waters of Blackfoot River
County of Bingham, State of Idaho, decreed to Leon Misslen by decree of Judge Charles Cabb, of the Fifth Judicial District of the State of Idaho, in and for the County of Bingham, in the case of Fred S. Stevens et al, vs. Eastern Idaho Water Company, said decree bearing date of August 1, 1891 (or obtained by virtue of License No., issued by the State Engineer of the State of Idaho, dated), for the purpose of irrigating the following described lands situate, lying and being in the County of Bingham and State of Idaho, to wit:

The Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-three (23); the Southwest Quarter (SW $\frac{1}{4}$) and Lots One and Two (1 & 2) of Section Twenty-four (24); Lots One and Two (1 & 2) Section Twenty-five (25); the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-six (26) all in Township Two (2) South, Range Thirty-six (36) East Boise Meridian; also the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$); the East Half (E $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$); the West Half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) and Lot One of Section Thirty-four (34) Township Two (2) South, Range Thirty-six (36) East Boise Meridian.

That said waters are now diverted from said stream at SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, Tp. 2 South

Range 26 ERM.

and conducted to the above described lands through private ditch per accompanying map as per map hereto attached and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 50 inches

of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Bingham and State of Idaho, to

wit: Beginning at the Southwest corner of Section Eighteen (18) in Township Three (3) South of Range Thirty-five (35) East of Boise Meridian in Idaho; thence running North Fifteen (15) chains; thence East Five (5) chains; thence North 45° East Twelve and 86/100 (12-86/100) chains; thence North 26° East Twenty-eight (28) chains; thence South 52° East Six (6) chains; thence North 58 $\frac{1}{2}$ ° East Four and 54/100 (4-54/100) chains; thence East Seven and 36/100 (7-36/100) chains; to the West Bank of the Blackfoot River; thence following the meanderings of the West Bank of the Blackfoot River as follows:- South Thirty-seven degrees (37°) East Five and 72/100 (5 - 72/100) chains; thence South 34 $\frac{1}{2}$ ° West Six and 66/100 (6 - 66/100) chains; thence South 55 $\frac{1}{2}$ ° West Five and 10/100 (5 - 10/100) chains; thence South 24 $\frac{1}{2}$ ° West Four and 54/100 (4-54/100) chains; thence South 15-3/4° East Five and 54/100 (5 - 54/100) chains; thence South 61 $\frac{1}{2}$ ° West Six and 10/100 (6-10/100) chains; thence South 19 $\frac{1}{2}$ ° West Four and 54/100 (4 - 54/100) chains; thence South, 34 $\frac{1}{2}$ ° West Five and 10/100 chains; thence West Five and 93/100 (5-93/100) chains; South 58° West Eleven chains; thence South 22 $\frac{1}{2}$ ° West Two and 46/100 (2-46/100) chains; thence South 3° 5' East Seven and 99/100 (7 - 99/100) chains; thence West Eleven and 91/100 (11-91/100) chains to the point of beginning containing 93.87 acres, also several acres of riparian land.

NOT RECORDED

RECEIVED
AUG 22 1892
OFFICE OF STATE ENGINEER

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3434

APPLICATION FOR TRANSFER OF WATER RIGHTS

PART 1

Name of applicant EVERETT L. or DOROTHY or STEVE LYONPhone 785-0654Post Office address 397 N 800 E, Firth, Idaho 83236

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 RECORDING HOW WATER HAS BEEN USED SINCE AT LEAST
APRIL 1950 WHEN QUITCLAIM DEEDED WATER TO GEORGE WILLIAM JUST.

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

1. Right Number 27-0029 F Priority 1 May 1885 Amount (cfs/ac-ft) 2.00 cfs Nature of Use Irrigation Period of Use 4/1 to 11/1

2. Total amount of water being transferred 2.00 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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SW	SW	9	2S	37E	BINGHAM	Lyons Pump
	NW	NW	SW	11	2S	37E	BINGHAM	Just Ditch

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02S	37 E	9											20				40	40	100

Total acres 100

PART 1**6. General Information:**

- a. Description of diversion system Headgate of Just Ditch for flood irrigation for the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec 9 and Pump directly from Blackfoot River to mainline for sprinkler irrigation system for 20 ac in S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 9, T02S, R37E
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ **X** _____ 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:
NONE - This transfer reflects where water has been delivered by the Watermaster of the Blackfoot River since at least April 1950
- d. Remarks:
Transfer reflects Quitclaim Deed made 7 April 1950, and warranty deeds transferring the water between individuals. NOTE: WATER SOLD OFF OF ORIGINAL P/U BY RIGHT HOLDER.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 27-0029F

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. A lockable device subject to the approval of the Department shall be maintained on both diverting works in a manner that will provide the watermaster suitable control of the diversion. 2. Use of water under this right is subject to control by the watermaster of State Water District No. 27, Blackfoot River. 3. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above. 4. The use of water on lands located in Sections 23, 24, 25 & 26, T2S, R36E is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right.

MICROFILMED

DEC 12 1989

day of

September, 19 88H. Glen Saxton
Chief, Operations Bureau

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 evidenced by:

- a. Decree No. 27-0029A Decreed to Leon Misslen
 in case of Fred S. Stevens vs. Eastern Idaho Water Co.
 dated 1 August 1891 in Fifth Judicial District county of Bingham
- 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. 58 which produced this right.

2. Attach a 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 Quitclaim Deed

3. Source of water Blackfoot River tributary to Snake River

4. Date or priority 1 May 1885

5. Water is used for the following purpose:

amount 4.40 cfs for Irrigation purposes from NOT SPECIFIED 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 4.40 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: NOT SPECIFIED

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2S	36E	23													A	A	A	A	
		24													A	L2	L2		
		25					L1	L1	L2										
		26	A	A	A	A													
		34															A	L1	
SEE ATTACHED PAGE FOR PLACE OF USE.										DEC 12 1988									

Total acres _____

9. Describe any other water rights used for the same purpose as described above 27-0016

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount 2.00 cfs for Irrigation purposes from 4/1 to 11/1
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: Just Ditch

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	SW	11	2S	36E	Bingham	JUST DITCH

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2S	36E	23													A	A	A	A	
		24									A	A	A	A		L2 A	L2 A		
		25					L1 A	L1 A	L2 A										
		26	A	A	A	A													

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 2.20 cfs for Irrigation purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion: Not Specified

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: No change

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
2S	36E	34															A	L1 A	
3S	36E	3	L1 A	L1 A	L4 A		L2 A		A	L4 A									
		4	L1 A				L3 A												

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DEC 12 1989

Total acres _____

Description and location of place of use:

[illegible]

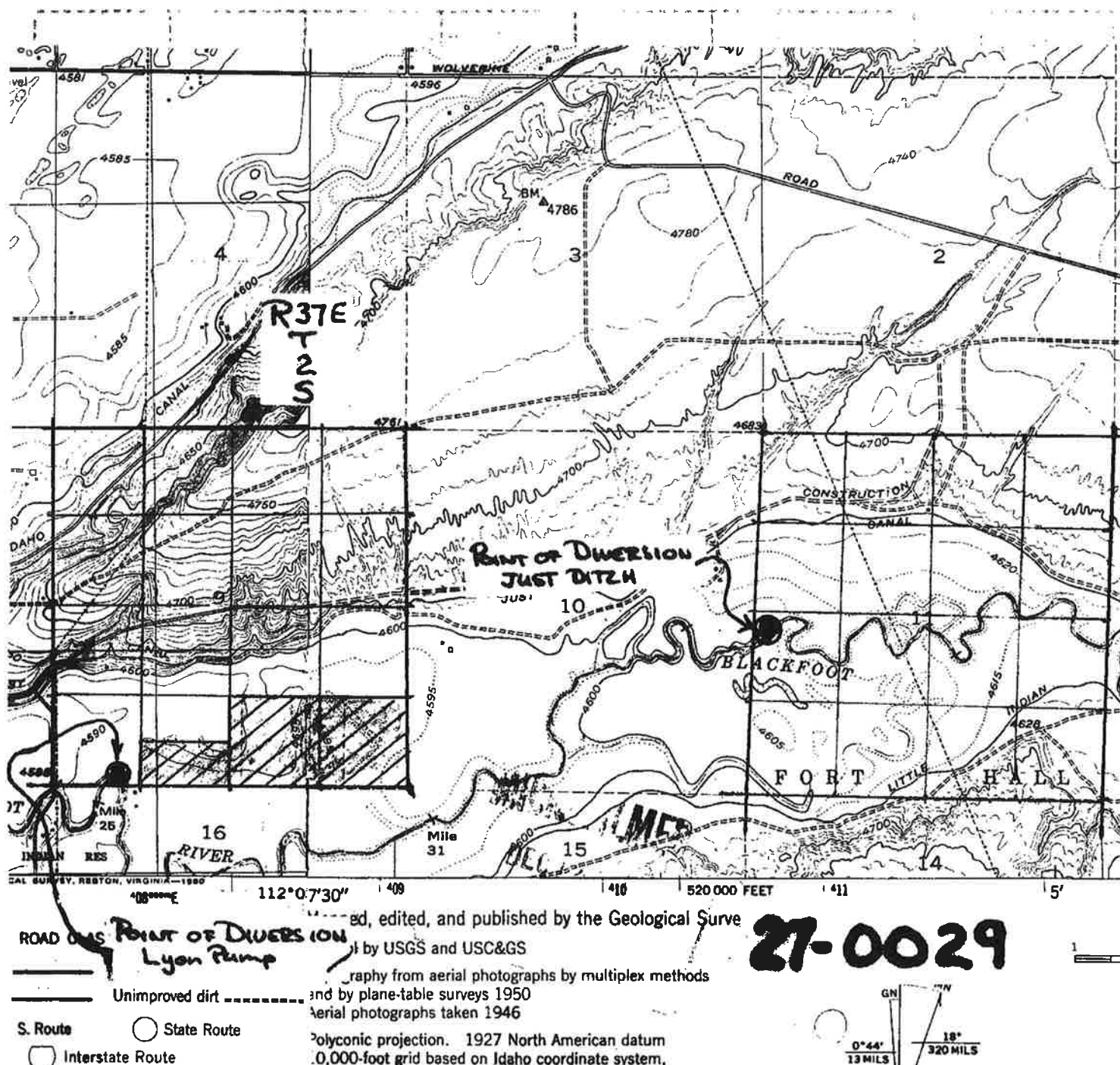
Total number of acres irrigated _____

MICROFILM

DEC 12 1989

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 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.

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 5th day of May, 1988.

Ernest T. Tom
(Signature of Applicant)

Richard W. Gray
(Notary Public)

My commission expires 5/29/1991Assisted by Kew 5-5-1988**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by Kew Date 5-5-1988 Protest filed by _____Prelim. check by _____ Fee \$ 50.00 # E000184Receipted by Kew Date 5-5-88Published in Morning News Log Copies of protest forwarded by _____Pub. dates 6-2 + 6-9-88 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. by RDC

Copy of transfer sent to lien holder _____

DEC 12

WATER RIGHT SPLIT SUMMARY

RIGHT NO.	NAME	AMT	TRANSFER NO.
27-0029	Misslen, Leon	Right split into A and B	
27-0029A	Misslen, Leon	Right split into C and D	
27-0029B	Kennedy, E. M.	1.6	58
27-0029C	Misslen, Leon	Right split into E and F	
27-0029D	Cotton, John	1.0	94
27-0029E	Misslen, Leon	1.4	
27-0029F	Lyon, Everett etal	2.00	3434

MICROFILMED

DEC 12 1989

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 27-0029

Notice is hereby given that Everett L. or Dorothy or Steve Lyon, Firth, Idaho, have applied to the Department of Water Resources for a change in the point of diversion and place of use of water from Blackfoot River tributary to Snake River. The right sought to be changed is evidenced by Decree No. 27-0029A Decreed to Leon Misslen in case of Fred S. Stevens vs. Eastern Idaho Water Water Co. dated August 1, 1891 in Fifth Judicial District county of Bingham and is recorded as follows:

AMOUNT: 4.40 cfs PRIORITY: May 1, 1885

POINT OF DIVERSION: not specified in decree;

The water is used for irrigation within the SE1/4, Sec. 23, Lot 2 (W1/2SE1/4), Sec. 24, Lot 1 (N1/2NW1/4), Lot 2 (SW1/4NW1/4), Sec. 25, NE1/4, Sec. 26, SW1/4SE1/4, Lot 1 (SE1/4SE1/4), Sec. 34, T. 2S, R. 36E, Lot 1 (N1/2NE1/4), Lot 4 (SW1/4NE1/4), Lot 2 (NE1/4NW1/4), Lot 3 (NW1/4NW1/4), SW1/4NW1/4, Lot 4 (SE1/4NW1/4), Sec. 3, Lot 1 (NE1/4NE1/4), Sec. 4, T. 3S, R. 36E., B.M., Bingham County.

TO BE CHANGED AS FOLLOWS:

Only 2.0 cfs of the water will be diverted within the SE1/4SW1/4SW1/4, Sec. 9, NW1/4NW1/4SW1/4, Sec. 11, T. 2S, R. 37E, B.M., Bingham County; and used to irrigate 100 acres within the SE1/4SW1/4, S1/2SE1/4, Sec. 9, T. 2S, R. 37E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402, on or before June 20, 1988.

R. Keith Higginson

Director

Published June 2 & 9, 1988

DEC 12 1988

MICROFILMED

JUL 11 2000

Log for claim 27-00029C

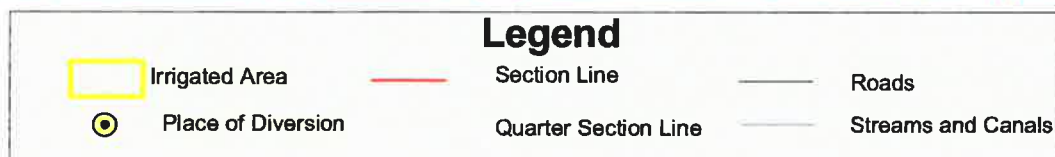
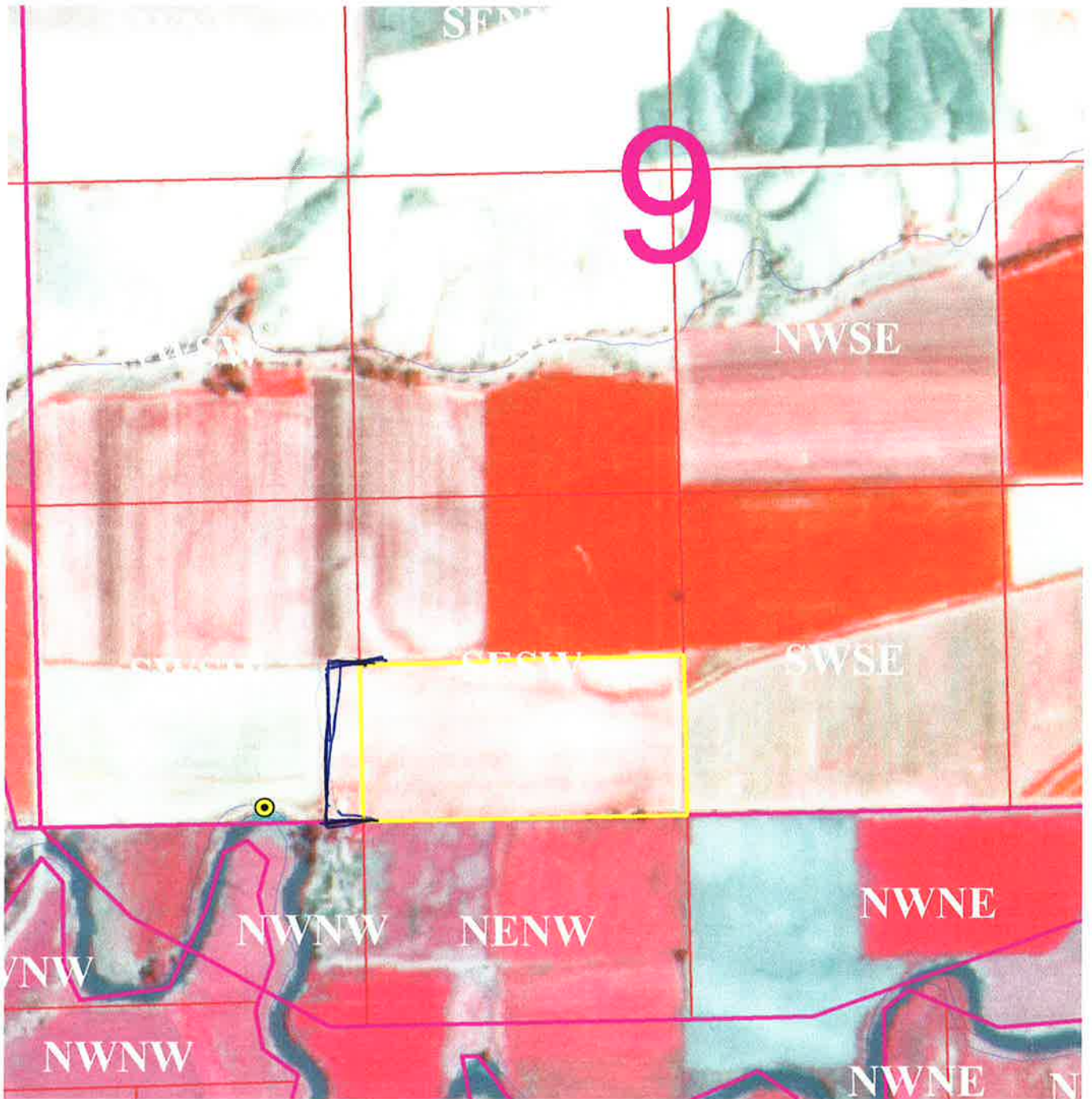
Spatial Dynamics LTD

11/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s37e	9	SESW	20	19	
Totals:			20	19	

Water Right Claim Number 27-00029C
Township , 2S37E

11/08/2000



AJ5809NP
No. A27-00029C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 28

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EVERETT LYON	05/01/1885	IRRIGATION	04-01 11-01	0.400 CFS	
C	DOROTHY LYON					
	397 N 800 E					
	FIRTH ID 83236			TOTAL DIVERSION:	0.400 CFS	
	(208) 785-0654			CONSUMPTIVE USE:		50.00 AFA

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T02S R37E S09 SESWSW 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		
02S	37E	9	:	:	:	:	:	:	:	:	:	:	:	20.0		
TOTAL ACRES													20.0			

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A27-00004S A27-00021C A27-00028 A27-10657

Other Water Rights Listing Overlapping Place(s) of Use:
A27-00021C A27-00028 A27-10657

Remarks: GEN THIS IS A RESULT OF A SPLIT OF TRANSF 3434-- 27-0029F

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

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

Audit: 04/21/89 JONES 09/28/94 JTHOMPSO 03/29/95 POST-STD

SCANNED

JUL 13 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: A27-00029C
Date Received: 4/21/1989
Receipt No: 6006972
Received By: AWJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EVERETT 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: MAY 01, 1885

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	9	SE	SW	SW		BINGHAM

5. Description of diverting works:
LYONS PUMP IN BLACFOOT RIVER TO SPRINKLERS.

6. Water is used for the following purposes:

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

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

8. Total consumptive use is 50.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A27-00029C

Page 1

Date: 04/21/89

A2700029C



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NOV 12 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	37E	9	SE	SW		IRR	20.0
Section Acres							20.0
Total Acres							20.0

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:

THIS IS A RESULT OF A SPLIT OF TRANSF 3434-- 27-0029F

15. Basis of Claim: DECREED

Water Right Number: 270029

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 Everett J. [Signature] Date: X 4-27-89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21st day

of April 19 89

Betty J. Thompson
Notary Public

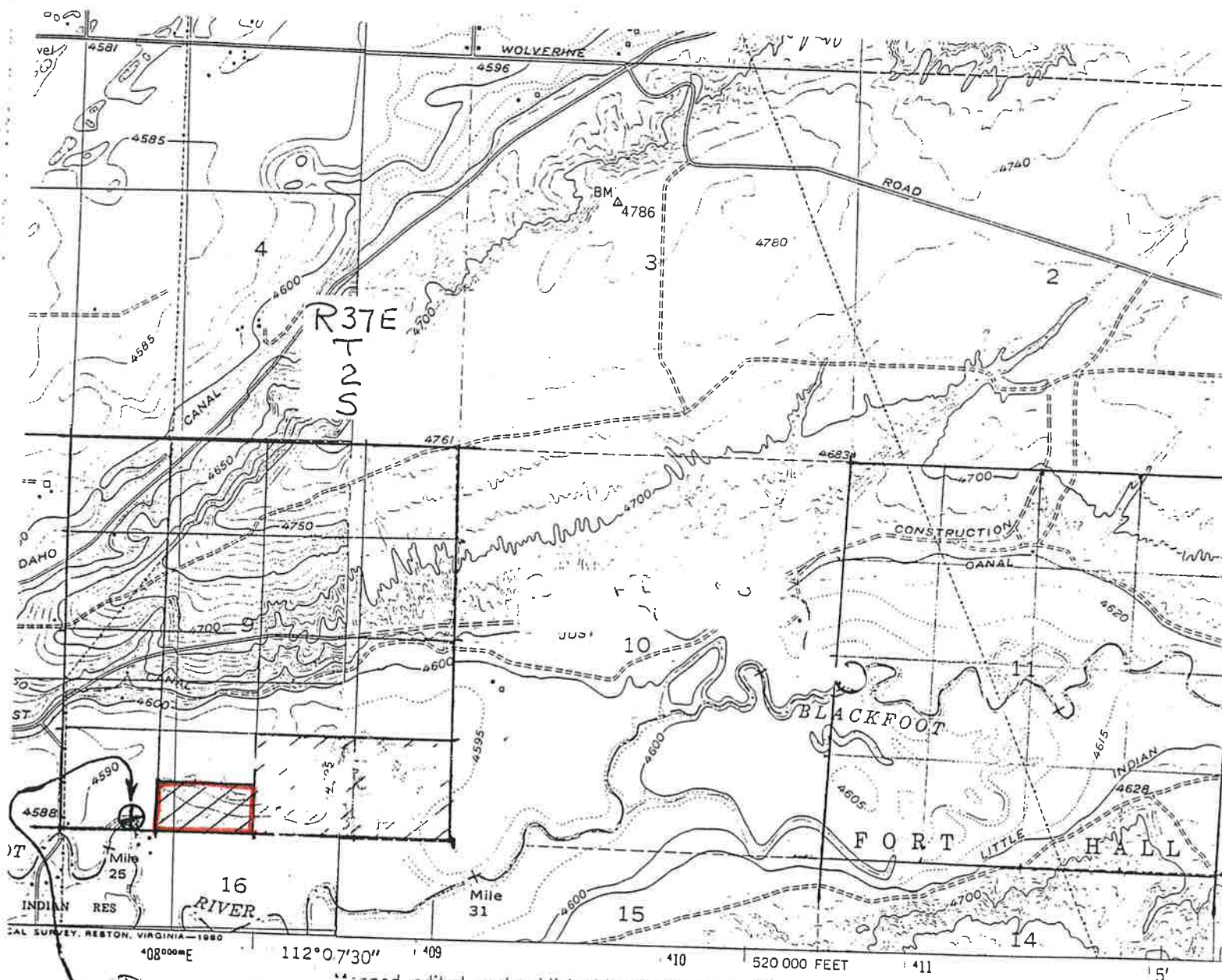
Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires RESIDENCE: 741 [illegible] 6-30-94

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 rights described in part 1. Clearly depict the land by section, township and range number.



ROAD CLASS Point of Diversion
Lyon Pump

S. Route
○ State Route
□ Interstate Route

Unimproved dirt

ed, edited, and published by the Geological Survey
by USGS and USC&GS
graphy from aerial photographs by multiplex methods
and by plane-table surveys 1950
erial photographs taken 1946

polyconic projection. 1927 North American datum
0,000-foot grid based on Idaho coordinate system,

A 27-00029C

MICROFILMED

0°44' 13 MILS 18° 120 MILS
NOV 12 1992

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

MAR 10 1966

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 parties of the second part, and to their heirs and assigns forever.

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 PRESENCE OF

Charles J. Just (SEAL)
Thora Just (Seal)
Clayton A. Just (Seal)
Sheryl C. Just (Seal)
Franklin H. Just (Seal)
Myrtle C. Just (SEAL)
Gary B. Just (SEAL)
ss. 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 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 first above written.



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

Residing at Blackfoot, Idaho

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 _____ MAR 5 1965, A. D. 19____
in my office, and duly recorded in Book _____
of _____ at page _____
GRACE WILLIAMS
Ex-Officio Recorder.
By Edna M. Williams Deputy.
Fees, \$ 1.50
Mail to _____