

11/29/2004

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

RIGHT NUMBER: 37-805A

NAME AND ADDRESS: DONALD T BRAY
DBA LYE LAKE RANCH
PO BOX 156
BLISS ID 83314

SOURCE: CLOVER CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.250 CFS

Right Nos. 37-805A, 37-806A and 37-4059 are limited to a total combined combined diversion rate of 2.55 cfs.

PRIORITY DATE: 04/01/1882

POINT OF DIVERSION:

T04S R13E S22 NESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.250 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T04S R13E S22 Lot 3 SESW	8.0	T04S R13E S22 Lot 2 SWSE	8.0
T04S R13E S27 NWNW	21.0	T04S R13E S28 NENE	15.0
T04S R13E S28 NWNE	2.0	T04S R13E S28 SWNE	29.0
T04S R13E S28 SENE	22.0		

105 ACRES TOTAL

Right Nos. 37-805A, 37-806A and 37-4059 are limited to the irrigation of a combined total of 105 acres in a single irrigation season.

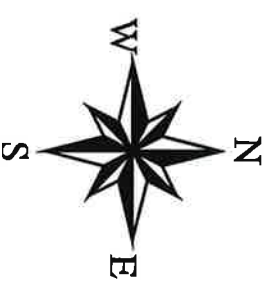
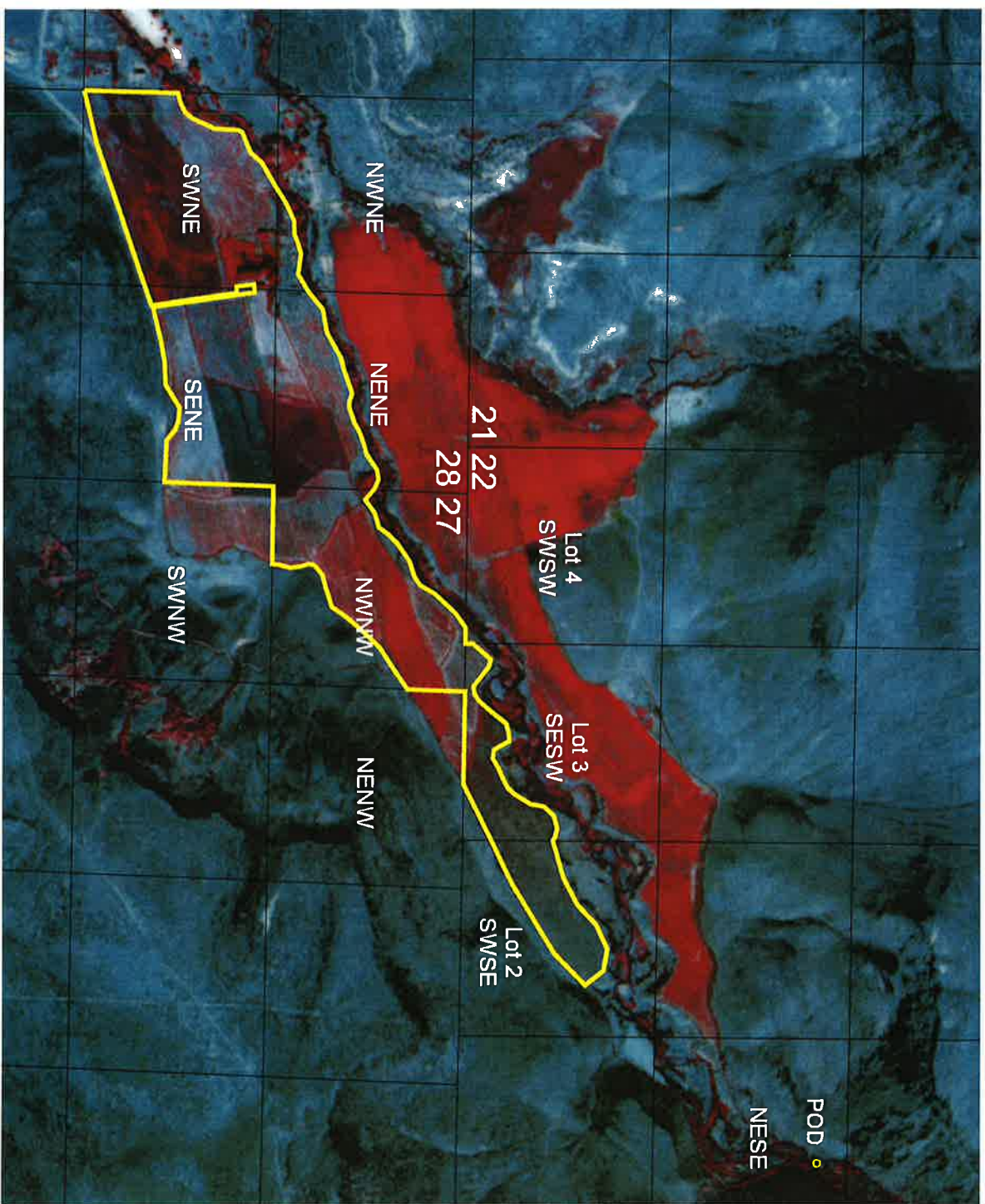
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: Decreed

37-805A & 37-806A

T04S R13E
S22 S27
& S28



Map prepared by: Carter Fritschle
Date prepared: 12/26/02 - Revised 11/29/04
1987-1988 NAPP photography
Idaho Department of Water Resources

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00805

Date Received: 8/19/1988

Receipt No: S001578

Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN H. TSCHANNEN
Address: P.O. BOX 75
BLISS, ID 83314
OR
Name: CLOVER CREEK RANCH, INC.
Address: BLISS, ID 83314
208-352-4294
2. Date of Priority: APR 01, 1882
3. Source: CLOVER CREEK Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 04S | 13E | 22 | SE | NE | | | GOODING |
5. Description of diverting works:
HEADGATES AND DITCH
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 09/01 | 4.500 | | |
7. Total Quantity Appropriated is:
4.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 234.0 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township 04S	Range 13E	Section 21	1/4 of SE	1/4 of SE	Lot	Use IRR	Acres 21.0
						Section Acres	21.0
		22	SW SE	SW SW		IRR IRR	16.0 12.0
						Section Acres	28.0
		27	NW	NW		IRR	4.0
						Section Acres	4.0
		28	NE NW	NE NE		IRR IRR	17.0 8.0
						Section Acres	25.0
						Total Acres	78.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A37-07613, A37-00806, A37-04060

14. Remarks:
P/D NOT GIVEN IN DECREE. USE NOT IN DECREE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

BRAY, ET. AL.

Decree Plaintiff

vs

FERGUSON, 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): John W. Tschanner Date: Aug 19, 1988
Date: _____

State of Idaho

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 19th day

of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94

A37-00805

County, State of Idaho, in the amounts and of the priorities set after their respective ^{names} and that said water is appurtenant to the lands set opposite their respective names.

37-0805

Solon A. Bray, NE $\frac{1}{4}$ Section 23, W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 27, SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 22, SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 22, all in township 4 South, Range 13 E.B.M. Four and one half second feet of water under date of and with a priority of April 1, 1882. The said Solon A. Bray is also entitled to all of the water of a certain Hot Springs located upon his land above described.

37-0806

Ira Bray, the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, the N $\frac{1}{2}$ of the SE $\frac{1}{4}$, all in Section 22, Twp. 4 South, Range 13 East E.M., .6 second feet of water under date of and with a priority of April 1, 1912.

37-0809

Marion Ferguson, the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2; the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 3, all in township 4 South, Range 13 E. B. M. 1.4 second feet of water under date and with a priority of April 1, 1892.

37-0807

W. G. Corcor, NW $\frac{1}{4}$ of Section 15, all in Township 5 South, Range 12 E.B.M. .6 second feet of water under date of and with a priority of April 1, 1896; being waste water flowing back into Clover Creek and seepage and waste water flowing from the irrigated ranches situated above the described land.

37-0808

Blanche F. Thebaud, C. W. Thebaud and John J. Price, the W $\frac{1}{2}$ of the NE $\frac{1}{4}$, the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 36; the S $\frac{1}{2}$ of the NW $\frac{1}{4}$, the S $\frac{1}{2}$ of the NE $\frac{1}{4}$; the SW $\frac{1}{4}$, the W $\frac{1}{2}$ of the SE $\frac{1}{4}$, all in Section 35, Township 4 South, Range 12 East E.M.

37-0808

The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, the NW $\frac{1}{4}$, the N $\frac{1}{2}$ of the SE $\frac{1}{4}$, the N $\frac{1}{2}$

MICROFILMED
FEB 23 1993

MICROFILMED
FEB 23 1983

B200
(4826)
T-461

22	23
27	26

21	22
28	

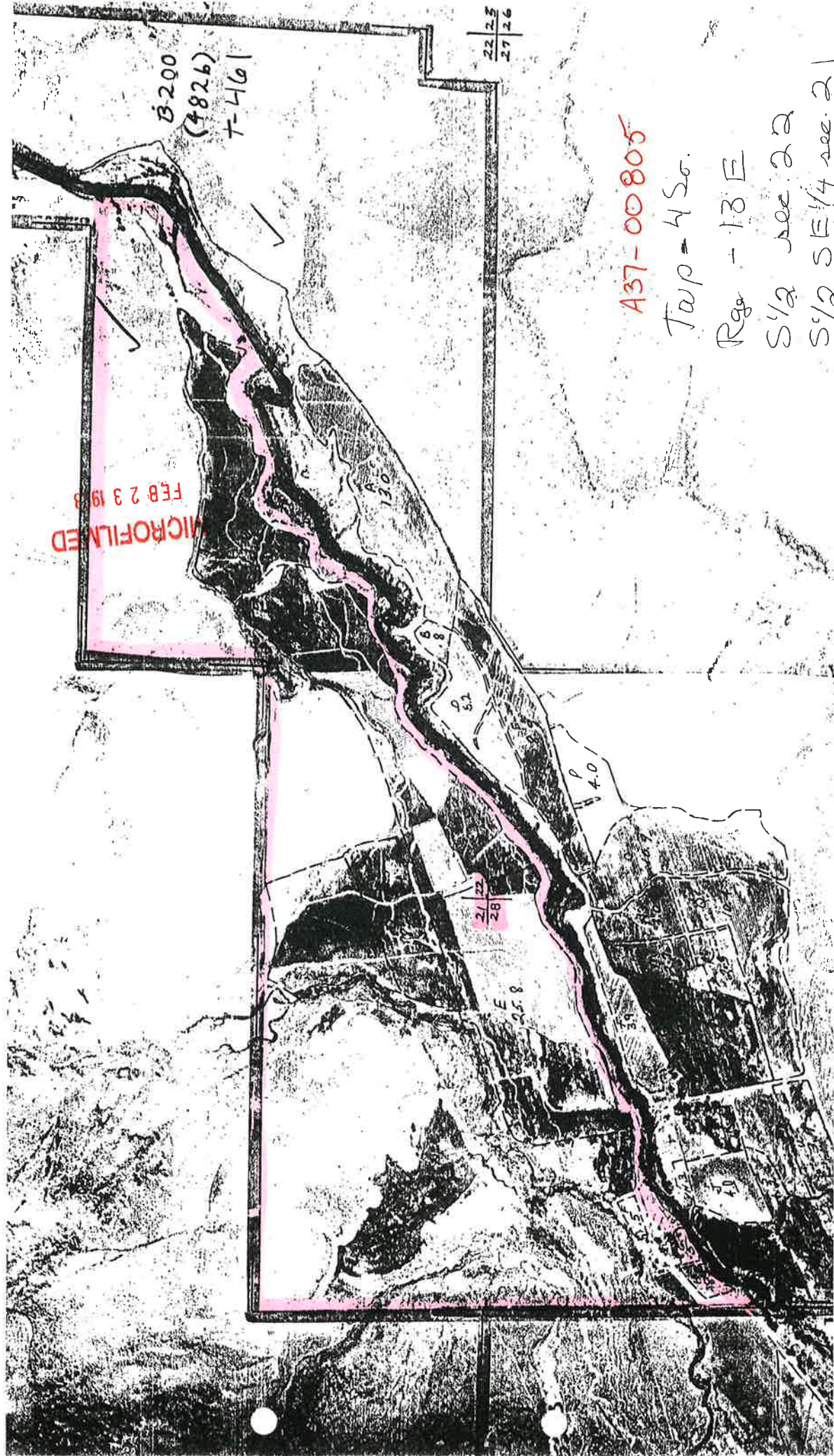
A37-00805

Twp - 4 So.

Rge - 13 E

S 1/2 sec. 22

S 1/2 SE 1/4 sec. 21



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: A37-00805A
Date Received: 8/10/1988
Receipt No: 5001665
Received By: SC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STERLING BRAY 208-352-4282
Address: P.O. BOX 96
BLISS, ID 83314

2. Date of Priority: APR 01, 1882

3. Source: CLOVER CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	13E	22	NE	NE	SE		GOODING

5. Description of diverting works:
CONCRETE STRUCTURE, CHECK BOARDS, DIVERTS INTO GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.250		

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

8. Total consumptive use is 315.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	13E	22	SE	SW		IRR	15.0
			SW	SE		IRR	6.0
Section Acres							21.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	13E	27	NW	NW		IRR	19.0
						Section Acres	19.0
		28	NE	NE		IRR	14.0
			NW	NE		IRR	3.0
			SW	NE		IRR	27.0
			SE	NE		IRR	21.0
						Section Acres	65.0
						Total Acres	105.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

37-00806, 37-04058, 37-04059, 37-04340, HOT WELL.

14. Remarks:

THIS WATER RIGHT HAS BEEN SPLIT WITH 50% TO STERLING BRAY AND 50% JOHN AND RAY TSCHANNEN.

15. Basis of Claim: DECREED

Case Number: 310

Court :

Decree date:

SOLON A. BRAY AND IRA BRAY
Decree Plaintiff

vs

BARLOW FERGUSON, 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Stenling Bray Date: 8/23/88
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

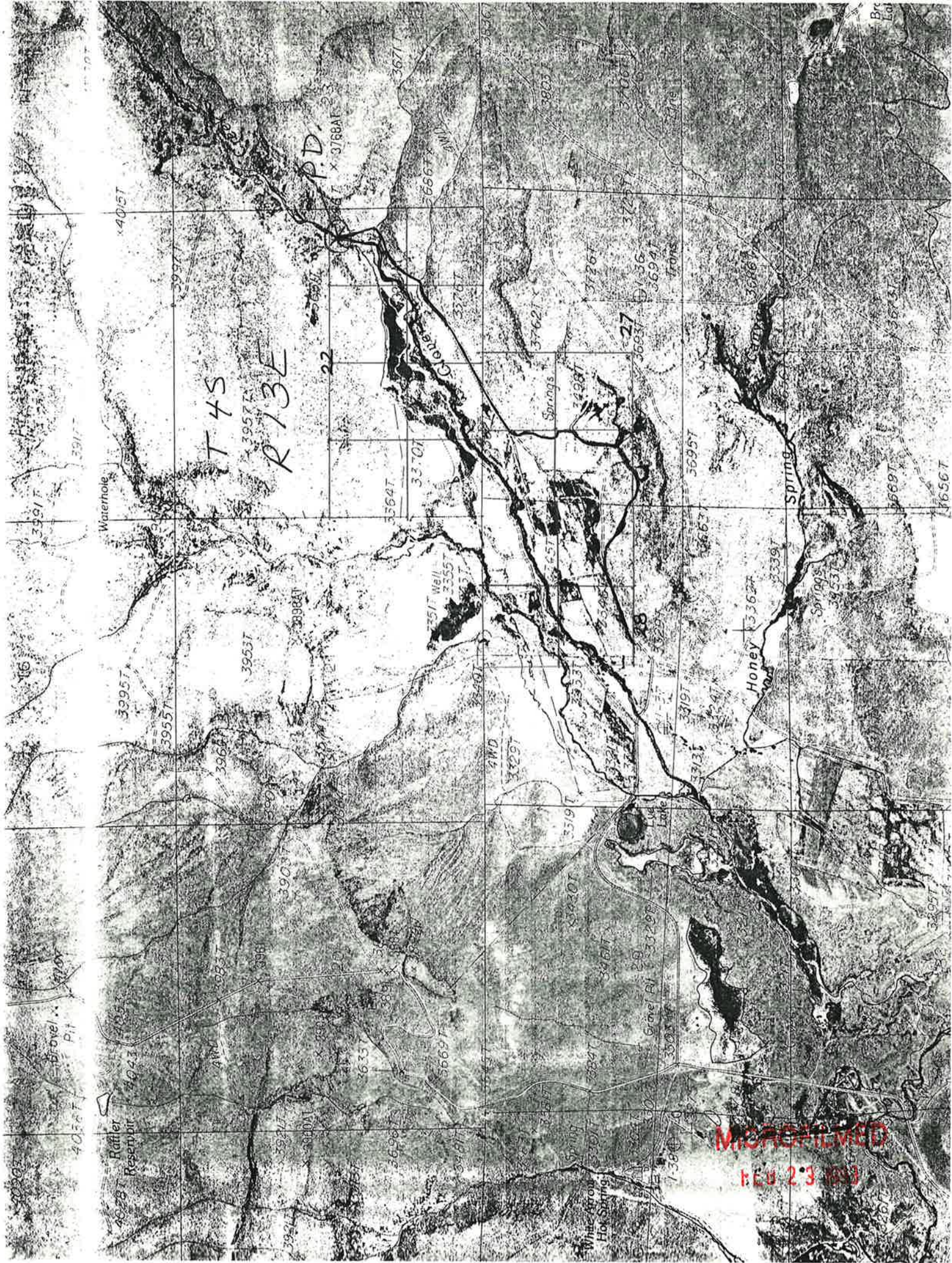
of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94



MICROFILMED
FEB 23 1963

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: **A37-00805A**
Date Received: 8/23/1988
Receipt No: S001665
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DONALD T BRAY 208-352-4274
Address: LYE LAKE RANCH
PO BOX 156
BLISS ID 83314

2. Date of Priority: APR 1, 1882

3. Source: CLOVER CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	13E	22	NE	NE	SE		GOODING

5. Description of diverting works:
CONCRETE STRUCTURE, CHECK BOARDS, DIVERTS INTO GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.250		

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

8. Total consumptive use is 315.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	13E	22	SE	SW		IRR	15.0
			SW	SE		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	21.0
		27	NW	NW		IRR	19.0
						Section Acres	19.0
		28	NE	NE		IRR	14.0
			NW	NE		IRR	3.0
			SW	NE		IRR	27.0
			SE	NE		IRR	21.0
						Section Acres	65.0
						Total Acres	105.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

37-00806, 37-04058, 37-04059, 37-04340, HOT WELL.

14. Remarks:

THIS WATER RIGHT HAS BEEN SPLIT WITH 50% TO STERLING BRAY AND 50% JOHN AND RAY TSCHANNEN.

2-20-98: CHANGE OF OWNERSHIP STERLING BRAY TO DONALD BRAY PER NOTICE REC'D 10-29-97 - VH

15. Basis of Claim: DECREED

Case Number: 310

Court :

Decree date: / /

SOLON A. BRAY AND IRA BRAY

Decree Plaintiff

BARLOW FERGUSON, ET. AL.

vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 20, 1998

Donald T. Bray
Lye Lake Ranch
PO Box 156
Bliss, Idaho 83314

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): A37-04340, A37-00805A, A37-00806A, A37-04058,
A37-04059, A37-04331A
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you now own property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. Also, please note that Adjudication Claims A37-00805A and A37-00806A (splits off the original claims) are appurtenant to the property in question. A37-00805 and A37-00806 are appurtenant to the property conveyed to you by John Tschannen.

We are also in receipt of your Notice of Change of Ownership for the property conveyed to you by John Tschannen; however, the copy of the Warranty Deed that you submitted with this Notice does not have exhibit A, which contained the legal description, attached. We are unable to change our records without a legal description of the property. I am enclosing a self-addressed envelope for your convenience. Please return a complete Warranty Deed for this transaction, and I will proceed with the update on the rest of your claims.

If you have any questions, please contact me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'V. Hancock'.

Vikie Hancock
S.R.B.A. Records Clerk

A37-04340

43313

→ AL3SiA

2007-07613

65070-6

47011047

027-080

0800-670080

A37-00805A

027-00806A

820115

RECEIVED

OCT 29 1997

Department of Water Resources
Southern Region

A37-04340, A37-00805, A37-00806, A37-04058, A37-04059, A37-04331A

Sterling Bray / Deceased

P.O. Box 96 Bliss, ID 83314

Donald T Bray

Lye Lake Ranch P.O. Box 156

Bliss, ID 83314

208 352-4274

May 1 1989

WARRANTY DEED

For Value Received

BEFORE ME, the undersigned authority, on this 1st day of May, 1988

Personally appeared the following person, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My commission expires this 1st day of May, 1991.

Notary Public

My Comm. Expires

STATE OF IDAHO, COUNTY OF GOODING
I, the undersigned, a Notary Public in and for the State of Idaho, do hereby certify that the foregoing is a true and correct copy of the original instrument filed for record in my office on this 1st day of May, 1988.

Notary Public

STATE OF IDAHO, COUNTY OF GOODING
On this 1st day of May, 1988, before me, a Notary Public in and for the State of Idaho, personally appeared JOHN L. STEWART and GREENE K. GRAY, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Witness my hand and the seal of my office this 1st day of May, 1988.
Notary Public

Residing at Gooding, Idaho

JOHN L. STEWART
GREENE K. GRAY
JOHN L. STEWART

146805

STATE OF IDAHO, COUNTY OF GOODING

Notary Public in the County of Gooding, Idaho, on this 1st day of May, 1988.

JOHN L. STEWART
GREENE K. GRAY

Notary Public