

11/29/2004

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

RIGHT NUMBER: 37-806A

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

SOURCE: CLOVER CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.300 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: 04/01/1912

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	0.300 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

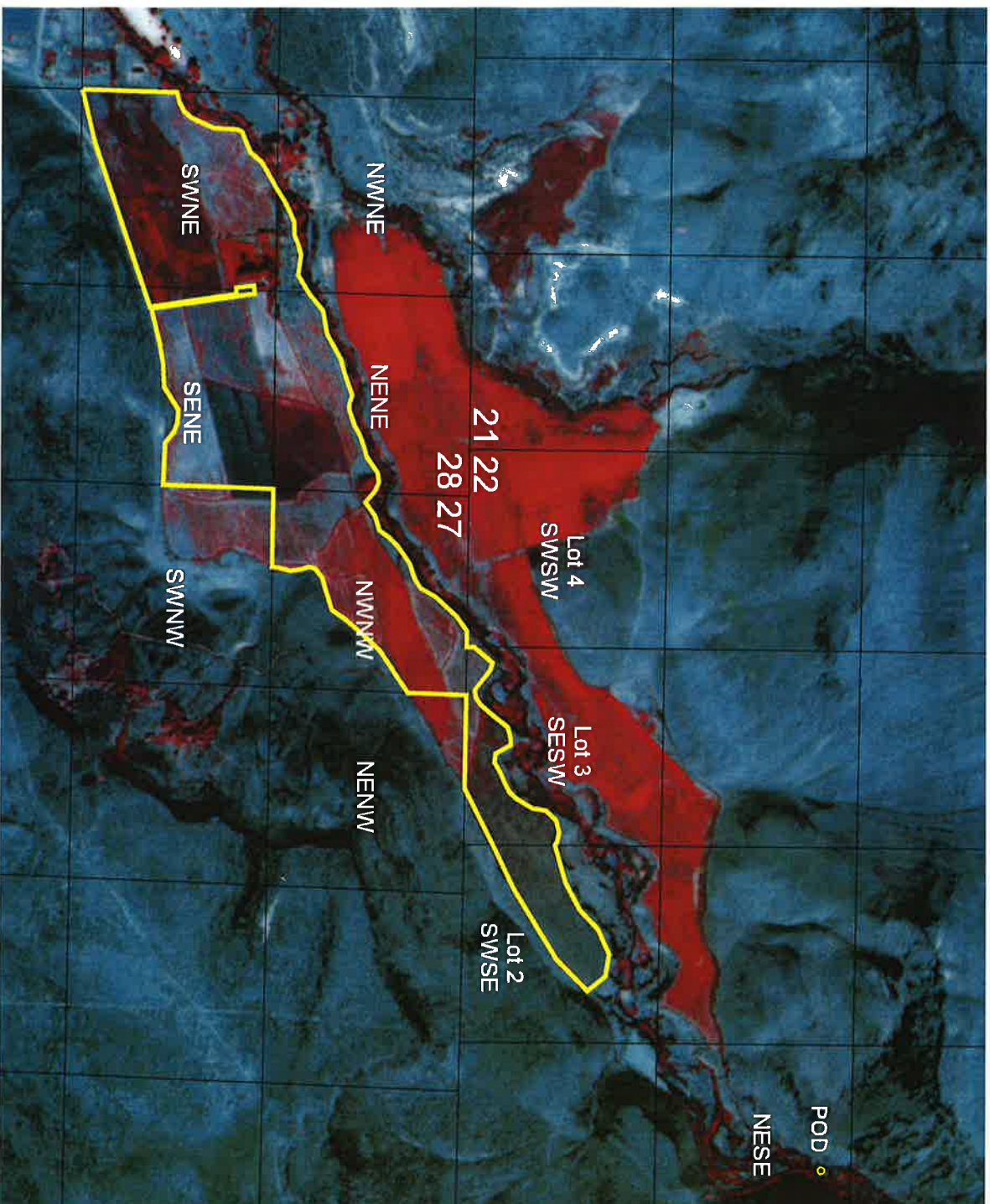
Right Nos. 37-805A, 37-806A and 37-4059 are limited to the irrigation of a combined total of 105 acres in a single irrigation season.

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: A37-00806A
Date Received: 8/10/1988
Receipt No: 5001665
Received By: SCC

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, 1912

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	0.300		

7. Total Quantity Appropriated is:
0.300 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:

37-00805, 37-04058, 37-04059, 37-04340, & HOT WELL.

14. Remarks:

THIS WATER RIGHT HAS BEEN SPLIT WITH 50% TO STERLING BRAY AND 50% TO 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): Sterling 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

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: **A37-00806A**
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
Address: LYE LAKE RANCH
PO BOX 156
BLISS ID 83314
208-352-4274

2. Date of Priority: APR 1, 1912

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	0.300		

7. Total Quantity Appropriated is:
0.300 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:

37-00805, 37-04058, 37-04059, 37-04340, & HOT WELL.

14. Remarks:

THIS WATER RIGHT HAS BEEN SPLIT WITH 50% TO STERLING BRAY AND 50% TO 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,

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

RECEIVED

OCT 29 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: A37-04340, A37-00805, A37-00806, A37-04053, A37-04059, A37-04331A

Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Sterling Bray / Deceased

P.O. Box 96 Bliss, ID 83314

4. New Owner/Claimant(s)

Donald T Bray

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Lye Lake Ranch P.O. Box 156

City, State and ZIP Code

Bliss, ID 83314

New Telephone Number

(208) 352-4274

5. Date you acquired the property

May 1 1989

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

Donald T Bray

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

WARRANTY DEED

For Value Received

J. Sterling Bray and Helen R. Bray

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Donald T. Bray and Julianne L. Bray

Hereinafter called the Grantee, the following described premises situated in GOODING County, Idaho, to-wit:

Township 4 South, Range 13 East of the Boise Meridian
Section 22: All that portion of the SE1/4 NE1/4, N1/2 SE1/4
Lots 2, 3 and 4

Section 27: W 1/2 NW 1/4

Section 28: NE 1/4

All lying South and East of the center channel of Clover Creek,
located approximately as follows:

Beginning at a point on the center section line 1800 feet south
of the Quarter corner between Sections 21 and 28, Twp. 4 S., R. 13 E.B.M.;
thence North 49° 00' East 1090 feet;
thence South 82° 55' East 935 feet;
thence North 55° 45' East 2385 feet;
thence North 63° 50' East 3855 feet;
thence North 4° 00' East 810 feet to
Half Section line of Sec. 22, Twp. 4 S., R. 13 E.B.M.;

thence in a Northeasterly direction to a
point where said Clover Creek intersects the East bound-
dry line of the SE1/4 NE1/4 of Sec. 22, which is about 200 feet
North of the Southeast corner thereof.

