

10/25/2005

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

RIGHT NUMBER: 27-10847

NAME AND ADDRESS: JUDITH ANN STEWART
563 W 200 S
BLACKFOOT ID 83221

CORDELL E STEWART
563 W 200 S
BLACKFOOT ID 83221

SOURCE: BLACKFOOT RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.070 CFS

PRIORITY DATE: 10/01/1884

POINT OF DIVERSION:

T03S R35E S8 SWSENE Lot 8 Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
05/01 10/31

QUANTITY
0.070 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T03S R35E S18 NENW 4.0

4 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

WATER IS DELIVERED THROUGH STEVENS DITCH.



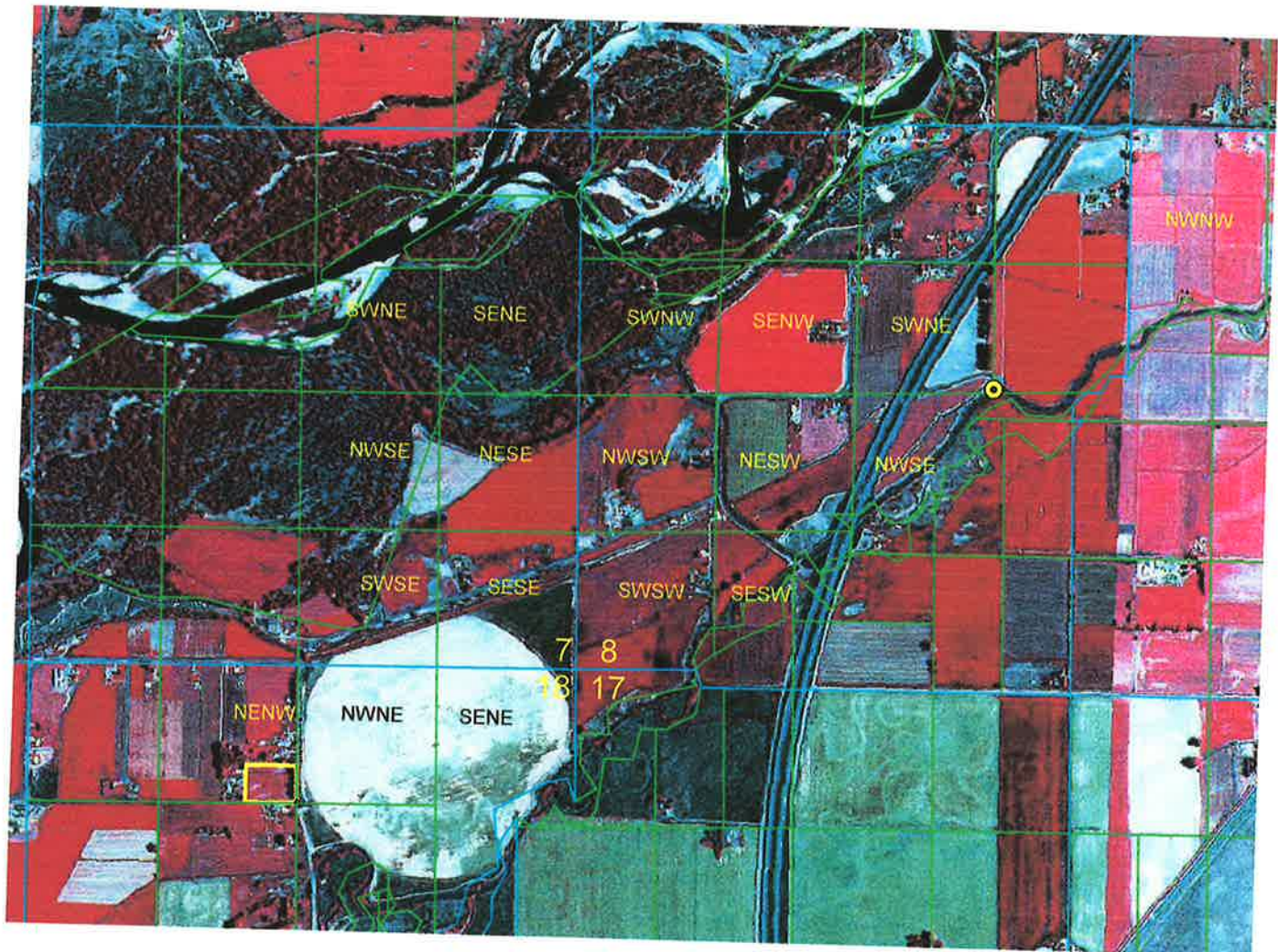
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-10847



800 0 800 1600 Feet



SCANNED

MAY 25 2006

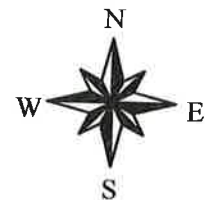
LEGEND

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

Place of Use: T3S, R35E:
(part of) Sec. 18, NENW

Point(s) of Diversion: T3S, R35E:
Sec. 8, SWNE

IRRIGATED ACRES 4.0



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: March 2004

1-8110

4.0 ac

Cordell Stewart

T-4017

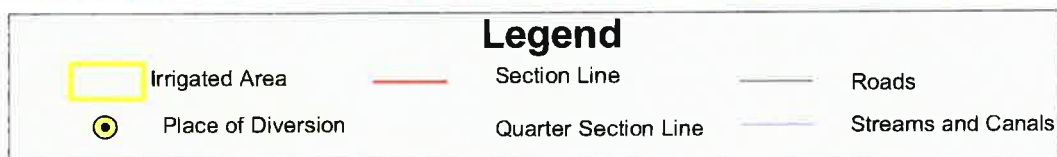
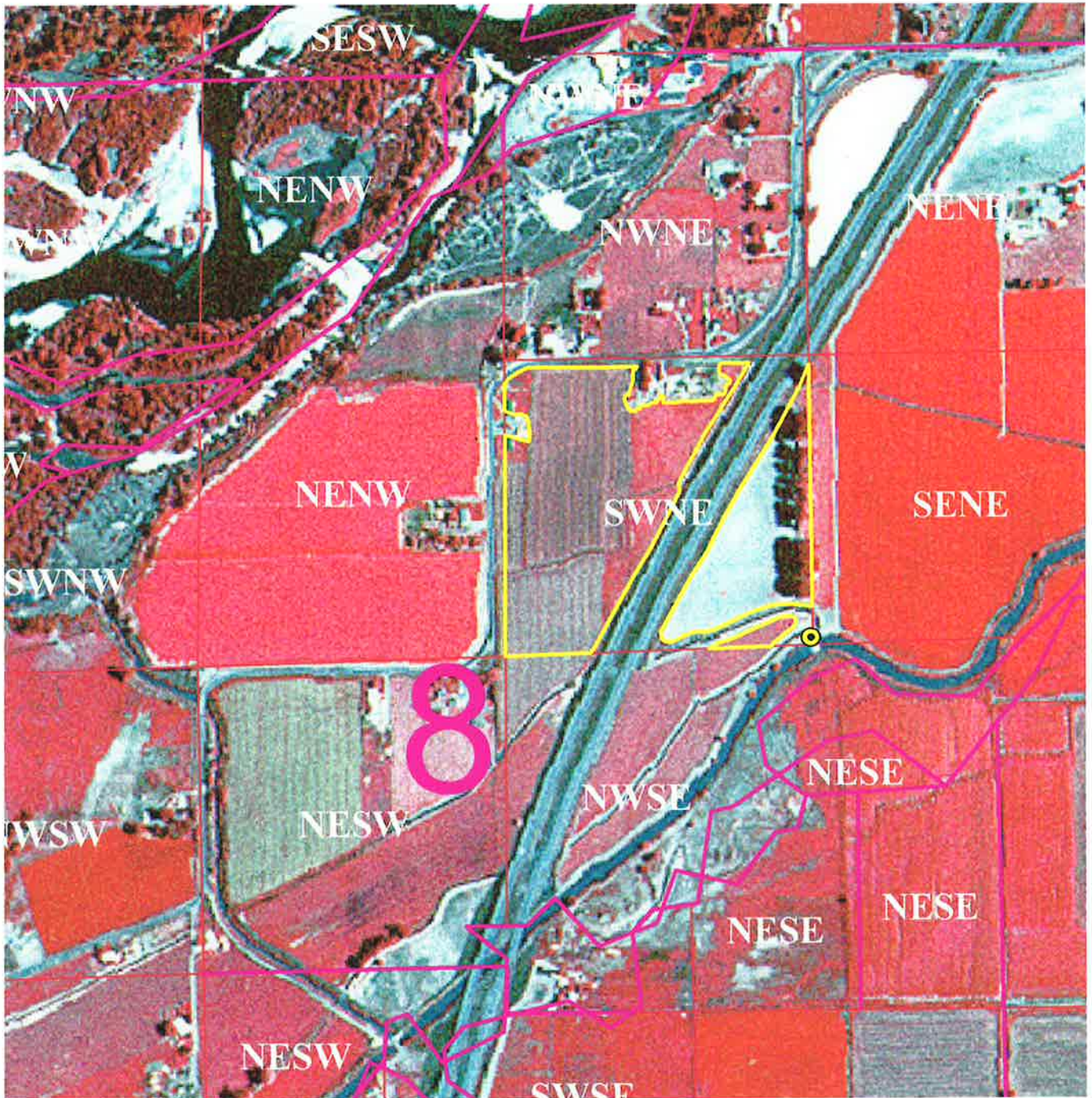
81

2/6/04 T3S, R35E Sec. 18.
SE 1/4 NW CB

CB 2/6/04 Per Bingham Co Tax lot.

Water Right Claim Number 27-10847
Township , 3S35E

01/05/2001



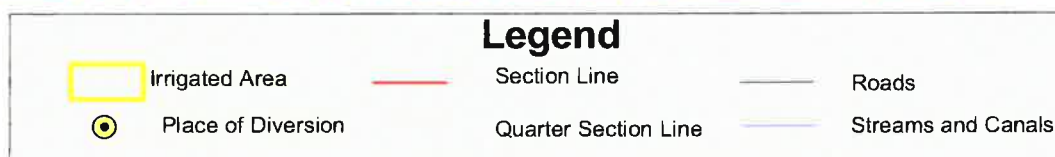
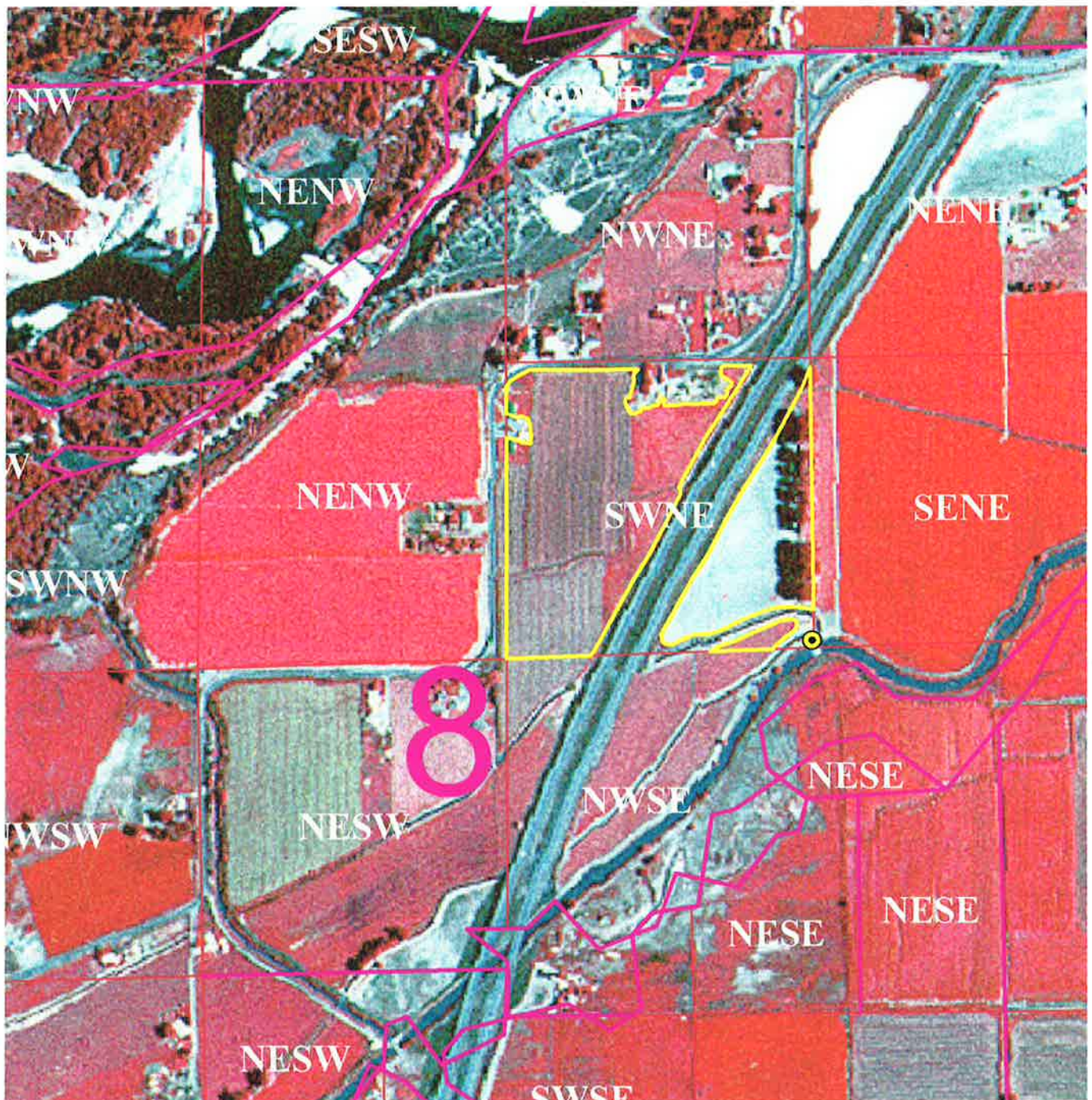
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 27-10847
Township , 3S35E

01/05/2001



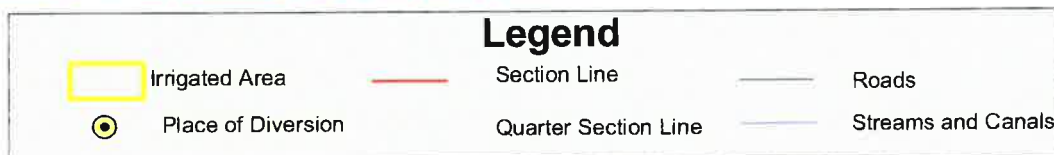
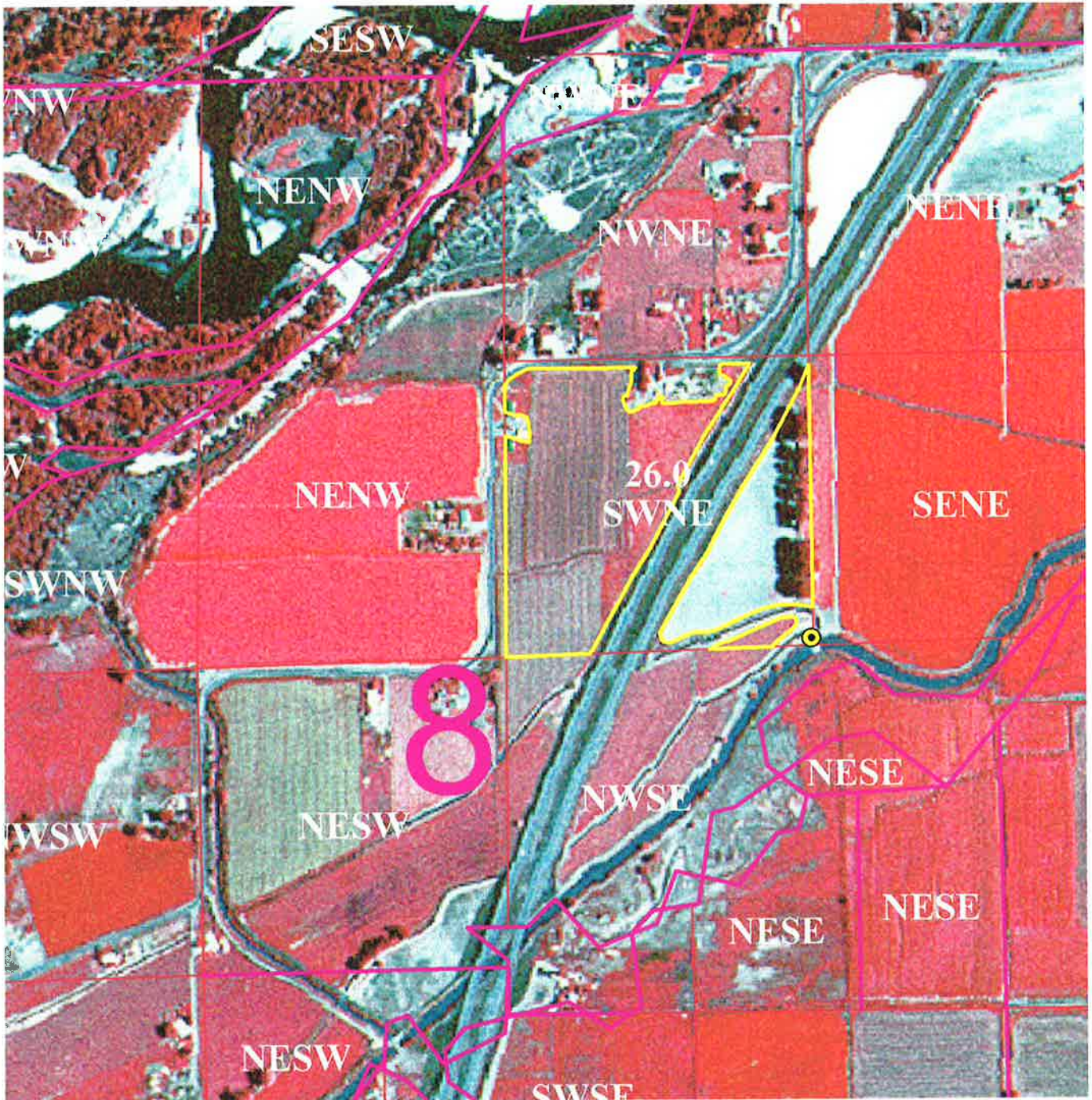
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 27-10847
Township , 3S35E

01/05/2001



400 0 400 800 Feet



SPATIAL
DYNAMICS

27-27 Splits

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Version</u>	<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Parent right</u>	<u>Owner(s)</u>
27	27 B			0.9			STRECKLIN, THEODORE (Current)
27	27 C			0.96			STEVENS, FRED S (Current)
27	27 D			0.94	280		WRIGHT, FRANKLIN D (Current)
				2.8			
27	12105			1.66			Stecklein, Deanna (Current); Stecklein, La Verelle (Current)
27	27 D			0.94	280		WRIGHT, FRANKLIN D (Current)
27	10357			0.04			GNEITING, MIKALA (Current); GNEITING, QUINTON (Current)
27	10358			0.06			LEISETH, JASON (Current); LEISETH, MEGAN (Current)
27	10370			0.12			DURNEY, GORDON H (Current); DURNEY, LEDA D (Current)
27	11199			0.1			THOMPSON, DARWIN A (Current); THOMPSON, SHARON (Current)
				2.92			
27	12105		1	1.38		27B + .48 of 27C	Stecklein, Deanna (Current); Stecklein, La Verelle (Current)
27	10357		1	0.03		27C	GNEITING, MIKALA (Current); GNEITING, QUINTON (Current)
27	10358		1	0.06		27C	LEISETH, JASON (Current); LEISETH, MEGAN (Current)
27	10370		1	0.12		27C	DURNEY, GORDON H (Current); DURNEY, LEDA D (Current)
27	10847		1	0.07		27C	STEWART, CORDELL E (Current); STEWART, JUDITH ANN (Current)
27	11199		1	0.08		27C	JORGENSEN, DORAN (Current); JORGENSEN, SHIRA (Current)
27	27 D		1	0.94	280	27D	WRIGHT, FRANKLIN D (Current)
				2.68			

RECEIVED

SCANNED

MAY 25 2006

Notes

3/8/05. Shape has been linked for Pod
i. Pod.

Pod's legal is SWSENE, L-8 Sec. 8, Central Ditch
instead of SWNE of sec. 8.

Still trying to resolve the number of inches
that it can recommend for this right.

Also the SOU? claimed 5/1 to 11/1 and the
LOWR STD IS 4/1 - 10/31. I wonder if they want to
irrigate until May. I think they are on a mission
and are unavailable. CB.

Recommended sou? enlargement? add remark?
add Season remark for starting as early as
4/1,

References

[Contact
Help
Desk](#)

[Document
Management
Search](#)

[Launch
ArcView](#)

[Administrative
Rules](#)

[Query
Tools](#)

[Data
Entry
Standards](#)

Show Help

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

Quick Look	Contacts	Priority Date	POD	Source	POU	Water Use
Claimed Season of Use and Diversion Rate						
Overall Diversion Rate		0.08		IRRIGATION		
Overall Diversion Volume						
Use Claimed Season of Use/Quantity as Recommended Season of Use/Quantity						
Water Right Season of Use and Diversion Rate						
Overall Diversion Rate						
Overall Diversion Volume						
Recommended Season of Use and Diversion Rate						
Overall Diversion Rate		0.07		Overall Diversion Volume		
Season of Use Season Start - Add Season End - Edit Water Use Water Use Diversion Rate Diversion Volume Remove Selected Season		IRRIGATION 5/1 to 10/31 0.07 ?				
			Refresh		Return to Questions	
			Save			

STD SOU 4/1 to 10/31.

Hide References

Next Step

Return to Home

Previous Steps:

Select Claim

Screen ID
384

per. Candell Stewart. Notes
previous owners.

2/23/04 Vicky Grimett,

Cottle, Russell Riggs.

10/1/1884 - date of priority; prior
warranty deed that conveyed 5" of water.
I told Mr. Stewart, that is the kind of
information I'm looking for, I need
the warranty deeds up to him to make
sure the water was conveyed.

He goes through Stevens Ditch;
I'm having Barbara check with Stevens
ditch to get a list of the user going
through these ditches

2/23/04
CB.

10-1-1884

This could be based on the Fred Stevens
waters. The legal falls within 27-27.
deeded right to Fred Stevens. The total legal
contains 155 acres, 2.8 cfs, or 0.01806 cfs/acre.
diversion rate $4 \text{ ac.} \times 0.01806 \text{ cfs/acre} = 0.07 \text{ cfs}$.

2/23/04 called Candell to ask him about making
an appointment to amend the claim to Fred
Stevens 27-27. He will call back and set
up a time. When he calls back ask him
to bring is Stevens ditch share information. CB.

3/1/04 Amended the claim. CB.

~~Pou. changed 1983~~ - Watermaster's report: add CFS CB
Original Pou. CB. 3/8/05. CB.

Notes

2/6/04 - The amended claim incorrectly recorded the priority date, POD & ^{SE} Pol. The POD is located in Section 18, ^{not quite} S $\frac{1}{2}$ SE NENW (see attached map with original claim).

The 1975-81 & 2002 doesn't list Cordell Stewart on the watermaster delivery records. He is listed however, from 1983 to 1988.

Claim would need to be amended to correct these items. Claim based on 27-27.

According to Sandy Egberts' interpretation of the Stevens Decree, 27-27 does not list ownership originally in the ^{SE} NENW of Section 18.

2/6/04
CB

Issues:

1. When was the POD changed?
2. Need to Amend claim to correct POD and priority date. 2/9/04 I think since the original claim was filed correctly we should be able to use the correct legal. CB
3. Why was water only delivered from 1983 to 1986?

2/23/04 Mr. Stewart called me because he doesn't understand what I need.

Notes

CB 12/3/03 other water rights (claims) in this
POU, E. Idaho Water Co (A.I.); WR Fred Stevens. 27-12
The database doesn't list any pou in the
specific QD's, just the legal is listed

the priority date for a B.U. claim
can't be given to the Stevens decree.
What decreed right is associated with
this right

12/5/03 The 1980 water master summary
doesn't show that Cordell Stewart took
delivery of 27-27. Called Darla Block
and ordered 1975-1983 water master reports.
It will take about a week to get copies of the
microfilm.

CB 1/23/04 4:45pm Tried to call Cordell (785-0988)
Stewart and he is out until Thursday,
(1-29-04) they will have him call
when he gets back from Nebraska.
No record of delivery to Cordell Stewart
in the 1975-1983 water master
reports,

2/6/04 Please send disallow notice.
mailed disallow notice CB.

INTER-DEPARTMENT MEMO

TO: Barbara

SUBJECT: Evidence

FROM: Cindy

DATE: Nov 25-2003

I reviewed Mr. Stewart's letter in reference to evidence of privity. I mailed him a letter disallowing the claim because no evidence was submitted. Hold for a couple weeks if you don't hear from him again. Disallow the claim.

() For your information

() Response required

CB
signature

Notes

10-17-03 Letter to Clement re evidence. BP

11-18-03 Left message on machine for him to call. BP

11-19-03. Noon Cordell Stewart called back to say that he has found some documentation that gives different dates but doesn't know which one will work. I told him to send me a copy of all of them and I'll review them. CB

11-25-03 Received a letter yesterday from claimant with 3 dates listed. No evidence was submitted so I wrote them a letter to say the right will be recommended ~~for~~ as disallowed.

12-1-03 Mr Stewart called wanting to know if the document he has will satisfy the evidence. No we'll call back 12/2 or 3. BP

12-3-03 No call from Mr. Stewart, we won't know if he doesn't send copies in.

The Blackfoot River was decreed in 1891 Mr. Stewart's land (predecessor) should have filed in that adjudication. Mr. Stewart

Owner Type	Full Name	Address	City	State	Zip	Phone
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Current Owner See above

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

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

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

Reviewer: CB

Date: 3/1/04

Priority Date Data Entry FormClaim Number: A27-10847

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: 10/1/1884 Recommended Basis: decree☐ 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:

decree

Reviewer: OBDate: 3/1/04

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. *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.

Point of Diversion and Source Data Entry FormClaim Number: A27-10842

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

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? yes, Steven's ditch

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

Transfers Changing POD noReviewer: CSDate: 3/1/04

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 (☒)

SourceClaim 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 (☒)

Place Of Use Data Entry Form

Claim Number: A 27-10847☐ 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
3S	3SE	18	NENW		Bingham		4	Irrigation

Total Acres 4

Document how the POU was verified:

deed

Transfers Changing POU noReviewer: CBDate: 3/2/04

Place of UseClaim No. 27 - 10847**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 (☒)

Purpose of Use Data Entry Form

Claim Number: A27-10847 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
<u>Irrigation</u>			<u>4</u>	

Document how the Purpose of Use was verified:

Transfers Changing Purpose of Use no.Reviewer: CBDate: 3/2/04

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 (☒)

Period of Use and Quantity Data Entry Form

Claim Number: A27-10847☐ 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
Irrigation.	5/1	10/31	0.07	

Overall Diversion Rate 0.07 Overall Diversion Volume _____

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

Rept 504 4/1 - 10/31

Reviewer: CBDate: 3/2/04

Period of Use

Claim No. 27 - 10847

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 (☐)

Summary Data Entry Form

Claim No.: _____

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

C18

P21 Exp R 27-27

C05 gun Cond.

Split or Combined Right Analysis:

yes.

Attached Field Notes or Other Documents:

Claim No.:

27-10847

Reviewer

CB

Date

3/2/04



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

17 October 2003

COPY

Cordell H. Stewart
Judith Ann Stewart
563 West 200 South
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10847

Subject: EVIDENCE OF PRIORITY

Response Date: 17 November 2003

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA).

The date of priority cited in the claim is March 31, 1973. I understand there could be a typographical error and the date intended was "March 31, 1873 per original claim." However, checking the decrees for that period of time I am unable to find a decree with that priority date.

We desire our recommendation to the Court to be as correct as possible. Please provide this office with evidence supporting the priority date of March 31, 1873.

If we do not hear from you by the above response date, we will recommend to the Court to use March 31, 1973 as the priority date.

If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

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

Cindy E. Bird
Adjudication Bureau

CEB/bjp

Enclosure: Brochure on "Evidence of Priority"
Adjudication Claim Report

27-C

In the District Court of the Third Judicial District of Idaho, In and
for Bingham County.

Fred S. Stevens, Et.al.

Plaintiffs.

vs

Eastern Idaho Water Co., et. al.

Defendants.

List of Lands Belonging to Plaintiffs.

27-12
27-27
Fred S. Stevens:

That the plaintiff, Fred S. Stevens, is, and at all
times hereinafter mentioned, was a citizen of the United States;
That in the year 1869 and continuously thereafter said Stevens was,
has been, and now is, the owner, in the actual possession, and
entitled to the possession of that certain lot, piece, or parcel
of real estate, situate, lying and being in the county of Bingham.,
territory of Idaho, described as follows, to-wit:

27-12
T3S R35E
W1/2 SE Sec 18
NE SE
SW SE Sec 8

One certain tract of the unsurveyed lands of the United
States lying on the north bank of the stream known as Blackfoot
River, to the eastward, and up said River from the "Joe Warren
Bridge", across said Blackfoot River on the Montana Stage Road, the
same being nearly the west half of the south-east quarter and the
north-east quarter of south-east quarter of section eighteen (18) of
Township three (3) south of range thirty-five (35) East, and the
south-west quarter of the south-east quarter of section eight (8)
of township three (3) south of range thirty five (35) east of Boise
Meridian.

L-7 Sec 18
NWNE
L-1 Sec 17
L-5 Sec 8

Also lot numbered seven (7) and the north-west quarter of
the north-east quarter of section eighteen (18) and lot numbered
(1) of section seventeen (17) and lot numbered five (5) of section
eight (8) of township three (3) south of range thirty five (35) east
of Boise Meridian.

That the plaintiff Stevens, in the month of October in the
year 1884. And continuously to

MAY 15 1996

$$\frac{2.8 \text{ cfs}}{155 \text{ AC.}} = .01806 \text{ cfs/acre.}$$

#2.

10-1-1884.

T3S, R35E

N1/2, L2, L3

2.8 cfs.

27-2 5

certain lot, piece, or parcel of land situate lying and being in the county of Bingham, Territory of Idaho, described as follows, to-wit:

Sec 18

The North-east quarter of the North-west quarter and lots numbered one (1) two (2) and three (3) of section eighteen (18) in township three (3) south of range thirty five (35) East of Boise Meridian.

Emily Warren:

That the plaintiff Emily Warren and her grantors, in the life time of each, were at all times hereinafter mentioned citizens of the United States.

That in the year 1873 and continuously thereafter the plaintiff Warren and her grantors and predecessors in interest were, and have been, and plaintiff now is the owner, in the actual possession and entitled to the possession of that certain lot, piece or parcel of land situate, lying and being in the county of Bingham Territory of Idaho, described as follows, to-wit:

The south-east quarter of the north-west quarter, and lots numbered four (4) five (5) and six (6) of section eighteen (18) of township three (3) south of range thirty-five (35) east of Boise Meridian, containing one hundred and sixty seven and twenty-five hundredths (167.25) acres.

27-3 7

James Welch:

That the plaintiff James Welch is, and he and his grantors each in his life time, were at all times hereinafter mentioned citizens of the United States.

That in the month of August of the year 1878, and continuously thereafter, the grantors of said Welch were, and said plaintiff now is the owner, in possession of all those certain lots, pieces, or parcels of real estate situate, lying and being in the County of Bingham, Territory of Idaho, described as follows, to-wit:

One certain placer mining claim known as Lawrence Bar,

40 N1/2

L-1 38

L-2 39

L-3 38

155 AC.

RECORDED
MAY 15 1900

Basin No.	Sequence Number	Split Suffix	Name	yyyy-mm-dd Priority Date	Useage	Other Water Rights Used	Stevens Decree #	Total CFS			
27	10370		Durney, Gordon H.	1884-10-01	irrigation		s 27	0.12			
27	27	B	Stecklein, LaVerelle	1884-10-01	irrigation		s 27	0.90			
27	11199		Thompson, Darwin	1884-10-01	irrigation		s 27	0.10			
27	27	C	Wright, Franklin D.	1884-10-01	irrigation	27-23C, 37K	s 27	0.94			
							4 27	2.06	2.80	0.74	140

2/6/04 CB 27-10847

0.080-cfs Cordell Stewart



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

COPY

Cordell Stewart
563 West 200 South
Blackfoot, Idaho 83221

February 6, 2004

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10847

Subject: **CLAIM RECOMMENDATION - DISALLOW**

Dear Claimant(s):

Please be advised that since we have had no response from you, we will recommend to the Court that the above referenced claim be disallowed.

Very truly yours,

Cindy E. Bird

CEB/pb

Claimed priority date supplied

7-6-1869 Fred Stevens 27-12 35 35 E 5, 8, 17, 18

3-1-1873 closest date is 7-1-1873

10-1-1884 Fred Stevens 27-27 35 35 E 5, 8, 17, 18

Section 8

④ ← 27-10847

⑤

Stevens River

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

125216

6-4-1963

WARRANTY DEED

THIS INDENTURE, Made this 4th day of June,
in the year of our Lord one thousand nine hundred and sixty-three, between
GORDON H. DURNEY and MAXINE H. DURNEY, husband and wife,

of Blackfoot, County of Bingham, State of Idaho,
the parties of the first part, and TROY D. OTTO and GLORIA J. OTTO,
husband and wife,

of Blackfoot, 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 THIRTEEN THOUSAND 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:

Commencing at a point 836 feet South of the
North quarter corner of Section Eighteen, in
Township Three South, of Range Thirty-five, East
of the Boise Meridian, in Idaho, and running thence
South 484 feet to a partition fence; thence West
495 feet; thence North 484 feet; thence East 495 feet
to the point of beginning, containing 5.5 acres,
more or less;

Together with water rights and ditch rights
of way for the irrigation thereof and particularly
five (5) inches of decreed water of Blackfoot River
and all canal ditch right stock for delivery thereof
to the said premises;



MICROFILMED

NOV 12 1992

Russell Riggs
Ralph G. H. C.
V. G. G. G.
27-0027A

SCANNED

JUL 28 2001

Log for claim 27-10847

Spatial Dynamics LTD

1/5/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s35e	8	SWNE	4	26	Indiscernible
Totals:			4	26	

AJ5809NP
No. A27-10847

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 190

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CORDELL H STEWART	03/31/1873	IRRIGATION	05-01 11-01	0.080 CFS	
C	JUDITH ANN STEWART					
	563 W 200 S					
	BLACKFOOT ID 83221			TOTAL DIVERSION:	0.080 CFS	
	(208) 785-0988			CONSUMPTIVE USE:		12.00 AFA

Water Source: BLACKFOOT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion: T03S R35E S08

SWNE

BINGHAM County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
03S	35E	8	:	04	:		:		:		:		:	4.0		
													TOTAL ACRES	4.0		

POU County: BINGHAM

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

27-10343 27-10508 27-10866 27-11720 35-11707 A27-00037B A27-00037M A27-00037N A27-10343 A27-10452
A27-10508 A27-10539 A27-10866 A27-11720

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

A01-00047E A01-00048 A01-00304 A27-00022D A27-00035D A27-10505

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

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

Audit: 07/21/89 ESRBA 04/18/91 COX 08/30/94 THOMPSON 03/29/95 POST-STD

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME STEWART CLAIM NT. NO. A27-10847DATE RECEIVED 5/26/89 CK # _____ AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|----------|----------|----------------|
| 1. Is the name and address complete with zip code? | <u>X</u> | _____ | * |
| 2. Is a priority date entered? | <u>X</u> | _____ | * |
| Is the priority date acceptable in view of mandatory filing dates? | <u>X</u> | _____ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | <u>X</u> | _____ | * |
| 3. (a) Is a source entered? | <u>X</u> | _____ | * |
| (b) Is a tributary to entered? (if required) N/A | <u>X</u> | _____ | * |
| 4. Is the legal description of the p.d. sufficient? | <u>X</u> | _____ | * |
| 5. Is there a description of the diverting works? | <u>X</u> | _____ | * |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | <u>X</u> | _____ | * |
| Is the period of use included? | <u>X</u> | _____ | * |
| Is a quantity claimed for each use? | <u>X</u> | _____ | * |
| 7. Is a total quantity claimed entered? | <u>X</u> | _____ | * |
| 8. If required is a consumptive use entered? N/A | _____ | <u>X</u> | * |
| Is the consumptive use correct? N/A | _____ | <u>X</u> | * |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | <u>X</u> | _____ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | <u>X</u> | _____ | * |
| 11. Is (are) the county(ies) entered? | <u>X</u> | _____ | * |
| 12. Is the ownership of p.u. checked? | <u>X</u> | _____ | * |
| 13. Are other water rights listed or "none" indicated? | <u>X</u> | _____ | * |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A | <u>X</u> | _____ | * |
| 15. Is the basis of the claim indicated? | <u>X</u> | _____ | * |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A | <u>X</u> | _____ | * |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | <u>X</u> | _____ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | <u>X</u> | _____ | * |
| 19. Was this claim filed on time, or was an extension granted? | <u>X</u> | _____ | * |
| 20. Is the fee enclosed correct? Exempt | <u>X</u> | _____ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? N/A | _____ | <u>X</u> | * |
| 22. Should this claim be data entered? | <u>X</u> | _____ | * |

Claim checked by: TO Date: 7/3/89Claim must be returned to claimant: X (Yes) (No)Claimant must be notified of modifications: X (Yes) (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments: ② CODE 3/31/1873. ③ CODE "BLACKFOOT RIVER" TRIB. TO "SNAKE RIVER"

MICROFILMED

NOV 12 1992

④ CODE P/D AS "T35, R35E, SEC 8 SW 1/4 NE 1/4 (FROM ATTACHED MAP).
 ⑤ CODE AMOUNT AS 0.08 CFS (4 INCHES). ⑥ CODE CONSUMPTIVE USE AS 12 AC-FT.
 ⑦ CODE P/U AS 4 ACRES IN T35, R35E, SEC 18 NE 1/4 NW 1/4 (FROM ATTACHED MAP).
 CLAIM APPEARS TO BE FOR PORTION OF FRED S. STEVENS RIGHT (WRONG PRIORITY).

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR BINGHAM COUNTY.

27-C *Manual Copy*
Transfers
Noted

Fred S. Stevens, et al.)
Plaintiffs,)
-vs-)
Eastern Idaho Water Co. et al.,)
Defendants.)

This cause having been heretofore tried by the Court, without a jury, and the Court having made its findings of fact and conclusions of law:

It is now ordered, Adjudged and Decreed, that the following parties are entitled to divert from the Blackfoot River, the amount of water herein indicated, and the right of each party dates from the time hereinafter stated and set opposite each name, to-wit:-

27 0012	Fred S. Stevens	July 6, A. D. 1869	138 Inches
27 0013	Henry Dunn	July 1, A. D. 1870	300 Inches
27 0014	N. A. Just and)	August 1, A. D. 1871	200 Inches
27 0015	Emma Just)		
27 0016	Leon Misslen	July 1st, A. D. 1873	200 Inches - Trans #221
27 0017	John Misslen	July 1st, A. D. 1874	120 Inches Trans #58
27 0018	H. R. Lewis	March 1st, A. D. 1875	100 Inches
27 0019	Presto Burrell	March 1st, A. D. 1876	100 Inches
27 0020	William Kirkpatrick	May 1st, A. D. 1878	100 Inches
27 0021	F. M. Shoemaker	April 1st, A. D. 1879	190 Inches TRANS # 1962
27 0022	Eastern Idaho Water Co.	March 25, A. D. 1880	1800 Inches
Trans 2468	P. B. Fox Jr.)		
	William Howard)		
	A. Whitten)		

Youngie Dick

RECORDED
MAY 15 1996

27-C

In the District Court of the Third Judicial District of Idaho, In and for Bingham County.

Fred S. Stevens, Et.al.

Plaintiffs.

vs

Eastern Idaho Water Co., et. al.

Defendants.

List of Lands Belonging to Plaintiffs.

Fred S. Stevens:

That the plaintiff, Fred S. Stevens, is, and at all times hereinafter mentioned, was a citizen of the United States; That in the year 1869 and continuously thereafter said Stevens was, has been, and now is, the owner, in the actual possession, and entitled to the possession of that certain lot, piece, or parcel of real estate, situate, lying and being in the county of Bingham., territory of Idaho, described as follows, to-wit:

One certain tract of the unsurveyed lands of the United States lying on the north bank of the stream known as Blackfoot River, to the eastward, and up said River from the "Joe Warren Bridge", across said Blackfoot River on the Montana Stage Road, the same being nearly the west half of the south-east quarter and the north-east quarter of south-east quarter of section eighteen (18) of Township three (3) south of range thirty-five (35) East, and the south-west quarter of the south-east quarter of section eight (8) of township three (3) south of range thirty five (35) east of Boise Meridian.

Also lot numbered seven (7) and the north-west quarter of the north-east quarter of section eighteen (18) and lot numbered (1) of section seventeen (17) and lot numbered five (5) of section eight (8) of township three (3) south of range thirty five (35) east of Boise Meridian.

That the plaintiff Stevens, in the month of October in the year 1884. And continuously to

RECORDED
MAY 15 1996

27-12
27-27

#2.

certain lot, piece, or parcel of land situate lying and being in the county of Bingham, Territory of Idaho, described as follows, to-wit:

The North-east quarter of the North-west quarter and lots numbered one (1) two (2) and three (3) of section eighteen (18) in township three (3) south of range thirty five (35) East of Boise Meridian.

27-2 5

Emily Warren:

That the plaintiff Emily Warren and her grantors, in the life time of each, were at all times hereinafter mentioned citizens of the United States.

That in the year 1873 and continuously thereafter the plaintiff Warren and her grantors and predecessors in interest were, and have been, and plaintiff now is the owner, in the actual possession and entitled to the possession of that certain lot, piece or parcel of land situate, lying and being in the county of Bingham Territory of Idaho, described as follows, to-wit:

The south-east quarter of the north-west quarter, and lots numbered four (4) five (5) and six (6) of section eighteen (18) of township three (3) south of range thirty-five (35) east of Boise Meridian, containing one hundred and sixty seven and twenty-five hundredths (167.25) acres.

27-3 7

James Welch:

That the plaintiff James Welch is, and he and his grantors each in his life time, were at all times hereinafter mentioned citizens of the United States.

That in the month of August of the year 1878, and continuously thereafter, the grantors of said Welch were, and said plaintiff now is the owner, in possession of all those certain lots, pieces, or parcels of real estate situate, lying and being in the County of Bingham, Territory of Idaho, described as follows, to-wit:

One certain placer mining claim known as Lawrence Bar, MAY 15 1902

REPRODUCED
MAY 15 1902

	OWNER OR RITCH	Water Right Ident. No.	DESCRIPTION OF LAND			
			Subdivision	Sec.	Twp.	Rge.
1.	Earl Ockerman		27-2018			
2.	Don Esplin		27-0004			
3.	Barlow Cook		27-001-002-003-004-005-Blackfoot Irrig.			
4.	Arvel Fielding		27-004-013			
5.	Vin Reid		27-004-014-022-023-028-021			
5.	Fred Reid		27-004-014-021-022-029			
6.	Wallace Reid		27-004-014-021-022-028			
6.	Everett Lyon		27-028-029			
9.	James Mattson		Blackfoot Irrigation			
10.	J.D. Robertson		27-016			
11.	John Taney		27-029			
12.	Lloyd W. Young		27-029			
13.	Joe Oleson		27-4077			
14.	Vera Belnap, Sec.		27-022-035			
15.	Rex Hale		27-004			
16.	Herchell Mynarcik		27-004			
17.	Fred Poindexter		27-023			
18.	Neal Powell		27-004			
19.	Annette Stephenson		27-004			
20.	Francis Whitten		27-023			
21.	Adrian Young		27-023			
22.	Merrill Packer		27-004			
23.	Lambert Produce		27-004 013 Blackfoot Irrigation			
24.	LeRoy Howell, Sec.		27-022-035-038-29-040-041			
25.	Eloise Hamilton, Sec		27-003-004-017-020-022-029		Corbet Slough	
26.	Shipley & Coles		27-012		Blkft. Irrig.	
27.	Harvey Coffman		27-027			
28.	O.E. Cook		27-004			
29.	Gordon Durney		27-027			
30.	Dan Daniels		27-027			
31.	Cordell Stewart		27-027			
32.	Darwin Thompson		27-027			
33.	Norman Wright		27-027-023			
34.	Stan McDaniels, Sec.		27-004-025-027-037 Blackfoot Irrigation			
35.	Albert Bell, Sec.		27-003-004-022-023-026-037		Blkft. Irrig.	
36.	Layne Hamilton, Sec.		Smith Maxwell			
37.	Walt Hamilton		27-7129			
38.	Chesterfield Land & Livestock		27-4016			
39.	Neil Bithell		27-023			
40.	Joe Oleson		27-4079			
41.	Merlin Frandsen		27-049			
42.	Gene Bishel		27-023-056			
43.	Earl Hunter		27-022			
44.	Ron Jensen		27-047-055			
45.	Lloyd Stolworthy		27-054			
46.	Clinton Cox		27-050-051-004-022-035-016-029			
47.	Lloyd Stolworthy		27-051			
48.	Vera P. Belnap		Sand Creek			
49.	Basil Poulsen		Sand Creek			
50.	Bruce Bradshaw		Sand Creek			
51.	Florian Wernette		27-0073-2132			
52.	Don Allen		27-0074-0000			
53.	Calvin Dredge		27-0076			
54.	Alma Hubbard		27-0075			
55.	L.W. White		27-2009-2040			
56.	Mary Sheridan		27-2069-2075			
57.	Lake & Ellis		27-0094			
58.	Sydney Thompson		27-203-20238-2028			
59.	Grant Lloyd		27-7008 A&B			
60.	Stauffer Chemical		27-4115			
61.	Jougland Sheep Co.		27-2011			
62.	Harris Bros.		27-2003			
63.	E.S. Stucki		27-2054-2052			
64.	D.W. Beckstead		27-0070			
65.	Calvin Bennett		27-0042-0043-0062-0063-0066-0070			
66.	Preston Allen		27-0060-0061-0065-0066-0067-0068-0069			
67.	Roland Allen		27-0060-0061-0065-0066-0067-0068-0069			
68.	Bear Lake Cattle Assn.		27-0033			
69.	Tom Cellan		27-0049			
70.	C. rbridge Bros		Trans. #1641 W.R. #35-001			
71.	Monsanto Chemical		27-097-098			
72.	J.H. Stockings		27-7127-7118 Trans. #2433 W.R. #01-0028A			
73.	Galen Christensen		27-7302			
74.	Conda Partnership		27-4066-27-4068			
75.	Lynn Rasmussen					

1.1963533

1984

	PAST SEASON'S COSTS					Average Cost for 5 Yr. Period	Proposed Next Year's Budget
	19 80	19 81	19 82	19 83	19 84		
1.	41 97	43 79	48 55	54 13	13 12	40 31	48 23
2.	139 17	115 34	136 19	180 43	173 22	148 87	178 13
3.	178 06	151 65	151 58	189 45	78 74	149 90	179 36
4.	54 24	56 60	65 13	66 16	78 74	64 17	76 78
5.	195 66	115 87	125 53	126 30	126 51	137 97	165 09
6.	---	79 03	88 82	93 22	72 44	83 88	99 77
7.	47 07	49 12	53 29	54 13	55 12	51 75	61 92
8.	5 12	5 34	5 92	9 02	10 50	7 18	8 59
9.	28 14	29 37	32 57	39 09	39 37	33 71	40 34
10.	9 21	9 61	9 47	12 02	10 50	10 16	12 15
11.	---	12 28	13 62	13 83	16 40	14 83	17 74
12.	---	---	---	---	10 50	10 50	12 56
13.	675 49	764 47	792 47	805 93	922 41	788 15	943 04
14.	40 94	42 71	47 37	9 02	10 50	30 11	36 03
15.	5 12	5 34	5 92	9 02	10 50	7 18	8 59
16.	16 78	21 36	24 87	31 28	19 68	22 79	27 27
17.	15 75	21 36	23 69	24 06	19 68	20 91	25 02
18.	38 37	41 65	46 19	57 14	47 24	46 12	55 18
19.	14 83	18 69	23 09	24 06	17 72	19 58	23 55
20.	35 82	32 04	35 53	39 09	19 68	32 43	38 80
21.	104 99	109 46	124 35	138 33	150 91	125 51	150 30
22.	370 54	390 55	412 12	471 29	564 29	441 76	528 58
23.	272 30	287 92	313 83	335 72	390 80	320 11	383 02
24.	47 07	59 80	71 06	78 19	101 70	71 55	85 61
25.	15 86	18 26	20 13	27 07	25 33	21 33	25 52
26.	5 12	5 34	5 92	9 02	10 50	7 18	8 59
27.	6 14	5 34	5 92	9 02	10 50	7 18	8 59
28.	---	---	---	---	10 50	7 18	8 59
29.	---	---	---	---	10 50	7 18	8 59
30.	---	---	---	---	10 50	7 18	8 59
31.	---	---	---	---	10 50	7 18	8 59
32.	---	---	---	---	10 50	7 18	8 59
33.	16 37	17 09	18 95	21 05	31 23	20 90	25 01
34.	242 62	223 95	221 10	261 57	286 21	247 08	295 54
35.	240 06	297 95	322 35	334 40	406 29	316 51	378 83
36.	169 36	174 18	157 62	124 86	102 75	145 75	174 38
37.	---	---	---	---	10 50	10 50	12 56
38.	16 37	17 09	18 95	21 05	22 97	19 59	23 08
39.	7 67	10 68	11 84	12 03	10 50	10 50	12 56
40.	---	---	---	---	10 50	10 50	12 56
41.	13 30	18 69	23 70	24 06	13 12	18 57	22 22
42.	15 35	18 69	20 72	24 06	13 12	18 57	22 22
43.	8 70	9 08	11 84	21 05	10 50	12 23	14 53
44.	12 28	37 38	17 76	18 05	19 68	21 93	25 16
45.	15 35	16 02	17 76	18 05	19 68	17 37	20 78
46.	113 74	158 61	165 53	182 37	254 39	174 99	209 26
47.	25 58	26 70	29 61	42 10	45 93	33 98	40 56
48.	19 44	20 29	22 50	24 06	13 12	19 88	23 59
49.	29 68	30 97	34 34	34 88	38 06	33 59	40 19
50.	9 72	10 15	11 25	12 03	10 50	10 50	12 56
51.	38 37	40 05	47 37	54 13	59 05	47 79	57 18
52.	23 02	16 02	17 76	18 04	19 69	18 91	22 53
53.	35 82	42 72	53 29	66 16	72 17	54 03	64 55
54.	22 51	32 04	35 53	36 09	65 61	20 36	45 90
55.	25 58	16 02	17 76	18 04	19 69	19 42	23 24
56.	71 63	42 72	47 37	48 11	52 49	52 46	62 77
57.	15 35	16 02	17 76	18 04	19 69	17 37	20 78
58.	---	---	---	---	52 49	47 77	57 34
59.	35 82	37 38	41 45	42 10	45 93	40 54	48 51
60.	15 35	32 04	41 45	42 10	45 93	35 97	42 92
61.	---	---	---	---	13 12	13 12	15 70
62.	42 98	44 85	23 70	24 06	26 25	32 97	38 73
63.	40 93	42 72	53 29	54 13	65 61	51 84	61 43
64.	32 35	34 17	37 90	38 49	19 69	32 32	38 71
65.	15 35	16 02	17 76	18 04	19 69	17 37	20 78
66.	145 82	154 85	171 72	174 42	190 28	167 42	200 32
67.	145 82	170 87	189 48	192 46	190 28	177 78	212 72
68.	112 56	117 47	130 47	132 32	65 61	111 69	133 64
69.	40 93	42 72	47 37	48 11	10 50	37 93	45 38
70.	40 93	42 72	41 45	42 10	10 50	35 54	42 52
71.	15 35	21 36	41 45	42 10	52 49	34 55	41 84
72.	33 26	37 38	41 45	42 10	45 93	40 02	47 89
73.	62 43	70 48	82 90	102 24	118 10	87 23	104 57
74.	---	---	---	---	52 58	48 35	57 85
75.	---	---	---	---	19 69	19 69	23 56

WATERMASTER				ASSISTANT WATERMASTER				Other Expense	Total Costs
Year	Days	Salary	Total	Days	Salary	Total			
19 80		6,500 00						4,910 18	11,410 18
19 81		7,000 00						5,417 04	12,417 04
19 82		7,700 00						5,911 20	13,611 20
19 83		8,000 00						6,084 74	14,084 74
19 84		8,000 00						6,700 00	14,700 00
Average		7,440 00						5,804 63	13,244 63

WATERMASTER'S PROPOSED BUDGET

Next Year	8,300 00							7,500 00	15,800 00
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State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
; Director

November 25, 2003

Cordell H. Stewart
Judith Ann Stewart
563 W. 200 S.
Blackfoot, ID 83221

Ref: Snake River Basin Adjudication (SRBA)
Claim 27-10847.

Subject: Evidence of priority

Dear Claimants:

When you first filed your adjudication claim in 1989 with the Department of Water Resources (IDWR) you stated the basis of your claim as a decree with a March 31, 1873 priority date. I was unable to match this date to any of the decreed rights in the Steven's decree. The Steven's decree was signed in August of 1891 and decreed the waters of the Blackfoot River. If the March 31, 1873 date was when the water was put to beneficial use then it should have been included in the Steven's decree. In October 17th, 2003 you were notified that we needed evidence to support the priority date. I received your letter on the 24th of this month with three dates on a piece of paper. No documentation has been submitted to the Department to prove that the water was put to beneficial use on the date claimed. If you can supply copies of evidence that would verify the priority date to me I would review them to determine if it would be sufficient to support the date. Since no evidence to support the priority date has been submitted the claim will be recommended to the SRBA court as "**DISALLOWED**".

If you have any questions, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Water Resources Board
15 West Center
Soda Springs, Idaho 83276



Dear Cindy:

In response to your inquiry about the date of water right my research resulted in three possible dates. The first two were obtained from an old abstract for the property prior to the date that I purchased part of it and the other was obtained from off the internet by one of my neighbors. I am confused at this time as to the actual date that would apply to my property and water right.

July 6, 1869
October 1, 1884
March 1, 1873

My claim would be in the name of Cordell H. Stewart
563 West 200 South 208-785-0988
Blackfoot, Idaho 83221

And is for a parcel of property located in Sec 18, T3S, R35E

If you have further questions that I can help with please feel free to call on me.

Cordell H. Stewart

Cordell H. Stewart
11/27/03

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 27-10847
Date Received: 5/26/1989
Receipt No: E008088
Received By:

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

1. Name of Claimant(s)

JUDITH ANN STEWART Phone: (208)785-0988
563 W 200 S
BLACKFOOT ID USA 83221

CORDELL E STEWART Phone: (208)785-0988
563 W 200 S
BLACKFOOT ID USA 83221

2. Date of Priority: ~~03/31/1873~~ 10/01/1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03S	35E	8	SW NE	BINGHAM	

5. Description of diverting works:

RIVERTON DAM TO STEVEN'S DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/01	11/01	~~0.08~~ <u>0.07</u>	

7. Total Quantity Appropriated is:

~~0.08~~-C.F.S.
0.07

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

03S	35E	8	SW	NE	IRRIGATION	4
		18	NE	NW	Irrigation	4
					Total Acres	4

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Cordeell H. Stewart* Date: *2/27/04*
Judith Ann Stewart Date: *2/27/04*

State of Idaho

County of *Bannock* } SS.

Subscribed and sworn (or affirmed) before me this *27th* of *February* 20*04*

Cindy E Bird

Notary Public

Residing at *Lava Hot Springs*

My commission Expires *May 1-2007*



SCANNED

JUL 20 2001

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A27-10847**
Date Received: 5/26/1989
Receipt No: E008088
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CORDELL H STEWART 208-785-0988
Address: 563 W 200 S
BLACKFOOT ID 83221

OR

Name: JUDITH ANN STEWART 208-785-0988
Address: 563 W 200 S
BLACKFOOT ID 83221

2. Date of Priority: MAR 31, 1973 *1873 per original claim*

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	35E	8	SW	NE			BINGHAM

5. Description of diverting works:
RIVERTON DAM TO STEVEN'S DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.080		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use
03S	35E	8	SW	NE		IRR

*18 NE NW per original claim
CB 2/6/04*

A27-10847

Page 1

Date: 08/30/94

MICROFILMED
NOV 13 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.0
					Total Acres	4.0

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:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

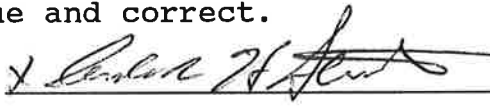
16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not ____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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):  Date: 8/30/94

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30th day

of August 19 94

Gregory J. Taylor
Notary Public



Residing at Idaho Falls ID

My Commission Expires 3/3/98

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: A27-10847
Date Received: 5/26/1989
Receipt No: E008088
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CORDELL H. STEWART 208-785-0988
Address: ⁵⁶³569 W. 200 S.
^{DE}BLACKFOOT, ID 83221

OR ^{4/18/91}
Name: ^{SC}JUDITH ANN STEWART 208-785-0988
Address: ⁵⁶³569 W. 200 S.
^{DE}BLACKFOOT, ID 83221

2. Date of Priority: MAR 31, 1973

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	35E	8	SW	NE			BINGHAM

5. Description of diverting works:
WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.080		

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

8. Total consumptive use is 0.1 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A2710847

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	35E	8	SW	NE		IRR	4.0
Section Acres							4.0
Total Acres							4.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:

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

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

#54

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 A27-10847
Date Received 5/26/89
Receipt Number E008088

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Cordell H. Stewart or Judith Ann Stewart Phone (208) 785-0988

Mailing Address 563 W. 200 So., Blackfoot, Idaho Zip 83221

2. Date of Priority (Only one (1) per claim) March 1873

3. Source of water supply (a) Stevens Ditch
which is tributary to (b) Blackfoot, River

4. a. Location of existing point of diversion is: Township 3 S Range 35 E Section 18,
SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of Bingham

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Blackfoot river, Riverton Dam, Stevens ditch

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 5/1 to 11/1 amount _____ or 4 inches

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 4 inches (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3S	35E	18					SE $\frac{1}{4}$												
							$\frac{1}{4}$												$\frac{1}{4}$

Total number of acres irrigated 4

11. In which county (ies) are lands listed above as place of use located? Bingham

12. Do you own the property listed above as place of use? Yes XX No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (XX)

14. Remarks:

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Last Name Stewart Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile



Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree XX
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Condeel H Stewart Date 5/24/89
Judith Stewart Date 5/24/89

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 26th day of May 19 89

SEAL

Notary Public Julien Wray

Residing at Idaho Falls

My Commission Expires 5/29/1991

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant