

10/31/2005

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

RIGHT NUMBER: 27-11262

NAME AND ADDRESS: CHESTERFIELD LAND & LIVESTOCK INC
C/O DEAN SMITH SEC
826 WOOD ROAD
BANCROFT ID 83217

SOURCE: SAWMILL CREEK

TRIBUTARY: CORRAL CREEK

QUANTITY: 2.370 CFS

PRIORITY DATE: 06/01/1917

POINT OF DIVERSION:

T06S R40E S4 SWSWNW Within CARIBOU County

T06S R40E S5 SESWNE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

2.370 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R40E S04 Lot 4 NWNW	14.0	T06S R40E S04	SWNW	14.0	
T06S R40E S04	SENW	27.0	T06S R40E S05 Lot 1 NENE	24.0	
T06S R40E S05	SWNE	6.8	T06S R40E S05	SENE	33.0

118.8 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 - Beneficial Use

Cindy

08/03/2005

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

RIGHT NUMBER: 27-11262
NAME AND ADDRESS: CHESTERFIELD LAND & LIVESTOCK INC
C/O DEAN SMITH SEC
BANCROFT ID 83217
SOURCE: SAWMILL CREEK
QUANTITY: 0.580 CFS
PRIORITY DATE: 06/01/1917
POINT OF DIVERSION:
T06S R40E S4 SWSNW Within CARIBOU County

TRIBUTARY: CORRAL CREEK

DISALLOWED

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.580 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R40E S04 Lot 3 NENW	1.0	T06S R40E S04	SWNW	6.0
T06S R40E S04	SENW	22.0		

29 ACRES TOTAL

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

No beneficial use found.

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 -

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.



PROFILED

SCANNED
SEP 27 2005



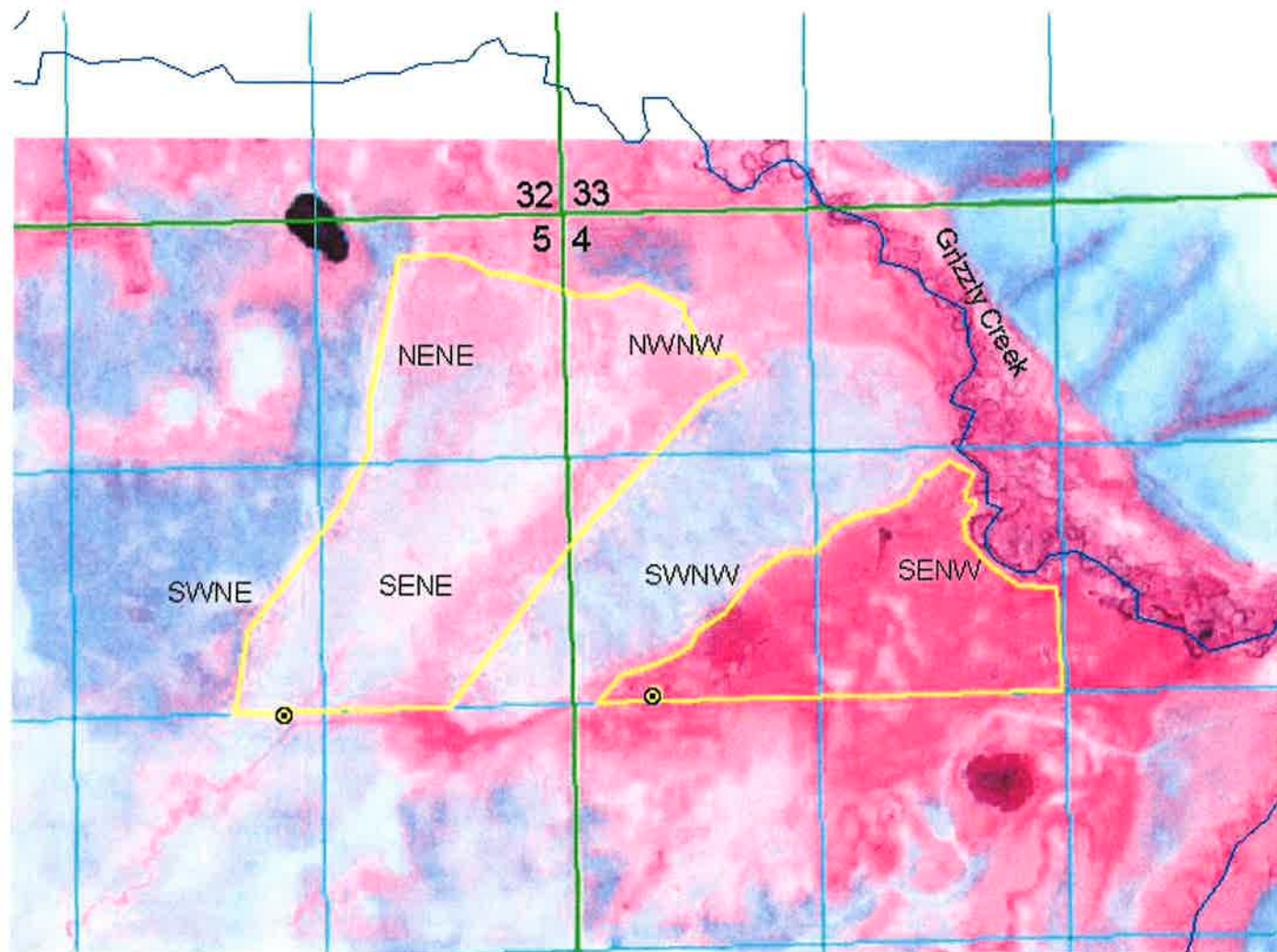
STATE OF IDAHO

Department of Water Resources

Eastern Region



WATER RIGHT(S): 27-11262



1000 0 1000 2000 Feet

LEGEND

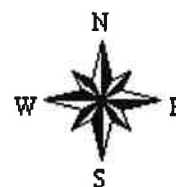
- Point of Diversion
- Place of Use
- ~ Stream
- Sections
- Quarter-Quarter Lines

Place of Use: T6S, R40E
(part of) Secs 4 & 5

Point(s) of Diversion: T6S, R40E
Sec. 5 SESWNE and Sec. 4 SWSWNW

SCANNED

MAY 25 2006



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

PR 10



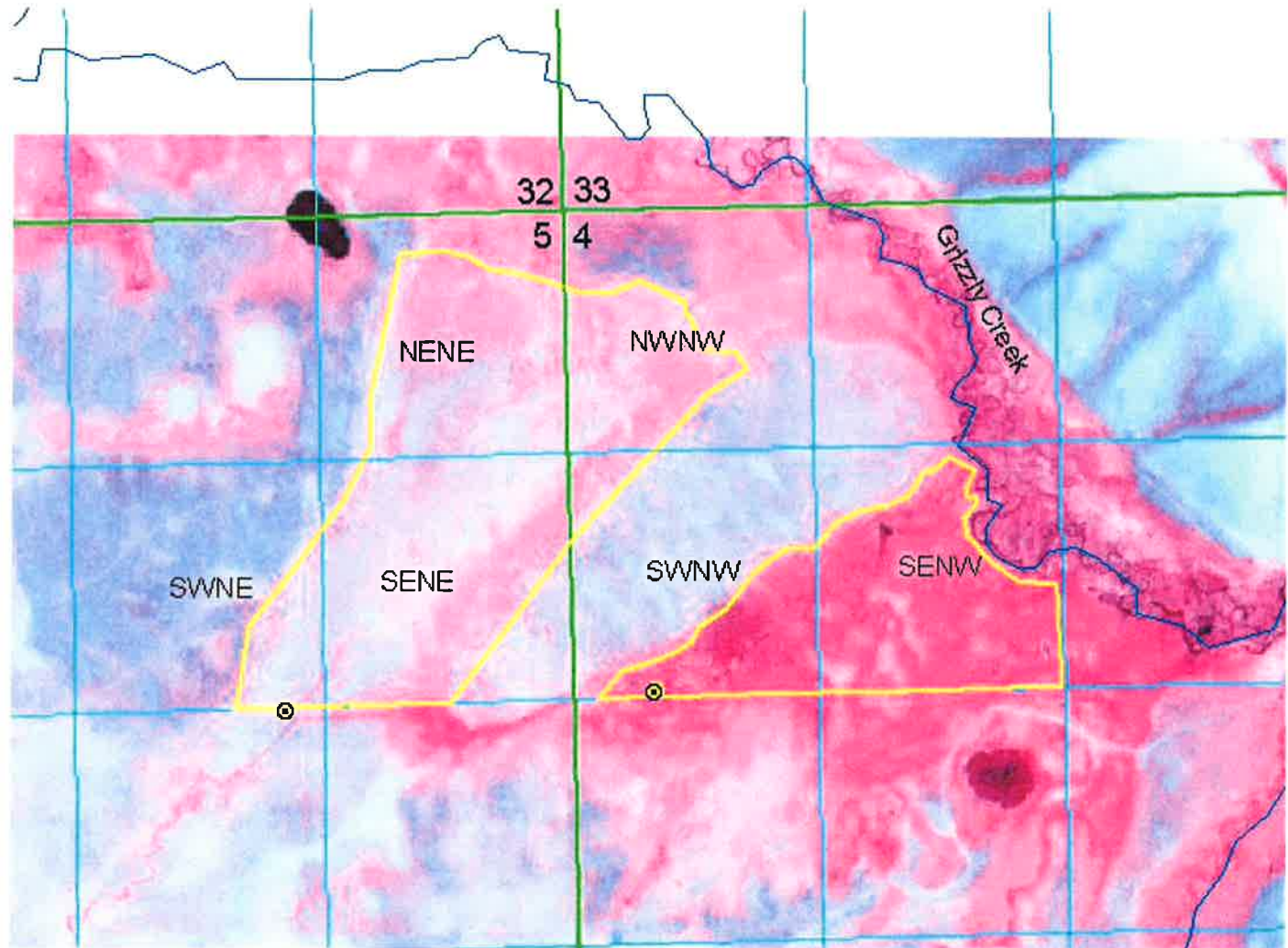
STATE OF IDAHO

Department of Water Resources

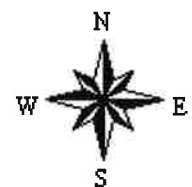
Eastern Region



WATER RIGHT(S): 27-11262



1000 0 1000 2000 Feet



LEGEND

- Point of Diversion
- Place of Use
- ~ Stream
- Sections
- Quarter-Quarter Lines

Place of Use: T6S, R40E
(part of) Secs 4 & 5

Point(s) of Diversion: T6S, R40E
Sec. 5 SESENE and Sec. 4 SWSWNW

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



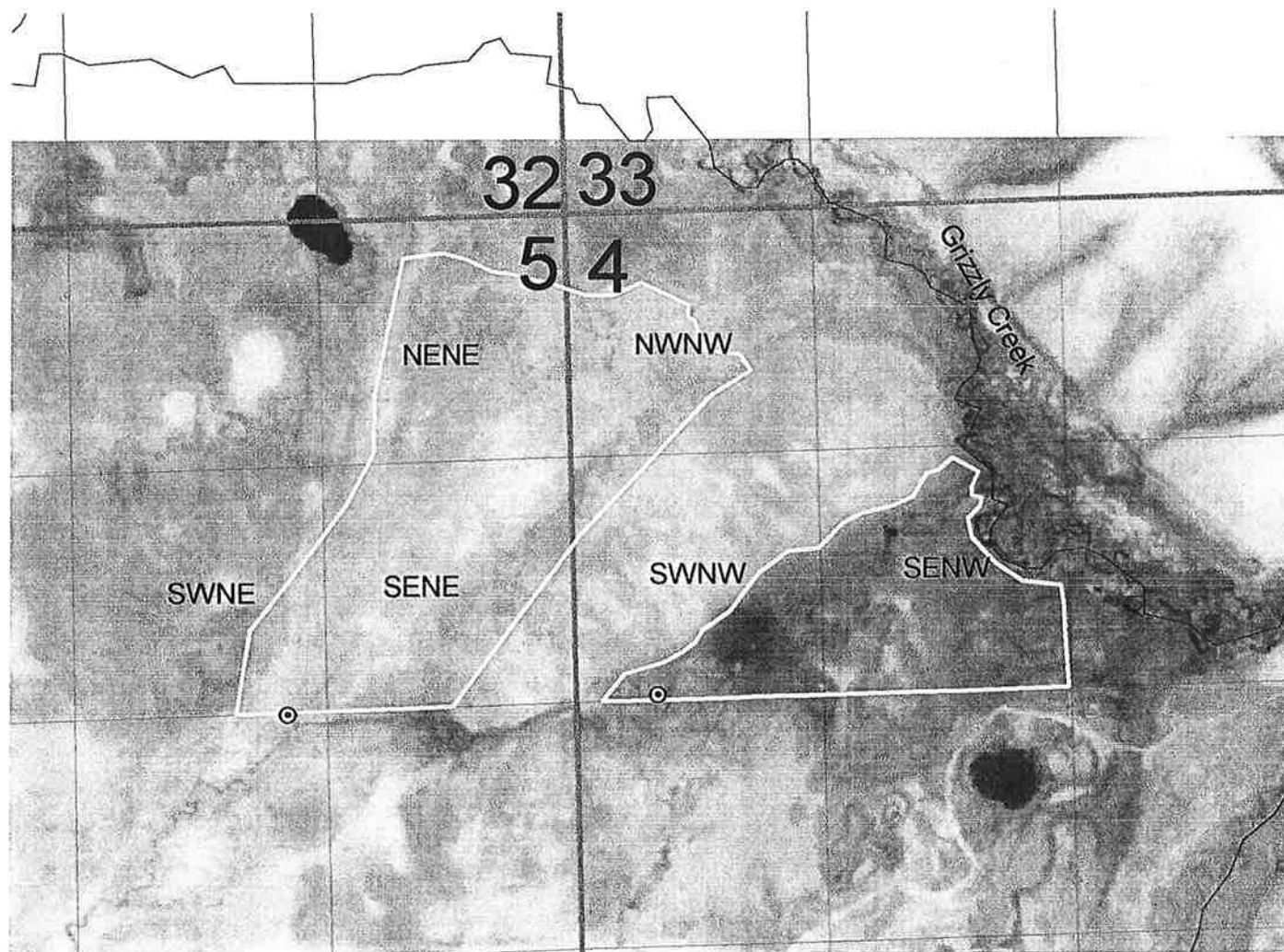
STATE OF IDAHO

Department of Water Resources

Eastern Region



WATER RIGHT(S): 27-11262



1000 0 1000 2000 Feet

LEGEND

⊙ Point of Diversion
Place of Use

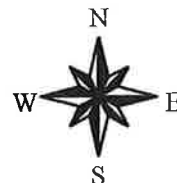
Stream

Sections

Quater-Quater Lines

Place of Use: T6S, R40E
(part of) Secs 4 & 5

Point(s) of Diversion: T6S, R40E
Sec. 5 SESWNE and Sec. 4 SWSWNW



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

32 33

5 4

27-11261
Daisy Spg

Grizzly Creek

NENE

23.6

NWNW

14.3

33.0

2.5

SWNW

SENW

NE

SENE

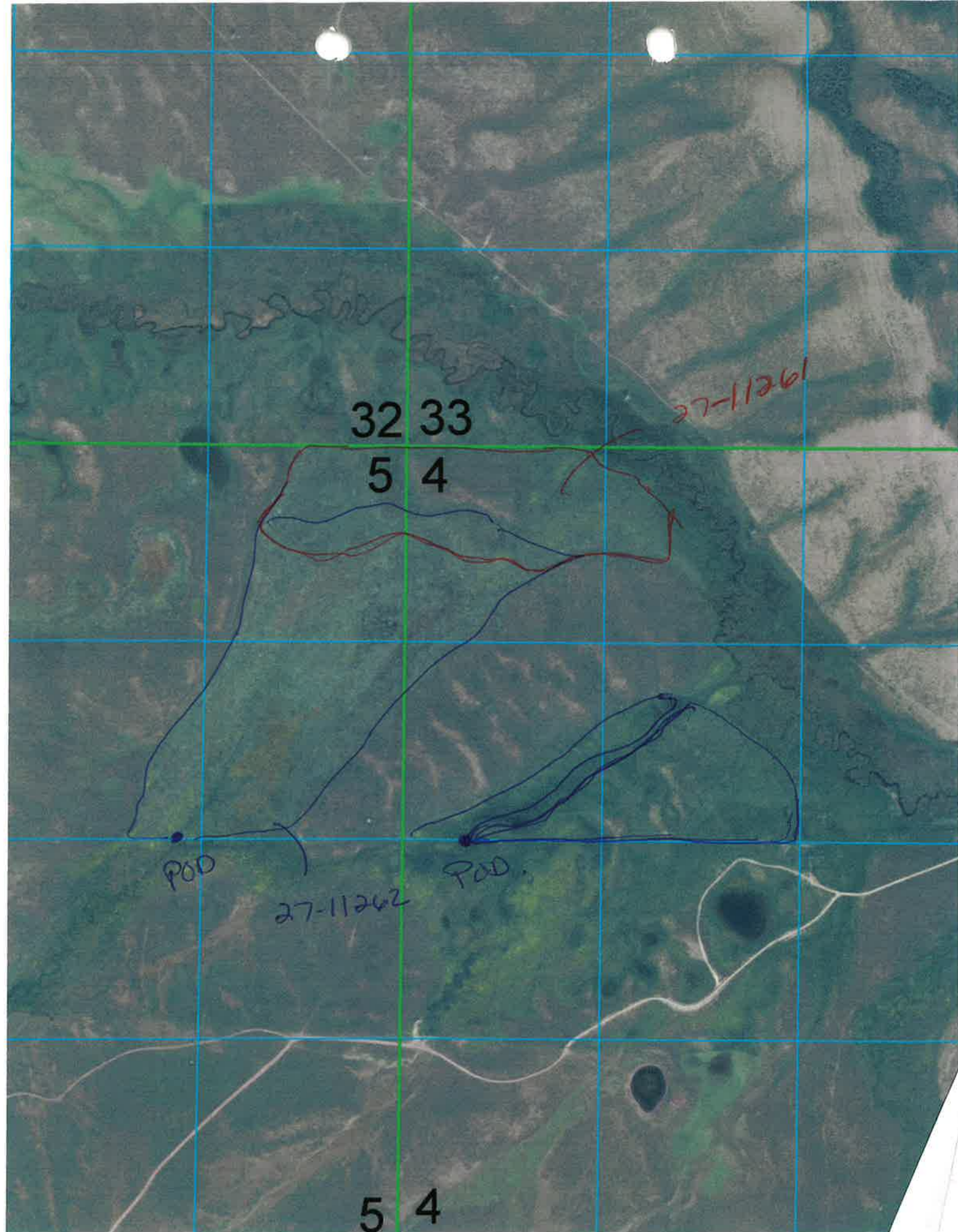
6.8

11.6

26.6

PROFILED

SCANNED
MAY 25 2006





STATE OF IDAHO

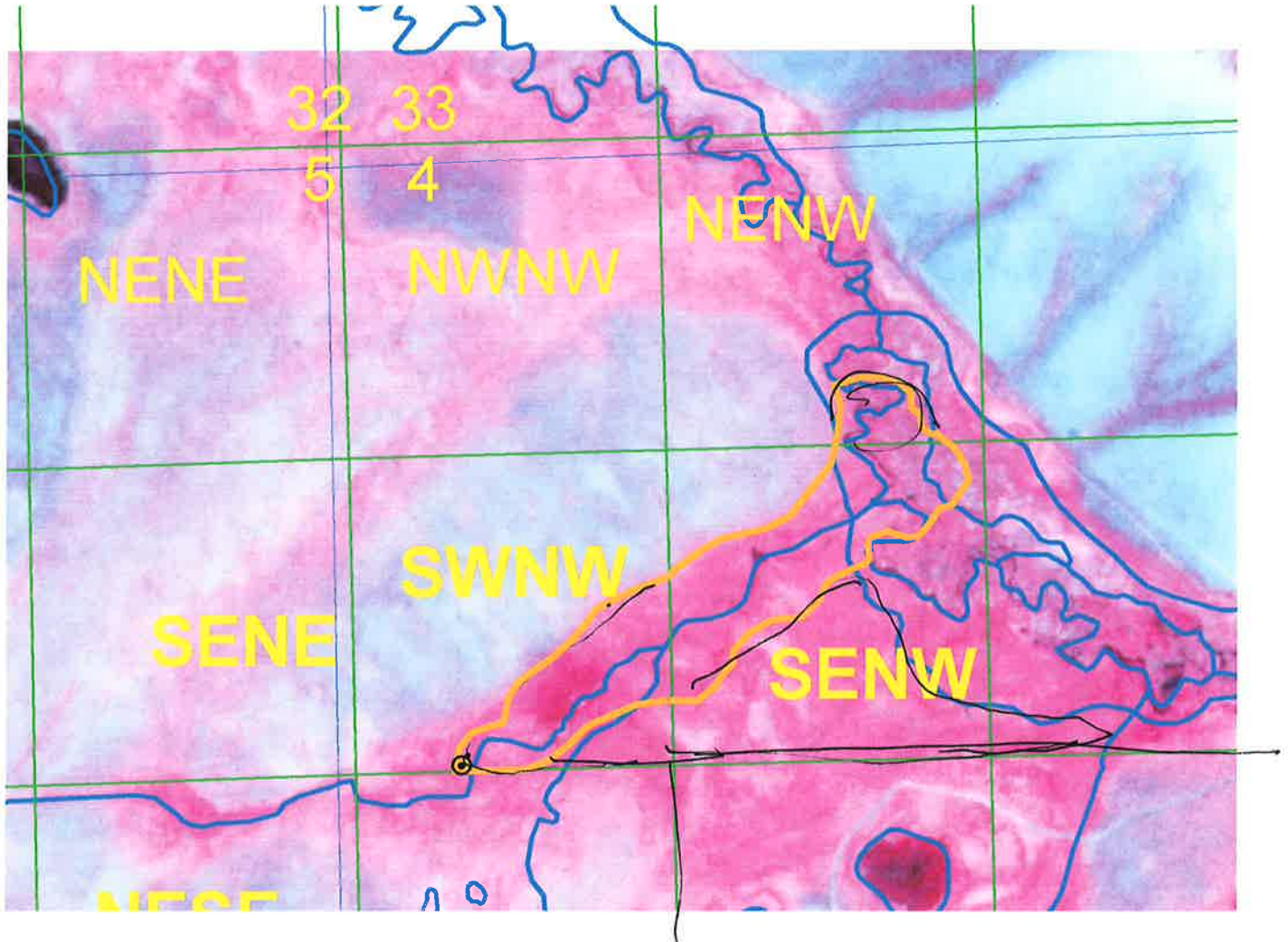
Department of Water Resources

Eastern Region

27-Chesterfield DNL apr



Water Right(s) 27-11262



600 0 600 1200 Feet

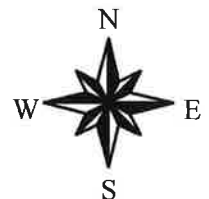
IRRIGATED ACRES 22

LEGEND

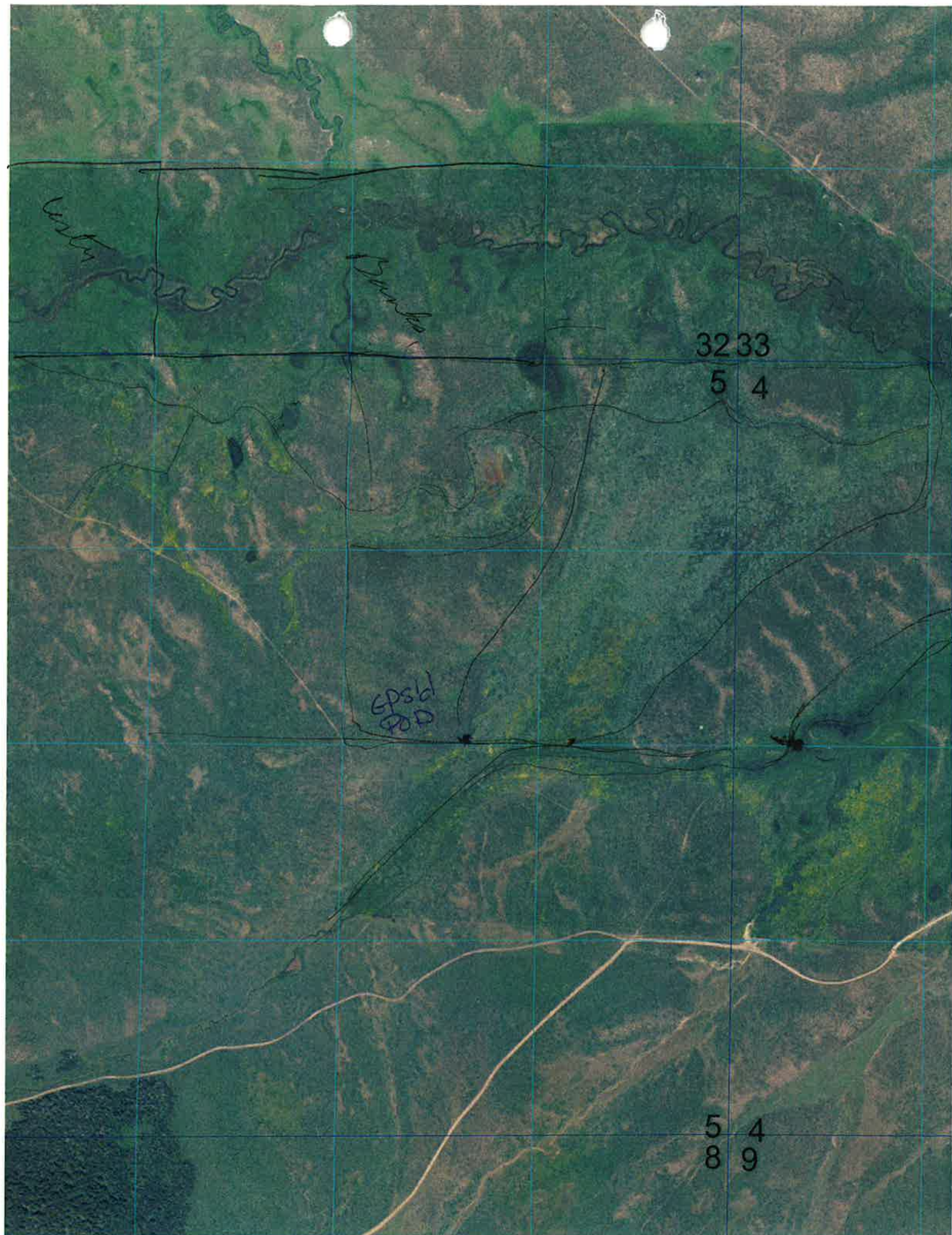
- ⊙ Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T6S, R40E:
(part of) Sec. 4, NENW, SWNW, SENW.

Point(s) of Diversion: T6S, R40E:
Sec. 4, SWSWNW.



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



Cindy -

Your guidance was to disallow 27-11262.

However it was recommended as an active right.

This likely will not be problem since the claim

needs to be amended to show a different P.O.U.

Priority - change to 6-1-1927 based on written statement
from Clyde Twitchell.

15 West Center Street
Soda Springs, Idaho 83276
(208) 547-3993
(208) 547-3939 FAX

Idaho Department of
Water Resources

Fax

To: Jennifer From: Pauline
Fax: 525-7177 Pages: 6
Phone: Date: 8-03-05
Re: # 27-11262 CC:
This claim for Chesterfield L+L is
☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

to be disallowed.

thanks

Notes

8/3/05 Please fax data sheets to I.F. for data entry.

Claim disallowed Please include that on the PDR. Send claimants the PDR + NOE. CB.

Contacts Data Entry Form

[illegible]

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: A27-112-62

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: 8-1-1927 Recommended Basis: B.U.☐ 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:

affidavit from Clyde Fritchell

Reviewer: CBDate: 2/5/04

Priority Date

Claim No. _____

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

B-4

Priority Date

" Disallowed "

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 (X)

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 (X) 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 (X)

5. Does this right have any combined used limits with other rights?

If Yes, go to 6
If No, go to 6

Yes () No (X)

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

If Yes, enter the appropriate remark and/or condition. Go to 7
If No, go to 7

Yes (X) No ()

7. Would you like to view the recommended right?

If Yes, go to 8
If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (X) No ()

8. 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 9
If No, go to 9

Yes (X) No (X)

9. 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 10
If No, go to 10

Yes () No (X)

10. 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 (X) No ()

Summary

Claim No. 27 - 11262

Summary Data Entry Form

Claim No.: _____

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

P03

P13.

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.:

Reviewer

CB

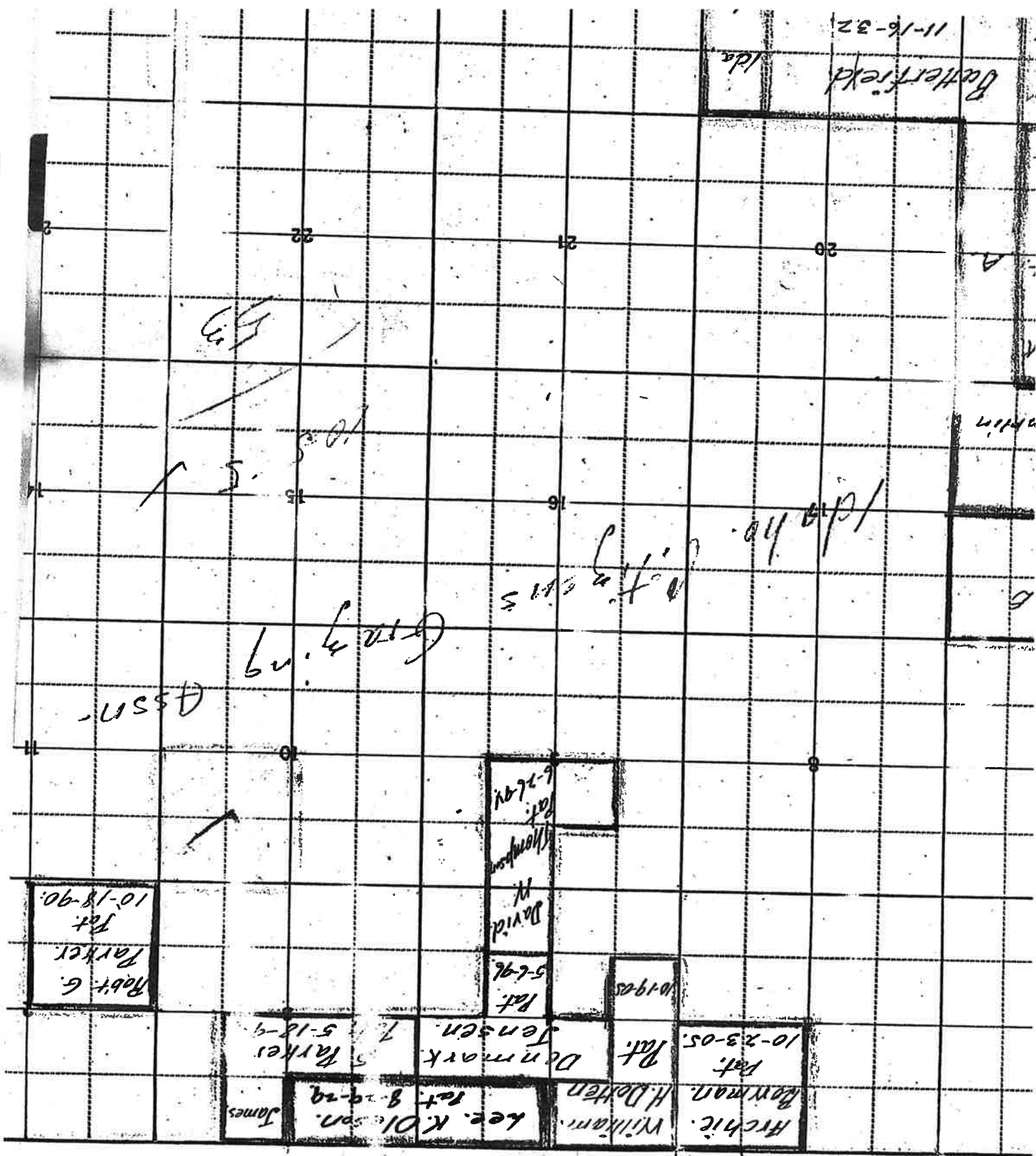
Date

8/2/05

27-11262

All State
Land Leases

Township No. 6 South. Range No. 140 E.



Notes

1/22/04 Layne Hamilton Came in and said Dean Smith is working on this claim and 27-11261.

No evidence has been submitted.

2/5/04 1927 affidavit from Clyde Twitchell
The land in the NENW & part of SENW is a swamp. I don't think they actively irrigate that piece.

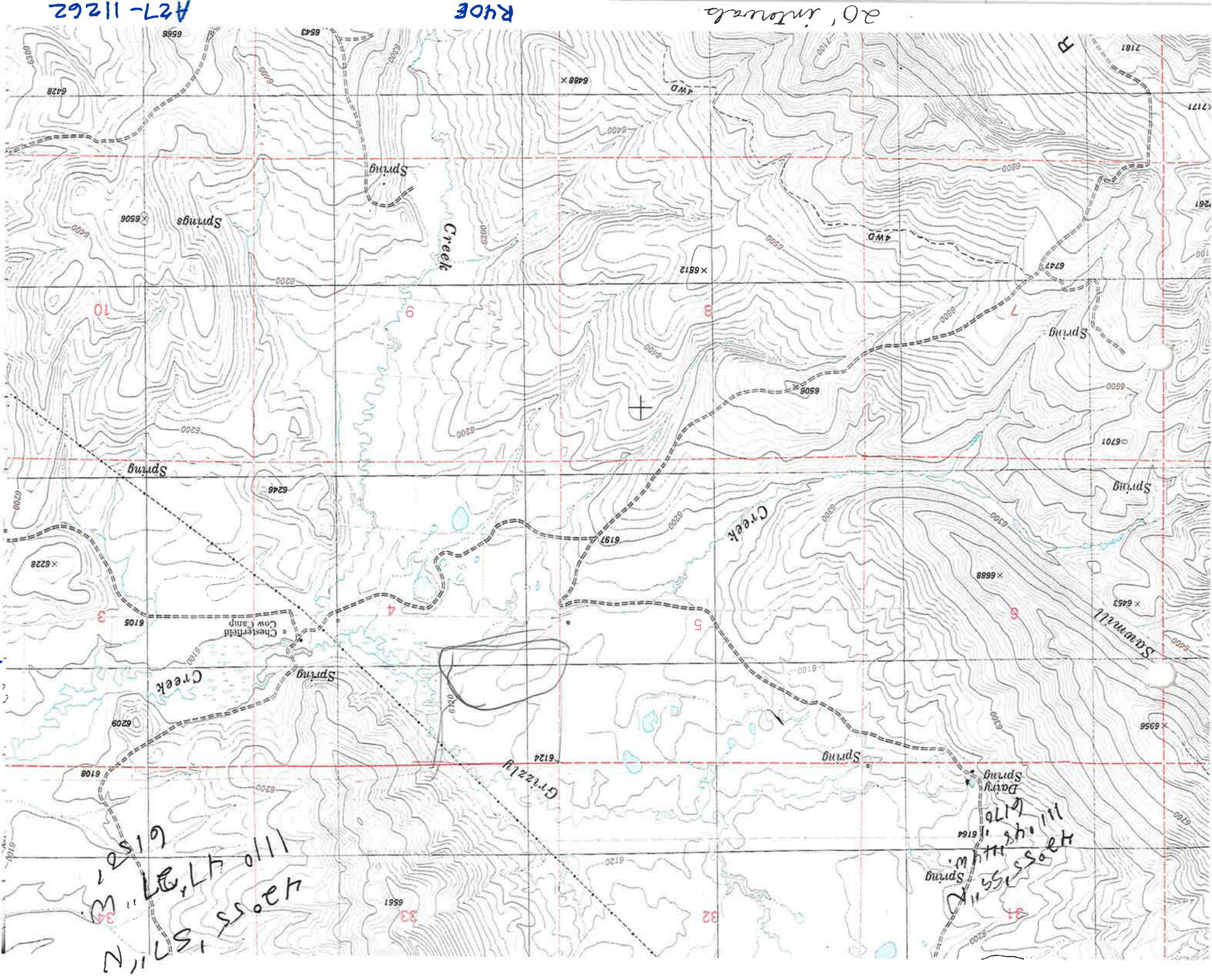
2/11/04 Layne Hamilton Came in to Amend 27-4016 & 27-11245. Said they are having a meeting tonight and he will bring up these two claims needs more information CB.

9/29/04 Oct 7, 2004 field exam scheduled. Add Maps, TOPO & Ortho (1945 Metsker Map)

6/3/05 I called Dean Smith's house and left a message with his wife about the public meeting @ 1:30pm, Senior Ctr, Soda. CB.

7/22/05 GPS POD found during field exam. doesn't correspond with claimed POB. Rondo Perkins was notified and asked to make an appt to discuss amending claim.

8/2/05 Disallowing claim at this time until further information can be obtained from claimants. CB



20' intervals

R40E

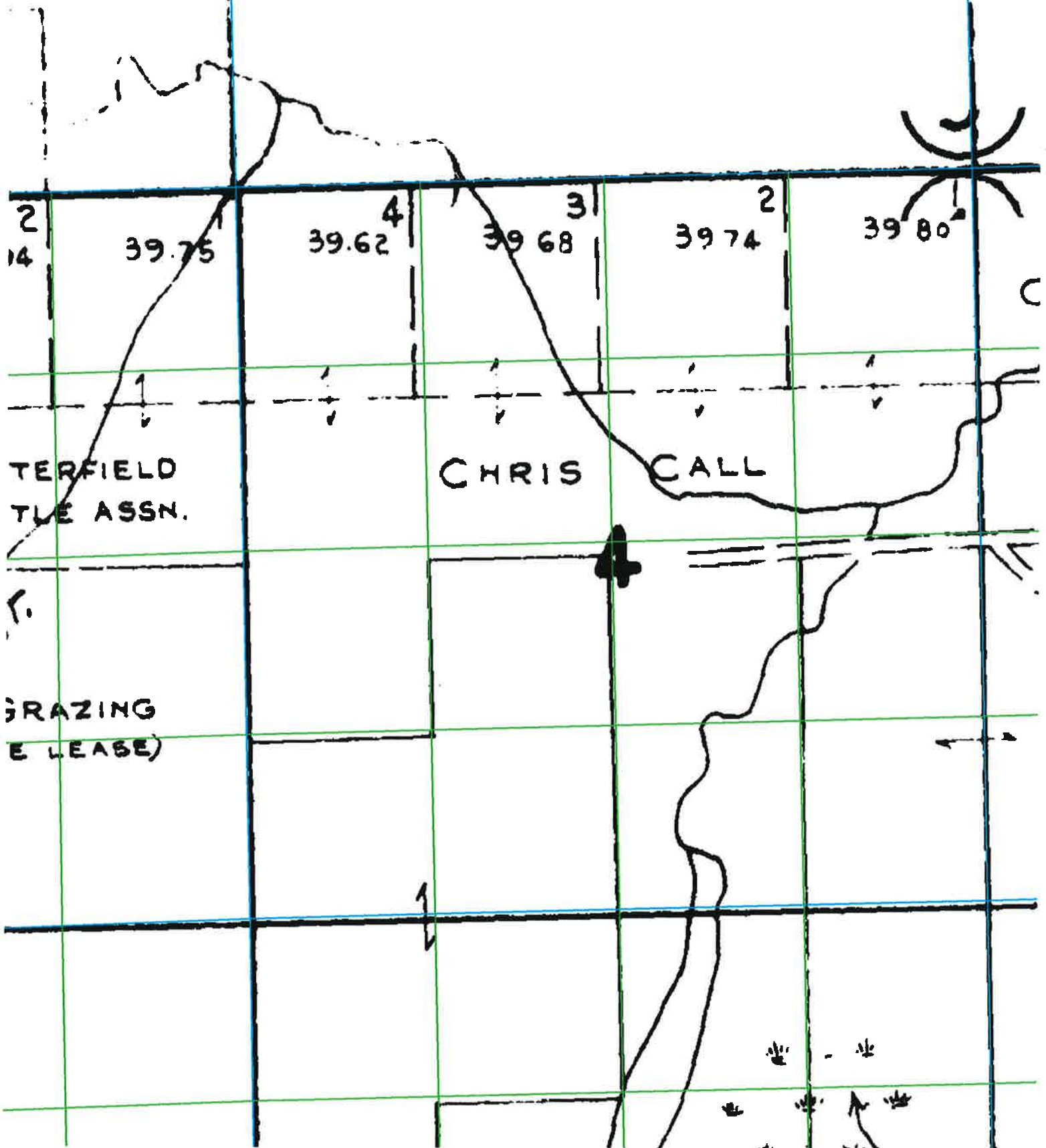
A27-11262

36-1

42055' S 71' N
1110 47' 37" W
6150'

42053' S 55' W
1110 48' 14" W
6170'

27-11262



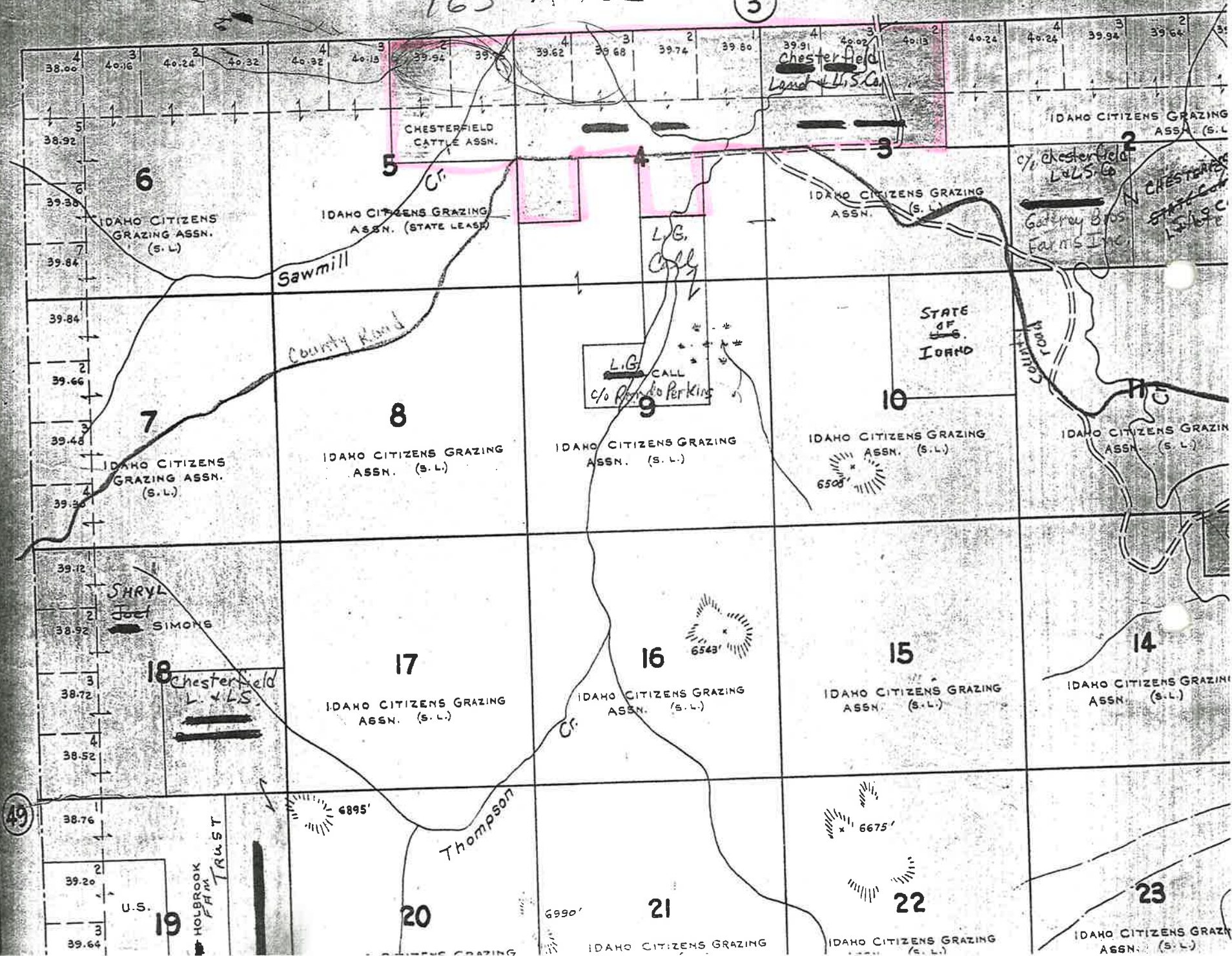
T6S R40E.

[illegible]

CARIBOU COUNTY, IDAHO

T65 R40E

3



Point of Diversion and Source Data Entry Form

Claim Number: A27-11262

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
6S	40E	5		NE NW SE	Caribou.	Sawmill crk
GPS Coordinates: <u>42.9263467</u>					<u>-111.7926479</u>	
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

"SAWMIL"

Other rights from this POD? NO.

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

GPS'd the above POD. The above GPS'd point can't irrigate the claimed POD. The ditch goes north from source. Claimants were called and asked to make an appointment to discuss discrepancies, no apt was made.

Transfers Changing POD no

Reviewer: CB

Date: 8/2/05

Place Of Use Data Entry Form

Claim Number: A27-11262☐ Use Claimed POU as Recommended POU

Claimed Place of Use

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

Total Acres _____

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

The pod GPS'd during the field exam done
on 10-6-04 can't irrigate claimed POU.

Transfers Changing POU noReviewer: CBDate: 8/2/05

Place of Use

Claim No. 27-11988

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

If Yes, go to 2a

If No, go to 2b

Yes () No (X)

2a. Is a POU required?

If Yes, go to 5

If No, go to 14

Yes () No ()

2b. Is a POU required?

If Yes, go to 3

If No, go to 14

Yes (X) No ()

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

If Yes, go to 4

If No, go to 7

Yes () No (X)

4. Has the License been issued?

If Yes, go to 6

If No, recommend the POU as shown on the Permit. Go to 14

Yes () No ()

5. Does the parent right have a POU?

If Yes, go to 6

If No, go to 7

Yes () 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 7

Yes () No ()

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

If Yes, go to 8

If No, go to 13

Yes (X) No ()

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

If Yes, add condition C05, go to 13

If No, go to 9

Yes () 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 12

Yes () No ()

10. Was an enlargement claim filed?

If Yes, go to 13

If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes () 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 13

Yes () 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 13

Yes () 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 14

Yes () 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 ()

Place of Use



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

Chesterfield Land & Livestock Company
% Grant Williams
1975 Telford Road
Grace, Idaho 83241

May 7, 2003

Re: Evidence of Priority

Claim No.(s) A27-11245, A27-11261 & A27-11262

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 Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by June 26, 2003, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

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

)
)
)
)
)

Water Right Priority Date
State of Idaho)
County of Bingham)

deposes and says: In 1927, I road with Roughie Howell, from our
ranch at Mt. Putnum and camped at Dairy Springs on
Grizzley Creek. I saw that water from Grizzley Creek, Dairy
Spring and Sawmill Creek was being used to flood irrigate
land at T65-R40E Sections 3,4,and 5.

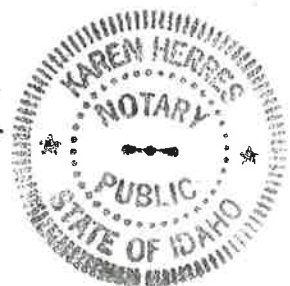
COPY

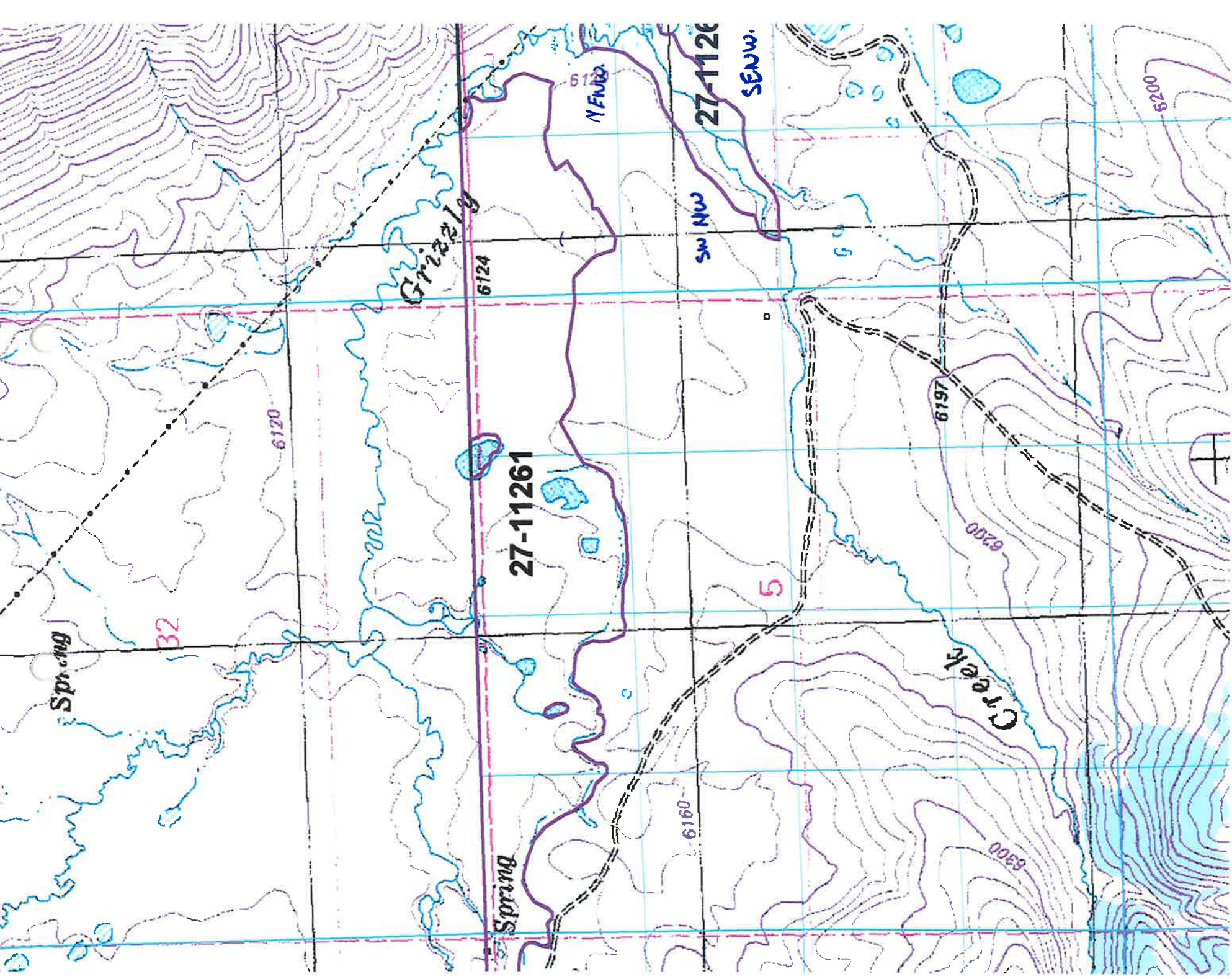
Charles Twitchell
(Signature)

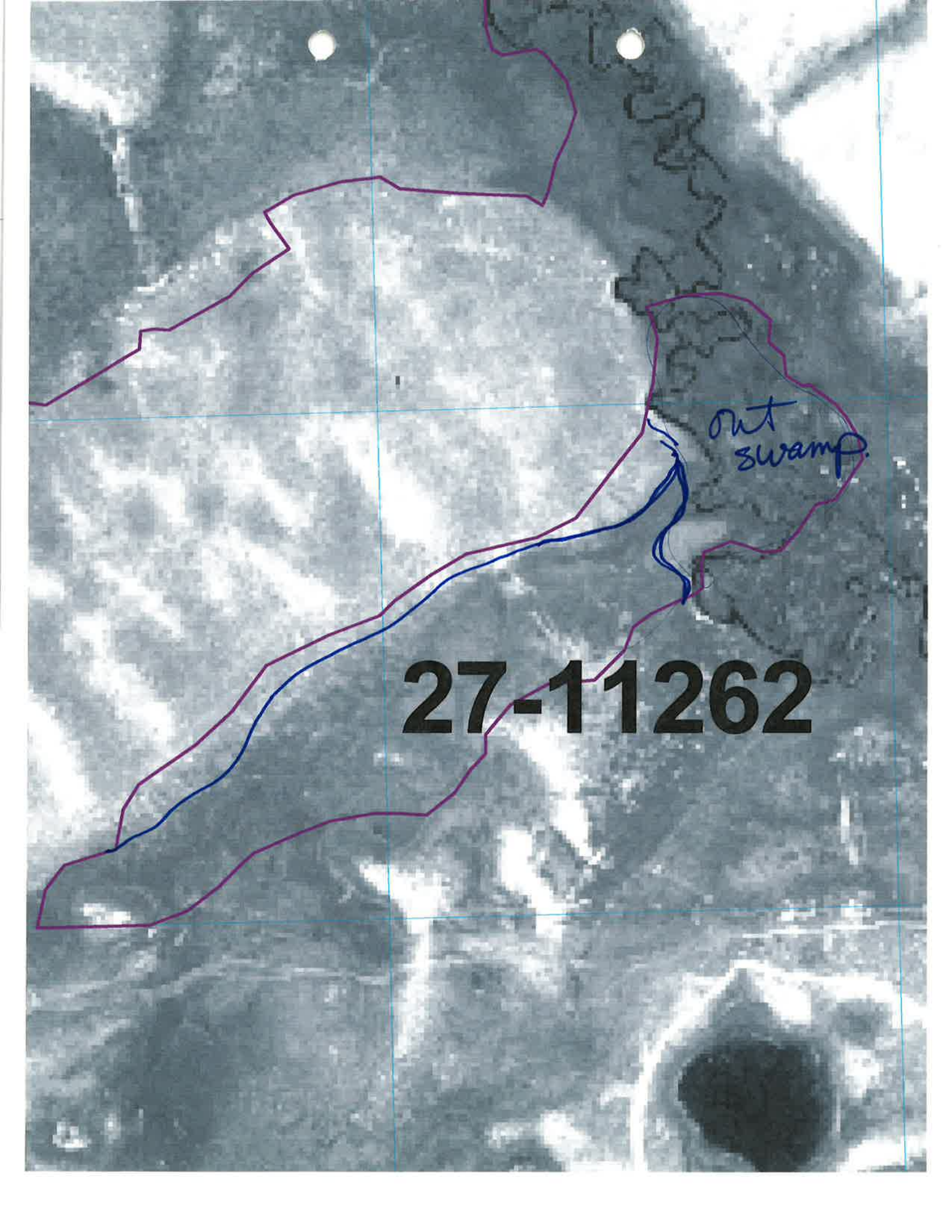
Subscribed and sworn to before me this 18th day of July, 2003.

Karen Hener
(Notary Public)

Residing at Bingham County
My Commission Expires 02-23-04



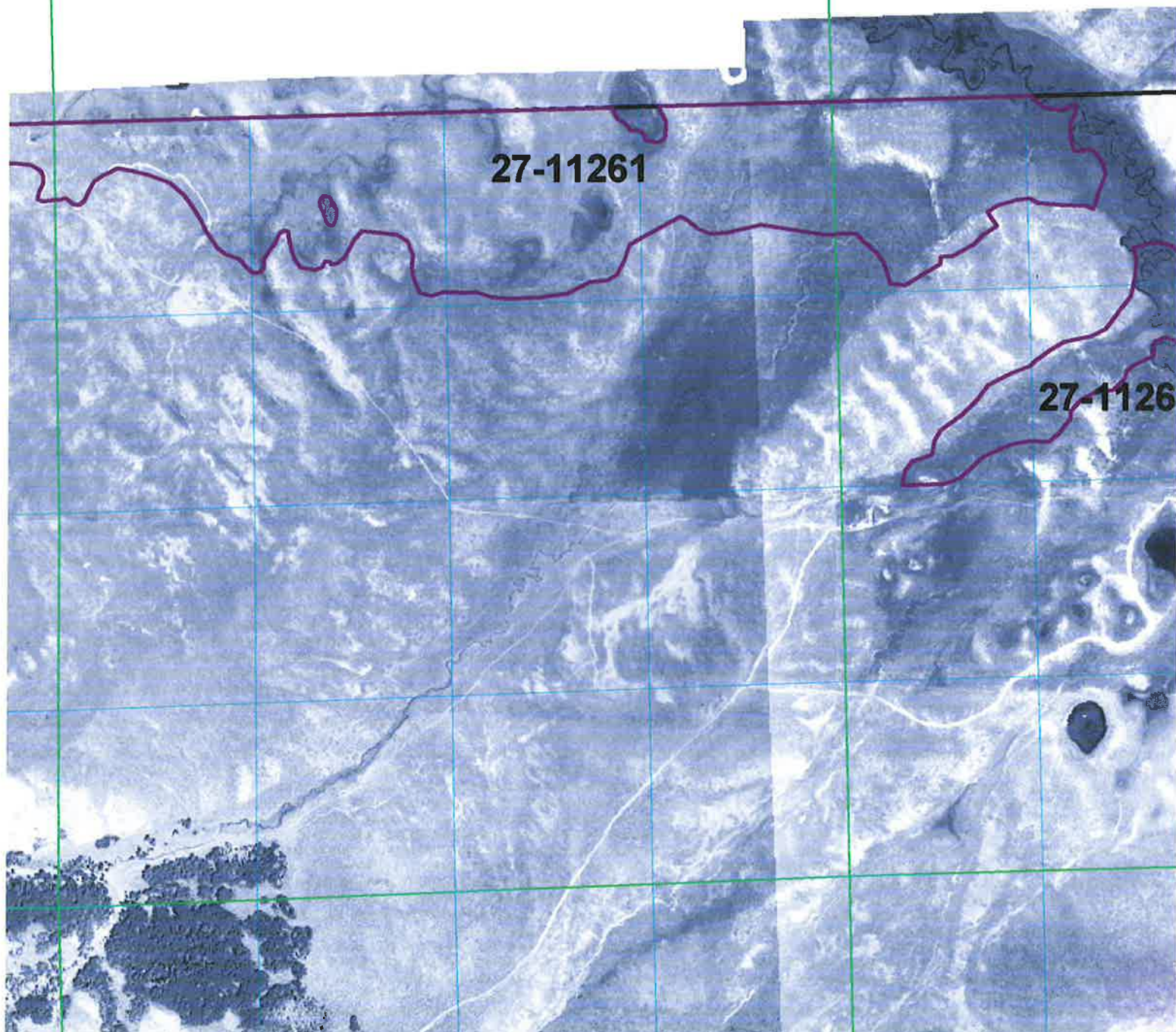




27-11262

out
swamp.

1964 Imagery
T6S, R40E Sec 4





AFFIDAVIT

Oliver Hitchell being first duly sworn,
deposes and says: _____

I can verify that in 1927 water from Warbonnet Creek and Graves Creek was used for irrigation and stockwater on T55 R39E Sections 8 & 9. I also know that William J Rawling lived in this area. A27-11245

I can verify that in 1927 water from Sawmill Creek was used for irrigation and stockwater on T6S R40E Section 4, A27 11262

I can Verify that in 1927 water from Dairy Spring was used for Irrigation and stockwater on T65 R40 E Sections 4, 5 and 6

Chas. Twitchell
(Signature)

Subscribed and sworn to before me this 25 day of January, 1926.

Betty J. Chambers
(Notary Public)

Residing at _____
My Commission Expires _____
RESIDING AT _____
MY COMMISSION EXPIRES: 7-05-2000

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

Amended
Ident. Number 27-11262
Date Received: 1/17/1990
Receipt No: M005535
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHESTERFIELD LAND & LIVESTOCK INC Phone: (208) 648-7330
C/O DEAN SMITH SEC
BANCROFT ID USA 83217

2. Date of Priority: 06/01/1917

3. Source: SAWMILL CREEK , SAWMILL CREEK Trib. to: CORRAL CREEK , CORRAL CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	40E	4	SW SW NW	CARIBOU	
06S	40E	5	SE SW NE	CARIBOU	

5. Description of diverting works:

STREAM FLOW COLLECTED INTO DITCHES. FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	2.37	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	40E	4	NW	NW	IRRIGATION	14.3
			SW	NW	IRRIGATION	14.1
			SE	NW	IRRIGATION	26.6
			Section Acres			55
06S	40E	5	NE	NE	IRRIGATION	23.6
			SE	NE	IRRIGATION	33
			SW	NE	IRRIGATION	6.8
			Section Acres			63.4
Total Acres					118.4	

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

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 27-11262
Date Received: 1/17/1990
Receipt No: M005535
Received By:

AMENDED

AMENDED

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

1. Name of Claimant(s)

CHESTERFIELD LAND & LIVESTOCK INC Phone: (208) 648-7330

C/O DEAN SMITH SEC
826 WOOD ROAD
BANCROFT ID USA 83217

2. Date of Priority: ~~06/01/1917~~ 06/01/1927

3. Source: SAWMILL CREEK Trib. to: CORRAL CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	40E	4	SW SW NW	CARIBOU	
06S	40E	5	SE SW NE	CARIBOU	

5. Description of diverting works:

STREAM FLOW COLLECTED INTO DITCHES. FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
~~IRRIGATION~~	~~4/01~~	~~11/01~~	~~0.58~~	
IRRIGATION	4/15	10/31	2.37	

7. Total Quantity Appropriated is:

~~0.58 C.F.S.~~
2.37 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	40E	4	SW	NW	IRRIGATION	6 14.1
			SE	NW	IRRIGATION	22 26.6
			NE	NW	IRRIGATION	1 14.3
			NW	NW	IRRIGATION	
			Section Acres		29 55.0	
06S	40E	5	NE	NE	IRRIGATION	23.6
			SE	NE	IRRIGATION	33.0
			SW	NE	IRRIGATION	6.8
			Section Acres		63.4	
Total Acres						29 118.4

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

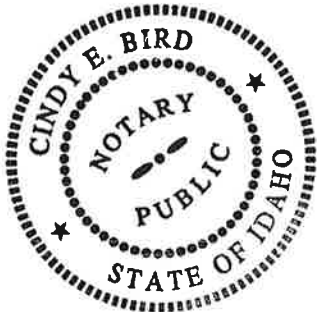
Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Board member of
Clatsop Community Development Title
Organization that I have signed the foregoing
document in the space below as Board member of
C. K. & L Title
Organization and that the statements contained in the
foregoing document are true and correct. S. W. Paul
Signature of Authorized Agent
Board member C. K. & L
Title and Organization
Oct 21 2005
Date

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of October 2005



Cindy E Bird
Notary Public
Residing at Lava Hot Springs
My commission Expires May 1, 2007.

SCANNED

JUL 1 1990

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: A27-11262
Date Received: 1/17/1990
Receipt No: M008535
Received By: SN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHESTERFIELD LAND & LIVESTOCK, INC. 208-648-7330
Address: C/O DEAN SMITH, SEC.
BANCROFT, ID 824 Wood Rd, 83217

2. Date of Priority: JUN 01, 1917

3. Source: SAWMILL CREEK Trib. to: CORRAL CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	40E	4	SW	SW	NW		CARIBOU

5. Description of diverting works:
STREAM FLOW COLLECTED INTO DITCHES. FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.580		

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

8. Total consumptive use is 72.5 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING FOR 1000 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	40E	4	NE	NW	3	IRR	1.0
			SW	NW		IRR	6.0
			SE	NW		IRR	22.0

Section Acres 29.0

A27-11262

Page 1

Date: 01/17/90

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10. Place of Use: Continued

Total Acres 29.0

11. Place of use in counties: CARIBOU

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: BENEFICIAL USE

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 Organizations:

I do solemnly swear or affirm that I am Board Member of
Title

Chesterfield Land Revested, Inc. that I have signed the foregoing
Organization

document in the space below as Board Member of
Title

Chesterfield Land Revested, Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

Delma Smith
Signature of Authorized Agent

Board Member, Chesterfield Land Revested, Inc.
Title and Organization

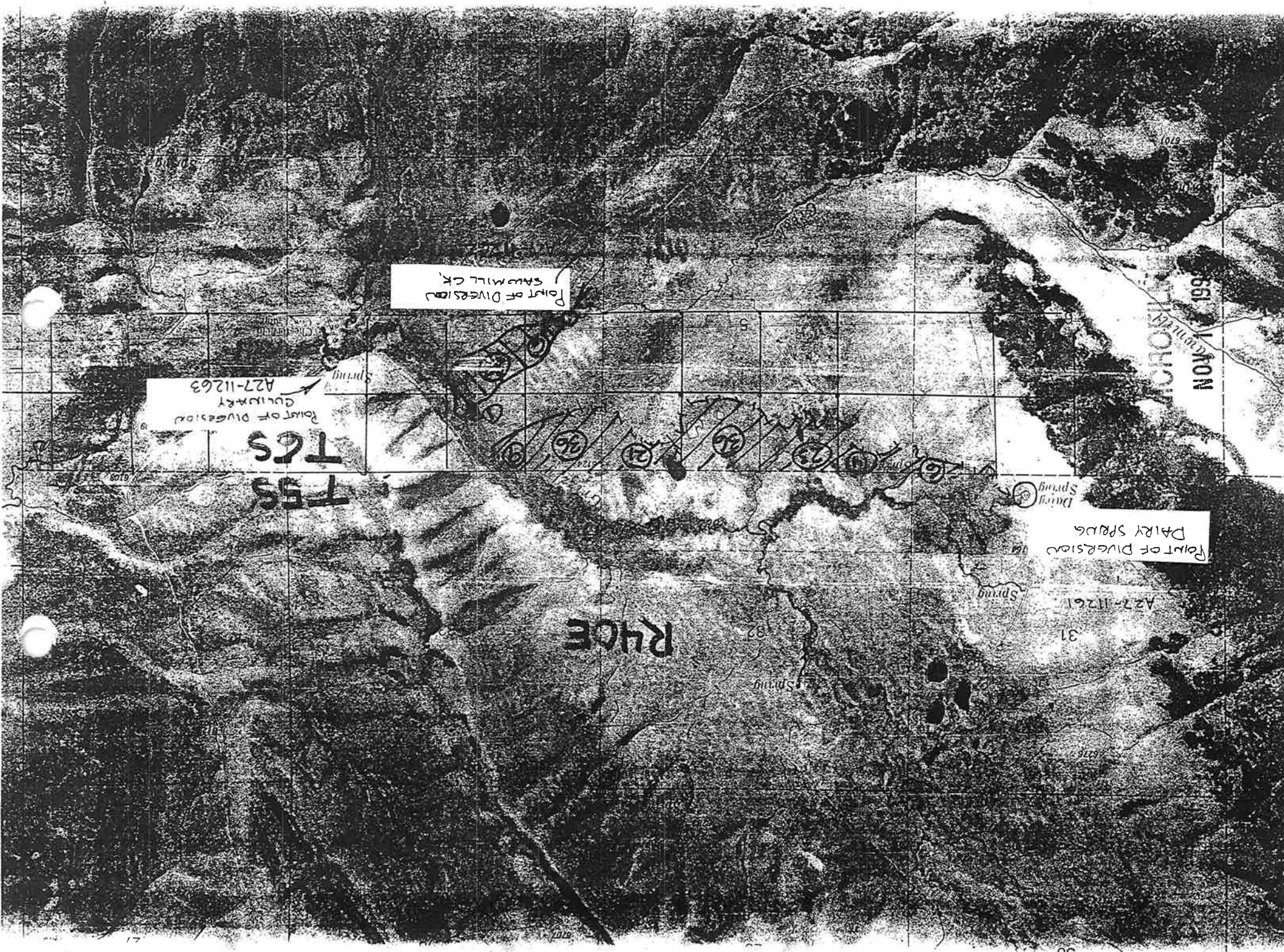
1-17-90
Date

State of Idaho)
County of Caribou) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of January 19 90
Seal

[Signature]
Notary Public

Residing at RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES 2-22-1994
My Commission Expires _____



Point of Division
Saw Mill Cr.

Point of Division
Cullinary
A27-11263

TSS
TCS

RHOE

Point of Division
Dairy Spuds

A27-11261
31

661 KADWON