

10/26/2005

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

RIGHT NUMBER: 27-11261

NAME AND ADDRESS: CHESTERFIELD LAND & LIVESTOCK CO  
C/O DEAN SMITH  
826 WOOD ROAD  
BANCROFT ID 83207

SOURCE: DAIRY SPRING                      TRIBUTARY: SAWMILL CREEK

QUANTITY: 0.520 CFS

PRIORITY DATE: 06/01/1927

POINT OF DIVERSION:  
T05S R40E S31 SESWSE Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/15 10/31          | 0.520 CFS       |

PLACE OF USE: IRRIGATION Within CARIBOU County

|                          |     |                          |      |
|--------------------------|-----|--------------------------|------|
| T06S R40E S04 Lot 3 NENW | 3.2 | T06S R40E S04 Lot 4 NWNW | 17.0 |
| T06S R40E S05 Lot 1 NENE | 5.4 |                          |      |

25.6 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

SCANNED  
MAY 25 2006

Water Right 27-11261

1  
PROFILED

09/13/2005

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

RIGHT NUMBER: 27-11261

**Disallowed**

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

SOURCE: DAIRY SPRING

TRIBUTARY: SAWMILL CREEK

QUANTITY: 2.700 CFS

PRIORITY DATE: 06/01/1927

POINT OF DIVERSION:

T05S R40E S31 SESWSE Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 2.700 CFS       |

PLACE OF USE: IRRIGATION Within CARIBOU County

|                          |      |                          |      |
|--------------------------|------|--------------------------|------|
| T06S R40E S04 Lot 3 NENW | 9.0  | T06S R40E S04 Lot 4 NWNW | 36.0 |
| T06S R40E S05 Lot 1 NENE | 21.0 | T06S R40E S05 Lot 2 NWNE | 36.0 |
| T06S R40E S05 Lot 3 NENW | 23.0 | T06S R40E S05 Lot 4 NWNW | 14.0 |
| T06S R40E S06 Lot 1 NENE | 6.0  |                          |      |

145 ACRES TOTAL

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

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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.

Cody

08/03/2005

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

RIGHT NUMBER: 27-11261

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

SOURCE: DAIRY SPRING

TRIBUTARY: SAWMILL CREEK

QUANTITY: 2.700 CFS

PRIORITY DATE: 06/01/1917

POINT OF DIVERSION:  
T05S R40E S31 SESWSE Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 2.700 CFS       |

PLACE OF USE: IRRIGATION Within CARIBOU County

|                          |      |                          |      |
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| T06S R40E S06 Lot 1 NENE | 6.0  |                          |      |

145 ACRES TOTAL

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

No beneficial use found.

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

DISALLOWED

09/13/2005

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

RIGHT NUMBER: 27-11261

**Disallowed**

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

SOURCE: DAIRY SPRING

TRIBUTARY: SAWMILL CREEK

QUANTITY: 2.700 CFS

PRIORITY DATE: 06/01/1927

POINT OF DIVERSION:

T05S R40E S31 SESWSE Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 2.700 CFS       |

PLACE OF USE: IRRIGATION Within CARIBOU County

|                          |      |                          |      |
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| T06S R40E S05 Lot 3 NENW | 23.0 | T06S R40E S05 Lot 4 NWNW | 14.0 |
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145 ACRES TOTAL

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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Cindy

08/03/2005

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

RIGHT NUMBER: 27-11261

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

SOURCE: DAIRY SPRING

TRIBUTARY: SAWMILL CREEK

QUANTITY: 2.700 CFS

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T05S R40E S31 SESWSE Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 4/01 11/01           | 2.700 CFS       |

PLACE OF USE: IRRIGATION Within CARIBOU County

|                          |      |                          |      |
|--------------------------|------|--------------------------|------|
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145 ACRES TOTAL

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

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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.



SCANNED

SEP 27 2005

PROFILED



# STATE OF IDAHO

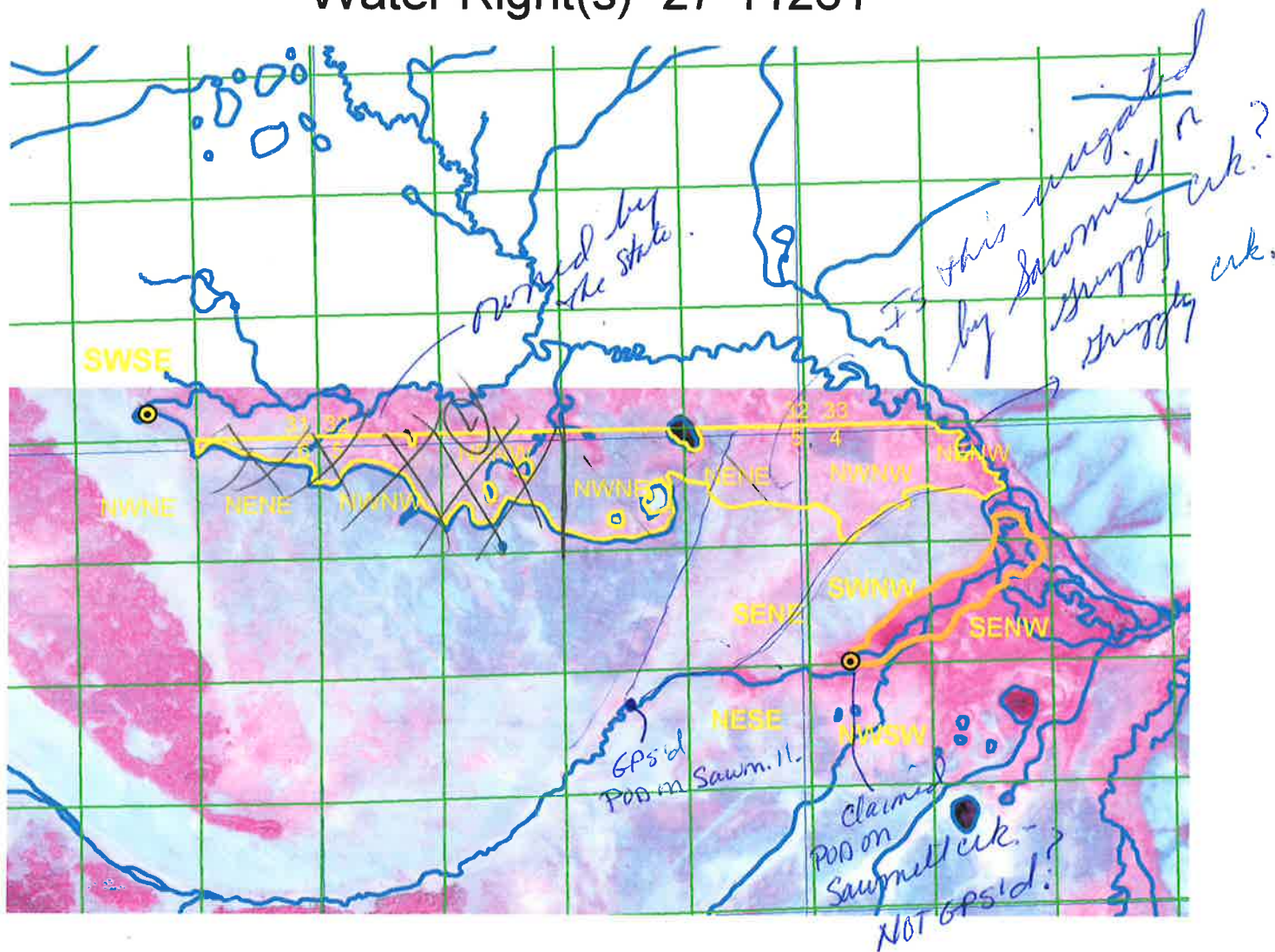
Department of Water Resources

Eastern Region

27-*Chetford, Apr*



## Water Right(s) 27-11261



500 0 500 1000 Feet

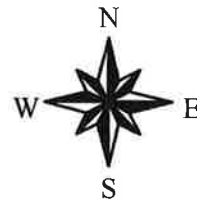


### LEGEND

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

Place of Use: T6S, R40E:  
(part of) Sec. 4, NENW, NWNW  
(part of) Sec. 5, NENE, NWNE,  
NENW, NWNW.  
(part of) Sec. 6, NENE.

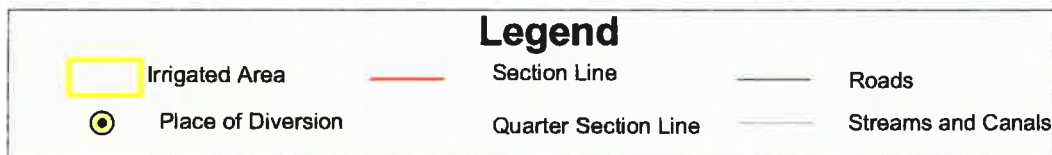
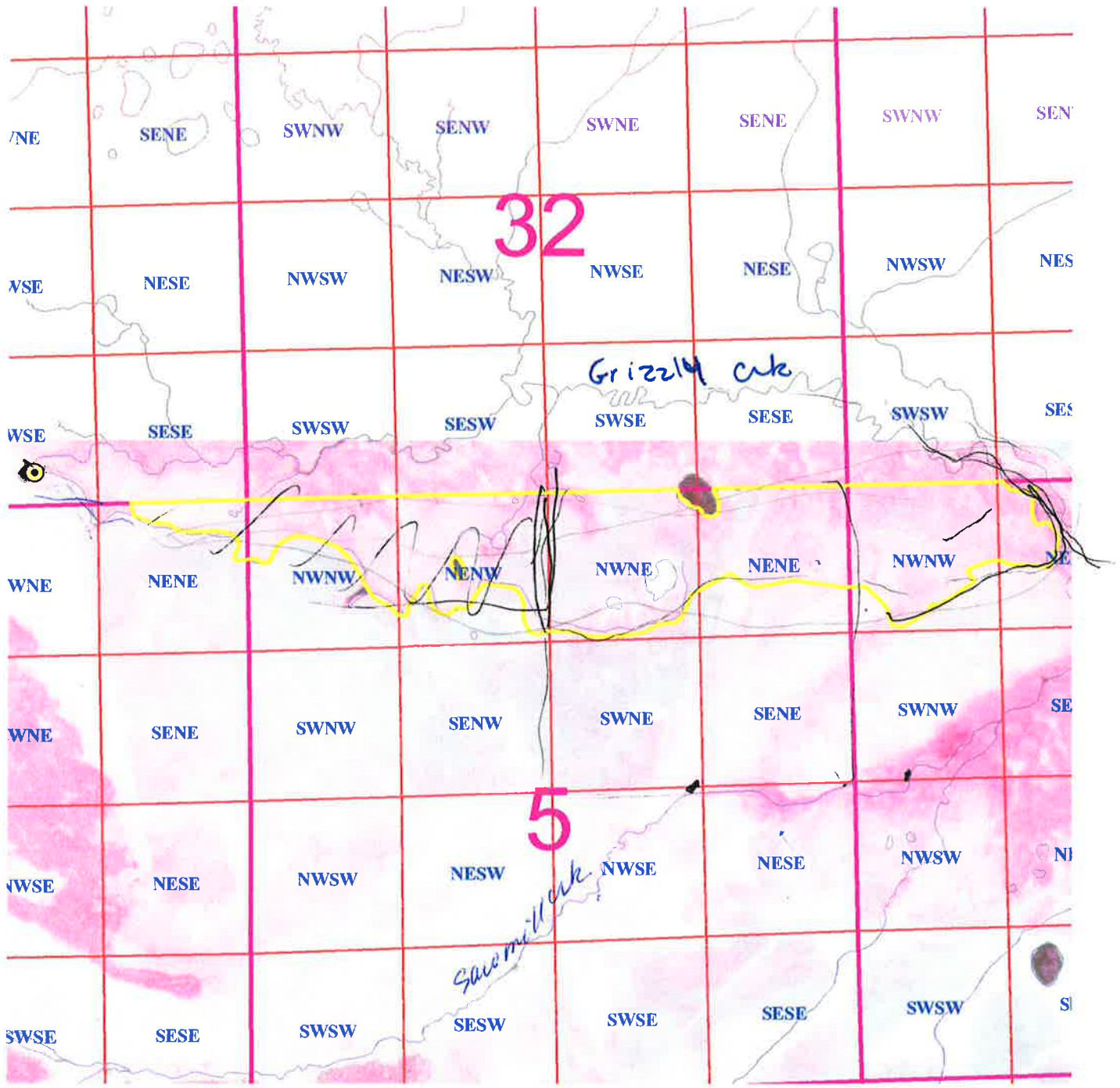
Point(s) of Diversion: T5S, R40E:  
Sec. 31, SESWSE.



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

Water Right Claim Number 27-11261  
Townships , 5S40E, 6S40E

12/12/2000



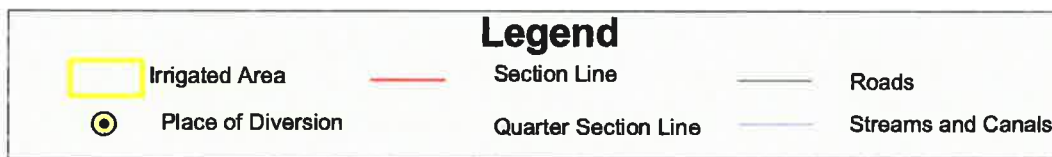
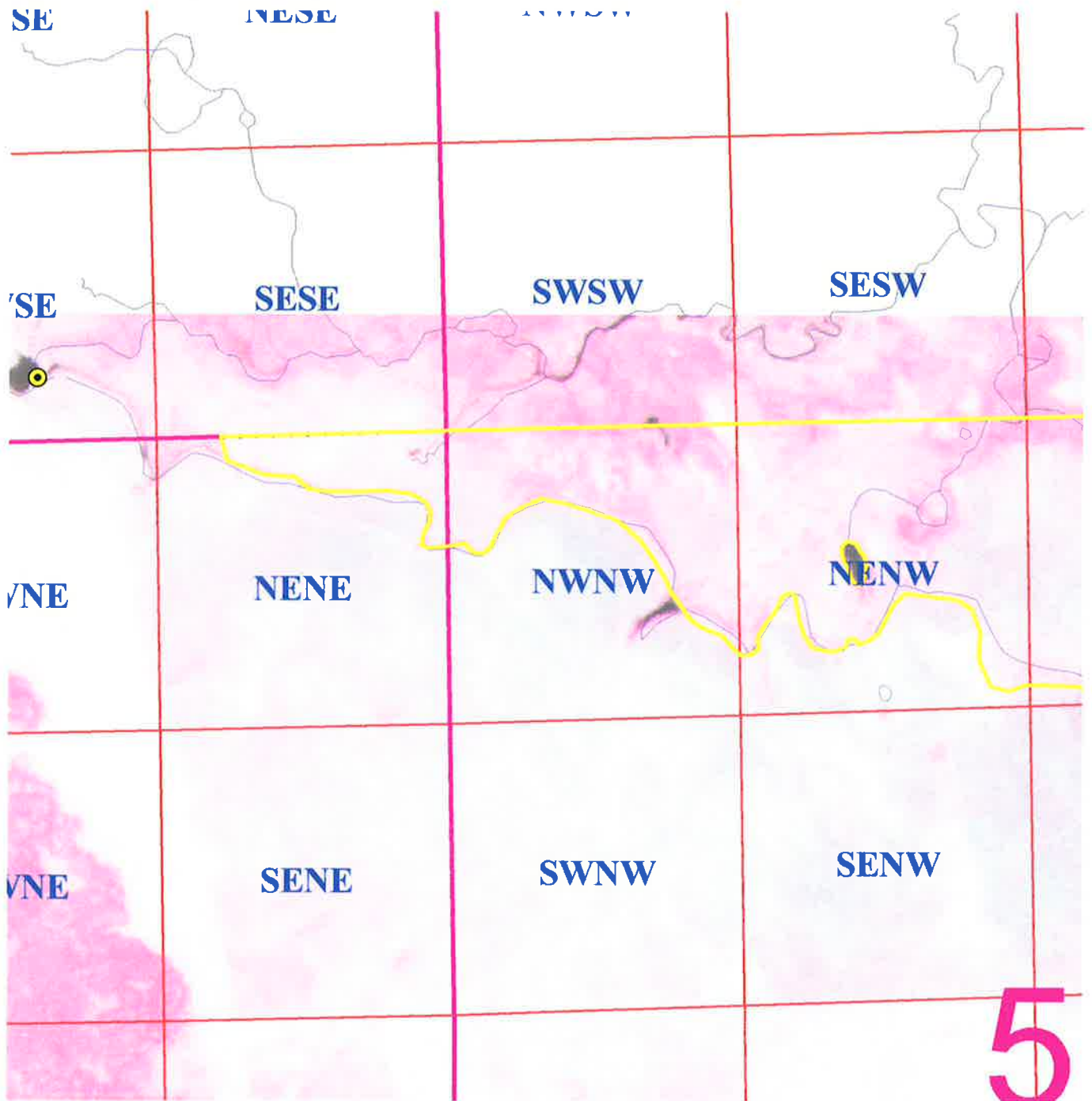
900 0 900 1800 Feet



 SPATIAL  
DYNAMICS

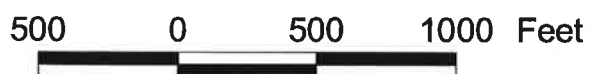
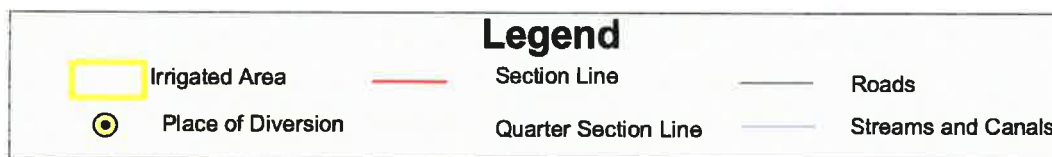
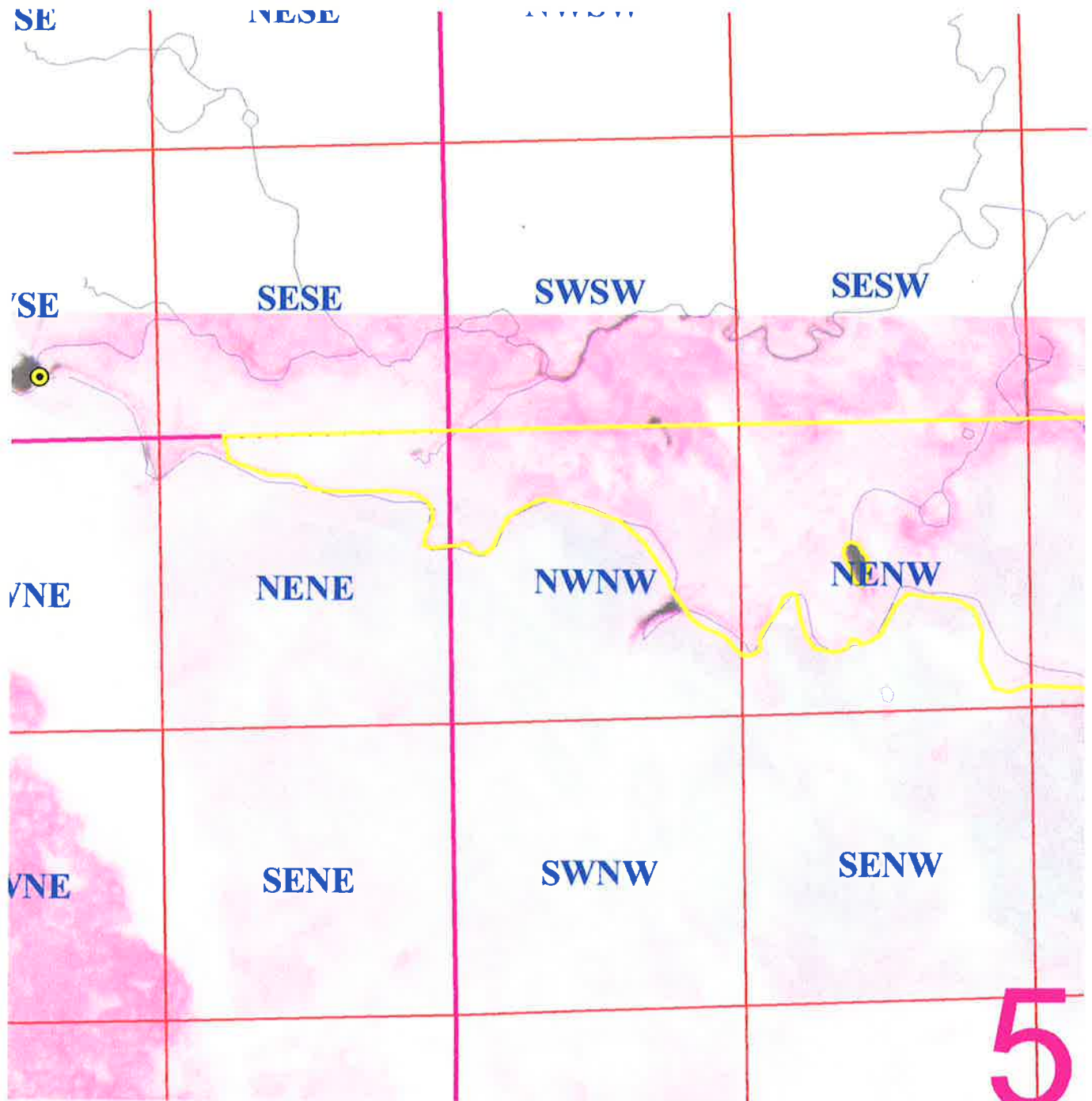
Water Right Claim Number 27-11261  
Townships , 5S40E, 6S40E

12/12/2000



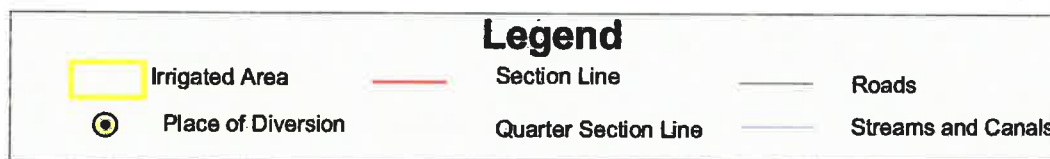
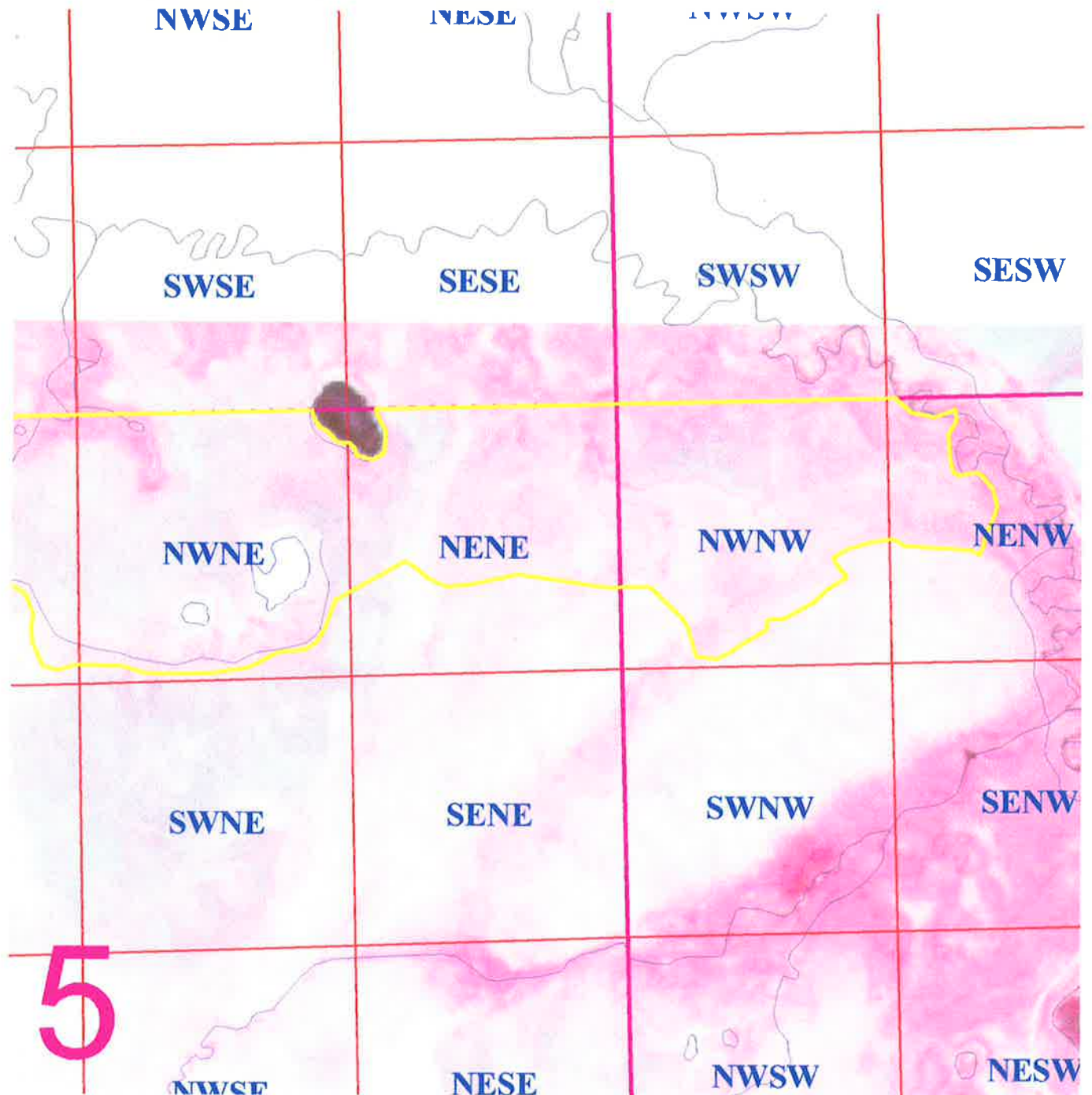
Water Right Claim Number 27-11261  
Townships , 5S40E, 6S40E

12/12/2000



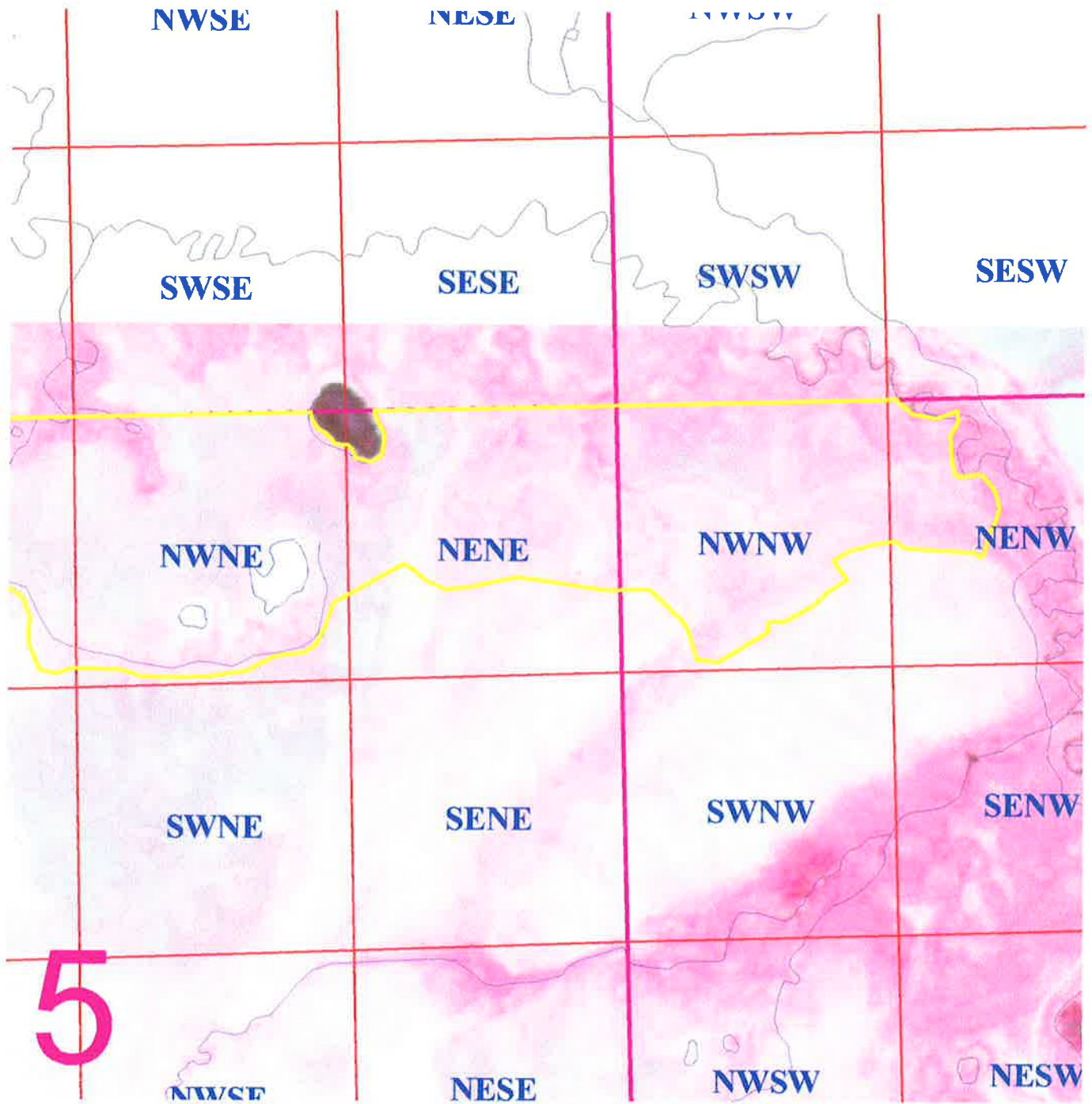
Water Right Claim Number 27-11261  
Townships , 5S40E, 6S40E

12/12/2000



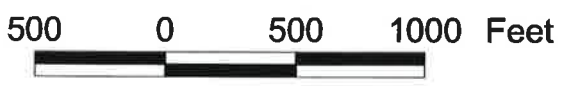
Water Right Claim Number 27-11261  
Townships , 5S40E, 6S40E

12/12/2000



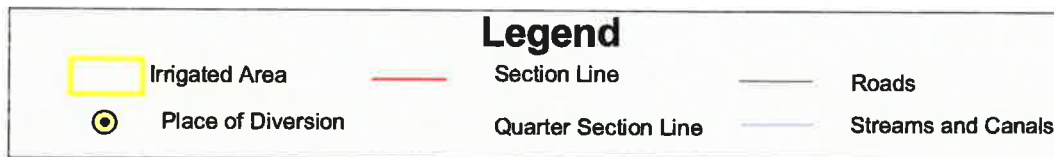
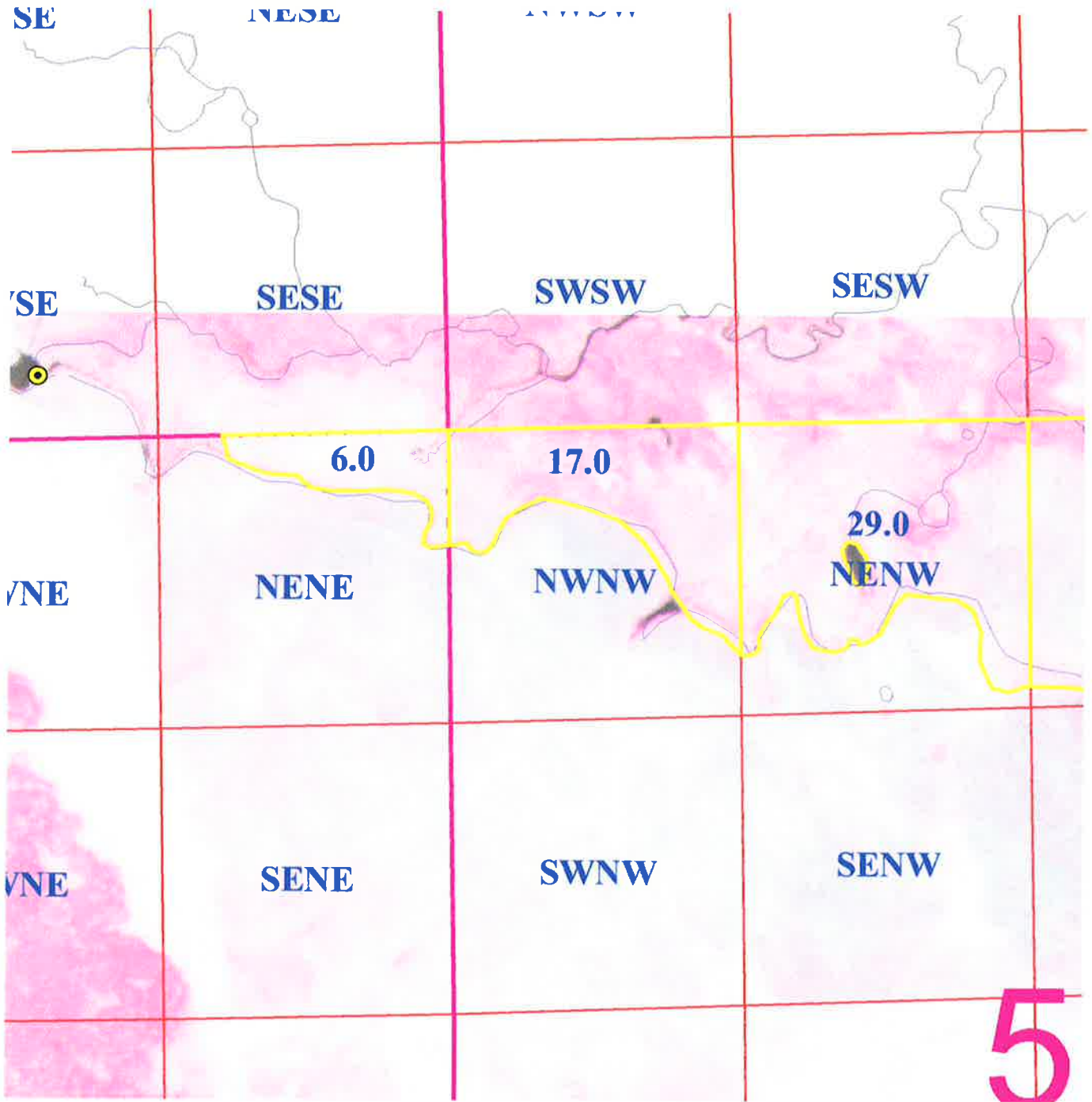
**Legend**

|                    |                      |                    |
|--------------------|----------------------|--------------------|
| Irrigated Area     | Section Line         | Roads              |
| Place of Diversion | Quarter Section Line | Streams and Canals |



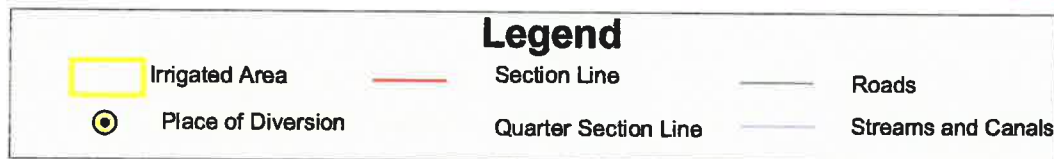
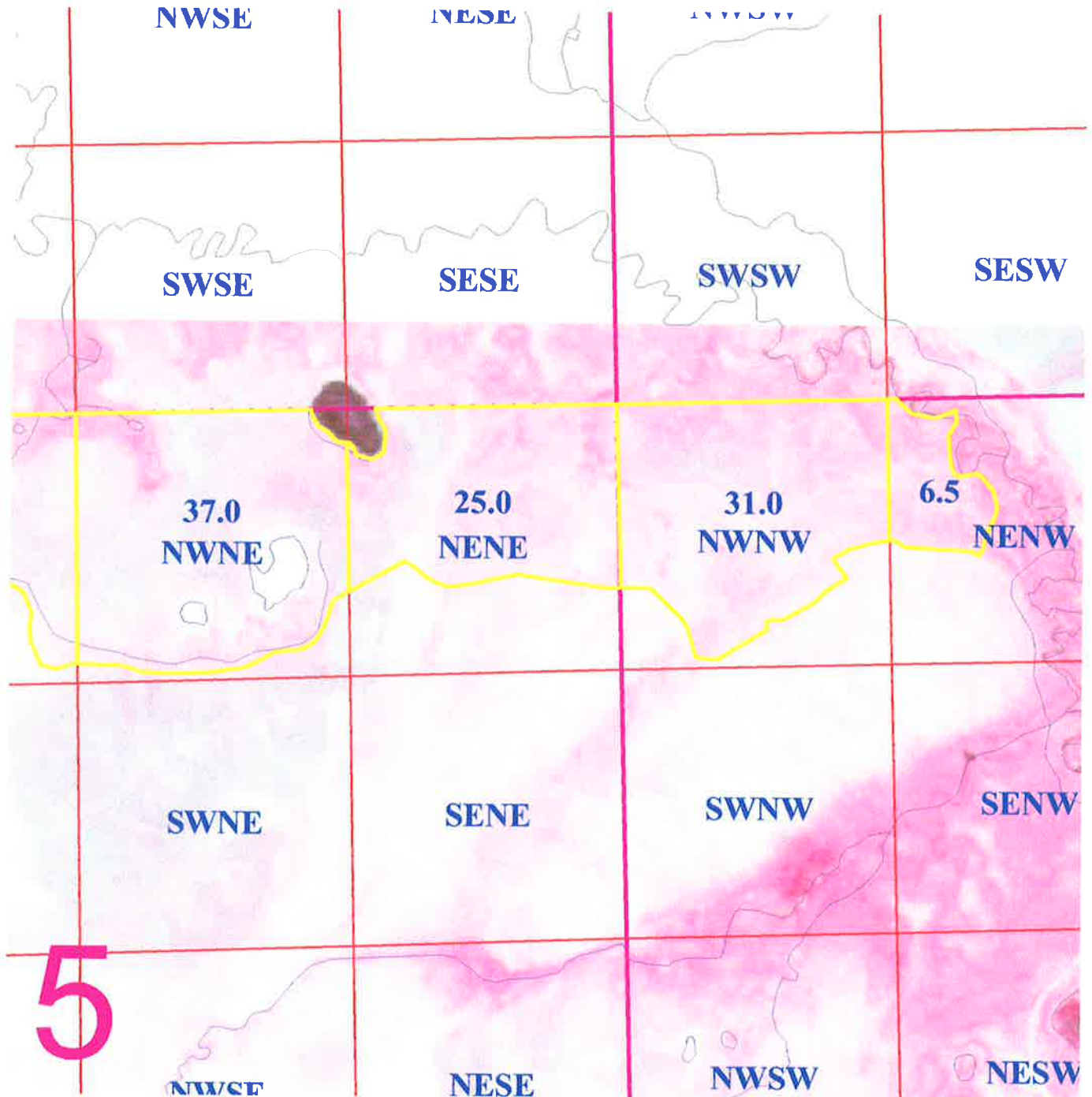
Water Right Claim Number 27-11261  
Townships , 5S40E, 6S40E

12/12/2000



Water Right Claim Number 27-11261  
Townships , 5S40E, 6S40E

12/12/2000



500 0 500 1000 Feet



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: # 27-11261 CC:  
This is the last file for Chesterfield  
☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

L & L it too needs to be disallowed.

Thanks for all your help!

## Contacts Data Entry Form

| Owner Type    | Full Name                          | Address | City | State | Zip | Phone |
|---------------|------------------------------------|---------|------|-------|-----|-------|
| Current Owner | Chestnutfield Land & Livestock Co. |         |      |       |     |       |

Name connector: and \_\_\_\_\_, or \_\_\_\_\_, and/or \_\_\_\_\_

Current Owner TO Dean Smith

Current Owner 826 Wood Rd.

Representing Attorney: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Accompanied By: Ronnie Perkins Phone Number: 648-7863

Relationship to Claimant: member GRANT SIMMONS 648-7887

Date of Field Exam: 10-6-04 Time: \_\_\_\_\_

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

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Reviewer: CB

Date: 8/3/05

**Priority Date Data Entry Form**Claim Number: A27-11261

Water Right Priority Date: \_\_\_\_\_ Water Right Basis: \_\_\_\_\_

Claimed Priority Date: \_\_\_\_\_ Claimed Basis: \_\_\_\_\_

Recommended Priority Date: 6-1-1927 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 TwitchellReviewer: CBDate: 8/3/05

## Priority Date

Claim No. 27-11261

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 ☒
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 ☒
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 ☒
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 ☒
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 ☒
- 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 ☒ 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 ☒ 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 ☒

Priority Date

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

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

Yes ☐ No ☒

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 ☒ 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 ☒ 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 ☐ No ☒

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 ☒

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 ☒ No ☐

Summary

Claim No. 27-11261

Summary Data Entry Form

Claim No.: \_\_\_\_\_

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

P03

P13

"DISALLOWED"

Recommended - 10/28/05 CB

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.: \_\_\_\_\_

Reviewer \_\_\_\_\_

CB

Date \_\_\_\_\_

8/3/05

27-11261

## Point of Diversion and Source Data Entry Form

Claim Number: A 27-11261

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       |
|------------------------------------|------|-----|---------|----------------|---------------------|--------------|
| 53                                 | 40 E | 31  |         | SWSE.          | Caribou             | Dairy Spring |
| GPS Coordinates: <u>42.9342002</u> |      |     |         |                | <u>-111.8141539</u> |              |

"DRYSPG"

GPS Coordinates: \_\_\_\_\_

GPS Coordinates: \_\_\_\_\_

GPS Coordinates: \_\_\_\_\_

GPS Coordinates: \_\_\_\_\_

GPS Coordinates: \_\_\_\_\_

GPS Coordinates: \_\_\_\_\_

Other rights from this POD? None

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

field exam

Transfers Changing POD \_\_\_\_\_

Reviewer: CBDate: 8/3/05

## Point of Diversion

Claim No. 27-11261

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

If Yes, go to 4  
If No, go to 2

Yes ( ) No (X)

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

If Yes, go to 3  
If No, go to 6

Yes ( ) No (X)

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 (X)

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 (X) 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 (X)

Point of Diversion

**Source**

**Claim No.** 27-11261

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

If Yes, go to 4

If No, go to 2

Yes ( ) No (X)

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

If Yes, go to 3

If No, go to 6

Yes ( ) No (X)

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 (X)

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 (X)

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 (X) 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 (X)

**Source**

**Purpose of Use Data Entry Form**Claim Number: A27-11261☒ Use Claimed Purpose of Use as Recommended Purpose of Use

## Water Right Purpose of Use

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

## Claimed Purpose of Use

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

## Recommended Purpose of Use

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

Document how the Purpose of Use was verified:

field exam

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Transfers Changing Purpose of Use noReviewer: CBDate: 8/3/05

## Purpose of Use

Claim No. 27-11261

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 ☒

## Purpose of Use

## Place Of Use Data Entry Form

Claim Number: A27-11261☐ 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 256.

Document how the POU was verified:

Link POU.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Transfers Changing POU \_\_\_\_\_

Reviewer: CBDate: 10/27/05

**Period of Use and Quantity Data Entry Form**Claim Number: A27-11261☐ 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 | 4/15  | 10/31 | 0.52 |        |
|            |       |       |      |        |
|            |       |       |      |        |

Overall Diversion Rate 0.52

Overall Diversion Volume \_\_\_\_\_

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

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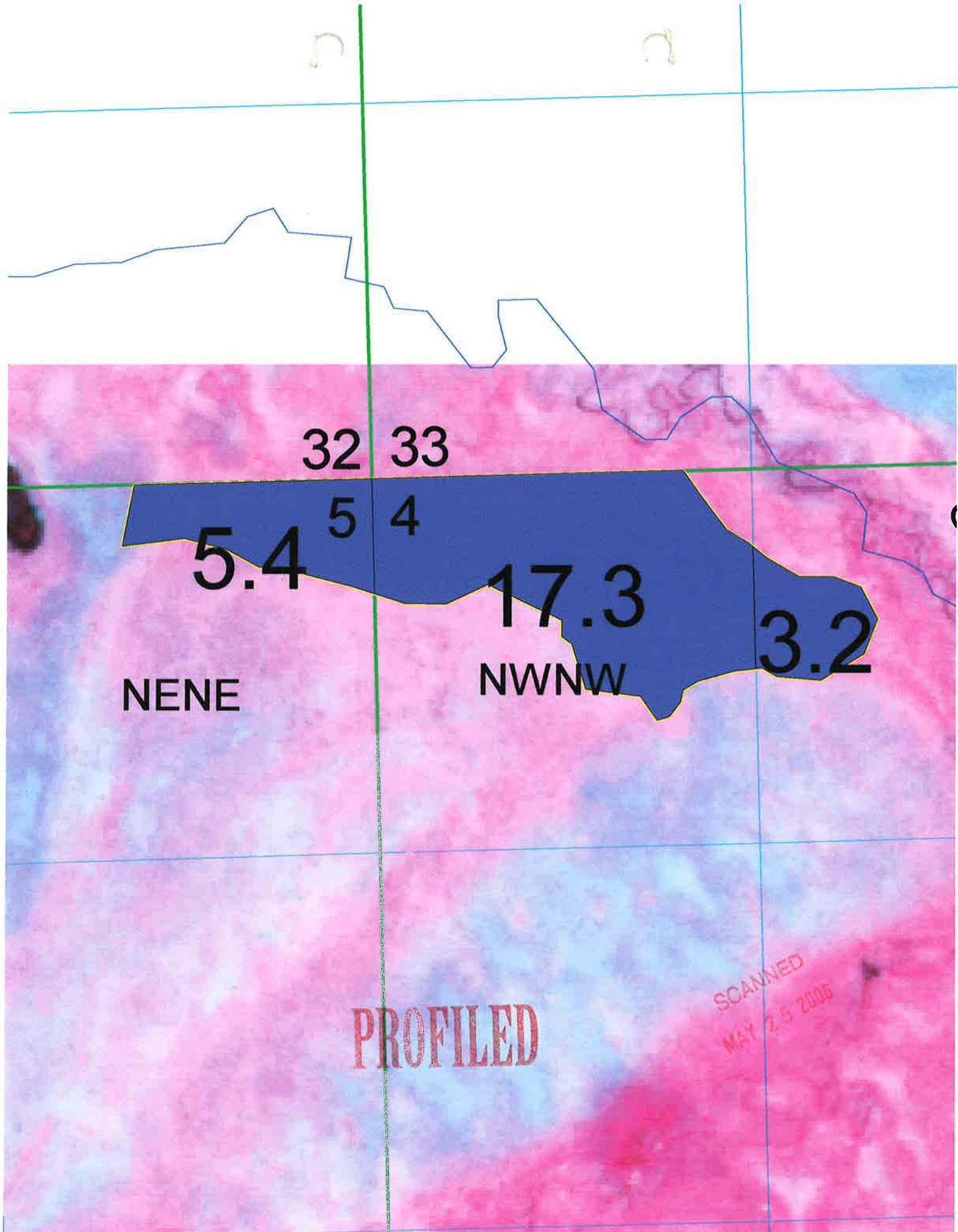
Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

## Notes

8/3/05 The POD on Dairy Spring feeds a ditch that irrigates the land in the NENE of section 6, N $\frac{1}{2}$  NW of section 5, but it is owned by the State, not Chesterfield L + L Co. The land in the NENE of section 5 and the NENW + NWNW of section 4 appears to be irrigated by sawmill creek or Gully creek. The claim on sawmill creek didn't claim this POD. Chesterfield L + L Co. didn't file a claim on Gully crk. The POD claimed in the NWNE doesn't appear to be irrigated.

Therefore, I'm recommending this claim to be disallowed until further evidence or clarification is submitted. add P03 + P13 conditions, NO B.U. Found. The ditch on Dairy Spring goes south along the state ground. How does it get to the land in the N $\frac{1}{2}$  NE section 5 and N $\frac{1}{2}$  NW Sec. 4.



10/12/05 CB 27-11261. Danny Springs POU.



32 33  
5 4

This is an aerial photograph of a landscape, likely a forested area, with a grid overlay. The grid consists of blue lines forming a 4x4 grid of squares. The landscape is predominantly green, with some brownish patches and a winding road or path visible in the lower half. Two white circular marks are visible at the top edge of the image. Handwritten numbers are present in two locations: '32 33' and '5 4' in the upper right quadrant, and '5 4' and '8 9' in the lower right quadrant.

5 4  
8 9

T65 R40E

③



## Notes

1/23/04 1927 affidavit from Clyde Twitchell about irrigation in sections 4 & 5, T6S, R40E. from Dairy Springs.

Need to write Dean Smith a letter to see if he wants to submit additional evidence.

CB

2/5/04 Chesterfield L&L doesn't own the property in SWSE of sec 31, T5S, R40E. Owned by Idaho Mangrove? That appears to be the natural channel of Dairy Springs. Where is the water diverted?

1964 Imagery: Shows subing around the streams. (Gringfly Creek) Where is the ditch?

Do they irrigate or does it just sub? In the NENE & N $\frac{1}{2}$  NW it shows a little more water but I'm sure that it just not Gringfly Ck sub irrigating the land.

The land in the NENE of Section 6, and N $\frac{1}{2}$  NW of section 5, T6S, R40E is owned by the state.

→ Irrigation of state lands for private party?

- POD on state land. Can we recommend it?

few lands rec. from fed. in 1918.

33

CHRISTENA - CALL

3

CHESTERFIELD  
CATTLE ASSN.

CHRIS



IDAHO CITIZENS GRAZING  
ASSN. (STATE LEASE)

Sawmill

IDAHO CITIZENS GRAZING  
ASSN. (S. L.)

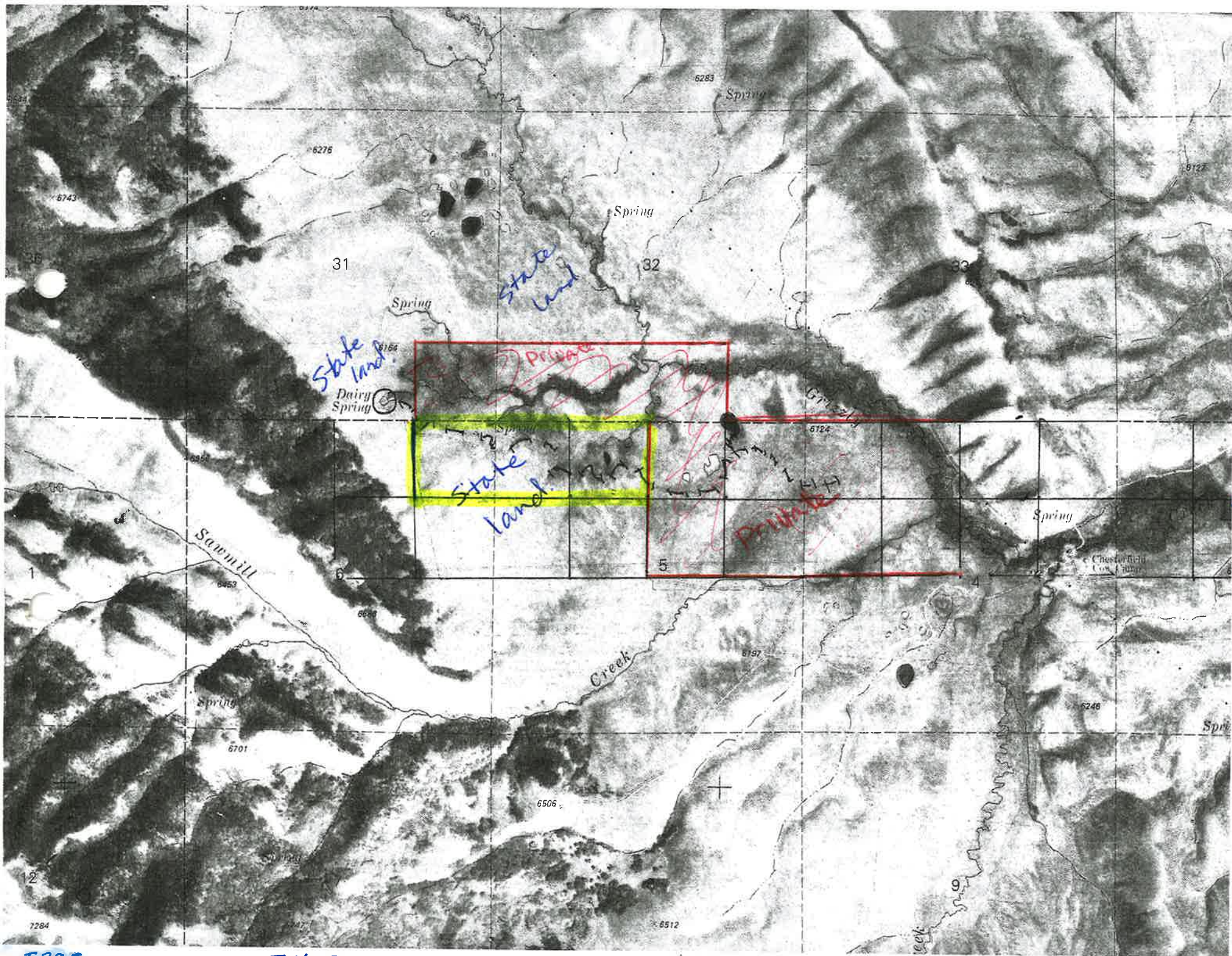
CHR/S

9

CITIZENS  
AGENCY.

IDAHO CITIZEN  
ASSN.

1945 Metsker Map

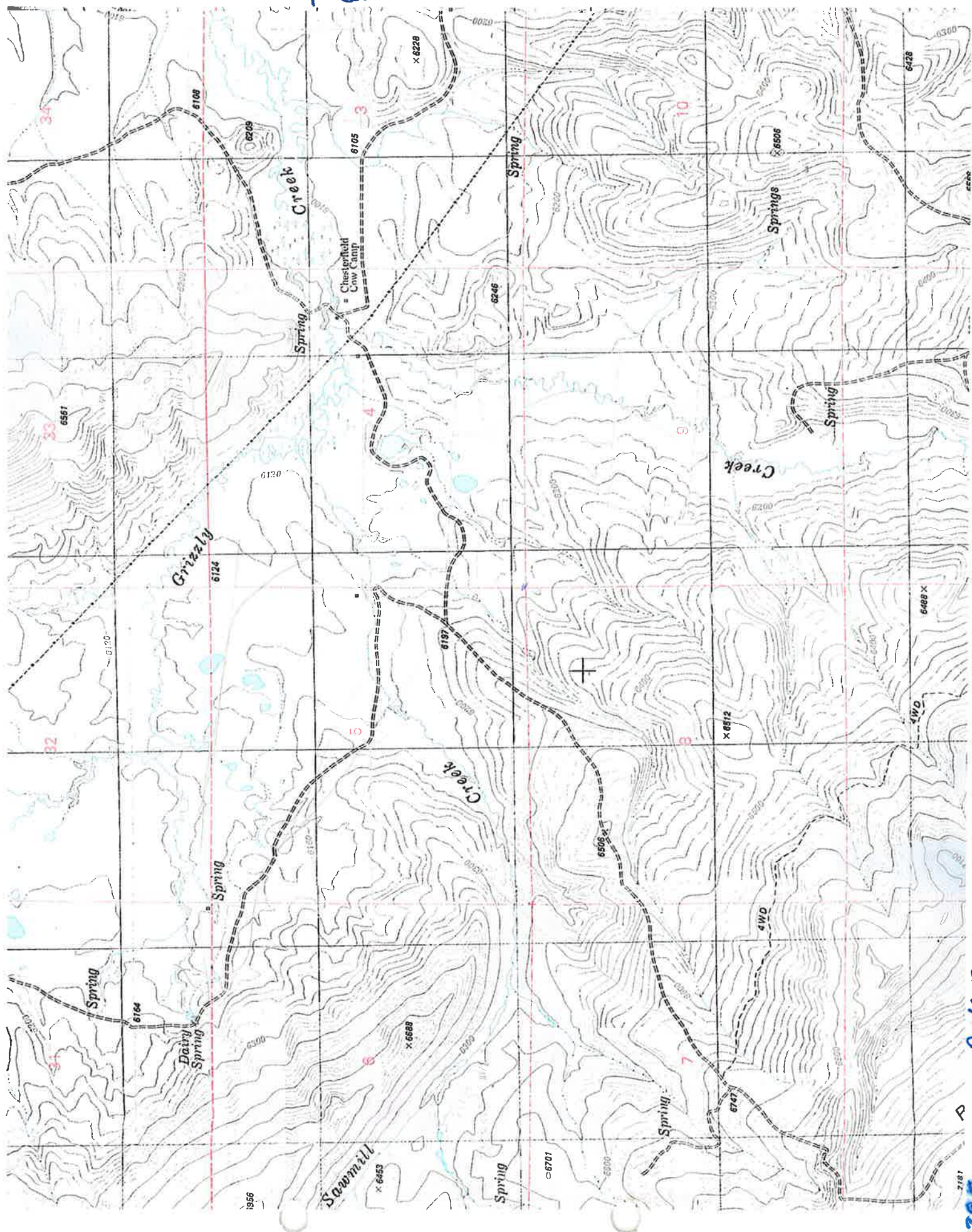


T39E

T40E

1974 orthoquad.

27-11261



T 65

A27-11261

R39E

R40E

Sec. 6

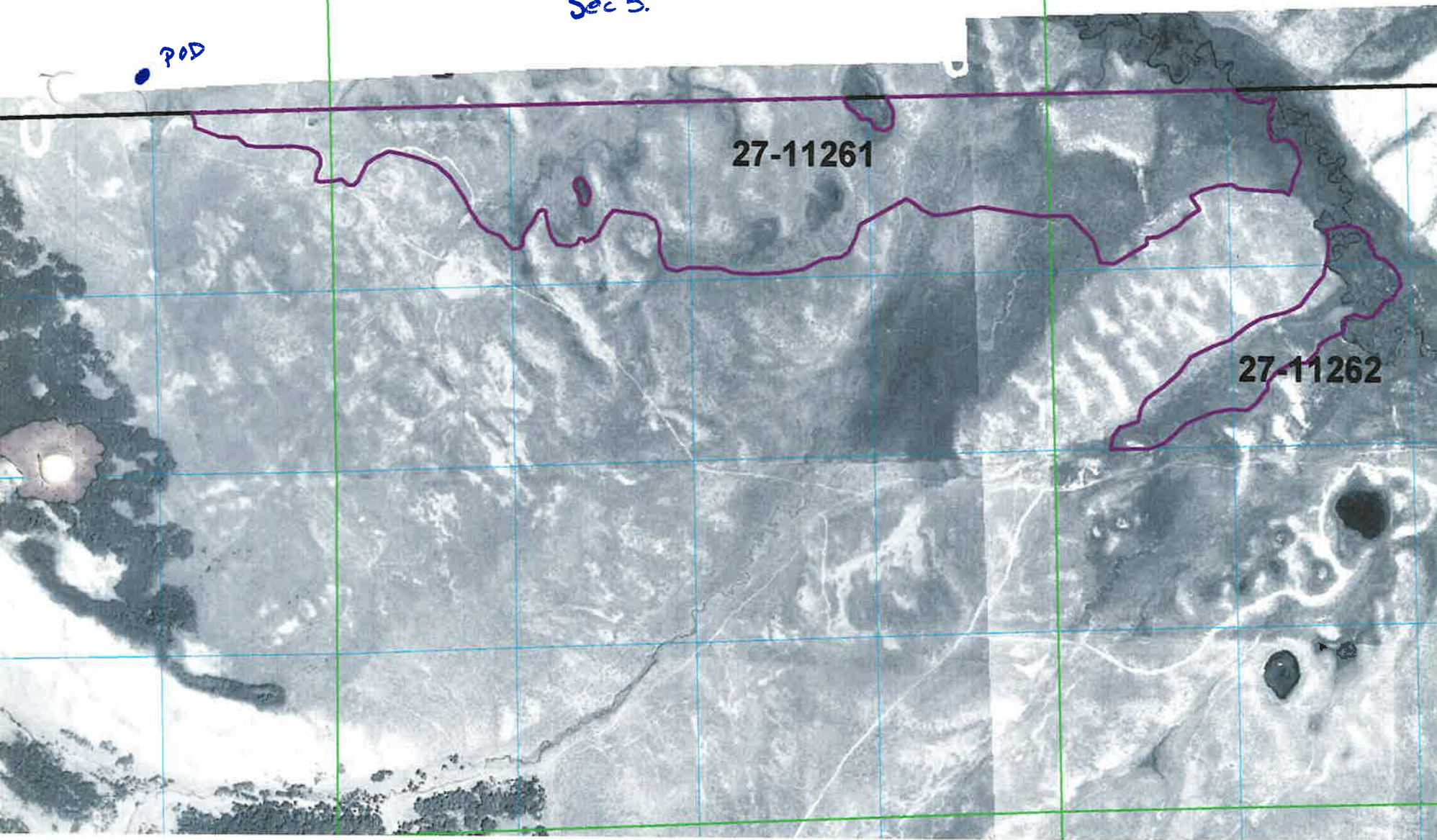
Sec 5.

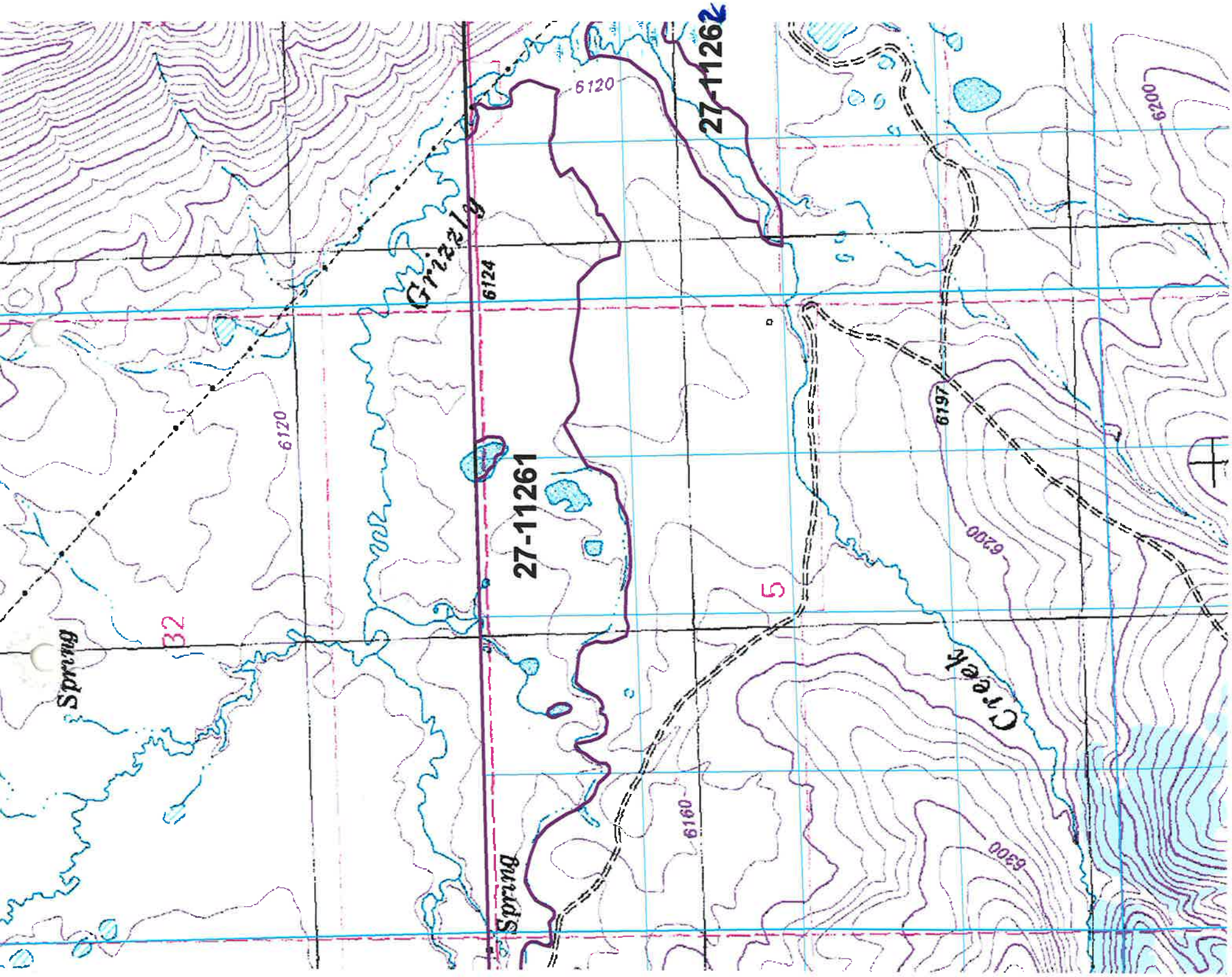
1964 Imagery  
T6S, R40E Sec 4

POD

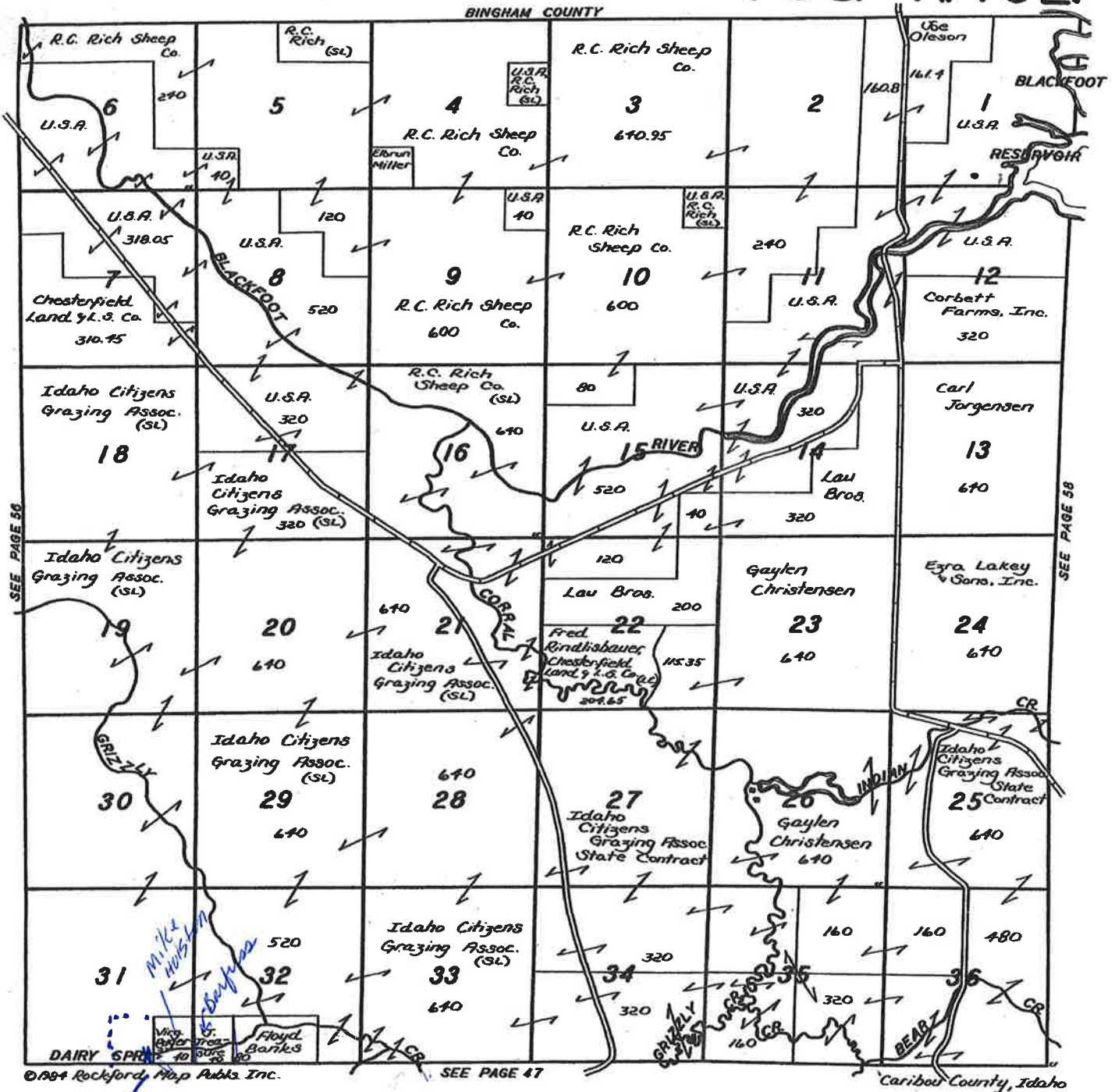
27-11261

27-11262

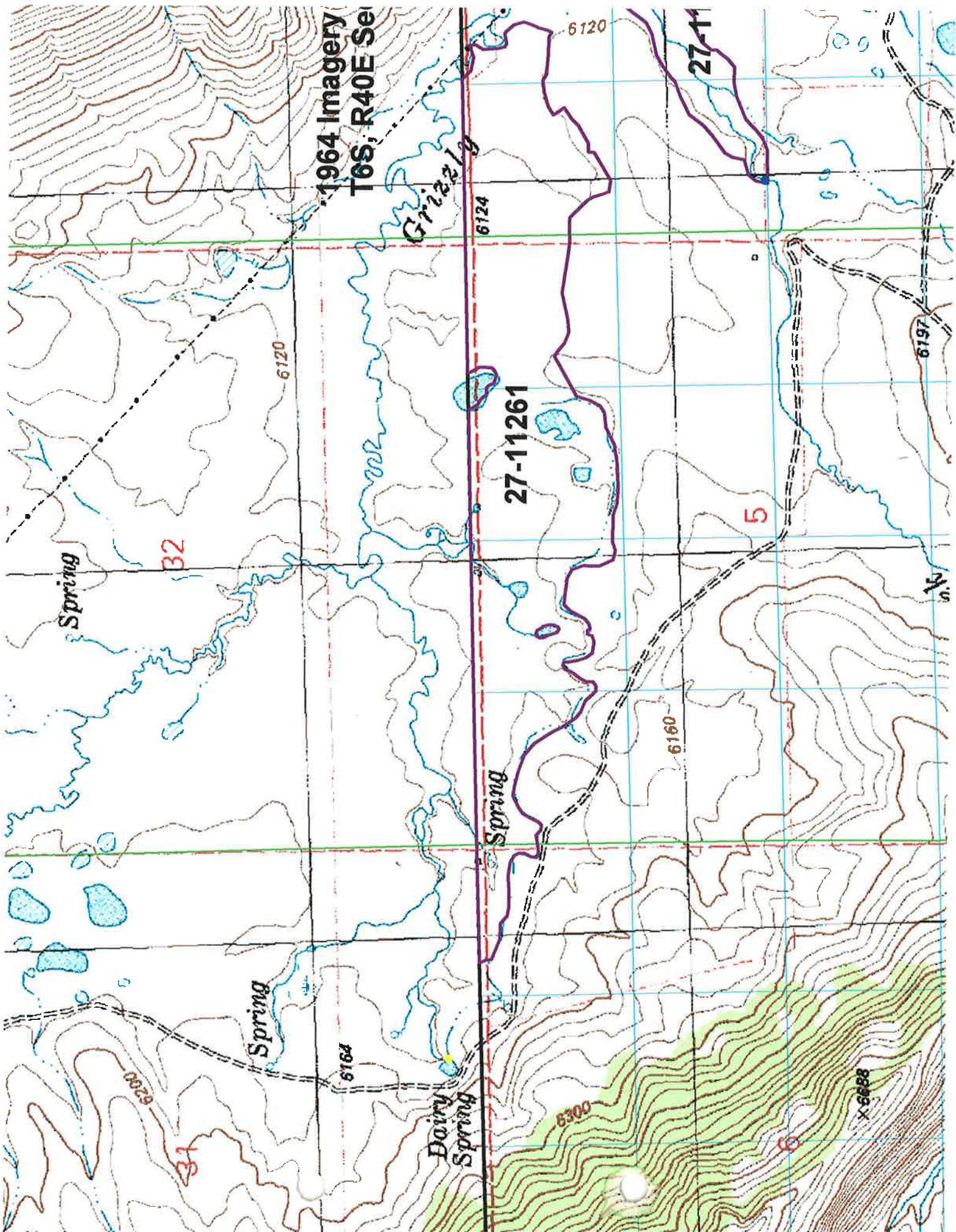




## BINGHAM COUNTY

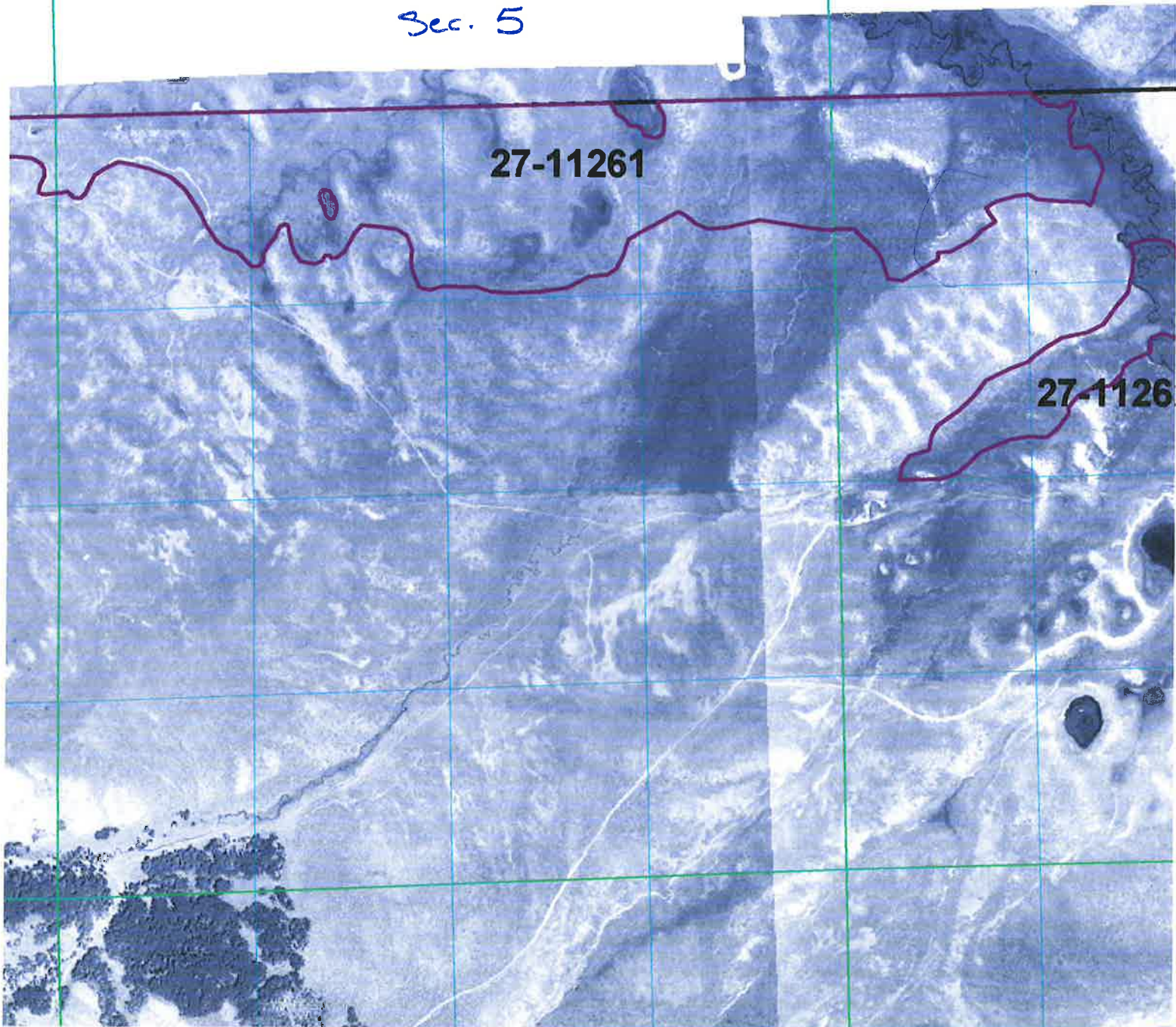






1964 Imagery  
T6S, R40E Sec 4

*Sec. 5*





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](http://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

IN THE MATTER OF: )

)

)

)

)

~~Water Right-Priority Date~~)

State of Idaho )

County of Bingham )

## AFFIDAVIT

Clyde Twitchell being first duly sworn,

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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Clyde Twitchell  
(Signature)

Subscribed and sworn to before me this 18<sup>th</sup> day of July, 2003.

Karen Herres  
(Notary Public)

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



SCANNED

JUL 25 2001

Log for claim 27-11261

Spatial Dynamics LTD

12/12/00

| TR      | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|---------|-----|------|------------------|----------------|---------|
| 06s40e  | 4   | NENW | 9                | 6.5            |         |
| 06s40e  | 4   | NWNW | 36               | 31             |         |
| 06s40e  | 5   | NENE | 21               | 25             |         |
| 06s40e  | 5   | NWNE | 36               | 37             |         |
| 06s40e  | 5   | NENW | 23               | 29             |         |
| 06s40e  | 5   | NWNW | 14               | 17             |         |
| 06s40e  | 6   | NENE | 6                | 6              |         |
| Totals: |     |      | 145              | 151.5          |         |

AJ5809NP  
No. A27-11261

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00  
PAGE: 110

| OWNER<br>CODE | NAME & ADDRESS                                                                                 | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | CHESTERFIELD LAND & LIVESTOCK INC<br>C/O DEAN SMITH SEC<br>BANCROFT ID 83217<br>(208) 648-7330 | 06/01/1917       | IRRIGATION | 04-01 11-01           | 2.700 CFS         |                     |
|               |                                                                                                |                  |            |                       | TOTAL DIVERSION:  | 2.700 CFS           |
|               |                                                                                                |                  |            |                       | CONSUMPTIVE USE:  | 337.50 AFA          |

Water Source: DAIRY SPRING

Tributary to: SAWMILL CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T05S R40E S31 SESWSE CARIBOU 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   |  |  |
| 06S                 | 40E | 4 | :                         |                           | : 03-09 04-36             | :                         |                           | :                         |                           | :                         |                           | :                         |                           | 45.0  |  |  |
| 06S                 | 40E | 5 | : 01-21 02-36             | :                         | 03-23 04-14               | :                         |                           | :                         |                           | :                         |                           | :                         |                           | 94.0  |  |  |
| 06S                 | 40E | 6 | : 01-06                   | :                         |                           | :                         |                           | :                         |                           | :                         |                           | :                         |                           | 6.0   |  |  |
|                     |     |   |                           |                           |                           |                           |                           |                           |                           |                           |                           |                           | TOTAL ACRES               | 145.0 |  |  |

POU County: CARIBOU

Non-Irrigation Uses: INCIDENTAL STOCKWATERING FOR 1000 HEAD RANGE CATTLE

Other Rights: NONE

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

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

IN THE MATTER OF:

AFFIDAVIT

State of Idaho

County of Bonneville

Clark Hutchell

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 A27  
From Sawmill Creek was used For Irrigation 11262  
and stockwater on T65 R40E Section 4,

I Can Verify that in 1927 water A27  
From Dairy Spring was used For Irrigation 11261  
and stockwater on T65 R40E Sections  
4, 5 and 6

Clark Hutchell  
(Signature)

Subscribed and sworn to before me this 25 day of January, 1925.

Betty J. Thompson  
(Notary Public)

Residing at

My Commission Expires

RESIDING AT BLANC FALLS, IDAHO  
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

Ident. Number 27-11261  
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: DAIRY SPRING Trib. to: SAWMILL CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|---------|-----------------------|---------|------|
| 05S      | 40E   | 31      | SE SW SE              | CARIBOU |      |

5. Description of diverting works:

SPRING FLOW COLLECTED INTO DITCHES. FLOOD IRRIGATION

6. Water is used for the following purposes:

| Purpose           | From        | To           | C.F.S.      | (or) A.F.A |
|-------------------|-------------|--------------|-------------|------------|
| <u>IRRIGATION</u> | <u>4/01</u> | <u>11/01</u> | <u>2.7</u>  |            |
| <u>IRRIGATION</u> | <u>4/15</u> | <u>10/31</u> | <u>0.52</u> |            |

7. Total Quantity Appropriated is:

~~2.7 C.F.S.~~  
0.52 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            | NE NW            | 3            | IRRIGATION               | 9 3.2              |
|                |                |              | NW NW            | 4            | IRRIGATION               | <del>36</del> 17.3 |
|                |                |              |                  |              | Section Acres            | <del>45</del> 20.5 |
| 06S            | 40E            | 5            | NW NW            | 4            | IRRIGATION               | 14                 |
|                |                |              | NE NW            | 3            | IRRIGATION               | 23                 |
|                |                |              | NW NE            | 2            | IRRIGATION               | 36                 |
|                |                |              | NE NE            | 1            | IRRIGATION               | 21 5.4             |
|                |                |              |                  |              | Section Acres            | 94 5.4             |
| <del>06S</del> | <del>40E</del> | <del>6</del> | <del>NE NE</del> | <del>1</del> | <del>IRRIGATION</del>    | <del>6</del>       |
|                |                |              |                  |              | <del>Section Acres</del> | <del>6</del>       |
|                |                |              |                  |              | Total Acres              | 145 25.9           |

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 a Board member of  
C.k. & k. \_\_\_\_\_, that I have signed the foregoing  
Organization Title  
document in the space below as Board member of  
C.k. & k. \_\_\_\_\_ and that the statements contained in the  
Organization  
foregoing document are true and correct.

[Signature]  
Signature of Authorized Agent

Board member - C.k. & k.  
Title and Organization

Oct. 21-05  
Date

State of Idaho )  
County of Bannock ) SS.

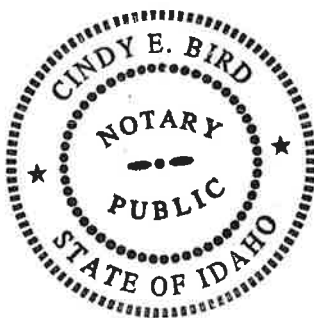
Subscribed and sworn (or affirmed) before me this 21<sup>st</sup> day  
of October 2005

Cindy E Bird

Notary Public

Residing at Lava Hot Springs

My commission Expires May 1, 2007





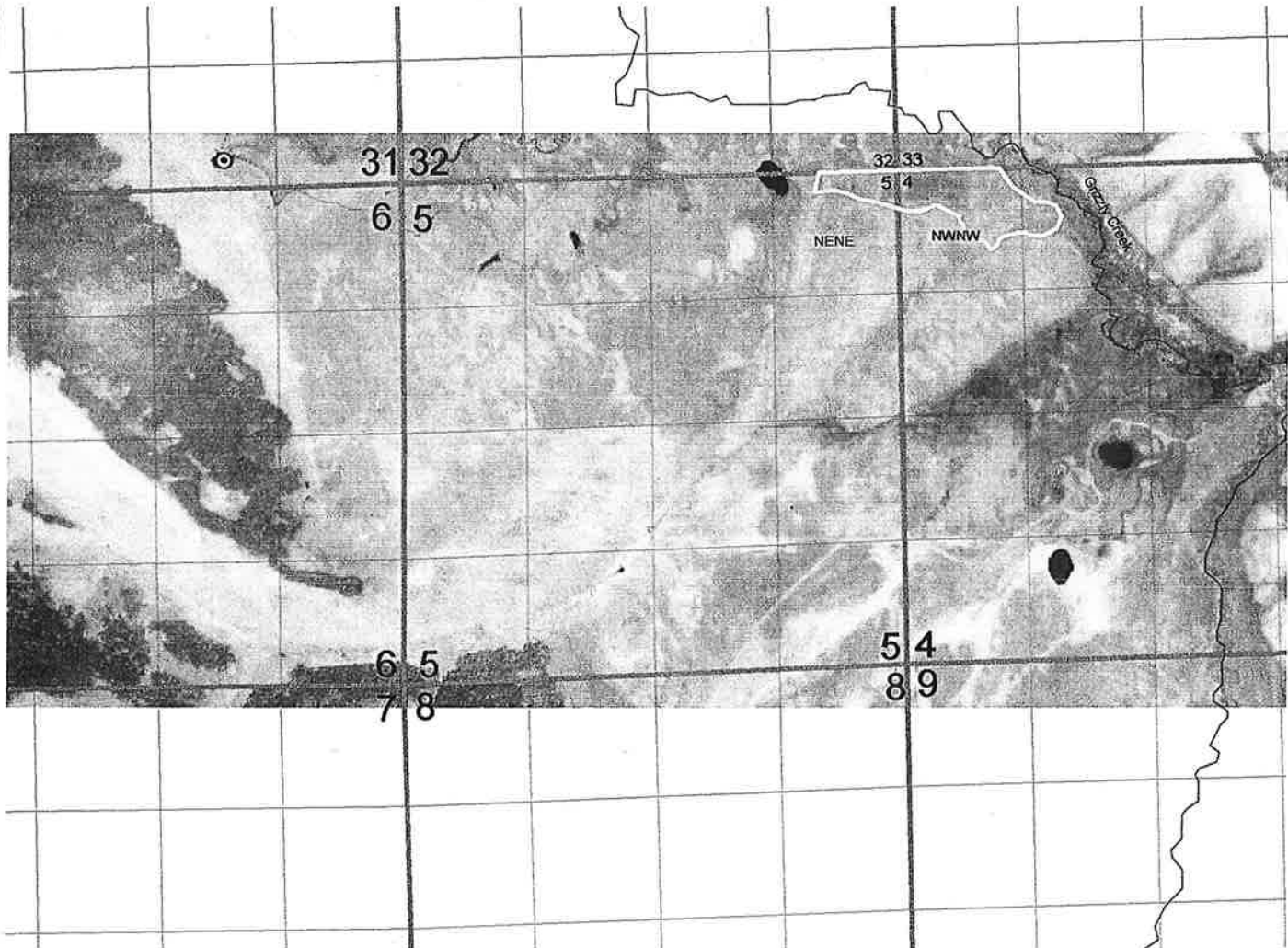
# STATE OF IDAHO

Department of Water Resources

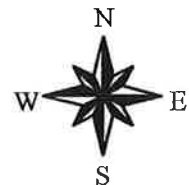
Eastern Region



## WATER RIGHT(S): 27-11262



0.3 0 0.3 0.6 Miles



### 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: T5S, R40E  
Sec. 31 SESWSE

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

JUL 25 1990

\$ 195.00

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: A27-11261

Date Received: 1/17/1990

Receipt No: MOO 5535

Received By: SCN

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ~~CHESTERFIELD~~ **CHESTERFIELD LAND & LIVESTOCK, INC.** 208-648-7330  
Address: C/O DEAN SMITH, SEC.  
BANCROFT, ID 826 Wood Rd. 83217

2. Date of Priority: JUN 01, 1917

3. Source: DAIRY SPRING Trib. to: SAWMILL CREEK

4. Point of Diversion:

|          |       |         |        |        |     |     |         |
|----------|-------|---------|--------|--------|-----|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
| 05S      | 40E   | 31      | SE     | SW     | SE  |     | CARIBOU |

5. Description of diverting works:  
SPRING 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 | 2.700 |      |        |

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

8. Total consumptive use is 337.5 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 | 9.0   |
|               |       |         | NW     | NW  | 4   | IRR | 36.0  |
| Section Acres |       |         |        |     |     |     | 45.0  |

A27-11261

Page 1

Date: 01/17/90

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A2711261



10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 06S      | 40E   | 5       | NE  |    | NE  | 1   | IRR           | 21.0  |
|          |       |         | NW  |    | NE  | 2   | IRR           | 36.0  |
|          |       |         | NE  |    | NW  | 3   | IRR           | 23.0  |
|          |       |         | NW  |    | NW  | 4   | IRR           | 14.0  |
|          |       |         |     |    |     |     | Section Acres | 94.0  |
|          |       | 6       | NE  |    | NE  | 1   | IRR           | 6.0   |
|          |       |         |     |    |     |     | Section Acres | 6.0   |
|          |       |         |     |    |     |     | Total Acres   | 145.0 |

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: 01

For Organizations:

I do solemnly swear or affirm that I am Board Member of  
Title  
Chesterfield Land Investment, Inc., that I have signed the foregoing  
Organization  
document in the space below as Board Member of  
Title  
Chesterfield Land Investment, Inc. and that the statements contained in the  
Organization  
foregoing document are true and correct. Delmo Smith  
Signature of Authorized Agent  
Board Member, Chesterfield Land Investment, 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 8-22-1994  
My Commission Expires \_\_\_\_\_

MICRO  
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