

03/11/2002

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

RIGHT NUMBER: 29-215B

NAME AND ADDRESS: MARGIE H STEWART
8574 BOB SMITH RD
LAVA HOT SPRINGS ID 83246

LYNN W STEWART
8574 BOB SMITH RD
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.02 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.095 (0.10) CFS. COMBINED RIGHT NOS.: 29-207B,
29-214B, 29-215B, 29-10774B, 29-10776B, 29-13299.

PRIORITY DATE: 05/01/1903

POINT OF DIVERSION:

T09S R37E S15 SEENW Within BANNOCK County

T09S R37E S15 SEENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/15 9/15

0.020 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY
AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER
ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL
15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL
WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE
AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED
FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within BANNOCK County

T09S R37E S15 NWSE 8.0

8 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-207B, 29-214B, 29-215B, 29-10774B,
29-10776B, 29-13299.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

03/11/2002

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 29-207A/B, 29-214A/B, 29-215A/B,
29-10774A/B, 29-10776A/B, 29-13299, 29-13300.
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-00215.



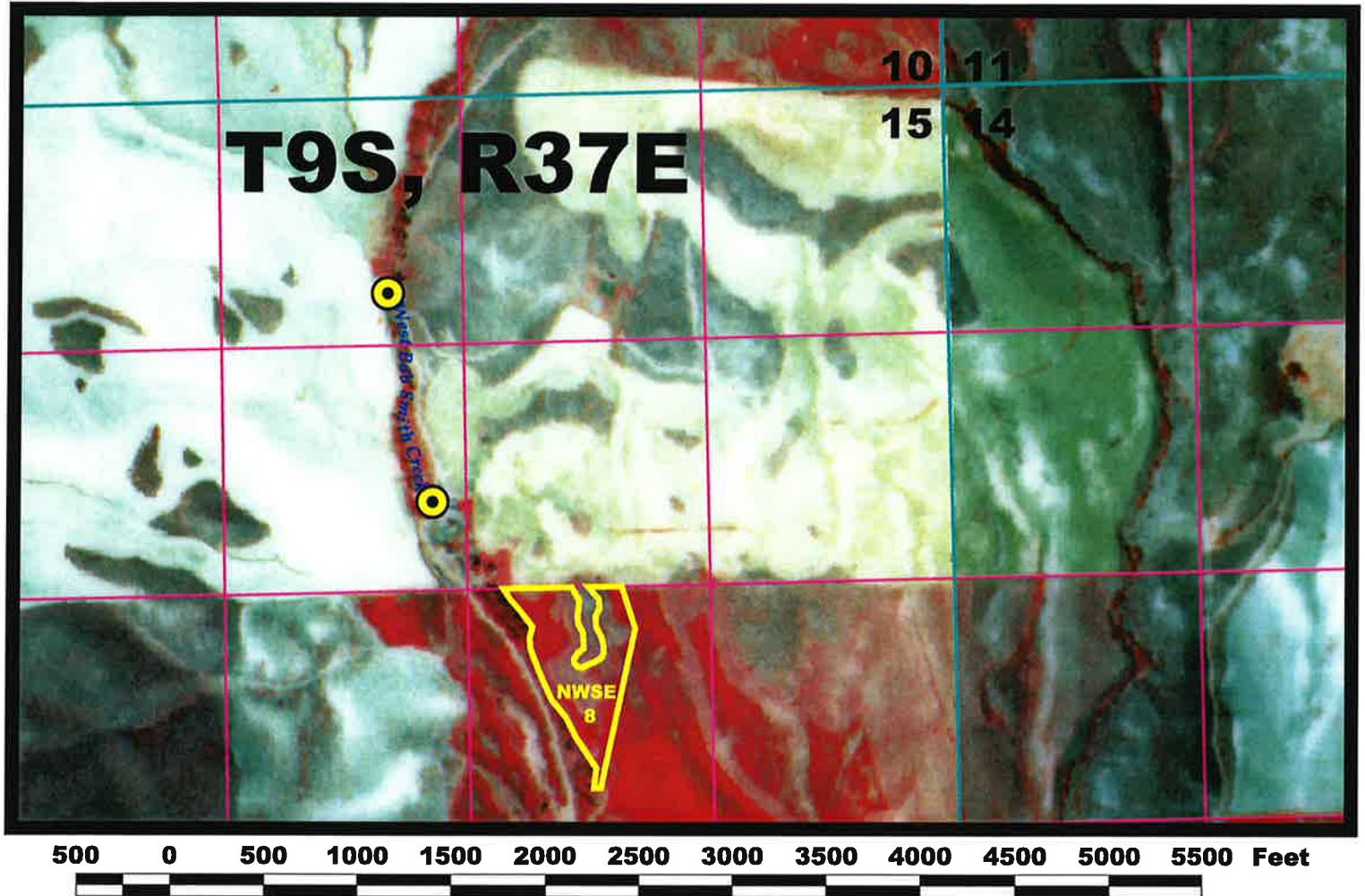


STATE OF IDAHO

Department of Water Resources

Eastern Region

**Water Right(s): 29-207B, 29-214B
29-215B, 29-10774B, 29-10776B,
29-13299**



LEGEND

-  **Place of Use**
-  **Section**
-  **Quarter-Quarter**
-  **Point of Diversion**

**Place of Use: T9S, R37E
(part of) Sec. 15 NWSE**

**Point(s) of Diversion: T9S, R37E
Sec. 15 SENENW, SESENW**

PROFILE



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: February 2002

JUL 12 2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-215B

NAME AND ADDRESS: MARGIE H STEWART
8574 BOB SMITH RD
LAVA HOT SPRINGS ID 83246

LYNN W STEWART
8574 S BOB SMITH RD
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.020 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.095 (0.10) CFS. COMBINED RIGHT
NOS.: 29-207B, 29-214B, 29-215B, 29-10774B, 29-10776B, 29-13299.

The combined diversion rate of water right nos. 29-215B, 29-13515,
29-13544, 29-13545, 29-13599, 29-13600, 29-13601, 29-13602,
29-13603, 29-13604 each sharing priority date 5/1/1903, cannot exceed
0.68 cfs.

The combined diversion rate of water right nos. 29-10774B, 29-13517,
29-13541, 29-13542, 29-13593, 29-13594, 29-13595, 29-13596,
29-13597, and 29-13598 each sharing priority date 7/1/1909, cannot
exceed 0.942 cfs.

The combined diversion rate of water right nos. 29-10776B, 29-13519,
29-13538, 29-13539, 29-13587, 29-13588, 29-13589, 29-13590,
29-13591, 29-13592 each sharing priority date 7/1/1917, cannot exceed
0.76 cfs.

The combined diversion rate of water right nos. 29-207B, 29-214B,
29-215B, 29-10774B, 29-10776B, 29-13511, 29-13513, 29-13515,
29-13517, 29-13519, 29-13538, 29-13539, 29-13541, 29-13542,
29-13544, 29-13545, 29-13547, 29-13548, 29-13550, 29-13551,
29-13553, 29-13554, 29-13587, 29-13588, 29-13589, 29-13590,
29-13591, 29-13592, 29-13593, 29-13594, 29-13595, 29-13596,
29-13597, 29-13598, 29-13599, 29-13600, 29-13601, 29-13602,
29-13603, 29-13604, 29-13605, 29-13606, 29-13607, 29-13608,
29-13609, 29-13610, 29-13611, 29-13612, 29-13613, 29-13614,
29-13615, 29-13616, 29-13617, 29-13618, 29-13619, 29-13620,
29-13621, 29-13622 shall not exceed 3.542 cfs.

PRIORITY DATE: 05/01/1903

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENEW Within BANNOCK County

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 9/15	0.020 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within BANNOCK County
T09S R37E S15 NWSE 8.0

8 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-207B, 29-214B, 29-215B, 29-10774B, 29-10776B, 29-13299.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1.67 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-207A/B, 29-214A/B, 29-215A/B, 29-10774A/B, 29-10776A/B, 29-13299, 29-13300.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-00215.

SEPTEMBER 4, 2001

DEAR MR. & MRS. STEWART:

WATER RIGHT NUMBERS A29-00207B, A29-00214B, A29-00215B,
A29-10774B, A29-10776B AND A29-10791 HAVE BEEN CHANGED TO
RELECT THE ADDRESS ON THE FRONT OF THIS CARD.

WATER RIGHT NUMBER A29-10792 WILL BE CHANGED AND SENT TO
YOU IN ANOTHER MAILING.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CONTACT THIS OFFICE
AT 208-525-7161.

RESPECTFULLY SUBMITTED,

Cheri Vandermeulen

CHERI VANDERMEULEN
RECORDS CLERK



LYNN W & MARGIE H STEWART
8574 BOB SMITH RD
LAVA HOT SPRINGS ID 83246

PROFILE

SCANNED

JUL 12 2005

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): 29-100207B, 29-00214B, 29-00215B
29-10774B, 29-10776B, 29-10791,
29-10792 p.d.

[] Old Mailing Address: 204 W. Fife Street
Lynn W or Margie H. Stewart Lava Hot Springs, ID 83246
W H.

[] New Mailing Address: 8574 Bob Smith Road
Lynn W or Margie H. Stewart Lava Hot Springs, ID 83246
12191 12202

LYNN & MARGIE STEWART
8574 Bob Smith Road
Lava Hot Springs, ID 83246

[] Telephone Number: (208) 776-9770

[] Signature of Claimant: Margie H. Stewart

[] Date: 8-30-01

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Thank-you!

RECEIVED

AUG 31 2001

Department of Water Resources
Eastern Region

PROFILED

SCANNED

JUL 12 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

August 27, 2001

KARL J. DREHER
DIRECTOR

LYNN W & MARGIE H STEWART
8574 S BOB SMITH RD
LAVA HOT SPINGS ID 83246-1508

RE: CHANGE OF ADDRESS FOR A29-000207B, A29-00214B, A29-00215B, A29-10774B, A29-10776B, A29-10791 AND A29-10792

Dear Mr. & Mrs. Stewart:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Lynn W & Margie H Stewart
204 W Fife St
Lava Hot Springs ID 83246

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure(s)

PROFILE

SCANNED

JUL 12 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

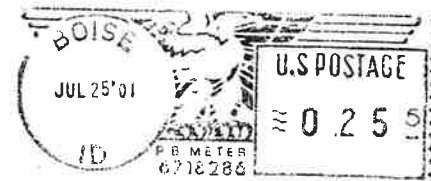
29-207B
214 B
215 B
10774 B
10776 B
10791
10792

RECEIVED

AUG - 6 2001

Department of Water Resources

PRESENTED
FIRST CLASS



SCANNED

JUL 12 2005

PROFILE

STEW245

MARGIE H STEWART & Lynn W.
204 W FIFE ST
LAVA HOT SPRINGS, ID 83246

STEW245 832462007 1A00 05 07/28/01
RETURN TO SENDER
STEWART
8574 S BOB SMITH RD
LAVA HOT SPRINGS ID 83246-1508
RETURN TO SENDER

83-220-4009





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

November 30, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LYNN & MARGIE H STEWART
8574 S BOB SMITH RD
LAVA HOT SPRINGS ID 83246

Sub File 29-207B

RE: CHANGE OF ADDRESS FOR A29-207B, 29-214B, 29-215B,
29-10774B, 29-10776B AND 29-10791

Dear Mr. & Mrs. Stewart:

It has come to our attention that your address may have recently changed. The address currently recorded on the above referenced water right(s) is as follows:

Lynn W Mrgie H Stewart
204 W Fife St
Lava Hot Springs ID 83246

We recommend if, in fact, the address in question has been changed, you file a "Change in Address" with this department in order that we may send all further correspondence to the appropriate address.

Enclosed is a Change in Address form. Please fill out the form completely, sign and date it and return it to my attention.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure(s)

PROFILE

SCANNED
JUL 12 2005

SCANNED

MAY 18 2001

Log for claim A29-00215B

Spatial Dynamics AMH

8/9/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s37e	15	NWSE	8	39	Indiscernible
Totals:			8	39	

*1/37 (by 2000) of 29-00215, 0.68 cfs is 0.016 cfs
Recommend same,*

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 94

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LYNN W STEWART	05/01/1903	IRRIGATION	04-15 09-15	0.020 CFS	
C	MARGIE H STEWART 290 S 500 W LEHI UT 84043 (807) 468-3533					
TOTAL DIVERSION:					0.020 CFS	

Stage: DECREED

Point(s) of Diversion: T09S R37E S15 SENENW SESENW BANNOCK County

[illegible]

POU County: BANNOCK

Other Rights: 29-00207B, 00214B, 00215B, 10774, 10776.

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

A29-00207A A29-00207B A29-00214A A29-00214B A29-00215A A29-00216 A29-10774A A29-10774B A29-10776A A29-10776B
A29-11749

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

A29-00207	A29-00207A	A29-00207B	A29-00213	A29-00214	A29-00214A	A29-00214B	A29-00215	A29-00215A	A29-00217
A29-10774	A29-10774A	A29-10774B	A29-10776	A29-10776A	A29-10776B				

Remarks: GEN THIS CLAIM SPLIT OFF A29-00215.
PAID UNDER RECEIPT NO. E013624.

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

Misc: Water District Number: 29 Field Inspection Flag:
Presumption Flag: D

Audit: 01/31/00 ARUBERRY



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 3, 2000

LYNN & MARGIE STEWART
290 S 500 W
LEHI UT 84043

RE: CHANGE IN OWNERSHIP FOR A29-00207, A29-00214,
A29-00215, A29-10774, A29-10776

Dear Mr. & Mrs. Stewart:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A29-00207A, 0.545 CFS ON 292 ACRES, HALL
A29-00207B, 0.015 CFS ON 8 ACRES, STEWART

A29-00214A, 0.584 CFS ON 292 ACRES, HALL
A29-00214B, 0.016 CFS ON 8 ACRES, STEWART

A29-00215A, 0.66 CFS ON 292 ACRES, HALL
A29-00215B, 0.02 CFS ON 8 ACRES, STEWART

A29-10774A, 0.917 CFS ON 292 ACRES, HALL
A29-10774B, 0.025 CFS ON 8 ACRES, STEWART

A29-10776A, 0.74 CFS ON 292 ACRES, HALL
A29-10776B, 0.02 CFS ON 8 ACRES, STEWART

Enclosed for your records is a typed Notice(s) reflecting your portion

of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jennifer Crabtree". The signature is written in dark ink and is positioned above the printed name and title.

Jennifer Crabtree
Technical Records Specialist

Enclosure

Receipt No. 15413624

DELOG BC

11-12-99

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

NOV 10 1999

Department of Water Resources Eastern Region Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

A29-10776

1. Water Right Number(s) A29-00207, A29-00214, A29-00215, A29-10774
 Adjudication Claim Number(s) _____

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

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

AND

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Max Wengreen Hall
5920 E. Old Oregon Trail Rd.
Lava Hot Springs, Idaho, 83246

4. New Owner/Claimant(s) Lynn W. Stewart or Margie H Stewart
 Name connector (Check one): ☐ AND, ☒ OR, ☐ AND/OR
 New Mailing Address 290 So. 500 West, Lehi, Utah, 84043

City, State and ZIP Code _____

New Telephone Number (801) 768 - 3533

5. Date you acquired the property April 21, 1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. 1/31 of each of the 5 water rights

Number of acres actually irrigated 8 Number and type of stock Range Cattle (30)

Diversion rate in CFS See water rights Number of homes — Other uses —
cubic feet per second

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

7. Signature of New Owner/Claimant(s) Lynn W. Stewart Date Nov. 1 1999
Margie H. Stewart Date 11-1-99

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

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

MAY 18 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: A29-00215B
Date Received: 4/25/1990
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LYNN W STEWART 807-468-3533
Address: 290 S 500 W
LEHI UT 84043
OR
Name: MARGIE H STEWART 807-468-3533
Address: 290 S 500 W
LEHI UT 84043

2. Date of Priority: MAY 1, 1903
3. Source: WEST BOB SMITH CREEK Trib. to: PORTNEUF RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	37E	15	SE	NE	NW		BANNOCK
			SE	SE	NW		BANNOCK

5. Description of diverting works:
ONE HEADGATE TO DITCH. ONE HEADGATE TO GRAVITY FLOW PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	09/15	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A2900215B



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	37E	15	NW	SE		IRR	8.0
Section Acres							8.0
Total Acres							8.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

29-00207B, 00214B, 00215B, 10774, 10776.

14. Remarks:

THIS CLAIM SPLIT OFF A29-00215.
PAID UNDER RECEIPT NO. E013624.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 8/ 6/1932

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

MC CAMMON DITCH CO., ET. AL.
vs Decree Defendant