

07/28/2006

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

RIGHT NUMBER: 75-37D

NAME AND ADDRESS: ~~DALE L DUTTON~~
~~PO BOX 1184~~
~~SALMON ID 83467~~

SHARON DUTTON
PO BOX 1184
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION:

T20N R22E S5 NWSWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.080 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T21N R22E S18 SWSE 2.00

2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through the Minzer-Runsten Ditch.

11/20/2006

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

RIGHT NUMBER: 75-37D

NAME AND ADDRESS: ~~DALE L DUTTON~~
~~PO BOX 1184~~
~~SALMON ID 83467~~

Decreed
SHARON DUTTON
PO BOX 1184
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION:
T20N R22E S5 NWSWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.080 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T21N R22E S18 SWSE 2.00		
	2 ACRES TOTAL		

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through the Minzer-Runsten Ditch.

SCANNED
DEC 12 2006

RECEIVED
DEC 11 2006
IDWR/North

03/07/2008

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

RIGHT NUMBER: 75-37D

NAME AND ADDRESS: SHARON DUTTON
PO BOX 1184
SALMON ID 83467

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

Prior to the diversion and use of water under transfer 74155, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

QUANTITY: 0.080 CFS

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/01/1894

POINT OF
DIVERSION: T20N R22E S6 SESE Lot 14 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.080 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S18 SWSE 2.00

2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right does not grant any right-of-way or easement across the land of another.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75C.

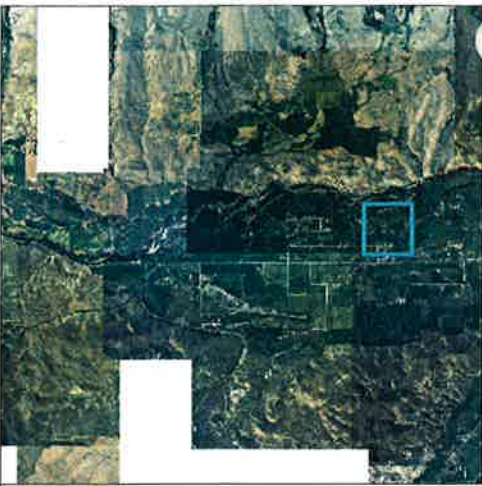
Failure of the right holder to comply with the conditions of transfer 74155 is cause for the Director to rescind approval of the transfer.

Water is delivered through the Minzer-Runsten Ditch.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

The right holder shall accomplish the change authorized by transfer 74155 by January 12, 2009.

75-37D





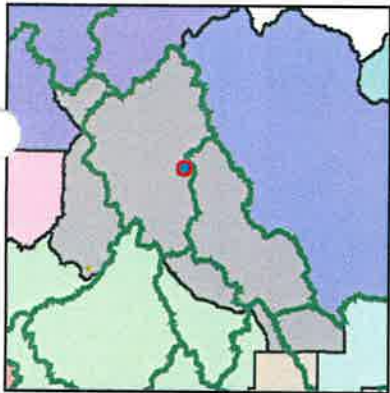
Idaho Department of Water Resources

SRBA Claim:

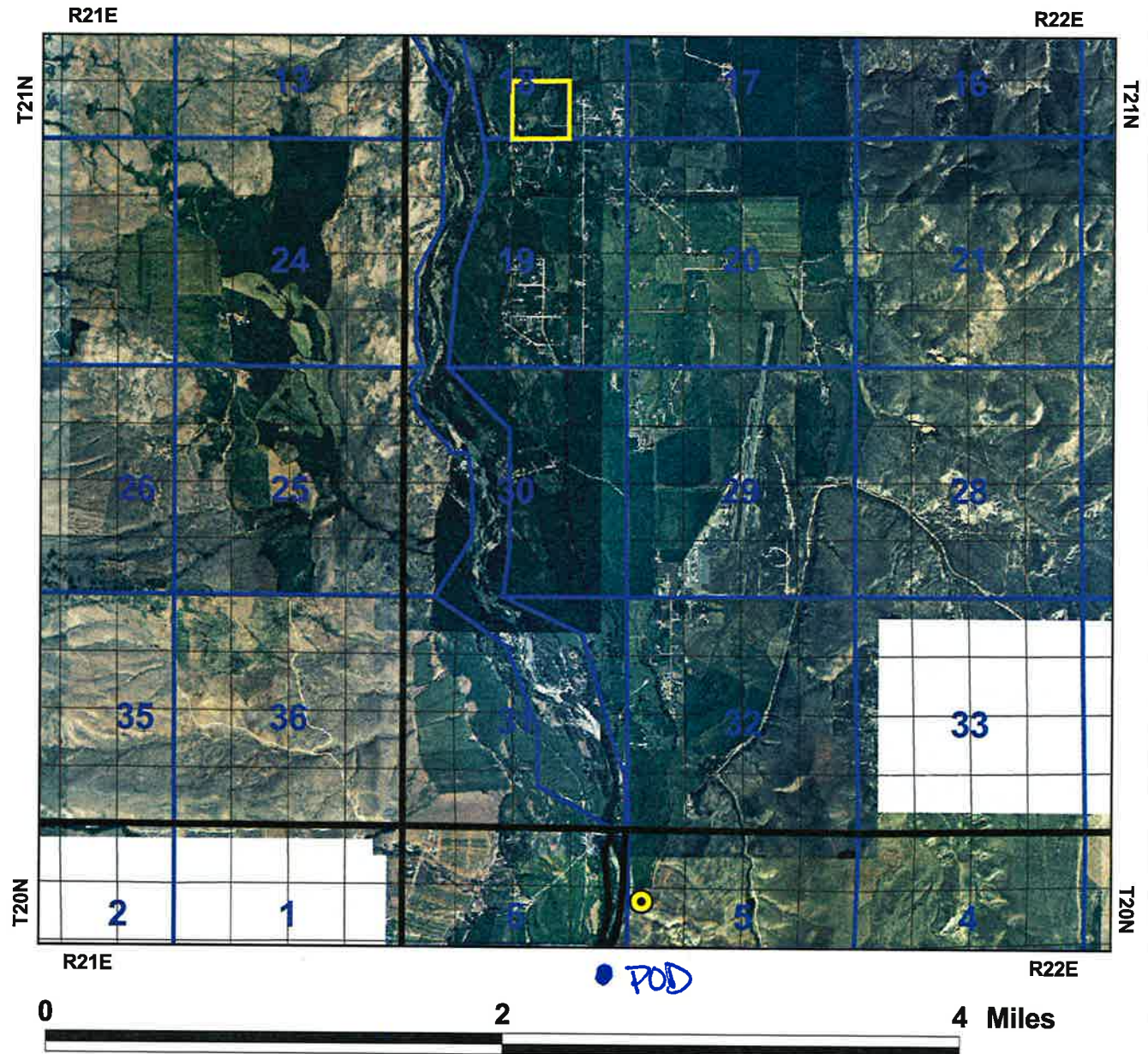
75-37D

Legend

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



Lemhi County
IDWR Basin 75



Prepared by D. Favreau
On Tuesday, May 2, 2006
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 5, 2008

Sharon Dutton
PO Box 1184
Salmon, Idaho 83467

RE: Transfer #74155 for water right(s) 75-00037D and Notice of Completed Administrative Proceeding (NCAP)

Dear Mrs. Dutton:

On January 12, 2008, the Idaho Department of Water Resources (IDWR) approved Transfer #74155, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Denise Kidman
Water Resource Agent

SCANNED

MAR 07 2008

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

In Re SRBA

)

Water Rights: 75-00037D

Case No. 39576

)

)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer

☒ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 7, 2008

Ernest Carlson

Signature of IDWR Representative

SCANNED

MAR 07 2008

SCANNED

MAR 07

CERTIFICATE OF MAILING

I certify that on March 7, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Sharon Dutton
PO Box 1184
Salmon, Idaho 83467

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

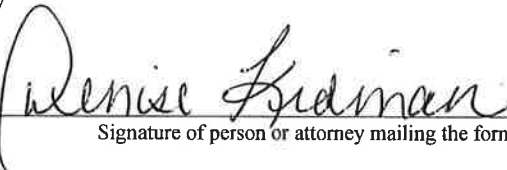
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

SCANNED

MAR 07 2008

03/07/2008

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

RIGHT NUMBER: 75-37D

NAME AND ADDRESS: SHARON DUTTON
PO BOX 1184
SALMON ID 83467

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

Prior to the diversion and use of water under transfer 74155, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

QUANTITY: 0.080 CFS

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 04/01/1894

POINT OF
DIVERSION:

T20N R22E S6 SESE Lot 14 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.080 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S18 SWSE 2.00
2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right does not grant any right-of-way or easement across the land of another.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75C.

Failure of the right holder to comply with the conditions of transfer 74155 is cause for the Director to rescind approval of the transfer.

Water is delivered through the Minzer-Runsten Ditch.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

The right holder shall accomplish the change authorized by transfer 74155 by January 12, 2009.

SCANNED
MAR 07 2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74155

This is to certify that: SHARON DUTTON
 PO BOX 1184
 SALMON ID 83467
 (208)756-2433

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
75-37D	AJC/Decreed	04/01/1894	0.08 cfs	N/A	N/A	2.0	SALMON RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
75-37D	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
75-37D	75-37D	0.08 cfs	N/A	N/A	2.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.08 cfs	N/A	N/A	2.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 12th day of January, 20 08

 Chief, Water Allocation Bureau

WATER RIGHT NO. 75-37D
As Modified by Transfer No. 74155

In accordance with the approval of Transfer No. 74155, Water Right No. 75-37D is now described as follows.

Right Holder: SHARON DUTTON
PO BOX 1184
SALMON ID 83467

Priority Date: April 01, 1894

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01	to 10/31	0.08 CFS
			0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER

L14 (SESE)

Sec. 6 Twp 20N Rge 22E LEMHI County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
21N 22E 18																2.0	2.0

Total Acres: 2

WATER RIGHT NO. 75-37D
As Modified by Transfer No. 74155

CONDITIONS OF APPROVAL

- Exp R051. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75C.
- Exp R02 2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- Qty R59 3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- Source 029 4. Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.
- Exp 004 5. This right does not grant any right-of-way or easement across the land of another.
- Exp F01 10. Water is delivered through the Runsten Mintzer Ditch.
- Exp T07 7. The right holder shall accomplish the change authorized by this transfer within ⁷⁴¹⁵⁵one year(s) of the date of this approval. *by Jan 12, 2009*
- Exp T08 8. Failure of the right holder to comply with the conditions of ⁷⁴¹⁵⁵this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 12th day of January, 20 08



Chief, Water Allocation Bureau

11/20/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-37D

~~DALE L DUTTON
PO BOX 1184
SALMON ID 83467~~

~~Telephone Number: (208)756-2433~~

SHARON DUTTON
PO BOX 1184
SALMON ID 83467

Telephone Number: (208)756-2433

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-4-06

SIGNATURE: *Sharon Dutton*

Please print your name: Sharon Dutton

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED
DEC 12 2006

RECEIVED
DEC 11 2006
IDWR/North

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-37D

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION
☒ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0015026

Township 20 N Range 22 E Section 6 1/4 NW 1/4 SE 1/4 SE
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

Concrete structure w/ adjustable headgate

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

Water Delivered through the Minzer - Runsten
Ditch (S14).

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 06-26-06

FIELD EXAMINER: Asher Barton

Print Name

Asher Barton
Signature

SCANNED

OCT 0 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: A75-00037D

Date Received: 5/03/1990

Receipt No: M006886

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE L. DUTTON
Address: P.O BOX 1184
SALMON, ID 83467 208-756-2433
AND/OR
Name: SHARON DUTTON
Address: P.O BOX 1184
SALMON, ID 83467 208-756-2433
2. Date of Priority: APR 01, 1894
3. Source: SALMON RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
20N 22E 5 NW SW NW LEMHI
5. Description of diverting works:
ROCK WING, CONCRETE HEADGATE; DITCHES AND 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 0.080
7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 5.0 Acre Feet Per Annum.
9. Non-irrigation uses:
D/4 HORSES, INCIDENTAL USE

MICROFILMED

DEC 15 1992

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: A75-00037D
Date Received: 5/04/1990
Receipt No: M006886
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE L. DUTTON
Address: P.O BOX 1184 208-756-2433
SALMON, ID 83467

AND/OR

Name: SHARON DUTTON
Address: P.O BOX 1184 208-756-2433
SALMON, ID 83467

2. Date of Priority: APR 01, 1894

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
21N	22E	24	SE	SE	SE		LEMHI

5. Description of diverting works:
ROCK WING, CONCRETE HEADGATE; DITCHES AND 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	0.080		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/4 HORSES, INCIDENTAL USE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	22E	18	SW SE		IRR	2.0
Section Acres						2.0
Total Acres						2.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

FLows CARRIED BY MINZER - RUNSTEN DITCH.
INITIALLY ASSIGNED NUMBER A75-00037C.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

H. V. FERGUSON ET AL
Decree Plaintiff

vs T. FERGUSON ET AL
Decree Defendant

*this claim originally
assigned a C part.
you folks will need
to look at the (mixed)
up numbering sequence.
thanks.
JDC
both claimant of # change.*

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: A75-00037D
Date Received: 5/04/1990
Receipt No: M006886
Received By: RME

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE L. DUTTON 208-756-2433
Address: P.O BOX 1184
SALMON, ID 83467

AND/OR

Name: SHARON DUTTON 208-756-2433
Address: P.O BOX 1184
SALMON, ID 83467

2. Date of Priority: APR 01, 1894

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
21N	22E	24 05	NW SE SE SW NW		LEMHI

5. Description of diverting works:
ROCK WING, CONCRETE HEADGATE; DITCHES AND 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	0.080		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/4 HORSES, INCIDENTAL USE

A75-00037C

Page 1

Date: 05/04/90

MICROFILMED
DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	18	SW	SE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:
FLOWS CARRIED BY MINZER - RUNSTEN DITCH.

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

H. V. FERGUSON ET AL
Decree Plaintiff

vs

T. FERGUSON ET AL
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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 A75-00037DDate Received 5/3/90Receipt Number MO06886

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Dale L. AND/OR Sharon Dutton Phone (208) 756-2433
Mailing Address P.O. Box 1184 Salmon, Idaho Zip 83447

2. Date of Priority (Only one (1) per claim) April 1 1894

3. Source of water supply (a) Salmon River
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 20N Range 22E Section 5,
NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: NONE

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

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

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

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

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

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

Rock Wing To Concrete Headgate To Ditch
To Flood Irrigation.

A7500037D



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 11/1 amount .08 or 4"

For Stock Water purposes from 4/1 to 11/1 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .08 (cfs) and/or (b) 4" (acre feet)

8. Total consumptive use claimed is 5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 4- Horses

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>21N</u>	<u>22E</u>	<u>18</u>															<u>2</u>		<u>2</u>

Total number of acres irrigated 2

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks: Flows Carried by Minzer-Ruoston Ditch

Last Name Dutton Ident No. 7500037

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Copies: White - State, Yellow - Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number 7500037

Court _____ Case Number _____ Decree Date June 24, 1915

Plaintiff vs Defendant H.V. Ferguson ET AL V.S T. Ferguson ET AL

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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Dale Dutton Date 4-19-90

Sharon K. Dutton Date 4-19-90

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____ Organization _____, that I have signed the foregoing

document in the space below as _____ Title _____ of _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 19 day of April 19 90

SEAL

Notary Public Shirley Parmenter

Residing at Blaine, Idaho

My Commission Expires 10 March 1992

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Dutton Ident. Number 7500037

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Copies White-State, Yellow-Claimant

UNCLASSIFIED
DATE 11/11/01



Dutton
Dutton