

05/13/2005

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

RIGHT NUMBER: 75-7082
NAME AND ADDRESS: RUTH NUTT
BOX 1112
NORTH FORK ID 83466

WILLIAM J NUTT
BOX 1112
NORTH FORK ID 83466

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.020 CFS
5.700 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/04/1977

POINT OF DIVERSION:

T24N R21E S21 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.020 CFS 4.50 AFY
DOMESTIC	1/01 12/31	0.020 CFS 1.20 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

T24N R21E S21 NWNE 2.0

DOMESTIC same as IRRIGATION

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL:

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: 75-7082

RUTH NUTT

BOX 1112

NORTH FORK ID 83466

Telephone Number: (208)865-2334

WILLIAM J NUTT

BOX 1112

NORTH FORK ID 83466

Telephone Number: (208)865-2334

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:

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

DATE:

12/09/2006

SIGNATURE:

William J. Nutt

Please print your name:

William J. Nutt

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

SCANNED ✓
DEC 13 2006

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: 75-7082

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BOX 1112
NORTH FORK ID 83466
Telephone Number: (208)865-2334

WILLIAM J NUTT
BOX 1112
NORTH FORK ID 83466
Telephone Number: (208)865-2334

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:

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

DATE: 12/09/2006 SIGNATURE: William J. Nutt
Please print your name: William J. Nutt

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

SCANNED /
DEC 14 2006

SCANNED

OCT 1 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. No.

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

RECEIVED

APR 26 1990

Department of Water Resources
Eastern District Office

Please type or print clearly:

Name of Claimant(s) William J. Nutt
Ruth Nutt

Mailing Address
(include Zip Code) Box 1112
North Fork, ID. 83466

Phone Number (208) 865-2334

MICROFILMED
DEC 15 1992

SCANNED

OCT 12 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: A75-07082
Date Received: 4/09/1990
Receipt No: E013697
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM J. NUTT 208-865-2334
Address: BOX 1112
NORTH FORK, ID 83466

OR
Name: RUTH NUTT 208-865-2334
Address: BOX 1112
NORTH FORK, ID 83466

2. Date of Priority: MAR 04, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	21E	21	NW	NE			LEMHI

5. Description of diverting works:
WELL/PUMP 27' DEEP TO HOME

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		4.50
DOMESTIC	01/01	12/31	0.020		1.20

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 5.70 A.F.A.

8. Total consumptive use is 5.7 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME

A75-07082

Page 1

Date: 04/26/90

MICROFILMED
DEC 15 1992



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT NO.:

75-7082

T24N R21E Sec 21

LEGEND



Point(s) of Diversion



Place(s) of Use



Lot Numbers



Quarter Quarter Lines



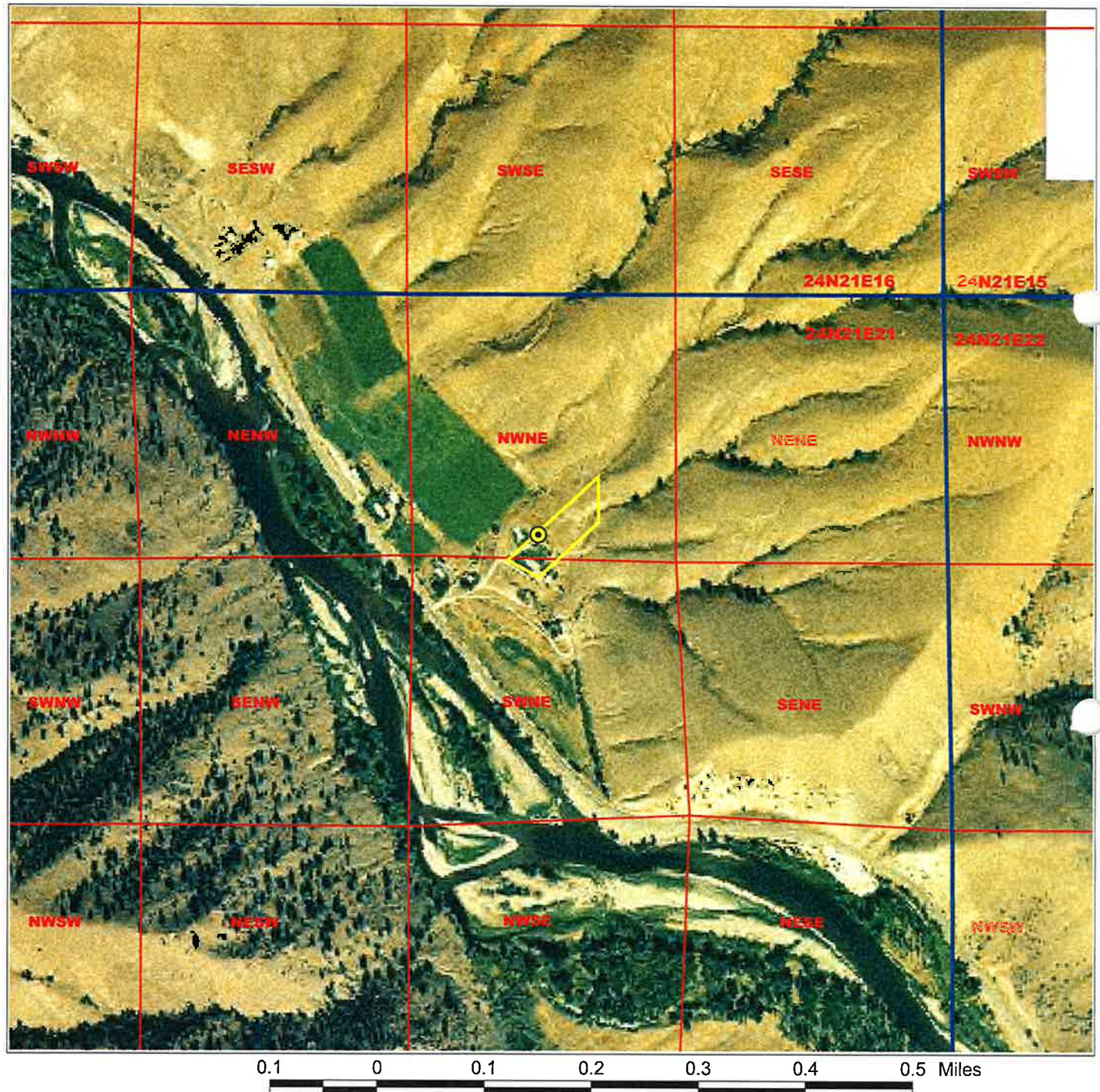
Section Lines

IMAGE

1991 True Color



Prepared By: Danielle Favreau
April 13, 2005



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	21E	21	NW	NE		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:

15. Basis of Claim: LICENSE

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: _____

\$52.00

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: A75-07082
Date Received: 4/09/1990
Receipt No: ED131097
Received By: De

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE A. MAC DONALD
Address: P.O. BOX 1107
NORTH FORK, ID

83466

2. Date of Priority: MAR 04, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	21E	21	NW	NE			LEMHI

5. Description of diverting works:

Well 6" Casing 27ft deep 1hp Submersible pump pipe to house

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		4.50
DOMESTIC	01/01	12/31	0.020		1.20

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

5.70 A.F.A.

8. Total consumptive use is 5.70 Acre Feet Per Annum.

9. Non-irrigation uses: 1 house hold.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	21E	21	NW	NE		IRR	2.0
Section Acres							2.0

A75-07082

Page 1

Date: 04/09/90

MICROFILMED
DEC 15 1992

10. Place of Use: Continued

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:

15. Basis of Claim: LICENSE

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): William J. Nutt Date: 4/23/90
Quoth Nutt Date: 4/23/90

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of April 19 90 Maynard Holcomb
Notary Public

Seal

Residing at North Fork
My Commission Expires 1-11-91

MICROFILMED
DEC 15 1992

WARRANTY DEED

For Value Received

GEORGE MacDONALD, a single man

the grantor , does hereby grant, bargain, sell and convey unto

WILLIAM J. NUTT and RUTH NUTT,
husband and wife

whose current address is

North Fork, Idaho 83466

the grantees , the following described premises, in Lemhi County Idaho, to wit:

The following described real property situate in Lemhi County, Idaho, more particularly described on Exhibit "A" annexed hereto and by this reference made a part hereof.

Together with any and all water and water rights, ditch and ditch rights and grazing rights appurtenant thereto or used in connection therewith.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: May 30, 1984

George MacDonald
George MacDonald

STATE OF IDAHO, COUNTY OF

On this 31st day of May, 1984,
before me, a notary public in and for said State, personally
appeared

GEORGE MacDonald

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Residing at Salmon, Idaho
Comm. Expires 4-4-85

Notary Public

STATE OF IDAHO } ss NO. 172001
COUNTY OF LEMHI }

This instrument was filed for record at the request of
FUREY & FUREY

M 9:45 A.M. June 13, 1984
and duly filed and indexed in the

DEED Records of Lemhi County, Idaho

Alberta Wiederrick

Ex-Officio Recorder

By *Alberta Wiederrick*
Fees: \$4.00 pd

Recorded by the AMERICAN LAND TITLE CO.

RECORDED
DEC 14 1984

EXHIBIT "A"

A fraction of H.E.S. 192 located in the NW 1/4 Section 21, T. 24 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more specifically described as follows:

Commencing at Corner No. 4 of said H.E.S. 192, run thence N. 0°06'00" E., a distance of 430.20 feet along the easterly boundary of H.E.S. 192 to THE POINT OF BEGINNING and the southeasterly corner of the tract of land herein described, thence S. 47°59'30" W., a distance of 530.59 feet; thence S. 47°27'50" W., a distance of 24.84 feet; thence N. 42°20'51" W., a distance of 169.22 feet to a fence; thence N. 47°59'56" E., more or less, a distance of 707.84 feet along a fence; thence S. 0°06'00" W., a distance of 225.22 feet along the easterly boundary of H.E.S. 192 to THE POINT OF BEGINNING. Contains 2.44 acres.

Including any right, title or interest in grantor in an easement for road right of way for access to the above described premises conveyed to grantor by Earl A. Wicker and Carroll E. Wicker, husband and wife.

The above conveyance is made free and clear of all other encumbrances except: rights of way and easements, reservations in federal patents and state deeds, or other restrictions imposed by law, building and use restrictions or records, building and zoning regulations and ordinances of any governmental unit.

Together with all water and water rights, ditch and ditch rights, range and range rights used in connection therewith.

MICROFILMED

DEC 1967

EXHIBIT "A"