05/12/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-7260

NAME AND ADDRESS: F PAUL SUTTON
2550 SCHOOL RD
MIDVALE ID 83645

SOURCE: SPRING TRIBUTARY: WEISER RIVER

QUANTITY: 0.080 CFS
6.500 AFY

PRIORITY DATE: 10/08/1975

POINT OF DIVERSION:

T13N R03W S8 NWSWNE Within WASHINGTON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	04/01 11/01	0.030 CFS 0.50 AFY
IRRIGATION	04/01 11/01	0.050 CFS 6.00 AFY

The use of water for irrigation under this right may begin as early as March 15, provided other elements of the right are not exceeded. The use of water before April 1under 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 WASHINGTON County

T13N R03W S08	SENW	1.50

STOCKWATER Within WASHINGTON County

T13N R03W S08	SWNE	T13N R03W S08	SENW

5 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 - License

Idaho Department of Water Resources

0 0.25 0.5 Miles

Claim Number: 02-7260
T13N R03W S 8
Reviewed By: MRM 05/12/06

- Point of Diversion
- Irrigation Place of Use (1.5 ac)
- Stockwater Place of Use
- Section Lines
- GCDBQuarter Quarter Lines

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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 67-7260
Date Received: 7/14/1989
Receipt No: W003625
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

F PAUL SUTTON Phone: (208)355-2488

2550 SCHOOL RD
MIDVALE ID USA 83645

2. Date of Priority: 10/08/1975

3. Source: SPRING Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4	1/4	1/4	Lot	County	Type
13N	03W	8	NW	SW	NE		WASHINGTON	

5. Description of diverting works:

PUMP, BASIN & PIPE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.05	6
STOCKWATER	04/01	11/01	0.03	0.5

7. Total Quantity Appropriated is:
0.08 C.F.S. and/or 6.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

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: **A67-07260**
Date Received: 7/14/1989
Receipt No: W003625
Received By: _____

COPY FOR YOUR FILES | **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW** | **COPY FOR YOUR FILES**

1. Name: F PAUL SUTTON
   Address: RT 1 BOX 11
   MIDVALE ID 83645

2. Date of Priority: OCT 8, 1975

3. Source: UNNAMED SPRING Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
13N	03W	8	SE NW		WASHINGTON

5. Description of diverting works:
   PUMP, BASIN & PIPE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.140		
STOCKWATER	04/01	11/01	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   60 HEAD STOCK.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	03W	8	SW NE		IRR	3.0
			SE NW		IRR	2.0

SCANNED MAY 10 2004
MICROFILMED AUG 05 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
					Total Acres	5.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
RIGHT 67-7018.

14. Remarks:

15. Basis of Claim: PERMIT

MICROFILMED
AUG 05 1994

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: **A67-07260**
Date Received: 7/12/1989
Receipt No: W0003625
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUL 11 1989
Department of Water Resources
Western Regional Office

1. Name: F. PAUL SUTTON
   Address: RT. 1 BOX 11
   MIDVALE, ID 83645

2. Date of Priority: OCT 08, 1975

3. Source: UNNAMED SPRING Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
13N	03W	8	SE NW		WASHINGTON

5. Description of diverting works:
   PUMP, BASIN & PIPE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.140		
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7. Total Quantity Appropriated is:
   0.170 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   60 HEAD STOCK.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	03W	8	SW NE		IRR	3.0
			SE NW		IRR	2.0
				Section Acres		5.0

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AUG 05 1994

10. Place of Use: Continued

Total Acres 5.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
RIGHT 67-7018.

14. Remarks:

15. Basis of Claim: PERMIT

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): F. Paul Sutton Date: July 13, 1989

Marion A. Sutton Date: July 13, 1989

State of Idaho)
) SS.
County of Washington)

Subscribed and sworn (or affirmed) before me this 13th day of July 19 89

Maxine M. Fox
Notary Public

Seal

Residing at Midvale, Idaho

My Commission Expires Nov. 4, 1994

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AUG 05 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07260

Priority: October 8, 1975

Maximum Diversion Rate: 0.08 CFS
Maximum Diversion Volume:[1] 6.5 AF

This is to certify, that F. PAUL SUTTON
RT. 1 BOX 11
MIDVALE, ID 83645 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 8, 1975; and has submitted Proof of Beneficial Use on October 2, 1979. An examination indicates that the works have a diversion capacity of .080 cfs of water from:

SPRING tributary to WEISER RIVER

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 11/01	0.05 CFS	6.0 AF
STOCKWATER	04/01 to 11/01	0.03 CFS	0.5 AF
	Totals	0.08 CFS	6.5 AF

LOCATION OF POINT(S) OF DIVERSION: NWSWNE , Sec. 8, Township 13N, Range 03W
WASHINGTON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
13N	03W	8	SENW	1.5			1.5

PLACE OF USE: STOCKWATER

TWN	RGE	SEC		
13N	03W	8	SWNE	SENW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

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FEB 26 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07260

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 1st day of February, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED

FEB 28 1990