

10/30/2006

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

RIGHT NUMBER: 67-11698

NAME AND ADDRESS: DALE A LYTTLE
2326 SPRING CREEK LN
COUNCIL ID 83612

CHERYL L LYTTLE
2326 SPRING CREEK LN
COUNCIL ID 83612

SOURCE: SPRING CREEK

TRIBUTARY: SINKS

QUANTITY: 0.080 CFS

PRIORITY DATE: 05/20/1966

POINT OF DIVERSION:

T17N R01W S26 SWSENE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.080 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S26

SWNW

3.00

T17N R01W S26

SENE

2.00

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 - Beneficial Use



Idaho Department of Water Resources

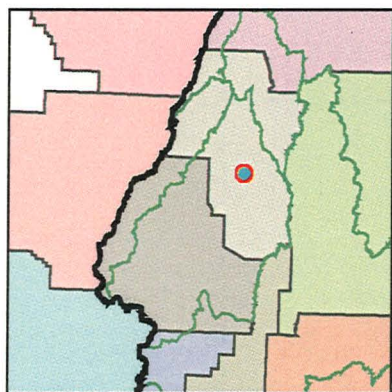
SRBA Recommendation:

67-11698

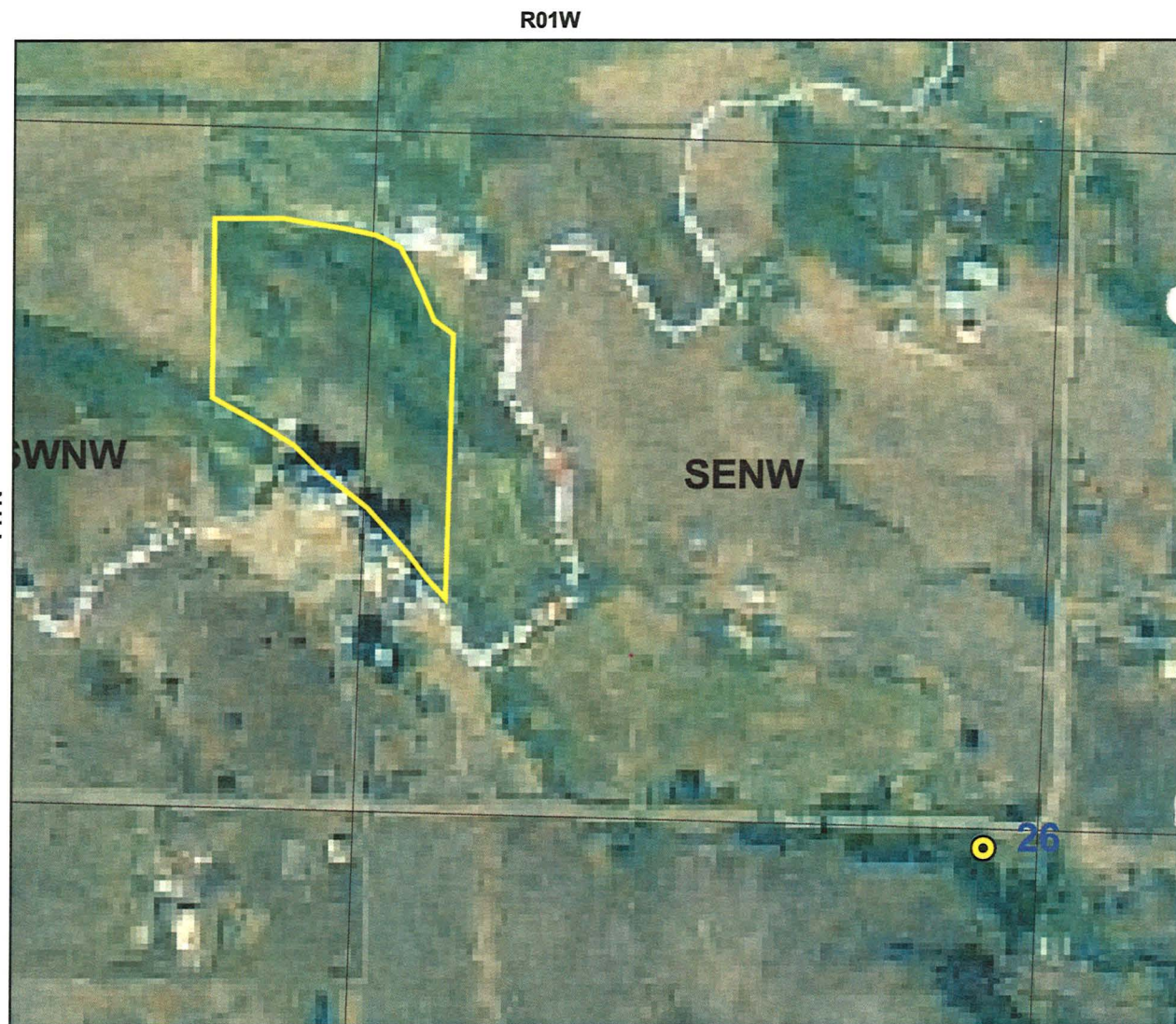
(Irrigation)

Legend

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



Adams County
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by M. Van Bussum
On Monday, October 30, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11698 V1

WATER RIGHT NUMBER: 67-11698 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DALE A LYTTLE 2326 SPRING CREEK LN COUNCIL, ID 83612 (208)253-4796
Current Owner	CHERYL L LYTTLE 2326 SPRING CREEK LN COUNCIL, ID 83612 (208)253-4796

Priority Date: 05/20/1966

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING CREEK	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.080 CFS	
	<u>Total Diversion:</u>	0.080 CFS	

Location of Point(s) of Diversion

SPRING CREEK	SW1/4SE1/4NW1/4	Sec. 26, Twp 17N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	26							3.0	2.0									5.0

Total Acres: 5

Conditions of Approval:

1. C18 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11698 V1

Comments:

1. mvanbussum 10/30/2006 Source

Comment: Per Craig Saxton and field exam, source is Spring Creek. Recommended source as Spring Creek.

2. mvanbussum 10/30/2006 Priority Date

Comment: No evidence of priority for waste water as source. Sufficient evidence of priority for Spring Creek as a source.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	10/30/2006 3:24:11 PM	mvanbussum			Active
Priority Date	10/30/2006 3:25:21 PM	mvanbussum			Active
POD	10/30/2006 3:25:38 PM	mvanbussum			Active
Source	10/30/2006 3:29:01 PM	mvanbussum			Active
POU	10/30/2006 3:29:39 PM	mvanbussum			Active
Use	10/30/2006 3:37:48 PM	mvanbussum			Active
Season	10/30/2006 3:38:03 PM	mvanbussum			Active
Quantity	10/30/2006 3:39:00 PM	mvanbussum			Active
Summary			10/30/2006	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	10/30/2006 3:33:20 PM	mvanbussum	Updated shape for Active POU
POU	10/30/2006 3:33:29 PM	mvanbussum	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11698 V1

General	10/30/2006 3:25:08 PM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit from Fred Lappin on file provides evidence of priority.
POD	10/30/2006 3:25:25 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Use	10/30/2006 3:37:34 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field exam conducted 8-30-2006 verified purpose of use.
Season	10/30/2006 3:37:49 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11698 V1

Quantity	10/30/2006 3:38:46 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Per Dave Tuthill, if recommended flow is less than 0.2 cfs, no measurement required.
Summary	10/30/2006 3:39:21 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	10/30/2006 3:23:58 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
POD	10/30/2006 3:28:12 PM	mvanbussum	Updated shape
Source	10/30/2006 3:28:47 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - See remarks in QuickLook. Per Craig Saxton and field examiner, source is Spring Creek.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11698 V1

POU	10/30/2006 3:29:26 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam and imagery support POU.
POU	10/30/2006 3:37:06 PM	mvanbussum	Updated PLS for Active POU

Water Supply Bank:

67-11698

Lytle

5-20-1966

Waste water - Spring Creek
note from Craig says Spring Creek

Priority Date

~~no P.D.~~

no EOP from field exam

affidavit from Fred Lappin

Spring Creek used to be called Lappin Creek

Spring Creek EOP good to 1904

affidavit from Paula Saxton Shelton

~~also~~ mentions Spring Creek only
good to May 1973

POD

marked on FE map

Source

~~see~~ note in FE - per Bosco Bosler

"This water right is more than waste water. Claimant takes water out of Fink ditch & takes to his property. He also gets some waste."

POU

use shape from FE

Water Use

verified by FE

Period of Use

use IDWR standard

Quantity

0.08 cfs

no measurement needed, no quantity data
from FE

67-11698
Dale Lyttle

253 4796

Address Change

POD + POA

Priority aff in file

Any Questions ?

Idaho Department of Water Resources



Adjudication Claim Number: **67-11698**



Legend

 Section Lines
 GCDB17N01W GCDB



0 0.2 0.4 Miles



Prepared by D. Narsavage
On Wednesday, April 13, 2005
1987/88 Adjudication True Color Imagery

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): ~~1169867-11698~~ 67-11698

Previous Mailing Address: Dale + Cheryl Lytle
PO Box L

Council ID 83612

New Mailing Address: Dale + Cheryl Lytle
2326 Spring Creek Lane
Council ID 83612

Telephone Number: (208) 253-4796

Signature of all Claimant(s): Dale Lytle Cheryl L. Lytle
Please print your name below your signature.
Dale Lytle
Cheryl Lytle

Please mail or FAX this completed form to the office nearest you:

**Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454**

**Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348**

**Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037**

**Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177**

**Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701**

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	DALE A LYTTLE	2326 SPRING CREEK LN	COUNCIL	ID	83612	(208)253-4796
Current Owner	CHERYL L LYTTLE	2326 SPRING CREEK LN	COUNCIL	ID	83612	(208)253-4796

Date of Field Exam: 8/30/06 Time: 8 AM

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

Spring Creek Lane 1st Place on left
Address change

Reviewer: Bosco

Date: 8/30/06

Point of Diversion and Source Data Entry Form

Claim Number 67-11698

Claimed Point of Diversion and Source

T17N R01W S26 SWSNW Within ADAMS County Source: WASTE WATER SPRING CREEK

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

Other rights from this POD? _____

Document how the POD and Source were verified:

This water right is more than
waste water. Claimant takes water out of
Fink Ditch & takes to his property
He also get some waste

Reviewer: BozcoDate: 8/30/06

Place Of Use Data Entry Form

Claim Number 67-11698

Claimed Place Of Use

T17N R01W S26 SWNW 3.0 T17N R01W S26 SENW 2.0
Total Acres 5

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

_____ See corrections to claimed POU above

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Reviewer: BoscoDate: 8/30/06

Purpose of Use Data Entry Form

Claim Number 67-11698

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

☒ 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
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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:

Reviewer:

Bosco

Date:

8/30/06

Period of Use and Quantity Data Entry Form

Claim Number 67-11698

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.08	

Overall Diversion Rate 0.08

Overall Diversion Volume

☐ 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

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate

Overall Diversion Volume

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

No water in use to determine rate of flow.

Reviewer:

Basco

Date:

8/30/06

Priority Date Data Entry Form

Claim Number 67-11698

Claimed Priority Date: 5/20/1966

Claimed Basis: Beneficial Use

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date

Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

in file

Reviewer:

Bose

Date:

8/30/06

RECEIVED

OCT 24 1994

WATER RESOURCES
WESTERN REGION

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: A67-11698
Date Received: 6/15/1990
Receipt No: W012470
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DALE LYTTLE 208-253-4796
Address: BOX L
COUNCIL ID 83612

OR

Name: CHERYL LYTTLE 208-253-4796
Address: BOX L
COUNCIL ID 83612

2. Date of Priority: MAY 20, 1966

3. Source: WASTE WATER Trib. to: SPRING CREEK

4. Point of
Township 4 of 1/4 Lot County
17N NW ADAMS

5. Description
DAM D CROSSING FARMERS CANAL BY AQUADT.

6. Water uses:
Purpose C.F.S. (or) A.F.A.
IRRIGATION 10844 were orig 0.5 0.080
Same owners

7. Total C A.F.A.

8. Total C Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

*This appears to
be from Spring
Creek.*

*This Prop and
10844 were orig
Same owners
See Fink's file
for Info.*

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	26	SW	NW		IRR	3.0
			SE	NW		IRR	2.0
Section Acres							5.0
Total Acres							5.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

LAND CONTAINS ORIGINAL HOMESTEAD FOR SECTION. WATER HAS BEEN USED
AND FILED ON FOR YEARS BEFORE SUBDIVISION AND CONTINUED BEING
USED AFTER SUBDIVISION.
ADDRESS CHANGE REC'D 10/19/94 SS.

15. Basis of Claim: BENEFICIAL USE

39792

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

RECEIVED

OCT 19 1994

Department of Water Resources

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

AG 7-1169 8-11148
changed both,
Records.
10-21-94

DALE A. LYTTLE
CHERYL L. LYTTLE
BOX 65
FRUITVALE ID 83620

please change
address to ↓

Dale and Cheryl Lytle
Box L
Council, ID 83612

MICROFILMED
OCT 23 1996

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: **A67-11698**
Date Received: 6/15/1990
Receipt No: W012470
Received By: _____

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

1. Name: DALE LYTTLE 208-253-4796
Address: BOX 66
FRUITVALE ID 83620
OR
Name: CHERYL LYTTLE 208-253-4796
Address: BOX 66
FRUITVALE ID 83620

2. Date of Priority: MAY 20, 1966

3. Source: WASTE WATER Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	26	SW	SE	NW		ADAMS

5. Description of diverting works:
DAM DIVERTS WATER INTO DITCHES, CROSSING FARMERS CANAL BY AQUADT.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
AUG 22 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	26	SW	NW		IRR	3.0
			SE	NW		IRR	2.0
Section Acres							5.0
Total Acres							5.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

LAND CONTAINS ORIGINAL HOMESTEAD FOR SECTION WATER HAS BEEN USED
AND FILED ON FOR YEARS BEFORE SUBDIVISION AND CONTINUED BEING
USED AFTER SUBDIVISION.

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 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: _____

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AUG 22 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 22 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

Date Received

Receipt Number

A67-11698

6-15-90

W012470

RECEIVED

JUN 15 1990

NOTICE OF CLAIM
TO A
WATER RIGHT

Department of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Dale or Cheryl Lytle Phone (208)-253-4796Mailing Address Box 66 Fruitvale Id Zip 836202. Date of Priority (Only one (1) per claim) May 20, 19663. Source of water supply (a) Waste Water
which is tributary to (b) Spring Creek4. a. Location of existing point of diversion is: Township 17N Range 1W Section 26,
SW SE NE 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of AdamsAdditional points of diversion if any: same legal description diverted out of natural
creek bed before farmers canal

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

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

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.Dam diverting water into
ditches, crossing Farmers canal by squeegee.

MICROFILMED

AUG 22 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount .08 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

8. Total consumptive use claimed is 12 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

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	
17N	1W	26							3	2									

Total number of acres irrigated 5

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

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: land contains original homestead for section water
has been used & filed on for years before subdivision
& continued being used after subdivision

MICROFILMED

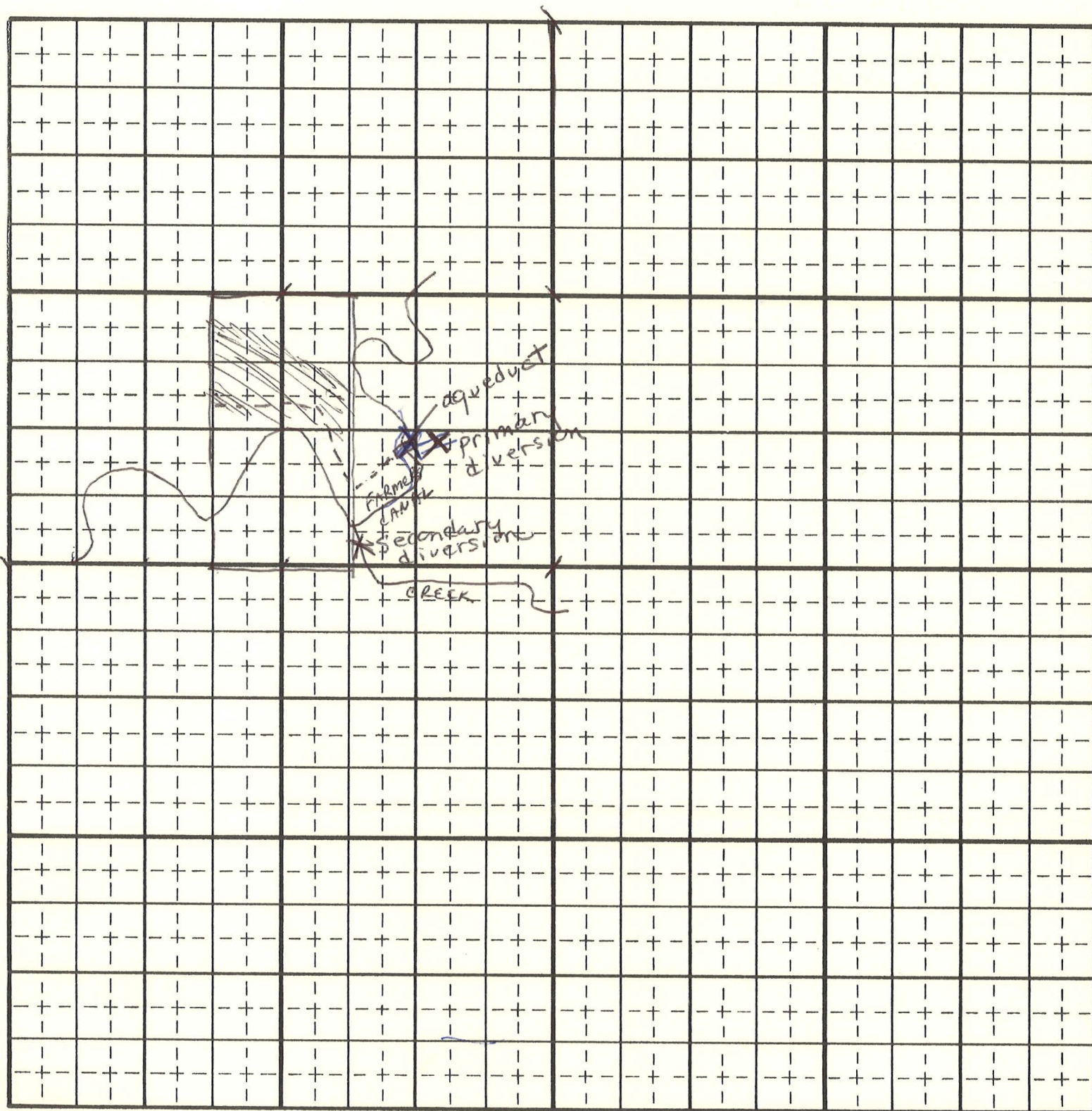
AUG 22 1994

Last Name Lytle Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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AUG 22 1994

Last Name Lytle Ident No. _____

Copies: White-State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) *Dale Lytle* Date 6-13-90

Cheryl L. Lytle Date 6-13-90

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

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title 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 Adams) SS.

Subscribed and sworn (or affirmed) before me this 13th day of June 19 90

SEAL

Notary Public *Ch...*

Residing at Fruitvale

My Commission Expires 7/93

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 Lytle Ident. Number _____

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AUG 22 1994

Copies White-State, Yellow-Claimant

JUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME

Lytle, Dale

CLAIM IDENT. NO.

AG7-11698

DATE RECEIVED

6-15-90

RECEIPT #

W12470

AMOUNT \$

55

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? *
Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO ☐ Required Info? *
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO ☐ Required Info? *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? *
(b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ Required Info? *
N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Required Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form ☒ YES ☐ NO ☐ Required Info? *
Is the period of use included? ☒ YES ☐ NO ☐ Required Info? *
Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ Required Info? *
Is the consumptive use correct? ☒ YES ☐ NO ☐ Required Info? *
3AFA x 5AFC = 15.0
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4 ☒ YES ☐ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Required Info? *
(See Item No.'s 16 & 17 for checking other water rights)
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? *
16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? ☒ YES ☐ NO ☐ Required Info? *
(Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim)
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? ☒ YES ☐ NO ☐ Required Info? *
(If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.
18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ Required Info? *
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
20. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
21. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
22. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Required Info? *

MICROFILMED

AUG 22 1994

23. Should this claim be data entered? YES ☒ NO ☐

Claim reviewed by: SPW Date 5-27-94

Claim data entered by: SPW Date 5-27-94

Claim is being returned to claimant: ☐ (Yes) ☒ (No)

Claimant is being notified of modifications: ☐ (Yes) ☒ (No)

Comments: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

Reg. file in A67-11698

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 24, 1990

Cheryl Little
Box 66
Fruitvale, ID 83620

RE: Snake River Basin Adjudication (SRBA)
Gem County - Notice of Claim #A67-11698
Receipt #W012470, \$50.00

RECEIVED
JUL 26 1990

Department of Water Resources
Western Regional Office

Dear Mrs. Little:

Due to the fact that your Request for Extension of Time was granted, the late fees you paid on the above-referenced claim will be refunded. We have initiated the refund process with the State Auditor's Office. You should receive your check in the near future.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:sf:ref:west

SCANNED
APR 12 2004

MICROFILMED

OCT 23 1996

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 02/10/95
Time: 07:44:47

Rec/No - W012470 AR/No -
From: - LYTTLE, CHERYL L.

Receipt Type - CK Doc/No - 933
Remarks -

REFUNDED 50.00

Receipt Date: 06/15/1990

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION CLAIM FEE	9337		410162	6490		55.00
ADJUDICATION LATE FEE	9337		410162	6490		50.00

Total Due - 105.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6711698	105.00				

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

MICROFILMED
OCT 23 1996

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

2300
Date 07/25/90
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY
TO

CHERYL L. LITTLE
BOX 66
FRUITVALE, ID 83620

CHECK ONE:

- (1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REFUNDS PER D. SHAFF WR #A67-11698 7/18/90 50.00	50.00	
TOTAL						50.00	

MICROFILMED
AUG 22 1994

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 24, 1990

Cheryl Little
Box 66
Fruitvale, ID 83620

RE: Snake River Basin Adjudication (SRBA)
Gem County - Notice of Claim #A67-11698
Receipt #W012470, \$50.00

Dear Mrs. Little:

Due to the fact that your Request for Extension of Time was granted, the late fees you paid on the above-referenced claim will be refunded. We have initiated the refund process with the State Auditor's Office. You should receive your check in the near future.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:sf:ref:west

MICROFILMED

AUG 22 1994

CP 7-25-90

TO: Debbie Allen

THRU: D. Shaff

7-24-90

FROM: J. CARLSON ^{pe}

DATE: 07-18-90

RE: Receipt W012470 Refund \$50.⁰⁰

Please process a refund of \$50.⁰⁰ to:

Cheryl L. Little
Box 66
Fruitvale, ID 83620

A67-11698

(overpmt.)

Claim received 6/15/90. \$55.⁰⁰ fee plus \$50.⁰⁰ late fee

Extension approved to 7/13/90

Not refunded as of 7/18/90

OK to refund late fee. JDC 7/18/90

MICROFILMED

AUG 22 1994

SD-169

IDAF DEPARTMENT OF WATER RESOURCES
RECEIPT MAINTENANCE II - MAINT. SCREEN 1

DATE: 07/18/90
TIME: 10:57:39

RECEIPT NUMBER : W012470

RECEIPT AMT : 105.00

RECEIPT TYPE : CK
DATE & TIME : 06/15/90 16:33:59
FROM PAYER : LYTTLE, CHERYL L.
USER ID : HOLT
ADJUST FLAG : W
TRANS NUMBER : 901444
AR NUMBER :
RECEIPT REMARKS :
UPDATE REMARKS :
AMOUNT REFUNDED :
REFUND REASON :
REFUND NAME :

CHECK NUMBER: 933
JULIAN DATE : -

REC. GROUP : F
TRANS YR-MO : 1990-06

REFUND DATE : / /

REFUND CK NO:

RECEIPTED FEES : _

WATER RIGHT NUMBERS: _

(ENTER=CONTINUE)

(GOLD2=UPDATE)

MICROFILMED

AUG 22 1994

SD-170

IDAF DEPARTMENT OF WATER RESOURCES
RECEIPT MAINTENANCE II - MAINT. SCREEN 2

DATE: 07/18/90

TIME: 10:57:53

RECEIPT NUMBER : W012470

RECEIPT AMT : 105.00

DESCRIPTION	PROGRAM	ACCT	CLASS	FEE
ADJUDICATION CLAIM FEE	410162	9337	6490	55.00
ADJUDICATION LATE FEE	410162	9337	6490	50.00

(ENTER=CONTINUE)

(GOLD2=UPDATE)

MICROFILMED
AUG 22 1994

SD-171

IDAI DEPARTMENT OF WATER RESOURCES
RECEIPT MAINTENANCE II - MAINT. SCREEN 3

DATE: 07/18/90
TIME: 10:57:59

RECEIPT NUMBER : W012470

PAGE 1 OF 3

RECEIPT AMT :

105.00

A6711698	105.00				

(ENTER=CONTINUE) (GOLD2=UPDATE) (GOLD4=PREV PG) (GOLD5=NEXT PG)

MICROFILMED
AUG 22 1994

W012470

06/15/90
16:33:59

LYTTLE, CHERYL L.

ADJUDICATION CLAIM FEE
ADJUDICATION LATE FEE

0410162 9337 6490
0410162 9337 6490

\$55.00
\$50.00

\$105.00

CHECK 933

WR/NO: A67-11698

Idaho Department of Water Resources

Region: WESTERN

Signature: _____

MICROFILMED
AUG 22 1994

FROM Valeri (Western)

DATE 7-17-90
RECEIVED

TO Don Shaff

JUL 17 1990

SUBJECT Cheryl Lyttle paid a \$50.00 late fee for
an approved extension of time form. Their
Receipt # W012470 Claim # A67-11698. Please Refund
Send to: Dale + Cheryl Lyttle
Box 66

Department of Water Resources

Fruitvale, Id 83620

MICROFILMED**AUG 22 1994**Valerie J Holt
SIGNATURE

6-26-90

I have POOR ORIGINAL been irrigating for Lawrence Rogers for the previous 9 years. This year in preparation for the season I removed old plastic dams and built a head gate to install in creek at division point just south of the road culvert. I removed the dam on 5-3 anticipating 3 weeks before the backhoe arrived to install headgate so the dirt would dry. I mentioned it to Mrs. Nightingale around this time, as I found out she owned the land.

On 6-9-90 I contacted ~~Sam~~ Nightingale to inform him we were going to do it on 6-8. He told me at this time we could not install a headgate in ~~ditch~~ creek, or repair plastic dams, or set foot on his land because he had filed on the water and it was his land.

MICROFILMED

AUG 22 1994

I talked to him the next day after conversation to Ron Howerton (IDMR) and asked him if we couldn't really use the water. ~~He said~~ Mr. Nightingale said the water had only been used on Mr. Rogers fields for a year & no way could we reinstall a diversion.

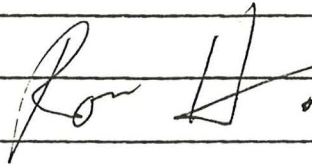
As of this date I am talking to Ron Howerton in Boise because Mr. Rogers field is in Boise.

CONVERSATION MEMORANDUM

POOR ORIGINAL

This copy is in file
in receipt # W012470DATE JUNE 26, 1990 FILE # 167-10844 AND Ph 253-4796
for receipt W006264NAME OF PARTY LYTLE, (ROGERS) forEMPLOYEE RON HOUVERTONORIGINAL
IN
FILERE: PLEASE REVIEW ALL ENCLOSED DOCUMENTS.

ACTION IS NEEDED ASAP BECAUSE MR. ROGERS WOULD LIKE TO START IRRIGATING AND MR. LYTLE CANNOT USE HIS WASTEWATER PLANT UNTIL MR. ROGERS DOES. MR. ROGERS IS AFRAID TO PUT IN NEW DIVERSION BECAUSE MR. NIGHTENGALE SAYS THATS THEY CANNOT PUT IT BACK IN. (VERBALLY) OLD DIVERSION WAS PASTA DIVERSION AND IT WAS CUT TO DRY UP THE MUD AND SO ~~you~~ THEY COULD WORK IT WITH BACK HOO AND NOW DAM IN. IT WAS USED LAST YR AND CONTINUES AND THIS YEAR ITS BEING HOLD UP BECAUSE OF CONFLICT.


MICROFILMED
AUG 22 1994

JUNE 27, 1990

CALLED MR & MRS. LYTLE: 1) ADVISED THAT THEY SHOULD CALL A ATTORNEY TO RESOLVE R/W PROBLEM. 2) THE DEPT. COULD NOT DELIVER THE WATER AS THE RIGHT HASN'T BEEN PROVEN, IT IS A BENEFICIAL USE. 3) IF IT WERE A LICENSE, PERMIT OR DECREE A WATER MASTER COULD BECOME INVOLVED. 4) TO SEND ALL NEW FINDING TO BE PUT IN BOTH MR. ROGERS CLAIM AND THEIR WASTEWATER CLAIM. 5) ADJUDICATION FOR THEIR AREA WOULDN'T START TO RESOLVE TILL SUMMER '93.

COPY

rdh

6-24-90

Fred Lappin

Born & moved up to the Lappin Ranch in 1904. Bought ranch across highway in 1931. Sold it in 1971. Very familiar with irrigation system on all the land mentioned. Holbrooks ~~bought~~ traded for section in 1935 ~~at this time~~. Parsons owned it later and installed dams across creek.

The particular creek in question was always known as Lappin creek which is presently listed as Spring creek at this point on ~~DNR~~ DWR maps.

I remember the stream being diverted just below the lower dam site and flowing North irrigating the lower ground and crossing the Farmers canal in an aqueduct to irrigate a garden plot directly east of the ~~original~~ original homestead. This describes the use of the lower end of the creek for years.

Fred Lappin

COPY

MICROFILMED

AUG 22 1994

Put in FILE A67-10844

NVD BALE LYTLES' FILE RCh

5/89

RECEIVED

JUN 15 1990

RECEIVED

JUL 2 1990

State of Idaho

Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Date Received

RECEIVED

JUN 19 1990

Department of Water Resources

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Dale Lytle POB 253-4796
Name of Claimant Phone Number
Box 66 Pringle Id 83620
Mailing Address City State Zip
Adams 01/05/90
County(s) where place of use is located Date claim originally due
Immigration Beneficial Use
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

In October with Pneumonia we spent 3hrs exploring stuff
in the water Resources board office in Boise. Decided to make a
filing decision later. Sicknes too of state etc. Did not understand
the seriousness of filing on waste water. Advised
it would not make a great deal of difference. looks like it does!

Claimant requests an extension to 7-13, 19 90
Dale Lytle 6-13, 19 90
Signature Date of request

Owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:and if granted the filing deadline is extended to July 13, 19 90Signed this 30 day of June, 19 90

Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW

MICROFILMED

AUG 22 1994

POOR ORIGINAL

June 14, 1990

To whom it may Concern

the water that enters the property of Lawrence Rogers at the ~~corner~~ turn of Poverty Flat Rd. which is known as Topping Creek has been in continuous use on that same piece of ground since May of 1973. The same water had been filed the same year under the name of Bob & Paul Haxton. The property was sold to Lawrence Rogers in 1978.

Sincerely

Paula (Haxton) Haxton

COPY

Put in 467-10844
Rd W

MICROFILMED

AUG 22 1994