

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: A37-00497B

Date Received: 11/ 5/1991

Receipt No: X777777

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ELISE G. LUFKIN 208-788-3936
Address: PO BOX 1854
KETCHUM ID 83340

2. Date of Priority: JUL 1, 1892

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	18E	19	NW	NE	NE		BLAINE

5. Description of diverting works:
PUMP IN RIVER TO DITCH TO POND TO SPRINKLER IRRIGATION SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.300		
FIRE PROTECTION	01/01	12/31	0.450		
AESTHETIC	01/01	12/31	0.450		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
FIRE PROTECTION FOR RESIDENCE; AESTHETIC FOR POND AND WATER FLOW

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	19	NE	NE		IRR	20.0
			SE	NE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	18E	19	SE	NE		FIRE	
			SE	NE		AES	
Section Acres							30.0
Total Acres							30.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
37-00496B

14. Remarks:
SEE TRANS. 3810

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

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 _____

MICROFILMED
FEB 23 1993

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

CIVIL CASE NUMBER: 39356

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Ident Number A37-00497B
Date Received _____
Receipt Number 5012930

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

RECEIVED

NOV 13 1991

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Elise G. Lufkin
Phone: (208) 788-3936
Mailing Address: P. O. Box 1854
Ketchum, ID 83340

2. Date of Priority: July 1, 1892

3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
3N	18E	19	NW	NE	NE		Blaine

Additional points of diversion if any: None.

b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

5. Description of existing diversion works: Pump in river to open ditch to storage pond to sprinkler irrigation system. Pump in storage pond through pipeline to single family residence for emergency fire protection.

RECEIVED
FEB 23 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	0.30 cfs
Aesthetics & Fire Protection	January 1	December 31	0.45 cfs

7. Total Quantity Claimed: 0.75 cfs

8. Total consumptive use claimed is 75 acre feet per annum.

9. Non-irrigation uses: Fire protection and aesthetics.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
3N	18E	19	NE	NE	I	20
3N	18E	19	SE	NE	I	10
3N	18E	19	SE	NE	F/A	

Total number of irrigated acres: 30

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? A37-00496

14. Remarks: Claim is for a portion of the right originally decreed to Thomas Mizer in S.C. Frost et al. v. Alturus Water Co. et ux.. In 1988, Claimant purchased approximately 77 acres on the other side of the Big Wood River from the historically irrigated lands together with a portion of Water Right No. 37-00496 (see Claim No. A37-00496 and Amended Claim No. A37-00496). Claimant subsequently acquired from Mr. Brennan the same portion of Water Right No. 37-00497 (see attached copy of Quitclaim Deed and Notice of Change of Ownership), and this Amended Claim is filed to document the changes in ownership, point of diversion, place of use and nature of use approved by Transfer No. 3810.

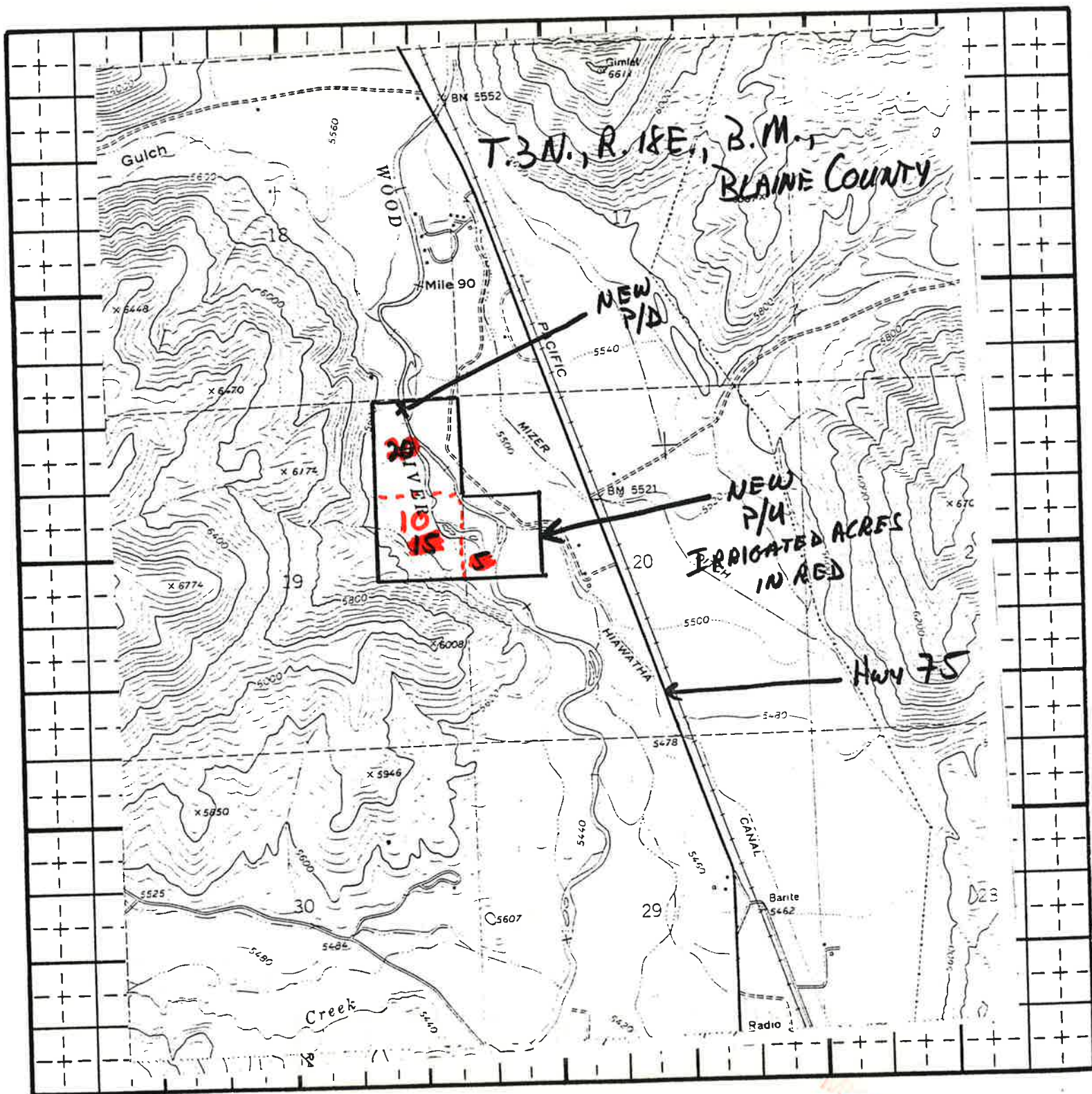
Last Name: Lufkin

Ident No. _____

MICROFILMED
FEB 23 1993

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

Scale: 2 inches equals 1 mile



Last Name LUKIN Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED
FEB 23 1993

15. **Basis of Claim:** Decree
IDWR Water Right Number: 37-00497
Court: Lincoln County
Case Number:
Decree Date: December 13, 1909
Plaintiff v. Defendant:

S.C. Frost et al. v. Alturus Water Co. et al.

RECEIVED

NOV 13 1991

Department of Water Resources
Southern Region Office

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - two (2).

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Elise G. Lufkin, by Date 11/6/91
ELISE G. LUFKIN

State of Idaho)
County of Blaine) ss.

James P. Speck, her attorney-in-fact

Subscribed and sworn before me this 6th day of November, 1991.

Notary Public Deborah H. Kirby
Residing at Ketchum, Idaho
Commission Expires Life

17. **Notice of Appearance:**

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: James P. Speck
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 11/6/91

Last Name: Lufkin Ident No.: _____
a:\lufkin2.clm

MICROFILMED
FEB 23 1993

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James P. Speck, Esq.
HOGUE, SPECK & AANESTAD
P. O. Box 987
Ketchum, Idaho 83340

RECEIVED

NOV 13 1991

Department of Water Resources
Southern Region Office

(space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, I, ROBERT M. BRENNAN, a single man, whose address is 1411 Marsh St., Suite 207, San Luis Obispo, CA 93401 ("Grantor"), do hereby convey, release, remise and forever quitclaim unto ELISE G. LUFKIN, a single woman, whose address is P. O. Box 1854, Ketchum, ID 83340 ("Grantee"), any and all interest I may have in the following described water rights:

0.75 cfs of Idaho Water Right No. 37-00497, originally decreed to Thomas Mizer with a priority date of July 1, 1892 for waters of the Big Wood River in S. C. Frost et al v. Alturus Water Company, and claimed in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System as Claim No. A37-00497.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Grantee, and to Grantee's heirs and assigns forever.

DATED this 6 day of ^{November}~~August~~, 1990.

"GRANTOR"


ROBERT M. BRENNAN

STATE OF IDAHO)
County of Blaine) ss.

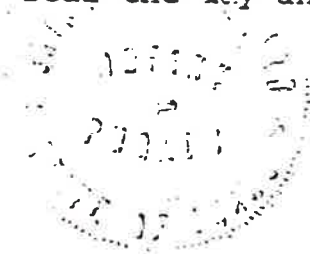
On this 6th day of November, 1990, before me, the undersigned, a notary public in and for said state, personally appeared ROBERT M. BRENNAN, known to me to be the person whose name is subscribed to the within instrument, and

QUITCLAIM DEED - 1

MICROFILMED
FEB 23 1993

acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.




Notary Public for Idaho
Residing at: 

RECEIVED

NOV 13 1991

**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

Department of Water Resources
Southern Region Office

I, ELISE G. LUFKIN, designate and appoint JAMES P. SPECK, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

MICROFILMED
FEB 23 1993

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

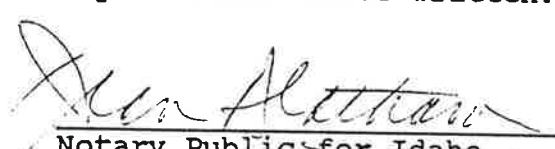
IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 17th day of October, 1990.


ELISE G. LUFKIN

STATE OF IDAHO)
) ss.
County of Blaine)

On this 17th day of October, 1990, before me, the undersigned notary public in and for said state, personally appeared ELISE G. LUFKIN, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.


Notary Public for Idaho
Residing at: Blaine Co.

h20pwr.jps

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

RECEIVED

NOV 13 1991

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Department of Water Resources
Southern Region Office
CIVIL CASE NUMBER: 39356

NOTICE OF CHANGE OF OWNERSHIP
FOR
CLAIM(S) TO WATER RIGHT(S)

1. Claim Identification Number(s): Portion of A37-00497 (0.75 cfs)
2. Name of Original Claimant(s): Starweather Subdivision Property
Owners Association, Inc. &/or
Robert M. Brennan
Mailing Address: P. O. Box 297
Ketchum, ID 83340
(208) 726-5657
3. Name of Purchaser(s)/New Claimant(s)
of Water Right(s): Elise G. Lufkin
Mailing Address: P. O. Box 1854
Ketchum, ID 83340
(208) 788-3936

4. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the purchaser(s)/new claimant(s) of the water rights identified herein and that all notices required by law to be mailed by the director to the purchaser(s)/new claimant(s) should be mailed to the address listed below.

Signature: James P. Speck
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 11/6/91

DATE: 11/6/91

Elise G. Lufkin, by James P. Speck
ELISE G. LUFKIN

her attorney-in-fact

MICROFILMED
FEB 23 1993

COPY

DISTRICT COURT - IDAHO
TWIN FALLS CO., IDAHO
FILED _____

2007 NOV 14 PM 2 31

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

Case No. 39576

SUBCASE NO. 37-496B, 37-497B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

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 *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:

11/13/07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/14, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

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

Copies to:

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

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

Elise G. Lufkin
505 Starweather Dr
Hailey ID 83333

James P. Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340



Signature of person or attorney mailing the form

11/09/2007

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

RIGHT NUMBER: 37-496B

NAME AND ADDRESS: ELISE G LUFKIN
505 STARWEATHER DR
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.500 CFS

The total combined annual consumptive volume of water diverted under Right No's 37-00496B & 37-00497B as authorized by transfer No. 3810 shall not exceed 2.5 acre-feet per acre or a total of 75 acre-feet.

PRIORITY DATE: 07/01/1883

POINT OF
DIVERSION:

T03N R18E S19 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FIRE PROTECTION	04/01 11/01	0.900 CFS
IRRIGATION	04/01 11/01	0.600 CFS
AESTHETIC	04/01 11/01	0.900 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T03N R18E S19	NENE	20.00	T03N R18E S19	SENE	10.00
---------------	------	-------	---------------	------	-------

FIRE PROTECTION in BLAINE County

T03N R18E S19	SENE
---------------	------

AESTHETIC in BLAINE County

T03N R18E S19	SENE
---------------	------

30 ACRES TOTAL

Right Nos. 37-496B and 37-497B are limited to the irrigation of a combined total of 30.0 acres 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

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.

Use of water under this water right will be regulated by the watermaster of State Water District No.37.

Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of discharge to the Big Wood River.

11/09/2007

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

RIGHT NUMBER: 37-497B

NAME AND ADDRESS: ELISE G LUFKIN
505 STARWEATHER DR
HAILEY ID 83333

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.750 CFS

The total combined annual consumptive volume of water diverted under Right Nos. 37-00496B and 37-00497B shall not exceed 2.5 acre-feet per acre or a total of 75 acre-feet.

PRIORITY DATE: 07/01/1892

POINT OF
DIVERSION:

T03N R18E S19 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.300 CFS
AESTHETIC	04/01 11/01	0.450 CFS
FIRE PROTECTION	04/01 11/01	0.450 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T03N R18E S19	NENE	20.00	T03N R18E S19	SENE	10.00
---------------	------	-------	---------------	------	-------

FIRE PROTECTION in BLAINE County

T03N R18E S19	SENE
---------------	------

AESTHETIC in BLAINE County

T03N R18E S19	SENE
---------------	------

30 ACRES TOTAL

Right Nos. 37-496B and 37-497B are limited to the irrigation of a combined total of 30.0 acres 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

Measuring devices of a type accepted by this Department shall be maintained at the point of diversion and point of discharge to the Big Wood River.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 14, 2007

ELISE LUFKIN
505 STARWEATHER DR
HAILEY ID 83333

RE: SRBA Claim(s) 37-496B, 37-497B

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: JAMES P SPECK
SPECK & AANESTAD
PO BOX 987
KETCHUM ID 83340

RECEIVED

NOV 07 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

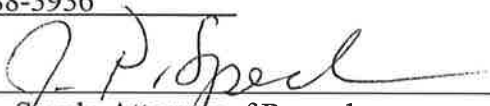
Water Right Number(s): 37-497B, 37-496B

Previous Mailing Address: Elsie G. Lufkin
P.O. Box 1854
Ketchum, Idaho 83340

New Mailing Address: Elsie G. Lufkin
505 Starweather Drive
Hailey, Idaho 83333

Telephone Number: (208) 788-3936

Signature of Claimant(s):


James P. Speck, Attorney of Record

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

Adjudication Bureau
Idaho Dept. Of Water Resources
1910 Northwest Blvd., Se. 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, Idaho 83301-3380
Ph. 208/736-3033 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. Of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/525-7161
FAX 208/525-7177

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

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jim@speckandaanestad.com

DOUGLAS J. AANESTAD
doug@speckandaanestad.com

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

RECEIVED

NOV 07 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

November 6, 2007

Ms. Trish Fawcett
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301

**Re: *Water Right Nos.: 37-497B and 37-496B;
 Elsie G. Lufkin***

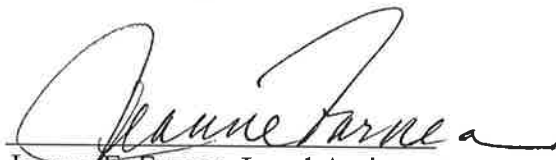
Dear Trish:

Enclosed for filing please find the original and one copy of an Address Change Notice for the above-referenced water rights. Please return the receipt date-stamped copy to our office in the postage prepaid, self-addressed envelope provided. Kindly call if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By:



Jeanne E. Farnea, Legal Assistant to
James P. Speck

Enclosure

cc: client (w/encl.)

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITED STATES
02 1A
0004389393
\$ 00.87
MAR 08 2007
MAILED FROM ZIP CODE 83720

RECEIVED

MAR 12 2007

DEPARTMENT OF
WATER RESOURCES

Bx 18

37-497B
37-496B



UNDELIVERABLE
AS ADDRESSED,
FORWARDING
ORDER EXPIRED

Watt

ELISE G LUFKIN
PO BOX 1854
KETCHUM ID 83340

09/26/2006

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

RIGHT NUMBER: 37-497B

NAME AND ADDRESS: ELISE G LUFKIN
PO BOX 1854
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.750 CFS

The total combined annual consumptive volume of water diverted under Right Nos. 37-00496B and 37-00497B shall not exceed 2.5 acre-feet per acre or a total of 75 acre-feet.

PRIORITY DATE: 07/01/1892

POINT OF DIVERSION:

T03N R18E S19 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.300 CFS
AESTHETIC	04/01 11/01	0.450 CFS
FIRE PROTECTION	04/01 11/01	0.450 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T03N R18E S19 NENE 20.00 T03N R18E S19 SENE 10.00

FIRE PROTECTION Within BLAINE County

T03N R18E S19 SENE

AESTHETIC Within BLAINE County

T03N R18E S19 SENE

30 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

Measuring devices of a type accepted by this Department shall be maintained at the point of diversion and point of discharge to the Big Wood River.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

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.



Idaho Department of Water Resources

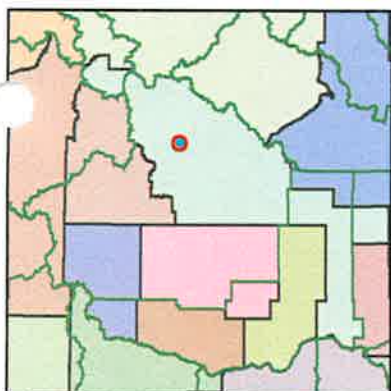
SRBA Recommendation:

37-497B

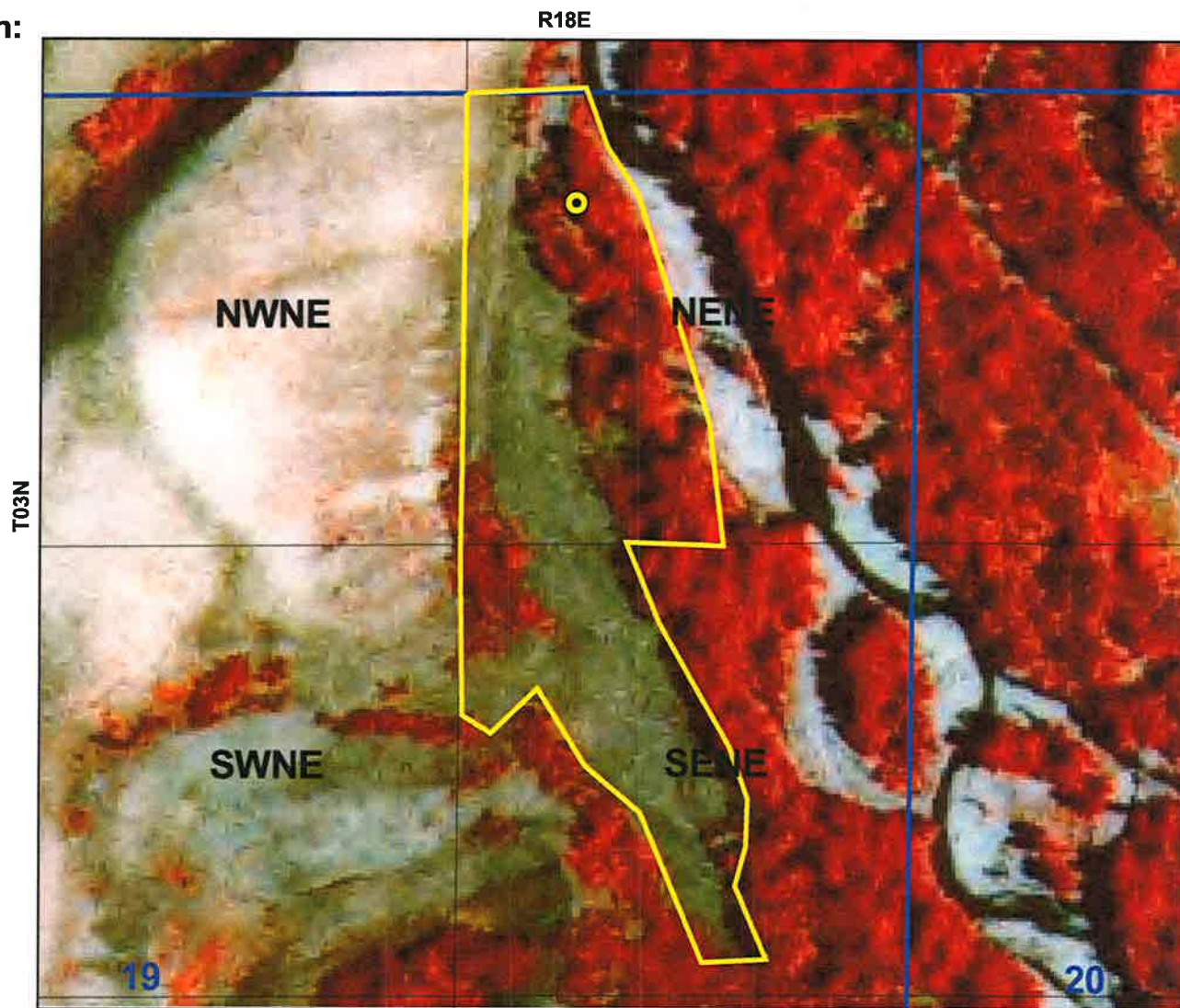
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles



Prepared by E. NORQUES
On Wednesday, September 27, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

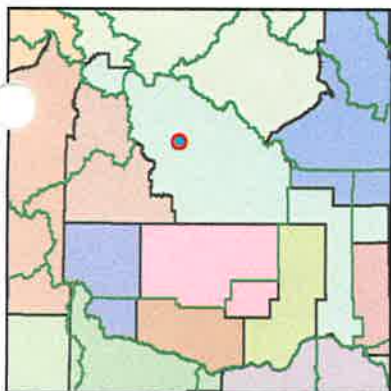
SRBA Recommendation:

37-497B

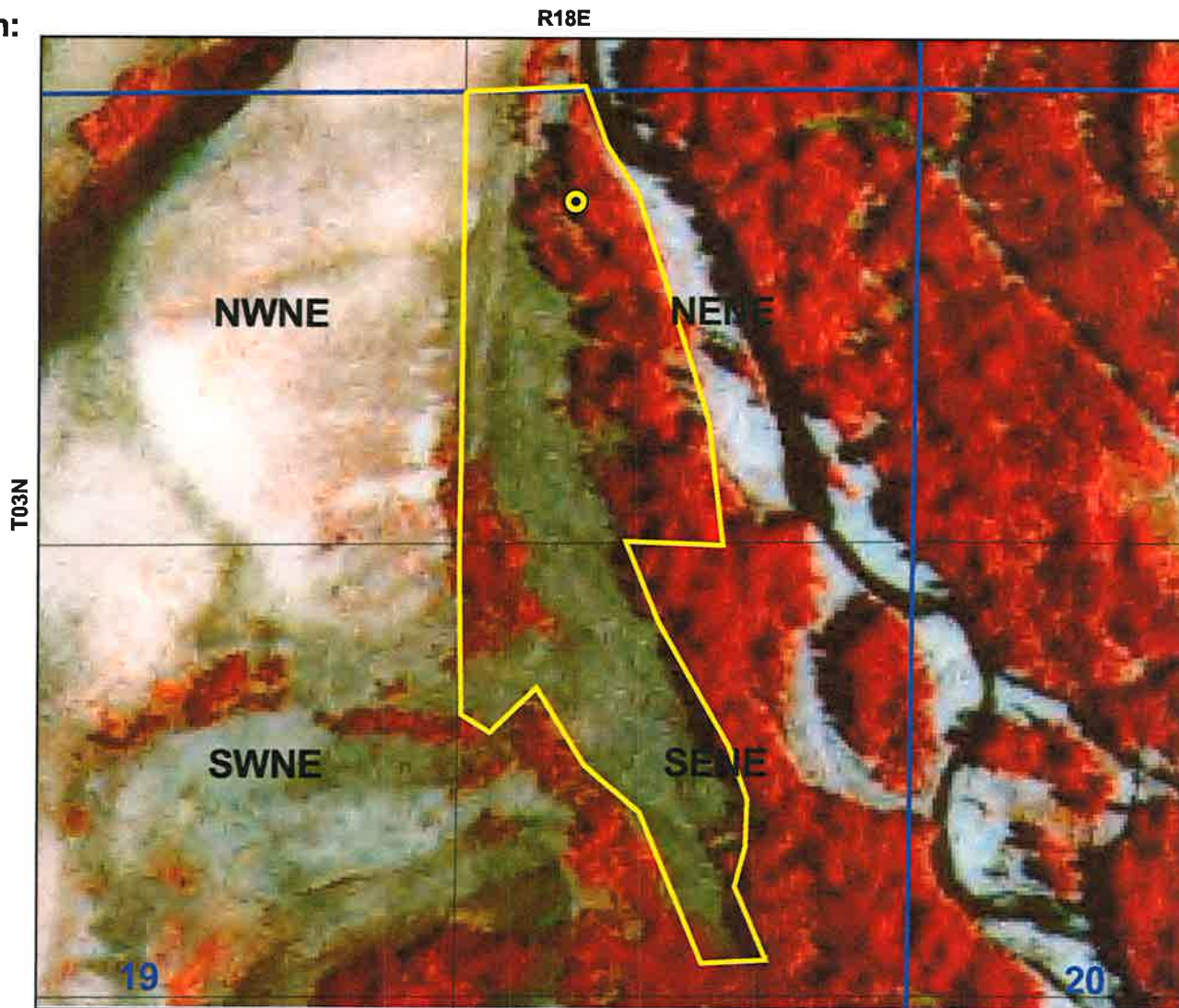
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles



Prepared by E. NORQUES
On Wednesday, September 27, 2006
1987/88 Aerial Photography

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDEDTransfer No. 3810APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant ELISE G. LUFKIN Phone (208) 726-4421
Post Office address C/O JAMES P. SPECK, ESQ., HOGUE, SPECK & AANESTAD, P.O. BOX 987, KETCHUM
ID 83340

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes APPLICANT PURCHASED PORTIONS OF PURCHASED WATER RIGHTS AND DESIRES TO USE THEM ON HER LANDS. THIS REQUIRES A NEW POINT OF DIVERSION AND CHANGE OF THE PLACE OF USE. APPLICANT ALSO DESIRES TO USE THESE WATERS FOR DOMESTIC FIRE PROTECTION.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE ** AMENDED PER LETTER OF Jim Speck of 8-16-91 Tjt 8-27-9*

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) * | * Nature
of Use | Period of Use |
|-----------------|----------|------------------------------|---------------------------------|------------------|
| 37-00496 B | 7/1/1883 | 1.41 CFS
0.60 | IRRIGATION | APRIL 1 to NOV 1 |
| 37-00497 B | 7/1/1892 | 0.705 CFS
0.30 | IRRIGATION | APRIL 1 to NOV 1 |
| 37-00496 B | 7/1/1883 | 1.41 CFS
0.90 | AESTHETICS &
FIRE PROTECTION | APRIL 1 to NOV 1 |
| 37-00497 B | 7/1/1892 | 0.705 CFS
0.45 | AESTHETICS &
FIRE PROTECTION | APRIL 1 to NOV 1 |
| | | 2.105
2.25 | | |
2. Total amount of water being transferred 2.25 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water BIG WOOD RIVER tributary to MALAD RIVER

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NN	NE	NE	19	3N	18E	BLAINE	NONE

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	19	20			10													30
3N	18E	19				F/A													

Total acres 30

PART 1

6. General Information:

a. Description of diversion system Pump in river to open ditch to storage pond to sprinkler system. Pump for storage pond through pipeline to single family residence for emergency fire protection purposes.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

It will no longer be irrigated. It is a residential subdivision.

d. Remarks:

Although not listed in the Frost Decree, land in the NE 1/4 NW 1/4 Sec. 20 that is west of Hwy. 75 has always been part of this farm (3 irrigated acres total). Old deeds confirm that these lands were part of this farm.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0496 & 37-0497

And said application is hereby APPROVED, subject to the following limitations and conditions:

See attached sheet for conditions of approval.

Witness my hand this 28th day of October, 1991.

UNRECORDED

OCT 26 1992

A. Glen Saxton
Chief, Water Allocation Bureau

ATTACHMENT
CONDITIONS OF APPROVAL

Transfer of Water Right Nos. 37-0496 & 37-0497

Transfer No. 3810

1. Use of water under this water right is subject to control by the watermaster of State Water District No. 37, Big Wood River.
2. The total combined annual consumptive volume of water diverted under Right Nos. 37-0496 & 37-0497 as authorized by this transfer shall not exceed 2.5 acre-feet per acre or a total of 75 acre-feet.
3. Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of discharge to the Big Wood River.
4. 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. Access must be provided for the watermaster to both the point of diversion and point of return.
5. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 28th day of October, 1991.



L. GLEN SAXTON
Chief, Water Allocation Bureau

RECORDED

OCT 26 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2*(Attach one copy for each right)***A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. 37-00496 Decreed to THOMAS MIZER
in case of S.C. FROST ET AL. vs. ALTURUS WATER COMPANY ET UX.
dated 12/13/1909 in 4TH DISTRICT county of LINCOLN
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water BIG WOOD RIVER tributary to MALAD RIVER

4. Date or priority _____

5. Water is used for the following purpose:

amount 4.0 for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 4.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NE	18	3N	18E	BLAINE	MIZER #20 HEADGATE

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	20						30	20	20	15								85
3N	18E	20					11	17	7	20	15	*							70*

RECORDED
OCT 26 1992

AMENDED 8/9/91 TGL

Total acres 85 70*9. Describe any other water rights used for the same purpose as described above 37-00497

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.5 0.6 for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
 (cfs/ac-ft)
 amount 0.9 for AESTHETICS purposes from APRIL 1 to NOV. 1
 (cfs/ac-ft)
 amount _____ for 8 FIRE PROTECTION purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NE	18	3N	18E	BLAINE	MUZER #20 HEADGATE

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	20																	<u>30</u>
		<u>20</u>					<u>9</u>	<u>13</u>		<u>8</u>									<u>30 *</u>

Total acres 30

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 2.5 for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NE	18	3N	18E	BLAINE	MIZER #20 HEADGATE

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	20																	<u>55</u>
							<u>2</u>	<u>4</u>	<u>7</u>	<u>12</u>	<u>15</u>								<u>40 *</u>

OCT 26 1992

Total acres 55 40

* Amended 8-9-91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 37-00497 Decreed to THOMAS MIZER
in case of S.C. FROST ET AL. vs. ALTURUS WATER COMPANY ET UX.
dated 12/13/1909 in 4TH DISTRICT county of LINCOLN
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☒ Other QUITCLAIM DEED

3. Source of water BIG WOOD RIVER tributary to MALAD RIVER

4. Date or priority 7/1/1892

5. Water is used for the following purpose:

amount 2.0 for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NE	18	3N	18E	BLAINE	MIZER #20 HEADGATE

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	18E	20						30	20	20	15								85

Total acres 85

9. Describe any other water rights used for the same purpose as described above 37-00496

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.75 0.30 for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
 (cfs/ac-ft)
 amount 0.45 for AESTHETICS purposes from April 1 to Nov 1
 (cfs/ac-ft)
 amount _____ for & FIRE protection purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NE	18	3N	18E	BLAINE	MIZER #20 HEADGATE

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	20						<u>30</u>											<u>30</u>
		<u>20</u>					<u>9</u>	<u>13</u>	<u>8</u>										<u>30*</u>

Total acres 30**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.25 for IRRIGATION purposes from APRIL 1 to NOVEMBER 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	NE	NE	18	3N	18E	BLAINE	MIZER #20 HEADGATE

3. Lands irrigated or place of use:

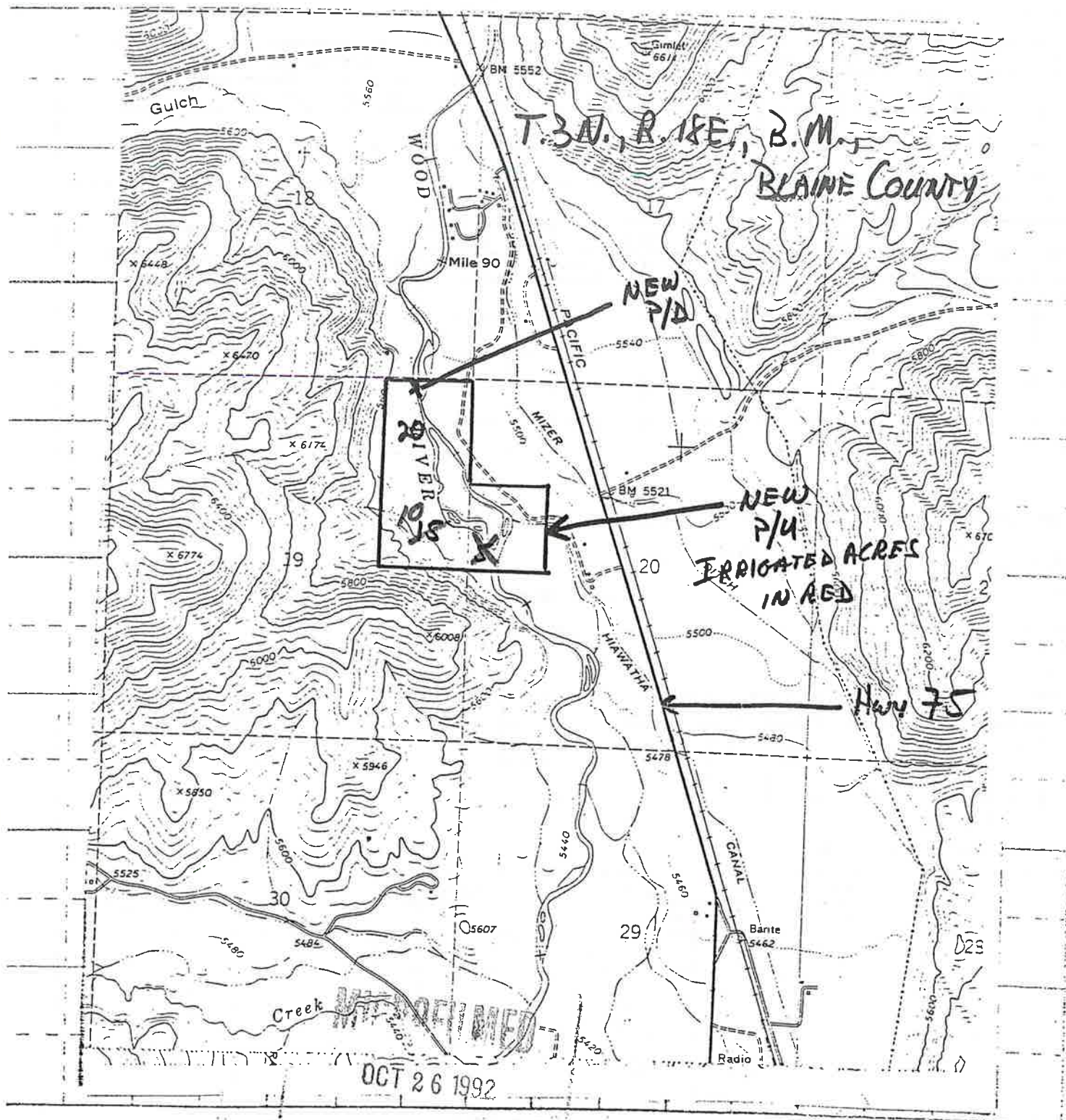
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	20							<u>20</u>	<u>20</u>	<u>15</u>								<u>55</u>
		<u>20</u>							<u>20</u>	<u>15</u>									<u>40*</u>

Total acres 55

* Amended 8/9/91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft) XXXXX	Hours/days/year	Period of Use
	Domestic fire protection	<u>2.25 cfs</u>	<u>24/214/year</u>	<u>Apr. 1 to Nov. 1</u>
4	<u>2 AESTHETICS</u>	<u>1.35 cfs</u>		<u>to</u>

* AMENDE PER 8/16/91 LETTER of Jim Speck TLL 8-27-91

2. Quantity and quality of return flows and location of discharge:

Will be the same as water removed from the river. The amount of the return flow depends entirely upon that left over from irrigation. The location of point of return is shown on the above map.

3. Describe effects on other water uses resulting from the proposed change:

None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Chise R. Luf

(Signature of Applicant)

Subscribed and sworn to before me this 20th day of August, 1990.

James D. Speck

(Notary Public)

My commission expires 1/25/91

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and 6 attachments

Received by M. Baldwin Date 8/27/90 Protest filed by _____

Prelim. check by J. Stanton Fee 50.00 R# 5012321

Receipted by DRJ Date 12/5/90

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 3/6 & 3/13/91 Hearing held by _____ Date _____

Watermaster recommendation requested on 8/27/91 Recommended for ☐ approval ☐ denial

_____ rec'd. 3/6/91 by _____

Copy of transfer sent to lien holder _____

RECEIVED

OCT 26 1992

Deeds

Front vs Alturas Water Co

37 0484	Miller, Benjamin F.	150 inches.	31	July 16, 1907.	Big Wood River.
37 0485	Millsaps, Frank	55	"	31 Apr. 1, 1883.	Little Wood River.
"	"	"	"	"	(Also shares in Big Cottonwood Canal Co.)
37 0486	Millsaps, Mary E.	160	"	320 June 27, 1908.	Little Wood River.
37 0487	Minear, John W.	50	"	40 Sept. 1, 1883.	Soldier Creek. ✓
37 0488	"	40	"	75 May 15, 1884.	"
37 0489	"	60	"	237 June 1, 1898.	"
37 0490	Mink, Amanda M.	160	"	45 May 14, 1883.	"
37 0491	Mink, Cicero B.	140	"	244 Jan. 18, 1900.	Cow Creek, a tributary of Upper Malad River.
37 0492	Mink, James D.	160	"	60 June 30, 1883.	Soldier Creek. ✓
37 0493	Mink, T. M.	80	"	229 June 1, 1882.	Corral Creek.
37 0494	Mizer, Jacob	100	"	44 May 1, 1886.	Big Wood River.
37 0495	"	140	"	145 July 1, 1892.	"
37 0496	Mizer, Thomas	200	"	67 July 1, 1883.	"
37 0497	"	100	"	145 July 1, 1892.	"
37 0498	Monroe, James W.	80	"	(92) Aug. 11, 1884.	"
37 0499	"	100	"	293 May 1, 1905.	"
37 0500	Moody, Marcus L.	320	"	280 Oct. 20, 1902.	"
37 0501	Morgan, W. Y.	400	"	44 May 1, 1886.	"
37 0502	Morrell, Siegel	40	"	45 June 31, 1884.	Soldier Creek. ✓
37 0503	"	120	"	237 June 1, 1898.	"
37 0504	Morris, Frank H.	145	"	302 Apr. 30, 1906.	Big Wood River or Malad River.
37 0505	Moulton, W. H.	160	"	223 May 20, 1896.	Big Wood River.
37 0506	"	80	"	270 May 15, 1902.	" Trans #121
37 0507	Mullins Canal & Reservoir Co.	750	"	180 June 15, 1890.	"
37 0508	Murphy, Mrs. Susan R.	120	"	47 May 1, 1885.	Deer Creek.
37 0509	Myers, S. J.	200	"	28 June 1, 1884.	Big Wood River.
37 0510	"	140	"	Oct. 15, 1884.	"

4150

83.0

MICROFILMED
OCT 26 1992

2909

Melick, John	193 inches.	June 20, 1884.	Big Wood River.
" "	43 "	June 2, 1890.	" " "
Meller, J. W.	120 "	June 10, 1887.	" " "
" " "	140 "	June 10, 1887.	" " "
Miller, Annie I.	1000 "	June 15, 1891.	" " "
Miller, Annie I., John Q. Packard, Jane E. Turner, William M. Wayman & Olive Wayman.	1000 "	Aug. 1, 1882.	" " "
Do.	1000 "	Aug. 1, 1884.	" " "
Do.	5000 "	Aug. 1, 1902.	" " "
Miller, Benjamin F.	150 "	July 16, 1907.	" " "
Millsaps, Frank	55 "	Apr. 1, 1883.	Little Wood River.
" "			Also shares in Big Cottonwood Canal Co.
Millsaps, Mary E.	160 "	June 27, 1908.	Little Wood River.
Minear, John W.	50 "	Sept. 1, 1883.	Soldier Creek.
" " "	40 "	May 15, 1884.	" "
" " "	60 "	June 1, 1898.	" "
Mink, Amanda M.	160 "	May 14, 1883.	" "
Mink, Cicero B.	140 "	Jan. 18, 1900.	Cow Creek, a tributary of Upper Malad River.
Mink, James D.	160 "	June 30, 1883.	Soldier Creek.
Mink, T. M.	80 "	June 1, 1882.	Corral Creek.
Mizer, Jacob	100 "	May 1, 1886.	Big Wood River.
" "	140 "	July 1, 1892.	" " "
Mizer, Thomas	200 "	July 1, 1883.	" " "
" "	100 "	July 1, 1892.	" " "
Monroe, James W.	80 "	Aug. 11, 1884.	" " "
" " "	100 "	May 1, 1905.	" " "
Moody, Marcus L.	320 "	Oct. 20, 1902.	" " "
Morgan, W. Y.	400 "	May 1, 1886.	" " "

RECORDED

JUN 04 1996

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

November 11, 1991

RECEIVED

NOV 13 1991

Mr. Alan Merritt
Department of Water Resources
222 Shoshone Street
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

Re: Elise G. Lufkin - Snake River Basin Adjudication

Dear Alan:

Enclosed you will find the following to be filed in the Adjudication for Ms. Elise G. Lufkin:

1. Notice of Change of Ownership for a portion of claim no. A37-00497;
2. Amended Notice of Claim for the portion of claim no. A37-00497;
3. Amended Notice of Claim for claim no. A37-00496.

I have also enclosed our check payable to the Department for \$90.00 as the additional filing fee due on the amended claims as a result of the added, non-consumptive aesthetic uses.

These amended claims have been filed to reflect the change of ownership for the portion of A37-00497 and the changes and point of diversion, place of use and nature of use for both water rights resulting from approved transfer no. 3810. When these changes have been made in the Department's computer database, please send me copies of the printouts.

Thank you for your continuing cooperation and assistance in these matters.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS\dmk
cc: Ms. Elise Lufkin (w/encls.)

j\corres91\merrita

MICROFILMED
FEB 23 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

3810

AMENDED
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1NOV 05 1991
Phone (208) 726-4421

Name of applicant ELISE G. LUFKIN

Post Office address C/O JAMES P. SPECK, ESQ., HOGUE, SPECK & AANESTAD, P.O. BOX 987, KETCHUM, ID 83340

Department of Water Resources
Southern Region

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other

2. Describe the reason for the proposed changes APPLICANT PURCHASED PORTIONS OF PURCHASED WATER RIGHTS AND DESIRES TO USE THEM ON HER LANDS. THIS REQUIRES A NEW POINT OF DIVERSION AND CHANGE OF THE PLACE OF USE. APPLICANT ALSO DESIRES TO USE THESE WATERS FOR DOMESTIC FIRE PROTECTION.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE * AMENDED PER LETTER OF

Jim Speck of 8-16-91
Period of Use

1. Right Number	Priority	Amount (cfs/ac-ft) *	Nature of Use *	Period of Use
37-00496 B	7/1/1883	1.41 CFS	IRRIGATION	APRIL 1 to NOV 1
37-00497 B	7/1/1892	0.705 CFS	IRRIGATION	APRIL 1 to NOV 1
37-00496 B	7/1/1883	1.41 CFS	AESTHETICS & FIRE PROTECTION	APRIL 1 to NOV 1
37-00497 B	7/1/1892	0.705 CFS	AESTHETICS & FIRE PROTECTION	APRIL 1 to NOV 1

2. Total amount of water being transferred 2.225 cubic feet per second and/or 2.105 acre-feet per annum.

3. Source of water BIG WOOD RIVER tributary to MALAD RIVER

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NN	NE	NE	19	3N	18E	BLAINE	NONE

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	18E	19	20			10													30
3N	18E	19				F													

MICROFILMED
OCT 24 1994

Total acres 30