

RECEIVED

NOV 09 1999

Department of Water Resources
Boise, Idaho

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: **A37-00565**
Date Received: 12/20/1988
Receipt No: S004704
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LITA WEST 208-823-4700
Address: PO BOX 867
BELLEVUE ID 83313

2. Date of Priority: DEC 31, 1884

3. Source: DRY CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	20E	13	NW	NE	NE		BLAINE
	21E	19		NW	NE		BLAINE

5. Description of diverting works:
MOVABLE CHECK DAM & DITCHES, 40 HP PUMP IN CR, ALSO SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	12.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	20E	13	NE	NE		IRR	8.8
			NW	NE		IRR	33.2
			SW	NE		IRR	9.2

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	20E	13	SE		NE		IRR	20.4
			NE		SE		IRR	9.6
							Section Acres	81.2
	21E	18	NE		SW		IRR	8.4
			NW		SW		IRR	6.4
			SW		SW		IRR	38.8
			SE		SW		IRR	40.0
			SW		SE		IRR	16.0
							Section Acres	109.6
		19	NE		NE		IRR	15.2
			NW		NE		IRR	27.6
			SW		NE		IRR	32.0
			SE		NE		IRR	34.4
			NE		NW		IRR	38.4
			NW		NW		IRR	28.4
			SW		NW		IRR	8.0
			SE		NW		IRR	13.6
			NE		SE		IRR	17.2
							Section Acres	214.8
		20	NE		NE		IRR	23.6
			NW		NE		IRR	8.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	14.8
			NW		NW		IRR	17.6
			SW		NW		IRR	38.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	36.0
			SW		SW		IRR	18.0
			SE		SW		IRR	24.8
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	16.8
			SE		SE		IRR	14.0
							Section Acres	451.6
							Total Acres	857.2

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:

37-4243, 37-4244, AND SEE REMARKS

14. Remarks:

276 AF OF "OLD STORAGE" AND 50 AF OF "NEW STORAGE" IN THE LITTLE WOOD RESERVOIR OF THE LITTLE WOOD IRRIG. DIST., 18 SHARES OF LITTLE WOOD CANAL CO. WATER, AND BENEFICIAL USE CLAIM FOR FOR ADDITIONAL WATER FROM SAME WELL AS 37-2595.

CLAIMED RIGHT ORIGINALLY DECREED TO W. F. RAWSON IN S. C. FROST ET AL. VS ALTURUS WATER CO. ET UX. THE DECREE DOES NOT STATE A PRIORITY DATE. HOWEVER, DEEDS IN THE CHAIN OF TITLE (SEE COPY OF EARLIEST SUCH DEED) IDENTIFY 1884 AS THE PRIORITY DATE, AND THIS IS CLAIMED. DRY CREEK IS DECREED TO BE A "DRY STREAM" (SEE ATTACHED COPY OF PAGE 29 OF THE DECREE), AND THE DECREED RIGHT IS FOR THE "ENTIRE FLOW" OF THE STREAM, SO THE PRIORITY DATE IS NOT CRITICAL TO ADMINISTRATION OF THIS CLAIM. THE AMOUNT CLAIMED IS ALSO BASED ON DEEDS IN THE CHAIN OF TITLE, WHICH STATE "250 INCHES" FOR 1/2 THE FLOW OF DRY CREEK; THUS, 500 INCHES OR 10 CFS IS CLAIMED. THIS CLAIM ALSO COMBINES AND CORRECTS THE BENEFICIAL USE CLAIMS 37-4243 AND 37-4244 PREVIOUSLY FILED BY JAMES E. WEST. PLACE OF USE IS CLAIMED PURSUANT TO SECTION 42-1416(1), IDAHO CODE, TO EXTENT IT DIFFERS FROM THE DECREE.

ADDITIONAL DESCRIPTION OF DIVERSION WORKS:

CHECK DAM IS MOVED ALONG THE CREEK AS NEEDED DURING IRRIGATIONS. P/D IN ITEM 4 IS THE UPPERMOST LOCATION OF THE CHECK DAM DURING THE IRRIGATION SEASON.

OWNERSHIP CHANGE 1/21/92 BY JG.

9/1/99, DJ: DRAFT AMENDED CLAIM PREPARED TO CHANGE OTHER RIGHTS, POD'S, PLACES OF USE AND REMARKS.

475 AF OF "OLD STORAGE" AND 63 AF OF "NEW STORAGE" IN THE LITTLE WOOD RESERVOIR OF THE LITTLE WOOD IRRIGATION DISTRICT, 38 SHARES OF THE LITTLE WOOD CANAL CO AND BENEFICIAL USE CLAIM FOR ADDITIONAL WATER FROM SAME WELL AS USED UNDER 37-02595.

CLAIMED RIGHT ORIGINALLY DECREED TO W F RAWSON IN FROST ET AL VS ALTURAS WATER CO ET UX. THE DECREE DOES NOT STATE A PRIORITY DATE. HOWEVER, DEEDS IN THE CHAIN OF TITLE IDENTIFY 1884 AS THE PRIORITY DATE AND THIS IS CLAIMED. DRY CREEK IS DECREED AS A "DRY STREAM" AND THE DECREED RIGHT IS FOR THE "ENTIRE FLOW" OF THE STREAM, SO PRIORITY DATE IS NOT CRITICAL TO ADMINISTRATION OF THE RIGHT. THE AMOUNT CLAIMED IS BASED ON THE HISTORICAL BENEFICIAL USE FROM NUMEROUS SURFACE DIVERSIONS THROUGHOUT THE RANCH WHICH WERE CAPABLE OF AND DID DIVERT THE "ENTIRE FLOW" OF DRY CREEK FOR BENEFICIAL USE ON THE RANCH. THE EXISTING

14. Remarks: Continued

DIVERSION CAPACITY IS 12 CFS.

THIS CLAIM ALSO COMBINES AND CORRECTS INTO THIS CLAIM THE BENEFICIAL USE CLAIMS 37-04243 AND 37-04244 PREVIOUSLY FILED BY JAMES E WEST. PLACE OF USE IS CLAIMED PURSUANT TO 42-1416(1), IDAHO CODE, TO EXTENT IT DIFFERS FROM DECREE.

ADDITIONAL DESCRIPTIO OF DIVERSION WORKS:

CHECK DAMS ARE MOVED ALONG CREEK AS NEEDED DURING IRRIGATIONS. THE FIRST P/D IN ITEM # 4 IS THE UPPERMOST LOCATION OF THE CHECK DAM(S) DURING THE IRRIGATION SEASON.

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): John A. West Date: Sept 15 1999

Date: _____

State of Idaho

County of

Blaine

)
) SS.
)

Subscribed and sworn (or affirmed) before me this

15th day

of

September

19

99

Kathi Peck
Notary Public

Seal

Residing at

Carey, Idaho

My Commission Expires

8/31/2001

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00565
Date Received: 12/20/1988
Receipt No: S004704
Received By: FD

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LITA WEST
Address: P.O. BOX 360
BELLEVUE ID

83313

2. Date of Priority: DEC 31, 1884

3. Source: DRY CREEK

Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	20E	13	NW	NE	NE		BLAINE

5. Description of diverting works:
MOVABLE CHECK DAM & DITCHES. ALSO SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	10.000		

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

8. Total consumptive use is 2357.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	20E	13	NE	NE		IRR	32.0
			SE	NE		IRR	16.0

COPY

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JAN 10 1992
Department of State Resources
County Office
BLAINE
MICROFILMED
FEB 23 1995

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	48.0
	21E	17	SE	SE		IRR	15.0
						Section Acres	15.0
		18	NE	SW		IRR	8.0
			NW	SW		IRR	28.0
			SW	SW		IRR	40.0
			SE	SW		IRR	39.0
			SW	SE		IRR	17.0
						Section Acres	132.0
		19	NE	NE		IRR	17.0
			NW	NE		IRR	37.0
			SW	NE		IRR	38.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	30.0
			SW	NW		IRR	5.0
			SE	NW		IRR	24.0
			NE	SE		IRR	24.0
						Section Acres	255.0
		20	NE	NE		IRR	26.0
			NW	NE		IRR	10.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	14.0
			NW	NW		IRR	16.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	32.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.0
			SE	SE		IRR	15.0
						Section Acres	493.0
						Total Acres	943.0

REPROFILMED
FEB 23 1993

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:

37-2595, 370564, 37-0563, AND SEE REMARKS

14. Remarks:

276 AF OF "OLD STORAGE" AND 50 AF OF "NEW STORAGE" IN THE LITTLE WOOD RESERVOIR OF THE LITTLE WOOD IRRIG. DIST., 18 SHARES OF LITTLE WOOD CANAL CO. WATER, AND BENEFICIAL USE CLAIM FOR FOR ADDITIONAL WATER FROM SAME WELL AS 37-2595.

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ADDITIONAL DESCRIPTION OF DIVERSION WORKS:
CHECK DAM IS MOVED ALONG THE CREEK AS NEEDED DURING IRRIGATIONS.
P/D IN ITEM 4 IS THE UPPERMOST LOCATION OF THE CHECK DAM DURING THE IRRIGATION SEASON.

OWNERSHIP CHANGE 1/21/92 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

COPY

MICROFILMED
FEB 23 1993

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): Sita W. West Date: April 20, 1992

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of April 19 92

[Signature]
Notary Public

Seal

Residing at Kimberly ID
My Commission Expires 6/30/94

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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BELLEVUE ID

83313

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Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

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01S	21E	13	NW	NE	NE		BLAINE

5. Description of diverting works:
MOVABLE CHECK DAM & DITCHES. ALSO SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	10.000		

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

8. Total consumptive use is 2357.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	20E	13	NE	NE		IRR	32.0
			SE	NE		IRR	16.0

MICHOPILED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
						Section Acres	48.0
	21E	17	SE	SE		IRR	15.0
						Section Acres	15.0
		18	NE	SW		IRR	8.0
			NW	SW		IRR	28.0
			SW	SW		IRR	40.0
			SE	SW		IRR	39.0
			SW	SE		IRR	17.0
						Section Acres	132.0
		19	NE	NE		IRR	17.0
			NW	NE		IRR	37.0
			SW	NE		IRR	38.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	30.0
			SW	NW		IRR	5.0
			SE	NW		IRR	24.0
			NE	SE		IRR	24.0
						Section Acres	255.0
		20	NE	NE		IRR	26.0
			NW	NE		IRR	10.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	14.0
			NW	NW		IRR	16.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	32.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.0
			SE	SE		IRR	15.0
						Section Acres	493.0
						Total Acres	943.0

REPRODUCTION
FEB 23 1992

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:

37-2595, 370564, 37-0563, AND SEE REMARKS

14. Remarks:

276 AF OF "OLD STORAGE" AND 50 AF OF "NEW STORAGE" IN THE LITTLE WOOD RESERVOIR OF THE LITTLE WOOD IRRIG. DIST., 18 SHARES OF LITTLE WOOD CANAL CO. WATER, AND BENEFICIAL USE CLAIM FOR FOR ADDITIONAL WATER FROM SAME WELL AS 37-2595.

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ADDITIONAL DESCRIPTION OF DIVERSION WORKS:
CHECK DAM IS MOVED ALONG THE CREEK AS NEEDED DURING IRRIGATIONS.
P/D IN ITEM 4 IS THE UPPERMOST LOCATION OF THE CHECK DAM DURING THE IRRIGATION SEASON.

OWNERSHIP CHANGE 1/21/92 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

MICROFILMED
FEB 2 1992

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 _____

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FEB 23 1992

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SEP 09 1991

CHANGE IN OWNERSHIP

Department of Water Resources
Southern Region Office

This form is used for purposes of notifying IDWR of a change in ownership of an Adjudication Claim.

[X] Water Right Number(s): 37-02595; 37-00563; 37-00564; 37-00565;
37-12380; 37-12379; 37-12381

[X] Name and Address of
Former Claimant(s): The Estate of James E. West, Deceased
c/o Mrs. Lita West, Personal Representative
P.O. Box 360

Bellevue, Idaho 83313

[X] New Claimant(s): Lita West

[X] New Mailing Address: P.O. Box 360

Bellevue, Idaho 83313-

[] New Telephone Number: () -

[X] Does the change in ownership result in a spitting of the
water right(s) claimed? Yes x No
If yes, then describe the portion of the water right that
is now claimed by the new owner(s):

[] Attach proof of ownership:
Describe proof attached:
(Proof of ownership must describe either the property
conveyed or include the claim number.)
(Proof of ownership is not required if this form is
signed by the former claimant.)

[] Signature of New Claimant(s):

Date

Revised 01/91

(Over Please)

CHANGE IN OWNERSHIP

[x] Signature of Former Claimant(s): John H. West
Personal Representative of the Estate of James E. West

Date: August 26, 1991

[Signature of former claimant(s) is not required if proof of ownership is attached.]

For IDWR use only:

Initial Review and Data-Entry: Date 3/17/92 By K

Further Action Needed / Taken: Date 7/17/92 By JS

Final Review and Data-Entry: Date 11/17/92 By r.

Claim Numbers of Split, if any:

After form has been completed, please return to the nearest IDWR office below:

Western Regional Office
2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

Eastern Regional Office
150 Shoup Suite # 15
Idaho Falls, Idaho 83402
(208) 525-7161

Southern Regional Office
222 Shoshone Street East
Twin Falls, Id 83301
(208) 734-3578

Northern Regional Office
1910 Northwest Blvd. Suite 210
Coeur D'Alene Idaho 83814
(208) 765-4639

IDWR State Office
1301 N. Orchard St.
Statehouse Mail
Boise, Idaho 83720
(208) 327-7906

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

FIRST INTERSTATE CENTER

SUITE 1000

POST OFFICE BOX 1617

BOISE, IDAHO 83701

TELEPHONE

(208) 344-6000

FAX

(208) 342-3829

POCATELLO OFFICE

125 NORTH GARFIELD

POST OFFICE BOX 4167

POCATELLO, IDAHO 83205

TELEPHONE

(208) 233-0845

RICHARD B. BURLEIGH

September 6, 1991

RECEIVED

SEP 09 1991

Department of Water Resources
Southern Region Office

Alan Merritt
Idaho Department of Water Resources
Southern Regional Office
222 Shoshone Street East
Twin Falls, ID 83301

Re: Change in Ownership

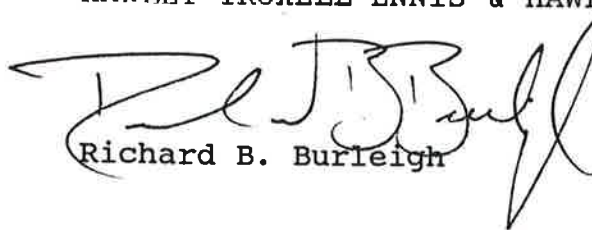
Dear Mr. Merritt:

Please find enclosed a Change in Ownership form for the water rights currently owned by the Estate of James E. West, deceased. The form is signed by Lita W. West, Personal Representative of the Estate of James E. West, deceased. Attached to the form is the formal appointment of Lita W. West as the Personal Representative of the Estate by the District Court of the Fifth Judicial District of the State of Idaho in and for the County of Blaine.

If you have any questions or require further information, please contact me immediately.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY


Richard B. Burleigh

RBB/gmt
Enclosures
cc: Lita W. West

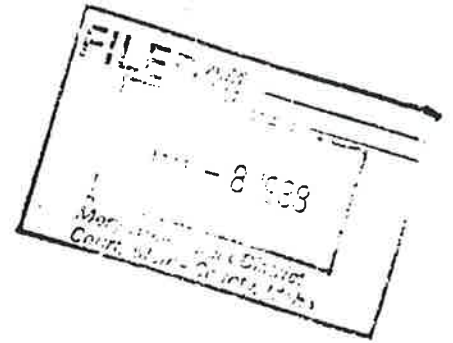
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FEB 23 1993

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RECEIVED

SEP 09 1991

Department of Water Resources
Southern Region Office



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

IN THE MATTER OF THE ESTATE OF)

Case No. 14435

JAMES EVERETT WEST,)

FORMAL PROBATE OF WILL AND
FORMAL APPOINTMENT OF
PERSONAL REPRESENTATIVE

Deceased.)

Upon consideration of the Petition for Formal Probate of
Will and Formal Appointment of Personal Representative filed by
LITA WALKER WEST on December 7, 1987, the Court finds:

1. The required notices have been given.
2. This proceeding was commenced within the time
provided by law.
3. The decedent died on October 24, 1987, domiciled in
Blaine County, Idaho.
4. Venue is proper.
5. The heirs and devisees of the decedent are as
follows:

FORMAL PROBATE OF WILL AND FORMAL APPOINTMENT
OF PERSONAL REPRESENTATIVE - 1

MICROFILMED
FEB 23 1993

<u>Name</u>	<u>Relationship</u>
Lita Walker West	Spouse
J. Michael West	Son
Victoria Anne West	Daughter
James D. McLaughlin	Friend
Elizabeth Hull	Friend
Marianne J. Reis	Friend
Chris Foley	Friend

6. Petitioner is the spouse of the decedent and also one of the individuals designated in the Last Will and Testament of decedent to be a Personal Representative. The other individual designated in the Last Will and Testament of the Decedent to be Co-Personal Representative is the decedent's son, J. Michael West. J. Michael West has heretofore filed with this Court a document renouncing and disclaiming his right to act as Co-Personal Representative with Petitioner and agreeing Petitioner should be appointed the sole Personal Representative of this Estate. LITA WALKER WEST is therefore entitled to appointment as the decedent's sole Personal Representative to act without bond.

7. The testamentary instruments to which this Petition relates are the Last Will and Testament of Decedent dated June 8, 1987, and Codicil thereto dated June 10, 1987.

THEREFORE:

1. The Last Will and Testament of decedent dated June 8, 1987, and the Codicil thereto dated June 10, 1987, are hereby formally probated.

MICROFILMED
FEB 23 1993

1
2 2. LITA WALKER WEST is hereby formally appointed as
3 Personal Representative of the decedent to act without bond.

4 3. Upon qualification and acceptance, Letters
5 Testamentary shall be issued to LITA WALKER WEST as Personal
6 Representative.

7 DATED: January 8, 1988.

8
9 
10 THE HONORABLE DANIEL L. ALBAN
11 Magistrate Judge

12 T17:17/cc

MICROFILMED
FEB 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

22-Jan-1992 10:59

RICHARD B BURLEIGH
HAWLEY TROXELL ENNIS & HAWLEY
FIRST INTERSTATE CENTER
SUITE 1000
POST OFFICE BOX 1617
BOISE ID 83701

Re: Ownership Change for Adjudication Claim No.(s): A37-02595, A37-00563,
A37-00564, A37-00565, A37-12380, A37-12379 & A37-12381 - THE ESTATE OF
JAMES E. WEST, DECEASED C/O MRS. LITA WEST

Dear Mr. Burleigh:

Pursuant to the notification that you are representing the new claimants on the above-referenced Adjudication Claim(s), the Department has changed the record(s) of the current owner as you requested.

Please review the record(s) and should you have any questions, please feel free to call this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures

NOT RECORDED
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

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: A37-00565

Date Received: 12/16/1988

Receipt No: S004704

Received By: R.V. H.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ESTATE OF JAMES E. WEST, DECEASED 208-788-4445
Address: % MRS. LITA WEST, PERS. REPR.
P.O. BOX 360
BELLEVUE, ID 83313

2. Date of Priority: DEC 31, 1884

3. Source: DRY CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	21E	13	NW	NE	NE		BLAINE

5. Description of diverting works:
MOVABLE CFHECK DAM & DITCHES. ALSO SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	10.000		

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

8. Total consumptive use is 2357.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	20E	13	NE	NE		IRR	32.0
			SE	NE		IRR	16.0

Section Acres 48.0

A37-00565

Page 1

Date: 02/01/89

MICROFILMED
FEB 23 1989
FEB 13

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	21E	17	SE	SE		IRR	15.0
						Section Acres	15.0
		18	NE	SW		IRR	8.0
			NW	SW		IRR	28.0
			SW	SW		IRR	40.0
			SE	SW		IRR	39.0
			SW	SE		IRR	17.0
						Section Acres	132.0
		19	NE	NE		IRR	17.0
			NW	NE		IRR	37.0
			SW	NE		IRR	38.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	30.0
			SW	NW		IRR	5.0
			SE	NW		IRR	24.0
			NE	SE		IRR	24.0
						Section Acres	255.0
		20	NE	NE		IRR	26.0
			NW	NE		IRR	10.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	14.0
			NW	NW		IRR	16.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	32.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.0
			SE	SE		IRR	15.0
						Section Acres	493.0
						Total Acres	943.0

UNFILMED
FEB 23 1993

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:

37-2595, 370564, 37-0563, AND SEE REMARKS

14. Remarks:

276 AF OF "OLD STORAGE" AND 50 AF OF "NEW STORAGE" IN THE LITTLE WOOD RESERVOIR OF THE LITTLE WOOD IRRIG. DIST., 18 SHARES OF LITTLE WOOD CANAL CO. WATER, AND BENEFICIAL USE CLAIM FOR ADDITIONAL WATER FROM SAME WELL AS 37-2595.

CLAIMED RIGHT ORIGINALLY DECREED TO W. F. RAWSON IN S. C. FROST ET AL. VS ALTURUS WATER CO. ET UX. THE DECREE DOES NOT STATE A PRIORITY DATE. HOWEVER, DEEDS IN THE CHAIN OF TITLE (SEE COPY OF EARLIEST SUCH DEED) IDENTIFY 1884 AS THE PRIORITY DATE, AND THIS IS CLAIMED. DRY CREEK IS DECREED TO BE A "DRY STREAM" (SEE ATTACHED COPY OF PAGE 29 OF THE DECREE), AND THE DECREED RIGHT IS FOR THE "ENTIRE FLOW" OF THE STREAM, SO THE PRIORITY DATE IS NOT CRITICAL TO ADMINISTRATION OF THIS CLAIM. THE AMOUNT CLAIMED IS ALSO BASED ON DEEDS IN THE CHAIN OF TITLE, WHICH STATE "250 INCHES" FOR 1/2 THE FLOW OF DRY CREEK; THUS, 500 INCHES OR 10 CFS IS CLAIMED. THIS CLAIM ALSO COMBINES AND CORRECTS THE BENEFICIAL USE CLAIMS 37-4243 AND 37-4244 PREVIOUSLY FILED BY JAMES E. WEST. PLACE OF USE IS CLAIMED PURSUANT TO SECTION 42-1416(1), IDAHO CODE, TO EXTENT IT DIFFERS FROM THE DECREE.

ADDITIONAL DESCRIPTION OF DIVERSION WORKS:

CHECK DAM IS MOVED ALONG THE CREEK AS NEEDED DURING IRRIGATIONS. P/D IN ITEM 4 IS THE UPPERMOST LOCATION OF THE CHECK DAM DURING THE IRRIGATION SEASON.

15. Basis of Claim: BENEFICIAL USE

REPROFILMED
FEB 23 1993

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

My Commission expires the 12th day of January, 1956.

Filed for record at the County of Blaine, Idaho, at 10:27 o'clock P.M., December 27, 1955.

George E. McCoy, Ex-Officio Recorder

Orlith Buhler, Deputy.

No. 107194

WARRANTY DEED

BAR BELL LAND AND CATTLE COMPANY TO FRANK S. HOFUES ET UX ET AL

THIS INDENTURE, made this 16th day of Aug., 1955, between BAR BELL LAND AND CATTLE COMPANY, a corporation duly organized and existing under and by virtue of the laws of the State of Idaho, located at Carey, County of Blaine, State of Idaho, party of the first part and FRANK S. HOFUES and DOROTHY HOFUES, husband and wife, and R. DEAN HANN and ELIZABETH HANN, husband and wife, party of the second part.

WITNESSETH:

That the party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) to it paid by the party of the second part, the receipt whereof is hereby conferred and acknowledged and other valuable considerations, has given, granted, bargained, sold, remised, released, aliened, conveyed, and confirmed, and by these presents does give, grant, bargain, sell, remise, release, alien, convey, and confirm unto the party of the second part, their heirs and assigns forever, all its real property in the County of Blaine, State of Idaho, more particularly described as follows, to-wit:

In Township 1 South of Range 21 East of the Boise Meridian:

In Section 16: SE1/4, NE1/4

In Section 20: NE1/4, SE1/4, SW1/4, NW1/4 and NE1/8

In Township 1 North of Range 20 East of the Boise Meridian:

In Section 3: NE1/4, SE1/4, NW1/4, SW1/4, NE1/8, SE1/8, NW1/8 and SW1/8

In Section 4: NE1/4, SE1/4, SW1/4, NW1/4 and SE1/8

In Section 11: NE1/4

In Section 12: NW1/4

In Section 14: SE1/4 and NE1/8

In Section 15: NW1/4

In Township 2 North of Range 20 East of the Boise Meridian:

MICROFILMED
FEB 23 1993

(891.201. P. 8.)
(Affixed and
(Cancelled)

Together with all water and water rights, ditches and ditch rights appurtenant to or used in connection with said lands, however evidenced, including but not limited to the following:

40 inches Little Wood River of May 30, 1881, priority.
60 inches Little Wood River of May 30, 1882, priority.
~~250 inches of Ivy Creek with 1881 priority.~~
1 second foot of Little Wood River of April 1, 1889 priority.

SUJ-1, however, to one certain first mortgage given by the party of the first part, as mortgagor, to the Federal Land Bank of Spokane, Washington, as mortgagee, in the present sum of approximately \$17,000.00

Together with all and singular the hereditaments and appurtenances, thereunto belonging or in any wise appertaining; and all the estate, right, title, interest, claim, or demand whatsoever, of the party of the first part, either in law or equity; either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

To have and to hold the premises as above described with the hereditaments and appurtenances, unto the party of the second part, and to their heirs and assigns forever.

And the party of the first part, for itself and its successors, does covenant, grant, bargain, and agree to and with the party of the second part, their heirs and assigns, that at the time of the enrolling and delivery of these presents it is well seized of the premises above described, as of good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that they are free and clear from all encumbrances whatsoever, except the aforementioned mortgage to Federal Land Bank of Spokane, Washington, and that the above bargained premises in the quiet and peaceable possession of the party of the second part, their heirs and assigns against all and every person or persons lawfully claiming the whole or any part thereof, it will forever warrant and defend.

IN WITNESS WHEREOF, Bar Bell Land and Cattle Company, party of the first part, has caused these presents to be signed by Lafayette Smith, its president, at Carey, Idaho, and its corporate seal to be hereunto affixed, this 10th day of Aug, 1955.

Signed and sealed in presence of:

(CORPORATE SEAL)

STATE OF IDAHO,)
 : ss.
County of Nez Perce)

BAR BELL LAND AND CATTLE COMPANY

By: Lafayette Smith
President

On this 10th day of Aug, 1955, before me, the undersigned, a Notary Public, personally appeared LAFAYETTE SMITH, known to me to be the president of the corporation that executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

(SEAL)

Russell S. Randall
Notary Public for State of Idaho
Residing at Lewiston
My commission expires: 1-10-57

Filed for record at the request of Russell S. Randall at 11:30 o'clock A. M. December 30, 1955.

George E. McCoy, Ex-Officio Recorder
By Ethel Huhler, Deputy.

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 A37-00565
Date Received 12-16-88
Receipt Number 5004704 *SCU*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 16 1988

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Estate of James E. West, deceased
Phone: (208) 788-4445
Mailing Address: c/o Mrs. Lita West, Personal Representative
P. O. Box 360
Bellevue, ID 83313

2. Date of Priority: 1884

3. Source of water supply (a) Dry Creek
which is tributary to (b) Little Wood River

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{2}$</u>	<u>$\frac{3}{4}$</u>	<u>Lot</u>	<u>County</u>
1S	21E	13	NW	NE	NE		Blaine

Additional points of diversion if any: See para. 5, below.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{2}$</u>	<u>$\frac{3}{4}$</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	---------------------------------	---------------------------------	---------------------------------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{2}$</u>	<u>$\frac{3}{4}$</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	---------------------------------	---------------------------------	---------------------------------	------------	---------------

5. Description of existing diversion works: Check dam & ditches, flood irrigation. Check dam is moved up & down Creek as needed; P/D in 4, a. is uppermost location of check dam during irrigation season.

RECEIVED
FEB 23 1989

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	10.0 cfs

7. Total Quantity Claimed: 10.0 cfs

8. Total consumptive use claimed is 2357.5 acre feet per annum.

9. Non-irrigation uses: None.

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>
1S	20E	13	NE	NE	I	32
1S	20E	13	SE	NE	I	16
1S	21E	17	SE	SE	I	15
1S	21E	18	NE	SW	I	8
1S	21E	18	NW	SW	I	28
1S	21E	18	SW	SW	I	40
1S	21E	18	SE	SW	I	39
1S	21E	18	SW	SE	I	17
1S	21E	19	NE	NE	I	17
1S	21E	19	NW	NE	I	37
1S	21E	19	SW	NE	I	38
1S	21E	19	SE	NE	I	40
1S	21E	19	NE	NW	I	40
1S	21E	19	NW	NW	I	30
1S	21E	19	SW	NW	I	5
1S	21E	19	SE	NW	I	24
1S	21E	19	NE	SE	I	24
1S	21E	20	NE	NE	I	26
1S	21E	20	NW	NE	I	10
1S	21E	20	SW	NE	I	40
1S	21E	20	SE	NE	I	40
1S	21E	20	NE	NW	I	14
1S	21E	20	NW	NW	I	16
1S	21E	20	SW	NW	I	40
1S	21E	20	SE	NW	I	40
1S	21E	20	NE	SW	I	40
1S	21E	20	NW	SW	I	40
1S	21E	20	SW	SW	I	40
1S	21E	20	SE	SW	I	32
1S	21E	20	NE	SE	I	40
1S	21E	20	NW	SE	I	40
1S	21E	20	SW	SE	I	20
1S	21E	20	SE	SE	I	15

Total number of irrigated acres: 943

Last Name: Estate of James E. West

Ident No.: _____

RECORDED
FEB 23 1993

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? 37-2595, 37-0564, 37-0563, 276 AF of "old storage" and 50 AF of "new storage" in the Little Wood Reservoir under the Little Wood Irrigation District, 18 shares of the Little Wood Canal Company, and beneficial use claim for additional water from same well as 37-2595.

14. **Remarks:** Claimed right originally decreed to W. F. Rawson in S.C. Frost et al. v. Alturus Water Co. et ux.. The decree does not state a priority date. However, deeds in the chain of title (see copy of earliest such deed) identify 1884 as the priority date, and this is claimed. Dry Creek is decreed to be a "dry stream" (see attached copy of page 29 of the Decree), and the decreed right is for the "entire flow" of the stream, so the priority date is not critical to administration of this Claim. The amount claimed is also based upon deeds in the chain of title which state "250 inches" for one-half the flow of Dry Creek; thus, 500 inches or 10.0 cfs is claimed. This Claim also combines and corrects the beneficial use claims 37-4243 and 37-4244 previously filed by James E. West. Place of use is claimed pursuant to Section 42-1416(1), Idaho Code, to the extent it differs from the Decree.

also see Decree of Dry Creek

Last Name: Estate of James E. West

Ident No. _____

MICROFILMED
FEB 23 1993

Scale: 2 inches equals 1 mile

Hand-drawn map on a grid showing a proposed road (P/O) and a dry creek. The map includes numerical data points and a legend for indicated areas in red.

Legend:

- Indicated Areas in Red

Map Features:

- P/O (Proposed Road):** A blue line representing the proposed road, starting from the top left and running generally east-southeast.
- Dry Creek:** A blue line representing a dry creek, starting from the bottom left and running generally east-southeast.
- Indicated Areas in Red:** Several rectangular areas are outlined in red, indicating specific zones of interest or concern.
- Numerical Data:** Various numbers are written on the grid, including 13, 17, 18, 19, 20, 21, 24, 32, 34, 37, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Copies: White-State, Yellow-Claimant

RECORDED
FEB 23 1944

15. **Basis of Claim:** Decree
IDWR Water Right Number: 37-0565
Court: Lincoln County
Case Number:
Decree Date: December 13, 1909
Plaintiff v. Defendant:
S.C. Frost et al. v. Alturus Water Co. et ux.

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 Organizations] I do solemnly swear or affirm that I am the Personal Representative of the Estate of James E. West, deceased, that I have signed the foregoing document in the space below as Personal Representative of said Estate, and that the statements contained in the foregoing document are true and correct.

Estate of James E. West, deceased

By: Lita W. West
Lita West, Personal Representative

Date: December 15, 1988

State of Idaho)
County of Blaine) ss.

Subscribed and sworn before me this 15th day of December, 1988.

Notary Public James P. Speck
Residing at East Fork, ID
Commission Expires 1/31/91

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: 12/15/88

Last Name: Estate of James E. West
a:west4.clm

Ident No.: _____

RECORDED
FEB 23 1993

Williams, A. D.	8	100 inches.	June 15, 1891.	Big Wood River. Trans #20
Williams, M. H.	400	"	June 15, 1891.	" " Trans #35-208
Wilson, Samuel S.	110	"	May 31, 1883.	" Trans #1086
Wilson, Susan	140	"	Mar. 15, 1883.	Little Wood River. #146
Wondershek, John	80	"	July 10, 1884.	Big Wood River. #7900
Woodworth, E. L.	50	"	Apr. 1, 1877.	Little Wood River.
Worden, Ruth S.	160	"	Feb. 22, 1883.	" " "
	160	"	Nov. 29, 1907.	Big Wood River.
	160	"	Nov. 29, 1907.	" " "
Worthington, O. H.	65	"	June 1, 1887.	Aubrey Creek.
Wronchor, James A.	200	"	June 10, 1880.	Big Wood River. #756
Young, H. M.	120	"	Oct. 1, 1890.	" " "
Young, John A.	125	"	July 2, 1883.	Soldier Creek.
	100	"	Apr. 30, 1884.	Little Deer Creek.

That the users of water from the so-called dry streams, (to-wit: Brook's Creek, Bullion Creek, Burgens Creek, Camp Creek, Chimney Creek, Corral Creek, Cow Creek, Croy Creek, Doer Creek, Dry Creek, Dyer Creek, Early Creek, Elk Creek, Greenhorn Creek, Guy Hollow, Jix's or Boardman's or Sheep Creek, Indian Creek, Lansing Creek, Little Deer Creek, Little Wood River above its junction with Silver Creek,) Minnehaha Creek, Monumental Creek, Muldoon Creek, Rook Creek, Smidt Creek, Soldier Creek, Spring Creek, Three Mile Creek or Four Mile Creek, Upper Malad River, Warm Springs Creek near Hailey, West Fork of Rook Creek, and Willow Creek are entitled to their various amounts and priorities, as among themselves, as of the respective dates and amounts hereby awarded, regardless of the rights of the users of waters of the main stream and other streams involved in this action; and that the appropriators and users of water from other streams are not entitled to have the waters of said dry streams continue to flow down to where their channels unite with the streams into which they empty.

That Fred. W. Fator and Adam Island are entitled to 320 inches of Trans

Date Received _____

State of Idaho
Department of Water Resources

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

RECEIVED
OCT 24 1988

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

Estate of James E. West

Name of Claimant

c/o Lita West, P.O. Box 360

Post Office Address

Bellevue, Idaho 83313

City, State, Zip Code

Blaine

County(s) where Place of Use is located

October 26, 1988

Date Claim Originally Due

See attached Addendum

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

See attached Addendum

Claimant requests an extension to December 15, 1988.

James E. West
Signature

ATTORNEY FOR ESTATE OF JAMES E. WEST
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted _____ denied,

and the filing deadline extended to 12/15, 1988.

RECEIVED

NOV 8 1988 Signed this 24 day of October, 1988.

K & Aarstad

DAVID B. SHAW
Director or his designated agent

FEB 23 1989

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

RIGHT NUMBER: 37-565

NAME AND ADDRESS:

LITA WEST
PO BOX 100
CAREY ID 83320

SOURCE:

Source:
DRY CREEK

Tributary:

LITTLE WOOD RIVER

QUANTITY:

7.200 CFS
0.000 AFY

~~5.000 CFS~~

PRIORITY DATE:

12/31/1884

POINT OF DIVERSION:

T01S R20E S13 NENWNE
Within BLAINE County

T01S R21E S19 SENWNE
Within BLAINE County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/15 10/31	<u>7.200 CFS</u> 5.000 CFS

PLACE OF USE:

IRRIGATION within BLAINE County

T01S R20E S13 Lot 1 NENE 4.1

~~T01S R20E S13 Lot 1 NENE 6.1~~

T01S R20E S13 NWNE 34.0

T01S R20E S13 SWNE 8.3

~~T01S R20E S13 SWNE 8.4~~

T01S R20E S13 Lot 2 SENE 18.0

T01S R20E S13 Lot 3 NESE 8.7

~~T01S R20E S13 Lot 3 NESE 7.5~~

~~T01S R21E S18 NESW 7.5~~

T01S R21E S18 Lot 3 NWSW 8.8

~~T01S R21E S18 Lot 3 NWSW 7.5~~

T01S R21E S18 Lot 4 SWSW 43.0

T01S R21E S18 SESW 36.0

T01S R21E S18 SWSE 12.0

~~T01S R21E S18 SWSE 13.0~~

T01S R21E S19 NENE 16.0

~~T01S R21E S19 NENE 15.0~~

T01S R21E S19 NWNE 29.0

T01S R21E S19 SWNE 34.0

~~T01S R21E S19 SWNE 33.0~~

T01S R21E S19 SENE 37.0

T01S R21E S19 NENW 38.0

T01S R21E S19 Lot 1 NWNW 28.0

~~T01S R21E S19 Lot 1 NWNW 26.0~~

T01S R21E S19 Lot 2 SWNW 8.6

~~T01S R21E S19 Lot 2 SWNW 6.9~~

T01S R21E S19 SENW 16.0

~~T01S R21E S19 SENW 15.0~~

T01S R21E S19 NESE 16.0

T01S R21E S20 NENE 16.0

~~T01S R21E S20 NENE 14.0~~

T01S R21E S20 NWNE 8.1

T01S R21E S20 SWNE 40.0

T01S R21E S20 SENE 40.0

T01S R21E S20 NENW 14.0

T01S R21E S20 NWNW 15.0

T01S R21E S20 SWNW 40.0

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

T01S R21E S20 SENW 40.0
T01S R21E S20 NESW 40.0
T01S R21E S20 NWSW 40.0
T01S R21E S20 SWSW 19.0
T01S R21E S20 SESW 24.0
T01S R21E S20 NESE 40.0
T01S R21E S20 NWSE 40.0
T01S R21E S20 SWSE 16.0
T01S R21E S20 SESE 13.0

840.6 ACRES TOTAL

~~840 ACRES TOTAL~~

The rights listed below are limited to the irrigation of a combined total of 495 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, 37-565, and 37-2595.

The rights listed below are limited to the irrigation of a combined total of 360 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, and 37-565.

This right is limited to the irrigation of 360 acres within the place of use described above 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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

04/19/2010

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

RIGHT NUMBER: 37-565

NAME AND ADDRESS: LITA WEST
PO BOX 100
CAREY ID 83320

SOURCE: DRY CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 7.200 CFS

PRIORITY DATE: 12/31/1884

POINT OF DIVERSION:

T01S R20E S13 NENWNE Within BLAINE County

T01S R21E S19 SENWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	7.200 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R20E S13 Lot 1 NENE	4.10	T01S R20E S13	NWNE	34.00
T01S R20E S13 SWNE	8.30	T01S R20E S13 Lot 2 SENE		18.00
T01S R20E S13 Lot 3 NESE	8.70	T01S R21E S18 Lot 3 NWSW		8.80
T01S R21E S18 Lot 4 SWSW	43.00	T01S R21E S18	SESW	36.00
T01S R21E S18 SWSE	12.00	T01S R21E S19	NENE	16.00
T01S R21E S19 NWNE	29.00	T01S R21E S19	SWNE	34.00
T01S R21E S19 SENE	37.00	T01S R21E S19	NENW	38.00
T01S R21E S19 Lot 1 NWNW	28.00	T01S R21E S19 Lot 2 SWNW		8.60
T01S R21E S19 SENW	16.00	T01S R21E S19	NESE	16.00
T01S R21E S20 NENE	16.00	T01S R21E S20	NWNE	8.10
T01S R21E S20 SWNE	40.00	T01S R21E S20	SENE	40.00
T01S R21E S20 NENW	14.00	T01S R21E S20	NWNW	15.00
T01S R21E S20 SWNW	40.00	T01S R21E S20	SENW	40.00
T01S R21E S20 NESW	40.00	T01S R21E S20	NWSW	40.00
T01S R21E S20 SWSW	19.00	T01S R21E S20	SESW	24.00
T01S R21E S20 NESE	40.00	T01S R21E S20	NWSE	40.00
T01S R21E S20 SWSE	16.00	T01S R21E S20	SESE	13.00

840.6 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 495 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, 37-565, and 37-2595.

The rights listed below are limited to the irrigation of a combined total of 360 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, and 37-565.

This right is limited to the irrigation of 360 acres within the place of use described above 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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

RECEIVED

12/22/2006

JAN 19 2007

DEPARTMENT OF
WATER RESOURCESNOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-565

LITA WEST

PO BOX 867

BELLEVUE ID 83313

Telephone Number: (208) 481-1411

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Please wait for Brockway Engineers Review

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

Jan 2 2007

SIGNATURE:

Lita West

Please print your name:

Lita West

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

JAN 22 2007



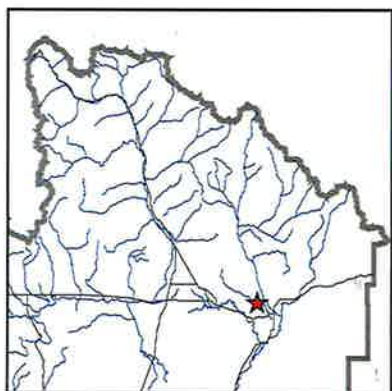
Idaho Department of Water Resources

SRBA Recommendation:

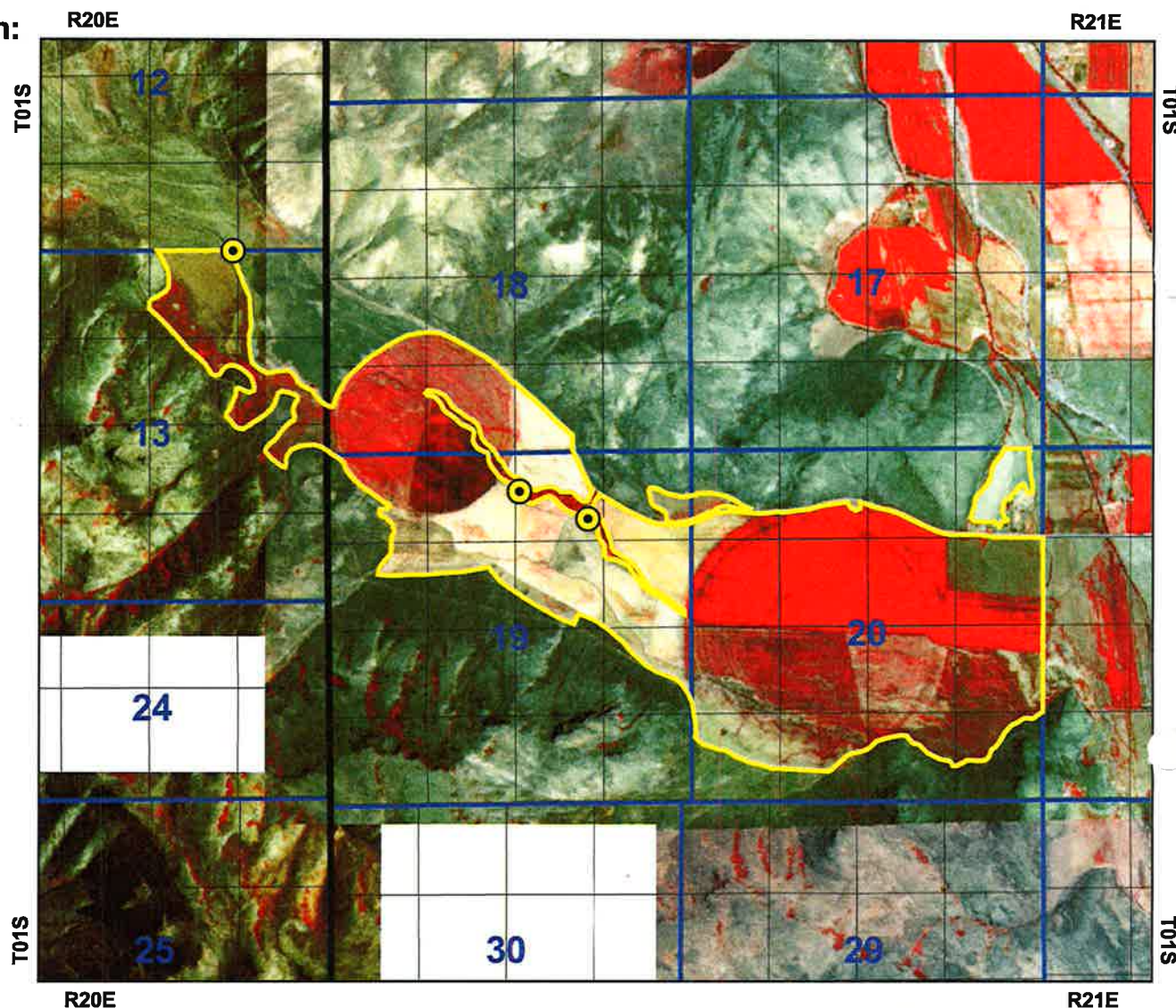
37-565
37-2595

Legend

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



Blaine County
IDWR Basin 37



0 0.25 0.5 0.75 1 Miles



Prepared by M. Anders
On Tuesday, December 19, 2006
1987/88 Aerial Photography

12/19/2006

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

RIGHT NUMBER: 37-565

NAME AND ADDRESS: LITA WEST
PO BOX 867
BELLEVUE ID 83313

SOURCE: DRY CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 5.000 CFS

PRIORITY DATE: 12/31/1884

POINT OF DIVERSION:

T01S R20E S13 NENWNE Within BLAINE County

T01S R21E S19 SENWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

5.000 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R20E S13 Lot 1	NENE	6.10	T01S R20E S13	NWNE	34.00
T01S R20E S13	SWNE	8.40	T01S R20E S13 Lot 2	SENE	18.00
T01S R20E S13 Lot 3	NESE	7.50	T01S R21E S18	NESW	7.50
T01S R21E S18 Lot 3	NWSW	7.50	T01S R21E S18 Lot 4	SWSW	43.00
T01S R21E S18	SESW	36.00	T01S R21E S18	SWSE	13.00
T01S R21E S19	NENE	15.00	T01S R21E S19	NWNE	29.00
T01S R21E S19	SWNE	33.00	T01S R21E S19	SENE	37.00
T01S R21E S19	NENW	38.00	T01S R21E S19 Lot 1	NWNW	26.00
T01S R21E S19 Lot 2	SWNW	6.90	T01S R21E S19	SENW	15.00
T01S R21E S19	NESE	16.00	T01S R21E S20	NENE	14.00
T01S R21E S20	NWNE	8.10	T01S R21E S20	SWNE	40.00
T01S R21E S20	SENE	40.00	T01S R21E S20	NENW	14.00
T01S R21E S20	NWNW	15.00	T01S R21E S20	SWNW	40.00
T01S R21E S20	SENW	40.00	T01S R21E S20	NESW	40.00
T01S R21E S20	NWSW	40.00	T01S R21E S20	SWSW	19.00
T01S R21E S20	SESW	24.00	T01S R21E S20	NESE	40.00
T01S R21E S20	NWSE	40.00	T01S R21E S20	SWSE	16.00
T01S R21E S20	SESE	13.00			

840 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 360 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, and 37-565.

This right is limited to the irrigation of 360 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 495 acres in a single irrigation season. Combined Right Nos.: 37-563, 37-564, 37-565, and 37-2595.

12/19/2006

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

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

SRBA Review Notes

Claim(s): 37-565, 37-2595, 37-12379, 37-12381

Background Data

37-565

- Source is Dry Creek
- Decreed for the entire flow of Dry Creek on 9 QQ
- Claimed 12.0 cfs on 857 acres

37-2595

- Source is Groundwater
- Licensed for 1.0 cfs for Irrigation of 135 acres
- Claimed 1.0 cfs for Irrigation of 324 acres

37-12379

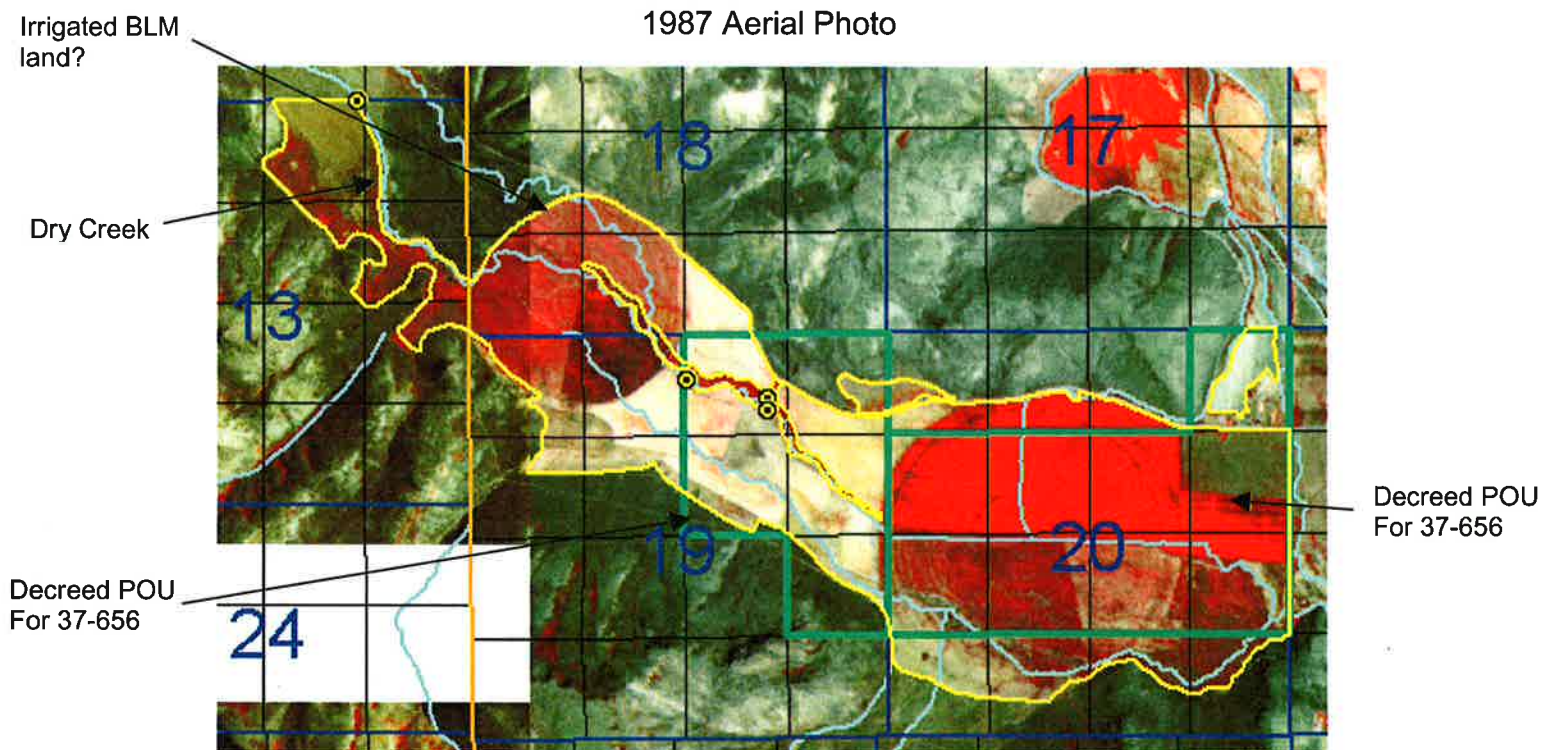
- Beneficial Use claim
- Source is Groundwater
- Claimed 0.04 cfs for Domestic and 0.23 cfs for Stockwater

37-12381

- Beneficial Use claim
- Source is groundwater
- Claimed 2.3 cfs on for Irrigation of 324.4 acres.
- Priority date is the completion of the diversion listed on license 37-2595

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.
 Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.
 Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)



Notes

T1S R20E Sections 13 & 24; T1S R21E Sections 17, 18, 19, & 20

- Tax records show that the NESW Section 18 is BLM land.

37-565

- Claim 37-565 combines and corrects 37-4243 & 37-4244
 - No evidence of priority submitted for 37-4243 or 37-4244, so this portion of claim disallowed.
- Priority date and diversion rate:
 - 37-565 was decreed in the Frost decree for all of Dry Creek without a priority date
 - Claimant submitted a deed date 12/30/1955 that lists the following water:
 - 60 inches from Little Wood River with a priority date of 5/30/1881
 - 37-563
 - 60 inches from Little Wood River with a priority date of 5/30/1882
 - 37-564
 - 250 inches from Dry Creek with a priority date of 1884
 - 50 inches Little Wood River with a priority date of 4/1/1889

- Priority Date:
 - Unless the claimant submits evidence of priority, the claim is assigned a priority date of the date the decree was signed, which would be December 14, 1909
- Diversion Rate:
 - 37-563, 37-564, and 37-565 are decreed on the same POU
 - 37-563 and 37-564 total 2.4 cfs on 360 acres, to get 0.02 cfs/acre 37-565 would need to be 4.8 cfs
 - Remarks on claim states that the 5 cfs listed in deed is for ½ of Dry Creek, but I cannot find where deed says this is ½ of Dry Creek
- Decision:
 - Using the deed as a basis, decided to recommend 37-565 for 5.0 cfs with a priority date of 12/31/1884.

37-12381

- POD is same well as 37-2595
- Remarks say the capacity of the well is 3.3 cfs and that is needed to drive the pivot.
 - Claiming the 2.3 cfs in excess of the 1.0 cfs licensed for 37-2595.
- At the time of licensing the capacity of the well was calculated to be 1.0 cfs and the water was used for flood irrigation.
- It appears that the well and distribution system were updated sometime after licensing. Claimant needs to document the additional water and POU
 - Evidence of priority provided by Boyd Stocking is insufficient to document the claimed water use

➤ Recommendations:

- 840 acre PPU
 - Also use Canal shares on some of this land
- 37-563, 37-564, and 37-565 limited to irrigation of 360 acres
- 37-563, 37-564, 37-565, and 37-2595 limited to irrigation of 495 acres
- 37-565
 - 5.0 cfs for Irrigation of 360 acres within PPU
 - Priority date: 12/31/1884
- 37-2595: 1.0 cfs for Irrigation of 135 acres within PPU
- 37-12379
 - 0.04 cfs and 1.2 AF for Domestic
 - 0.23 cfs and ~~14.0~~ ^{14.6} AF for Stockwater
- 37-12381: Claim disallowed

$$\rightarrow AF = \text{div rate} \times 1.98 \times 200 (\text{irrig days})$$

$$= 396 \text{ AF}$$

- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

SD-33

Last Name: ESTATE

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	ESTATE OF JAMES	E.	WEST, DECEASED				
-		C	A37-01198	05/14/1909	SPRINGS	5.400	01 IRR
-		C	A37-01200	12/17/1891	SEAMANS CRE	3.400	01 IRR
-		C	A37-12375	12/31/1891	SEAMANS CRE	0.160	04 STOCK
-		C	A37-12376	12/31/1891	SPRINGS	0.080	43 DOMEST
-		C	A37-12377	10/31/1959	GROUNDWATER	0.160	04 STOCK
-		C	A37-12378	11/12/1984	GROUNDWATER	0.200	43 DOMEST
-							04 STOCK
-		C	A37-12379	12/31/1884	GROUNDWATER	0.270	43 DOMEST
-							04 STOCK
-		C	A37-12380	12/31/1920	GROUNDWATER	0.290	43 DOMEST
-							04 STOCK
-		C	A37-12381	08/17/1959	GROUNDWATER	2.300	01 IRR
-		C	A37-00564	05/30/1882	LITTLE WOOD	1.200	01 IRR
-		C	A37-00563	05/30/1881	LITTLE WOOD	1.200	01 IRR
-		C	A37-00565	12/31/1884	DRY CREEK	10.000	01 IRR

(Enter=Continue)

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(Menu _____)

REPRODUCTION
FEB 23 1993

Last Name: ESTATE

STATE

SE	First Name	OWN	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
ESTATEOF JAMES E.	WEST, DECEASED	C	A37-02595	04/02/1957	GROUNDWATER	1.000	01	IRR

(Menu)

RECORDED
FEB 23 1953

SD-36	Township: 01S	Range: 21E	Section: 18	Tract:	Lot:			
S	L	STATE	O	S	Max # Records			
E	O	Name	W	T	Priority			
L	Tract T	Water Right No.	N	AC	G			
		Last, First						
					Date			
					Code			
					Desc			
NESW	A37-00565	ESTATE OF JAMES E. WES	C	8	D	12/31/1884	01	IRR
NWSW	A37-00565	ESTATE OF JAMES E. WES	C	28	D	12/31/1884	01	IRR
SWSW	A37-00565	ESTATE OF JAMES E. WES	C	40	D	12/31/1884	01	IRR
SWSW	A37-12381	ESTATE OF JAMES E. WES	C	30	J	08/17/1959	01	IRR
SWSW	A37-00564	ESTATE OF JAMES E. WES	C	25	D	05/30/1882	01	IRR
SWSW	A37-00563	ESTATE OF JAMES E. WES	C	25	D	05/30/1881	01	IRR
SESW	A37-00565	ESTATE OF JAMES E. WES	C	39	D	12/31/1884	01	IRR
SESW	A37-12381	ESTATE OF JAMES E. WES	C	35	J	08/17/1959	01	IRR
SESW	A37-00564	ESTATE OF JAMES E. WES	C	39	D	05/30/1882	01	IRR
SESW	A37-00563	ESTATE OF JAMES E. WES	C	39	D	05/30/1881	01	IRR
SWSE	A37-00565	ESTATE OF JAMES E. WES	C	17	D	12/31/1884	01	IRR
SWSE	A37-00564	ESTATE OF JAMES E. WES	C	17	D	05/30/1882	01	IRR
SWSE	A37-00563	ESTATE OF JAMES E. WES	C	17	D	05/30/1881	01	IRR

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(GOLD7=This Query)

(Menu _____)

UNRECORDED
FEB 23 1993

SD-36	Township: 01S	Range: 21E	Section: 19	Tract:	Lot:	
S	L	STATE	O	S	Max # Records	
E	O	Name	W	T	Priority	
L	Tract T	Water Right No.	N	AC	G	
		Last, First				
					Date	
					Code	
					Desc	
—	SENE	A37-00565	ESTATE OF JAMES E. WES	C 40	D 12/31/1884	01 IRR
—	SENE	A37-02595	ESTATEOF JAMES E. WEST	C 40	L 04/02/1957	01 IRR
—	SENE	A37-00564	ESTATE OF JAMES E. WES	C 40	D 05/30/1882	01 IRR
—	SENE	A37-00563	ESTATE OF JAMES E. WES	C 40	D 05/30/1881	01 IRR
—	NENW	A37-00565	ESTATE OF JAMES E. WES	C 40	D 12/31/1884	01 IRR
—	NENW	A37-12381	ESTATE OF JAMES E. WES	C 35	J 08/17/1959	01 IRR
—	NENW	A37-00564	ESTATE OF JAMES E. WES	C 40	D 05/30/1882	01 IRR
—	NENW	A37-00563	ESTATE OF JAMES E. WES	C 40	D 05/30/1881	01 IRR
—	NWNW	A37-00565	ESTATE OF JAMES E. WES	C 30	D 12/31/1884	01 IRR
—	NWNW	A37-12381	ESTATE OF JAMES E. WES	C 30	J 08/17/1959	01 IRR
—	NWNW	A37-00564	ESTATE OF JAMES E. WES	C 30	D 05/30/1882	01 IRR
—	NWNW	A37-00563	ESTATE OF JAMES E. WES	C 30	D 05/30/1881	01 IRR
—	SWNW	A37-00565	ESTATE OF JAMES E. WES	C 5	D 12/31/1884	01 IRR
—	SWNW	A37-00564	ESTATE OF JAMES E. WES	C 5	D 05/30/1882	01 IRR
—	SWNW	A37-00563	ESTATE OF JAMES E. WES	C 5	D 05/30/1881	01 IRR
—	SENW	A37-00565	ESTATE OF JAMES E. WES	C 24	D 12/31/1884	01 IRR

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RECORDED
FEB 23 1953

SD-36		Township: 01S		Range: 21E		Section: 19		Tract:		Lot:	
S	L			STATE	O	S	Max # Records	36			
E	O	Water		Name	W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc	
---	---	---	---	---	---	---	---	---	---	---	---
---	SENW		A37-00564	ESTATE OF JAMES E. WES	C	24	D	05/30/1882	01	IRR	
---	SENW		A37-00563	ESTATE OF JAMES E. WES	C	24	D	05/30/1881	01	IRR	
---	NESE		A37-00565	ESTATE OF JAMES E. WES	C	24	D	12/31/1884	01	IRR	
---	NESE		A37-02595	ESTATEOF JAMES E. WEST	C	10	L	04/02/1957	01	IRR	
---	NESE		A37-00564	ESTATE OF JAMES E. WES	C	24	D	05/30/1882	01	IRR	
---	NESE		A37-00563	ESTATE OF JAMES E. WES	C	24	D	05/30/1881	01	IRR	

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
 (Enter=Continue) (GOLD7=This Query)

(Menu _____)

UNRECORDED
 FEB 23 1993

SD-36	Township: 01S	Range: 21E	Section: 20	Tract:	Lot:			
S	L	STATE	O	S	Max # Records 122			
E	O	Name	W	T	Priority			
L	Tract T	Water Right No.	N	AC	G			
		Last, First			Date			
					Code			
					Desc			
NENE	A37-00565	ESTATE OF JAMES E. WES	C	26	D	12/31/1884	01	IRR
NENE	A37-12380	ESTATE OF JAMES E. WES	C		J	12/31/1920	43	DOMEST
NENE	A37-12380	ESTATE OF JAMES E. WES	C		J	12/31/1920	43	DOMEST
NENE	A37-00564	ESTATE OF JAMES E. WES	C	26	D	05/30/1882	01	IRR
NENE	A37-00421	LITTLE WOOD RIVER CANA	C	26	D	04/15/1893	01	IRR
NENE	A37-00422	LITTLE WOOD RIVER CANA	C	26	D	09/02/1899	01	IRR
NENE	A37-01132	LITTLE WOOD RIVER CANA	C	26	D	05/01/1947	01	IRR
NENE	A37-02773	LITTLE WOOD RIVER IRRI	C	26	L	09/03/1935	03	IRR FS
NENE	A37-02774	LITTLE WOOD RIVER IRRI	C	26	L	11/21/1938	03	IRR FS
NENE	A37-02779	LITTLE WOOD RIVER IRRI	C	26	L	02/11/1954	03	IRR FS
NENE	A37-00563	ESTATE OF JAMES E. WES	C	26	D	05/30/1881	01	IRR

(Enter=Continue)

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MICROFILMED
FEB 23 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

12/20/88 10:01:37

Page 1

Water Right Number - 37-00565

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
RAWSON

W. F.

1 -

2 -

3 -

City-

Phone -

State-

Zip-

+ - - Priority Date - - +
00/00/0000+ - - Region - - - +
17+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - - +
DRY CREEK+ - - Tributary - - - - - +
LITTLE WOOD RIVER+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)+ - - Code Description Period From Period To Diversion Rate Diversion Volume +
01 - IRRIGATION

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
01S	21E	20	NE NE			01	IRRIGATION	13 BLAINE
01S	21E	20	SW NE			01	IRRIGATION	13 BLAINE
01S	21E	20	SE NE			01	IRRIGATION	13 BLAINE
01S	21E	20	SW NW			01	IRRIGATION	13 BLAINE
01S	21E	20	SE NW			01	IRRIGATION	13 BLAINE
01S	21E	20	NE SW			01	IRRIGATION	13 BLAINE
01S	21E	20	NW SW			01	IRRIGATION	13 BLAINE
01S	21E	20	NE SE			01	IRRIGATION	13 BLAINE
01S	21E	20	NW SE			01	IRRIGATION	13 BLAINE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 37-0563, 0564

+ - - Remarks - - - - - +
RT. IS FOR ENTIRE FLOW OF DRY CREEK; NO PRIORITY DATE IN DECREE.
P/U INCORRECT IN DECREE; SHOULD INCLUDE S 1/2 NE 1/4 S20.
CORRECT P/U VERIFIED BY SAWTOOTH TITLE CO.

Water right number - 37-00565 Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
S. C. FROST, ET. AL. ALTURAS WATER COMPANY, ET. AL. 12/13/1909

+ - - Microfilm Rolls -

+ - - Audit Fields - 02/11/86 05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 12/09/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37N
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 12/13/1909				

FEB 23 1989

9/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Estate of James West

CLAIM ID

NO.

A37-00565

DATE RECEIVED

12-16-88

CK #

1220

AMOUNT \$

1711

YES

NO

1. Is the name and address complete with zip code?

2. Is a priority date entered?

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required)

N/A

4. Is the legal description of the p.d. sufficient?

5. Is there a description of the diverting works?

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.

Is the period of use included?

Is a quantity claimed for each use?

7. Is a total quantity claimed entered?

8. If required is a consumptive use entered?

N/A

Is the consumptive use correct?

N/A

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, each household must file a separate claim. See Adjudication Memo # 4.

10. Is (are) the place(s) of use entered?

11. Is (are) the county(ies) entered?

12. Is the ownership of p.u. checked?

13. Are other water rights listed or "none" checked?

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.)

N/A

15. Is the basis of the claim checked?

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Is the fee enclosed correct?

If this claim is based on an existing water right, has the identification number been entered?

N/A

Should this claim be receipted and data entered?

Claim checked by:

Comments:

Proof Attached

REC 23 1988

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-565

WATER RIGHT NUMBER: 37-565

Owner Type Name and Address
 Current Owner W F RAWSON

, ZZ

Priority Date:

Basis: Decreed

Status: Active

Source Tributary
 DRY CREEK LITTLE WOOD RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION / to /

Total Diversion:Location of Point(s) of Diversion

DRY CREEK

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	21E	20	X		X	X			X	X	X	X			X	X			

Conditions of Approval:

1. RT. IS FOR ENTIRE FLOW OF DRY CREEK; NO PRIORITY DATE IN DECREE. P/U INCORRECT IN DECREE; SHOULD INCLUDE S 1/2 NE 1/4 S20. CORRECT P/U VERIFIED BY SAWTOOTH TITLE CO.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-565

Licensed Date:
Decreed Date: 12/13/1909
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37N
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-563

WATER RIGHT NUMBER: 37-563

Owner Type Name and Address
 Current Owner W F RAWSON
 , ZZ

Priority Date: 05/30/1881

Basis: Decreed

Status: Active

Source Tributary
 LITTLE WOOD RIVER MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.200 CFS	
	<u>Total Diversion:</u>	1.200 CFS	

Location of Point(s) of Diversion

LITTLE WOOD RIVER

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01S	21E	20	X		X	X			X	X	X	X			X	X			

Conditions of Approval:

1. AC. IRRIG. NOT SPECIFIED. FARM = 360 AC.
 P/U GIVEN INCORRECTLY IN DECREE AS INCL. S 1/2 NW 1/4 S20.
 CORRECT P/U VERIFIED BY SAWTOOTH TITLE CO.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-563

Licensed Date:
Decreed Date: 12/13/1909
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37N
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-564

WATER RIGHT NUMBER: 37-564

Owner Type Name and Address

Current Owner W F RAWSON

, ZZ

Priority Date: 05/30/1882

Basis: Decreed

Status: Active

Source

LITTLE WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

1.200 CFS

Annual VolumeTotal Diversion: 1.200 CFSLocation of Point(s) of Diversion

LITTLE WOOD RIVER

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	
01S	21E	20	X		X	X			X	X	X	X			X	X		X	

Conditions of Approval:

1. AC. IRRIG. NOT SPECIFIED. FARM = 360 AC.
P/U GIVEN INCORRECTLY IN DECREE AS INCL. S 1/2 NW 1/4 S20.
CORRECT P/U VERIFIED BY SAWTOOTH TITLE CO.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-564

Licensed Date:
Decreed Date: 12/13/1909
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37N
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank: