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NOV 09 1999

Department of Water Resources
Curtis E. Ragle

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: **A37-00564**
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: MAY 30, 1882

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	21E	30	NW	SW	SE		BLAINE
01S	21E	17	NW	SE	SE		BLAINE

5. Description of diverting works:
50 HP & 75 HP PUMPS FROM DITCH TO SUPPLY SPRINKLER SYSTEMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

7. Total Quantity Appropriated is:
1.200 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 of	Lot	Use	Acres
01S	21E	17	SE	SE		IRR	15.6

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	15.6
		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	467.2

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:

37-0563, 37-0649, 37-0650, 37-0651, & SEE REMARKS

14. Remarks:

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

CLAIMED RIGHT ORIGINALLY DECREED TO W. F. RAWSON IN S. C. FROST ET AL. VS. ALTURAS WATER CO. ET UX.. PLACE OF USE IS CLAIMED PURSUANT TO SECTION 42-1416(1), IDAHO CODE, TO THE EXTENT IT DIFFERS FROM THE DECREE.

OWNERSHIP CHANGE 1/21/92 BY JG.

***** AF OF "NEW STORAGE" IN THE 9/1/99, DJ: DRAFT AMENDED CLAIM MADE TO CORRECT DIVERTING WORKS, OTHER RIGHTS, PLACE OF USE AND REMARKS.

475 AF OF "OLD STORAGE" AND 63 AF OF "NEW STORAGE" IN THE

14. Remarks: Continued

LITTLE WOOD RESERVOIR OF THE LITTLE WOOD IRR DIST, 38 SHARES OF
LITTLE WOOD CANAL COMPANY.

CLAIMED RIGHT ORIGINALLY DECREED TO W. F. RAWSON IN
S. C. FROST ET AL. VS. ALTURAS WATER CO. ET UX.. PLACE OF USE
IS CLAIMED PURSUANT TO SECTION 42-1416(1), IDAHO CODE, TO THE
EXTENT IT DIFFERS FROM THE DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S.C. FROST, ET.AL.
Decree Plaintiff

ALTURAS WATER CO., ET. AL.
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): Vita Wren 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: **A37-00564**
Date Received: 12/20/1988
Receipt No: S004704
Received By: _____

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

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

83313

2. Date of Priority: MAY 30, 1882

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	21E	30	NW	SW	SE		BLAINE
01S	21E	17	NW	SE	SE		BLAINE

5. Description of diverting works:
60 HP & 40 HP PUMPS FROM DITCH TO SUPPLY SPRINKLER SYSTEMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

7. Total Quantity Appropriated is:
1.200 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	21E	17	SE	SE		IRR	15.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	15.0
		18	SW	SW	IRR	25.0
			SE	SW	IRR	39.0
			SW	SE	IRR	17.0
					Section Acres	81.0
		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	844.0

11. Place of use in counties: BLAINE

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

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13. Other Water Rights Used:

37-2595, 37-0563, 37-0565, 37-4243, 37-4244, & SEE REMARKS

14. Remarks:

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

CLAIMED RIGHT ORIGINALLY DECREED TO W. F. RAWSON IN S. C. FROST ET AL. VS. ALTURAS WATER CO. ET UX.. PLACE OF USE IS CLAIMED PURSUANT TO SECTION 42-1416(1), IDAHO CODE, TO THE EXTENT IT DIFFERS FROM THE DECREE.

OWNERSHIP CHANGE 1/21/92 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S.C. FROST, ET.AL.
Decree Plaintiff

ALTURAS WATER CO., ET. AL.
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: _____

MICROFILMED
FEB 23 1993

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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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)

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CHANGE IN OWNERSHIP

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

Date: August 24, 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 1/12/92 By SC
Further Action Needed / Taken: Date _____ By _____
Final Review and Data-Entry: Date 1/12/92 By SC

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

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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

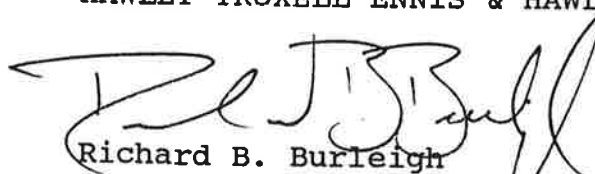
Dear Mr. Merritt:

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

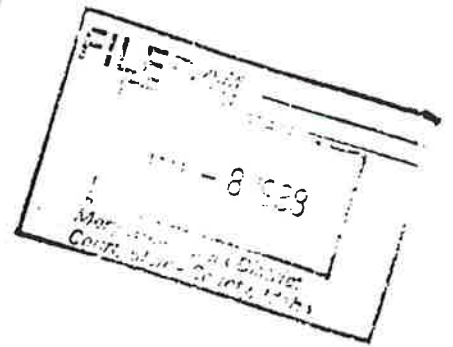
RBB/gmt
Enclosures
cc: Lita W. West

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5 Department of Water Resources
6 Southern Region Office
7



8
9 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
10 OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

11 IN THE MATTER OF THE ESTATE OF)

Case No. 14435

12 JAMES EVERETT WEST,)

FORMAL PROBATE OF WILL AND
FORMAL APPOINTMENT OF
PERSONAL REPRESENTATIVE

13)
14 Deceased.)
15

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

- 19 1. The required notices have been given.
20 2. This proceeding was commenced within the time
21 provided by law.
22 3. The decedent died on October 24, 1987, domiciled in
23 Blaine County, Idaho.
24 4. Venue is proper.
25 5. The heirs and devisees of the decedent are as
26 follows:
27
28

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

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<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.

NOT RECORDED
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 HONGRABLE DANIEL L. ALBAN
11 Magistrate Judge

12 T17:17/cc

MICROFILMED
FEB 23 1993

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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FEB 23 1993

SD-33

Last Name: ESTATE

STATE

S.	First	O	W	Water	Priority		Total	Use
L	Name	N	Right	No.	Date	Source	Diversion	Code Desc

	ESTATEOF JAMES E.	WEST,	DECEASED					
		C	A37-02595	04/02/1957	GROUNDWATER	1.000	01	IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
FEB 23 1993

SD-36		Township: 01S		Range: 21E		Section: 18		Tract:		Lot:	
S	L			STATE		O		S	Max #	Records	13
E	O	Water		Name		W		T	Priority	Use	
L	Tract	T	Right No.	Last, First		N	AC	G	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

(Enter=Continue)

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MICROFILMED
FEB 23 1993

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	
---	---	---	---	---	---	---	---	---	---	---	---
---	SENE		A37-00565	ESTATE OF JAMES E. WES	C	40	D	12/31/1884	01	IRR	
---	SENE		A37-02595	ESTATE OF 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	

(Enter=Continue)

(GOLD7=This Query)

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MICROFILMED
FEB 23 1993

SD-36	Township: 01S	Range: 21E	Section: 19	Tract:	Lot:
S	L	STATE	O	S	Max # Records 36
E	O	Name	W	T	Priority Use
L Tract	T	Water Right No.	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	ESTATE OF 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)

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MICROFILMED
 FEB 23 1993

SD-36	Township: 01S	Range: 21E	Section: 20	Tract:	Lot:
S	L	STATE	O	S	Max # Records
E	O	Name	W	T	Priority
L	Tract	Right No.	Last, First	N	AC
				G	Date
					Code
					Desc
	NENE	A37-00565	ESTATE OF JAMES E. WES	C	26
	NENE	A37-12380	ESTATE OF JAMES E. WES	C	J
	NENE	A37-12380	ESTATE OF JAMES E. WES	C	J
	NENE	A37-00564	ESTATE OF JAMES E. WES	C	26
	NENE	A37-00421	LITTLE WOOD RIVER CANA	C	26
	NENE	A37-00422	LITTLE WOOD RIVER CANA	C	26
	NENE	A37-01132	LITTLE WOOD RIVER CANA	C	26
	NENE	A37-02773	LITTLE WOOD RIVER IRRI	C	26
	NENE	A37-02774	LITTLE WOOD RIVER IRRI	C	26
	NENE	A37-02779	LITTLE WOOD RIVER IRRI	C	26
	NENE	A37-00563	ESTATE OF JAMES E. WES	C	26

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 Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures

NOTIFIED
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: A37-00564
Date Received: 12-16-88
Receipt No: S004704
Received By: [Signature]

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: MAY 30, 1882

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	21E	30	NW	SW	SE		BLAINE
01S	21E	17	NW	SE	SE		BLAINE

5. Description of diverting works:
60 HP & 40 HP PUMPS FROM DITCH TO SUPPLY SPRINKLER SYSTEMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

7. Total Quantity Appropriated is:
1.200 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	21E	17	SE	SE		IRR	15.0

Section Acres 15.0

A37-00564

Page 1

Date: 02/01/89

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FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	21E	18	SW		SW		IRR	25.0
			SE		SW		IRR	39.0
			SW		SE		IRR	17.0
			Section Acres					81.0
		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					844.0

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:
37-2595, 37-0563, 37-0565, 37-4243, 37-4244, & SEE REMARKS

A37-00564

Page

2

Date: 02/01/89

MICROFILMED
FEB 23 1989

14. Remarks:

276 AF OF "OLD STORAGE" & 50 AF OF "NEW STORAGE" 1.
LITTLE WOOD RESERVOIR OF THE LITTLE WOOD IRRIG. DIST.,
OF THE LITTLE WOOD CANAL CO., AND BENEFICIAL USE CLAIM FOR
ADDITIONAL WATER FROM THE SAME WELL AS 37-2595.

CLAIMED RIGHT ORIGINALLY DECREED TO W. F. RAWSON IN
S. C. FROST ET AL. VS. ALTURAS WATER CO. ET UX.. PLACE OF USE
IS CLAIMED PURSUANT TO SECTION 42-1416(1), IDAHO CODE, TO THE
EXTENT IT DIFFERS FROM THE DECREE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/13/1909

S.C. FROST, ET.AL.
Decree Plaintiff

vs

ALTURAS WATER CO., ET. AL.
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 A37-00564
Date Received 12-16-88
Receipt Number 5004704 *sc*

RECEIVED

DEC 16 1988

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

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: May 30, 1882

3. Source of water supply (a) Little 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>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
#1:	1N	21E	30	NW	SW	SE		Blaine
#2:	1S	21E	17	NW	SE	SE		Blaine

Additional points of diversion if any:

- b. If instream flow, beginning point:

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

Ending point:

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

5. Description of existing diversion works: Little Wood River is diverted into West Canal at #1; rediverted from West Canal at #2 into ditch; 60 HP & 40 HP pumps from ditch to pivots, wheellines & handlines.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	1.2 cfs

7. Total Quantity Claimed: 1.2 cfs

8. Total consumptive use claimed is 2110 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	21E	17	SE	SE	I	15
1S	21E	18	SW	SW	I	25
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: 844

Last Name: Estate of James E. West

Ident No.: _____

RECORDED
FEB 23 1980

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, 37-0563, 37-0565, 37-4243, 37-4244, 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.. Place of use is claimed pursuant to Section 42-1416(1), Idaho Code, to the extent it differs from the Decree.

Last Name: Estate of James E. West

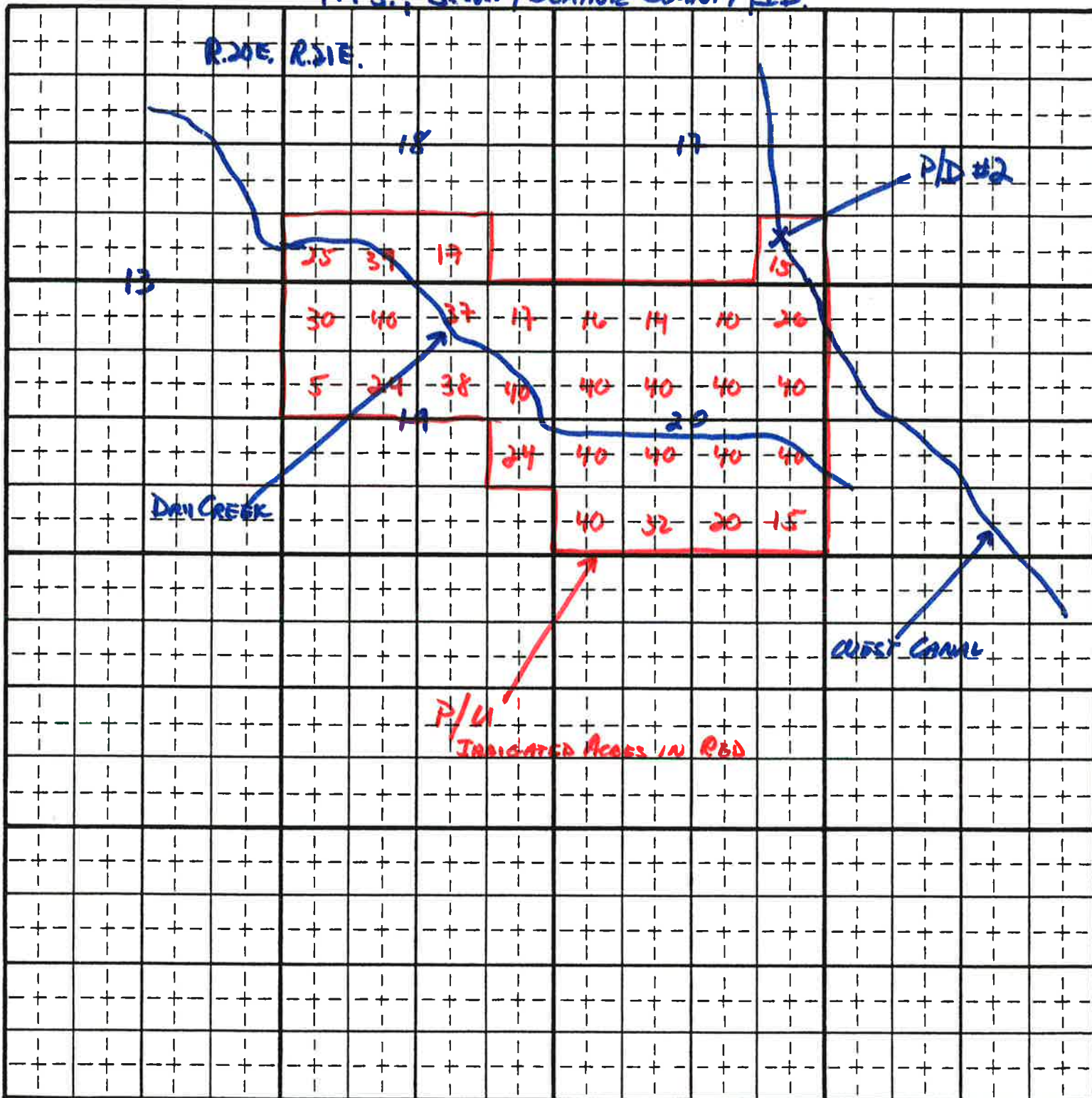
Ident No. _____

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

T.1S., R.1M., BLAINE COUNTY, ID.



Last Name ESTATE OF JAMES E. WEST Ident No. _____

Copies: White-State, Yellow-Claimant

MICROFILMED
FEB 23 1993

15. **Basis of Claim:** Decree
IDWR Water Right Number: 37-0564
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 - none.

[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 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 Fort Fork, ID
Commission Expires 1/22/91

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:west3.clm

Ident No.: _____

NOT RECORDED
FEB 23 1989

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 Department of Water Resources 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

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

W. K. & Aarnestad

DAVID B. SHAW
Director or his designated agent

NOT RECORDED
FEB 23 1989

Water Right Number - 37-00564

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-

State-

Zip-

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/30/1882 17 D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
LITTLE WOOD RIVER MALAD RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 1.200+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.200+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres 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 -

+ - - - - Remarks - - - - - +
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.

Water right number - 37-00564

Adj. flag translation: Standard Water Right Number

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

+ - - - - Decree Plaintiff - - - +
S. C. FROST, ET. AL.

+ - - - - Decree Defendant - - - +
ALTURAS WATER COMPANY, ET. AL.

+ - Decree Date - +
12/13/1909

+ - - Microfilm Rolls -

+ - - Audit Fields - 07/01/85

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	- 07/01/1985	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				

RECEIVED
FEB 23 1993

9/22/1988 SRBA CLAIMS RECEIVING CHECKLIST
CLAIMANT'S NAME Estate of J. A. West CLAIM ID . NO. A37-00564
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)	☒	☐
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?	☒	☐
Is the consumptive use correct?	☒	☐
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.)	☒	☐
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?	☒	☐
Should this claim be receipted and data entered?	☒	☐

Claim checked by: SCC

Comments:

proof Attached

RECEIVED
FEB 23 1993

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

RIGHT NUMBER: 37-564

NAME AND ADDRESS:

LITA WEST
PO BOX 100
CAREY ID 83320

SOURCE:

Source:

LITTLE WOOD RIVER

Tributary:

MALAD RIVER

QUANTITY:

1.200 CFS

0.000 AFY

PRIORITY DATE:

05/30/1882

POINT OF DIVERSION:

T01N R21E S30 NWSWSE
Within BLAINE County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/15 10/31

1.200 CFS

PLACE OF USE:

IRRIGATION within BLAINE County

T01S R20E S13 Lot 1 NENE 4.1

T01S R20E S13 NWNE 34.0

T01S R20E S13 SWNE 8.3

T01S R20E S13 Lot 2 SENE 18.0

T01S R20E S13 Lot 3 NESE 8.7

~~T01S R21E S17 SESE 5.6~~

T01S R21E S18 Lot 3 NWSW 8.8

T01S R21E S18 Lot 4 SWSW 43.0

T01S R21E S18 SESW 36.0

T01S R21E S18 SWSE 12.0

T01S R21E S19 NENE 16.0

T01S R21E S19 NWNE 29.0

T01S R21E S19 SWNE 34.0

T01S R21E S19 SENE 37.0

T01S R21E S19 NENW 38.0

T01S R21E S19 Lot 1 NWNW 28.0

T01S R21E S19 Lot 2 SWNW 8.6

T01S R21E S19 SENW 16.0

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

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

T01S R21E S20 SWNW 40.0
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

~~448.7 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.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 360 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 37-563 & 37-565 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE IRRIGATION SEASON.

~~USE OF THIS RIGHT WITH RIGHT NO. 37-563 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH WEST CANAL.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER IRRIGATION DIST.

04/21/2010

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

RIGHT NUMBER: 37-564

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

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.200 CFS

PRIORITY DATE: 05/30/1882

POINT OF DIVERSION:

T01N R21E S30 NWSWSE 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	1.200 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.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 360 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 37-563 & 37-565 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 360 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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

WATER IS DELIVERED THROUGH WEST CANAL.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER IRRIGATION DIST.

RECEIVED

JUN 10 2005

04/12/2005

Department of Water Resources

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 3, 2005

Water right number: 37-564

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):

Points of diversion
Place of use

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

Limitation on irrigated acreage to 360 acres is incorrect
Place of use acreage is incorrect
POD in NW SESE Sec 17 T1S R21E should be added

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: 6-8-05

SIGNATURE:

Please print your name:

Charles E. Brockway

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0090

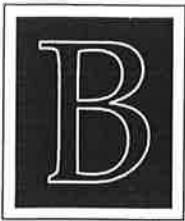
SCANNED

JUN 13 2005

RECEIVED

JUN 10 2005

Department of Water Resources



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

June 8, 2005

Steve Clelland
Id Dept of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RE: Little Wood Water Rights – Lita West
37-649, 37-650, 37-651 & 37-563 and 37-564

Dear Steve:

Please find enclosed the notices of error for the above water rights for Lita West which divert from the Little Wood River.

Also enclosed, is an aerial photo showing my determination of irrigated acres, which differs from yours somewhat.

I will be sending justification for the priority for water rights: 37-12381 and 37-2636B. I understand those responses are due July 17th.

Thank you for your cooperation.

Sincerely,



Charles E. Brockway

CHARLES E.
BROCKWAY,
PH.D., P.E.

Enclosure

CHARLES G.
BROCKWAY,
PH.D., P.E.

cc: Lita West

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

SCANNED

JUN 13 2005

08/20/2004

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

RIGHT NUMBER: 37-564

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

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.200 CFS

PRIORITY DATE: 05/30/1882

POINT OF DIVERSION:

T01N R21E S30 NWSWSE 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	1.200 CFS

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R21E S17	SESE	5.6	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
T01S R21E S20	SENE	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			

448.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 37-563 IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE IRRIGATION SEASON.

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.

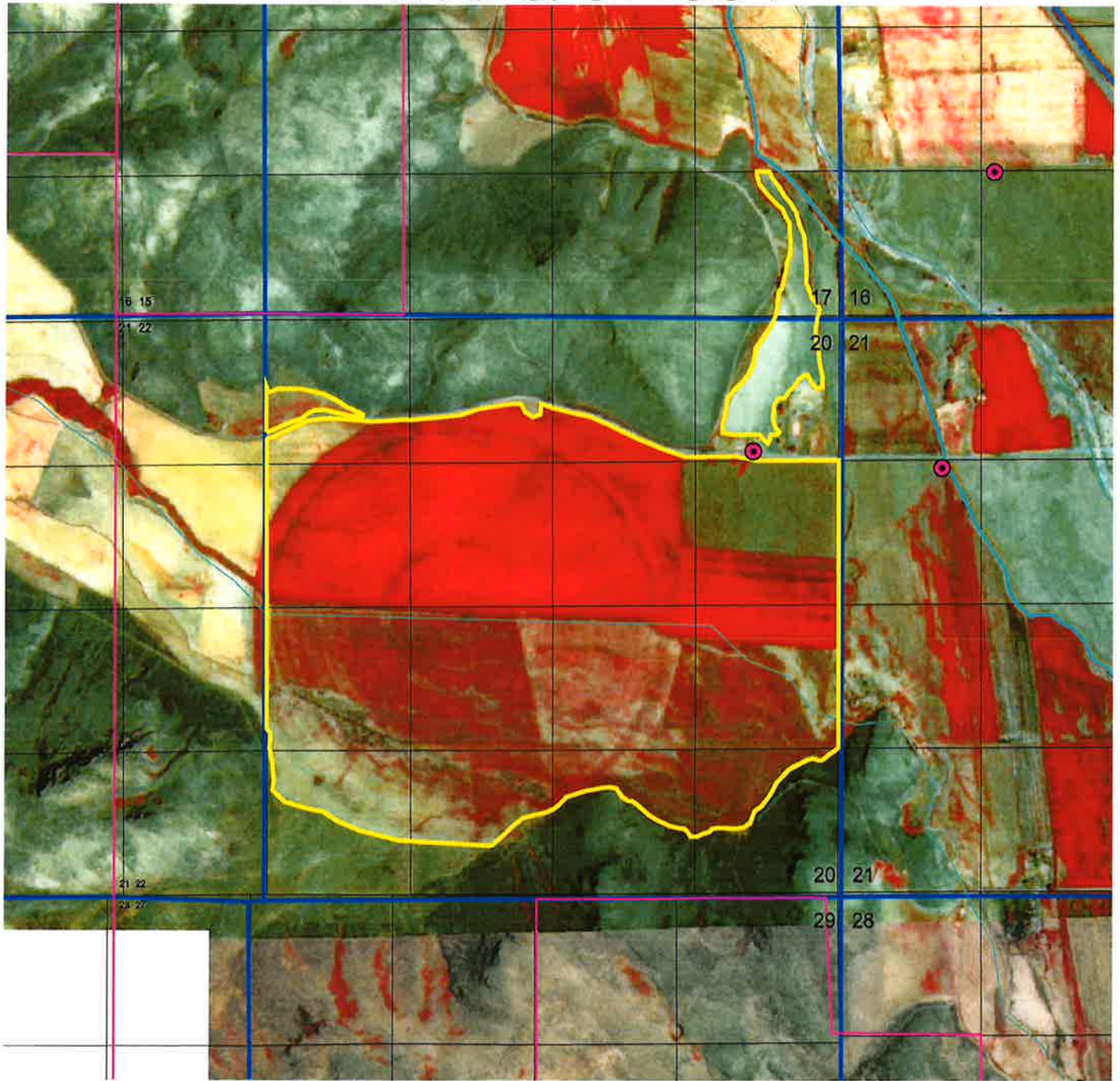
EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER
IRRIGATION DIST.

IDAHO DEPT OF WATER RESOURCES

37-563 & 37-564



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 1S
RNG: 21E
SEC. 17 & 20



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: AUGUST 20, 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-564WATER 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 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				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			

Conditions of Approval:Remarks:

- General 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.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-564

Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
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:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False