

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: A37-00857
Date Received: 8/23/1988
Receipt No: S001675
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD T. BRAY 208-352-4274
Address: P.O. BOX 156
BLISS, ID 83314

OR
Name: LYE LAKE RANCH 208-352-4274
Address: P.O. BOX 156
BLISS, ID 83314

2. Date of Priority: FEB 01, 1917

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	14E	6	SE	SE			GOODING

5. Description of diverting works:
DAM AND CANAL TO BRAY LAKE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	10/15	04/01			205.00
IRRIGATION FROM STORAGE	04/01	10/15	8.000		
DIVERSION TO STORAGE	10/15	04/01	8.000		

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

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	13E	28	SW	SE		IRR FS	40.0
						Section Acres	40.0
		33	NW	NE		IRR FS	40.0
			SW	NE		IRR FS	40.0
			SE	NE		IRR FS	40.0
						Section Acres	120.0
						Total Acres	160.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
A37-04418, A37-07942, A37-00814, A37-00815

14. Remarks:
RT. FOR 1/5 OF WATER STORED IN BRAY LAKE RES.
RT. INCOMPLETE. SEE FILE FOR DESCRIPTION OF RES.

15. Basis of Claim: DECREED
Case Number: 2791
Court :
Decree date: 1/16/1932

SCHREIBER ET. AL.
Decree Plaintiff

vs

CRIST 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: 1

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: _____

For Organizations:

I do solemnly swear or affirm that I am General Manager of _____ Title

Lye Lake Ranch, that I have signed the foregoing Organization

document in the space below as General Manager of Title

Lye Lake Ranch and that the statements contained in the Organization

foregoing document are true and correct.

Scott Huxford
Signature of Authorized Agent

General Manager Lye Lake Ranch
Title and Organization

8/23/88

Date

State of Idaho

County of Twin Falls } SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of August 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94
Date: 08/23/88

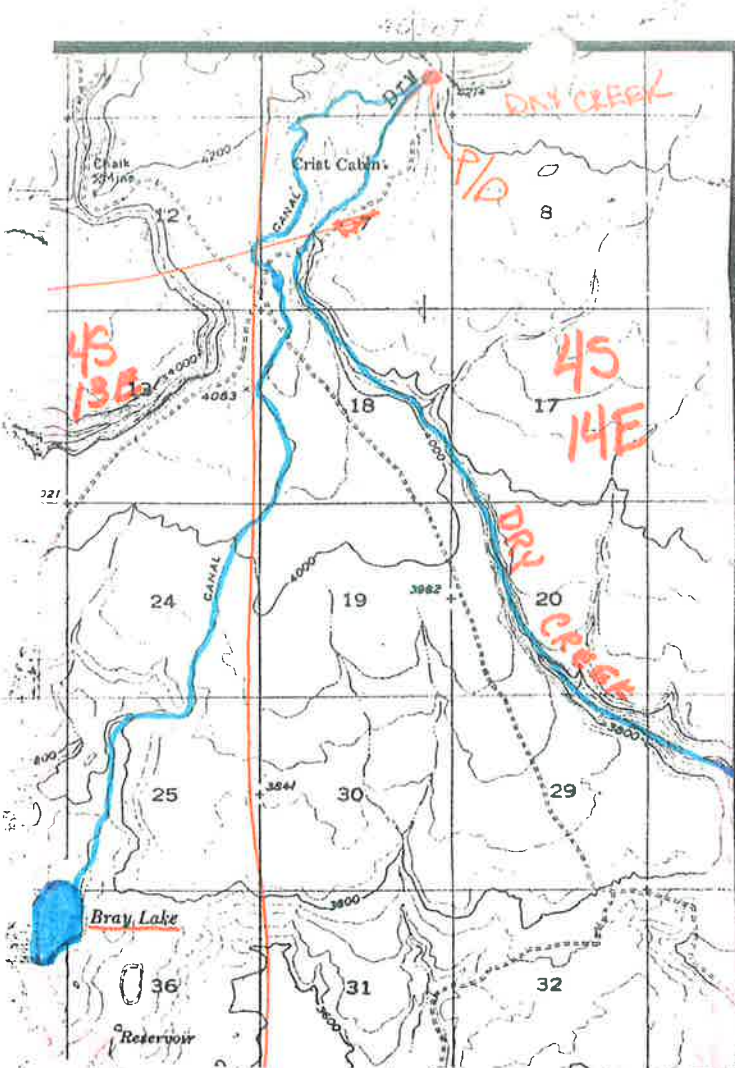
A37-00857

Page

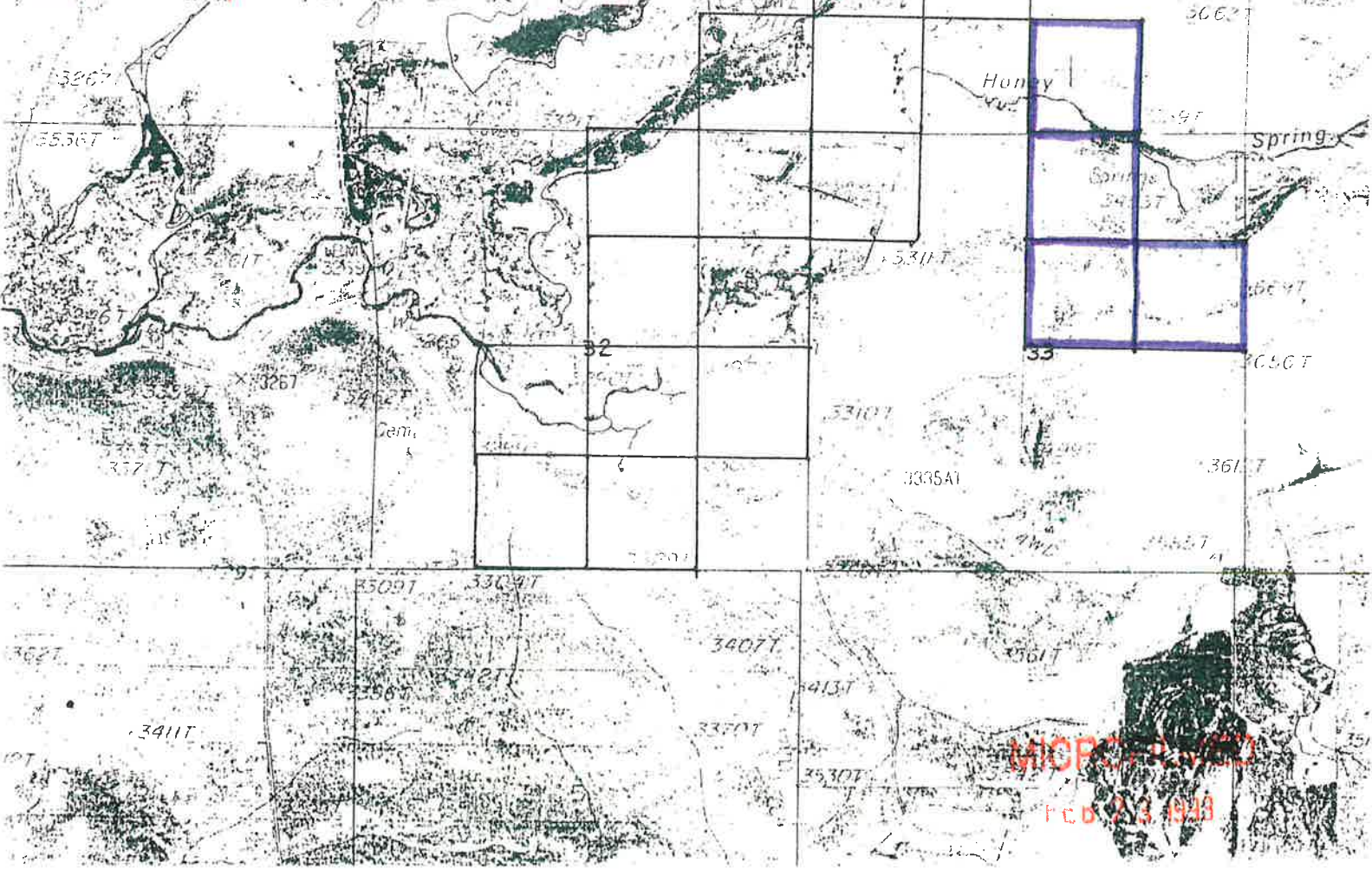
3

MICROFILMED

FEB 23 1993



A37-00857



MICP-1-100
Feb 23 1943

02/19/2008

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

RIGHT NUMBER: 37-857

NAME AND ADDRESS: DONALD T BRAY
PO BOX 194
BLISS ID 83314-0094

LYE LAKE RANCH
PO BOX 94
BLISS ID 83314-0094

SOURCE: DRY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 8.000 CFS
190.000 AFY

All storage uses described by rights 37-7754, 37-2780, 37-2778, 37-856, and 37-857 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.

PRIORITY DATE: 02/01/1917

POINT OF DIVERSION:

T04S R14E S6 SENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	04/01 10/31	190.00 AFY
IRRIGATION STORAGE	01/01 12/31	190.00 AFY
DIVERSION TO STORAGE	01/01 12/31	8.000 CFS

PLACE OF USE:

IRRIGATION STORAGE in GOODING County

T04S R13E S25	NWSW	T04S R13E S25	SWSW
T04S R13E S25 Lot 1	SWSW	T04S R13E S26	NESE
T04S R13E S26	SESE	T04S R13E S26 Lot 7	SESE
T04S R13E S35	NENE	T04S R13E S35 Lot 1	NENE
T04S R13E S35 Lot 4	SWNE	T04S R13E S35 Lot 5	SENE
T04S R13E S36	NWNW	T04S R13E S36 Lot 1	NWNW
T04S R13E S36 Lot 2	SWNW		

IRRIGATION FROM STORAGE in GOODING County

T04S R13E S33	NWNE	7.50	T04S R13E S33	SWNE	39.00
T04S R13E S33	SENE	35.00			

81.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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



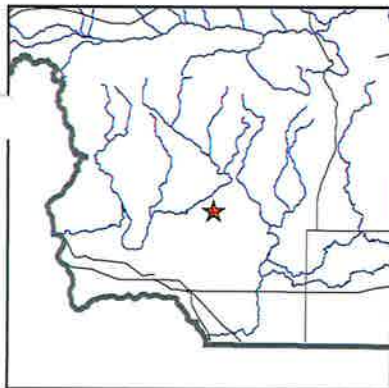
Idaho Department of Water Resources

SRBA Recommendation:

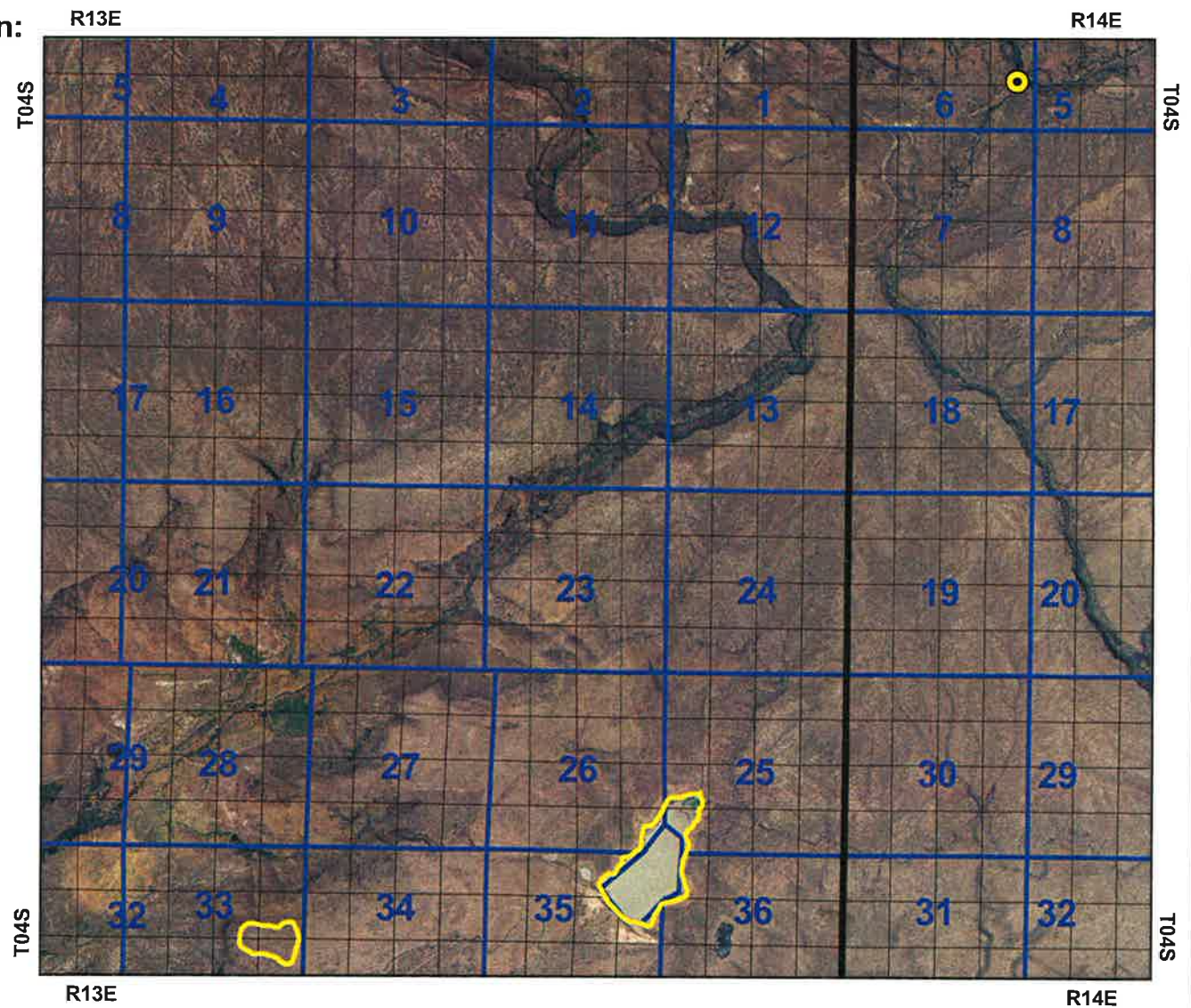
37-857

Legend

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



Gooding County
IDWR Basin 37



0 0.5 1 Miles



Prepared by M. Anders
On Friday, September 8, 2006
2004 Aerial Photography

37-257

[illegible]

Clelland, Steve

From: Brown, Larry (ENRD) [Larry.Brown@usdoj.gov]
Sent: Thursday, December 27, 2007 12:01 PM
To: Bromley, Chris; Spencer, Nick; Kelly, Vicki; Clelland, Steve; Fritschle, Carter
Cc: Fredric_Price@blm.gov; Sherman_Beazer@blm.gov; Casey_O'Brien@blm.gov
Subject: FW: 01-02-08, 9:30 a.m., Status Conference: 37-00857, Donald Bray & Lye Lake Ranch.

I just talked to Scott Huxhold again. We (meaning Scott, me, and IDWR) had agreed at the Initial Hearing that the shape file probably had the POUs in the wrong place. I had understood that IDWR was going to figure out where the shape should be located, and then forms would be sent out to correct the director's report, claim, or whatever it took to get the water right correctly described. I note that a status conference is scheduled for January 2, 2007. Scott said that he has not visited with anyone since the Initial Hearing; and also said that he has not seen anything in the mail. According to the IDWR Claim Report, the place of use should be in T4S R13E Section 28, SWSE (40 ac); T4S R13E Section 33 NWNE (40 ac), SWNE (40 ac), and SENE (40 ac). The director's report has a far different legal description of the place of use: T4S, R13E Section 33 SWNE (5 ac), SENE (10 ac), NESE (public land - 14 ac), and NWSE (public land - 5 ac). Has there been any progress on this subcase?

By the way, Scott said he definitely did not tell Jeanie Robertson that I suggested putting a lien on the ranch. We both had a good laugh over that one.

From: Casey_O'Brien@blm.gov [mailto:Casey_O'Brien@blm.gov]
Sent: Friday, December 21, 2007 11:57 AM
To: Brown, Larry (ENRD); Haseman, Jacob (ENRD); Leininger, Lee (ENRD); Negri, David (ENRD)
Cc: Jarvis, David (ENRD); Fredric_Price@blm.gov
Subject: 01-02-08, 9:30 a.m., Status Conference: 37-00857, Donald Bray & Lye Lake Ranch.

Larry,
FYI: David, Lee, Jacob

RE: 01-02-08, 9:30 a.m., Status Conference: 37-00857, Donald Bray & Lye Lake Ranch.
SM Bilyeu, 1-225-383-1099, participant code 926509

According to CACI's calendar there is a Status Conference scheduled for this on 01-02-08 at 9:30 a.m. Fred and I both checked our emails and we have no record of you ever reaching a settlement with Mr. Bray. The only email we could find is one from Jean Robertson (IDWR) asking Fred if the BLM wants to remove the BLM or split it out. Fred called Jean back and said he didn't like to do splits and would rather wait for a NAP once Bray had submitted a transfer.

Attached is a copy of BLM's objection and Mr. Bray's (Lye Lake Ranch) contact information. Let us know if there is anything else that you might need.

The Secretary of State's web page doesn't show Lye Lake Ranch as a business entity. Amanda did a reverse phone number search and found that the number below (208-352-4274) belongs to a Scott Huxhold at 846 E 1050 S in Bliss ID, who is listed in a closed case in a BLM (LR2000) Geographic Cross-Reference at the same address and referred to as an "agent." This same cross-reference lists Donald and Julie Bray as being in Carson City NV, no physical address, but a phone number of 775-883-9556.

Dir. Rpt.

12/28/2007

Donald T. Bray
PO Box 194
Bliss, ID 83314-0094
208-352-4274

Dir. Rpt.
Lye Lake Ranch
PO Box 94
Bliss, ID 83314-0094
208-352-4274

Thanks,
Casey
Fredric Price/IDSO/ID/BLM/DOI

12/20/2007 04:40 PM

To larry.brown@usdoj.gov
cc Casey O'Brien/ISO/ID/BLM/DOI@BLM
Subject Fw: 37-00857 Objection

Larry,

Did you ever settle with this guy or are you filing that lien on his property?

Fred

----- Forwarded by Fredric Price/IDSO/ID/BLM/DOI on 12/20/2007 04:39 PM -----

"Robertson, Jean"
<Jean.Robertson@idwr.idaho.gov>

To <f1price@blm.gov>
cc
Subject 37-857 Objection

08/28/2007 04:18 PM

Hi Fred,

A Scott Huxhold came in at lunch today to talk about this right and resolving the objection by BLM. He said something about Larry Brown suggesting the BLM put a lien on the place till it is resolved? I'm not sure what he meant...is this one you want us to drop the place of use on BLM or split the right until they get an approved transfer to move the acres to their own ground? Thanks, Jeanie Robertson

12/28/2007

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

In Re SRBA

Case No. 39576

A. Subcase 37-00857
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Donald T. Bray
Address: P.O. Box 194; Bliss, Idaho 83314-0094
Name: Lye Lake Ranch
Address: P.O. Box 94; Bliss, Idaho 83314-0094
Name:
Address: ;
Name:
Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:

2. ☐ **Source**
Should be:

3. ☐ **Quantity**
Should be:

4. ☐ **Priority Date**
Should be:

5. ☐ **Point(s) of Diversion**
Should be:

6. ☐ **Instream Flow Description**
Should be:

7. ☐ **Purpose(s) of Use**
Should be:

8. ☐ **Period of Year**
Should be:

9. ☒ **Place of Use**
Should be: See attached.

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land.

F.

VERIFICATION (Must be Completed)

State of Idaho)

) ss.

County of ADA)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

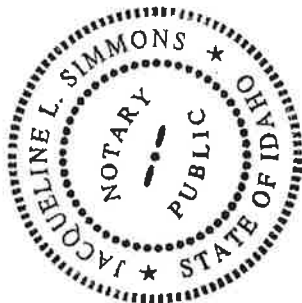
Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

May 22, 2007

Jacqueline L. Simmons

Jacqueline L. Simmons
Notary Public for State of Idaho
Residing at: Boise, Idaho
My Commission Expires: 04-07-2011



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on May 22nd, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Donald T. Bray
Address: P.O. Box 194; Bliss, Idaho 83314-0094
Name: Lye Lake Ranch
Address: P.O. Box 94; Bliss, Idaho 83314-0094
Name: ;
Address: ;
Name: ;
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney mailing on Objector's behalf

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

RIGHT NUMBER: 37-857

POU on BLM:

NAME AND ADDRESS: DONALD T BRAY
PO BOX 194
BLISS ID 83314-0094

-Claimant is not authorized to farm public land.

LYE LAKE RANCH
PO BOX 94
BLISS ID 83314-0094

SOURCE: DRY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 8.000 CFS
190.00 AFY

All storage uses described by rights 37-7754, 37-2780, 37-2778, 37-856,
and 37-857 when combined shall not exceed the reservoir storage capacity
of 4365 acra-feet.

PRIORITY DATE: 02/01/1917

POINT OF

DIVERSION: T04S R14E S6 SENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	04/01 10/31	190.00 AFY
IRRIGATION STORAGE	01/01 12/31	190.00 AFY
DIVERSION TO STORAGE	01/01 12/31	8.000 CFS

PLACE OF USE: IRRIGATION STORAGE in GOODING County

T04S R13E S25	NWSW	T04S R13E S25 Lot 1	SWSW
T04S R13E S26	SENE	T04S R13E S26 Lot 7	SESE
T04S R13E S35 Lot 1	NENE	T04S R13E S35 Lot 4	SWNE
T04S R13E S35 Lot 5	SENE	T04S R13E S36 Lot 1	NWNW
T04S R13E S36 Lot 2	SWNW		

IRRIGATION FROM STORAGE in GOODING County

T04S R13E S33	SWNE	5.00	T04S R13E S33	SENE	10.00
T04S R13E S33	NESE	14.00	T04S R13E S33	NWSE	5.00

BLM

34 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

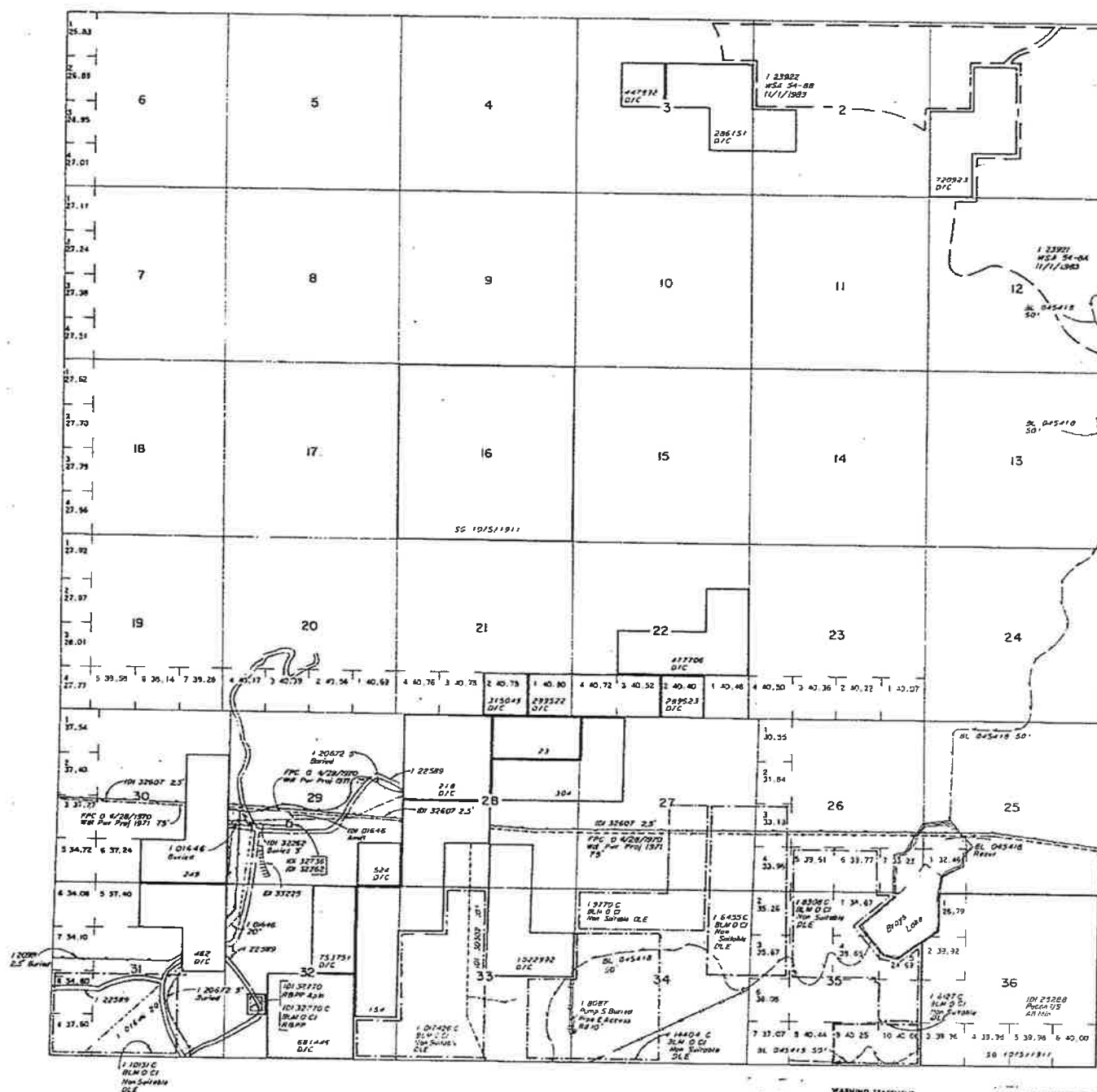
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

SNDSMONE DISTRICT SEC 3

MT PLAT

[illegible]

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
100000	

USE PLAYS:

Page 15

T. 45.

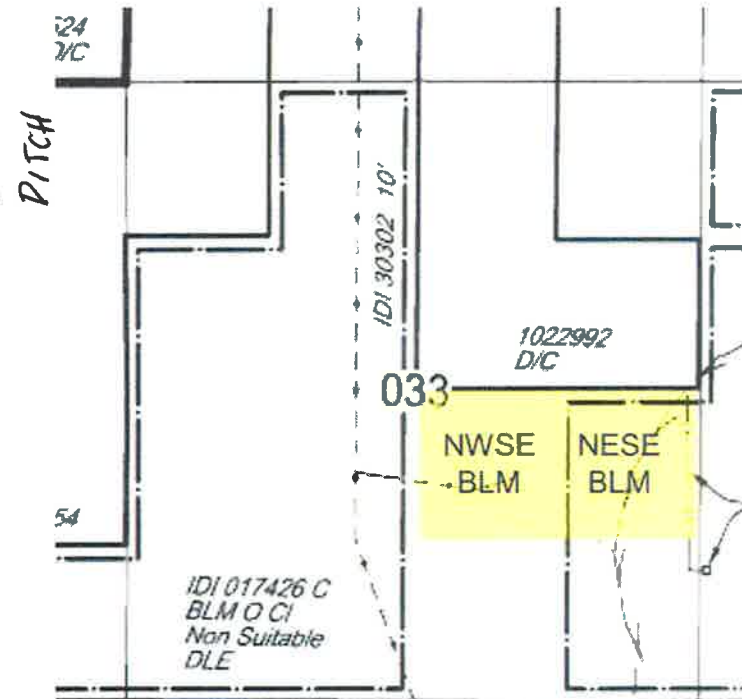
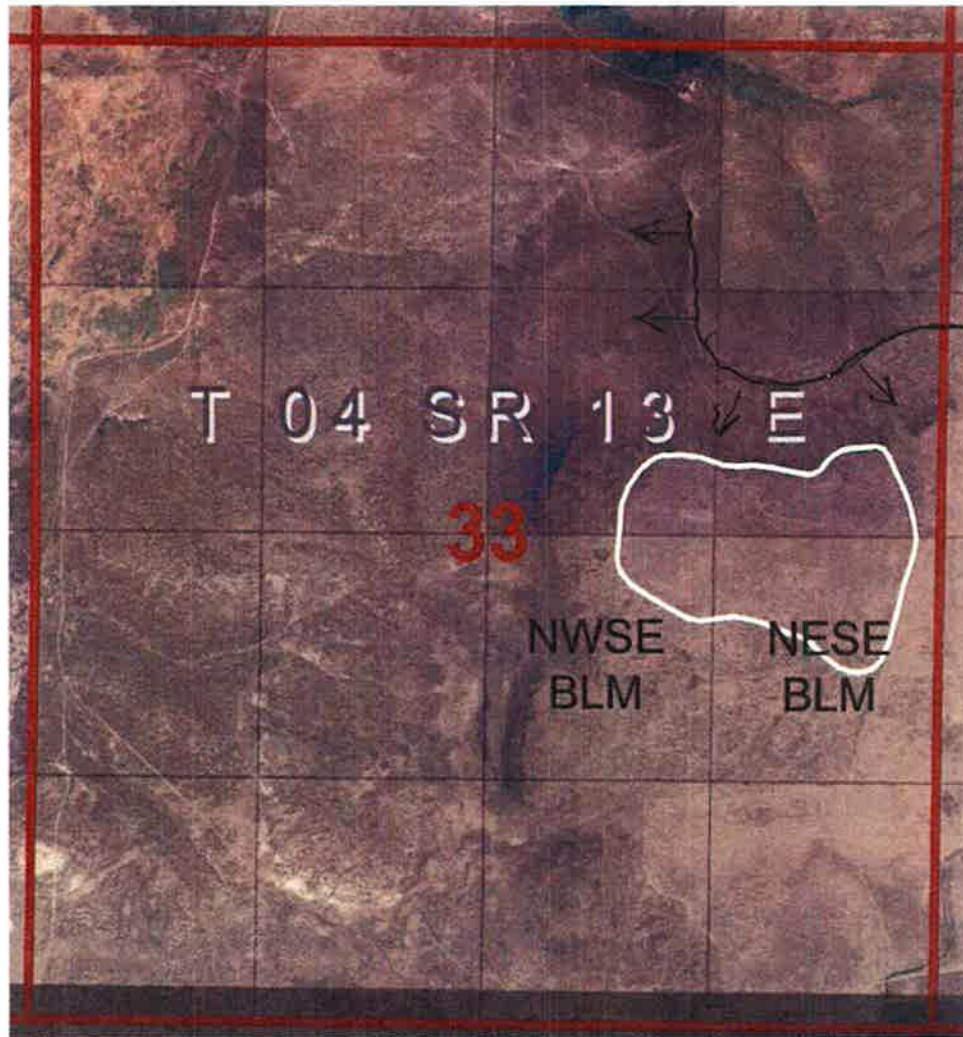
SCALE in Chains

WARNING STATEMENT

This plot is the Bureau's Record of Title, and should be used only as a graphic display of the nationwide survey data. Records herein do not reflect title changes which may have been effected by lateral movements of rivers or other loading of water. Refer to the national surveys for official stream information.

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-

37-00857
Donald T. Bray / Lye Lake Ranch



POU on BLM:

- Claimant is not authorized to farm public land.
- Remove BLM and adjust shapefile accordingly

Adjudication Claim Notes

Claim(s): 37-857

Background Data

- Source is Dry Creek tributary to Big Wood River
- Storage water in Bray Lake was decreed as a 1/5 and 4/5 split:
 - 37-856 decreed 32.0 cfs for Diversion to Storage, 760 AF of Irrigation Storage in Bray Lake, and 760 AF of Irrigation from Storage
 - 37-857 decreed 8.0 cfs for Diversion to Storage, 190 AF of Irrigation Storage in Bray Lake, and 190 AF of Irrigation from Storage
- 37-857 claimed 205 AF for Irrigation Storage, 8.0 cfs for Irrigation from Storage, and 8.0 cfs for Diversion to Storage.

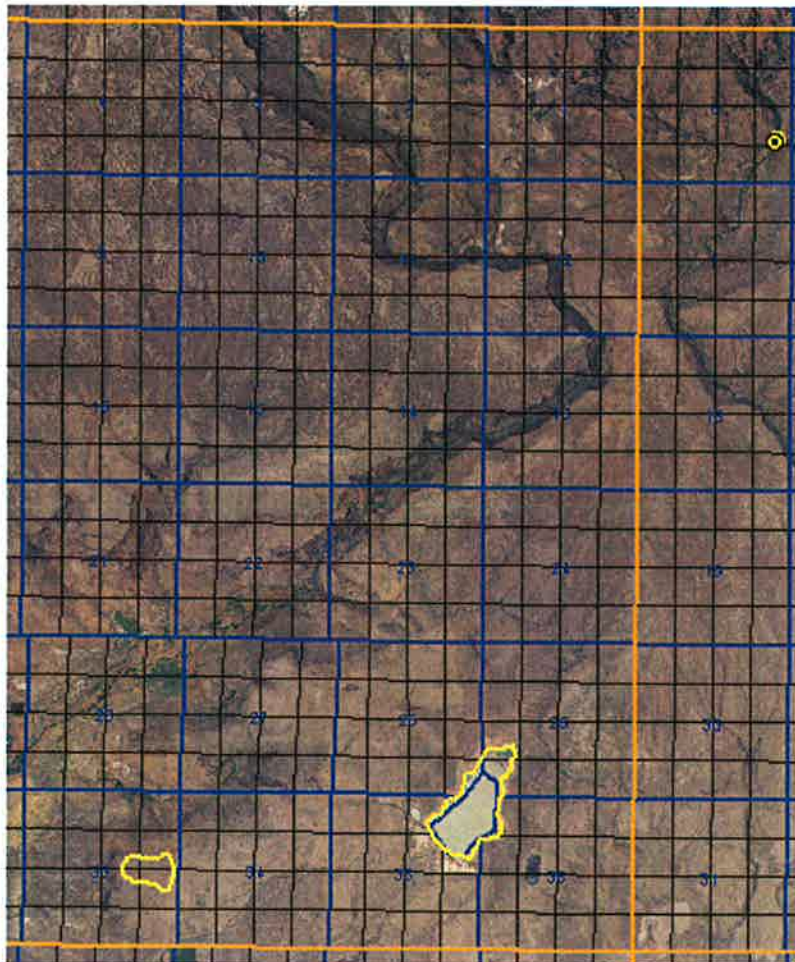
Place Of Use Data

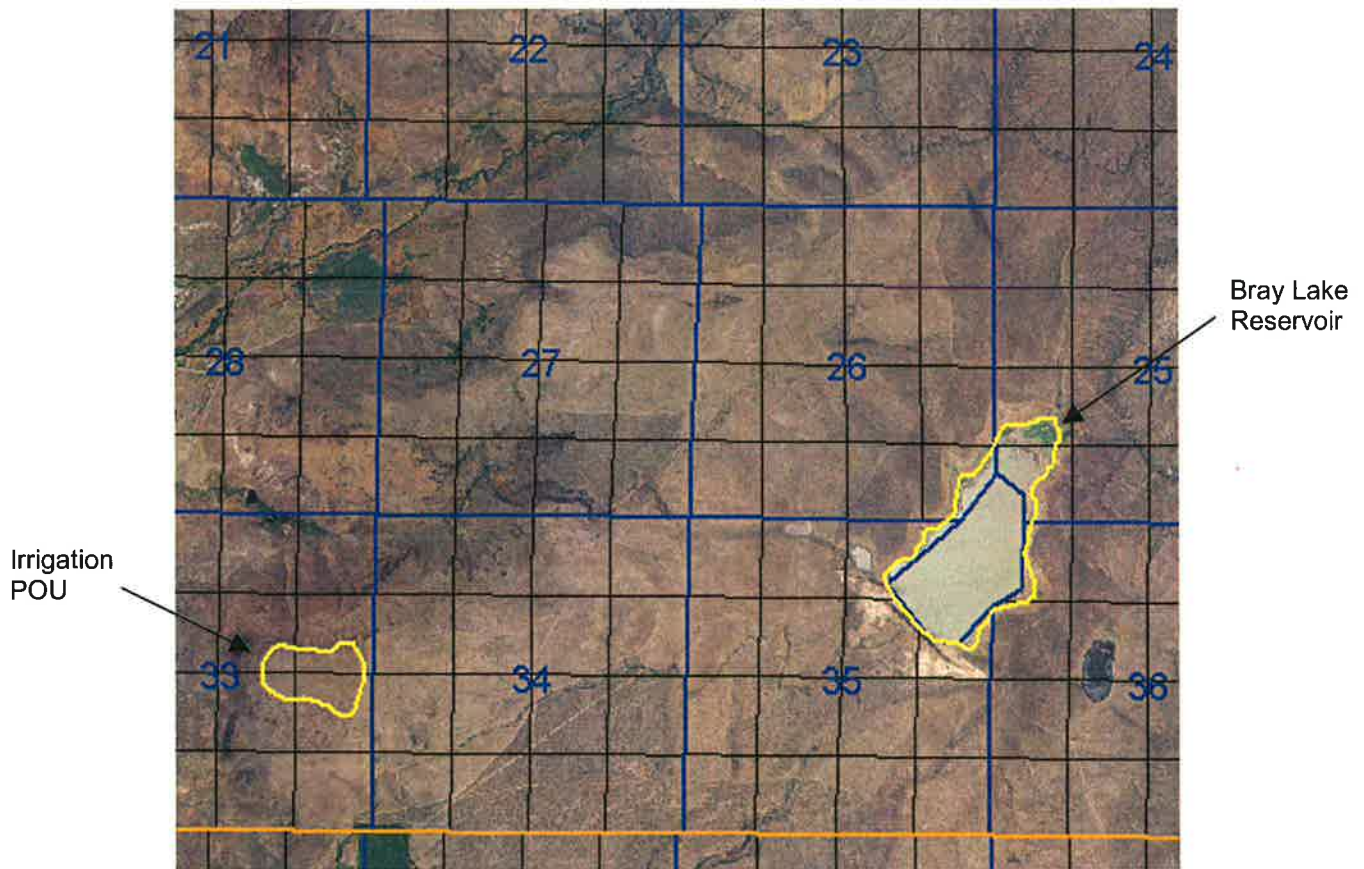
Yellow line is the draft Place of Use created by IDWR based on historical data and records.

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)

2004 Aerial Photo





Notes

T4S R14E Sections 25, 26, 33, 35, & 36

- Found 34 acres of Irrigation.
- Decreed does not include diversion rate or storage volume. These were determined for this right from transfer completed on 37-856, the water right for 4/5 of the water in Bray Lake.
- Recommendation:
 - Irrigation from Storage: 190 AF, Season of Use = 4/1 to 10/31 (according to decree)
 - Irrigation Storage: 190 AF, Season of Use = 1/1 to 12/31
 - Diversion to Storage: 8.0 cfs, Season of Use = 1/1 to 12/31
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

Phone call out: 352-4274

Scott Huxford - partner

Water is not available recently.

Correct POU is L-shaped parcel
near Honey Spring.

12/15/05
SCC

Review of Ditches and lands w/ Carter F.
we were able to locate a parcel that may
be irrigated. GIS = 34 AC

Ditch runs to the flat parcel from the
main Ditch. No way do they or have
they ever irrigated 160 acres within this
160 AC parcel. $5\frac{1}{2}$ is on BLM ground.

additional Docs are scanned online and
move in file 37-856 (DeMoss) transfer #69896

RECEIVED

AUG 23 2005

DEPARTMENT OF
WATER RESOURCES

August 23, 2005

Re: Water Right Numbers 37-856, 37-2780, 37-2778 and
37-7754

Dear Carter,

Enclosed are three affidavits and a
Gooding County District Court Decree concerning
the above water rights for Bray Lake Ranch.

Sincerely,

Helen DeMoss
Bray Lake Ranch
P.O. Box 61
Bliss, ID 83314
(208) 352-4385

RECEIVED
AUG 25 2005
DEPARTMENT OF
WATER RESOURCES

AFFIDAVIT

BE IT ACKNOWLEDGED, that Gary A. DeMoss of 1350S 842E, Bliss, Idaho 83314, the undersigned deponent, being of legal age, does hereby depose and say under oath as follows:

My wife Helen and I purchased Bray Lake Ranch in June of 1990. At that time I took over duties as watermaster and operator of the Bray Lake water system. The previous owner of Bray Lake Ranch was Idaho State Bank. James E. Kevan was president of the Glenns Ferry branch of Idaho State Bank and S. Donald Rowe was the property manager for Bray Lake Ranch. Mr. Rowe was authorized to sign all necessary documents involving Bray Lake Ranch water rights for the Idaho Department of Water Resources. Mr. Rowe and Mr. Kevan informed me of the historical operation of the Bray Lake water and irrigation system. They told me that the time of exclusive use of Dry Creek water for diversion to Bray Lake was from November 1 to April 1. Water right holders in the Gooding valley had the right to Dry Creek water from April 1 to October 31 and they used approximately 10 cfs of water. The right for Bray Lake to divert water was year round and if the flow of Dry Creek allowed, I could divert any excess more than 10 cfs to Bray Lake.

From 1990 to present I have been the sole operator of the Bray Lake water system. I have repaired and maintained the Bray Lake diversion on Dry Creek, the canal from Dry Creek to Bray Lake, the Bray Lake Dam, the canal from Bray Lake to Bray Lake Ranch, and the Bray Lake Ranch irrigation system. I have diverted water from Dry Creek to Bray Lake from November 1 to April 1 every year without any interference with the exception of one year, 1992 (see August 11, 2005 Affidavit of Gary A. DeMoss, copy attached). From 1973 through 1995, Don and Marilee Bellamy owned water right #37-859A out of Dry Creek, below the Bray Lake diversion. They did not call for water before April 1 and they did not have any complaints of how I managed the water. I have never been told by anyone during my operation of the system that they did not receive any of their rightful water.

During April 1 to November 1 when there is sufficient water to meet the demands of downstream water users on Dry Creek, it has been my practice to divert water excess to their needs from Dry Creek to refill Bray Lake. A thunderstorm over the Dry Creek drainage can run the canal from the Dry Creek diversion to Bray Lake storage full for twelve hours and run half full for another twelve hours. I have never received any protests of this practice, but have received praise for reducing the effects of flood damage in the Dry Creek drainage where it meets the Gooding valley. From reading Soil Conservation Service historical data, one of the benefits of rebuilding the Dry Creek diversion and enlarging Bray Lake was flood control.

Most years a significant portion of the diversion from Dry Creek to storage in Bray Lake has come during the time period between March 15 and April 1. If other water users are permitted to call for water or otherwise interfere with diversions from Dry Creek to storage in Bray Lake during the November 1 to April 1 period then this will alter the historical practice and will irreparably harm the Bray Lake storage water rights.

To my knowledge all past practices have been conducted the same as mine and there have been no calls or protests from our practices from 1990 to present.

And I affirm that the foregoing is true except as to statements made upon information and belief, and as to those I believe them to be true.

Witness my hand under the penalties of perjury this 23rd day of August, 2005.

Monaleen M Allen

Signature of Witness

Monaleen M Allen

Name of Witness

1854 S 750 E Bliss, Id 83314

Address of Witness

Gary A De Moss

Signature of Deponent

GARY A DeMOSS

Name of Deponent

PO Box 61 BLISS IDAHO 83314

Address of Deponent

STATE OF Idaho
COUNTY OF Gooding

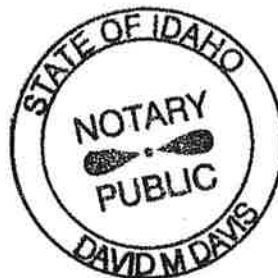
On 8/23/05 Before me, David M. Davis, personally appeared
Gary A DeMoss, personally known to me (or proved
to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the
within instrument and acknowledged to me that he executed the same in his authorized capacity,
and that by his signature on the instrument the person, or the entity upon behalf of which the
person acted executed the instrument.

WITNESS my hand and official seal.

Signature David M. Davis
Comm. Expires 8/25/11

Affiant ☒ Known ☐ Unknown
ID Produced _____

(Seal)



AFFIDAVIT

BE IT ACKNOWLEDGED, that Gary A. DeMoss of 1350S 842E, Bliss, Idaho 83314, the undersigned deponent, being of legal age, does hereby depose and say under oath as follows:

In February of 1992 a person unknown to me pulled the boards on our diversion dam on Dry Creek and stopped the flow of water to Bray Lake. I called Corey Skinner of IDWR in Twin Falls. He contacted the watermaster in Gooding Valley and reported to me that the official irrigation season in the Gooding area started April 1, and I had the right to divert the water until April 1. Mr. Skinner stated I could lock the diversion or call the sheriff. Since I have no way of locking the diversion, I called the Gooding Sheriff's office. May Kinney answered the call and said her husband, Vic Kinney, was diverting the water, there was no need for the involvement of the Gooding Sheriff, and suggested that I call Vic. I went back up to the diversion and Vic Kinney was waiting for me. We had a talk about the water and agreed that he would not take any water before April 1 unless Bray Lake was already full. He knew I had the right to divert the water until April 1 of each year. It was an amicable meeting and we both agreed to work together.

And I affirm that the foregoing is true except as to statements made upon information and belief, and as to those I believe them to be true.

Witness my hand under the penalties of perjury this 11th day of 2005.

Monaleen Allen
Signature of Witness

Monaleen Allen
Name of Witness

1854 S 750 E Bliss, Id 83314
Address of Witness

Gary A DeMoss
Signature of Deponent

GARY A DeMOSS
Name of Deponent

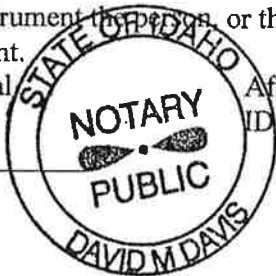
PO Box 61 Bliss ID
Address of Deponent

STATE OF Idaho
COUNTY OF Gooding

On 8/11/2005 Before me, David M. Davis, personally appeared
Gary A DeMoss, personally known to me (or proved
to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the
within instrument and acknowledged to me that he executed the same in his authorized capacity,
and that by his signature on the instrument he executed, or the entity upon behalf of which the
person acted executed the instrument.

WITNESS my hand and official seal Affiant ☒ Known ☐ Unknown
ID Produced _____

Signature David M. Davis
Comm. Expires: 8/25/05



(Seal)

RECEIVED
AUG 25 2005
DEPARTMENT OF
WATER RESOURCES

AFFIDAVIT

BE IT ACKNOWLEDGED, that David S. Miller of 1607 11th Ave. East, Twin Falls, Idaho 83301, the undersigned deponent, being of legal age, does hereby depose and say under oath as follows:

I managed Bray Lake Ranch for Idaho State Bank from 1985 through 1988. I became the Gooding County District Court appointed watermaster (case no. 3656) on August 4th, 1986. Dry Creek was diverted into Bray Lake for irrigation storage from November 1st through March 31st of each year. Any amount after April 1st that exceeded the amount of water required by the downstream users could be diverted into Bray Lake for additional irrigation storage. The other Dry Creek water right holders did not call for water or otherwise interfere with diversions from Dry Creek into Bray Lake between November 1st and March 31st of each year.

And I affirm that the foregoing is true except as to statements made upon information and belief, and as to those I believe them to be true.

Witness my hand under the penalties of perjury this 22nd August day of 2005.

Lodie M. Steen
Signature of Witness

David S. Miller
Signature of Deponent

Lodie M. Steen
Name of Witness

David S. Miller
Name of Deponent

4104 9th ave. E. Twin Falls, Id.
Address of Witness 83301

1607 11th AVE E Twin Falls, Id
Address of Deponent 83301

STATE OF Idaho
COUNTY OF Twin Falls

On August 22, 2005 Before me, Kathi Schrader, personally appeared David S. Miller, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted executed the instrument.

WITNESS my hand and official seal.

Signature Kathi Schrader

Affiant X Known Unknown
ID Produced HB 630329 Id DL
(Seal)



RECEIVED
AUG 25 2005
DEPARTMENT OF
WATER RESOURCES

AFFIDAVIT

BE IT ACKNOWLEDGED, that Gary A. DeMoss of 1350S 842E, Bliss, Idaho 83314, the undersigned deponent, being of legal age, does hereby depose and say under oath as follows:

In February of 1992 a person unknown to me pulled the boards on our diversion dam on Dry Creek and stopped the flow of water to Bray Lake. I called Corey Skinner of IDWR in Twin Falls. He contacted the watermaster in Gooding Valley and reported to me that the official irrigation season in the Gooding area started April 1, and I had the right to divert the water until April 1. Mr. Skinner stated I could lock the diversion or call the sheriff. Since I have no way of locking the diversion, I called the Gooding Sheriff's office. May Kinney answered the call and said her husband, Vic Kinney, was diverting the water, there was no need for the involvement of the Gooding Sheriff, and suggested that I call Vic. I went back up to the diversion and Vic Kinney was waiting for me. We had a talk about the water and agreed that he would not take any water before April 1 unless Bray Lake was already full. He knew I had the right to divert the water until April 1 of each year. It was an amicable meeting and we both agreed to work together.

And I affirm that the foregoing is true except as to statements made upon information and belief, and as to those I believe them to be true.

Witness my hand under the penalties of perjury this 11th day of 2005.

Monaleen Allen

Signature of Witness

Monaleen Allen

Name of Witness

1854 S 750 E Bliss, Id 83314

Address of Witness

Gary A DeMoss

Signature of Deponent

GARY A DeMOSS

Name of Deponent

PO Box 61 Bliss ID

Address of Deponent

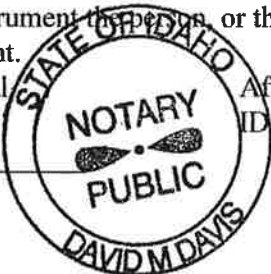
STATE OF Idaho
COUNTY OF Gooding

On 8/11/2005 Before me, David M. Davis, personally appeared
Gary A DeMoss, personally known to me (or proved
to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the
within instrument and acknowledged to me that he executed the same in his authorized capacity,
and that by his signature on the instrument ~~he~~ or the entity upon behalf of which the
person acted executed the instrument.

WITNESS my hand and official seal

Signature David M. Davis

Comm. Expires: 8/25/05



Affiant ☒ Known ☐ Unknown

ID Produced _____

(Seal)

RECEIVED
AUG 25 2005
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING.

HOWARD H. KELSO,

Plaintiff,

-vs-

LEONARD STROUT,

Defendant.

DECREE

Now on this 8th day of July, 1945, the above matter came duly on hearing in court being in regular session; the Honorable D. H. Sutphen, Judge, present and presiding. The plaintiff, Howard H. Kelso, present in person and by his attorneys, Bissell & Bird, and the defendant not being present.

Whereupon the defendant heretofore filed a demurrer, which said demurrer was by the said defendant withdrawn, and defendant refused to plead further; And whereas, the said defendant by his attorneys aforesaid having refused to plead further, upon motion of the plaintiff, the default of the defendant for failure to plead was duly entered, and the matter came duly on for hearing as on default.

Whereupon plaintiff introduced his evidence and rested.

The defendant by the making of such default having waived the making of findings of fact and conclusion of law, and the court being fully advised in the premises it is hereby ordered, adjudged, and decreed that the plaintiff and defendant are the joint owners of that certain artificial reservoir, commonly known as the Bray's Lake Reservoir, located on Sections 25, 26, 35, 36, Twp. 4 S. R. 1 E. E. 1. The boundary lines of such said reservoir being shown by the map submitted with the reservoir filing originally filed in the United States Land Office, Hailey, Idaho, and now on file in the United States Land Office at Blackfoot, Idaho. Said file being denominated as reservoir file map, Hailey Land Office, #162, which said map is hereby especially referred to and

made a part of this decree with the same force and effect as if actually attached hereto.

Together with that certain ditch which diverts water from Dry Creek into the said Bray's Lake Reservoir, which said ditch diverts water from Dry Creek at a point near the SE corner of Sec. 6, Twp. 4 S.R. 14 E.M., and then extending in a southwesterly direction approximately five miles to the said Bray's Lake Reservoir at a point in the NW 1/4 Sec. 25, Twp. 4 S.R. 14 E.M.

That the plaintiff is the owner of an undivided one-fifth interest in and to said reservoir and ditch, and of the right to use one-fifth of the water diverted by said canal and impounded in said reservoir.

That said defendant, Leonard Strout, is the owner of four-fifths interest in said reservoir, ditch and water.

That the water so diverted from Dry Creek is impounded and reservoired during the high water season, or flood water season of Dry Creek, to be used and applied to the irrigation of the lands of plaintiff and defendant during the irrigation season of each year, beginning on April 1, and ending October 31, of each year.

That it is necessary, in order to irrigate the lands of the plaintiff and defendant that such water aforesaid be impounded in said reservoir, and diverted during the irrigation season for use upon the lands of the plaintiff and defendant.

It is ordered, adjudged, and decreed, that in order to administer the said ditch, reservoir, and impounded water, that it is essential and necessary that a suitable person be appointed to divide and distribute the water aforesaid during each irrigating season to the plaintiff and defendant in accordance with their rights aforesaid. To wit; one-fifth to the plaintiff and four-fifths to the defendant. It is further ordered, adjudged, and decreed that the expense of maintaining the diversion ditch, reservoir structure, control works, and diversion works from said reservoir be apportioned

and assessed to and against the plaintiff and the defendant in accordance with their several interests. That is to say, that the plaintiff shall pay one-fifth of such expenses including the salary of the person designated by the court as watermaster, and that the defendant shall pay four-fifths of such expenses.

It is further ordered, adjudged, and decreed that some suitable person shall be, by the court, designated and appointed as watermaster for the irrigation season of 1945. And that A. H. Henderson of Bliss, Idaho, be appointed as such watermaster to serve in such capacity until the first day of April 1946. That the said Henderson, or in case of his refusal to act as such watermaster, then such person who is by the court appointed to so act, shall make a preliminary estimate of the necessary costs and expenses of maintaining and operating said ditch and reservoir for the irrigation season of the year, 1945. And that before either party is entitled to withdraw water from said Bray's Lake Reservoir, he shall pay to the said Henderson, or such other person who may be appointed, his proportion of the estimated costs of such operation.

It is further ordered, adjudged, and decreed that the court shall retain jurisdiction of this action, for the purpose of enforcing this decree, and that on or before the opening of the irrigating season of each succeeding year, the court may appoint some suitable person as watermaster to operate and control said water, ditch, and reservoir for the ensuing years. Said appointment be made upon request of either party upon five days notice.

It is further ordered, adjudged, and decreed that the defendant and his successors in interest, and the plaintiff and his successors in interest be perpetually enjoined and restrained from withdrawing any stored water from said reservoir during the non-irrigating season, viz: between October 31 and April 1 each year hereafter. And from, in any way, interfering with the watermaster in performing his duties. That the person appointed by this court to take charge of, manage, regulate, and control such reservoir, and

the waters therein, be and hereby is empowered to look and keep locked and regulate the discharge gate from said reservoir during the irrigation season. Such person be further empowered to deliver to the plaintiff and defendant their proportionate share of the water impounded in said reservoir, during the irrigation season of each year hereafter. That such person be further authorized and empowered to manage, repair, and clean and maintain such diversion ditch and such reservoir; to demand and receive of the plaintiff one-fifth of the expenses incurred in such operation and demand and receive four-fifths of such expenses so incurred from the defendant. That the person appointed shall be and here is authorized and empowered to withhold and refuse to make delivery of water to either party hereto until such estimated costs of maintenance apportioned to each party for the current year shall have been paid.

Dated at Coaling, Idaho this 8th day of May, 1945.


District Judge

IN THE DISTRICT COURT

Of the Fourth Judicial District of the State of Idaho,
In and for the County of Gooding

HOWARD H. KELSO

Plaintiff

vs.

LEONARD STROUT

Defendant

Case No. 3656

I, the undersigned, Clerk of the District Court of the Fourth Judicial District of said State, in and for said County, do hereby certify the foregoing to be a true copy of the judgment entered in the above entitled action, and recorded in Judgment Book 7 of said Court, page 270. And I further certify that the foregoing papers hereto annexed constitute the Judgment Roll in said action.

WITNESS my hand and the seal of said Court this 20th

day of August, A. D. 1915

Bert Bowler

Clerk

By

Deputy Clerk

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT NUMBER: 37-856 V1

BIG WOOD RIVER

DRY CREEK SE1/4NE1/4SE1/4 Sec. 6, Twp 04S, Rge 14E, B.M.
GOODING County

IRRIGATION FROM STORAGE

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-856 V1

05S 13E 4	25.0 L 1	1.0 L 2	11.0	40.0				27.0		40.0	38.0	34.0	39.0	21.0	276.0
05S 13E 9			32.0	38.0	19.0	34.0	18.0	40.0	40.0	40.0		25.0	18.0		304.0
05S 13E 16			13.0			40.0	39.0	30.0	10.0						132.0

Total Acres: 808

STOCKWATER FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	13E	3						X	X			X							
								L 4											
05S	13E	4	X	X	X	X				X			X	X	X	X	X	X	
			L 1	L 2															
05S	13E	9		X	X	X	X	X		X			X		X	X			
05S	13E	16		X			X	X	X	X									

Conditions of Approval:

1. All storage uses described by rights 37-7754, 37-2780, 37-2778, 37-856, and 37-857 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. 164 The reservoir may be refilled multiple times in a single year.
4. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. R40 The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
6. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
7. X61 The period of use for the irrigation from storage and stockwater from storage described in this right may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than February 18, 2003.
8. T07 The right holder shall accomplish the change authorized by this transfer by February 18, 2004.
9. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-856 V1

Comments:

1. ROBERTSO 4/15/1993 ADDRESS CHANGE

Comment: CHANGE OF ADDRESS ENTERED THIS DATE BY JR.

2. tfawcett 2/28/2003 Transfer 69896

Comment: claim and rec amended to conform to approved transfer 69896.

3. cfritsch 10/8/2003 Copied from Remarks

Comment: RT. FOR 4/5 OF WATER STORED IN BRAY LAKE RES.

BRAY LAKE IS USED FOR STOCK WATER AND RECREATION BY BLM & STATE GRAZING.

* OWNERSHIP CHANGE 6/1/90 BY JG

The claim was amended on 4/15/02 to increase the storage volume from 640 af to 685 af, to delete one point of diversion, and to add stockwater from storage to the claim. kkc

4. CFRITSCH 8/29/2005 Period of Use

Comment: A supplemental decree (Kelso v. Strout, Case No. 3656) decreed the period of use for diversions from Dry Creek. The irrigation season was decreed as April 1 to October 31.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	10/8/2003 1:22:01 PM	cfritsch			Active
Priority Date	10/8/2003 1:22:30 PM	cfritsch			Active
POD	10/8/2003 1:22:43 PM	cfritsch			Active
Source	10/8/2003 1:45:56 PM	cfritsch			Active
POU	10/8/2003 1:46:37 PM	cfritsch			Active
Use	10/8/2003 2:19:46 PM	cfritsch			Active
Season	10/8/2003 2:20:29 PM	cfritsch			Active
Quantity	10/8/2003 2:24:05 PM	cfritsch			Active
Summary			10/08/2003	cfritsch	Active
Season	8/29/2005 3:04:17 PM	CFRITSCH			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-856 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	10/8/2003 1:45:56 PM	cfritsch	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	10/8/2003 1:46:38 PM	cfritsch	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
POU	10/8/2003 1:57:30 PM	cfritsch	Edited shape boundary
Use	10/8/2003 2:19:47 PM	cfritsch	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	10/8/2003 2:20:30 PM	cfritsch	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
POU	10/8/2003 2:01:08 PM	cfritsch	Edited shape boundary
POU	10/8/2003 2:08:45 PM	cfritsch	Edited shape boundary
Contacts	10/8/2003 1:22:02 PM	cfritsch	(No) 1. Do you want to schedule an appointment?

Comment for 1: In office exam based on approved Transfer No. 69896.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-856 V1

Priority Date	10/8/2003 1:22:31 PM	cfritsch	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	10/8/2003 1:22:43 PM	cfritsch	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	10/8/2003 1:44:34 PM	cfritsch	Edited point location
POD	10/8/2003 1:45:18 PM	cfritsch	Edited PLS
Quantity	10/8/2003 2:24:06 PM	cfritsch	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - AF volume limits are described in Transfer No. 69896.
Summary	10/8/2003 2:38:11 PM	cfritsch	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-856 V1

Season	8/29/2005 3:04:18 PM	CFRITSCH	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
--------	----------------------	----------	--

SubCase:

SubCase Number: 37-856
Class: 2
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: cfritsch
Basis of Claim: Decreed
Date Filed: 3/10/2006 Objection Status: Active

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-857

WATER RIGHT NUMBER: 37-857

Owner Type Name and Address

Current Owner AUGUST CRIST

, ZZ

Current Owner ALLEN T CRIST

, ZZ

Priority Date: 02/01/1917

Basis: Decreed

Status: Active

Source

DRY CREEK

Tributary

BIG WOOD RIVER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION STORAGE / to /

DIVERSION TO STORAGE / to /

8.000 CFS

IRRIGATION FROM STORAGE / to /

Total Diversion: 8.000 CFSLocation of Point(s) of Diversion

DRY CREEK

SE1/4SE1/4

Sec. 6, Twp 04S, Rge 14E, B.M.

GOODING County

Place of Use

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	13E	28															X		
04S	13E	33		X	X	X									X				
04S	13E	34							X	X	X								

Conditions of Approval:

1. RT. FOR 1/5 OF WATER STORED IN BRAY LAKE RES.
RT. INCOMPLETE. SEE FILE FOR DESCRIPTION OF RES.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-857

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 1/16/1932
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: August Crist, et al
Decree Plaintiff: Wm Schreiber, et al
Civil Case Number: 2791
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>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank: