

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: **A37-12380**
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: DEC 31, 1920

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
6" X 175' WELL WITH PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
STOCKWATER	01/01	12/31	0.230		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/2 HOUSES, S/1000 BEEF CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	21E	20	NE	NE		DOMEST	
			NE	NE		STOCK	

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:
NONE

14. Remarks:
OWNERSHIP CHANGE 1/21/92 BY JG.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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 _____

CHANGE IN OWNERSHIP

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

Date: August 26, 1991

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

For IDWR use only:

Initial Review and Data-Entry: Date 11/19/92 By Y
Further Action Needed / Taken: Date 11/19/92 By Y
Final Review and Data-Entry: Date 11/19/92 By Y

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

RICHARD B. BURLEIGH

POCATELLO OFFICE

125 NORTH GARFIELD

POST OFFICE BOX 4167
POCATELLO, IDAHO 83205

TELEPHONE

(208) 233-0845

September 6, 1991

RECEIVED

SEP 09 1991

Department of Water Resources
Southern Region Office

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

Re: Change in Ownership

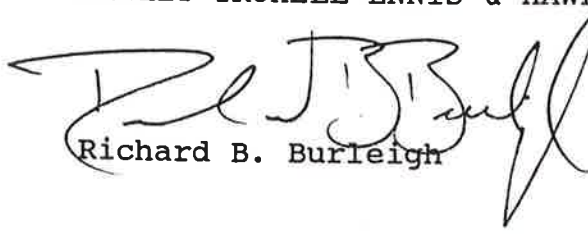
Dear Mr. Merritt:

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

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

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY


Richard B. Burleigh

RBB/gmt
Enclosures
cc: Lita W. West

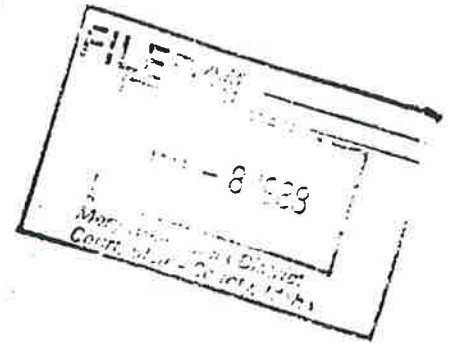
MICROFILMED

FEB 26 1993

1
2
3 RECEIVED

4 SEP 09 1991

5 Department of Water Resources
6 Southern Region Office



7
8 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
9 OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

10
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

<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.

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

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

7 DATED: January 8, 1988.

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

12 T17:17/cc
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SD-33

Last Name: ESTATE

STATE

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

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FEB 26 1993

Last Name: ESTATE

S

0

E

First

W

Water

Priority

Total

Use

L

Name

N

Right No.

Date _____

Source

Local Diversion

Code	Desc
------	------

ESTATE OF JAMES E. WEST, DECEASED

C A37-02595	04/02/1957	GROUNDWATER	1.000	01	IRR
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MICROFILMED

FEB 26 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)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

FEB 26 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				
L	Tract T	Water 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	ESTATEOF JAMES E. WEST	C	40	L	04/02/1957	01	IRR
—	SENE	A37-00564	ESTATE OF JAMES E. WES	C	40	D	05/30/1882	01	IRR
—	SENE	A37-00563	ESTATE OF JAMES E. WES	C	40	D	05/30/1881	01	IRR
—	NENW	A37-00565	ESTATE OF JAMES E. WES	C	40	D	12/31/1884	01	IRR
—	NENW	A37-12381	ESTATE OF JAMES E. WES	C	35	J	08/17/1959	01	IRR
—	NENW	A37-00564	ESTATE OF JAMES E. WES	C	40	D	05/30/1882	01	IRR
—	NENW	A37-00563	ESTATE OF JAMES E. WES	C	40	D	05/30/1881	01	IRR
—	NWNW	A37-00565	ESTATE OF JAMES E. WES	C	30	D	12/31/1884	01	IRR
—	NWNW	A37-12381	ESTATE OF JAMES E. WES	C	30	J	08/17/1959	01	IRR
—	NWNW	A37-00564	ESTATE OF JAMES E. WES	C	30	D	05/30/1882	01	IRR
—	NWNW	A37-00563	ESTATE OF JAMES E. WES	C	30	D	05/30/1881	01	IRR
—	SWNW	A37-00565	ESTATE OF JAMES E. WES	C	5	D	12/31/1884	01	IRR
—	SWNW	A37-00564	ESTATE OF JAMES E. WES	C	5	D	05/30/1882	01	IRR
—	SWNW	A37-00563	ESTATE OF JAMES E. WES	C	5	D	05/30/1881	01	IRR
—	SENW	A37-00565	ESTATE OF JAMES E. WES	C	24	D	12/31/1884	01	IRR

(Enter=Continue)

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FEB 26 1993

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

MICROFILMED
FEB 26 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 T	Water Right No.	Last, First	N	AC			
				G	Date			
					Code			
					Desc			
NENE	A37-00565	ESTATE OF JAMES E. WES	C	26	D	12/31/1884	01	IRR
NENE	A37-12380	ESTATE OF JAMES E. WES	C		J	12/31/1920	43	DOMEST
NENE	A37-12380	ESTATE OF JAMES E. WES	C		J	12/31/1920	43	DOMEST
NENE	A37-00564	ESTATE OF JAMES E. WES	C	26	D	05/30/1882	01	IRR
NENE	A37-00421	LITTLE WOOD RIVER CANA	C	26	D	04/15/1893	01	IRR
NENE	A37-00422	LITTLE WOOD RIVER CANA	C	26	D	09/02/1899	01	IRR
NENE	A37-01132	LITTLE WOOD RIVER CANA	C	26	D	05/01/1947	01	IRR
NENE	A37-02773	LITTLE WOOD RIVER IRRI	C	26	L	09/03/1935	03	IRR FS
NENE	A37-02774	LITTLE WOOD RIVER IRRI	C	26	L	11/21/1938	03	IRR FS
NENE	A37-02779	LITTLE WOOD RIVER IRRI	C	26	L	02/11/1954	03	IRR FS
NENE	A37-00563	ESTATE OF JAMES E. WES	C	26	D	05/30/1881	01	IRR

(Enter=Continue)

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(Menu _____)

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FEB 20 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,

Judy Givens
Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED
FEB 26 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: A37-12380
Date Received: 10/24/1988
Receipt No: S004704
Received By: B.V.W.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: DEC 31, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
6" X 175' WELL WITH PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
STOCKWATER	01/01	12/31	0.230		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOUSES, S/1000 BEEF CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	21E	20	NE	NE		DOMEST	

A37-12380

Page 1

Date: 02/01/89

MICROFILMED
FEB 26 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	21E	20	NE	NE		STOCK	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

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 _____

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 A37-12380
Date Received 12-16-88 10-24-88
Receipt Number 5004704 SC

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

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: 1920

3. Source of water supply: (a) Groundwater
which is tributary to: (b)

4. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
1S	21E	20	SW	NE	NE		Blaine

Additional points of diversion if any: None.

5. Description of diversion works: 175 ft. deep well, 6 inch casing, pump.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Domestic	January 1	December 31	0.06 cfs
Stockwater	January 1	December 31	0.23 cfs

7. Total Quantity Claimed: 0.29 cfs

8. Total consumptive use claimed is de minimus

MICROFILMED
FEB 26 1993

9. **Non-irrigation uses:** Domestic - two (2) households; stockwater - one thousand (1000) non-dairy cattle.

10. **Place of use:**

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>
1S	21E	20	NE	NE	D/S

11. **Place of use is located in Blaine County.**

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

13. **Describe other water rights used?** None.

14. **Remarks:**

15. **Basis of Claim:** Beneficial use.

IDWR Water Right Number: N/A

Court: Case Number:

Decree Date:

Plaintiff v. 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 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 W. West
Lita West, Personal Representative

Date:

December 15, 1988

State of Idaho)

) ss.

County of Blaine)

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

Notary Public [Signature]

Residing at [Signature]

Commission Expires 1/22/91

a:\west11.clm

MICROFILMED

FEB 26 1993

Date Received _____

State of Idaho
Department of Water Resources

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

RECEIVED
OCT 24 1988

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

Estate of James E. West
Name of Claimant

c/o Lita West, P.O. Box 360
Post Office Address

Bellevue, Idaho 83313
City, State, Zip Code

Blaine
County(s) where Place of Use is located

October 26, 1988
Date Claim Originally Due

See attached Addendum
Identify water right(s) for which extension is requested

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

See attached Addendum

Claimant requests an extension to December 15, 1988.

James E. West
Signature

ATTORNEY FOR ESTATE OF JAMES E. WEST
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
X granted _____ denied,
and the filing deadline extended to 12/15, 1988.

RECEIVED

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

Wick & Aarnestad

Director or his designated agent
DAVID B. SHAW

MICROFILMED
FEB 26 1993

9/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Estate of James West

CLAIM ID NO.

A37-12380

DATE RECEIVED

12-16-88

CK #

1220

AMOUNT \$

1711

YES

NO

1. Is the name and address complete with zip code? ☒2. Is a priority date entered? ☐

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

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

3. (a) Is a source entered? ☒(b) Is a tributary to entered? (if required) ☐

N/A

4. Is the legal description of the p.d. sufficient? ☒5. Is there a description of the diverting works? ☒6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒Is the period of use included? ☒Is a quantity claimed for each use? ☒7. Is a total quantity claimed entered? ☒8. If required is a consumptive use entered? ☐

N/A

Is the consumptive use correct? ☐

N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. ☒10. Is (are) the place(s) of use entered? ☒11. Is (are) the county(ies) entered? ☒12. Is the ownership of p.u. checked? ☒13. Are other water rights listed or "none" checked? ☒14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐

N/A

15. Is the basis of the claim checked? ☒16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒Has the claim been signed, sealed, and dated by a notary? ☒Is the fee enclosed correct? ☒If this claim is based on an existing water right, has the identification number been entered? ☐

N/A

Should this claim be receipted and data entered? ☒

Claim checked by:

SCC

Comments:

MICROFILMED

FEB 26 1993

06/19/2002

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

RIGHT NUMBER: 37-12380

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.23 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1920

POINT OF DIVERSION:

T01S R21E S20 SWNE NE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.060 CFS
STOCKWATER	01/01 12/31	0.230 CFS

PLACE OF USE: DOMESTIC Within BLAINE County

T01S R21E S20 NENE

STOCKWATER Within BLAINE County

T01S R21E S20 NENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER 1000 BEEF CATTLE.
PARCEL NO. RP01S210202860

LITA WEST —

37-12380

208-823-4700

callout w/ MSG: 6/11/02 sec
11:45 AM

6/13/02 8:45

spoke w/ LITA WEST ... she will call the
pump man to get the pump size &
call me back.

6/19/02 sec

No callback — Reid is Due!
limit to de minimis use Quantity.

— Original Claim is filed as De Minimis Claim
via J. Speck claim form.

W. West
PO Box 867
Buhlerville Idaho
83313

RECEIVED

APR - 3 2002

Department of Water Resources

Steve Clelland

State of Idaho Department of Water Resources

PO Box 83720

Boise, Idaho

83720

Claim # 37-12380

Domestic and Stock water

Dear Mr Clelland,

I have enclosed Orpha Melham's
statement. Please inform me immediately
if this is or is not sufficient to secure or
close this claim. 208-823-4700

Sincerely,

Lita West.

March 28, 19 2002.

Carey Idaho.

**STATEMENT OF ORPHA SMITH MECHAM
REGARDING THE WATER RIGHT NUMBER 37-12380 PRIORITY DATE
CLAIMED BY LITA WEST IN SNAKE RIVER ADJUDICATION**

TO WHOM IT MAY CONCERN:

MY NAME IS ORPHA SMITH MECHAM. I WAS BORN IN CAREY IN 1914 TO PIONEER PARENTS. MY GRANDPARENTS, JOSEPH AND ANNA SMITH HOMESTEADED THE RANCH WHERE LITA WEST LIVES IN 1880. THEY FILED THE FIRST WATER RIGHT CLAIM ON THE LITTLE WOOD RIVER IN 1883. THEIR THIRD CHILD WAS MY FATHER, LAFAYETTE SMITH. IN 1913 MY FATHER WENT TO WORK FOR WILLIAM RAWSON ON THE RANCH THAT LITA WEST NOW OWNS. MY MOTHER WENT TO LIVE AND COOK FOR ROSSEN'S LAMBING AND WORK CREWS AFTER I WAS BORN IN 1914 ONLY AFTER A WELL WAS DUG SO THAT SHE WOULDN'T HAVE TO CARRY WATER TO COOK AND CLEAN FOR THE CREWS. THE WELL WAS DUG IN 1913 BY JOSIAH HOWARD THE LOCAL WELL DRILLER TO PROVIDE DOMESTIC AND STOCK WATER FOR THE 4,000 SHEEP AND RESIDENCES THAT WERE AT THE RANCH HEADQUARTERS. THE WELL LITA IS FILING ON IS IN THE EXACT SAME PLACE NOW AS IT WAS ORIGINALLY. I HAVE GIVEN LITA WEST A RECORDED STATEMENT OF ALL OF THESE HISTORICAL FACTS AND FULL PERMISSION TO PLAY THE RECORDING AS NEEDED. I WAS NOT COERCED IN ANY WAY BUT HAVE GIVEN MY STATEMENT FREELY. I AM SOUND OF MIND AND WILL TALK TO ANYONE WHO WOULD LIKE TO AUTHENTICATE THESE STATEMENTS. MY PHONE NUMBER IS 208-823-4544. I STILL LIVE IN CAREY AT THE INTERSECTION OF HWY 20 AND HWY 93 IN UNIT NUMBER 4.

Orpha Smith Mecham

Orpha Smith Mecham
March 27th 2002

KATHI L. PECK
Notary Public
State of Idaho

*Kathi L. Peck
Carey, Idaho
8/31/02*

COMMUNICATION DOCUMENTATION

Claim No. 37-12380

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Steve Clelland

3/29/2002 9:00 AM

NAME:

RE:

LITA WEST

CALLBACK

RETURN CALL

I returned her call about the info she submitted for the Priority date. I told her it appears to be quite sufficient to document the date claimed. I told her I would be out in the area later to view the site and system.

She mentioned she has another well on a separate farm that she should get proof for... I am not familiar with anything else and suggested she get the legals to me so I can search for the correct water right if any. She agreed to do this.

I asked about her address and phone numbers... we have several on record with IDWR. She said her address is PO Box 867, Bellevue, her phone is 823-4700 and the fax is 823-4800. All the other addresses are no longer in use, including the Carey address at POB 8.

Claim 37-12380.

RECEIVED

MAR 27 2002

Department of Water Resources

TO THE ATTENTION OF STEVE CLELLAND:

DEAR STEVE:

HERE IS THE NOTARIZED STATEMENT OF
ORPHA SMITH MECHAM. PLEASE CALL
IMMEDIATELY IF YOU NEED MORE EVIDENCE
OF A PRIORITY DATE. Thank you -

JITA WEST

208.823.4700.

I will send the original in surface
mail.

**STATEMENT OF ORPHA SMITH MECHAM
REGARDING THE WATER RIGHT NUMBER 37-12380 PRIORITY DATE
CLAIMED BY LITA WEST IN SNAKE RIVER ADJUDICATION**

TO WHOM IT MAY CONCERN:

MY NAME IS ORPHA SMITH MECHAM. I WAS BORN IN CAREY IN 1914 TO PIONEER PARENTS. MY GRANDPARENTS, JOSEPH AND ANNA SMITH HOMESTEADED THE RANCH WHERE LITA WEST LIVES IN 1880. THEY FILED THE FIRST WATER RIGHT CLAIM ON THE LITTLE WOOD RIVER IN 1883. THEIR THIRD CHILD WAS MY FATHER, LAFAYETTE SMITH. IN 1913 MY FATHER WENT TO WORK FOR WILLIAM RAMSON ON THE RANCH THAT LITA WEST NOW OWNS. MY MOTHER WENT TO LIVE AND COOK FOR ROSSEN'S LAMBING AND WORK CREWS AFTER I WAS BORN IN 1914 ONLY AFTER A WELL WAS DUG SO THAT SHE WOULDN'T HAVE TO CARRY WATER TO COOK AND CLEAN FOR THE CREWS. THE WELL WAS DUG IN 1913 BY JOSIAN HOWARD THE LOCAL WELL DRILLER TO PROVIDE DOMESTIC AND STOCK WATER FOR THE 4,000 SHEEP AND RESIDENCES THAT WERE AT THE RANCH HEADQUARTERS. THE WELL LITA IS FILING ON IS IN THE EXACT SAME PLACE NOW AS IT WAS ORIGINALLY. I HAVE GIVEN LITA WEST A RECORDED STATEMENT OF ALL OF THESE HISTORICAL FACTS AND FULL PERMISSION TO PLAY THE RECORDING AS NEEDED. I WAS NOT COERCED IN ANY WAY BUT HAVE GIVEN MY STATEMENT FREELY. I AM SOUND OF MIND AND WILL TALK TO ANYONE WHO WOULD LIKE TO AUTHENTICATE THESE STATEMENTS. MY PHONE NUMBER IS 208-823-4544. I STILL LIVE IN CAREY AT THE INTERSECTION OF HWY 20 AND HWY 93 IN UNIT NUMBER 4.

Orpha Smith Mecham

Orpha Smith Mecham
March 27th 2002

KATHI L. PECK
Notary Public
State of Idaho

*Kathi L. Peck
Carey, Idaho
8/31/02*

COMMUNICATION DOCUMENTATION

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[illegible]

RE:

PRIORITY FOUND

She was pretty excited to have found an older lady who can attest to the drilling and uses of the well she has on her ranch. She has taped an interview with the lady and will prepare a short written statement to send in to me. Claim is 37-12380.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 37-12380

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Steve Clelland

3/25/2002 11:30 AM

NAME:

RE:

LITA WEST

CALLIN

PRIORITY LETTER

She called and was very concerned that she wouldn't be able to document the dates as needed. She wanted to refer me to the WMD and thought they had the info I needed. I explained this is part of the SRBA process that was started in 1988 and we still need to verify the water rights as claimed. I reviewed her file, 37-12380, for D/S and it sounds as if she has a stock water use that would exceed the 13,000-gpd limit of the de minimis use. She will work on getting the info for the 1920 date and I told her the deadline is not a problem to worry about because she is working on the solution.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

37-12380
LITA WEST
PO BOX 360
BELLEVUE, ID 83313

March 4, 2002

Re: Evidence of Priority Date for SRBA Claim

RESPONSE DEADLINE
MARCH 29, 2002

Dear Claimant:

The Notice of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice number. If you have questions not covered by this letter or the enclosed pamphlet, please contact the office listed above.

Sincerely,

Steve Clelland
Water Resource Agent, Sr.

Enclosures

T1S
R21E
S.20

POD
SWNE

5/15/02
SCC
EXAM

WELL



17 16

20 21

37-12380

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LITA WEST PO BOX 867 BELLEVUE ID 83313	~~12/31/1884~~ 12/31/1920	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.23 CFS 0.04 CFS	
TOTAL DIVERSION:					0.27 CFS	?

Water Source: GROUNDWATER
Tributary to: **SWNE**
Point(s) of Diversion: T01S R21E S19 **20**
Place of use Legal Description for: STOCKWATER

Stage: BENEFICIAL USE
BLAINE County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
T	R	S	Ac	T	R	S	Ac	T	R	S	Ac	T	R	S	Ac
01S	21E	19	1												

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
T	R	S	Ac	T	R	S	Ac	T	R	S	Ac	T	R	S	Ac
01S	21E	19	1												

POU County: BLAINE

Non-Irrigation Uses: **2** HOMES

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER 1000 **beef cattle**
PARCEL NO. RP01S210202860

Dates: Exam Made Date: Verified Date: 12/09/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 12/09/1998 User-ID: JGIVENS Subject: COPIED FROM REMARKS

D/S HOLD BACK

see
2/22/99

AJ5809NP
No. R37-12380

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/22/99
PAGE: 9

=====

Comments: Date: 12/09/1998 User-ID: JGIVENS Subject: COPIED FROM REMARKS
OWNERSHIP CHANGE 1/21/92 BY JG.
CHANGE OF ADDRESS 12/9/98 BY JG.

Audit: 12/09/98 JGIVENS

MEMORANDUM

TO: Adjudication File
FROM: Daniel A. Nelson
DATE: 3-16-98
SUBJECT: Adjudication Claim # A37-12380

On this date the above adjudication claim was waived from West ESPA Measurement District (WMD). The WMD administration decided that de minimus claim were not required to report to the WMD at this time.

However, in a conversation with the owner in the presence of Allen Merritt and Myself, she stated that she was irrigating approximately 4 acres of ground and running multiple households and a large feedlot under this water right. Mr. Merritt asked me to flag this water right to be investigated further before it recommended to the SRBA court. A rather long letter and other information is in the waived file for this claim. I would also recommend looking at all de minimus claims owned by this owner.