

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 37-21165
Date Received: 10/29/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

MICHAEL PETE ONEIDA

Phone:

PO BOX 845
SHOSHONE ID USA 83352

2. Date of Priority: 04/15/1884

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	Type
05S	18E	31	NW NW SE	LINCOLN	
05S	17E	36	NW SW NE	LINCOLN	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.22	

7. Total Quantity Appropriated is:
0.22 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05S	17E	36	NE NE	IRRIGATION	21
				Section Acres	21

Total Acres 21

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

**BUREAU OF REAL
ESTATE**

954 West Jefferson
Post Office Box 83720
Boise ID 83720-0050
Phone (208) 334-0200
Fax (208) 334-3698



WINSTON A WIGGINS, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

Dirk Kempthorne, Governor
Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney General
Keith L. Johnson, State Controller
Marilyn Howard, Sup't of Public Instruction

April 6, 2004

Michael Oneida
Box 845
Shoshone, Idaho 83352

RECEIVED
JUN 02 2005
Department of Water Resources

Subject: State of Idaho Deed No. 13614

Dear Mr. Oneida:

Enclosed please find the above referenced deed for land purchased from the State of Idaho.

This deed has been recorded with the Lincoln County Records office.

We are glad to have been of service to you.

Sincerely,

Debbie Lady
Administrative Assistant
Bureau of Real Estate

dl

Enclosure

CERTIFIED MAIL

SCANNED

JUN 02 2005

STATE OF IDAHO DEED

NUMBER 13614
Certificate No. 25524

To All to Whom These Presents Shall Come, Greetings:

On the 15th day of May, 1984, for value received, all that tract or parcel of **PUBLIC SCHOOL ENDOWMENT** land of the State of Idaho, hereinafter mentioned and particularly described, was sold in the manner provided by law to

- MICHAEL PETE ONEIDA -

for the aggregate price of **TWELVE THOUSAND NINE HUNDRED FIFTY AND NO/100-----DOLLARS**

Whereas, the said sum has been fully paid to the proper receiving officer for the State of Idaho, by **MICHAEL PETE ONEIDA**, Box 845, Shoshone, Idaho 83352, as shown by the records in the office of the State Board of Land Commissioners, the said sum being the whole amount of the purchase price for the real estate located in **LINCOLN** County, State of Idaho, hereinafter legally described as:

The Northeast Quarter of the Northeast Quarter (NE¼NE¼) Section 36, Township 5 South, Range 17 East, B.M. Subject to an existing easement for a ditch established by prior right as ditch was in place prior to land being granted to the State.

The said State of Idaho, in pursuance of law in such case made and provided, do hereby grant, bargain, sell, convey and confirm, in fee, unto the said

- MICHAEL PETE ONEIDA -

His heirs and assigns, in fee simple forever, to have and hold the said premises with his appurtenances thereon, subject to the provisions of Section 58-604, Idaho Code, as amended by Chapter 44, 1951 Session Laws; which grants over all lands belonging to the State a right of way for ditches constructed by authority of the United States. The State reserves the right to all coal, oil, oil shale, gas, phosphate, sodium, asbestos, gold, silver, lead, zinc, copper, antimony and all minerals or deposits of minerals of whatsoever kind or character, including geothermal resources (and associated by-products), sand, gravel and pumice.

SCANNED

JUN 02 2005



In Witness Whereof, I, **DIRK KEMPTHORNE**, the Governor of the State of Idaho, have hereunto signed my name and caused the Great Seal of the State of Idaho and the Seal of the Board of Land Commissioners to be hereunto affixed, this 1st day of April, 2004 A.D.

Countersigned:

Dirk Kempthorne

Governor of Idaho and President of
State Board of Land Commissioners

Ben Ysursa

Secretary of State

Winston A. Wiggins

Director, Department of Lands

STATE OF IDAHO }
County of Ada } ss.

On this 1st day of April, in the year 2004, before me, a Notary Public in and for said State personally appeared **DIRK KEMPTHORNE**, known to me to be the Governor of the State of Idaho, and **BEN YSURSA**, known to me to be the Secretary of State of the State of Idaho, and **WINSTON A WIGGINS**, known to me to be the Director, Department of Lands of the State of Idaho, who executed said instrument and acknowledged to me that such State of Idaho executed the same.

In Witness Whereof, I have hereunto set my hand and seal on the day and year last above written.

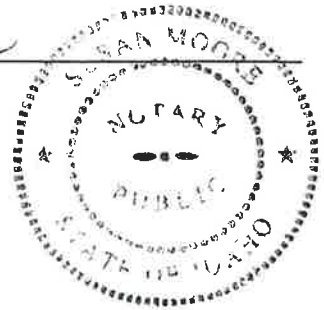
Susan Moore

Notary Public

Residing at *Boise*

My Commission Expires:

12-31-2007



STATE OF IDAHO 176519
COUNTY OF LINCOLN
Recorded at the request of *State of Idaho*
APR - 5 2004
at *42* minutes past *3 P.M.*
recorded by *Nichelle Wright*
Fee: *0* - Return to: *AS Above*
Bo Mail

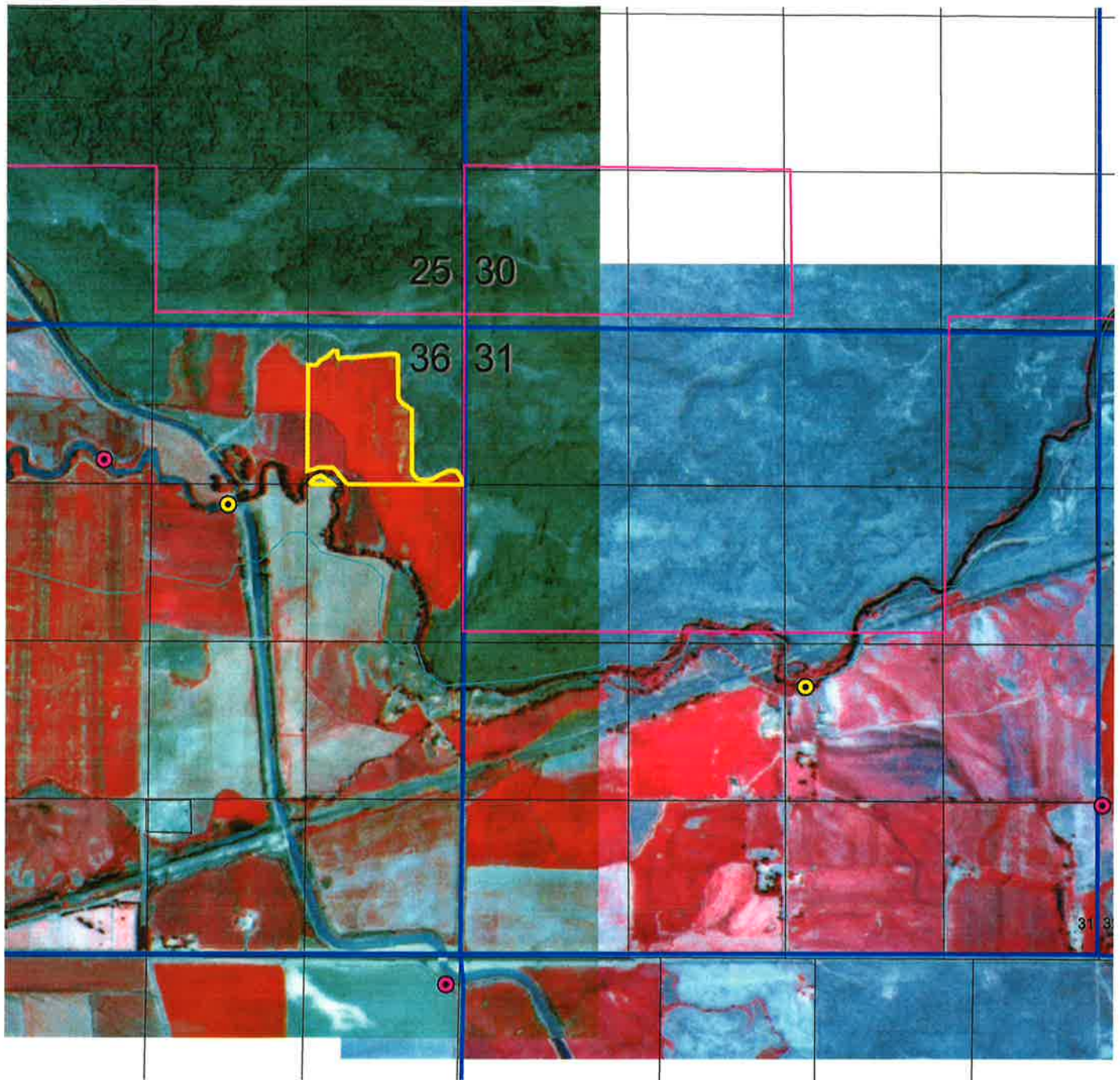
State of Idaho
Dept. of Lands
954 W Jefferson St
PO Box 83720
Boise ID 83720-0050

SCANNED

JUN 02 2005

IDAHO DEPT OF WATER RESOURCES

37-21165 -21167 -21169 -21171



1320 0 1320 Feet

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

TWN: 5S
RNG: 18E
SEC: 36



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

Date: NOVEMBER 6, 2003

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: 37-21165

DOLLIE ONEIDA
PO BOX 45
SHOSHONE ID 83352
Telephone Number: (208)886-7644

PETE ONEIDA
PO BOX 45
SHOSHONE ID 83352
Telephone Number: (208)886-7644

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

NAME OF Owner

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

OWNERS to MICHAEL PETE ONEIDA

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

PURCHASED LAND on 15th day of MAY 1964
Farm LAND From 1974 on

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

DATE: 52505 SIGNATURE: Michael Pete Oneida
Please print your name: MICHAEL PETE ONEIDA

IDWR State Office, 322 E. Front St., P.O. Box 83720, Boise, ID 83720-0098

10/29/2003

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

RIGHT NUMBER: 37-21165

NAME AND ADDRESS: DOLLIE ONEIDA
PO BOX 45
SHOSHONE ID 83352

PETE ONEIDA
PO BOX 45
SHOSHONE ID 83352

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.220 CFS
RIGHT IS LIMITED TO 0.21 CFS WHEN DIVERTED VIA THE PUMP FROM LITTLE WOOD RIVER.

PRIORITY DATE: 04/15/1884

POINT OF DIVERSION:
T05S R17E S36 NWSWNE Within LINCOLN County
T05S R18E S31 NWNWSE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.220 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County

T05S R17E S36 NENE 21.0

21 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 21 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-21167, 37-21169 & 37-21171.

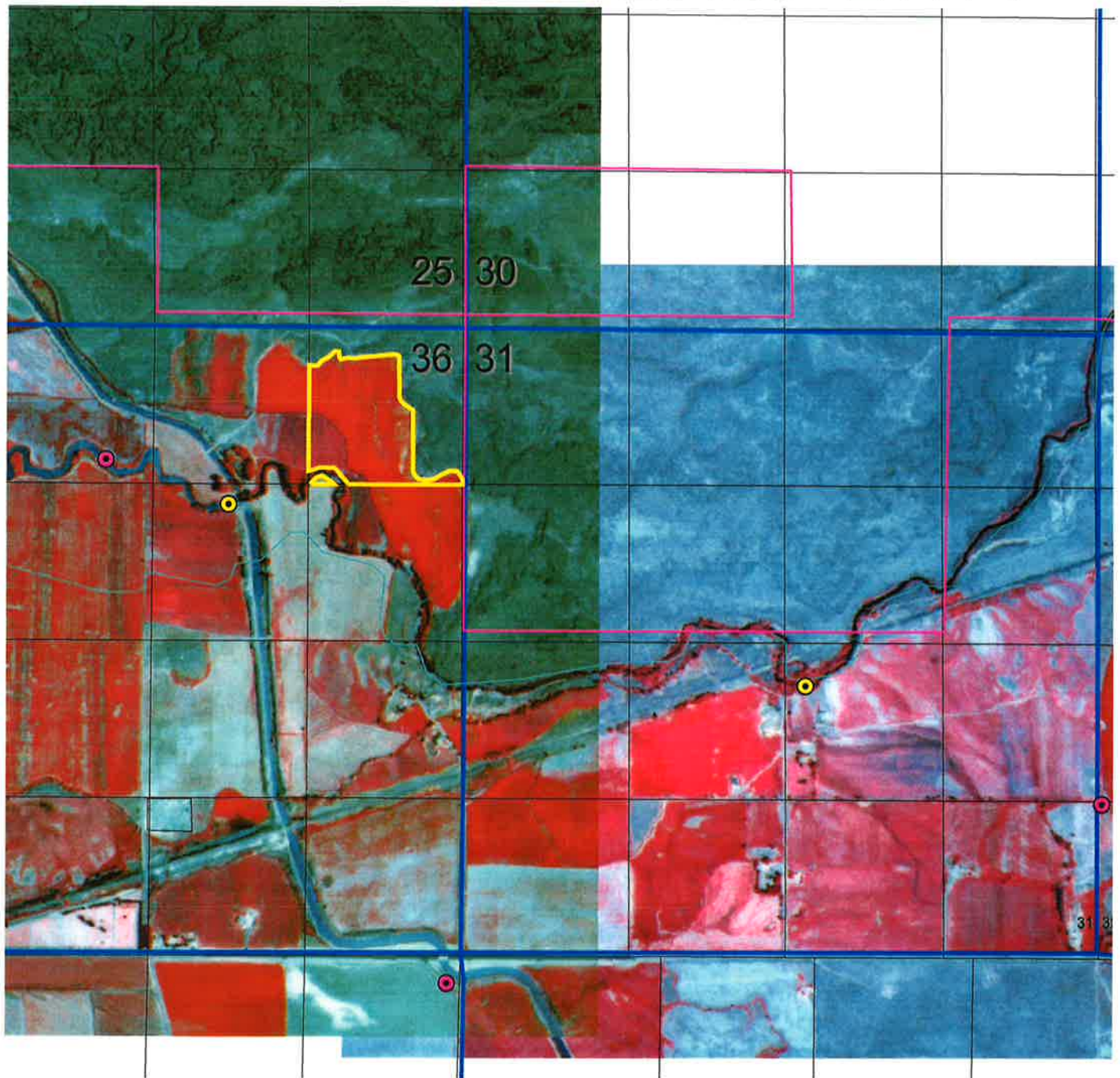
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

IDAHO DEPT OF WATER RESOURCES

37-21165 -21167 -21169 -21171



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
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TWN: 5S
RNG: 18E
SEC: 36



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

Date: NOVEMBER 6, 2003

COD Splits for LMR/ONEIDA

10/16/03
SCC

37-78

1.8 cfs (1.76 pump limit)

173 AC.

(.0104) cfs/AC

(.0102) limited

LMR

152 AC.

1.58 cfs (1.55)

ONEIDA

21 AC.

0.22 cfs (.21)

37-21164 =

37-21165 =

37-79

1.9 (1.86 limit)

173 AC.

(.01098) cfs/AC

(.01075) limited

LMR

152 AC.

1.67 (1.63)

ONEIDA

21 AC.

.23 cfs (.23)

No Limit
needed

37-21166 ✓

37-21167 ✓

37-10557 (37-1779)

0.56 cfs

(.00329) cfs/AC

173 AC.

LMR

152 AC.

.49

ONEIDA

21 AC

.068 = .07

37-21168 ✓

37-21169 ✓

37-10558 (37-691)

0.164 cfs

173 AC.

(.00095) cfs/AC.

LMR

152 AC

.144

ONEIDA

21 AC

.02

37-21170 ✓

37-21171 ✓

[4.424 cfs / 173 AC

= 0.0256 cfs/AC]

SCANNED

NOV 05 2003