

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST
Transfer No. 78891

December 09, 2013

RECEIVED

DEC 09 2013

DEPARTMENT OF
WATER RESOURCES

RECEIVED

DEC 11 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

1. Matter being protested

Transfer No. 78891 for Albion 12 Investments, LLC. (45-00256A, 45-00284C, and 45-00286)

2. Name of protestant

United States Department of the Interior
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657

3. Protestant's Representative for service (if different than protestant)

Fredric W. Price (contact person)

4. Service mailing address

same as above

5. Service telephone no.

(208) 373-3831

6. Basis of protest (including statement of facts and law upon which the protest is based).

Transfer No. 78891 seeks to add a point of diversion (POD) located on BLM land (T12S, R25E, S21, NENWSW) to three of the Applicant's water rights: 45-00256A, 45-00284C, and 45-00286. Although the Applicant is the owner of several existing water rights (45-00327D, 45-00284B, and 45-00285) that describe this POD, the addition of this POD to three other water rights (45-00256A, 45-00284C, and 45-00286) would be a new appropriation from this POD. A right-of-way (ROW) from BLM is required to transport additional water rights through the existing diversion and ditch. With regard to the existing water rights that describe PODs on BLM land (NENWSW, SENWSW, S21, T12S, R25E), these PODs did not exist as of Transfer #1021 or #1029 that were approved in 1964. They were also not described in 1989 Notices of Claim in SRBA and didn't show up until the 2003 Amended Notices of Claim. It is likely that the Applicant needs a ROW for all the water rights from the 2 PODs on BLM.

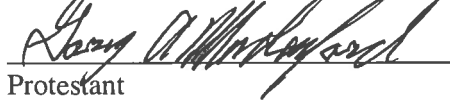
7. What would resolve your protest?

BLM's protest can be resolved by:

- 1) Remove the unauthorized PODs on BLM;
- 2) Albion 12 Investments, LLC seeking a ROW to divert water rights 45-00256A, 45-00284C, and 45-00286 from the POD located in T12S, R25E, S21, NENWSW (BLM); and
- 3) Potentially needing a ROW from both PODs on BLM for all 6 water rights.

I hereby, acknowledge that if I, or my designated representative, fail to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 9th day of December 2013.



Protestant

Gary A. Madenford

Water Rights Team Leader

Attachments:

◆Maps prepared by BLM for illustrative purposes.

◆Master Title Plat: T12S, R25E.

FOR DEPARTMENT USE ONLY

Received by 

Date 12-9-13

0098051

\$25-

CERTIFICATE OF SERVICE

I certify that on December 9, 2013, I served a true and correct copy of the **Protest of Transfer No. 78891** for Albion 12 Investments, LLC with enclosures upon the following individuals by placing the documents in the United States mail in Boise, Idaho, postage paid, and addressed as follows:

Original to:

Jeff Peppersack, Administrator
Idaho Department of Water Resources (IDWR)
Idaho State Office
Water Management Division,
P.O. Box 83720
322 East Front Street
Boise, Idaho 83720-0098

Copies to:

Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Albion 12 Investments, LLC
7595 East McDonald Dr. #130
Scottsdale, AZ 85250

Brockway Engineering
Erick Powell
2016 Washington Street North, Suite 4
Twin Falls, ID 83301
REPRESENTING:
Albion 12 Investments LLC

Steve Davis
U.S., Department of the Interior,
Bureau of Land Management,
Burley Field Office
15 East 200 South
Burley, ID 83318

Jordan Crane

Person Serving Documents (print name)

Jordan Crane

Signature of Person Serving Documents

Transfer No. 78891

Part 1.3 (Point(s) of Diversion)

Table 1.B.3: Points of Diversion as they will exist following transfer - per water right

Water Right 45-256A

<u>New</u>	<u>Lot</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Sec</u>	<u>TWP</u>	<u>RGE</u>	<u>County</u>	<u>Source</u>	<u>Local Name or Tag #</u>
		SE	NW	SW	21	12S	25E	Cassia	Howell Creek	Existing POD
X		SW	SE	SW	16	12S	25E	Cassia	Howell Creek	Proposed POD
X		NW	SE	NW	21	12S	25E	Cassia	Howell Creek	Proposed POD
X		NE	NW	SW	21	12S	25E	Cassia	Howell Creek	Proposed POD BLM
		SW	NW	SW	22	12S	25E	Cassia	Antone Creek	Existing POD
		SW	NW	SW	22	12S	25E	Cassia	Pine Creek	Existing POD Rediversion
		SW	SW	NW	27	12S	25E	Cassia	Pine Creek	Existing POD Rediversion
		SW	SW	NW	27	12S	25E	Cassia	Antone Creek	Existing POD
		SE	NE	NE	28	12S	25E	Cassia	Antone Creek	Existing POD
		SE	NE	NE	28	12S	25E	Cassia	Pine Creek	Existing POD Rediversion
		SE	NE	NE	28	12S	25E	Cassia	Pine Creek	Existing POD Rediversion
		SE	NE	NE	28	12S	25E	Cassia	Antone Creek	Existing POD
		SE	SW	SE	28	12S	25E	Cassia	Pine Creek	Existing Point of Injection
		SW	NW	NW	33	12S	25E	Cassia	Pine Creek	Existing POD

Water Right 45-284C

<u>New</u>	<u>Lot</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Sec</u>	<u>TWP</u>	<u>RGE</u>	<u>County</u>	<u>Source</u>	<u>Local Name or Tag #</u>
		SE	NW	SW	21	12S	25E	Cassia	Howell Creek	Existing POD
X		SW	SE	SW	16	12S	25E	Cassia	Howell Creek	Proposed POD
X		NW	SE	NW	21	12S	25E	Cassia	Howell Creek	Proposed POD
X		NE	NW	SW	21	12S	25E	Cassia	Howell Creek	Proposed POD BLM

Water Right 45-286

<u>New</u>	<u>Lot</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Sec</u>	<u>TWP</u>	<u>RGE</u>	<u>County</u>	<u>Source</u>	<u>Local Name or Tag #</u>
		SE	NW	SW	21	12S	25E	Cassia	Howell Creek	Existing POD
X		SW	SE	SW	16	12S	25E	Cassia	Howell Creek	Proposed POD
X		NW	SE	NW	21	12S	25E	Cassia	Howell Creek	Proposed POD
X		NE	NW	SW	21	12S	25E	Cassia	Howell Creek	Proposed POD BLM

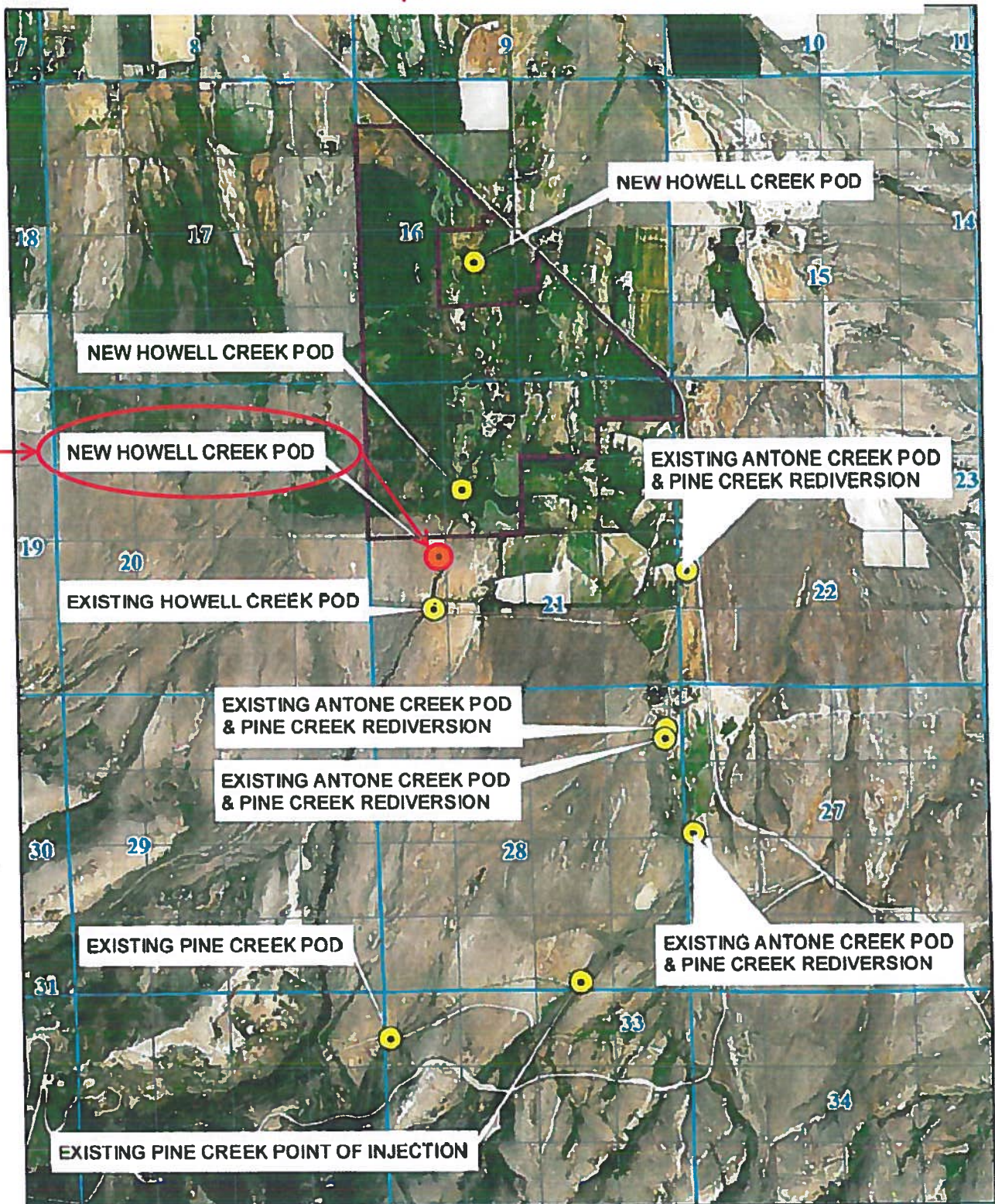
Water Right 45-2663

<u>New</u>	<u>Lot</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Sec</u>	<u>TWP</u>	<u>RGE</u>	<u>County</u>	<u>Source</u>	<u>Local Name or Tag #</u>
X		SW	SE	SE	16	12S	25E	Cassia	Groundwater	Existing 8" Well

Transfer No. 78891 seeks to add an unauthorized POD on BLM to 3 of Albion 12 Investments' water rights.

Transfer No. 78891
Map of 45-00256A

By property WLDON



1,250 2,500 5,000 Feet

ALBION 12 INVESTMENTS LLC.
WATER RIGHT TRANSFER 45-256A
NAIP 2011 AERIAL

Legend

PPU BOUNDARY
ALBION 12 INVESTMENTS
township
Section Lines
QQ Lines

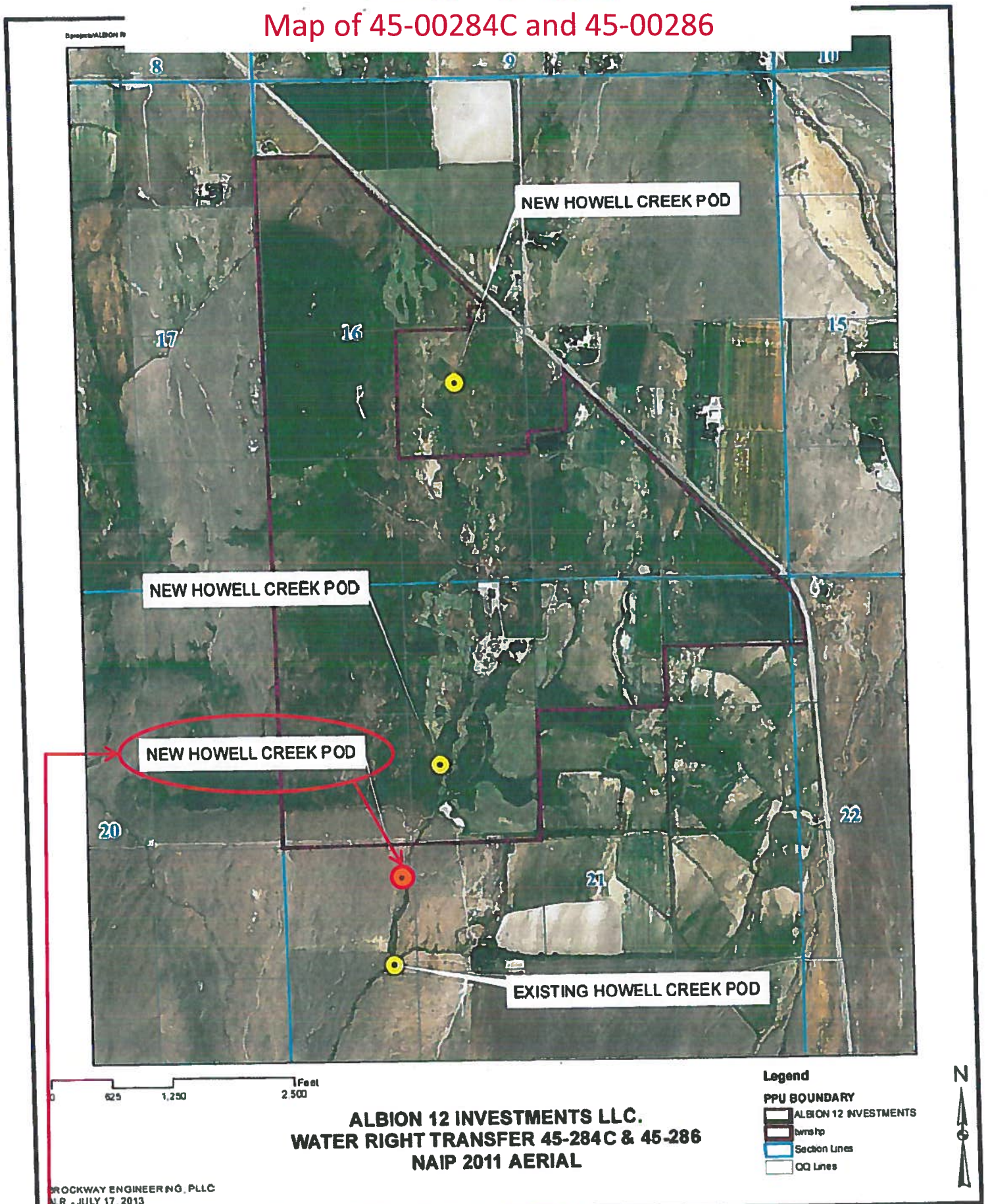
BROCKWAY ENGINEERING, PLLC
ALR - JULY 17, 2013



TRANSFER 78891

New unauthorized POD on BLM

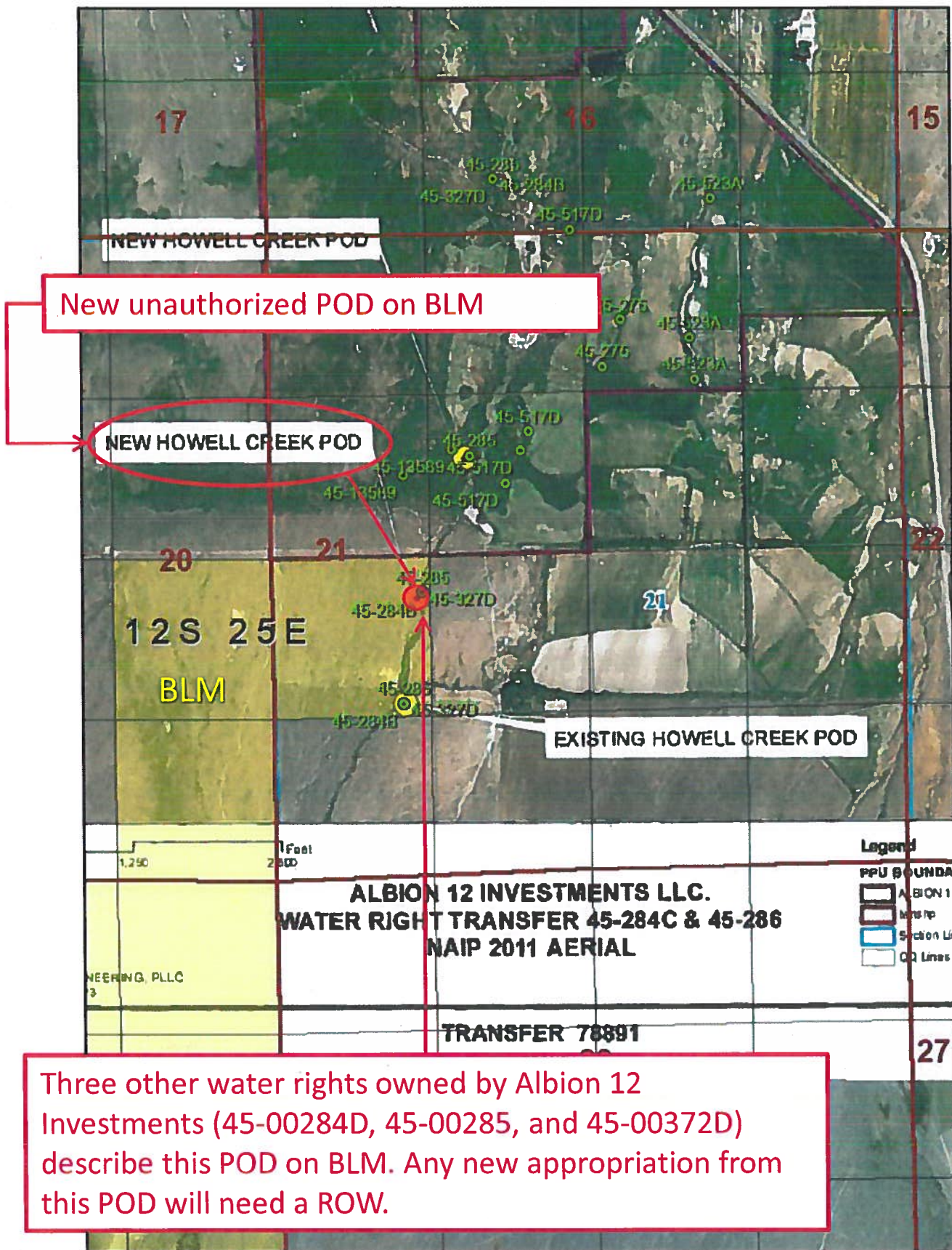
Transfer No. 78891
Map of 45-00284C and 45-00286



TRANSFER 78891

New unauthorized POD on BLM

Georeferenced Map from Transfer No. 78891



Three other water rights owned by Albion 12 Investments (45-00284D, 45-00285, and 45-00372D) describe this POD on BLM. Any new appropriation from this POD will need a ROW.

Legend

- Albion 12 Investments WR PODs

04-02-1964

Page 1 of 2

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT
TRANSFERRED RIGHT NO. 1021

45-327

THIS IS TO CERTIFY, That Richard Storey Anderson, of Box 126, Albion, Idaho, is the owner of and using a certain water right bearing date of March 1, 1881, for .50 cubic feet per second of the waters of Howell Creek, County of Cassia, State of Idaho, decreed to James Mahoney and N. P. Williams by decree of Judge John T. Morgan of the 3rd Judicial District of the State of Idaho, in and for the County of Cassia, in the case of

J. CHATBURN, et al

Plaintiffs

vs.

GEORGE V. BRIM, et al

Defendants

said decree bearing date of April 19, 1904, and being appurtenant to the following described lands, to-wit:



NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 16, (Transfer No. 775);
NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Town-
ship 12 South, Range 25 E.B.M.,



That said decree has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 1 of Decrees, at Page 603 thereof;

That said Richard Storey Anderson has become the owner of said water right by purchase;

And that now, upon the application of Richard Storey Anderson, for the transfer of .50 cubic feet per second of the waters of Howell Creek, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of .50 cubic feet per second of the waters of Howell Creek upon the above described land is hereby abandoned, and the land under such right and to which the water right HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation purposes, is described as follows, to-wit:

*Remove
water from
Sec 21*

NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 16, Township 12 South,
Range 25 E.B.M.,

see 16 above

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purpose, and shall not exceed the following amount, to-wit:

45-0327

04-02-1964

Page 2 of 2

.50 cubic foot per second of the
waters of Howell Creek with priority
of March 1, 1881;

That the water right hereby transferred has heretofore been
conducted from Howell Creek to the first above described lands through
private ditch with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 21, Township 12 South, Range 25 E.B.M.,

That the water right hereby transferred will hereafter be
conducted to the last above described lands through private ditch with
point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 12 South,
Range 25 E.B.M.,

That the right to the use of the waters aforesaid, hereby
confirmed, is restricted to the lands last above described, as provided
by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the
official seal of the Department of Reclamation of the State of Idaho to
be hereunto affixed at Boise, Idaho, this 2nd day of April, 1964.

(SEAL)

s/

CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

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: A45-00327D
Date Received: 4/06/1989
Receipt No: S006801
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD S. ANDERSON
Address: STAR RT. BOX 30
ALBION, ID 83311 208-673-5384
Richard S. Anderson
11 yrs ago
6-10-03

AND/OR

Name: HELEN ANDERSON
Address: STAR RT. BOX 30
ALBION, ID 83311 208-673-5384

2. Date of Priority: MAR 01, 1881

3. Source: HOWELL CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	25E	21	SE	SE	NW		CASSIA

5. Description of diverting works:
HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/01	0.700		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A45-00327D

Page 1

Date: 04/06/89

MICROFILMED

MAR 07 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	25E	16	SW	SW		IRR	20.0
			SW	SE		IRR	30.0
			SE	SE		IRR	20.0
			Section Acres				70.0
		21	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	20.0
			SE	NW		IRR	20.0
			Section Acres				120.0
			Total Acres				190.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

A45-00275, 00523A, 00285, 00284B, 00517D

14. Remarks:

P/U INCOMPLETE. SEE TRANSFER 1021. TRANS 775.
163" DECREED WATER USED ON ~190 ACRES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/21/1892

R. L. WOOD, ET. AL.

Decree Plaintiff

vs

WM. STOKES, ET. AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Richard S. Anderson Date: April 6, 1989

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 6 day

of Apr 19 89

Lon White
Notary Public

Seal

Residing at TF

My Commission Expires 5/94

05-25-1964

Page 1 of 3

See file 45-0517 for Appl., Letters, etc.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Certificate	)	
of Transfer Issued Pursuant to	)	ORDER CANCELLING TRANSFER
the Application of Richard Storey	)	OF WATER RIGHT NO. 1022 AND
Anderson, Box 126, Albion, Idaho,	)	ISSUANCE OF NEW TRANSFER OF
Designated as Transferred Right	)	WATER RIGHT NO. 1029.
No. 1022	)	

WHEREAS, Under date of April 2, 1964, an Order was executed granting the transfer requested by the application of Richard Storey Anderson covering a certain water right in Water District No. 26, and as a result of such Order, Certificate of Transfer of Water Right No. 1022 was issued April 2, 1964; and

WHEREAS, said Certificate shows 0.2 cubic feet per second of the waters of Howell Creek with priority of August 31, 1874; and 1.5 cubic feet per second of the waters of Spring Creek with priority of April 1, 1875; this should read

0.2 cubic feet per second of the waters
of Spring Creek, with priority of
August 31, 1874; and 1.5 cubic feet per
second of the waters of Howell Creek with
priority of April 1, 1875;

NOW, Certificate of Transfer of Water Right No. 1022, issued April 2, 1964, is HEREBY CANCELLED, and a new Certificate of Transfer of Water Right No. 1029 shall be issued;

WITNESS the seal and signature of the State Reclamation Engineer of the State of Idaho affixed at Boise, Idaho, this 25th day of May, 1964.

(SEAL)

s/

CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

05-25-1964

Page 2 of 3

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREED WATER RIGHT
TRANSFERRED RIGHT NO. 1029

THIS IS TO CERTIFY, That Richard Storey Anderson of Box 126, Albion, Idaho, is the owner of and using a certain water right of 1.7 cubic feet per second, bearing date of priority as follows: August 31, 1874 for 0.2 cubic feet per second of the waters of Spring Creek; April 1, 1875, for 1.5 cubic feet per second of the waters of Howell Creek, County of Cassia, State of Idaho, decreed to William Stokes by decree of Judge C. O. Stockslager of the 4th Judicial District of the State of Idaho, in and for the County of Cassia, in the case of

P. L. WOOD, et al

Plaintiffs

vs.

WILLIAM STOKES, et al

Defendants

said decree bearing date of March 21, 1892, and being appurtenant to the following described lands, to-wit:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 16; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$,
Section 21, Township 12 South,
Range 25 E.B.M., (by Transfer
No. 775)

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 1 of Decrees at Page 607 thereof;

That said Richard Storey Anderson has become the owner of said water right by purchase;

And that now, upon the application of Richard Storey Anderson, for the transfer of 1.7 cubic feet per second of the waters of Howell and Spring Creeks, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 1.7 cubic feet per second of the waters of Howell and Spring Creeks upon the above described land is hereby abandoned, and the land under such right and to which the water right HEREBY CONFIRMED, shall become appurtenant by this Certificate for irrigation purposes, is described as follows, to-wit:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 16;
NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Town-
ship 12 South, Range 25 E.B.M.,

05-25-1964

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That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purpose, and shall not exceed the following amount, to-wit:

0.2 cubic feet per second
of the waters of Spring Creek,
with priority of August 31, 1874;

1.5 cubic feet per second of the
waters of Howell Creek, with
priority of April 1, 1875;

That the water right hereby transferred has heretofore been conducted from said streams to the first above described lands through private ditch with points of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 12 South, Range 25 E.B.M.,

That the water right hereby transferred will hereafter be conducted to the last above described lands through private ditch with points of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, of Section 21, all in Township 12 South, Range 25 E. B. M.,

That the right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 25th day of May, 1964,

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

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: A45-00284B
Date Received: 4/06/1989
Receipt No: S006801
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD S. ANDERSON 208-673-5384
Address: STAR RT. BOX 30
ALBION, ID 83311-0000
AND/OR
Name: HELEN ANDERSON 208-673-5384
Address: STAR RT. BOX 30
ALBION, ID 83311-0000

2. Date of Priority: APR 01, 1875

3. Source: HOWELL CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	25E	21		SE	NW		CASSIA

5. Description of diverting works:
HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/01	1.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	25E	16	SW	SW		IRR	20.0
			SW	SE		IRR	30.0
			SE	SE		IRR	20.0
					Section Acres		70.0
		21	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	20.0
			SE	NW		IRR	20.0
					Section Acres		120.0
					Total Acres		190.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

A45-00275, 00523A, 00285, 00517D, 00327D

14. Remarks:

SEE TRANSFERS #639, 738, 775, 1029
163" DECREED WATER USED ON ~190 ACRES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

R. L. WOOD, ET. AL.

Decree Plaintiff

vs

WM. STOKES, ET. AL.

Decree Defendant

MICROFILMED

MAR 07 1993

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Richard S. Anderson Date: April 6, 1989

Date: _____

State of Idaho

County of TE) ss.

Subscribed and sworn (or affirmed) before me this 6 day

of hps 19 89

Tom Wente
Notary Public

Seal

Residing at OK

My Commission Expires 5/94

MICROFILMED
 MAR 07 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: A45-00285
Date Received: 4/06/1989
Receipt No: S006801
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HELEN ANDERSON 208-673-5384
Address: STAR RT. BOX 30
ALBION, ID 83311
AND/OR
Name: RICHARD S. ANDERSON 208-673-5384
Address: STAR RT. BOX 30
ALBION, ID 83311

2. Date of Priority: APR 01, 1878

3. Source: HOWELL CREEK Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	25E	21	SE	NW			CASSIA

5. Description of diverting works:
HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/01	0.150		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A45-00285

Page 1

Date: 05/22/89

MICROFILMED

MAR 07 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	25E	16	SW		SW		IRR	20.0
			SW		SE		IRR	30.0
			SE		SE		IRR	20.0
							Section Acres	70.0
		21	NW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	20.0
			SE		NW		IRR	20.0
							Section Acres	120.0
							Total Acres	190.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

A45-00275, 00523A, 00284B, 00517D, 00327D

14. Remarks:

163" DECREED WATER USED ON ~190 ACRES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

R. L. WOOD, ET. AL.

Decree Plaintiff

vs

WM. STOKES, ET. AL.

Decree Defendant

MICROFILMED

MAR 07 1993

16. Signature(s)

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

Number of attachments:

For Individuals:

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

Signature of Claimant(s): Richard S. Anderson Date: April 6 1989

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of Apr 19 89 Lon White
Notary Public

Seal

Residing at TF
My Commission Expires 5/94

CASSIA COUNTY 031
THIN FALLS DISTRICT SEC 3

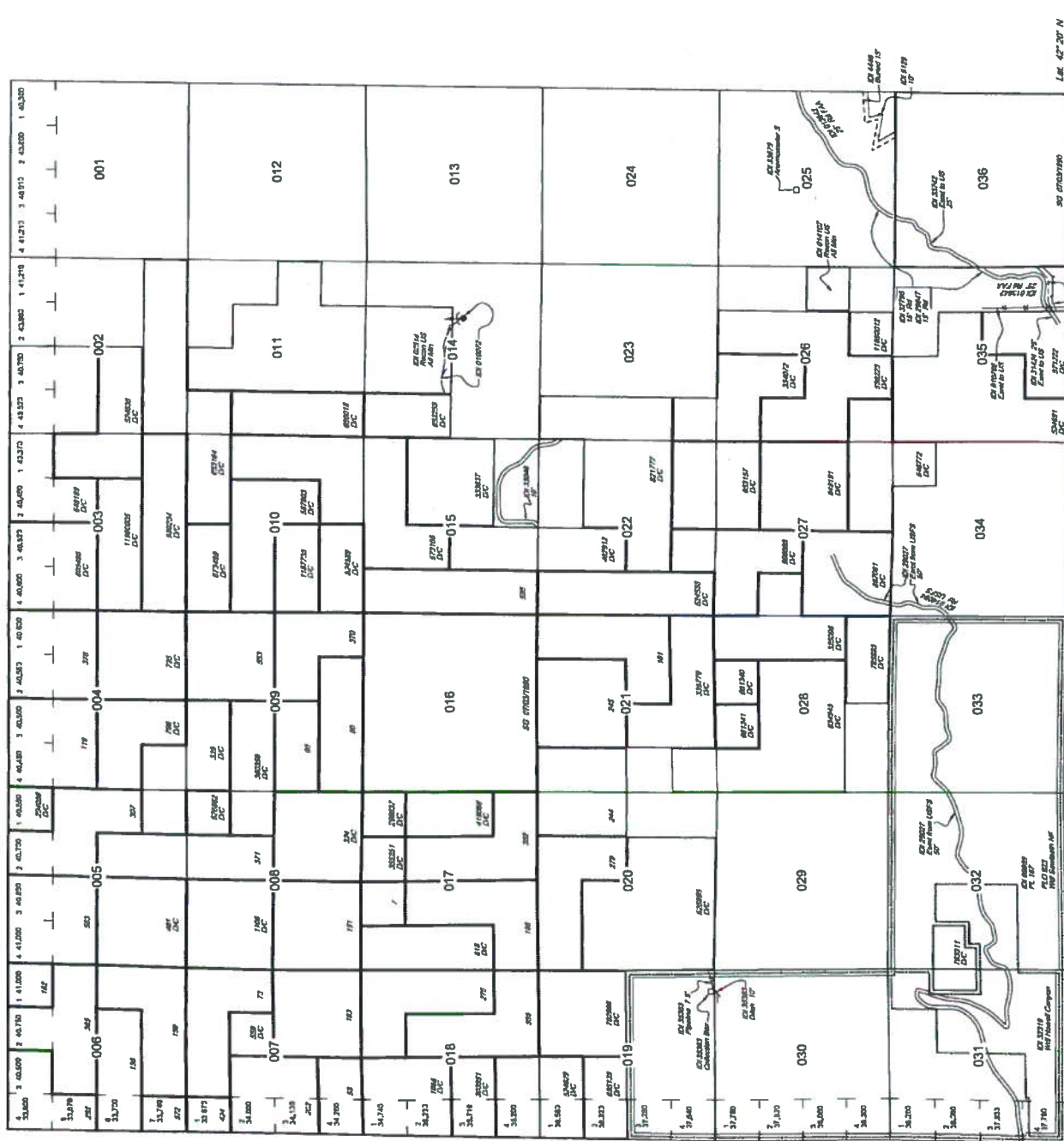
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

DOI 08990 Del PL 167 (Act of Cong 07/23/1965)
completed 01/15/1962 All NF surface Mgmt by USFS

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

[illegible]

T. 12 S
 R. 25 E



References

This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records herein do not reflect title changes which may have been affected by lateral movements of river or other bodies of water. Refer to censused surveys for additional information.

The notation above on subheadings represent the last action taken, but may not be the effective date. Use the Notational Index for the date of original withdrawal order.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or for any other purpose is not guaranteed.



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