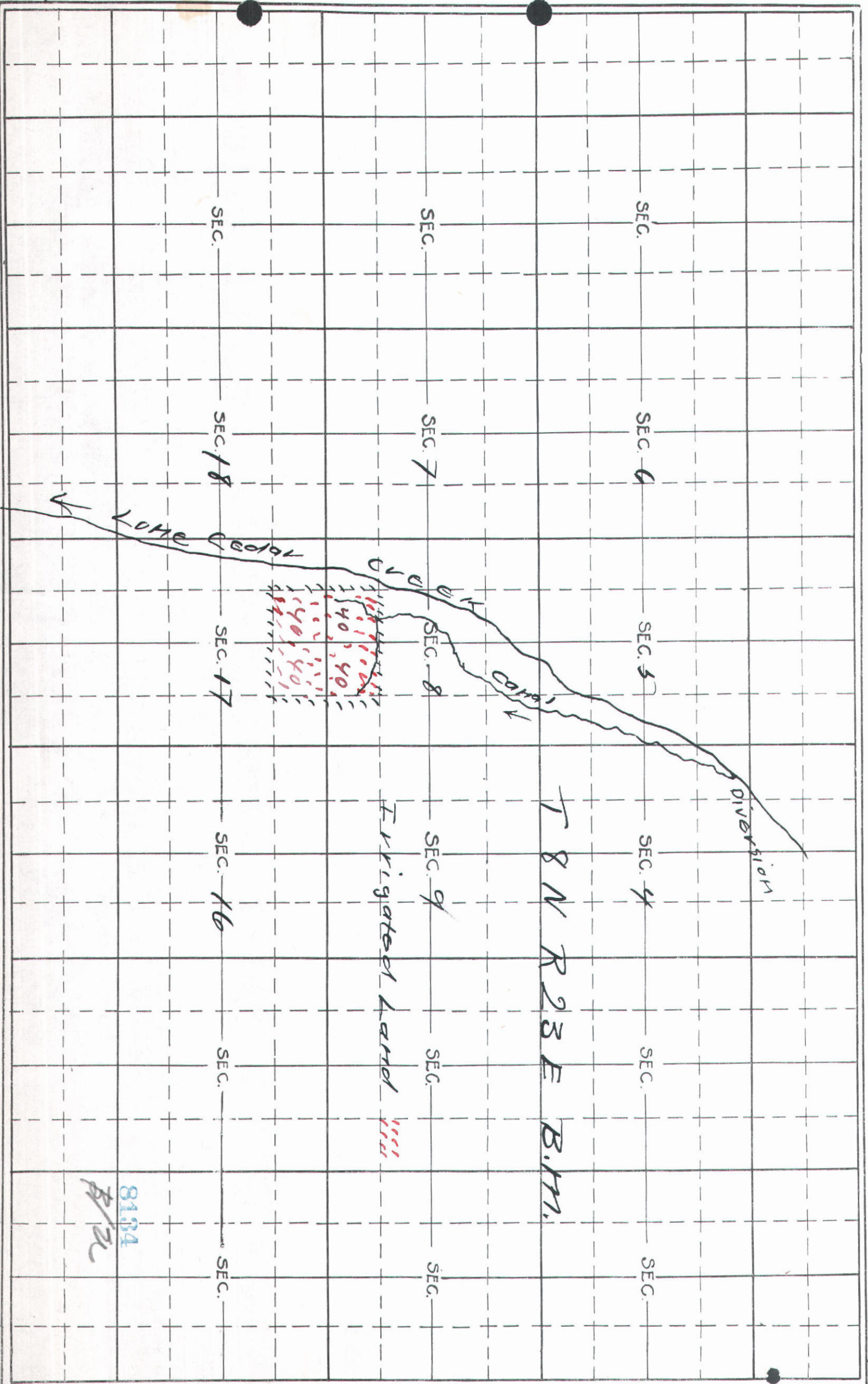




Name of Applicant: J. O. S. Raymond

State of Idaho
License and Certificate of Water Right

Water License No. 8134
Water District No. 27A

Amount 3.0 cfs.
Priority 12-18-1912.

THIS IS TO CERTIFY that Joseph Raymond of Mackay, Idaho, who applied for a permit to appropriate the public waters of the State of Idaho, dated March 18, 1912; that Permit No. 8134 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.2 second feet, was issued thereunder on April 11, 1912, showing that said works were completed on the 5th day of March, 1912; and that on the 21st day of March, 1912,

Joseph Raymond

of Mackay, State of Idaho, made proof to the satisfaction of the State Engineer of Idaho, of a right to the use of the waters of Lone Cedar Creek, a tributary of Big Lost River, for the purpose of irrigation and domestic use, under Use Permit No. 8134 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2397, on the 21st day of December, 1912;

The right hereby confirmed dates from March 18th, 1912;

The Point of Diversion is located in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 4, Tp. 8 N., R. 23 E., B. M.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
8 N	23 E	8	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	30
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
		17			

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho

WITNESS the seal and signature of the State Engineer, affixed at Boise, Idaho, this 21st day of December, 1912.

(SEAL)

FRED A. MILLER
State Engineer.

12 1912

347000

No. 12144.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: Marine Espie.

Postoffice address: Mackay, Idaho.

County: Custer State: Idaho.

2. The quantity of water claimed is 6.4 cubic feet per second.

3. Source of water supply: Lone Cedar Creek.

4. Location of point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 4, T. 8 N. R. 23 E. B. M.

County of Custer.

5. To be used for: Irrigation and domestic purposes.

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 320 acres.

(b) In the following legal subdivisions: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 8 N., R. 23 E. B. M.

6. Estimated cost of works: \$2,000

7. Description of works for diversion:

I. Kind of works: Ditch, flume and dam.

II. Dimensions of works:

(a) Height of dam 7 feet, length of dam at top 15 feet, length of dam at bottom 10 feet. Material used in construction: stone, earth and timber.

(c) Size of headgate: Width 6 feet, height 5 feet.

(d) Conduit ditch & flume, width at bottom Rem #1, width at water line Remark #2, depth of water Rem #3. Average grade per mile is 26.2/3 feet. Length of conduit is 2 3/4 miles and it crosses the following quarter sections: NW $\frac{1}{4}$ Sec. 4, SE $\frac{1}{4}$ Sec. 5, NE $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 8, NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 17, T. 8 N., R. 23 E. B. M.

8. The time required for the completion of the construction of such work is 3 years.

9. Time required for the complete application of the water to the proposed use is 3 additional years.

BE IR KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Marine Espie,

Applicant.

Remarks: No. 1. Ditch is 4 feet width at the bottom and flume is 4 feet wide at the bottom.

No. 2. Ditch is 7 feet and flume 4 feet width at water line.

No. 3. Water is 2 $\frac{1}{2}$ feet deep in ditch and 2 feet in flume.

APPROVAL OF STATE ENGINEER.

The number of this permit is 8134.

Date of first receipt at office of State Engineer: 9.00 a.m. March 18, 1912.

Recorded in Book 26 Page 8134 Approved April 13, 1912.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby approve the same, subject to the following limitations and conditions:

Work to begin on or before June 12, 1912 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before October 13, 1913.

The whole of said work to be completed on or before April 13, 1915.

Beneficial use of water appropriated in accordance herewith, to be made on or before April 13, 1918.

Witness my hand this thirteenth day of April, 1912.

A. E. Robinson,
State Engineer.

Proof of completion of works made March 6, 1915.

Certificate of completion of works issued April 26, 1915.

Permit No. 8134

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Mariue Espie, of Mackay, County of Custer and State of Idaho, the holder of Permit No. 8134, issued upon Application No. 12144, bearing date of priority of March 18, 1912, authorizing the diversion of 6.4 second feet of the waters of Lone Cedar Creek, County of Custer, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.2 second feet of the waters of Lone Cedar Creek; that the point of diversion of said waters is at a point in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 4, T. 8 N., R. 23 E.B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 8, NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 17, T. 8 N., R. 23 E.B.M., containing 160 acres.

Witness my hand this 26th day of April, A. D. 1915.

J. H. Smith,

State Engineer of the State of Idaho.

License issued for 3.0 second feet

Page 2397

QUITCLAIM DEED.

This Indenture, made the 22nd day of December, in the year of our Lord, One thousand nine hundred and fifteen, between Mariue Espie the party of the first part and Joseph Raymond, the party of the second part: WITNESSETH,

That the said party of the first part for and in consideration of the sum of Seven Hundred and fifty-----DOLLARS, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged does by these presents remise, release and forever QUITCLAIM, unto the said party of the second part and to his heirs and assigns all that water right situated in said County of Custer, State of Idaho and bounded and particularly described as follows to-wit: Permit No. 8134 for the diversion of 6.4 cu.ft. per second of the waters of Lone Cedar Creek in Custer County, Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances unto the said party of the second part and to his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered
in the Presence of

Chase A. Clark

Mariue Espie (SEAL)

STATE OF IDAHO :
 : ss.
County of Custer :

On this 22nd day of December in the year of 1915, before me Chase A. Clark a Notary Public in and for said county, personally appeared Mariue Espie, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Chase A. Clark,

Notary Public.

Received and filed for record in the office of the State Engineer at Boise, Idaho at 9:00 a.m. Feb. 28, 1916.

J.H. SMITH,

State Engineer.

.....

RECEIVED

FEB 26 1998

Department of Water Resources
Adjudication Bureau

1998 FEB 24 AM 7:52

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

) ORDER OF PARTIAL DECREE

) For Water Right 34-02144

On October 6, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 34-02144 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 24, 1998.




DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 34-02144

1998 FEB 24 AM 7:52

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: RITA M LUNDY
JAMES E LUNDY
PO BOX 351
MACKAY ID 83251

SOURCE: LONE CEDAR CREEK TRIBUTARY: BIG LOST RIVER

QUANTITY: 3.00 CFS

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

PRIORITY DATE: 03/16/1923

POINT OF DIVERSION: T08N R23E S08 SWNE Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.00 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE:	IRRIGATION	Within CUSTER County
	T08N R23E S08	SESW 18 SWSE 13
	S17	NWNE 40 NENW 36
	107 ACRES TOTAL	

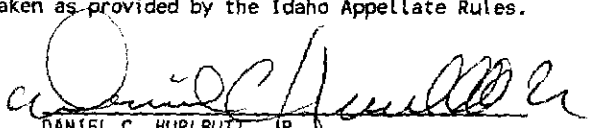
Place of use for DOMESTIC is same as IRRIGATION

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

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

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

1998 FEB 24 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 34-02144

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 34-02144 was mailed
on February 24, 1998, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

USDI BLM
Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CERTIFICATE OF MAILING

PAGE 1
02/24/98

RECEIVED

OCT 07 1997

Department of Water Resources

1997 OCT -6 AM 9: 50

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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)
_____)

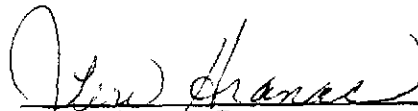
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S REPORT
AND RECOMMENDATION

Water Right(s): 34-02144

On October 06, 1997, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above subcase pursuant to SRBA Administrative Order 1 (A01), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S REPORT AND RECOMMENDATION within 21 days following the date of publication of the filing of the Special Master's report in the Docket Sheet except parties to the subcase who failed to file a Motion to Alter or Amend before the Special Master (A01, Section 9f). The Notice of Challenge shall appear on the Docket Sheet and shall be served on parties to the subcase(s) covered by the challenged report and the SRBA Court Reporter.

DATED October 06, 1997.


TERI HRANAC
Deputy Clerk

1997 OCT -6 AM 9: 50
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS, IDAHO

In Re SRBA)
) SPECIAL MASTER'S
) REPORT AND RECOMMENDATION
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 34-02144

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for Reporting Area 1 (Basin 34) and investigated and abstracted the notices of claim for Reporting Area 1, which includes portions of Custer, Butte, Bonneville and Jefferson counties, State of Idaho. The *Director's Report for Reporting Area 34 (Director's Report)* contained a recommendation or abstract for the elements of this water right.

All objections to this water right were resolved by stipulation of the parties at hearing and with a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

The record on file for this subcase, including the *Standard Form 5*, establishes that this water right be decreed with the elements as set forth in the Findings of Fact.

A *Preliminary Special Master's Report and Recommendation; Findings of Fact and Conclusions of Law* was issued for this water right on June 16, 1997. No Motions to Alter or Amend were filed, and the time for such motions has now expired.

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the *Special Master's Recommendation for Partial Decree*.

DATED: OCT 6 1997


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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)
)
)
)
)

1997 OCT -6 AM 9:50
SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
Water Right 34-02144
FILED

NAME & ADDRESS: RITA M LUNDY
JAMES E LUNDY
PO BOX 351
MACKAY ID 83251

SOURCE: LONE CEDAR CREEK TRIBUTARY: BIG LOST RIVER

QUANTITY: 3.00 CFS

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

PRIORITY DATE: 03/16/1923

POINT OF DIVERSION: T08N R23E S08 SWNE Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.00 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

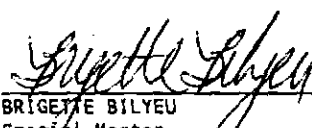
PLACE OF USE:	IRRIGATION	Within CUSTER County
	T08N R23E S08	SESW 18.0 SWSE 13.0
	S17	NWNE 40.0 NENW 36.0
	107.0 ACRES TOTAL	

Place of use for DOMESTIC is same as IRRIGATION

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

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

DATED: OCT 6 1997


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

1997 OCT -6 AM 9:50
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 34-02144

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 06, 1997, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

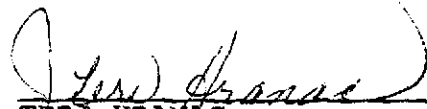
USDI BLM
Represented by:
U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CERTIFICATE OF MAILING

PAGE 1
10/06/97

RITA M. LUNDY
LUNDY, JAMES E.
PO BOX 351
MACKAY, ID 83251

JAMES E. LUNDY
P.O. BOX 179
MACKAY, ID 83251


TERI HRANAC
Deputy Clerk

RECEIVED

JUN 06 1997

Department of Water Resources

**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) Subcase No. 34-02144
)
) Standard Form 5
Case No. 39576)
) STIPULATED ELEMENTS
) OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water rights. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special master will conduct a hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT

James Lundy and Rita Lundy

Rita M. Lundy 6/4/97
Rita Lundy Date

James E. Lundy 6-4-97
James Lundy Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

R. Lee Leininger 6/3/97
R. Lee Leininger Date
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR Concurrence

Matt Howard 6/6/97
Matt Howard Date
Attorney, IDWR

Carsten Fritschel 6-6-97

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

RIGHTS FROM: SOURCE: LONE CEDAR CREEK TRIBUTARY: BIG LOST RIVER

RIGHT NUMBER: 34-02144

NAME AND ADDRESS: RITA M LUNDY
JAMES E LUNDY
PO BOX 351
MACKAY ID 83251

SOURCE: LONE CEDAR CREEK TRIBUTARY: BIG LOST RIVER

QUANTITY: 3.00 CFS

THE QUANTITY FOR NON/IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR DOMESTIC FOR ONE HOME AND DOMESTIC STOCK

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

PRIORITY DATE: 03/16/1923

POINT OF DIVERSION: T08N R23E S08 SWNE Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	<u>Irrigation Season</u>	3.00 CFS
		03/01 10/15	
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T08N R23E S08 SESW 18.0 SWSE 13.0
S17 NWNE 40.0 NENW 36.0 Y01 /1 (NNNW)/4/8
107.0 ACRES TOTAL
111119 ACRES TOTAL

Place of use for DOMESTIC is same as IRRIGATION

CONSUMPTIVE USE: 27719 APY

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
BENEFICIAL USE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION

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

DATE: MAY-28-1997
PAGE: A-26

34-02144 (CONT.)

PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

TRU
JOE
W

CERTIFICATE OF MAILING

I certify that on June 9th, 1997, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

Original to:

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

Copy to: Claimant

James Lundy and Rita Lundy
PO Box 351
Mackay ID 83251

Copy to: Objector

United States on Behalf of the
Bureau of Land Management
R. Lee Leininger
Attorney, U.S. Department of Justice
Environment and Natural Resources Div.
550 West Fort Street MSC 033
Boise ID 83724

Judy Givens
Clerical Specialist
Judy Givens

REPORT OF ENGINEER

This proof is for Beneficial Use.

In Water District No. 27 A.

1. State name of applicant and number of permit: Jos. Raymond. 8134

2. State source of water supply: Lone Cedar Creek

3. Location of point of diversion: NW 1/4 NW 1/4 Sec. 4, T. 8 N R. 23 E. B.M.

4. Describe works as they exist, giving dimensions and capacities of same:

Diversion by rock and dirt as required.

Canal 8' base, 6" deep, Gr. 50' per. Mi., length 2 miles.

5. State whether or not water has been turned into works of diversion: Yes.

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

SE 1/4 SW 1/4 Sec. 8, T. 8 N. R. 23 E. B.M. 30 A.

SW 1/4 SE 1/4 " " " " " " 40 "

NE 1/4 NW 1/4 " 17 " " " " 40 "

NW 1/4 NE 1/4 " " " " " " 40 "

TOTAL

150 Acres.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? Above named only.

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Big Lost River.

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: There are probably about ten acres of non irrigable land on this place.

This examination was made on the 12th day of June 1918

(Signed) 76-78 Palmer Examiner.

8134
B/W

(This report must be sworn to when not made by an attache of the State Engineer's office.)

STATE OF IDAHO,

County of _____ } ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

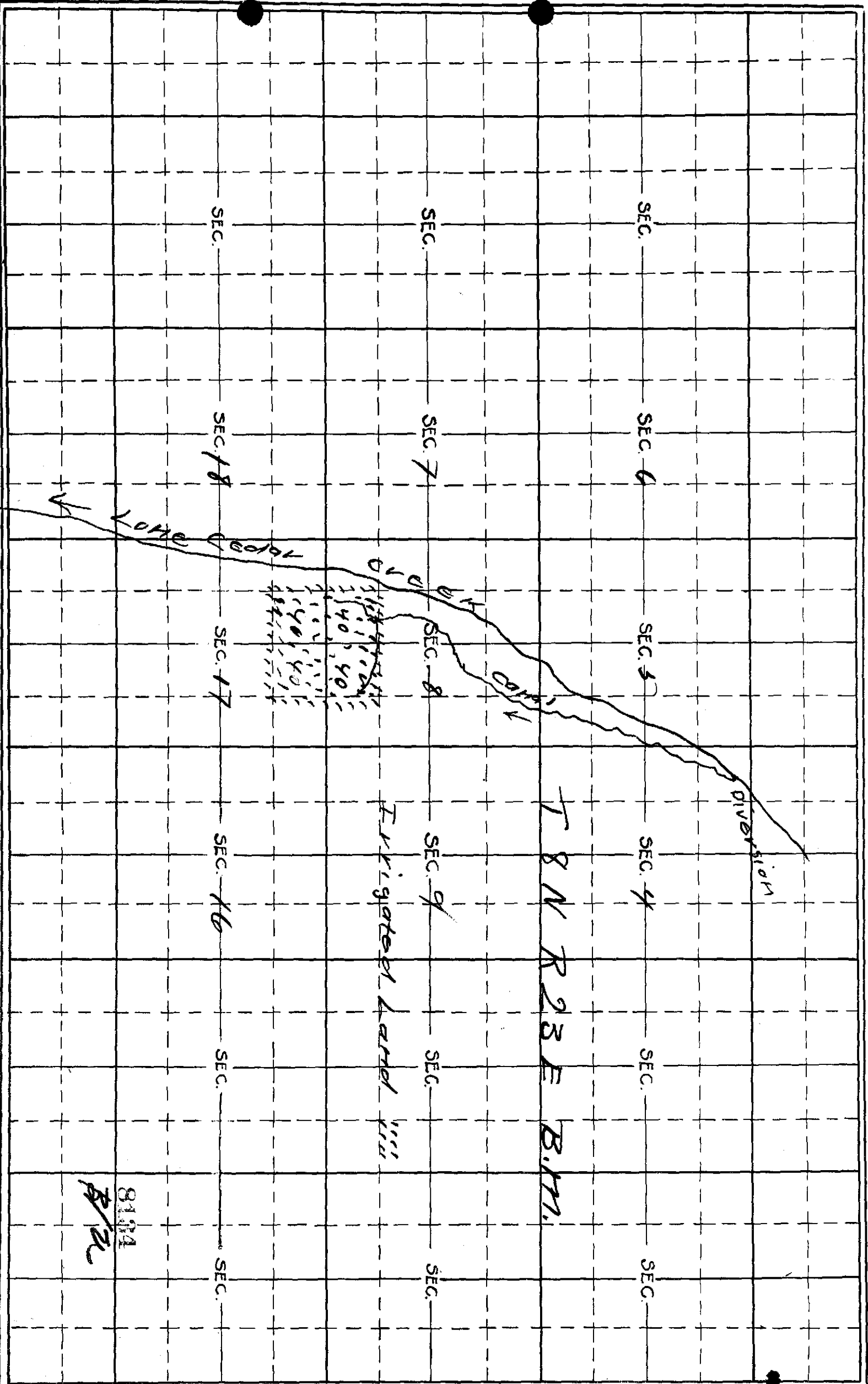
Subscribed and sworn to before me this _____ day of _____ 19____

My commission expires _____

Notary Public.

Instructions To Examiners

1. Examiners will not be permitted to examine any of the records in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own rights in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.



Name of Applicant - U.S. Raymond

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