

(8) Remarks _____

Map grid showing sections 12, 24, 33, and 34. Township T2BN, Range R2E. A small square labeled 'pd' is shown in section 34.

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Lutley B. Cutler
X by John W. Cutler
(Claimant)

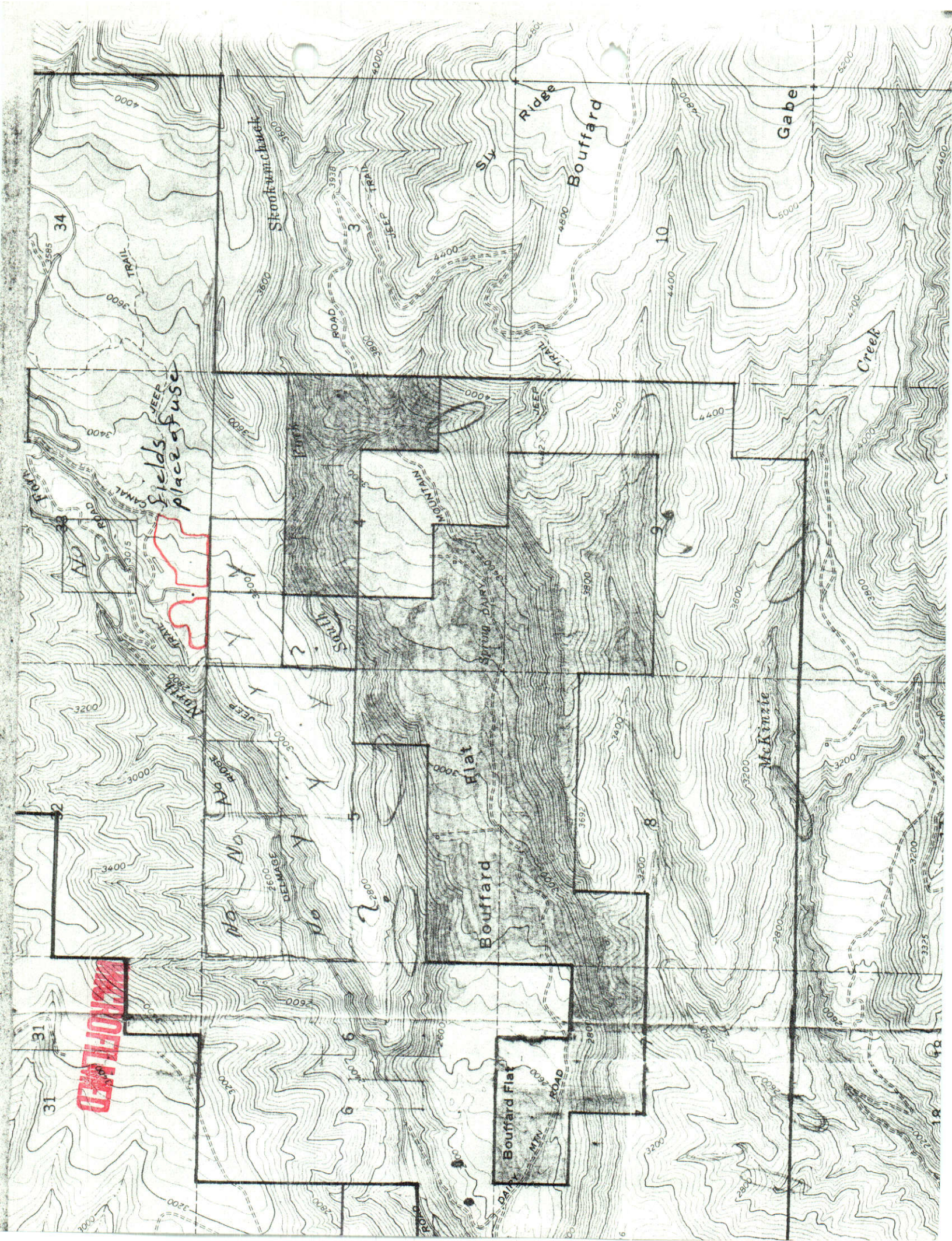
Sworn to before me this 28 day of June, 1983.

Nancy M. Northway
Notary Public
Residing at Boise

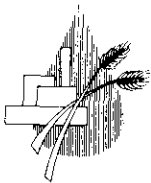
My commission expires Life

FOR DEPARTMENT USE ONLY

Received by GLS Date 6/28/83 Exception filed by: _____ Date _____
Prelim. check by JG Date 12/06/83
\$30.00 fee received by GLS Date 6/28/83 # 26854
Published in Idaho County Free Press
Dates 2122 + 2129 B



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Cutler Brothers
(Name of Claimant)
257 N.W. 16 St Ontario Oregon 97914 Telephone No. 503-889-8845
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1937

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Stookumchuck Creek tributary to Salmon River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>1.44</u>	Use	<u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 1.44 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 34 Twp. 28N Rge. 2E B.M., County of Idaho
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
log dam and concrete headgate into gravity ditch

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>28N</u>	<u>2E</u>	<u>33</u>											<u>12</u>	<u>24</u>					<u>36</u>

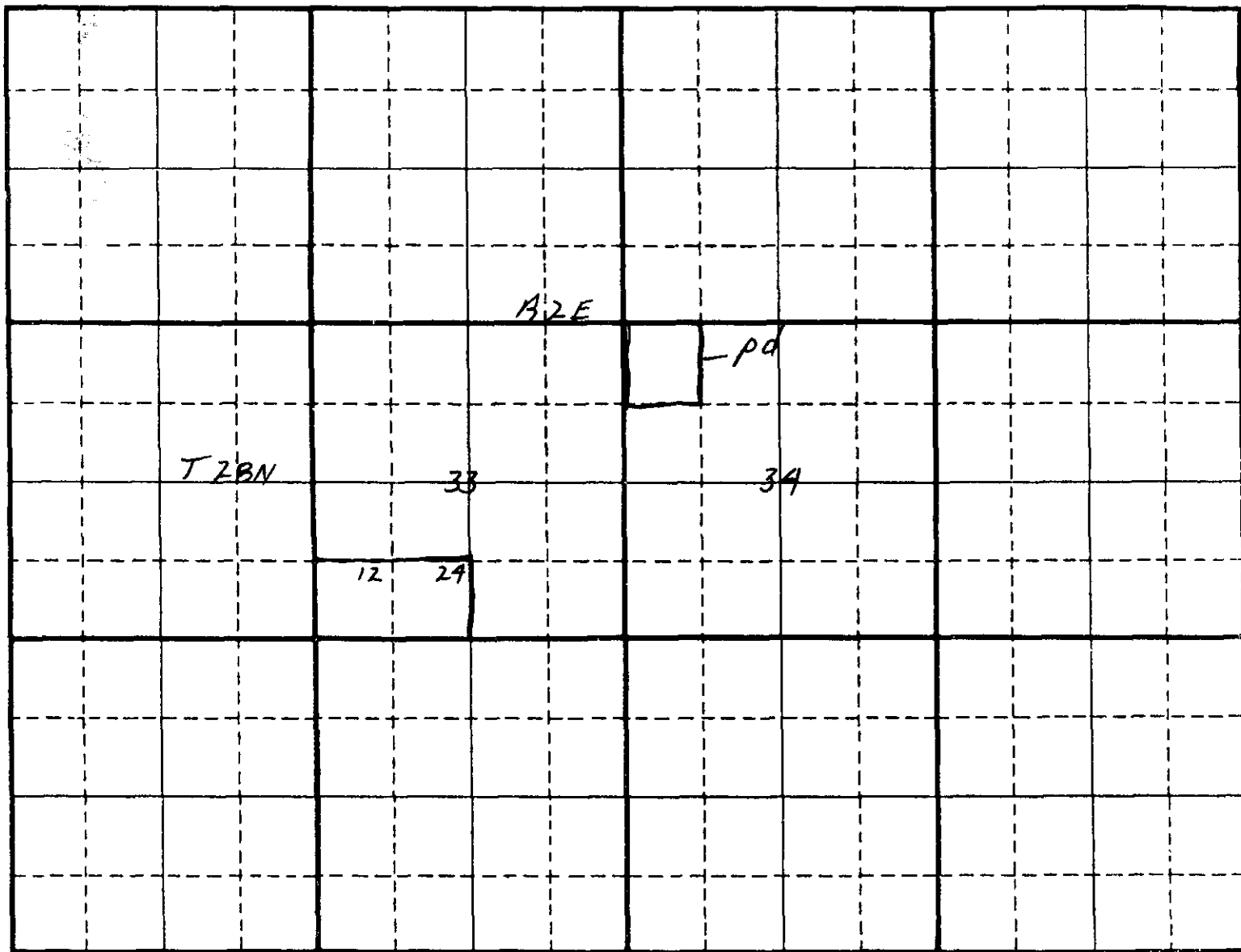
No. of acres 36

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

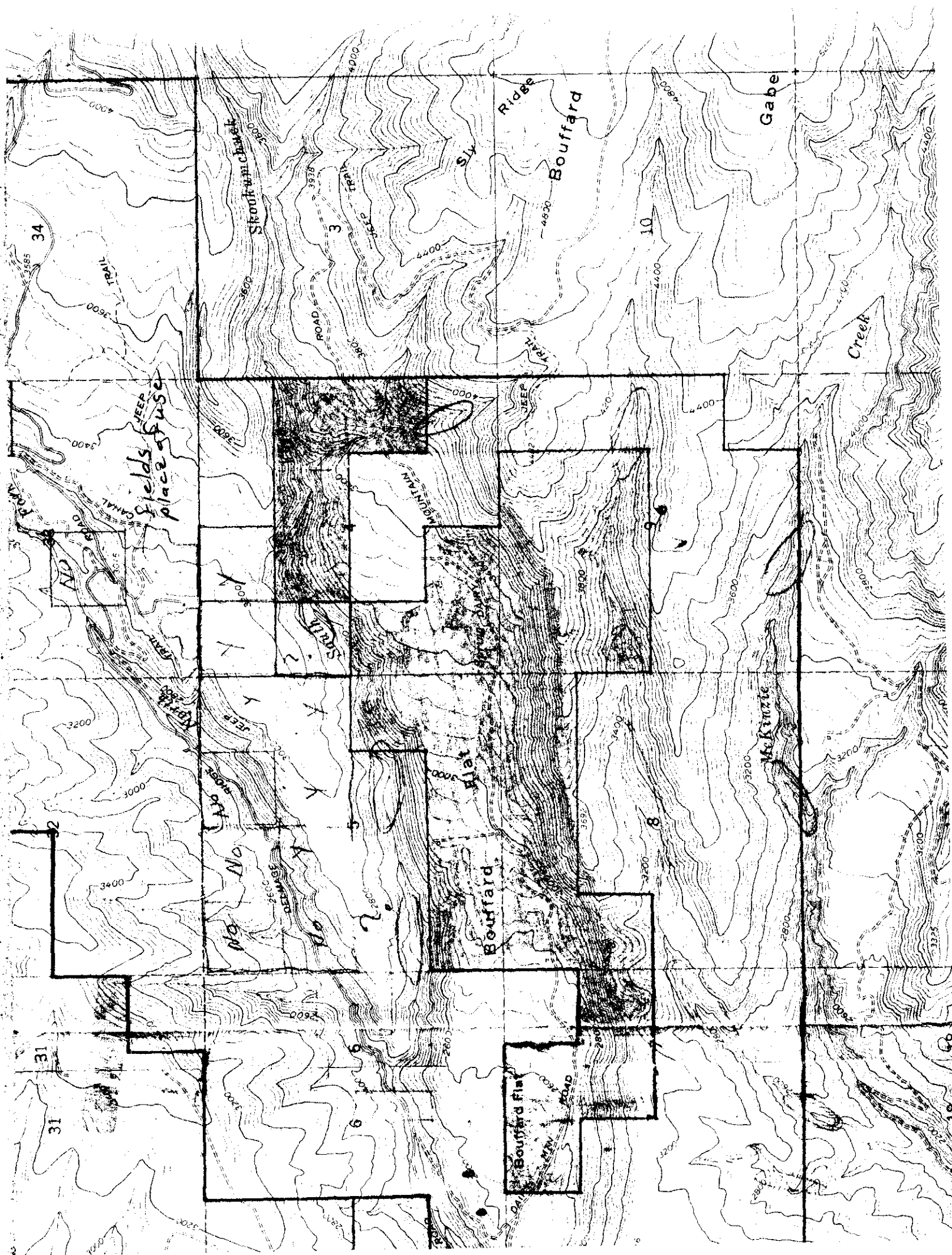
Lutley Bros
x by *Ken W. Lutley*
(Claimant)

Sworn to before me this 28 day of June, 1983.

Nancy M. Hathway
Notary Public
Residing at Bose

My commission expires Life

FOR DEPARTMENT USE ONLY						
Received by	<u>GLS</u>	Date	<u>6/28/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by	<u>JC</u>	Date	<u>12/04/83</u>		claimant by:	
\$30.00 fee received by	<u>GLS</u>	Date	<u>6/28/83</u>	# <u>26854</u>		
Published in	<u>Idaho County Free Press</u>					
Dates	<u>2/22 + 2/29/84</u>					



NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s)
have been filed on water
right(s) created by diversion
and beneficial use:

77-4210

FISHER, ROBERT P.
P.O. BOX 110, DIXIE, ID
83525
Source: SPRING trib. to
CROOKED CREEK
Priority Date: 06-01-1970
Diversion Pt: SWSW Sec 34 T
26N R 08E
Use: DOMESTIC (0.01 CFS)
In: SWSW Sec 34 T 26N R
08E.

77-4212

FRICKE, ELIZABETH B.
1165 FASSLER AVE., PACI-
FICA, CA 94044
Source: SPRING trib. to
CROOKED CREEK
Priority Date: 10-30-1970
Diversion Pt: NWNE Sec 22
T 26N R 08E
Use: DOMESTIC (0.50 CFS)
In: SWSE Sec 15 T 26N R 08E
NWNE NENW Sec 22 T 26N
R 08E.

77-4214

HUNTLEY, DOROLITA
PAY
RT. 1 BOX 220 B, GRANGE-
VILLE, ID 83530
Source: SPRING trib. to
FOURTH OF JULY CREEK
Priority Date: 01-01-1942
Diversion Pt: NWSW Sec 27
T 26N R 08E
Use: DOMESTIC (0.02 CFS)
In: NWSW Sec 27 T 26N R
08E.

79-4424

LATHAN LAND CO. CORP.
720 N. C ST., GRANGE-
VILLE, ID 83530
Source: SPRING trib. to
COLD SPRINGS CREEK
Priority Date: 01-01-1950
Diversion pt: SWNW Sec 19
T 28N R 04E
USE: STOCKWATER (0.02
CFS) DOMESTIC (0.10 CFS)
In: SWNW Sec 19 T 28N R
04E.

79-4427

CLOSE, NORMAN R. &or
MRS. NORMAN R.
P.O. BOX 364, LUCILE, ID
83542
Source: COW CREEK trib.
to SALMON RIVER
Priority Date: 01-01-1892
Diversion Pt: NENW NWNE
Sec 04 T 25N R 01E
Use: IRRIGATION (3.00
CFS) DOMESTIC (0.20 CFS)
STOCKWATER (0.40 CFS)
In: NENW NWNE Sec 04 T
25N R 01E FOR 35 ACRES.

79-4428

SICKELS, DUANE M. &or
SHARON K.
P.O. BOX 102, WHITE
BIRD, ID 83554
Source: SPRING trib. to
WHITE BIRD CREEK
Priority Date: 01-01-1910
Diversion Pt: NENW Sec 14
T 28N R 01E
Use: IRRIGATION (5.65
CFS) STOCKWATER (0.01
CFS) DOMESTIC (0.04
CFS)
In: NWNE Sec 14 T 28N R
01E FOR 3 ACRES.

01W NWSW SWSW Sec 11 T
30N R 01W NWNW SWNW
NWSW SWSW Sec 14 T 30N R
01W FOR 2 ACRES.

79-4430

CUTLER BROTHERS
257 N.W. 16TH ST., ONTAR-
IO, OR 97914
Source: SKOOKUMCHUCK
CREEK trib. to SALMON
RIVER
Priority Date: 04-01-1937
Diversion Pt.: NWNW Sec 34
T 28N R 02E
Use: IRRIGATION (1.44
CFS)
In: SWSW SESW Sec 33 T
28N R 02E FOR 36 ACRES.

79-4431

GAUSS, HARRY A. &or
JUNE J.
RT. 2 BOX 803, GRANGE-
VILLE, ID 83530
Source: ROCK CREEK trib.
to SALMON RIVER
Priority Date: 05-01-1944
Diversion pt: NWNE NENE
Sec 23 T 30N R 01E NWNW
NENW NWNE Sec 24 T 30N
R 01E
Use: STOCKWATER (0.02
CFS) In: NENE NWNE
Sec 23 T 30N R 01E NWNE
NENW NWNW Sec 24 T 30N
R 01E.

79-4432

PARSONS, ROBERT V.
P.O. BOX 146, WHITE
BIRD, ID 83554
Source: SALMON RIVER
trib. to SNAKE RIVER
Priority Date: 01-01-1903
Diversion Pt: LOT 04
(SWNE) NESE LOT 05
(NWSE) LOT 08 (SESE) Sec
10 T 27N R 01E
Use: IRRIGATION (0.60
CFS) STOCKWATER (0.01
CFS)
In: LOT 04 (SENE) NESE
LOT 05 (NWSE) LOT 08
(SESE) Sec 10 T 27N R 01E
FOR 30 ACRES.

79-4433

BURNETT, LAMAR
P.O. BOX 332, LUCILE, ID
83542
Source: SHERWIN CREEK
trib. to SALMON RIVER
Priority Date: 01-01-1897
Diversion pt: NESW NWSW
Sec 12 T 26N R 01E
Use: IRRIGATION (0.80
CFS) MINING (4.00 CFS)
In: NENW SENW NESW
SESW SWSE Sec 12 T 26N R
01E FOR 40 ACRES.

79-4434

BURNETT, LAMAR
P.O. BOX 332, LUCILE, ID
83542
Source: SALMON RIVER
trib. to SNAKE RIVER
Priority Date: 01-01-1971
Diversion pt: SWSE SWNE
Sec 12 T 26N R 01E
Use: IRRIGATION (0.80
CFS) MINING (4.00 CFS)
In: NENW SENW NESW
SESW SWSE Sec 12 T 26N R
01E FOR 40 ACRES.

AFFIDAVIT OF PUBLICATION

Charlotte Sotin

being first duly

Bookkeeper

sworn says he is the

of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for two weeks,
being published two times, the first publication being
on the 22nd day of February, 1984,
and the last publication on the 28th day of
February, 1984 and that the said notice

was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement

Charlotte Sotin

Subscribed and sworn to before me this 29th day
February, 1984

William J. Sotin

Notary Public
for State of Idaho residing at Grangeville, Idaho.

79-4429

HECKMAN AND ANDER-
SON
10230 D WAHA RD., LEWIS-
TON, ID 83501
Source: PACKERS CREEK
trib. to SALMON RIVER;
NO NAME CREEK trib. to
SALMON RIVER; SPRING
trib. to SALMON RIVER.
Priority Date: 01-01-1910
Diversion Pt: NESE Sec 03 T
30N R 01W SENE Sec 10 T
30N R 01W NENE Sec 04 T
30N R 01W NWNW Sec 03 T
30N R 01W NWSW SWSW Sec
11 T 30N R 01W NWNW
SWNW NWSW SWSW Sec 14
T 30N R 01W
Use: IRRIGATION (0.04
CFS) STOCKWATER (0.03
CFS)
In: NESE Sec 03 T 30N R
01W SENE Sec 10 T 30N R
01W NENE Sec 04 T 30N R
01W NWNW Sec 03 T 30N R

Exceptions to a claim may
be filed with the Director,
Dept. of Water Resources,
Western Region, Statehouse,
Boise, Idaho 83720.

KENDUNN, Dir.

Published 02-22 & 2-29-84.

F22-29

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Grover

Right Number 79-4430 Applicant Cutler Bros

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

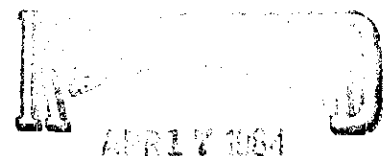
- ☒ Affidavit of publication received. 3/5/84
- ☒ Claim published correctly. Idaho County Free Press 2/22 + 2/29/84
30246854
- ☒ Exceptions processed.

By DBS Date 4/9/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 4/17/84



Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MARCH 14, 1984

CUTLER BROTHERS
257 N. W. 16TH ST.
ONTARIO OR 97914

RE: Claim No. 79-4430

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID R. SHAW
Western Region Supervisor

Enclosure

29-4430-

CUTLER BROTHERS

257 N. W. 16TH ST., OREGON, OR 97914

Source: SKOOKUMCHUCK CREEK trib. to SALMON RIVER

Priority Date: 04/01/1937

Diversion Pt: NWNW Sec 34 T 28N R 02E

Use: IRRIGATION (1.44 CFS)

In: SWSW SESW Sec 33 T 28N R 02E FOR 36 ACRES