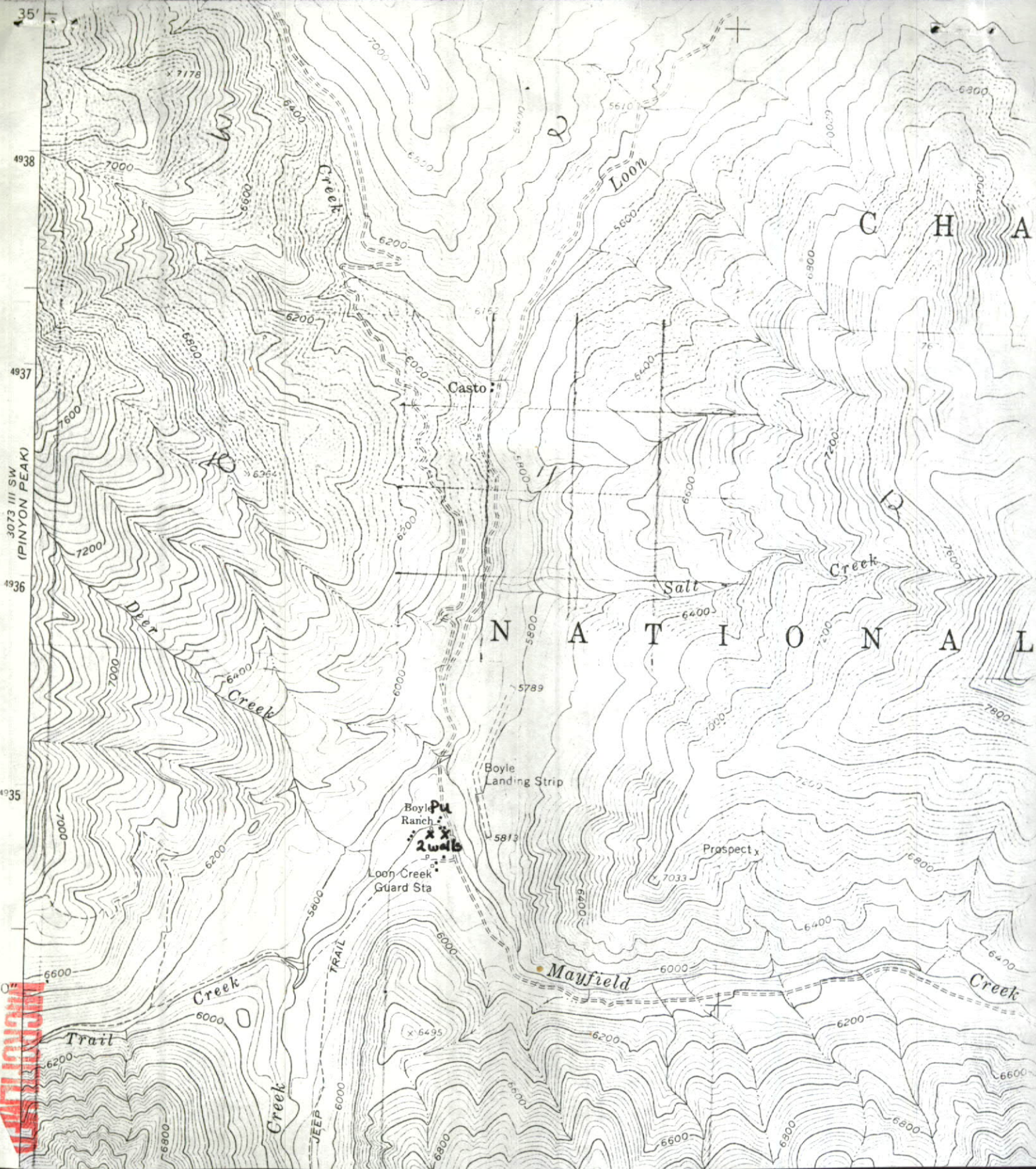




35

4938

4937

3073 III SW
(PINYON PEAK)

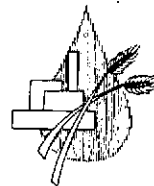
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RECEIVED
JAN 10 1946

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 Diamond D Ranch Partnership
(Name of Claimant)

P.O. Box 1, Clayton, ID 83227 Telephone No. N/A
(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) 1963

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)
Groundwater tributary to _____

(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>0.05 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</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) 0.05 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NW 1/4, Sec. 14 Twp. 14N Rge. 13E B.M., County of Custer
Additional points of diversion: NW 1/4 SW 1/4 Sec. 14 Twp. 14N Rge. 13E

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. pump and well

(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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14N	13E	14							X			X							

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Use is for 4 cabins, 2 bunk houses, shop, lodge and recreation building serving a maximum of about 40 people.

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 _____

[illegible]

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)
) ss.
County of Gem)

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.

Sworn to before me this 20 day of May, 19 83

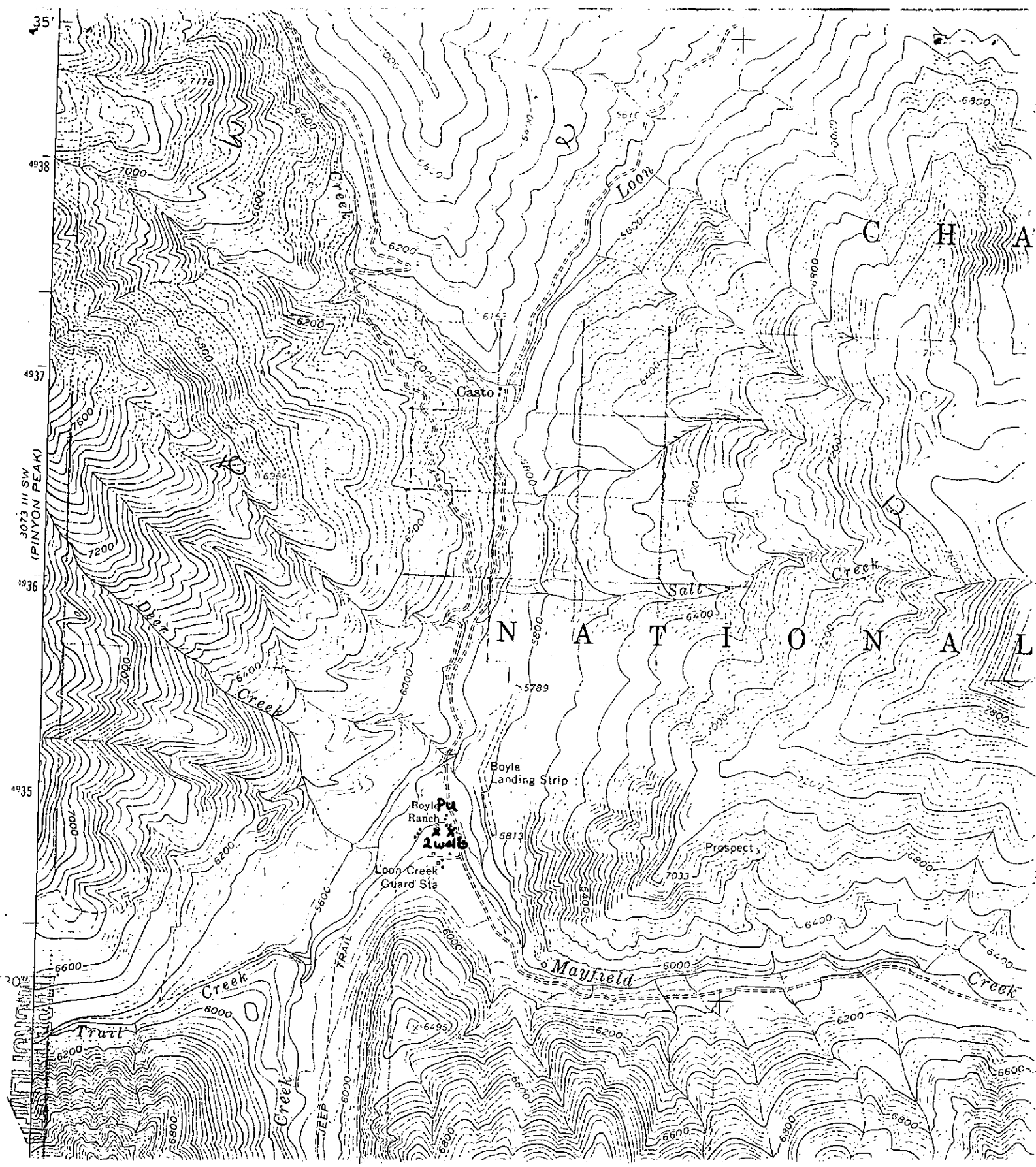
Thomas A Demorest
Major Partner (Claimant)

Notary Public
Residing at Emmett

My commission expires lifetime

FOR DEPARTMENT USE ONLY

Received by DBS Date 5/20/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JE Date 6/19/83 claimant by: _____
\$30.00 fee received by DBS Date 5/20/83 # 28871
Published in Challis messenger _____
Dates 6/30 & 7/7/83 _____



AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

1. MARGARET PARKS

Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated JUNE 30 1983 and ending with the issue dated JULY 7 1983

Margaret Parks
Subscribed and sworn to before this 8th day of July 1983

Ethel M. Peck

Notary Public, residing at Challis, Idaho. My commission expires on

Life

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JUL 15 1983

Department of Water Resources
Western Regional Office

NOTICE OF CLAIMS
TO WATER RIGHTS

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

77-4173

DIAMOND D RANCH,
PARTNERSHIP
P.O. BOX 1, CLAYTON, ID
83227

Source: MAYFIELD CREEK, trib. to LOON CREEK
Priority Date: 05/01/1930
Diversion Pt: SWSE Sec 14 T 14N R 13E

Use: IRRIGATION (1.08 CFS)

In: NENW SWNW SENW NWSW Sec 14 T 14N R 13E
SESW Sec 11 T 14N R 13E FOR 54 ACRES

77-4176

DIAMOND D. RANCH,
PARTNERSHIP
P.O. BOX 1, CLAYTON, ID
83227

Source: DEER CREEK trib. to LOON CREEK, TRAIL CREEK trib. to LOON CREEK
Priority Date: 05/01/1900
Diversion Pt: NENW Se 22 T 14N R 13E SWNE Sec 15 T 14N R 13E

Use: IRRIGATION (0.82 CFS)

In: SENE SESW NESE NWSE SWSE Sec 15 T 14N R 13E FOR 41 ACRES

77-4177

DIAMOND D RANCH,
PARTNERSHIP
P.O. BOX 1, CLAYTON, ID
83227

Source: GROUNDWATER
Priority Date: 01/01/1963
Diversion Pt: SWNW NWSW Sec 14 T 14N R 13E

Use: DOMESTIC (0.05 CFS)
In: SWNW NWSW Sec 14 T 14N R 13E

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

KEN DUNN, Dir.
Published 06/30 & 07/07/83.

WRR100
77-4177

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
16-DEC-1985 08:21:03

01 WATER RIGHT NUMBER - 77-4177 02 OLD (D) NUMBER -

LAST NAME
03001 - DIAMOND D RANCH, PARTNERSHIP ✓

FIRST NAME
04001 -

ORIG. OWNER
05001 - C ✓

06 ADD LINE 1 - P.O. BOX 1 ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - CLAYTON ✓

10 STATE - ID ✓ 11 ZIP - 83227 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - GROUNDWATER ✓

TRIBUTARY OF
15001 -

16 DIVERSION MEANS - PUMP & WELL

17 COUNTY - 37 CUSTER ✓

18 DIVERSION CAPACITY - .000 ✓

19 TOTAL DIVERSION RATE - .050 ✓

20 TOTAL DIVERSION VOLUME - .00 ✓

21 WATER DISTRICT -

TRACT		SEC	TWN	RNG	DIVERSION POINTS		STREAM INDEX FIELDS									
					LOT	RFLG										
22001 -	SWNW ✓	23001 - 14 ✓	24001 - 14N ✓	25001 - 13E ✓	26001 -	27001 -										
					28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0
22002 -	NWSW ✓	23002 - 14 ✓	24002 - 14N ✓	25002 - 13E ✓	26002 -	27002 -										
					28002 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0

29 NON-IRRIGATION USE - D/6 HOMES, SHOP, LODGE & RECREATION BLDG. ✓

USE CODE / USE		TWN	RNG	PLACE OF USE		TRACT	ACRES	LOT
				SEC				
30001 - 43 DOMESTIC ✓		31001 - 14N ✓	32001 - 13E ✓	33001 - 14 ✓	34001 - SWNW ✓	35001 -	36001 -	
30002 - 43 DOMESTIC ✓		31002 - 14N ✓	32002 - 13E ✓	33002 - 14 ✓	34002 - NWSW ✓	35002 -	36002 -	
								TOTAL ACRES: 0 ✓

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101 ✓	38001 - 1231 ✓	39001 - 43 DOMESTIC ✓		40001 - 0.050 ✓	41001 - 0.00 ✓

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S		D A T E S		F L A G S	
47 PRIORITY -	1-JAN-1963 ✓	55 LICENSE -		63 TRANSFER/AMENDED -	
48 PROOF DUE -		56 APPL RECEIVED -		64 DLE/CAREY ACT -	
49 PROOF MADE -		57 FIELD EXAM MADE -		65 FLAG_1 -	
50 APPROVE/DENIED -		58 DECREE -		66 FLAG_2 -	
51 PROTESTED -		59 START WORK -		67 FLAG_3 -	

WRR100
77-4177

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
16-DEC-1985 08:21:03

----- D A T E S ----- D A T E S ----- F L A G S -----

52	HEARING	-	60	ORDER SHOW CAUSE	-
53	VERIFIED	-	61	DATE_1	-
54	LAST UPDATE	- 5-JUL-1983	62	DATE_2	-

VERIFIED AMS

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan J. Iover
Right Number 77-4199 Applicant Diamond D

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.
 - ☒ Claim published correctly. center Publishing co.
 - ☒ Exceptions processed. 30/28871 6/30 + 7/7/83
- By DBS Date 10/24/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.
- By DC Date 10-25-83

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JULY 20, 1983

DIAMOND D RANCH, PARTNERSHIP
P.O. BOX 1
CLAYTON ID 83227

RE: Claim No. 77-4177

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 B. SHAW
Western Region Supervisor

Enclosure

RECORDED

ZZ-4177-

DIAMOND D RANCH, PARTNERSHIP

P.O. BOX 1, CLAYTON, ID 83227

Source: GROUNDWATER

Priority Date: 01/01/1963

Diversion Pt: SWNW NWSW Sec 14 T 14N R 13E

Use: DOMESTIC (0.05 CFS)

In: SWNW NWSW Sec 14 T 14N R 13E

REPRODUCTION

IDENT. NO. 77-4177

WATER RIGHT
DATA ENTRY LOG

[illegible]