

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

RECEIVED

APR 2 1990

Ident. Number: A41-00039
Date Received: 3/15/1990
Receipt No: S011545
Received By: _____

Department of Water Resources

Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES DITCH CO. 208-548-2394
Address: C/O RONALD L. NELSON
P.O. BOX 207
ROCKLAND, ID 83271

2. Date of Priority: MAY 01, 1880

3. Source: ROCK CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	31E	31	NW	SW	SW	4	POWER

5. Description of diverting works:
PRESENT HEADGATE, ESTABLISHED 1881; U. S. DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

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

8. Total consumptive use is 1980.6 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	30E	10	SW	SW		IRR	20.0
			SE	SW		IRR	10.0

Section Acres 30.0

A41-00039

Page 1

Date: 03/23/90

MICROFILMED

MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	30E	14	SW	NW		IRR	2.0
			NW	SW		IRR	18.0
			SW	SW		IRR	3.0
			SE	SW		IRR	18.0
			SW	SE		IRR	9.0
			SE	SE		IRR	2.0
					Section Acres		52.0
		15	NE	NE		IRR	5.0
			NW	NE		IRR	35.0
			SW	NE		IRR	30.0
			SE	NE		IRR	32.0
			NE	NW		IRR	35.0
			NW	NW		IRR	30.0
			SE	NW		IRR	5.0
			NE	SE		IRR	10.0
					Section Acres		182.0
		23	NE	NE		IRR	35.0
			NW	NE		IRR	21.0
			SE	NE		IRR	11.0
			NE	NW		IRR	17.0
			NE	SE		IRR	9.0
					Section Acres		93.0
		24	NW	NW		IRR	4.0
			SW	NW		IRR	22.0
			NE	SW		IRR	2.0
			NW	SW		IRR	39.0
			SW	SW		IRR	32.0
			SE	SW		IRR	8.0
					Section Acres		107.0
		25	NE	NW		IRR	8.0
			NW	NW		IRR	39.0
			SW	NW		IRR	36.0
			SE	NW		IRR	11.0
			NE	SW		IRR	15.1
			NW	SW		IRR	10.0
			SE	SW		IRR	27.1

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	30E	25	SW	SE		IRR	2.0
						Section Acres	148.2
		26	NE	NE		IRR	10.0
						Section Acres	10.0
		36	NE	NE		IRR	18.0
			NW	NE		IRR	20.0
						Section Acres	38.0
						Total Acres	660.2

11. Place of use in counties: POWER

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A41-00046 AND OTHER PRIVATELY HELD RIGHTS

14. Remarks:

NOT TO EXCEED 7 CFS WHEN COMBINED WITH 41-0046.
 THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN
 ARBITRATOR'S FINDINGS AND CONCLUSIONS. THE ONLY PARTY
 LISTED IN PLEADINGS IS H. P. HOUTZ.
 THE LANDS IRRIGATED ARE THOSE OWNED BY THE SHAREHOLDERS IN THE
 DITCH.
 PRESENT SHAREHOLDERS ARE:

NELSON 7 UD
 LYNN HUNTER
 GLENN COX
 MELVIN MC CLAIN
 FARIN PORATH
 DENNIS CORSINI
 MELVIN & RONALD NELSON
 MRS. AL ROPER

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

HOUTZ

Decree Plaintiff

vs

ET AL.

Decree Defendant

A41-00039

Page

3

Date: 03/23/90

MICROFILMED

MAR 04 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 Organizations:

I do solemnly swear or affirm that I am _____ PRESIDENT _____ of _____ Title _____

U.S. DITCH CO.

Organization _____, that I have signed the foregoing document in the space below as _____ PRESIDENT _____ of _____ Title _____

U.S. DITCH CO.

Organization _____ and that the statements contained in the foregoing document are true and correct.

Ronald Nelson
Signature of Authorized Agent

PRES. U.S. DITCH CO.

Title and Organization

MARCH 25th. 1990

Date

State of Idaho)
County of POWER) SS.

Subscribed and sworn (or affirmed) before me this 25th. day
of MARCH 19 90

M. Nelson
Notary Public

Seal

Residing at Rockland, Idaho.

My Commission Expires 1/31/92

T9S R30E

42

SCALE 1:24000





State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. E, Twin Falls, Idaho 83301

(208) 734-3578

23-Mar-1990 11:08

United States Ditch Co.
C/O Ronald L. Nelson
P.O. Box 207
Rockland, ID 83271

RE: SRBA Claims A41-00039 and A41-00046

Dear Mr. Nelson:

Please find enclosed the claims I finally completed for your review. They are based on our meeting last week. Please look them over and if they are satisfactory please sign them before a notary and return them to our office. Please also find enclosed a receipt for the checks which you left for payment of these two filings.

If you have any questions do not hesitate to contact our office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Encl:

MICROFILMED

MAR 04 1993

AJ0749NP
No. R41-00039

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/15/99
PAGE: 1

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=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM TO      RATE        VOLUME
-----
C  UNITED STATES DITCH CO      05/01/1880    IRRIGATION    04-01 10-31    1.000 CFS
  C/O RONALD L NELSON
  3870 ROCK CREEK RD
  AMERICAN FALLS ID 83211
  (208) 548-2394
                                     TOTAL DIVERSION: 1.000 CFS
=====
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Water Source: ROCK CREEK

Tributary to: SNAKE RIVER

Stage: DECREEED

Point(s) of Diversion:

T09S R31E S31 Lot04(NWSWSW)

POWER County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE					
T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
09S	30E	10	:	:	:	:	:	:	:	:	:	:	21	07	:	:	:	:	28.0	
09S	30E	14	:	:	:	:	:	:	.4	:	:	14	02	16	:	:	07	03	43.5	
09S	30E	15	:	03	31	33	29	29	09	05	:	:	:	:	05	01	:	:	146.3	
09S	30E	23	:	32	20	:	08	15	:	:	:	:	:	:	09	:	:	:	85.1	
09S	30E	24	:	:	:	:	:	07	03	18	:	02	39	38	11	:	:	:	111.7	
09S	30E	25	:	:	:	:	:	07	40	35	06	14	20	02	26	:	02	:	153.7	
09S	30E	26	:	04	:	:	.8	:	:	:	:	:	:	:	:	:	:	:	5.7	
09S	30E	36	:	:	22	01	:	:	:	:	:	:	:	:	:	:	:	:	23.3	
																			TOTAL ACRES	597.3

POU County: POWER

Other Rights: 41-00046 & 41-10240

Remarks: POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 597.3 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 41-00046 & 41-10240.

EXP WATER IS DELIVERED THROUGH US DITCH.

Dates: Exam Made Date: 07/26/1994 Verified Date: 10/15/1999 Objection Filed Date:

Misc: Water District Number: 41 Field Inspection Flag:
Presumption Flag: D

US DITCH - Review HW

(1880)	41-00039	50"	83 Ac	limit? *
(1881)	-00046	300"	500	limit?
	-10240	422.5"	597.3	(0.707 cfs/ac)

Decree Claims deliver about 0.60"/Ac
as found.

Therefore, $50" \div 0.6 = 83 \text{ ac.}$

$300" \div 0.6 = 500 \text{ ac}$

* Decree is not
specific to acres and
describes a period of increasing
development of irrigated acres

583 ac total

(vs. 597.3 Actual)

* no limit of use in acres
per individual right. Even small amounts
will enhance the otherwise dryland farming.

-39	50"	597.3	} combined limit
-46	<u>300"</u>	<u>597.3</u>	
	350"	597.3	} combined limit POU
-10240	422.5"	597.3	

10/15/99 see

June 11, 1999

NOTICE OF ERROR
REPLY

RECEIVED
JUL - 8 1999
Department of Water Resources

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: July 9, 1999

Water right number: 41-00039

UNITED STATES DITCH CO
C/O RONALD L NELSON

~~PO BOX 207~~

~~ROCKLAND ID 83271~~ 3870 Rock Creek Rd.
American Falls Ida
83211

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: June 29, 1999 SIGNATURE: Ronald L Nelson

Please print your name: RONALD L NELSON

IDWR Southern Regional Office, 1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380, (208) 736-3033

7/23/99 Appt. w/ Ronald Nelson: Rights are additive as written.
pdu acreage to be resolved - may need exp.
claim filed. High Water Claim filed: 41-10240



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 24, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

UNITED STATES DITCH CO
C/O RONALD L NELSON
3870 ROCK CREEK RD
AMERICAN FALLS ID 83211

RE: Snake River Basin Adjudication (SRBA)
Water Right #41-00039 & 41-00046

Dear Water Right Holder:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water rights you have**, and return this letter by July 9, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

208-548-2394

Telephone No.

AJ0749NP
No. R41-00039

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/03/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES DITCH CO C/O RONALD L NELSON PO BOX 207 ROCKLAND ID 83271 (208) 548-2394	05/01/1880	IRRIGATION	03-15 11-15	1.00 CFS	
TOTAL DIVERSION:					1.00 CFS	

Water Source: ROCK CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T09S R31E S31 Lot04(NWSWSW)

POWER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
09S	30E	10	:					:					:				21	07	:					:	28.0	
09S	30E	14	:					:			.4		:		14	02	16	:			07	03	:	43.5		
09S	30E	15	:	03		31	33	29	:	29	09		05	:					:	05	01			:	146.3	
09S	30E	23	:	32		20		08	:	15				:					:	09				:	85.1	
09S	30E	24	:						:		03	18		:	02	39	38	11	:					:	111.7	
09S	30E	25	:						:	07	40	35	06	:	14	20	02	26	:			02		:	153.7	
09S	30E	26	:	04				.8	:					:					:					:	5.7	
09S	30E	36	:			22	01		:					:					:					:	23.3	
																							TOTAL ACRES		597.3	

POU County: POWER

Other Rights: 41-00046

Remarks: POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 50 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP WATER IS DELIVERED THROUGH US DITCH.

Dates: Exam Made Date: 07/26/1994 Verified Date: 06/03/1999 Objection Filed Date:

Misc: Water District Number: 41 Field Inspection Flag:
Presumption Flag: D

CLAIM NUMBER 441-00039 DATE 6/3/99
441-00046 AGENT su

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 660.2
 GIS ACRE TOTAL 597.3

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B41-POU.SHP *(North to South)*
 1. - 102
 2. - 101
 3. - 62
 4. - 64
 5. - 61
 6. - 60

< see POU Review in CWR-POU sheets in 41-00039 >
< see attached review sheet by sec 6/3/99 >
 ★ 350 AC PPU within 597.3 AC pou.

B41-POD.SHP _____
 NOS. DESCRIPTION
43 9s, 31E, S31, NW3WSW, Lot 4 - US DITCH

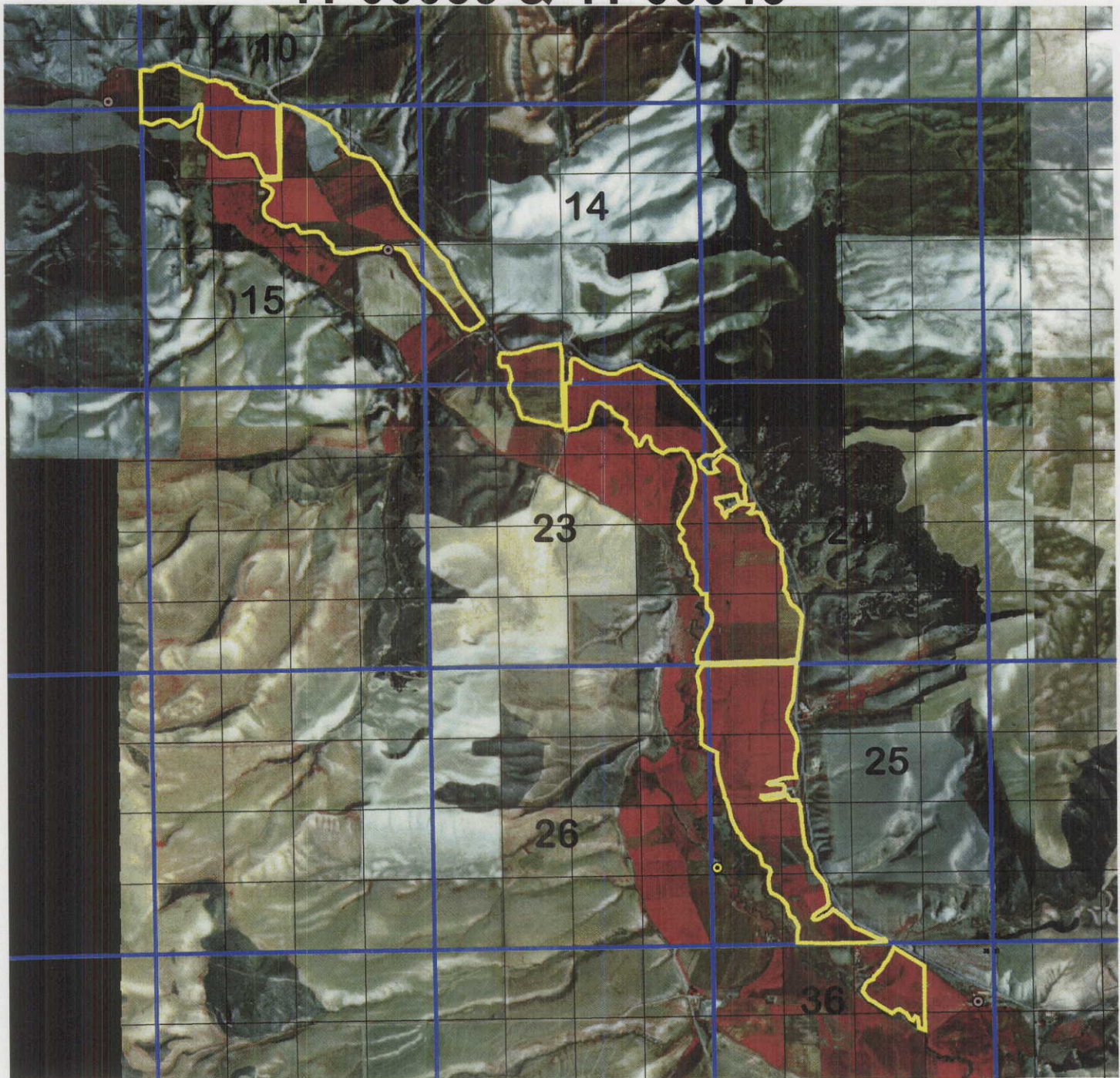
paul
 Remarks: K06
 Combined: NONE

DBF TABLES UPDATED _____
 B41-DBPOU.DBF *✓ sec 3/10/00*
 B41-DBPOD.DBF *✓*
 JPEG LAYOUT *✓ 41-00039.jpg*

(rights are additive as shown.)

IDAHO DEPT OF WATER RESOURCES

41-00039 & 41-00046



1320 0 1320 2640 3960 5280 Feet

T9S R30E SEC. 10, 14, 15, 23,
24, 25, 26, 36.



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- SECTION LINES
- 1/4 - 1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: June 3, 1999

U S DITCH

6/3/99
see

41-00039

Q
50" priority
1880

Acres (based on duty)
50 AC 1" / AC

41-00046

350" 1881
350"

350 AC
350 AC

- decree limits combined use to 350",
there is no advantage to listing the flow
at 350" since it never can be delivered
beyond 300" of actual water used.

Same Source so later priority use of
the duplicate 50" is never a real use.

GIS ACRES: 597.30 AC (CLAIM: 660.2)

Actual recommendation is for 350 Acres
within a 597.3 AC P.P.U. Additional rights
are needed for the acre enlargement beyond
the decreed acres.

Land above the ditch (cox) and land
south of Rock Creek are not part of the P.P.U.
And they will need separate rights to be proven.

Shirley

in finding the use of the water therein to date back to that period; there is no controversy among the claimants and owners of said ditch to the use of the water flowing therein among them selves, we therefore find that the said ditch and the owners thereof are entitled to a flow at all times to the waters of the said east fork of Rock Creek to 400 inches for the purpose of irrigating the lands lying under said ditch, the right to the use thereof to date from the 10th. day of May 1884; we further find that the settlers claiming land under said ditch are living upon a high bench and remote from water for domestic purposes, should be entitled at all times to a flow of 75 inches of water from said ditches against the prior appropriation of water of said stream of said east fork of Rock Creek.

That H.D. Lish owns and claims a tract of land lying on the south side of east fork of Rock Creek and on May 1st., 1890 he appropriated and used through what is known as the Valdez ditch water sufficient to irrigate 4 acres of said land; that said Lish has 30 acres of land owned by him lying under said ditch; that the said H.D. Lish is entitled at all times to the flow of 30 inches of water of said east fork creek, his right to date from the 10th. day of May 1890.

That on May 4th., 1884 the following parties began the construction of a ditch from the channel of lower Rock Creek on the west side thereof: Heber Hanson, Wm. Payne, J.C. Ralphs, Heber Ralphs, George Stanger, Peter Jensen, Lot Smith, Delroy Tyler, Ed Hunter, Morris Peters, Thomas Peters and Robt. Hunter; that said ditch was constructed and completed on the 4th day of June 1884 to and upon lands owned by claimants, the parties interested in said ditch for the purpose of irrigating their said lands; that said ditch was at its head about 5 & 1/2 feet wide by 1 & 1/2 feet deep that said ditch has been continuously used each and every season by the owners thereof for the purpose of irrigating their said lands; that in the year 1884 about 75 acres was irrigated by said claimants from said ditch; that said acreage has increased from year to year until at present when about 275 acres are under cultivation under said ditch that the stock holders in said ditch have no controversy among themselves as to the disposing of water among themselves but claim and use said water according to the shares held by each;

That said ditch known as the "west ditch" is entitled at all times to the use and flow of 275 inches of the water of said Rock Creek for the purpose of irrigating the land owned by the shareholders in said ditch and the right to the use and flow of said water to date from the 4th day of May 1884.

That in the year 1880 the following named parties, to wit: Ed Hunter, Robert Hunter, James Hunter, George Lish and Wm. Thornton made and constructed a ditch 4 feet wide and 1 foot deep with fall of one half inch to the rod from the main channel of Rock Creek to and upon lands then claimed by them for the purpose of irrigating lands owned by them; there was cultivated by the said parties about 40 acres of land lying under said ditch. early in the spring of 1881 said last mentioned persons changed the point of diversion of said ditch about 1/4 of a mile higher up the Creek and began construction of a new ditch; that in said new ditch the following parties were claimants and assisted in the construction of the same, to wit: Chas. Allen J.I. May Heber Lesley and James Allen. that said ditch last above mentioned was built of the size of 7 feet wide and 18 inches deep for the distance of 200 yds.; that during said year of 1881 about 100 acres of meadow land was irrigated under said ditch by the claimants therein; that during the same season of 1881 after crop were planted said ditch was continued for a distance of about 4 & 1/2 miles; that in 1882 said ditch was completed by said parties to a width of 3 feet wide and for the distance of 4 & 1/2 miles aforesaid; that said ditch and the water flowing therein has been used for the purpose of irrigating lands lying under the same by the claimants thereto each and every season continuously; that said ditch is known and called the United States ditch; that the shareholders and claimants in same have no controversy as to the regulation and use of the water flowing therein as among themselves.

we find that said ditch and the owners therein are entitled to a flow at all times of 50 inches of the waters of said Rock Creek for the purpose of irrigating their said lands lying under the same, said right to date from the 1st. day of May, 1880; and are entitled to the use at all times to 350 inches of the waters of said stream to irrigate their said lands this right to date from the 1st. day of June 1881, the water in ditch at no time to exceed 350 inches.

41 046

(United States Ditch)

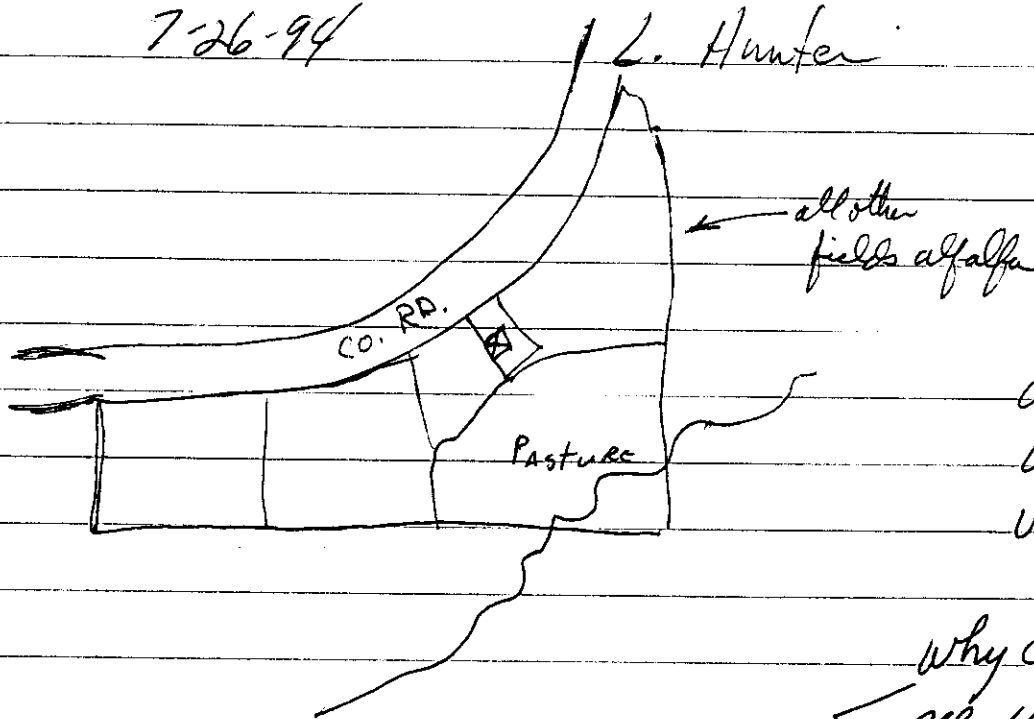
41 0039

WEST
DITCHU.S.
DITCHCopy of
Rockland
deed41-0039
6-1-81
11

AA1-00046A

7-26-94

L. Hunter



all gravity
irrigation
via US Ditch

why claimed separately?
see US Ditch claim
AA1-00046

Field Notes:

Copied from Hunter file

6/3/99



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~KEITH HIGGINSON~~
Governor PHILIP E. BATT

R. KEITH HIGGINSON
Director

February 10, 1995

Dear Wateruser:

In response to the Bench Ditch Irrigation Company's letter to IDWR dated January 25, 1995, this letter is being sent to all waterusers of record in the Basin 41 Water District.

As you may know, the arbitration for delivery of water that has operated in the Rockland valley for over 100 years has been very effective in allowing the delivery of water rights by the local watermaster. The box method described in the arbitration has worked to divide the waters fairly, but recent studies of the boxes have determined the actual flow rates that have been delivered for years are different than the rates listed in the arbitration. This is largely due to the fact that the box method, as applied in the valley, is not a standard measuring device.

It is IDWR's position that:

Rights recommended in the ongoing Snake River Basin Adjudication, will be based on the historical beneficial use and historical diversion rate represented by use of the box method.

Conversion to an approved, standard measuring device is encouraged but should not result in a increase in the amount of water diverted. IDWR requests, before any old diversion structure is removed or destroyed, to view and measure the historical diversion rate as delivered by the box described in the arbitration.

Any change in measuring devices or structures that results in an increase of diversion rates above the historical beneficial use will result in injury to junior right holders within the Rock Creek system.

We look forward to working with all waterusers in the district. SRBA examinations will resume in the spring of 1995 and IDWR will measure and evaluate all of the structures diverting from Rock Creek and the East Fork of Rock Creek. If you have questions please contact me at my office in Twin Falls.

Sincerely,

STEVE CLELLAND
Water Resource Agent

A41 - 00039

From:U.S. Ditch Co.
Rockland, Idaho

To:Dept of Water Recourses
Twin Fall, ID

Dear Sirs:

I am writing for the U.S. Ditch Co. in Rockland in regards to a water right that had not been used for very many years and has been started back up for the 96 season. We feel that this could be an attempt to control our water in the future and want to question this right. The water in question belonged to a Cathy Speth and is started up by her son ,and is located aprox 1/8 mile up stream from the snake river on rock creek above register rock state park. We believe that you should check into the time that this right has not been used because we feel that evidence will prove it should have exspired from lack of use. Carl and Gilbert Hofmeister of Am. Fall, farm next to the property and could give you further imformation.

Thank You
U.S. Ditch Co.
Lance Roper,Director

RECEIVED

MAR 14 1996

Department of Water Resources
Southern Region

* Hand delivered to Steve Culland By Lance Roper in Rockland, ID 3/4/96

COMMUNICATION DOCUMENTATION

Claim No. A41-00039 ^{US Ditch}

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent STEVE CLELLAND ^{su} Date 7-28-94Contact Person(s) JAMES ROBINSONBasin 41 watermaster

Nature of Contact _____

sent copies of Ditch Measurements

Substance of Communication _____

copies of Current Meter MeasurementsonMEAS.CLAIM

A41-00018	BENCH Ditch	(348.5") 6.97 cfs	445" 8.9 cfs
A41-00039	US DITCH	(227") 4.54 cfs	350" 7.0 cfs
A41-00037	LOWER WEST DITCH	(81") 1.62 cfs	275" 5.5 cfs

As we discussed earlier there is a significant difference between the claimed/divided amounts and the actual measured diversion amounts.

Copies for Water Master information and Comparison.

T9S R30E

4
N

US Ditch

SCALE 1:1000

Storage
Bins

Rock

Storage
Bins

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:11:12
04/22/91

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QUICKLOOK INFORMATION

CLAIM NUMBER: A41-00039

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

Water Right Number - A41-00039

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
UNITED STATES DITCH CO.1 - C/O RONALD L. NELSON
2 - P.O. BOX 207
3 -
City- ROCKLAND State- ID Zip- 83271
Phone - 208-548-2394+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
05/01/1880 17 SOUTHERN D - DECREED+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
ROCK CREEK SNAKE RIVER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
09S 31E 31 NW SW SW 4 (77) POWER+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.000+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.000 1980.6+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 30E 10 SW SW 20.0 01 IRRIGATION (77) POWER
09S 30E 10 SE SW 10.0 01 IRRIGATION (77) POWER
09S 30E 14 SW NW 2.0 01 IRRIGATION (77) POWER
09S 30E 14 NW SW 18.0 01 IRRIGATION (77) POWER
09S 30E 14 SW SW 3.0 01 IRRIGATION (77) POWER
09S 30E 14 SE SW 18.0 01 IRRIGATION (77) POWER
09S 30E 14 SW SE 9.0 01 IRRIGATION (77) POWER
09S 30E 14 SE SE 2.0 01 IRRIGATION (77) POWER
09S 30E 15 NE NE 5.0 01 IRRIGATION (77) POWER
09S 30E 15 NW NE 35.0 01 IRRIGATION (77) POWER
09S 30E 15 SW NE 30.0 01 IRRIGATION (77) POWER
09S 30E 15 SE NE 32.0 01 IRRIGATION (77) POWER
09S 30E 15 NE NW 35.0 01 IRRIGATION (77) POWER
09S 30E 15 NW NW 30.0 01 IRRIGATION (77) POWER
09S 30E 15 SE NW 5.0 01 IRRIGATION (77) POWER
09S 30E 15 NE SE 10.0 01 IRRIGATION (77) POWER
09S 30E 23 NE NE 35.0 01 IRRIGATION (77) POWER
09S 30E 23 NW NE 21.0 01 IRRIGATION (77) POWER
09S 30E 23 SE NE 11.0 01 IRRIGATION (77) POWER
09S 30E 23 NE NW 17.0 01 IRRIGATION (77) POWER
09S 30E 23 NE SE 9.0 01 IRRIGATION (77) POWER
09S 30E 24 NW NW 4.0 01 IRRIGATION (77) POWER

Water right number - A41-00039

Prefix Translation: ADJUDICATION CLAIM

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
09S	30E	24	SW NW		22.0	01	IRRIGATION	(77) POWER
09S	30E	24	NE SW		2.0	01	IRRIGATION	(77) POWER
09S	30E	24	NW SW		39.0	01	IRRIGATION	(77) POWER
09S	30E	24	SW SW		32.0	01	IRRIGATION	(77) POWER
09S	30E	24	SE SW		8.0	01	IRRIGATION	(77) POWER
09S	30E	25	NE NW		8.0	01	IRRIGATION	(77) POWER
09S	30E	25	NW NW		39.0	01	IRRIGATION	(77) POWER
09S	30E	25	SW NW		36.0	01	IRRIGATION	(77) POWER
09S	30E	25	SE NW		11.0	01	IRRIGATION	(77) POWER
09S	30E	25	NE SW		15.1	01	IRRIGATION	(77) POWER
09S	30E	25	NW SW		10.0	01	IRRIGATION	(77) POWER
09S	30E	25	SE SW		27.1	01	IRRIGATION	(77) POWER
09S	30E	25	SW SE		2.0	01	IRRIGATION	(77) POWER
09S	30E	26	NE NE		10.0	01	IRRIGATION	(77) POWER
09S	30E	36	NE NE		18.0	01	IRRIGATION	(77) POWER
09S	30E	36	NW NE		20.0	01	IRRIGATION	(77) POWER

Total Acres: 660.2

+ - - Diversion Means - PRESENT HEADGATE, ESTABLISHED 1881; U. S. DITCH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A41-00046 AND OTHER PRIVATELY HELD RIGHTS

Remarks
NOT TO EXCEED 7 CFS WHEN COMBINED WITH 41-0046. THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN ARBITRATOR'S FINDINGS AND CONCLUSIONS. THE ONLY PARTY LISTED IN PLEADINGS IS H. P. HOUTZ. THE LANDS IRRIGATED ARE THOSE OWNED BY THE SHAREHOLDERS IN THE DITCH. PRESENT SHAREHOLDERS ARE: NELSON 7 UD LYNN HUNTER GLENN COX MELVIN MC CLAIN FARIN PORATH DENNIS CORSINI MELVIN & RONALD NELSON MRS. AL ROPER

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - +
HOUTZ+ - - - - Decree Defendant - - - +
ET AL.+ - Decree Date - +
00/00/0000

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	03/15/1990	Last Amended Date	-	00/00/0000	Temporary Right	-	P
Proof Due Date	-	00/00/0000	Proof Made Date	-	00/00/0000	Water District	-	41
Licensed Date	-	00/00/0000	Receipt Number	-	S011545	Federal/State Indicator	-	S
Claims Tape Error Flg	-		POU Ownership Flag	-	N	Presumption Flag	-	D
Fee Exempt Flag	-		Name Connector	-				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:11:12
04/22/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A41-00039

LAST: UNITED STATES DITCH CO.
ADDRESS: C/O RONALD L. NELSON
P.O. BOX 207
CITY: ROCKLAND
PHONE NUMBER: 208-548-2394

FIRST:
STATE: ID ZIP: 83271

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS? DATABASE FIELD
Y EXAMINER

CLAIM REMARKS: NOT TO EXCEED 7 CFS WHEN COMBINED WITH 41-0046.
THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN
ARBITRATOR'S FINDINGS AND CONCLUSIONS. THE ONLY PARTY
LISTED IN PLEADINGS IS H. P. HOUTZ.
THE LANDS IRRIGATED ARE THOSE OWNED BY THE SHAREHOLDERS IN THE
DITCH.
PRESENT SHAREHOLDERS ARE:

NELSON 7 UD
LYNN HUNTER
GLENN COX
MELVIN MC CLAIN
FARIN PORATH
DENNIS CORSINI
MELVIN & RONALD NELSON
MRS. AL ROPER

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A41-00039 PRIORITY DATE: 05-01-1880 STAGE: D

B. WR RECORD: # 41-00039 PRIORITY DATE: 05-01-1880 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
05-01-1880

REVIEWED BY _____ DATE _____

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A41-00039	09S	31E	31	NW	SW	SW	4	POWER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A41-00046A NONE
A41-00046
A41-00046B

WR RECORDS IN SAME 40 ACRE TRACT
41-00046

SOURCE: ROCK CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
41-00039	09S	31E	31		SW	SW	4	POWER

OTHER WR RECORDS WITH SAME WR POD

41-00046

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A41-00046A NONE
A41-00046
A41-00046B

SOURCE: ROCK CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
			Y	_____
			N	_____

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

SOURCE: ROCK CREEK

TRIB: SNAKE RIVER

REVIEWED BY: _____ DATE: _____

A. ROOT WATER RIGHT NUMBERS: A41-00039

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	GIS FIELD EXAM.	RECOMM. ACRES
09S	30E	15	SW	NE		UNITED STATES DITCH CO.	A41-00039 /30.0	- /	35.0		
			SW	NE		UNITED STATES DITCH CO.	A41-00046 /30.0	41-00046 /		33	33
			SW	NE		ROPER, EVELYN	A41-00041A /35.0	41-00041A /			
			SW	NE		ROPER, EVELYN	A41-02024 /35.0	41-02024 /35.0			
			SW	NE		ROCKLAND VALLEY RANCHES		41-07068 / 3.0			
09S	30E	15	SE	NE		UNITED STATES DITCH CO.	A41-00039 /32.0	- /	37.0		
			SE	NE		UNITED STATES DITCH CO.	A41-00046 /32.0	41-00046 /		29	29
			SE	NE		ROPER, EVELYN	A41-00041A /30.0	41-00041A /			
			SE	NE		ROPER, EVELYN	A41-02024 /30.0	41-02024 /30.0			
09S	30E	15	NE	NW		UNITED STATES DITCH CO.	A41-00039 /35.0	- /	37.0		
			NE	NW		UNITED STATES DITCH CO.	A41-00046 /35.0	- /		29 (Northside)	29
			NE	NW		ROPER, EVELYN	A41-00041A /35.0	41-00041A /	No DECREE		
			NE	NW		ROPER, EVELYN	A41-02024 /35.0	41-02024 /35.0		7.5 (Southside)	0
09S	30E	10	SE	SW		UNITED STATES DITCH CO.	A41-00039 /10.0	- /	20.0		
			SE	SW		ROPER, EVELYN	A41-10037 /	- /			
			SE	SW		UNITED STATES DITCH CO.	A41-00046 /10.0	- /		7.0	7.0
			SE	SW		ROPER, EVELYN	A41-00041A /10.0	41-00041A /	No DECREE		
			SE	SW		ROPER, EVELYN	A41-02024 /10.0	- /			
09S	30E	15	NE	NE		UNITED STATES DITCH CO.	A41-00039 / 5.0	- /	15.0		
			NE	NE		ROPER, EVELYN	A41-10038 /	- /		3.7	3.7
			NE	NE		UNITED STATES DITCH CO.	A41-00046 / 5.0	41-00046 /			
			NE	NE		ROPER, EVELYN	A41-00041A / 5.0	- /			
			NE	NE		ROPER, EVELYN	A41-02024 / 5.0	41-02024 / 5.0			
09S	30E	15	NW	NE		UNITED STATES DITCH CO.	A41-00039 /35.0	- /	35.0		
			NW	NE		UNITED STATES DITCH CO.	A41-00046 /35.0	41-00046 /		31	29 (Northside) 31
			NW	NE		ROPER, EVELYN	A41-00041A /35.0	41-00041A /			
			NW	NE		ROPER, EVELYN	A41-02024 /35.0	41-02024 /35.0			
09S	30E	15	NW	NW		UNITED STATES DITCH CO.	A41-00039 /30.0	- /	35.0		
			NW	NW		UNITED STATES DITCH CO.	A41-00046 /30.0	- /		9.1 (Northside)	9.1
			NW	NW		ROPER, EVELYN	A41-00041A /30.0	41-00041A /	No DECREE		
			NW	NW		ROPER, EVELYN	A41-02024 /30.0	41-02024 /30.0			
09S	30E	15	SE	NW		UNITED STATES DITCH CO.	A41-00039 / 5.0	- /	37.0		
			SE	NW		UNITED STATES DITCH CO.	A41-00046 / 5.0	- /		5.2	5.2
			SE	NW		ROPER, EVELYN	A41-00041A / 5.0	41-00041A /			
			SE	NW		ROPER, EVELYN	A41-02024 / 5.0	41-02024 / 5.0	No DECREE		
			SE	NW		ROCKLAND VALLEY RANCHES		41-07068 /23.0			
09S	30E	15	NE	SE		UNITED STATES DITCH CO.	A41-00039 /10.0	- /	37.0		
			NE	SE		NELSON, MELVIN	A41-00040B /38.0	- /		5.0	5.0
			NE	SE		NELSON, MELVIN	A41-10093 /38.0	- /			
			NE	SE		UNITED STATES DITCH CO.	A41-00046 /10.0	41-00046 /			
			NE	SE		ROCKLAND VALLEY RANCHES		41-07068 /36.0			

* ALSO pou in: NWSE = 1.3
but No claim

09S 30E 14	SW NW	UNITED STATES DITCH CO.	A41-00039 / 2.0	- /	5.0		
	SW NW	UNITED STATES DITCH CO.	A41-00046 / 2.0	- /		0.4	0.4
	SW NW	WIEDHOLZ, DORA		41-07083 / 8.0			
No Decree							
09S 30E 14	NW SW	UNITED STATES DITCH CO.	A41-00039 / 18.0	- /	25.0		
	NW SW	NELSON, MELVIN	A41-00040B / 2.0	- /		14	14
	NW SW	NELSON, MELVIN	A41-10093 / 2.0	- /			
	NW SW	UNITED STATES DITCH CO.	A41-00046 / 18.0	41-00046 /			
09S 30E 14	SW SW	UNITED STATES DITCH CO.	A41-00039 / 3.0	- /	40.0		
	SW SW	NELSON, MELVIN	A41-00040B / 25.0	- /		2.4	2.4
	SW SW	NELSON, MELVIN	A41-10093 / 25.0	- /			
	SW SW	NELSON, RONALD L.	A41-10099 /	- /			
	SW SW	UNITED STATES DITCH CO.	A41-00046 / 3.0	41-00046 /			
	SW SW	MAY, J. I.		41-00040 /			
	SW SW	ROCKLAND VALLEY RANCHES		41-07068 / 1.0			
09S 30E 14	SE SW	UNITED STATES DITCH CO.	A41-00039 / 18.0	- /	38.0		
	SE SW	UNITED STATES DITCH CO.	A41-00046 / 18.0	41-00046 /		16	16
	SE SW	MAY, J. I.		41-00040 /			
	SE SW	ROCKLAND VALLEY RANCHES		41-07068 / 16.0			
09S 30E 14	SW SE	UNITED STATES DITCH CO.	A41-00039 / 9.0	- /	17.0		
	SW SE	UNITED STATES DITCH CO.	A41-00046 / 9.0	41-00046 /		7.7	7.7
	SW SE	ROCKLAND VALLEY RANCHES		41-07068 / 10.0			
09S 30E 14	SE SE	UNITED STATES DITCH CO.	A41-00039 / 2.0	- /	3.0		
	SE SE	UNITED STATES DITCH CO.	A41-00046 / 2.0	41-00046 /		3.0	3.0
	SE SE	MAY, J. I.		41-00040 /			
	SE SE	ROCKLAND VALLEY RANCHES		41-07068 / 39.0			
09S 30E 23	NE NE	UNITED STATES DITCH CO.	A41-00039 / 35.0	- /	36.0		
	NE NE	UNITED STATES DITCH CO.	A41-00046 / 35.0	41-00046 /		32	32
	NE NE	NELSON, MELVIN	A41-00040B / 2.0	- /			
	NE NE	NELSON, MELVIN	A41-10093 / 2.0	- /			
	NE NE	MAY, J. I.		41-00040 /			
	NE NE	ROCKLAND VALLEY RANCHES		41-07068 / 19.0			
09S 30E 23	NW NE	UNITED STATES DITCH CO.	A41-00039 / 21.0	- /	40.0		
	NW NE	UNITED STATES DITCH CO.	A41-00046 / 21.0	41-00046 /		20	20
	NW NE	NELSON, MELVIN	A41-00040B / 20.0	- /			
	NW NE	NELSON, MELVIN	A41-10093 / 20.0	- /			
	NW NE	MAY, J. I.		41-00040 /			
	NW NE	ROCKLAND VALLEY RANCHES		41-07068 / 40.0			
09S 30E 23	NE NW	UNITED STATES DITCH CO.	A41-00039 / 17.0	- /	40.0		
	NE NW	UNITED STATES DITCH CO.	A41-00046 / 17.0	41-00046 /		15	15
	NE NW	NELSON, MELVIN	A41-00040B / 25.0	- /			
	NE NW	NELSON, MELVIN	A41-10093 / 25.0	- /			
	NE NW	MAY, J. I.		41-00040 /			
	NE NW	ROCKLAND VALLEY RANCHES		41-07068 / 40.0			
09S 30E 23	SE NE	UNITED STATES DITCH CO.	A41-00039 / 11.0	- /	40.0		
	SE NE	UNITED STATES DITCH CO.	A41-00046 / 11.0	41-00046 /		8.6	8.6
	SE NE	NELSON, MELVIN	A41-00040B / 30.0	- /			
	SE NE	NELSON, MELVIN	A41-10093 / 30.0	- /			
	SE NE	MAY, J. I.		41-00040 /			
	SE NE	PORATH, FARREN L.		41-07036 / 7.0			

SE				NE				ROCKLAND VALLEY RANCHES				41-07068 /31.0							
09S 30E 23		NE	SE	UNITED STATES DITCH CO.	A41-00039	/ 9.0	-	/	31.0										
		NE	SE	UNITED STATES DITCH CO.	A41-00046	/ 9.0	41-00046	/									9.5	9.5	
		NE	SE	PORATH , FARREN L.			41-07036	/35.0											
09S 30E 24		NW	NW	UNITED STATES DITCH CO.	A41-00039	/ 4.0	-	/	5.0										
		NW	NW	UNITED STATES DITCH CO.	A41-00046	/ 4.0	41-00046	/									3	3	
09S 30E 24		SW	NW	UNITED STATES DITCH CO.	A41-00039	/22.0	-	/	24.0										
		SW	NW	CORSINI , DENNIS	A41-10076	/	-	/									18	18	
		SW	NW	UNITED STATES DITCH CO.	A41-00046	/22.0	41-00046	/											
		SW	NW	PORATH , FARREN L.			41-07036	/15.0											
09S 30E 24		NE	SW	UNITED STATES DITCH CO.	A41-00039	/ 2.0	-	/	13.0										
		NE	SW	UNITED STATES DITCH CO.	A41-00046	/ 2.0	41-00046	/									2.7	2.7	
		NE	SW	PORATH , FARREN L.			41-07036	/35.0											
09S 30E 24		NW	SW	UNITED STATES DITCH CO.	A41-00039	/39.0	-	/	37.0										
		NW	SW	UNITED STATES DITCH CO.	A41-00046	/39.0	41-00046	/									39	39	
		NW	SW	PORATH , FARREN L.			41-07036	/40.0											
09S 30E 24		SW	SW	UNITED STATES DITCH CO.	A41-00039	/32.0	-	/	37.0										
		SW	SW	7 U D RANCHES	A41-00046B	/18.0	-	/									38	38	
		SW	SW	UNITED STATES DITCH CO.	A41-00046	/32.0	41-00046	/											
		SW	SW	PORATH , FARREN L.			41-07036	/20.0											
09S 30E 24		SE	SW	UNITED STATES DITCH CO.	A41-00039	/ 8.0	-	/	8.0										
		SE	SW	7 U D RANCHES	A41-00046B	/ 8.0	-	/									11	11	
		SE	SW	UNITED STATES DITCH CO.	A41-00046	/ 8.0	41-00046	/											
09S 30E 26		NE	NE	UNITED STATES DITCH CO.	A41-00039	/10.0	-	/	34.0										
		NE	NE	7 U D RANCHES	A41-00040	/ 9.3	41-00040	/									4.9	4.9	
		NE	NE	7 U D RANCHES	A41-00046B	/ 6.0	-	/											
		NE	NE	UNITED STATES DITCH CO.	A41-00046	/10.0	41-00046	/											
																		POU ALSO: (S.26 SENE 0.8)	
09S 30E 25		NE	NW	UNITED STATES DITCH CO.	A41-00039	/ 8.0	-	/	26.0										
		NE	NW	7 U D RANCHES	A41-00046B	/ 8.0	-	/									7.7	7.7	
		NE	NW	UNITED STATES DITCH CO.	A41-00046	/ 8.0	41-00046	/											
09S 30E 25		NW	NW	UNITED STATES DITCH CO.	A41-00039	/39.0	-	/	40.0										
		NW	NW	7 U D RANCHES	A41-00046B	/39.0	-	/									40	40	
		NW	NW	UNITED STATES DITCH CO.	A41-00046	/39.0	41-00046	/											
09S 30E 25		SW	NW	UNITED STATES DITCH CO.	A41-00039	/36.0	-	/	40.0										
		SW	NW	7 U D RANCHES	A41-00046B	/36.0	-	/									35	35	
		SW	NW	UNITED STATES DITCH CO.	A41-00046	/36.0	41-00046	/											
09S 30E 25		SE	NW	UNITED STATES DITCH CO.	A41-00039	/11.0	-	/	17.0										
		SE	NW	7 U D RANCHES	A41-00046B	/11.0	-	/									6.8	6.8	
		SE	NW	UNITED STATES DITCH CO.	A41-00046	/11.0	41-00046	/											
09S 30E 25		NE	SW	UNITED STATES DITCH CO.	A41-00039	/15.1	-	/	14.0										
		NE	SW	7 U D RANCHES	A41-00046B	/ 7.0	-	/									14	14	
		NE	SW	HUNTER , LYNN	A41-00046A	/ 8.1	-	/											
		NE	SW	UNITED STATES DITCH CO.	A41-00046	/15.1	41-00046	/											
09S 30E 25		NW	SW	UNITED STATES DITCH CO.	A41-00039	/10.0	-	/	39.0										
		NW	SW	7 U D RANCHES	A41-00046B	/10.0	-	/									26	20	

claim indicates
not all is irrig.

Revised
shape file!

OK w/
GIS

26
20

	NW	SW	UNITED STATES DITCH CO.	A41-00046	/10.0	<u>41-00046</u> /			
	NW	SW	WEST DITCH USERS			41-00037 /			
09S 30E 25	SE	SW	UNITED STATES DITCH CO.	A41-00039	/27.1	- /	32.0	26	26
	SE	SW	HUNTER, LYNN	A41-00046A	/27.1	- /			
	SE	SW	HUNTER, LYNN	A41-10044	/	- /			
	SE	SW	UNITED STATES DITCH CO.	A41-00046	/27.1	<u>41-00046</u> /			
	SE	SW	WEST DITCH USERS			41-00037 /			
09S 30E 25	SW	SE	UNITED STATES DITCH CO.	A41-00039	/ 2.0	- /	13.0	2.1	2.1
	SW	SE	HUNTER, LYNN	A41-00046A	/ 2.0	- /			
	SW	SE	UNITED STATES DITCH CO.	A41-00046	/ 2.0	- /			
09S 30E 36	NE	NE	UNITED STATES DITCH CO.	A41-00039	/18.0	41-00039 /	25.0	17	Ø
	NE	NE	COX, GLEN R.	A41-10032	/	- /			
	NE	NE	UNITED STATES DITCH CO.	A41-00046	/18.0	<u>41-00046</u> /			
	NE	NE	COX, GLEN R.	A41-10031	/30.0	- /			
	NE	NE	COX, RACHEL HUNTER			41-00056 /			
	NE	NE	COX, GLEN R.			41-04024 /20.0			
	NE	NE	MONTROSS, ERNIE			41-07078 / 5.0			
09S 30E 36	NW	NE	UNITED STATES DITCH CO.	A41-00039	/20.0	- /	39.0		
	NW	NE	WEST DITCH COMPANY	A41-00037	/40.0	41-00037 /			
	NW	NE	MCLEAN, HORTENSE R.	A41-10078	/	- /			
	NW	NE	UNITED STATES DITCH CO.	A41-00046	/20.0	<u>41-00046</u> /			
09S 30E (10)	SW	SW	UNITED STATES DITCH CO.	A41-00039	/20.0	- /	31.0	21	21
	SW	SW	UNITED STATES DITCH CO.	A41-00046	/20.0	- /			
	SW	SW	ROPER, EVELYN	A41-00041A	/20.0	41-00041A /			
	SW	SW	ROPER, EVELYN	A41-02024	/20.0	- /			
TOTAL ACRES			A41-00039		660.20		1077.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(X) N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

ADD: * S. 36 SWNE Ø 1.3 1.3
ADD: S. 25 SWSW Ø 2.1 2.1
ADD: S. 26 SENE Ø 0.8 0.8
(acres claimed in near Q-Q)
ADD: S. 15 NWSE Ø 1.3 1.3
5.5

P.P.U. TOTAL =

597.30 AC.

591.8

Use is above the US Ditch.
Part of: (S 36 NWSE = .6)
Below ditch = 22
(See Below)*

No Decree

No Decree

18 POU not Rcd to this Rt

PRESUMPTION FLAG: D

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

Use is overlapped w/

A41-00041A
A41-02029

) OK - all rights added do not
exceed the total PPU of
USDatch.

SCC
6/11/99

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A41-00039 IRRIGATION	FROM 03-15 TO 11-15	1.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
41-00039 IRRIGATION	FROM TO	1.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.000 CFS

PRESUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED? FIELD
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) DATABASE EXAMINER Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A41-00046 AND OTHER PRIVATELY HELD RIGHTS

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A41-00039	ROCK CREEK	UNITED STATES DITCH CO.	1.000	0.001		
A41-00046	ROCK CREEK	UNITED STATES DITCH CO.	7.000	0.010		
A41-02024	GROUNDWATER	ROPER , EVELYN	1.450	0.007		
A41-00040B	ROCK CREEK	NELSON , MELVIN	0.727	0.003		
A41-10093	GROUNDWATER	NELSON , MELVIN	2.000	0.008		
A41-00046B	ROCK CREEK	7 U D RANCHES	1.950	0.013		
	SPLIT RIGHT					
A41-00040	ROCK CREEK	7 U D RANCHES	1.000	0.031		
A41-00046A	ROCK CREEK	HUNTER , LYNN	0.584	0.015		
A41-10031	SPRING CREEK	COX , GLEN R.	1.680	0.016		
A41-00037	ROCK CREEK	WEST DITCH COMPANY	5.500	0.013		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A41-10037	STOCKWATER	ROPER , EVELYN	FROM 01-01 TO 12-31	.040 CFS	
A41-10038	DOMESTIC	ROPER , EVELYN	FROM 01-01 TO 12-31	.040 CFS	
A41-10038	STOCKWATER	ROPER , EVELYN	FROM 01-01 TO 12-31	.040 CFS	
A41-10099	STOCKWATER	NELSON , RONALD L.	FROM 01-01 TO 12-31	.070 CFS	
A41-10099	DOMESTIC	NELSON , RONALD L.	FROM 01-01 TO 12-31	.040 CFS	
A41-10076	DOMESTIC	CORSINI , DENNIS	FROM 01-01 TO 12-31	.050 CFS	
A41-10076	STOCKWATER	CORSINI , DENNIS	FROM 01-01 TO 12-31	.020 CFS	

A41-10044	DOMESTIC	HUNTER , LYNN	FROM 01-01 TO 12-31	.040 CFS
A41-10044	STOCKWATER	HUNTER , LYNN	FROM 01-01 TO 12-31	.020 CFS
A41-10032	DOMESTIC	COX , GLEN R.	FROM 01-01 TO 12-31	.040 CFS
A41-10031	STOCKWATER	COX , GLEN R.	FROM 01-01 TO 12-31	.020 CFS
A41-10078	DOMESTIC	MCLEAN , HORTENSE R.	FROM 01-01 TO 12-31	.040 CFS
A41-10078	STOCKWATER	MCLEAN , HORTENSE R.	FROM 01-01 TO 12-31	.020 CFS

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1980.6 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

=====

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	03-15 11-15	1.000 _____	_____	1980.6 _____
TOTAL FOR THIS RIGHT		1.000		1980.6

REVIEWED BY: _____ DATE: _____

=====

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 41-00039

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.000	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A41-00039	1.000	-		41-00039	1.000
TOTAL CFS		1.000				1.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

=====

```

NAME OF STREAM OR DITCH      ROCK CREEK; US DITCH
LOCATION -----              BELOW HEADGATE 200'
PURPOSE OF MEASUREMENT --    ADJUDICATION REVIEW
      BASIS OF VELOCITY CALCULATIONS
IF YOU ARE USING A PYGMY METER ENTER ----- 1
IF YOU ARE USING A AA METER ENTER ----- 2
      ENTRY ---- =          2

```

FOLLOWING THE LAST ENTRY IN:
"DISTANCE FROM INIT PT" ENTRY MUST = "END"

WATER RIGHT NUMBER IF APPLICABLE -----
AGENT CONDUCTING MEASUREMENT & DATE --
ACCOMPANIED BY -----
PREMEASUREMENT SPIN TEST (MIN/SEC) ---
POST MEASUREMENT SPIN TEST (MIN/SEC) ---
DATE REPORT PREPARED -----

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Water Right No.
(if applicable)

Open Channel Discharge Measurement Notes

A. GENERAL INFORMATION

1. Name of stream or ditch: Rock Creek; US DITCH
2. Location: Below headgate 200'
3. Person conducting measurement: STEVE CLELLAND
4. Date and time of measurement: 7-26-94 11:30 am
5. Accompanied by: N/A
6. Measuring device size and ID no.: #090148 AA
7. Spin test before measurement OK? OK 1:35 after measurement OK? OK 1:30
8. Purpose of measurement: AT CLAIMS

B. MEASUREMENT DATA

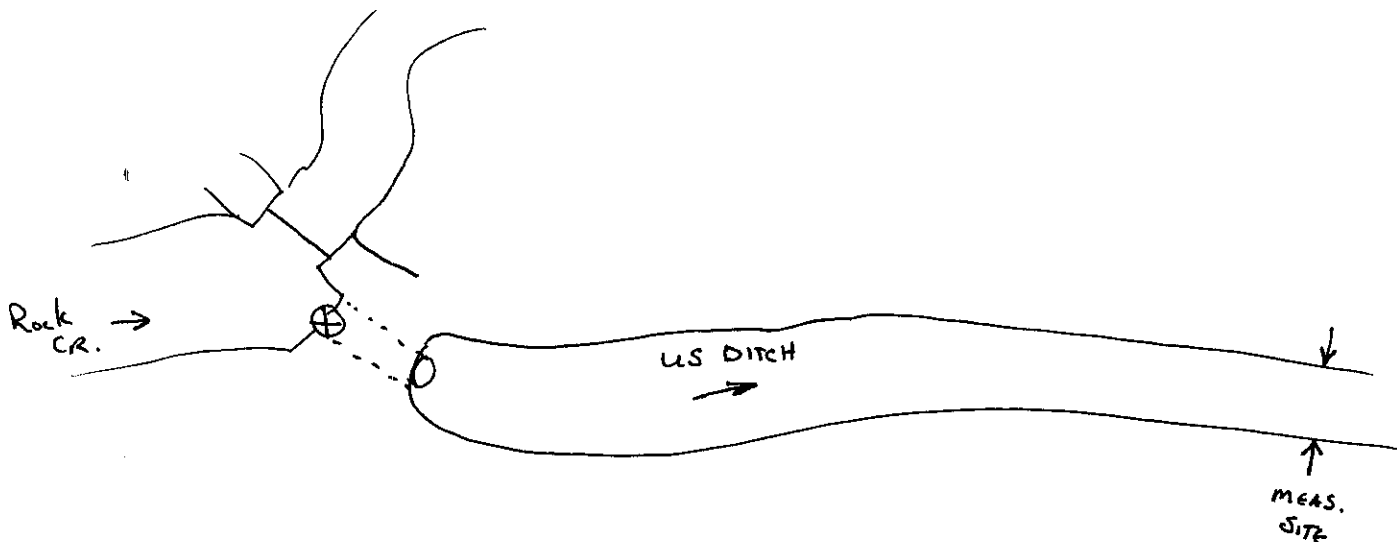
watermaster, James Robinson said @ 6" depth this = 350" (7.0 cfs)

Angle co-efficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or	Area	Discharge
							At point	Mean in vertical			
LEW	1.0		Ø								
	1.5		.9	.6	15	58.2					
	2.		1.0	.6	15	54.2					
	2.5		1.0		15	41.9					
	3		1.0		20	53.3					
	3.5		1.0		20	57.4					
	4		1.0		15	48.0					
	4.5		1.0		15	56.5					
	5		1.0		15	52.1					
	5.5		1.1		10	46.7					
	6		1.3		7	52.7					
	6.5		1.4		15	59.9					
	7		1.4		15	54.0					
	7.5		1.0		10	50.5					
	8		.8		10	45.7					
REW	8.5		Ø								

C. DIAGRAMS

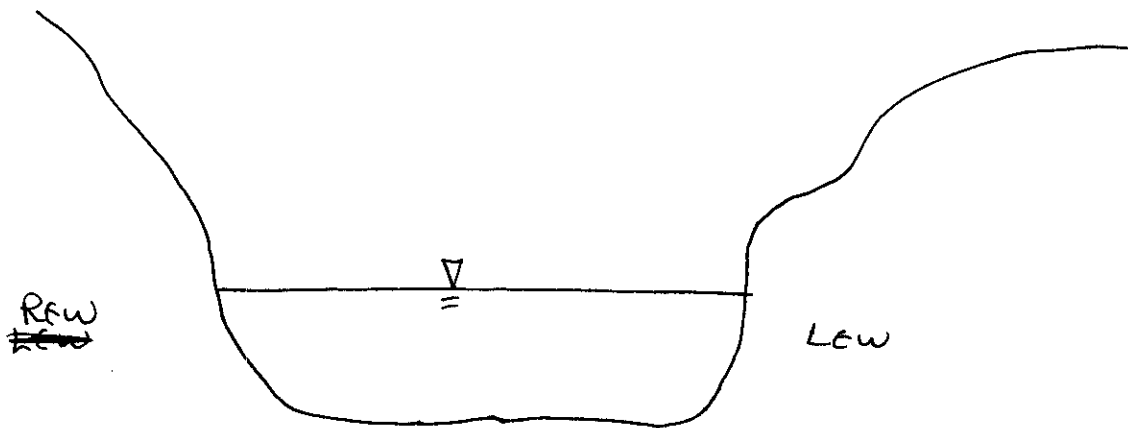
1. Measurement Location

Scale: _____ = _____



2 Cross-Section of Measurement

Scale _____ = _____



View Downstream

D. SUMMARY INFORMATION

1. Measurement rated _____ excellent ☒ good _____ fair _____ poor

2. Remarks: soft muddy bottom.

3. Width: _____ Area: _____ Discharge in cubic feet per second: _____

7-26-94
DATE

Steve Cell
SIGNATURE OF PERSON CONDUCTING MEASUREMENT

photos by
SCC
R41-14
7-26-94



A41-00039

A41-00046



Current Meter Measurement
SITE — US DITCH.

PHOTOS:
R41-14
by SCL
7-26-94



US DITCH

← HEADGATE

← SPILLWAY
DIVERSION

ON
Rock Creek



View Upstream @ Rock Cr.

PHOTOS:
R41-1A
by SCL
7-26-94



US DITCH
DIVERSION & MEASURING
BOX DEVICE.



DECREEO MEASURING BOX:
8ft LONG - 6" DEPTH



Water Right Number - 41-00039

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

UNITED STATES DITCH

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1880 17 SOUTHERN D - DECREED+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
ROCK CREEK SNAKE RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
09S 31E 31 SW SW 4 (77) POWER+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 1.000+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.000+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 30E 36 NE NE 01 IRRIGATION (77) POWER
09S 30E 36 SE NE 01 IRRIGATION (77) POWER
09S 30E 36 NE SE 01 IRRIGATION (77) POWER

+ - - Diversion Means - ORIGINAL HEADGATE, ESTABLISHED 1880; ORIGINAL U. S. DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
P/U NOT GIVEN IN DECREE, BUT IS LANDS UNDER ORIGINAL U. S. DITCH.
AC. IRRIG. = 40.
THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN
ARBITRATOR'S FINDINGS AND CONCLUSIONS. THE ONLY PARTY
LISTED IN PLEADINGS IS H. P. HOUTZ.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

Water right number - 41-00039

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +
HOUTZ

+ - - - - Decree Defendant - - - +
ET AL.

+ - Decree Date - +
06/06/1903

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 01/27/87 05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District - 41
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 06/06/1903	Presumption Flag -	