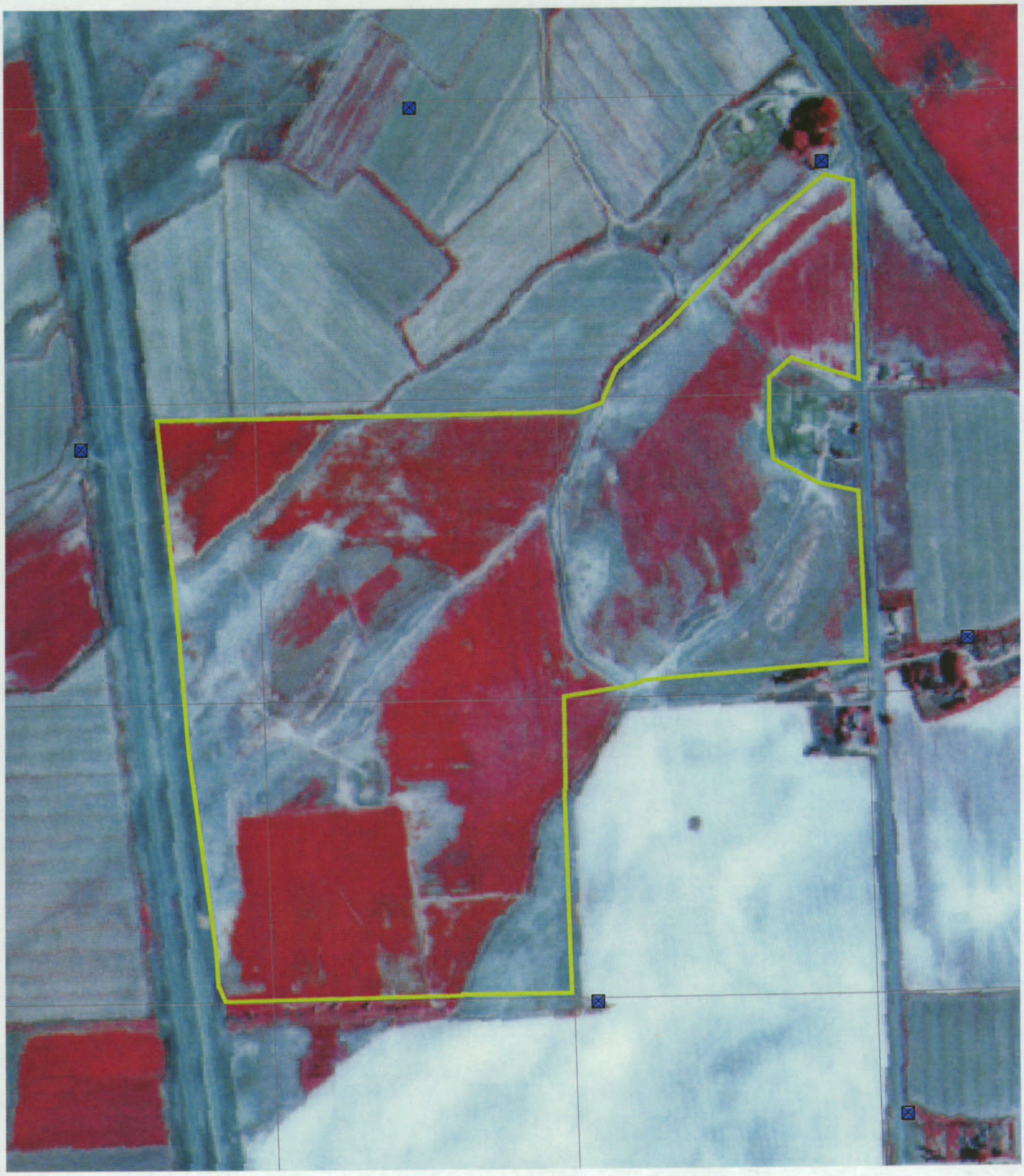
Water Right 31-62K and 31-63K
Revised Place of Use per
Notice of Error Review



T
7
N

****
Claim A31-00062K
Doc Source W41 9/4/1950
enlarged 200%
Date 6/9/00 Sig. B. Coulter

4734

Hamer Well

BM 4814

Well

Roadside Rest

22

HAMER

Well 4791

Well 4805

Well 4792

BM 4799

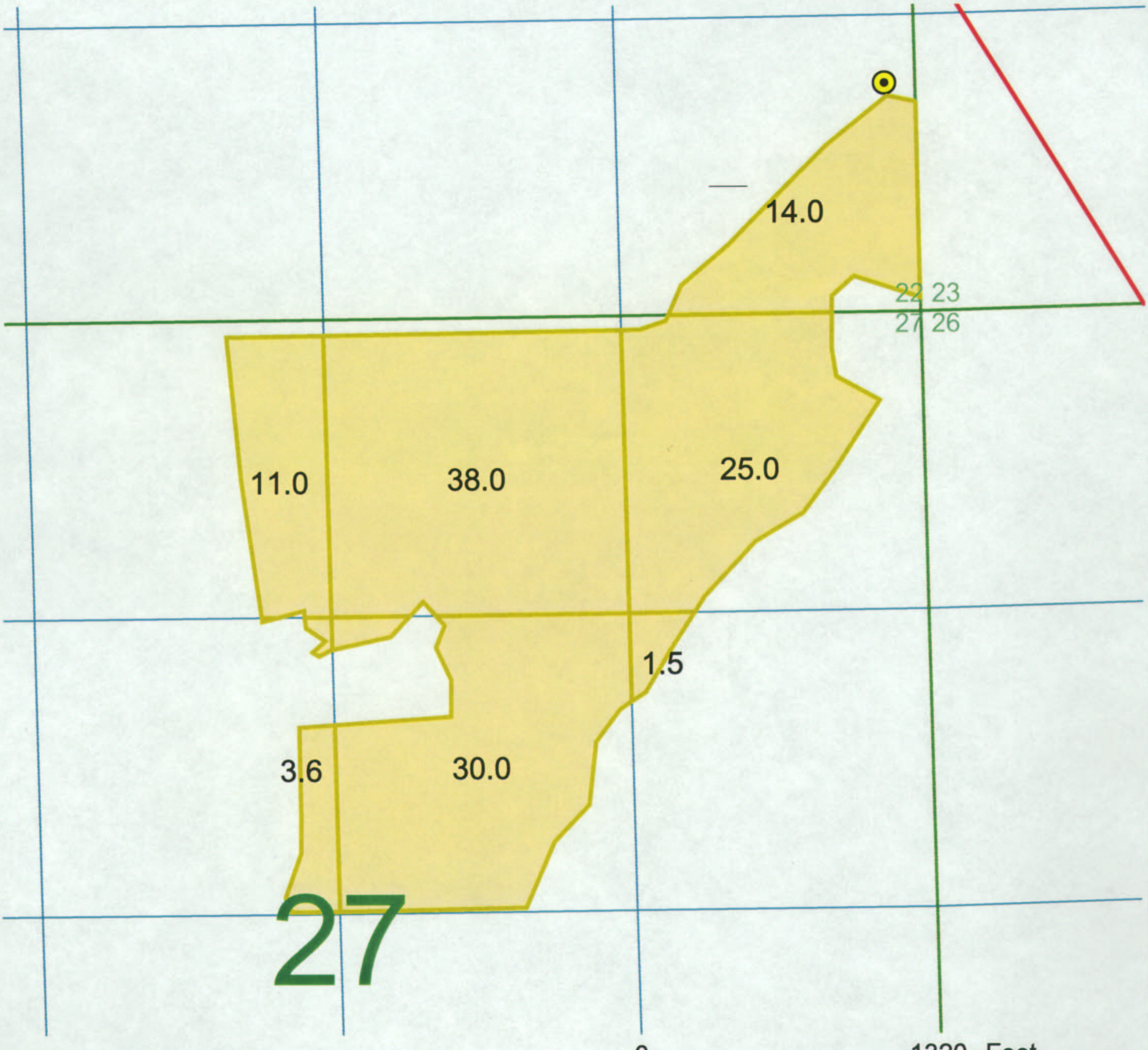
DITCH

27

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062K, 31-00063K

Township 7N Range 36E Section 22, 27

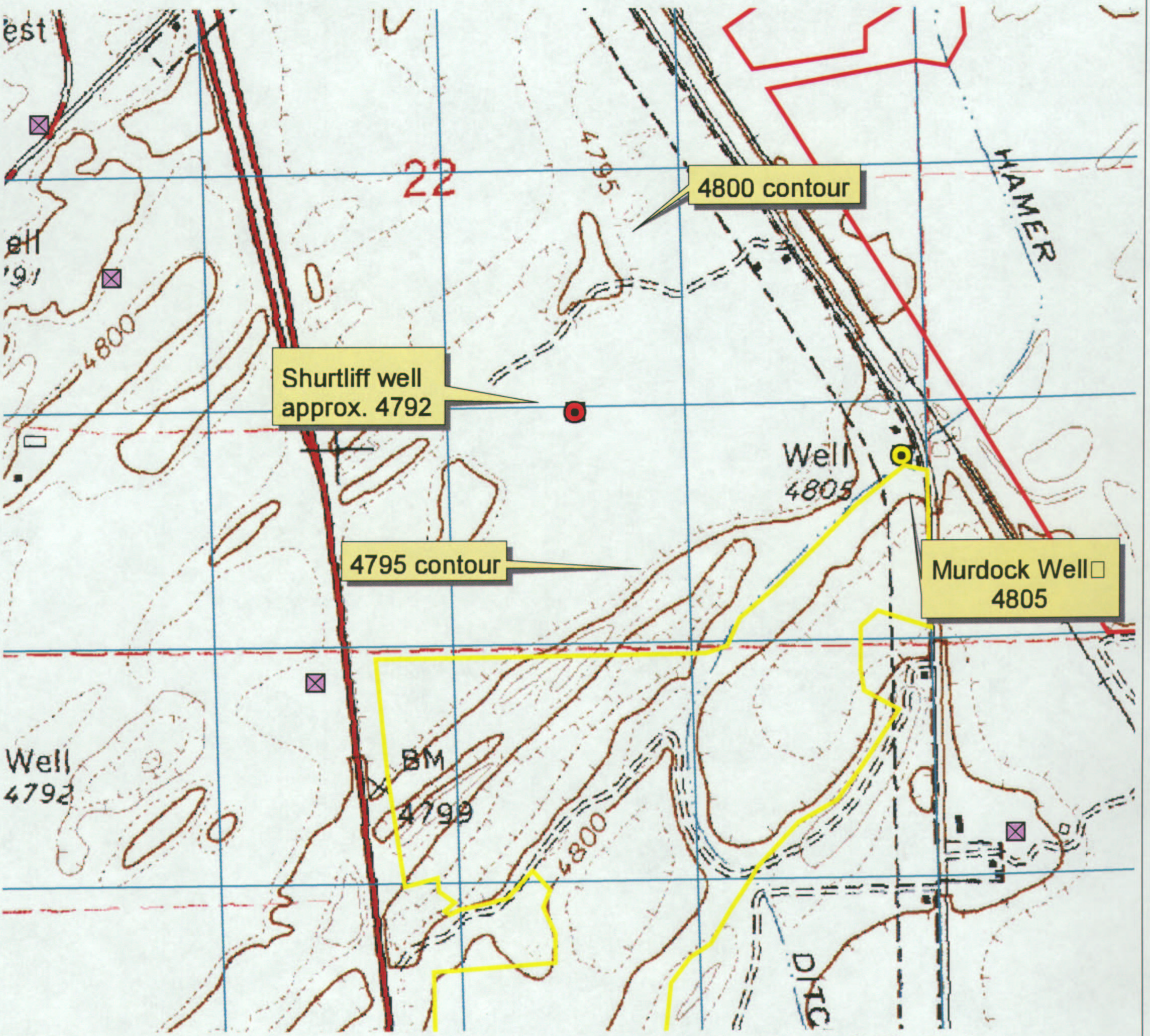


Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 6/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062K, 31-00063K

Township 7N Range 36E Section 22, 27

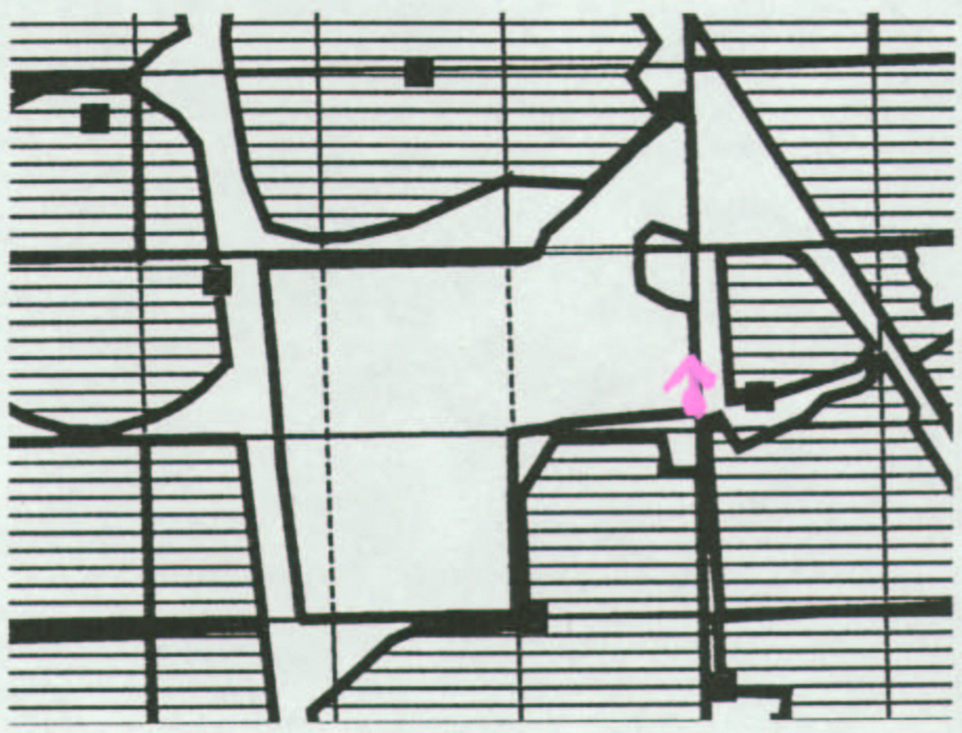


Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 6/2000

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 12

Looking N along E edge of POU from SE corner along Old Butte Hwy



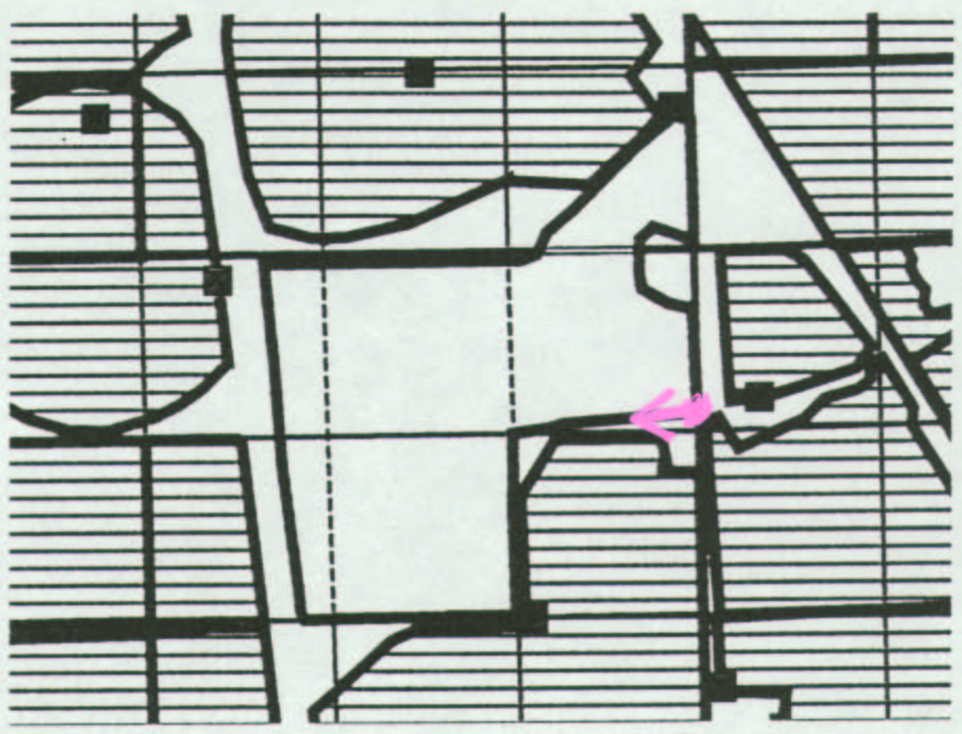


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 11

Looking West toward pivot stop at SE corner, along Old Butte Hwy.



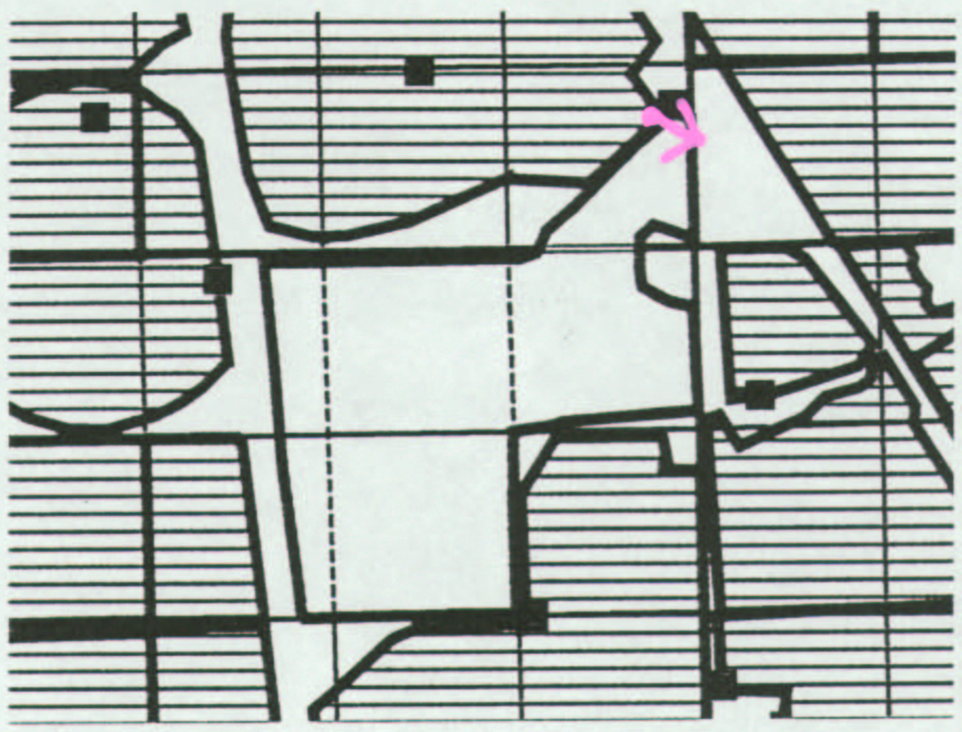


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 10

East edge of POU
looking SE.



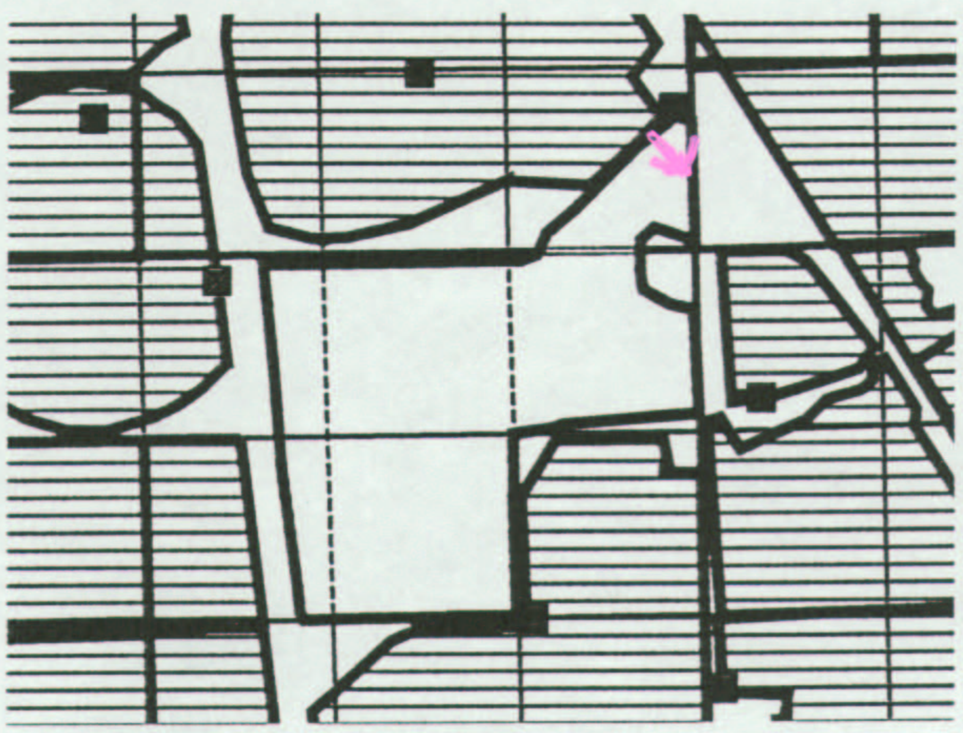


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 9

Flood in. POU



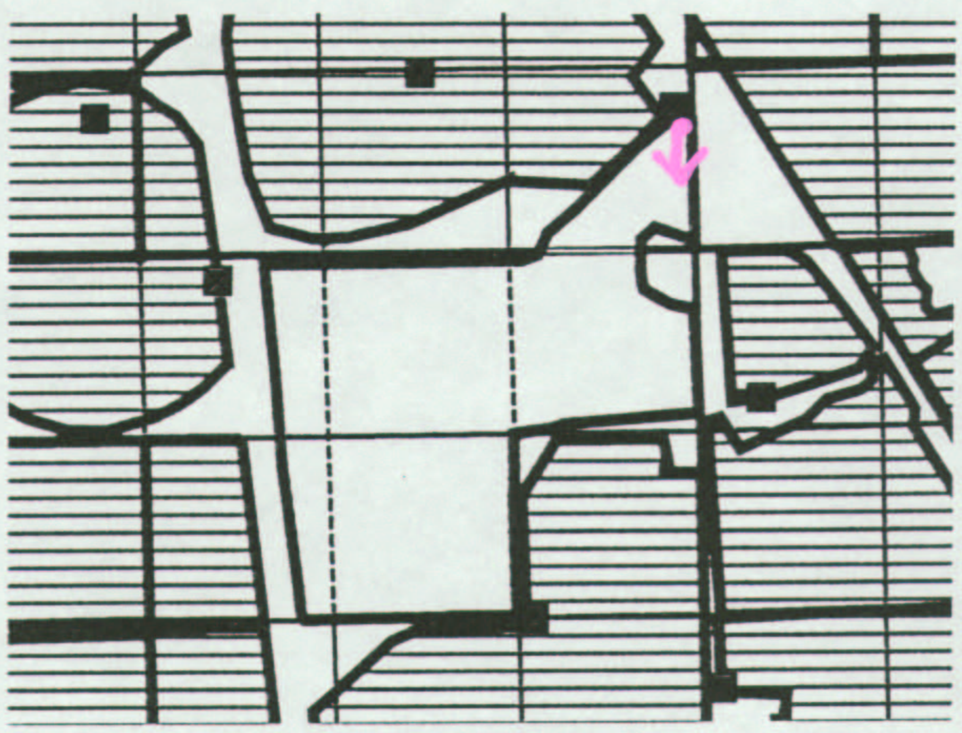


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 8

Place of use on east edge of flood irrigated corner in SE of section 22.



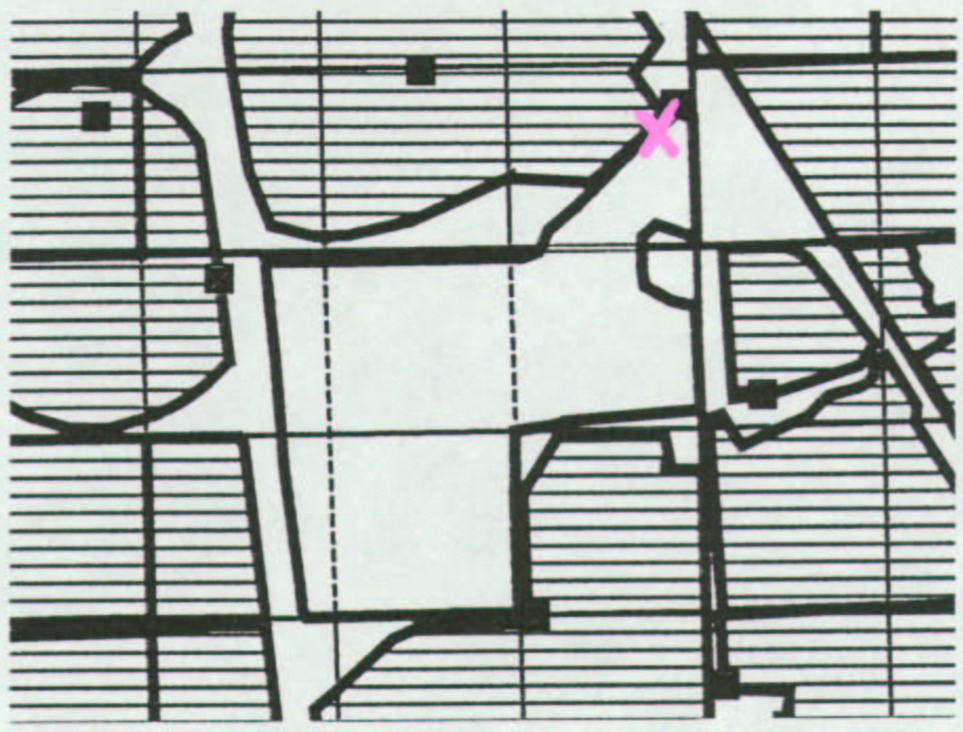


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 7

Inlet to culvert to pour from mainline dump valve.



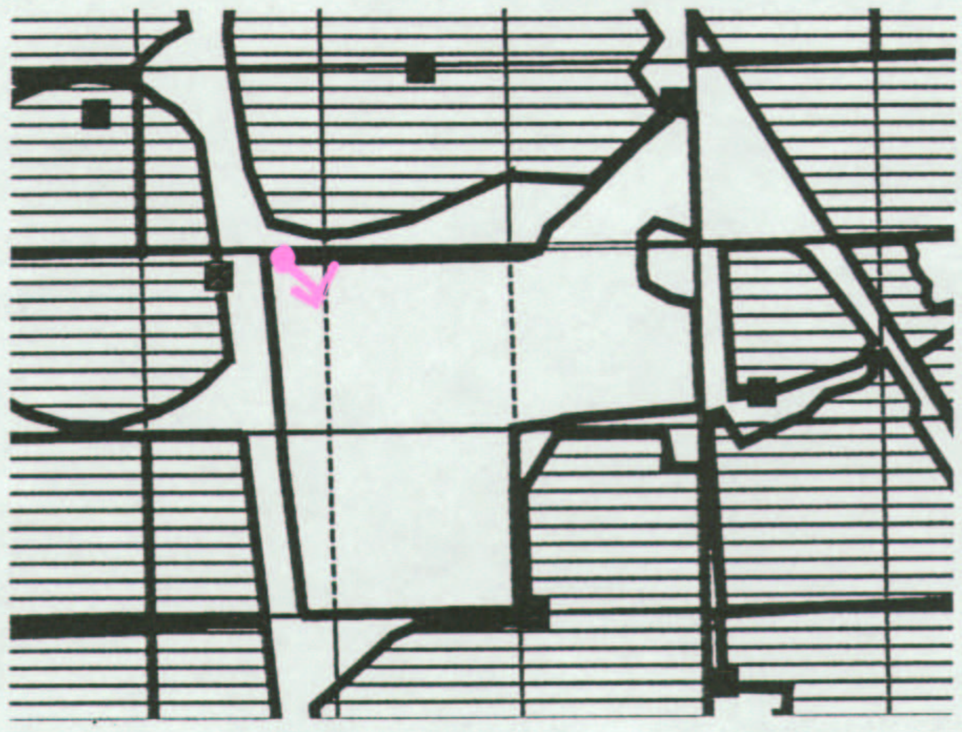


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 6

looking SE from NW corner of POU. Hand pipes laying in strip of uncut hay as marked in photo.





See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

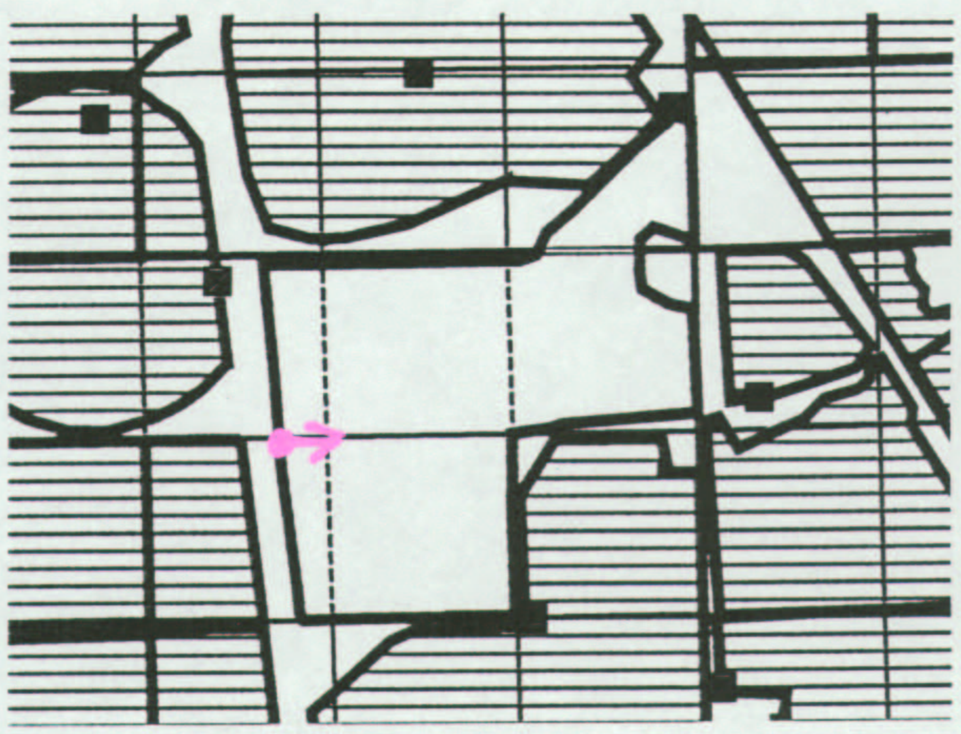




Photo 5

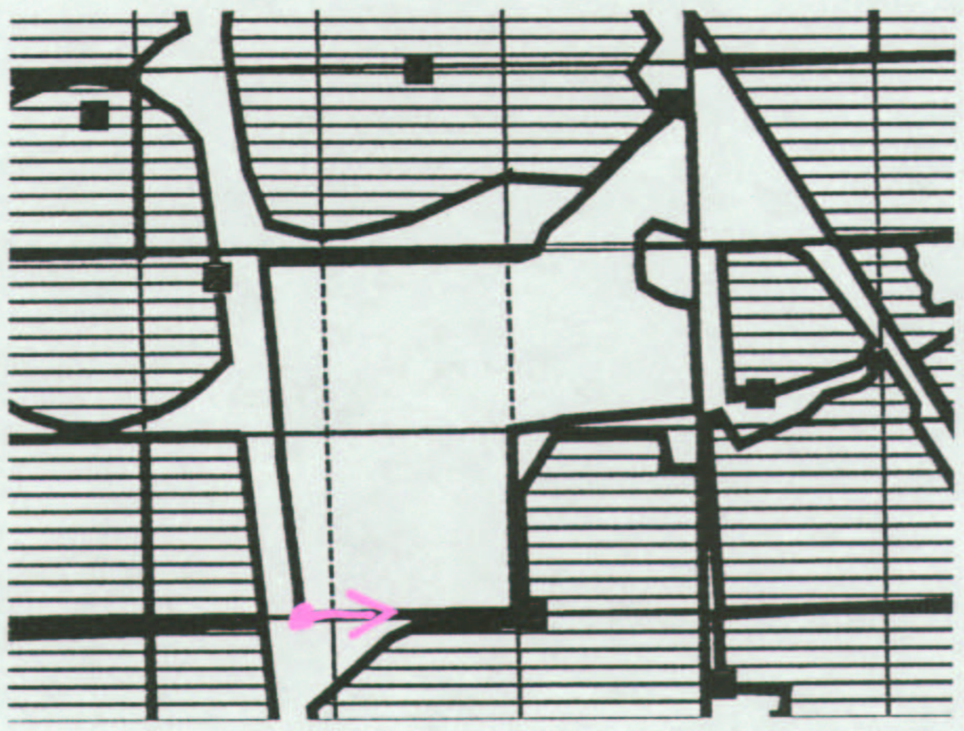
Looking East along mainline from West edge of POU

See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 4

Old ditch Levee on S edge of POU at SW corner of POU



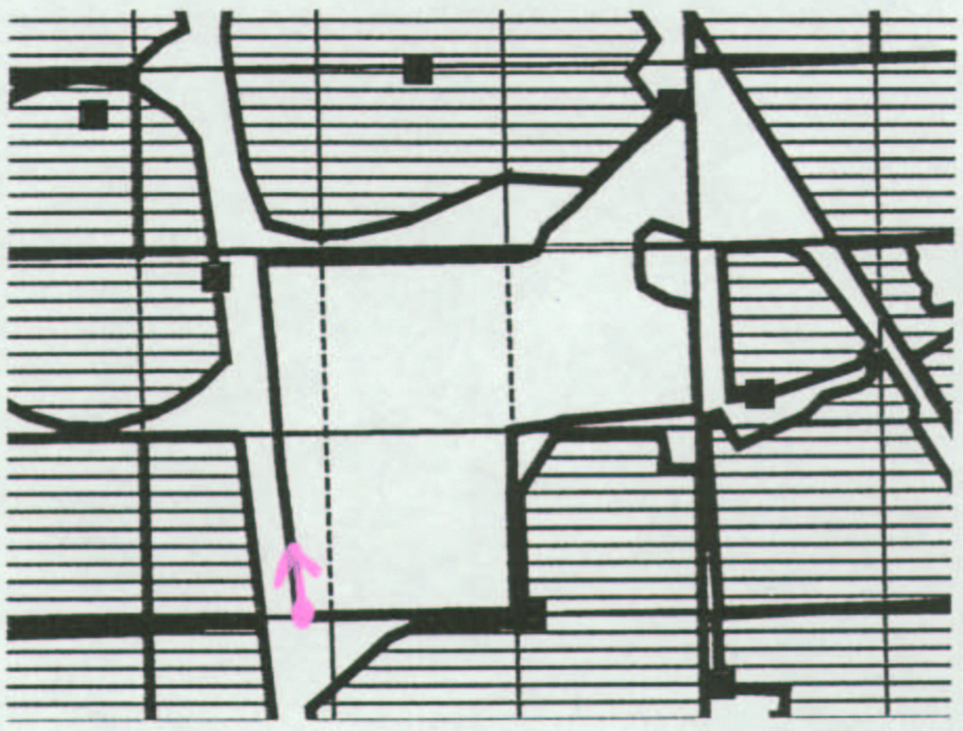


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo B

Looking N along W edge of POU from SW corner



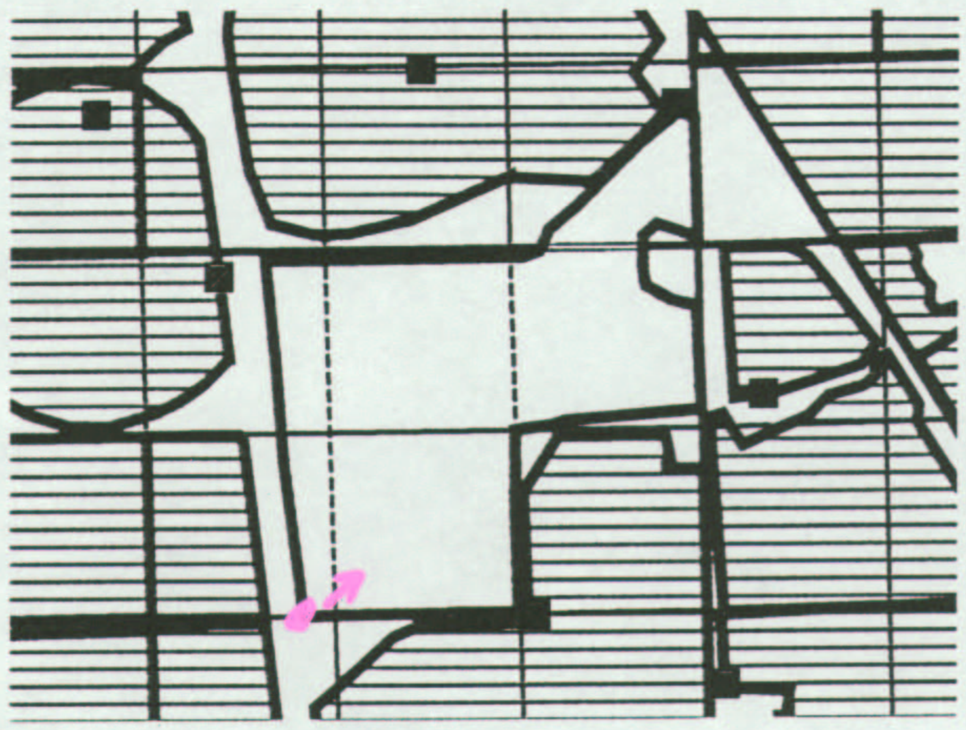


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 2

Looking NE at SW corner of POU.



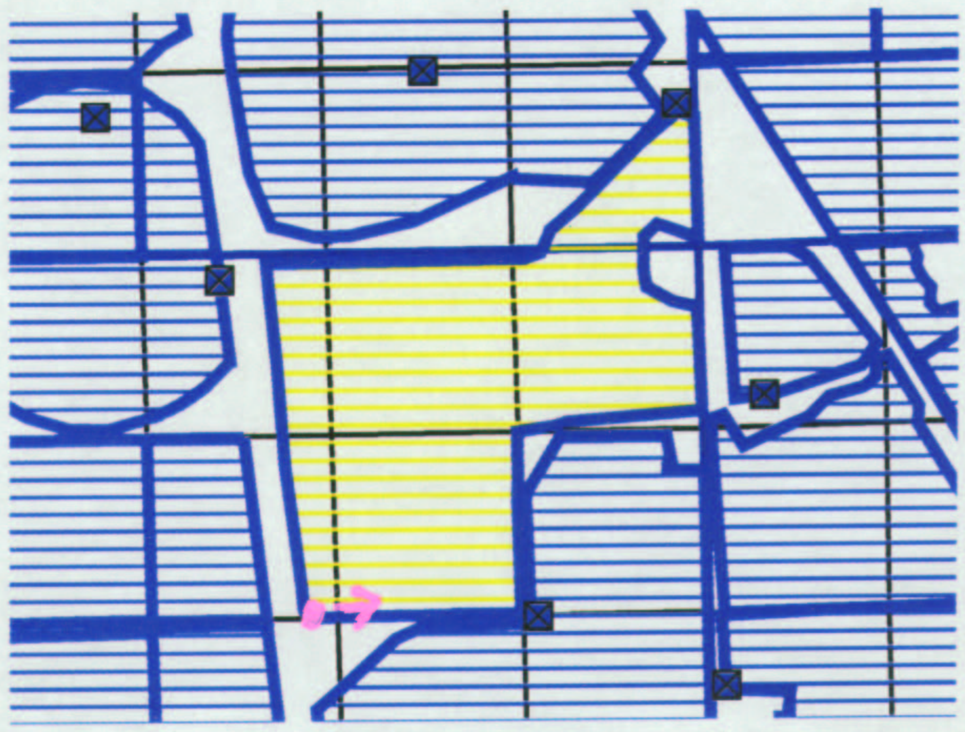


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 1

looking east @ SW corner of POU.





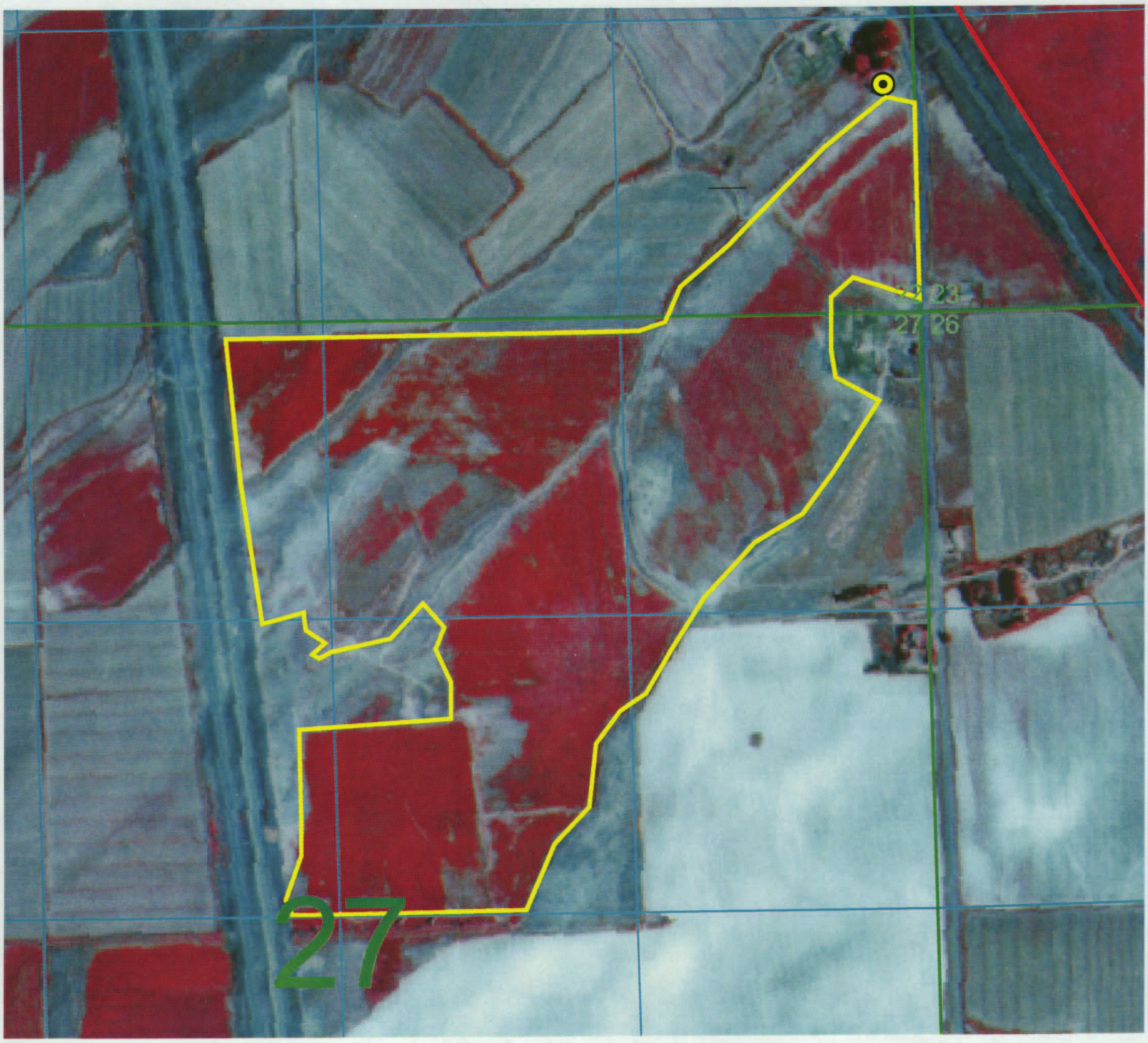
See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27


22
Dan & Steve
Murdock
31-62K
31-63K
3/20/2001
B. Conlon
photo
4 7-10
Flood
photo 6
photo
5
6 risers
~80 ft
photo 11, 12
27
photo 1-4

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062K, 31-00063K

Township 7N Range 36E Section 22, 27



Point(s) of Diversion, This WR
Other Points of Diversion
Place of Use, This WR
Other Places of Use
Section Lines
Quarter-quarter Sections

0 1320 Feet

N
W E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 6/2000

16

T 7 N

Pumphouse

Wells

4789

4793

4734

Hamer

Well

4821

4821

Well

BH 4814

Well

Roadside Rest

HAMER

21

22

23

Well 4731

Well 4805

4820

Well

Well 4792

BM 4799

4794

DITCH

28

27

26

Well

Well

BM 4816

4819

4813

UNION

PACIFIC

Well

Well 4796

Well 4816

33

34

35

4823

EM 4855

4867

****

Claim A31-00062K/63K

Doc Source NAPP W41

~~6/1/80~~ 9/4/1980

Date 6/7/00 Sig. SAC

03/21/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-62K

NAME AND ADDRESS: DAN MURDOCK
STEVE MURDOCK
1995 N 2500 E
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 2.06 CFS
510.3 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-63K IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 510.3 AF.

PRIORITY DATE: 10/31/1917

POINT OF DIVERSION: T07N R36E S22 NESESE Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	2.06 CFS 510.30 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T07N R36E S22	SESE	14	T07N R36E S27	NENE	34
T07N R36E S27	NWNE	38	T07N R36E S27	SWNE	40
T07N R36E S27	NENW	11	T07N R36E S27	SENW	8.8

145.8 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 145.8 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062K, 31-00063K.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A31-00062K**
Date Received: 11/28/1988
Receipt No: E004522
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: DAN MURDOCK 208-662-5257
   Address: 1995 N. 2500 E.
   HAMER, ID 83425
   OR
   Name: STEVE MURDOCK 208-662-5257
   Address: 1995 N. 2500 E.
   HAMER, ID 83425

A3100062K

2. Date of Priority: OCT 31, 1917

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	36E	22	NE	SE	SE		JEFFERSON

5. Description of diverting works:
   WELL, 180' DEEP, PUMP 60 HP. MOTOR, OPEN DISCHARGE INTO HAMER C.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.160		

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

8. Total consumptive use is 395.0 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
NOV 1 / 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
07N	36E	22	SE	SE		IRR	17.0
					Section Acres		17.0
		27	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	35.0
			SE	NE		IRR	1.0
			NE	NW		IRR	14.0
			SE	NW		IRR	12.0
					Section Acres		142.0
					Total Acres		159.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
A31-00063K

14. Remarks:
RIGHTS ORIGINALLY WERE IN THE NAME OF HAMER CANAL CO.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 11/01/1930

ERNEST SAUVE
Decree Plaintiff

vs

W. H. ABBOTT
Decree Defendant

MICROFILMED
NOV 17 1992

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Dan Mabbott Date: 11-28-88

_____ Date: _____

State of Idaho)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 28 day of Nov. 19 88.

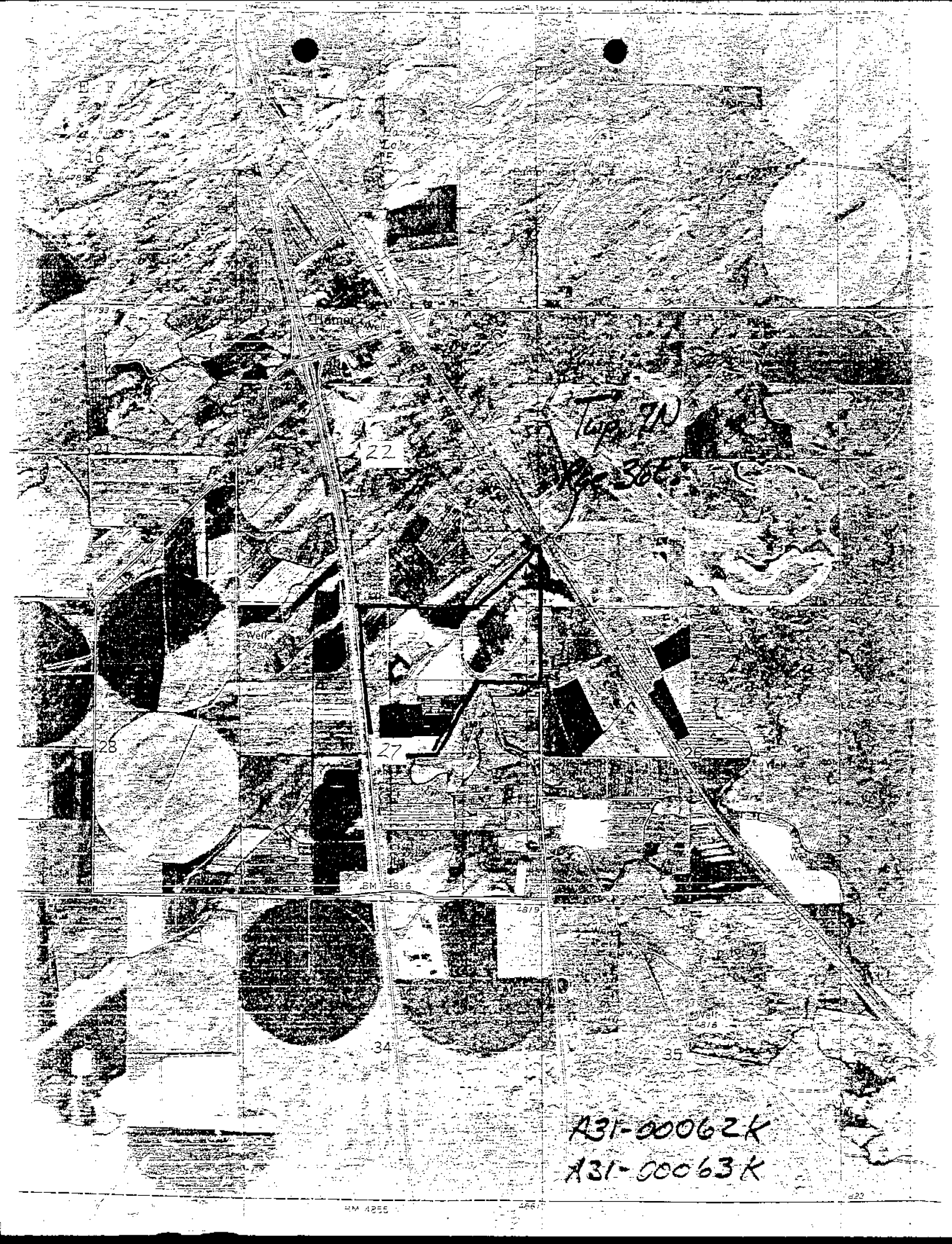
Ernest Carlson
Notary Public

Seal

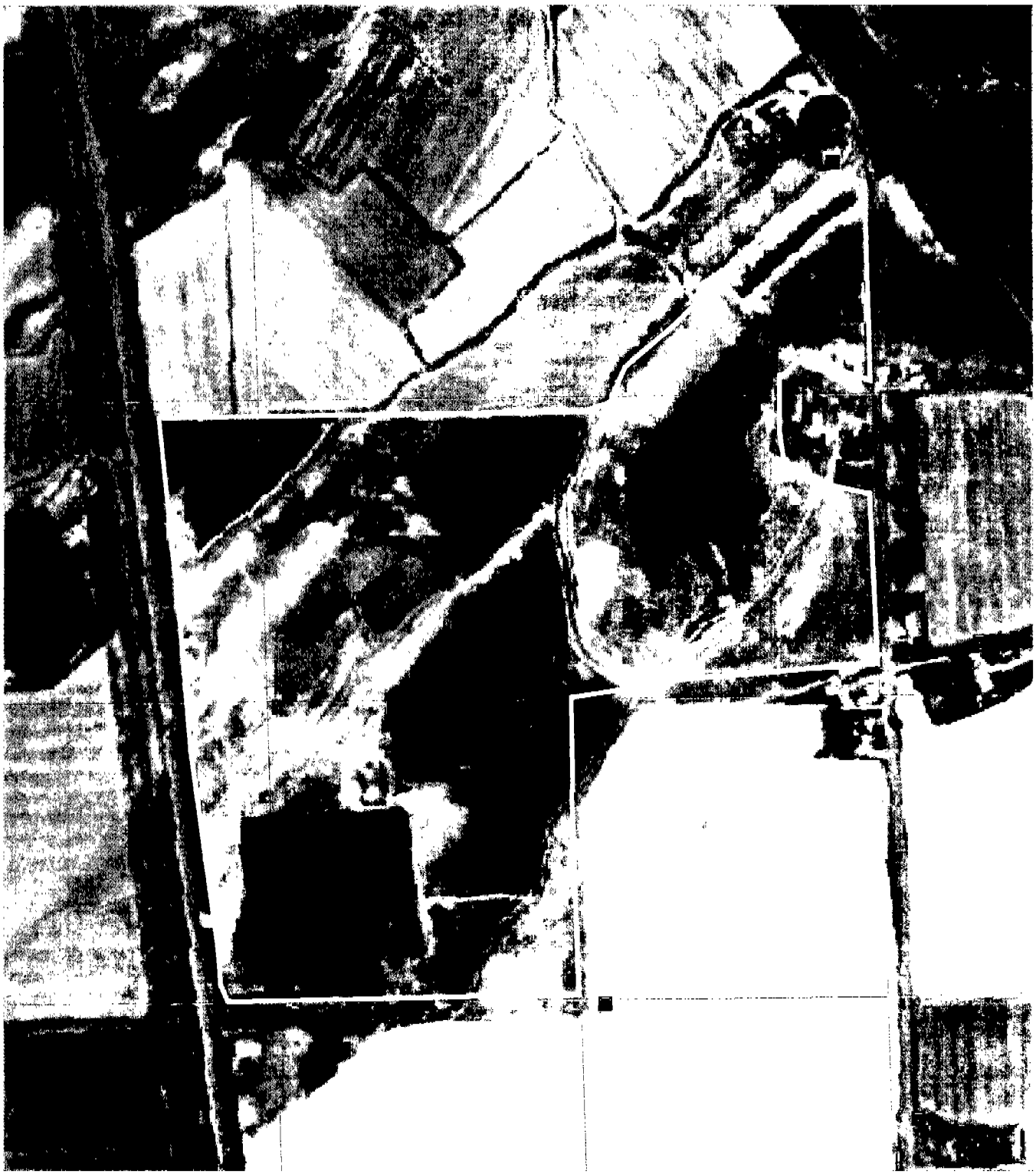
Residing at Idaho Falls, Id.

My Commission Expires 14 June 1994

MICROFILMED
NOV 17 1992


Twp. 21
Rge. 36E.
A31-00062K
A31-00063K

Water Right 31-62K and 31-63K
Revised Place of Use per
Notice of Error Review



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

25:02:2
03/11/98

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A51-00062K

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	BAR HURDOCK	10/31/1917	IRRIGATION	04-01	~~11-01~~ 10-31	~~5.16~~ CFS	304.5 510.3
C	STEVE HURDOCK					~~5.16~~ CFS	
	1995 N. 1500 E.			TOTAL DIVERSION:		1.74 2.06	
	HAMER ID 83425			CONSUMPTIVE USE:			395.0 AFA
	(208) 662-5857						

WATER SOURCE: GROUNDWATER TRIBUTARY TO: STAGE: DECREED

POINT(S) OF DIVERSION: T07N R36E S22 NESESE Hamer Canal Well JEFFERSON COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

			NE					NW					SW					SE					
			NENE	NWNE	SWNE	SENE		NENW	NWNW	SWNW	SENW		NESW	NWSW	SWSW	SESW		NESE	NWSE	SWSE	SESE		
T	R	S	LT AC	LT AC	LT AC	LT AC		LT AC	LT AC	LT AC	LT AC		LT AC	LT AC	LT AC	LT AC		LT AC	LT AC	LT AC	LT AC		SUM
07N	36E	27	40	40	35						12												127.0
																	TOTAL ACRES						189.0

See GIS 145.8 ~~133.1~~ acres.

POU COUNTY: JEFFERSON C03, C18

OTHER RIGHTS: A51-00063K

REMARKS: RIGHTS ORIGINALLY HERE IN THE NAME OF HAMER CANAL CO.

DATES: EXAM MADE DATE: VERIFIED DATE:

MISC: WATER DISTRICT NUMBER: FIELD INSPECTION FLAG:
PRESUMPTION FLAG: C

145.8
POU1 E14 31-00062K, 63K ~~133.1~~ acres
CONT 31-62K, 63K 510.3 acre ft.
Red = revision per NDE 3/21/01

****
POD ID
POU ID
****

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/15/93

GENERAL INFORMATION

CLAIM NUMBER: 31-90062K

LAST: NURDOCK FIRST: DAN
ADDRESS: 1995 N. 2500 E.
CITY: HAMER STATE: ID ZIP: 83425
PHONE NUMBER: 208-662-5257

OWNER CODE: C

LAST: NURDOCK FIRST: STEVE
ADDRESS: 1995 N. 2500 E.
CITY: HAMER STATE: ID ZIP: 83425
PHONE NUMBER: 208-662-5257

OWNER CODE: C

	DATABASE	FIELD EXAMINER
FIELD EXAM REQUIRED?		
VERIFICATION REQUIRED DUE TO REMARKS?	Y	

CLAIM REMARKS: RIGHTS ORIGINALLY WERE IN THE NAME OF HAMER CANAL CO.

FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A31-00062K

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 / NOTES:

Desktop Review 6/9/00.

Review Data is file, see also documentation
is A31-00062A, 31-00063A, 31-00062Q, 31-00063Q,
31-00063L, 31-00062L.

PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A31-00062K

A. AJ CLAIM: # A31-00062K PRIORITY DATE: 10-31-1917 STAGE: D

B. WR RECORD: # 31-00062K PRIORITY DATE: 10-31-1917 STAGE: D

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)	N	

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

NOTES:

RECOMMENDED PRIORITY DATE:
10-31-1917

REVIEWED BY bac DATE 6/9/00

POINT OF DIVERSION REVIEW SHEET

CLAIM NUMBER: A31-00062K

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00062K	07N	56E	22	NE	SE	SE		JEFFERSON

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A31-00062J	NONE
A31-00063J	
A31-00065K	
A31-10524	

WR RECORDS IN SAME 40 ACRE TRACT

- 31-00062J
- 31-00063J
- 31-02206

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-00062K	07N	56E	27		SW	SW		JEFFERSON
31-00062K	07N	56E	33		NW	SE		JEFFERSON

OTHER WR RECORDS WITH SAME WR POD

- 31-00963K
- 31-07270

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A31-00062A	NONE
A31-00065A	
A31-07270	

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

NOTES:

WR POD in Section 27 is probably an error - POD is original Hamm Canal well in Section 22. Coded CO3 to reflect change in description. POD confirmed by GPS and Newman field inspection

POINT OF DIVERSION REVIEW SHEET CONTINUED

CLAIM NUMBER: 41-00052K

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
7N	36E	22	NE	SE	SE			Hames Canal well

SOURCE: GROUNDWATER TRIB:

REVIEWED BY: BAC DATE: 6/9/00

SYSTEM DESCRIPTION:

well to mainline, pivot & hand lines.

PLACE OF USE REVIEW SHEET

CLAIM NUMBER: A31-00052K

A. ROOT WATER RIGHT NUMBERS: A31-00062A
A31-00062F
A31-00062H
A31-00062D
A31-00062C
A31-00062J
A31-00062K
A31-00062L

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	dR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	36E	22	SE	SE		MURDOCK , DAN	A31-00062K /17.0	- /	39.0		
			SE	SE		SHURTLIFF , RENE	A31-00062J /30.0	31-00062J /40.0			
			SE	SE		SHURTLIFF , RENE	A31-00063J /30.0	31-00063J /40.0			
			SE	SE		SHURTLIFF , LELLA	A31-10524 /	- /			
			SE	SE		MURDOCK , DAN	A31-00063K /17.0	- /			
			SE	SE		HAMER CANAL CO.		31-02206 /40.0			
			SE	SE		HAMER CANAL CO.		31-04002 /			
07N	36E	27	NE	NE		MURDOCK , DAN	A31-00062K /40.0	- /	42.0		
			NE	NE		MURDOCK , DAN	A31-00063K /40.0	- /			
			NE	NE		MURDOCK , DAN	A31-10580 /	- /			
			NE	NE		HAMER CANAL CO.		31-02206 /40.0			
			NE	NE		HAMER CANAL CO.		31-04002 /			
			NE	NE		HAMER CANAL CO.		31-00062J /40.0			
			NE	NE		HAMER CANAL CO.		31-00063J /40.0			
07N	36E	27	NW	NE		MURDOCK , DAN	A31-00062K /40.0	- /	39.0		
			NW	NE		MURDOCK , DAN	A31-00063K /40.0	- /			
			NW	NE		HAMER CANAL CO.		31-02206 /40.0			
			NW	NE		HAMER CANAL CO.		31-04002 /			
			NW	NE		HAMER CANAL CO.		31-00062J /40.0			
			NW	NE		HAMER CANAL CO.		31-00063J /40.0			
07N	36E	27	SW	NE		MURDOCK , DAN	A31-00062K /35.0	- /	34.0		
			SW	NE		MURDOCK , DAN	A31-00063K /35.0	- /			
			SW	NE		HAMER CANAL CO.		31-02206 /40.0			
			SW	NE		HAMER CANAL CO.		31-04002 /			
			SW	NE		HAMER CANAL CO.		31-00062J /40.0			
			SW	NE		HAMER CANAL CO.		31-00063J /40.0			

see GIS

PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-00062K

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		WR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	36E	27	SE	NE		MURDOCK , DAN	A31-00062K	/ 1.0	-	/	41.0		
			SE	NE		SAVAGE , AARON	A31-00062B	/40.0	31-00062B	/40.0			
			SE	NE		SAVAGE , AARON	A31-00063D	/40.0	31-00063D	/40.0			
			SE	NE		SAVAGE , AARON	A31-10584	/	-	/			
			SE	NE		MURDOCK , DAN	A31-00063K	/ 1.0	-	/			
			SE	NE		HAMER CANAL CO.			31-02206	/37.0			
			SE	NE		HAMER CANAL CO.			31-04002	/			
07N	36E	27	NE	NW		MURDOCK , DAN	A31-00062K	/14.0	-	/	34.0		
			NE	NW		SANDERS , REESE	A31-00062N	/25.0	31-00062N	/25.0			
			NE	NW		SANDERS , REESE	A31-00063N	/25.0	31-00063N	/25.0			
			NE	NW		MURDOCK , DAN	A31-00063K	/14.0	-	/			
			NE	NW		HAMER CANAL CO.			31-02206	/31.0			
			NE	NW		HAMER CANAL CO.			31-04002	/			
07N	36E	27	SE	NW		MURDOCK , DAN	A31-00062K	/12.0	-	/	37.0		
			SE	NW		MURDOCK , DAN	A31-00063K	/12.0	-	/			
			SE	NW		HAMER CANAL CO.			31-02206	/32.0			
			SE	NW		HAMER CANAL CO.			31-04002	/			
			SE	NW		SANDERS , REESE			31-00062N	/30.0			
			SE	NW		SANDERS , REESE			31-00063N	/30.0			
			TOTAL ACRES			A31-00062K		159.00			271.00		

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

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POU DISCREPANCY? (Y/N)	Y	N

POU COUNTY: JEFFERSON

 CLAIM NUMBER: A51-00052K

PRESUMPTION FLAG: C

NOTES:
GIS POU is generous interpretation relying partly on 1980 NAPP (photo in file) NRCS exam indicates pivot has since been installed. Claimant may disagree, NOE process will afford opportunity for add'l documentation

RECOMMENDATIONS:
TOTAL ACRES: 123.1
REVIEWED BY: BAC DATE: 6/9/00

Following NOE & submission of Rene Shurtliff & Aaron I Savage affidavit, I did a field inspection. While affidavit is inconclusive as to actual acreage irrigated, recommended POU is consistent w/ Homer Canal decree & w/ handling of formal transfers for other Homer Canal users. Claimant owns 33 shares, nominally entitled for 5 acres/share or 165 acres. Recommended POU encompasses all currently irrigated lands.

BAC 3/21/01

PURPOSES REVIEW SHEET CLAIM NUMBER: A31-00062K

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-00062K	IRRIGATION	FROM 04-01 TO 11-01	3.160 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		3.160 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-00062K	IRRIGATION	FROM 05-01 TO 09-01	4.080 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		4.080 CFS

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(__) N(/)

RECOMMEND TO WR STANDARDS OR OTHER? Y(/) N(__) EXPLAIN IN NOTES, BELOW.

NOTES:

No period on decree, recommend current DWR std.

DIVERSION AMOUNT REVIEW SHEET CLAIM NUMBER: A51-00052K

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

AJ TOTAL CLAIMED DIVERSION RATE: 3.160 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.080 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 NOTES. **

See documentation of split history in file, and additional data in A31-00062A.

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

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

Note that original decree makes these stated rights on PPU basis; Therefore we recommend on a PPU basis w/o individual right limitation, but w/ combined acreage limitation

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

See reviews in file.

OTHER RIGHTS LISTED IN CLAIM: A31-00063K

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-00052K	GROUNDWATER	MURDOCK , DAN	3.160	0.019		
A51-00052D	GROUNDWATER	SAVAGE , AARON	2.850	0.014		
A51-00052M	GROUNDWATER	SANDERS , REESE	2.460	0.019		
A51-00052J	GROUNDWATER	SHURTLIFF , RENE	3.440	0.020		
A51-00053D	GROUNDWATER	SAVAGE , AARON	1.170	0.005		
A51-00053M	GROUNDWATER	SANDERS , REESE	1.020	0.008		
A51-00053J	GROUNDWATER	SHURTLIFF , RENE	3.440	0.020		
A51-00063K	GROUNDWATER	MURDOCK , DAN	3.160	0.019		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A51-10524	DOMESTIC	SHURTLIFF , LELLA	FROM 01-01 TO 12-31	.040 CFS	
A51-10524	STOCKWATER	SHURTLIFF , LELLA	FROM 01-01 TO 12-31	.050 CFS	
A51-10550	DOMESTIC	MURDOCK , DAN	FROM 01-01 TO 12-31	.040 CFS	
A51-10550	STOCKWATER	MURDOCK , DAN	FROM 01-01 TO 12-31	.120 CFS	
A51-10554	DOMESTIC	SAVAGE , AARON	FROM 01-01 TO 12-31	.040 CFS	

CLAIM NUMBER: A81-000626

8. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE
ACRES 123.1 X 0.02 CFS/ACRE = 2.46 CFS
(TAKEN FROM P/U REVIEW)

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 = 895.0 AF/A

ACRES _____ X CONSUMPTIVE USE AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 123.1 X DIVERSION VOL. AF/A FOR AREA 3.5 = 430.9

TOTAL DIVERSION VOLUME 430.9 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(__) N(__) N/A

WR RECORD CONDITIONS/REMARKS:
TO7 - THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED
- WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.
TO8 - FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE
- FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL
- OF THE TRANSFER SHOULD NOT BE RESCINDED.
T09 - APPROVAL OF THIS TRANSFER DOES NOT PRECLUDE THE OPPORTUNITY FOR
- REVIEW OF THE VALIDITY OF THE WATER RIGHT(S) IN THE ONGOING
- SNAKE RIVER BASIN ADJUDICATION.
TRANSFER NO. 2094 SPLIT 81-000626 INTO PARTS J & K AND UPDATED
PLACE OF USE/ACREAGE IRRIGATED BY MCGARRY RANCHES.

This is part of unchanged portion of transfer

18. CALCULATIONS

123.1 X .03 = 3.69

145.8 X 0.02 = 2.92

capacity per NWMD = 2.05 (theoretical @ 49KW)

= 2.79 (measured)

(See next page)

62K $\frac{21.2}{30.0}$ X 2.92 = 2.06

63K 2.92 − 2.06 = 0.86

Volume 62K → 510.3

63K → 365

combined total 510.3

acre ft: 145.8 X 3.5 = 510.3

2.06 X 1.9835 X 214 = 874.4

0.86 X 1.9835 X 214 = 365

BIC 3/21/01

DIVERSION AMOUNT REVIEW SHEET CONTINUED CLAIM NUMBER: A31-00062K

TRANSFER NO. 3808 ADDS AN ADDITIONAL POINT OF DIVERSION.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

0.02/acre exceeds theoretical capacity (See file). Recommend total diversion rate of 2.46 for 31-00062K/63K. Use cfs ratio of original decrees: See below

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM	REC. PERIOD TO	REC. DIV RATE CFS DATABASE	REC. DIV RATE CFS EXAMINER	REC. DIV VOL. AF/A DATABASE	REC. DIV VOL. AF/A EXAMINER	REC. CONS. USE DATABASE	REC. CONS. USE EXAMINER
IRRIGATION	04-01	11-01	~~3.160~~	2.46		~~430.9~~	~~395.0~~	
TOTAL FOR THIS RIGHT			~~3.160~~				395.0	

REVIEWED BY: DAC DATE: 6/9/00

Original Decree 31-00062 21.2 cfs, 31-00063 8.8 cfs, total 30.0 cfs.

CFS

62K $\frac{21.2}{30.0} \times 2.46 = 1.74$

63K $\frac{8.8}{30.0} \times 2.46 = 0.72$

$\Sigma = 2.46$

Acre feet

62K $\frac{21.2}{30.0} \times 430.9 = 304.5$

63K $\frac{8.8}{30.0} \times 430.9 = 126.4$

$\Sigma = 430.9$

BASIS OF CLAIM REVIEW SHEET CLAIM NUMBER: A31-00062K

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00062

TOTAL DIVERSION RATE OF WR SPLITS — DATABASE: 21.200 — EXAMINER: _____ — CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-00062A	4.030	-		31-00062A	
-	A31-00062F	2.690	-		31-00062F	2.690
-	A31-00062M	2.460	-		31-00062M	2.460
-	A31-00062D	2.850	-		31-00062D	2.830
-	A31-00062C	1.240	-		31-00062C	
-	A31-00062J	3.440	-		31-00062J	7.210
-	A31-00062K	3.169	-		31-00062K	4.050
-	A31-00062L	1.580	-		31-00062L	1.240
-	-		-		31-00062	
-	-		-		31-00062E	
-	-		-		31-00062G	
-	-		-		31-00062M	3.760
	TOTAL CFS	21.430				21.200

DIVERSION RATE REVIEW

	DATABASE	FIELD EXAMINER
DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	N	_____
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)		_____

NOTES:

See A31-00062A /63A for detailed split history & analysis.

AUTHENTICATION:

SIGNATURE: Bryce A. Conlon DATE: 6/9/00

NAME OF FIELD EXAMINER: Bryce A. Conlon TITLE: SWA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/98

QUICKLOOK INFORMATION

CLAIM NUMBER: A31-00052K

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						CVR BAC 6/9/00		
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
MAPP 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.

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

March 21, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAN MURDOCK
STEVE MURDOCK
1995 N 2500 E
HAMER ID 83425

RE: NOTICE OF ERROR

Dear Sirs:

Water Agent Bryce Contor has finished reviewing your Notice of Error for water right numbers 31-00062K and 31-00063K, and has adjusted the claims accordingly.

Enclosed for your records are copies of the recommendations and an aerial photo of the property.

If you have any questions feel free to contact Bryce Contor at this office.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	DAN MURDOCK	10/31/1917	IRRIGATION	04-01	10-31	1.740 CFS	304.50 AFA
C	STEVE MURDOCK 1995 N 2500 E HAMER ID 83425 (208) 662-5257				TOTAL DIVERSION:	1.740 CFS	304.50 AFA

Water Source: GROUNDWATER Tributary to: Stage: DECREED

Point(s) of Diversion: T07N R36E S22 NESESE JEFFERSON County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
07N	36E	22																14	14.0
07N	36E	27	25	38	30	01	11			03									109.1
																		TOTAL ACRES	123.1

POU County: JEFFERSON

Other Rights: A31-00063K

Conditions of Approval:

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 123.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062K, 31-00063K.

Dates: Exam Made Date: Verified Date: 06/09/2000 Objection Filed Date:

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

Comments: Date: 06/09/2000 User-ID: BCONTOR Subject: COPIED FROM REMARKS
RIGHTS ORIGINALLY WERE IN THE NAME OF HAMER CANAL CO.

Date: 06/09/2000 User-ID: BCONTOR Subject: CHANGE IN POD

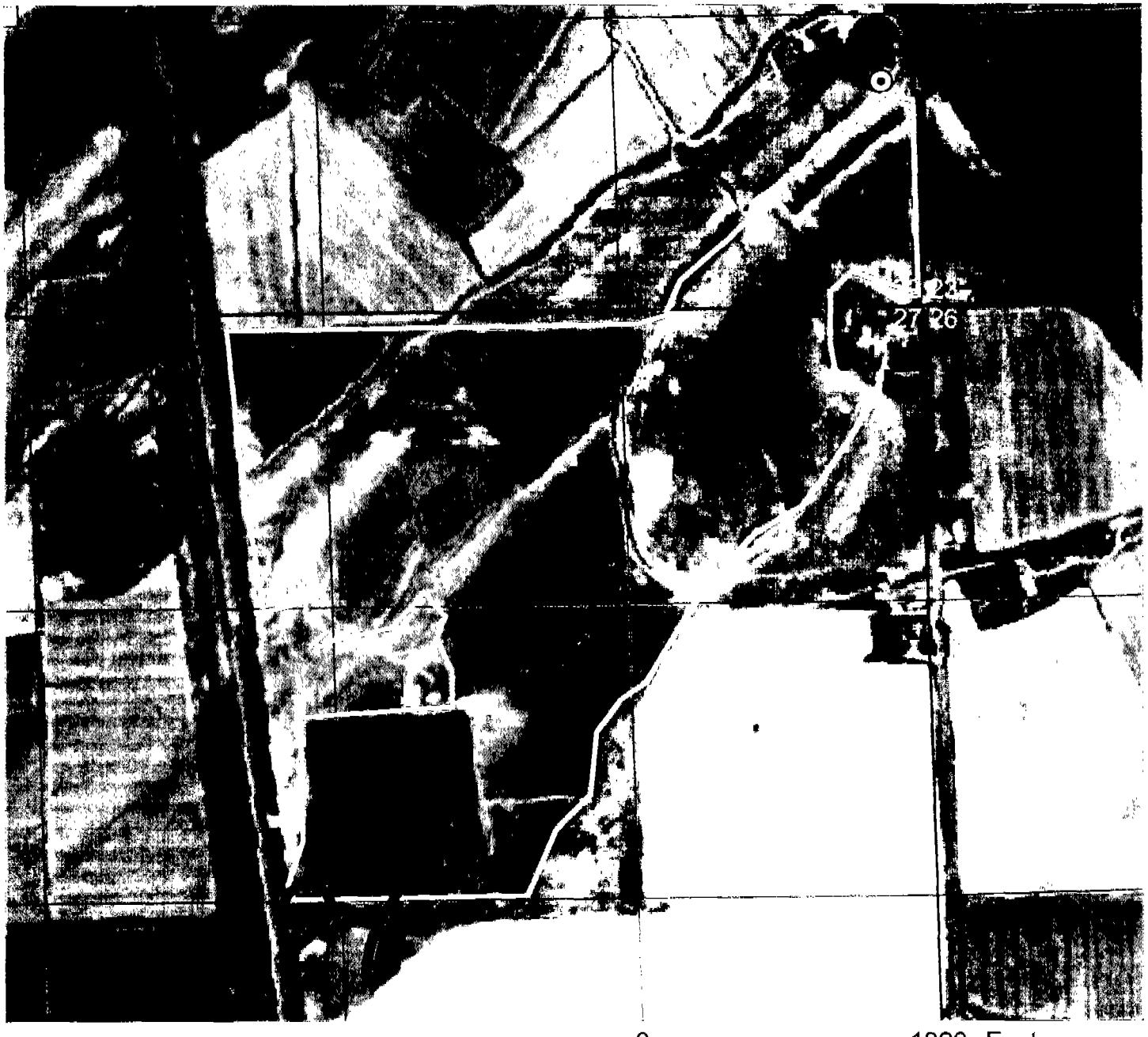
Comments: Date: 06/09/2000 User-ID: BCONTOR Subject: CHANGE IN POD
CHANGE IN POD REFLECTES MORE-ACCURATE GPS DETERMINATION RATHER
THAN ACCOMPLISHED TRANSFER.

Audit: 06/09/00 BCONTOR

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062K, 31-00063K

Township 7N Range 36E Section 22, 27



Point(s) of Diversion, This WR
Other Points of Diversion
Place of Use, This WR
Other Places of Use
Section Lines
Quarter-quarter Sections

0 1320 Feet

N
W E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 6/2000

PCC EXAM — NORTH / EAST DISTRICT

EXAM DATE: 7-6-00 EXAMINER'S SIGNATURE _____

NAME: Dan [illegible] SITE TAG# [illegible] RECORD # 300333

EXAM COMPLETE: (Y) N STANDARD CONFIDENCE: E G F P

KILO-WATT HOUR METER		LEGAL: 7A 30 [illegible] NESE55							
UTILITY	UPL	KW-A	40.1	GPM	1250.6	PCC		PSI		%	100
POLE NO.		DESCRIPTION COND #1							
METER MFGR	GE	1 pump 1 pivot							
METER S/N	90067409								
DISK CONST (KH)	57.6/12	1250.6 / 448.83 = 2.79							
MULTIPLIER	1								
		KW-B		GPM		PCC		PSI		%	
PCC APPROAL		DESCRIPTION COND #2							

Z ZERO PUMPAGE
1 SIMPLE, NO TRACKING
2 COMPLEX, NO TRACKING REQUIRED.
3 TRACKING REQUIRED & PROVIDED
4 TRACKING REQUIRED, BUT NOT PROVIDED
5 COMPLEX, EXAM INCOMPLETE
6 KNOWN DATA PROBLEM
7 PCC MEASURED @ Q-METER VERIF.
8 LOW PCC WHERE Q-METER IS REQUIRED BUT NOT INSTALLED
9 CALCULATED OR ESTIMATED PCC

N NO PCC
Q OTHER, SEE EXAM NOTES

CHANGES TO SYSTEM Y / N
NOTES:

48.38

84074

check multiplier.

KW-C		GPM		PCC		PSI		%	

DESCRIPTION COND #3

KILOWATTS OF ENERGY CONSUMED COND #1

N=58 (No. of Disc Rev) Time (sec): (42.81)+(41.96)+(42.23) / 3=Avg

3.6 x 57.6/60 (Kh) x 1 (Mult) x 58 (N)/ 42.33 (T)=46.8 KW

PCC COND#1=_____(KW) X 5431 / _____GPM=_____(KWh/ac.ft)

KILOWATTS OF ENERGY CONSUMED COND #2

N=_____(No. of Disc Rev) Time (sec): (_____)+(_____)+(_____) / 3=Avg

3.6 x _____ (Kh) x_____(Mult) x _____(N)/_____(T)=_____ KW

PCC COND#2 =_____(KW) X 5431 /_____GPM=_____(KWh/ac.ft)

KILOWATTS OF ENERGY CONSUMED COND #3

N=_____(No. of Disc Rev) Time (sec): (_____)+(_____)+(_____) / 3=Avg

3.6 x _____ (Kh) x_____(Mult) x _____(N)/_____(T)=_____ KW

PCC COND#3 =_____(KW) X 5431 /_ _____GPM=_____(KWh/ac.ft)

check Kh & Mult

Field Notes 3/20/01 Bruce A. Contor

31-62K, 31-63K

1) On south edge of pow is an old high ditch levee, not irrigated (photo 1)

2) Handlines water SW corner of pow. (photos 2-4)

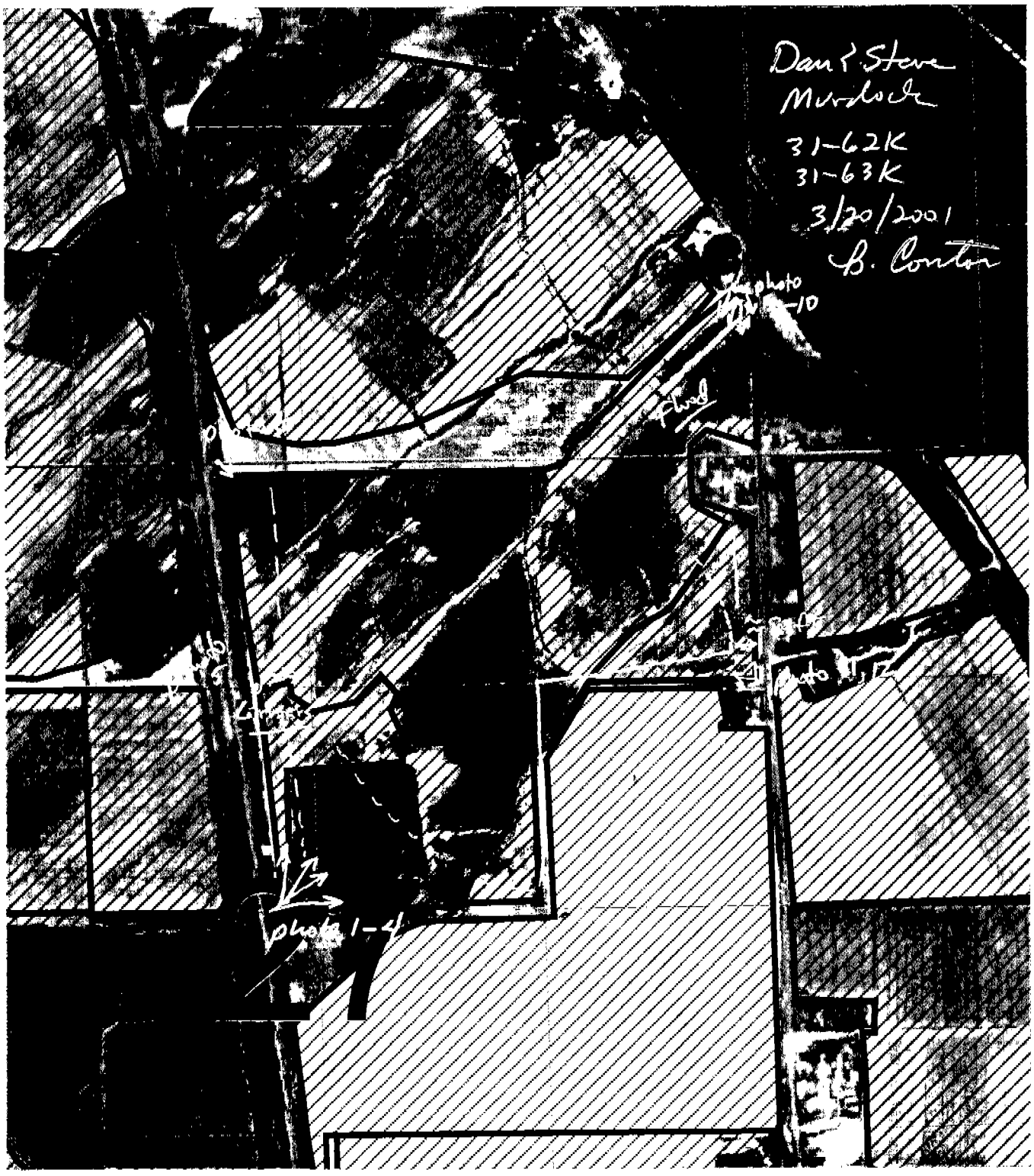
3) Pivot reaches within 6 risers (300-360 ft) of West edge of field (photo 5)

4) NW corner is irrigated by handlines, formerly flood irr (leveled, border dike) (photo 6).

5) Photo 7 shows where new mainline can dump water to irr. NE corner. Photos 8-10 show dikes, gates, etc.

6) Exclusion of farmstead in NE ¼ NE of 27 is proper (no photo)

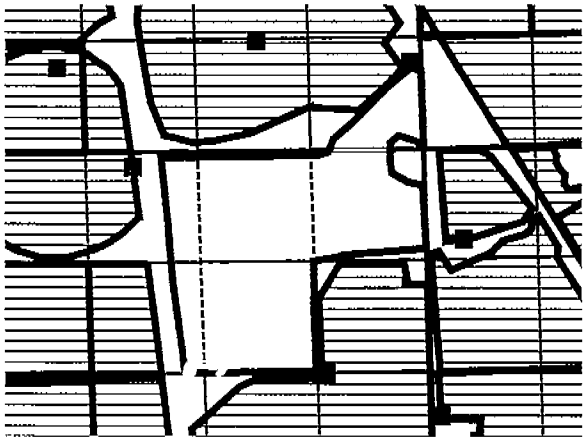
7) Pivot comes within ≃ 80 ft of E. edge of pw prop. SE corner is watered w/ handlines (photo 11, 12).


Dan & Steve
Murdock
31-62K
31-63K
3/20/2001
B. Conlon
Photo 1-4

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 1

looking east @ SW corner of POU.



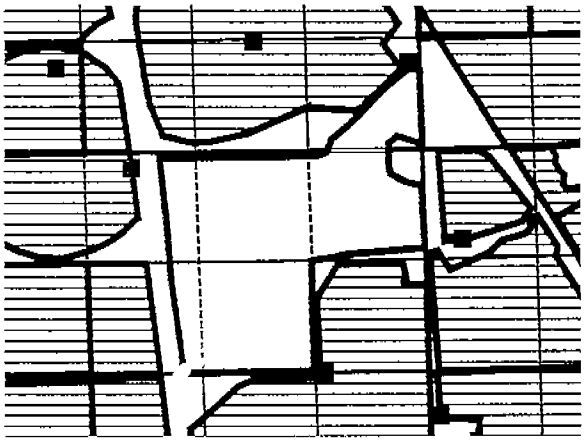


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 2

Looking NE at SW corner of POU.



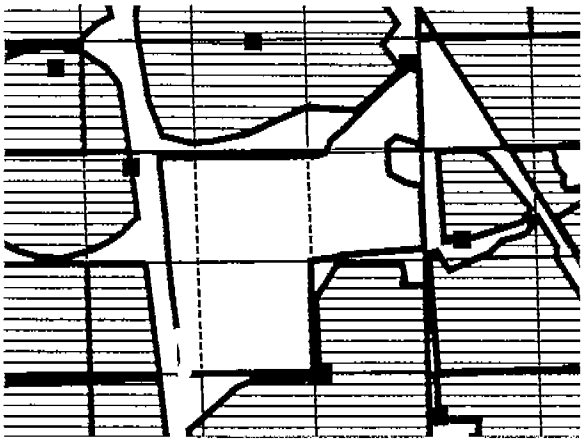


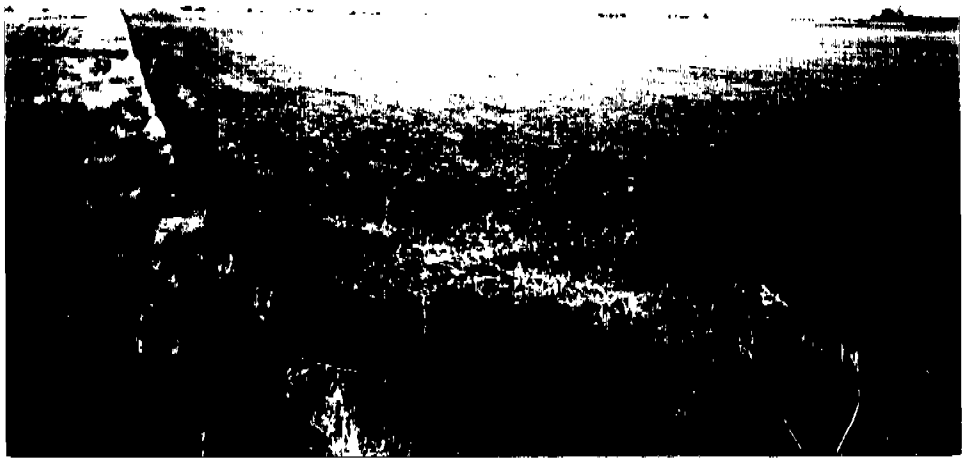
See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo B

Looking N along W edge of Park from SW corner



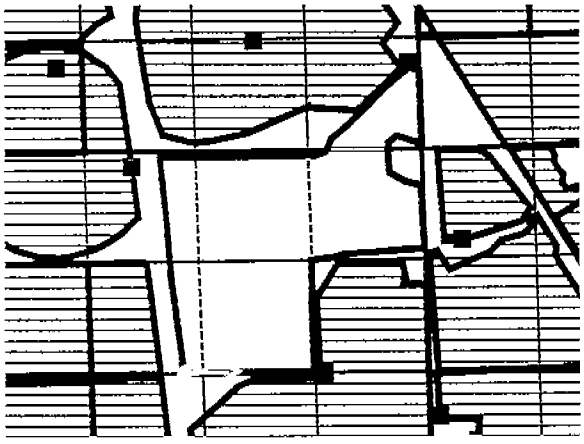


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 4

Old ditch Levee on S edge of POU at SW corner of POU





See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

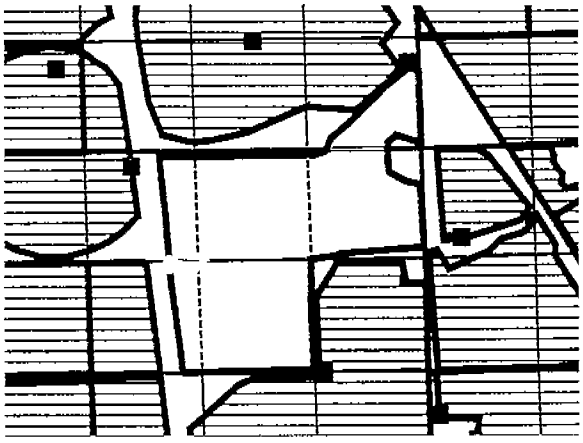




Photo 5

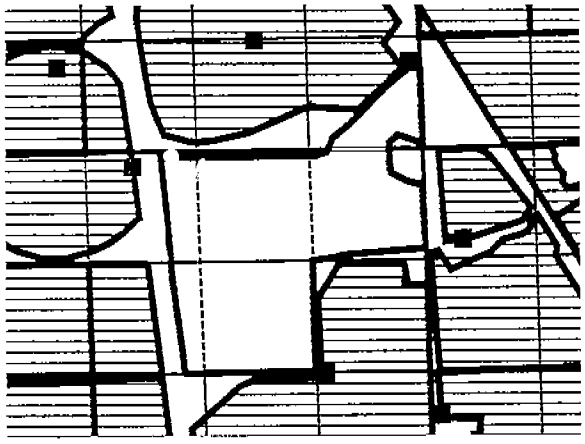
Looking East along mainline from West edge of POU

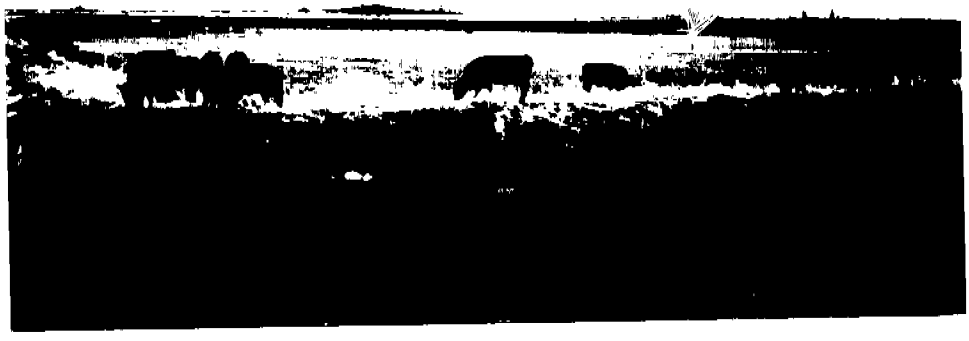
See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 6

looking SE from NW corner of POU. Hand pipes laying in strip of uncut hay as marked in photo.



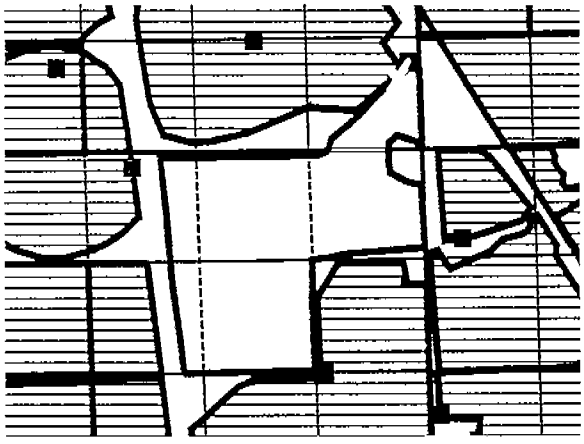


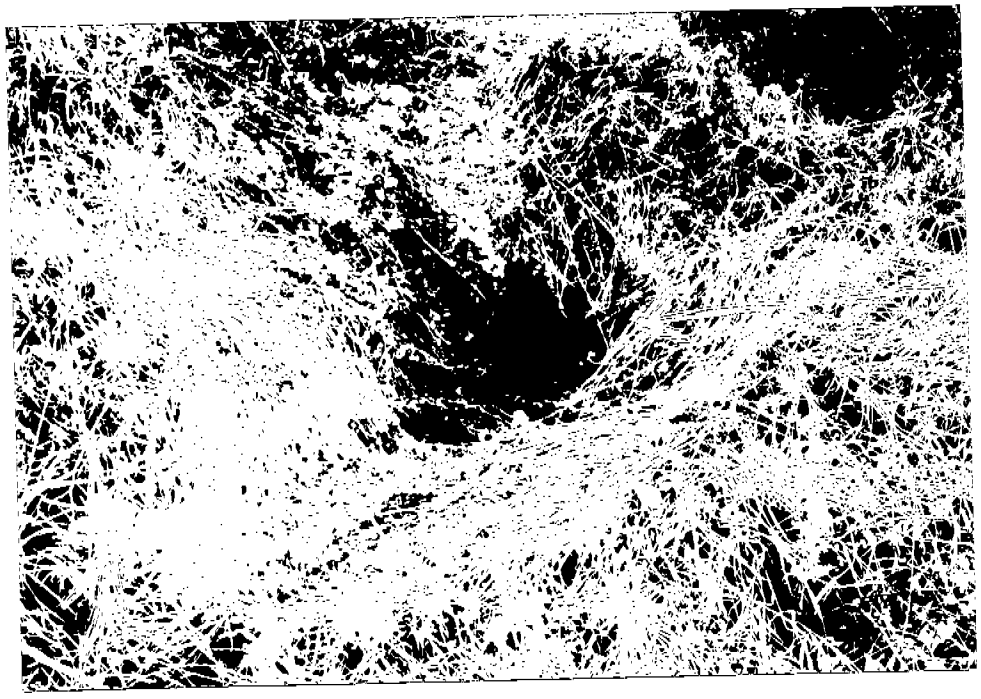
See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 7

Inlet to culvert to pond from mainline drop valve.



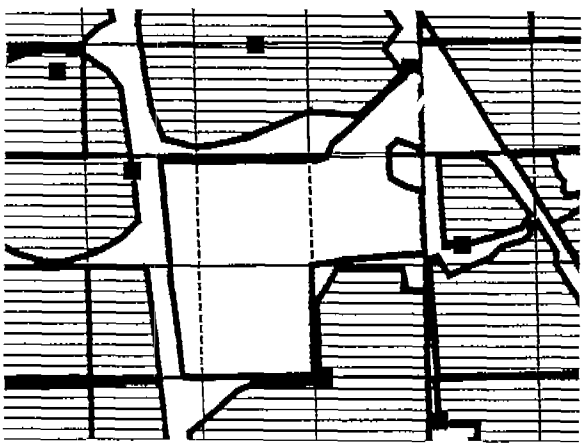


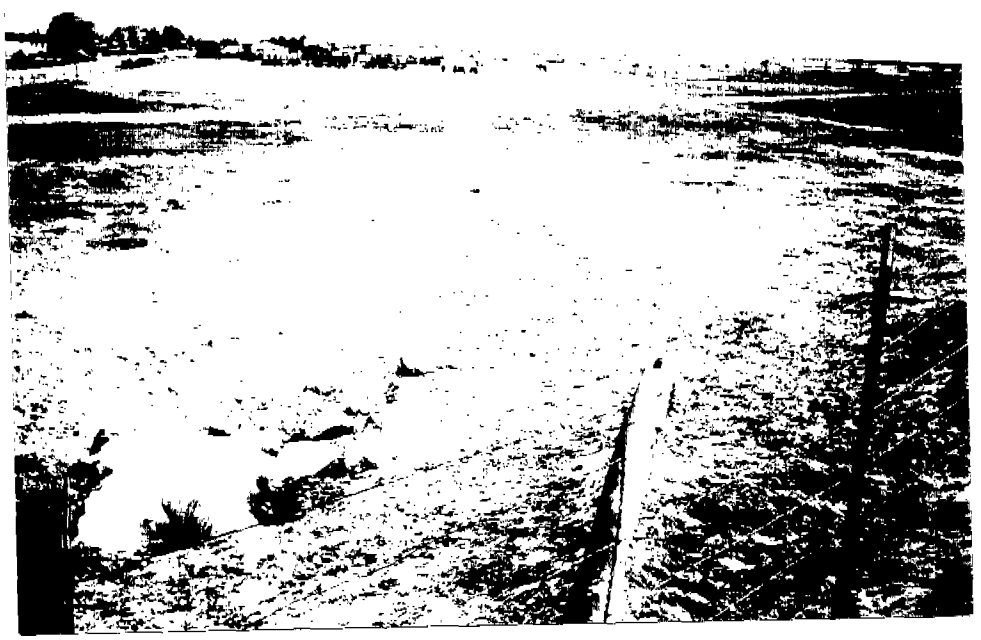
See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 8

Place of use on east edge of flood irrigated corner in SE of section 22.



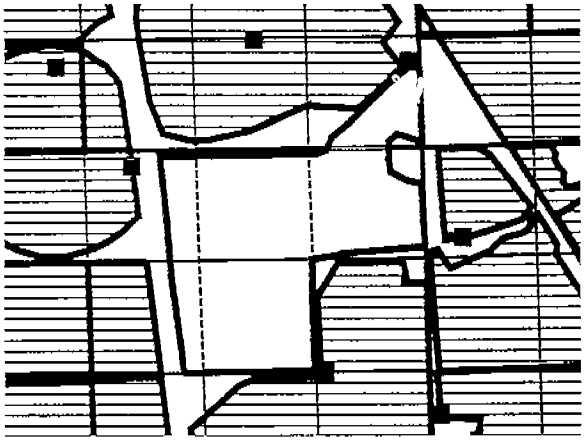


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 9

Flood in POU



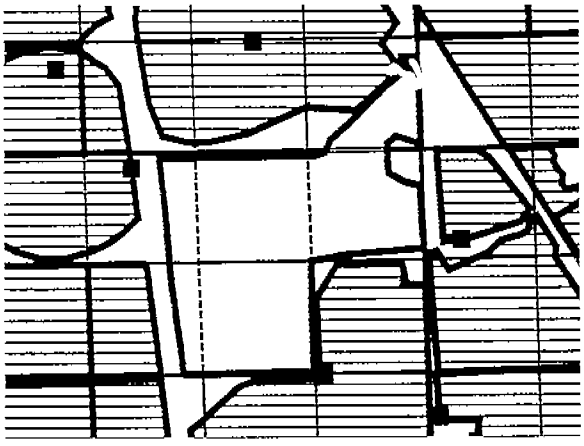


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 10

East edge of POU looking SE.



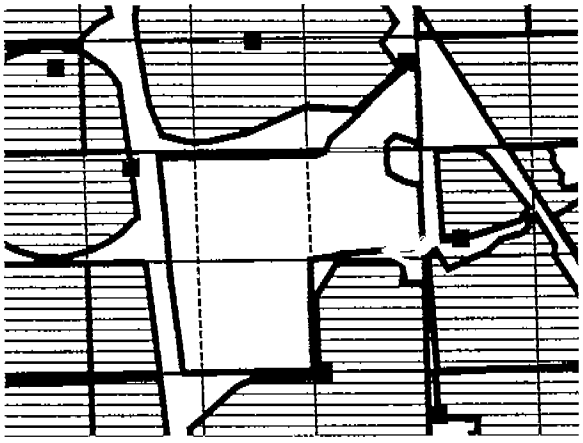


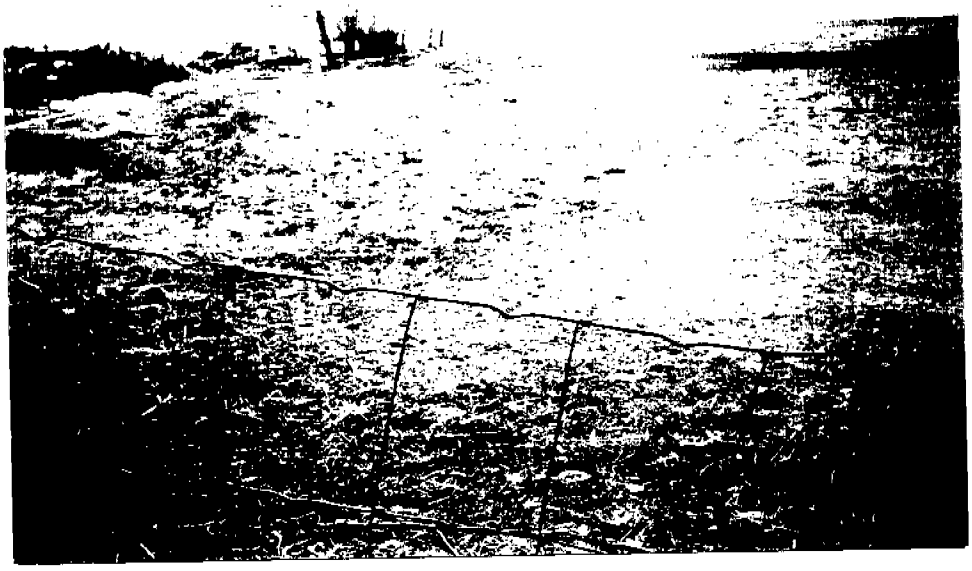
See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

Photo 11

Looking West toward pivot step at SE corner, along Old Butte Hwy.



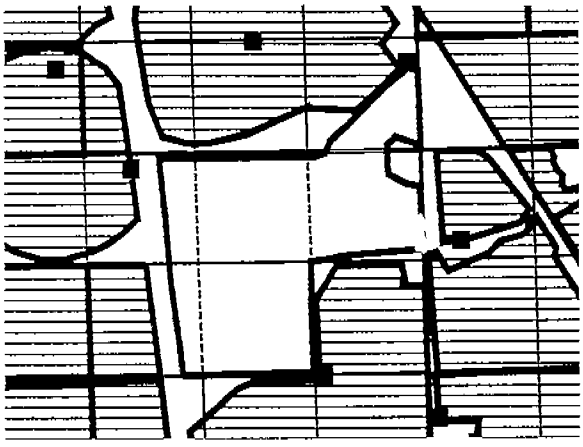


See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27

Photos taken 3/20/2001 by B. Contor
WR 31-62K and 31-63K

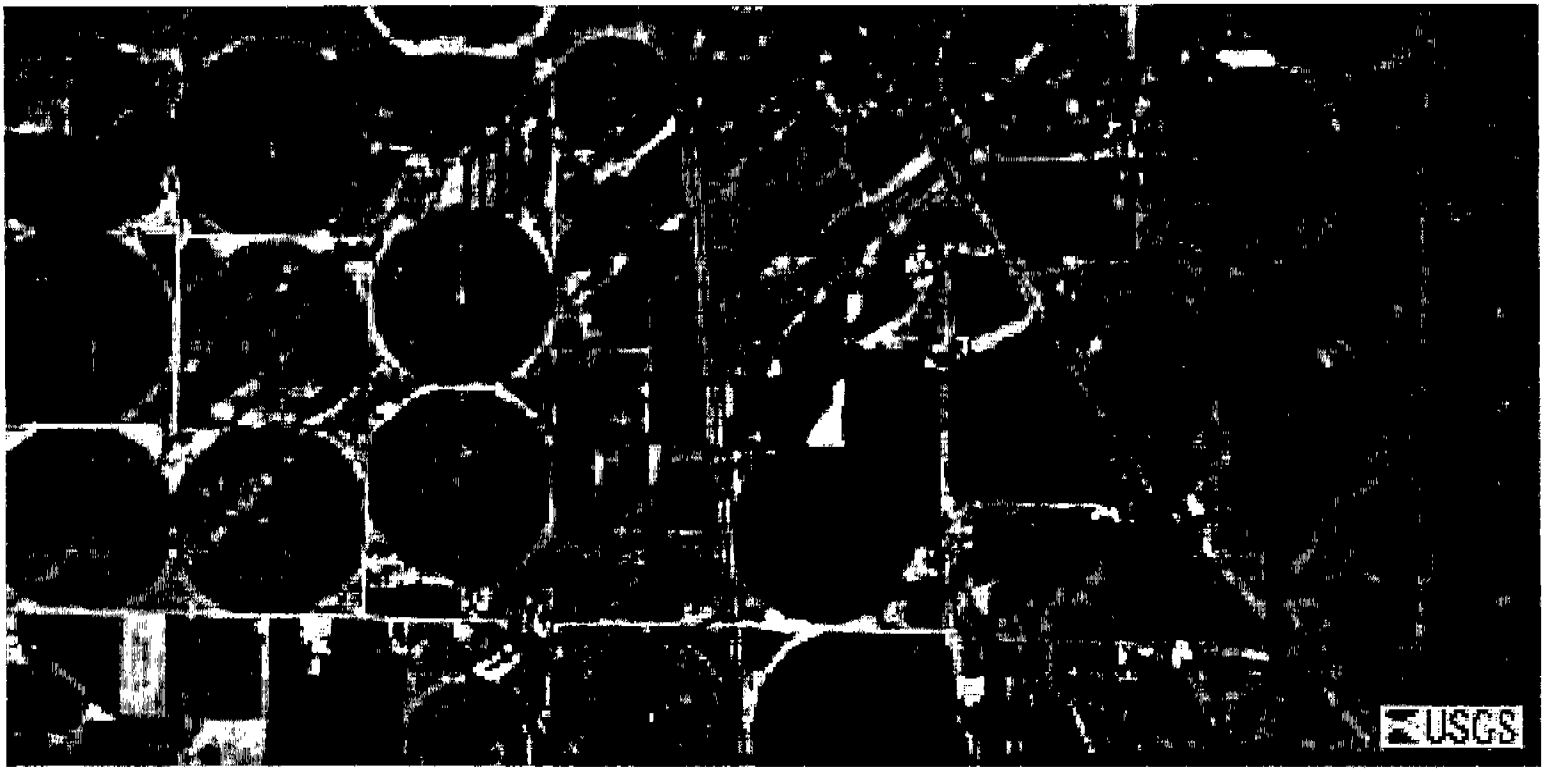
Photo 12

Looking N along E edge of POU from SE corner along Old Butte Hwy





See guide numbers on Layout, showing greater detail.
POU 7N 36E Section 22 and 27



****

Claim 31-62K, 31-63K

Doc Source Pennsylvania 1992 photo

Date 3/20/01 Sig. KAC

March 13, 2001

I witnessed that Dan Murdoch in 1985 and 1986 pumped water with a tractor pump out of the Hamer Canal to water his ground and that he was unable to flood. He then sold his tractor pump and put in an electric pump.

Aaron Savage 3/13/01

Rene Shurtliff 3-14-2001

RECEIVED
MAR 15 2001
Department of Water Resources
Eastern Region

01/25/2001

NOTICE OF ERROR
REPLY

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: March 9, 2001

Water right number: 31-62K

STEVE MURDOCK
1995 N 2500 E
HAMER ID 83425
Telephone Number: (208)662-5257

DAN MURDOCK
1995 N 2500 E
HAMER ID 83425
Telephone Number: (208)662-5257

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

not enough water

2. Describe the changes you wish to make in the proposed recommendation:

to increase to the full amount of what we use and what we have

3. Give a brief explanation as to why you disagree with these portions:

we have 33 shares and that ground that was'nt flooded was sprinkled.

____ **I AGREE with this proposed recommendation: no changes need to be made.**

DATE: _____ **SIGNATURE:** _____

Please print your name: _____

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161

3/9/01 Dan Murdock

Response -

I told Mr. Murdock on the phone that upon documentation of sprinklers prior to 1987 I could add the lands now ~~cotota~~ irrigated by sprinklers in addition to current recommendations. BOR 3/16/01

SHEET NO. _____

SHEET NO. 13

RATING 13 Shares

CREDIT LIMIT

TERMS

NAME Homer Canal Co

ADDRESS Treasury Stock Purchased 15 Shares From Wade yearly $40 per Share 1979

FOLIO	✓	CREDITS

FORM N2-B

DATE	ITEMS	FOLIO	✓	DEBITS

DATE	ITEMS	FOLIO	✓	CREDITS

MADE IN U.S.A.

****

Claim Splits of 31-62 & 31-63

Doc Source Old Homer Canal letters in possession of Dan Murdick

Date 12/28/00 Sig. Bre

FOLIO V CREDITS

RATING 2 Shares
CREDIT LIMIT
TERMS

FORM N2-B

DATE	ITEMS
Nov	5000 Shares

NAME Ralph Lonnsbury ap Homestead security 1 of
ADDRESS Homer, Idaho

FOLIO V	DEBITS	DATE	ITEMS	FOLIO V	CREDITS
	10 00	Nov	Check		10 00

MADE IN U.S.A.

****
Claim 31-62K, 31-63K
Doc Source old Homer Coal Records in possession of Dan Murdock
Date 12/27/00 Sig. Gal

NAME [illegible]

ADDRESS Hamer, Idaho 83425

CREDIT LIMIT

TERMS

DATE	ITEMS	FOLIO	√	DEBITS	DATE	ITEMS	FOLIO	√	CREDITS
April	$12 Per Share			420.00	April 25	Check			420.00
June	12 Per Share			420.00	July 21	Check			420.00
July	12 Per Share			420.00	Aug 18	Check			420.00
1979									
June 4	$12 per shre by Don Murdock			420.00	June 9	Check			420.00
July 19	12 Per Share			348.00	July 19	Check			348.00
July 19	7 from Ralph Saunders			72.00	July 19	Check			72.00
July	12 Per Share			420.00	Aug 24	Check			420.00
Nov 9	5 Per Share			165.00	Nov 9	Check			165.00

****

Claim 31-62K, 31-63K

Doc Source Old Hamer Council records in possession of Don Murdock

Date 12/22/00 Sig. SAC

CREDIT LIMIT

TERMS (1978) - 15 $

FORM N2-B

DATE	
1975	
April	6.00 pr
May	4.00 "
June	3.00 "
July	3.00 "
Aug	2.00 "
Sept	2.00 "
Oct	2.00 "
	22.00 "
1976	
April	$8.00 pr
May	4.00 "
June	3.00 "
July	3.00 "
Aug.	3.00 "
Sept.	3.00 "
Oct.	3.00 "
	$27.00 "
Nov	6.00 "
1977	
April	$11 Per
May	$11 "
June 22	$11 "
Oct	$9.50

Theoretical Calculation

A31-00062K / 63K

B. Coulter 6/9/00

Data:

1) Rene Shuntliff measured PWL at nearby well 28.9 ft - exam 300252 - copy attached

2) USGS map indicates elevation at Murdock well is 4805, Shuntliff is 4792. Estimated Murdock PWL = 28.9 + (4805 - 4792) = 42 ft (see GIS)

3) UPL reported KW is 49, which is close to the observed KW (47.9) at NWMD exam.

4) Theoretical formula:

$$GPM = \frac{\text{Water HP} \times 3960}{TDH}$$

5) Water HP = KW x 1.34 x Efficiency

= 49 x 1.34 x 70% ≈ 46 horsepower

6) TDH = Lift + friction + PSI (2.31)

= 42 + 15 + (60)(2.31) = 199

Theoretical p2

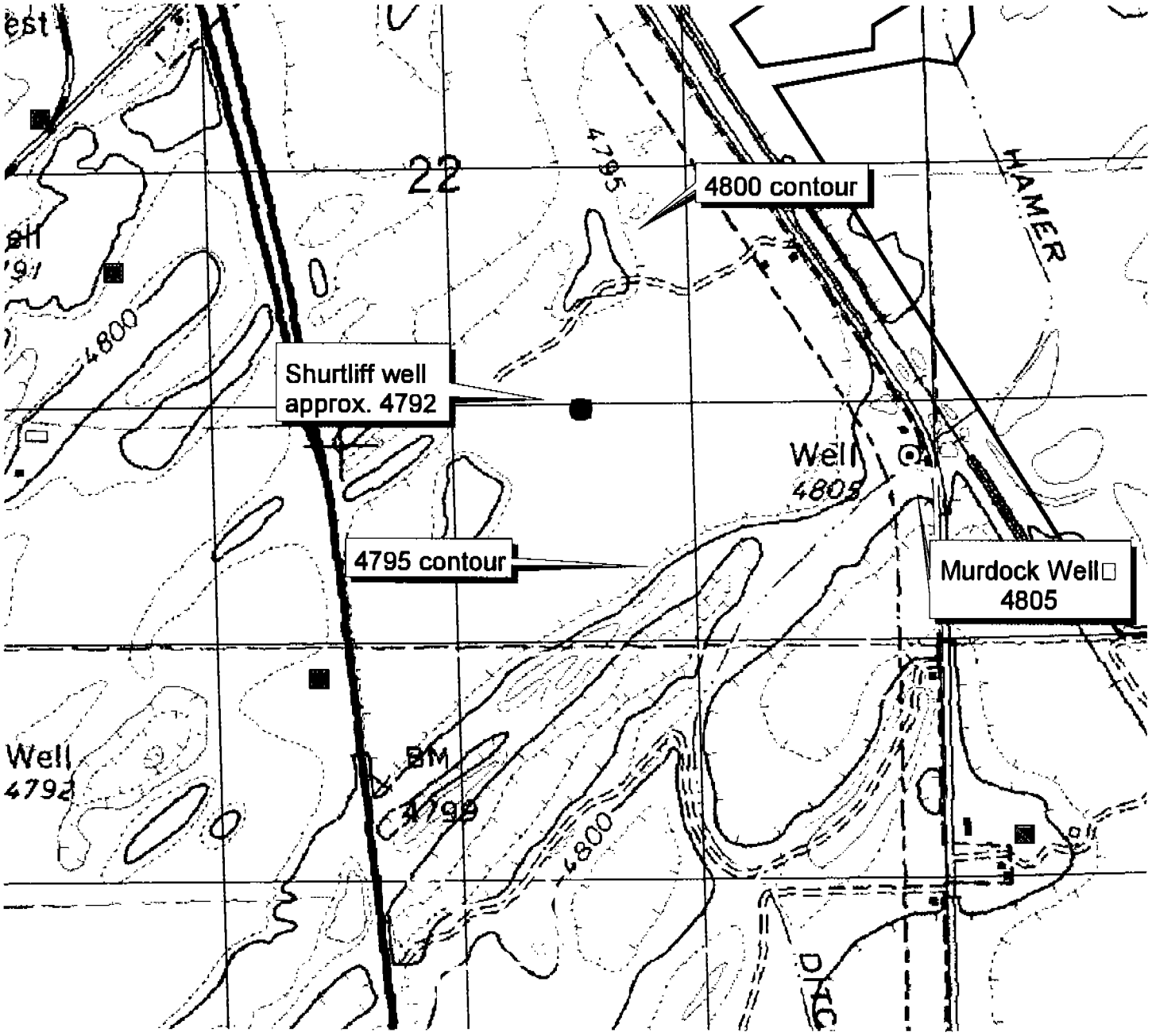
7) $GPM = \frac{46 \times 3960}{199} \approx 920 \text{ GPM}$

$\approx 2.05 \text{ cfs}$

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062K, 31-00063K

Township 7N Range 36E Section 22, 27



Point(s) of Diversion, This WR
Other Points of Diversion
Place of Use, This WR
Other Places of Use
Section Lines
Quarter-quarter Sections

0 1320 Feet

N
W E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 6/2000

300252

Rene Shurtliff

****
Claim A3100062K/63K
Doc Source NwmD 300252
1998
Date 6/9/00 Sig. B. Coulton

FIELD EXAM PAGE 3

WELL/PUMP INFORMATION:

DEPTH OF WELL: ≈ 135 DEPTH OF BOWLS: _____

WATER LEVELS:

PRE-SEASON STATIC: _____ (swl_pre) DATE MEAS: _____ (swlpredate)

DURING-SEASON STATIC: 22.5 (swl_mid) DATE MEAS: 8/21/98 (swlmiddate)

POST-SEASON STATIC: _____ (swl_post) DATE MEAS: _____ (swlpstdate)

DYNAMIC WATER LEVEL: 28.9 (pmpng_wl) DATE MEAS: 8/21/98 (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES (NO)

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES (NO)

PUMP AND MOTOR INFORMATION:

WELL MOTOR
- MFG: US
- SERIAL: 6327A-207Z128R172M
- HP: 75

WELL PUMP
- MFG: Pump Tech
- SERIAL: 6-0880
- TYPE: (VERT T (v)) CENT (c) SUBMER (s) (pump_type)

BOOSTER 1 MOTOR
- MFG: _____
- SERIAL: _____
- HP: _____

BOOSTER 1 PUMP
- MFG: _____
- SERIAL: _____
- TYPE: VERT T CENT SUBMER

BOOSTER 2 MOTOR
- MFG: _____
- SERIAL: _____
- HP: _____

BOOSTER 2 PUMP
- MFG: _____
- SERIAL: _____
- TYPE: VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: UPL (utility)

POLE #: _____ (pole_no)

MAX KW DEMAND 1.91 X40

KILOWATT HRS 2800 X40 (kwh_1) (use date of exam for "kwh1_date")

KWH METER SERIAL: 1714144 (pwrmtr_sn)

METER MFG: ABB (pwrmtr_mfg)

Kh DISK CONSTANT 1.8 (kh)

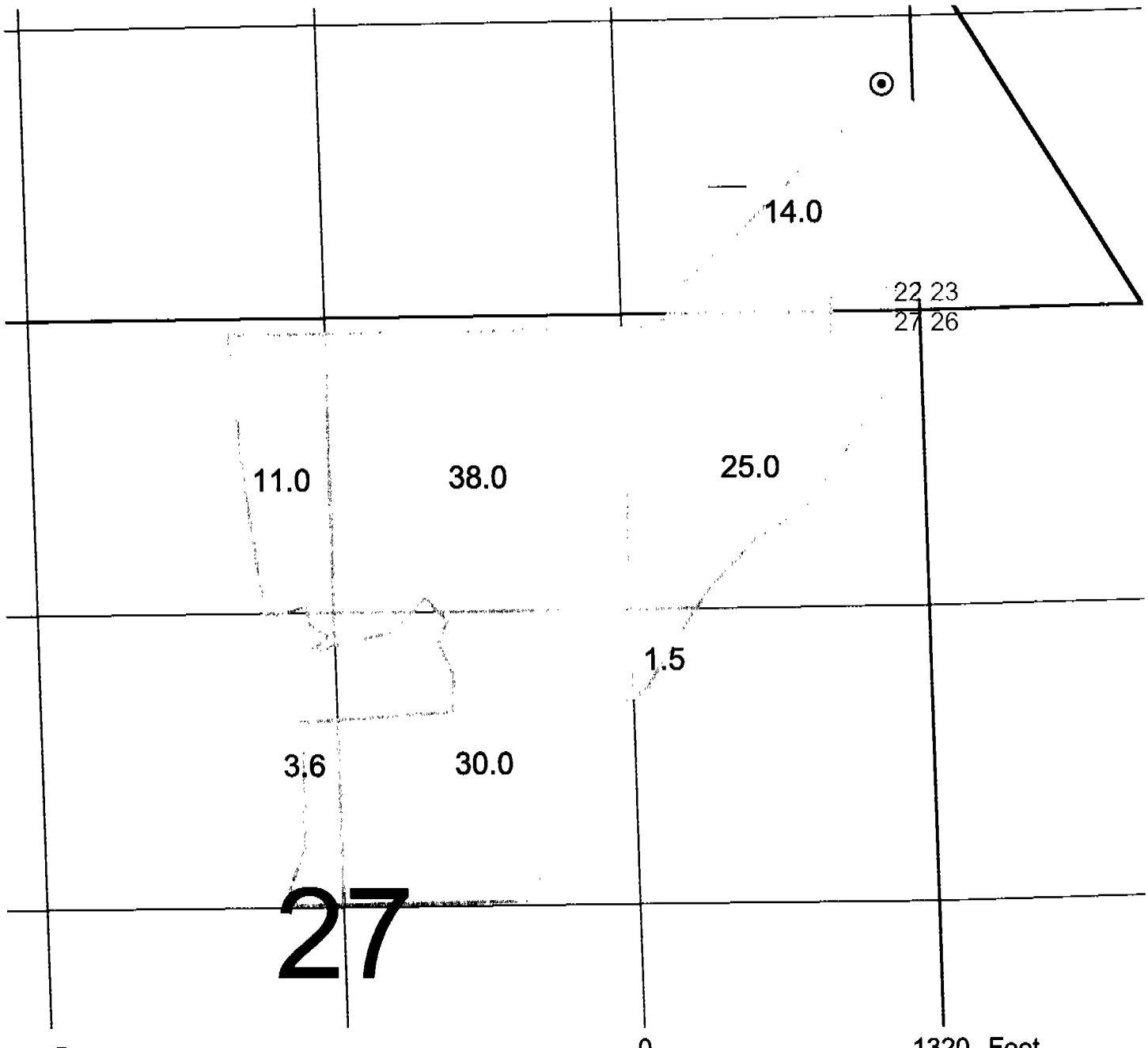
MULTIPLIER 40 (disk_mult)

UTILITY ACCOUNT NUMBER _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062K, 31-00063K

Township 7N Range 36E Section 22, 27



Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 6/2000

Contor, Bryce
From: Contor, Bryce
Sent: Friday, June 09, 2000 3:47 PM
To: Heaton, Steve
Subject: NWMD 300833

If you happen to get a measurement on Steve & Dan Murdock's North well, please give me a photo of the exam.

Thanks, Bryce

Water User	MURDOCK, DAN ID: 122
POD	07N 36E 22 NESESE
Site Tag #	A0001897
Record #	300833
Diversion Name	SOUTH OF SHURLIFTS

Terry -
Please create new record #.
Note this is same POD legal as Rene Shurtliff's old POD but this is a different well.

****
Claim A31-00062K/63K
Doc Source NWMD 300833
1997/1998
Date 6/9/00 Sig. bac

#300533

NORTH WATER MEASUREMENT DISTRICT

FIELD REPORT

SITE DATA:

EXAMINER (inv_name) B. Contor

EXAM DATE: 7/18/97 (site_visit)

DIVERSION NAME: South of Shurtliff (div_name)

GPS FILE NAME: B111819C (gps_filnam)

SITE TAG #: A0001897 Bad # (site_tagno)

OFFSET (offset): 100' E 4' above well

TAG LOCATION (tag_locat): on transformer pole 50' E of well

POD LEGAL: NE 1/4 SE 1/4 SE 1/4, Sec. 22, T 7 N, R 36 E (pod)

DEPT. MEASUREMENT CAPABILITY (~~std~~_rcmd):

SONIC (s) SONIC/DIG (sd) SONIC @ PVT (sp)

COLLINS (c) PYGMY (p)

MEASUREMENT RECOMMENDATIONS (op_num):

PCC (2) HOUR M. (7) IRR. FLOWMETER (1)

OTHER FLOWMETER (8) ALTERNATE (3)

SUITABLE FOR PCC EVEN IF OTHER METHOD SELECTED (pcc_ok) YES NO

TRACKING WILL BE REQUIRED (trkng_reqd) YES NO

WELL HAS GOOD ACCESS PORT FOR WATER LEVEL MEAS (wl_access) YES NO

FLOWMETER INSTALLATION POSS. W/O MAJOR CHANGE (qmtr_ez) YES NO

USER ANTICIPATES MAJOR SYSTEM CHANGE 1 YR 2 YRS 3 YRS

FOLLOW-UP DATE (folup_date): YEAR 1997 MONTH _____ DAY _____

OWNER/OPERATOR INFORMATION:

OWNER (name): Dan Murdock PHONE _____

(if this is a change, data enter "yes" in field "name_chng")

ADDRESS _____ CEL PHONE _____

OPERATOR (contact) _____ PHONE _____

ADDRESS _____ CEL. PHONE _____

OVERLAP:

OTHER WR. THIS POD _____

OTHER POD THIS WR. _____

****

Claim A31-00062 K/63K

Doc Source NWMD 300833

1997/1998

Date 6/9/00 Sig. B. Contor

UPL 5/27/98

UPL 558 221 7070
Customer Service
9-0-067409

2017 N Old Butler
75 hp
KW demand 49 KW

Hamer Const Co.

****
Claim A31-00062K / 63K
Doc Source NWMD 300833
1997/1998
Date 6/9/00 Sig. B. Coulter



****

Claim A31-00062K/63K

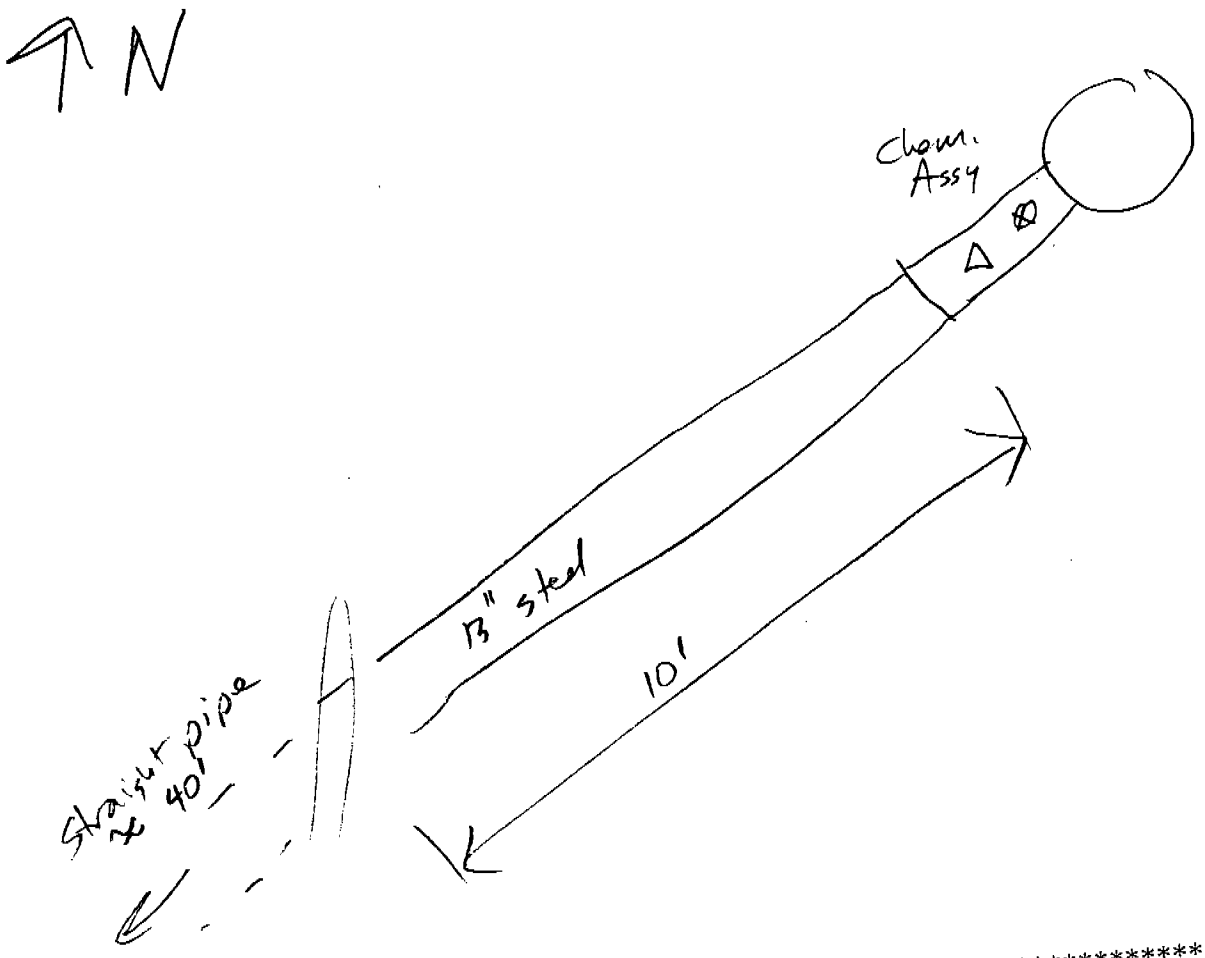
Doc Source NUMD 300833

1997/98

Date 6/9/00 Sig. R. Coutu

PUMPING PLANT SKETCH

VALVE	=	⋈
CHECK VALVE	=	▷
AIR VAC	=	⊗
PRESS. RELIEF	=	Ⓟ
INDIVE/UPDIVE	=	=||
HOSE BIB	=	Ⓑ
PRESS. GAGE	=	Ⓖ
WELL ACCESS	=	Ⓐ



****
Claim A81-00062K/63K
Doc Source NWMD 300833
1997/98
Date 6/9/00 Sig. BAC

WELL/PUMP INFORMATION:

DEPTH OF WELL: _____ DEPTH OF BOWLS: _____

WATER LEVELS:

PRE-SEASON STATIC: _____ DATE MEAS: _____
(swl_pre) (swlpredate)

DURING-SEASON STATIC: _____ DATE MEAS: _____
(swl_mid) (swlmiddate)

POST-SEASON STATIC: _____ DATE MEAS: _____
(swl_post) (swlpstdate)

DYNAMIC WATER LEVEL: _____ DATE MEAS: _____
(pmpng_wl) (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES NO

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES NO

PUMP AND MOTOR INFORMATION:

WELL MOTOR
MFG: US
SERIAL: 1198263
HP: 75

WELL PUMP
MFG: Johnston
SERIAL: JR-3575
TYPE: VERT T (v) CENT (c) SUBMER (s)
(pump_type)

BOOSTER 1 MOTOR
MFG: _____
SERIAL: _____
HP: _____

BOOSTER 1 PUMP
MFG: _____
SERIAL: _____
TYPE: VERT T CENT SUBMER

BOOSTER 2 MOTOR
MFG: _____
SERIAL: _____
HP: _____

BOOSTER 2 PUMP
MFG: _____
SERIAL: _____
TYPE: VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: UPL
(utility)

KWH METER SERIAL: 90 067 409
(pwrmtr_sn)

POLE #: _____
(pole_no)

METER MFG: GE
(pwrmtr_mfg)

MAX KW DEMAND 47.67

Kh DISK CONSTANT 57.6
(kh)

KILOWATT HRS 29351
(kwh_1)
(use date of exam for "kwh1_date")

MULTIPLIER 1
(disk_mult)

UTILITY ACCOUNT NUMBER _____
(acct_no)

****
Claim A31-00062K/63K
Doc Source MWMD 300833
1997/98
Date 6/9/00 Sig. BAC

SYSTEM DESCRIPTION/NARRATIVE COMMENTS:

SYSTEM TYPE (systm_type) Pivot

COMMENTS TO DATA-ENTER (exam_notes): Power Act in name of "Hamer Canal Co." POU owned by Dan & Steve Murdock. Added to dbase based on site inspection & courthouse plats.

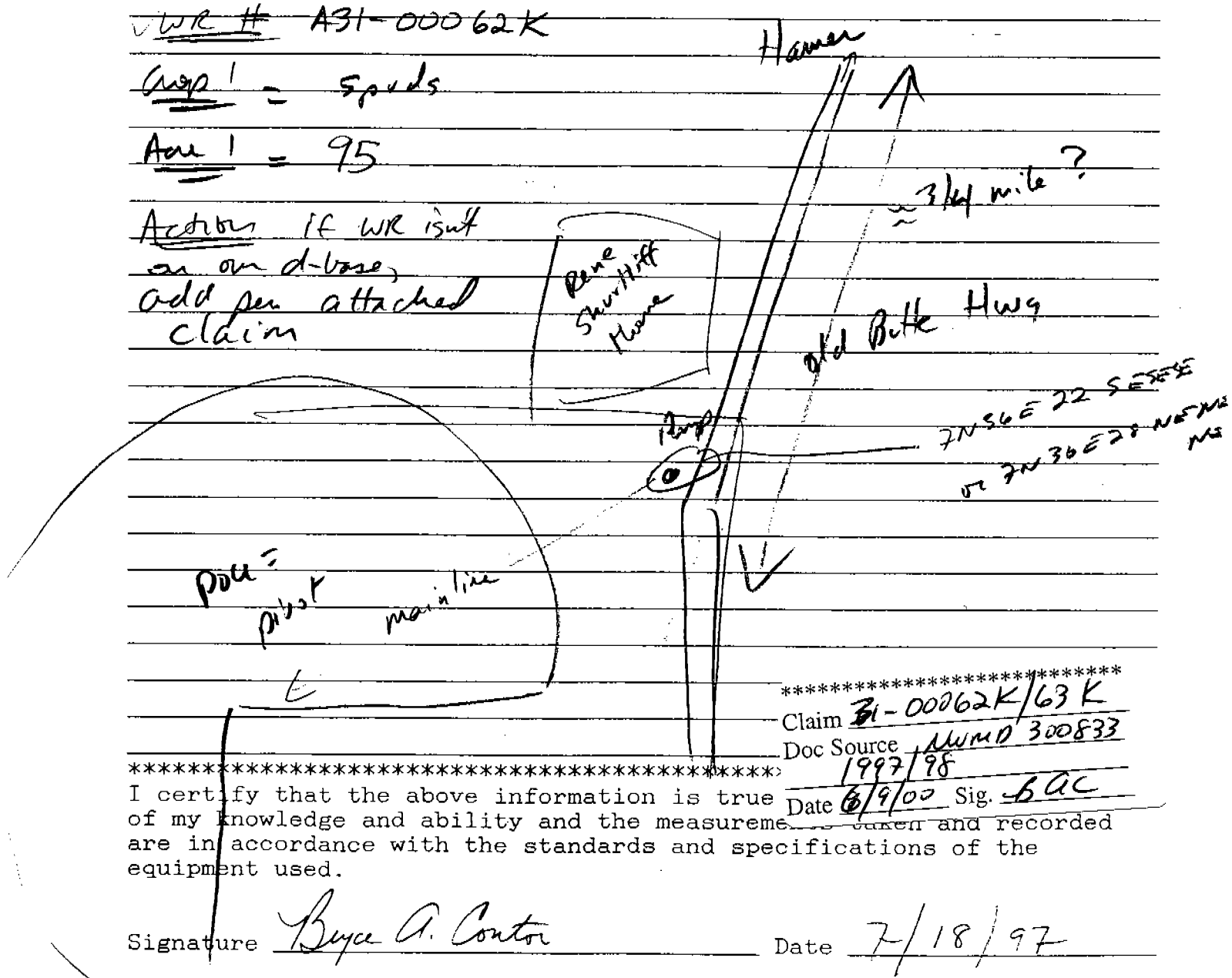
~~FILE ONLY COMMENTS~~: Data Plotted in office

WR # A31-00062K

Crop 1 = Spuds

Acre 1 = 95

Action if WR isn't on our d-base, add per attached claim



****

Claim 31-00062K/63K

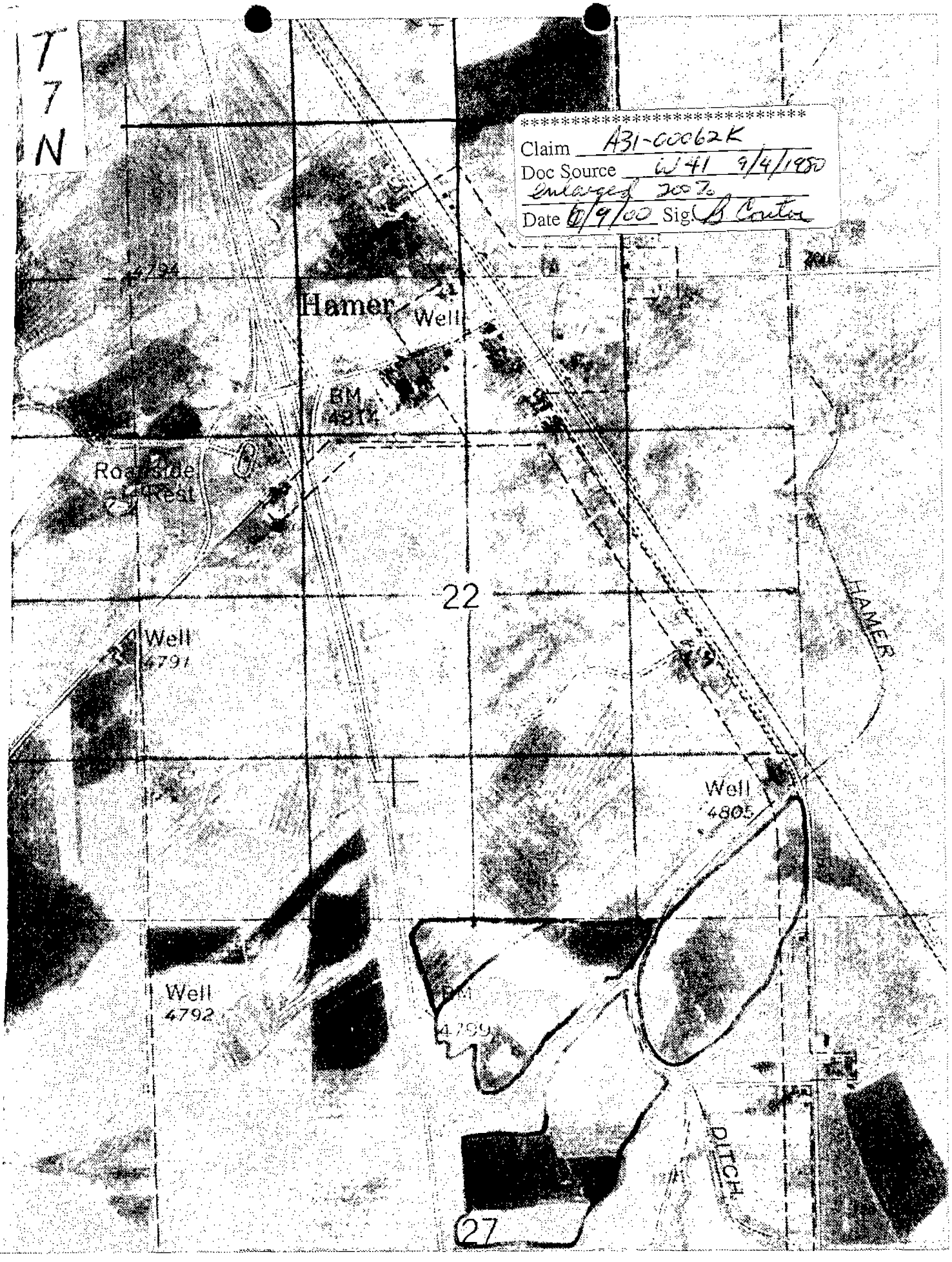
Doc Source MWMD 300833 1997/98

Date 6/9/00 Sig. GAC

****

I certify that the above information is true of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature Bryce A. Contor Date 7/18/97


T
7
N
****
Claim A31-00062K
Doc Source WJ41 9/4/1950
Enlarged 200%
Date 6/9/00 Sig B Coutu
4724
Hamer
Well
BM
4814
Roadside
Rest
22
Well
4791
HAMER
Well
4805
Well
4792
BM
4799
DITCH
27

Contor, Bryce

From: Contor, Bryce
Sent: Thursday, June 08, 2000 1:49 PM
To: McHugh, Candice
Cc: Music, Vicky; Carlson, Dave
Subject: Hamer Canal

The attached memo is my review of the available and potentially recommended Q from Hamer Canal, and I think there will not be a problem.

Note that "K" splits are Murdock's upper (not transferred) POU for which he promises to produce stock certificates. The "L" splits are the POU for which he is asserting an accomplished transfer (Dave Carlson is reviewing "L").

If Murdock doesn't come up with enough stock certificates to justify both "K" and "L," I think I better recommend "K" because it has as solid a basis as Ashcraft & Dalling (original Hamer POU, chain of title back to shareholder of record on the 1980 stip).

Even if Lounsbury's other successor Hunter makes a claim for a few acres, I stil think we've got enough to legitimately recommend something for everyone.



hamer q.doc

To: A31-00062K
A31-00063K
A31-00062L
A31-00063L
A31-00062Q
A31-00063Q
A31-00062S
A31-00063S

Fr: Bryce Contor

Date: 6/8/2000

Re: Diversion Rate

These claims are all based upon WR record 31-00062Q and 31-00063Q, which are the remnants of the Hamer Canal rights after all formal transers.

WR 31-00062Q is for 5.60 cfs, and 31-00063Q is for 2.32 cfs, for a total of 7.92 cfs. Documentation indicates that original Hamer Canal shares represented 5 miners inches, or 0.10 cfs. Therefore this represents 79.2 shares of outstanding stock.

The 1980 stipulation and agreement in the files indicate that Lynn Shirley, predecessor to Brent Dalling (AJ claims A31-00062Q and 63Q) was authorized to transfer 15 shares out of the Hamer Canal. Dalling claims 39 acres.

The 1980 stip. also indicates that Ashcrafts (AJ claims A31-00062S and 63S) were authorized to transfer 20 shares out. Ashcrafts claim 407 acres on a PPU basis, but are only claiming 2.0 cfs total.

This leaves 44.2 shares potentially available for Murdock (claims A31-00062K, 63K, 62L, and 63L), or 221 acres @ 0.02/acre. The "K" splits are claimed for 159 acres, which leaves 62 acres for the "L" splits. This should be plenty in light of the total GIS acreage and the existing license, though Murdock's claim is for significantly higher diversion rate than appears to be available.

Both Murdock and Dalling have indicated that Lounsbury retained a few acres, which have since been purchased by Hunter. This has been irrigated by Murdock from the same POD as splits "K" and may still be claimed. Even if Hunter makes a claim, it appears that recommending 0.02 cfs/acre on the legitimate POU for all the above will not exceed the available 7.92 cfs.

Contor, Bryce
From: Contor, Bryce
Sent: Thursday, June 08, 2000 10:40 AM
To: Carlson, Dave
Cc: McHugh, Candice
Subject: Murdock Hamer Canal claims

Candice has reveiwed the denied Murdock transfer w/ Carter, and agrees that it doesn't preclude an accomplished transfer to the ground that was irrigated as of 1987 down in the hole, as long as:

1) Yearsley's aren't making any claim on Hamer Canal water or Hamer Canal priority dates.
2) The accomplished transfer doesn't constitute an increase of irrigation under the Hamer Canal.
3) Murdock shows ownership of enough Hamer Canal stock for all his original Hamer Canal land (the Lounsbury place that I am reviewing) and the alleged enlargement.

As long as Yearsley's don't claim any Hamer Canal water on the POU of their licenses (they haven't yet), conditions 1 and 2 are met, I believe.

Dan told me on the phone that the certificates he's produced so far are just for the "extra" purchased water that he transferred down to the hole. He says Land Bank is holding the certificates for the Lounsbury place but he will get copies of those for me.

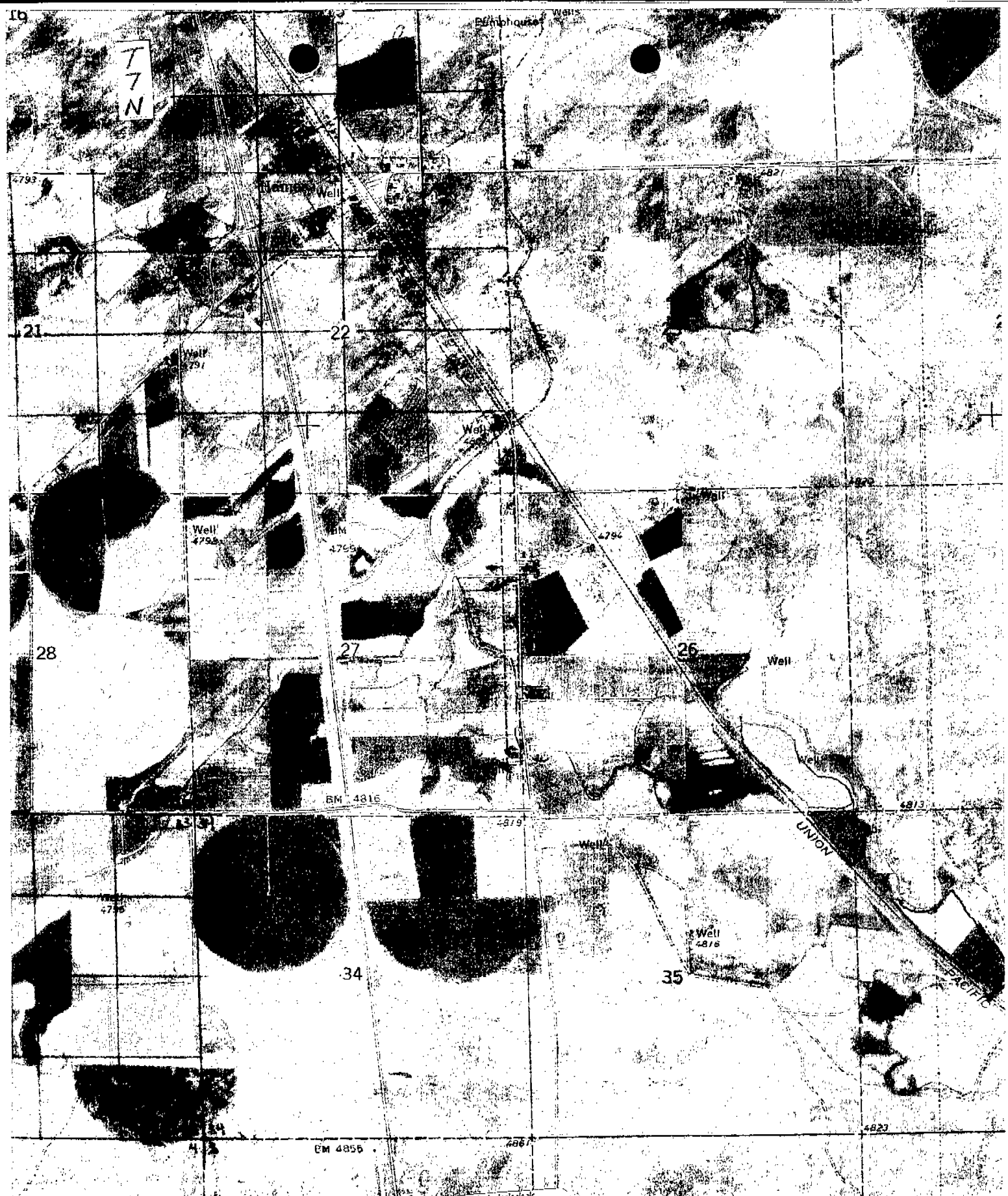
Right now I'm working on the other claims to the remnant of the Hamer Canal, so I can let you know how much diversion rate is left over for Murdock's claim.

To: A31-00062K
Fr: Bryce A. Contor
Date: 6/7/2000

Re: Phone conv. w/ Dan Murdock

I called Dan Murdock and requested copies of all his stock certificates. He told me on the phone that what we have represents only the "extra" certificates they bought for the lower place, that he believes the certificates for the upper place are held by Land Bank. He will call Land Bank and ask them to mail us copies of the certificates.

Dan also said he has found some more old Canal records and if he finds anything interesting, will mail it to us.



****

Claim A31-00062K/63K

Doc Source NAPP W41 9/4/1980

Date 6/7/00 Sig. SAC

A31-00062K

To: Competing Claims for Hamer Canal Rights
Fr: Bryce Contor
Date: 5/17/2000

Re: Dan Murdock Visit

Dan Murdock visited me in the office today, and brought in the Keith Driver affidavit filed in A31-00062L. The affidavit states that Shirley and Ashcraft forfeited their shares through non-payment of assessments, and that Shirley's shares were sold to Dan and Steve Murdock.

I showed him the 1980 stipulation that appears to authorize Shirley and Ashcraft (among others) to transfer their water to other wells, and indicated that the stip. is the document that competes with his affidavit.

He again mentioned that he has stock certificates showing ownership of Hamer Canal shares, and I acknowledged that Skip Jones told me he has copies, though I haven't yet seen the copies myself. Dan indicated that they purchased the shares from the canal itself, so he doesn't know exactly whose shares they might have originally been.

We discussed my hope that the apparently abandoned or forfeited Yearsley shares, as documented by the Yearsley affidavit filed in A31-00062L, would allow us to assert an accomplished transfer to Murdock's lower POU. I explained that the potential obstacle would be the issue of "unstacking" from the Yearsley licenses. My approach would be to assert that the unstacking would have been allowed had it been done by formal transfer, because it took place prior to the moratorium. Further, the WR database of Yearsley's licenses does not appear to impose combined use limitations w/ the Hamer Canal rights. Therefore, if IDWR legal staff allow, I would plan to recommend the "L" splits as accomplished transfers of purchased Hamer Canal water.

I explained that the next-best option would be to assert a pre-1963 beneficial use claim, based on the licensing exam that showed additional Q capacity in the 1950's. Murdock felt the additional POU was developed probably in the 1970's. We also discussed the option of an enlargement claim, which would give them acres based on the 1987 NAPP but no additional Q. Finally, I mentioned that the pre-87 development would allow a permit application under the moratorium exemption, but would carry a 2,000 priority date.

We also talked briefly about Murdock's "K" claims, which are for the north POU on original Hamer Canal lands. Murdock says he purchased those lands from Lounsbury, but Lounsbury retained a few acres and a few shares east of the highway. Murdock asserts that Mike Hunter purchase that place and it is still irrigated by handlines from Murdock's pump. I told him that Hunter may wish to file a claim, if he doesn't the right will go away after the AJ is finished.

We attempted to contact Candice McHugh so he could hear my discussion with her re: the unstacking, but she was not available. See the attached e-mail.

Contor, Bryce
From: Contor, Bryce
Sent: Wednesday, May 17, 2000 5:39 PM
To: McHugh, Candice
Cc: Carlsen, Ernie; Music, Vicky
Subject: Hamer Canal Co.

Dan Murdock brought in an affidavit today from Keith Driver that says:

"May 10, 2000

To Whom It May Concern:

I do declare that Lynn Shirley forfeited his shares in the Hamer Canal Company because he did not pay his assessments. The Hamer Canal Company later sold these shares to Dan and Steve Murdock.

As for Grant Ashcroft, he refused to pay his assessments and so his shares in the Hamer Canal Company were forfeited.

Keith Driver

Former Secretary and Treasurer
Hamer Canal Company"

This, in and of itself, would point to disallowing Ashcraft's claim and Dallings (Dalling is Shirley's successor).

However, I reviewed again a 1980 stipulation and agreement signed by the Hamer Canal stockholders, authorizing certain individuals to "transfer their shares of water in this Company to wells other than those presently owned by Hamer Canal." Both Shirley and Ashcraft are listed as authorized to transfer out. This, in and of itself, would point to continuing investigation of Ashcraft's and Dalling's claims.

Another angle I'd like to consider is the shares formerly owned by Yearsley. Yearsley apparently abandoned his shares in favor of licensed individual wells, licensed under 31-07141 and 31-07287. On the database, neither WR

has combined use limitations or conditions relating back to the Hamer Canal rights. I've looked at the microfiche of 31-0728, and the paper license also fails to mention the Hamer Canal rights by number, though it does have a generic "other rights" limitation. 31-07141 microfiche is on order.

These licenses were examined in the early 1980's, from permits issued in the 1970's. At that time, had the canal water been removed from Yearsley's land by a formal transfer, the permits and licenses likely would have been issued exactly as they eventually were.

What I'd like to consider is recommending Dalling's and Ashcraft's claims on the strength of the 1980 stipulation authorizing their claimed accomplished transfers.

I'd also like to consider recommending Murdock's claimed accomplished transfer on the strength of:

1) Yearsley's affidavit acknowledging non-use and no claim to the Hamer Canal shares on the lands now irrigated w/ licenses. Yearsley also affirms that prior to his licenses, part of the lands (enough acres to justify Murdock's claim) were irrigated from the Hamer Canal. Documents show Yearsley at one time owned Hamer Canal shares, though his name isn't on the 1980 stipulation. A conversation memo indicates the 1980 stip. shows all of the then-current shareholders.

2) Yearsley's licenses would have been issued with or without the overlap with the Hamer Canal rights.

3) Yearsley's licenses do not explicitly identify the Hamer Canal rights in combined use remarks or conditions.

4) Murdock's development of POU and capacity occurred early enough to legitimately be an accomplished transfer of the additional Hamer Canal shares he clearly purchased.

To: Competing Splits of A31-00062Q and A31-00063Q
Fr: Bryce Contor
Date: 5/2/00

Re: B31 Action Meeting.

Today we discussed this situation w/ the Boise legal team, Dave Tuthill, and Carter Fritschle. I presented the following:

1. Ashcraft, Dalling, and Murdock's northern claim all appear to be parts of original POU of Hamer Canal.

2. Apparent chain of title (documentation not yet provided) points back to one of the shareholders who signed the agreement circa 1982, found in the files, for these three claims. Ashcraft and Dalling plan to provide written documentation.

3. Murdock may or may not be able to produce stock certificates. Murdock also has affidavit on file circa 1982 that he purchased all the remaining Hamer Canal rights. This is weakened by:

    - Affidavit does not identify or quantify what was conveyed.

    - Rene Shurtliff formal transfer post-dates affidavit.

    - Brent Dalling asserts (and plans to provide documentation) that water users perceived their stock certificates indicated ownership of physical assets (canal, pumps, equipment) and not water rights; that when individual users transferred water rights to private wells, they conveyed their stock to others. Dalling asserts that the last transfer, Rene Shurtliff, involved Murdock paying Shurtliff $5,000 for Shurtliff's share in the well, pump, and motor that remained on Murdock's land.

4. Murdock's fourth claim relies on an accomplished transfer that parallels a transfer denied by IDWR on the grounds that no original Hamer Canal POU would be dried up. Memo in file indicates Murdock acknowledged this in a conversation.

Guidance I received:

1. Continue w/ review of three claims I consider legitimate and recommend as appropriate.

2. Invite Murdock to file enlargement claim and moratorium exemption permit application for additional acres and Q for south POU.

To: A31-00062Q, A31-00063Q
Fr: Bryce A. Contor
Date: 3/22/2000

Copy for A31-00062K

Re: Phone conversation with Brent Dalling

I visited with claimant Brent Dalling on the phone on 3/21. He related to me the following regarding the history of ownership and use of Hamer Canal rights on his POU.

- He purchased the property from Zeke Ward, now deceased. Ward purchased the property from Lyle Shirley, who purchased it from Bruce Shirley. Note that Lyle Shirley is one of the "unaccounted for" shareholders who signed the 1980 stipulation. Dalling had no prior knowledge that Shirley was one of the names I would have been looking for to establish ownership.

- Shirley received water from the Hamer Canal. Ward drilled the current well and accomplished the informal transfer of POD and began taking his Hamer Canal water out of the well.

- Dalling believes he has neighbors and perhaps Ward's son who can provide affidavits that neither Shirley nor Ward conveyed the Hamer Canal shares to another party.

  Dalling also plans to produce affidavits documenting history of use.

- Four our five years ago when Dalling purchased the property, he learned that AJ claims had never been filed. When he began looking for documentation of the Hamer Canal rights, he was directed to Murdock, who was the last active user of the original canal company. Murdock would not supply any documentation to Dalling.

- Rene Shurtliff and Murdock were the last two users left on the Hamer Canal. When Rene put in his pivot, he initiated a formal transfer to move his shares to the well at the pivot point (see A31-00062J and 63J). That left Murdock as sole user under the Hamer Canal co.

- Murdock's use of the large well just south of Rene Shurtliff's home, on his adjoining property, is a continuation of historical use of the Hamer Canal, in Dalling's opinion.

To: Splits of A31-00062 and A31-00063
Fr: Bryce A. Contor
Date: 3/16/2000

Re: Split analysis, competing claims.

These water rights are the splits of the original Hamer Canal Co. rights. They shared a common POU and common POD's. 31-00062 was for 21.2 cfs with priority 10/31/1917. 31-00063 was for 8.8 cfs with priority 5/1/1928. Total is 30.0 cfs. Both are groundwater rights.

Transfer 1584 added points of diversion. Subsequent transfers split off parts of the original right, as individual shareholders began diverting their shares from private wells on their own POU. Some subsequent transfers change POU or POD of these split-off portions. Adjudication claims have been received corresponding to each of these splits by formal transfer.

Following the formal transfers, a portion of the original rights remained unchanged, as recorded in WR record 31-00062Q and 31-00063Q. Competing adjudication claims have been filed on this remaining portion.

This memo outlines the history of splits, and gives some information on competing claims. It relies on the following documentation, which is filed with A31-00062A:

- GIS maps of history of formal transfers. Pages 1 through 10.
- GIS map of competing claims for the remaining portion (WR splits "62Q" and "63Q"). Page 11.
- GIS map showing 1987 irrigation of lands under WR splits "Q." Page 12.
- 1980 NAPP showing 1980 irrigation of lands under competing claims. Pages 13 and 14.
- Close-up from USGS map W41 showing Hamer Canal delivery system, enhanced by GIS. Page 15.
- Memo from president and past presidents of Hamer Canal Company regarding ownership of shares, June 25, 1983. Page 16.
- Affidavit from officials of Hamer Canal Company regarding ownership of shares, 1984. Page 17.

- Stipulation and Agreement of shareholders of Hamer Canal Company, 1980. Page 18.

- Ernie Carlsen memo of conversation w/ Neal Savage, June 1980. Page 19.

- Excerpt from USDA Water Facility Operations Proposal for the Hamer Canal Company, 1941. Pages 20 and 21.

- Second copy of Stipulation and Agreement with cfs notations. Page 22.

- Review of claims and comparison with Stipulation and Agreement. Pages 23 and 24.

The memo also relies on some documentation found in file A31-00062L regarding denied transfer application 2890, and conversations with Harold Jones and Ernie Carlsen. Jones and Carlsen were involved in the original transfers and in the investigation of application 2890.

I. History of Place of Use

While the decreed place of use covered approximately 3140 acres, Mr. Jones and Mr. Carlsen indicate that this was at best a service area rather than an actual place of use. With the severe leakage of the canal and the sandy soils in the area, 30 cfs would have been adequate for only a fraction of the original decreed acres.

GIS map # 12 shows that some of the areas covered by WR splits "Q" were not under irrigation in 1987 and likely had not been for some time. Jones and Carslen recall that additional GW licenses were developed for other lands under the Hamer Canal. Documentation in 31-00062L shows this for the Wade Yearsley places of use, and the WR and AJ databases bear this out for lands in section 23. Other places of use were not investigated.

It appears that all of the competing claims "L," "K," Q," and "S" all were under irrigation in 1980 and 1987. "L," however, is in a location that could not physically have been served by the Hamer Canal but would have to represent an accomplished transfer. This claim in fact is based upon the denied transfer application 2890. Jones and Carlsen indicate that they found no evidence that no original Hamer Canal lands were dried up to accommodate the transfer. Conversation memos in A31-00062L indicate that the claimant acknowledges that all the original Hamer Canal lands were still being irrigated.

Claims "K," "Q," and "S" are in locations where irrigation from the Hamer Canal would have been physically possible.

II. Overlapping Water Rights on Competing Claims

Claims "L" are overlapped by license 31-02337 and claim A31-02337. The license authorizes 1.68 cfs on 84 acres (0.02 cfs/acre). The AJ claim is for 112 acres, which is substantiated by GIS analysis.

The claimant appears to have an ownership claim on the unallocated Hamer Canal rights (see "ownership" below). Because no Hamer Canal lands have been dewatered, the Hamer Canal rights will have to overlap the licensed right, rather than cover the enlargement acres. The license is already for 0.02 cfs/acre, but since the lands are surface irrigated, a Hubble analysis might justify additional diversion rate on the licensed 84 acres. However, this becomes problematic in light of the enlargement; how do we justify a need for additional diversion rate, and at the same time justify additional acres without additional diversion rate? (Note that NWMD measured over 6.0 cfs; the license is for 1.68.)

Claimant has been requested to provide additional documentation of the history of the use of the claimed right. Further analysis and investigation will be filed in A31-00062L. At first blush it appears that even though claimant may have title to the right, there has not been a valid accomplished transfer or enlargement of the original Hamer Canal rights. Upon receipt of documentation I will continue review.

Claims "Q" are not overlapped by any WR or claim. I've requested documentation of use and ownership from claimant. Upon receipt, I will begin CVR investigation.

Claims "S" are overlapped by beneficial use claim A31-10503 and license-based claim A31-07203. These overlaps have not been investigated. Ownership review below indicates the claimant does have an interest in the Hamer Canal rights. I have also requested documentation and will proceed with CVR review upon receipt.

III. Ownership

Documentation of ownership is incomplete and contradictory:

1. Memo from past presidents of Hamer Canal Co. (1983, p. 16) indicates that "existing water rights in the Upper Hamer Canal Company, now belong to Dave Murdock and Loren McGarry." This is contradicted, however, by Rene Shurtliff's ownership documentation in transfer 4911 (1997). It is unclear if there may also be others with legitimate claims to the water apparently granted to Murdock by this memo. Specifically, it is unclear who now has title to the shares of Shirley and Lounsbury (see items 3, 4, and 5).

2. Affidavit of officials of Hamer Canal Co. (1984, p. 17) indicate that Dave Murdock "has purchased water rights in excess of the amount he is still using" and that he specifically had purchased the rights to 212 acres in sections 22

and 28. Wade Yearsley, owner of the lands, provided an affidavit that the Hamer Canal Water had been used on those lands but no longer is, and that he had no claim on the Hamer Canal shares. However, documentation in A31-00062L shows that those places of use continued to be irrigated under other rights and claims.

3. Stipulation and Agreement (1980, p18) accounts for 18.1 cfs of the 30.0 decreed cfs. The Neal Savage conversation memo (1980, p. 19) indicates that all the shareholders signed the Stipulation and Agreement. However, the list itself appears to only be a list of shares proposed to be transferred out of the company. No number of shares is listed for signers Ralph Lounsbury, Loren McGarry, or Dan Murdock. Further, "zero" shares are listed for Rene Shurtliff.

4. Water Facilities Operation Proposal (Pages 20 and 21) indicates that in 1941 there were 322 shares of stock outstanding. The stipulation asserts 5 miners inches per share. Thirty CFS * 50 inches/cfs * 1 share/5 inches indicates 300 shares outstanding.

5. The copy of the Stipulation and Agreement with cfs notations (Page 22) accounts for all of the stipulated shares except Lynn Shirley's.

6. Review of Claims (Pages 23 and 24) identifies claims associated with McGarry ("A"), Murdock's original shares ("K"), and Shurtliff ("J").

   Murdock's "L" claim, and Dalling's "Q" claim, are not linked back to any signers of the Stipulation and Agreement or any of the stipulated shares.

   The review accounts for all the stipulated shares except Shirley's and all the signers except Lounsbury and Shirley.

IV. Diversion Rate

The decreed diversion rate was 30.0 cfs. However, the Water Facilities Operation Proposal (Pages 20 and 21) indicates that in 1941, the canal was "assessing 322 shares of stock... and delivering approximately two miner's inches of water per share." This is only about 13 cfs. However, it is likely that part of the proposal, and part of transfer 1584, were efforts to recover diversion capacity lost to declining pumping water levels.

The formal transfers were all processed under the assumption that the original diversion rate was valid and I plan to do the same with AJ claims, as ownership and historical use documentation allows.

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 15, 2000

Dan Murdock
Steve Murdock
1995 N 2500 E
Hamer, ID 83425

Re: Adjudication Claims A31-00062K, A31-00062L, A31-00063K, A31-00063L

Dear Water User:

We are now in the process of reviewing adjudication claims in administrative basin 31. To make an accurate recommendation, I need some additional information for the claims listed above.

These claims are based upon the original decreed water rights of the Hamer Canal Company, which disbanded in the 1980's. Most of the original shareholders filed formal transfers with the Idaho Department of Water Resources and moved their canal shares to private wells. Adjudication claims have been filed on all these transferred portions of the original rights.

Following the formal transfers, there was a small part of the original water rights that was not allocated. We have received competing claims for this unallocated portion of the original rights, which total more than the available unallocated portion. Your claims listed above are part of this group of competing claims.

The transfer files contain some information regarding the ownership and the history of these rights, but it is incomplete. To make an accurate recommendation, I need your help. I need documentation that shows:

1. How and when you acquired the underlying canal shares represented by this claim.

2. Who was the last owner of these shares to use water directly from the Hamer Canal.

3. The history and extent of irrigation of your claimed place of use, directly from the Hamer Canal.

4. The dates, circumstances, and parties involved in changing your diversion from the Hamer Canal to a private well.

5. The extent of any periods of non-use and the circumstances of resumption of use.

The enclosed pamphlet is directed towards Evidence of Priority Dates, but it contains useful information about the kinds of documentation that are most useful. Some highlights are:

1. The documentation should tend to show when, where, and how the water was used. If possible, it should indicate how much water was used, how long, and how often.

2. Documentation should clearly identify the source of the evidence. Statements of individuals should identify who the person is, and how he/she acquired the knowledge stated.

3. Statements need to be "first person" statements -- "I saw... I irrigated... I was ten years old and saw my father do such-and-such... I farmed the next place and saw my neighbor irrigate..."

Please call me at 525-7161 or 663-4853 if you have questions. I hope to make a recommendation that accurately reflects your water rights. This documentation will help a great deal.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

To: Splits of A31-00062
Fr: Bryce A. Contor
Date: 2/17/2000

Re: Split History

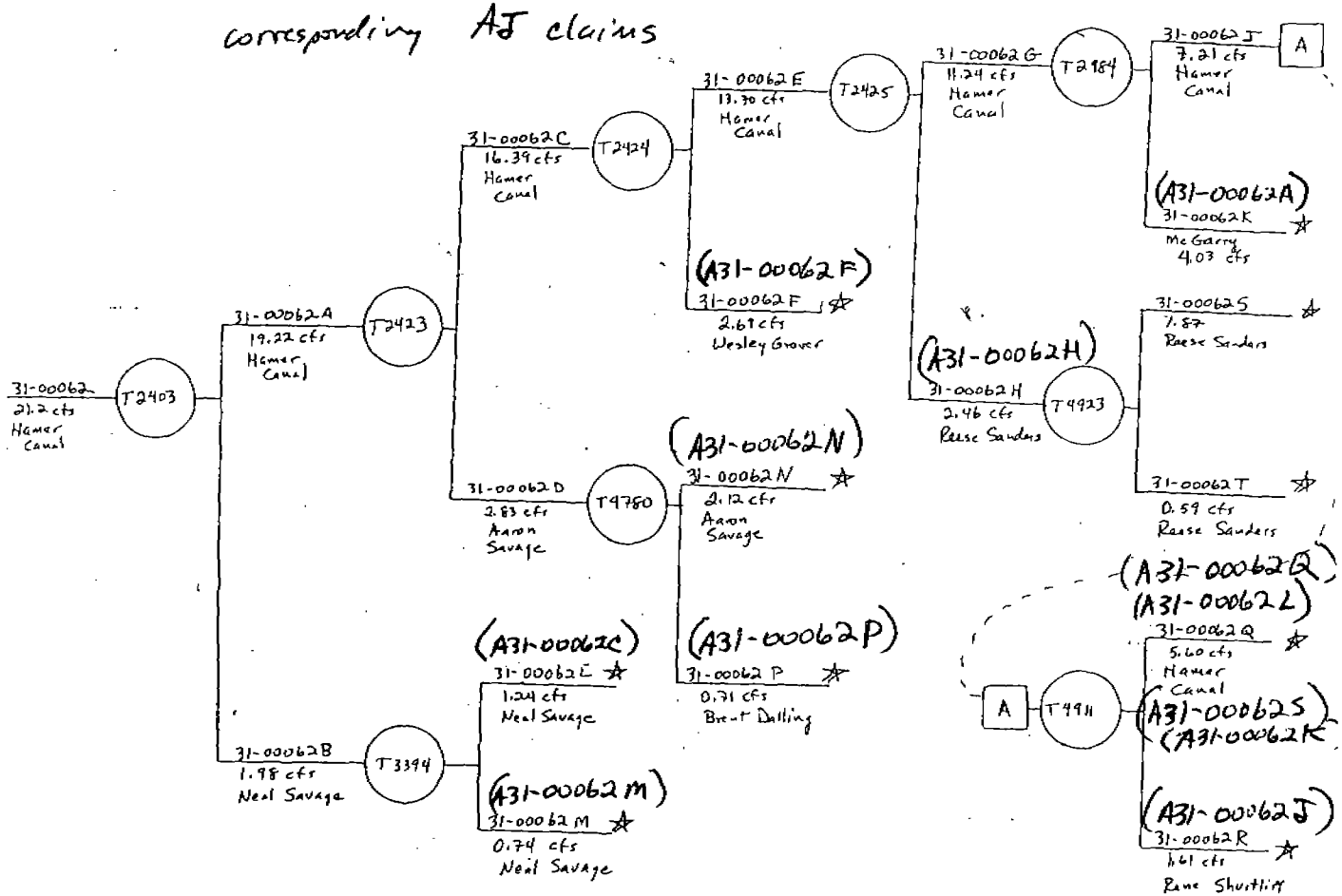
Attached are split histories for the WR side and AJ side. Primary documentation is in A31-00062A. Additional documentation is in A31-00063A. A31-00062J, and A31-00062H.

Claim A31-00062H, corresponding to WR 31-00062H, needs to be split per T4923. Transfer split WR into portions "S" and "T," but claim "S" has already been used to represent a part of original WR 31-00062Q.

Four claims -- A31-00062K, A31-00062L, A31-00062Q, and A31-00062S -- appear to have their basis in WR 31-00062Q. These will need careful research of ownership history, original POU, and accomplished transfer. Memo in splits of '63 indicates that 31-00062Q is underclaimed, but this is incorrect. Both 31-00062Q and 31-00063Q are overclaimed.

Note that Hamer Elementary School has an irrigation well that may also reflect part of the original Hamer Canal Co. right. See file A31-10292.

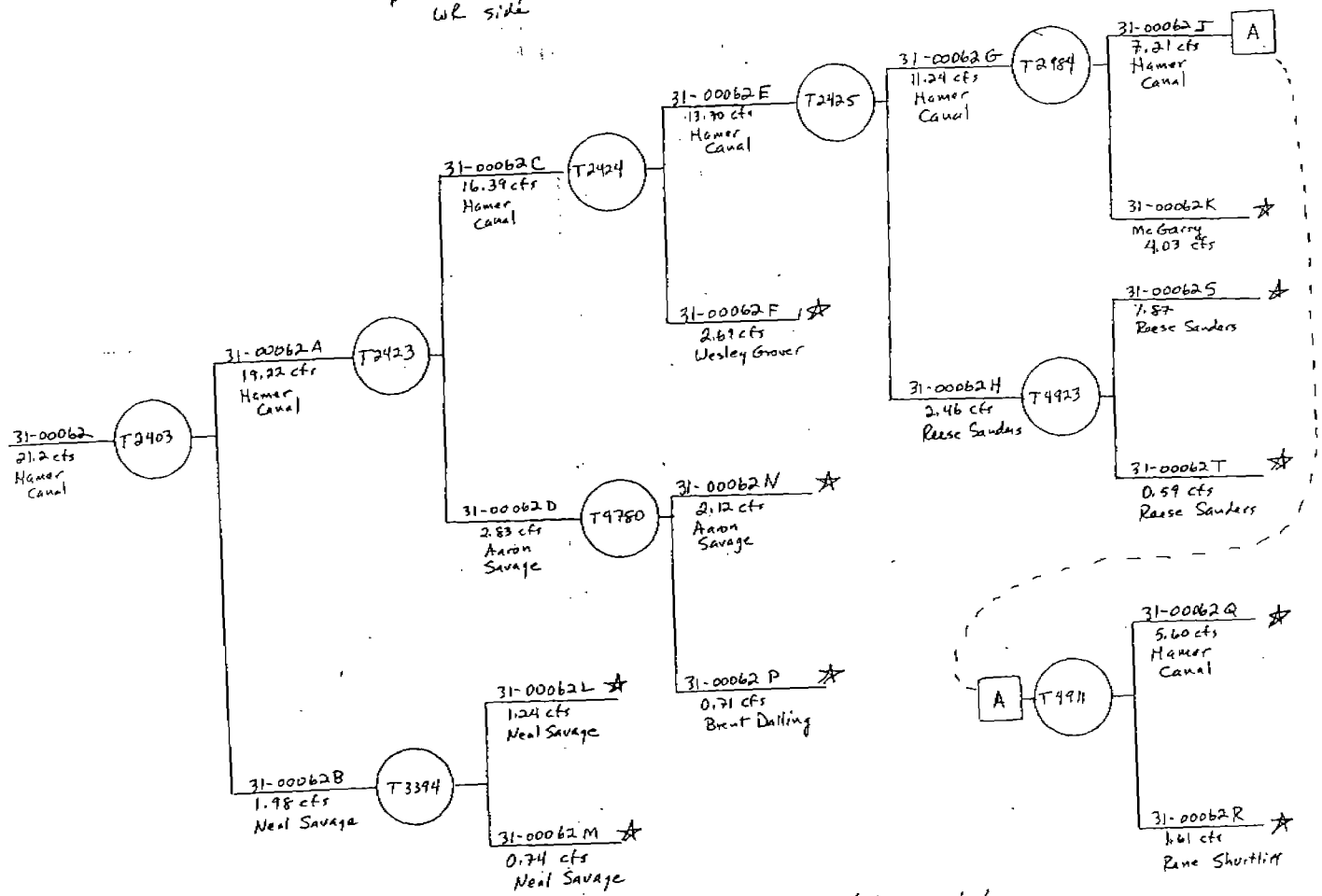
Split History of 31-00062
WR side — with
corresponding AJ claims



B. Conton 2/15/2000

Rights active on WR database
sum to 21.2 cfs.

Split History of 31-00062
WR side



B. Coulton 2/15/2000

Rights active on WR database sum to 21.2 cfs.

WR5747NP IDAHO DEPARTMENT OF WATER RESOURCES DATE: 03/21/97
WATER RIGHTS NUMBER INDEX PAGE: 1

WATER RIGHT NUMBER	NAME	CFS
31-00062	SPLIT INTO 31-0062A & 31-0062B BY TRANS. 2403.	
31-00062A	SPLIT INTO 31-0062C & 31-0062D BY TRANS. 2423.	
31-00062B	Split into 31-00062L & M by Trans. 3394.	
31-00062C	SPLIT INTO 31-0062E & 31-0062F BY TRANS. 2424.	
31-00062D	THIS RIGHT SPLIT INTO PARTS N & P THRU APPROVED TRANSFER NO. 4780	
31-00062E	SPLIT INTO 31-0062G & 31-0062H BY TRANS. 2425.	
31-00062F	GROVER , WESLEY	2.69
31-00062G	RIGHT SPLIT INTO 31-0062J & K.	
31-00062H	RIGHT SPLIT INTO PARTS S & T THRU APPROVED TRANSFER NO. 4932.	
31-00062J	RIGHT SPLIT INTO PARTS Q & R THRU APPROVED TRANSFER NO. 4911.	
31-00062K	LOREN MCGARRY RANCHES	4.03
31-00062L	SAVAGE , NEAL	1.24
31-00062M	SAVAGE , NEAL	0.74
31-00062N	SAVAGE , AARON	2.12
31-00062P	DALLING , BRENT	0.71
31-00062Q	HAJER CANAL CO	5.60
31-00062R	SHURTLIFF , LELLA SHURTLIFF , RENE	1.61
31-00062S	SANDERS , REESE	1.87
31-00062T	SANDERS , REESE	0.59

WR Database
2.69
2.69
4.03
1.24
0.74
2.12
0.71
5.60
1.61
1.87
0.57
Σ = 21.20

WR database agrees w/ flow analysis 2/16/2000 BAC

****
Claim A31-00062/63 Splits
Doc Source Microfiche
31-00062 Sht 6
Date 2/16/00 Sig. D. Contr
****

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	HAMER CANAL CO	10/31/1917	IRRIGATION	05/01	09/01	5.600 CFS	
				TOTAL DIVERSION:		5.600 CFS	

Water Source: GROUNDWATER Tributary to: Stage: DECREED

Point(s) of Diversion: T07N R36E S14 NESW NWSW NWSE JEFFERSON County
S22 SESE JEFFERSON County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
07N	36E	15													20			40	60.0
07N	36E	22	20			33			30		25	40			14			16	178.8
07N	36E	23					40	40	39	40	40	37	32	40	40	40	40	40	468.0
07N	36E	26									38	40				05	32	02	117.0
07N	36E	27	40	40	40				40										160.0
07N	36E	28			20	40									40	40	40		180.0
07N	36E	33															06		6.0
07N	36E	35						40	21						40	40	40	40	221.0
																TOTAL ACRES			1390.8

Pou County: JEFFERSON

Remarks: GEN TRANS. 1584, 2403, 2423, 2424 & 2425.
7 P/D IN NWSW 14, 2 P/D IN NESW & 4 P/D IN NWSE, S14, T7N, R36E.
Transfer No. 2984 split 31-00062G into parts J & K.

OVERCLAIMED

Dates: App. Received: Priority Date: 10/31/1917
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 31 Field Exam Fee:

Comments: Date: 03/18/1997 User-ID: PSKAGGS Subject: TRANSFER NO. 4911
Transfer No. 4911 adds a new point of diversion, retains one point of diversion & shifts acres to adjacent QQ to cover a center pivot.

Audit: 09/20/96 RBODELL 03/18/97 PSKAGGS 03/18/97 PSKAGGS

A31-00062K 3.16 cfs
A31-00062L 1.58 cfs
A31-00062Q 0.55 cfs
A31-00062S 0.59 cfs
Σ 5.88 cfs