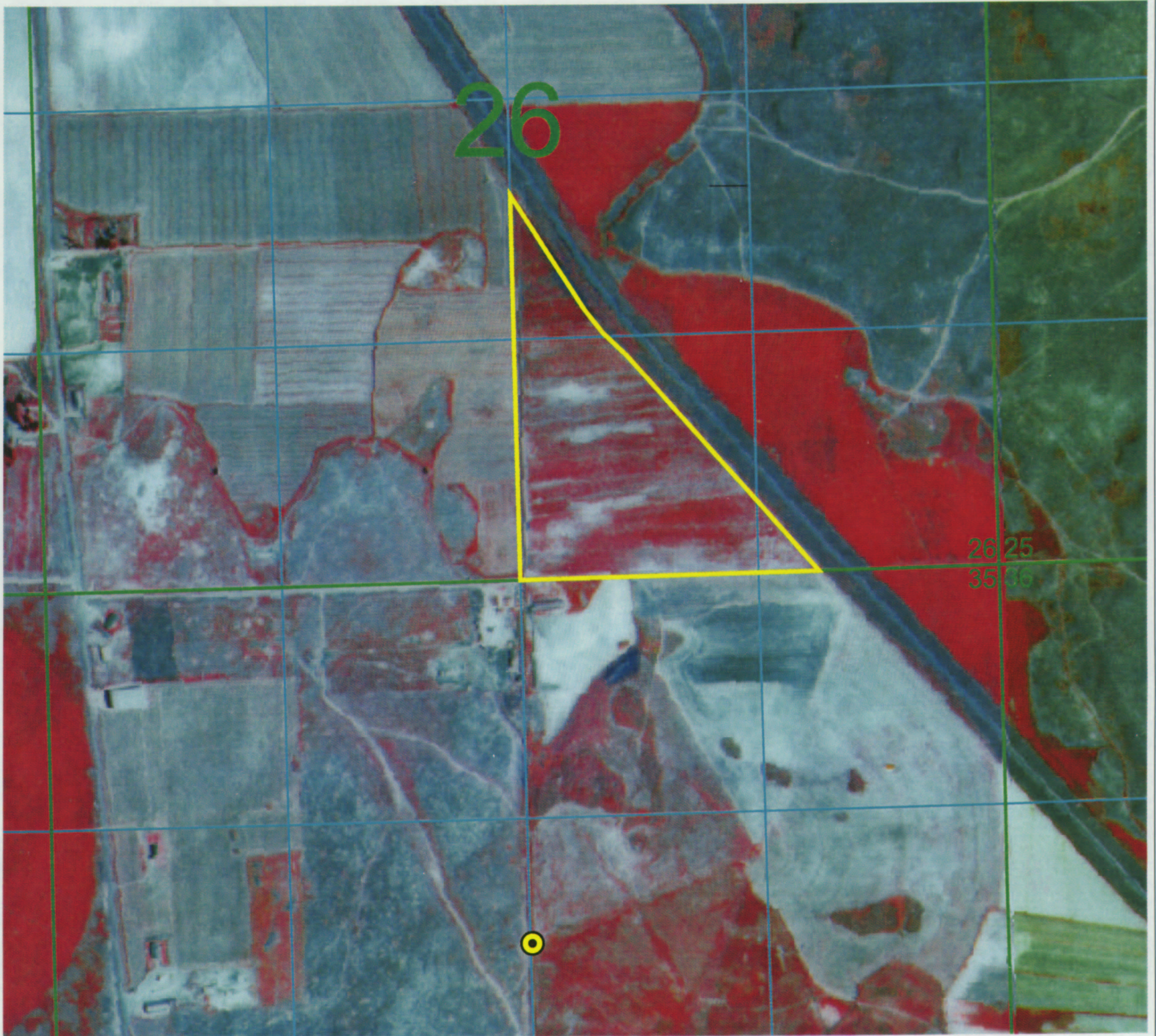
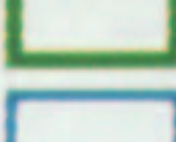
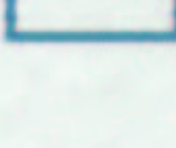


IDAHO DEPARTMENT OF WATER RESOURCES

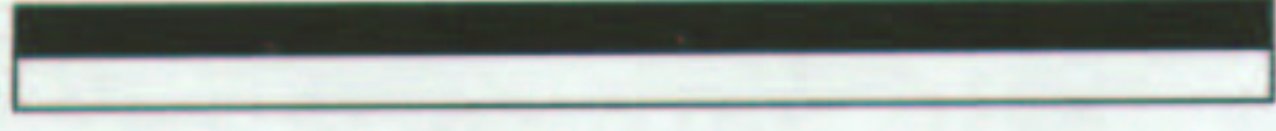
Water Right 31-00062Q, 31-00063Q

Township 7N Range 36E Section 26



-  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



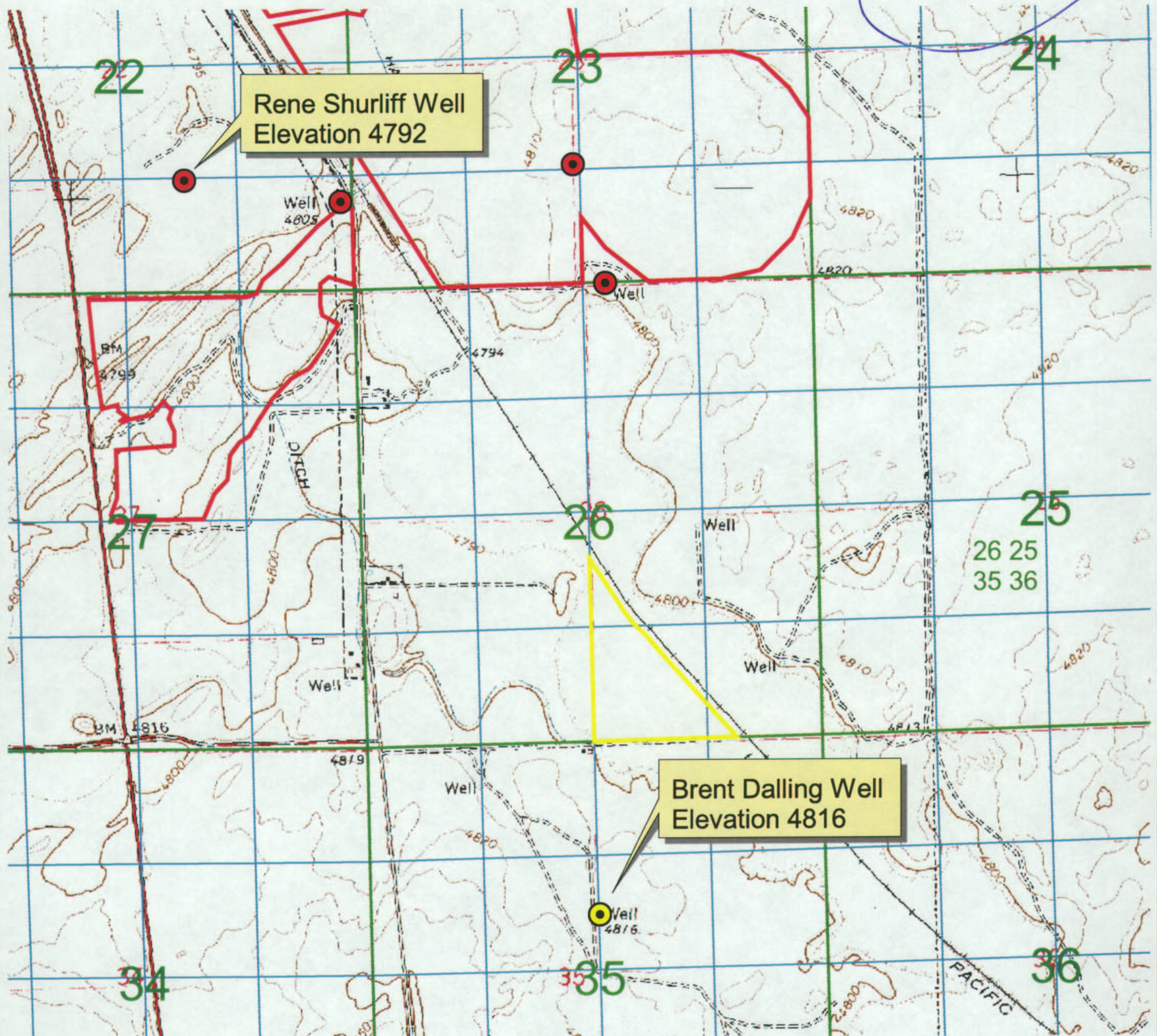
Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 6/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062Q, 31-00063Q

Township 7N Range 36E Section 26

*Attachment to
Theoretical
Calculation*



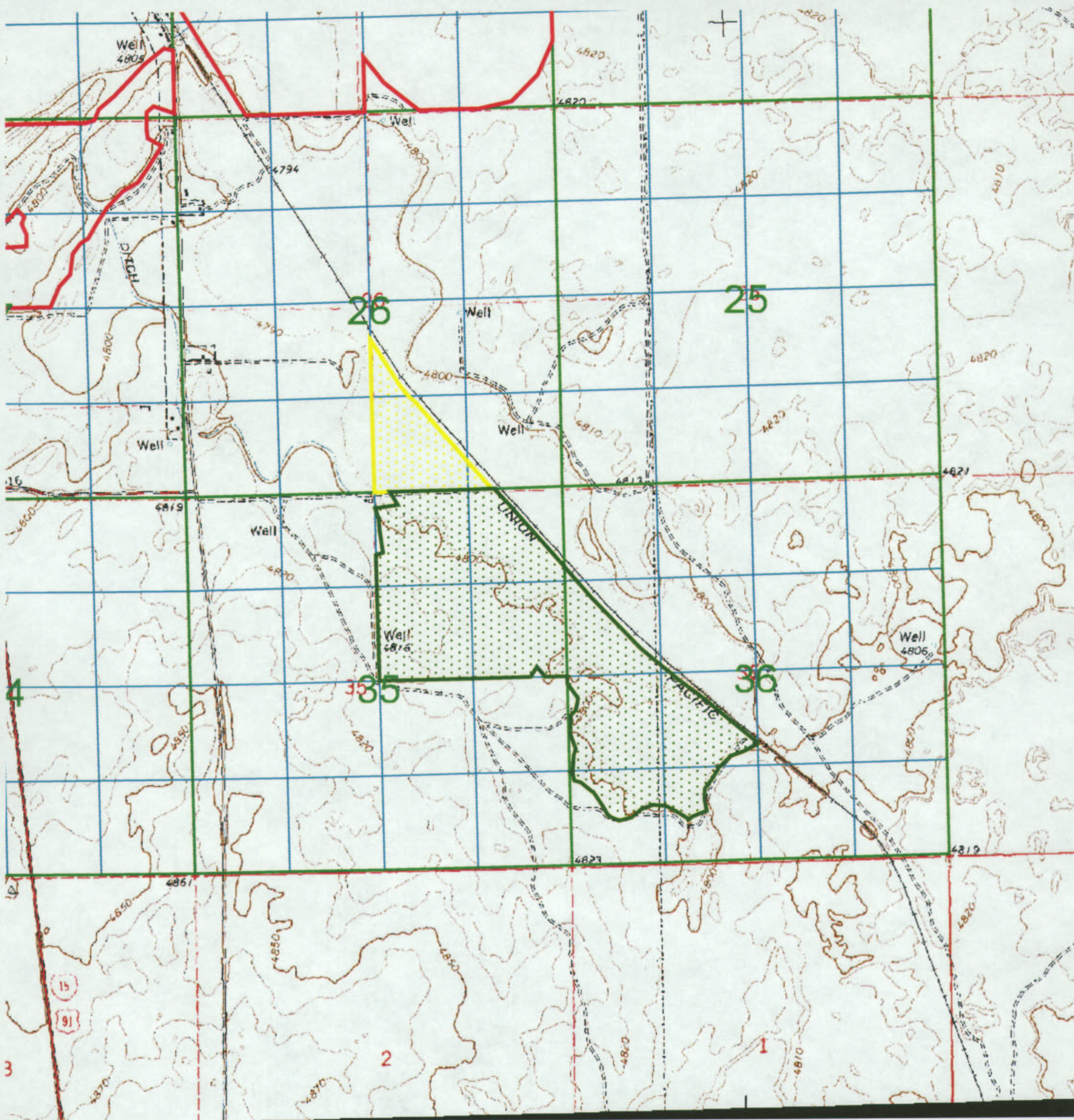
- Point(s) of Diversion, This WR
- Other Points of Diversion
- Place of Use, This WR
- Other Places of Use
- Section Lines
- Quarter-quarter Sections

0 1320 Feet



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

Overlap Review, 31-00062Q, 53Q, 2370, 2385

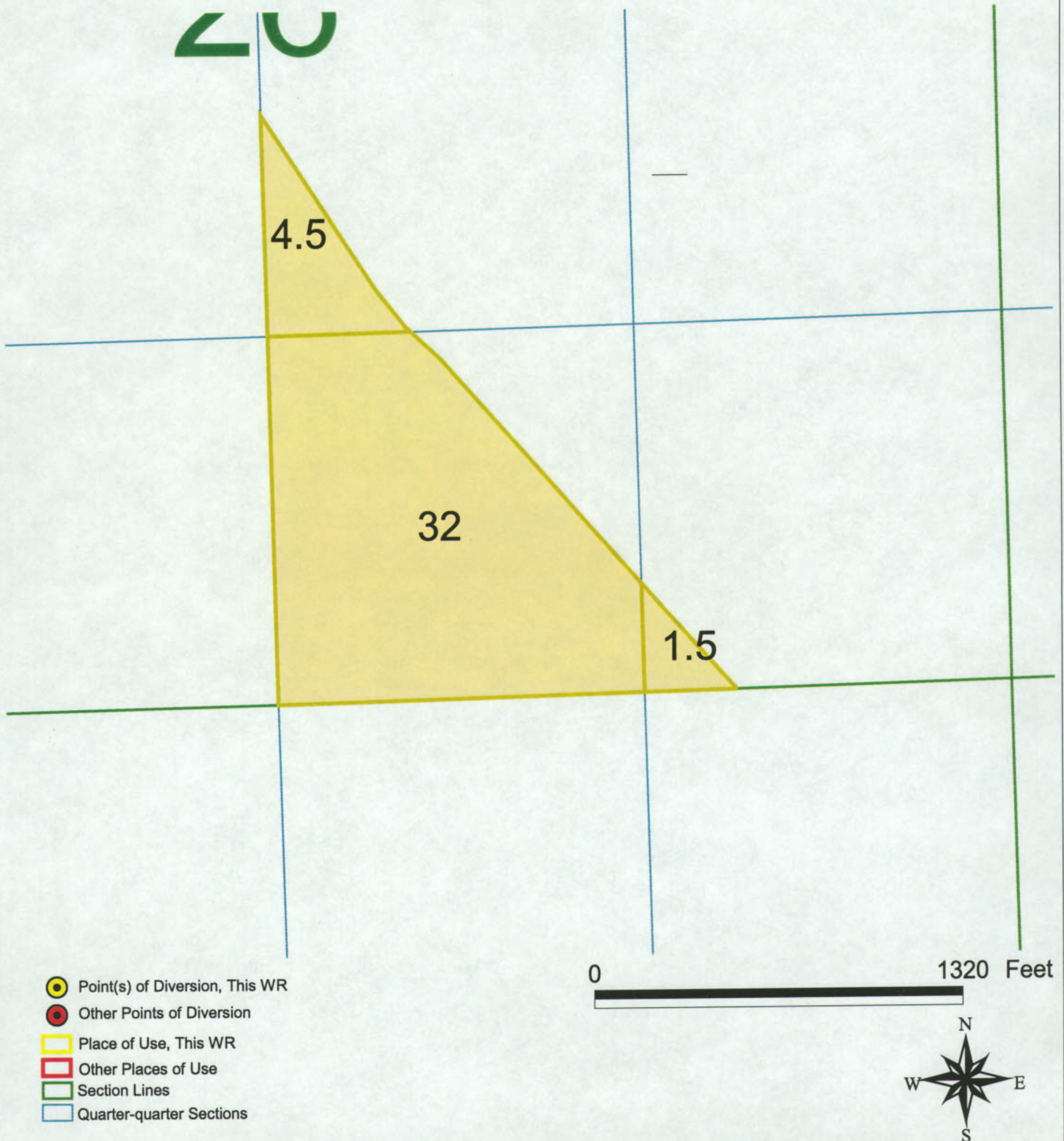


-  31-02370, 23-02385 Claims
-  31-00062Q, 31-00063Q
-  Other Water Rights
-  Sections
-  Quarter-quarter Sections

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right **31-00062Q**, 31-00063Q

Township 7N Range 36E Section 26



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

 Claim A31-000622/632
 Doc Source NAPP w41
9/4/1980
 Date 6/2/00 Sig. bac

DATE: 06/13/00
PAGE: 1

Misc: Water District Number: 31 Field Inspection Flag:
Presumption Flag: C

AJ0749NP
No. R31-00062Q

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

DATE: 06/13/00
PAGE: 2

=====

Comments: Date: 06/13/2000 User-ID: BCONTOR Subject: COPIED FROM REMARKS
CHANGE IN THE POD OCCURRED IN THE 1970'S.

Date: 06/13/2000 User-ID: BCONTOR Subject: CHANGE IN POD
CHANGE IN POD IS ACCOMPLISHED TRANSFER FROM HAMER CANAL WELLS TO
PRIVATE WELL, AS DOCUMENTED BY AGREEMENT AND STIPULATION OF ALL
MEMBERS OF HAMER CANAL CO SIGNED IN 1980.

Audit: 06/13/00 BCONTOR

50
+39
89

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: A31-00062Q
Date Received: 3/21/1996
Receipt No: E022047
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRENT DALLING 208-662-5454
Address: 1916 N 2350 E
HAMER ID 83425
AND/OR
Name: LAUREL DALLING 208-662-5454
Address: 1916 N 2350 E
HAMER ID 83425

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	35	SW	NE			JEFFERSON

5. Description of diverting works:
WELL/PUMP TO DITCH IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	09/01	0.550		136.50

7. Total Quantity Appropriated is:
0.550 C.F.S. (and/or) 136.50 A.F.A.

8. Total consumptive use is 97.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	26	NW	SE		IRR	5.0

A3100062Q



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	26	SW	SE		IRR	32.0
			SE	SE		IRR	2.0
Section Acres							39.0
Total Acres							39.0

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:
31-2370, 31-02385, 31-00063Q

14. Remarks:
CHANGE IN THE POD OCCURRED IN THE 1970'S.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 11/ 1/1930

ERNEST SAUVE

Decree Plaintiff

W. H. ABBOTT.

vs Decree Defendant

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): X Brent Dalling Date: 7/11/96

Date: _____

State of Idaho)
County of Bonneville) SS.

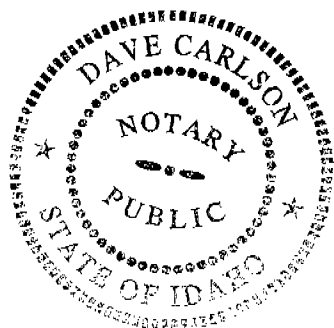
Subscribed and sworn (or affirmed) before me this 11 day

of April 19 96

Dave Carlson

Notary Public

Seal



Residing at Rigby, Id

My Commission Expires 2/26/2002

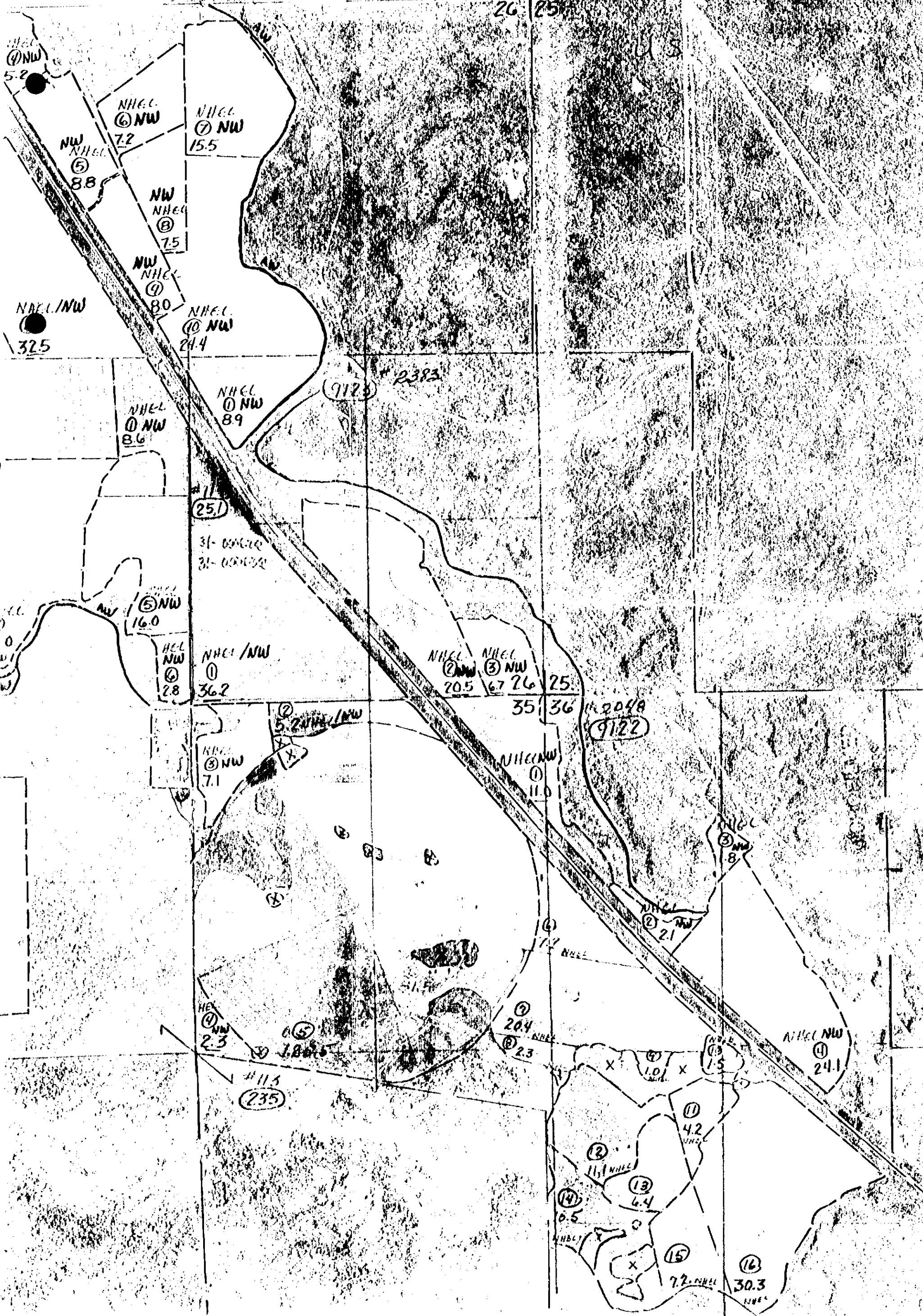
MICROFILMED

NOV 14 1996

NW

NW

23 24
26 25



NWEL
④ NW
5.2
NW
NWEL
⑤
8.8
NWEL/NW
32.5

NWEL
⑥ NW
7.2
NWEL
⑦ NW
15.5

NW
NWEL
⑧
7.5

NW
NWEL
⑨
8.0

NWEL
⑩ NW
24.4

NWEL
⑪ NW
8.6

NWEL
⑫ NW
8.9

⑪ 2383

⑫ 251

31-000000
31-000000

NW
NWEL
⑬ NW
16.0

NWEL
⑭ NW
28

NWEL/NW
⑮
36.2

NWEL
⑯ NW
20.5

NWEL
⑰ NW
67.26

25

35 36

2048
⑱ 9122

NWEL
⑲ NW
7.1

NWEL/NW
⑳
11.0

NWEL
㉑ NW
8

NWEL
㉒ NW
2.1

NWEL
㉓ NW
2.3

NWEL
㉔ NW
20.4

㉕ 2.3

㉖ 1.805

㉗ 235

NWEL
㉘ NW
1.0

NWEL
㉙ NW
1.5

NWEL/NW
㉚ NW
24.1

NWEL
㉛ NW
11.5

NWEL
㉜ NW
6.4

NWEL
㉝ NW
0.5

NWEL
㉞ NW
7.2

NWEL
㉟ NW
30.3

POOR ORIGINAL



404 405 406 10' 407 408

SCALE 1:24 000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062Q, 31-00063Q

Township 7N Range 36E Section 26



○ Point(s) of Diversion, This WR

● Other Points of Diversion

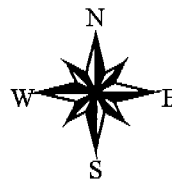
Place of Use, This WR

□ Other Places of Use

□ Section Lines

□ Quarter-quarter Sections

0 1320 Feet



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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:51:00
01/22/96
18

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A31-00063P

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIERSION VOLUME
C	BRENT DALLING	10/31/1917	IRRIGATION	04-01-11-01	0.71 CFS	175
C	LAUREL DALLING			4/15 10/15	0.71 CFS	
				TOTAL DIVERSION:	0.71 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: OUSCREED

Point(s) of Diversion:

T07N R36E S27

~~SW~~ NWSWSW McGarry North

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07N	36E	27	:																	50.0
																			TOTAL ACRES	50.0

POU County: JEFFERSON

Other Rights: A31-0063P

Remarks: TRANS. 1584 & 2423, 3029
PAID ON RECEIPT H003532

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 31

Field Inspection Flag:
Presumption Flag:

USE S02

POU 1 E14 62P, 63P 50 acres
K06 36 acres

EXP F06 copied fr. 3-62A

QNT E05 63P 175 afa

POD ID _____
POU ID _____

Comment:

extra pou / permit exp. 7436

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:45:36
01/22/96

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A31-00062P

LAST: SAVAGE
ADDRESS: HC 69 BOX 1130
CITY: HAMER
PHONE NUMBER: 208-662-5475

FIRST: AAKON
STATE: ID ZIP: 83425

OWNER CODE: 0

LAST: SAVAGE
ADDRESS: HC 69 BOX 1130
CITY: HAMER
PHONE NUMBER: 208-662-5475

FIRST: LYLA
STATE: ID ZIP: 83425

OWNER CODE: 0

LAST: DALLING
ADDRESS: 1916 N 2350 E
CITY: HAMER
PHONE NUMBER: 208-662-5454

FIRST: BRENT
STATE: ID ZIP: 83425

OWNER CODE: C

LAST: DALLING
ADDRESS: 1916 N 2350 E
CITY: HAMER
PHONE NUMBER: 208-662-5454

FIRST: LAUREL
STATE: ID ZIP: 83425

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: TRANS. 1584 & 2423, 3029
PAID ON RECEIPT R003532

DATABASE
Y

FIELD
EXAMINER
Y() N()

PAGE: 2
FIELD EXAMINATION INFORMATION

CLACK NUMBER: A31-00062P

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 6/19/02 Relies on

post-87 transfer 4780 (copy in file)

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

B. WR RECORD: # 31-00062 PRIORITY DATE: - - STAGE:

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(/) N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(/)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y() N(/)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(/) Y() N()

FIELD EXAM COMPLETED N/A(/) Y() N()

FIELD EXAM SENT TO STATE OFFICE N/A(/) Y() N()

LICENSE ISSUED N/A(/) Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A(/) Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(/) N()

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

10 - 31 - 1917

REVIEWED BY: Bryce A. Contor DATE: 6/19/00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A31-00062P	07N	36E		27	SW	NE		JEFFERSON		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX
A31-00062N
A31-00063N
A31-00063P
A31-10364

R PREFIX
R31-10364

31-00062D
31-00063D

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

3100062 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N(☒)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N(☒)

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N(☒)

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N(☒)

OTHER (DESCRIBE IN NOTES BELOW)

NWMD GPS, T 4780

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POB FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
07N	36E	27	NE	SW	SW			JEFFERSON	Mc Garry North	

SOURCE: 6W TRIP:

REVIEWED BY: BAC DATE: 6/19/20

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

Well to pivot & handlines.

PAGE: 6
PLACE OF USE REVIEW SHEET

CLAIM NUMBER: A31-00062P

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

B. FOO LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ \$/ACRES	WK \$/ACRES	LANDCAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	36E	27	NE	SW		DALLING, BRENT	A31-00062P / 26.0	-	/		32.0
			NE	SW		SAVAGE, AARON	A31-00062N / 14.0	-	/		
			NE	SW		SAVAGE, AARON	A31-00063N / 14.0	-	/		
			NE	SW		DALLING, BRENT	A31-00063P / 26.0	-	/		
			NE	SW		SAVAGE, AARON		31-000620	/	40.0	
			NE	SW		SAVAGE, AARON		31-000630	/	40.0	
			NE	SW		HAMER CANAL CO.		31-02206	/	32.0	
			NE	SW		HAMER CANAL CO.		31-04002	/		
07N	36E	27	SE	SW		DALLING, BRENT	A31-00062P / 24.0	-	/		32.0
			SE	SW		SAVAGE, AARON	A31-00062N / 16.0	-	/		
			SE	SW		DALLING, BRENT	A31-00063P / 24.0	-	/		
			SE	SW		SAVAGE, AARON	A31-00063N / 16.0	-	/		
			SE	SW		SAVAGE, AARON		31-000620	/	40.0	
			SE	SW		SAVAGE, AARON		31-000630	/	40.0	
			SE	SW		HAMER CANAL CO.		31-02206	/	32.0	
			SE	SW		HAMER CANAL CO.		31-04002	/		

ADDITIONAL FOO FOUND

TOTAL ACRES

A31-00062P

50.00

53.00

Water use also found in NWSW of section 27 per NAPP & drive-by field inspection, see also NWMP exam POU sketch, copy in file.

PAGE: 7
PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-00062P

POU COUNTY: JEFFERSON

C. IS WATER USAGE FOUND ON TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-00062P	GROUNDWATER	DALLING, BRENT	0.700	0.014		
A31-00062N	GROUNDWATER	SAVAGE, AARON	2.120	0.014		
A31-00063N	GROUNDWATER	SAVAGE, AARON	0.880	0.005		
A31-00063P	GROUNDWATER	DALLING, BRENT	0.290	0.005		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A31-0063P

7270 out of same POU, Moratorium Hold 31-07436 Adjoining POU to complete photo.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG 'C' WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, TOWR NO. _____; () TOPOGRAPHIC QUAD, TOWR NO. _____;
() NAPP, IDWR NO. _____; () ASES PHOTO; (X) OTHER GIS, NWMD, Transfer

NOTES: POU recommended per post-1987 xfer. Transfer does not
give ind. acres per water right but only PPU.

$$\frac{0.71}{0.02} \approx 36 \text{ acres } 31-00062P$$

$$\frac{0.29}{0.02} \approx 14 \text{ acres } 31-00063P$$

RECOMMENDATIONS:

TOTAL ACRES: 50 limited to 36 N/A()
REVIEWED BY: BAC

DATE: 6/19/00

A. CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A31-00062P IRRIGATION	FROM 04-01 TO 11-01	0.710 CFS	
TOTAL DIVERSION RATE/VOLUME		0.710 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
TOTAL DIVERSION RATE/VOLUME			

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☐) N(☒)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☐) N(☒)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

PAGE: 10
PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

10
CLAIM NUMBER: A31-00062P

NOTES: *recommend per post-87 formal transfer*

AJ CLAIM TOTAL DIVERSION RATE: 0.710 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

1b. CALCULATIONS

ACRES 36 x 0.02 CFS/ACRE = 0.72 CFS
(Taken from previous review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() N/A

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES 36 x DIVERSION VOL. AF/A FOR AREA 3.5 = 126

TOTAL DIVERSION VOLUME _____ AE/A

175.0 per transfer

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AE/A

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

TOTAL CONSUMPTIVE USE _____ AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

PAGE: 12
DIVERSION AMOUNT REVIEW SHEET CONTINUED

CLARK NUMBER: A31-00062P¹²

NOTES:

WR RECORD CONDITIONS/REMARKS:

SPLIT INTO 31-0062A & 31-0062B BY TRANS. 2403.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AC/A	REC. CONS. USE
IRRIGATION	~~04-01~~ ~~11-01~~ 4/15 11/15	DATABASE 0.710	DATABASE EXAMINER	DATABASE 0.0
TOTAL FOR THIS RIGHT				

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: *bac* DATE: 6/19/00

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

see profile rpt.

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ☒ NEEDS REVIEW ☐
☒ *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	-	-	31-00062	
-	A31-00062C	1.240	-	-	31-00062A	
-	A31-00062F	2.690	-	-	31-00062C	
-	A31-00062H	2.460	-	-	31-00062D	2.830
-	A31-00062J	3.440	-	-	31-00062E	
-	A31-00062K	3.160	-	-	31-00062F	2.690
-	A31-00062L	1.580	-	-	31-00062G	
-	A31-00062M	0.740	-	-	31-00062H	2.460
-	A31-00062N	2.120	-	-	31-00062J	7.210
-	A31-00062P	0.710	-	-	31-00062K	4.030
-	-	-	-	-	31-00062L	1.240
-	-	-	-	-	31-00062M	0.740
TOTAL CFS		22.170				21.200

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE N FIELD EXAMINER Y() N()

NOTES:

See file for split review, also see file 31-00062A

PAGE: 15
BASIS OF CLAIM REVIEW SHEET CONTINUED

15
CLAIM NUMBER: A30-00062P

=====

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

Byce A. Contor

6/19/00

Byce A. Contor

SWA

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED ON FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USES AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>GIS</u>	DATE <u>6/2000</u> <u>2 sheets</u>	☒ Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☒ OTHER <u>NWRMD exam</u>	DATE <u>1997</u>	<u>7</u>	_____
☒ OTHER <u>Transfer 4750</u>	DATE <u>1986</u>	<u>17</u>	_____
<u>split analysis</u>	<u>3/16/00</u>	<u>6</u>	_____
<u>split Histo</u>	<u>2/17/00</u>	<u>4</u>	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:45:36
01/22/96

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A31-00062P

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y				BAC			
POINT OF DIV	Y				CUR			
SOURCE	Y				6/19/2000			
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ACQUEDUCTION CLAIM VERIFICATION REPORT

10:14:26
06/07/00
18

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A31-000630

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRENT DALLING	10/31/1917	IRRIGATION	05 01 00 01	0.950 CFS	106.50 AEA
C	LAUREL DALLING			4-1 10-31	0.50 CFS	40.00 AEA
TOTAL DIVERSION:						146.50 AEA
CONSUMPTIVE USE:						07.50 AEA

Water Source: GROUNDWATER

Tributary to:

Stage: OCCURRED

Point(s) of Diversion:

T07N R36E S35

NEBUNE

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07N	36E	26	:																	
																			4.5 32 1.5	38
																			TOTAL ACRES	39.0

POU County: JEFFERSON

Other Rights: 31-2370, 31-02285, 31-000630

C03, C18

Conditions of Approval:

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

Remarks: GWN CHANGE IN THE POD OCCURRED IN THE 1970'S.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 31

Field Inspection Flag: D
Presumption Flag:

Comment ΔPOD

EXP F06 62Q, 63Q, 2370
(+ enlargement claim if
filed)

POU1 E14 62Q 63Q 38 acres

POD ID _____
POU ID _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:13:27
06/07/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A30-000620

LAST: HAMER CANAL CO.
ADDRESS:
CITY: HAMER
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 83425

OWNER CODE: 0

LAST: DALLING
ADDRESS: 1916 N 2350 E
CITY: HAMER
PHONE NUMBER: 208-662-5454

FIRST: BRENT
STATE: ID ZIP: 83425

OWNER CODE: C

LAST: DALLING
ADDRESS: 1916 N 2350 E
CITY: HAMER
PHONE NUMBER: 208-662-5454

FIRST: LAUREL
STATE: ID ZIP: 83425

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: CEN CHANGE IN THE POD OCCURRED IN THE 1970'S.

PAGE: 2
FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A01-000629

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. See also data in files
31-00062A, 31-00062K, 31-00062L.

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A31-000620	07N	36E	35		SW	NE			JEFFERSON		

OTHER AJ CLAIMS WITH SAME AJ POD:
 A PREFIX R PREFIX
 A31-000630 NONE 31-02370
 A31-02370 31-02385
 A31-02385

WR RECORDING IN SAME 40 ACRE TRACT

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
31-000620	07N	36E	14		NE	SW			JEFFERSON		
31-000620	07N	36E	14		NW	SE			JEFFERSON		
31-000620	07N	36E	22		SE	SE			JEFFERSON		
31-000620	07N	36E	14		NW	SW			JEFFERSON		

OTHER WR RECORDS WITH SAME WR POD: 31-00062R 31-10386
 31-000630 31-10524
 31-00063E
 31-02206
 31-04002
 31-07405
 31-07406

AJ CLAIMS IN SAME 40 ACRE TRACT
 A PREFIX R PREFIX
 A31-00062J 31-10386
 A31-00062K 31-10524
 A31-00063J
 A31-00063K
 A31-10524

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N(/)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ALLOTTED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(/) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(/)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(/) N()

A IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INQUIRY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y(/) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N(/)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

Y() N(/)

AS FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER)

Y() N(/)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: GPS field inspection by NWMD

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
07N	36E	05	SW	SW	NE			JACKSON		

SOURCE: GROUNDWATER

TYPE:

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A1. ROOT WATER TICKET NUMBERS:

A31-00062A
A31-00062F

A31-00062C
A31-00062J
A31-00062K
A31-00062L
A31-00062N
A31-00062M
A31-00062P
A31-00062Q
A31-00062S
A31-00062T
A31-00062D

*See split analysis to original
Hamer Canal rights in 31-00062Q.*

B. FOD LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FILER EXAM.	RECOMM. ACRES
07N	36E	26	NW	SE		DALLING, BRENT	A31-00062D / 5.0	31-00062D / 5.0	35.0		4.5
			NW	SE		DALLING, BRENT	A31-00063D / 5.0	31-00063D / 5.0			
			NW	SE		HAMER CANAL CO.		31-03206 / 5.0			
			NW	SE		HAMER CANAL CO.		31-04002 /			
07N	36E	26	SW	SE		DALLING, BRENT	A31-00062D / 32.0	31-00062D / 32.0	40.0		32
			SW	SE		DALLING, BRENT	A31-00063D / 32.0	31-00063D / 32.0			
			SW	SE		HAMER CANAL CO.		31-03206 / 32.0			
			SW	SE		HAMER CANAL CO.		31-04002 /			
07N	36E	26	SE	SE		DALLING, BRENT	A31-00062D / 2.0	31-00062D / 2.0	31.0		1.5
			SE	SE		PETERSON, DON	A31-10590 /	/			
			SE	SE		DALLING, BRENT	A31-00063D / 2.0	31-00063D / 2.0			
			SE	SE		PETERSON, DON	31-10590 /	/			
			SE	SE		HAMER CANAL CO.		31-03206 / 2.0			
			SE	SE		HAMER CANAL CO.		31-04002 /			

ADDITIONAL FOD FOUND

38

TOTAL ACRES A31-000620 39.00 39.00 100.00

POU COUNTY: JEFFERSON

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-000620	GROUNDWATER	DALLING, BRENT	0.550	0.014	136.50	3.50
A31-000630	GROUNDWATER	DALLING, BRENT	0.800	0.005	136.50	3.50

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-10598	STOCKWATER	PETERSEN, DON	FROM 04-01 TO 02-01	0.000 CFS	
31-10598	STOCKWATER	PETERSEN, DON	FROM 04-01 TO 02-01	0.020 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 31-2370, 31-02305, 31-000630

See File

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

PAGE: 8
PLACE OF USE REVIEW SHEET CONTINUED

CLARK NUMBER: A31-000620

CHECK DOCUMENTS USED TO VERIFY FOU: () ORTHOPHOTOQUAD, IOWR NO. _____; () TOPOGRAPHIC QUAD, IOWR NO. _____;
() NAFF, IOWR NO. _____; () ASES PHOTO; ☒ OTHER GTS

[illegible]

RECOMMENDATIONS:

TOTAL ACRES: 50 N/A()

REVIEWED BY: *KAC*

DATE: 6/12/00

A. CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A31-000620 IRRIGATION	FROM 05-01 TO 09-01	0.550 CFS	136.50 AF/A
TOTAL DIVERSION RATE/VOLUME		0.550 CFS	136.50 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
31-000620 IRRIGATION	FROM 05-01 TO 09-01	5.600 CFS	
TOTAL DIVERSION RATE/VOLUME		5.600 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INQUIRY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

NOTES: $0.02 \text{ cfs/acre} \times 38 \text{ acres} = 0.76 \text{ cfs total.}$

Original decree 21.2 cfs 31-00062, 8.8 cfs 31-00063, total 30 cfs

This claim recommended $0.76 \times \frac{21.2}{30.0} = 0.54 \text{ cfs}$

for 31-00063Q, $0.76 - 0.54 = 0.22 \text{ cfs.}$

Volume: $38 \times 3.5 \times \frac{21.2}{30} = 94.0 \text{ afa 31-00062Q}$

$38 \times 3.5 \times \frac{8.8}{30} = 39.0 \text{ afa 31-00063Q}$

AJ CLAIM TOTAL DIVERSION RATE: 0.550 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 5.600 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N(☒)

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 38 x 0.02 CFS/ACRE = 0.76 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 136.50 AE/A

ACRES 38 x DIVERSION VOL. AE/A FOR AREA 3.5 = 133

TOTAL DIVERSION VOLUME _____ AE/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 97.5 AE/A

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

TOTAL CONSUMPTIVE USE _____ AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

Period of Use per IDWT Standard.

WE RECORD CONDITIONS/REMARKS:

EXP F06

31-000620, 630, ~~2220, 2223~~ 2370

*(if enlargement claim is filed it also will
be added)*

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CES	REC. DIV VOL. AC/A	REC. (CONS. USE
IRRIGATION	05-01 09-01 4/1 10/31	DATABASE: 0.550 EXAMINER 0.54	DATABASE 136.50 EXAMINER 94	DATABASE 97.5 EXAMINER
TOTAL FOR THIS RIGHT		0.550	136.50	97.5

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: *BAC*

DATE: 6/12/00

FLAG: C

STANDARD CONDITIONS (CODE):

C03, C18

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXP P06

31-00062Q, 31-00063Q, 31-~~00064Q~~ 2370

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
NEEDS
REVIEW
N/A

See file

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00062

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
21.200

EXAMINER

CES

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
31-00062S	A31-00062A	4.030	-		31-00062F	2.690
-	A31-00062C	1.240	-		31-00062K	4.030
-	A31-00062E	2.690	-		31-00062L	1.240
-	A31-00062J	1.610	-		31-00062M	0.740
-	A31-00062K	3.160	-		31-00062N	2.120
-	A31-00062L	1.590	-		31-00062P	0.710
-	A31-00062M	0.740	-		31-00062Q	0.590
-	A31-00062N	2.120	-		31-00062R	1.610
-	A31-00062P	0.710	-		31-00062S	1.870
-	A31-00062Q	0.590	-		31-00062T	0.590
-	A31-00062S	0.590	-		-	-
-	A31-00062T	0.590	-		-	-
-	A31-00062U	1.870	-		-	-
TOTAL CES		21.480				21.200

DIVERSION RATE REVIEW

DO THE SUM CES RATE OF THE SPLITS EQUAL THE ROOT RIGHT CES RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
N

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

Bryce A. Contor

DATE:

6/12/00

NAME OF FIELD EXAMINER:

Bryce A. Contor

TITLE:

SWA

<u>Other attachments</u>	<u>date</u>	<u>pages</u>	<u>other attachments</u>	<u>date</u>	<u>pages</u>
NWMO exam	9/11/1998	7	Brent Dalling phone memo	3/22/2000	1
Haman Canal e-mail	6/8/2000	1	Split analysis	3/16/2000	4
Diversibility memo	6/8/2000	2	Letter to Dalling	3/15/2000	2
Murdock email	6/8/2000	1	Split History	2/17/2000	3
Memo- Dalling visit	5/22/2000	2	Split History for Microfiche		1
Dalling Deeds & Contracts		22			
Murdock Stock Certs.		2			
Murdock visit memo	5/17/2000	2			
Haman Canal e-mail	5/17/2000	2			
phone memo- Dan Murdock	5/9/2000	2			
phone memo- Brent Dalling	3/30/2000	1			

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOGRAPH	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ TOWN ID NO. _____	Y() N()
() NAAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
(/) OTHER <u>GIS</u>	DATE <u>6/2000</u> <u>(2 sheets)</u>	Y(/) N()
(/) OTHER <u>NAAPP W41</u>	DATE <u>9/4/1980</u>	Y(/) N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HURBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
(/) OTHER <u>overlap review</u>	DATE <u>6/12/00</u>	<u>2</u>	_____
(/) OTHER <u>Theoretical</u>	DATE <u>6/12/00</u>	<u>4</u>	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:13:27
06/07/00

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A31-000620

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	TITLE EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE					<i>CVR</i>			
POINT OF DIV	<i>Y</i>				<i>BAC</i>			
SOURCE					<i>6/12/00</i>			
PLACE OF USE	<i>Y</i>							
DIV. AROUND CES/VOLUME	<i>Y</i>							
CONSUMPTIVE USE	<i>-</i>							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM	<i>Y</i>							
REMARKS	<i>Y</i>							

BARCODE UPDATED
WHOM/DATE

01/24/2001

**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: 31-62Q

LAUREL DALLING
1916 N 2350 E
HAMER ID 83425
Telephone Number: (208)662-5454

BRENT DALLING
1916 N 2350 E
HAMER ID 83425
Telephone Number: (208)662-5454

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: _____ SIGNATURE: B.D.

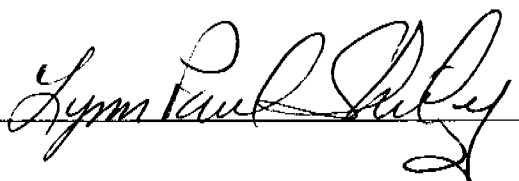
Please print your name: _____

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

14 June 2000

I, Lynn Paul Shirley, of Rexburg, Idaho, state that I owned the farm now owned by Brent and Laurel Dalling, approximately two miles south and east of Hamer. While I owned the said farm, the irrigation well 1/4 mile west of the yard went dry and had to be abandoned for irrigation purposes in approximately the year 1980. After this date, we used the well which is 3/8 mile south of the yard on the hill for all of the flood irrigated acres and to service the pivot. I installed this original pivot in March of 1977. The well that went dry in 1980 was used to irrigate the 38 acres west of the railroad and northeast of the yard.

Signed

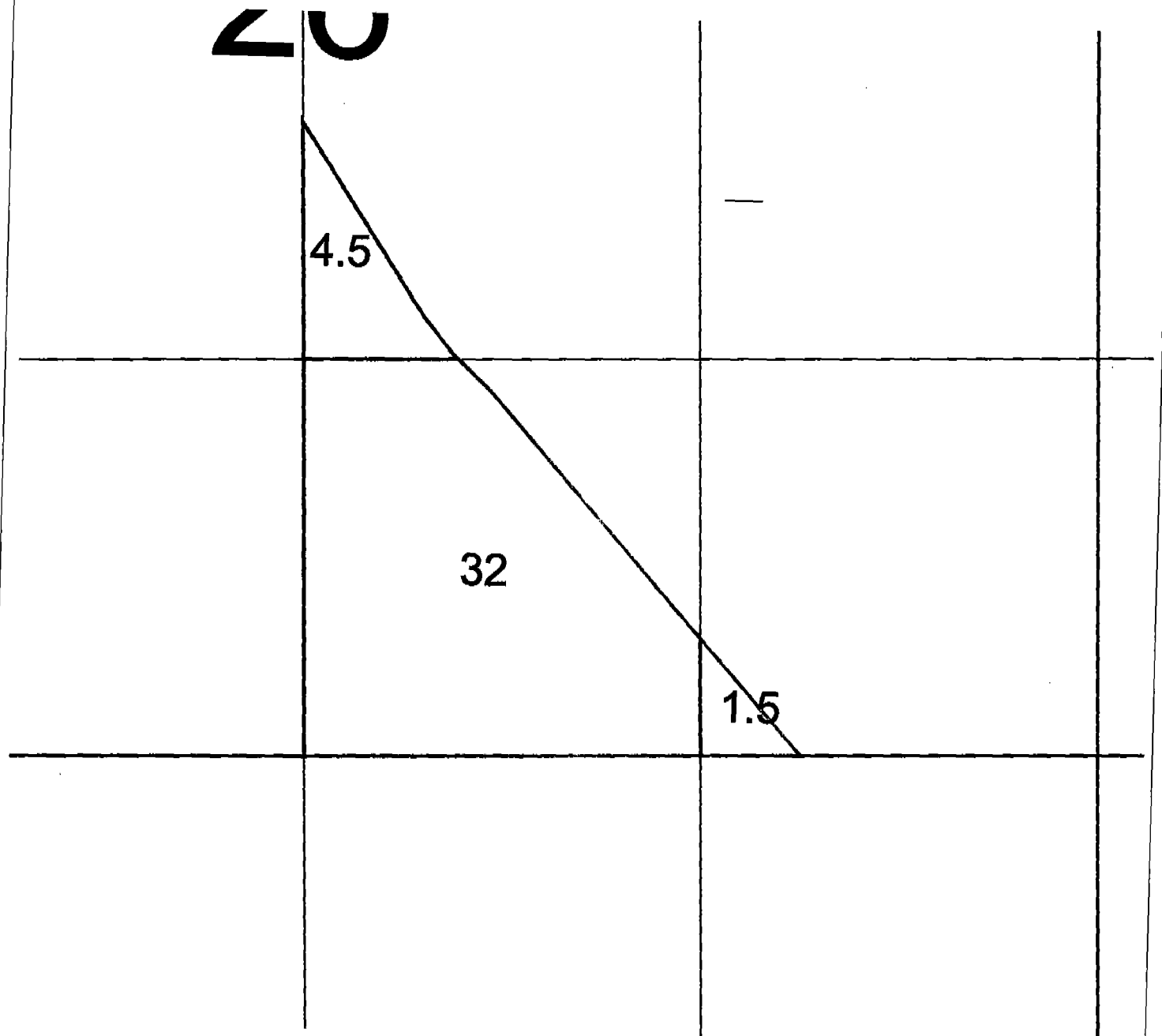
A handwritten signature in cursive script, reading "Lynn Paul Shirley", written over a horizontal line.

Lynn Paul Shirley

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062Q, 31-00063Q

Township 7N Range 36E Section 26



⊙ Point(s) of Diversion, This WR

● Other Points of Diversion

Place of Use, This WR

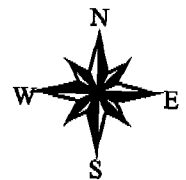
▭ Other Places of Use

▭ Section Lines

▭ Quarter-quarter Sections

0

1320 Feet



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

Overlap Review

A31-00062Q, A31-00063Q, A31-02370, A31-02385

Dwight A. Contor 6/12/00

1) By transfer 2611 (copy in A31-02385),

31-02370 and 31-02385 are appurtenant to the same 237 acres in sections 35 and 36.

31-02385 is diverted at the pivot at 2.09 cfs and can service any of the lands, by pivot or by ditch to flood irrigation. 31-02370

is licensed to the entire pool for flood irr @ 2.65 cfs. total for 2 weeks = 4.74 cfs

2) GIS analysis shows 255 acres. Claimant will be invited to submit enlargement claim for add'l acres.

3) A31-00062Q & A31-00063Q are claimed to have accomplished change of POD to same well as A31-02370. They will be recommended for approx 0.76 cfs.

4) Total diversion rate recommended will be

approx:	31-62Q/63Q	0.76
	31-2370	2.65
	31-2385	2.09
		5.50

Overlap p2

5) As-claimed diversion rate from 31-02370 well:

$$\begin{array}{r} 31-620/63Q \\ 31-2370 \\ \hline 0.76 \\ 2.65 \\ \hline 3.41 \end{array}$$

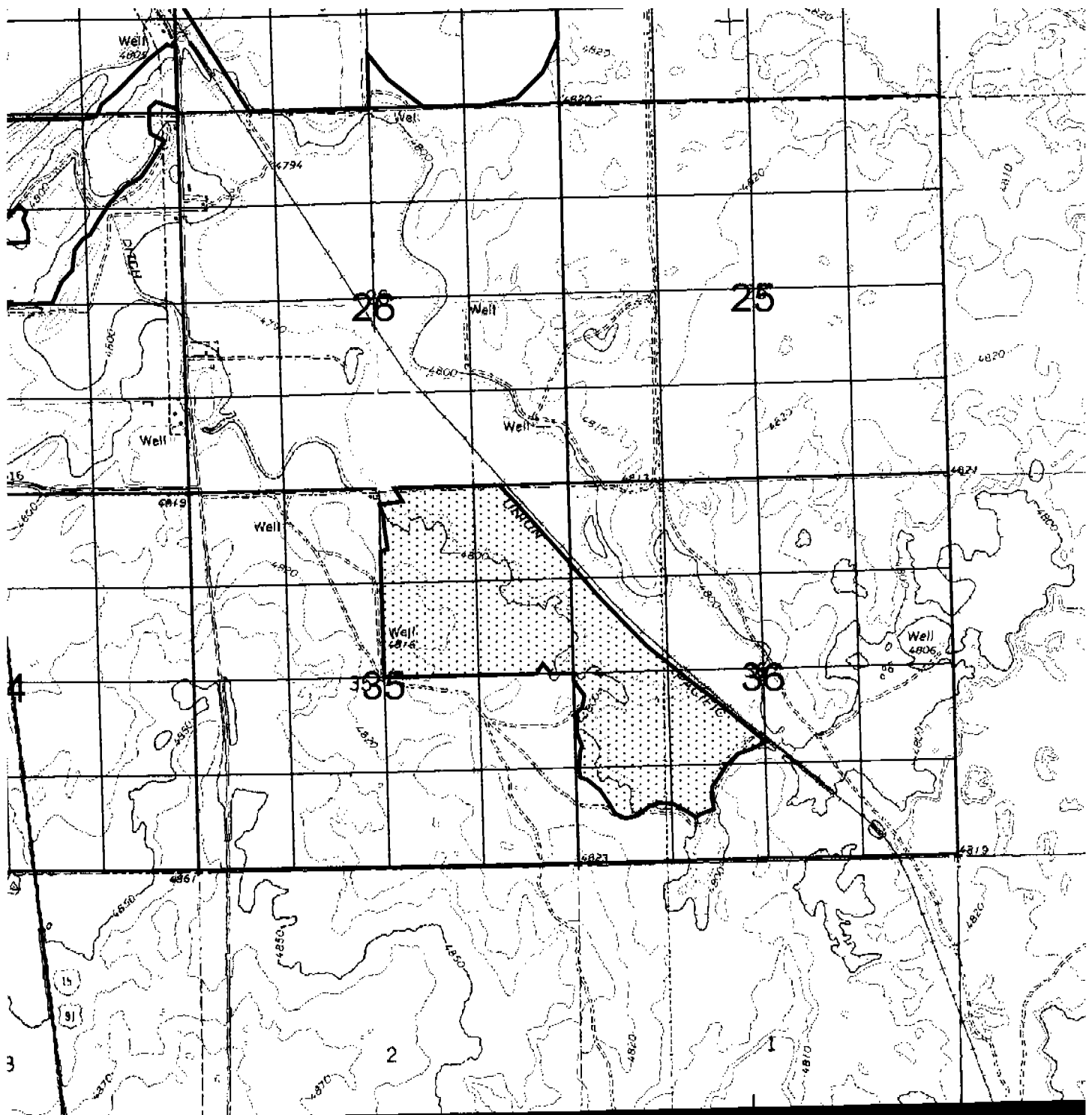
6) As-claimed diversion rate from 31-02385 (pivot) well: 2.09 cfs.

7) Capacity of 31-2370 well per analysis in 31-00062Q 7.3 cfs.

8) Capacity of 31-02385 well per analysis in 31-02385: 1.9-2.0 cfs

9) Documentation in WR file 31-02370 indicates water-use pre-dates licenses. Claimant may wish to file ben. use claim for earlier priority use. Any WR recommended for ben. use will have to be limited by intent of limitation of T 2611.

Overlap Review, 31-00062Q, 53Q, 2370, 2385



- 31-02370, 23-02385 Claims
- 31-00062Q, 31-00063Q
- Other Water Rights
- Sections
- Quarter-quarter Sections

A31-000622 / 63Q

Theoretical Calculation

Bye A. Conton 6/12/00

- 1) PWL of Nearby Rene Shurtliff well 28.5 ft.
Well elevation 4792 ft fr. USGS quad map.
(See NWMD record # 300252) (copy attached)
- 2) Well elevation of A31-000622 / 63Q 4816 ft
fr. USGS quad map (copy attached)
- 3) Calculated Pumping level $28.5 + (4816 - 4792) = 52.5$ ft.
- 4) NWMD exam shows 75 hp motor for this pump and unknown horsepower for pilot (record 300284) running off common power meter. Therefore use nameplate horsepower for theoretical calculation. (See Exam 300283 in this file, 300284 in file A31-2385)
- 5)
$$GPM = \frac{\text{Water HP} \times 3960}{TDH}$$
- 6)
$$\begin{aligned} \text{Water HP} &= \text{Motor shaft HP} \times \text{pump eff.} \\ &= 75 \times .75 = 56 \end{aligned}$$

Theoretical PZ

$$\begin{aligned} 7) \quad TDH &= \text{lift} + \text{friction} + \text{PSI} \times 2.31 \\ &= 52.5 + 15 + \text{zero} = 67.5 \end{aligned}$$

$$\begin{aligned} 8) \quad GPM &= \frac{56 \times 3960}{67.5} = 3300 \text{ GPM} \\ &\approx 7.3 \text{ cfs} \end{aligned}$$

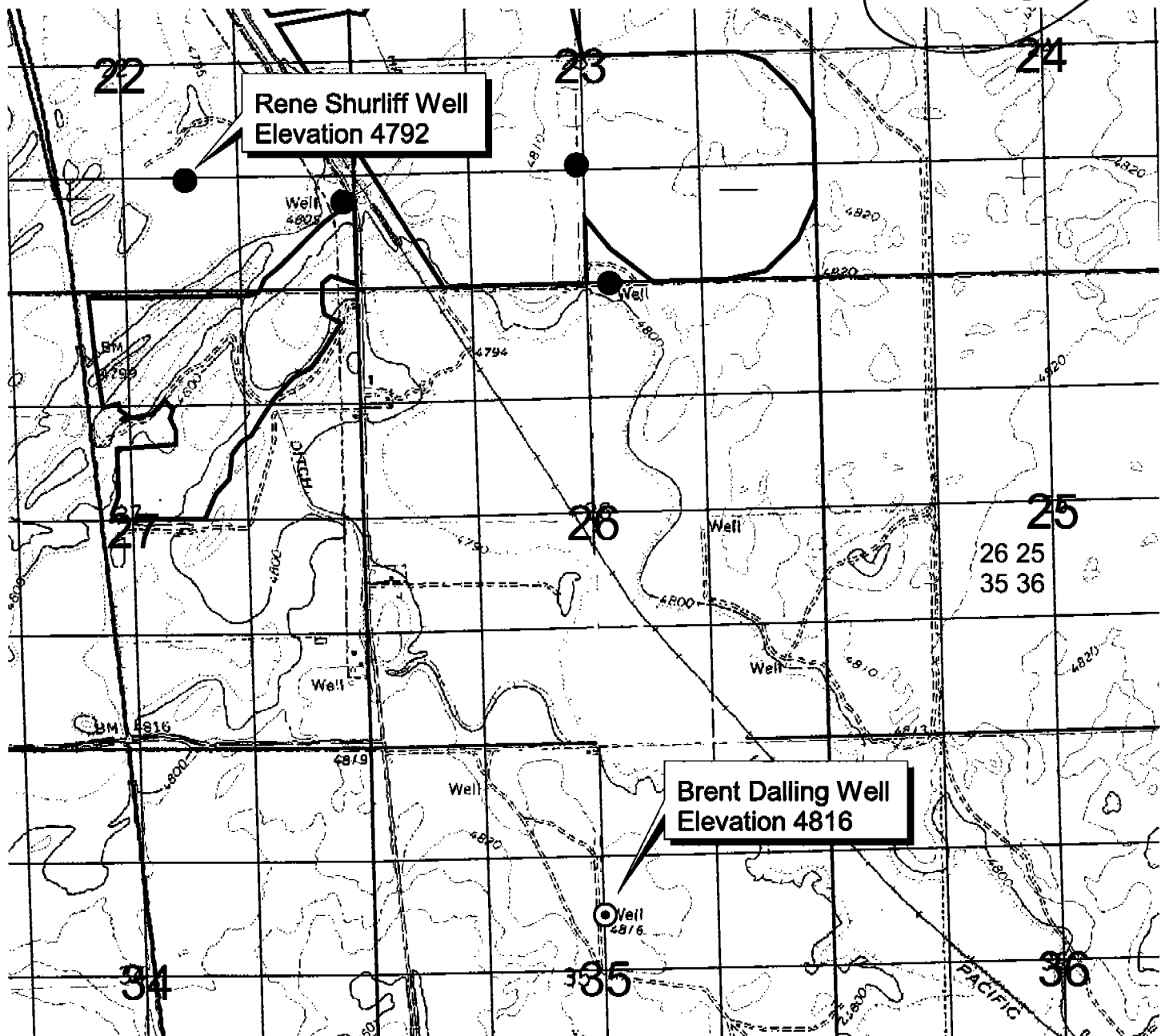
Note that this diversion rate is applied to more water rights than 620/630; see attached overlap analysis.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062Q, 31-00063Q

Township 7N Range 36E Section 26

*Attachment to
Theoretical
Calculation*



- ⊙ 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



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

300252

Rene Shurtliff

Claim AB100062 R/6310Doc Source NWMD 300252

1998

Date 6/9/00 Sig. B. ConlonAttachment to
Theoretical Calc.

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
(swlmiddat)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: USSERIAL: 6327A-2072128R172MHP: 75

WELL PUMP

MFG: Pump TechSERIAL: 6-0880TYPE: VERT T CENT SUBMER
(pump_type) (v) (c) (s)

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 X 40KILOWATT HRS 2800 X 40
(kwh_1)

(use date of exam for "kwh1_date")

KWH METER SERIAL: 1714144
(pwrmt_rsn)METER MFG: ABB
(pwrmt_rmg)Kh DISK CONSTANT 1.8
(kh)MULTIPLIER 40
(disk_mult)

Water User

DALLING, BRENT ID: 50

POD

07N 36E 35 SWNE

Site Tag #

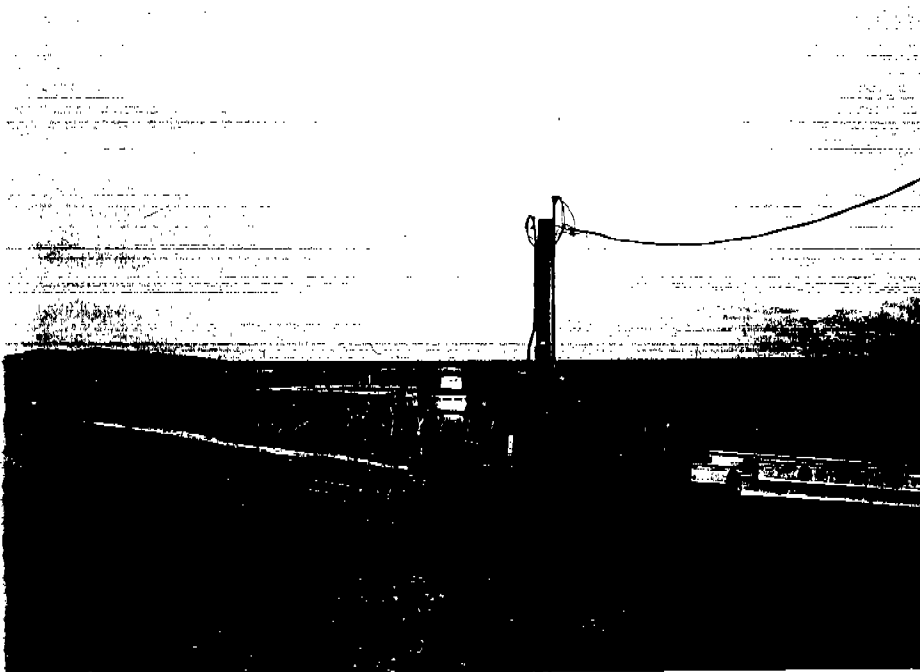
A0008574

Record #

300283

Diversion Name

OPEN DISCHARGE



WATER MEASUREMENT DISTRICT
FIELD REPORT

DISTRICT North RECORD NUMBER 300283
~~300~~

SITE DATA:

EXAMINER (inv_name) B Contor
EXAM DATE 9/11/98 DIVERSION NAME Open disch.
(site_visit) (div_name)
GPS FILE C091121B SITE TAG NUMBER A0008574
(gps_filnam) (site_tagno)
GPS OFFSET (offset) 4' above well
TAG LOCATION (tag_locat) on service pole at pump
POD LEGAL (pod) T 7 (N) S, R 36 E, Sec 35, SW NE

DISTRICT MEASUREMENT CAPABILITY (std_rcmd):

SONIC (s) SONIC/DIG (sd) SONIC @ PVT (sp)
COLLINS (c) PYGMY (p)

MEASUREMENT RECOMMENDATIONS (op_num):

PCC (2) HOUR METER (7) IRR. FLOWMETER (1)
ALTERNATE (3) OTHER FLOWMETER (8) CRP (4)
AMEND CLAIM (A) OPEN CHANNEL DEVICE (9) UNUSED (6)

SUITABLE FOR PCC even if other method selected (pcc_ok) YES NO

TRACKING will be required (trkng_reqd) YES NO

Well has ACCESS PORT for water level meas. (wl_access) YES NO

FLOWMETER installation poss. w/o major change (qmtr_ez) YES NO

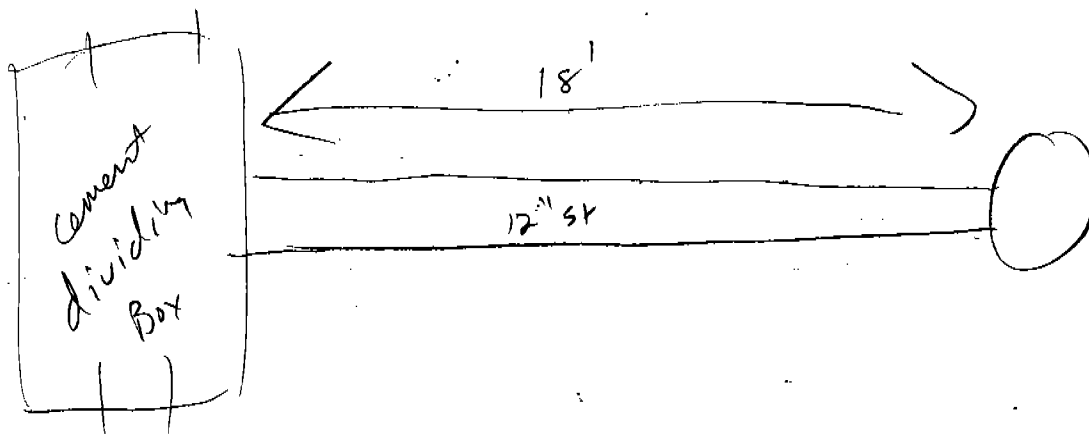
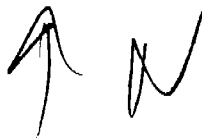
FOLLOW-UP DATE (folup_date) 1999

OWNER/OPERATOR INFORMATION

OWNER (name) Dalling, Brent PHONE _____
ADDRESS #50 CEL PHONE _____
OPERATOR (contact) _____ PHONE _____
ADDRESS _____ CEL PHONE _____

PUMPING PLANT SKETCH

VALVE	=	
CHECK VALVE	=	
AIR VAC	=	
PRESS. RELIEF	=	
INDIVE/UPDIVE	=	
HOSE BIB	=	
PRESS. GAGE	=	
WELL ACCESS	=	



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) (swlmidddate)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: GESERIAL: TTI 617115HP: 75

BOOSTER 1 MOTOR

MFG: _____

SERIAL: _____

HP: _____

BOOSTER 2 MOTOR

MFG: _____

SERIAL: _____

HP: _____

WELL PUMP

MFG: Johnston

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER
(pump_type) (v) (c) (s)

BOOSTER 1 PUMP

MFG: _____

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER

BOOSTER 2 PUMP

MFG: _____

SERIAL: _____

TYPE: _____ VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: UPL
(utility)POLE #: _____
(pole_no)MAX KW DEMAND 1.37 x ?KILOWATT HRS 20161 x ?
(kwh_1)

(use date of exam for "kwh1_date")

UTILITY ACCOUNT NUMBER _____
(acct_no)KWH METER SERIAL: 90114200
(pwrmttr_sn)METER MFG: GE
(pwrmttr_mfg)Kh DISK CONSTANT 4.8
(kh)MULTIPLIER 7
(disk_mult)

SYSTEM DESCRIPTION/NARRATIVE COMMENTS:

SYSTEM TYPE Open Disch.
(system_type)

COMMENTS TO DATA-ENTER (exam_notes): includes volume G. 300284

Owner will report pivot hrs. Pivot % =

$$\frac{(\text{pivot hrs} \times \text{pivot kw})}{\text{TOTAL KWH}}$$
open disch % =

$$(100 - \text{pivot \%})$$
Two conditions: 1) = Pivot
2) = open disch. Since delivery systems are

FILE-ONLY COMMENTS: independent no third condition
is needed. See 300284 for
tracking form.

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

Signature

Boye A. Conton

Date

9/11/98

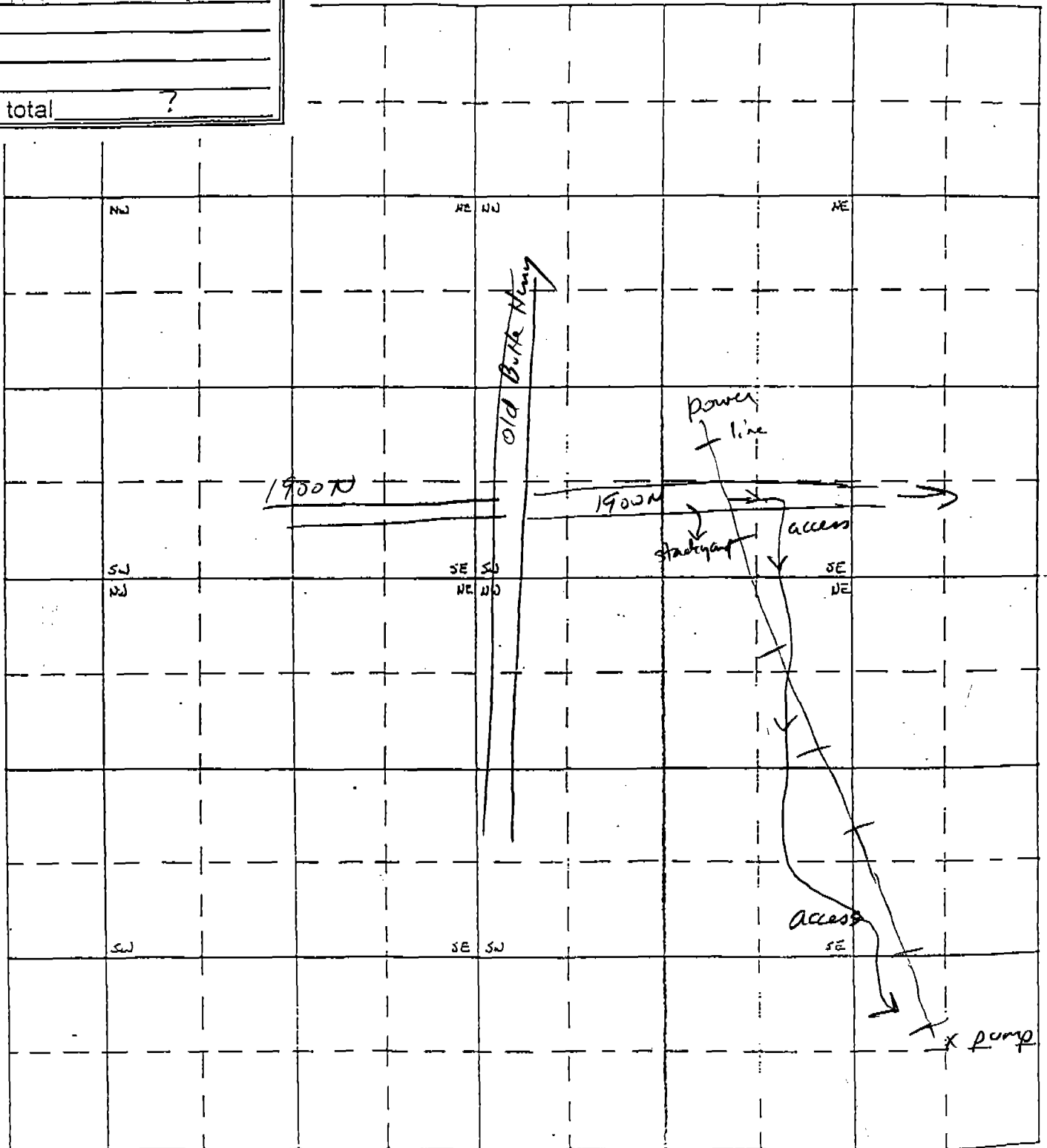
EASTERN WATER MEASUREMENT DISTRICT

SUPPLEMENTAL DATA FORM A

SKETCH OF IRRIGATED LANDS AND MAJOR COMPONENTS OF DELIVERY SYSTEM/S

Not to Scale

	crop	acres
1	A/C	?
2		
3		
4		
total		?



SCALE 1:24,000

300283

WATER-USER INTERVIEW SHEET

WATER MEASUREMENT DISTRICTS

I. IDENTIFICATION

NAME Brent Dalling ADDRESS ID 50
POD 7N 36E 35 SWNE
DIVERSION NAME open discharge
TECHNICIAN REVIEWING SURVEY BAC
DATE 5/6/97

II. SUMMARY OF RESULTS

MEAS/REPORT METHOD RECOMMENDATION PCC
FOLLOW-UP RECOMMENDATION 1998/1999
COMMENTS open discharge

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.



homer 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 transfers.

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

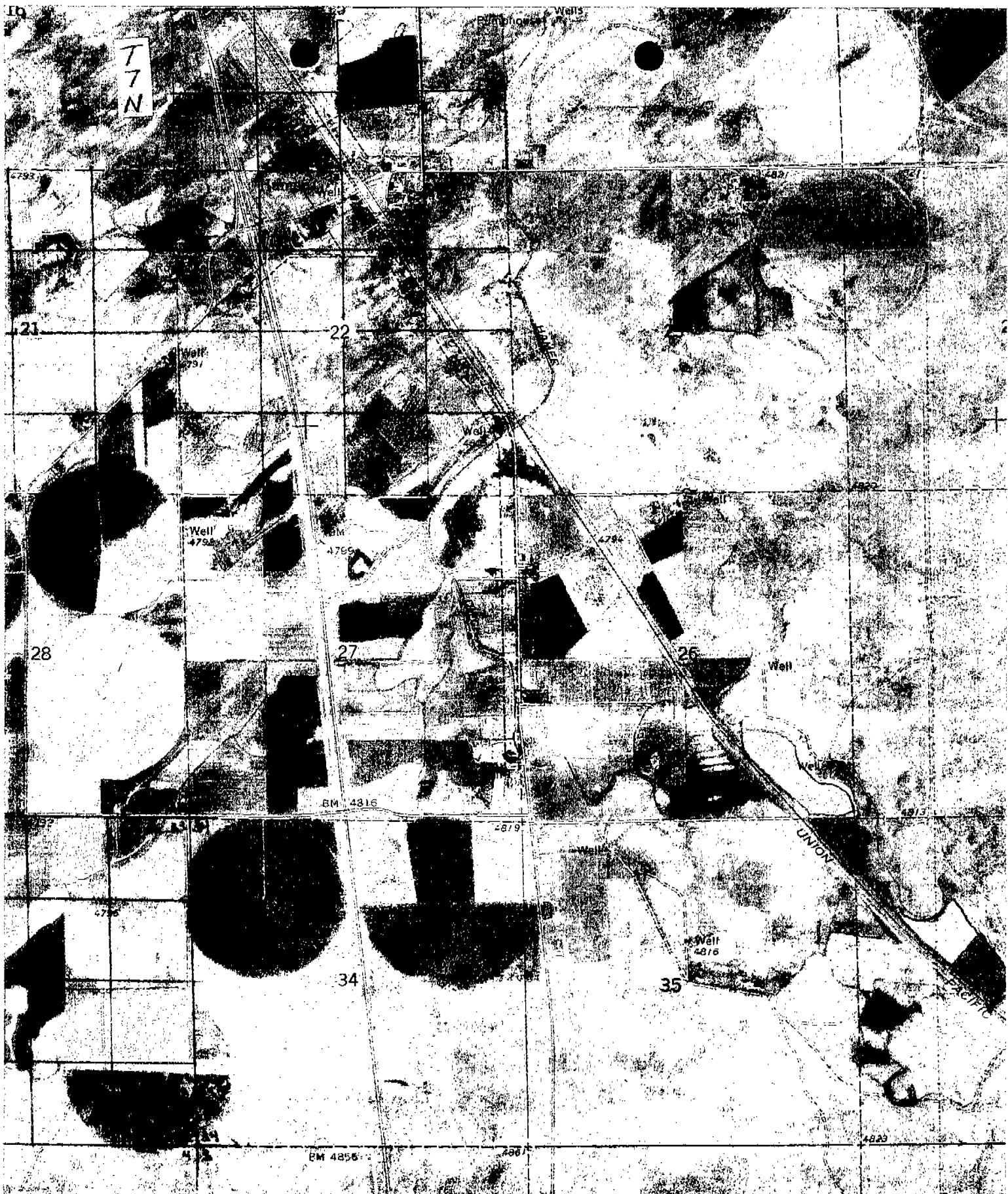
Candice has reveiwed the denied Murdock transfer w/ Carter, and agrees that it doesn't preclude an accomplished transfer to the ground that was irrigated as of 1987 down in the hole, as long as:

- 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.



Claim A31-000622/632
Doc Source NAPP w41
9/4/1980
Date 6/7/00 Sig. bac

To: File A31-00062Q, A31-00063Q
 Fr: Bryce Contor
 Date: 5/22/2000 *Bryce*

Re: Visit with Laurel and Brent Dalling

- Dallings' assessment not mine*
1. Deeds show chain of title from Bruce Shirley to Dallings.
 2. Bruce Shirley deed to Lynn Shirley shows 15 shares of Hamer Canal.
 3. 1980 agreement with canal company approving transfer to private wells:
 - a) This demonstrates that the shareholders believed Shirley's shares were still valid, in opposition to what the Driver affidavit says.
 - b) At this time, if not sooner, there was a definite distinction made between physical assets of the canal company and water rights. This is evidenced by the canceled checks produced by Rene Shurtliff. Some note "shares" and some note "equity," pointing to a difference between the two classes of ownership.
 4. At the time of the 1980 agreement, only Shurtliff, McGarry, Lounsberry, and Murdock were left using the Hamer Canal system and wells.
 5. Lounsberry sold farm to Murdock, but retained a few acres on the east side of the road and a few shares. This land is still irrigated. This is probably why Lounsberry is a signer of the 1980 agreement. (*Dan Murdock concurs*).
 6. The listing on the top of the 1980 agreement appears only to be those people who were wanting to transfer out of the canal. This is probably why Shurtliff is shown as "zero," indicating that he was not planning to pull out any shares. This is also why Lounsberry, McGarry, and Murdock were not listed on the top; they were not planning to transfer out, either.
 7. Even though Lounsberry, McGarry, Shurtliff, and Murdock were not planning to transfer out, they did sign the agreement. This shows they were aware and approved of the transfers, including Shirley's. Especially, Dan Murdock signed, acknowledging that Shirley did own his water in 1980.

Note that the file contains a conversation memo of IDWR staff w/ Neal Savage, in which Savage affirms that all the shareholders signed the 1980 agreement. Note that Driver's signature is not on the document, indicating that by 1980 Driver had already left the company. He had sold to Aaron Savage, who is a signer.

8. Shirley sold out by the spring of 1981.

9. The Shirley ground has always been farmed (the 39 acres) or grazed.
10. The Murdock purchase, and the affidavit of former canal presidents, refers to upper Hamer Canal. Is there a distinction between upper and lower canal company, and ownership of the upper and lower wells? Note that Ron (Carlson?) conversation memo in transfer file refers to upper wells.
11. Ownership of physical assets does not necessarily correspond to ownership of water rights. *per Dalling; I'm not sure I agree completely **
12. Is there a possibility that Murdock's shares represent the difference between 322 shares as referenced in the 1941 USDA document in file A31-00062A, or the 320 shares referenced in the bylaws, and the 300 shares apparently outstanding in 1980? (The 1980 agreement references 1500 miners inches, with one share representing 5 inches. This works out to 300 shares). If so, what does this mean to the various claims?
13. In Dalling's opinion bylaws article VII, "Users Contracts," seems to indicate a difference between ownership of the water rights and ownership of the physical assets:

"...and shall have paid, in addition to the par value of the share of stock, as may be required by the board of directors, to the end that all stockholders and subscribers shall be required to pay uniform amounts for like quantities of water to be based on the whole cost of the works constructed and to be constructed for the elevating and delivering water."

Brent believes that this indicates that delivery of water required both ownership of the water right and ownership of part of the delivery system.
14. Bylaws do not appear to specify what happens if assessments are not paid.
15. "Ron" memo and Ernie Carlsen memo both specifically reference upper canal. None of this appears to point to a claim to lower canal rights.
16. Note that Rene Shurtliff's transfer came after the affidavit of canal presidents giving all of upper canal to Murdock. This is another argument pointing to the difference between "upper" and "lower" canal. It also casts doubt as to what was meant by the affidavit - the affidavit may have meant "all that was left," but it doesn't specify what that was.

McGarry's transfer also came after the affidavit, but the affidavit references McGarry as an owner.

* However, Murdock's assertion that he paid Rene Shurtliff for the big well, when Shurtliff transferred his water out, supports this view.

168781

USDA - FHA
Form FHA 427-12 ID
(Rev. 5-7-73)

WARRANTY DEED
(Idaho)

BRUCE L. SHIRLEY and LOLITA T. SHIRLEY, his wife, of Madison County, Idaho, hereinafter called the Grantor, for and in consideration of TEN AND NO/100 DOLLARS (\$ 10.00), GRANTS, CONVEYS, and WARRANTS to LYNN PAUL SHIRLEY, a single man, his wife, of Madison County, Idaho, hereinafter called the Grantee, as a community property estate, the following-described premises situated in Jefferson County, Idaho:

(As per attached description of Tracts I, II and III)

PLATTED BY
PEARL C. CRYSTAL, Assessor

By UCC

Deputy

Recorded	_____
Computed	_____
Indexed	_____
Stamp or Plat	_____

Microfilm No. 168781
19 Day Jan 19 74
At 9:45 O'Clock A.M.
[Signature]
Jefferson Co. Recorder
Fee \$ 2.00 29 Deputy
Recorded At Request of
[Signature]

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee, that the Grantor is lawfully seized in fee simple of said premises; that they are free from all encumbrances, except as above described; and that Grantor will warranty and forever defend the title thereto against all lawful claims and demands whatsoever.

Dated this _____ day of January, 1974

Bruce L. Shirley
Bruce L. Shirley
Lolita T. Shirley
Lolita T. Shirley
ACKNOWLEDGMENT

STATE OF IDAHO }
COUNTY OF Madison } ss:

On this _____ day of January, 1974, before me, _____, the undersigned officer, personally appeared Bruce L. Shirley and Lolita T. Shirley, his wife known to me or satisfactorily proven to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

(SHE A.L.)

My commission expires: 2/13/74

[Signature]
Notary Public

Residing at _____

county,

IS to
county,
cribed

TRACT I

The NE 1/4 of Section 35, Township 7 North, Range 36 East, Boise Meridian Jefferson County, Idaho, EXCEPTING THEREFROM a triangular tract of land in the NE Corner East of the Oregon Short Line Railroad, described as: Beginning at a point on the East side of the Oregon Short Line Railroad right of way on the North Section Line of said Section 35, said Township and Range; running thence East along said North Section Line to the NE Corner of said Section 35; thence South along the East line of said Section 35 to the intersection of said East Section line and the East right of way line of said Railroad; thence Northwesterly along said East line of said Railroad right of way to the point of beginning.

ALSO: A strip of land 1 rod wide, the center line of which is described as follows: Commencing 1120 feet West and 530 feet South of the NW Corner of the NE 1/4 of Section 35, Township 7 North, Range 36 E.B.M., to a point which is 12 feet SW of the SW Corner of an irrigation well; running thence North 40°13' East 614 feet; thence East 390 feet; thence meandering in a Southerly direction 528 feet to a point which is South 80°37' East of the true point of beginning and 300 feet West of the North-South Quarter line of said Section 35; thence East 300 feet to said North-South Quarter line of said Section 35.

ALSO: Commencing at the NW Corner of the NE 1/4 of Section 35, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho; running thence West 300 feet; thence South 600 feet; thence East 300 feet; thence North 600 feet to the point of beginning.

TRACT II

Commencing at the NW Corner of Section 36, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho; running thence South 1100 feet to the South Boundary of the Railroad Right of Way, which is the True Point of Beginning; running thence in a Southeasterly direction to a point on the South Section line, 975 feet West of the SE Corner of Section 36; thence West 4305 feet to the SW Corner of Section 36; thence North 4180 feet to the True Point of Beginning.

TRACT III

All that portion of the SE 1/4 of Section 26, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho, lying and being West of the Railroad Company's right of way.

Subject to Easements and Rights of Ways for highways, roads, ditches, canals, pole, power and transmission lines as they exist.

Subject to Pole Line Easement given by RAY PARK and SHIRLEY PARK, his wife, to UTAH POWER & LIGHT COMPANY, a corporation, dated July 8, 1959, recorded December 11, 1959 at 1:20 P.M. in Book 166 of Misc'l at Page 88 as Instrument No. 120690, records of Jefferson County, Idaho. Affects Tract 1, only.

Together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, including but not limited to 15 shares in the Hamer Canal Company.

Subject to exceptions and reservations contained in patents from the United States.

d to the
that the
except as
laims and

instrument,

WARRANTY DEED

For Value Received LYNN PAUL SHIRLEY, a single man,

the grantor , does hereby grant, bargain, sell, and convey unto

BILL TURPIN and HELEN TURPIN, husband and wife,
Hamer, Idaho

the grantee , the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A"

These premises are subject to Easements and Right of Ways for highways, roads, ditches, canals, pole, power and transmission lines as they exist.

These premises are also subject to a mortgage by Lynn Paul Shirley to the United States of America acting through the Farmers Home Administration, United States Department of Agriculture, covering the above described property, and recorded in Jefferson County, Idaho as Instruments Numbered 168782, 180557, and 205400, and financing statements recorded in Jefferson County, Idaho, filed as Instrument No. 8094 and 15823.

These premises are also subject to the exceptions and reservations contained in the State of Idaho Deed from the State of Idaho, recorded as Instrument No. 169891 dated April 3, 1974, records of Jefferson County, Idaho.

These premises are also subject to an oil and gas lease given by the State of Idaho dated October 22, 1975 recorded as Instrument No. 180102, records of Jefferson County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees , that he is the owner in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that he will warrant and defend the same from all lawful claims whatsoever.

DATED: June 9, 1981

Lynn Paul Shirley

STATE OF IDAHO, COUNTY OF FREMONT

On this 9th day of June, 1981,
before me, a notary public in and for said
State, personally appeared

LYNN PAUL SHIRLEY

known to me to be the person whose name
is subscribed to the within instrument, and
acknowledges to me that he executed the same.

NOTARY PUBLIC
Residing at Hamer, Idaho
Commission Expires Lifetime

210582

Instrument No. _____
Date June 9, 1981
At _____
Jefferson Co. Recorder
Fee \$ 5.00
Platted at Request of _____

PLATTED BY
DAVID KINGHORN, ASSESSOR

BY *dk*

Exhibit "A"

Tract 1

The NE 1/4 of Section 35, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho, EXCEPTING THEREFROM a triangular tract of land in the NE Corner East of the Oregon Short Line Railroad, described as: Beginning at a point on the East side of the Oregon Short Line Railroad right of way on the North Section line of said Section 35, said Township and Range; running thence East along said North Section line to the NE Corner of said Section 35; thence South along the East line of said Section 35 to the intersection of said East Section line and the East right of way line of said Railroad; thence Northwesterly along said East line of said Railroad right of way to the point of beginning.

ALSO: A strip of land 1 rod wide, the center line of which is described as follows: Commencing 1120 feet West and 530 feet South of the NW Corner of the NE 1/4 of Section 35, Township 7 North, Range 36 E.B.M., to a point which is 12 feet SW of the SW Corner of an irrigation well; running thence North 40°13' East 614 feet; thence East 390 feet; thence meandering in a Southerly direction 528 feet to a point which is South 80°37' East of the true point of beginning and 300 feet West of the North-South Quarter line of said Section 35; thence East 300 feet to said North-South Quarter line of said Section 35.

ALSO: Commencing at the NW Corner of the NE 1/4 of Section 35, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho; running thence West 300 feet; thence South 600 feet; thence East 300 feet; thence North 600 feet to the point of beginning.

Tract 2

Commencing at the NW Corner of Section 36, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho; running thence South 1100 feet to the South Boundary of the Railroad Right of Way, which is the True Point of Beginning; running thence in a Southeasterly direction to a point on the South Section line, 975 feet West of the SE Corner of Section 36; thence West 4305 feet to the SW Corner of Section 36; thence North 4180 feet to the True Point of Beginning.

Tract 3

All that portion of the SE 1/4 of Section 26, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho, lying and being West of the Railroad Company's right of way.

TRACT 4

Together with all Bureau of Land Management Grazing land located South of the above described real estate for which the above described real property is the base unit and standing in the name of Lynn Shirley a/k/a Lynn Paul Shirley

WARRANTY DEED

For Value Received Bill Turpin and Helen Turpin, husband and wife

the grantor S, do hereby grant, bargain, sell, and convey unto
Sonne Ward, a single man
of Hamer, Idaho

the grantee, the following described premises, to-wit:

An undivided $\frac{1}{4}$ interest in and to the following described property:

SEE ATTACHED EXHIBIT "A"

These premises are subject to Easements and Right of Ways for highways, roads, ditches, canals, pole, power and transmission lines as they exist.

These premises are also subject to a mortgage by Lynn Paul Shirley to the United States of America acting through the Farmers Home Administration, United States Department of Agriculture, covering the above described property, and recorded in Jefferson County, Idaho as Instruments Numbered 168782, 180557, and 205400, and financing statements recorded in Jefferson County, Idaho, filed as Instrument No. 8094 and 15823.

These premises are also subject to the exceptions and reservations contained in the State of Idaho Deed from the State of Idaho, recorded as Instrument No. 169891 dated April 3, 1974, records of Jefferson County, Idaho.

These premises are also subject to an oil and gas lease given by the State of Idaho dated October 22, 1975 recorded as Instrument No. 180102, records of Jefferson County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, HIS heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: June 16, 1981

PLATTED BY

CLINTON E. ROBINSON, ASSESSOR

DK

Bill Turpin
Helen C. Turpin

STATE OF IDAHO, COUNTY OF Jefferson

On this 16th day of June, 19 81
before me, a notary public in and for said State, personally
appeared

Bill Turpin and Helen Turpin

known to me to be the person S whose name S are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Clinton E. Robinson

Notary Public

Residing at Rexburg, Idaho
Comm. Expires Life

Microfilm No.

210278

At July 18, 1981
At 11:30 A.M. O'clock

Jefferson Co. Recorder

Fee \$ 4.00

Recorded at Request of

DK Jones

INSTRUMENT NO.

Exhibit "A"

Tract 1

The NE 1/4 of Section 35, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho, EXCEPTING THEREFROM a triangular tract of land in the NE Corner East of the Oregon Short Line Railroad, described as: Beginning at a point on the East side of the Oregon Short Line Railroad right of way on the North Section line of said Section 35, said Township and Range; running thence East along said North Section line to the NE Corner of said Section 35; thence South along the East line of said Section 35 to the intersection of said East Section line and the East right of way line of said Railroad; thence Northwesterly along said East line of said Railroad right of way to the point of beginning.

ALSO: A strip of land 1 rod wide, the center line of which is described as follows: Commencing 1120 feet West and 530 feet South of the NW Corner of the NE 1/4 of Section 35, Township 7 North, Range 36 E.B.M., to a point which is 12 feet SW of the SW Corner of an irrigation well; running thence North 40°13' East 614 feet; thence East 390 feet; thence meandering in a Southerly direction 528 feet to a point which is South 80°37' East of the true point of beginning and 300 feet West of the North-South Quarter line of said Section 35; thence East 300 feet to said North-South Quarter line of said Section 35.

ALSO: Commencing at the NW Corner of the NE 1/4 of Section 35, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho; running thence West 300 feet; thence South 600 feet; thence East 300 feet; thence North 600 feet to the point of beginning.

Tract 2

Commencing at the NW Corner of Section 36, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho; running thence South 1100 feet to the South Boundary of the Railroad Right of Way, which is the True Point of Beginning; running thence in a Southeasterly direction to a point on the South Section line, 975 feet West of the SE Corner of Section 36; thence West 4305 feet to the SW Corner of Section 36; thence North 4130 feet to the True Point of Beginning.

Tract 3

All that portion of the SE 1/4 of Section 26, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho, lying and being West of the Railroad Company's right of way.

WARRANTY DEED

For Value Received Bill Turpin and Helen Turpin, husband and wife

the grantor^s do hereby grant, bargain, sell, and convey unto
E.W. Ward and Beva Ward, husband and wife
of Hamer, Idaho

the grantee^s, the following described premises, to-wit:

An undivided 1/2 interest in and to the following described property:

SEE ATTACHED EXHIBIT "A"

Also full interest in and to the following described property:

*****All Bureau of Land Management Grazing land located South of the
above described real estate for which the above described real property
is the base unit and presently standing in the name of Lynn Shirley
a/k/a Lynn Paul Shirley.

These premises are subject to Easements and Right of Ways for highways,
roads, ditches, canals, pole, power, and transmission lines as they exist.

These premises are also subject to a mortgage by Lynn Paul Shirley to the
United States of America acting through the Farmers Home Administration,
United States Department of Agriculture, covering the above described
property, and recorded in Jefferson County, Idaho as Instruments Numbered
168782, 180557, and 205400, and financing statements recorded in Jefferson
County, Idaho, filed as Instruments No. 8094 and 15823.

These premises are also subject to the exceptions and reservations contained
in the State of Idaho Deed from the State of Idaho, recorded as Instrument
No. 169891 dated April 3, 1974, records of Jefferson County, Idaho.

These premises are also subject to an oil and gas lease given by the State
of Idaho dated October 22, 1975 recorded as Instrument No. 180102, records
of Jefferson County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee^s,
their heirs and assigns forever. And the said Grantor^s do hereby covenant to and
with the said Grantee^s, that they are the owner^s in fee simple of said premises; that said
premises are free from all incumbrances except as hereinabove set forth and that they will warrant and
defend the same from all lawful claims whatsoever.
Dated: June 16, 1981

STATE OF IDAHO, COUNTY OF Jefferson
On this 16th day of June, 1981,
before me, a notary public in and for said State, personally
appeared
Bill Turpin and Helen Turpin

known to me to be the person^s whose name^s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Clinton W. Jackson
Notary Public
Residing at Rexburg, Idaho
Comm. Expires Life

Microfilm No. 210577
65 Day _____ 1981
At _____ O'Clock _____ M
Jefferson Co. Recorder
Fee \$ _____ Deputy
Recorded at Request of _____

INSTRUMENT No.

Exhibit "A"

Tract 1

The NE 1/4 of Section 35, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho, EXCEPTING THEREFROM a triangular tract of land in the NE Corner East of the Oregon Short Line Railroad, described as: Beginning at a point on the East side of the Oregon Short Line Railroad right of way on the North Section Line of said Section 35, said Township and Range; running thence East along said North Section Line to the NE Corner of said Section 35; thence South along the East line of said Section 35 to the intersection of said East Section line and the East right of way line of said Railroad; thence Northwesterly along said East line of said Railroad right of way to the point of beginning.

ALSO: A strip of land 1 rod wide, the center line of which is described as follows: Commencing 1120 feet West and 530 feet South of the NW Corner of the NE 1/4 of Section 35, Township 7 North, Range 36 E.B.M., to a point which is 12 feet SW of the SW Corner of an irrigation well; running thence North 40°13' East 614 feet; thence East 390 feet; thence meandering in a Southerly direction 528 feet to a point which is South 80°37' East of the true point of beginning and 300 feet West of the North-South Quarter line of said Section 35; thence East 300 feet to said North-South Quarter line of said Section 35.

ALSO: Commencing at the NW Corner of the NE 1/4 of Section 35, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho; running thence West 300 feet; thence South 600 feet; thence East 300 feet; thence North 600 feet to the point of beginning.

Tract 2

Commencing at the NW Corner of Section 36, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho; running thence South 1100 feet to the South Boundary of the Railroad Right of Way, which is the True Point of Beginning; running thence in a Southeasterly direction to a point on the South Section line, 975 feet West of the SE Corner of Section 36; thence West 4305 feet to the SW Corner of Section 36; thence North 4180 feet to the True Point of Beginning.

Tract 3

All that portion of the SE 1/4 of Section 26, Township 7 North, Range 36 East, Boise Meridian, Jefferson County, Idaho, lying and being West of the Railroad Company's right of way.

235025

022 003

WARRANTY DEED

THIS INDENTURE, Made this 15th day of August, 1985, between E. W. WARD and REVA M. WARD, husband and wife, of Hamer, Idaho 83425, the parties of the first part, and E. W. WARD RANCHES LIMITED PARTNERSHIP, an Idaho Limited Partnership with its principal place of business at Hamer, Idaho 83425, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and no/100 Dollars, lawful money of the United States of America, and other valuable consideration to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and by these presents, do grant, bargain, sell and convey and confirm unto the said party of the second part, its successors and assigns, forever, all the following described real estate, situated in Madison County, State of Idaho, and Jefferson County, State of Idaho, to-wit:

That certain real property listed and described in Exhibits A & B, attached hereto and by reference made a part hereof.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well as in law as in equity of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the said party of the second part, and to its successors and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

7/3

235025

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

E. W. Ward

E. W. Ward

Reva M. Ward

Reva M. Ward

STATE OF IDAHO,)

County of Madison.)

ss.

On this 1st day of September, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared E. W. WARD and REVA M. WARD, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

John B. Ford

Notary Public for Idaho

Residing at Rexburg, Idaho

My Commission expires 9/16/91

235025

MICROFILM
SYSTEMS

EXHIBIT B Page 1 of 2

Township 7 North, Range 36 East of the Boise Meridian, Jefferson County,
Idaho

Section 36: Commencing at the NW Corner of said Section 36 and running thence
South 1100 feet to the South boundary of the Railroad right of way,
which is the true point of beginning; running thence in a Southeasterly
direction to a point on the South Section line 975 feet West of the
SE Corner of Section 36; thence West 4305 feet to the SW Corner of
Section 36; thence North 4180 feet to the true point of beginning.

Township 7 North, Range 36 East of the Boise Meridian, Jefferson County,
Idaho

Section 26: All that portion of the SE 1/4 of said Section 26 lying and being
West of the Railroad Company's right of way.

Township 6 North, Range 36 East of the Boise Meridian, Jefferson County,
Idaho

Section 1: All of Lot 4.

Section 2: All of Lot 1.

235025

MICROFILMED

INDEXED

State of Idaho } ss 211311
County of Madison,

I hereby certify that the within instrument was

filed August 19, 1935

at 3:30 P.M. and

recorded on Film 211311

Fee 1.25

by NELLIS H. GARNER, Recorder

At the request of E. W. Ward Deputy

Per 2000

2000

235025



WARRANTY DEED

THIS INDENTURE, Made this 15th day of August, 1985, between E. W. WARD and REVA M. WARD, husband and wife, of Hamer, Idaho 83425, the parties of the first part, and E. W. WARD RANCHES LIMITED PARTNERSHIP, an Idaho Limited Partnership with its principal place of business at Hamer, Idaho 83425, the party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Ten and no/100 Dollars, lawful money of the United States of America, and other valuable consideration to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and by these presents, do grant, bargain, sell and convey and confirm unto the said party of the second part, its successors and assigns, forever, all the following described real estate, situated in Madison County, State of Idaho, and Jefferson County, State of Idaho, to-wit:

That certain real property listed and described in Exhibits A & B, attached hereto and by reference made a part hereof.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well as in law as in equity of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the said party of the second part, and to its successors and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

E. W. Ward

Reva M. Ward

On this 10th day of September, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared E. W. WARD and REVA M. WARD, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

~~Notary Public for Idaho~~
Residing at: Rexburg, Idaho
My Commission expires 9/16/91

243506

RECORDED
INDEXED

Microfilm No. 243506
 15 Day April 1987
 At 1255 O'Clock P M
 TAMRA K STITT
 Jefferson Co. Recorder
 Fee \$ 4.00 54 Deputy
 Recorded at Request of Signature

QUITCLAIM DEED

FOR VALUE RECEIVED, SONNE WARD and PAULA JO WARD, husband and wife, of Box 911, Hamer, Idaho 83425, do hereby remise, release and forever quitclaim unto E. W. WARD and REVA M. WARD, husband and wife, of Box 2130, Hamer, Idaho 83425, the following described real property in Jefferson County, Idaho, to-wit:

Tract 1: The Northeast Quarter of Section 35, Township 7 North, Range 36 East, Boise Meridian, EXCEPTING THEREFROM a triangular tract of land in the Northeast corner East of the Oregon Short Line Railroad, described as follows, to-wit: Beginning at a point on the East side of the Oregon Short Line Railroad right-of-way on the North section line of said Section 35, said Township and Range; running thence East along said North section line to the Northeast corner of said Section 35; thence South along the East line of said Section 35 to the intersection of said East section line and the East right-of-way line of said railroad; thence Northwesterly along said East line of said railroad right-of-way to the point of beginning.

ALSO: A strip of land 1 rod wide, the center line of which is described as follows: Commencing 1120 feet West and 530 Feet South of the Northwest corner of the Northeast Quarter of Section 35, Township 7 North, Range 36 East, Boise Meridian, to a point which is 12 feet Southwest of the Southwest corner of an irrigation well; running thence North 40 degrees 13' East 614 feet; thence East 390 feet; thence meandering in a Southerly direction 528 feet to a point which is South 80 degrees 37' East of the true point of beginning and 500 feet West of the North-South Quarter line of said Section 35; thence East 300 feet to said North-South Quarter line of said Section 35, Township and Range aforesaid.

ALSO: Commencing at the Northwest corner of the Northeast Quarter of Section 35, Township 7 North, Range 36 East, Boise Meridian, and running thence West 300 feet; thence South 600 feet; thence East 300 feet; thence North 600 feet to the point of beginning.

Tract 2: Commencing at the Northwest corner of Section 36, Township 7 North, Range 36 East, Boise Meridian, and running thence South 1100 feet to the

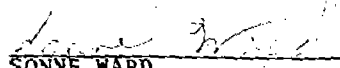
243506

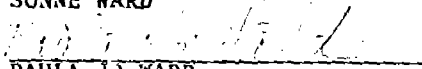
South Boundary of the railroad right-of-way, which is the true point of beginning; running thence in a Southeasterly direction to a point on the South section line 975 feet West of the Southeast corner of Section 36; thence West 4305 feet to the Southwest corner of Section 36; thence North 4180 feet to the true point of beginning.

Tract 3: All that portion of the Southeast Quarter of Section 26, Township 7 North, Range 36 East, Boise Meridian, lying and being West of the railroad company's right-of-way.

TOGETHER With any and all improvements and appurtenances thereto; rents, issues and profits thereof; and reversions and remainders.

DATED This 14th day of April, 1987.


SONNE WARD


PAULA JO WARD

STATE OF IDAHO,)
 ss.
County of Madison.)

On this 14th day of April, 1987, before me, the undersigned, a Notary Public in and for said State, personally appeared SONNE WARD and PAULA JO WARD, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Notary Public for Idaho
Residing at Rexburg, Idaho.
My Commission Expires: 9-23-91

270976

PLEASE RETURN TO: JKS
HOLDEN, KIRWELL, HAHN & CRAPO
P. O. Box 50130
Idaho Falls, ID 83405

270976

14 January 1993
10:05 AM

John D. Ward
John D. Ward
John D. Ward

QUITCLAIM DEED

THIS INDENTURE is made this 6th day of January, 1993,
between KEY TRUST COMPANY OF THE WEST, a Wyoming corporation,
hereinafter referred to as the "GRANTOR" and Ezekial Ward,
whose mailing address is 1434 South 2000 West, Rexburg, Idaho,
hereinafter referred to as the "GRANTEE",

Pursuant to an Order issued by the District Judge in the
District Court of the Seventh Judicial District of the State of
Idaho, in and for the County of Jefferson, Case No. 8-328, the
Ward Trust which was created pursuant to a Trust Agreement
dated April 14, 1987, between Ezekial W. Ward and Reva M. Ward
as the Grantors and the Valley Bank as the Trustee was
terminated. This Quitclaim Deed is being given by Key Bank of
Idaho as the successor in interest of the Valley Bank and as
the Trustee named in such trust in order to transfer and convey
the property previously held by the undersigned as Trustee
under such trust to the GRANTEE named herein.

WITNESSETH, that the GRANTOR, for and in consideration of
the sum of Ten and No/100 Dollars (\$10.00) lawful money of the
United States of America and other good and valuable
consideration to GRANTOR in hand paid by the GRANTEE, the
receipt whereof is hereby acknowledged, does by these presents
remise, release and forever QUITCLAIM unto the GRANTEE, and to
GRANTEE's heirs and assigns forever, all right, title and
interest now owned or hereafter acquired by the GRANTOR in all
the following described real estate in the County of Jefferson,
State of Idaho, to-wit:

TRACT 1: The Northeast Quarter of Section
35, Township 7 North, Range 36 East, Boise
Meridian, EXCEPTING THEREFROM a triangular
tract of land in the Northeast corner East
of the Oregon Short Line Railroad, described
as follows, to wit: Beginning at a point on
the East side of the Oregon Short Line
Railroad right-of-way on the North section
line of said Section 35, said Township and
Range; running thence East along said North
section line to the Northeast corner of said
Section 35; thence South along the East line
of said Section 35 to the intersection of

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Time 1:30 PM

said East section line and the East right-of-way line of said railroad; thence Northwesterly along said East line of said railroad right-of-way to the point of beginning.

ALSO: A strip of land 1 rod wide, the center line of which is described as follows: Commencing 1120 feet West and 530 feet South of the Northwest corner of the Northeast Quarter of Section 35, Township 7 North, Range 36 East, Boise Meridian, to a point which is 12 feet Southwest of the Southwest corner of an irrigation well; running thence North 40 degrees 13' East 614 feet; thence East 390 feet; thence meandering in a Southerly direction 528 feet to a point which is South 80 degrees 37' East of the true point of beginning and 300 feet West of the North-South Quarter line of said Section 35; thence East 300 feet to said North-South Quarter line of said Section 35, Township and Range aforesaid.

ALSO: Commencing at the Northwest corner of the Northeast Quarter of Section 35, Township 7 North, Range 36 East, Boise Meridian, and running thence West 300 feet; thence South 600 feet; thence East 300 feet; thence North 600 feet to the point of beginning.

TRACT 2: Commencing at the Northwest corner of Section 36, Township 7 North, Range 36 East, Boise Meridian, and running thence South 1100 feet to the South Boundary of the railroad right-of-way, which is the true point of beginning; running thence in a Southeasterly direction to a point on the South section line 975 feet West of the Southeast corner of Section 36; thence West 4305 feet to the Southwest corner of Section 36; thence North 4180 feet to the true point of beginning.

TRACT 3: All that portion of the Southeast Quarter of Section 26, Township 7 North, Range 36 East, Boise Meridian, lying and

270976

being West of the railroad company's
right-of-way.

Together with all and singular the
tenements, hereditaments and appurtenances
thereunto belonging, including all
improvements to said real property
heretofore or hereafter made thereto.

TOGETHER, with the tenements, hereditaments and
appurtenances thereunto belonging or in anywise appertaining,
and any reversions, any remainders, and rents, issues and
profits therefrom.

TO HAVE AND TO HOLD the said premises and the
appurtenances unto the GRANTEE, and to GRANTEE's heirs and
assigns forever.

In construing this Quitclaim Deed and where the context so
requires, the singular includes the plural.

IN WITNESS WHEREOF, the GRANTOR has executed the within
instrument the day and year first above written.

KEY TRUST COMPANY OF THE WEST

By: *Lina Kite*
Its: TRUST OFFICER

WARRANTY DEED

For Value Received

Ezekial Wilford Ward,

the grantor , do hereby grant, bargain, sell and convey unto

Brent Dalling and Laurel Dalling,

whose current address is

P.O. Box 238, Hamer, Idaho 83425

the grantee , the following described premises, in.....Jefferson County Idaho, to wit:

See attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee , heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee , that he the owner in fee simple of said premises; that they are free from all incumbrances except: Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: November 1, 1994

Ezekial Wilford Ward by Lee Ward
 Ezekial Wilford Ward

the grantee, the following described premises, in Jefferson County Idaho, to wit:

See attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that he the owner in fee simple of said premises; that they are free from all incumbrances except: Subject to all existing patent reservations, easements, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: November 1, 1994

Ezekial Wilford Ward by Lee Ward
Ezekial Wilford Ward

STATE OF IDAHO, COUNTY OF Madison
On this 1st day of NOVEMBER, 1994,
before me, a notary public in and for said State, personally
appeared Lee Ward as Guardian and
Conservator of Ezekial Wilford Ward,
and acknowledged to me that he subscribed
the name of Ezekial Wilford Ward thereto
as principle and his own name as
Guardian and Conservator of Ezekial
Wilford Ward, and that he executed the
same on his behalf.

John R. Lathan
Notary Public

Residing at Rexburg, Idaho
Comm. Expires 06/15/97

274935
No. 5 Day December 14 1994
256 O'Clock P M
CONNIE M. KELLER
Idaho Co. Recorder
Fee \$ 10.00 SK Deputy
Recorded at Request of
G. L. T.

EXHIBIT "A"

Township 7 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho.

Section 35: The Northeast Quarter.

EXCEPTING THEREFROM: A triangular tract of land in the Northeast Corner East of the Oregon Short Line Railroad, described as follows, to wit: Beginning at a point on the East side of the Oregon Short Line Railroad right-of-way on the North Section line of said Section 35 and running thence East along said North section line to the Northeast corner of said Section 35; thence South along the East line of said Section 35 to the intersection of said East Section line and the East right-of-way line of said railroad; thence Northwesterly along said East line of said railroad right-of-way to the point of beginning.

ALSO: A strip of land 1 rod wide, the center line of which is described as follows: Commencing 1120 feet West and 530 feet South of the Northwest corner of the Northeast Quarter of said Section 35, to a point which is 12 feet Southwest of the Southwest corner of an irrigation well; running thence N40°13'E 614 feet; thence East 390 feet; thence meandering in a Southerly direction 528 feet to a point which is S80°37'E of the true point of beginning and 300 feet West of the North-South Quarter line of said Section 35; thence East 300 feet to said North-South Quarter line of said Section 35.

ALSO: Commencing at the Northwest corner of the Northeast Quarter of said Section 35 and running thence West 300 feet; thence South 600 feet; thence East 300 feet; thence North 600 feet to the point of beginning.

ALSO: Commencing at a point 20 feet South of the North Boundary of the NW 1/4 of the NW 1/4 of said Section 35 on the East side of the highway on the right of way line; thence South 480 feet; thence East 209 feet to the point of beginning; thence East 984 feet; thence North to the South boundary of the County Road right of way; thence West along said County Road right of way 984 feet; thence South to the point of beginning.

EXCEPTING THEREFROM: Beginning at a point that is South 20 feet and East 209 feet from the intersection of Old U.S. Highway #91 with the North line of the NW 1/4 NW 1/4 of said Section 35 and running thence East 209 feet; thence South 480 feet; thence West 209 feet; thence North 480 feet to the point of beginning.

ALSO: Township 7 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho.

Section 36: Commencing at the Northwest Corner of said Section 36 and running thence South 1100 feet to the South boundary of the railroad right of way, which is the true point of beginning; running thence in a Southeasterly direction to a point on the South Section line 975 feet West of the Southeast corner of Section 36; thence West 4305 feet to the Southwest corner of Section 36; thence North 4180 feet to the true point of beginning.

ALSO: Township 7 North, Range 36 East of the Boise Meridian, Jefferson County, Idaho.

Section 26: All that portion of the Southeast Quarter of said Section 26, lying and being West of the railroad company's right of way.

Ln

INCORPORATED UNDER
THE LAWS OF IDAHO



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STAMPED

HAMER CANAL COMPANY, LTD.

CAPITAL STOCK \$12,500

SHARES \$25 EACH

This Certifies that David Murdock is the owner of
- Eight - Shares of the Capital Stock of
HAMER CANAL COMPANY, LTD.

transferable only on the books of the Corporation by the holder hereof in
person or by Attorney upon surrender of this Certificate properly endorsed.

IN WITNESS WHEREOF the said Corporation has caused this Certificate to be signed
by its duly authorized officers and its Corporate Seal to be hereunto affixed

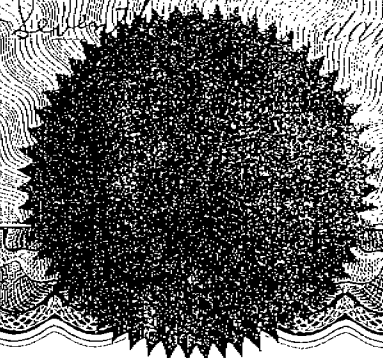
this Twenty Seventh day of June A.D. 1919

Neal W. Savage

PRES.

Keith Driver

SECY.



INCORPORATED UNDER
THE LAWS OF IDAHO

NUMBER
120

SHARES

HAMER CANAL COMPANY, LTD.

CAPITAL STOCK \$12,500

SHARES \$25 EACH

This Certifies that San Murdock is the owner of
(5) Five Shares of the Capital Stock of
HAMER CANAL COMPANY, LTD.
transferable only on the books of the Corporation by the holder hereof in
person or by attorney upon surrender of this Certificate properly endorsed.

IN WITNESS WHEREOF the said Corporation has caused this Certificate to be signed
by its duly authorized officers and its Corporate Seal to be hereunto affixed
this Third day of July A.D. 1980

Neal W. Savage

PRES.

Keith Driver

SECY.

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

A31-00062Q

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.

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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.

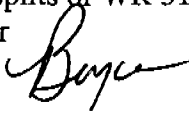
I'd also like to consider recommending Murdock's claimed accomplished transfer on the strength of:

- 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 AJ splits of WR 31-00062Q and 31-00063Q
Fr: Bryce A. Contor
Date: 5/9/2000 
Re: Phone conversation w/ Dan Murdock

Today I talked to Dan Murdock regarding his claims based on the original Hamer Canal rights.

1. In his opinion the stock certificates represented both ownership of water rights and ownership of physical assets.
2. Dan acknowledged that Murdocks paid Rene Shurtliff \$5,000 for Rene's share of the well and ditch, but that no stock certificates were exchanged. He agreed with Dalling that as individuals pulled out of the canal, the remaining parties purchased their share of the wells and pumps, but this is a different situation than the sale of "shares" which represented a portion of the water rights. (Note that documentation in the file indicates that a share was viewed as the right to 5 miners inches of water.)
3. Dan asserts that Ashcrafts couldn't have surface irrigated more than 60 to 80 acres from the Hamer Canal due to the rolling terrain. I acknowledged that my inspection indicated the same thing.
4. Dan also stated that Ashcrafts did not use the Hamer Canal water for many years, but relied on their licensed wells. In this respect they were like Yearsleys, who simply abandoned their Hamer Canal water and relied on licenses.

In fact, according to Dan it was Ashcrafts who plowed in the canal from the upper wells. This would have made it impossible for Ashcrafts to have utilized water from the Hamer Canal. Note, however, that Ashcraft is one of the signers of the shareholder agreement allowing some of the parties to withdraw their shares.

5. Dan reported a phone call with Keith Driver, past president of Hamer Canal. Driver reportedly says that Shirley lost his shares through non-payment of assessments. Driver was insistent that the shares taken back from Shirley by the company represented both water and physical assets. Driver asserts that the shares were then sold to Dan Murdock and his father. Dan Murdock is going to drive to Jerome tomorrow to obtain a written affidavit to this effect from Driver.

Note that Dalling acknowledged that Shirley said he "gave something" back to the canal company. Dalling's position is that in Shirley's mind it only represented ownership of the physical assets. Dalling has been invited to produce affidavits.

6. Dan also stated that the Shirley lands went unfarmed for a number of years.

7. According to Dan, the Sanders, Shurtliff, and McGarry formal transfers constituted enlargements in that the new sprinkler systems irrigated lands that had not been historically irrigated from the Hamer Canal. Particularly, the new Sanders pivot north east of Hamer constitutes an enlargement because there weren't enough acres dried up on the pivot west of the freeway to account for the acres in the new pivot.

I told Dan that this may be so, that the department's investigation may have been incomplete and that people who were aware of this may not have filed objections. However, since the formal administrative procedure has been followed, everyone has had due process, and I can't change those transfers in the recommendation process.

My recollection of the Sanders, Shurtliff, and McGarry places of use confirms that there are areas that couldn't have been flood irrigated. I haven't reviewed the transfers to see what was represented as original places of use. It does seem that the Sanders pivot west of the freeway irrigates almost the entire parcel, it is hard to see how 40 acres worth of dry corners exist on that spot.

8. Note that per Skip Jones, the denied transfer referenced in the claims file is not for the lands claimed, but for lands further west. The lands claimed were under irrigation in 1987 according to the GIS, so an accomplished transfer is not out of the question.
9. If the Driver affidavit comes and says what Murdock represents it will, Dalling's claim will likely have to be disallowed and Murdock's allowed as an accomplished transfer.
10. Driver's affidavit may cast new light upon the Ashcraft claim. If indeed Ashcrafts abandoned their Hamer Canal shares (or sold them), then an accomplished transfer of POD to the licensed wells will be inappropriate. Dan said he would ask Driver to put in the affidavit what he remembers of Ashcraft's situation.

To: A31-00062Q, A31-00063Q
Fr: Bryce Contor
Date: 3/30/2000 *Bryce*
Re: Phone conversation w/ Brent Dalling

Today Brent Dalling called to report on his progress w/ documentation of ownership of the rights claimed.

1. Former owner Shirley affirms that he never sold or intended to sell his Hamer Canal water. However he does recall "giving back something" when he began diverting his right out of the private well. Brent wonders if this may have been a stock certificate.
2. Brent was involved in the McGarry transfer. His recollection is that local perception was that the Hamer Canal Co. was only a delivery organization, that shareholders perceived they owned the water rights and that their shares in the company only signified ownership of the delivery system and equipment. Therefore when individuals transferred their Hamer Canal water to a private well, they conveyed the shares back to the canal co. or to another shareholdere.
3. Reese Sanders, Rene Shurtliff, and Aaron Savage are probably familiar enough with the history of the canal company to either confirm or dispute this understanding.
4. Before transferring the Hamer Canal water, Shirley and his predecessors co-mingled Hamer Canal water with well water from an old well that was drilled in the 1930's. This well was replaced in 1962 and when Ward filed the AJ claim he used a 1962 priority, rather than the older priority. Brent will gather up documentation and may choose to amend the claim to the earlier priority date. The ditches and well are still in place and clearly show that well water was diverted to the POU of these two claims.
5. Brent will try to obtain an affidavit from Lynn Shirley and/or Shirley's brother. Shirley's successor Zeke Ward is deceased, but Brent believes if Murdock's make a case that they purchased the water, it would have to have been from Shirley and not Ward. Both Wards told him verbally that they never intended to convey the water right, and fully intended their use of the well to be a transfer of the Hamer Canal right as others had done.

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

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 or 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 Carlsen 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. $30 \text{ CFS} \times 50 \text{ inches/cfs} \times 1 \text{ share}/5 \text{ inches}$ 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

Brent Dalling
Laurel Dalling
1916 N 2350 E
Hamer, ID 83425

Re: Adjudication Claims A31-00062Q, A31-00063Q

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.

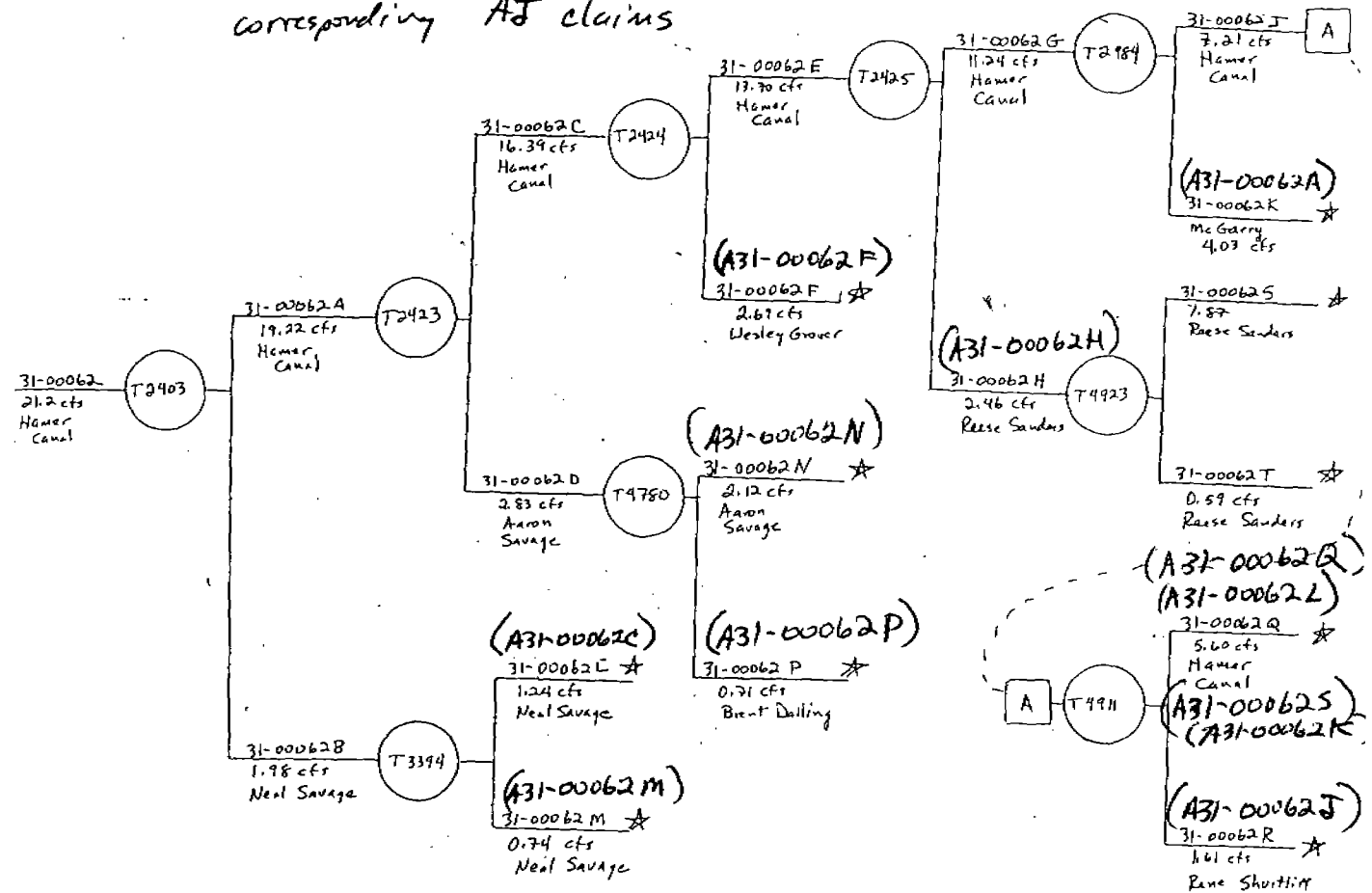
Claim A31-00062H, corresponding to WR 31-00062H, needs to be split per T4923. Transfer split WR into portions "S" and "T," but claim "S" has already been used to represent a part of original WR 31-00062Q.

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.

no -
BAC 6/12/00

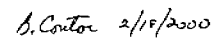
Split History of 31-00062
w/ side — with
corresponding AJ claims



B. Contor 2/18/2000

Rights active on WR database
sum to 21.2 cfs.

3 4 5



Rights active on WR database
sum to 21.2 cfs.

WATER RIGHT NUMBER	NAME	CFS
31-00062	SPLIT INTO 31-00062A & 31-00062B BY TRANS. 2403.	
31-00062A	SPLIT INTO 31-00062C & 31-00062D BY TRANS. 2423.	
31-00062B	Split into 31-00062L & M by Trans. 3394.	
31-00062C	SPLIT INTO 31-00062E & 31-00062F BY TRANS. 2424.	
31-00062D	THIS RIGHT SPLIT INTO PARTS N & P THRU APPROVED TRANSFER NO. 4780	
31-00062E	SPLIT INTO 31-00062G & 31-00062H BY TRANS. 2425.	
31-00062F	GROVER, WESLEY	2.69
31-00062G	RIGHT SPLIT INTO 31-00062J & 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	HAMER CANAL CO	5.60
31-00062R	SHURTLIFF, LELLA SHURTLIFF, RENE	1.61
31-00062S	SANDERS, REESE	1.87
31-00062T	SANDERS, REESE	0.59

 $\Sigma = 21.20$

WR database agrees w/ this
analysis 2/18/2000 BAC

Claim A31-00062/63 Splits
Doc Source Microfiche
31-00062 sheet 6
Date 2/18/00 Sig. B. Conner

WR5809NP
No. 31-00062Q

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/21/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM 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 S22 NESW SESE NWSW NWSE JEFFERSON County JEFFERSON County

Place of use Legal Description for: IRRIGATION

NE										NW				SW				SE				
T	R	S	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	468.0	
07N	36E	26	:							:					38	40			05	32	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.

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

OVERCLAIMED

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