

12/01/2000

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

RIGHT NUMBER: 31-10079

NAME AND ADDRESS: JERRY L CLARK
3600 EAST 826 NORTH
MENAN, ID 83434
KEITH W CLARK
3601 EAST 800 NORTH
MENAN, ID 83434
ROBERT L CLARK
3617 EAST 800 NORTH
MENAN, ID 83434

SOURCE: SPRING TRIBUTARY: MODOC CREEK

QUANTITY: 0.12 CFS

PRIORITY DATE: 05/01/1893

POINT OF DIVERSION: T14N R35E S24 SENESE Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.12 CFS

PLACE OF USE:

<u>STOCKWATER Within CLARK County</u>			
T14N R35E S24	NESE	T14N R35E S24	SESE
T14N R36E S19	SESW	T14N R36E S19	LOT 3 NWSW
T14N R36E S19	LOT 4 SWSW		

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER, 500 CATTLE

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: A31-10079
Date Received: 6/13/1988
Receipt No: 1000098
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEITH W. CLARK 208-754-4245
Address: 3601 EAST 800 NORTH
MENAN, ID 83434
AND
Name: ROBERT L. CLARK 208-754-4238
Address: 3617 EAST 800 NORTH
MENAN, ID 83434
AND
Name: JERRY L. CLARK 208-754-4797
Address: 3600 EAST 826 NORTH
MENAN, ID 83434

2. Date of Priority: MAY 01, 1893

3. Source: SPRING Trib. to: MODOC CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	35E	24	SE	NE	SE		CLARK

5. Description of diverting works:
FREE FLOWING SPRING ENTERS IRRIGATION SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.400		
STOCKWATER	01/01	12/31	0.120		

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

8. Total consumptive use is 145.0 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER/ 500 HEAD CATTLE
A31-10079 Page 1

Date: 06/13/88

MICROFILMED

NOV 17 1992

A310079



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	35E	24	NE		SE		STOCK	
			SE		SE		STOCK	
	36E	19	SW		SW	4	IRR	27.0
			SW		SW	4	STOCK	
			SE		SW		IRR	31.0
			SE		SW		STOCK	
							Section Acres	58.0
							Total Acres	58.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
31-0199, 31-0200, 31-0201, 31-0364, AND FLOODWATER.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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: - 1 -

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): Robert L Clark Date: 6-13-88
Jerry L Clark Date: 6-13-88

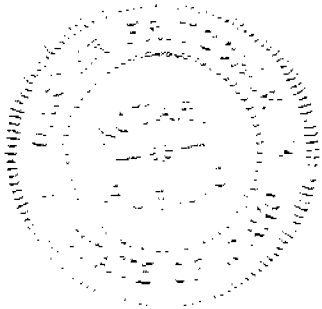
State of Idaho

County of Clark) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of June 19 88 Carter Fritschle
Notary Public

Seal

Residing at Engle, Id.
My Commission Expires 3-21-94



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: -1-

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): Keith W. Clark Date: 6-13-88

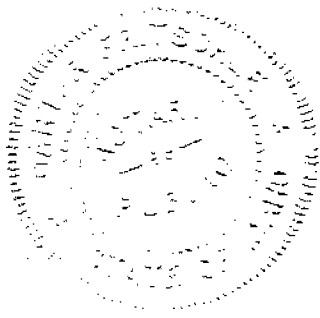
Date: _____

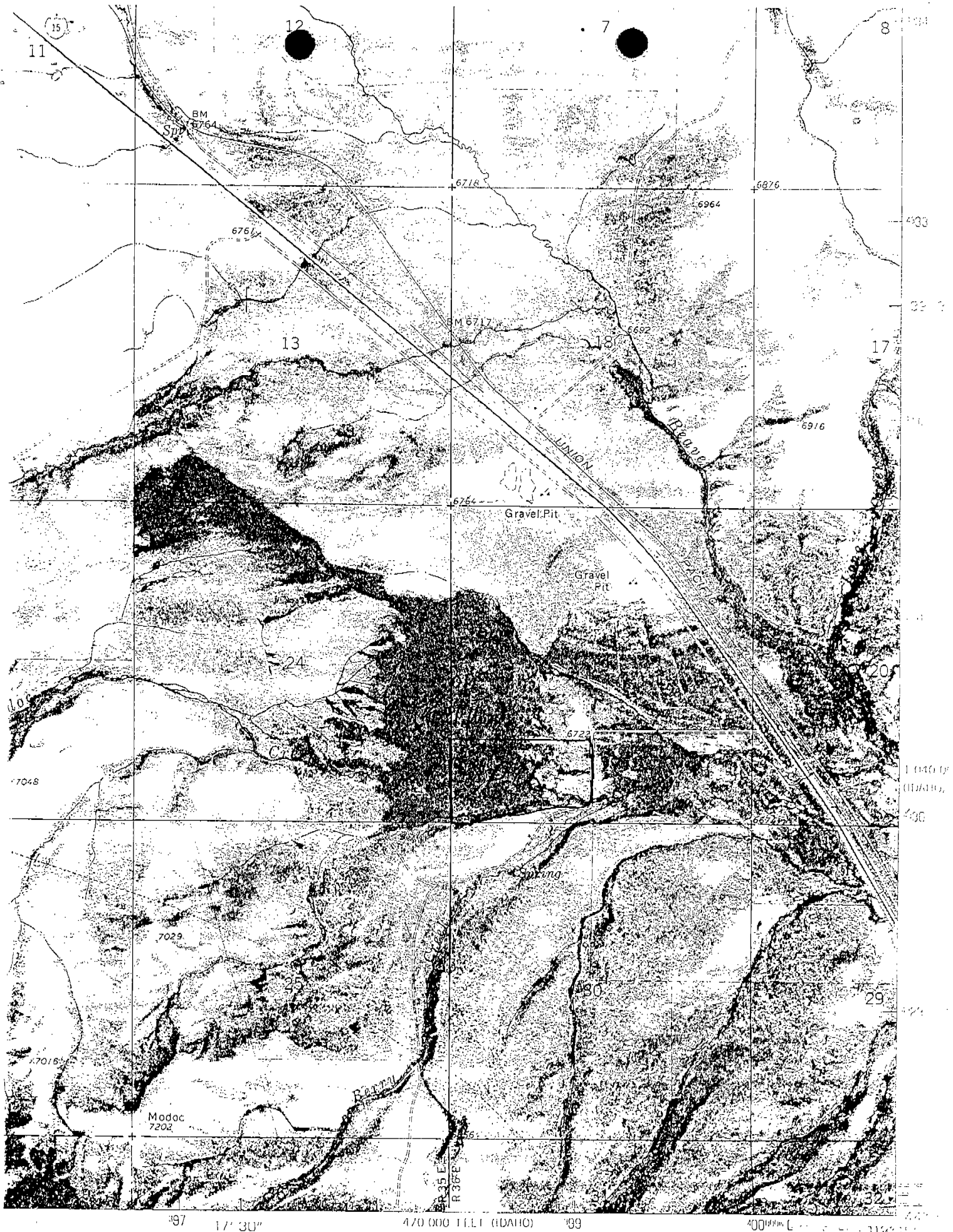
State of Idaho)
County of Clark) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of June 19 88 Carter Fritschle
Notary Public

Seal

Residing at Eagle, Id
My Commission Expires 3-21-94





97 17 30"

470 000 FEET (DAHO) 99

400 000 L 112 12

(MII)

A31-10079

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:30
03/24/9

PAGE: 1
GENERAL INFORMATION

187
CLAIM NUMBER: A51-100

LAST: CLARK
ADDRESS: 3501 EAST 300 NORTH
CITY: MENAN
PHONE NUMBER: 208-754-4245

FIRST: KEITH W.

STATE: ID ZIP: 83434

OWNER CODE: C

LAST: CLARK
ADDRESS: 3517 EAST 300 NORTH
CITY: MENAN
PHONE NUMBER: 208-754-4238

FIRST: ROBERT L.

STATE: ID ZIP: 83434

OWNER CODE: C

LAST: CLARK
ADDRESS: 3600 EAST 326 NORTH
CITY: MENAN
PHONE NUMBER: 208-754-4797

FIRST: JERRY L.

STATE: ID ZIP: 83434

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

INTER-DEPARTMENT MEMO

AB1-10079

SUBJECT: EOP

FROM: ERIC VERNER

DATE: 2/18/93

KETH AND ROBERT CLARK VISITED w/ ME TODAY REGARDING THE
EOP REQUEST SENT ON THE 8TH.

BOTH GENTLEMEN SAID THAT THE SPRING UNDER AB1-10079
IS REALLY ONLY USED FOR STOCK WATERING. IT FLOWS AROUND
2 TO 8 gpm WHICH ISN'T ENOUGH TO IRRIGATE WITH. THERE ARE
NO DIVERSION WORKS. THEY SAID THAT THERE IS SOME
NATURAL - "SUB-IRRIGATION" AROUND THE SPRING. I TOLD THEM
WE COULD RECOMMEND THE IRRIGATION STOCK PORTION, BUT
THAT WE WOULD DROP THE IRRIGATION USE. THEY AGREED
THIS WOULD BE CORRECT.

() For your information

() Response required



signature

MICROFILMED

APR 14 1994

and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,



Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

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APR 14 1994

PAGE: 2
FIELD EXAMINATION INFORMATION

193
CLAIM NUMBER: A31-100

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:

PAGE: 3
PRIORITY DATE REVIEW PAGE

191
CLAIM NUMBER: A31-100

A. AJ CLAIM: # A31-10079 PRIORITY DATE: 05-01-1893 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
-N-

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

NOTES: Recommend priority date is claimed

RECOMMENDED PRIORITY DATE:

5-1-1893

REVIEWED BY HJ

DATE 12/12/95

192
CLAIM NUMBER: A31-100

[illegible]

SOURCE: Spring

TRIB: Modoc Co.

REVIEWED BY: AT

DATE: 12/12/95

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A31-10079

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.
14N	35E	24	NE	SE		CLARK, KEITH W.	A31-10079 /	- /	36.0	
			NE	SE		CLARK, KEITH W.	A31-00199 /36.0	- /		
			NE	SE		CLARK, KEITH W.	A31-00200 /36.0	- /		
			NE	SE		CLARK, KEITH W.	A31-00201 /36.0	- /		
			NE	SE		CLARK, ROBERT L.	A31-00364 /36.0	- /		
			NE	SE		CLARK, KEITH W.	A31-10080 /36.0	- /		
14N	35E	24	SE	SE		CLARK, KEITH W.	A31-10079 /	- /	38.0	
			SE	SE		CLARK, KEITH W.	A31-00199 /38.0	- /		
			SE	SE		CLARK, KEITH W.	A31-00200 /38.0	- /		
			SE	SE		CLARK, KEITH W.	A31-00201 /38.0	- /		
			SE	SE		CLARK, ROBERT L.	A31-00364 /38.0	- /		
			SE	SE		CLARK, KEITH W.	A31-10080 /38.0	- /		
14N	36E	19	SW	SW	4	CLARK, KEITH W.	A31-10079 /27.0	- /	27.0	
			SW	SW	4	CLARK, KEITH W.	A31-00199 /27.0	31-00199 /		
			SW	SW	4	CLARK, KEITH W.	A31-00200 /27.0	31-00200 /		
			SW	SW	4	CLARK, KEITH W.	A31-00201 /27.0	31-00201 /		
			SW	SW	4	CLARK, ROBERT L.	A31-00364 /27.0	31-00364 /		
			SW	SW	4	CLARK, KEITH W.	A31-10080 /27.0	- /		
			SW	SW		PAUL, BURT H.		31-00198 /		
14N	36E	19	SW	SW	4	CLARK, KEITH W.	A31-10079 /	- /	27.0	
			SW	SW	4	CLARK, KEITH W.	A31-00199 /27.0	31-00199 /		
			SW	SW	4	CLARK, KEITH W.	A31-00200 /27.0	31-00200 /		
			SW	SW	4	CLARK, KEITH W.	A31-00201 /27.0	31-00201 /		
			SW	SW	4	CLARK, ROBERT L.	A31-00364 /27.0	31-00364 /		
			SW	SW	4	CLARK, KEITH W.	A31-10080 /27.0	- /		
			SW	SW		PAUL, BURT H.		31-00198 /		
14N	36E	19	SE	SW		CLARK, KEITH W.	A31-10079 /31.0	- /	31.0	
			SE	SW		CLARK, KEITH W.	A31-00199 /31.0	31-00199 /		
			SE	SW		CLARK, KEITH W.	A31-00200 /31.0	31-00200 /		
			SE	SW		CLARK, KEITH W.	A31-00201 /31.0	31-00201 /		
			SE	SW		CLARK, ROBERT L.	A31-00364 /31.0	31-00364 /		
			SE	SW		CLARK, KEITH W.	A31-10080 /31.0	- /		
			SE	SW		PAUL, BURT H.		31-00198 /		
14N	36E	19	SE	SW		CLARK, KEITH W.	A31-10079 /	- /	31.0	
			SE	SW		CLARK, KEITH W.	A31-00199 /31.0	31-00199 /		
			SE	SW		CLARK, KEITH W.	A31-00200 /31.0	31-00200 /		
			SE	SW		CLARK, KEITH W.	A31-00201 /31.0	31-00201 /		
			SE	SW		CLARK, ROBERT L.	A31-00364 /31.0	31-00364 /		
			SE	SW		CLARK, KEITH W.	A31-10080 /31.0	- /		

PAGE: 7
PLACE OF JSE REVIEW SHEET CONTINUED

195
CLAIM NUMBER: A31-100

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.
			SE	SW		PAUL, BURT H.		51-00198	/	
TOTAL ACRES							A31-10379	58.30		190.30

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

C. FIELD EXAM REQUIRED?
DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y FIELD EXAMINER N

POU COUNTY: CLARK

PRESUMPTION FLAG:

NOTES:

NWSW S.19. Stock

This right is recommended for Stockwater only.
See note from E.S.V. in file.

NO IRRIGATION

RECOMMENDATIONS:

TOTAL ACRES: 0

REVIEWED BY: [Signature]

DATE: 12/12/95

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-10079	IRRIGATION	FROM 04-15 TO 10-15	.400 CFS
A31-10079	STOCKWATER	FROM 01-01 TO 12-31	.120 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.400 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
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PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() EXPLAIN IN NOTES, BEL

NOTES:

Stockwater Period of Use 1-1 to 12-31

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

NO RECORD

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 31-0199, 31-0200, 31-0201, 31-0364, AND FLOODWATER. These rights are for Irrigation

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	VOL.
A31-10079	SPRING	CLARK, KEITH W.	0.400	0.006		
A31-00199	MODOC CREEK	CLARK, KEITH W.	0.800	0.001		
A31-00230	MODOC CREEK	CLARK, KEITH W.	2.000	0.003		
A31-00231	MODOC CREEK	CLARK, KEITH W.			50.00	
A31-00364	MODOC CREEK	CLARK, ROBERT L.	0.800	0.001		
A31-10090	MODOC CREEK	CLARK, KEITH W.	7.200	0.013		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOL.
A31-10079	STOCKWATER	CLARK, KEITH W.	FROM 01-01 TO 12-31	.120 CFS	
A31-00199	STOCKWATER	CLARK, KEITH W.	FROM 01-01 TO 12-31	.120 CFS	
A31-00231	STOCKWATER STORAGE	CLARK, KEITH W.	FROM 01-01 TO 12-31		5.7
A31-00231	STOCKWATER FROM STORAGE	CLARK, KEITH W.	FROM 01-01 TO 12-31		5.7

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

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

1B. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 145.0 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CON	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	EXA
<u>Stockwater</u>	<u>1-1</u>	<u>12-31</u>	<u>0.12</u>	<u>6/s</u>	<u>0</u>			
TOTAL FOR THIS RIGHT								

REVIEWED BY: A.V. DATE: 12/12/95

STOCKWATER, 500 CATTLE

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-10079

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERS. RATE
-	A31-10079	0.400	-	-	-	-
TOTAL CFS		0.400				

DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
N	<u>N</u>

NOTES:

*Recommend 0.12 cfs - This is the amount our s
show for 500 head of range cattle*

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:3
03/26/9

PAGE: 13
QUICKLOOK INFORMATION

201
CLAIM NUMBER: A31-100

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE
PRIORITY DATE	Y			N	6	12/9	12/9
POINT OF DIV	Y			N	1,2,4		
SOURCE	Y		12-12-95	N	1,2,4		
PLACE OF USE	Y			N	1,2,4		
DIV. AMOUNT CFS/VOLUME	Y			Y	1,2,4		
CONSUMPTIVE USE	-			Y	6		
PURPOSES	Y			Y	6		
PERIOD OF USE	Y			Y	6		
BASIS OF CLAIM	Y			N	6		
REMARKS							

"VERIFIED BY" CODES

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:13:3
03/26/9
202

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A31-100

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIV VO
C	KEITH W. CLARK 3601 EAST 800 NORTH MEAN ID 83434 (208) 756-4245	05/01/1893	IRRIGATION STOCKWATER	04-15 10-15 01-01 12-31	0.40 CFS 0.12 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.40 CFS	
C	ROBERT L. CLARK 3617 EAST 800 NORTH MEAN ID 83434 (208) 756-4238					
C	JERRY L. CLARK 3630 EAST 826 NORTH MEAN ID 83434 (208) 756-4797					

WATER SOURCE: SPRING

TRIBUTARY TO: MODOC CREEK

STAGE: BENEFIT

POINT(S) OF DIVERSION:

T14N R35E S24

SENESE

CLARK 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
14N	36E	17	:												
TOTAL ACRES															

PLACE OF USE LEGAL DESCRIPTION FOR: STOCKWATER

NE				NW				SW				SE			
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC
14N	35E	24	:												
14N	36E	17	:												

POU COUNTY: CLARK

NON-IRRIGATION USES: STOCKWATER/ 500 HEAD CATTLE

OTHER RIGHTS: 31-0199, 31-0200, 31-0201, 31-0364, AND FLOODWATER.

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

01/26/2001

**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: 31-10079

KEITH W CLARK
3601 E 800 N
MENAN ID 83434
Telephone Number: (208)754-4245

JERRY L CLARK
3600 E 826 N
MENAN ID 83434
Telephone Number: (208)754-4797

ROBERT L CLARK
3617 E 800 N
MENAN ID 83434
Telephone Number: (208)754-4238

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: 2-6-2001

SIGNATURE: Robert L. Clark

Please print your name: Robert L. Clark

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

RECEIVED

FEB 12 2001
01/24/2001

Department of Water Resources
Eastern Region

**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: 31-10079

KEITH W CLARK
3601 E 800 N
MENAN ID 83434
Telephone Number: (208)754-4245

JERRY L CLARK
3600 E 826 N
MENAN ID 83434
Telephone Number: (208)754-4797

ROBERT L CLARK
3617 E 800 N
MENAN ID 83434
Telephone Number: (208)754-4238

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: 2-5-201 SIGNATURE: Jerry L Clark

Please print your name: JERRY L. CLARK

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

INTER-DEPARTMENT MEMO

TO: AB1-10079

SUBJECT: EOP

FROM: ERIC VERNER

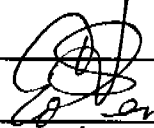
DATE: 2/18/93

KEITH AND ROBERT CLARK VISITED W/ ME TODAY REGARDING THE
EOP REQUEST SENT ON THE 8TH.

BOTH GENTLEMEN SAID THAT THE SPRING UNDER AB1-10079
IS REALLY ONLY USED FOR STOCK WATERING. IT FLOWS AROUND
2 TO 8 gpm WHICH ISN'T ENOUGH TO IRRIGATE WITH. THERE ARE
NO DIVERSION WORKS. THEY SAID THAT THERE IS SOME
NATURAL - "SUB-IRRIGATION" AROUND THE SPRING. I TOLD THEM
WE COULD RECOMMEND THE ~~IRRIGATION~~ STOCK PORTION, BUT
THAT WE WOULD DROP THE IRRIGATION USE. THEY AGREED
THIS WOULD BE CORRECT.

() For your information

() Response required


signature

MICROFILMED

APR 14 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

POOR ORIGINAL

*

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED

APR 14 1994