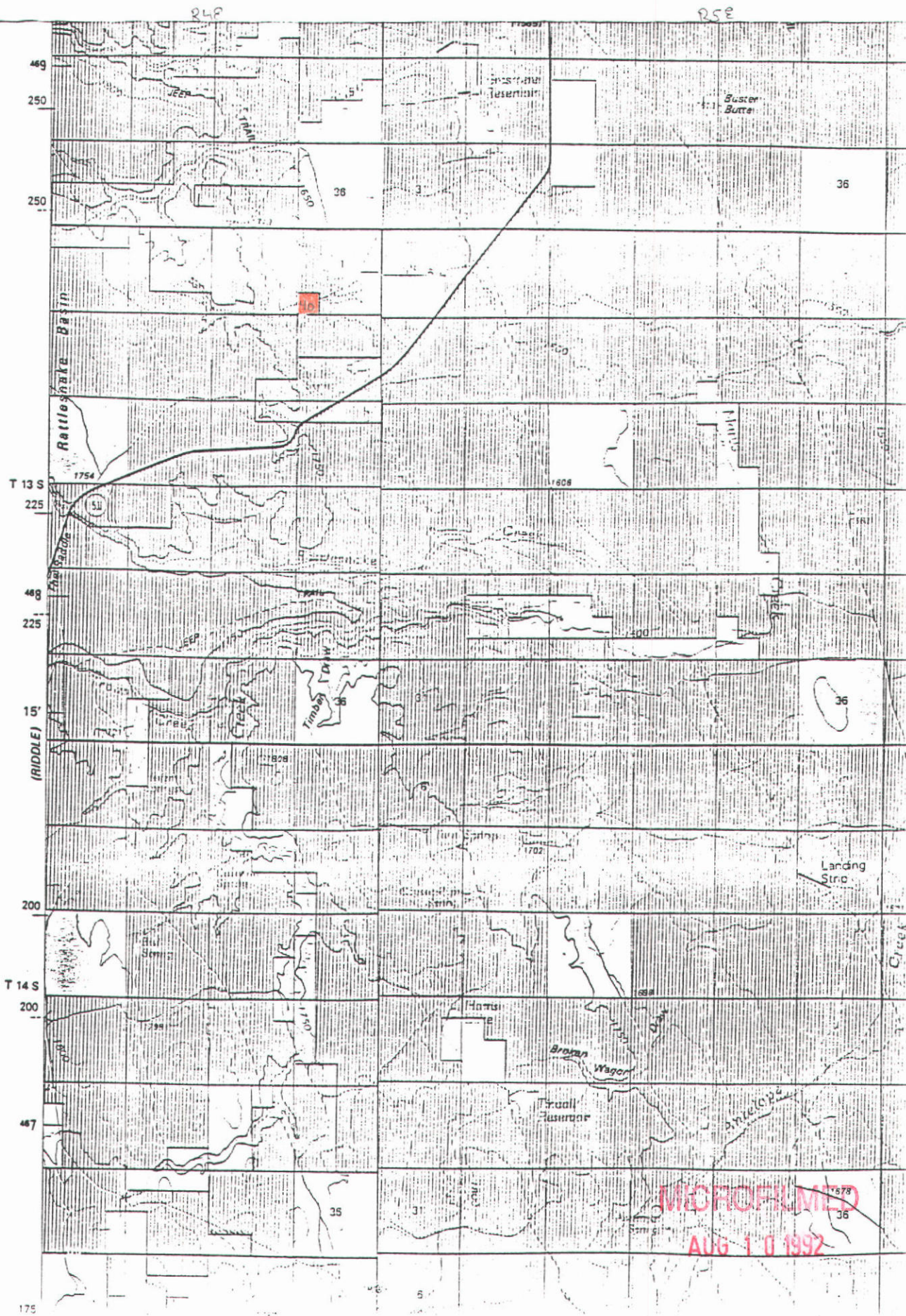


Water Right A51-02017

ExDoc S11 #8



Owyhee County
Mit Creek
5ths of one second-foot
irrigation and domestic
priority 9/2/1910

Attachment A(1)

STATE OF IDAHO
Water License No. 6570.

WHEREAS, On the 2nd day of September, A.D. 1910, MORTON A. GREEN, of Wickahoney, County of Owyhee, State of Idaho, duly made application (No. 9521) to me for a permit to use 4/5ths of one cubic foot per second of the waters of Mit Creek, County of Owyhee, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 10th day of September, A.D. 1910, Permit No. 6570 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 10th day of September, A.D. 1912, and for the application to beneficial use of said water on or before the 10th day of September, A.D. 1914, and,

WHEREAS, On the 7th day of September, A. D. 1911, MORTON A. GREEN, the holder of said permit duly made proof of the completion of adequate works for the diversion of 4/5ths of one cubic foot per second of said waters, as evidenced by my Certificate No. 6570, dated October 2nd, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 4/5ths of one cubic foot per second of water, with date of priority of September 2nd, 1910, and,

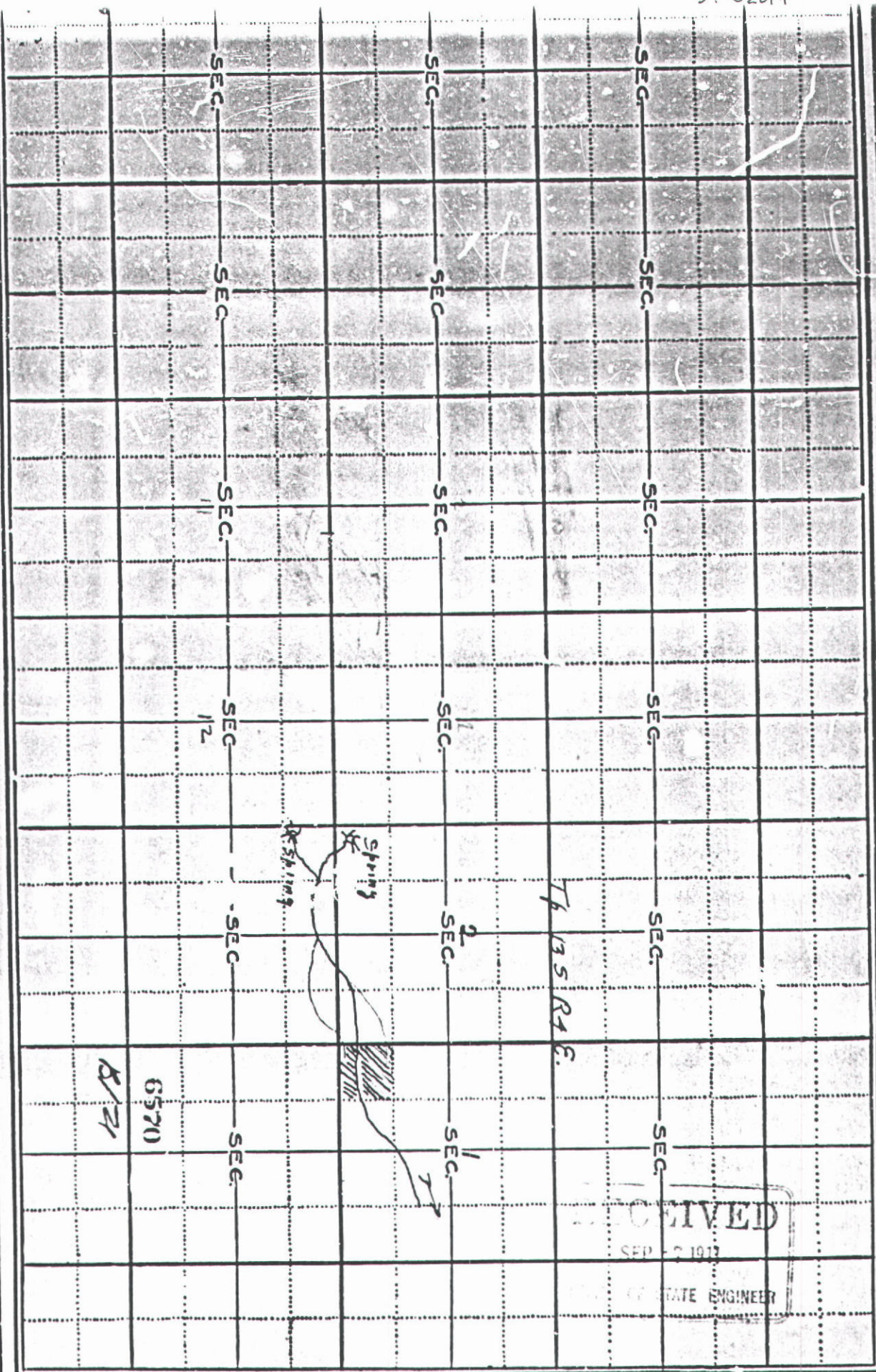
WHEREAS, On the 7th day of September, A.D. 1911, MORTON A. GREEN, the holder of said permit duly made proof of the application to beneficial use of 4/5ths of one cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to MORTON A. GREEN, of Wickahoney, County of Owyhee, State of Idaho, the holder and owner of said Permit No. 6570, a perpetual right, dating from September 2, 1910, to the use of 4/5ths of one cubic foot per second of the waters of Mit Creek, in the County of Owyhee, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Northwest quarter of the Northeast quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), Section 11, and the Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 2, Township 13 South, Range 4, East of the Boise Meridian, and conducted to and upon 40 acres in the Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 1, Township 13 South, Range 4, East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 2nd day of October, A.D. nineteen hundred and eleven.

A. E. Robinson.
State Engineer.

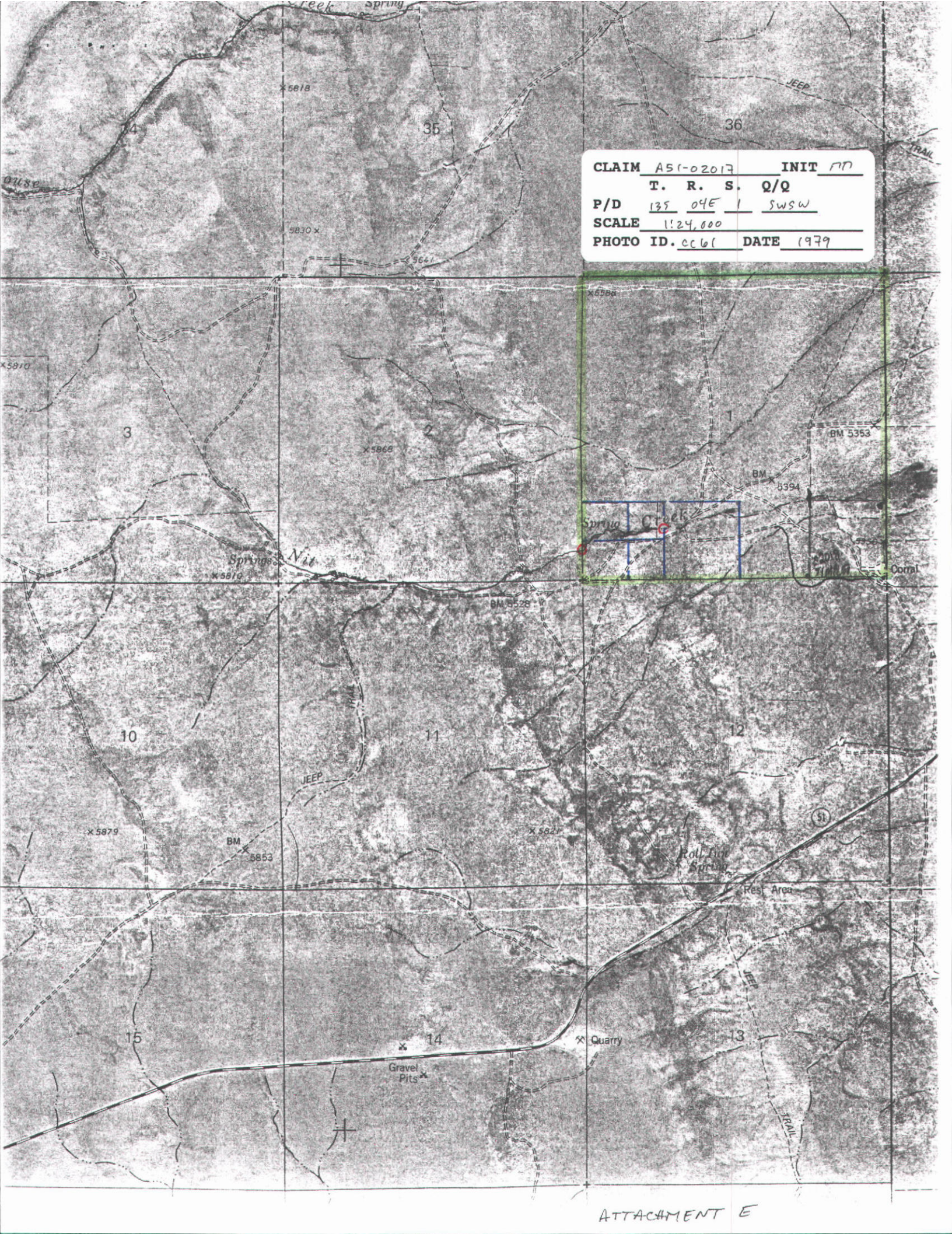
51-02017



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

51-02017

Printed and for sale by the Statesman Shop, Boise, Idaho.



CLAIM	A51-02017	INIT	mn
	T. R. S.	Q/Q	
P/D	135 04E	1	SWSW
SCALE	1:24,000		
PHOTO ID.	CC61	DATE	1979



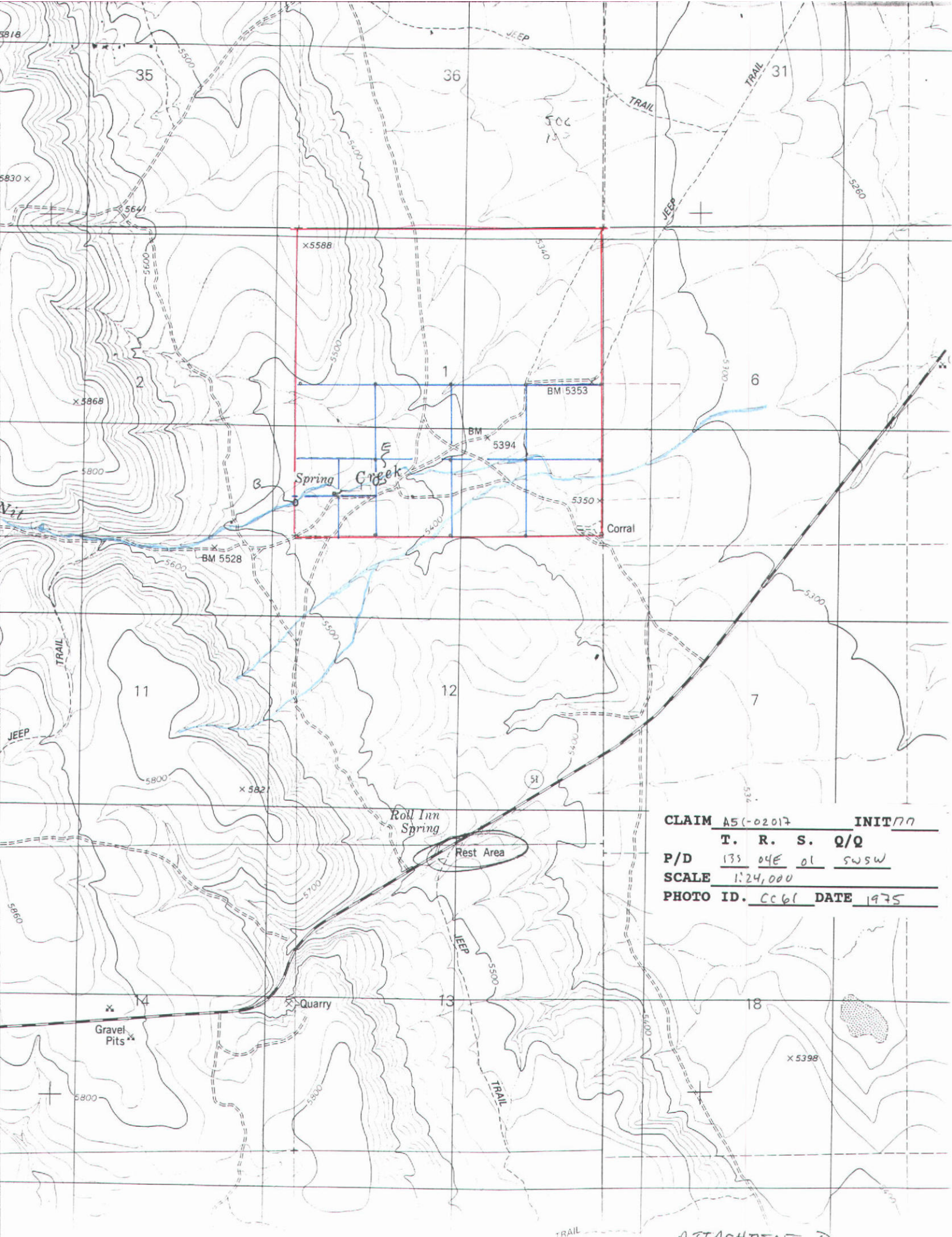
PHOTOGRAPHER AND DATE OF PHOTOS T. R. NIEVER 12/03/1993

FILE NO. ASE-02017 T135 ROYE S.1 SWSW



① Very small
($\frac{1}{2}$ acre)
pond.
NE SWSW

ATTACHMENT B



CLAIM A5(-02017) INIT 77
T. R. S. Q/Q
P/D 133 04E 01 SWSW
SCALE 1:24,000
PHOTO ID. CC61 DATE 1975

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

Renumbered to A51-12811

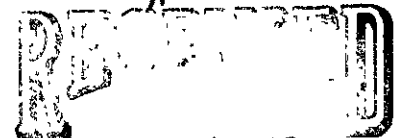
Ident. Number: ~~A51-02017~~

Date Received: 3/1/89

Receipt No: CDO5642

Received By: *JP*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW



MAR 01 1989

1. Name: SIMPLOT LIVESTOCK CO.
Address: P.O. BOX 27
BOISE, ID

83707

Department of Water Resources

2. Date of Priority: SEP 02, 1910

3. Source: NIT CREEK

Trib. to: LOUSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	04E	1	SW	SW	SW		OWYHEE

5. Description of diverting works:
PIT TANK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.800		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	04E	1	SW	SW		STOCK	

11. Place of use in counties: OWYHEE

A51-02017

Page 1

Date: 02/16/89

MICROFILMED

AUG 10 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 6570

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1 Map

For Organizations:

I do solemnly swear or affirm that I am Secretary of Simplot Livestock Co., that I have signed the foregoing Organization document in the space below as Secretary of Simplot Livestock Co. and that the statements contained in the foregoing document are true and correct.

James W. Brown
Signature of Authorized Agent

Secretary, Simplot Livestock Co.
Title and Organization

2-28-89
Date

State of Idaho)
) SS.
County of Ada)

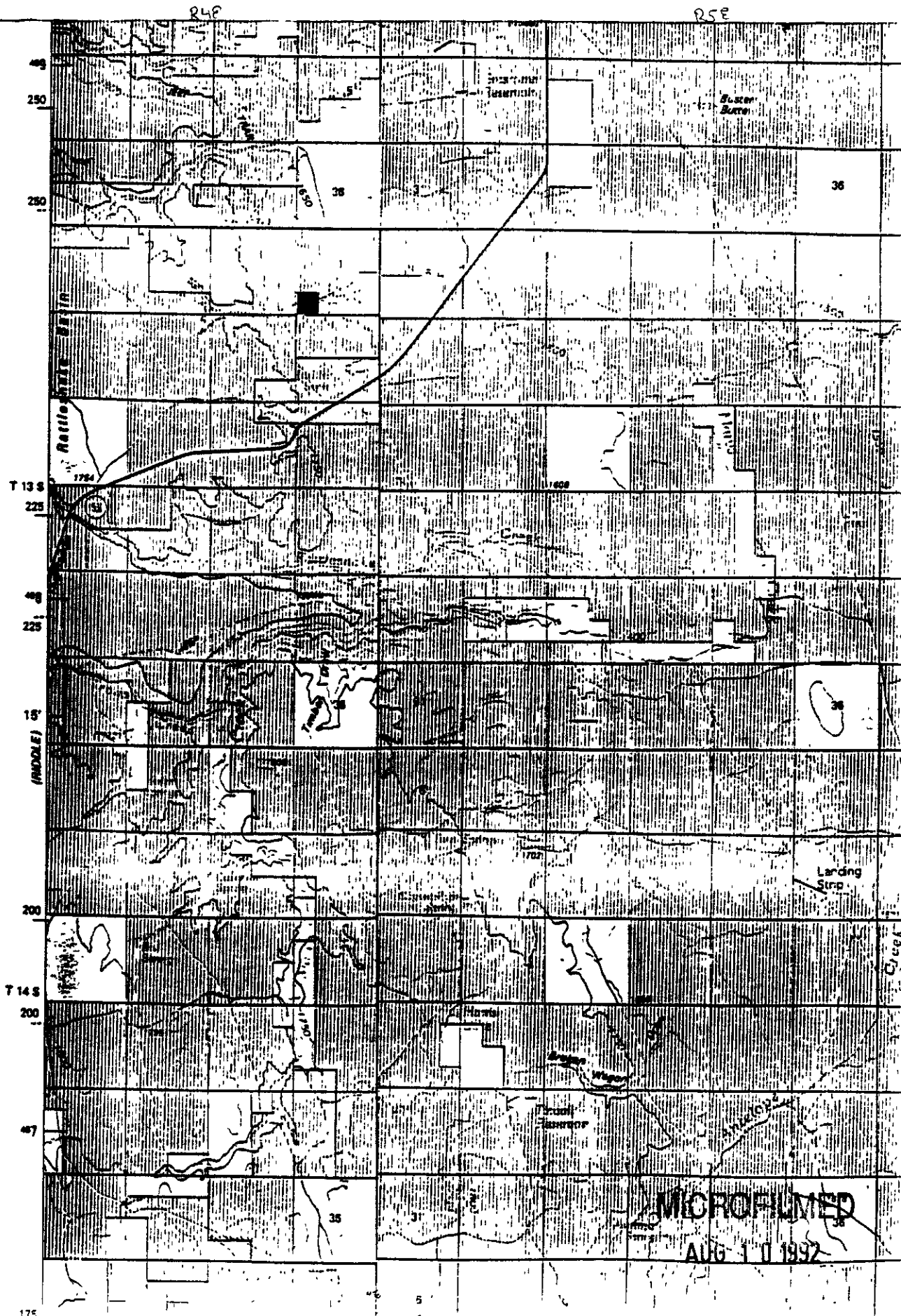
Subscribed and sworn (or affirmed) before me this 28th day
of February 19 89

Vicki A. Lawrence
Notary Public

Seal

Residing at Meridian, Idaho

My Commission Expires 11-06-91



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

DATE: 07/21/98
PAGE: 2

Comments:

Date: 05/03/1996 User-ID: MNINICUC Subject: CHANGES
USE HAS CHANGED FROM IRR/DON TO INSTREAM STOCKWATER. DATE OF
CHANGE PREVIOUS TO NOV. 19, 1987, CONFIRMED BY OR (1979). FIELD
EXAM CONFIRMED LACK OF IRRIGATION.
PRIORITY ADVANCED TO DAY AFTER CUT-OFF DATE OF DECREE.
SEASON OF USE LIMITED TO IRRIGATION SEASON.

Date: 03/27/1998 User-ID: SBOCK Subject: BOCK DIVERSION REDUCTION
WATER DIVERSION REDUCTION TO 0.02 CFS BASED ON BASIN WIDE ISSUE
#12.

Date: 04/02/1998 User-ID: SBOCK Subject: PRIORITY DATE
THE PRIORITY DATE WILL STAY THE SAME AS THE LICENSE DATE SINCE
THE USE WAS CHANGED TO STOCKWATER AND THE PERIOD OF USE CAN BE
YEAR ROUND

Audit: 07/21/98 SBOCK

AJ0749NP
No. R51-02017

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

DATE: 05/03/96
PAGE: 2

Comments: Date: 05/03/1996 User-ID: MMINICUC Subject: CHANGES
EXAM CONFIRMED LACK OF IRRIGATION.
PRIORITY ADVANCED TO DAY AFTER CUT-OFF DATE OF DECREE.
SEASON OF USE LIMITED TO IRRIGATION SEASON.

Audit: 05/03/96 MMINICUC

50th of the month of October
and domestic
9/2/1910

STATE OF IDAHO
Water License No. 6570.

WHEREAS, on the 10th day of September, A.D. 1910, MORTON A. GREEN, of Wickahoney, County of Owyhee, State of Idaho, made application (No. 9521) to me for a permit to use 4/5ths of one cubic foot per second of the waters of Lit Creek, County of Owyhee, State of Idaho, for irrigation purposes, and,

WHEREAS, on the 10th day of September, A.D. 1910, Permit No. 6570 was issued to said applicant for the diversion of said water, and providing for the completion of the work of diversion therein described on or before the 10th day of September, A.D. 1912, and for the application of beneficial use of said water on or before the 10th day of September, A.D. 1914, and,

WHEREAS, on the 7th day of September, A. D. 1911, MORTON A. GREEN, the holder of said permit, made proof of the completion of adequate works for the diversion of 4/5ths of one cubic foot per second of said waters, (as evidenced by my Certificate No. 6570, dated October 2nd, 1911, confirming the completion of works of sufficient capacity for diverting the water in the said permit intended use 4/5ths of one cubic foot per second of water, for the purpose of irrigation, and,

WHEREAS, on the 7th day of September, A.D. 1911, MORTON A. GREEN, the holder of said permit, made proof of the application to beneficial use of 4/5ths of one cubic foot per second of said waters,

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I do hereby grant and confirm to MORTON A. GREEN, of Wickahoney, County of Owyhee, State of Idaho, the holder and owner of said Permit No. 6570, a perpetual right, dating from September 10, 1910, to the use of 4/5ths of one cubic foot per second of the waters of Lit Creek, in the County of Owyhee, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbefore mentioned, to be diverted at a point in the Northeast quarter of the Northeast quarter (NW 1/4 NE 1/4), Section 11, and the Southwest quarter of the Southwest quarter (SW 1/4 SE 1/4), Section 2, Township 13 South, Range 4, East of the Boise Meridian, and a detached lot and upon 40 acres in the Southwest quarter of the Southwest quarter (SW 1/4 SW 1/4), Section 1, Township 13 South, Range 4, East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a like use for the use of the waters of the State, and subject, also, to the local or community custom, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS my hand and the seal of my office at Boise, Idaho, this 11th day of October, A.D. nineteen hundred and eleven.

A. E. Robinson.
State Engineer.

(917)

51 2017

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:02:24
05/02/96

PAGE: 15
QUICKLOOK INFORMATION

15
CLAIM NUMBER: A51-02017

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		177 01/08/1993	177 12/03/1993	Y	177 05/02/1993	177 05/03/1993	177 05/03/1993	
POINT OF DIV	Y			Y	177 05/02/1993			
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y			N	177 12/03/1993			
PERIOD OF USE	Y			Y				
BASIS OF CLAIM				Y				
REMARKS								

BARCODE UPDATED
WHOM/DATE

177 05/03/1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:03:45
05/02/96
16

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A51-02017

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SIMPLOT LIVESTOCK CO	09/02/1990 04/03/1922	STOCKWATER	01-01 12-31 04-15 10-15	0.80 CFS 0.80 CFS	33 33
TOTAL DIVERSION:					0.80 CFS	33

Water Source: MIT CREEK
Point(s) of Diversion: T13S R04E S01
Place of use Legal Description for: STOCKWATER
Tributary to: LOUSE CREEK
Stage: LICENSE
County: Owyhee County

NE	ENE	N	NNE	SW	WSW	SE
13S 04E 1	13S 04E 1	13S 04E 1	13S 04E 1	13S 04E 1	13S 04E 1	13S 04E 1
13S 04E 1	13S 04E 1	13S 04E 1	13S 04E 1	13S 04E 1	13S 04E 1	13S 04E 1
13S 04E 1	13S 04E 1	13S 04E 1	13S 04E 1	13S 04E 1	13S 04E 1	13S 04E 1

POU County: Owyhee

Non-Irrigation Uses: S/1500 HEAD CATTLE

Other Rights: NONE

Dates: Exam Made Date: 12/23/1993
Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag: C
Presumption Flag:

OLD NO. 6570
NO GOVT LOTS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:02:24
05/02/96

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: AS1-02017

LAST: YOUNG OR TERRY UHLING
ADDRESS: ENV AND REGULATORY AFFAIRS
J R SIMPLOT COMPANY

FIRST: GRAY

PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-389-7318

STATE: ID ZIP: 837070027

OWNER CODE: A

LAST: SIMPLOT LIVESTOCK CO
ADDRESS: PO BOX 27
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 83707

OWNER CODE: C

LAST: SIMPLOT
ADDRESS:
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 83707

OWNER CODE: K

LAST: GREEN
ADDRESS:
CITY: BRUNEAU
PHONE NUMBER: 208-000-0000

FIRST: MORTON A

STATE: ID ZIP: 83604

OWNER CODE: O

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE
N

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

CONTACT PERSON: Frank Bachman

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 12/03/1993

APPOINTMENT MADE: Y() N(X)

TIME: - : - A() P()

ACCOMPANIED BY: N/A

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

~~For~~ I84 to Mountain Home. At 51 ^{through} to Beuneau, past Greasewood is 4.5 miles.
Unmarked Rt turn on good road. Roll Inn Rest Area is too far. Coe Rd
is W SE SE S.L. Turn left (west) along good ~~road~~ ^{2 track} but not one next to fence

A. AJ CLAIM: # A51-02017 PRIORITY DATE: 09-02-1910 STAGE: L
 B. WR RECORD: # 51-02017 PRIORITY DATE: 09-02-1910 STAGE: L
 C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(X) N()
 D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(X) N()
 E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? Y(X) N() Non-use irrigation & domestic
 F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?
 PROOF OF BENEFICIAL USE SUBMITTED N/A(X) Y() N()
 FIELD EXAM COMPLETED N/A(X) Y() N()
 FIELD EXAM SENT TO STATE OFFICE N/A(X) Y() N()
 LICENSE ISSUED N/A(X) 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(X)

* 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(X)

NOTES: 05/02/1996: License should have been decreed at the time of the Barnesv River Decree. BLU exam can be used as evidence of priority - nature of use has changed from irrigation to stockwater. DO confirms that irrigation has ceased. Priority advanced to day after the cut-off date of the decree. no

RECOMMENDED PRIORITY DATE:

09-02-1910

REVIEWED BY: 04/03/1922
 The Planner

05/02/1996

DATE: 04/03/1922

51-02017

August 4th, 1911.

Re: Permit 6570.

John W. Cage,
Water Commissioner,
Boise, Idaho.

Sir:

Morton A. Green, Wickahoney, Idaho,
the holder of above numbered Permit, de-
sires to make proof of completion of
works and of application of water to
beneficial use on four-fifths of one
second-foot of the waters of Nit Creek,
on September 7th, 1911.

Very truly yours.

State Engineer.

By _____

Green is Addie Ison's Brother
(451-02018)

6570

ATTACHMENT A

REPORT OF ENGINEER

1. State name of applicant and number of permit: WORTHEN A. Green 6570
2. State source of water supply Nit Creek
3. Location of point of diversion: (1) NW 1/4 Section 11 and SW 1/4 Section 12
all in Township 13 South, Range 4, East of Boise Meridian.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes
5. Describe works as they exist, giving dimensions of same as follows: Headgate 2' x 2'
- (a) Width of conduit at bottom: 1 1/2 Feet
- (b) Width at water line: 2 Feet
- (c) Depth of water: 1 1/2 Feet
- (d) Grade per mile: 4 Feet
- (e) Capacity of ditch: 50 inches each second foot

6. State whether or not water has been turned into works of diversion and if so, to what extent:

Yes to capacity of ditches during season

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: A) SW 1/4 SW 1/4 Sec 1 T. 13 S R. 4 E B. M.

B 40 acres

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

Above ranch cultivated several years
has bearing orchard and hay.

RECEIVED

SEP 11 1911

ENGINEER

CKnight

STATE OF IDAHO,

County of

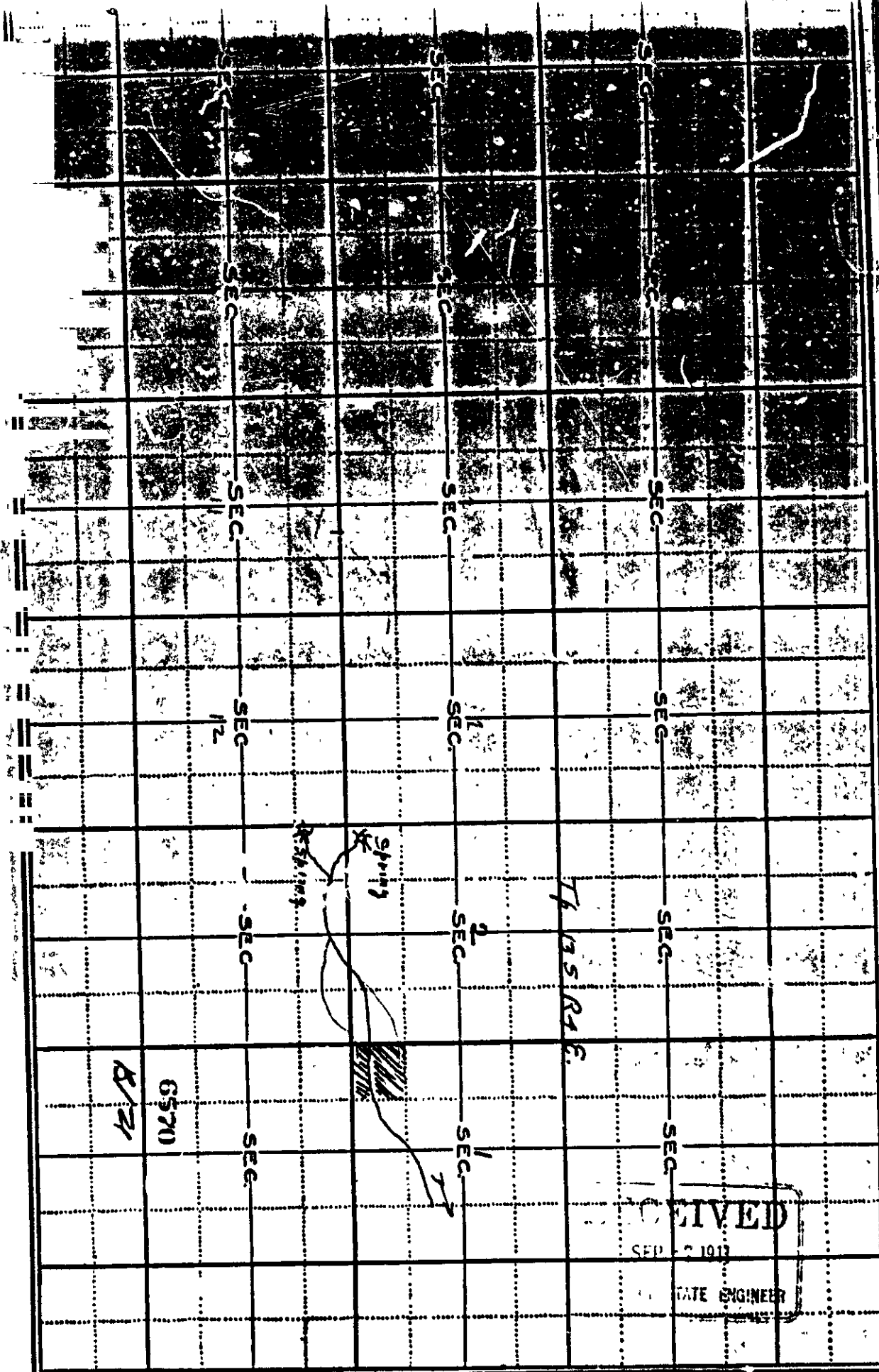
JCKnight, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 7th day of September 1911.

My Commission Expires May 23, 1915

51-02017

Elmer Brown
Notary Public
6570



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

51-02017

Printed and for sale by the Government Map, Sales, Division, Washington, D.C.

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A51-02017	13S	04E	1		SW	SW		ONTHEE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
51-02018

SOURCE: MIT CREEK

TRIB: LOUSE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
51-02017	13S	04E	11		NW	NE		ONTHEE		
51-02017	13S	04E	2		SW	SE		ONTHEE		

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX

NONE

A51-10768

R51-10768

SOURCE: MIT CREEK

TRIB: LOUSE CREEK

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 05/11/1911)

AJ FIELD EXAM (DATE OF FIELD EXAM 12/03/1993) NAME OF EXAMINER T. M. V. C. C. I.

OTHER (DESCRIBE IN NOTES BELOW)

CLAIM AS 02017 INIT PD
T. R. S. Q/Q
P/D 135 045 1 SWSW
SCALE 1"24,000
PHOTO ID. CC61 DATE 1979

ATTACHMENT E

A. ROOT WATER RIGHT NUMBERS: A51-02017

B. POU LISTING		TWP	RNG	SEC	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13S	04E	1	SW	SW			SIMPLIST LIVESTOCK CO	A51-02017 /	51-02017 / 40.0			Ø

ADDITIONAL POU FOUND

TOTAL ACRES A51-02017 40.00

POU COUNTY: OMYHEE

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

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

Y() N(X)

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

Y() N(X)

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

* 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?

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

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?

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

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

Y() N(X)

Y(X) N()

CHECK DOCUMENTS USED TO VERIFY POU: (X) ORTHOPHOTOQUAD, IDMR NO. CC61; (X) TOPOGRAPHIC QUAD, IDMR NO. CC61;

(X) NAPP, IDMR NO. CC61UE; () ASCS PHOTO; () OTHER _____

NOTES: 05/02/1996: Field exam found small ~~stock~~ pond (see photo) and evidence of
instream stock use. No evidence of irrigation. NAPP does not show
irrigation. ND

RECOMMENDATIONS:

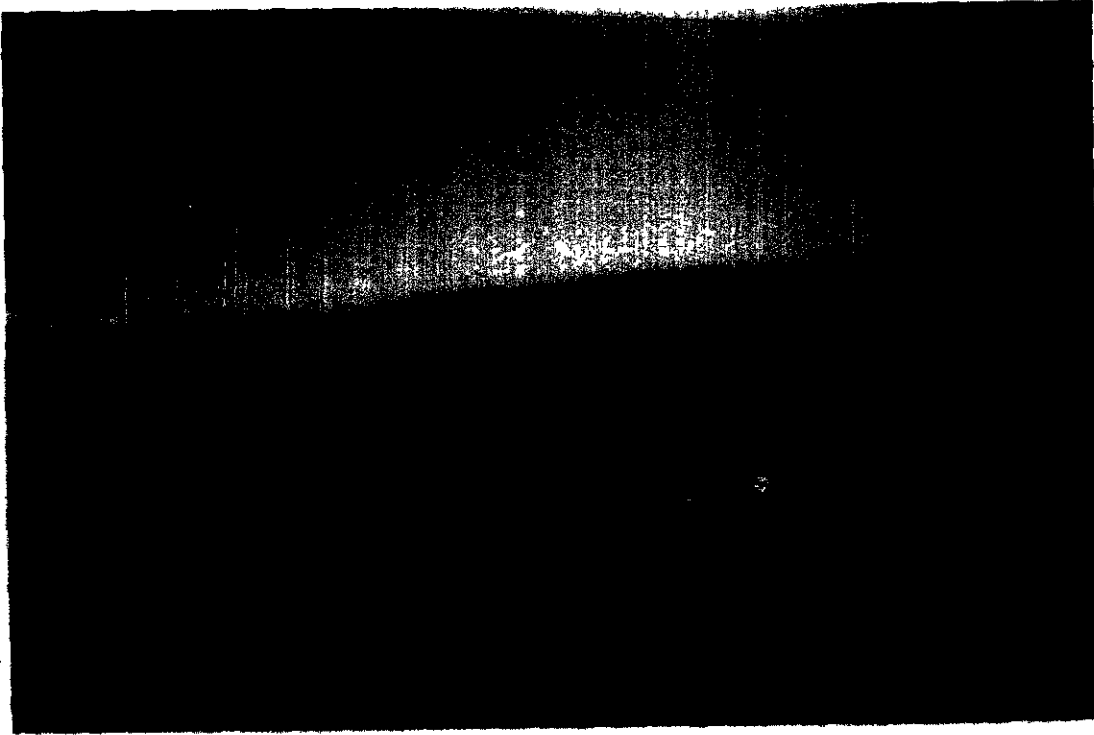
TOTAL ACRES: _____ N/A

REVIEWED BY: [Signature] DATE: 05/02/1996



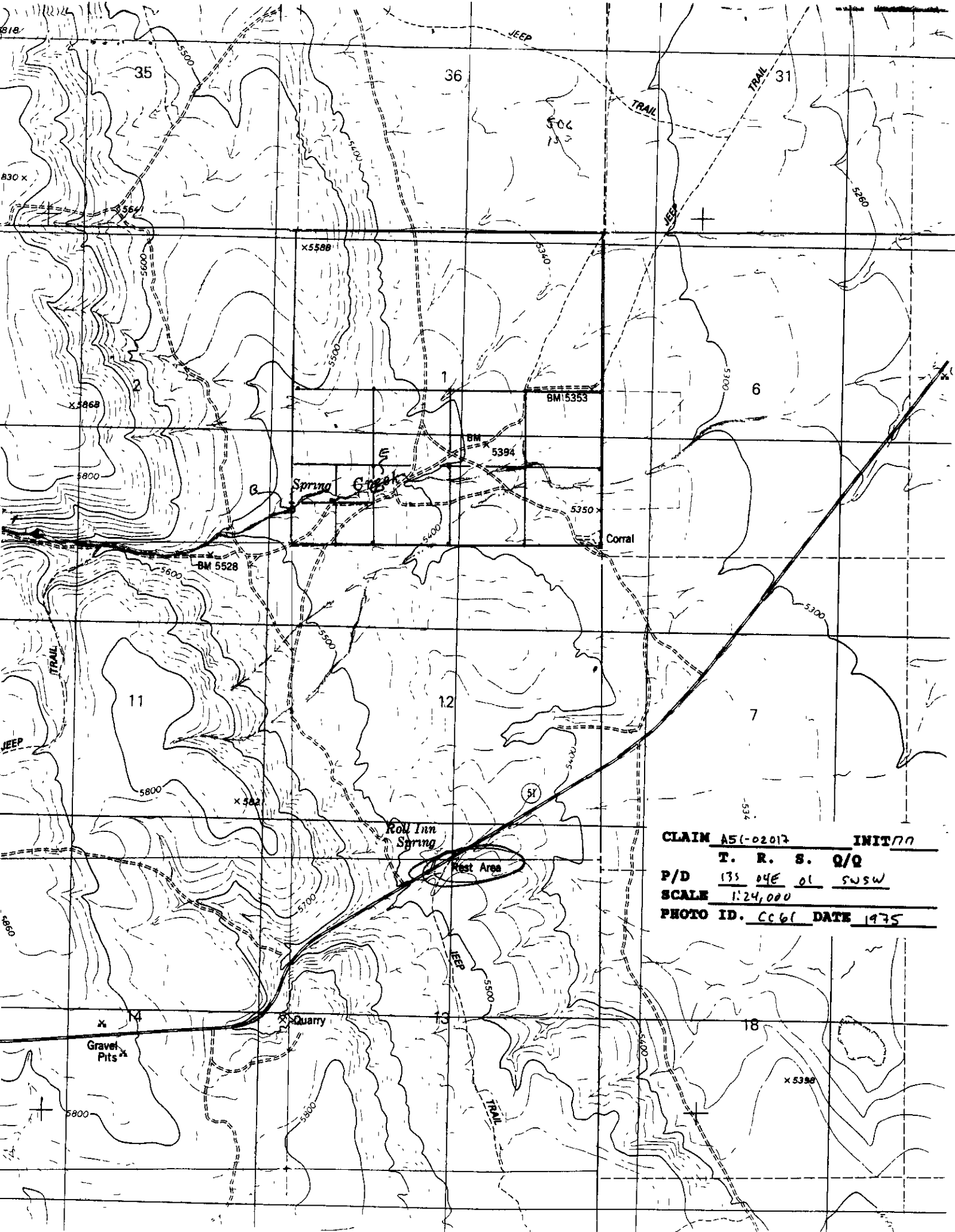
PHOTOGRAPHER AND DATE OF PHOTOS 11/11/1993 12/03/1993

FILE NO. AS-02017 T135 BOYE S.1 SWSW



① Very small
($2 \frac{1}{2}$ acre)
pond.
NE SWSW

ATTACHMENT B



CLAIM A51-02017 INIT 77
T. R. S. Q/Q
P/D 133 04E 01 SWSW
SCALE 1:24,000
PHOTO ID. CC61 DATE 1975

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A51-02017 STOCKWATER	FROM 01-01 TO 12-31	0.800 CFS	0.02 23
	TOTAL DIVERSION RATE/VOLUME	0.800 CFS	0.02 23

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
51-02017 IRRIGATION	FROM TO	0.800 CFS	
51-02017 DOMESTIC	FROM TO	0.800 CFS	
	TOTAL DIVERSION RATE/VOLUME	0.800 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(X) N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

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

* 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(X) N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(X) N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(X) 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(X) N(X)

* 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(X)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

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

NOTES: 05/02/1996: Irrigation use is now instream stock. Use is now "Nonconsumptive".

Change prior to 1987, as per O.C.N.

31/27/1998 stockwater reduced to 0.00 cfs

per Basin Wide Issue #12 SB

AJ CLAIM TOTAL DIVERSION RATE: 0.800 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.800 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(☒)

FLOW MEASUREMENT

MEASUREMENT METHOD Theoretical - See 8/11 exam, attached, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

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

NOTES: 05/03/1996: Rate based on IQR standard calculation from Field Examiner's Handbook, Exhibit 15:

$$\begin{aligned} cfs &= hsd \times .00022 \\ &= 1500 \times .00022 \\ &= .33 \end{aligned}$$

nn

8/21/1998: Structures reduced to 0.00 cfs per
Carter Waste Disposal #12, 523

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
STOCKWATER	01-01 12-31	DATABASE EXAMINER 0.800	DATABASE EXAMINER	DATABASE EXAMINER 0.0
STOCK WATER	04-15 10-15	0.02	SB	
TOTAL FOR THIS RIGHT		0.02 SB.		

NON-IRRIGATION USES CLAIMED: S/1500 HEAD CATTLE

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

REVIEWED BY: PTM DATE: 05/02/1996

FLAG: CR
STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE): Includes accomplished X fee of 100

EXPLANATORY CONDITIONS (CODE): N11, N13, C44, C43

EXPLANATORY REMARKS (CODE):

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: 51-02017

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 0.800
EXAMINER 777
CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-02017	0.800	451-02017	0.800	51-02017	0.800
TOTAL CFS		0.800				

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 0.800
EXAMINER 777
FIELD EXAMINER Y() N()

NOTES:

05/03/1996: This right has not been split, the use has diminished. 777

AUTHENTICATION:

SIGNATURE: [Signature] DATE: 05/03/1996

NAME OF FIELD EXAMINER: Maria T. [Name] TITLE: Sr. Water Agent

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?
☒ (X) ORTHOPHOTOQUAD	DATE OF PHOTO 1979 IDMR ID NO. CCG1	Y(X) N()
☒ (X) TOPOGRAPHIC	DATE FIELD CHECKED 1975 IDMR ID NO. CCG1	Y(X) N()
☒ (X) NAPP	DATE OF PHOTO 07/31/1987 IDMR ID NO. CCG1NE	Y() N(X)
☐ () 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	DATE	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
☒ (X) LICENSING FIELD EXAM	09/02/1911 2	
☒ (X) WATER RIGHT LICENSE	2/01/1911 1	
☐ () IDMR APPROVED TRANSFER		
☐ () SYSTEM DESCRIPTION		
☒ (X) PHOTOGRAPHS	12/03/1993 1	On-stream pond
☐ () SPLIT RIGHT REVIEW		
☐ () HUBBLE ANALYSIS		
☐ () CONVEYANCE LOSS ANALYSIS		
☐ () FLOW MEASUREMENT CALCULATIONS		
☒ (X) OTHER <u>Plan of B/V</u>	09/02/1911 1	Review to decree
☒ (X) OTHER <u>Found Corn</u>	11/08/1993 23	Evidence from OQ



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
 FAX (208) 334-2348

CECIL D. ANDRUS
 GOVERNOR

November 8, 1993

R. KEITH HIGGINSON
 DIRECTOR

FRANK BACHMAN
 SIMPLOT LIVESTOCK CO
 PO BOX 27
 BOISE ID 83707

RE: Snake River Basin Adjudication Claims:

A51-00093	A51-02017	A51-02018	A51-02033
A51-02057	A51-02064	A51-02079	A51-02090A
A52-04008	A51-04090	A51-04091	

Dear Mr. Bachman:

IDWR's initial investigation of the Notices of Claims listed above indicates that there have been changes in various aspects as described below for each claim.

A water right owner who has made a change in use of a water right prior to commencement of the SRBA without prior IDWR approval may claim the change in the SRBA. IDWR may recommend a right as changed, however, only if the change meets certain requirements. One of those requirements is that the change not result in injury to other water rights, or that the change be conditioned to prevent injury to other water rights.

As per our conversation of October 29, 1993, in my office, I am sending a list to you of the claims and the documentation that is required for the above-referenced claims. This documentation must be received in this office by November 19, 1993.

A51-00093: The claimed place of use for this decreed right, Twp. 13S, Trout Cr. Rge. 04E, Section 33, NE 1/4 NE 1/4, is not one of the places of use which was decreed for this right.
Required document(s): (1) Evidence of the date of change in the place of use.

A51-02017: Licensed point of diversion:
 Nit Creek Twp. 13S, Rge. 04E, Section 2, SW 1/4 SE 1/4
 Twp. 13S, Rge. 04E, Section 11, NW 1/4 NE 1/4
 Claimed point of diversion:
 Twp. 13S, Rge. 04E, Section 1, SW 1/4 SW 1/4

A51-02017 Licensed nature of use:
(con't) Irrigation and domestic
 Claimed nature of use:
 Stockwater

Required Document(s): (1) Evidence of the date of change in the point of diversion; (2) Evidence of the date of change in the nature of use.

A51-02018: Licensed point of diversion:
Spring Twp. 13S, Rge. 04E, Section 1, SW 1/4 SW 1/4
 Claimed point of diversion:
 Twp. 13S, Rge. 04E, Section 1, SE 1/4 SE 1/4

Licensed nature of use:
Irrigation and domestic
Claimed nature of use:
Stockwater

Required Document(s): (1) Evidence of the date of change in the point of diversion; (2) Evidence of the date of change in the nature of use.

A51-02033: This claim is for a lapsed permit. You indicated during our
Wickahoney conversation that you would withdraw the claim.
Creek

Required Document(s): (1) Signed and dated Request for Withdrawal Form (enclosed).

A51-02064: Licensed nature of use:
Brush Creek Irrigation and domestic
 Claimed nature of use:
 Stockwater

Required Document(s): (1) Evidence of the date of change in nature of use.

A51-02057: Licensed nature of use:
Alder Creek, Irrigation
Rattlesnake Claimed nature of use:
Spring Stockwater

Licensed place of use:
Twp. 16S, Rge. 05E, Section 25, E 1/2 SW 1/4
Claimed place of use:
Twp. 16S, Rge. 05E, Section 25, SE 1/4 SW 1/4
Twp. 16S, Rge. 05E, Section 26, NE 1/4 SE 1/4

Required Document(s): (1) Evidence of the date of change in the nature of use; (2) Evidence in the date of the addition of Section 26, NE 1/4 SE 1/4 as a place of use.

A51-02079: Licensed nature of use:
Unnamed Irrigation
Stream, Claimed nature of use:
Spring Stockwater

Licensed source:
Unnamed stream
Claimed sources:
Unnamed stream; spring

You indicated during our conversation that there is stockwater use in Section 14, NE 1/4 NE 1/4. This place of use was not included in the license.

Required Document(s): (1) Evidence of the date of change in nature of use; (2) Evidence of date of addition of the spring as a source; (3) Evidence of the date of the addition of Section 14, NE 1/4 NE 1/4 as a place of use.

A51-04008: Required Document(s): (1) Evidence of priority date.
Basabe Spring

A51-04090: Required Document(s): (1) Evidence of priority date.
Indian
Hot Springs

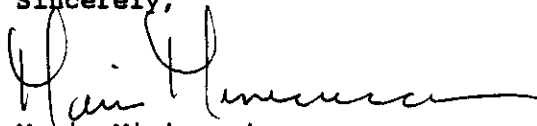
A51-04091: Required Document(s): (1) Evidence of priority date.
Wickahoney
Spring

I have enclosed a pamphlet entitled "Evidence of Priority". This pamphlet explains what type of evidence is required to document priority dates. I have also enclosed an IDWR INFORMATION SHEET - EVIDENCE OF DATE OF CHANGE. This information will help you to determine what documentation is required by IDWR.

THE REQUIRED DOCUMENTS MUST BE RECEIVED BY NOVEMBER 19, 1993, OR IDWR MAY NOT BE ABLE TO RECOMMEND THE CLAIMS OR THE PORTION OF THE CLAIMS WHICH HAVE CHANGED.

Please contact me at any time with any questions you have regarding any of these claims.

Sincerely,


Maria Minicucci
Water Agent, Adjudication Bureau

Enc.s

MM/m