



SECTION LINES



PLACE OF USE



ACRES

CLAIM(S) : 55-02046

OWNER(S): OK HACKLEY JR

Prepared by: **Mel Schulte**

Date: 2/13/1998

TOTAL ACRES = 21

1 Miles



1979.
A55

AA55

T7S, R03W



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: **A55-02046**
Date Received: 7/ 5/1996
Receipt No: W002321
Received By: fw

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: O K HACKLEY JR 404-772-0828
Address: 4695 CANDACRAIG
ALPHARETTA GA 30202-5166

2. Date of Priority: MAR 28, 1914

3. Source: RUBY SPRING Trib. to: ROSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	03W	30	NE	SE			OWYHEE

5. Description of diverting works:
DITCHES TO DIVERT WATER INTO FIELDS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.200		
STOCKWATER	04/15	10/15	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 100 HEAD RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	03W	30	NE	NE		IRR	25.0
			NW	NE		IRR	10.0
			SE	NE		IRR	25.0

10. Place of Use: Continued

Section Acres 60.0

Total Acres 60.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

NATURAL PONDING FOR STOCK WATER USAGE.

15. Basis of Claim: LICENSE

Water Right Number: 10084

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): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

JUL 05 1996

WATER RESOURCES
WESTERN REGION

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

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07S	03W	30	NE	SE			OWYHEE

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STOCKWATER, 100 HEAD RANGE

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Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	03W	30	NE	NE		IRR	25.0
			NW	NE		IRR	10.0
			SE	NE		IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	60.0
					Total Acres	60.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
A55-10134

14. Remarks: *Natural ponding for stock water usage*

15. Basis of Claim: LICENSE

Water Right Number: 10084

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:

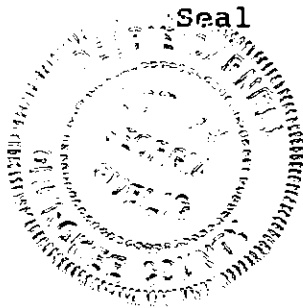
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *OK Hackley Jr* Date: 7/1/96

Date: _____

State of ~~Idaho~~ ^{Georgia})
County of Fulton) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of July 19 96



David Darnell
Notary Public

Santitrust Bank
Residing at Duluth, GA 30155
My Commission Expires My Commission Expires March 21, 1997

DATE: 02/25/98
PAGE: 1

DIVERSION
VOLUME

Stage: LICENSE

DAYHEE County

2

21.0

Other Water Rights With Same Point(s) of Diversion With Stage (Includes All Sources)::
A55-02046

REMARKS: GEN BASED ON A 1987 MAP PHOTO AND A 1979 ORTHOPHOTO QUAD MAP THE REMAINDER OF THIS RIGHT WAS FORFEITED FOR NON USE FROM 1979 TO 1987.

EXP SOURCE IS ALSO KNOWN AS RUBY SPRING.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
--------	-----------------	----------------	-----------------------

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

Comments: Date: 02/18/1998 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
NATURAL PONDING FOR STOCK WATER USAGE.

Audit: 02/25/98 MSCHULTE

-in place of
domestic

Stage: LICENSE

DAYHEE COUNTY

Place of use Legal Description for: IRRIGATION

	NENE	NNNE	SUNE	SENE	:	NENW	NNNW	SWNW	SENW	:	NESS	NNSW	SSWS	SESW	:	NESE	NNSE	SWSE	SESE	:				
T R S :	Lt AC	Lt AC	Lt AC	Lt AC	:	Lt AC	Lt AC	Lt AC	Lt AC	:	Lt AC	Lt AC	Lt AC	Lt AC	:	Lt AC	Lt AC	Lt AC	Lt AC	:				
07S 03M 30 :	85	90	13	28	:					:					:					:	-46-17		21	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POJ County: OUYHEE

Non-irrigation uses: STOCKWATER, 100 HEAD RANGE

Remarks: GEN NATURAL PONDING FOR STOCK WATER USAGE.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

EXP - B01
GEN - Partial forfeiture

MR 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			MTS 2-18-98 Hoffman	N	MTS 2-18-98	MTS 2-18-98	MTS 2-18-98	
POINT OF DIV				N				
SOURCE	Y			N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			N				
PURPOSES OF USE	Y			N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM				N				
REMARKS	Y			N				

BARCODE UPDATED
WHOM/DATE
MS - 2-18-98

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?

(☒) ORTHOPHOTOQUAD

DATE OF PHOTO

1979

IDWR ID NO. A455

(☒)

(☒) TOPOGRAPHIC

DATE FIELD CHECKED

2-13-1998

IDWR ID NO. A455

(☒)

(☒) ASCS AERIAL PHOTO

DATE OF PHOTO

2-13-1998

IDWR ID NO.

(☒)

() ASCS COLOR SLIDE

DATE OF PHOTO

()

() BLM OR USFS AERIAL PHOTO

DATE OF PHOTO

()

() TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

()

() SCS SOIL SURVEY MAP

DATE ISSUED

()

() SUBDIVISION PLAT MAP

DATE OF MAP

()

() OTHER

DATE

()

() OTHER

DATE

()

() OTHER

DATE

()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

(☒) LICENSING FIELD EXAM

DATE OF FIELD EXAM

2-26-1916

3

(☒) WATER RIGHT LICENSE

DATE LICENSE SIGNED

2-10-1917

1

() IDWR APPROVED TRANSFER

DATE TRANSFER APPROVED

() SYSTEM DESCRIPTION

DATE DRAIN

() 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

DATE

() OTHER

DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:55:21
02/17/98

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-02046

LAST: SPENCER

FIRST: SARAH L.

ADDRESS:

CITY: TRIANGLE

STATE: ID ZIP: X

PHONE NUMBER: 208-000-0000

OWNER CODE: 0

LAST: HACKLEY JR

FIRST: O K

ADDRESS: 4695 CANDACRAIG

CITY: ALPHARETTA

STATE: GA ZIP: 302025166

PHONE NUMBER: 404-772-0828

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE

FIELD
EXAMINER
Y() N()

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: GEN NATURAL PONDING FOR STOCK WATER USAGE.

FIELD EXAMINATION INFORMATION

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:

On office exam conducted using GIS.

A. AJ CLAIM: # A55-02046 PRIORITY DATE: 03-28-1914 STAGE: L

B. WR RECORD: # 55-02046 PRIORITY DATE: 03-28-1914 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(5) N()

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

Y() N(5)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS MONITORING (IF YES, DESCRIBE BELOW)

Y() N(5)

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A(5) Y() N()

FIELD EXAM COMPLETED

N/A(5) Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A(5) Y() N()

LICENSE ISSUED

N/A(5) 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(5) 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(5) N()

NOTES:

In office review

RECOMMENDED PRIORITY DATE:

03-28-1914

REVIEWED BY

Michael J. Smith

DATE

2-18-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A55-02046	07S	03W	30		NE	SE			OWYHEE			

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

MR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: RUBY SPRING

TRIB: ROSE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
55-02046	07S	03W	30		NE	SE			OWYHEE			

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: RUBY SPRING

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 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? Y() N()

LICENSING FIELD EXAM (DATE OF FIELD EXAM) 2-18-98 *An office review* Y() N()
AJ FIELD EXAM (DATE OF FIELD EXAM) 2-18-98 *Michael Schulte* Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: * The source "Calvin Johnson cannot be condemned on

NOTES: The source of the information concerning the "G" is USGS maps. The distance will be changed to 1000 yds. as per surveying.

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
07S	03W	30		NE	SE				OMYHEE		

SOURCE: Joe Mena

TRIB: Post Creek

SOURCE: Spring TRIB: Pose Creek

REVIEWED BY: W. J. H. H. H. H. DATE: 2-18-98

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

A. ROOT WATER RIGHT NUMBERS: A55-02046

B. POU LISTING											
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECON. ACRES
07S	03W	30	NE	NE		HACKLEY JR, O K	A55-02046 / 25.0	55-02046 / 25.0			8
07S	03W	30	NW	NE		HACKLEY JR, O K	A55-02046 / 10.0	55-02046 / 10.0			13
07S	03W	30	SE	NE		HACKLEY JR, O K	A55-02046 / 25.0	55-02046 / 25.0			0

ADDITIONAL POU FOUND

21

TOTAL ACRES A55-02046 60.00 60.00

POU COUNTY: OMYREE

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()

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:

Y() N()

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 POI BE VERIFIED BY FIELD EXAM?

Y() N(45)

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(45)

CHECK DOCUMENTS USED TO VERIFY POI: (45) ORTHOPHOTOQUAD, IDNR NO. A455; () TOPOGRAPHIC QUAD, IDNR NO. _____;

(45) NAPP, IDNR NO. 1987; () ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

TOTAL ACRES:

N/A()

REVIEWED BY:

DATE:

21
Mark Schulte

2-18-98

A. ALL CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A55-02046 IRRIGATION	FROM 04-15 TO 10-15	1.200 CFS	
A55-02046 STOCKWATER	FROM 04-15 TO 10-15	0.030 CFS	
TOTAL DIVERSION RATE/VOLUME		1.200 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
55-02046 IRRIGATION	FROM TO	1.200 CFS	
55-02046 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		1.200 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 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()

NOTES:

No domestic use was made on the 1987 GIS map.

AJ CLAIM TOTAL DIVERSION RATE: 1.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.200 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A () Y ()
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A () Y ()

* 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?

* 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 None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 21 x 0.02 CFS/ACRE = .42 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 21 x DIVERSION VOL. AF/A FOR AREA 21 =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 21 x CONSUMPTIVE VOL. AF/A FOR AREA 21 =

TOTAL CONSUMPTIVE USE AF/A

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

Y () N ()
- Potail
for future

NOTES:

Based on GIS map it appears 39 acres have
been forfeited

NR 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
IRRIGATION STOCKWATER <i>Stockwater</i>	04-15 10-15	4.200 0.930 <i>1.03</i>	DATABASE EXAMINER <i>1.42</i>	DATABASE EXAMINER 0.0
TOTAL FOR THIS RIGHT		<i>1.42</i>		

NON-IRRIGATION USES CLAIMED: STOCKWATER, 100 HEAD RANGE

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

REVIEWED BY *Neil Sebaste* DATE: *2-18-98*

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

GEN - Partial forfeiture

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
()
()
()
NEEDS REVIEW ()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-02046
TOTAL DIVERSION RATE OF MR SPLITS

DATABASE
1.200

EXAMINER
[Signature]

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	MR RIGHT NUMBERS	DIVERSION RATE
-	ASS-02046	1.200	-	-	55-02046	1.200

TOTAL CFS

1.200

1.200

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 ()?

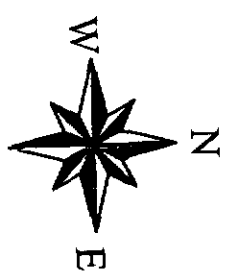
DATABASE Y
FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION: *[Signature]*
SIGNATURE: *[Signature]*
DATE: 2-18-98
NAME OF FIELD EXAMINER: _____
TITLE: _____

IDAHO DEPARTMENT OF WATER RESOURCES

T07S, R03W, S30



1987 NAAPP PHOTO



 SECTION LINES

 POD

 PLACE OF USE

1/4 1/4 LINES

6 ACRES

CLAIM(S) : 55-02046

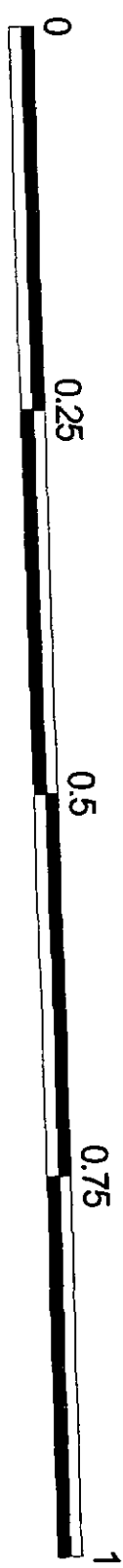
OWNER(S): O K HACKLEY JR

Prepared by: Mel Schulte

Date: 2/13/1998

TOTAL ACRES = 21

1 Miles



TTS R03A

County: Owyhee
Stream: Ruby Spring
Amount: 1.2 sec. ft.
Use: Irrigation
Priority: 3-28-1914

STATE OF IDAHO

Water License No. 10084
WATER DISTRICT NO. 54

WHEREAS, On the 28th day of March, A. D. 1914, Sarah L. Spencer

of Triangle, County of Owyhee, State of Idaho, duly made application (No. 14985) to me for a permit to use 2.4 cubic feet per second of the waters of Ruby Spring, located in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 30, T. 7 S., R. 3 W., B.M., in Water District No. 54, County of Owyhee, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 10th day of April, A. D. 1914, Permit No. 10084 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 April, A. D. 1916, and for the application to beneficial use of said water on or before the 10th day of April, A. D. 1917, and

WHEREAS, On the 2nd day of February, A. D. 1915, Sarah L. Spencer

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 2.4 cubic feet per second of said waters, as evidenced by my Certificate No. 10084 dated April 29, 1915, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.4 cubic feet per second of said water with date of priority of March 28, 1914, and

WHEREAS, On the 2nd day of April, A. D. 1915, Sarah L. Spencer

the holder of said permit, duly made proof of the application to beneficial use of 1.2 cubic feet 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

Sarah L. Spencer

of Triangle, County of Owyhee, State of Idaho, the holder and owner of said Permit No. 10084, a perpetual right, dating from March 28, 1914, to the use of 1.2 cubic feet per second of the waters of Ruby Springs

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 in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 30, T. 7 S., R. 3 W., B. M.,

and conducted to and upon 60 acres, as follows: 25 acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$, 25 acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ and 10 acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$, all in Sec. 30, T. 7 S., R. 3 W., B.M.

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 or 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 10th day of February, A. D. nineteen hundred and seventeen.

J. H. SMITH,

State Engineer

(Seal)

REPORT OF ENGINEER

1. State name of applicant and number of permit: Joseph E. Spivey # 10064
2. State source of water supply: Reuby Springs
3. Location of point of diversion: NE 1/4 SE 1/4 Sec 30, Twp 7 S, Range 3 W, B.M.
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 and capacities of same: Small dam below Springs and ditch from there to land to be irrigated of sufficient capacity to convey 2.4 inch feet of water
6. State whether or not water has been turned into works of diversion: Yes
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
SE 1/4 NE 1/4, NW 1/4 NE 1/4, Sec 30 Twp 7 S, R 3 W, B.M. - SE 1/4 NE 1/4 - 25 acres, NE 1/4 NE 1/4 - 25 acres - NW 1/4 NE 1/4, 10 acres
8. Submit map on enclosed plat, showing location and details of above description.

Remarks:

This examination was made on the 26th day of January, 1916

(Sign) John Chapman Examiner

(This report must be sworn to when not made by an attaché of the State Engineer's office)

STATE OF IDAHO

County of Cwyler

ss.

Joseph P. Mason

being first duly sworn, deposes and says that the state-

ments contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this

16 day of February 1916

W. E. Mason

Notary Public

My Commission Expires

Jan 1 1919

RECEIVED
JAN 19 1917
OFFICE OF STATE ENGINEER

10091

MEMORANDUM

June 25, 1996

TO: FILE A55-10134

FROM: KAY WALKER *KW*

RE: STATUS

After preparing an amended claim for A55-10134 and Claim A55-02046, Stan Smith reviewed them and talked with Irene Tyson (who lives at lower place) and they decided that there were no more than 60 acres irrigated at this time. They had irrigated more in the past but presently they do not. Stan requested that I send Mr. Hackley a withdrawal of claim form to submit on Claim A55-10134. I prepared the withdrawal form for his signature and put a statement on it which requests the fee for A55-10134 be transferred to Claim A55-02046.

I also asked Stan who we should contact for our field examination. He said we should contact Irene Tyson and she would set us up with whoever is available. Stan said we could contact Ms. Tyson at Owyhee Title 495-2589 on Tuesdays and Thursdays. He also said she would be listed in the Grandview phone directory.

MEMORANDUM

June 19, 1996

TO: FILE A55-10134

FROM: KAY WALKER *kw*

RE: CORRESPONDENCE OF 6/10/1996

Stan Smith called the office this morning wanting to find out about correspondence written to O.K. Hackley on June 10, 1996. I recalled Mel writing this letter and had an idea what it was regarding so I discussed it without actually reading the letter.

O.K. Hackley had contacted Stan wanting to know what was going on. I told him I recalled Linda Werner discussing the fact that we did not have a signed claim form for Claim A55-10134. Mr. Smith said he had hand delivered that claim and the fees back in 1989 and he knew we had it. I then told him that in our correspondence of 1989 it appears we had returned the original claim to Mr. Hackley to be modified and we had never received the original back. Stan said this might have happened but was not sure...

After discussing Claim A55-10134 we also talked about 55-02046. I told him that 55-02046 had not been claimed in the SRBA and we wondered why they had filed a beneficial use claim on previously licensed lands with a later priority date (A55-10134 covered some of the same lands licensed under 55-02046 with additional acres included). Stan requested that I prepare a claim form for License 55-02046, as licensed, except for deleting the domestic use. He also requested that I prepare an amended claim form for A55-10134. They would like to claim this right for irrigation of lands not covered under 55-02046 and stockwater use. He said there was not a storage facility for the stock; the spring runs into a field and ponds up naturally - not a man-made storage facility - and they would like to just claim an instream stockwater use. He requested that the claims describe the standard irrigation season. I have prepared claims for Stan to pick up and asked him to please review them before forwarding to Mr. Hackley for signature. I told him since the acres had been paid for under A55-10134 the fee would be \$50.00. However, after preparing the claims I found that the fee would be \$60.00 since I came up with a total of 95 acres between the two claims.

I also told Stan that we would need some evidence of use of the non-licensed acres claimed under A55-10134. He said they would probably submit an affidavit form to substantiate the use.

Stan Smith 336-4748