

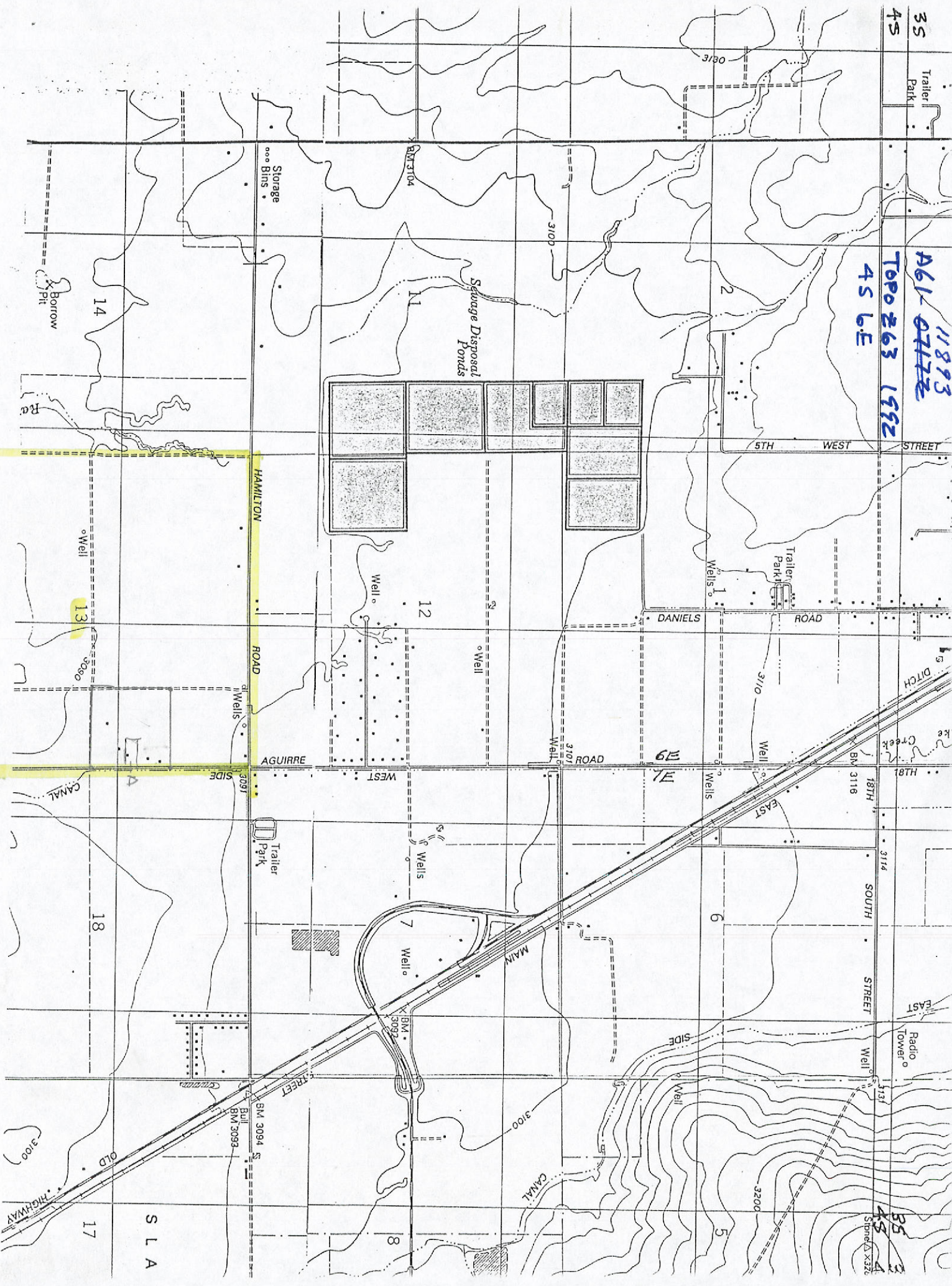
35
45
Trailer
Park

11893
A61-07172

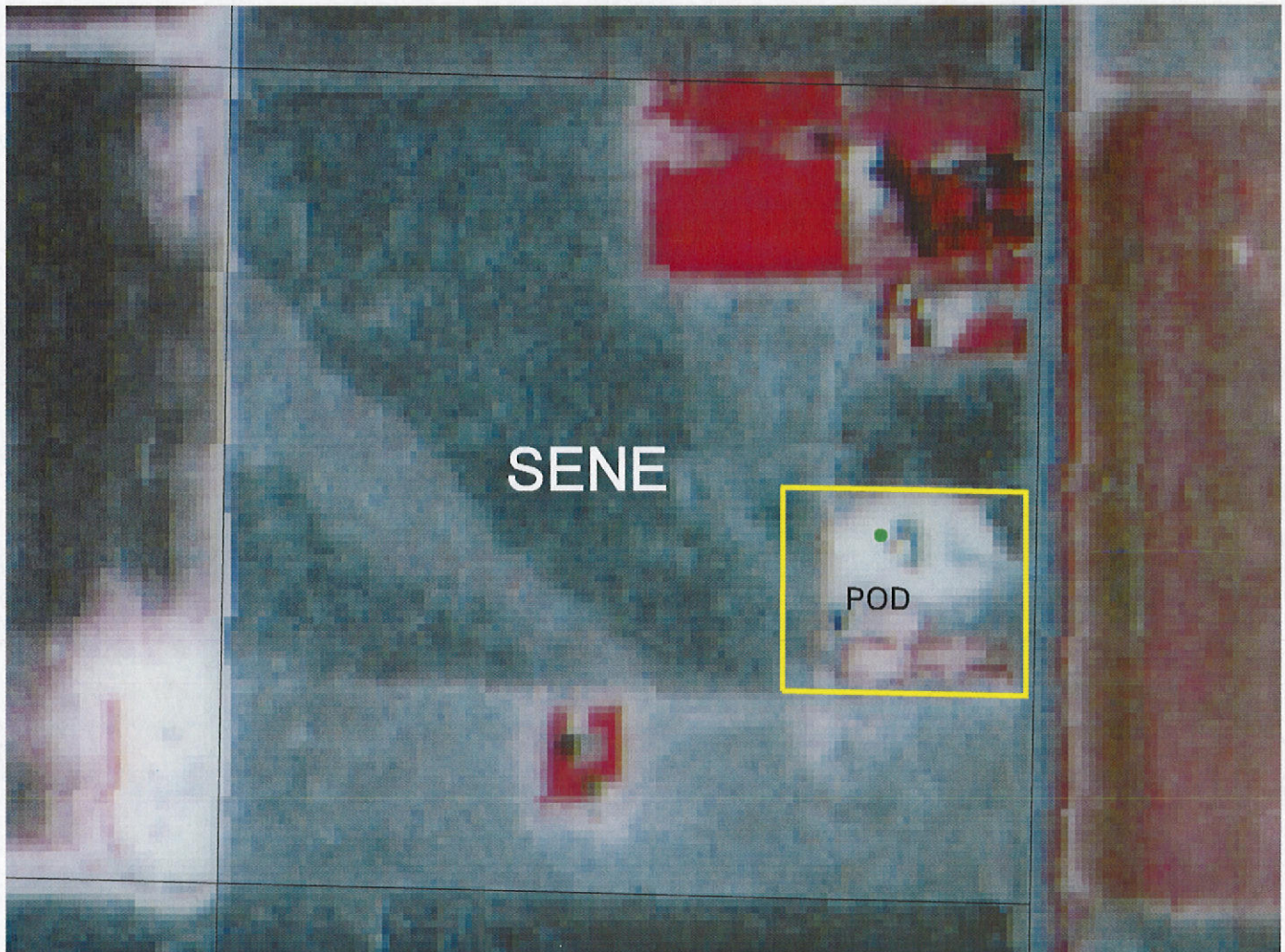
Topo 263 1992

45 6.E

35
45
Radio
Tower



61-07172G

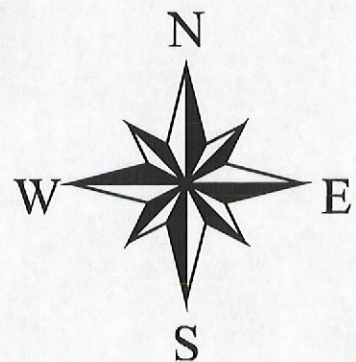


500 0 500 Feet

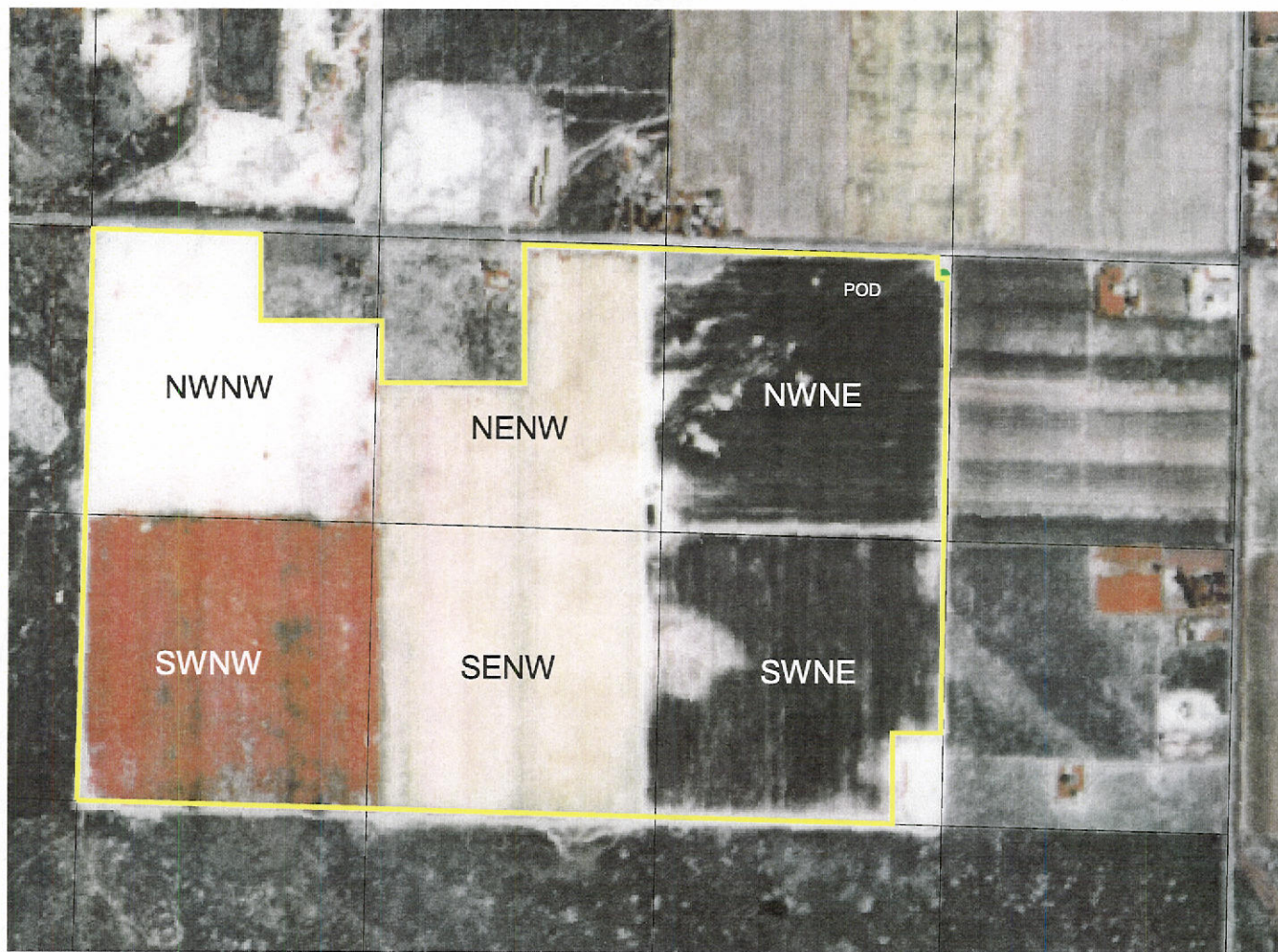
A horizontal scale bar with three segments. The first segment is labeled '500', the second '0', and the third '500 Feet'.

T04S R06E S13

Map prepared by: Carter Fritschle
Date prepared: 01/13/99
1987-1988 NAPP photography



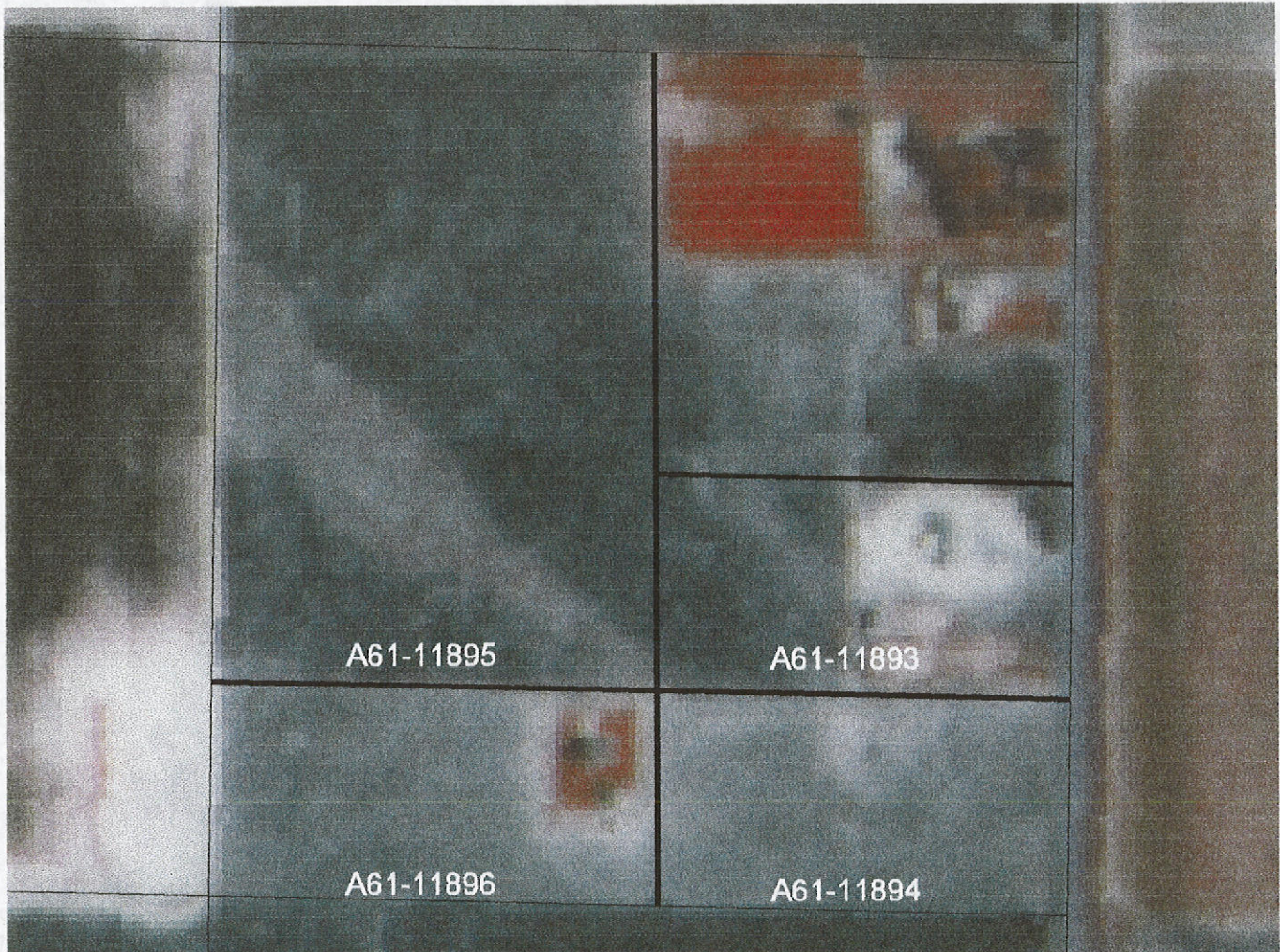
T04S R06E S13



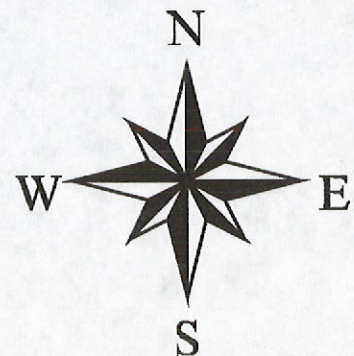
1000 0 1000 2000 3000 4000 Feet



T04S R06E S13 SENE



300 0 300 600 900 Feet



Map prepared by: Carter Fritschle
Date prepared: 10/15/98
1987-1988 NAPP photography

Claim identification no. AGI-11893



T4S R6E S13
SENE

EN 9-8-94

Facing south looking down into the pump house Photo 1-11



T4S R6E S13
SENE

EN 9-8-94

Looking S.W. from the N.E. corner of the p.o.u. Photo 1-12

AGI-11893

OF/211

~~AGI-07172A~~ GIBBONS, EDWARD 7S 6E S13

9-8-94

POD 4S6E S13 SESENE

Pump Franklin Elec MOD 2821139 202 5HP

Photo #1-11 Looking S AND DOWN INTO PUMP HOUSE

Unigates 2 1/2 acres, was never unigated from the well in the NW NE Sec 13. Used to have MTH Home IRR DIST.

Photo #1-12 Looking SW from the NE corner of the unigated POU House 180' from Road

AGI-11894

~~AGI-07172B~~ Gibbons

Photo #1-13 3 wells - Looking North FROM 10 FEET South of the South most wells in the SESENE.

Photo #1-14 4th well in Foreground with other wells in the background. Looking E from the West End of the COAMES POU.

AGI-11895

~~AGI-07172C~~ Brinegar

Photo #2-1 Looking E FROM 10' SOUTH OF THE "Brinegar Well". Showing the 6" well casing

55'S & 55' W OFF NW corner Gibbons property described in AGI-07172 A, Photo #2-1 for more info on this well.

AGI-11896

~~AGI-07172E~~

Photo #2-2 Looking SW from the NE corner of the Property. Showing Unigated (sprinkled lawn) and well.

Sprinkler System - 34 PST. (covering 3 Mules)

Photo #2-3 Melnor Sprinklers (3) showing 1 Melnor sprinkler

A61-11893

01
10-15-78

O.Q. Z63 enlarged
1.55 x 1.55 x 1.27 to an
approximate scale of 1" = 660'

Photo
8-4-1974

T45
R6E

3091

SIDE

A61-07172

Brinegar
A61-11895

Gibbs
A61-11893

Livingston
A61-11896

Compton (Kearney)
A61-11894

13

3099

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: A61-07172G
Date Received: 9/29/1989
Receipt No: W006075
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ANTONY B MARTIN 208-587-1520
Address: 4675 S 18 E
MOUNTAIN HOME ID 83647

OR

Name: THERESA L POBST-MARTIN 208-587-1520
Address: 4675 S 18 E
MOUNTAIN HOME ID 83647

2. Date of Priority: NOV 19, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	06E	13	SE	SE	NE		ELMORE

5. Description of diverting works:
WELL, 550' DEEP, 5 HP PUMP, PIPELINE, SPRINKLERS, 6" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.042		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1/D HOUSEHOLD, 4 HORSES, 4 BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	06E	13			STOCK	
			SE	NE	DOMEST	
					IRR	5.0
					Section Acres	5.0
					Total Acres	5.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
61-07537

14. Remarks:
WHEN MR. GIBBENS PURCHASED THIS PROPERTY IN 1981 A NEW WELL WAS
DRILLED TO REPLACE THE WATER SUPPLY FOR THIS POU.

15. Basis of Claim: LICENSE

45 6E 13

- ☐ Verify P.O.D. + P.D.U.
- ☐ ASCS photo
- ☐ May require transfer
for change in P.O.D.

A61-07172G



A6107172G

was never irrigated from the
well in the NWNE of Sec. 13
Had Mt. Home Irrigation District
at one time

House 180' from road

RECEIVED

JAN 08 1999

RECEIVED

JAN 05 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

Department of Water Resources

RECEIVED

JAN 07 1999

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): A61-11893 A61-11894
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Edward & Dorothy GIBBENS
601 NW 143, EDMOND, OK 73013
4. New Owner/Claimant(s) THERESA L. POBST-MARTIN & ANTONY B. MARTIN
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
 New Mailing Address 4675 S 18 E
 City, State and ZIP Code MOUNTAIN HOME ID 83647
 New Telephone Number 208, 587 1520
5. Date you acquired the property JULY 15 1997
6. **If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.**
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) AMartin
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

Let the Company
policy, whether
concede liability or
shall exercise its rights and

31316

RECEIVED

JAN 05 1999

Department of Water Resources

Issued with Policy No.: F89-225618

POLICY OF TITLE INSURANCE
SCHEDULE A

Amount of Insurance: \$185,000.00

Policy No.: 207-807799

Premium: \$810.00

File No.: 97-515

Date of Policy: July 18, 1997 at 3:00 P.M.

1. Name of Insured:

Theresa L. Pobst-Martin and Antony B. Martin aka A. B. Martin, wife and husband

2. The estate or interest in the land which is covered by this policy is: fee simple

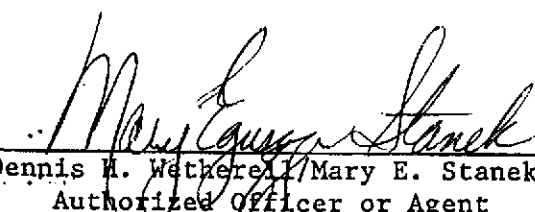
3. Title to the estate or interest in the land is vested in:

Theresa L. Pobst-Martin and Antony B. Martin aka A.B. Martin, wife and husband

4. The land referred to in this policy is described in the said instrument, is situated in the County of Elmore, State of Idaho, and is identified as follows:

Lots 1 and 2, Block 1, Gibbens Subdivision, Elmore County, Idaho,
according to the official plat thereof on file and of record in the office
of the County Recorder of Elmore County, Idaho.

Countersigned


Dennis H. Wetherell/Mary E. Stanek
Authorized Officer or Agent

WARRANTY DEED

FOR VALUE RECEIVED

Edward M. Gibbens and Dorothy J. Gibbens, husband and wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto

Theresa L. Pobst-Martin and Antony B. Martin, wife and husband

GRANTEE(S), whose current address is: 4675 South 18th East St., Mountain Home, ID 86347
the following described real property in Elmore County, State of Idaho,
more particularly described as follows, to wit:

Lots 1 and 2, Block 1, Gibbens Subdivision, Elmore County, Idaho,
according to the official plat thereof on file and of record in the
office of the County Recorder, Elmore County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all
encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or
done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if
any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same
from all lawful claims whatsoever.

Dated: July 14, 1997

Edward M. Gibbens

Dorothy J. Gibbens

STATE OF Idaho, County of Elmore, ss.

On this 14th day of July,
in the year of 1997, before me, the undersigned, a Notary
Public in and for said State, personally appeared

Edward M. Gibbens and Dorothy J. Gibbens

known or identified to me to be the person whose name
has subscribed to the foregoing instrument, and
acknowledged to me that they executed the same

Signature: [Signature]

Name: [Signature]

Residing at: [Signature]

My commission expires: [Signature]

301762

ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC.

Time 2:50 P M

Date July 18, 1997

Book 7 Page 17

DOLORES ROBINSON

Recorder

By [Signature]

Deputy

Fee \$3.00

This sketch is for location purposes only. Guaranty Title Inc. assumes no liability for variations.



PROPERTY BOUNDARY
10' WIDE PUBLIC UTILITIES, EROSION AND
DRAINAGE EASEMENT
SET 1/2" X 24" RON PN W/CAP
FND 1/2" RON PN
RESET WITH 5/8" X 30" RON PN W/CAP
FND. 1/2" RON PN
SET 5/8" X 30" RON PN W/CAP
FOUND PN NAL
FND 1/2" RON PN
RESET WITH 5/8" X 30" RON PN W/CAP
NSEC A 2" X 36" RON PPE

1. ALL LOT LINES COMMON TO A PUBLIC RIGHT-OF-WAY LINE HAVE A 10' WIDE PERMANENT PUBLIC UTILITIES, IRRIGATION AND DRAINAGE EASEMENT.
2. EACH SIDE OF COMMON LOT LINES HAS A 6' WIDE PERMANENT PUBLIC UTILITIES, IRRIGATION AND DRAINAGE EASEMENT.
3. ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
4. BUILDING SETBACKS IN THIS SUBDIVISION SHALL CONFORM TO THE REGULATIONS IN EFFECT FOR ELMORE COUNTY.
5. DEVELOPER TO COMPLY WITH IDAHO LAW SECTION 31-3805 PERTAINING TO IRRIGATION WATERS.

1/4 CORNER
IND. 5/8" REBAR
IN PAVEMENT
CPT NO. 290719

GRAPHIC SCALE



1 inch = 25 mm

Gailey Wells in T04S, R06E, S13, SENE

Well ID	Start Date	End Date	Total Depth
Fisher Well #1	5/19/79	5/22/79	470'
Fisher Well #2	5/23/79	5/24/79	467'
Fisher Well #3	5/25/79	5/30/79	430'
Gailey Well #1	4/30/79	5/8/79	470'
Gailey Well #2	5/5/79	5/7/79	468'
Gailey Well #3	5/8/79	5/10/79	468'
Gailey Well #4	8/14/80	8/15/80	470'

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANTONY B MARTIN	12/31/1981	IRRIGATION	03-15 11-15	0.040 CFS	12.00 AFA
C	THERESA L POBST-MARTIN		STOCKWATER	01-01 12-31	0.020 CFS	
	4675 S 18 E		DOMESTIC	01-01 12-31	0.020 CFS	
	MOUNTAIN HOME ID 83647					
	(208) 587-1520					
				TOTAL DIVERSION:	0.040 CFS	12.00 AFA

Stage: LICENSE

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
04S	06E	13	:				03	:					:					:					:	3.0
																								3.0
																								TOTAL ACRES
																								3.0

				NE				NW				SW				SE									
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	---	:	
04S	06E	13	:				S	:					:					:						:	

[illegible]

N09 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF
- HISTORICAL BENEFICIAL USE.

N14 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
- STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

C15 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 61:

	WATER RIGHT NO.	SOURCE
--	-----------------	--------

CD 1-29-98

Conditions of Approval:

- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.
- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C04 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT
- TO SECTION 42-1425, IDAHO CODE.

Remarks: USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL
WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE
AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT.

EXP STOCKWATER, 4 HORSES, 4 RANGE CATTLE

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

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

**State of Idaho****DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us/idwr/idwrhome.htmDIRK KEMPTHORNE
GovernorKARL J. DREHER
Director

January 15, 1999

Theresa L. Pobst-Martin
Antony B. Martin
4675 S. 18th E.
Mountain Home, ID 83647

RE: Snake River Basin Adjudication (SRBA) Claim No. A61-07172G

Dear Claimants:

I have reviewed the Notice of Error Reply and the change of ownership for the property and water right you acquired from Edward and Dorothy Gibbens. I have renumbered your claim to A61-07172G and modified the recommendation to include three (3) acres of irrigation. I have enclosed a revised Preliminary Recommendation of Water Rights Acquired under State Law, a copy of the GIS map for your property and a copy of the letter that was sent to Henry Leydet and Julio Sillonis explaining the reason for reducing the diversion rate for their water right. Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading 'Carter Fritschle'.

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosures

Preliminary Recommendation of
Water Rights Acquired under State Law
GIS map
Copy of letter to Leydet and Sillonis w/enclosures

RIGHT NUMBER: 61-07172G

NAME AND ADDRESS: ANTONY B MARTIN
THERESA L POBST-MARTIN
4675 S 18 E
MOUNTAIN HOME ID 83647

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
12.0 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY-DATE: 12/31/1981

POINT OF DIVERSION T04S R06E S13 SESENE Within ELMORE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		03-15 11-15	0.04 CFS
			12.0 AFY
STOCKWATER		01-01 12-31	0.02 CFS
DOMESTIC 1 HOME		01-01 12-31	0.02 CFS

PLACE OF USE: IRRIGATION Within ELMORE County
T04S R06E S13 SENE 3
3 ACRES TOTAL

STOCKWATER Within ELMORE County
T04S R06E S13 SENE

DOMESTIC Within ELMORE County
T04S R06E S13 SENE

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

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

61-07172G CONTINUED

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

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

STOCKWATER, 4 HORSES, 4 RANGE CATTLE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 15, 1999

Henry L. Leydet
P.O. Box 606
Mountain Home, ID 83647

Julio J. Sillonis
315 S. 2nd E.
Mountain Home, ID 83647

RE: Snake River Basin Adjudication (SRBA) Claim No. A61-07172F

Dear Claimants:

I have reviewed the Notice of Error Reply for the claim referenced above. It appears that when permit 61-07172 was field examined in 1986, the field examiner determined that 30 acres in T04S, R06E, S13, SENE should be included as the place of use for the water right. Permit 61-07172 was subsequently licensed with the 30 acres in the SENE included. Edward Gibbens owned land in the SENE of Section 13 and had filed an application for permit (61-07537) to irrigate three (3) acres of the land he owned. Upon learning that license 61-07172 covered his land, Edward Gibbens filed a SRBA claim for a portion of license 61-07172 and withdrew his application for permit no. 61-07537. Antony Martin, who purchased land from Edward Gibbens also filed a Notice of Error Reply on this water use. Based on our review of the records, your claim has been renumbered to A61-07172F, and it will now be recommended with a diversion rate of 2.81 cfs.

As for including the additional acres requested on the Notice of Error Reply, I have made the following conclusions based on our records. The land in the N1/2 of the NW1/4 of Section 24 was not irrigated from 1987 to 1994, and is therefore considered forfeited because of more than five years of continuous nonuse and is not included in IDWR's recommendation for this water right. The land in the NWSE of Section 13 was not irrigated in 1987, was not part of the licensed place of use, but was irrigated in 1994. The land in the NWSE cannot be recommended as an accomplished transfer of a portion of license 61-07172 since the irrigation started after the commencement of the SRBA. However, you may be able to file a transfer to

Leydet and Sillonis
Page 2

move a portion of the right to this land. Please contact the IDWR regional office at (208) 334-2190 if this is an option that you wish to consider.

Finally, once IDWR files the recommendations with the district you may file an objection to the recommendation if you disagree. The court will then hear the matter in due course. I have enclosed revised Preliminary Recommendations of Water Rights Acquired under State Law for 61-07172F and 61-07172G. Please contact me if you have any questions.

Sincerely,



Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Cc Antony Martin w/o enclosure
Enclosures
Preliminary Recommendation of
Water Rights Acquired under State Law

RIGHT NUMBER: 61-07172F

NAME AND ADDRESS: JULIO J SILLONIS
315 S 2ND E
MOUNTAIN HOME ID 83647

HENRY L LEYDET
C/O RON LEYDET
PO BOX 521
MOUNTAIN HOME ID 83647

SOURCE: GROUNDWATER

QUANTITY: 2.81 CFS
885.3 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY-DATE: 11/19/1973

POINT OF DIVERSION T04S R06E S13 NENWNE Within ELMORE County

PURPOSE AND				
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE		QUANTITY
	IRRIGATION	03-15	10-15	2.81 CFS
				884.0 AFY
	STOCKWATER	01-01	12-31	0.03 CFS
				1.3 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL
WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE
AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ELMORE County
T04S R06E S13 NWNE 39 SWNE 37 NENW 30 NWNW 35
SWNW 40 SENW 40
221 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

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

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 61:

WATER RIGHT NO.	SOURCE
NONE	NONE

61-07172F CONTINUED

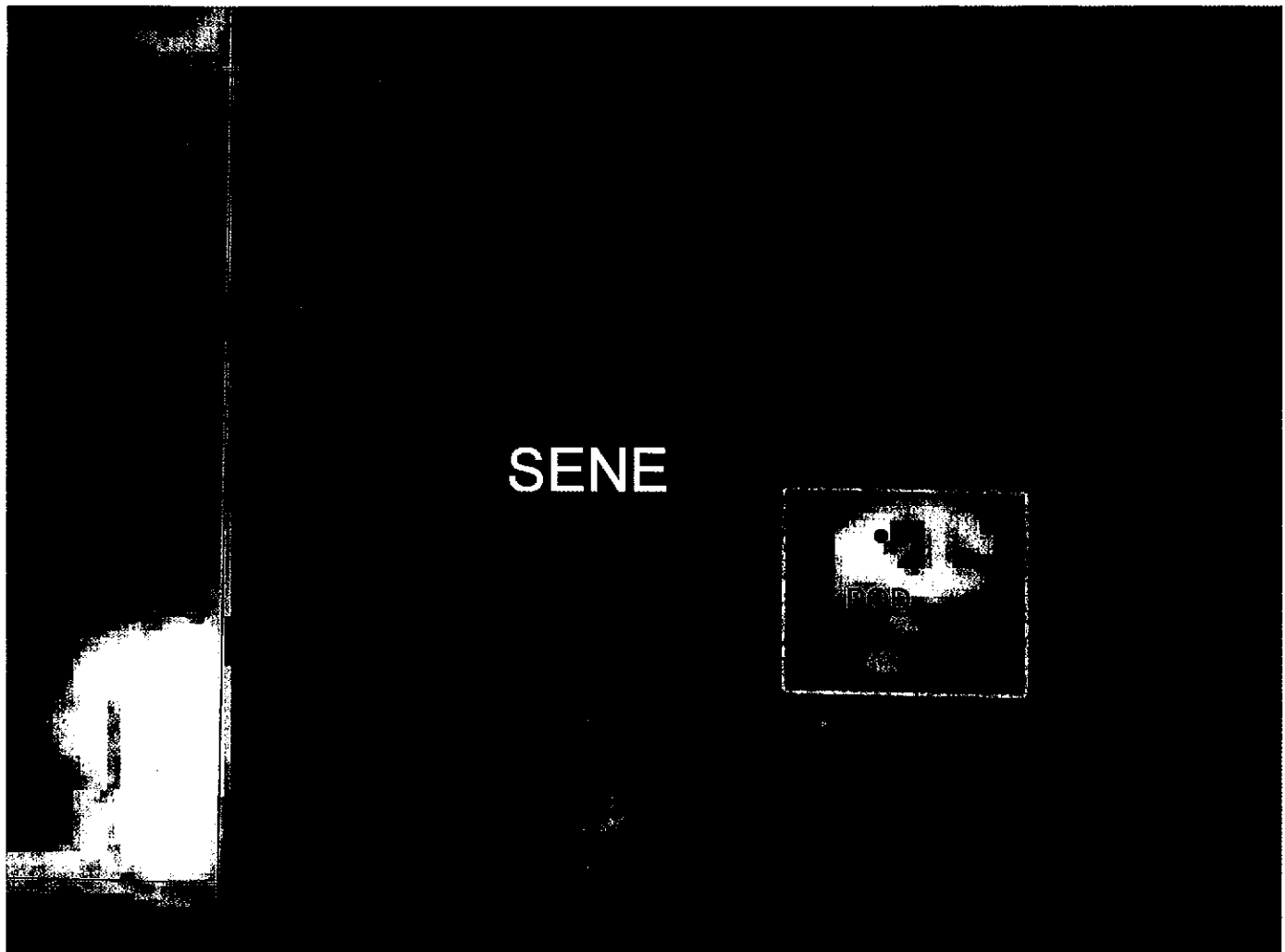
THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
STOCKWATER, 100 HEAD CATTLE.

61-07172G

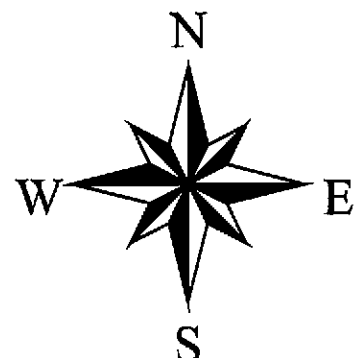


500 0 500 Feet

A horizontal scale bar with three segments. The first segment is labeled "500", the second segment is labeled "0", and the third segment is labeled "500 Feet". The bar is black with white markings.

T04S R06E S13

Map prepared by: Carter Fritschle
Date prepared: 01/13/99
1987-1988 NAPP photography



Water Right Number - A61-11893

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
RENUMBERED

1 -
2 -
3 -
City- X State- ID Zip- 0
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
GIBBENS

EDWARD M

1 - 4675 SOUTH 18TH EAST
2 -
3 -
City- MOUNTAIN HOME State- ID Zip- 83647
Phone - 208-587-9525

GIBBENS

DOROTHY J

1 - 4675 SOUTH 18TH EAST
2 -
3 -
City- MOUNTAIN HOME State- ID Zip- 83647
Phone - 208-587-9525

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
11/19/1973 14 WESTERN Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER
RENUMBERED

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
04S 06E 13 SE SE NE (39) ELMORE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.042
04 - STOCKWATER 01/01 12/31 0.020
43 - DOMESTIC 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.042 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
04S 06E 13 SE NE 5.0 01 IRRIGATION (39) ELMORE
04S 06E 13 04 STOCKWATER (39) ELMORE
04S 06E 13 43 DOMESTIC (39) ELMORE

Total Acres: 5.0

+ - - Diversion Means - WELL, 550' DEEP, 5 HP PUMP, PIPELINE, SPRINKLERS, 6" CASING

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - A61-11893

Prefix Translation: ADJUDICATION CLAIM

+ - - Non-Irrigation Use - 1/D HOUSEHOLD, 4 HORSES, 4 BEEF CATTLE

+ - - Other Rights for Same Use - 61-07537

+-----Remarks-----+

GEN RENUMBERED TO A61-07172G

+-----Old Water Right Numbers-----+

+----- Conditions of Approval -----+

No Conditions of Approval found.

+ - - - Decree Plaintiff - - + + - - - Decree Defendant - - + + - Decree Date - +
00/00/0000

```
+-----+-----+-----+-----+-----+-----+-----+-----+-----+-----+
                                     -Comments-
                                     No Comments Found
```

+ - - Audit Fields - - +
01/29/99 CFRITSCH

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/29/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W006075	Water District	-
		PQU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)01/29/99 13:25:06
Page 1

Water Right Number - R61-11893

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
RENUMBERED1 -
2 -
3 -
City- XC State- ID Zip- 0
Phone - 208-000-0000*** O - ORIGINAL OWNER ***
GIBBENS

EDWARD M

1 - 4675 S 18TH E
2 -
3 -
City- MOUNTAIN HOME State- ID Zip- 83647
Phone - 208-587-9525

GIBBENS

DOROTHY J

1 - 4675 S 18TH E
2 -
3 -
City- MOUNTAIN HOME State- ID Zip- 83647
Phone - 208-587-9525+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/31/1981 14 WESTERN Z - SEE REMARKS+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER
RENUMBERED+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
04S 06E 13 SE SE NE (39) ELMORE+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.020
43 - DOMESTIC 01/01 12/31 0.020+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
04S 06E 13 SE NE 04 STOCKWATER (39) ELMORE
04S 06E 13 SE NE 43 DOMESTIC (39) ELMORE

Total Acres:

+ - - Diversion Means - WELL, 550' DEEP, 5 HP PUMP, PIPELINE, SPRINKLERS, 6" CASING

+ - - Non-Irrigation Use - 1 HOME

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - 61-07537

+ - - - - - Remarks - - - - - +

EXP RENUMBERED TO 61-07172G

+ - - - - - Old Water Right Numbers - - - - - +

+ - - - - - Conditions of Approval - - - - - +

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

+ - - - Decree Plaintiff - - + + - - - Decree Defendant - - + + - Decree Date - +
00/00/0000

+-----Comments-----+

Date: 10/15/1998 User Id: CFRITSCH Subject: COPIED FROM REMARKS

WHEN MR. GIBBENS PURCHASED THIS PROPERTY IN 1981 A NEW WELL WAS DRILLED TO REPLACE THE WATER SUPPLY FOR THIS POU.

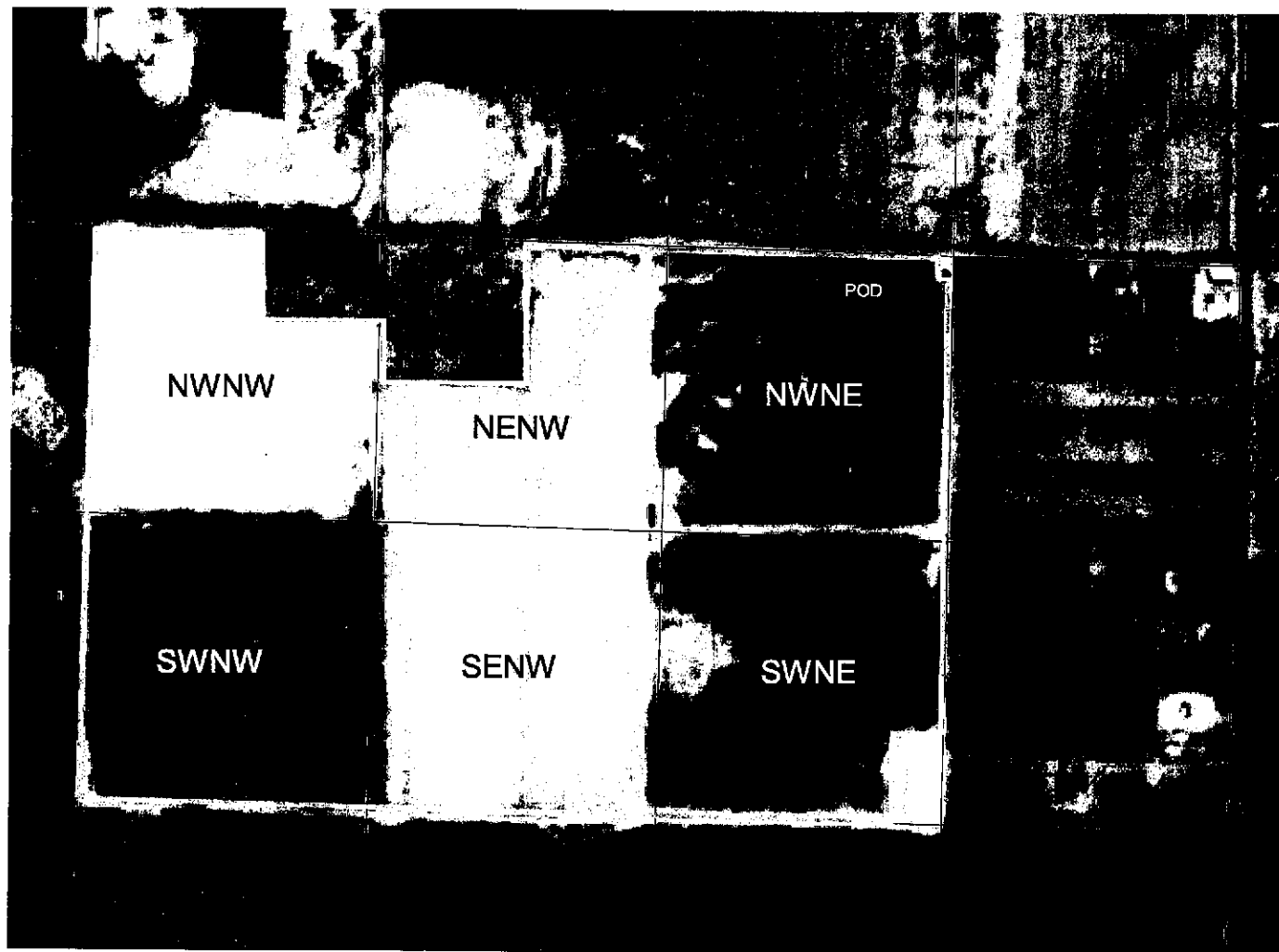
+ - - Audit Fields - - +

01/29/99 CFRITSCH

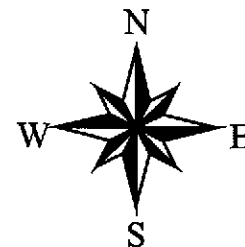
+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 09/08/1994	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/29/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W006075	Water District	-
		PQU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

T04S R06E S13



1000 0 1000 2000 3000 4000 Feet



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:15:39
08/24/94

PAGE: 17
QUICKLOOK INFORMATION

CLAIM NUMBER: ¹⁷~~A61-07172A~~ A61-11893

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	ELEMENT DOCUMENTED WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			CE/EH 9-8-94	N	EH 9-13-94	EH 9-13-94		EH 10-15-98
POINT OF DIV	Y		✓	N				
SOURCE			✓	N				
PLACE OF USE	Y		✓	N				
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-		✓	Y				
PURPOSES OF USE	Y		✓	H				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM	Y		✓	H				
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

11-8-94 cwc ss. EH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:15:39
08/24/94

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A61-07172A

LAST: GIBBENS
ADDRESS: 4675 ~~SOUTH~~ 18TH EAST
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-587-9525

FIRST: EDWARD M ☒
STATE: ID ZIP: 83647

OWNER CODE: C

LAST: GIBBENS
ADDRESS: 4675 ~~SOUTH~~ 18TH EAST
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-587-9525

FIRST: DOROTHY ☒
STATE: ID ZIP: 83647

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y ☒ N ☐

CLAIM REMARKS: WHEN MR. GIBBENS PURCHASED THIS PROPERTY IN 1981 A NEW WELL WAS
DRILLED TO REPLACE THE WATER SUPPLY FOR THIS POU.

copy to comments

CONTACT PERSON: Edward Gibbens

PHONE NUMBER: () -

DATE OF FIELD EXAM: 9/8/94 APPOINTMENT MADE: Y() N()

TIME: 1:30 A() P(☒)

ACCOMPANIED BY: Edward Gibbens

PHONE NUMBER: (208) 587-9525

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A675 S. 18th Mailbox looks like an IH Tractor.

A. AJ CLAIM: # ~~A61-07172A~~ A61-11893 PRIORITY DATE: 11-19-1973 STAGE: ~~L~~ J

B. WR RECORD: # 61-07172 PRIORITY DATE: 11-19-1973 STAGE: L

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: The property currently owned by the Gibbons was included as part of application 61-07172. However, IDWR has 7 well logs on file indicating Bailey Drilling & Pump Co. drilled 6 wells in 1979 and one well in 1980 in the SENE of Sec. 13. Also, even though 30 acres in the SENE of Sec. 13 was included in license 61-07172, there is no information to indicate any land in the SENE was actually irrigated with that system. Also, only domestic uses appear to have been developed on the 5 acre lots in Sec. 13, SENE. The Gibbons stated on their claim that they drilled a new well in 1981 when they purchased the property. Therefore, a priority date of 12-31-1981 is being recommended for this water use.

RECOMMENDED PRIORITY DATE:

12-31-1981 ~~11-19-1973~~

REVIEWED BY

CF

DATE

8-23-94
10-15-98

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
A61-07172A	04S	06E	13	SE	SE	NE			ELMORE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A61-07172B NONE

WR RECORDS IN SAME 40 ACRE TRACT
61-07512

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
61-07172	04S	06E	13	NW	NE				ELMORE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

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 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 9-8-94) NAME OF EXAMINER CE/EM Y(☒) N()

OTHER (DESCRIBE IN NOTES BELOW)

Licensing field exam for 61-07172 conducted 5-14-87 describes 1 p.o.d. in the NWNE. License 61-07172 issued 8-22-89. This use was in place but not recognized by the field examiner.

NOTES: _____

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 ELMORE	DIVERSION NAME	DIVERSION NBR
04S	06E	13	SE	SE	NE					
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

EM

DATE:

9-12-94

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

A. ROOT WATER RIGHT NUMBERS:
A61-07172A
A61-07172B
A61-07172C
A61-07172D
A61-07172E

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	06E	13				GIBBENS, EDWARD M.	A61-07172A /	-	/		
						GIBBENS, EDWARD M.	A61-07172B /	-	/		
						BRINEGAR, ROBERT L.	A61-07172C /	-	/		
						BERGH, STEPHANIE	A61-11771 /	-	/		
			NE	NE		FERBRACHE, ORVILLE F.	A61-02182A /	-	/		
			NE	NE		HAMILTON, JAMES R	A61-02182B /40.0	-	/		
			NW	NE		LEYDET, HENRY L.	A61-07172D /39.0	-	/		
			SE	NE		LIVINGSTON, RICHARD	A61-07172E / 5.0	-	/		
			SE	NE		KRAUS, GERALDINE R.	A61-10086 /	-	/		
			SE	NE		HOFFMAN, THEODORE W	A61-04145 / 5.0	-	/		
			SE	NE		KRAUS, GERALDINE R	R61-10086 /	-	/		
			NW	NW		HILLMAN, LAURA	R61-10209 /	-	/		
			NW	NW		HILLMAN, LAURA	A61-10208 / 5.0	-	/		
			NW	NW		HILLMAN, LAURA	A61-10209 /	-	/		
			NE	NE		ENGLEHART, FRANK		61-00066 /			
			NE	NE		FERBRACHE, ORA F.		61-02182 /38.0			
			NE	NE		FERBRACHE, ORA F.		61-07144 /38.0			
			NW	NE		LEYDET, HENRY L.		61-07172 /39.0			
			SE	NE		HOFFMAN, T. W.		61-04145 / 5.0			
			NE	NW		HEATH, RALPH		61-07512 /10.0			
			NE	SW		CORDER, TIM		61-07439 /39.0			
04S	06E	13				GIBBENS, EDWARD M.	A61-07172A /	-	/		
						GIBBENS, EDWARD M.	A61-07172B /	-	/		
						BRINEGAR, ROBERT L.	A61-07172C /	-	/		
						BERGH, STEPHANIE	A61-11771 /	-	/		
			NE	NE		FERBRACHE, ORVILLE F.	A61-02182A /	-	/		
			NE	NE		HAMILTON, JAMES R	A61-02182B /40.0	-	/		
			NW	NE		LEYDET, HENRY L.	A61-07172D /39.0	-	/		
			SE	NE		LIVINGSTON, RICHARD	A61-07172E / 5.0	-	/		
			SE	NE		KRAUS, GERALDINE R.	A61-10086 /	-	/		
			SE	NE		HOFFMAN, THEODORE W	A61-04145 / 5.0	-	/		
			SE	NE		KRAUS, GERALDINE R	R61-10086 /	-	/		
			NW	NW		HILLMAN, LAURA	R61-10209 /	-	/		
			NW	NW		HILLMAN, LAURA	A61-10208 / 5.0	-	/		
			NW	NW		HILLMAN, LAURA	A61-10209 /	-	/		
			NE	NE		ENGLEHART, FRANK		61-00066 /			
			NE	NE		FERBRACHE, ORA F.		61-02182 /38.0			
			NE	NE		FERBRACHE, ORA F.		61-07144 /38.0			
			NW	NE		LEYDET, HENRY L.		61-07172 /39.0			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	NE		HOFFMAN, T. W.		61-04145 / 5.0			
			NE	NW		HEATH, RALPH		61-07512 / 10.0			
			NE	SW		CORDER, TIM		61-07439 / 39.0			
04S	06E	13	SE	NE		GIBBENS, EDWARD M.	A61-07172A / 5.0	- /		11.0	
			SE	NE		LIVINGSTON, RICHARD	A61-07172E / 5.0	- /			
			SE	NE		KRAUS, GERALDINE R.	A61-10086 /	- /			
			SE	NE		HOFFMAN, THEODORE W	A61-04145 / 5.0	61-04145 / 5.0			
			SE	NE		GIBBENS, EDWARD M.	A61-07172B / 5.0	- /			
			SE	NE		BRINEGAR, ROBERT L.	A61-07172C / 15.0	- /			
			SE	NE		KRAUS, GERALDINE R	R61-10086 /	- /			
			SE	NE		ENGLEHART, FRANK		61-00066 /			
			SE	NE		LEYDET, HENRY L.		61-07172 / 30.0			

ADDITIONAL POU FOUND

Domestic use only in the SENE Sec. 13

TOTAL ACRES A61-07172A 5.00 11.00

POU COUNTY: ELMORE

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
A61-07172A	GROUNDWATER	GIBBENS, EDWARD M.	0.042	0.008		
A61-02182A	GROUNDWATER	FERBRACHE, ORVILLE F.	0.090	0.030		
A61-02182B	GROUNDWATER	HAMILTON, JAMES R	2.400	0.020		
A61-04145	GROUNDWATER	HOFFMAN, THEODORE W	0.100	0.020		
A61-07172B	GROUNDWATER	GIBBENS, EDWARD M.	0.042	0.008		
A61-07172C	GROUNDWATER	BRINEGAR, ROBERT L.	0.127	0.008		
A61-07172D	GROUNDWATER	LEYDET, HENRY L.	2.850	0.009		
A61-07172E	GROUNDWATER	LIVINGSTON, RICHARD	0.042	0.008		
A61-10208	GROUNDWATER	HILLMAN, LAURA	0.100	0.020		

Recommending 3 acres and 0.04 cfs for irrigation based on the license that was issued to this p.o.u. in error. see withdrawn application for permit 61-07537.

LIST OF ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION:

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-07172A	STOCKWATER	GIBBENS, EDWARD M.	FROM 01-01 TO 12-31	.020 CFS	
A61-07172A	DOMESTIC	GIBBENS, EDWARD M.	FROM 01-01 TO 12-31	.020 CFS	
A61-07172B	STOCKWATER	GIBBENS, EDWARD M.	FROM 01-01 TO 12-31	.020 CFS	
A61-07172C	STOCKWATER	BRINEGAR, ROBERT L.	FROM 01-01 TO 12-31	.020 CFS	
A61-07172C	DOMESTIC	BRINEGAR, ROBERT L.	FROM 01-01 TO 12-31	.020 CFS	
A61-11771	DOMESTIC	BERGH, STEPHANIE	FROM 01-01 TO 12-31	.040 CFS	
A61-02182A	DOMESTIC	FERBRACHE, ORVILLE F.	FROM 01-01 TO 12-31	.020 CFS	
A61-10086	DOMESTIC	KRAUS, GERALDINE R.	FROM 01-01 TO 12-31	.040 CFS	
R61-10086	DOMESTIC	KRAUS, GERALDINE R	FROM 01-01 TO 12-31	.040 CFS	
R61-10209	DOMESTIC	HILLMAN, LAURA	FROM 01-01 TO 12-31	.040 CFS	
R61-10209	STOCKWATER	HILLMAN, LAURA	FROM 01-01 TO 12-31	.020 CFS	
A61-10209	DOMESTIC	HILLMAN, LAURA	FROM 01-01 TO 12-31	.040 CFS	
A61-10209	STOCKWATER	HILLMAN, LAURA	FROM 01-01 TO 12-31	.020 CFS	

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

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 61-07537

withdrawn

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(☒)

NOTES:

TOTAL ACRES:

REVIEWED BY:

DATE:

DATE: 9-12-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
~~A61-07172A IRRIGATION~~	~~FROM 03-15 TO 11-15~~	~~.042 CFS~~	
~~A61-07172A STOCKWATER~~	~~FROM 01-01 TO 12-31~~	~~.020 CFS~~	
~~A61-07172A DOMESTIC~~	~~FROM 01-01 TO 12-31~~	~~.020 CFS~~	
TOTAL DIVERSION RATE/VOLUME		~~.042 CFS~~	

A61-11893

04

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
61-07172 IRRIGATION	FROM 03-15 TO 10-15	2.850 CFS	1215.40 AF/A
61-07172 STOCKWATER	FROM 01-01 TO 12-31	.030 CFS	1.30 AF/A
TOTAL DIVERSION RATE/VOLUME		2.850 CFS	1216.70 AF/A

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: _____

~~Licensed for $\frac{285 \text{ cfs}}{333 \text{ ac.}} = 0.0086 \text{ cfs/ac.}$~~

~~Claimed $\frac{0.042 \text{ cfs}}{5 \text{ ac.}} = 0.0084 \text{ cfs/ac.}$~~

AJ CLAIM TOTAL DIVERSION RATE: 0.042 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.850 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 ^{.03}
ACRES 25 x 0.02 CFS/ACRE = .08 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 CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 2.5 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 7.50 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 2.5 x DIVERSION VOL. AF/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 10.0 AF/A

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

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION STOCKWATER DOMESTIC	03-15	11-15	DATABASE 0.042	EXAMINER .04	DATABASE	EXAMINER 12 AF	DATABASE 0.0	EXAMINER 7.50
	01-01	12-31	0.020	.02				
	01-01	12-31	0.020	.02				
TOTAL FOR THIS RIGHT				.04		10.0		7.50

Recommendation
of irrigation
based on
license 61-07172
being issued
to this p.o.u.
in error.

NON-IRRIGATION USES CLAIMED: 1/D HOUSEHOLD, 4 HORSES, 4 BEEF CATTLE ✓

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

1 Home

REVIEWED BY: SN DATE: 9-13-94

FLAG:

STANDARD CONDITIONS (CODE): N09 & N14 C15 3 ac x 4 af/ac = 12 AF

STANDARD REMARKS (CODE): N/A

USE

EXPLANATORY CONDITIONS (CODE): N/A

EXPLANATORY REMARKS (CODE):

stock water, 4 Horses and 4 Cattle

10-15-98

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: 61-07172

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.850

EXAMINER
3.103

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-07172A	0.042	-	-	-	-
-	A61-07172B	0.042	-	-	-	-
-	A61-07172C	0.127	-	-	-	-
-	A61-07172D	2.850	-	-	-	-
-	A61-07172E	0.042	-	-	-	-
-	-	-	-	-	61-07172	2.850
TOTAL CFS		3.103				2.850

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:

~~Sum of splits exceed licensed diversion rate~~

"A"	0.042 cfs for 5 ac	No splits 'A' 'B' 'C' and 'E' renumbered to beneficial use rights A61-07172D renumbered to A61-07172
"B"	0.042 cfs for 5 ac	
"C"	0.127 cfs for 15 ac	
"D"	2.85 cfs for 303 ac	
"E"	0.042 cfs for 5 ac	
3.103		333 ac

$$303 \text{ ac.} \times 0.00858 \text{ cfs/ac} = 2.593 \text{ cfs}$$

$$A + B + C + E = 0.253 \text{ cfs}$$

$$2.85 - 0.253 = 2.597 \text{ cfs}$$

=====

AUTHENTICATION:

SIGNATURE:

Carter Fritschle

DATE:

10-15-98

NAME OF FIELD EXAMINER:

Carter Fritschle

TITLE:

W. R. Supervisor

=====

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 <u>8-4-74</u> IDWR ID NO. <u>263</u>	Y(☒) N(☐)
☒ TOPOGRAPHIC	DATE FIELD CHECKED <u>1992</u> IDWR ID NO. <u>263</u>	Y(☒) N(☐)
☒ NAPP	DATE OF PHOTO <u>1987-1988</u> IDWR ID NO. <u>ArcView</u>	Y(☒) N(☐)
() ASCS AERIAL PHOTO	DATE OF PHOTO <u>Enlargement</u>	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
() 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 <u>9-8-94</u>	<u>1</u>	_____
() 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>Field Notes</u>	DATE <u>9-8-94</u>	<u>1</u>	_____
☒ OTHER <u>List of Gailey Wells</u>	DATE <u>10-15-98</u>	<u>1</u>	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:15:59
08/24/94
19

PAGE: 19
PROFILE REPORT

CLAIM NUMBER: A61-07172A

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWARD M. GIBBENS	11/19/1973	IRRIGATION	03-15 11-15	0.04 CFS	
C	DOROTHY J. GIBBENS		STOCKWATER	01-01 12-31	0.02 CFS	
	4675 SOUTH 18TH EAST		DOMESTIC	01-01 12-31	0.02 CFS	
	MOUNTAIN HOME ID 83647					
	(208) 587-9525					
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T04S R06E S13

SESENE

ELMORE 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
04S	06E	13	:																	:	5.0
																			TOTAL ACRES	5.0	

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	Lt	Ac	Lt	Ac	:
04S	06E	13	:																	:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
04S	06E	13	:																	:

POU County: ELMORE

Non-Irrigation Uses: 1/D HOUSEHOLD, 4 HORSES, 4 BEEF CATTLE

Other Rights: 61-07537

Remarks: WHEN MR. GIBBENS PURCHASED THIS PROPERTY IN 1981 A NEW WELL WAS
DRILLED TO REPLACE THE WATER SUPPLY FOR THIS POU.

Dates: Exam Made Date: Verified Date:

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

**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:**

Water Right Number: 61-11893

ANTONY B MARTIN
THERESA L POBST-MARTIN

4675 S. 18th E

MOUNTAIN HOME ID 83647

Daytime Telephone Number:

Evening Telephone Number: 587 1520

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

I bought this property with the understanding that there was the right to irrigate the whole five acres.

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

The claim originally filed in 1989 was what we had expected to be transferred to us

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: 10 Dec 98

SIGNATURE:

Please print your name:

ANTONY B. MARTIN.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 11, 1998

Probst

ANTONY B MARTIN
THERESA L PROBST-MARTIN
4675 S 18TH E
MOUNTAIN HOME ID 83647

RE: Snake River Basin Adjudication (SRBA)
Water Right Claims #A61-07172A and A61-07172B
Ownership Change
and
Identification Number Change

Dear Mr. Martin:

Thank you for your telephone call this afternoon. I thought it amazing you called after I'd drafted a letter to you this morning!

As I mentioned, I am returning your partially-completed ownership change form, and sending you a new one to complete and return. It's unfortunate you were sent a one-sided copy missing the directions.

The Identification Numbers to your water right claims have been changed as follows:

A61-07172A is now A61-11893
A61-07172B is now A61-11894

These changes do not affect your claims in any other way. Please use the new number in future inquiries or correspondence you may have with our Department.

Please submit the ownership change form with supporting documentation to me, and call me toll-free at 1/800-451-4129 if you have any questions.

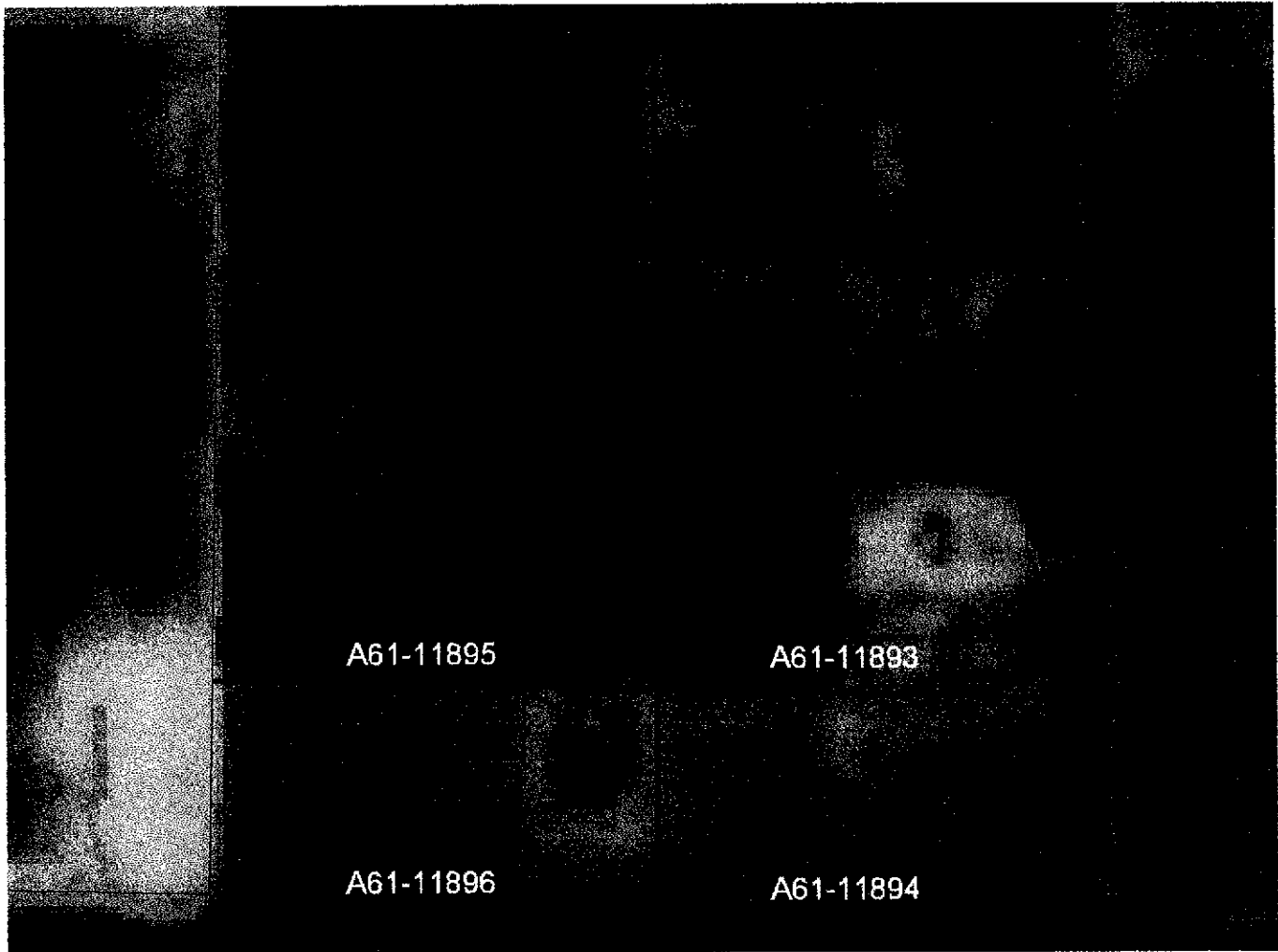
Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

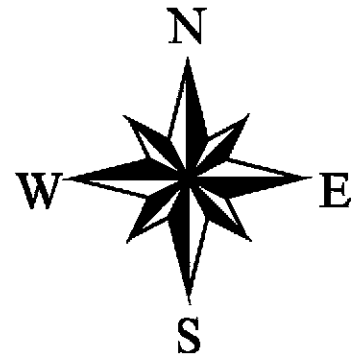
SS:cf:state
Enclosures:

Partially-completed Form 42-248/42-1409 (6)
Form 42-248/42-1409 (6)

T04S R06E S13 SENE



300 0 300 600 900 Feet

A horizontal scale bar with alternating black and white segments, corresponding to the numerical values 300, 0, 300, 600, and 900.

Map prepared by: Carter Fritschle
Date prepared: 10/15/98
1987-1988 NAPP photography

AJ0749NP
No. R61-11893

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

DATE: 10/15/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWARD M GIBBENS	12/31/1981	STOCKWATER	01-01 12-31	0.02 CFS	
C	DOROTHY J GIBBENS		DOMESTIC	01-01 12-31	0.02 CFS	
	4675 SOUTH 18TH EAST					
	MOUNTAIN HOME ID 83647					
	(208) 587-9525			TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T04S R06E S13 SESENE

ELMORE County

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	Lt	Ac	Lt	Ac
04S	06E	13	:																
			:																

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
04S	06E	13	:																
			:																

POU County: ELMORE

Non-Irrigation Uses: 1 HOME

Other Rights: 61-07537

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP STOCKWATER, 4 HORSES, 4 BEEF CATTLE

Dates: Exam Made Date: 09/08/1994

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

CA
10-15-98

RECEIVED

NOV 30 1998

WATER RESOURCES
WESTERN REGION

4675 S18 E

MOUNTAIN HOME

ID 83677

27 Nov 98

Dear Sirs,

We purchased this property July
15th 1997.

A claim to water right was filed
in 1989.

We have had no acknowledgement
about the change of ownership
or information about this claim.

Yours truly

A Martin

ANTONY MARTIN

Encl:

RECEIVED

DEC 01 1998

Department of Water Resources

12-4-98

CA

Called and left message.

(208) 587-1520

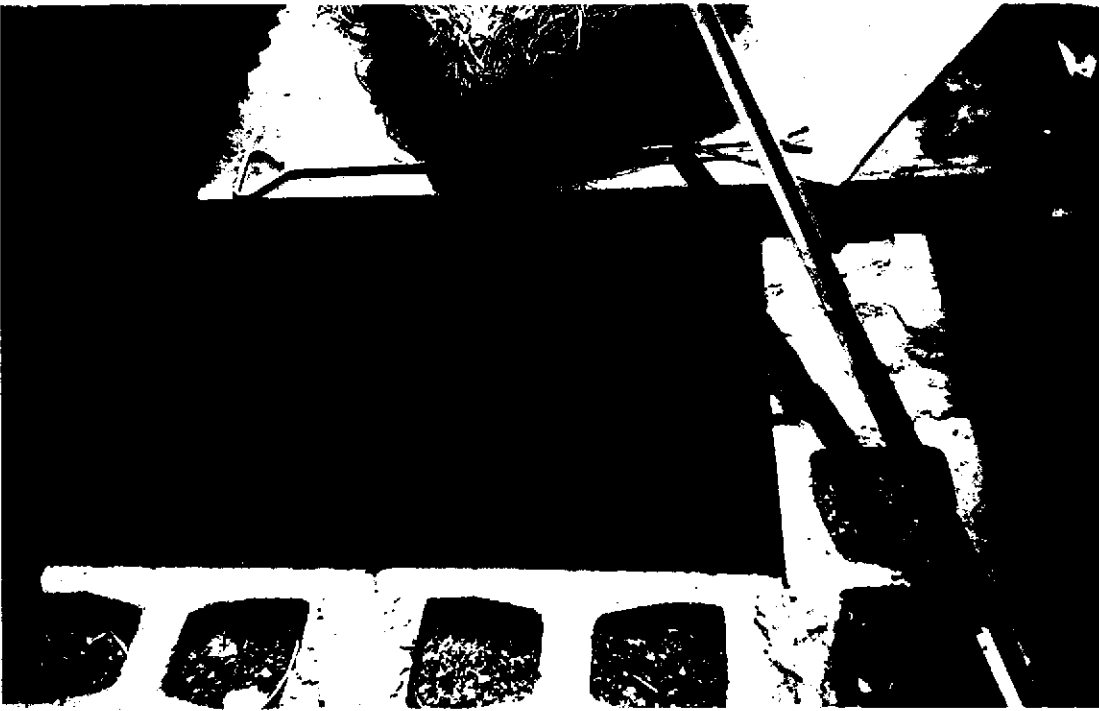
RECEIVED

DEC 10 1998

U.S. DEPARTMENT OF JUSTICE

Claim identification no. AGI-11893

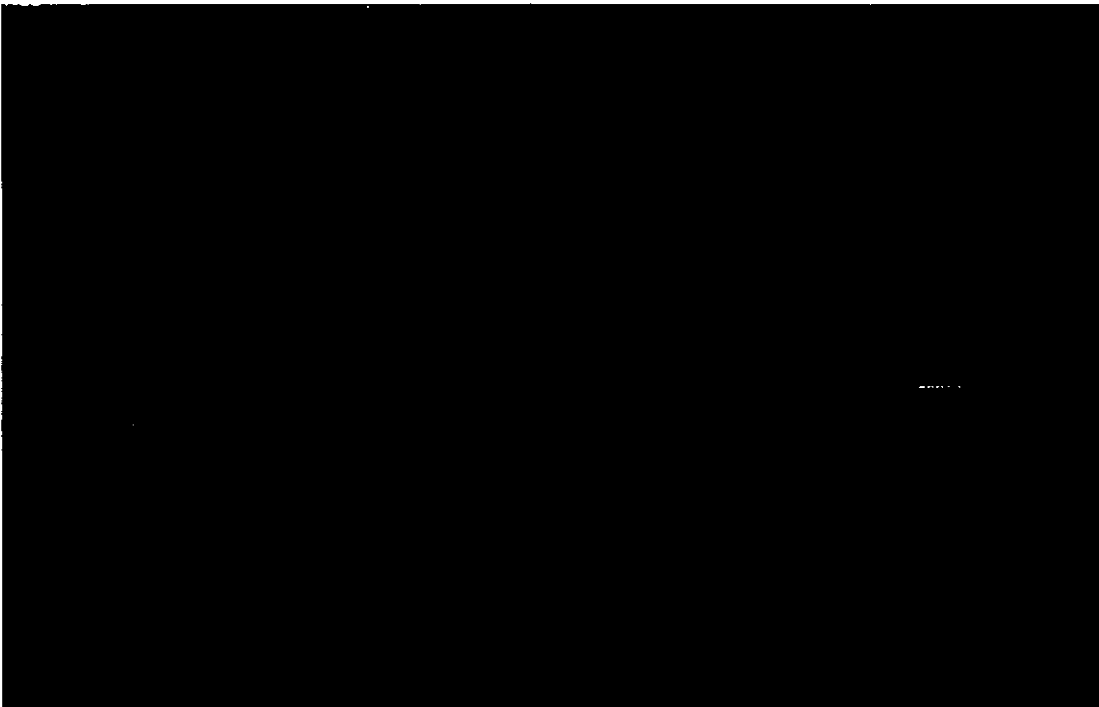
T45 R6E S13
SENE



EN. 9-8-94

Facing south looking down into the pump house Photo 1-11

T45 R6E S13
SENE



EN 9-8-94

Looking S.W. from the N.E. corner of the p.o.u. Photo 1-12

AGI-11893

CF/211

~~AGI-07172A~~ GIBBONS, EDWARD 7S 6E S13

9-8-94

POD 456ES13 SESENE

PUMP Franklin & Co MOD 282139 202 5HP

Photo #1-11 Looking S AND DOWN INTO PUMP HOUSE

Images 2 1/2 acres, with main irrigated from the well in the NWNE Sec 13. Used to have MIN. Home IRR DIST.

Photo #1-12 Looking SW from the NE corner of the irrigated POU House 180' from Road

AGI-11894

~~AGI-07172B~~ Gibbons

Photo #1-13 3 wells - Looking North FROM 10 FEET South of the South most wells in the SESENE.

Photo #1-14 4th Well in Foreground with other wells in the background. Looking E from the West End of the CLAIMS POU.

AGI-11895

~~AGI-07172C~~ Brinegar

Photo #2-1 Looking E FROM 10' South of the "Brinegar Well." Showing the 6" well casing

55'S & 35 W OFF NW corner of Brinegar property described in AGI-07172 A, 10'

AGI-11896

~~AGI-07172E~~

Photo #2-2 Looking SW from the NE corner of the Property Showing Irrigated (SPRINKLER LAWN) and Well.

Sprinkler System - 34 PSI. Using 3 Molecs

Photo #2-3 Mole Sprinklers (3) Showing 1 Mole Sprinkler

A61-11893

CT
10-15-78

O.Q. Z63 enlarged
1.55 x 1.55 x 1.27 to an
approximate scale of 1" = 660'

Photo
8-4-1974

T45
R6E

3091

A61-07172

Brinegar
A61-11895

Gibbs
A61-11893

Livingston
A61-11896

Compton (Kron)
A61-11894

13

SIDE

3099

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Edward M. Gibbens Phone 537-9525

Post office address 4380 Poppy Ave, Mnt. Home, Idaho 83647

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13 Township 4S

Range 6E B.M. Elmore County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .09 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .09 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well with pump and pipeline

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	6E	13				3													3

Total number of acres to be irrigated 3

c. Describe any other water rights used for the same purposes as described above. None

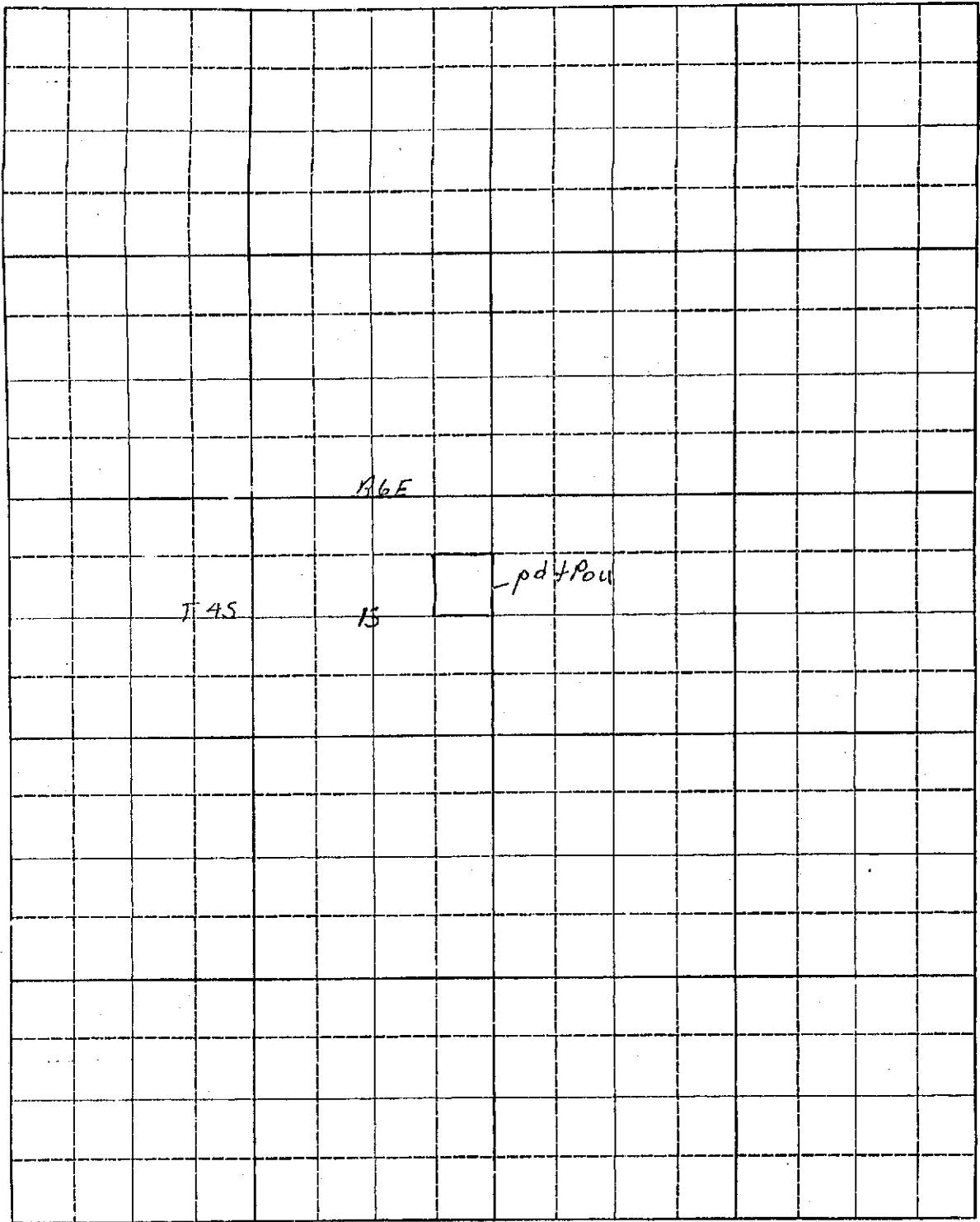
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

X Edward M. Gilhe
(Applicant)

Received by JR Date 12-14-83 Time 9:00 am
Preliminary check by GHS Fee \$ 30.00
Received by J.P. Date 6/20/83 # 31074 *Filed claim, needed Application GHS*
Publication prepared by _____ Date _____
Published in Mountain Home News
Publication dates _____
Publication approved _____ Date _____
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

RECEIVED

OCT 04 1989

Department of Water Resources
Western Regional Office

WITHDRAWAL

TO WHOM IT MAY CONCERN:

I hereby withdraw Application For Permit to

Appropriate the Public Waters of the State of Idaho, No. 61-7537.

Signed at 4675 S. 18th EAST Mountain Home, Id.

this 2 day of October, 19 89.

X Edward W. Galt
Applicant Holder

ATTEST:

Janet J. Hillers



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

2735 Airport Way
Boise, Idaho 83705
(208) 334-2266

61-7537
GIBBENS, EDWARD M.
4340 POPPY AVE.
MOUNTAIN HOME, ID 83647

March 13, 1987

Dear Applicant:

The above-referenced application was received, given an initial review and has been on hold pending the Swan Falls Idaho Power water rights problem.

At this time we are still unable to complete our processing of applications that have points of diversion from either groundwater or surface water that are located hydraulically upstream from Swan Falls Dam and downstream from Milner Dam on the Snake River. Water diverted under these applications is considered to be "Trust Water" under provisions of a new statute and rules and regulations that have been developed in response to the Swan Falls water rights controversy. Until the Federal Energy Regulatory Commission (FERC) approves the Swan Falls Agreement, applications such as yours are being held and not processed. FERC has been ordered by the President and Idaho's Congressional Members to act as quickly as possible on this decision.

Another delay in your application is due to its location falling within the Mountain Home Groundwater Management Area. Designation as a groundwater management area means that the Department will consider the approval of additional groundwater withdrawals only if the applicant can show that there is water available for a specific project. Thus, each application in the area will be considered on an individual basis to determine what potential impacts may occur to the groundwater aquifer and to other existing water rights if the proposed use is begun. Once FERC acts on the above mentioned agreement and processing begins on your application, you will be given the opportunity to show that your proposed use will neither adversely affect existing water rights, nor cause or contribute to a further decline in the groundwater levels of your area. You may wish to hire a qualified groundwater hydrologist to conduct a study at that time and submit a report to our office.

We will keep you updated as to when any action can be taken by our Department. Please contact us if you have any questions.

Sincerely,

Jan Shurte
Sr. Water Resource Agent

JS:jp

TO: NANCY HANDZEL

FROM: GENE GIBSON

DATE: 11/15/1989

SUBJECT: REFUND ON APPLICATION

Nancy on 12/14/83 we received an Application For Permit from Edward Gibbens. The filing fee paid for this application was \$30.00 according to receipt number 31074. The applicant would like to withdraw the application at this time and since the Application has not been processed or advertised a refund of \$30.00 is due to Mr. Gibbens. Thank you for your assistance in this matter.

Gene

Edward M. Gibbens
4675 South 18th East
Mountain Home, Idaho 83647

*RECEIVED
NOV 17 1989
MOUNTAIN HOME*

WHITE - State Auditor
YELLOW - Homestead Advice
PINK - State Auditor then Agency
GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

STATE OF IDAHO
Office of State Auditor

AUDITOR USE

AGENCY USE	
Date	7362
Code	11/20/89
	193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY
TO

EDWARD H. GIBBENS
4675 SOUTH 18TH EAST
MTN. HOME, ID 83647

CHECK ONE:

- (1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

- () PURCHASE ORDER
() MISCELLANEOUS ENCUMBRANCE REQUISITION

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Mo	Min			
1	06 20 199	1238	8831		RECPT. #31074 PER GENE GIBSON 11/15/89 30.00	30.00	
TOTAL						30.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 7, 1990

RE: Application for Permit No. 61-7537

Edward M. Gibbens
4380 Poppy Ave.
Mtn. Home, ID 83647

Dear Permit Holder(s):

We acknowledge receipt of the Withdrawal Form submitted for
Application for Permit No. 61-7537.

This application will now be of no further force or effect.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc