



Photo#2-2

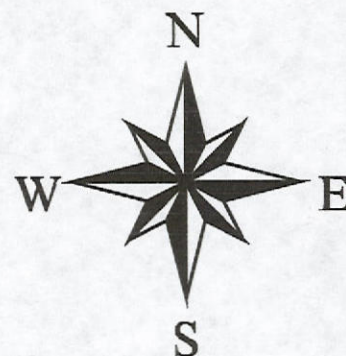
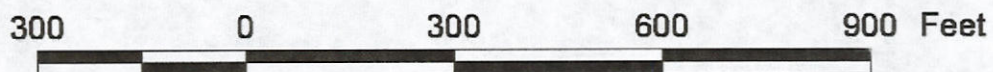
Looking SW from the NE corner of Livingston's property ^{E.N.} 9-8-94
The well is located to the left of center in the photo.



One of the sprinklers in use watering the Livingston's
lawn. House and lawn occupy approximately $\frac{1}{2}$ acre

photo#2-3
E.N. 9-8-94

T04S R06E S13 SENE



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

AGI-11896

CT
10-15-78

O.Q. #63 enlarged
1.55 x 1.55 x 1.27 to an
approximate scale of 1"=660'

Photo
2-4-1974

T45
R6E

3091

SIDE

AGI-07172

Brinsgar
AGI-11895

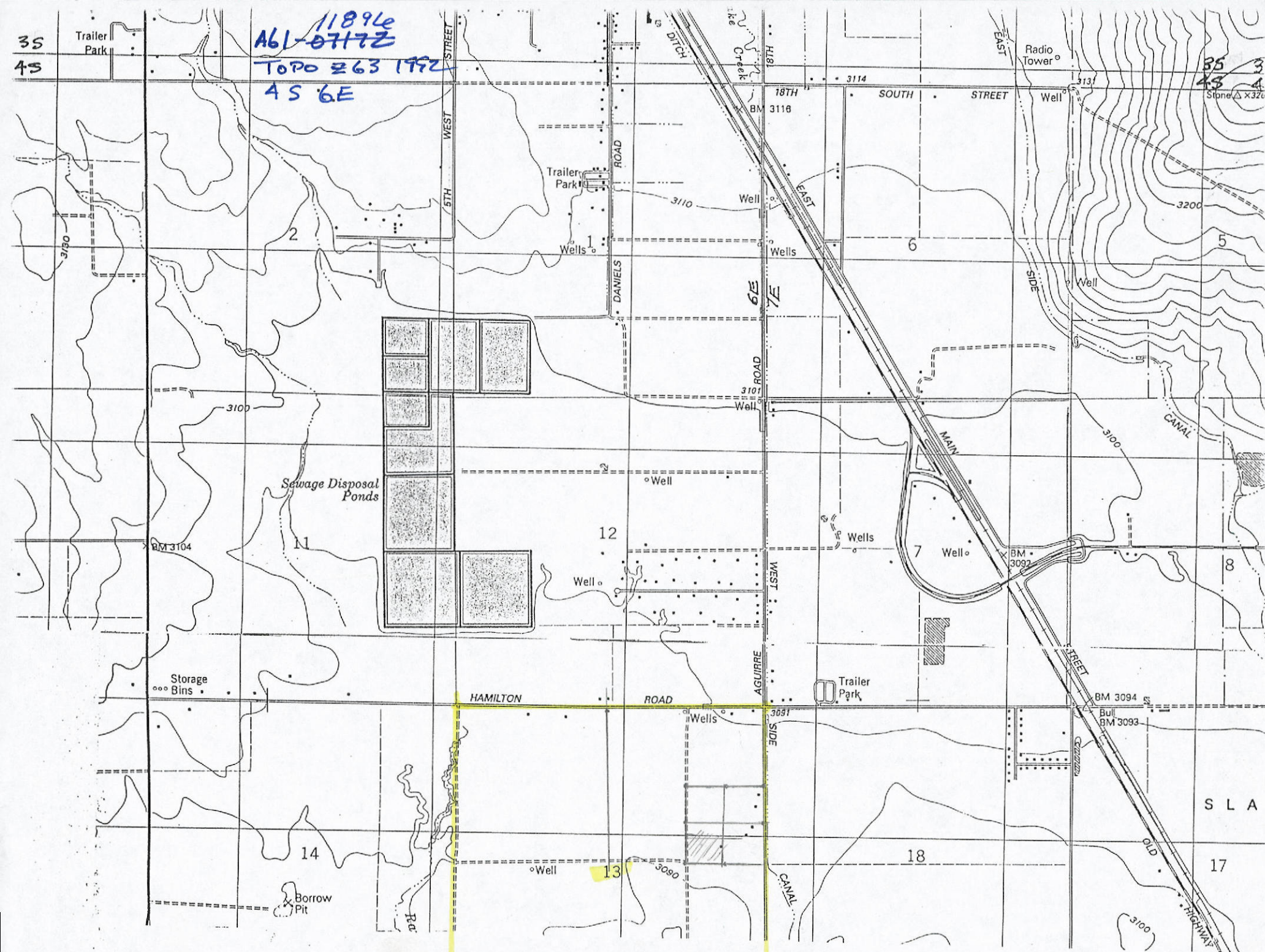
Griggs
AGI-11893

Livingston
AGI-11896

Compton (Kear)
AGI-11894

13

3099



**T45
R6E**

BM 3104

TRAIL

Rattlesnake

LAMBERTON

OLD

3101

11

12

WEST

Trailer Park

3097

SIDE

14

Gravel Pit

13



Pon PDD

18

51

3075

3074

3069

OLD MOUNTAIN CITY-MOUNTAIN HOME

CANAL

23

24

19

3066

3081

AUG 11 1992

Reservoir

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: **A61-11896**
Date Received: 12/ 7/1989
Receipt No: W006893
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: RICHARD LIVINGSTON 208-587-8219
Address: 4175 SOUTH 18TH EAST
MT HOME ID 83647

AND/OR

Name: CHANTIVA LIVINGSTON 208-587-8219
Address: 4175 SOUTH 18TH EAST
MT 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	Lot	County
04S	06E	13	SW	SE	NE		ELMORE

5. Description of diverting works:
500' WELL, 6" CASING, PIPELINE, SPRINKLERS, STOCK TANK

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:
DOMESTIC, 1 HOME; STOCKWATER, 4 BEEF CATTLE, 4 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	06E	13	SE	NE		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:
NONE

14. Remarks:

WHEN MR. LIVINGSTON PURCHASED THIS PROPERTY IN 1980 A NEW WELL
HAD BEENDRILLED ON 5-22-79 TO REPLACE THE WATER SUPPLY FOR THIS
POU.

15. Basis of Claim: BENEFICIAL USE

45 6E 13

- ☐ Verify P.D.D. & A.D.U.
- ☐ ASCS Photo
- ☐ May require transfer to add p.s.i.



A6111896

2

AJ0749NP
No. R61-11896

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	RICHARD LIVINGSTON	12/31/1980	STOCKWATER	01-01 12-31	0.02 CFS	
C	CHANTIVA LIVINGSTON		DOMESTIC	01-01 12-31	0.02 CFS	
	4175 SOUTH 18TH EAST					
	MT HOME ID 83647					
	(208) 587-8219			TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T04S R06E S13

SWSENE

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	:	
04S	06E	13	:					S	:									:	

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	:	
04S	06E	13	:					D	:									:	

POU County: ELMORE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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 BEEF CATTLE, 4 HORSES

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

AJ0749NP
No. R61-11896

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

DATE: 10/15/98
PAGE: 2

=====

Comments: Date: 10/15/1998 User-ID: CFRITSCH Subject: COPIED FROM REMARKS
WHEN MR. LIVINGSTON PURCHASED THIS PROPERTY IN 1980 A NEW WELL
HAD BEENDRILLED ON 5-22-79 TO REPLACE THE WATER SUPPLY FOR THIS
POU.

Audit: 10/15/98 CFRITSCH

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:15:39
08/24/94

PAGE: 16
QUICKLOOK INFORMATION

CLAIM NUMBER: ⁹¹~~A61-07472E~~ A61-11896

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			CF/EN 9-8-94	N	EN 9-13-94	EN 9-13-94		CF 10-15-94
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		/	Y				
PERIOD OF USE	Y		/	Y				
BASIS OF CLAIM	Y		/	N				
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

11-8-94 CWC 55 EN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:15:39
08/24/94

PAGE: 1
GENERAL INFORMATION

76
CLAIM NUMBER: A61-07172E

LAST: LIVINGSTON
ADDRESS: 4175 SOUTH 18TH EAST
CITY: MT HOME
PHONE NUMBER: 208-587-8219

FIRST: RICHARD
STATE: ID ZIP: 83647

OWNER CODE: C

LAST: LIVINGSTON
ADDRESS: 4175 SOUTH 18TH EAST
CITY: MT HOME
PHONE NUMBER: 208-587-8219

FIRST: CHANTIVA
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. LIVINGSTON PURCHASED THIS PROPERTY IN 1980 A NEW WELL
HAD BEEN DRILLED ON 5-22-79 TO REPLACE THE WATER SUPPLY FOR THIS
POU.

Fisher #1 completed 5-22-79

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 8/9/99

APPOINTMENT MADE: Y(____) N(/)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A61-07172E 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(X) N()

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

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

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

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

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

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

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

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

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

NOTES: Property purchased in 1980 so that is the earliest
a beneficial use right could have been established.
Although this land was included with license 61-07172
there is no evidence that water from that system
was ever used to irrigate this land. 7 wells
were drilled between 1979 & 1980, but they were never
used in conjunction with 61-07172 which was field
examined in 1987. Since the only evidence of beneficial
use of water on this land is at the Livingston home,
a beneficial use right for domestic & stockwater purposes is recommended.

RECOMMENDED PRIORITY DATE:

~~11-19-1973~~ 12-31-1980

REVIEWED BY RA
10-15-98

DATE 8-25-94

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

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

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
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
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 CF/ENI) Y(☒) N()

OTHER (DESCRIBE IN NOTES BELOW)

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

SOURCE: GROUNDWATER

TRIB: _____

REVIEWED BY: EH DATE: 9-13-98

=====

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

well, Pump, Lawn Sprinkler System.

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	SE	NE		LIVINGSTON, RICHARD	A61-07172E / 5.0	- /		11.0	
			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.	A61-07172A / 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

THIS APPEARS TO BE APPROX. 1/2 ACRE. DOMESTIC ONLY.

TOTAL ACRES	A61-07172E	5.00	11.00
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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
A61-07172E	GROUNDWATER	LIVINGSTON, RICHARD	0.042	0.008		
A61-04145	GROUNDWATER	HOFFMAN, THEODORE W	0.100	0.020		
A61-07172A	GROUNDWATER	GIBBENS, EDWARD M.	0.042	0.008		
A61-07172B	GROUNDWATER	GIBBENS, EDWARD M.	0.042	0.008		
A61-07172C	GROUNDWATER	BRINEGAR, ROBERT L.	0.127	0.008		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-07172E	STOCKWATER	LIVINGSTON, RICHARD	FROM 01-01 TO 12-31	.020 CFS	
A61-07172E	DOMESTIC	LIVINGSTON, RICHARD	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	

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

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

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: _____ enlargement

TOTAL ACRES: _____ N/A (✓)
REVIEWED BY: ER DATE: 9-13-94

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
~~A61-07172E IRRIGATION~~	~~FROM 03-15 TO 11-15~~	~~.042 CFS~~	
A61-07172E STOCKWATER	FROM 01-01 TO 12-31	.020 CFS	
A61-07172E DOMESTIC	FROM 01-01 TO 12-31	.020 CFS	
TOTAL DIVERSION RATE/VOLUME		~~.062 CFS~~ 0.04	

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: The purpose of use appears to be domestic (lawm irrigation
of 1/2 acre or less). May also supply water for stock.

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
ACRES 15 x 0.02 CFS/ACRE = 0.30 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 _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

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

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	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
~~IRRIGATION~~	~~03-15~~	~~11-15~~	~~0.042~~				0.0	
STOCKWATER	01-01	12-31	0.020	<u>.02</u>				
DOMESTIC	01-01	12-31	0.020	<u>.02</u>				
TOTAL FOR THIS RIGHT				<u>0.04</u>				

NON-IRRIGATION USES CLAIMED: ~~DOMESTIC~~, 1 HOME; STOCKWATER, 4 BEEF CATTLE, 4 HORSES

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

REVIEWED BY: ER GA DATE: 9-13-94 10-15-98

FLAG: _____

STANDARD CONDITIONS (CODE): NU & N13

STANDARD REMARKS (CODE): NA

EXPLANATORY CONDITIONS (CODE): NA

EXPLANATORY REMARKS (CODE): EXA
Stockwater, 4 Beef cattle, 4 Houses

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

	DATABASE	EXAMINER	
TOTAL DIVERSION RATE OF WR SPLITS	2.850	<u>3.103</u>	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()?

	FIELD EXAMINER
DATABASE N	Y() N(<u>X</u>)

NOTES:

"Splits" A, B, C & E renumbered to beneficial use rights.
A61-07172D renumbered to A61-07172

=====

AUTHENTICATION:

SIGNATURE: Eric Norquest DATE: 9-13-98 CA 10-15-98
NAME OF FIELD EXAMINER: ERIC NORQUEST TITLE: LRA
=====

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>Arc View</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>9-4-94</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>Bailey wells listing</u>	DATE <u>10-15-98</u>	<u>1</u>	_____
☒ OTHER <u>Field notes</u>	DATE <u>9-4-94</u>	<u>1</u>	_____

11:17:30
08/24/94
93

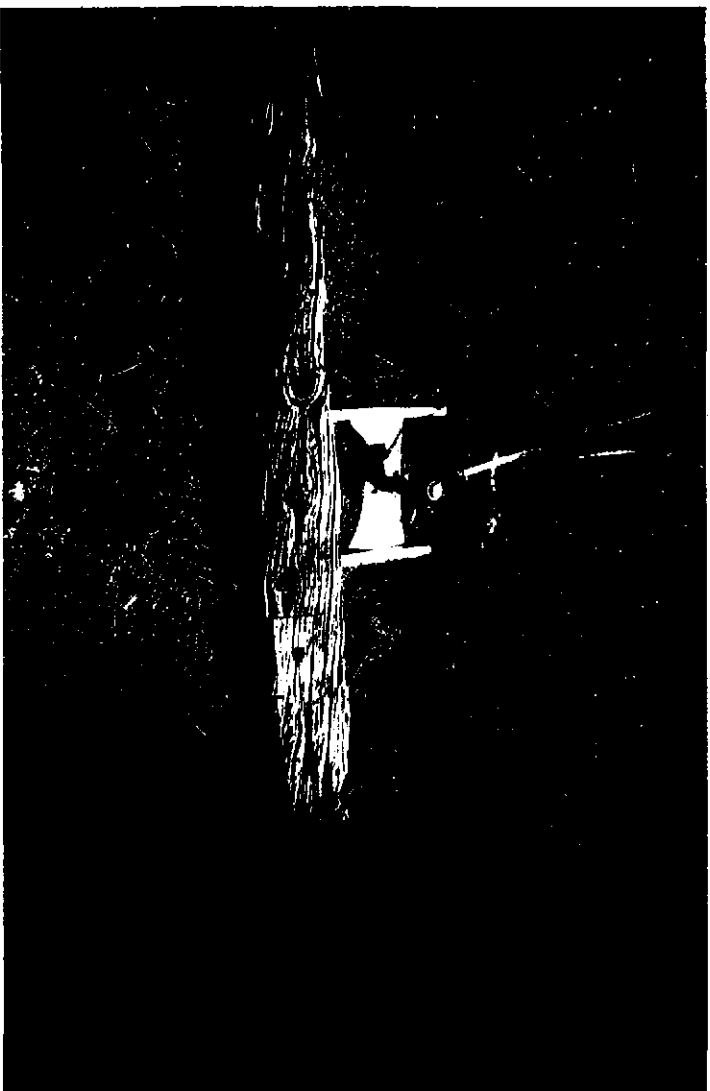
CLAIM NUMBER: A61-07172E

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



Photo #2-2

Looking SW from the NE corner of Livingston's property ^{ENL.} 9-8-94
The well is located to the left of center in the photo.



One of the sprinklers in use watering the Livingston's
lawn. House and lawn occupy approximately $\frac{1}{2}$ acre

Photo #2-3
ENL. 9-8-94

AB1-11893

CE/NU

9-8-94

~~AB1-07172~~ GIBBONS, EDWARD 45 GESSIS

FOD 456ES13 - SESENE

Pump #1 Franklin & KC MOD 2821139 202 S HP

Photo #1-11 Looking S and DOWN INTO Pump House

UNIGATES 2 1/2 ACRES,

Photo #1-12 Looking SW from the NE corner of the
unigated (POD)

AB1-11894

~~AB1-07172~~ 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
CANNES FOD.

AB1-11895

AB1-07172C Brinegar

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

55' S & 55' W of NW corner. Shows property described
in AB1-07172 A.

AB1-11896

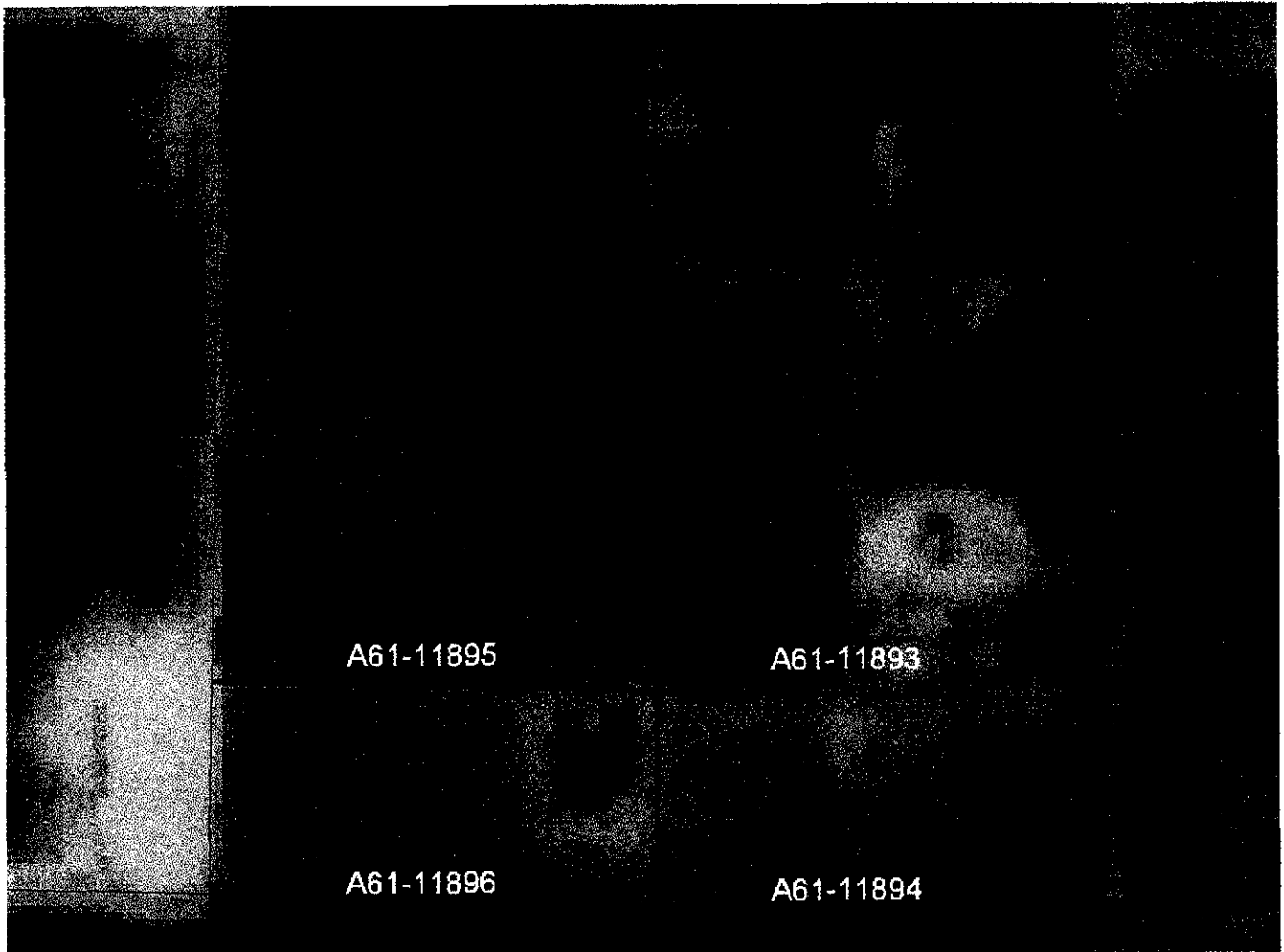
AB1-07172E

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

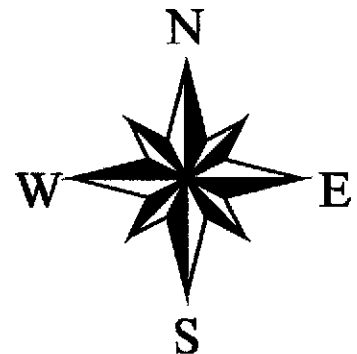
Sprinkler System = 34 PSI. Having 3 moles

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

T04S R06E S13 SENE



300 0 300 600 900 Feet

A horizontal scale bar with alternating black and white segments, corresponding to the 300-foot intervals marked above it.

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

AGI-11896

ct
10-15-98

O.Q. Enlarged
1.55 x 1.55 x 1.27 to on
approximate scale of 1" = 660'

Photo
8-4-1974

T43
R6E

3091

SIDE

AGI-07172

Brinsgar
AGI-11895

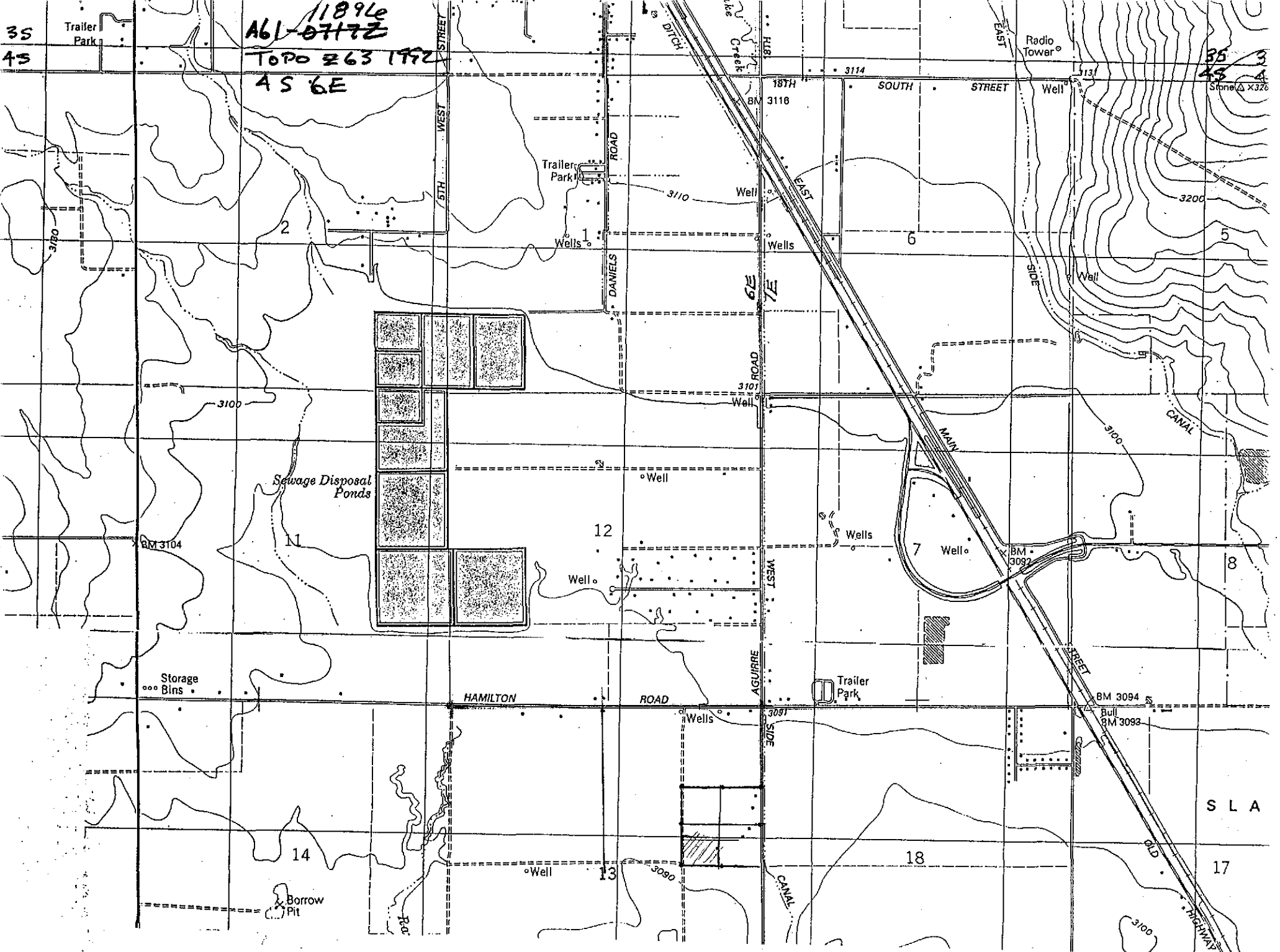
Gibson
AGI-11893

Livingston
AGI-11896

Compton (Kang)
AGI-11894

13

3099



11894
A61-07172
Topo 263 1992
45 6E

35
45

35
45
Stone X326

S L A

17

8

5

3

Storage Bins

Sewage Disposal Ponds

Trailer Park

Trailer Park

Radio Tower

Well

Wells

Well

Wells

Well

Well

Well

Well

Borrow Pit

HAMILTON ROAD

ROAD

AGUIRRE ROAD

WEST STREET

SOUTH STREET

SIDE STREET

STREET

DITCH

Like Creek

OLD

HIGHWAY

CANAL

CANAL

MAIN

18TH

BM 3116

3114

3110

3107

BM 3092

BM 3094

Bull BM 3093

BM 3104

3091

3090

3100

3200

3100

3100

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'

Water Right Number - A61-07172E

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
RENUMBERED RIGHT

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

*** O - ORIGINAL OWNER ***
LIVINGSTON

RICHARD

1 - 4175 SOUTH 18TH EAST
2 -
3 -
City- MT HOME State- ID Zip- 83647
Phone - 208-587-8219

LIVINGSTON

CHANTIVA

1 - 4175 SOUTH 18TH EAST
2 -
3 -
City- MT HOME State- ID Zip- 83647
Phone - 208-587-8219

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

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

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

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

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
04S	06E	13	SE NE		5.0	01	IRRIGATION	(39) ELMORE
Total Acres:					5.0			

+ - - Diversion Means - 500' WELL, 6" CASING, PIPELINE, SPRINKLERS, STOCK TANK

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME; STOCKWATER, 4 BEEF CATTLE, 4 HORSES

10/15/98 07:58:15
Page 2

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - NONE

[illegible]

GEN SEE A61-11896

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

No Old Water Right Numbers Found

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

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

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

No Comments Found

+ - - Audit Fields - - +

10/15/98 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	- 12/07/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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 A61-07172EDate Received 12-7-89Receipt Number W0006893

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) RICHARD & CHANTIA LIVINGSTON Phone () 587-8219Mailing Address 4175 South 18th EAST MT. HOME Zip 836472. Date of Priority (Only one (1) per claim) 11-19-19733. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 4S Range 6E Section 13,
SW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of ELMORE

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. WELL, 500' deep, 6" casing,PIPELINE, SPRINKLERS, STOCK TANKS

MICROFILMED

AUG 11 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-15 to 11-15 amount .042 or _____

For Stockwater purposes from 1-1 to 12-31 amount .02 or _____

For Domestic purposes from 1-1 to 12-31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .042 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1/D household, 4 Horses, 4 BEEF CATTLE

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
45	6E	13				5													5

Total number of acres irrigated 5

11. In which county (ies) are lands listed above as place of use located? ELMORE

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

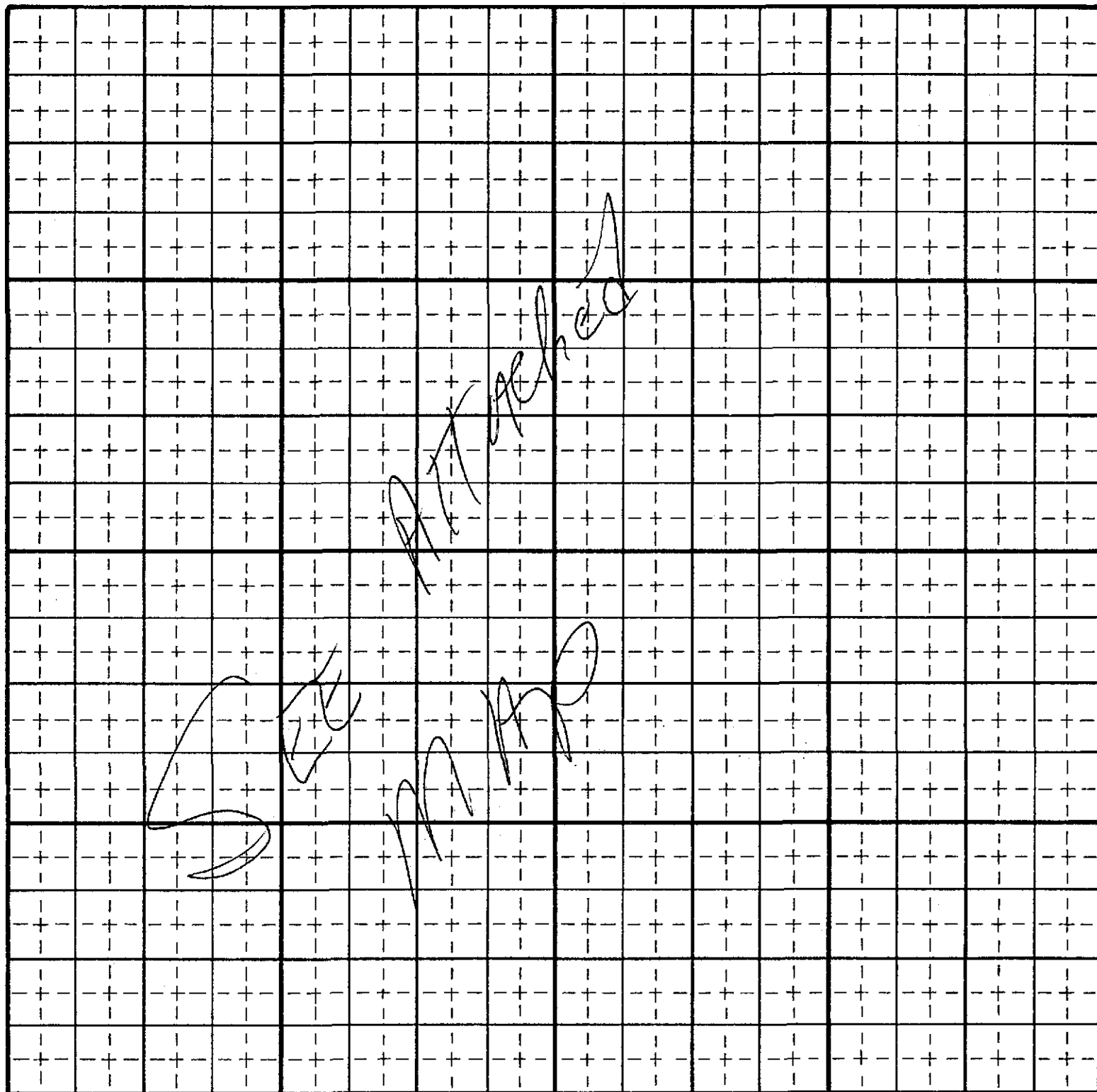
13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (☒)

14. Remarks: WHEN MR LIVINGSTON purchased this property in 1980 A new well had been drilled on 5-22-79 to replace the water supply for this POU.

MICROFILMED
AUG 11 1992

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

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

**T45
R6E**

BM 3104

TRAIL

FREIGHT

Rattlesnake

LAMBERTON

WEST

SIDE

Trailer Park

11

12

14

Gravel
Pit

13

POU

POU

18

CANAL

51

3075

3074

3099

OLD MOUNTAIN CITY-MOUNTAIN HOME

23

24

19

3066

3081

JUG 11 1992

Reservoir

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 61-07172
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.
Signature of Claimant (s) Richard J. Linton Date 6 Dec 89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 6th day of Dec 19 89
SEAL Notary Public Michael E. Gibson
Residing at Boise, Idaho
My Commission Expires 9-2-1994
Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

Last Name _____ Ident. Number _____

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AUG 11 1992
Copies White-State, Yellow-Claimant