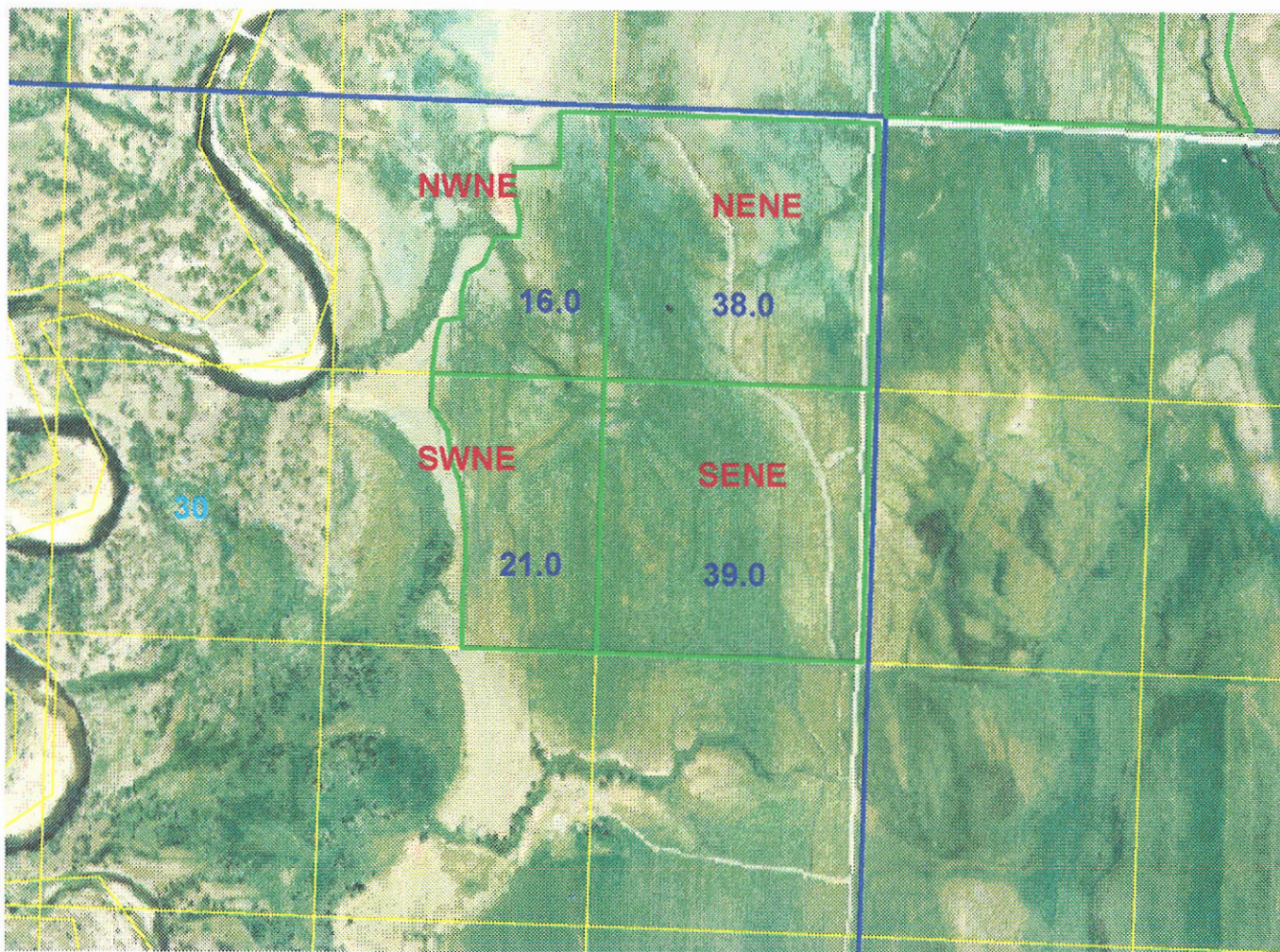
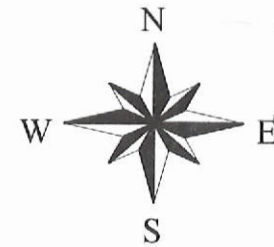


IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S30



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-02098

OWNER(S): SIMMONS

Prepared by Mel Schulte

DATE: MARCH 22, 1999

0 0.25 0.5 0.75 1 1.25 Miles

Cytra

6a

CLAIM A65-02098 INIT 6a

T. R. S. Q/Q

P/D 17N 3E 17 NESE

SCALE PRBA map

PHOTO ID. ASCS DATE 1961

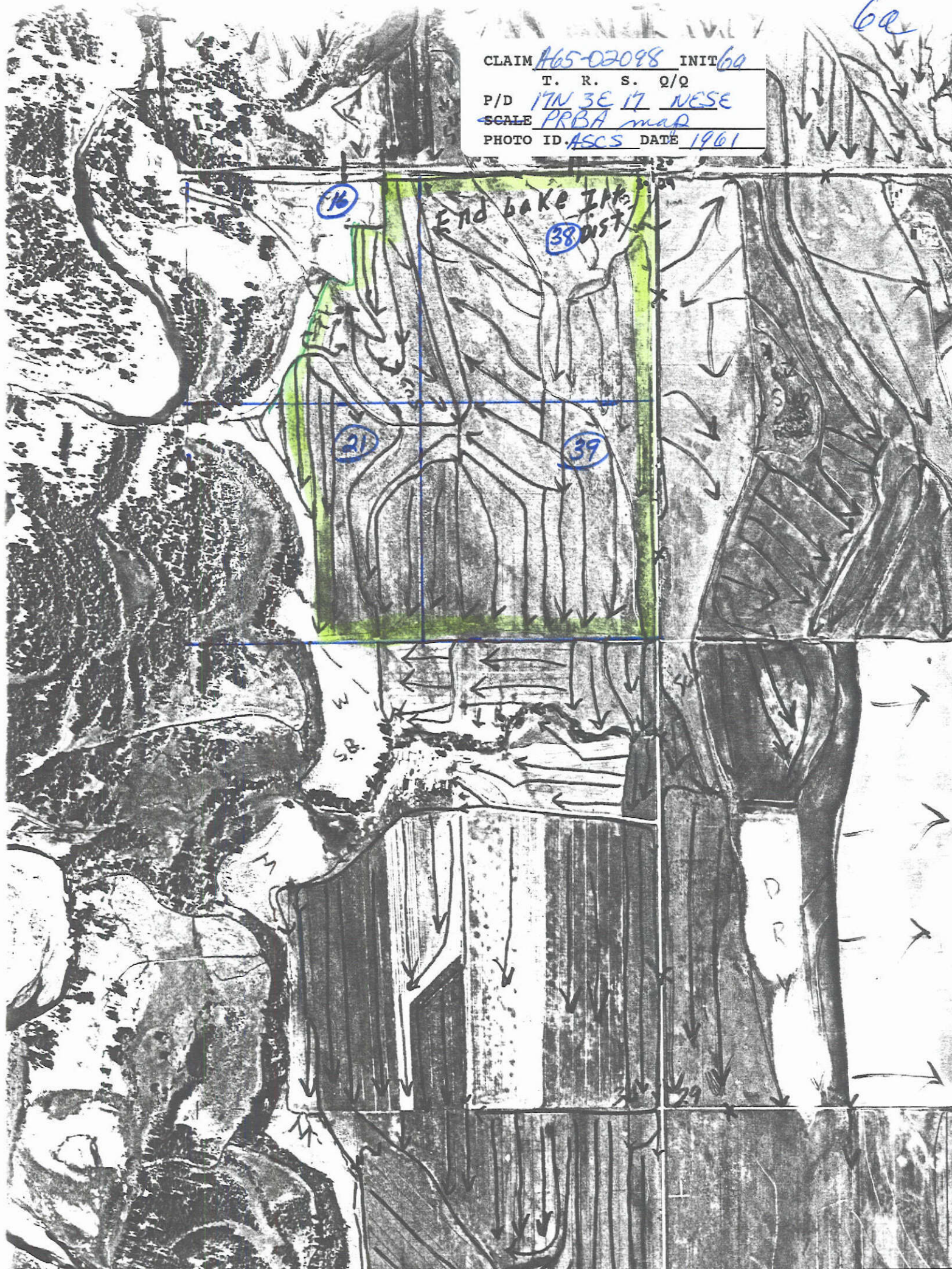
(16)

End lake Int.

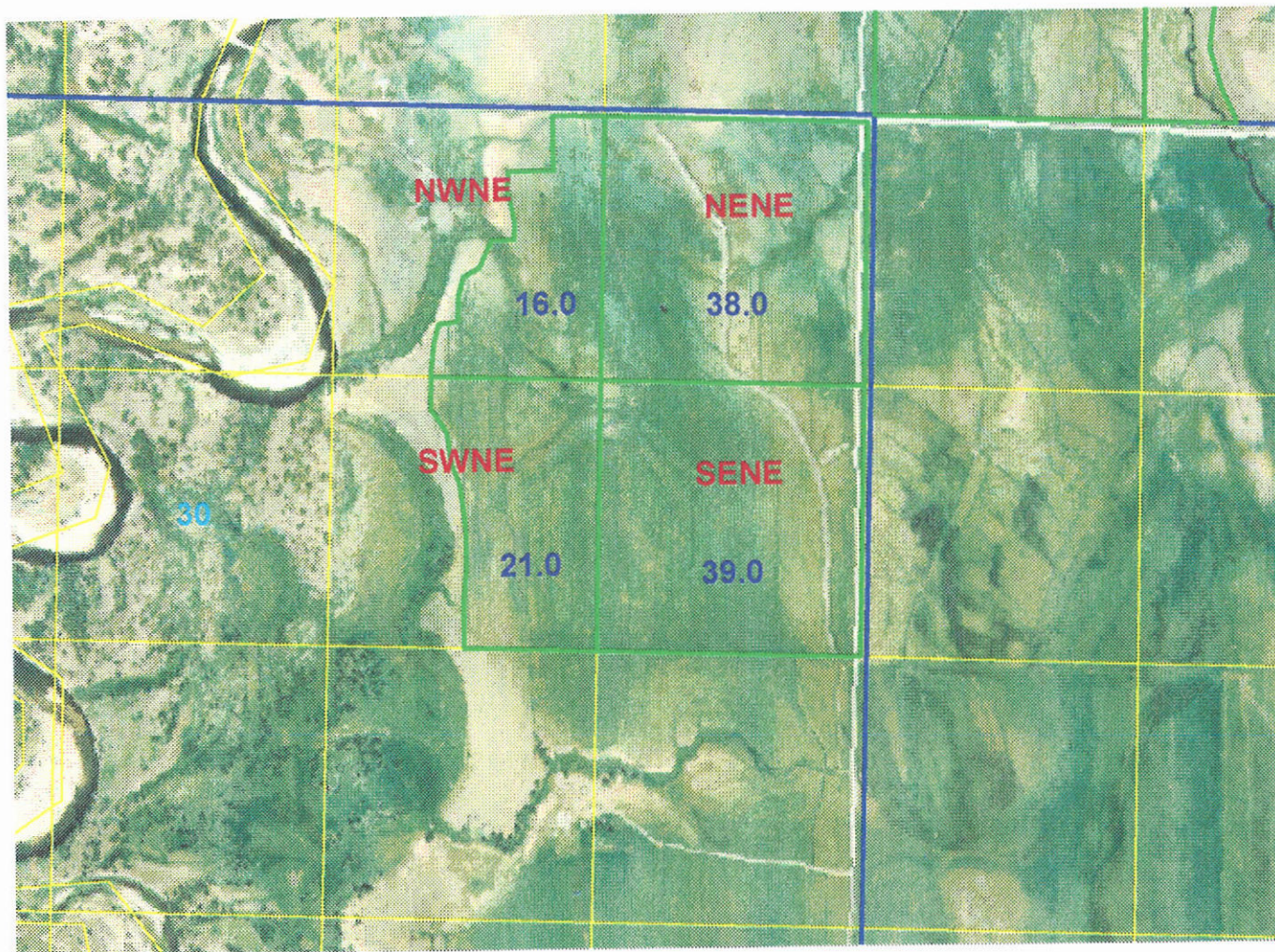
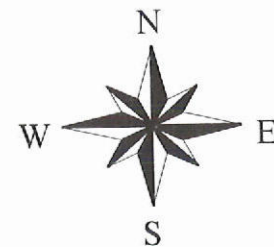
(38) dist

(21)

(39)



6b IDAHO DEPARTMENT OF WATER RESOURCES
17N, 03E, S30



1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-02098

OWNER(S): SIMMONS

Prepared by Mel Schulte

DATE: MARCH 22, 1999



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: A65-02098
Date Received: 11/14/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL SIMMONS 213-697-4210
Address: 938 OAKCREST AVE
BREA CA 92621

Name: NAOMI R SIMMONS 213-922-3872
Address: 938 OAKCREST AVE
BREA CA 92621

2. Date of Priority: AUG 10, 1909

3. Source: MUD CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	17	NE	SE			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.260		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	30	NE	NE		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	30	NW	NE		IRR	16.0
			SW	NE		IRR	21.0
			SE	NE		IRR	39.0
						Section Acres	114.0
						Total Acres	114.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

WARRANTY DEED

For Value Received

EDWARD A. CRUZEN, a single man

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MICHAEL ALLAN SIMMONS and NAOMI R. SIMMONS, husband and wife and
 TERRI LYNN SIMMONS-COLEMAN, a married woman and MICHAEL ALLAN SIMMONS,
 a single man and DAVID MICHAEL SIMMONS, a single man whose address is
 (938 West Oakcrest, Brea, California 92621)
 Hereinafter called the Grantee, the following described premises situated in Valley County, Idaho, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

Together with all water and water rights, heretofore established and however
 evidenced, including title to or equity in all irrigation ditches, flumes or
 laterals used in connection with and for the irrigation of said lands.

Subject to 1982 taxes, irrigation district assessments, public utility easements,
 subdivision restrictions and U.S. Patent reservations.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and
 to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said
 Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incum-
 brances except as above described and that Grantor will warrant and defend the same from all lawful
 claims whatsoever.

Dated: MARCH 1, 1982.

Edward A. Cruzen
 Edward A. Cruzen

STATE OF IDAHO, COUNTY OF VALLEY

On this 1st day of MARCH, 1982,
 before me, a notary public in and for said State, per-
 sonally appeared Edward A. Cruzen, a
 single man

known to me to be the person whose name is
 subscribed to the within instrument, and acknowledged
 to me that he executed the same.

Terri Jeffs
 Notary Public
 Residing at McCall, Idaho.

STATE OF IDAHO, COUNTY OF VALLEY

I hereby certify that this instrument was
 at the request of *Central Idaho*
 at 45 minutes past 1
 this 21 day of Apr
 1982, in my office, and duly recorded in #
 of Deeds at page

J.W. Crutcher
 Ex-Officio Recorder
 By *R. Schmalzer*

Fees \$ 4.00
 Mail to:

INDEXED INSTRUMENT

POOR ORIGINAL

Instrument No.

119744

MICROFILMED

SEP 24 1992

MICROFILMED

OCT 18 1996

LEGAL DESCRIPTION

The NORTHEAST QUARTER (NE $\frac{1}{4}$) ; also LOTS ONE (1) and FIVE (5) of SECTION 30,
TOWNSHIP 17 NORTH, RANGE 3 EAST, B.M. Valley County, Idaho.

SAVE AND EXCEPTING THEREFROM:

A tract of land comprising part of the Northerly portion of Lots 1 and a portion
of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 17 North, Range 3 East, B.M., Valley
County, Idaho, lying East of the thread of the stream of the North Fork of the
Payette River and South of Section 19, Township 17 North, Range 3 East, B.M.,
more particularly described as follows:

Beginning at the Quarter Corner between Sections 19 and 30, T-17-N, R-3-E, B.M.,
Valley County, Idaho; Thence East 75.70 feet to a point; Thence South 0°04' East
25.00 feet to an iron stake, said point being the REAL POINT OF BEGINNING; Thence
North 0°04' West 25.00 feet to a point on the Section line between Sections 19 and
30 of said Township and Range; Thence West 570.70 along said Section line to the
meander corner, being marked by an iron stake, for LOT 1, Section 30, on the West
side of the Payette River; Thence South 11°30' East 297.00 feet along the meander
line for said LOT 1 to a meander corner, being marked by an iron stake, Thence
South 35°15' East 86.48 feet along the meander line to a point marked by an iron
stake; Thence North 76°56' East 474.13 feet to a point marked by an iron stake;
Thence North 0°04' West 229.53 feet to the REAL POINT OF BEGINNING.

MICROFILMED

OCT 18 1996

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: A65-02098

Date Received: 9/01/1988

Receipt No: 2999999 *ms*

Received By: [Signature]

RECEIVED

Department of Water Resources
Western Regional Office

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

1. Name: EDWARD A. CRUZEN

Address:

DONNELLY, ID

83615

2. Date of Priority: AUG 10, 1909

3. Source: MUD CREEK

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	17	NE	SE			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.260		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	30	NE	NE		IRR	38.0
			NW	NE		IRR	16.0
			SW	NE		IRR	21.0
			SE	NE		IRR	39.0

Section Acres 114.0

A65-02098

Page 1

Date: 11/15/88

MICROFILMED

SEP 18 1992

10. Place of Use: Continued

Total Acres 114.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

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

Signature of Claimant(s): Michael R. Simmons Date: 12-18-88
Naomie R. Simmons Date: 12-18-88

State of ~~Idaho~~ California)
County of Orange) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of December 19 88

Nancy F. Simmons
Notary Public

Seal



Residing at 471 Armitos Place, Diamond Bar, CA 91765

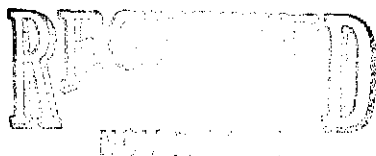
My Commission Expires 10/22/91

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: A65-02098
Date Received: 9/01/1988 11-14-88
Receipt No: X999999
Received By: _____



Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CRUZEN RANCH, an Idaho General Partnership
Address: DONNELLY, ID 83615

2. Date of Priority: AUG 10, 1909

3. Source: MUD CREEK Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	03E	17	NE	SE			VALLEY

5. Description of diverting works:
40 feet below a 24 inch pipe is a weir 4 feet wide x 1 foot deep
which diverts the water.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.260		

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

8. Total consumptive use is 228 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	30	NE	NE		IRR	38.0
			NW	NE		IRR	16.0
			SW	NE		IRR	21.0
			SE	NE		IRR	39.0

Section Acres 114.0

A65-02098

Page 1

Date: 09/01/88

MICROFILMED
SEP 18 1992

10. Place of Use: Continued

Total Acres 114.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

See Notice for Water Right A-65-03186

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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 XX do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: One, a map of the Cruzen Ranch, prepared by the Valley County ASCS and forwarded on October 13, 1988.

For Individuals:

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

Signature of Claimant(s):

Deborah C. Murray
Deborah C. Murray

Date: 11/5/88

Carrick C. McLaughlin
Carrick C. McLaughlin

Date: 11.5.88

State of California)

)

Partners, Cruzen Ranch

County of Marin)

)

SS.

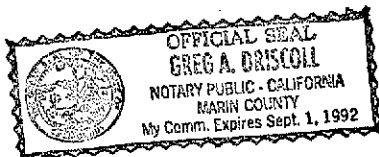
County of San Francisco)

Subscribed and sworn (or affirmed) before me this 5th day

of November 19 88

Greg A. Driscoll
Notary Public

Seal



Residing at 511 Sir Francis Drake Blvd

My Commission Expires Sept. 1, 1992

Mike ~~Lawrence~~ Simmons

65-02098

Violations
who put in pipes
1st

562-697-4210

Mark Limbaugh

102. N. Main

Payette, ID 83661

042-4465

IMPORTANT MESSAGE

FOR

Mel

DATE

6/26

TIME

11:48(A.M.)
P.M.

M

Karilynn

OF

PHONE

AREA CODE

NUMBER

EXTENSION

☐ FAX☐ MOBILE

AREA CODE

NUMBER

TIME TO CALL

TELEPHONED	☒	PLEASE CALL	
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		SPECIAL ATTENTION	

MESSAGE

She forwarded a voice
message to you through outlook
mail. Let her know if it
comes through OK.

SIGNED

DeniseFORM 3002P
LITHO IN U.S.A.

~~Ken~~

Ken

208-466-5429

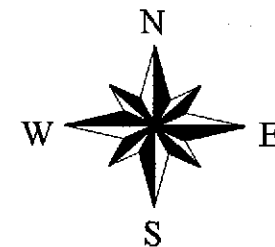
Harry Bettis leases

Trespass

Nisula

IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S30



1987 NAPP PHOTO

- POINT OF DIVERSION
-  PLACE OF USE
-  1/4 1/4 LINES
-  SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS



CLAIM(S): 65-02098

OWNER(S): SIMMONS

Prepared by Mel Schulte

DATE: MARCH 22, 1999

0 0.25 0.5 0.75 1 1.25 Miles



Extra

AJ5809NP
No. 65-02098

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/26/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL SIMMONS 938 OAKCREST AVE BREA CA 92621 (213) 697-4210	08/10/1909	IRRIGATION	04-15 10-15	2.260 CFS	
TOTAL DIVERSION:					2.260 CFS	

C NAOMI R SIMMONS
938 OAKCREST AVE
BREA CA 92621
(213) 922-3872

Water Source: MUD CREEK

Tributary to: CASCADE RESERVOIR

Stage: DECREED

Point(s) of Diversion: T17N R03E S17 NESE

VALLEY 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
17N	03E	30	:	38		16		21		39										:	114.0
TOTAL ACRES																				114.0	

POU County: VALLEY

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02488, 65-03702, 65-02483, 65-02542
65-02198, 65-02489 & 65-02487.

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

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 09/24/1999 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 03/22/99 MSCHULTE 08/04/99 MSCHULTE 09/24/99 AJU10-JS 12/10/99 CPD SHAFF
12/14/99 ADT-OSHA

AJ0749NP
No. R65-02098

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

DATE: 08/04/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL SIMMONS 938 OAKCREST AVE BREA CA 92621 (213) 697-4210	08/10/1909	IRRIGATION	04-15 10-15	2.260 CFS	
				TOTAL DIVERSION:	2.260 CFS	
C	NAOMI R SIMMONS 938 OAKCREST AVE BREA CA 92621 (213) 922-3872					

Water Source: MUD CREEK

Tributary to: CASCADE RESERVOIR

Stage: DECREED

Point(s) of Diversion: T17N R03E S17 NESE

VALLEY 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
17N	03E	30	:	38		16		21		39										:	114.0
																				TOTAL ACRES	114.0

POU County: VALLEY

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02488, 65-03702, 65-02483, 65-02542
65-02198, 65-02489 & 65-02487.

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

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Audit: 08/04/99 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:32:20
03/22/99
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-02098

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL SIMMONS	08/10/1909	IRRIGATION	04-15 10-15	2.26 CFS	
C	NAOMI R SIMMONS					
TOTAL DIVERSION:					2.26 CFS	

Water Source: MUD CREEK

Tributary to: *Payette River, N.F.*

Stage: DECREED

Point(s) of Diversion: T17N R03E S17

NESE

VALLEY 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
17N	03E	30	:	38		16		21		39										:	114.0
																				TOTAL ACRES	114.0

POU County: VALLEY

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

EXP- FOG

WR5809NP
No. 65-02098

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/22/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWARD A. CRUZEN DONNELLY ID 83615	08/10/1909	IRRIGATION	04/15 10/15	2.260 CFS	
TOTAL DIVERSION:					2.260 CFS	

Water Source: MUD CREEK Tributary to:  Stage: DECREED
Point(s) of Diversion: T17N R03E S17 NESE VALLEY 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
17N	03E	30	:	38		16		21		39										:	114.0
																				TOTAL ACRES	114.0

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-02483 65-02488 65-02542 65-03702

Dates:	App. Received:	Priority Date:	08/10/1909
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

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 _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ ~~MAP~~ GIS map	DATE OF PHOTO 3-22-99 1987 IDWR ID NO. _____	Y() N() 6b
☒ ASCS AERIAL PHOTO	DATE OF PHOTO 1961 PRBA map	Y() N() 6c
() 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 GIS Table	DATE 3-22-99	Y() N() 6c
() 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 _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☒ OTHER POU review report	DATE 3-22-99	1	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:29:08
03/22/99

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QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-02098

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MS 3-22-99 in office	N		MS 3-22-99	MS 3-22-99	
POINT OF DIV				N				
SOURCE				N				
PLACE OF USE				N				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE				NA				
PURPOSES OF USE				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS				Y				

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:29:08
03/22/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-02098

LAST: SIMMONS
ADDRESS: 938 OAKCREST AVE
CITY: BREA
PHONE NUMBER: 213-697-4210

FIRST: MICHAEL
STATE: CA ZIP: 92621

OWNER CODE: C

LAST: SIMMONS
ADDRESS: 938 OAKCREST AVE
CITY: BREA
PHONE NUMBER: 213-922-3872

FIRST: NAOMI R
STATE: CA ZIP: 92621

OWNER CODE: C

LAST: CRUZEN
ADDRESS:
CITY: DONNELLY
PHONE NUMBER: 208-000-0000

FIRST: EDWARD A
STATE: ID ZIP: 83615

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

In office review

A. AJ CLAIM: # A65-02098 PRIORITY DATE: 08-10-1909 STAGE: D

B. WR RECORD: # 65-02098 PRIORITY DATE: 08-10-1909 STAGE: D

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: *Recommended as decreed in the PRBA and*
claimed in the SRBA.

=====

RECOMMENDED PRIORITY DATE:

08-10-1909
REVIEWED BY *Me Schulte*

DATE *3-22-99*

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
A65-02098	17N 03E	17		NE	SE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02198	NONE
A65-02483	
A65-02487	
A65-02488	
A65-02489	
A65-02542	
A65-03702	

WR RECORDS IN SAME 40 ACRE TRACT

65-02198
65-02483
65-02487
65-02488
65-02489
65-02542
65-03702

SOURCE: MUD CREEK

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
65-02098	17N 03E	17		NE	SE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

65-02198
65-02483
65-02487
65-02488
65-02489
65-02542
65-03702

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-02198	NONE
A65-02483	
A65-02487	
A65-02488	
A65-02489	
A65-02542	
A65-03702	

SOURCE: MUD CREEK

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 _____ NAME OF EXAMINER _____) Y() N(☒)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Recommended as decreed in The PRBA.

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 VALLEY	DIVERSION NAME	DIVERSION NBR
17N	03E	17		NE	SE					
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE: MUD CREEK

TRIB:

REVIEWED BY:

Neil Schulte

DATE:

3-22-99

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

A. ROOT WATER RIGHT NUMBERS: A65-02098

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	30	NE	NE		SIMMONS, MICHAEL	A65-02098 / 38.0	65-02098 / 38.0	42.0		38
17N	03E	30	NW	NE		SIMMONS, MICHAEL	A65-02098 / 16.0	65-02098 / 16.0	39.0		
			NW	NE		SIMMONS, MICHAEL A	65-09425 /	65-09425 /			
			NW	NE		SIMMONS, MICHAEL A	A65-09425 /	- /			
			NW	NE	1	SMYLIE, ROBERT E	A65-08524 /	- /			16
			NW	NE	1	SMYLIE, ROBERT E	65-08524 /	- /			
17N	03E	30	SW	NE		SIMMONS, MICHAEL	A65-02098 / 21.0	65-02098 / 21.0	41.0		21
17N	03E	30	SE	NE		SIMMONS, MICHAEL	A65-02098 / 39.0	65-02098 / 39.0	39.0		39

ADDITIONAL POU FOUND

TOTAL ACRES A65-02098 114.00 114.00 161.00

POU COUNTY: VALLEY

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

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
65-09425	DOMESTIC	SIMMONS, MICHAEL A	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-09425	DOMESTIC	SIMMONS, MICHAEL A	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-08524	DOMESTIC	SMYLIE, ROBERT E	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-08524	DOMESTIC	SMYLIE, ROBERT E	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

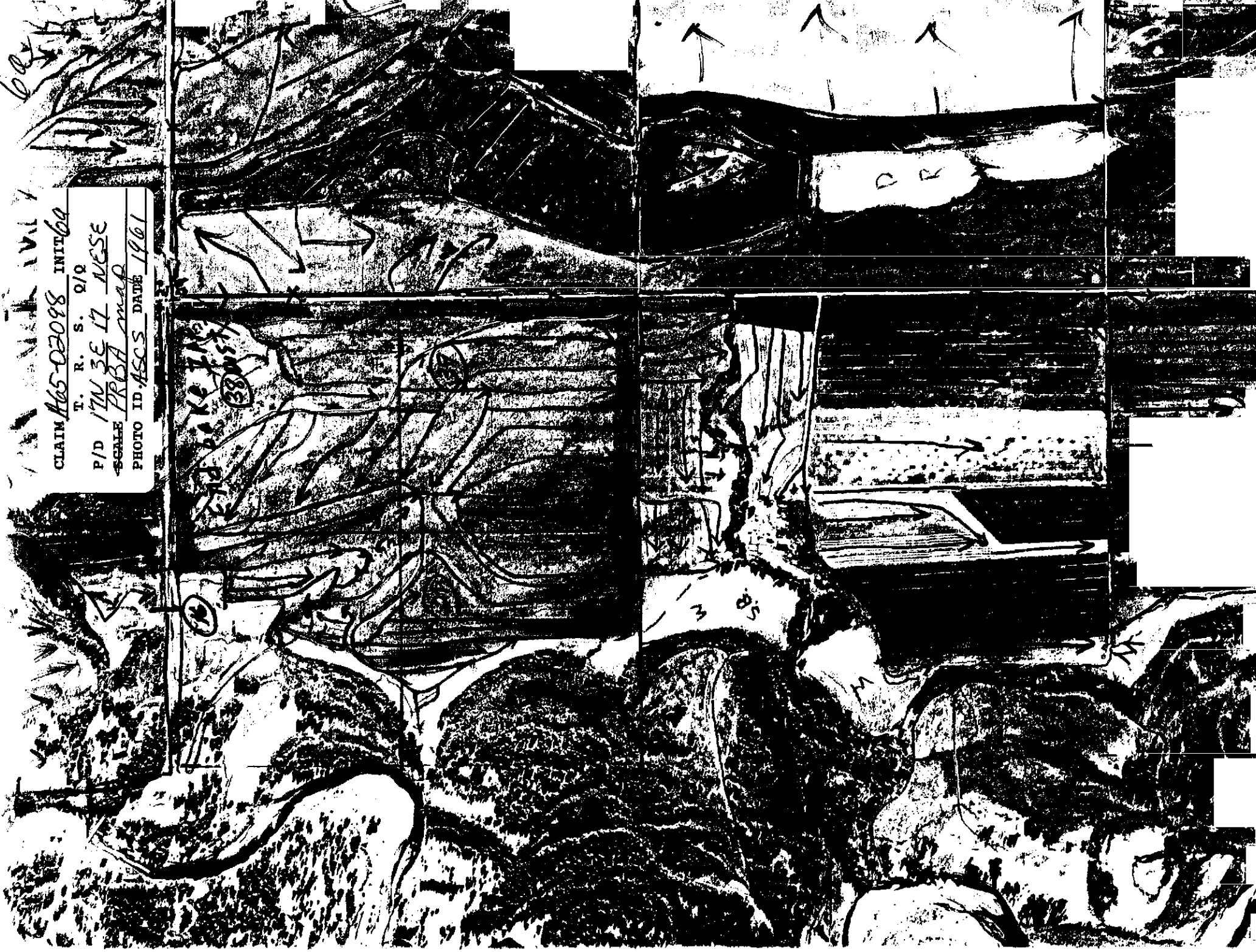
CLAIM #65-03098 INIT 60

T. R. S. Q/O

P/D 17N 3E 17 NESE

SCALE PRBA map

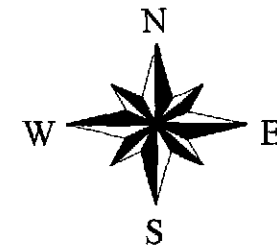
PHOTO ID ASCS DATE 1961



66

IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S30



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES
- 6 ACRES
- 6 SECTION NUMBERS

CLAIM(S): 65-02098

OWNER(S): SIMMONS

Prepared by Mel Schulte

DATE: MARCH 22, 1999



WESTERN REGION

OWNER(S): Simmons

CLAIM NUMBERS A65-02098

AGENT MS DATE 3-22-99

TOTAL ACRES FROM RECOMMENDATION 114

GEOGRAPHIC INFO SYSTEM ACRES 114

READY FOR DECREE ☒ (YES) SENT FOR DECREE ☐ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	17N	3E	30	38	16	21	39												114
GIS																			
RECOM																			
GIS																			
																			114

POLYGON CREATED ON 330

POLYGON # () () () () _____ UPDATED BY MS

ATTRIBUTES OF B65-POU.SHP (764) () () () ()

ATTRIBUTES OF B65-POD.SHP (610) () () () ()

B61-DBPOU.DBF 8-9-99 UPDATED BY MS

B61-DBPOD.DBF 8-9-99 UPDATED BY MS

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

Y() N(✓)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

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(✓)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

4- ^(#3 map) NAPP, IDWR NO. _____; ☒ ASCS PHOTO; () OTHER _____

NOTES: Recommended as decreed

RECOMMENDATIONS:

TOTAL ACRES: 114 N/A()

REVIEWED BY: W. Schulte DATE: 3-22-99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02098 IRRIGATION	FROM 04-15 TO 10-15	2.260 CFS	
TOTAL DIVERSION RATE/VOLUME		2.260 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02098 IRRIGATION	FROM 04-15 TO 10-15	2.260 CFS	
TOTAL DIVERSION RATE/VOLUME		2.260 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

NOTES:

Recommended as decreed in The PRBA.

AJ CLAIM TOTAL DIVERSION RATE: 2.260 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.260 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 None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 114 x 0.02 CFS/ACRE = 2.28 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 DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES:

NOTES: Recommend as decreed in the PRBA.

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	04-15	10-15	DATABASE 2.260	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			2.260	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Mel Schulte DATE: 3-22-99

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXP-F06

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

NA

ROOT WATER RIGHT NUMBER: 65-02098

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.260

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-02098	2.260	-		65-02098	2.260
TOTAL CFS		2.260				2.260

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
Y
FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

Mel Schulte

DATE:

3-22-99

NAME OF FIELD EXAMINER:

TITLE:

AJ5815NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT

DATE: 03/22/99

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-02098

PAGE: 1

A. ROOT WATER RIGHT NUMBERS: A65-02098

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
17N	03E	30	NE	NE		SIMMONS, MICHAEL	A65-02098 /01/38.0	65-02098 /01/38.0	42.0
17N	03E	30	NW	NE		SIMMONS, MICHAEL	A65-02098 /01/16.0	65-02098 /01/16.0	39.0
17N	03E	30	SW	NE		SIMMONS, MICHAEL	A65-02098 /01/21.0	65-02098 /01/21.0	41.0
17N	03E	30	SE	NE		SIMMONS, MICHAEL	A65-02098 /01/39.0	65-02098 /01/39.0	39.0
TOTAL ACRES						A65-02098	114.00	114.00	161.00

POU COUNTY: VALLEY



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 25, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Notice of Claims to Water Rights

Richard Murray
McCutchen, Doyle, Brown & Enersen
Three Embarcadero Center
San Francisco, CA 94111-4066

Dear Mr. Murray:

I received your letter dated July 12, 1995, and the copies of letters and claims you wished me to investigate on July 18th. I have just completed my review of these claims and the map of the farm, which was prepared by James A. Knecht, that you had submitted along with the claims in November of 1988.

I used the map of the farm to obtain the legal description of the entire place and searched our existing water right records and also our SRBA (Snake River Basin Adjudication) records to make sure all rights were claimed in the SRBA. I found only one water right which has not been claimed in the SRBA which you had also addressed in your letter. Enclosed you will find a claim for Rt. 65-11401 which you should complete and return to this office. You may change the claimant's name, insert a description of diverting works, and a consumptive use volume as you did previously with the other Cruzen Ranch claims, then have the partners sign the claim in the presence of a notary public. Please be advised that you were correct in using 2.0 acre feet per acre for the consumptive use volume for the area of these claims.

During my research of the files, I found two claims have had an ownership change on them. Claims A65-02098 and A65-09425 are now in the name of Michael and Naomi Simmons. These claims were for irrigation and domestic use within the NE $\frac{1}{4}$, Sec. 30, Twp. 17N, Rge. 3E. We have, in our files, a copy of a warranty deed from Mr. Cruzen to the Simmons dated March 1, 1982, which allowed us to update the ownership of these rights. You should also be aware that these lands were not shown as part of the ranch on the map submitted in November of 1988.

I found that we have some confusion regarding Claims A65-02932 and A65-02952. We have the claims submitted by Cruzen Ranch in our files, which also identify Warren H. and Jayne J. Brown as claimants. We have a copy of an assignment of permit form wherein Warren and Jayne Brown assigned the rights to Diane B. DeBoer. We then have signed and notarized claim forms in our files, submitted by Ms. DeBoer. Claim No. A65-02932 is in the names of Edward A.

MICROFILMED

OCT 18 1996

Cruzen or Diane B. DeBoer and Claim A65-02952 is in the names of Estate of Edward A. Cruzen or Diane B. DeBoer. Enclosed for your information are copies of the claims as they are now recorded. What is Ms. DeBoer's relationship to the Cruzen Ranch? Does she own some of the lands covered under these claims or is the storage facility (Brown's Pond) on lands owned by Ms. DeBoer? Please let us know if there is a problem in regard to the ownership of these claims.

I am returning to you the copies of all the claims you sent to me with your letter of July 12th. I am also enclosing profile reports of each of the claims that I found to be entered under the name of Cruzen Ranch in the SRBA. If I can be of further assistance to you in regard to the claims filed in the SRBA, please do not hesitate to contact me.

Sincerely,



KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

MICROFILMED
OCT 18 1996

MCCUTCHEN, DOYLE, BROWN & ENERSEN

SAN FRANCISCO

LOS ANGELES

SAN JOSE

WALNUT CREEK

MENLO PARK

COUNSELORS AT LAW

THREE EMBARCADERO CENTER

SAN FRANCISCO, CALIFORNIA 94111-4066

TELEPHONE (415) 393-2000

FACSIMILE (415) 393-2286

WASHINGTON, D.C.

TAIPEI

AFFILIATED OFFICES

BANGKOK

BEIJING

SHANGHAI

DIRECT DIAL NUMBER

(415) 393-2150

INTERNET
murray@mdbe.com

RECEIVED

JUL 18 1995

**WATER RESOURCES
WESTERN REGION**

July 12, 1995

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Ms. Kay Walker
Adjudication Bureau
Idaho Department of Water Resources
Western Region
2736 Airport Way
Boise, Idaho 83705

**Cruzen Ranch
Water Rights Claims
Snake River Basin Adjudication**

Dear Ms. Walker:

As I mentioned to you yesterday over the phone, my wife Deborah Cruzen Murray is a partner (along with her sister, Carrick Cruzen McLaughlin) in the Cruzen Ranch, near Donnelly, Idaho. Having been advised of the pending Snake River Basin adjudication, the partners in the Cruzen Ranch wish to make sure that the water rights of the Ranch are in order, and are properly listed in the abstract of claims compiled for the adjudication.

Many years ago my wife's father, Edward Cruzen (now deceased) filed the appropriate claims which presumably were adjudicated in the 1970's in the Payette Watershed Adjudication.

On September 1, 1988, Ms. Linda A. Warren of your office wrote Carrick McLaughlin forwarding copies of the notices of claim earlier filed by Mr. Cruzen and requesting additional information (copy enclosed). On November 10, 1988 I wrote to Ms. Jan Shurte enclosing copies of the claims with that additional information. Copies of that letter and of the claims are enclosed. Their numbers are as follows:

A65-03186
A65-03187
A65-03188
A65-03189
A65-03190

MICROFILMED

OCT 18 1996

Ms. Kay Walker
July 12, 1995
Page 2

A65-03191
A65-03192
A65-02932
A65-02708
A65-02952
A65-03193
A65-03889
A65-02483
A65-09425
A65-02374
A65-02356
A65-02098

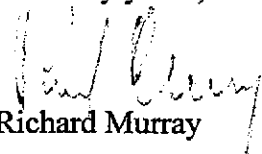
In addition, I note water right number 65-11401 in the name of Edward A. Cruzen (abstract enclosed) which was not listed on any of the claim forms sent me by Ms. Warren.

I understand that you will check the records in order to confirm for us that the claims of the Cruzen Ranch are in order and that they are listed as recognized water rights in the records of the Department and for purposes of the SRB adjudication.

For your convenience I enclose an additional copy of this letter on which you may, if you wish, reply, together with a stamped, self-addressed envelope.

Thank you very much for your help.

Sincerely yours,


Richard Murray

cc: Mrs. McLaughlin (w/o claim forms)



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 27, 1989

Mike Simmons
938 Oakcrest Ave.
Brea, CA 92621

Dear Mr. Simmons:

Enclosed are copies of Notice of Claim No.'s A65-02098 and A65-09425 for your records.

Per your copy of the Warranty Deed recently submitted we have amended the claims to show you and your wife as the present owners.

These claims are for your files and do not need to be signed and returned since your signature is in the file on the claims which had Edward Cruzen's name. If you have any questions, please contact us.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

MICROFILMED

SEP 18 1992

M.A. SIMMONS
938 OAKCREST AV.
BREA, CA. 92621
(213) 922-3872

DEC. 12, 1988

JAN SHURTE
WATER RIGHTS SUPERVISOR
ADJUDICATION SECTION

DEAR JAN:

ENCLOSED ARE WATER RIGHTS CLAIM NOTICE NOS. A65-02098 AND A65-09425 WHICH BEAR THE NOTERIZED SIGNATURE OF MRS. SIMMONS AND MYSELF. ALSO ENCLOSED IS A COPY OF THE WARRANTY DEED FOR THE NE $\frac{1}{4}$, SEC. 30, TWP. 17N, RNG. 03E, VALLEY COUNTY AS REQUESTED BY YOU IN YOUR LETTER OF NOV. 30, 1988. A COPY OF YOUR LETTER IS ALSO ENCLOSED FOR REFERENCE.

THANK YOU FOR YOUR KIND ATTENTION TO THIS MATTER.

SINCERELY,

Mike Simmons

RECEIVED

DEC 20 1988

Department of Water Resources
Western Regional Office

MICROFILMED

SEP 18 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

November 30, 1988

Michael A. & Naomi R. Simmons
938 Oakcrest Ave.
Brea, CA 92621

Dear Mr. & Mrs. Simmons:

We have received your Notice of Claim and check no. 656 for the \$25.00 filing fee.

However, Mr. Harry Bettis informed us that you had purchased land within the NE1/4, Sec. 30, Twp. 17N, Rge. 03E. Enclosed are copies of two claims which cover irrigation within this legal description from Mud Creek and domestic use from a well in the NW NW NE, Sec. 30, Twp. 17N, Rge. 03E. Since these claims were decreed in 1986, no fees were charged when they were submitted. The claims are in the name of Edward A. Cruzen, who is now deceased, and were filed by his daughter. Please send us a copy of your sales contract or deed to show you as the present owner of the land and the name can be changed on these rights.

We are returning the claim and check you submitted, since it appears Claim No. A65-09425 covers this right. If not, please return these items with a note of explanation.

Feel free to contact me if you have any problems or questions concerning these rights.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

RECEIVED
DEC 27 1988

Department of Water Resources
Western Regional Office

MICROFILMED
SEP 18 1992

AJ5809NP
No. 65-02098

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/03/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MICHAEL SIMMONS 938 OAKCREST AVE BREA CA 92621 (213) 697-4210	08/10/1909	IRRIGATION	04-15 10-15	2.260 CFS	
				TOTAL DIVERSION:	2.260 CFS	
C	NAOMI R SIMMONS 938 OAKCREST AVE BREA CA 92621 (213) 922-3872					

Water Source: MUD CREEK

Tributary to: CASCADE RESERVOIR

Stage: DECREED

Point(s) of Diversion:

T17N R03E S17

NESE

VALLEY 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
17N	03E	30	:	38		16		21		39										:	114.0
																				TOTAL ACRES	114.0

POU County: VALLEY

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
 - ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
 - DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
 - ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-02488, 65-03702, 65-02483, 65-02542
65-02198, 65-02489 & 65-02487.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag: