

ADDENDUM/AMENDMENT # 1 (1,2,3, etc.)

THIS IS AN ADDENDUM/AMENDMENT TO A PURCHASE AND SALE AGREEMENT. READ THE ENTIRE DOCUMENT, INCLUDING ANY ATTACHMENTS, CAREFULLY BEFORE SIGNING. IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY OR ACCOUNTANT BEFORE SIGNING.

This is an ADDENDUM ☒ or an AMENDMENT ☐ to the Real Estate Purchase and Sale Agreement and Receipt for Earnest Money.

Earnest Money Dated: August 26, 2001 ID # JLS 001 KS

ADDRESS: TBD 2nd Fork Road

BUYER(S): Brandon and Shannon Foruria

SELLER(S): Rodger and Karen Sutton

The undersigned Parties hereby agree as follows:

Legal Description:

Township 10 North, Range 1 East, B M, Gem County, Idaho, approximately 26 acres m/l

SW 1/4 and SE 1/4 of SE 1/4 of NW 1/4 of Sec. 23, lying East of county road and South of county road

S 1/2 of SW 1/4 of NE 1/4 of Sec. 23, lying South of the county road

NE 1/4 of SE 1/4 of NW 1/4 of Sec. 23 lying South and East of county roads where Baldwin Lane meets

the main Ola road

Tax Parcel Number: RP 00537302 11-22-02 Per Gem County Assessor

owner is Brandon & Shannon Foruria

The herein agreement, upon its execution by both parties, is made an integral part of the aforementioned Agreement.

BUYER Rodger Sutton SELLER

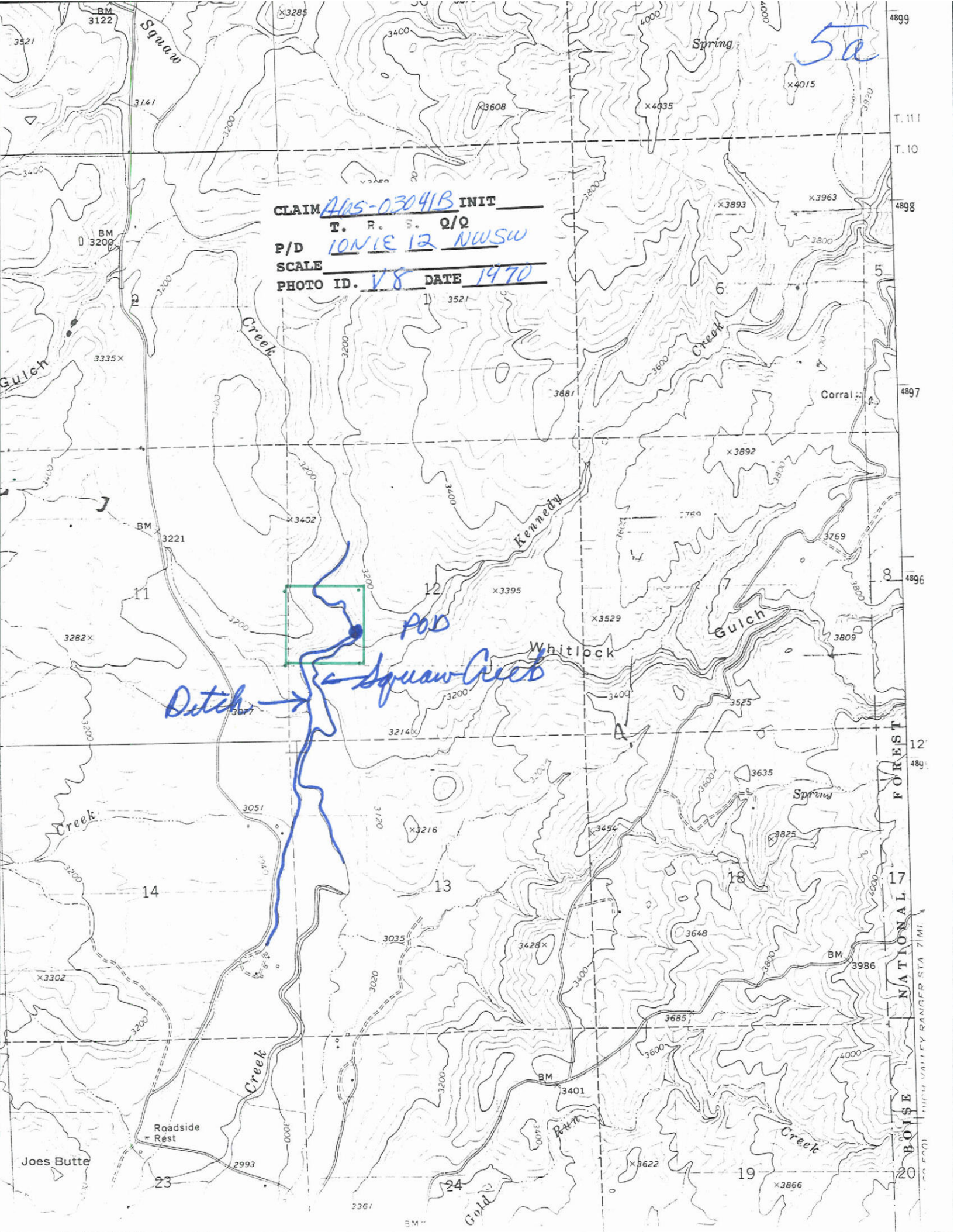
BUYER Karen Sutton SELLER

DATED: 8-26-01

TIME: 8:23 ☐ A.M. ☐ P.M.

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Addendum/Amendment Revised - April 22, 1998



CLAIM 405-03041B INIT _____
T. R. S. Q/Q
P/D 10N1E12 NWSW
SCALE _____
PHOTO ID. V8 DATE 1970

Ditch → POD
Squaw Creek

5a

2 1
11 12

AG5-03041B
PRBA map of POD
⑤
ION, OIE, SK

5b

65-2006
65-2062

SQUAW CR.

DIVERSION FOR BALLANTYNE

NWSW

DIVERSION POINT
FOR YOUNG DITCH

65-3008A
65-2925
65-2974
⑦

KENNEDY CREEK

65-2063

Gulch CR.

Whitlock
KENNEDY

⑥

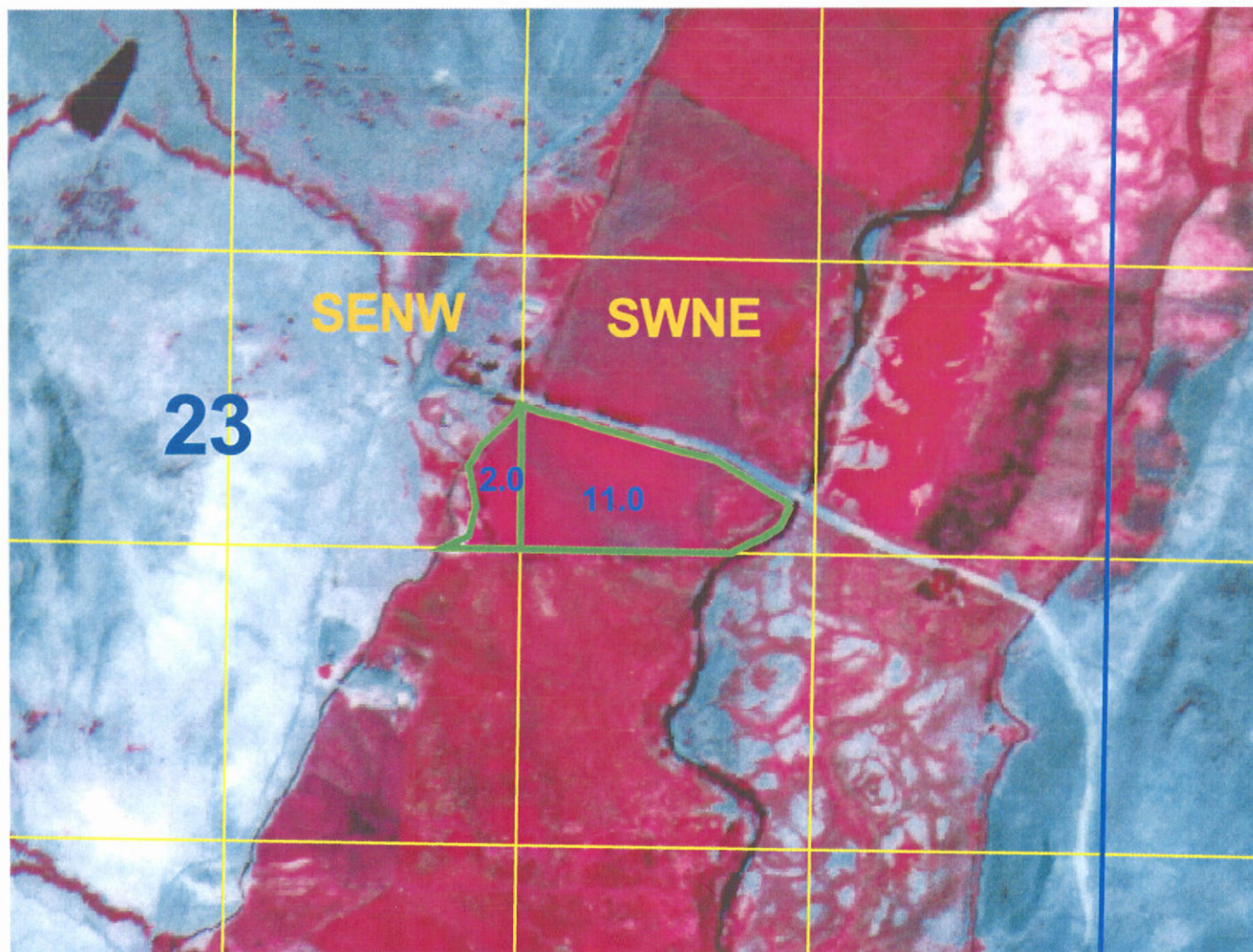
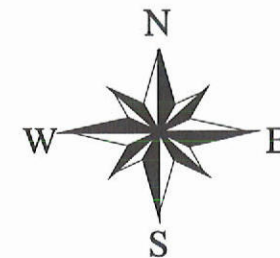
CYM-2BB-148

Mylar Revised
12-23-76
(Except Section

6b

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R01E, S23



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03041B

OWNER(S): SUTTON, ALLEN

Prepared by Mel Schulte

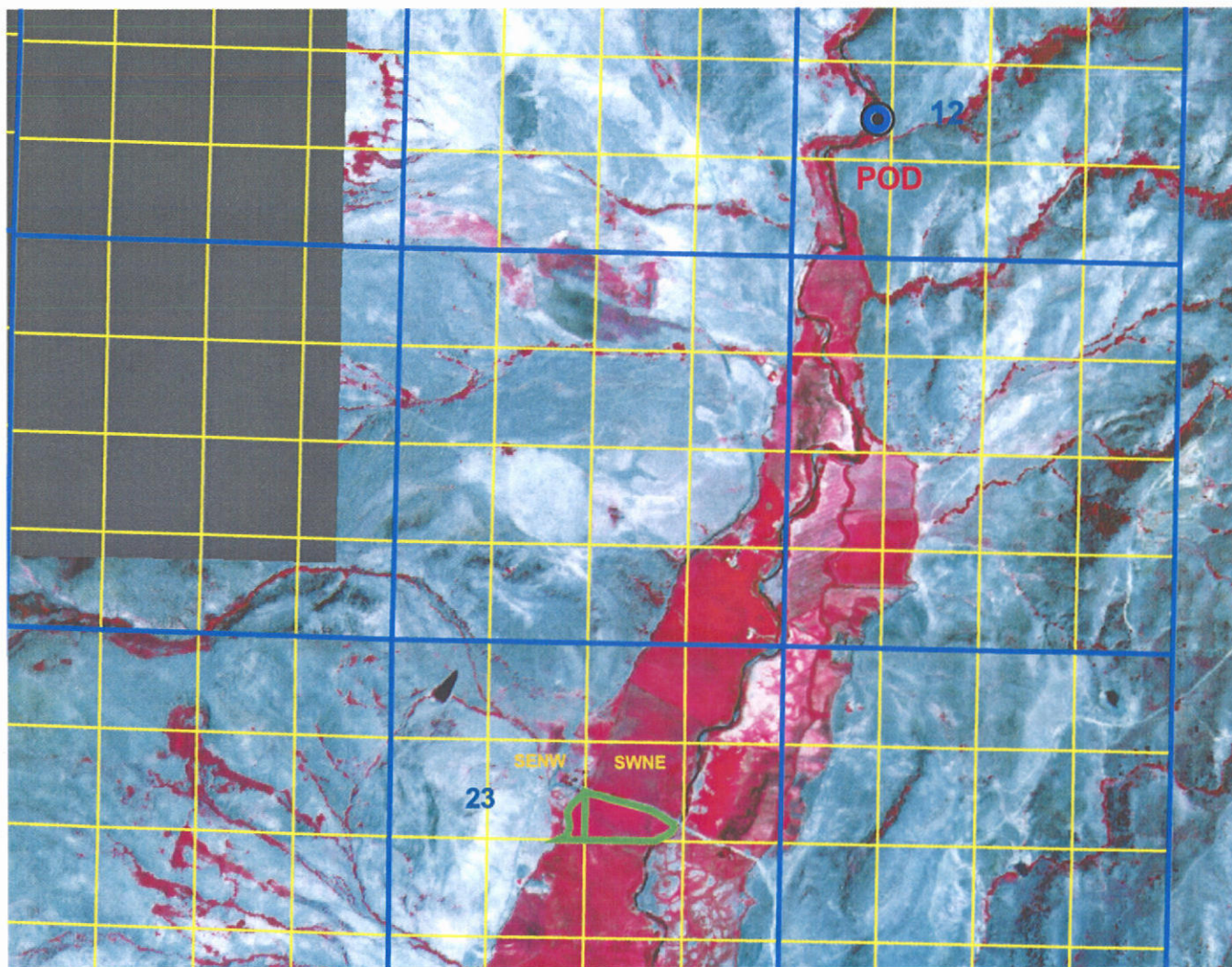
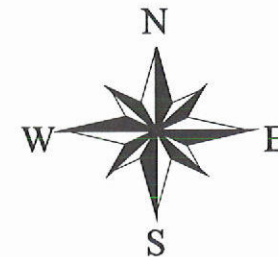
DATE: MAY 24, 2000

0 0.25 0.5 0.75 1 Miles

6d

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R01E, S23



0 0.25 0.5 0.75 1 1.25 1.5 1.75 2 2.25 Miles

1987 NAPP PHOTO

- POINT OF DIVERSION
- PLACE OF USE
- 1/4 1/4 LINES
- SECTION LINES

6 ACRES

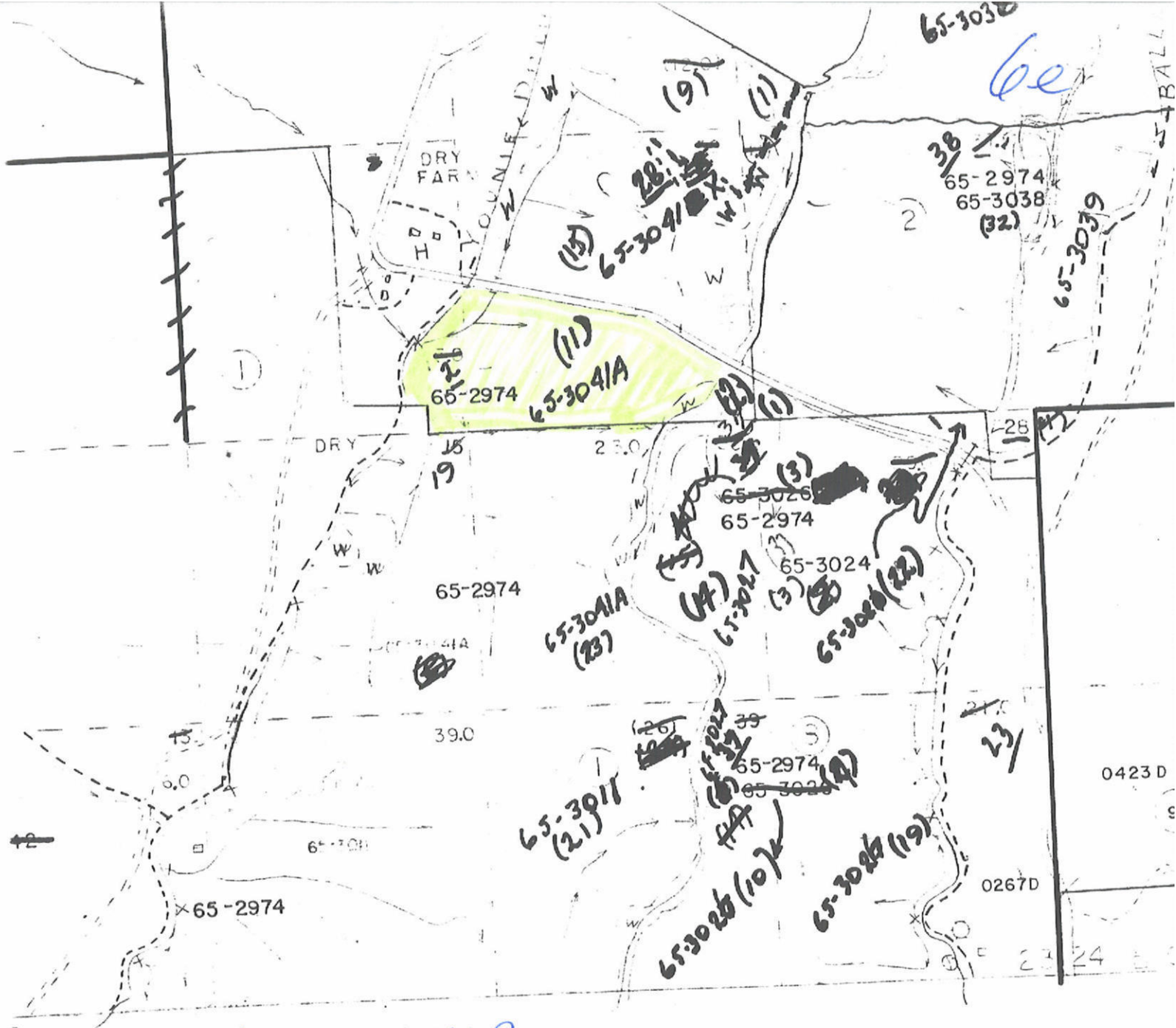
6 SECTION NUMBERS

CLAIM(S): 65-03041B

OWNER(S): SUTTON, ALLEN

Prepared by Mel Schulte

DATE: MAY 24, 2000



A65-03041B
PRBA map
10N, 01E, S23

6F 11E

CLAIM A65-030418 INIT
T. R. S. Q/Q
P/D 10N 1E 12 NWSW
SCALE PRBA map
PHOTO ID. 1185 DATE 1961

1413
324

BULLANTINE

Dry

Dry



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: A65-03041B
Date Received: ~~11/23/1988~~ 2-2-90
Receipt No: X999999
Received By: RLT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALLEN L. SUTTON 208-584-3572
Address: P.O. BOX 26
OLA, ID 83657

2. Date of Priority: APR 01, 1870

3. Source: SQUAW CREEK Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	01E	12	NW	SW			GEM

5. Description of diverting works:
HEADGATE, YOUNIE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.212		

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

8. Total consumptive use is 32.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	01E	23	SW	NE		IRR	11.0
			SE	NW		IRR	2.0
Section Acres							13.0

A65-03041B

Page 1

Date: 02/02/90

MICROFILMED
SEP 21 1992

10. Place of Use: Continued

Total Acres 13.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

SQUAW CREEK IRRIGATION DISTRICT

14. Remarks:

THE 13 ACRES CLAIMED ON THIS FORM APPEAR TO HAVE BEEN ERRONEOUSLY LISTED IN THE NAME OF HOMER/DOROTHY BEAL. THESE 13 ACRES HAVE NEVER BEEN OWNED BY THE BEALS AND SHOULD HAVE BEEN BROKEN OUT SEPARATELY IN THE PAYETTE DRAINAGE ADJUDICATION.

15. Basis of Claim: DECREED

Case Number: 3667

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): Allen L. Sutton Date: 2-2-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 2nd day

of February 19 90

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

305-2982

02/19/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-3041B

NAME AND ADDRESS: BRANDON FORURIA
7812 E MTN OAK
NAMPA ID 83687

SHANNON FORURIA
7812 E MTN OAK
NAMPA ID 83687

SOURCE: SQUAW CREEK

TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.230 CFS

USE OF THIS RIGHT WITH RIGHT NO. 65-3041B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .23 CFS.

PRIORITY DATE: 04/01/1870

POINT OF DIVERSION:

T10N R01E S12 NWSW

Within GEM County

Source: SQUAW CREEK

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 11/01

QUANTITY
0.230 CFS

PLACE OF USE: IRRIGATION Within GEM County

T10N R01E S23 SWNE 11.0

T10N R01E S23 SENW 2.0

13 ACRES TOTAL

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

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.

Basin 65 General Provisions No. 3, the Separate Streams General
Provision, does not apply to appropriations of water after October 18,
1977.

This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

EXPLANATORY MATERIAL: Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 65-03029, 65-03023, 65-03013, 65-03019, 65-03008, 65-03010A, 65-03010X, 65-03041D, 65-03041X, 65-10449, 65-03020, 65-03017, 65-03011 & 65-03012.

Parcel No. RP 00537302

USE OF THIS RIGHT IS COMBINED WITH WATER FROM SQUAW CREEK IRRIGATION DISTRICT.

RECEIVED

NOV 21 2002

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

OCT 09 2002

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	65-3041B				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. ☒
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

ALLEN SUTTON
P O BOX 26 OLA 83657

4. New Owner/Claimant(s)

Brandon and Shannon Foruria

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

7812 E Mtn Oak

City, State and ZIP Code

Nampa, ID 83687

New Telephone Number

(208) 442-0941

5. Date you acquired the property

9-1-01

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) *Brandon Luyke*
Shannon A. Forster

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by AM Date 10.9.02 Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

ADDENDUM/AMENDMENT # 1 (1,2,3, etc.)

THIS IS AN ADDENDUM/AMENDMENT TO A PURCHASE AND SALE AGREEMENT. READ THE ENTIRE DOCUMENT, INCLUDING ANY ATTACHMENTS, CAREFULLY BEFORE SIGNING. IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY OR ACCOUNTANT BEFORE SIGNING.

This is an ADDENDUM ☒ or an AMENDMENT ☐ to the Real Estate Purchase and Sale Agreement and Receipt for Earnest Money.

Earnest Money Dated: August 26, 2001 ID# JLS 001 KS

ADDRESS: TBD 2nd Fork Road

BUYER(S): Brandon and Shannon Foruria

SELLER(S): Rodger and Karen Sutton

The undersigned Parties hereby agree as follows:

Legal Description:

Township 10 North, Range 1 East, B M, Gem County, Idaho, approximately 26 acres m/l

SW 1/4 and SE 1/4 of SE 1/4 of NW 1/4 of Sec. 23, lying East of county road and South of county road

S 1/2 of SW 1/4 of NE 1/4 of Sec. 23, lying South of the county road

NE 1/4 of SE 1/4 of NW 1/4 of Sec. 23 lying South and East of county roads where Baldwin Lane meets

the main Ola road

Tax Parcel Number: RP 00537302 11-22-01 Per Gem County Assessor

owner is Brandon & Shannon Foruria

The herein agreement, upon its execution by both parties, is made an integral part of the aforementioned Agreement.

BUYER Rodger Sutton SELLER

BUYER Karen Sutton SELLER

DATED: 8-26-01

TIME: 1:230 ☐ A.M. ☐ P.M.

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Addendum/Amendment Revised - April 22, 1998

SRBA

SUBCASE SUMMARY REPORT 65-03041B

[Return to SRBA Home Page](#)

SRBA
11-22-2002

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 65-03041B FILE#: 00921
CLAIMANT: SUTTON, ALLEN L
PO BOX 26

OLA ID 83657
STATUS: SF5 FILED SPECIAL MASTER: CUSHMAN, THOMAS R
WATER SOURCE: SQUAW CREEK, PAYETTE RIVER

**** PARTIES INVOLVED ****

ALLEN L SUTTON C PRO SE
UNITED STATES OF AMERICA O ATTY: DAVID W GEHLERT

**** ROA ENTRIES ****

01-17-2002	OBJ 01 F/B UNITED STATES OF AMERICA	RB	03-22-2002 0001
02-27-2002	ORIGINAL CLAIM FILED		
09-20-2002	STANDARD FORM 5 FILED		09-20-2002
	BASIN 65 GENERAL PROVISIONS NO. 3		

[Return to SRBA Home Page](#)

* Decreed 2/5/03.

Data entry ~~done~~, but decreed before
NCAAP was sent out.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 19, 2003

BRANDON FORURIA
SHANNON FORURIA
7812 E MTN OAK
NAMPA ID 83687

Re: Notice of Claim To A Water Right No. 65-3041B

Dear Claimants:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

Thank you for your patience in this process, as we have had several water right changes to process. If you have any further questions or concerns regarding the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Hatfield".

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Regional Office

DB:db

Enclosures

True copy

October 15, 2002

BRANDON FORURIA
SHANNON FORURIA
7812 E MTN OAK
NAMPA ID 83687

RE: Notice of Change of Water Right Ownership No. 65-3041B

Dear Mr. & Mrs. Foruria:

Enclosed is a copy of a Notice of Change of Water Right Ownership form that was recently submitted to our office for Johnny L Wilson. However, we cannot continue to process the ownership change without sufficient **proof of ownership**. This proof can be a copy of a warranty deed(s), sales contract or tax assessment, which includes the **legal description of the property by ¼ ¼ , Section, Township and Range**.

Please submit a copy of the proof of ownership, and we will be able to complete the ownership change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

DH: dh

Enclosures

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

In Re SRBA)

Case No. 39576)

A. Subcase 65-3041B
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234
Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Allen L. Sutton
Address: PO Box 26
Ola, ID 83657

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 5. ☐ **Point(s) of Diversion**
Should be:
 6. ☐ **Instream Flow Description**
Should be:
 7. ☐ **Purpose(s) of Use**
Should be:
 8. ☐ **Period of Year**
Should be:
 9. ☐ **Place of Use**
Should be:
 11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

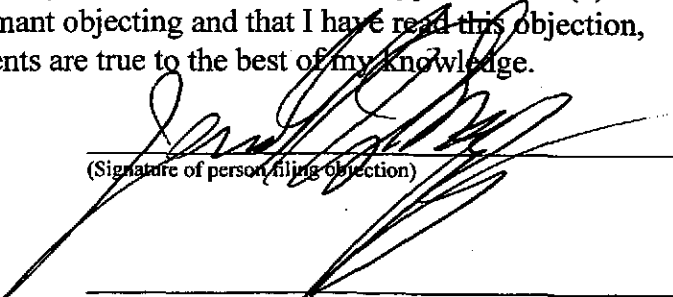
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

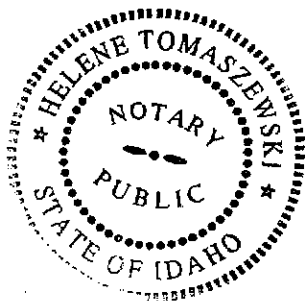
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

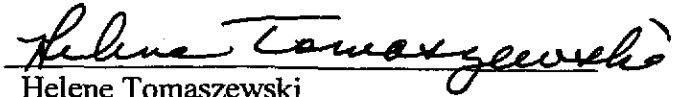

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002




Helene Tomaszewski

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 01-16-2002

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Allen L. Sutton

Address: PO Box 26
Ola, ID 83657

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

A65-03041B

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 514

INDICATES TOTAL

SOURCE: SQUAW CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-3026	MUNGER, MORGAN E MUNGER, ELLEN OLA, IDAHO 83657 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-3027 SHALL PROVIDE NO MORE THAN .14 CFS NOR 8.1 AFA FOR STOCKWATER.	4/ 1/1865	IRRIGATION	4/ 1 11/ 1	--- AFA 2.02 CFS	NWSW S13 T10N R 1E	NESE(22) SWSE(10) SESE(19) S23 T10N R 1E NENE(27) NWSW(22) S26 T10N R 1E *100*	DECREE
			STOCKWATER	1/ 1 12/31	8.10 AFA .14 CFS *---*AFA *2.02*CFS		SAME AS OTHER USE	
65-3034	PERKINS, LAWRENCE D. OLA, IDAHO 83657	4/ 1/1865	IRRIGATION	4/ 1 11/ 1	--- AFA .88 CFS	NWSW S13 T10N R 1E	NWNE(19) NENW(25) S35 T10N R 1E *44*	DECREE
65-1024	SUTTON, CECIL OLA, IDAHO 83657	4/ 1/1865	IRRIGATION	4/ 1 11/ 1	--- AFA .06 CFS	NWSW S13 T10N R 1E	NESE(3) S23 T10N R 1E S24 T10N R 1E *3*	DECREE
65-3032	WOODALL, ERNEST E WOODALL, JON BOX 5035, BOISE, IDAHO 83705	4/ 1/1865	IRRIGATION	4/ 1 11/ 1	--- AFA .47 CFS	NWSW S13 T10N R 1E	SWSE(23) S26 T10N R 1E *23*	DECREE
65-3011	BEAL, HOMER E BEAL, DOROTHY F. OLA, IDAHO 83657	4/ 1/1870	IRRIGATION	4/ 1 11/ 1	--- AFA 1.20 CFS	NWSW S12 T10N R 1E	SESW(39) SWSE(21) S23 T10N R 1E *60*	DECREE
65-3041A	BEAL, HOMER E BEAL, DOROTHY F. OLA, IDAHO 83657	4/ 1/1870	IRRIGATION	4/ 1 11/ 1	--- AFA .97 CFS	NWSW S12 T10N R 1E	SWNE(11) SENW(2) NENW(19) NWSE(23) S23 T10N R 1E *55*	DECREE
65-3019	CARLOCK, CARROLL E CARLOCK, JANEI OLA, IDAHO 83657	4/ 1/1870	IRRIGATION	4/ 1 11/ 1	--- AFA 2.49 CFS	NWSW S12 T10N R 1E	NENF(20) SENF(27) S34 T10N R 1E NENW(38) SWNW(40) S35 T10N R 1E *125*	DECREE
65-3012	HUNTER, MELVIN BOX 24, OLA, IDAHO 83657	4/ 1/1870	IRRIGATION	4/ 1 11/ 1	--- AFA 1.45 CFS	NWSW S12 T10N R 1E	NWNE(9) NENW(40) NENW(24) S26 T10N R 1E *73*	DECREE
65-3020	MCCAULOY, HARRY J. E MCCAULOY, JUDITH A. SWEET, IDAHO 83670	4/ 1/1870	IRRIGATION	4/ 1 11/ 1	--- AFA 1.00 CFS	NWSW S12 T10N R 1E	NESE(21) S34 T10N R 1E NWSW(29) S35 T10N R 1E *50*	DECREE

AJ0749NP
No. R65-03041B

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

DATE: 05/24/00
PAGE: 1

```
=====
OWNER      PRIORITY  USE PERIOD  DIVERSION  DIVERSION
CODE       DATE       FROM TO     RATE      VOLUME
-----
C ALLEN L SUTTON      04/01/1870  IRRIGATION  04-01 11-01  0.230 CFS
  PO BOX 26
  OLA ID 83657
  (208) 584-3572
                                     TOTAL DIVERSION:  0.230 CFS

Water Source: SQUAW CREEK      Tributary to: PAYETTE RIVER      Stage: DECREED

Point(s) of Diversion:      T10N R01E S12      NWSW      GEM County

Place of use Legal Description for: IRRIGATION
      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 Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : SUM
-----
10N 01E 23 :      11 :      02 :      :      :      :      :      :      :
                                     TOTAL ACRES      13.0
=====
```

POU County: GEM

Conditions of Approval:

- W19 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- SQUAW CREEK IRRIGATION DISTRICT.

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 65-03029, 65-03023, 65-03013, 65-03019
65-03008, 65-03010A, 65-03010X, 65-03041D, 65-03041X, 65-10449,
65-03020, 65-03017, 65-03011 & 65-03012.

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

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

Comments: Date: 05/24/2000 User-ID: MSCHULTE Subject: COPIED FROM REMARKS
THE 13 ACRES CLAIMED ON THIS FORM APPEAR TO HAVE BEEN ERRONEOUSLY
LISTED IN THE NAME OF HOMER/DOROTHY BEAL. THESE 13 ACRES HAVE
NEVER BEEN OWNED BY THE BEALS AND SHOULD HAVE BEEN BROKEN OUT
SEPARATELY IN THE PAYETTE DRAINAGE ADJUDICATION.

Audit: 05/24/00 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:36:36
05/19/00
18

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A65-03041B

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALLEN L SUTTON	04/01/1870	IRRIGATION	04-01 11-01	0.212 CFS	.23
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.212 CFS 32.50 AFA <i>delete</i>

Water Source: SQUAW CREEK Tributary to: PAYETTE RIVER Stage: DECREED
Point(s) of Diversion: T10N R01E S12 NWSW GEM 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
10N	01E	23	:					11						02						:	13.0
																				TOTAL ACRES	13.0

POU County: GEM

Other Rights: SQUAW CREEK IRRIGATION DISTRICT

Remarks: GEN THE 13 ACRES CLAIMED ON THIS FORM APPEAR TO HAVE BEEN ERRONEOUSLY LISTED IN THE NAME OF HOMER/DOROTHY BEAL. THESE 13 ACRES HAVE NEVER BEEN OWNED BY THE BEALS AND SHOULD HAVE BEEN BROKEN OUT SEPARATELY IN THE PAYETTE DRAINAGE ADJUDICATION. *to Comments*

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

EXP-F06

W19.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:35:46
05/19/00

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A65-03041B

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	Y		<i>MS In office 5-24-00</i>	<i>N</i>		<i>MS 5-24-00</i>	<i>MS 5-24-00</i>	
POINT OF DIV	Y			<i>N</i>				
SOURCE	Y			<i>N</i>				
PLACE OF USE	Y			<i>N</i>				
DIV. AMOUNT CFS/VOLUME	Y			<i>Y</i>				
CONSUMPTIVE USE	-			<i>Y</i>				
PURPOSES OF USE	Y			<i>N</i>				
PERIOD OF USE	Y			<i>N</i>				
BASIS OF CLAIM	Y			<i>N</i>				
REMARKS	Y			<i>Y</i>				

BARCODE UPDATED
WHOM/DATE

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 <u>1970 map</u> IDWR ID NO. <u>V8</u>	Y() N() <u>5a</u>
GTS (3)	DATE OF PHOTO <u>1987 5-24-00</u> IDWR ID NO. _____	Y() N() <u>6b, c, d</u>
ASCS AERIAL PHOTO	DATE OF PHOTO <u>1961 PRBA map</u>	Y() N() <u>6f</u>
() 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 <u>PRBA maps (2)</u>	DATE _____	Y() N() <u>5b & 6e</u>
OTHER <u>GTS Table</u>	DATE <u>5-24-00</u>	Y() N() <u>6a</u>
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 <u>Page from Decree</u>	DATE <u>3-2-79</u>	<u>1</u>	<u>65-03041A</u>
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:35:46
05/19/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-03041B

LAST: BEAL
ADDRESS:
CITY: OLA
PHONE NUMBER: 208-000-0000

FIRST: HOMER
STATE: ID ZIP: 83657

OWNER CODE: O

LAST: BEAL
ADDRESS:
CITY: OLA
PHONE NUMBER: 208-000-0000

FIRST: DOROTHY F
STATE: ID ZIP: 83657

OWNER CODE: O

LAST: SUTTON
ADDRESS: PO BOX 26
CITY: OLA
PHONE NUMBER: 208-584-3572

FIRST: ALLEN L
STATE: ID ZIP: 83657

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN THE 13 ACRES CLAIMED ON THIS FORM APPEAR TO HAVE BEEN ERRONEOUSLY LISTED IN THE NAME OF HOMER/DOROTHY BEAL. THESE 13 ACRES HAVE NEVER BEEN OWNED BY THE BEALS AND SHOULD HAVE BEEN BROKEN OUT SEPARATELY IN THE PAYETTE DRAINAGE ADJUDICATION.

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 exam 5-24-00. This claim is a split from
right 65-03041A located in the PRBA. See A65-03041D
and attached memo to files labeled 2a for details.*

2a

MEMORANDUM TO FILES

TO: A65-03041A, -03041B, -03041C, -03041D

FROM: MEL SCHULTE

MS.

DATE: MAY 19, 2000

RE: OWNERSHIPS AND SPLITS OF A65-03041A

The following is a summary of information relating to water right 65-03041A and how it was claimed and split in the SRBA.

65-03041A was decreed in the Payette River Adjudication (PRBA) to Homer and Dorothy Beal but it now appears they did not own the North 13 acres appurtenant to this right. Information we now have indicates the 13 acres were owned by the Suttons at the time of the PRBA proceedings. Allen Sutton filed SRBA claim A65-03041B for the 13 acres indicating the Beals never owned this parcel.

65-03041A was claimed in its entirety in the SRBA by Joseph and Jerald Jennaro who it appears owned only the South 42 acres appurtenant to the right at the time of claims taking. They later sold this land as part of a larger parcel to Charles and Connie Mackenzie. The Mackenzies filed an ownership change requesting their portion of A65-03041A be split and recorded in their names. The split of A65-03041A recorded 42 acres into the names of the Mackenzies (A65-03041D) and left 13 acres in the name of the Jennaros (A65-03041C).

After splitting A65-03041A, we now have two claims, A65-03041B and A65-03041C that are duplicates and nearly identical. In an attempt to resolve this problem, I called the Gem County Assessor's Office to inquire about the ownership of the 13 acres appurtenant to both claims. They informed me the current owner is Roger Sutton and the previous owner was Allen Sutton. They indicated the Jennaros never owned this parcel.

Based on the information above it is my intention to recommend A65-03041B in the name of Sutton and disallow A65-03041C in favor of 65-03041B. If there is additional information available we should have concerning the ownerships and recommendations it will most likely surface during the Notice of Error period.

MTS

A. AJ CLAIM: # A65-03041B PRIORITY DATE: 04-01-1870 STAGE: D

B. WR RECORD: # 65-03041A PRIORITY DATE: 04-01-1870 STAGE: D
65-03041X PRIORITY DATE: 04-01-1870 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 PRBTA in 65-03041A.

=====

RECOMMENDED PRIORITY DATE:

4-1-1870
REVIEWED BY Mel Schulte

DATE 5-24-00

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
A65-03041B	10N 01E	12		NW	SW			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX

*

R PREFIX

R65-03013

R65-03017

R65-03019

R65-10449

* 16 A PREFIX CLAIMS WITH THIS POD

*** 16 WR RECORDS IN SAME 40 ACRE TRACT

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: SQUAW CREEK

TRIB: PAYETTE RIVER

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
65-03041A	10N 01E	12		NW	SW			GEM		
65-03041X	10N 01E	12		NW	SW			GEM		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX

R PREFIX

R65-03013

R65-03017

R65-03019

R65-10449

**** 16 WR RECORDS WITH SAME WR POD

***** 16 A PREFIX CLAIMS IN SAME 40 ACRE TRA

SOURCE: SQUAW CREEK
SQUAW CREEK

TRIB:

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

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 in 05-03041A
and verified on topo map V8 and PRBA blueprint map.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP. 10N	RGE. 01E	SEC. 12	1/4	1/4 NW	1/4 SW	LOT	POD FLAG	COUNTY GEM	DIVERSION NAME	DIVERSION NBR
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—

SOURCE:

Squaw Creek

TRIB:

Payette River

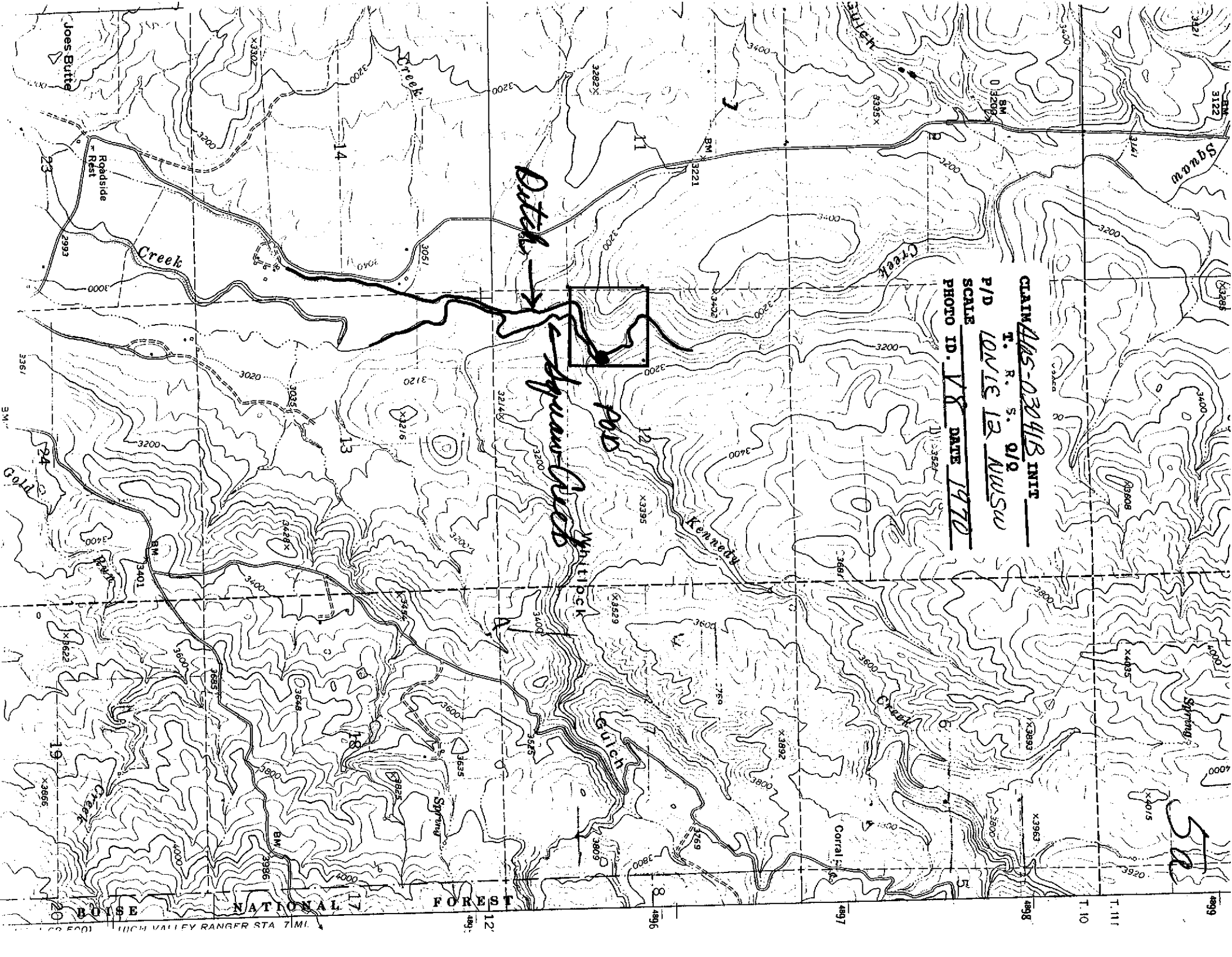
REVIEWED BY:

Mel Schulte

DATE:

5-24-00

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



CLAIM 445-030418 INT

T. R. S. Q18

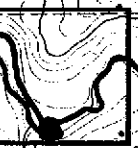
P/D LOVIE 12 NUSW

SCALE

PHOTO ID. V8 DATE 1970

Butte →

Squaw Creek



12

White Rock

Gulch

Kennedy

Corral Creek

50

BOISE NATIONAL FOREST

HIGH VALLEY RANGER STA 7 MI.

2 1
11 12

A65-03041B
PRBA map of POD
⑤
ION, OIE, SK

5b

65-2006

65-2062

SQUAW CR.

DIVERSION FOR BALLANTYNE

NWSW

DIVERSION POINT
FOR YOUNG DITCH

65-3068A
65-2925
65-2074
⑤

65-2063

Gulch

Whitlock
KENNEDY

⑥

CYM-2BB-148

Mylar Revised
12-23-76
(Except Sedro

A. ROOT WATER RIGHT NUMBERS: A65-03041B
A65-03041X
A65-03041C
A65-03041D

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	01E	23	SW	NE		SUTTON, ALLEN L	A65-03041B / 11.0	- /	40.0		
			SW	NE		SUTTON, ALLEN L	A65-03041X / 15.0	65-03041X / 15.0			
			SW	NE		JENNARO, JOSEPH	A65-03027 / 2.0	65-03027 / 2.0			
			SW	NE		JENNARO, JERALD	A65-03041C / 11.0	- /			
			SW	NE		BEAL, HOMER		65-03041A / 11.0			11
10N	01E	23	SE	NW		SUTTON, ALLEN L	A65-03041B / 2.0	- /	23.0		
			SE	NW		SUTTON, ALLEN L	R65-18408 /	- /			
			SE	NW		SUTTON, ALLEN L	A65-18408 /	- /			
			SE	NW		JENNARO, JERALD	A65-03041C / 2.0	- /			
			SE	NW		BEAL, HOMER		65-03041A / 2.0			
			SE	NW		SUTTON, ALLEN L		65-13184 /			
			SE	NW		CIRCLE ARROW GRAZING ASSN		65-13156 /			2

ADDITIONAL POU FOUND

TOTAL ACRES A65-03041B 13.00 63.00

POU COUNTY: GEM

13

6a

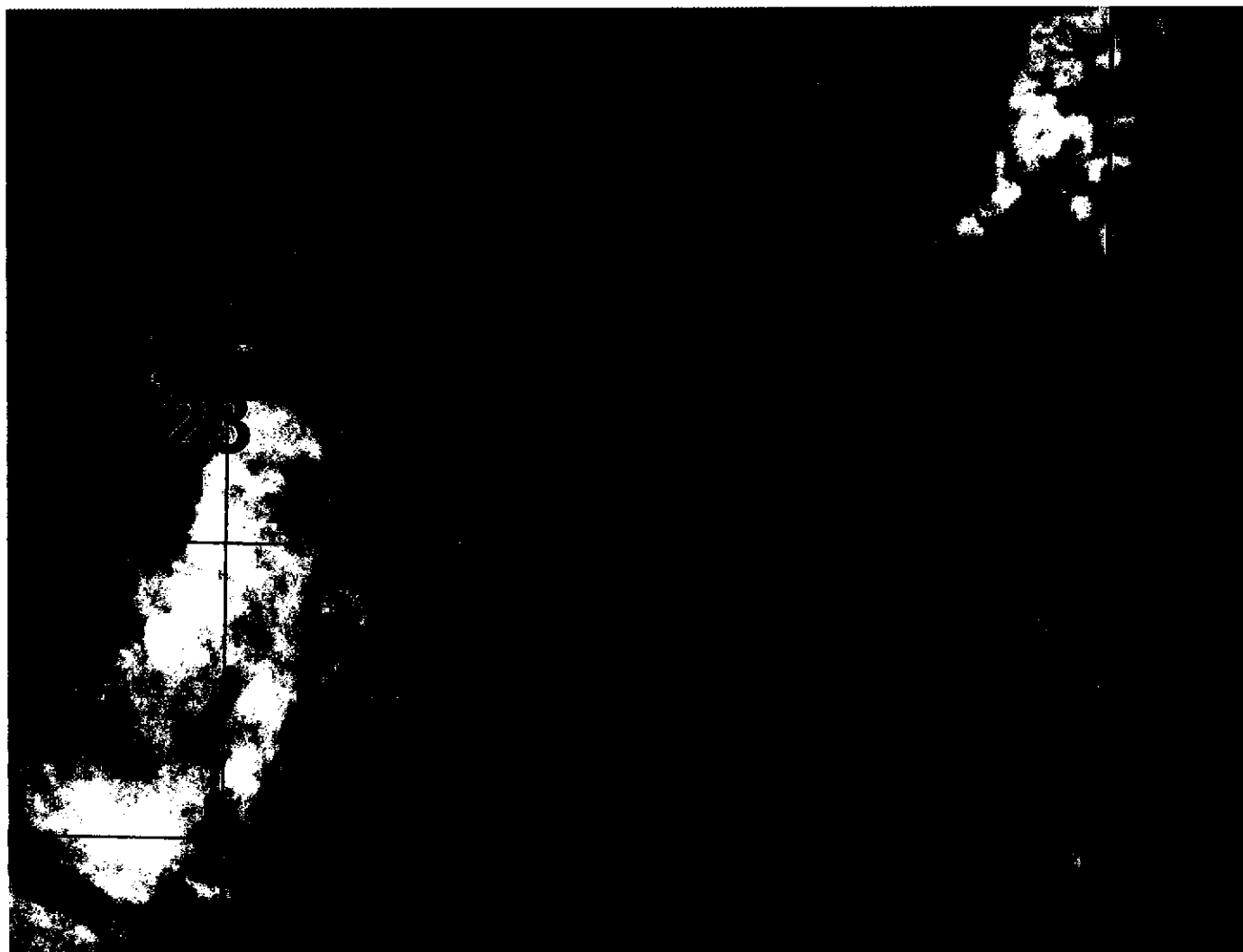
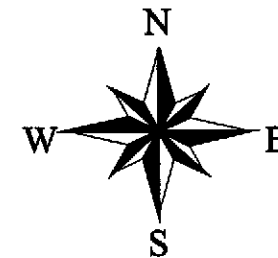
Allen Sutton

AG5-0304LB

DATE 5-24-00

13

6b
IDAHO DEPARTMENT OF WATER RESOURCES
T10N, R01E, S23



1987 NAPP PHOTO

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

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03041B

OWNER(S): SUTTON, ALLEN

Prepared by Mel Schulte

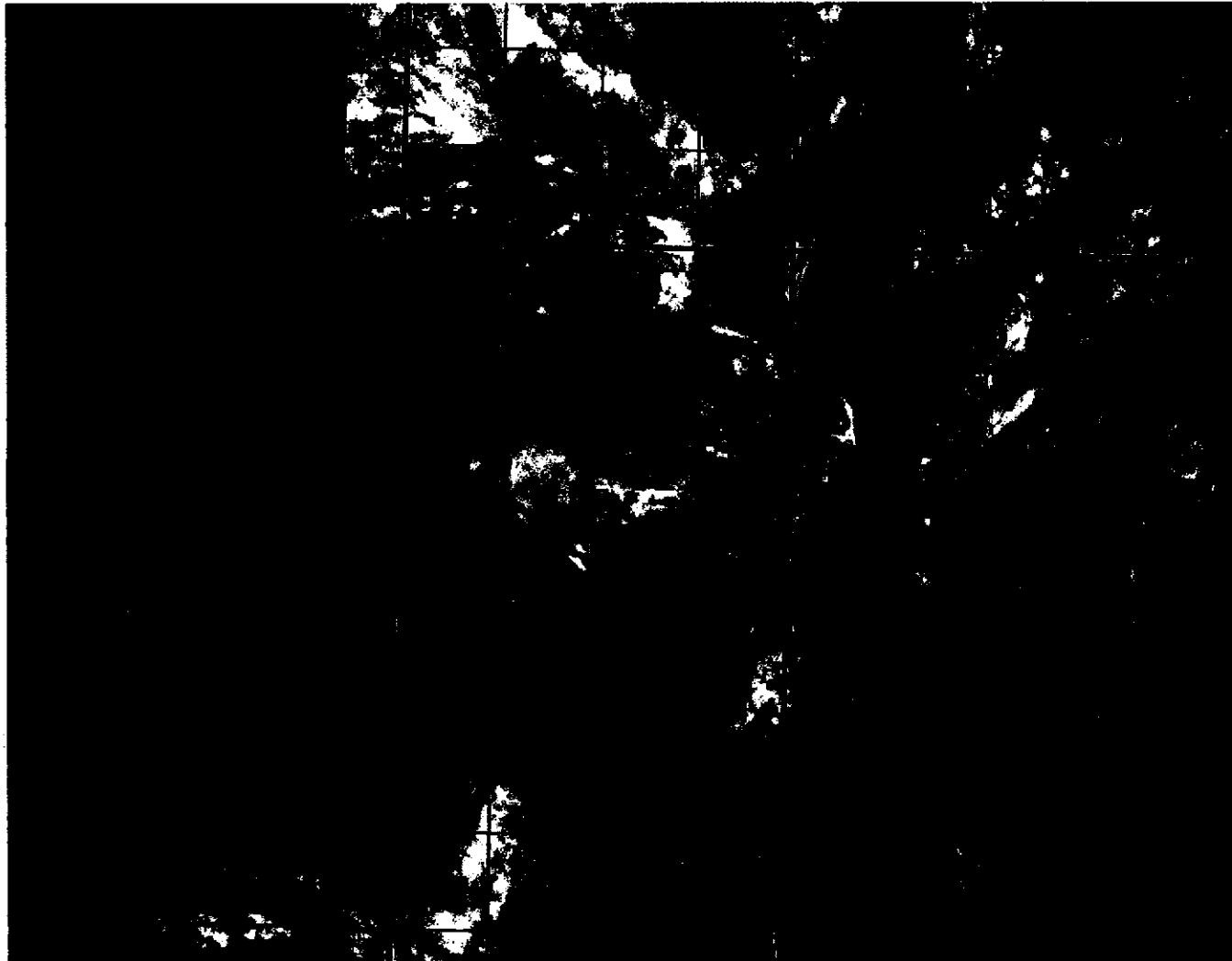
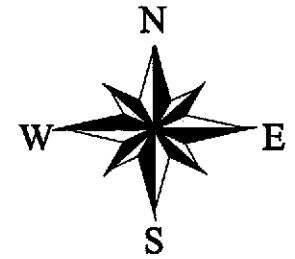
DATE: MAY 24, 2000

0 0.25 0.5 0.75 1 Miles

6d

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R01E, S23



1987 NAPP PHOTO

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

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03041B

OWNER(S): SUTTON, ALLEN

Prepared by Mel Schulte

DATE: MAY 24, 2000

0 0.25 0.5 0.75 1 1.25 1.5 1.75 2 2.25 Miles



6F 11E

CLAIM A65-03041B INIT
T. R. S. Q/Q
P/D 10N 1E 13 NWSW
SCALE PRBA map
PHOTO ID. 1185 DATE 1961

324

Dry

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
A65-03041B	SQUAW CREEK	SUTTON, ALLEN L	0.212	0.016		
A65-03027	SQUAW CREEK	JENNARO, JOSEPH	0.600	0.020	8.10	0.27
A65-03041C	SQUAW CREEK	JENNARO, JERALD	0.230	0.017		
A65-03041X	SQUAW CREEK	SUTTON, ALLEN L	0.450	0.018		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R65-18408	STOCKWATER	SUTTON, ALLEN L	FROM 01-01 TO 12-31	0.020 CFS	
A65-18408	STOCKWATER	SUTTON, ALLEN L	FROM 01-01 TO 12-31	0.070 CFS	

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: SQUAW CREEK IRRIGATION DISTRICT

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. _____;

(☒) NAPP, IDWR NO. _____; (☒) ASCS PHOTO; (☒) OTHER PRBA map

NOTES:

Recommended as decreed in the PRBA for 65-03041A
but based on the split of that right.

RECOMMENDATIONS:

TOTAL ACRES: 13 N/A()

REVIEWED BY:

Mel Schutte

DATE:

5-24-00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03041B IRRIGATION	FROM 04-01 TO 11-01	0.212 CFS	
TOTAL DIVERSION RATE/VOLUME		0.212 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
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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: $65-03041 A = .97 \text{ cfs.}$

$A65-03041 B = .74$

* $-03041 B = .1212 = \text{claimed amount in error.}$
 $.952 \text{ cfs.}$

* The recommendation for this claim will be increased to $.23 \text{ cfs}$ to correct an obvious error in the claimed diversion rate.

AJ CLAIM TOTAL DIVERSION RATE: 0.212 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 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 13 x 0.02 CFS/ACRE = .26 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 =

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:

See page 10

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	04-01	11-01	DATABASE 0.212	EXAMINER .23	DATABASE	EXAMINER	DATABASE 32.5	EXAMINER delete
TOTAL FOR THIS RIGHT				.23				

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Mel Schulte DATE: 5-24-2000

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXP-F06

EXPLANATORY CONDITIONS (CODE):

W19

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(☒)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03041

DATABASE
1.420

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A65-03041A	A65-03041B	0.212	-		65-03041A	0.970
-	A65-03041C	0.230	-		65-03041X	0.450
-	A65-03041D	0.740	-		-	
-	A65-03041X	0.450	-		-	
TOTAL CFS		1.632				1.420

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:

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AUTHENTICATION:

SIGNATURE:

Mel Schulte

DATE:

5-24-2000

NAME OF FIELD EXAMINER:

TITLE:

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