

CLAIM 465-03834 INIT
T. R. S. Q/Q
P/D 17N 3E 29 NENW
SCALE
PHOTO ID. 560 DATE 1973

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Cruzen Pond
Landing Strip
Creek
Ditch
Pond
Mile 15
Mile 12
PACIFIC
UNION
Fork
BM 4894
BM 4899
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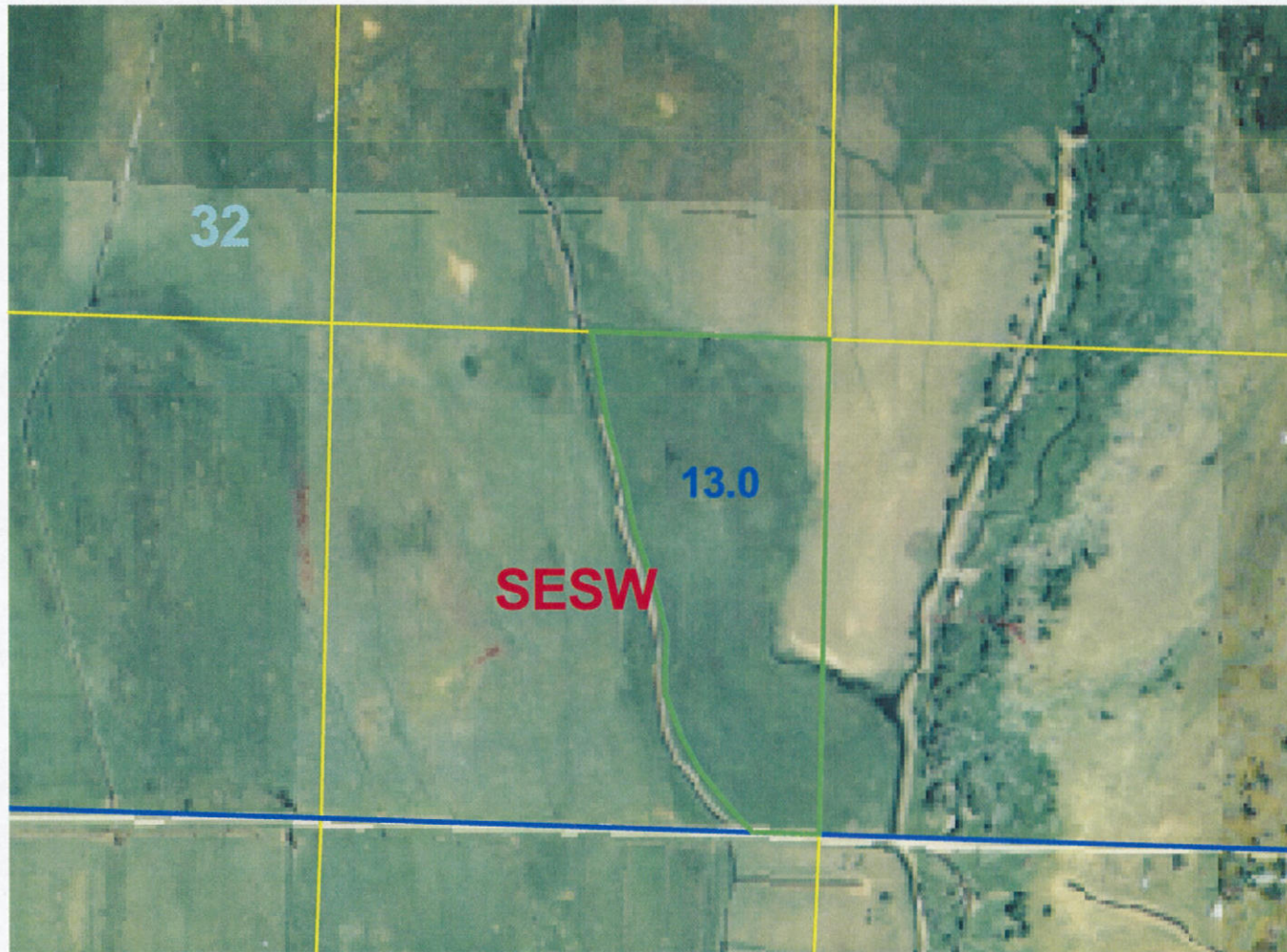
62 500)

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IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S32



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03834

OWNER(S): FLEMMING & NISULA

Prepared by Mel Schulte

DATE: MAY 10, 1999

0 0.25 0.5 Miles

6e

29

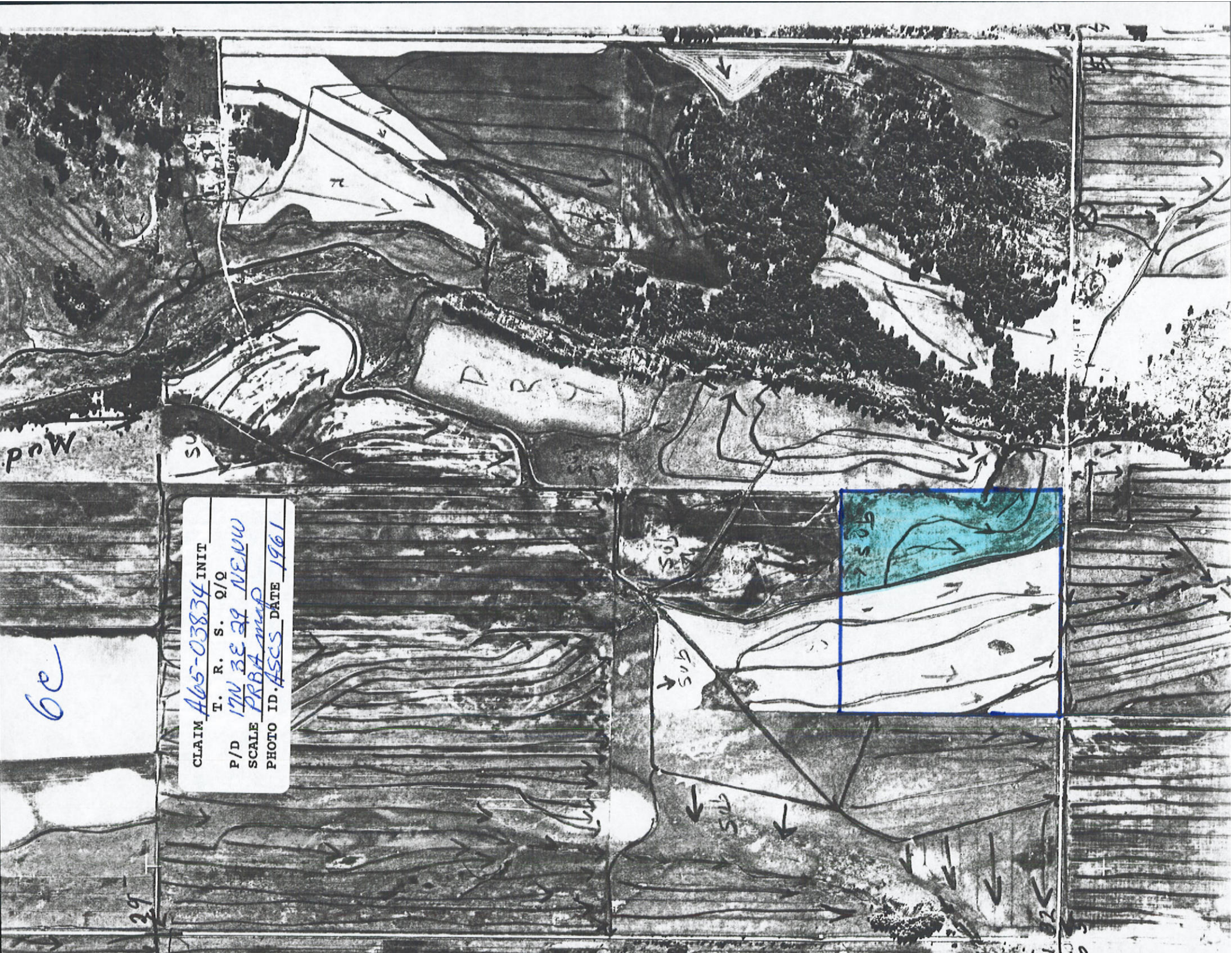
CLAIM A65-03834 INIT

T. R. S. Q/Q

P/D 17N 3E 29 NE NW

SCALE PRBA map

PHOTO ID. ASCS DATE 1961



A65-03834

Payette River Basin Organization Map



1. E. A. Cruzon
2. Kenneth & Glen Virgil
3. Lester Schelino
4. P. C. Wallace
5. ~~Montgomery~~ *Lee C. Wright*
6. Robt. or Lucile Smylie
7. Joe Pancherda
8. U.S. of America
9. Frank & Elmer Nisula
10. Anna Nisula
11. U.S. of America
12. T. E. Fleming
13. ~~Frank Nisula~~

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: A65-03834
Date Received: 11/15/1988
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH R PURDOM II 310-698-0948
Address: 6354 PAINTER AVE
WHITTIER CA 90601
OR
Name: JAMES T PURDOM 310-698-0948
Address: 6354 PAINTER AVE
WHITTIER CA 90601
OR
Name: ANA O PURDOM 310-698-0948
Address: 6354 PAINTER AVE
WHITTIER CA 90601

2. Date of Priority: APR 1, 1953

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	29	NE	NW			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	0.260		
STOCKWATER	01/01	12/31	0.020		0.70

7. Total Quantity Appropriated is:
0.260 C.F.S. (and/or) 0.70 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	32	SE	SW		IRR	13.0
Section Acres							13.0
Total Acres							13.0

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:

OWNERSHIP CHANGE 10/04/1999 BY MTS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

MAR 28 1994

WATER RESOURCES
WESTERN REGION

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 2-29-94

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

See ATTACHMENTS

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR:

on file

[] Name and Address of Former
Owner/Claimant(s)(Seller):

unknown ALB - 02542

[] New Owner/Claimant
(Purchaser):

Kenneth R. Purdom II, ETAL James T. & Anna O. Purdom

[] New Mailing Address:

6354 Painter Ave
Whittier, California 90601

[] New Telephone Number:

(310) 698-0948

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of
ownership, describe
proof attached:

attached

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New
Owner/Claimant(s)

Kenneth R. Purdom IIDate 3-24-94

Date

[] Signature of Former
Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date _____ By: _____

Further Action Needed:

Further Action Taken

Date _____ By: _____

Final Review and Data-Entry

Date _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

KEEP TOP PORTION FOR YOUR RECORDS PLEASE READ REVERSE SIDE YOUR CANCELLED CHECK IS YOUR RECEIPT				COUNTY .002782385 393.16 SCHOOL #421 .004803114 678.68 V.C. CEMETERY .000045489 6.44 MCL MEM.HOSP. .000799751 113.00	TAX 1,302.2 PEN. INT. COST TOT. 1ST INSTALLMEN TAX 651.1 PEN. INT. COST TOT. 2ND INSTALLMEN TAX 651.1 PEN. INT. COST TOT.
T VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER		
75714	5-00	RP17N03E320006A	15548		
65585	E/2; SESW	S32 T17N R3E			
41299	MEDIUM CLASS TIMBER	ETAL: JAMES T. & ANA O. PURDOM			
PURDOM, KENNETH R., II, ETAL 6354 PAINTER AVE. WHITTIER, CA 90601				SOLID WASTE 50.00 FOREST FIRE PROT 61.00	
TOTAL.008430739				1,302.28	

YOUR CHECK IS YOUR RECEIPT

COPY

TAX NOTICE AND RECEIPT				TAXING DISTRICT	RATE	AMOUNT	RECEIPT
KEEP TOP PORTION FOR YOUR RECORDS PLEASE READ REVERSE SIDE YOUR CANCELLED CHECK IS YOUR RECEIPT				COUNTY	.002782385	13.86	FULL PAYMENT
				SCHOOL #421	.004803114	23.92	TAX 42.0
				V.C. CEMETERY	.000045489	.24	PEN.
				MCL MEM.HOSP.	.000799751	3.98	INT.
T VALUE	TAX CODE AREA	PARCEL NUMBER	BILL NUMBER				COST
4980	5-00	LR16N03E040155A	376				TOT.
4980	USA EASEMENT IN W/2 GOV'T. LOT	1; SENWNE; SWNE; W/2 SENE					1ST INSTALLMEN
	S4 T16N R3E	ETAL: JAMES T & ANA O PURDOM					TAX 21.0
	PURDOM, KENNETH R., II, ETAL	6354 PAINTER AVE.					PEN.
	WHITTIER, CA 90601						INT.
TOTAL.008430739				42.00			COST
YOUR CHECK IS YOUR RECEIPT							TOT.

COPY

RECEIVED

MAR 28 1994

WATER RESOURCES
WESTERN REGION

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

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: A65-03834
Date Received: 11/15/1988
Receipt No: X999999
Received By: DE JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS E. FLEMING 208-325-8791
Address: ROUTE 1 BOX 57
MC CALL, ID 83638
OR
Name: ELLEN I. FLEMING 208-325-8791
Address: ROUTE 1 BOX 57
MC CALL, ID 83638
OR
Name: STEVE NISULA 208-634-8765
Address: BOX 1459
MCCALL, ID 83638

2. Date of Priority: APR 01, 1953

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	29	NE	NW			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	0.260		
STOCKWATER	01/01	12/31	0.020		0.70

7. Total Quantity Appropriated is:
0.260 C.F.S. (and/or) 0.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A65-03834

Page 1

Date: 02/03/89

MICROFILMED
SEP 22 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	03E	32	SE	SW		IRR	13.0
Section Acres							13.0
Total Acres							13.0

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: 1/21/1986

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): _____ 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 _____

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: 65-03834

DATE RECEIVED: 11-15-88

RECEIPT NO: X999999

RECEIVED BY: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: THOMAS E. FLEMING
ADDRESS: ROUTE 1
MC CALL, ID 83638

2. DATE OF PRIORITY: APR 01, 1953

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	25	NE	NW			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	0.260		
STOCKWATER	01/01	12/31	0.020		0.70

7. TOTAL QUANTITY APPROPRIATED IS:
0.260 C.F.S. (AND/OR)

0.70 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	32	SE	SW		IRR	13.0
SECTION ACRES							13.0

10. PLACE OF USE: CONTINUED

TOTAL ACRES 13.0

11. PLACE OF USE IN COUNTIES: VALLEY, 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: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS DECREE DEFENDANT

MICROFILMED
SEP 22 1992

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): Edmund J. Fleming DATE: X 11/15/88

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF

TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF VALLEY) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 15TH DAY
OF Nov 19 88

M. J. [Signature]
NOTARY PUBLIC

SEAL

RESIDING AT Boise, ID

MY COMMISSION EXPIRES 9-2-1994
DATE: 09/30/88

65-03834

PAGE

3

MICROFILMED

SEP 22 1992

AJ0749NP
No. R65-03834

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

DATE: 10/04/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KENNETH R PURDOM II	04/01/1953	IRRIGATION	04-15 10-15	0.260 CFS	
C	JAMES T PURDOM		STOCKWATER	01-01 12-31	0.020 CFS	0.70 AFA
C	ANA O PURDOM					
	6354 PAINTER AVE			TOTAL DIVERSION:	0.260 CFS	0.70 AFA
	WHITTIER CA 90601					
	(310) 698-0948					

Water Source: MUD CREEK

Tributary to: CASCADE RESERVOIR

Stage: DECREE

Point(s) of Diversion:

T17N R03E S29

NENW

VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE											
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM			
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	
17N	03E	32	:					:					:					:							:	13.0	
																								TOTAL ACRES	13.0		

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

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.

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE IN 17N,03E, S29, NENW: 65-02237,
65-02268, 65-08624, 65-02573, 65-11398, 65-02267, 65-02484A.
STOCKWATER, 40 RANGE CATTLE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

Comments: Date: 09/25/1999 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 10/04/1999 User-ID: MSCHULTE Subject: CHANGE OF OWNERSHIP

AJ0749NP
No. R65-03834

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

DATE: 10/04/99
PAGE: 2

=====

Comments: Date: 10/04/1999 User-ID: MSCHULTE Subject: CHANGE OF OWNERSHIP
CHANGE OF OWNERSHIP 10/04/1999 BY MTS.

Audit: 10/04/99 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:26:54
03/13/99
33

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-03834

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS E FLEMING	04/01/1953	IRRIGATION	04-15 10-15	0.26 CFS	
C	ELLEN I FLEMING		STOCKWATER	01-01 12-31	0.02 CFS	0.70 AFA
C	STEVE NISULA					
TOTAL DIVERSION:					0.26 CFS	0.70 AFA

Water Source: MUD CREEK

Tributary to:

Payette River, NF

Stage: DECREED

Point(s) of Diversion:

T17N R03E S29

NENW

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	32	:																	:	13.0
TOTAL ACRES																			:	13.0	

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

POU County: VALLEY

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

WR5809NP
No. 65-03834

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/13/99
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS E. FLEMING ROUTE 1 MC CALL ID 83638	04/01/1953	IRRIGATION STOCKWATER	04/15 10/15 01/01 12/31	0.260 CFS 0.020 CFS	0.70 AFA
TOTAL DIVERSION:					0.260 CFS	0.70 AFA

Water Source: MUD CREEK

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T17N R03E S29

NENW

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	32	:													13				:	13.0
TOTAL ACRES																				13.0	

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

Pou County: VALLEY

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

65-02237 65-02267 65-02268 65-02484A 65-02573 65-03610 65-08624 65-11398

Other Water Rights Listing Overlapping Place(s) of use:

65-02573 65-13817

Dates:	App. Received:	Priority Date:	04/01/1953
	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 <u>1973 map</u> IDWR ID NO. <u>560</u>	Y(☒) N() <u>5a</u>
☒ MAP GIS	DATE OF PHOTO <u>5-30-99</u> <u>C1987</u> IDWR ID NO. _____	Y(☒) N() <u>6b</u>
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>PRBA map - 1961</u>	Y(☒) N() <u>6c</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>GT Stable</u>	DATE <u>5-30-99</u>	Y(☒) N() <u>6e</u>
☒ OTHER <u>PRBA map</u>	DATE <u>5-30-99</u>	Y(☒) N() <u>6d</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>POU review report</u>	DATE _____	<u>1</u>	_____
☒ OTHER <u>PRBA claim</u>	DATE <u>5-19-1971</u>	<u>1</u>	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:17:59
03/13/99

PAGE: 15
QUICKLOOK INFORMATION

32
CLAIM NUMBER: A65-03834

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 In office 3-30-99 5-10-99	N		MS 3-30-99 5-10-99	MS 3-30-99 5-10-99	
POINT OF DIV				Y				
SOURCE				N				
PLACE OF USE	Y			Y				
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

09:17:59
03/13/99

PAGE: 1
GENERAL INFORMATION

18
CLAIM NUMBER: A65-03834

LAST: FLEMING
ADDRESS: ROUTE 1 BOX 57
CITY: MC CALL
PHONE NUMBER: 208-325-8791

FIRST: THOMAS E
STATE: ID ZIP: 83638

OWNER CODE: C

LAST: FLEMING
ADDRESS: ROUTE 1 BOX 57
CITY: MC CALL
PHONE NUMBER: 208-325-8791

FIRST: ELLEN I
STATE: ID ZIP: 83638

OWNER CODE: C

LAST: NISULA
ADDRESS: BOX 1459
CITY: MCCALL
PHONE NUMBER: 208-634-8765

FIRST: STEVE
STATE: ID ZIP: 83638

OWNER CODE: C

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 exam

A. AJ CLAIM: # A65-03834 PRIORITY DATE: 04-01-1953 STAGE: D

B. WR RECORD: # 65-03834 PRIORITY DATE: 04-01-1953 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:

04-01-1953

REVIEWED BY Neil Schutte

5-10-99
DATE 3-30-99

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
A65-03834	17N 03E	29		NE	NW			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02237	65-03610
A65-02267	R65-08624
A65-02268	
A65-02484A	
A65-02573	
A65-03610	
A65-08624	
A65-11398	

WR RECORDS IN SAME 40 ACRE TRACT

65-02237
65-02267
65-02268
65-02484A
65-02573
65-03610
65-08624
65-11398

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
65-03834	17N 03E	29		NE	NW			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

65-02237
65-02267
65-02268
65-02484A
65-02573
65-03610
65-08624
65-11398

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-02237	65-03610
A65-02267	R65-08624
A65-02268	
A65-02484A	
A65-02573	
A65-03610	
A65-08624	
A65-11398	

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	DIVERSION NAME	DIVERSION NBR
17N	03E	29		NE	NW			VALLEY		

SOURCE: MUD CREEK

TRIB: Pay. Riv. N.F.

REVIEWED BY:

McSchultz

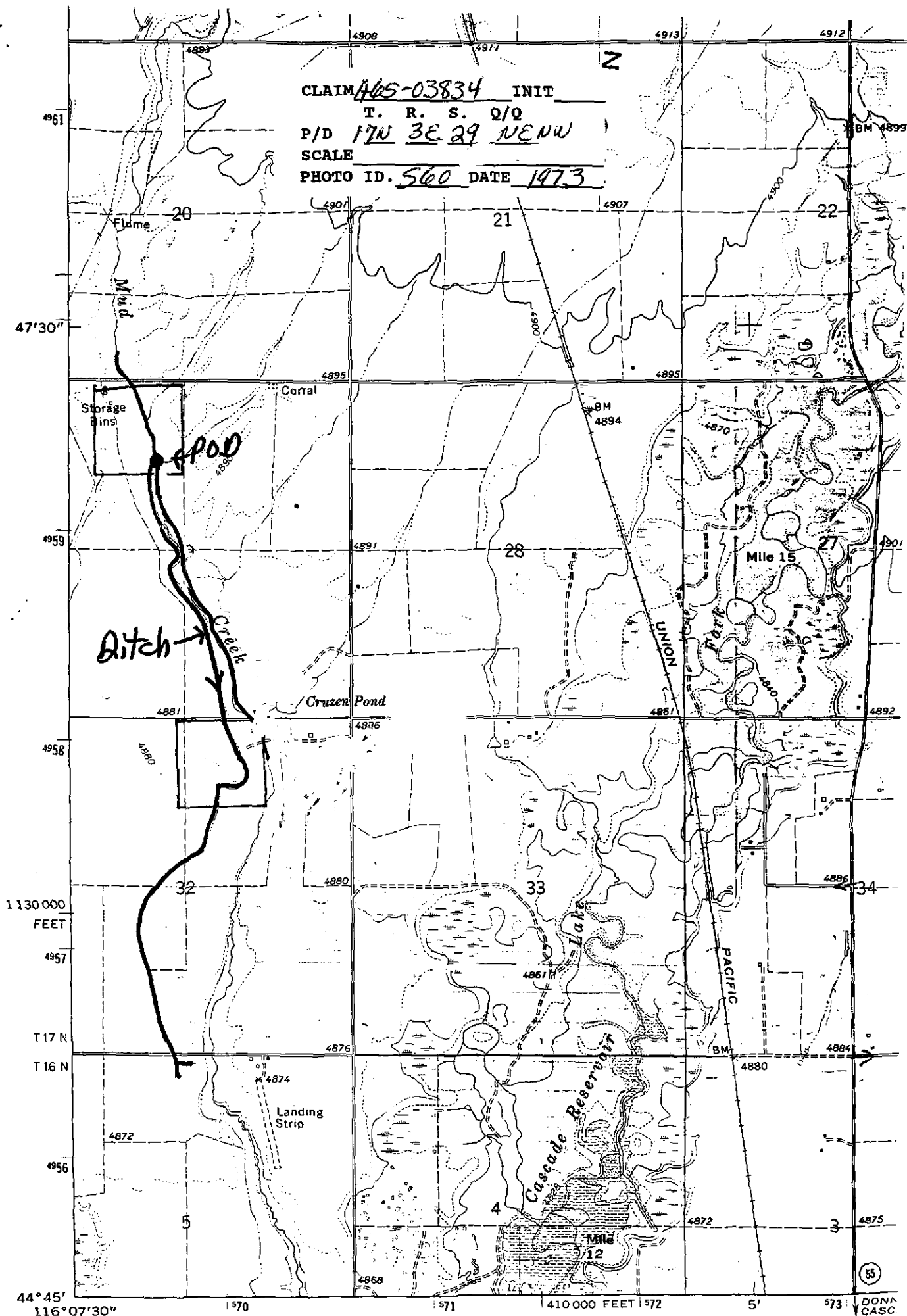
DATE:

5-10-99

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

5a

CLAIM 465-03834 INIT
 T. R. S. Q/Q
 P/D 17N 3E 29 NENW
 SCALE
 PHOTO ID. 560 DATE 1973



Mapped, edited, and published by the Geological Survey
 in cooperation with the U. S. Forest Service

A. ROOT WATER RIGHT NUMBERS: A65-03834
R65-03834

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
17N	03E	32	SE	SW		FLEMING, THOMAS E	A65-03834 / 13.0	65-03834 / 13.0	40.0		
			SE	SW		FLEMING, THOMAS E	A65-02573 / 27.0	65-02573 / 27.0			
			SE	SW		FLEMING, THOMAS E	R65-02573 / 40.0	- /			
			SE	SW		FLEMING, THOMAS E	R65-03834 / 40.0	- /			
			SE	SW		PURDOM, KENNETH R		65-13817 / 40.0			

13

ADDITIONAL POU FOUND

TOTAL ACRES A65-03834 13.00 13.00 40.00

POU COUNTY: VALLEY

13

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
A65-03834	MUD CREEK	FLEMING, THOMAS E	0.260	0.020	0.70	0.05
A65-02573	MUD CREEK	FLEMING, THOMAS E	2.000	0.011		
R65-02573	MUD CREEK	FLEMING, THOMAS E	2.000	0.009		
R65-03834	MUD CREEK	FLEMING, THOMAS E	0.260	0.001	0.70	

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

Y() N(✓)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

6a

WESTERN REGION

OWNER (S):

Heming & Nisula

CLAIM NUMBERS:

A65-03834

AGENT: MEL SCHULTE

DATE 5-10-99

RIGHT NO	RNG	SEC	NE				NW				SW				SE			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
	<u>17N</u>	<u>3E</u>	<u>32</u>											<u>13</u>				
																		<u>13</u>

POLYGON CREATED ON 330

POLYGON # () () () () UPDATED BY MTS

ATTRIBUTES OF B65-POU.SHP (652) () () () ()

ATTRIBUTES OF B65-POD.SHP (~~652~~) (612) () () () ()

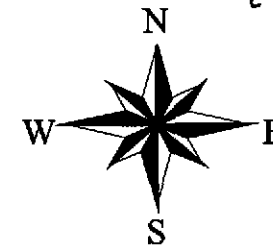
7-30-99 B65-DBPOU.DBF UPDATED BY MTS

7-30-99 B65-DBPOD.DBF UPDATED BY MTS

NOTES:

IDAHO DEPARTMENT OF WATER RESOURCES

17N, 03E, S32



1987 NAPP PHOTO

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

CLAIM(S): 65-03834

OWNER(S): FLEMMING & NISULA

Prepared by Mel Schulte

DATE: MAY 10, 1999

0 0.25 0.5 Miles

6e

CLAIM 465-03834 INIT
T. R. S. Q/Q
P/D 17N 3E 29 NE NW
SCALE PRBA map
PHOTO ID ASCS DATE 1961



66 - 465-03834 -

Payette River Basin Abundant *Map*

13

65-2542

13

13

13

40

39

14

14

65-2629

39

13

12

14

65-2507

12

12

65-2508

65-2509

65-2574

1. A. Cruse

2. Kenneth & Glen Hargis

3. Lester Schellino

4. P. S. Wallago

5. ~~Henry~~ *Lawrence*

6. Robt. Carlisle Smylie

7. Joe Panther

8. U.S. of America

9. Frank & Major Nisula

10. Anna Nisula

11. U.S. of America

12. T. E. Fleming

Lawrence

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 POI: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

(GIS map) IDWR NO. _____; () ASCS PHOTO; (OTHER) PRBA map

NOTES: Recommended as depicted in the PRBA.

RECOMMENDATIONS:

TOTAL ACRES: 13 N/A ()

REVIEWED BY: Meel Schulte

DATE: 5-10-99

A. AJ CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03834	IRRIGATION	FROM 04-15 TO 10-15	0.260 CFS	
A65-03834	STOCKWATER	FROM 01-01 TO 12-31	0.020 CFS	0.70 AF/A
	TOTAL DIVERSION RATE/VOLUME		0.260 CFS	0.70 AF/A

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03834	IRRIGATION	FROM 04-15 TO 10-15	0.260 CFS	
65-03834	STOCKWATER	FROM 01-01 TO 12-31	0.020 CFS	0.70 AF/A
	TOTAL DIVERSION RATE/VOLUME		0.260 CFS	0.70 AF/A

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

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

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

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

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

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

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

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

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

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

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

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

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

NOTES:

Recommended as decreed in the PRBA.

AJ CLAIM TOTAL DIVERSION RATE: 0.260 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.260 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 13 x 0.02 CFS/ACRE = 0.26 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 = 0.70 AF/A - Stock water

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE NA

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: _____

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	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	04-15	10-15	0.260				0.0	
STOCKWATER	01-01	12-31	0.020		0.70		0.0	
TOTAL FOR THIS RIGHT			0.260		0.70		0.0	

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: M. Schutte

DATE: 5-10-99

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 _____	(X)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03834

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.260 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
65-03834	A65-03834	0.260	R65-03834	0.260	65-03834	0.260
TOTAL CFS		0.260		0.260		0.260

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: Mike Schulte DATE: 5-10-99

NAME OF FIELD EXAMINER: _____ TITLE: _____

AJ5815NP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT

DATE: 03/13/99

OPTION: IRRIGATION USES ONLY

ADJUDICATION CLAIM NUMBER: A65-03834

PAGE: 2

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/USE/ACRES	WR #/USE/ACRES	LANDSAT DATA
17N	03E	32	SE	SW		FLEMING, THOMAS E	A65-03834 /01/13.0	65-03834 /01/13.0	40.0
			SE	SW		FLEMING, THOMAS E	A65-02573 /01/27.0	65-02573 /01/27.0	
			SE	SW		PURDOM, KENNETH R		65-13817 /01/40.0	
TOTAL ACRES							A65-03834	13.00	13.00 40.00

POU COUNTY: VALLEY

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM IDENT. NO. **RECEIVED** MAY 19 1971

TO A WATER RIGHT **65 0034**

Notice is hereby given that **THOMAS E. FLEMING** (Name of Claimant) Department of Water Administration

Route #1, McCall, Idaho 83638 (Mailing Address) claims a right to the diversion and beneficial use of the surface or groundwater, of or tributary to the Payette River; **4/1/1953**

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) **April 1, 1953**

(2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) **Mad Creek**

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)

39 Use **0.26 Irrigation 120 AF** Period of Use From **May 15** To **Oct 15**
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)

02 Use **0.2 Stock water 7 AF** Period of Use From **March 14** To **Dec 12/31**
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)

39⁷ AFA Use **0.26** Period of Use From **39.7** To **1907**
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

(4) Quantity of water claimed: **0.26** Cubic Feet Per Second, or **120 AF** Acre Feet Per Annum, and/or **39.7** Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source **N 29 Sec. 29 Twp. 17 N Rge. 3 E B.M.**; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. **dam, concrete check box, earth lined ditch approximately 2 miles long**

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
17N	3E	32																	13

Total No. of acres **40**

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: **stock water for 40 head of cattle**

(7) Effluent, sewage waste, or return water from this use is discharged into

(8) If you are claiming water as a member of an organization, list name of organization

(9) Remarks **After right was confirmed with right 65-2572**

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

May 19, 1971 (Date) **Thomas E. Fleming** (Signature of Claimant)

State of **Idaho**) ss. Organization **Idaho Department of Water Administration**
County of **Ada**) Seal **Idaho**

On this **19th** day of **May**, 1971, before me, a notary public, personally appeared **Thomas E. Fleming**, known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

Notary Public residing **Boise, Idaho**

My commission expires **May 26, 1974** **8KN 7/21/77**

TO: 65-3834

FROM: DFR 9/5/78

No ditch loss was added to this right because it is
one of several ~~that~~ that use the same diversion ditch from
the ditch is only 2 miles long. the loss
was creek. Since the ditch is only 2 miles long, the loss
probably is about only 10%, and in addition, no loss was claimed
DFR