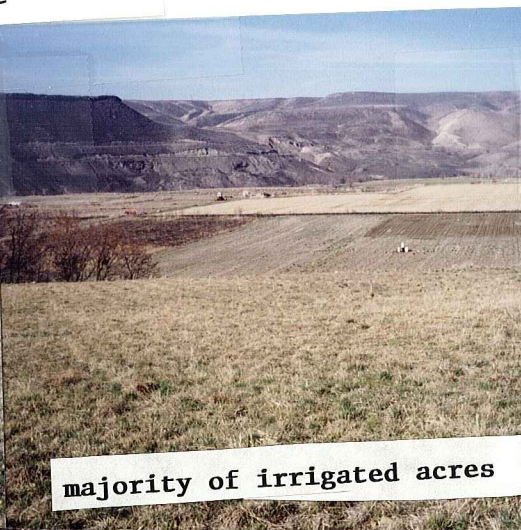




the other irrigated area (2nd)
is down slope near these trees

photo looking west



majority of irrigated acres

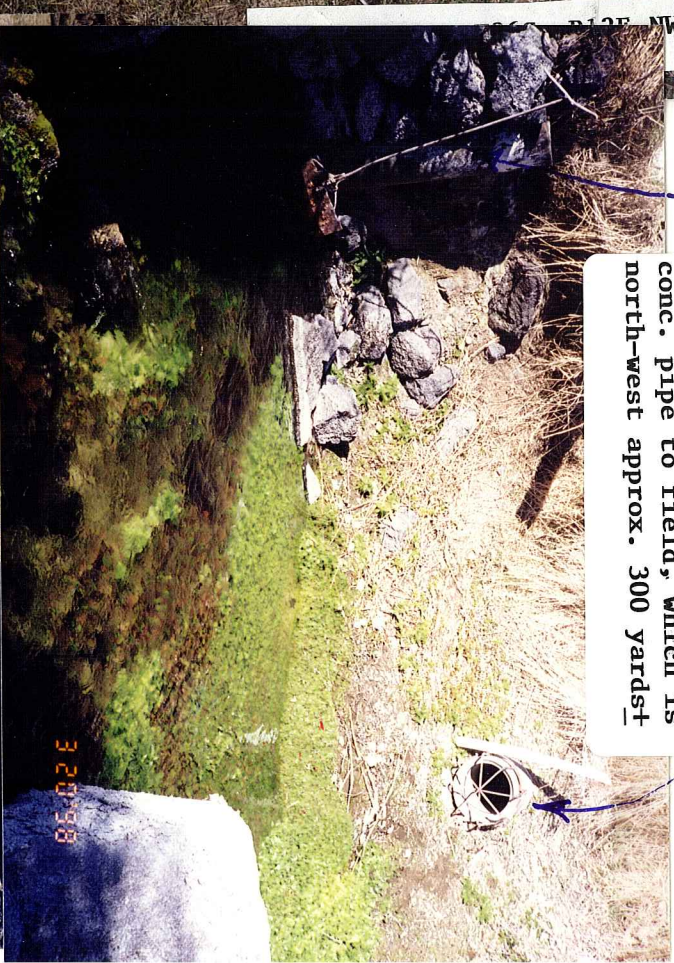


automatic sprinkler system

Photo
The down slope
acres irrigated.
looking SW 1/4.



pump 2.5 HP Sta Rite



the slide gate closes, fills
the pond, overflow into 12"
conc. pipe to field, which is
north-west approx. 300 yards

Frost, Allan & Frances
20 Mar 1998 1000 hrs
Examiner: Satterlee

A37-00791E

File with
37-00791 A
B
C
D
E

V. HANCOCK

9-29-2000

DECREED RIGHT 37-791

A SHALLOW ANALYSIS DONE IN PREPARATION FOR MEETING WITH CLAIMANT J.
TED TALBOT re: CLAIM 37-791A

Mr. Talbot came into the office subsequent to a meeting with Water Measurement Bureau personnel who noted that he was diverting and putting to use much more than was claimed by him in the Adjudication as his portion of decreed right 37-791. Before my meeting with Mr. Talbot on 10-2-2000 I found the following information about this right as claimed this date:

Decreed Water Right 37-791 - Priority 1888 - Decree date May 1913

2 cfs

POU = SWNE, NWSE & NESW (LOT 2), SEC 21, T06S, R13E - 135 ac more or less

Source - Springs tributary to the Montana Mining Company Ditch

Note that the Decree did not indicate if all uses and users from the springs were included in the decree, and all rights were given the same priority date.

Adjudication Claims filed and based upon 37-791:

• 791A	0.34 cfs	on 11.0 ac
• 791B	0.36	18.2 ac
• 791C	0.18	6.3 ac
• 791D	0.90	30.0 ac
• 791E	0.11	5.0 ac
	<u>1.89 cfs</u>	<u>70.5 ac</u>

*this does not include any
domestic or stockwater
claims that may exist*

In 1921, a permit to appropriate water for use on 101 acres, in the same location and from the same source, was applied for and protested by other decree holders. A license was subsequently issued for 1.06 cfs for use on 53 acres. A more thorough investigation, using readable copies of documents from the file, will have to be conducted before it can be determined if this was intended to be additional water licensed to the property, if the license superceded the decree, or if it somehow evidences water use on the property circa 1921, etc.

Licensed Water Right 37-2411- Priority date 7-18-1921 - Issued 2-1922

1.06 cfs

POU = SWNW 5ac, NWSE 4ac, NESW (LOT 2) 44ac = 53 acres

Source - Two unnamed springs tributary to Snake River

Adjudication Claims

• 37-02411	1.06 cfs	5.0 ac
• 37-02411A	.05	2.5 ac
	<u>1.11 cfs</u>	<u>7.5 ac</u>

E. NARRATIVE/REMARKS/COMMENTS

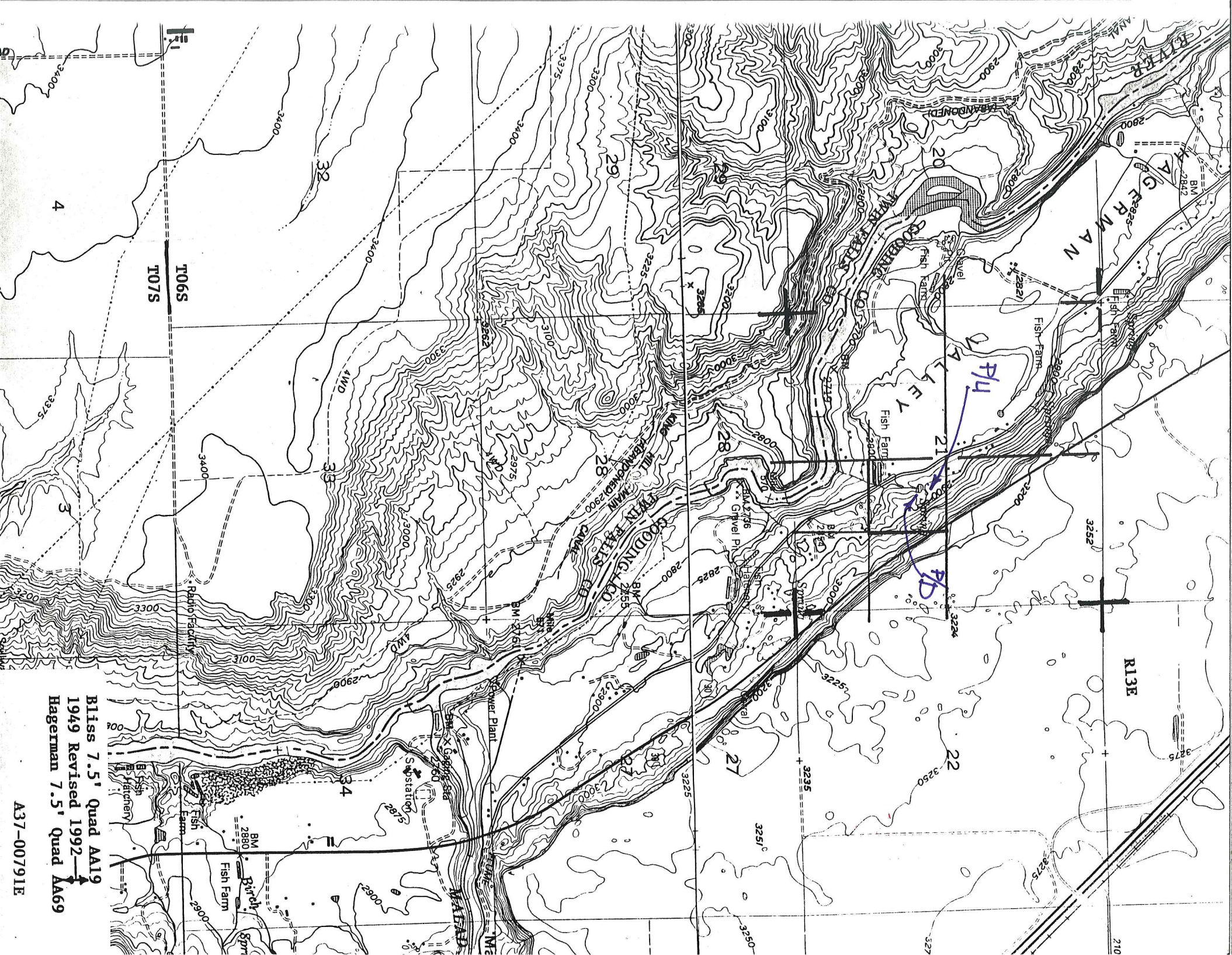
FROM: Georgia Satterlee
DATE: 26 March 1998
RE: 37-08095

The Frost's bought the property from Peter Djonald Gache in 1991. Although the change of ownership was completed for claims, A37-00791E,-02411A, the permit, 37-08095, was not assigned from Gache to the Frost. The beneficial use field report shows the current owner information.

On 20 March 1998 at 0830 hrs., I met with Allan Frost to perform a field examination on the above permit. The permit is year round use for aesthetic storage for a spring fed pond.

There is one pond formed by direct flow on-stream. The pond area is 100 feet by 150 feet with a depth of 5 feet. The total volume is 1.7 acre feet.

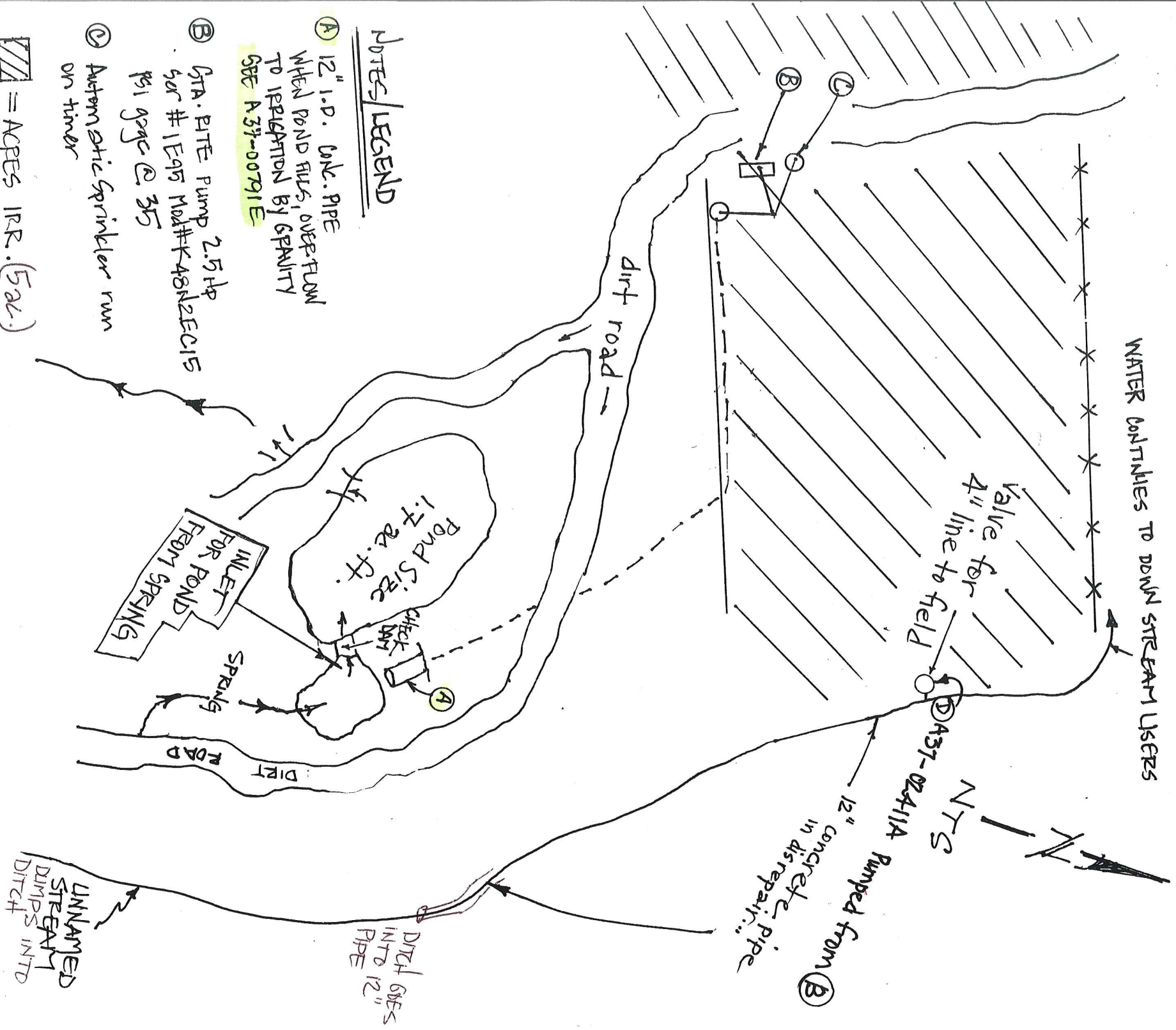
In addition to the permit, Mr. Frost also has two licensed adjudication claims, A37-00791E and A37-02411A, both claiming irrigation and irrigation from storage from spring and/or unnamed stream. All elements of both claims seem to be appropriate. The claim, A37-00791E, covers all 5 acres irrigated. The 2.5 acres called to in A37-02411A is part of the 5 acres.



Bliss 7.5' Quad AA19
1949 Revised 1992
Hagerman 7.5' Quad AA69

A37-00791E

WATER CONTINUES TO DOWN STREAM USERS



NOTES/LEGEND

- Ⓐ 12" I.D. CONC. PIPE WHEN POND FILLS, OVERFLOW TO IRRIGATION BY GRAVITY SEE A37-00791E
- Ⓑ GFA. PATE PUMP 2.5 HP SER # 1E95 MOD # K48N2EC15 K51 gpg @ 35
- Ⓒ Automatic Sprinkler run on timer
- ▨ = APES IRR. (5ac.)
- Ⓓ SEE A37-02411A

UNNAMED STREAM DUMPS INTO DITCH

DITCH GOES INTO 12" PIPE

12" concrete pipe in disrepair... Pumped from Ⓑ

NTS

A37-02411A