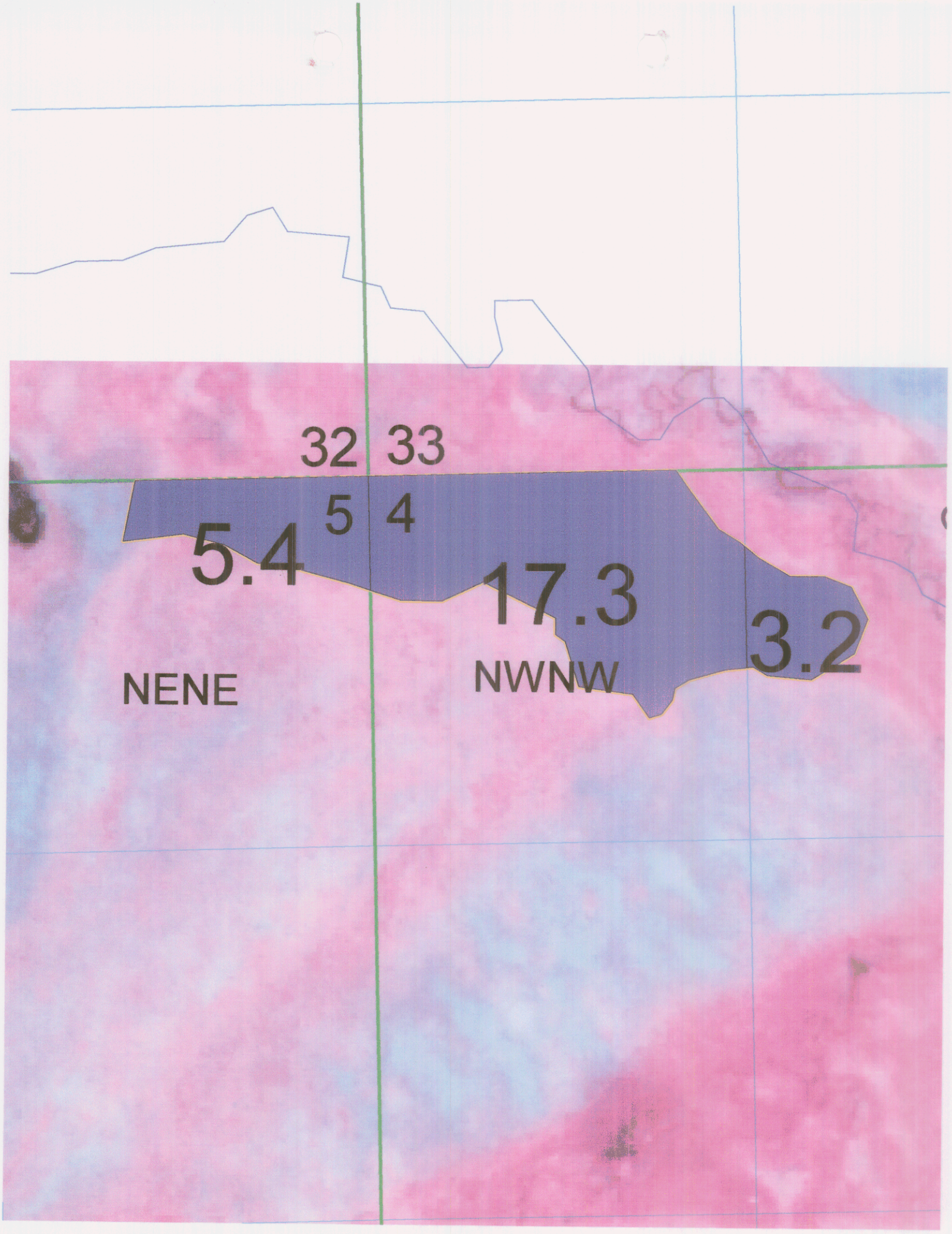


10/12/05 CB 27-11261. Davis Springs POU.

15 West Center Street
Soda Springs, Idaho 83276
(208) 547-3993
(208) 547-3939 FAX

Idaho Department of Water Resources

Fax

To: Jennifer **From:** Pauline

Fax: 525-7177 **Pages:** 6

Phone: **Date:** 8-03-05

Re: # 27-11261 **CC:**

This is the last file for Chesterfield

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

L+L it too needs to be disallowed

Thanks for all your help!

IDWR Field Exam Form 04/03/2002

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Chesterfield Land & Livestock Co.					
Name connector: and ____, or ____, and/or ____						
Current Owner		c/o Dean Smith				
Current Owner		826 Wood Rd.				
		Bancroft, Id 83217.				

Representing Attorney: _____ Phone Number: _____

Accompanied By: Rondo Perkins Phone Number: 648-7863

Relationship to Claimant: Member Grant Simmons 648-7817

Date of Field Exam: 10-6-04 Time: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: CB Date: 8/3/05

IDWR Field Exam Form

04/03/2002

Priority Date Data Entry Form

Claim Number: A27-11261

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: 6-1-1927 Recommended Basis B.U.

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Affidavit from Clyde Twitchell

Reviewer: CB

Date: 8/3/05

Priority Date

Claim No. 27-11261

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ( ) No (X)
   If Yes, go to 2
   If No, go to 4

2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes ( ) No ( )
   If Yes, go to 3a
   If No, go to 4

3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes ( ) No ( )
   If Yes, consult the attorney assigned to the Basin. Go to 3b
   If No, go to 4

3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes ( ) No ( )
   If Yes, go to 11
   If No, go to 4

4. Is the basis of claim a decree or license? Yes ( ) No (X)
   If Yes, go to 5
   If No, go to 7

5. Does the decree or license have a Priority Date? Yes ( ) No ( )
   If Yes, go to 6
   If No, Consult the attorney assigned to the Basin, go to 15

6. Did the Claimant claim the decreed or licensed Priority Date? Yes ( ) No ( )
   If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
   If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15

7. Is the basis of claim a Permit or Application? Yes ( ) No (X)
   If Yes, go to 10e
   If No, go to 8

8. Is the basis of claim a posted notice? Yes ( ) No (X)
   If Yes, consult the attorney assigned to the Basin, go to 15
   If No, go to 9

9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes ( ) No (X)
   If Yes, go to 11
   If No, go to 12

10e. Will the license be issued prior to filing the Director's Report? Yes ( ) No ( )
   If Yes, recommend the Priority Date shown on the license, go to 15
   If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15

11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes ( ) No ( )
   If Yes, go to 12
   If No, disallow with condition P01.

12. Does the claim file contain sufficient evidence of Priority Date? Yes (X) No ( )
   If Yes, recommend the date supported by the evidence submitted, go to 15
   If No, Request additional evidence of Priority Date, go to 13

13. Has additional evidence of priority date been submitted? Yes ( ) No ( )
   If Yes, recommend the date supported by the evidence submitted, go to 15
   If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14

14. Can any portion of the claim be recommended as a valid water right? Yes ( ) No ( )
   If Yes, go to 15
   If No, disallow with condition P01.

15. Is the basis of claim coded correctly? Yes (X) No ( )
   If Yes, go to 16
   If No, Enter the appropriate basis of claim.

16. Is a Priority Date remark and/or condition required? Yes ( ) No (X)
   If Yes, Enter the appropriate basis of claim. Priority Date review is complete
   If No, Priority Date review is complete.

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice? Yes (___) No (X)

If **Yes**, go to **2**
If **No**, go to **3**

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? Yes (___) No (___)

If **Yes**, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to **4**
If **No**, status will be set as Active. Go to **5**

3. Is the water being used for all of the purposes claimed and to the extent claimed? Yes (___) No (X)

If **Yes**, status will be set as Active. Go to **5**
If **No**, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to **4**

4. Is any portion of the claim being recommended? Yes (___) No (X)

If **Yes**, status will be set as Active. Go to **5**
If **No**, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to **5**

5. Does this right have any combined used limits with other rights? Yes (___) No (X)

If **Yes**, go to **6**
If **No**, go to **6**

6. Is an additional remark and/or condition required? Yes (X) No (___)

If **Yes**, enter the appropriate remark and/or condition. Go to **7**
If **No**, go to **7**

7. Would you like to view the recommended right? Yes (X) No (___)

If **Yes**, go to **8**
If **No**, the review is incomplete. The recommendation must be viewed to complete the review.

8. Is this a "split" or "combined" right? Yes (___) No (X)

If **Yes**, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to **9**
If **No**, go to **9**

9. Do you have documents you would like to attach or link to the file? Yes (___) No (X)

If **Yes**, go to PowerDOCS and profile the documents. Go to **10**
If **No**, go to **10**

10. Would you like to set the verification date? Yes (X) No (___)

If **Yes**, the review is complete.
If **No**, the review is incomplete. The recommendation must be verified to complete the review.

Summary

Claim No. 27-11261

Claim No.: _____

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

P03

P13

"DISALLOWED"

Recommended - 10/28/05 CB

Split or Combined Right Analysis:

Attached Field Notes or Other Documents:

Claim No.: 27-11261

Reviewer CB Date 8/3/05

IDWR Field Exam Form

04/03/2002

Point of Diversion and Source Data Entry Form

Claim Number: A27-11261

Water Right Point of Diversion: T_____, R_____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T_____, R_____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

Recommended Point of Diversion: T_____, R_____, Sec. _____, _____, _____, _____. County: _____

Source: _____ Tributary: _____

_____ **Use Claimed POD and Source as Recommended POD and Source**

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
5S	40E	31		SWSE	Caribou	Dairy Spring

GPS Coordinates: 42.9342002 -111.8141539

DRY SPG

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

GPS Coordinates: _____

Other rights from this POD? None

Document how the POD and Source were verified and/or Pump and Motor data:

field exam

Transfers Changing POD _____

Reviewer: CB

Date: 8/3/05

Point of Diversion

Claim No. 27-11261

1. Is the basis of claim a Decree or License? Yes ( ) No (X)
   If Yes, go to 4
   If No, go to 2

2. Is the basis of claim a Permit or Application? Yes ( ) No (X)
   If Yes, go to 3
   If No, go to 6

3. Has the License been issued? Yes ( ) No ( )
   If Yes, go to 5
   If No, recommend the POD as shown on the Permit. Go to 10

4. Does the parent right have a POD? Yes ( ) No ( )
   If Yes, go to 5
   If No, go to 6

5. Can the claimed POD be verified using the water right file? Yes ( ) No ( )
   If Yes, recommend the POD as shown in the water right file. Go to 10
   If No, go to 6

6. Is there evidence that there has been a change in the POD? Yes ( ) No (X)
   If Yes, go to 7
   If No, go to 9

7. Can the change be verified as an accomplished transfer? Yes ( ) No ( )
   If Yes, add condition C03, go to 9
   If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

8. Was a transfer filed? Yes ( ) No ( )
   If Yes, recommend the POD as shown on the approved transfer. Go to 10
   If No, go to 9

9. Does the file contain all of the necessary information to verify the POD? Yes (X) No ( )
   If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
   If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

10. Is a POD remark and/or condition required? Yes ( ) No (X)
    If Yes, enter the appropriate remark and/or condition. POD review is complete
    If No, POD review is complete.

Source

Claim No. 27-11261

1. Is the basis of claim a Decree or License? Yes (___) No (X)
   If Yes, go to 4
   If No, go to 2

2. Is the basis of claim a Permit or Application? Yes (___) No (X)
   If Yes, go to 3
   If No, go to 6

3. Has the License been issued? Yes (___) No (___)
   If Yes, go to 5
   If No, recommend the Source as shown on the Permit. Go to 11

4. Does the parent right have a Source? Yes (___) No (___)
   If Yes, go to 5
   If No, go to 7

5. Can the claimed Source be verified using the water right file? Yes (___) No (___)
   If Yes, recommend the Source as shown in the water right file. Go to 11
   If No, go to 7

6. Is the basis of claim a Posted Notice? Yes (___) No (X)
   If Yes, consult the attorney assigned to the basin. Go to 7
   If No, go to 7

7. Is there evidence that there has been a change in the Source? Yes (___) No (X)
   If Yes, go to 8
   If No, go to 10

8. Can the change be verified as an accomplished transfer? Yes (___) No (___)
   If Yes, add condition C02, go to 10
   If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

9. Did the claimant file a transfer? Yes (___) No (___)
   If Yes, recommend the Source as shown in the transfer. Go to 11
   If No, go to 10

10. Does the file contain all of the necessary information to verify the Source? Yes (X) No (___)
    If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
    If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

11. Is a Source remark and/or condition required? Yes (___) No (X)
    If Yes, enter the appropriate remark and/or condition. Source review is complete.
    If No, Source review is complete.

IDWR Field Exam Form

04/03/2002

Purpose of Use Data Entry Form

Claim Number: 27-11261

X Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

field exam

Transfers Changing Purpose of Use no

Reviewer: CB

Date: 8/3/05

Purpose of Use

Claim No. 27-11261

1. Is the basis of claim a Decree or License?
   If Yes, go to 4
   If No, go to 2
   Yes (___) No (X)

2. Is the basis of claim a Permit or Application?
   If Yes, go to 3
   If No, go to 6
   Yes (___) No (X)

3. Has the License been issued?
   If Yes, go to 5
   If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13
   Yes (___) No (___)

4. Does the parent right have a Purpose of Use?
   If Yes, go to 5
   If No, go to 6
   Yes (___) No (___)

5. Can the claimed Purpose of Use be verified using the water right file?
   If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
   If No, go to 6
   Yes (___) No (___)

6. Is there evidence that there has been a change in the Purpose of Use?
   If Yes, go to 7
   If No, go to 11
   Yes (___) No (X)

7. Can the change be verified as an accomplished transfer?
   If Yes, add condition C04, go to 11
   If No, go to 8
   Yes (___) No (___)

8. Does the change include an enlargement of the Purpose of Use?
   If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
   If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12
   Yes (___) No (___)

9. Was an enlargement claim filed?
   If Yes, go to 11
   If No, Notify claimant that an enlargement claim is necessary. Go to 10
   Yes (___) No (___)

10. Did the claimant file an enlargement claim?
    If Yes, go to 11
    If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13
    Yes (___) No (___)

11. Does the file contain all of the necessary information to verify the Water Use?
    If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
    If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
    Yes (X) No (___)

12. Did the claimant file a transfer?
    If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
    If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13
    Yes (___) No (___)

13. Is a Purpose of Use remark and/or condition required?
    If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
    If No, purpose of Use review is complete.
    Yes (___) No (X)

Purpose of Use

IDWR Field Exam Form

04/03/2002

Place Of Use Data Entry Form

Claim Number: A27-11261

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres 256.

Document how the POU was verified:

Link POU.

Transfers Changing POU _____

Reviewer: CB

Date: 10/27/05

IDWR Field Exam Form

04/03/2002

Period of Use and Quantity Data Entry Form

Claim Number: A27-11261

__ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/31	0.52	

Overall Diversion Rate 0.52 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____ Date: _____

Notes

8/3/05 The POD on Dairy Spring feeds a ditch that irrigates the land in the NE¼NE of Section 6, N½NW of Section 5 but it is owned by the State, not Chesterfield L + L. Co.
The land in the NENE of Section 5 and the E½NW & NWNW of Section 4 appears to be irrigated by Sawmill creek or Grizzly creek. The claim on Sawmill creek didn't claim this POU. Chesterfield L + L Co. didn't file a claim on Grizzly Crk.
The POU claimed in the NWNE doesn't appear to be irrigated.

Therefore, I'm recommending this claim to be disallowed unless further evidence or clarification is submitted. Add P03 + P13 conditions, NO B.U. Found.
The ditch on Dairy Spring goes South along the State ground. How does it get to the land in the N½NE Section 5 and N½NW Sec. 4.

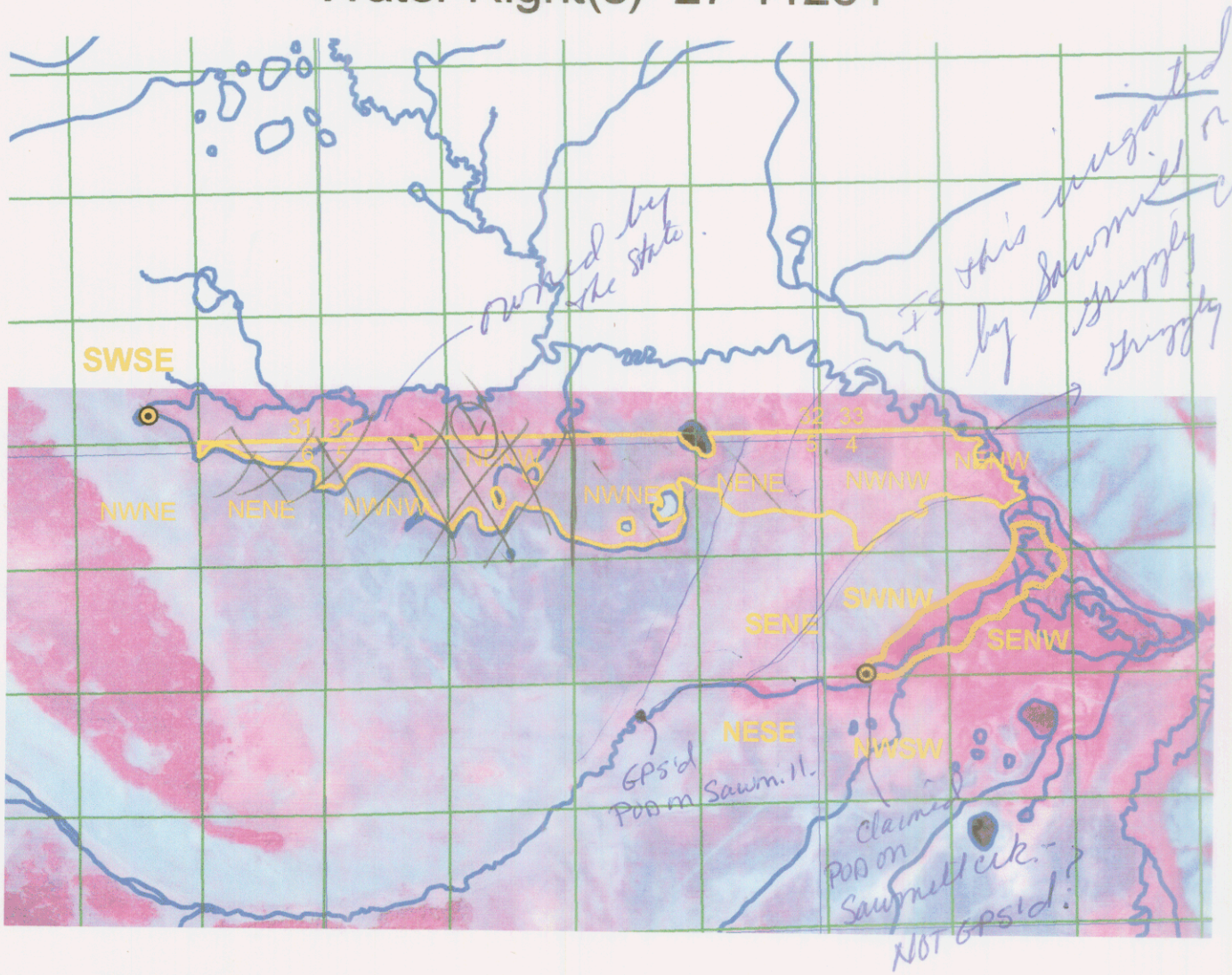
STATE OF IDAHO

Department of Water Resources

Eastern Region

27-chesterpreap.apr

Water Right(s) 27-11261



IRRIGATED ACRES 136

500 0 500 1000 Feet

LEGEND

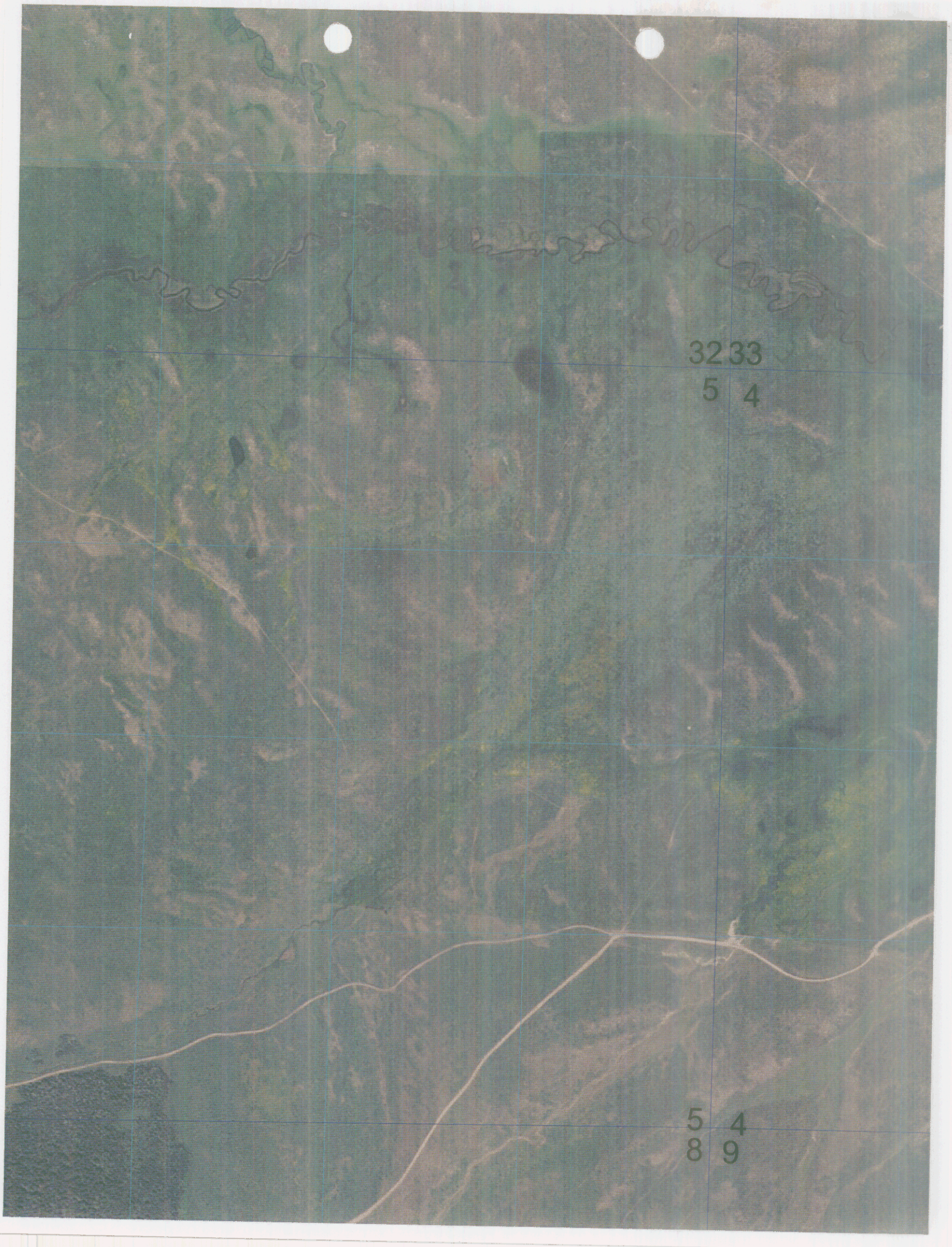
- Point of Diversion
- Place of Use
- Townships
- Sections
- Quarter-Quarters

Place of Use: T6S, R40E:
(part of) Sec. 4, NENW, NWNW
(part of) Sec. 5, NENE, NWNE, NENW, NWNW.
(part of) Sec. 6, NENE.

Point(s) of Diversion: T5S, R40E:
Sec. 31, SESWSE.

N
W E
S

GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: May 2005.

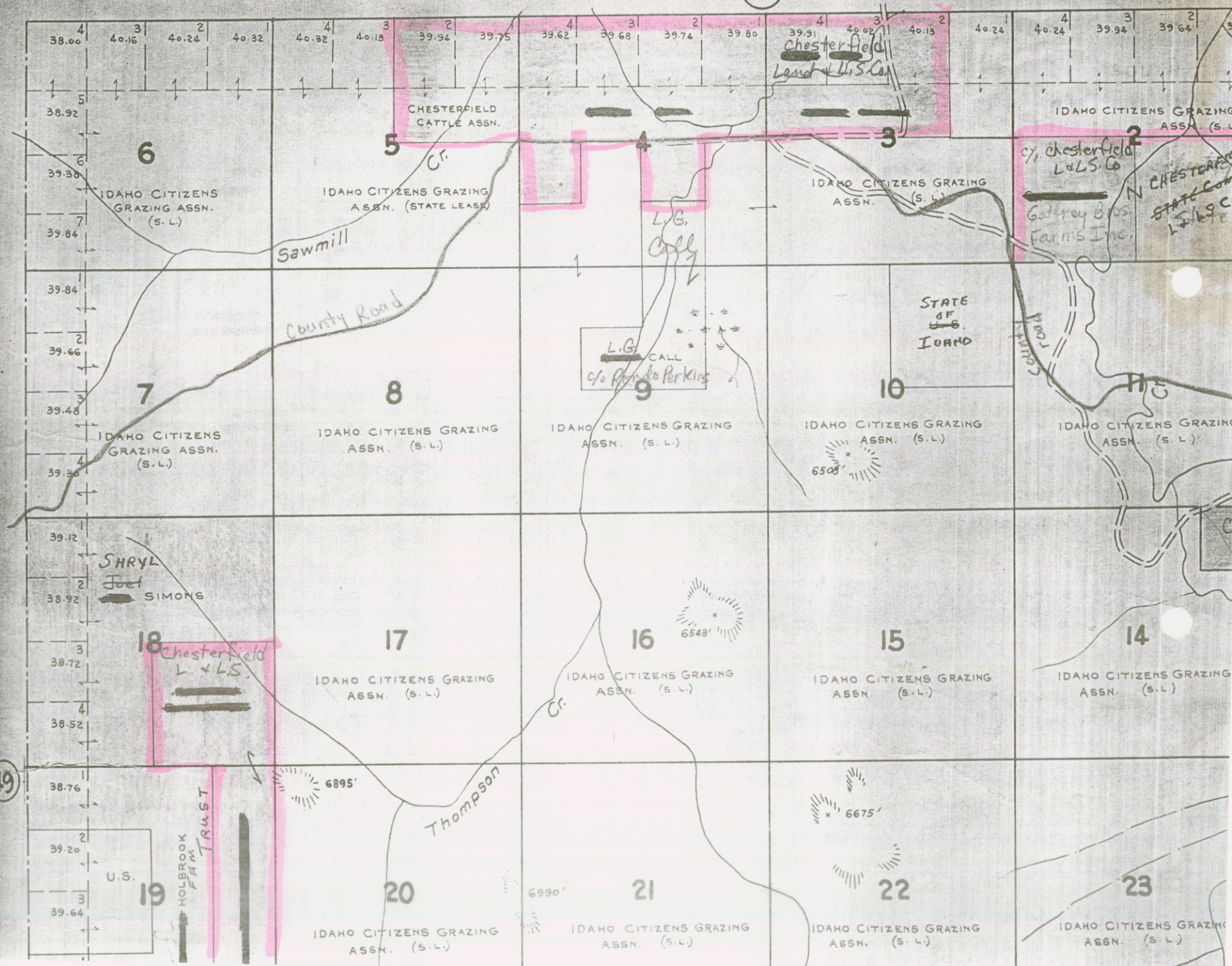

32 33
5 4
5 4
8 9

514 S. W. OAK STREET, PORTLAND, OREGON
111 SOUTH 10TH ST., TACOMA, WASHINGTON
1020 THIRD AVE., SEATTLE, WASHINGTON

CARIBOU COUNTY, IDAHO

T6S R40E

3



Courtesy Of Assessor 7-8-05

Notes

1/23/04 1927 affidavit from Clyde Switch about irrigation in sections 4 & 5, T6S, R40E from Dairy Springs.

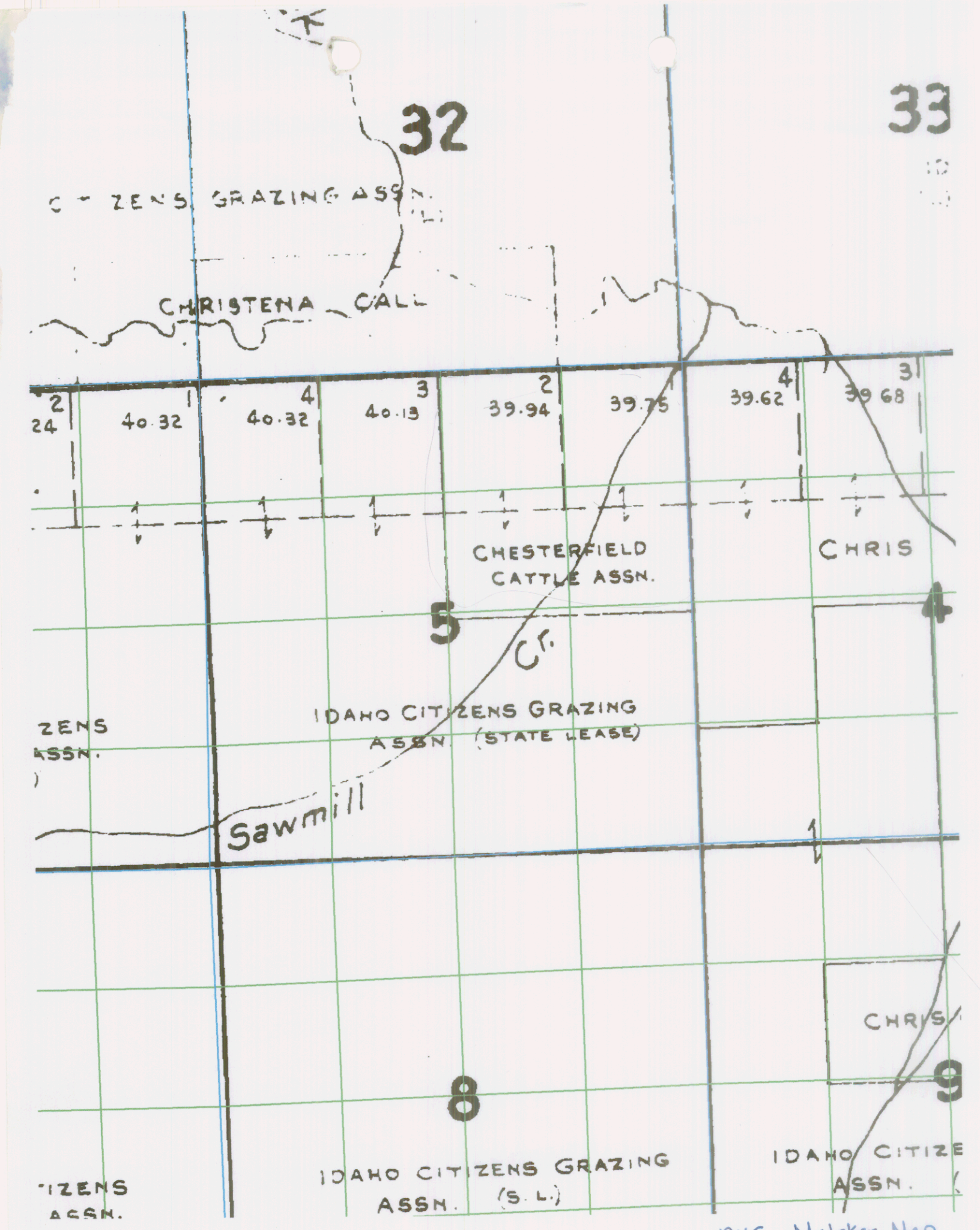
Need to write Dean Smith a letter to see if he wants to submit additional evidence

2/5/04 Chesterfield L&L doesn't own the property in SWSE of Sec 31, T5S, R40E. Owned by Idaho Power?
That appears to be the natural channel of Dairy spring.
Where is the water diverted?

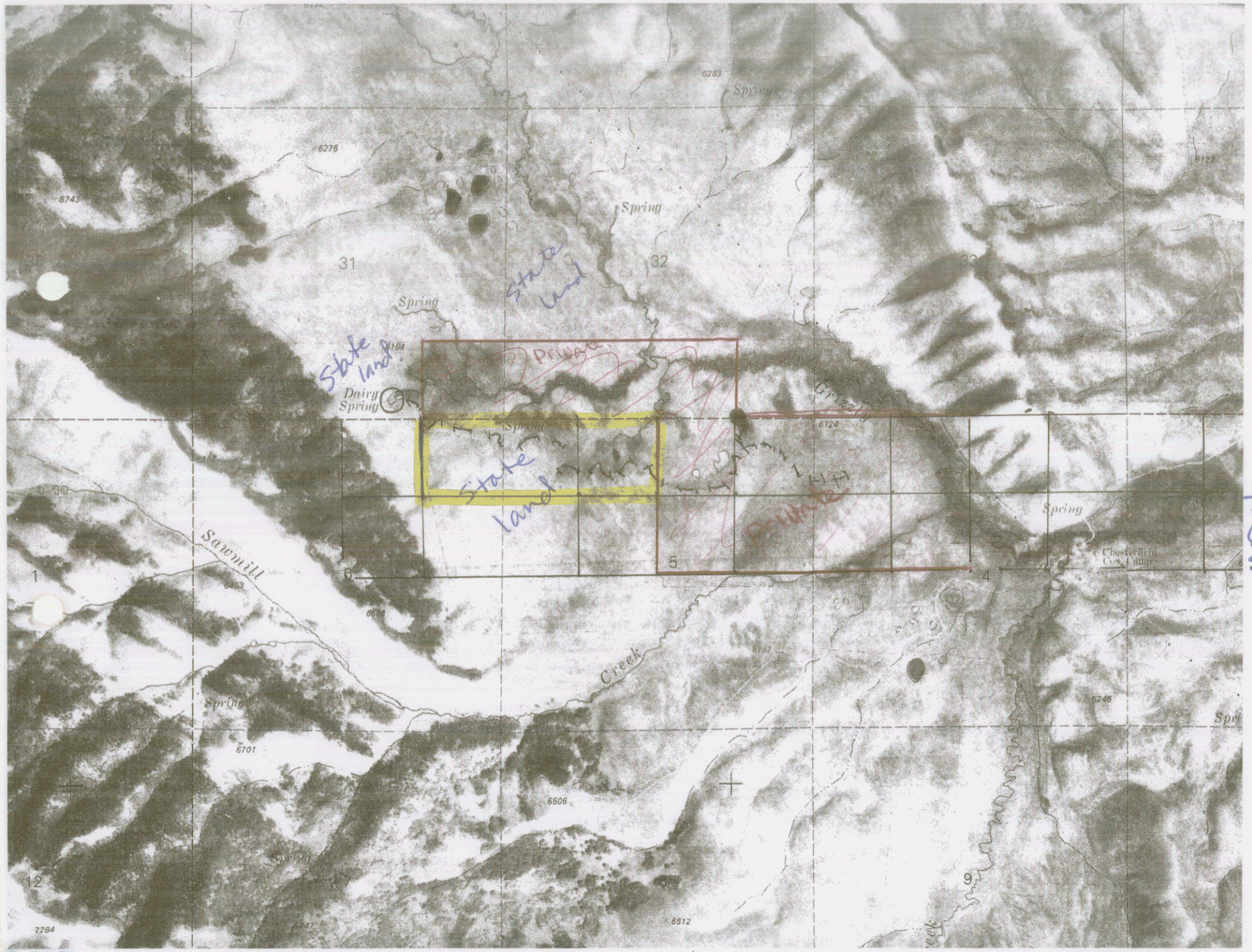
1964 imagery: shows subing around the streams. (Grimply Creek)
Where is the ditch?
Do they irrigate or does it just sub?
In the NENE & N½ NW it show a little more water dont think sure that it just not Grimply Crk sub irrigating the land.

The land in the NENE of Section 6, and N½ NW of section 5, T6S, R40E is owned by the state.
- Irrigation of state lands for private party?
- POD on state land. Can we recommend it?

few lands rec. from fed in 1958.

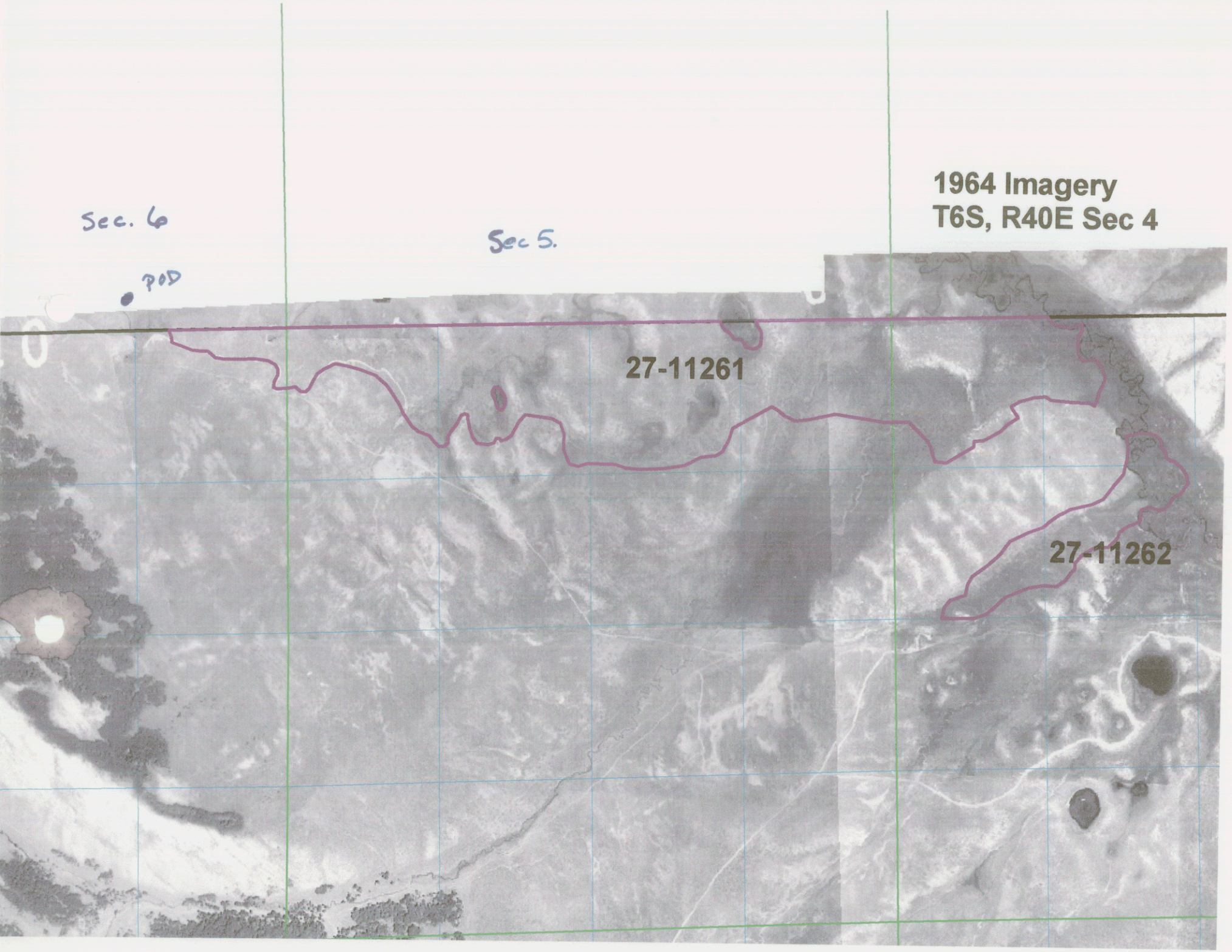


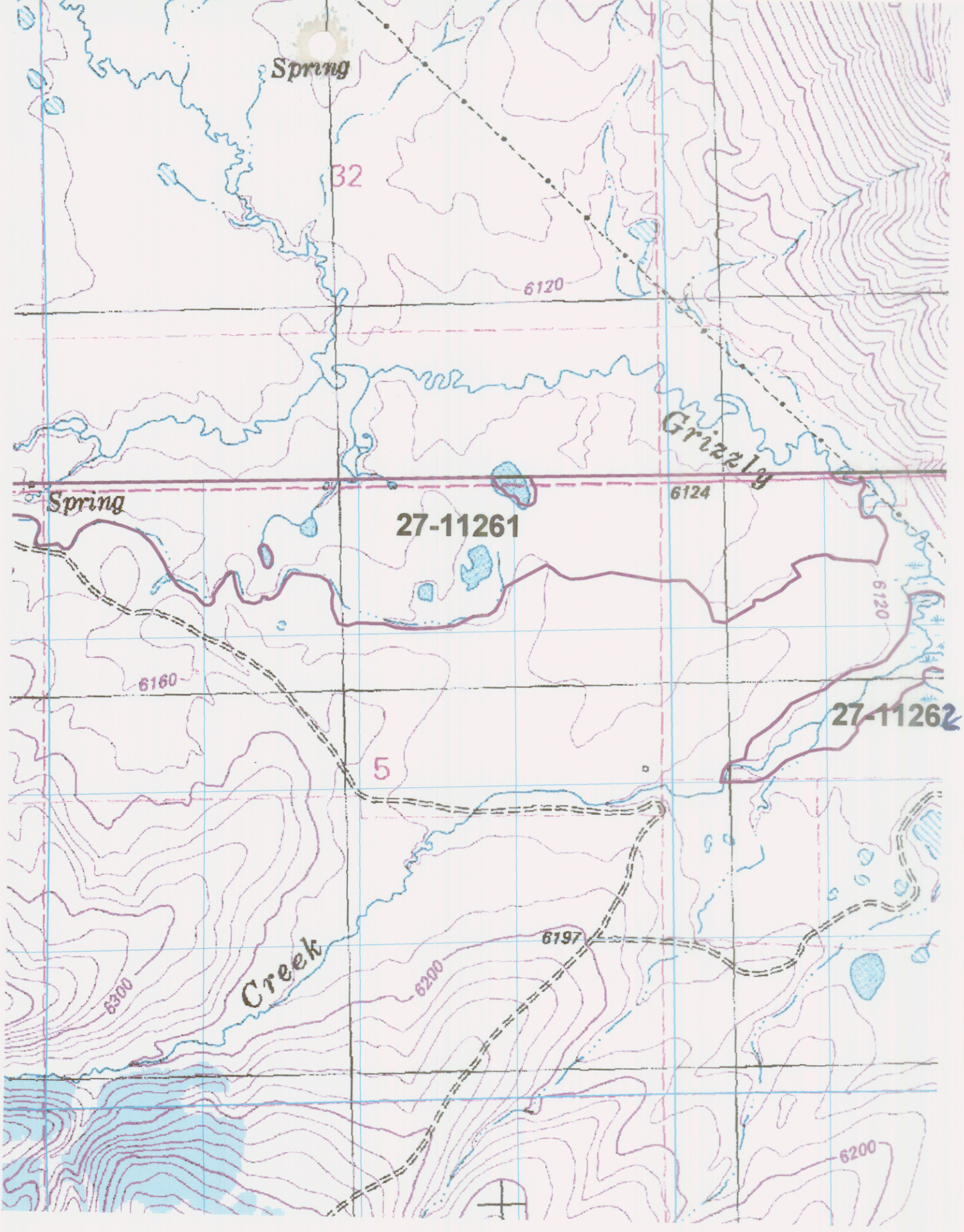
1945 Metsker Map



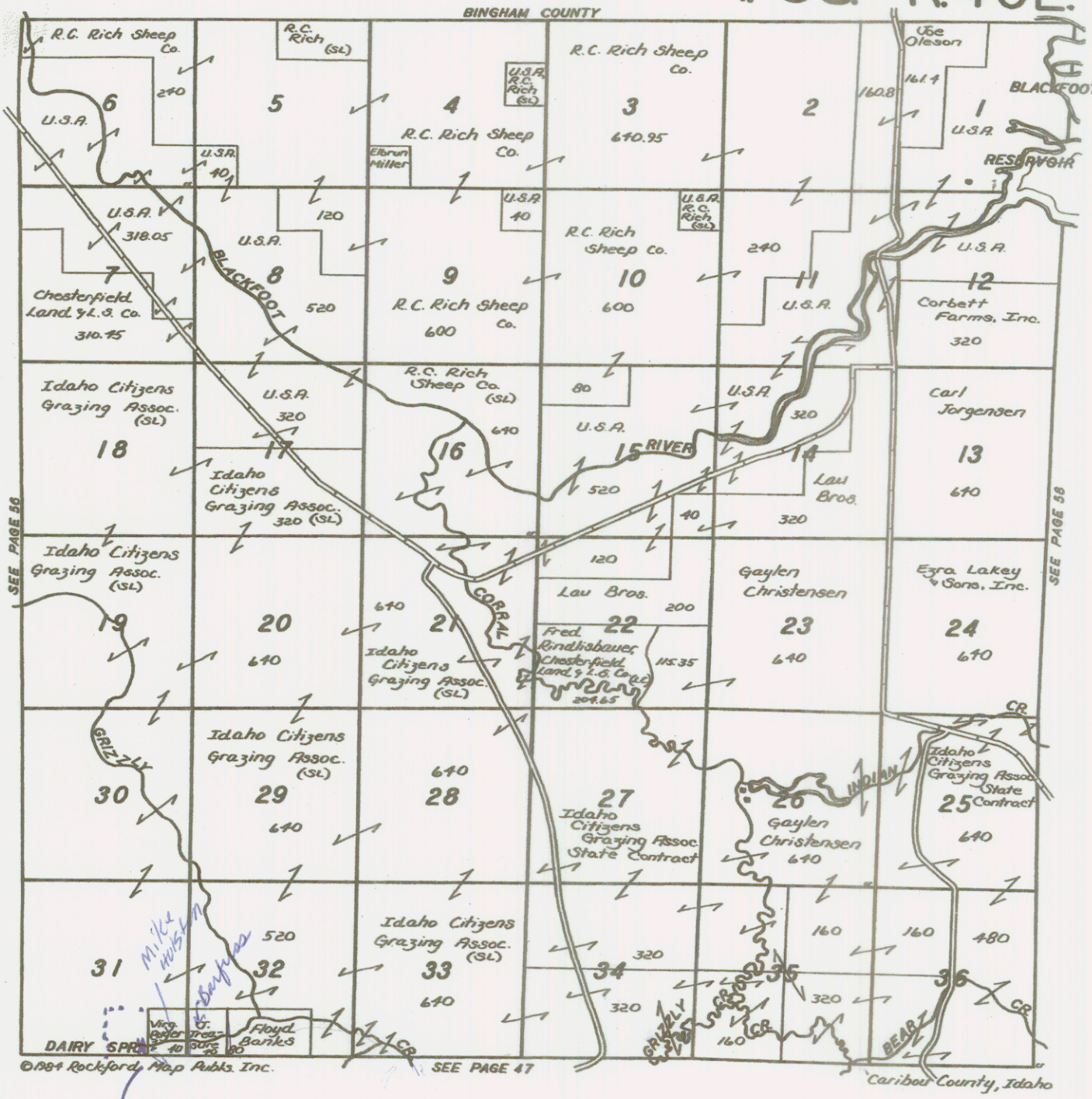
T39E T40E 1974 orthoquad. 27-11261


Spring
Dairy Spring
Spring
Grizzly
Creek
Spring
Creek
Chesterfield Cow Camp
Sawmill
Creek
Spring
Spring
Spring
Creek
Springs
Spring
4WD
4WD
T 6S
R39E
R40E
A27-11261

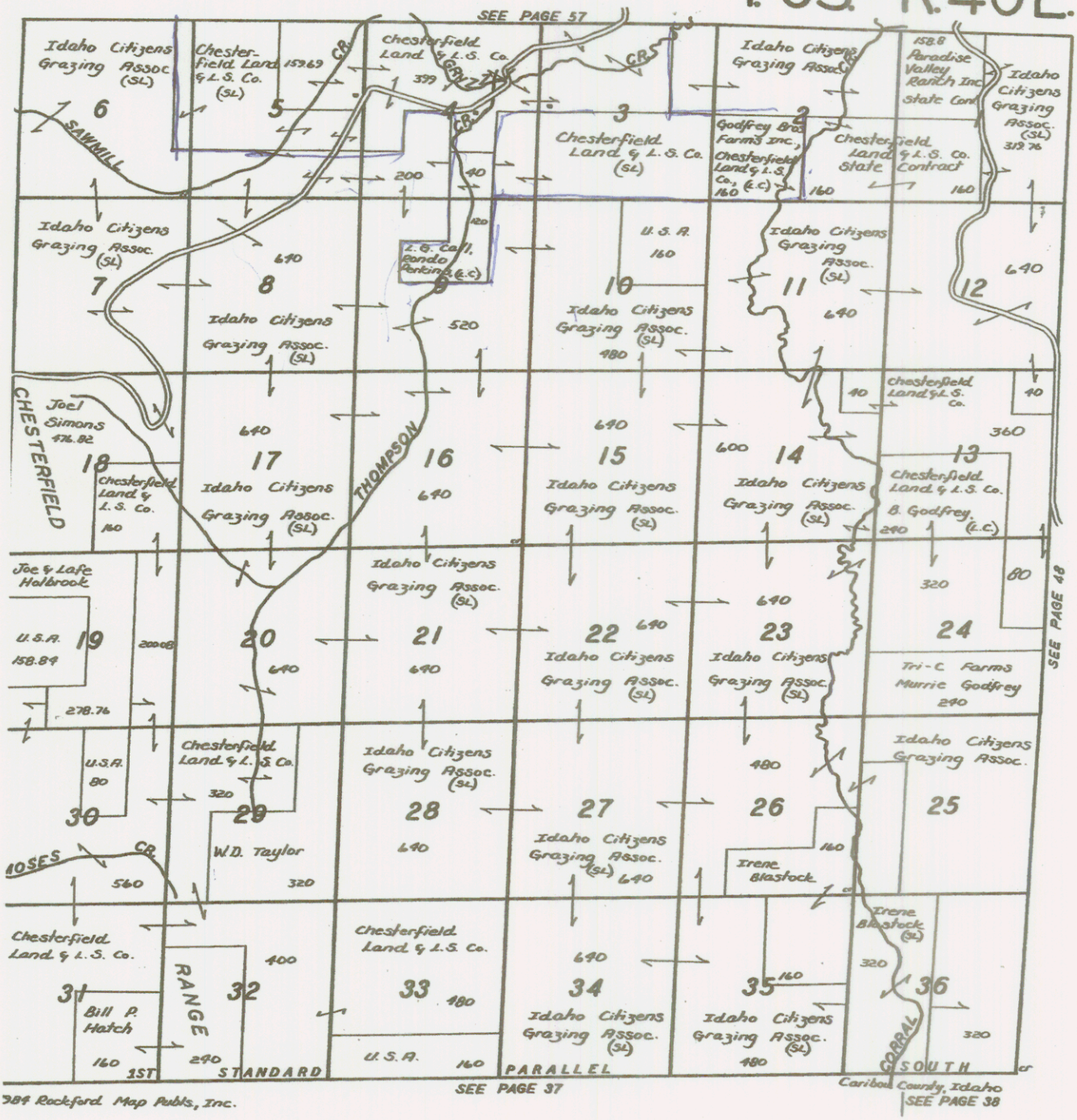

1964 Imagery
T6S, R40E Sec 4
Sec. 6
Sec 5.
POD
27-11261
27-11262


Spring
32
6120
Grizzly
Spring
6124
27-11261
6120
6160
27-11262
5
6197
Creek
6200
6300
6200

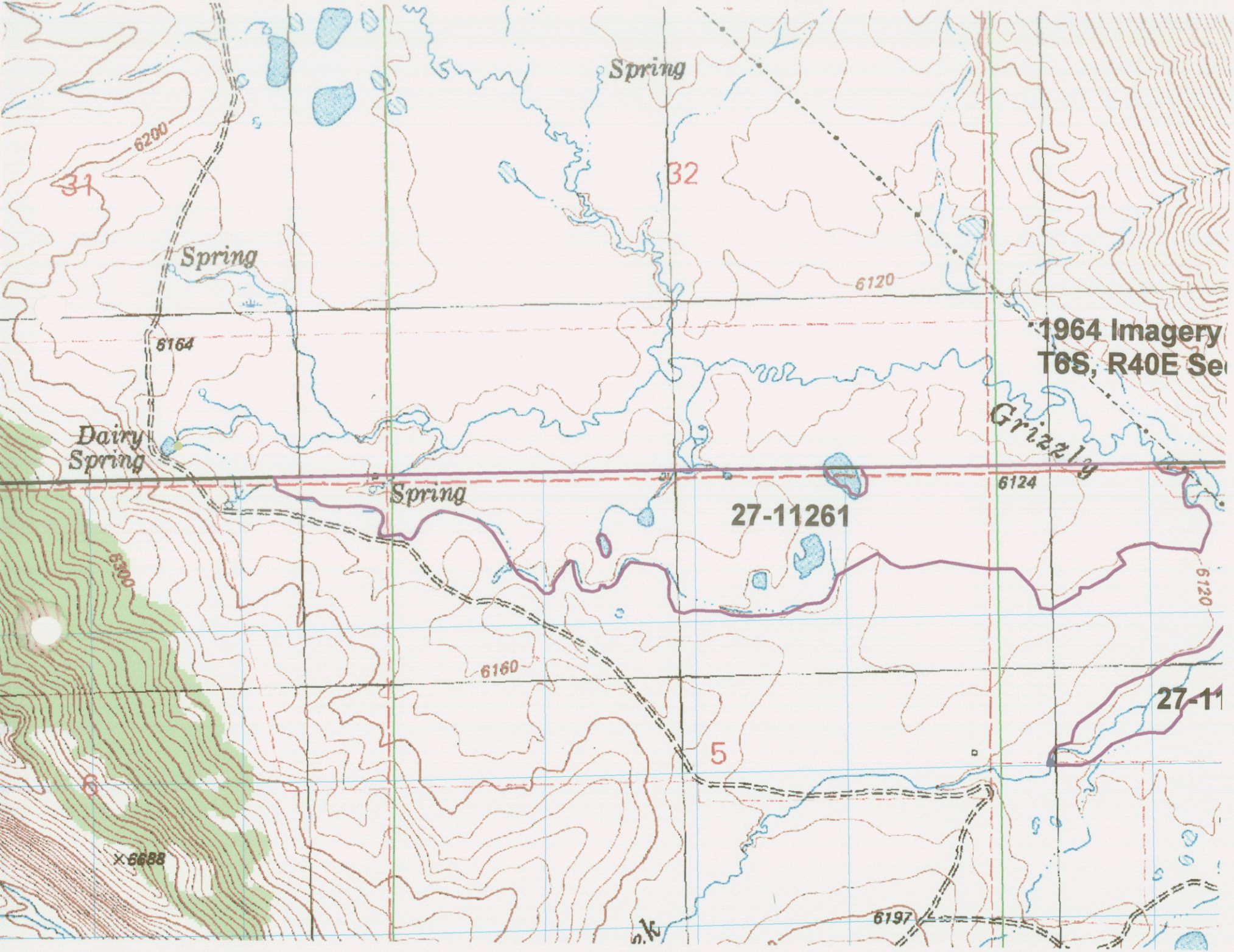
T. 5S. – R. 40E.


BINGHAM COUNTY
R.C. Rich Sheep Co.
R.C. Rich (SL)
U.S.A.
R.C. Rich Sheep Co. 640.95
Ebrun Miller
Joe Oleson
BLACKFOOT RESERVOIR
BLACKFOOT
Chesterfield Land & L.S. Co. 310.45
Idaho Citizens Grazing Assoc. (SL)
Idaho Citizens Grazing Assoc. 320 (SL)
Carl Jorgensen
Lau Bros.
RIVER
CORRAL
Gaylen Christensen
Ezra Lakey Sons, Inc.
Fred Rindlisbaver, Chesterfield Land & L.S. Co. LLC 204.65
Idaho Citizens Grazing Assoc. State Contract
Corbett Farms, Inc. 320
GRIZZLY
INDIAN
CR
Idaho Citizens Grazing Assoc. (SL)
DAIRY SPR
Floyd Banks
SEE PAGE 56
SEE PAGE 58
SEE PAGE 47
©1984 Rockford Map Publs. Inc.
Caribou County, Idaho
POD

T. 6S. – R. 40E.



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Spring
32
31
Spring
6200
6120
6164
1964 Imagery
T6S, R40E Se
Grizzly
Dairy
Spring
Spring
6124
27-11261
6300
6120
6160
27-11
5
6
×6688
6197

1964 Imagery
T6S, R40E Sec 4

Sec. 5

