

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

WATER RIGHT NO. 43-263

|                   |                         |
|-------------------|-------------------------|
| <u>Owner Type</u> | <u>Name and Address</u> |
| Current Owner     | ALVIN CARPENTER         |
| Current Owner     | MARY J CARPENTER        |
|                   | 2079 E 1700 S           |
|                   | MALTA, ID 83342         |
|                   | (208)645-2347           |
| Original Owner    | BERNICE HOGGAN-STEPHENS |
|                   | BOX 453                 |
|                   | ELBA, ID 83326          |
|                   | (208)638-5510           |

Priority Date: 06/08/1883  
Basis: Decreed  
Status: Active

|               |                     |
|---------------|---------------------|
| <u>Source</u> | <u>Tributary to</u> |
| CASSIA CREEK  | RAFT RIVER          |

|                       |             |           |                       |               |                    |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
| IRRIGATION            | 04/01       | 10/31     | 0.86 CFS              |               |                    |

|                 |          |
|-----------------|----------|
| Total Diversion | 0.86 CFS |
|-----------------|----------|

Location of Point(s) of Diversion:

|              |        |         |              |           |               |
|--------------|--------|---------|--------------|-----------|---------------|
| CASSIA CREEK | NENESW | Sec. 02 | Township 14S | Range 24E | CASSIA County |
| CASSIA CREEK | SWNWSE | Sec. 02 | Township 14S | Range 24E | CASSIA County |

IRRIGATION Use:  
Acre Limit: 45

Place(s) of use:

|                                            |               |
|--------------------------------------------|---------------|
| Place of Use Legal Description: IRRIGATION | CASSIA County |
|--------------------------------------------|---------------|

| <u>Townshi</u> | <u>Rang</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|----------------|-------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 14S            | 24E         | 1              |            | NESW         | 3            |            | NWSW         | 14           |            |              |              |            |              |              |
|                |             | 2              |            | NESE         | 19           |            | NWSE         | 9            |            |              |              |            |              |              |

Total Acres: 45

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 45 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-263 AND 43-266
2. General PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 203.

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

**RECEIVED**  
**MAR 30 2001**  
 Department of Water Resources  
 Southern 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| <u>43-263</u>         | _____                        | _____ | <u>43-10547</u>       | _____                        | _____ |
| <u>43-264</u>         | _____                        | _____ | _____                 | _____                        | _____ |
| <u>43-266</u>         | _____                        | _____ | _____                 | _____                        | _____ |
| <u>43-186</u>         | _____                        | _____ | _____                 | _____                        | _____ |
| <u>43-187</u>         | _____                        | _____ | _____                 | _____                        | _____ |

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)

Bernice Haggan-Stephens  
Box 1153 Elba, Id 83326

4. New Owner/Claimant(s)

Huine or Mary J. Carpenter  
 Name Connector (Check one): ☐ and ☒ or, ☐ and/or

New Mailing Address

2079 E 1700 S

City, State and ZIP Code

Melba, ID 83342

New Telephone Number

208 645-2347

5. Date you acquired the property

4-25-1995

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) \_\_\_\_\_  
(include title if applicable)

*Glenn Carpenter*  
*Mary J. Carpenter*

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 \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

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: A43-00263  
Date Received: 1/17/1992  
Receipt No: 3015536  
Received By: KKC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: BERNICE HOGGAN-STEPHENS  
Address: BOX 453  
ELBA ID

208-638-5510

83326

COPY

2. Date of Priority: JUN 8, 1883

3. Source: CASSIA CREEK

Trib. to: RAFT RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 14S      | 24E   | 2       |        | NE     | SW  |     | CASSIA |
|          |       |         | SE     | NW     | SE  |     | CASSIA |

5. Description of diverting works:  
HEADGATE AND EARTH DITCHES TO P/U

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 0.860 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 14S      | 24E   | 1       | NW     | SW  |     | IRR | 5.0   |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 5.0   |
|          |       | 2       | NE         | SE  | IRR           | 30.0  |
|          |       |         | NW         | SE  | IRR           | 10.0  |
|          |       |         |            |     | Section Acres | 40.0  |
|          |       |         |            |     | Total Acres   | 45.0  |

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

43-00264 DIFFERENT PRIORITY DATE

14. Remarks:

P. U. IS H. E. S. #203; SEE DECREE FOR DESCRIPTION.

THIS RIGHT HAS BEEN COMBINED WITH 43-00264 UNDER A43-10544 BY BERNICE HOGGAN-STEPHENS.

THIS RIGHT CLAIMED IN FULL. ALB 1-17-92

\*\*THIS RIGHT WAS RECLAIMED AS THE COMBINED RIGHTS RESULTED IN THE USE BEING FLOOD RIGHTS ONLY WHEN USING THE LATEST PRIORITY DATE. CLAIM A43-10544 IS NO LONGER VALID. AN ADDITIONAL FEE WAS PAID FOR THE SECOND CLAIM AFTER THE SPLIT. THE OTHER CLAIM IS A43-00264 WHICH COVERS THE SAME P/U AND IS FROM THE SAME P/D. NO NEW ACRES WERE ADDED AS A RESULT OF THE SPLIT. KKC 3-23-93...

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.  
Decree Plaintiff

JOBE ADAMS 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): Bernice Stephens Date: March 23, 1993  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 23<sup>rd</sup> day  
of March 19 93  
Kelly K. Christensen  
Notary Public

Seal

Residing at Kimberly St  
My Commission Expires 3-2-98

35 36  
2 1

N 1/4

SW 1/4  
of  
NW 1/2



E 1/4

B

H

83 WATER

G

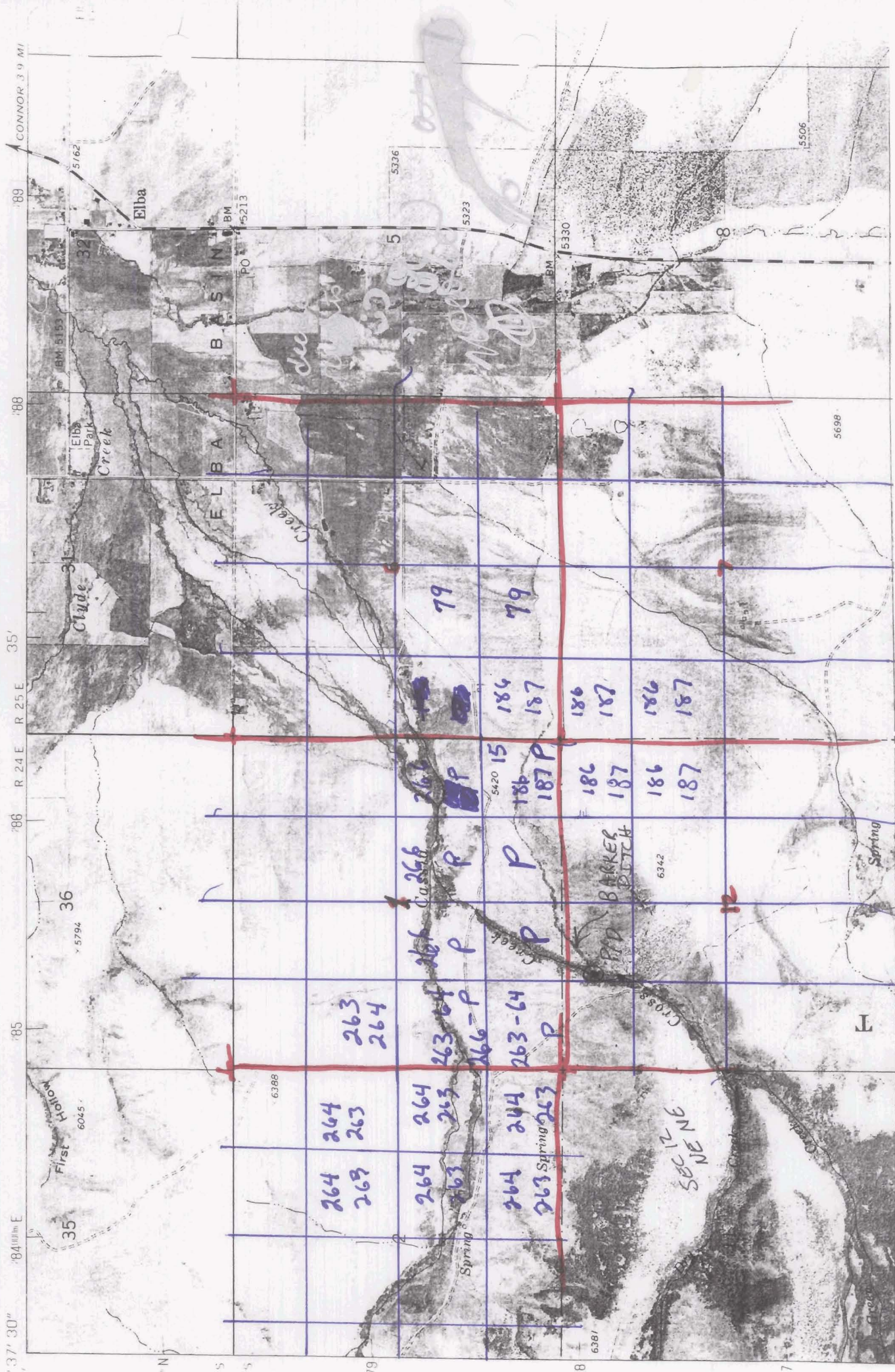
E 1/4

2 1

11 12

+

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GEOLOGICAL SURVEY  
**R24E R25E**



## CONVERSATION MEMO

Pg 1/2

A43-10544 } -00186  
 -10546 } -00187  
 FILE: -10547 } -00263  
 AGENT: KKC -00264  
 DATE: 3-23-93 -00266  
 -00079

RE:

Split claim/new claim analysis

NAME OF PARTY:

Bernia Hoggan-Stephens.

Claimant wanted to split rights to reflect the priority dates of the orig decreed rights. Also, it was determined that another right was missed during the original claims taking. No late fees were assessed as the claimant had made an honest attempt to claim all of her water use & didn't understand the ramifications of combining the rights.

Claims split:

additional

Split into:

Result:

fees Due!

A43-10544

A43-00263

one new claim but

0<sup>00</sup>

A43-00266

same P/u.

50<sup>00</sup>

A43-10546

A43-00186

one new claim but

0<sup>00</sup>

A43-00187

Same P/u. (see below for additional analysis)

50<sup>00</sup>

A43-10547

NO CHANGE

AMENDED P/u (see below for additional analysis)

8<sup>00</sup>

A43-00264

NEW FILING

NEW claim (new Acc)

51<sup>00</sup>

total Due

159<sup>00</sup>

A43-10544 analysis:

This Claim was split to separate 1883 priority date right from the 1887 priority date right. Historical practice has been that both rights are delivered through the same system and used on the same P/u.

## CONVERSATION MEMO

B/2/2

FILE: continuedAGENT: KKCDATE: 3-23-93

RE: \_\_\_\_\_

NAME OF PARTY: \_\_\_\_\_

A43-10546 and A43-10547 were <sup>originally</sup> claimed with a common P/U but, according to Mrs Stephens, historical practice has been that the P/U has been divided & water delivered based upon priority date. Therefore 10546 was split into 186 & 187 for fewer acres (common P/U for those two rights). 10547 was ~~amended~~ <sup>amended</sup> to show fewer total acres but when the two rights were compared to the original P/U claimed, an ~~acre~~ increase was found.

A43-00264 was determined to have not been filed. Therefore Mrs Stephens claimed the right at this time. She stated that the original use was a pipe diversion at or near the spring running NE to a farmstead where it was used to irrigate a yard. This has been abandoned and the use is to now to allow the water to flow in a natural channel to eventually be diverted via a ditch to ~~the~~ a one acre orchard near Cassia Co.

NOTE: for A43-00263 & 00266 The P/U is probably not described correctly. Acres probably need to be shifted from Sec 2 to Sec 1, maybe an amendment will be necessary to ~~state~~ <sup>add</sup> acres during final review.

# RECOMMENDED PERMISSIBLE PLACE OF USE:

CLAIMS: A43-10544

split into

A43-00263

A43-00264

A43-00266

|                  | NUMBER    | TNS | RNG | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTAL | SYSTEM TOTAL |
|------------------|-----------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|--------------|
|                  |           |     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |              |
| original claim   | A43-10544 | 14S | 24E | 1   |    |    |    |    |    |    |    |    | 5  |    |    |    |    |    |    |    | 5     |              |
| as amended/split | A43-00263 |     |     | 1   |    |    |    |    |    |    |    |    | 5  |    |    |    |    |    |    |    | 5     |              |
| " "              | A43-00266 |     |     | 1   |    |    |    |    |    |    |    |    | 5  |    |    |    |    |    |    |    | 5     |              |

|                  | NUMBER    | TNS | RNG | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTAL | SYSTEM TOTAL |
|------------------|-----------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|--------------|
|                  |           |     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |              |
| original claim   | A43-10544 | 14S | 24E | 2   |    |    |    |    |    |    |    |    |    |    |    |    | 30 | 10 |    |    | 40    |              |
| as amended/split | A43-00263 |     |     | 2   |    |    |    |    |    |    |    |    |    |    |    |    | 30 | 10 |    |    | 40    |              |
| " "              | A43-00266 |     |     | 2   |    |    |    |    |    |    |    |    |    |    |    |    | 30 | 10 |    |    | 40    |              |
| new claim        | A43-00264 |     |     | 2   |    |    |    |    |    |    |    |    |    |    |    |    |    | 1  |    |    | 1     |              |

A43-00263 & A43-00266 have a common P/U  
 A43-00264 adds one new acre to ~~system~~ total acres irrigated under all rights in aggregate.

Claim amendment  
work sheet.

A43-10546 split into  
CLAIM NUMBER A43-00186  
A43-00187  
A43-10547 amended  
no number DATE 3-22-93  
change AGENT KKC

|            | CLAIM<br>NUMBER |             |             |             | NE     |        |        |        | NW     |        |        |        | SW     |        |        |        | SE     |        |        |        | TOTAL<br>ACRES |
|------------|-----------------|-------------|-------------|-------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|----------------|
|            |                 | T<br>N<br>S | R<br>N<br>G | S<br>E<br>C | N<br>E | N<br>W | S<br>W | S<br>E | N<br>E | N<br>W | S<br>W | S<br>E | N<br>E | N<br>W | S<br>W | S<br>E | N<br>E | N<br>W | S<br>W | S<br>E |                |
| orig claim | A43-10546       | 14S         | 24E         | 1           |        |        |        |        |        |        |        |        |        |        |        |        | 15     |        |        | 15     | 30             |
| orig claim | A43-10547       |             |             | 1           |        |        |        |        |        |        |        |        |        |        |        |        | 15     |        |        | 15     | 30             |
| Amended    | A43-00186       |             |             | 1           |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 12     | 12             |
| Amended    | A43-00187       |             |             | 1           |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 12     |                |
| Amended    | A43-10547       |             |             | 1           |        |        |        |        |        |        |        |        |        |        |        |        | 15     | 10     |        |        | 25             |

|            | CLAIM<br>NUMBER |             |             |             | NE     |        |        |        | NW     |        |        |        | SW     |        |        |        | SE     |        |        |        | TOTAL<br>ACRES |
|------------|-----------------|-------------|-------------|-------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|----------------|
|            |                 | T<br>N<br>S | R<br>N<br>G | S<br>E<br>C | N<br>E | N<br>W | S<br>W | S<br>E | N<br>E | N<br>W | S<br>W | S<br>E | N<br>E | N<br>W | S<br>W | S<br>E | N<br>E | N<br>W | S<br>W | S<br>E |                |
| orig claim | A43-10546       | 14S         | 25E         | 6           |        |        |        |        |        |        |        |        | 30     | 40     | 40     |        |        |        |        |        | 110            |
| orig claim | A43-10547       |             |             | 6           |        |        |        |        |        |        |        |        | 30     | 40     | 40     |        |        |        |        |        | 110            |
| Amended    | A43-00186       |             |             | 6           |        |        |        |        |        |        |        |        |        | 3      | 39     |        |        |        |        |        | 42             |
| Amended    | A43-00187       |             |             | 6           |        |        |        |        |        |        |        |        |        | 3      | 39     |        |        |        |        |        | 42             |
| Amended    | A43-10547       |             |             | 6           |        |        |        |        |        |        |        |        | 30     | 35     |        |        |        |        |        |        | 65             |

|            | CLAIM<br>NUMBER |                  |             |             | NE     |        |        |        | NW     |        |        |        | SW     |        |        |        | SE     |        |        |        | TOTAL<br>ACRES |
|------------|-----------------|------------------|-------------|-------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|----------------|
|            |                 | T<br>N<br>S      | R<br>N<br>G | S<br>E<br>C | N<br>E | N<br>W | S<br>W | S<br>E | N<br>E | N<br>W | S<br>W | S<br>E | N<br>E | N<br>W | S<br>W | S<br>E | N<br>E | N<br>W | S<br>W | S<br>E |                |
| orig claim | A43-10546       | 14S              | 25E         | 7           |        |        |        |        | 7      |        |        |        |        |        |        |        |        |        |        |        | 7              |
| orig claim | A43-10547       |                  |             | 7           |        |        |        |        | 7      |        |        |        |        |        |        |        |        |        |        |        | 7              |
| Amended    | A43-00186       |                  |             | 7           |        |        |        |        | 11     |        |        |        |        |        |        |        |        |        |        |        | 11             |
| Amended    | A43-00187       |                  |             | 7           |        |        |        |        | 11     |        |        |        |        |        |        |        |        |        |        |        | 11             |
| Amended    | A43-10547       | no acres claimed |             |             |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |                |

Amended claimed acres.

A43-00186 = 65

A43-00187 = 65 (same acres as 00186)

A43-10547 = 90

total claimed 155

total of orig claimed acres

A43-10546 - 147

(same acres) A43-10547 - 147

- 155  
- 147

8 acres previously not claimed or paid for

R25

Bernice Hogan-Stephens  
down stream

uses  
not for A43- 00263  
264  
186  
187  
10547

diff right in sec 6 and 5

E 130

E 53

E 130

E 130

31 32

E 130

E 130

32 33

E 130

5 4

E 198

E 61 E 360

A

55.1

E 64

E 56

E 130

E 64

C

22.1

B

67.9

D

36.8

6 5  
7 8

E 67

5 4  
8 9

E 198

Water Right Number - 43-00263 Prefix Translation: WATER RIGHT Old (D) Number -  
+ - - - - Last Name - - - + + - First Name - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
RASMUSSEN MRS. E. S. 1 -  
2 -  
3 -  
City- State- Zip-  
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +  
06/08/1883 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +  
CASSIA CREEK RAFT RIVER

+ - - - - Point of Diversion - - - - - +  
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 0.860

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +  
0.860

| + - - - - Place of Use - - - - - + |     |     |       |     |       |      |             |           |
|------------------------------------|-----|-----|-------|-----|-------|------|-------------|-----------|
| TwN                                | Rng | Sec | Tract | Lot | Acres | Code | Description | County    |
| 14S                                | 24E | 1   | SW NW |     |       | 01   | IRRIGATION  | 31 CASSIA |
| 14S                                | 24E | 1   | NW SW |     |       | 01   | IRRIGATION  | 31 CASSIA |
| 14S                                | 24E | 1   | SW SW |     |       | 01   | IRRIGATION  | 31 CASSIA |
| 14S                                | 24E | 2   | SW NE |     |       | 01   | IRRIGATION  | 31 CASSIA |
| 14S                                | 24E | 2   | SE NE |     |       | 01   | IRRIGATION  | 31 CASSIA |
| 14S                                | 24E | 2   | NE SE |     |       | 01   | IRRIGATION  | 31 CASSIA |
| 14S                                | 24E | 2   | NW SE |     |       | 01   | IRRIGATION  | 31 CASSIA |
| 14S                                | 24E | 2   | SW SE |     |       | 01   | IRRIGATION  | 31 CASSIA |
| 14S                                | 24E | 2   | SE SE |     |       | 01   | IRRIGATION  | 31 CASSIA |

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 43-0264

+ - - - - Remarks - - - - - +  
P. U. IS H. E. S. #203; SEE DECREE FOR DESCRIPTION.

+ - - - - Old Water Right Numbers - - - - - +  
No Old Water Right Numbers found.

Water right number - 43-00263

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - - +  
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +  
ALBION-IDAHO LAND CO.

+ - - - - Decree Defendant - - - +  
JOBE ADAMS ET AL

+ - Decree Date - +  
10/18/1928

+ - - - - Comments - - - - - +  
No Comments Found

+ - - Audit Fields - 02/11/86 05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

|                               |                              |                      |
|-------------------------------|------------------------------|----------------------|
| Proof Due Date - 00/00/0000   | Field Exam Made - 00/00/0000 | Field Exam Fee -     |
| Approved/Denied - 00/00/0000  | Protested Date - 00/00/0000  | Swan Falls -         |
| Proof Made Date - 00/00/0000  | Hearing Date - 00/00/0000    | Temporary Right - P  |
| Exam to S.O. Date- 00/00/0000 | Verified Date - 04/08/1985   | DLE/Carey Act -      |
| Order Show Cause - 00/00/0000 | Receipt Number -             | Water District - 43C |
| Licensed Date - 00/00/0000    | Appl Received - 00/00/0000   | Transfer/Amended -   |
| Decree Date - 10/18/1928      | Presumption Flag -           |                      |

SEP 12 10 11:10  
DISTRICT COURT - SRBA  
TWIN FALLS, IDAHO

**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** )  
 ) **ORDER OF PARTIAL DECREE**  
**Case No. 39576** )  
 ) **For Water Right 43-00263**  
\_\_\_\_\_ )

On July 31, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 43-00263 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED September 12, 2002

  
\_\_\_\_\_  
ROGER S. BURDICK  
Presiding Judge  
Snake River Basin Adjudication

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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 43-00263

2002 SEP 12 AM 11:10  
DISTRICT COURT-SRBA  
CLERK OF COURT

NAME AND ADDRESS: ALVIN CARPENTER  
MARY J CARPENTER  
2079 E 1700 S  
MALTA, ID 83342

SOURCE: CASSIA CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 0.86 CFS

PRIORITY DATE: 06/08/1983

POINT OF DIVERSION: T14S R24E S02 NENESW Within Cassia County  
SWNWSE

BOTH POINTS OF DIVERSION LIE WITHIN HOMESTEAD ENTRY SURVEY 206.

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 0.86 CFS |

| PLACE OF USE: | Irrigation       |           | Within Cassia County |
|---------------|------------------|-----------|----------------------|
|               | T14S R24E S01    | NESW 3.0  | NWSW 9.0             |
|               | LOT 8 ( )        | 5.0       |                      |
|               | S02              | NESE 19.0 | NWSE 9.0             |
|               | 45.0 Acres Total |           |                      |

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION  
OF A COMBINED TOTAL OF 45 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS. 43-263 AND 43-266  
THE USE OF WATER UNDER THIS RIGHT WITHIN 14S, 24E, S02, AND  
WITHIN 14S, 24E, S01, NWSW (9.0 ACRES) IS LIMITED TO HOMESTEAD  
ENTRY SURVEY NO. 203.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance  
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a  
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final  
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

*Roger Burdick*

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

2002 SEP 12 PM 02:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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     | ) | CERTIFICATE OF MAILING   |
|                | ) |                          |
| Case No. 39576 | ) |                          |
| _____          | ) | Water Right(s): 43-00263 |

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 43-00263 was mailed  
on September 12, 2002, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

UNITED STATES OF AMERICA  
Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724  
Phone: 208-387-0835

ALVIN CARPENTER  
MARY J CARPENTER  
2079 E 1700 S  
MALTA, ID 83342  
Phone: 208-645-2347

ROBBIN GLATZ  
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
09/12/02

RECEIVED

FEB 19 2002

Department of Water Resources  
Southern 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 SRBA

**A. Subcase 43-00263**

(Insert water right number)

Case No. 39576

# 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 Land Management, Idaho State Office

Address: 1387 South Vinnell Way  
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

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

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

Name: Alvin Carpenter

Address: 2079 E 1700 S; Malta, ID. 83342

Name: Mary J. Carpenter

Address: 2079 E 1700 S; Malta, ID. 83342

Name:

Address: ;

Name:

Address: ;

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

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: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

**VERIFICATION** (Must be Completed)

State of Idaho )  
                  ) ss.  
County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

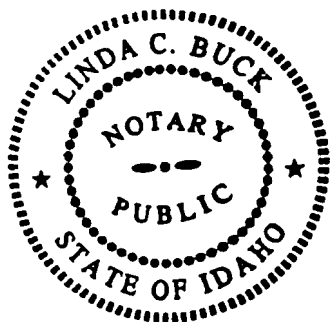
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford  
(Signature of person filing objection)

Larry G. Brown  
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

February 7, 2002  
Linda C. Buck



Linda C. Buck  
Notary Public for Idaho  
Residing at: Mountain Home  
My Commission Expires: 12-21-2005

## 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 Feb. 8, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

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: Alvin Carpenter

Address: 2079 E 1700 S; Malta, ID. 83342

Name: Mary J. Carpenter

Address: 2079 E 1700 S; Malta, ID. 83342

Name:

Address: ;

Name:

Address: ;

3. Copies to:

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

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

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



Signature of Objector or attorney mailing on Objector's behalf

09/19/2001

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

RIGHT NUMBER: 43-263

NAME AND ADDRESS: ALVIN CARPENTER  
2079 E 1700 S  
MALTA ID 83342

MARY J CARPENTER  
2079 E 1700 S  
MALTA ID 83342

-MIXED POD

-THE POINT OF DIVERSION IDENTIFIED BELOW  
CONTAINS BOTH PRIVATE AND PUBLIC LANDS.  
-CLARIFY THE POD SUCH THAT IT IS CLEAR  
THAT ONLY PRIVATE LAND IS INTENDED.

SOURCE: CASSIA CREEK

TRIBUTARY: RAFT RIVER

QUANTITY: 0.860 CFS

-MIXED POU

-THE PLACE OF USE IDENTIFIED BELOW  
CONTAINS BOTH PRIVATE AND PUBLIC LANDS.  
-CLARIFY THE POU SUCH THAT IT IS CLEAR  
THAT ONLY PRIVATE LAND IS INTENDED.

POINT OF  
DIVERSION:

T14S R24E S2 NENESW Within CASSIA County  
T14S R24E S2 SWNWSE Within CASSIA County BLM

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE  
IRRIGATION

PERIOD OF USE  
04/01 10/31

QUANTITY  
0.860 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

|               |      |      |                          |      |      |
|---------------|------|------|--------------------------|------|------|
| T14S R24E S01 | NESW | 3.0  | <u>T14S R24E S01</u>     | NWSW | 14.0 |
| T14S R24E S02 | NESE | 19.0 | <u>T14S R24E S02 BLM</u> | NWSE | 9.0  |

45 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED  
TOTAL OF 45 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.  
43-263 AND 43-266

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.  
PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 203.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO  
SECTION 42-1425, IDAHO CODE.

THE POD DESCRIBES MIXED OWNERSHIP. THE FOLLOWING LIMITING LANGUAGE INSERTED UNDER  
POINT OF DIVERSION WOULD RESOLVE BLM'S OBJECTION TO POD;

"THE POINT OF DIVERSION WITHIN SWNWSE, S02, T14S, R24E, LIES  
WITHIN HOMESTEAD ENTRY SURVEY 206."

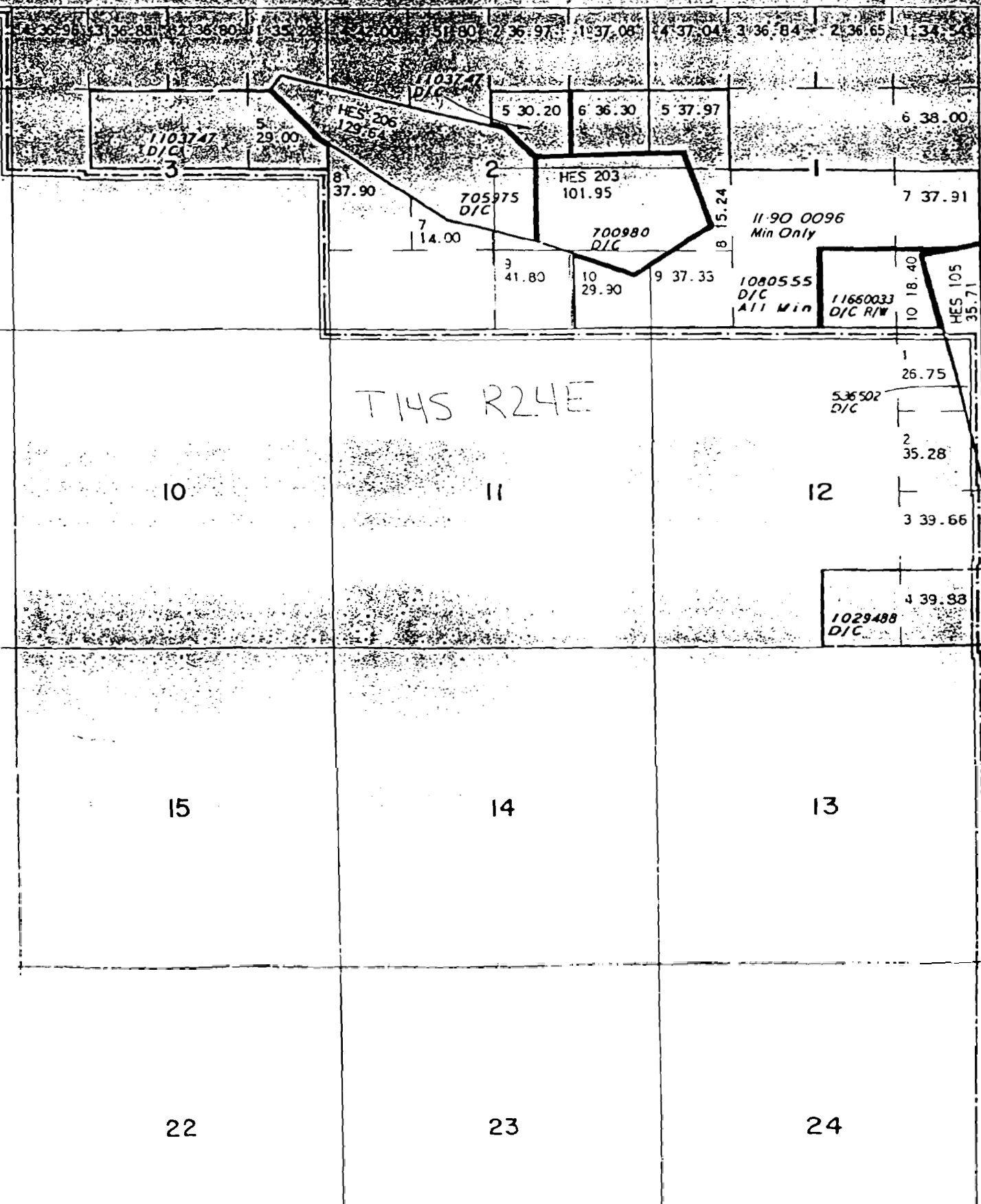
THE POU DESCRIBES MIXED OWNERSHIP. THE FOLLOWING LIMITING LANGUAGE INSERTED UNDER  
PLACE OF USE WOULD RESOLVE BLM'S OBJECTION TO POU;

"THE USE OF WATER UNDER THIS RIGHT WITHIN NWSE, S02, T14S, R24E,  
IS LIMITED TO HOMESTEAD ENTRY SURVEY NO 203."

# RANGE 24 EAST OF THE BOISE MERIDIAN, IDAHO

COUNTY

TRACT SEC 3



# TOWNSHIP 14 SOUTH RANGE 24 EAST OF THE BOISE MERIDIAN, IDAHO

CASSIA COUNTY

BURLEY DISTRICT SEC. 2

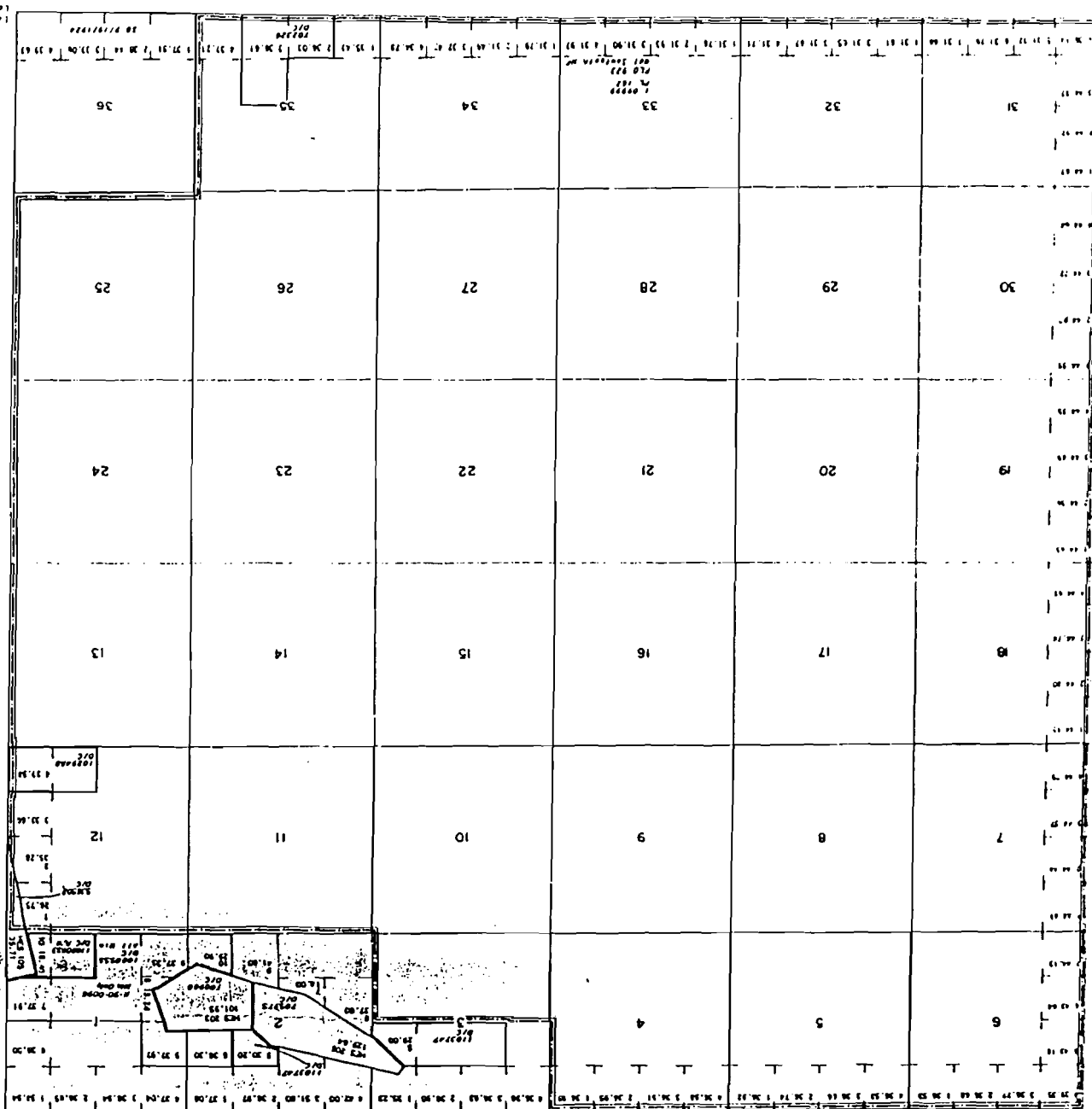
STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

MT PLAT

| MOCK TO SEPARATED TRACTS |    |
|--------------------------|----|
| TRACT NO.                | 1  |
| TRACT NO.                | 2  |
| TRACT NO.                | 3  |
| TRACT NO.                | 4  |
| TRACT NO.                | 5  |
| TRACT NO.                | 6  |
| TRACT NO.                | 7  |
| TRACT NO.                | 8  |
| TRACT NO.                | 9  |
| TRACT NO.                | 10 |
| TRACT NO.                | 11 |
| TRACT NO.                | 12 |
| TRACT NO.                | 13 |
| TRACT NO.                | 14 |
| TRACT NO.                | 15 |
| TRACT NO.                | 16 |
| TRACT NO.                | 17 |
| TRACT NO.                | 18 |
| TRACT NO.                | 19 |
| TRACT NO.                | 20 |
| TRACT NO.                | 21 |
| TRACT NO.                | 22 |
| TRACT NO.                | 23 |
| TRACT NO.                | 24 |
| TRACT NO.                | 25 |
| TRACT NO.                | 26 |
| TRACT NO.                | 27 |
| TRACT NO.                | 28 |
| TRACT NO.                | 29 |
| TRACT NO.                | 30 |
| TRACT NO.                | 31 |
| TRACT NO.                | 32 |
| TRACT NO.                | 33 |
| TRACT NO.                | 34 |
| TRACT NO.                | 35 |
| TRACT NO.                | 36 |

1999 DISTRICT (ACT OF CONG. 1/22/1933)  
Completed 1/13/1962, All of surface BLM by BLM

|                                                                                                            |            |
|------------------------------------------------------------------------------------------------------------|------------|
| FOR OWNERS EFFECTING DISPOSAL OR USE OF<br>UNREGISTERED LANDS REFER TO INDEX OF<br>MISCELLANEOUS DOCUMENTS |            |
| CLERK TO                                                                                                   | NOV 8 1973 |
| CLERK TO                                                                                                   |            |
| USE PLATS                                                                                                  |            |



SCALE IN CHAINS  
0 10 20 30 40 50

THIS PLAT IS THE "ORIGINAL" PLAT OF THE LAND AND MINERAL TITLES  
MADE BY THE BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR  
AND IS THE ONLY PLAT OF THE LAND AND MINERAL TITLES  
MADE BY THE BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR  
AND IS THE ONLY PLAT OF THE LAND AND MINERAL TITLES  
MADE BY THE BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST  
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE, SEE  
THE HISTORICAL INDEX FOR THE ORIGINAL WITH-  
DRAWAL ORDER

Done May  
1, 1973  
R. 241

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

03/20/2001

RIGHT NUMBER: 43-263

NAME AND ADDRESS: BERNICE HOGGAN-STEPHENS  
BOX 453  
ELBA, ID 83326

SOURCE: CASSIA CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 0.86 CFS

VERIFIED BY KKC

PRIORITY DATE: 06/08/1883

POINT OF DIVERSION: T14S R24E S2 NENESW Within CASSIA County  
T14S R24E S2 SWNWSE Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04-01 10-31          | 0.86 CFS        |

PLACE OF USE:

| <u>IRRIGATION Within CASSIA County</u> |      |    |              |      |    |
|----------------------------------------|------|----|--------------|------|----|
| T14S R24E S1                           | NESW | 3  | T14S R24E S1 | NWSW | 14 |
| T14S R24E S2                           | NESE | 19 | T14S R24E S2 | NWSE | 9  |

45 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION  
OF A COMBINED TOTAL OF 45 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS. 43-263 AND 43-266

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

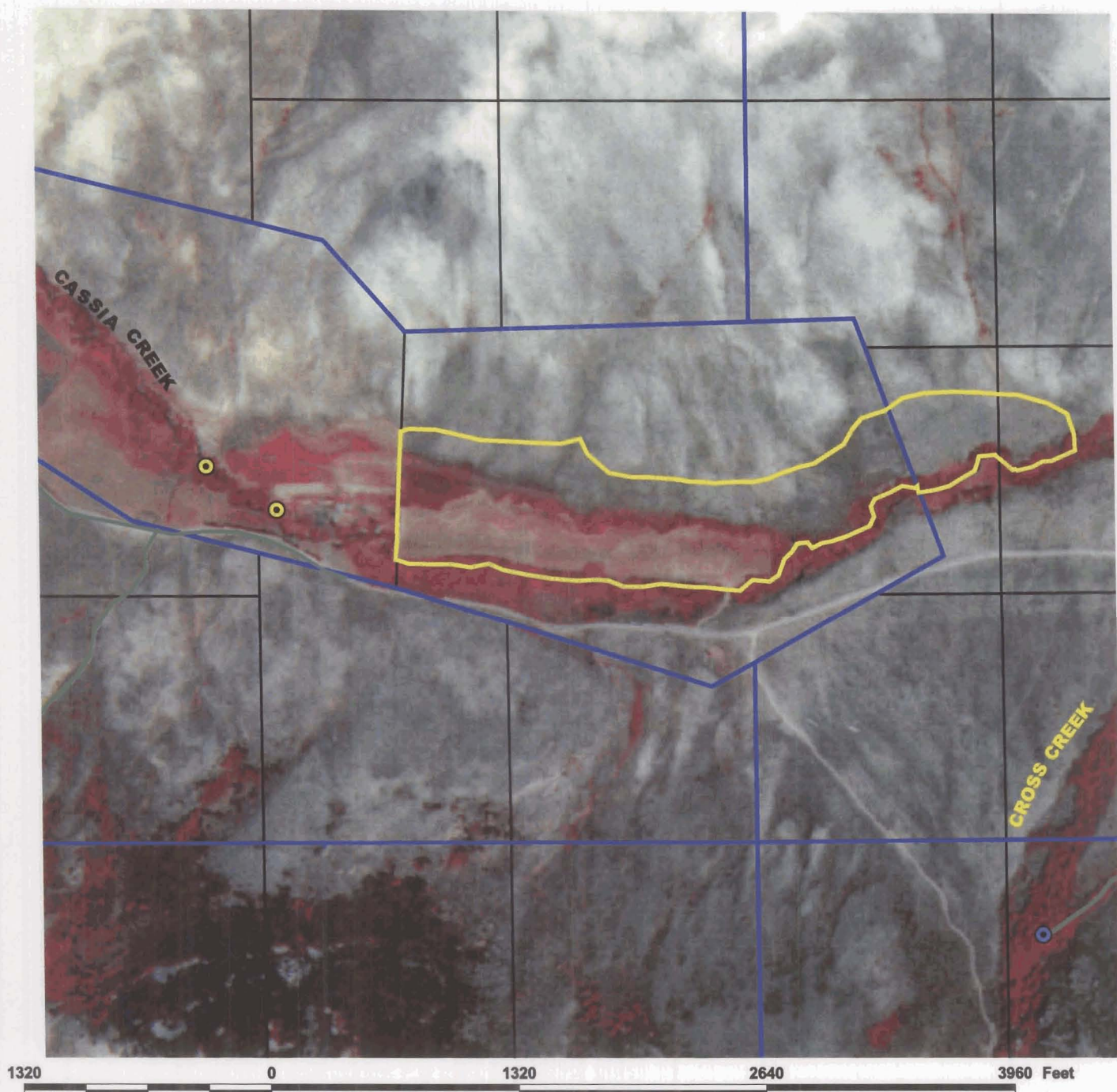
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE  
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE  
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER  
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), 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

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 203.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.

Idaho Department of Water Resources  
**RECOMMENDED PLACE OF USE FOR  
43-263 and 43-266**



**PLACE OF USE**  
TWP 14S, RNG 24E, SEC 1 & 2  
Data entry on March 20, 2001

**GIS PLACE OF USE PRESENTATION**  
1987/1988 NAPP AERIAL PHOTOGRAPHY  
DATA ENTRY BY KELLY K CHRISTENSEN

-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**

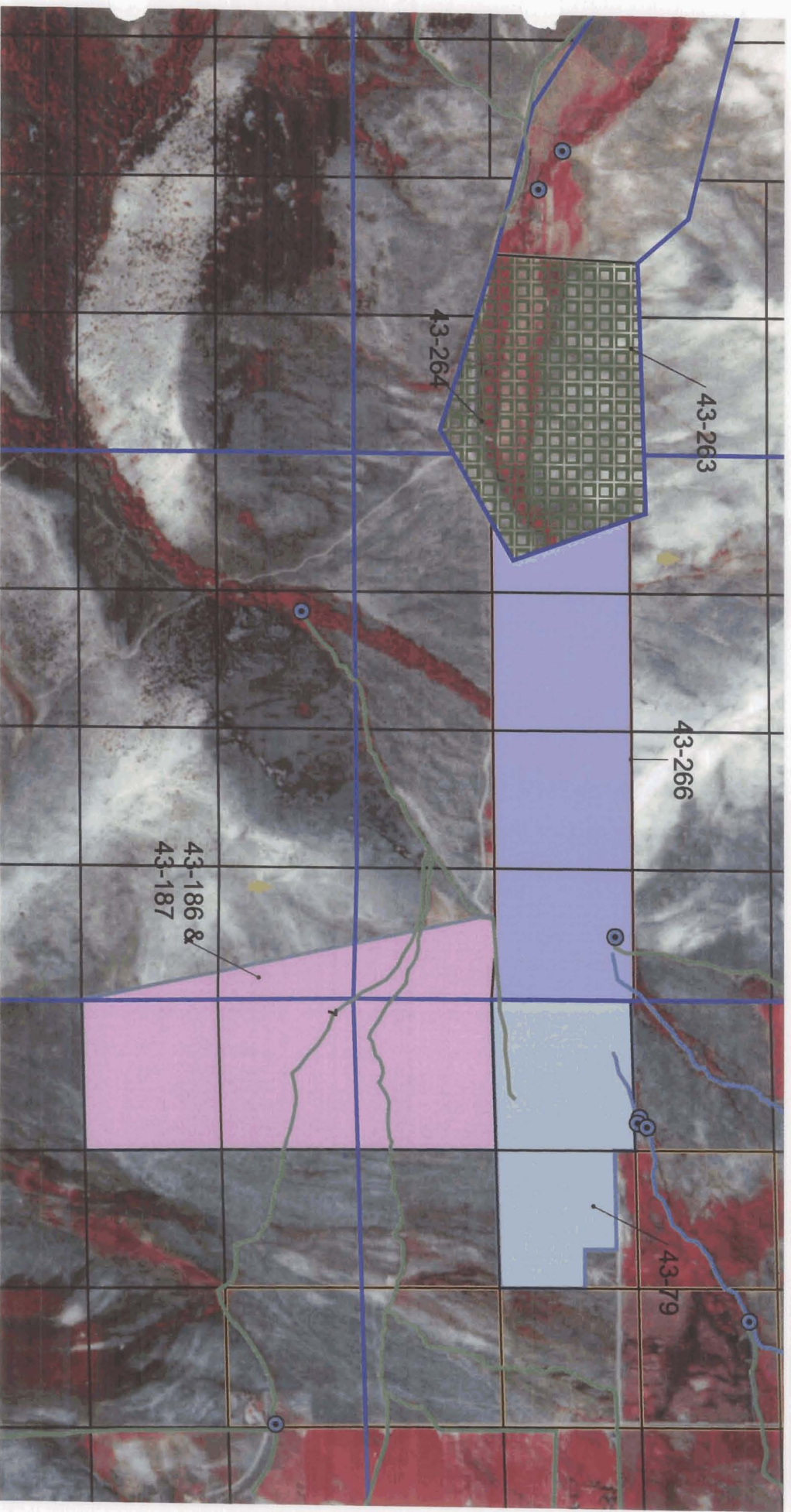


**CASSIA CO**



# CARPENTER DECREED P/U

## FIELD NOTES



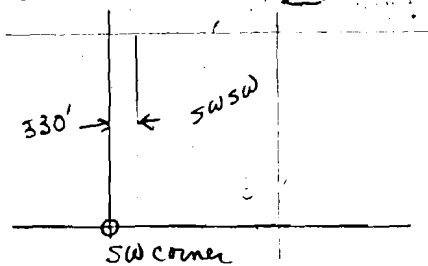
43-0257 1910-Apr. 1 s.f. irrigation of; Lot 1, Sec. 31, Lot 3, Sec. 30 Tp. 11 S.R. 27 B.M.  
 43-0258 1911-June 3 1.84 s.f. To be diverted from Raft River for the irrigation of SE $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 6, NW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 7, Tp. 12 S.R. 27 E.B.M.  
 To be diverted from Raft River for the irrigation of; NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 25, Tp. 11 S.R. 26 E.B.M.; Lot 3 Sec. 30, Tp. 11 S.R. 27 EBM

22. Mrs. E. S. Rasmussen.  
 43-0263 1883-June 8 .86 s.f. To be diverted from Cassia Creek  
 43-0264 1885-Apr. 30 .08 s.f. from Springs, for the irrigation of  
 .04 H.E. Survey No. 203, embracing a  
 portion of approximate Sections 1 and  
 2, Tp. 14 S.R. 24 E.B.M., described

-4-

J. Edward Rasmussen

1881-Apr. 30 43-0265 .9 s.f. c 70



Frank D. Rasmussen  
 and Mrs. Frank D. Rasmussen c 70  
 1887-Apr. 30 43-0266 .4 s.f.

To be diverted from Cassia Creek for the irrigation of SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 31, and that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , commencing at the SW corner of Sec. 32, thence East 20 rods, thence North 80 rods, thence West 20 rods, thence South 80 rods, to place of beginning, all in Twp. 13 S. R. 25 E.B.M.

To be diverted from Cassia Creek for the irrigation of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 1, Twp. 14 S. R. 24 E.B.M.

Silvia D. Rice  
 1863-Apr. 30 43-0267 a.c. c 130

1868-Apr. 30 43-0268 .2 s.f. c 210  
 1869-Apr. 30 43-0269 .24 s.f. c 110  
 1873 June 1 43-0416 .1 s.f.

See amending decree  
 1873-June 1 43-0270 2 s.f. c 16

1913-Oct. 4 43-0271 .6 s.f. c 185

The flow of Rock Springs Gulch Creek

To be diverted from Cassia Creek for the irrigation of SE $\frac{1}{4}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 29, Twp. 13 S. R. 25 E.B.M.

From Cassia Creek for the irrigation of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 29, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 28, Twp. 13 S. R. 25 E.B.M.

Of the waters of Snake Spring, a tributary of Cassia Creek, appurtenant to all of said land.

Ada C. Rice  
 1872-Apr. 30 0272 1 s.f. c 11  
 1880-Apr. 30 0273 1.5 s.f. c 6  
 1872-Apr. 30 0274

To be diverted from Cassia Creek for the irrigation of All of the waters of Warm Creek for the irrigation of

See Amendment  
 Pg 5

3  
+  
19

Field notes  
7-1-94  
KRC



11  
12

E III

N

S

S

9

6381

No 12

HES 203

DECEED  
43-00266

X 6388

43-00346

DECEED  
43-00266

Spring

Spring

5420

5200

CLAIM NUMBER 43-0263 DATE 7-21-00 TRANSFER NUMBER \_\_\_\_\_  
43-0266 AGENT KKC CLAIMED ACRE TOTAL 45  
HES-203 GIS ACRE TOTAL 45

|       | TWP | RNG | SEC | NE |    |    |    | NW |    |    |    | SW |     |    |    | SE |     |    |    |      |
|-------|-----|-----|-----|----|----|----|----|----|----|----|----|----|-----|----|----|----|-----|----|----|------|
|       |     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW  | SW | SE | NE | NW  | SW | SE |      |
| CLAIM | 14S | 24E | 1   |    |    |    |    |    |    |    |    |    | 5   |    |    |    |     |    |    | 5    |
| GIS   |     |     |     |    |    |    |    |    |    |    |    | 30 | 143 |    |    |    |     |    |    | .    |
| RECOM |     |     |     |    |    |    |    |    |    |    |    | 30 | 14  |    |    |    |     |    |    | 170  |
| CLAIM | 14S | 24E | 2   |    |    |    |    |    |    |    |    |    |     |    |    | 30 | 10  |    |    | 40   |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |     |    |    | 19 | 9.1 |    |    |      |
| RECOM |     |     |     |    |    |    |    |    |    |    |    |    |     |    |    | 19 | 9.0 |    |    | 28.0 |
| CLAIM |     |     |     |    |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |      |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |      |
| RECOM |     |     |     |    |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |      |

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

135 Sec 2 washed out  
NE NESW Replaced with a pump.  
Both Shared with Otterleg

136 Sec 2  
SW NWSE

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT ✓ 43-00263 266 Carpenter

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

15:50:42  
06/07/94

PAGE: 13  
QUICKLOOK INFORMATION

28  
CLAIM NUMBER: A43-00263

| WR ELEMENT                | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | VERIFIED BY<br>CODE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                   |                                                 | 7-1-94<br>KKC              | N                      |                     | KKC<br>7-21-00                   |                                      |                               |
| POINT OF DIV              | Y                 |                                                 |                            | Y                      |                     |                                  |                                      |                               |
| SOURCE                    |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PLACE OF USE              | Y                 |                                                 |                            | Y                      |                     |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                 |                                                 |                            | -                      |                     |                                  |                                      |                               |
| PURPOSES                  |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PERIOD OF USE             | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| BASIS OF CLAIM            |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| REMARKS                   | Y                 |                                                 |                            | Y                      |                     |                                  |                                      |                               |

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1  
ASCS MAP = 2  
WATERMASTER RECORDS = 3  
NAPP PHOTOS = 4  
FIELD EXAM = 5  
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION  
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

15:50:42  
06/07/94

PAGE: 1  
GENERAL INFORMATION

16  
CLAIM NUMBER: A43-00263

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LAST: RASMUSSEN  
ADDRESS:  
CITY: N  
PHONE NUMBER: 208-000-0000

FIRST: MRS. E. S.  
STATE: ID ZIP: 0

OWNER CODE: 0

LAST: HOGGAN-STEPHENS  
ADDRESS: BOX 453  
CITY: ELBA  
PHONE NUMBER: 208-638-5510

FIRST: BERNICE  
STATE: ID ZIP: 83326

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE  
Y

FIELD  
EXAMINER  
\_\_\_\_\_

CLAIM REMARKS: P. U. IS H. E. S. #203; SEE DECREE FOR DESCRIPTION.  
|  
THIS RIGHT HAS BEEN COMBINED WITH 43-00264 UNDER A43-10544 BY  
BERNICE HOGGAN-STEPHENS.  
|  
THIS RIGHT CLAIMED IN FULL. ALB 1-17-92  
\*\*THIS RIGHT WAS RECLAIMED AS THE COMBINED RIGHTS RESULTED IN THE  
USE BEING FLOOD RIGHTS ONLY WHEN USING THE LATEST PRIORITY DATE.  
CLAIM A43-10544 IS NO LONGER VALID. AN ADDITIONAL FEE WAS PAID  
FOR THE SECOND CLAIM AFTER THE SPLIT. THE OTHER CLAIM IS  
A43-00264 WHICH COVERS THE SAME P/U AND IS FROM THE SAME P/D. NO  
NEW ACRES WERE ADDED AS A RESULT OF THE SPLIT. KKC 3-23-93...

CONTACT PERSON: Bernice Stephens

PHONE NUMBER: ( ) -

DATE OF FIELD EXAM: 7/1/94

APPOINTMENT MADE: Y( ) N( )

TIME: : A( ) P( )

ACCOMPANIED BY: no one in field

PHONE NUMBER: ( ) -

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / NOTES:

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A. AJ CLAIM: # A43-00263 PRIORITY DATE: 06-08-1883 STAGE: D  
B. WR RECORD: # 43-00263 PRIORITY DATE: 06-08-1883 STAGE: D

C. FIELD EXAM REQUIRED? DATABASE FIELD  
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y( ) N( )  
IF YES EXPLAIN.

NOTES: claimed priority date matches decree date  
& P/4 is within decree P/4 accept as claimed

=====

RECOMMENDED PRIORITY DATE:  
06-08-1883

REVIEWED BY KKC

DATE 7-21-00

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | THP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A43-00263 | 14S  | 24E  | 2    |     | NE  | SW  |     | CASSIA |
| A43-00263 | 14S  | 24E  | 2    | SE  | NW  | SE  |     | CASSIA |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
A43-00266 NONE  
WR RECORDS IN SAME 40 ACRE TRACT  
43-07084

SOURCE: CASSIA CREEK

TRIB: RAFT RIVER

B. WR POINT OF DIVERSION AND SOURCE:

4300263 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CASSIA CREEK

TRIB: RAFT RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N) Y DATABASE  
DUE TO SOURCE DISCREPANCY? (Y/N) N FIELD EXAMINER

NOTES:

I found 2 R/D.S. One was washed out in approx 1984 but a portable pump has been used to deliver water into that system. The second R/D is in Oldboy Canal. Each ditch irrigates separate parcels of ground separated by a natural drain.



A. ROOT WATER RIGHT NUMBERS: A43-10544  
A43-00263  
R43-10544

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                        | AJ<br>#/ACRES   | WR<br>#/ACRES  | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|-----------------------------|-----------------|----------------|-----------------|----------------|------------------|
| 14S         | 24E | 1   | NW  | SW  |     | HOGGAN-STEPHENS, BERNICE    | A43-00263 / 5.0 | 43-00263 /     |                 |                |                  |
|             |     |     | NW  | SW  |     | HOGGAN-STEPHENS, BERNICE    | A43-00266 / 5.0 | 43-00266 /     |                 |                |                  |
|             |     |     | NW  | SW  |     | RASMUSSEN, MRS. E. S.       |                 | 43-00264 /     |                 |                |                  |
|             |     |     | NW  | SW  |     | CARPENTER, ALVIN            |                 | 43-07084 /40.0 |                 |                |                  |
| 14S         | 24E | 2   | NE  | SE  |     | HOGGAN-STEPHENS, BERNICE    | A43-00263 /30.0 | 43-00263 /     |                 |                |                  |
|             |     |     | NE  | SE  |     | HOGGAN-STEPHENS, BERNICE    | A43-00266 /30.0 | - /            |                 |                |                  |
|             |     |     | NE  | SE  |     | RASMUSSEN, MRS. E. S.       |                 | 43-00264 /     |                 |                |                  |
|             |     |     | NE  | SE  |     | CARPENTER, ALVIN            |                 | 43-07084 /40.0 |                 |                |                  |
| 14S         | 24E | 2   | NW  | SE  |     | HOGGAN-STEPHENS, BERNICE    | A43-00263 /10.0 | 43-00263 /     |                 |                |                  |
|             |     |     | NW  | SE  |     | OTTLEY, MERLIN W.           | A43-00228 / 6.0 | 43-00228 /     |                 |                |                  |
|             |     |     | NW  | SE  |     | OTTLEY, MERLIN W.           | A43-00229 / 6.0 | 43-00229 /     |                 |                |                  |
|             |     |     | NW  | SE  |     | HOGGAN-STEPHENS, BERNICE    | A43-00264 / 1.0 | 43-00264 /     |                 |                |                  |
|             |     |     | NW  | SE  |     | HOGGAN-STEPHENS, BERNICE    | A43-00266 /10.0 | - /            |                 |                |                  |
|             |     |     | NW  | SE  |     | CASSIA CREEK IRRIGATION CO. |                 | 43-00015 /     |                 |                |                  |
|             |     |     | NW  | SE  |     | CARPENTER, ALVIN            |                 | 43-07084 /20.0 |                 |                |                  |
| TOTAL ACRES |     |     |     |     |     | A43-00263                   | 45.00           |                |                 |                |                  |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N( )  
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE  
Y

FIELD  
EXAMINER

POU COUNTY: CASSIA

*See A43a  
Land listing  
dated 7-21-00  
HKE*

PRESUMPTION FLAG: D

NOTES:

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RECOMMENDATIONS:

TOTAL ACRES: 45  
REVIEWED BY: RKC

DATE: 7-21-00

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A. AJ CLAIMED USES:

| PURPOSES                            | MONTH/DAY           | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A43-00263 IRRIGATION                | FROM 04-01 TO 10-31 | .860 CFS           |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |                     | .860 CFS           |

B. WR RECORDED USES:

| PURPOSES                            | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|-----------|--------------------|
| 43-00263 IRRIGATION                 | FROM TO   | .860 CFS           |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |           | .860 CFS           |

PRESUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

|                                          | DATABASE | FIELD EXAMINER                      |
|------------------------------------------|----------|-------------------------------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N)      | N        | <input checked="" type="checkbox"/> |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | N        | <input checked="" type="checkbox"/> |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y        | <input checked="" type="checkbox"/> |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y( ) N( )

RECOMMEND TO WR STANDARDS OR OTHER? Y( ) N( ) Explain in notes, below.

NOTES:

The claimed season of use matches the current dept standard. There was no decreed season of use accept claimed season.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.860 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.860 CFS

\*\*\* IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. \*\*\*  
\*\* If an amount smaller than the original diversion rate is \*\*  
\*\* claimed and an exam is NOT required, explain in notes. \*\*

FLOW MEASUREMENT REQUIRED?

FIELD  
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD *a partial/lune* SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 43-00264 DIFFERENT PRIORITY DATE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE           | NAME                     | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|------------------|--------------------------|-----------|----------------|-----------|----------------|
| A43-00263 | CASSIA CREEK     | HOGGAN-STEPHENS, BERNICE | 0.860     | 0.019          |           |                |
| A43-00228 | STINSON CREEK    | OTTLEY, MERLIN W.        | 0.800     | 0.019          |           |                |
| A43-00229 | DRY CANYON CREEK | OTTLEY, MERLIN W.        | 0.160     | 0.003          |           |                |
| A43-00264 | SPRINGS          | HOGGAN-STEPHENS, BERNICE | 0.040     | 0.040          |           |                |
| A43-00266 | CASSIA CREEK     | HOGGAN-STEPHENS, BERNICE | 0.400     | 0.008          |           |                |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

*263 - 1.86 CFS*  
*266 - .40 CFS*  
*1.26 CFS*

*45 ac*  
*.02*  
*.90 CFS limit @ 1" / ac.*

*the combined ditch capacity exceed the decreed div rates.*

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 43 x 0.02 CFS/ACRE = .9 CFS  
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y( ) N(☒)

\*\*\* IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ) N( ) \*\*\*

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES \_\_\_\_\_ x CONSUMPTIVE VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL CONSUMPTIVE USE \_\_\_\_\_ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES \_\_\_\_\_ x DIVERSION VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL DIVERSION VOLUME \_\_\_\_\_ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N( )

P. U. IS H. E. S. #203; SEE DECREE FOR DESCRIPTION.

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

1b. CALCULATIONS

neither this right  
or 43-00 266  
exceeds the 1"/ac limit of .9 CFS  
When they are combined  
limit to 0.90 CFS  
Ditch run from P/D to  
field head gate is relatively short  
and conveyance losses were  
considered negligible

RECOMMENDATIONS:

| REC.<br>PURPOSES     | REC. PERIOD<br>FROM<br>TO | REC. DIV<br>RATE CFS | REC. DIV<br>VOL. AF/A | REC. CONS.<br>USE |
|----------------------|---------------------------|----------------------|-----------------------|-------------------|
| IRRIGATION           | 04-01 10-31               | 0.860                |                       | 0.0               |
| TOTAL FOR THIS RIGHT |                           | 0.860                |                       | 0.0               |

REVIEWED BY:

KHC

DATE:

7-21-00

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP \_\_\_\_\_  
FORFEIT/ABANDON \_\_\_\_\_  
ADDITIONAL DIV. AMOUNT \_\_\_\_\_

ACCEPTED  
AS CLAIMED  
( )  
( )  
( )  
NEEDS  
REVIEW  
( )  
( )  
( )

*Bernia Hogan Stevens passed away  
and left the property to Alvin Carpenter.*

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-00263

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
0.860

EXAMINER  
\_\_\_\_\_

CFS

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A43-00263                | 0.860             | -                         |                  | 43-00263            | 0.860             |
|                      | TOTAL CFS                | 0.860             |                           |                  |                     | 0.860             |

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 sheet attached? (Y/N)

DATABASE  
Y

FIELD  
EXAMINER  
\_\_\_\_\_  
\_\_\_\_\_

NOTES:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

*Kelly Christensen*

*7-21-00*

*Sr Water Resource Agent*

**CLAIM # A43-00263**

**DATE PHOTO TAKEN; 7-1-94**

**PICTURE # 1**

This photo set is looking east southeast on the left to southeast on the right and shows the old stream bed and diversion point. This diversion point supplied water to the ground north of the farmstead and Cassia creek for Mr. Ottley (A453-00228-00229) and to the ground south of the hillside ditch to the natural drain mentioned in picture set # 1 narrative. This diversion is claimed under A43-00263. Mr. Ottley stated that both he and Hoggan/Stephens have used a pumping system in lieu of this diversion system. He indicated that he wants to go upstream and reestablish this diversion system as he prefers the gravity system to the pump system. The diversion washed out approximately ten years ago (1984).



CLAIM # A43-00264

DATE PHOTO TAKEN; 7-1-94

PICTURE # 1

This photo is looking west toward the P/D that is located within the pen just south and west of the Ottley farmstead. This P/D is shared with Ottley (A43-00228 & 00229). Ottley only uses the water to irrigate a small orchard and a small acreage south and east of the farmstead. This diversion covers the ground north of Cassia creek to a natural drain under A43-00264. It does not supply water north of the natural drain or south of Cassia creek. Mr. Ottley is standing above the measuring device for this diversion. It is the standard SCS 9" throat parshall flume. I read 0.29 ft on the staff gage on this date. Using the University of Idaho WATER MEASUREMENT handbook table 7, the diversion on this date was .46 cfs. The washed out P/D in photo set 2 is located near the tree that is just visible above the haystack.

WASHED OUT P/D



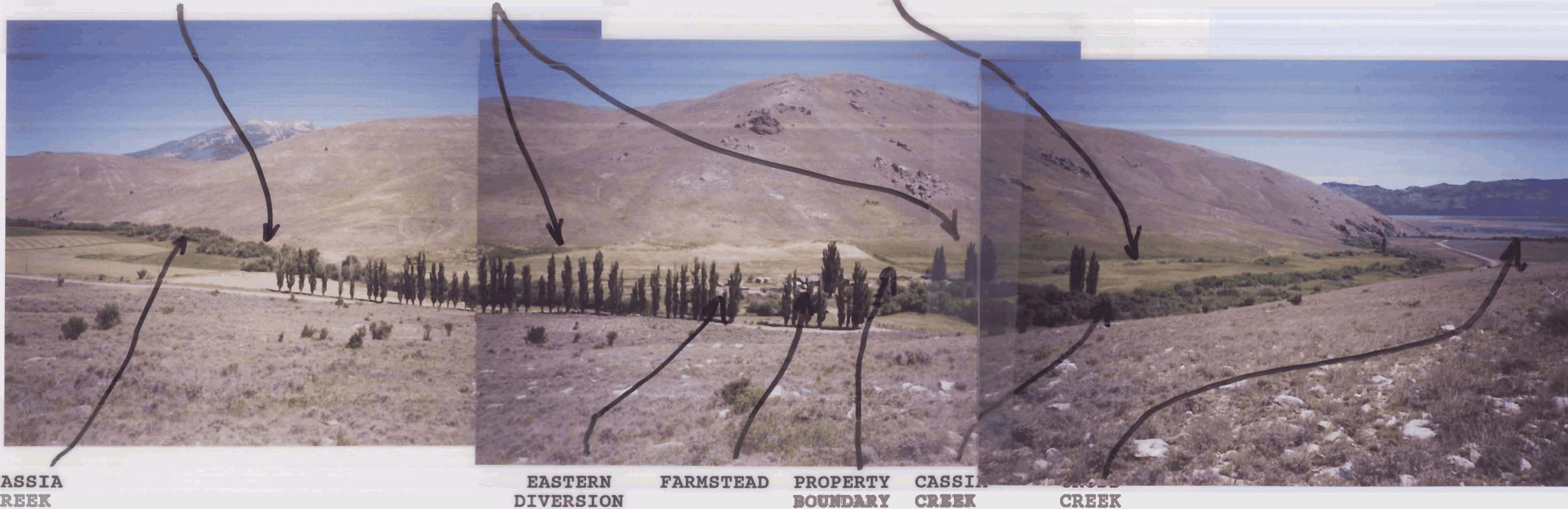
CLAIM # A43-00263, & 00264  
DATE PHOTOS TAKEN; 7-1-94  
PICTURE SET # 2

This photo set shows the eastern end of the P/U for Ottley (00228, & 00229) and the P/U for Hoggan/Stephens (00263, & 00264). You are looking northwest on the left to east on the right.

WASHED OUT P/D  
SHARED BY BOTH CLAIMANTS

DITCH ROUTE FROM  
MIDDLE P/D

NATURAL DRAINAGE THAT  
SEPARATES 00263 P/U FROM 00264 P/U



CLAIM # A43-00263 & 00264  
DATE PHOTOS TAKEN; 7-1-94  
PICTURE SET # 3

This photo set was taken from a point further east than Picture set # 2 and better shows the eastern portion of the P/U for both claims. You are looking northwest on the left to northeast on the right.

PROPERTY BOUNDARY  
WITH OTTLEY

DITCH FROM  
WASHED OUT P/D

CASSIA  
CREEK

NATURAL  
DRAIN

PICTURE SET 4  
LOCATION



CLAIM # A43-00263 & 00264  
DATE PHOTOS TAKEN; 7-1-94  
PICTURE SET # 4

This photo set is looking southwest on the left to northwest on the right and shows the ditch from the washed out P/D and the P/U south of the ditch. Some high spots below the ditch are not capable of being irrigated but most of the ground is. Ground east of this point and running to the fenceline has been irrigated but is returning to sagebrush.

CASSIA CREEK

NATURAL DRAIN



CLAIM # A43-00263 & 00264  
DATE PHOTO TAKEN; 7-1-94  
PICTURE # 5

This photo was taken from the same spot as picture set # 4 but is looking south across the P/U. This shows the end of the P/U of the water diverted from Cassia Creek in Ottley's corral near the farmstead.

ROAD TO THE  
CROSS CREEK  
AND  
GREEN CREEK  
DIVERSIONS



CASSIA CREEK

NATURAL DRAIN

END OF LOWER P/U