

IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R05E, S10 & S11



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

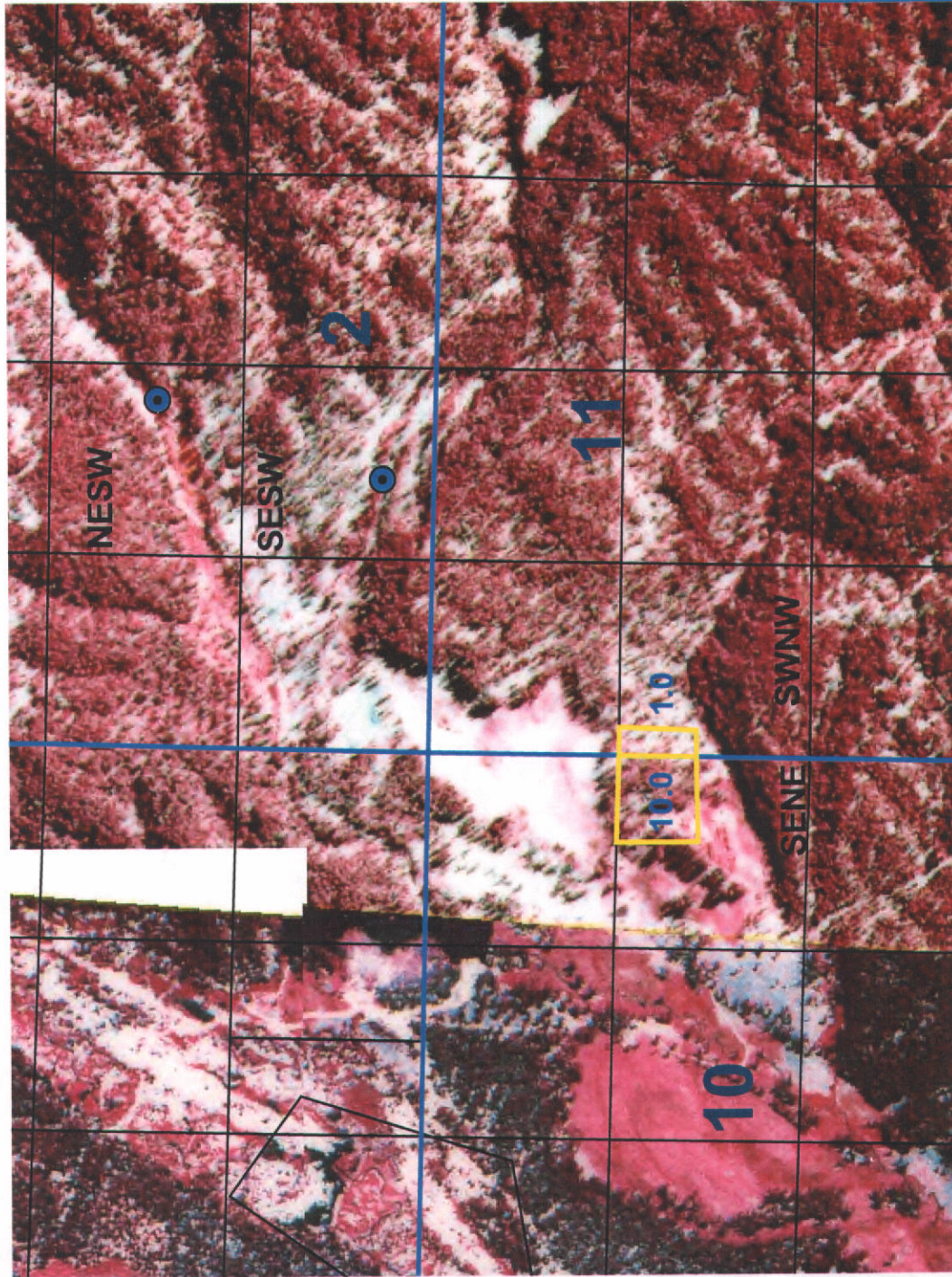
6 SECTION NUMBERS

CLAIM(S): 63-312A

OWNER(S): FINLEY, SARAH & ANN

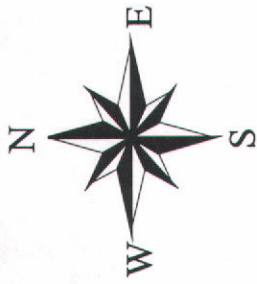
DATE: DECEMBER 5, 2001

by: Mel Schulte



IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R05E, S10 & S11



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

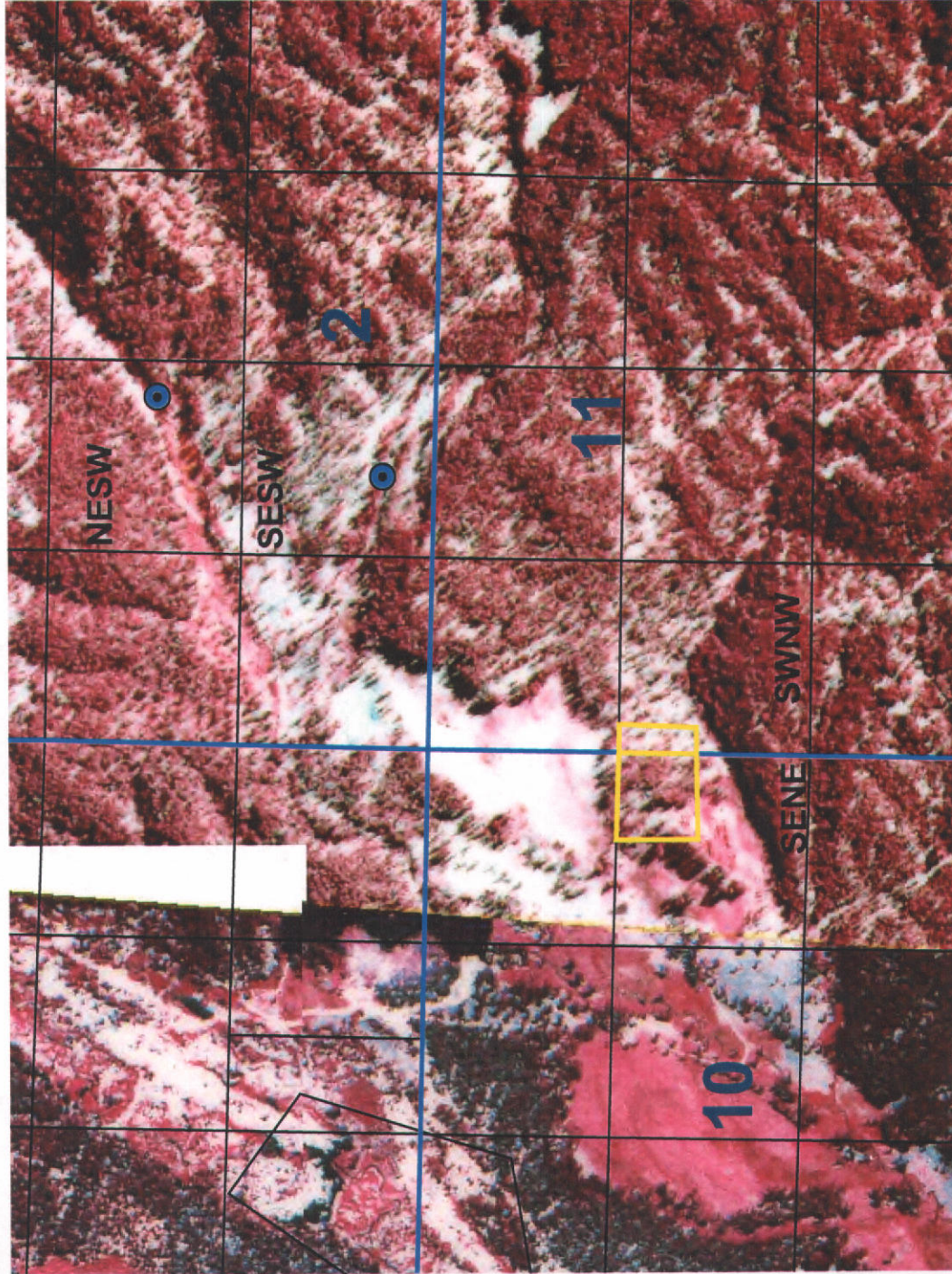
6 SECTION NUMBERS

CLAIM(S): 63-312A

OWNER(S): FINLEY, SARAH & ANN

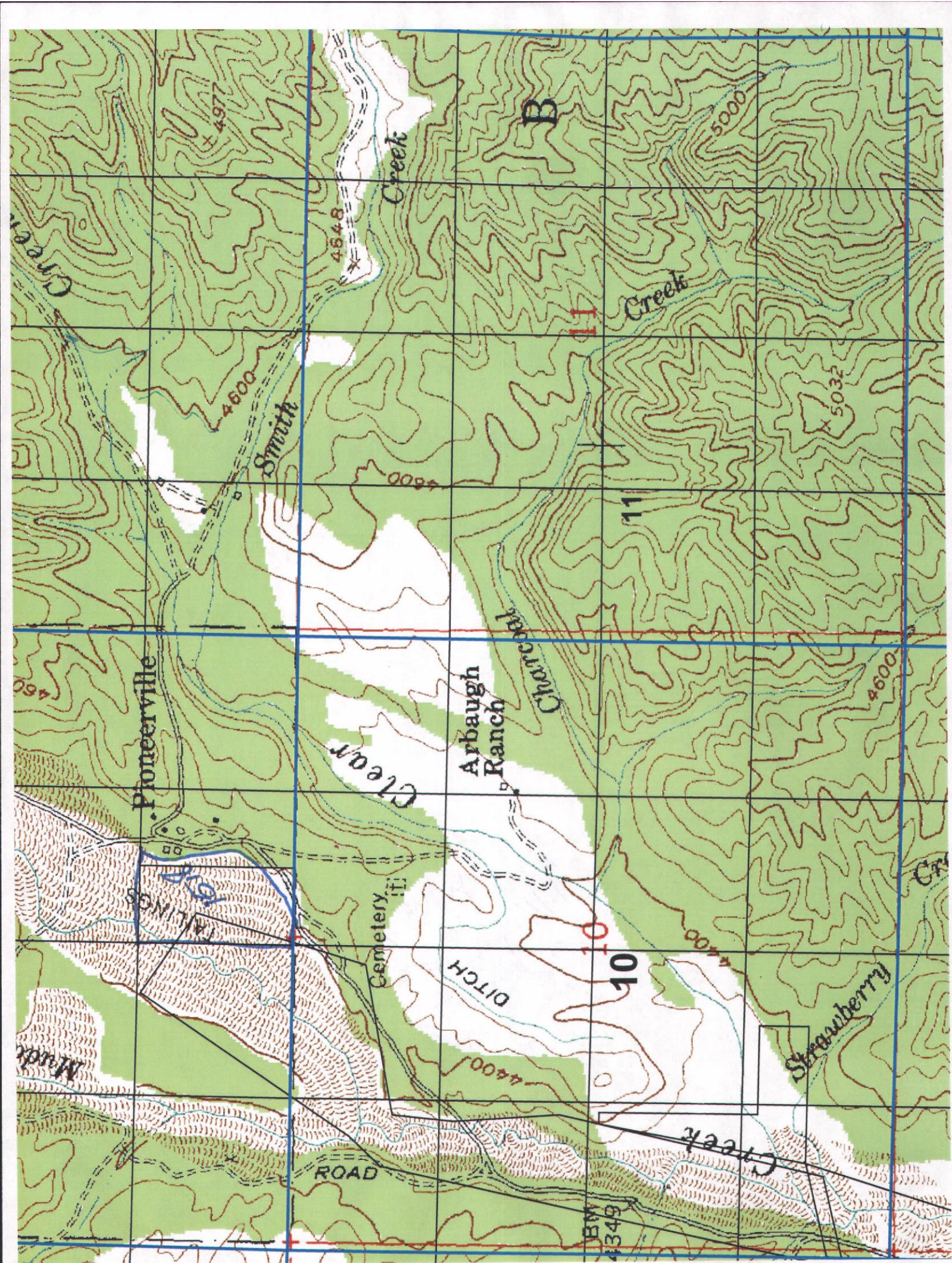
DATE: DECEMBER 5, 2001

by: Mel Schulte



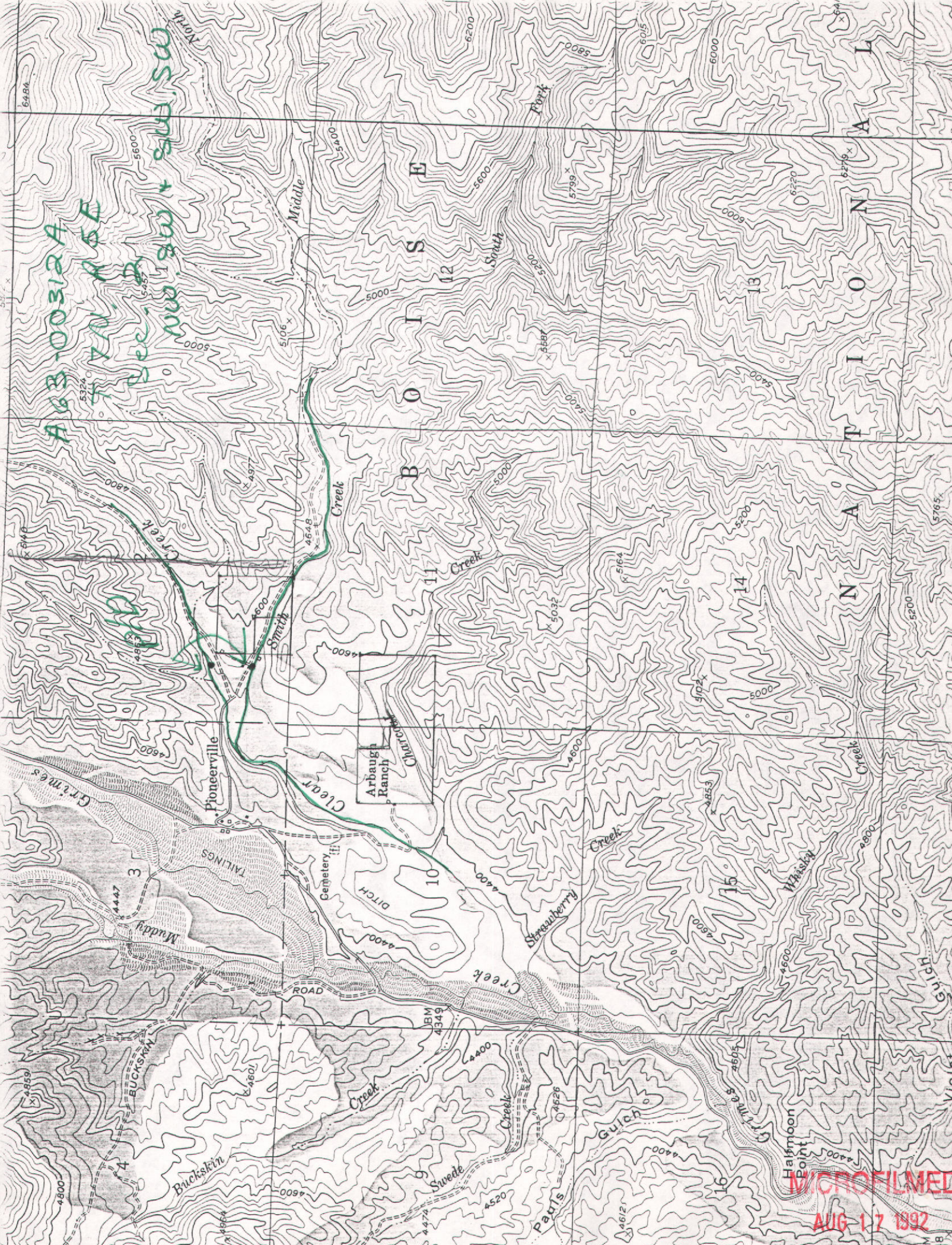
0 0.25 0.5 0.75 1 1.25 Miles





AG 3-00312A
T 7N R 5E

Dec. 2
NW 1/4 + SW 1/4



MICROFILMED
AUG 17 1992

ARBED

AUG 17 1952

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 63-312A
Date Received: 5/3/1989
Receipt No: W002679
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

ANN FINLEY Phone: (208)336-1485
PO BOX 7785
BOISE ID USA 83707

2. Date of Priority: 01/01/1916

3. Source: CLEAR CREEK , SMITH CREEK Trib. to: GRIMES CREEK , CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	05E	2	NW SW	BOISE	
07N	05E	2	SW SW	BOISE	

5. Description of diverting works:

DIVERSION DITCH W/HEADGATE REPAIRED IN 1987.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.22	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.22 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07N	05E	10	NW SE	STOCKWATER	

			SE	NE	IRRIGATION	10
					Section Acres	10
07N	05E	11	SW	NW	IRRIGATION	1
					Section Acres	1
					Total Acres	11

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

INSTREAM STOCKWATERING BEGINNING AND ENDING POINT IS IN T7N, R5E, SECTION 10; NW, SE1/4. SEE WR#A63-15258 FOR ADDITIONAL INSTREAM STOCKWATERING.

THIS CLAIM IS BASED ON THE CLEAR CREEK DECREE OF OCTOBER 1, 1918. IT DOES NOT LIST SPECIFIC DIVERSIONS; HOWEVER, INDICATES CLEAR CREEK AND ITS TRIBUTARIES. THEREFORE, SMITH CREEK IS ALSO CLAIMED AS A DIVERSION POINT SINCE THE PRIORITY DATE.

SEE WR#A63-15258 FOR MAP OF INSTREAM FLOW.

15. Basis of Claim: Decreed

16. Signature(s)

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: A63-00312A
Date Received: 5/03/1989
Receipt No: W002679
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SARAH FINLEY 208-336-1485
Address: PO BOX 7785
BOISE, ID 83707

OR

Name: ANN FINLEY 208-336-1485
Address: PO BOX 7785
BOISE, ID 83707

2. Date of Priority: JAN 01, 1916

3. Source: CLEAR CREEK Trib. to: GRIMES CREEK
SMITH CREEK CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05E	2	NW	SW			BOISE
			SW	SW			BOISE

5. Description of diverting works:
DIVERSION DITCH W/HEADGATE REPAIRED IN 1987.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.220		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATER-4 HORSES, 8 CATTLE

A63-00312A

Page 1

Date: 05/03/89

MICROFILMED

AUG 17 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05E	10	SE	NE		IRR	10.0
			NW	SE		STOCK	
					Section Acres		10.0
		11	SW	NW		IRR	1.0
					Section Acres		1.0
					Total Acres		11.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

A63-15258

14. Remarks:

INSTREAM STOCKWATERING BEGINNING AND ENDING POINT IS IN T7N, R5E, SECTION 10; NW, SE 1/4. SEE WR#A63-15258 FOR ADDITIONAL INSTREAM STOCKWATERING.

THIS CLAIM IS BASED ON THE CLEAR CREEK DECREE OF OCTOBER 1, 1918. IT DOES NOT LIST SPECIFIC DIVERSIONS; HOWEVER, INDICATES CLEAR CREEK AND ITS TRIBUTARIES. THEREFORE, SMITH CREEK IS ALSO CLAIMED AS A DIVERSION POINT SINCE THE PRIORITY DATE.

SEE WR#A63-15258 FOR MAP OF INSTREAM FLOW.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ISAAC VANWINKLE

Decree Plaintiff

vs

LEWIS ARBAUGH

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: 2

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): X *Ann Finley* Date: X May 3, 1989
Date:

State of Idaho)
County of ADA) ss.

Subscribed and sworn (or affirmed) before me this 3 day

of May 19 89

Linda Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission ~~My Commission~~ Expires December 8, 1994

08/01/2002

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

RIGHT NUMBER: 63-312A

NAME AND ADDRESS: ANN FINLEY
PO BOX 7785
BOISE ID 83707

SOURCE: CLEAR CREEK
SMITH CREEK

TRIBUTARY: GRIMES CREEK
TRIBUTARY: CLEAR CREEK

QUANTITY: 0.35 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1916

POINT OF DIVERSION:

T07N R05E S2 NESW Within BOISE County
T07N R05E S2 SESW Within BOISE County
T07N R05E S10 NWNWSE Begin of Stream Flow Within BOISE County
T07N R05E S10 NWNWSE End of Stream Flow Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.350 CFS

PLACE OF USE: STOCKWATER Within BOISE County

T07N R05E S10 NWSE

IRRIGATION Within BOISE County

T07N R05E S10 SENE 10.0

T07N R05E S11 SWNW 1.0

11 ACRES TOTAL

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

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Decreed

STOCKWATER, 4 HORSES & 8 RANGE CATTLE
SOURCE SMITH CREEK IS ALSO KNOWN AS EAST FORK CLEAR CREEK
AND RIGHT FORK CLEAR CREEK.

Adjudication Recommendation Report 63-312A V1

DA - printed

DEGREE DID NOT
SPECIFY SEASON
STANDARD IS 10/31

10/31

Tributary
GRIMES CREEK
CLEAR CREEK

To
12/31
11/01

Diversion Rate
0.020 CFS
0.350 CFS
0.350 CFS

Annual Volume

Tributary

From	To
------	----

Annual Volume

01/01 to 12/31

04/01 to 11/01

Total Diversion: 0.350 CFS

CLEAR CREEK	NE1/4SW1/4	Sec. 2,	Twp 07N,	Rge 05E, B.M.
BOISE County				
SMITH CREEK	SE1/4SW1/4	Sec. 2,	Twp 07N,	Rge 05E, B.M.
BOISE County				
CLEAR CREEK	NW1/4NW1/4SE1/4	Sec. 10,	Twp 07N,	Rge 05E, B.M.
BOISE County	(Beginning of Reach)			
CLEAR CREEK	NW1/4NW1/4SE1/4	Sec. 10,	Twp 07N,	Rge 05E, B.M.
BOISE County	(Ending of Reach)			

STOCKWATER Within BOISE County

T07N R05E S10 NWSE

IRRIGATION Within BOISE County

T07N R05E S10	SENE	10.0	T07N R05E S11	SWNW	1.0
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Total Acres: 11

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-312A V1

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. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory STOCKWATER, 4 HORSES & 8 RANGE CATTLE
2. Explanatory SOURCE SMITH CREEK IS ALSO KNOWN AS EAST FORK CLEAR CREEK AND RIGHT FORK CLEAR CREEK.
3. Quantity THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD HEADGATE.

Comments:

1. Iharris 2/20/2002 Conveyance Loss
Comment: A diversion rate of .13 CFS of the total diversion rate of .35 CFS for this right is for conveyance loss.
2. Iharris 2/20/2002 Source
Comment: Source Smith Creek is also known as East Fork Clear Creek and Right Fork Clear Creek and may have been the Clear Creek referenced in the decree documents.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number: 63
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

02/20/2002

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

RIGHT NUMBER: 63-312A

NAME AND ADDRESS: ANN FINLEY
PO BOX 7785
BOISE ID 83707

SOURCE: CLEAR CREEK
SMITH CREEK

TRIBUTARY: GRIMES CREEK
TRIBUTARY: CLEAR CREEK

QUANTITY: 0.35 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE AT THE FIELD
HEADGATE.

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1916

POINT OF DIVERSION:

T07N R05E S2 NESW Within BOISE County
T07N R05E S2 SESW Within BOISE County
T07N R05E S10 NWNWSE Begin of Stream Flow Within BOISE County
T07N R05E S10 NWNWSE End of Stream Flow Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 11/01	0.350 CFS

PLACE OF USE: STOCKWATER Within BOISE County

T07N R05E S10 NWSE

IRRIGATION Within BOISE County

T07N R05E S10 SENE 10.0 T07N R05E S11 SWNW 1.0

11 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Decreed

STOCKWATER, 4 HORSES & 8 RANGE CATTLE
SOURCE SMITH CREEK IS ALSO KNOWN AS EAST FORK CLEAR CREEK
AND RIGHT FORK CLEAR CREEK.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-00312A

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: 1-1-1916
(If the priority date, based on your exam, seems questionable, explain below.)

as decreed

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: Clear Creek & Smith Creek

4. ☐ No Change — POINT OF DIVERSION

☒ Point of diversion is different than the claim and/or new P/D's: Error in claim

Township 7N Range 5E Section 2 1/4 1/4 NE 1/4 SW = Clear Creek
Township 11 Range 11 Section 10 1/4 NW 1/4 SE 1/4 SW = Smith Creek *
10 NW NW SE = Instream (2)

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

Smith Creek is also known as East Fork Clear Creek and
Right Fork Clear Creek in some water right records.
It may have also been the ~~may~~ Clear Creek referenced in
the decree documents.

6. ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Use Irrigation From 4-1 To 10-31 Amount .35 CFS AFA *
Use From To Amount CFS AFA
Use From To Amount CFS AFA

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount CFS AFA

☐ Changes found, the new total is, Amount CFS AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: Stock # 12 List types: 4 horses & 8 cattle

Additional comments:

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4

Remarks: (Comments pertinent to field examination) See additional attachment

*. 22 cfs for irrigation and .13 cfs for conveyance loss.
Assisted by Ann Zinkley & Xenia Jones.

C18, N05, N08, QNT, Exp-conveyance Exp-stock
☐ SYSTEM DIAGRAM INCLUDED ☐ NA Exp-B01
☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 9-19-01

FIELD EXAMINER:

Print Name

Mel Schulte
Signature

Decreed Right 63-312.
Claimed

63-312 A - .22 cfs 11 acres
N/O Linley

63-312 B - 1.60 cfs 80 acres
N/O Adams/Hatcher

Decree = 1.60 cfs 160 acres by
legals. - error
in $5\frac{1}{2}$ SE, S10

Found

63-312 A 11 acres = $22\% \times 1.60 = .35$ cfs

63-312 B 38 acres = $78\% \times 1.60 = 1.25$ cfs
49 acres

49 acres $\times .02 = .98$ cfs

$1.60 - .98 = .62$ cfs for conveyance loss

Allocation between A & B

63-312 A =

11 acres $\times .02$ cfs = .22 cfs

.13 cfs = conveyance loss

.35 cfs

63-312 B =

38 acres $\times .02$ cfs = .76 cfs

.49 cfs = conveyance loss

1.25 cfs

07/03/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 63-312

Owner Type Name and Address
Current Owner LEWIS ARBAUGH

Priority Date: 01/01/1916
Basis: Decreed
Status: Active

Source Tributary to
CLEAR CREEK GRIMES CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	/	/	1.6 CFS		
Total Diversion			1.6 CFS		

Location of Point(s) of Diversion:

	Sec.	Township	Range	County
CLEAR CREEK				

Place(s) of use:

Place of Use Legal Description: IRRIGATION BOISE County

<u>Township</u>	<u>Range</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>
07N	05E	10		SENE			SESE							
		11		SWSE										
				SWNW										

Remarks:

1. General AC. IRR.=160.

Dates:

Licensed Date:
Decreed Date: 10/01/1918
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector:
Water District Number: 63
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:

463-312A

4-25
12 P-1

RT-2 Page 13-1

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE
STATE OF IDAHO, COUNTY OF BOISE.

ISAAC VAN WINKLE,
Plaintiff,

DECREE.

LEWIS ARBAUGH AND
MABEL ARBAUGH,
Defendants.

This cause having heretofore come on regularly for trial before the court, without a jury upon the plaintiff's amended complaint and the several answers and cross-complaint, the defendants (each and every of the allegations of each and every of the separate cross-complaint of the separate defendants, by stipulation of the parties, being deemed denied for the purpose of the suit); Messrs. F. W. Cronheim and J. L. Robert appearing as attorneys for the plaintiff and Messrs. J. T. Johns and E. L. Rhodes, appearing as attorneys for the defendants and cross-complaints; and the court, having heard the evidence adduced by the plaintiff and each of the defendants and cross-complaints, and being fully informed and advised in the premises and having filed its Findings of Fact and Conclusions of Law herein.

NOW, in consideration thereof and of the laws and statutes in that behalf provided.

IT IS ORDERED, ADJUDGED AND DECREED, That the plaintiff and each of the defendants and cross-complaints herein named, do have judgment respectively for a right to use the waters of Clear Creek and its tributaries, situated in Boise County, State of Idaho, to the extent of their needs for irrigation and domestic use and watering of live-stock upon the lands described after each appropriation, respectively, the following number of inches of water (measured under a Four (4) inch pressure) set opposite each name, each fifty (50) inches thereof being equivalently lent to a flow of One (1) cubic foot per second, as prescribed by the law of Idaho, the priorities of said appropriations to date from the time hereinafter named, to-wit:

Name of Party	Priority of Appropriation	Amount of Inches	Description of water in smallest level last division to which water is appurtenant	Area of Land
Isaac VanVinkle	88-0311 Jan. 1, 1894	95.	SW 1/4 SW 1/4, 2, 7N, 5E. SE 1/4 SW 1/4, 11, 7N, 5E. SE 1/4 SE 1/4, 10, " "	120
Lewis Arbaugh	88-0312 Mar. 1, 1916	180	SW NW 1/4, 11, 7N, 5E. S 1/2 SE 1/4, 15, 7N, 5E. SE 1/4 NE 1/4, 10, 7N, 5E	180
Mabel Arbaugh	88-0313 Jan. 1, 1899	20	N 1/2 SE 1/4, 2, 7N, 5E. E 1/2 SW 1/4, 2, 7N, 5E	160

2. The plaintiff and the defendant, Lewis Arbaugh, shall have placed under the direction of the State Engineer of the State of Idaho, at their respective points of diversion and the Three (3) taps as referred to in the Findings of Fact and Conclusions of Law heretofore filed, the amount of water to be diverted under the provisions of this decree and said plaintiff and defendant shall each pay One-half (1/2) the cost for having installed said headgate and taps.

3. The plaintiff shall have charge of and keep in repair at his own expense, the headgate at the point of diversion of the waters of Clear Creek to the headgate of the defendant, Lewis Arbaugh; and the defendant, Lewis Arbaugh, shall have charge of and keep in repair, the headgate installed at the point of diversion of the waters for his own use and the ^{Court Ditch} ditch from said point of diversion at his own headgate; and the plaintiff is especially enjoined and restrained from closing the headgate at the point of diversion for any purpose other than for repairs to the ditch and headgate or when there is danger of serious injury to the ditch on account of freezing during cold weather, and then only for such time as may reasonably be required to make the necessary repairs, or until it is reasonably safe to again turn the water into the ditch.

4. Each and every party hereto, in his agent, and attorneys, employees, privies and successors in interest are hereby enjoined and restrained from interfering, in any manner, with the right of prior appropriation of the waters of Clear Creek herein decreed, and from obstructing, using and wasting the waters of said

stream or in any way interfering with any dam, gate or lock herein-
before referred to other than their own and respective gates and
taps, to the injury of any other appropriators.

5. Each party hereto shall pay his own costs and disburse-
ments herein.

Dated this 1st day of October, 1918.

Charles P. McCarthy.
District Judge.

Filed October 8, 1918, and recorded in Book 4 of Judgments, on
page 517.

A. R. Dutton.
Recorder

WILLIAM COMMAN
Deputy

STATE OF IDAHO, }
County of Boise, }

I hereby certify the foregoing to be a full, true and correct copy of the

Decree recorded in my office of Book of Judgments
No. 4, page 517, and of the whole thereof.

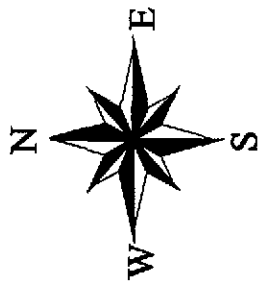
In witness whereof I have hereunto set my hand and affixed my official seal, at Idaho
City, Idaho, this 23th day of April, 1903.

By Frances E. Elliott
Deputy.

FRANCIS E. ELLIOTT
Ex-Officio Recorder.

IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R05E, S10 & S11



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

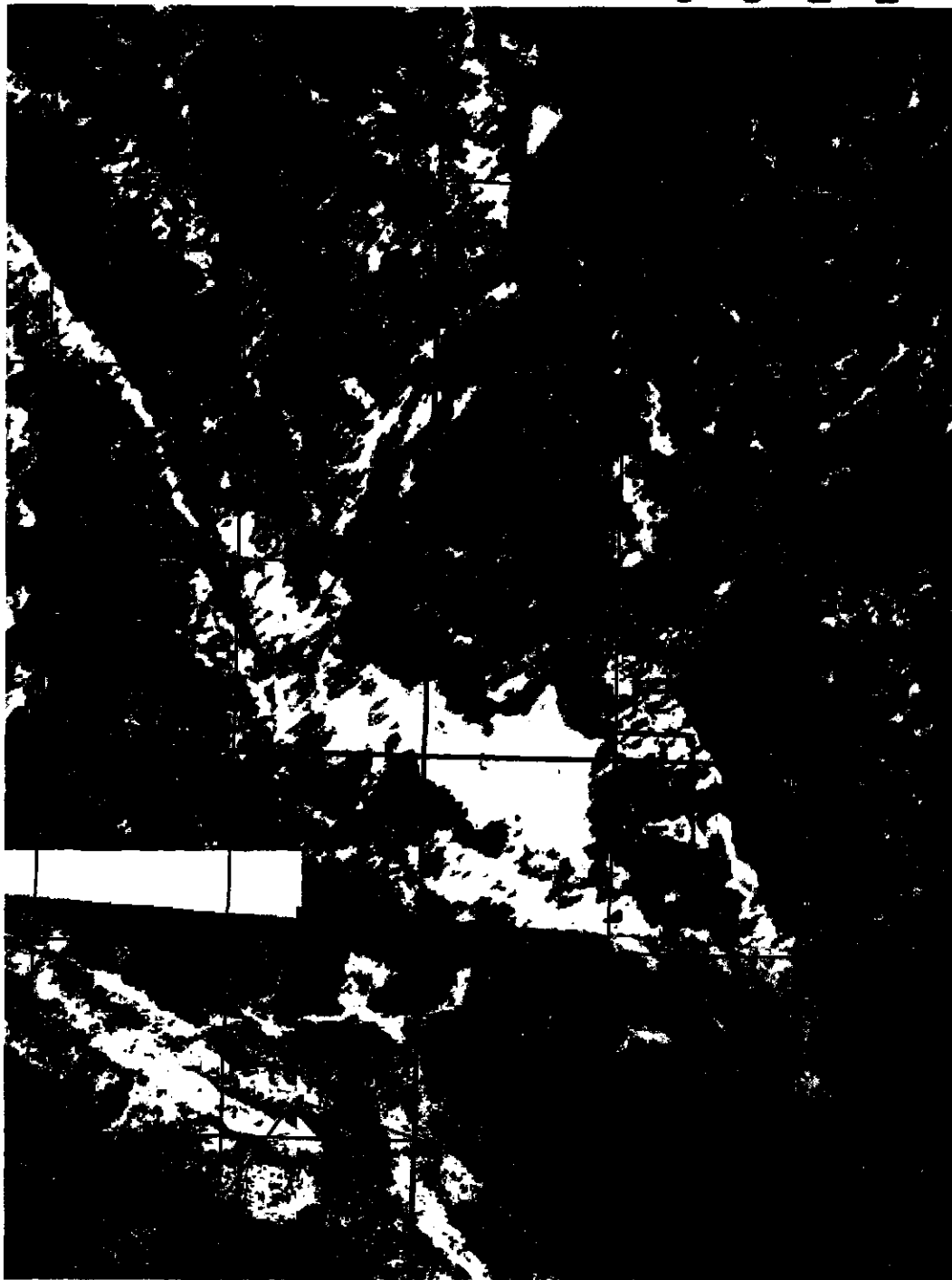
6 SECTION NUMBERS

CLAIM(S): 63-312A

OWNER(S): FINLEY, SARAH & ANN

DATE: DECEMBER 5, 2001

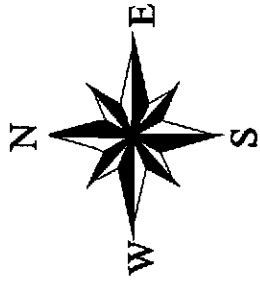
by: Mel Schulte



0 0.25 0.5 0.75 1 1.25 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R05E, S10 & S11



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

□ 1/4 1/4 LINES

□ SECTION LINES

6 ACRES

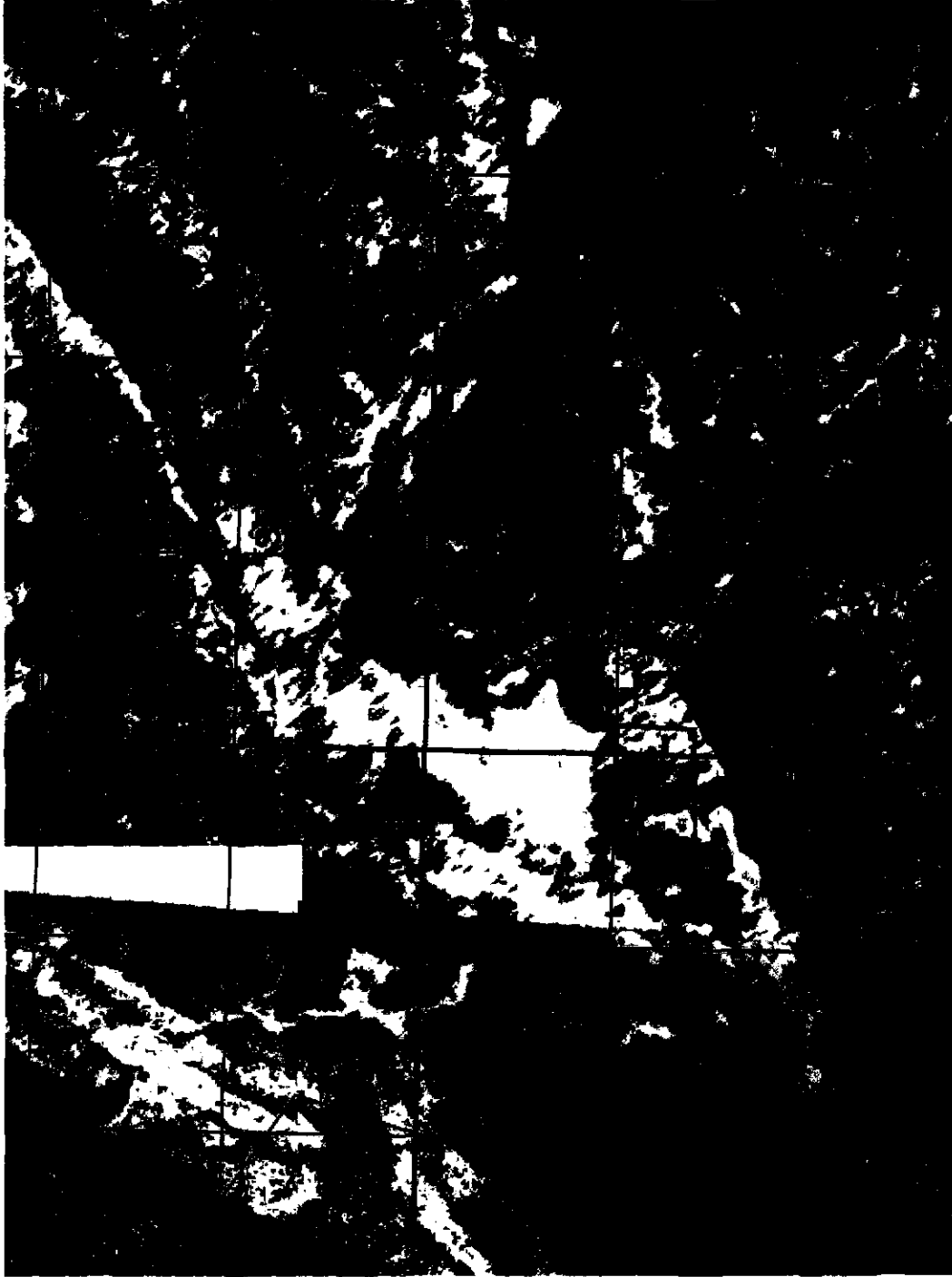
6 SECTION NUMBERS

CLAIM(S): 63-312A

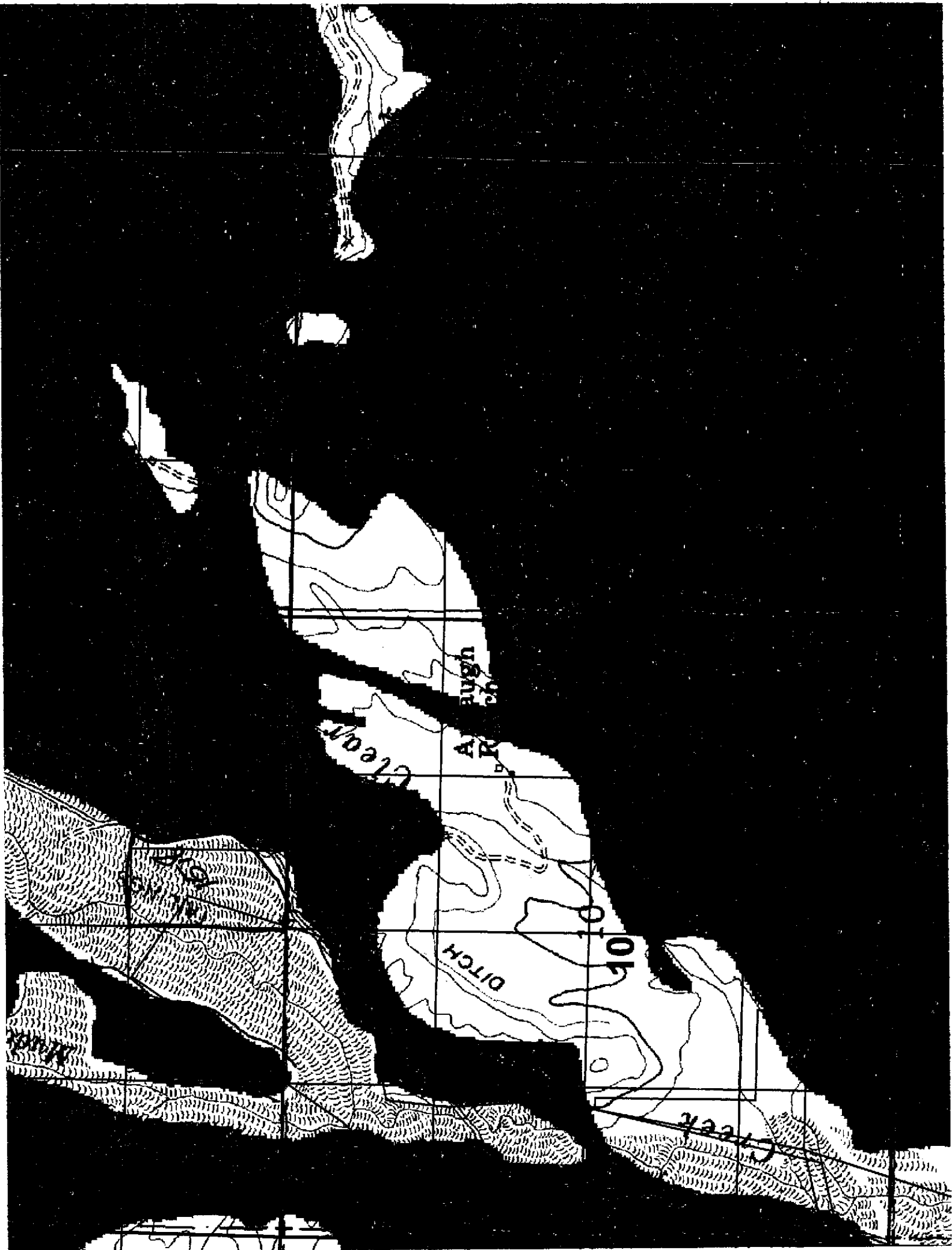
OWNER(S): FINLEY, SARAH & ANN

DATE: DECEMBER 5, 2001

by: Mel Schulte



0 0.25 0.5 0.75 1 1.25 Miles



POD - Smith Co.



352978

319990.

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

RECEIVED**DEC 27 2001****WATER RESOURCES
WESTERN REGION**

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>A63-312A</u>					
<u>A63-15258</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) are 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) Sarah Finley / Ann Finley
PO Box 7785, Boise, Id. 83707
4. New Owner/Claimant(s) Ann Finley
 Name Connector (Check One): ☒ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 7785
- City, State and ZIP Code Boise, ID 83707
- New Telephone Number ()
5. Date you acquired the property 1994. (Sarah Finley deceased)

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

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

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

7. Signature of New Owner(s) or Claimant(s) X Chris Finley
(include title if applicable) _____

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 _____

MAKE CHECK PAYABLE TO:
BOISE COUNTY TAX COLLECTOR
PO BOX 1300 ID. CITY, ID 83631
PHONE: 392-4441

2001 TAX BILL/RECEIPT

PARCEL NU
RPO7N05E1

BILL# 7310 CODE AREA 5-00

1ST HALF DUE
TAX 105.19
LATE
INT
COST
TOT

2ND HALF DUE
TAX 105.19
LATE
INT
COST
TOT

FULL DUE
TAX 210.38
LATE
INT
COST
TOT

TOT MV

FINLEY PATRICIA ANN
PO BOX 7785
BOISE ID 83707

T7N R5E SEC 10
TAX 33 IN SENE
INST. #151298

TAXING DISTRICT	RATE
STATE	.000000000
COUNTY	.004365569
SCH DIST # 72	.003034804
ROAD & BRIDGE	.000000000
BASIN LIBRARY	.000825261
EAST B.C. AMB	.000286697
SCH 72 BOND	.001886426
DISTRICT TOTAL	.010398757
SOLID WASTE	
STATE FIRE ASSM	
FPA	
AMOUNT DUE	

9 ARBAUGH LN

★ ★ ★ IMPORTANT ★ ★ ★
★ ★ ★ PLEASE READ BOTH FRONT AND BACK ★ ★ ★
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

YOUR CANCELLED CHECK IS YOUR RECEIPT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

FINLEY, PATRICIA ANN

2001
7310

2ND HALF

AMOUNT DUE 105.19

BOISE COUNTY
RPO7N05E101B50A
5-00

LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2002

TAKE CHECK PAYABLE TO:
BOISE COUNTY TAX COLLECTOR
PO BOX 1300 ID CITY, ID 83631
PHONE: 392-4441

2001 TAX BILL/RECEIPT

PARCEL NUM
RP07N05E10

BILL# 7314 CODE AREA 5-00

1ST HALF DUE
TAX 50.99
LATE
INT
COST
TOT

2ND HALF DUE
TAX 50.99
LATE
INT
COST
TOT

FULL DUE
TAX 101.98
LATE
INT
COST
TOT

TOT MV

FINLEY PATRICIA ANN
PO BOX 7785
BOISE ID 83707

T7N R5E SEC 10
NW1/4NW1/4SE1/4, W1/2NENWSE,
N1/2SWNWSE
INST. #151298

TAXING DISTRICT RATE
STATE .000000000
COUNTY .004365569
SCH DIST # 72 .003034804
ROAD & BRIDGE .000000000
BASIN LIBRARY .000825261
EAST B. C. AMB .000286697
SCH 72 BOND .001886426
DISTRICT TOTAL .010398757
STATE FIRE ASSM
FPA
AMOUNT DUE

1

IMPORTANT
PLEASE READ BOTH FRONT AND BACK

MONTHLY PAYMENTS ARE ACCEPTED

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FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

FINLEY, PATRICIA ANN

2001
7314

2ND HALF

AMOUNT DUE 50.99

BOISE COUNTY
RP07N05E107850A
5-00

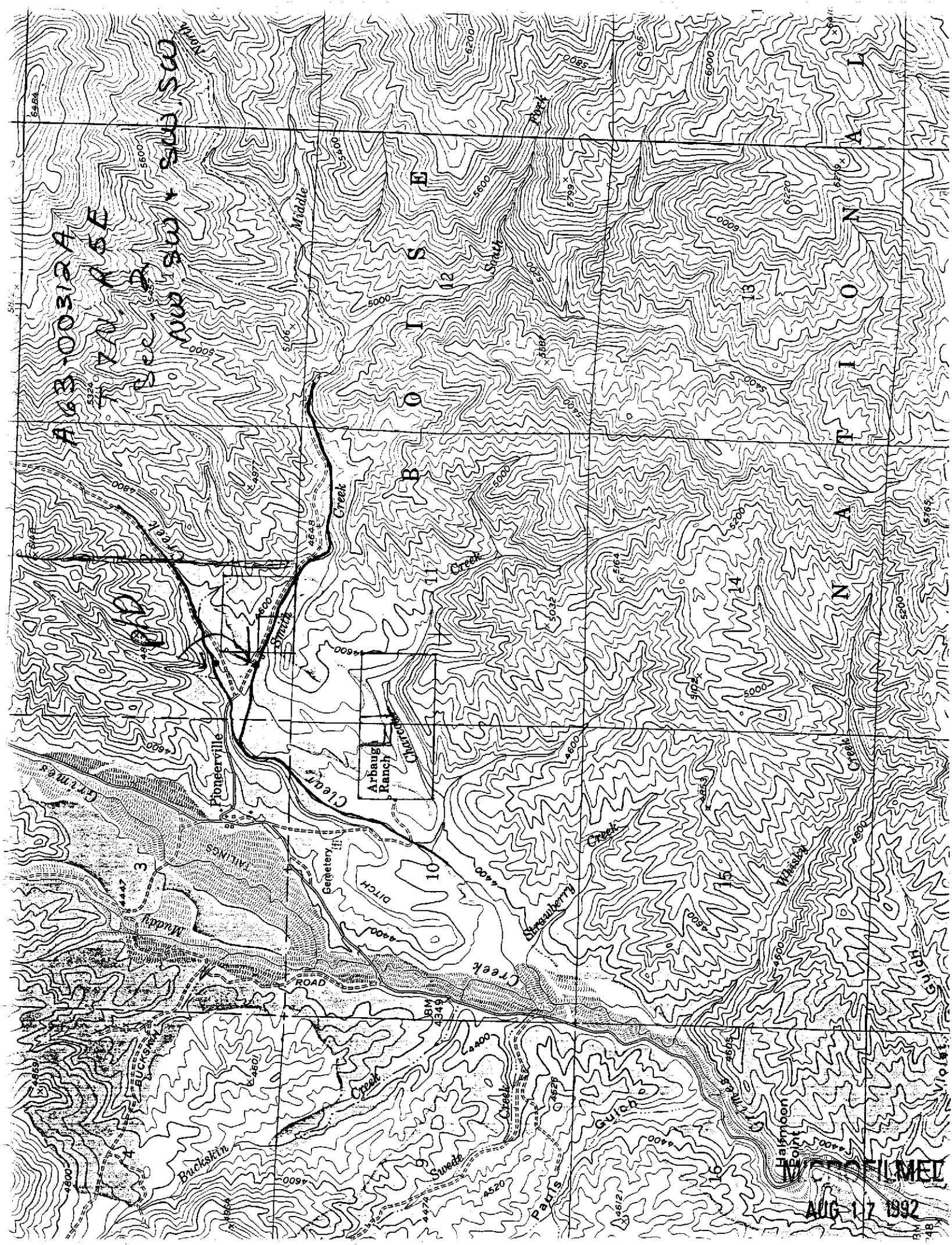
LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2002

Paul D.

RECEIVED
DEC 27 2001
WATER RESOURCES
WESTERN REGION



AGS-00312A
T 70 N R 5 E
Dec 2
Aug 2002 + 5000 5000

WILCOX FILM
AUG 17 1992

ARBED

1500

24

MICROFILMED

~~AWO-17485~~