

T02N, R07E
S17, SW1/4NW

TOPO X63
LIC 63-3353

Spring

Smith

4600

x4897

4600

x4700

17

20

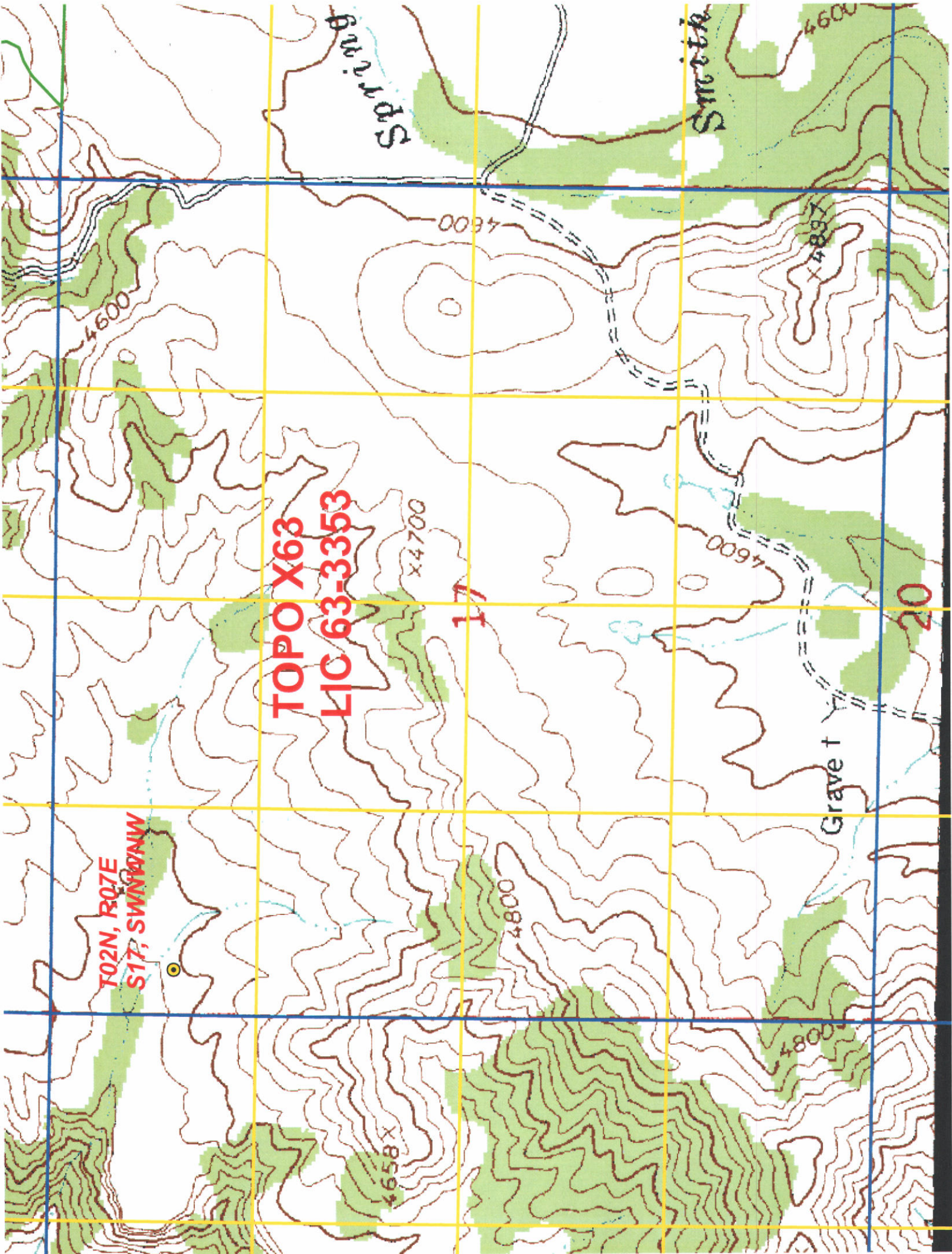
4600

Grave t

4800

x4658

4800

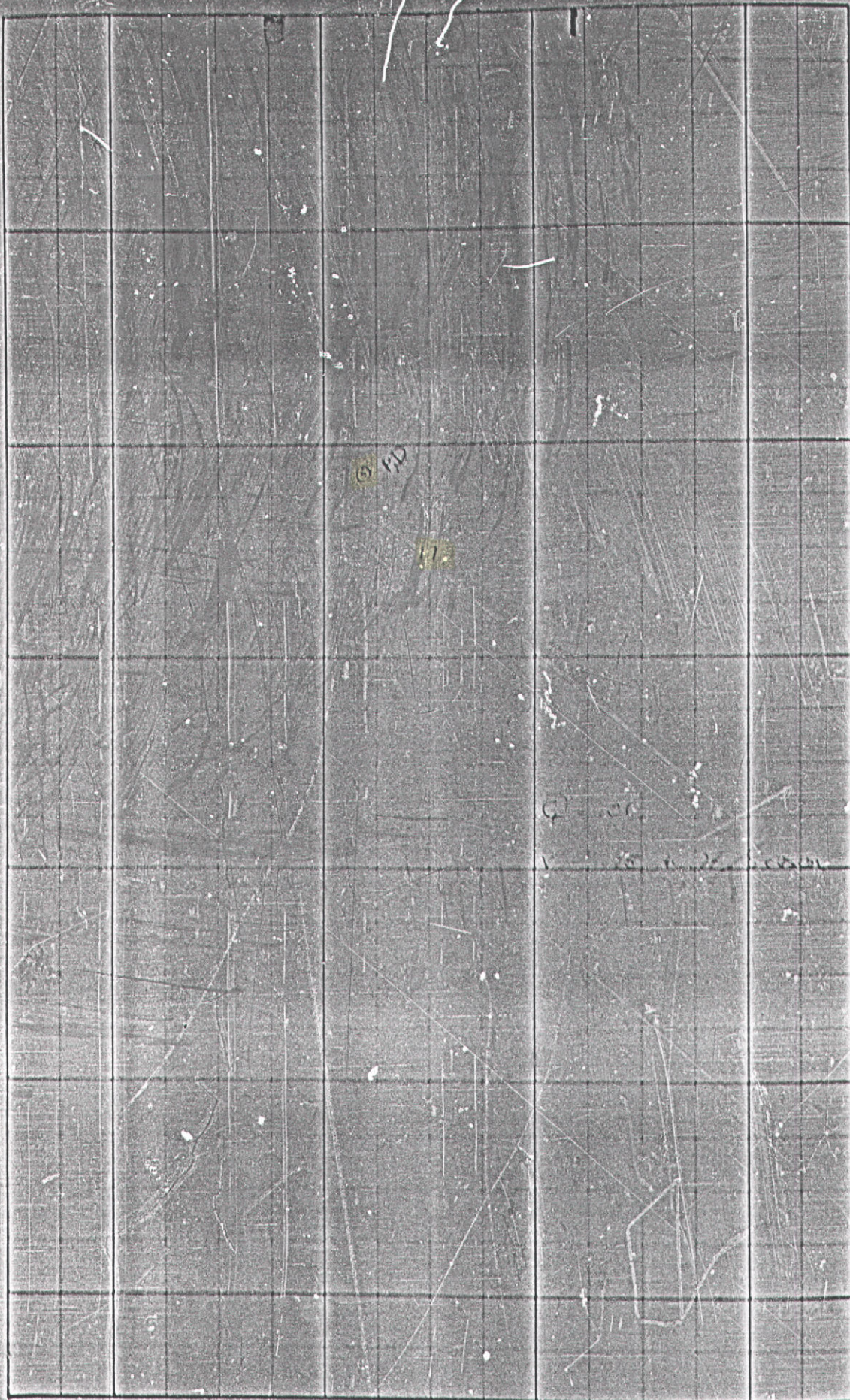




T3N
T2N

POD SW PNMW
T2N R7E S17

1975 LONG Gulch ORTHO X63



Scale: 2 inches equals 1 mile. Draw Map in Ink.

11-11-10

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 63-3353
Date Received: 3/25/1993
Receipt No: X111111
Received By:

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

1. Name of Claimant(s)

UNITED STATES OF AMERICA ACTING THROUGH Phone: (208)387-0835
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID USA 83724

2. Date of Priority: 01/01/1865

3. Source: JOE BROWN TROUGH NO 2 Trib. to: LAVA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	07E	17	NW NW	ELMORE	

5. Description of diverting works:

Combo

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	5/01	10/31	0.02	1.4

7. Total Quantity Appropriated is:
0.02 C.F.S. and/or 1.4 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	07E	17	NW	NW	STOCKWATER	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

FOREST SERVICE RECORD ID = 040217050113 92076 00

15. Basis of Claim: License

DATE: 05/22/01
PAGE: 29

DIVERSION VOLUME

7.30 AFA

Stage: LICENSE

ELMORE County

```

: NESE NWSE SWSE SESE
: Lt AC Lt AC Lt AC Lt AC
: -----
:
:

```

1/26/92 POST-STD

SRBA

SUBCASE SUMMARY REPORT 63-03353

[Return to SRBA Home Page](#)

SRBA
08-17-2006

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 63-03353 FILE#: 00000
CLAIMANT: UNITED STATES OF AMERICA
 USDA FOREST SERVICE
 550 W FORT ST MSC 033

 BOISE ID 83724
STATUS: PD ISSUED SPECIAL MASTER:
WATER SOURCE: SPRING TRIBUTARY: SMITH CREEK

****** PARTIES INVOLVED ******

UNITED STATES OF AMERICA C PRO SE

****** ROA ENTRIES ******

04-24-2003 PARTIAL DECREE FILED

04-24-2003

[Return to SRBA Home Page](#)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

June 11, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JANET JO DAVISON
775 N 15TH E
MOUNTAIN HOME ID 83647

RE: A63-03353 and ponds

Dear Jan:

I'm writing to remind you we still need proof of ownership to support the Notice of Change in Ownership for the above referenced claim filed in the **SNAKE RIVER BASIN ADJUDICATION (SRBA)**.

I'm currently preparing the final recommendations for claims in part I of the Boise Basin. If we publish the above claim to the court this month and we haven't received the ownership proof, there will be a \$25 fee added to change the ownership if the right is decreed before we receive the proof.

Of the ponds we looked at May 9th, 2002 they need to be claimed ASAP and submit the appropriate fees. Of the 4 ponds only the 1st one we looked at needs evidence of priority now to do the claim, the other 3 are small enough to be a de minimus use, however, they all need to be claimed with a date of priority prior to May 20, 1971. If someone objects to these smaller ponds from the director's report, you may have to submit evidence then.

Once we publish the director's report, if you have not made a claim to any of these ponds, they will all be considered late claims and will need to be submitted and approved through the **SNAKE RIVER BASIN ADJUDICATION COURT** in order to place your claims.

I do not have a date yet that the report will be published, but it is tentatively planned to be out this month.

Call me at the number below if you have any questions and/or set up an appointment.

Sincerely,

Ron Howerton
Senior Water Right Agent
Western Region 334-2190
Adjudication Bureau

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): License 63-03353
 Adjudication Claim No(s): 63-3353

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant United States Of America
USDA Forest Service
550 W. Fort Street., MSC033
Boise, ID 83724

4. New Owner/Claimant(s) JANET JO DAVISON
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 775 N. 15th East
 City, State and ZIP Code Mtn. Home, ID 83647
 New Telephone Number (208) 587-1954

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock 300 range cattle
 Diversion rate in CFS _____ Number of homes N/A Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) JANET JO DAVISON

 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

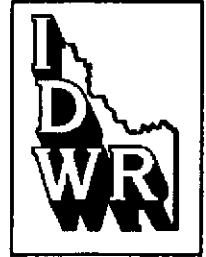
IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

CONVERSATION MEMORANDUM



SUBJECT OWNERSHIP CHANGE

WITH JANET JO DAVISON

Claim/WR # 63-3353

Agent: RON HOWERTON

Date: 5-9-02

- MET WITH JAN DAVISON IN PRAIRIE IDAHO TO LOOK AT 4-PONDS IN WHICH NO-CLAIMS WERE FILED AS BENEFICIAL USE-
- THIS claim should be in her name per STEVEN SPENCER OF THE FOREST SERVICE
- I had her fill-out the OWNERSHIP FORM AND told her I couldn't change the claim until I (WE) IDWR RECEIVED PROOF OF OWNERSHIP. Thus, until I RECEIVE PROOF IT WILL REMAIN AS USDA FOREST SERVICE.

Ron's

Shurte, Jan

From: Steven M Spencer/R4/USDAFS [sspencer@fs.fed.us]
Sent: Tuesday, April 16, 2002 9:37 AM
To: jshurte@idwr.state.id.us
Cc: Jamie Gough/R4/USDAFS; David L Negri/NONFS/USDAFS; randy.bramer@usda.gov; Michael E Collette/R4/USDAFS; Linda R Moore/R4/USDAFS
Subject: 63-3353

Preliminary recommendation of 63-3353. This is a license to the USDA Forest Service for stockwater in Section 17 T02N R07E, locally known as John Brown Spring.

This section of land went out of federal ownership and to private ownership in a land exchange dated 11/15/1993 to FLEX Northwest, Inc. The county assessor tells us that some Davison's own it now. I spoke this morning with Dean Davison. He is one of the owners of the property that has apparently been changing hands in the family. He is at: HC82 Box 64, Mountain Home, ID 83647, phone 868-3216. I explained that if he wants this water right a Notice of Change of Water Right Ownership will have to be filed with IDWR. I'm sending him the form and a copy of the preliminary directors report recommendation.

So the situation is that the United States no longer owns this piece of land and is not using the water right. If a change of ownership is not filed by the new owners of the property I suppose the right could be recommended forfeited.

Ron - Maybe you could call Dean Davison about changing the ownership on this one. If you can't get a hold of him, we will still recommend it in the USFS name - can't just forfeit it because it's not in the current owner's name.

Thanks,
Jan

1

02/26/2002

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

RIGHT NUMBER: 63-3353

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

SOURCE: SPRING TRIBUTARY: SMITH CREEK

QUANTITY: 0.01 CFS
1.4 AFY

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

PRIORITY DATE: 07/27/1963

POINT OF DIVERSION:

T02N R07E S17 SWNNW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	5/01 10/31	0.010 CFS 1.40 AFY

PLACE OF USE: STOCKWATER Within ELMORE County

T02N R07E S17 NWNW

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 IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: License

FOREST SERVICE RECORD ID = 040217050113 92076 00
STOCKWATER USE IS FOR RANGE CATTLE.
SOURCE IS ALSO KNOWN AS JOHN BROWN SPRING.

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

CLAIM NO(s). 63-3357

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: _____
(If the priority date, based on your exam, seems questionable, explain below.)

LICENCED DOP IS 7/27/1963 - (NOT AS CLAIMED.)

3. ☐ No Change — SAME SOURCE
☒ Source is different than that claimed: Exp Rmk B01
Source found: SPRING — AKA John Brown SPRING

4. ☐ No Change — POINT OF DIVERSION
☒ Point of diversion is different than the claim and/or new P/D's: CLARIFIED TO 10 ACRE TRACT SEF QRTHO & TOPO & DONS. NOTES IN CUR
- | | | | | | |
|----------------|-------------|---------------|---------------|---------------|---------------|
| Township _____ | Range _____ | Section _____ | 1/4 _____ | 1/4 _____ | 1/4 _____ |
| Township _____ | Range _____ | Section _____ | 1/4 <u>SW</u> | 1/4 <u>NW</u> | 1/4 <u>NW</u> |

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES

☐ Different uses, (list uses found):

CLAIMED SHORTER SOL - OK

Use _____ From _____ To _____ Amount _____ 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 0.01 CFS 1.4 AFA

8. ☐ No Change - NON-IRRIGATION USES:

↑ CLAIMED MORE THAN LIC REDUCED TO LIC Amount
 ↑ CLAIMED LESS THAN LIC - OK

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

USE Rmk:

Additional comments: Stockwater use is for RANGE CATTLE

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

SEE DON'S NOTES IN CUR

EXP Rmk: FOREST SERVICE RECORD ID = 040217050113 92076 00

SEE ATTACHED ORTHO & TOPO X63 MAPS

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☐ Shown on GIS Layout

☒ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 1-9-02

FIELD EXAMINER:

RON HOWERTON

Print Name

Ron Howerton

Signature

C18
 N11
 N13

T02N, R07E
S17, SW 1/4 NW 1/4

TOPO X63
LIC 63-3353

Spring

x4700

17

4800

0097

Grave +



T3N
T2N

4823

4822

32' 30"

4821

4820

4819

4818000m N

43° 30'

115° 37' 30"

40' 808

809

610000m E

1 MILE

POD SW PWNW
T2N RTE 517

1975 LONG Gulch ORTHO X63

AJ0749NP
No. 353

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

DATE: 01/17/95
PAGE: 1

OWNER CODE: NAME & ADDRESS: C UNITED STATES OF AMERICA ACTING THROUGH
PRIORITY DATE: 07/27/1963
WATER USE: STOCKWATER
USE PERIOD FROM TO: 05-01 10-31
DIVERSION RATE: 0.01 CFS
DIVERSION VOLUME: 1.40 AFA

NEW SPRING EXH Rmk B01
Water Source: JOE BROWN SPRING AKA

Point(s) of Diversion: T02N R07E S17
Tributary to: SMITH CREEK
Stage: LICENSE
ELMORE County

Place of use Legal Description for: STOCKWATER

NE NESE NWSE SESE
T R S : Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac
02N 07E 17 :
POU County: ELMORE
Non-Irrigation Uses: 316

SW
SE
Stockwater USE FOR
RANGE CATTLE
Cattle

Conditions of Approval:
L12 - THIS RIGHT AND OTHER RIGHTS COMMON TO THE SAME GRAZING
- ALLOTMENT SHALL BE LIMITED TO THE QUANTITY OF WATER BENEFICIALLY
- USED BY THE NUMBER OF STOCK WITHIN THE ALLOTMENT.

Remarks: FOREST SERVICE RECORD 10 = 040217050113 92076 00 OK-Exp Rmk
Dates: Exam Made Date: Verified Date: 200
N11
N13
C18

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

MICROFILMED
OCT 02 1996

1-17-95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A63-03353

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH	~~01-01-1965~~	STOCKWATER	05-01 10-31	~~0-02 CFS~~	1.40 AFA
				TOTAL DIVERSION: 1.40 AFA		

TOTAL DIVERSION:

Stage: LICENSE

ELMORE County

5000

T02N R07E S17

Place of use	Legal Description for:	STOCKWATER

PN
NE

MS

ES

[illegible]

POU County: ELMORE

Non-Irrigation Uses: 316 Cattle

igation Uses: 316 Cattle
CC, 4/2
Remarks: FOREST SERVICE RECORD ID = 040217050113 92076 00

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag: (

MICROFILMED
OCT 02 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:08
12/01/94

PAGE: 11
QUICKLOOK INFORMATION

11
CLAIM NUMBER: A63-03353

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	ELEMENT DOCUMENTED WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y			Y	1-13-95	1-17-95	1-13-95	1-17-95
POINT OF DIV				N				
SOURCE	Y			Y				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-			N				
PURPOSES OF USE				N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	-			N				
REMARKS	-			N				

BARCODE UPDATED
WHOM/DATE

1-17-95

MICROFILMED
OCT 02 1996

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION COPY INCLUDED IN FILE?

- () ORTHOPHOTOQUAD DATE OF PHOTO 8-11-75 IDWR ID NO. X-63 Y() N()
- () TOPOGRAPHIC DATE FIELD CHECKED 10/15/75 IDWR ID NO. 1053 MAP Y() N()
- () NAPP DATE OF PHOTO _____ IDWR ID NO. _____ Y() N()
- () ASCS AERIAL PHOTO DATE OF PHOTO _____ Y() N()
- () ASCS COLOR SLIDE DATE OF PHOTO _____ Y() N()
- () BLM OR USFS AERIAL PHOTO DATE OF PHOTO _____ Y() N()
- () TOWNSHIP SURVEY (GOVERNMENT PLAT) DATE OF SURVEY _____ Y() N()
- () SCS SOIL SURVEY MAP DATE ISSUED _____ Y() N()
- () SUBDIVISION PLAT MAP DATE OF MAP _____ Y() N()
- () OTHER _____ DATE _____ Y() N()
- () OTHER _____ DATE _____ Y() N()
- () OTHER _____ DATE _____ Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED) IF ATTACHED, SUPPLY APPROPRIATE INFORMATION PAGES

- () LICENSING FIELD EXAM DATE OF FIELD EXAM _____ NOTES _____
- () WATER RIGHT LICENSE DATE LICENSE SIGNED _____
- () IDWR APPROVED TRANSFER DATE TRANSFER APPROVED _____
- () SYSTEM DESCRIPTION DATE DRAWN _____
- () PHOTOGRAPHS DATE(S) PHOTOS TAKEN _____
- () SPLIT RIGHT REVIEW DATE REVIEW COMPLETED _____
- () HUBBLE ANALYSIS DATE ANALYSIS COMPLETED _____
- () CONVEYANCE LOSS ANALYSIS DATE ANALYSIS COMPLETED _____
- () FLOW MEASUREMENT CALCULATIONS DATE SYSTEM MEASURED _____
- () OTHER CLAIM NUMBER EXPLAINED DATE 1-13-95 1
- () OTHER _____ DATE _____

MICROFILMED
OCT 02 1996

A. AJ CLAIM: # A63-03353	PRIORITY DATE: 01-01-1865	STAGE: L
B. WR RECORD: # 63-03353	PRIORITY DATE: 07-27-1963	STAGE: L
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?		Y() N()
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?		Y() N()
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)		Y() N()
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?		
PROOF OF BENEFICIAL USE SUBMITTED		N/A() Y() N()
FIELD EXAM COMPLETED		N/A() Y() N()
FIELD EXAM SENT TO STATE OFFICE		N/A() Y() N()
LICENSE ISSUED		N/A() Y() N()
* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.		
G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?		N/A() Y() N()
* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.		
H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?		Y() N()

NOTES:

RECOMMENDED PRIORITY DATE:

7-27-1963

REVIEWED BY

DATE 1-13-95

MICROFILMED
OCT 02 1996

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	1/4	1/4	1/4	POD	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A63-03353	02N	07E	17		NW							ELMORE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A63-09524 NONE

200 RIGHT TRACT
SAME DIFF. STRIP

WR RECORDS IN SAME 40 ACRE TRACT

63-09524

SOURCE: JOE BROWN TR 2

TRIB: LAVA CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	1/4	1/4	1/4	POD	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
63-03353	02N	07E	17		NW							ELMORE		

OTHER WR RECORDS WITH SAME WR POD

A PREFIX

R PREFIX

63-09524

NONE

NONE

AJ CLAIMS IN SAME 40 ACRE TRACT

SOURCE: JOE BROWN SPRING

TRIB: SMITH CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

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

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 4-23-81)

AJ FIELD EXAM (DATE OF FIELD EXAM)

NAME OF EXAMINER

OTHER (DESCRIBE IN NOTES BELOW)

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NOTES: USED USFS MAP - LONG GULCH QUAD - TO SEPERATE THIS
CCALM FROM 63-02524.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
02N	07E	17	NW	NW			ELMORE		

SOURCE: JOE BROWN SR. TRIBUT: S W I T H C R E E K

REVIEWED BY: *[Signature]* DATE: 1-13-95

REVIEWED BY: [Signature] DATE: 1-13-95
SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

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A. ROOT WATER RIGHT NUMBERS: A63-03353

B. POU LISTING											
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	07E	17	NW	NW		AMERICA ACTING THROUGH, UNITED A63-03353 /		63-03353 /			
			NW	NW		GHELETA, M OR D ZANE OR E GOULA63-09524 /		63-09524 /			

ADDITIONAL POU FOUND

TOTAL ACRES A63-03353

POU COUNTY: ELMORE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?
* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()
Y() N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST OF ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION:

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A63-03353	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 05-01 TO 10-31	.020 CFS	1.40 AF/A
A63-09524	STOCKWATER	GHELETA, M OR D ZANE OR E GOUL	FROM 05-01 TO 10-31	.010 CFS	.10 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?
Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?
N/A() Y() N()

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

DIFFERENT PURPOSE, DIFFERENT SOURCES & SYSTEMS.

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F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: USFS 63; () TOPOGRAPHIC QUAD, LOVE BUTCH
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A()

REVIEWED BY: _____ DATE: 1-13-95

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A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A63-03353 STOCKWATER	FROM 05-01 TO 10-31	.020 CFS	1.40 AF/A
TOTAL DIVERSION RATE/VOLUME		.020 CFS	1.40 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
63-03353 STOCKWATER	FROM TO	.010 CFS	7.30 AF/A
TOTAL DIVERSION RATE/VOLUME		.010 CFS	7.30 AF/A

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

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

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

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

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

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

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

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

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

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

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

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

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

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NOTES: CLAIMED DIV. RATE WAS CLAIMED LARGER THAN LICENSED
FOR THIS RT.
CLAIMED DIV. VOLUME WAS LESS THAN LICENSED.
CLAIMED PERIOD OF USE WAS CLAIMED SHORTER THAN LICENSED

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AJ CLAIM TOTAL DIVERSION RATE: 0.020 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.010 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. MEASUREMENT METHOD SEE LICENSE FILE FLOW MEASUREMENT

SEE LICENSE FILE, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES x 0.02 CFS/ACRE = CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION 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 = 1.40 AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

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[illegible]

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RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	DATABASE EXAMINER	REC. DIV VOL. AF/A	REC. CONS. USE
STOCKWATER	05-01 10-31	0.020	0.01	1.40	0.0
TOTAL FOR THIS RIGHT		0.020	0.01	1.40	0.0

NON-IRRIGATION USES CLAIMED: 316 Cattle

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

REVIEWED BY: 

DATE: 1-13-95

FLAG: _____

STANDARD CONDITIONS (CODE): 612

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

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M E M O R A N D U M

TO: A63-03353, A63-09524

FROM: D. Shaff 

DATE: January 13, 1995

RE: Two Claims for price of One

From reconciling the claims filed by the United States (USFS) in Basin 61, I determined the two water right claims referenced above became mixed. For starters the claimed location is in Basin 63. At first glance the problem would be solved by making the number A63-09524 instead of A61-09524 as identified on the claim by USFS. However a paper claim and data was filed for A63-09524. The USFS Ident. No. on A63-09524 ended in 42 corresponding to the water right license materials. The other water right record in this location is 63-03353. USFS did not submit data or a paper claim for the latter, however the license source is Joe Brown Spring nearly the same as the claimed source on A61-09524. For these reasons USFS claim A61-09524 was renumbered to A63-03353.

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State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31192/63-3353 Priority July 27, 1963 Amount 0.01 cfs
(late proof)

THIS IS TO CERTIFY, that the United States of America - Forest Service
of Ogden, Utah has complied with the terms and conditions of Permit
No. 31192/63-3353 issued pursuant to Application for Permit dated June 10, 1963
and has submitted proof to the Department of Water Administration on November 17, 1967
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.01 cfs and that the water has in fact been applied to a
beneficial use; a right to the use of water from Joe Brown Spring
tributary of Smith Creek is hereby confirmed in the following amounts:
Amount 0.01 cfs for stockwater from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.01 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW1/4 Sec. 17, Twp. 2 N, Rge. 7 E, B. M.

in the county of Elmore; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 7.3 acre feet per year and _____

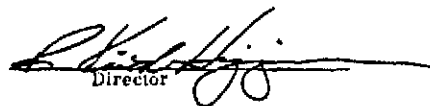
Description and location of place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2N	7E	17					X												

Total number of acres irrigated _____

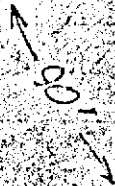
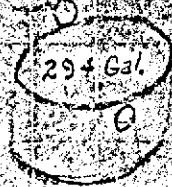
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 1 day of
February, 19 72.


Director

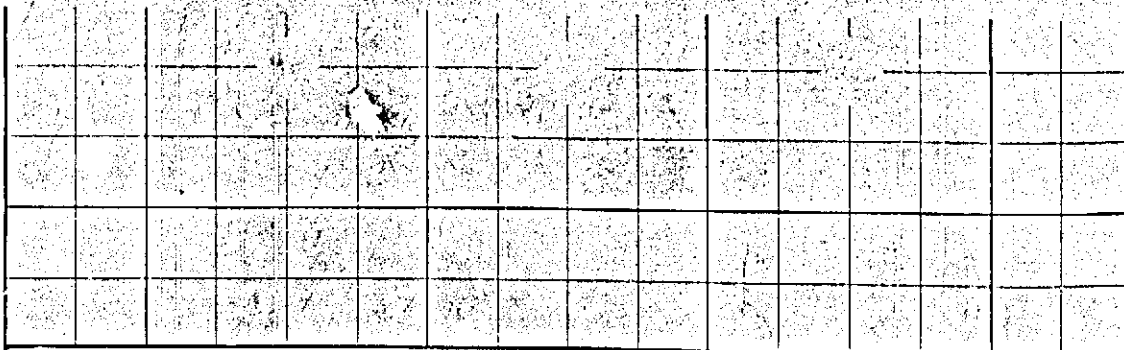
63 0000

6' dia x 3' Galvanized tank with
about 10' buried Perforated 4" plastic
pipe



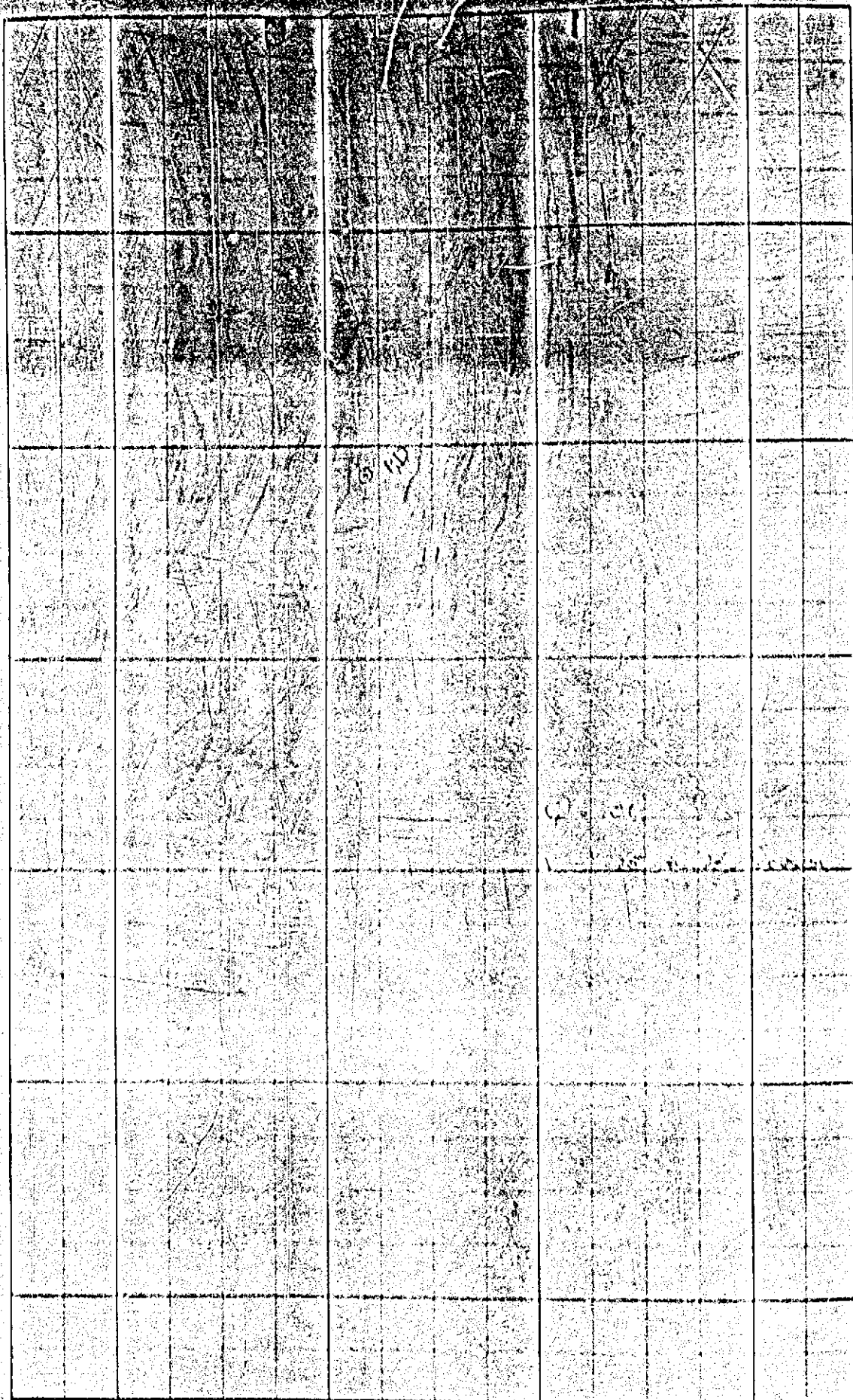
6' dia x 3' Galvanized
Tank

63 8353



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

63 8353



Sheet 2 inches equals 1 mile. Draw Map in ink.

18-5553-508

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

2

Permit No. 1192

This proof is for Completion of works and beneficial use in Water District No. _____

1. Name of applicant: United States Forest Service, Onden, Utah
2. Source of water supply: Jon Brown Spring
3. Location of point of diversion: Is in the _____ of Section 17
T. 2 N. R. 7 E. County of Elmore
4. Describe works as they exist, giving dimensions and capacities of same:

5. Water is used for: stock watering purposes
6. State whether or not water has been turned into works of diversion:
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW 1/4 sec. 17, T. 2 N., R. 7 E., S. 8 E.
This system is used for stock water only.
A 4" Plastic Perforated pipe 10' long carries water
to a 294 Gal tank the over flow of which is carried
90' by plastic pipe to smaller watering tank (1876 gal)

(Submit map on attached plat, showing location and details of above description.)
What large stream would the water here appropriated finally reach?

Remarks: Contacted Joel F. Anderson - Ranger Cottonwood
District - Boise National Forest.

This examination was made on the _____ day of _____, 19____
(Signed) Dec. 2-70 Examiner.