

Acres Review analysis sheet

Claim #	T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
ickelson Farms	63-2114A	3N	10E	16	19											15	40	39	6
ot filed on	63-2114B	3N	10E	16												1			8
ickelson Farms	63-4005A	3N	10E	9														36	10
iller Farms	63-4005C																	26	
iller Farms	63-4005D																		
iller Farms	63-4005A	3N	10E	10												13	13	13	13
laney	63-4005D															~~13~~	~~13~~	~~13~~	~~13~~
one	63-4005G															~~13~~	~~13~~	~~13~~	~~13~~
arpenter	63-4005J															~~13~~	~~13~~	~~13~~	~~13~~
	63-4005K															~~13~~	~~13~~	~~13~~	~~13~~
iller Farms	63-4005A	3N	10E	11												2	29	21	21
	63-4005D															2	29	21	21
iller Farms	63-4005A	3N	10E	15															
	63-4005D																		
ickelson Farms	63-4005A	3N	10E	16	28	3	21	17								12	24	24	24
	63-4005C				28	3	21	17								12	24	24	24
ickelson Farms	63-4005A	3N	10E	21	2	33	35	18									7	7	7
	63-4005C				2	33	35	18									7	7	7
iller Farms	63-4005B	3N	10E	10												16	5	11	14
one	63-4005F															16	5	11	14
arpenter	63-4005M															16	5	11	14
	63-4005N															16	5	11	14
ickelson Farms	63-4005B	3N	10E	16	6	6	26	7								9	6	6	6
	63-4005E				6	6	26	7								9	6	6	6
ickelson Farms	63-4005B	3N	10E	21	3	16	16	2											17
	63-4005E				3	16	16	2											17

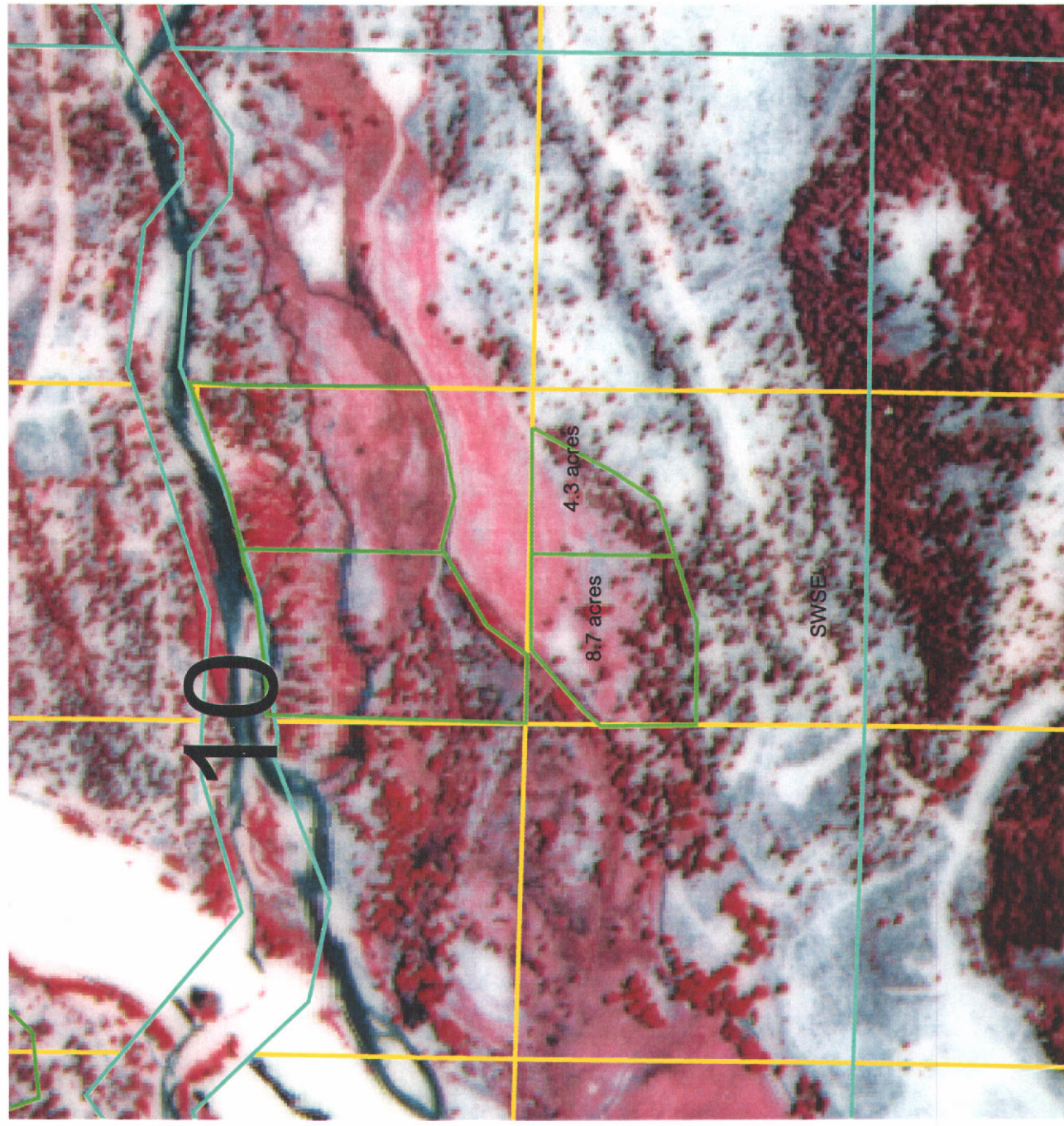
10 acres Friesland
Hammett 63-5270

Stone

Idaho Dept of Water Resources

Sec 10 SWSE
total of 13 acres decreed.
Stone got E1/2 Miller got W 1/2
POU based on decreed map
comes to exactly 13 acres
SB 8/23/01

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



1987 NAPP Photo

Stone

Idaho Dept of Water Resources

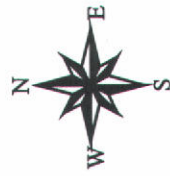
Sec 10 NWSE govt lot 7
total of 27 acres decreed.
Stone got E1/2 of lot 7
Miller got W 1/2 of lot 7.
POU based on decreed map
comes to exactly 27 acres
SB 8/23/01

 Place of Use

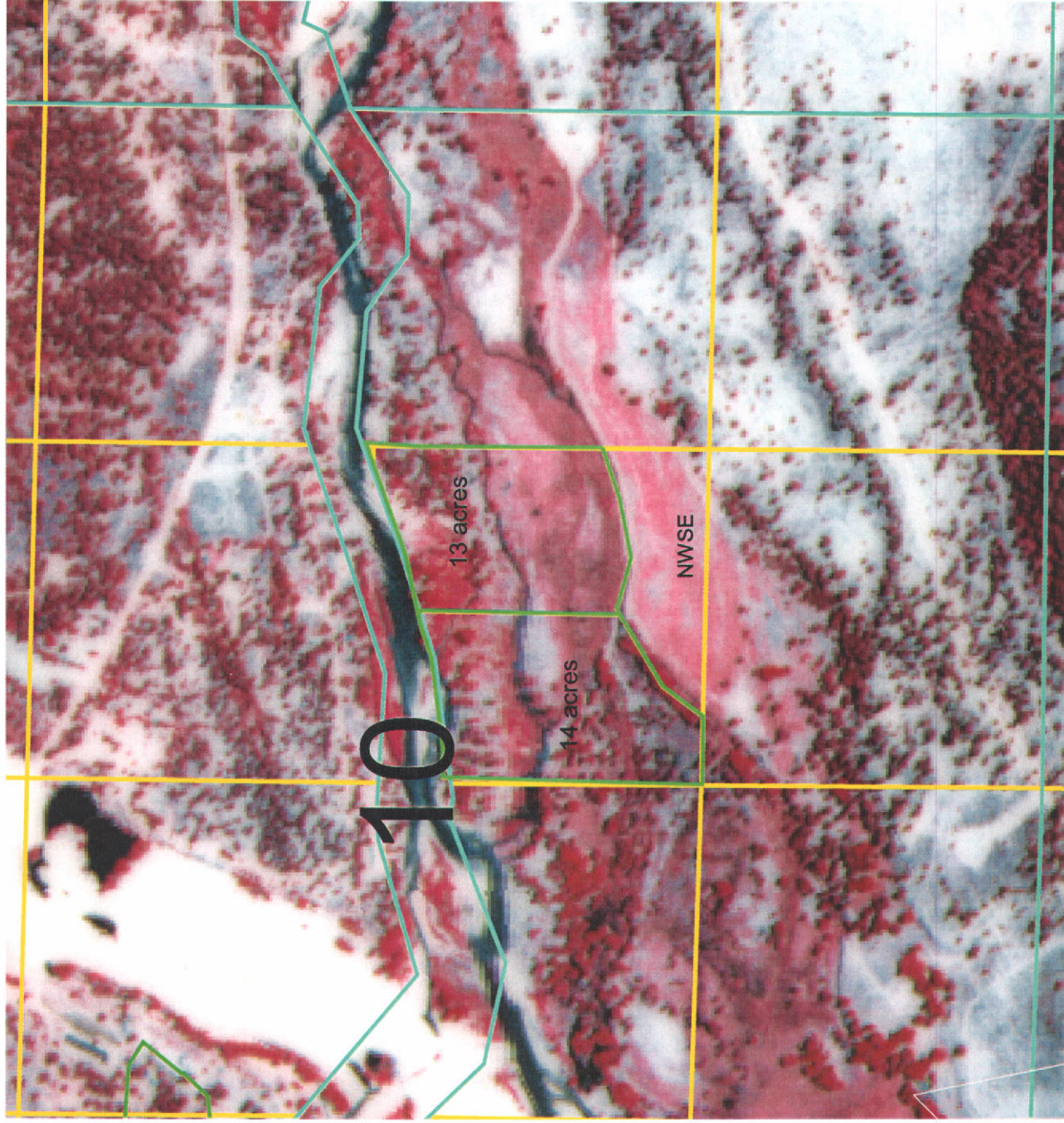
 Point of Diversion

 Section lines

 1/4 1/4 lines



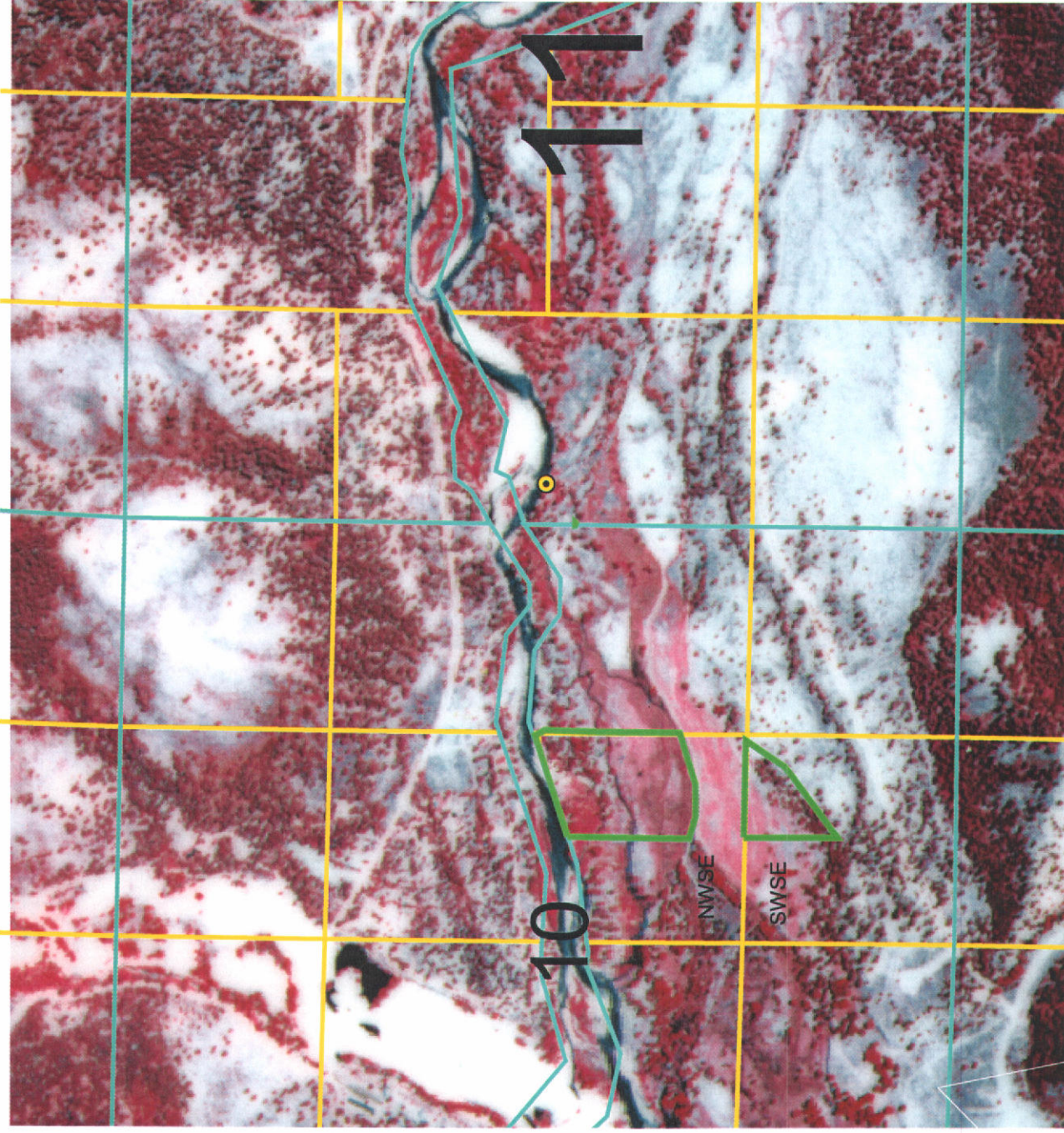
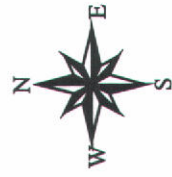
600 0 600 1200 Feet



1987 NAPP Photo

Claim No(s): 63-4005 J
T03N, R10E, S10
Prepared by: Sue Bock
Date: 8/27/2001

- Place of Use
- Point of Diversion
- Section lines
- 1/4 1/4 lines



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: **A63-04005J**
Date Received: 7/17/1992
Receipt No: C008611
Received By: _____

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

1. Name: EARLE STONE 208-586-4243
Address: 275 S 5TH EAST
MOUNTAIN HOME ID 83647
OR
Name: MARY STONE 208-586-4243
Address: 275 S 5TH EAST
MOUNTAIN HOME ID 83647

2. Date of Priority: JUN 1, 1911

3. Source: BOISE RIVER, SOUTH FORK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	10E	11	SW	SW	NW	4	ELMORE
		12	SW	NW	SW	9	ELMORE

5. Description of diverting works:
5' ARCH PIPE, SCREW GATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.080		
IRRIGATION	04/15	10/15	0.231		

7. Total Quantity Appropriated is:
0.231 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
03N	10E	10	NW	SE	7	IRR	13.0
			SW	SE		IRR	13.0
Section Acres							26.0
Total Acres							26.0

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:
A63-04005M

14. Remarks:

DECREE GIVEN STATUTORY CLAIM NUMBER.

THIS CLAIM IS A SPLIT OFF 63-04005A.

STONE ORIGINALLY FILED ON A63-04005C, WHICH WAS A SPLIT OFF OF
A63-04005A. A63-04005C WAS RENUMBERED TO A63-04005H.

A63-04005H HAS BEEN SPLIT:

A63-04005J-STONE'S REMAINING PORTION

A63-04005K-COOK/WALKER PORTION

15. Basis of Claim: DECREED

Case Number: 5765

Court :

Decree date: / /

RIGGINS

Decree Plaintiff

AGUIRRE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 28, 1992

Earle and Mary Stone
275 S 5th East
Mountain Home, ID 83647

Dear Claimants:

During normal review of the Notice of claim to a Water Right No.'s A63-04005C and A63-04005D previously submitted during the Snake River Basin Adjudication it was necessary to change the claim identification numbers on these notices. Your claims are still in good standing with the Department, and the number change was needed due our numerical filing procedures and your 1990 property transaction between Cook and Walker.

Enclosed are computer generated copies of your new Notice of Claim to Water Right No.'s A63-04005J and A63-04005M. Please review these claims for completeness and if you have any questions or problems, do not hesitate to contact us.

Sincerely,

Lori Graves
Sr. Water Resource Agent

Encl: claim copies

MICROFILMED

AUG 19 1992

MEMO

FROM: Lori Graves

TO: A63-04005 Files

SUBJECT: Renumbering/splitting

The original statutory claim represents 941 acres. Decree 63-V only covers a portion of the original claim (Riggins and Aguirre property):

63-04005A-Riggins
04005B-Riggins
02144A-Riggins
02144B-Aguirre

The Riggins property was claimed in the SRBA by William Buckner. Mr. Micklesen and Mr. Miller purchased Mr. Buckner's property and filed for a change of ownership 7/16/1992. See warranty deeds in A63-04005C and D. Because of this property purchase and split, renumbering of adjudication claims was required for consistency.

A63-04005A: A63-04005C-Micklesen
A63-04005D-Miller

A63-04005B: A63-04005E-Micklesen
A63-04005F-Miller

Delaney filed on A63-04005G.

Stone originally filed on the C and D letters and then sold off some of his property to Cook/Walker, who filed on letters E and F. What a mess!

Because of the above transaction between Buckner, Micklesen and Miller, Stone's A63-04005C was renumbered to A63-04005H. This was then split to show the Stone, Cook/Walker transaction:

A63-04005H: A63-04005J-Stone's remaining portion
A63-04005K-Cook/Walker portion

Also, because of the above transaction between Buckner, Micklesen and Miller, Stone's A63-04005D was renumbered to A63-04005L. This was then split to show the Stone, Cook/Walker transaction:

A63-04005L: A63-04005M-Stone's remaining portion
A63-04005N-Cook/Walker portion

A question as to who has portions of the decreed right and who has portions of the same statutory right that is not part of the decree, will have to be determined in the SRBA exam and review.

See A63-04005C for copy of decree 63-V and original statutory claim 63-04005.

MICROFILMED

AUG 19 1992

SPLIT CLAIMS e 63-04005A

DECREED Right $\frac{2.99 \text{ cfs}}{334 \text{ ACRES}} = .008952 \text{ cfs/AC}$
(e 1/2 inch/acre)

SRBA CLAIMS TO DATE 63-04005 -
↓ suffix

Suffix *	CLAIMANT
E	Michelson
F	Miller
G	DeLaney
J	Stone
K	Walker - Cook
M	Stone
N	Walker - Cook
P	

Next Available →
 suffix if
 add'l claim(s)
 filed

[This info provided to Lois Morris e possible sale
 of land in L. 4 (NWSN) S. 11 T3N R10E.]

* portions B, C, D, H & L replaced as splits continued.
 portion I & N/A per dept. standards.
 portion and O

-JC 2/18/98

07/31/2002

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

RIGHT NUMBER: 63-4005J
NAME AND ADDRESS: EARLE STONE
275 S 5TH EAST
MOUNTAIN HOME ID 83647
MARY STONE
275 S 5TH EAST
MOUNTAIN HOME ID 83647

SOURCE: SOUTH FORK BOISE RIVER TRIBUTARY: BOISE RIVER

QUANTITY: 0.15 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1911

POINT OF DIVERSION:
T03N R10E S11 NWSW Lot 4 Within ELMORE County
T03N R10E S12 SWNWSW Lot 9 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.050 CFS
IRRIGATION	04/15 10/15	0.150 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ELMORE County
T03N R10E S10 Lot 7 NWSE 13.0 T03N R10E S10 SWSE 4.3
STOCKWATER same as IRRIGATION

17.3 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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4005J V1

WATER RIGHT NUMBER: 63-4005J V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EARLE STONE 275 S 5TH EAST MOUNTAIN HOME, ID 83647 (208)586-4243
Current Owner	MARY STONE 275 S 5TH EAST MOUNTAIN HOME, ID 83647 (208)586-4243

Priority Date: 06/01/1911

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH FORK BOISE RIVER	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.050 CFS	
IRRIGATION	04/15 to 10/15	0.150 CFS	
	<u>Total Diversion:</u>	0.150 CFS	

Location of Point(s) of Diversion

SOUTH FORK BOISE RIVER	L4 NW1/4SW1/4	Sec. 11, Twp 03N, Rge 10E, B.M.
ELMORE County		
SOUTH FORK BOISE RIVER	L9 SW1/4NW1/4SW1/4	Sec. 12, Twp 03N, Rge 10E, B.M.
ELMORE County		

Place of UseIRRIGATION Within ELMORE County

T03N R10E S10 Lot 7 NWSE 13.0 T03N R10E S10 SWSE 4.3
Total Acres: 17.3

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

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4005J V1

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MAY 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. sbock 8/28/2001 claim

Comment: This claim is being recommended as decreed in 1980. The deeds for this property shows that Stone has the East 1/2 of lot 7 and East 1/2 of SWSE. For a breakdown of acres see memo in file. NAPP based on 1987 photo, so no field exam needed. If acres have been irrigated prior to 1971, but were not included in decree, need a new b.u. claim. If development took place between field exam and 1987, expansion can be looked at.

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:
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

DIVERSION RATE

2/8/10

Stage: DECREE

ELMORE COUNTY
ELMORE COUNTY

15

07-13 4.3

Other Rights: A63-04005M

A63-04005J-STONE'S REMAINING PORTION
A63-04005K-COOK/WALKER PORTION

Objection Filed Date:

Field Inspection Flag:

Claim #

[illegible]

16 acres Fixed on by
Hammatt 63-5270

Memo to Files : 63-2114 A/B, 63-4005-A-N

From: Sue Bock

Date: 8/23/01

These rights were affirmed and decreed June 22, 1981 by Judge Rowett, see 63-V. Because the fieldwork was done in 1980 and the 1987 photography is what the SRBA is basing use on, no field exam is needed unless it does not appear irrigated in the 1987 photos. It looks like there is more irrigation on the 1987 photo than what was decreed. I will try to find original file with fieldwork notes to determine if some of the acres were irrigated at the time, but left off. If this were the case the claimants could file a b.u. claim if prior to 1971 for the acres. If developed after the 1980 field exam, but prior to 1987, an expansion claim would be needed.

Each file should have an acres review analysis sheet. For the most part all the acres lined up as decreed. The exceptions are as follows:

Sec 10

NESE – govt lot 8 was filed on by Miller and Carpenter (purchased from Stone). According to the warranty deed the West ½ of lot 8 went to Stone. Miller's deed did not mention lot 8. From 63-4005B the 7 decreed acres are in the West ½. From 63-4005A it looks like most of the 13 acres are in the West ½

NWSE – govt lot 7 was filed on by Miller and Stone. According to warranty deed, Miller got the W ½ and Stone the E ½. 63-4005A – 13 acres goes to Stone and 63-4005B – 14 acres goes to Miller.

SWSE filed on by Miller, Delaney, and Stone. Miller got the W1/2 and Stone the E ½, no information to support Delaney's claim to 27 acres, nor 25 acres in the SESE.

Sec 11

It appears that Miller filed in error for 2 acres in the NWNW, this should have been the NWSW.

Sec 21

Mickelson Farms filed on 11 acres in the SENW, nothing was decreed in this area.

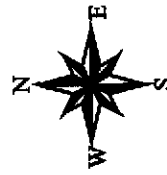
Determination of where irrigated acres fell within the ¼ ¼ was based on blue line map attached to the decree.

Stone

Idaho Dept of Water Resources

Sec 10 SWSE
total of 13 acres decreed.
Stone got E1/2 Miller got W 1/2
POU based on decreed map
comes to exactly 13 acres
SB 8/23/01

- ☐ Place of Use
- ☒ Point of Diversion
- ☐ Section lines
- ☐ 1/4 1/4 lines



1987 NAPP Photo

Stone

Idaho Dept of Water Resources

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☐ Place of Use

☒ Point of Diversion

☐ Section lines

☐ 1/4 1/4 lines



1987 NAPP Photo



Claim No(s): 63-4005 J

T03N, R10E, S10

Prepared by: Sue Bock

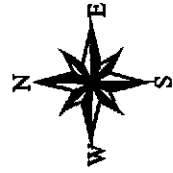
Date: 8/27/2001

☐ Place of Use

☒ Point of Diversion

☐ Section lines

☐ 1/4 1/4 lines



600 0 600 1200 Feet

