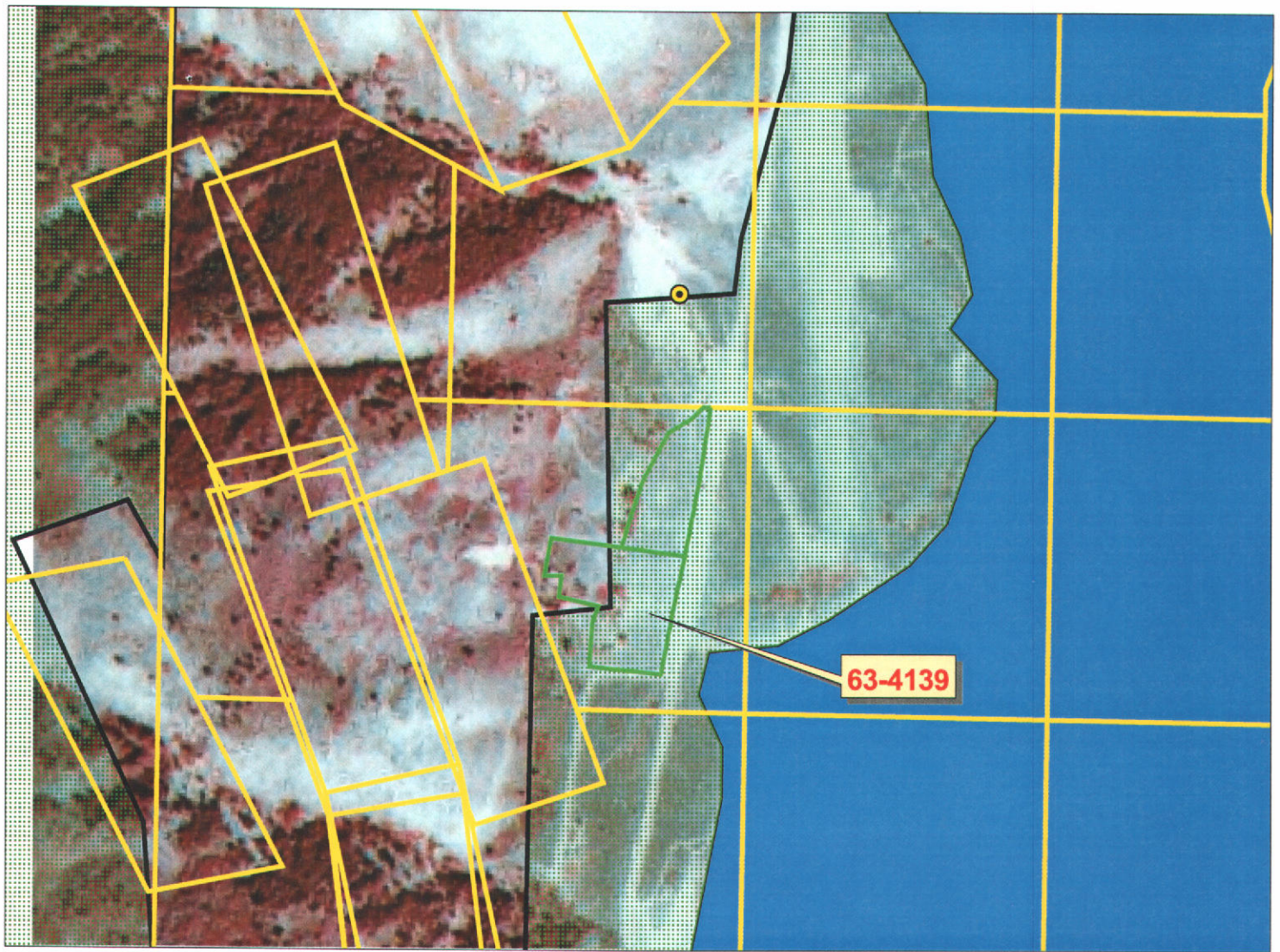




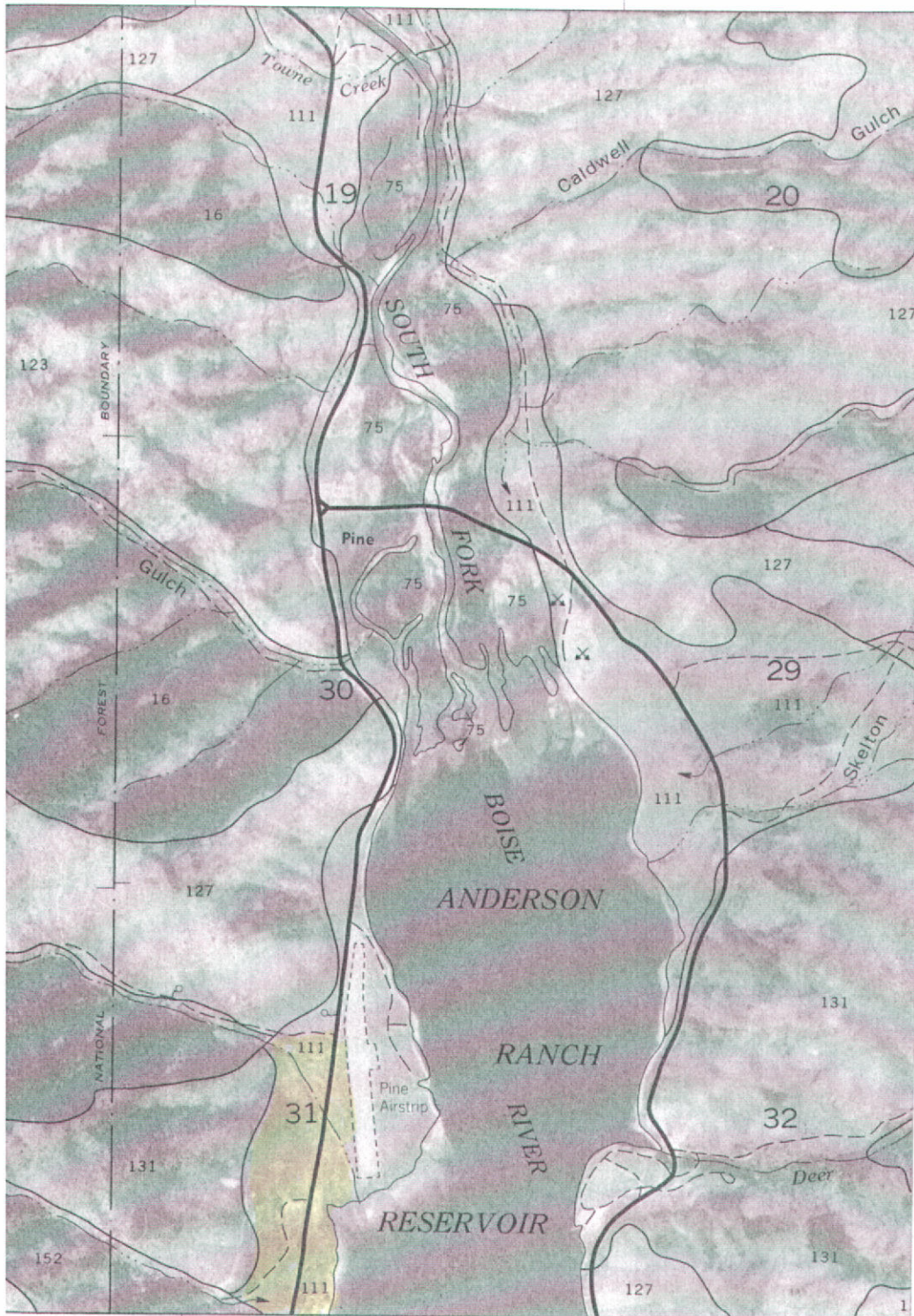
- Pod
- Pou
- 1/4 1/4
- Idown
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

**T02N, R10E, S31
NESW**

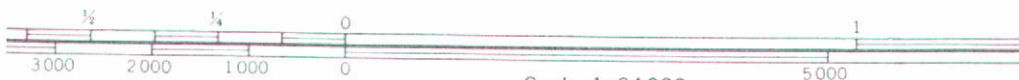




R. 9 E. | R. 10 E.



30"



Scale 1:24 000



Photo 1. FX Sept 10, 2001. Photos by RDH. Photo of point of diversion, T02N, R10E, S31, SENW. Rock in center right of bush is part of rock dam. 63-4139 & 63-4286 rights.



Photo 2. View from POD to south, ditch is in center bush area.



Photo 3. FX Sept 10, 2001. Photos by RDH. Photo of beginning of Rice POU and calculation of ditch loss $\frac{1}{2}$ for 63-4139 & 63-4286 rights.



Photo 4. Divide of property line of Rice on left and Brun on right of fence. Also end of ditch loss calculation for Brun.



Photo 5. FX Sept 10, 2001. Photos by RDH. Brun POU view from county road, view to NW from SE corner, for 63-4139.



Photo 6. Hillside POU of Brun, sprinkler irrigation pumped from ditch.

Idaho Department of Water Resources

T02N R10E
S31

Claim: 63-4139
Updated: 10 Sep 01
By: Ron Howerton

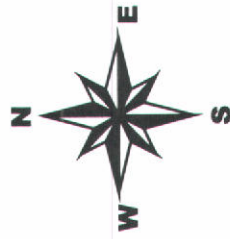
 Place of use

 POD

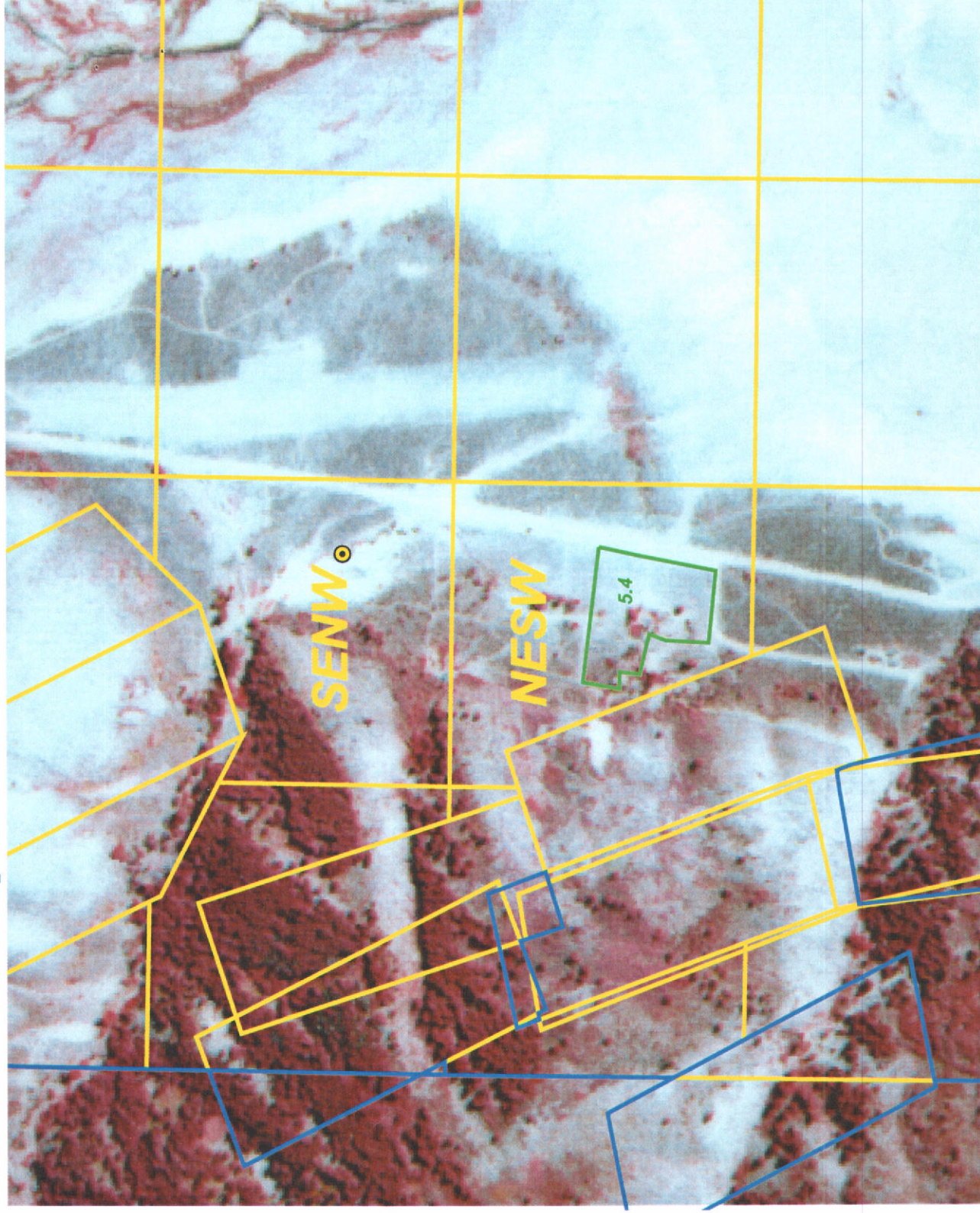
 SECTION

 1/4 1/4

5.4 Acres



1987 NAPP



Idaho Department of Water Resources

**T02N R10E
S31**

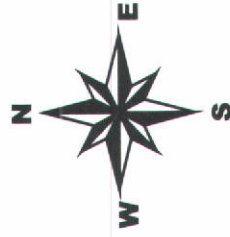
Claim: 63-4139
Updated: 10 Sep 01
By: Ron Howerton

 Place of use

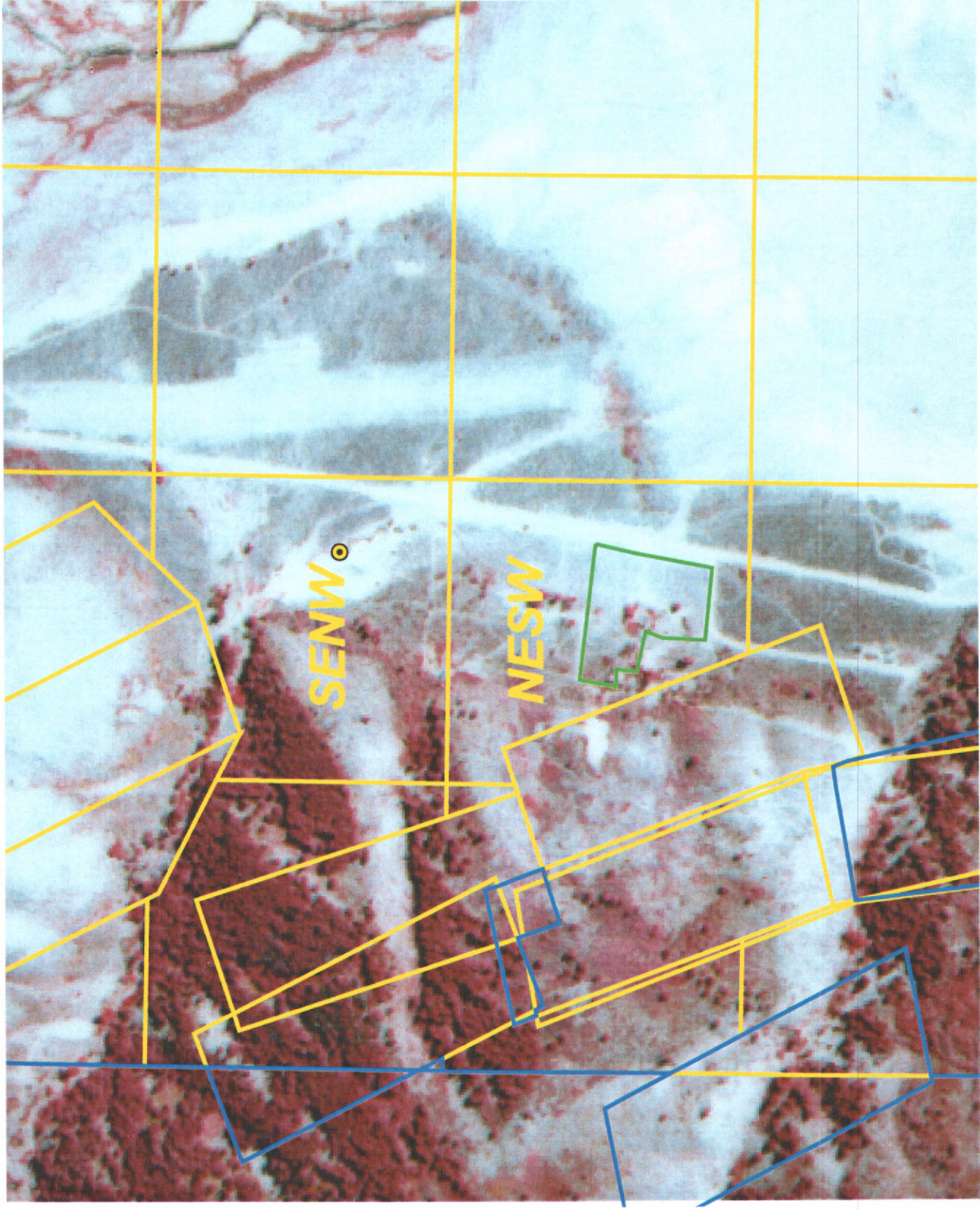
 POD

 SECTION

 1/4 1/4



1987 NAPP

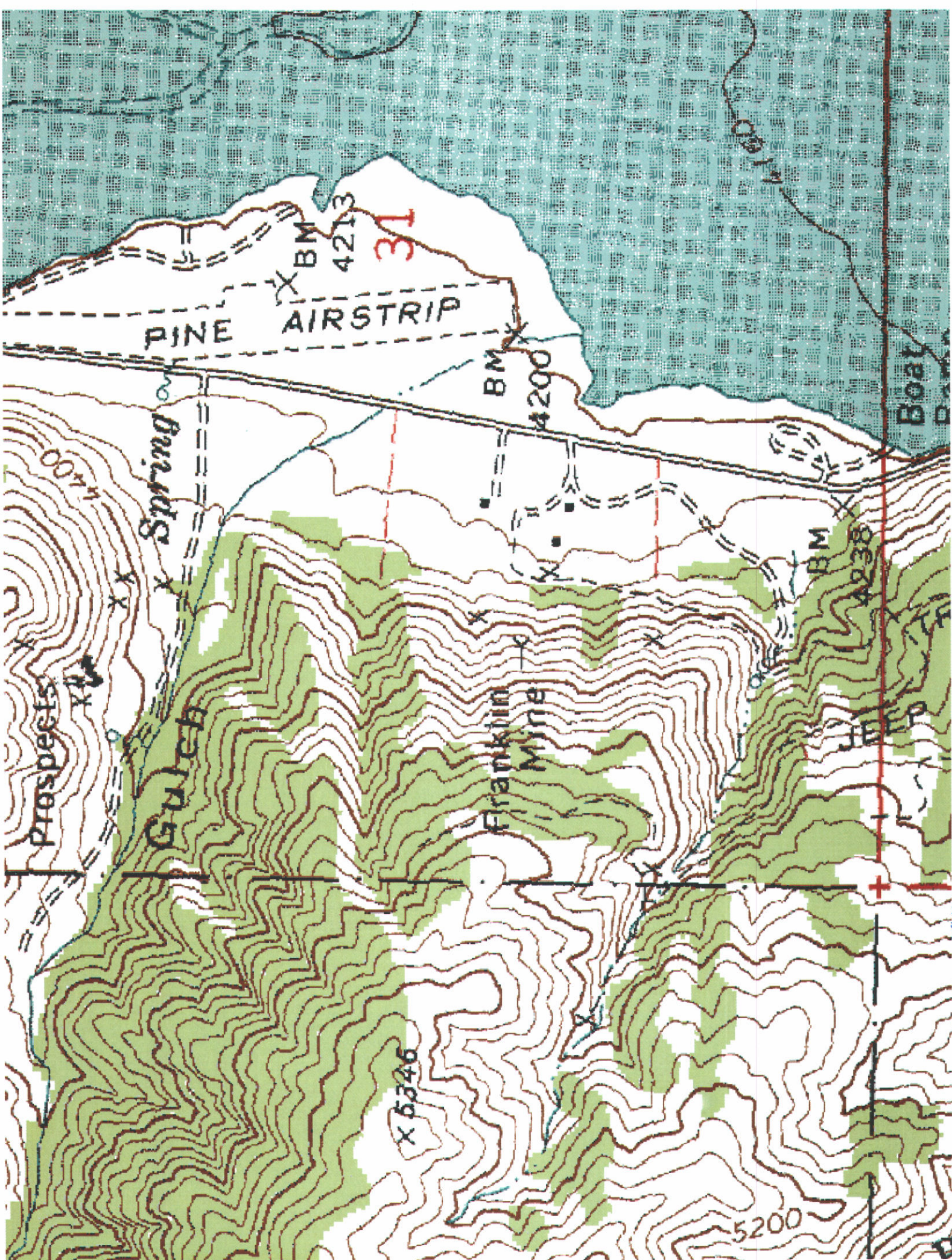


0.75 Miles

0.5

0.25

0



Y-16 topo

FEATHERVILLE 10 MI. 2971 III SE (FEATHERVILLE)

634

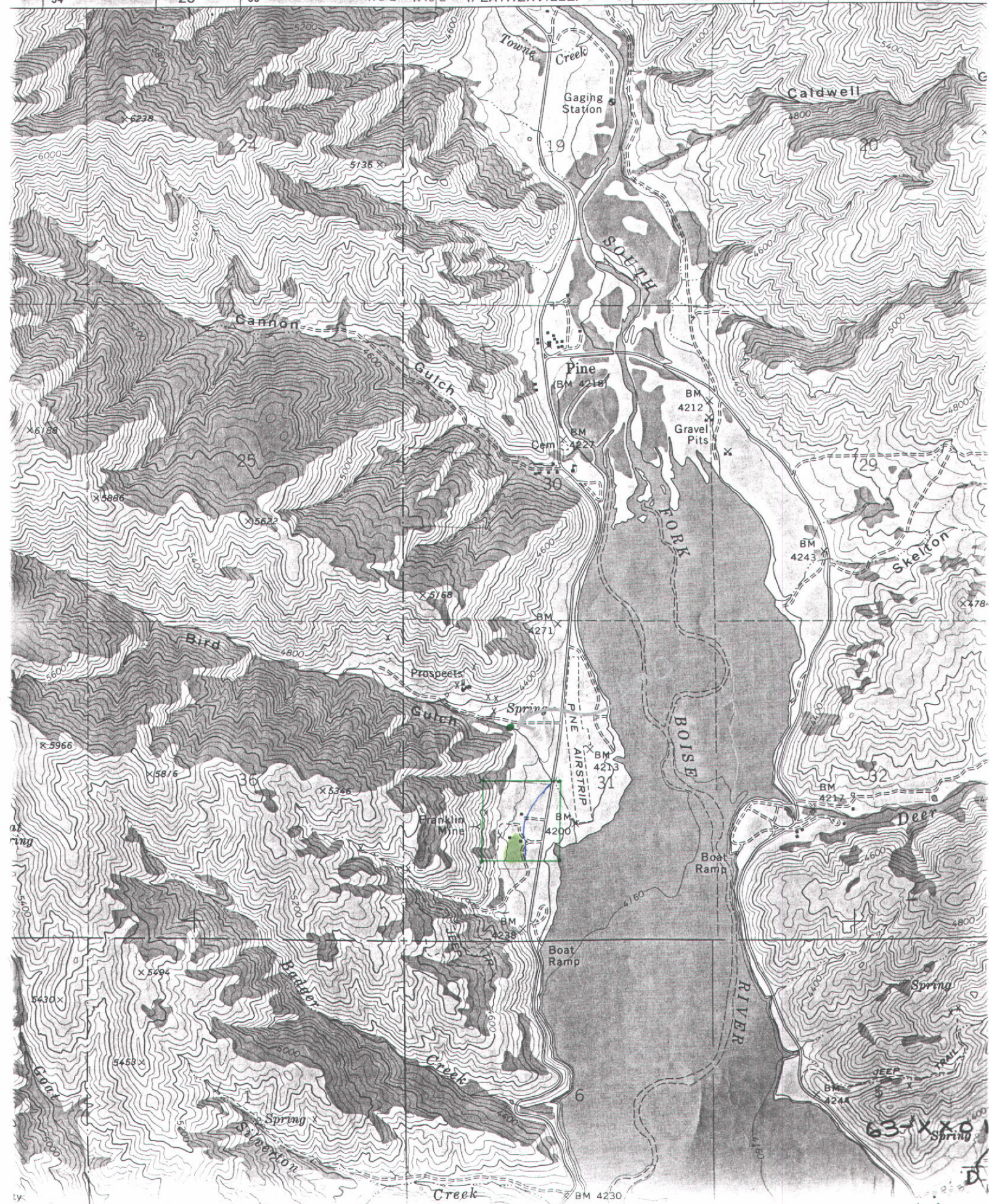
20'

635

R 9 E R 10 E

637

17'30"



A63-4139

T 20 N, R 10 E, Sec. 31

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: A63-04139
Date Received: 8/19/1994
Receipt No: W017988
Received By: _____

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

1. Name: HAZEL BRUN 208-653-2310
Address: HC 87 BOX 560
FEATHERVILLE ID 83647
AND/OR
Name: RAYMOND BRUN 208-653-2310
Address: HC 87 BOX 560
FEATHERVILLE ID 83647
2. Date of Priority: APR 1, 1950
3. Source: BIRD CREEK Trib. to: BOISE RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	10E	31		SE	NW		ELMORE
5. Description of diverting works:
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.620		
STOCKWATER	01/01	12/31			
7. Total Quantity Appropriated is:
0.620 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/4 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	10E	31	NE	SW		IRR	15.0
Section Acres							15.0
Total Acres							15.0

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

7-23-87

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 5-28-94

LEGAL DESCRIPTION OF PROPERTY: Township 02 N Range 10 E
Section 31, 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A 63-04139
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Schraft
Rocky Ben Stage MTN Home, Idaho
- ☐ New Owner/Claimant (Purchaser): RAYMOND BEW
- ☐ New Mailing Address: H.C 87 Box 560, FEATHERS, IDAHO
83647
- ☐ New Telephone Number: (208) 653-2310
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes 8 no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Raymond Bew Date 8-21-94
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

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: **63-04139**
Date Received: 8/19/1994
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OSCAR SCHRAFT — *Deceased*
Address: ROCKY BAR STAGE
P.O. BOX 15
MOUNTAIN HOME ID 83647

Hazel Rayman Brum
H.C 87 Box 560
Featherville, IDA
83647

Name: GENEVA SCHRAFT — *Deceased*
Address: ROCKY BAR STAGE
P.O. BOX 15
MOUNTAIN HOME ID 83647

2. Date of Priority: APR 1, 1950

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	10E	31		SE	NW		ELMORE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.620		
STOCKWATER	01/01	12/31			

7. Total Quantity Appropriated is:

0.620 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

S/4 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	10E	31	NE	SW		IRR	15.0
Section Acres							15.0
Total Acres							15.0

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): Raymond T. Burr Date: 8-21-94

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of August 19 94

Seal

Linda Werner
Notary Public

LINDA WERNER
Residing at RESIDING AT EAGLE, IDAHO
MY COMMISSION EXPIRES DEC. 8, 1994
My Commission Expires _____

QUITCLAIM DEED

For Value Received DALICE DIANE BUCHANAN and DONALD BUCHANAN,
wife and husband.

do hereby convey, release, remise and forever quit claim

unto HAZEL BRUN, a single person, c/o Rocky Bar Stage,
Mountain Home, Idaho 83647
the following described premises, to-wit:

Section 31: The Southwest Quarter of the
Northeast Quarter of the Southwest Quarter,
the West Half of the Southeast Quarter of the
Northeast Quarter of the Southwest Quarter,
Township 2 North, Range 10 East, Elmore
County, Idaho;

ALSO, Klondike Lode and Blackbear Lode,
situated in the Southwest Quarter of
Section 31, Township 2 North, Range 10 East,
and extending into the Northwest Quarter of
Section 6, Township 1 North, Range 10 East,
Elmore County, Idaho;

together with all and singular the tenements,
hereditaments and appurtenances thereunto
belonging to or anyway appertaining.

Including any and all rights of redemption
to which the grantors may be entitled by
statute or otherwise.

242452

ELMORE COUNTY, IDAHO, ss
Request of Chris Brown

Time 2:45 P. M.
Date July 23, 1987
Book _____ of _____
Page _____

By RAMONA YRAZABAL
Maria J. Decker
Deputy

Fee \$3.00

together with their appurtenances.

Dated: July 23, 1987

Donald Buchanan

Dalice Diane Buchanan

STATE OF IDAHO, COUNTY OF

On this _____ day of July, 1987,
before me, a notary public in and for said State, personally
appeared

Dalice Diane Buchanan and
Donald Buchanan

known to me to be the person s whose name s
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Dennis L. Hopper
Notary Public
Residing at Fairfield, Idaho
Comm. Expires 7/7/91

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

05/21/2002

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

RIGHT NUMBER: 63-4139

NAME AND ADDRESS: RAYMOND BRUN
HC 87 BOX 560
FEATHERVILLE ID 83647

HAZEL BRUN
HC 87 BOX 560
FEATHERVILLE ID 83647

SOURCE: BIRD GULCH

TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.30 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE WHEN MEASURED
AT THE FIELD HEAD GATE.

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

PRIORITY DATE: 04/01/1950

POINT OF DIVERSION:

T02N R10E S31 SENW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.280 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T02N R10E S31 NESW 5.4

STOCKWATER same as IRRIGATION

5.4 ACRES TOTAL

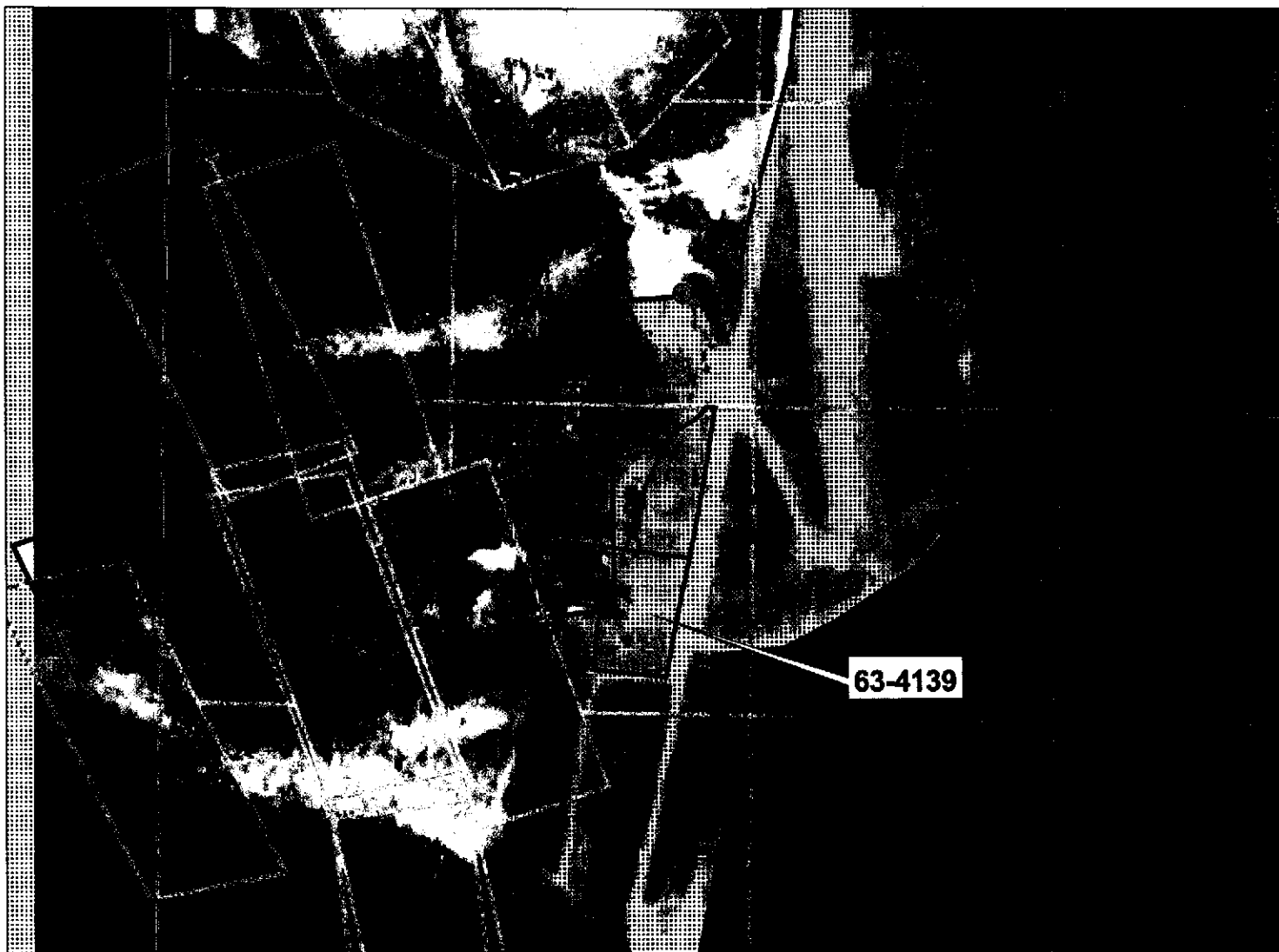
PLACE OF USE DESCRIBED ABOVE DOES NOT INCLUDE FEDERAL LANDS
WITHDRAWN FOR THE BUREAU OF RECLAMATION.

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.

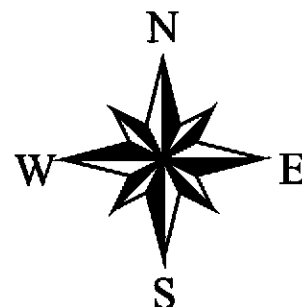
EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER, 4 RANGE CATTLE.



- Pod
- Pou
- 1/4 1/4
- Idown
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

T02N, R10E, S31
NESW



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

CLAIM NO(s). 63-4139

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

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

Source found: BIRD GULLY NOT CREEK (SEE TOP)

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

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

ROCK DAM, GRAVITY DITCH & SPRINKLERS

6. ☐ No Change - WATER USES

☒ Different uses, (list uses found): X STANDARD IRRIG SEASON RECOMMENDED

Use IRRIG From 4/1 To 10/31 Amount .28 CFS AFA
 Use STOCK From 01/01 To 12/31 Amount .02 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 .30 CFS _____ AFA IRRIG

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

$$\begin{aligned} & (5.4 \text{ ACRES}) (0.02) = .11 \text{ CFS} \\ & + \text{CONV. LOSS} = .17 \text{ CFS} \\ & \text{TOTAL} = .28 \text{ CFS} \end{aligned}$$

Domestic # of homes: _____ Stock # 4 List types: _____

Additional comments: POD OVERLAP WITH 634286

9. ☐ No Change — PLACE OF USE: (If changed, list below.) * ONLY 5.4 ACRES TOTAL SAME TRACT OK,

Use: 1R Township 2W Range 10E Section 31 1/4 NE 1/4 NW
 Use: _____ Township _____ Range _____ Section _____ 1/4 _____
 Use: _____ Township _____ Range _____ Section _____ 1/4 _____
 Use: _____ Township _____ Range _____ Section _____ 1/4 _____

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

VERY POOR DITCH WITH ROCKY BOTTOM, NO
WATER IN SOURCE AT TIME OF FIELD EXAM.
MARKING MEAS. MADE BY LINDA WERNER. ^{INDIC AS AGENT} 8-18-94

☒ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: Sept 10, 2001

FIELD EXAMINER: RON HOWERTON

Print Name

Ron Howerton

Signature

C18
NOS
NOB
CONVEYANCE
LOSS ADDN
E28

ADD MODIFIED FEDERAL LAND
CONDITION W42 5/21/02.

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR0743NP
(00-26)

Water Right Number - 63-04139 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SCHRAFT

OSCAR
1 - ROCKY BAR STAGE
2 - P.O. BOX 15
3 -
City- MOUNTAIN HOME State- ID Zip- 83647
Phone -
1 - ROCKY BAR STAGE
2 - P.O. BOX 15
3 -
City- MOUNTAIN HOME State- ID Zip- 83647
Phone -

SCHRAFT

GENEVA

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/01/1950 14 WESTERN S - STATUTORY CLAIM
+ - - - - Source - - - - + + - - - - Tributary - - - - - +
BIRD CREEK BOISE RIVER, SOUTH FORK

+ - - - - Point of Diversion - - - - - Diversion Name Diversion Rate Diversion No.
TwN Rng Sec Tract Lot Rflg County

02N 10E 31 SE NW (39) ELMORE

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.620
04 - STOCKWATER 01/01 12/31
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.620

+ - - - - TwN Rng Sec Tract Lot Acres Code Description County
02N 10E 31 NE SW 15.0 01 IRRIGATION (39) ELMORE
Total Acres: 15.0

+ - - Diversion Means -

+ - - Non-Irrigation Use - S/4 RANGE

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - No Remarks found.

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

Brun CLAIM: 63-4139
Rice CLAIM: 63-4286

Photo ①

Ditch
5' WIDE X 11" DEEP
4 FEET BELOW LAND
SURFACE (IN Stream Bed)
VERY Rocky
BAD SOIL

BIRD GULCH

PID
GPS

②

Down
Stream
View

Photo ①
Ditch
5' WIDE x 15" DEEP
4 FEET BELOW LAND
SURFACE (IN Stream Bed)
Very Rocky
BAD SOIL

to RESERVOIR

ANDERSON
RANCH
RES.

LOSS
FOR BOTH, BROWN
DICE & BROWN

photo
④
Ditch 4' wide
12" deep
BEG 1 PR 1
END of Ditch
LOSS
FOR BROWN

PHOTO
TAKEN
ON
HILL
SIDE

⑥

Brun's
property has
SPRINKLERS AND
GRAVITY FLOW
has 1 HP SURFACE
PUMP:

[illegible]

property photo
looking worst

CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: BIRD GULCH 63-4139 BY: RDH DATE: SEPT 10, 2001

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	530	5.0	2.50	0.08		0.00	0.0000	0.00	0.17
2	700	4.0	2.50	0.09		0.00	0.0000	0.00	0.09
3				0.00		0.00	0.0000	0.00	0.00
4				0.00		0.00	0.0000	0.00	0.00
5				0.00		0.00	0.0000	0.00	0.00
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	1230			0.17	0.00			0.00	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY;
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH;
IF MULTIPLE RIGHTS WITHIN REACH, DELIVERY LOSSES SHOULD BE
PRORATED BASED ON SIZE OF DELIVERY FOR EACH RIGHT WITHIN REACH

FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

ESTIMATING CONVEYANCE LOSS

FIELD EXAMINER: RON HOWERTON
 FIELD EXAM DATE: SEPT 10, 2001
 FOR CLAIM(S) 63-4139

FORMULA: $S = (W)(i)(0.0667)$

Where: S = Loss in CFS per Mile
 W = The top width of the high water mark in feet
 i = The loss rate in feet per day (see table)
 0.0667 is a factor used to convert to CFS per mile

TABLE:

Type of Soil	Loss Rate i (Ft/Day)
Medium clay loam.....	0.5 to 1.5
Impervious clay.....	0.5
Medium soils.....	1.0
Somewhat pervious soils.....	1.5 to 2.0
Gravel.....	2.5 to 5.0

WORK SHEET

W = () FT) i = () FT/DAY)(0.0667)

S = CFS/MILE

CONVEYANCE LOSS = (S) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = (CFS/MILE)(MILE)

CONVEYANCE LOSS =

0.08

SEE WORSTELL
 SPREAD SHEET !

TOP OF DITCH = W

MAP MEASUREMENT

Section 1 = 5

Length in Inches = = A

Section 2 = 5

Map Scale: In. = 1 Mile = B

Section 3 =

Total... = 10

A/X: B/5,280 = Ft./5,280 = Mile

/2or 3... = 5 = W

Data/forms/Conv.loss.doc

REACH 1 IS
 530 FT
 Ditch is (Bottom)
 Below Soil -
 MATERIAL IS
 Rocky & Sandy

REACH 1
 PLUS
 Reach 2 = 170 FT

ESTIMATING CONVEYANCE LOSS

FIELD EXAMINER:

ROD HUNTERTON

FIELD EXAM DATE:

Sept 10, 2001

FOR CLAIM(S)

63-4139

FORMULA: $S = (W)(i)(0.0667)$

Where: S = Loss in CFS per Mile

W = The top width of the high water mark in feet

i = The loss rate in feet per day (see table)

0.0667 is a factor used to convert to CFS per mile

TABLE:

Type of Soil	Loss Rate i (Ft/Day)
Medium clay loam.....	0.5 to 1.5
Impervious clay.....	0.5
Medium soils.....	1.0
Somewhat pervious soils.....	1.5 to 2.0
Gravel.....	2.5 to 5.0

WORK SHEET

W = () FT) i = () FT/DAY)(0.0667)

S = CFS/MILE

CONVEYANCE LOSS = (S) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = () CFS/MILE)() MILE)

CONVEYANCE LOSS =

.09

TOP OF DITCH = W

MAP MEASUREMENT

Section 1 = 5

Length in Inches = = A

Section 2 = 4

Section 3 = 3

Map Scale: In. = 1 Mile = B

Total... = 12

A/X: B/5,280 = Ft./5,280 = Mile

/2or 3... = 4 = W

Data/forms/Conv.loss.doc

REACT 2 IS

700 Ft

Bottom of Ditch
is Below Soil -
material is
Rocky & Sandy

SEE WORST CASE
WORKSHEET!

REACT 1

PLUS

TOTAL =

REACT 2 = .17 CFS

TABLE 12.--ENGINEERING INDEX PROPERTIES--Continued

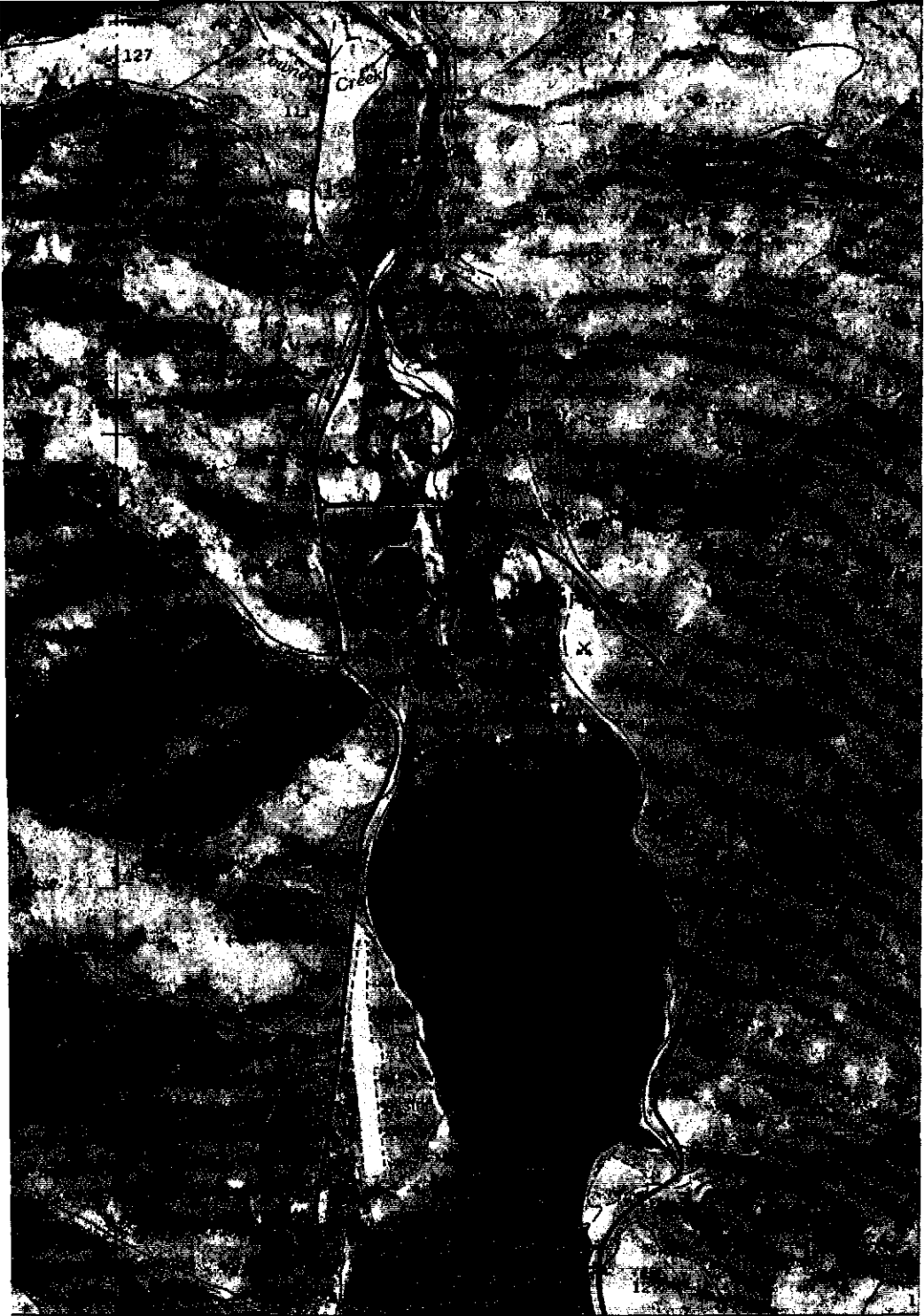
pth	USDA texture	Classification		Frag- ments > 3 inches Pct	Percentage passing sieve number--				Liquid limit Pct	Plas- ticity index
		Unified	AASHTO		4	10	40	200		
-8	Sandy loam-----	ML, SM	A-4	0	95-100	90-100	55-75	45-60	15-25	NP-5
-36	Loam, very fine sandy loam.	CL-ML, CL	A-4	0	100	95-100	85-95	60-75	25-35	5-15
-60	Sandy loam-----	SM, SM-SC	A-2, A-4	0	100	95-100	55-70	25-40	20-30	NP-10
-6	Silt loam-----	CL-ML	A-4	0	100	100	85-100	60-90	20-30	5-10
-60	Stratified fine sandy loam to clay.	CL	A-6	0	90-100	85-100	75-100	50-80	30-40	10-15
7	Gravelly sandy loam.	SM-SC	A-2	0-5	65-85	60-75	40-60	20-30	20-30	5-10
20	Gravelly sandy loam, gravelly sandy clay loam, very gravelly sandy loam.	SM-SC, SC, GM-GC, GC	A-2	5-10	50-70	45-65	35-50	15-30	20-30	5-15
41	Very gravelly sandy loam, very stony sandy loam.	SM, GM	A-1	10-30	40-65	40-60	25-45	10-25	15-20	NP-5
15	Unweathered bedrock.	---	---	---	---	---	---	---	---	---
1	Very cobbly sandy loam.	GM	A-1, A-2	30-40	45-60	35-55	30-50	20-35	15-25	NP-5
4	Very cobbly sandy loam, very gravelly sandy loam.	GM	A-1, A-2	20-40	45-60	35-55	30-50	20-30	15-25	NP-5
8	Unweathered bedrock.	---	---	---	---	---	---	---	---	---
1	Gravelly coarse sandy loam.	SM	A-2, A-1	0-5	65-85	60-75	30-50	20-35	20-25	NP-5
2	Sandy loam, coarse sandy loam, gravelly coarse sandy loam.	SM	A-2, A-4	0-5	70-95	70-90	40-60	25-45	20-25	NP-5
	Unweathered bedrock.	---	---	---	---	---	---	---	---	---
17-23	Gravelly loam----	SM-SC, GM-GC	A-4	0-10	65-85	60-75	45-65	35-50	20-30	5-10
23-60	Gravelly loam, very gravelly loam, very cobbly loam.	GM, SM	A-4, A-2, A-1	0-35	55-85	35-65	30-60	20-50	20-30	NP-5
	Very cobbly sandy loam, very gravelly sandy loam, extremely gravelly sandy loam.	GM, GP-GM	A-1	15-40	40-55	30-50	15-35	10-20	---	NP

of table.

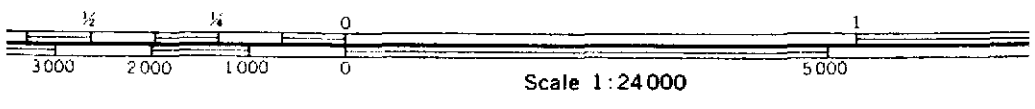
SOL III



R. 9 E. | R. 10 E.



30"



Most seepage formulas use a unit seepage rate which some call "C" and others call "i". In English units these coefficients are expressed as cubic feet per square foot per day or simply feet per day.

The following table of "C" values is from American Civil Engineering Practice:²⁵

<u>Kind of Material</u>	<u>Loss per Day</u> (in feet)
Cemented gravel and hardpan with sandy loam	0.34
Clay and clay loam	0.41
Sandy loam	0.66
Volcanic ash	0.68
Volcanic ash with some sand	0.98
Sand and volcanic ash or clay	1.20
Sandy soil with some rock	1.68
Sandy and gravelly soil	2.20
Concrete lining	0.33

The following table of "i" values is taken from the California Department of Water Resources Inspection Manual for use with the Etcheverry formula.

<u>Kind of Material</u>	<u>Loss per Day</u> (in feet)
Impervious clay loam	0.25 - 0.35
Medium clay loam underlaid with hardpan at depth of not over 2 to 3 ft. below bed	0.35 - 0.50
Ordinary clay loam, silt soil or lava ash loam	0.50 - 0.75
Gravelly clay loam, sandy clay loam, cemented gravel, sand or clay	0.75 - 1.00
Sandy loam	1.00 - 1.50
Loose sandy soils	1.50 - 1.75
Gravelly sandy soils	2.00 - 2.50
Porous sandy soils	2.50 - 3.00
Very gravelly soils	3.00 - 6.00

The following tables of "Average Seepage Rates" is from

²⁵ Abbett, Robert W., American Civil Engineering Practice, John Wiley & Sons, Inc., New York, 1956, Vol. II, pp. 17-31, 17-32.

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

DATE OF CONVERSATION: 9-6-01

DATE SET FOR EXAM: 10 AM SEPT 10, 2001

NAME OF CONTACT: Raymond Brun

ADDRESS CHANGE: _____

PHONE NUMBER: () 653-2163 (NOT LONG DIST)

LOCATION/DIRECTIONS: Mtn ^{Home} Hwy 20 drive mile marker 127
with a LOG turn left approx 30 min drive.
Once in Pine turn left a restaurant & Bar, then
1 mile past ONE ROOM School house white fence with
paved driveway, 1 hr 45 minutes total time from Boise.
TYPE OF SYSTEM: GRAVITY FLOWS

OTHER NOTES: Doesn't want excessive flows but will
use conveyance loss. Take affidavit with me
for him.

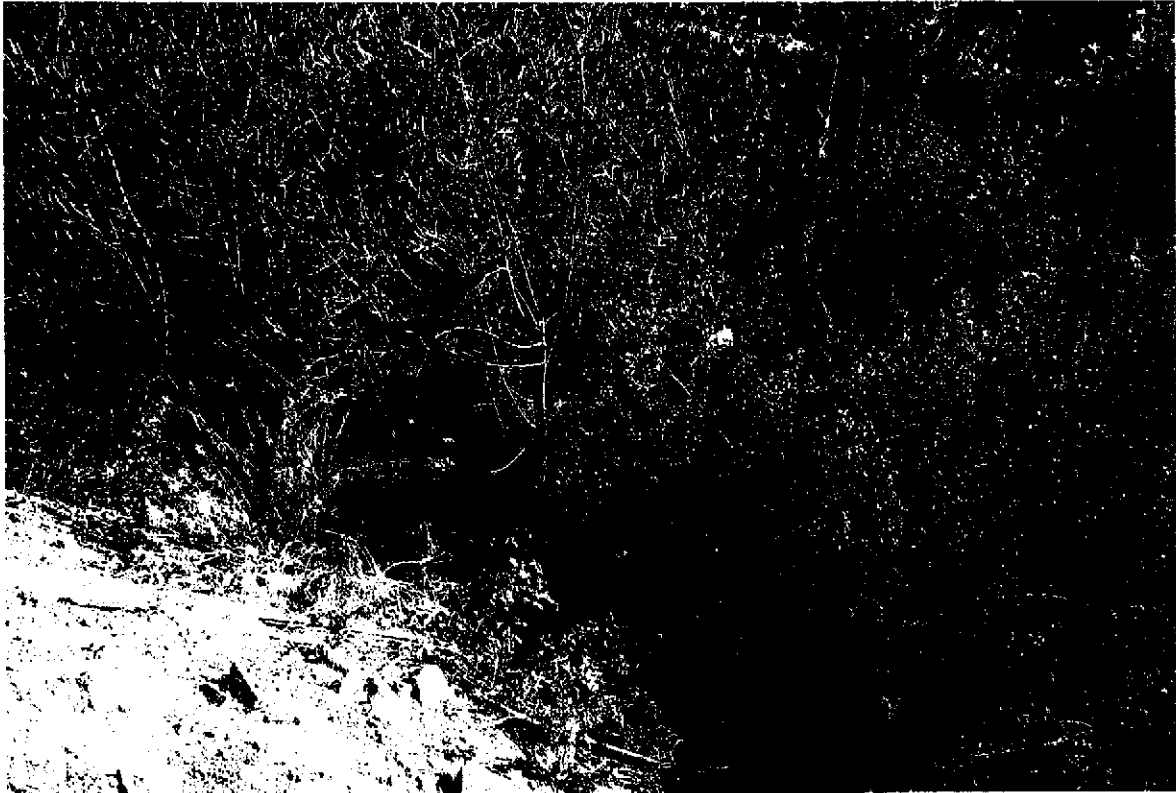


Photo 1. FX Sept 10, 2001. Photos by RDH. Photo of point of diversion, T02N, R10E, S31, SENW. Rock in center right of bush is part of rock dam. 63-4139 & 63-4286 rights.



Photo 2. View from POD to south, ditch is in center bush area.



Photo 3. FX Sept 10, 2001. Photos by RDH. Photo of beginning of Rice POU and calculation of ditch loss $\frac{1}{2}$ for 63-4139 & 63-4286 rights.

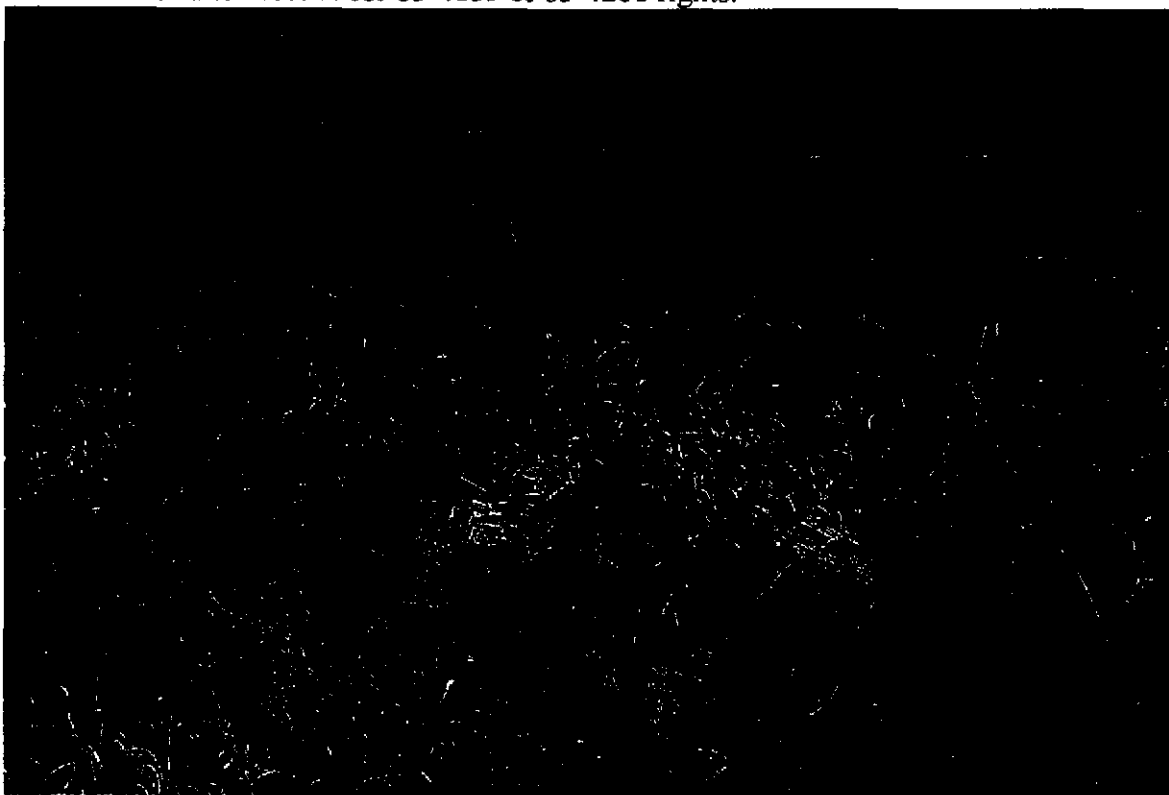


Photo 4. Divide of property line of Rice on left and Brun on right of fence. Also end of ditch loss calculation for Brun.

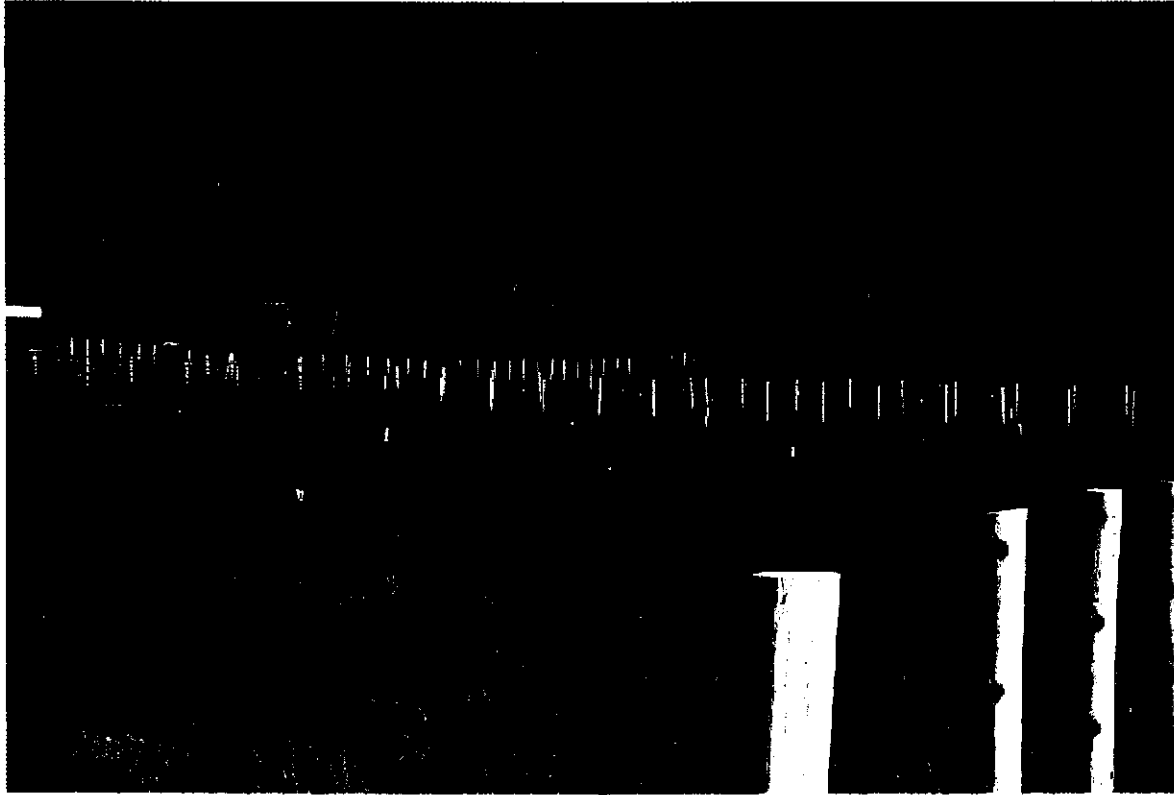


Photo 5. FX Sept 10, 2001. Photos by RDH. Brun POU view from county road, view to NW from SE corner, for 63-4139.



Photo 6. Hillside POU of Brun, sprinkler irrigation pumped from ditch.

Idaho Department of Water Resources

T02N R10E
S31

Claim: 63-4139
Updated: 10 Sep 01
By: Ron Howerton

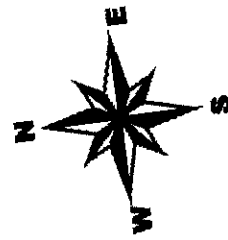
 Place of use

● POD

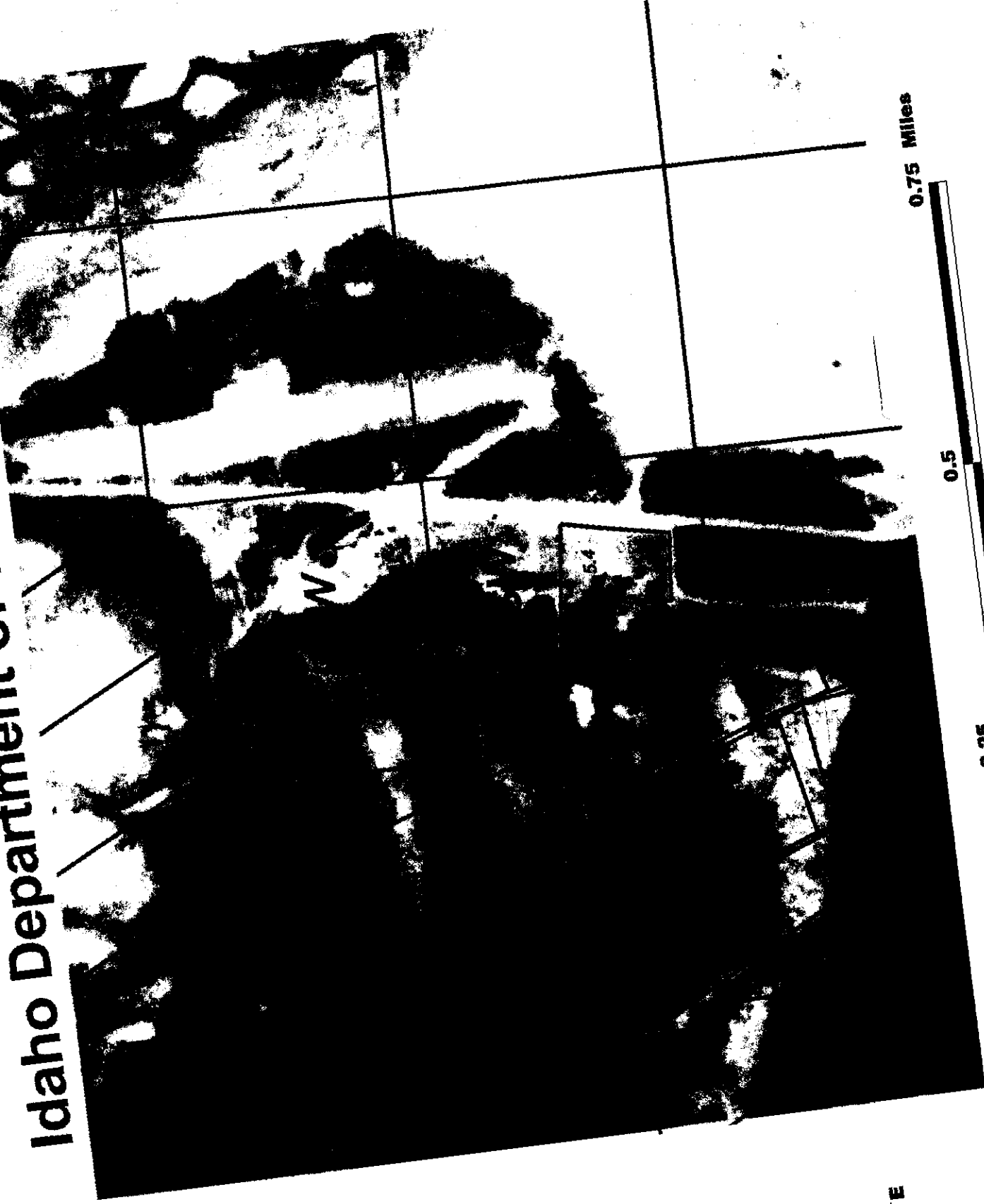
 SECTION

 1/4 1/4

5.4 Acres



1987 NAPP



Idaho Department of Water Resources

T02N R10E
S31

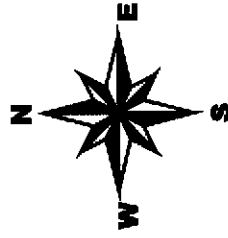
Claim: 63-4139
Updated: 10 Sep 01
By: Ron Howerton

 Place of use

● POD

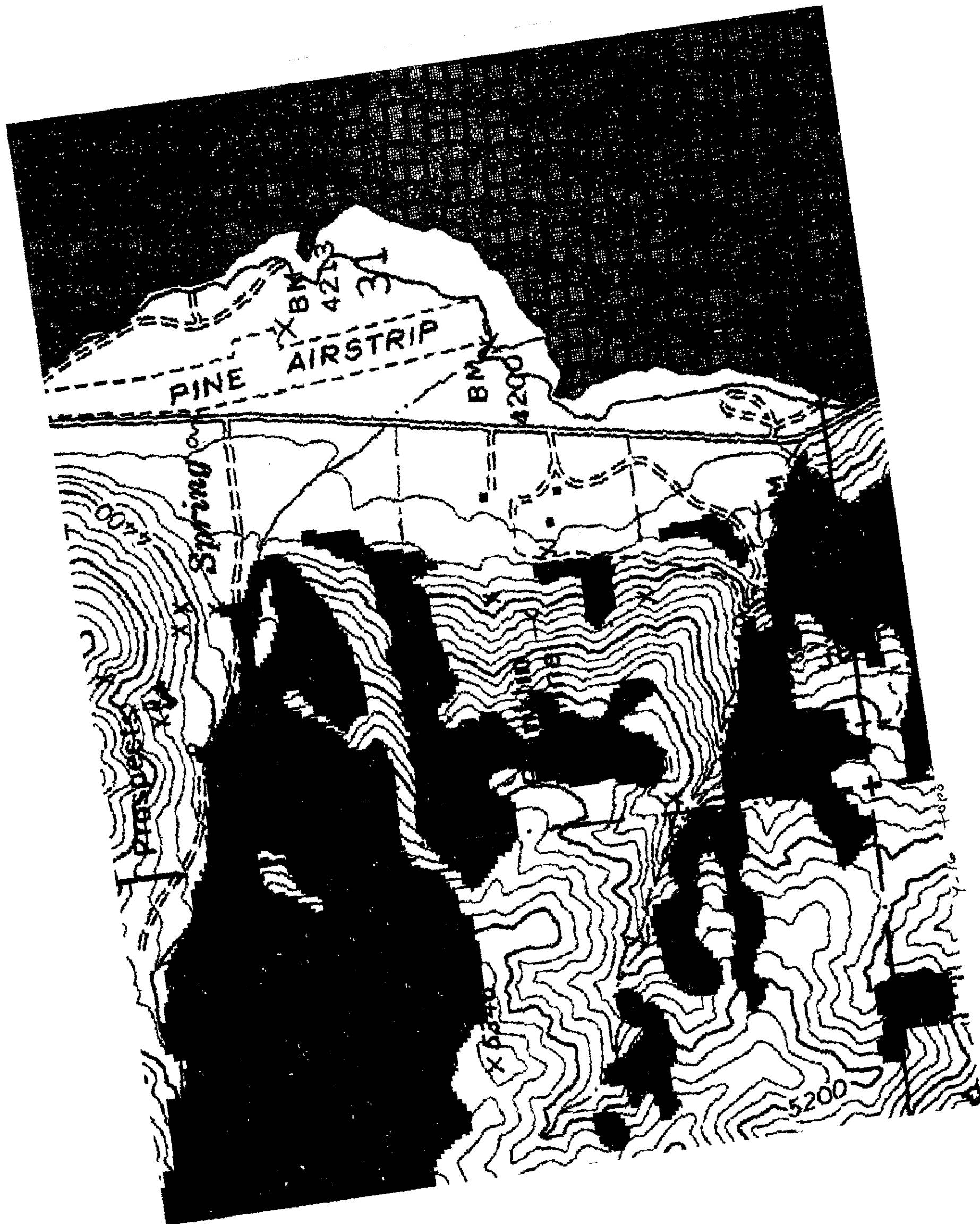
 SECTION

 1/4 1/4



1987 NAPP





AFFIDAVIT

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

A 63-04139)
_____)
_____)

State of Idaho)

County of ADA)

RAYMOND BRUN being first duly sworn,

deposes and says: THE BENEFICIAL USE OF CLAIM # A63-04139
DATES BACK TO APRIL 1ST 1950, WHICH IS THE PRIOR
DATE FOR THIS CLAIM, WHICH HAS BEEN IN CONTINUAL
USE TILL THIS TIME. I WAS TOLD THIS BY MR OSCAR
SHEAFF WHO FILED THE FIRST STATUTORY CLAIM BACK
IN 1950.

Raymond Brun
(Signature)

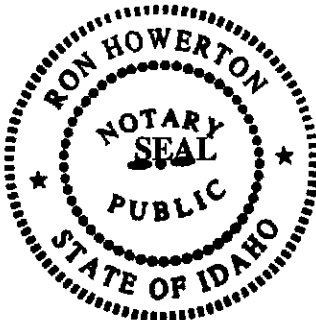
Subscribed and sworn to before me this

day 10 of SEPT, 20 01.

Ron Howerton
(Notary Public)

Residing at _____ Ron Howerton
Residing at Boise, Idaho

My Commission Expires December 8, 200 6
My Commission Expires _____





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

RAYMOND BRUN
HAZEL BRUN
HC 87 BOX 560
FEATHERVILLE ID 83647

Re: Claim No(s) 63-4139,

63-19449

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. ~~Field exams to verify~~ claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-19-1994

File Number: A63-04286
Claimant: G RICE
Channel measured: DITCH FROM CREEK
Date of measurement: 8/18/94
Measurement location:

Calculation prepared by: LINDA WERNER
Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 187 feet.
The upstream and downstream rod readings are 4.09 and 6.02 feet.
The channel cross section is 2.37 ft-sq.
The wetted perimeter is 6.14 feet.
The hydraulic radius is 0.39 feet.
The slope is 0.0103
The roughness coefficient is 0.0740
The flow velocity is 1.085 ft/sec.
The rate of flow is 2.57 cfs.

CROSS SECTION NUMBER 1

For File Number A63-04286 for the DITCH FROM CREEK

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.26	0.26	0.60
3	0.48	0.48	1.00
4	0.65	0.65	2.00
5	0.65	0.65	3.50
6	0.45	0.45	3.80
7	0.00	0.00	5.50

The area for this cross section is 2.31 square feet
and the wetted perimeter is 5.74 feet.

CROSS SECTION NUMBER 2

For File Number A63-04286 for the DITCH FROM CREEK

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.27	0.27	1.00
3	0.48	0.48	2.00
4	0.54	0.54	3.00
5	0.60	0.60	4.00
6	0.30	0.30	5.60
7	0.00	0.00	6.40

The area for this cross section is 2.43 square feet
and the wetted perimeter is 6.54 feet.

Claim Number(s): AG3-4286 & 63-4139

Name of Claimant(s): M Rice

Name of Ditch, Canal, or Stream: Ditch from creek (Bird Gulch)

Date of Measurement: 8-18 Data Collected By: _____

Measurement Location: _____ 1/4 _____ 1/4 Section _____ T _____ R _____

Cross Section Data

Basis: high water mark() maximum capacity()

Note: minimum of five depth or rod readings; first and last must be equal or zero

depth on rod reading	distance from initial point	2	depth or rod reading	distance from initial point
1. <u>LED 0</u>	<u>0</u>	<u>RED 0 0</u>	<u>0</u>	<u>5.5</u>
2. <u>.26</u>	<u>.6</u>	<u>.27 1.0</u>		
3. <u>.48</u>	<u>1.0</u>	<u>.48 2.0</u>		
4. <u>.65</u>	<u>2.0</u>	<u>.60 3.0</u>		
5. <u>.65</u>	<u>3.5</u>	<u>.30 4.0</u>		
6. <u>.45</u>	<u>3.8</u>	<u>LED 12.4</u>		

Slope Data

Basis: high water mark() channel bottom() land surface()

Level Readings: upstream downstream

upper stadia 4.58 6.46

center 4.09 6.02

lower stadia 3.59 5.58

stadia difference (99' + 88') x 100 = 187

channel
length

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes()

$$\begin{array}{r} 6.02 \\ 4.09 \\ \hline 1.93 \end{array} + \begin{array}{r} 99 \\ 88 \\ \hline 187 \end{array}$$

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020		(1)	negligible	.000		(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024	/	(3)		.015	/	(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000		(1)	low	.005		(1)
minor	.005		(2)		.010		(2)
moderate	.010	/	(3)	medium	.015		(3)
severe	.020		(4)		.020	/	(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
				VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION			
gradual	.000		(1)	minor	1.00	/	(1)
occasional	.005	/	(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				



AG3-4139

T20N, R10E, Sec.31

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT Raymond Brum
PHONE NUMBER 653 2810 ADJ. AGENT Lindley
DATE SET FOR EXAM 8-25-94 10:00
LOCATION/DIRECTIONS To Featherville - Motel

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of System? (pipelines, ditches) _____

How many laterals are used? _____

Length and size of mainline? _____

Size of motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler heads? _____

COMMENTS Take claim so he can file on spring
shared w/ A. Rice.

AG3-19449

Howerton, Ron

From: Spackman, Gary
Sent: Monday, August 27, 2001 10:22 AM
To: Howerton, Ron
Subject: Field Exam for 63-4139 - Raymond Brun

Ron,

Talked to Mr. Brun today about evidence of priority for 63-4139, claiming a water right to divert from Bird Creek. Brun wants to schedule an examination of his beneficial use. He also expressed concern about claims filed by Gwinn Rice that he says assert a priority date of 1905. Brun stated the priority date for the Rice claim should be 1950, the same as Brun's claim.

I reviewed the database summary of the Rice adjudication claim, and also reviewed related statutory claims filed in the late 1970's. The priority dates claimed are not at all consistent. If you are reviewing the Rice adjudication claims, please look at the several claims. Perhaps the old claims create a presumption that the priority date is much later than 1905.

Mr. Brun's telephone number is 653-2163 (not long distance). He would like you to call him.

Gary