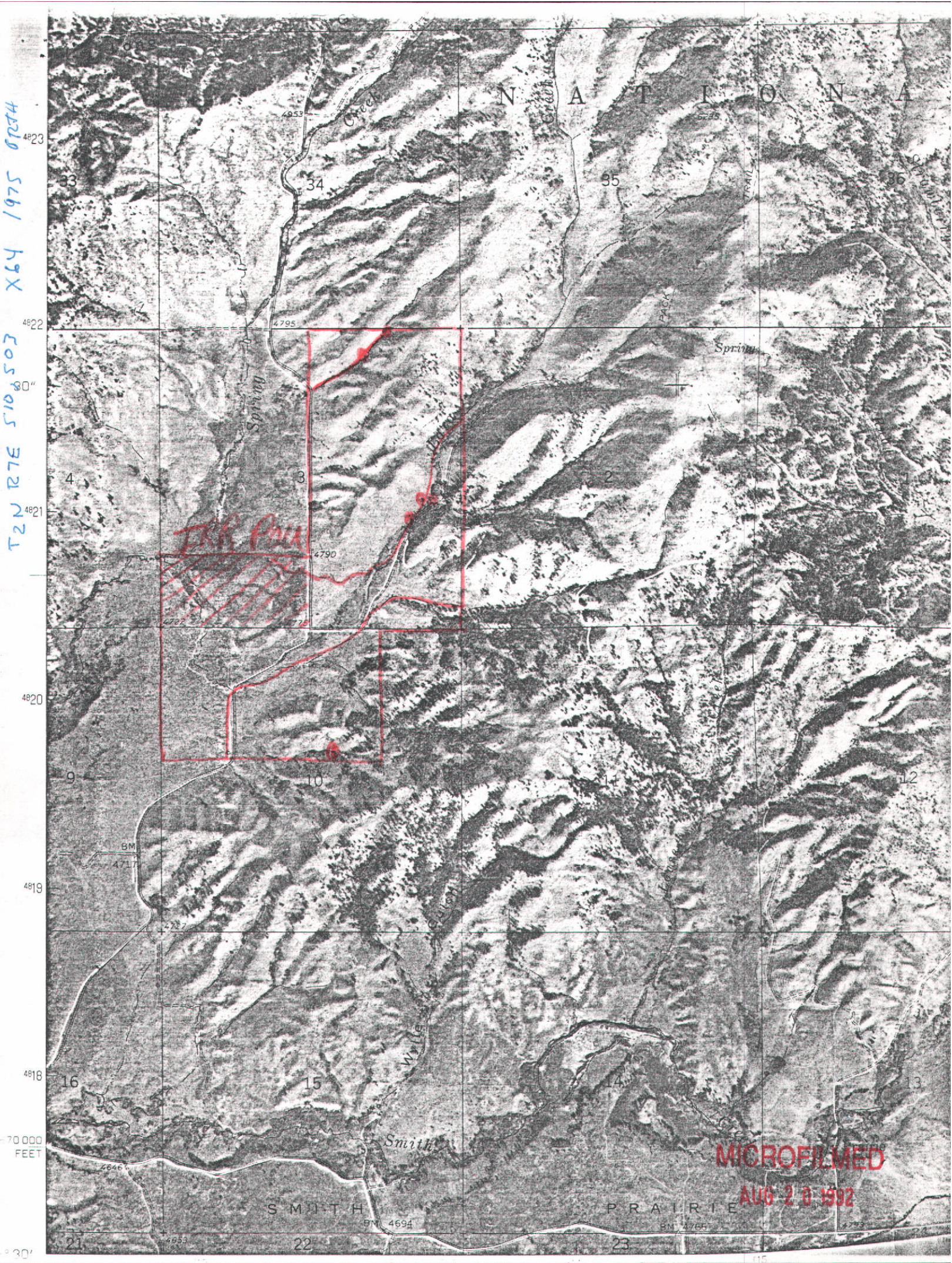


T2N R7E S10, 503
X64 1975 07244



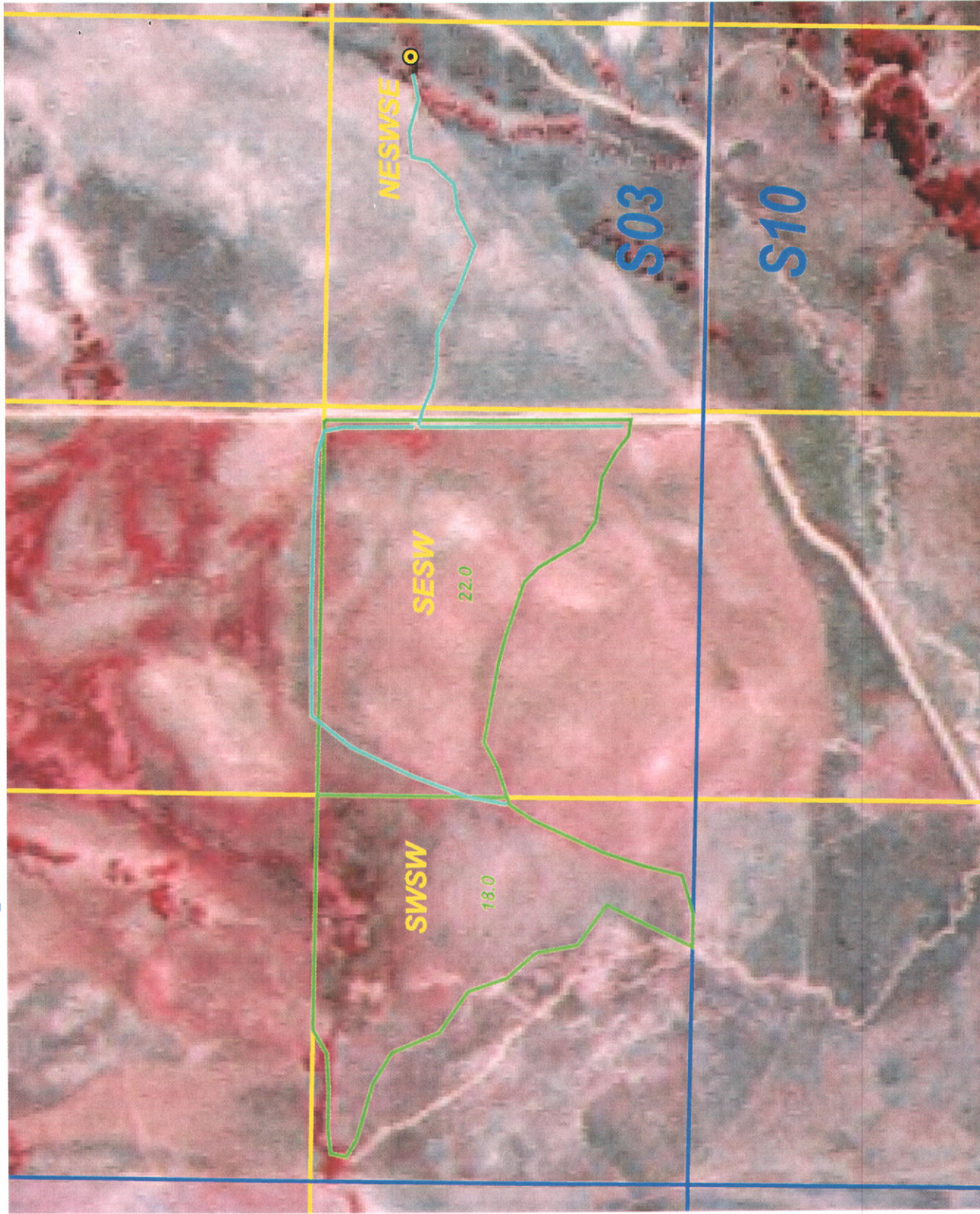
MICROFILMED
AUG 20 1992

T02N, R07E

S03

Claims: 63-4870
Updated: 18 DEC 01
By: Ron Howerton

Idaho Department of Water Resources



 Place of use

 POD

 SECTION

 1/4 1/4

40.0 Acres



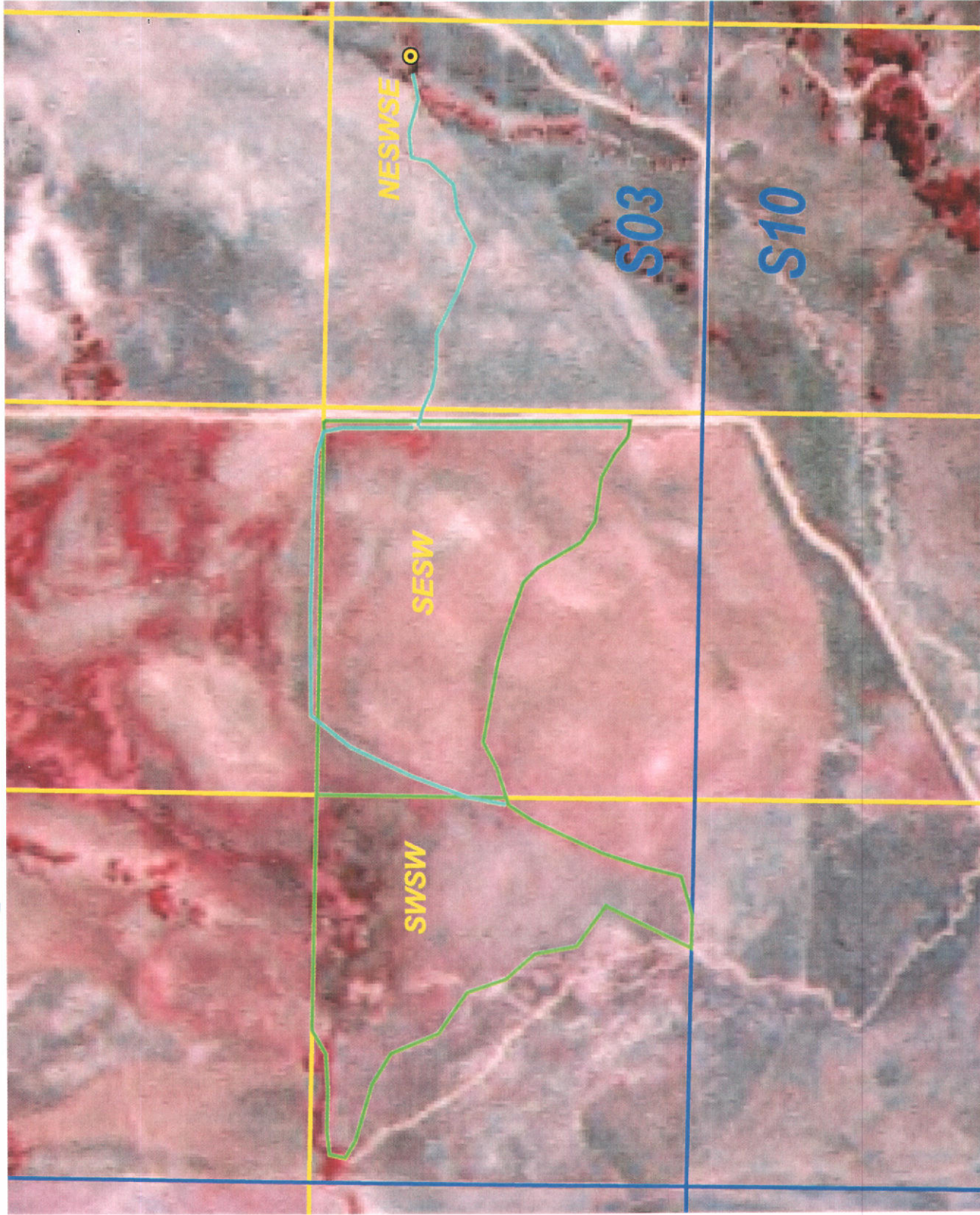
1987 NAPP

0 0.25 0.5 0.75 Miles

T02N, R07E
S03

Claims: 63-4870
Updated: 18 DEC 01
By: Ron Howerton

Idaho Department of Water Resources

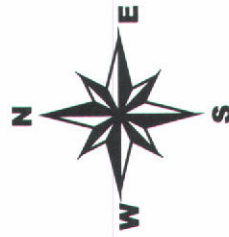


Place of use

POD

SECTION

1/4 1/4



1987 NAPP

0

0.25

0.5

0.75 Miles



Photo 1. FX Sept 19, 2001. Photos by RDH. Photo of point of diversion, T02N, R07E, S03, NESWSE. Earth rock dam diverts entire flow. See system diagram.



Photo 2. Photos by RDH. Manning measurement. About 200' below POD.



Photo 3. Photos by RDH. Ditch flows under county road.



Photo 4. Photos by RDH. Place of use in the SESW, view from county road.



Photo 5. Photos by RDH. Center of ditch in SWSW flowing south.

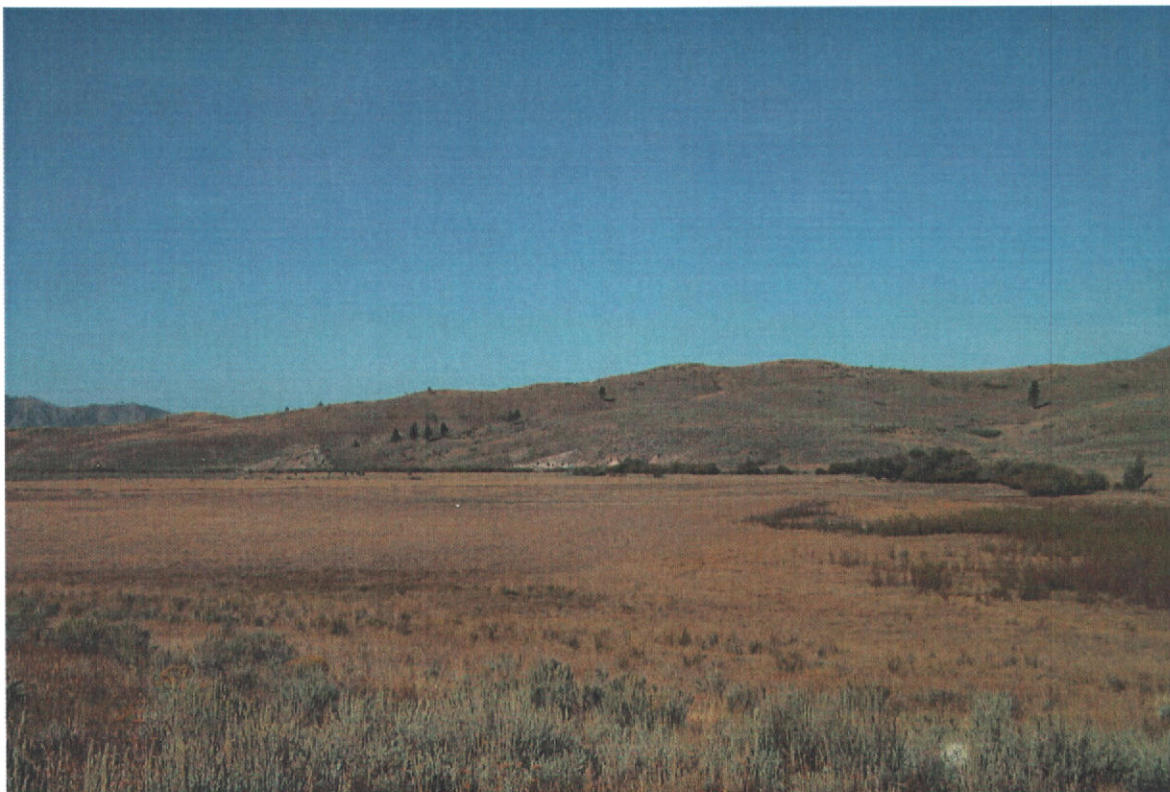


Photo 6. Photos by RDH. Place of use in the SWSW view to southwest.

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 63-4870
Date Received: 11/28/1989
Receipt No: W006816
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RICKEY LEE RUSSELL Phone: (208) 466-3065
7641 HARMS LN
NAMPA ID USA 83686

ELLEN M RUSSELL Phone: (208) 466-3065
7641 HARMS LN
NAMPA ID USA 83686

2. Date of Priority: 07/01/1890

3. Source: UNNAMED SPRINGS , LAVA CREEK Trib. to: SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	07E	3	NE NW NE	ELMORE	
02N	07E	3	SE SE NE	ELMORE	
02N	07E	3	SE NW NE	ELMORE	
02N	07E	3	NE SW SE	ELMORE	
02N	07E	3	SE SW SE	ELMORE	
02N	07E	3	NE NW SE	ELMORE	
02N	07E	3	SW NE SE	ELMORE	

5. Description of diverting works:

DIVERSION DAM & GRAVITY IRR. SYSTEM FROM LAVA CREEK AND SPRINGS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	1.42	
STOCKWATER	1/01	12/31	0.05	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	07E	3	NW	NE	STOCKWATER	
			NE	SE	STOCKWATER	
			SW	SE	STOCKWATER	
			SE	NE	STOCKWATER	
			SW	SW	IRRIGATION	34
			SE	SW	IRRIGATION	33
					Section Acres	67
02N	07E	10	NW	NE	STOCKWATER	
			NE	NW	STOCKWATER	
					Total Acres	67

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:

OWNERSHIP CHANGED BY RDH ON 12/18/01.

15. Basis of Claim: Statutory Claim

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: A63-04870
Date Received: 11/28/1989
Receipt No: W006816
Received By: SAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE G. RUSSELL 208-467-1579
Address: 2400 E. POWERLINE RD.
NAMPA, ID 83651

OR

Name: LORENE RUSSELL 208-467-1579
Address: 2400 E. POWERLINE RD.
NAMPA, ID 83651

2. Date of Priority: JUL 01, 1890

3. Source: LAVA CREEK Trib. to: SPRING CREEK
UNNAMED SPRINGS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	07E	3	NE	NW	NE		ELMORE
			SE	NW	NE		ELMORE
			SE	SE	NE		ELMORE
			SW	NE	SE		ELMORE
			NE	NW	SE		ELMORE
			NE	SW	SE		ELMORE
			SE	SW	SE		ELMORE

5. Description of diverting works:
DIVERSION DAM & GRAVITY IRR. SYSTEM FROM LAVA CREEK AND SPRINGS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.420		
STOCKWATER	01/01	12/31	0.050		

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

A63-04870

Page 1

Date: 11/28/89

MICROFILMED
AUG 20 1992

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/300 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
02N	07E	3	NW		NE		STOCK	
			SE		NE		STOCK	
			SW		SW		IRR	34.0
			SE		SW		IRR	33.0
			NE		SE		STOCK	
			SW		SE		STOCK	
							Section Acres	67.0
		10	NW		NE		STOCK	
			NE		NW		STOCK	
							Total Acres	67.0

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:
NONE

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: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): x Geo. G. Russell Date: 11-28/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of November 19 89 Bruce A. Smith
Notary Public

Seal

Residing at Boise Idaho
My Commission Expires 4/11/89

4823

X64 1975 0234

4822

510503

27E

4821

4820

4819

4818

70 000
FEET

30'



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

RECEIVED**DEC 10 2001****WATER RESOURCES
WESTERN REGION**

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>A63-4870</u>				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) GEORGE & LORENE RUSSELL
2400 E POWERLINE RD NAMPA ID. 83651
4. New Owner/Claimant(s) RICKEY LEE OR ELLEN M. RUSSELL
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address 7641 HARMS LANE
- City, State and ZIP Code NAMPA ID 83686
- New Telephone Number (208) 466-3065
5. Date you acquired the property 13 MAR 1998

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

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

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

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

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

GIFT DEED

GEORGE G. RUSSELL and LORENE A. RUSSELL, husband and wife, Grantors, do hereby gift and convey to RICK L. RUSSELL and ELLEN RUSSELL, husband and wife, Grantees, whose address is 7641 Harms Lane Nampa, Idaho 83686, the following parcels of real property situated in Elmore County, State of Idaho, more particularly described as follows, to-wit:

Parcel I

The S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 3; and the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 10; and the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 10, Township 2 North, Range 7 East, Boise Meridian, County of Elmore, State of Idaho, EXCEPT that portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 10, Township 2 North, Range 7 East, Boise Meridian, which was conveyed by a Bargain and Sale Deed executed by George William Russell, party of the first part, to George G. Russell, party of the second part, as recorded in Book 28 of Quitclaim Deeds at page 246, records of Elmore County, Idaho, on March 31, 1941, TOGETHER WITH all appurtenances thereto including Grazing Permits issued by the United States Department of Agriculture, Forest Service, described as follows:

Smith Prairie C&H Allotment, Mountain Home Ranger District (1) and Cottonwood Ranger District (2), Grazing Fee Unit 1; and all water rights and ditch rights belonging thereto.

Parcel II

Lots 1 and 2 and the South half of the Northeast Quarter and the Southeast Quarter of Section 3, Township 2 North, Range 7 East, Boise Meridian

Together with all appurtenances thereto, including water rights and ditch rights.

IN WITNESS WHEREOF, the said Grantors have hereunto subscribed their names to this instrument this 13 day of March, 1998.

ELMORE COUNTY, IDAHO ss
Request of

Rene E. Vermer

Time 9:44 A M
Date March 20 1998
Book _____ Page _____

DOLORES ROBISON

Recorder

By [Signature]
Deputy

GIFT DEED

fee \$6.00

George G. Russell
GEORGE G. RUSSELL

To Rene A Russell By George G. Russell
LORENE A. RUSSELL by George G. Russell
her attorney in fact

306725

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

On this 13th day of March, 1998, before me, the undersigned, a Notary Public in and for said state, personally appeared GEORGE G. RUSSELL, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

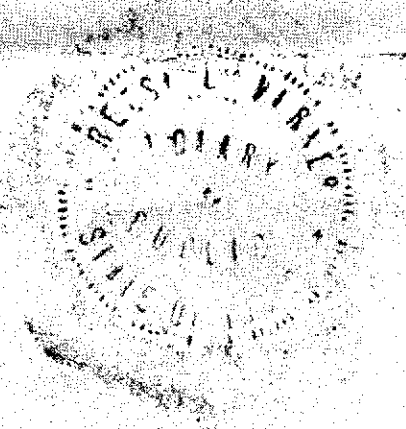


Reese E. Verne
Notary Public for Idaho
Residing at Nampa
My commission expires 9/14/98

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

On this 13th day of March, 1998, before me, the undersigned, a Notary Public in and for said state, personally appeared GEORGE G. RUSSELL for LORENE A. RUSSELL, her attorney in fact, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same as such attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Reese E. Verne
Notary Public for Idaho
Residing at Nampa
My commission expires 9/14/98

GIFT DEED

GEORGE G. RUSSELL and LORENE A. RUSSELL, husband and wife, Grantors, do hereby gift and convey to RICK L. RUSSELL and ELLEN RUSSELL, husband and wife, Grantees, whose address is 7641 Harms Lane Nampa, Idaho 83686, the following parcels of real property situated in Elmore County, State of Idaho, more particularly described as follows, to-wit:

Beginning at the Southeast corner of the Northwest quarter of the Northeast quarter of Section 10, Township 2 North, Range 7 East of the Boise Meridian and thence running 563 feet North, thence West 563 feet; thence South 563 feet; thence East 563 feet to the point of beginning.

Together with all appurtenances thereto, including water rights and ditch rights.

IN WITNESS WHEREOF, the said Grantors have hereunto subscribed their names to this instrument this 16th day of June, 1998.

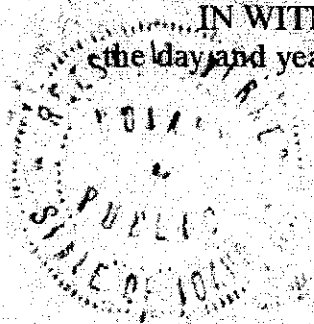
George G. Russell
GEORGE G. RUSSELL

Lo Rene A. Russell By George G. Russell
LORENE A. RUSSELL by George G. Russell
her attorney in fact

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

On this 16th day of June, 1998, before me, the undersigned, a Notary Public in and for said state, personally appeared GEORGE G. RUSSELL, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Deese E. Warner
Notary Public for Idaho
Residing at Mammoth
My commission expires 9/14/98

STATE OF IDAHO)

) ss.

COUNTY OF CANYON)

On this 16th day of June, 1998, before me, the undersigned, a Notary Public in and for said state, personally appeared GEORGE G. RUSSELL for LORENE A. RUSSELL, her attorney in fact, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same as such attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Reese E. Verner
Notary Public for Idaho

Residing at Hammond

My commission expires 9/14/98

308651

ELMORE COUNTY, IDAHO ss
Request of

Reese E. Verner

Time 10:47AM

Date June 17, 1998

Book _____ Page _____

DOLORES ROBISON

Recorder

By [Signature] Deputy

Fee \$6.00

IDAHO DEPARTMENT OF WATER RESOURCES 12/18/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: RICKEY LEE RUSSELL
7641 HARMS LN
Nampa ID 83686

ELLEN M RUSSELL
7641 HARMS LN
Nampa ID 83686

SOURCE: LAVA CREEK TRIBUTARY: SPRING CREEK

QUANTITY: 0.93 CFS

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE FOR IRRIGATION
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: 01/05/1904

POINT OF DIVERSION:

T02N R07E S3 NESWSE 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	04/01 10/31	0.880 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T02N R07E S03 SWSW 18.0 T02N R07E S03 SESW 22.0
STOCKWATER same as IRRIGATION

40 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: Beneficial Use

STOCKWATER, 300 RANGE CATTLE.

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

CLAIM NO(s). 63-4870

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: JAN 5, 1904
(If the priority date, based on your exam, seems questionable, explain below.)

SEE Posted Notice From WILLIAM A. RUSSELL
DESCRIBES FIRST US AS SHOWN ABOVE.

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

Source found: LAWA CREEK ONLY

4. ☐ No Change — POINT OF DIVERSION OVERLAP with LG DANISON & SONS INC
☒ Point of diversion is different than the claim and/or new P/D's:

Township 2N Range 7E Section 3 1/4 NE 1/4 SW 1/4 SE
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

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

EARTH ROCK PLASTIC DAM - DIVERTS
ENTIRE FLOW OF LAWA CREEK

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use irrig From 4-1 To 10-31 Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

SOIL FOR IRRIGATION
RECOMMENDED PER
STANDARD SEASON

7. ☐ No Change - TOTAL VOLUME

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

☒ Changes found, the new total is, Amount 193 CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

• SEE PROFILE SHEET FOR
CALC.

☐ Changes Exam found:

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

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.) (SAME TRACTS - LESS ACRES)

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

SOURCES FOR THIS RIGHT ARE ONLY - LAVA CREEK
SEE PROFILE SHEET FOR ADDITION INFO AND
CONVEYANCE LOSS CALC. SEE MANNING FOR
FLOW MEASUREMENTS.

☒ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: SEPT 19, 2001

FIELD EXAMINER:

RON HOWERTON

Print Name

Ron Howerton
Signature

ALSO

SEE PROFILE
SHEET FOR
REMARKS AND
CONDITIONS

OWNER

NAME & ADDRESS

PRIORITY

DATE

WATER USE

USE PERIOD

DIVERSION

DIVERSION

VOLUME

CODE

FROM

TO

RATE

C

GEORGE G. RUSSELL

07/01/1890

IRRIGATION

04/15

10/15

1.420 CFS

C

LORENE RUSSELL

STOCKWATER

01/01

12/31

0.050 CFS

2400 E. POWERLINE RD.

NAMPA ID 83651

TOTAL DIVERSION:

1.470 CFS

Water Source: LAVA CREEK

Tributary to: SPRING CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T02N R07E S03

NESE

ELMORE County

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE			
		NENE		NUNW		NUSW		NUSE			
		S		Lt		Lt		Lt			
		Ac		Ac		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
		Lt		Ac		Lt		Lt			
		Ac		Lt		Ac		Ac			
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T02N, R07E
S03

Claims: 63-4870
Updated: 18 DEC 01
By: Ron Howerton

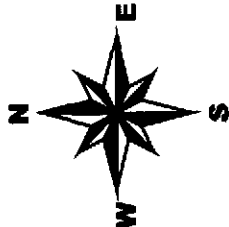
 Place of use

© POD

 SECTION

 1/4 1/4

40.0 Acres



1987 NAPP

Idaho Department of Water Resources



T02N, R07E

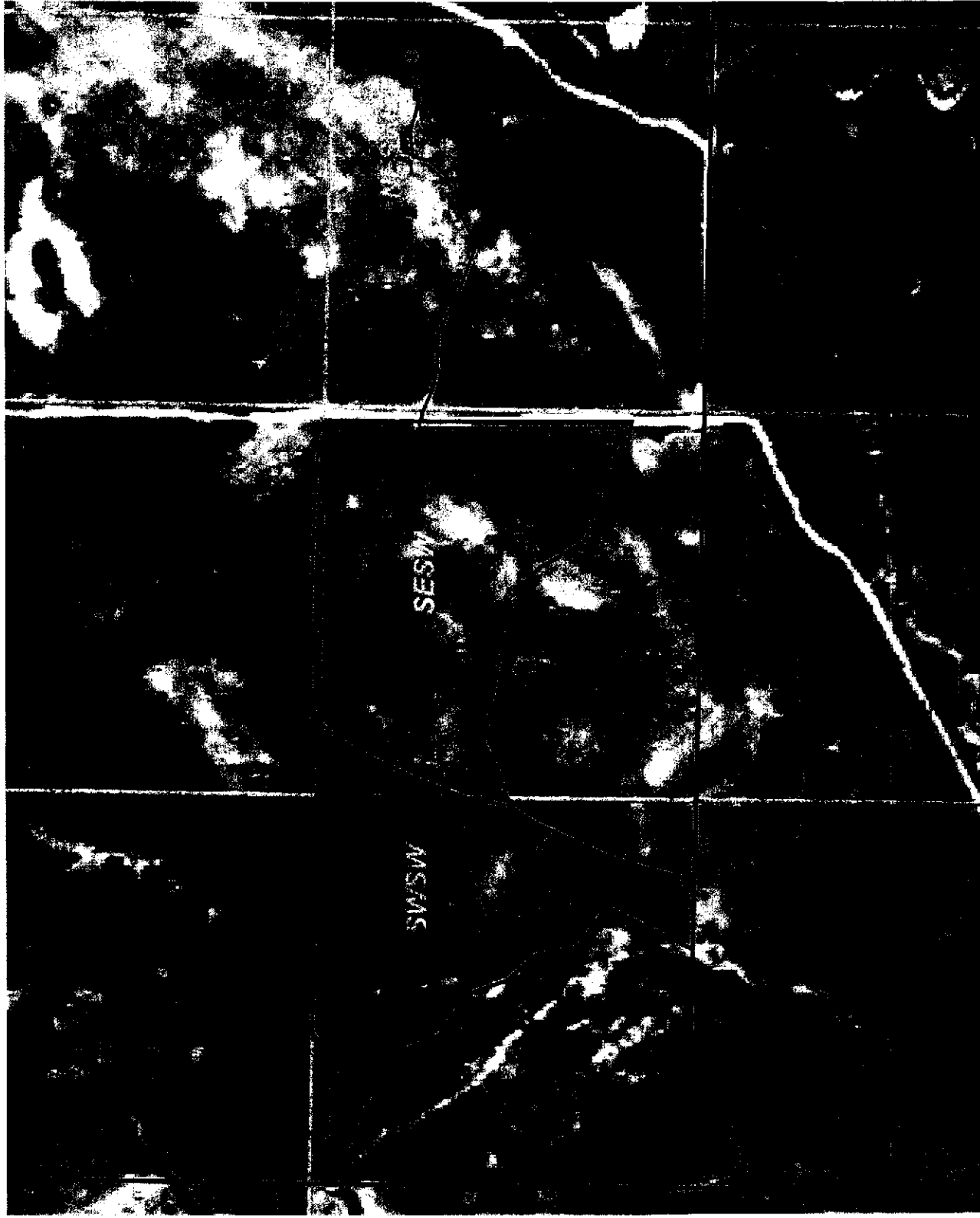
S03

Claims: 63-4870

Updated: 18 DEC 01

By: Ron Howerton

Idaho Department of Water Resources

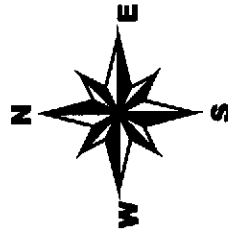


 Place of use

 POD

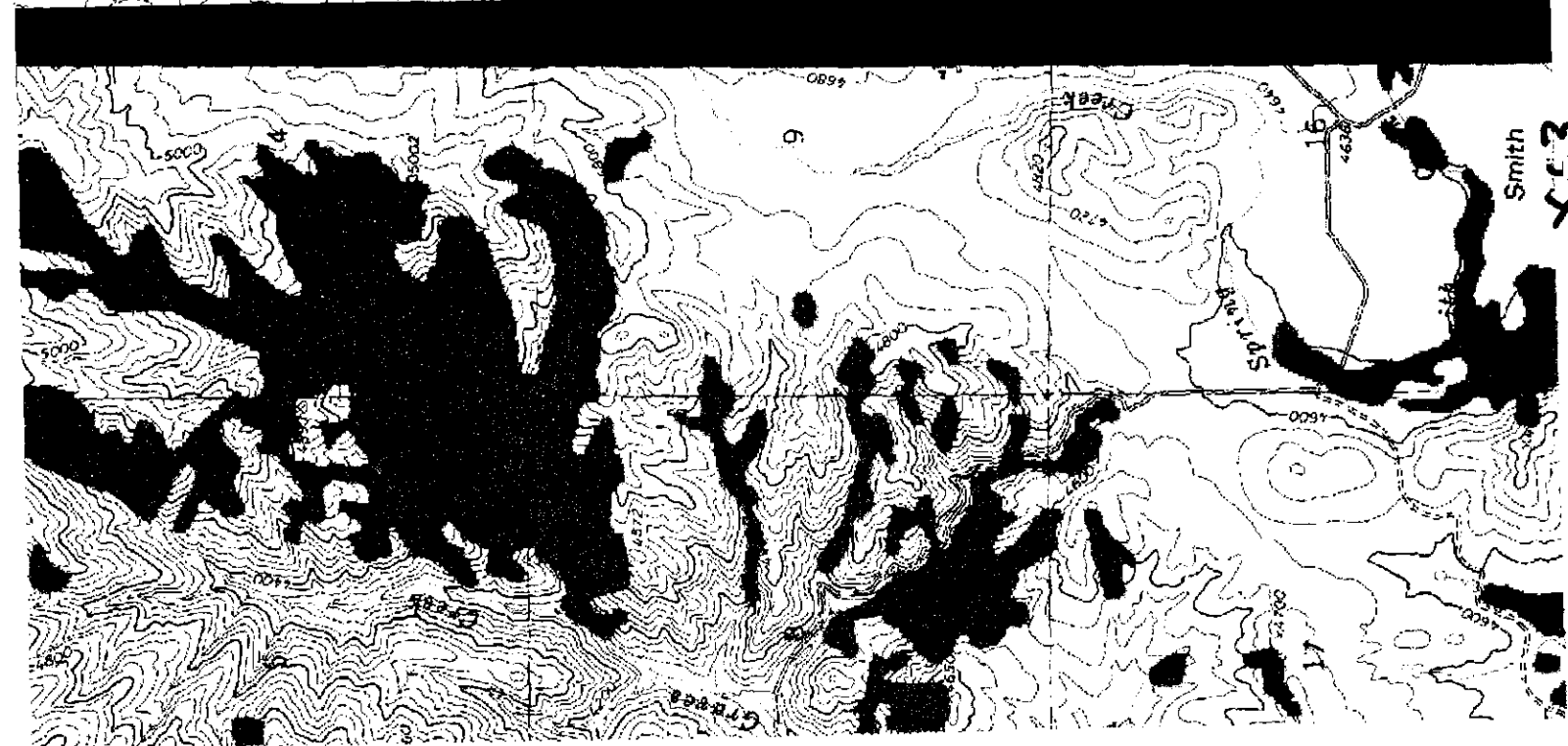
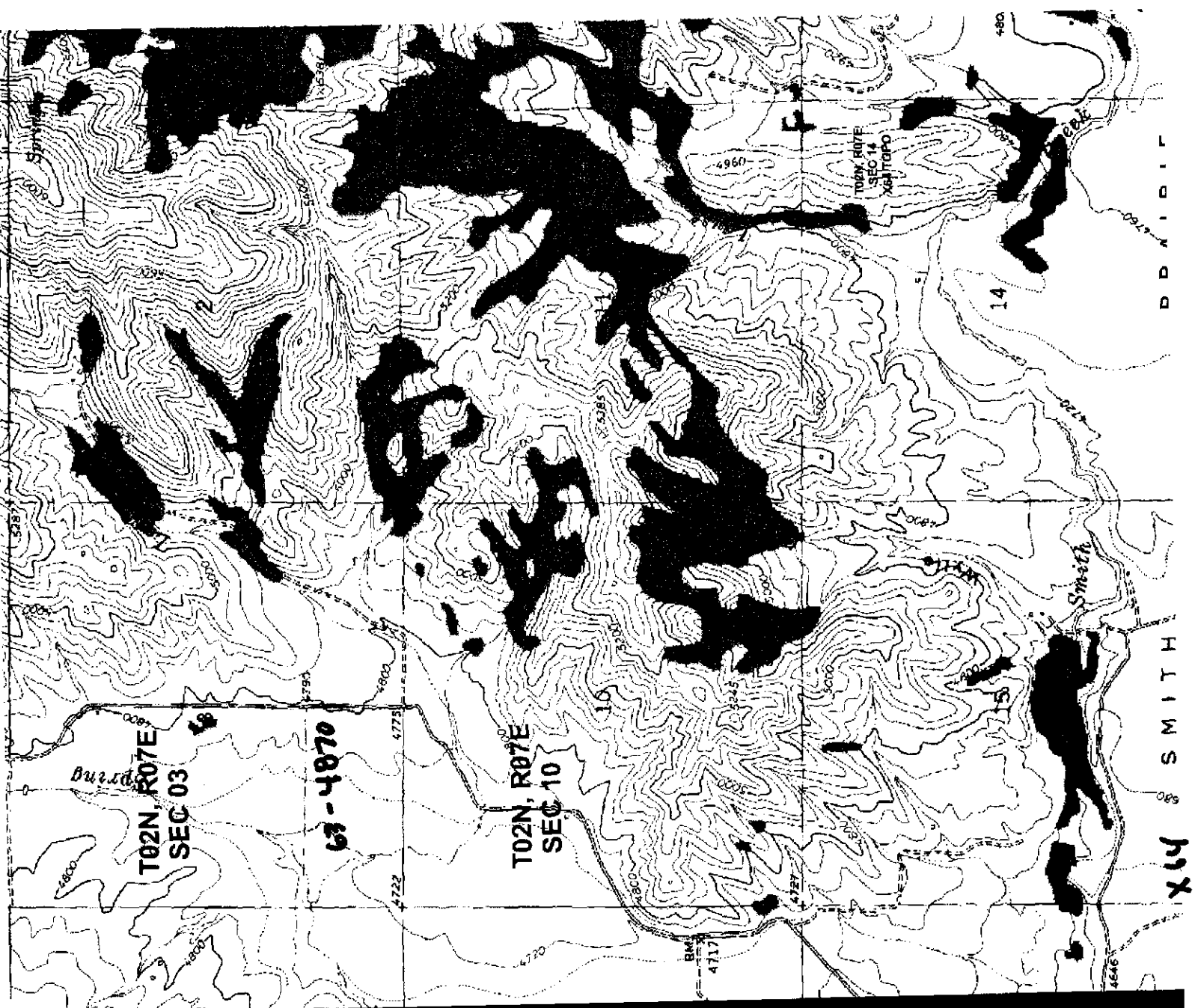
 SECTION

 1/4 1/4



1987 NAPP

0 0.25 0.5 0.75 Miles



FIELD EXAM 9-19-01 9 AM

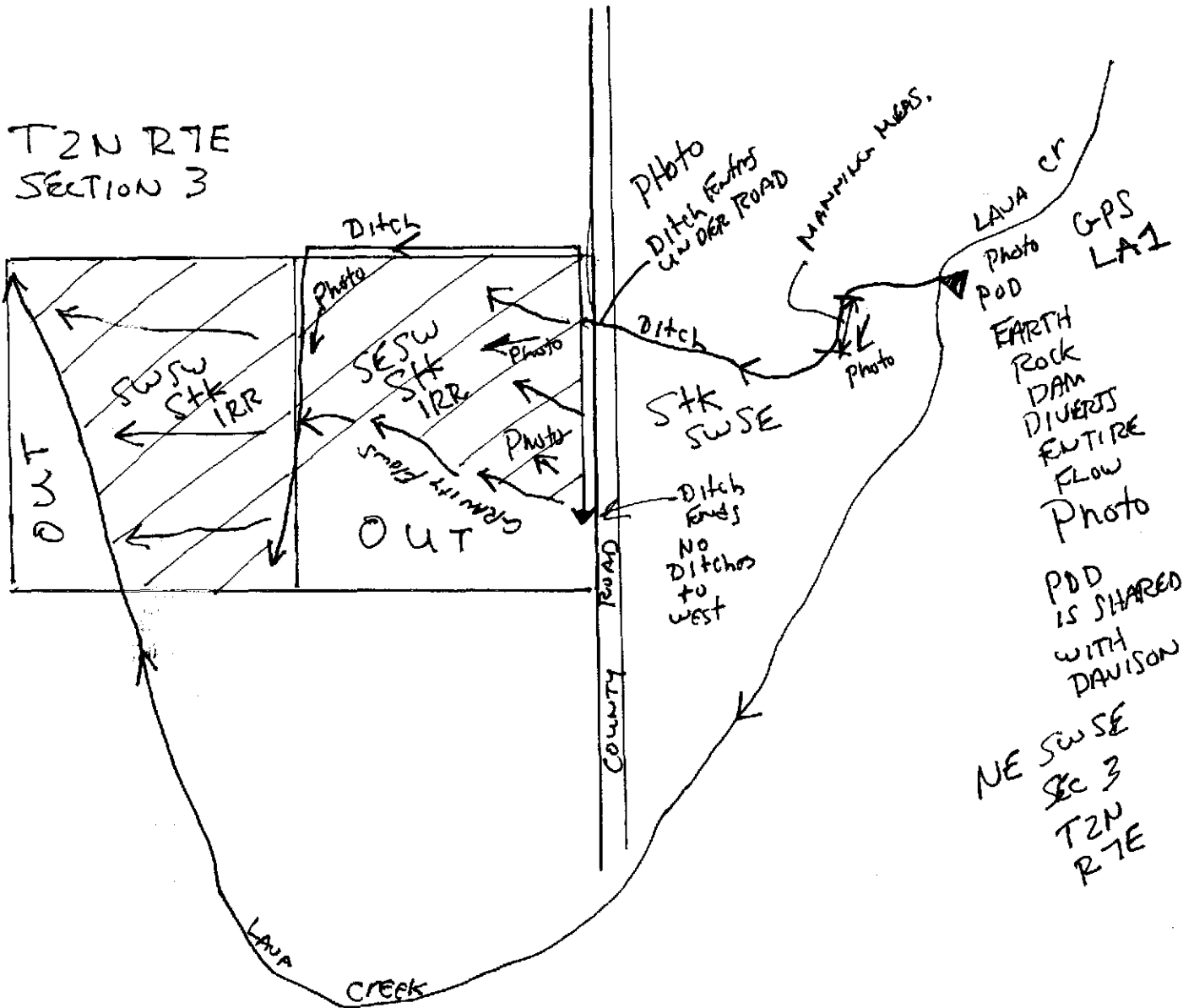
ACCOMPANIED BY: GEORGE RUSSELL (original claimant)
Rick Russell (new owner-son)

MET AT "Y" STOP

Stat. claim 63-4870



T2N R7E
SECTION 3



System
DIAGRAM

Ev. of DOP SEE

NOTICE OF WATER RIGHT

DATED JAN 5, 1904

System - Gravity flow ditch
Plastic dams in ditch
EARTH Rock Dam
in LAVA CR.

MANNING EQUATION CHANNEL CAPACITY RESULTS

09-20-2001

File Number: 63-4870 & 63-4881 (LG DAVISON & SONS)

Claimant: GEORGE RUSSELL

Channel measured: LAVA CREEK

Date of measurement: 091901

Measurement location:

ABOUT 200 FT FROM POD

Calculation prepared by: RDH

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 178 feet.

The upstream and downstream rod readings are 4.59 and 5.18 feet.

The channel cross section is 5.40 ft-sq.

The wetted perimeter is 7.72 feet.

The hydraulic radius is 0.70 feet.

The slope is 0.0033

The roughness coefficient is 0.0250

The flow velocity is 2.705 ft/sec.

The rate of flow is 14.61 cfs.

CROSS SECTION NUMBER 1

For File Number 63-4870 for the LAVA CREEK

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.60	0.60	1.00
3	0.90	0.90	2.00
4	0.80	0.80	3.00
5	1.10	1.10	4.00
6	1.10	1.10	5.00
7	0.80	0.80	6.00
8	0.00	0.00	7.00

The area for this cross section is 5.30 square feet
and the wetted perimeter is 7.58 feet.

CROSS SECTION NUMBER 2

For File Number 63-4870 for the LAVA CREEK

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	1.30	1.30	1.00
3	1.30	1.30	2.00
4	1.00	1.00	3.00
5	0.80	0.80	4.00
6	0.60	0.60	5.00
7	0.50	0.50	6.00
8	0.00	0.00	7.00

The area for this cross section is 5.50 square feet
and the wetted perimeter is 7.85 feet.

Claim Number(s): 63-4870 / (4881 LG DAWSON & SONS

Name of Claimant(s): RUSSELL, GEORGE

Name of Ditch, Canal, or Stream: LAWA CREEK

Date of Measurement: 9-19-01 Data Collected By: RCH

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

About 200' from POD
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

X-See Down Stream

X- up Stream

depth or rod reading	distance from initial point	depth or rod reading	distance from initial point
1. 1 <u>0</u>	<u>0</u>	7. 1 <u>0</u>	<u>0</u>
2. 2 <u>1.3</u>	<u>1.0</u>	8. 2 <u>0.6</u>	<u>1.0</u>
3. 3 <u>1.3</u>	<u>2.0</u>	9. 3 <u>.9</u>	<u>2.0</u>
4. 4 <u>1.0</u>	<u>3.0</u>	10. 4 <u>.8</u>	<u>3.0</u>
5. 5 <u>0.8</u>	<u>4.0</u>	11. 5 <u>1.1</u>	<u>4.0</u>
6. 6 <u>0.6</u>	<u>5.0</u>	12. 6 <u>1.1</u>	<u>5.0</u>
7. 7 <u>0.5</u>	<u>6.0</u>	13. 7 <u>.8</u>	<u>6.0</u>
8. 8 <u>0</u>	<u>7.0</u>	14. 8 <u>0</u>	<u>7.0</u>

Slope Data

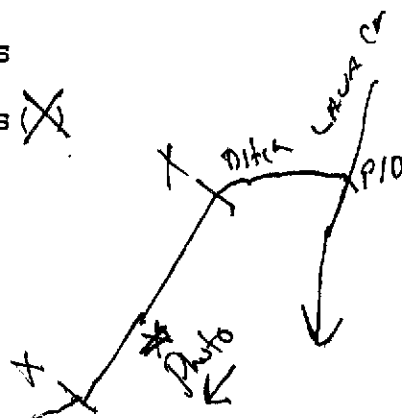
Basis: High water mark ☒ channel bottom() land surface()

Level Readings:	upstream	downstream	
upper stadia	<u>4.83</u>	<u>5.82</u>	
center	<u>4.59</u>	<u>5.18</u>	
lower stadia	<u>4.33</u>	<u>4.54</u>	channel length
stadia difference	(<u>.50</u> + <u>1.28</u>)	x 100 =	<u>178</u>

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

Comments

Are maps and/or photos attached? yes ☒



MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	X	(1)	negligible	.000	X	(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	X	(1)	low	.005	X	(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				DEGREE OF MEANDERING		
gradual	.000	X	(1)	minor	1.00	X	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: LAVA CREEK 63-4870 BY: RDH DATE: DEC 18, 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	1350	7.0	2.50	0.30		0.00	0.0000	0.00	0.30
2				0.00		0.00	0.0000	0.00	0.00
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	1350			0.30	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

MAX 15.30

RECOMMEND 0.08 CFS
PER PRORATE AS
CLAIMED - SEE
PROFILE SHEET
FOR CALC.

ESTIMATING CONVEYANCE LOSS

FIELD EXAMINER: RON HAWKERTON

FIELD EXAM DATE: 9-19-01

FOR CLAIM(S) 63-4870

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 =

.30 MAX

TOP OF DITCH = W

Section 1 = 7'
Section 2 = 8'
Section 3 = 7'
Total... = 7'

/2or 3... = = W

Data/forms/Conv.loss.doc

MAP MEASUREMENT

Length in Inches = = A

Map Scale: In. = 1 Mile = B

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

Bottom of
Ditch is
2' BELOW
LAND SURFACE

up to .30 cfs
however, .08 cfs
is recommended
per acre of
CLAIMED
ACRES -
SEE
PROFILE
REPORT.

ESTIMATING CONVEYANCE LOSS

FIELD EXAMINER: AGENT NAME

FIELD EXAM DATE: 9/26/01

FOR CLAIM(S): 57-02222

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

$W = (3.25 \text{ FT})$ $i = (2 \text{ FT/DAY})(0.0667)$

$S = .43355 \text{ CFS/MILE}$

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

CONVEYANCE LOSS = $(.43355 \text{ CFS/MILE}) (.84375 \text{ MILE})$

CONVEYANCE LOSS =

0.37

TOP OF DITCH = W

MAP MEASUREMENT

Section 1 = 3.5

Section 2 = 3.0

Section 3 = NA

Total... = 6.5

/2or 3... = 3.25 = W

Length in Inches = 6.75 = A

Map Scale: 8 In. = 1 Mile = B

$A/X: B/5,280 = \text{Ft./5,280} = \text{Mile}$

Data/forms/Conv.los.doc

$\frac{6.75}{x} : \frac{8}{5280} = \frac{4455 \text{ length ft}}{5280 \text{ ft/mile}} =$

.84375 per mile

SENIOR AGENT: Ron Howerton

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

DATE OF CONVERSATION: 8-29-01

DATE SET FOR EXAM: 9-19-01 9AM

NAME OF CONTACT: RICK RUSSELL

(OWNERSHIP CHANGE) FOLKS

ADDRESS CHANGE: SEE OWNERSHIP CHG.

PHONE NUMBER: (208) 466-3065 not Long Dist
CELL # 866-7498 or 866-7499

LOCATION/DIRECTIONS: MEET AT "Y" STOP

TYPE OF SYSTEM: GRAVITY FLOW - ONLY SOURCE IS LAVA CR

POP SHARED WITH DAVISON.

OTHER NOTES: FIRST CONVERSATION 8-29-01 WILL NEED TO SET
DATE FOR EXAM LATER I WILL CALL BACK, HE NEEDS TO SHOW ME
POINTS OF DIVERSION. - CALLED BACK 9-12-01 LEFT MESSAGE ON ANSWERING
SERVICE TO CALL ME BACK FOR EX DATE.

State of Idaho } ss
County of Elmore }

I, William A. Russell, being first duly sworn depose and say that he is of lawful age and the claimant of the Water Right mentioned in the foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice, of which the foregoing is a true copy, was posted in a conspicuous place at or near the place of intended diversion (as provided by the law) on the 5th day of January 1904, at _____ minutes past 5 o'clock P.M.

W. A. Russell

Subscribed and sworn to before me this 5th day of January 1904.

And I further certify that on this date last above given personally appeared before me the affiant above named, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my _____ the day and year in this certificate first above written.

Dilas Norton, J.P.

State of Idaho } ss
County of Elmore }

I hereby certify that this instrument was filed for record at request of W. A. Russell at _____ minutes past 9 o'clock A.M. this 7 day of Jan'y A.D. 1904, in my office.

J. A. Curtis, Ex-officio Recorder
Fees \$ 1.50 Pd.

(1514)

Notice of Water Right.

State of Idaho } ss
 County of Elmore }

To All Concerned.

Notice is Hereby Given.

1st. That H. W. Russell of Adew, Elmore County Idaho, hereby claim, the use of the waters of Mink Creek, to the extent of 6 cubic feet per second. It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows, at a point about one hundred yards above the Dutch Prairie wagon road crosses Mink Creek, in Sec. 2, T. 2 N. and 7 East about $\frac{1}{2}$ miles S. of the Township line.

(In above description give legal subdivision of land or describe the place with reference to some prominent landmarks.)

3d. The purpose for which said water is intended to be used is, for Agriculture purposes. The place of intended use is on S.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ and N.E. $\frac{1}{4}$ and S.W. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ of Sec. 3. Township 2. North range 7 East Boise Mer.

4th. It is intended to divert said water by means of an Irrigation Canal.

The General course of the proposed canal is Westerly. The length of the proposed canal is about one mile.

It is intended to use said waters for irrigating the following described lands. To wit, S.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ and the N.E. $\frac{1}{4}$ S.W. $\frac{1}{4}$ and the S.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ Sec. 3 Township 2 North Range 7 East of Boise Mer.

5th. It is intended to have the works for diversion and use of said water as aforesaid completed within Five Days. (This must in no case exceed five years.)

Witness my hand at Adew Idaho, this 5 day of

AFFIDAVIT

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

63-4870)
)
)

State of Idaho)

County of ADA)

GEORGE RUSSELL being first duly sworn,

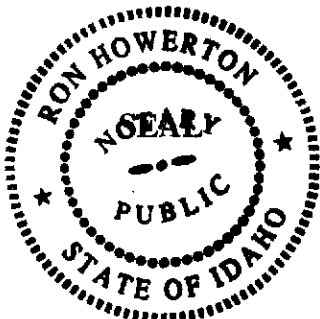
deposes and says: I claimed 7/1/1890 AS DATE OF
PRIORITY FOR THE USE OF LAVA CREEK FOR
IRRIGATION BASED UP THE "ELMORE COUNTY"
HISTORICAL GLENINGS BOOK. PAGES 333 & 334
WHERE DON BASIC AND BILL RUSSELL CAME AS
EARLY AS 1887 AND 1890 AND HOMESTEADED THIS
AREA. Photo COPIES Attached

George Russell
(Signature)

Subscribed and sworn to before me this

day 19th of Sept, 2001.

Ron Howerton
(Notary Public)



Residing at _____ Ron Howerton

My Commission Expires _____ Residing at Boise, Idaho
My Commission Expires December 8, 2006



Photo 1. FX Sept 19, 2001. Photos by RDH. Photo of point of diversion, T02N, R07E, S03, NESWSE. Earth rock dam diverts entire flow. See system diagram.

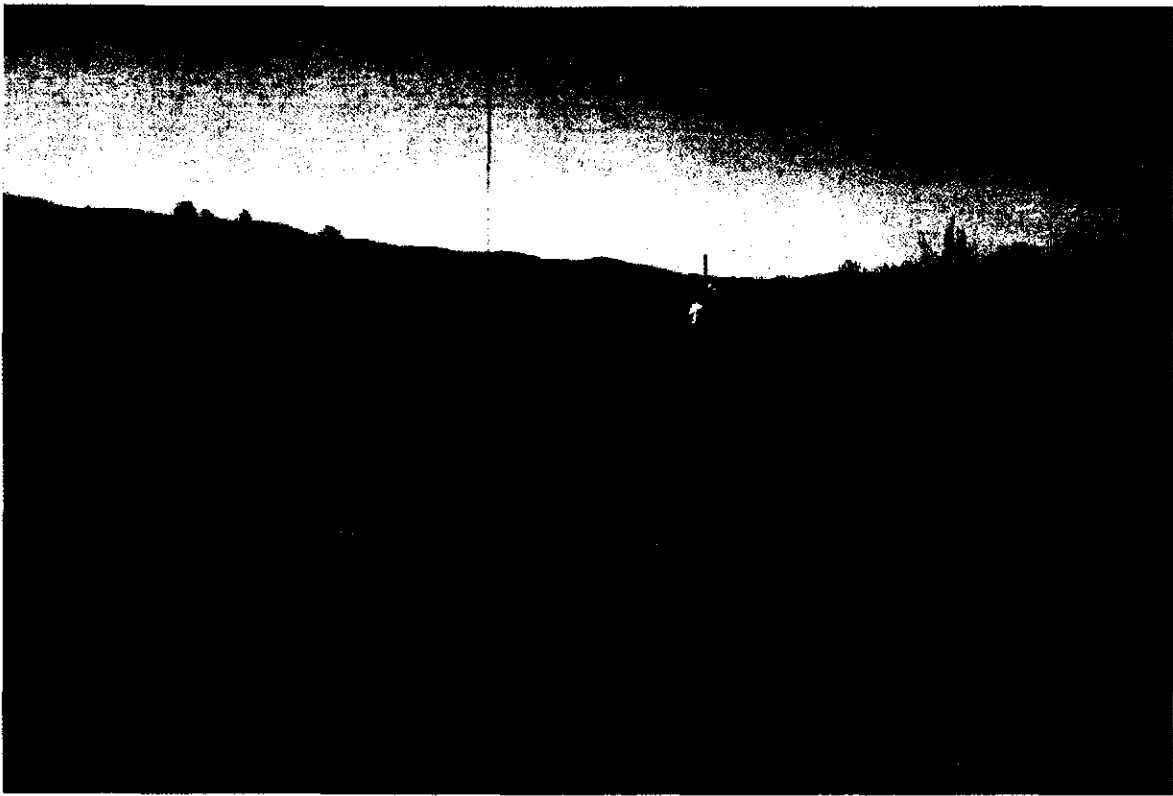


Photo 2. Photos by RDH. Manning measurement. About 200' below POD.

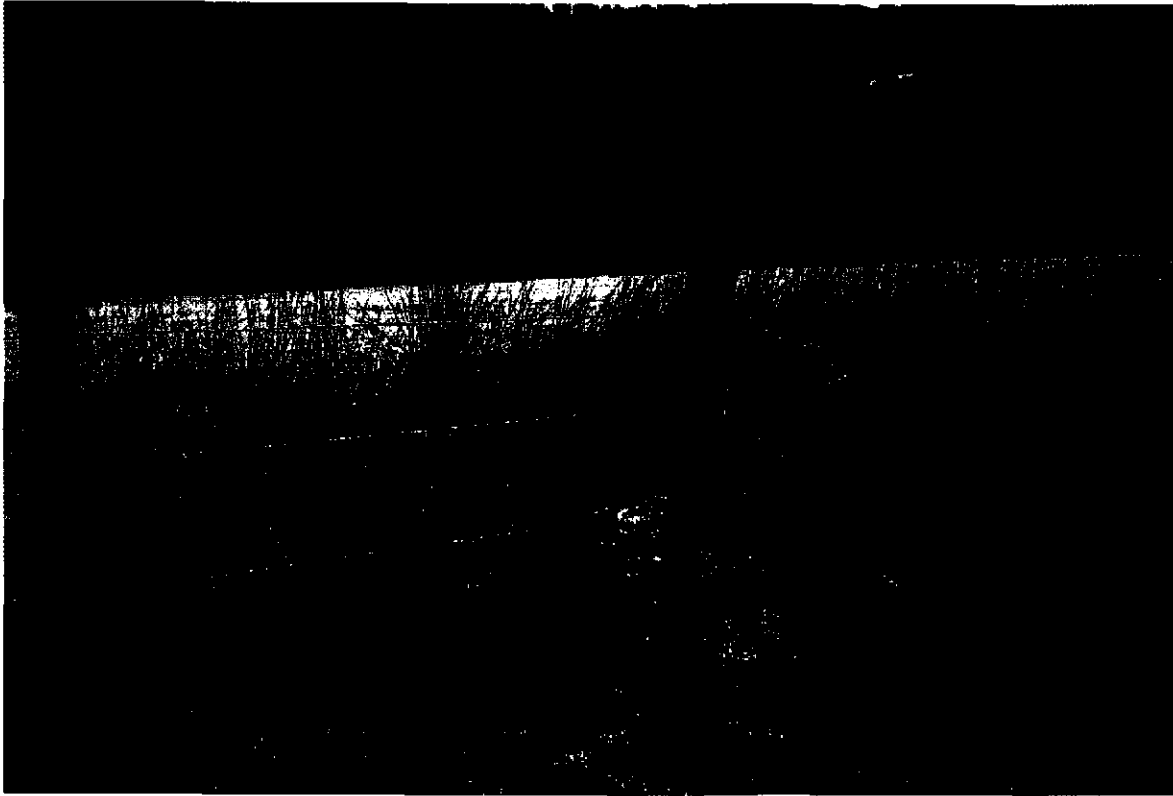


Photo 3. Photos by RDH. Ditch flows under county road.



Photo 4. Photos by RDH. Place of use in the SESW, view from county road.

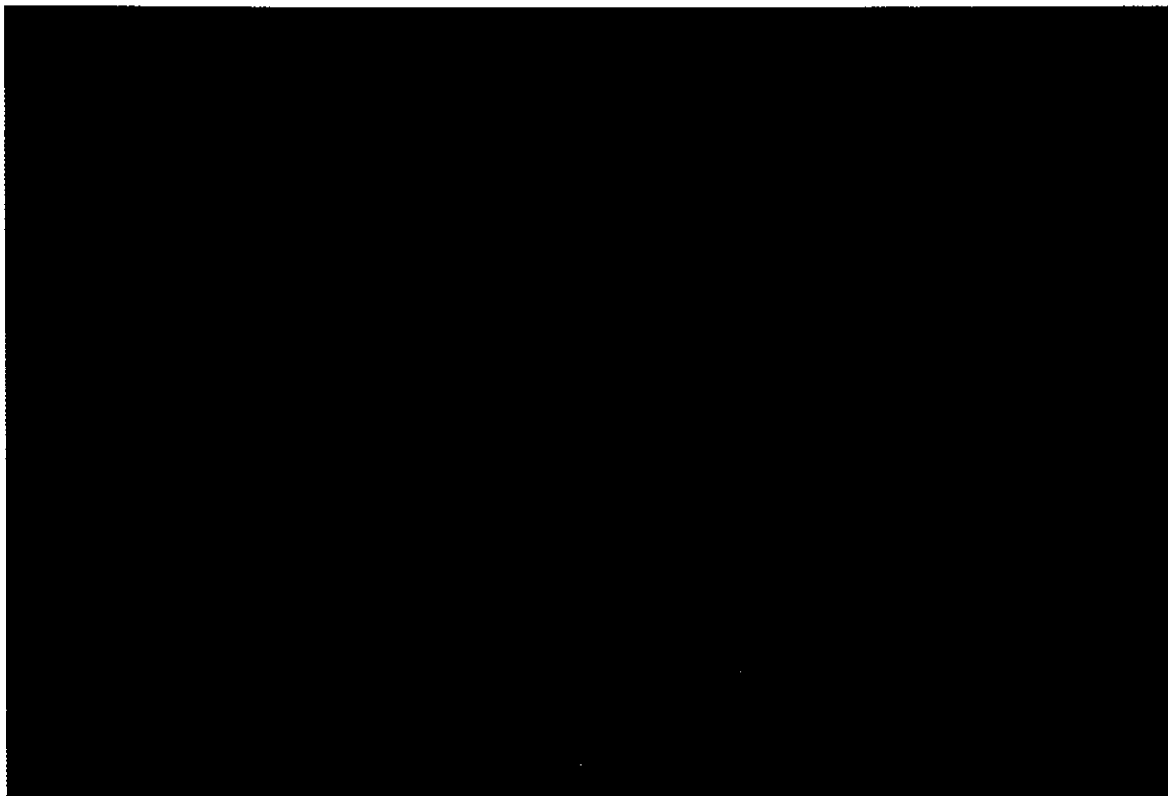


Photo 5. Photos by RDH. Center of ditch in SWSW flowing south.



Photo 6. Photos by RDH. Place of use in the SWSW view to southwest.



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

GEORGE G RUSSELL
2400 E POWERLINE RD
NAMPA, ID 83651

Re: Claim No(s) 63-4870

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.

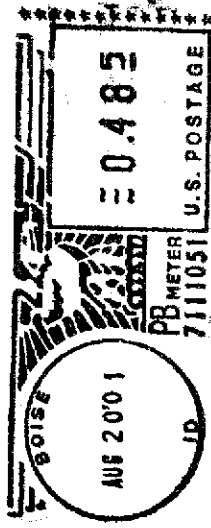
The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE
REQUESTED



RECEIVED

AUG 28 2001

WATER RESOURCES
WESTERN REGION

GEORGE G RUSSELL
2400 E POWERLINE RD
NAMPA, ID 83651

Re: CI

RUSSELL TO SENDER
RUSSELL
1332 W WILLOW AVE
NAMPA ID 83651-1640
RETURN TO SENDER

ALJMS 83651-1640

Handwritten barcode and tracking information.

Sent again 8/28/01

63-4870

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

603-4870

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NAMPA, ID 83651

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JUL 05 2001

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WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

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