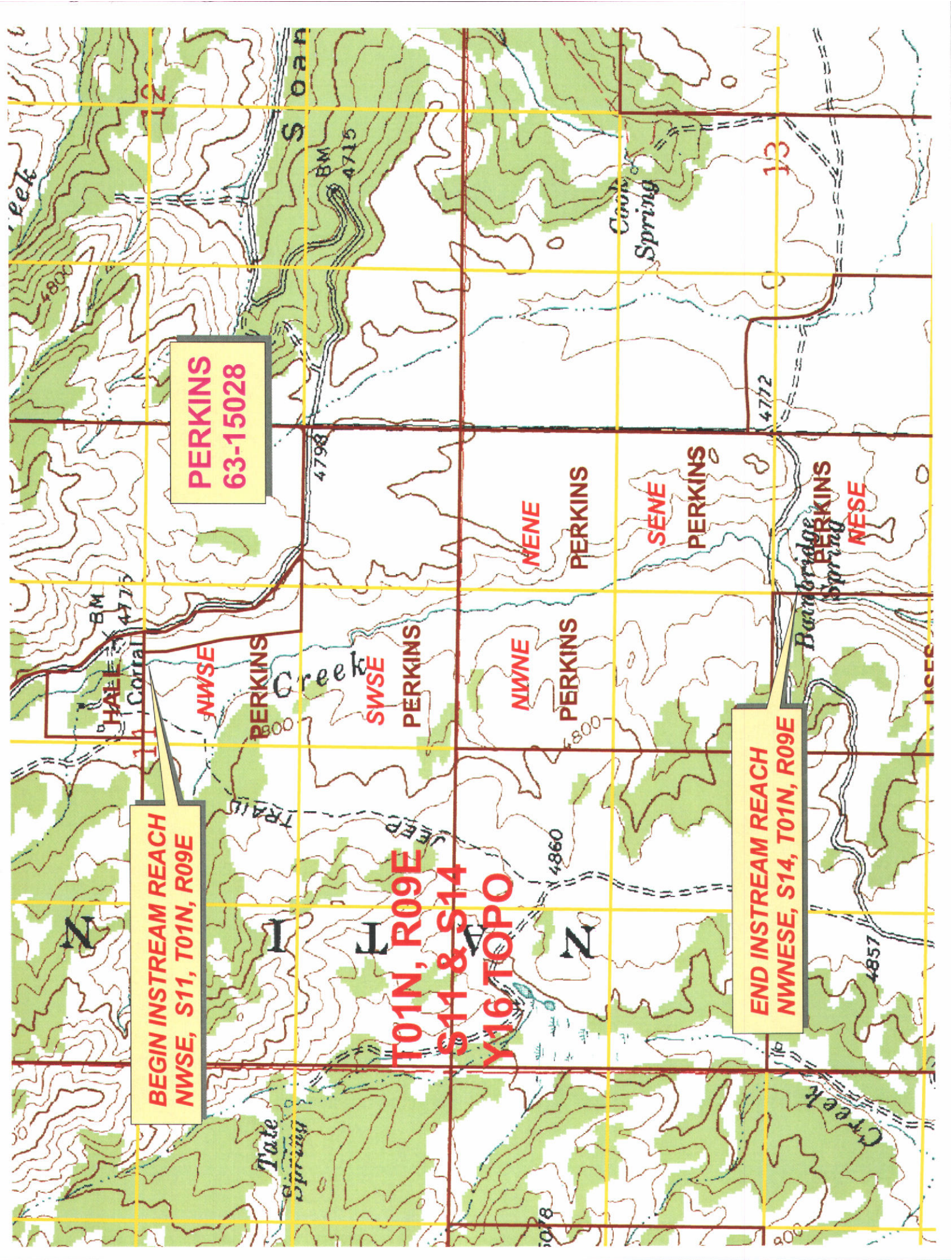


BEGIN INSTREAM REACH
NWSE, S11, T01N, R09E

PERKINS
63-15028

END INSTREAM REACH
NWNESE, S14, T01N, R09E

T01N, R09E
S11 & S14
Y16 TOPO



CLAIM 63-15028

T1N, R9E, S11E14

4-16 TOPO 1973



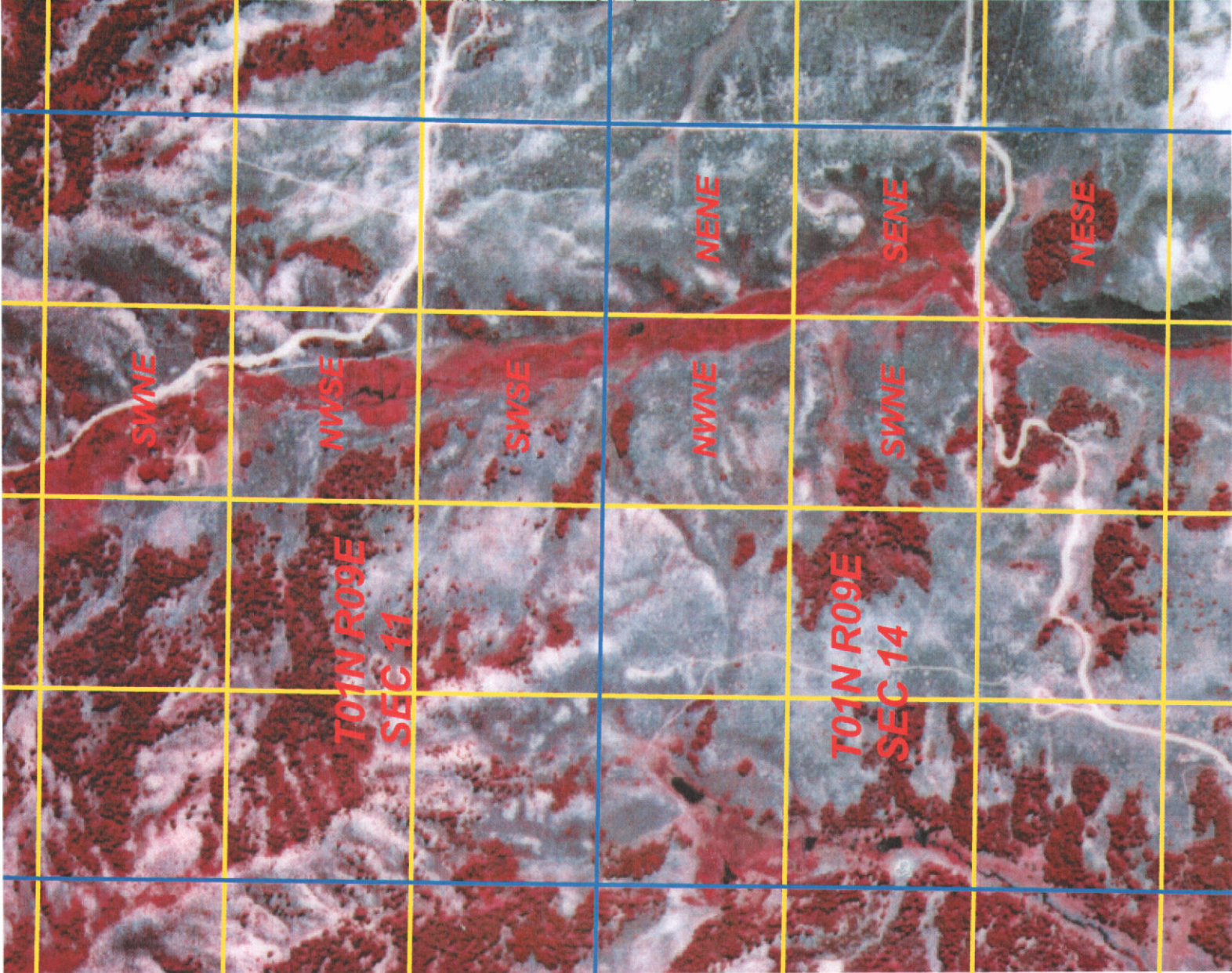
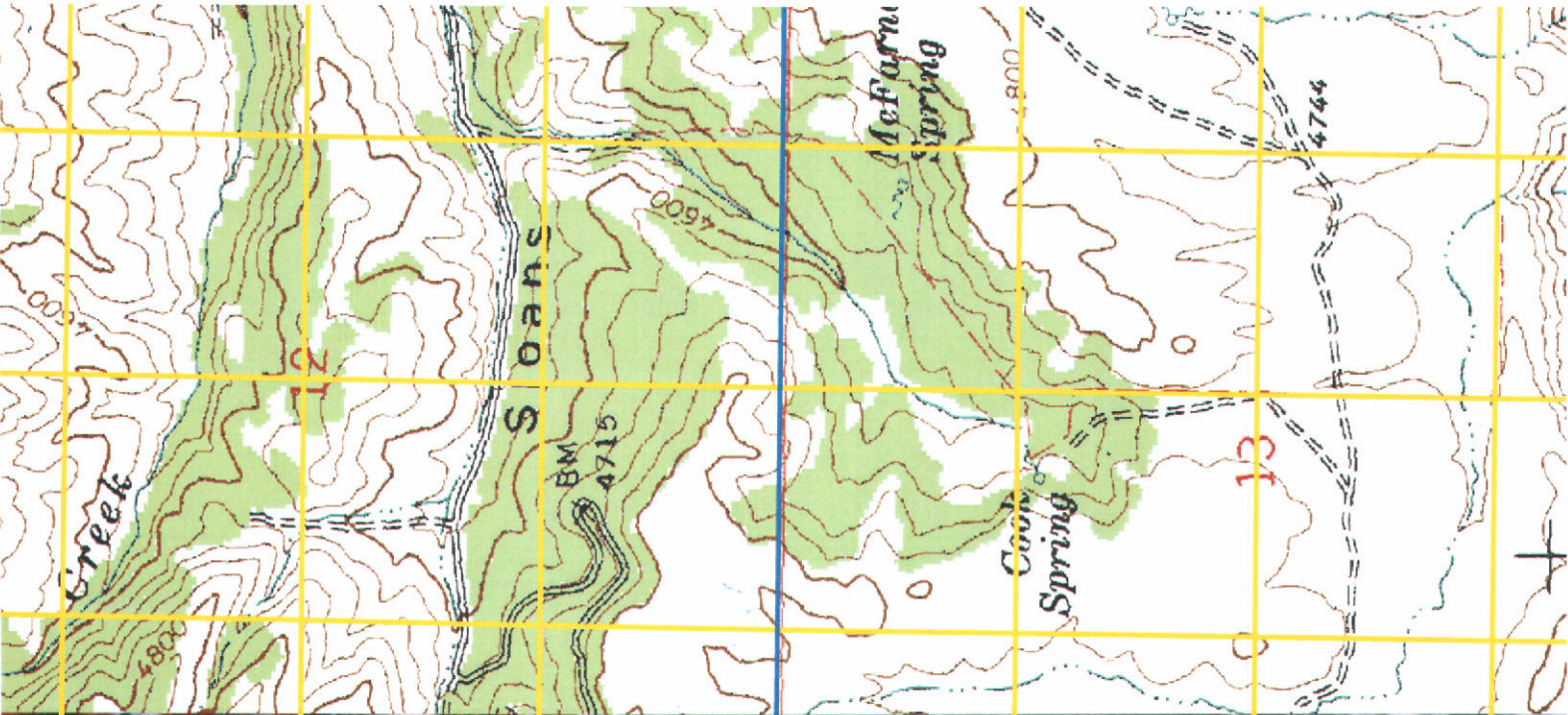




Photo 1. FX Oct. 2, 2001. Photos by RDH. Upper reach is in stream stock, sub-irrigation only, not diverted. T01N, R09E, S11, NWSE.



Photo 2. Lower reach of Lester Creek of in stream stock. T01N, R09E, S14, NWNESE.



Photo 3. Lester Creek view from county road to north, in stream stock, T01N, R09E, S11, SENE.



Photo 4. View from same county road to north on east side of Lester Creek, sub-irrigation. T01N, R09E, S11, SENE.

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: A63-15028
Date Received: 10/17/1988
Receipt No: 0002933
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DUANE PERKINS 208-344-1470
Address: 3615 SYCAMORE DR.
BOISE, ID 83703
AND/OR
Name: ANNA PERKINS 208-344-1470
Address: 3615 SYCAMORE DR.
BOISE, ID 83703

2. Date of Priority: MAR 01, 1920

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	09E	11	NW	NW	SE		ELMORE
				SW	SE		ELMORE
		14		NE	NE		ELMORE
				NW	NE		ELMORE
				SE	NE		ELMORE
			NW	NE	SE		ELMORE

5. Description of diverting works:
INSTREAM STOCKWATERING AND DIVERSION DAMS FOR SUB-IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.070		
IRRIGATION	04/15	10/15	0.960		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER 300 HEAD RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	09E	11	SW		NE		IRR	2.0
			NW		SE		IRR	12.0
			SW		SE		IRR	11.0
							Section Acres	25.0
		14	NE		NE		IRR	2.0
			NW		NE		IRR	10.0
			SW		NE		IRR	1.0
			SE		NE		IRR	10.0
			NE		SE		STOCK	
							Section Acres	23.0
							Total Acres	48.0

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: BENEFICIAL USE

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): *Harold Perkins* Date: 10-17-88
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of October 19 88

Donald Shaff
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

02/27/2002

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

RIGHT NUMBER: 63-15028

NAME AND ADDRESS: DUANE S PERKINS
3615 SYCAMORE DR
BOISE ID 83703

ANNA C PERKINS
3615 SYCAMORE DR
BOISE ID 83703

SOURCE: LESTER CREEK

TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 03/01/1920

POINT OF DIVERSION:

T01N R09E S11 NWSE Begin of Stream Flow Within ELMORE County

T01N R09E S14 NWNESE End of Stream Flow Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER Within ELMORE County

T01N R09E S11

NWSE

T01N R09E S11

SWSE

T01N R09E S14

NENE

T01N R09E S14

NWNE

T01N R09E S14

SENE

T01N R09E S14

NESE

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

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

EXPLANATORY MATERIAL: Beneficial Use

INSTREAM STOCKWATER

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). 63-15028

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS
☐ NEW ADDRESS: _____

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

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

PURPOSE CLAIMED REVERTED TO - INSTREAM STOCK DOES NOT
REQUIRE EVIDENCE OF PRIORITY

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

Source found: _____

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

B Township 1N Range 9E Section 11 1/4 1/4 NW 1/4 SE
E Township 1N Range 9E Section 14 1/4 NW 1/4 NE 1/4 SE

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

INSTREAM - STOCK

6. ☐ No Change - WATER USES

☒ Different uses, (list uses found): IN-STREAM STOCK

Use Stock From 01-01 To 12-31 Amount 0.02 CFS — AFA
 Use — From — To — Amount — CFS — AFA
 Use — From — To — Amount — CFS — AFA

STANDARD AMOUNT RECOMMENDED

7. ☐ No Change - TOTAL VOLUME

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

☒ Changes found, the new total is, Amount 0.02 CFS — AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: — Stock # 300 List types: RANGE CATTLE

Additional comments: MANY CATTLE WERE PRESENT

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

OMIT - SW NE
 S11 Property belongs
 to HALL
 PER TAX
 INFO
 SEE TOPO
 ATTACHED

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

REALLY GOOD EXAMPLE OF SUB-IRRIG, NO-DIVERSIONS OUT
OF CHANNEL - NO DITCHES ON MEADOW BOUNDARIES, FIRST
THOUGHT WOULD BE THAT IT WAS DIVERTED BUT IS NOT.
RECOMMEND IN-STREAM STOCK ONLY. LOOKED AT HIS

☒ SYSTEM DIAGRAM INCLUDED

☒ BNA OWNERSHIP MAPS, TAX SHARES

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 10-2-01

C13
 N11
 N13

FIELD EXAMINER:

RON HOWERTON

Print Name

Ron Howerton

Signature

DIVERSION VOLUME

120.00 AFA
-02 CFS
-02 CFS

Stage: BENEFICIAL USE

~~ELMORE County~~
ELMORE County



E SWSE SESE
C Lt AC Lt AC

35

E	SWSE	SESE
C	Lt AC	Lt AC
-	-	-

Objection Filed Date

Audit: 10/17/88 SHAFF 03/30/95 POST-STD

REACT for W-STREAM Stock =

BEGINNING POD = TIN, RQE, S11, NWSE

ENDING POD = TIN, RQE, S14, NWSE

$$\frac{1}{2}, \frac{3}{2}, \frac{5}{2}$$

BEGIN INSTREAM REACH
NWSE, S11, T01N, R09E

PERKINS
63-15028

T01N, R09E
S11 & S14
M6 TOPO

END INSTREAM REACH
NWNESE, S14, T01N, R09E

NWNE PERKINS
NWSE PERKINS
NENE PERKINS
SENE PERKINS
NESE PERKINS

Cool Spring

13

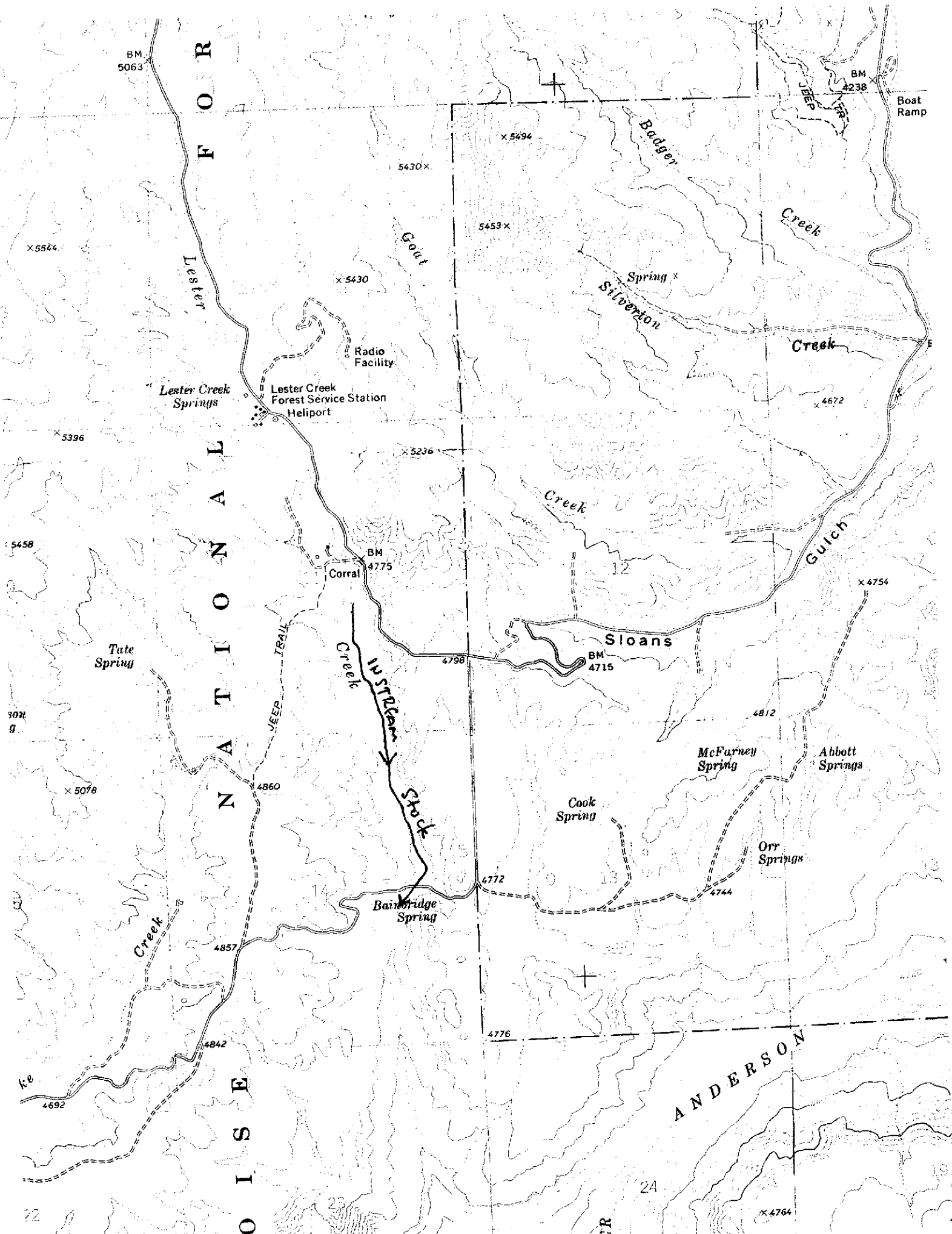
4772

4798

4860

4857

4800



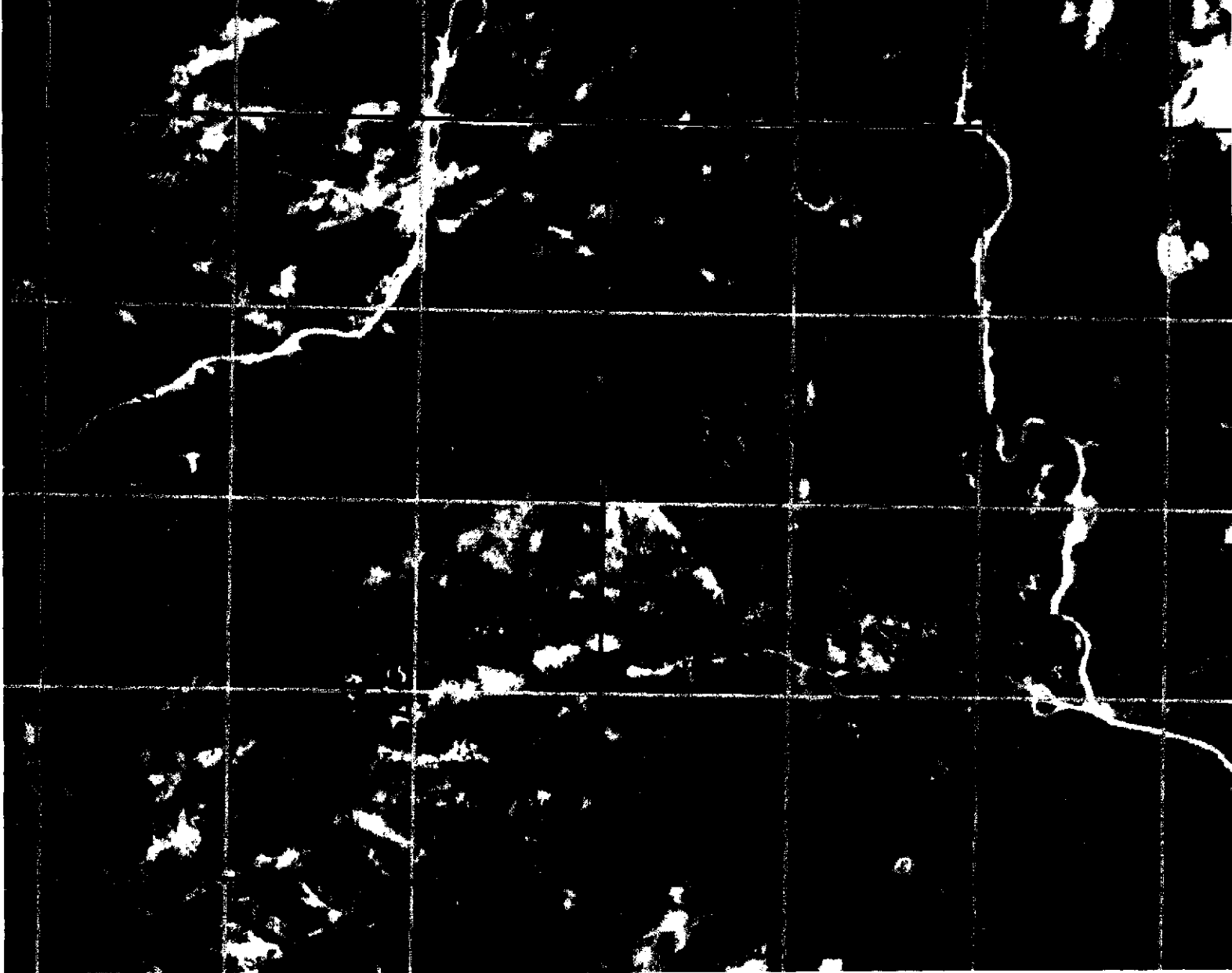
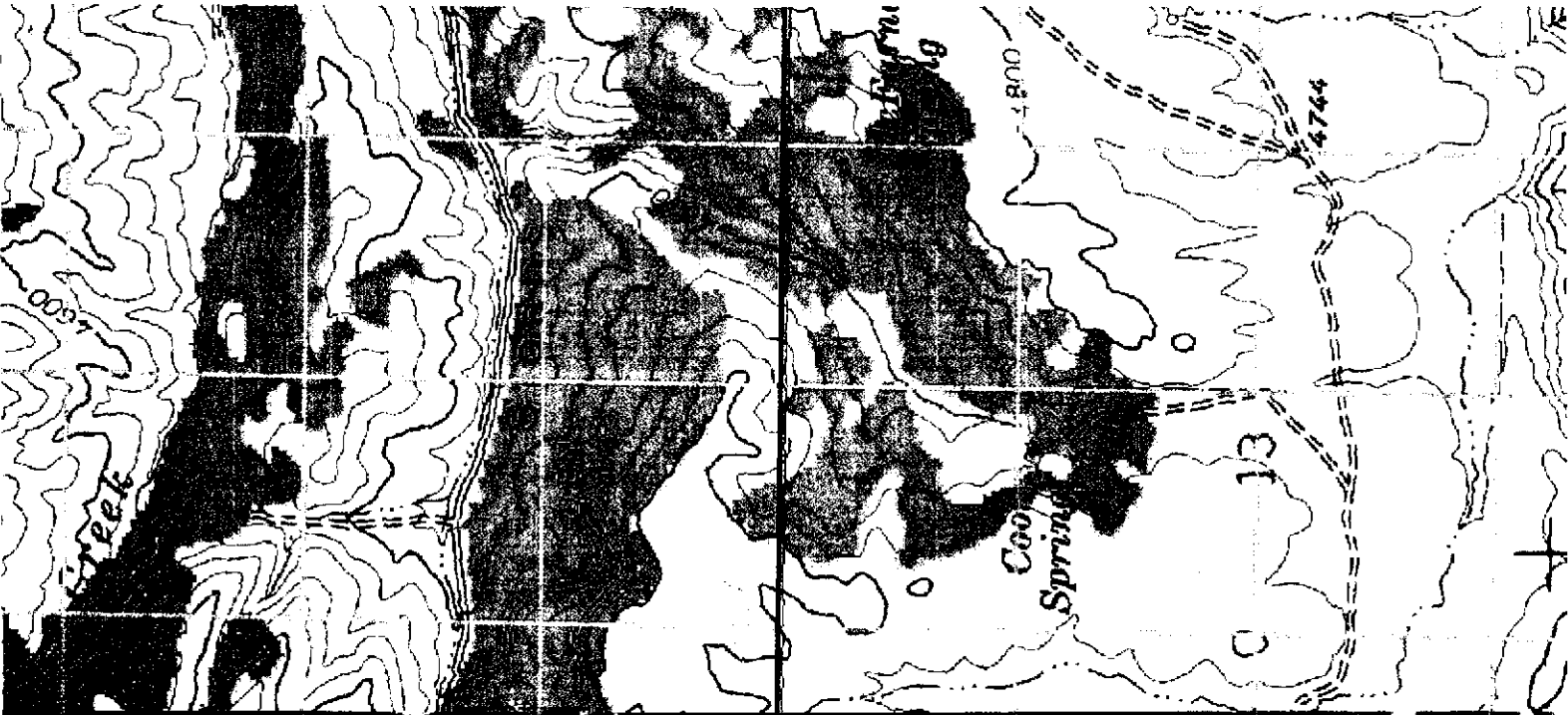




Photo 1. FX Oct. 2, 2001. Photos by RDH. Upper reach is in stream stock, sub-irrigation only, not diverted. T01N, R09E, S11, NWSE.



Photo 2. Lower reach of Lester Creek of in stream stock. T01N, R09E, S14, NWNESE.



Photo 3. Lester Creek view from county road to north, in stream stock, T01N, R09E, S11, SENE.



Photo 4. View from same county road to north on east side of Lester Creek, sub-irrigation. T01N, R09E, S11, SENE.

SENIOR AGENT: Ron Howerton

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

DATE OF CONVERSATION: 9/28/01

DATE SET FOR EXAM: OCT 2ND 2001 815 AM

NAME OF CONTACT: Duane Perkins

ADDRESS CHANGE: _____

PHONE NUMBER: (208) 344-1470

LOCATION/DIRECTIONS: MEET AT HOME IS BOISE 3615
ON SYCAMORE DR AFTER TURNING OFF OF
STATE Street by Big "O" home IS ON
LEFT SIDE 3615 has white Vinyl fence.

TYPE OF SYSTEM: Some Ditches off Cr.

OTHER NOTES: "VERY NICE" TO TALK TO...



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

DUANE PERKINS
3615 SYCAMORE DR
BOISE, ID 83703

Re: Claim No(s). 63-15028

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

NOT NEEDED FOR INSTREAM STOCK
USE