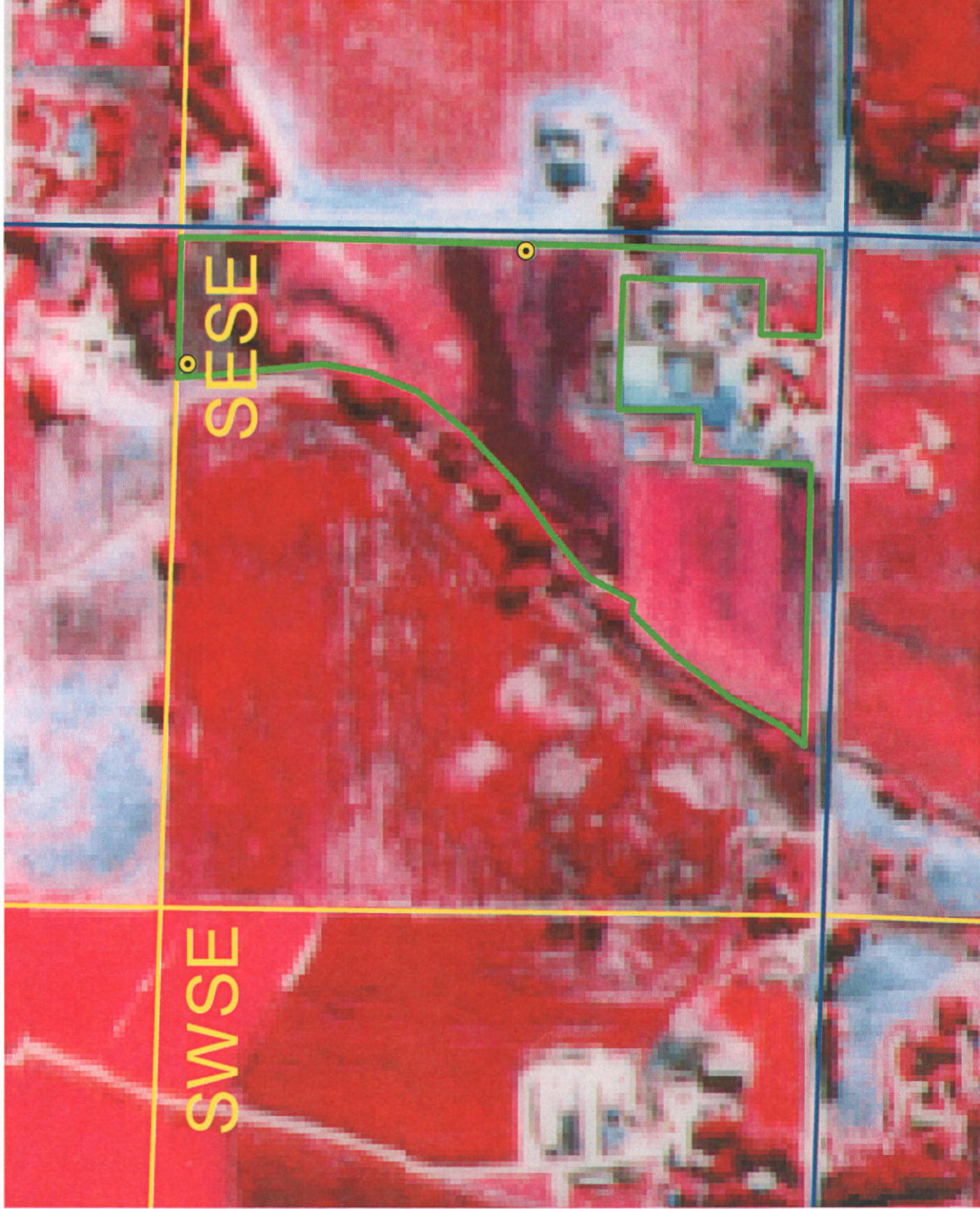


Idaho Department of Water Resources

T04N, R01E, S5

Claim No: 63-5227
Prepared By: Kimberly Brown
Date: November 21, 2005



-  Place of Use
-  Section Lines
-  1/4 1/4

 Point of Diversion

Acres Irrigated = 12.0



1987 NAPP

2003 NAPP

SWSE

SESE

RECEIVED

NOV 18 2005

WATER RESOURCES
WESTERN REGION

Navy Pdu boundary drawn in SE 1/4 SE 1/4 by Mike Chase on 11/18/05. - K. Brown

T 2846

RECEIVED

NOV 18 2005

WATER RESOURCES
WESTERN REGION

7
1.0

6
6.1

8
19.3

9
2.8

Tract #2846

#63-5227

0.02 0 0.02 0.04 0.06 0.08 Miles



Map Printed: Oct 7, 2004

Idaho Department of Water Resources

**T04N, R01E,
S5**

Claim No: 63-5227

Prepared By: Kimberly Brown

Date: November 10, 2005



Place of Use



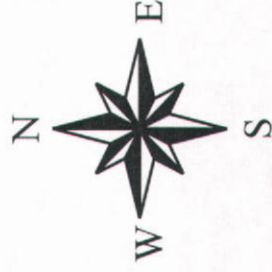
Section Lines



1/4 1/4

● Point of Diversion

Acres Irrigated = 10.0



300 0 300 600 Feet

1987 NAPP



Idaho Department of Water Resources



**T04N, R01E,
S5**

Claim No: 63-5227

Prepared By: Kimberly Brown

Date: November 10, 2005



Place of Use



Section Lines

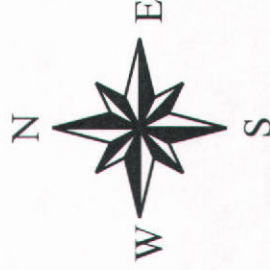


1/4 1/4



Point of Diversion

Acres Irrigated = 10.0



1987 NAPP

S5

NWSE

CHASE 1987 NAPP

63-86663

SWSE

63-86663

SESE

63-86663

63-86663

63-5227

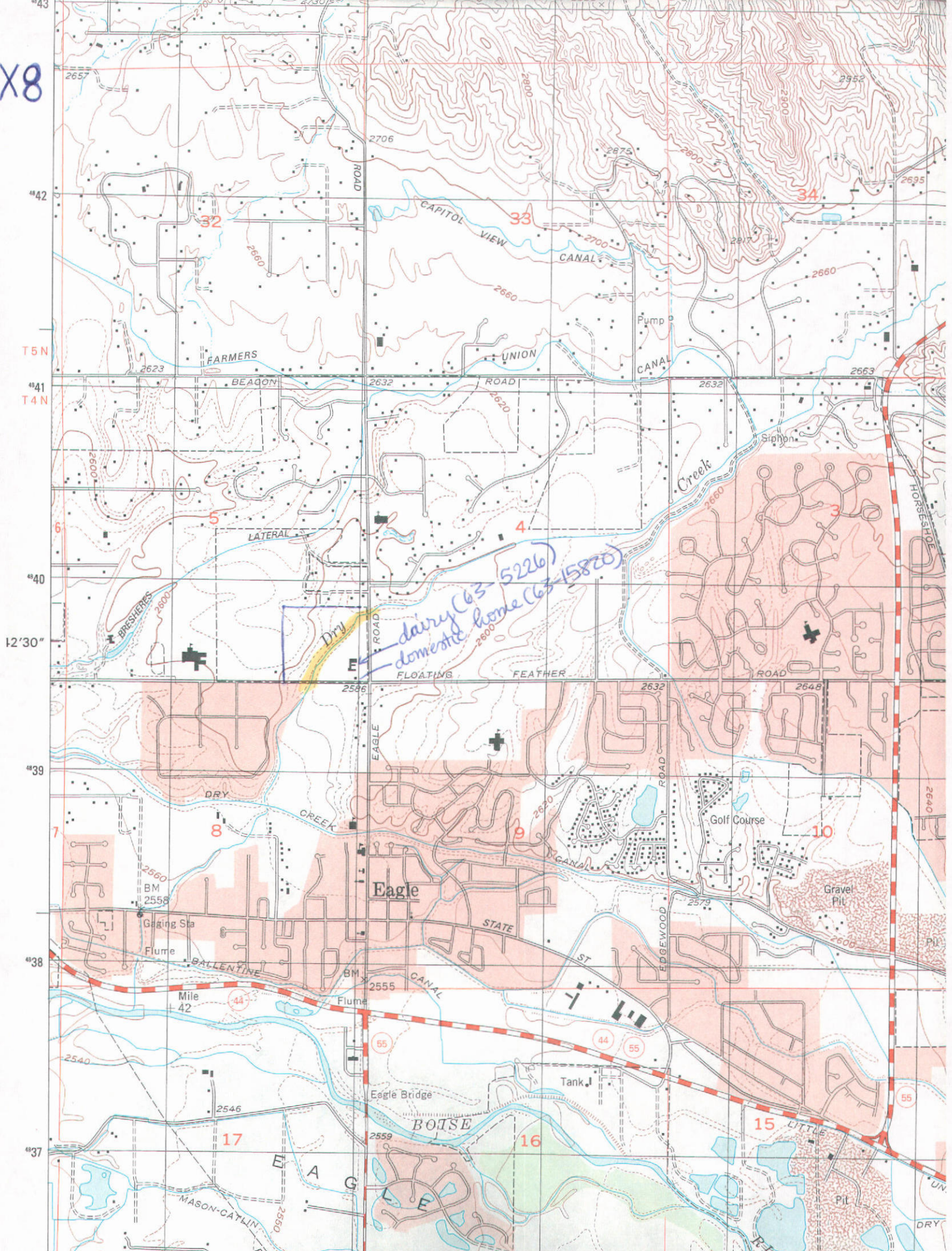
63-5226

63-5224

63-15820

63-5229

X8



Idaho Department of Water Resources

Claim Number: 63-05227
Legal: T4N, R1E, S5
Reviewed By:

● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines

1987 Napp Photo



70⁸⁸

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: A63-05227
Date Received: 6/21/1989
Receipt No: 0057697
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELEANOR I. CHASE 208-939-6226
Address: 70 W. FLOATING FEATHER RD.
EAGLE, ID 83616
OR
Name: H. BRYAN CHASE II 208-939-6226
Address: 70 W. FLOATING FEATHER RD.
EAGLE, ID 83616

2. Date of Priority: JAN 01, 1872

3. Source: WASTE WATER Trib. to: DRY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01E	5	NE	SE	SE		ADA
			SE	SE	SE		ADA

5. Description of diverting works:
CULVERTS TO DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		
STOCKWATER	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 HEAD DAIRY CATTLE

A63-05227

Page 1

Date: 06/21/89

MICROFILMED
AUG 21 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01E	5	SE	SE		IRR	20.0
			SE	SE		STOCK	

Section Acres 20.0

Total Acres 20.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

A63-08663, -05224, -05225, -05226, -05229

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: 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 Eleanor J. Chase Date: June 21, 1989
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of June 1989
Anna Baumgardner
Notary Public

Seal

Residing at Bowle Idaho
My Commission Expires 2/7 1994

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5227 V1

WATER RIGHT NUMBER: 63-5227 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	H BRYAN CHASE II 70 W FLOATING FEATHER RD EAGLE, ID 83616 (208)939-6226
Current Owner	ELEANOR I CHASE 70 W FLOATING FEATHER RD EAGLE, ID 83616 (208)939-6226

Priority Date: 01/01/1872

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	DRY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
IRRIGATION	03/01 to 11/15	0.240 CFS	
<u>Total Diversion:</u>		0.240 CFS	

Location of Point(s) of Diversion

WASTE WATER	NE1/4SE1/4SE1/4	Sec. 5,	Twp 04N,	Rge 01E, B.M.
ADA County				
WASTE WATER	SE1/4SE1/4SE1/4	Sec. 5,	Twp 04N,	Rge 01E, B.M.
ADA County				

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	5																	X

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	5																	12.0
																		12.0	

Total Acres: 12

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-5227 V1

Conditions of Approval:

1. PARCEL NO: a portion of S0505449003.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. E62 *This right when combined with Right No. 63-5229 and 63-8663 shall provide no more than .02 cfs per acre.*
4. X02 Stockwater use is for 100 dairy cattle.
5. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
6. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

Remarks:Comments:

1. kbrown 11/21/2005 2nd Preliminary Recommendation

Comment: Mike Chase, son of Eleanor Chase, came into the office on 11/18/05 after receiving the Notice of Error packet in the mail. Mr. Chase believes that there are more than 10 acres of irrigation. Therefore, he drew an outline for what he believes is the correct irrigation place of use boundary (see file) and instead of 10 acres of irrigation (my first preliminary recommendation), his shape calculates to 12.0 acres of irrigation. I redrew the shape based on his drawing and changed the diversion rate to 0.24 cfs.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	11/10/2005 3:47:17 PM	kbrown			Active
Priority Date	11/10/2005 3:48:37 PM	kbrown			Active
POD	11/10/2005 3:50:46 PM	kbrown			Active
Source	11/10/2005 3:51:27 PM	kbrown			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5227 V1

POU	11/10/2005 3:52:37 PM	kbrown	Active
Use	11/10/2005 3:53:21 PM	kbrown	Active
Season	11/10/2005 3:54:54 PM	kbrown	Active
Quantity	11/10/2005 3:55:33 PM	kbrown	Active
Summary	11/10/2005	kbrown	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
General	11/10/2005 3:48:37 PM	kbrown	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Abstract of Title No. 23140.
POD	11/10/2005 3:50:47 PM	kbrown	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	11/10/2005 3:58:52 PM	kbrown	Updated shape
POU	11/10/2005 4:01:22 PM	kbrown	Updated shape for Active POU
Source	11/10/2005 3:51:28 PM	kbrown	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - A field exam was conducted on 5/27/05.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5227 V1

POU	11/10/2005 3:52:38 PM	kbrown	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - A field exam was conducted on 5/27/05.
Use	11/10/2005 3:53:21 PM	kbrown	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (Yes) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - A field exam was conducted on 5/27/05.
Season	11/10/2005 3:54:55 PM	kbrown	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (Yes) 6. Is there evidence that there has been a change in the Period of Use? (No) 7. Does the claim include an enlargement in the Period of Use? (Yes) 8. Can the change be recommended as an accomplished transfer? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required? Description for Question 8 - The new standard season of use is 3/1 to 11/15.
Quantity	11/10/2005 3:55:34 PM	kbrown	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - See Field Report.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5227 V1

Summary	11/10/2005 4:06:43 PM	kbrown	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	11/10/2005 3:47:18 PM	kbrown	(No) 1. Do you want to schedule an appointment? Comment for 1: A field exam was conducted on 5/27/05.
POU	11/21/2005 9:36:56 AM	kbrown	Updated shape for Active POU
POD	11/10/2005 3:57:27 PM	kbrown	Updated shape
POU	11/10/2005 4:02:41 PM	kbrown	Updated shape for Active POU
POU	11/21/2005 9:35:54 AM	kbrown	Updated shape for Active POU

SubCase:

SubCase Number: 63-5227
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date: 8/14/2006
 Attorney Assigned:
 Adjudication Agent: kbrown
 Basis of Claim: Beneficial Use
 Date Filed: 4/20/2006 Objection Status: Active

Water Supply Bank:

RECEIVED

AUG 16 2006

DEPARTMENT OF
WATER RESOURCES

2006 AUG 14 AM 10:43

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) Subcase 63-05227
Case No. 39576) SPECIAL MASTER'S REPORT
_____)

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On April 21, 2006, the Ada County Drainage District No. 2, by and through its attorneys Ringert Clark Chartered, filed an objection to the *Director's Report*. On July 18, 2006, the objector filed a *Withdrawal of Objection*. Accordingly, there are no outstanding objections to the *Director's Report* for this water right claim.

Therefore based on the file and record herein, IT IS RECOMMENDED that the above-captioned subcase proceed through the SRBA along with all other water right claims in Basin 63 Part II to which no objection has been filed. The Clerk of the Court is instructed to recode the subcase in the Court's computerized register of action (IWATRS) to reflect this status (status code 98).

Dated August 14, 2006.


THEODORE R BOOTH
Special Master
Snake River Basin Adjudication

SCANNED
OCT 03 2006

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER REPORT was mailed on August 14, 2006, with sufficient first-class postage to the following:

ADA COUNTY DRAINAGE DISTRICT

Represented by:

S. BRYCE FARRIS
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ELEANOR I CHASE
H BRYAN CHASE II
70 W FLOATING FEATHER RD
EAGLE, ID 83616
Phone: 208-939-6226

S. BRYCE FARRIS (ISB #5636)
RINGERT CLARK CHARTERED
455 S. THIRD STREET
P.O. BOX 2773
BOISE, IDAHO 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657

RECEIVED

JUL 18 2006

DEPARTMENT OF
WATER RESOURCES

Attorneys for Ada County Drainage District No. 2

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

A. Subcase 63-5227
(Insert water right no.)

WITHDRAWAL OF OBJECTION

COMES NOW, Ada County Drainage District No. 2, by and through its attorneys of record
Ringert Clark, Chartered, hereby withdraws it's objection in the above-referenced matter.

DATED this 17th day of July, 2006.

RINGERT CLARK CHARTERED


S. Bryce Farris

Attorneys for Ada County Drainage District No. 2

CERTIFICATE OF MAILING

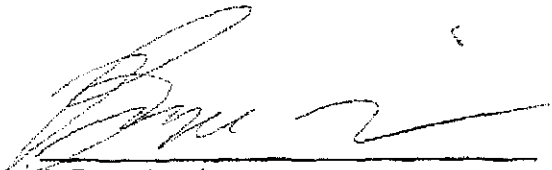
I hereby certify that on this 17th day of July, 2006, I served a true and correct copy of the foregoing document via U.S. mail, postage prepaid to the following:

H. Bryan Chase II
Eleanor I. Chase
70 W. Floating Feather Road
Eagle, Idaho 83616

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 W. Fort Street, MSC 033
Boise, Idaho 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449


S. Bryce Farris

APR 21 2006
DEPARTMENT OF
WATER RESOURCES

In Re SRBA

Case No. 39576

A. Subcase 63-5227

(Insert water right no.)

STANDARD FORM 1 OBJECTION

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: ADA COUNTY DRAINAGE DISTRICT NO. 2

Address: 455 S. Third Street
Boise, Idaho 83701

Daytime Phone: 208-342-4591

Name & Address of Attorney, if any:

S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: H Bryan Chase II
Eleanor I Chase

Address: 70 W Floating Feather Rd
Eagle, Idaho 83616

D. I object to the following elements as recommended in the Director's Report. (Please check the Appropriate box(es)).

1. X **Name and Address**
Should be: Disallowed. See below.
2. X **Source**
Should be: Disallowed. See below.
3. X **Quantity**
Should be: Disallowed. See below.
4. X **Priority Date**
Should be: Disallowed. See below.
5. X **Point(s) of Diversion**
Should be: Disallowed. See below.
6. ☐ **Instream Flow Description**
Should be: N/A
7. X **Purpose(s) of Use**
Should be: Disallowed. See below.
8. X **Period of Year**
Should be: Disallowed. See below.
9. X **Place of Use**
Should be: Disallowed. See below.
10. X **I object because:**

☒ This water right should not exist.
☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION (S):** This claimed water right is within the boundaries of Ada County Drainage District No. 2 ("DD#2") and the source of said claim is a drain which was constructed or enlarged by or for DD#2. Said drain is owned, operated, maintained and controlled by DD#2 and the water within said drain is seepage or waste water that has been developed, captured and/or controlled by DD#2. Therefore, said water is not subject to appropriation, would amount to an impermissible trespass, and this claimed water right should not exist.

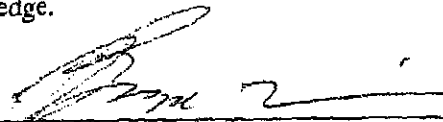
F.

VERIFICATION (must be completed)

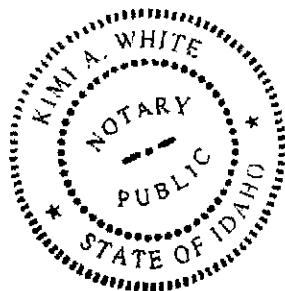
State of Idaho)
) ss.
County of Ada)

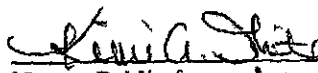
S. Bryce Farris, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


S. Bryce Farris

Subscribed and sworn to before me on: April 20, 2016




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 04/20/16

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on April 26, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

Name: H. Bryan Chase II
Eleanor Chase

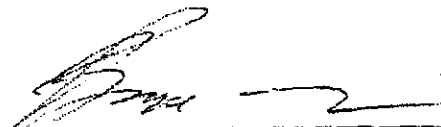
Address: 70 W. Floating Feather Road
Eagle, Idaho 83616

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney
mailing on Objector's behalf

11/21/2005

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

RIGHT NUMBER: 63-5227

NAME AND ADDRESS: H BRYAN CHASE II
70 W FLOATING FEATHER RD
EAGLE ID 83616

ELEANOR I CHASE
70 W FLOATING FEATHER RD
EAGLE ID 83616

SOURCE: WASTE WATER

TRIBUTARY: DRY CREEK

QUANTITY: 0.240 CFS

This right when combined with Right No. 63-5229 and 63-8663 shall provide no more than .02 cfs per acre.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1872

POINT OF DIVERSION:

T04N R01E S5 NESESE Within ADA County

T04N R01E S5 SESESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	0.240 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S05 SESE 12.0

STOCKWATER Within ADA County

T04N R01E S05 SESE

12 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: BASIS OF CLAIM - Beneficial Use

PARCEL NO: a portion of S0505449003.

Stockwater use is for 100 dairy cattle.

Idaho Department of Water Resources

T04N, R01E,
S5

Claim No: 63-5227

Prepared By: Kimberly Brown

Date: November 21, 2005



Place of Use

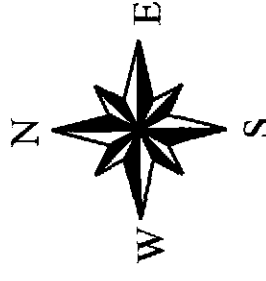


Section Lines

1/4 1/4

⊙ Point of Diversion

Acres Irrigated = 12.0



1987 NAPP

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right Nos. A63-5224, A63-5226, A63-5227, A63-5229, & A63-8663 Preliminary Recommendations

November 18, 2005

Mike Chase, son of Eleanor Chase, came into the Western Region office after receiving the *Notice of Error* packet for the claims listed above. Regarding:

63-5224: Mr. Chase did not have any disagreement with the Preliminary Recommendation for this claim.

63-5226: As a result of the changes made to 63-5227, -5229, and -8663, the shape of the commercial dairy will change accordingly.

63-5227: Mr. Chase agreed with the location of the POD, but disagreed with the 10 acres that I recommended. Mr. Chase believed that the shape depicting the irrigated acres was too small, so I made a copy of one of his Tract #2846 map from his personal documents and had him draw an outline of the place of use with a pink marker (see file). Using Mr. Chase's POU boundary drawing, the irrigated acres associated with this claim equaled 12.0 acres. I then changed the diversion rate to 0.24 cfs based on the maximum 0.02 cfs/acre.

63-5229: Mr. Chase questioned the recommendation of 0.13 cfs. After showing him Darwin VanderStelt's Field Report, Mr. Chase said that Mr. VanderStelt's calculations were done for the capacity of the commercial dairy. Mr. Chase pointed out that the well associated with this claim is actually the "small irrigation well" and that Mr. VanderStelt mistakenly applied calculations for the wrong well. Mr. Chase showed me a document in which ERO Resources Corp. calculated the capacity of the small irrigation well at 0.5 cfs (see copy of pertinent pages in file). Based on the increase of the recommended 10.0 irrigated acres to 12.0 acres, I changed the diversion rate to 0.24 cfs.

63-8336: Mr. Chase disagreed with the POU shape for the SESE and SWSE, S5. Therefore, I printed out a 2003 NAPP image of both quarter-quarters and had him draw what he felt the boundaries should be with a pink marker (see file). I then changed the POU boundaries to match his drawings.

Kimberly Brown, Senior Water Resource Agent, Western Region

2003 NAPP

SWSE

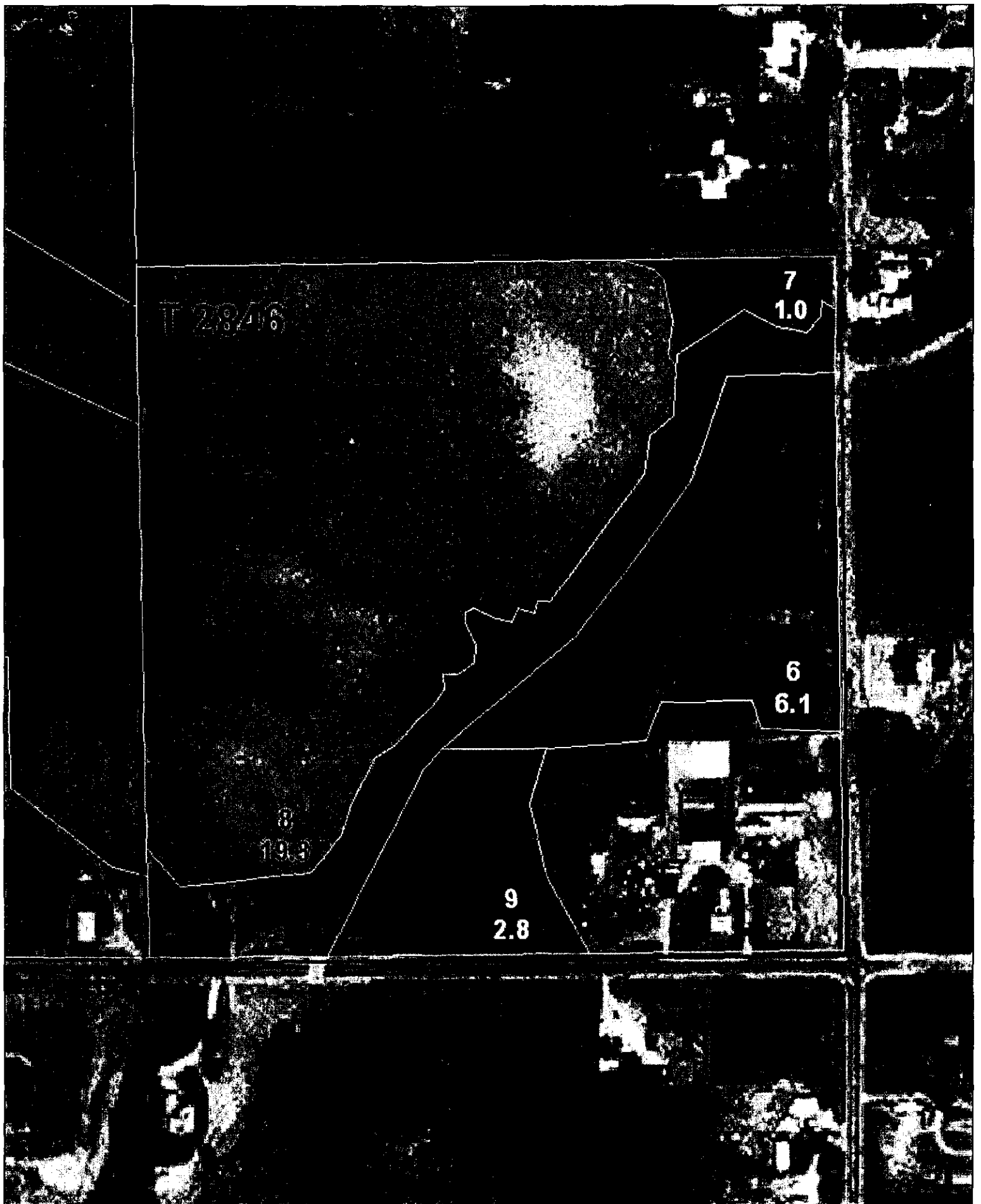
SESE

RECEIVED

NOV 18 2003

WATER RESOURCES
WESTERN REGION

Navy FOU boundary drawn on SE 1/4 SE 1/4 by Mike Chase on 11/18/05. - K. Brown



Tract #2846

#63-5227

0.02 0 0.02 0.04 0.06 0.08 Miles



Map Printed: Oct 7, 2004

11/10/2005

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

RIGHT NUMBER: 63-5227

NAME AND ADDRESS: H BRYAN CHASE II
70 W FLOATING FEATHER RD
EAGLE ID 83616

ELEANOR I CHASE
70 W FLOATING FEATHER RD
EAGLE ID 83616

* Changes made
based on Mike Chase's
visit to the
office on
11/18/05.
- KB

SOURCE: WASTE WATER

TRIBUTARY: DRY CREEK

QUANTITY: ~~0.220~~ CFS 0.24 cfs

This right when combined with Right No. 63-5229 and 63-8663 shall provide no more than .02 cfs per acre.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1872

POINT OF DIVERSION:

T04N R01E S5 NESESE Within ADA County

T04N R01E S5 SESESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

IRRIGATION

03/01 11/15

~~0.200 CFS~~

0.24 cfs

PLACE OF USE:

IRRIGATION Within ADA County

T04N R01E S05 SESE 10.0

12.0

STOCKWATER Within ADA County

T04N R01E S05 SESE

10 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: BASIS OF CLAIM - Beneficial Use

PARCEL NO: a portion of S0505449003.

Stockwater use is for 100 dairy cattle.

Idaho Department of Water Resources

T04N, R01E,
S5

Claim No: 63-5227

Prepared By: Kimberly Browr

Date: November 10, 2005



Place of Use

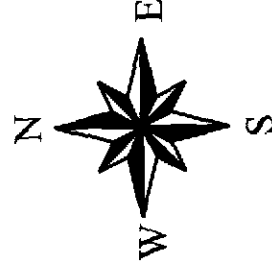


Section Lines

1/4 1/4

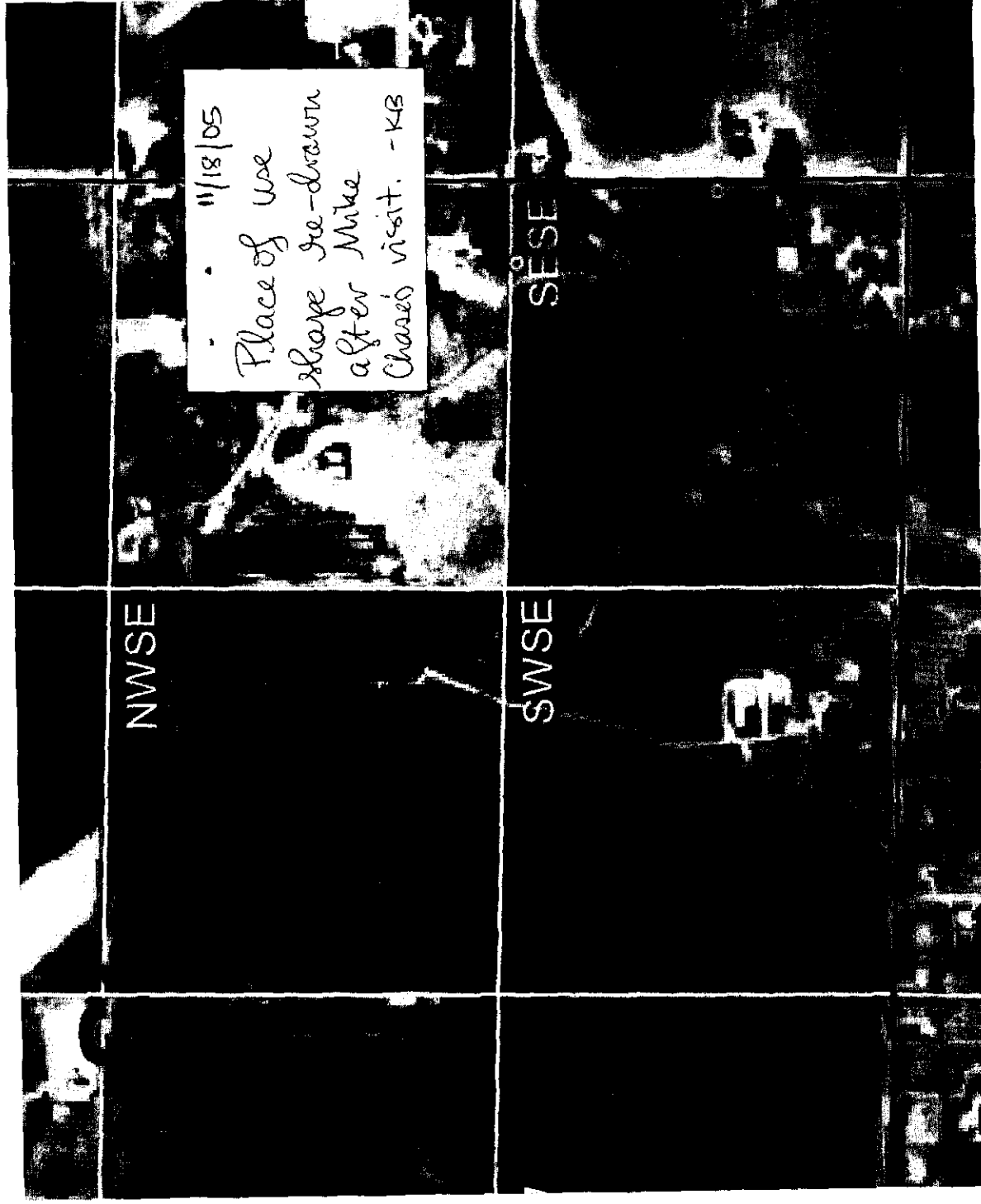
⊙ Point of Diversion

Acres Irrigated = 10.0



300 0 300 600 Feet

1987 NAPP



Idaho Department of Water Resources

T04N, R01E,
S5

Claim No: 63-5227

Prepared By: Kimberly Brown

Date: November 10, 2005



Place of Use

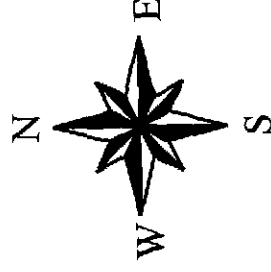


Section Lines

1/4 1/4

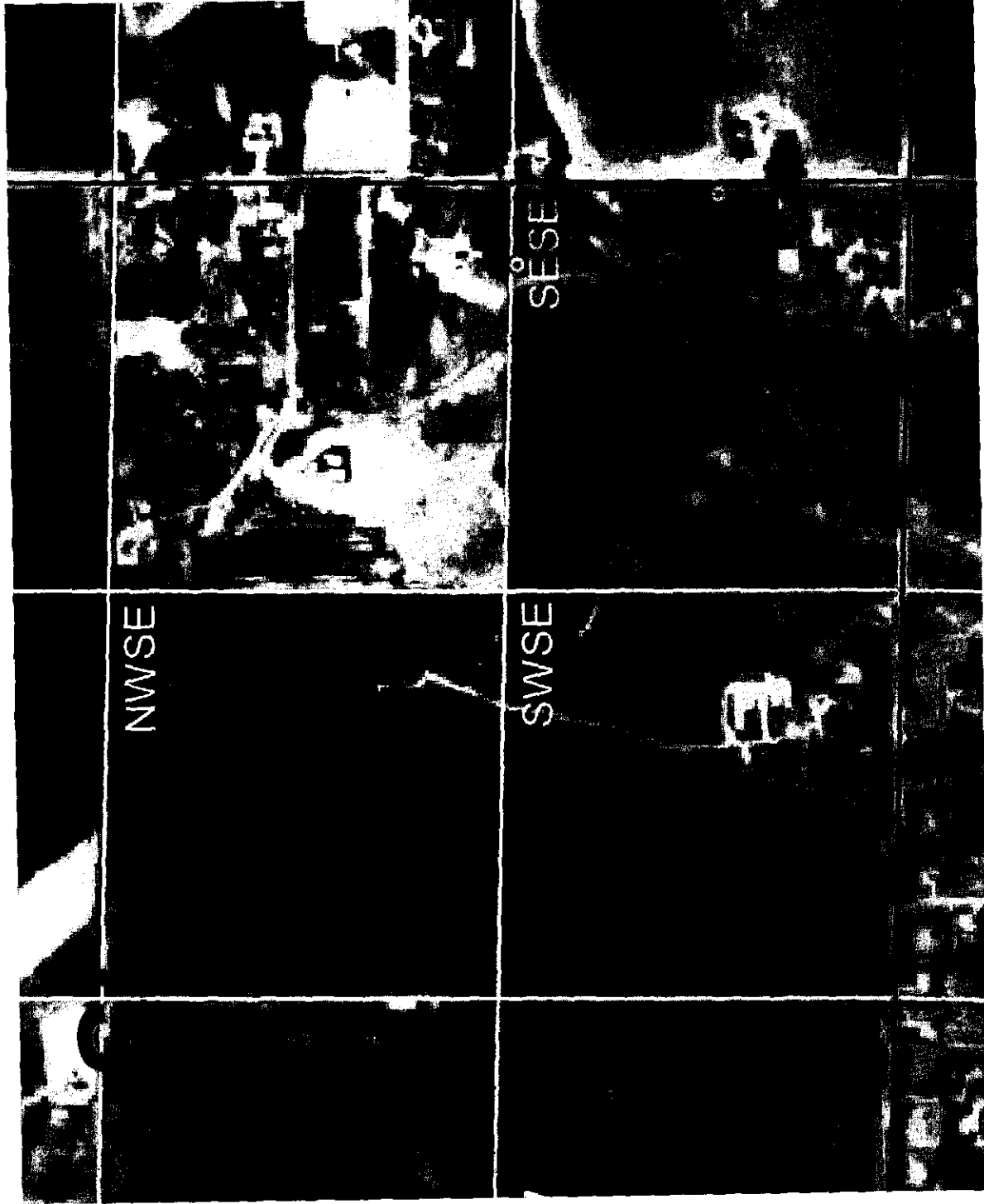
⊙ Point of Diversion

Acres Irrigated = 10.0



300 0 300 600 Feet

1987 NAPP



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5227 ✓

WATER RIGHT NUMBER: 63-5227 ✓

Owner TypeName and Address

Current Owner

H BRYAN CHASE II ✓
70 W FLOATING FEATHER RD
EAGLE, ID 83616
(208)939-6226

Current Owner

ELEANOR I CHASE ✓
70 W FLOATING FEATHER RD
EAGLE, ID 83616
(208)939-6226

Priority Date: 01/01/1872 ✓

Basis: Beneficial Use ✓

Status: Active

Source

WASTE WATER ✓

Tributary

DRY CREEK ✓

Beneficial Use

STOCKWATER ✓

IRRIGATION ✓

From To

1/01 to 12/31 ✓

3/15 to 11/15 ✓

Diversion Rate

0.020 CFS ✓

0.20 ~~0.400~~ CFS ✓Annual VolumeTotal Diversion:

0.420 CFS ✓

0.22

Location of Point(s) of Diversion

WASTE WATER

NE1/4SE1/4SE1/4 ✓

Sec. 5,

Twp 04N, Rge 01E, B.M. ✓

ADA County ✓

WASTE WATER

SE1/4SE1/4SE1/4 ✓

Sec. 5,

Twp 04N, Rge 01E, B.M. ✓

ADA County ✓

Place of Use

STOCKWATER ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 04N	01E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																		X	✓

IRRIGATION ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 04N	01E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																		10.0	20.0
																		10.0	✓

Total Acres: 20.0 ✓

ADD X02 - Stockwater use is for 100 dairy cattle.
 ADD N05 & N08 - Stockwater - 13,000 gpd & hist.

ADD E62 - This right when combined with 63-5229
 #63-8663 shall not exceed 0.02 cfs/acre.
 Parcel No: S0505449003.

9/22/05
 Dave Tutthill -
 the year after the
 irrigation district
 first started up.
 * supplemental to #63-5229

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-5227

Conditions of Approval:

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 6/21/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Field Exam Date 11-10-05
(in office)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$70.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-5227

Owner: Eleanor & H. Bryan Chase Phone No. (208) 939-6226

Current Address: 70 W. Floating Feather Rd, Eagle 83616

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property?

Accompanied by: N/A

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 01/01/1872 *see #63-125J report in file*

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

Source: Waste Water Tributary to Dry Creek

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed:
- ☐ If different, when did POD change?

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

culverts to ditchesSee Field Report.**OVERLAP REVIEW**

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USESSeason of use is 3/1 to 11/15.☐ No change☐ Different Uses

Use Irrigation From 3/1 To _____ Amount 0.2 CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☒ Changes found, the new total is, Amount 0.22 CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**Stockwater☐ No change☐ Changes Exam found: Domestic # of homes _____ Stock # 100 dairy

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:

The claimed 20 acres, as drawn on the project map associated with the Notice of Claim, includes Dry Creek, the domestic home and 1/2 acre covered by #63-15820, and the dairy covered by 63-5226 – which should not be included in this claim for irrigation² purposes.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1E	5																10	

Overlap with other water rights: 63-5229, 63-8663,
63-5224, 63-5227

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
63-5224 & 63-5226 are for different purposes & P.O.s.
overlap w/ 63-5229 & 63-8663 - limit to 0.02 cfs/acre.

Delivery System Narrative: ditches

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS: see Field Exam conducted on 5/27/04.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

Stockwater use is for 100 dairy cattle.

This right when combined with 63-5229 &
63-8663 shall not exceed 0.02 lbs/acre.

Parcel NO: 80505 44 9003.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 11.10.05

FIELD EXAMINER: Kimberly Brown

NWSE°

63-8663

STANLEY
CO. MAP

\$WSE

SESE

63-8663

63-8663

63-8663



63-5224

63-5226

63-15820

63-5224

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5227

11/10/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
120G	Claim	04N	01E	5	SE	SE		IRRIGATION	36/8394	FARMERS UNION DITCH CO LTD
123C	Claim	04N	01E	5	SE	SE		IRRIGATION	36/8394	FARMERS UNION DITCH CO LTD
124Q	Claim	04N	01E	5	SE	SE		IRRIGATION	36/8394	FARMERS UNION DITCH CO LTD
125J	Claim	04N	01E	5	SE	SE		IRRIGATION	36/8394	FARMERS UNION DITCH CO LTD
126F	Claim	04N	01E	5	SE	SE		IRRIGATION	36/8394	FARMERS UNION DITCH CO LTD
164E	Claim	04N	01E	5	SE	SE		IRRIGATION	36/8394	FARMERS UNION DITCH CO LTD
165M	Claim	04N	01E	5	SE	SE		IRRIGATION	36/8394	FARMERS UNION DITCH CO LTD
98AG	Claim	04N	01E	5	SE	SE		IRRIGATION	36/8394	FARMERS UNION DITCH CO LTD
-248	Claim	04N	01E	5	SE	SE		IRRIGATION	36/8394	FARMERS UNION DITCH CO LTD
-297	Claim	04N	01E	5	SE	SE		IRRIGATION	36/8394	FARMERS UNION DITCH CO LTD
2406	Claim	04N	01E	5	SE	SE		IRRIGATION	38/29248	DRAINAGE DIST NO 2
5224	Claim	04N	01E	5	SE	SE		IRRIGATION	1/1	H BRYAN CHASE II
5227	Claim	04N	01E	5	SE	SE		IRRIGATION	20/20	H BRYAN CHASE II
5229	Claim	04N	01E	5	SE	SE		IRRIGATION	20/20	H BRYAN CHASE II
8663	Claim	04N	01E	5	SE	SE		IRRIGATION	30/100	H BRYAN CHASE II
21729	Claim	04N	01E	5	SE	SE		IRRIGATION	36/8394	FARMERS UNION DITCH CO LTD
21730	Claim	04N	01E	5	SE	SE		IRRIGATION	36/8394	FARMERS UNION DITCH CO LTD
2406	Water Right	04N	01E	5	SE	SE		IRRIGATION	38/29248	DRAINAGE DIST NO 2
5224	Water Right	04N	01E	5	SE	SE		IRRIGATION	1/1	ELEANOR I CHASE
5227	Water Right	04N	01E	5	SE	SE		IRRIGATION	20/20	ELEANOR I CHASE
5229	Water Right	04N	01E	5	SE	SE		IRRIGATION	20/20	ELEANOR I CHASE
8663	Water Right	04N	01E	5	SE	SE		IRRIGATION	30/100	ELEANOR I CHASE
5224	Claim	04N	01E	5	SE	SE		STOCKWATER		H BRYAN CHASE II
5226	Claim	04N	01E	5	SE	SE		STOCKWATER		ELEANOR I CHASE
5227	Claim	04N	01E	5	SE	SE		STOCKWATER		H BRYAN CHASE II
5229	Claim	04N	01E	5	SE	SE		STOCKWATER		H BRYAN CHASE II
5226	Water Right	04N	01E	5	SE	SE		STOCKWATER		ELEANOR I CHASE
5226	Claim	04N	01E	5	SE	SE		COMMERCIAL		ELEANOR I CHASE

overlap w/ 63-5229 &
63-8663

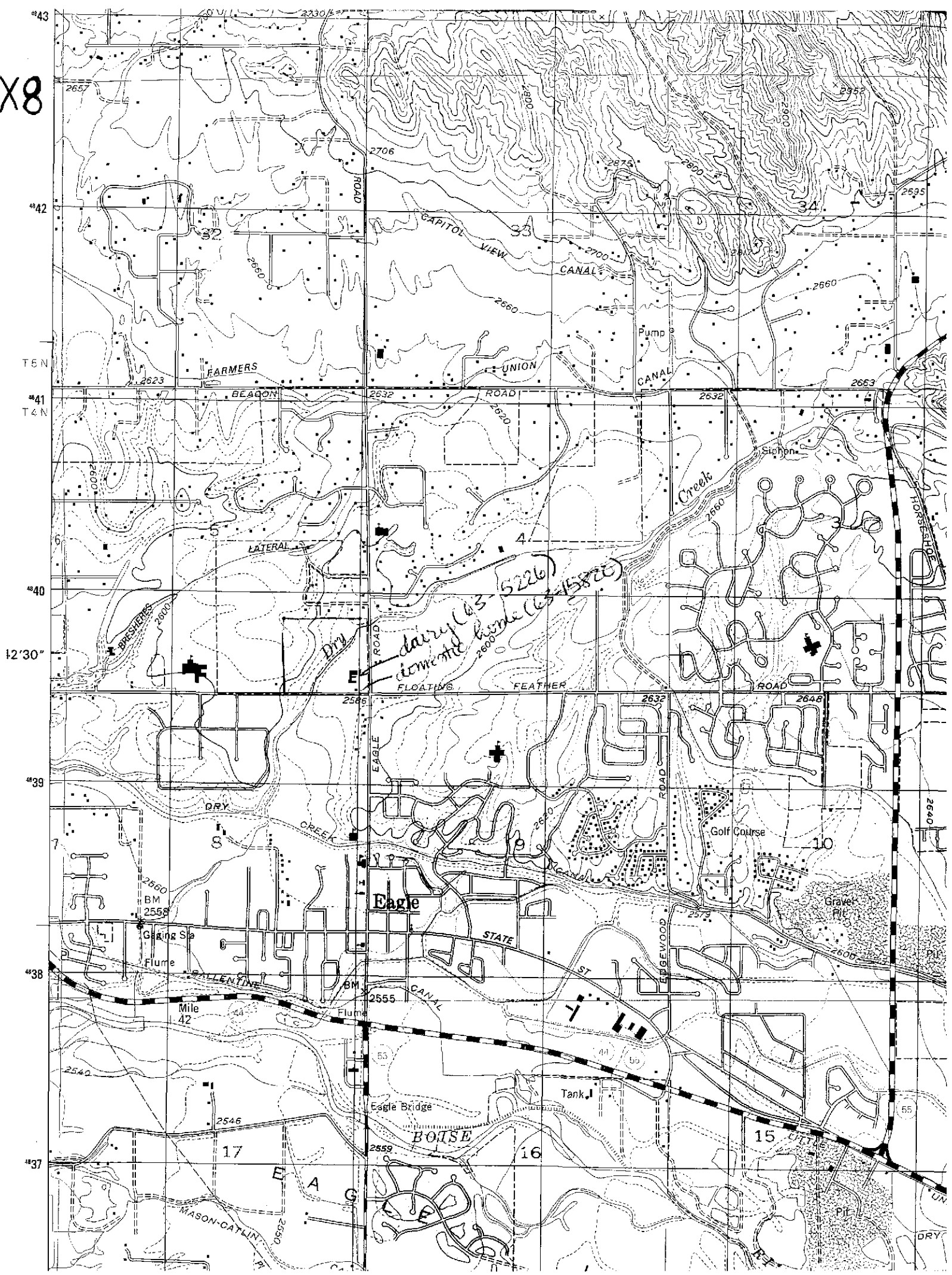
IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5227

11/10/2005

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
5224	Claim	04N	01E	5	SE	SE		DOMESTIC		H BRYAN CHASE II
15820	Water Right	04N	01E	5	SE	SE		DOMESTIC		ELEANOR J CHASE

X8



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-125J

WATER RIGHT NUMBER: 63-125J

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	JERRY A KISER 620 W HAYS ST BOISE, ID 83702 (208)336-1020
Original Owner	MIDDLETON MILL DITCH CO , ZZ
Current Owner	FARMERS UNION DITCH CO LTD 2153 N POLLARD STAR, ID 83669 (208)286-7318
Original Owner	RUSH CHASE , ZZ

Priority Date: 06/01/1871

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.260 CFS	
	<u>Total Diversion:</u>	0.260 CFS	

Location of Point(s) of Diversion

BOISE RIVER	NE1/4SE1/4NE1/4	Sec. 5, Twp 03N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
04N	01E	3			40.0	12.0		20.0	34.0	12.0		40.0	40.0	38.0	39.0		25.0	40.0	40.0	36.0	456.0	
04N	01E	4	30.0	34.0	34.0	36.0		36.0	30.0	39.0	36.0		38.0	30.0	38.0	38.0		35.0	38.0	39.0	38.0	569.0
04N	01E	5	36.0	38.0	40.0	38.0		38.0	36.0	34.0	34.0		40.0	36.0	38.0	38.0		36.0	40.0	36.0	36.0	594.0
04N	01E	6	32.0	36.0	37.0	36.0		39.0	39.0	39.0	38.0		40.0	38.0	37.0	35.0		36.0	36.0	37.0	35.0	590.0

Adjudication Claim Report 63-125J

04N 01E	7	15.0	30.0																45.0
04N 01E	8	34.0	25.0	15.0	30.0	20.0	37.0	4.0	12.0										177.0
04N 01E	9	38.0	12.0	24.0	15.0	35.0	38.0							4.0	8.0				174.0
04N 01E	10		36.0	36.0		38.0	40.0	38.0	38.0	17.0	12.0	2.0	9.0	25.0	40.0	2.0	8.0		341.0
04N 01E	11									40.0	10.0	22.0	10.0		2.0	13.0			97.0
04N 01E	13			5.0			1.0	30.0	18.0	16.0	1.0			20.0	20.0				111.0
04N 01E	14	6.0		36.0	38.0	38.0	36.0	10.0	10.0										174.0
04N 01E	15	35.0	12.0	1.0	12.0														60.0
04N 01W	1	38.0 L 1	38.0 L 2	22.0	38.0	10.0			2.0					38.0	38.0				224.0
04N 01W	2					20.0 L 3	38.0 L 4	6.0											64.0
04N 01W	3					25.0 L 3	40.0 L 4	40.0		38.0	40.0								183.0
04N 01W	4	40.0 L 1	40.0 L 2	38.0	38.0	40.0 L 3	40.0 L 4	38.0	38.0	38.0	38.0	20.0	18.0	38.0	36.0	17.0	15.0		532.0
04N 01W	5	36.0 L 1	38.0 L 2	38.0	38.0	40.0 L 3	40.0 L 4	39.0	38.0	22.0	24.0			40.0	35.0	4.0	16.0		448.0
04N 01W	6	40.0 L 1	40.0 L 2	35.0	20.0	40.0 L 3	38.0 L 4	8.0 L 5	14.0										235.0
04N 02E	18										3.0 L 3	20.0 L 4							23.0
04N 02E	19		3.0	6.0		24.0	40.0 L 1		24.0								1.0		98.0
04N 02E	32					1.0			3.0								1.0		5.0
04N 02W	1	12.0 L 1	20.0 L 2	4.0	10.0	40.0 L 3	40.0 L 4												126.0
05N 01E	31				32.0		20.0 L 1	35.0 L 2	24.0	38.0	34.0 L 3	34.0 L 4	38.0	38.0	38.0	38.0			407.0
05N 01E	32										12.0	36.0	5.0			5.0			58.0

Adjudication Claim Report 63-125J

Total Acres: 8394

1. THE LANDS ARE IN THE SERVICE AREA OF THE FARMERS UNION DITCH CO., LTD.
THIS CLAIM IS BASED ON COMBINING RIGHTS 63-00125F AND 63-00125H.

Comments:

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right Nos. A63-5224, -5227, -5229

September 22, 2005

Dave Tuthill called me this afternoon after speaking with Mike Chase, Eleanor Chase's son. After Mr. Tuthill's conversation with Mr. Chase, Mr. Tuthill instructed me on how to recommend the various Chase claims. After pulling these three files and answering a range of Mr. Tuthill's questions of what was contained in each of the files, Mr. Tuthill gave me these recommendations:

Regarding 63-5224: Mr. Tuthill instructed me to recommend the claimed priority date of 1872 and to recommend no more than ½ acre for domestic purposes.

Regarding 63-5227: Mr. Tuthill stated that the priority date should be the year after the irrigation district that the Chases use first started up.

Regarding 63-5229 and the number of houses: In their previous conversation, Mr. Chase told Mr. Tuthill that there used to be an old house associated with this right, but that "it's long gone." In his conversation with me, Mr. Tuthill stated that he did not see domestic use as relative to this claim, even though it existed at one time. Therefore, based on this fact, Mr. Tuthill said that we cannot recommend domestic use for this claim. In addition, Mr. Tuthill also instructed me not to accept the affidavit supporting the claimed 1925 priority date. He informed me that the priority date should be the beginning of the irrigation season for 1927.

Kimberly Brown
Senior Water Resource Agent
Western Region

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
C007697	25.00	63	5225		Claim
C007697	139.00	63	8663		Claim
C007697	70.00	63	5226		Claim
C007697	51.00	63	5224		Claim
C007697	50.00	63	5229		Claim
C007697	25.00	63	15820		Claim
C007697	70.00	63	5227		Claim

Memo

To: Kimberly
From: Darwin Vander Stelt

RE: 63-05227

Eleanor Chase
70 W. Floating Feather Road
Eagle ID 83616

Documents prepared:

no. pages	Item
1	Calculation of flow
1	Calculation of volume
0	#N/A
0	#N/A
0	#N/A

Mike Chase was present when I visited the farm, and he is the source of all the information used in my calculations.

This is a puzzlement because there is no diversion, no system to move the water that remains intact. There was a low area where the drainage water collected and there was a 2 hp pump which moved the water to the 20 acres. Actually the wastewater arrived on the farm in two places, and was rechanneled as necessary by gravity flow from the low area along the road, while the wastewater coming in the ditch further north was pumped to various head ditches on the 20 acres. There is no way to calculate flow now as it hasn't been used in a long time. I calculated the flow from the 2 hp transfer pump as .47, which is more than they claimed. The right is supplemental to the 63-05229, and may have been primary prior to that well being drilled. I didn't see any water in the ditches now, as the whole area is developing.

Mike is in a dispute with the City of Eagle over proximity of a new city well, and has hired a consultant. It's possible he may dispute my numbers.

The Intrepid pictures are fine, and I did not affix a new tag.

The entire estate of Eleanor Chase is apparently not settled, and it was unclear to me who is currently in title to the property. The aerial photo and points of diversion appear to be correct.

Pertinent Info:

Adjudication claim # 63-05227

Name:

Eleanor Chase
70 W. Floating Feather Road
Eagle ID 83616

Well Tag(s)	0
POD Coordinates:	0
USR	0

Date Visited: 5/27/2004

Date Office write-up: 6/3/2004

Theoretical Rate of Flow:
Claim no. 63-05227

Eleanor Chase
Date: 6/3/2004

Groundwater Measurement

2
Theoretical Rate of Flow: $Q = ((8.8) * (HP) * (EFF))/TDH$

Where,

Q = flow in CFS

HP= Total Brake HP of pump including booster

EFF= pump efficiency (assume 70%)

TDH= Total dynamic Head = (Lift)+(PSI * 2.31)

Lift= Depth to water in feet

PSI = discharge pressure near the pump.

Variables		Calculated	% of of rated
Plate	Peak KWH	HP	
2	1.5	2.01	101%
70%			
10		26.550	
15			
5			

Theoretical Q =

0.486	CFS
209	GPM

Data Sources:

Lift From:

measurement
owner
area estimate
well logs

PSI from:

measurement
owner
X estimate
owner gage

Notes on Pump

Motor make etc.

Pump make etc.

X

Total flow is around .47 cfs.

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: A63-05227
Date Received: 6/21/1989
Receipt No: 007697
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELEANOR I. CHASE 208-939-6226
Address: 70 W. FLOATING FEATHER RD.
EAGLE, ID 83616

OR
Name: H. BRYAN CHASE II 208-939-6226
Address: 70 W. FLOATING FEATHER RD.
EAGLE, ID 83616

2. Date of Priority: JAN 01, 1872

3. Source: WASTE WATER Trib. to: DRY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01E	5	NE	SE	SE		ADA
			SE	SE	SE		ADA

5. Description of diverting works:
CULVERTS TO DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION - <i>Supplemental</i>	03/15	11/15	0.400		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 HEAD DAIRY CATTLE

A63-05227

Page 1

Date: 06/21/89

2 hp pump 5'-10'
open discharge.

MICROFILMED
AUG 21 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	5	SE SE	SE SE	IRR STOCK	20.0
Section Acres						20.0
Total Acres						20.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

A63-08663, -05224, -05225, -05226, -05229

14. Remarks:

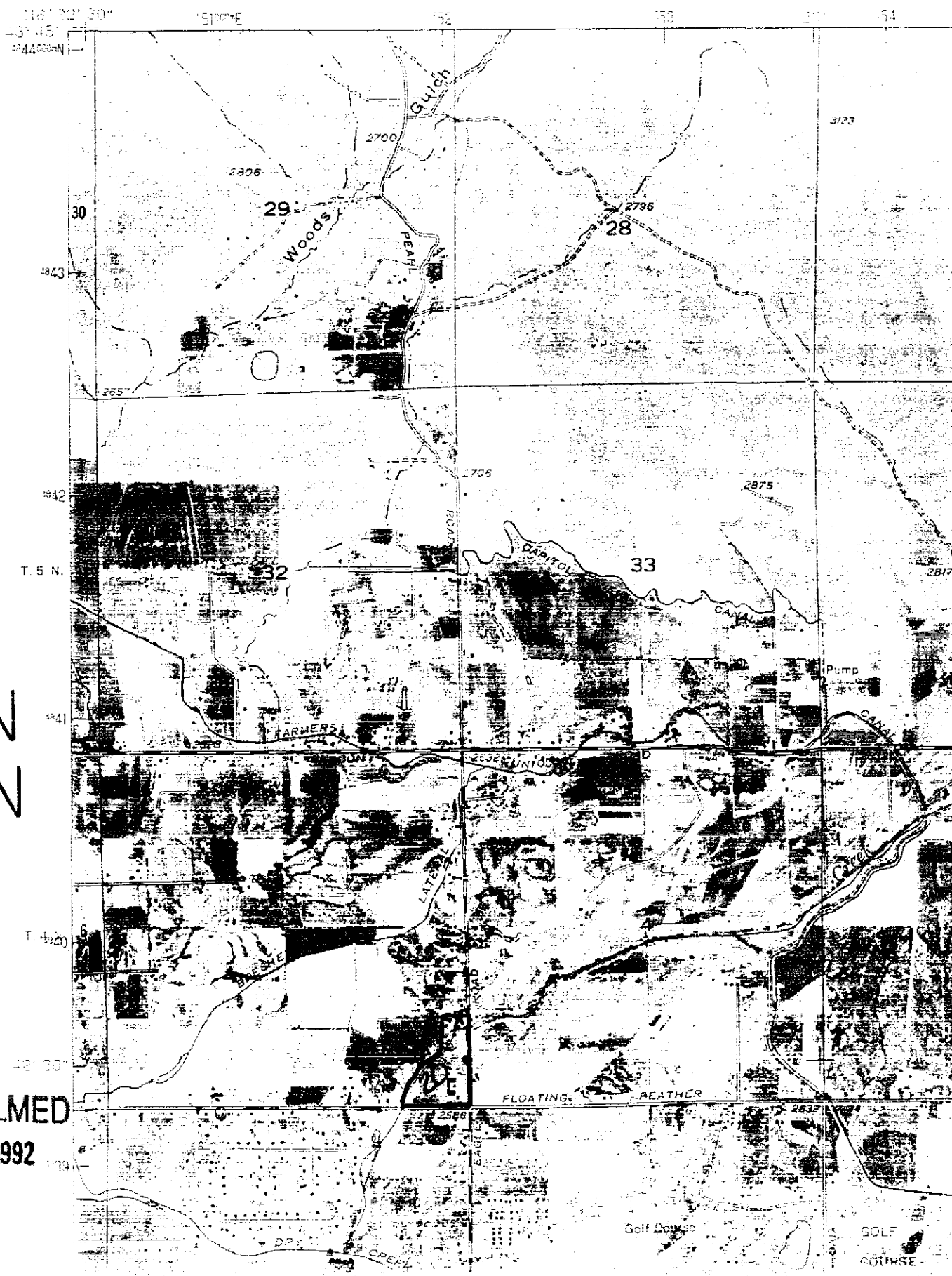
15. Basis of Claim: BENEFICIAL USE



State of Idaho
DEPARTMENT OF WATER RESOURCES

A63-05227

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



T5N
T4N

MICROFILMED

AUG 21 1992

The United States of America

RECEIVED

To all to whom these presents shall come, Greeting:

FEB 18 2004

CERTIFICATE

No. 114

WATER RESOURCES
WESTERN REGION

~~Charles~~ Susan C. Richards, Widow of William Richards deceased, of Ada County, Idaho Territory.

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise City, Idaho Territory, whereby it appears that full payment has been made by the said Susan C. Richards:

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," for the South East quarter of the South East quarter of Section five, the South half of the South West quarter, and the North East quarter of the South West quarter of Section four in Township four North of Range one East, in the District of Lands subject to sale at Boise City, Idaho Territory, containing one hundred and sixty acres.

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said Susan C. Richards.

Now know ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said Susan C. Richards:

and to her heirs, the said Tract above described: To have and to hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereto belonging, unto the said Susan C. Richards.

and to her heirs and assigns forever, subject to any vested and reserved water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

In testimony whereof, J. W. Brown, President of the United States of America, has caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the Seventh day of August, in the year of our Lord one thousand eight hundred and Seventy Two, and of the Independence of the United States the Ninety Seventh.

LS.

BY THE PRESIDENT

U. S. Grant

By

J. P. Rogers

Secretary.

C. P. Rogers

Recorder of the General Land Office.

RECEIVED

FEB 18 2004

WATER RESOURCES
WESTERN REGION

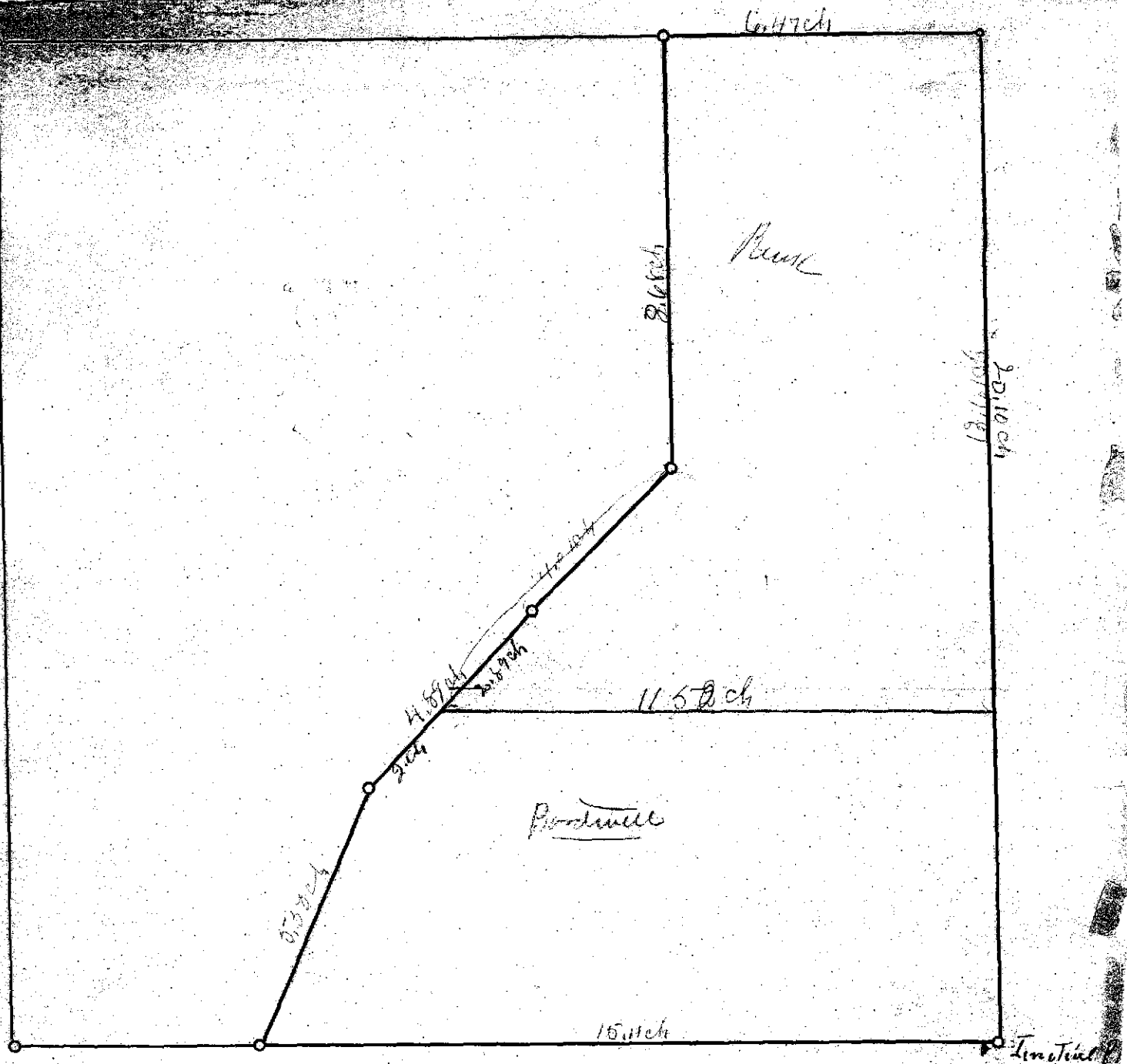
No. 23140

ABSTRACT OF TITLE

TO

Commencing at the corner common to Sections Four (4), Five (5), Eight (8), and Nine (9), in Township Four (4) North, of Range One (1) East, of the Boise Meridian, in Ada County, Idaho, and running thence North 20.10 chains, more or less, to the North line of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Five (5) aforesaid, thence North 89°23' West a distance of 6.47 chains, thence South a distance of 8.68 chains; thence South 46°45' West a distance of 4.01 chains; thence South 44°15' West a distance of 4.89 chains; thence South 24°45' West a distance of 5.50 chains; thence South 89°3' East a distance of 15.11 chains to the place of beginning.

Boise
Title and Trust Company
Boise, Idaho.



The United States of
America

to

1.

Susan C. Richards.

PATENT

Dated August 7, 1872

Recorded December 31, 1887

Book 2 of Patents, at page 92.

for the South east quarter of the South east quarter of Section five and the south half of the south west quarter and the Northeast quarter of the South west quarter of section four in township four North of Range one East in the district of lands subject to sale at Boise City, Idaho, Territory, containing one hundred and sixty acres, according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General . . . and subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights . . . and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom.

By the President, U.S. Grant,
By Z.B. Sturgis, Asst Secretary.
C.B. Boynton, Recorder of General
Land Office.

(Seal of U.S.
Land Office).

Susan C. Richards

to

2.

C.W. Moore.

WARRANTY DEED

Dated November 3, 1870

Ack'd November 3, 1870, before
Thos Donaldson, Clerk of Dist
Court, Ada Co. Idaho Terr. Seal.
one witness,

Recorded November 8, 1870

Book 4 of Deeds at page 204

Consideration \$500.00

Grant, bargain, sell, alien, remise, release, convey and confirm:
the following described real estate situated in Ada County, Idaho, Ter-
ritory, to-wit: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec 5 and S $\frac{1}{2}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 4 T.4 N.R.1 E.
Containing 160 Acres.

Susan C. Richards.

Christopher W. Moore

to

3.

John Hailey.

WARRANTY DEED

Dated January 8, 1873

Ack'd January 9, 1873, before
Sol Hasbrouck, N.P. Ada Co. Idaho
Terr. Seal. One witness

Recorded January 20, 1873,

Book 4 of Deeds at page 677

Consideration \$1000.00

Grant, bargain, sell, and convey: all that certain real estate situ-
ated in Boise City, Ada County, Idaho Territory, to-wit: The SE $\frac{1}{4}$ of SE $\frac{1}{4}$
Section 5, and S $\frac{1}{2}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, _____ North Range 1 East,
containing 160 acres.

Christopher W. Moore.

John Hailey

to

4.

Iona E. Case.

WARRANTY DEED

Dated January 30, 1885

Ack'd January 30, 1885, before

John S. Gray, N.P. Ada Co. Idaho Terr
Seal. One witness

Recorded February 7, 1885

Book 10 of Deeds at page 722

Consideration \$2000.00

Grant, bargain, sell, convey and confirm: that real estate situate in Ada County, I.T. to-wit: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 5 and S $\frac{1}{2}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 4 Twp. 4 N. of R. 1 E. containing 160 acres, as per the U.S. Survey. Also a certain water right and water ditch taking water from Dry Creek about $\frac{1}{2}$ mile above said land

John Hailey.

Iona E. Case and John
Case, her husband

to

5.

Milton McIntyre.

WARRANTY DEED

Dated December 31, 1887

Ack'd December 31, 1887, before

Jo. W. Huston, N.P. Ada Co. Idaho.
Terr. Seal. One witness,

Separate examination of wife

Recorded December 31, 1887

Book 13 of Deeds at page 55

Consideration \$2500.00

Grant, bargain, sell, convey and confirm: The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 5 and the S $\frac{1}{2}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 4 T.4 N.R.1 E. of B.M. containing 160 acres. Also a certain water right and water ditch taking water from Dry Creek about $\frac{1}{2}$ mile above said land, said water taken up and located by John Hailey for the use of said land.

Mrs Iona E. Case,
John Case.

(In Ack. Iona E. Case).

Milton H. McIntyre and
Annie McIntyre, husband
and wife

to

6.

W. L. Telford.

MORTGAGE

Dated November 19, 1888

Ack'd November 19, 1888, before

C. S. McConnell, Co. Recorder, Ada
Co. Idaho. Ty. Seal. Two witnesses
Recorded November 19.

Book 6 of Mortgages on page 445

Consideration \$2500.00

Covers: The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec 5 and the S $\frac{1}{2}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 4 T.4 N.R.1 E.B.M. in Ada County, I.T. also a certain water right and water ditch taking water from Dry Creek in Ada Co. about $\frac{1}{2}$ mile above said land, said water right taken up and located by John

-continued-



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
February 10, 2004

ELEANOR & H BRYAN CHASE
C/O MIKE CHASE
70 W FLOATING FEATHER RD
EAGLE ID 83616

Re: SRBA Claims A63-05224, 05226, 05227, 05229

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make a positive recommendation of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right later this year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

Please contact Kimberly Brown at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. If she does not hear from you by March 12, 2004, then your water right will be recommended as disallowed.

Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer".

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Kimberly Brown



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 3, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ELEANOR I. & H. BRYAN CHASE II
PO BOX 1356
CALDWELL, ID 83606-1356

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-5224, A63-5226, A63-5227, & A63-5229

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You 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 historical use of the water for a beneficial use 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.

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. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

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 SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by October 1, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated



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

above. In addition, we will be contacting you within the next few weeks to schedule a field exam.

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-04971

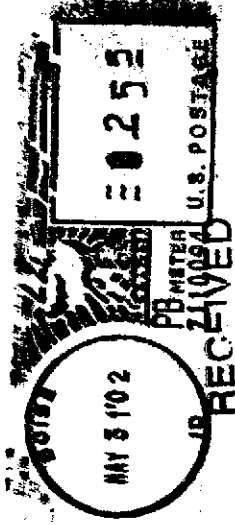
Cc: Matt J. Howard

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

PRESORTED
FIRST CLASS



63-5224
5226
5227
5229
8663

H BRYAN CHASE II
ELEANOR I CHASE
70 W FLOATING FEATHER RD
EAGLE ID 83616

JUN 06 2002

WATER RESOURCES
WESTERN REGION

CHAS070 036102007 1302 05 06/03/02
RETURN TO SENDER
CHASE, ELEANOR I
PO BOX 1356
CALDWELL ID 83606-1356
RETURN TO SENDER

Sent again 6-7-02



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: 63-05227 Date: 2001

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	1E	5																20	20
GIS																			20	20
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 20

Overlapping POU Claim #'s:

Total GIS Acres: 20

63-05227

COMMENTS:

Idaho Department of Water Resources

Claim Number: 63-05227

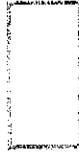
Legal: T4N, R1E, S5

Reviewed By:

⊙ Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines

1987 Napp Photo



0.25 Miles

0

