



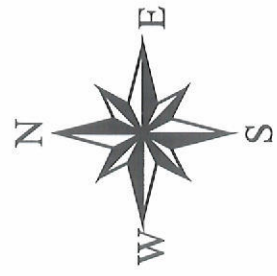
Photo 1. 63-30988 Field Exam 7/17/02. Photo's by RDH. On stream pond located per X9 Topo. T05N, R02E, S28, SESWNE.

IDAHO DEPARTMENT OF WATER RESOURCES

Claims: 63-30988
Date Prepared: 7-17-02
Prepared By: Ron Howerton



T05N, R02E
S28



- Point of Diversion
- Place of use
- Section
- Quarter/Quarter

2000 NAPP

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: A63-30988
Date Received: 9/ 3/1998
Receipt No: W024347
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DAROL FORSYTHE 208-939-1943
Address: 15401 CARTWRIGHT RD
BOISE ID 83703

2. Date of Priority: JAN 1, 1954

3. Source: UNNAMED STREAM Trib. to: CURRANT CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	02E	28	SE	SW	NE		ADA

5. Description of diverting works:
DAM, 180' X 540' X 15'

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 400 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	02E	28	SW	NE		STOCK	

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:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

Identification No. A63-30988
Date Received 9-3-98
Receipt Number 0024347

**NOTICE OF CLAIM
TO A
WATER RIGHT**
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

SEP 03 1998

WATER RESOURCES
WESTERN REGION

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) DAROL FORSYTHE Phone (208) 939-1943
Mailing Address 15401 CARTWRIGHT RD BOISE, IDAHO Zip 83703

2. Date of Priority (Only one per claim) 1-1-1954 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other () (a) UNNAMED Stream
which is tributary to (b) CURRENT Creek Name or kind of source

4. Location of point of diversion is: Township 5N Range 2E
Section 28, SE 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____, BM.,
County of ADA

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. DAM 180' X 540' X 15'

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Stockwater purposes from 1-1 Month/Day to 12-31 Month/Day amount .09 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .09 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 200 Hundred pairs (COW & CALVES)

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 5N Range 2E
Section 28, SW 1/4 of NE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Ada
12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or _____
14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____
If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Melvin Gene Gibson Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
document in the space below as _____ Organization _____
_____ Title _____ of _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____
Title and Organization _____

State of Idaho/or _____)
County of _____) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 3rd day of September 19 98

SEAL

Notary Public Melvin Gene Gibson

Residing at _____

My Commission Expires _____
Melvin Gene Gibson, Notary Public
Residing at Boise, Idaho
My Commission Expires September 23, 2000

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Completed

11/22/2002

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

RIGHT NUMBER: 63-30988

NAME AND ADDRESS: DAROL FORSYTHE
15401 CARTWRIGHT RD
BOISE ID 83703

SOURCE: UNNAMED STREAM

TRIBUTARY: MC FARLAND CREEK

QUANTITY: 0.090 CFS
5.400 AFY

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

PRIORITY DATE: 01/01/1954

POINT OF DIVERSION:

T05N R02E S28 SESWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER STORAGE	01/01 12/31	5.40 AFY
STOCKWATER FROM STORAGE	01/01 12/31	5.40 AFY
STOCKWATER	01/01 12/31	0.090 CFS

PLACE OF USE: STOCKWATER Within ADA County

T05N R02E S28 SWNE T05N R02E S28 SENE

STOCKWATER FROM STORAGE same as STOCKWATER

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

STOCKWATER, 400 RANGE CATTLE

**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
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ 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 completeClaim No(s) A67-30988Owner: SAME Phone No. 938-1483Current Address: SAME

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

Accompanied by: GENE GIBSON (CLAIMANT IS GENE'S LANDLORD)**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: _____

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

Source: UNNAMED STREAM Tributary to McFARLAND CR

- ☐ 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
		SE	SW	NE	28	5N	2E	ADA	

Description of diverting works

POND - DAM - ON STREAM**OVERLAP REVIEW**Other water rights with the same point of diversion: NONE

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

WATER USES☐ No change☒ Different UsesUse STK From 01/01 To 12/31 Amount .09 CFS AFAUse STORAGE From 01/01 To 12/31 Amount CFS 5.4 AFAUse FROM S From 01/01 To 12/31 Amount CFS 5.4 AFA**TOTAL VOLUME - Groundwater only**☐ Incomplete on claim, the total is, Amount CFS AFA☒ Changes found, the new total is, Amount .09 CFS 5.4 AFA☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes Stock # Types Additional comments: **PLACE OF USE:**☐ No Change☒ Changes shown below:

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	
5N	2E	28			5	5													

Overlap with other water rights: NONE

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: ON-Stream POND DAM

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

FLOW MEASUREMENTS: CAPACITY

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

SURFACE AREA
 $1/2 \times 140 \times 300 / 43560 = .48$: GPS = .7 AFA
 $.7 \times 15' \times .4 = 4.2$ AFA : $.7 \times 15 = 10.5$
 $4.2 + 10.5 / 2 = \text{AVE } 7.35 \text{ MAX}$
 AF REQUIRED FOR 400 RANGE CATTLE IS 5.4 AFA
 $24 \text{ HR PERIOD} = (.009) (1.9835) .17 \text{ AFA}$
 Thus NEEDS Storage.

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: 7-17-02

FIELD EXAMINER: Ron Howerton

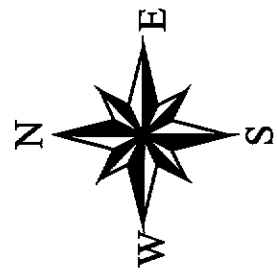


Photo 1. 63-30988 Field Exam 7/17/02. Photo's by RDH. On stream pond located per X9 Topo. T05N, R02E, S28, SESWNE.

IDAHO DEPARTMENT OF WATER RESOURCES

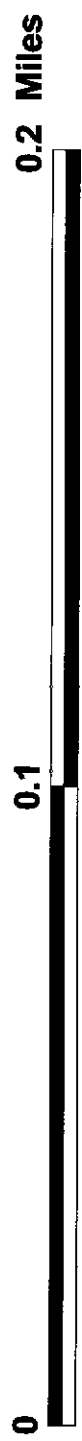
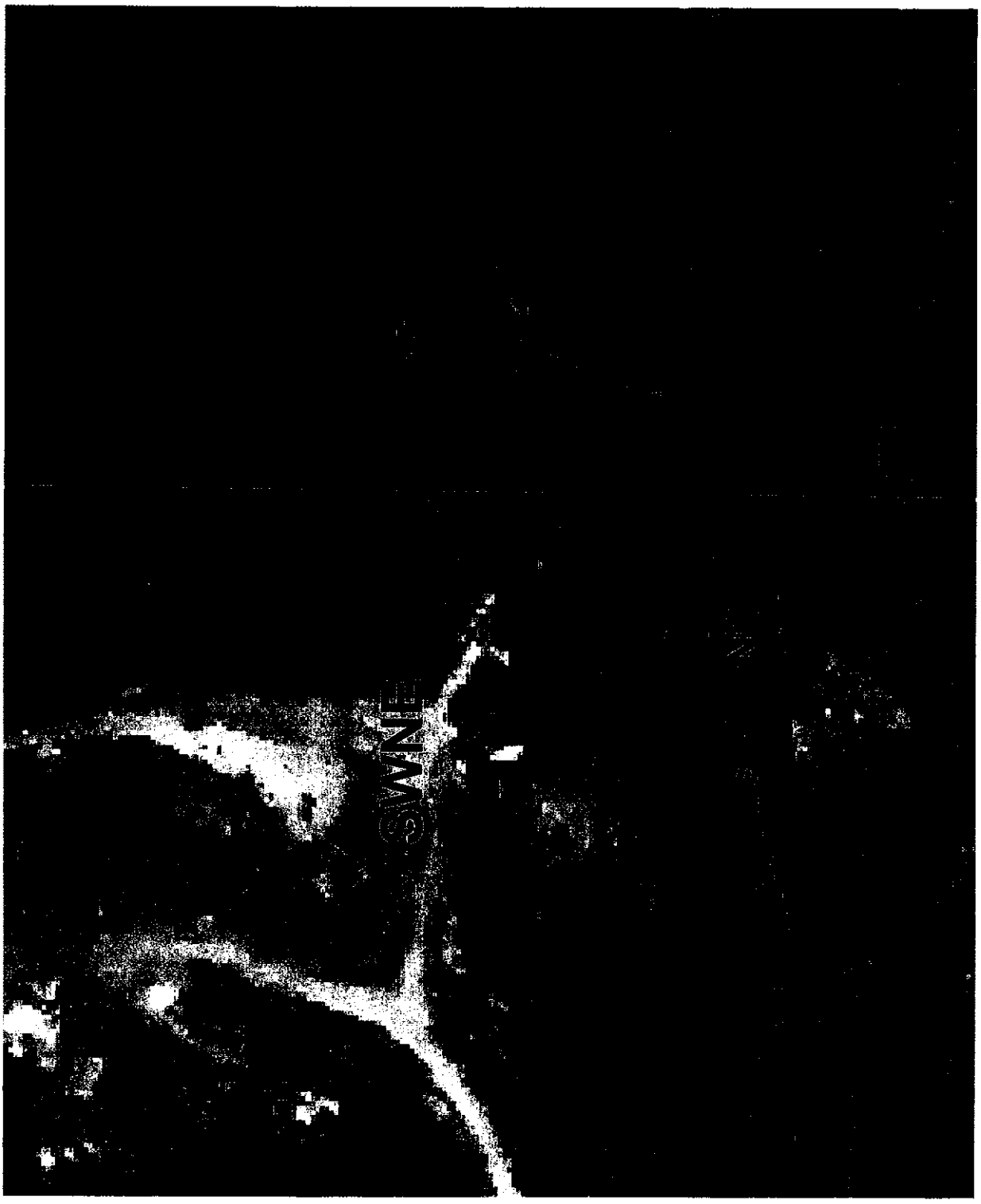
Claims: 63-30988
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Prepared By: Ron Howerton

T05N, R02E
S28



- Point of Diversion
- ☐ Place of use
- ☐ Section
- ☐ Quarter/Quarter

2000 NAPP



SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 07/17/02
Time: 14:26:54

Rec/No - W024347 AR/No -
From: - FORSYTHE, DAROL

Receipt Type - CK Doc/No - 2188
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 09/03/1998

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
NOTICE OF CLAIM TO WATER RIGHT (7)	337		41503	1155		175.00

Total Due - 175.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6330985		A6330986		A6330987	
A6330988		A6330989		A6330990	
A6330991					

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

DATE: 09/09/98
PAGE: 1

Audit: 09/09/98 DBUFFING