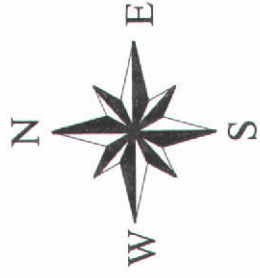


IDAHO DEPARTMENT OF WATER RESOURCES

T02S, R07E, S23 & S24



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

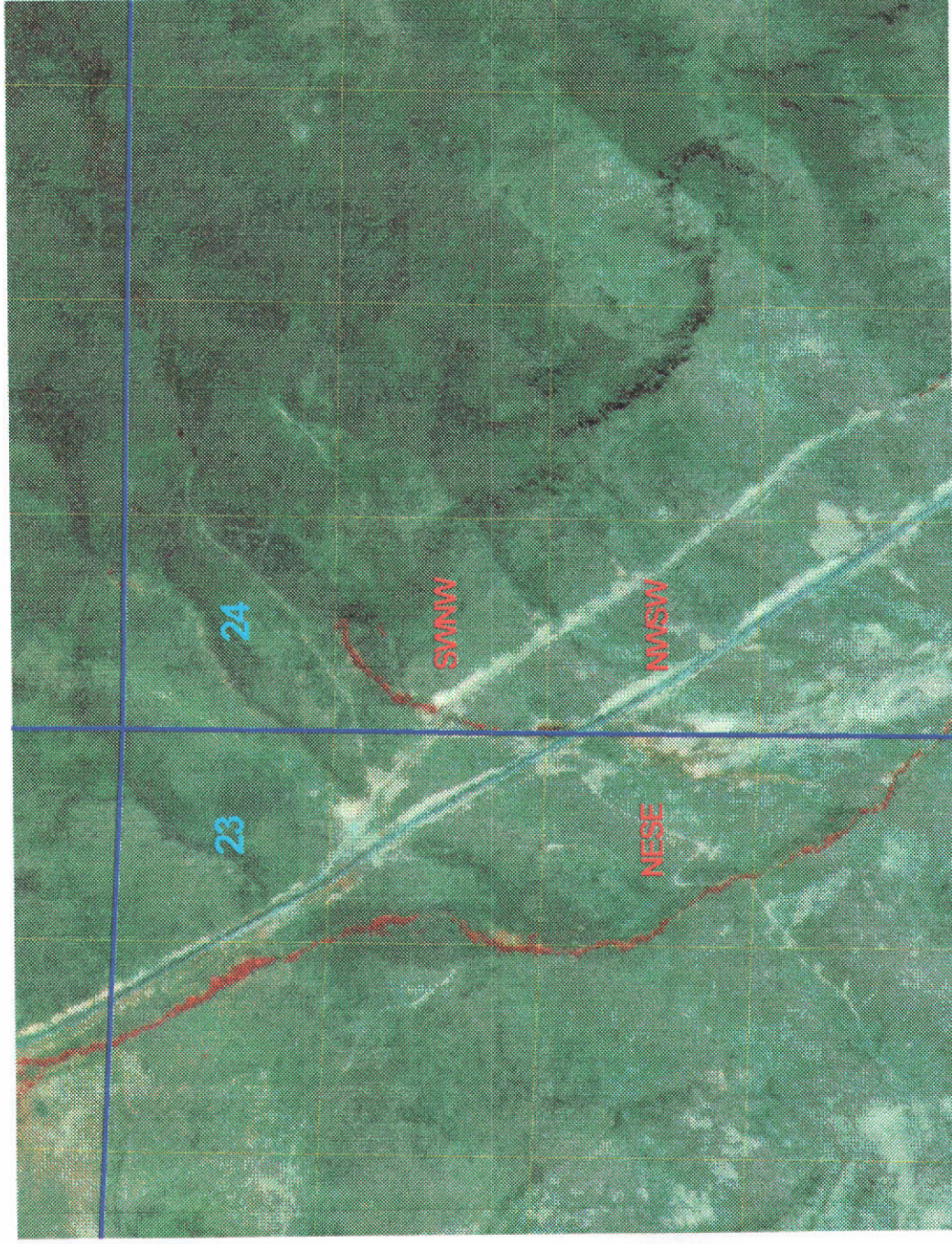
6 SECTION NUMBERS

CLAIM(S): 61-02023

OWNER(S): DANIEL

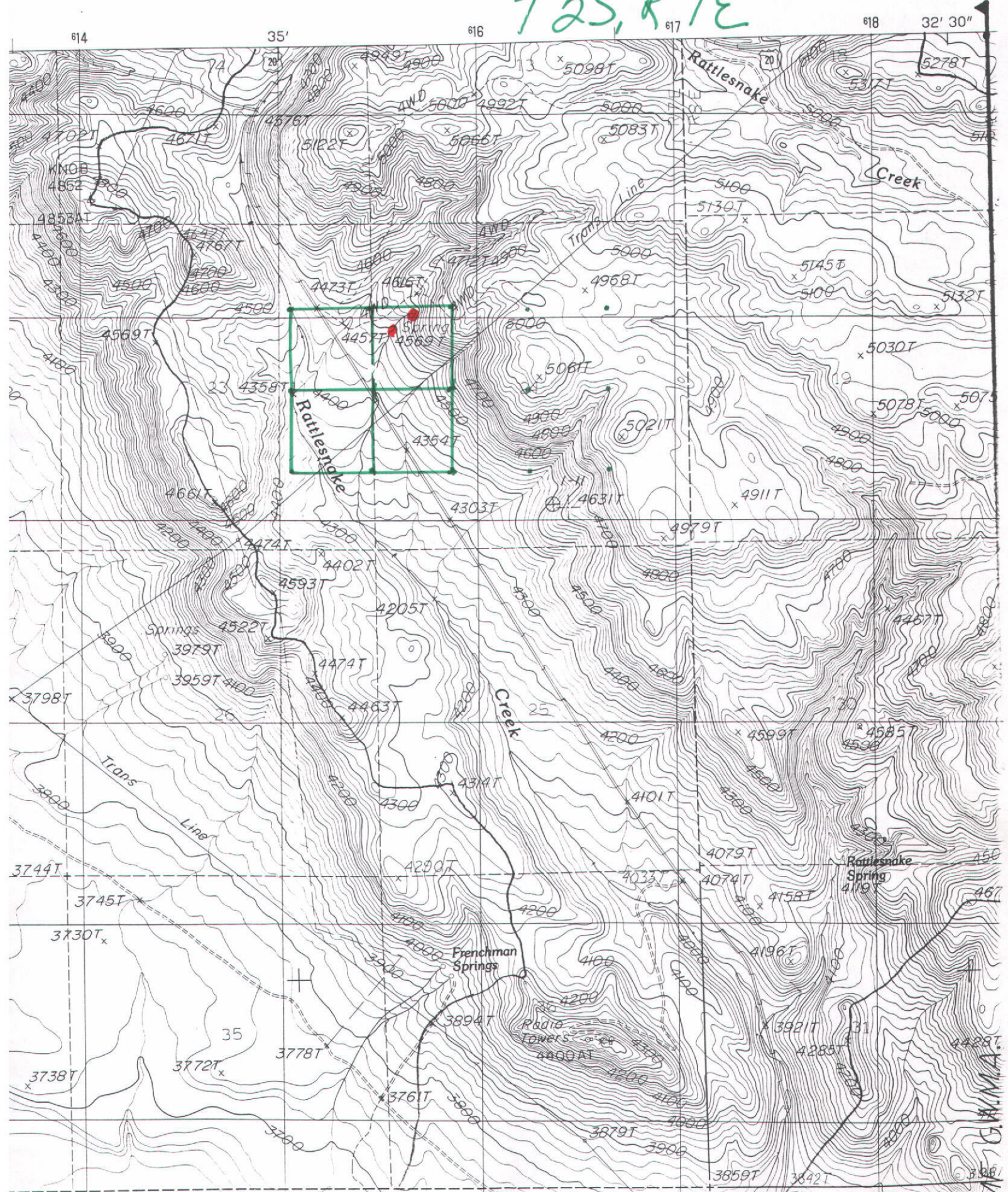
Prepared by Mel Schulte

DATE: OCTOBER 29, 1998



0 0.25 0.5 0.75 1 Miles

T25, R7E



County, Elmore
Stream, Springs
Amount, 15/50 of 1 sec. 24.
Use, irrigation
Priority, Aug. 10, 1910

STATE OF IDAHO

Water License No. 6589

WHEREAS, On the 18th day of July, A. D. 1910

Frank Filley

of Mountain Home, County of Elmore, State of Idaho, duly made application (No. 9252) to me for a permit to use 3.2 cubic feet per second of the waters of Springs

County of Elmore, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 10th day of September, A. D. 1910, Permit No. 6589 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 10th day of September, A. D. 1912, and for the application to beneficial use of said water on or before the 10th day of September, A. D. 1913, and,

WHEREAS, On the 10th day of September, A. D. 1912

Frank Filley

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 6589 dated September 14, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of said water, with date of priority of July 18, 1910, and

WHEREAS, On the 10th day of October, A. D. 1912

Frank Filley

the holder of said permit, duly made proof of the application to beneficial use of 15/50 of 1 cubic foot per second of said water.

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Frank Filley

of Mountain Home, County of Elmore, State of Idaho, the holder and owner of said Permit No. 6589, a perpetual right, dating from August 10, 1910 to the use of 15/50 of one cubic foot per second of the waters of Springs

in the County of Elmore and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at two points in the SW $\frac{1}{4}$ Sec. 24, T. 2 S. R. 7 E. S. 1.,

and conducted to and upon 15 acres divided as follows: 5 acres in the SW $\frac{1}{4}$ Sec. 24, T. 2 S. R. 7 E. S. 1., 5 acres in the NW $\frac{1}{4}$ Sec. 24, and 5 acres in the NE $\frac{1}{4}$ or SE $\frac{1}{4}$ Sec. 23, T. 2 S. R. 7 E. S. 1.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 31st day of December, A. D. nineteen hundred and thirteen.

F. P. KING,

(Seal)

State Engineer

61 2023



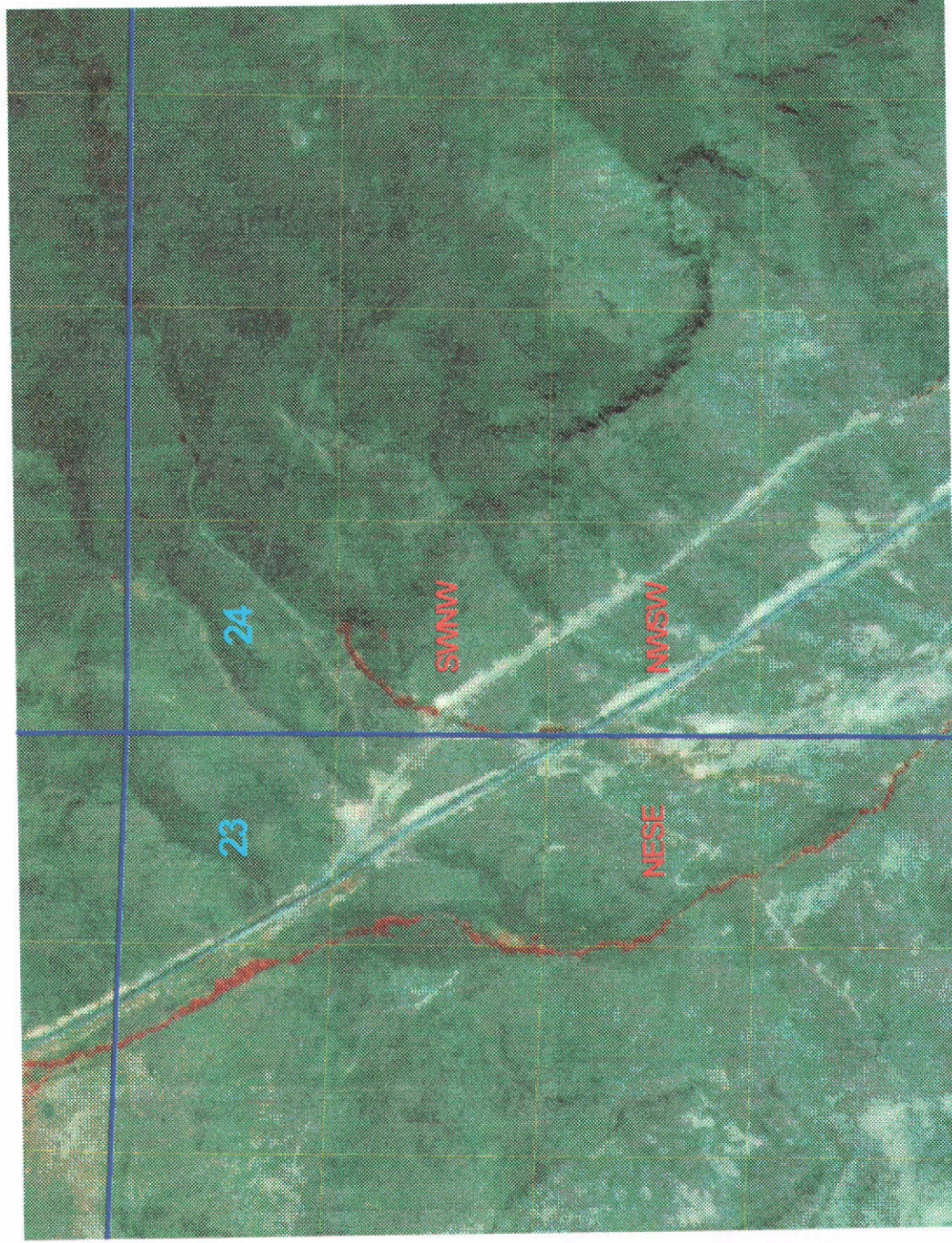
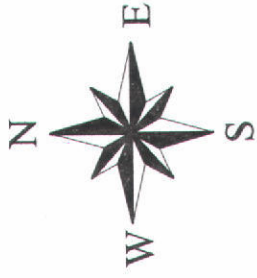
#5
Looking South
at part of area
previously irrigated.



#6.
Looking South
at part of area
previously irrigated.

IDAHO DEPARTMENT OF WATER RESOURCES

T02S, R07E, S23 & S24



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 61-02023

OWNER(S): DANIEL

Prepared by Mel Schulte

DATE: OCTOBER 29, 1998



#1
POD and spring box



#2.
Domestic Use
looking down
from spring site



#3
Looking North
toward domestic
use and spring



#4
Looking North
from Hwy 20
at part of area
previously irrigated.

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: A61-02023
Date Received: 8/ 5/1998
Receipt No: W024236
Received By: MS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KAREN DANIEL 208-388-0337
Address: 1173 W LAKE HAZEL
BOISE ID 83705

2. Date of Priority: AUG 18, 1910

3. Source: SPRING Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	07E	24	SW	NW			ELMORE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION			0.300		
DOMESTIC					

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	07E	23	NE	SE		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	5.0
		24	SW	NW		IRR	5.0
			SW	NW		DOMEST	
			NW	SW		IRR	5.0
						Section Acres	10.0
						Total Acres	15.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 6589

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A61-02023
Date Received 8-5-98 -MS.
Receipt Number W024236.

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) KAREN Daniel Phone 208 388-0337

Mailing Address 1173 W Lake Hazel, Boise Zip 83705

2. Date of Priority (Only one (1) per claim) August 18, 1910

3. Source of water supply (a) Spring
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 02S Range 07E Section 24,
SW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot 39 B.M., County of (39)E 1 MORE

Additional points of diversion if any: (two points)

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. From Springs to ditches

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.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from Jan 1 to Dec 1 amount 0.04 or _____

For Irrigation purposes from 3-15 to 11-15 amount .30 or _____

For ~~Stock~~ Storage purposes from 11-16 to 3-14 amount _____ or _____

For _____ purposes from _____ to _____ amount .30 or _____

7. Total quantity claimed (a) .30 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) one home.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>2S</u>	<u>7E</u>	<u>23</u>													<u>5</u>				<u>5</u>
		<u>24</u>						<u>5</u>	<u>5/10</u>			<u>5</u>							<u>10</u>

Total number of acres irrigated 15

11. In which county (ies) are lands listed above as place of use located? Elmore

12. Do you own the property listed above as place of use? Yes X 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.
Frank Filley Sept. 10, 1912 permit No. 6589 Dated from Aug 18, 1910 or None ()

14. Remarks: New Owners of property as of Aug. 1998.

Last Name Daniel 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.

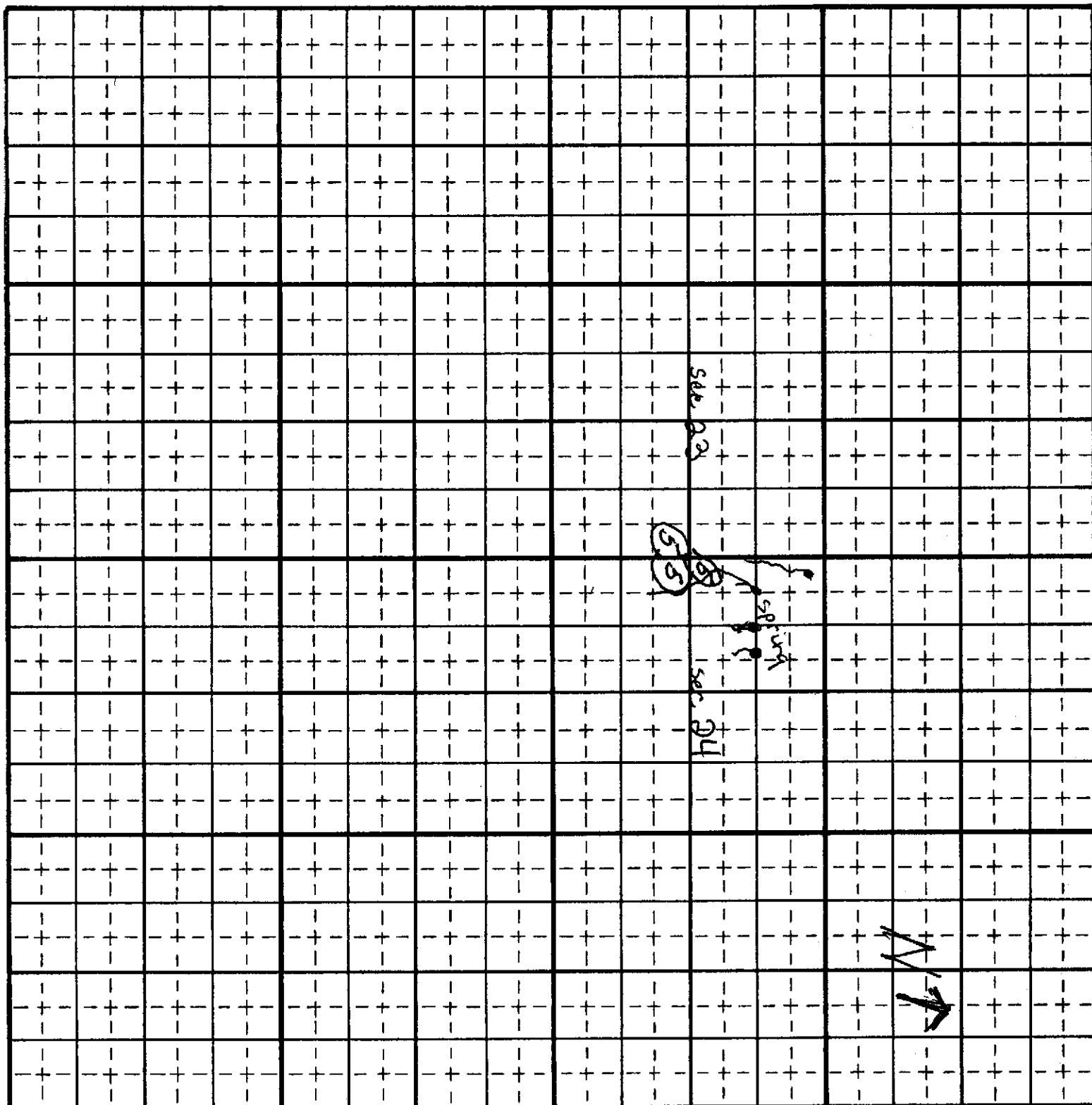
If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water 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.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Daniel Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 61-02023
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Karen Daniel Date 8-5-98

Date _____

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

Signature of Authorized Agent R
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 5th day of August 19 98

SEAL

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

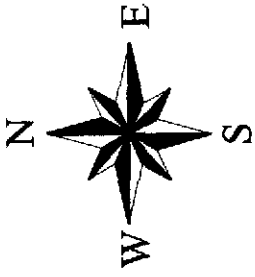
Date _____

Last Name Daniel Ident. Number _____

Copies White-State, Yellow-Claimant

IDAHO DEPARTMENT OF WATER RESOURCES

T02S, R07E, S23 & S24



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

1/4 1/4 LINES

□ SECTION LINES

6 ACRES

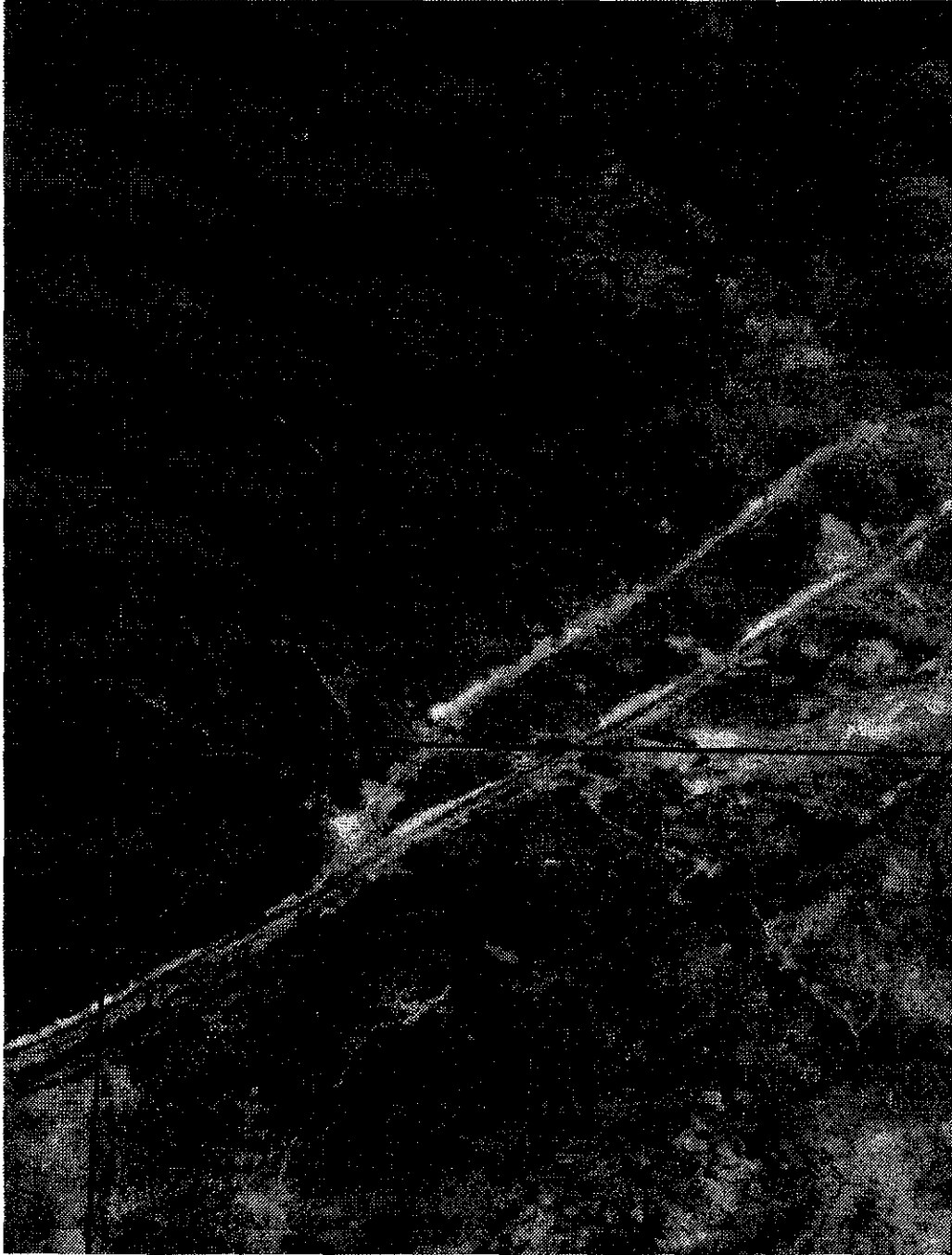
6 SECTION NUMBERS

CLAIM(S): 61-02023

OWNER(S): DANIEL

Prepared by Mel Schulte

DATE: OCTOBER 29, 1998



0 0.25 0.5 0.75 1 Miles

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A61-02023

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KAREN DANIEL	08/18/1910	IRRIGATION	00-00-00-00	0.30 cfs	1.2
			DOMESTIC	00-00-00-00		
				TOTAL DIVERSION: 1.2 / 1.2-31		
					0.30 cfs	1.2

Water Source:	SPRING	Tributary to:		Stage:	LICENSE
Point(s) of Diversion:	T02S R07E S24	SNW	(3)		ELMORE County

Point(s) of Diversion:	T02S R07E S24	SUNW	(2)												ELMORE County			
Place of use	Legal Description for:	NE	IRRIGATION				NW	SW				SE				SUM		
			NENE	NUNE	SUNE	SENE		NENW	NUNW	SUNW	SENW	NESE	NUSE	SUSE	SESE			
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
02S-07E-23																		5-0
02S-07E-24																		16-0
																		15-0
																	TOTAL ACRES	

Place of use Legal Description for: DOMESTIC											
NE				NW				SW		SE	
NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
02S	07E	24	:	:	:	:	:	:	:	:	:
			:	:	:	:	:	:	:	:	:
POU County: ELMORE											

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

11:05:00
10/29/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 14
QUICKLOOK INFORMATION

14
CLAIM NUMBER: A61-02023

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MS 10-7-98	N		MS 10-29-98	MS 10-29-98	
POINT OF DIV				N				
SOURCE				N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE	.			NA				
PURPOSES OF USE				Y				
PERIOD OF USE				Y				
BASIS OF CLAIM				N				
REMARKS				Y				

BARCODE UPDATED
WHOM/DATE

MS 10-29-98

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1974</u> IDWR ID NO. <u>214</u>	Y() N()
☒ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. <u>214</u>	Y() N()
☒ ~~MAP~~ <i>GTS map</i>	DATE OF PHOTO <u>10-29-98</u> IDWR ID NO. _____	Y() N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☒ LICENSING FIELD EXAM	DATE OF FIELD EXAM <u>12-11-1913</u>	<u>2</u>	
☒ WATER RIGHT LICENSE	DATE LICENSE SIGNED <u>12-31-1913</u>	<u>1</u>	
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☐ SYSTEM DESCRIPTION	DATE DRAWN _____		
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>10-7-98</u>	<u>3</u>	
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
☐ OTHER _____	DATE _____		
☐ OTHER _____	DATE _____		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:05:00
10/29/98

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A61-02023

LAST: DANIEL
ADDRESS: 1173 W LAKE HAZEL
CITY: BOISE
PHONE NUMBER: 208-388-0337
FIRST: KAREN
STATE: ID
ZIP: 83705

OWNER CODE: C

FIELD EXAM REQUIRED? FIELD EXAMINER

DATABASE
N

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Karen Daniel PHONE NUMBER: () - -

DATE OF FIELD EXAM: 10/17/98 APPOINTMENT MADE: Y() N() A() P()

ACCOMPANIED BY: PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

From the intersection of I-84 and Hwy 20 proceed NE
about ten miles to property. Sprung and Sprung
are about 4 miles above Hwy 20 next to a
natural channel covered with trees & brush.

A. AJ CLAIM: # A61-02023 PRIORITY DATE: 08-18-1910 STAGE: L

B. WR RECORD: # 61-02023 PRIORITY DATE: 08-18-1910 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS? Y() N()

PROOF OF BENEFICIAL USE SUBMITTED N/A() Y() N()

FIELD EXAM COMPLETED N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE N/A() Y() N()

LICENSE ISSUED N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A() Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()

NOTES: * A field exam inspection on 10-7-1998 revealed it has been many years since any water has been used for irrigation. No evidence of a delivery system could be found to the area previously irrigated. The only irrigation noticeable was from naturally sub-surface along a natural channel below the spring. There was evidence a domestic use has been resumed and the spring collection box had recently been upgraded and repaired.

RECOMMENDED PRIORITY DATE: 08-18-1910

REVIEWED BY: [Signature] DATE: 10-29-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A61-02023	02S	07E	24	SW	NW				ELMORE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SPRING

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
61-02023	02S	07E	24	SW	NW				ELMORE		

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX
NONE NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
R PREFIX

SOURCE: SPRING

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM 10-7-98) NAME OF EXAMINER M. Schultz Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: A new concrete block spring box had recently been installed (see photos)

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()									
TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME
02S	07E	24	SW	NW				ELMORE	2 springs

SOURCE: SPRING

TRIB:

REVIEWED BY: Michael Schultz DATE: 10-29-98

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A61-02023											
B. POU LISTING											
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02S	07E	23	NE	SE		DANIEL, KAREN	A61-02023 / 5.0	61-02023 / 5.0			0
02S	07E	24	SW	NW		DANIEL, KAREN	A61-02023 / 5.0	61-02023 / 5.0			0
02S	07E	24	SW	NW		DANIEL, KAREN	A61-02023 / 5.0	61-02023 / 5.0			0
02S	07E	24	NW	SW		DANIEL, KAREN	A61-02023 / 5.0	61-02023 / 5.0			0
ADDITIONAL POU FOUND											

TOTAL ACRES A61-02023 15.00 20.00
POU COUNTY: ELMORE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?
* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET () Y() N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE
NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE
NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?
* IF YES, COMPLETE OVERLAP REVIEW:
OTHER RIGHTS LISTED IN CLAIM: Y() N()

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?
* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE. N/A() Y() N()
F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()

G. SHOULD THE CLAIMED POB BE VERIFIED BY FIELD EXAM? Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

CHECK DOCUMENTS USED TO VERIFY POB: () ORTHOPHOTOQUAD, IDNR NO. 214 ; () TOPOGRAPHIC QUAD, IDNR NO. ;

() ~~MAP~~, IDNR NO. 10-7-98 ; () ASCS PHOTO; () OTHER

1987 photo

NOTES:

The 1974 Orthophoto quad map, 1987 GTS map and 1998 field inspection indicate there has not been a beneficial use application of water for irrigation for many years and no current beneficial use for irrigation for this claim.

RECOMMENDATIONS:

TOTAL ACRES: N/A()

REVIEWED BY: Michael Schultz DATE: 10-29-98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A61-02023 IRRIGATION	FROM TO	0.300 CFS	
A61-02023 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		0.300 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
61-02023 IRRIGATION	FROM TO	0.300 CFS	
61-02023 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		0.300 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

NOTES: No period of Use specified in license. - Current
Standard = 11-1 to 112-81 for Domestic - No
DR or AF specified in license for Domestic -
Current Standard = .04 cfs and 1.2 AF

AJ CLAIM TOTAL DIVERSION RATE: 0.300 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.300 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A () Y () N ()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A () Y () N ()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y () N ()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. *See page 6.*

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y () N ()

FLOW MEASUREMENT

MEASUREMENT METHOD *None*, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES *NA* x 0.02 CFS/ACRE = CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y () N ()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y () N ()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

1b. CALCULATIONS

NOTES:

WR RECORD CONDITIONS/REMARKS:

10

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION DOMESTIC		DATABASE EXAMINER 0-300 104	DATABASE EXAMINER 12 AF	DATABASE EXAMINER 0.0 0.0
TOTAL FOR THIS RIGHT		0-300 104	1.2	0.0

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____

DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

~~EXP~~ GEN. POS.
POD - F02

EXPLANATORY CONDITIONS (CODE):

N11 & N13

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED ()
NEEDS
REVIEW ()
()
()
()

B. SPLIT WATER RIGHT REVIEW

NA

ROOT WATER RIGHT NUMBER: 61-02023

TOTAL DIVERSION RATE OF WR SPLITS
DATABASE 0.300 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
61-02023	A61-02023	0.300	-		61-02023	0.300
TOTAL CFS		0.300				0.300

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE Y
FIELD
EXAMINER Y() N()

NOTES:

AUTHENTICATION:

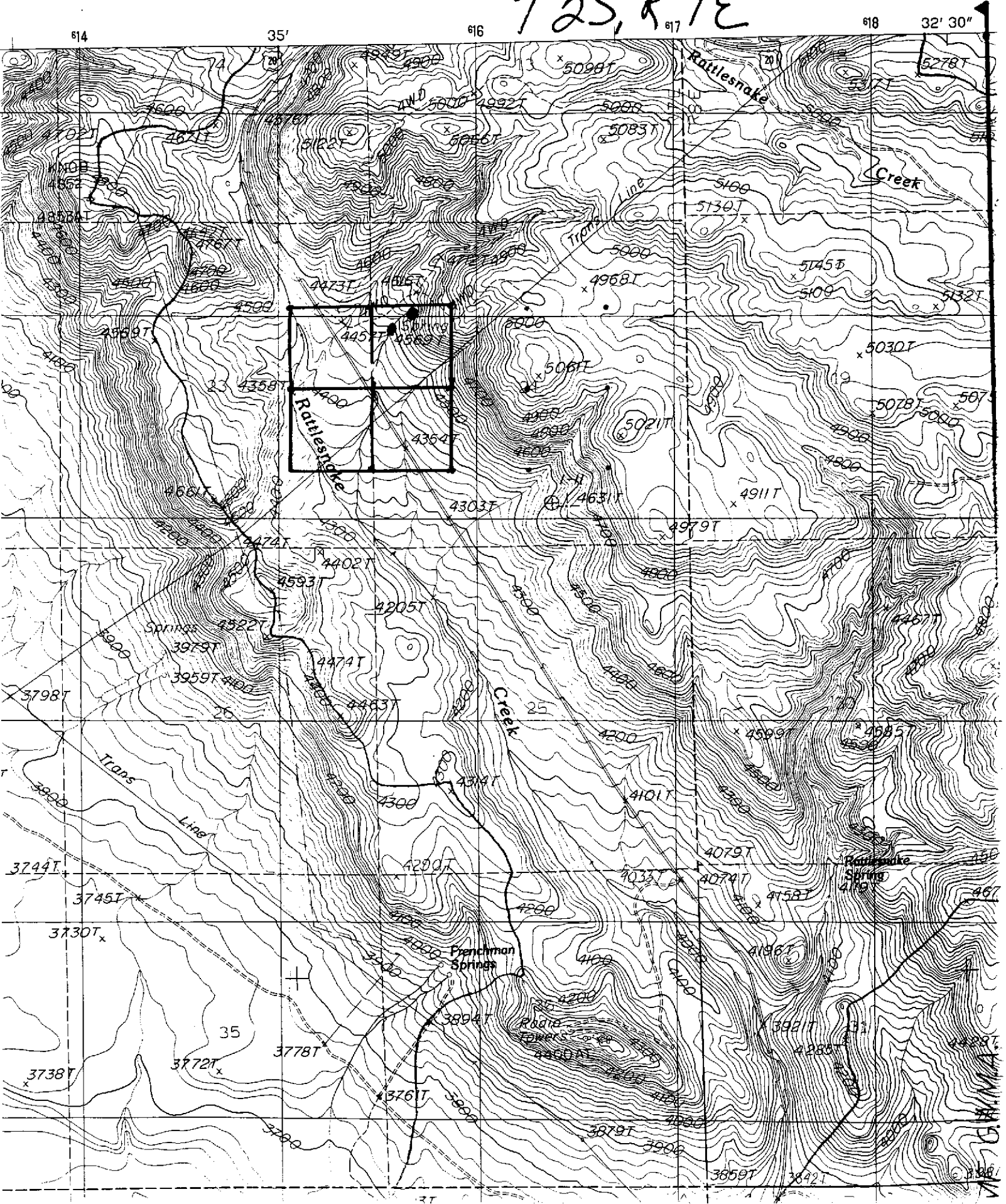
SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

T25, R7E





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 20, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KAREN DANIEL
1173 W LAKE HAZEL
BOISE ID 83705

RE: A61-02023

Dear Ms. Daniel:

On October 7, 1998 I inspected the site for the above referenced claim you filed in the Snake River Basin Adjudication (SRBA). The purpose was to determine if there appeared to be any continued use of the springs for irrigation and domestic uses.

At the time of my visit to the property there was evidence of a domestic use in the form of a small travel trailer and indications a more permanent structure would soon be in place. Therefore, I can recommend the domestic component of license 61-02023. The domestic use will include up to one/half acre of irrigation associated with one home.

I found nothing to indicate there has been any irrigation water diverted and used from the springs for a long time. I found no evidence of any irrigation ditches nor fields that appeared to have been irrigated. Therefore, because no beneficial use was found for the irrigation component of the license, it is my intention to disallow that part of SRBA claim A61-02023.

Please call me at the number below if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Mel Schulte".

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

County, Elmore
Stream, Springs
Amount, 15/60 of 1 cco. ft.
Use, Irrigation
Priority, Aug. 18, 1910

STATE OF IDAHO

Water License No. 6589

WHEREAS, On the 18th day of July, A. D. 1910

Frank Filley

of Mountain Home, County of Elmore, State of Idaho, duly made appl. on (No. 9252) to me for a permit to use 3.2 cubic feet per second of the waters of springs

County of Elmore, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 10th day of September, A. D. 1910 Permit No. 6589 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 10th day of September, A. D. 1912, and for the application to beneficial use of said water on or before the 10th day of September, A. D. 1912, and,

WHEREAS, On the 10th day of September, A. D. 1912

Frank Filley

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 6589 dated September 14, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.2 cubic feet per second of said water, with date of priority of July 18, 1910, and

WHEREAS, On the 10th day of October, A. D. 1912

Frank Filley

the holder of said permit, duly made proof of the application to beneficial use of 15/60 of 1 cubic feet per second of said water,

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Frank Filley

of Mountain Home, County of Elmore, State of Idaho, the holder and owner of said Permit No. 6589, a perpetual right, dating from August 18, 1910 to the use of 15/60 of one cubic foot per second of the waters of springs

in the County of Elmore and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at two points in the SW 1/4 Sec. 24, T. 2 S. R. 7 E. S. 11.

and conducted to and upon 15 acres divided as follows: 5 acres in the SW 1/4 Sec. 24, T. 2 S. R. 7 E. S. 11, and 5 acres in the NE 1/4 of SE 1/4 Sec. 25, T. 2 S. R. 7 E. S. 11.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 31st day of December A. D. nineteen hundred and thirteen.

F. P. KING

(Seal)

State Engineer.

61 2023

REPORT OF ENGINEER

1. State name of applicant and number of permit: Frank Hilley # 65892. State source of water supply: Spring3. Location of point of diversion: Point of diversion in SW⁴ MM⁴Sec 24 T2S R7E B.M.4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes

5. Describe works as they exist, giving dimensions of same as follows:

(a) Width of conduit at bottom: 1 ft(b) Width at water line: 2 1/2 ft(c) Depth of water: 10 inches(d) Grade per mile: 1.0 feet(e) Capacity of ditch: 3 second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:

About 10 inches flowing from Springs7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: SW⁴ MM⁴ Sec 24 - 5 Acres in CultivationMM⁴ SW⁴ Sec 24 - 5 Acres " "M 2nd SW⁴ Sec 24 - No " " "NE⁴ SE⁴ Sec 23 - 5 " " "all in T2S R7E B.M.

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: _____

STATE OF IDAHO,

County of _____

RECEIVED

Subscribed and sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn _____ day of _____ 191

My Commission Expires _____ Notary Public

6589

Name of Applicant Frank Tilley Permit No 6589

[illegible]

SCALE: 2 INCHES = 1 MILE - DRAW PLAN IN INK. Printed and for sale by the Statesman Shop, Boise, Idaho.

C

A61-02023

TER RESOURCES

Z14 - 1974

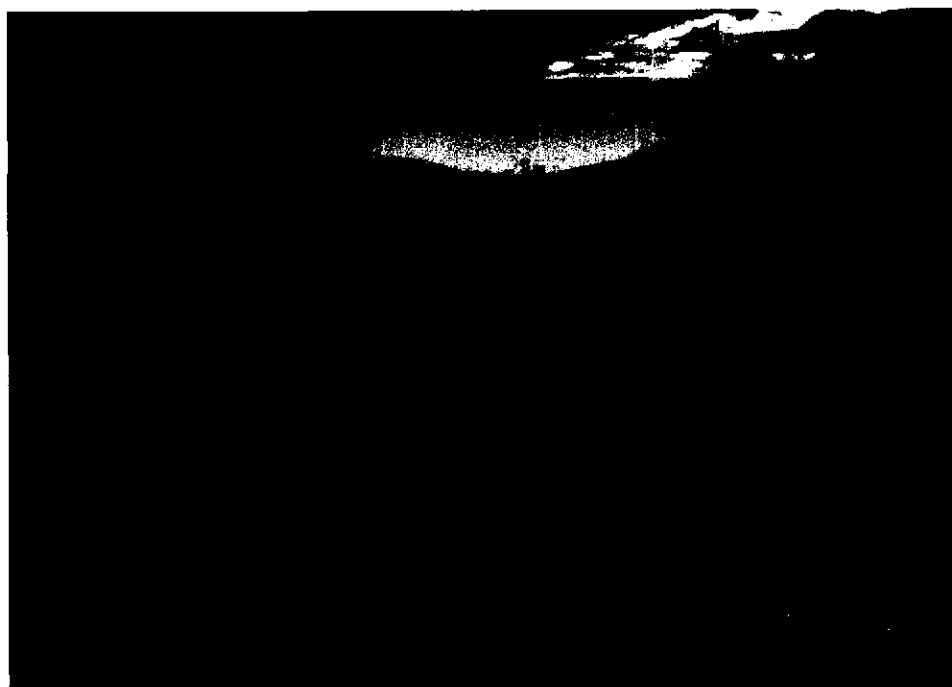
R7E R8E

E.





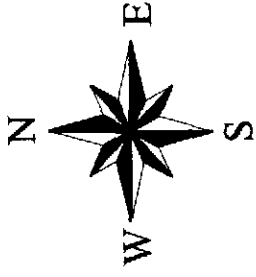
#5
Looking South
at part of area
previously irrigated.



#6.
Looking South
at part of area
previously irrigated.

IDAHO DEPARTMENT OF WATER RESOURCES

T02S, R07E, S23 & S24



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

1/4 1/4 LINES

□ SECTION LINES

6 ACRES

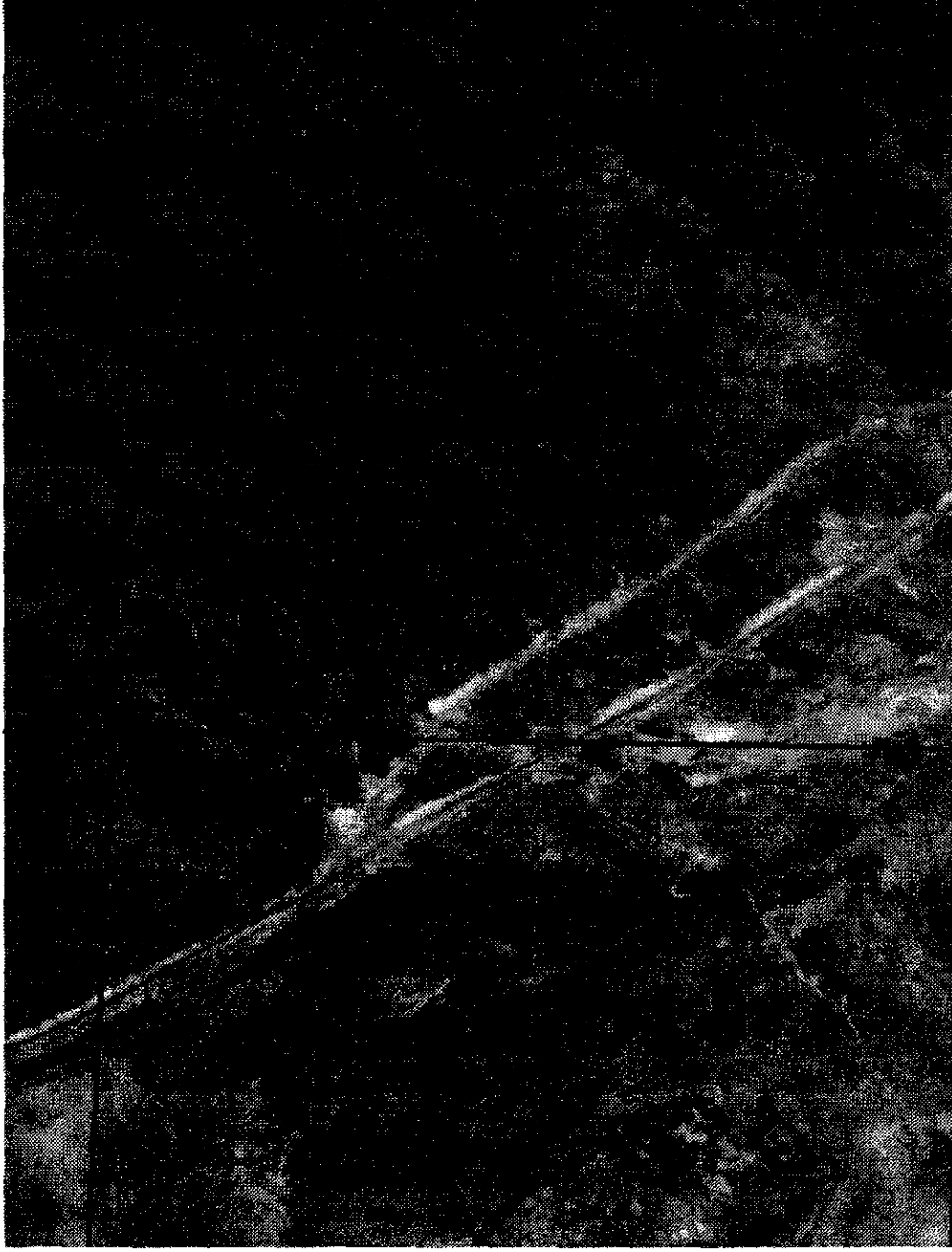
6 SECTION NUMBERS

CLAIM(S): 61-02023

OWNER(S): DANIEL

Prepared by Mel Schulte

DATE: OCTOBER 29, 1998



0 0.25 0.5 0.75 1 Miles

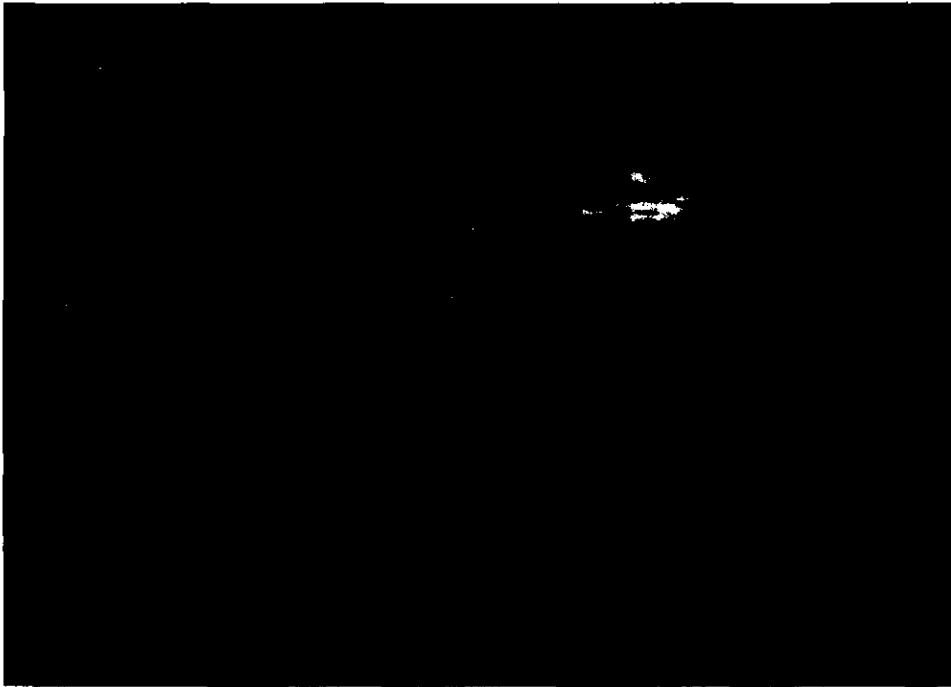
A horizontal scale bar with alternating black and white segments. It is labeled with '0' at the left end, '0.25', '0.5', '0.75', and '1 Miles' at the right end.



#1
POD and spring box



#2.
Domestic Use
looking down
from spring site



#3

Looking North
toward domestic
use and spring



#4

Looking North
from Hwy 20
at part of area
previously irrigated.