

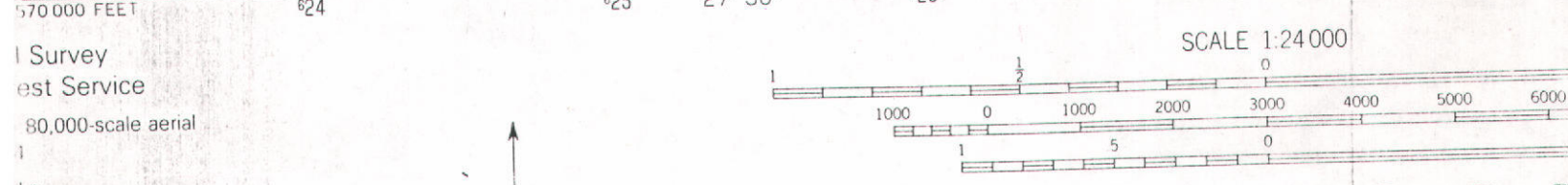
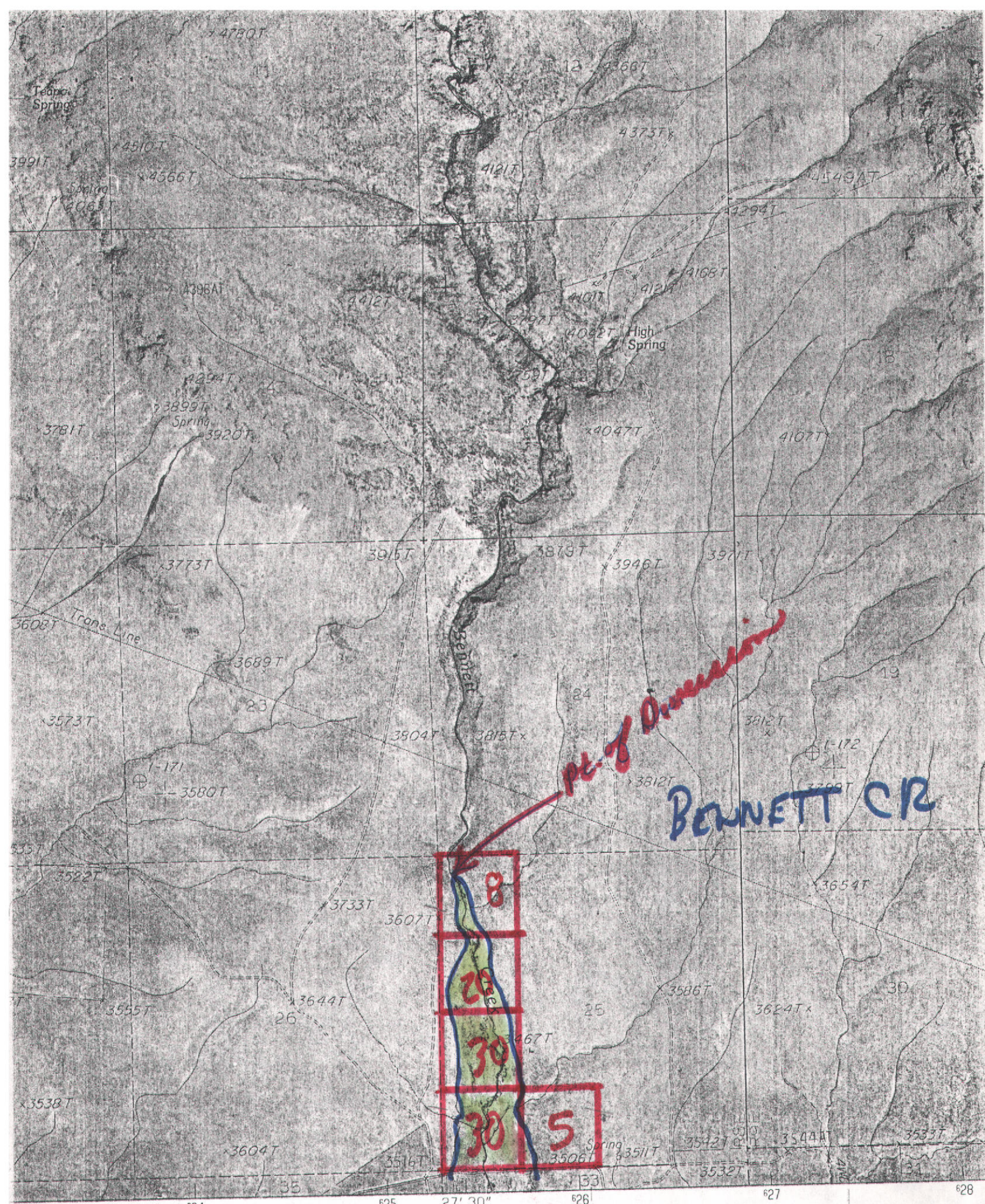




5 7'95







Copies Of These Maps Can Be O
At Bonneville Blue Print, Boise

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF

Survey
est Service
80,000-scale aerial
Mercator grid ticks,
atum
scanning
ge occur use the
point
American Datum 1983 move
orth and 75 meters east
Who
dated 1958
ween positions on land lines

This map has been prepared by the Idaho Department of Water Resources pursuant to Idaho Code §42-1410 to assist claimants in filing notices of claims and objections in the Snake River Basin Adjudication. No warranty, either express or implied, is made and no legal responsibility is assumed by IDWR, its employees, its agents, contractors, and reproduction firms particularly Bonneville Blueprint Supply Co. Inc. or its employees for the accuracy, completeness, or usefulness of any information set forth on this map.

PICTURE #1 A61-00287 May 7, 1995. Photo's by David Owen. The following four photos were submitted as evidence of irrigation after filing the notice of error. This photo shows the SWSW field, S25. The tree is a good reference point for the location. See photo # 11 by RDH. View is to South.



PICTURE #2: Second view of same area, but more toward the North. View is to South, same as above photo.

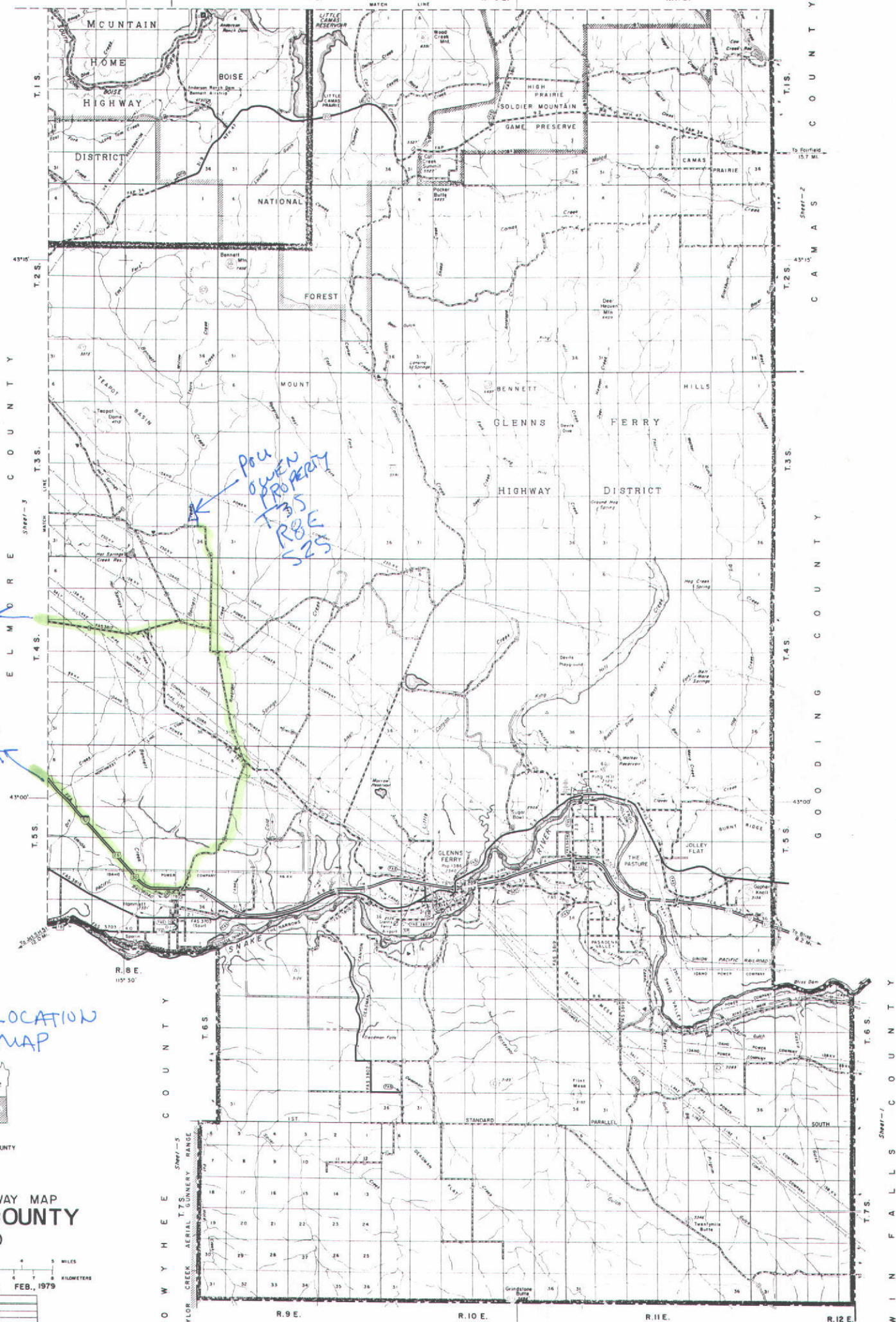


PICTURE #3 A61-00287 May 7, 1995. Photo's by David Owen. The following four photos were submitted as evidence of irrigation after filing the notice of error. This photo shows the SWSW field, S25 and some of the SWNW field. The tree is again a good reference point for the location photos 1 & 2.



PICTURE #4: Point of diversion. April 1, 1995 photo. See reference photos #1 & 2 by RDH.





LOCATION MAP

GENERAL HIGHWAY MAP
LMORE COUNTY
IDAHO

REVISIONS	
STATE HIGHWAY SYSTEM	
FEDERAL-AID SYSTEM	
LOCAL ROADS SYSTEM	
CITY AND/OR URBAN BOUNDARY	
OTHER	

IDWR T03S, R08E

Claim(s) : 61-00287
Owner(s) : Owen, Skip
Date: 19 Jan 99
Prepared by:
Ron Howerton
Total Acres = 54.8

 POU **ACRES**

 POD

 SECTION LINES

 **1/4 1/4**



1987 NAPP





NW/NW

SW/NW

Field A = 34.5 Acres

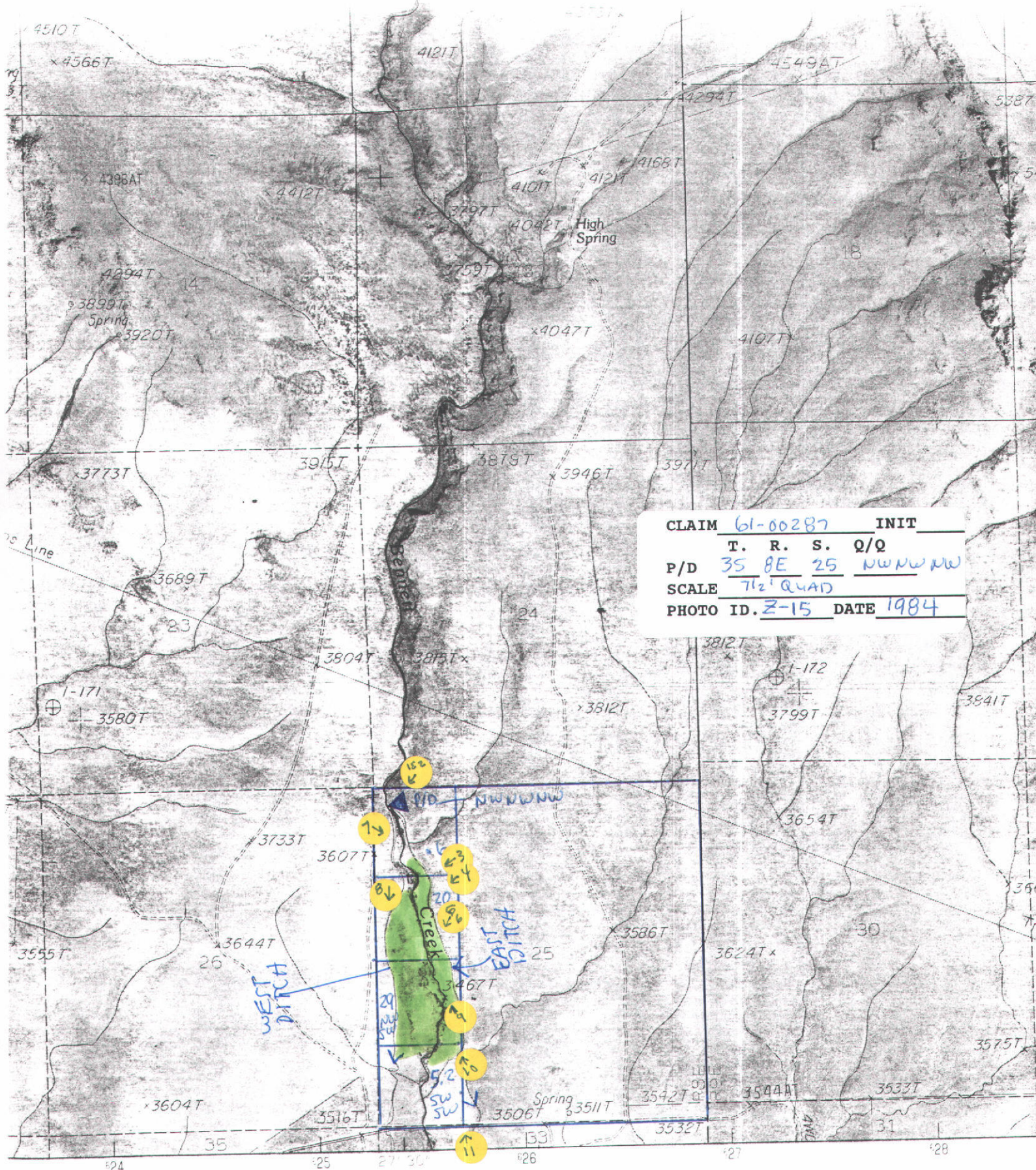
A

Field B = 20.3 Acres

B

NW/SW

SW/SW



FX 9/12/94

↑ = photo locations

NORTH ↑

SCALE 1:24,000



Copies Of These Maps Can Be Obtain
At Bonneville Blue Print, Boise Idaho



NW1/4

SW1/4

Field A = 34.5 Acres

A

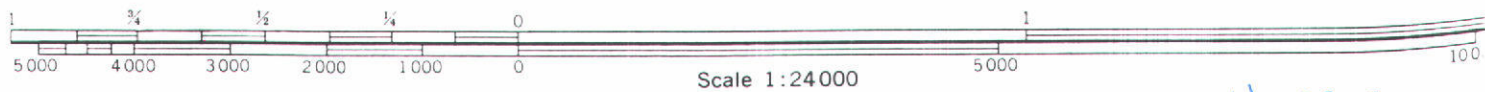
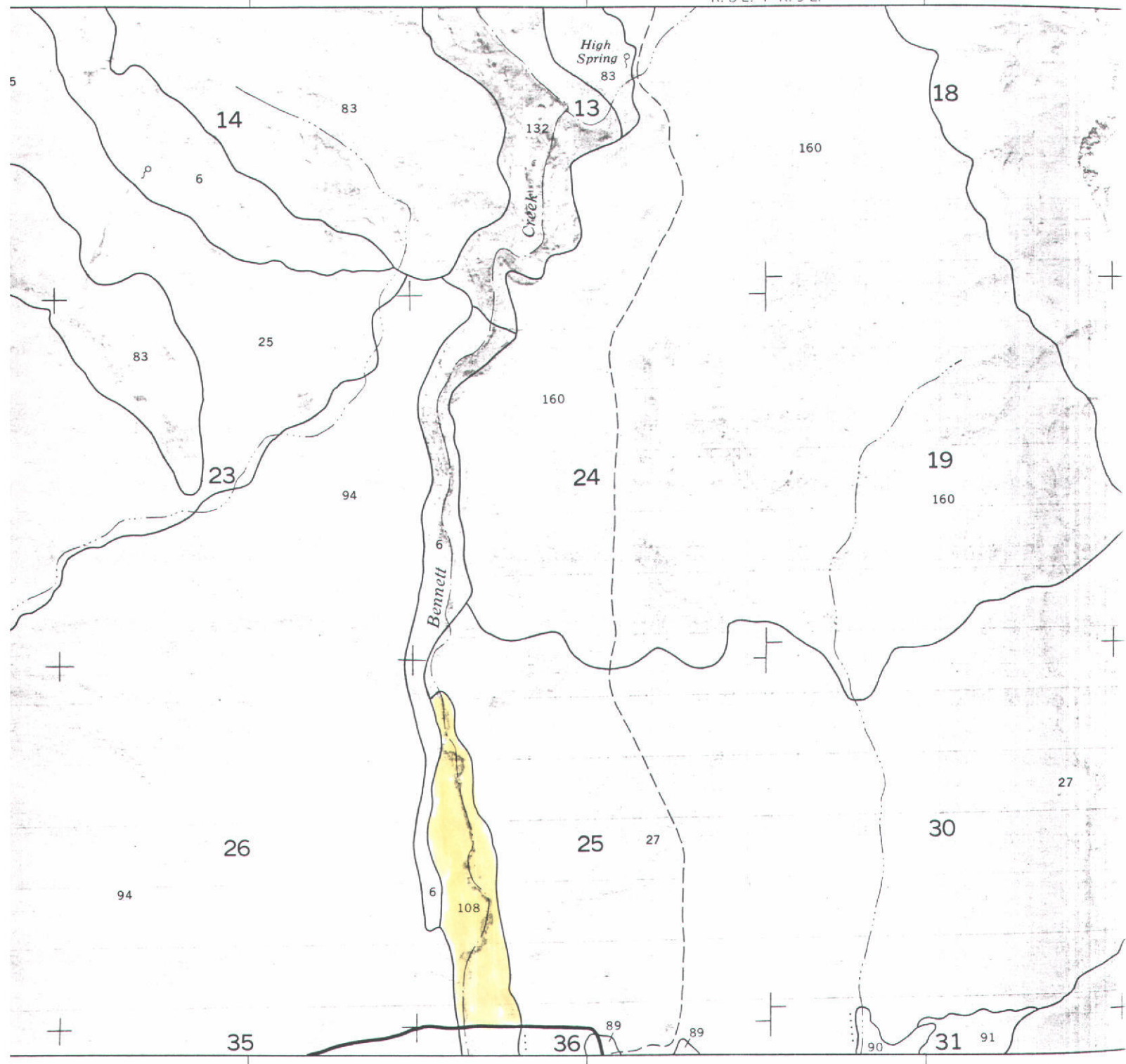
Field B = 20.3 Acres

B

NW1/4

SW1/4

R. 8 E. | R. 9 E.



HUBBLE
2 of 11

PICTURE #1:

FX 09/12/94. Photo's by RDH. Bennett Creek P/D, NWNWNW, S25, T3S, R8E. East Ditch.



PICTURE #2

Same P/D as above showing West Ditch.



PICTURE #3:

FX 09/12/94. Photo's by RDH. Cement diversion box from East ditch in the NWNW, S25. This is the main take out for the field on the Eastside of Bennett Creek. View is to the North looking back at the P/D for Bennett Creek.



PICTURE #4

This is the beginning area of the East field, to the South of the cement diversion box.



PICTURE #5:

FX 09/12/94. Photo's by RDH. Cattle have ate most of the wild pasture, looks like it hadn't been irrigated this season. View is to the South on East ditch side in the SWNW, S25.



PICTURE #6

Feeder ditch from the Cement diversion box shown in picture # 3.



PICTURE #7:

FX 09/12/94. Photo's by RDH. This is the ditch to the West field, from Bennett Creek. Photo located in the NWNW, S25.



PICTURE #8

This is the beginning of the West field located in the SWNW, S25. View is to the South.



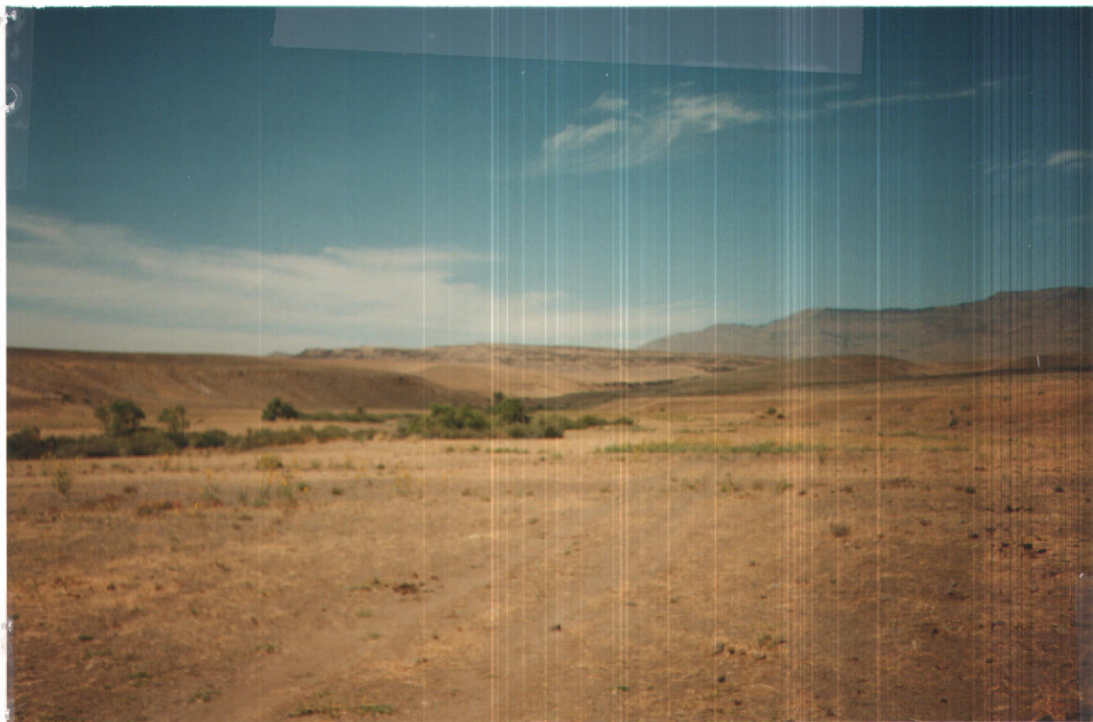
PICTURE #9:

FX 09/12/94. Photo's by RDH. More place of use on the East field. Located in the NWSW, S25. View is to the North.



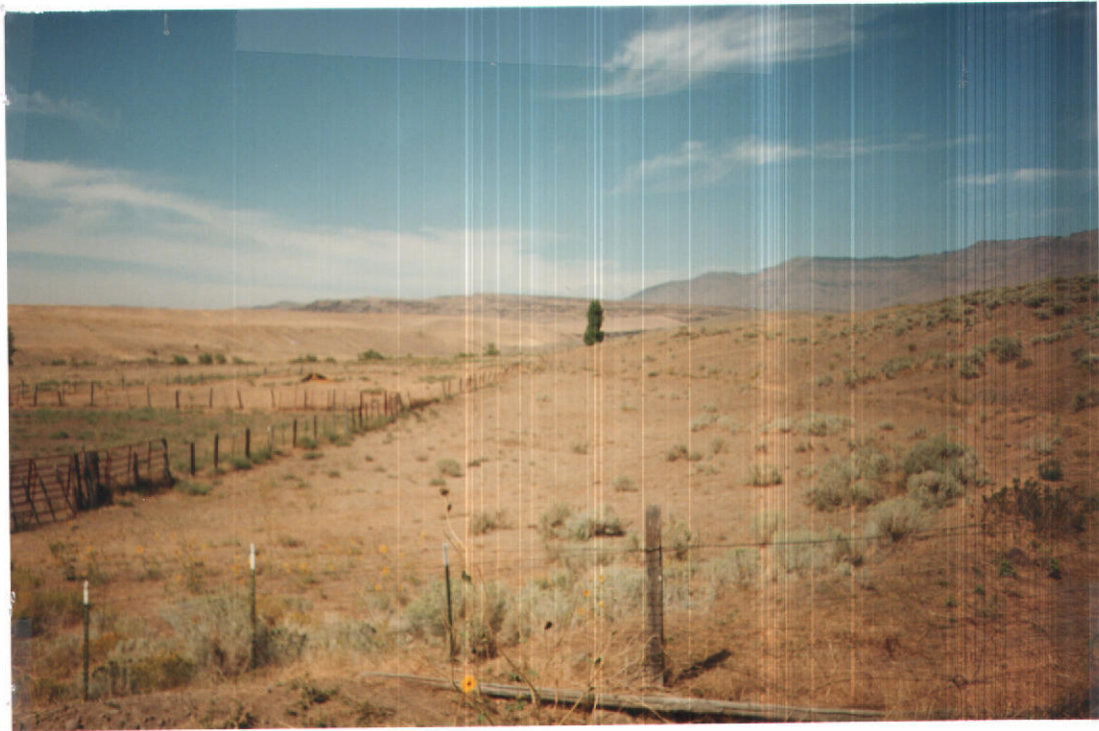
PICTURE #10

More of the East field located in the SWSW & NWSW of S25. View is to the North.



PICTURE #11:

FX 09/12/94. Photo's by RDH. Photo location is of the SWSW, S25. View is to the North. Shows edge of corrals on left side of photo. Beginning of the East field is beyond Tree in background. The East ditch is shown on the right hand side of photo.



PICTURE #1

A61-00287: FX 3-20-96. Photo's by RDH. More follow up-photos. This is the upstream X-section on the East ditch near county road, manning equation measurement made here.



PICTURE #2

This is the downstream X-section on the East ditch near county road.













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 A61-00287Date Received 6 DEC 89 RHReceipt Number W006854CK# 1736 918.00

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) % Jake Stephens Stephens & Sons Inc Phone (208) 366-2264Mailing Address 22710 S. Lansing Middleton Idh Zip 836442. Date of Priority (Only one (1) per claim) 10-1-18873. Source of water supply (a) Bennett creek
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 3S Range 8E Section 25,
1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of Elmore

Additional points of diversion if any: _____

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, 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.

Diversion dam with right and
left ditches running north & south. Dimension of Diversion
dam is 26 ft across by 4 ft deep using bords as headgater

MICROFILMED

1991 11 1992

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 irrigation purposes from 4-1 to 11-1 amount 1.5 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.5 (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.) instead stock water

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>37</u>	<u>8E</u>	<u>25</u>					<u>8</u>	<u>20</u>			<u>30</u>	<u>30</u>	<u>5</u>						<u>93</u>

Total number of acres irrigated 93

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. _____ or None (X)

14. Remarks:

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.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number A61-00287
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 X 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) E Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Sec.

Title

of Stephens, Sons Organization _____, that I have signed the foregoing

document in the space below as Sec. Title _____ of Stephens, Sons Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Emelyn Stephens

Title and Organization Sec.

Date Dec 6-1989

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

Subscribed and sworn (or affirmed) before me this 6th day of DEC 19 89

SEAL

Notary Public Ron Hawerton

Residing at _____

Ron Hawerton

My Commission Expires _____

Residing at Boise, Idaho

My Commission Expires December 8, 1994

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 _____

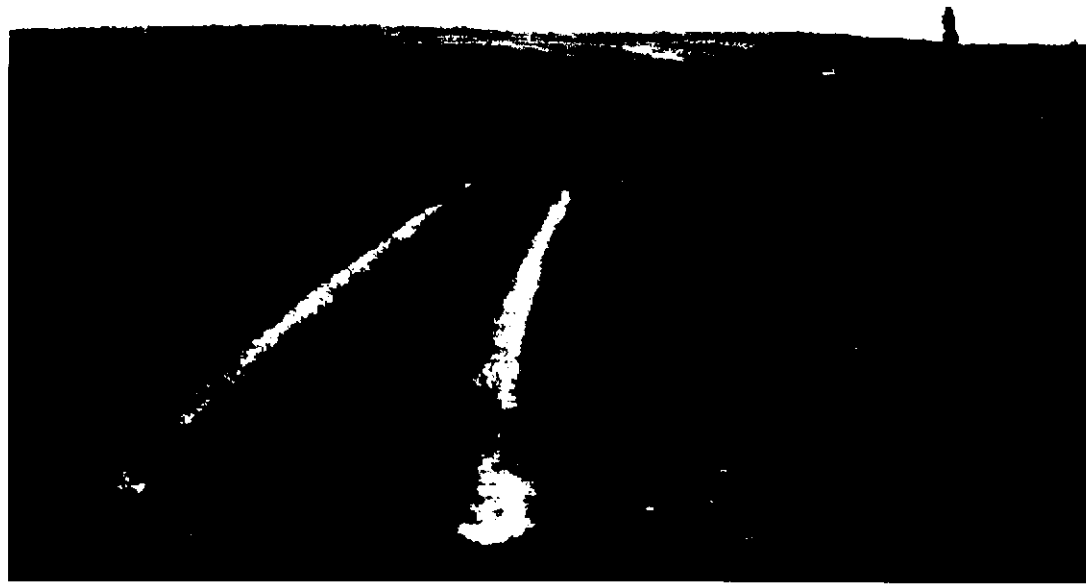
Date _____

Last Name _____ Ident. Number _____

UNRECORDED
Copies White-State, Yellow-Claimant
200 11 1802









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: A61-00287
Date Received: 12/07/1989
Receipt No: W006854
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEPHENS & SONS, INC. 208-366-2364
Address: C/O JAKE STEPHENS
22710 S. LANSING
MIDDLETON, ID 83644

2. Date of Priority: OCT 01, 1887

3. Source: BENNETT CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	08E	25	NW	NW			ELMORE

5. Description of diverting works:
20' X 4' DAM W/DITCHES RUNNING NORTH & SOUTH, BOARDS AS HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	08E	25	NW	NW		IRR	8.0
			SW	NW		IRR	20.0
			NW	SW		IRR	30.0

A61-00287

Page 1

Date: 04/30/90

RECORDED
AUG 11 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	08E	25	SW	SW		IRR	30.0
			SE	SW		IRR	5.0
Section Acres							93.0
Total Acres							93.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:
COULD BE AN ERROR IN P/U LEGAL DESCRIPTION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ADIN M. HALL

Decree Plaintiff

vs

WILLIAM H. BLACKMAN ET. AL.

Decree 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/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)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RIGHTS FROM: SOURCE: BENNETT CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 61-00287
NAME & ADDRESS: DAVID E OWEN
DARLENE S OWEN
RR 1 BOX 457
GLENN'S FERRY ID 836
SOURCE: BENNETT CREEK
QUANTITY: 1.37 CFS
PRIORITY DATE: 10/01/1887
POINT OF DIVERSION: T03S R08E S25
PURPOSE AND PERIOD OF USE: PURPOSE OF USE
IRRIGATION
PLACE OF USE: IRRIGATION
T04S R08E S13
54.8 ACRES TOTAL
OTHER PROVISIONS NECESSARY FOR DEFINITION
THIS RIGHT INCLD
ORDER OF IDWR. THE
ONE (1) YEAR OF THE
THE CHANGE.
EXPLANATORY MATERIAL: BASIS OF CLAIM - DE

Note →

Address change completed
12.17.99. POU should
have been changed also, per
approved X-Per. Correction
NCAP submitted (per X-Per)
to fix POU, on 2.1.2000,
but address should not
have been changed to match
X-Per. X-Per approved 10/99,
address changed 12/99...
Final correction NCAP
sent out 2.14.2000.

FS
NWSE 13.7

PS 2/14/00

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-15-2000
PAGE: A-1

RIGHTS FROM:	SOURCE: BENNETT CREEK	TRIBUTARY: SNAKE RIVER		

RIGHT NUMBER:	61-00287			
NAME & ADDRESS:	DAVID E OWEN DARLENE S OWEN RR 1 BOX 457 GLENNS FERRY ID 83623			
SOURCE:	BENNETT CREEK	TRIBUTARY: SNAKE RIVER		
QUANTITY:	1.37 CFS			
PRIORITY DATE:	10/01/1887			
POINT OF DIVERSION:	T03S R08E S25	NWNWNW	Within ELMORE County	
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE 03-15 11-15	QUANTITY 1.37 CFS	
PLACE OF USE:	IRRIGATION T04S R08E S13 54.8 ACRES TOTAL	Within ELMORE County SWNE 13.7	SENE 13.7	NENE 13.7 NWSE 13.7

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

THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

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	)	NOTICE OF COMPLETED
Case No. 39576	)	ADMINISTRATIVE PROCEEDINGS
	)	
	)	Water Right 61-00287

IDWR has completed the following Administrative Proceeding:

☒	Change of Address
☐	Substitution of Party
☒	I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: DAVID E OWEN
New Address: RR 1 BOX 457
GLENN'S FERRY ID 83623
Phone: (208) 599-2287

Claimant's Water Rights: 61-00287

The Claimant has filed Objections or Responses to the following water rights:

I.C. 42-422 TRANSFERS

An Administrative Proceeding pursuant to I.C. 42-222 has been completed for water right 61-00287 and all appeal times have run.

The following changes have been made to the water right:

☐	Point of Diversion	☒	Place of Use
☐	Period of Use	☐	Nature of Use

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
2/15/2000

61-00287

PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: February 15, 2000



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 15, 2000 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

DAVID E OWEN
DARLENE S OWEN
RR 1 BOX 457
GLENNS FERRY ID 83623
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Dennis Buffington
Signature of person or attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-2-2000
PAGE: A-1

RIGHTS FROM: SOURCE: BENNETT CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 61-00287
NAME & ADDRESS: DAVID E OWEN
DARLENE S OWEN
~~PO BOX 864~~ RR. 1 Box 457 per 12.17.99 NCAP
GLENNS FERRY ID 83623
SOURCE: BENNETT CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 1.37 CFS
PRIORITY DATE: 10/01/1887
POINT OF DIVERSION: T03S R08E S25 NWNWNW Within ELMORE County
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 03-15 11-15 1.37 CFS
PLACE OF USE: IRRIGATION Within ELMORE County
T04S R08E S13 SWNE 13.7 SENW 13.7 NESW 13.7 NWSE 13.7
54.8 ACRES TOTAL

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

THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

This NCAP is
to correct the
one sent in
on 12-17-99.

POU.

2/2/2000
ps

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) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Right 61-00287

IDWR has completed the following Administrative Proceeding:

☒ Change of Address
☐ Substitution of Party
☒ I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: DAVID E OWEN
New Address: ~~PO BOX 864~~ R21 Box 457 per NCAP - 12/17/99
GLENN'S FERRY ID 83623
Phone: (208) 599-2287

Claimant's Water Rights: 61-00287

The Claimant has filed Objections or Responses to the following water rights:

I.C. 42-222 TRANSFERS

An Administrative Proceeding pursuant to I.C. 42-222 has been completed for water right 61-00287 and all appeal times have run.

The following changes have been made to the water right:

☐ Point of Diversion ☒ Place of Use
☐ Period of Use ☐ Nature of Use

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
2/2/2000

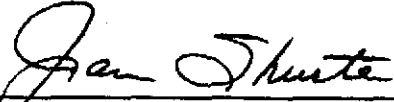
61-00287

PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: February 2, 2000



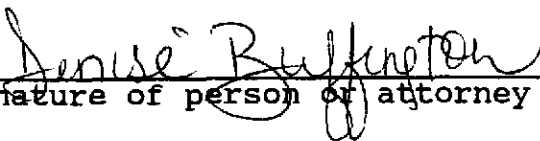
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 2, 2000 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

DAVID E OWEN
DARLENE S OWEN
~~PO BOX 864~~ RL1 Box 457
GLENN'S FERRY ID 83623
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

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	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Right 61-00287

IDWR has completed the following Administrative Proceeding:

☒	Change of Address
☐	Substitution of Party
☒	I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: DAVID E OWEN
New Address: RR 1 BOX 457
GLENN'S FERRY ID 83623-9701
Phone: (208) 599-2287

Claimant's Water Rights: 61-00287

The Claimant has filed Objections or Responses to the following water rights:

I.C. 42-222 TRANSFERS

An Administrative Proceeding pursuant to I.C. 42-222 has been completed for water right 61-00287 and all appeal times have run.

The following changes have been made to the water right:

☐	Point of Diversion	☒	Place of Use
☐	Period of Use	☐	Nature of Use

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
12/17/1999

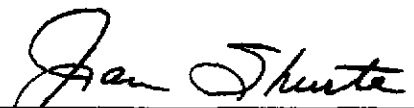
61-00287

PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: December 17, 1999



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 17, 1999 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

DAVID E OWEN
DARLENE S OWEN
RR 1 BOX 457
GLENNS FERRY ID 83623-9701
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Denise Buffington
Signature of person or attorney mailing the form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5484
WATER RIGHT NO. 61-00287

RECEIVED

OCT 14 1999

WATER RESOURCES
WESTERN REGION

This is to certify that: **DAVID E OWEN**
DARLENE S OWEN
PO BOX 864
GLENNS FERRY ID 83623

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.37 CFS	219.2 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
BENNETT CREEK	SNAKE RIVER

Priority: 10/01/1887

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 25, Township 03S, Range 08E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	08E	13	SWNE 13.7	SENE 13.7	NESW 13.7	54.8
			NWSE 13.7			54.8
Total number of acres irrigated:						54.8

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 61C.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5484
WATER RIGHT NO. 61-00287

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Dated this 12th day of October, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 61-00287

FROM: Pam Skaggs²/State Office

SUBJECT: Transfer 5484

DATE: October 5, 1999

Transfer 5484 changes the place of use under Right 61-00287. The applicant is selling this right and moving it to the new owner's land. A change of ownership form will be sent out with the approval.

The transfer is based on the SRBA recommendation of this decreed right. The diversion volume identified is according to the current standards. Recommended conditions include watermaster control, measuring device & lockable controlling works, irrigation overlap and standard transfer conditions.

(Internet)

RECEIVED

MAP COMPLETED

APR 23 1999

WATER RESOURCES
WESTERN REGION

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

5484

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant David E. and Darlene S. Owen Phone (208) 599-2287Post Office address P.O. Box 864, Glenn's Ferry, ID 83623

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes

AKA ARIC PROPERTIES
Water right is being transferred to a new owner, Charter Mtn. Ranch, Inc., who
will use water in different place of use.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
61-00287	10-1-1887	1.37	irrigation	3/15 to 11/15
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.37 cubic feet per second and/or _____ acre-feet per annum.3. Source of water Bennett Creek tributary to Snake River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	NW	NW	25	3S	8E	Elmore	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	8E	13			13.7					13.7	13.7					13.7			54.8

Total acres 54.8

PART 1

6. General Information:

a. Description of diversion system Headgate & irrigation canal

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

It will no longer be irrigated.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

pg 3 of 6
WR0749NP
No. 61-00287

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/17/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	M. L. DAVIS	10/01/1887	IRRIGATION	00/00 00/00	1.500 CFS	
C	CHARLES GEERHART					
TOTAL DIVERSION:					1.500 CFS	

Water Source: BENNETT CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Place of Use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
03S	08E	25	:					:			I		:			I	I	:						

Pou County: ELMORE

Remarks: GEN COULD BE AN ERROR IN P/U LEGAL DESCRIPTION.

Dates: App. Received: Priority Date: 10/01/1887
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 61C Field Exam Fee:

Audit: 08/26/85 05/01/88 CONVERT

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

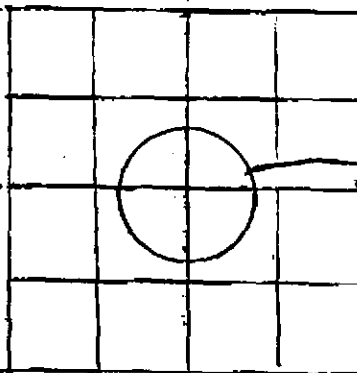
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

T4S R8E
Sec 13



R=876'

SW NE 13.7
SE NW 13.7
NE SW 13.7
NW SE 13.7

Page 6 of 6

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
1	N/A			to _____ to _____

2. Quantity and quality of return flows and location of discharge:

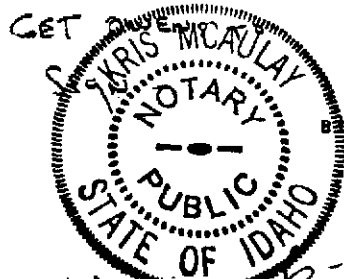
N/A

3. Describe effects on other water uses resulting from the proposed change:

NONE

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



by this 11th day of April, 19 99.

(Signature of Applicant)

Kris McAulay
(Notary Public)

My commission expires

6-23-04

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachmentsReceived by KH Date 4/23/99 Protest filed by _____Prelim. check by KH Fee 100.00Receipted by KH Date 4/23/99 10025106Published in Mtn Home News Copies of protest forwarded by _____Pub. dates 7-7-14-99 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RIGHTS FROM: SOURCE: BENNETT CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 61-00287
NAME & ADDRESS: DAVID E OWEN
DARLENE S OWEN
RR 1 BOX 457
GLENN'S FERRY ID 83623-9701
SOURCE: BENNETT CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 1.37 CFS
PRIORITY DATE: 10/01/1887
POINT OF DIVERSION: T03S R08E S25 NWNWNW Within ELMORE County
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 03-15 11-15 1.37 CFS
PLACE OF USE: IRRIGATION Within ELMORE County
T03S R08E S25 NWNW 0.6 SWNW 20 NWSW 29 SWSW 5.2
54.8 ACRES TOTAL
EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

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	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Right 61-00287

IDWR has completed the following Administrative Proceeding:

☒	Change of Address
☐	Substitution of Party
☐	I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: DAVID E OWEN
New Address: RR 1 BOX 457
GLENN'S FERRY ID 83623-9701
Phone: (208) 599-2287

Claimant's Water Rights: 61-00287

The Claimant has filed Objections or Responses to the following water rights:

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
2/23/1999

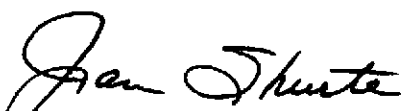
61-00287

PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: February 23, 1999



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on *February 23, 1999* I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

DAVID E OWEN
DARLENE S OWEN
RR 1 BOX 457
GLENN'S FERRY ID 83623-9701
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Denise Guffington
Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

DEC 10 1998

Department of Water Resources

December 7, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DARLENE S OWEN
DAVID E OWEN
RR 1 BOX 457
GLENNS FERRY ID 83623-9701

RE: Snake River Basin Adjudication (SRBA)
Water Right #61-00287

Dear Water Right Holders: 6/1-10201

Records changed, NCAR prepared.
12-11-98. /AS

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by December 18, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

(208) 599-2287
Telephone No.

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: **A61-00287**
Date Received: 12/ 7/1989
Receipt No: W006854
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: DAVID E OWEN 208-366-2642
Address: PO BOX 864
GLENN'S FERRY ID 83623

AND

Name: DARLENE S OWEN 208-366-2642
Address: PO BOX 864
GLENN'S FERRY ID 83623

2. Date of Priority: OCT 1, 1887

3. Source: BENNETT CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	08E	25	NW	NW			ELMORE

5. Description of diverting works:

20' X 4' DAM W/DITCHES RUNNING NORTH & SOUTH, BOARDS AS HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.500		

7. Total Quantity Appropriated is:

1.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

INSTREAM STOCKWATER

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03S	08E	25	NW		NW		IRR	8.0
			SW		NW		IRR	20.0
			NW		SW		IRR	30.0
			SW		SW		IRR	30.0
			SE		SW		IRR	5.0

Section Acres 93.0

Total Acres 93.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

COULD BE AN ERROR IN P/U LEGAL DESCRIPTION.
OWNERSHIP CHANGED BY RDH ON 3/14/96.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ADIN M. HALL
Decree Plaintiff

WILLIAM H. BLACKMAN ET. AL.
vs Decree 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/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)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUN 20 1995

Department of Water Resources

DATE OF CLOSING: 27 Mar 1995

LEGAL DESCRIPTION OF PROPERTY: Township 3 S Range 8 E
 Section 25, 1/4 of — 1/4 of — 1/4, Govt. Lot —, BM. W 1/2, W 1/2 SE 1/4
 Lot —, Block —, Subdivision/Townsite —.
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR:

A61-00287

RECEIVED

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Stephens + Sons
22710 Lansing Ln.
Middleton, Idaho

JUN 27 1995

WATER RESOURCES
WESTERN REGION

☐ New Owner/Claimant
(Purchaser):

David E. Owen

☐ New Mailing Address:

P.O. Box 864
Glenns Ferry, Idaho 83632 83623

☐ New Telephone Number:

(208) 366-2642

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

David E. OwenDate 4-19-95Waylene S. OwenDate 4-19-95

☐ Signature of Former
Owner/Claimant(s):

Billy R. Stephens
Emily Stephens

Date 3-28-95Date 3-28-95

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

RECEIVED

JUN 5 0 1982

NOTED FOR THE RECORD

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property

RECEIVED

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

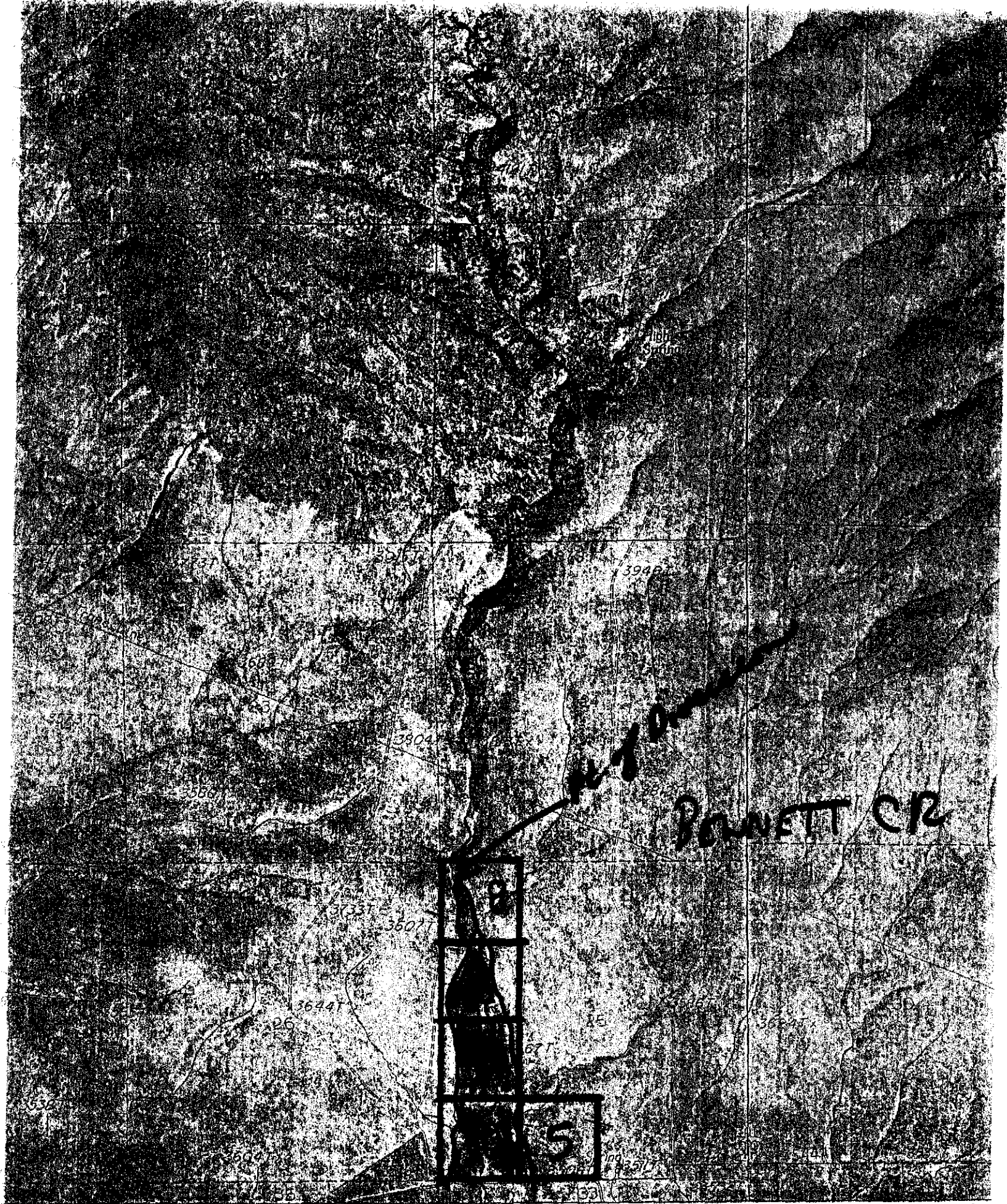
If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.



1:80,000-scale aerial
 Mercator grid ticks,
 datum
 scanning
 age occur use the
 point
 American Datum 1983 move
 north and 75 meters east
 Idaho
 dated 1958
 seven positions on land lines

SCALE 1:24 000
 1000 0 1000 2000 3000 4000 5000 6000
 1 5 0

Copies Of These Maps Can Be O
At Bonneville Blue Print, Boise I

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK, CALIF.

This map has been prepared by the Idaho Department of Water Resources pursuant to Idaho Code §42-1410 to assist claimants in filing notices of claims and objections in the Snake River Basin Adjudication. No warranty, either express or implied, is made and no legal responsibility is assumed by IDWR, its employees, its agents, contractors, and reproduction firms particularly Bonneville Blueprint Supply Co., Inc. or its employees for the accuracy, completeness, or usefulness of any information set forth on this map.

61-00287- Bennett Creek

P.D. NW NW, Sec. 25, 35, 8E

P.O. Sec. 25-35, 8E - NW SW - 30

SW SW - 30

75" x 2 1.5 c/w

SE SW - 5

NW NW - 8

SW NW - 20

93 acres

MICROFILMED

APR 11 1982

#	FLAT FEE	(other) 1/KR DR	total
AGI-00287	50	93	143
AGI-02153	50	0	50
AGI- DOM STK	25	0	25
AGI- WASTE WATER	50	0	50
AGI-00309	50	0	50
312	50	0	50
316	50	0	50
328	50	0	50
AGI-COMBINED	50	350	400
AGI-COMBINED	50	0	50
			918
			918.00

11/11/82

11/11/82

- CURRENT LAND LIST -

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTE TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
PERMIT																						
FOUND																						
OVERLAP																						
DIFFERENCE																						

P/D OVERLAP BUT ACRES NOT OVERLAPPING, USE FOR SYSTEM TOTAL CALCULATIONS

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTE TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	afs.																					
WASTEWATER	4.32	45	9E	32															10	40		50
				33									20									20
		55	9E	4					1													1
				5	40	5	28	34									6	32			(216)	145
COLD SPRING CR		45	9E	32															40	40		80
				33									20									20
		55	9E	4					1													1
				5	40	40	28	34	4		25	40					6	32			249	(350)
IRRAW GROUNDWATER				5			28	34									6	32			100	
Bennett CR. AGI-00 287				25					8	20			30	30	5						93	
~~WATER~~ Domestic SHC Other H AGI-02153		55	9E	5													5					

OVERLAPS
COLD SPRINGS
CR.

OVERLAPS
Both
COLD SPR
&
WASTEWATER
CR.

NO
OVERLAPS

10/11/1982

43

Al61-00 309 - 6-1-1883 - Old land desc.
 00310 - **5-1-1883** - Old land desc.
 00311 - **5-1-1884** - Both desc.
 00312 - 5-1-1890 - Old land desc.
 00313 - **5-1-1884** - Old land desc.
 00314 - **5-1-1883** - Both desc.
 00315 - **5-1-1884** - Both "
 00316 - 5-1-1888 - Both "
 00328 - 5-1-1877 - Old land desc.
 00329 - **5-1-1883** - " " "

BOTH ← Combine - A61-00311, 315 & 329
BOTH ← " - A61-00310, 00314, & 00315
D11 - Separate claims for:

Old ← A61-00309
Old ← A61-00312
Both ← A61-00316
Old ← A61-00328

[REDACTED]
 [REDACTED]
 [REDACTED]

2

Water Right Number - 61-00287

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
DAVIS

M. L.

1 -
2 -
3 -City -
Phone -

State - Zip -

GEERHART

CHARLES

1 -
2 -
3 -City -
Phone -

State - Zip -

+ - - Priority Date - - + + - - - Region - - - + + - - Stage - - - + + - - Status - - - +
10/01/1987 14 D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
BENNETT CREEK SNAKE RIVER+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County+ - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume
Code Description Period From Period To 1.500

01 - IRRIGATION

+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.500+ - - - - - - - - - - - Place of Use - - - - - Description County
Twn Rng Sec Tract Lot Acres Code
03S 08E 25 NW NW 01 IRRIGATION 39 ELMORE
03S 08E 25 SW SW 01 IRRIGATION 39 ELMORE
03S 08E 25 SE SW 01 IRRIGATION 39 ELMORE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - Remarks - - - - - +
COULD BE AN ERROR IN P/U LEGAL DESCRIPTION.

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)**

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C | DARLENE S OWEN | 10/01/1987 | IRRIGATION | 03-15 11-15 | 1.370 CFS | |
| C | DAVID E OWEN | | | | | |
| | RR 1 BOX 457 | | | | | |
| | GLENN'S FERRY ID 83623 | | | | | |
| | (208) 599-2287 | | | | | |
| | | | | TOTAL DIVERSION: | 1.370 CFS | |

| | | | | | |
|---------------------|---------------|---------------|-------------|---------------|---------|
| Water Source: | BENNETT CREEK | Tributary to: | SNAKE RIVER | Stage: | DECREED |
| Point of Diversion: | T03S R08E S25 | | NWNW1/4 | ELMORE County | |

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: ELMORE

[illegible]

Other Water Rights Listing Overlapping Place(s) of Use:
A61-00284 A61-00300 A61-00302

Conditions of Approval:

- THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

| Dates: | Exam Made Date: | Verified Date: | Objection Filed Date: |
|--------|-----------------|----------------|-----------------------|
|--------|-----------------|----------------|-----------------------|

Misc: Water District Number: 61C Field Inspection Flag: C
Presumption Flag: C

Comments: Date: 12/11/1998 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Date: 02/22/1999 User-ID: DBUFFING Subject: NAME CHANGE - ADDRESS CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HASAN

AJ0749NP
No. R61-00287

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/11/00
PAGE: 2

Comments: Date: 02/22/1999
User-ID: DBUFFING Subject: NAME CHANGE - ADDRESS CHANGE
ADDRESS CHANGE.

Date: 01/28/2000 User-ID: DBUFFING Subject: NAME CHANGE - ADDRESS CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
ADDRESS CHANGE, PER APPROVED TRANSFER NO. 5484.

Date: 01/28/2000 **User-ID:** DBUFFING **Subject:** PLACE OF USE
PLACE OF USE CHANGED PER APPROVED TRANSFER NO. 5484.

Date: 02/10/2000 User-ID: DBUFFING Subject: ADDRESS CORRECTION
ADDRESS CORRECTED PER RETURNED MAIL. DB 2/10/2000

Audit: 02/11/00 DBUFFING

See notes on Ncap.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

February 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Notice of Claim To A Water Right No. 61-00287

DAVID E OWEN
DARLENE S OWEN
RR 1 BOX 457
GLENNS FERRY ID 83623

Dear Claimants:

Enclosed are copies of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right.

The change to your water right was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right. You will be notified of any future action on your water right by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

Adjudication Section
Western Regional Office

JS:db

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/31/00
PAGE: 1

| | | | | | |
|-----------------|---------------|---------------|-------------|--------|---------------|
| Water Source: | BENNETT CREEK | Tributary to: | SNAKE RIVER | Stage: | DECREED |
|) of Diversion: | T03S R08E S25 | | N4N4N4W | | ELMORE County |

[illegible]

POW County: ELMORE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

61-00281B 61-00282B 61-00287 61-00358B 61-00361B 61-00362D 61-02006E 61-02013B 61-10377B A61-00281B
A61-00282B A61-00287 A61-00358B A61-00361B A61-00362D A61-02006E A61-02013B A61-02014B A61-10377B

Other Water Rights Listing Overlapping Place(s) of Use:
A61-00284 A61-00300 A61-00302

Conditions of Approval:

- THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDMR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN
- ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING
- THE CHANGE.

| Dates: | Exam Made Date: | Verified Date: | Objection Filed Date: |
|--------|-----------------|----------------|-----------------------|
| | | | |

Misc: Water District Number: 61C Field Inspection Flag: C
Presumption Flag:

Comments: Date: 12/11/1998 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Date: 02/22/1999 User-ID: DBUFFING Subject: NAME CHANGE - ADDRESS CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HASAN

AJ0749NP
No. R61-00287

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/31/00
PAGE: 2

Comments: Date: 02/22/1999 User-ID: DBUFFING Subject: NAME CHANGE - ADDRESS CHANGE
ADDRESS CHANGE.

Date: 01/28/2000 User-ID: DBUFFING Subject: NAME CHANGE - ADDRESS CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
ADDRESS CHANGE, PER APPROVED TRANSFER NO. 5484.

Date: 01/28/2000 User-ID: DBUFFING Subject: PLACE OF USE
PLACE OF USE CHANGED PER APPROVED TRANSFER NO. 5484.

Audit: 01/31/00 DBUFFING



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

February 1, 2000

RE: Notice of Claim To A Water Right No. 61-00287

DAVID E OWEN
DARLENE S OWEN
PO BOX 864
GLENN'S FERRY ID 83623

Dear Claimants:

Enclosed are copies of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right.

The change to your water right was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right. You will be notified of any future action on your water right by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

Adjudication Section
Western Regional Office

JS:db

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

December 17, 1999

DIRK KEMPTHORNE
GOVERNOR

RE: Notice of Claim To A Water Right No. 61-00287

KARL J. DREHER
DIRECTOR

DAVID E OWEN
DARLENE S OWEN
RR 1 BOX 457
GLENNS FERRY ID 83623

Dear Claimants:

Enclosed are copies of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right.

The change to your water right was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right. You will be notified of any future action on your water right by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

ADJUDICATION SECTION
WESTERN REGIONAL OFFICE

JS:db

Enclosures

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

RETURN SERVICE REQUESTED

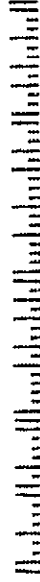
UNITED STATES POSTAGE
158 PB 8594393
9491 \$00.330 JUN 11 99
9395 MAILED FROM BOISE ID 83705

RECEIVED

JUN 14 1999

WATER RESOURCES
WESTERN REGION

DAVID E OWEN
DARLENE OWEN
PO BOX 864
GLENN'S FERRY ID 83623



61-00287

This is the address on his transfer Application.

Address changed to RR 1 Box 457 Glenns Ferry

2-99.

Re-sent NAD form 6-14-99

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

In the SRBA) Water Rights: 61-00287
)
Case No. 39576)
)
) NOTICE OF ADMINISTRATIVE
) PROCEEDING
_____)

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer

☐ point of diversion

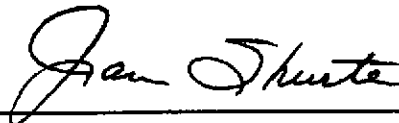
☒ place of use

☐ period of use

☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than:
June 12, 2000.

DATED: June 11, 1999



Signature of IDWR Representative

INSTRUCTIONS FOR MAILING

Mail this form, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

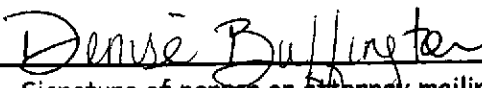
CERTIFICATE OF MAILING

I certify that on June 11, 1999, I mailed the original and copies of this form, to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls , Idaho 83303-2707
2. One Copy to Claimant:

David E Owen
Darlene S Owen
PO Box 864
Glenns Ferry ID 83623
3. One Copy to:
Each party in the subcase, or attorney of record:

N/A



Signature of person or attorney mailing the form



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

February 23, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Water Right No. 61-00287

David E Owen
Darlene S Owen
RR1 Box 457
Glenns Ferry ID 83623-9701

Dear Claimants:

Enclosed is a copy of the above referenced water right which reflects your change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

AJ0749NP
No. R61-00287

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)**

DATE: 01/21/99
PAGE: 1

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|--|------------------|------------|-----------------------|-------------------|---------------------|
| C | DAVID E OWEN | 10/01/1887 | IRRIGATION | 03-15 11-15 | 1.37 CFS | |
| C | DARLENE S OWEN
PO BOX 864
GLENN'S FERRY ID 83623
(208) 599-2287 | | | TOTAL DIVERSION: | 1.37 CFS | |

| | | | | | | |
|--|------------------------|---------------|---------------|-------------|--------|---------------|
| | Water Source: | BENNETT CREEK | Tributary to: | SNAKE RIVER | Stage: | DECREED |
| | Point(s) of Diversion: | T03S R08E S25 | | NUNNANA | | ELMORE County |

[illegible]

PDU County: ELMORE

Conditions of Approval:
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

| Dates: | Exam Made Date: | 09/12/1994 | Verified Date: | 01/21/1999 | Objection Filed Date: |
|--------|-----------------|------------|----------------|------------|-----------------------|
| | | | | | |

Misc: Water District Number: 61C Field Inspection Flag: C
Presumption Flag:

Comments: Date: 12/11/1998 User-ID: SSSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 01/21/99 RHOWETO

ADJUDICATION CLAIM CHECKLIST

61-00287

NOTICE OF CLAIM NO.

| WR ELEMENT | FIELD EXAM
Y/N-IF NO,
DO OFFICE
VERIFICATION | FIELD EXAM
OR IN-OFFICE
VERIFICATION
WHOM/DATE | CLAIM
VERIFIED BY
CODE
(SEE BELOW) | CHANGE
CLAIM
Y/N | CLAIMANT CONTACT
NEEDED - Y/N** | REVIEW
COMPLETED
WHOM/DATE | "R" RECORD |
|-----------------------|---|---|---|------------------------|------------------------------------|----------------------------------|------------|
| PRIORITY* | N | Rch 9-12-94 | 6 | N | N | | |
| PT. OF DIV. | N | | 6 | N | | | |
| SOURCE | N | | 6 | N | | | |
| PL. OF USE | Y | | 6 | N | | | |
| DIV. AMOUNT
CFS/AF | N | | 5 | Y | | | |
| CONSUMPTIVE
USE | N | | NA | N | | | |
| NATURE OF
USE | N | | 6 | N | | | |
| PERIOD OF
USE | N | | 5 | Y | | | |
| BASIS OF
CLAIM | N | | 6 | N | | | |
| REMARKS | | | | | | | |

DATA ENTRY COMPLETED
BY DATE

FINAL RECOMMENDATION
BY DATE

VERIFICATION CODES

TOPO MAP/ORTHO PHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE COMMENTS) = 6

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES NO

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: RECEIVED PHOTO'S & AFFIDAVIT OF USE 01/15/99

6- SAME AS CLAIM.

PICTURE #1 A61-00287 May 7, 1995. Photo's by David Owen. The following four photos were submitted as evidence of irrigation after filing the notice of error. This photo shows the SWSW field, S25. The tree is a good reference point for the location. See photo # 11 by RDH. View is to South.



PICTURE #2: Second view of same area, but more toward the North. View is to South, same as above photo.



PICTURE #3 A61-00287 May 7, 1995. Photo's by David Owen. The following four photos were submitted as evidence of irrigation after filing the notice of error. This photo shows the SWSW field, S25 and some of the SWNW field. The tree is again a good reference point for the location photos 1 & 2.



PICTURE #4: Point of diversion. April 1, 1995 photo. See reference photos #1 & 2 by RDH.



November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED
DEC 10 1998

RECEIVED
DEC 11 1998
WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Department of Water Resources

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 61-00287

DARLENE S OWEN
DAVID E OWEN
PO BOX 864
GLENN'S FERRY ID 83623

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

The enclosed map makes no sense to myself.

2. Describe the changes you wish to make in the proposed recommendation:

Stock water and also the beaver dams are bringing up the sub moisture for our meadow.

3. Give a brief explanation as to why you disagree with these portions:

I was never contacted by IDWR for this determination. I have never been asked for a field inspection. Please contact me at 208-599-2287.

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12-8-98 SIGNATURE: Skip Owen
Please print your name: David E. Owen Jr.

AJ5853NP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: November 20, 1998

84

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

PAGE: 1

RIGHT NUMBER: 61-00287

NAME AND ADDRESS: DARLENE S OWEN
DAVID E OWEN
PO BOX 864
GLENN'S FERRY ID 83623

CLAIM NOT RECOMMENDED NO BENEFICIAL USE FOUND.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

December 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID E OWEN &
DARLENE OWEN
PO BOX 864
GLENN'S FERRY ID 83623

REF: RESPONSES TO RECEIVED NOTICE OF ERROR REPLY 61-00287, 12/10/98

Dear David and Darlene,

Item 1. The map you received, which seemed confusing, did not show any irrigation to recommend, from Bennett Creek.

Item 2. Sub-moisture, also known as sub-irrigation is not recognized in this case, as a water right because, sub-irrigation is some form of a natural process or caused by some form of nature.

* A separate claim may be filed for in-stream stockwater use, along the banks of Bennett Creek of your property. Note: This is not required because it is an exempt use.

Item 3. Contact, attached is a prior contact letter and a communication document that we have on file with this file for this claim to a water right. If evidence can be shown and submitted as requested on page 2, of items 1-3 from the attached letter dated 3/15/96, we may reconsider our recommendation.

Sincerely,

Ron Howerton
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Attachments:

Copy of received notice or error
Copy of letter sent 3/15/96
Copy of communication 3/9/95



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 15, 1996

DAVID E OWEN &
DARLENE OWEN
PO BOX 864
GLENNS FERRY ID 83623

NOTICE OF CLAIM NO.
A61-00287

REF: OWNERSHIP CHANGE
REQUEST FOR EVIDENCE OF IRRIGATION

RESPONSE DATE: JUNE 15, 1996

Dear David and Darlene,

Attached is a copy of the above referenced claim which reflects the CHANGE IN OWNERSHIP of the lands and appurtenant water rights covered by this claim. This letter also serves to inform you, the new owners, of the work that has been done and some idea of what work still needs to be done in order to consider recommending this claim to the court for decree.

David (Skip?), I believe we have talked about this right in March of 1995 prior to your purchase from Stephens & Sons.

During the field exam I conducted, September 12, 1994, with Barney Stephens and Pat Pollard, they showed me about three quarters of this land. The remaining area I needed to look at was the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ by the road. I have now since looked at it.

During the exam we discussed the decreed area Versus the claimed area and what may have been historically irrigated. I also asked Barney if he had ever irrigated this land? He said hadn't been able to. I explained that some kind of evidence from him, (now you as the new owners) at later date would need to be provided to show that the irrigation had not been abandoned. The field exam was inconclusive. (We do not have any map that indicates any irrigation to base any prior irrigation on.)

I assume you, as the new owners, will want to continue pursue this issue, for preserving as much of this water right as you can.

Of the land we looked at, during the exam, he felt that if he could have irrigated, it would have been the land in the SW¼SW¼ on the East of Bennett Creek from the road.

I can now be more specific now to you, the new owners, after seeing all of the property of what evidence you will need to provide.

EVIDENCE IS NEEDED FOR IRRIGATION. IT MAY BE PROVIDED BY:

1. Affidavits- a notarized statement of someone with personal knowledge.
2. Crop reports, income tax documents showing sale of crops, or property tax documents showing property was taxed as irrigated agriculture.

If the reason for no evidence of irrigation is Non-availability of water, then evidence will need to be provided to include:

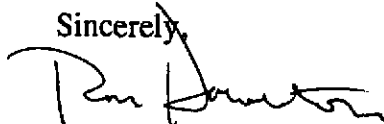
3. What dates was water not available to the property and what dates of use to what dates of non-use that may include periods of 5 years or more of non-availability of use dates?

I've taken a close look at the SW¼SW¼ on the East of Bennett Creek from the road, this is part of the original decreed area. I plan to take another look at the East ditch and calculate some flow and gather soil data of this area real soon as I am working on other rights for Bennett Creek downstream.

PLEASE respond to this office by the RESPONSE DATE indicated above and feel free to contact me if you have any questions concerning any of the items covered or not covered in this letter.

I am attaching a couple of blank affidavit forms for your convenience.

Sincerely,



Ron Howerton
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Attachments

COMMUNICATION DOCUMENTATION

Claim No.A61-00287

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Ron Howerton

DATE

March 9, 1995

CUSTOMER

SKIP OWEN

SUBJECT: A61-00287

1. He was interested in purchasing the property claimed above by Stephens & Sons Inc.
2. He wanted to know how good this right may be?
3. I told him that I hadn't yet finished my investigation of this claim yet and couldn't give a definite answer.
4. I advised in addition to more investigation that I also needed to do an additional measurement.

16:47:41
03/14/96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

LAST: GEERNHART
ADDRESS: XXXXXXXX
CITY: XXXXXXXX
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

STATE: ID ZIP: 00000

FIRST: CHARLES

LAST: STEPHENS & SONS
ADDRESS: JANE STEPHENS
22710 S. LANSING
CITY: MIDDLETON
PHONE NUMBER: 208-366-2364
OWNER CODE: C

STATE: ID ZIP: 83644

FIRST: OWEN, DAVID AND DARLENE

LAST: DAVIS
ADDRESS: XXXXXXXX
CITY: XXXXXXXX
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

STATE: ID ZIP: 00000

FIRST: M L

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: GEN COULD BE AN ERROR IN P/U LEGAL DESCRIPTION.

DATABASE Y
FIELD EXAMINER Y (X) N ()

APPEARS TO BE ERROR IN DESCRIBING THE SWNW
SEE FINDINGS OF FACT. COS CONDITION

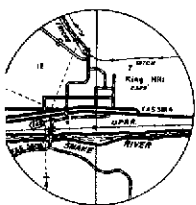
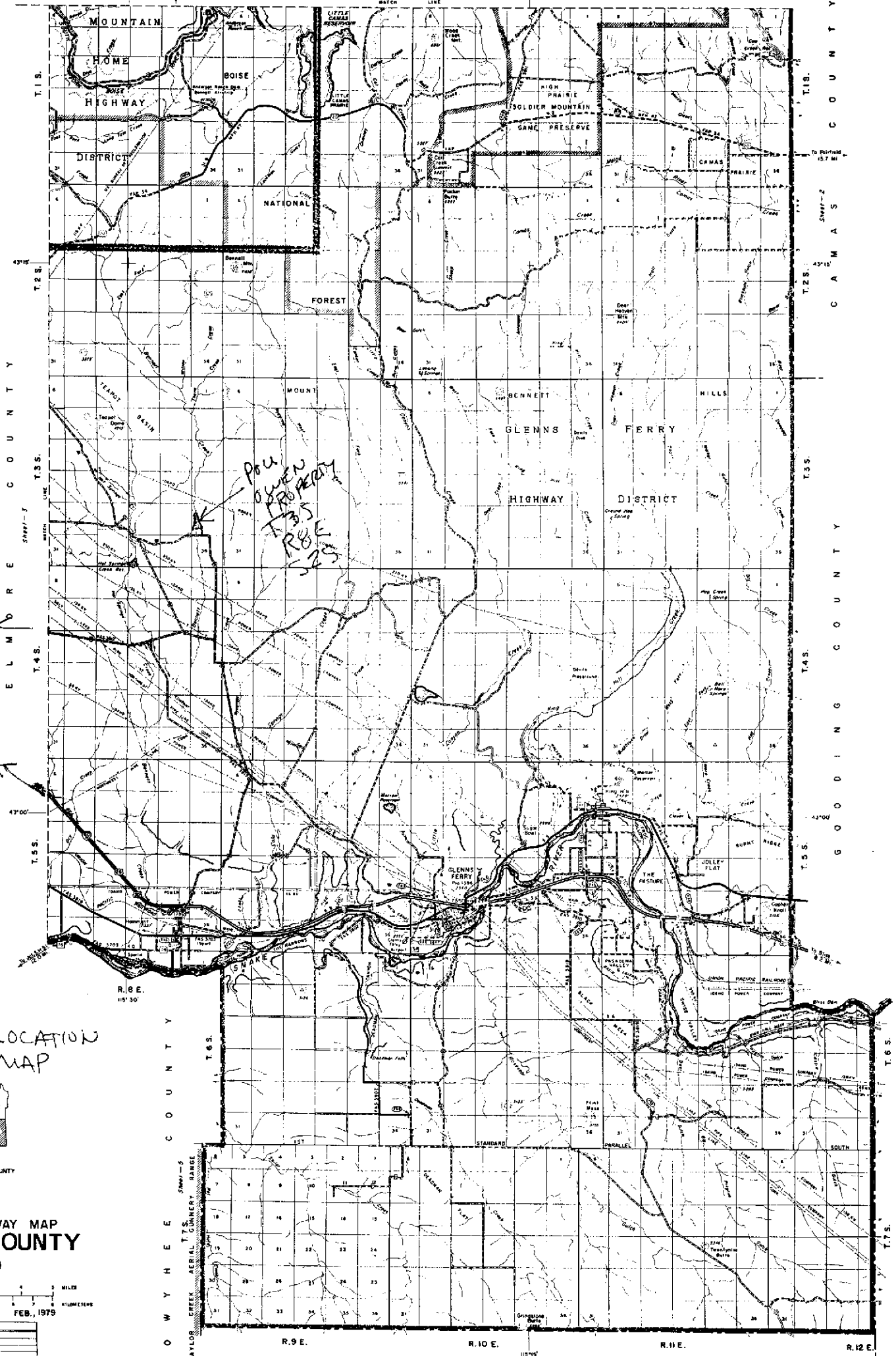
CONTACT PERSON: Barney Stephens - original owner PHONE NUMBER: () - -
DATE OF FIELD EXAM: 9/12/94 APPOINTMENT MADE: Y(☒) N() A() P()
ACCOMPANIED BY: ABOVE PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: OWNER

DIRECTIONS TO PROPERTY / NOTES:

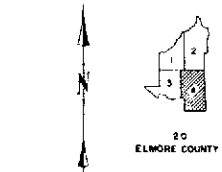
FOLLOW-UP EXAMS TO DETERMINE OTHER DATA:
3-20-96 HISTORICAL FLOODS
3-27-96 Slope meas. for POSSIBLE EXCESSIVE FLOW CALC.
SEE LOCATION MAP - ELMORE COUNTY MAP

- NOW HAVE CHANGED OWNERSHIP TO OWEN.
- CONTACT PER PHONE AND REQUEST LTR SENT FOR EVIDENCE OF IRRIGATION.



KING HILL & VICINITY
T. 5 S. R. 10 E.
SEC. 7, 12
SCALE IN MILES

LOCATION
MAP



GENERAL HIGHWAY MAP
ELMORE COUNTY
IDAHO

SCALE 0 1 2 3 4 5 MILES
FIELD DATA COLLECTED FEB. 1979

| REVISIONS |
|------------------|
| 1. INITIAL DRAFT |
| 2. GENERAL DRAFT |
| 3. LOCAL DRAFT |
| 4. FINAL DRAFT |
| 5. PRINTED |

IDWR T03S, R08E

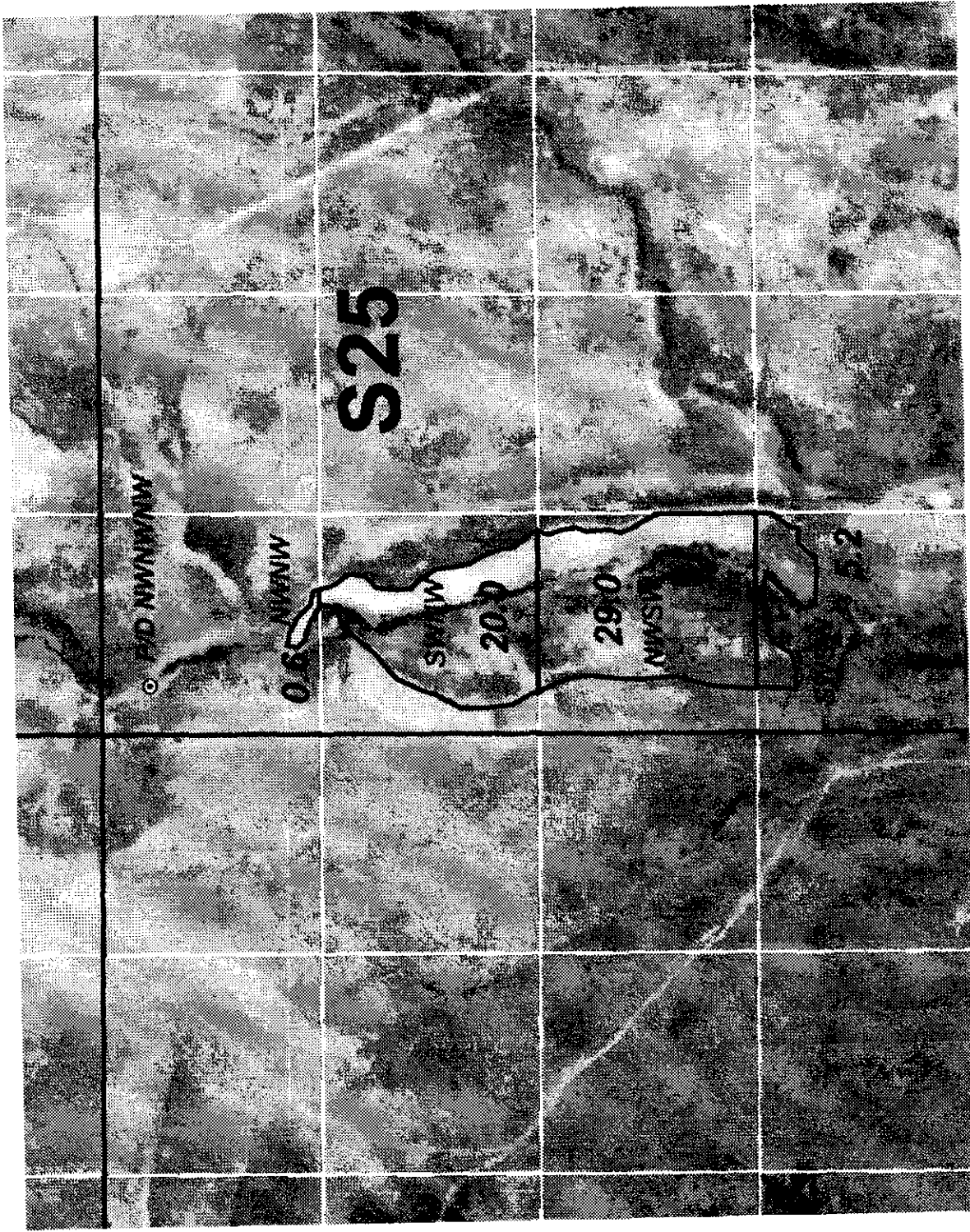
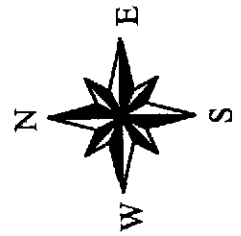
Claim(s) : 61-00287
 Owner(s) : Owen, Skip
 Date: 19 Jan 99
 Prepared by:
 Ron Howerton
 Total Acres = 54.8

 POU ACRES

 POD

 SECTION LINES

1/4 1/4



1987 NAPP



NW/NW

SW/NW

A

Field B = 20.3 Acres

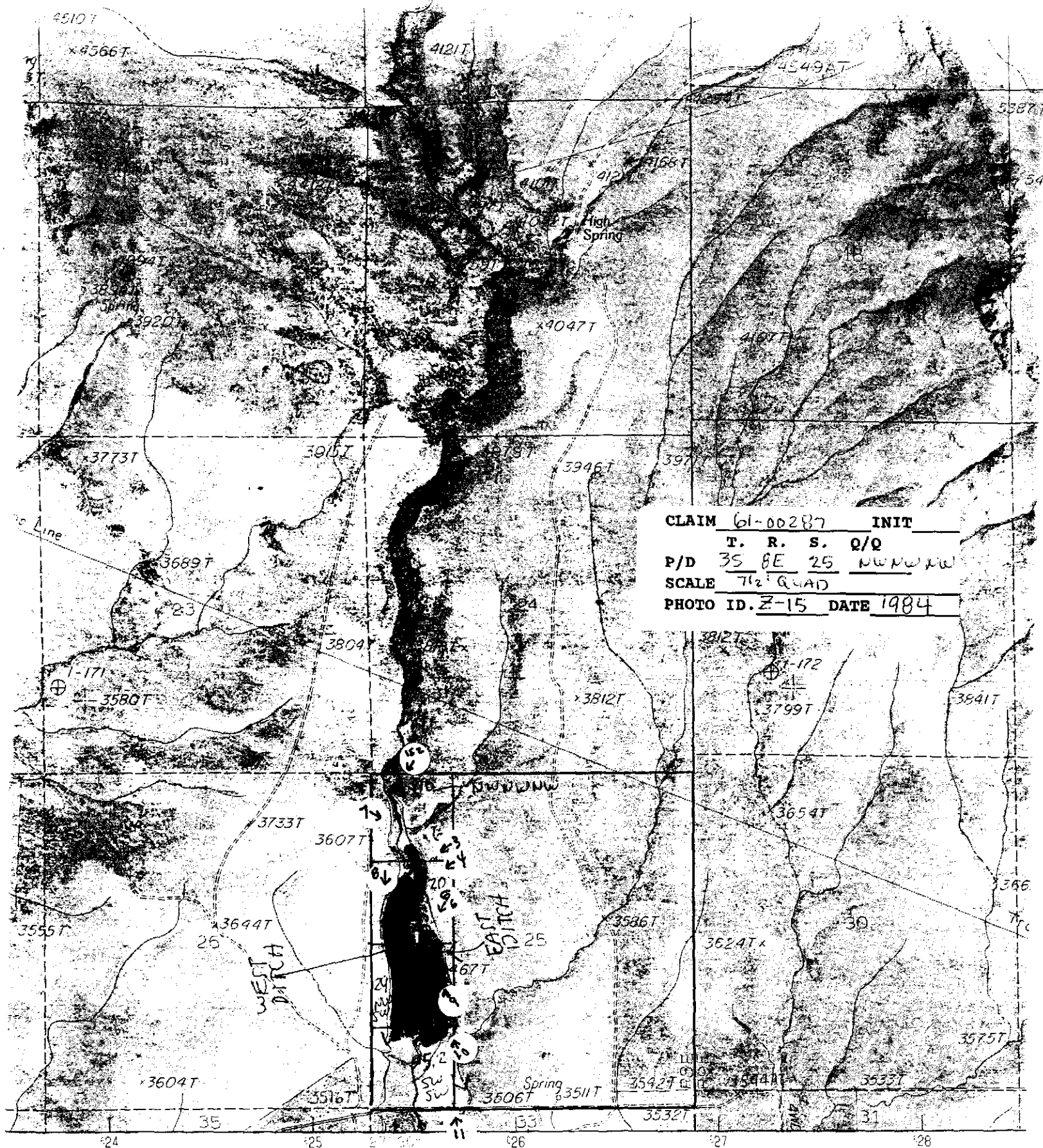
B

NW/SW

SW/SW

Field A = 34.5 Acres

©



CLAIM 61-00287 INIT
T. R. S. Q/Q
P/D 35 8E 25 NW
SCALE 7 1/2' QUAD
PHOTO ID. Z-15 DATE 1984

FX 9/12/94

↑ = Photo Locations

SCALE 1:24,000



Copies Of These Maps Can Be Obtained
At Bonneville Blue Print, Boise Idaho

A. AJ CLAIM: # A61-00287 PRIORITY DATE: 10-01-1887 STAGE: D

B. WR RECORD: # 61-00287 PRIORITY DATE: 10-01-1887 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

* 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?

* 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?

NOTES:

RECOMMENDED PRIORITY DATE:

10-01-1887

REVIEWED BY REN DATE 9-12-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD
FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|---|------|------|------|---|-----|-----|-----|-------------|--------|----------------|------------------|
| A61-00287 | 03S | 08E | 25 | NW | NW | NW | | | ELMORE | | |
| OTHER AJ CLAIMS WITH SAME AJ POD | | | | | | | | | | | |
| A PREFIX | | | | WR RECORDS IN SAME 40 ACRE TRACT | | | | | | | |
| R PREFIX | | | | | | | | | | | |
| A61-00358 | | | | NONE | | | | 61-00285B | | | |
| A61-00362 | | | | | | | | 61-00286B | | | |
| A61-02006 | | | | | | | | 61-02006B | | | |
| A61-02096 | | | | | | | | 61-02096 | | | |
| A61-02320 | | | | | | | | 61-02320 | | | |
| A61-10377 | | | | | | | | | | | |

SOURCE: BENNETT CREEK

B. WR POINT OF DIVERSION AND SOURCE:

6100287
THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: BENNETT CREEK

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.

3. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* 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.

3. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

| SAJ FIELD EXAM | (DATE OF FIELD EXAM | NAME OF EXAMINER |
|----------------|---------------------|------------------|
| | 9/2/94 | Don Haverston |

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

[illegible]

REVIEWED BY: *RLT* DATE: 9-12-94

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

DITCHES, GRAVITY FLOWS, HEADGATE, CEMENT-WOOD DAM
 SEE PHOTO'S 1 & 2 DATED 9/12/94 OF P/D.
 ALSO SEE ORTHO PHOTO Z-15, SHOWS DITCHES P/D
 AND PLACE OF USE.

A. ROOT WATER RIGHT NUMBERS: A61-00287

| B. POU LISTING | | | | | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|----------------|-----|-----|-----|-----|-----------------|------------------|-----------------|----------------|------------------|
| TWP | RNG | SEC | 1/4 | LOT | NAME | | | | |
| 03S | 08E | 25 | NW | NW | STEPHENS & SONS | A61-00287 / 8.0 | 61-00287 / 1.0 | | 18.6 |
| 03S | 08E | 25 | SW | NW | STEPHENS & SONS | A61-00287 / 20.0 | - / 22.0 | | 20.0 |
| 03S | 08E | 25 | NW | SW | STEPHENS & SONS | A61-00287 / 30.0 | - / 25.0 | | 29.0 |
| 03S | 08E | 25 | SW | SW | STEPHENS & SONS | A61-00287 / 30.0 | 61-00287 / 13.0 | | 5.2 |
| 03S | 08E | 25 | SE | SW | STEPHENS & SONS | A61-00287 / 5.0 | 61-00287 / 6.0 | | 54.8 |

ADDITIONAL POU FOUND

TOTAL ACRES A61-00287 93.00 67.00

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(X)

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: NONE

Y() N(X)

E. IS THE CLAIMED POU 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 POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A () Y () N ()

G. SHOULD THE CLAIMED POU 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 ()

* 1984 ORTHO SHOWS POU. DIFFERENT FROM SURROUNDING AREA THAT WOULD SUGGEST PRIOR IRRIGATION.

SUSPECT
HOWEVER,
EVIDENCE
SUBMITTED
LOOKS OK
DTD 1/15/99

may be
*

9-12-94
FX
looked
suspect

CHECK DOCUMENTS USED TO VERIFY POB: ☒ ORTHOPHOTOQUAD, IDWR NO. Z 15; ☐ TOPOGRAPHIC QUAD, IDWR NO. _____;
☒ NAPP, IDWR NO. Z 15; ☐ ASCS PHOTO; ☒ OTHER SOILS MAP

NOTES:

SEE PHOTO'S SUBMITTED BY NEW OWNER SKIP OWEN
SHOWS IRRIGATION NOT PREVIOUSLY SHOWN BY
ANY OTHER SOURCE AS REQUESTED BY LETTER IN
FILE DATED 12/15/98.

CHANGE - IN - POW? (NWSE & SWNW NOT LISTED ON DECREE)

ALSO SEE COPY FROM DECREE AND FINDINGS OF
FACT ATTACHMENTS. THE DECREE PAGE DESCRIBES
THE S¹/₂ OF THE SW, THEN GOES ON TO DESCRIBE THE
SW⁴/SW⁴, THIS IS A-REPEAT AND IS SUSPECT OF
A CLERICAL ERROR. ALSO SEE FINDING OF FACT, THIS
DESCRIBES AN ADDITIONAL TRACT OF THE SW⁴/NW⁴.
I SUSPECT THAT THE POW DESCRIBED BY THE
DECREE PAGE IS IN ERROR. ALSO BECAUSE THE FIELDS
ARE CONTIGUOUS AS SEEN IN THE FIELD.
1984 ORTHO MAP SHOWS CONTIGUOUS FIELDS FOR DATA OF CHANGE.

RECOMMENDATIONS:

TOTAL ACRES: 54.8 N/A()

REVIEWED BY: REN DATE: 9-12-94

COS
CONDITION

INJURY? NO, LESS WATER IS BEING RECOMMENDED
THAN DECREED.

61

0286

AG-10377
Pm

1st. For the G. B. Ross Pre-emption, 94 $\frac{1}{2}$ inches, dating from March 1st. 1867; 35 $\frac{1}{2}$ inches, dating from March 1st 1892.

61-0362

T160

VI.

That the defendants M. L. Davis and Charles Guerhart be and they are hereby awarded the use of the water hereinafter stated, from the water of Bennett Creek, in each year, from the following dates to-wit:-

1st. Upon the South half of the Southwest quarter, the North-west quarter of the Northwest and the Southwest quarter of the South-west quarter of Section 25, Township 3 South, Range 8 East, 75 inches dating from October 1st, 1897.

NORTH WEST

SEE :
ATTACHED PAGE
FROM FINDINGS
OF FACT
COURT
OF
LAW.

VII.

That the defendant S. B. Blackwell be and he is hereby awarded the use of the amount of water hereinafter stated, from the waters of Bennett Creek in each year, from the following dates, to-wit:-

61

0288

61-00288A
" B
Jef-Mon

1st. For use upon the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section 5, and the West half of the Northeast quarter of Section 8 Township 5, South of Range 9 East, and the West half of the Southeast quarter of Section 8, Township 5 South, Range 9 East, 220 inches, dating from April 30" 1893. Trans "14

VIII.

That all of said water heretofore awarded to the respective parties to this action shall be measured at the point or points of diversion thereof, from the channel of said stream, in a box or boxes, headgate or headgates, constructed for measuring water at a four inch pressure, or its equivalent in second-feet, and said water shall be measured at said point or points of diversion, under a four inch pressure, or its equivalent in second-feet.

IX.

That insofar as the rights of any of the parties to this action have heretofore been determined and adjudged by decree of this court the same shall not, by this decree, be disturbed.

X.

1867- March 1st, 94½ inches. 61-00286

1892- March 1st, 85¾ inches. 61-00362

M. P. Davis and Charles Gerhart. - To be used upon the South half of the Southwest quarter, the Northwest quarter of the Northwest quarter and the Southwest quarter of the Northwest quarter of Section 25, Township 3 South, range 8 east, townsh.

1887- October 1st, 75 inches.

S. B. Blackwell. - For use upon Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of section 5, and west half of the Northeast quarter of Section 8, township 5 South Range 9 east, and west half of the Southeast quarter of Section 8, township 5 South range 9 east, ^{containing} consisting of 240 acres, townsh.

1893- April 30th, 220 inches.

8th. That in so far as the rights of the respective parties in this action were litigated, adjudged and decreed by Judgment of this Court made and entered on the 4th day of April 1892 the same shall not be affected by the decree in this action.

9th. That the several parties to this action whose rights to the use of the water under this decree are of even date should, where ever the amount flowing in the channel of said Bennett Creek is insufficient in quantity to supply the amounts of water herein awarded, share in the use of said water in the proportions the several quantities awarded, as of the same date, bears to the quantity of water flowing in said stream at such time of scarcity, not, however, interfering with the rights of any earlier or prior rights.

That each party of this action should pay his or her costs.

Conclusions of Law.

And, as conclusions of law from the foregoing facts, the Court finds:

1st. - That plaintiff, Adam M. Hall is entitled to the following amounts of the waters of Bennett Creek from the following dates:

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

A. AJ CLAIMED USES:

| PURPOSE OF USE | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A61-00287 IRRIGATION | FROM 04-01 TO 11-01 | 1.500 CFS | |
| TOTAL DIVERSION RATE/VOLUME | | 1.500 CFS | |

B. WR RECORDED USES:

| PURPOSE OF USE | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 61-00287 IRRIGATION | FROM TO | 1.500 CFS | |
| TOTAL DIVERSION RATE/VOLUME | | 1.500 CFS | |

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? ☒ Y ☐ ND. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☒ 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 ☐ NF. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? ☒ Y ☐ NG. 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? ☒ 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? ☒ Y ☐ NJ. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☒ 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? ☒ Y ☐ N

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 1.500 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.500 CFS

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

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

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

FLOW MEASUREMENT

MEASUREMENT METHOD MANNING (CAPACITY NEEDED) * EAST Ditch CAN CARRY 2.73 CFS PER MANNING BOTH EAST AND WEST DITCH ARE SIMILAR AND CAN CARRY WAY OVER THE 1.5 CFS OF THIS CLAIM.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 54.8 x 0.02 CFS/ACRE = 1.1 CFS
(Taken from pour review)

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

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

HubBLE
SOILS-ANALYSIS
SHOWS 0.025
PER ACRE, thus
AMOUNT IS NOW
(.025)(54.8) =
1.37 CFS
SEE ATTACHMENTS

MANNING EQUATION - DATA COLLECTION

Claim Number(s): VannoName of Claimant(s): Powers - OWEN - CHARTER MTN RANCHName of Ditch, Canal, or Stream: East ditch 200' N of RoadDate of Measurement: 3-20-96 Data Collected By: MS & RHMeasurement Location: SE 1/4 SW 1/4 Section 25 T35 R8E

Cross Section Data

Basis: high water mark() maximum capacity(☒)

Note: minimum of five depth or rod readings; first and last must be equal or zero

| <u>Upstream</u> | | <u>Downstream</u> | |
|----------------------|-----------------------------|----------------------|-----------------------------|
| depth or rod reading | distance from initial point | depth or rod reading | distance from initial point |
| 1. <u>0</u> | <u>0</u> | 7. <u>0</u> | <u>0</u> |
| 2. <u>.45</u> | <u>.5</u> | 8. <u>.45</u> | <u>.5</u> |
| 3. <u>.45</u> | <u>1.0</u> | 9. <u>.55</u> | <u>1.0</u> |
| 4. <u>.4</u> | <u>1.5</u> | 10. <u>.50</u> | <u>1.5</u> |
| 5. <u>.45</u> | <u>2.0</u> | 11. <u>.35</u> | <u>2.5</u> |
| 6. <u>.35</u> | <u>2.5</u> | 12. <u>0</u> | <u>3.0</u> |
| <u>.35</u> | <u>3.0</u> | | |
| <u>.20</u> | <u>3.5</u> | | |
| <u>0</u> | <u>4.0</u> | | |

Slope Data

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

| Level Readings: | upstream | downstream | |
|-------------------|------------------------|-------------|--------------------|
| upper stadia | <u>3.79</u> | <u>7.59</u> | |
| center | <u>2.66</u> | <u>6.98</u> | |
| lower stadia | <u>1.54</u> | <u>6.32</u> | channel length |
| stadia difference | <u>(2.25 + 1.27)</u> | | <u>x 100 = 352</u> |

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

Comments

Are maps and/or photos attached? yes(☒)

File Number: POWER OWEN

Claimant: POWER OWEN

Channel measured: EAST DITCH

Date of measurement: 03 20 1996

Measurement location:

SESW S25 03S 08E

200' NORTH OF COUNTY ROAD

Calculation prepared by: MS RH

Comments about the measurement:

THIS MEASUREMENT IS RELATIVE TO SEVERAL CLAIMS FOR POWERS AND OWEN
MEASUREMENT CONDUCTED BETWEEN 10 AND 11 AM

The results of the calculation are:

The length of the channel measured is 352 feet.

The upstream and downstream rod readings are 2.66 and 6.98 feet.

The channel cross section is 1.22 ft-sq.

The wetted perimeter is 3.78 feet.

The hydraulic radius is 0.32 feet.

The slope is 0.0123

The roughness coefficient is 0.0350

The flow velocity is 2.226 ft/sec.

The rate of flow is 2.73 cfs.

CROSS SECTION NUMBER 1

For File Number POWER OWEN for the EAST DITCH

| Number | Rod
Reading | Water
Depth | Distance |
|--------|----------------|----------------|----------|
| 1 | 0.00 | 0.00 | 0.00 |
| 2 | 0.45 | 0.45 | 0.50 |
| 3 | 0.45 | 0.45 | 1.00 |
| 4 | 0.40 | 0.40 | 1.50 |
| 5 | 0.35 | 0.35 | 2.00 |
| 6 | 0.35 | 0.35 | 2.50 |
| 7 | 0.35 | 0.35 | 3.00 |
| 8 | 0.20 | 0.20 | 3.50 |
| 9 | 0.00 | 0.00 | 4.00 |

The area for this cross section is 1.27 square feet
and the wetted perimeter is 4.24 feet.

CROSS SECTION NUMBER 2

For File Number POWER OWEN for the EAST DITCH

| Number | Rod
Reading | Water
Depth | Distance |
|--------|----------------|----------------|----------|
| 1 | 0.00 | 0.00 | 0.00 |
| 2 | 0.45 | 0.45 | 0.50 |
| 3 | 0.55 | 0.55 | 1.00 |
| 4 | 0.50 | 0.50 | 1.50 |
| 5 | 0.50 | 0.50 | 2.00 |
| 6 | 0.35 | 0.35 | 2.50 |
| 7 | 0.00 | 0.00 | 3.00 |

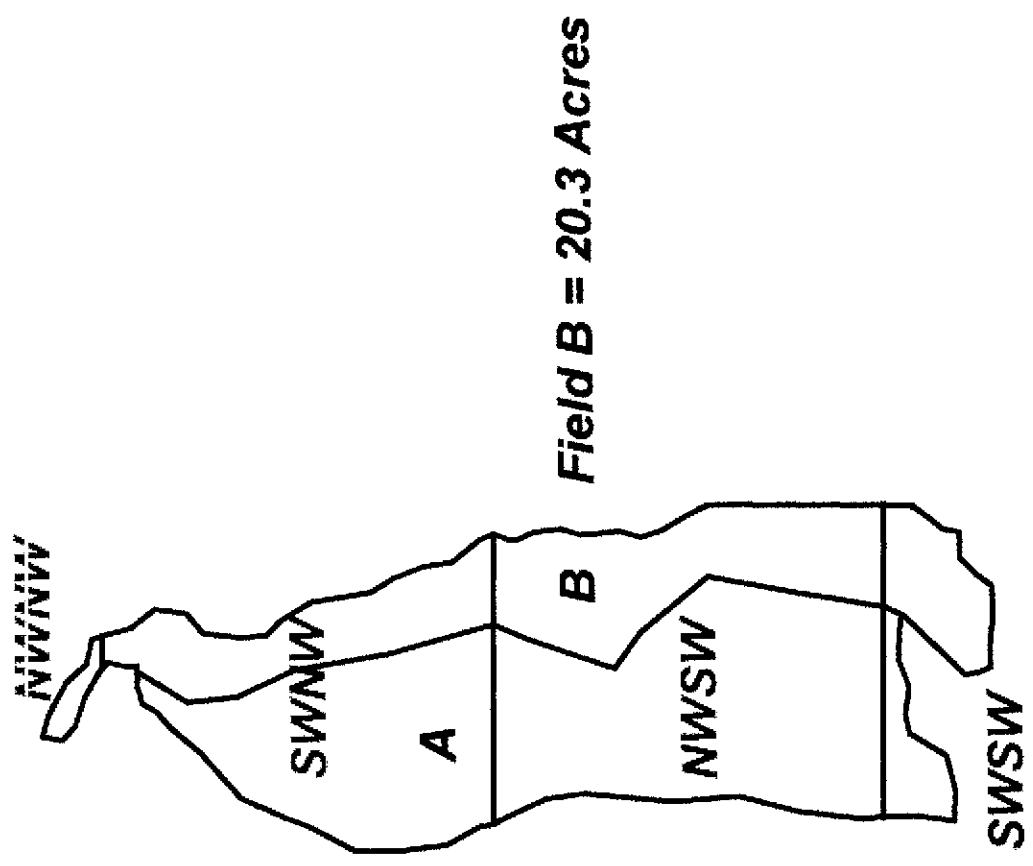
The area for this cross section is 1.17 square feet
and the wetted perimeter is 3.32 feet.

NOTES:

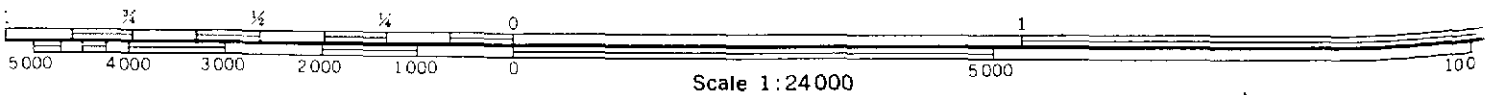
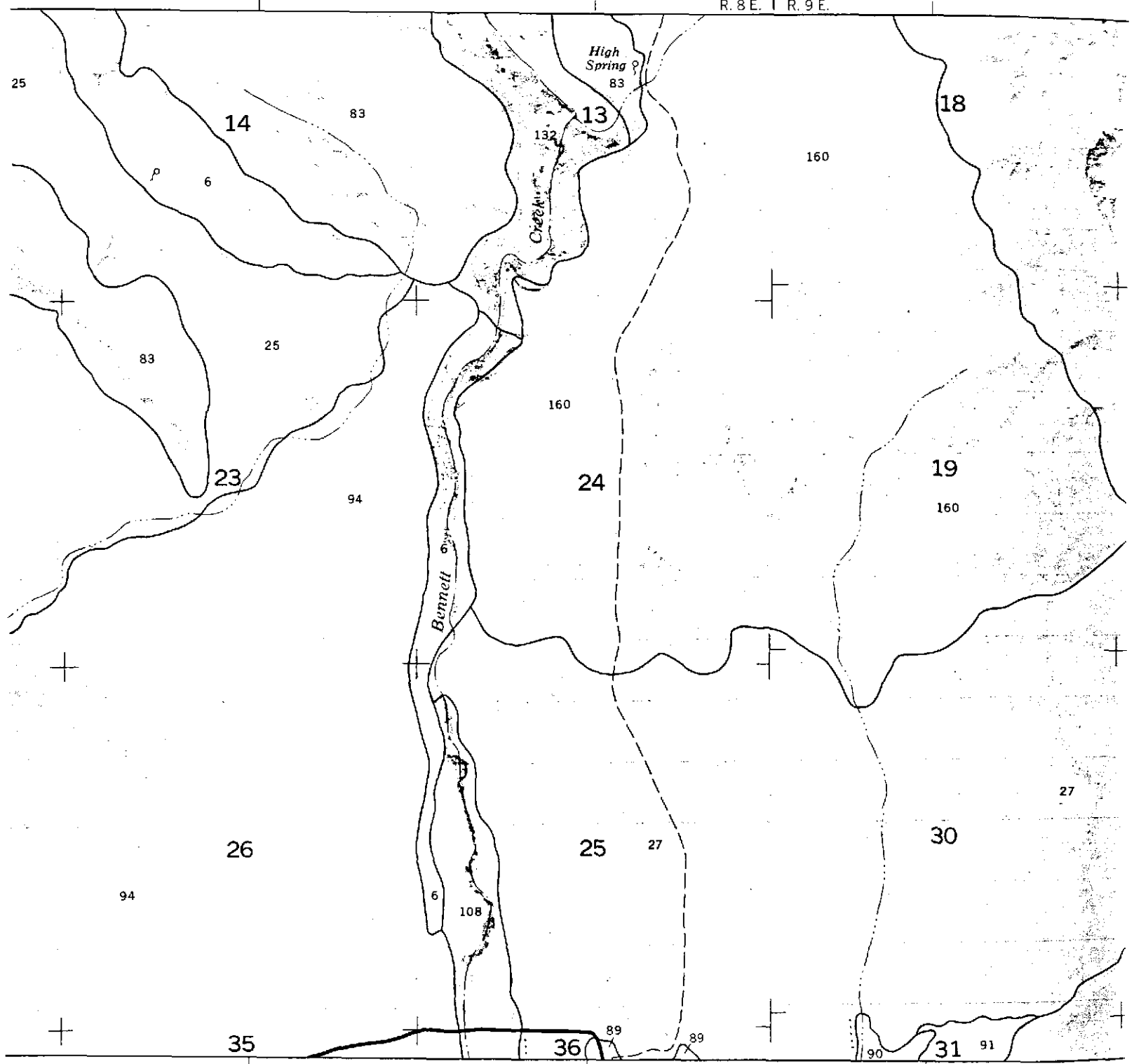
SEE HUBBLE ANALYSIS SHEETS, 50145 MAP ETC.

WR RECORD CONDITIONS/REMARKS:

©



R. 8 E. | R. 9 E.



HUBBLE
2 of 11

TABLE 12.--ENGINEERING INDEX PROPERTIES--Continued

| Soil name and map symbol | Depth | USDA texture | Classification | | Frag-
ments
> 3
inches | Percentage passing
sieve number-- | | | | Liqui
d limit |
|------------------------------|-------|--|----------------|------------------|---------------------------------|--------------------------------------|--------|--------|--------|------------------|
| | | | Unified | AASHTO | | 4 | 10 | 40 | 200 | |
| | In | | | | Pct | | | | | Pct |
| 102-----
McKeeth | 0-3 | Gravelly loam---- | GC, SC | A-6 | 0-5 | 60-80 | 60-75 | 50-65 | 35-50 | 30-35 |
| | 3-13 | Gravelly loam,
gravelly sandy
clay loam,
gravelly clay
loam. | SC, GC | A-6, A-7,
A-2 | 0-5 | 55-75 | 50-70 | 40-60 | 30-50 | 35-45 |
| | 13-24 | Gravelly sandy
loam, very
gravelly sandy
loam. | SM, GM | A-1 | 0-10 | 45-65 | 40-60 | 30-45 | 15-25 | 15-20 |
| | 24-60 | Very gravelly
loamy sand,
extremely
gravelly coarse
sand. | GP-GM, GP | A-1 | 5-15 | 15-45 | 10-40 | 5-20 | 0-10 | --- |
| 103*, 104*:
Minidoka----- | 0-4 | Silt loam----- | ML, CL-ML | A-4 | 0-5 | 95-100 | 90-100 | 85-95 | 75-95 | 20-25 |
| | 4-27 | Silt loam----- | ML, CL-ML | A-4 | 0-5 | 95-100 | 95-100 | 95-100 | 90-100 | 20-25 |
| | 27-43 | Indurated----- | --- | --- | --- | --- | --- | --- | --- | --- |
| | 43-60 | Silt loam----- | ML, CL-ML | A-4 | 0-5 | 90-100 | 85-100 | 80-95 | 70-90 | 20-25 |
| Minveno----- | 0-8 | Silt loam----- | ML | A-4 | 0 | 90-100 | 85-100 | 80-100 | 80-90 | 15-20 |
| | 8-14 | Loam, silt loam | ML | A-4 | 0 | 90-100 | 85-100 | 80-100 | 80-90 | 15-20 |
| | 14-21 | Indurated----- | --- | --- | --- | --- | --- | --- | --- | --- |
| | 21-25 | Unweathered
bedrock. | --- | --- | --- | --- | --- | --- | --- | --- |
| 105, 106-----
Minveno | 0-8 | Silt loam----- | ML | A-4 | 0 | 90-100 | 85-100 | 80-100 | 80-90 | 15-20 |
| | 8-14 | Loam, silt loam | ML | A-4 | 0 | 90-100 | 85-100 | 80-100 | 80-90 | 15-20 |
| | 14-21 | Indurated----- | --- | --- | --- | --- | --- | --- | --- | --- |
| | 21-25 | Unweathered
bedrock. | --- | --- | --- | --- | --- | --- | --- | --- |
| 107*:
Minveno----- | 0-8 | Stony silt loam | ML | A-4 | 5-10 | 90-100 | 85-100 | 80-100 | 80-90 | 15-20 |
| | 8-14 | Loam, silt loam | ML | A-4 | 0 | 90-100 | 85-100 | 80-100 | 80-90 | 15-20 |
| | 14-21 | Indurated----- | --- | --- | --- | --- | --- | --- | --- | --- |
| | 21-25 | Unweathered
bedrock. | --- | --- | --- | --- | --- | --- | --- | --- |
| Minidoka----- | 0-4 | Stony silt loam | ML, CL-ML | A-4 | 5-10 | 95-100 | 95-100 | 85-95 | 75-95 | 20-25 |
| | 4-27 | Silt loam----- | ML, CL-ML | A-4 | 0-5 | 95-100 | 95-100 | 95-100 | 90-100 | 20-25 |
| | 27-43 | Indurated----- | --- | --- | --- | --- | --- | --- | --- | --- |
| | 43-60 | Silt loam----- | ML, CL-ML | A-4 | 0-5 | 90-100 | 85-100 | 80-95 | 70-90 | 20-25 |
| 108*:
Monroe----- | 0-8 | Sandy loam----- | ML, SM | A-4 | 0 | 95-100 | 90-100 | 55-75 | 45-60 | 15-20 |
| | 8-36 | Loam, very fine
sandy loam. | CL-ML, CL | A-4 | 0 | 100 | 95-100 | 85-95 | 60-75 | 25-30 |
| | 36-60 | Sandy loam----- | SM, SM-SC | A-2, A-4 | 0 | 100 | 95-100 | 55-70 | 25-40 | 20-25 |
| Jenness----- | 0-6 | Loam----- | CL-ML, ML | A-4 | 0 | 100 | 100 | 80-90 | 55-65 | 20-25 |
| | 6-12 | Loam----- | ML, SM | A-4 | 0 | 100 | 90-100 | 80-90 | 40-60 | 20-25 |
| | 12-36 | Sandy loam----- | SM | A-2, A-4 | 0 | 100 | 95-100 | 60-85 | 30-45 | 20-25 |
| | 36-60 | Gravelly loamy
sand. | SM, SP-SM | A-1 | 0 | 85-100 | 75-85 | 40-50 | 5-20 | --- |

See footnotes at end of table.

HUBBLE
3 of 11

TABLE 13.--PHYSICAL AND CHEMICAL PROPERTIES OF THE SOILS--Continued

| Soil name and map symbol | Depth | Clay | Moist bulk density | Permeability | Available water capacity | Soil reaction | Salinity | Shrink-swell potential | Erosion factors | | Wind erodibility group | Organic matter |
|------------------------------|-------|-------|--------------------|--------------|--------------------------|---------------|----------|------------------------|-----------------|---|------------------------|----------------|
| | | | | | | | | | K | T | | |
| | In | Pct | g/cc | In/hr | In/in | pH | mmhos/cm | | | | | Pct |
| 101*:
Hawsley----- | 0-6 | 5-10 | 1.65-1.70 | >20 | 0.06-0.08 | 7.4-8.4 | <4 | Low----- | 0.05 | 5 | 2 | 5-1 |
| | 6-60 | 2-8 | 1.65-1.70 | >20 | 0.05-0.08 | 7.4-8.4 | <8 | Low----- | 0.05 | | | |
| 102-----
McKeeth | 0-3 | 20-26 | 1.40-1.50 | 0.6-2.0 | 0.12-0.14 | 7.4-8.4 | <4 | Moderate | 0.17 | 3 | 6 | 6-1 |
| | 3-13 | 25-35 | 1.40-1.50 | 0.2-0.6 | 0.12-0.15 | 7.9-9.0 | <8 | Moderate | 0.17 | | | |
| | 13-24 | 7-15 | 1.55-1.65 | 0.2-0.6 | 0.07-0.09 | 7.9-9.0 | <8 | Low----- | 0.10 | | | |
| | 24-60 | 2-8 | 1.60-1.70 | 6.0-20 | 0.02-0.05 | 7.9-9.0 | <8 | Low----- | 0.02 | | | |
| 103*, 104*:
Minidoka----- | 0-4 | 10-18 | 1.30-1.40 | 0.6-2.0 | 0.19-0.21 | 7.4-8.4 | <2 | Low----- | 0.49 | 2 | 4L | 1-1 |
| | 4-27 | 10-18 | 1.30-1.40 | 0.6-2.0 | 0.19-0.21 | 7.4-8.4 | <2 | Low----- | 0.49 | | | |
| | 27-43 | --- | --- | --- | --- | --- | --- | --- | --- | | | |
| | 43-60 | 10-18 | 1.30-1.40 | 0.6-2.0 | 0.19-0.21 | 7.4-8.4 | <2 | Low----- | 0.49 | | | |
| Minveno----- | 0-8 | 10-15 | 1.20-1.40 | 0.6-2.0 | 0.19-0.21 | 6.6-7.8 | <2 | Low----- | 0.43 | 1 | 4L | 1-1 |
| | 8-14 | 10-18 | 1.25-1.35 | 0.6-2.0 | 0.16-0.21 | 7.4-8.4 | 2-4 | Low----- | 0.43 | | | |
| | 14-21 | --- | --- | --- | --- | --- | --- | --- | --- | | | |
| | 21-25 | --- | --- | --- | --- | --- | --- | --- | --- | | | |
| 105, 106-----
Minveno | 0-8 | 10-15 | 1.20-1.40 | 0.6-2.0 | 0.19-0.21 | 6.6-7.8 | <2 | Low----- | 0.43 | 1 | 4L | 1-1 |
| | 8-14 | 10-18 | 1.25-1.35 | 0.6-2.0 | 0.16-0.21 | 7.4-8.4 | 2-4 | Low----- | 0.43 | | | |
| | 14-21 | --- | --- | --- | --- | --- | --- | --- | --- | | | |
| | 21-25 | --- | --- | --- | --- | --- | --- | --- | --- | | | |
| 107*:
Minveno----- | 0-8 | 10-15 | 1.20-1.40 | 0.6-2.0 | 0.15-0.18 | 6.6-7.8 | <2 | Low----- | 0.37 | 1 | 5 | 1-1 |
| | 8-14 | 10-18 | 1.25-1.35 | 0.6-2.0 | 0.16-0.21 | 7.4-8.4 | 2-4 | Low----- | 0.43 | | | |
| | 14-21 | --- | --- | --- | --- | --- | --- | --- | --- | | | |
| | 21-25 | --- | --- | --- | --- | --- | --- | --- | --- | | | |
| Minidoka----- | 0-4 | 10-18 | 1.30-1.40 | 0.6-2.0 | 0.18-0.21 | 7.4-8.4 | <2 | Low----- | 0.43 | 2 | 6 | 1-1 |
| | 4-27 | 10-18 | 1.30-1.40 | 0.6-2.0 | 0.19-0.21 | 7.4-8.4 | <2 | Low----- | 0.49 | | | |
| | 27-43 | --- | --- | --- | --- | --- | --- | --- | --- | | | |
| | 43-60 | 10-18 | 1.30-1.40 | 0.6-2.0 | 0.19-0.21 | 7.4-8.4 | <2 | Low----- | 0.49 | | | |
| 108*:
Monroe----- | 0-8 | 10-20 | 1.20-1.30 | 0.6-2.0 | 0.11-0.14 | 7.4-8.4 | <2 | Low----- | 0.24 | 5 | 3 | 2-5 |
| | 8-36 | 18-27 | 1.25-1.30 | 0.6-2.0 | 0.16-0.18 | 7.4-8.4 | <2 | Moderate | 0.37 | | | |
| | 36-60 | 10-18 | 1.30-1.45 | 2.0-6.0 | 0.10-0.12 | 7.4-8.4 | <2 | Low----- | 0.24 | | | |
| Jenness----- | 0-6 | 12-20 | 1.50-1.60 | 0.6-2.0 | 0.13-0.19 | 6.6-7.8 | <2 | Low----- | 0.37 | 3 | 5 | 1-2 |
| | 6-12 | 10-15 | 1.50-1.60 | 0.6-2.0 | 0.11-0.17 | 7.4-8.4 | <2 | Low----- | 0.49 | | | |
| | 12-36 | 5-15 | 1.60-1.70 | 2.0-6.0 | 0.10-0.13 | 7.4-8.4 | <2 | Low----- | 0.28 | | | |
| | 36-60 | 2-10 | 1.65-1.70 | >20 | 0.06-0.09 | 7.4-8.4 | <2 | Low----- | 0.10 | | | |
| 109*:
Monroe----- | 0-8 | 10-20 | 1.20-1.30 | 0.6-2.0 | 0.11-0.14 | 7.4-8.4 | <2 | Low----- | 0.24 | 5 | 3 | 1-1 |
| | 8-36 | 18-27 | 1.25-1.30 | 0.6-2.0 | 0.16-0.18 | 7.4-8.4 | <2 | Moderate | 0.37 | | | |
| | 36-60 | 10-18 | 1.30-1.45 | 2.0-6.0 | 0.10-0.12 | 7.4-8.4 | <2 | Low----- | 0.24 | | | |
| Goose Creek----- | 0-6 | 12-20 | 1.20-1.35 | 0.6-2.0 | 0.16-0.21 | 6.6-8.4 | <2 | Low----- | 0.43 | 5 | 5 | 1-1 |
| | 6-60 | 25-35 | 1.30-1.40 | 0.06-0.2 | 0.16-0.21 | 6.6-8.4 | <2 | Moderate | 0.24 | | | |
| 110*:
Moran----- | 0-7 | 12-20 | 1.50-1.55 | 2.0-6.0 | 0.07-0.09 | 5.1-6.0 | <2 | Low----- | 0.10 | 3 | 5 | 1-1 |
| | 7-20 | 14-23 | 1.55-1.60 | 2.0-6.0 | 0.06-0.09 | 4.5-5.5 | <2 | Low----- | 0.10 | | | |
| | 20-41 | 6-15 | 1.55-1.60 | 2.0-6.0 | 0.05-0.07 | 4.5-5.5 | <2 | Low----- | 0.05 | | | |
| | 41-45 | --- | --- | --- | --- | --- | --- | --- | --- | | | |

See footnote at end of table.

HUBBLE
4 of 11

Footnote

| INTAKE | DESIGN | FURROW | FURROW | FURROW | INFLOW | APPROXIMATE | ADVANCE | GROSS | NET | | | | |
|--------|---------|--------|---------|--------|--------|-------------|---------|------------|------------|--------|------|------------|------------|
| FAMILY | APPLIC. | SLOPE | SPACING | LENGTH | RATE | INFLOW TIME | TIME | IRRIGATION | IRRIGATION | RUNOFF | DEEP | IRRIGATION | EFFICIENCY |
| | Inches | Ft/Ft | Feet | Feet | Gpm | Hours | Minutes | Inches | Inches | Inches | In. | | |
| 0.70 | 2.88 | .033 | 2.00 | 300 | 3.0 | 12 | 25.8 | 5.77 | 4.74 | 0.96 | 1.94 | 49.87 | |

HUBBLE
60F11

| INTAKE | DESIGN | FURROW | FURROW | FURROW | INFLOW | APPROXIMATE | ADVANCE | GROSS | NET | | DEEP | IRRIGATION |
|--------|---------|--------|---------|--------|--------|-------------|---------|-------------|-------------|--------|-------|------------|
| FAMILY | APPLIC. | SLOPE | SPACING | LENGTH | RATE | INFLOW TIME | TIME | APPLICATION | APPLICATION | RUNOFF | PERC. | EFFICIENCY |
| | Inches | Ft/Ft | Feet | Feet | Gpm | Hours | Minutes | Inches | Inches | Inches | In. | % |
| 0.70 | 2.88 | .017 | 2.00 | 600 | 6.0 | 12 | 72.1 | 5.77 | 5.26 | 0.24 | 2.65 | 49.87 |

HUBBLE
7 of 11

SOIL CHARACTERISTICS initials: RDH date: 1/20/99

Soil Type = 108 Monroe Sandy Loam
Source of Soils Data = Published Soil Survey for Elmore County

| soil depth
(inches) | | AWC
(in/in) | | PH | | organic
(%) | | soil
depth
(ft) | AWC
(inches) | intake
family |
|------------------------|-------|----------------|-------|-------|-------|----------------|-------|-----------------------|-----------------|------------------|
| lower | upper | lower | upper | lower | upper | lower | upper | | | |
| 0 | 8 | 0.11 | 0.14 | 7.4 | 8.4 | 2 | 5 | 1 | 1.68 | flood |
| 8 | 36 | 0.16 | 0.18 | | | | | 2 | 3.72 | furrow |
| 36 | 60 | 0.1 | 0.12 | | | | | 3 | 5.76 | |
| | | | | | | | | 4 | 7.08 | alternate |
| | | | | | | | | 5 | 8.40 | method |
| | | | | | | | | | | 3 0.7 |

Management Allowed Deficit (MAD)

| crop | root
depth
(ft) | stress
point | MAD
(inches) |
|--------------------------|-----------------------|-----------------|-----------------|
| alfalfa (hay or seed) | 5 | 0.5 | 4.20 |
| corn (field or silage) | 4 | 0.5 | 3.54 |
| grain (winter or spring) | 4 | 0.5 | 3.54 |
| pasture (or grass hay) | 3 | 0.5 | 2.88 |
| other (enter below) | | | |

Intake Family

choose base number for intake family from table below based on texture
base number (#'s 1 through 7) = 3

Intake Family

| # | flood | furrow | texture |
|---|-------|--------|--|
| 1 | 0.3 | 0.3 | heavy clays, silty clay (> 60% clay) |
| 2 | 0.5 | 0.35 | clays, slit loam (lake laid), sandy clay |
| 3 | 1 | 0.4 | silty clay loam, clay loam, sandy clay loam, silt loam (stream laid) |
| 4 | 1.5 | 0.5 | silt loam (wind laid), loam, very fine sandy loam |
| 5 | 2 | 0.55 | sandy loam, fine sandy loam, gravelly loam |
| 6 | 3 | 0.7 | very fine sand, loamy sands, gravelly sandy loam |
| 7 | 4 | 0.85 | sand |

If you wish to assign intake family by an alternate method (from
Table A-3 in Hubble Report or other) enter your selection below.
Enter a value for both flood and furrow if known, otherwise enter zero.
If you do not wish to assign intake family by an alternate method
enter zero for both values.
intake family (flood) = 3
intake family (furrow) = 0.7

FIELD IRRIGATION REQUIREMENT

initials: RDH Claimant = Skipp Owen 61-00287
 date: 01/20/99 Weather Station = Mountain Home

| crop | acres | irrig. system | eff. (%) | Monthly ET (mm/day) | | | | | | | AVE IR season (mm/yr) |
|---------|-------|---------------|----------|---------------------|-----|------|------|------|------|------|-----------------------|
| | | | | mar | apr | may | jun | jul | aug | sep | |
| pasture | 34.5 | cor | 50 | | 2.8 | 5.23 | 6.96 | 6.84 | 5.68 | 4.33 | 3.15 |
| pasture | 20.3 | cor | 50 | | 2.8 | 5.23 | 6.96 | 6.84 | 5.68 | 4.33 | 3.15 |

Summary 54.8

Peak Gross Irrigation Application (mm/day) =
 On-Farm Irrigation Requirement (cfs/acre) =
 Total On-Farm Irrigation Requirement (cfs) =
 Irrigation Diversion Volume (ft/yr) =
 Total Irrigation Diversion Volume (ac-ft/yr) =

$$\frac{15.31}{0.025} \times 54.8 = 1.37 \text{ cfs}$$

HUBBLE
 10 of 11

| net
irrig.
app.
(in) | ET
ratio | irrig.
freq.
(days) |
|-------------------------------|-------------|---------------------------|
| 2.70 | 1.10 | 9.0 |
| 2.70 | 1.10 | 9.0 |

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 | 04-01 11-01
3/15 11/15 | DATABASE EXAMINER
1.500 1.37 | DATABASE EXAMINER | DATABASE EXAMINER
0.0 |
| | | | | |
| | | | | |
| | | | | |
| TOTAL FOR THIS RIGHT | | 1.500 1.37 | | 0.0 |

NON-IRRIGATION USES CLAIMED: INSTREAM STOCKWATER

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

REVIEWED BY: PR DATE: 9-12-94

FLAG: 2
STANDARD CONDITIONS (CODE):

005

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

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: 61-00287

DATABASE 1.500 EXAMINER _____ CFS

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A61-00287 | 1.500 | - | | 61-00287 | 1.500 |
| TOTAL CFS | | 1.500 | | | | 1.500 |

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()

NO-SPLITS

NOTES:

AUTHENTICATION: Ron Howerton DATE: 9-12-94
SIGNATURE: Ron Howerton TITLE: SR WATER AGENT
NAME OF FIELD EXAMINER: _____

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 1984 IDWR ID NO. Z-15 | Y(☒) N(☐) |
| ☐ TOPOGRAPHIC | DATE FIELD CHECKED | Y(☐) N(☐) |
| ☒ NAPP | DATE OF PHOTO 1987 IDWR ID NO. Z-15 | 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 LOCATION MAP | DATE 1979 Shows way to property | Y(☒) N(☐) |
| ☒ OTHER FIELD A & B Acres | DATE used for EXCESSIVE flows. | Y(☒) N(☐) |
| ☐ OTHER | DATE | Y(☐) N(☐) |

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

| IF ATTACHED, SUPPLY APPROPRIATE INFORMATION | NO. OF PAGES | NOTES |
|---|---|-------------------------------------|
| ☐ LICENSING FIELD EXAM | | |
| ☐ WATER RIGHT LICENSE | | |
| ☐ IDWR APPROVED TRANSFER | | |
| ☒ SYSTEM DESCRIPTION | | |
| ☒ PHOTOGRAPHS * David Owen | 9-12-94
3-20-96
*SEE (4) photos by David Owen | (2 photos) --- X SECTION FLOW MEAS. |
| ☐ SPLIT RIGHT REVIEW | | |
| ☒ HUBBLE ANALYSIS | DATE ANALYSIS COMPLETED 1/20/99 | 11 |
| ☐ CONVEYANCE LOSS ANALYSIS | DATE ANALYSIS COMPLETED | |
| ☒ FLOW MEASUREMENT CALCULATIONS | DATE SYSTEM MEASURED 3/20/96 | 4 CAPACITY MEASUREMENTS |
| ☒ OTHER Photos by owner | DATE 1/15/99 | 2 (4 Photos) EVIDENCE-OF-USE. |
| ☒ OTHER AFFIDAVIT By owner | DATE 1/15/99 | 1 Submit EVIDENCE-OF-USE |

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

A61-00287)

)

)

State of Idaho)

County of Elmore)

AFFIDAVIT

Skip Owen being first duly sworn,
deposes and says: _____

I Skip Owen purchased the Giandigo Place from
Stephens Bros. in March of 1995. That spring I spread
flood water on the old meadows. Jan. 15, 1999 I showed
Ron Howerton the slides of the area we irrigated.

Skip Owen

(Signature)

Subscribed and sworn to before me this
day 15th of Jan., 1999.

SEAL

Ron Howerton

(Notary Public)

Residing at Ron Howerton.

Residing at Boise, Idaho

My Commission Expires December 2, 2000

1/15/99

P.S. IDWR IS MAKING COPIES OF SLIDES
Rdh (4 SLIDES)

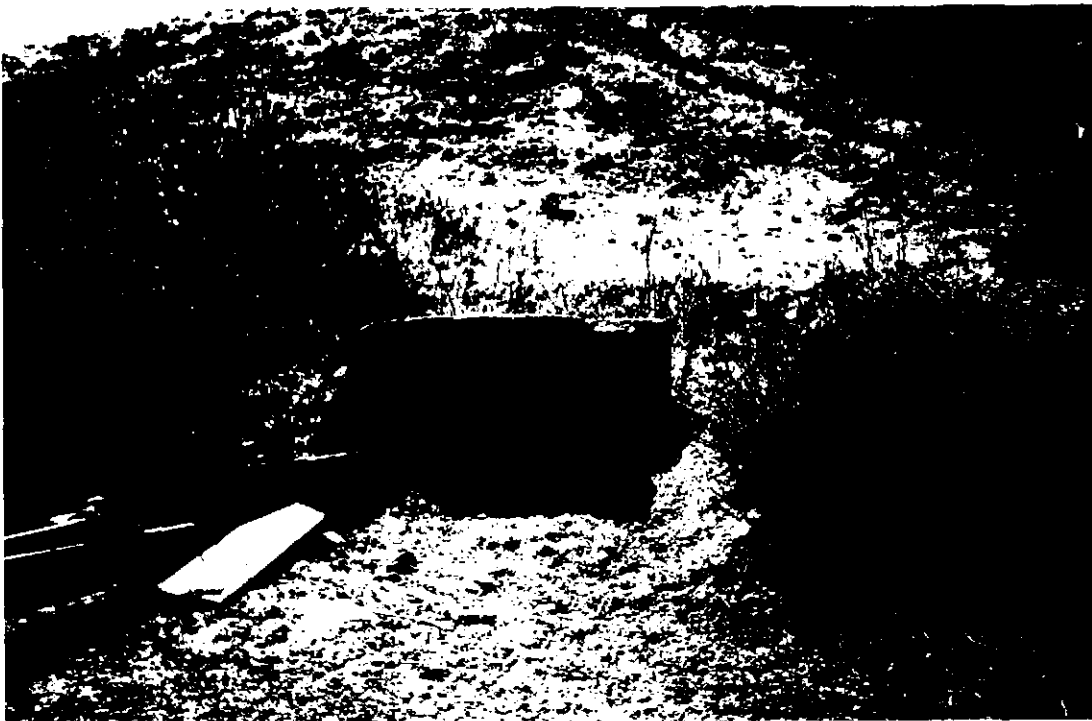
PICTURE #1:

FX 09/12/94. Photo's by RDH. Bennett Creek P/D, NWNWNW, S25, T3S, R8E. East Ditch.



PICTURE #2

Same P/D as above showing West Ditch.



PICTURE #3:

FX 09/12/94. Photo's by RDH. Cement diversion box from East ditch in the NWNW, S25. This is the main take out for the field on the Eastside of Bennett Creek. View is to the North looking back at the P/D for Bennett Creek.



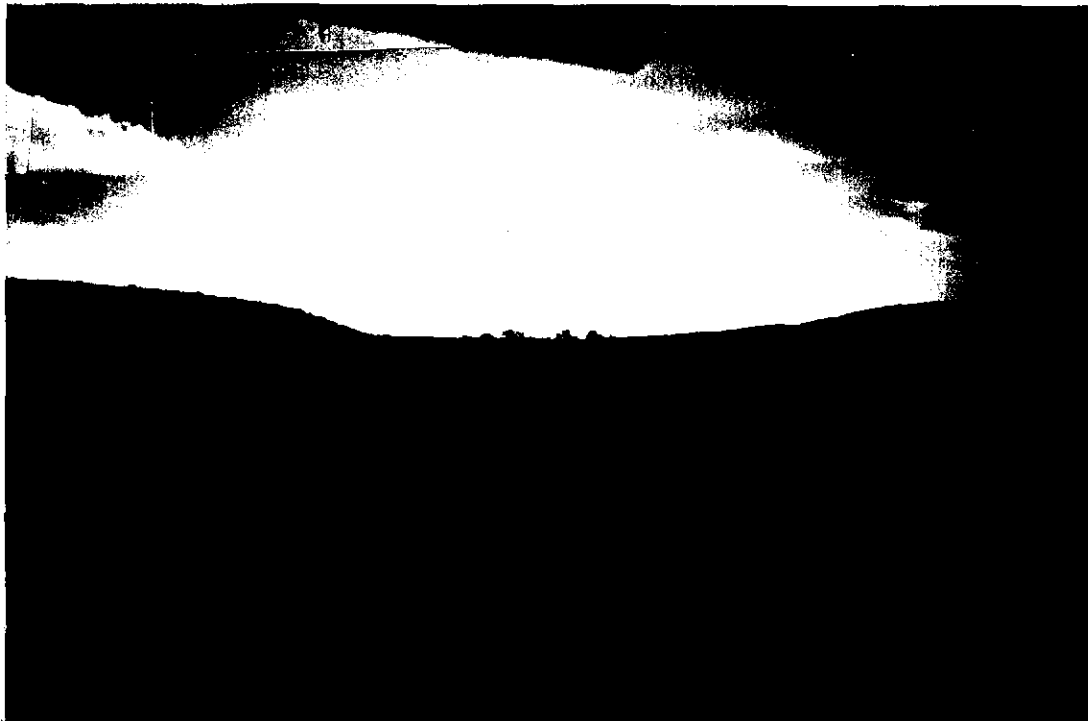
PICTURE #4

This is the beginning area of the East field, to the South of the cement diversion box.



PICTURE #5:

FX 09/12/94. Photo's by RDH. Cattle have ate most of the wild pasture, looks like it hadn't been irrigated this season. View is to the South on East ditch side in the SWNW, S25.



PICTURE #6

Feeder ditch from the Cement diversion box shown in picture # 3.



PICTURE #7:

FX 09/12/94. Photo's by RDH. This is the ditch to the West field, from Bennett Creek. Photo located in the NWNW, S25.



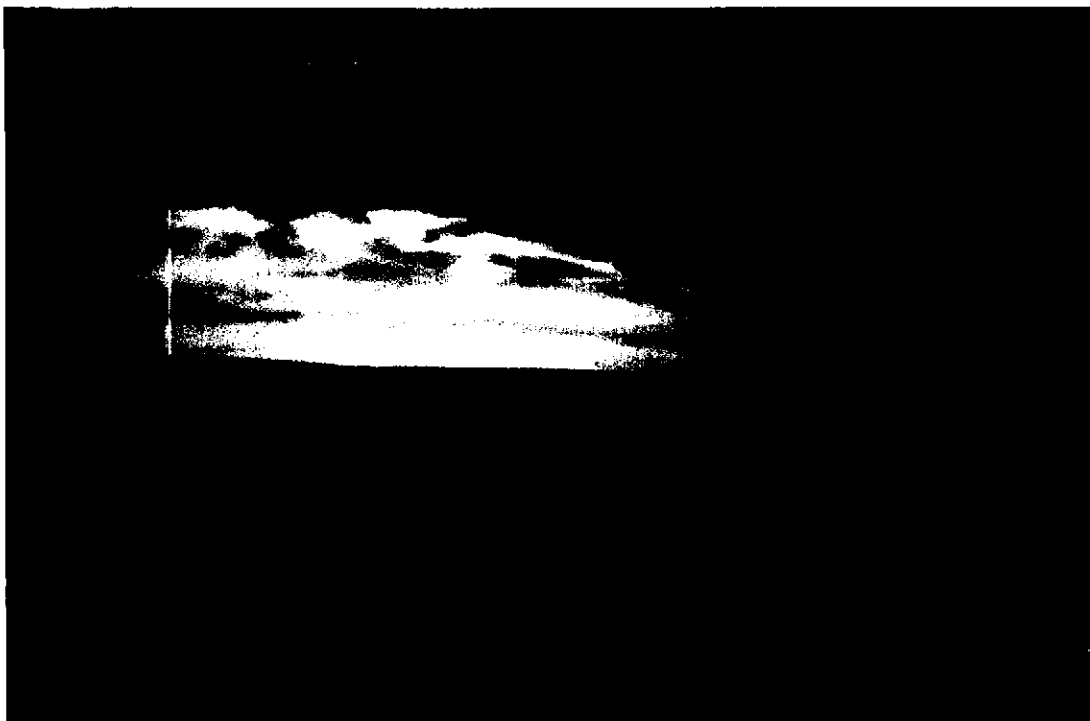
PICTURE #8

This is the beginning of the West field located in the SWNW, S25. View is to the South.



PICTURE #9:

FX 09/12/94. Photo's by RDH. More place of use on the East field. Located in the NWSW, S25. View is to the North.



PICTURE #10

More of the East field located in the SWSW & NWSW of S25. View is to the North.



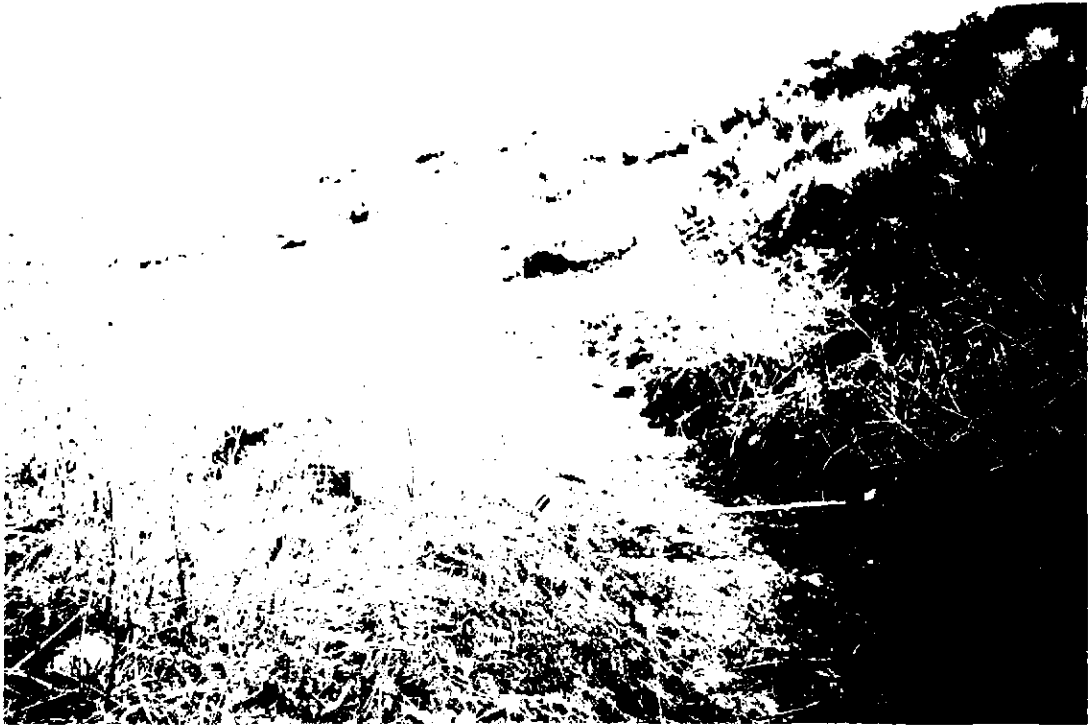
PICTURE #11:

FX 09/12/94. Photo's by RDH. Photo location is of the SWSW, S25. View is to the North. Shows edge of corrals on left side of photo. Beginning of the East field is beyond Tree in background. The East ditch is shown on the right hand side of photo.



PICTURE #1

A61-00287: FX 3-20-96. Photo's by RDH. More follow up-photos. This is the upstream X-section on the East ditch near county road, manning equation measurement made here.



PICTURE #2

This is the downstream X-section on the East ditch near county road.





State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

Date: July 5, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Stephens & Sons Inc
C/O Jake Stephens
22710 S Lansing
Middleton, Id 83644

RE: Field Exam Scheduling Letter for the following Adjudication Claims:

A61-00287, A61-00309, A61-00312, A61-00316, A61-00328, A61-02153,
A61-10577, A61-10578 & A61-10579

Dear Jake,

The Adjudication Staff of the Department of Water Resources will be conducting Snake River Basin Adjudication Claim Examinations for Elmore County from July through November 1994.

Information on your claim that may need to be verified includes, source(s) of water, uses and amounts, legal descriptions of point(s) of diversion, place of use and in some cases documentation verifying the date of priority as claimed in the Snake River Basin Adjudication.

Although it is not mandatory that you accompany me, should questions arise during the exam, it would be most helpful for yourself or a knowledgeable representative to be available during the field exam. This will help in the accuracy of collecting specific information about your water right and speed up our findings.

I would appreciate your call **ASAP** to set-up a field exam date. I may also be calling to help speed up the scheduling due to the short field season this year.

If you have other questions prior to scheduling a date or about the field examination, feel free to call me on that too. Please call today to set-up your exam!

Sincerely,

Ron Howerton
ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190



8/20/92

207

upstream WEST X-SECTION
Ditch



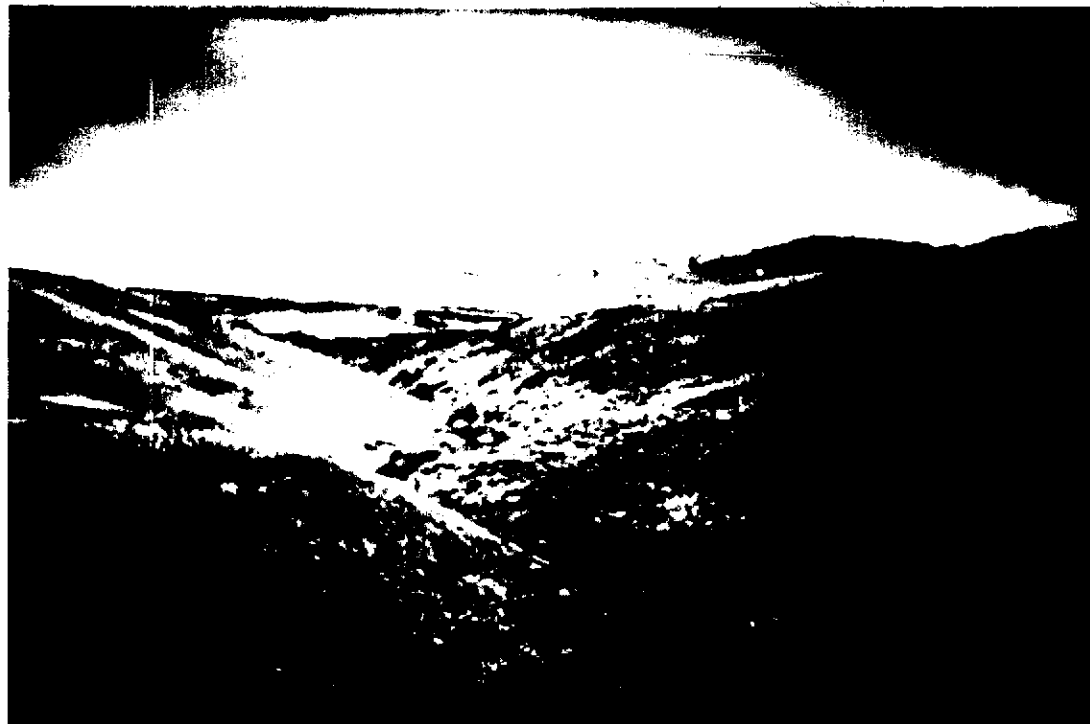
3/20/96

287

Downstream west
Ditch X-SECTION



P/D Looking SW



OLD PID SEC 24 Pitch

287



P/D Looking SW

287