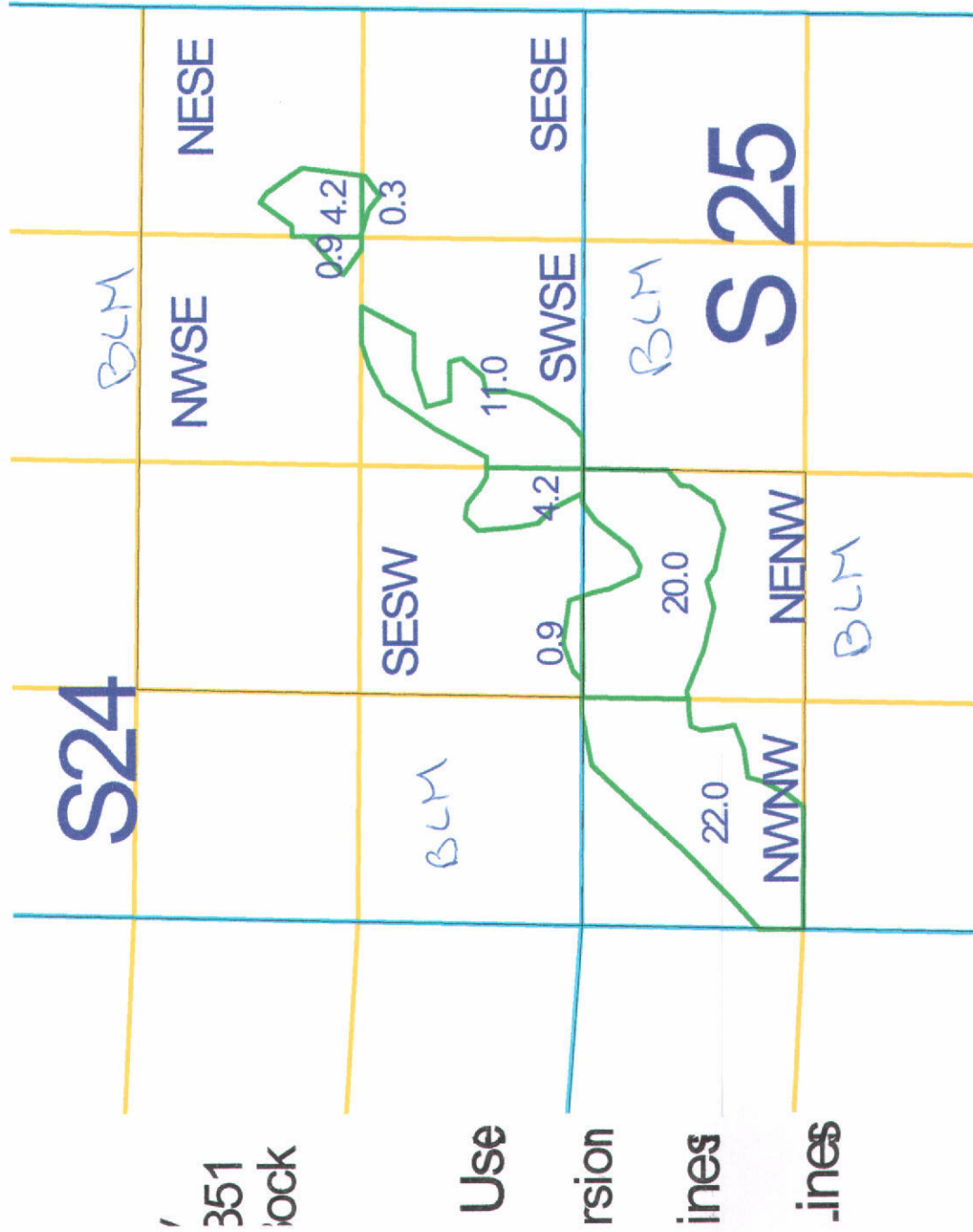




WATER RESOURCES



1987 NAPP Photo

0 0.25 0.5 0.75 Miles

1987 Photos

R10E

T150
113

T
4
S

23 24

26 25

2
52.3

N

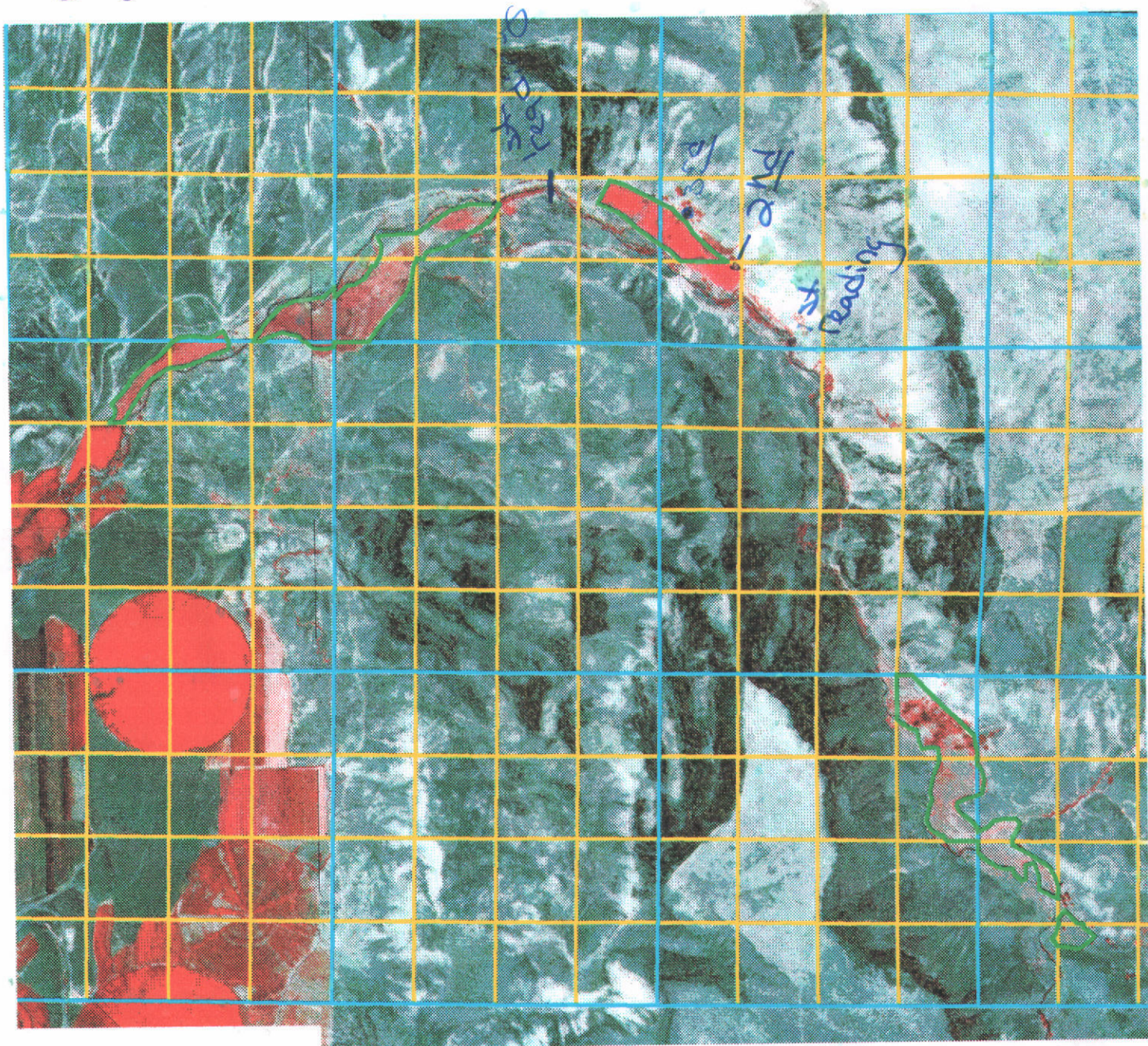
George L. Presley

T4S, R10E Sec 24, 25, 26

FARM 113 TRACT 150

Farmland: 320.0AC Cropland 56.7AC

Readings for
Conveyance
loss
on 12/3/08
Volclimont
S.B.



WATER RESOURCES

T04, R10, S24, 25
 Claimant(s): Presley
 Claim No(s): 61-00351
 Prepared by: Sue Bock
 Date: 11/16/1998



Place of Use



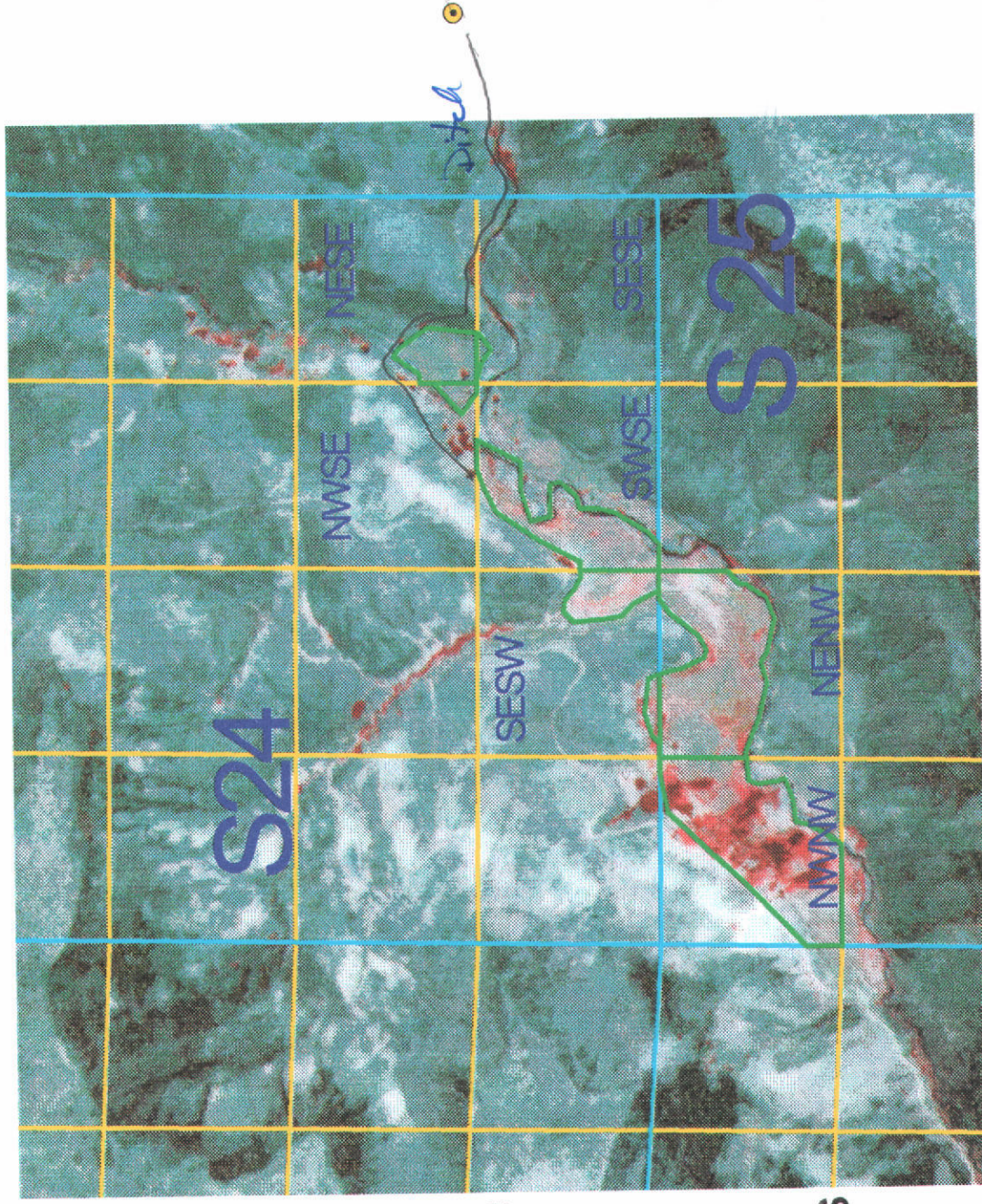
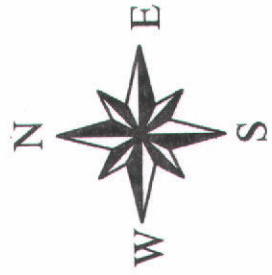
Point of Diversion



1/4 1/4 lines



Section Lines



0 0.25 0.5 0.75 Miles



1987 NAPP Photo

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: A61-00351
Date Received: 11/20/1989
Receipt No: C012926
Received By: _____

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

1. Name: GEORGE L. PRESLEY 208-366-2061
Address: RT. 1, BOX 12
KING HILL, ID 83633

OR

Name: SHARRON N. PRESLEY 208-366-2061
Address: RT. 1, BOX 12
KING HILL, ID 83633

2. Date of Priority: APR 01, 1886

3. Source: KING HILL CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	11E	19	SW	NE	SW		ELMORE

5. Description of diverting works:
CEMENT HEADGATE W/12" PIPE TO DITCH. ROCK CHECK W/PLASTIC

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/15	2.000		

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

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 HEAD BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04S	10E	24	SW		SW		IRR	5.0
			SE		SW		IRR	15.0
			NE		SE		IRR	10.0
			NW		SE		IRR	10.0
			SW		SE		IRR	10.0
							Section Acres	50.0
		25	NE		NW		IRR	20.0
			NW		NW		IRR	30.0
							Section Acres	50.0
							Total Acres	100.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

E. M. KIMBROUGH

Decree Plaintiff

vs

HIRAM CANFIELD 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 _____

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 A61-00351
Date Received 11-20-89
Receipt Number CO12926

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) George L. or Sharron N. Presley Phone (208) 366-2061
Mailing Address Route 1, Box 12, King Hill, Idaho Zip 83633

2. Date of Priority (Only one (1) per claim) April 1, 1886

3. Source of water supply (a) King Hill Creek
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 4 South Range 11 East Section 19,
SW 1/4 of NE 1/4 of SW 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 is a cement headgate with 12-inch
discharge pipe into an open ditch. Rock check with plastic in stream bed.

AUG 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 3/1 to 11/15 amount 2.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 350 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater: up to 500 head of beef cattle.

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>4S</u>	<u>10E</u>	<u>24</u>											<u>5</u>	<u>15</u>	<u>10</u>	<u>10</u>	<u>10</u>		<u>50</u>
<u>4S</u>	<u>10E</u>	<u>25</u>					<u>20</u>	<u>30</u>											<u>50</u>

Total number of acres irrigated 100

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 Presley Ident No. _____

MICROFILMED
Copies: White -State, Yellow-Claimant
AUG 11 1992

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

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

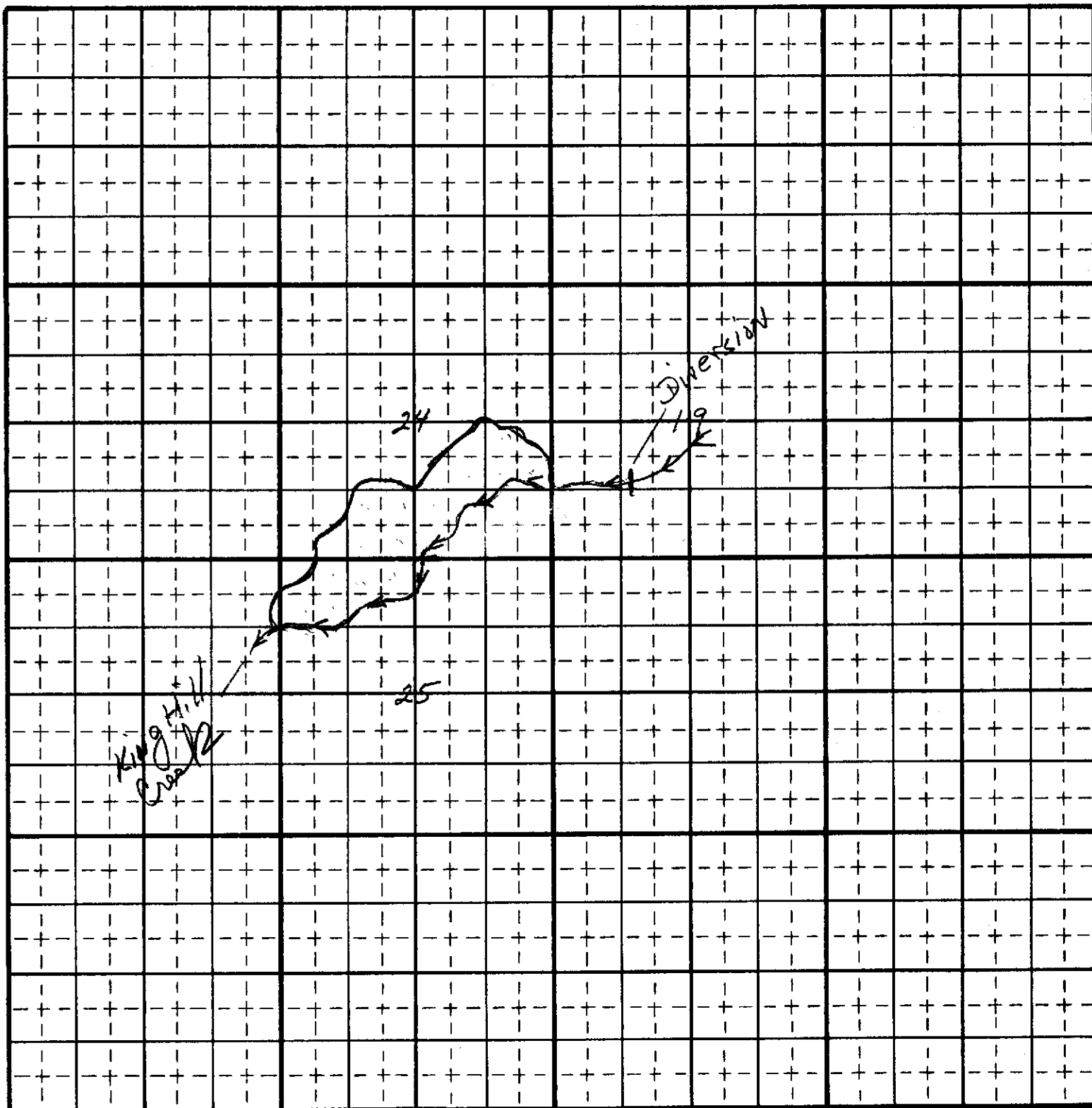
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

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

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

Scale: 2 inches equals 1 mile

T4S R10E R11E



REF: FILMED

Last Name Presley

Ident No.

Copies: White-State, Yellow-Claims: 1 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number 61 351

Court Judicial District 4 Case Number 2-4 Decree Date 6/2/1904

Plaintiff vs Defendant E. M. Kimbrough vs. Hiram Canfield et al

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) George L. Presley Date 11-20-89

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 20th day of November 19 89

SEAL

Notary Public Carter Fritschle

Residing at Carter Fritschle, Notary Public

My Commission Expires Residing at Eagle, Idaho

Please Print Name

My Commission Expires March 21, 1994

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 Presley Ident. Number _____

Copies White-State, Yellow-Claimant
NOV 17 1992

4/5/1989.

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Presley

CLAIM IDENT. NO.

A61-00351

DATE RECEIVED

11-20-89

CK #

AMOUNT \$

561⁰⁰

YES

NO

Required
Info?

1. Is the name and address complete with zip code? CO 12926 ☒ YES ☐ NO ☐ *
2. Is a priority date entered? ☒ YES ☐ NO ☐ *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
- (b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO ☐ *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ *
- Is the period of use included? ☒ YES ☐ NO ☐ *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ *
8. If required is a consumptive use entered? N/A ☒ YES ☐ NO ☐ *
- Is the consumptive use correct? N/A Claimed 3.5 AFA/acre ☒ YES ☐ NO ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒ YES ☐ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ YES ☐ NO ☐ *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ YES ☐ NO ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? Exempt ☒ YES ☐ NO ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO ☐ *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ *

Claim checked by: CA

Date:

11-20-89

Claim must be returned to claimant:

(Yes) (No)

Claimant must be notified of modifications:

(Yes) (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

11-20-89

Date:

11-20-89

Checked by:

Date:

Comments:

11/20/89

AUG 11 1992

WESTERN REGION

CLAIM NUMBERS 61-00351

AGENT SB DATE 11/12/98

TOTAL ACRES FROM RECOMMENDATION _____

GEOGRAPHIC INFO SYSTEM ACRES _____

READY FOR DECREE ____ (YES) SENT FOR DECREE ____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80__

POLYGON # () () () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (176)(177)() () ()

ATTRIBUTES OF B51-POD.SHP (164)() () () ()

B51-DBPOU.DBF SB UPDATED BY

B51-DBPOD.DBF SB UPDATED BY

Added to B51

[illegible]

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- C15 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61:
- | WATER RIGHT NO. | SOURCE |
|-----------------|---|
| - | NONE |
| - | NONE |
| - | THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN: |
| - | WATER RIGHT NO. |
| - | NONE |
| - | NONE |
| - | ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY. |

Remarks: EXP STOCKWATER, 500 RANGE CATTLE

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc: Water District Number: 61F Field Inspection Flag:

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

Comments:

Date: 11/17/1998 User-ID: SBOCK Subject: POJ
POJ WAS BASED ON NRCS PHOTOS AND NAPP PHOTOS. 5 ACRES IN SEC
24 SWSW WAS CLAIMED, IT IS ON BLM PROPERTY. I SPOKE WITH MR.
PRESLEY ON 11/16/1998, HE SAID TO REMOVE THE 5 ACRES AND MOVE IT
TO THE SESW FOR A TOTAL OF 20 ACRES. I AM ONLY RECOMMENDING 5.1
ACRES IN THE SESW AS THAT IS ALL THE APPEARS IRRIGATED. THIS
WATER WAS DECREED AT AN INCH TO THE ACRE, SO I HAVE REDUCED THE
DIVERSION RATE TO 1.27 CFS.

Date: 11/21/1998 User-ID: KWALKER Subject: SEASON OF USE
CHANGED IRRIGATION SEASON TO 3/15 TO 11/15 PER STANDARD SEASON IN
THIS AREA. NO SEASON OF USE ON WATER RIGHT AND NO TRANSFER
ADDING A SEASON OF USE.

Date: 11/21/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 12/07/1998 User-ID: SBOCK Subject: DIVERSION RATE
DIVERSION RATE INCREASED BY .27CFS AS PER CONVEYANCE LOSS.

Audit: 12/07/98 SBOCK

AJ0749NP
No. R61-00351

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

DATE: 11/17/98
PAGE: 1

OWNER
CODE
C GEORGE L PRESLEY
C SHARRON N PRESLEY
RT 1 BOX 12
KING HILL ID 83633
(208) 366-2061

NAME & ADDRESS

PRIORITY
DATE
04/01/1886

WATER USE
IRRIGATION

USE PERIOD
FROM TO
03-01 11-15

DIVERSION
RATE
1-27 CFS

DIVERSION
VOLUME
1-27 CFS

TOTAL DIVERSION:

Water Source: KING HILL CREEK
Tributary to: SNAKE RIVER
Stage: DECREEED
ELMORE County

Point(s) of Diversion: T04S R11E S19 S1NESW

Place of use Legal Description for: IRRIGATION

T	R	S	NE		NW		SW		SE		SUM	
			NE	NW	SE	SW	NE	NW	SE	SW	NE	NW
04S	10E	24	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
04S	10E	25	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
			: 20		: 22		: 05		: 11		: 21.5	
			: 04		: 09		: 04		: 11		: 42.0	
											TOTAL ACRES	
											63.5	

POU County: ELMORE

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREEED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks: EXP STOCKWATER, 500 RANGE CATTLE

Dates: Exam Made Date: Verified Date: 11/17/1998 Objection Filed Date:

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

Conveyance 1885, 27

AJ0749NP
No. R61-00351

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

DATE: 11/17/98
PAGE: 2

Comments: Date: 11/17/1998 User-ID: SBOCK Subject: POU
POU WAS BASED ON NRCS PHOTOS AND NAPP PHOTOS. 5 ACRES IN SEC
24 SWSW WAS CLAIMED, IT IS ON BLM PROPERTY. I SPOKE WITH MR.
PRESLEY ON 11/16/1998, HE SAID TO REMOVE THE 5 ACRES AND MOVE IT
TO THE SESW FOR A TOTAL OF 20 ACRES. I AM ONLY RECOMMENDING 5.1
ACRES IN THE SESW AS THAT IS ALL THE APPEARS IRRIGATED. THIS
WATER WAS DECREED AT AN INCH TO THE ACRE, SO I HAVE REDUCED THE
DIVERISON RATE TO 1.27 CFS.

Audit: 11/17/98 SBOCK

CLAIM NUMBER: A61-00351

Water Source: KING HILL CREEK Tributary to: SNAKE RIVER Stage: DECREE

Point(s) of Diversion: T04S R11E S19 SWNESW ELMORE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE												
		NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NENE		NWSE		SWSE		SESE		
		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		
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Other Rights:	NONE	
Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number: 61F	Field Inspection Flag: Presumption Flag:

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08:01:48
10/11/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A61-00351

LAST: HEZEKIAH
ADDRESS: X
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: G
STATE: ID ZIP: 0

OWNER CODE: 0

LAST: BOYLES
ADDRESS: X
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: MINNIE
STATE: ID ZIP: 0

OWNER CODE: 0

LAST: PRESLEY
ADDRESS: RT 1 BOX 12
CITY: KING HILL
PHONE NUMBER: 208-366-2061

FIRST: GEORGE L
STATE: ID ZIP: 83633

OWNER CODE: C

LAST: PRESLEY
ADDRESS: RT 1 BOX 12
CITY: KING HILL
PHONE NUMBER: 208-366-2061

FIRST: SHARRON N
STATE: ID ZIP: 83633

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE
N

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

CONTACT PERSON: _____ PHONE NUMBER: (____) ____-____
DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE: Y(____) N(____) TIME: ____:____ A(____) P(____)
ACCOMPANIED BY: _____ PHONE NUMBER: (____) ____-____
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A61-00351	PRIORITY DATE: 04-01-1886	STAGE: D
B. WR RECORD: # 61-00351	PRIORITY DATE: 04-01-1886	STAGE: D
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?		Y(✓) N()
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?		Y() N(✓)
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)		Y() N(✓)
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?		
PROOF OF BENEFICIAL USE SUBMITTED		N/A() Y() N()
FIELD EXAM COMPLETED		N/A() Y() N()
FIELD EXAM SENT TO STATE OFFICE		N/A() Y() N()
LICENSE ISSUED		N/A() Y() N()
* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.		
G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?		N/A() Y() N()
* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.		
H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?		Y() N()

NOTES: Recommend as previously decreed.

=====

RECOMMENDED PRIORITY DATE:

04-01-1886
REVIEWED BY RME DATE 8-12-96

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A61-00351	04S	11E	19	SW	NE	SW			ELMORE		

OTHER AJ CLAIMS WITH SAME AJ POD
 A PREFIX
 NONE
 NONE

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: KING HILL CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

6100351 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: KING HILL CREEK

TRIB: SNAKE RIVER

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

Y() N(✓)

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER

Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

Y() N()

NOTES: Recommending is obtained although property is on EXH.

[illegible]

REVIEWED BY: _____ DATE: _____

=====

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



1017-12-50

3432T

Devils
Playground

24

3278T

POD 195

3730T

25

OT

3653T

369T

368T

366T

202

366T

368T

3789T

3730T

POD

A. ROOT WATER RIGHT NUMBERS: A61-00351

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	10E	24	SW	SW		PRESLEY, GEORGE L	A61-00351 / 5.0	- /	6.0		0
04S	10E	24	SE	SW		PRESLEY, GEORGE L	A61-00351 / 15.0	61-00351 /	16.0		5.1
04S	10E	24	NE	SE		PRESLEY, GEORGE L	A61-00351 / 10.0	- /	4.0		4.2
04S	10E	24	NW	SE		PRESLEY, GEORGE L	A61-00351 / 10.0	- /	9.0		9
04S	10E	24	SW	SE		PRESLEY, GEORGE L	A61-00351 / 10.0	61-00351 /	23.0		11.0
04S	10E	25	NE	NW		PRESLEY, GEORGE L	A61-00351 / 20.0	61-00351 /	20.0		20
			NE	NW		PRESLEY, SHARRON N	A61-10370 /	- /			
04S	10E	25	NW	NW		PRESLEY, GEORGE L	A61-00351 / 30.0	61-00351 /	25.0		22
			NW	NW		PRESLEY, SHARRON N	A61-10370 /	- /			

ADDITIONAL POU FOUND

04SESE

.3

TOTAL ACRES

A61-00351

100.00

103.00

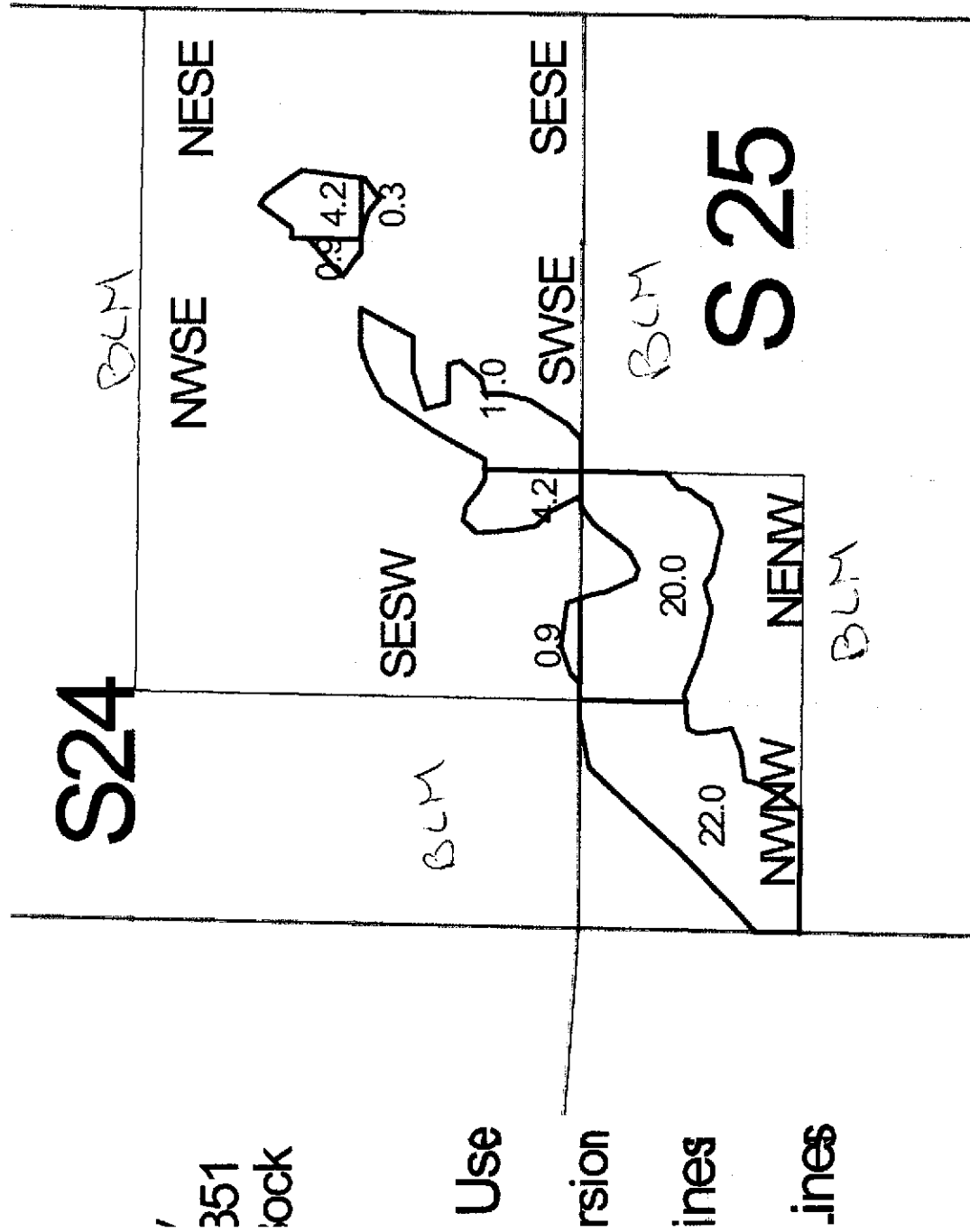
POU COUNTY: ELMORE

63.5

11/16/08

Spoke to Mr. Presley regarding
acres in Sec 24 SWSW
This is BLM property, Mr. Presley
said he did not want to claim
Rather to transfer acres to the SEDW
to make a total of 20 acres
Using NRCS photos I was not
able to match acres claimed
Additional acres are being iff.
on BLM property. S.B.

WATER RESOURCES



1987 NAPP Photo



1987 Photos

R10E

T150
113

T4S

23 24

26 25

1
52.3

George L. Presley
T4S, R10E Sec 24, 25, 26
FARM 113 TRACT 150

FARMLAND: 320.0AC CROPLAND 56.7AC

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-10370	STOCKWATER	PRESLEY, SHARRON N	FROM 01-01 TO 12-31	0.100 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

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(☒)

CHECK DOCUMENTS USED TO VERIFY POU: ☒ ORTHOPHOTOQUAD, IDWR NO. _____; ☐ TOPOGRAPHIC QUAD, IDWR NO. _____;NOTES: ☒ NAPP, IDWR NO. _____; ☒ ASCS PHOTO: ☐ OTHER _____
Duty of water under prior decree is 1" per acre, hence 100.0 acres is important.Field survey on 12/3/98 convergency loss 0.275.
Based on ditch cross to adjacent lands.
Due to weathering conditions, we could not get
anywhere close to water field or post. (Painted
sagitt ditch is much better than canal aged
with P.O.U.)

RECOMMENDATIONS:

TOTAL ACRES: 63.5 N/A ()

REVIEWED BY: SB DATE: 11/16/98

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
A61-00351 IRRIGATION	FROM 03-01 TO 11-15	2.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
61-00351 IRRIGATION	FROM TO	2.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

Y() N()

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y() N()

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

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

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() N()

J. 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: 2.000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 635 x 0.02 CFS/ACRE = 12.7 CFS
(Taken from pou review)

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

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

2. IRRIGATION DIVERSION VOLUME 12.7

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 = 350.0 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 ()

NOTES:

POV. has no medical. Recommending not shown on NRCS photos.

NR RECORD CONDITIONS/REMARKS:

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	03-01 11-15	DATABASE EXAMINER 2-000 127	DATABASE EXAMINER	DATABASE EXAMINER 350.0
TOTAL FOR THIS RIGHT		2-000 127		350.0

NON-IRRIGATION USES CLAIMED: S/500 HEAD BEEF CATTLE

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

REVIEWED BY: SP DATE: 11/16/80

FLAG: _____
STANDARD CONDITIONS (CODE): _____

245

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

ROOT WATER RIGHT NUMBER: 61-00351

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 2.000
EXAMINER _____
CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	-	-	-	-	61-00351	2.000

TOTAL CFS

2.000

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 N
FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

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 1987	IDWR ID NO. 2627608 N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED	IDWR ID NO. Y() N()
☒ NAAPP	DATE OF PHOTO 1987	IDWR ID NO. 2627708 Y() N()
☒ AERIAL PHOTO	DATE OF PHOTO 1987	IDWR ID NO. 2627708 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 GIS Map	DATE	Y() N()
☐ OTHER	DATE	Y() N()
☐ OTHER	DATE	Y() N()

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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QUICKLOOK INFORMATION

16
CLAIM NUMBER: A61-00351

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y			2				
SOURCE				2				
PLACE OF USE	Y			2				
DIV. AMOUNT CFS/VOLUME				2				
CONSUMPTIVE USE	-			2				
PURPOSES OF USE				2				
PERIOD OF USE	Y			2				
BASIS OF CLAIM	Y			2				
REMARKS				1				

BARCODE UPDATED
WHOM/DATE

Readings for
Comberover
1055
02 12/3/98
Vol Clement
S.S.



ESTIMATING CONVEYANCE LOSS

1/5/95



FIELD EXAMINER: See Back

FIELD EXAM DATE: 12/3/98

FOR CLAIM(S)

61-00352

61-00351

Unable to get measurements on 61-00351 due to bad roads. Claimant said section of ditch for 61-00352 is very close to ditch.

Soil type 173
Elmore Ct. Soils

FORMULA: $S = (W)(i)(0.0667)$ measurements for 61-00351

Where: S = Loss in CFS per Mile
W = The top width of the high water mark in feet
i = The loss rate in feet per day (see table)
0.0667 is a factor used to convert to CFS per mile

TABLE:	Type of Soil	Loss Rate i (Ft/Day)
	Medium clay loam.....	0.5 to 1.5
	Impervious clay.....	0.5
	Medium soils.....	1.0
	Somewhat pervious soils....	1.5 to 2.0
	Gravel.....	2.5 to 5.0

WORK SHEET

W = (35 FT) i = (1.5 FT/DAY) (0.0667)

S = 0.35 CFS/MILE

CONVEYANCE LOSS = (S) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = (0.35 CFS/MILE) (0.775 MILE)

CONVEYANCE LOSS = 0.27 CFS

TOP OF DITCH = W Ditch

Section 1 = 4.2 7"
Section 2 = 3.7 25"
Section 3 = 2.5 1"

Total.... = 10.4

/2 or 3... = 3.5 = W

MAP MEASUREMENT

Length in Inches = _____ = A

Map Scale: _____ In. = 1 Mile = B

A/X : B/5,280 = Ft./5,280 = Mile

~~1703ft~~
4,093ft = 0.775
5,280 0.775

WATER RESOURCES

T04, R10, S24, 25
 Claimant(s): Presley
 Claim No(s): 61-00351
 Prepared by: Sue Bock
 Date: 11/16/1998



Place of Use



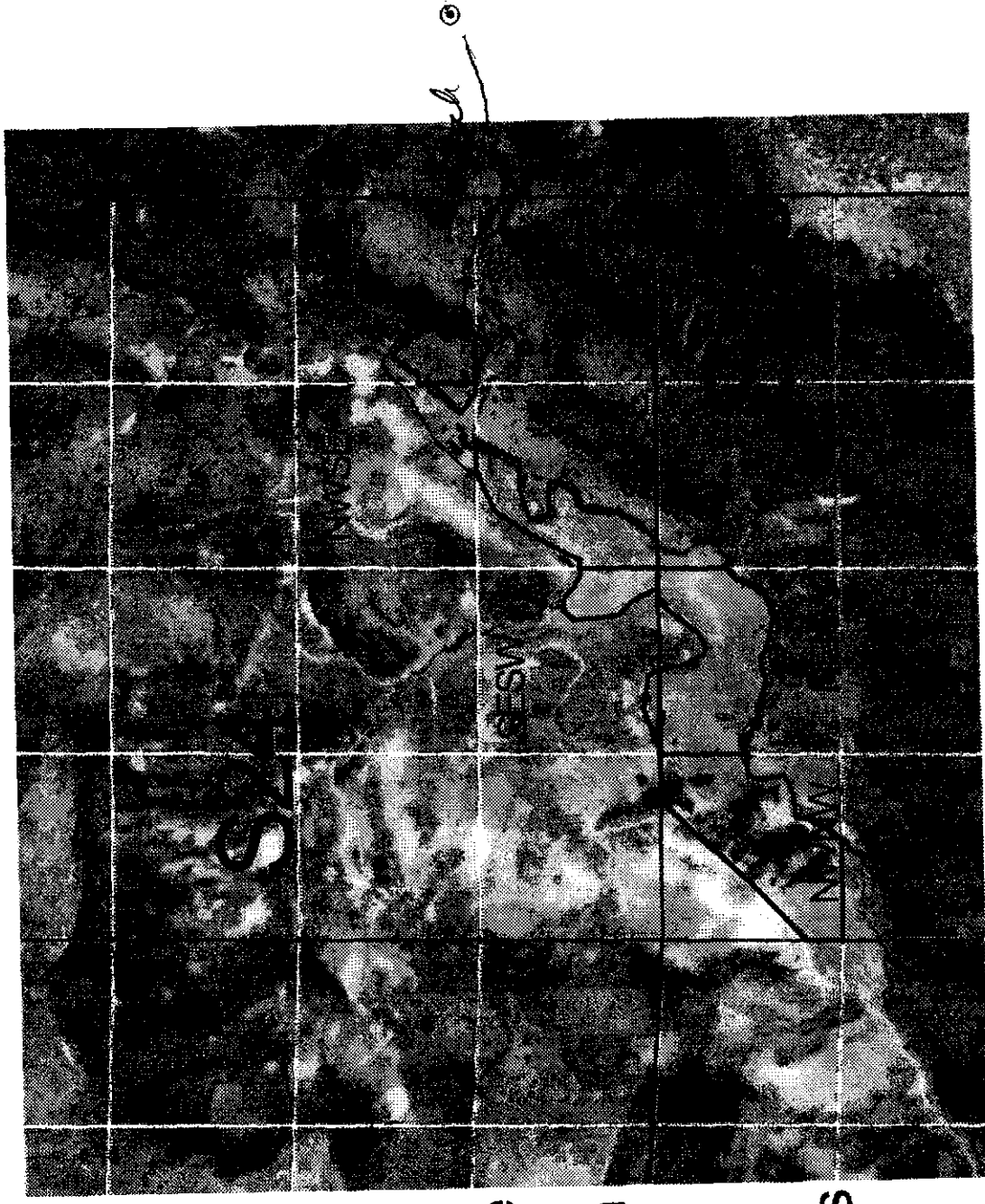
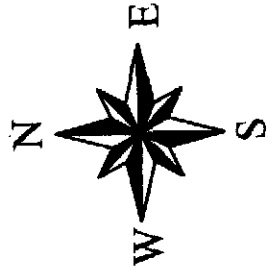
Point of Diversion



1/4 1/4 lines



Section Lines



1987 NAPP Photo



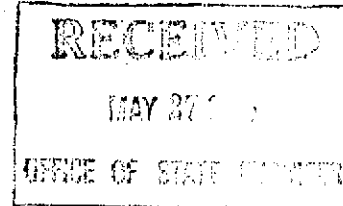
IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR ELMORE
COUNTY.

E. M. Kimbrough,
Plaintiff.

Vs.

D E C R E E.

Hiram Canfield, Mary
Canfield, his wife,
Charles Brady, Miles
C. Lawrence, and Lydie
Lawrence, his wife,
Hezekiah G. Bayles,
Minnie Bayles and Victor
Walker,
Defendants.



And now this cause coming on to be heard upon the findings of facts and conclusions of law hereinbefore filed, and the court being fully advised in the premises, it is ordered, adjudged and decreed:

I.

That the plaintiff, he and he is hereby awarded the use of the amount of water hereinafter stated, from the waters of King Hill Creek, in each year, from the following dates of priority, to-wit:-

*unclaimed
Powers.*
61 0349 1st. For the West half of the Northeast quarter of Section Eleven and the Southwest quarter of the Southeast quarter and the southeast quarter of the Southwest quarter of Section Two, Township Five South, of Range Ten East of Boise Meridian, Sixty inches dating from April 1st. 1876.

*NONE SUNK
Sec. 11*

*SWSE, SESW
Sec. 2*

60 ac.

61 0350 2nd. For the East half of the Northwest quarter of Section Eleven, Township Five, South of Range Ten East of Boise Meridian, Forty inches dating from January 1st. 1901.

*NENW, SENW
Sec. 11*

40 ac.

II.

That the defendant Hezekiah G. Bayles and Minnie Bayles, he and they are hereby awarded the use of the amount of water hereinafter stated, from the waters of King Hill Creek, in each year, from the

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following dates of priority, to-wit:-

61 0351 1st. For the North half of the Northwest quarter Section Twenty-five and the Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter of Section Twenty-four, all in Township four South of Range ten East of Boise Meridian, One hundred inches dating from April 1st. 1886. 100 ac.

NW NW, NE NW
SEC. 25
SE SW, SW SE
SEC. 24

61 0352 2nd. For the Southwest quarter of the Southeast quarter of Section Twenty-seven and the Northwest quarter of the Northeast quarter of Section Thirty-four, all in Township Four South of Range Ten East of Boise Meridian, Forty inches dating from April 1st 1894. 40 ac.

SW SE
SEC. 27
NW NE
SEC. 34

III.

That the defendant Hiram Canfield and Mary Canfield, be and they are hereby awarded the use of the amount of water hereinafter stated, from the waters of King Hill Creek, in each year from the following dates of priority, to-wit:-

61 0353 1st. For the East half of the Southwest quarter of Section Eleven and the Northeast quarter of the Northwest quarter of Section Fourteen Township Five South of Range Ten East of Boise Meridian, fifty-six inches from the 1st. day of April, 1891. 56 ac.

NE SW, SE SW
SEC. 11
NE NW
SEC. 14

61 0354 2nd. For the South half of the Southeast quarter and the Northwest quarter of the Southeast quarter of Section Thirty-four, Township Four, South of Range Ten East; (and the Northwest quarter of the Southwest quarter and southwest quarter of the Northwest quarter of Section Two, and the Southeast quarter of the Northeast quarter and Lot No. One of Section Three Township Five, South of Range Ten East of Boise Meridian, One hundred and nine inches, dating from April 1st. 1895. 109 ac.

SW SE, SE SE,
NW SE
SEC. 34
NW SW
SW NW
SEC. 2
SE NE,
LOT 1
SEC. 3

IV.

Defendant Charles Brady is hereby awarded the use of the amount of water hereinafter stated, from the waters of King Hill Creek, in each year from the following date of priority, to-wit:-

61 0355 1st. For the Northeast quarter of the Southwest quarter of Section Two, Township Five, South of Range Ten, East of Boise Meridian, Twelve inches dating from April 1st. 1896. 12 ac.

NE SW
SEC. 2

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V.

Defendant Victor Walker is hereby awarded the amount of water hereinafter stated, from the waters of King Hill Creek, in each year, from the following date of priority, to-wit:

- 61 0356 1st. For Southeast quarter of the Northeast quarter of Section One in Township Five, South of Range Ten East, the Southwest quarter of the Northeast quarter, the West half of the Southeast quarter, the North Half of the Southwest quarter and the South half of the Northwest quarter of Section Six, Township five South of Range Eleven East of Boise Meridian, Three hundred and twenty inches dating from January, 7th. 1901, and for the purpose of filling a reservoir constructed on said land, said defendant is entitled to six hundred and eighty inches dating from January 7th. 1901.

SE NE
Sec. 1
SW NE
NW SE, SE SE
NW SW, NE SW
SW NW, SE NW
Sec. 6

Walker?

VI.

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

VII.

That the plaintiff shall take and use his allotment of sixty inches out of his ditch on the west side of the creek until the water in the Creek becomes so low that there is not sufficient to supply any part of the allotment of Hiram Canfield, after which time he may change the use of said water to the ditch on the East side, if he so desires, and he may take said water through his ditch on the East side at any time before, provided he leaves six inches of said allotment in the Creek for the purpose of making up his part of the seepage in the West ditch while it is being used by defendant Canfield.

VIII.

It is further ordered, adjudged and decreed that when the water, allowed to flow undisturbed in the channel of said King Hill Creek, will not reach the land of a prior user, then the person above him on

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creek, next in priority of right, shall have the right to use all of the water to the amount of his allotment.

IX.

It is further ordered, adjudged and decreed that the defendant Charles Brady shall have the right to conduct his allotment of water through the ditch on the West side of said creek, owned by plaintiff and Hiram and Mary Canfield during each year when he shall have done and performed his proportion of the labor and expense of keeping said ditch in repair. Provided that said defendant Brady, shall in no manner interfere with the distribution of water through said ditch and the management and control of said ditch shall be in the plaintiff and said defendant, Canfield, and their successors in interest, subject only to rights under this decree; that said Charles Brady shall, at his own cost, but under the direction of plaintiff and said Canfield, or their successors, place a headgate and measuring box, suitably constructed for measuring water under a four inch pressure, or its equivalent in second feet in said ditch at a point where he takes his water therefrom and said box shall be provided with a suitable lock and key which shall be kept by said plaintiff and defendant Canfield, or their successors in interest, who shall distribute to said Charles Brady, for use on his said land the amount of water allotted to him, with his proportion of flood water conveyed in said ditch, free of cost to said Brady or his successors, less the amount or proportion of water lost by evaporation or seepage.

X.

It is further ordered, adjudged and decreed, that none of the parties hereto, or their successors in interest, shall have the right to the use of the waters of said King Hill Creek, herein awarded, except for a beneficial purpose; that whenever the beneficial use ceases each party shall turn the waters of said stream back into the creek; that each and all of the parties to this action, their servants, employees, privies and successors in interest are hereby enjoined and restrained from any and all interference with or diversion or use of

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the waters of said King Hill Creek except as provided in this decree,
whenever such diversion or use will in any manner interfere with the
quantity of water awarded by this decree to any of the parties to this
action or their successors in interest.

That the costs and disbursements of each party shall be born by
each party,

Dated this 2 day of June 1904.

Lytleton Price,

District Judge.

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT, OF THE STATE
OF IDAHO, IN AND ELMORE COUNTY. E. M. Kimbrough Plaintiff. VS. H.
Canfield et-als, Defendants. Decree.

Filed June 24 1904. J. A. Purfill,
Clerk.

STATE OF IDAHO)
COUNTY OF ELMORE) SS.

I hereby certify that this instrument was filed for record at
request of J. A. Purfill, Clerk at 40 minutes past 2 o'clock P. M.
this 25 day of June A. D. 1904, in my office.

J. A. Purfill,

Ex-officio Recorder.

Fees \$2.50 Pd.

CERTIFICATE OF TRUE COPY--RECORDER

Gazette Printers, Glenns Ferry, Idaho

STATE of IDAHO) ss.
County of Elmore)

I, F. M. Hobbs, Auditor and Recorder in and for the County of Elmore, State
of Idaho, do hereby certify that the foregoing is a true and correct copy of the original.....
E. M. Kimbrough vs. Hiram Canfield et al
now on.....record.....in my office. in Book 3 of Judgments Page 96.

Given under my hand and official seal at Mountain Home, Idaho,
this, the 24th day of May A. D. 1912...

ATTEST: F. M. Hobbs Auditor and Recorder

By.....Deputy



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②

*There are underlined & or x are
to denote mispelled words
and other errors*

61-7

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR ELMORE COUNTY.

E. M. KIMBROUGH,

PLAINTIFF,

VS.

HIRAM CANFIELD, MARY
CANFIELD, his wife,
CHARLES BRADY, MILES
C. LAWRENCE and LYDIA
LAWRENCE, his wife, HEZ-
EKIAH G. BAYLES and
MINNIE BAYLES and VICTOR
WALKER,

DEFENDANTS.

FINDINGS OF FACTS.

This cause came on regularly to be heard upon a stipulation of all of the parties to the action, this 5th, day of May, 1904, a jury being expressly waived the cause was tried by the court, upon the amended complaint, answers and cross-complaints of the respective defendants, except Miles C. Lawrence and Lydia Lawrence, whose interests have, since the commencement of this action, been transferred to Hiram Canfield and Mary Canfield. E. M. Wolfe, appeared as counsel for plaintiff and Charles Brady and W. C. Howie appeared as counsel for the other defendants. The court being fully advised in the premises, makes and files the following findings of facts and conclusions of law, to wit:

FINDINGS OF FACTS.

1st. That all of the lands mentioned in the pleadings are arid in character and require, water, artificially applied during the irrigation season of each year, in order to successfully raise an agricultural crop.

2d. That the amount of water necessary to the proper irrigation of said land is one inch to the acre, or its equivalent in second feet, if measured in inches to be under a four inch pressure.

3rd. That each person, before he is entitled to use the water of said King Hill Creek, should place suitable boxes or head gates for the purpose of accurately measuring the water at the point of

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diversion on said Creek. Said boxes should be suitable constructed for measuring water under four inch pressure or its equivalent in second feet, said headgates should be maintained in proper condition for the measurement of said water.

4th. That the plaintiff shall take and use his allotment of sixty inches not of his ditch on the West side of the Creek until the water in the creek becomes so low that there is not sufficient to supply any part of the allotment of Hiram Canfield, after which time he may change the use of his water to the ditch on the East side if he desire and may change the water to the east side at any time before provided he leaves six inches of his allotment for the west ditch to make up his part of the seepage.

5th. That each of the parties using water under and by virtue of this decree should, as soon as the beneficial use thereof has ceased, and within the time that they are authorized to use said water, return the same to the channel of said Creek.

6th. That the several tracts of land hereinafter mentioned were at the times of the several appropriations of water made for use thereon, owned by the several parties claiming the respective tracts, or their grantors or predecessors in interest; and that the said parties, their grantors or predecessors in interest appropriated heretofore at the dates mentioned the several amounts of water of said King Hill Creek, herein stated for a beneficial use, and ever since have used the same upon said lands and are entitled to the use of said waters upon said lands in the order of their priority, in the amounts and from the dates hereinafter stated:

1876- April 1st, 60 inches.

E.M. Kimbrough.- For use upon The West half of the North east quarter of Section Eleven (11) and the Southwest quarter of the South east quarter and the Southeast quarter of the southwest quarter, Section Two, Township Five, South of Range Ten East of Boise Meridian.

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1901- January 1st, 40 inches.

E.M. Kimbrough.- For use on the East half of the North-west quarter Section Eleven, Township Five, South of Range Ten East of Boise Meredian.

1886- April 1st, 100 inches.

Hezekiah G. Bayles and Minnie Bayles.- For use upon the North half of the Northwest quarter, Section Twenty-five and the Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter of Section twenty Four, all in Township Four, South of Range Ten East of Boise Meredian.

1894 - April 1st, 40 inches.

Hezekiah G. Bayles and Minnie Bayles.- For use upon the Southwest quarter of the Southeast quarter of Section Twenty-seven and the Northwest quarter of the Northeast quarter of Section Thirty-four, all in Township four, South of Range Ten East, of Boise Meredian.

1891- April 1st, 56 inches.

Hiram and Mary Canfield.- For use upon the East half of the Southwest quarter of Section Eleven, and the Northeast quarter of the Northwest quarter Section fourteen, Township five, South of Range Ten East of the Boise Meredian.

1895- April 1st, 109 inches.

Hiram and Mary Canfield. - For use upon the South half of the Southeast quarter and Northwest quarter of the Southeast quarter of Section Thirty-four, Township Four South of Range ten East; and the North the Southwest quarter and the Southwest quarter of the Northwest quarter of west quarter of Section Two, and the Southeast quarter of the Northeast quarter and Lot No. One of Section Three, Township Five, South of Range Ten, East of Boise Meredian.

1896- April 1st, 12 inches.

Charles Brady.- For use upon the Northeast quarter of the Southwest quarter of Section Two, Township Five, South of Range Ten East of Boise Meredian.

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1901- January 7th, 1000 inches.

Victor Walker.- Four use upon the Southeast quarter of the North East quarter of Section One in Township five South Range ten East, the South West quarter of the North East quarter, the West half of the South East quarter, The North half of the Southwest quarter and the South half of the Northwest quarter, Section Six Township Five S. R. Eleven East said land is entitled to 320 inches and for the purpose of filling a reservoir constructed upon said land said defendant is entitled to the use of six hundred and eighty inches; the water to be stored for use on said lands.

7th. That when the water, allowed to flow undisturbed in the channel of said King Hill Creek, will not reach the land of a prior user, then the person above him on the creek, next in priority of right, shall have the right to all of the water to the amount of his allotment.

8th. That plaintiff and defendants Hiram and Mary Canfield have heretofore constructed a ditch on the west side of King Hill creek for conveying their water and now own said ditch in common and in consideration of the defendant Charles Brady keeping a proportionate part of said ditch in repair he shall have the right to convey his twelve inches of water through said ditch together with an amount of the flood water of said stream bearing the proportion to the flood water they shall convey there through which his right to the use of water bears to their rights. Said Brady shall in no manner interfere with the distribution of water through said ditch and the management and control of said ditch shall be in the plaintiff and said defendants, subject only to rights under this decree; the said Charles Brady shall, at his own cost, but under the direction of plaintiff and said Hiram and Mary Canfield or their successors, place a headgate and measuring box suitable for measuring water under a four inch pressure in said ditch at the point where he takes his water therefrom and said box shall be provided with suitable lock which shall be kept by said plaintiff and said defendant Hiram and Mary Canfield or their successors who shall distribute to said Brady for use on said land the amount of water allotted the same under this decree, free of cost to said Brady or his successors, less the amount or proportion of said water lost by evaporation or seepage.

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That each party to this action shall pay his own cost.

CONCLUSIONS OF LAW.

As conclusions of law from the foregoing facts, the court finds:

1st. That the plaintiff is entitled to the following amounts of water from King Hill Creek from the following dates of priority, for the following uses.

For use upon the West half of the Northeast quarter of Section Eleven, and the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section Two, Township Five, South of Range Ten, East of Boise Meredian sixty inches dating from April 1st, 1896.

For use upon the East half of the Northwest quarter of Section Eleven, Township Five, South of Range Ten East of Boise Meredian, forty inches dating from January 1st, 1901.

2nd. That the defendants Hezekiah G. Bayles and Minnie Bayles are entitled to the following amounts of water of King Hill Creek from the following dates of priority, for the following uses;

For use on the North half of the Northwest quarter, Section Twenty-five and the Southeast quarter of the Southwest quarter and the Southwest quarter of ^{the} Southeast quarter Section twenty Four, all in Township Four, South of Range Ten East of Boise Meredian, one hundred inches dating from April 1st, 1886.

For use upon the Southwest quarter of the Southeast quarter of Section Twenty-seven and the Northwest quarter of the Northeast quarter Section Thirty-four, all in Township Four, South of Range Ten East of Boise Meredian forty inches dating from April 1st, 1894.

3rd. That the defendants Hiram and Mary Canfiled are entitled to the following amounts of water of King Hill Creek from the following dates of priority, for the following uses:

For use upon the East half of the Southwest quarter of Section Eleven and the Northeast quarter of the Northwest quarter of Section Fourteen, Township Five, South Range Ten East of Boise Meredian, fifty-six

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inches dating from April 1st, 1891.

For use upon the South half of the Southeast quarter and Northwest quarter of the Southeast quarter of Section Thirty-four, Township Four South Range Ten East of Boise Meredian; and the Northwest quarter of the Southwest quarter and the Southwest quarter of the Northwest quarter of Section Two. and the Southeast quarter of the Northeast quarter and Lot No. One of Section Three, Township Five, South of Range Ten, East of Boise Meredian, one hundred and nine inches dating from April 1st. 1895.

4th. That the defendant Charles Brady is entitled to the following amount of water of King Hill Creek from the following date of priority and for the following use:

For use upon the Northeast quarter of the Southwest quarter of Section Two. Township Five, South of Range Ten, East of Boise Meredian, twelve inches dating from April 1st, 1896.

5th. That the defendant Victor Walker is entitled to the following amount of water of King Hill Creek from the following date and for the following use:

For use upon the Southeast quarter of the Northeast quarter of Section One, in Township Five South Range Ten East, the Southwest quarter of the Northeast quarter, the West half of the Southeast quarter, the North half of the Southwest quarter, and the South half of the Northwest quarter of Section Six, in Township Five South, Range Eleven East, three hundred and twenty inches, and for the purpose of filling a reservoir, constructed upon said land said defendant is entitled to the use of Six hundred and eighty inches for use on said lands, dating from ^{January} 7th, 1901.

6th. That each of the parties hereto, to whom water is awarded, shall, before being allowed to use the same, place and maintain at the point or points where such water is diverted from the channel of said stream, a headgate or headgates, and a box or boxes, suitable constructed for measuring water in inches under a four inch pressure, or its equivalent in second feet.

7th. That each of the parties to whom water is awarded, shall, whenever the beneficial use thereof ceases, turn the water so used back into the stream.

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8th. That the defendant Charles Brady shall do and perform his proportionate part of the work necessary to keep in repair the ditch owned and used on the West side of said King Hill Creek by plaintiff and Hiram and Mary Canfiled in common and thereupon he shall have the right to convey his allotment of water through said ditch together with an amount of flood water of said stream bearing the proportion to the flood water they shall convey there through which his right to the use of water bears to their rights. Said Charles Brady shall in no way interfere with the distribution of water through said ditch and the management and control of said ditch shall be in the plaintiff and said defendants, and their successors, subject to the rights under this decree, and the said Charles Brady shall at his own cost, but under the direction of said plaintiff and said defendants, place and maintain a head gate and measuring box in said ditch at such point as he may take his water therefrom; said box shall be constructed for measuring water under a four inch pressure or its equivalent in second feet and shall be provided with a substantial lock and key which shall be kept by plaintiff and said defendants Hiram and Mary Canfiled, or their successors who shall distribute to said Charles Brady, for use on his said land, the amount of water allotted to him under this decree, free of cost to said Brady, except as aforesaid, less the proportionate loss of water by evaporation or seepage.

That each and every party hereto, their agents and employees privies and successors in interest, shall be enjoined and restrained from interfering, in any manner, with the water of said stream except as provided in this decree.

9th. That each party shall bear his share of the costs of this action.

Let judgment be entered according to these findings and conclusions.

Dated this 5th, day of May, 1904.

Lyttleton Price

Judge

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IN THE DISTRICT COURT OF THE FOURTH
JUDICIAL DISTRICT OF THE STATE OF
IDAHO IN AND FOR ELMORE COUNTY.

E. M. Kimbrough
Plaintiff.

vs.

Hiram Canfield, et al
Defendants.

FINDINGS OF FACT

Filed May 14, 1904

J. A. Purtill Clerk.

Atty for.....

STATE OF IDAHO)
COUNTY OF ELMORE) SS.

I, F. M. Hobbs, Clerk of the District Court of the
Third Judicial District of the State of Idaho, in and for the County
of Elmore, do hereby certify that the foregoing is a true and correct
copy of the original Findings of Fact and Conclusions of Law, now on
file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
affixed the seal of said Court, at Mountain Home, Idaho, this 24th day
of August, 1921.

Clerk.

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