

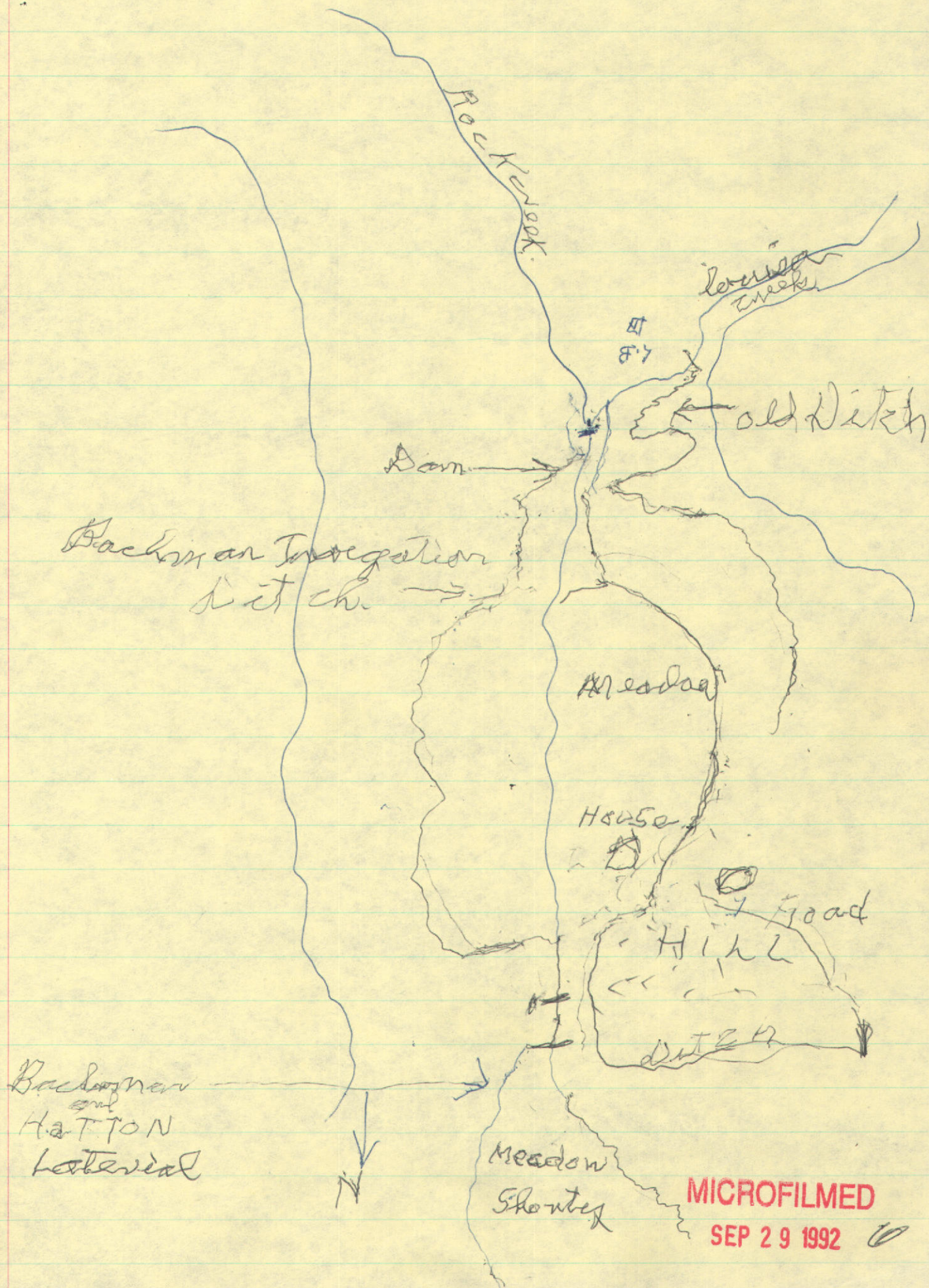


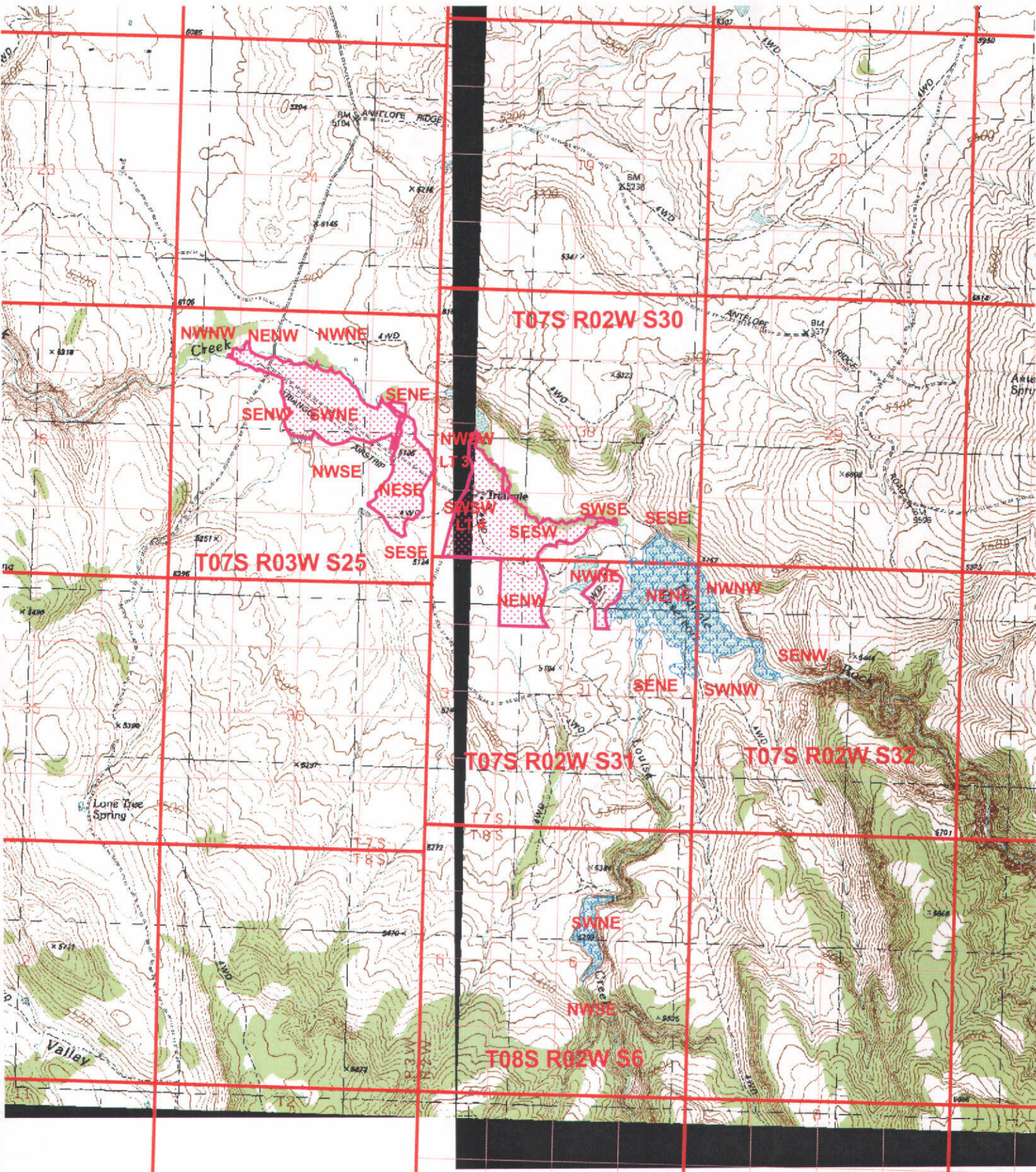
LOUISA
CREEK
DAM



LOUISA
CREEK
DITCH
AS IT
LEAVES
LOUISA
CREEK

50





NWNW NENW NWNE

SENE

SENE

SWNE

NWSE

NESE

T07S R03W S25

T07S R02W S30

NWNE

SWSE

SESE

SESE

NENW

NWNE

NENE

NWNW

SENE

SWNW

T07S R02W S31

T07S R02W S32

T7S

T8S

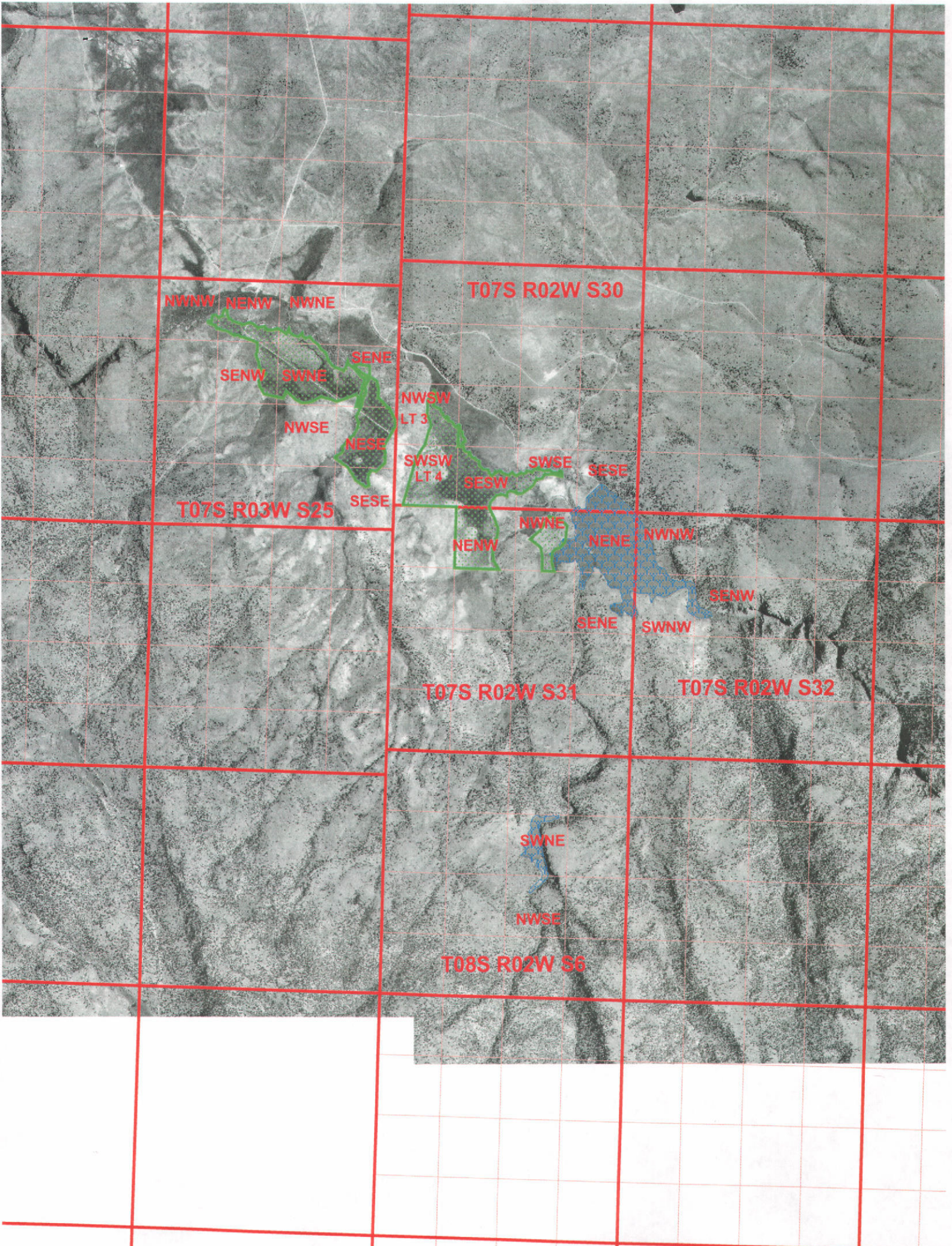
T7S

T8S

SWNE

NWSE

T08S R02W S6



NWNW NENW SWNE

T07S R02W S30

SENW SWNE

SENE

NWSE

NWNW
LT 3

NWSE

SWSW
LT 4

SESW

SWSE

SESE

T07S R03W S25

SESE

NENW

NWNE

NENE

NWNW

SENW

SENE

SWNW

T07S R02W S31

T07S R02W S32



NWSE

T08S R02W S6

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: A55-04150
Date Received: 1/19/1989
Receipt No: W002028
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CHARLES W STEINER
Address: STAR RT
OREANA ID

83650

2. Date of Priority: JUL 1, 1898

3. Source: LOUISA CREEK

Trib. to: ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	02W	30		SE	SE	R	OWYHEE
		31		NE	NE	I	OWYHEE
				SE	NE		OWYHEE
08S	02W	6		SW	NE		OWYHEE

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		
STOCKWATER	01/01	12/31	0.140		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 600 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	02W	30	NE		SW		IRR	19.0
			NW		SW	3	IRR	10.0
			SW		SW	4	IRR	21.0
			SE		SW		IRR	30.0
			SW		SE		IRR	11.0
			SE		SE		IRR	1.0
							Section Acres	92.0
		31	NW		NE		IRR	2.0
			NE		NW		IRR	34.0
			NE		SW		IRR	1.0
							Section Acres	37.0
	03W	25	NE		NE		IRR	11.0
			NW		NE		IRR	28.0
			SW		NE		IRR	32.0
			SE		NE		IRR	18.0
			NE		NW		IRR	32.0
			NW		NW		IRR	29.0
			SW		NW		IRR	1.0
			SE		NW		IRR	29.0
			NE		SW		IRR	27.0
			SE		SW		IRR	14.0
			NE		SE		IRR	36.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	37.0
							Section Acres	374.0
		36	NE		NE		IRR	3.0
			NW		NE		IRR	22.0
			NE		NW		IRR	8.0
							Section Acres	33.0
							Total Acres	536.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
A55-02152A, A55-02208A, A55-02008

14. Remarks:

POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM TRIANGLE RESERVOIR (ROCK CREEK & LOUISA CREEK STORAGE).

DESC. OF DIVERTING WORKS: WATER IS STORED BEHIND LOUISA CREEK DAM UNDER CLAIM NO. A55-10351. THIS RIGHT COVERS THE DIRECT DIVERSION FROM LOUISA CREEK, OVER AND ABOVE THE STORAGE WATER, AND ALSO THE DIVERSION OF THIS WATER FROM TRIANGLE RESERVOIR WHEN DIRECT DIVERSION FROM LOUISA CREEK IS NOT BEING USED. WHEN WATER IS NOT DIVERTED FROM LOUISA CREEK, IT FLOWS DOWNSTREAM INTO THE TRIANGLE RESERVOIR AND IS THEN RE-DIVERTED VIA TWO OUTLET DITCHES FROM THE RESERVOIR ALONG WITH A DIRECT DIVERSION FROM ROCK CREEK BELOW THE TWO OUTLETS. ALL IRRIGATION IS GRAVITY FLOW & FLOODING

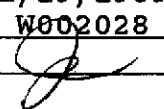
NOTICE OF APPEARANCE FROM PAT MADIGAN FOR CHARLES W STEINER.

15. Basis of Claim: BENEFICIAL USE

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A55-04150
Date Received: 1/19/1989
Receipt No: W002028
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CHARLES W. STEINER
Address: STAR RT.
OREANA ID

83650

2. Date of Priority: JUL 1, 1898

3. Source: LOUISA CREEK

Trib. to: ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	02W	30		SE	SE	R	OWYHEE
		31		NE	NE	I	OWYHEE
				SE	NE		OWYHEE
08S	02W	6		SW	NE		OWYHEE

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		
STOCKWATER	01/01	12/31	0.140		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 600 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	02W	30	NE		SW		IRR	19.0
			NW		SW	3	IRR	10.0
			SW		SW	4	IRR	21.0
			SE		SW		IRR	30.0
			SW		SE		IRR	11.0
			SE		SE		IRR	1.0
			Section Acres 92.0					
		31	NW		NE		IRR	2.0
			NE		NW		IRR	34.0
			NE		SW		IRR	1.0
			Section Acres 37.0					
	03W	25	NE		NE		IRR	11.0
			NW		NE		IRR	28.0
			SW		NE		IRR	32.0
			SE		NE		IRR	18.0
			NE		NW		IRR	32.0
			NW		NW		IRR	29.0
			SW		NW		IRR	1.0
			SE		NW		IRR	29.0
			NE		SW		IRR	27.0
			SE		SW		IRR	14.0
			NE		SE		IRR	36.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	37.0
			Section Acres 374.0					
		36	NE		NE		IRR	3.0
			NW		NE		IRR	22.0
			NE		NW		IRR	8.0
			Section Acres 33.0					
			Total Acres 536.0					

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

A55-02152A, A55-02208A, A55-02008

14. Remarks:

POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM TRIANGLE RESERVOIR (ROCK CREEK & LOUISA CREEK STORAGE).
DESC. OF DIVERTING WORKS: WATER IS STORED BEHIND LOUISA CREEK DAM UNDER CLAIM NO. A55-10351. THIS RIGHT COVERS THE DIRECT DIVERSION FROM LOUISA CREEK, OVER AND ABOVE THE STORAGE WATER, AND ALSO THE DIVERSION OF THIS WATER FROM TRIANGLE RESERVOIR WHEN DIRECT DIVERSION FROM LOUISA CREEK IS NOT BEING USED. WHEN WATER IS NOT DIVERTED FROM LOUISA CREEK, IT FLOWS DOWNSTREAM INTO THE TRIANGLE RESERVOIR AND IS THEN RE-DIVERTED VIA TWO OUTLET DITCHES FROM THE RESERVOIR ALONG WITH A DIRECT DIVERSION FROM ROCK CREEK BELOW THE TWO OUTLETS. ALL IRRIGATION IS GRAVITY FLOW & FLOODING

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

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): Charles W Steiner Date: Aug/10/94

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of August 19 94
Seal

Jan Shute
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94

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: A55-04150
Date Received: 1/19/1989
Receipt No: W2028
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES W. STEINER
Address: STAR RT.
OREANA, ID

83650

2. Date of Priority: JUL 01, 1898

3. Source: LOUISA CREEK

Trib. to: ROCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	02W	6	NW	NE			OWYHEE
			SW	NE			OWYHEE

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		
IRRIGATION STORAGE	01/01	12/31			900.00
IRRIGATION FROM STORAGE	04/01	11/01			900.00
STOCKWATER	01/01	12/31	0.140		
STOCKWATER STORAGE	01/01	12/31			900.00
STOCKWATER FROM STORAGE	01/01	12/31			900.00

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

900.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/600 RANGE

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
07S	02W	30	SW	SW		IRR	34.0
			SE	SW		IRR	30.0
			SW	SE		IRR	32.0
			Section Acres				96.0
	03W	13	SW	SW		IRR	12.0
			Section Acres				12.0
		14	NE	SE		IRR	38.0
			NW	SE		IRR	34.0
			SW	SE		IRR	33.0
			SE	SE		IRR	34.0
			Section Acres				139.0
		23	NE	NE		IRR	40.0
			NW	NE		IRR	19.0
			SW	NE		IRR	7.0
			SE	NE		IRR	38.0
			NE	SE		IRR	19.0
			Section Acres				123.0
		24	NW	NW		IRR	30.0
			SW	NW		IRR	19.0
			NW	SW		IRR	17.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			SW	SE		IRR	32.0
			Section Acres				178.0
			Total Acres				548.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

A55-02152, A55-2208, A55-02152A, A55-02208A

14. Remarks:

THE CHANGE ON THIS IS IN THE ADDITION OF STOCKW. FROM STORAGE AND STOCKW. STORAGE.

14. Remarks: Continued

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

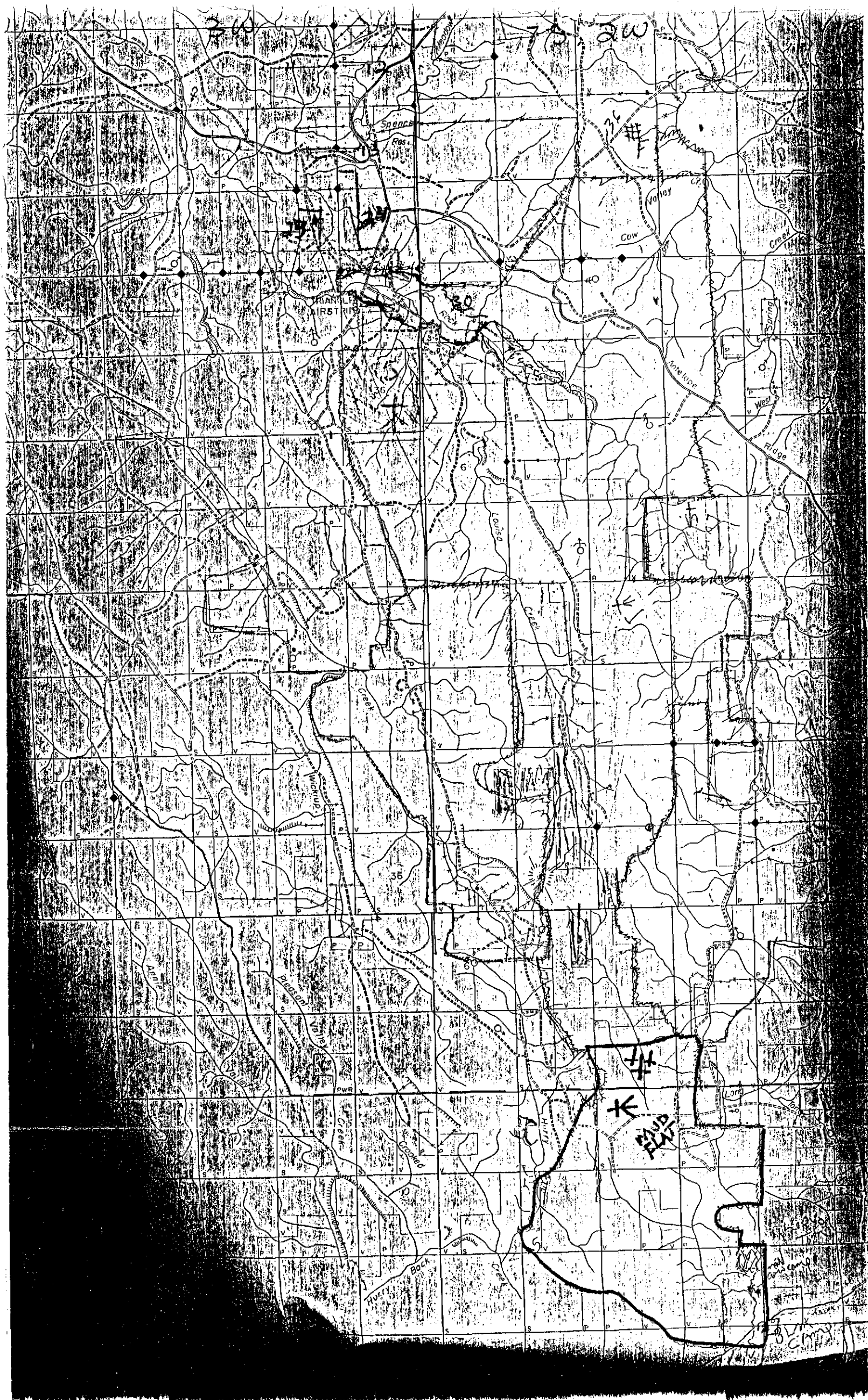
Signature of Claimant(s): Charles W. Steiner Date: Jan 19/89
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of Jan 19 89 Linda Werner
Notary Public

Seal

Residing at Boise ID
My Commission Expires 12-8-94



A 55-4150

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Star Route, Oreana, ID 83650 Telephone No. _____
(Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) 7/1/1898

(1) Date of priority: (When was the water first applied to a beneficial use) 7/1/1898

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Louisa Creek tributary to Rock Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

		(Both dates inclusive)
(cfs. aft)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day) (Mo., Day)

Quantity	900 AF	Use	Storage for irrig	Period of Use From	1/1	To	12/31
----------	--------	-----	-------------------	--------------------	-----	----	-------

Quantity 900 AF Use Irr. from storage Period of Use From 4/1 To 11/1

Quantity 3 cfs Use irrigation Period of Use From 4/1 To 11/1

Quantity .14 Use stockwater Period of Use From 1/1 To 12/31

(4) 3cfs & 900 AF USE Period of Use From To
1cfs. all TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ NE ¼, Sec. 6 Twp. 8S Rge. 2W B.M., County of Owyhee

Additional points of diversion: SWNE Sec. 6 T8S R2W

8) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, cost. Give simple sketch of each.)

etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Disrupted channel is the

change. Diverted through gravity ditches

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
7S	2W	30											34	30			32		96
7S	3W	13											12						12
		14													38	34	33	34	139
		23	40	19	7	38									19				123
		24					30	19			17	40	40			32			178

No. of acres 548

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

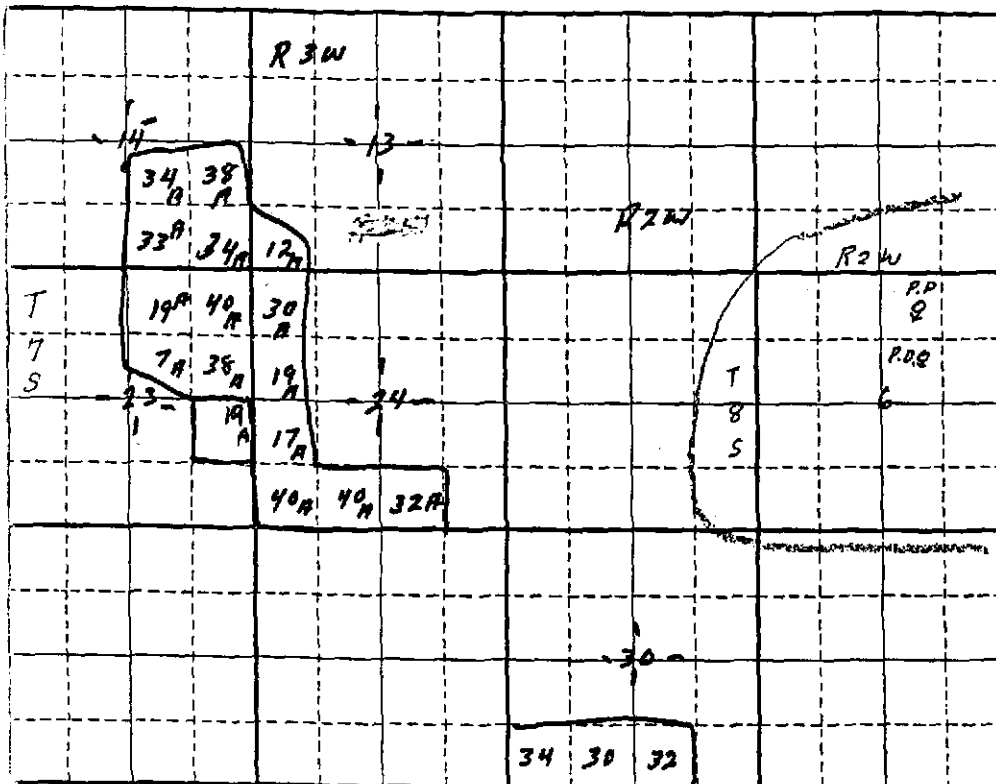
NOTE: Include here the type and number of stock watered: 600 hd/range

(7) If you are claiming water as a member of an organization, list name of organization: _____

MICROFILMED

SEP 29 1992

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
 County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Charles W. Steiner
 (Claimant)

Sworn to before me this 29 day of June, 1984.

Nancy M. Northway
 Notary Public
 Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>JKN</u>	Date <u>6/29/84</u>	Acceptance filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date <u>7/10/84</u>		claimant by:	
08 \$50.00 fee received by <u>TG</u>	Date <u>6/29/84</u>	# <u>34507</u>		
Published in <u>Oxyhee Nugget</u>				
Dates <u>125 & 8/1/85</u>				

MICROFILMED

SEP 29 1992

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 55-04150

1999 JUN 28 PM 12:06

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME AND ADDRESS: CHARLES W STEINER
STAR RT
OREANA, ID 83650

SOURCE: LOUISA CREEK TRIBUTARY: ROCK CREEK

QUANTITY: 1.50 CFS

PRIORITY DATE: 06/01/1931

POINT OF DIVERSION: T07S R02W S31 NESE Within Owyhee County
T08S R02W S06 SWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.50 CFS
	Stockwater	01-01 TO 12-31	0.14 CFS

PLACE OF USE:	Irrigation	Within Owyhee County
	T07S R02W S30 SWSE 6.0	LOT 03 (NWSW) 1.0
	LOT 04 (SWSW) 9.0	
	S31 NENW 26.0	NWNE 10.0
	R03W S25 SESE 3.0	SWNE 1.0
	NWNW 1.0	NWNE 3.0
	NENW 10.0	NESE 5.0
	75.0 Acres Total	

Stockwater Same as Other Use

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 403 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02008, 55-02152A,
55-02208A, 55-10351, 55-10352, 55-10353 & 55-10354.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JUN 30 1999

Department of Water Resources

1999 JUN 28 PM 12:06

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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)

ORDER OF PARTIAL DECREE

RECEIVED

Case No. 39576)

For Water Right 55-04150

OCT 04 1999

WATER RESOURCES
WESTERN REGION

On April 12, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 55-04150 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 28 1999



BARRY WOOD
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

1999 JUN 28 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)

)

CERTIFICATE OF MAILING

Water Right(s): 55-04150

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 55-04150 was mailed
on June 28, 1999, with sufficient first-class postage prepaid
to the following:

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

CHARLES W STEINER
Represented by:
PATRICK D. MADIGAN
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

DIANA DELANEY
Chief Deputy Clerk

OWNER
CODE NAME & ADDRESS
C CHARLES W STEINER
STAR RT
OREANA ID 83650

PRIORITY
DATE 06/01/1931

WATER USE
IRRIGATION
STOCKWATER

USE PERIOD
FROM TO 04-15 10-15
01-01 12-31

DIVERSION
RATE 1.60 CFS
0.14 CFS

DIVERSION
VOLUME

TOTAL DIVERSION:
1.60 CFS

Water Source: LOUISA CREEK Tributary to: ROCK CREEK Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R02W S31 NESE
T08S R02W S06 SWNE

OWYHEE County
OWYHEE County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		SUM		
T	R	S	NAME	NAME	NAME	NAME	NAME	NAME	NAME	
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07S 02W 30	:	:	:	:	:	:	:	:	:	:
07S 02W 31	:	10	05	:	26	:	:	:	:	:
07S 03W 25	:	03	01	:	10	01	:	:	05	:
									06	:
									16.0	:
									41.0	:
									23.0	:
									80.0	:

TOTAL ACRES

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OWYHEE

Conditions of Approval:

- H03 - IRRIGATION PERIOD OF USE IS CURRENTLY ON APPEAL TO THE IDAHO SUPREME COURT. THE SRBA COURT RULED "IRRIGATION SEASON" IS ADEQUATE AND APPROPRIATE TO DESCRIBE THE PERIOD OF USE. APPELLANTS ARGUE A SPECIFIC CALENDAR DESCRIPTION IS NECESSARY TO DESCRIBE THE PERIOD OF USE FOR A WATER RIGHT. IF THE IDAHO SUPREME COURT OVERTURNS THE DECISION OF THE SRBA COURT ON USING "IRRIGATION SEASON" THE SPECIFIC CALENDAR DESCRIPTION SHOWN MAY BE USED.
- H04 - POSSIBLE ALTERNATIVE PERIOD OF USE 04/15 10/15

SEE EXPLANATORY MATERIAL BELOW.

Remarks: POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 408 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02008, 55-02152A, 55-02208A, 55-10351, 55-10352, 55-10353 & 55-10354.

EXP STOCKWATER, 600 RANGE CATTLE.

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

Misc: Water District Number: Field Inspection Flag: A
Presumption Flag:

Comments:

Date: 03/01/1998 User-ID: JSHURTE Subject: ACRE RECOMMENDATION & PRIORITY DATE ADVANCEMENT

THIS RIGHT COVERS WHAT LOUISA CREEK COULD HAVE IRRIGATED OVER AND ABOVE 55-02008. THERE IS NO EVIDENCE THAT MORE WATER AND ACRES WERE DIVERTED & IRRIGATED FROM LOUISA CREEK BETWEEN 55-02008 AND THE BUILDING OF THE LOUISA CREEK DAM IN 1931. THIS LANDLIST INCLUDES THE IRRIGATED LAND BETWEEN THE LOUISA CREEK DITCH AND ROCK CREEK. HOWEVER, THE ACRES IN THE NW1/4 OF SEC. 31 ARE NOT INCLUDED DUE TO THE AFFIDAVIT OF LESTER BUCK WHICH STATED THOSE LANDS WERE NOT IRRIGATED UNTIL AFTER TRIANGLE RESERVOIR WAS BUILT THOSE LANDS WILL BE COVERED BY THE 1967 RIGHT - 55-10353. THIS RIGHT IS FOR LIVEFLOW FROM LOUISA CREEK AND 55-10351 IS FOR THE STORAGE IN LOUISA CREEK RESERVOIR.

Date: 03/04/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) H03 H04 ADDED IF NOT ALREADY PART
OF RECORD THRU

Date: 04/15/1998 User-ID: SSHERMAN Subject: NOTICE OF APPEARANCE
NOA FROM PAT MADIGAN REPRESENTING CHARLES W STEINER.

Date: 04/29/1998 User-ID: JSHURTE Subject: CHANGES MADE PER NOE SUBMITTED
PER NOTICE OF ERROR SUBMITTED 26 ACRES IN THE NEWW, 10 ACRES IN THE NNE AND 5 ACRES IN THE SWNE, SEC. 31 WERE ADDED. THE 26 ACRES IN THE NEWW WERE ADDED DUE TO THE FACT THAT LESTER BUCK'S AFFIDAVIT ONLY SPEAKS TO THE ACRES IN THE W1/2NW1/4, SENW, S31 AS TO BEING ADDED IN 1967 AFTER TRIANGLE RESERVOIR WAS BUILT. IT IS OBVIOUS FROM LOOKING A THE MAP THAT THE 26 ACRES IN THE NEWW ARE UNDER THE LOUISA CREEK DITCH DIVERTING WITHIN THE NESE, S31. THE OTHER 15 ACRES ARE ALSO UNDER THE LOUISA CREEK DITCH DIVERTING IN THE NESE, S31 AND APPEAR TO HAVE SOME IRRIGATION - SEE WAPP PHOTO AND ASCS PHOTO IN 55-02152A. THEREFORE, THESE 41 ACRES WERE ADDED AND THE CFS AMOUNT INCREASED ACCORDINGLY. THE TOTAL ACRES IN THE TOTAL ACRE LIMITING CONDITION WERE ALSO INCREASED TO 408.

Audit: 04/29/98 JSHURTE

March 6, 1998

**NOTICE OF ERROR
REPLY**

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

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: March 30, 1998

Water right number: 55-04150

CHARLES W STEINER
STAR RT
OREANA ID 83650

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):

I disagree with the amount of acres recommended.

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

Add 26 acres in the NE 1/4 NW 1/4 of Sec. 31, T7S, R2W.

Add 10 acres in the NW 1/4 NE 1/4 of Sec. 31, T7S, R2W.

Add 5 acres in the SW 1/4 NE 1/4 of Sec. 31, T7S, R2W.

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

This acreage should be added to reflect the irrigation that has occurred by application of Louisa Creek water prior to construction and operation of Triangle reservoir on Rock Creek.

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

DATE: 4/15/98

SIGNATURE: Charles W Steiner

Please print your name: Charles W. Steiner

Water Right Number - R55-04150 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + + - - - - Address - - - - - +

*** A - ATTORNEY ***
MADIGAN

PATRICK D

1 - ROSHOLT ROBERTSON & TUCKER
2 - PO BOX 2139
3 -

City- BOISE State- ID Zip- 837012139
Phone - 208-336-0700

*** C - CURRENT OWNER ***
STEINER

CHARLES W

1 - STAR RT
2 -
3 -
City- OREANA State- ID Zip- 83650
Phone - 208-000-0000

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1931 14 WESTERN J - BENEFICIAL USE

+ - - - - Source - - - - + + - - - - Tributary - - - - - +
LOUISA CREEK ROCK CREEK

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

07S 02W 31 NE SE (73) OMYHEE DIVERSION PT LOUISA CK
08S 02W 6 SW NE (73) OMYHEE LOUISA CREEK DAM DIV PT

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.780
04 - STOCKWATER 01/01 12/31 0.140

+ - - Total Div. Rate - - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
0.780 0.780 0.0

+ - - - - Place of Use - - - - - +
TwN Tract Sec Lot Acres Code Description County
07S 02W 30 NW SW 3 1.0 01 IRRIGATION (73) OMYHEE
07S 02W 30 SW SW 4 9.0 01 IRRIGATION (73) OMYHEE
07S 02W 30 SW SE 6.0 01 IRRIGATION (73) OMYHEE
07S 03W 25 NW NE 3.0 01 IRRIGATION (73) OMYHEE
07S 03W 25 SW NE 1.0 01 IRRIGATION (73) OMYHEE
07S 03W 25 NE NW 10.0 01 IRRIGATION (73) OMYHEE
07S 03W 25 NW NW 1.0 01 IRRIGATION (73) OMYHEE
07S 03W 25 NE SE 5.0 01 IRRIGATION (73) OMYHEE
07S 03W 25 SE SE 3.0 01 IRRIGATION (73) OMYHEE

Total Acres: 39.0

+ - - Diversion Means - DAM AND GRAVITY FLOW.

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-

Water right number - R55-04150

Prefix Translation: RESEARCH

[illegible]

RECEIVED

APR 14 1998

Department of Water Resources

RECEIVED

APR 17 1998

WATER RESOURCES
WESTERN REGION

Patrick D. Madigan
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 2139
Boise, ID 83701-2139
Telephone: (208) 336-0700
Facsimile: (208) 344-6034

Attorney for Charles W. Steiner

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

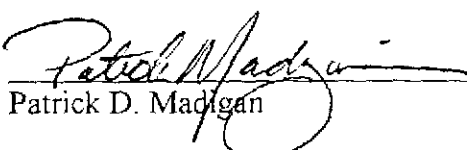
Case No. 39576

NOTICE OF APPEARANCE

The law firm of Rosholt, Robertson & Tucker, P.O. Box 2139, Boise, Idaho 83701-2139, through Patrick D. Madigan, hereby enters its appearance as counsel for Charles W. Steiner, in the Snake River Basin Adjudication, Case No. 39576.

Dated this 13th day of April, 1998.

ROSHOLT, ROBERTSON & TUCKER


Patrick D. Madigan

CERTIFICATE OF MAILING

I hereby certify that on this 13th day of April, 1998, a true and correct copy of the **NOTICE OF APPEARANCE** was mailed via U.S. mail, postage prepaid to the following:

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

U.S. Dept. of Justice
Environmental & Natural Resources
Division
550 W. Fort St., MSC 033
Boise, ID 83724

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


Patrick D. Madigan

Clients/steiner/not of appearance

ROSHOLT, ROBERTSON & TUCKER

Chartered

ATTORNEYS AT LAW

Boise Office

1221 W. IDAHO, SUITE 600

P.O. BOX 2139

BOISE, IDAHO 83701-2139

TELEPHONE (208) 336-0700

FAX (208) 344-6034

COPY

Twin Falls Office

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

FAX (208) 736-0041

RECEIVED

APR 14 1998

Department of Water Resources

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

April 13, 1998

Diana Delaney
Clerk of the Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

Re: *Notice of Appearance*

Diana:

Pursuant to our telephone conversation this morning, I have prepared and am filing the enclosed general Notice of Appearance on behalf of Charles W. Steiner. Because his water right claims are located in basin 55 and have not yet been reported by IDWR, there are no subcases to identify. It is my understanding that the attached certificate of service will suffice and that all other SRBA parties shall receive notice through the docket sheet procedure under AO1, Rules of Procedure, Rule 6(e).

Also enclosed is a copy to be conformed and returned to me in the self-addressed stamped envelope provided.

Thank you for your assistance in this matter.

Sincerely,



Patrick D. Madigan

PDM:mh
Enclosure

AJ0749NP
No. R55-04150

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

DATE: 03/03/98
PAGE: 1

OWNER
CODE NAME & ADDRESS
C CHARLES W STEINER
STAR RT
OREANA ID 83650

PRIORITY
DATE 06/01/1931

WATER USE
IRRIGATION
STOCKWATER

USE PERIOD
FROM TO
04-15 10-15
01-01 12-31

DIVERSION
RATE 0.78 CFS
0.14 CFS

DIVERSION
VOLUME 1.6 cfs

TOTAL DIVERSION:
0.78 CFS

Water Source: LOUISA CREEK Tributary to: ROCK CREEK Stage: BENEFICIAL USE

Point(s) of Diversion: T07S R02W S31 NESE
T08S R02W S06 SWNE

ONYHEE County
ONYHEE County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		
NAME	SWNE	SENE	NAME	SWNW	SENW	NAME	SWSE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac
07S 02W 30	03	01	10	01	03-01 04-09	05	06	03
07S 03W 25	31	10	5	216				
TOTAL ACRES							16.0	23.0
TOTAL ACRES							39.0	44.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: ONYHEE

Remarks: POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 395 ACRES IN A SINGLE
IRRIGATION SEASON, COMBINED RIGHT NOS.: 55-02008, 55-02152A,
55-02208A, 55-10351, 55-10352, 55-10353 & 55-10354.

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

Misc: Water District Number: Field Inspection Flag: A
Presumption Flag:

*Needs # Head
Control Nos. 103-10354*

Comments: Date: 03/01/1998 User-ID: JSHURTE Subject: ACRE RECOMMENDATION & PRIORITY DATE ADVANCEMENT
THIS RIGHT COVERS WHAT LOUISA CREEK COULD HAVE IRRIGATED OVER AND ABOVE 55-02008. THERE IS NO EVIDENCE THAT MORE WATER AND ACRES WERE DIVERTED & IRRIGATED FROM LOUISA CREEK BETWEEN 55-02008 AND THE BUILDING OF THE LOUISA CREEK DAM IN 1931. THIS LANDLIST INCLUDES THE IRRIGATED LAND BETWEEN THE LOUISA CREEK DITCH AND ROCK CREEK. HOWEVER, THE ACRES IN THE 401/4 OF SEC. 31 ARE NOT INCLUDED DUE TO THE AFFIDAVIT OF LESTER BUCK WHICH STATED THOSE LANDS WERE NOT IRRIGATED UNTIL AFTER TRIANGLE RESERVOIR WAS BUILT THOSE LANDS WILL BE COVERED BY THE 1967 RIGHT - 55-10353. THIS RIGHT IS FOR LIVEFLOW FROM LOUISA CREEK AND 55-10351 IS FOR THE STORAGE IN LOUISA CREEK RESERVOIR.

Audit: 03/03/98 JSHURTE

pend
send

SUMMARY OF RECOMMENDATION FOR CHARLES STEINER - BASIN 55

55-02008 - ROCK CREEK & LOUISA CREEK

This right was based on a license with a priority date of 1908. Basically I recommended it for the same lands it was licensed for, only changing the acreage slightly to reflect current irrigated acres in those 1/41/4s. This right was recommended for both sides of Rock Creek due to the original right being from both Rock and Louisa Creek diversions. Total acres licensed = 157.

55-10352 - ROCK CREEK

Original claim was filed for 3-15-1912 based on beneficial use. However, I recommended a priority date of 11-14-1922 based on the idea that the field exam conducted in 1914 under the above licensed right 55-02008 did not mention any irrigation of other ground. The next evidence of irrigation came in a cancelled permit file. The permit had originally been filed for additional lands in the N1/2NE1/4, N1/2NW1/4, Sec. 25. However, due to no proof of beneficial use having been submitted, the permit was cancelled. In the original days of the Dept. the requirement was to file proof of completion of works and proof of beneficial use. If one was filed and the other wasn't, then the permit was cancelled. In this cancelled permit file there was proof of completion of works filed stating that the water had been put to beneficial use 10 years prior to the lands in Sec. 25. However, 10 years earlier would have been 1912 since the proof of completion of works was dated 1922. Because the field exam under 55-02008 was conducted in 1914, and these acres were not mentioned, I used the date of the notarized proof of completion of works as the date of priority for this right, 11-14-1922. Also submitted with this file were the homestead papers of Arthur Corlett which did show his intention to develop this land in Sec. 25. This right was recommended for an additional 71 acres of land irrigated within the same legal as the permit was filed for, N1/2NE1/4, N1/2NW1/4, S.25. These lands are lands that only Rock Creek water could be used to irrigate.

55-04150 - LOUISA CREEK

This right covers what Louisa Creek could have irrigated over and above those acres covered under Right No. 55-02008 for the liveflow (cfs) portion. There is no evidence that more water and acres were diverted &/or irrigated from Louisa Creek between 55-02008 and the building of the Louisa Creek dam in 1931. The lands covered by this right are lands South of Rock Creek that could have been irrigated from the Louisa Creek ditch. The acres in the W1/2NW1/4, and SENW, Sec. 31 are not included due to Lester Buck's affidavit which stated those lands were not irrigated until Triangle first filled in 1967. Those acres are covered under 55-10353 & 55-10354. The priority date is based on the above idea that there is no evidence that these lands were irrigated prior to the license issued under 55-02008 and not until the dam was built in 1931.

55-10351- LOUISA CREEK STORAGE

This right covers the storage right for Louisa Creek Reservoir which was built in 1931. The acres listed in this right are the acres that could have been irrigated via the Louisa Creek ditch and are all South of Rock Creek, except for the acres irrigated in the W1/2NW1/4 and SENW, Sec. 31 per Lester Buck's affidavit as explained above. Evidence of the date this dam was built is also from a cancelled permit 55-02171 which was filed for Louisa Creek dam specifically. This permit was cancelled for the same reason as before - proof of completion of works were submitted but not proof of beneficial use. Louisa Creek Dam was obviously completed in 1931 - per dam safety files also - however, as in many permits in those days, proof of completion of works was submitted and not proof of beneficial use. The proof of completion of works is a signed and notarized affidavit stating the work was completed and other documents from the file noting the dam was completed in 1931.

55-02152A & 55-02208A - ROCK CREEK & LOUISA CREEK LIVEFLOW & STORAGE IN TRIANGLE RESERVOIR

These rights have both been previously licensed and were licensed for 96 acres of land. I have recommended them both for the same 96 acres although they overlap with some of the acres under the earlier rights. The reason for this is due to the possible litigation concerning the following 1967 rights. Since these were licensed for the 96 acres, they should remain so in case the 1967 rights are compromised. These acres were determined based on contour lines rather than on an aerial photo. The earlier right listed above are evidence that more than 96 acres were irrigated at some point prior to these licenses.

55-10353 & 55-10354 - ROCK CREEK & LOUISA CREEK LIVEFLOW & STORAGE IN TRIANGLE RESERVOIR

These rights have been recommended to pick up the additional acres not listed under the previous rights. Especially those acres in the W1/2NW1/4 and SENW, Sec. 31 listed in Lester Buck's affidavit stating that those acres were first irrigated in 1967 after Triangle Reservoir first filled. An ASCS map dated in 1969 does show the ditch from the south headgate flowing around these lands in the NW1/4, Sec. 35 thus indicating these lands were irrigated by then. The 1967 date comes from Lester Buck's affidavit. The additional 31 acres recommended in 55-10353 are acres that needed to be covered from either Rock Creek or Louisa Creek to be sure they were covered by both sources in the end. For instance, the 2 acres in the NESW, S30, and the 3 acres in the NWNW, 1 acre in the SWNE, 1 acre in the NWNW, 3 acres in the SESE, S25, were to cover irrigation from Rock Creek that had not been previously covered. Then, the acres in the NWSW(6), NESW(2), S30, NENW(10) and NESE(5), S25 were listed to cover irrigation from both sources that had not been previously covered. NOTE: The difference in acres for each right comes from one being for liveflow, 55-10353, where many of the acres were previously covered under other rights and the other for storage from Triangle where only 96 acres had been previously covered. The remaining 297 acres for storage are being covered under 55-10354.

RECEIVED

MAR 20 1998

WATER RESOURCES
WESTERN REGION

Jan -
you still believe chance
accidentally applied for all
of A's water & used the Hatter
description in '79 -

Why then has he carried

that forward & re-applied

in 84 & 89?

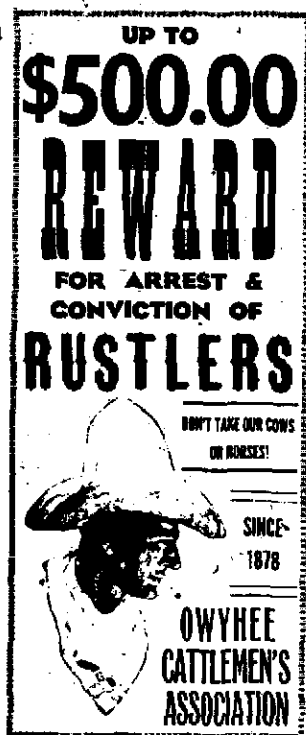
He could have
corrected his MISTAKE

Don

Thanks for your help -

as always you are
a delight to work with.

Don



WINTERCAMP RANCH TRUST
DON BARNHILL
Hatton Ranch, Idaho
P.O. Box 343 Jordan Valley, OR 97910
(208) 891-2620

RECEIVED

MAR 20 1998

WATER RESOURCES
WESTERN REGION

3/18/98

Jon Schute

Please find enclosed forms to
respond to notices of Error in
Charles Steiners Water Right Claims

As you are aware I adamantly disagree
with the Dept. records support non-use of
these claims plus the tremendous expansion
of any actual use which I feel I can
prove to be no more than 96 acres as
documented by your Dept.

All other lands claimed as irrigated
in fact SUB-IRRIGATE naturally and
take NO-IRRIGATION - an issuance of
these additional acres opens up the
possibility of licensure of therefore transfer to
non-irrigated lands constituting an expansion
of a right non-existent.

I adamantly object to the Steiner Claims of
R550284, R5502008, R5502152A, R5510351, R5502208A
R5504150, R5510352, R5510353, R5510354

Please post this in all these files Sincerely, J. Schute

ALGX COPY
TO ALL 9 FILES NOTICE OF ERROR
PLEASE REPLY

RECEIVED

MAR 20 1998

WATER RESOURCES
WESTERN REGION

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

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:

Water right number: R550284 R5510352
R5502008 R5510353
R5502152A R5510354
R5510351
R55 02208A
R55 04150

Daytime Telephone Number: 208 891 2620 541 586 2278

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): ALL 9 OF THESE CLAIMS ARE BASED UPON FRAUDULENT ACCOUNTS OF USE BY IDWR RECORDS ALL OF THESE CLAIMS LACK PROOF OF BENEFICIAL USE AND WERE
 2. Describe the changes you wish to make in the proposed recommendation: CANCELLED (LICENSE/PERMIT APPLICATIONS ON RECORD) WHILE THIS OWNER OWNED THIS PROPERTY WITH BENEFIT OF PROPER NOTICE TO ALL STAKE IDWR ARBITRARILY ISSUED A LICENSE TO THE
 3. Give a brief explanation as to why you disagree with these portions: LANDS HEREIN CLAIMED FOR 96 ACRES OF ACTUAL USE IN THE LATE 60'S EARLY 70'S BUT WITHOUT APPLICATION FOR SAME BY ANYONE I CONTEND (IDWR RECORDS SUPPLY) A MAXIMUM OF 96 ACRES HAS EVER ACTUALLY IRRIGATED
- I AGREE with this proposed recommendation; no changes need to be made.

DATE: 3/18/98 SIGNATURE: DON BRINALL
Please print your name: ROBERT 343
SPRAN VALLEY
OREGON
97910

NOTICE OF ERROR
REPLY

RECEIVED

MAR 20 1998

WATER RESOURCES
WESTERN REGION

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

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:**

Water right number: *R55 04156*

Daytime Telephone Number: *208 891 2620* *541586 2278*
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): *ALL OF IT - THIS IS BASED UPON PAPERWORK APPLICATIONS AND DOESN'T FIT HISTORIC USE - IT IS A GREAT EXPANSION OF RIGHTS - ALSO THE UNDERLYING LICENSE*
2. Describe the changes you wish to make in the proposed recommendation: *FOR THIS CLAIM WAS CONCERNED DURING THE OWNERS TENURE FOR LACK OF PROOF OF BENEFICIAL USE AND AN ARBITRARY RIGHT FOR 96 ACRES GIVEN WITHOUT BENEFIT OR*
3. Give a brief explanation as to why you disagree with these portions: *APPLICATION OF SUCH - MAXIMUM ALLOWED RIGHT THAT CAN BE PROVEN IN USE CANNOT EXCEED 96 ACRES BY IDWR'S OWN PAPERWORK*

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

DATE: *3/18/98*

SIGNATURE: *Don Barnhill*

Please print your name:

DON BARNHILL

PO BOX 343

JORDAN LANE WY 837910

AJ5811NP

SELECTION FILE: SUE-B65-ALL-GW-J-PRBA

IDAHO DEPARTMENT OF WATER RESOURCES
SELECTION FILE CONTENTS

DATE: 03/13/98
TIME: 08:30:58
PAGE: 1

R65-08105

TOTAL RECORDS IN SELECTION FILE: 1

75-08105
B/A
changed
to
Dover

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:04:29
09/15/93

PAGE: 1
GENERAL INFORMATION

15
CLAIM NUMBER: A55-04150

LAST: STEINER
ADDRESS: STAR RT.
CITY: OREANA
PHONE NUMBER:

FIRST: CHARLES W.

STATE: ID ZIP: 83650

OWNER CODE: C

FIELD EXAM REQUIRED?

FIELD
EXAMINER

DATABASE

Y

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM TRIANGLE
RESERVOIR (ROCK CREEK & LOUISA CREEK STORAGE).
DESC. OF DIVERTING WORKS: WATER IS STORED BEHIND LOUISA CREEK
DAM UNDER CLAIM NO. A55-10351. THIS RIGHT COVERS THE DIRECT
DIVERSION FROM LOUISA CREEK, OVER AND ABOVE THE STORAGE WATER,
AND ALSO THE DIVERSION OF THIS WATER FROM TRIANGLE RESERVOIR WHEN
DIRECT DIVERSION FROM LOUISA CREEK IS NOT BEING USED. WHEN WATER
IS NOT DIVERTED FROM LOUISA CREEK, IT FLOWS DOWNSTREAM INTO THE
TRIANGLE RESERVOIR AND IS THEN RE-DIVERTED VIA TWO OUTLET DITCHES
FROM THE RESERVOIR ALONG WITH A DIRECT DIVERSION FROM ROCK CREEK
BELOW THE TWO OUTLETS. ALL IRRIGATION IS GRAVITY FLOW & FLOODING

See A55-02152A

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: # A55-04150 PRIORITY DATE: 07-01-1898 STAGE: J

B. WR RECORD: # 55-04150 PRIORITY DATE: 07-01-1898 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER NO

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? YES () N ()

IF YES EXPLAIN.

NOTES: The priority date is being advanced to 1931 - the date the Gavira Creek dam was built in. The reason for this is because 55-02008 was censused in 1914 for dam being investigated from 1908. I could not recommend any award prior to that over & above that right since a field before was conducted in 1914 for all the odd beginning that that time from both Rock Creek & Gavira Cr. The above, more areas would have been put in when Gavira Creek dam was built & there are being listed in this right for that dated (1931)

RECOMMENDED PRIORITY DATE:

07-01-1898 → 06-1-1931

REVIEWED BY [Signature]

DATE

3-2-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-04150	07S	02W	30	SE	SE	SE		OWYHEE
A55-04150	07S	02W	31	NE	NE	NE		OWYHEE
A55-04150	07S	02W	31	SE	SE	SE		OWYHEE
A55-04150	08S	02W	6	SW	SW	SW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A55-02008
A55-10352
A55-10353
A55-11352
A55-11353
A55-11470

WR RECORDS IN SAME 40 ACRE TRACT

55-02152
55-02208

SOURCE: LOUISA CREEK

TRIB: ROCK CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
55-04150	08S	02W	6	NW	NW	NE		OWYHEE
55-04150	08S	02W	6	SW	SW	NE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

NONE

A55-11352 NONE

SOURCE: LOUISA CREEK

TRIB: ROCK CREEK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	DUE TO SOURCE DISCREPANCY?	Y/N	Y/N	FIELD EXAMINER
		Y	N	<u>AB</u>

NOTES: Recommended points of discussion on General Creek

Sam & P.O. Young's "Gould's Creek". The p.d. from Triangle
does not recommend under this right because in 1931
Triangle was not built & that division from Triangle to Hoover Cr.
is carried under JS-03157A & JS-10353.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:		TWP. REG. SEC.		LOT	COUNTY	DIVERSION NAME
1/4	1/4	1/4	1/4			
25 20 31	NE	25	NE	—	DeW	Louisa Reed ditch
25 20 4	SW	25	NE	—	"	" "
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—

SOURCE: LOUISA CREEK
 TRIB: ROCK CREEK
 REVIEWED BY: 
 DATE: 3-
 SYSTEM DESCRIPTION:

See attachment for desc. of diverting works

A. ROOT WATER RIGHT NUMBERS: A55-04150

B. POU LISTING

[illegible]

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	LR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	02W	31	NE	NW		STEINER, CHARLES W.	A55-04150 /34.0	-	26.0		
			NE	NW		STEINER, CHARLES W.	A55-02152A /34.0	-			
			NE	NW		STEINER, CHARLES W.	A55-02208A /34.0	-			
			NE	NW		STEINER, CHARLES W.	A55-10353 /34.0	-			
			NE	NW		STEINER, CHARLES W.	A55-10354 /34.0	-			
07S	02W	31	NE	SW		STEINER, CHARLES W.	A55-04150 /1.0	-			
			NE	SW		STEINER, CHARLES W.	A55-02152A /1.0	-			
			NE	SW		STEINER, CHARLES W.	A55-02208A /1.0	-			
			NE	SW		US DEPT OF INTERIOR	A55-12384 /	-			
			NE	SW		STEINER, CHARLES W.	A55-10353 /1.0	-			
			NE	SW		STEINER, CHARLES W.	A55-10354 /1.0	-			
07S	03W	25	NE	NE		STEINER, CHARLES W.	A55-04150 /11.0	-	12.0		
			NE	NE		STEINER, CHARLES W.	A55-02152A /11.0	-			
			NE	NE		STEINER, CHARLES W.	A55-02208A /11.0	-			
			NE	NE		STEINER, CHARLES W.	A55-10352 /11.0	-			
			NE	NE		STEINER, CHARLES W.	A55-10354 /11.0	-			
07S	03W	25	NW	NE		STEINER, CHARLES W.	A55-04150 /28.0	-	25.0		
			NW	NE		STEINER, CHARLES W.	A55-02152A /28.0	-			
			NW	NE		STEINER, CHARLES W.	A55-02208A /28.0	-			
			NW	NE		STEINER, CHARLES W.	A55-10352 /28.0	-			
			NW	NE		STEINER, CHARLES W.	A55-10354 /28.0	-			
07S	03W	25	SW	NE		STEINER, CHARLES W.	A55-04150 /32.0	-	29.0		
			SW	NE		STEINER, CHARLES W.	A55-02008 /32.0	55-02008 /25.0			
			SW	NE		STEINER, CHARLES W.	A55-02152A /32.0	-			
			SW	NE		STEINER, CHARLES W.	A55-02208A /32.0	-			
			SW	NE		STEINER, CHARLES W.	A55-10354 /32.0	-			
07S	03W	25	SE	NE		STEINER, CHARLES W.	A55-04150 /18.0	-	33.0		
			SE	NE		STEINER, CHARLES W.	A55-02008 /18.0	55-02008 /12.0			
			SE	NE		STEINER, CHARLES W.	A55-02152A /18.0	-			
			SE	NE		STEINER, CHARLES W.	A55-02208A /18.0	-			
			SE	NE		STEINER, CHARLES W.	A55-10354 /18.0	-			
07S	03W	25	NE	NW		STEINER, CHARLES W.	A55-04150 /32.0	-	33.0		
			NE	NW		STEINER, CHARLES W.	A55-02152A /32.0	-			
			NE	NW		STEINER, CHARLES W.	A55-02208A /32.0	-			
			NE	NW		STEINER, CHARLES W.	A55-10352 /32.0	-			
			NE	NW		STEINER, CHARLES W.	A55-10354 /32.0	-			
07S	03W	25	NW	NW		STEINER, CHARLES W.	A55-04150 /29.0	-	21.0		
			NW	NW		STEINER, CHARLES W.	A55-02152A /29.0	-			
			NW	NW		STEINER, CHARLES W.	A55-02208A /29.0	-			
			NW	NW		STEINER, CHARLES W.	A55-10352 /29.0	-			
			NW	NW		STEINER, CHARLES W.	A55-10354 /29.0	-			

*covered under
55-10353 survey
10354 (same) 1907*

*per
Hester Ducks
affidavit*

*0 covered under
have been using
from approved Ch
- only Rock Ch)*

*3 - limited to the
acres shown
Ch could have
unigated*

*1 - new under
55-02008
(32 acres)*

*0 all covered by
55-02008
(14 ac)*

*10 - only acres that
could be using
from Hester Ch
source.*

1 - "

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	03W	25	SW	NW		STEINER, CHARLES W.	A55-04150 / 1.0	- /			0
			SW	NW		STEINER, CHARLES W.	A55-02152A / 1.0	- /			
			SW	NW		STEINER, CHARLES W.	A55-02208A / 1.0	- /			
			SW	NW		STEINER, CHARLES W.	A55-10353 / 1.0	- /			
			SW	NW		STEINER, CHARLES W.	A55-10354 / 1.0	- /			
07S	03W	25	SE	NW		STEINER, CHARLES W.	A55-04150 / 29.0	- /	6.0		10 ← 11 55-02008
			SE	NW		STEINER, CHARLES W.	A55-02008 / 20.0	55-02008			
			SE	NW		STEINER, CHARLES W.	A55-02152A / 29.0	- /			
			SE	NW		STEINER, CHARLES W.	A55-02208A / 29.0	- /			
			SE	NW		STEINER, CHARLES W.	A55-10353 / 9.0	- /			
			SE	NW		STEINER, CHARLES W.	A55-10354 / 29.0	- /			
07S	03W	25	NE	SW		STEINER, CHARLES W.	A55-04150 / 27.0	- /	5.0		0
			NE	SW		STEINER, CHARLES W.	A55-02152A / 27.0	- /			
			NE	SW		STEINER, CHARLES W.	A55-02208A / 27.0	- /			
			NE	SW		STEINER, CHARLES W.	A55-10353 / 27.0	- /			
			NE	SW		STEINER, CHARLES W.	A55-10354 / 27.0	- /			
07S	03W	25	SE	SW		STEINER, CHARLES W.	A55-04150 / 14.0	- /			0
			SE	SW		STEINER, CHARLES W.	A55-02152A / 14.0	- /			
			SE	SW		STEINER, CHARLES W.	A55-02208A / 14.0	- /			
			SE	SW		STEINER, CHARLES W.	A55-10353 / 14.0	- /			
			SE	SW		STEINER, CHARLES W.	A55-10354 / 14.0	- /			
07S	03W	25	NE	SE		STEINER, CHARLES W.	A55-04150 / 36.0	- /	26.0		5 - recommended (21' covered under 55-02008)
			NE	SE		STEINER, CHARLES W.	A55-02008 / 7.0	55-02008	5.0		
			NE	SE		STEINER, CHARLES W.	A55-02152A / 36.0	- /			
			NE	SE		STEINER, CHARLES W.	A55-02208A / 36.0	- /			
			NE	SE		STEINER, CHARLES W.	A55-10353 / 29.0	- /			
			NE	SE		STEINER, CHARLES W.	A55-10354 / 36.0	- /			
07S	03W	25	NW	SE		STEINER, CHARLES W.	A55-04150 / 40.0	- /	7.0		0
			NW	SE		STEINER, CHARLES W.	A55-02152A / 40.0	- /			
			NW	SE		STEINER, CHARLES W.	A55-02208A / 40.0	- /			
			NW	SE		STEINER, CHARLES W.	A55-10353 / 40.0	- /			
			NW	SE		STEINER, CHARLES W.	A55-10354 / 40.0	- /			
07S	03W	25	SW	SE		STEINER, CHARLES W.	A55-04150 / 40.0	- /			0
			SW	SE		STEINER, CHARLES W.	A55-02152A / 40.0	- /			
			SW	SE		STEINER, CHARLES W.	A55-02208A / 40.0	- /			
			SW	SE		STEINER, CHARLES W.	A55-10353 / 40.0	- /			
			SW	SE		STEINER, CHARLES W.	A55-10354 / 40.0	- /			
07S	03W	25	SE	SE		STEINER, CHARLES W.	A55-04150 / 37.0	- /	7.0		3
			SE	SE		STEINER, CHARLES W.	A55-02152A / 37.0	- /			
			SE	SE		STEINER, CHARLES W.	A55-02208A / 37.0	- /			
			SE	SE		STEINER, CHARLES W.	A55-10353 / 37.0	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	SE		STEINER, CHARLES W	A55-10354 / 37.0	- /			
07S	03W	36	NE	NE		STEINER, CHARLES W.	A55-04150 / 3.0	- /		0	0
			NE	NE		STEINER, CHARLES W.	A55-02152A / 3.0	- /			
			NE	NE		STEINER, CHARLES W.	A55-02208A / 3.0	- /			
			NE	NE		STEINER, CHARLES W.	A55-10353 / 3.0	- /			
			NE	NE		STEINER, CHARLES W.	A55-10354 / 3.0	- /			
07S	03W	36	NW	NE		STEINER, CHARLES W.	A55-04150 / 22.0	- /		0	0
			NW	NE		STEINER, CHARLES W.	A55-02152A / 22.0	- /			
			NW	NE		STEINER, CHARLES W.	A55-02208A / 22.0	- /			
			NW	NE		STEINER, CHARLES W.	A55-10353 / 22.0	- /			
			NW	NE		STEINER, CHARLES W.	A55-10354 / 22.0	- /			
07S	03W	36	NE	NW		STEINER, CHARLES W.	A55-04150 / 8.0	- /		0	0
			NE	NW		STEINER, CHARLES W.	A55-02152A / 8.0	- /			
			NE	NW		STEINER, CHARLES W.	A55-02208A / 8.0	- /			
			NE	NW		STEINER, CHARLES W.	A55-10353 / 8.0	- /			
			NE	NW		STEINER, CHARLES W.	A55-10354 / 8.0	- /			
TOTAL ACRES							A55-04150	536.00	62.00	362.00	39 acres

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X) - not under this right
IF YES SEE ATTACHED SHEET: Remainder, under 55-02008 & 10353

POU COUNTY: OMYHEE

FIELD EXAMINER XPO

DATABASE Y

C. FIELD EXAM REQUIRED?
DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG: C

NOTES:

In recommending acres under this right & only listed those remaining after (after 55-02008) that Gravel Creek ditch would have irrigated - basically anything now irrigated south of Back Creek.

RECOMMENDATIONS:

TOTAL ACRES: 39
REVIEWED BY: [Signature] DATE: 3-2-98

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
	FROM 04-01 TO 11-01	
	FROM 01-01 TO 12-31	
A55-04150 IRRIGATION		3.000 CFS
A55-04150 STOCKWATER		.140 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
	FROM 04-01 TO 11-01	
	FROM 01-01 TO 12-31	
55-04150 IRRIGATION		3.000 CFS
55-04150 IRRIGATION STORAGE		900.00 AF/A
55-04150 IRRIGATION FROM STORAGE		900.00 AF/A
55-04150 STOCKWATER		.140 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.000 CFS
		900.00 AF/A

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(X)
Y(X) N()

Explain in notes, below.

NOTES

Changed to WR irrigation of use - 4-15 to 10-15.

Y (X) N ()

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?
AJ TOTAL CLAIMED DIVERSION RATE: 3.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y _____
FIELD EXAMINER _____

B. MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.
FLOW MEASUREMENT

Capacity of ditch listed in 55-0208 as capable of carrying 6 cfs in 1914.

C. ARE OTHER WATER RIGHTS USED? Y () N () IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A55-02152A, A55-02208A, A55-02008

LIST ALL RIGHTS WITH A SAME POI AND IRRIGATION USAGE: *See attached overlap review sheet in A55-02152A*

CLAIM NO.	SOURCE	NAME	DIV.	RATE	RATE/ACRE	DIV.	VOL.	DIV.	VOL./ACRE
A55-04150	LOUISA CREEK	STEINER, CHARLES W.		3.000	0.005				
A55-02008	ROCK CREEK	STEINER, CHARLES W.		3.140	0.020				
A55-02152A	LOUISA CREEK	STEINER, CHARLES W.		5.580	0.009				
A55-02208A	ROCK CREEK	STEINER, CHARLES W.					592.00		0.97
A55-10352	LOUISA CREEK	STEINER, CHARLES		2.000	0.020				
A55-10353	ROCK CREEK	STEINER, CHARLES W.		5.580	0.020				
A55-10354	ROCK CREEK	STEINER, CHARLES W.					592.00		0.97
	LOUISA CREEK								

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A55-04150	STOCKWATER	STEINER, CHARLES W.	FROM 01-01 TO 12-31	.140 CFS	
A55-12384	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.090 CFS	

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A55-12384	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.020 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE 38 x 0.02 CFS/ACRE = .78 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = N/A AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(X) N()

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

Stockwater g/w based on 600 hd stock.

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	4-15 10-75	.78	N/A	N/A
STOCKWATER	1-1 12-31	.14	N/A	N/A

TOTAL FOR THIS RIGHT

.92

REVIEWED BY:

DATE: 3-2-98

Total exp. 92¢ - stock dividend from children

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
(X)
()
()
()

NEEDS
REVIEW
()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-04150

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
3.000

EXAMINER
K/A

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	"R" DIV. RATE	CURRENT "R" CLAIM NUM.	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-04150	3.000	-	-	55-04150	3.000

TOTAL CFS 3.000

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 sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

NOTES:

Paul - Concl. that when all rights are combined they are limited to the irrigation of a total of 303 acres - due to the overlapping acres in each rd (water ex. liveflow)

AUTHENTICATION:

SIGNATURE:

[Signature]

NAME OF FIELD EXAMINER:

JAN SHURTLE

DATE:

3-2-98

TITLE:

WATER RIGHTS SUPERVISOR

DESCRIPTION OF DIVERTING WORKS - TRIANGLE RANCH - CHUCK STEINER
55-02008, 55-02152A, 55-02208A, 55-04150, 55-10351, 55-10352,
55-10353 & 55-10354

TRIANGLE RESERVOIR

Triangle reservoir is located on Rock Creek with a 29' high dam and 1184 af of storage. Louisa Creek flows into Triangle reservoir in the NENE, S31, T7S, R2W, therefore, Triangle reservoir collects both Rock Creek and Louisa Creek water. The reservoir water is diverted via two headgates - the North headgate and the South headgate.

North headgate - this headgate diverts water to irrigate lands in the SW1/4SE1/4 & SW1/4, Sec. 30, north of Rock Creek, before entering the Hatton diversion reservoir and dam in the NWSW and SWNW, S30. A diversion from the northside of Hatton Reservoir in the NENE, Sec. 25, carries the water to the lands in the N1/2NE1/4 and the N1/2NW1/4, S. 25, aka the Corlett homestead. This ditch continues west to irrigate lands owned by the Wintercamp Ranch Trust under 55-02006, 55-02152B and 55-02208B. There was evidence of a ditch that diverted on the southside of Hatton Reservoir to the lands south of Rock Creek in Sec. 25, T7S, R3W, however, it was not in use at the time of the field exam due to a rockslide covering the ditch.

At the time of this exam there was a ditch which crossed over from the North headgate ditch and diverted water in a westerly direction to irrigate the remaining lands in the SWSE & SW1/4, Sec. 30, south of Rock Creek aka the Bachman homestead.

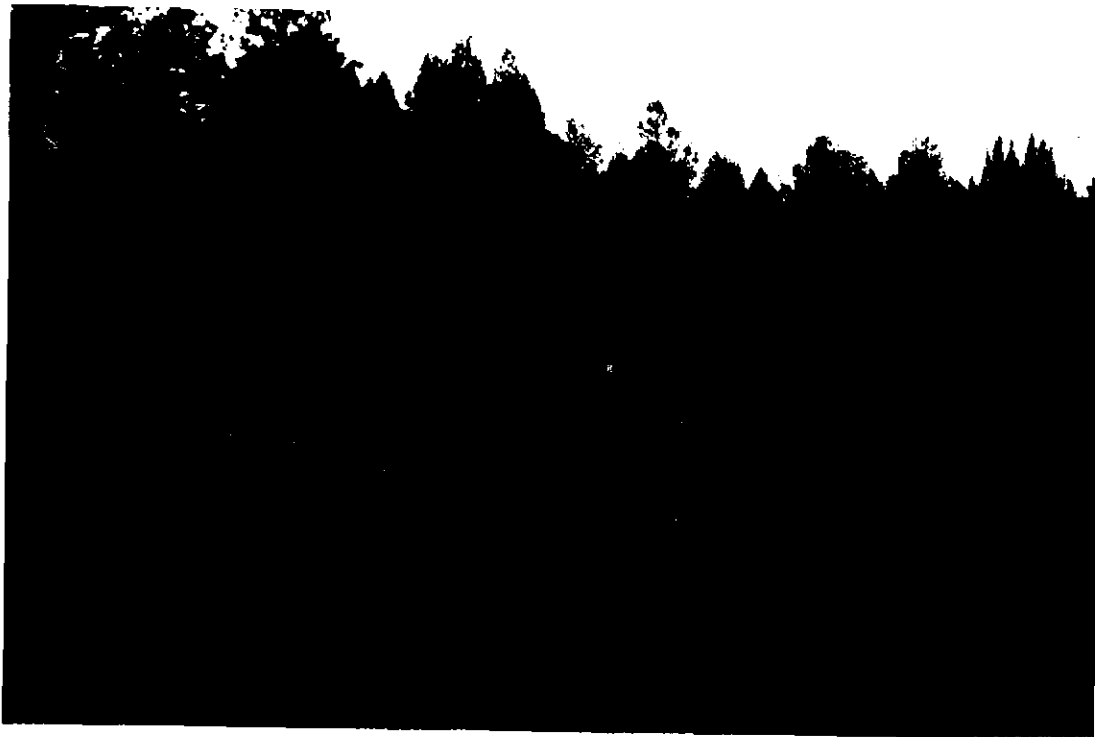
South headgate - this headgate diverts water south from Triangle reservoir. It divides into two ditches with both heading south to catch ponds and joining in the NENW, Sec. 31 (along with the Louisa Creek ditch described below) and continue as one in a westerly direction irrigating lands in the NW1/4, Sec. 31 and the E1/2SE1/4, Sec. 25. The ditch continues west to a small diversion pond located in the center of the SE1/4, Sec. 25. Water is then dispersed north to irrigate lands in the N1/2SE1/4, S1/2NE1/4, Sec. 25, south of Rock Creek, and west to another small diversion pond in the SENW, Sec. 25. The water continues from this pond in a northwesterly direction to irrigate lands in the SENW, NENW, Sec. 25, south of Rock Creek. These lands in the N1/2SE1/4, S1/2NE1/4, E1/2 NW1/4, Sec. 25 were aka the Bachman homestead.

LOUISA CREEK RESERVOIR

Louisa Creek reservoir is located on Louisa Creek with a 41' high dam and 175 af of storage. The Louisa Creek ditch diverts out of Louisa Creek below the reservoir in the NESE, Sec. 31. It heads north towards Triangle Reservoir, then turns and heads west to where it joins the ditch from the South headgate in the NENW, Sec. 31. See the description of where this ditch then heads and which lands it irrigates as described above under the South headgate.



LOUISA
CREEK
DAM



LOUISA
CREEK
DITCH
AS IT
LEAVES
LOUISA
CREEK

Application for a Permit to Construct the

Reservoir

And to Store the Unappropriated Waters of the State of Idaho

Application No. R 23390
Permit No. R 394
District No.

1. Name of Applicant: Bachman & Sons

Postoffice Address: Triangle

County: Owyhee

State: Idaho

1. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock: \$
- (c) Amount paid in: \$
- (d) Names and addresses of directors:

11. The financial resources of the applicant are: (a) Cash on hand: \$
(b) Treasury stock: \$
(c) Bonds to be loaned: \$
(d) Other resources:

2. Quantity of water to be stored: 1000

3. Source of water supply: Louisa Creek, which is a tributary of Rock Creek

4. Water is to be used for: Irrigation and domestic purposes

5. The outlet of the proposed reservoir is located

1754 feet distant from the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ corner of Section 6, T. 8 S., R. 2 W.,
B. M., and is in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 6, T. 8 S., R. 2 W., County of Owyhee

6. Fill cut either (a) or (b).

(a) The reservoir is located in the channel of Louisa Creek

(b) The reservoir is to be filled through the

which has a width at bottom of ft., width at top of ft., depth of ft., average

grade per mile ft., capacity cubic feet per second.

7. (a) The area of the high water line of the reservoir is 40 acres

(b) The available capacity of the reservoir is 1000

8. Height of dam: 50 feet; length of dam at top 50 feet; length of dam at bottom 15 feet.

Material used in dam: Concrete

Feeder Canal,

ft., average

acre feet.

feet.

2. The outlet of the proposed reservoir is located

1754 feet distant from the NE¹/₄ of SW¹/₄ corner of Section 6, T. 8 S., R. 2 W., R. M., and is in the SW¹/₄ of NE¹/₄ of Section 6, T. 8 S., R. 2 W. 1/2 N., County of Owyhee

6. Fill out either (a) or (b).

(a) The reservoir is located in the channel of **Louisa Creek**
(b) The reservoir is to be filled through the **Feeder Canal**, which has a width at bottom of ft., width at top of ft., depth of ft., average grade per mile cubic feet per second.

7. (a) The area of the high water line of the reservoir is 40 acres.
(b) The available capacity of the reservoir is 1000 acre feet.

8. Height of dam: 50 feet; length of dam at top 50 feet; length of dam at bottom 25 feet.

Material used in dam: **Concrete**

9. The estimated cost of proposed reservoir is \$ 2500.00

10. Amount of land to be irrigated 200 acres; said land being described in Use Permit mentioned in

Paragraph 13 herein, which Use Permit is hereby referred to and made a part hereof.

11. The time required for the completion of such work is five years

12. The water stored in accordance with this permit will be conducted to the place of use through the

canal constructed under the terms of Permit No. 3398-4632, filed by Jacob Buchman & Arthur B. Corlett.

on Jan. 31, 1908 & Mar. 11, 1909.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and to store the map-propriated waters of the State of Idaho as herein set forth.

By **Bachman & Sons**, Applicant.
Lynn Bachman, Agent.

394

Date of first receipt at office of State Engineer 9 A. M., June 22, 1926
Returned to applicant for correction JULY 30, 1926
Corrected application received August 11, 1926.

COMMISSIONER OF RECLAMATION

Approval of ~~Submittal~~

The number of this Permit is R 394

Recorded in book R 2 Page 394

Approved August 18, 1926

This is to certify that I have examined the within application for a permit to construct a reservoir and to store unappropriated public waters of the State of Idaho, and hereby approve the same, subject to the following limitations conditions:

Bond in the sum of \$ to be filed on or before and to continue diligent
Work to begin on or before October 17, 1926
uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control
One-fifth of the work above specified to be completed on or before February 18, 1929
The whole of said work to be completed on or before August 18, 1931
Beneficial use of water stored in accordance herewith, to be made on or before
as set out in Permit No. for the appropriation of the public waters of the State of Idaho, which is referred to and made a part hereof.

Witness my hand this day of

J. G. SHERIDAN
Commissioner of Reclamation

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
INVENTORY WORKSHEET - DAMS

FORM NO. 1

Identification No. D55-4150

Name of Dam LOUISA CREEK

County OWYHEE

River or Stream LOUISA CREEK

Purpose J (Specify if other)

Location Sec 06 Twnshp 08S Range 02W SW 1/4 NE 1/4 - MAP AAS - TRIANGLE

FORM NO. 2

Name of Owner CHARLES STEINER

Owner's Phone No. 834-2273 (Alternate phone no.)

Address Line 1

FORM NO. 3

Address Line 2

Address Line 3 City OREANA State ID Zip Code 83650

FORM NO. 4

Type of Dam CNARC (Other dam types)

Storage Capacity (ac-ft) 175

Height of Dam (ft) 41.0

Drain. Area (sq. mi.) 8.2

Res. Surface Area (ac) 110

Year Completed 1931 (Date enlarged, reconstructed, etc.)

Crest Elev. (M.S.L.) 5,299

Length (ft) 40 (Dike lengths)

Spillway Type OVFL (Auxiliary spillways)

Spillway Depth (ft) 0.0 (Aux. spillway depths)

Spillway Capacity (cfs) 220 1.5' OVERFLOW DEPTH

Hazard Classification 3

Region 2

FORM NO. 5

LAST Risk EVAL 1991

Last Inspection Month 06 Year 92

Approval Expiration Month 11 Year 98

General Condition FR

Q 100 (cfs) 230 ESTIMATE

Outlet Type STEEL 8 IN. DIA. PIPE

Outlet Capacity (cfs) 9 ESTIMATE

Problems/Remarks CHANGED FROM 55-2171 WHICH WAS CANCELLED & 55-XX10

WATER RIGHTS: 55-4150 - CLAIM FOR 900 AF AND 3 CFS

REC'D 6/94

17 Dec 1975

Rt#1 Box 140

Emmett, Idaho 83617

To Whom it May Concern:

The water from Louise Creek and Rock Creek Drainage located in the area of T7S; R2W and T8S; R3W, B.M., has been used to irrigate the meadows of Triangle Ranch for the past (85) eighty five years or more. The area T7S; R2W and T7S; R3W B.M. now known as Triangle Ranch was known as the Stockade Corral prior to about 1900. The Bureau of Reclamation has an affidavit to this affect, and also there is an old filing for the above mentioned water, dated 1892. The proof was never filed in order to complete the requirements.

During the period between Feb. 1964 and Dec 1970 while I managed Triangle Ranch for Angelo Gust, we irrigated about nine hundred and fifty (950) acres from the water storage of the two creeks. The storage is located T.7S., R.2W., Sec 30 SE 1/4, SE 1/4. B.M. Owyhee County, Idaho.

Respectfully
Lester M. Buck

11.16
1 LICENSES PRIORITY 7-28, 1965 - ~~11.16~~ C.F.S. No 55-2152
1 LICENSE " " - 1184 A. feet storage for Rock
Creek Res. License 55-2208



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

May 22, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

CHARLES W STEINER
STAR ROUTE
OREANA ID 83659

RE: Claims filed in the Snake River Basin Adjudication

Dear Claimants: *CLAIM NO'S. A55-02084, A55-02152A,
A55-02208A, A55-04150 - OUYHKE CO.*

The Department of Water Resources will be conducting beneficial use and water right claim verification examinations in your area beginning in June. An examination is needed to verify your water use in order to issue a water right license and/or decree.

Information on your permit or claim which may need to be verified includes source of water, type of usage, amount of water used, number of acres irrigated, and legal descriptions of the point of diversion and/or place of use.

In order to expedite these field examinations, which need to be completed this summer in your area, we request that you contact our office at (208)334-2190 within two weeks to make an appointment at a time convenient for you. The amount of time required to conduct these exams depends on the number of water rights you have filed. An approximate time can be given when you call for an appointment.

Although it is not mandatory that you accompany the field examiner, it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system, could accompany the examiner it would be appreciated.

In some cases, the date of priority claimed also needs to be verified. Letters were sent to some claimants notifying them that evidence of the date of first use of their water right(s) was required. If you received one of these letters and have questions, we can address those during our examination.

To make an appointment, or if you have any questions or problems with scheduling the exam, please contact one of the following water resource agents:

LINDA WERNER KAY WALKER RON HOWERTON ROXANNE MCCARTHY

MICROFILMED

SEP 29 1992

RECEIVED

JUN 26 1992

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

AFFIDAVIT

Department of Water Resources
Western Regional Office

State of Idaho)
County of Owyhee)

I James D. Bachman being first duly sworn,
deposes and says: The water from Louise
Creek went through the Bachman
Ditches for irrigation. Waste water
went back into Rock Creek
The water from Rock Creek
entered the Bachman irrigation
ditch below the Lyon Bachman
Cabin to irrigate the East meadow.

for Charles Steen

James D. Bachman
(Signature)

Subscribed and sworn to before me this
day 18 of June, 1992.

[Signature]
(Notary Public)

Residing at Owens, Idaho.

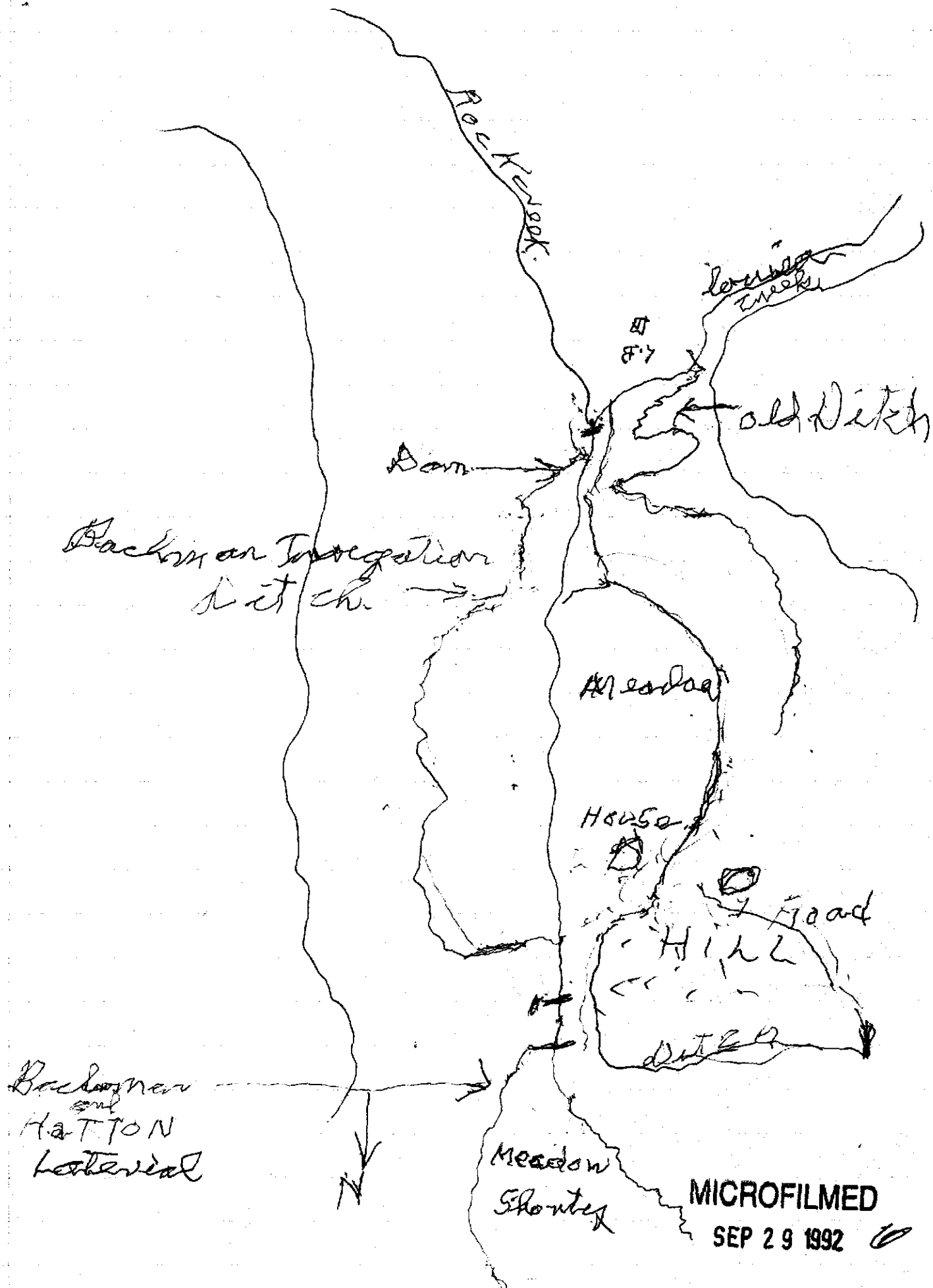
My Commission Expires the.

SEAL

MICROFILMED

SEP 29 1992

50



W
2
My father, Earl Bachman and
Leyden Bachman, went to school in
Silver City in the late 1800s Hundred.
At that time Granddad
worked in the mines at Silver City
and purchased the Ranch at
Tyrangle from Fish-Pool in the
1800 Hundred.

The Water from ~~the~~ creek
was used in irrigation before the dam was
built - Started in 1924.

to who it my concern, July 31, 1991

Submitted attached evidence,
at which time I suggested
they submit an additional
document specifying date &
places.

LINDA WERNER

7-31-91/MICROFILMED

SEP 29 1992

James D. Backman
Box 2125
Creana Idaho

Affidavit of James D. Backman

On July 31, 1991

MICROFILMED

SEP 29 1992

the above appeared
before me and signed
James D. Backman
Notary State of Idaho

John [Signature]

July 31, 1991
to who it may concern,

This is to verify water claim
no H55-04150.

I can remember when my
grandfather + Father irrigated
out of the Louisa Creek Dam
+ before that was built out of
Louisa Creek when we owned the
Triangle Ranch that Charles W. Steiner
now has.

James D. Bachman
Box 2125
Creana Idaho

Affidavit of James D. Bachman

On July 31, 1991

MICROFILMED

SEP 29 1992

the above appears
before me and signed
James D. Bachman
Notary State of Idaho

John [Signature]

Came in on 8-1-91.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

A55-04150 *JUNE 28, 1991*
CHARLES W. STEINER
STAR RT.

RE: Claim No(s): A55-04150

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

OREANA

ID 83650

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no license, decree or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of first use, or "Priority Date", for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes the types of evidence required and explains what kind of documents will fulfill this requirement. While we encourage you to read the entire pamphlet, we would like to direct your attention to the right-hand half of this pamphlet once you open it. There you will find information concerning the evidence requirements mentioned above. The other sections describe to you why this evidence is necessary.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, cannot be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the above claim(s) have been or soon will be conducted by Department personnel.

Please submit the required evidence supporting the priority date(s) by August 1, 1991, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact a water resource agent in this office.

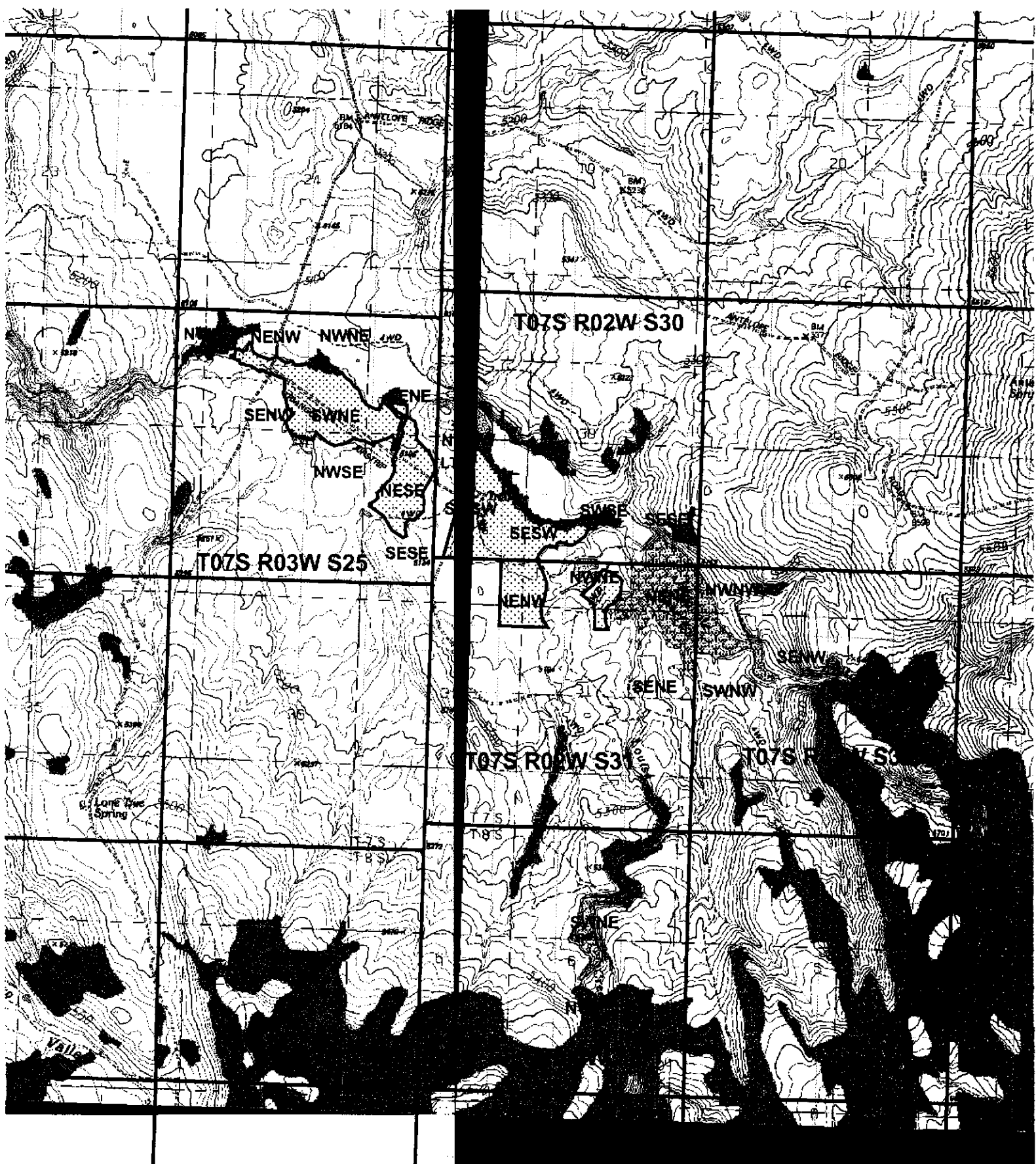
Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

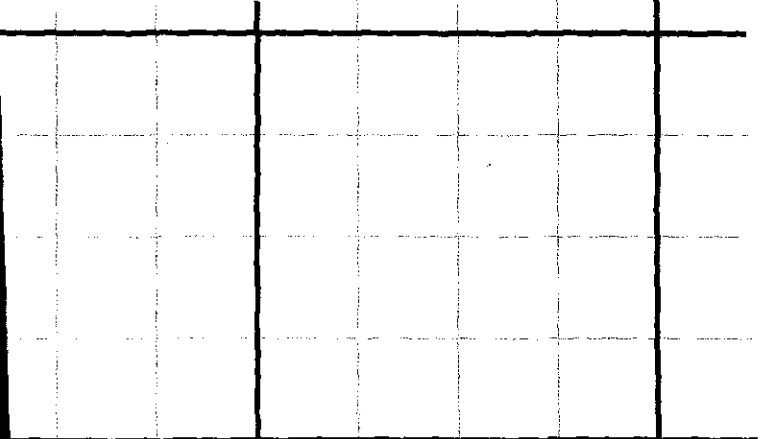
JS:lh
Enclosures

CROFILMED

SEP 29 1992







02W S32



SWNE

NWSE

T08S R02W S6

