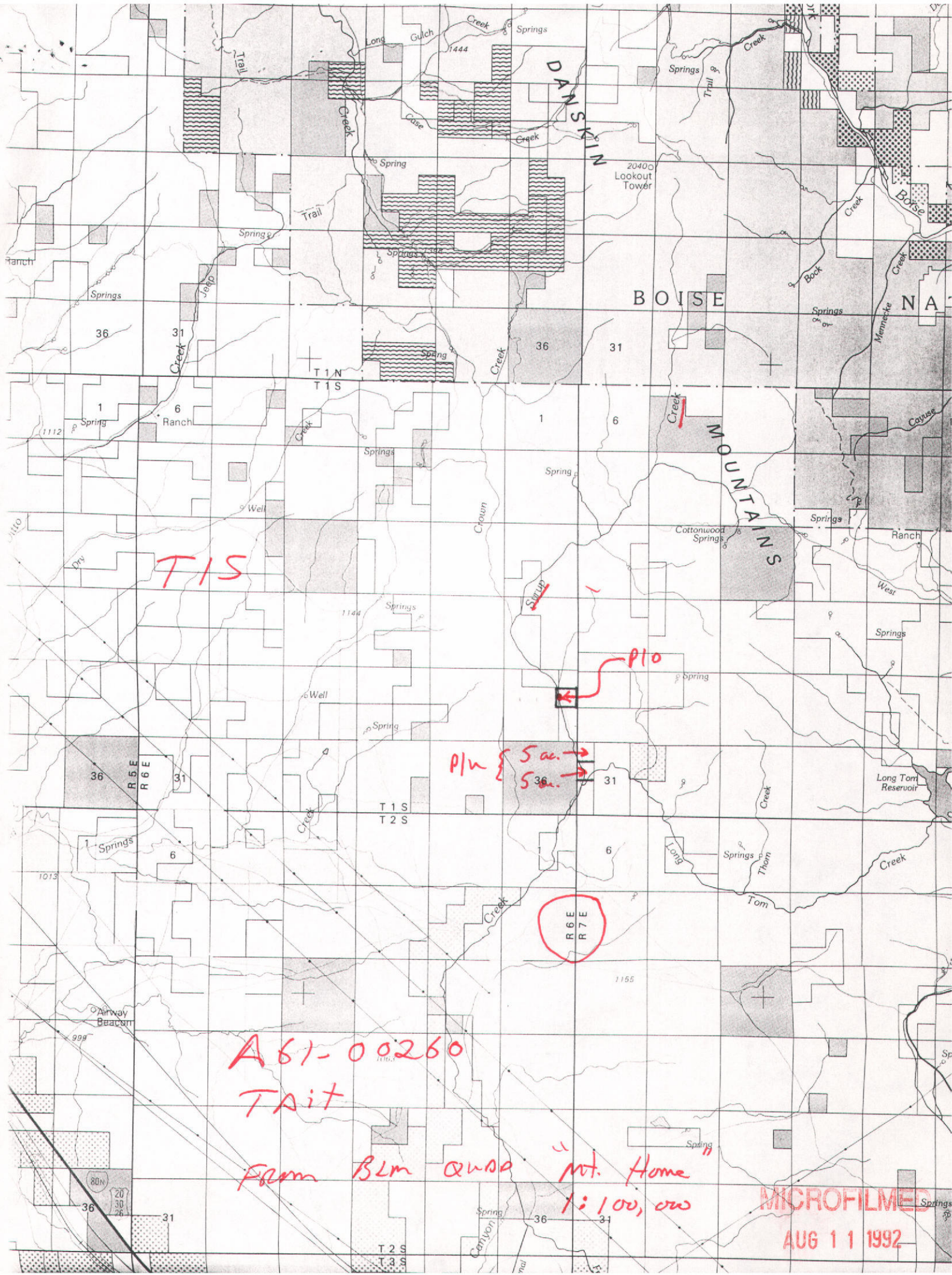




T1S

BOISE

BOISE MOUNTAINS

BOISE NATIONAL FOREST

P1w { 5 ac. -> 536. ->

R6E
R7E

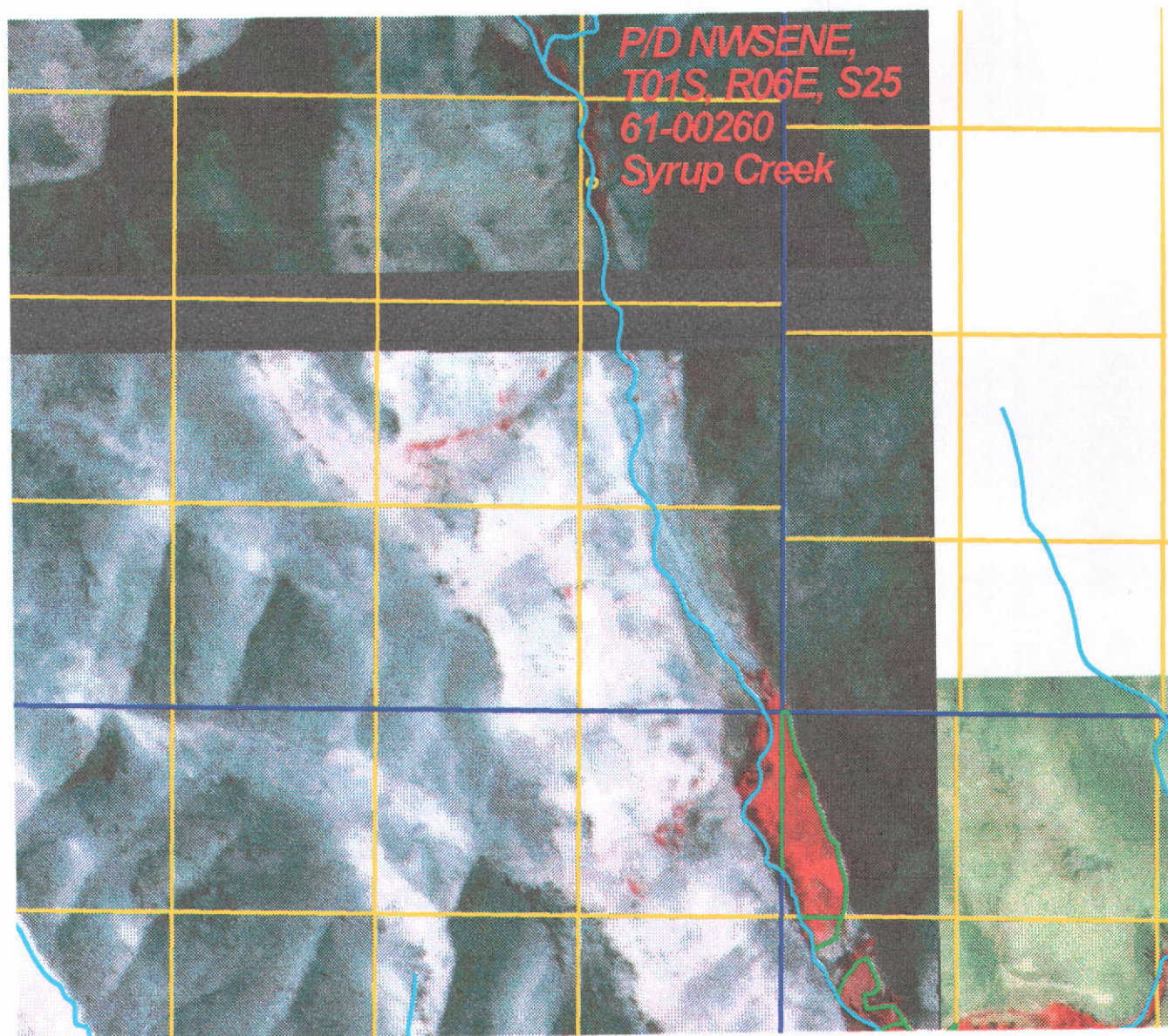
A61-00260

Tait

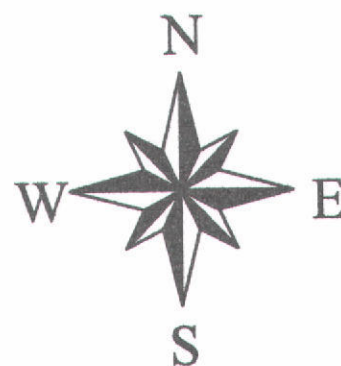
From BLM Quesada Mt. Home 1:100,000

MICROFILMED

AUG 11 1992



-  POU
-  POD
-  SECTION LINES
-  1/4 1/4



IDWR

T01S, R07E

Claim(s) 61-00260
Owner(s) : TAIT
Date: 11 Sep 98
Prepared by:
Ron Howerton
TOTAL ACRES: 10



POU



POD

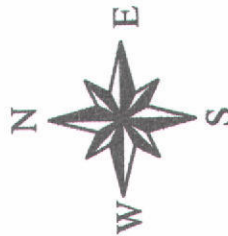


SECTION LINES

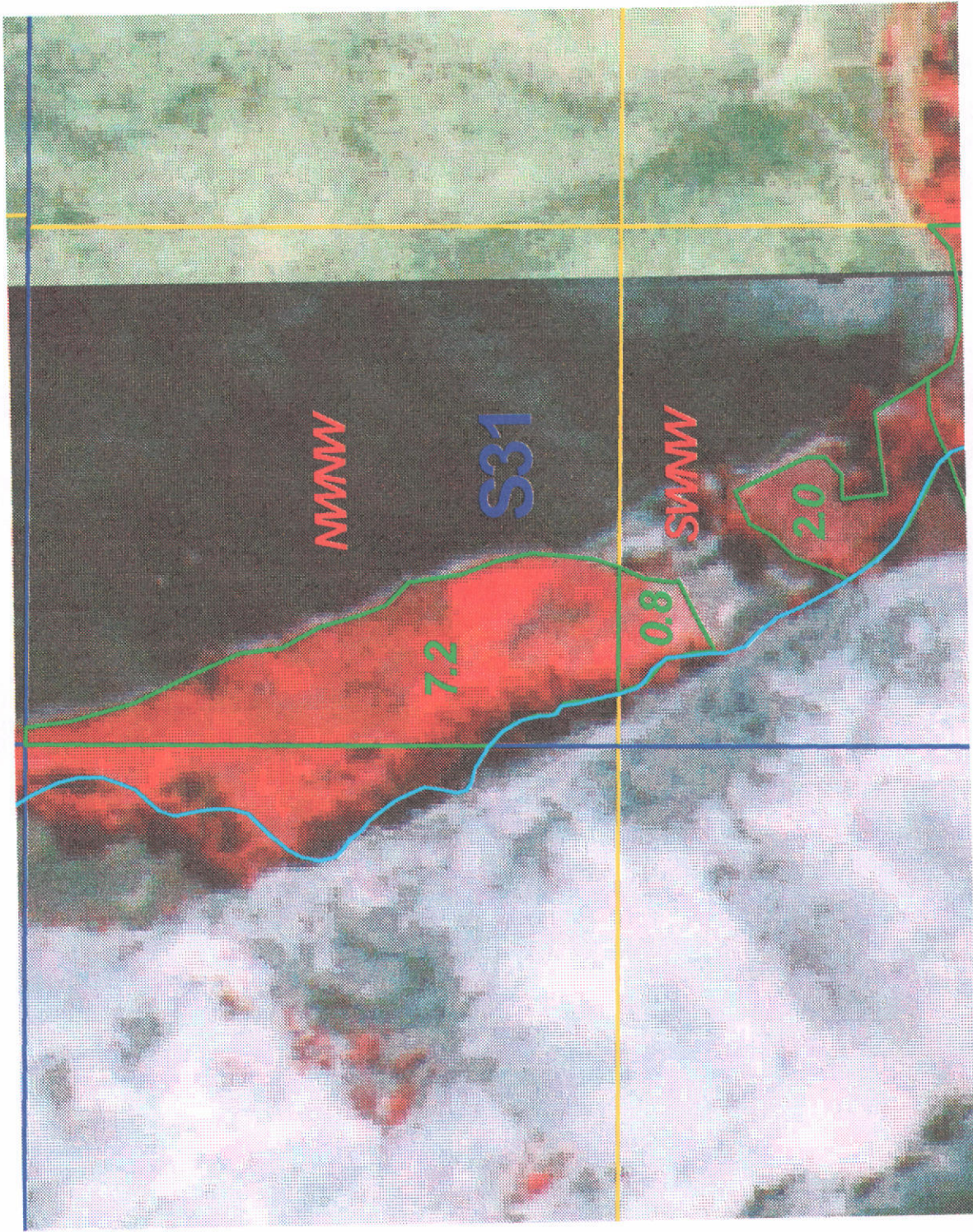


1/4 1/4

Acres



1987 NAPP

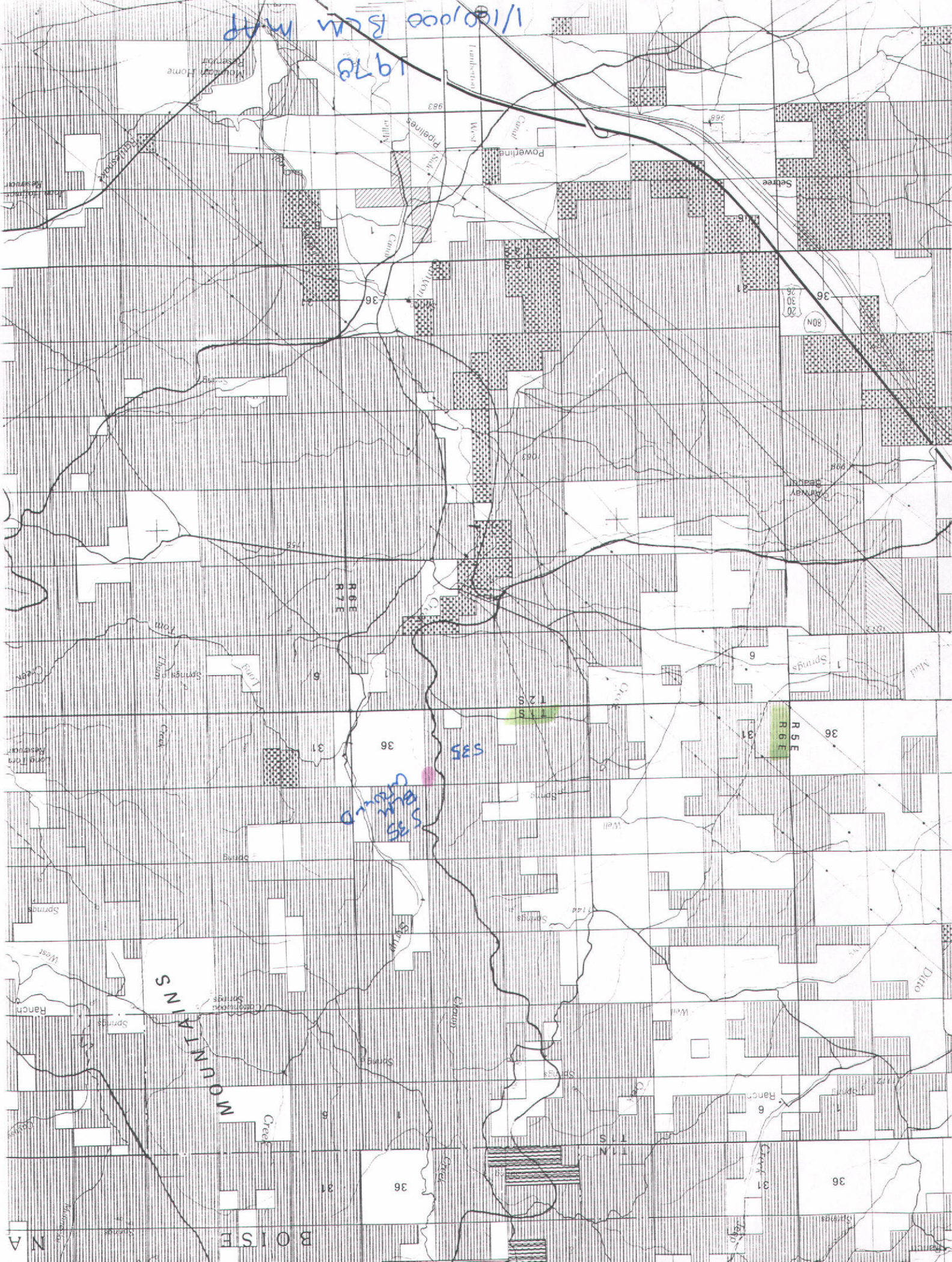


0.25 Miles



1/10/00 BLM MAP

1978

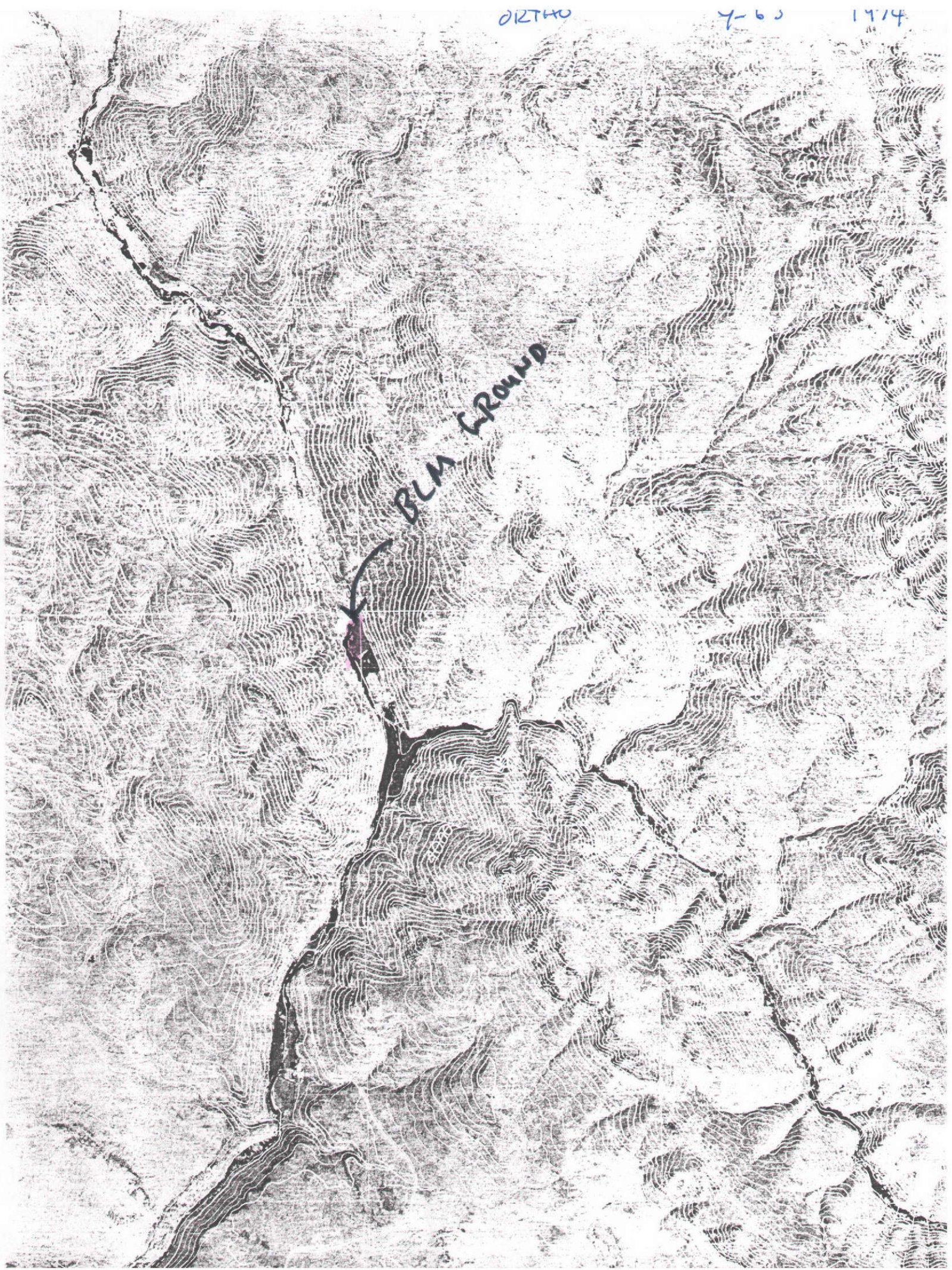


01240

7-63

1974

BLM Ground



PICTURE #1

61-00260: FX 09/16/94. Photo's by RDH. Point of diversion. Located in T01S, R06E, S25, NWSENE.



PICTURE #2

Same P/D looking SW.



PICTURE #3

61-00260: FX 09/16/94. Photo's by RDH. Weir measurement photo, based maximum flow on defined high water mark.



PICTURE #4

North end of field looking South. Located in T01S, R07S, S31, NWNW.



PICTURE #5

61-00260: FX 09/16/94. Photo's by RDH. Place of use where Syrup Creek and Long Tom Creek overlap, 61-00261A. Located in T01S, R07E, S31, SWNW.



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: A61-00260
Date Received: ~~11/03/1989~~ 12-1-89
Receipt No: 2013239
Received By: _____

RECEIVED
DEC 1 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PHILIP M. TAIT
Address: R.R. 3, BOX 651
MOUNTAIN HOME, ID

208-828-6081

83647

466-2888

2. Date of Priority: OCT 01, 1890

3. Source: SYRUP CREEK

Trib. to: CANYON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	06E	25	SE	NE			ELMORE

5. Description of diverting works:

DIV. DAM IN CK., W/DITCH TO LAND FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

7. Total Quantity Appropriated is:

1.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	07E	31	NW	NW	1	IRR	5.0
			SW	NW	2	IRR	5.0

Section Acres 10.0

A61-00260

Page

1

Date: 11/07/89

MICROFILMED

AUG 11 1992

10. Place of Use: Continued

Total Acres 10.0

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:

RICHARD BENNETT ET. AL.

Decree Plaintiff

vs

F. A. NOURSE 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): Philip M. Fair Date: 24 NOV 89

Date: _____

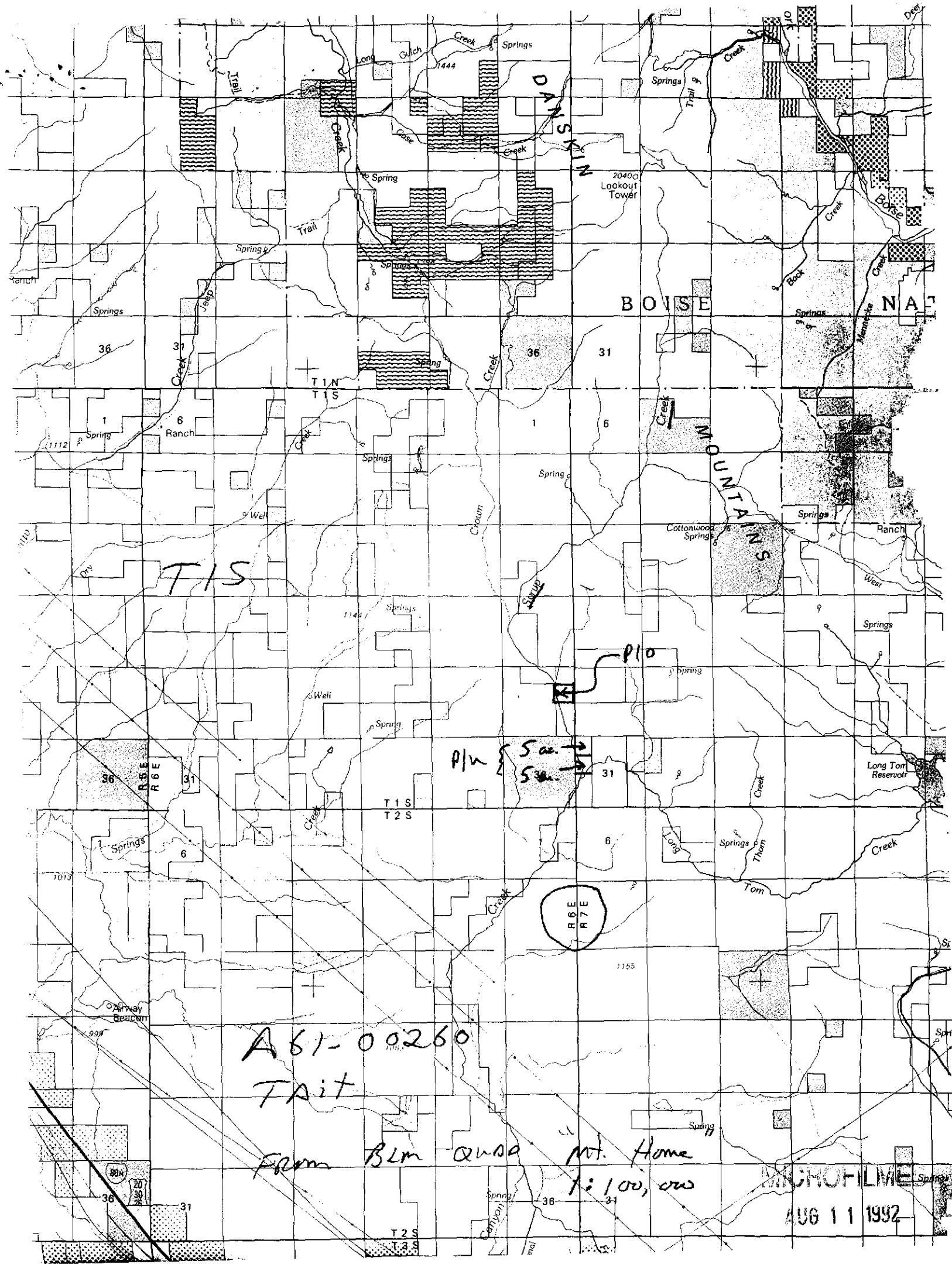
State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 24 day
of Nov 19 89

Thomas H. Hiebs
Notary Public

Seal

Residing at W. H. Hiebs, Idaho
My Commission Expires April 18, 1992



Water Right Number - 61-00260

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

WALKER

CHARLES A.

1 -

2 -

3 -

City- State- Zip-

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

10/01/1890 14 WESTERN D - DECREED

+ - - Source - - - - - + + - - - Tributary - - - - - +

SYRUP CREEK CANYON CREEK

+ - - - - - - - - - - - - - Point of Diversion - - - - - Diversion Name Diversion Rate Diversion No.

| Tw | Rng | Sec | Tract | Lot | Rflg | County | Water Use | Period From | Period To | Diversion Rate | Diversion Volume |
|-----------------------|-----|-----|-------|-----|------|--------|-----------|-------------|-----------|----------------|------------------|
| 01 - IRRIGATION 1.000 | | | | | | | | | | | |

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

1.000

| Tw | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|-----------|
| 01S | 07E | 31 | NW NW | 1 | | 01 | IRRIGATION | 39 ELMORE |
| 01S | 07E | 31 | SW NW | 2 | | 01 | IRRIGATION | 39 ELMORE |
| 01S | 07E | 31 | NW SW | 3 | | 01 | IRRIGATION | 39 ELMORE |
| 01S | 07E | 31 | SW SW | 4 | | 01 | IRRIGATION | 39 ELMORE |

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - Remarks - - - - - +

No Remarks found.

+ - - - - - - - - - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - - - - - - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

RICHARD BENNETT ET. AL. F. A. NOURSE ET. AL. 07/30/1914

Water right number - 61-00260

+ - - Audit Fields - 05/06/80 05/01/88 CONVERT

[illegible]

DATE: 10/29/98
PAGE: 1

PAGE: 1

1.00 CFS

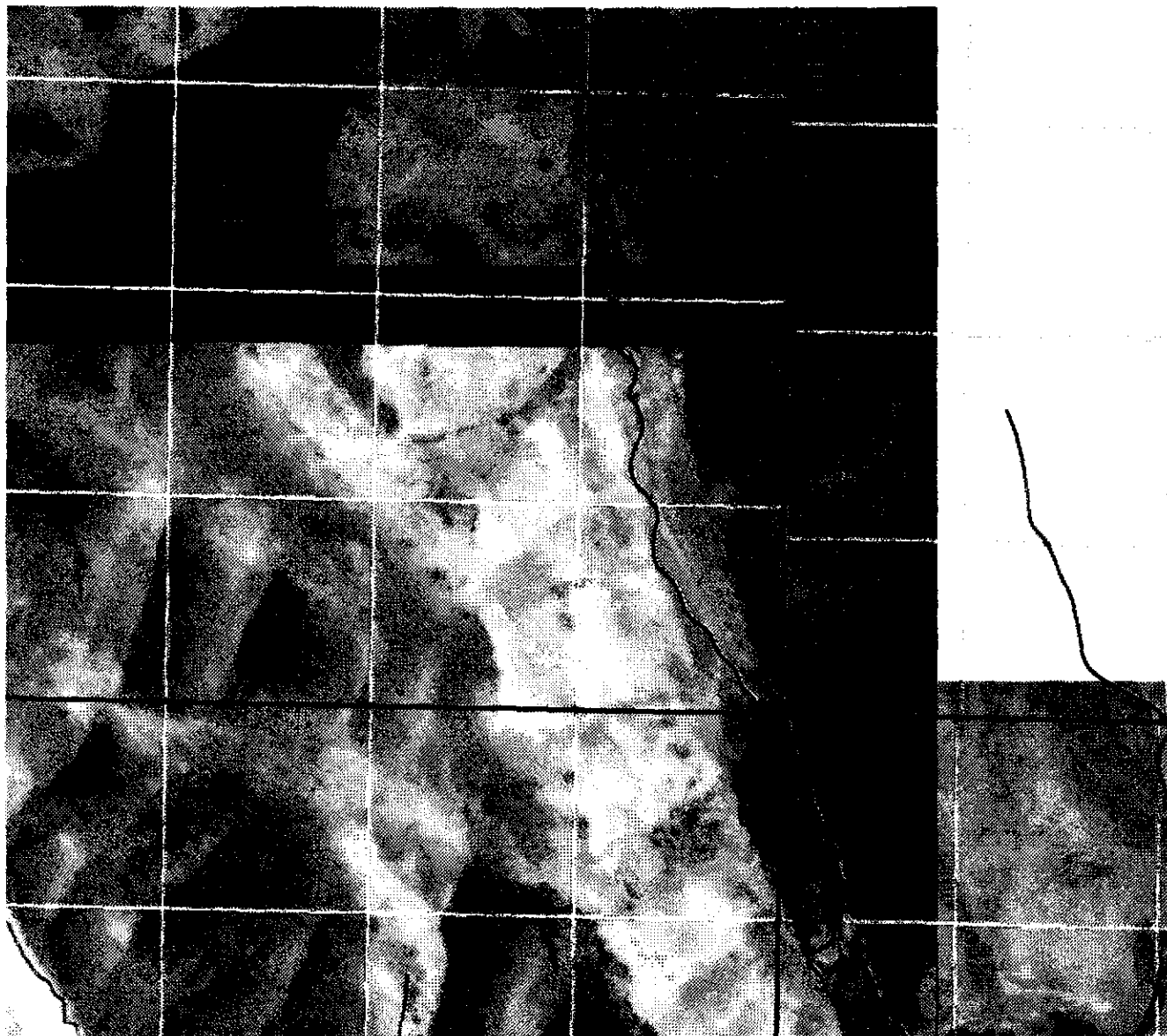
Stage: DECEASED

ELMORE COUNTY

[illegible]

TOTAL ACRES 10.0

Audit: 10/29/98 RHOWERTO



POU

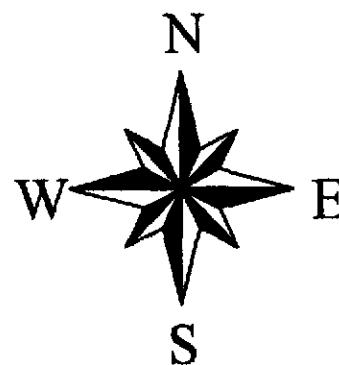


POD



SECTION LINES

1/4 1/4



IDWR

T01S, R07E

Claim(s) 61-00260

Owner(s) : TAIT

Date: 11 Sep 98

Prepared by:

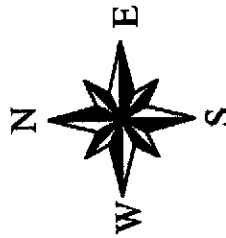
Ron Howerton

TOTAL ACRES: 10



1/4 1/4

Acres

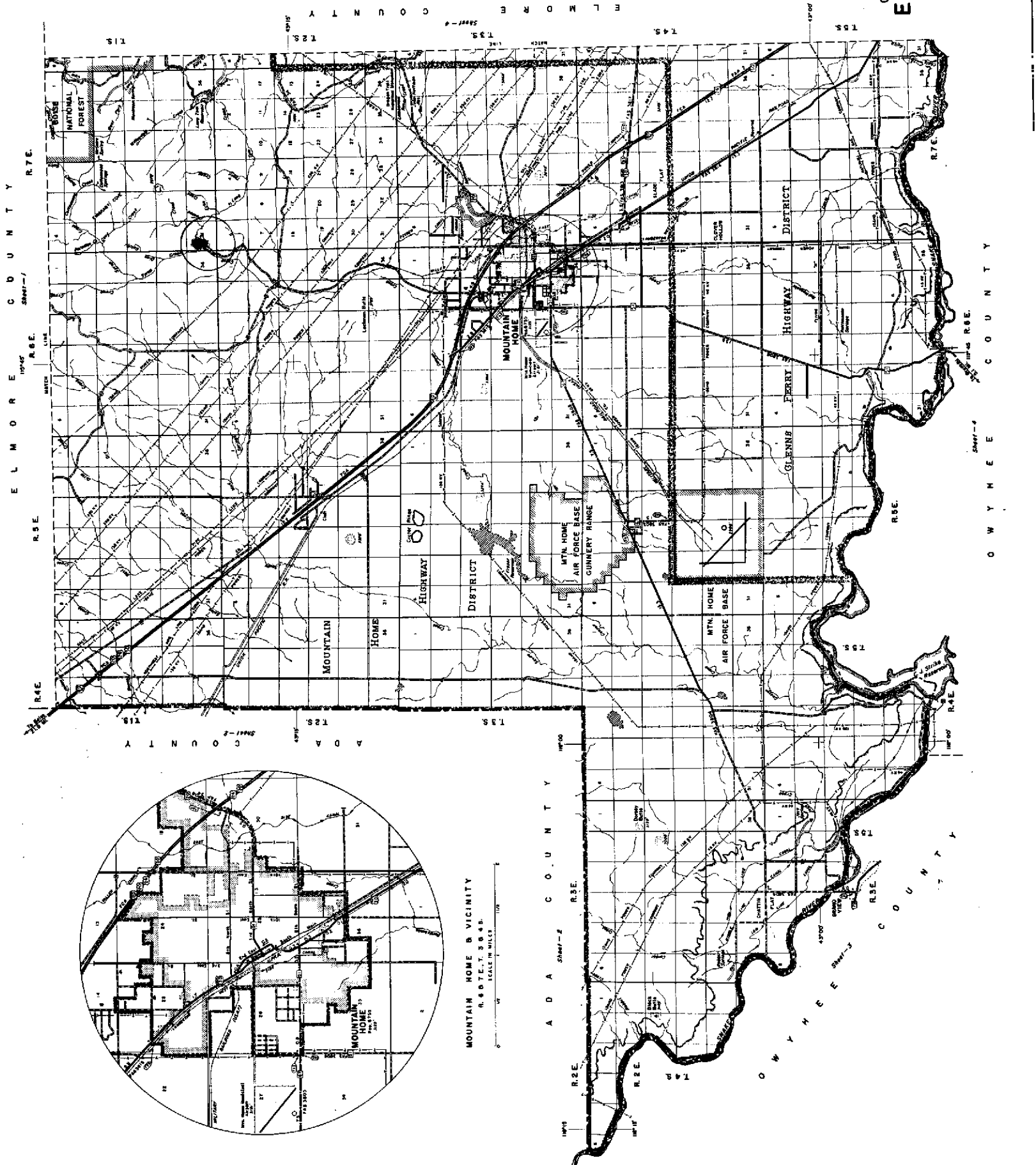


1987 NAPP

0.25 Miles



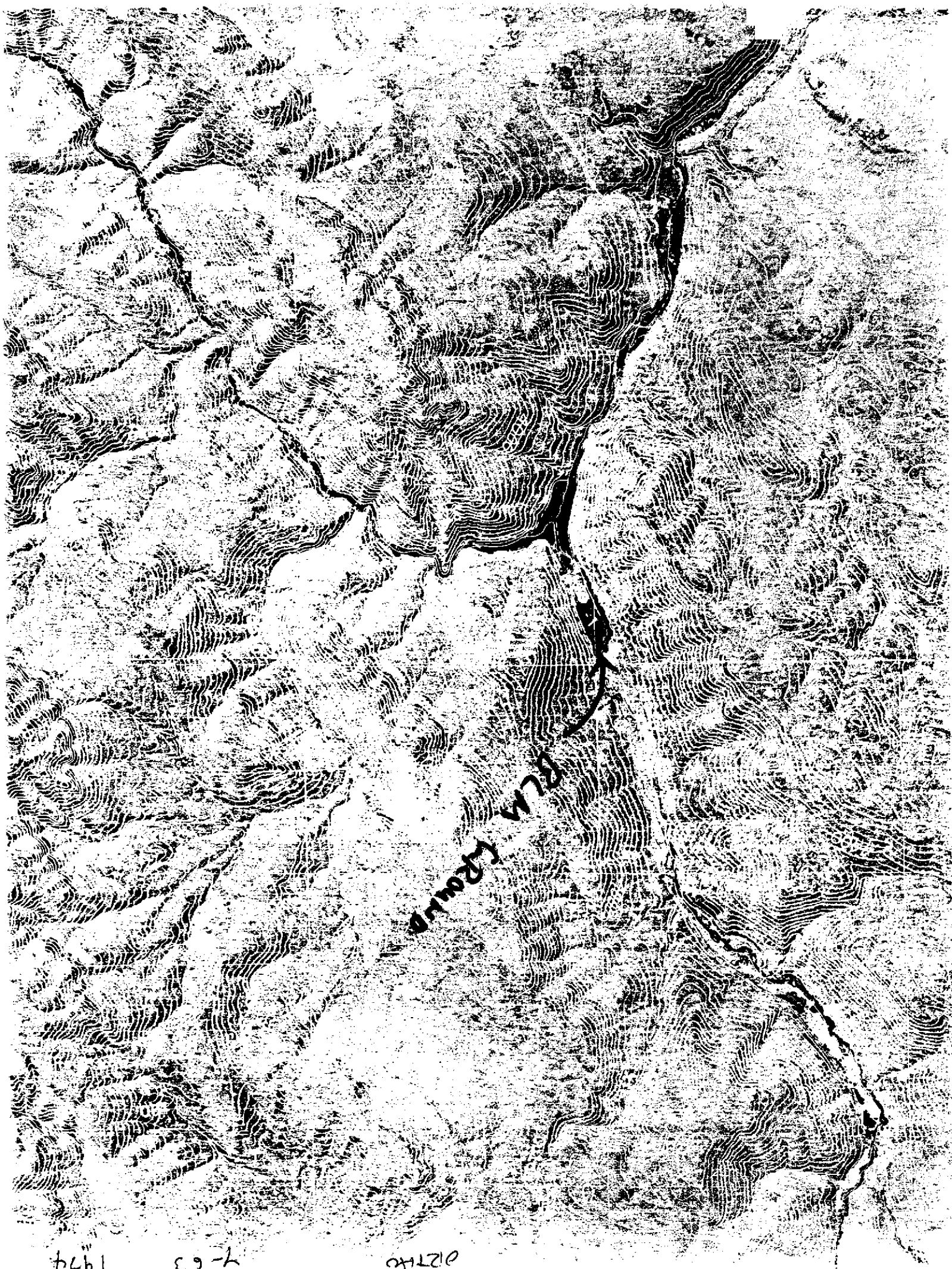
17D
County
STRIP
MAP



GENERAL HIGHWAY MAP
ELMORE COUNTY
IDAHO

FIELD DATA COLLECTED FEB. 1979

| SECTION | DATE | BY |
|----------------------|------|----|
| STATE CHARTER SYSTEM | | |
| LOCAL ROAD SYSTEM | | |
| STATE HIGHWAY SYSTEM | | |



PL 1974

ADJUDICATION CLAIM CHECKLIST

| WR ELEMENT | FIELD EXAM | | FIELD EXAM
OR IN-OFFICE
VERIFICATION
WHOM/DATE | CLAIM
VERIFIED BY
CODE
(SEE BELOW) | CHANGE
CLAIM
Y/N | CLAIMANT CONTACT
NEEDED - Y/N** | REVIEW
COMPLETED
WHOM/DATE | NOTICE OF CLAIM NO. <u>61-00260</u> | "R" RECORD |
|-----------------------|---|--------------------|---|---|------------------------|------------------------------------|----------------------------------|-------------------------------------|------------|
| | Y/N-IF NO,
DO OFFICE
VERIFICATION | WHOM/DATE | | | | | | | |
| PRIORITY* | <u>4</u> | <u>Rel 9/16/94</u> | <u>6</u> | <u>6</u> | <u>N</u> | <u>X</u> | | | |
| PT. OF DIV. | <u>X</u> | <u>X</u> | <u>6</u> | <u>6</u> | <u>X</u> | <u>X</u> | | | |
| SOURCE | <u>X</u> | <u>X</u> | <u>6</u> | <u>6</u> | <u>X</u> | <u>X</u> | | | |
| PL. OF USE | <u>X</u> | <u>X</u> | <u>6</u> | <u>6</u> | <u>X</u> | <u>X</u> | | | |
| DIV. AMOUNT
CFS/AF | <u>X</u> | <u>X</u> | <u>6</u> | <u>6</u> | <u>X</u> | <u>X</u> | | | |
| CONSUMPTIVE
USE | <u>X</u> | <u>X</u> | <u>NA</u> | <u>NA</u> | <u>X</u> | <u>X</u> | | | |
| NATURE OF
USE | <u>X</u> | <u>X</u> | <u>6</u> | <u>6</u> | <u>X</u> | <u>X</u> | | | |
| PERIOD OF
USE | <u>X</u> | <u>X</u> | <u>6</u> | <u>6</u> | <u>X</u> | <u>X</u> | | | |
| BASIS OF
CLAIM | <u>X</u> | <u>X</u> | <u>6</u> | <u>6</u> | <u>X</u> | <u>X</u> | | | |
| REMARKS | | | | | | | | | |

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

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

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

COMMENTS: 6= SAME AS CLAIM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:19:52
07/06/94

PAGE: 1
GENERAL INFORMATION

43
CLAIM NUMBER: A61-00260

LAST: WALKER
ADDRESS:
CITY: XXXXX
PHONE NUMBER: 208-000-0000
OWNER CODE: 0
FIRST: CHARLES A.
STATE: ID ID ZIP: 00000

LAST: TAIT
ADDRESS: RR 3 BOX 651
CITY: MT HOME
PHONE NUMBER: 208-828-6081
OWNER CODE: C
FIRST: PHILIP M
STATE: ID ID ZIP: 83647

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS:
FIELD EXAMINER
DATABASE Y
EXAMINER *Deh*
CLAIMANT WAS IN THIS OFFICE ON 3/6/92 TO DISCUSS CONVEYANCE LOSS.
WHEN DOING FIELD EXAM BE SURE TO DO CONVEYANCE LOSS CALCULATION.
CLAIMANT INDICATES THE SOIL TYPE OF HIS DITCH IS PROBABLY
GRAVELLY TO SOMEWHAT PERVIOUS SOIL (LOSS RATE OF 1.5 TO 5.0).

CONTACT PERSON: Philip Tait
DATE OF FIELD EXAM: 9/16/94
ACCOMPANIED BY: ABOVE
RELATIONSHIP TO CLAIMANT: OWNER

APPOINTMENT MADE: Y(☒) N(☐)
TIME: ____:____ A(☐) P(☐)
PHONE NUMBER: () ____-____

DIRECTIONS TO PROPERTY / NOTES:

Base - Mountain Home (SEE STRIP MAP)

A. AJ CLAIM: # A61-00260 PRIORITY DATE: 10-01-1890 STAGE: D
B. WR RECORD: # 61-00260 PRIORITY DATE: 10-01-1890 STAGE: D
C. FIELD EXAM REQUIRED? DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD EXAMINER

N

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

NOTES:

RECOMMENDED PRIORITY DATE:
10-01-1890

REVIEWED BY Rch

DATE 10/29/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| | | | | | | | | |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
| A61-00260 | 01S | 06E | 25 | | SE | NE | | ELMORE |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A61-10231 R61-10231
R61-10261

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SYRUP CREEK

TRIB: CANYON CREEK

B. WR POINT OF DIVERSION AND SOURCE:

6100260 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: SYRUP CREEK

TRIB: CANYON CREEK

C. FIELD EXAM REQUIRED?

| | | |
|----------------------------------|----------|----------------|
| DUE TO POD DISCREPANCY? (Y/N) | DATABASE | FIELD EXAMINER |
| DUE TO SOURCE DISCREPANCY? (Y/N) | Y N | <u>Per</u> |

NOTES:

| RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: | | | | COUNTY | DIVERSION NAME |
|---|------|------|----------|--------------------|----------------|
| TWP. | RGE. | SEC. | | | |
| 1S | 6E | 25 | NW SE NE | ELMORE | |
| — | — | — | — | — | — |
| — | — | — | — | — | — |
| — | — | — | — | — | — |
| — | — | — | — | — | — |
| — | — | — | — | — | — |
| — | — | — | — | — | — |
| — | — | — | — | — | — |
| SOURCE: SYRUP CREEK | | | | TRIB: CANYON CREEK | |

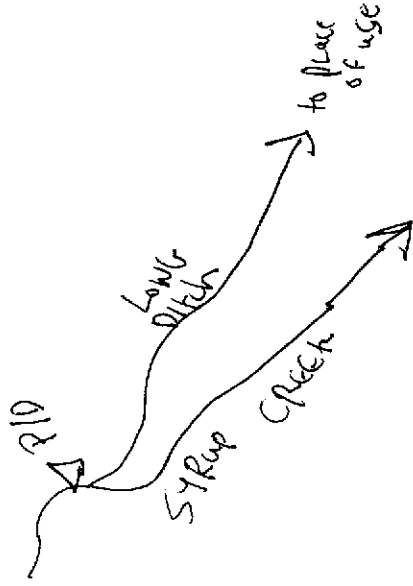
REVIEWED BY: Rel DATE: 10/29/98

SYSTEM DESCRIPTION: PLASTIC DAM, 18" CULVERT, LOCKABLE GATE, LONG PITCH TO POW. WIND FLOODING, GRAVITY FLOWS.

CIPOLLETTI WEIR DATA^o Ditch DATA^o
1.5 CREST LENGTH AVE. WIDTH IS 3' WIDE AND 1/2 FOOT DEEP.

Found High WATER MARK AT .5'

TABLE INDICATES 1.79 CFS TOTAL FLOW





State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

Hall, Friedly & Roberts
Attorney at Law
340 E. 2nd Street North
Mountain Home ID 83647

August 19, 1986

Attention: Perce Hall

Re: Typographical Error in Bennett-Nourse Decree

Dear Mr. Hall:

We are in receipt of your letter dated July 2, 1986, with which you conveyed an Affidavit To Correct Scrivner's Error associated with the above-referenced decree.

We requested a review of this matter by department legal council. Pursuant to this request, Mr. Phillip Rassier has indicated that he spoke with you on July 28, 1986. Based on the documentation submitted and on his conversation, Mr. Rassier has recommended that it would not be appropriate to file an Application for Transfer with the Department or a quiet title action at this time with the District Court. Instead, Mr. Rassier feels that the affidavit of Mr. Cairns, if kept on file with the Department and recorded with the County, will be available at the time of any readjudication of Canyon Creek and its tributaries.

The purpose of this letter is to advise you that based on Mr. Rassier's response, we will place this information in our file, and will not solicit additional information on the matter at this time. In addition, we will update our computerized records of this water right to reflect the corrected legal description. We would ask that you file the information with Elmore County.

Please feel free to contact this office if you see additional items of concern with respect to this matter.

Sincerely,

David R. Tuthill, Jr. P.E.
Manager, Western Regional Office

DRT:nl

C.C. S.O.

Note Kobata Garrett corrected computer file.



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
BOISE 83720

JIM JONES
ATTORNEY GENERAL

DEPARTMENT OF WATER RESOURCES
STATEHOUSE, BOISE, IDAHO 83720
TELEPHONE: (208) 334-4448

July 29, 1986

MEMORANDUM

TO: Dave Tuthill *DT*
FROM: Phil Rassier *PSZ*
RE: Typographical Error in Bennett-Nourse Decree

I have reviewed your memo with the attached letter from attorney Perce Hall, and the Affidavit of C. Arnold Cairns to correct a scrivner's error in the legal description of the place of use for the water right decreed to Charles A. Walker in the Bennett-Nourse Decree.

The affidavit of C. Arnold Cairns identifies the error in the legal description and also states that the affiant acquired title to the real property in 1956 and that during all the time he has owned the property he has used the decreed right on his property.

Your memo suggests that we advise Mr. Hall that the Department only has authority to change a decreed water right through a transfer application. While this is a correct description of the Department's authority, it is also true that prior to 1969 there probably existed a common law right to transfer the place of use of a water right in the absence of injury to other persons. I suggest that we accept Mr. Cairns' affidavit as evidence that the water has been used as he describes since 1956.

I spoke with Mr. Hall by telephone on July 28, 1986 and he stated that he also intended to file a copy of the affidavit for record with the county. He further stated that Mr. Cairns is in the process of selling his property and that the buyer is satisfied with this resolution of the matter. Given these circumstances, I do not feel that it would be appropriate to advise Mr. Hall that he must either have his client file an application for transfer with the Department or file a quiet title action with the district court. The affidavit of Mr. Cairns, if kept on file with the Department and recorded with the county, will be available at the time of any readjudication of Canyon Creek and its tributaries.

PJR:plb

HALL, FRIEDLY & ROBERTS

ATTORNEYS AT LAW
340 EAST 2ND NORTH
MOUNTAIN HOME, IDAHO 83647

PERCE HALL
JAY R. FRIEDLY
DON L. ROBERTS

TELEPHONE
(208) 587-4412

July 2, 1986

Idaho Department of Water Resources
Western Region
450 West State
Boise, Idaho

Gentlemen:

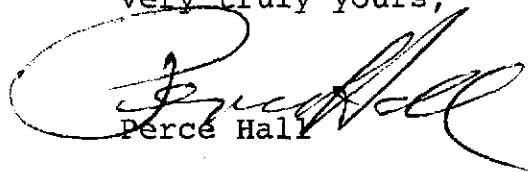
Attention: Jan Shurte

Re: Typographical Error in Bennett-Nourse Decree

Pursuant to my telephone conversation with you sometime ago I am enclosing an Affidavit for the purpose of explaining the error in description claimed in the water decree in the case of Bennett et al, plaintiffs, vs. F. A. Nourse et al, defendants, as it pertains to the description of the Charles A. Walker real property. I feel that the correction by affidavit gets to the heart of the problem and that an Application for Change of Place of Use would, in effect, be a misrepresentation since the water has never been used at any place other than its present location.

Please let me know whether or not the Affidavit is acceptable.

Very truly yours,


Perce Hall

PH:jd
Enclosure

RECEIVED
JUL 3 1986

Department of Water Resources
Western Regional Office

AFFIDAVIT TO CORRECT SCRIVNER'S ERROR

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

RE: Lots One to Four, Inclusive, of Section
 Thirty-one, Township One South, Range
 Seven East, Boise Meridian, Elmore County,
 Idaho.

C. ARNOLD CAIRNS, being first duly sworn, deposes and
says:

That he is a citizen of the United States of America,
of the age of 66 years, and a resident of Elmore County,
Idaho;

That affiant acquired title to the real property locat-
ed in the County of Elmore, State of Idaho, described as
Lots One to Four, inclusive, of Section Thirty-one, Township
One South, Range Seven East, Boise Meridian, in the year
1956; that said real property had been previously owned by
Charles A. Walker, who is now deceased; that during all of
the time that affiant has owned said property, said property
has been irrigated with water obtained from Syrup Creek and
Long Tom Creek, both tributaries of Canyon Creek, in Elmore
County, Idaho;

That as shown by the records of Elmore County, Idaho,
under a decree entered on the 1st of August, 1914, in the
District Court of the Fourth Judicial District of the State
of Idaho, in and for Elmore County, in an action entitled
Richard Bennett et al, plaintiffs, vs. F. A. Nourse et al,
defendants, a decree entered by the Court on said date
awarded to Charles A. Walker for use upon Lots One, Two,
Three and Four of Section Thirty-one, Township One South
of Range Six East, 50 inches (out of Syrup Creek, tributary
of Canyon Creek) dating from October 1, 1890, and 75 inches
(out of Long Tom Creek, a tributary of Canyon Creek) dating
from October 1, 1890;

That as a result of a scrivner's error or a typographi-
cal error, the said real property owned by the said Charles
A. Walker was erroneously described as being located in
Range Six East, when in truth and in fact said land was
located in Range Seven East and should have been described
in said Decree as Lots One, Two, Three and Four of Section
Thirty-one, Township One South of Range Seven East, Boise
Meridian.

That Lots One to Four, Inclusive, of Section Thirty-one, Township One South, Range Six East, Boise Meridian, is located approximately six miles west of the confluence of Syrup Creek and Long Tom Creek and was never owned by Charles A. Walker;

That this affidavit is made for the purpose of correcting the error in the description of Charles A. Walker's property and for the purpose of correcting the records of the Department of Water Resources to show the correct description of the real property upon which the water described in said decree is used for purposes of irrigation.

C. Arnold Cairns
C. Arnold Cairns

SUBSCRIBED AND SWORN to before me this 27th day of July 1986.

[Signature]
Notary Public for Idaho
Residing at Mountain Home, ID

A. ROOT WATER RIGHT NUMBERS: A61-00260

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|-----------------|------------------|---------------|-----------------|----------------|------------------|
| 01S | 07E | 31 | NW | NW | 1 | TAIT, PHILIP M. | A61-00260 / 5.0 | 61-00260 / | 10.0 | | 7.2 |
| | | | NW | NW | 1 | TAIT, PHILIP M. | A61-10233 / | - / | | | |
| | | | NW | NW | 1 | TAIT, PHILIP M. | A61-10231 / | - / | | | |
| | | | NW | NW | 1 | TAIT, PHILIP M. | R61-10233 / | - / | | | |
| | | | NW | NW | 1 | TAIT, PHILIP M. | R61-10231 / | - / | | | |
| | | | NW | NW | 1 | TAIT, PHILIP M. | R61-10261 / | - / | | | |
| | | | NW | NW | 1 | TAIT, PHILIP M. | A61-10231 / | - / | | | |
| 01S | 07E | 31 | SW | NW | 2 | TAIT, PHILIP M. | A61-00260 / 5.0 | 61-00260 / | 20.0 | | 2.8 |
| | | | SW | NW | 2 | TAIT, PHILIP M. | A61-00261A / 7.0 | - / | | | |
| | | | SW | NW | 2 | TAIT, PHILIP M. | A61-10232 / | - / | | | |
| | | | SW | NW | 2 | TAIT, PHILIP M. | R61-10231 / | - / | | | |
| | | | SW | NW | 2 | TAIT, PHILIP M. | R61-10232 / | - / | | | |
| | | | SW | NW | 2 | TAIT, PHILIP M. | R61-10261 / | - / | | | |
| | | | SW | NW | 2 | TAIT, PHILIP M. | A61-10231 / | - / | | | |
| TOTAL ACRES | | | | | | | A61-00260 | 10.00 | 30.00 | | 10 ACRES |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, YES (X) NO ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? POU COUNTY: ELMORE
DUE TO POU DISCREPANCY? (Y/N) Y
FIELD EXAMINER RDR

PRESUMPTION FLAG:

NOTES:

SOME LAND NOT CLAIMED IN S35, IS, R6E IS IRRIGATED. THIS
LAND IS BLM, SEE COPY OF BLM MAP & ORTHO MAP.
ERROR IN DEGREE TRACT DESCRIPTION - SEE ATTACHED DOCUMENTS WITH
AFFIDAVIT TO CORRECT TOTALS, NOTE FOR THE PLACE OF OWNERSHIP.

RECOMMENDATIONS:

TOTAL ACRES: 10
REVIEWED BY: RDR
DATE: 10/29/98

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A61-00260 IRRIGATION | FROM 03-15 TO 11-15 | 1,000 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 1,000 CFS |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|-----------|--------------------|
| 61-00260 IRRIGATION | FROM TO | 1,000 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 1,000 CFS |

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD EXAMINER |
|--|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N) | N | |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | N | |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y | <i>peh</i> |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

☒ Y ☐ N
☐ Y ☐ N

Explain in notes, below.

NOTES:

Table 4. Flow over Cipolletti weirs in cubic feet per second.*

(FROM WATER MEASUREMENT BULLETIN)
NO. 552

| Head
in ft.
"H" | Head
in inches,
approx. | Crest length (L) | | | | | For each
additional
foot of crest
in excess
of 4 ft.
(approx.) |
|-----------------------|-------------------------------|-------------------------------|----------|----------|----------|----------|---|
| | | 1.0 foot | 1.5 feet | 2.0 feet | 3.0 feet | 4.0 feet | |
| | | Flow in cubic feet per second | | | | | |
| 0.10 | 1-3/16 | 0.107 | 0.160 | 0.214 | 0.321 | 0.429 | 0.108 |
| 0.11 | 1-5/16 | 0.123 | 0.185 | 0.246 | 0.370 | 0.494 | 0.124 |
| 0.12 | 1-7/16 | 0.140 | 0.210 | 0.280 | 0.421 | 0.562 | 0.141 |
| 0.13 | 1-9/16 | 0.158 | 0.237 | 0.316 | 0.474 | 0.632 | 0.159 |
| 0.14 | 1-11/16 | 0.177 | 0.264 | 0.352 | 0.528 | 0.706 | 0.177 |
| 0.15 | 1-13/16 | 0.195 | 0.293 | 0.390 | 0.586 | 0.782 | 0.196 |
| 0.16 | 1-15/16 | 0.216 | 0.322 | 0.430 | 0.644 | 0.860 | 0.216 |
| 0.17 | 2-1/16 | 0.237 | 0.353 | 0.470 | 0.705 | 0.941 | 0.236 |
| 0.18 | 2-3/16 | 0.258 | 0.384 | 0.512 | 0.768 | 1.024 | 0.257 |
| 0.19 | 2-1/4 | 0.280 | 0.417 | 0.555 | 0.832 | 1.110 | 0.278 |
| 0.20 | 2-3/8 | 0.302 | 0.450 | 0.599 | 0.898 | 1.20 | 0.302 |
| 0.21 | 2-1/2 | 0.324 | 0.484 | 0.644 | 0.966 | 1.29 | 0.324 |
| 0.22 | 2-5/8 | 0.349 | 0.519 | 0.691 | 1.04 | 1.38 | 0.35 |
| 0.23 | 2-3/4 | 0.374 | 0.555 | 0.739 | 1.11 | 1.47 | 0.37 |
| 0.24 | 2-7/8 | 0.397 | 0.591 | 0.786 | 1.18 | 1.57 | 0.39 |
| 0.25 | 3 | 0.423 | 0.628 | 0.836 | 1.25 | 1.67 | 0.42 |
| 0.26 | 3-1/8 | 0.449 | 0.667 | 0.886 | 1.33 | 1.77 | 0.44 |
| 0.27 | 3-1/4 | 0.475 | 0.705 | 0.937 | 1.40 | 1.87 | 0.47 |
| 0.28 | 3-3/8 | 0.502 | 0.745 | 0.990 | 1.48 | 1.97 | 0.49 |
| 0.29 | 3-1/2 | 0.529 | 0.785 | 1.04 | 1.56 | 2.08 | 0.52 |
| 0.30 | 3-5/8 | 0.557 | 0.827 | 1.10 | 1.64 | 2.19 | 0.55 |
| 0.31 | 3-3/4 | 0.586 | 0.869 | 1.15 | 1.73 | 2.30 | 0.57 |
| 0.32 | 3-13/16 | 0.615 | 0.911 | 1.21 | 1.81 | 2.41 | 0.60 |
| 0.33 | 3-15/16 | 0.644 | 0.954 | 1.27 | 1.89 | 2.52 | 0.62 |
| 0.34 | 4-1/16 | 0.675 | 1.00 | 1.32 | 1.98 | 2.64 | 0.66 |
| 0.35 | 4-3/16 | 0.705 | 1.04 | 1.38 | 2.07 | 2.75 | 0.69 |
| 0.36 | 4-5/16 | 0.735 | 1.09 | 1.44 | 2.16 | 2.87 | 0.71 |
| 0.37 | 4-7/16 | 0.767 | 1.13 | 1.50 | 2.25 | 2.99 | 0.74 |
| 0.38 | 4-9/16 | 0.799 | 1.18 | 1.57 | 2.34 | 3.11 | 0.78 |
| 0.39 | 4-11/16 | 0.832 | 1.23 | 1.63 | 2.43 | 3.24 | 0.81 |
| 0.40 | 4-13/16 | 0.866 | 1.28 | 1.69 | 2.53 | 3.36 | 0.84 |
| 0.41 | 4-15/16 | 0.899 | 1.32 | 1.76 | 2.62 | 3.49 | 0.87 |
| 0.42 | 5-1/16 | 0.932 | 1.37 | 1.82 | 2.72 | 3.61 | 0.89 |
| 0.43 | 5-3/16 | 0.967 | 1.42 | 1.89 | 2.81 | 3.74 | 0.93 |
| 0.44 | 5-1/4 | 1.00 | 1.47 | 1.95 | 2.91 | 3.87 | 0.97 |
| 0.45 | 5-3/8 | 1.04 | 1.53 | 2.02 | 3.01 | 4.01 | 1.00 |
| 0.46 | 5-1/2 | 1.07 | 1.58 | 2.09 | 3.11 | 4.14 | 1.02 |
| 0.47 | 5-5/8 | 1.11 | 1.63 | 2.16 | 3.21 | 4.28 | 1.06 |
| 0.48 | 5-3/4 | 1.15 | 1.68 | 2.23 | 3.32 | 4.41 | 1.10 |
| 0.49 | 5-7/8 | 1.18 | 1.74 | 2.30 | 3.42 | 4.55 | 1.13 |
| 0.50 | 6 | 1.22 | 1.79 | 2.37 | 3.53 | 4.69 | 1.16 |
| 0.51 | 6-1/8 | 1.26 | 1.85 | 2.44 | 3.64 | 4.83 | 1.20 |
| 0.52 | 6-1/4 | 1.30 | 1.90 | 2.51 | 3.74 | 4.97 | 1.24 |
| 0.53 | 6-3/8 | 1.34 | 1.96 | 2.59 | 3.85 | 5.12 | 1.26 |
| 0.54 | 6-1/2 | 1.38 | 2.02 | 2.66 | 3.96 | 5.26 | 1.30 |
| 0.55 | 6-5/8 | 1.42 | 2.07 | 2.74 | 4.07 | 5.41 | 1.33 |
| 0.56 | 6-3/4 | 1.46 | 2.13 | 2.81 | 4.18 | 5.56 | 1.38 |
| 0.57 | 6-13/16 | 1.50 | 2.19 | 2.89 | 4.30 | 5.71 | 1.41 |
| 0.58 | 6-15/16 | 1.54 | 2.25 | 2.97 | 4.41 | 5.86 | 1.44 |
| 0.59 | 7-1/16 | 1.58 | 2.31 | 3.05 | 4.53 | 6.01 | 1.49 |

*Computed from Cote's formula: $Q = 3.247 L H^{1.48} \frac{0.566 L^{1.8}}{1 + 2 L^{1.8}} H^{1.9} + 0.609 H^{2.5}$

OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s: 61-00260 61-00261A

AGENT Row H, DATE 10/29/98 _____ - _____ - _____

[illegible][illegible][illegible][illegible]

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y (X) N ()

AJ TOTAL CLAIMED DIVERSION RATE: 1.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.000 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) N FIELD DATABASE EXAMINER N

B. FLOW MEASUREMENT

MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.

HOWEVER, SEE WEIR DATA FOUND

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|----------------|-----------------|-----------|----------------|-----------|----------------|
| A61-00260 | SYRUP CREEK | TAIT, PHILIP M. | 1.000 | 0.100 | | |
| A61-00261A | LONG TOM CREEK | TAIT, PHILIP M. | 1.000 | 0.100 | | |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|------------|-----------------|---------------------|----------|--------|
| A61-10233 | DOMESTIC | TAIT, PHILIP M. | FROM 01-01 TO 12-31 | .040 CFS | |
| A61-10233 | STOCKWATER | TAIT, PHILIP M. | FROM 01-01 TO 12-31 | .020 CFS | |
| R61-10231 | STOCKWATER | TAIT, PHILIP M. | FROM 01-01 TO 12-31 | .200 CFS | |
| R61-10233 | DOMESTIC | TAIT, PHILIP M. | FROM 01-01 TO 12-31 | .040 CFS | |
| R61-10233 | STOCKWATER | TAIT, PHILIP M. | FROM 01-01 TO 12-31 | .020 CFS | |
| R61-10261 | STOCKWATER | TAIT, PHILIP M. | FROM 01-01 TO 12-31 | .200 CFS | |
| A61-10231 | STOCKWATER | TAIT, PHILIP M. | FROM 01-01 TO 12-31 | .200 CFS | |
| A61-10232 | DOMESTIC | TAIT, PHILIP M. | FROM 01-01 TO 12-31 | .040 CFS | |
| R61-10232 | DOMESTIC | TAIT, PHILIP M. | FROM 01-01 TO 12-31 | .040 CFS | |

SEE REVIEW DTD 10/29/98

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 10 x 0.02 CFS/ACRE = 0.2 CFS
(Taken from p/u review)

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

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(☐) N(☐) *** NA - WIND FLOODING
COMMON PRACTICE
OF THIS AREA
ALLOW FULL
DECREED AMOUNT

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ 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(☐) N(☒)

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

• POUJ REMARK - ELL COMBINED ACRES ARE 18 with 216A

SEE ATTACHED OVERLAP REVIEW

• NO-COMBINE REMARK FOR CFS SINCE BOTH CLAIMS HAVE
WIND FLOODING AND DO NOT HAVE A DUTY OF WATER OF AN
INCH PER ACRE.

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------|------------------------|----------------------------|-----------------------|--------------------------|
| IRRIGATION | 03-15 11-15 | DATABASE EXAMINER
1.000 | DATABASE EXAMINER | DATABASE EXAMINER
0.0 |
| TOTAL FOR THIS RIGHT | | 1.000 | | 0.0 |

REVIEWED BY: Rdh DATE: 10/29/98

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: 61-00260

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 1.000
EXAMINER _____
CFS

SPLITS:

| OLD RIGHT NUMBERS | CURRENT CLAIM NUMBERS | DIVERSION RATE | CURRENT "R" CLAIM NUM. | "R" DIV. RATE | WR RIGHT NUMBERS | DIVERSION RATE |
|-------------------|-----------------------|----------------|------------------------|---------------|------------------|----------------|
| - | A61-00260 | 1.000 | - | | 61-00260 | 1.000 |
| TOTAL CFS | | 1.000 | | | | 1.000 |

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

None
No - SPLITS

NOTES:

AUTHENTICATION:

SIGNATURE: Paul Horton

DATE: 10/29/98

NAME OF FIELD EXAMINER:

Paul Horton

Sr Water Agent

PAGE: LIST OF MAPS USED AND ATTACHMENTS

CLAIM NUMBER: 61-00266

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 | 1974 | IDWR ID NO. | Y-63 | Y(X) N(C) |
| ☐ TOPOGRAPHIC | DATE FIELD CHECKED | | IDWR ID NO. | | Y(C) N(C) |
| ☒ NAPP | DATE OF PHOTO | 1987 | IDWR ID NO. | Y-63 | Y(X) N(C) |
| ☐ ASCS AERIAL PHOTO | DATE OF PHOTO | | | | Y(C) N(C) |
| ☐ ASCS COLOR SLIDE | DATE OF PHOTO | | | | Y(C) N(C) |
| ☒ BLM OR USFS AERIAL PHOTO | DATE OF PHOTO | 1978 1/100,000 | | | Y(X) N(C) |
| ☐ TOWNSHIP SURVEY (GOVERNMENT PLAT) | DATE OF SURVEY | | | | Y(C) N(C) |
| ☐ SCS SOIL SURVEY MAP | DATE ISSUED | | | | Y(C) N(C) |
| ☐ SUBDIVISION PLAT MAP | DATE OF MAP | | | | Y(C) N(C) |
| ☒ OTHER COUNTY STRIP MAP | DATE | | | | Y(X) N(C) |
| ☒ OTHER OVERLAP REVIEW | DATE 10/29/98 | with 216A | (1 PAGE) | | Y(X) N(C) |
| ☐ OTHER | DATE | | | | Y(C) N(C) |

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

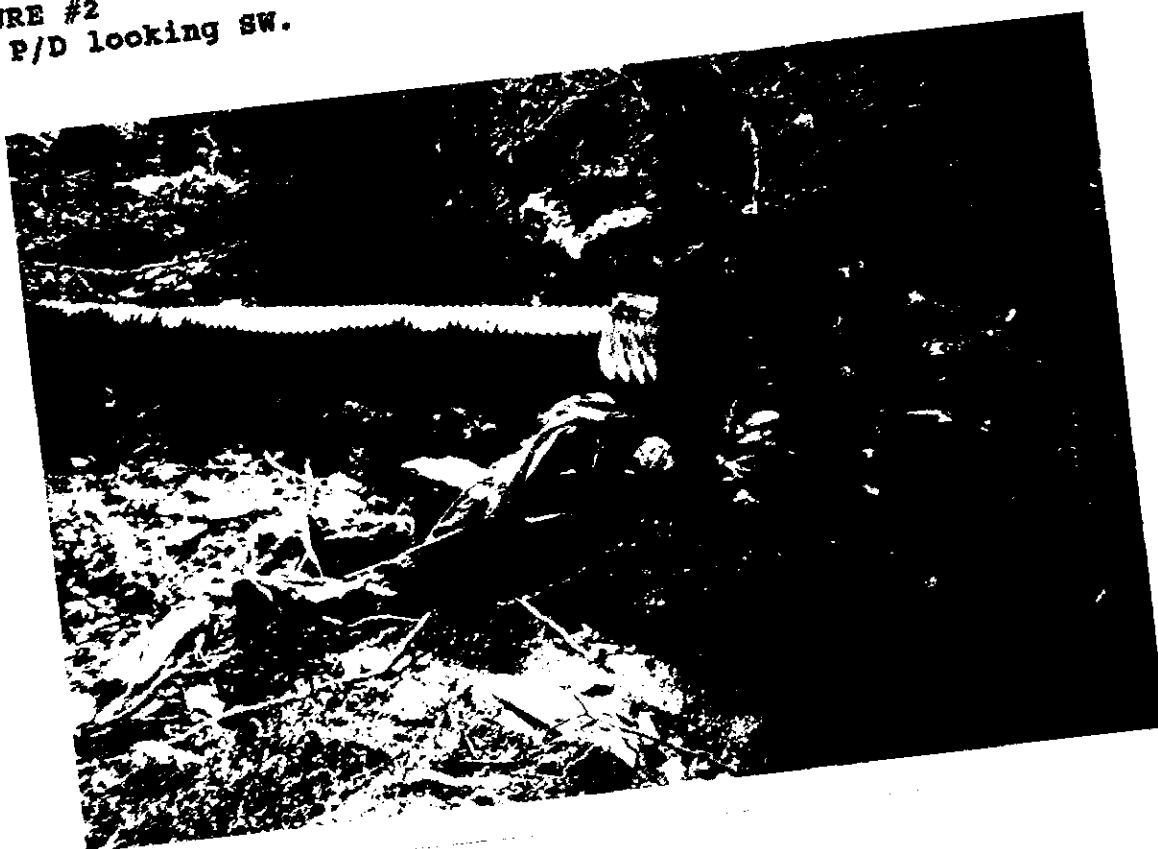
NOTES

| | | | | |
|---|-------------------------|----------|---|---|
| ☐ LICENSING FIELD EXAM | DATE OF FIELD EXAM | | | |
| ☐ WATER RIGHT LICENSE | DATE LICENSE SIGNED | | | |
| ☐ IDWR APPROVED TRANSFER | DATE TRANSFER APPROVED | | | |
| ☒ SYSTEM DESCRIPTION | DATE DRAWN | 10/29/98 | 1 | SEE PAGE 5 OF CUR |
| ☒ PHOTOGRAPHS | DATE(S) PHOTOS TAKEN | 9/16/94 | 3 | 5 PHOTOS |
| ☐ SPLIT RIGHT REVIEW | DATE REVIEW COMPLETED | | | |
| ☐ HUBBLE ANALYSIS | DATE ANALYSIS COMPLETED | | | |
| ☐ CONVEYANCE LOSS ANALYSIS | DATE ANALYSIS COMPLETED | | | |
| ☒ FLOW MEASUREMENT CALCULATIONS | DATE SYSTEM MEASURED | 9/16/94 | 1 | (TABLE FOR CIPOLLETTI WEIRS) |
| ☒ OTHER ACCIDENT/INJURY | DATE July 27, 1986 | | 5 | TO CORRECT ERROR IN DEGREE with attachments |
| ☐ OTHER | DATE | | | |

PICTURE #1
61-00260: FX 09/16/94. Photo's by RDH. Point of diversion. Located
in T01S, R06E, S25, NWSENE.

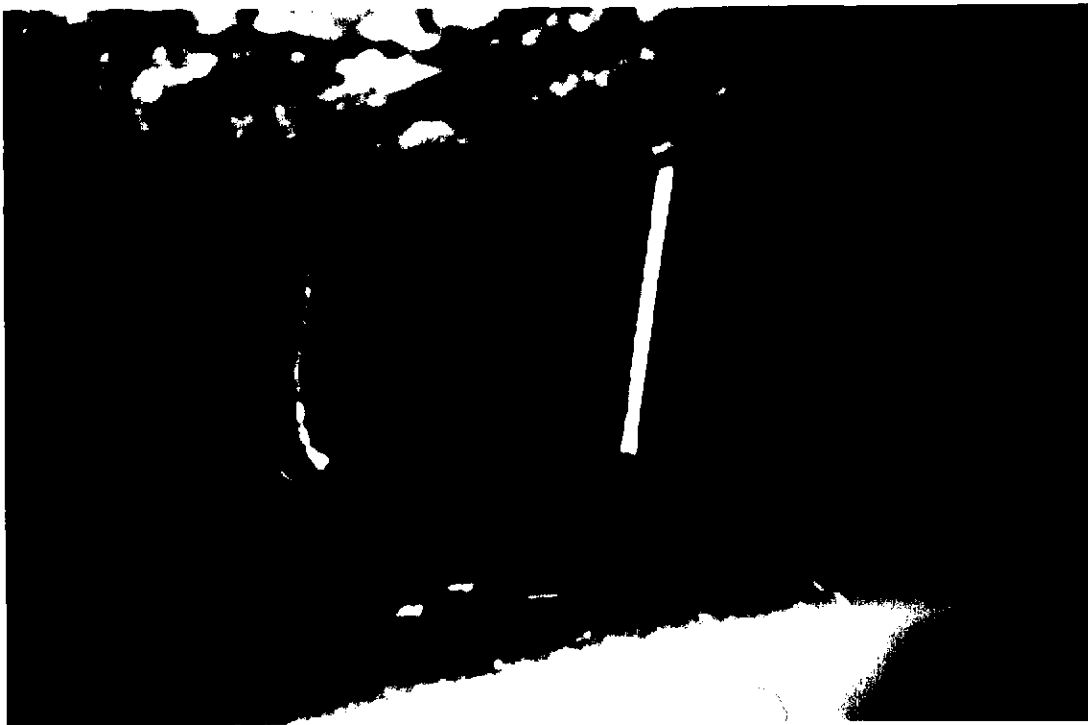


PICTURE #2
Same P/D looking SW.



PICTURE #3

61-00260: FX 09/16/94. Photo's by RDH. Weir measurement photo, based maximum flow on defined high water mark.



PICTURE #4

North end of field looking South. Located in T01S, R07S, S31, NWNW.



PICTURE #5

61-00260: FX 09/16/94. Photo's by RDH. Place of use where Syrup Creek and Long Tom Creek overlap, 61-00261A. Located in T01S, R07E, S31, SWNW.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:19:52
07/06/94

PAGE: 12
QUICKLOOK INFORMATION

54
CLAIM NUMBER: A61-00260

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

"VERIFIED BY" CODES

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

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

8-31-94

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER AGI-00260, 261A, 261B

NAME OF CONTACT Philip TAIT or Vicki

PHONE NO. 466-4551 (Vicki) EXT 228 ADJ. AGENT Don Lowerton

DATE SET FOR EXAM 16 SEPT 94 ~~2930~~ 1-1:30

LOCATION LAST HOME ON RIGHT AFTER ALZOLA

SEE SKETCH MAP FORK IN ROAD PAST NEW

Double wide take RIGHT. DOGS ARE CHAINED

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of system? (pipeline, ditches) Ditches

How many laterals are used? _____

Length and size of mainline? _____

Size of Motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler head? _____

COMMENTS Excessive flows on ALL



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Date: July 5, 1994

CECIL D. ANDRUS
GOVERNOR

Philip M Tait
R Rt 3 Box 651
Mountain Home, Id 83647

R. KEITH HIGGINSON
DIRECTOR

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

A61-00260, A61-00261A & A61-00261B

Dear Philip,

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

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

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

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

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

Sincerely,


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