

Idaho Dept of Water Resources

T03S, R07E, S 2
Claimant(s): Hunt
Claim No(s): 61-00271A, 61-02205
Prepared by: Sue Bock
Date: 08/25/1998



Place of Use



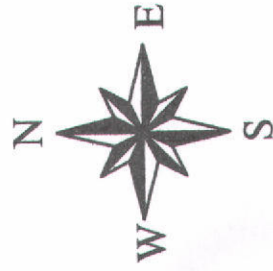
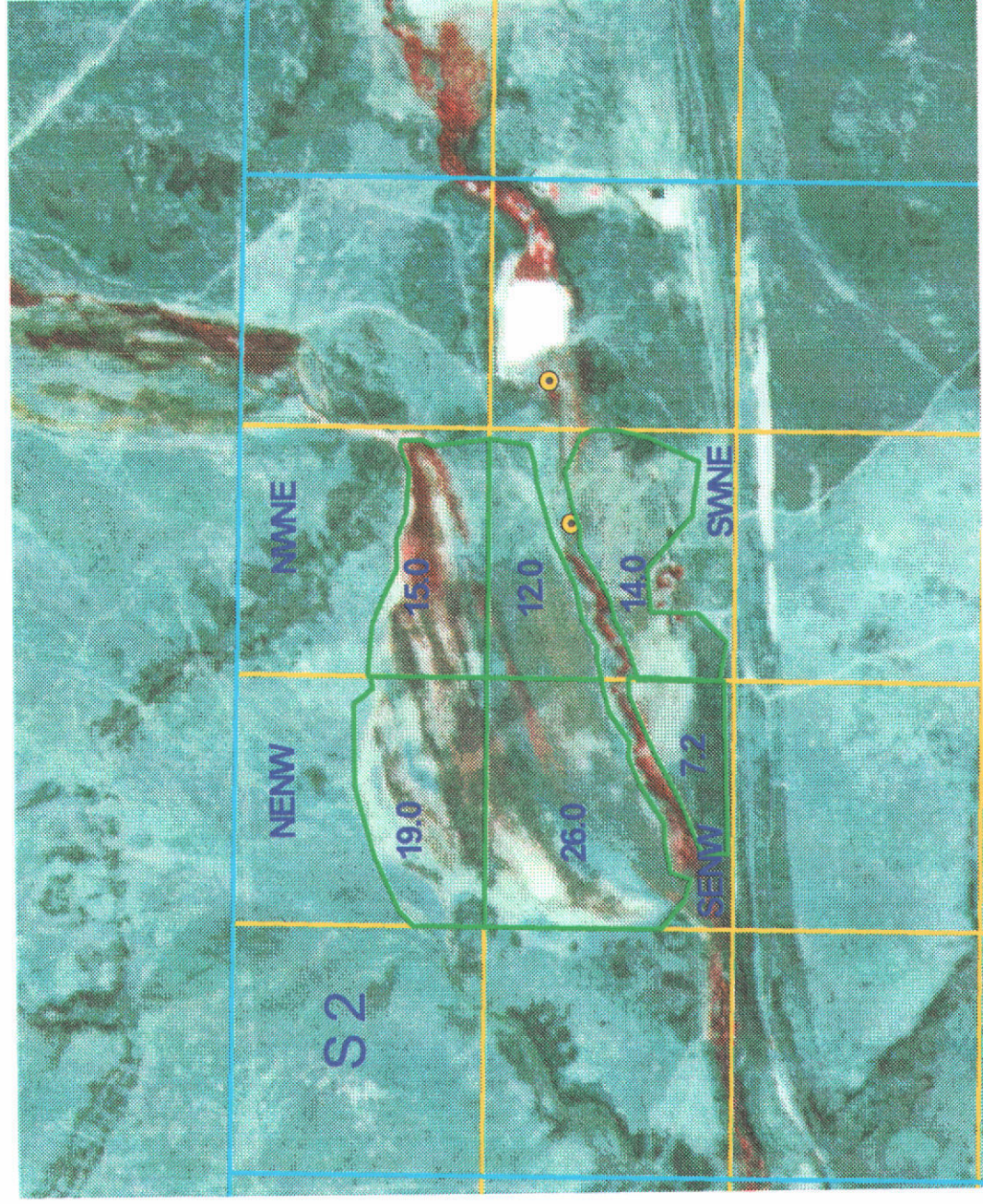
Point of Diversion



1/4 1/4 lines



Section Lines



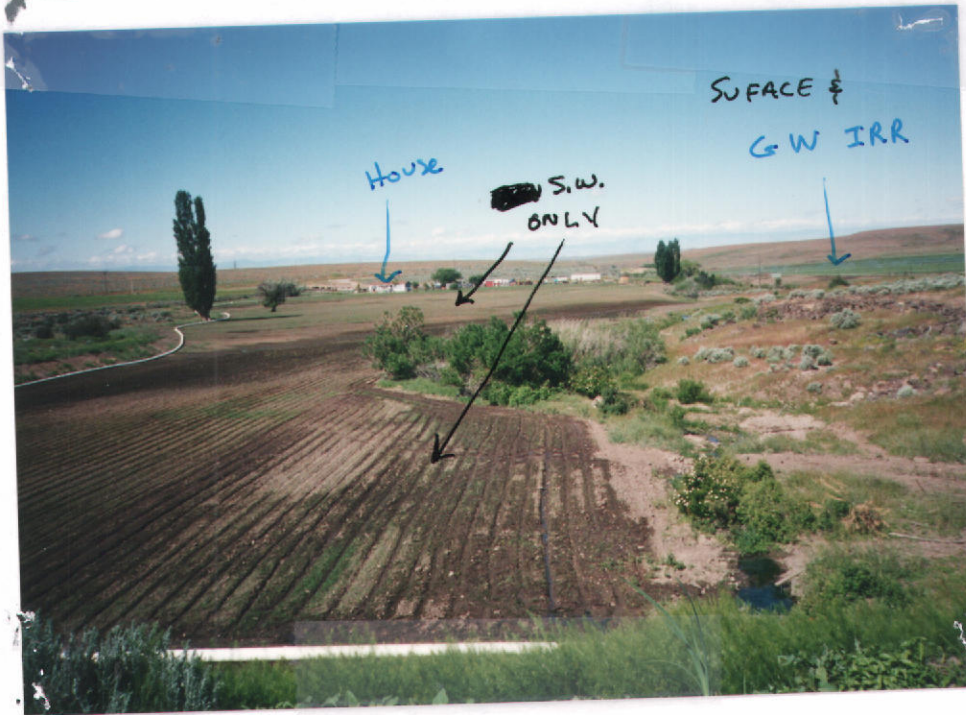
1987 NAPP Photo





PHOTOGRAPHER AND DATE OF PHOTOS M Minicucci 06/07/1995

FILE NO. A61-00271A T03S R07E S.2



Place of use.
Photograph taken
from dam in
SENE, looking
west (downstream)
at POU in
SENE & SWNE.



Ditch leaving the
Reservoir (spillway)
on North side.

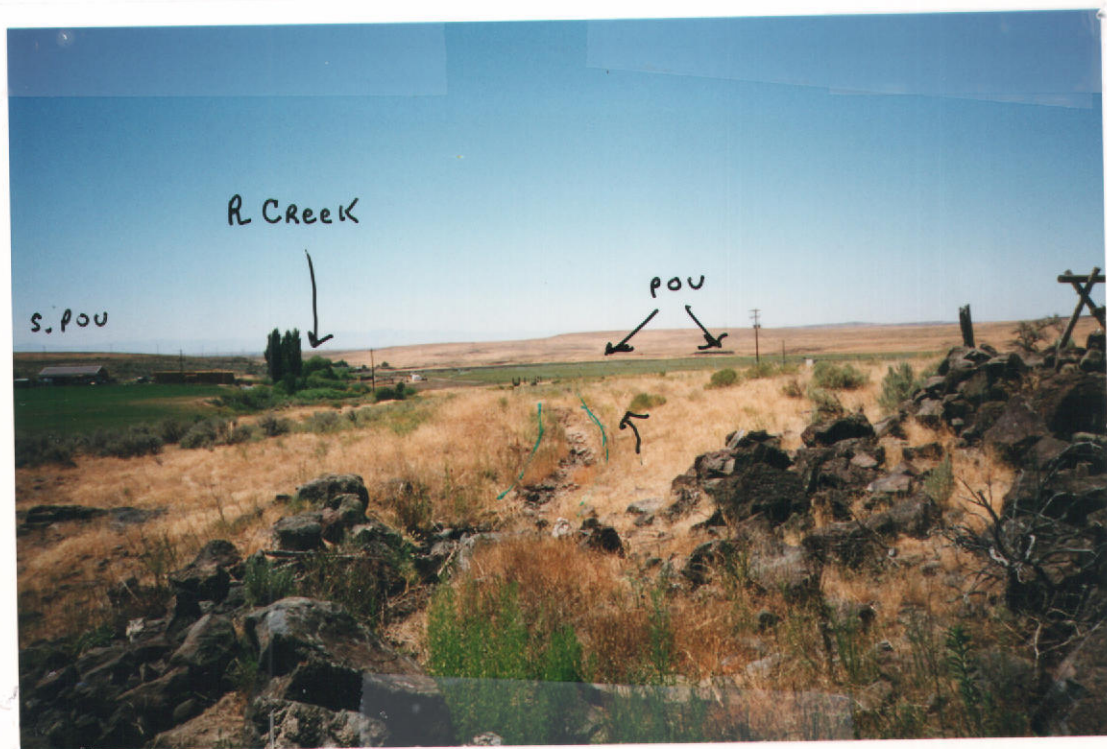


PHOTOGRAPHER AND DATE OF PHOTOS M Minicucci 08/08/1996

FILE NO. A 61-00271A T035 R07E S.2 SENE



Diversion from
Reservoir to
place of use on
North side of
Rattlesnake
Creek.



Ditch leading to
place of use on
North side of
creek. Photo
taken from spot
where ditch
splits. One
split goes back
into creek, one
split goes to
POU.



PHOTOGRAPHER AND DATE OF PHOTOS M. Minicucci 06/07/1995

FILE NO. AGI-00271A T03S R07E S.2 SWNE



Area between corrals at the house, and the highway.
Photograph taken from driveway, looking west.
This area is NOT irrigated.



PHOTOGRAPHER AND DATE OF PHOTOS M. Minicucci 08/08/1996

FILE NO. A61-00271 T03S R07E S.2 SWNE



K. Walker, SR Water Agent, Western Region, digging hole to measure flow from gated pipe with 5 gallon bucket.



USDA

Soil Survey of
Elmore County
area

Fieldwork completed 1985

T. 35. | T. 25.

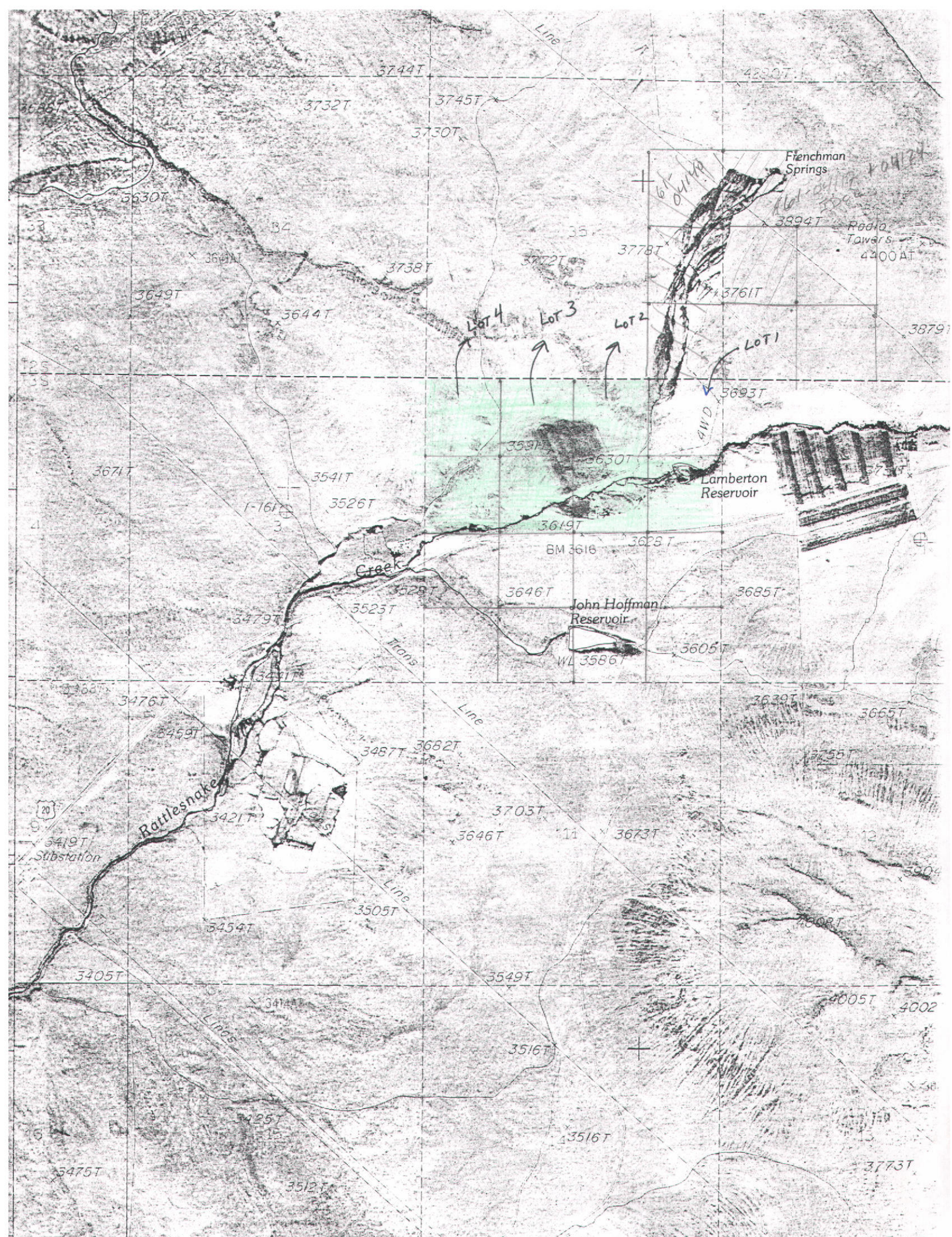
(Joins sheet 80)

550 000 FEET

535 000 FEET



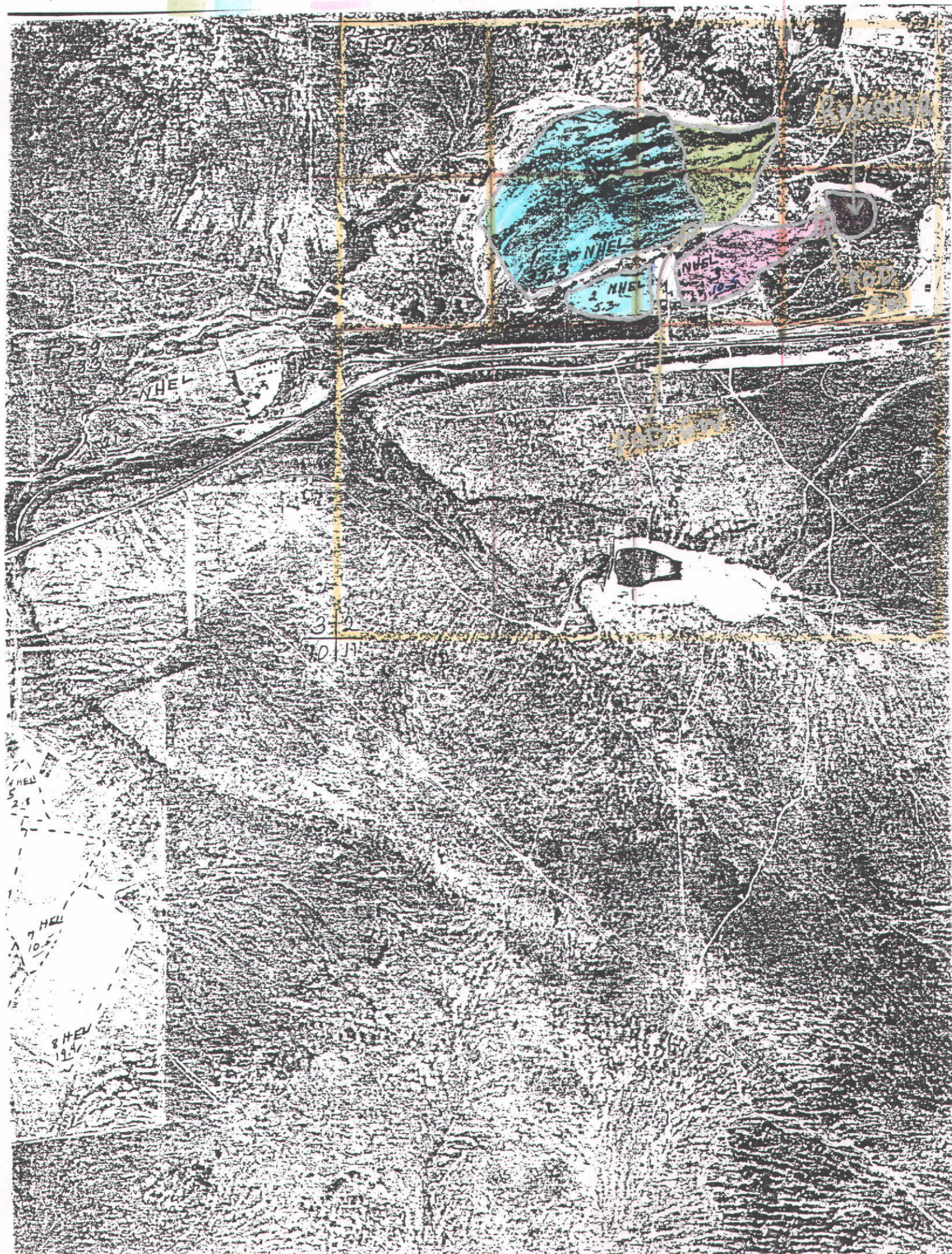




HUNT A61-02205 A61-00271

1035 S.2
R07E

ASCS 1988



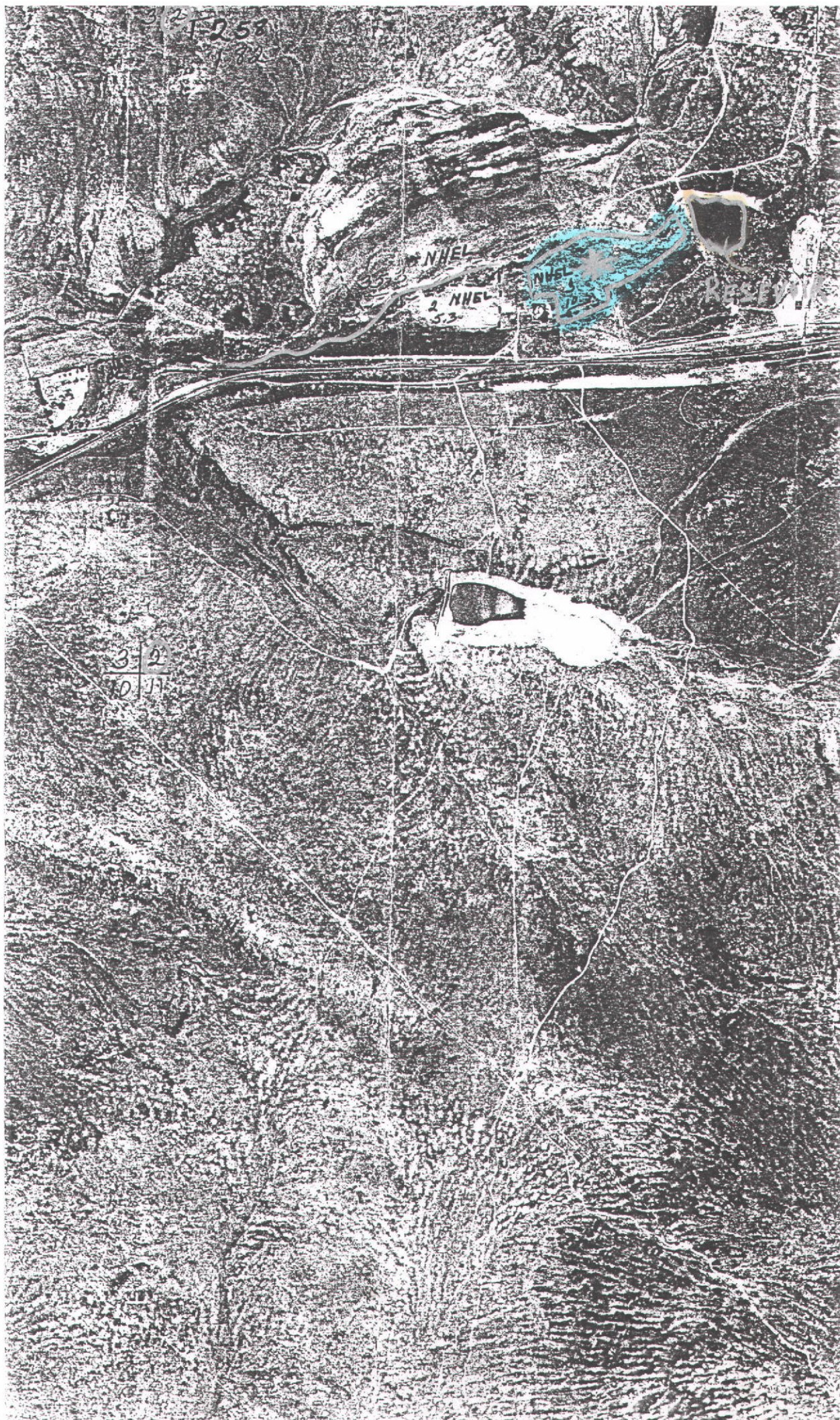
HUNT

Ab1-00271

T03S R07E

S. 2

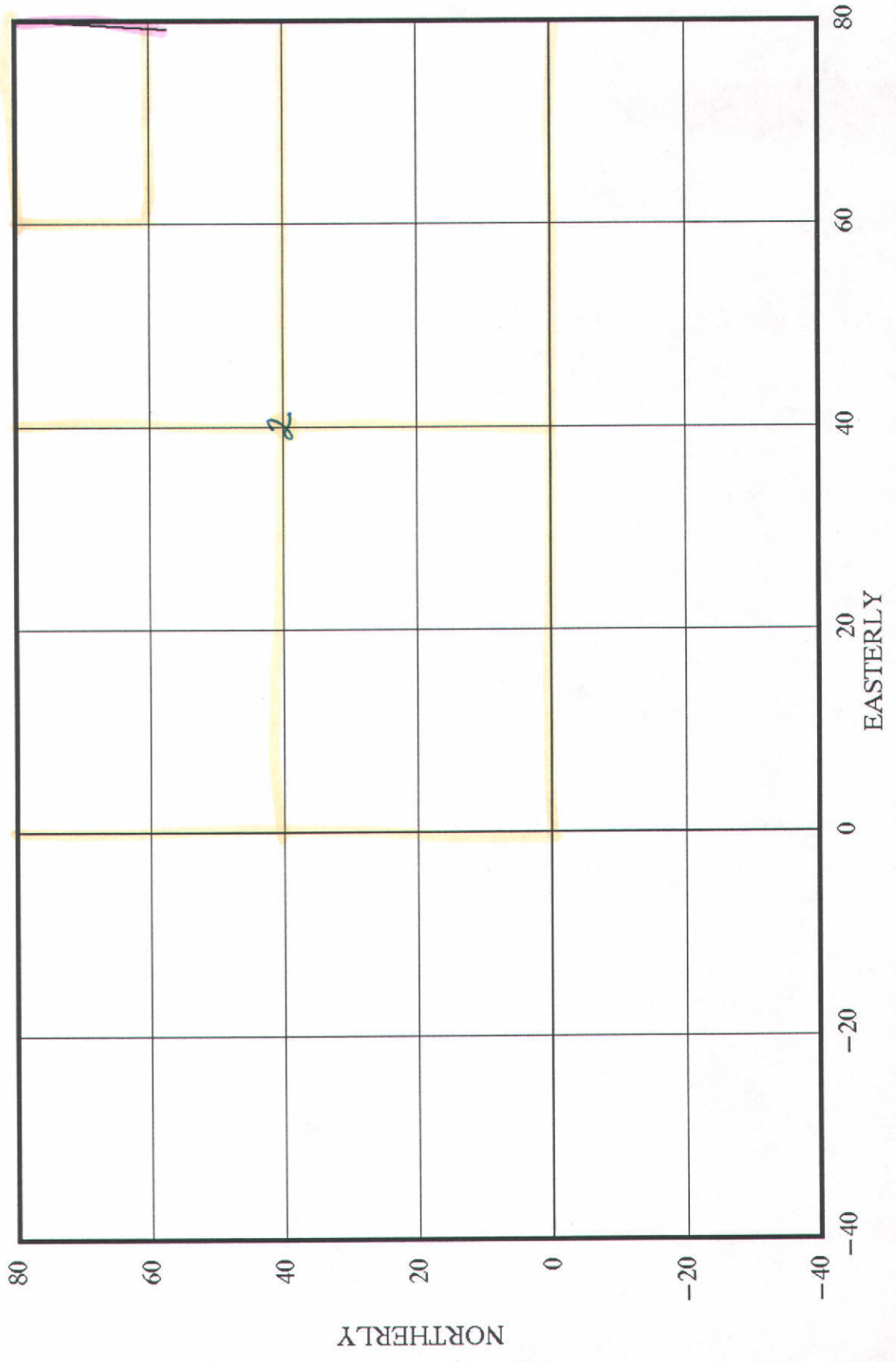
ASCS (1988)



9/27/1994
61-00271
Decreed POD

PARCEL PLOT – METES & BOUNDS

DISTANCE IS IN CHAINS



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: **A61-00271A**
Date Received: 11/ 1/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: RAY HUNT 208-587-4192
Address: C/O ROCKY BAR STAGE
MOUNTAIN HOME ID 83647
OR
Name: CAROLYN E HUNT 208-587-4192
Address: C/O ROCKY BAR STAGE
MOUNTAIN HOME ID 83647
2. Date of Priority: MAY 1, 1875
3. Source: RATTLESNAKE CREEK Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	07E	2		SE	NE		ELMORE
5. Description of diverting works:
ON-STREAM RESERVOIR WITH GRAVITY FLOW THRU DITCHES, FLOOD IRRIG.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.740		
STOCKWATER	01/01	12/31	0.070		
7. Total Quantity Appropriated is:
1.740 C.F.S. (and/or) 15.00 A.F.A.
8. Total consumptive use is 261.0 Acre Feet Per Annum.
9. Non-irrigation uses:
S/30 HD. HORSES, 250 HD.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	07E	2	NW	NE	2	IRR	9.0
			SW	NE		IRR	26.0
			SE	NE		STOCK	
			NE	NW	3	IRR	19.0
			SE	NW		IRR	33.0
						Section Acres	87.0
						Total Acres	87.0

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:

CLAIM NO.'S A61-02205 & A61-07070 - G.W.

14. Remarks:

THIS CLAIM IS A RESULT OF A SPLIT OF CLAIM NO. A61-00271 INTO A61-00271A AND A63-00271B. THE CLAIM WAS SPLIT TO REFLECT THE DIFFERENT PRIORITY DATES ASSIGNED TO THE STORAGE RIGHT AND THE LIVE FLOW RIGHT BY THE BRUNEAU RIVER DECREE. SEE COPY OF APPROPRIATE PORTION OF DECREE IN FILE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

COMMODORE JACKSON ET. AL.

Decree Plaintiff

J. M. COWAN ET. AL.

vs Decree Defendant

CLAIM NUMBERS 61-00271A 61-002205 _____

AGENT SLB DATE 8/25/98

TOTAL ACRES FROM RECOMMENDATION 93

GEOGRAPHIC INFO SYSTEM ACRES 93

READY FOR DECREE ____ (YES)

SENT FOR DECREE _____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
<u>RECOM</u>																			
<u>GIS</u>																			
<u>RECOM</u>																			
<u>GIS</u>																			

POLYGON CREATED ON 80

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

ATTRIBUTES OF B51-POU.SHP (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)

ATTRIBUTES OF B51-POD.SHP (~~(0)~~) (52) (53) (57) (58) East

B51-DBPOU.DBF SB UPDATED BY

B51-DBPOD.DBF SS UPDATED BY

added to Bel

Idaho Dept of Water Resources

T03S, R07E, S 2
 Claimant(s): Hunt
 Claim No(s): 61-00271A, 61-02205
 Prepared by: Sue Bock
 Date: 08/25/1998



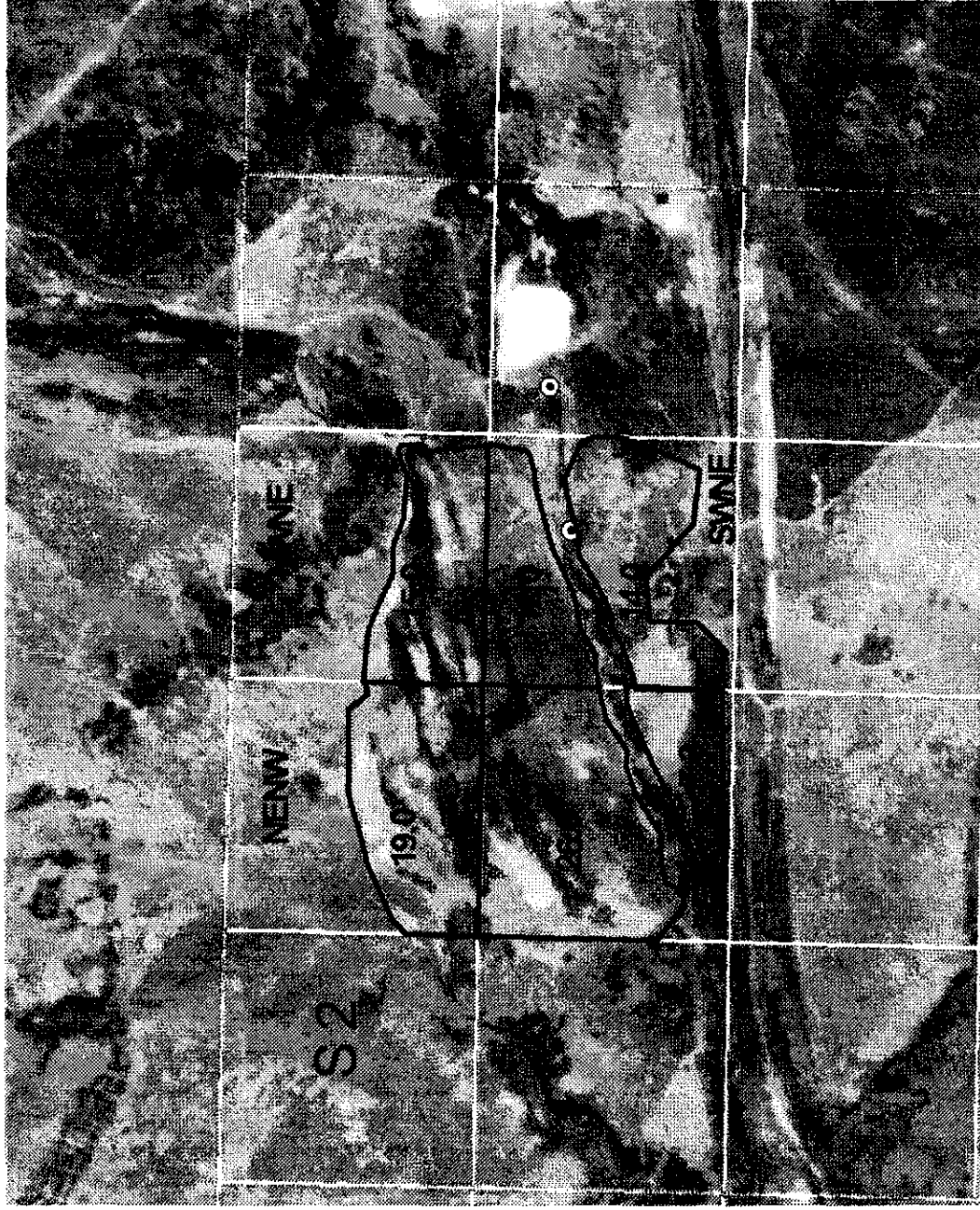
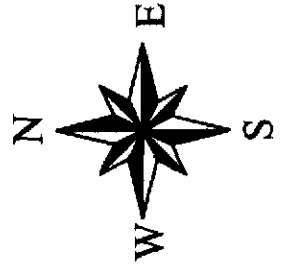
Place of Use



Point of Diversion

1/4 1/4 lines

Section Lines



1987 NAPP Photo

1 Miles

0.75

0.5

0.25

0

DATE: 11/20/98
PAGE: 1

PAGE: 1

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 61A	Field Inspection Flag: Presumption Flag:	

AJ0749NP
No. R61-00271A

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

DATE: 11/20/98
PAGE: 2

Audit: 11/20/98 L HARRIS

DATE: 11/17/98
PAGE: 1

Audit: 11/17/98 SBOCK

11:18:56
07/26/98
17

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A61-00271A

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAY HUNT	05/01/1875	IRRIGATION	05-11-15	1.74 CFS	
C	CAROLYN E HUNT		STOCKWATER	01-01-12-31	0.07 CFS	
				TOTAL DIVERSION:	1.74 CFS	15.00 AFA
				CONSUMPTIVE USE:		261.00 AFA

Water Source: RATTLESNAKE CREEK
Point(s) of Diversion: T03S R07E S02
Tributary to: SNAKE RIVER
Stage: DECREED
ELMORE County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		
NAME	SWME	NAME	SWNW	NAME	SWSW	NAME	SWSE	
T R S	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	SUM
03S 07E 2	02-09 26	03-19	33					87.0
TOTAL ACRES								87.0

Place of use Legal Description for: STOCKWATER

NE		NW		SW		SE		
NAME	SWME	NAME	SWNW	NAME	SWSW	NAME	SWSE	
T R S	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	
03S 07E 2								

POU County: ELMORE

Non-Irrigation Uses: 5430 HORSES, 250 HD.

Other Rights: CLAIM NO.'S A61-02205 & A61-07070 - G.W.

Remarks: GEN THIS CLAIM IS A RESULT OF A SPLIT OF CLAIM NO. A61-00271 INTO
A61-00271A AND A63-00271B. THE CLAIM WAS SPLIT TO REFLECT THE
DIFFERENT PRIORITY DATES ASSIGNED TO THE STORAGE RIGHT AND THE
LIVE FLOW RIGHT BY THE BRUNEAU RIVER DECREE. SEE COPY OF
APPROPRIATE PORTION OF DECREE IN FILE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: 61A Field Inspection Flag:
Presumption Flag:

COB
2001
0251
0301
2001
0301
2001
0301

11:13:59
07/24/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A61-00271A

LAST: HUNT
ADDRESS: C/O ROCKY BAR STAGE
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-587-4192

OWNER CODE: C
FIRST: RAY
STATE: ID ZIP: 83647

LAST: HUNT
ADDRESS: C/O ROCKY BAR STAGE
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-587-4192

OWNER CODE: C
FIRST: CAROLYN E
STATE: ID ZIP: 83647

LAST: LAMBERTON
ADDRESS: XXXXXX
CITY: XXXXXX
PHONE NUMBER: 208-000-0000

OWNER CODE: O
FIRST: CHARLES H
STATE: ID ZIP: XXXXXX

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? Y
DATABASE Y
FIELD EXAMINER Y() N()

CLAIM REMARKS: GEN THIS CLAIM IS A RESULT OF A SPLIT OF CLAIM NO. A61-00271 INTO A61-00271A AND A63-00271B. THE CLAIM WAS SPLIT TO REFLECT THE DIFFERENT PRIORITY DATES ASSIGNED TO THE STORAGE RIGHT AND THE LIVE FLOW RIGHT BY THE BRUNEAU RIVER DECREE. SEE COPY OF APPROPRIATE PORTION OF DECREE IN FILE.

1-100-18m

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:

See CUR 871

A. AJ CLAIM: # A61-00271A	PRIORITY DATE: 05-01-1875	STAGE: D
B. WR RECORD: # 61-00271	PRIORITY DATE: 05-01-1875	STAGE: D
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?		Y(☒) N(☐)
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?		Y(☐) N(☒)
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)		Y(☐) N(☒)
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?		
PROOF OF BENEFICIAL USE SUBMITTED		N/A(☒) Y(☐) N(☐)
FIELD EXAM COMPLETED		N/A(☒) Y(☐) N(☐)
FIELD EXAM SENT TO STATE OFFICE		N/A(☒) Y(☐) N(☐)
LICENSE ISSUED		N/A(☒) Y(☐) N(☐)
* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.		
G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?		N/A(☒) Y(☐) N(☐)
* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.		
H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?		Y(☒) N(☐)
NOTES: <u>See COR 61-00271</u>		

RECOMMENDED PRIORITY DATE:

05-01-1875

REVIEWED BY _____

DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	1/4	1/4	POD	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A61-00271A	03S	07E	2		SE	NE					ELMORE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A61-00271B
A61-10097

R PREFIX
61-10097 - Hunt
Donahue

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: RATTLESNAKE CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	1/4	1/4	POD	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
61-00271	03S	07E	2		SE	SE					ELMORE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX

NONE

NONE

61-10883

SOURCE: RATTLESNAKE CREEK

TRIB: SNAKE RIVER

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM (DATE OF FIELD EXAM)

NAME OF EXAMINER

OTHER (DESCRIBE IN NOTES BELOW)

M.M.

10/17/1994

NOTES:

See CUR 61-00271 →
POD as described in above is in the SESE, Rattlesnake Cr
is not in this 1/4. Therefore it should have been in the
NENE corner of SE2. This puts the POD much closer to
center of section in curve.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ☒									
POD									
TWP. 03S	RGE. 07E	SEC. 2	1/4	1/4 SE	1/4 NE	LOT	FLAG	COUNTY ELMORE	DIVERSION NAME DIVERSION NBR
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—
SOURCE: RATTLESNAKE CREEK			TRIB: SNAKE RIVER						

REVIEWED BY: SB DATE: 8/1/98
SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()
See CUR 61-00271

A. ROOT WATER RIGHT NUMBERS: A61-00271A
A61-00271B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
03S	07E	2	NW	NE	2	HUNT, RAY	A61-00271A / 9.0	-	/	27.0	
			NW	NE		HUNT, RAY	A61-07070 /	-	/		
			NW	NE		HUNT, RAY	A61-02205 / 15.0	61-02205	/	15.0	
			NW	NE	2	HUNT, RAY	A61-00271B / 9.0	-	/		
			NW	NE	2	LAMBERTON, CHARLES H.	A61-00271 /	61-00271	/		
03S	07E	2	SW	NE		HUNT, RAY	A61-00271A / 26.0	-	/	26.0	
			SW	NE		HUNT, RAY	A61-07070 /	61-07070	/	1.0	
			SW	NE		HUNT, RAY	A61-02205 / 26.0	61-02205	/	26.0	
			SW	NE		HUNT, RAY	A61-00271B / 26.0	-	/		
			SW	NE		HUNT, RAY	R61-07070 / 1.0	-	/		
			SW	NE		LAMBERTON, CHARLES H.	A61-00271 /	61-00271	/		
03S	07E	2	SE	NE		HUNT, RAY	A61-00271A /	-	/	5.0	
			SE	NE		HUNT, RAY	A61-10097 /	-	/		
			SE	NE		HUNT, RAY	61-10097 /	-	/		
			SE	NE		HUNT, RAY	A61-00271B /	-	/		
			SE	NE		LAMBERTON, CHARLES H.	A61-00271 /	61-00271	/		
03S	07E	2	NE	NW	3	HUNT, RAY	A61-00271A / 19.0	-	/	21.0	
			NE	NW		HUNT, RAY	A61-07070 / 40.0	-	/		
			NE	NW		HUNT, RAY	A61-02205 / 19.0	61-02205	/	19.0	
			NE	NW	3	HUNT, RAY	A61-00271B / 19.0	-	/		
			NE	NW	3	LAMBERTON, CHARLES H.	A61-00271 /	61-00271	/		
03S	07E	2	SE	NW		HUNT, RAY	A61-00271A / 33.0	-	/	32.0	
			SE	NW		HUNT, RAY	A61-07070 / 40.0	-	/		
			SE	NW		HUNT, RAY	A61-02205 / 33.0	61-02205	/	33.0	
			SE	NW		HUNT, RAY	A61-00271B / 33.0	-	/		
			SE	NW		LAMBERTON, CHARLES H.	A61-00271 /	61-00271	/		

ADDITIONAL POU FOUND

5ENE

3

TOTAL ACRES A61-00271A 87.00 111.00

POU COUNTY: ELMORE

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

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

Y(☒) N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A61-00271A	RATTLESNAKE CREEK	HUNT, RAY	1.740	0.020	15.00	0.17
A61-00271B	RATTLESNAKE CREEK	HUNT, RAY			15.00	0.17
A61-02205	GROUNDWATER	HUNT, RAY	1.860	0.020	418.50	4.50
A61-07070	GROUNDWATER	HUNT, RAY	0.040	0.040	4.00	4.00
A61-07070	GROUNDWATER	HUNT, RAY	0.460	0.002		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-00271A	STOCKWATER	HUNT, RAY	FROM 01-01 TO 12-31	0.070 CFS	
A61-07070	STOCKWATER	HUNT, RAY	FROM 01-01 TO 12-31	0.060 CFS	
A61-10097	DOMESTIC	HUNT, RAY	FROM 01-01 TO 12-31	0.040 CFS	
61-10097	DOMESTIC	HUNT, RAY	FROM 01-01 TO 12-31	0.040 CFS	
A61-00271B	STOCKWATER STORAGE	HUNT, RAY	FROM 01-01 TO 12-31		15.00 AF/A
A61-00271B	STOCKWATER FROM STORAGE	HUNT, RAY	FROM 01-01 TO 12-31		15.00 AF/A

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: CLAIM NO.'S A61-02205 & A61-07070 - G.W.

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

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

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

N/A() Y() N(☒)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☒) N()

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

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POB: (A) ORTHOPHOTOQUAD, IDMR NO. 2114; () TOPOGRAPHIC QUAD, IDMR NO. _____;
(X) MAP, IDMR NO. 214NW; (X) ASCS PHOTO; () OTHER _____

NOTES: 11/02/1994: Based on field exam, pov for Rattlesnake Creek water
appears to be limited to the southeastern most field. (ASCS #3).
Unable to determine how gated pipe crosses driveway to southwestern
field, or how it crosses Rattlesnake Creek to irrigate field(s)
to the north. No other viable diversion from Rattlesnake
Creek was found. Possible old ditches on north side, but all
are severely washed back down into creek. No evidence
of ditches for diversion from north side field(s). in
06/09/1995: Based on field exam 06/02/1995, Rattlesnake Creek water
is on lands on the south side of the creek, east of the driveway, including
small pasture shown on field exam for 61-02070. Field exam for 61-02205
(66W) on June 30, 1970, indicates that the "well used as supplemental
irrigation when Rattlesnake Creek is dry". That exam found 147 acres
& recommended the 130 acres of the permit. Exam to verify point of diversion
(09/02/1971) found 93 acres from well (No applicant present during exam). Regardless,
it appears that the use of Rattlesnake Creek water is confined to the field indicated, and
that it has not

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A()

REVIEWED BY: _____ DATE: _____

been used on all
the lands of the
farm, probably
since the system
from ground water
system was changed
from flood irrigation
to sprinklers. in

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

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A61-00271A IRRIGATION	FROM 03-15 TO 11-15	1.740 CFS	
A61-00271A STOCKWATER	FROM 01-01 TO 12-31	0.070 CFS	
TOTAL DIVERSION RATE/VOLUME		1.740 CFS	15.00 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
61-00271 IRRIGATION	FROM 05-01 TO 10-01	1.740 CFS	
TOTAL DIVERSION RATE/VOLUME		1.740 CFS	

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

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

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

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

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

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

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

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

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

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

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

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

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

NOTES: 09/20/1994: This storage right may be limited to the irrigation season.

Decree also described storage right to flood waters for same person (listed priority date). NM

06/09/1995: The storage component of this claim should be ~~be~~ separated off, since the priority date for storage is different than 61-00271 (live flow).

This ~~right~~ claim may overlap with 61-02205 in the SWNE - NE. Lead indicated on 06/07/1995 that an old pipe from the well crosses the creek & and overlaps the place of use of this claim. It's unclear as to the last time this pipe was used.

8/25/98 Stakeholder does not appear to be a component of the decree and therefore will not be recommended under this right. The claimant can file on groundwater up well into the decree

AJ CLAIM TOTAL DIVERSION RATE: 1.740 CFS

MR ROOT RIGHT TOTAL DIVERSION RATE: 1.740 CFS

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

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

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

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

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

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

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 126 x 0.02 CFS/ACRE = 2.52 CFS
(Taken from pou review)

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 15.00 AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 261.0 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

1b. CALCULATIONS

NOTES: This water right + 61-02205 will be combined
into a P.D.

NR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	5-1 10-1	DATABASE EXAMINER 1.740	DATABASE EXAMINER	DATABASE EXAMINER
STOCKWATER	03-15 11-15	0.070		261.0
	01-01 12-31			261.0
TOTAL FOR THIS RIGHT				

NON-IRRIGATION USES CLAIMED: S/30 HD. HORSES, 250 HD.

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

025K
030
0021 1400
003
003-Dan 200

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: 61-00271

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 1.740
EXAMINER _____
CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A61-00271	A61-00271A	1.740	-	-	61-00271	1.740
-	A61-00271B	-	-	-	-	-

TOTAL CFS 1.740

DIVERSION RATE REVIEW

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

DATABASE Y
FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Dustin Beetz DATE: 8/25/98

NAME OF FIELD EXAMINER: _____ TITLE: _____

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☐ ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
☒ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☐ NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO _____ <u>1988</u>	Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
☒ SCS SOIL SURVEY MAP	DATE ISSUED _____ <u>1985</u>	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☐ OTHER <u>copy of decision</u>	DATE _____	Y() N()
☒ OTHER <u>GIS map</u>	DATE _____ <u>from 1987 1988</u>	Y() N()
☐ OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	PAGES	NO. OF	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAIN _____	_____	_____	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____ <u>6/7/95</u>	_____	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____ <u>1</u>	_____	_____	_____ <u>From good pipe</u>
☐ OTHER _____	DATE _____	_____	_____	_____
☐ OTHER _____	DATE _____	_____	_____	_____

11:13:59
07/24/98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A61-00271A

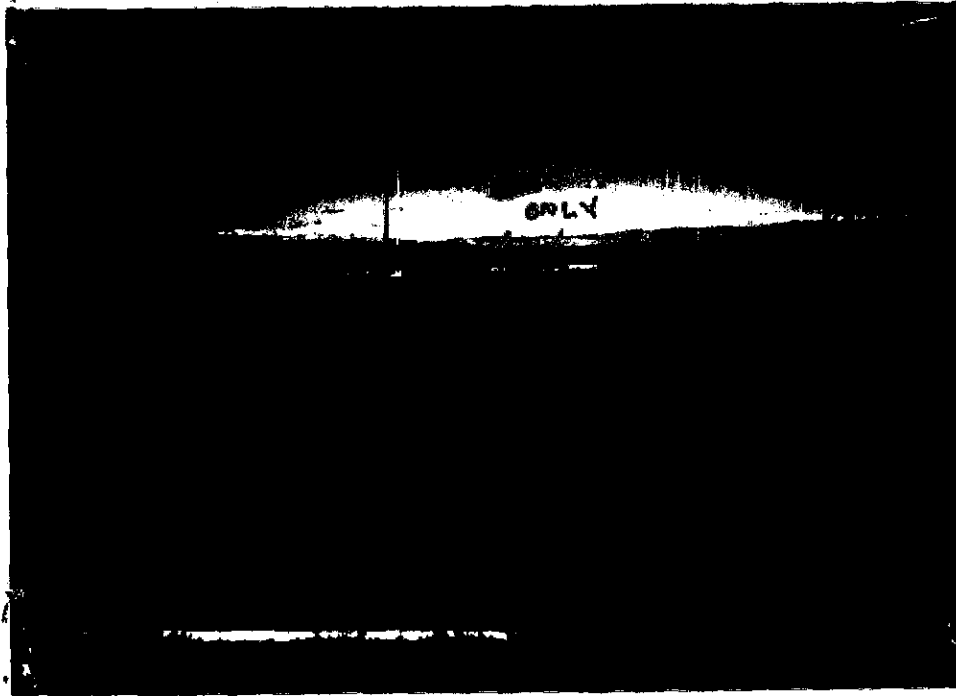
WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			6-7-98 M.M.	2 >				
POINT OF DIV				2 >				
SOURCE				2 >				
PLACE OF USE	Y			2 $\frac{4}{2}$				
DIV. AMOUNT CFS/VOLUME	Y			2 >				
CONSUMPTIVE USE	-			2				
PURPOSES OF USE	Y			2 >				
PERIOD OF USE	Y			2				
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

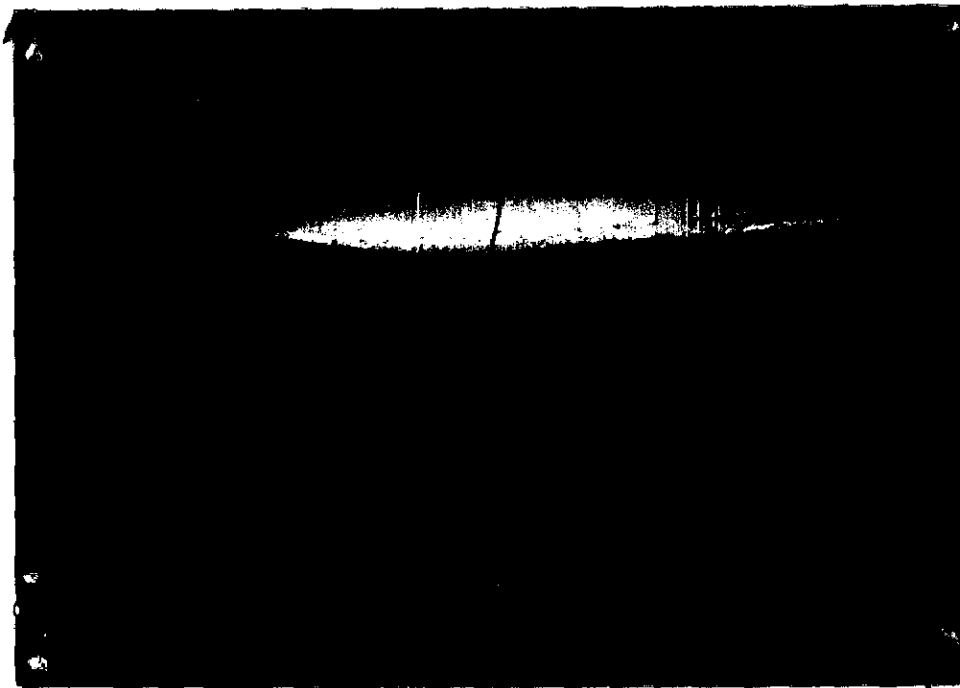


PHOTOGRAPHER AND DATE OF PHOTOS MM Minicucci 06/07/1995

FILE NO. A61-00271A T035 R07E S.2



Place g use.
Photograph taken
from dam in
SENE, looking
west (downstream)
at POU in
SENE & SWNE.



Ditch leaving the
Reservoir (spillway)
on North side.

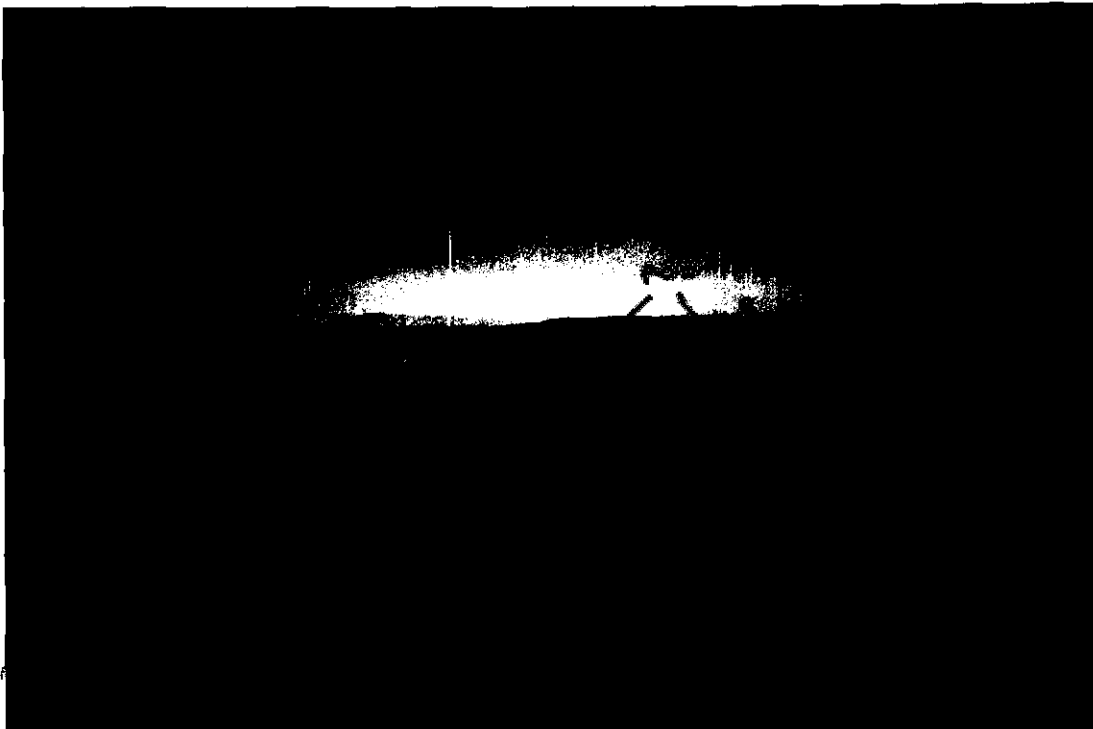


PHOTOGRAPHER AND DATE OF PHOTOS M. Minicucci 08/08/1996

FILE NO. A 61-00271A T03S 207E S.2 SENE



DIVERSION FROM
RESERVOIR TO
PLACE OF USE ON
NORTH SIDE OF
RATTLESNAKE
CREEK.

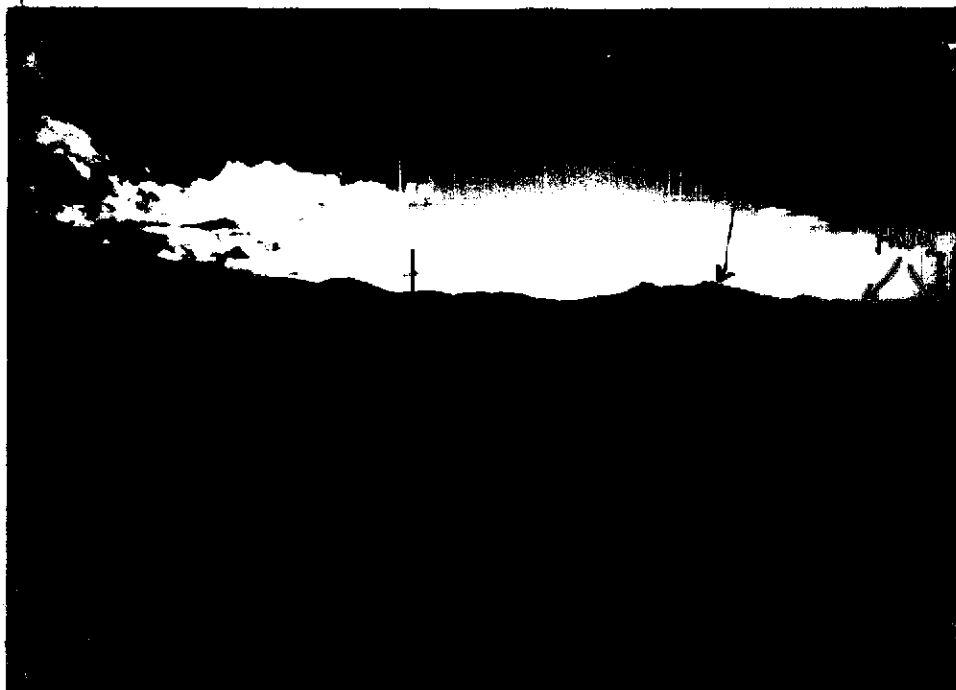


Ditch leading to
place of use on
north side of
creek. Photo
taken from spot
where ditch
splits. One
split goes back
into creek, one
split goes to
POU.



PHOTOGRAPHER AND DATE OF PHOTOS JJ Minicucci 06/07/1995

FILE NO. AGI-00271A T03S R07E S.2 SWNE



Area between corrals at the house, and the highway.

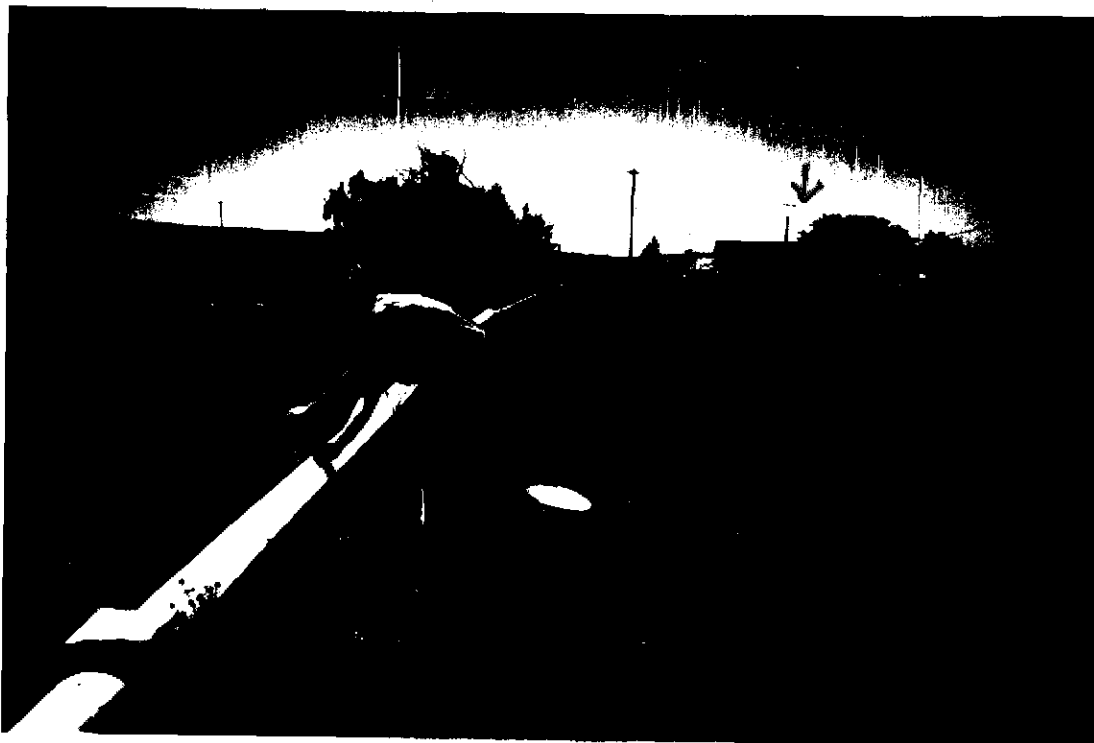
Photograph taken from driveway, looking west.

This area is NOT irrigated.

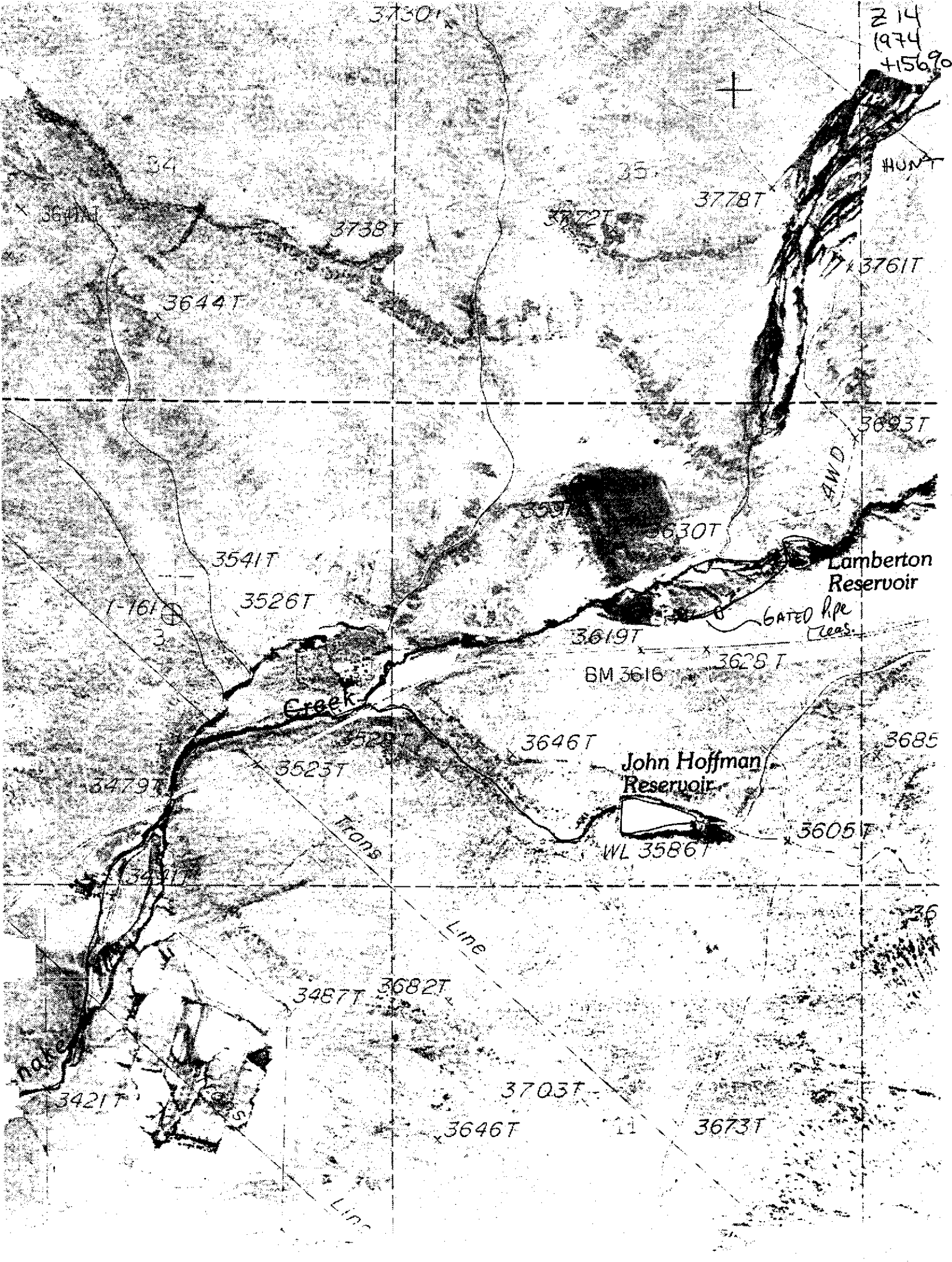


PHOTOGRAPHER AND DATE OF PHOTOS M Minicucci 08/08/1996

FILE NO. A61-00271 T035 R07E S.2 SWNE



K. Walker, Sr Water Agent, Western Region, digging hole to measure flow from gated pipe with 5 gallon bucket.

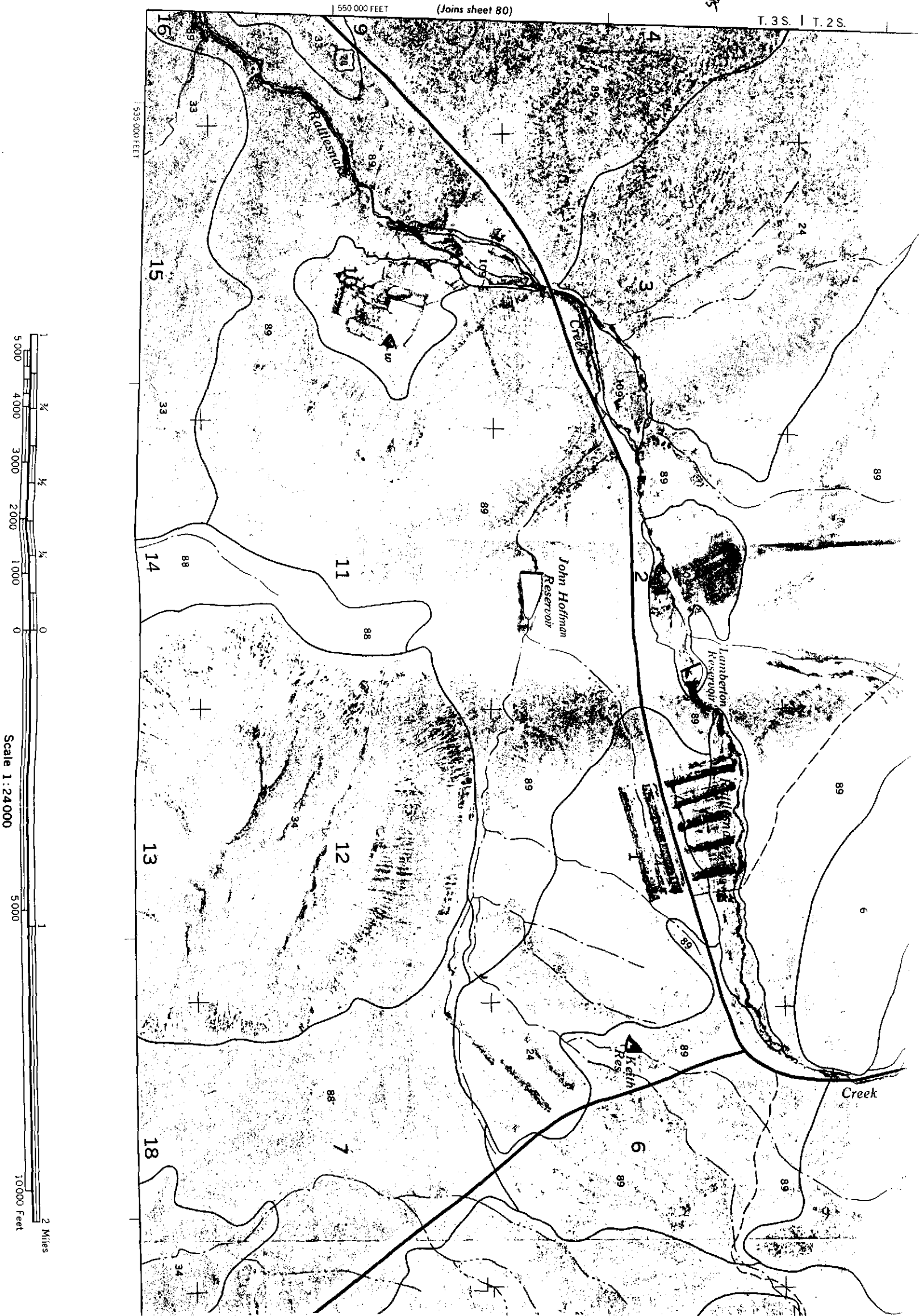


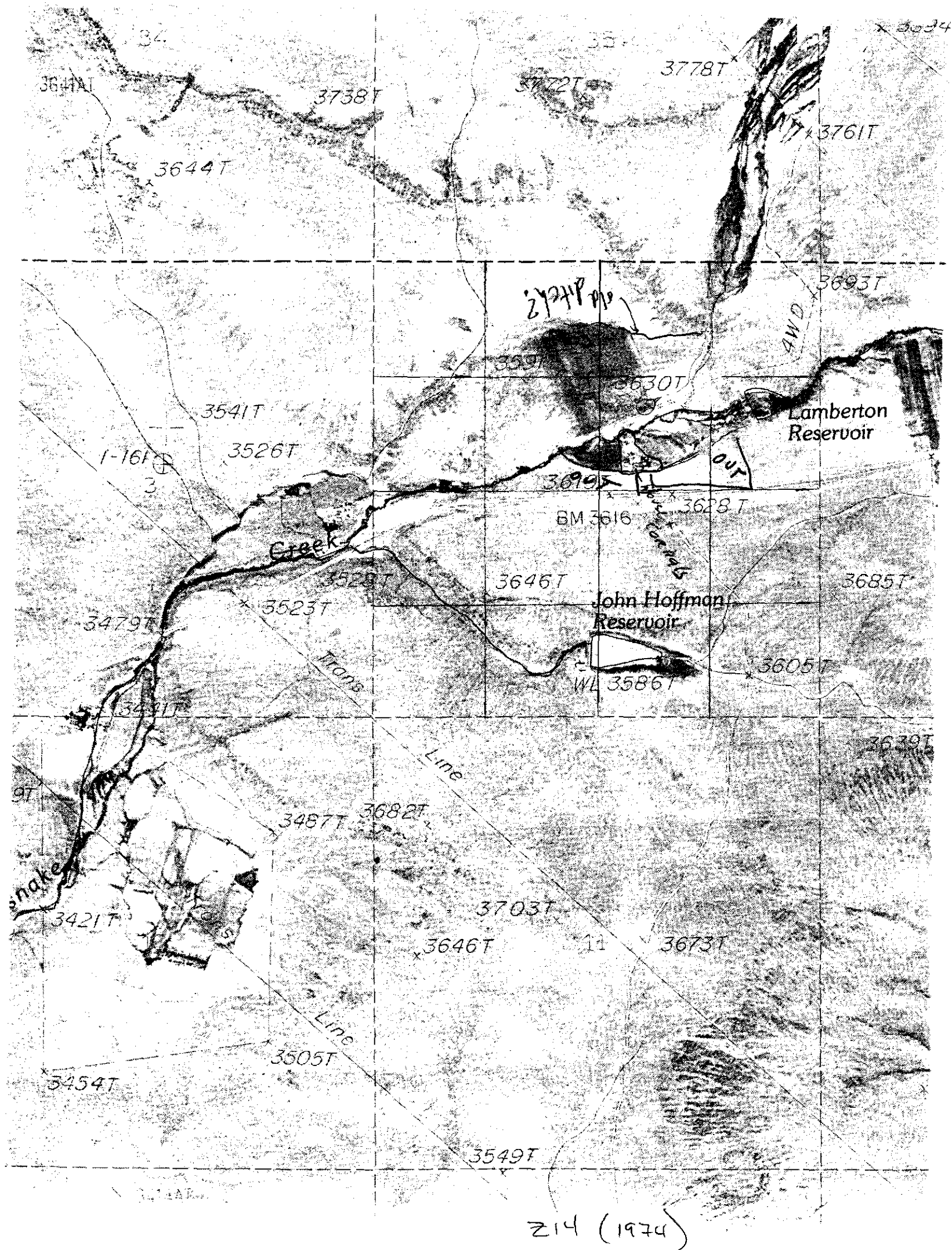
CLAIM NO. 461-00271
 AGENTS P. T. Tincucci K Walker
 LOCATION _____
 SOURCE Rattlesnake CR

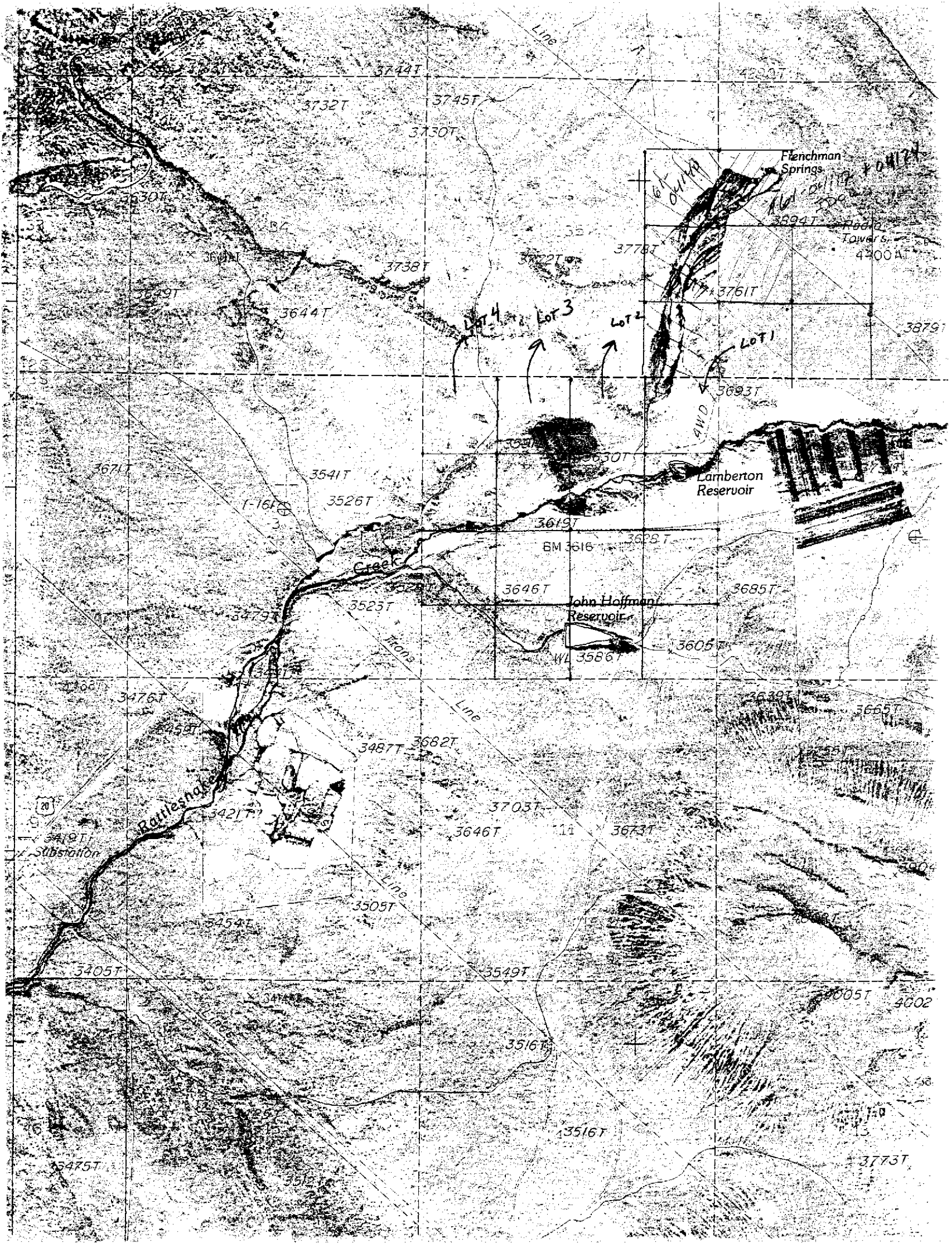
TOTAL NO. OF GATES _____
 NO OF GATES OPEN 19

GATE NO.	GATE LOC.	AMT	SECS
1	Closest To POD	5 GAL	22.68
		short	25.24
			29.83
Vo 10 2	6th open gate other end of 30' pipe. #1 is on N end of pipe		
			Too many rocks - especially one big one!
2	3rd From N side on 2nd 30' section	5 gal	29.50
			30.44
			30.45
3	Last open gate. Pipe is necked down after this gate 10" to 6"	5 gal	28.01
			26.66
			30.08

USDA
Soil Survey of
Elmore County
area
Fieldwork completed 1985







HUNT A61-02205, A61-00271

7035 S.2
R07E

ASCS 1988



① New claim for
storage?

② Evidence of
USE 1972-1979.

③ X Flow
~~DIS~~ After NTG

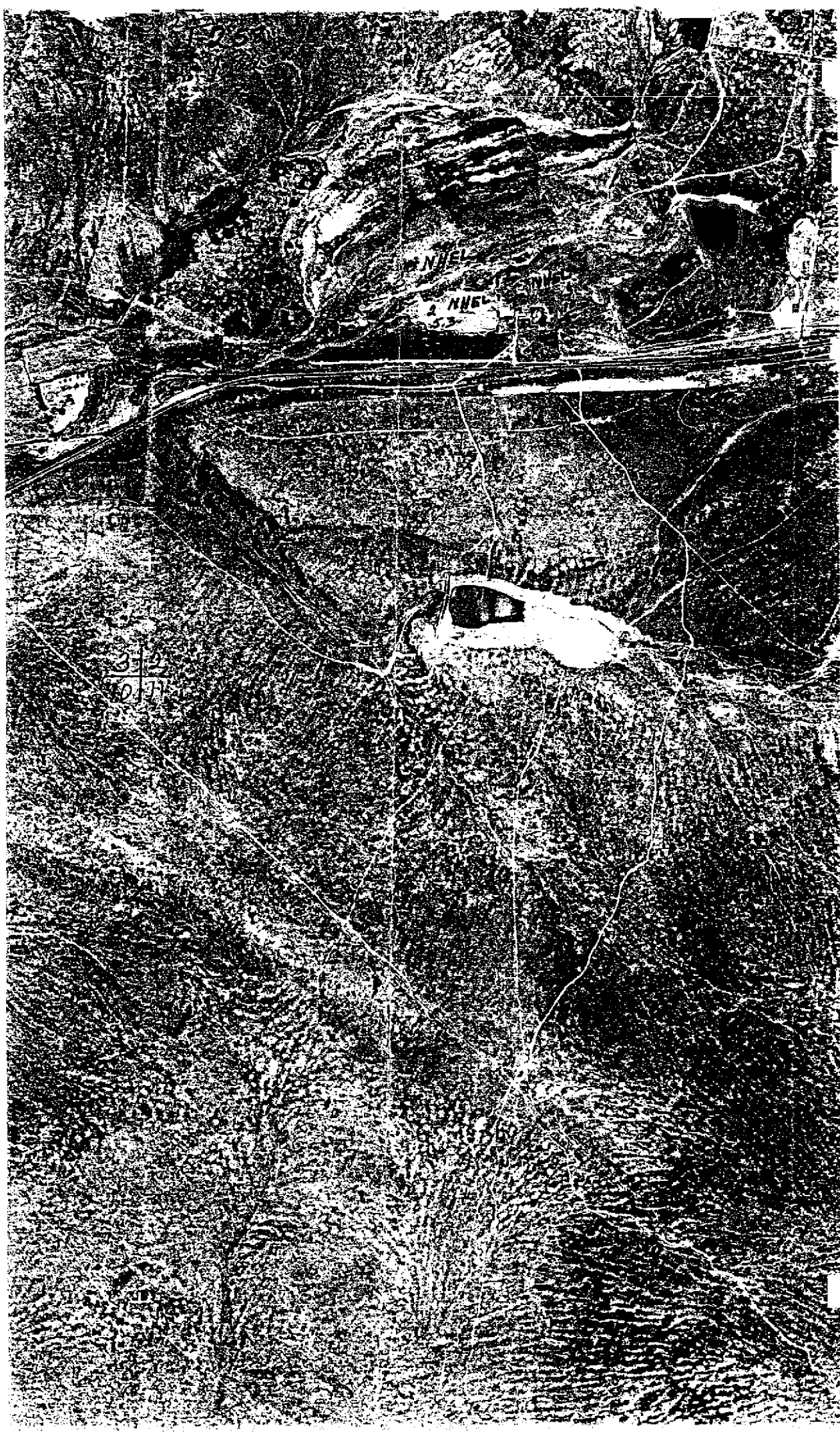
HUNT

A61-00271

T03S R07E

S. 2

ASCS (1988)



07/18/1996 587-5751 Preston Lord

He is getting ready to cut hay. Waters won't be turned down again for at least a wk. I indicated that I would call him toward the end of next week to schedule a time to measure the flow from the reservoir.

07/26/1996 587-5751 Preston Lord 10:30 a.m.
left msg on phone to call back

08/08/1996

O.K. to come out Friday Thurs afternoons
will arrive btwn noon + 1 pm
D.R. Lord has to leave @ 4:00 pm

6/29/1995

HUNT'S RES.

10" GATED PIPE - Full to $\approx 6"$

NO GATES OPEN - Flowing out end of pipe
IN STOCK CORRALS

8/2/1995

left msg @ Mr. Load's house (582-5751) that I was
still interested in getting a measurement from the
reservoir outflow, & please call me tomorrow
afternoon. TTT

MANT'S NAME: Preston LordDATE: 06/09/1995
4:15 pmITY: ElmoreJOYEE: Thurman

I called Mr. Lord to set up a time to measure the flow from the gated pipe. He said with the current rains he has not been irrigating, but he should start up again next week. He will call when he starts to irrigate again.

He has been using ground water on the south side of the creek for the last six years. Previous to that a concrete pipe (now washed out) carried water across the creek. We discussed forfeiture, ~~at~~ the importance of knowing when water was first piped across the creek (Acres included in license?).

Mr. Lord asked about changing the point of diversion on the creek. I explained that an approved Transfer was required for that. He thought that a neighbor was planning on adding/changing the POD and would contact us if that occurred & he was unhappy with it.

Finally, he will call to tell us when he is irrigating w/ Creek water.

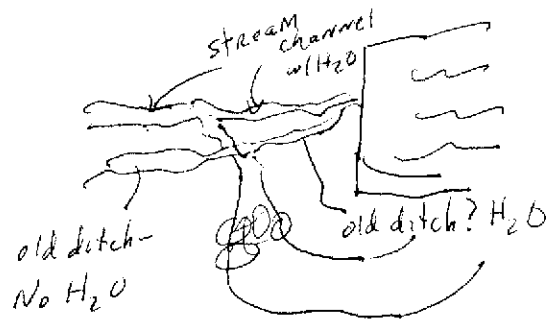
06/02/1995

11:25 am

Knudson

#13 old ditch below dam. No water in ditch, no
high water mark. Looking downstream

#14 Old ditch, spillway channel, stream channel



Exit 90 ~ 37 miles from Boise

w. 77th Home

200 acres w/ H₂O

06/07/1995
Hunt/Lord

10:00 am

28T TRUCK in driveway - No response to Knocks.
ELMER C.

Picture #7 Pipe w/ headwall which may have diverted unnamed stream in 1987 (NAPP)
No dam or boards or canvas in unnamed stream. Pipe 5' from stream channel

Picture #8 Ditch on west side of fence is barely discernable - overgrown w/ yellow fiddleheads - no defined banks, no H_2O mark
Ground has been tilled + possibly irrigated this year. Only source g.w.? No furrows or pipes.
Possible div. from stream @ intersection of fence line + stream.

Picture #9 Mud has indentation from long, round something $\perp$ to creek. Could be anything.

6-7 pole w/ canvas attached on east side of field

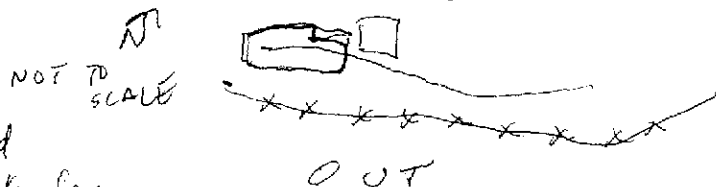
Picture 10 Dam @ Spillway

11 Place of use - R. creek H_2O

Gated pipe on S. side of field to carry H_2O further on. Gates shut on top of pipe - furrows run east-west parallel to pipe.
Pipe on east side used to irr. field east to west. Pipes turned @ bend to irr. w/ furrows (just east of poplar tree)

Small pasture next to house on south side is irr. (pipe runs thru corner). Land on S. side of fence is not irr'd.

12 NON IRR'd ground
S of pasture. Taken from gate on fence line @ cereal + pasture



~ 11:00 ♀ in pickup leaving house

indicated Mr. Lord would ~~be~~ leave in 15 mins

11:20 left property

11:21 Shaw Saw Mr. Lord & stopped
discussed list

MANT'S NAME: HUNT (Loro-Leasee)DATE: 06/01/1995ITY: SlmoreJOYEE: TT Minicucci

I called T.R. Lord to discuss the water use on the HUNT property on Rattlesnake Creek. T.R. Lord indicated surface water (Rattlesnake Cr) is used on approximately 20 acres. He will speak with the Hunts regarding x flows, possibly transferring extra water to a neighbor. We discussed non-use & forfeiture - ~~for~~ which would come up either in the Transfer process or the SRBA.

We also discussed the use of water from the Frenchman Springs. He indicated that he had applied for a permit, Mtn Home Irr Distr. protested the application, and a hearing was held in Titus Home. At that hearing he was told he could file on a portion of T.Rs. Smith's water right, ~~for~~ T.Rs. Smith owns the land upstream of him (between the actual springs & HUNT's land). I said I would investigate this to find out the situation on the water right & contact him with information.

T.R. Lord also indicated that all ground water goes to sprinklers - none is used for flood irrigation.

Also, he thought HUNT had stockwater claims on Frenchman Springs but was not certain. I will check into that.

We agreed to meet 06/07/1995 at 10:00 am to review his diversions & discuss ~~xxx~~ previous actions related to the water rights.

05/29/1995

Ray - ERA Realtor in Emmett

Built in 1976

Buyers will come in to file.

06/01/1995 1:45 pm No answer
Ray Knudson ↗

HUNT 2:00 pm

587-4192 : Ans. machine

587-5757 : Preston Lord

Preston Lord

Surface water is to approximately 20 acres
Do

GW

Frenchman Springs H₂O

Hearing in Mtn Home

THID

Part of Mrs. Smith's water right should
be w/ Hunt

Upper piece on hill.

~~Also~~ Not flooded w/ ground water

Mrs. Smith's property 160 acres to the North
North of creek

Hunt has stockwater claims on Frenchman Springs?

61-04140

04044

6/2/1995 8:20 a.m.

61-07099

Richard Loro

02/11/1985

Sharla

if decision has not been formalized, info
is not public knowledge.

Hearing notes may not be in the final file.
Will look for info + return call.

Permit has lapsed.

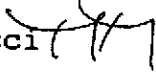
CLAIMANT'S NAME: HUNTDATE: 11/03/1994CITY: ElmoreEMPLOYEE: NYLINIUCCI

I talked w/John Westra (Dam Safety - W Region) this morning about the possible seven year period of non-use. John pointed out that because of changing statutes, this dam was first inspected in 1979, when it ~~was built~~ had been just rebuilt. John feels that the dam has been storing water continually, but it fell to such a state of disrepair that it required extensive work to bring it up to the new specifications. The dam may still have been capable of storing 15 acre-feet but may not have been the prettiest dam.

Depending on what IDWR attorneys have to say about this claim, the next step may be to request that the claimant provide evidence of storage during the 1972-1979 period. Since ownership has not changed since that time, the claimant should be able to provide such evidence.

We have a meeting w/S.O. staff scheduled for mid-Nov. and a determination of this issue should occur at that time.

MEMORANDUM

TO: Dan Steckel
FROM: Maria Minicucci 
DATE: November 2, 1994
SUBJ: 61-00271

The above-referenced water right number is a live flow right which was decreed in the Rattlesnake Creek decree (Jackson v Cowan). The SRBA claim was filed claiming storage of 15 acre-feet along with the decreed amount of live flow.

Section XV of the decree describes water rights for Commodore Jackson and Charles H Lamberton which are for storage of the flood waters of Rattlesnake Creek. These water rights have a different (later) priority date than the live flow rights.

I requested that the state office allocations section review the decree and issue a water right number for the storage rights. After review, it was decided by allocations to add a remark to the live flow right which covers the storage component, including the priority date. No new water right number was issued for storage of Rattlesnake Creek water. This decision was apparently partially based on the fact that the decree does not describe all components of the storage right (amount of storage is not specified).

I'd like to ask you to read the decree and determine if the storage component should have a separate claim filed for it, or if the storage can be handled in the remarks/conditions of the live flow right. If you determine it can be handled in the remarks/conditions, please compose the wording for that remark/condition and send it to me. Since there may be claimant contact involved, please review this matter at your earliest convenience. I will look forward to your reply.

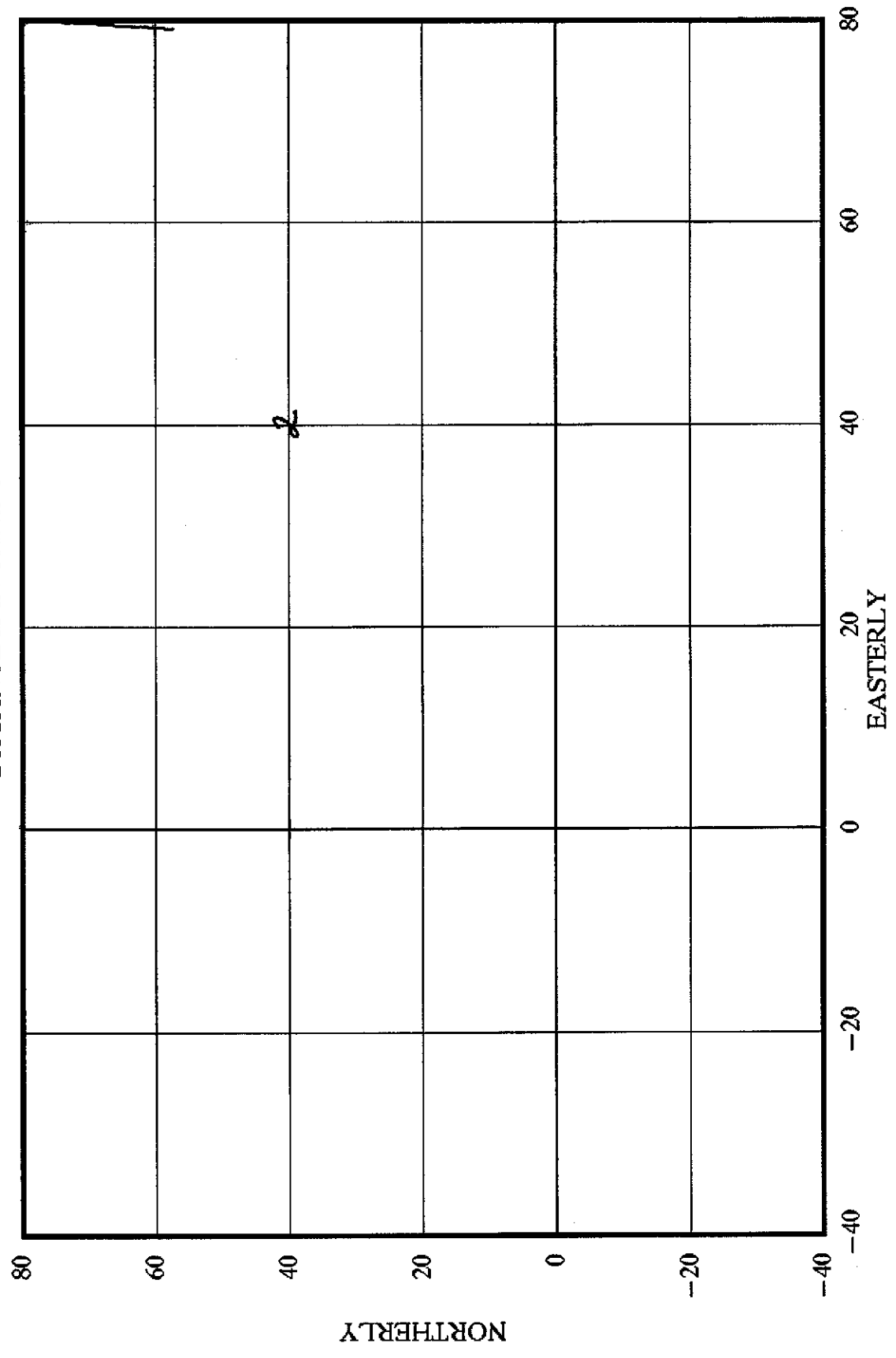
9/27/1994

61-00271

Decreed POD

PARCEL PLOT - METES & BOUNDS

DISTANCE IS IN CHAINS



9/27/1994

61-00271

POD

80.00	80.00					1.05
79.07	57.29	2.00	20.00	0.00 SW	1500.00	1.05
79.07	57.29	0.00	0.00	0.00	0.00	1.05

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT Carolyn or Ray Hunt
PHONE NUMBER 587-4192 ADJ. AGENT MPINICUCCI
DATE SET FOR EXAM 10/17/1994 9:00 am - left message
LOCATION/DIRECTIONS _____

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of System? (pipelines, 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 heads? _____

COMMENTS 09/27/1994: Msg left on machine. Msg also left @
587-5751 - # suggested on Hunt's answering msg.

10/13/1994: left msg @ 587-~~4192~~ 4192 that I will
be out Mon 10/17/1994 to check POD on Rattlesnake Creek.
No answer @ 587-5751, the # in message on answering
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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL
DISTRICT OF THE STATE OF IDAHO, IN AND FOR
ELEPHRE COUNTY.

Commodore Jackson, Seth Beeth,	)
Charles H. Lamberton, James T. Moss,	)
Sarah Ann Hoffman, and J. G. Watts,	)
Trustee,	)
	)
Plaintiffs.	)
	)
vs.	)
	)
J. M. Cowan, Frank Filley, L. E.	)
Haverkubdm Sherran Baldwin Bernice	)
P. Kief and John Kief, her husband	)
Taylor L. Bailey,	)
	)
Defendants.	)

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

I.

That the plaintiff Commodore Jackson do, And he is hereby, awarded
the use of the amount of water hereinafter stated from the waters of
Hattle Snake Creek, in each year from the following dates, to be diverted
at the following points, to wit:

For use upon lot 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 1, township 3 south,
range 7 east, Boise Meridian, that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1,
said township and range, lying west of the following described line:-
commencing at a point on the township line 350 feet east of the quarter
section corner, between sections 1 and 36 and running south at right angles
with said township line 350 feet to a point; then west at right angles to the
south line and parallel with the township line 150 feet to the south or
left bank of Hattle Snake Creek, thence south at right angles with the
township line to a point on the east and west center line of section 1,
aforesaid. Also that tract of land described as follows: commencing at
a point 826 feet south of the north east quarter of said section 1, thence
in a westerly direction along an irrigation ditch known as the Black
ditch 790 feet, thence due south to the east and west center line of said

section 1, thence along said center line of said section to the north and south line of said section thence north along the north and south line to the place of beginning, containing about 143 acres.

76.66 inches dating from May 1, 1872.

81 0269

To be diverted at a certain point on said Rattle Snake Creek from which said point the township corner common to townships two and three south, ranges seven and eight east, Boise Meridian, bears south $53^{\circ} 39'$ west 1591 feet.

II.

That the plaintiff Seth Reeth be, and he is hereby, awarded the use of the amount of water hereinafter stated from the waters of Rattle Snake Creek for each year from the following dates, diverted at the following points, to wit:

For use upon Lot 1, SW $\frac{1}{4}$ NW $\frac{1}{4}$, section 1, township 3 south, range 7 East, Boise Meridian, also that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, lying east of the line:—commencing at a point 650 feet east of the quarter section corner between section 1 and section 36, running thence at right angles to said section line to the east and west center line of said section 1, except that portion of the above described premises described as follows, to wit: Commencing at a point 826 feet south of the northeast corner of said section 1 at the corner of a prune orchard where an irrigation ditch crosses the line of said section, running thence in a westerly direction along said irrigation ditch 790 feet, thence due south to the east and west center line of said section 1, thence along said center line of said section to the north and south line of said section, thence north along the north and south line of said section to place of beginning.

25.15 inches dating from May 1, 1872.

81 0270

To be diverted at a certain point on said Rattle Snake Creek from which said point the township corner common to townships two and three, ranges seven and eight east, Boise Meridian, bears south $53^{\circ} 39'$ west 1591 feet.

III.

That the plaintiff Charles E. Lamberton be, and he is hereby, awarded the use of the amount of water hereinafter stated from the waters

of Rattle Snake Creek, in each year from the following dates to be diverted at the following points, to wit:

* For use upon lots 2, 3, 4, and the S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, of Section 2 Township 3 south, range 7 east, Boise Meridian.

87 inches dating from May 1, 1875.

61 0271 To be diverted at a certain point on said Rattle Snake Creek from which said point the quarter section corner common to sections one and two, township 3 south, range 7 east, Boise Meridian, bears south 2° 20' west 1500.

IV.

That the plaintiff James T. Moss be, and he is hereby awarded the use of the amount of water hereinafter stated from the waters of Rattle Snake Creek, in each year from the following dates to be diverted at the following points, to wit:

For use upon the N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, of Section 3, township 3 south, range 7 East, Boise Meridian.

26.2 inches dating from May 1, 1880.

61 0272 To be diverted at a point on said Rattle Snake Creek from which said point the quarter section corner common to sections 2 and 3, townships 3 south, range 7 east, Boise Meridian, bears south 89° 49' west 704 feet.

V.

That the plaintiff Sarah Ann Hoffman be and she is hereby awarded the use of the amount of water hereinafter stated from the waters of Rattle Snake Creek, in each year from the following dates to be diverted at the following points, to wit:

For use upon the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, and the S $\frac{1}{2}$ SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Sec. 3, township 3 south, range 7 east, Boise Meridian.

24.57 inches dating from May 1, 1890.

61 0273 At a point on said Rattle Snake Creek from which said point the quarter section corner common to section two and three, township 3 south, range 7 east, Boise Meridian, bears north 60° 15' east, 4444 feet.

VI.

That the defendant J. M. Cowen be, and he is hereby, awarded the use of the amount of water hereinafter stated from the waters of Rattle Snake Creek, in each year from the following dates to be diverted at the following points, to wit:

For use upon the $SE\frac{1}{4}$ $NE\frac{1}{4}$, $N\frac{1}{2}$ $SE\frac{1}{4}$, and $SW\frac{1}{4}$ $SE\frac{1}{4}$, section 14, township 2 south, range 7 east, Boise Meridian.

67 1974 40 inches dating from May 1, 1862.

That no portion of said waters awarded J. M. Cowen shall be stored or used for storage purposes, and that none of such water so awarded shall be carried out of the natural drainage of said Creek nor away from the immediate vicinity of its present place of use, nor sold or rented for use on other lands, according to a stipulation on file in said cause.

VII.

That the defendant Bernice P. Kief be, and she is hereby, awarded the use of the amount of water hereinafter stated from the waters of Rattle Snake Creek, in each year from the following dates, to be diverted at the following points, to wit:

For use upon Lot 1, $NE\frac{1}{4}$ $NE\frac{1}{4}$, Section 7, Lots 3 and 4, section 6, township 3 South, range 8 east, Boise Meridian.

81 1927 Dating from January 20, 1913, 60.29 inches.

To be diverted from a point on said Rattle Snake Creek from which said point the township corner common to townships two and three, south, ranges seven and eight east, Boise Meridian, bears south 50° $28'$ west 1692 feet.

But the Court further finds that the permit of said defendant Bernice P. Kief was for water for 148.85 acres, that she has used due diligence in getting the water upon all of said lands, and the Court therefore further finds that should she, within a reasonable time get the balance of said land under cultivation and her irrigation works completed, so as to irrigate the same, that said right shall be increased as of said date to 93 inches.

VIII.

That the defendants Frank Filley and Taylor L. Bailey are not and each of them is not entitled to any of the water of said Rattle Snake Creek, but that the said defendant Frank Filley is entitled to all the waters of that certain spring situated on or near his lands, described in his complaint.

IX.

That the said defendant, J. G. Watts, as Trustee, be, and he hereby is, awarded 7695 acre feet of the flood waters of said Rattle Snake Creek, and of Canyon Creek, to be stored in that certain reservoir situated in Sections 17, 18, 19, 20 and 8, of township 3 South, range 7 east, Boise Meridian, as provided in that certain decree in the case of Thomas Hellen vs. the Great Western Beet Sugar and others, heretofore decided by this Court.

Said right to store said flood waters to be of a priority dating from June 1, 1891.

That all the lands and property heretofore described in this decree being situated, lying and being in the County of Blaine, State of Idaho.

XI.

That all of said waters heretofore awarded to the respective parties to this action shall be measured at the point of diversion thereof from the channel of said stream, in a box or boxes headgate or headgates, constructed for measuring water at a four inch pressure or its equivalent in second feet and said water shall be measured at such point and points of diversion at a four inch pressure or its equivalent in second feet, and that each person so awarded water from said Creek, before he is entitled to the use of the same, must build and maintain at his point where said water is diverted, a head gate or headgates, and box or boxes suitably constructed for measuring water in inches under four inch pressure or its equivalent in second feet.

XII.

That all parties using water under and by virtue of this decree must, as soon as the beneficial use thereof has ceased, return the same to the channel of said Creek, and must not cause or suffer any unnecessary waste of said water, but all waste or over flow waters, wherever practicable

must be immediately returned to said Creek, and no water awarded to any person in this decree shall be distributed to him when the same will thereby become wasted or lost, and that all parties hereto to whom water is apportioned must, before he or she is entitled to said water construct and put in proper repair ditches for the conveying of the said water to his said lands.

XIII.

That the parties hereto entitled to the use of the water of Rattle Snake Creek must not change his or her place or places of diversion or use of said water to the detriment of any of the parties hereto.

XIV.

That the irrigation season for the lands described here in is hereby decreed to be from the first day of May to the first day of October of each and every year.

XV.

That the plaintiffs Commodore Jackson and Charles M. Lamberton are not entitled to any of the waters of said stream for storing in their respective reservoirs in addition to what has already been awarded to them, except the early spring flood waters before the commencement of the irrigation season, and then only sufficient to fill their respective reservoirs.

Said right to said flood waters of said stream for storing, as aforesaid, to be of a priority of the following date, to wit: June 1, 1890 and provided further that neither of said plaintiffs shall be entitled to store any of the water of said stream in his reservoir until he has constructed proper head gates and measuring divices in said stream, both above and below his reservoir for the properly measuring of the water passing into and out of his reservoir, as well as in his ditch diverting the water from his reservoir stored in such reservoir must be measured and whenever such reservoir is permitted by its owner to hold the waters of said stream the water flowing into and out of said reservoir must be measured in order that none of the said waters of said stream may be held therein except when permitted by this decree.

XVI.

That the several parties hereto whose rights to the use of the waters of said Rattle Snake Creek are of even date, shall, whenever the amount of water flowing in said channel or stream is insufficient in quantity to supply the amount of water herein awarded, share in the use of the water in the proportion that the several quantities of water of the same date bears to the whole quantity flowing in said stream at said time of scarcity, not, however, to interfere with the rights of any earlier or prior rights.

XVII.

It is further ordered, adjudged and decreed that each and every of the plaintiffs and defendants, their servants, attorneys, employees, privies and successors in interest, are hereby enjoined and restrained from any and all interference with, or diversion or use of the waters of said Rattle Snake Creek except as provided in this decree, whenever such interference, diversion or use would in any manner interfere with the quantity of water awarded by this decree to any of the other parties of this action or to which, under the terms of this decree, they are entitled.

XVIII.

That the costs and disbursements of each party, hereto shall be paid by each such party.

Dated May 29th, 1917.

James R. Bothwell,

District Judge.

Filed this 31 day of May 1917.

F. M. Hobbs.

Clerk District Court.

SEE ORIGINAL CLAIM

IN FILE NO.

A 61-00271