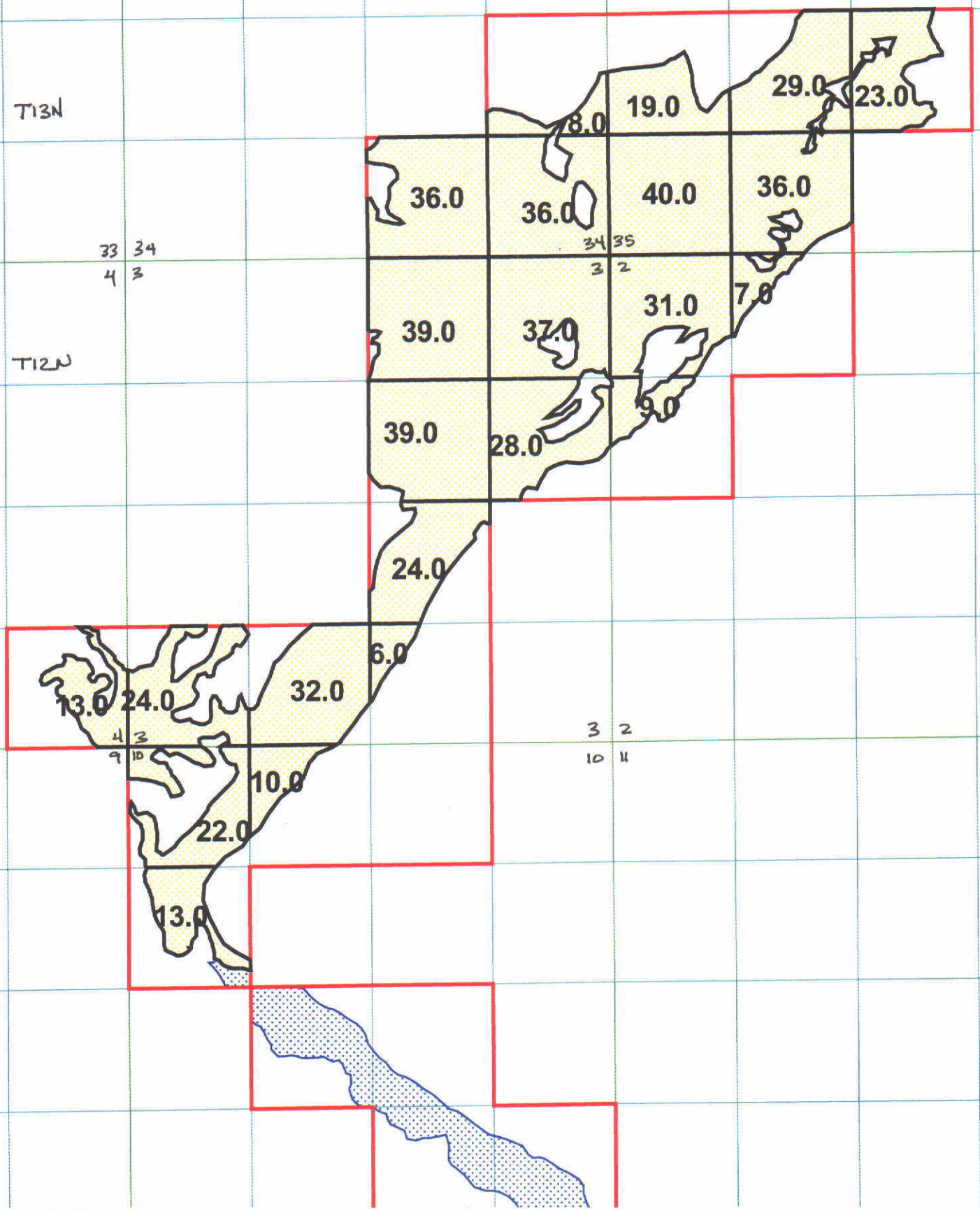
A32-04060A

R28E

T13N

T12N



33 34
4 3

34 35
3 2

4 3
9 10

3 2
10 11

F.'k -/ 32-04060A

State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 11, 1999

George Petersen
485 E Street
Idaho Falls, Idaho 83402

Re: D&D Enterprises Adjudication Claims

Dear Mr. Petersen:

Thank you for bringing your client's concerns to my attention this morning. As you requested, I have enclosed a copy of the department's recommendation on claim A32-00058, and copies of the acreage calculation maps on A32-04060A and A32-04060B.

I have looked in the file for A32-04059, and the recommendation for disallowal was based upon field inspection by Eric Verner on 6/3/1993.

In reviewing the stockwater claims on 4060A and B, Ernie Carlsen has informed me that the chart I was using was for wells or off-stream diversions, where the intent was to provide adequate capacity to meet the full daily requirements in a shorter pumping period. This is not a correct basis for instream stockwater use, though your client may still file an amended claim for the higher rate if he wishes.

Simply returning the Notice of Error letter will re-affirm the original claim for 0.090 cfs. Using a 24-hr utilization period and 12 gallons per head per day, this appears to be adequate for D&D's needs:

0.090 cfs * 449 =40 gpm
40 gom * 60 = 2400 gallons/hour
2400 gallons /hour * 24 = 57,600 gallons/day
5 7,600 gallons/day ÷ 12 gallons/head/day = 4,800 head

Please contact me if I can be of further assistance.

Sincerely,

Bryce A. Contor
Adjudication Agent

A32[redacted]4060 EXAM[redacted]PHOTOS- #1 1 of 7



POINT OF DIVERSION #1 FROM SHEARS CREEK. NATURAL CHANNEL IS TO ~~LEFT~~ RIGHT SIDE OF PHOTO



"ORANGE PEEL" MEASUREMENT REACH – NORTH FORK OF SHEARS CREEK DITCH



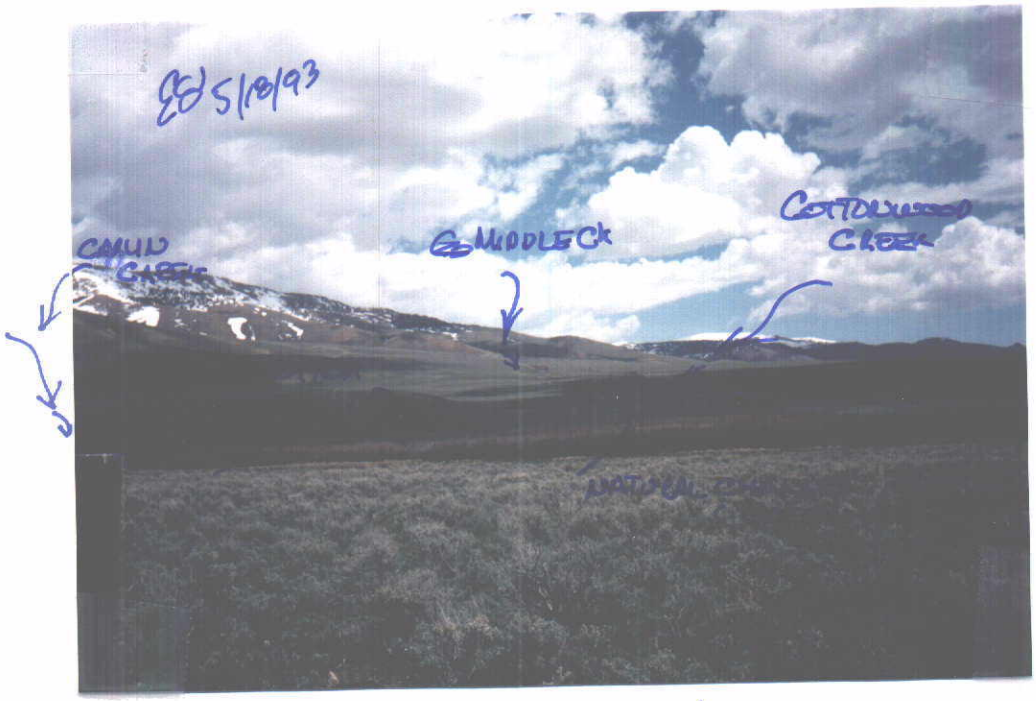
SMALL DITCH, "ORANGE PEEL" MEASUREMENT REACH - SOUTH FORK OF SHEARS DITCH.



SHEARS CREEK, NATURAL CHANNEL COMING ONTO PLACE OF USE - NOTE AS POINT OF DIVERSION #2. PYGMY METER STATION

A33-04060
EXAM PHOTOS

3-f 7



PANORAMIC VIEW OF MIDDLE & COTTONWOOD CREEKS FROM SHEARS CREEK - LOOKING SE.



POINT OF DIVERSION, CARLIN CREEK. LEFT CHANNEL IS NATURAL STREAM.



MEASURMENT SITE ON CARLIN CREEK



CARLIN CREEK ENTERS DITCH FROM COTTONWOOD CREEK



EAST CHANNEL OF CARLIN CREEK - UPSTREAM - MEASURMENT WAS NOT POSSIBLE - TOO SHALLOW.

ESV 7/16/93



UPPER COTTONWOOD CREEK DIVERSION
SE NW SW 36

#2 7/16/93 ESV



LOWER COTTONWOOD CREEK DIVERSION
NW NE SE 35



TYPICAL VEGETATION UNDER BRUSH IN PLACE OF USE. IS ACCESSIBLE BY COWS FOR GRAZING.
APPROX. LOCATION: NE SW SEC 35

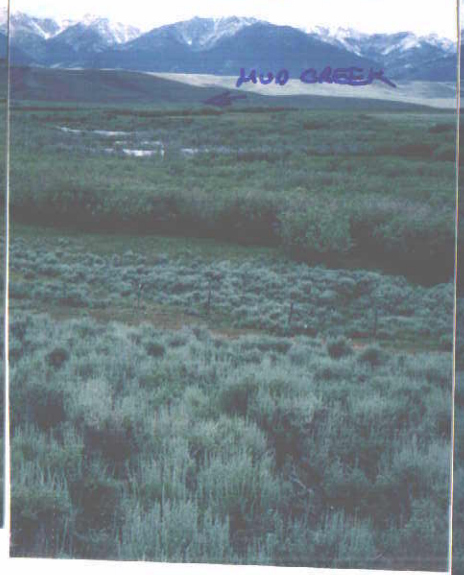
7 of 7

A32-G4060 Exam Photos

#3 6/17/93 SS



#4



#5



PANORAMIC VIEW OF UPPER PLACE OF USE LOOKING WEST
FROM G/I SW NE SEC. 35

This Map shows the Points of Diversion for Claim Number R32-040 ~~39~~ 60 A

SHEEP CREEK

CARLIN CREEK

POINT OF DIVERSION

POINT OF DIVERSION

3,4,5 PHOTOS

POINT OF DIVERSION

POINT OF DIVERSION

#2

COTTONWOOD CREEK

MIDDLE CREEK

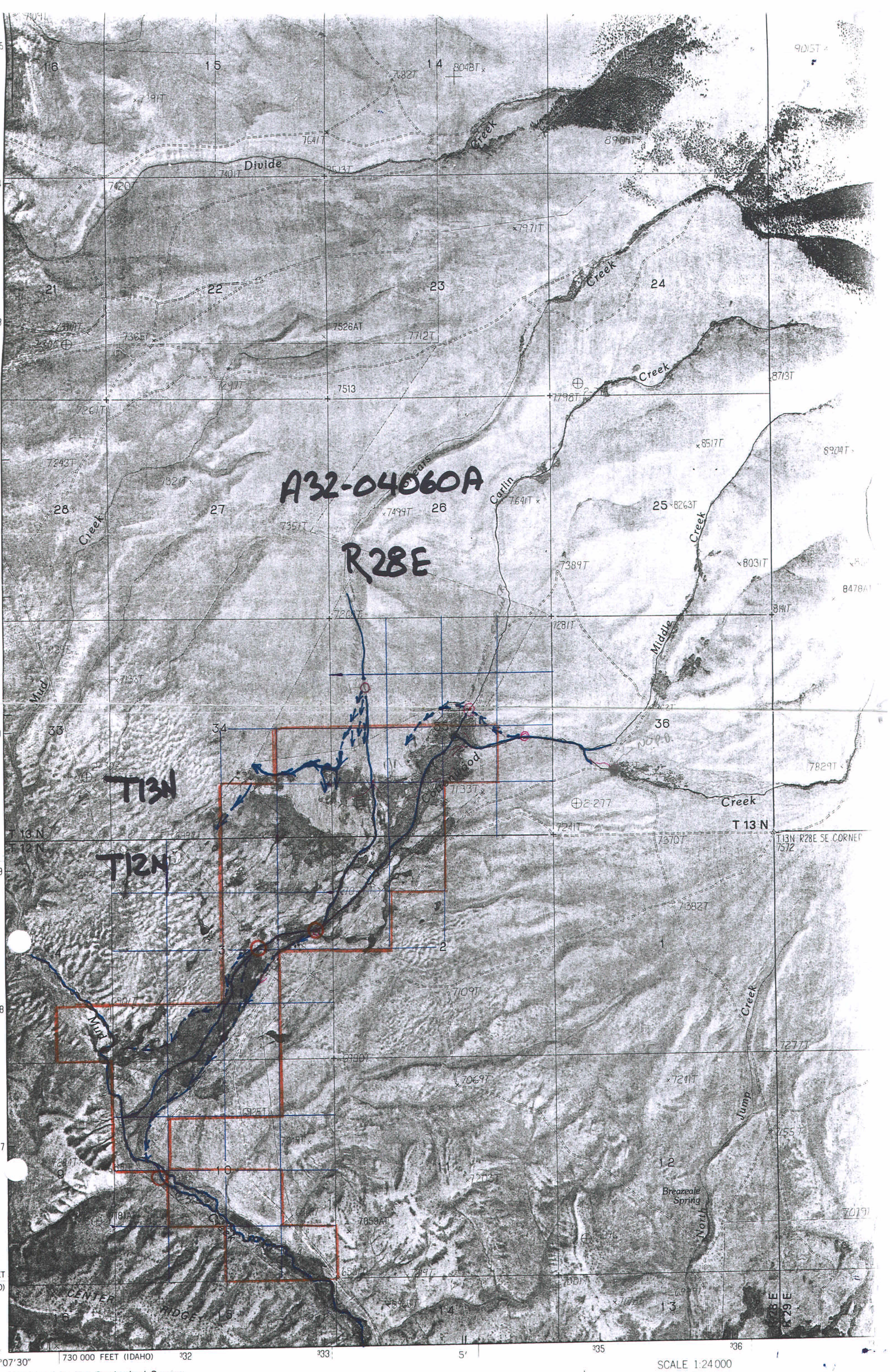
POINT OF DIVERSION

#1

35 36

2 1

~~35~~



Produced by the Geological Survey
in cooperation with the U. S. Forest Service
Orthophotograph prepared from 1:78 000-scale

TOWNSHIP 12 NORTH RANGE 28 EAST OF THE BOISE MERIDIAN, IDAHO

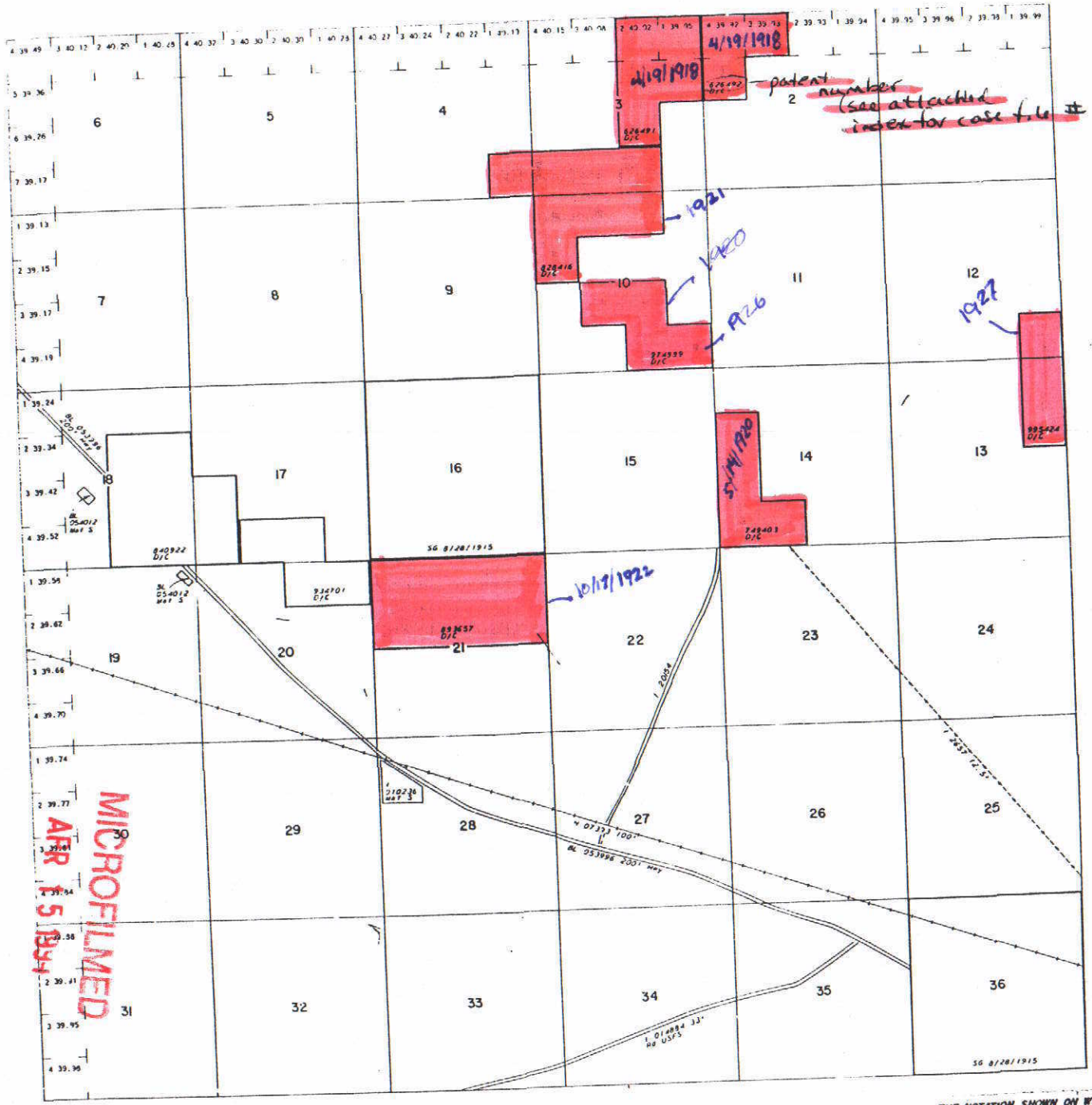
LEMHI COUNTY 059

SALMON DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

POOR ORIGINAL

MT PLAT



INDEX TO SEGREGATED TRACTS

RESURVEY TRACT NO	ORIGINAL SURVEY T	R	SEC	SUBDIVISION

I 1639 BLM O Ci Wult Use, Lemhi County; Segr from appropriation under OLE, HE, IA, & PS All unappropriated public land within Tp

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
SEP 30 1970	

USE PLATS:

Lat 44°19'53" N
Long. 113°1' W

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-

Boise Mer
T. 12N
R. 28E

MICROFILMED
ARR 5 1994

POOR ORIGINAL

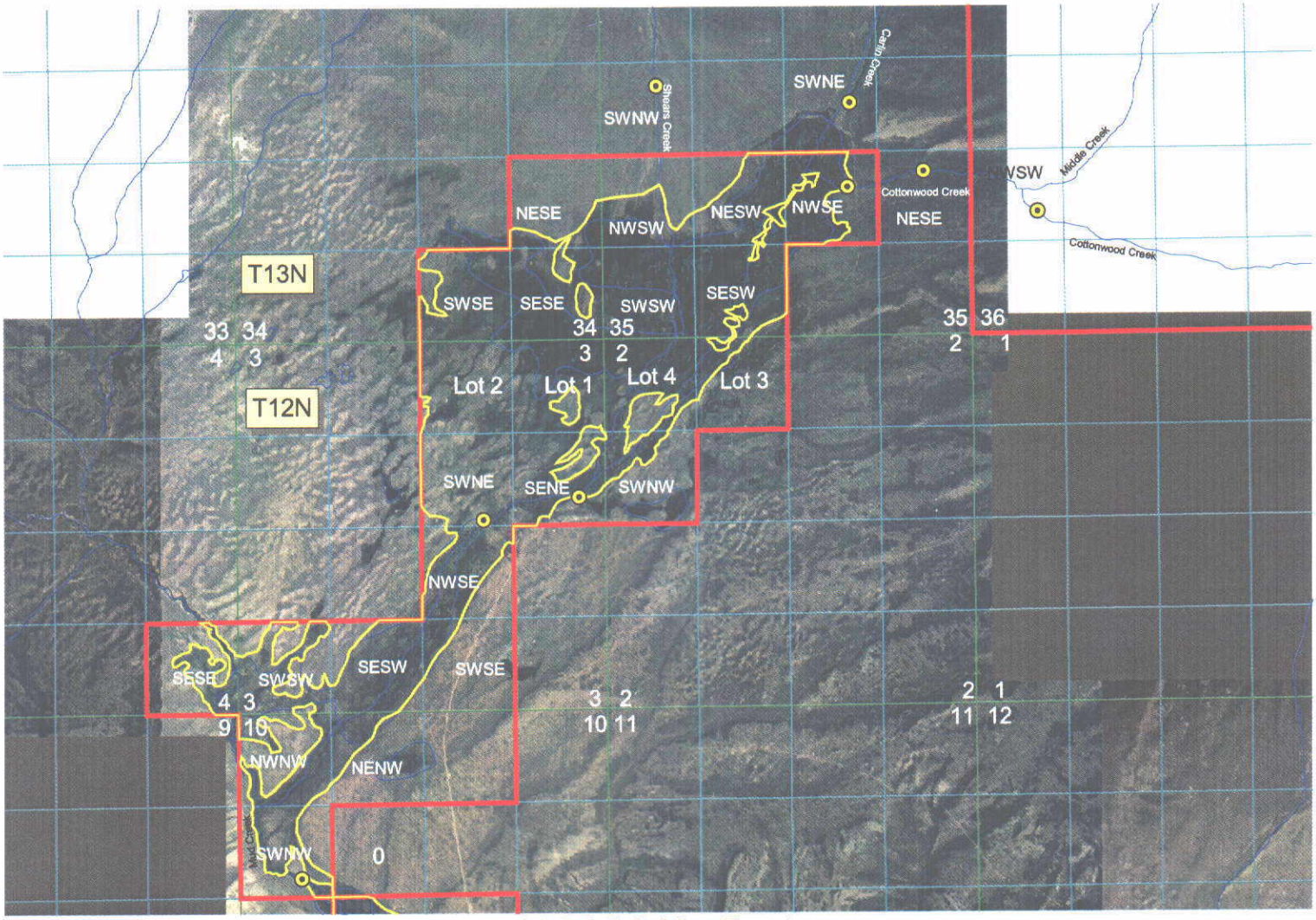
TOWNSHIP 12 NORTH RANGE 28 EAST OF THE BOISE MERIDIAN, IDAHO

SECTION	SUBDIVISION NE¼ NE	NW	SW	SE	NW¼ NE	NW	SW	SE	SW¼ NE	NW	SW	SE	SE¼ NE	NW	SW	SE	LOTS	OTHER DESCRIPTION	ACRES	KIND OF ENTRY —OR— PURPOSE OF ORDER	SERIAL FILE —OR— ORDER NUMBER	DATE OF ACTION	DATE POSTED	—REMARKS— E. G. DATE CLOSED, TERMINATED, REJECTED OR RESCINDED
	FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERALS, WATLR, AND/OR OTHER PUBLIC PURPOSES, AND INDIAN TREATIES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS																							
16																		All						
36																		All		SG	Act of Cong	7/3/1890		Title to State to vest on approval of Survey, Subj to prior rights
																		M&B; 5N 27E		Proc Wdl Lemhi Forest Res		11/5/1906		Chg to Lemhi NF /c: 3/4/1907; Trfd EO 841 6/26/1908
																		M&B; 17N 20E		EO Trf Lemhi NF Proc 11/5/1906				
																				to Salmon NF	841	6/26/1908		Rev Proc 1240 5/19/1913
19																								
20																								
26																								
27																								
28																								
29																								
35																								
36																		Subdiv Und; 12N 27E		R/W Lemhi & Salmon Valley RR	H 07393	8/5/1912		
																		M&B; 11N 27E		Proc Rev Salmon NF EO 841				
																				6/26/1908	1240	5/19/1913		
																		M&B; 11N 27E		Proc Wdl for Cl	1240	5/19/1913		Rest EO 2027 8/24/1914
																		M&B; 8N 14E		EO Rest Cl Proc 1240 5/19/1913	2027	8/24/1914		Open to Entry
17												X			X									
20		X				X													160.00	HE	H 021104	11/25/1916		Rel 5/27/1918
10									X				X	X	X				160.00	GLE	H 019766	10/1/1917		Rel 9/27/1920
25			X	X									X				1, 2	13N 28E	199.97	DLE Pat	626491	4/19/1918		H 01123 case file number
21							X										3, 4	13N 28E	119.85	DLE Pat	626492	4/19/1918		H 01124
13									X		X		X	X										
24		X	X		X		X												320.00	HE	H 019527	7/15/1918		Canc 10/23/1923
12																X								
13	X		X															12N 29E	120.00	HE	H 020066	8/8/1918		Rel 10/21/1925
14							X			X	X	X							160.00	HE Pat	749403	5/14/1920		H 024414
31		X	X		X		X										1, 2, 3, 4		319.74	HE	BL 039916	10/1/1920		Rel 2/23/1928
5											X	X			X									
4																X								
10		X			X	X	X												320.00	HE Pat	828416	10/13/1921		H 019765, H 020428
17											X	X												
18			X	X									X	X	X	X			320.00	HE Pat	840922	1/4/1922		H 019731
21	X	X	X	X	X	X	X	X											320.00	HE Pat	883657	10/17/1922		H 020204
17													X		X									
20	X	X																	160.00	HE Pat	934701	5/26/1924		H 024390
13									X		X		X	X										
25		X	X		X		X												320.00	HE	BL 039631	9/22/1924		Canc 4/9/1930
10									X				X	X	X				160.00	HE Pat	974885	3/27/1926		BL 038983
16																		All						
36																		All		SG	Act of Corg	1/25/1927		Extends Act 7/3/1890 to Min lands, Subj to prior rights
12																X								
13	X			X														12N 29E	120.00	HE Pat	995424	2/4/1927		BL 039482
21		X	X		X			X									2, 3, 4		279.84	SRHE	BL 043196	10/10/1928		Rel 7/12/1932
17																								
18																								
19																								
20																				Continued on page 2				

MICROFILMED Aug 6 1994

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right No.
32-04060A



Point of Diversion Location

Place of Use Boundary

Section Lines

Quarter/Quarter Lines

Property Lines

Townships 12N & 13N Range 28E
Acres Irrigated: 561

N
W E
S

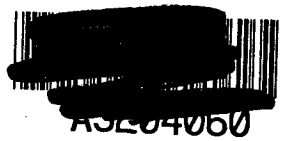
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Eric S. Verner
Date: April, 1999

(R)

A32-
D &
C/O
485
IDAH

32-04060A

D&D Enterprises, Inc.



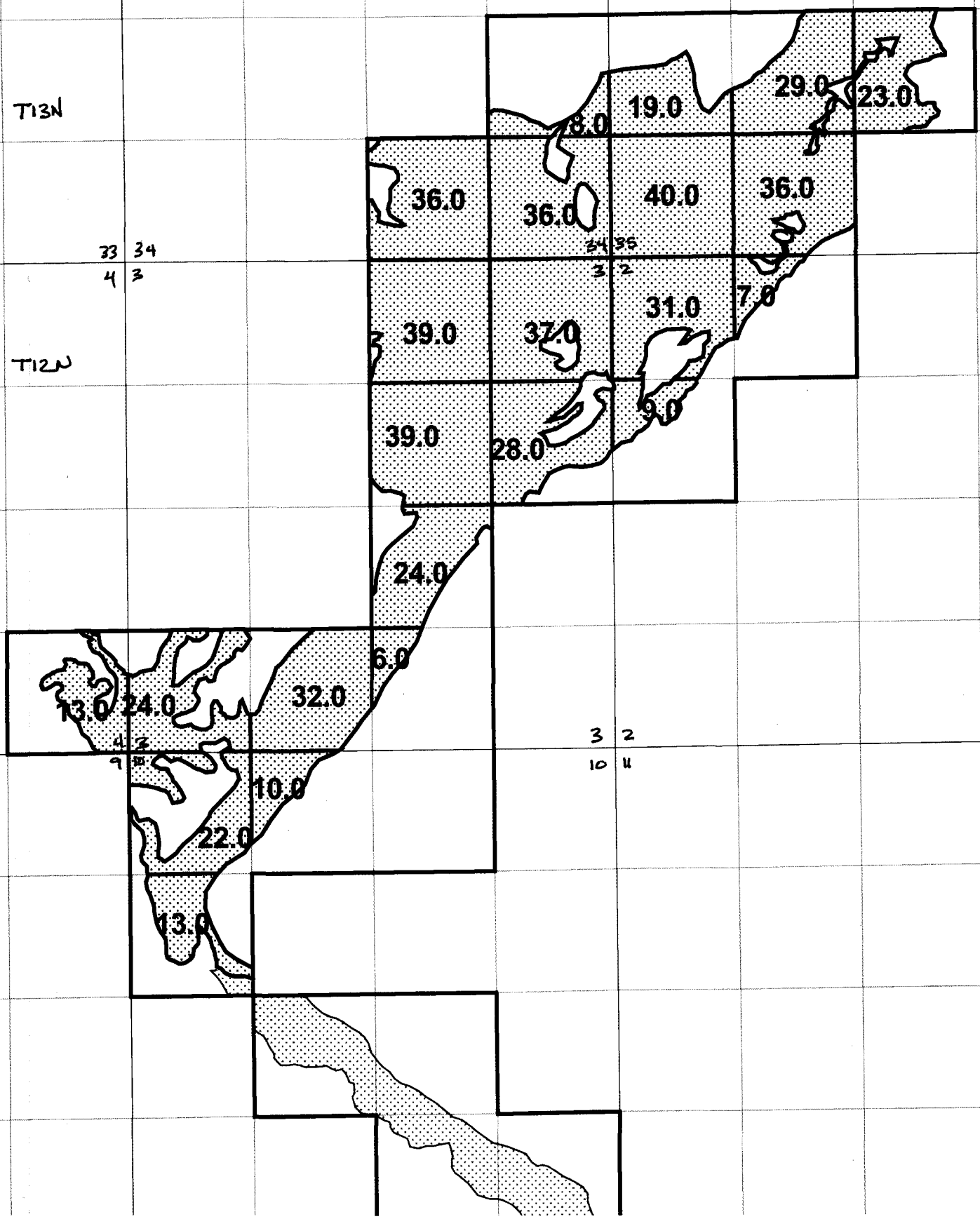
* More review of evidence of PA is needed

AZ2-04060A

R28E

T13N

T12N



State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 3, 1999

Jim DeMordaunt
D&D Enterprises, Inc.
P.O. Box 5
Rexburg, Idaho 83440

Dear Mr. DeMordaunt:

This morning I met with Mr. James Palmer at your D/D ranch and inspected the place of use for Adjudication Claims A32-04059, A32-04060A, and A32-04060B. He was very courteous and I appreciate his helpfulness. This visit was in response to concerns you addressed in your letter of August 25, 1999. When I arrived, Mr. Palmer indicated that an additional concern was that no irrigation had been recommended on your deeded ground in section 14.

When Mr. Petersen prepared the letter for you, it appears that he used the number "A-32-00058" to refer to issues he and I had discussed regarding claim A32-04060A, and he used the number "B-32-00058" to refer to issues relating to claim A32-04060B.

Item one in your letter was an objection to the irrigated place of use of 561 acres recommended in the "upper" place. I showed Mr. Palmer the map and aerial photos outlining the irrigated lands Mr. Verner identified in his field exam, and Mr. Palmer indicated that Mr. Verner's analysis appeared to be more or less correct.

The second item in your letter states "acres" but I believe Mr. Petersen intended to write "cfs." The original claim was for 25 cfs, and recommended diversion rates are 11.22 cfs for the upper place (claim A32-04060A), and 1.04 cfs for the lower place (claim A32-04060B). Mr. Verner's flow measurements confirmed that your sources provide adequate water to supply a full miners inch to the acre, and this is what is recommended. His measurements were made in the spring, when flows were high. I decided to let his high-flow measurements stand, rather than try to re-measure today.

The Jump Creek property is referred to in items number three and four. This is claim A32-04059. Mr. Verner's inspection and mine show that there is a benefit to you from the springs, which provide green grazing on your deeded land as well as on public land. I understand your desire to protect this enjoyment with a water right.

One of the peculiar aspects of Idaho water law is that a water right is based upon appropriation and application to beneficial use. The court[1] has interpreted this to mean that the water user must actively divert water to acquire a water right. Mr. Verner found no evidence of active diversion, and Mr. Palmer confirmed that D&D does not actively divert and apply water to irrigation. Based on today's inspection, I can't find justification to change Mr. Verner's proposal.

[1] See notes under "Appropriation of Water" following 42-101 of Idaho Code.

Item number five requests that the source of water be more particularly identified as "Sheers Creek, Carlins Creek, Middle and Cottonwood Creeks." The attached amended claims clarify the sources on A32-04060A, using stream names off of USGS maps. Because the streams merge into Mud Creek before reaching the "lower" place, claim A32-04060B still lists "Mud Creek" as a source.

In item number six, you request that the final recommendations include the stockwater uses claimed on the original claim. Today's inspection confirmed that usable quantities of stockwater are available for all the claims, and I will include stockwater use on my proposed recommendations for all three claims.

Item number seven is an objection to the BLM stockwater claim A32-11106. This claim has been processed by Idaho Dept. of Water Resources and forwarded to the court. The day I received your letter, August 30, was the deadline for late objections. I immediately tried to contact you, and contacted your attorney Mr. Petersen when I couldn't reach you. This item will now be handled by Mr. Petersen and the court.

Mr. Palmer showed me the place of use in section 14. I told him it was not recommended because it wasn't claimed. Actually, section 14 was claimed in the original filing for A32-04060 but somehow was lost when that claim was split into A32-04060A and A32-04060B. The attached amended claim A32-04060B restores all the irrigated place of use I identified on D&D's deeded ground in section 14. The cfs are adjusted to match.

Another issue I discussed with Mr. Petersen was priority date. Mr. Verner researched the BLM patent dates to establish priority dates, but these did not get data-entered into the computer. The attached claims are adjusted to reflect the correct dates. These are later dates than on the original claims but earlier than the dates that would have resulted from just consulting the 1922 decree.

Please carefully review the enclosed amended claims and sign them before a notary, and return them as soon as possible. Please call me if you have any questions or further concerns.

Sincerely,

Bryce A. Contor

original in file A32-04060B

To: Files A32-04060A and A32-04060B
Fr: Bryce A. Contor
Date: 9/3/1999

Bryce A. Contor

Re: Notice of Error/Letter

Today I visited D&D Enterprises ranch on Birch Creek with ranch foreman James Palmer. This was in response to the attached letter. Based on my recent conversation with D&D's attorney George Petersen, it appears that items 3 and 4 in D&D's letter refer to claim A32-04059, item 7 refers to BLM claim A32-11106, and the others refer to claims A32-04060A and A32-04060B.

1) Palmer indicated that one concern is no recommended irrigation in 12N 28E 14. I reviewed claim A32-04060B, no irrigation had been claimed. I advised Palmer that I would prepare an amended claim or a new, late claim, for Mr. DeMordaunt. Upon reviewing original claim A32-04060 I see that section 14 POU was claimed. Note that split into A & B was accomplished by amended claims prepared by E. Verner but no signed copy is in files. Section 14 ownership is indicated on third page of E. Verner memo "Final Field Examiners Notes and Recommendations to CVR" dated April 19, 1999. Photocopy in file 4060A with penciled "1976" in margin and ID number 16059-278-9X on photo also outlines Section 14 ownership.

2) Per Lemhi County Assessor, D&D owns the SWNW, NWSW, SWSW, and SESW of section 14. There is no private ownership in section 15.

3) Please see attached GIS illustration. I inspected the place of use and found irrigation occurring with a canvas dam set at point "A" near the NE corner of the SE 1/4 of the SW 1/4. The ditch was obviously a well-established ditch. Though the POU did not appear to have been intensively farmed, being covered with mostly crested wheat grass and some sagebrush, lines out through the POU indicate historical efforts at cultivation. Inspection of the downhill side of POU at approximately point "B" indicated that runoff has occurred from field in the past. Note indication in GIS of lateral ditches in NWSWSW at "C." Photo 16059-278-9X also indicates irrigation in S 1/2 of SW 1/4 of 14.

4) A flow of approximately 0.25 cfs by the "buffalo chip" method (1 ft/second, channel dimensions 1 foot wide X 0.25 foot deep) was leaving the deeded land in a natural channel at point "D."

5) I reviewed POU illustrations of A32-04060A and 4060B with Palmer and offered to re-inspect POU per letter. Palmer indicated that Mr. DeMordaunt was satisfied with POU except for omission of lands in section 14.

6) Item 2 of letter states "acres" but based on my conversation with Petersen I believe this refers to cfs recommended on 32-04060A. I explained to Palmer that cfs were calculated at 1"/acre on recommended POU and supported by E. Verner measurments. He indicated he was comfortable with that.

7) Section corners in the GIS illustration for 32-04060B are incorrect. Illustration has section 13 south of section 11 and section 14 south of section 10. Actually these two sections should be 14 and 15.

8) Letter requests amendment of claim to reflect Shears, Carlin, and Cottonwood creeks as sources. I told Palmer that this would not be a problem. USGS maps and E. Verner field notes confirm this determination.

9) Item 7 in the letter regards an objection to BLM stockwater claim 32-11106. The day this letter was received, 8/30/1999, was the closing date for late objections with the court, so I called D&D's attorney George Petersen and referred him to the SRBA court. I don't know if an objection was filed.


11
GIS Illustration from 1987/88
NAPP photography. Bryce A. Coulter
9/3/1999. T9N R25E
Black line OSD deeded ground per
Lemhi Co. assessor
14

State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 11, 1999

George Petersen
485 E Street
Idaho Falls, Idaho 83402

Re: D&D Enterprises Adjudication Claims

Dear Mr. Petersen:

Thank you for bringing your client's concerns to my attention this morning. As you requested, I have enclosed a copy of the department's recommendation on claim A32-00058, and copies of the acreage calculation maps on A32-04060A and A32-04060B.

I have looked in the file for A32-04059, and the recommendation for disallowal was based upon field inspection by Eric Verner on 6/3/1993.

In reviewing the stockwater claims on 4060A and B, Ernie Carlsen has informed me that the chart I was using was for wells or off-stream diversions, where the intent was to provide adequate capacity to meet the full daily requirements in a shorter pumping period. This is not a correct basis for instream stockwater use, though your client may still file an amended claim for the higher rate if he wishes.

Simply returning the Notice of Error letter will re-affirm the original claim for 0.090 cfs. Using a 24-hr utilization period and 12 gallons per head per day, this appears to be adequate for D&D's needs:

0.090 cfs * 449 =40 gpm
40 gom * 60 = 2400 gallons/hour
2400 gallons /hour * 24 = 57,600 gallons/day
5 7,600 gallons/day ÷ 12 gallons/head/day = 4,800 head

Please contact me if I can be of further assistance.

Sincerely,

Bryce A. Contor
Adjudication Agent

RECEIVED
AUG 3 0 1999
Department of Water Resources
Eastern Region

August 25, 1999

Mr. Bryce A. Contor
Adjudication Agent
Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

RE: D&D Enterprises, Inc.'s Adjudication Claims

Dear Bryce:

Pursuant to my recent commitment to you, please consider this writing as the appropriate and necessary objection to the Department's recommendation for either denying, reducing claimed irrigated acres and/or otherwise addressed in the Department's recent response to the various claims filed by D&D Enterprises, Inc., for beneficial use of the waters of Mud Creek and other water resources identified in D&D's water claims for irrigating its deeded acreage. D&D Enterprises objects to the findings and recommendation of the Department as follows:

1. Claim #A-32-00058 - D&D objects to the calculated acres recommended by the Department on claim #A-32-00058 of 561+ acres, in that the calculated acres measured by management of D&D has come up with a total of 1,280 acres.

2. Claim #B-32-00058 - D&D objects to the calculated acres recommended by the Department on claim #B-32-00058 of 11+ acres, in that the calculated acres measured by management of D&D has come up with a total of 25 acres.

3. Jump Creek waters are principally used on BLM leased ground. As to those certain springs situated on what was formerly State of Idaho ground, now D&D's deeded ground, D&D, since purchasing said ground, has historically developed irrigation practices for the spreading of and irrigating its deeded ground from said springs situated on said acreage, all of which spring water is applied to D&D's deeded acres and does not leave D&D's deeded tract.

4. Claim #A-32-04059 - It appears that the Department has disallowed this claim based upon the recommendation of a former employee, Eric Verner. Mr. Verner's claim is not a supportable position; D&D will disprove his findings and conclusions by appropriate and necessary facts supporting its original claim.

5. D&D Enterprises wishes to amend its filings for the purpose of establishing that Sheers Creek, Carlins Creek, Middle and Cottonwood Creeks all merge into Mud Creek before merging into Mud Creek and after said merger, Mud Creek carries the waters of all of the creeks above described onto and over the deeded ground of D&D Enterprises, Inc., the subject of D&D's claims under Claim #'s A-32-00058 and B-32-00058.

6. It has been noted by D&D Enterprises, Inc. and the Department that in making the recommendation of the Department as to claim #'s A-32-00058 and B-32-00058, the Department failed to include a provision for stock water, which provision is an oversight and thus, pursuant to the recommendation of Bryce Contor, D&D Enterprises, Inc. requests that the Department recognize a stock water claim on claim #A-32-00058 for .09 cfs and on claim #B-32-00058 for .02 cfs.

7. In checking any claims that might have been filed against the A & B claims of 32-00058, above described, it was determined that BLM has filed a stock water claim for .02 cfs claiming that the point of origin is 12 North 28 E.B.M., Section 15, Northeast, Northeast, Northeast, and that said stock water is applied to an area approximately ¼ mile long in Section 14, Southwest, Northwest, Northwest, with a priority date of 1880. D&D objects to the stock water claim referred to above and further objects to the priority date, in that there is no evidence that water flows from D&D's deeded ground to the area claimed by the BLM nor is there any credible evidence that would support an 1880 priority date.

As advised a number of times in our recent discussions, management and the owners of D&D Enterprises, Inc. will make their appropriate personnel available for an inspection and review of the areas addressed in D&D's objections heretofore detailed.

Your early response and suggestions concerning the matters addressed above, will be most sincerely appreciated. Best regards.

Very truly yours,

Jim DeMordaunt,
D&D Enterprises, Inc.

MEMO

To: A32-04060A and A32-04060B
From: Eric Verner, SWA
Date: April 19, 1999
Subject: Final Field Examiners Notes and Recommendations to CVR

Original claim A32-04060 was field examined by Greg Taylor and myself on May 18, 1993. During this exam the ranch manager explained and showed us the irrigation diversion system and the rough place of use. Greg and I measured, with current meter and orange peel method, several diversions into the place of use and indicated the points on an ASCS photo and OQ. Dennis Dunn and myself followed up this field exam with another exam on July 16, 1993. Dennis and I each had copies of the ASCS photo of the claimed place of use. Dennis walked from the lowest end of the property and walked upstream mapping the irrigated lands and delivery systems. I walked from the upper property line down stream mapping the same. Our findings are depicted on the combination ASCS photo with the 7/16/93 date in the map title box. I determined later the place of use and acres irrigated by ¼ ¼ based upon the public land section corners as determined by the local NRCS office. Subsequent to this depiction, I created a shape file in arcview that clearly shows that the NRCS map section corners were located incorrectly. My final recommendations for this right are based upon the arcview shape file created in April 1999.

I also created a new CVR report form so that the necessary corrections could be made to my initial recommendation. The original CVR is in the file for reference purposes. The original CVR was printed on 3/1/7/93 and should be referenced closely with the new CVR recommendations for explanations on field notes, etc.

*ORANGE PEEL METHOD *

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Water District 01

Meas. No. _____

Comp. by E.U.

Checked by _____

DISCHARGE MEASUREMENT NOTES

Sta. No. _____

Right Ditch Shears Creek

Date 5-18-93, 19____ Party ESV, GT

Width 5.5 Area 2.12 Vel. 3.447 G. H. _____ Disch. 7.31

Method _____ No. secs. _____ G. H. change _____ in _____ hrs. Susp. _____

Method coef. _____ Hor. angle coef. _____ Susp. coef. _____ Meter No. _____

GAGE READINGS				
Time		Recorder	Inside	Outside
Weighted M. G. H.				
G. H. correction				
Correct M. G. H.				

Type of meter _____

Date rated _____ for rod, other.

Meter _____ ft. above bottom of weight.

Spin before meas. _____ after _____

Meas. plots ____ % diff. from rating _____

Wading, cable, ice, boat, upstr., downstr., side bridge _____ feet, mile, above, below gage, and _____

Check-bar, found _____ changed to _____ at _____

Correct _____

Levels obtained _____

Measurement rated excellent (2%), good (5%), fair (8%), poor (over 8%), based on following conditions: Cross section _____

Flow _____ Weather SUNNY

Other ORANGE PEEL METHOD Air STILL °F@ 80°

Gage _____ Water _____°F@ _____

_____ Record removed _____ Intake flushed U

Observer _____

_____

Control _____

_____

Remarks _____

_____

_____

G. H. of zero flow _____ ft.

.0 .10 .20 .30 .40 .50 .60 .70 .75

River at—

Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY: At point	VELOCITY: Mean in vertical	Adjusted for hor. angle or	Area	Discharge
	7.5	0.5	0	LEW						0	
	6.5	1.0	.40							.40	
	5.5	1.0	.50							.50	
	4.5	1.0	.50							.50	
	3.5	1.0	.50							.50	
	2.5	0.75	.30							.22	
	2.0	0.25	0		REW					0	
	5.5	5.50								2.12	

AREA

ORANGE PEEL METHOD

	Dist.	Time	ft/sec
	30'	8.75	
	30'	8.95	
	30'	8.41	
X=	30'	8.70	3.447 ft/sec

DISCHARGE =

(3.447 ft/sec)(2.12 ft²) = 7.31 c/s

.80 .85 .90 .92 .94 .96 .97 .98 .99 1.00 .99 .98 .97 .96 .94 .92 .90 .85 .80

.0 .10 .20 .30 .40 .50 .60 .70 .75

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Water District 01

Meas. No. _____

Comp. by AT

Checked by _____

DISCHARGE MEASUREMENT NOTES

Sta. No. _____

Main Middle Shears

Date May 18, 1993 Party Verner, Taylor

Width _____ Area 1.47 Vel. 1.59 G. H. _____ Disch. 2.34

Method _____ No. secs. _____ G. H. change _____ in _____ hrs. Susp. Rod

Method coef. _____ Hor. angle coef. _____ Susp. coef. _____ Meter No. _____

GAGE READINGS

Time		Recorder	Inside	Outside
Weighted M. G. H.				
G. H. correction				
Correct M. G. H.				

Type of meter _____

Date rated _____ for rod, other.

Meter _____ ft. above bottom of weight.

Spin before meas. _____ after _____

Meas. plots ____ % diff. from rating _____

Wading, cable, ice, boat, upstr., downstr., side bridge _____ feet, mile, above, below gage, and _____

Check-bar, found _____

changed to _____ at _____

Correct _____

Levels obtained _____

Measurement rated excellent (2%), good (5%), fair (8%), poor (over 8%), based on following conditions: Cross section _____

Flow _____ Weather Clear, calm

Other _____ Air _____°F@ _____

Gage _____ Water _____°F@ _____

_____ Record removed _____ Intake flushed U _____

Observer _____

_____

Control _____

_____

Remarks _____

_____

_____

G. H. of zero flow _____ ft.

.0 .10 .20 .30 .40 .50 .60 .70 .75

River at—

Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY: At point	VELOCITY: Mean in vertical	Adjusted for hor. angle or	Area	Discharge
	1.2	.20			REW						
	1.6	.40	.10		NO Flow					.04	.0
	2.0	.45	.25		65	40	1.62			.11	.18
	2.5	.50	.35		70	40	1.75			.17	.30
	3.0	.50	.40		75	40	1.88			.20	.38
	3.5	.50	.50		60	40	1.50			.25	.38
	4.0	.50	.50		65	40	1.62			.25	.40
	4.5	.50	.50		60	40	1.50			.25	.38
	5.0	.50	.40		65	40	1.62			.20	.32
	5.5	.25		LEW						1.47	2.34
	4.30	4.30									
					$\sqrt{}$ = 1.59						
⊙											

.80 .85 .90 .92 .94 .96 .97 .98 .99 1.00 .99 .98 .97 .96 .94 .92 .90 .85 .80

.0 .10 .20 .30 .40 .50 .60 .70 .75

* ORANGE PEEL METHOD *

TOO SHALLOW, IRREG. FOR PYG

STATE OF IDAHO

Meas. No. _____

DEPARTMENT OF WATER RESOURCES

Water District 01

Comp. by _____

DISCHARGE MEASUREMENT NOTES

Checked by _____

Sta. No. _____

SHEARS CREEK - SMALL DITCH, WEST OF CREEK BED.

Date 5-18, 1993 Party VORIES, TAYLOR

Width 1.6' Area 0.4375 Vel. 2.05 G. H. _____ Disch. 0.90

Method _____ No. secs. _____ G. H. change _____ in _____ hrs. Susp. _____

Method coef. _____ Hor. angle coef. _____ Susp. coef. _____ Meter No. _____

GAGE READINGS

Time		Recorder	Inside	Outside
Weighted M. G. H.				
G. H. correction				
Correct M. G. H.				

Type of meter _____

Date rated _____ for rod, other.

Meter _____ ft. above bottom of weight.

Spin before meas. _____ after _____

Meas. plots ____ % diff. from rating _____

Wading, cable, ice, boat, upstr., downstr., side bridge _____ feet, mile, above, below gage, and _____

Check-bar, found _____

changed to _____ at _____

Correct _____

Levels obtained _____

Measurement rated excellent (2%), good (5%), fair (8%), poor (over 8%), based on following conditions: Cross section _____

Flow _____ Weather Calm, Sunny

Other _____ Air _____ °F@ _____

Gage _____ Water _____ °F@ _____

_____ Record removed _____ Intake flushed U

Observer _____

_____

Control _____

_____

Remarks _____

_____

_____

G. H. of zero flow _____ ft.

.0 .10 .20 .30 .40 .50 .60 .70 .75

River at—

Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY: At point	VELOCITY: Mean in vertical	Adjusted for hor. angle or	Area	Discharge
	2.0	0.1 LEW								0	
	1.8	0.25	0.25							0.0625	
	1.5	0.30	0.30							0.09	
	1.2	0.30	0.40							0.12	
	0.90	0.30	0.30							0.09	
	0.60	0.25	0.30							0.075	
	0.40	0.10	REW							0	
										0.4375	

.80 .85 .90 .92 .94 .96 .97 .98 .99

Σ 3 TIMINGS = 9.77 SEC

⊙ 1.00

$$\text{VELOCITY} = \frac{\text{DIST}}{\text{TIME}} = \frac{20'}{9.77\text{SEC}} = 2.05 \text{ FT/SEC}$$

.99 .98 .97 .96 .94 .92 .90 .85 .80

$$\text{DISCHARGE} = (0.4375 \text{ SF})(2.05 \text{ FT/SEC})$$

$$= 0.90 \text{ CFS}$$

.0 .10 .20 .30 .40 .50 .60 .70 .75

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Water District 01

Meas. No. _____

Comp. by AM

Checked by _____

DISCHARGE MEASUREMENT NOTES

Sta. No. _____

Shears Creek Channel - Left Fork

Date May 18, 1993 Party Verner, Taylor

Width 1 Area 1.05 Vel. 1.00 G. H. _____ Disch. 1.05

Method _____ No. secs. _____ G. H. change _____ in _____ hrs. Susp. Rod

Method coef. _____ Hor. angle coef. _____ Susp. coef. _____ Meter No. _____

GAGE READINGS				
Time		Recorder	Inside	Outside
Weighted M. G. H.				
G. H. correction				
Correct M. G. H.				

Type of meter _____

Date rated _____ for rod, other.

Meter _____ ft. above bottom of weight.

Spin before meas. _____ after _____

Meas. plots ____ % diff. from rating _____

Wading, cable, ice, boat, upstr., downstr., side bridge _____ feet, mile, above, below gage, and _____

Check-bar, found _____

changed to _____ at _____

Correct _____

Levels obtained _____

Measurement rated excellent (2%), good (5%), fair (8%), poor (over 8%), based on following conditions: Cross section _____

Flow _____ Weather Clear, Calm

Other _____ Air _____°F@ _____

Gage _____ Water _____°F@ _____

_____ Record removed _____ Intake flushed U

Observer _____

_____

Control _____

_____

Remarks _____

_____

_____

G. H. of zero flow _____ ft.

.0 .10 .20 .30 .40 .50 .60 .70 .75

River at—

Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY: At point	VELOCITY: Mean in vertical	Adjusted for hor. angle or	Area	Discharge
	0.9	.30			REW						
	1.5	.55	0.3		35	44	.80			.16	.13
	2.0	.50	0.3		15	40	.38			.15	.08
	2.5	.50	0.3		35	43	.81			.15	.12
	3.0	.50	0.3		50	42	1.19			.15	.18
	3.5	.50	0.4		75	41	1.83			.20	.37
	4.0	.50	0.25		50	40	1.25			.12	.15
	4.5	.60	0.20		10	56	.18			.12	.02
	5.2	.35			LEW					1.05	1.05
	4.30	4.30									
					V=	1.00					
⊙											

.80 .85 .90 .92 .94 .96 .97 .98 .99 1.00 .99 .98 .97 .96 .94 .92 .90 .85 .80

.0 .10 .20 .30 .40 .50 .60 .70 .75

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Water District 01

Meas. No. _____

Comp. by AT

Checked by _____

DISCHARGE MEASUREMENT NOTES

Sta. No. _____ Carlin Creek

Date May 18, 1993 Party Taylor, Verner

Width _____ Area 0.88 Vel. .90 G. H. _____ Disch. 0.80

Method _____ No. secs. _____ G. H. change _____ in _____ hrs. Susp. Rod

Method coef. _____ Hor. angle coef. _____ Susp. coef. _____ Meter No. _____

GAGE READINGS

Time		Recorder	Inside	Outside
Weighted M. G. H.				
G. H. correction				
Correct M. G. H.				

Type of meter _____

Date rated _____ for rod, other.

Meter _____ ft. above bottom of weight.

Spin before meas. _____ after _____

Meas. plots ____ % diff. from rating _____

Wading, cable, ice, boat, upstr., downstr., side bridge _____ feet, mile, above, below gage, and _____

Check-bar, found _____

changed to _____ at _____

Correct _____

Levels obtained _____

Measurement rated excellent (2%), good (5%), fair (8%), poor (over 8%), based on following conditions: Cross section _____

Flow _____ Weather Clear

Other More Water in Braided channel that we were unable to measure. Air _____°F@ _____

~~Gage~~ Water _____°F@ _____

_____ Record removed _____ Intake flushed U L _____

Observer _____

Control _____

Remarks _____

G. H. of zero flow _____ ft.

.0 .10 .20 .30 .40 .50 .60 .70 .75

River at—

Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY: At point	VELOCITY: Mean in vertical	Adjusted for hor. angle or ----------	Area	Discharge
	2.8	.35			Rew						
	3.5	.60	0.4		30	40	.75			.24	.18
	4.0	.50	0.5		55	42	1.31			.25	.33
	4.5	.50	0.3		45	40	1.12			.15	.17
	5.0	.50	0.25		60	40	1.50			.12	.18
	5.5	.25			LEW						
	2.70	2.70								.88	0.86

V = .98

.80 .85 .90 .92 .94 .96 .97 .98 .99 1.00 .99 .98 .97 .96 .94 .92 .90 .85 .80

.0 .10 .20 .30 .40 .50 .60 .70 .75

DITCH

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Water District 01

Meas. No. _____

Comp. by HH

Checked by _____

DISCHARGE MEASUREMENT NOTES

Sta. No. _____

Cottonwood Creek @ Fence

Date May 18, 1993 Party Verner, Taylor

Width _____ Area 4.87 Vel. 1.37 G. H. _____ Disch. 2.56

Method _____ No. secs. _____ G. H. change _____ in _____ hrs. Susp. Rod

Method coef. _____ Hor. angle coef. _____ Susp. coef. _____ Meter No. _____

GAGE READINGS

Time		Recorder	Inside	Outside
Weighted M. G. H.				
G. H. correction				
Correct M. G. H.				

Type of meter _____

Date rated _____ for rod, other.

Meter _____ ft. above bottom of weight.

Spin before meas. _____ after _____

Meas. plots ____ % diff. from rating _____

Wading, cable, ice, boat, upstr., downstr., side bridge _____ feet, mile, above, below gage, and _____

Check-bar, found _____

changed to _____ at _____

Correct _____

Levels obtained _____

Measurement rated excellent (2%), good (5%), fair (8%), poor (over 8%), based on following conditions: Cross section _____

Flow _____ Weather Clear, calm

Other _____ Air _____°F@ _____

Gage _____ Water _____°F@ _____

_____ Record removed _____ Intake flushed U

Observer _____

_____

Control _____

_____

Remarks By-Pass From POD was not measured, but does come onto land is used on ROU.

_____

G. H. of zero flow _____ ft.

River at—

Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY: At point	VELOCITY: Mean in vertical	Adjusted for hor. angle or	Area	Discharge
	2.0	.25			LEW						
	2.5	.75	.10		18	45	.40			.08	.03
	3.5	1.00	.30		40	43	.93			.30	.28
	4.5	1.00	.40		80	43	1.86			.40	.74
	5.5	1.00	.40		75	40	1.88			.40	.75
	6.5	1.00	.40		55	40	1.38			.40	.55
	7.5	.75	.30		30	40	.75			.22	.16
	8.0	.45	.15		30	43	.70			.07	.05
	8.4	.20	REW								
	6.4	6.40								1.87	2.56

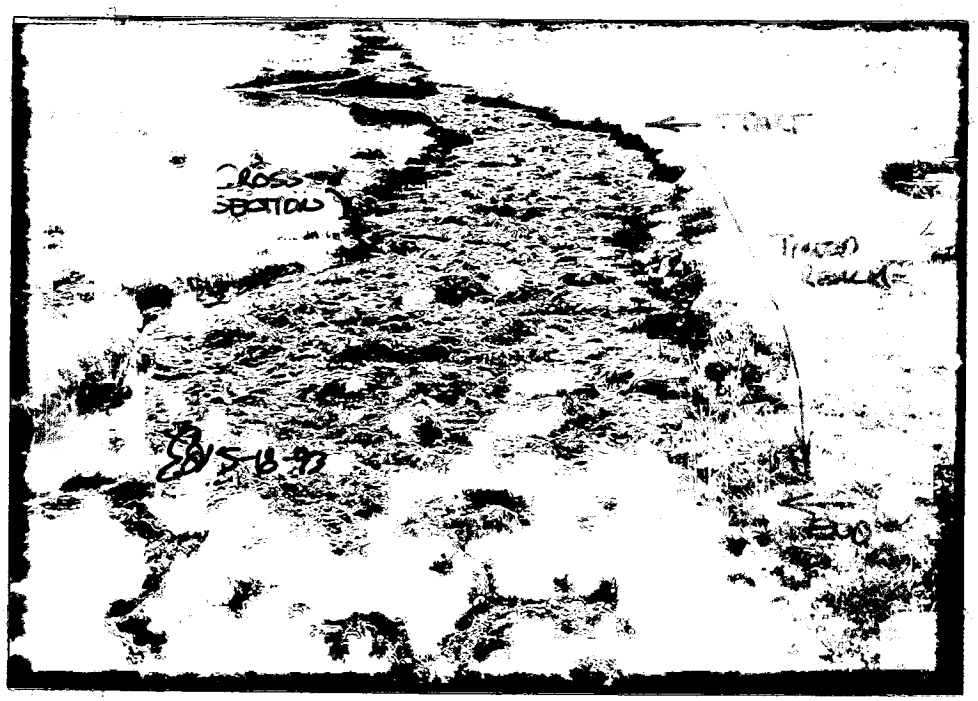
V = 1.87

⊙ 1.00

A32004060 EXAM PHOTOS - #1 of 7



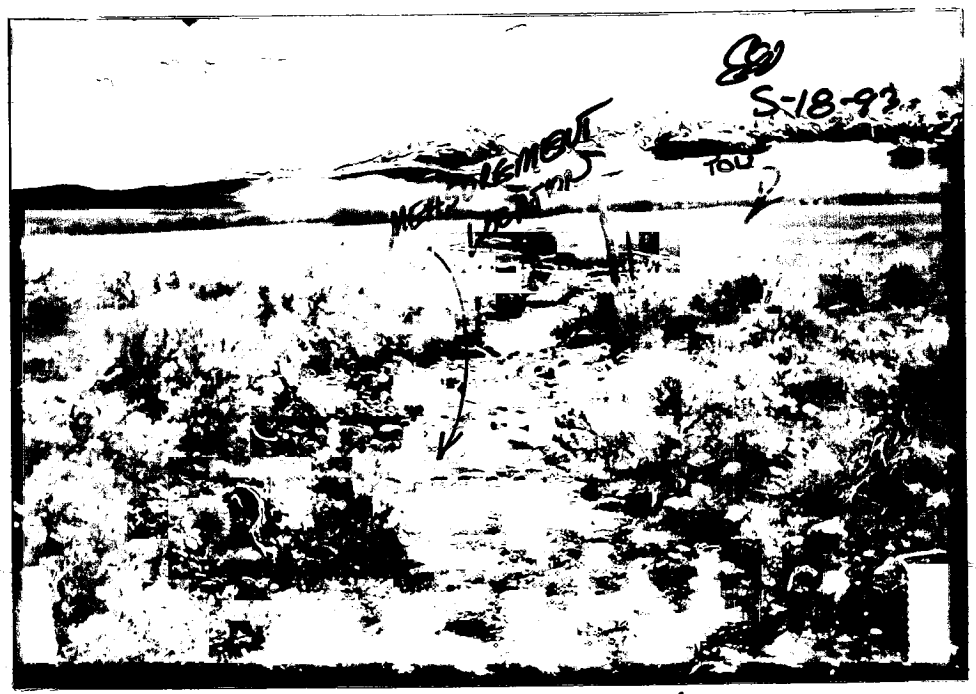
POINT OF DIVERSION #1 FROM SHEARS CREEK
NATURAL CHANNEL IS TO ~~THE~~ RIGHT SIDE OF
PHOTO



"ORANGE PEEL" MEASUREMENT REACH - NORTH
FORK OF SHEARS CREEK DITCH



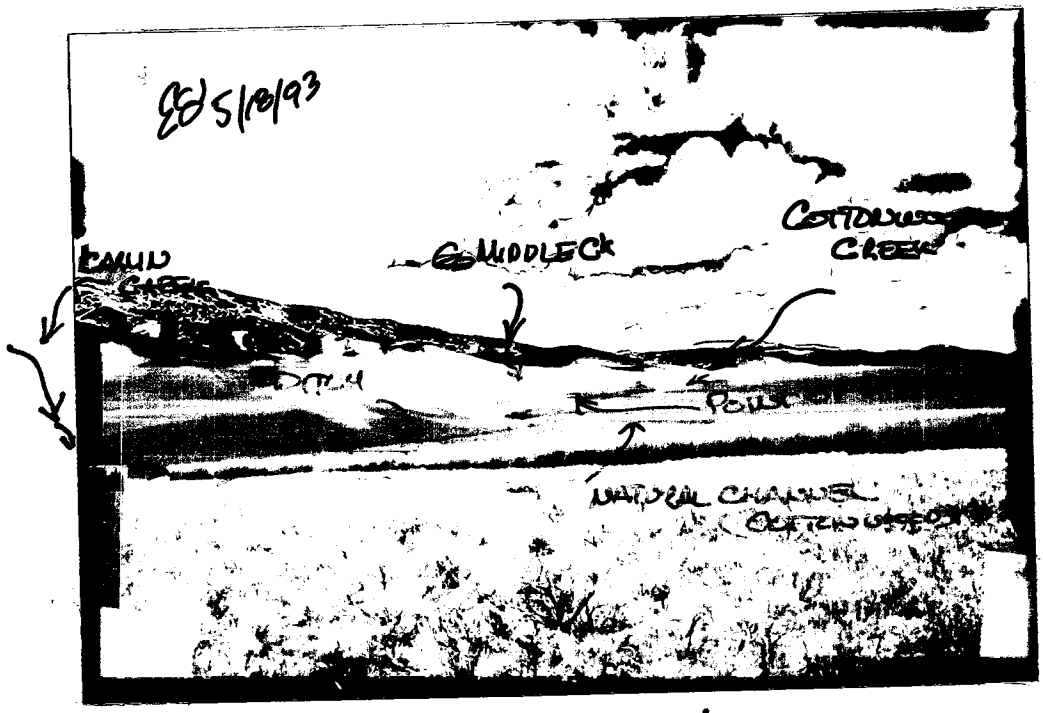
SMALL DITCH, "ORANGE PEEL" MEASUREMENT REACH - SOUTH FORK OF SHEARS DITCH.



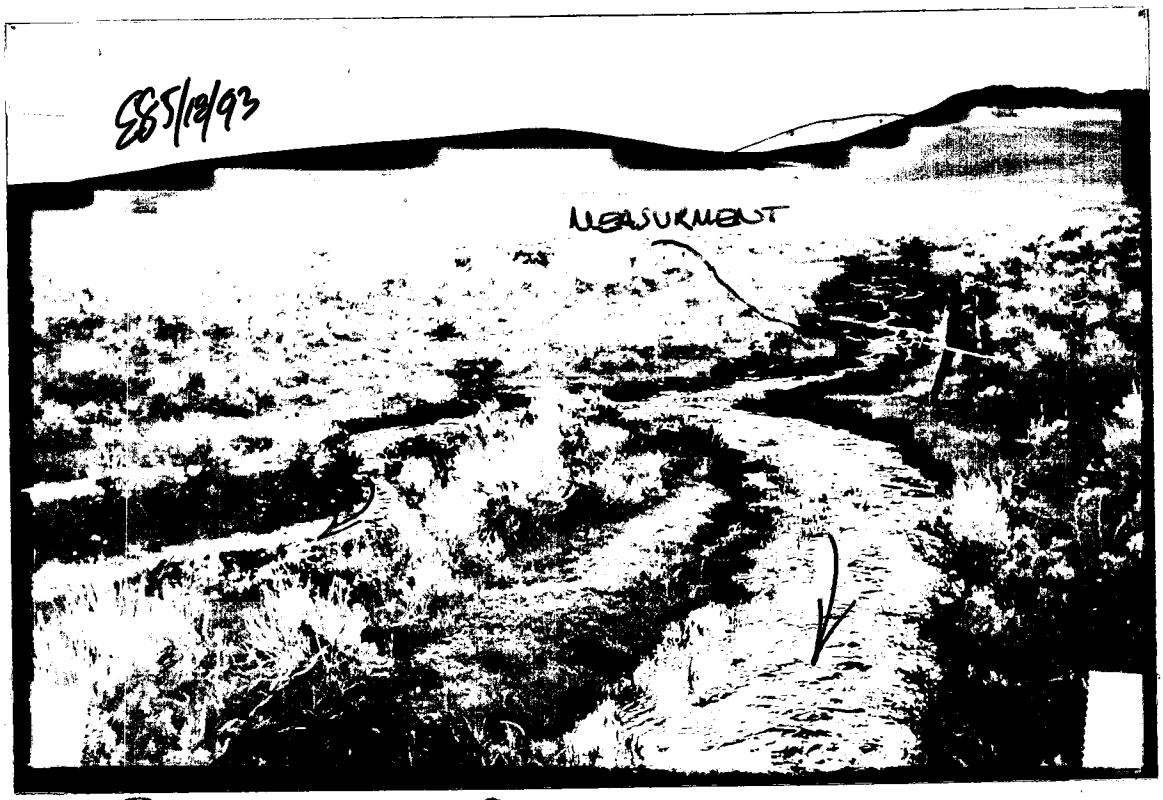
SHEARS CREEK, NATURAL CHANNEL COMING OUTO PLACE OF USE - NOTE AS POINT OF DIVERSION #2. PYGMY METER STATION

A33-04060
EXAM PHOTOS

3-of 7



PANORAMIC VIEW OF MIDDLE & COTTONWOOD CREEKS FROM SHEARS CREEK - LOOKING SE.



POINT OF DIVERSION, CARLIN CREEK. LEFT CHANNEL IS NATURAL STREAM.



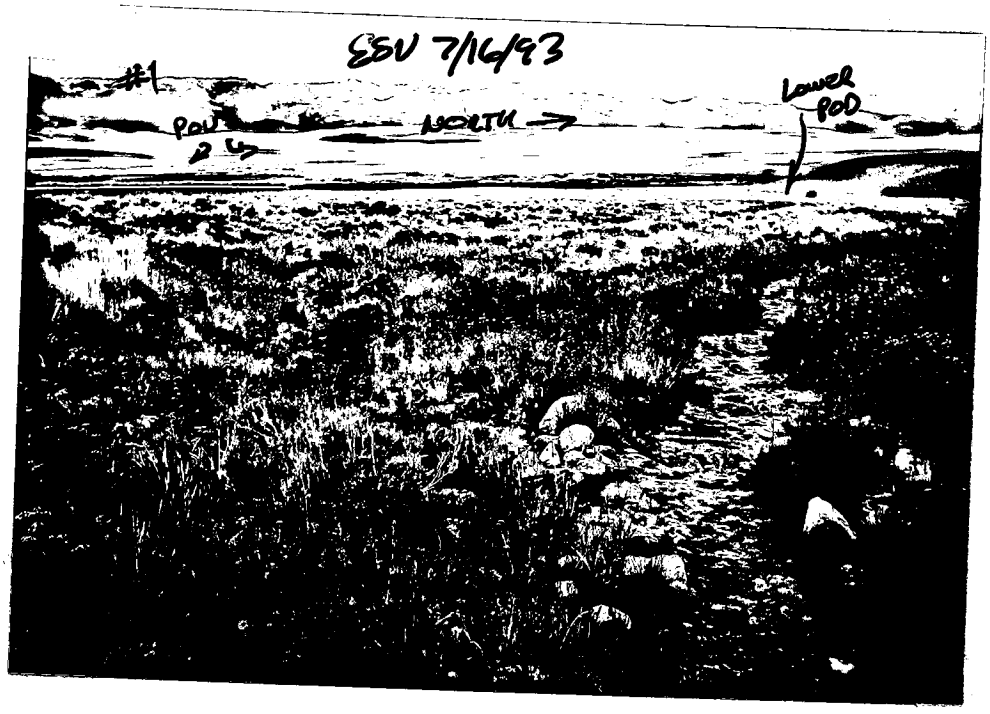
MEASUREMENT SITE ON CARLIN CREEK



CARLIN CREEK ENTERS DITCH FROM COTTONWOOD CREEK



EAST CHANNEL OF CARLIN CREEK – UPSTREAM – MEASUREMENT WAS NOT POSSIBLE – TOO SHALLOW.



UPPER COTTONWOOD CREEK DIVERSION
SE NW SW 36

A32-04060 EXAM PHOTOS

6 of 7

#2 7/16/93 ESV



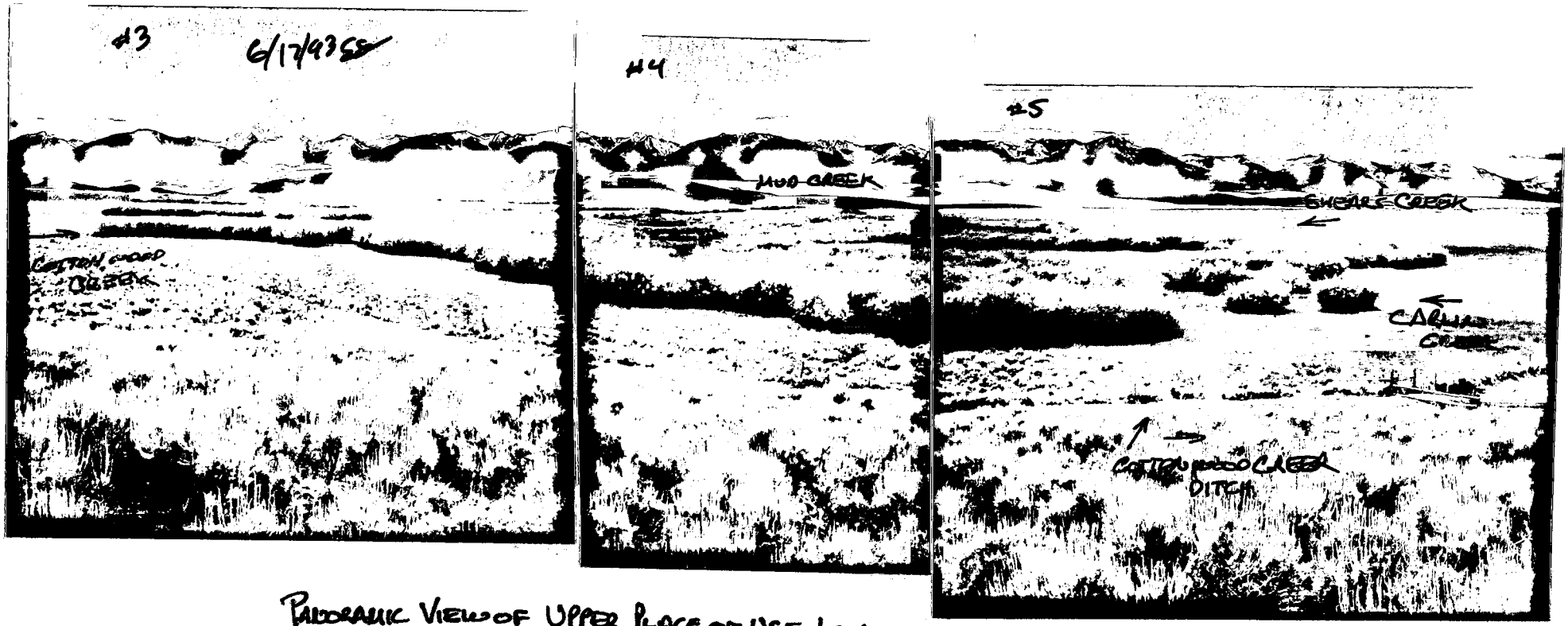
LOWER COTTONWOOD CREEK DIVERSION
NW NE SE 35



TYPICAL VEGETATION UNDER BRUSH IN PLACE OF USE. IS ACCESSIBLE BY COWS FOR GRAZING.
APPROX. LOCATION: NE SW SEC 35

7 of 7

A32-04060 Exam Photos



PANORAMIC VIEW OF UPPER PLACE OF USE LOOKING WEST
FROM W/1 SW NE SEC. 35

This Map shows the Points of Diversion for Claim Number R32-040 89/60

SHEEP CREEK

CARLIN CREEK

POINT OF DIVERSION

POINT OF DIVERSION

3,4,5

POINT OF DIVERSION

POINT OF DIVERSION

COTTONWOOD CREEK

MIDDLE CREEK

POINT OF DIVERSION

35 36

2 1

~~35~~

A32-04060A

R28E

T13N

T12N

Divide

Creek

Carlin

Middle

Mud

Jump

Breazeale Spring

North

CENTER RIDGE

T 13 N

T 12 N

T13N R28E SE CORNER
7572

730 000 FEET (IDAHO)

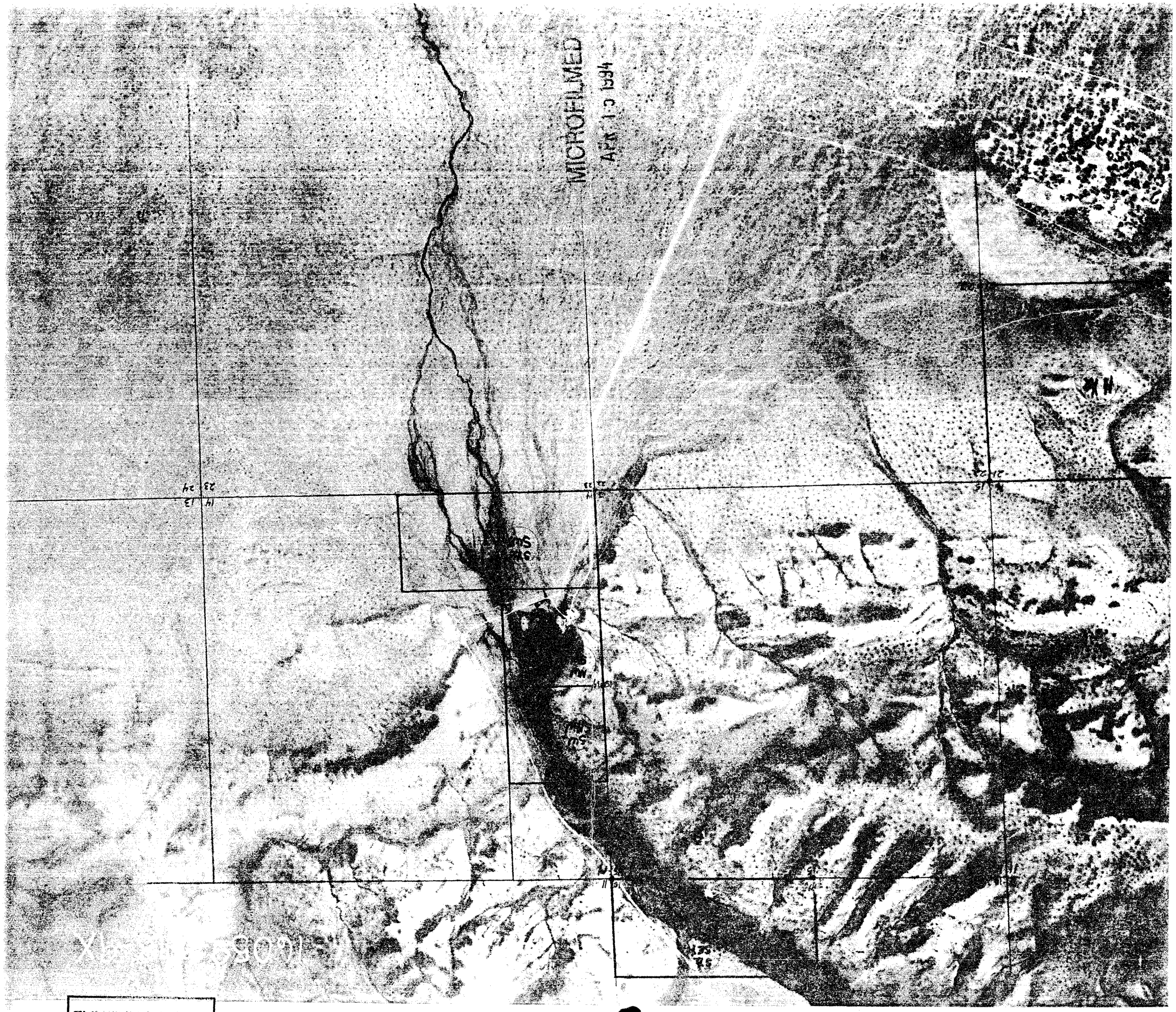
113°07'30"

SCALE 1:24 000

Produced by the Geological Survey
in cooperation with the U. S. Forest Service

Orthophotograph prepared from 1:78,000-scale

MICROFILMED
APR 1-3 1994



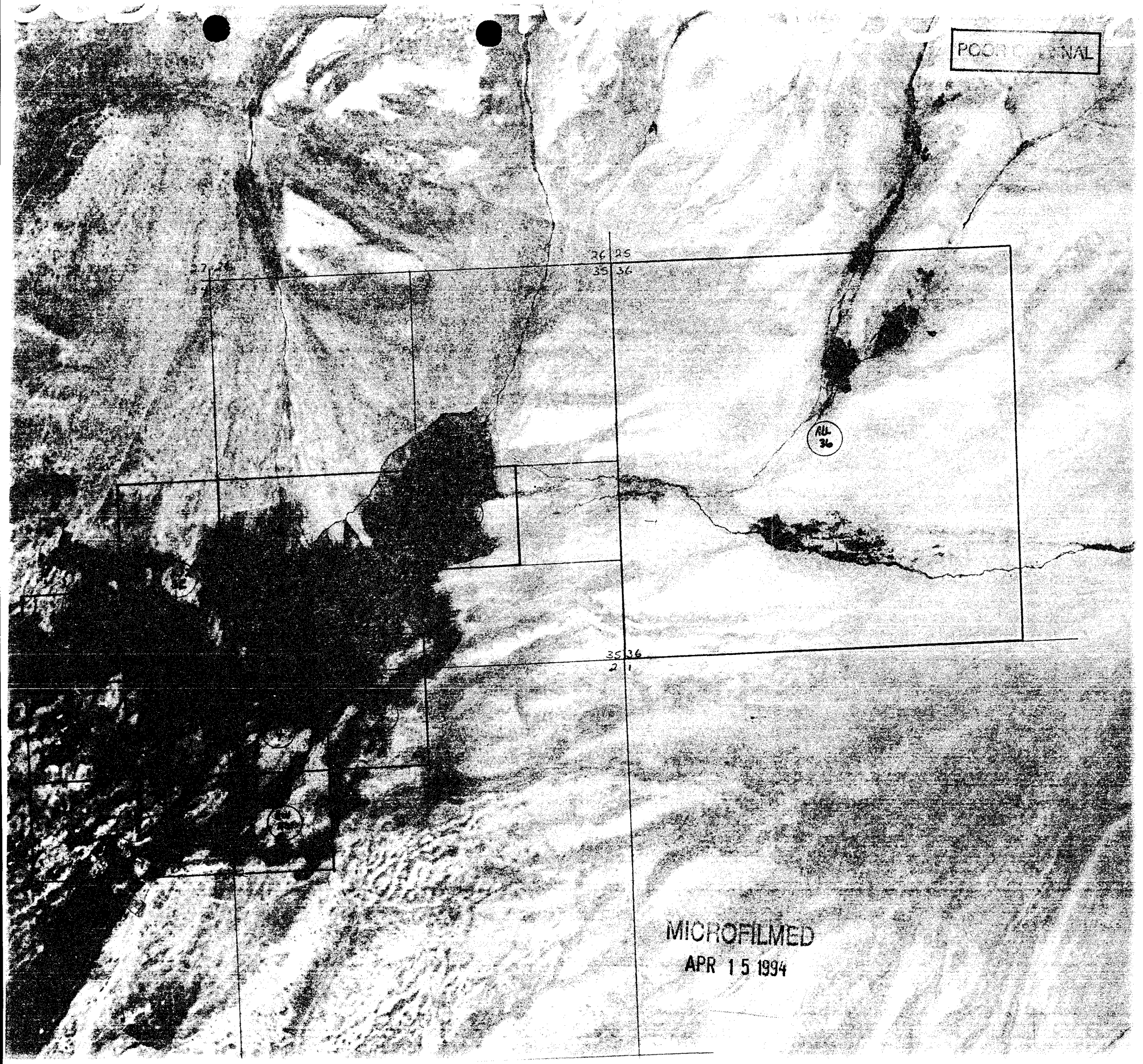
POOR ORIGINAL

6054-278

NAL

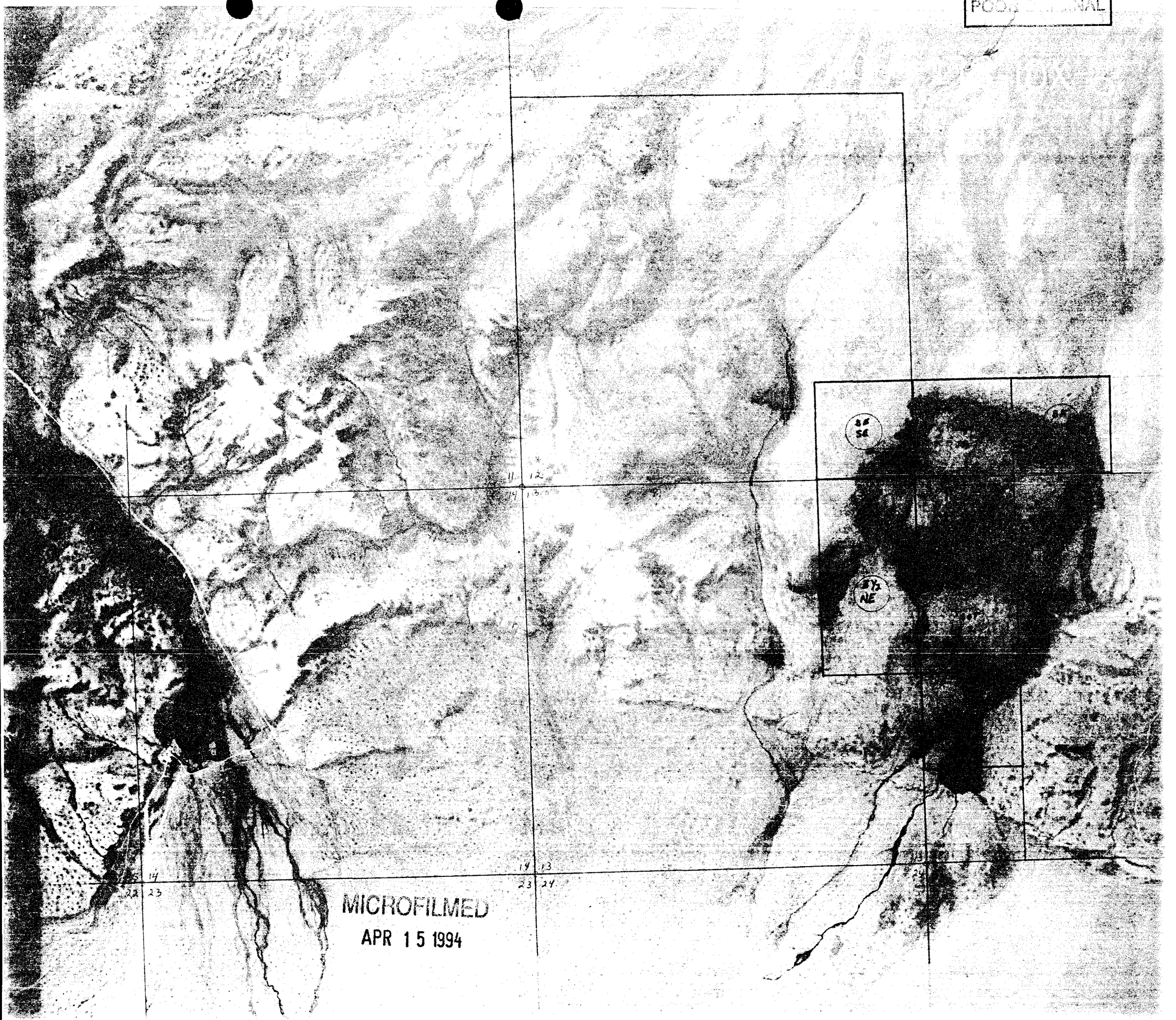
MICROFILMED
APR 15 1994

POOR ORIGINAL



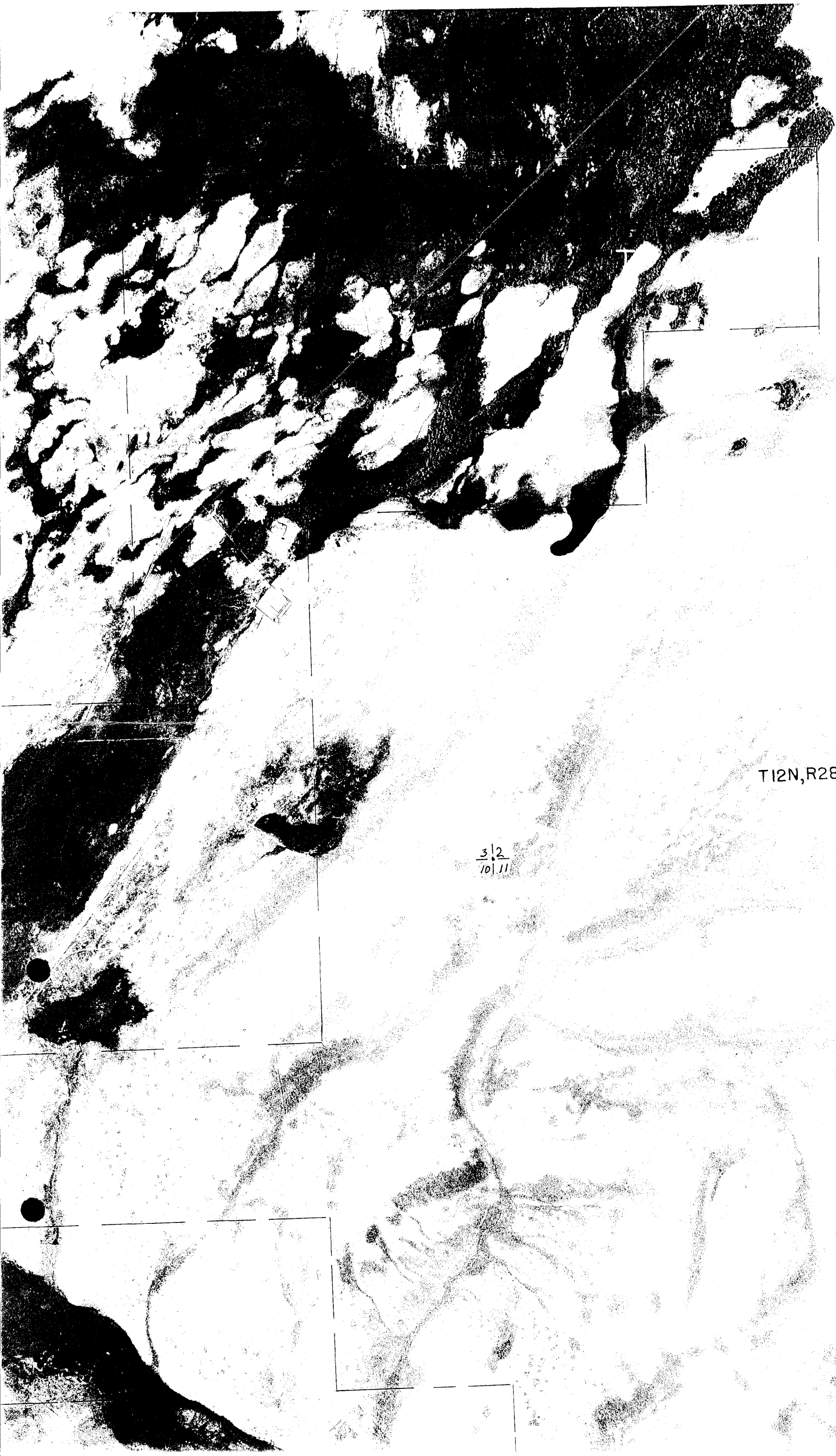
MICROFILMED
APR 15 1994

POOR ORIGINAL



MICROFILMED
APR 15 1994


T12N,R28E
3 2
10 11
10 11
15 14


T12N,R28E

Decree dated 1915 or 1922 between Agnes B. Reno and JR Richards et al states on the 3rd page 2nd paragraph that certain persons including Thomas Fayle and many others are not entitled to any water from Birch Cr., Nicholia, Willow, Both Jump Creeks, Mud Flat Cr. and Dry Cr.

This appears to show that Mud Flat Cr. or Mud Cr. were part of Decree and therefore any priority date claimed prior to the decree date would have been decreed.

Also a map supplied by D & D shows the W 1/2 S. 31 T12N R28E and W 1/2 SW 1/4, SE SW, SW NW of S. 14 T12N R28E to be owned by Jennie B. Fayle.

Also concerning 32-04059 w/ a source as Jump Cr.;

32-00095 gives all water in N. & S. Jump to someone else, therefore, even if there was irrigation, which there isn't, ~~there~~ the pr. date would have to after 1922.

→ found in Reno vs. Richards file 9/1/99 BAC
date / author unknown

0094 That Oliver Ransom have, at all times, the use of one cubic foot per second of time (fifty miners' inches) of the waters of Nicholia Creek, his right to the use of the same to date from the 6th day of November, 1890; that he also have at 0095 all times the use of all the waters from North Jump Creek and South Jump Creek, his right to the use of the same to date from the 6th day of November, 1890; that he also have the right to the use, at all times, of three and two-tenths (3.2) cubic 2 0096 feet per second of time (one hundred and sixty miners' inches) of the waters of Willow Creek, up to and including the 15th day of July in each and every irrigating season; and after said date he is entitled to have, at all times, the use to two and nine-fiftieths (2 9/50) cubic feet per second of time (one hundred and nine miners' inches) of said waters of Willow Creek throughout the remainder of each and every irrigating season, his right to the use of the same to date from the 6th day of November, 1890; said waters to be used upon and become appurtenant to the following described lands: 21, 28 T12N R29E

The South Half of the North-west Quarter and the South-west Quarter of Section Twenty-one (21); the North Half of the North-west Quarter of Section Twenty-eight (28), all in Township Twelve (12) North of Range Twenty-nine (29), East of the Boise Meridian, in the County of Lemhi, State of Idaho, and containing three hundred and twenty acres;

And that the said defendant, Oliver Ransom, have the right to deliver the waters so allotted to him from the said North Jump Creek and said South Jump Creek into and commingle the same with the waters of said Willow Creek, and to use the natural channel of said Willow Creek to carry the waters of said North Jump Creek and said South Jump Creek to his point of diversion thereof from said Willow Creek; provided however, that the said Oliver Ransom shall at no time use more water from said Willow Creek than the amount so delivered therein from said North Jump Creek and said South Jump Creek and the amount so allotted to him from said Willow Creek;

0097 That A. R. Nichols have the use, at all times, of three and two-tenths (3.2) cubic feet per second of time (one hundred and sixty miners' inches) of the waters of the said Willow Creek, his right to the use of the same to date from the 25th day of June, 1910; to be used upon and become appurtenant to the following described lands: 30, 31 T12N R29E

The North-west Quarter of the South-west Quarter, and the West Half of the South-east Quarter of Section Thirty (30), and the North-west Quarter of the North-east

either plaintiff or defendant did appear at said trial for the purpose of offering furthering testimony or otherwise; and now this cause having been brought on for trial pursuant to the previous order of this court and further testimony having been offered by plaintiffs Franklin A. Reno, Jennie C. Reno and Agnes M. Reno, and the court now having considered all the testimony in the cause and being fully advised in the premises and pursuant to the mandate of the said Supreme Court of the State of Idaho, and having made and filed herein its findings of fact and conclusions of law in writing, now does make and enter its judgment herein, and by virtue of the law and the premises aforesaid;

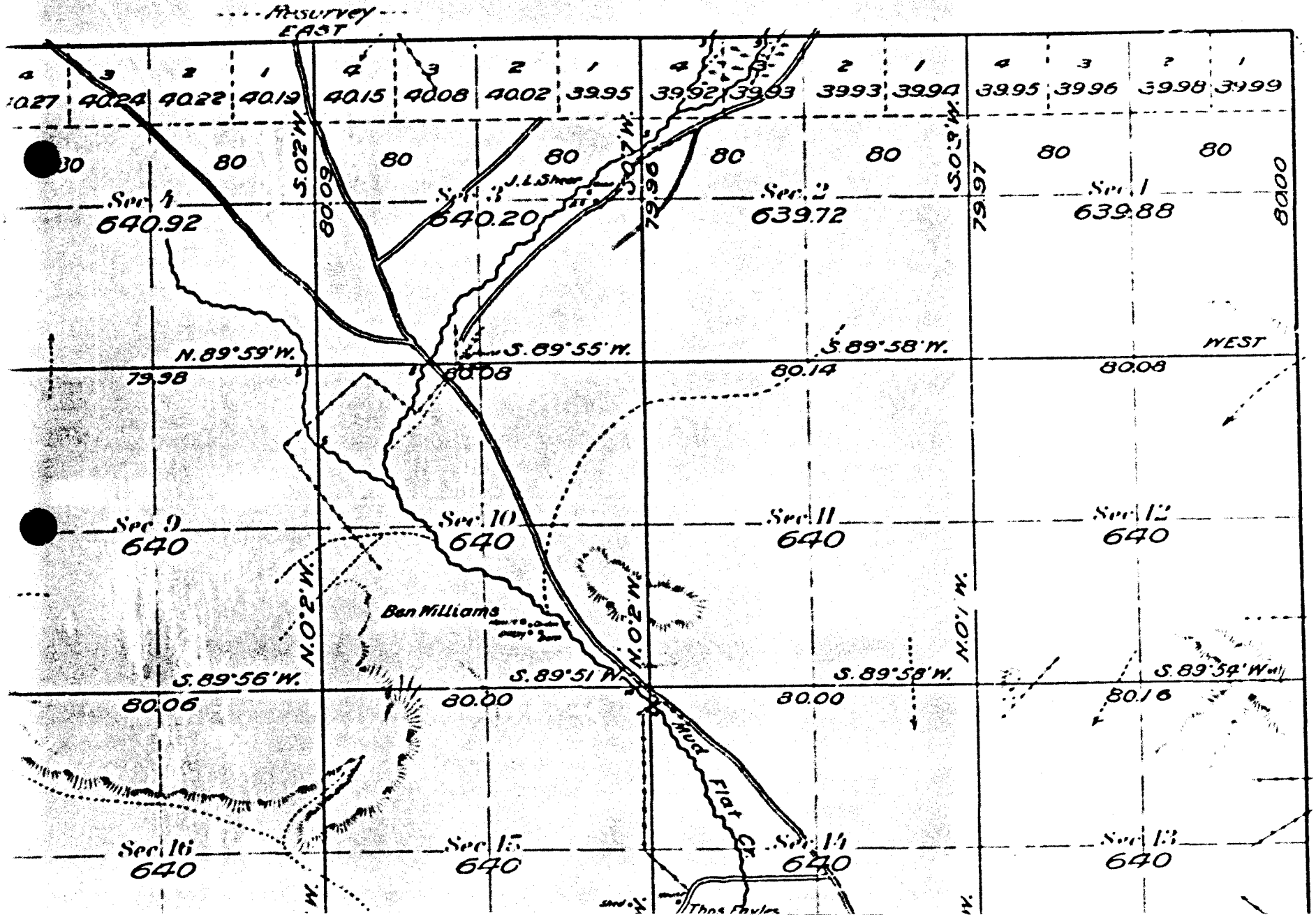
IT IS HEREBY ORDERED ADJUDGED AND DECREED, that the defendants, Chester Worthing, Francis Watts, George Stevenson, Thomas Fayle, Thomas Clark, Frank Clark, Frank Shafer, James Wells, Charles Curtis, T. W. Thomas and Birch Creek Irrigation Company, a corporation, are not entitled to the use of any of the waters of the stream known as Birch Creek, having its source in Lemhi County, near the southerly boundary thereof, and flowing in a southeasterly course and finally disappearing at a point commonly known as the Birch Creek Sink (the same being the waters involved in this action) or any of the tributaries of said creek, or any of the springs involved in this action, or any of the waters of the streams known as Nicholia Creek, Willow Creek, North Jump Creek, South Jump Creek, Mud Flat Creek and Dry Creek, rising northerly and near the source of said Birch Creek, or of any of the tributaries of said streams; and they and each of them, their servants, agents, attorneys and counselors are forever and perpetually enjoined from in any way taking or using or interfering with or molesting the use of said waters by the claimants entitled thereto, as hereinafter set forth, and from molesting or disturbing the head gates, ditches and other works for the diversion of any of said waters.

That as to the defendants J. R. Richards, S. Kuharski, W. A. Tyler, M. Kaufman, W. A. Scott, W. W. Johnson, Thomas Miller, David Miller, Henry Kaufman, George Stevenson and H. D. Mason, this action be and the same is hereby dismissed.

That the judgment of the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Fremont, Dated October 12th,

nge No. 28 East of the Boise Meridian, Idaho.

d D T12N. C b B a A



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:11:55
04/16/99

PAGE: 1

1

GENERAL INFORMATION

CLAIM NUMBER: A32-04060

LAST: D & D ENTERPRISES INC FIRST:
ADDRESS: C/O PETERSENMOSS & OLSEN
485 E STREET
CITY: IDAHO FALLS STATE: ID ZIP: 83402
PHONE NUMBER: 208-523-4650

OWNER CODE: C

LAST: PETERSEN JR FIRST: GEORGE C
ADDRESS: C/O PETERSENMOSS & OLSEN
485 E STREET
CITY: IDAHO FALLS STATE: ID ZIP: 83402
PHONE NUMBER: 208-523-4650

OWNER CODE: A

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

CLAIM REMARKS: GEN S/400 HEAD CATTLE

SEE NOTES ON PG#1, CYR DATED 3/17/93 -ES

- RECOMMENDING SPLITTING INTO PORTIONS A & B.

R32-04060A

CONTACT PERSON: _____ PHONE NUMBER: (___) ___-_____

DATE OF FIELD EXAM: 5/18/93 7/16/93 APPOINTMENT MADE: Y(X) N(___) TIME: 10:00 A(X) P(___)

ACCOMPANIED BY: MANAGER PHONE NUMBER: (___) ___-_____

RELATIONSHIP TO CLAIMANT: MANAGER

DIRECTIONS TO PROPERTY / NOTES:

SEE ATTACHED MEMO OF 4/19/89... AND Pg 2 OF CVR DATED 5/17/93 -
FIELD EXAMS COMPLETED ON 5/18/93 AND 7/16/93

A. AJ CLAIM: # A32-04060 PRIORITY DATE: 06-01-1900 STAGE: S

B. WR RECORD: # 32-04060 PRIORITY DATE: 06-01-1900 STAGE: S

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(___) N(X)

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(X)

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

PROOF OF BENEFICIAL USE SUBMITTED N/A(X) Y(~~X~~) N(___)

FIELD EXAM COMPLETED N/A(X) Y(~~X~~) N(___)

FIELD EXAM SENT TO STATE OFFICE N/A(X) Y(___) N(___)

LICENSE ISSUED N/A(X) 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(X) 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(X) N(___)

NOTES: EVIDENCE OF PRIORITY INCLUDED HOMESTEAD ENTRY DOCUMENTS FROM BLM - THE PCO RECOMMENDED UNDER THIS CLAIM CONVEYANCE TO PRIVATE OWNERSHIP AS FOLLOWS:

T13N R8E 34 SE¼ DUE 4/19/1918 ; 35 S½ 4/19/1918

T12N R8E 2 4/19/1918

3 4/19/1918

4 ? ASSUME 4/19/1918

10 10/13/1921

LAST PROPERTY NOT CONVEYED PRIVATE OWNERSHIP ON 10/13/1918 - TO GET HOMESTEAD / RECLAMATION MUST HAVE PRECEDED DEED - RECOMMEND BEGINNING IRR. SEASON 1921 -

==========

RECOMMENDED PRIORITY DATE:

5 - 1 - 1921

REVIEWED BY ES DATE 7/7/99

IDWR ATTORNEYS AGREED THIS RIGHT NOT SUBJECT TO PREVIOUS DECREES.

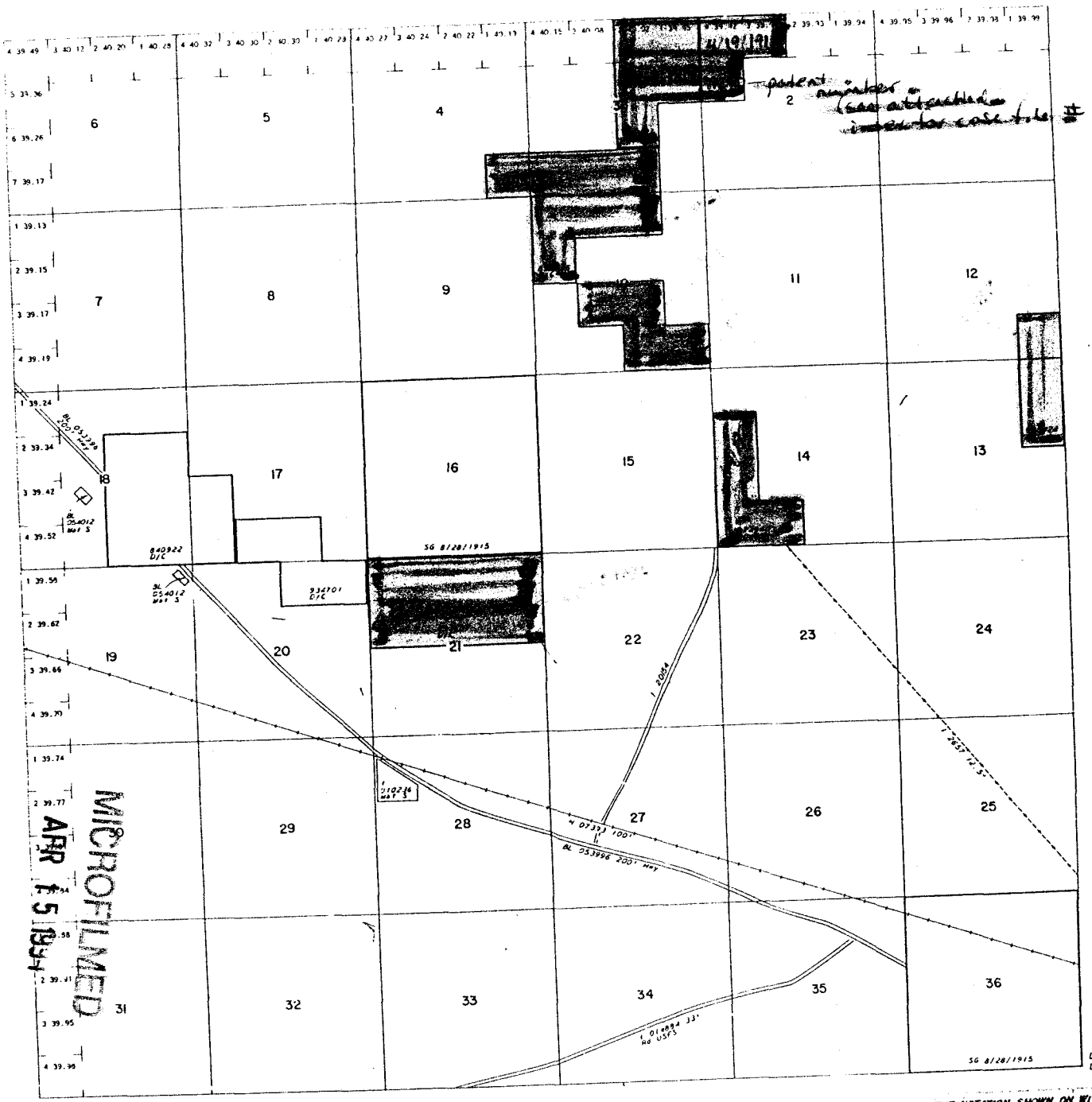
TOWNSHIP 12 NORTH RANGE 28 EAST OF THE BOISE MERIDIAN, IDAHO

LEMHI COUNTY 059

SALMON DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

POOR ORIGINAL



MT PLAT

INDEX TO SEGREGATED TRACTS				
RESURVEY TRACT NO	ORIGINAL SURVEY T	R	SEC	SUBDIVISION

I 1639 BLM O Ci Mult Use, Lemhi County;
Segr from appropriation under DLE, HE, IA, & PS
All unappropriated public land within Tp

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
SEP 30 1970	

USE PLATS:

Lat. 44°19'53" N
Long. 113°1' W

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-

Boise Mer
T. 12N
R. 28E

MICROFILMED
APR 5 1974

POOR ORIGINAL

TOWNSHIP 12 NORTH RANGE 28 EAST OF THE BOISE MERIDIAN, IDAHO

SECTION	SUBDIVISION: NE¼ NE	NE¼ NW	NE¼ SW	NE¼ SE	NW¼ NE	NW¼ NW	NW¼ SW	NW¼ SE	SW¼ NE	SW¼ NW	SW¼ SW	SW¼ SE	SE¼ NE	SE¼ NW	SE¼ SW	SE¼ SE	LOTS	OTHER DESCRIPTION	ACRES	KIND OF ENTRY —OR— PURPOSE OF ORDER	SERIAL FILE —OR— ORDER NUMBER	DATE OF ACTION	DATE POSTED	—REMARKS— E. G. DATE CLOSED, TERMINATED, REJECTED OR RESCINDED
	FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERALS, WATLR, AND/OR OTHER PUBLIC PURPOSES, AND INDIAN TREATIES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS																						
16																		All						
36																		All		SG		Act of Cong	7/3/1890	Title to State to vest on approval of Survey, Subj to prior rights
																		M&B; 5N 27E		Proc Wdl Lemhi Forest Res			11/5/1906	Chg to Lemhi NF /c: 3/4/1907; Trfd EO 841 6/26/1908
																		M&B; 17N 20E		EO Trf Lemhi NF Proc 11/5/1906				
																				to Salmon NF	841	6/26/1908		Rev Proc 1240 5/19/1913
19																								
20																								
26																								
27																								
28																								
29																								
35																								
36																		Subdiv Und: 12N 27E		R/W Lemhi & Salmon Valley RR	H 07393	8/5/1912		
																		M&B; 11N 27E		Proc Rev Salmon NF EO 841				
																				6/26/1908	1240	5/19/1913		
																		M&B; 11N 27E		Proc Wdl for Cl	1240	5/19/1913		Rest EO 2027 8/24/1914
																		M&B; 8N 14E		EO Rest Cl Proc 1240 5/19/1913	2027	8/24/1914		Open to Entry
17												X			X									
20		X				X													160.00	HE	H 021104	11/25/1916		Rel 5/27/1918
10									X					X	X	X			160.00	CLE	H 019766	10/1/1917		Rel 9/27/1920
[illegible]		[illegible]	X	X										X			1, 2	13N 28E	159.97	DLE Pat	626491	4/19/1918		H 01123 Case file number
[illegible]		[illegible]	[illegible]				X								X		3, 4	13N 28E	119.83	DLE Pat	626492	4/19/1918		H 01124
13									X			X		X	X									
24		X	X		X			X											320.00	HE	H 019527	7/15/1918		Canc 10/23/1923
[illegible]																X								
[illegible]	X			X														12N 29E	[illegible]	HE	[illegible]	[illegible]		[illegible]
[illegible]		[illegible]							X	X	X								160.00	HE Pat	[illegible]	5/16/1920		H 024416
31		X	X		X			X									1, 2, 3, 4		319.74	HE	BL 039916	10/1/1920		Rel 2/23/1928
3											X	X			X									
4																X								
10		X				X	X	X											320.00	HE Pat	828416	10/13/1921		H 019765, H 020428
17										X	X													
18			X	X									X	X	X	X			320.00	HE Pat	840922	1/4/1922		H 019731
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]			320.00	HE Pat	881657	10/17/1923		[illegible]
17														X		X								
20	X	X																	160.00	HE Pat	934701	5/26/1924		H 024390
13									X			X		X	X									
24		X	X		X			X											320.00	HE	BL 039631	9/22/1924		Canc 4/9/1930
10									X					X	X	X			160.00	HE Pat	974886	3/27/1926		BL 038983
16																		All						
36																		All		SG		Act of Cong	1/25/1927	Extends Act 7/3/1890 to Min lands, Subj to prior rights
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]			[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
21		X	X		X												2, 3, 4		279.84	SRHE	BL 043196	10/10/1928		Rel 7/12/1932
7																								
18																								
19																								
20																				Continued on page 2				
2																								
[illegible]																								

APR 25 1994

TOWNSHIP 13 NORTH RANGE 28 EAST OF THE BOISE MERIDIAN, IDAHO

LEMHI CO 59

SALMON DISTRICT

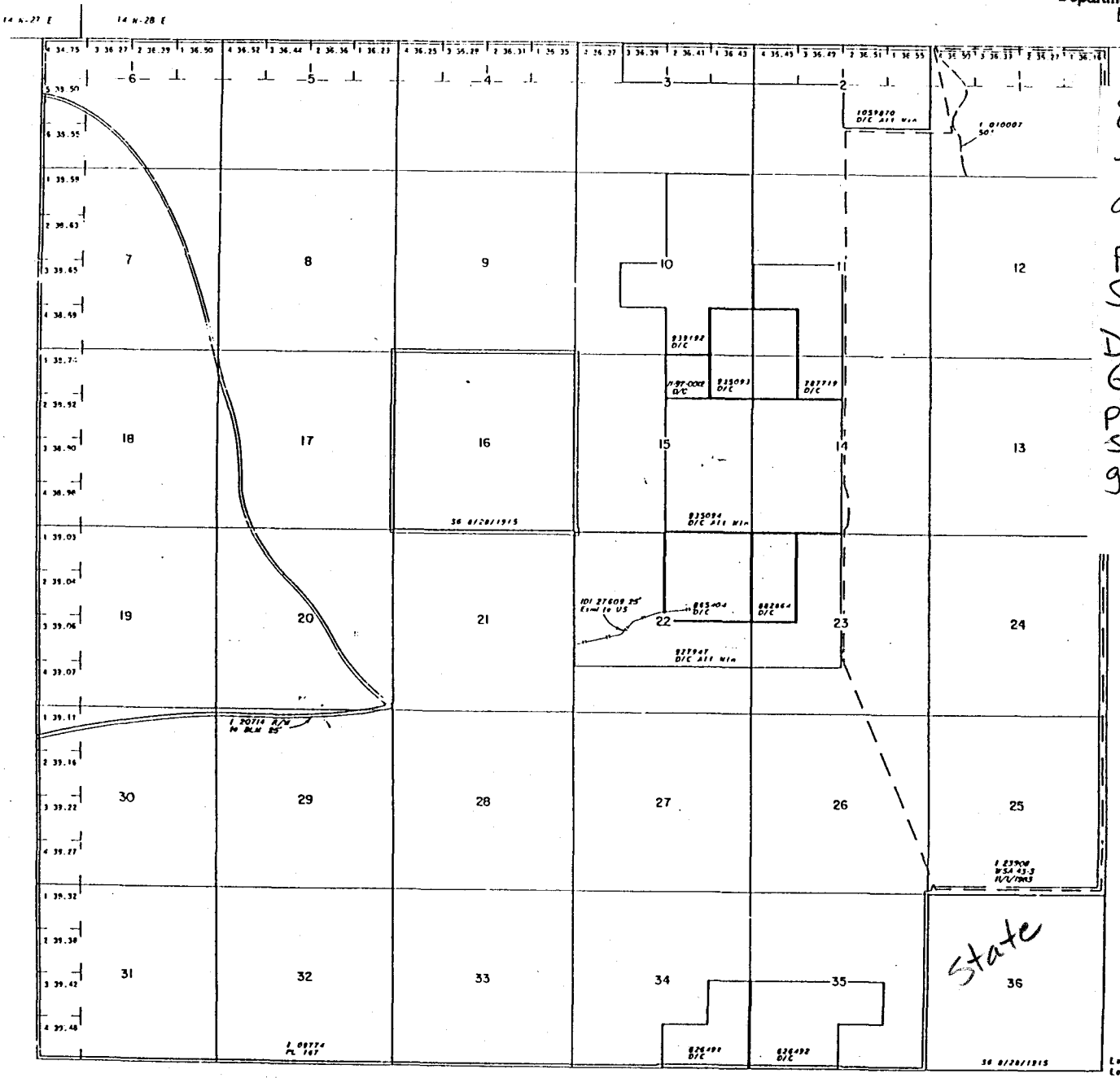
RECEIVED
JUN 24 1999
Department of Water Resources
Eastern Region

S PUBLIC DOMAIN
AND MINERAL TITLES

MT. PLAT

INDEX TO SEGREGATED TRACTS

RESURVEY TRACT NO	T	R	SEC	ORIGINAL SURVEY SUBDIVISION



Eric- here is the info you asked for. No private land in Sections 26 & 27 Date of State Grant shown on plat. If you need something more, give me a call 756-5416
Stephanie Snook

Sec. 34 Patent # 626491 Desert Land 4/19/1918
Sec. 35 " " 626492

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

CURRENT TO	CURRENT TO
IDAT 5 1997	

USE PLATS:

SCALE in Chains
10 5 0 10 20 30 60

WARNING STATEMENT
This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records however do not reflect title changes which may have been

Lat. 44°25'5" N
Long. 113°0[illegible]" W

POOR ORIGINAL

Section 15: S½N½, N½N½, Save and Excepting the following described tract: Beginning at the Northwest corner, along the Section line, 2601.5 feet; thence South 8°09' West, 1333.5 feet; thence West along the 16th line, 2419 feet to the West line of said Section; thence North 0°17' East along the Section line, 1320 feet, more or less, to the point of beginning. Conveying in the N½NE¼ and the NE¼NW¼. S½N½

RECEIVED
MAR 25 1993
Bureau of Land Mgmt.
Salmon, Idaho

Township 8 North, Range 33 East Boise Meridian

Section 6: Lots 6 and 7 E½SW¼; W½SE¼

Lemhi County:

Township 12 North, Range 28 East Boise Meridian.

Section 2: Lots 3 and 4; Sw¼NW¼

Section 3: Lots 1 and 2 and the S½NE¼, S½SW¼, SW¼SE¼, NW¼SE¼

Section 4: SE¼SE¼

Section 10: NE¼SW¼, NW¼SE¼ and S½SE¼; N½NW¼, NW¼NE¼; SW¼NW¼

Section 12: SE¼SE¼

Section 13: E½NE¼

Section 14: S½SW¼, NW¼SW¼; SW¼NW¼

Section 21: N½

Township 14 North, Range 28 East Boise Meridian

Section 34: E½SE¼; SW¼SE¼ Pat No. 1059870 BL 040513

Section 35: SW¼; NW¼SE¼ Pat Nos. 1099537 & 1059870 BL 040513

Township 12 North, Range 29 East Boise Meridian

Section 7: All of Lot 4; SE¼SW¼ 995424

Section 18: Lots 1, 2, and 3 995424

BL 039482 2/4/1927

All situated in Lemhi County, Idaho.

MICROFILMED
APR 15 1994

Post-It™ brand fax transmittal memo 7671 | # of pages ▸

To STEPHANIE SNOOK	From GEORGE PETERSE
Co. BLM	Co.
Dept.	Phone # 523-1450
Fax # 756-5436 5421	Fax # 521-3291

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A32-04060	13N	28E	35		NW	SW			LEMHI		
A32-04060	13N	28E	35		NW	SE			LEMHI		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
NONE	R32-04060A

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: SHEERS CREEK TRIB: SINKS
CARLIN CREEK SINKS
MIDDLE CREEK SINKS
COTTONWOOD CREEK SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
32-04060	13N	28E	35		NW	SE			LEMHI		
32-04060	13N	28E	35		NW	SW			LEMHI		

OTHER WR RECORDS WITH SAME WR POD

NONE

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
NONE	R32-04060A

SOURCE: SHEERS CREEK TRIB: SINKS
CARLIN CREEK SINKS
MIDDLE CREEK SINKS
COTTONWOOD CREEK SINKS

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y(__) N(X)

AJ FIELD EXAM (DATE OF FIELD EXAM 5-18-93 7-16-93 NAME OF EXAMINER ERIC VERLEE GREG TAYLOR) Y(X) N(__)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: VERIFIED PODs w/ ASCS PHOTO, ON-SITE EXAM AND ARCVIEW REPLICTION CREATED IN APRIL 1999.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (__)

	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
	~~13N~~ ~~43N~~	~~28E~~ ~~28E~~	~~35~~ ~~35~~		~~NW~~ NW SE	~~SW~~ SE			~~LEMHI~~ LEMHI		
PORTION "A"	13N	28E	35	__	~~NW~~ SE	SW	NE	1 ✓	____	CARLIN CREEK	____
	___	___	___	__	NE	SW	NW	4 ✓	____	SHEARS CREEK	____
	___	___	___	__	NE	NE	SE	9 ✓	____	COTTONWOOD CREEK	____
	12N	28E	3	__	SE	SE	NE	2 ✓	____	COTTONWOOD CREEK	____
	___	___	___	__	SE	SW	NE	3 ✓	____	COTTONWOOD CREEK	____
"B"	12N	28E	10	__	SE	SW	NW	8 ✓	____	MUD CREEK	____ } PORTION "B"
					NW	SE	SE	5 ✓		MUD CREEK	

SOURCE: SHEERS CREEK TRIB: SINKS

REVIEWED BY: ESV, DMO, GT DATE: 5/18/93 7-16-93

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

SEE PAGE 5 OF CVR DATED 3/17/93

ADD
T13N R28E 35 NE NW SE . COTTONWOOD CREEK 7 ✓
36 SE NW SW COTTONWOOD CK 6 ✓

A. ROOT WATER RIGHT NUMBERS: A32-04060
R32-04060A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12N	28E	2	NE	NW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			NE	NW		D & D ENTERPRISES INC	R32-04060A / 6.0	- /			
12N	28E	2	NW	NW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			NW	NW		D & D ENTERPRISES INC	R32-04060A / 29.0	- /			
12N	28E	2	SW	NW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			SW	NW		D & D ENTERPRISES INC	R32-04060A / 7.0	- /			
12N	28E	3	NE	NE	1	D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			NE	NE	1	D & D ENTERPRISES INC	R32-04060A / 37.0	- /			
12N	28E	3	NW	NE	2	D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			NW	NE	2	D & D ENTERPRISES INC	R32-04060A / 37.0	- /			
12N	28E	3	SW	NE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			SW	NE		D & D ENTERPRISES INC	R32-04060A / 35.0	- /			
12N	28E	3	SE	NE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			SE	NE		D & D ENTERPRISES INC	A32-10090 /	- /			
			SE	NE		D & D ENTERPRISES INC	R32-10090 /	- /			
			SE	NE		D & D ENTERPRISES INC	R32-04060A / 34.0	- /			
			SE	NE		D & D ENTERPRISES INC	32-10090 /	- /			
12N	28E	3	SW	SW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			SW	SW		D & D ENTERPRISES INC	R32-04060A / 20.0	- /			
12N	28E	3	SE	SW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			SE	SW		D & D ENTERPRISES INC	R32-04060A / 31.0	- /			
12N	28E	3	NW	SE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			NW	SE		D & D ENTERPRISES INC	R32-04060A / 29.0	- /			
12N	28E	3	SW	SE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			SW	SE		D & D ENTERPRISES INC	R32-04060A / 5.0	- /			
12N	28E	4	SE	SE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			SE	SE		AMERICA ACTING THROUGH, UNITEDA	32-10917 /	- /			
			SE	SE		AMERICA ACTING THROUGH, UNITEDA	32-10919 /	- /			
			SE	SE		AMERICA ACTING THROUGH, UNITEDA	32-10921 /	- /			
			SE	SE		AMERICA ACTING THROUGH, UNITEDA	32-10923 /	- /			
			SE	SE		AMERICA ACTING THROUGH, UNITEDA	32-10925 /	- /			

SEE ATTCHED "TOTAL" ACREAGE" ATTACHMENT FOR RECOMMED PLACE OF USE

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	SE		AMERICA ACTING THROUGH, UNITED	A32-11105 /	- /			
			SE	SE		D & D ENTERPRISES INC	R32-04060A / 23.0	- /			
			SE	SE		AMERICA ACTING THROUGH, UNITED	32-11105 /	- /			
			SE	SE		US DEPT OF INTERIOR		32-02142 /			
12N	28E	10	NW	NE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
12N	28E	10	NE	NW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			NE	NW		D & D ENTERPRISES INC	R32-04060A / 18.0	- /			
12N	28E	10	NW	NW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			NW	NW		D & D ENTERPRISES INC	R32-04060A / 30.0	- /			
12N	28E	10	SW	NW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			SW	NW		D & D ENTERPRISES INC	R32-04060A / 25.0	- /			
12N	28E	10	NE	SW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
12N	28E	10	NW	SE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
12N	28E	10	SW	SE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
12N	28E	10	SE	SE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
12N	28E	14	SW	NW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
12N	28E	14	NW	SW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			NW	SW		D & D ENTERPRISES INC	A32-10091 /	- /			
			NW	SW		D & D ENTERPRISES INC	R32-10091 /	- /			
			NW	SW		D & D ENTERPRISES INC	32-10091 /	- /			
12N	28E	14	SW	SW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
12N	28E	14	SE	SW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
13N	28E	34	NE	SE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			NE	SE		D & D ENTERPRISES INC	R32-04060A / 6.0	- /			
13N	28E	34	SW	SE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			SW	SE		D & D ENTERPRISES INC	R32-04060A / 36.0	- /			
13N	28E	34	SE	SE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			SE	SE		D & D ENTERPRISES INC	R32-04060A / 35.0	- /			
13N	28E	35	NE	SW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			NE	SW		D & D ENTERPRISES INC	R32-04060A / 32.0	- /			
13N	28E	35	NW	SW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			

SEE ATTACHMENT

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	SW		D & D ENTERPRISES INC	R32-04060A / 13.0	- /			
13N	28E	35	SW	SW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			SW	SW		D & D ENTERPRISES INC	R32-04060A / 40.0	- /			
13N	28E	35	SE	SW		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			SE	SW		D & D ENTERPRISES INC	R32-04060A / 28.0	- /			
13N	28E	35	NW	SE		D & D ENTERPRISES INC	A32-04060 / 40.0	32-04060 / 40.0			
			NW	SE		D & D ENTERPRISES INC	R32-04060A / 14.0	- /			
ADDITIONAL POU FOUND											
						TOTAL ACRES	A32-04060	1280.00	1280.00		

SEE ATTACHMENT.

POU COUNTY: LEMHI

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED? Y(X) N(___)

* IF YES, ARE THESE TRACTS LISTED ABOVE (___), OR ARE THEY LISTED ON AN ATTACHED SHEET (___) —NONE— W/ BLM LANDS, NOT RECOMMENDED NOR CLAIMED.

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
A32-04060	SHEERS CREEK CARLIN CREEK ~~MIDDLE CREEK~~ DIVERSION FROM MIDDLE CREEK. COTTONWOOD CREEK	D & D ENTERPRISES INC	25.690	0.020		
R32-04060A	SHEARS CREEK CARLIN CREEK COTTONWOOD CREEK	D & D ENTERPRISES INC	11.400	0.020	1995.00	3.50

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A32-04060	STOCKWATER	D & D ENTERPRISES INC	FROM 05-01 TO 11-30	0.090 CFS	
A32-10090	DOMESTIC	D & D ENTERPRISES INC	FROM 04-01 TO 11-01	0.020 CFS	
R32-10090	DOMESTIC	D & D ENTERPRISES INC	FROM 04-01 TO 11-01	0.020 CFS	
32-10090	DOMESTIC	D & D ENTERPRISES INC	FROM 01-01 TO 12-31	0.020 CFS	
A32-10917	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.010 CFS	
A32-10917	WILDLIFE	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.010 CFS	
A32-10919	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.010 CFS	
A32-10919	WILDLIFE	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.010 CFS	
A32-10921	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.010 CFS	
A32-10921	WILDLIFE	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.010 CFS	
A32-10923	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.010 CFS	
A32-10923	WILDLIFE	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.010 CFS	
A32-10925	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.010 CFS	
A32-10925	WILDLIFE	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.010 CFS	
A32-11105	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.010 CFS	
A32-11105	WILDLIFE	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.010 CFS	
32-11105	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 01-01 TO 12-31	0.020 CFS	
A32-10091	DOMESTIC	D & D ENTERPRISES INC	FROM 04-01 TO 11-01	0.020 CFS	
A32-10091	STOCKWATER	D & D ENTERPRISES INC	FROM 04-01 TO 11-01	0.020 CFS	
R32-10091	DOMESTIC	D & D ENTERPRISES INC	FROM 04-01 TO 11-01	0.020 CFS	
R32-10091	STOCKWATER	D & D ENTERPRISES INC	FROM 04-01 TO 11-01	0.020 CFS	
32-10091	DOMESTIC	D & D ENTERPRISES INC	FROM 01-01 TO 12-31	0.020 CFS	
32-10091	STOCKWATER	D & D ENTERPRISES INC	FROM 01-01 TO 12-31	0.020 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y(___) N(X)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(X) 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(X)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y(X) 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(X)

TOTAL ACREAGE [redacted]

WATER RIGHT NUMBERS A34-4060. Recommend Splitting into Portions A & B. ESV 4/19/99

	TWN	RNG	SEC	NE				NW				SW				SE				TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Portion "A"	13N	28E	34													8		36	36	80
			35				[redacted]					29	19	40	36		23			147
	12N	28E	2					7 [L3]	[L4] 31	[redacted]9										47
			3	37 [L1]	39 [L2]	39	28							24	32		24	6		229
			4																13	13
			10					10	22	13										45
																				561 TOTAL
Portion "B"	12N	28E	10									20					5	12	15	52

CHECK DOCUMENTS USED TO VERIFY POU: (X) ORTHOPHOTOQUAD, IDWR NO. _____; ( ) TOPOGRAPHIC QUAD, IDWR NO. _____;
(X) NAPP, IDWR NO. GIS -; (X) ASCS PHOTO; ( ) OTHER _____

NOTES: ARCVIEW DEPICTION CREATED 4/93.

RECOMMENDING SPLITTING INTO PORTIONS A & B - SEE ATTACHED LAND LIST FOR RECOMMENDED POU.

(A) (B)

RECOMMENDATIONS:

TOTAL ACRES: 561 N/A(__)

REVIEWED BY: BSI, DMD DATE: 7/16/93

A. AJ CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A32-04060	IRRIGATION	FROM 05-01 TO 10-30	25.600 CFS	
A32-04060	STOCKWATER	FROM 05-01 TO 11-30	0.090 CFS	
		TOTAL DIVERSION RATE/VOLUME	25.690 CFS	

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
32-04060	IRRIGATION	FROM 05-01 TO 10-30	25.600 CFS	
32-04060	STOCKWATER	FROM 05-01 TO 11-30	0.090 CFS	
		TOTAL DIVERSION RATE/VOLUME	25.690 CFS	

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

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

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

* 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(X) N(___)

NOTES: SEE Pg. 9 OF CVR DATED 3/17/93

PORTION "A"	PORTION "B"
USE: IRRIGATION, INCIDENTAL STOCKWATERING	USE: IRRIGATION, INCIDENTAL STOCKWATERING.
PERIOD OF USE:	PERIOD OF USE:
Q: 1"/ACRE = 561 X 0.02 = 11.22cfs	NO MEASUREMENT WAS TAKEN @ MUD CK
MEASURED Q = 15.02cfs	DIVERSION. WAS COLLECTING RUNOFF FROM
	UPPER POU. WOULD WELL EXCEED 1"/ACRE.
	RECOMMEND 1"/ACRE = 52 X 0.02 = 1.04cfs

AJ CLAIM TOTAL DIVERSION RATE: 25.690 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 25.690 CFS

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

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

* 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(X)

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD SEE ATTACHED, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS SEE Pg. 12
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 3200.0 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM	TO	REC. DIV RATE CFS DATABASE	EXAMINER	REC. DIV VOL. AF/A DATABASE	EXAMINER	REC. CONS. USE DATABASE	EXAMINER
~~IRRIGATION~~	~~05-01~~	~~10-30~~	~~25.600~~				3200.0	
~~STOCKWATER~~	~~05-01~~	~~11-30~~	~~0.090~~				3200.0	
PORTION "A" IRRIGATION				11.22				
PORTION "B" IRRIGATION				1.04				
TOTAL FOR THIS RIGHT			~~25.690~~	12.26			3200.0	

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: [illegible] DATE: 4/20/99

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	(X)	( )
FORFEIT/ABANDON	( )	( )
ADDITIONAL DIV. AMOUNT	( )	( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 32-04060

TOTAL DIVERSION RATE OF WR SPLITS — DATABASE 25.690 — EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A32-04060	25.690	R32-04060A	11.400	32-04060	25.690
	TOTAL CFS	25.690		11.400		25.690

DIVERSION RATE REVIEW

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

NOTES:

IRRIGATION OF A TOTAL 613 ACRES @ 0.02 cfs/ACRE = 12.26 cfs IS THE MAXIMUM ALLOWED. THERE IS NO DELIVERY LOSS OR EXCESS DIVERSION RATE NECESSARY IN THIS CASE.

AUTHENTICATION:

SIGNATURE: _____ DATE: 4/20/99

NAME OF FIELD EXAMINER: ERIC S. VERNER TITLE: SWA.

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?
(X) 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( )
(X) ASCS AERIAL PHOTO	DATE OF PHOTO UNKNOWN		Y(X) N( )
( ) ASCS COLOR SLIDE	DATE OF PHOTO		Y( ) N( )
( ) BLM OR USFS AERIAL PHOTO	DATE OF PHOTO		Y( ) N( )
(X) TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY UNKNOWN		Y(X) N( )
( ) SCS SOIL SURVEY MAP	DATE ISSUED		Y( ) N( )
(X) SUBDIVISION PLAT MAP	DATE OF MAP UNKNOWN		Y(X) N( )
(X) OTHER GIS MAPPING	DATE		Y(X) N( )
(X) OTHER Memo	DATE 4/19/99		Y(X) N( )
(X) OTHER Property Plat	DATE UNKNOWN		Y(X) N( )

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION		NO. OF PAGES	NOTES
( ) LICENSING FIELD EXAM	DATE OF FIELD EXAM			
( ) WATER RIGHT LICENSE	DATE LICENSE SIGNED			
( ) IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED			
( ) SYSTEM DESCRIPTION	DATE DRAWN			
(X) PHOTOGRAPHS	DATE(S) PHOTOS TAKEN	5-18-93	7	
( ) SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED			
( ) HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED			
( ) CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED			
(X) FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED	5-18-93	6	
(X) OTHER Homestead Entry	DATE ?		6	From burn
( ) OTHER	DATE			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:11:55
04/16/99

QUICKLOOK INFORMATION

18
CLAIM NUMBER: A32-04060

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	Y		5.15.93 7/14/93 SM	Y	EC 2/7/99	EC 2/7/99	EC 2/7/99	
POINT OF DIV				Y				
SOURCE				Y				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE	-			N/A				
PURPOSES OF USE				N				
PERIOD OF USE				Y				
BASIS OF CLAIM				N				
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

CLAIM NUMBER: A32-04060

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	D & D ENTERPRISES INC	06/01/1900	IRRIGATION	05-01	10-30	25.60 CFS	
			STOCKWATER	05-01	11-30	0.09 CFS	
						TOTAL DIVERSION: 25.69 CFS	
						CONSUMPTIVE USE:	3200.00 AFA

Water Source: SHEERS CREEK — Tributary to: SINKS — Stage: STATUTORY CLAIM
CARLIN CREEK — SINKS
MIDDLE CREEK — SINKS
COTTONWOOD CREEK — SINKS

Point(s) of Diversion: T13N R28E S35 NWSW NWSE LEMHI County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	SUM
12N	28E	2					40	40	40										120.0
12N	28E	3	01-40	02-40	40	40							40	40		40	40		320.0
12N	28E	4																40	40.0
12N	28E	10		40			40	40	40		40					40	40	40	320.0
12N	28E	14							40			40	40	40					160.0
13N	28E	34													40		40	40	120.0
13N	28E	35									40	40	40	40		40			200.0
																TOTAL ACRES			1280.0

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

POU County: LEMHI

Remarks: GEN S/400 HEAD CATTLE

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

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

SPLIT INTO A, B. SEE ATTACHED.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:31
03/17/93

PAGE: 1
GENERAL INFORMATION

A32-04060A

27
CLAIM NUMBER: A32-04060

PROVISIONAL

PROVISIONAL

LAST: D & D ENTERPRISES, INC. FIRST:
ADDRESS: C/O PETERSEN,MOSS, & OLSEN
635 E STREET
CITY: IDAHO FALLS STATE: ID ZIP: 83402
PHONE NUMBER: 208-523-4650

OWNER CODE: C

LAST: PETERSEN, JR. FIRST: GEORGE C.
ADDRESS: C/O PETERSEN,MOSS, & OLSEN
635 E STREET
CITY: IDAHO FALLS STATE: ID ZIP: 83402
PHONE NUMBER: 208-523-4650

OWNER CODE: A

	DATABASE	FIELD EXAMINER
FIELD EXAM REQUIRED?		
VERIFICATION REQUIRED DUE TO REMARKS?	Y	

CLAIM REMARKS: 5/400 HEAD CATTLE

PRELIMINARY FIELD EXAM - SUPERCEDED BY OVR PRINTED ON 4/16/99.

ESU 4/19/99

PURSUANT TO MY FIELD EXAM, I AM RECOMMENDING SPLITTING THIS RIGHT INTO TWO PORTIONS. THE PLACE OF USE IS IRRIGATED IN TWO DISTINCT PIECES. THE UPPER RANCH RECEIVES WATER FROM COTTONWOOD, SHEARS AND CALLIN CREEKS. AT THE BOTTOM OF THESE FIELDS, WHERE COTTONWOOD CREEK EMPTIES INTO MUD CREEK, ALL THE RUNOFF (WASTEWATER) AND NATURAL FLOW OF COTTONWOOD CREEK FROM ABOVE REDOLLECTS AND IT TRIBUTARY TO MUD CREEK. THE LOWER RANCH, BELOW THE COTTONWOOD-MUD CREEK CONFLUENCE, IS IRRIGATED BY DIVERSIONS FROM MUD CREEK.

MY RECOMMENDATION SEPERATES THE UPPER RANCH FROM THE LOWER INTO PORTIONS "A" AND "B".

FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A52-04050 — A / B

PROVISIONAL

PROVISIONAL

CONTACT PERSON: _____ PHONE NUMBER: (___) ___-____

DATE OF FIELD EXAM: 5/18/93 APPOINTMENT MADE: Y(X) N(___) TIME: 10:00 A(X) P(___)

ACCOMPANIED BY: _____ PHONE NUMBER: (___) ___-____

RELATIONSHIP TO CLAIMANT: MANAGER

DIRECTIONS TO PROPERTY / NOTES:

MET @ LONE PINE CAFE. MET W/ MANAGER. HE DESCRIBED THE IRRIGATION SYSTEM TO GREG AND I. WE MARKED DIVERSIONS ON QQ. WE DROVE TO DIVERSIONS ON COTTONWOOD, SWEARS & CARLIN CREEKS. GREG AND I THEN MEASURED THESE STREAMS W/ PYGMY METER.

JULY 16, 1993 - DENNIS AND I REVISITED PROPERTY. USED 1987 AERIAL PHOTOS FROM SALMON ASCS OFFICE. WE MARKED THE EXTENT OF B/U. DENNIS WALKED PROPERTY FROM CONFLUENCE OF COTTONWOOD CREEK/MUD CREEK UP STREAM. I WALKED FROM TOP OF PROPERTY DOWNSTREAM.

THE PLACE OF USE IS IRRIGATED BY A SERIES OF DITCHES FROM THE SOURCE STREAMS. THE DIVERSIONS HAVE BEEN IN LONG ENOUGH THAT IT IS NOW HARD TO DISTINGUISH THE NATURAL STREAMS FROM DITCHES. PLASTIC, ROCK AND DIRT CHECKS REDIRECT WATER ACROSS SLOPES. MUCH OF THE PLACE OF USE IS SWAMPY, W/ A HIGH WATER TABLE. THE IRRIGATION METHOD HELPS KEEP ~~THAT~~ THE WATER TABLE HIGH. THE AREA IS COVERED W/ TALL CLUMPS OF WILLOW/ALDER, HOWEVER, B/T THESE CLUMPS, PASTURE GRASS GROWS VERY WELL AND IS UTILIZED BY CATTLE. THE OPEN FIELDS CONTAIN PASTURE GRASSES THAT ARE CUT AND HARVESTED FOR CATTLE FEED. I DID NOT DELETE FROM THE PLACE OF USE THE LANDS COVERED W/ WILLOW/ALDER BECAUSE THE CATTLE DO UTILIZE THESE AREAS FOR FEED.

PRIORITY DATE REVIEW PAGE

29

CLAIM NUMBER: A52-04060

A. AJ CLAIM: # A52-04060 PRIORITY DATE: 06-01-1900 STAGE: S

B. MR RECORD: # 52-04060 PRIORITY DATE: 06-01-1900 STAGE: S

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)	N	------

PROVISIONAL

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(_) N(_)
IF YES EXPLAIN.

NOTES: Evidence submitted does not verify 1900 date - Evidence is mostly from 1970 maps.

RECOMMENDED PRIORITY DATE:
06-01-1900

REVIEWED BY _____ DATE _____

POINT OF DIVERSION REVIEW SHEET

39

CLAIM NUMBER: A32-04060

A

B

PROVISIONAL

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A32-04060	15N	28E	35		NW	SW		LEMHI
A32-04060	15N	28E	35		NW	SE		LEMHI

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
NONE	NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: SHEERS CREEK — TRIB: SINKS
CARLIN CREEK — SINKS
MIDDLE CREEK — SINKS
COTTONWOOD CREEK — SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
32-04060	15N	28E	35		NW	SE		LEMHI
32-04060	15N	28E	35		NW	SW		LEMHI

OTHER WR RECORDS WITH SAME WR POD

NONE

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
NONE	NONE

SOURCE: SHEERS CREEK — TRIB: SINKS
CARLIN CREEK — SINKS
MIDDLE CREEK — SINKS
COTTONWOOD CREEK — SINKS

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	------
DUE TO SOURCE DISCREPANCY? (Y/N)	N	------

31
CLAIM NUMBER: A32-04060 — A / B

NOTES:

Verified PODs in field w/ Ascs Photo.

There are no points of Diversion on Middle Creek. First P.D. is after Middle Cr. coalesces w/ Cottonwood Cr.

PROVISIONAL

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	~~DIVERSION NAME~~ SOURCE	PORTION
13N	28E	35	NW	NW	SW ✓	---	LEWIS	SHEARS CREEK TRIB COTTONWOOD CREEK	A
---	---	---	SW	SW	NE ✓	---	LEWIS	CARLIN CREEK TRIB COTTONWOOD CREEK	
---	---	---	---	NW	SE ✓	---	LEWIS	COTTONWOOD CREEK TRIB MUD CREEK	
---	---	---	NW	NE	SE ✓	---	LEWIS	" " " " "	
		36	SE	NW	SW ✓		LEWIS	" " " " "	
13N	28E	10	---	NW	SW	---	---	Mud Creek Trib. Birch Creek	B

SOURCE: ~~SHEERS CREEK~~ ~~TRIB: SINKS~~

REVIEWED BY: EB DATE: 5/18/93; 7/16/93

SYSTEM DESCRIPTION:

A= Ditches To Flood Irrigation. Once water Comes onto POU, Cross Ditches & Checks Divert water over Place of use. The water from the 3 sources is Co-mingled Depending upon How far down stream of POD You are. It is impossible to Define the Extent to which each Source individually irrigates.

B= P.D. is as above.

32
CLAIM NUMBER: A32-04060 A B

A. ROOT WATER RIGHT NUMBERS: A32-04060

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		WR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12N	28E	2	NE	NW	3	D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		6	6
12N	28E	2	NW	NW	4	D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		29	29
12N	28E	2	SW	NW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		7	7
12N	28E	3	NE	NE	1	D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		37	37
12N	28E	3	NW	NE	2	D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		37	37
12N	28E	3	SW	NE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		35	35
12N	28E	3	SE	NE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0			
			SE	NE		D & D ENTERPRISES, INC.	A32-10090	/	D/S -	/		34	34
12N	28E	3	SW	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		20	20
12N	28E	3	SE	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		31	31
12N	28E	3	NW	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		29	29
12N	28E	3	SW	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		5	5
12N	28E	4	SE	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0			
			SE	SE		US DEPT OF INTERIOR		D/S	32-02142	/		23	23
12N	28E	10	NW	NE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		Ø	Ø
12N	28E	10	NE	NW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		18	18
12N	28E	10	NW	NW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		30	30
12N	28E	10	SW	NW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		25	25
12N	28E	10	NE	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		23	23
12N	28E	10	NW	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		Ø	Ø
12N	28E	10	SW	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		22	22
12N	28E	10	SE	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		10	10
12N	28E	14	SW	NW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0			

B

PROVISIONAL

1918

1910

PAGE: 7 33

PLACE OF USE REVIEW SHEET CONTINUED CLAIM NUMBER: A32-04060 A B

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		WR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12N	28E	14	NW	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0			
			NW	SW		D & D ENTERPRISES, INC.	A32-10091	/	-	/			
12N	28E	14	SW	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0			
12N	28E	14	SE	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0			
13N	28E	34	NE	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		6	6
13N	28E	34	SW	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		36	36
13N	28E	34	SE	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		35	35
13N	28E	35	NE	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		32	32
13N	28E	35	NW	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		13	13
13N	28E	35	SW	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		40	40
13N	28E	35	SE	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		28	28
13N	28E	35	NW	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0		14	14
			TOTAL ACRES			A32-04060		1280.00		1280.00			570

PROVISIONAL

55.0

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N(X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? POU COUNTY: LEMHI

	DATABASE	FIELD EXAMINER
DUE TO POU DISCREPANCY? (Y/N)	Y	Y

PLACE OF USE REVIEW SHEET CONTINUED

36
CLAIM NUMBER: A32-34050 A B

PRESUMPTION FLAG:

NOTES:

Verified POU w/ ASCS Photo & Dot Grid. Walked POU to Determine Extent of B/U.

PROVISIONAL

RECOMMENDATIONS:	A	B
TOTAL ACRES:	570	55
REVIEWED BY:	ESV DWD	ESV AT 2-3-94

DATE: 7/16/93

35
CLAIM NUMBER: A32-04060 (A / B)

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A32-04060	IRRIGATION	FROM 05-01 TO 10-30	25.600 CFS
A32-04060	STOCKWATER	FROM 05-01 TO 11-30	.090 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		25.690 CFS

PROVISIONAL

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
32-04060	IRRIGATION	FROM 05-01 TO 10-30	25.600 CFS
32-04060	STOCKWATER	FROM 05-01 TO 11-30	.090 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		25.690 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(__) N(__)

RECOMMEND TO WR STANDARDS OR OTHER? Y(__) N(__) EXPLAIN IN NOTES, BELOW.

NOTES:

A

- USE = IRRIGATION, INCIDENTAL STOCK WATERING.
- PERIOD OF USE: IRR = 4/15 TO 10/15
  STOCK = 4/15 TO 11/30
- Q: MEASURED CARLIN, SHEARS & COTTONWOOD CREEKS AS THEY ENTERED POO. COMBINED Q MEASURED EQUALS = 15.02 cfs. THERE WERE NUMEROUS OTHER SMALL FLOOD CHANNELS CONTRIBUTING TO THE IRRIGATION THAT WERE NOT MEASURED.
  RECOMMEND LIMITING @ TO 1"/ACRE (NO CONVEYANCE LOSS) OR (570 ac)(0.02 cfs/ac) = 11.40 cfs total

B

Use = IRRIGATION, Incidental Stock Watering
Period of Use: IRR = 4/15 to 10/15
Stock = 4/15 to 11/30
No measurement was taken @ Mud Creek Diversion.
Recommend 1"/Acre OR (55 ac)(0.02 cfs/ac.) = 1.10 cfs

DIVERSION AMOUNT REVIEW SHEET

35

CLAIM NUMBER: A52-04050 — A

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

AJ TOTAL CLAIMED DIVERSION RATE: 25.690 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 25.590 CFS

B/O RIGHT

*** 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. **

PROVISIONAL

FLOW MEASUREMENT REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)	Y	Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD RIGHT WATER, ORIFICE PLATE METHOD, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM:

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A52-04050	STOCKWATER	D & D ENTERPRISES, INC.	FROM 05-01 TO 11-30	.090 CFS	
A52-10070	DOMESTIC	D & D ENTERPRISES, INC.	FROM 04-01 TO 11-01	.020 CFS	
A52-10071	DOMESTIC	D & D ENTERPRISES, INC.	FROM 04-01 TO 11-01	.020 CFS	
A52-10071	STOCKWATER	D & D ENTERPRISES, INC.	FROM 04-01 TO 11-01	.020 CFS	

37
CLAIM NUMBER: A52-84060 — A / B

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

A / B ACRES 570 X 0.02 CFS/ACRE = 11.40 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(__) ***

1B. CALCULATIONS

B = 55 (.02 cfs/ac.) = 1.10 cfs

PROVISIONAL

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 3230.0 AF/A

A / B ACRES 570 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 1425 AF/A

B = (55 ac)(2.5 AF/A) = 137.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

A / B ACRES 570 X DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 1995 AF/A

B = (55 ac)(3.5 AF) = 192.5 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ~~ATTACHED SHEET?~~ Y(___) N(X__)
5/400 HEAD CATTLE

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

A: Cond: None, Remarks: None

B Cond: None, Remarks: None

DIVERSION AMOUNT REVIEW SHEET CONTINUED

33
CLAIM NUMBER: A32-04060 — A
B

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM	TO	REC. DIV RATE CFS DATABASE	REC. DIV RATE CFS EXAMINER	REC. DIV VOL. AF/A DATABASE	REC. DIV VOL. AF/A EXAMINER	REC. CONS. USE DATABASE	REC. CONS. USE EXAMINER
IRRIGATION	05-01	10-30	25.600	------		------	3200.0	------
STOCKWATER	05-01	11-30	0.090	------		------		------
TOTAL FOR THIS RIGHT			25.690					

PROVISIONAL

REVIEWED BY: [signature] DATE: 7/20/92

A: IRR 4/15 TO 10/15 11.40 1995 1425
STOCK 4/15 TO 11/30 0.09 NILL NILL
11.40

B: IRR 4/15 to 10/15 1.10 192.5 137.5
stock 4/15 to 11/30 .09 0 0
1.10 192.5 137.5

BASIS OF CLAIM REVIEW SHEET

39

CLAIM NUMBER: A32-04060 — A / B

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	( )	( )
FORFEIT/ABANDON	( )	( )
ADDITIONAL DIV. AMOUNT	( )	( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 32-04060

	DATABASE	EXAMINER	
TOTAL DIVERSION RATE OF WR SPLITS	25.690	_____	CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A32-04060	25.690	-		32-04060	25.690
	TOTAL CFS	25.690				25.690

DIVERSION RATE REVIEW

	DATABASE	FIELD EXAMINER
DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	Y	_____
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)		_____

NOTES:

BENEFICIAL USE RIGHT

AUTHENTICATION:

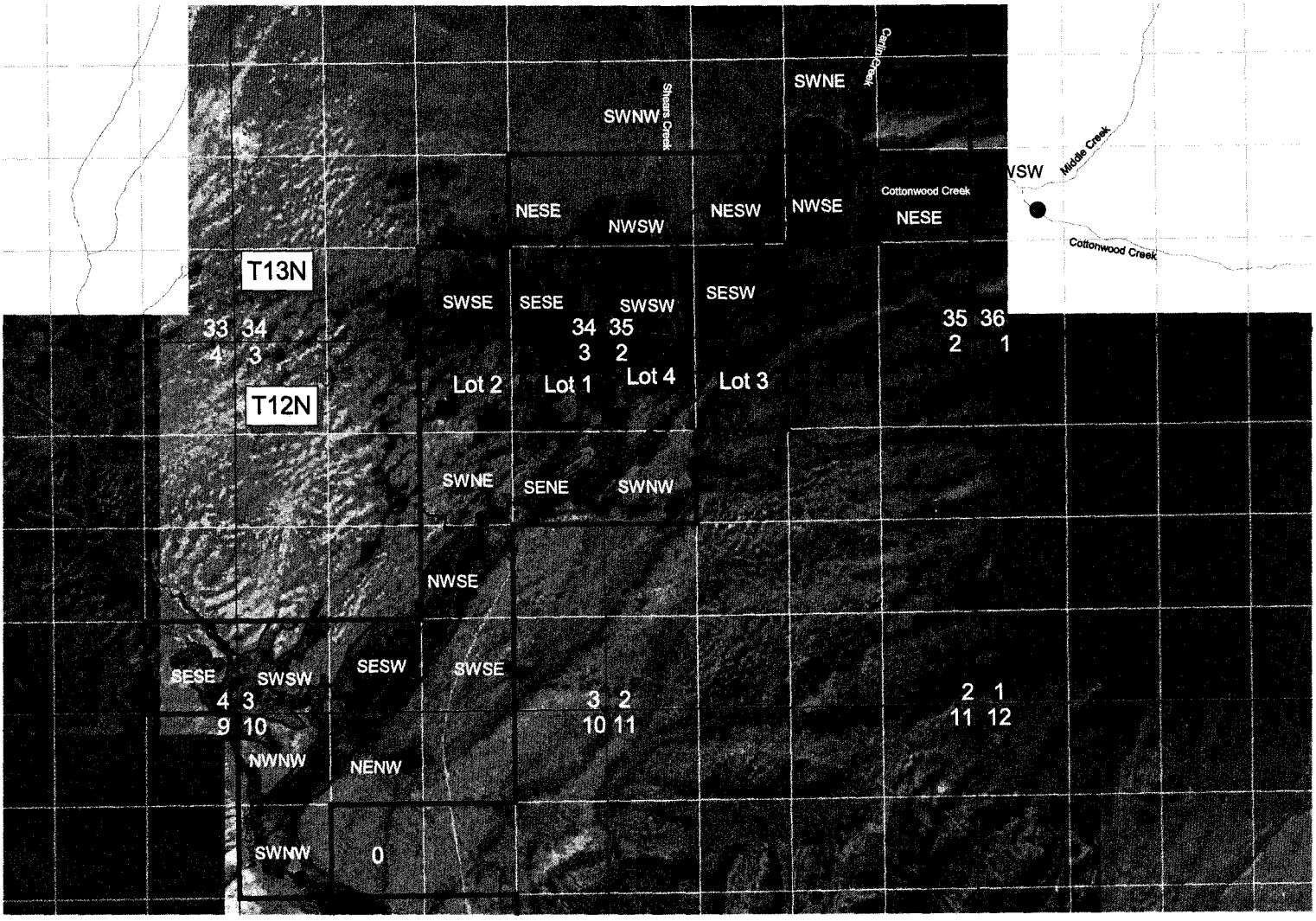
SIGNATURE: Eric Sverner DATE: 7/16/93

NAME OF FIELD EXAMINER: Eric Sverner TITLE: SWA

H. Taylor S.W.A. 2-3-94

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right No.
32-04060A



0 1320 2640 Feet

Townships 12N & 13N Range 28E
Acres Irrigated: 561

N
W E
S

Point of Diversion Location

Place of Use Boundary

Section Lines

Quarter/Quarter Lines

Property Lines

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Eric S. Verner
Date: April, 1999

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R32-04060A Prefix Translation: RESEARCH Old (D) Number -

Last Name	First Name	Address
*** A - ATTORNEY ***		
PETERSEN JR	GEORGE C	1 - C/O PETERSENMOSS & OLSEN 2 - 485 E STREET 3 - City- IDAHO FALLS State- ID Zip- 83402 Phone - 208-523-4650
*** C - CURRENT OWNER ***		
D & D ENTERPRISES INC		1 - C/O PETERSENMOSS & OLSEN 2 - 485 E STREET 3 - City- IDAHO FALLS State- ID Zip- 83402 Phone - 208-523-4650

Priority Date	Region	Stage	Status
05/01/1921	15 EASTERN	J - BENEFICIAL USE	

Source	Tributary
SHEARS CREEK	COTTONWOOD CREEK
CARLIN CREEK	COTTONWOOD CREEK
MIDDLE CREEK	COTTONWOOD CREEK
COTTONWOOD CREEK	MUD CREEK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
12N	28E	3	SE SE NE		(59)	LEMHI
13N	28E	3	SE SW NE		(59)	LEMHI
		35	SE SW NE		(59)	LEMHI
			NE SW NW		(59)	LEMHI
			NE NE SE		(59)	LEMHI
			NE NW SE		(59)	LEMHI
		36	SE NW SW		(59)	LEMHI

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	05/01	10/31	11.220	
04	STOCKWATER	01/01	12/31	0.070	

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
11.220		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
12N	28E	2	NE NW	3	7.0	01	IRRIGATION	(59) LEMHI
12N	28E	2	NW NW	4	31.0	01	IRRIGATION	(59) LEMHI
12N	28E	2	SW NW		9.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	NE NE	1	37.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	NW NE	2	39.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	SW NE		39.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	SE NE		28.0	01	IRRIGATION	(59) LEMHI

Water right number - R32-04060A Prefix Translation: RESEARCH

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
12N	28E	3	SW SW		24.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	SE SW		32.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	NW SE		24.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	SW SE		6.0	01	IRRIGATION	(59) LEMHI
12N	28E	4	SE SE		13.0	01	IRRIGATION	(59) LEMHI
12N	28E	10	NE NW		10.0	01	IRRIGATION	(59) LEMHI
12N	28E	10	NW NW		22.0	01	IRRIGATION	(59) LEMHI
12N	28E	10	SW NW		13.0	01	IRRIGATION	(59) LEMHI
13N	28E	34	NE SE		8.0	01	IRRIGATION	(59) LEMHI
13N	28E	34	SW SE		36.0	01	IRRIGATION	(59) LEMHI
13N	28E	34	SE SE		36.0	01	IRRIGATION	(59) LEMHI
13N	28E	35	NE SW		29.0	01	IRRIGATION	(59) LEMHI
13N	28E	35	NW SW		19.0	01	IRRIGATION	(59) LEMHI
13N	28E	35	SW SW		40.0	01	IRRIGATION	(59) LEMHI
13N	28E	35	SE SW		36.0	01	IRRIGATION	(59) LEMHI
13N	28E	35	NW SE		23.0	01	IRRIGATION	(59) LEMHI

Total Acres: 561.0

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

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

Decree Plaintiff

Decree Defendant

Decree Date
00/00/0000

Comments

Date: 07/20/1993 User Id: VERNER Subject: SPLIT RIGHT
THIS RIGHT IS RECOMMENDED AS A PORTION OF CLAIM A32-04060.
Date: 07/31/1999 User Id: AJU10-EC Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
Date: 09/09/1999 User Id: BCONTOR Subject: COPIED FROM REMARKS
ORIGINAL CLAIM A32-04060 SPLIT PER FIELD EXAMINATION BY E VERNER. CLAIM AMENDED 9/1999 TO INCLUDE MIDDLE CREEK AS SOURCE,
RESTORE STOCKWATER PORTION OF ORIGINAL CLAIM. BCONTOR. AMENDED CLAIM MAILED 9/7/1999. HOLD ELECTRONIC COPY IN TEMP
HOST UNTIL SIGNATURE RETURNS. BAC. SIGNED CLAIM RECD 9/9/1999. BAC.

Water right number - R32-04060A Prefix Translation: RESEARCH

+ - - Audit Fields - - +
00/00/0

+ - Adjudication Rights Dates and Flags Area - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 05/18/1993	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	-
Claim Received Date	- 06/29/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 32D
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

Water Right Number - R32-04060A Prefix Translation: RESEARCH Old (D) Number -

Last Name	First Name	Address
*** A - ATTORNEY ***		
PETERSEN JR	GEORGE C	1 - C/O PETERSEN MOSS & OLSEN 2 - 485 E STREET 3 - City- IDAHO FALLS State- ID Zip- 83402 Phone - 208-523-4650
*** C - CURRENT OWNER ***		
D & D ENTERPRISES INC		1 - C/O PETERSEN MOSS & OLSEN 2 - 485 E ST 3 - City- IDAHO FALLS State- ID Zip- 83402 Phone - 208-523-4650

Priority Date	Region	Stage	Status
05/01/1921	15 EASTERN	J - BENEFICIAL USE	

Source	Tributary
SHEARS CREEK	COTTONWOOD CREEK
CARLIN CREEK	COTTONWOOD CREEK
COTTONWOOD CREEK	MUD CREEK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
12N	28E	3	SE SE NE			(59) LEMHI	
13N	28E	3	SE SW NE			(59) LEMHI	
		35	SE SW NE			(59) LEMHI	
			NE SW NW			(59) LEMHI	
			NE NE SE			(59) LEMHI	
			NE NW SE			(59) LEMHI	
		36	SE NW SW			(59) LEMHI	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	05/01	10/31	11.220	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
11.220			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
12N	28E	2	NE NW	3	7.0	01	IRRIGATION	(59) LEMHI
12N	28E	2	NW NW	4	31.0	01	IRRIGATION	(59) LEMHI
12N	28E	2	SW NW		9.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	NE NE	1	37.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	NW NE	2	39.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	SW NE		39.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	SE NE		28.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	SW SW		24.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	SE SW		32.0	01	IRRIGATION	(59) LEMHI
12N	28E	3	NW SE		24.0	01	IRRIGATION	(59) LEMHI

Water right number - R32-04060A Prefix Translation: RESEARCH

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
12N	28E	3	SW SE		6.0	01	IRRIGATION	(59) LEMHI
12N	28E	4	SE SE		13.0	01	IRRIGATION	(59) LEMHI
12N	28E	10	NE NW		10.0	01	IRRIGATION	(59) LEMHI
12N	28E	10	NW NW		22.0	01	IRRIGATION	(59) LEMHI
12N	28E	10	SW NW		13.0	01	IRRIGATION	(59) LEMHI
13N	28E	34	NE SE		8.0	01	IRRIGATION	(59) LEMHI
13N	28E	34	SW SE		36.0	01	IRRIGATION	(59) LEMHI
13N	28E	34	SE SE		36.0	01	IRRIGATION	(59) LEMHI
13N	28E	35	NE SW		29.0	01	IRRIGATION	(59) LEMHI
13N	28E	35	NW SW		19.0	01	IRRIGATION	(59) LEMHI
13N	28E	35	SW SW		40.0	01	IRRIGATION	(59) LEMHI
13N	28E	35	SE SW		36.0	01	IRRIGATION	(59) LEMHI
13N	28E	35	NW SE		23.0	01	IRRIGATION	(59) LEMHI

Total Acres: 561.0

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

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Audit Fields - 07/20/93 VERNER 03/30/95 POST-STD 04/20/99 EVERNER 07/07/99 EVERNER 07/31/99 AJU10-EC
08/01/99 ECARLSEN 08/30/99 AJONES

Comments

Date: 07/20/1993 User Id: VERNER Subject: SPLIT RIGHT
THIS RIGHT IS RECOMMENDED AS A PORTION OF CLAIM A32-04060.
Date: 07/31/1999 User Id: AJU10-EC Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 05/18/1993	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	-
Claim Received Date	- 06/29/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P

Water right number - R32-04060A Prefix Translation: RESEARCH

+ - Adjudication Rights Dates and Flags Area - +

Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 32D
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

RECEIVED
SEP 0 9 1999
Department of Water Resources
Eastern Region

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: **A32-04060A**
Date Received: 6/29/1988
Receipt No: X777777
Received By: B Conton

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

1. Name: D & D ENTERPRISES INC 208-523-4650
   Address: C/O PETERSENMOSS & OLSEN
   485 E STREET
   IDAHO FALLS ID 83402

2. Date of Priority: MAY 1, 1921

3. Source: SHEARS CREEK Trib. to: COTTONWOOD CREEK
   CARLIN CREEK COTTONWOOD CREEK
   MIDDLE CREEK COTTONWOOD CREEK
   COTTONWOOD CREEK MUD CREEK

A3204060A

4. Point of Diversion:

Township	Range	Section	1/4	1/4	1/4	Lot	County
12N	28E	3	SE	SE	NE		LEMHI
13N	28E	3	SE	SW	NE		LEMHI
		35	SE	SW	NE		LEMHI
			NE	SW	NW		LEMHI
			NE	NE	SE		LEMHI
			NE	NW	SE		LEMHI
		36	SE	NW	SW		LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/31	11.220		
STOCKWATER	01/01	12/31	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
12N	28E	2	NE	NW	3	IRR	7.0
			NW	NW	4	IRR	31.0
			SW	NW		IRR	9.0
					Section Acres		47.0
		3	NE	NE	1	IRR	37.0
			NW	NE	2	IRR	39.0
			SW	NE		IRR	39.0
			SE	NE		IRR	28.0
			SW	SW		IRR	24.0
			SE	SW		IRR	32.0
			NW	SE		IRR	24.0
			SW	SE		IRR	6.0
					Section Acres		229.0
		4	SE	SE		IRR	13.0
					Section Acres		13.0
		10	NE	NW		IRR	10.0
			NW	NW		IRR	22.0
			SW	NW		IRR	13.0
					Section Acres		45.0
13N	28E	34	NE	SE		IRR	8.0
			SW	SE		IRR	36.0
			SE	SE		IRR	36.0
					Section Acres		80.0
		35	NE	SW		IRR	29.0
			NW	SW		IRR	19.0
			SW	SW		IRR	40.0
			SE	SW		IRR	36.0
			NW	SE		IRR	23.0
					Section Acres		147.0
					Total Acres		561.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:
ORIGINAL CLAIM A32-04060 SPLIT PER FIELD EXAMINATION BY E VERNER. CLAIM AMENDED 9/1999 TO INCLUDE MIDDLE CREEK AS SOURCE, RESTORE STOCKWATER PORTION OF ORIGINAL CLAIM. BCONTOR.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Organizations:

I do solemnly swear or affirm that I am President (Title) of D&D Enterprises, Inc. (Organization), that I have signed the foregoing document in the space below as President (Title) of D&D Enterprises, Inc (Organization) and that the statements contained in the foregoing document are true and correct.

Jim DeMordaunt
Signature of Authorized Agent

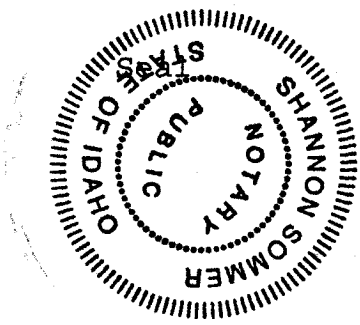
President, D&D Enterprises, Inc
Title and Organization

Sept. 8, 1999
Date

State of Idaho)
) SS.
County of Madison)

Subscribed and sworn (or affirmed) before me this 8th day of Sept. 19 99

Shannon Sommer
Notary Public



Residing at Rexburg

My Commission Expires 4-25-03

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: **A32-04060A**
Date Received: 6/29/1988
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: D & D ENTERPRISES INC 208-523-4650
   Address: C/O PETERSENMOSS & OLSEN
   485 E STREET
   IDAHO FALLS ID 83402

2. Date of Priority: MAY 1, 1921

3. Source: SHEARS CREEK Trib. to: COTTONWOOD CREEK
   CARLIN CREEK COTTONWOOD CREEK
   COTTONWOOD CREEK MUD CREEK

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
12N	28E	3	SE	SE	NE		LEMHI
13N	28E	3	SE	SW	NE		LEMHI
		35	SE	SW	NE		LEMHI
			NE	SW	NW		LEMHI
			NE	NE	SE		LEMHI
			NE	NW	SE		LEMHI
		36	SE	NW	SW		LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/31	11.220		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
12N	28E	2	NE	NW	3	IRR	7.0
			NW	NW	4	IRR	31.0
			SW	NW		IRR	9.0
						Section Acres	47.0
		3	NE	NE	1	IRR	37.0
			NW	NE	2	IRR	39.0
			SW	NE		IRR	39.0
			SE	NE		IRR	28.0
			SW	SW		IRR	24.0
			SE	SW		IRR	32.0
			NW	SE		IRR	24.0
			SW	SE		IRR	6.0
						Section Acres	229.0
		4	SE	SE		IRR	13.0
						Section Acres	13.0
		10	NE	NW		IRR	10.0
			NW	NW		IRR	22.0
			SW	NW		IRR	13.0
						Section Acres	45.0
13N	28E	34	NE	SE		IRR	8.0
			SW	SE		IRR	36.0
			SE	SE		IRR	36.0
						Section Acres	80.0
		35	NE	SW		IRR	29.0
			NW	SW		IRR	19.0
			SW	SW		IRR	40.0
			SE	SW		IRR	36.0
			NW	SE		IRR	23.0
						Section Acres	147.0
						Total Acres	561.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	D & D ENTERPRISES INC C/O PETERSENMOSS & OLSEN 485 E STREET IDAHO FALLS ID 83402 (208) 523-4650	05/01/1921	IRRIGATION	05-01	10-31	11.22 CFS TOTAL DIVERSION: 11.22 CFS	

Water Source: SHEARS CREEK
CARLIN CREEK
COTTONWOOD CREEK

Tributary to: COTTONWOOD CREEK
COTTONWOOD CREEK
MUD CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T12N R28E S03	SESENE				LEMHI County
T13N R28E S03	SESWNE				LEMHI County
S35	SESWNE	NESWNW	NENESE	NENWSE	LEMHI County
S36	SENWSW				LEMHI County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
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	SUM
12N	28E	2					03-07	04-31	09										47.0
12N	28E	3	01-37	02-39	39	28							24	32		24	06		229.0
12N	28E	4																13	13.0
12N	28E	10					10	22	13										45.0
13N	28E	34													08		36	36	80.0
13N	28E	35									29	19	40	36		23			147.0
																TOTAL ACRES			561.0

POU County: LEMHI

Dates: Exam Made Date: 05/18/1993 Verified Date: Objection Filed Date:

Misc: Water District Number: 32D Field Inspection Flag:
Presumption Flag: