

11

GIS Illustration from 1987/88
NAPP photography. Bryce A. Conner
9/3/1999. T9N R25E.
Black line O&O decided ground per
Lambert Co. assessor

14

23

22.0

SWNW

SEW

2.0

20.0

NE SW

NW SE

5.0

T12N
R28E

SW SE

12.0

SE SE

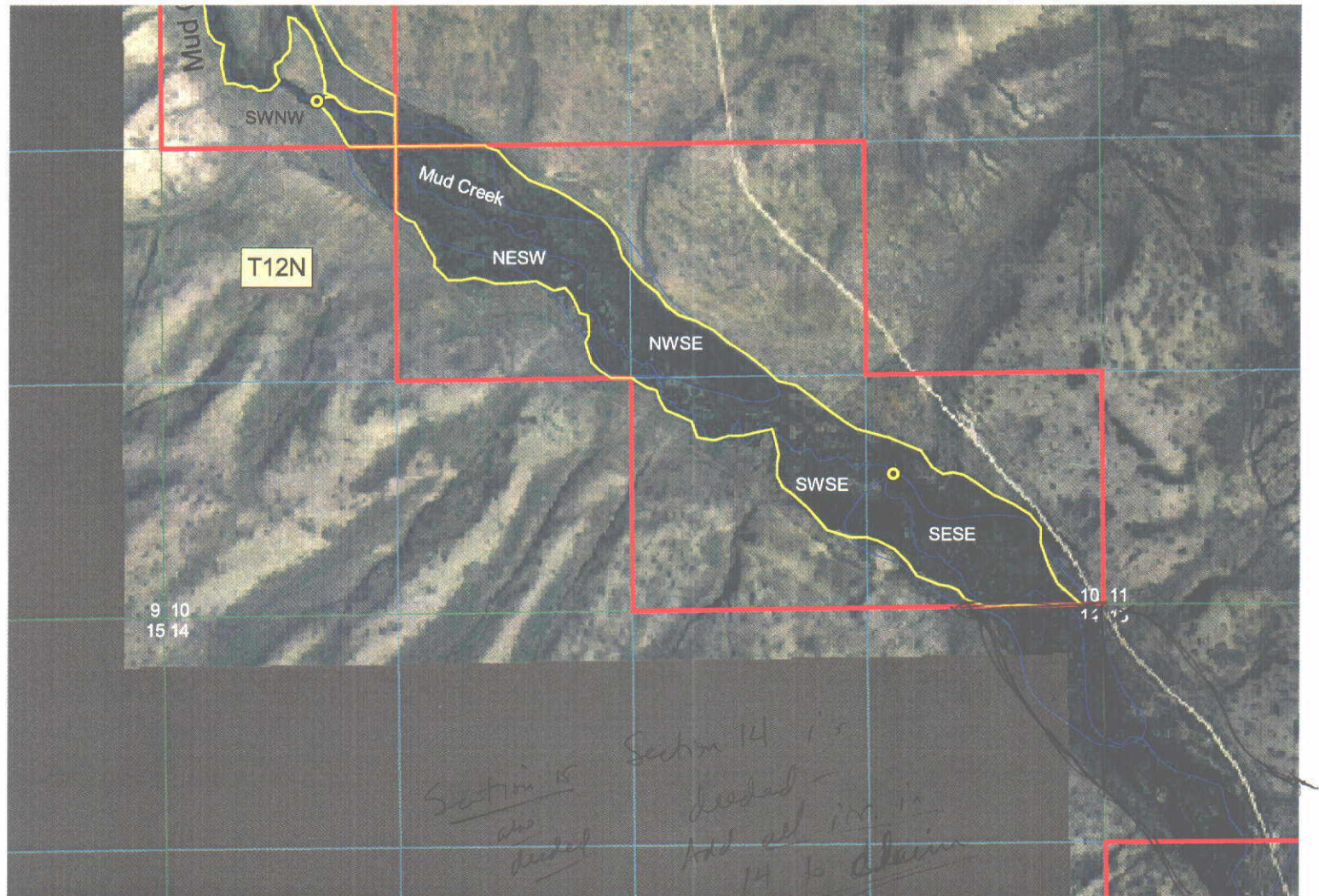
15.0

Q 10
B 15

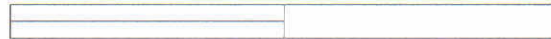
10 11
14 13

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right No. 32-04060B



0 1320 2640 Feet



Point of Diversion
Location



Place of Use
Boundary



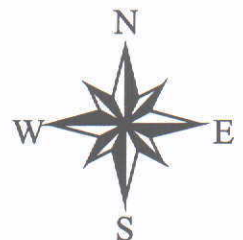
Section Lines



Quarter/Quarter Lines



Property Lines



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

**GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Bryce A. Contor
Date: September, 1999**

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Bryce A. Contor
Date: September, 1999

(B)

32-00060B

D&D Enterprises, Inc.

Port 3 Allen



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 court¹ 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

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 measurements. 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.

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GIS Illustration from 1987/88
NAAPP photography. Bryce A. Coutin
4/3/1999. T9N R28E.
Black line DSD deced ground per
Lambert Co. assessor

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23

RECEIVED

AUG 30 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.

Mr. Bryce A. Contor
Department of Water Resources
August 25, 1999
Page - 2

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 De Mordaunt
D&D Enterprises, Inc.



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:

$0.090 \text{ cfs} * 449 = 40 \text{ gpm}$
 $40 \text{ gpm} * 60 = 2400 \text{ gallons/hour}$
 $2400 \text{ gallons/hour} * 24 = 57,600 \text{ gallons/day}$
 $57,600 \text{ gallons/day} \div 12 \text{ gallons/head/day} = 4,800 \text{ head}$

Please contact me if I can be of further assistance.

Sincerely,

Bryce A. Contor
Adjudication Agent

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 $\frac{1}{4}$ $\frac{1}{4}$ 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.

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SESW

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WESW

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NWSE

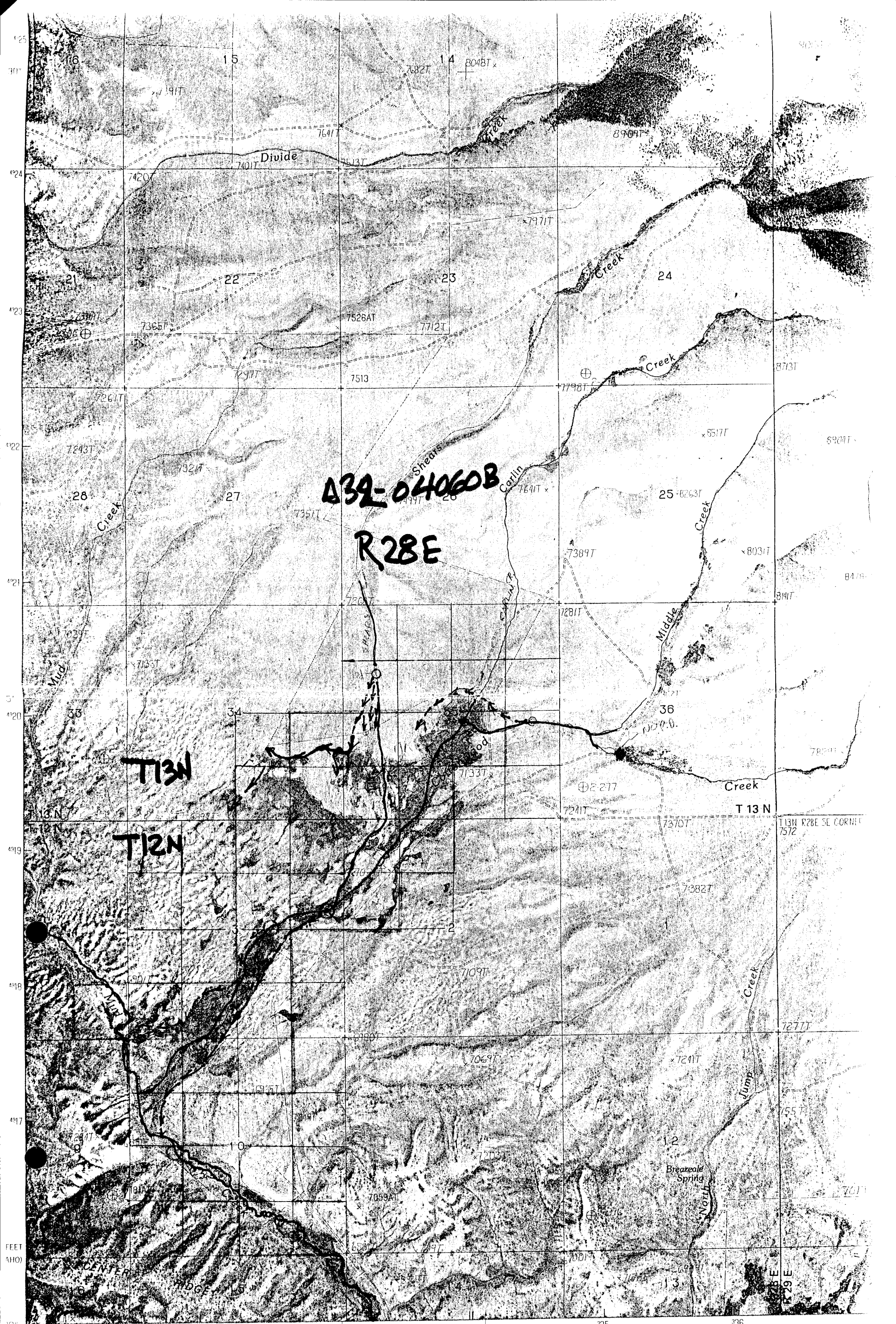
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10 11
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Δ32-04060B
R28E

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T12N

T 13 N

T13N R28E SE CORNER
752

R 29 E

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16

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:11:55
04/16/99

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A32-04060

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

FIRST:

STATE: ID ZIP: 83402

OWNER CODE: C

LAST: PETERSEN JR
ADDRESS: C/O PETERSENMOSS & OLSEN
485 E STREET
CITY: IDAHO FALLS
PHONE NUMBER: 208-523-4650

FIRST: GEORGE C

STATE: ID ZIP: 83402

OWNER CODE: A

FIELD EXAM REQUIRED?

FIELD
EXAMINER
Y() N(X)

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

CLAIM REMARKS: GEN S/400 HEAD CATTLE

SEE NOTES ON PET#1, CYR
DATED 3/17/93 - ESR
• RECOMMENDING SPLITTING INTO
PORTIONS A & B.

R32-04060B

FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A32-04060

CONTACT PERSON: _____

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 5/13/93

TIME: 10:00 A(X) P()

ACCOMPANIED BY: MANAGER

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: MANAGER

DIRECTIONS TO PROPERTY / NOTES:

SEE ATTACHED memo of 4/19/93... add Pg 2 off CVR DATED 5/17/93 -
FIELD EXAM COMPLETED 5/18/93 AND 5/19/93

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

SECTION	SUBDIVISION				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
	NE 1/4	NW 1/4	SW 1/4	SE 1/4						
1	NE 1/4	NW 1/4	SW 1/4	SE 1/4	FOR ORDER EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERALS, WATER, AND/OR OTHER PUBLIC PURPOSES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS					
16	All					Act of Cong		7/1/1890		Title to State to vest on approval of Survey, Subj to Prior Rights
36	All					Proc Mt Lumbi Forest Res		11/5/1906		Chg to Lumbi Mt Fct: 3/4/1907; Trfd to Bl 6/1/1908
19						EO Trf Lumbi Mt Proc 11/5/1906				
20						to Salmon Mt	Bl 1	6/16/1908		Rev Proc 1240 5/19/1913
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LEMHI COUNTY 059
SALMON DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS

NOV 1965

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

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— **1998** —

M. G. U. 1971

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 WITHDRAWAL ORDER

WARNING STATEMENT

This plot is the Bureau's Record of Title and should be used only as a graphic display of the township survey data. Records should not be used to replace title changes which may have been recorded by the Bureau but not reflected on this plot. Lateral movements of areas or other features of a well-defined area should be indicated by lateral arrows for official survey information.

SCALE OF CHANGES

[illegible]

3000
 T. 15th
 R. 20th

...

...

~~Section 15: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ N $\frac{1}{2}$, 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 N $\frac{1}{2}$ N $\frac{1}{2}$ and the NE $\frac{1}{4}$ NW $\frac{1}{4}$. S $\frac{1}{2}$ N $\frac{1}{2}$~~

RECEIVED

Township 8 North, Range 33 East Boise Meridian

MAR 25 1993

Section 6: Lots 6 and 7 E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$

Bureau of Land Mgmt.
Salmon, Idaho

Lemhi County:

Township 12 North, Range 28 East Boise Meridian.

Section 2: Lots 3 and 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 3: Lots 1 and 2 and the S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 4: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 10: NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 12: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 13: E $\frac{1}{2}$ NE $\frac{1}{4}$

Section 14: S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 21: N $\frac{1}{2}$

Township 14 North, Range 28 East Boise Meridian

Section 34: E $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$ Pat No. 1059375 BL 040513 1059375

Section 35: SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$ Pat Nos. 1099537 & 1059375
BL 040562 BL 040513

Township 12 North, Range 29 East Boise Meridian

Section 7: All of Lot 4; SE $\frac{1}{4}$ SW $\frac{1}{4}$ 995424

Section 18: Lots 1, 2, and 3 995424

All situated in Lemhi County, Idaho.

BL 039482
2/4/1927

Post-It™ brand fax transmittal memo 7671		# of pages >	
To: STEPHANIE SNOOK		From: GEORGE PETERSE	
Co. BLM		Co.	
Dept. 75-5426		Phone # 523-4450	

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(☒)
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?		Y() N()
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)		Y() N(☒)
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?		
PROOF OF BENEFICIAL USE SUBMITTED		N/A(☒) Y(☒) N()
FIELD EXAM COMPLETED		N/A(☒) Y(☒) N()
FIELD EXAM SENT TO STATE OFFICE		N/A(☒) Y() N()
LICENSE ISSUED		N/A(☒) Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A() Y(☒) N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N()

NOTES: EVIDENCE PROPERLY SUBMITTED IN WRITING HISTORICAL ENTRY DOCUMENTS

FROM BLM RECORDS. THESE RECORDS SHOW THAT THE FOLLOWING LANDS WERE

DEDICATED TO PRIVATE OWNERSHIP AS FOLLOWS:

TULLY R28E SEC 10 SW 1/4 IN 10-31-1921

W6 SW 1/4 10-1-1917

W6 SE 1/4 10-1-1917

SW 1/4 10-1-1917

SW 1/4 10-1-1917

TO BE SET HISTORICAL ENTRY DOCUMENT WOULD HAVE ALREADY PRIOR TO THE DATE - RECOMMEND

RECOMMENDED PRIORITY DATE:

5 - 1 - 1921

REVIEWED BY Egn

DATE 7/9/99

DUE TO RECORDS DID NOT RECOMMEND THESE RIGHTS AS
PART OF PRIORITY DECREE.

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A32-04060	13N 28E	35		NW	SW				LEHHI		
A32-04060	13N 28E	35		NW	SE				LEHHI		
OTHER AJ CLAIMS WITH SAME AJ POD											
A PREFIX											
R PREFIX											
NONE											
R32-04060A											
NONE											
WR RECORDS IN SAME 40 ACRE TRACT											

SOURCE: SHEERS CREEK
CARLIN CREEK
MIDDLE CREEK
COTTONWOOD CREEK

TRIB: SINKS
SINKS
SINKS
SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
32-04060	13N 28E	35		NW	SE				LEHHI		
32-04060	13N 28E	35		NW	SW				LEHHI		
OTHER WR RECORDS WITH SAME WR POD											
A PREFIX											
R PREFIX											
NONE											
NONE											
R32-04060A											

SOURCE: SHEERS CREEK
CARLIN CREEK
MIDDLE CREEK
COTTONWOOD CREEK

TRIB: SINKS
SINKS
SINKS
SINKS

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

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

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A(☐) Y(☐) N(☒)E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(☒) N(☐)F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☐) N(☒)H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(☒) N(☐)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) 5-18-93

AJ FIELD EXAM (DATE OF FIELD EXAM) 7-16-93

OTHER (DESCRIBE IN NOTES BELOW)

Y() N(X)

Y(X) N()

NAME OF EXAMINER
ERIC VALLER
CROFTON COR

NOTES: VERIFIED POD'S w/ AERIAL PHOTO, ON-SITE EXAM AND AERIAL PHOTOGRAPHY 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	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
13N	28E	35	SW	SW	SW	SW	NE	1.	LEHMI	CARLIN CREEK	
13N	28E	35	SW	SW	SW	SW	NE	4.	LEHMI	SHEARS CREEK	
12N	28E	3	SE	SE	SE	SE	NE	9.	LEHMI	COTTONWOOD CREEK	
12N	28E	3	SE	SE	SE	SE	NE	2.	LEHMI	COTTONWOOD CREEK	
12N	28E	10	SE	SE	SE	SE	NE	3.	LEHMI	COTTONWOOD CREEK	
12N	28E	10	SE	SE	SE	SE	NE	8.	LEHMI	MUD CREEK	
12N	28E	10	SE	SE	SE	SE	NE	5.	LEHMI	MUD CREEK	

SOURCE: SHEARS CREEK

36000000

REVIEWED BY: 251, 010, 01 DATE: 5/18/93

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

SEE PAGE 5 OF CWR DATED 3/17/93

ADD

T13N R28E 35 NE NW SE. Cottonwood Creek 7
36 SE NW SW Cottonwood Creek 10

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

B. POULISTING

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, UNITEDA32-10917	/	- /			
			SE	SE		AMERICA ACTING THROUGH, UNITEDA32-10919	/	- /			
			SE	SE		AMERICA ACTING THROUGH, UNITEDA32-10921	/	- /			
			SE	SE		AMERICA ACTING THROUGH, UNITEDA32-10923	/	- /			
			SE	SE		AMERICA ACTING THROUGH, UNITEDA32-10925	/	- /			

SEE

ATTACHED

" "

TOTAL

ACREAGE

ATTACHMENT

FOR RECOMMEND

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

PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A32-04060

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

POU COUNTY: LEMHI

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

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET () —None w/ B.L. LANDS, BUT RECOMMENDED BE CLAIMED.

Y(X) N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A32-04060	SHEERS CREEK CARLIN CREEK	D & D ENTERPRISES INC	25.690	0.020		
	~~MIDDLE-CREEK~~ <i>WATER DIVISION FROM MIDDLE CREEK</i>					
R32-04060A	COTTONWOOD CREEK SHEARS CREEK CARLIN CREEK COTTONWOOD CREEK	D & D ENTERPRISES INC	11.400	0.020	1995.00	3.50

SEE ATTACHMENT

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	
32-10091	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~~)

CHECK DOCUMENTS USED TO VERIFY POU: ☒ ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
☒ NAPP, IDWR NO. 615; ☒ ASCS PHOTO; () OTHER _____

NOTES: ANALYSIS DELETED CHANGED 4/97.

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

RECOMMENDATIONS: (A) (B)

TOTAL ACRES: 561 N/A ()
REVIEWED BY: SGT, DMD DATE: 7/16/93

TOTAL ACREAGE FOR SECTION

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

TWN	RNG	SEC	NE			NW			SW			SE			TOTAL
			NE	NW	SE	NE	NW	SW	NE	NW	SW	NE	NW	SW	
13N	28E	34										8		36	80
		35			~~35~~				29	19	40		23		147
12N	28E	2				7	19	31							47
		3	37	39	28					24			24	6	229
		4													13
		10				10	22	13							45
															561
															TOTAL

Portion "A"

Portion "B"

12N	28E	10							20					5	12	15	52
-----	-----	----	--	--	--	--	--	--	----	--	--	--	--	---	----	----	----

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 CUR DATED 3/17/92

Region "A"	Region "B"
USE: IRRIGATION, INCIDENTAL STOCKWATERS. PERMODOFUSE:	USE: IRRIGATION, INCIDENTAL STOCKWATERS. PERMODOFUSE:
Q: 1"/ACRE = $561 \times 0.02 = 11.22 \text{ cfs}$ MEASURED Q = 15.02 cfs	NO MEASUREMENT WAS TAKEN @ MUD CK DIVERSION. WAS COLLECTED RUNOFF FROM UPPER RD. WOULD WELL EXCEED 1"/ACRE. RECOMMEND 1"/ACRE = 52 $40.02 = 1.04 \text{ cfs}$

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(☒) Y(☐) N(☐)

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD SEE ATTACHED, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

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

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 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 (☐)

[illegible]

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE
			DATABASE	EXAMINER	
IRRIGATION	05-01 10-30	25.600			3200.0
STOCKWATER	05-01 11-30	0.098			3200.0
<i>Panama Irrigation</i>					
<i>Panama Irrigation</i>					
<i>Panama Irrigation</i>					
TOTAL FOR THIS RIGHT		25.698			3200.0

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: *JB* 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 (X)
NEEDS REVIEW ()

OWNERSHIP FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 32-04060

DATABASE
25.690

CFS

EXAMINER

TOTAL DIVERSION RATE OF WR SPLITS

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

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

DATABASE Y
FIELD EXAMINER Y () N (X)

NOTES:

IRIGATION 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:

TITLE:

NAME OF FIELD EXAMINER:

ERIC S. UGGER

SWA

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT		COPY INCLUDED IN FILE?	
TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION		
☒ ORTHOPHOTOQUAD	DATE OF PHOTO _____	IDWR ID NO. _____	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____	IDWR ID NO. _____	Y() N()
☐ NAPP	DATE OF PHOTO _____	IDWR ID NO. _____	Y() N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>UNKNOWN</u>		Y(X) N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____		Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
☒ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY <u>UNKNOWN</u>		Y(X) N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____		Y() N()
☒ SUBDIVISION PLAT MAP	DATE OF MAP <u>UNKNOWN</u>		Y(X) N()
☒ OTHER <u>GIS MAPS</u>	DATE _____		Y(X) N()
☐ OTHER <u>Memo</u>	DATE <u>4/19/09</u>		Y(X) N()
☒ OTHER <u>Property Plat</u>	DATE <u>UNKNOWN</u>		Y(X) N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)		NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☐ SYSTEM DESCRIPTION	DATE DRAWN _____		
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>5-18-93</u>	<u>7</u>	
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>5-18-93</u>	<u>6</u>	
☒ OTHER <u>BLM Historical Maps</u>	DATE <u>?</u>	<u>4</u>	
☐ OTHER _____	DATE _____		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:11:55
04/16/99

PAGE: 18
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		5/18/93 2/10/93	Y	8/7/94	8/7/94	8/7/94	
POINT OF DIV				Y				
SOURCE				Y				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE				N/A				
PURPOSES OF USE				N/A				
PERIOD OF USE				Y				
BASIS OF CLAIM				N				
REMARKS	Y			N				

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:13:53
04/16/99
19

PAGE: 19
PROFILE REPORT

CLAIM NUMBER: A32-0406Q

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

Water Source: SHEERS CREEK
CARLIN CREEK
MIDDLE CREEK
COTTONWOOD CREEK

Tributary to: SINKS
SINKS
SINKS

Point(s) of Diversion: T13N R28E S35

Place of use Legal Description for: IRRIGATION

T R S	NENE			NW			SW			SE			SUM
	Lt	Ac	Lt	Lt	Ac	Lt	Lt	Ac	Lt	Lt	Ac	Lt	
12N 28E 2	01-40	02-40	40	40	40	40	40	40	40	40	40	40	120.0
12N 28E 3													320.0
12N 28E 4													40.0
12N 28E 10													320.0
12N 28E 14													160.0
13N 28E 34													120.0
13N 28E 35													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 A1 B.
SEE ATTACHMENT.

PAGE: 1
GENERAL INFORMATION

A32-04060B

CLAIM NUMBER: A32-D4050

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PROVISIONAL

PROVISIONAL

LAST: D & D ENTERPRISES, INC.
ADDRESS: C/O PETERSEN, MOSS, & OLSEN
185 E STREET
CITY: IDAHO FALLS
PHONE NUMBER: 208-523-4650

OWNER CODE: C

FIRST: ID STATE: ID ZIP: 83402

LAST: PETERSEN, JR.
ADDRESS: C/O PETERSEN, MOSS, & OLSEN
185 E STREET
CITY: IDAHO FALLS
PHONE NUMBER: 208-523-4650

FIRST: GEORGE C. ID STATE: ID ZIP: 83402

OWNER CODE: A

FIELD EXAM REQUIRED?

DATABASE Y FIELD EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: 5/400 HEAD CATTLE

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

ESU 4/1/99

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 FEEDS WATER FROM COTTONWOOD, SUGARS AND CALLIO CREEKS. AT THE BOTTOM OF THESE FIELDS, WHERE COTTONWOOD CREEK FEEDS INTO MUD CREEK, ALL THE RUNOFF (UNIRRIGATED AND NATURAL FLOW OF COTTONWOOD CREEK FROM ABOVE RECOLLECTS AND IS TRIBUTARY TO MUD CREEK. THE LOWER RANCH, BELOW THE COTTONWOOD-MUD CREEK CONFLUENCE, IS IRRIGATED BY OVERSICONS FROM MUD CREEK.

MY RECOMMENDATION SEPARATES THE

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

A
B

PROVISIONAL

CONTACT PERSON: _____ PHONE NUMBER: () _____
DATE OF FIELD EXAM: 5/12/93 APPOINTMENT MADE: Y() N() TIME: 10:00 A() P()
ACCOMPANIED BY: _____ PHONE NUMBER: () _____
RELATIONSHIP TO CLAIMANT: MANAGER
DIRECTIONS TO PROPERTY / NOTES:

Met @ Love Side Cafe Met w/ Manager. He described the irrigation system to Greg and I. We marked diversions on map. We drove to diversions on Cottonwood, Sinks, 3, Cattle Creek. Greg and I then measured these streams w/ Picuv Meter.

July 16, 1993 - Dennis and I revisited property. Took 1987 Aerial Photo from Salmon Assessor. We marked the extent of B.V. Dennis walked property from confluence of Cottonwood Creek / and 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 Dennis 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 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 grass that are cut and harvested for cattle feed. I did not believe from the place of use the lands covered w/ willow/alder because the cattle do utilize these areas for feed.

PROVISIONAL

A. AJ CLAIM: # A32-04060 PRIORITY DATE: 06-01-1900 STAGES: S
B. WR RECORD: # 32-04060 PRIORITY DATE: 06-01-1900 STAGES: S

C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N

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

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

RECOMMENDED PRIORITY DATE:
06-01-1900

REVIEWED BY DATE

A
B

PROVISIONAL

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TAP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A32-04060	13N	28E	35	NW	NW	SW		LEMMI
A32-04060	13N	28E	35	NW	NW	SE		LEMMI

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
NONE
WR RECORDS IN SAME 40 ACRE TRACT
NONE

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

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TAP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
32-04060	13N	28E	35	NW	NW	SE		LEMMI
32-04060	13N	28E	35	NW	NW	SW		LEMMI

OTHER WR RECORDS WITH SAME WR POD
NONE
AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX
NONE

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

C. FIELD EXAM REQUIRED?

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

NOTES:

VERIFIED PODS 10 FIELD w/ ASES PHOTO.

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

PROVISIONAL

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

PORTION

SOURCE
DIVERSION NAME

COUNTY

LOT

1/4 1/4

TWP. R&E. SEC.

13N 28E 35	NW	NW	SW	✓	LEWIS	SWEET CREEK TRIB COTTONWOOD CREEK
---	SW	SW	NE	✓	LEWIS	CARLIS CREEK TRIB COTTONWOOD CREEK
---	---	NW	SE	✓	LEWIS	COTTONWOOD CREEK TRIB MUD CREEK
---	NW	NE	SE	✓	LEWIS	" " " "
36	SE	NW	SW	✓	LEWIS	" " " "

13N 28E 10 SOURCE: SWEET CREEK FRIED: SINKS

Mud Creek Trib. Birch Creek

REVIEWED BY: B

DATE: 5/18/93 7/16/93

SYSTEM DESCRIPTION:

A = DITCHES TO FLOOD IRRIGATION. ONCE WATER COMES ONTO ROW, CROSS PITCHES; CHECKS RIVER WATER OVER PLACE OF USE. THE WATER FROM THE 3 SOURCES IS COMINGLED DEPENDING UPON HOW FAR DOWN STREAM OF ROW YOU ARE. IT IS IMPOSSIBLE TO DEFINE THE EXTENT TO WHICH EACH SOURCE INDIVIDUALLY IRRIGATES.

B = P.D. is as above.

A. ROOT WATER RIGHT NUMBERS: A32-04060

B. POUL LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12N	28E	2	NE	NW	3	D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		6	6
12N	28E	2	NW	NW	4	D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		29	29
12N	28E	2	SW	NW		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		7	7
12N	28E	3	NE	NE	1	D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		37	37
12N	28E	3	NW	NE	2	D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		37	37
12N	28E	3	SW	NE		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		35	35
12N	28E	3	SE	NE		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		34	34
12N	28E	3	SE	NE		D & D ENTERPRISES, INC.	A32-10090 /	05		20	20
12N	28E	3	SW	SW		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		31	31
12N	28E	3	SE	SW		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		29	29
12N	28E	3	SW	SE		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		5	5
12N	28E	4	SE	SE		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		23	23
12N	28E	4	SE	SE		US DEPT OF INTERIOR	05	32-02142 /		23	23
12N	28E	10	NW	NE		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		18	18
12N	28E	10	NE	NW		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		30	30
12N	28E	10	NW	NW		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		25	25
12N	28E	10	SW	NW		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		23	23
12N	28E	10	NE	SW		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		22	22
12N	28E	10	SW	SE		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0		10	10
12N	28E	14	SW	NW		D & D ENTERPRISES, INC.	A32-04060 /40.0	32-04060 /40.0			

PROVISIONAL

← ZONAT SURV. 11

PROVISIONAL

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12N	28E	14	N4	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0	
			N4	SW		D & D ENTERPRISES, INC.	A32-10091				
12N	28E	14	S4	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
13N	28E	34	S4	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0	36
13N	28E	34	SE	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0	35
13N	28E	35	NE	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0	32
13N	28E	35	N4	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0	13
13N	28E	35	S4	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0	40
13N	28E	35	SE	SW		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0	28
13N	28E	35	N4	SE		D & D ENTERPRISES, INC.	A32-04060	740.0	32-04060	740.0	14
TOTAL ACRES							A32-04060	1280.00		1280.00	570

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POJ DISCREPANCY? (Y/N)

FIELD
EXAMINER

DATABASE
Y

POJ COUNTY: LEHMI

3

PRESUMPTION FLAG:

NOTES:

VERIFIED FOR W/ ASES PHOTO FOR GRI. WALKED LOT TO DETERMINE EXTENT OF BLU.

PROVISIONAL

RECOMMENDATIONS:

	A	B
TOTAL ACRES:	570	55
REVIEWED BY:	ESV	ESV HT
	DWD	
DATE:	7/16/93	

PROVISIONAL

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

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

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATEBASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u>Y</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u>Y</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	<u>Y</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?
RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()
Y() N() EXPLAIN IN NOTES, BELOW.

NOTES:

USE = IRRIGATION, INCIDENTAL STOCK WATERING
PERIOD OF USE: IRR = 4/15 TO 10/15
Stock = 4/15 TO 11/30
Q: MEASURED CHANNEL, STREAMS & COTTONWOOD CREEKS
FESTIVAL ENTERED POOL. COMBINED @ MEASURED
PERIODS = 15.02 cfs. THERE WERE NUMEROUS
OTHER SMALL FLOOD CHANNELS CONTRIBUTING TO
THE IRRIGATION THAT WERE NOT MEASURED.
RECOMMEND LIMITS @ 1" ACRE (NO CONVEYANCE
LOSS) OR (570 ac) (0.02 cfs/acre) = 11.40 cfs total

A

B

NO MEASUREMENTS TAKEN @ MUD CREEK
DIVERSION
RECOMMEND 1" ACRE OR (55 ac) (0.02 cfs/acre) = 1.10 cfs

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

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

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

FIELD DATABASE EXAMINER
Y

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

B. RIGBY METER FLOW MEASUREMENT

MEASUREMENT METHOD DRAPAGE PIEL 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 PDU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A32-04050	STOCKWATER	D E D ENTERPRISES, INC.	FROM 05-01 TO 11-30	.090 CFS	
A32-10030	DOMESTIC	D E D ENTERPRISES, INC.	FROM 04-01 TO 11-01	.020 CFS	
A32-10031	DOMESTIC	D E D ENTERPRISES, INC.	FROM 04-01 TO 11-01	.020 CFS	
A32-10031	STOCKWATER	D E D ENTERPRISES, INC.	FROM 04-01 TO 11-01	.020 CFS	

PROVISIONAL

PROVISIONAL

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

$$\frac{A}{P} \text{ ACRES } \underline{570} \times 0.02 \text{ CFS/ACRE} = \underline{11.40} \text{ CFS}$$

(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

$$B = 55 (0.02 \text{ cfs/acre}) = 1.10 \text{ cfs}$$

 DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? $Y(\underline{X})$ $N(\underline{X})$

 *** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? $Y(\underline{X})$ $N(\underline{X})$ ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 3200.0 AF/A

 $\frac{A}{P}$ ACRES 570 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

$$B = (55 \text{ ac})(2.5 \text{ AF/A}) = 137.5 \text{ AF/A}$$

TOTAL CONSUMPTIVE USE 1425 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

 $\frac{A}{P}$ ACRES 570 X DIVERSION VOL. AF/A FOR AREA 3.5 =

$$B = (55 \text{ ac})(3.5 \text{ AF/A}) = 192.5 \text{ AF/A}$$

TOTAL DIVERSION VOLUME 1995 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? $Y(\underline{X})$ $N(\underline{X})$

5/400 HEAD CATTLE

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

A: COND: None, REMARKS: None

B: COND: None, REMARKS: None

PROVISIONAL

RECOMMENDATIONS:

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

REVIEWED BY: *EE*

DATE: 7/20/93

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

B: IRR 4/15 to 10/15 1.10 192.5 137.5
 stock 4/15 to 11/30 1.09 0
 1.10 192.5 137.5

1-1
B

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 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	-	-	32-04060	25.690
TOTAL CFS		25.690				25.690

DIVERSION RATE REVIEW

DATABASE
Y

FIELD
EXAMINER

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

NOTES:

BENEFICIAL USE RIGHT

AUTHENTICATION:

SIGNATURE:

DATE: 7/16/93

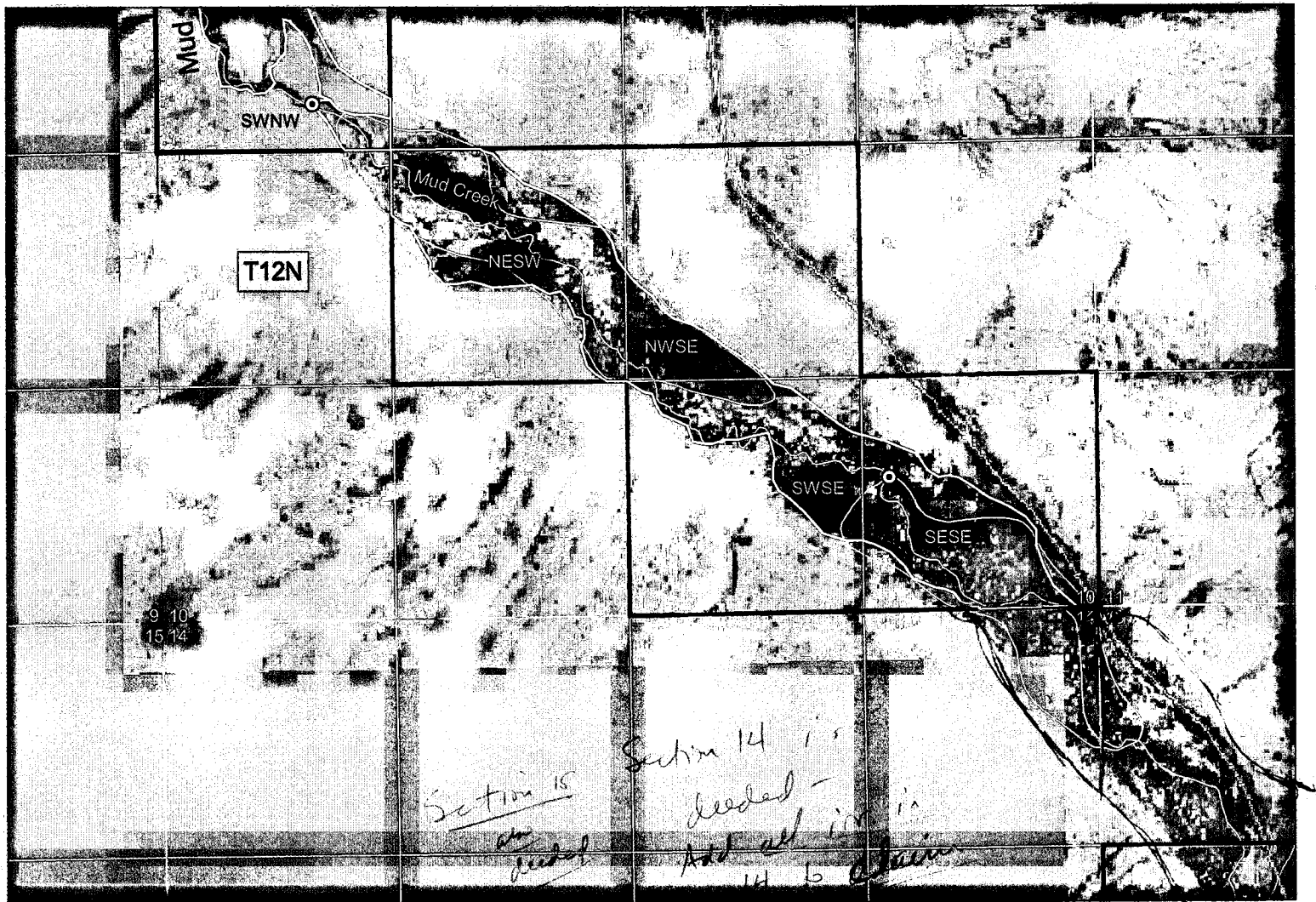
NAME OF FIELD EXAMINER:

TITLE:

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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right No. 32-04060B



0 1320 2640 Feet



Point of Diversion
Location



Place of Use
Boundary



Section Lines

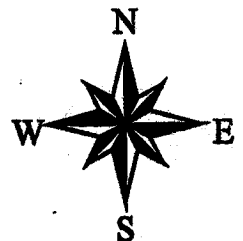


Quarter/Quarter Lines



Property Lines

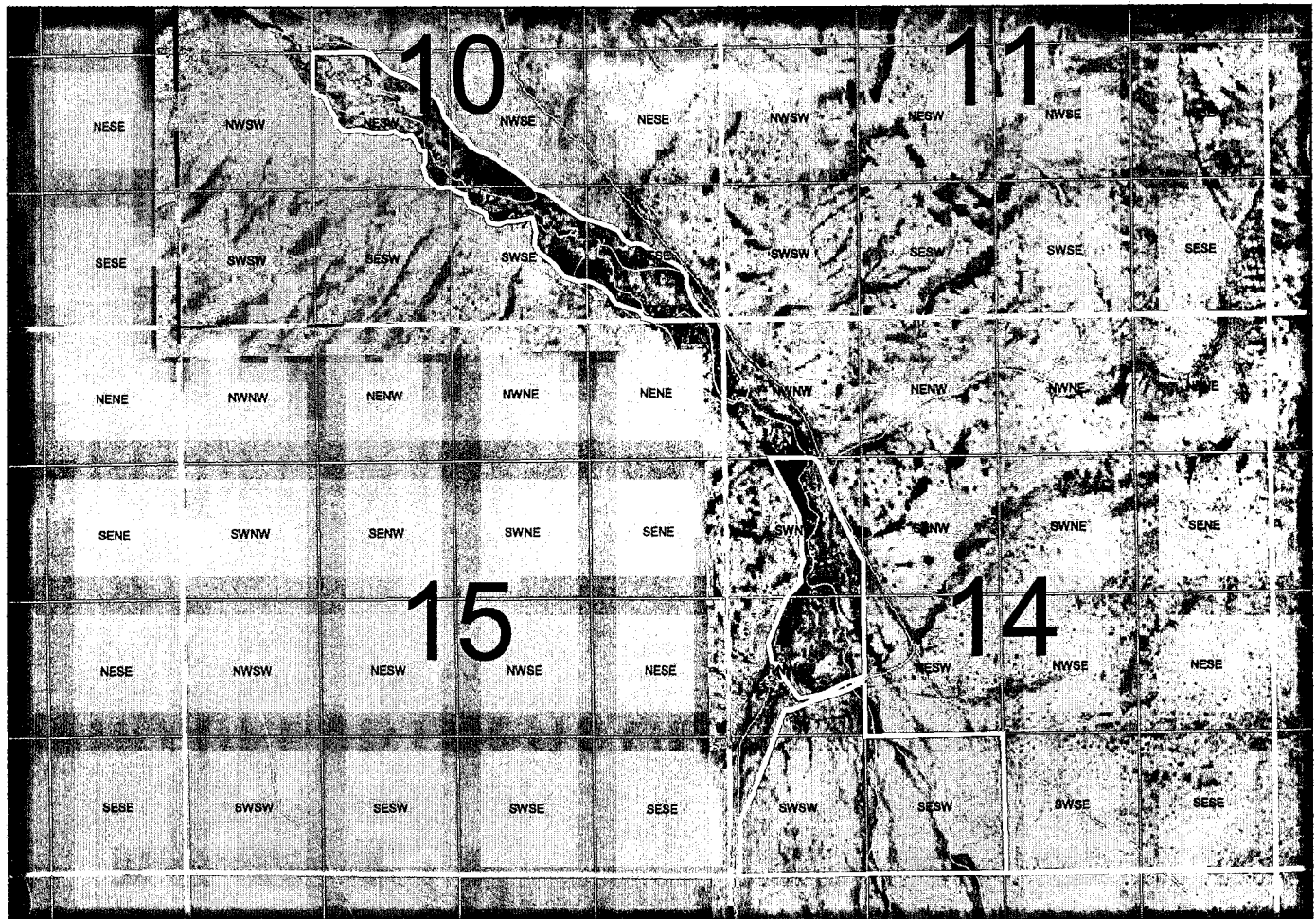
Township 12N Range 28E
Acres Irrigated: 52



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

IDAHO DEPARTMENT OF WATER RESOURCES

Claim A32-04060B



Township 12N Ranges 28E



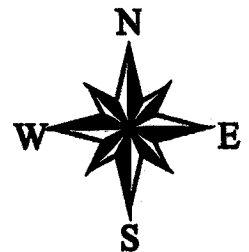
1/4 1/4 Section Lines



Section Lines



Place of Use Boundary

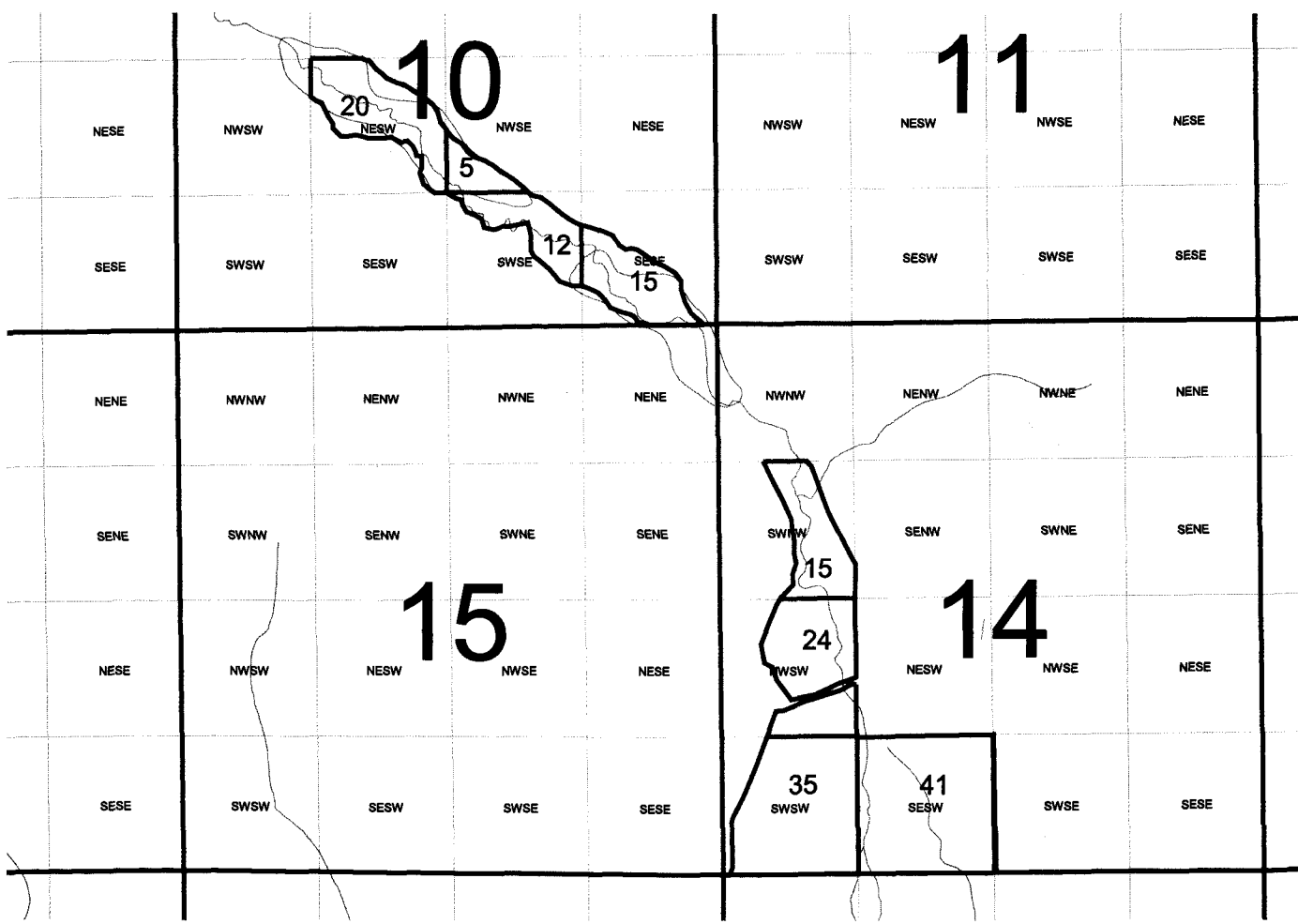


GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Bryce A. Contor
Date: September, 1999

IDAHO DEPARTMENT OF WATER RESOURCES

Claim A32-04060B

Acreage Calculations



Township 12N Ranges 28E



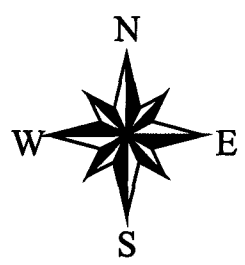
1/4 1/4 Section Lines



Section Lines



Place of Use Boundary



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: Bryce A. Contor
Date: September, 1999

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)09/30/99 18:47:38
Page 1Water Right Number - R32-04060B 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 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 - - - - - +
MUD CREEK BIRCH CREEK+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County12N 28E 10 SE SW NW (59) LEMHI
NW SE SE (59) LEMHI
14 NE SW NW (59) LEMHI
SE NW SW (59) LEMHI+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 10/31 3.340
04 - STOCKWATER 01/01 12/31 0.020+ - - - - Total Div. Rate - - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
3.360 0.0+ - - - - TwN Rng Sec Tract Lot Acres Place of Use Code Description County
12N 28E 10 NE SW 20.0 01 IRRIGATION (59) LEMHI
12N 28E 10 NW SE 5.0 01 IRRIGATION (59) LEMHI
12N 28E 10 SW SE 12.0 01 IRRIGATION (59) LEMHI
12N 28E 10 SE SE 15.0 01 IRRIGATION (59) LEMHI
12N 28E 14 SW NW 15.0 01 IRRIGATION (59) LEMHI
12N 28E 14 NW SW 24.0 01 IRRIGATION (59) LEMHI
12N 28E 14 SW SW 35.0 01 IRRIGATION (59) LEMHI
12N 28E 14 SE SW 41.0 01 IRRIGATION (59) LEMHI

Total Acres: 167.0

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

Water Right Number - R32-04060B

Prefix Translation: RESEARCH

Old (D) Number -

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

*** A - ATTORNEY ***
PETERSEN JR

GEORGE C

1 - C/O PETERSEN MOSS & OSLEN
2 - 485 E ST
3 -
City- IDAHO FALLS
Phone - 208-523-4650
State- ID Zip- 83402*** C - CURRENT OWNER ***
D & D ENTERPRISES INC1 - C/O PETERSEN MOSS & OSLEN
2 - 485 E ST
3 -
City- IDAHO FALLS
Phone - 208-523-4650
State- ID Zip- 83402+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
06/01/1900 15 EASTERN J - BENEFICIAL USE+ - - Source - - - - + + - - - - - Tributary - - - - - +
MUD CREEK BIRCH CREEK+ - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot Rflg County Diversion Name12N 28E 10 SE SW NW (59) LEMHI
NW SE SE (59) LEMHI+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

05/01 10/31 1.040

+ - - Total Div. Rate - - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - kW Usage - +
1.040 0.0+ - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County12N 28E 10 NE SW 20.0 01 IRRIGATION (59) LEMHI
12N 28E 10 NW SE 5.0 01 IRRIGATION (59) LEMHI
12N 28E 10 SW SE 12.0 01 IRRIGATION (59) LEMHI
12N 28E 10 SE SE 15.0 01 IRRIGATION (59) LEMHI

Total Acres: 52.0

+ - - Diversion Means - FLOOD IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Water right number - R32-040608

Prefix Translation: RESEARCH

+ - - - - - 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 - - - + +
00/00/0000

+ - - - - - Audit Fields - 04/20/99 EVERNER 07/07/99 EVERNER 07/30/99 ECARLSEN 07/31/99 AJU10-EC

+ - - - - - Date: 07/07/1999 User Id: EVERNER Subject: COPIED FROM REMARKS
S/400 HEAD CATTLE
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.

+ - - - - - 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 - Old Judicial District -
Claim Received Date - 06/29/1988 Last Amended Date - Temporary Right - P
Proof Due Date - 00/00/0000 Proof Made Date - 00/00/0000 Water District - 320
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 20 1988

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

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 PETERSEN, MOSS, & OLSEN
485 E STREET
IDAHO FALLS ID 83402

2. Date of Priority: MAY 1, 1921

3. Source: MUD CREEK Trib. to: BIRCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	28E	10	SE	SW	NW		LEMHI
			NW	SE	SE		LEMHI
		14	NE	SW	NW		LEMHI
			SE	NW	SW		LEMHI

5. Description of diverting works:
FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/31	3.340		
STOCKWATER	01/01	12/31	0.020		

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

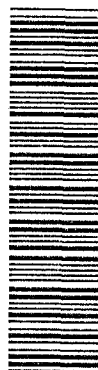
A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A3204060B



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	28E	10	NE	SW		IRR	20.0
			NW	SE		IRR	5.0
			SW	SE		IRR	12.0
			SE	SE		IRR	15.0
			Section Acres				52.0
		14	SW	NW		IRR	15.0
			NW	SW		IRR	24.0
			SW	SW		IRR	35.0
			SE	SW		IRR	41.0
			Section Acres				115.0
			Total Acres				167.0

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 INTO A & B PER FIELD INSPECTION BY ERIC VERNER. CLAIM AMENDED TO INCLUDE POU IN SECTION 14 WHICH WAS ON ORIGINAL CLAIM BUT NOT REFLECTED IN SPLIT. AMENDED CLAIM ALSO INCLUDES PROPORTIONATE SHARE OF STOCKWATER CLAIMED ON ORIG CLAIM. BCONTOR 9/1999.

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:

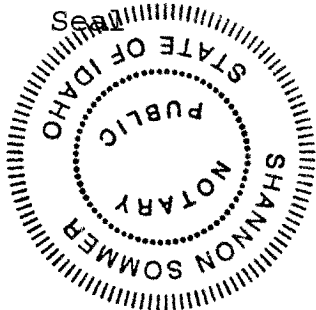
I do solemnly swear or affirm that I am President of
Title
D+D Enterprises, Inc. that I have signed the foregoing
Organization
document in the space below as President of
Title
D+D Enterprises, Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

Jim DeMordant
Signature of Authorized Agent
President D+D Enterprises, Inc.
Title and Organization
Sept. 8, 1999
Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public



Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A32-04060B**
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.
Address: C/O PETERSEN, MOSS, & OLSEN
485 E STREET
IDAHO FALLS ID

208-523-4650

83402

2. Date of Priority: JUN 1, 1900

3. Source: MUD CREEK

Trib. to: BIRCH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	28E	10	SE	SW	NW		LEMHI
			NW	SE	SE		LEMHI

5. Description of diverting works:
FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/31	1.040		

7. Total Quantity Appropriated is:
1.040 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	10	NE	SW		IRR	20.0
			NW	SE		IRR	5.0
			SW	SE		IRR	12.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	28E	10	SE	SE	IRR	15.0
Section Acres						52.0
Total Acres						52.0

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

