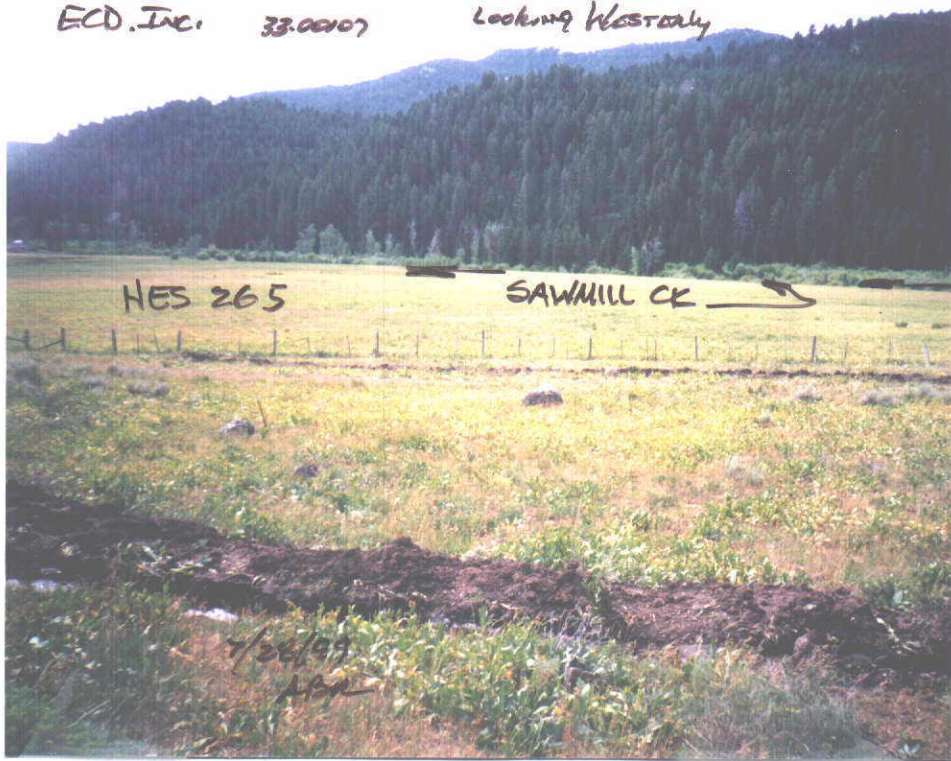


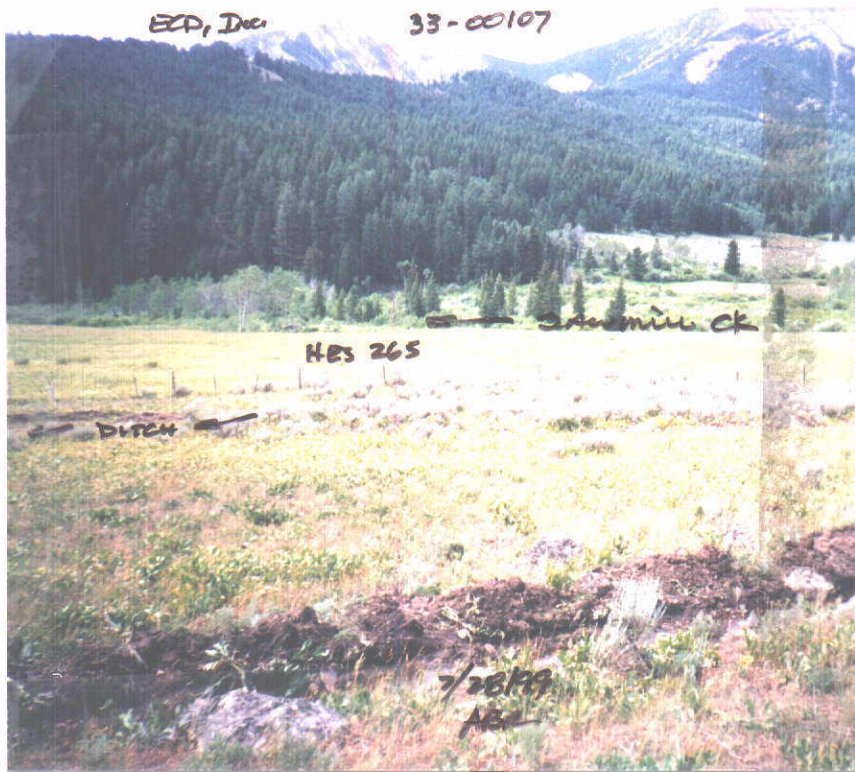
ECD, Inc. 33-00107

Looking Westward



ECD, Inc.

33-00107







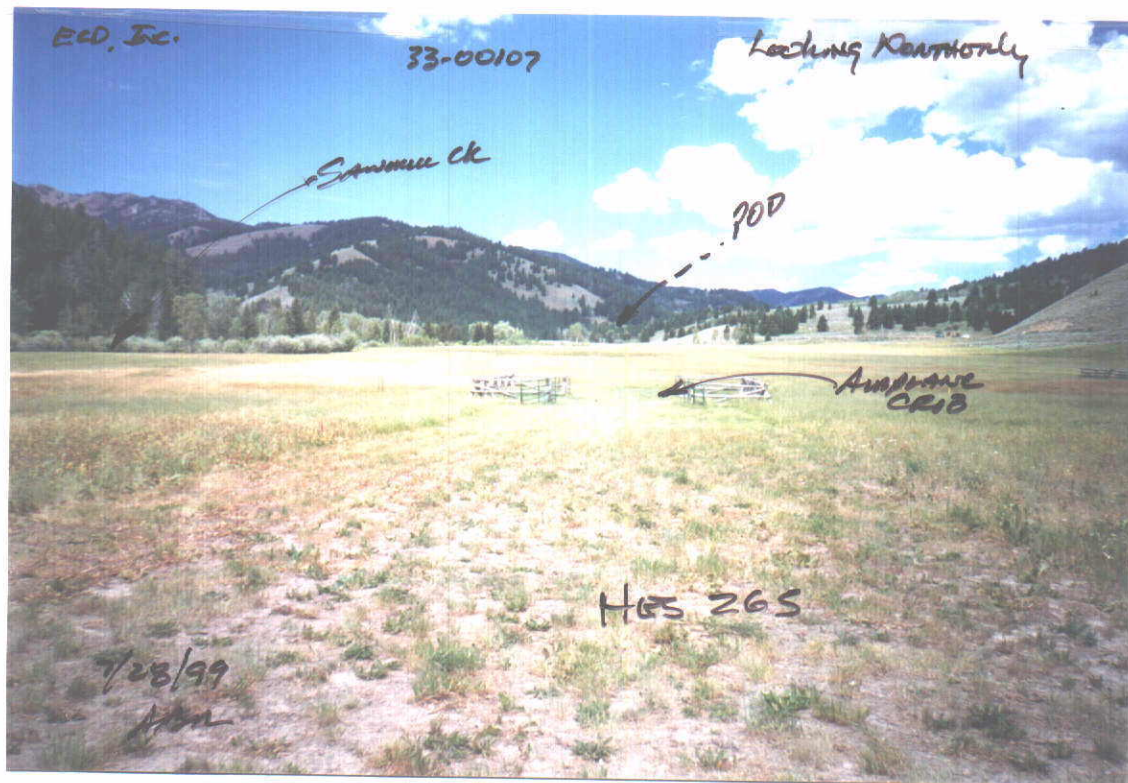


ECD, Inc.

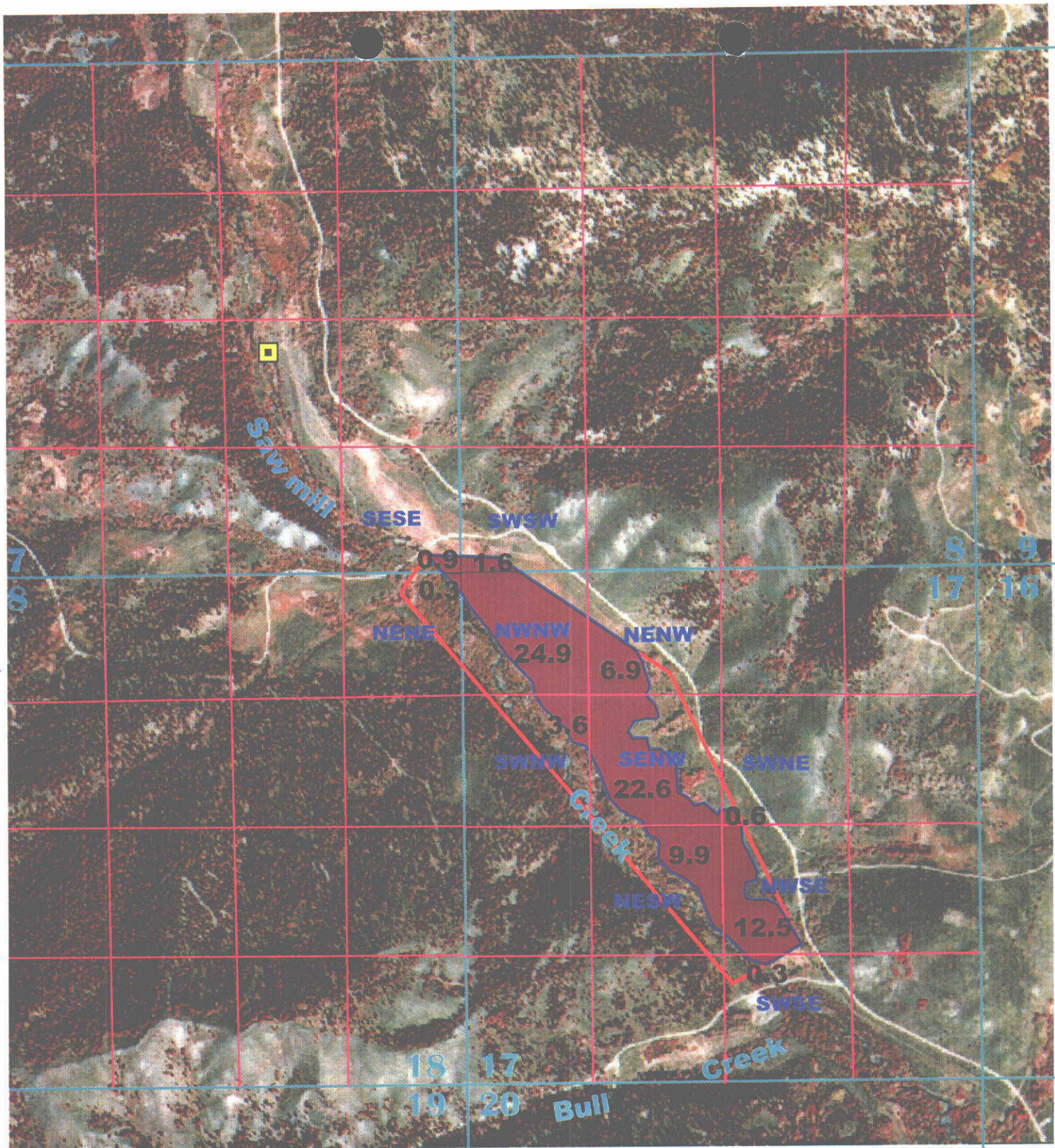
33-00107

Looking Southeast

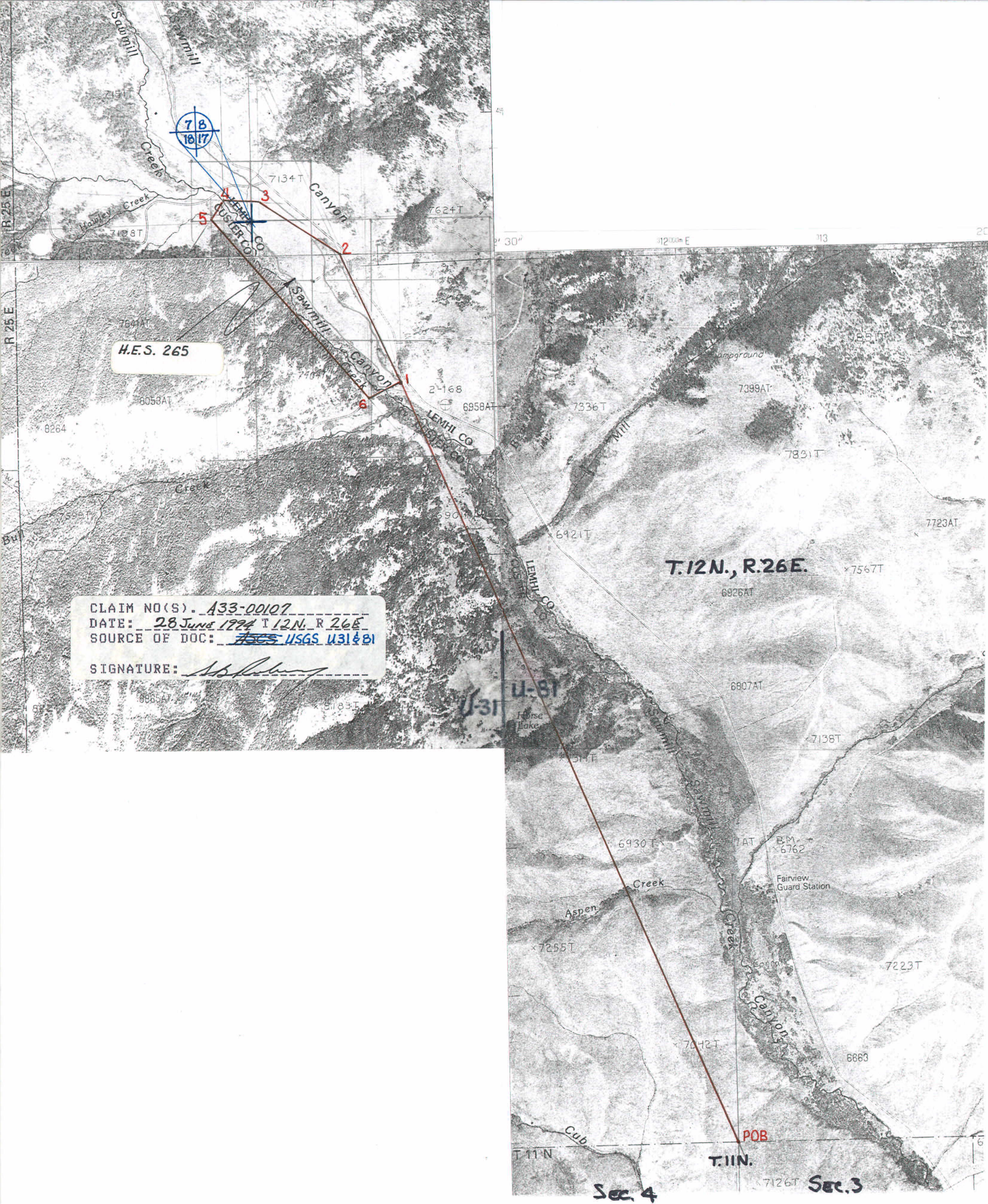




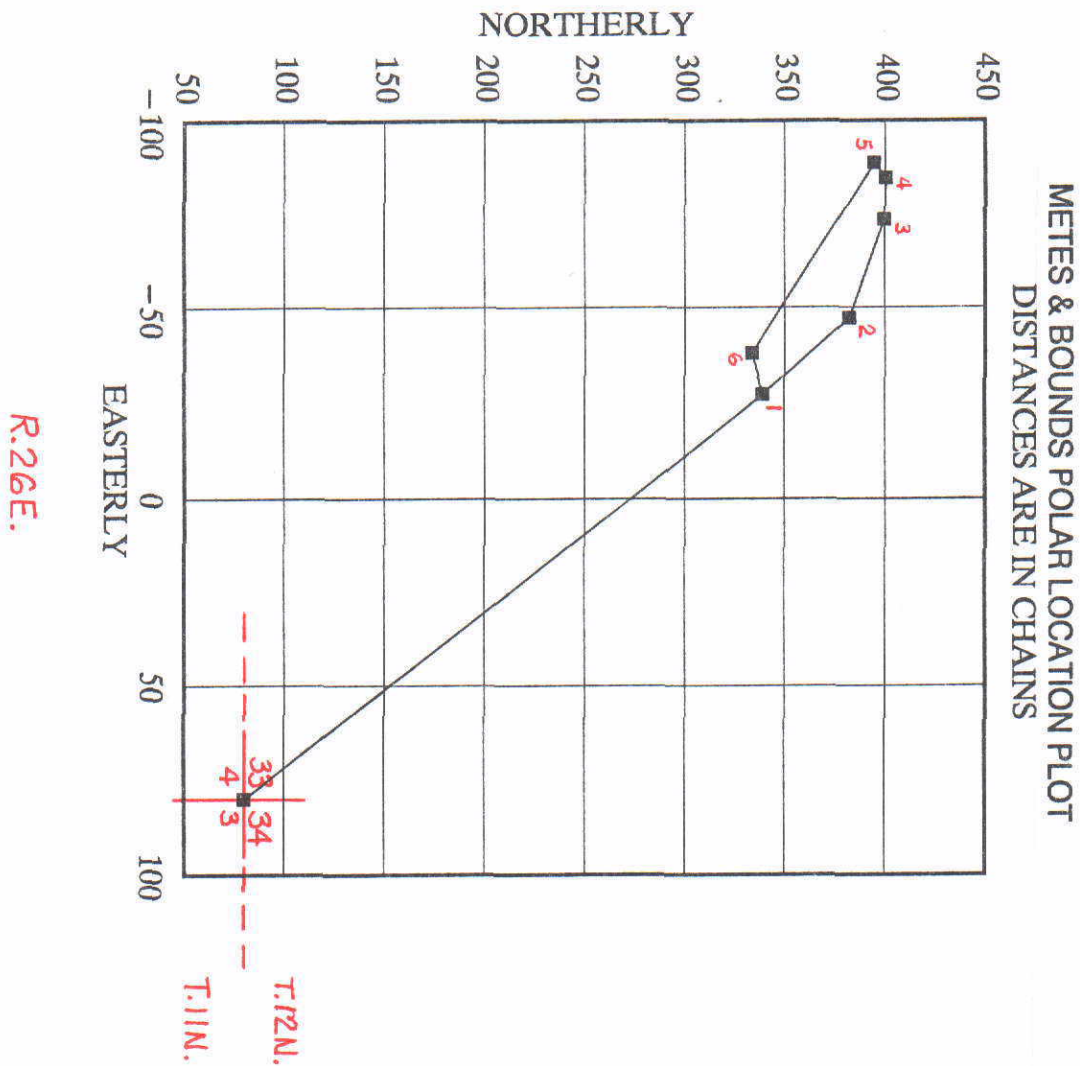




84¹ AC



POLAR COORDINATE		ANGLE			BEARING ANGLE DIRECTION	DIST (FT)	CUMULATIVE ACRES
X-COR (CHAINS)	Y-COR (CHAINS)	DEGREES	MINUTES	SECONDS			
80.00	80.00						
-27.42	338.90	22.00	32.00	0.00	NW	18499.80	1390.52
-47.20	381.95	24.00	41.00	0.00	NW	3127.08	1895.54
-73.88	399.86	56.00	8.00	0.00	NW	2120.58	2147.18
-84.76	400.51	86.00	33.00	0.00	NW	719.40	2157.63
-88.76	394.73	34.00	39.00	0.00	SW	463.98	2061.19
-38.07	333.56	39.00	39.00	0.00	SE	5243.04	1184.00
-27.41	338.90	63.00	25.00	0.00	NE	786.72	1244.14





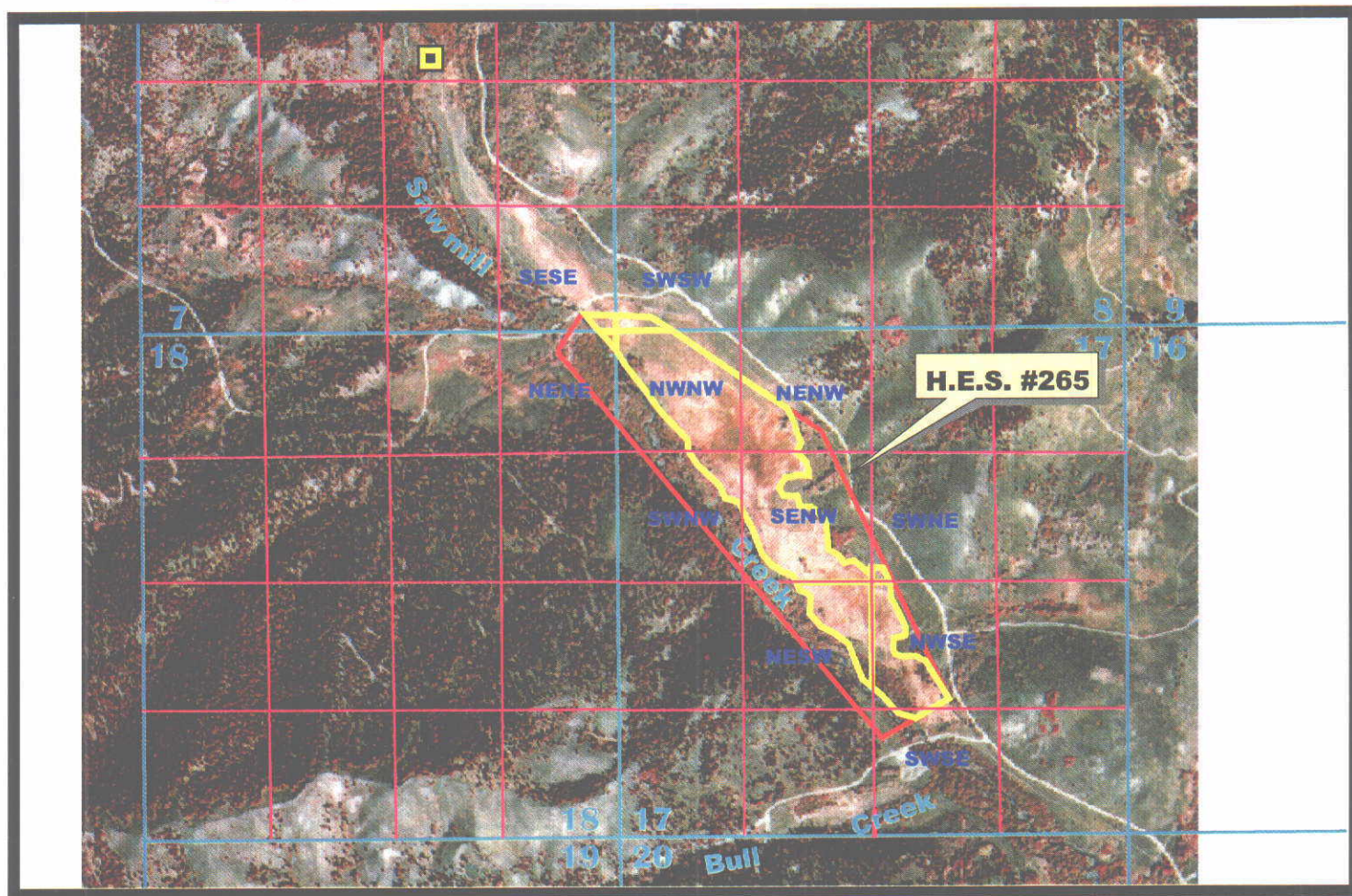
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: ECD Inc.

Water Right(s): 33-00107



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 Feet

LEGEND



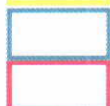
Point of Diversion- GW



Point of Diversion- SW

SESE

Place of Use



Section Line

Quarter-section line

Period of Use: May 1 to July 10

Priority Date: June 15, 1918

**Place(s) of Use: T.12N., R.26E.
(parts of) Sections 7, 8, 17, 18
Known as H.E.S. # 265**

**Point(s) of Diversion: T.12N., R.26E.
Sec. 7 SWNWNE**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1999

11 April 2020

From: Bureau of Land Management

To: Fred Price, BLM-ISO

CC: Candice McHugh, IDWR ADJUD.

From: A. Ruberry, IDWR Eastern Region

Re: B33 Irr POD's objected to by BLM

POD LOCATION

T11N R26E S10 NWNENE

This legal description defines the beginning of a channelized portion of Sawmill Creek. Apparently back in the 1920'-1930's there were several attempts tried to preserve water from Sawmill Creek because the stream would "break". Among them were things like a canal dug from Sawmill Creek to Summit Creek and a channelization project aimed at cleaning and to some extent straightening the Sawmill Creek channel as it flowed across Mud Flats (ref: OQ U-82).

*See ATTACHED
LIST of SAs
or MUD FLATS*

In review of the adjudication claims from Sawmill Creek and the Little Lost River, it was initially considered that the source(s) could all be Little Lost River since it was difficult to determine where Little Lost River started and Sawmill Creek ended. Seeing no difference in source recommendations of Sawmill Creek claims were changed to Little Lost River. The Preliminary Director's Report was filed only to find that Sawmill Creek now occasionally breaks at the shearing corrals, which is about half-mile upstream from the confluence of Sawmill Creek and Summit Creek; The beginning of the Little Lost River. This new information seriously impacted recommendations since the Sawmill Creek claims, now changed to Little Lost River, became senior to the junior Little Lost River rights, causing injury to the junior Little Lost River appropriators.

Ultimately, the source issue was changed back to Sawmill Creek. Now a problem arose where a Point of Diversion had to be defined for the Sawmill Creek claims since actual deliveries are made from Little Lost River (except 33-00107 which is a true Sawmill Creek right, but, Decreed as a Little Lost River right). The 1927 Decree states "at the mouth of Sawmill Creek". However, there were no rights diverted at the mouth of Sawmill Creek. And, the dilemma of where was the mouth of Sawmill Creek. In consideration of the channelization project aimed at preserving waters of Sawmill Creek it was determined that the channelization had in-fact changed the streambed to a canal, saving water. Therefore, the beginning of the channelization would now become the Point of Diversion and the ending of the channelization would be a Point of injection back into the Sawmill Creek stream channel. The Point of Injection is near the shearing corrals, about half-mile upstream from the confluence of the streams. The Sawmill Creek claims Point(s) of Diversion are recommended as Points of Re-diversion from Little Lost River at or near their respective Place(s) of Use. This recommendation preserves both the source and the Sawmill Creek priority dates and, forgoes the injury issue of junior Little Lost River rights.

T9N R27E S4 SWNWNE

This objection is a true error. Apparently a typographical error was made during the recommendation process. The TRUE Point of Diversion should read **T9N R26E S4 SWSWNE**. The claimant, Mr. Waymire has been notified and is now aware of the issue.

33-00036
00037
000930

T11NR27E S31 NESESE

BLM believes this POD should read S31 SENESE based on GPS data. However, during the field exam of these claims several Points of Diversion were identified to include the one in question. The recommended POD in-question is an actual Point of Diversion where an unnamed stream intersects with the collector ditch and can be verified using OQ V-32. The site proposed by the BLM is a drainage that was dry during the field exam, thus no recommended POD.

33-00065
33-70871

T6N R28E S2 SESWSW

Specifically named is SRBA claim 33-10995. This claim identifies private lands historically irrigated by the Hawley's, later sold without water. The Point of Diversion used during the irrigation era is on BLM but is now longer used. The claimant filed this SRBA claim and Transfer No. 4551 in an effort to preserve the acreage irrigated by surface water. The transfer is in-place awaiting the BLM objection to prompt IDWR to review and act. However, the transfer is currently protested.

33-00051 Thru
33-00060

T6N R 28E S11 SESENW

This is an historic Point of Diversion dating back to the late 1800's (according to the water right priority dates, 1885-1891) and is one of three serving the ranch. One of which previously mentioned above, T6N R28E S2 SESWSW. The other is within the private holding of the ranch.

33-10996 is an enlargement claim for acres on BLM lands that were historically irrigated by the Hawley's and is part of the Transfer No. 4551 aforementioned. BLM is aware of this claim and supports the transfer of acreage to private lands. As mentioned previously, the transfer is protested.

T7N R28E S21 NWNWSW

According to the Proof of Beneficial Use filed for this right (33-07010) this well dates to the 1940's. However, the Licensed date of priority was March 19, 1971, but then Transfer No. 3809 was filed to "unstack" surface and groundwater rights. As a result, the priority date of the well was advanced to July 2, 1990. Surface water decreed to this ranch date to 1885 to 1891.

This particular well dating to the 1940's (unsupported evidence of prior claimant) was located according to the initial survey dating to July 9, 1890, which no doubt established fence lines. A resurvey of the East line of Section 21 was done in August 1941. Then, in 1978, another resurvey was done as evidenced by the monument caps. This 1978 resurvey puts the TRUE Point of Diversion of the 33-07010 well in the NENWSW (a BLM QQ). However, this matter was discussed with Ms Deena Teal, BLM, Idaho Falls District Office, in October of 1996, shortly after the discrepancy was found. Ms Teal indicated, at

Rocky Ross

that time, that since the well predated some 1976 ruling, by which BLM operated, they (BLM) would not protest the actual POD.

This basically explains the history of the well and the recommendation; however, the listing of the POD as NWNWSW is clearly an error. The CVR shows the POD to be located as NENWSW Sec. 21, which is accurate.

T8N R28E S31 SWNWSE

This POD defines a well used solely for mitigation and is defined as an amendment to the 1927 decree as a Judgement against Orville Nicholson, 1954. The recommendation does define a Place of Use; however, this POU is by exchange with surface waters as defined in the Judgement. The period of use is 4/1 to 7/15 annually, when all this well does is deliver water to the river. The Objection is not to the Point of Diversion, but rather to the Point of Injection. And, in-fact, as recommended this Point of Injection is accurate.

T6NR29E S31 NWSWNW

This is another typographical error. The recommended POD should read T6N R29E Section 30 NWSWNW. There is a pending Transfer to correct the actual POD location to T6N R28E Section 25 NESENE.

33-02128

33-318
48B
49B
50B
83C

Contor, Bryce
From: Contor, Bryce
Sent: Wednesday, January 19, 2000 4:27 PM
To: Ruberry, Allen; Carlsen, Ernie
Subject: Sawmill Creek Rights

This morning we met via teleconference with Dave Tuthill and Peter Anderson. One of the things we discussed was the Sawmill recommendations. During our call, Bill Stauffer called and reported that he had discussed the Sawmill recommendations with others, including Don Isham, James Andreason, and David Andreason. They all concur with the proposals in the January 6 letter. James Mays has sent us written concurrence.

Per Dave Tuthill's instructions to Al and me, I have gone ahead and changed the source of Sawmill Creek rights back to "Sawmill Creek, tributary to Little Lost River." The point of diversion is 11N 26E section 10, NWNENE, and the point of injection is 10N 27E section 18, NWSESW. The former points of diversion have been identified as points of redirection. I removed any comments relating to change of source and I removed condition C02.

The rights I changed were:

R33-00023B
R33-00030
R33-00043
R33-00077
R33-10070
R33-10073
R33-10084
R33-10086

I'll put a new profile report and a copy of this memo in each file.

There were other Sawmill rights which I did not change. These are:

R33-00038	1927 decree & claim list source as Little Lost River
R33-00096B	Recommended w/ source "Summit Creek"
R33-00107	Recommended originally w/ source "Sawmill Creek"

33-10464 Stockwater claim already PD w/ source
"Sawmill Creek"

Contor, Bryce

From: Contor, Bryce

Sent: Wednesday, January 19, 2000 4:27 PM

To: Ruberry, Allen; Carlsen, Ernie

Subject: Sawmill Creek Rights

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R33-00038 1927 decree & claim list source as
Little Lost River
R33-00096B Recommended w/ source "Summit Creek"
R33-00107 ✓ Recommended originally w/ source
"Sawmill Creek"

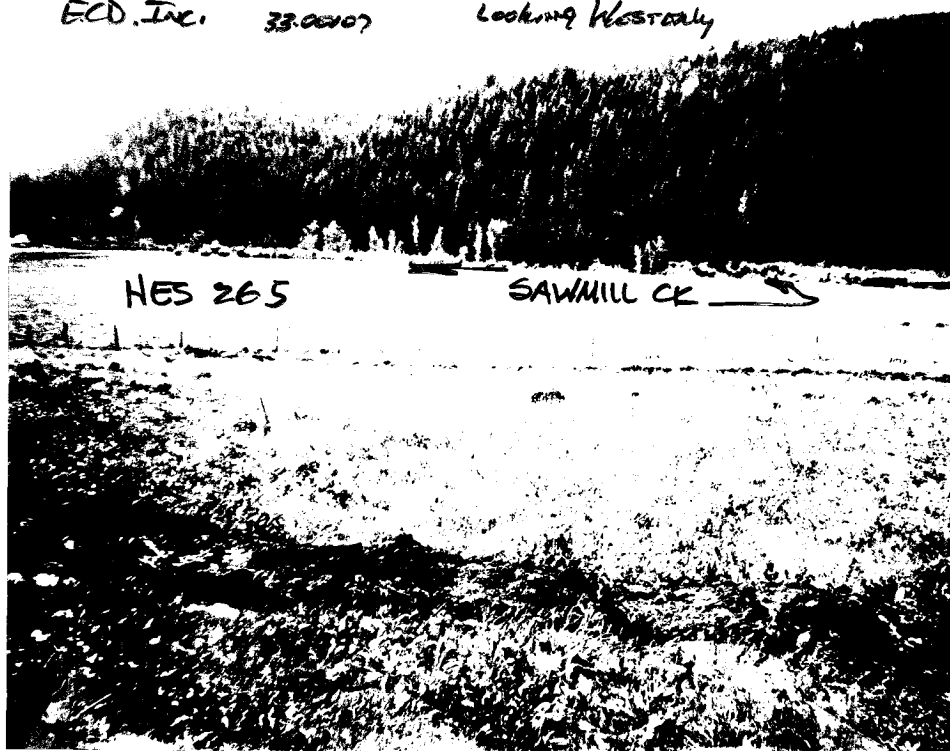
33-10464 Stockwater claim already PD w/ source
"Sawmill Creek"

ECD INC.

HQS[#] 265 Photos

Sawmill CR

ECD, Inc. 33-00107 Looking Westward

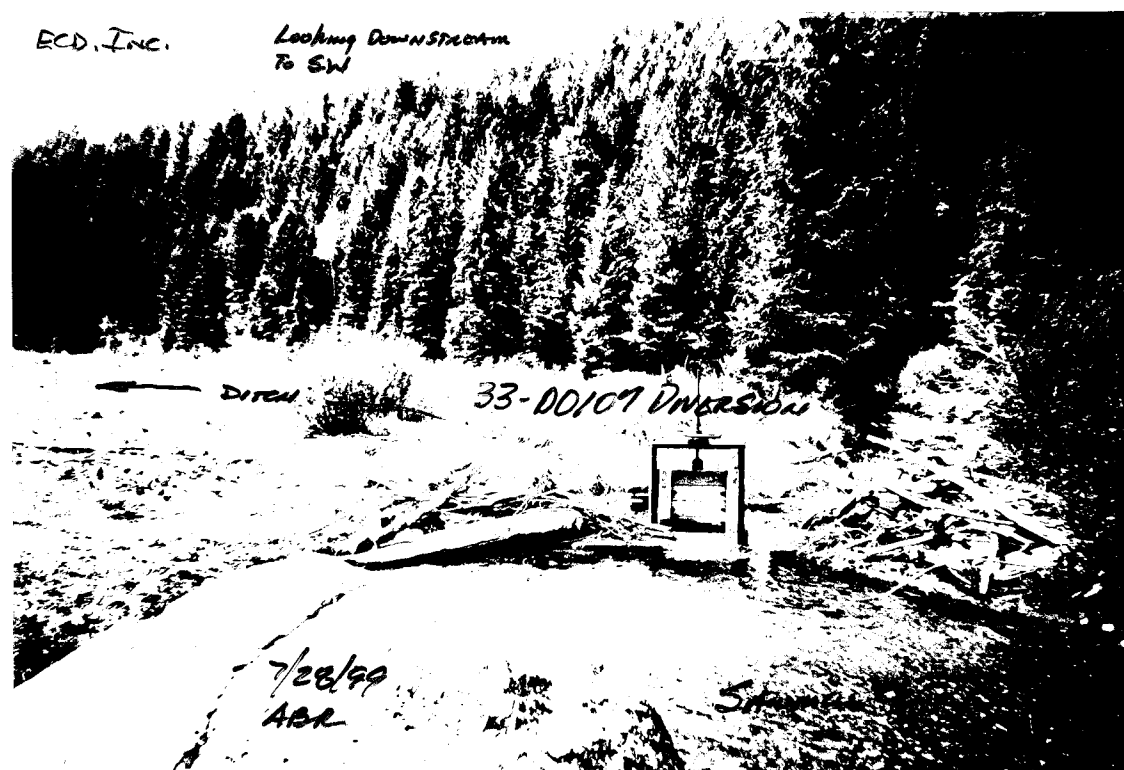


ECD, Inc. 33-00107



Looking Westward







ECD, Inc.

33-00007

Looking Southwest



ECD Inc.

33-00107

Looking Southwesterly



ECD, Inc.

33-00107

Looking Northwesterly





A33-00107

ECD INC

C/O HOLDEN KIDWELL HAHN & CRAPO

PO BOX 50130

IDAHO FALLS

ID 83405

R



A3300107

Field Exam:

- ☐ User
- ☐ Sanner & P.O.D.
- ☐ Integ. Ac.
System Descrip.

☒ ASCS photo

☒ DU vs DA

☒ STOCKWATER EVIDENCE? No!
100 COWS/HELVET

POD RD-1

POU RD-

Ruberry, Allen

From: Eklund, Wendy
Sent: Wednesday, October 13, 1999 12:02 PM
To: Ruberry, Allen
Cc: Ciscell, Michael
Subject: RE: 12n26e - SEC 7 - CLAIMS?

The ADJ claim profile shows only 1 acre in 7 and 1 acre in 8. It doesn't seem that a lack of acreage recommended will be a problem unless you are going on something else with lots more acres in these sections.

I'm sending you 2 1991 Forest Service revised topo's with section lines for 12n26e. The hes looks TOO far north - crosses the road to the nw and is about 500' north of the one on the se.

I'm faxing the hes portion of the maps and the adj profile.

The nearest surveyed section corner seems to be 2 miles west. So the existence of a variety of locations or errors in different directions doesn't seem unusual, although certainly frustrating.

If it were more than 2 or 3 acres, Mike might suggest just digitizing the claim and getting acreage from that.

Please let us know again if you still see a problem we should look at more closely. The faxes may not have been that clear. The signed claim with ortho base was not clear and the multi-section inset map on the water transfer route survey was small so it did not come across clearly. If you need us to see more or clearer data, please send!

Good luck,

w

-----Original Message-----

From: Ruberry, Allen
Sent: Monday, October 04, 1999 8:20 AM
To: Eklund, Wendy
Subject: RE: 12n26e - SEC 7 - CLAIMS?

LATE, but responding.
yes, there are irrigation claim(s) in both of these referenced QQ's.

thx,
al

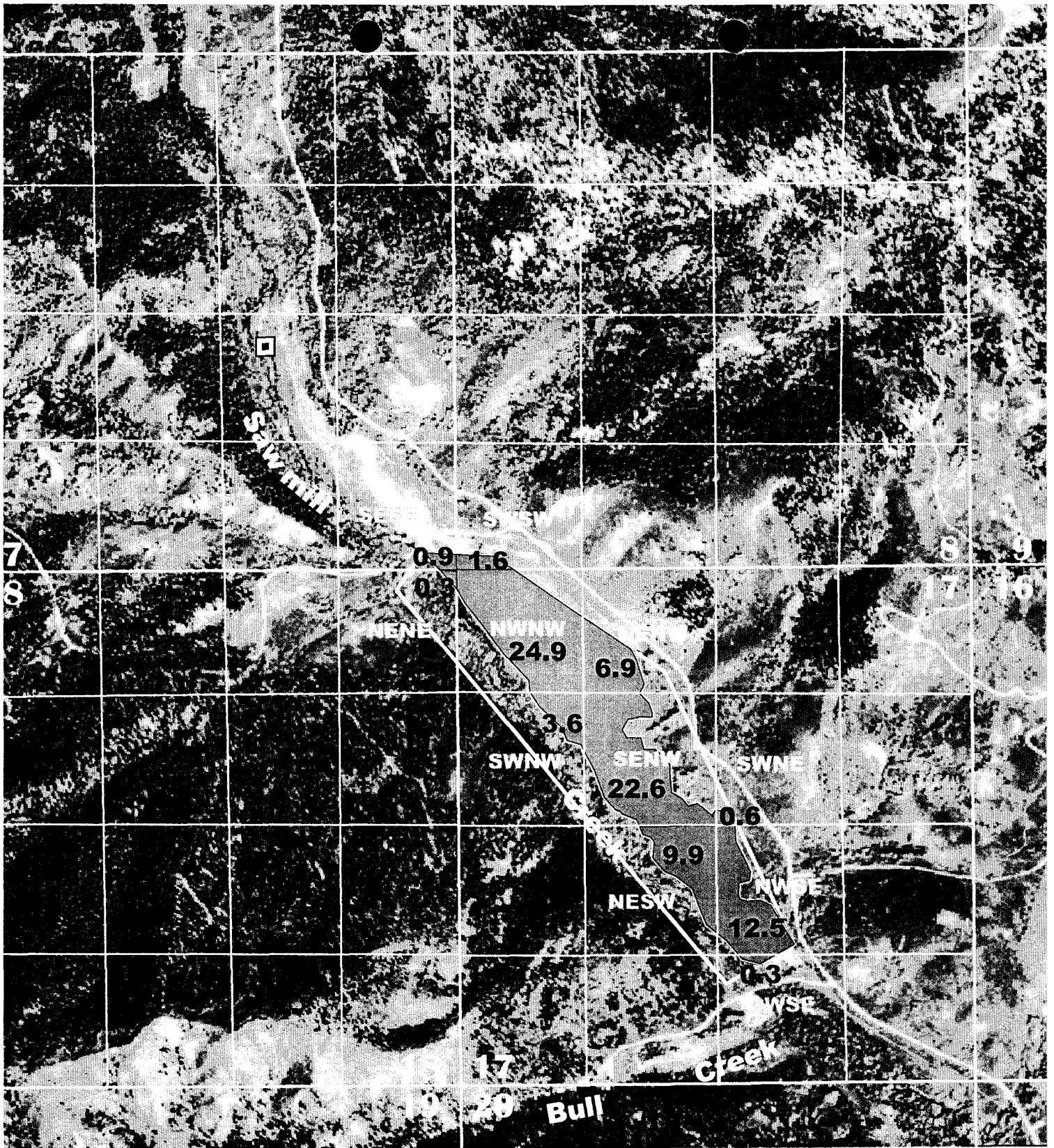
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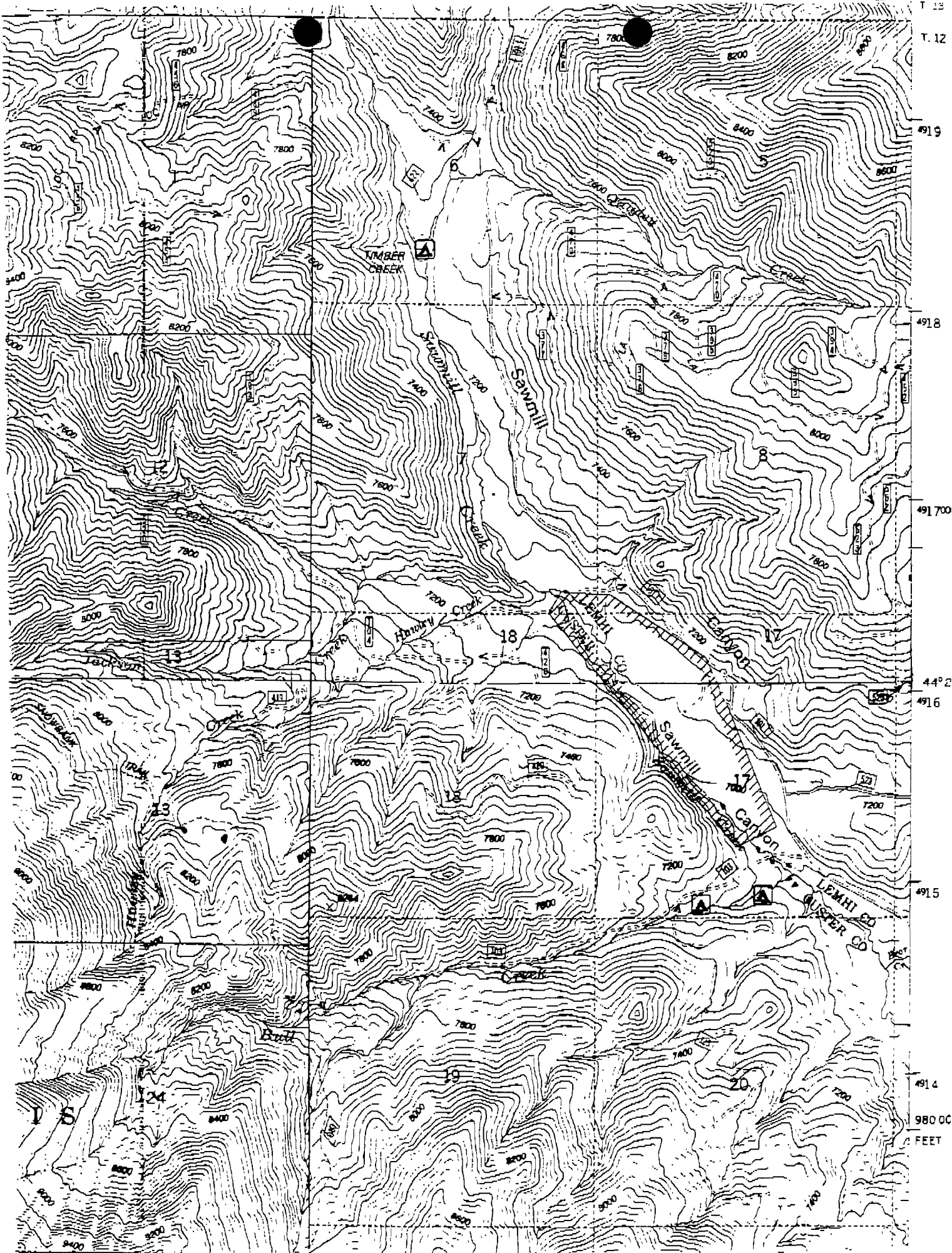
From: Eklund, Wendy
Sent: Friday, October 01, 1999 2:07 PM
To: Ruberry, Allen
Subject: 12n26e - SEC 7 - CLAIMS?

Will you have a chance to let me know if there is irrigation or claims, in sec 7 SESW and SWSE or sec 7 SE around S section line / sec 18 N sec line.
If no time I'll bother someone here;
If no claim I won't reject it a second time!

Hope you had a good Friday!

Wendy





being supplied to said defendants for irrigation purposes.

XXXV

EDWARD E. QUIGLEY:

From Little Lost River:

80 inches between the first day of May and the 10th day of July of each year, with date of priority June 15, 1918; 33 0107 48

Point of diversion:

to be used upon and appurtenant to:

A tract of 146.34 acres within the Lemhi National Forest in unsurveyed Sections 7, 8, 17, and 18, Township 12 North, Range 26 E. B. M., embraced in H. E. S. No. 265, Lists #4-1109 and 4-1709, described by metes and bounds as follows: Beginning at corner No. 1, from whence the corner common to Sections 3, 4, 33 and 34, Townships 11 and 12 North, Range 27 E. B. M. bears South 22° 32' East 280.30 chains distant; thence North 24° 41' West 47.38 chains to Corner No. 2; thence North 56° 8' West 32.13 chains to corner No. 3; thence North 86° 33' West 10.90 chains to corner No. 4; thence South 34° 39' West 7.03 chains to corner No. 5; thence South 39° 39' East 79.44 chains to corner No. 6; thence North 63° 25' East 11.92 chains to corner No. 1, the place of beginning.

XXXVI

MATTHEW BRABEC and NEVA MAY BRABEC, husband and wife,
GILBERT A. BRABEC AND MARIE BRABEC, husband and wife:

From Little Lost River: 90 inches, May 1, 1896; 33 0108
From Saw Mill Creek: 50 inches, May 25, 1891; 33 0109
From Horse Creek: 20 inches, May 1, 1896; 33 0110

Points of diversion:

From Little Lost River:

From Saw Mill Creek: At the mouth of said stream.

From Horse Creek:

to be used upon and appurtenant to:

The East half of the Northeast Quarter, the Northeast Quarter of the Southeast Quarter of Section 21; the Northwest Quarter of the Northwest Quarter of Section 22; the South half of the Southeast Quarter of Section 21; and the North half of the Northeast Quarter of Section 28, Township 9 North, Range 27 East of the Boise Meridian.

XXXVII



78
1017

H.E.S. 265

CLAIM NO(S). A33-00107
DATE: 28 June 1994 T.12N. R.26E
SOURCE OF DOC: USGS USGS 1431201
SIGNATURE: [Signature]

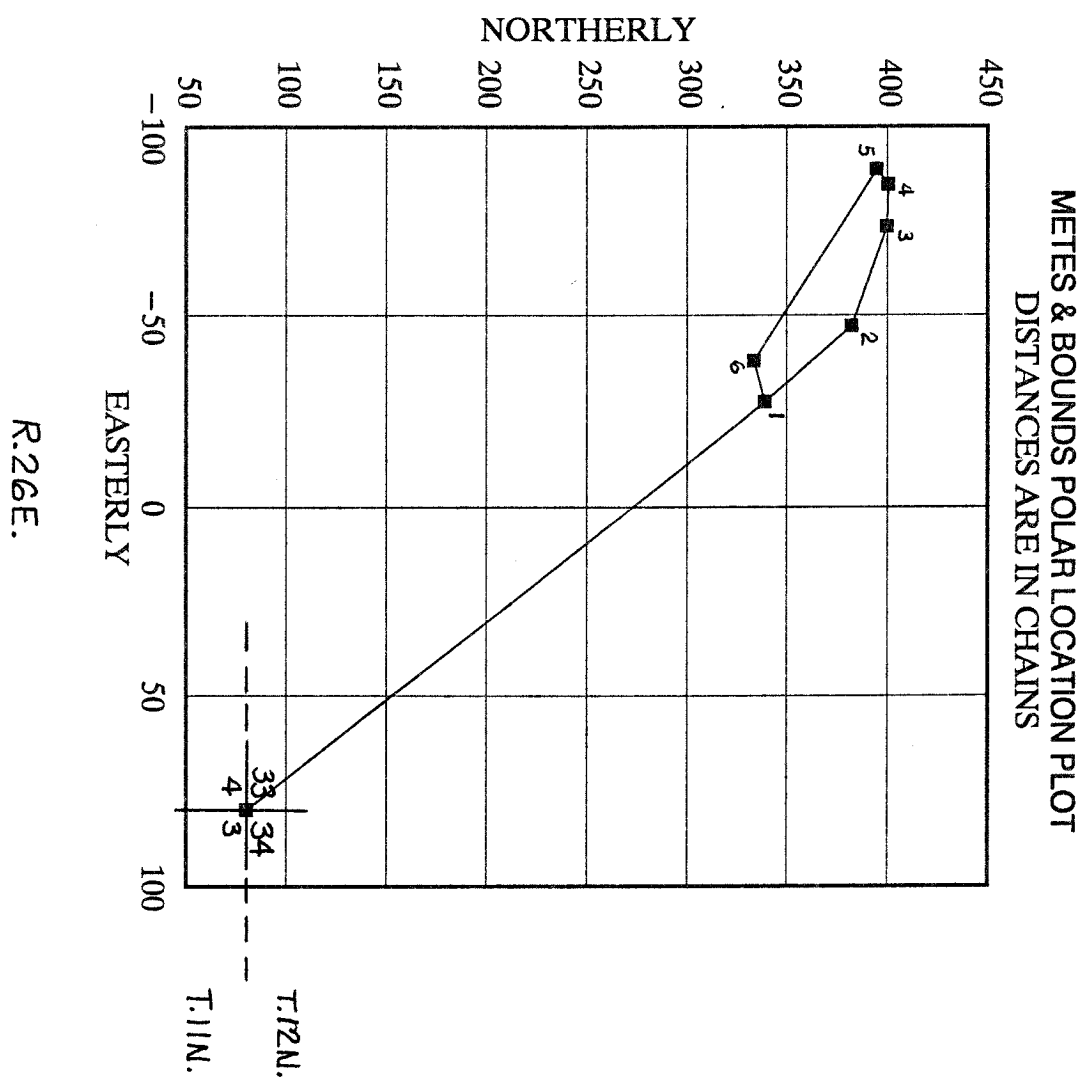
U-31 U-81

T.12N., R.26E.

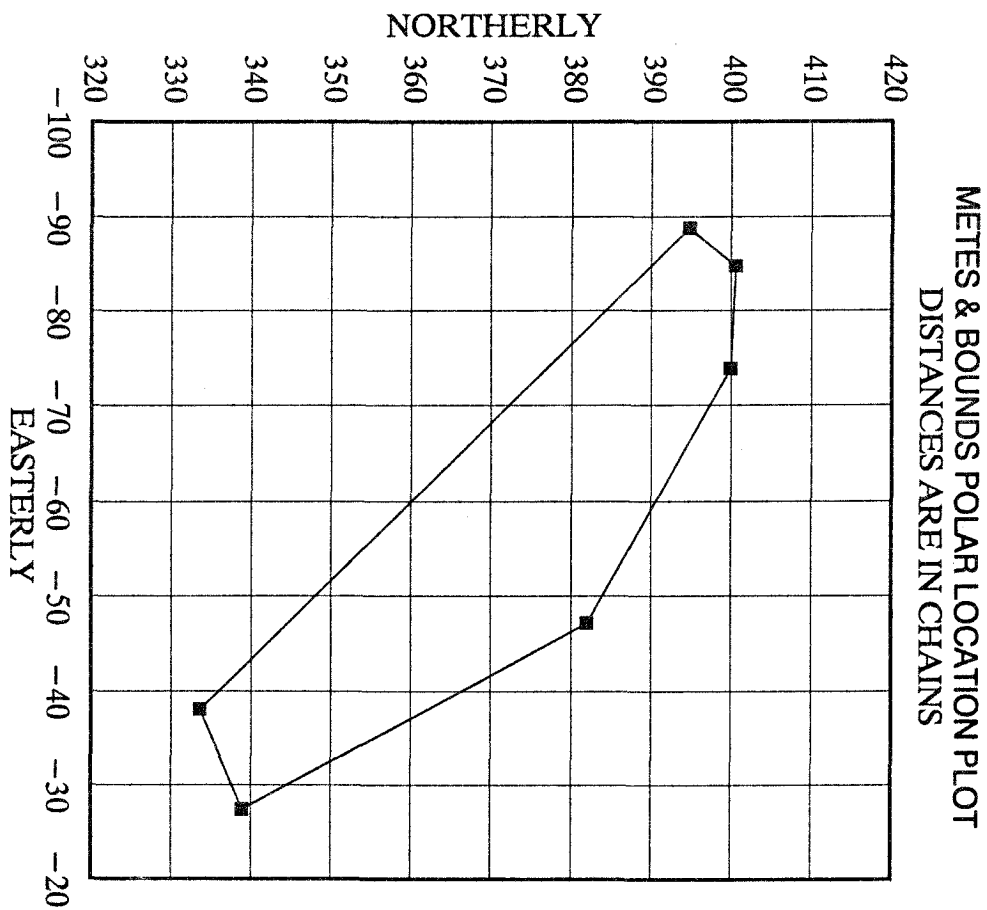
Sec. 4

Sec. 3

POLAR COORDINATE		ANGLE			BEARING ANGLE DIRECTION	DIST (FT)	CUMULATIVE ACRES
X-COR (CHAINS)	Y-COR (CHAINS)	DEGREES	MINUTES	SECONDS			
80.00	80.00						
-27.42	338.90	22.00	32.00	0.00	NW	18499.80	1390.52
-47.20	381.95	24.00	41.00	0.00	NW	3127.08	1895.54
-73.88	399.86	56.00	8.00	0.00	NW	2120.58	2147.18
-84.76	400.51	86.00	33.00	0.00	NW	719.40	2157.63
-88.76	394.73	34.00	39.00	0.00	SW	463.98	2061.19
-38.07	333.56	39.00	39.00	0.00	SE	5243.04	1184.00
-27.41	338.90	63.00	25.00	0.00	NE	786.72	1244.14



POLAR COORDINATE		ANGLE			BEARING ANGLE DIRECTION	DIST (FT)	CUMULATIVE ACRES
X-COR (CHAINS)	Y-COR (CHAINS)	DEGREES	MINUTES	SECONDS			
-27.42	338.90						
-27.42	338.90	0.00	0.00	0.00	NW	0.00	0.00
-47.21	381.95	24.00	41.00	0.00	NW	3127.08	42.59
-73.88	399.86	56.00	8.00	0.00	NW	2120.58	101.90
-84.76	400.51	86.00	33.00	0.00	NW	719.40	105.31
-88.76	394.73	34.00	39.00	0.00	SW	463.98	70.99
-38.07	333.56	39.00	39.00	0.00	SE	5243.04	149.19
-27.41	338.90	63.00	25.00	0.00	NE	786.72	146.35



T.12N., R.26E.

HOLDEN, KIDWELL, HAHN & CRAPO

IDAHO FALLS OFFICE

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
KUMEN L. TAYLOR
JAMES K. SLAVENS

WEST ONE BANK
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

KEY FINANCIAL CENTER
702 W. IDAHO SUITE 610
BOISE, IDAHO 83702

TELEPHONE (208) 343-0820
TELEFAX (208) 343-8078

BOISE OFFICE

WM. LYMAN BELNAP, P.A.
RANDALL B. REED
RONALD D. CHRISTIAN

ARTHUR W. HOLDEN
(1877-1967)
ROBERT B. HOLDEN
(1911-1971)
TERRY L. CRAPO
(1939-1982)
WILLIAM S. HOLDEN
(1907-1988)

October 31, 1991

NOV 01 1991

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

Gentlemen:

We are enclosing for filing a Notice of Claim to a Water Right, No. 33-00107, on behalf of E.C.D., Inc. We have also enclosed a check in the amount of \$240.00 for the filing fee which we understand to be broken-down as follows:

Flat Fee	\$ 50.00
Late Fee	\$ 50.00
Variable Fee	\$140.00
(for 140 acres)	

Thank you for your kind attention to this matter.

Yours very truly,



Kent W. Foster

#8149.00/srs

Enclosure

MICROFILMED

NOV 18 1992

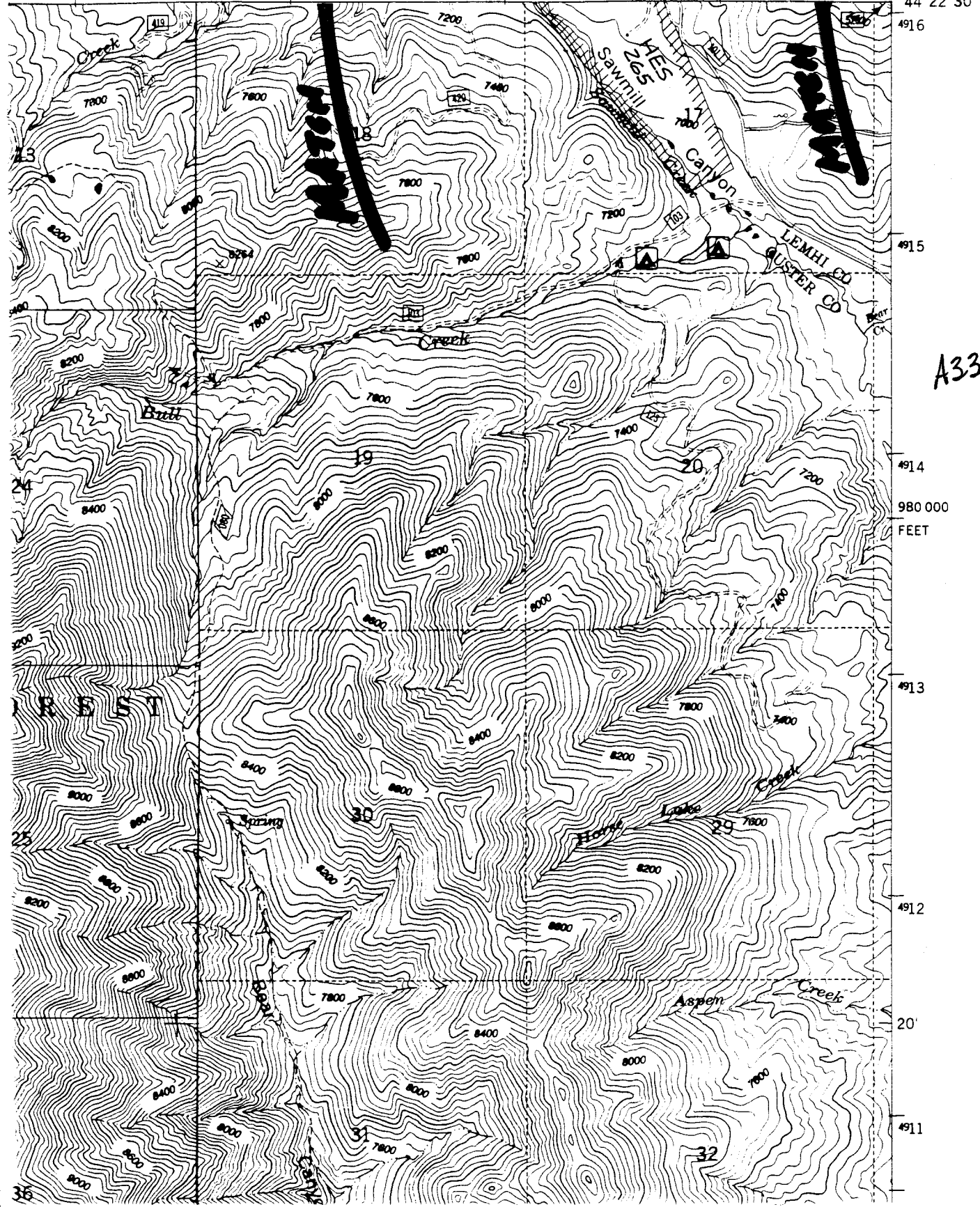
MOFFETT SPRINGS QUADRANGLE

IDAHO

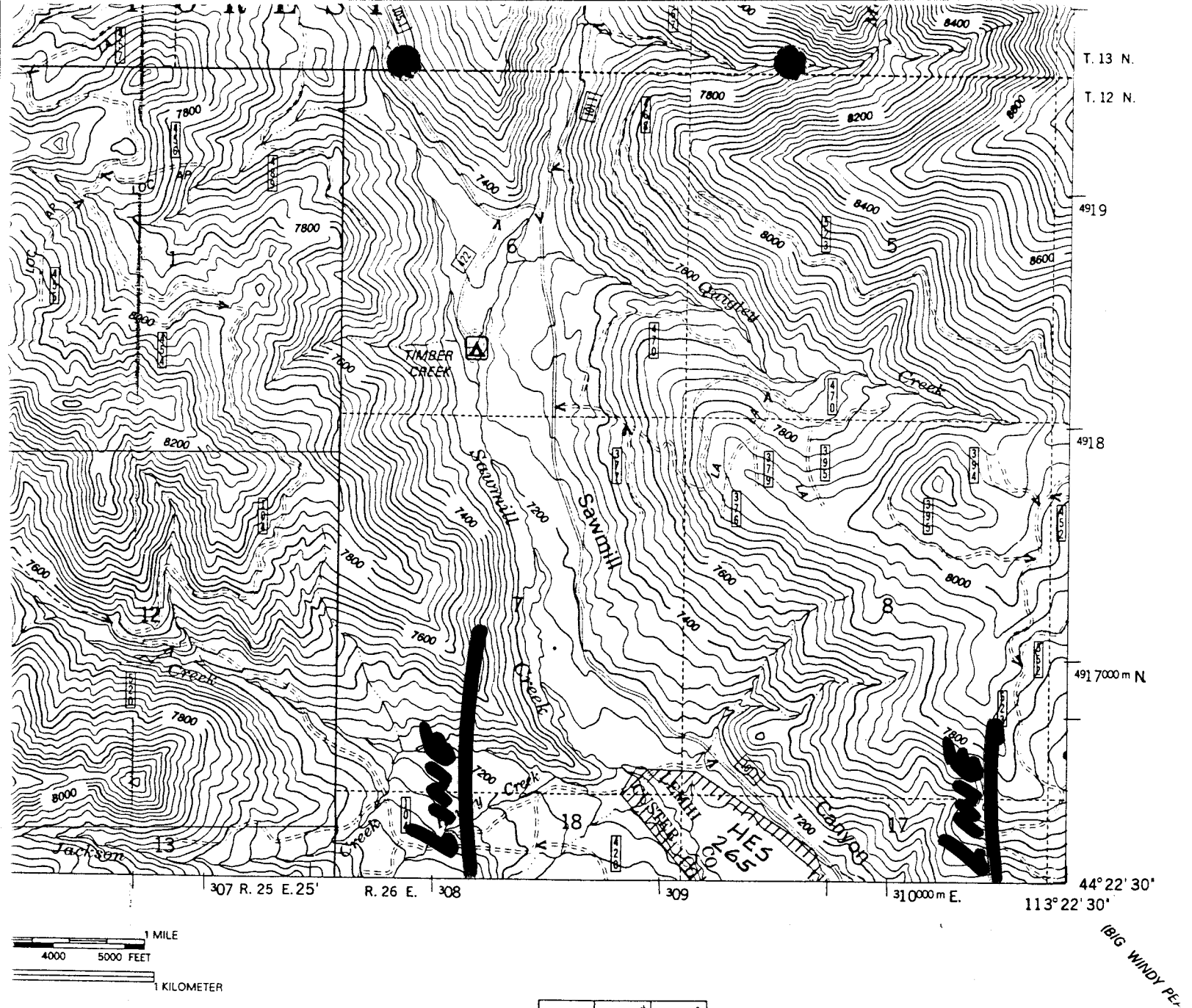
7.5 MINUTE SERIES (TOPOGRAPHIC)

(GILMORE)

307 R. 25 E. 25' R. 26 E. 308 309 660 000 FEET 113° 22' 30" 44° 22' 30"



A33-00107

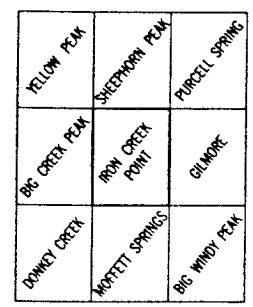


NET
M OF 1929

ary Highway
ndary Highway
oved Road, Paved
oved Road, Gravel
oved Road, Dirt
proved Road

d Gate
n portions
aerial photography
APPROXIMATE

- Interstate
- U. S. Highway
- State Highway
- County Road
- Primary Forest Route
- Secondary Forest Road
- Low Standard Forest Road (high-clearance vehicles)
- Forest Trail



SALMON NATIONAL FOREST
ADJACENT QUAD DIAGRAM

IRON CREEK POINT, IDAHO.

N4422.5-W11322.57.5
PROVISIONAL EDITION 1987
FS REVISED 1991

A33-00107

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:02:56
03/31/95

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A35-30107

933

LAST: QUIGLEY
ADDRESS:
CITY:
PHONE NUMBER: 208-000-0000
OWNER CODE: 0
FIRST: EDWARD E.
STATE: ID ZIP: 0

LAST: ECD INC
ADDRESS: C/O MILDEN KIDWELL HAHN SCRAPCO
CITY: IDAHO FALLS
PHONE NUMBER: 208-523-0620
OWNER CODE: C
FIRST:
STATE: ID ZIP: 83405

FIELD
EXAMINER

DATABASE
Y

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: UNSURVEYED LAND H. E. S. 265.
AC. IRR. = 146.34.

Comments

BY DATE

7/29/99 Visited Dad (Dad in / Knees for me! Took photos

A. AJ CLAIM: # A33-00107 PRIORITY DATE: 06-15-1918 STAGE: D
B. WR RECORD: # 33-00107 PRIORITY DATE: 06-15-1918 STAGE: D

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

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

NOTES: P.D. CLAIMED DATE'S DISCREP DATE TO MEANS "BO MEANS BETWEEN THE
FIRST DAY OF MAY AND THE 10TH DAY OF JULY OF EACH YEAR." SEE PAGE 11
EXCERPT ON Pg. 14.

RECOMMENDED PRIORITY DATE: 06-15-1918

REVIEWED BY As claimed DATE 2/8/94

POINT OF DIVERSION REVIEW SHEET

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A33-00107	12N	26E	7		SE	NE		LEMHI

OTHER AJ CLAIMS WITH SAME AJ POD
R PREFIX
NONE

HR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: LITTLE LOST RIVER
By Deed

TR19: SINKS

B. HR POINT OF DIVERSION AND SOURCE:

3330107 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: LITTLE LOST RIVER

TR19: SINKS

C. FIELD EXAM REQUIRED?

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

NOTES:

P.O.D. UNRESOLVED IN DECEMBER.
SOURCE CHALLENGED TO SAMMUEL CREEK. REFERENCES USGS PHOTOGRAPH MAPS 1181 AND 132. LITTLE LOST RIVER BEGINS AT THE CONFLUENCE OF SAMMUEL CR. AND SUMMIT CR. IN NW 34 SW SEC. 18 T10N. R. 27E. - AN GREEK OF THE DECADE.

EXCERPT FROM BLAINE CO. TRACT VS R.G. MAY, et al.

XIV DECEMBER. 4 MARCH 1917

EDWARD E. QUIGLEY:

From Little Lost River:

80 inches between the first day of May and the 10th day of July of each year, with date of priority June 15, 1918;

Point of diversion:

to be used upon and appurtenant to:

A tract of 146.34 acres within the Lemhi National Forest in unurveyed Sections 7, 8, 17, and 18, Township 12 North, Range 26 E. B. N., embraced in H. E. S. No. 285, Lists #4-1109 and 4-1709, described by metes and bounds as follows: Beginning at corner No. 1 from whence the corner common to Sections 3, 4, 33 and 34, Township 11 and 12 North, Range 27 E. B. N. bears South 22° 32' East 250.30 chains distant; thence North 24° 41' West 47.38 chains to corner No. 2; thence North 56° 8' West 32.13 chains to corner No. 3; thence North 39° 30' West 10.90 chains to corner No. 4; thence South 34° 30' West .05 chains to corner No. 5; thence South 39° 39' East 79.44 chains to corner No. 6; thence North 63° 25' East 11.92 chains to corner No. 1, the place of beginning.

CONL: Cdpz Δ SOURCE DUE TO ERROR IN DECADE.

To Sammie Creek



→ error of Decade

A. ROOT WATER RIGHT NUMBERS: A33-00107

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12N	26E	7	SE	SE		ECD INC	A33-00107	1.0	1		
12N	26E	8	SW	SW		ECD INC	A33-00107	1.5	1		
12N	26E	17	NW	NW		ECD INC	A33-00107	731.0	1		
12N	26E	17	SW	SW		ECD INC	A33-00107	732.0	1		
12N	26E	17	SE	NW		ECD INC	A33-00107	713.0	1		
12N	26E	17	NE	SW		ECD INC	A33-00107	717.0	1		
12N	26E	17	NW	SW		ECD INC	A33-00107	720.0	1		
12N	26E	17	SW	SW		ECD INC	A33-00107	74.0	1		
12N	26E	17	SW	SW		US DEPT OF AGRICULTURE	A33-00107	33-04006	1		
12N	26E	17	SE	SW		ECD INC	A33-00107	718.0	1		
12N	26E	18	NE	NE		ECD INC	A33-00107	72.5	1		
TOTAL ACRES							A33-00107	140.00			

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

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

REFER TO PHOTOGRAPH: WEST EDGE OF PROPERTY (... CORNER NO. 4; THENCE SOUTH 34° 39' WEST
7.03 CHAINS TO CORNER NO. 5; THENCE SOUTH 39° 39' EAST 79.44
CHAINS TO CORNER NO. 6; ...) THAT PART LYING WEST OF SAWMILL
CREEK IS IN CUSTER CO.

GEN: Jp2; HAS 265

Sec. 17 NBRND 69
SWING 02
NW SE 123
SWSE 03

Notes to
Comments

See 685 layout
for
to 100

685

03

69

02

123

03

842

PRESUMPTION FLAG:

NOTES:

AVERAGE BY DOT COUNT METHOD. THERE ARE RECORDS ABOVE PILES ON
HILLSIDES THAT ARE NOT IDENTIFIED AND ALL THAT ARE ON WEST OF SANDWICH
CR ARE NOT IDENTIFIED. MOST ARE FARMER'S DESCRIPTIONS OF PILES 146.35 AC. - 84 AC. Plot

RECOMMENDATIONS:

TOTAL ACRES: 84¹

REVIEWED BY: *Redding*

DATE: 8/10/99

ALTHOUGH THE DECOR STOPS A TRACT OF 146³⁴ ACRES WITHIN
IT IS CLEAR 146³⁴ ACRES WAS NOT IDENTIFIED. DATA MISSING
AND GPS SHOW THE RECOMMENDED 84¹ ACRES.

A. AJ CLAIMED USES:

PURPOSES
A33-00107 IRRIGATION

MONTH/DAY
FROM 04-31 TO 11-01
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1,600 CFS
1,600 CFS

B. HR RECORDED USES:

PURPOSES
33-00107 IRRIGATION

MONTH/DAY
FROM 05-31 TO 07-10
TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1,600 CFS
1,600 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

FIELD EXAMINER
DATABASE
N N Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO HR STANDARDS OR OTHER?

Y() N()

EXPLAIN IN NOTES, BELOW.

NOTES:

DECREE STATES (Pg. 18 P. XXXV) "DO NOT EXCEED BETWEEN THE FIRST DAY OF MAY AND THE 10TH DAY OF JULY OF EACH YEAR..." SEE EXCEPT ON Pg. 1.

RECOMMEND DECREASED PERIOD OF USE AS "1 MAY TO 10 JULY EACH YEAR."

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

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

1-500 CFS
1-500 CFS

Y(✓) N()

Both agree by Volume

*** 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

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

None

SEE ATTACHED CALCULATIONS.

NOT DELIVERED BY WATERMASTER

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1B. CALCULATIONS

1A. IRRIGATION RATE
ACRES 140.0 X 0.02 CFS/ACRE = 2.93 CFS
(TAKEN FROM P/U REVIEW)

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

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

2.93 cals.

By Dates 1.6 cfs

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 430.0 AF/A
ACRES 140.0 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 350.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 140.0 X DIVERSION VOL. AF/A FOR AREA 3.5 =
TOTAL DIVERSION VOLUME 490.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: NO

SEE ATTACHED SHEET? Y() N()
UNSURVEYED LAND H. E. S. 265.
AC. IRR. = 146.34.

(RATE X 1.9835 X # DAYS)

(1.600 cfs X 1.9835) (71 DAYS [MAY - 10 JULY])

= 225.33 AF/A

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

* SEE MAP & Compare PLOTS OF LAND DISCUSSION

DUE TO SHORT DRAINAGE
SUNSHINE ARE USED.

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	11-01 11-01	1.630	54.19	490.3
	01-MAY 10-July	1.630	2254	365.85
	by DUGROS			

TOTAL FOR THIS RIGHT

REVIEWED BY: *[Signature]*

DATE: 30 June 94

Stockwater for 100 head cow/calf pair - no limitation Stockwater - NOT Part of DUGROS.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()

OWNERSHIP FORFEIT/A-BANDON ADDITIONAL DIV. AMOUNT

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-00107

TOTAL DIVERSION RATE OF WR SPLITS

EXAMINER L.60 CFS By Decree 90"

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A33-00107	1.600	-	-	33-00107	1.600

TOTAL CFS 1.600

DIVERSION RATE REVIEW

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:

No Split as Right - Claimed in Full

AUTENTICATION:

SIGNATURE: [Signature] DATE: 4 Feb 97
NAME OF FIELD EXAMINER: Aaron R. [Signature] TITLE: SE. [Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:54
03/31/93

95)
CLAIM NUMBER: A33-30107

PAGE: 13
QUICKLOOK INFORMATION

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

VERIFIED BY CODES

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

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



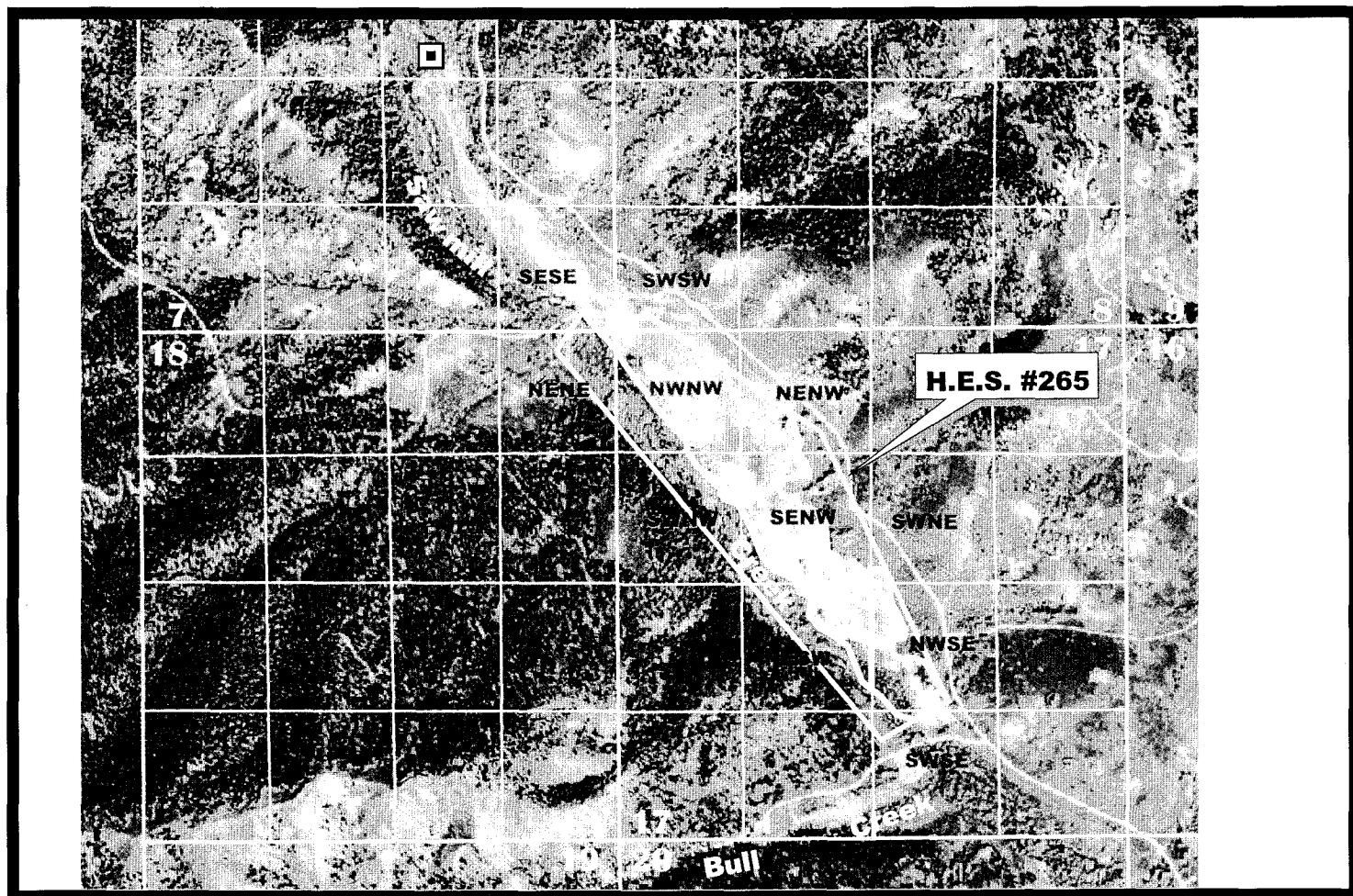
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: ECD Inc.

Water Right(s): 33-00107



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000 Feet

LEGEND



Point of Diversion- GW



Point of Diversion- SW

SESE

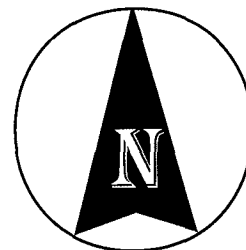
Place of Use

Section Line

Quarter-section line

Place(s) of Use: T.12N., R.26E.
(parts of) Sections 7, 8, 17, 18
Known as H.E.S. # 265

Point(s) of Diversion: T.12N., R.26E.
Sec. 7 SWNWNE



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1999

AJ0749NP
No. R33-00107

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

DATE: 10/29/99
PAGE: 1

OWNER CODE: C
NAME & ADDRESS: ECD INC
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405
(208) 523-0620

PRIORITY DATE: 06/15/1918
WATER USE: IRRIGATION

USE PERIOD FROM TO: 05-01 07-10

DIVERSION RATE: 1.600 CFS
DIVERSION VOLUME: 225.40 AFA

TOTAL DIVERSION: 1.600 CFS
TOTAL DIVERSION: 225.40 AFA

Water Source: SAWMILL CREEK
Tributary to: LITTLE LOST RIVER
Stage: DECREED

Point(s) of Diversion: T12N R26E S07 SW/4NE
LEMHI County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		SUM	
T	R	S	Ac	Lt	Ac	Lt	Ac	Lt	Ac
12N	26E	7							
12N	26E	8							
12N	26E	17							
12N	26E	18	.3						
									0.9
									1.6
									81.3
									0.3
									84.1

TOTAL ACRES

POU County: LEMHI

Conditions of Approval:

- C02 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: GEN
PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 265.
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 33.

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

Misc: Water District Number: 33
Field Inspection Flag: C
Presumption Flag:

Comments: Date: 02/04/1997 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
UNSURVEYED LAND H. E. S. 265. AC. IRR. = 146.34.
MEETS AND BOUNDS DESCRIPTION DEFINES THE HOMESTEAD ENTRY BOUNDARY

Page 10-1
Page 20-1

AJ0749NP
No. R33-00107

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

DATE: 10/29/99
PAGE: 2

Comments: Date: 02/04/1997 User-ID: ARUBERRY Subject: COPIED FROM REMARKS
NOT THE IRRIGATED ACREAGE.

Date: 07/22/1999 User-ID: ARUBERRY Subject: CUSTER AND LENHI COUNTIES
WEST EDGE OF PROPERTY (...CORNER NO.5; THENCE SOUTH 34 DEGREES)
34' ...TO CORNER NO.1). THAT PART LYING WEST OF SAWMILL CREEK IS
IN CUSTER COUNTY. SEE DECREE (P.18, SEC. XXV, 107) FOR COMPLETE
LEGAL DESCRIPTION. ALL IRRIGATED LANDS ARE EAST OF THE CREEK.

Date: 10/29/1999 User-ID: ARUBERRY Subject: ACREAGE RECOMMENDATION
ACREAGE IS BASED ON GIS CALCULATIONS OF THE PLACE OF USE WITHIN
HES #265. ACREAGE PER QUARTER-QUARTER IS BASED ON GCDB
PROJECTIONS.

Audit: 10/29/99 ARUBERRY

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: A33-00107

Date Received: 11/ 4/1991

Receipt No: E016689

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ECD INC 208-523-0620
Address: C/O HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

2. Date of Priority: JUN 15, 1918

3. Source: LITTLE LOST RIVER Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	26E	7	SE	NE			LEMHI

5. Description of diverting works:
HEADGATE AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

8. Total consumptive use is 490.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 100 COWS AND CALVES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	26E	7	SE	SE		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
		8	SW	SW	IRR	1.5
					Section Acres	1.5
		17	NW	NW	IRR	31.0
			SW	NW	IRR	32.0
			SE	NW	IRR	13.0
			NE	SW	IRR	17.0
			NW	SW	IRR	20.0
			SW	SW	IRR	4.0
			SE	SW	IRR	18.0
					Section Acres	135.0
		18	NE	NE	IRR	2.5
					Section Acres	2.5
					Total Acres	140.0

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:
NONE

14. Remarks:
UNSURVEYED LAND H. E. S. 265.
AC. IRR. = 146.34.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/ 4/1927

BLAINE COUNTY INVESTMENT CO.
Decree Plaintiff

ROBERT G. MAYES, ET. AL.
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
_____ foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

NOV 18 1992

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name

acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

NOV 18 1992

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

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

CIVIL CASE NUMBER: 39576
Ident. Number 33-00107
Date Received 11-1-91
Receipt Number 82 E016689

A3300107

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

NOV 01 1991

NOV 01 1991

1. Name of Claimant(s) E.C.D., Inc. Phone (208) 523-0620
c/o Holden, Kidwell, Hahn & Crapo

Mailing Address P.O. Box 50130, Idaho Falls, Idaho Zip 83405

2. Date of Priority (Only (1) per claim) June 15, 1918

3. Source of water supply (a) Little Lost River

which is tributary to (b) Sinks

- 4.a. Location of existing

point of diversion is: Township 12N. Range 26E. Section 7,

____ 1/4 of SE 1/4 of NE, Govt. Lot, ____ B.M., County of Lemhi

Additional points of diversion if any: _____

- b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot ____ B.M., County of _____

ending point is: Township ____ Range ____ Section ____, ____ 1/4 of

____ 1/4 of ____ 1/4 Govt. Lot ____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Headgate and ditch.

MICROFILMED

NOV 18 1992

6. Water is claimed for the following purposes:

(Both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 1.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 490 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)
Stockwater--100 cows and calves.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instruction for standard symbols.

TWP:RNG:SEC:	NE1/4	:	NW1/4	:	SW1/4	:	SE1/4	:TLS
:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:
12N:26E:	7:	:	:	:	:	:	:	1 : 1
:	8:	:	:	:	:	1.5'	:	1.5
:	17:	:	31' 32' 13:	17' 20' 4'	18:	:	:	135
:	18:2.5'	:	:	:	:	:	:	2.5
:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:
:	:	:	:	:	:	:	:	:

Total number of acres irrigated 140

11. In which county(ies) are lands listed above as place of use located?
Lemhi

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

MICROFILMED

NOV 18 1992

Last Name E.C.D., Inc. Ident. Number 33-00107

15. Basis of Claim (Check one) Beneficial Use ☐ Posted Notice ☐
Permit ☐ Decree ☒ License ☐

If applicable provide IDWR Water Right Number 33-00107
Court _____ Case Number _____ Decree Date 03/04/1927
Plaintiff vs Defendant Blaine County Investment Co. v. Robert G. Mayes, et al.

16. Signature(s)

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

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date _____

For Organizations: I do solemnly swear or affirm that I am Edmund W. Dumke of E.C.D., Inc., that I have signed the
Title Organization

foregoing document in the space below as President
Title
of E.C.D., Inc. and that the statements contained in the
Organization

foregoing document are true and correct.

Signature of Authorized Agent x Edmund W. Dumke

Title and Organization President, E.C.D., Inc. Date _____

State of Idaho/or _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of October, 1991.

Notary Public [Signature]
Residing at Singamey
My Commission Expires LIFE

17. Notice of Appearance:

Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 10/31/91

MICROFILMED
NOV 18 1992

Last Name E.C.D., Inc. Ident. Number 33-00107