



Photo 1. Shows CORNER MONUMENT OF
HES 258. LOCATED AT SW CORNER
INSCRIBED AS SHOWN BELOW.
LOOKING NORTH.

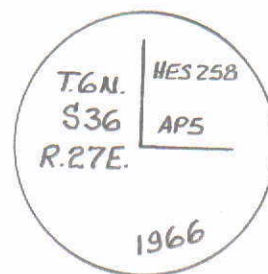


Photo 2. Shows HURST CREEK
CHANNEL ENTERING AT SOUTH
FENCE LINE OF HES 258.
LOOKING NORTH

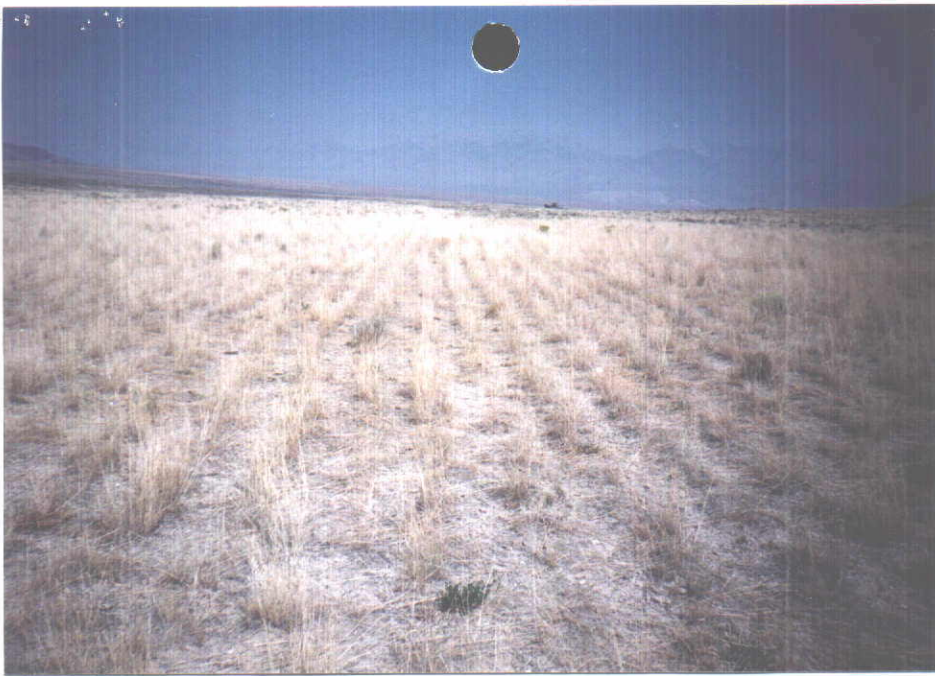


Photo 3. Shows CRESTED WHEAT GRASS HAS BEEN PLANTED. SCATTERED THROUGHOUT ONE FINDS SPARSE ALFALFA. DITCHES MEANDER OVER FLAT AREAS.

Photo shows AREA SOUTH (LOOKING NORTH) OF OLD BUILDINGS.



Photo 4. Shows CREEK CHANNEL AND HEAD OF DITCH. DIVERSION DAM HAS BEEN WASHED OUT. LOOKING NORTH



Photo 5. Shows stock WATER POND FED BY SPRING IN SWNW SEC. 36. PIPED IN BY 1 1/4" BLACK PLASTIC PIPE. MEASURED RATE OF FLOW AT THIS LOCATION ONLY IS 1.15 GPM. LOOKING MORE EAST

PHOTOS TAKEN 23 AUG 94 ABR



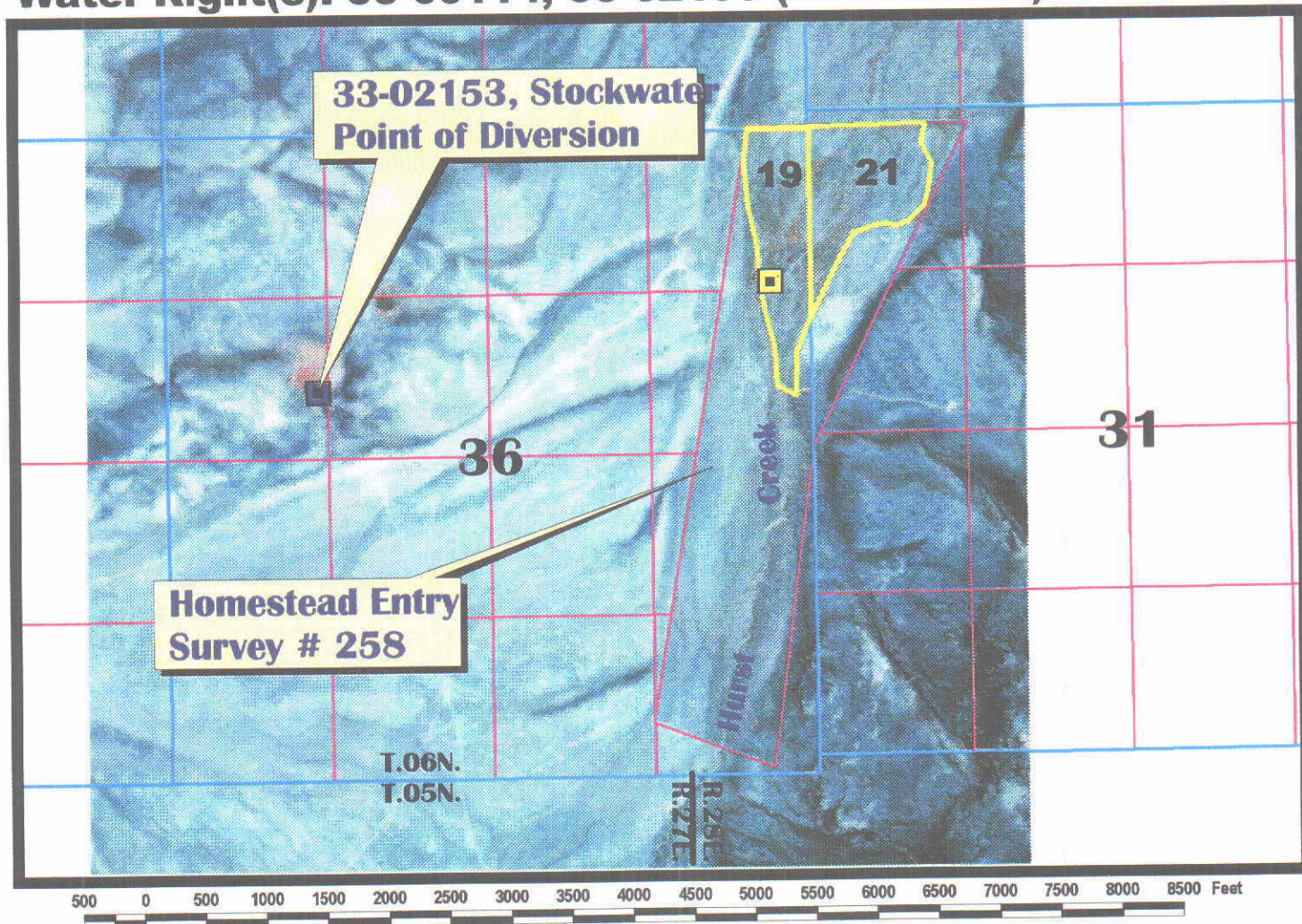
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Wayne Bare

Water Right(s): 33-00114, 33-02153 (stockwater)



LEGEND



Point of Diversion

SESE

Place of Use



Section Line



Quarter-section line

**Legal Description: T.6N., R.27E. and R.28E.
Parts of Sections 36 and 31. HES # 258**

Point of Diversion: T.6N., R.29E.

Sec. 32 NENWNE

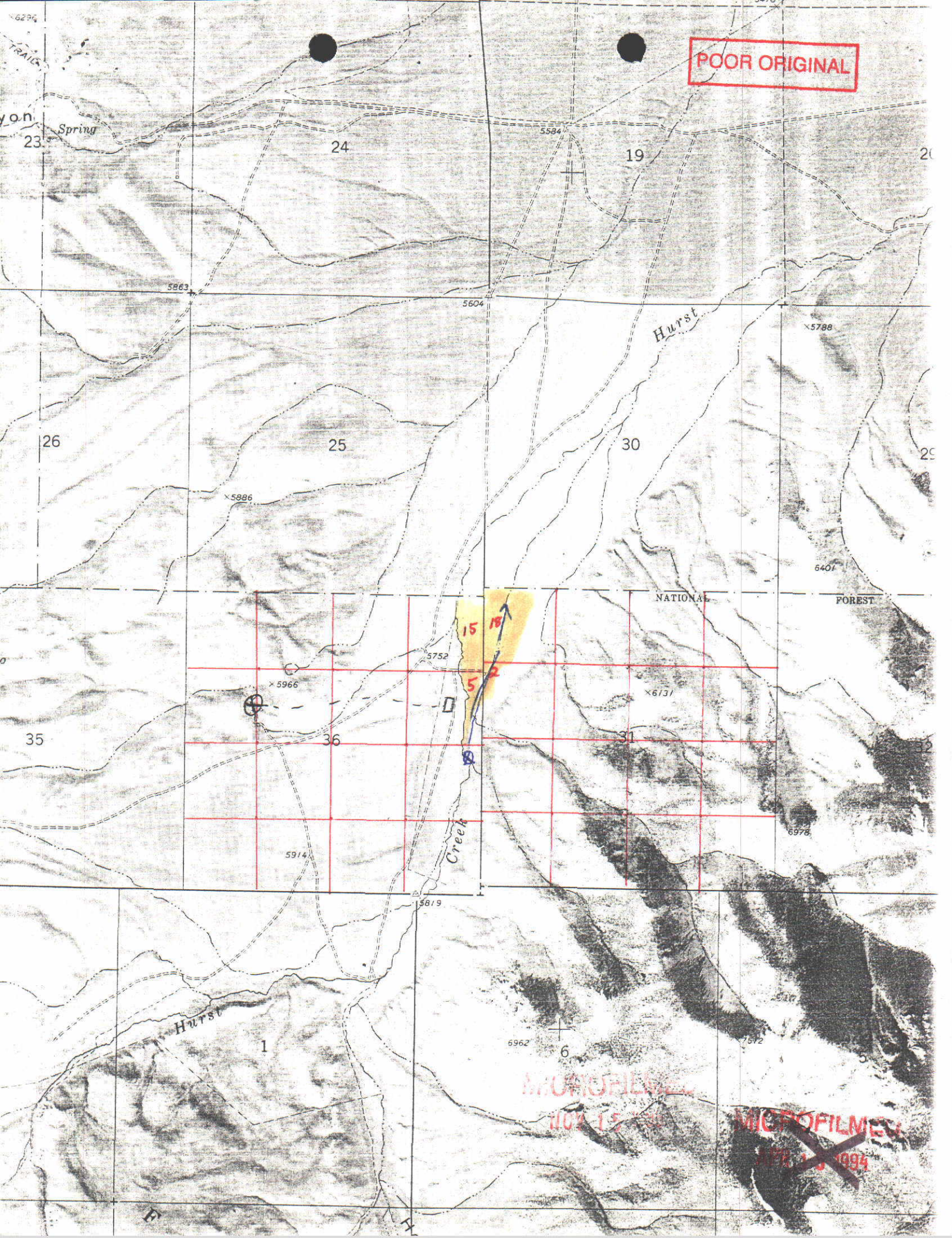
36 SENEHE - 114 (janig)

See 36 SE SW NW - 02153 (str)



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

POOR ORIGINAL



MICROFILMED
NOV 15 1980

MICROFILMED
APR 15 1984

A33-00114
WAYNE BARE
BOX 82
HOWE ID 83244

(R)

NUMBER CHANGED FROM A33-02011

✓ NEED STATEMENT FROM BARE REFERRING
HURST CL AS INTERMITTENT

NO REMARK Pp6, A33-00114?A



A3300114

H.E.S. #258

November 23, 1999

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 10, 1999

Water right number: 33-00114

WAYNE BARE
BOX 82
HOWE ID 83244

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/14/99 SIGNATURE: WAYNE BARE
Please print your name: Wayne Bare

Statement

Hurst Creek and Arco Pass Creek
are the same creek.

Hurst Creek - Arco Pass Creek are inter-
mittent. In years when we have enough
snow fall, we irrigate with it.
In the last 10 years we have been
able to irrigate about 2 years.

Metta Bare
Ml agn Bare
01.03. 95

Received: 3 Jan. 1995 *St. Blum*

RECEIVED

JAN - 3 1995

Department of Water Resources
Eastern District Office

DECEMBER 15, 1994

WAYNE BARE
BOX 82
HOWE ID 83244

RE: NOTICE OF CLAIM

Dear Sir:

The Department has changed the identification number for Notice of Claim #A33-02011. The new number ~~is~~ #A33-00114. We have also modified receipt #E011219 to reflect the new number.

A copy of the receipt and the Notice of Claim are enclosed for your records.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor, Adjudications

EC:sc

Enclosure

reflects the Decree

DECEMBER 15, 1994

WAYNE BARE
BOX 82
HOWE ID 83244

RE: NOTICE OF CLAIM

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Water Rights Supervisor, Adjudications

EC:sc

Enclosure

ENCLOSURE
DEC 15 1994

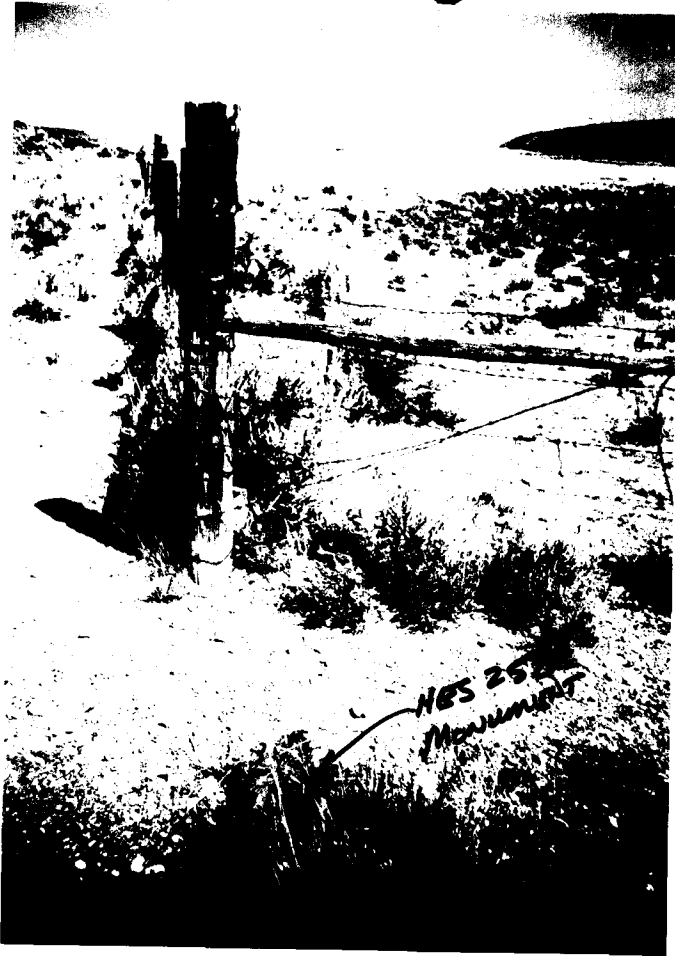


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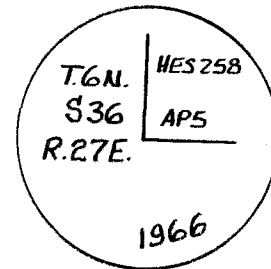


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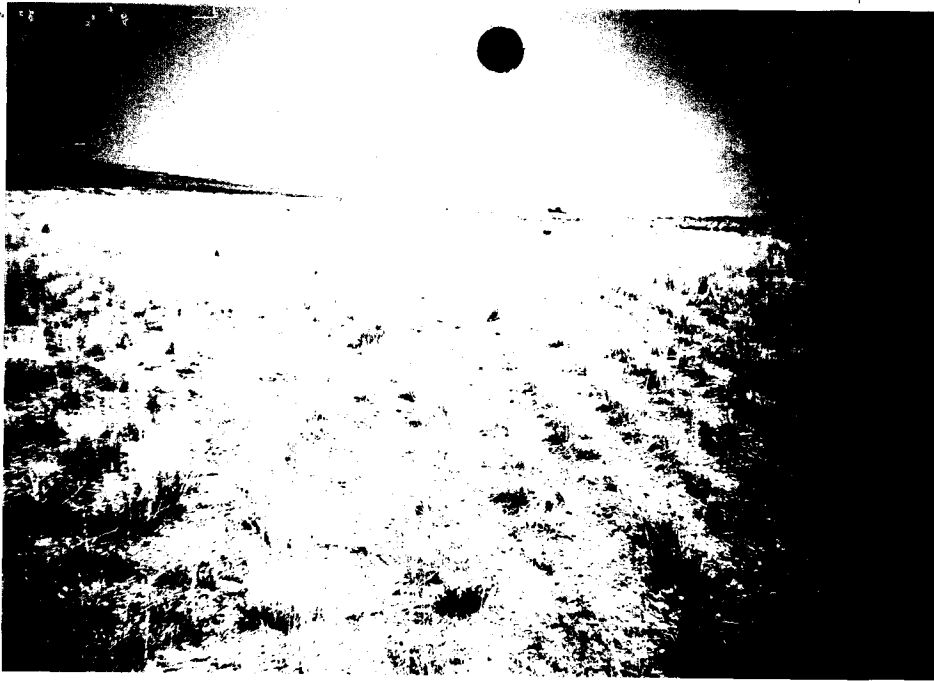


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LOOKING MORE EAST

PHOTOS TAKEN 23 AUG 94 ABR

MEMORANDUM

DATE: August 24, 1994

TO: Lynne Krogh *given to Susan Hamlin*

FROM: Shelley W. Keen

RE: A33-02011 → *changed to A33-00114 per Decree*

SRBA Notice of Claim A33-02011 is based on a license that pre-dates the Blaine County Investment Co. v. Mays decree. Right 33-00114 in the decree appears to supersede license 33-02011. My conclusion is based on the matching owner, the matching place of use, and the similar priority date.

IDWR agent Al Ruberry visited the claimed place of use, and he is reasonably convinced that some irrigation occurs in the rare years when water is available in Hurst Creek.

Can we recommend the claimed use under the decreed right number? Or, must we disallow the claim and have the claimant file a claim on the decreed right?

8/24/94

Susan's response, after careful consideration, is that there is no need for a new claim or an amended claim to prepare a recommendation for this claim with number 33-00114 and a basis of claim as "decreed".

S.W. Keen
1/4

SRBA CLAIMS RECEIVING CHECKLIST #2

BARE

CLAIM ENT. NO.

A33-02011

DATE RECEIVED

11/30/89

CK #

AMOUNT \$

YES

NO

Required
Info?

- | | | | | | |
|-----|---|--------|---|--|---|
| 1. | Is the name and address complete with zip code? | | X | | * |
| 2. | Is a priority date entered? | | X | | * |
| | Is the priority date acceptable in view of mandatory filing dates? | | X | | * |
| | See Adjudication Memos #1 and #4 to determine if a Permit is required. | | X | | * |
| 3. | (a) Is a source entered? | | X | | * |
| | (b) Is a tributary to entered? (if required) | N/A | X | | |
| 4. | Is the legal description of the p.d. sufficient? | | X | | * |
| 5. | Is there a description of the diverting works? | | X | | |
| 6. | Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | | X | | * |
| | Is the period of use included? | | X | | |
| | Is a quantity claimed for each use? | | X | | * |
| 7. | Is a total quantity claimed entered? | | X | | |
| 8. | If required is a consumptive use entered? | N/A | X | | |
| | Is the consumptive use correct? | N/A | X | | |
| 9. | Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | N/A | X | | * |
| 10. | Is (are) the place(s) of use and purpose(s) indicated? | | X | | * |
| 11. | Is (are) the county(ies) entered? | | X | | |
| 12. | Is the ownership of p.u. checked? | | X | | |
| 13. | Are other water rights listed or "none" indicated? | | X | | |
| 14. | If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | N/A | X | | |
| 15. | Is the basis of the claim indicated? | | X | | |
| 16. | If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | N/A | X | | |
| 17. | Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | | X | | * |
| 18. | Has the claim been signed, sealed, and dated by a notary? | | X | | * |
| 19. | Was this claim filed on time, or was an extension granted? | | X | | * |
| 20. | Is the fee enclosed correct? | Exempt | X | | * |
| 21. | If this claim is based on an existing water right, has the identification number been entered? | N/A | X | | |
| 22. | Should this claim be data entered? | | X | | |

Claim checked by:

Date:

11/30/89

Claim must be returned to claimant:

(Yes) ☒ (No)

Claimant must be notified of modifications:

(Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date: 12/5/87

Date: 12/2/07

Checked by:

Date:

Comments:

MICROFILMED

~~APR 15 1994~~

Old (D) Number - 6101

Address

1	1	1
1	2	3

City- ARCO
phone - State- ID Zip-

Stage - - - +
L - LICENSE

- - Tributary
HURST CREEK

Stream Index (Blank if no Index Code)

(23) BUTTE

----- Diversion Rate Diversion Volume -----

0.800

	Capacity	-	+	-	+	Total Consumptive Use	-	+
--	----------	---	---	---	---	-----------------------	---	---

Description	County
-------------	--------

(23) BUTTE
(23) BUTTE
(23) BUTTE
(23) BUTTE

40.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

[illegible]

- - Conditions of Approval - -
No Conditions of Approval found.

+ - Decree Date -

Div Non Other
MICROFILMED
NOV 15 1988 APR 15 1994

Water right number -	33-02011	Adj. flag translation:	Standard Water Right Number
+ - - Audit Fields -	03/26/85	05/22/88	CONVERT
+ - - - - - Water Rights Dates and Flags Area - - - - - +			
Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000
Start Work Date	- 00/00/0000	Verified Date	- 03/26/1985
Order Show Cause	- 00/00/0000	Receipt Number	-
Licensed Date	- 04/19/1979	Appl Received	- 00/00/0000
Decree Date	- 00/00/0000	Field Exam Fee	-
		Swan Falls	-
		Temporary Right	- P
		DLE/Carey Act	-
		Water District	- 33
		Transfer/Amended	-

MICROFILMED
NOV 15 1988

MICROFILMED
APR 15 1984

A33-02011 00114

IN TESTIMONY WHEREOF, I Woodrow Wilson, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, in the District of Columbia, the Fifth day of April, in the year of our Lord one thousand nine hundred and Twenty and of the Independence of the United States the one hundred and Forty-fourth.

By the President: Woodrow Wilson,

(U. S. GEN. LAND OFFICE SEAL)

By, M. P. LeRoy, Secretary,

L. Q. C. Lamar, Recorder of the
General Land Office.

RECORDED: Patent Number 743226

Recorded at the request of Everett Claunch,
September 14, 1920 at 12:20 P. M.
Book 2 of Patents, page 178.
By Charlotte Lowry, Deputy.
Fee \$1.00

Roy R. Duke,
County Recorder.

Instrument No. 4345

DECEMBER 00114

Hailey 010778 and 018801

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

UNCLAIMED
SOURCE: And-Pass CR
HURST CR. BY MAP

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Leslie A. Sermon has been established and duly consummated, in conformity to Law, for the H. E. Survey No. 258, embracing a portion of, approximately, Section thirty-six in Township six north of Range twenty-seven east and Section thirty-one in Township six north of Range twenty-eight east of the Boise Meridian, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1, identical with the south corner to Section twenty-five in Township six north of Range twenty-seven east and Section thirty in Township six north of Range twenty-eight east of the Boise Meridian; thence, north eighty-nine degrees fifty-seven minutes east twenty chains to corner No. 2; thence, south twenty-six degrees eighteen minutes west forty-four and forty-six-hundredths chains to corner No. 3; thence, south seven degrees fifty-seven minutes west forty chains to corner No. 4; thence, north sixty-eight degrees forty-eight minutes west sixteen chains to corner No. 5; thence, north nine degrees forty-four minutes east seventy-four and seventy-four-hundredths chains to corner No. 6; thence, north eighty-nine degrees fifty-seven minutes east seven and fifty-one-hundredths chains to corner No. 1 the place of beginning; containing one hundred thirty-nine and ninety-nine-hundredths acres, according to the Official plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of court; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I Woodrow Wilson, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the Twenty-fifth day of October in the year of our lord one thousand nine hundred and nineteen and of the independence of the United States the one hundred and forty-fourth.

(U. S. GENERAL LAND OFFICE SEAL)

By the President: Woodrow Wilson

By M. P. LeRoy, Secretary

L. Q. C. Lamar, Recorder of the General Land Office.

Recorded Patent number 715006

Recorded at the request of L. A. Sermon
September 22nd, 1920 at 3:20 P. M.
Book 2 of Patents, page 179.
Fee \$1.00

Roy R. Duke,
County Recorder

Instrument No. 4348

Hailey 024158.

THE UNITED STATES OF AMERICA,
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homestead to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Warren A. Gammett has been established and duly consummated in conformity to law, for the west half of the southwest quarter of Section fifteen and the southeast quarter of the northeast quarter and the northeast quarter of the southeast quarter of Section sixteen in Township three north of Range twenty-four east of the Boise Meridian, Idaho, containing one hundred sixty acres, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of land above described; TO HAVE AND TO HOLD the said tract of land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of court; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I Woodrow Wilson, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, in the District of Columbia, the Twenty-sixth day of June in the year of our lord one thousand nine hundred and Twenty and of the independence of the United States the one hundred and Forty-fourth.

(GENERAL LAND OFFICE SEAL)

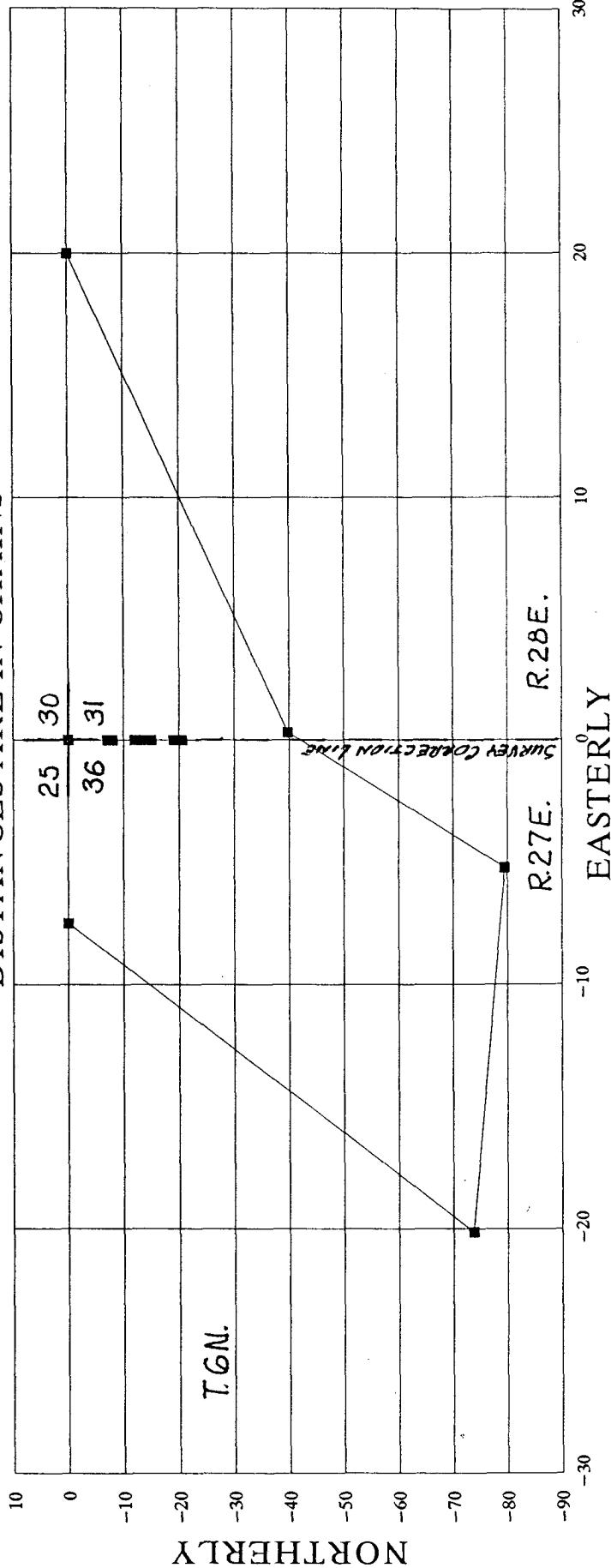
RECORDED: Patent Number 759434

By the President: Woodrow Wilson
By E. D. Bouldin, Assistant Secretary
L. Q. C. Lamar, Recorder of the General Land Office.

COMPUTER PLOT OF H.E.S. 25B

METES & BOUNDS POLAR LOCATION PLOT

DISTANCES ARE IN CHAINS



POLAR COORDINATE X-COR Y-COR (CHAINS)	ANGLE			BEARING ANGLE DIRECTION	DIST (FT)	CUMULATIVE ACRES
	DEGREES	MINUTES	SECONDS			
0.00 0.00						0.02
20.00 0.02				NE	1320.00	40.44
0.30 -39.84	89.00	57.00	0.00	SW	2934.36	30.67
-5.23 -79.46	26.00	18.00	0.00	SW	2640.00	38.02
-20.15 -73.67	7.00	57.00	0.00	NW	1056.00	139.90
-7.51 -0.01	68.00	48.00	0.00	NE	4932.84	139.90
-0.00 0.00	9.00	44.00	0.00	NE	495.66	139.90
-0.00 0.00	89.00	57.00	0.00	NE	0.00	139.90
-0.00 0.00	0.00	0.00	0.00			

County: Butte
Stream: Unnamed Creek Springs.
Amount: 8/10 of 1 sec. ft.
Use: Irrigation
Priority: 8-25-10.

STATE OF IDAHO

Water License No. 6101
Water District No. 9.

WHEREAS, On the 30th day of April, A. D. 1910,
Leslie A. Sermon

of Area, County of Butte, State of Idaho, duly made application
(No. 8741) to me for a permit to use 3.2 cubic feet per second of the waters of an
unnamed creek and springs in Water District No. 9,

County of Butte, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 17th day of May, A. D. 1910, Permit No. 6101 was issued
to said applicant for the diversion of said water and providing for the completion of the works of diversion
therein described on or before the 17th day of May, A. D. 1912, and for the application to ben-
eficial use of said water on or before the 17th day of May, A. D. 1915 and,

Do Not Film

WHEREAS, On the 31st day of May, A. D. 1912,
Leslie A. Sermon

the holder of said permit, duly made proof of the completion of adequate works for the diversion of
3.2 cubic feet per second of said waters, as evidenced by my Certificate No. 6101
dated June 6, 1912, confirming the completion of works of sufficient capacity for diverting and
conveying to the place of intended use 3.2 cubic feet per second of said waters
with date of priority of April 30, 1910, and

Succeeded by Decree 33-00114 - SEE R 33-00114

WHEREAS, On the 16th day of June, A. D. 1913,
Leslie A. Sermon.

the holder of said permit, duly made proof of the application to beneficial use of 8/10 of 1 cubic
foot per second of said water.

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I
hereby grant and confirm to

Leslie A. Sermon;

of Area, County of Butte, State of Idaho, the holder and owner
of said Permit No. 6101, a perpetual right, dating from May 25, 1910
to the use of 8/10 of 1 cubic foot per second of the waters of an unnamed stream,

in the County of Butte and State of Idaho, or so much thereof as may be necessary for the
purposes hereinbefore mentioned, to be diverted at a point S. 9° 00' W. 500' from the SW.
Cor. of NW $\frac{1}{4}$ Sec. 31, T. 6 N., R. 28 E., B. M.,

and conveyed to and upon 40 acres of land, divided as follows: 18 acres in the NW $\frac{1}{4}$ of
NW $\frac{1}{4}$ and 2 acres in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 31, T. 6 N., R. 28 E., B. M.; 15 acres in the
NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and 5 acres in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 36, T. 6 N., R. 27 E., B. M.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the
State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local
or community customs, rules and regulations which have been or may be adopted from time to time by
a majority of the users from a common source of supply, canal or lateral from which such water may
be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 7th day of August
A. D. nineteen hundred and seventeen.

(Seal)

J. H. Smith,

State Engineer.

33 2011

REPORT OF ENGINEER

1. State name of applicant and number of permit: Leslie A. Searmon Permit No 6101
2. State source of water supply: Unnamed Stream
3. Location of point of diversion: S 9° 00' W 800' from SW Corner NW 1/4 Sec. 31 T. 6 N. R. 28 E. B.M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes

5. Describe works as they exist, giving dimensions and capacities of same:

Rock and wood diversion dam - 12' long, 1.5' high -
Ditch - { 2.5' wide on bottom
 { 4.5' wide at water level } Capacity - 4 Second Feet.
 { 1.0' water depth
 { 2.5' average grade per mile }

6. State whether or not water has been turned into works of diversion: Yes

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE 1/4 SW 1/4;
S 1/2 SW 1/4 Sec. 30, and NW 1/4 NW 1/4 Sec. 31, T. 6 N. R. 28 E. B.M. - See Remarks.
In Sec. 31 - T. 6 N. R. 28 E. B.M. (Unsurveyed)

NW 1/4 NW 1/4 - 10 acres in cultivation

SW 1/4 NW 1/4 - 2 " " "

In Sec. 30 - T. 6 N. R. 27 E. B.M. (Unsurveyed)

NE 1/4 NE 1/4 - 15 Acres in cultivation

SE 1/4 NE 1/4 - 5 " " "

Total area in cultivation - 40 Acres

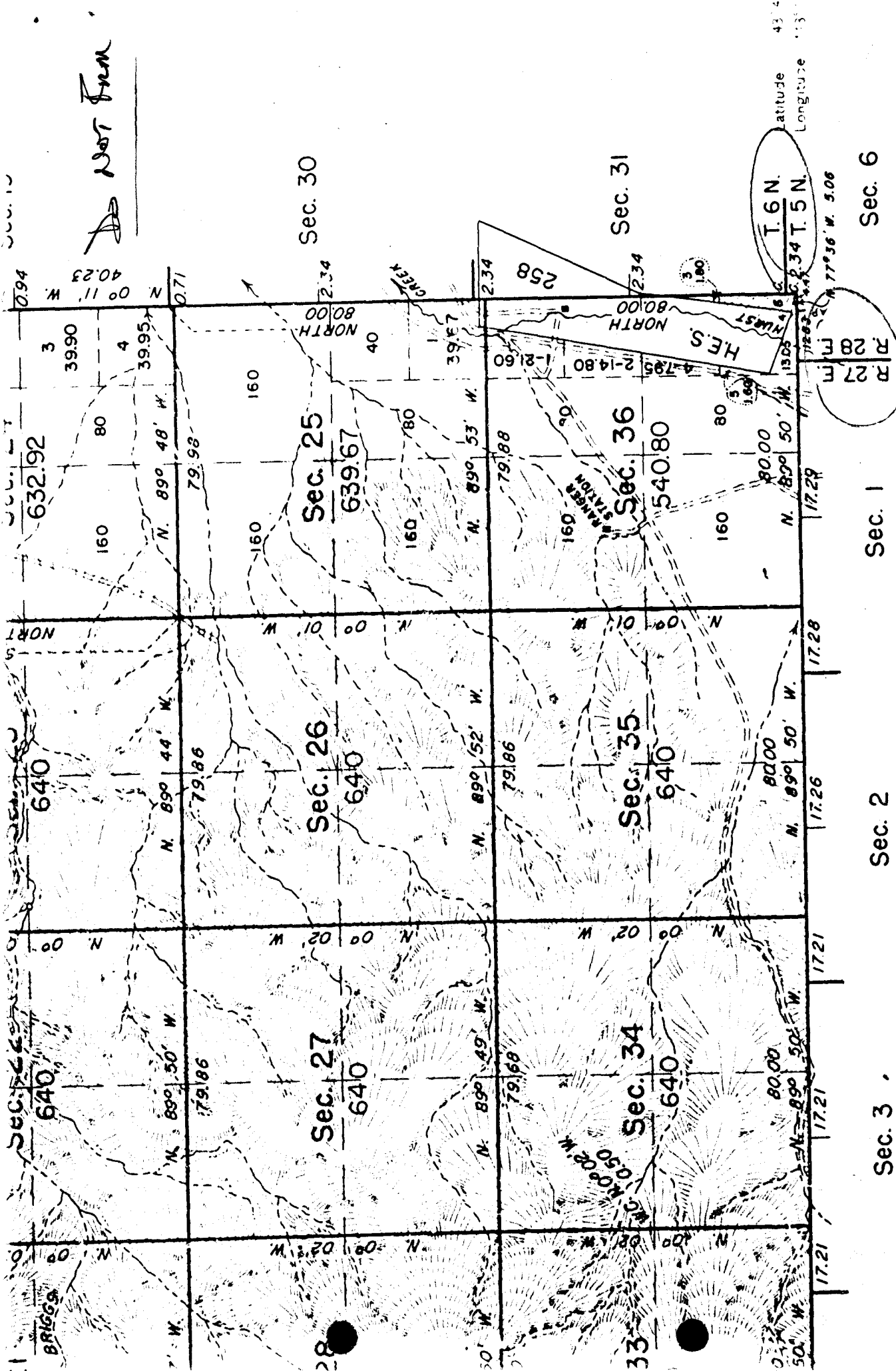
8. Submit map on enclosed plat, showing location and details of above description.

Remarks: When the Entry was surveyed it does not cover entirely the
ground described in the Permit or the place of use as described
on accompanying map.

6101

This examination was made on the 9th day of May 1916.

(Signed) Samuel E. Vondergriff Examiner.



UNITED STATES DEPARTMENT OF THE
BUREAU OF LAND MANAGEMENT

Washington, D.
This plat is strictly conformable to the
survey, having been correctly executed in accordance with the

Segregation (H.E.S.) 99.53 Acres
of Tract Segregations 15,148.01 "
urveyed 15,247.54 "

Sec. 3 Sec. 2 Sec. 1 Sec. 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:04
12/16/94

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A33-00114

LAST: SERMON
ADDRESS:
CITY: ARCO
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: LESLIE A.
STATE: ID ZIP: 00000

LAST: BARE
ADDRESS: BOX 82
CITY: HOME
PHONE NUMBER: 208-767-3455

FIRST: WAYNE
STATE: ID ZIP: 83244

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y
FIELD
EXAMINER
Y() N()

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: P/D INCOMPLETE. SEE FILE. AC. INK. = 40.

cc: Comments

*THIS CLAIM WAS RENUMBERED FROM
A33-02011, AS SUPERSEDED BY A33-
00114 OF THE BLAINE COUNTY INVESTMENT
CO. VS ROBERT G. MAYS DECREE,
4 MARCH 1927.*

CONTACT PERSON: AL RUBBERY

PHONE NUMBER: () - - -

DATE OF FIELD EXAM: 23/AUG/94

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () - - -

RELATIONSHIP TO CLAIMANT: WAYNE BANGS- OWNER

DIRECTIONS TO PROPERTY / NOTES:

23 Aug. 1994. Visited H.B.S. #258 at the request of S.W. Kern, Bonded Air Officer, for the purpose of determining irrigation. Evidence was found, noted, mapped and photographed, of historic irrigation. Clearly irrigation is dependent upon winter snow fall accumulation. Dams and ditches some in remnant form, water found Mr. Bangs, in conversation, states some years there isn't enough run off to get the water from this stream channel. Further, the last year of irrigation was 1993 when there was plenty of winter snow fall from the 1992 winter.

See Mr & Mrs. Bangs's statement attached herein.

A. AJ CLAIM: # A33-00114

PRIORITY DATE: 05-25-1910

STAGE: L

B. WR RECORD: # 33-00114

PRIORITY DATE: 05-01-1910

STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)

Y() N()

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

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

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

N/A() Y() N()

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

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y() N()

NOTES: NOTE PRIORITY DATE DIFFERENCE. 33-02011 WAS LICENSED WITH A MAY 25, 1910 PRIORITY.

33-00114 WAS DECREASED WITH PRIORITY OF MAY 1, 1910. THE DEGREE SURPASSES THE LICENSES.

(*) THIS CLAIM WAS ORIGINALLY MADE UNDER THE LICENSE - MISMO: 24 AUG 94 TO LYNN BROOK FROM S.W. KUHN, RE: A33-02011 - PER COUNSEL CLAIM WAS CHANGED FROM LIC1 TO DECREASE. THIS THE CHANGE IN PRIORITY DATE.

RECOMMENDED PRIORITY DATE:

05 - 01 - 1910 AS DECREASED, SEE NOTES ABOVE.

REVIEWED BY

ASB/bruney

DATE

20 Dec 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A33-00114	06N	27E	36	SE	NE			BUTTE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX
A33-07167
NONE

WR RECORDS IN SAME 40 ACRE TRACT

33-02011

Remark: Bp1: Arco-Pass Cr.

SOURCE: HURST CREEK

TRIG: LITTLE LOST RIVER

B. WR POINT OF DIVERSION AND SOURCE:

3300114 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: ARCO-PASS CREEK

TRIB: WEY CREEK

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() IT WAS

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() IT WAS

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

AJ FIELD EXAM (DATE OF FIELD EXAM 23 Aug 94 NAME OF EXAMINER A. B. EUGENEY XL)

OTHER (DESCRIBE IN NOTES BELOW)

LESLIE A. SERMON:

EXEMPT FROM LITTLE LOST RIVER DECREE.

From Arco-Pass Creek: All of the waters, not exceeding 100 inches, with date of priority May 1, 1910; 33 0143

Remark: Bp2: A33-258

Homestead Entry No. 258 in Butte County, Idaho, particularly described in Book 2 of Patents in the office of the Recorder of said Butte County, at page 179.

NOTES: POINT OF DIVERSION DISTANCE RE LIC. 33-02011 (7 AUG. 1917) AS: "AT A POINT S. 9° 00' W. 500' FROM THE S.W. COR. OF NW 1/4 NW 1/4 SEC. 31, T. 6 N., R. 28 E., S. M. POINT OF DIVERSION NOT SPECIFIED BY DEEDS. FIELD EYEW OR 23 AUG. 1994, A.B. RUSSELL MAPS POINT OF DIVERSION (IN PLACES) AS SHOWN."

[illegible]

REVIEWED BY: *AB* DATE: *21 Dec 1994*
SYSTEM DESCRIPTION: DESCRIBED BELOW (), OR SEE ATTACHMENT (*✓*) PHOTOS

*1 DAM ACROSS HURST CREEK CHANNEL DIVERTS WATER (WHEN AVAILABLE) THROUGH DITCHES TO FLOOD IRRIG BOSS FIELDS. - PRIMARY P.D.

*2 POINT OF DIVERSION CLAIMED WAS NOTED DURING FIELD EXAM IN A WASHED OUT CONDITION. AS LIE.

A. ROOT WATER RIGHT NUMBERS: A33-00114
R33-00114

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06N	27E	36	NE	NE	NE	BAVE, WAYNE	A33-00114 / 15.0	-	-	-	15.0
			NE	NE	NE	GHELETA, M OR D ZANE OR E GOUL	A33-00114 / 15.0	-	-	-	
			NE	NE	NE	BAVE, WAYNE	R33-00114 / 15.0	-	-	-	
			NE	NE	NE	SERMON, LESLIE A.	-	33-02011 / 15.0	-	-	
06N	27E	36	SE	NE	NE	BAVE, WAYNE	A33-00114 / 5.0	-	-	-	5.0
			SE	NE	NE	BAVE, WAYNE	A33-02153 /	-	-	-	
			SE	NE	NE	BAVE, WAYNE	R33-02153 /	-	-	-	
			SE	NE	NE	GHELETA, M OR D ZANE OR E GOUL	A33-07167 /	-	-	-	
			SE	NE	NE	BAVE, WAYNE	R33-00114 / 5.0	-	-	-	
			SE	NE	NE	SERMON, LESLIE A.	-	33-02011 / 5.0	-	-	
06N	28E	31	NW	NW	NW	BAVE, WAYNE	A33-00114 / 18.0	-	-	-	18.0
			NW	NW	NW	BAVE, WAYNE	R33-00114 / 18.0	-	-	-	
			NW	NW	NW	SERMON, LESLIE A.	-	33-02011 / 18.0	-	-	
06N	28E	31	SW	NW	NW	BAVE, WAYNE	A33-00114 / 2.0	-	-	-	2.0
			SW	NW	NW	BAVE, WAYNE	R33-00114 / 2.0	-	-	-	
			SW	NW	NW	SERMON, LESLIE A.	-	33-02011 / 2.0	-	-	

ADDITIONAL POU FOUND

40.0

TOTAL ACRES A33-00114

40.00

POU COUNTY: BUTTE

It is conceivable that the acreage claimed is irrigated during years of adequate water supply. Ditches and diversion dams (and remnants) were located and marked during the field exam. Other areas shown on maps also contain ditch and diversion remnants but are not claimed and have a more pronounced appearance of non-use.

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

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

Y() N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
-----------	--------	------	-----------	----------------	-----------	----------------

A33-00114	HURST CREEK	BARE, WAYNE	0.800	0.020		
R33-00114	HURST CREEK	BARE, WAYNE	0.800	0.020		

LIST OF ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION:

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
-----------	----------	------	-----------	------	--------

A33-10128	STOCKWATER	FROM 06-01 TO 10-31	0.020 CFS		
A33-02153	STOCKWATER	FROM 01-01 TO 12-31	0.040 CFS		
R33-02153	STOCKWATER	FROM 01-01 TO 12-31	0.040 CFS		
A33-07167	STOCKWATER	FROM 06-01 TO 10-31	0.020 CFS		2.70 AE/A

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

Y() N()

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

* 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.

N/A() Y() N()

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

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

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?

N/A() Y() N()

Y() N()

Y() N()

*DUE TO YEARS ON VERY LITTLE
OR NO RUNOFF. SEE STATEMENT
BY MR. & MRS. BARE-OWNERS.*

CHECK DOCUMENTS USED TO VERIFY FOU: ☒ ORTHOPHOTOQUAD, IOWR NO. W-83; ☐ TOPOGRAPHIC QUAD, IOWR NO. _____;

☐ NAVY, IOWR NO. _____; ☐ ASCS PHOTO; ☐ OTHER U.S. SURVEY PLAT

NOTES: COPY OF H.B.S. #258 LEGAL DESCRIPTION - FILED 22 SEPT 1920 R.F. L.A. SHERMAN.

RECOMMENDATIONS:

TOTAL ACRES: 40.0 N/A()

REVIEWED BY: ASB DATE: 21 DEC 1994

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

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A33-00114 IRRIGATION	FROM 04-01 TO 11-01	.800 CFS	
TOTAL DIVERSION RATE/VOLUME		.800 CFS	

AS DESCRIBED

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
33-00114 IRRIGATION	FROM TO	2.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	

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

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

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

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

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

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

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

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

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

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

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

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

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

NOTES:

As per statement from Mr. & Mrs. Bane, dated 3 Jan 1995, Hurst Cr. and Arco Pass Cr. and Arco Pass Cr. (also known as Pass Cr.) are one and the same stream, USGS Quadrangle W-83 shows Hurst Cr. as an intermittent stream. In recent years, due to drought, spring run-off is most usually not available or in such small amount it is not usable for irrigation. Bane's claim two years out of the last ten years the run-off has been in an amount usable for irrigation - signed statement from Bane's.

It is with little doubt that irrigation diversion works are in a poor state - but, rural water mapping shows existence and an historic use - Arco.

AJ CLAIM TOTAL DIVERSION RATE: 0.800 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 CFS

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

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

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

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

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

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

FLOW MEASUREMENT

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS.

E.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 40 x 0.02 CFS/ACRE = 0.80 CFS
(Taken from pou review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 100.0 AE/A

ACRES 40 x CONSUMPTIVE VOL. AE/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 100.0 AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES 40 x DIVERSION VOL. AE/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 140.0 AE/A

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

1b. CALCULATIONS

0.80 cfs AS CALC. - AS CLAIMED

SEE NOTES ON PAGE 10.

NOTES:

WR RECORD CONDITIONS/REMARKS:
SOURCE AKA PASS CREEK
P/U HOMESTEAD ENTRY #258, BUTTE COUNTY.

B01

J02

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	DATAHOUSE EXAMINER	REC. DIV VOL. AE/A	DATAHOUSE EXAMINER	REC. CONS. USE
IRRIGATION	04-01 11-01 <i>AS ORDERED</i>	0.800 <i>AS CLAIMED</i>		140.0	100.0	
TOTAL FOR THIS RIGHT		0.800			100.0	

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: *ABKubany* DATE: *27 Jan 95*

三

STANDARD CONDITIONS (CODE): "

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE): "

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: 33-00114

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
A33-02011	A33-00114	0.800	R33-00114	0.800	33-02011 33-00114	0.800 2.000
TOTAL CFS		0.800		0.800		2.800

~~DATABASE~~
2.800

EXAMINER
0.80

CFS

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 () OR SEE ATTACHMENT ()?

DATABASE
N

FIELD
EXAMINER
Y() N()

NOTES:

A33-02011 Lic. PRESDATES LIR DECESS - DECESS 33-00114 SUPREMACIES LIC - As DECESS THE 2014
RIGHT IS UNDERCLAIMED AT 0.80 cfs (DECESS AS: ALL THE WATERS, NOT EXCESSING 100 INCHES, in)

AUTHENTICATION:

SIGNATURE: AS Rulany DATE: 27 JAN 95

NAME OF FIELD EXAMINER: Arion B. Rulany TITLE: SA. 494

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:04
12/16/94

PAGE: 15

QUICKLOOK INFORMATION

CLAIM NUMBER: A33-00114
15

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

BARCODE UPDATED
WHOM/DATE

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____	Y() N()
() NAPP	DATE OF PHOTO _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USES AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED) IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NOTES

ATTACHMENT	DATE	NO. OF PAGES
() 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 _____	
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	
() OTHER _____	DATE _____	
() OTHER _____	DATE _____	

00:01:02
12/16/94
17

CLAIM NUMBER: A33-00114

```

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

```

102 201



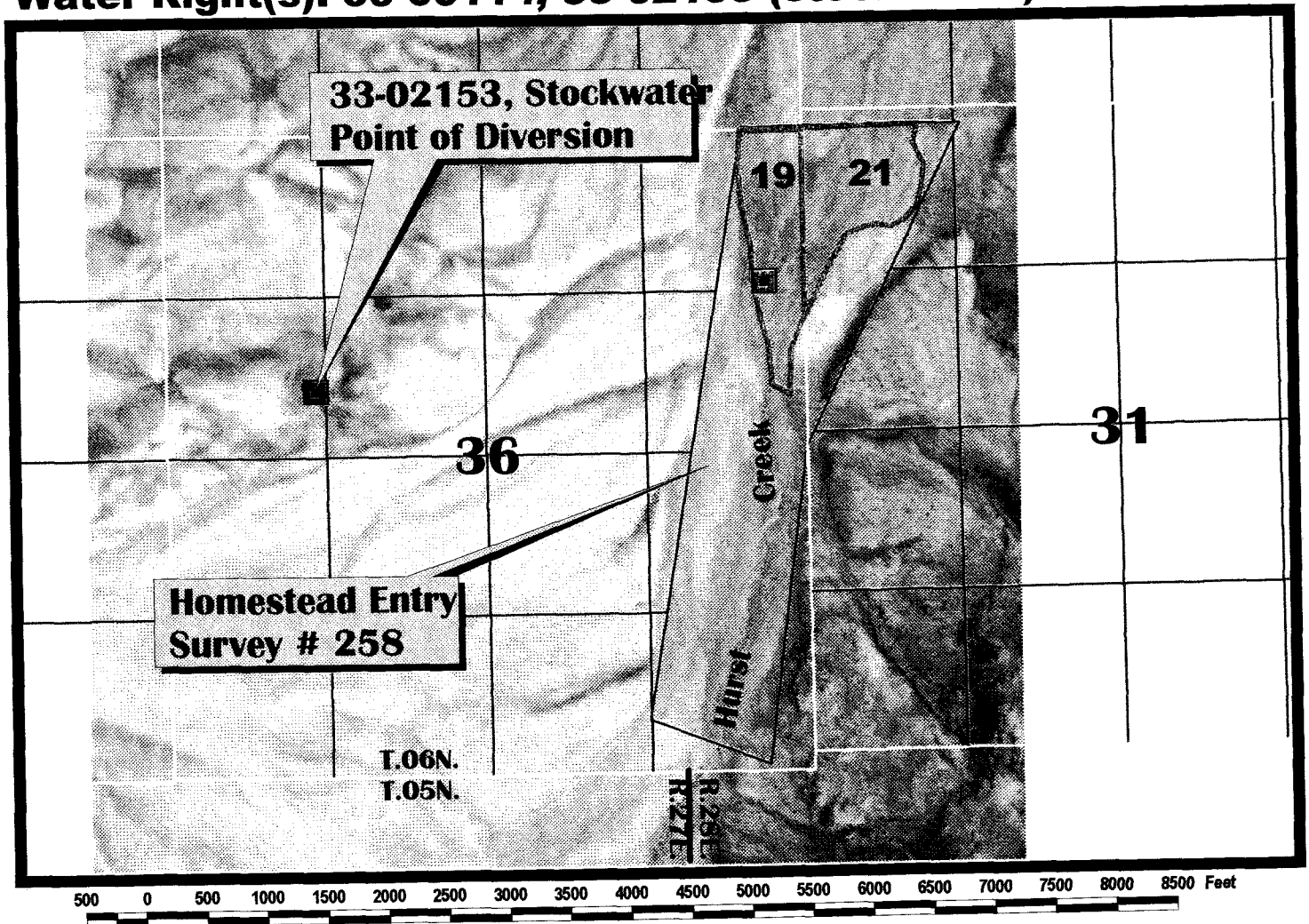
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Wayne Bare

Water Right(s): 33-00114, 33-02153 (stockwater)



LEGEND



Point of Diversion



Place of Use

Section Line



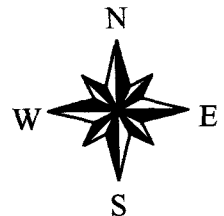
Quarter-section line

**Legal Description: T.6N., R.27E. and R.28E.
Parts of Sections 36 and 31. HES # 258**

**Point of Diversion: T.6N., R.29E.
Sec. 32 NENWNE**

36 SENEHE - 114 (Janis)

Sec. 36 SESESWNW - 02153 (str)



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

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)01/02/97 10:01:50
Page 1Water Right Number - R33-00114 Prefix Translation: RESEARCH Old (D) Number - 6101
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +*** C - CURRENT OWNER ***
BARE

WAYNE

1 - BOX 82
2 -
3 -
City- HOME
Phone - 208-767-3455

State- ID Zip- 83244

*** O - ORIGINAL OWNER ***
SERMON

LESLIE A

1 -
2 -
3 -
City- ARCO
Phone - 208-000-0000

State- ID Zip- 00000

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1910 15 EASTERN D - DECREED+ - - Source - - - - - + + - - - - Tributary - - - - - +
HURST CREEK LITTLE LOST RIVER+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

06N 27E 36 SE NE NE (23) BUTTE

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 11/01 0.800

+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Consumptive Use - - + + - - KW Usage - - +
0.800 0.800 100.0+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

| | | | | | | | | |
|-----|-----|----|-------|------|----|------------|------|-------|
| 06N | 27E | 36 | NE NE | 15.0 | 01 | IRRIGATION | (23) | BUTTE |
| 06N | 27E | 36 | SE NE | 5.0 | 01 | IRRIGATION | (23) | BUTTE |
| 06N | 28E | 31 | NW NW | 18.0 | 01 | IRRIGATION | (23) | BUTTE |
| 06N | 28E | 31 | SW NW | 2.0 | 01 | IRRIGATION | (23) | BUTTE |

Total Acres: 40.0

+ - - - - Diversion Means - OPEN DITCH.

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

POD #100

POD #125

02/1/97
16/1/97
18/1/97

Water right number - R33-00114

Remarks

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 258.

SOURCE IS ALSO KNOWN AS HURST CREEK.

- - - - - Old Water Right Numbers

- - Conditions of Approval - -
No Conditions of Approval found.

+ - - - Decree Defendant - - - +

| + - - - - | - - - - - | - - - - - | - - - - - | - - - - - | - - - - - | - - - - - | - - - - - | - - - - - | - - - - - |
|-----------|------------|-----------|-----------|-----------|---------------------|-----------|-----------|-----------|------------|
| Date: | 01/27/1995 | User Id: | ARUBERRY | Subject: | COPIED FROM REMARKS | | | | -Comments- |

Date: 01/27/1995 User Id: ARUBERRY Subject: DECREE SUPERCEDES LICENSE.

+ - - Audit Fields - - +

Adjudication Rights Dates and Flags Area

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 11/30/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - E011219 | Water District | - 33 |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

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

Renumbered to: A33-00114

Ident. Number: ~~A33-02011~~

Date Received: 11/30/1989

Receipt No: E011219

Received By: _____

*12/15/89
SC*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE BARE 208-767-3455
Address: BOX 82
HOWE, ID 83244

2. Date of Priority: MAY 25, 1910

3. Source: HURST CREEK Trib. to: LITTLE LOST RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N | 27E | 36 | SE | NE | | | BUTTE |

5. Description of diverting works:
OPEN DITCH.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.800 | | |

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 06N | 27E | 36 | NE | NE | | IRR | 15.0 |
| | | | SE | NE | | IRR | 5.0 |
| Section Acres | | | | | | | 20.0 |

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IN AND FOR THE COUNTY OF TWIN FALLS

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9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 06N | 27E | 36 | NE | NE | | IRR | 15.0 |
| | | | SE | NE | | IRR | 5.0 |

Section Acres 20.0

A33-02011

Page 1

Date: 12/06/89

~~MICROFILMED~~

NOV 15 1989 MICROFILMED

APR 15 1991

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 06N | 28E | 31 | NW | NW | IRR | 18.0 |
| | | | SW | NW | IRR | 2.0 |
| Section Acres | | | | | | 20.0 |
| Total Acres | | | | | | 40.0 |

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/D INCOMPLETE. SEE FILE. AC. IRR. = 40.

15. Basis of Claim: LICENSE
Water Right Number: 6101

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ 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 _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: A33-00114
39356Ident. Number A33-02011Date Received 11/30/89Receipt Number E011219NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) WAYNE BARE Phone (208) 767-3455
Mailing Address 130X 82, HOWE ID Zip 83244
2. Date of Priority (Only one (1) per claim) APRIL 30, 1910
3. Source of water supply (a) HURST CREEK
which is tributary to (b) LITTLE LOST RIVER
4. a. Location of existing point of diversion is: Township 6N Range 27E Section 36,
1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of BUTTE
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. DITCH

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APR 15 1994

NOV 15 1996

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 0.8 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.8 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 100 acre feet per annum.

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

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 instructions for standard symbols.

| TWP | RNG | SEC | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | Totals |
|-----|-----|-----|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|
| | | | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | |
| 6N | 28E | 31 | | | | | | 18 | 2 | | | | | | | | | | 20 |
| | 27E | 36 | 15 | 5 | | | | | | | | | | | | | | | 20 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 40

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

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:

RECORDED

NOV 15 1995

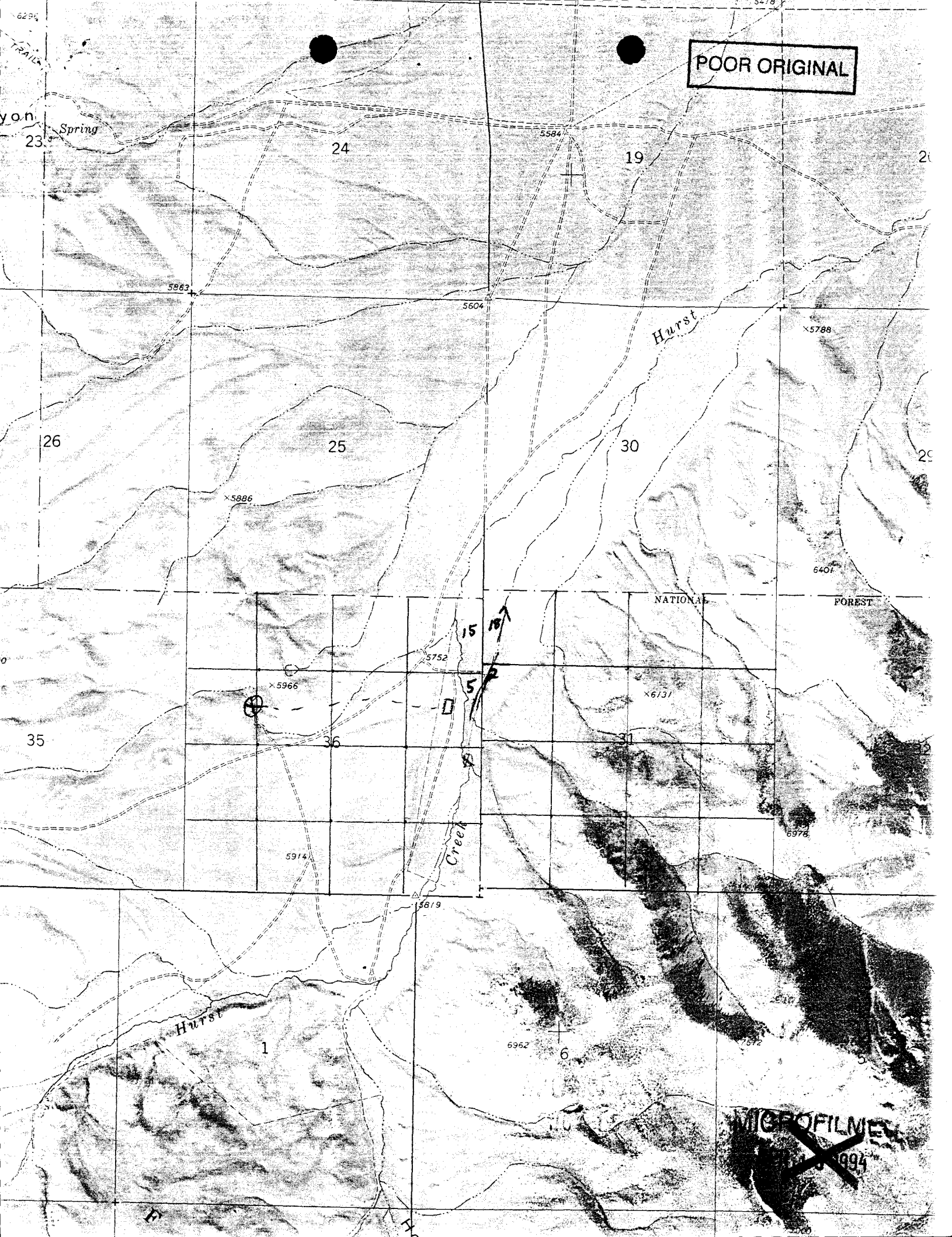
MICROFILMED

APR 15 1994

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

POOR ORIGINAL



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License K Permit _____
Decree _____
If applicable provide IDWR Water Right Number 33-2011
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

Signature of Claimant (s) William Bone Date 11.30.89

Date _____

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

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 30th day of November 19 89

SEAL

Notary Public Anthony S. Olanchuk
Residing at Heads Falls
My Commission Expires 9/12/1994

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

MICROFILMED

NOV 15 1996

MICROFILMED

APR 15 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant