

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: A72-00230Z
Date Received: 5/19/1995
Receipt No: S018113
Received By: *[Signature]* AA

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RICHARD E. MACMILLEN
Address: RT 1 RK 35
BISHOP CA

619-872-2075

93514

AND/OR

Name: BARBARA MACMILLEN
Address: RT 1 RK 35
BISHOP CA

619-872-2075

93514

2. Date of Priority: MAY 1, 1880

3. Source: SALMON RIVER, EAST FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	18E	24	NE	NE	SW		CUSTER

5. Description of diverting works:

ROCK WING, WOOD HEADGATE AND DITCH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.152		0.30

7. Total Quantity Appropriated is:

0.152 C.F.S. (and/or) 0.30 A.F.A.

8. Total consumptive use is 12.6 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	18E	13	SE	NW		IRR	5.1
Section Acres							5.1
Total Acres							5.1

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

WE PURCHASED AND RECORDED THIS PARCEL IN 09-1994 AND HAVE BEEN ADVISED THE PREVIOUS OWNER HAD NOT FILED A CLAIM TO A WATER RIGHT. THIS PARCEL IS IDENTIFIED AS LOT 25, BLOCK 2, EAST FORK SUBDIVISION, AND IT LIES ADJACENT TO LOTS 24 AND 23, WHICH WE ALSO OWN AND FOR WHICH WE HAVE PREVIOUSLY FILED CLAIMS TO WATER RIGHTS. LATE FILING FEE INCLUDED.

IDWR NOTE: CLAIMANT HAS IDENTIFIED THE ACTUAL ACREAGE AS 5.07 AC AND MADE HIS CHECK OUT FOR A TOTAL OF \$105.07. FILING FEE \$50.00 ACREAGE FEE \$5.07 AND LATE FEE \$50.00 FOR A TOTAL OF \$105.07. THE ACREAGE CLAIMED HAS BEEN ENTERED IN THE POU GRID AS 5.10 IN ORDER TO MEET THE DATA ENTRY STANDARD. FH 05-15-1995.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 2/14/1938

GOSSI, ET AL

Decree Plaintiff

GIAMPEDRAGLIA

vs Decree Defendant

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

Water Right Number - R72-00230AA

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

MACMILLEN

RICHARD E.

1 - RT 1 RK 35

2 -

3 -

City- BISHOP

State- CA Zip- 93514

Phone - 619-872-2075

MACMILLEN

BARBARA

1 - RT 1 RK 35

2 -

3 -

City- BISHOP

State- CA Zip- 93514

Phone - 619-872-2075

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1880 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON RIVER, EAST FORK SALMON RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
10N 18E 24 SE NE SW (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.152

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.152 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
10N 18E 13 SE NW 3.5 01 IRRIGATION (37) CUSTER

Total Acres: 3.5

+ - - Diversion Means - ROCK WING, WOOD HEADGATE AND DITCH TO PLACE OF USE

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

EXP PROPERTY IS ALSO KNOWN AS LOT 25, BLK 2, EAST FORK SUBDIVISION

Remembered

Water right number - R72-00230AA

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

+ - - - Decree Plaintiff - - - +
GOSSI, ET AL

+ - - - Decree Defendant - - - +
GIAMPEDRAGLIA

+ - Decree Date - +
02/14/1938

+ - - - - Comments - - - - - +

Date: 11/12/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS
WE PURCHASED AND RECORDED THIS PARCEL IN 09-1994 AND HAVE BEEN ADVISED THE PREVIOUS OWNER HAD NOT FILED A CLAIM TO A WATER RIGHT.
THIS PARCEL IS IDENTIFIED AS LOT 25, BLOCK 2, EAST FORK SUBDIVISION, AND IT LIES ADJACENT TO LOTS 24 AND 23, WHICH WE ALSO OWN AND
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THE ACREAGE CLAIMED HAS BEEN ENTERED IN THE POU GRID AS 5.10 IN ORDER TO MEET THE DATA ENTRY STANDARD. FH 05-15-1995.
Date: 11/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
Date: 11/24/1998 User Id: VHANCOCK Subject: RENUMBERED
RENUMBERED FROM R72-00230Z

+ - - Audit Fields - - +

11/24/98 VHANCOCK

+ - - - - 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	- 11/24/1998	Old Judicial District	-
Claim Received Date	- 05/19/1995	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S018113	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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

Water Right Number - R72-00230Z

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

RENUMBERED RIGHT TO 72-00230AA

1 -
2 -
3 -

City- X

Phone - 208-000-0000

State- ID Zip- 0

*** O - ORIGINAL OWNER ***

MACMILLEN

RICHARD E.

1 - RT 1 RK 35

2 -

3 -

City- BISHOP

Phone - 619-872-2075

State- CA Zip- 93514

MACMILLEN

BARBARA

1 - RT 1 RK 35

2 -

3 -

City- BISHOP

Phone - 619-872-2075

State- CA Zip- 93514

+ - - Priority Date - - +
05/01/1880

+ - - - Region - - - +
17 SOUTHERN

+ - - - Stage - - - +

+ - - - Status - - - +
Z - SEE REMARKS

+ - - - - Source - - - - - +
RENUMBERED TO 72-00230AA

+ - - - - Tributary - - - - - +
RENUMBERED

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

10N 18E 24 SE NE SW (37) CUSTER

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

01 - IRRIGATION 04/01 10/31 0.152

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.152 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

10N 18E 13 SE NW 3.5 01 IRRIGATION (37) CUSTER

Total Acres: 3.5

+ - - Diversion Means - ROCK WING, WOOD HEADGATE AND DITCH TO PLACE OF USE

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

Water right number - R72-00230Z

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

EXP PROPERTY IS ALSO KNOWN AS LOT 25, BLK 2, EAST FORK SUBDIVISION
*****RENUMBERED TO 72-00230AA*****

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +

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- PURSUANT TO SECTION 42-1425, IDAHO CODE.
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- CONJUNCTIVELY.

+ - - - - Decree Plaintiff - - - +
GOSSI, ET AL

+ - - - - Decree Defendant - - - +
GIAMPEDRAGLIA

+ - Decree Date - +
02/14/1938

+ - - - - -Comments- - - - - +

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CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

+ - - Audit Fields - - +

11/24/98 VHANCOCK

+ - - - - - 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	- 05/19/1995	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S018113	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)05/19/95 14:19:51
Page 1

Water Right Number - A72-002302 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

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

*** C - CURRENT OWNER ***

MACMILLEN RICHARD E. 1 - RT 1 RK 35
2 -
3 -
City- BISHOP State- CA Zip- 93514
Phone - 619-872-2075

MACMILLEN BARBARA 1 - RT 1 RK 35
2 -
3 -
City- BISHOP State- CA Zip- 93514
Phone - 619-872-2075

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1880 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON RIVER, EAST FORK SALMON RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
10N 18E 24 NE NE SW (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.152 0.30

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.152 0.30 12.6

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
10N 18E 13 SE NW 5.1 01 IRRIGATION (37) CUSTER

Total Acres: 5.1

+ - - Diversion Means - ROCK WING, WOOD HEADGATE AND DITCH TO PLACE OF USE

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
WE PURCHASED AND RECORDED THIS PARCEL IN 09-1994 AND HAVE BEEN ADVISED THE PREVIOUS OWNER HAD NOT FILED A CLAIM TO A WATER RIGHT. THIS PARCEL IS IDENTIFIED AS LOT 25, BLOCK 2, EAST FORK SUBDIVISION, AND IT LIES ADJACENT TO LOTS 24 AND 23, WHICH WE ALSO OWN AND FOR WHICH WE HAVE PREVIOUSLY FILED CLAIMS TO WATER RIGHTS. LATE FILING FEE INCLUDED.

Water right number - A72-00230Z

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Remarks - - - - - +

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AND MADE HIS CHECK OUT FOR A TOTAL OF \$105.07. FILING FEE \$50.00
ACREAGE FEE \$5.07 AND LATE FEE \$50.00 FOR A TOTAL OF \$105.07.
THE ACREAGE CLAIMED HAS BEEN ENTERED IN THE POU GRID AS 5.10 IN
ORDER TO MEET THE DATA ENTRY STANDARD. FH 05-15-1995.

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

GOSSI, ET AL

+ - - - - Decree Defendant - - - +

GIAMPEDRAGLIA

+ - Decree Date - +

02/14/1938

+ - - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

05/19/95 FHITCHCO

+ - - - - - 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	- 05/19/1995	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S018113	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

5 May 1995
Route 1, RK 35
Bishop, CA 93514
(619) 872-2075

Mr. Francis G. Hitchcock
Southern Regional Office
Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

Dear Frank:

Enclosed please find our completed Water Rights Claim Form together with the filing fee and late fee, for our most recently acquired parcel (lot 25, block 2, the East Fork Subdivision, Custer County). I hope that it is all in order.

We plan to spend the bulk of the summer at our properties, and should be there from ca. 13 June to 25 August. If you get up that way, please drop by. Also, please note our change of address, as we have moved within the city of Bishop; it will be helpful also if you could direct all correspondence re. our other claims to our new address, as noted above.

The East Fork is starting to show signs of (over) development, with at least one new house start, and several others soon to follow. We are glad that we now have 16 acres to buffer us from all of that.

We hope that all goes well with you, and that the rigamarole of the adjudication process hasn't gotten you down.

Best regards,

Dick MacMillen

Richard E. MacMillen

05-18-1995: originals to DRS tray:
05-19-1995: completed this date per direction
05-23-1995: cc TARA for address change

ck no.
1213
RECEIVED
MAY 18 1995
Department of Water Resources
Southern Regional Office

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM
IN THE SNAKE RIVER BASIN ADJUDICATION

[✓] Water Right Number(s): A72-00230X
-00230Y
-00230Z

[✓] Old Mailing Address: 2684 IRENE WAY
BISHOP, CA 93514

[✓] New Mailing Address: RT 1
RK 35
BISHOP, CA 93514

[] New Telephone Number: () _____

[✓] Signature of Claimant(s): _____

Date: _____

For IDWR use only:

Initial Review and Data Entry

Date: By:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

Further Action Needed:

COPY

SD-0607-2 Prefix: A Basin: 72 Starting Water Right: 00230 STATE

Water Right No.	Name Last, First	W N	Priority Date	Stg/ Sts	Source	Use Code Desc
A72-00230W	CRESTO, KAY	C	05/01/1880	D/		
A72-00230X	MACMILLEN, RICHARD E	C	05/01/1880	D/	SALMON RIVER, EA	01 IRR
	MACMILLEN, BARBARA J	C				
A72-00230Y	MACMILLEN, RICHARD E	C	05/01/1880	D/	SALMON RIVER, EA	01 IRR
	MACMILLEN, BARBARA J	C				
A72-00232	THREE G COMPANY,	C	05/01/1936	/Z	SALMON RIVER, EA	01 IRR
	SPLIT RIGHT,	C			SPLIT RIGHT	04 STOCK
A72-00232A	INSINGER RANCH,	C	05/01/1936	D/	SALMON RIVER, EA	01 IRR
						04 STOCK
A72-00232B	THREE G COMPANY,	C	05/01/1936	D/	SALMON RIVER, EA	01 IRR
						04 STOCK
A72-00233	CHAMBERS, ROSANNA	C	08/01/1925	D/	SALMON RIVER, EA	01 IRR
	GREEN, ERROL L	C			DEER CREEK	
	GREEN, BEVERLY I	C			GERMANIA CREEK	
	KRATZ, LAWRENCE J	C				
	KRATZ, CATHERINE A	C				

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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

RECEIVED

MAY 18 1995

Department of Water Resources
Southern Region

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

A72-002302

05-19-1995

5018113

Please type or print clearly

1. Name of Claimant (s) Richard E. and/or Barbara J. MacMillen Phone (619) 872-2075

Mailing Address Route 1, RK 35, Bishop, CA Zip 93514

2. Date of Priority (Only one (1) per claim) May 1, 1880

3. Source of water supply (a) East Fork, Salmon River
which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 10N Range 18E Section 24,
NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Custer

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. Rock Wing, Wood Headgate, and
Ditch to place of use.

NOTE: read w/o carbon

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/01 to 11/01 amount .152 or .301

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .152 (cfs) and/or (b) .301 (acre feet)

8. Total consumptive use claimed is 12.68 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) none

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	
10N	18E	13								5.07									5.07

Total number of acres irrigated 5.07

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

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)

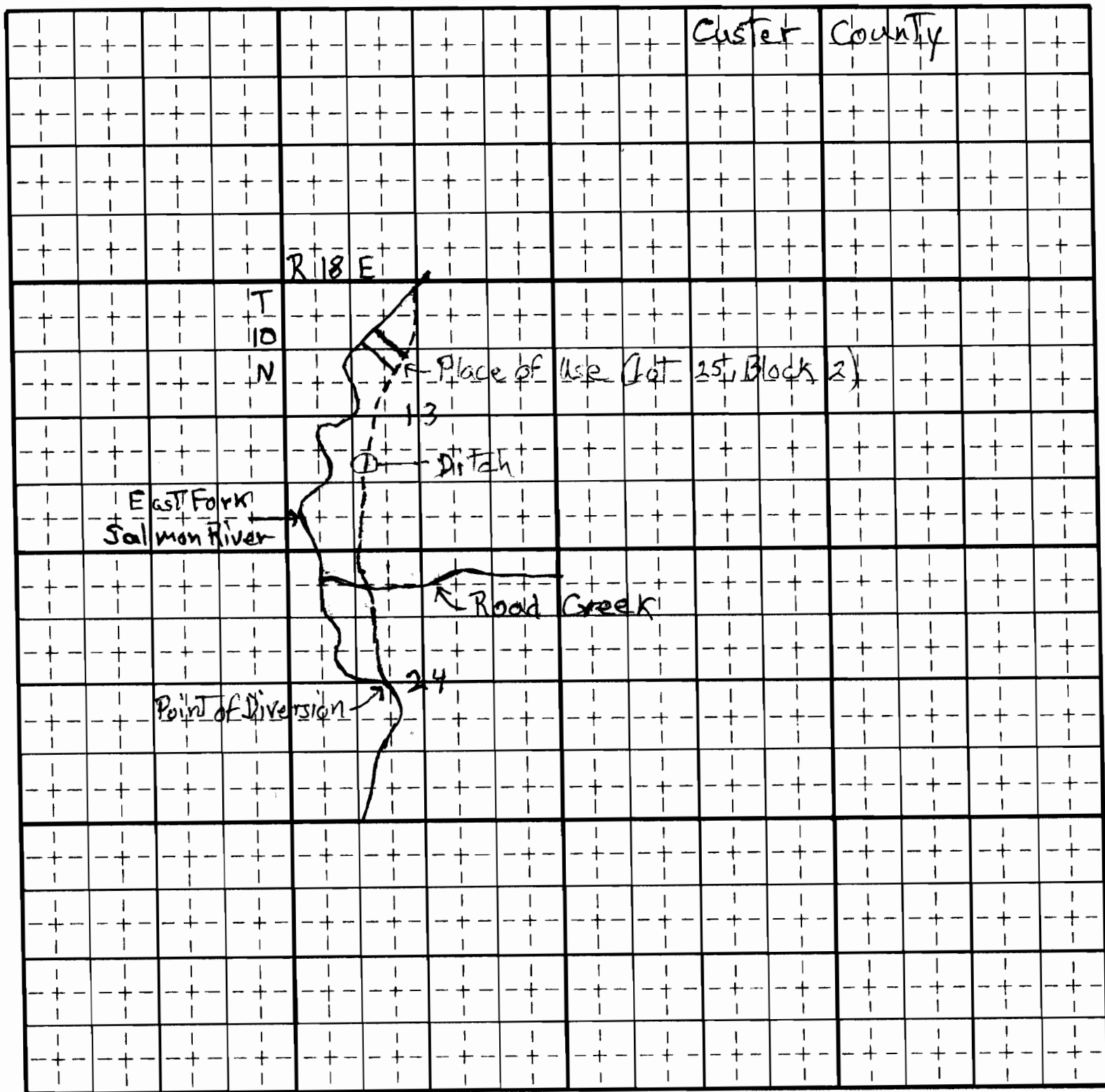
14. Remarks: We purchased and recorded this parcel in September 1994, and have been advised that previous owner had not filed a Claim to Water Right. This parcel is identified as Lot 25, Block 2, East Fork Subdivision, and it lies adjacent to Lots 24 and 23, which we also own, and for which we have previously filed Claims To Water Rights.
Late filing fee included.

Last Name MacMillen Ident No. A72-00230Z

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name MacMillen

Ident No. A72-00230Z

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 12-0230
Court Sixth Case Number _____ Decree Date 2/14/38
Plaintiff vs Defendant Gass, et al. vs Giampedraglia, 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 X 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) Richard S. MacMillen Date 15 May 1995

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 _____ of _____
Title 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 _____) SS.

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

Appearance:

_____ will be acting as attorney at law on behalf
_____ that all notices required by law to be mailed by the director to the claimant signing above

Acknowledgment Certificate
(The individual is personally known by the notary)
S.S.

State of ID
County of TWIN FALLS

On this 19th day of MAY, 1995
I, _____, a notary public, personally appeared
to me to be the person(s) whose name(s) is (are) _____
same.

_____ personally known
_____ (they) executed the
My Commission Expires _____
Notary Public

Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number 72-0230

Court Sixth Case Number _____ Decree Date 2/14/38

Plaintiff vs Defendant Gassiet al. vs Giampedraglia, 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 _____

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

Signature of Claimant (s) Richard E. MacMillen Date 15 May 1995

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 _____ of _____

Title

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 _____)

) SS.

County of _____)

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Acknowledgment Certificate
(The individual is personally known by the notary)

State of ID)

S.S.

County of TWIN FALLS

On this 19th day of MAY, 1995, before me _____, a notary public, personally appeared _____, personally known to me to be the person(s) whose name(s) is (are) subscribed to this instrument, and acknowledged that he (she) (they) executed the same.

James J. Hitchcock
Notary Public

My Commission Expires on 10-11-2000

law on behalf
signing above

S
E
A
L

Last Name MacMillen Ident. Number _____

COPY

Copies White-State, Yellow-Claimant

RECEIVED

MAY 30 1995

Department of Water Resources
Southern Region

26 May 1995
Route 1, RK 35
Bishop, CA 93514

Mr. Francis G. Hitchcock
Southern Regional Office
Department of Water Resources
222 Shoshone St. East
Twin falls, ID 83301

Dear Frank:

Thank you for your recent communications, and for tending to our most recent water claim filing so promptly. Now, with regard to Mr. Leonard.....

I was first introduced to the Leonards (Glenn and Misty!) when Misty called in April to notify us that they had cut out a section of our new fence so that they could bring building materials across our property to theirs. They stated that they were calling upon the insistence of Anita Getty, but that Bret Getty had told them it was OK to cut the Fence. Upon further investigation we discovered that Bret, in a neighborly manner, had told them that the only way that he could see that they could get a large semi loaded with building supplies to their property was through ours, and that removing a section of the fence appeared to be the only way. So, they went ahead, informing us only after Anita had become irate and after the fact. The matter gets worse, as the Leonards intend to develop an auto-wrecking operation on the property, which is contrary to the covenants that govern the East Fork Estate and to the wishes of all of the other East Fork land owners that we know. As a consequence, the Getty's have rallied support from the other landowners to dissuade the Leonards, with the result that the Leonards are harassing the Gettys in ways most unpleasant. So, you have inadvertently stepped into a neighborhood dispute.

With regard to the flood irrigation on our properties, your guess was pretty accurate. The ditch had been shut down over winter, but has been opened again recently, without informing anyone down-ditch. We had to leave the East Fork last summer in early August, and had asked the Gettys to irrigate for us periodically. Apparently a plastic-cloth dam was in place on our lot 23 at the time the ditch was turned off in the Fall, and was still in place when the flow commenced again this Spring. The only flooding that I can imagine must have been confined to our properties, as the Leonard's is at least 1/4 mi away from the blocked ditch. They may have been without irrigation water for a few hours, but with this wet winter and spring its hard to imagine an inconvenience to the Leonards. I suspect it was another attempt to harass the Gettys, and perhaps us, too. Sorry for the inconvenience to you, but thanks for the information.

With regard to the irrigation history of Lot 25, the former owner, Dave Everett, did no irrigating. When the ground became dry and dusty, with a real threat of ground cover loss, we did divert water from the ditch onto it occasionally - maybe once a month, for about 12 hours, to prevent vegetation loss. We irrigated lots 23 and 24 more frequently to maintain green ground cover to reduce the threat of grass fires.

ORIGINAL

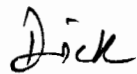
cc: SRBA Claims:
✓ A72-00230X Lot 23
✓ -00230Y Lot 23

The irrigation regime for these two lots was 12 hours of flood irrigation about every two weeks, with about 1/2 of each lot being irrigated at any one time. On each occasion the Gettys (our only down-ditch neighbors at the time) were consulted, to ensure that their water needs were met. Bret Getty, being at the bottom end of the ditch, volunteered (with our consent) to keep the ditch clear of debris, and the gates functional, to ensure his water supply. For your information our newly-acquired Lot 25 has on it a master gate to deliver water either to a ditch at the top of the properties down-ditch, or to one that courses diagonally towards the lower ends of the properties. This gate had to be manipulated to allow uniform flood-irrigation for the Gettys. With the Leonards now in between the Gettys and us, that manipulation may pose a problem. It is likely time for the East Fork owners to identify a Water Master.

Hopefully all of this will be sorted out this summer, before we leave. At any rate we will look forward to seeing you, and will call your office when we arrive up there.

Thanks again for your thoughtful and prompt attention to all of these matters, at least some of which are well beyond the call to duty.....

Best regards,

A handwritten signature in cursive script, appearing to read "Dick".

Richard E. MacMillen

ORIGINAL



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

May 24, 1995

*W/CCs: LEONARD memo
GETTY memo*

MR. AND MRS. BRETT GETTY
HC 68
BOX 355
CLAYTON, ID 83227

RE: POSSIBLE TRANSFER OF DIVERSION POINT TO PUMP

DEAR MR. AND MRS. GETTY:

While I was suprised that Mrs. Getty had my card by the phone and even remembered me I was sorry to hear the reason(s). I have put a letter in the mail to Dr. and Mrs. MacMillen regarding the use of the water on the lots, especially Lot 25 and described the phone call from your new neighbor Mr. Leonard. I enclose a copy for your information...not as caretakers but as adjoining water users identified by Mr. Leonard as "taking" the water.

As promised, I asked about the method of moving the diversion point from the East Fork Subdivision ditch to a pump in the Salmon River, East Fork to deliver your decree portion A72-00230A to your lot. I enclose the forms and instructions for your review. This is easily the hardest form to fill out that we have. Please consider calling our representative in Salmon to discuss your situation and to get help in completing the paperwork if you want to go ahead.

You can reach our Salmon office by calling 756-6644. The agent's name is Bob Foster and he has a recorder on the phone because he has to cover the whole Salmon watershed and is gone a lot. I'll send a copy of this letter to him so he knows that you may be calling him and what it is about.

I am attempting to plan for the second full week of June to be on the East Fork subject to all the usual hitches and starts. I'll stop by when I'm in the subdivision to review the McMillen usages. Thats about it for now. I hope things settle down in the neighborhood. Best wishes.

Sincerely Yours,

Francis G. Hitchcock
enclosures

COPY

cc: Bob Foster



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

May 23, 1995 4:11pm

DR. AND MRS. R. E. MACMILLEN
ROUTE 1 RK 35
BISHOP, CA 93514

Dear Dr. and Mrs. MacMillen:

Every time I handle your claims something regarding them pops up. I enclose copies of this morning's incident shortly before lunch when the phone was ringing and I happened to answer. Please look them over and hang on to them for reference with your water claims especially the recent late claim for Lot 25.

This may not amount to anything but since I need to know how the use of the water for Lot 25 is managed I called the Gettys as you can see from the memorandum.

Please take a minute or two and jot down for me how you would describe the irrigation of the lots from the ditch. I would be interested in how long you take the water and how long it takes to get "across" the ground before you release it down the ditch. How often do you have to do this during the season and who may have done this in the past prior to your ownership or for you in your absence.

Your response will be of help in figuring out the irrigation practice for your lots and may be of help in dealing with whatever your new neighbor feels is a problem. I emphasize that this is not a problem for this agency (Mr. Leonard's call) but in view of the late claim for Lot 25 I think it would be helpful to me and to you to get the practice identified clearly.

I hope to be in the area to take care of your late claim and several others around that second full week of June. Your letter of May 5th indicates you may arrive ca. June 13. We should plan to meet on the property especially in view of the enclosed memo that recites Mr. Leonard's concerns. If you call the office and let me know your availability I will call you back when I come back from the field at the end of the day which is ususally 6 to 7 pm Mountain Daylight time. Sorry to bother you with all this but I sense a problem and would like to define your usage for the lots as soon as we can. Best wishes.

Sincerely Yours,

enclosures

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00230A

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

◇◇◇

May 23, 1995 2:15pm

NAME:

MRS. ANITA GETTY
LOT 28 E.F. SUBDIVISION

RE:

CALL FROM MR. LEONARD
LOT 27 E.F. SUBDIVISION

I CALLED MRS. GETTY AT 1:10 PM TO ASK ABOUT THE IRRIGATION PRACTICE FOR LOTS 23, 24 AND 25 TO THE SOUTH OF THEIR PROPERTY BELONGING TO THE MACMILLANS BASED IN PART ON THE LATE CLAIM RECIEVED FOR THE LOT 25 WATER USAGE AND A CALL RECIEVED AT 11:57 AM FROM MR. LEONARD ABOUT THE MACMILLEN'S CARETAKER "TAKING" ALL THE WATER IN THE EAST FORK SUBDIVISION.

SHE SAID THAT THEY ARE NOT CARETAKERS FOR THE MACMILLANS AND THAT WHILE THEY HAVE (AS YEAR-ROUND RESIDENTS) KEPT AN EYE ON THE PROPERTY AND OCCASIONALLY HAVE TURNED OUT WATER ON THE LOTS THEY DO NOT HAVE ANY RELATIONSHIP WITH THE MACMILLANS TO TAKE CARE OF THE PROPERTY.

SHE WENT ON TO SAY THAT THE DAM THAT IS IN THE DITCH IS FROM LAST SEASON AND THAT SHE DIDN'T KNOW THAT THE WATER WAS BEING TURNED IN TO THE DIVERSION DITCH. SHE THOUGHT THAT BRUNKER MUST HAVE CLEANED OUT THE DIVERSION AS HER HUSBAND HADN'T. THERE HAS BEEN NO ATTEMPT ON THEIR PART TO CONTROL THE WATER OR TURN IT OUT ON THE MACMILLAN LOTS AS SUGGESTED BY MR. LEONARD'S CALL TO ME EARLIER.

SHE ASKED ME TO FIND OUT WHAT THEY HAVE TO DO TO MOVE THEIR DIVERSION POINT FORM THE DITCH TO THE RIVER AS THEY ARE HAVING AN INCREASINGLY HARD TIME GETTING THE WATER FROM THE RIVER DIVERSION TO THEIR LOT WHICH IS AT THE EXTREME NORTH END OF THE SUBDIVISION. I TOLD HER THAT I WOULD FIND OUT AND BE IN TOUCH WITH THEM.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00230L

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

CC: A72-00230A
-00230L

May 23, 1995 1:32pm

both memos

NAME:

MR LEONARD (NO FIRST NAME)

RE:

A72-00230L

I RECIEVED A PHONE CALL FROM A MAN WHO SAID HE WAS MR. LEONARD AND RECITED A LEGAL DESCRIPTION ENDING WITH A MENTION OF A BLOCK AND LOT IN THE EAST FORK SUBDIVISION. I ASKED HIM TO REPEAT THE NUMBERS AND PULLED THE CLAIM FILE FOR BLOCK TWO LOT 27 RECENTLY CHANGED INTO THE NAME OF L. MISTY LEONARD BY PURCHASE FROM THE CLAIMANT IN THE SRBA C. W. INVESTMENT CO..

MR. LEONARD WANTED TO NOW WHAT COULD BE DONE ABOUT THE CARETAKER FOR THE MACMILLAN PROPERTY TAKING ALL THE WATER ON LOTS 23, 24 AND 25. THE WATER WAS BEING BLOCKED AND FORCED OUT OF THE DITCH OVER THE LOTS AND HAD BEEN SINCE 11:00 AM SUNDAY. I SAID THAT THERE IS NO WATERMASTER FOR THAT BRANCH OF THE RIVER AND CUSTOM/PRACTICE HAS BEEN TO FLOOD PASTURE AS HE DESCRIBED IN A ROTATION WITH THE OTHER USERS ON THE DITCH.

MR. LEONARD SAID THAT HE IS USED TO V-GROOVES BEING CUT IN THE GROUND EVENLY AND WATER NOT WASTED AS IT IS ON THESE LOTS. I ASKED HIM WHAT PROBLEMS HAVE BEEN CAUSED BY THIS APPLICATION OTHER THAN HIS OPINION OF THE METHOD. HE SAID THAT THE WATER HAVING BEEN ON FOR DAYS IT HAS COLLECTED AND FLOODED OUT HIS WOODS AND IS TURNING THE AREA OF HIS OWNERSHIP INTO A MARSH.

I REITERATED THAT BASED ON WHAT HE WAS TELLING ME WITHOUT KNOWING ANYMORE ABOUT THE SITUATION IT SOUNDED LIKE A NORMAL TURN OF WATER BUT THAT ROTATION AND ANY INJURY AS A RESULT NEEDED TO BE TAKEN UP WITH THE PERSON SONTROLLING THE WATER. HE SAID HE KNEW WHO THAT WAS AND THAT IT WAS GETTY NORTH OF HIS LOT.

I SAID AGAIN THAT IT SOUNDED LIKE A CUSTOMARY APPLICATION AND

PRACTICE FOR HIGH MOUNTAIN PASTURE AND THAT THE WATER IS USUALLY A ROTATION SHARE BASIS AMONGST THE USERS. I SAID SEVERAL TIMES THAT THE DEPARTMENT DOESN'T DO ENFORCEMENT OF PRACTICE IN APPLYING THE WATER.

AGENT NOTE:

I AM NOT AWARE OF A CARETAKER SITUATION FOR THE MACMILLAN PROPERTIES AND IT SEEMS EARLY TO BE TURNING THE WATER. I WILL ASK THE GETTY FAMILY ABOUT IRRIGATION OF THE MACMILLEN LOTS WHEN I CALL ABOUT THE RECENTLY RECIEVED LATE CLAIM FOR LOT 25.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

May 19, 1995

DR. AND MRS. RICHARD E. MAC MILLEN
RT 1 RK 35
BISHOP, CA 93514

RE: LATE CLAIM FOR LOT 25, BLOCK 2, EAST FORK SUBDIVISION.

Dear Doctor and Mrs. Mac Millen:

I was doing some review in your file(s) last week and wondered all over again if you would send in something on the new lot that you inquired about last year. Within a few days your paperwork came in.

Please note the enclosed form for the docket sheet subscription that you indicated you wanted. Please contact the court and they will start your subscription once they receive your check. I also include a copy of my notarization of your claim since I know you and I have documents with your signature on file.

I will be up in June to tie up some loose ends on the East Fork but that's about it. I'm down along the Utah border again this season. Not as pretty but very interesting problems. I'm sorry that it appears that I won't be able to visit with you both. If I do get up there I'll be sure to stop in. Best wishes.

Sincerely Yours,

Francis G. Hitchcock
Water Resources Agent, Sr.

enclosures

05-23-95

9:30 AM

Comm letter cc to
TARA from Claimant
-Change address/phone
H

March 4, 1984

Richard E. MacMillan
31871 8th Avenue
South Laguna, Ca 92677

Dear Mr. MacMillan:

For the past three years I have been taking care of the East Fork ranch property in order to run my steers through the summer. This has been beneficial to both of us; for me, to raise my steers and for you, in upkeep of your land.

My irrigating keeps the pastures green which helps the appearance of your ground. This is important for your use or possible resale. The irrigating is also important to keep the land from going back to sagebrush. The fence fixing is necessary to keep out stray cattle and horses from neighboring ranches.

If this meets with your approval I would like to continue with this arrangement. I would appreciate hearing from you.

Sincerely,

Wayne Baker
Wayne Baker

SRBA

PARTIAL DECREE 72-00230AA

Issued on 11-17-2000.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS:	BARBARA MACMILLEN RICHARD E MACMILLEN RT 1 RK 35 BISHOP, CA 93514		
SOURCE:	SALMON RIVER, EAST FORK	TRIBUTARY:	SALMON RIVER
QUANTITY:	0.152 CFS		
PRIORITY DATE:	05/01/1880		
POINT OF DIVERSION:	T10N R18E S24	SENESEW	Within Custer County
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE PERIOD OF USE QUANTITY		
	Irrigation	04-01 TO 10-31	0.152 CFS
PLACE OF USE:	Irrigation	Within Custer County	
	T10N R18E S13	SENEW	3.5
	3.5 Acres Total		

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

[Return to SRBA Home Page](#)

10 November 1999
705 Foss Road
Talent, OR 97540

Department of Water Resources
Southern Regional Office
222 Shoshone St. East
Twin Falls, ID 83301

RECEIVED

NOV 16 1999

Department of Water Resources
Southern Region

Dear Water Resource Agent:

It has come to our attention that we have failed to submit to your office our most recent change of address. We own three parcels of the East Fork Subdivision, Custer County and have filed claims to water rights as follows: Lot 23, ID No. A72-00230X; Lot 24, ID Nos. A72-00230Y, A72-10326; Lot 25, A72-00230Z; *renumbered 72-00230 AA*

Our previous home address of Rt.1, RK 35, Bishop, CA 93514 is no longer valid. Our present and permanent address is:

Richard E. MacMillen and/or Barbara MacMillen
705 Foss Road
Talent, OR 97540
Telephone: (541) 512-9884
Email: bidmac@jeffnet.org

We have continued living temporarily on the properties during the summers, with residence in our summer home on Lot 24. During that time we have irrigated all three properties, and have used the domestic well on lot 24.

Please send to us at our permanent Oregon address any recent communications that may relate to our claims, and any that may be forthcoming in the future. Thank you for attending to this request of address change.

Sincerely,

Richard E. MacMillen
Richard E. MacMillen

data entered 11/17/99. of
1/13/00

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

11/17/99 11:00:49
Page 1

er Right Number - 72-00230AA Prefix Translation: WATER RIGHT Old (D) Number -

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

C - CURRENT OWNER ***
CMILLEN RICHARD E. 1 - 705 FOSS RD
2 -
3 -
City- TALENT State- OR Zip- 97540
Phone - 541-512-9884

CMILLEN BARBARA 1 - 705 FOSS RD
2 -
3 -
City- TALENT State- OR Zip- 97540
Phone - 541-512-9884

- Priority Date - - + - - - - Region - - - + - - - - Stage - - - + - - - - Status - - - +
05/01/1880 17 SOUTHERN D - DECREED

- - - - - Source - - - - - + - - - - - Tributary - - - - - +
SALMON RIVER, EAST FORK SALMON RIVER

- - - - - Point of Diversion - - - - - +
Rng Sec Tract Lot RFlg County
18E 24 SE NE SW (37) CUSTER

- - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.152

Total Div. Rate - + - - Total Div. Volume - + - - Total Consumptive Use - + - - KW Usage - +
0.152 0.0

- - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10N 18E 13 SE NW 3.5 01 IRRIGATION (37) CUSTER
Total Acres: 3.5

- Diversion Means - ROCK WING, WOOD HEADGATE AND DITCH TO PLACE OF USE

- Non-Irrigation Use - NONE

- Other Rights for Same Use - NONE

- - - - - Remarks - - - - - +
EXP PROPERTY IS ALSO KNOWN AS LOT 25, BLK 2, EAST FORK SUBDIVISION

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

11/17/99 11:00:50
Page 2

ght number - 72-00230AA Prefix Translation: WATER RIGHT

- - - - - Old Water Right Numbers - - - - - +
- - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

- - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 72:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

- Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
ET AL GIAMPEDRAGLIA 02/14/1938

- - - - - Comments - - - - - +
1/12/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS
CHASED AND RECORDED THIS PARCEL IN 09-1994 AND HAVE BEEN ADVISED THE PREVIOUS OWNER HAD NOT FILED A CLAIM TO A WATER RIGHT.
PARCEL IS IDENTIFIED AS LOT 25, BLOCK 2, EAST FORK SUBDIVISION, AND IT LIES ADJACENT TO LOTS 24 AND 23, WHICH WE ALSO OWN AND
ICH WE HAVE PREVIOUSLY FILED CLAIMS TO WATER RIGHTS. LATE FILING FEE INCLUDED.
***** IDWR NOTE: CLAIMANT HAS IDENTIFIED THE ACTUAL ACREAGE AS 5.07 AC
DE HIS CHECK OUT FOR A TOTAL OF \$105.07. FILING FEE \$50.00 ACREAGE FEE \$5.07 AND LATE FEE \$50.00 FOR A TOTAL OF \$105.07.
REAGE CLAIMED HAS BEEN ENTERED IN THE POU GRID AS 5.10 IN ORDER TO MEET THE DATA ENTRY STANDARD. FH 05-15-1995.

1/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE
ION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

1/24/1998 User Id: VHANCOCK Subject: RENUMBERED
ERED FROM R72-00230Z

1/17/1999 User Id: CTIMM Subject: ADDRESS CHANGE
99, CHANGED ADDRESS AS PER LETTER REC'D 11/16/99. C.T.

udit Fields - - +
11/17/99 CTIMM

- - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 01/29/1999	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	- 05/19/1995	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S018113	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

ADDRESS SERVICE
REQUESTED



RECEIVED
FEB 05 1999
Department of Water Resources
RECEIVED
FEB 12 1999
Department of Water Resources
Southern Region

NO SUB NUMBER

R72-00230X
BARBARA J MACMILLEN
RICHARD E MACMILLEN
ROUTE 1 RK 35
BISHOP

ASU
R 1



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 26, 1999

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

72-00230AA
RICHARD E. MACMILLEN
BARBARA MACMILLEN
RT 1 RK 35
BISHOP CA 93514

RE: Water Rights in Reporting Area 4, Basin 72
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in part of basin 72 (Upper Salmon River area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note you have 120 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouse in Challis and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: January 26, 1999

PAGE: 1

RIGHT NUMBER: 72-00230AA

NAME AND ADDRESS: RICHARD E. MACMILLEN
BARBARA MACMILLEN
RT 1 RK 35
BISHOP CA 93514

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.152CFS

PRIORITY-DATE: 05/01/1880

POINT OF DIVERSION T10N R18E S24 SENESW Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION NONE	04-01 10-31	0.152 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T10N R18E S13 SENW 3.5
3.5 ACRES TOTAL

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
PROPERTY IS ALSO KNOWN AS LOT 25, BLK 2, EAST FORK SUBDIVISION

DEC 04 '98

101

PB METER
7077211

U.S. POSTAGE



RETURNED TO SENDER
UNDELIVERABLE AS ADDRESSED
FORWARDING ORDER EXPIRED

RICHARD E. MACMILLEN
BARBARA MACMILLEN
RT 1 RN 35
BISHOP

CA

RECEIVED

DEC 14 1998

Department of Water Resources

1109



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 20, 1998

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) in the Snake River Basin Adjudication (SRBA). We have enclosed a print-out showing our preliminary recommendation regarding how your water right should be reported to the SRBA District Court.

Please review the preliminary recommendation carefully. If there is any information on the print-out you believe is inaccurate, please fill out the enclosed reply indicating what changes you believe should be made. Further instructions to assist you with the review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your water right is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area. **The meeting will be held on Tuesday, December 8th at 7:00 p.m. in the Challis Middle School auditorium.** Please come to the public meeting, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right. Please bring any and all information you have which will help the Department understand your water rights and describe them accurately.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary so that accurate information is provided to the SRBA District Court.

We look forward to hearing from you.

Sincerely,

Karl J. Dreher
Director

Enclosures

November 20, 1998

**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 18, 1998

Water right number: 72-00230AA

RICHARD E. MACMILLEN
BARBARA MACMILLEN
RT 1 RK 35
BISHOP CA 93514

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: _____ **SIGNATURE:** _____
Please print your name: _____

RIGHT NUMBER: 72-00230AA

NAME AND ADDRESS: RICHARD E. MACMILLEN
BARBARA MACMILLEN
RT 1 RK 35
BISHOP CA 93514

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.152CFS

PRIORITY-DATE: 05/01/1880

POINT OF DIVERSION T10N R18E S24 SENESW Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION NONE	04-01 10-31	0.152 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T10N R18E S13 SENW 3.5
3.5 ACRES TOTAL

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

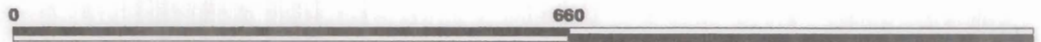
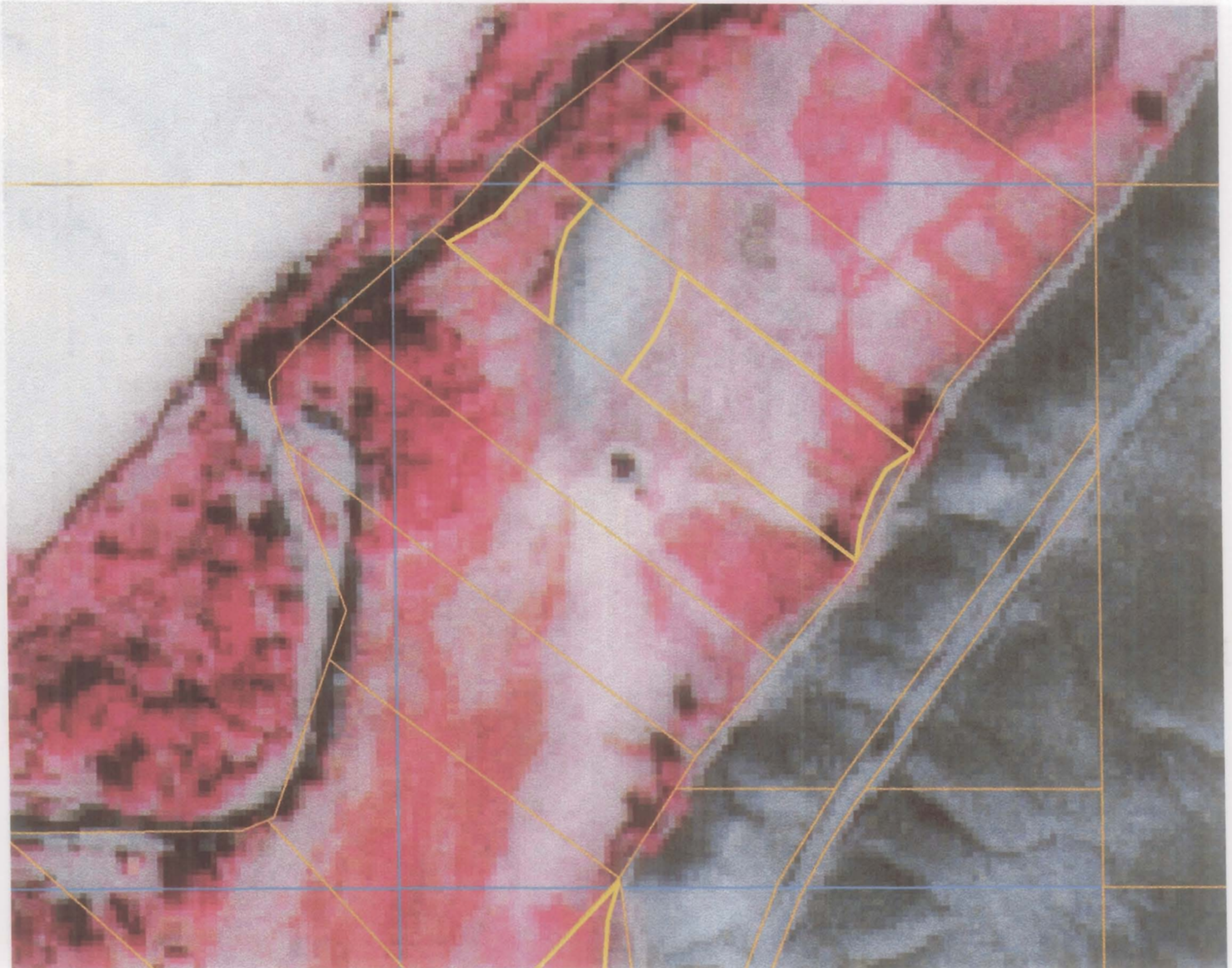
WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
PROPERTY IS ALSO KNOWN AS LOT 25, BLK 2, EAST FORK SUBDIVISION

RIGHT 72-00230Z
MACMILLEN AA

RECOMMENDED PLACE OF USE
TWP 10N, RNG 18E, SEC 13
data entry on September 15 1998



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER/QUARTER LINES
-  SUBDIVISION LOT BOUNDARIES

GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK

Water Right Number - R72-00230Z

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

MACMILLEN

RICHARD E.

1 - RT 1 RK 35

2 -

3 -

City- BISHOP

State- CA Zip- 93514

Phone - 619-872-2075

MACMILLEN

BARBARA

1 - RT 1 RK 35

2 -

3 -

City- BISHOP

State- CA Zip- 93514

Phone - 619-872-2075

+ - - Priority Date - - +
05/01/1880

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - - - Source - - - - - +
SALMON RIVER, EAST FORK

+ - - - - Tributary - - - - - +
SALMON RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

10N 18E 24 SE NE SW (37) CUSTER

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

01 - IRRIGATION 04/01 10/31 0.152

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.152 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

10N 18E 13 SE NW 3.5 01 IRRIGATION (37) CUSTER

Total Acres: 3.5

+ - - Diversion Means - ROCK WING, WOOD HEADGATE AND DITCH TO PLACE OF USE

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

EXP PROPERTY IS ALSO KNOWN AS LOT 25, BLK 2, EAST FORK SUBDIVISION

Water right number - R72-00230Z

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
GOSSI, ET AL GIAMPEDRAGLIA 02/14/1938

+ - - - - Comments - - - - - +

Date: 11/12/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS
WE PURCHASED AND RECORDED THIS PARCEL IN 09-1994 AND HAVE BEEN ADVISED THE PREVIOUS OWNER HAD NOT FILED A CLAIM TO A WATER RIGHT.
THIS PARCEL IS IDENTIFIED AS LOT 25, BLOCK 2, EAST FORK SUBDIVISION, AND IT LIES ADJACENT TO LOTS 24 AND 23, WHICH WE ALSO OWN AND
FOR WHICH WE HAVE PREVIOUSLY FILED CLAIMS TO WATER RIGHTS. LATE FILING FEE INCLUDED.
***** IDWR NOTE: CLAIMANT HAS IDENTIFIED THE ACTUAL ACREAGE AS 5.07 AC
AND MADE HIS CHECK OUT FOR A TOTAL OF \$105.07. FILING FEE \$50.00 ACREAGE FEE \$5.07 AND LATE FEE \$50.00 FOR A TOTAL OF \$105.07.
THE ACREAGE CLAIMED HAS BEEN ENTERED IN THE POU GRID AS 5.10 IN ORDER TO MEET THE DATA ENTRY STANDARD. FH 05-15-1995.

+ - - Audit Fields - - +
11/12/98 VHANCOCK

+ - - - - 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	- 11/12/1998	Old Judicial District	-
Claim Received Date	- 05/19/1995	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S018113	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

CLAIM NUMBER A72-00002

DATE 9-15-98

TRANSFER NUMBER _____

AGENT [Signature]

CLAIMED ACRE TOTAL 5.7

GIS ACRE TOTAL 3.5

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	10N	18E	13								5.7									5.7
GIS	10N	18E	13								3.5									3.5
RECOM	"	"	"								3.5									3.5
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP

SHAPE NOS.

117 = 2.7 ac

118 = .8 ac

B72-DBPOD.SHP

NOS. DESCRIPTION

30 SE 1/4 SW 1/4 Sec 24 10N 18E

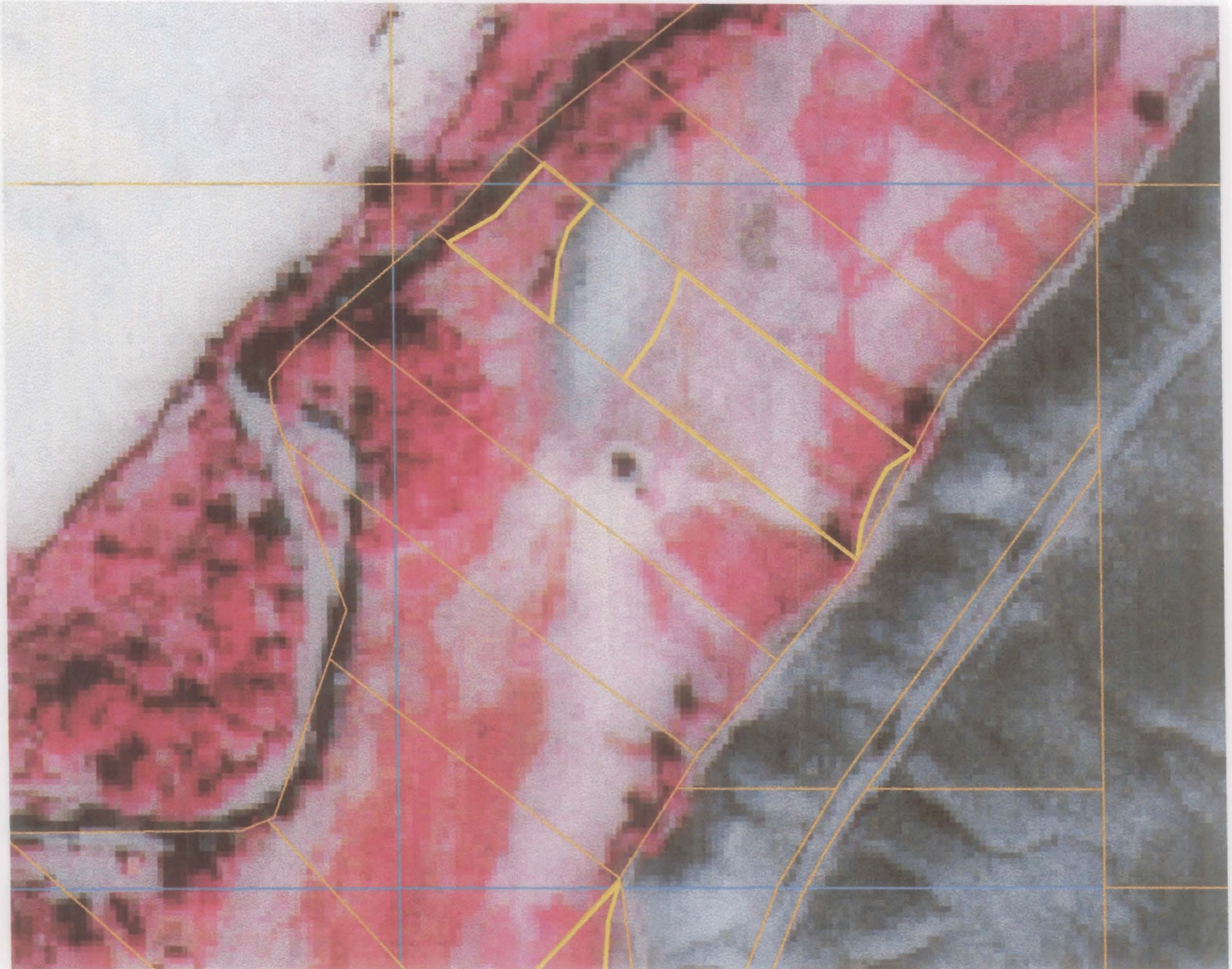
DBF TABLES UPDATED

B72-DBPOU.DBF ✓

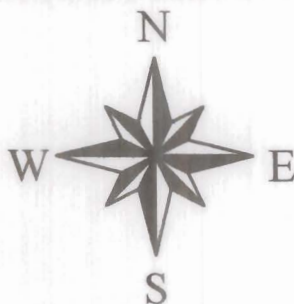
B72-DBPOD.DBF ✓

**RIGHT 72-00230Z
MACMILLEN**

**RECOMMENDED PLACE OF USE
TWP 10N, RNG 18E, SEC 13
data entry on September 15 1998**



0 660



-  **RECOMMENDED PLACE OF USE**
-  **RECOMMENDED POINT OF DIVERSION**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**
-  **SUBDIVISION LOT BOUNDARIES**

**GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00230AA (WAS 72-002302)

 DATE: 11-12, 1998

REVIEWED BY

DAH

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DAF	.18	.15			5.33	7.27
DB1	.13	.11			5.66	6.65
DBB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DRF	.18	.19			9.08	9.68
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
GO1	.10	.12			12.47	10.51
KEG	.08	.07			8.73	10.06
MBF	.15	.12			7.65	5.81
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
PD2	.11	.12			5.15	4.74
Q	.26	.21			13.2	10.4
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
TS1	.08	.08			9.82	9.55
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL / ROTATION (chart)	ACTUAL / ROTATION (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
<u>Cpl</u>	<u>1</u>	<u>*</u>	<u>.5</u>	<u>.36</u>	<u>= .18</u> CFS
<u>Bk1</u>	<u>1</u>	<u>*</u>	<u>1.4</u>	<u>.07</u>	<u>= .09</u> CFS
<u>TS1</u>	<u>1</u>	<u>*</u>	<u>1.3</u>	<u>.08</u>	<u>= .10</u> CFS
	<u>1</u>	<u>*</u>			<u>=</u> CFS

 TOTAL ACRES 3.5

DECREED RATE =

 CLAIMED DIVERSION RATE = .152

MEASURED DIVERSION RATE =

HUBBLE

MEASUREMENTS

.75

.80

River at—

[illegible]

State of Idaho
Department of Water Resources
Water District

Meas. No.. .

Comp. by ^K L.

Sta. No. DISCHARGE MEASUREMENT NOTES Checked by

East Fork Salmon EF-5

Date 6-29 1995 Party Robert Foster

Width Area Vel. G. H. Disch.

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

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

Type of meter Swiffer 200 Date rated Tag checked

Meter ft. above bottom of wt. Spln before meas. 3 k.8. . after .37

Meas. plots. . . . % diff. from. . . . rating. Levels obtained.

GAGE READINGS

WATER QUALITY MEASURE

Time	Inside	HM	Chart	Outside	No	Yes	Time
					<u>Samples Collected</u>		
					No	Yes	Time
					<u>Method Used</u>		
					EDI	EWI	Other.
					<u>SEDIMENT SAMPLES</u>		
					No	Yes	Time
					<u>Method Used</u>		
					EDI	EWI	Other.
					<u>BIOLOGICAL SAMPLES</u>		
					Yes		Time
					No		Type
Weighted M.G.H.							
G. H. correction							
Correct M.G.H.							

Check bar, chain found changed to at

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

Measurement rated excellent (2%), good (5%), fair (8%), poor (over 8%); based on the following

Flow: fair.....

Cross section fair water murky

Control

Cage operating Weather *clear*

Intake/Orifice cleaned	Air	°C@	Water	°C@
------------------------	-----	-----	-------	-----

Record removed Extreme Indicator: Max Min

Record removed	Extreme indicator	Max	Min
Major Peter N. Pressure Tank	Feed	4	Bbl rate

CSC checked _____ **Slick reading** _____

CSO checked Stick reading
 Charges

Observer
Time outside

HWM Outside,

Remarks

Salmon River with date of priority May 1, 1936 and with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12, Township 10 North, Range 18, E. B. M.

That RAYMOND GOSSI and EVA GOSSI are the owners of Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12, all in Township 10 North, Range 18, E. B. M., and appurtenant to said land they are entitled to 4.8 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1980 and also .5 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1936 and with points of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12 and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13 all in Township 10 North, Range 18, E. B. M.

That ROSA V. CARMEN is the owner of SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12 and 28.64 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13 all in Township 10 North, Range 18, E. B. M., and appurtenant to said land she is entitled to 1.32 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1935 and also .3 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1936 and with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, Township 10, North, Range 18, E. B. M.

That FREDOLIN LEUZINGER is the owner of 11.56 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, all of S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, all in Township 10 North, Range 18, E. B. M., and appurtenant to said land he is entitled to 8 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1880 and with points of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 10 North, Range 18 E. B. M.

That MARION PEEL and LLOYD PEEL are the owners of SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 9 North, Range 17, E. B. M., and appurtenant to said land they are entitled to .6 cubic feet per second of time of the waters of Little Boulder Creek with date of priority May 1, 1920 and 1.3 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1936 and with points of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 9 North, Range 17, E. B. M.

That ANTHONY BRICKER and JACKIE BRICKER are the owners of SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 19, Township 8 North, Range 17, E. B. M., and appurtenant to said land they are entitled to 1.2 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority August 1, 1925.

That ROSE NOWACKI is the owner of Tracts "A", "B", and "C" in H. E. Survey No. 597 and Tracts "A" and "B" in H. E. Survey No. 722, embracing a portion of, approximately, Sections 29, 30, 31 and 32 in Township 8 North, Range 17, E. B. M., and appurtenant to said land she is entitled to 1.2 cubic feet per second of time of the waters of West Pass Creek and the East Fork of the Salmon River, with date of priority May 1, 1926 and she is also entitled to 1.66 cubic feet per second of time of the waters of West Pass Creek, with date of priority May 1, 1936.

That GIAMPEDRAGLIA BERNARDO is the owner of SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Township 11 North, Range 18, E. B. M., and appurtenant to said land he is entitled to .3 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1885

1938 DECREE

are arid in character and will not successfully raise any crops without the art application of water thereon by irrigation thereof, and that all of said lands are susceptible of irrigation from the East Fork of the Salmon River and its tributaries.

✓ 3. That $1\frac{1}{2}$ inches of water per acre, or its equivalent in cubic feet per second of time, is necessary and ample for the proper irrigation of said land.

4. That the dams and diverting works of the several parties to this action were at the time of the several appropriations, and are now, of sufficient size and capacity to carry and convey water so appropriated to and upon the several tracts of land of the several parties for the irrigation thereof, and that each and every of said ^{several} tracts of land are situated in Custer County, State of Idaho.

5. That each of the parties to this action, plaintiffs and defendants hereinafter named, or their predecessors in interest, were at the time of the several appropriations of water, made as hereinafter set forth, the owners respectively of the several tracts of land set forth and described in the complaint, answer and cross-complaint and stipulation on file herein, and that for the irrigation of the same, the said parties, or their predecessors in interest, did respectively appropriate the quantities of water hereinafter stated, and the dates and from the streams respectively hereinafter stated, and set opposite the names of each of said parties, such water being an estimate under a four inch pressure or its equivalent in cubic feet per second of time, and ever since said dates of the said several appropriations, said waters have been so diverted and used on said lands in the irrigation thereof.

6. That the certain decree of this Court made and entered on the third day of

DECREES 2-14-1938

Wassenaar - v - Hammond et al

see 12-002304
for Decree

MEMORANDUM

TO: Decree File No. 72-G -- James Bradshaw, et al., vs. Jacob Leuzinger, et al.

FROM: Roberta Garrett *RG*

THROUGH: Dave Tuthill *DT*

DATE: February 19, 1980

SUBJECT: Review of Fridolin Leuzinger's Decreed Rights on East Fork Salmon River

In the decree of 10-31-1921, James Bradshaw, et al., vs. Jacob Leuzinger and Fridolin Leuzinger, Fridolin Leuzinger was decreed 20 inches of the waters of Road Creek (4-1-1874) and 520 inches of East Fork Salmon River (4-1-1910) for lands identified in

T. 10 N., R. 18 E.

Section 13: NE4NW4, S2NW4, N2SW4, SW4SW4

24: NW4NE4, N2NW4

In the decree of 7-26-1933, Raymond Gossi, et al., vs. Phillip Gossi, Fridolin Leuzinger was decreed an additional 120 inches of the waters of East Fork Salmon River (5-1-1880) for lands not listed in the decree of 10-31-1921.

T. 10 N., R. 18 E.

Section 24: S2NW4, NE4SW4

The decree of 2-14-1938, Rosa A. Gossi, et al., vs. Paul Giampedraglia, et al. decreed rights on the East Fork Salmon River and named tributaries. Fridolin Leuzinger and his lands in the two prior decrees on East Fork Salmon River were enjoined in this decree:

T. 10 N., R. 18 E.

Section 13: NE4NW4 (11.36 ac.), S2NW4, N2SW4, SW4SW4

24: NW4, NW4NE4, NE4SW4

This decree supercedes all rights on the East Fork Salmon River leaving in effect all rights on Road Creek aka Marsh Creek in the decree of 10-31-1921 as this creek was not a named tributary in the decree.

MEMORANDUM

Page 2

February 19, 1980

Fredolin Leuzinger's rights are as follows:

72-0176 -- Road Creek -- 20 inches or 0.4 cfs -- 4-1-1874

T. 10 N., R. 18 E.

Section 13: NE4NW4, S2NW4, N2SW4, SW4SW4

24: NW4NE4, N2NW4

72-0230 -- East Fork Salmon River -- 400 inches or 8.0 cfs -- 5-1-1880

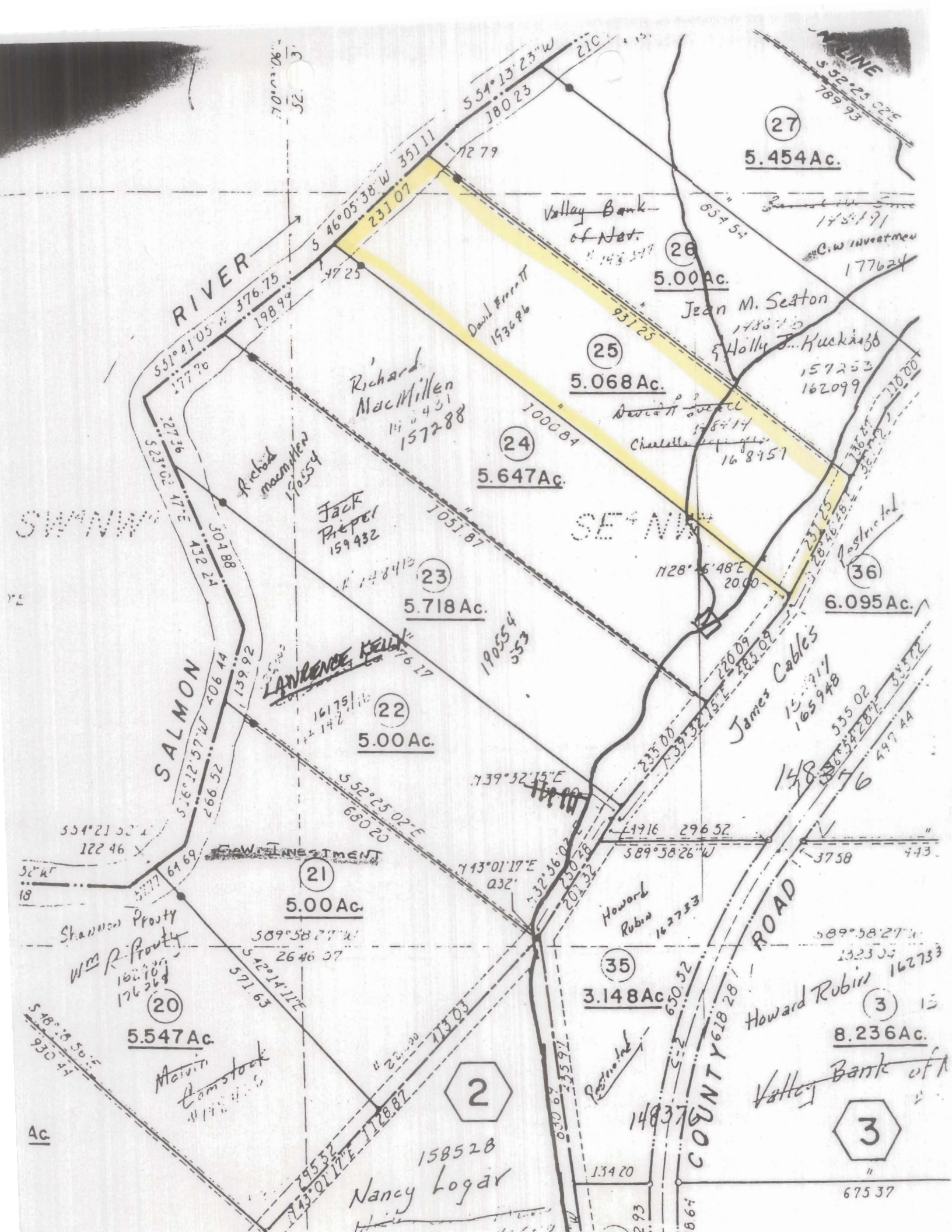
T. 10 N., R. 18 E.

Section 13: NE4NW4 (11.36 ac.), S2NW4, N2SW4, SW4SW4

24: NW4, NW4NE4, NE4SW4

rg

cc Southern Region



AJ5809NP
No. A72-002302

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/17/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD E. MACMILLEN	05/01/1880	IRRIGATION	04-01 11-01	0.15 CFS	0.30 AFA
C	BARBARA MACMILLEN RT 1 RK 35 BISHOP CA 93514 (619) 872-2075			TOTAL DIVERSION: CONSUMPTIVE USE:	0.15 CFS	0.30 AFA 12.60 AFA

Water Source: SALMON RIVER, EAST FORK

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T10N R18E S24

NENESW

CUSTER County

Place of use Legal Description for: IRRIGATION

SE NE SW

NE				NW				SW				SE									
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
10N	18E	13	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	5.1
																				5.1	
																				3.5	
																				TOTAL ACRES	

POU County: CUSTER

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN

WE PURCHASED AND RECORDED THIS PARCEL IN 09-1994 AND HAVE BEEN ADVISED THE PREVIOUS OWNER HAD NOT FILED A CLAIM TO A WATER RIGHT. THIS PARCEL IS IDENTIFIED AS LOT 25, BLOCK 2, EAST FORK SUBDIVISION, AND IT LIES ADJACENT TO LOTS 24 AND 23, WHICH WE ALSO OWN AND FOR WHICH WE HAVE PREVIOUSLY FILED CLAIMS TO WATER RIGHTS. LATE FILING FEE INCLUDED.

IDWR NOTE: CLAIMANT HAS IDENTIFIED THE ACTUAL ACREAGE AS 5.07 AC AND MADE HIS CHECK OUT FOR A TOTAL OF \$105.07. FILING FEE \$50.00 ACREAGE FEE \$5.07 AND LATE FEE \$50.00 FOR A TOTAL OF \$105.07. THE ACREAGE CLAIMED HAS BEEN ENTERED IN THE POU GRID AS 5.10 IN ORDER TO MEET THE DATA ENTRY STANDARD. FH 05-15-1995.

Comments

203
901
lot 25 blk 1

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:08:50
05/31/95

PAGE: 1
GENERAL INFORMATION

39
CLAIM NUMBER: A72-002302

LAST: MACMILLEN
ADDRESS: RT 1 RK 35
CITY: BISHOP
PHONE NUMBER: 619-872-2075

FIRST: RICHARD E.
STATE: CA ZIP: 93514

OWNER CODE: C

LAST: MACMILLEN
ADDRESS: RT 1 RK 35
CITY: BISHOP
PHONE NUMBER: 619-872-2075

FIRST: BARBARA
STATE: CA ZIP: 93514

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: WE PURCHASED AND RECORDED THIS PARCEL IN 09-1994 AND HAVE BEEN ADVISED THE PREVIOUS OWNER HAD NOT FILED A CLAIM TO A WATER RIGHT. THIS PARCEL IS IDENTIFIED AS LOT 25, BLOCK 2, EAST FORK SUBDIVISION, AND IT LIES ADJACENT TO LOTS 24 AND 23, WHICH WE ALSO OWN AND FOR WHICH WE HAVE PREVIOUSLY FILED CLAIMS TO WATER RIGHTS. LATE FILING FEE INCLUDED.

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*less than 12 hours -
sets man down stream -
w/ put dam in ditch and
have arranged -
usually takes on
day w/ water arrives
here till August - may
have better idea of
situation after this
season.*

A. AJ CLAIM: # A72-00230Z PRIORITY DATE: 05-01-1880 STAGE: D

B. WR RECORD: # 72-00230 PRIORITY DATE: 05-01-1880 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:

=====

RECOMMENDED PRIORITY DATE:

05-01-1880

REVIEWED BY



DATE

9-17-97

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
A72-00230Z	10N	18E	24	NE	NE	SW			CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX

*

R PREFIX

R72-00230A

R72-00230B

R72-00230C

R72-00230K

R72-00230M

R72-00230N

R72-00230R

R72-00230W

R72-00230X

R72-00230Y

R72-10539

* 17 A PREFIX CLAIMS WITH THIS POD

WR RECORDS IN SAME 40 ACRE TRACT

72-04097

72-04216

SOURCE: SALMON RIVER, EAST FORK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
72-00230	10N	18E	24		SE	NW			CUSTER		
72-00230	10N	18E	24		NE	NW			CUSTER		

OTHER WR RECORDS WITH SAME WR POD

72-04216

72-04230

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX

R PREFIX

A72-00176B

R72-10202

A72-00176D

R72-10359

A72-00176G

R72-10542

A72-00176J

A72-10202

A72-10359

A72-10542

SOURCE: SALMON RIVER, EAST FORK

TRIB: SALMON RIVER

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

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

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

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

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(✓) N()

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y(✓) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y(✓) N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM 4-15-95 NAME OF EXAMINER F. Hitchcock) Y(✓) N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Actual POD in SE NE SW Section 24. Change
in POD verified to have occurred on or before 1963 by
documents from IDEG on construction of EF-5 Fisk
Screen at location of diversion. See 72-00230A

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY CLUSTER	DIVERSION NAME	DIVERSION NBR
10N	18E	24	NE	NE	SW			✓		
<u>10N</u>	<u>18E</u>	<u>24</u>	<u>SE</u>	<u>NE</u>	<u>SW</u>					

SOURCE: SALMON RIVER, EAST FORK

TRIB: SALMON RIVER

REVIEWED BY: [Signature]

DATE: 9-17-98

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

A. ROOT WATER RIGHT NUMBERS:

A72-00230A

A72-00230D

A72-00230F

A72-00230G

A72-00230H

A72-00230J

A72-00230K

A72-00230L

A72-00230M

A72-00230N

A72-00230B

A72-00230C

A72-00230P

A72-00230Q

A72-00230R

A72-00230S

A72-00230E

A72-00230T

A72-00230U

R72-00230A

R72-00230B

R72-00230C

R72-00230D

R72-00230E

R72-00230F

R72-00230K

R72-00230M

R72-00230N

R72-00230P

R72-00230R

R72-00230T

R72-00230U

A72-00230V

R72-00230W

R72-00230X

R72-00230Y

A72-00230W

A72-00230X

A72-00230Y

A72-00230Z

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	18E	13	SE	NW		MACMILLEN, RICHARD E.	A72-00230Z / 5.1	- /	34.0	3.5	3.5
			SE	NW		MACMILLEN, RICHARD E	A72-00230X / 5.7	- /			
			SE	NW		MACMILLEN, BARBARA J	A72-00230Y / 5.6	- /			
			SE	NW		MACMILLEN, RICHARD E	A72-10326 / 4.5	- /			
			SE	NW		MACMILLEN, BARBARA J	R72-10326 / 4.5	- /			
			SE	NW		LEONARD, L MISTY	A72-00230L / 2.0	- /			
			SE	NW		KELLY, LARRY	A72-00230M / 3.9	- /			
			SE	NW		KELLY, LARRY	R72-00230M / 3.9	- /			
			SE	NW		KELLY, BRIAN	A72-00230N / 1.6	- /			
			SE	NW		KELLY, BRIAN	R72-00230N / 1.6	- /			
			SE	NW		MACMILLEN, BARBARA J	R72-00230X / 5.7	- /			
			SE	NW		MACMILLEN, RICHARD E	R72-00230Y / 5.6	- /			
			SE	NW		LEUZINGER, FRIDOLIN		72-00176 /			
			SE	NW		LEUZINGER, FREDOLIN		72-00230 /			

ADDITIONAL POU FOUND

TOTAL ACRES

A72-00230Z0

5.10

34.00

3.5

POU COUNTY: CUSTER

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

Y() N(☒)

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

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
A72-0023020	SALMON RIVER, EAST FORK	MACMILLEN, RICHARD E.	0.152	0.029	0.30	0.05
A72-00230L	SALMON RIVER, EAST FORK	LEONARD, L MISTY	0.150	0.030		
R72-00230M	SALMON RIVER, EAST FORK	KELLY, LARRY	0.150	0.030		
A72-00230M	SALMON RIVER, EAST FORK	KELLY, LARRY	0.150	0.030		
R72-00230N	SALMON RIVER, EAST FORK	KELLY, BRIAN	0.150	0.030		
A72-00230N	SALMON RIVER, EAST FORK	KELLY, BRIAN	0.150	0.030		
A72-00230X	SALMON RIVER, EAST FORK	MACMILLEN, RICHARD E	0.172	0.030	0.34	0.05
R72-00230X	SALMON RIVER, EAST FORK	MACMILLEN, BARBARA J	0.172	0.030	0.34	0.05
A72-00230Y	SALMON RIVER, EAST FORK	MACMILLEN, BARBARA J	0.169	0.030	0.33	0.05
R72-00230Y	SALMON RIVER, EAST FORK	MACMILLEN, RICHARD E	0.169	0.030	0.33	0.05
A72-10326	GROUNDWATER	MACMILLEN, RICHARD E	0.070	0.015		
R72-10326	GROUNDWATER	MACMILLEN, BARBARA J	0.070	0.015		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10326	DOMESTIC	MACMILLEN, RICHARD E	FROM 01-01 TO 12-31	0.040 CFS	
R72-10326	DOMESTIC	MACMILLEN, BARBARA J	FROM 01-01 TO 12-31	0.040 CFS	

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

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

N/A() Y(☒) N()

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

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

N/A() Y() N(☒)

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

Y() N()

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

Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. V 24; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. V 24 NE; () ASCS PHOTO; () OTHER Subdivision Plat map

NOTES:

Irregular acres located & calculated by Arc View
GIS using 1987-88 NAPP Aerial photography with
quarter/quarter and Custer County tax lot
boundary overlays.

RECOMMENDATIONS:

TOTAL ACRES: 3.5 N/A()

REVIEWED BY: [Signature]

DATE: 9-17-98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A72-0023020 IRRIGATION	FROM 04-01 TO 11-01	0.152 CFS	0.30 AF/A
TOTAL DIVERSION RATE/VOLUME		0.152 CFS	0.30 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
72-00230 IRRIGATION	FROM TO	8.000 CFS	
TOTAL DIVERSION RATE/VOLUME		8.000 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? 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: _____

AJ CLAIM TOTAL DIVERSION RATE: 0.152 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 8.000 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(☐)

E. FLOW MEASUREMENT

MEASUREMENT METHOD Swoffer #1200 Current meter, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 3.5 x 0.02 CFS/ACRE = 0.07 CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 0.30 AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 12.6 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES: *Recommended as claimed per bubble analysis.*
1/2 11/20/98

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION	04-01	11-01	DATABASE 0.152	EXAMINER _____	DATABASE 0.30	EXAMINER _____	DATABASE 12.6	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.152	_____	0.30	_____	12.6	_____

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00230

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
8.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	R72-00230A	0.250	R72-00230A	0.250	-	
-	R72-00230D	0.200	R72-00230D	0.200	-	
A72-00230	R72-00230F	8.000	R72-00230F	8.000	72-00230	8.000
-	R72-00230G	0.160	R72-00230G	0.160	-	
-	R72-00230H	0.150	R72-00230H	0.150	-	
-	R72-00230J	0.150	R72-00230J	0.150	-	
-	R72-00230K	0.150	R72-00230K	0.150	-	
-	R72-00230L	0.150	R72-00230L	0.150	-	
-	R72-00230M	0.150	R72-00230M	0.150	-	
-	R72-00230N	0.150	R72-00230N	0.150	-	
A72-00230	R72-00230B	0.460	R72-00230B	0.460	72-00230	8.000
A72-00230	R72-00230C	0.100	R72-00230C	0.100	72-00230	8.000
-	R72-00230P	1.230	R72-00230P	1.230	-	
-	R72-00230Q	0.220	R72-00230Q	0.220	-	
-	R72-00230R	0.140	R72-00230R	0.140	-	
-	R72-00230S	0.200	R72-00230S	0.200	-	
A72-00230	R72-00230E	0.300	R72-00230E	0.300	72-00230	8.000
72-00230	R72-00230T	0.200	R72-00230T	0.200	72-00230	8.000
-	R72-00230U	0.150	R72-00230U	0.150	-	
-	R72-00230A	0.250	R72-00230A	0.250	-	
A72-00230	R72-00230B	0.460	R72-00230B	0.460	72-00230	8.000
A72-00230	R72-00230C	0.100	R72-00230C	0.100	72-00230	8.000
-	R72-00230D	0.200	R72-00230D	0.200	-	
A72-00230	R72-00230E	0.300	R72-00230E	0.300	72-00230	8.000
A72-00230	R72-00230F	8.000	R72-00230F	8.000	72-00230	8.000
-	R72-00230K	0.150	R72-00230K	0.150	-	
-	R72-00230M	0.150	R72-00230M	0.150	-	
-	R72-00230N	0.150	R72-00230N	0.150	-	
-	R72-00230P	1.230	R72-00230P	1.230	-	
-	R72-00230R	0.140	R72-00230R	0.140	-	
72-00230	R72-00230T	0.200	R72-00230T	0.200	72-00230	8.000
-	R72-00230U	0.150	R72-00230U	0.150	-	
72-00230	R72-00230V	0.120	R72-00230V	0.120	72-00230	8.000
-	R72-00230W	0.170	R72-00230W	0.170	-	
-	R72-00230X	0.172	R72-00230X	0.172	-	
-	R72-00230Y	0.169	R72-00230Y	0.169	-	
-	R72-00230W	0.170	R72-00230W	0.170	-	

-	R72-00230X	0.172	R72-00230X	0.172	-
-	R72-00230Y	0.169	R72-00230Y	0.169	-
-	-		-		-

TOTAL CFS	25.132	25.132	8.000
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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	FIELD EXAMINER
N	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

=====

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?	
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>7-24-74</u> IDWR ID NO. <u>U24</u>	Y() N()	See 00230X
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()	
☒ NAPP	DATE OF PHOTO <u>1987-88</u> IDWR ID NO. <u>V24 NE</u>	Y() N()	GIS FILE
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()	
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()	
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()	
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()	
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()	
☒ SUBDIVISION PLAT MAP	DATE OF MAP <u>1978</u>	Y() N()	
☒ OTHER <u>Gustee County Tax Lots</u>	DATE <u>1998</u>	Y() N()	GIS FILE
() OTHER _____	DATE _____	Y() N()	
() OTHER _____	DATE _____	Y() N()	

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>1995</u>	_____	See A72-00230X
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>6-15-95</u>	<u>2</u>	<u>10-29-95</u>
☒ OTHER <u>Decree Analysis</u>	DATE <u>1980</u>	<u>2</u>	See 72-00230A for Decree
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:08:50
05/31/95

PAGE: 18
QUICKLOOK INFORMATION

56
CLAIM NUMBER: A72-0023020

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

BARCODE UPDATED
WHOM/DATE