

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: **A72-00230X**
Date Received: 11/ 8/1993
Receipt No: X777777
Received By: address change

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

1. Name: RICHARD E MACMILLEN 619-872-2075
Address: ROUTE 1 RK 35
BISHOP CA 93514
AND/OR
Name: BARBARA J MACMILLEN 619-872-2075
Address: ROUTE 1 RK 35
BISHOP CA 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	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	0.172		0.34

7. Total Quantity Appropriated is:
0.172 C.F.S. (and/or) 0.34 A.F.A.

8. Total consumptive use is 17.1 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	5.7
Section Acres							5.7
Total Acres							5.7

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:
A72-10326

14. Remarks:

ATTACHED ARE COPIES OF DOCUMENTS SHOWING CONTINUING IRRIGATION OF LAND THROUGHOUT OUR OWNERSHIP. PLACE OF USE IS LOT 23, BLOCK 2, THE EAST FORK SUBDIVISION, CUSTER COUNTY.

15. Basis of Claim: DECREED

Water Right Number: 72-230

Case Number:

Court :

Decree date: 2/14/1938

GOSSI

Decree Plaintiff

GIAMPEDRAGLIA

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For 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 _____

RECEIVED

MAY 29 1995

Department of Water Resources
Southern Region

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: (619) 872 - 2075

[✓] Signature of Claimant(s): Richard E. Mayriller

Date: 23 May 1995

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:

1

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
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THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A72-00230X**
Date Received: 11/ 8/1993
Receipt No: S016355
Received By: RENUMBERED H

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

1. Name: RICHARD E. MACMILLEN 619-872-2075
Address: 2684 IRENE WAY
BISHOP CA 93514
AND/OR
Name: BARBARA J. MACMILLEN 619-872-2075
Address: 2684 IRENE WAY
BISHOP CA 93514

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GOSSI
Decree Plaintiff

GIAMPEDRAGLIA
vs Decree Defendant

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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 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: **A72-16026**
Date Received: 11/ 8/1993
Receipt No: S016355
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: RICHARD E. MACMILLEN 619-872-2075
Address: 2684 IRENE WAY
BISHOP CA 93514
AND/OR
Name: BARBARA J. MACMILLEN 619-872-2075
Address: 2684 IRENE WAY
BISHOP CA 93514

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NONE

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Section Acres							5.7
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Water Right Number: 72-230

Case Number:

Court :

Decree date: 2/14/1938

GOSSI

Decree Plaintiff

GIAMPEDRAGLIA

vs Decree Defendant

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CIVIL CASE NUMBER: 39576

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Receipt No: S016355
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LAND THROUGHOUT OUR OWNERSHIP.

15. Basis of Claim: DECREED

Water Right Number: 72-230

Case Number:

Court :

Decree date: 2/14/1938

GOSSI

Decree Plaintiff

GIAMPEDRAGLIA

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For 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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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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:

Ident. Number

Date Received

Receipt Number

39576

A 72-16026

04-13-1993

5016355

RECEIVED

SEP 11 1993

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Richard E. ~~Mac~~ and/or Barbara J. MacMillen Phone (619) 872-2075Mailing Address 2684 Irene Way, Bishop, CA Zip 935142. Date of Priority (Only one (1) per claim) May 1, 18803. Source of water supply (a) East Fork, Salmon River
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 10 N Range 18 E 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, andDitch To place of use.

	(both dates are inclusive)		(cfs)	(acre feet)
For <u>Irrigation</u>	purposes from <u>4/01</u>	to <u>11/01</u>	amount <u>.172</u>	or <u>.341</u>
For _____	purposes from _____	to _____	amount _____	or _____
For _____	purposes from _____	to _____	amount _____	or _____
For _____	purposes from _____	to _____	amount _____	or _____

8. Total consumptive use claimed is 17.15 acre feet per annum.

10. Description of place of use:

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

[illegible]

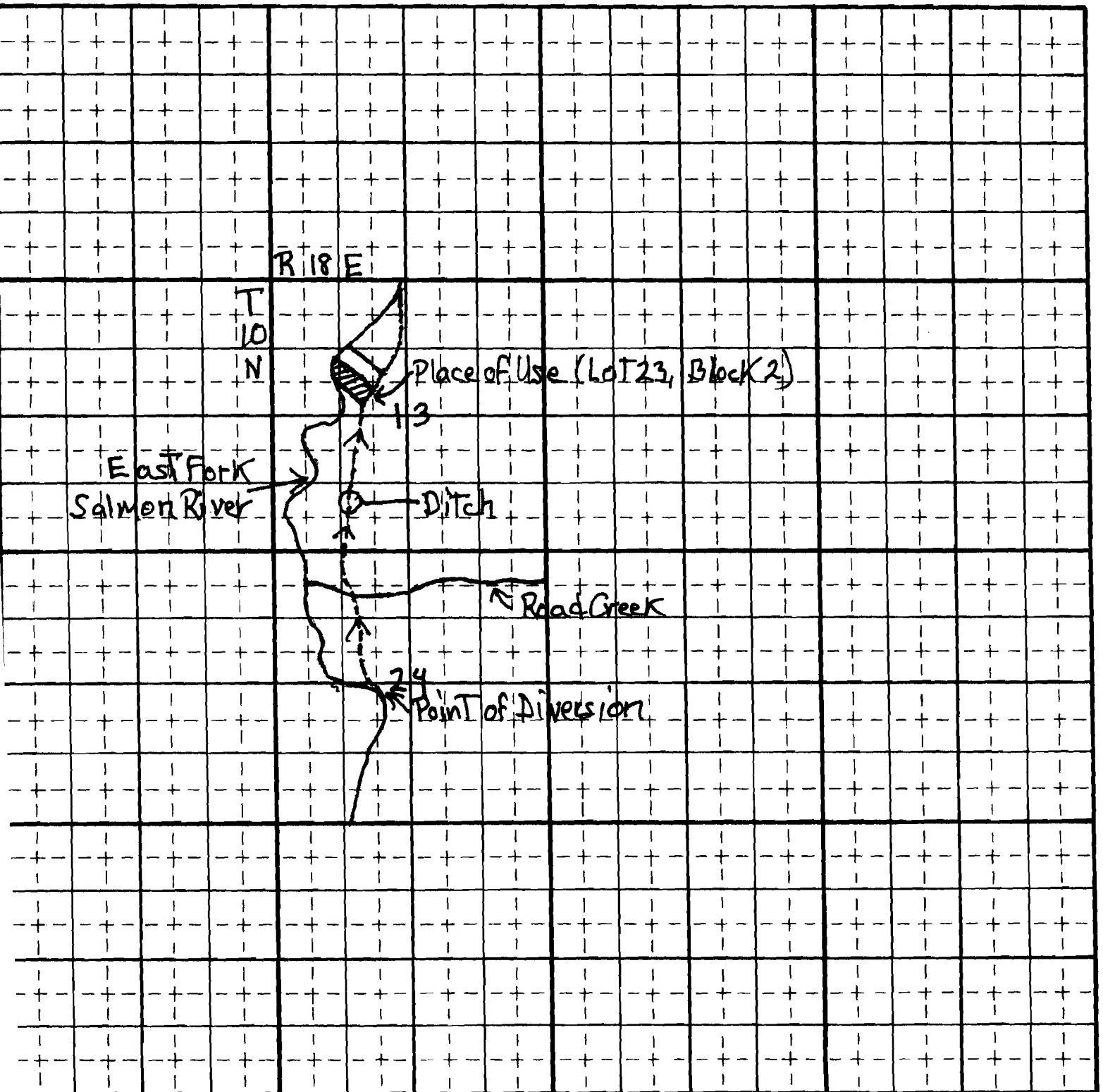
11. In which county (ies) are lands listed above as place of use located? Custer

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

Last Name MacMillen Ident No. _____

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. _____

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 72-0230
Court 5th Case Number _____ Decree Date 2/14/38
Plaintiff vs Defendant Gossi 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 _____ do not X 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 8 Sept. 1993

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 _____

CERTIFICATE OF ACKNOWLEDGEMENT
Staple

STATE OF CALIFORNIA
COUNTY OF Inyo } S.S.

On September 8, 1993 before me,

Lauren Young
a Notary Public in and for said County and State, personally appeared
Richard S. MacMillen

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

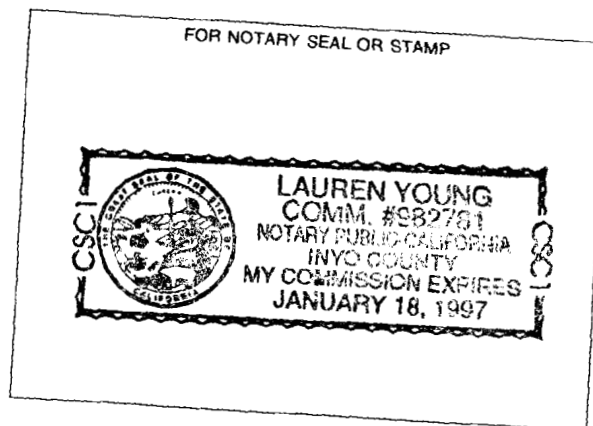
WITNESS my hand and official seal

Signature
F 2492 (5-91)

Signature _____

Address _____

Date _____



Last Name MacMillen Ident. Number _____

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.

COPY

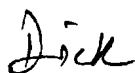
ORIG in A72-002302

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 that reads "Dick".

Richard E. MacMillen

COPY

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

ck no.
1212

RECEIVED
MAY 18 1995
Department of Water Resources
Southern Regional Office

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 27, 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.

TARA:

please update address/phone...

A72-10826

" - 00280Y

" - 00230X

put a cc of this COPY in each file.

Thank you, H

SEP 29 1994

Department of Water Resources
Southern Region Office

24 September 1994
2684 Irene Way
Bishop, CA 93514

Mr. Francis G. Hitchcock
Sr. Water Resource Agent
Southern Regional Office
Idaho Department of Water Resources
222 Shoshone St. E.
Twin Falls, ID 83301

Dear Frank:

We hope that all goes well with you. But, just to make sure, we thought we should inform you that we have just acquired the adjacent property (Lot 25, Block 2, The east Fork - 5.068 acres) downstream from our original two Lots (23 and 24), and seek your advice on how to proceed to secure "ditch" water rights on it. On this property is located a major control gate for two downstream ditches that extend through other properties beyond ours.

We were only at our property for three short weeks in July this summer, and missed you if you came through. Both while we were there, before and after, our two properties were irrigated, but we didn't acquire the new property until after our departure, and so it didn't receive the attention it deserved. Hopefully, with your advice, we will be able to secure water rights for it, too, and tend to its proper irrigation.

We will look forward to your response and advice.

Very sincerely,

Dick MacMillen

Richard E. MacMillen

09-30-94

*Letter
Livingston
Letter, 10-3-94*

29 June 1988

Mr. David N. Parmenter, Attorney
99 S.W. Main Street
Blackfoot, ID 83221

Dear Mr. Parmenter:

Thank you for your letter of 16 June 1988, expressing concern about the apparent controversy that has arisen between Mr. Brent Bruncker, East Fork property owner, and Mr. and Mrs. Dick Baker, who have been grazing cattle on the East Fork subdivision in exchange for fence repair and irrigation. Several years ago we gave the Bakers written permission to graze on our property in exchange for irrigation, and our opinion has not changed.

We, together with Brett and Anita Getty, and the Brunkers are the only property owners to develop and spend any time on the main subdivision; we have spent only a month each summer in the past, but this summer my wife and son will be there for 2 1/2 months (commencing next week) and I will be there for a month. We have benefitted considerably in reduced fire hazard because of the green irrigated and mowed (eaten) pasture which has compensated for the relative nuisance of cattle and their pies. As property owners, we all agreed to provide pole fencing to reduce the nuisance, the Brunkers included. If we elect to live by the covenants required of the owners by Mr. Kimball, then the nuisance should be nonexistent. Eventually, such fencing will preclude cattle access to grazing areas, but until that time the Bakers are providing us with a service, and they have our permission to continue.

In completing the Bruncker's questionnaire we did express concerns about subdivision water rights (whether they had been filed on the Road Creek source), and individual owners' ditch rights. We agreed (or suggested) that the property owners form some kind of a local water/irrigation organization for ditch maintenance and assurance of ample flow along the entire length of the ditch - this suggestion was not intended as a complaint against Dick Baker's efforts, but merely as a mechanism to ensure continuing access to irrigation water.

We will be happy to meet with you and the Bakers together with other property owners this summer after my arrival on our property (Lot 24, Block 2) around 15 August to discuss these matters further. We can be contacted on our property, leave a message at Brett and Anita Getty's or c/o General Delivery, Challis. For the nonresident property owners who seldom (if ever) see their properties it must be very difficult to make rational decisions. As part-time residents, and therefore reasonably informed, we will be pleased to provide our views of the situation in hopes of a reasonable and rational resolution.

Very sincerely,

Richard E. MacMillen

Barbara J. MacMillen
31871 8th Avenue
South Laguna, CA 92677
(714) 499-4648

Law Offices of
DAVID N. PARMENTER
Attorneys at Law
99 S.W. Main Street
Blackfoot, Idaho 83221

David N. Parmenter
Albert Matsuura
Associate

Telephone
(208) 785-5618

June 16, 1988

TO: East Fork Property Owners

Dear Property Owner:

Recently most East Fork property owners received a letter from Mr. Brent J. Bruncker setting forth some of the problems that he foresees as an East Fork property owner. Mr. Bruncker was apparently creating problems concerning irrigation and water rights, unrestricted cattle grazing and also requested that you fill out a general questionnaire regarding your opinion as a member of the East Fork Property Owners' Association and Irrigation Co. or local improvement district or legal action generally to make access to subdivision lots and other rights-of-way.

Mr. and Mrs. Dick Baker have contacted me to respond to Mr. Bruncker's letter which I have done. They also wanted me to address the landowners in general because of their involvement and also being landowners on the East Fork. As you may know, Mr. Baker has irrigated on the East Fork for many years and has also had cattle on the East Fork. He has irrigated for other individuals for some time, and has also been involved in not only irrigating for others but also in repairing fences and seeing that, in general, the area is maintained.

Because of some of the assertions and allegations made by Mr. Bruncker, Mr. and Mrs. Baker would like to know whether or not the other landowners of the East Fork would like them to continue with irrigating the land and making fence repairs. They feel that unless requested to do so by the other landowners, pursuant to written permission, that they would rather not become involved as they have done in the past. Therefore, it would be greatly appreciated if you could contact me and advise whether or not you would like Mr. and Mrs. Baker to continue with the duties and responsibilities they have carried on in the past. They simply want to avoid any confrontations or problems with anyone, and if

MacMillen

BRUNCKER SUIT

East Fork Property Owners - 2
June 16, 1988

you feel that their help is not necessary or warranted, please advise. In the alternative, it would be appreciated if you could respond with written permission if you are willing to have the Bakers continue the obligations they have undertaken in the past in exchange for their usual custom of grazing cattle there.

I look forward to hearing from you within the next ten days.

Very truly yours,

David N. Parmenter

lkt

INTER-DEPARTMENT MEMO

TO: DR & MRS. MACMILLAN **A72-00230X** SUBJECT: address/phone
-00230Y
-10326

FROM: F. HITCHCOCK

DATE: 05-23-1995

As you requested in your cover letter I enclose copies of your claims already on file with the changes made.

Your late claim, unperfected in the field yet has already been sent to you under separate cover with the new address/phone entered.

The 07 of the 07 of an acre was his notable. Should you want to recareer as a Bureauist let us know!

() For your information

() Response required

signature

INTER-DEPARTMENT MEMO

TO: DR & MRS. MACMILLAN

SUBJECT: CLAIM NUMBER(S)

FROM: FH

DATE: 02-21-1994

Another round of paper...

Please review the highlighted sections that explain the reason for the increased cas of the claims for the "ditch" water.

We are still not done (undone?) w/ the review of claims.

Best,

(X) For your information

() Response required

signature

INTER-DEPARTMENT MEMO

TO: DR & MRS. MACMILLAN

SUBJECT: UPDATED CLAIMS

FROM: FH

DATE: 11-24-93

When I had your "new" claims made up into permanent files I noticed that I hadn't ID your acres specifically in the Remarks @ item #14.

The attached cc's show that update. Review of claims continues but @ a very slow pace.

(X) For your information

() Response required

signature

TO: DAVE SHAW ^{D35} INTER-DEPARTMENT MEMO
FROM: FRANK HITCHCOCK RECEIVED
OCT 19 1993
SUBJECT: late fees
DATE: 10-18-93
Department of Water Resources

Please review the attached cc's of correspondence between claimants of a GW usage sitting on a decreed right that they didn't file on timely in the SRBA and the dept.
I feel they (MacMillen) made an effort to pursue the "ditch" usages despite the lack of claims to some.
They now have filed claims for the decreed amts. of water to irrigate their 2 parcels. I would like
() For your information to accept the best signature Frank
() Response required claims w/o late #.

TO: DR. MRS. R.E. MACMILLEN INTER-DEPARTMENT MEMO
FROM: TH SUBJECT: AMENDED/NEW CLAIMS
DATE: 10-27-93

Good news... I've received approval to waive late fees for the claims identifying the decreed water use from the river.
I will attempt to process checks/claims before I leave for Chavis on Nov 1-3 next week.
In any case, I will begin the process ASAP.
Also, I enclose information as a book I just finished that may be of interest.
In haste,
() For your information F. Hitchcock signature
() Response required

26 OCT. 1993
2684 Irene Way
Bishop, CA 93514

Dear Frank:

Please excuse the Flowery note paper, but it was all I could lay my hands on at the moment. We want to thank you for your continuing efforts on our behalf to secure our ditch water rights.

Hope all is going well for you, and that you're having a pleasant Fall.

Best regards,
Dick MacMillen

8 September 1993

2684 Irene Way
Bishop, CA 93514
(619) 872-2075

RECEIVED

SEP 13 1993

Department of Water Resources
Southern Region Office

Francis G. Hitchcock
Sr. Water Resource Agent, Southern Regional Office
Idaho Department of Water Resources
222 Shoshone St. E.
Twin Falls, ID 83301

COPY

Dear Mr. Hitchcock:

Enclosed are the completed Notice of Claim To a Water Right forms which I hope are sufficiently thorough to secure ditch rights for irrigation purposes for our two adjacent properties (Lots 23 & 24, Block 2) on the East Fork, in Custer County. Based upon our reading of the pertinent decrees and discussions with neighbors we are claiming irrigation water in the amount of 1.5 miners inch per acre for each of the two parcels.

Admittedly we are tardy in submitting our claim, but only because we were unable to obtain previously from your office sufficient information indicating that we even needed to file a claim for ditch rights (see attached letters between myself and Supervisor Johnson, dated 10 and 21 September 1988). We assuredly would have filed long ago had we known it appropriate. We thank you for your clear information on the necessity of filing.

In addition I am attaching documentation of long-standing and continuing (at least since 1980) irrigation of our properties, first by Dick Baker and his son Wayne, and then more recently by ourselves. In addition, our nearest neighbors Bret and Anita Getty have periodically irrigated for us in our absence.

If there is additional information or documentation that you require before acting upon our claim, do not hesitate to notify us. Please find, accompanying the claims, the designated filing fees.

Sincerely,

Richard E. MacMillen

Richard E. MacMillen, Ph.D.

enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

September 21, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RE: Water Right No. 71-7081

Richard E. MacMillen
31871 8th Ave.
South Laguna, CA 92651

Dear Mr. MacMillen:

Following are responses to your questions raised in your correspondence of September 10, 1989.

1. The legal description on the license reflects the same description listed on the original application for permit. If there is an error, filing of a transfer application will be required to correct the description.
2. Filing of a claim to the water right license will be required under the Snake River Basin Adjudication; you will be notified by mail from the Adjudication Bureau when you need to file.
3. In Idaho, water rights are regulated by priority date based upon when the water was put to beneficial use. When you plan to start developing a use for groundwater such as irrigation, domestic, stockwater, etc., you should file an application for a water permit. You cannot file an application for a water right in speculation of development. In other words, once you file you must commence with the development within one year of the filing and the project must be completed within 5 years.
4. Ditch right-of-ways and easements are not part of the water right which enable you to appropriate public water for private use. These matters are between private landowners and the provisions of such are provided in their own set of statutes.
5. Enclosed are two information pamphlets on the Snake River Basin Adjudication (SRBA).

If you have any further questions, please feel free to contact us.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

RECEIVED

OCT 27 1989

Department of Water Resources
Boise, ID 83720

RECEIVED

OCT 19 1989

Department of Water Resources
Boise, ID 83720

31871 8th Ave.

South Laguna, CA 92651

10 Sept. 1989

Department of Water Resources

1301 North Orchard St., Statehouse Mail

Boise, ID 83720

attn Jim Johnson

RECEIVED

Dear Mr. Johnson:

This will acknowledge receipt of our Water Right License No. 71-07081 permitting groundwater use for our Lot 24, Block 2, The East Fork Subdivision in Custer County, Idaho. We are satisfied with its contents but, as we have been out of the country for the last seven months and unable to follow closely issues related to Idaho Water Rights, I have several questions that I would like your office to answer as soon as possible.

1. You have sited the location of our property as SENW, Sec. 13, Township 10N, Range 13E, Custer County. According to my maps this is incorrect; the correct location is SENW, Sec. 13, Township 10N, Range 18E, Custer County.
2. Do we now need to file a Notice of Claim on our Water Right License? If so, please notify me and send a Filing Form.
3. On 9 November 1988 we purchased the adjacent 5.7 acre Lot 23, Block 2, The East Fork Subdivision. Although we do not intend to develop groundwater use on that lot immediately, what may we do to ensure our right to that groundwater?
4. According to our purchase agreements we are entitled to ditch water usage for both lots 23 + 24 (combined acreage 11.3 acres), yet I am unaware of any legal provision for ensuring right to such usage by individual lot owners on The East Fork Subdivision. The Ditch runs the length of the Subdivision with the intake source upstream from The East Fork of The Salmon River at the extreme Southern end of The Subdivision; our lots are near the extreme Northern (downstream) end of The Subdivision. Please advise

MacMillen

me about how I might protect any ditch rights that may be due me. We have used the ditch continually for irrigation purposes in areas out of reach of our existing well since we have owned the properties. As the subdivision continues to develop, ditch usage is likely to become a point of contention among the owners and we would like to avoid this.

5. Please send me a copy of the SRBA Water Users Handbook, along with your answers to the above questions and statements of concern.

Thank you very much for your attention to these matters.

Sincerely,

Richard E. MacMillen

Richard E. MacMillen

(714) 499-4648 - Home phone

(714) 856-5973 - Work phone

RECEIVED

OCT 12 1988

Department of Water Resources
1100 North Main Street, Suite 1100
Orange, CA 92668

COPIES

INTER-DEPARTMENT MEMO

TO: DAVE SHAW
FROM: FRANK HITCHCOCK

SUBJECT: late fees
DATE: 10-18-93

Please review the attached cos of correspondence between claimants of a GW usage sitting on a desired right that they didn't file on timely in the SRBA.

I feel they (MacMurray) made an effort to pursue the "ditch" usages despite the lack of claims to some.

They now have filed claims for the desired amt. of water to irrigate their 2 parcels. I would like

() For your information

() Response required

to accept the best
claims w/o late #.

signature

Frank

31871 8th Ave.

South Laguna, CA 92651

10 Sept. 1989

Department of Water Resources

1301 North Orchard St., Statehouse Mail

Boise, ID 83720

attn Jim Johnson

C O P Y
FOR YOUR FILES

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MacMillen

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Sincerely,
Richard E. MacMillen
Richard E. MacMillen
(714) 499-4648 - Home phone
(714) 856-5973 - Work phone

C O P Y



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

September 21, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HUGGINSON

DIRECTOR

RE: Water Right No. 71-7081

Richard E. MacMillen
31871 8th Ave.
South Laguna, CA 92651

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5. Enclosed are two information pamphlets on the Snake River Basin Adjudication (SRBA).

If you have any further questions, please feel free to contact us.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

8 September 1993

2684 Irene Way
Bishop, CA 93514
(619) 872-2075

SEP 10 1993
RECEIVED
SOUTHERN REGIONAL OFFICE
IDaho DEPARTMENT OF WATER RESOURCES

Francis G. Hitchcock
Sr. Water Resource Agent, Southern Regional Office
Idaho Department of Water Resources
222 Shoshone St. E.
Twin Falls, ID 83301

Dear Mr. Hitchcock:

Enclosed are the completed Notice of Claim To a Water Right forms which I hope are sufficiently thorough to secure ditch rights for irrigation purposes for our two adjacent properties (Lots 23 & 24, Block 2) on the East Fork, in Custer County. Based upon our reading of the pertinent decrees and discussions with neighbors we are claiming irrigation water in the amount of 1.5 miners inch per acre for each of the two parcels.

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If there is additional information or documentation that you require before acting upon our claim, do not hesitate to notify us. Please find, accompanying the claims, the designated filing fees.

Sincerely,

Richard E. MacMillen

Richard E. MacMillen, Ph.D.

enclosures

INTER-DEPARTMENT MEMO

TO: MR+MRS. R.E. MACMILLAN

SUBJECT: Late ClaimsFROM: HDATE: 10-18-93

I've returned to the office after a week in S.F. Bay area and have gotten my desk cleared off. This week, I will send a letter to the mail office asking for a decision on whether late fees are applicable based on your documented attempt to get direction from your dept. re: the decree right delivered by the ditch. As promised, I continue to press the issue and have filed your check pending resolution.

() For your information

() Response required

best wishes,

signature

F. Hitchcock

INTER-DEPARTMENT MEMO

TO: MR+MRS R.E. MACMILLAN

SUBJECT: Late ClaimsFROM: HDATE: 09-23-93

Thanks for the paperwork / check - this note is an acknowledgement of the check and the fact that I am still up in Chellis and won't get to the paperwork till next month.

I w/attempt to get them (the claims) on w/o late fee due to what I see as failure on the Dept's part to correctly advise you. It w/ take awhile so the check won't be deposited until I resolve.

() For your information

() Response required

signature

best, Hitchcock

TELEPHONE MEMORANDUM

Incoming Call

✓
Outgoing Call

Returning Call

350
PM

TO: _____ 838-2453
DATE: _____ 08-20-1993
FROM: _____
FILE: _____
FILE NO: _____
SUBJECT: _____

REMARKS: msg on recorder - w/ take fill home
w/mme - try to reach over weekend.

08-22-93

1145 TT/CW MRS - I w/ sent claim forms for
this use due to unclaiming for their late-
directed her to recorder's office for dispute
covering Fz. Forx SUBD - mentioned their verbal
of 1" per acre interest per decree - &
more added to particulars re: their
future claim(s).

ROUTING INSTRUCTIONS: _____
CALENDAR DATES: _____

08-27-93

claim forms sent w/ instructions

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

11-08-1993

Dr & MRS. MAC MILLAN:

At long last, here are ccs of the decou-based
claims for your files.

I will have to get some direction from the
admin folks on how to review the usage
but your additional papers should be enough
coupled w/ my field observations.

I'll be in touch towards the end of Dec.

best,

Frank Hitchcock

encl: receipt for fees checked

✓ A72-16026

SRBA

PARTIAL DECREE 72-00230X

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 J MACMILLEN RICHARD E MACMILLEN ROUTE 1 RK 35 BISHOP, CA 93514		
SOURCE:	SALMON RIVER, EAST FORK	TRIBUTARY:	SALMON RIVER
QUANTITY:	0.172 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	0.172 CFS
PLACE OF USE:	Irrigation	Within Custer County	
	T10N R18E S13	SENEW	4.7
	4.7 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 10:54:57
Page 1

Water Right Number - 72-00230X

Prefix Translation: WATER RIGHT

Old (D) Number - 72-230

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

*** C - CURRENT OWNER ***
MACMILLEN

RICHARD E

1 - 705 FOSS RD

2 -

3 -

City- TALENT

State- OR Zip- 97540

Phone - 541-512-9884

MACMILLEN

BARBARA J

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 - - - - - +
Twn Rng Sec Tract Lot RFlg County

10N 18E 24 SE NE SW (37) CUSTER EF-5

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

01 - IRRIGATION 04/01 10/31 0.172

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.172 0.0

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

10N 18E 13 SE NW 4.7 01 IRRIGATION (37) CUSTER

Total Acres: 4.7

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

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - 72-10326

+ - - - - Remarks - - - - - +
No Remarks found.

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

Water right number - 72-00230X

Prefix Translation: WATER RIGHT

+ - - - - 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

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

+ - Decree Date - +
02/14/1938

+ - - - - Comments - - - - - +
Date: 02/21/1994 User Id: HITCHCOC Subject: CLAIM NUMBER CHANGE
ORIGINALLY ENTERED AS A72-16026 TO EXPEDITE. NOW CORRECTLY PUT IN AS PART OF THE UNDERLYING DECREE FOR THE SUBJECT PROPERTY BY
FH 02-21-1994.
Date: 11/12/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS
ATTACHED ARE COPIES OF DOCUMENTS SHOWING CONTINUING IRRIGATION OF LAND THROUGHOUT OUR OWNERSHIP. PLACE OF USE IS LOT 23, BLOCK 2,
THE EAST FORK SUBDIVISION, CUSTER COUNTY.
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: 11/17/1999 User Id: CTIMM Subject: ADDRESS CHANGE
11/17/99, CHANGED ADDRESS AS PER LETTER REC'D 11/16/99. C.T.

+ - - Audit 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 - 11/08/1993 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S016355 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - AND/OR Presumption Flag -
Notice of Error Flag -

Dept. of Water R
Adjudication B
P.O. Box 83
Boise, ID 8372

ADDRESS SERVICE
REQUESTED



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

RETURNED
TO
SENDER
NO SUCH NUMBER

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

NSN
R!



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

72-00230X

BARBARA J MACMILLEN

RICHARD E MACMILLEN

ROUTE 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: 72-00230X

NAME AND ADDRESS: BARBARA J MACMILLEN
RICHARD E MACMILLEN
ROUTE 1 RK 35
BISHOP CA 93514

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.172CFS

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	0.172 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T10N R18E S13 SENW 4.7
4.7 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.

Water Resources
Distribution Bureau
Box 83720
83720-0000

DEC 04'98



101

PB METER
7077211

U.S. POSTAGE



UNDELIVERABLE AS ADDRESSED-
FORWARDING ORDER EXPIRED

RICHARD E. MACMILLEN
BARBARA MACMILLEN
RT 1 RK 35
BISHOP

CA

1104

RECEIVED

DEC 14 1998

Department of Water Resources



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: 72-00230X

BARBARA J MACMILLEN
RICHARD E MACMILLEN
ROUTE 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: 72-00230X

NAME AND ADDRESS: BARBARA J MACMILLEN
RICHARD E MACMILLEN
ROUTE 1 RK 35
BISHOP CA 93514

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.172CFS

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	0.172 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T10N R18E S13 SENW 4.7
4.7 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:

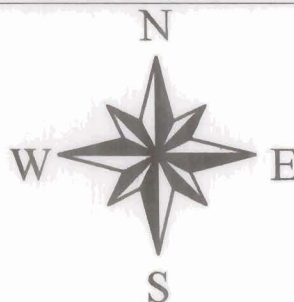
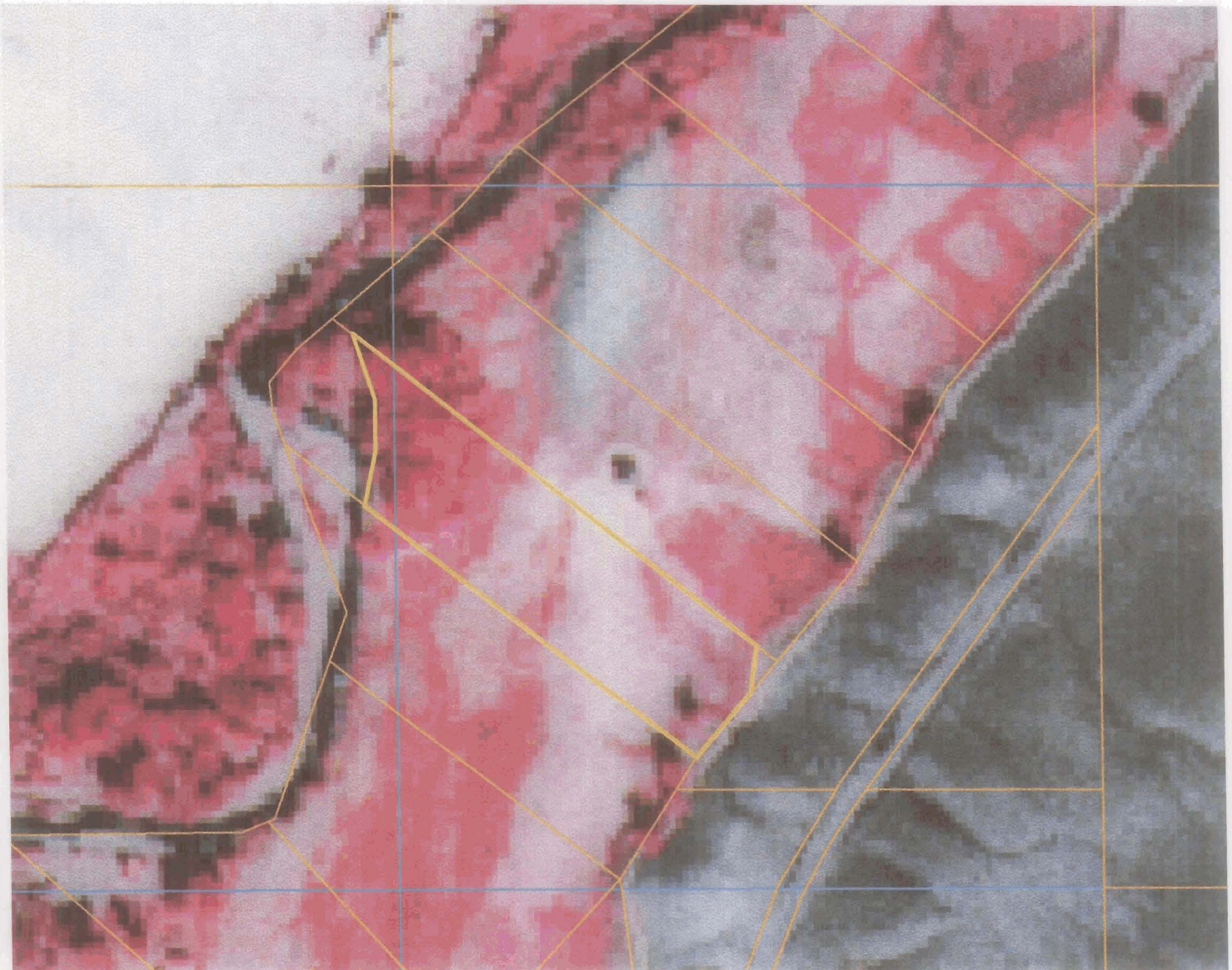
WATER RIGHT NO.	SOURCE
NONE	NONE

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.

RIGHT 72-00230X
MACMILLEN

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 - R72-00230X

Prefix Translation: RESEARCH

Old (D) Number - 72-230

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

*** C - CURRENT OWNER ***

MACMILLEN

BARBARA J

1 - ROUTE 1 RK 35

2 -

3 -

City- BISHOP

State- CA Zip- 93514

Phone - 619-872-2075

MACMILLEN

RICHARD E

1 - ROUTE 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 EF-5

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.172+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.172 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10N 18E 13 SE NW 4.7 01 IRRIGATION (37) CUSTER

Total Acres: 4.7

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

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - 72-10326

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

Water right number - R72-00230X

Prefix Translation: RESEARCH

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

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

+ - - - Decree Plaintiff - - - +
GOSSI

+ - - - Decree Defendant - - - +
GIAMPEDRAGLIA

+ - Decree Date - +
02/14/1938

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

Date: 02/21/1994 User Id: HITCHCOC Subject: CLAIM NUMBER CHANGE
ORIGINALLY ENTERED AS A72-16026 TO EXPEDITE. NOW CORRECTLY PUT IN AS PART OF THE UNDERLYING DECREE FOR THE SUBJECT PROPERTY BY
FH 02-21-1994.

Date: 11/12/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS
ATTACHED ARE COPIES OF DOCUMENTS SHOWING CONTINUING IRRIGATION OF LAND THROUGHOUT OUR OWNERSHIP. PLACE OF USE IS LOT 23, BLOCK 2,
THE EAST FORK SUBDIVISION, CUSTER COUNTY.

+ - - 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	- 11/08/1993	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S016355	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

CLAIM NUMBER 72-00230X DATE _____ TRANSFER NUMBER _____
 AGENT DA CLAIMED ACRE TOTAL 5.1
 GIS ACRE TOTAL 4.7

	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								5.1									5.1
GIS	10N	18E	13								4.7									4.7
RECOM											4.7									4.7
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP _____
 SHAPE NOS. _____
115 _____

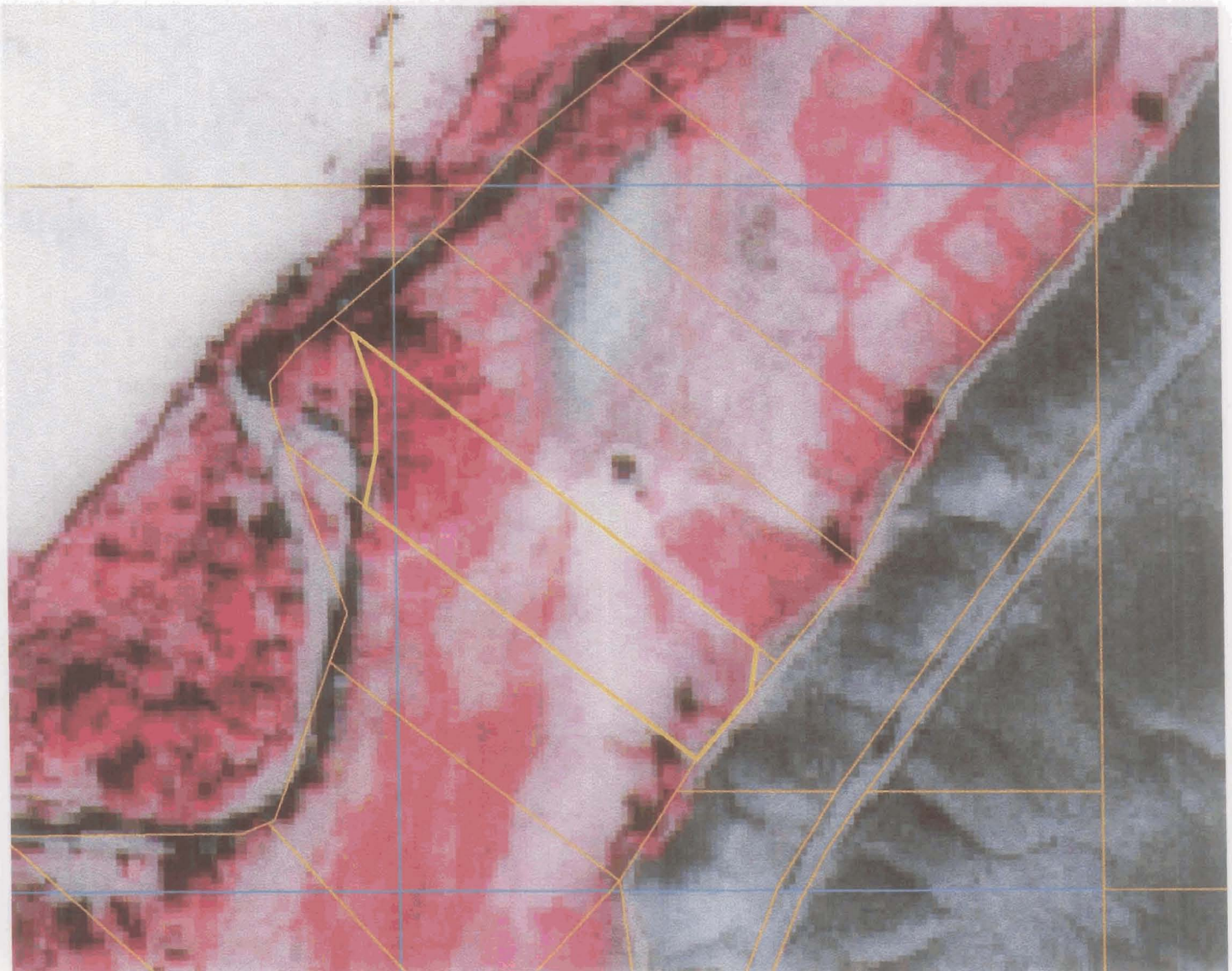
B72-DBPOD.SHP _____
 NOS. DESCRIPTION _____
30 SE NE SW Su 24 TION RIBE

DBF TABLES UPDATED _____
 B72-DBPOU.DBF ☒
 B72-DBPOD.DBF ☒

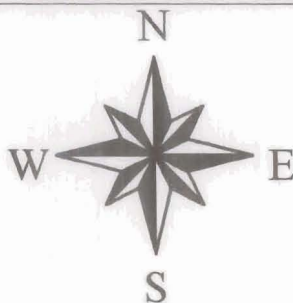
GIS

**RIGHT 72-00230X
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

72-00230X

 DATE: 11-10, 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
BK1	1	*	.8	.06	= .048 CFS
TS1	1	*	2.0	.08	= .16 CFS
CP1	1	*	1.8	.36	= .64 CFS
	1	*			= CFS

 TOTAL ACRES 4.6

DECREED RATE =

 CLAIMED DIVERSION RATE = .172

MEASURED DIVERSION RATE =

HUBBLE

th, Range 18, E. B. M., and appurtenant to said land the second of time of the waters of the East Fork of the Salmon River with date of priority April 1, 1881 and also .6 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 NW¹/₄ NE¹/₄ Section 12, Township 10 North, Range 18, E. B. M.

0226
0227 That RAYMOND GOSSI and EVA GOSSI are the owners of Lot 4, S¹/₂ NW¹/₄, N¹/₂ SW¹/₄, SE¹/₂ SW¹/₄, SW¹/₄ SE¹/₄, Section 1, NW¹/₄ NE¹/₄, 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 NW¹/₄ SE¹/₄, NW¹/₄ NE¹/₄, Section 12 and SE¹/₂ NE¹/₄, Section 13 all in Township 10 North, Range 18, E. B. M.

00228
00229 That ROSA V. GARMAN is the owner of SW¹/₄ NE¹/₄, W¹/₂ SE¹/₄, SE¹/₂ SW¹/₄, Section 12 and 28.64 acres in the NE¹/₄ NW¹/₄, 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, 1885 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 SE¹/₄ NW¹/₄, Section 13, Township 10, North, Range 18, E. B. M.

-00230 That FREDOLIN LEUZINGER is the owner of 11.56 acres in the NE¹/₄ NW¹/₄, all of S¹/₂ NW¹/₄, N¹/₂ SW¹/₄, SW¹/₄ SW¹/₄, Section 13, NW¹/₄, NW¹/₄ NE¹/₄, NW¹/₄ SW¹/₄, 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 SE¹/₄ NE¹/₄ and NE¹/₄ NW¹/₄, Section 24, Township 10 North, Range 18 E. B. M.

00231
00232 That MARION PEEL and LUCY PEEL are the owners of SW¹/₄ SE¹/₄, SE¹/₂ SW¹/₄, Section 15, W¹/₂ NE¹/₄, E¹/₂ NE¹/₄, NW¹/₄ SE¹/₄, NE¹/₄ SW¹/₄, 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 SE¹/₄ SE¹/₄, NE¹/₄ NW¹/₄, Section 22, Township 9 North, Range 17, E. B. M.

00233 That ANTHONY BRICKER and JACKIE BRICKER are the owners of SE¹/₂ SW¹/₄, SW¹/₄ SE¹/₄, Section NE¹/₄ NE¹/₄, NW¹/₄ NE¹/₄, 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.

00234
00235 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.

1938 DECE 18861

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

DECEMBER 2-14-1938

Loss of 101 - v - Hannadraglia et al

MEMORANDUM

TO: Decree File No. 72-G -- James Bradshaw, et al., vs. Jacob Leuzinger, et al.
FROM: Roberta Garrett
THROUGH: Dave Tuthill
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

Open Channel Discharge Measurement Notes

CLEAR-HOT

A. GENERAL INFORMATION

1. Name of stream or ditch: EF-3 33 DULIN SCREEN
2. Location: EF SUBD @ SCREEN SITE NEAR BRIDGE OVER E.F.
3. Person conducting measurement: BOB FOSTER
4. Date and time of measurement: 06-13-95 2 PM / 2:30
5. Accompanied by: JH
6. Measuring device size and ID no.: SNOFFER # 2100
7. Spin test before measurement OK? OK after measurement OK? _____
8. Purpose of measurement: SRBA CLAIM REVIEW

B. MEASUREMENT DATA

[illegible]

MEASUREMENTS

River at—

Angle and Point	Dist. from initial point	Width	Depth	Observed time depth	Revo- lutions	Time in sec- onds	VELOCITY		Adjusted for bar. angle or	Area	Discharge
							At point	Mean in ver- tical			
REW	1.0	—	—	.6							
	1.5	.50	1.15				.91			.575	0.523
	2.0	.50	1.15				.94			.575	0.540
	2.5	.50	1.10				.77			.550	0.423
	3.0	.50	1.10				.85			.550	0.473
	5.5	.50	1.15				1.03			.575	0.592
	10	.50	1.20				1.22			.600	0.732
	4.5	.50	1.20				1.08			.600	0.648
	5.0	.50	1.20				.90			.600	0.480
	5.5	.50	1.10				.78			.550	0.429
	6.0	.50	1.05				.56			.525	0.294
EW	6.5	.50	.95				.47			.475	0.253
	7.0	—	—								5.35

State of Idaho
Department of Water Resources
Water District

Meas. No.

Comp. by R.

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 Spotter 200 Date rated Tag checked

Meter ft. above bottom of wt. Spin before meas. 3 k.B. after 37

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

GAGE READINGS

WATER QUALITY MEASURE

Time	Inside	HM	Chart	Outside	No. Yes. Time.
					Samples Collected
					No. Yes. Time.
					Method Used
					EDI EWI Other.
					SEDIMENT SAMPLES
					No. Yes. Time.
					Method Used
					EDI EWI Other.
					BIOLOGICAL SAMPLES
					Yes. Time.
					No. Type.

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

Gage operating Weather clear

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

Record removed Extreme Indicator: Max. Min.

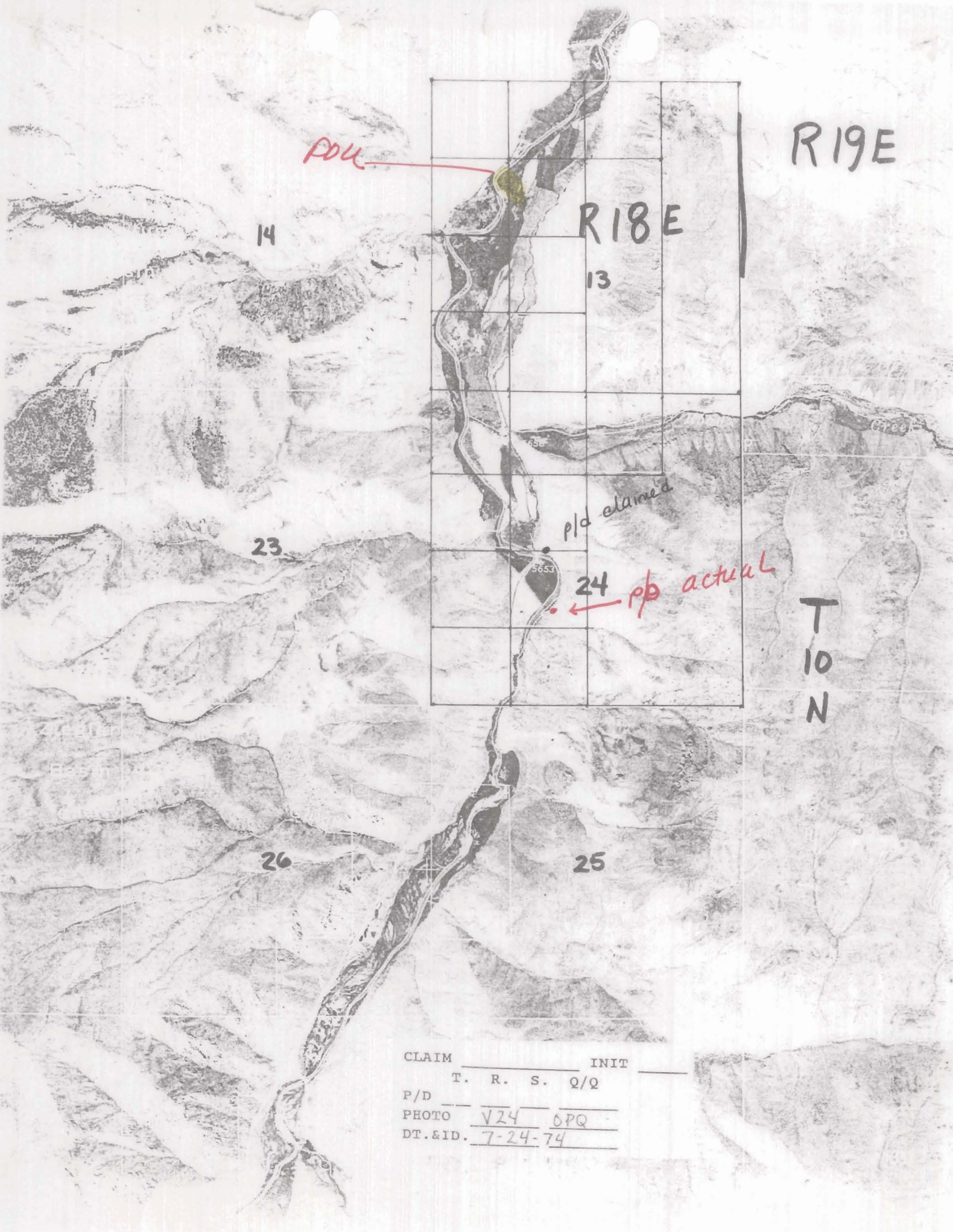
Manometer N₂ Pressure Tank Feed Bbl rate p

CSG checked Stick reading

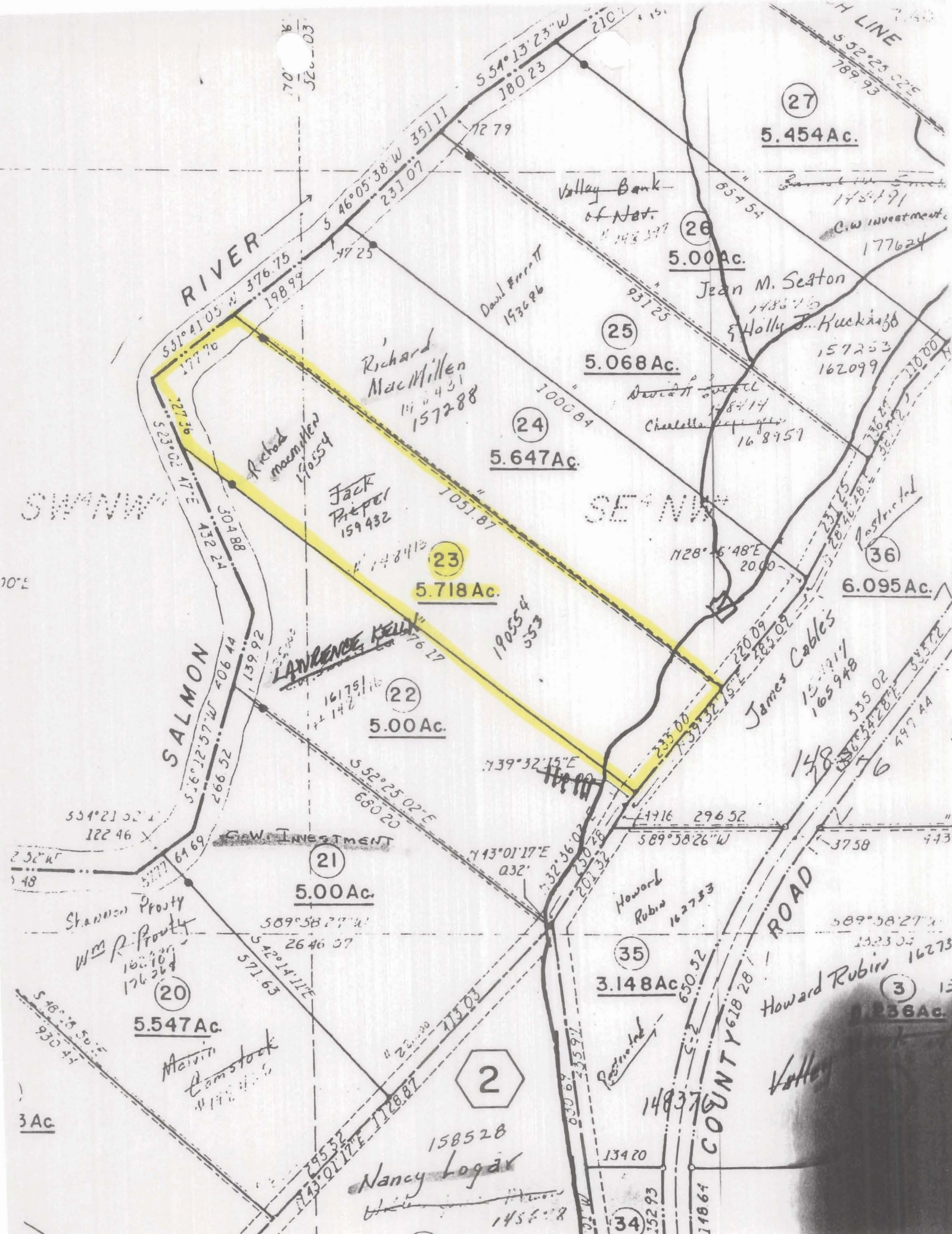
Observer

HWM outside,

Remarks



CLAIM _____ INIT _____
T. R. S. Q/Q
P/D _____
PHOTO V24 6PQ
DT.&ID. 7-24-74



Fox CR: has a pipeline capping down
the East side of the draw - does
this dump into? in relation to
the flume.

H.C. 2: Pod well above fish screen.

GARRY: ditch goes along access road &
@ fence line corner goes No. along
road - this is opposite where ditch
is in center of lots.

✓ MAC MILLAN: ditch runs along access
road and then around bend to
the Garry lots - div. box PIX-
blade plastic tubes out of ditch
10 yds So of box - PIX - then
cuts in ditch and big black pipe,
50 YDS So. - cuts/taps every 20'
another chuck frame.

MORGAN: ? box No. of equity crossing but
no signs of taps, cuts, chuck
ditch filled in for crossing to
SHAUGHNESSY.

Lot 22: So. 50 YDS from 22/23 corner
heavy seepage collects under trees
and out onto pasture area.

03-11-94
trip



MACMILLAN-LEONARD



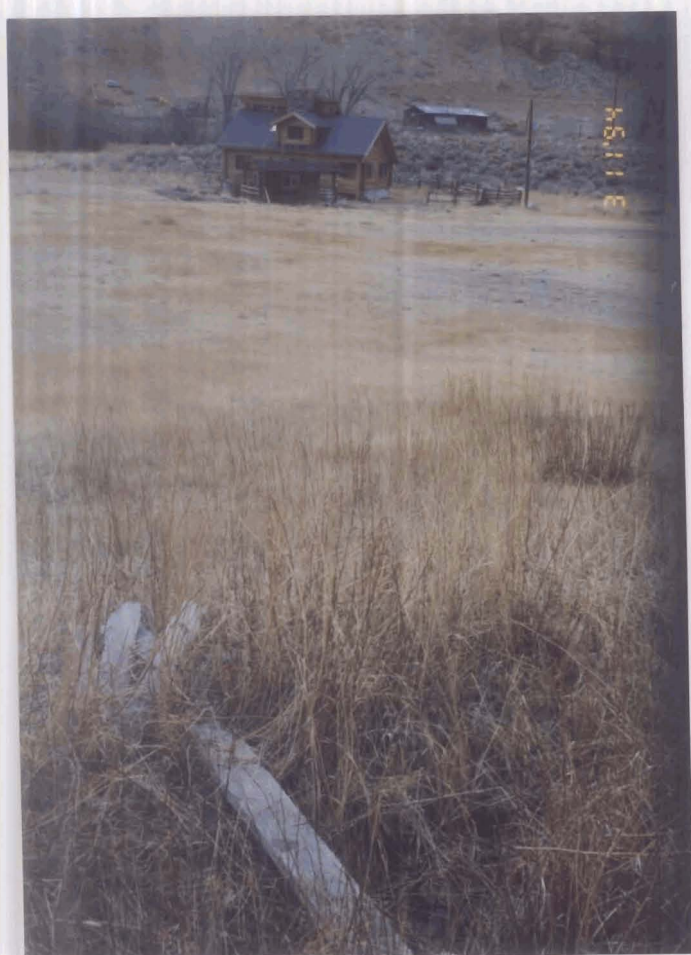




MACMILLAN



SEE REVERSE
FOR TEXT



MACMILLAN

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:21:33
05/31/95
19

PAGE: 19
PROFILE REPORT

CLAIM NUMBER: A72-00230X

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	0.17 CFS	0.34 AFA
C	BARBARA J MACMILLEN				0.17 CFS	0.34 AFA
				TOTAL DIVERSION: CONSUMPTIVE USE:		17.10 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

				NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM			
10N	18E	13	:																	:				
								05																

TOTAL ACRES

POU County: CUSTER

Non-Irrigation Uses: NONE

Other Rights: A72-10326

Remarks: ATTACHED ARE COPIES OF DOCUMENTS SHOWING CONTINUING IRRIGATION OF LAND THROUGHOUT OUR OWNERSHIP. PLACE OF USE IS LOT 23, BLOCK 2, THE EAST FORK SUBDIVISION, CUSTER COUNTY.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

203

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:08:50
05/31/95

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A72-00230X

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

FIRST: RICHARD E
STATE: CA ZIP: 93514

OWNER CODE: C

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

FIRST: BARBARA J
STATE: CA ZIP: 93514

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: ATTACHED ARE COPIES OF DOCUMENTS SHOWING CONTINUING IRRIGATION OF
LAND THROUGHOUT OUR OWNERSHIP. PLACE OF USE IS LOT 23, BLOCK 2,
THE EAST FORK SUBDIVISION, CUSTER COUNTY.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 3, 11, 94 FH APPOINTMENT MADE: Y(____) N(✓)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A72-00230X 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(☐)

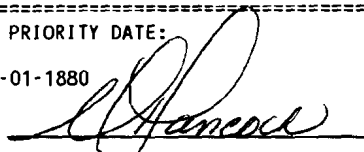
NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

05-01-1880

REVIEWED BY



DATE

9-15-98

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
A72-00230X	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

R72-00230Y

R72-10539

WR RECORDS IN SAME 40 ACRE TRACT

72-04097

72-04216

* 17 A PREFIX CLAIMS WITH THIS POD

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 9-2-98 NAME OF EXAMINER V. Hancock) Y(✓) N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: ACTUAL POD IN SE NE SW Section 24. Change in
POD verified on or before 1963 by documents
from IDFG ON CONSTRUCTION OF EF-5 Fish Screen at
location of diversion. See 72-00230 A.

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

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

SOURCE: SALMON RIVER, EAST FORK

TRIB: SALMON RIVER

REVIEWED BY: V. Hancock

DATE: 9-15-98

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	A72-00230X / 5.7	- /	34.0	4.7	4.7
			SE	NW		MACMILLEN, RICHARD E.	A72-00230Z / 5.1	- /			
			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

A72-00230X

5.70

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
A72-00230X	SALMON RIVER, EAST FORK	MACMILLEN, RICHARD E	0.172	0.030	0.34	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		
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
A72-00230Z	SALMON RIVER, EAST FORK	MACMILLEN, RICHARD E.	0.152	0.029	0.30	0.05
R72-10326	GROUNDWATER	MACMILLEN, BARBARA J	0.070	0.015		
A72-10326	GROUNDWATER	MACMILLEN, RICHARD E	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: A72-10326

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. V24; () TOPOGRAPHIC QUAD, IDWR NO. _____;

☒ NAPP, IDWR NO. V24 NE; () ASCS PHOTO; ☒ OTHER Subdivision Plat Map

NOTES:

Actual irrigated acres verified by Arc View GIS
using 1987-88 NAPP Aerial photography with
quarter/quarter overlay and Custer County tax lot
boundary overlay

RECOMMENDATIONS:

TOTAL ACRES: 4.7 N/A(☐)

REVIEWED BY:

H. Spencer

DATE:

9-15-98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A72-00230X IRRIGATION	FROM 04-01 TO 11-01	0.172 CFS	0.34 AF/A
TOTAL DIVERSION RATE/VOLUME		0.172 CFS	0.34 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: 0.172 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 Swoofle #200 current meter, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 47 x 0.02 CFS/ACRE = 0.09 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 = 0.34 AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 17.1 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:

Recommend as claimed per Hubble Analysis.

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	04-01 11-01	0.172 _____	0.34 _____	17.1 _____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT		0.172 _____	0.34 _____	17.1 _____

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:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(/)	()
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
-----------	--------	--------	-------

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:

Sum of splits includes claims not yet verified

=====

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>1987-94</u> IDWR ID NO. <u>V24</u>	Y(☒) N(☐)
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y(☐) N(☐)
☒ NAPP	DATE OF PHOTO <u>1987-88</u> IDWR ID NO. <u>V247C</u>	Y(☒) N(☐) GIS Shape 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>Tax lot boundary</u>	DATE <u>1998</u> <u>GIS Shape file</u>	Y(☒) N(☐)
☐ 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>5-11-94</u>	<u>3</u>	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>6/13/95</u>	<u>2</u>	<u>6/24/95</u>
☒ OTHER <u>decree analysis</u>	DATE <u>1980</u>	<u>2</u>	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:08:50
05/31/95

PAGE: 18
QUICKLOOK INFORMATION

18
CLAIM NUMBER: A72-00230X

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

WR5809NP
No. 72-00230

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/16/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FREDOLIN LEUZINGER	05/01/1880	IRRIGATION	00/00 00/00	8.000 CFS	
TOTAL DIVERSION:					8.000 CFS	

Water Source: SALMON RIVER, EAST FORK

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T10N R18E S24

NENW

SENW

CUSTER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
10N	18E	13	:																	:	
10N	18E	24	:			I						I	I	I		I	I	I		:	

Pou County: CUSTER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
72-04216 72-04230

Other Water Rights Listing Overlapping Place(s) of use:
72-00176 72-00228 72-00229 72-04097 72-04216

Dates:	App. Received:	Priority Date:	05/01/1880
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Audit: 02/11/86 05/28/88 CONVERT

Water Right Number - R72-00230X

Prefix Translation: RESEARCH

Old (D) Number - 72-230

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

*** C - CURRENT OWNER ***

MACMILLEN

RICHARD E.

1 - 2684 IRENE WAY

2 -

3 -

City- BISHOP

State- CA Zip- 93514

Phone - 619-872-2075

MACMILLEN

BARBARA J.

1 - 2684 IRENE WAY

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 0.172 0.34

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.172 0.34 17.1

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10N 18E 13 SE NW 5.7 01 IRRIGATION (37) CUSTER

Total Acres: 5.7

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

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A72-10326

+ - - - - Remarks - - - - - +
ATTACHED ARE COPIES OF DOCUMENTS SHOWING CONTINUING IRRIGATION OF
LAND THROUGHOUT OUR OWNERSHIP. PLACE OF USE IS LOT 23, BLOCK 2,
THE EAST FORK SUBDIVISION, CUSTER COUNTY.

Water right number - R72-00230X

Prefix Translation: RESEARCH

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

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

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

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

+ - - - - Comments - - - - - +
Date: 02/21/1994 User Id: HITCHCOC Subject: CLAIM NUMBER CHANGE
ORIGINALLY ENTERED AS A72-16026 TO EXPEDITE. NOW CORRECTLY PUT IN AS PART OF THE UNDERLYING DECREE FOR THE SUBJECT PROPERTY BY
FH 02-21-1994.

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

+ - - - - 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	- 11/08/1993	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S016355	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)

02/25/94 16:40:57
Page 1

Water Right Number - R72-16026

Prefix Translation: RESEARCH

Old (D) Number - 72-230

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

*** C - CURRENT OWNER ***
RENUMBERED_SEE A72-00230X

1 -
2 -
3 -
City- X State- CA Zip- 0
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
MACMILLEN

1 -
2 -
3 -
City- BISHOP State- CA Zip- 93514
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1880 17 SOUTHERN Z - SEE REMARKS

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

+ - - - - 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 0.172 0.34

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.172 0.34 17.1

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10N 18E 13 SE NW 5.7 01 IRRIGATION (37) CUSTER

Total Acres: 5.7

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

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A72-10326

+ - - - - Remarks - - - - - +
ATTACHED ARE COPIES OF DOCUMENTS SHOWING CONTINUING IRRIGATION OF
LAND THROUGHOUT OUR OWNERSHIP. PLACE OF USE IS LOT 23, BLOCK 2,

Prefix Translation: RESEARCH

	Remarks
	THE EAST FORK SUBDIVISION, CUSTER COUNTY. RENUMBERED TO IDENTIFY CLAIMED USAGE AS PART OF THE UNDERLYING DECREE FOR THE SUBJECT PROPERTY BY FH 02-21-1994. SEE A72-00230X

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

```
+-----+ Conditions of Approval -----+
No Conditions of Approval found.
```

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

-----Comments-----
 No Comments Found

+ - - Audit Fields - - +
02/25/94 HITCHCOC

+ - - - - - 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	- 11/08/1993	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-