

50-2

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: A72-04222A

Date Received: 11-30-89

Receipt No: 1005279

Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLENIS M. CHIVERS 208-879-4407
Address: HC 63 BOX 1771
CHALLIS, ID 83226

AND/OR

Name: GARTH T. CHIVERS 208-879-4407
Address: HC 63 BOX 1771
CHALLIS, ID 83226

2. Date of Priority: JUN 01, 1951

3. Source: WARM SPRING CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	19E	2	SE	NW	NE		CUSTER

5. Description of diverting works:
WOODEN HEADGATE, OPEN DITCH FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	09/01	4.000		

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

8. Total consumptive use is 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	19E	2	NE	NE		IRR	20.0
			NW	NE		IRR	30.0
						Section Acres	50.0
14N	19E	35	SW	SE		IRR	25.0
			SE	SE		IRR	25.0
						Section Acres	50.0
						Total Acres	100.0

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:

A72-10120 ; A72-00185A *gc Se.*

14. Remarks:

WATER IS A COMBINATION OF THE EXCESS WATER FLOWING DOWN THE CHANNEL OF WARM SPRING CREEK AND WASTE WATER DUMPED INTO THE CHANNEL FROM CHALLIS IRRIGATION.

|

THIS CLAIM IS FOR 50% OF THE ORIGINAL CLAIM FILED JOINTLY BY G. CHIVERS AND L. JOHNSON.

|

THIS WATER IS USED TO SUPPLEMENT THE DECREED RIGHT DESCRIBED BY CLAIM A72-10120.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: 2

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): Glenis M. Ehlert Date: 11-30-89

Date: _____

State of Idaho)
County of Custer) ss.

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

Anna Baunhoff
Notary Public

Seal

Anna Baunhoff, Notary Public
Residing at Residing at Boise, Idaho
My Commission Expires 11-30-1992

Water Right Number - 72-04222

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***
JOHNSON

LYNN

1 - BOX 87

2 -

3 -

City- CHALLIS

State- ID Zip- 83226

Phone -

1 - BOX 87

2 -

3 -

City- CHALLIS

State- ID Zip- 83226

Phone -

1 -

2 -

3 -

City-

State- Zip-

Phone -

1 -

2 -

3 -

City-

State- Zip-

Phone -

Phone -

+ - - Priority Date - - +
06/01/1951

+ - - Region - - - +
17

+ - - Stage - - - +
S - STATUTORY CLAIM

+ - - Status - - - +

+ - - Source - - - - - +
WARM SPRING CREEK

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

+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

13N 19E 2 NW NE (37) CUSTER
13N 19E 2 NE SE (37) CUSTER

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

01 - IRRIGATION 05/01 09/01 8.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
8.000

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

13N	19E	2	NE NE	40.0	01	IRRIGATION	(37) CUSTER
13N	19E	2	NW NE	40.0	01	IRRIGATION	(37) CUSTER
13N	19E	2	SW NE	40.0	01	IRRIGATION	(37) CUSTER
13N	19E	2	SE NE	40.0	01	IRRIGATION	(37) CUSTER
13N	19E	2	NE SE	40.0	01	IRRIGATION	(37) CUSTER

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Water right number - 72-04222 Adj. flag translation: Standard Water Right Number

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
13N	19E	2	NW SE		40.0	01	IRRIGATION	(37) CUSTER

Total Acres: 240.0

+ - - Diversion Means - ROCK DAM, CEMENT DIVERSION, DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -
SOURCE GIVEN AS WASTE WATER IN WARM SPRING CREEK.

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

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - + 00/00/0000
------------------------------------	------------------------------------	-----------------------------------

+ - - Audit Fields - 01/28/86 05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 01/28/1986	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000		

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MAR 18 1993

R19E

A72-04222

100 ACRES

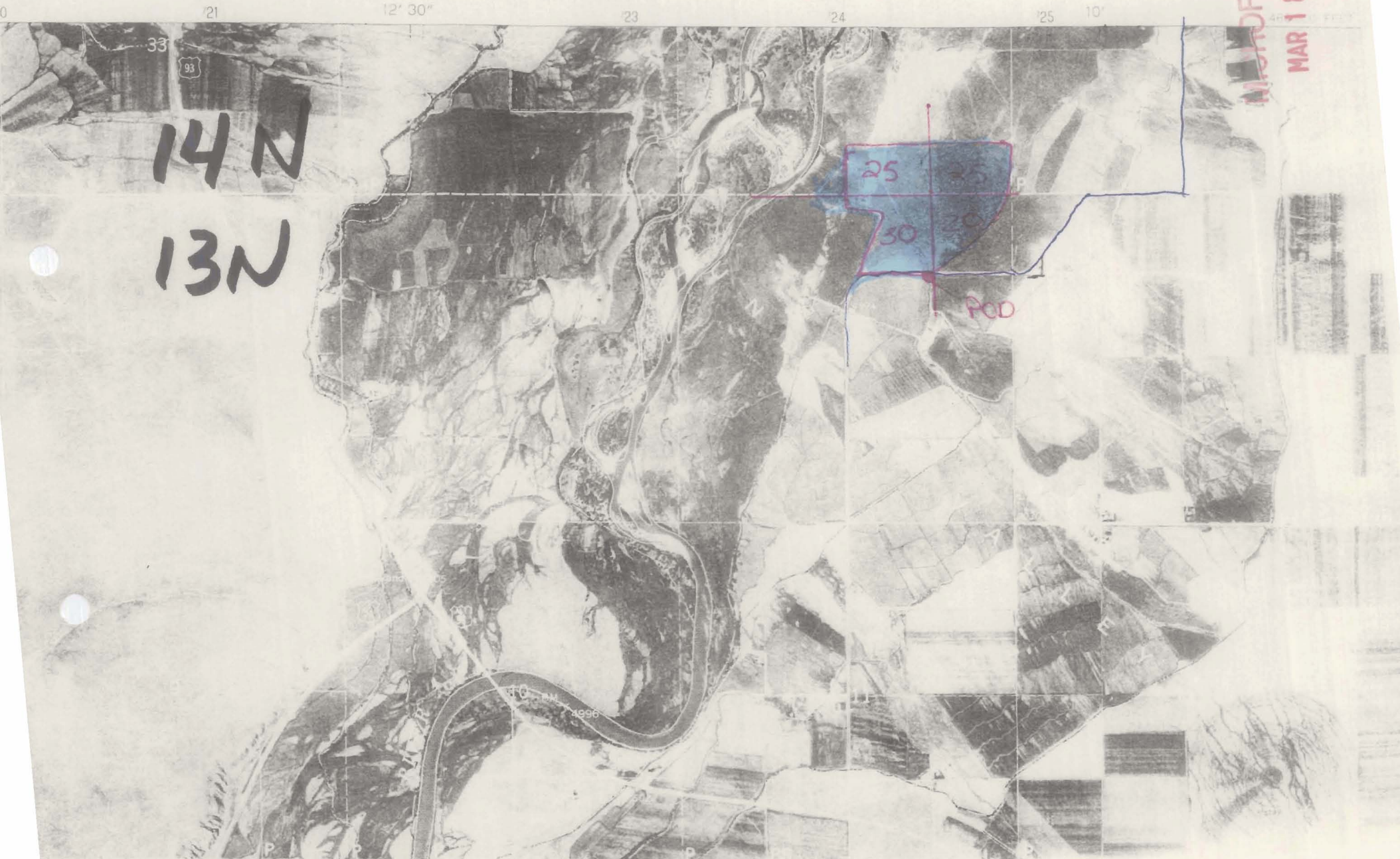
NOT RECORDED

MAR 18 1993

14N

13N

TERIOR
EY





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

March 2, 1992

R. KEITH HIGGINSON
Director

A72-04222A
GLENIS M. CHIVERS
GARTH T. CHIVERS
HC 63 BOX 1771
CHALLIS

ID 83226

RE: Evidence of Priority

RESPONSE DEADLINE

MAY 1, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **May 1, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 18 1993

Department of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

RE: Priority Date Affidavits

I have personal knowledge the water rights filed upon in
claim number 72-4222 (A) for beneficial use has been in
effect since at least 1951.

Frank Burstett

P.O. Box 554

Challis, Idaho

83226

4-29-92

State of Idaho)
County of Custer) §

On this 29 day of April, in the year of 1992, before
me SHARON HAMILTON, personally appeared FRANK BURSTETT,
known to me to be the person whose name is subscribed to the within instrument,
and acknowledged to me that he (she) (they) executed the same. Subscribed and
sworn to before me this 29 day of April, 1992.

Sharon Hamilton
Notary Public

My Commission Expires: 10-21-94 . Residing at: Challis, ID
MAR 18 1993

Department of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

RE: Priority Date Affidavits

I have personal knowledge the water rights filed upon in
claim number 72-4222 (A) for beneficial use has been in
effect since at least 1951.

Thomas W. Chivers
P.O. Box 538
Challis, ID 83301
4-29-92

State of Idaho)

County of Custer)

§

On this 29 day of April, in the year of 1992, before
me SHARON HAMILTON, personally appeared THOMAS W. CHIVERS,
known to me to be the person whose name is subscribed to the within instrument,
and acknowledged to me that he (she) (they) executed the same. Subscribed and
sworn to before me this 29 day of April, 19 92.

Sharon Hamilton
Notary Public

MAR 18 1993

My Commission Expires: 10-21-94

Residing at: Challis Id

AJ0749NP
No. R72-04222A

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

San
DATE: 11/17/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GLENIS M CHIVERS	06/01/1951	IRRIGATION	04-01 10-31	4.00 CFS	
C	GARTH T CHIVERS					
	HC 63 BOX 1771					
	CHALLIS ID 83226					
	(208) 879-4407					
				TOTAL DIVERSION:	4.00 CFS	

Water Source: WARM SPRING CREEK

Tributary to: SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T13N R19E S02 Lot02(SENWNE)

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
13N 19E 2	:	01-17	02-22	:	:	:	:	:	:	:	:	:	:	:	:	:	39.0
14N 19E 35	:	:	:	:	:	:	:	:	:	:	:	:	:	:	22	25	47.0
															TOTAL ACRES		86.0

POU County: CUSTER

Other Rights: 72-10120 & 72-00185A

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NOS. 72-10120 IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 18.61 CFS.
USE OF THIS RIGHT WITH RIGHT NOS. 72-00185A IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 5.37 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-10120 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 224.0 ACRES IN A SINGLE
IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 72-00185A IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 86.0 ACRES IN A SINGLE
IRRIGATION SEASON.

Dates: Exam Made Date: 08/04/1993 Verified Date: 11/17/1998 Objection Filed Date:

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

JM NUMBER A72-00185A } overlap DATE 10/7/98
A72-04222A } AGENT see
A72-10120

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 268
 GIS ACRE TOTAL 222.5

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
AIM	13N	19E	1						40											40
IS									19											19
COM									19											19
AIM			2	40	30															70
IS				36.4	22.5															58.9
COM				37	23															60
AIM	14N	19E	~~35~~ 36																	
IS																				
COM																				
AIM																				
IS																				
COM																				
AIM																				
IS																				
COM																				
AIM																				
IS																				
COM																				

2-DBPOU.SHP

LAPE NOS.
 149 - overlap w/ C1C = 38 AC
 150 - Upper McGowan only = 105 AC
 51 - N. overlap Pou = 67 AC
 62 S. overlap Pou = 15 AC
 53 W. overlap Pou = 3 AC

2-DBPOD.SHP

OS. DESCRIPTION
 61 - Challis Irr. Canal (72-00185A, 72-10120)
 65 - Warm Spring Cr. (72-4222A)

FTABLES UPDATED

2-DBPOU.DBF ✓ 10/8/98
 2-DBPOD.DBF ✓ see

A72-04222A

Revised Quantity Calculations

10/7/98
see

& OVERLAP REVIEW

72-00185A

was: 78 AC FIR = 2.97 .038 cfs/AC

Claim
10.0

now 86 AC

$$\rightarrow \times 0.038 = \underline{\underline{3.27 \text{ cfs}}}$$

* Revised Soils: ~~9.48~~
5.37

72-4222A

was 78 AC FIR = 2.97 .038 cfs/AC

Claim
4.0

now 86 AC

$$\rightarrow \times 0.038 = \underline{\underline{3.27 \text{ cfs}}}$$

* Revised Soils: ~~9.48~~
5.37

72-10120

was 205 AC FIR = 9.39 0.0458 cfs/AC

Claim
9.6

now 224 AC

$$\rightarrow \times 0.0458 = 10.26 \text{ cfs}$$

Revised Soils: 13.24
(only on 138 ac.)

* limit to Claim 9.60 cfs

Revised
Soils - Total cfs: 18.61 cfs

TOTAL CLAIMS = 23.6 cfs

} Combined use limit
18.61 when
Combined

✓ 11/17/98 see

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

A72-00185A

DATE: 11/17, 1998

A72-04222 A A72-10120

REVIEWED BY See

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION		SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA		PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62	PD2	.11	.12			5.15	4.74
BB1	.09	.09			6.09	6.17	Q	.26	.21			13.2	10.4
BC1	.16	.17			5.82	5.46	RE2	.29	.21			3.15	4.74
BK1	.07	.06			10.62	11.86	RP1	.19	.21			4.89	4.57
BT1	.18	.16			3.99	4.19	SH1	.06	.05			9.37	12.10
BT2	.41	.32			2.34	2.87	SOC	.08	.07			7.38	8.08
CB1	.06	.06			11.55	13.47	SSA	.15	.14			4.79	5.01
CHA	.21	.21			4.52	4.76	SXF	.12	.11			6.14	6.80
CP1	.36	.36			2.61	2.78	TC1	.06	.06			9.82	9.55
DB1	.13	.11			5.66	6.65	TD1	.04	.03			12.46	16.50
DBB	.13	.11			5.71	6.69	WB2	.13	.13			5.37	5.43
DBC	.13	.11			5.71	6.69	WAA	.19	.16			3.81	4.23
DMF	.18	.21			5.12	4.72	WBB	.17	.14			3.36	3.84
DRF	.18	.19			9.08	9.68	WC1	.07	.06			11.24	13.45
DT2	.05	.04			12.46	16.50	WPT	.19	.15			3.16	3.69
DWA	.14	.14			4.79	5.01	WV1	.07	.06			11.24	13.45
GO1	.10	.12			12.47	10.51	XHS						
KEG	.08	.07			8.73	10.06	YN1	.18	.14			5.38	6.92
MBF	.15	.12			7.65	5.81							
MUG	.15	.14			4.54	4.98							
NDL	.13	.12			5.30	6.06							

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.

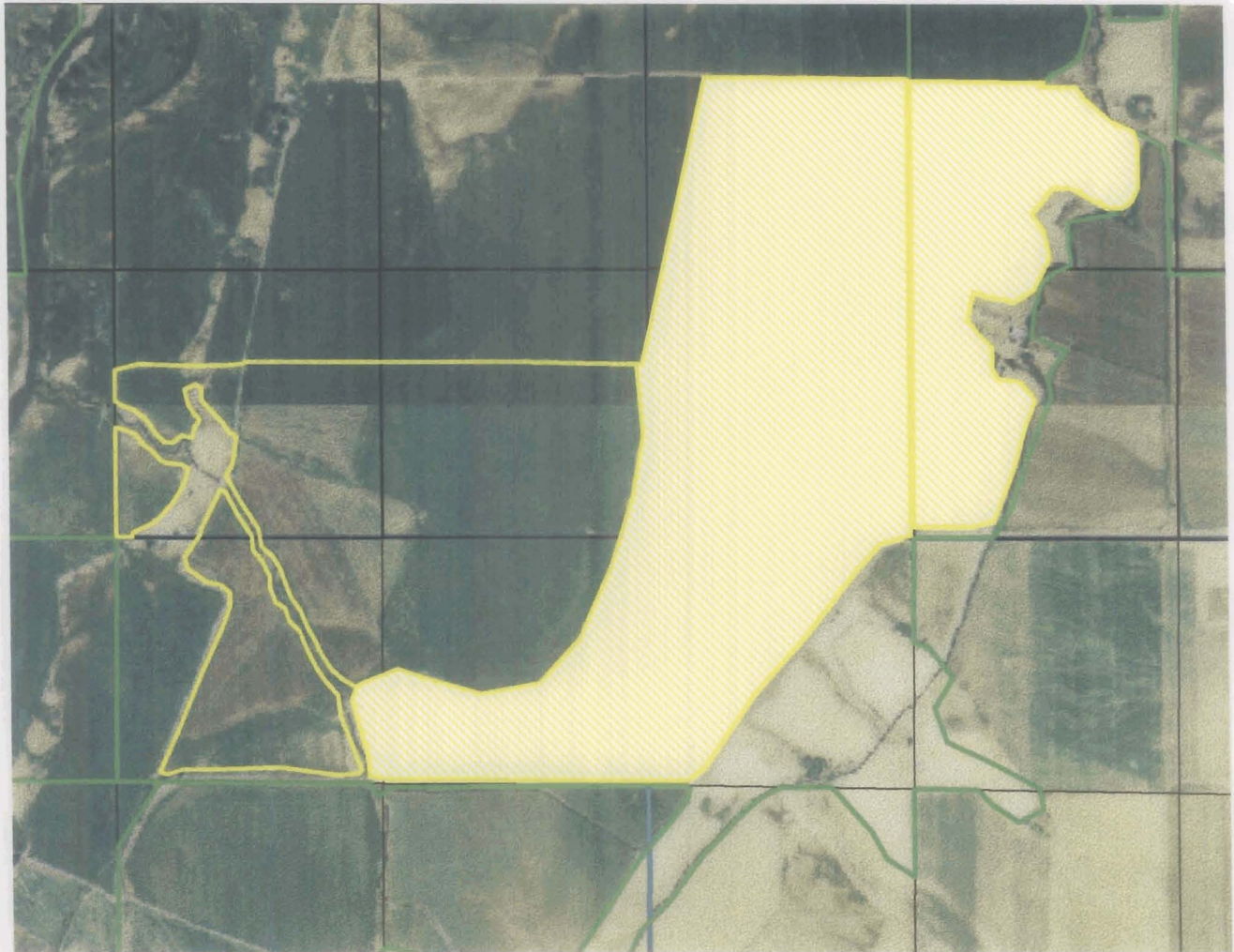
SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
-----------	----------------------------	---------------------------	-----------------------------	-----------------------	----------------------

CHA	/	*	-	* .21	= <u>185A/4222A</u> <u>-10/20</u>
DWA	/	*	-	* .14	= <u>9 x .21 = 1.89</u>
TC1	/	*	<u>78.39</u>	* .06	= <u>48 x .14 = 6.72</u>
TD1	/	*	<u>55.26</u>	* .03	= <u>73 x .06 = 4.38</u>
WB2			<u>15</u>	.13	= <u>8.4 x .03 = 0.25</u>
WV1			<u>205</u>	.06	<u>138.4</u>
TOTAL ACRES				DECLARED RATE	<u>13.24</u>
				CLAIMED DIVERSION RATE	<u>118.61</u>
				MEASURED DIVERSION RATE	<u>122.02</u>

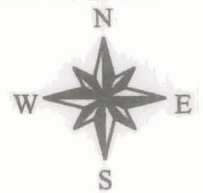
223.4

IDAHO DEPARTMENT OF WATER RESOURCES

72-00185A, 72-04222A & 72-10120



660 0 660 1320 Feet

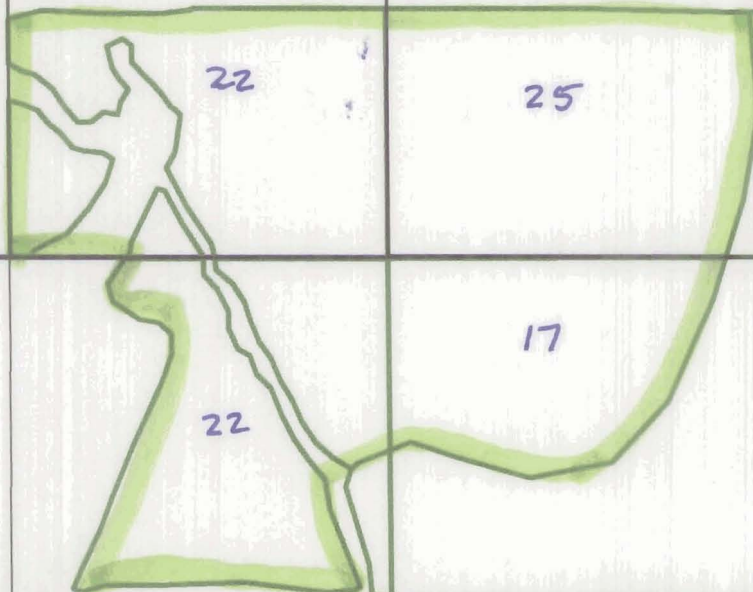


TWN: 13N 14N
RNG: 19E 19E
SEC: 1 & 2 35 & 36

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND

DATE: OCT. 7, 1998



A72-00185A } = 86 Ac.
A72-04222A }

CHALLIS
IRR. CO.
POW

see
10/7/98

A72-04222A

FROM: Allen Merritt *AM*

DATE: November 21, 1996

TO: Transfer File No. 4900
In the Name of: CHIVERS

SUBJECT: Review and Recommendation

The main purpose of this transfer is to change the point of diversion. This change results in elimination of two old ditches and concentration of diversion in another existing diversion which benefits the salmon recovery effort. As a side purpose the transfer is structured to create a PPU for the rights involved which could be argued already exists. The transfer was advertised without protest. A review of the rights by the SRBA staff has found that less acres have historically been irrigated and less water beneficially used than what the records of the rights shows and the application represents. The applicant has been made aware of the SRBA findings but no further effort has been made by the applicant to provide additional information to justify changing the SRBA preliminary recommendations.

RECOMMENDATION

I recommend the transfer be approved based on the SRBA findings. See the "Overlap Review for Chivers" and the "R" records for the rights involved which have been created by Steve Clelland and included in the file.

The following are the recommended acres:

Twp 13N, Rge 19E, Section 1		
NENE lot 4		16 acres
Twp 13N, Rge 19E, Section 2		
NENE lot 1		36 acres
NWNE lot 2		17 acres
Twp 14N, Rge 19E, Section 35		
SWSE		18 acres
SESE		25 acres
Twp 14N, Rge 19E, Section 36		
NESW		19 acres
NWSW		22 acres
SWSW		39 acres
SESW		13 acres
Total acres		205 acres

RECOMMENDED CONDITIONS:

-Subject to SRBA Review. (Since the rights are recommended to be limited by historical beneficial use

which is judged by the current Hubble Analysis Method, and such method may be changed due to current court challenge I recommend that the IDWR retain jurisdiction to change recommended rates)

-Limit 72-00185 part to 4.39 cfs. Limit 72-00239 to 4.40 cfs. Limit 72-00240 to 2.23 cfs. Total combined use shall not exceed 11.02 cfs including when combined with 72-04222A which provides water from another source. (9.39 cfs being for Field Irrigation Requirements and 1.63 cfs being for Conveyance Loss in delivery system).

-Measuring device & control works at point of diversion.

MAY 06 1996

APPLICATION FOR TRANSFER OF WATER RIGHT

Department of Water Resources
Southern Region

PART 1

Name of applicant GARTH T & GLENIS M. CHIVERS Phone 208-879-4407
Post Office address Hc 63 Box 1771 Challis ID 83226

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Create PPU
- Describe the reason for the proposed changes elimination of Salmon River diversion by consolidation into Challis Irrigation Co Canal system

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|-----------------|--------------------|-------------------|------------------------------|
| <u>72 00185D</u> | <u>4-1 1887</u> | <u>*10.6 CFS</u> | <u>IRRIGATION</u> | <u>04-01</u> to <u>11-01</u> |
| <u>72 00239</u> | <u>6-1-1890</u> | <u>4.4 CFS</u> | <u>IRRIGATION</u> | <u>04-01</u> to <u>11-01</u> |
| <u>72 00240</u> | <u>6-1-1890</u> | <u>5.2 CFS</u> | <u>"</u> | <u>04-01</u> to <u>11-01</u> |
| | | <u>*19.6</u> | | |
- Total amount of water being transferred 24.8 cubic feet per second and/or _____ acre-feet per annum.
- Source of water SALMON RIVER tributary to SNAKE RIVER
- Point(s) of Diversion: * Per telecon w/applicant 5-8-96

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>5</u>		<u>SW</u>	<u>NE</u>	<u>32</u>	<u>13N</u>	<u>19E</u>	<u>Custer</u>	<u>S-32 Challis Irrigation G Co</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>13N</u>	<u>19E</u>	<u>1</u>																	<u>40.0</u>
		<u>2</u>	<u>40.0</u>	<u>30.0</u>															<u>70.0</u>
<u>14</u>	<u>19E</u>	<u>35</u>															<u>25.0</u>	<u>25.0</u>	<u>50.0</u>
		<u>36</u>									<u>23.0</u>	<u>30.0</u>	<u>40.0</u>	<u>15.0</u>					<u>108.0</u>

★ SRBA REVIEW FINDINGS INDICATE A TOTAL OF 10.77 CFS FOR IRRIGATION OF A TOTAL OF 205.0 ACRES.

★ Total acres 268.0

PART 1

6. General Information:

- a. Description of diversion system Rock wing in River headgate canal to
place of use
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No _____. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
none

d. Remarks:

A 72-1013 represents combined right 72-00238 + 72-00240
Land that used to sub-irrigate will now have to be irrigated with ditches
or sprinklers. Due to the installation of sprinklers on adjacent land, sub
water is no longer sufficient as a water supply for some of my farm.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

X Lamb Chivers

(Signature of Applicant)

Subscribed and sworn to before me this 6th day of March, 19 96.

Violet Stevens

(Notary Public)

My commission expires 2/28/2002

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 3 attachments

Received by MB Date 4/2/96 5-6-96 Protest filed by

Prelim. check by CS Fee 100.00 50/9/09

Receipted by JS Date 5-7-96

Published in Challis Messenger Post Register Times News, F.D. Statesman, Copies of protest forwarded by

Pub. dates 9/26 + 10/3/96 Lamington Tribune Hearing held by Date

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

rec'd. by

Copy of transfer sent to lien holder

RECEIVED**MAY 08 1996**

**Department of Water Resource
Southern Region**

AJ0749NP
No. R72-00185A

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

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See

DEC 03 1996

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARTH T CHIVERS	04/01/1887	IRRIGATION	04-15 10-15	4.39 CFS	
C	GLENIS M CHIVERS					
	HC 63 BOX 1771					
	CHALLIS ID 83226					
	(208) 879-4407					
				TOTAL DIVERSION:	4.39 CFS	

Water Source: SALMON RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T13N R19E S11 Lot04(NWNWSW)

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			
13N	19E	2	:	01-18	02-17															:	35.0			
14N	19E	35	:																	:	43.0			
																			18	25	:	78.0		
																			TOTAL ACRES					

POU County: CUSTER

Other Rights: 72-10120 & 72-04222A

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NOS. 72-04222A & 72-10120 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.02 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NOS. 72-04222A & 72-10120 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 205.0 ACRES IN A SINGLE IRRIGATION SEASON.

CON USE OF THIS RIGHT WITH RIGHT NOS. 72-04222A & 72-10120 IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 512.5 AF.

EXP WATER IS DELIVERED THROUGH LOWER MCGOWAN DITCH.
1.04 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 72-00185D, 72-04192C & 72-10504.

Dates: Exam Made Date: 08/04/1993

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

AJ0749NP
No. R72-00185A

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

DATE: 11/21/96
PAGE: 2

=====

Comments: Date: 02/11/1994 User-ID: CLELLAND Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR 25% OF THE TOTAL WATERS DECREED IN THE LOWER
MCGOWAN DITCH.

Date: 02/11/1994 User-ID: CLELLAND Subject: SPLIT RECOMMENDATION (revised 11-21-1996 scc)
THIS CLAIM IS SPLIT TO BETTER DESCRIBE THE SEPARATE SYSTEMS USED
AND TO BETTER DESCRIBE THE COMBINED RIGHTS USED WITH PART C.
SEE THE NOS. 72-00185C AND 72-00185D.

|
11-21-1996 scc: Further information has shown the systems are
not separated as first viewed. Claim is now under -185A.

Date: 11/21/1996 User-ID: SCLELLAN Subject: COPIED FROM REMARKS
WATER IS DELIVERED THROUGH LOWER MCGOWAN DITCH.
1.04 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 9.6 CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 475 AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF 190 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-04222A & 72-10120.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00185D, 72-04192C & 72-10504.

Audit: 11/21/96 SCLELLAN

DEC 03 1996

OVERLAP REVIEW FOR CHIVERS

A72-00185A

CLAIM: 103 AC 10.00 CFS LOWER MCGOWAN
EXAM: 78 AC 4.39 CFS LOWER MCGOWAN
(Allows for 1.42 cfs conveyance losses.)
(FIR 2.97 + CL 1.42 = 4.39 CFS)

A72-04222A

CLAIM: 100 AC 4.00 CFS WARM SPRING CREEK
EXAM: 78 AC 2.97 CFS WARM SPRING CREEK
(No conveyance losses shown)
(FIR 2.97 + CL 0.00 = 2.97 CFS)

The 78.0 acres shown in the above two rights are the same parcels of land irrigated by two separate sources.

A72-10120

CLAIM: 268 AC 9.60 CFS UPPER MCGOWAN
EXAM: 205 AC 9.60 CFS UPPER MCGOWAN
(Allows for 0.21 cfs conveyance losses.)
(FIR 9.39 + CL 0.21 = 9.6 CFS)

The 205.0 acres shown above overlaps the 78.0 acres listed in the top two descriptions.

COMBINED USE LIMITS:

FIR 9.39 + CL 0.21 + CL 1.42 = 11.02 CFS
Place of Use limited to the 205 acres listed in reports.

REMARKS:

A72-00185A was originally proposed to be separated into parts -185C & -185D because of delivery systems and combined remark limits. During my on site visit with Mr. Chivers in fall of 1994 he demonstrated the use of Upper McGowan Ditch water and Warm Spring Creek water on the 15 acres west of the Warm Spring Creek channel. Right should now reflect again as A72-00185A; parts C & D are no longer necessary.

The other two rights have been revised to add the 15 acres west of Warm Spring Creek channel to the previously determined amounts. Field Irrigation Requirement (FIR) was calculated at 0.79 cfs for the 15.0 acres (0.053 cfs/acre). (63 acres at 2.18 cfs FIR and the balance of 127 acres FIR was 6.42 cfs.)

A72-10120 shows no increase in cfs amount, despite the additional 15.0 acres, since the proposed recommendation is equal to the claimed amount of 9.60 cfs.

PREPARED BY SCC
ON 11/20/96
FILE(mm:chivers.doc)

A72-04222 A

DEC 03 1996

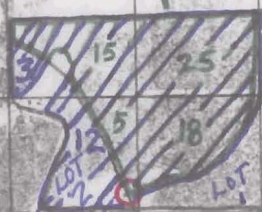
A72-04222 A

WARM SPRING
CREEK
POU

POOR ORIGINAL

35

36



POD

2

UPPER
MCGWAN
DITCH

WARM
SPRING
CREEK

CLAIM A72-04222 A INIT _____
T. R. S. Q/Q
P/D 13N 19E 2 SE NWNE Lot 2
PHOTO OPQ U25
DT.&ID. 7-24-74

~~MICROFILMED~~
NOV 01 1984

11-20-96 SCC
Revised Pou - 100% overlap with right
A72-00185A & A72-10120
partial overlaps.

TOTAL ACRES = 78 ACRES

CLAIM NO. A72-04222 A
DATE DOCUMENT UPDATED
11-20-96
AGENT SCC

DEC 03 1996

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

DEC 03 1996
A72-04222A

PERMIT RATE
78 x 0.02 CFS/ACRE = 1.56 CFS
(Taken from p/u review)
WILL CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(X) AAA

CONSUMPTIVE USE

CONSUMPTIVE USE = 257.5 Acre/A

x CONSUMPTIVE VOL. Acre/A FOR AREA

TOTAL CONSUMPTIVE USE Acre/A

DIVERSION VOLUME

DIVERSION VOLUME = Acre/A

x DIVERSION VOL. Acre/A FOR AREA

TOTAL DIVERSION VOLUME Acre/A

USES FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

No limitations on CONSUMPTIVE USE for combined rights.

Hubble Analysis

72-00185C

72-00185D

allow cfs

2.18 cfs

63 acres

combined CU.

475 AFA

2.18^{cfs} Fir
+ 1.04^{cfs} CL

= 3.22 cfs

15 Ac

0.59 cfs (12 Ac)

0.20 (3 Ac)

0.79 cfs Fir

+ 0.38 Conveyance loss

1.17 cfs

Conveyance losses

7600' ditch delivers 2.97 cfs = 1.41 cfs

CU:
15 x 2.5 = 37.5

11-20-96 see

Copied from CVR in A72-00185A

F.I.R. 2.18 + 0.79 = 2.97 cfs

(applied to 78.0 Acres)

A72-04222A

proportional Rate

$\frac{1.41 \text{ cfs loss}}{2.97 \text{ cfs Del}} = 0.475$

$2.18 \times .475 = 1.04$
 $0.79 \times .475 = 0.38$

1.42 cfs

DEC 03 1996

R PROOF

X

CVR

X

MAPS

X

PHOTOS

MISC

AJ0749NP
No. R72-04222A

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

DATE: 02/15/94
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```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE    VOLUME
-----
C  GLENIS M CHIVERS    06/01/1951    IRRIGATION    04-15  10-15    2.18 CFS
C  GARTH T CHIVERS
   HC 63 BOX 1771
   CHALLIS ID 83226
   (208) 879-4407
                                     TOTAL DIVERSION:    2.18 CFS
=====
```

Water Source: WARM SPRING CREEK

Tributary to: SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T13N R19E S02 Lot02(SENWNE)

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	
13N	19E	2	:	01-18	02-05															:	23.0	
14N	19E	35	:															15	25	:	40.0	
																				TOTAL ACRES		63.0

POU County: CUSTER

Other Rights: 72-10120 & 72-00185C

Remarks: USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 9.60 CFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 475 AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF 190 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-10120 & 72-00185C.

Dates: Exam Made Date: 08/04/1993 Verified Date: 02/15/1994

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

Comments: Date: 02/10/1994 User-ID: CLELLAND Subject: COPIED FROM REMARKS
WATER IS A COMBINATION OF THE EXCESS WATER FLOWING DOWN THE
CHANNEL OF WARM SPRING CREEK AND WASTE WATER DUMPED INTO THE
CHANNEL FROM CHALLIS IRRIGATION.

MICROFILMED
NOV 01 1994

=====

Comments: Date: 02/10/1994 User-ID: CLELLAND Subject: COPIED FROM REMARKS

|
THIS CLAIM IS FOR 50% OF THE ORIGINAL CLAIM FILED JOINTLY BY
G. CHIVERS AND L. JOHNSON.

|
THIS WATER IS USED TO SUPPLEMENT THE DECREED RIGHT DESCRIBED BY
CLAIM A72-10120.

Date: 02/10/1994 User-ID: CLELLAND Subject: RECOMMENDATION
A DIVERSION RATE OF 0.035 CFS PER ACRE AT THE FIELD HEADGATE IS
INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE AS PER
THE HUBBLE REVIEW FOR THIS RIGHT.
THIS RIGHT IS OVERLAPPED COMPLETELY BY A72-10120 AND A72-04222A.

Audit: 02/15/94 CLELLAND

MICROFILMED
NOV 01 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

03:31:30
06/05/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A72-04222A

LAST: CHIVERS
ADDRESS: HC 63 BOX 1771
CITY: CHALLIS
PHONE NUMBER: 208-879-4407
OWNER CODE: C

FIRST: GLENIS M.
STATE: ID ZIP: 83226

~~LAST: JOHNSON~~
~~ADDRESS: BOX 87~~
~~CITY: CHALLIS~~
~~PHONE NUMBER: 208-000-0000~~
~~OWNER CODE: 0~~

FIRST: LYNN
STATE: ID ZIP: 83226

~~LAST: JOHNSON~~
~~ADDRESS: BOX 87~~
~~CITY: CHALLIS~~
~~PHONE NUMBER: 208-000-0000~~
~~OWNER CODE: 0~~

FIRST: ROSE
STATE: ID ZIP: 83226

LAST: CHIVERS
ADDRESS: HC 63 BOX 1771
CITY: CHALLIS
PHONE NUMBER: 208-879-4407
OWNER CODE: C

FIRST: GARTH T.
STATE: ID ZIP: 83226

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS:

WATER IS A COMBINATION OF THE EXCESS WATER FLOWING DOWN THE
CHANNEL OF WARM SPRING CREEK AND WASTE WATER DUMPED INTO THE
CHANNEL FROM CHALLIS IRRIGATION.

THIS CLAIM IS FOR 50% OF THE ORIGINAL CLAIM FILED JOINTLY BY
G. CHIVERS AND L. JOHNSON.

THIS WATER IS USED TO SUPPLEMENT THE DECREED RIGHT DESCRIBED BY
CLAIM A72-10120.

MICROFILMED
NOV 01 1994

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 8/4/93

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

see Main Review in A72-10120

Confirmed this use is valid; comingled w/ Upper McGowan Ditch Water in Warm Spring Creek, and probably lower McGowan Ditch Waters also.

No measuring devices found to allow accurate accounting for the waters diverted to pond.

Maps used in Review of this file:

OPQ U25 7-24-74

BLM aerial 10-10C-6 dated 7-16-88

ASCS photo AA-12 #16037-178 c. 1978

SOILS map 243-38; based on HAP photo 441415 dated 9-2-84

Gout Lot maps.

A. AJ CLAIM: # A72-04222A

PRIORITY DATE: 06-01-1951

STAGE: J

B. WR RECORD: # 72-04222

PRIORITY DATE: 06-01-1951

STAGE: S

(J)

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
Y

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(X) N()
IF YES EXPLAIN.

REMARKS: *affidavits claim personal knowledge - very vague on details.*

RECOMMENDED PRIORITY DATE:
06-01-1951

REVIEWED BY

Sw

DATE

2-16-94

MICROFILMED
NOV 01 1994

A. AT CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT TWP. RGE. SEC.

2	19E	13N	A72-0422A
---	-----	-----	-----------

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX A72-00146A
B PREFIX NONE

SOURCE: WARM SPRING CREEK

B. WE POINT OF DIVERSION AND SOURCE:

RIGHT

TWP. RGE.

SEC*

72-04222	13N	19E	2
72-04222	13N	19E	2

OTHER WR RECORDS WITH SAME WR POD

72-07364

SOURCE: WARM SPRING CREEK

TRIB: SALMON RIVER

A72-00146A
A72-04222B
A72-10118
A72-10119

NONE

AT CLAIMS IN SAME 40 ACRE TRACT A PREFIX R PREFIX

A PREFIX

1/4	1/4	1/4	LOT
-----	-----	-----	-----

TRIB: SALMON RIVER

NONE

MR RECORDS IN SAME 40 ACRE TRACT

SE	1/4	NW	1/4	NE	1/4
----	-----	----	-----	----	-----

CNTY	CLUSTER
001	001
002	002
003	003
004	004
005	005
006	006
007	007
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010	010
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012	012
013	013
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091	091
092	092
093	093
094	094
095	095
096	096
097	097
098	098
099	099
100	100

107

ACT

107

CLUSTER
CLUSTER

ONLY

FIELD
EXAMINER

DATE

DUE TO POD DISCREPANCY? (Y/N)
 DUE TO SOURCE DISCREPANCY? (Y/N)

N 1

REMARKS:

C. FIELD EXAM REQUIRED?

Confirmed per cc drawing, added lot # 2

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

OK

2

SOURCE: WARM SPRING CREEK

TRIB: SALMON RIVER

REVIEWED BY:

SCC

DATE:

2-16-94

MICROFILMED
NOV 01 1994

A. ROOT WATER RIGHT NUMBERS: A72-04222
A72-04222A

A72-04222B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13N	19E	2	NE	NE	1	CHIVERS, GLENIS M.	A72-04222A /20.0	-	/	18	
			NE	NE	1	CHIVERS, GARTH T.	A72-00146A /	-	/		
			NE	NE	1	CHIVERS, GARTH T.	A72-00185A /20.0	-	/		
			NE	NE	1	CHIVERS, GARTH T.	A72-10120 /40.0	-	/		
			NE	NE	1	GEORGE MC GOWAN CO.		72-00185	/		
			NE	NE	1	SHULL, FRANK		72-00240	/		
			NE	NE	1	WESTERGARD, GOLDEN C.		72-04178	/38.0		
			NE	NE		JOHNSON, LYNN		72-04222	/40.0		
13N	19E	2	NW	NE	2	CHIVERS, GLENIS M.	A72-04222A /30.0	-	/	5	
			NW	NE	2	CHIVERS, GARTH T.	A72-00146A /	-	/		
			NW	NE	2	CHIVERS, GARTH T.	A72-00185A /30.0	-	/		
			NW	NE	2	CHIVERS, GARTH T.	A72-10118 /	-	/		
			NW	NE	2	CHIVERS, GARTH T.	A72-10119 /	-	/		
			NW	NE	2	CHIVERS, GARTH T.	A72-10120 /30.0	-	/		
			NW	NE	2	SALMON RIVER HERFORD RANCH	A72-04192C /10.0	-	/		
			NW	NE	2	GEORGE MC GOWAN CO.		72-00185	/		
			NW	NE	2	SHULL, FRANK		72-00240	/		
			NW	NE	2	BURSTEDT, FRANK		72-00243	/		
			NW	NE	2	BURSTEDT, FRANK		72-04005	/		
			NW	NE	2	WESTERGARD, GOLDEN C.		72-04178	/37.0		
			NW	NE	2	WESTERGARD, GOLDEN C.		72-04192	/12.0		
			NW	NE		JOHNSON, LYNN		72-04222	/40.0		
14N	19E	35	SW	SE		CHIVERS, GLENIS M.	A72-04222A /25.0	-	/	15	
			SW	SE		HUNT, RYAN N.	A72-04192A /13.0	-	/		
			SW	SE		CHIVERS, GARTH T.	A72-00146A /	-	/		
			SW	SE		CHIVERS, GARTH T.	A72-00185A /25.0	-	/		
			SW	SE		CHIVERS, GARTH T.	A72-10120 /25.0	-	/		
			SW	SE		CHIVERS, GARTH		72-00146	/		
			SW	SE		GEORGE MC GOWAN CO.		72-00185	/		
			SW	SE		SHULL, FRANK		72-00240	/		
			SW	SE		RIGGS, PAUL, ET. AL.		72-00241	/		
			SW	SE		WESTERGARD, GOLDEN C.		72-04178	/26.0		
			SW	SE		WESTERGARD, GOLDEN C.		72-04192	/13.0		
14N	19E	35	SE	SE		CHIVERS, GLENIS M.	A72-04222A /25.0	-	/	25	
			SE	SE		HUNT, RYAN N.	A72-04192A /13.0	-	/		
			SE	SE		CHIVERS, GARTH T.	A72-00146A /	-	/		
			SE	SE		CHIVERS, GARTH T.	A72-00185A /25.0	-	/		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	SE		CHIVERS, GARTH T.	A72-10120	725.0	-	/	
			SE	SE		CHIVERS, GARTH		72-00146	/		
			SE	SE		GEORGE MC GOWAN CO.		72-00185	/		
			SE	SE		SHULL, FRANK		72-00240	/		
			SE	SE		RIGGS, PAUL, ET. AL.		72-00241	/		
			SE	SE		WESTERGARD, GOLDEN C.		72-04178	/26.0		
			SE	SE		WESTERGARD, GOLDEN C.		72-04192	/13.0		
TOTAL ACRES							A72-04222A	100.00	78.00	63	Same

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

FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG: No

REMARKS:

DATABASE
Y

FIELD
EXAMINER
Y

POU COUNTY: CUSTER

→ See A72-10120, A72-00185A

All 63 acres are covered completely in Overlaps
(w/ these two rights)

RECOMMENDATIONS:

TOTAL ACRES: 63 acres

REVIEWED BY: Sen

DATE: 2-10-94

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A. AJ CLAIMED USES:

A72-04222A PURPOSES
IRRIGATION

MONTH/DAY
FROM 05-01 TO 09-01

4-15-10-15

DIVERSION QUANTITY
4.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

4.000 CFS

B. WR RECORDED USES:

72-04222 PURPOSES
IRRIGATION

MONTH/DAY
FROM 05-01 TO 09-01

DIVERSION QUANTITY
8.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

8.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

DATABASE
N
Y
N

FIELD
EXAMINER

y
y
y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N()

Explain in remarks, below.

REMARKS:

std season

due to Combined sources
all should have same season
as would be used.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 4.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 8.000 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

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

FIELD EXAMINER
DATABASE Y

Yes

FLOW MEASUREMENT

MEASUREMENT METHOD

Current Meter @ Headgate on Creek

SEE ATTACHED CALCULATIONS

meas. 8.01 cfs

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

OTHER RIGHTS LISTED IN CLAIM: A72-10120, 72-00185C

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-04222A	WARM SPRING CREEK	CHIVERS, GLENIS M.	4.000	0.040		
A72-00185A	SALMON RIVER	CHIVERS, GARTH T.	10.000	0.097		
A72-04192A	SALMON RIVER	HUNT, RYAN N.	6.190	0.067		
A72-04192C	SALMON RIVER	SALMON RIVER HERFORD RANCH	15.000	0.050		
A72-10120	SALMON RIVER	CHIVERS, GARTH T.	9.600	0.035		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-00146A	STOCKWATER	CHIVERS, GARTH T.	FROM 11-01 TO 03-01	4.000 CFS	

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PAGE: 10
DIVERSION AMOUNT REVIEW SHEET CONTINUED

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES ~~190~~ ⁶³ $\times 0.02$ CFS/ACRE = 1.26 CFS
(Taken from p/u review)
DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(☒) N(☐)

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

2. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = 250.0 AE/A
ACRES 63 $\times$ CONSUMPTIVE VOL. AE/A FOR AREA 25 =
TOTAL CONSUMPTIVE USE ~~1575~~ AE/A
157.5

3. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = AE/A
ACRES 63 $\times$ DIVERSION VOL. AE/A FOR AREA 25 =
TOTAL DIVERSION VOLUME 1575 AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:
SEE ATTACHED SHEET? Y(☐) N(☐)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

See Hubble Review in
A72-10120

allows total of 2.18 cfs

$$\frac{2.18 \text{ cfs}}{63 \text{ AC}} = 0.035 \text{ cfs/AC}$$

No conveyance losses found
w/ this right.

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	4-15	10-15	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
TOTAL FOR THIS RIGHT	~~05-01~~	~~09-01~~	~~4.000~~	2.18	N/A		~~250.0~~	~~250.0~~
REVIEWED BY:	DATE:							

Combined
E12
475 AF

~~E12~~
E12

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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: 72-04222

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
A72-04222	A72-04222A	4.000	-		72-04222	8.000
A72-04222	A72-04222B	4.000	-		72-04222	8.000
TOTAL CFS		8.000				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 sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

OK

REMARKS:

AUTHENTICATION:

SIGNATURE:

John O'Connell

DATE:

2-10-94

NAME OF FIELD EXAMINER:

TITLE:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

03:31:30
06/05/92

CLAIM NUMBER: A72-04222A

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	(Y)	affidavits 5-1-92	8-4-93 SW	N	6.	SW 2-10-94	SW 2-10-94	SW 2-15-94
POINT OF DIV	Y			(Y)	12456			
SOURCE				N				
PLACE OF USE	Y			(Y)	12456			
DIV. AMOUNT CES/VOLUME	Y			(Y)	56			
CONSUMPTIVE USE	-			(Y)	6.			
PURPOSES				N				
PERIOD OF USE				(Y)	6.52			
BASIS OF CLAIM	Y			N				
REMARKS	Y			(Y)	6.			

SW
12-15-92

"VERIFIED BY" CODES

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

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

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NOV 01 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

04:09:43
06/05/92

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A72-04222A

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GLENIS M. CHIVERS	06/01/1951	IRRIGATION	4-15-10-15	2.18	
C	GARTH T. CHIVERS HC 63 BOX 1771 CHALLIS ID 83226 (208) 879-4407			05 01 09 01	4.00 CFS	
TOTAL DIVERSION:					4.00 CFS	
CONSUMPTIVE USE:					218	250.0 AFA

Water Source: WARM SPRING CREEK

Tributary to: SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T13N R19E S02

SEWNNE L.2

CUSTER County

Place of use Legal Description for: IRRIGATION

T	R	S	NE				NW				SW				SE				SUM					
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE						
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
13N	19E	2	1-20	2-30																				
14N	19E	35	18	5																				
TOTAL ACRES																					15	25	100.0	63

POU County: CUSTER

Other Rights: 172-10120 & 72-00185C

Remarks: WATER IS A COMBINATION OF THE EXCESS WATER FLOWING DOWN THE CHANNEL OF WARM SPRING CREEK AND WASTE WATER DUMPED INTO THE CHANNEL FROM CHALLIS IRRIGATION.

THIS CLAIM IS FOR 50% OF THE ORIGINAL CLAIM FILED JOINTLY BY G. CHIVERS AND L. JOHNSON.

THIS WATER IS USED TO SUPPLEMENT THE DECREED RIGHT DESCRIBED BY CLAIM A72-10120.

→ move to Comm

Dates: Exam Made Date: 8-4-93

Verified Date: 01/28/1986

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: 8

SN
2-10-94

w/ 72-10120
72-00185C
E12 = 475 AF

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2-15-94

BLM

24-ID

ORIGINAL

POW

POW

CLAIM A72-4222A INIT SW
T. R. S. Q/Q

P/D

PHOTO BLM AERIAL 10-10C-6
DT.&ID. 7-16-88 (U25NE)

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NOV 01 1994

2-10-94
2/2

Review Notes
A72-10120
A72-04222A
A72-00185B

POOR ORIGINAL

4222A

Lower MD 78 Ac.

Wvl 3 Ac. 0.20 cfs
Wb2 12 Ac. 0.59 15 Ac.
15 = 0.79 (No overlap)

Wvl 2 Ac. 0.14 cfs
~~Wvl 3 Ac.~~
Td1 27 Ac. 0.54
Tcl 34 1.50
(63 overlap w/-185B -10120)

63 Ac. 2.18 cfs

10120

Upper MD

190 Ac.

63 Ac
overlap
w/-4222A
-185B

Wvl 2 Ac. 0.14 cfs
Td1 27 Ac. 0.54
Tcl 34 1.50
63 Ac. 2.18 cfs

185B

WSC

63 Ac.

(all overlapped by 4222A 10120)

Wvl 2 Ac. 0.14 cfs
Td1 27 Ac. 0.54
Tcl 34 1.50
63 Ac. 2.18 cfs

CHA 6.5 Ac. 0.44 cfs
DWA 36.5 Ac. 2.48 cfs
Td1 2 Ac. 0.04
Tcl 25 Ac. 0.95
Tcl 57 Ac. 2.51
127 Ac. 6.42 cfs

(127 Ac)
No overlap

2.18
+ 6.42
8.60 cfs

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See field
Hubble Review
in A72-10120

A72-04222A

HUBBLE ANALYSIS REVIEW:

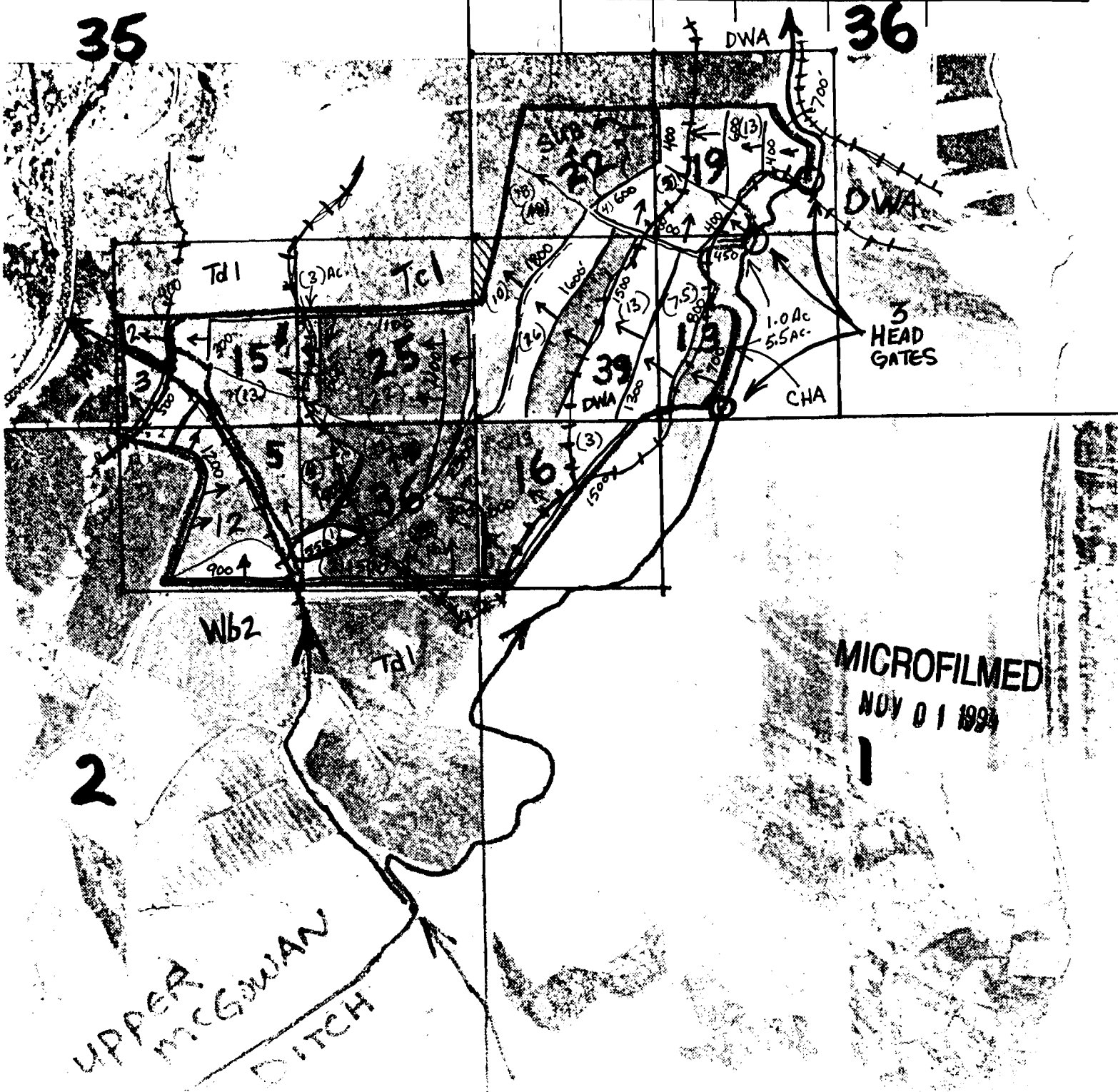
SEC 2-10-94

R19E

POOR ORIGINAL

+++ SOIL TYPE BOUNDARIES

	WV	Wb2	Td1	Tc1	DWA	CHA
205 Ac =	5 Ac.	12 Ac.	29 Ac.	116 Ac.	36.5	<5.5 Ac. > 6.5 Ac. 1.0 Ac.
190 Ac =	A72-10120	2	Ø	2+27	34+82	6.5
78 Ac. =	A72-00185A	3+2	12	27	34	Ø
63 Ac =	A72-04222A	2	Ø	27	34	Ø



BLM

24-ID

POOR ORIGINAL

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NOV 01 1994

MICROFILMED
NOV 01 1994

WARM
SPRINGS
CR. pon

BL
McGowan

Upper
McGowan

HEADGATE

POOR ORIGINAL

DWA

R19E

DWA

Td1

Td1

DWA

CHA

SSA

Wb2

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1994

Wb2

NAME OF STREAM OR DITCH WARM SPRINGS CREEK @ CHALLIS
 LOCATION ----- CHIVERS POD IN HIS FIELD
 PURPOSE OF MEASUREMENT -- ADJUDICATION REVIEW
 BASIS OF VELOCITY CALCULATIONS
 IF YOU ARE USING A PYGMY METER ENTER ----- 1
 IF YOU ARE USING A AA METER ENTER ----- 2
 ENTRY ---- = 2
 FOLLOWING THE LAST ENTRY IN:
 "DISTANCE FROM INIT PT" ENTRY MUST = "END"

WATER RIGHT NUMBER IF APPLICABLE ----- A72-04222 A
 AGENT CONDUCTING MEASUREMENT & DATE -- SCC 6-16-93
 ACCOMPANIED BY ----- N/A
 PREMEASUREMENT SPIN TEST (MIN/SEC) --- OK 2:30
 POST MEASUREMENT SPIN TEST (MIN/SEC) - OK 2:00

ANGLE OF COEFFICIENT	DISTANCE FROM INIT PT	DEPTH IN FEET	CALC DEPTH END PTS	VELOCITY DATA		CALC WIDTH	AREA IN SQ FT	CALCULATED VELOCITY			DISCHARGE IN CFS	
				1ST MEASUREMENT REVS TIME/SEC	2ND MEASUREMENT REVS TIME/SEC			1ST POINT VELOCITY	2ND POINT VELOCITY	MEAN VELOCITY		
INITIAL POINT	1.49		0.58			0.00	0.003				0.68	0.00
	1.50	1.15		26	42.0	0.26	0.293	1.37			1.37	0.40
	2.00	1.15		35	40.0	0.50	0.575	1.93			1.93	1.11
	2.50	1.20		30	33.0	0.50	0.600	2.00			2.00	1.20
	3.00	1.20		35	38.0	0.50	0.600	2.03			2.03	1.22
	3.50	1.20		40	42.0	0.50	0.600	2.10			2.10	1.26
	4.00	1.25		39	43.0	0.50	0.625	2.00			2.00	1.25
	4.50	1.25		35	48.0	0.50	0.625	1.61			1.61	1.01
	5.00	1.30		20	52.0	0.38	0.488	0.86			0.86	0.42
	5.25	1.30		15	38.0	0.13	0.169	0.88			0.88	0.15
	5.26		0.65			0.01	0.003				0.44	0.00
END												8.01

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Water Right No.
(if applicable)

Open Channel Discharge Measurement Notes

A. GENERAL INFORMATION

1. Name of stream or ditch: WARM SPRINGS CREEK @ CHALLIS CHWERS POD .92
2. Location: T13N R19E S02 SE NW NE ; EAST HEADGATE STRUCTURE .93
3. Person conducting measurement: STEVE CLELLAND .94
4. Date and time of measurement: 6-16-93 10:30 AM .95
5. Accompanied by: N/A .96
6. Measuring device size and ID no.' AA 090148 .97
7. Spin test before measurement OK? YES 2:30 sec after measurement OK? OK 2 min. .98
8. Purpose of measurement: AS CLAIMS .99

B. MEASUREMENT DATA

[illegible]

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NOV 01 1994

C. DIAGRAMS

1. Measurement Location

Scale: _____ = _____

2. Cross-Section of Measurement

Scale _____ = _____

D. SUMMARY INFORMATION

1. Measurement rated _____ excellent ☒ good _____ fair _____ poor

2. Remarks: _____

3. Width: _____ Area: _____ Discharge in cubic feet per second: _____

DATE

SIGNATURE OF PERSON CONDUCTING MEASUREMENT

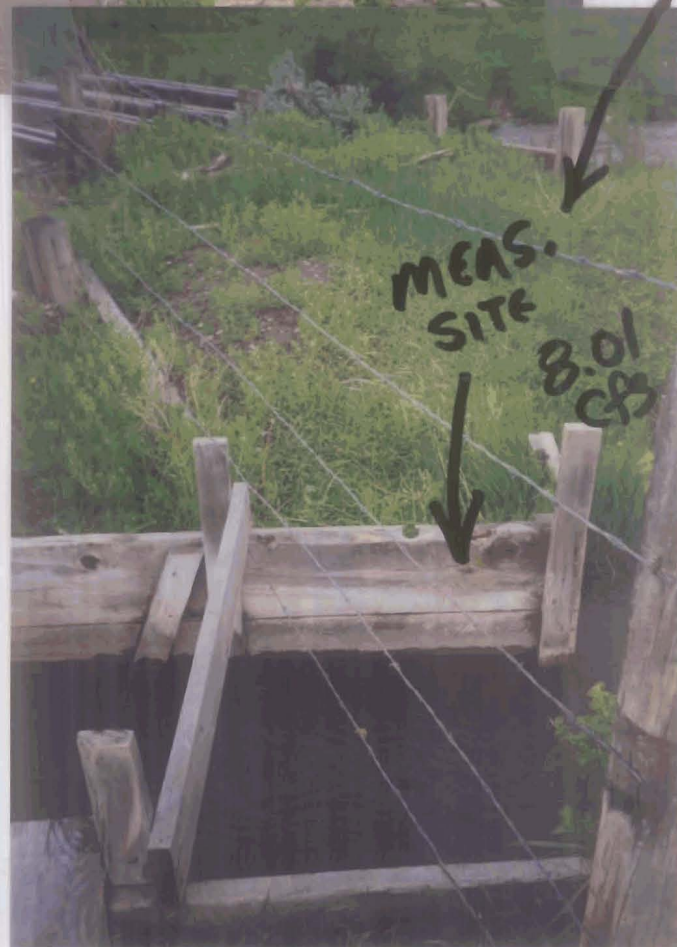


WARM SPRINGS CREEK.



POOR ORIGINAL

WARM SPRINGS
CREEK
DIVERSION
TO CHIVERS
&
HUNT



MEAS.
SITE
8.01
GPS

6-16-93

PHOTO: R72-15
Lyscc

CHIVERS
A72-4222A

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UV 0 1 1994

Water Right Number - 72-04222		Adj. Flag Translation: Standard Water Right Number		Old (D) Number -	
+ - - - - Last Name - - - - +		+ - First Name - - +		+ - - - - Address - - - - - +	
*** C - CURRENT OWNER ***					
JOHNSON		LYNN		1 - BOX 87	
				2 -	
				3 -	
				City- CHALLIS	
				Phone -	
JOHNSON		ROSE		1 - BOX 87	
				2 -	
				3 -	
				City- CHALLIS	
				Phone -	
CHIVERS		GARTH		1 -	
				2 -	
				3 -	
				City-	
				Phone -	
CHIVERS		GLENIS		1 -	
				2 -	
				3 -	
				City-	
				Phone -	
+ - - Priority Date - - +		+ - - - Region - - - +		+ - - - Stage - - - +	
06/01/1951		17		S - STATUTORY CLAIM	
+ - - - - Source - - - - - +				+ - - - - Tributary - - - - - +	
WARM SPRING CREEK				SALMON RIVER	
+ - - - - Point of Diversion - - - - - +					
TwN Rng Sec Tract Lot RFlg County				Stream Index (Blank if no Index Code)	
13N 19E 2 NW NE		(37) CUSTER			
13N 19E 2 NE SE		(37) CUSTER			
+ - - - - Water Use - - - - - +					
Code Description		Period From Period To		Diversion Rate Diversion Volume	
01 - IRRIGATION		05/01 09/01		. 8.000	
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Div. Capacity - +	
8.000				+ - Total Consumptive Use - +	
+ - - - - Place of Use - - - - - +					
TwN Rng Sec Tract Lot Acres Code				Description County	
13N 19E 2 NE NE		40.0 01		IRRIGATION (37) CUSTER	
13N 19E 2 NW NE		40.0 01		IRRIGATION (37) CUSTER	
13N 19E 2 SW NE		40.0 01		IRRIGATION (37) CUSTER	
13N 19E 2 SE NE		40.0 01		IRRIGATION	
13N 19E 2 NE SE		40.0 01		IRRIGATION	

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NOV 01 1994

Water right number - 72-04222 Adj. flag translation: Standard Water Right Number

Place of Use	Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
	13N	19E	2	NW SE		40.0	01	IRRIGATION	(37) CUSTER

Total Acres: 240.0

+ - - Diversion Means - ROCK DAM, CEMENT DIVERSION, DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -
SOURCE GIVEN AS WASTE WATER IN WARM SPRING CREEK.

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

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - + 00/00/0000
------------------------------------	------------------------------------	-----------------------------------

+ - - Audit Fields - 01/28/86 05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 01/28/1986	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000		

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