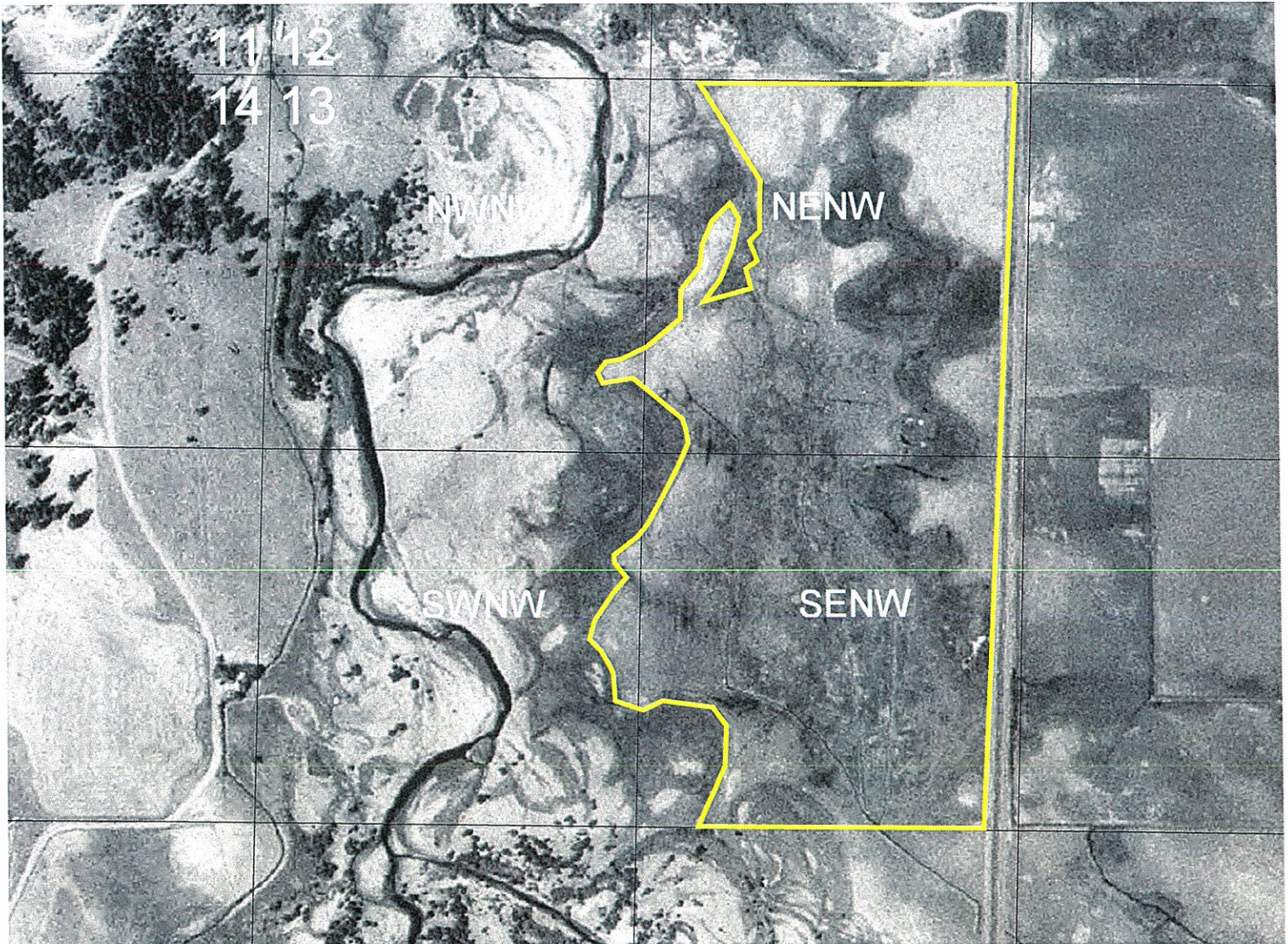


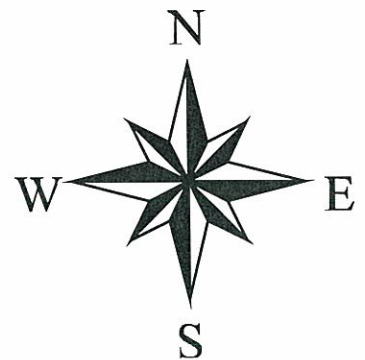
78-180



700 0 700 1400 2100 Feet

T19N R01E S13

Map prepared by: Carter Fritschle
Date prepared: 06/21/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources



06/21/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-180

NAME AND ADDRESS: J DERLE THORPE
1474 E 1200 N
LOGAN UT 84321

SOURCE: WEST BRANCH GOOSE CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 1.088 CFS

PRIORITY DATE: 05/01/1895

POINT OF DIVERSION:

T19N R02E S19 NWSW Lot 3 Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.088 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T19N R01E S13	NENW	32.0	T19N R01E S13	NWNW	0.3
T19N R01E S13	SWNW	1.4	T19N R01E S13	SENW	34.0

67.7 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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

Water is delivered through the Mitchell-Glenn Canal.

11/15/2006

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 8, 2006

Water right number: 78-180

J DERLE THORPE

1474 E 1200 N

LOGAN UT 84321

Telephone Number: (801)752-8350

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

My father remembers a higher number for Goose Creek and an additional 150 acres from Brundage Reservoir

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

Restore original Goose Creek number.
add Brundage water rights

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

Does not match documents

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

DATE: 12/5/06

SIGNATURE:

Scott Thorpe

Please print your name:

Scott Thorpe for J. Derle Thorpe

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

J. Derle Thorpe is out of the country, but may be reached in the UK at 011-44-173-862-7232

Needs to claim 78-181

SCANNED
DEC 08 2006

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: A78-00180
Date Received: 2/ 7/1989
Receipt No: W002173
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. DERLE THORPE 801-752-8350
Address: 1474 EAST 1200 NORTH
LOGAN UT 84321
2. Date of Priority: MAY 1, 1895
3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	02E	19	NE	NW	SW		ADAMS

5. Description of diverting works:
DIVERSION DAM ACROSS GOOSE CREEK, 40' X 4'.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.300		
STOCKWATER	04/15	10/15	2.300		

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

8. Total consumptive use is 275.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	13	NE	NW		IRR	40.0
			NW	NW		IRR	29.0
			SW	NW		IRR	29.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	138.0
					Total Acres	138.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

NOTE: AT THE TIME OF FINAL REVIEW A 2ND CLAIM FOR 78-00181 WITH A 1897 PRIORITY SHOULD BE SOLICITED FROM THE CLAIMANT. THIS CLAIM SHOWS BOTH 00181 & 00180 COMBINED, BUT ACTUALLY THEY HAVE EACH DIFFERENT PRIORITY DATES AND CANNOT BE COMBINED. THIS WAS NOT NOTICED AT THE TIME OF CLAIMS TAKING AND AT THIS DATE IT WILL HAVE TO BE LEFT AS A PART OF THE FINAL REVIEW. THIS NOTE IS TO LET RESEARCHERS KNOW OF THIS DISCREPANCY. JS 1-27-92.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

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 _____

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: 39356

Ident. Number A-78-00180Date Received 6/30/88 late JrReceipt Number W004173 (\$238)

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
No V rec'd
Department of Water Resources
Western Regional Office

Please type or print clearly

- Name of Claimant (s) J. Derle Thorpe Phone (801) 752-8350
Mailing Address 1474 East 1200 North Logan, UTAH Zip 84321
- Date of Priority (Only one (1) per claim) May 1, 1895
- Source of water supply (a) Goose Creek
which is tributary to (b) Little Salmon River
- a. Location of existing point of diversion is: Township 19 N Range 2 E Section 19,
NE 1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of Adams
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
- 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.

Diversion dam across Goose Creek. Flow in Mitchell-Glen canal
in a Northwesterly direstion to said property. Dam is 40
by 4 feet.

MICROFILMED
Copies: White-State, Yellow-Claimant

OCT 05 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 15 to Oct 15 amount 2.3 or _____

For Stockwater purposes from April 15 to Oct 15 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.3 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 275 acre feet per annum. 2.0 Acre feet/Acre/Season

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

10. Description of place of use:

- 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.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
19N	1E	13					40	29	29	40									138

Total number of acres irrigated 138

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

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

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

14. Remarks:

Last Name Thorpe Ident No. _____

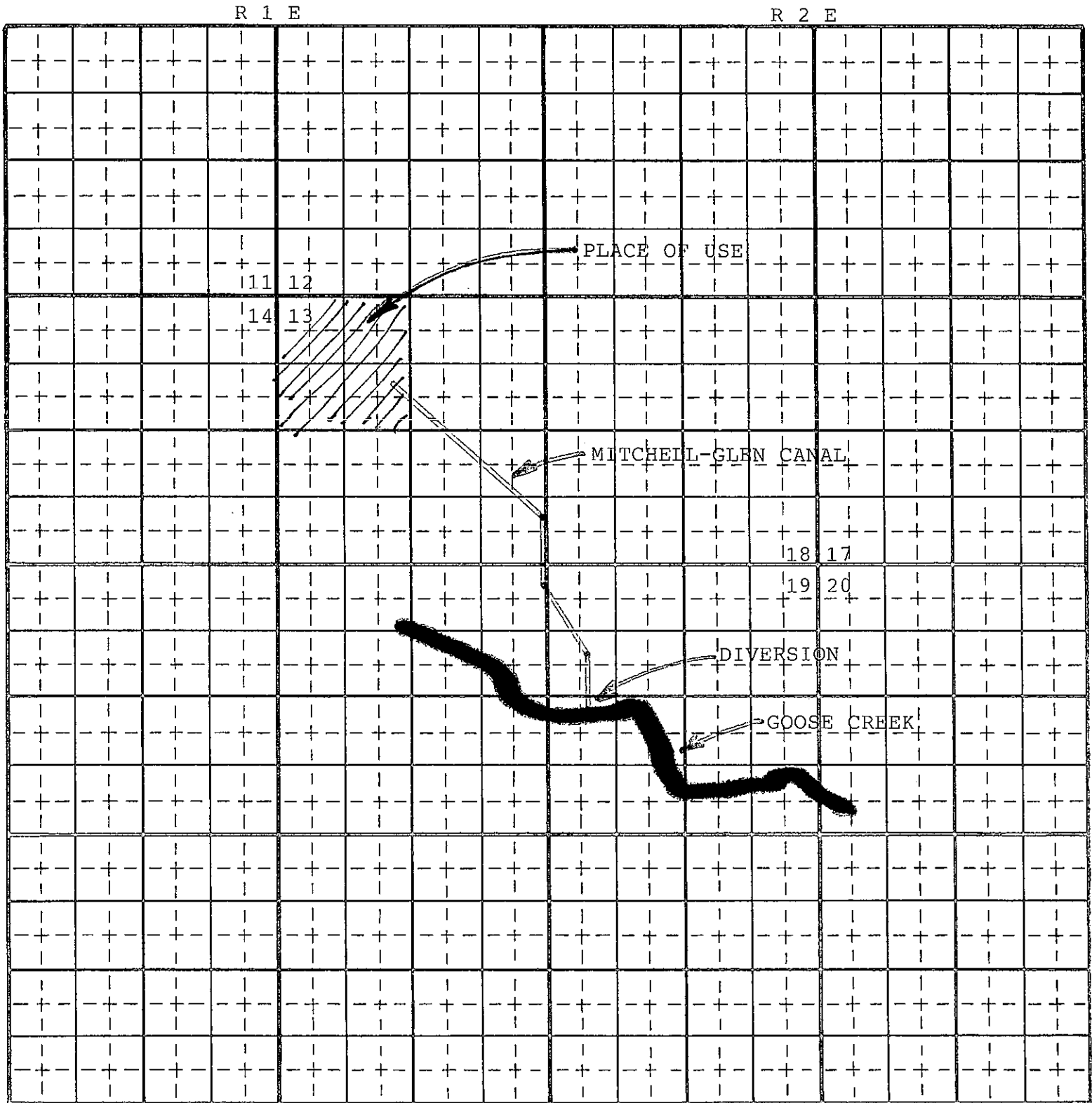
Copies: White-State, Yellow-Claimant

MICROFILMED

OCT 05 1997

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 Thorpe Ident No. _____

Copies: White, Sliver, Yellow, Clamshell

OCT 05 1992

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

Decree XXX

* If applicable provide IDWR Water Right Number 78-0180 & 78-0181

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 0

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

Signature of Claimant (s) J. Danilo Thorpe Date June 1, 1988

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or UTAH)

) SS.

County of Cache)

Subscribed and sworn (or affirmed) before me this First day of June 19 88

SEAL

Notary Public

Residing at Logan, Cache County, Utah

My Commission Expires

Mar. 22, 1991

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Thorpe Ident. Number _____

Copies White, State, Yellow, Claimant

MICROFILMED

OCT 05 1992

Request for
extension
of time
was not
included.
Please send.

Sorry -
I do not
have a
decree
number.

These notes will be on the claim.
when it came in on 1/12/89.
Sent extension of time form
at that time. Jp

J. Derle or Margene I. Thorpe
1474 East 1200 North 752-8350
01/70 Logan, Utah 84321

3771

97-22/1243

Oct 30 1988

Pay to the
Order of

State of Idaho

\$238.⁰⁰

Two hundred thirty-eight and ^{no}/₁₀₀ dollars

ZIONS FIRST NATIONAL BANK

PIONEER OFFICE 460 NORTH MAIN
LOGAN, UTAH 84321

For

J. Derle Thorpe

3771

Check came in with claim
received on 4/12/89. (p)
Note - dated 10/30/88, but not
received here until 4/12/89.

MICROFILMED

OCT 05 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 22, 1988

Mr. J. Derle Thorpe
Engineering Consultant
1474 East 1200 North
Logan, UT 84321

A78-00180

Dear Mr. Thorpe:

Thank you for your inquiry about the Snake River Basin Adjudication. I hope I can answer some of your questions.

First of all, Idaho's water rights are not being "changed". The Idaho Legislature has mandated the department to adjudicate, or settle judicially, the existing water rights and to ascertain the amount of water we truly have in this state.

The department will be taking claims first in part of Adams county and will then move on to take claims in Clark county. You did not say in your letter where you own property in Idaho, so I am not sure when we will be taking your claim. We will send notices to all property owners listed in the assessor's records for each county in the adjudication area. If your name appears in the assessor's records or in this department's water right files, you will receive a notice by mail when it is time for you to file your claim to a water right.

I have enclosed a booklet we have prepared to answer inquiries. It should answer most of your questions. If you need more specific information, please contact me at (208) 334-7931 or 1-800-451-4129 from inside Idaho.

Sincerely,

Dena Billups
Secretary
Adjudication Bureau

DB
Enclosure

MICROFILMED

AUG 08 1994

J. DERLE THORPE
ENGINEERING CONSULTANT
1474 EAST 1200 NORTH • LOGAN, UTAH 84321

FEB 19 1988

Department of Water Resources

Sers.:

A78-00180

I read where major
changes are being made
in Idaho's water rights.
What must I do to insure
continuation of my
current water rights?

Thankyou.

MICROFILMED

AUG 08 1994

Sincerely yours,

J. Derle Thorpe

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM

Jan J.
Deno Billups

FEB 08 1989 DATE

2/7/89

RECEIVED

FEB 22 1989

TO

Department of Water Resources

SUBJECT

J. Dele Choipe Claim

Department of Water Resources
Western Regional Office

Attached are copies of our first receipt of Mr. Choipe's claim (no ch. came in the 1st time). No record of any previous attempt to file either. Also, the copies of the claim when it came in on 1/12/89 with the check are also attached. Both envelopes too. Let me know if you need anything else. Thanks, Jan.

U.S. 1982

MICROFILMED

SIGNATURE

p.s. Bill gave his receipt today.



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 12, 1988

J. Derle Thorpe
1474 E. 1200 N.
Logan, UT 84321

Dear Mr. Thorpe:

In our review of your Notice of Claim to a Water Right for Goose Creek it was noted that no fee had been submitted.

The fee for this claim is a \$50.00 flat fee plus \$1.00 per fee. Therefore, the regular fee for this claim is \$188.00. The claims filing due date for Adams County was June 8, 1988. Any claims received after that date are subject to a \$50.00 late fee charge. The late fees are mandated by Idaho Code Section 42-1409(b), to give people incentive to complete their claims in a timely manner. Therefore, we are returning your claim form to be resubmitted with the \$238.00 fee.

We are providing the opportunity for you to file a Request for an Extension of Time to avoid the \$50.00 late charge. Enclosed is a Request for Extension of Time form which will need to be completed and returned to our office with the claim and \$238.00 fee. If this extension is granted, the \$50.00 late fee will be refunded to you.

Please contact this office if you have any questions concerning this letter.

Sincerely,

A handwritten signature in cursive script, reading "Jan Shurte", is written over the typed name.

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

MICROFILMED

OCT 05 1992

Date Received FEB 4, 1989

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED

FEB 07 1989

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

J. DERLE THORPE

Name of Claimant

1474 E 1200 N

Post Office Address

LOGAN, UT 84321

City, State, Zip Code

ADAMS

County(s) where Place of Use is located

Department of Water Resources
Western Regional Office

JUNE 8, 1988

Date Claim Originally Due

116.8 MINER'S INCHES FROM GOOSE CREEK
Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Check sent with original
application was lost. Application
mailed June 1, 1988.

Claimant requests an extension to _____, 19__.

*Int'l
see p. 13
#4002173
OK*

J. Derle Thorpe

Signature

Owner

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
_____ granted X denied,
and the filing deadline extended to _____, 19__.

Signed this 20 day of February, 19 89

Director or his designated agent

DAVID B. SHAW

OCT 05 1992

RECEIVED