

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: A43-00014
Date Received: 5/ 1/1989
Receipt No: S006977
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: NEIL R DURFEE
Address: PO BOX 174
ALMO ID

208-824-5544

83312

2. Date of Priority: APR 1, 1879

3. Source: STINES CREEK

Trib. to: ALMO CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	24E	7	SW	SW	NE✓		CASSIA
		17	NE	SW	SE		CASSIA
			SE	SE	SE✓	I	CASSIA
		21	SE	NE	NW✓	R	CASSIA

5. Description of diverting works:
DAMS AND OPEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

A.F.A.

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/75 BEEF CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	24E	21	SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	24E	21	SE	NE		IRR	40.0
Section Acres							80.0
Total Acres							80.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
ALMO WATER CO.

14. Remarks:

THIS CLAIM WAS DECREED AND IDENTIFIED IN THE ALMO WATER CO.
DECREE. THE INFORMATION WAS NOT TRANSFERED TO THE DATABASE BUT
WAS ASSIGNED THIS NUMBER IN THE DECREE.
THE AMOUNT OF WATER CLAIMED IS NOT BINDING OR RESTRICTING SINCE
THE ACTUAL RIGHT IS CORRECTLY DESCRIBED AS "THE ENTIRE STREAM
FLOW EVERY 10TH DAY, REGARDLESS OF FLOW." (AS PER CLAIMANT)

1-19-98: CHANGE OF ADDRESS PER NOTICE REC'D 9-8-97 - VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/18/1970

ALMO WATER CO., ET. AL.
Decree Plaintiff

IVAN DARRINGTON, ET. AL.
vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

January 21, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Neil Durgee
PO Box 174
Almo, Idaho 83312

RE: Snake River Basin Adjudication (SRBA)
Claim No(s): A43-00014, A43-10130, A43-10131, A43-10125
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change of address on the water right claim(s) referenced above. The enclosed documents are for your records, please review them for accuracy in all respects.

If you have any questions, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'V. Hancock'.

Vikie Hancock
Records Clerk



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

SEP 08 1997

CHANGE IN ADDRESS

Department of Water Resources
Southern Region

☐ Water Right Number(s):

A43-00014, A43-10130, A43-10125,
A43-10131

☐ Old Mailing Address:

Almo ID 83312

☐ New Mailing Address:

Neil Durfee

P.O. Box 174

Almo, Idaho 83312

☐ New Telephone Number:

(824) 5544

☐ Signature of Claimant(s):

Neil Durfee

Date:

8-5-97

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: 8/2/97 UH

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data Entry

Date: 2/3/98 UH

By:

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: **A43-00014**
Date Received: 5/ 1/1989
Receipt No: S006977
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: NEIL R DURFEE
Address: PO BOX 174
ALMO ID

208-824-5544

83312

2. Date of Priority: APR 1, 1879

3. Source: STINES CREEK

Trib. to: ALMO CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	24E	7	SW	SW	NE		CASSIA
		17	NE	SW	SE		CASSIA
			SE	SE	SE	I	CASSIA
		21	SE	NE	NW	R	CASSIA

5. Description of diverting works:
DAMS AND OPEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

A.F.A.

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/75 BEEF CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	24E	21	SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	24E	21	SE	NE		IRR	40.0
Section Acres							80.0
Total Acres							80.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
ALMO WATER CO.

14. Remarks:

THIS CLAIM WAS DECREED AND IDENTIFIED IN THE ALMO WATER CO. DECREE. THE INFORMATION WAS NOT TRANSFERED TO THE DATABASE BUT WAS ASSIGNED THIS NUMBER IN THE DECREE.
THE AMOUNT OF WATER CLAIMED IS NOT BINDING OR RESTRICTING SINCE THE ACTUAL RIGHT IS CORRECTLY DESCRIBED AS "THE ENTIRE STREAM FLOW EVERY 10TH DAY, REGARDLESS OF FLOW." (AS PER CLAIMANT)

1-19-98: CHANGE OF ADDRESS PER NOTICE REC'D 9-8-97 - VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/18/1970

ALMO WATER CO., ET. AL.
Decree Plaintiff

IVAN DARRINGTON, ET. AL.
vs Decree Defendant



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

4

August 28, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Neil Durfee
Almo ID 83312

RE: ADJUDICATION CLAIM NOS. SEE ENCLOSED

Dear Mr. Durfee:

It has come to our attention that your address in our records may be incomplete. Please be advised that there is a potential for nondelivery of important communications from IDWR or the court regarding your water rights.

In order for us to update your address on all your claims and water rights, please complete the enclosed address change form, sign and return it to us in the enclosed self-addressed envelope.

Thank you for your prompt attention to this matter and should you have any questions, please call this office.

Sincerely,

Doug Jones
Southern Region Adjudication Supervisor

DJ/tlb
Enclosures

A43-00014

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: A43-00014
Date Received: 5/01/1989
Receipt No: S006977
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEIL R. DURFEE 208-824-5544
Address: ALMO, ID 83312

2. Date of Priority: APR 01, 1879

3. Source: STINES CREEK Trib. to: ALMO CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15S	24E	7	SW	SW	NE		CASSIA
		17	NE	SW	SE		CASSIA
			SE	SE	SE	I	CASSIA
		21	SE	NE	NW	R	CASSIA

5. Description of diverting works:
DAMS AND OPEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.600		

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

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/75 BEEF CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	24E	21	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
						Section Acres	80.0
						Total Acres	80.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
ALMO WATER CO.

14. Remarks:
THIS CLAIM WAS DECREED AND IDENTIFIED IN THE ALMO WATER CO.
DECREE. THE INFORMATION WAS NOT TRANSFERED TO THE DATABASE BUT
WAS ASSIGNED THIS NUMBER IN THE DECREE.
THE AMOUNT OF WATER CLAIMED IS NOT BINDING OR RESTRICTING SINCE
THE ACTUAL RIGHT IS CORRECTLY DESCRIBED AS "THE ENTIRE STREAM
FLOW EVERY 10TH DAY, REGARDLESS OF FLOW." (AS PER CLAIMANT)

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 3/18/1970

ALMO WATER CO., ET. AL.
Decree Plaintiff

vs

IVAN DARRINGTON, ET. AL.
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: 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): Neil Durfee Date: 5-1-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 1st day

of May 19 89

Robert V. Horstelt
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires 1/16/1995

1 for consideration, and the Court having taken said cause under advisement,
2 and being fully advised in the premises, did on the 18th day of March, 1970,
3 file its decision in writing directing the entry of a decree in accordance with
4 the views expressed therein.

5 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

6 I.

7 0010 William W. and Virginia Bruesch, husband and wife, are the owners
8 of all of the waters of Sythe Creek for the irrigation of the following described
9 lands in Cassia County, Idaho:

10 S 1/2 - NE 1/4, NW 1/4 - NE 1/4, NW 1/4 - NW 1/4 of
11 Section 20; E 1/2 - NW 1/4, W 1/2 - NE 1/4, SE 1/4,
12 NE 1/4, and N 1/2 - SE 1/4 of Section 20; N 1/2 - SW 1/4,
13 NW 1/4 - SE 1/4 of Section 21; all in Township 15 South,
14 Range 24, E., B.M.

15 II.

16 William W. and Virginia Bruesch, husband and wife, Zenith and
17 Colleen Taylor, husband and wife, Arthur Taylor, Ivan and Barbara
18 Darrington, husband and wife, and Neil Durfee are the owners of all of the
waters of Stine Creek for the irrigation of the following described lands in
Cassia County, Idaho:

19 43 0011 William W. & Virginia Bruesch: NW 1/4 - NE 1/4, S1/2-NE1/4, N1/2-SE1/4,
20 and SE1/4-SE1/4 of Section 18, all in Township 15 South, Range 24 E.B. M.

21 43 0012 Zenith & Colleen Taylor: NW1/4-SE1/4, SE1/4-SE1/4 of Section 17; N1/2 -
22 NE1/4 of Section 21; N1/2-NW 1/4 of Section 21; NE1/4-NE1/4 of Section 20;
23 all in Township 15 South, Range 24 E.B. M.

24 43 0013 Arthur Taylor; Ivan & Barbara Darrington: W1/2-W1/2 and NE1/4-SW1/4 of
25 Section 17, all in Township 15 South, Range 24 E. B. M.

26 43 0014 Neil Durfee: S1/2-NE1/4 of Section 21, Township 15 South, Range 24 E. B. M.

27 III.

28 The waters of Stine and Sythe Creeks are not tributary to Almo
29 Creek or any other stream and the defendant watermaster of Water District
30 8-E, and the defendant State Reclamation Engineer, are to be enjoined from
31 interfering with the flow of Sythe and Stine Creeks and from measuring the
32 same.

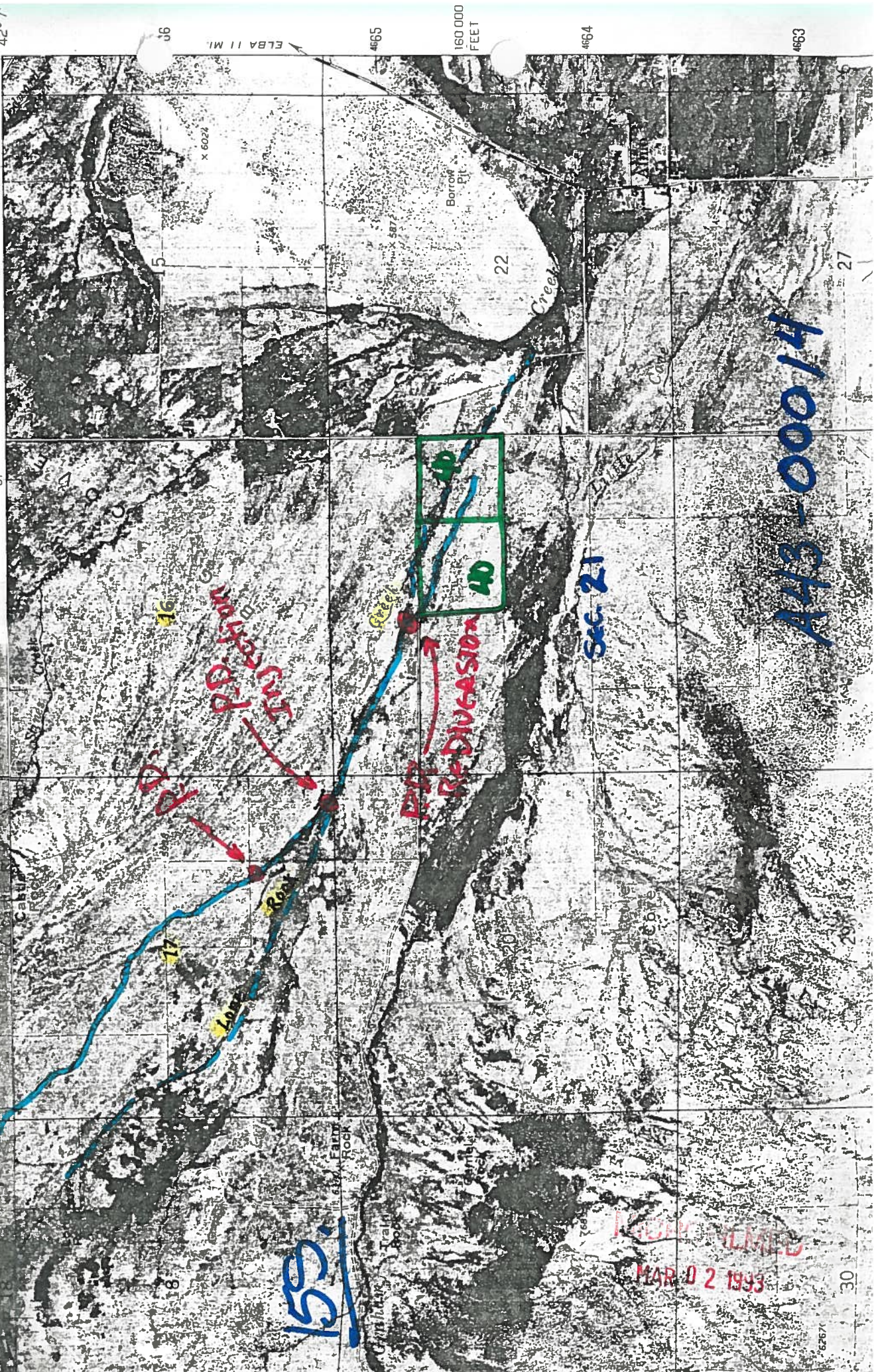
MICROFILMED
MAR 02 1993

24E.

ALMO ORTHOPHOTOQUAD
IDAHO

82° 600,000 FEET 113° 37' 30" 42° 7'

281



155.

Sec. 21

A43-00014

1937 JUNE
MAR 02 1993

01/24/2001

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

RIGHT NUMBER: 43-14

NAME AND ADDRESS: NEIL R DURFEE
PO BOX 174
ALMO, ID 83312

SOURCE: STINES CREEK TRIBUTARY: ALMO CREEK

QUANTITY: 1.56 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.74 CFS. COMBINED RIGHT NOS.: 43-
00011, 43-00012, 43-00014, & 43-10280.

PRIORITY DATE: 04/01/1880

POINT OF DIVERSION:	T15S R24E S7	SENE		Within CASSIA County
	T15S R24E S17	SESESE	Injection	Within CASSIA County
	T15S R24E S21	SENE	Rediversion	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	1.56 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>				
T15S R24E S21	SWNE	40	T15S R24E S21	SENE 38

78 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.

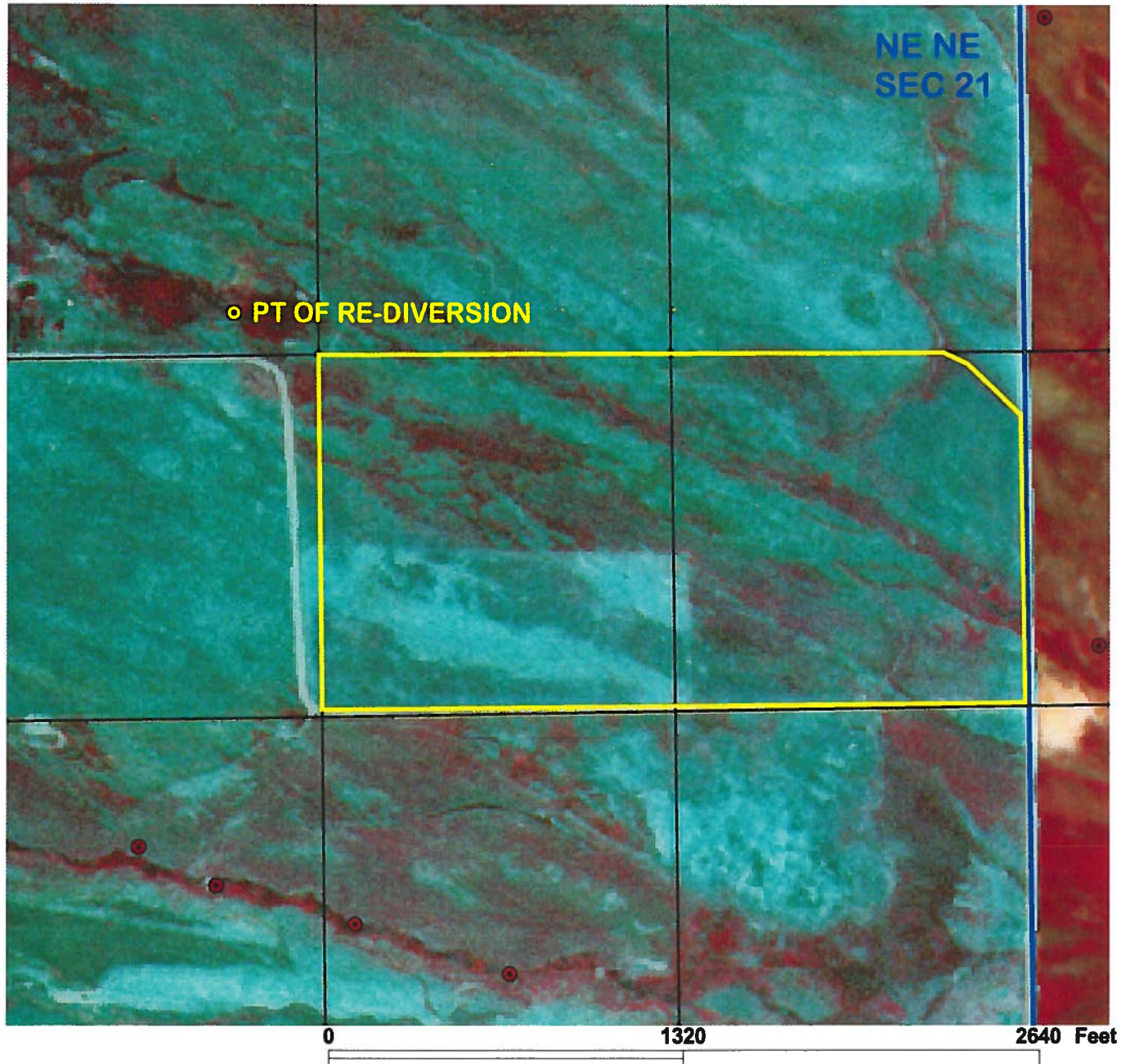
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE IN SECTION 7, T15S, R24E: 43-00011,
43-00012, 43-10280. DIVERSION KNOWN AS HOGLAND DITCH.
STOCKWATER FOR 75 BEEF COWS.

Idaho Department of Water Resources

RIGHTS: 43-00014

RECOMMENDED PLACE OF USE
TWP 15S, RNG 24E SEC 21
Data entry on January 31, 2000



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

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY

DATA ENTRY BY VIKIE HANCOCK



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 23, 2001

Bruesch Family Trust
Richard Bruesch
2513 E. Loyola Drive
Tempe, AZ 85284

Ted Tracy
PO Box 197
Almo, Idaho 83312

Neil Durfee
PO Box 174
Almo, Idaho 83312

Ivan Darrington
PO Box 136
Almo, Idaho 83312

Curtis Durfee
PO Box 185
Almo, Idaho 83312

RE: Snake River Basin Adjudication (SRBA)
Stines Creek Diversions
43-0011 Breusch Family, 43-0012 Ted Tracy, 43-0014 Neil Durfee,
43-13024 (split from 43-10280) Ivan Darrington
43-13025 (split from 43-10280) Curtis Durfee

Dear Claimants,

You should now have received your copies of my recommendations of your individual water right claims to the SRBA Court. The above referenced water right claims are those from Stines Creek based upon the rights included in the 1970 Almo Water Company -v- Darrington court action. This letter is to help explain the water right documents that you received.

All of the above rights were recommended with a priority date of April 1, 1880. According to a 1939 affidavit signed by George Durfee, Alice Rice and J.A. Graham, the common diversion works which I have seen referred to as the Hogland Ditch, was constructed in 1880. It is probable that all the acreage now being irrigated on your separate parcels was not developed at the same time, but as some succession of now unknown developments. To preserve the status quo, I have recommended all of your rights with equal priority.

As there were no measurements of historic flow from the diversion on Stines Creek, and as you all expressed that flow was much diminished from its spring high when I conducted my field exams, I returned in September 1999 with an engineer from our State Office to do a theoretical calculation of the capacity of the Hogland Ditch. Richard Bruesch accompanied us, and we took our measurements above the first diversion. Our Department engineer determined that the capacity of the ditch was close to 2.74 cfs (137 inches).

As you are all aware, the combined total of all your claims would exceed the capacity of the ditch, and successful irrigation of each of your lands relies on the rotational use that has historically been practiced among the various land owners. IDWR cannot recognize that rotational use as part of your water right.

For my recommendations, I considered two choices: (1) limit each of you to a proportional share of the 2.74 cfs capacity of the ditch based upon your irrigated acreage, or (2) award each of you one inch per acre up to the capacity of the ditch, and then condition all the rights to a combined total of 2.74 cfs. I chose the latter.

The obvious advantage to my structuring the water rights in this way is that none of you are officially limited to an amount of water that would be inadequate, on it's own, to irrigate your property. The disadvantage is that on the face of it each individual water right may indicate a continuous right to more water than has been historically available to a property. I encourage you as a group, therefore, to formulate a written civil agreement, binding upon each of you and your successors, to more clearly specify any commonly agreed-upon irrigation practices from the main Stines diversion, AKA the Hogland Ditch. IDWR would not administer an agreement such as this, but could file a copy with each water right as additional explanatory information, if you should wish.

For errors or objections to your water rights or the water rights of others included in the recently mailed Basin 43 report, please see the instructions included with your latest recommendations. If I can be of help in any way, don't hesitate to contact me. I have sincerely enjoyed working with each and every one of you.

Regards,

Vikie Hancock
Sr. Water Resource Agent
Southern Regional Office, Twin Falls

AJ0743NP
(OD-124)

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

02/02/00 12:46:29
Page 1

Water Right Number - R43-00014

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
DURFEE

NEIL R

1 - PO BOX 174
2 -
3 -
City- ALMO
Phone - 208-824-5544

State- ID Zip- 83312

----- Priority Date ----- + ----- Region ----- + ----- Stage ----- + ----- Status ----- +
04/01/1980 ERROR IN REGION D - DECREED

----- Source ----- + ----- Tributary ----- +
STINES CREEK ALMO CREEK

----- Point of Diversion ----- +

Twn Rng Sec Tract Lot Rflg County
15S 24E 7 SE NW (31) CASSIA
17 SE SE SE (31) CASSIA
21 SE NE NW R (31) CASSIA

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.560

+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
1.560 0.0

Twn Rng Sec Tract lot Acres Place of Use Code Description County
15S 24E 21 SW NE 40.0 01 IRRIGATION (31) CASSIA
15S 24E 21 SE NE 38.0 01 IRRIGATION (31) CASSIA

Total Acres: 78.0

+ - - Diversion Means - DAMS AND OPEN DITCHES

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

EXP

S/75 BEEF CATTLE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE IN SECTION 7, T15S, R24E: 43-00011,
43-00012, 43-10280. DIVERSION KNOWN AS HOGLAND DITCH.

Water right number - R43-00014

Prefix Translation: RESEARCH

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

+ - - - - Conditions of Approval - - - - - +
C18 - 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.

+ - - - - Decree Plaintiff - - - - + - - - - Decree Defendant - - - - +
ALMO WATER CO., ET. AL. IVAN DARRINGTON, ET. AL. 03/18/1970

+ - - - - Date: 02/02/2000 User Id: VHANCOCK Subject: COPIED FROM REMARKS - - - - - +
THIS CLAIM WAS DECREED AND IDENTIFIED IN THE ALMO WATER CO. DECREE. THE INFORMATION WAS NOT TRANSFERRED TO THE DATABASE BUT
WAS ASSIGNED THIS NUMBER IN THE DECREE. THE AMOUNT OF WATER CLAIMED IS NOT BINDING OR RESTRICTING SINCE
THE ACTUAL RIGHT IS CORRECTLY DESCRIBED AS "THE ENTIRE STREAM FLOW EVERY 10TH DAY, REGARDLESS OF FLOW." (AS PER CLAIMANT)

Date: 02/02/2000 User Id: VHANCOCK Subject: DATA 1-19-98: CHANGE OF ADDRESS PER NOTICE REC'D 9-8-97 - VH
ALMO WATER COMPANY SHARES NOTED ON ORIGINAL CLAIM NOT APPURTENANT TO THIS PLACE OF USE.
Date: 02/02/2000 User Id: VHANCOCK Subject: RECOMMENDATION
PRIORITY CHANGED TO AGREE WITH AFFIDAVIT CONCERNING ALL CLAIMS IN SYSTEM. SEASON PER IDWR STD. POU ACRES FOUND DURING FIELD EXAM,
DIV RATE 1" PER ACRE. POD PER GPS.

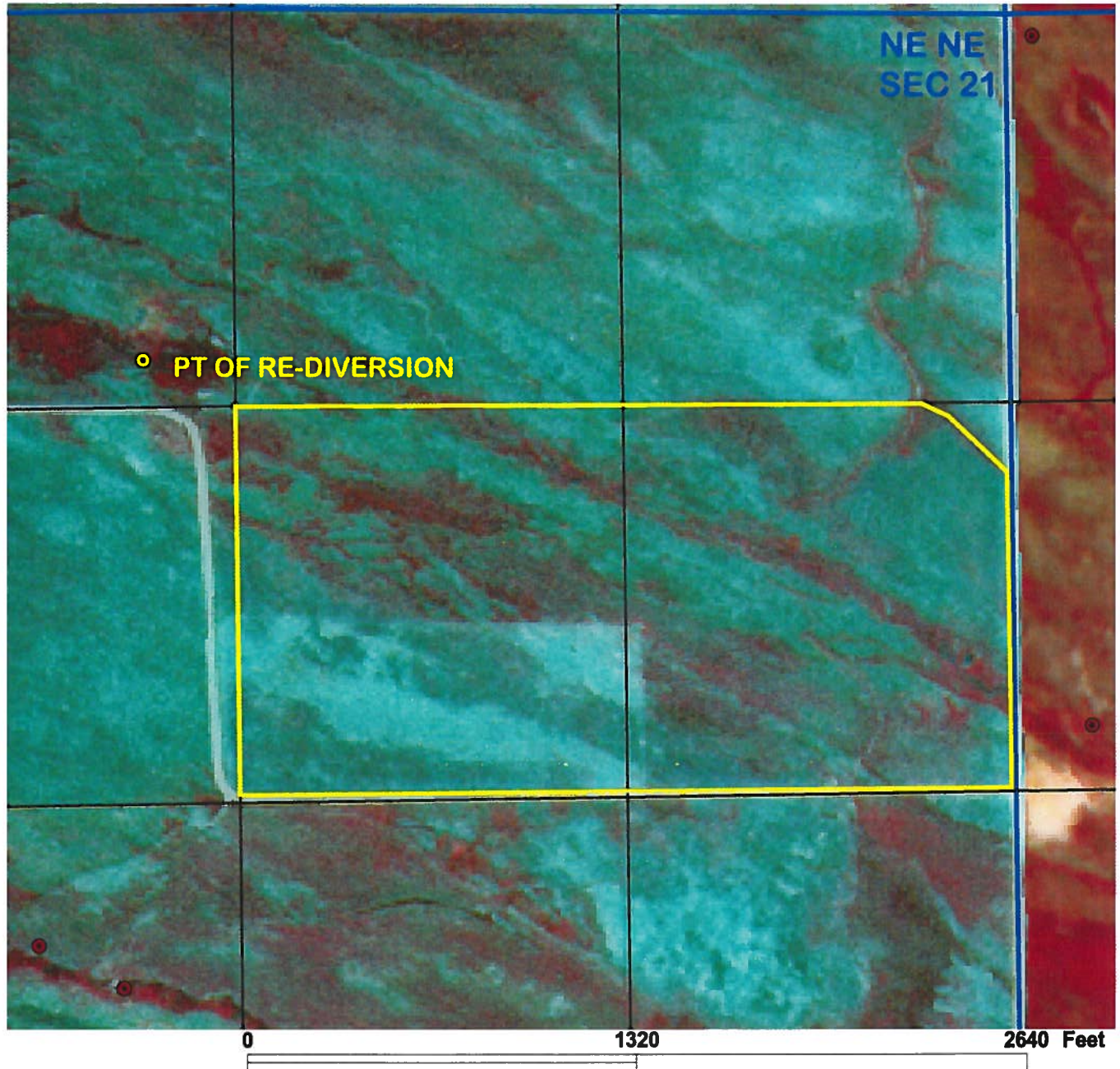
+ - - - - Audit Fields - - - - +
02/02/00 VHANCOCK

+ - - - - 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 - 00/00/0000 Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 05/01/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S006977 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - Presumption Flag -
Notice of Error Flag -

Idaho Department of Water Resources

RIGHTS: 43-00014

RECOMMENDED PLACE OF USE
TWP 15S, RNG 24E SEC 21
Data entry on January 31, 2000



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

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY

DATA ENTRY BY VIKIE HANCOCK

CLAIM NUMBER 43-00014

DATE 1-31-2000

TRANSFER NUMBER _____

AGENT UA

CLAIMED ACRE TOTAL 80

GIS ACRE TOTAL 78

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM						40	40													80
GIS						40	38													78
RECOM						40	38													78
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

all T 15S R 24E

Re-diversion SE NE NW Sec 21

Pt of diversion from Stines Cr SE NW Sec 7

Pt of Injection in SESESE Sec 17

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT ✓ 43-00014

CLAIM NUMBER: A43-00014

Stage: DECREED

CASSIA County

CASSIA County
CASSIA County

103
Aps

RECOMMENDATION NOTES

From: Vikie Hancock

1/31/00

Regarding: Claim A43-00014

This claim is for a portion of Stines Creek, used on roughly 80 acres. This is based upon an ambiguous decree from 1970 that included no water right elements save for place of use and source, which is Stines Creek. The claimant Mr. Neil Durfee, is one of 4 parties listed in this decree as owners of all the water of Stines Creek, with no diversion amounts or priority dates mentioned. This adjudication claim is for 1 inch per acre.

See file notes for background information regarding all the claims to Stines Creek included in this Hogland Ditch system: A43-00011, -00012, -00014, and -10280.

Mr. Durfee has 1 share of the original 20 shares identified on this Stines Creek distribution system. He obtained his share with the purchase of the 80 acre place of use from Billy Rice in 1969. The other users of Stines Creek agree that the claimant has 1 share of water, under the current informal rotational distribution agreement.

Mr. Durfee's point of diversion from Stines Creek is in the SE NW Section 7 T15S, R24E, and is shared by all the users of the Hogland ditch. He then claims a point of injection into the original natural channel of Lone Rock Creek in the SESESE Section 17 and a re-diversion from that channel to his place of use in the SENESW Section 21. A point of diversion listed in the claim as NESWSE was not found, and in any case would have been a point of re-diversion. From my field exam of Ted Tracy's claim, on who's property Mr. Durfee's points of Re-diversion and injection are located, it appears that Mr. Durfee's water is collected from various ditches that criss-cross Tracy's place of use. It is important to Mr. Durfee's claim, however, that water is injected into the Lone Rock Channel upstream of his point of re-diversion in the SENESW Section 21 in order that water be available to him.

I found 78 acres irrigated as Mr. Durfee's property is bordered on 2 sides by major gravel roads, and is dry in the extreme northeast corner. It is flood irrigated with the use of ditches and also a flume that conveys water across the Hoff Ditch to the eastern edge of the place of use. At the northwest corner of the property, the ditch is split in two, with one half of the water going along the north fence line, and the other half heading south. The property is cut by lateral ditches, is in pasture grass, and is used for cattle grazing at different times of the year. There is also a stockwater well on the property.

The priority date claimed, as with the other Stines Creek claims, is based upon a mis-interpretation of the decree. The actual priority date should be based upon the affidavit signed by George Durfee, Alice Rice and J. A. Graham, that stipulates the beginning date of the Hogland Ditch to be 1880. To preserve the status quo, I am recommending that same priority date for all the Stines Creek claims using the Hogland Ditch system, regardless of place of use.

Based on the information available, a maximum diversion rate of 1.56 cfs or 1 inch per acre is recommended. As the field examiner, I recognize that an informal rotational agreement between the parties exists which makes all the water in the Hogland Ditch available to Mr. Durfee for 12 hours every 10 days, and that the amount of water available in the Hogland Ditch changes daily.

NOTE TO FILE

From: Vikie Hancock

2/16/00

Regarding: Claim numbers 43-00011, -00012, -00014, -10280.

Source: Stines Creek

Conveyance System: Hogland Ditch

Location: T15S, R24E, Sections 7, 17, 18, 20, 21.

Irrigation from Stines Creek using the Hogland Ditch system goes back to 1880 when the ditch was first constructed by Ed and Abe Hogland to irrigate 320 acres of land within the valley west of Almo locally known as the Big Cove. The valley lies between Graham Creek in the south and Stines Creek in the north.

The ditch diverts all the water of Stines Creek close to the center of section 7. I have identified the location as the SENW of section 7. The ditch flows roughly south traversing the hillside, while the original Stines Creek channel falls vertically down the hill in a gully running easterly (see exhibit). At a point in section 8 water begins to flow in the natural Stines Creek channel again, gaining water from Johnson Creek (an ephemeral stream) and from runoff coming down gradient from the north. That water is not included in the description of this system.

Twenty shares of Stines Creek water are included in the 1903 incorporation papers of the Almo Water Company. 10 shares are identified as owned by Lorenzo Durfee and 10 shares by Alice Rice, but no place of use is specified for either party, and no diversion value is given for each share. At some unknown point in time, the water of Stines Creek is separated from Almo Water Company. One of the intentions of the 1970 Almo Water Company -v-Ivan Darrington Decree, in fact, is to rule that the water of Stines Creek is not tributary to Almo Creek and not subject to regulation by the watermaster. But this description of 20 shares is the basis for the rotational distribution system that exists today.

Information about the history of irrigation from the Hogland ditch came from Zenith Taylor, with corroboration from Neil Durfee and Ivan Darrington, all elderly gentlemen. Ted Tracy, who purchased property from Taylor and knew that he had some knowledge of area history, introduced me to Mr. Taylor.

Everyone I talked to agreed that there were 20 shares of water on Stines Creek, that a share equaled $\frac{1}{2}$ day of all the water available in the ditch, and that it took 10 days to complete the rotation. Taylor said that his recollection was that all the shares belonged to the Rice Ranch at one time and during this time, the Rice widow, Alice Durfee Rice, traded 2 shares to the Bruesch Ranch. He said that the Bruesch Ranch also got their right to Lone Rock about this time. That left 18 shares reportedly owned by Rice in the lower valley. The property was then split, and Richardson owned half the ranch and 9 of the 18 shares of Stines Creek while Rice retained half the ranch and 9 of the 18 shares.

Wesley Rice was now managing the Rice portion, and sometime around the end of WWII, Rice sold 80 acres and 1 share of water to a son, Billy Rice. This 80 is now owned and irrigated by Neil Durfee. Arthur and Zenith Taylor purchased both the Rice and Richardson properties, combined the 17 remaining shares of water back into one operation, and ran it together for years. Art and Zen Taylor then split the property between them and split the water shares equally. Art sold his portion to Ivan and Barbara Darrington and Zen eventually sold his portion to Ted Tracy.

There was some confusion as to how many days of water Darrington and Tracy were now entitled to, as Zen believed they each had 4.5 days, but that would have amounted to 9 shares each. We went over the math several times, and Zen agreed that there had to have been 17 shares left when he and Art bought the place, and the split would have been 8.5 each. Ted Tracy wondered if the Billy Rice share came out of his half making his allotment less than Darrington's. Taylor said no, that he and Art had split the water equally between them before he sold to Ted.

The irrigation practice in this valley is to flood out from the main ditches, catching and re-directing the water over and over as it makes its way downhill through the various pastures. There are no furrows or corrugates. As water moves downhill from the topmost claimant in section 18, the lower users begin diverting what could be called wastewater from the neighbor's system, which increases the efficiency of water use. Although each of the four claimants has a time when all the water in the ditch is exclusively theirs, each user in the system is also dependent on the tail water of the user above him, and the springs that pop up in the lower valley when abundant water is applied to the upper valley. For sufficient water to be available to all the claimants, the valley must be managed as one system, similar to what would be done if the land were under one owner. Water availability ranges from over-abundant in a wet spring to non-existent in a dry fall.

The original system constructed by Ed and Abe Hogland in 1880 irrigated 320 acres according to a 1939 affidavit signed by George Durfee, Alice Rice and J.A. Graham. The acreage has been increased over time, with 668 irrigated acres identified using 1987 NAPP aerial photos verified by field exam. Part of the property now being irrigated is undoubtedly land that has been irrigated continuously since 1880. Some has undoubtedly been developed in a progression of unknown later dates. Since *all the water* of Stines Creek has been diverted into the Hogland ditch since 1880, the increase of acres irrigated has not meant an increase in diversion amount, but rather an increase in industry to spread the water as far and as thinly as possible while still getting improved grass yields. This would result in an increase in the consumptive use of the creek, but since Stines Creek has been ruled to be a separate system not tributary to Almo Creek, this would cause no injury to users on Almo Creek (Almo Water Company -v- Darrington, 1970).

In my opinion, an important aspect of this system is that all the water users agree to distribute the water according to shares of time with no difference noted as to priority date of use, and I believe the department should preserve that aspect of this system. I therefore recommend that all claims in this system receive a priority date of 04-01-1880.

There were no records of historic flow rates on Stines Creek, and I conducted my field exams of all the claims in late summer, when the water available was much diminished from the higher flows of spring. On September 20th 1999 I returned to the area with Cindy Bird of the State Office and measured the current discharge of the Hogland ditch and made measurements of the ditch to determine bankful capacity. She determined a conservative capacity of 1.7 cfs but agreed that a more liberal capacity could be estimated at 2.7 cfs. I have chosen the more liberal number as the maximum capacity of the system.

It is obvious that there is not enough water available in the system to continuously apply the standard 1-inch per acre to all 668 acres currently being irrigated. However, with the rotational distribution developed by historical property owners, this system is delivering sufficient water to these lands to effect increased crop yields. Based upon the information available at this time, and baring a more accurate measurement of high water flows, I am recommending a diversion rate of 1 inch, or 0.02 cfs, per irrigated acre up to the maximum capacity of 2.74 cfs for all the claims in this system.

The foregoing information regarding the informal rotational distribution system is included for historical notation only, and does not indicate that the Department in any way recognizes the rotation as part of the

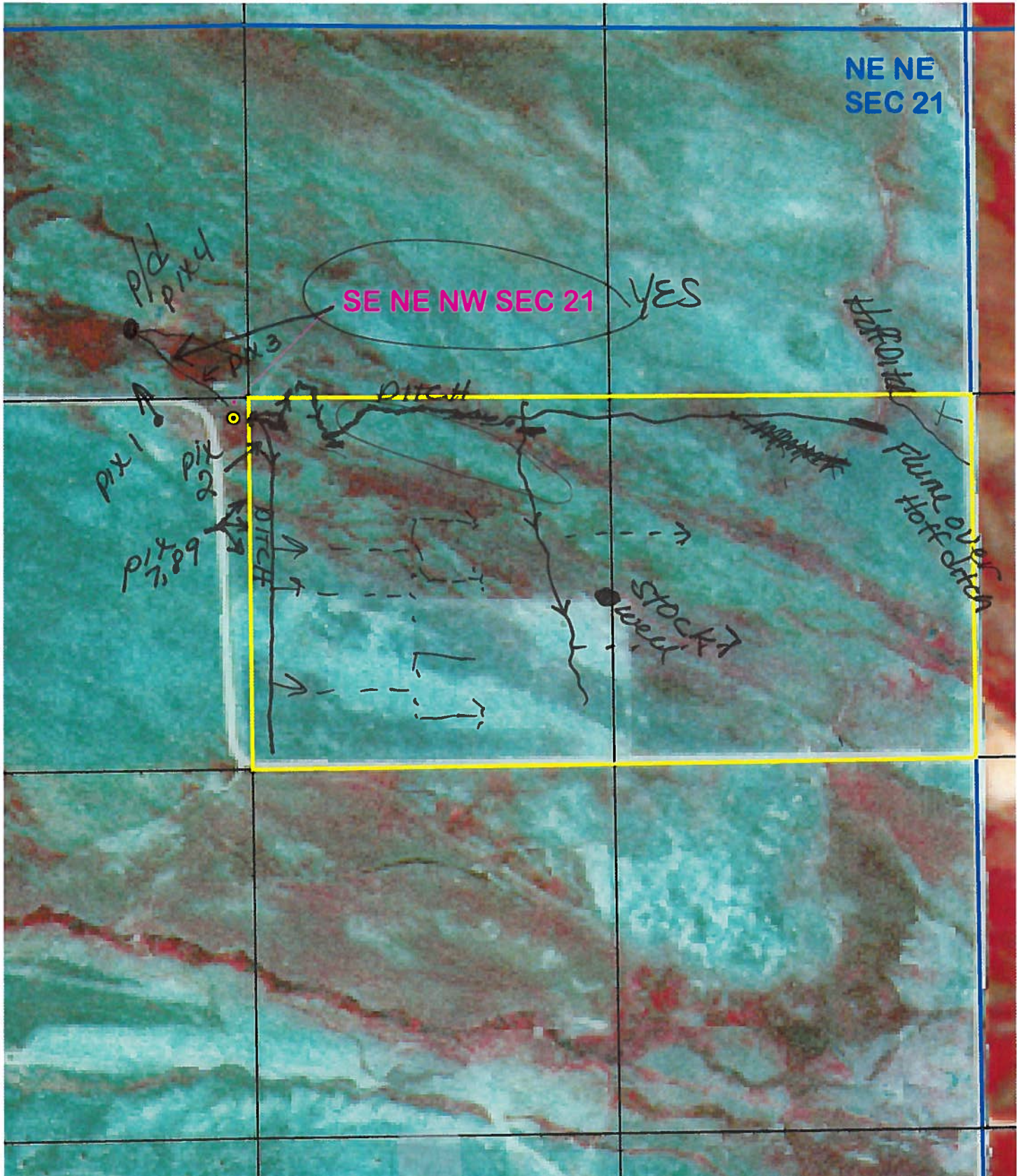
eventual SRBA Decreed water right. A letter explaining the limited elements of a water right issued by the department, and encouraging all parties to enter into a civil agreement regarding water use from the Hogland Ditch, should be sent as part of the adjudication review.

*See Claim file 43-00011 for GIS
map of entire system*

FIELD NOTES

CLAIM NO(S): A43-00014

TWP 15S ,RNG 24E,
SEC 21



V HANCOCK

Date: 6-30-99
Per claimant

1987/1988 NAPP PHOTOGRAPHY

FIELD EXAM NOTES AND PHOTO LOG

Claim Nos: A43-00014 N. Durfee Date 6-30 1999

Claimant / Area of Concern: Stines Creek Page 1 of 1

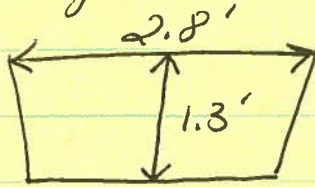
[illegible]

Agent: Vikie Hancock

Notes:

- 1) Stines completely diverted in section 7 at p/d
- 2) Additional water flows into stines below p/d & used by Harmash, etc
- 3) Said old timers never referred to any creeks as Sythe Creek
- 4) ~~Lower~~ Lone Rock Creek identified as S.F. Sythe Creek & Hogland Ditch on Brush License.
- 5) Stines used to run into Almo Cr at Castle Rock before diverted at School Section by Harmash predecessor Lynn Woodbury.
- 6) Original 20 Shares in Stines Creek identified in Almo Water Co act of incorporation. 20 shares. 1906
 Now split owned by Rice 7 (Tracy)
 N Durfee 1
 Darlington 10
 Brush 2
- 7) Stines & Graham creeks used to be measured
- 8) Cornell Sheridan running Brush place
- 9) N. Durfee bot 80 from Billy Rice in 1969. Steadily improved irrigation ~~since~~ since then. Was not irrigated well by Rice.

Ditch just below diversion point

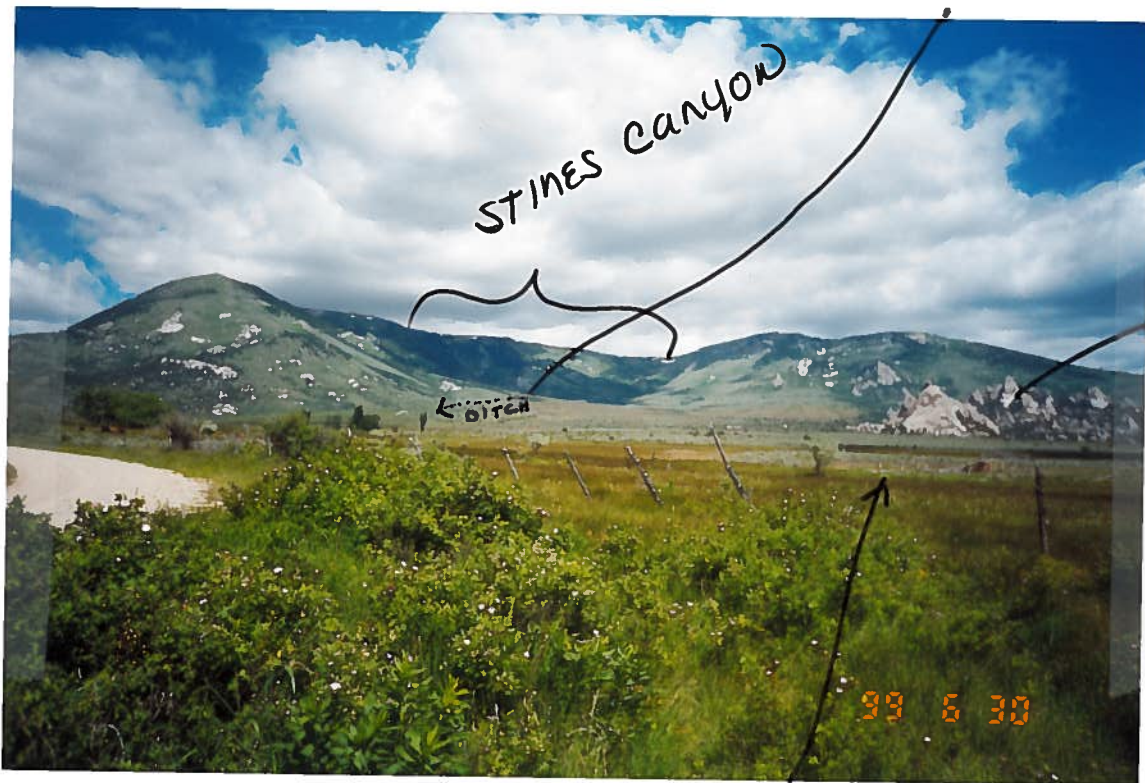


Slope $\approx 2\%$
Large cobble substrate

Claimant says ran over banks 1 month ago

A43-00014

Headgate diverts
from Stines Cr. Here
per claimant



Roll 13 pix 1

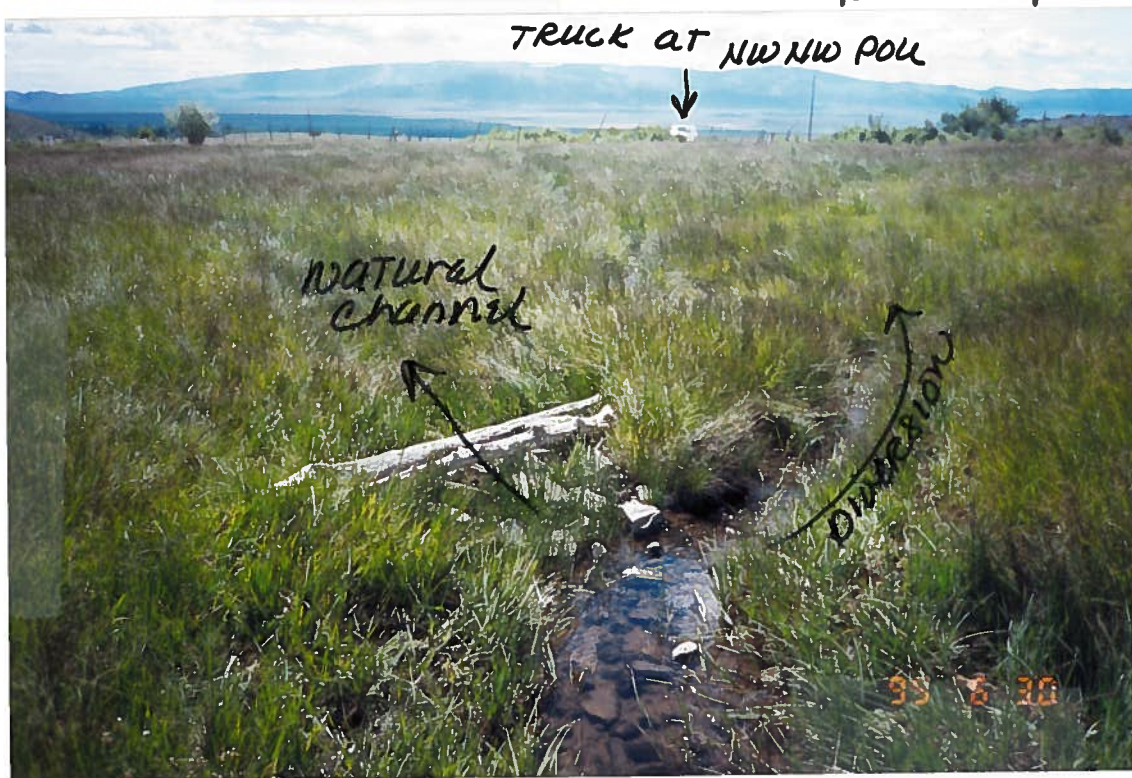
claimant diversion from
"ditch" or "Lone Rock Cr"
here. This is Tracy
property at p/d.

AUR 000 11



Roll 13 pix 2

Split in diversion
works to both
sides of pou.
taken at NW corner
pou looking North



Roll 13 pix 4

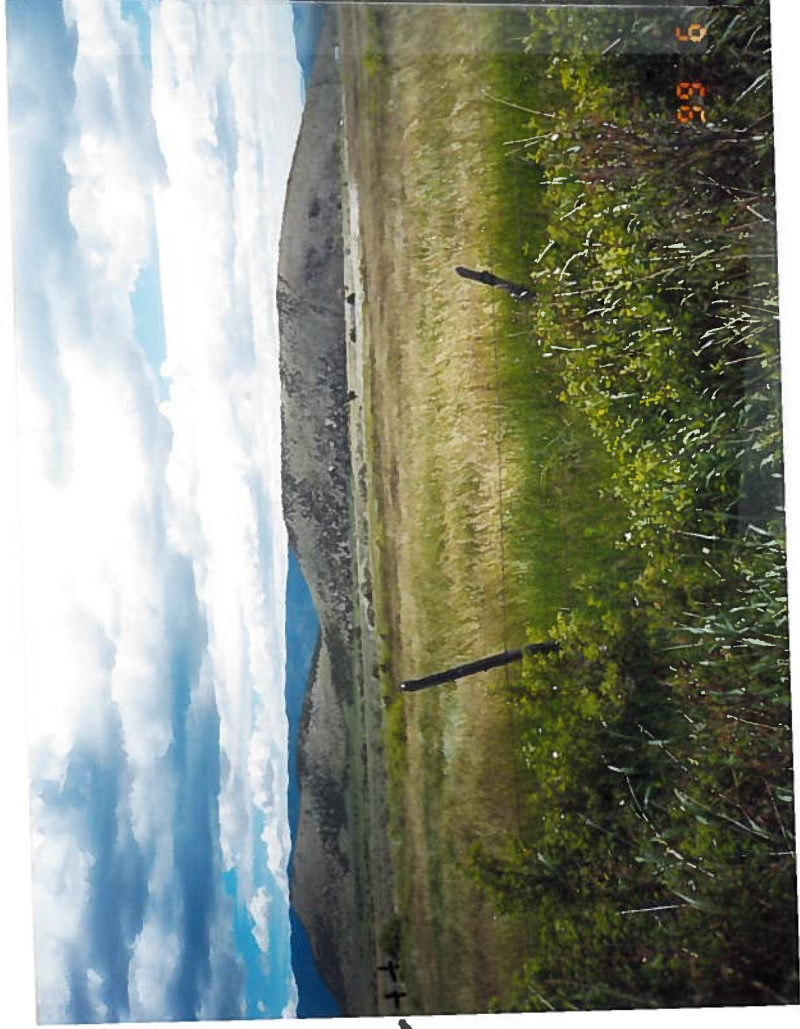
TRUCK at NWNW pou

p/d
to Right

Natural
channel

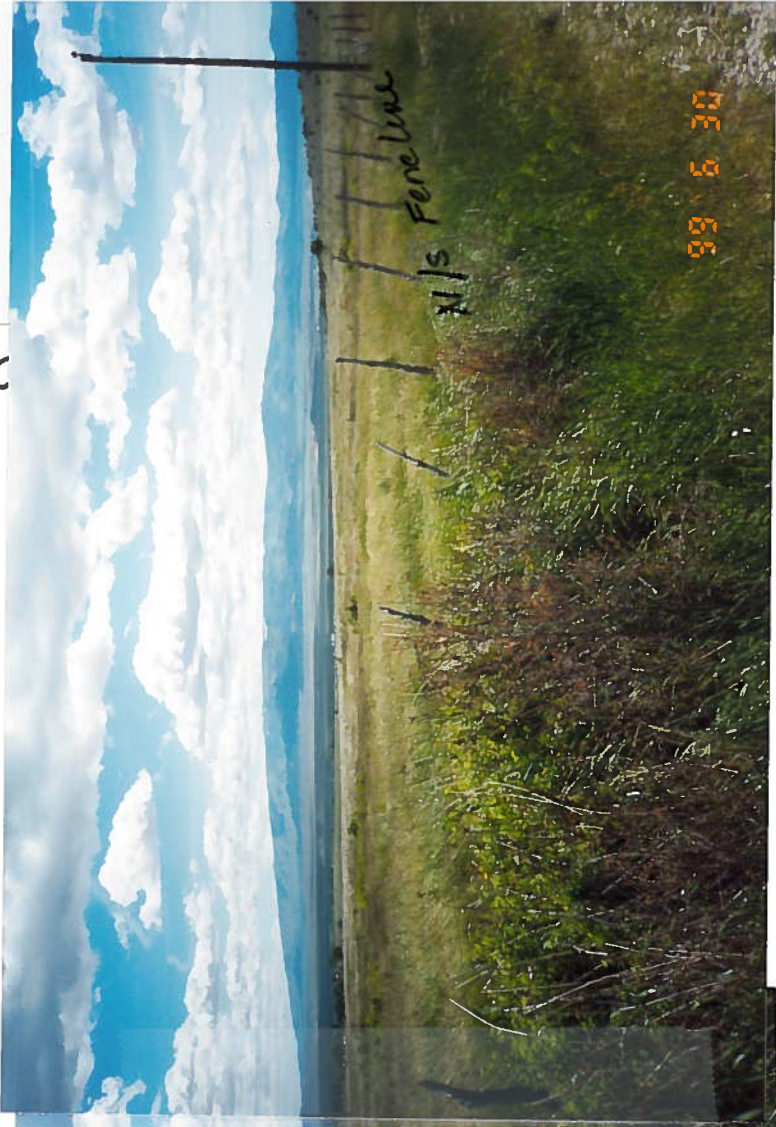
diversion

→ Fence line running E/W



Roll 13 P. 1 x 719

Place of Use 80 AC, Pasture



11000

Roll 13 Pix 3



Claimant states diversion ditch RAN full,
this wide, one month prior to field exam
on 6-30-1999.

A42-20014

CONVERSATION MEMO

Date:

6-25-99

Regarding:

Stems curved Right

Customer:

Well Duffer

From: Vikie Hancock

Spoke to Mr. Durfee and
made an appt to meet him
at his house Wednesday June 30th
at 10:30

He is on Alma-Elba Road
1/4 mile north of Quarsset almo
store. On left side of Rd
in Quarsset hut.

Go past first Durfee house.

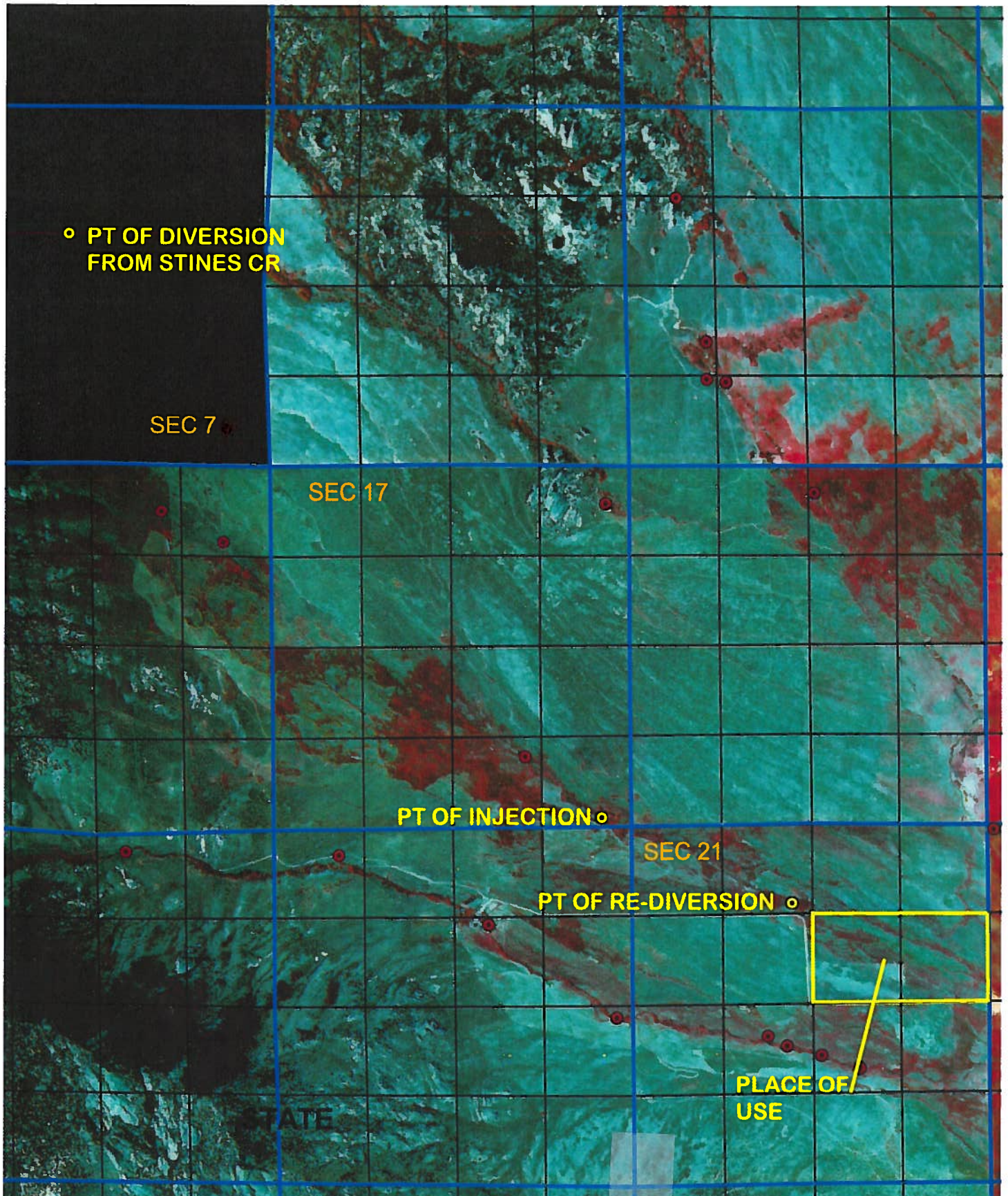
FILE NOTES

79

AC SHOWN

CLAIM NO(S): 43-00014

T 15S, R 24E SEC 7, 17, 21



V. HANCOCK

DATE: 1-13-2000

1987/88 NAPP PHOTOGRAPHY

WABP

Memorandum

To: File 43-00011

From: Cindy Bird

Date: 11/18/99

Re: Stines Creek

PURPOSE: Estimate maximum flow in Stines Creek.

OBSERVATIONS & FINDINGS: I met with Vikie Hancock and Richard Bruesch on September 20, 1999 to collect data for estimating the maximum flow in Stines Creek.

The low flows of Stines creek was described by Richard as approximately 1/4th the normal flows. The high water mark was determined by visual inspection of the creek banks. The creek had large cobbles on gravel.

The cross sectional areas were determined with an engineer's tape and top-setting rod. The velocity of Stines creek was measured with the Swaffer meter.

A spin-time test was completed on the equipment before and after the test to check the mechanical function of the meter. The equipment was working within specifications.

CONCLUSION: Discharge in Stines creek from the measured flow was 0.23 cfs. The maximum discharge calculation used two conservative methods. They are conservative because of the slower summer flows. The first method used the measured velocities over the maximum area, 1.61 cfs. The second method used an average velocity over the entire area, 1.78 cfs.

OPEN CHANNEL DISCHARGE MEASUREMENT NOTES A43-00011

PREPARED BY: CB

1. Name of stream or ditch:
STINES CREEK
2. Location:
UPSTREAM OF TOPMOST BRUESCH DIVERSION
3. Person conducting measure:
CINDY BIRD & VIKIE HANCOCK
4. Date and time of measure:
9/20/99
5. Accompanied by:
RICHARD BRUESCH
6. Measuring device size and ID:
SWOFFER
7. Spin test OK?
Before: Yes After: Yes
8. Purpose of measure:
IRRIGATION FLOW

DIST FROM LEW (feet)	WIDTH (feet)	DEPTH (feet)	Area (ft^2)	MEASURED #1 (ft/sec)	VELOCITY #2 (ft/sec)	AVE. VELOCITY (ft/sec)	DISCHARGE (cfs)
3.8							
4.0	0.20	0.2	0.04	1.30	1.37	1.34	0.05
4.2	0.20	0.2	0.04	0.83	0.8	0.82	0.03
4.4	0.20	0.2	0.04	0.66	0.65	0.66	0.03
4.6	0.15	0.2	0.03	0.93	0.95	0.94	0.03
4.7	0.15	0.2	0.03	0.90	0.82	0.86	0.03
4.9	0.30	0.2	0.06	0.37	0.34	0.36	0.02
5.1	0.20	0.2	0.04	0.47	0.49	0.48	0.02
5.3	0.15	0.2	0.03	0.42	0.42	0.42	0.01
5.4	0.15	0.2	0.03	0.29	0.30	0.30	0.01
5.6		0.2	0.00			0.00	0.00

TOT WIDTH 1.7 TOTAL DISCHARGE: 0.23 cfs

1. Name of stream or ditch:

2. Location:

STINES CREEK
UPSTREAM OF TOPMOST BRUESCH DIVERSION

DIST FROM LEW (feet)	WIDTH (feet)	DEPTH (feet)	Area (ft ²)	MEASURED VELOCITY #1 (ft/sec)	VELOCITY #2 (ft/sec)	AVE. MEAS. VELOCITY (ft/sec)	DISCHARGE Q=VA (cfs)	AVE. VELOCITY (ft/sec)	AVE. DISCHARGE (cfs)
1.0									
4.0	1.60	0.5	0.80	1.30	1.37	0.92	0.74	0.69	0.55
4.2	0.20	0.8	0.16	0.83	0.80	0.82	0.13	0.69	0.11
4.4	0.20	0.8	0.16	0.66	0.65	0.66	0.10	0.69	0.11
4.6	0.15	0.8	0.12	0.93	0.95	0.94	0.11	0.69	0.08
4.7	0.15	0.8	0.12	0.90	0.82	0.86	0.10	0.69	0.08
4.9	0.30	0.8	0.24	0.37	0.34	0.36	0.09	0.69	0.17
5.1	0.20	0.8	0.16	0.47	0.49	0.48	0.08	0.69	0.11
5.3	0.15	0.8	0.12	0.42	0.42	0.42	0.05	0.69	0.08
5.4	0.15	0.8	0.12	0.29	0.30	0.30	0.04	0.69	0.08
5.6	1.45	0.4	0.58	0.29	0.30	0.30	0.17	0.69	0.40
8.3									

TOT WIDTH

4.6

TOTAL DISCHARGE (cfs):

1.61

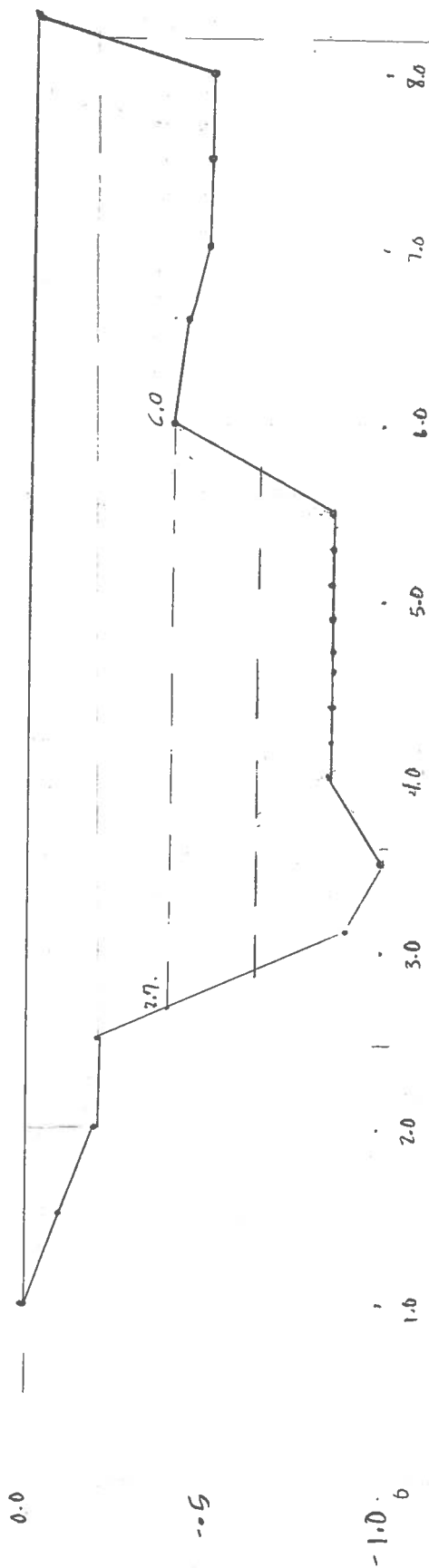
1.78

12-782 500 SHEETS FILLER 5 SQUARE
 42-381 50 SHEETS EYE-EASE 5 SQUARE
 42-382 100 SHEETS EYE-EASE 5 SQUARE
 42-383 100 SHEETS EYE-EASE 5 SQUARE
 42-384 100 SHEETS EYE-EASE 5 SQUARE
 42-385 100 SHEETS EYE-EASE 5 SQUARE
 42-386 100 SHEETS EYE-EASE 5 SQUARE
 42-387 100 SHEETS EYE-EASE 5 SQUARE
 42-388 100 SHEETS EYE-EASE 5 SQUARE
 42-389 100 SHEETS EYE-EASE 5 SQUARE
 42-390 200 RECYCLED WHITE 5 SQUARE
 Made in U.S.A.



Stines Creek.
 43-00011

Ave. Velocity = 0.69 ft/sec



155 24E S

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

43-00011, -02

Water Right
(if applicable)

Open Channel Discharge Measurement Notes

A. GENERAL INFORMATION

1. Name of stream or ditch: Stines Creek Diversion Channel
2. Location: 25' upstream of Beuesch Top diversion
3. Person(s) conducting measurement: Cathy Bird, Vickie Hancock
4. Date of measurement: 9-20-99 5. Weather conditions: warm
6. Measuring device size and ID no.: Swaffer
7. Spin test before: OK after: OK
8. Purpose of measurement: SRBA FF
9. Cross section description: Large ~~rock~~ cobble on gravel

B. MEASUREMENT DATA

Dist. from initial point	Width	Depth OF WATER	Obs. Depth Bankfull	Revolutions	Time in Seconds	Velocity		Area	Discharge
						At point	Average		
1.0			0						
1.5	.5		.1						
2.0	.5		.2						
2.5	.5		.2						
3.1	.6		.9						
3.5	.4		1.0						
3.8	RWE								
4.0	.2	.2	.85			1.3/1.37	1.34		
4.2	.2	.2	.85			.83/.80	.82		
4.4	.2	.2	.85			.66/.65	.66		
4.6	.2	.2	.85			.93/.95	.94		
4.7	.1	.2	.85			.90/.82	.85		
4.9	.2	.2	.85			.37/.34	.36		
5.1	.2	.2	.85			.47/.49	.48		
5.3	.2	.2	.85			.42/.42	.42		
5.4	.2	.2	.85			.29/.30	.30		
5.6	LWE-								
6.0	.6		.4						
6.6	.6		.45			Σ	6.17		
7.0	.4		.5			Ave Vel.	0.69 $\frac{4}{5}$		
7.5	.5		.5						
8.0	.5		.5						
8.3	.3		0						

C. REMARKS Measurement to determine bankfull capacity of diversion channel

OPEN CHANNEL DISCHARGE WORKSHEET FOR CLAIM NO(S): A43-00011,THRU -00014, -10280

DISTANCE	WIDTH	DEPTH	AREA	VEL 1	VEL 2	AVERAGE VELOCITY	DISCHARGE	
3.8	0.1	0						
4	0.2	0.2	0.04	1.30	1.37	1.34	0.05	
4.2	0.2	0.2	0.04	0.83	0.80	0.82	0.03	
4.4	0.2	0.2	0.04	0.66	0.65	0.66	0.03	
4.6	0.15	0.2	0.03	0.93	0.95	0.94	0.03	
4.7	0.15	0.2	0.03	0.90	0.82	0.86	0.03	
4.9	0.2	0.2	0.04	0.37	0.34	0.36	0.01	
5.1	0.2	0.2	0.04	0.47	0.49	0.48	0.02	
5.3	0.15	0.2	0.03	0.42	0.42	0.42	0.01	
5.4	0.15	0.2	0.03	0.29	0.30	0.30	0.01	
5.6	0.1	0	-				-	
			-	-	-		-	
			-	-	-	-	-	
			-	-	-	-	-	
			-	-	-	-	-	
			-	-	-	0.68	-	AV VELOCITY
			-	-	-	-	-	
			-	-	-	-	-	
			-	-	-	-	-	
1.8	1.8		-	-	-	-	-	
			-	-	-	-	-	
			-	-	-	-	-	
			-	-	-	-	-	
			-	-	-	-	-	
			-	-	-	-	-	
			-	-	-	-	-	
			-	-	-	-	-	
			-	-	-	-	-	
			-	-	-	-	-	
							0.22	TOTAL CFS

DATE: 12-3-2000

AGENT: V. HANCOCK

SOURCE: STINES CREEK

LOCATION: UPSTREAM OF TOPMOST BRUESCH DIVERSION

ALSO SEE MEASUREMENT NOTES

CLAIM NO(S): A43-00011 THRU -00014 & A43-10280

BANKFULL CAPACITY WORKSHEET

DISTANCE FROM INIT POINT	WIDTH	DEPTH	AREA				
1.0	0.25	0					
1.5	0.50	0.10	0.05				
2.0	0.50	0.20	0.10				
2.5	0.55	0.20	0.11				
3.1	0.50	0.90	0.45				
3.5	0.35	1.00	0.35				
3.8	0.25	1.00	0.25	ESTIMATED DEPTH			
4.0	0.20	0.85	0.17				
4.2	0.20	0.85	0.17				
4.4	0.20	0.85	0.17				
4.6	0.15	0.85	0.13				
4.7	0.15	0.85	0.13				
4.9	0.20	0.85	0.17				
5.1	0.20	0.85	0.17				
5.3	0.15	0.85	0.13				
5.4	0.15	0.85	0.13				
5.6	0.30	0.85	0.26	ESTIMATED DEPTH			
6.0	0.50	0.40	0.20				
6.6	0.50	0.45	0.23				
7.0	0.45	0.50	0.23				
7.5	0.50	0.50	0.25				
8.0	0.40	0.50	0.20				
8.3	0.15	-	-				

7.3 7.30 4.03 TOTAL AREA

AVERAGE VELOCITY 0.68
(SEE ATTACHED)

CAPACITY 2.74

DATE: 01-03-2000
AGENT: V. HANCOCK

SOURCE: STINES CREEK

LOCATION: UPSTREAM OF BREUSCH TOP DIVERSION

ALSO SEE MEASUREMENT NOTES

State Of Idaho (SS
County of Twin Falls (

George L. Durfee - J.A. Graham and Alice Durfee Rice al.
sworn depose and say they were well acquainted with E
and Abe Hogland brothers, and that know of their own knowl
said Ed Hogland and Abe Hogland came to the vicinity where Almo Idai
now located in the year 1880, and that the said Ed and Abe Hogland
did during the year 1880 and 1881 construct an irrigation canal, for the
purpose of diverting all the water of Stines Creek to certain lands
described as follows \$0 90 40 11 80

The East half of the Southwest quarter and the West half of
South east quarter and Southeast quarter of the South east
quarter of Section Seventeen (17) and the North East quarter
of the Northeast quarter of section Twenty (20) and the north
half of the Northwest quarter of section Twenty one (21)
All in Township Fifteen (15) N of Range Twenty Four (24) EBM
In Cassia County State of Idaho

The affiants further say that the point of diversion from Stines Creek
was in about the center of Section Seven (7) in Township Fifteen (15)

Range Twenty Four (24) EDM That said canal was constructed for the
purpose of irrigating said lands and the affiants further state that
the said Ed Hogland and Abe Hogland did use said water for the purpose of
irrigating said land from 1880 to 1886 inclusive and that during that time
the said water right was not molested or contested.

The said Affiants further say that this land was purchased from
Ed and Abe Hogland by George L Durfee and Nathaniel A. Rice in the year
1887 and that the water has been used continuously by the said
George L. Durfee and Nathaniel A. Rice and their successors and assigns
continuously since that date without protest or interference by any

0005

George L. Durfee
Alice Durfee Rice
J. A. Graham

On this Twenty first day of January 1939 before me the
a Notary Public personally appeared George L. Durfee A
and J.A. Graham known to me to be the persons whose names
to the above instrument and acknowledged to that the
IN WITNESS WHEREOF, I have hereunto set my hand and
seal the day and date in this certificate first above

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

June 16, 1999

Regarding:

Customer:

Stine Creek Decree, Almo Water vs Darrington 4-29-1970

[illegible]

I talked to Nick Spencer about the language in this decree that prohibits the State Reclamation Engineer from measuring the waters of Stine Creek, and how that affects the SRBA, if at all. Nick said that these prohibitions were specific to certain situations, and would not prevent the Department from measuring Stine Creek for the purpose of SRBA investigation, which is a completely different issue from the one that brought about the suit and Decree in 1970.

He also advised me to assure the claimants that the Department is cognizant that the decree resolved a dispute to the agreement of the parties involved, and that we had all intention of supporting the status quo.

DOCKET
51
INDEX

43-A-1

RECEIVED

JUL 7 1970

Department of Water Administration

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA

ALMO WATER COMPANY, an Idaho
corporation, et al,

Plaintiffs,

vs.

IVAN DARRINGTON, Watermaster of
Water District 8-E, et al,

Defendants.

Civil No. 8968

DECREE

WHEREAS, On the 8th day of July, 1969, the plaintiffs, Almo Water Company, et al, duly filed their complaint in equity in the above-entitled Court, which cause was entitled Almo Water Company, an Idaho corporation, William W. Bruesch and Virginia Bruesch, husband and wife, Zenith Taylor and Colleen Taylor, husband and wife, Neil Durfee, a bachelor, Ivan Darrington and Barbara Darrington, husband and wife, and Arthur Taylor, plaintiffs, vs.

Ivan Darrington, as WaterMaster of Water District 8-E, Owen Jones, Richard Jones and Norma Jones, husband and wife, Louis Eames, R. Keith Higginson, State Reclamation Engineer, Glen Jones and Doris Jones, husband and wife, Arley Cahoon and Edna Cahoon, husband and wife, defendants, and

WHEREAS, Thereafter due and regular service of the summons was made upon all parties mentioned in said complaint by personal service thereon as shown by the records and file in said action, and

WHEREAS, The above entitled cause came on for hearing before the Honorable Sherman J. Bellwood, Judge of the above-entitled District Court, sitting at Burley, Cassia County, Idaho, within said district, the plaintiffs being represented by A. H. Neilson, John Coleman, and Robert C. Paine and the defendants being represented by Lawrence H. Duffin, except that defendant R. Keith Higginson, was represented by William D. Collins, Assistant Attorney General, who did not appear at said trial. The evidence in said cause was duly submitted and a transcript of the oral evidence was taken and the exhibits offered by the various parties were duly transmitted to the Court

1 for consideration, and the Court having taken said cause under advisement,
2 and being fully advised in the premises, did on the 18th day of March, 1970,
3 file its decision in writing directing the entry of a decree in accordance with
4 the views expressed therein.

5 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

6 I.

7 0010 William W. and Virginia Bruesch, husband and wife, are the owners
8 of all of the waters of Sythe Creek for the irrigation of the following described
9 lands in Cassia County, Idaho:

10 S 1/2 - NE 1/4, NW 1/4 - NE 1/4, NW 1/4 - NW 1/4 of
11 Section 20; E 1/2 - NW 1/4, W 1/2 - NE 1/4, SE 1/4,
12 NE 1/4, and N 1/2 - SE 1/4 of Section 20; N 1/2 - SW 1/4,
13 NW 1/4 - SE 1/4 of Section 21; all in Township 15 South,
14 Range 24, E., B.M.

15 II.

16 William W. and Virginia Bruesch, husband and wife, Zenith and
17 Colleen Taylor, husband and wife, Arthur Taylor, Ivan and Barbara
18 Darrington, husband and wife, and Neil Durfee are the owners of all of the
19 waters of Stine Creek for the irrigation of the following described lands in
20 Cassia County, Idaho:

21 0011 William W. & Virginia Bruesch: NW 1/4 - NE 1/4, S1/2-NE1/4, N1/2-SE1/4,
22 and SE1/4-SE1/4 of Section 18, all in Township 15 South, Range 24 E.B. M.

23 0012 Zenith & Colleen Taylor: NW1/4-SE1/4, SE1/4-SE1/4 of Section 17; N1/2 -
24 NE1/4 of Section 21; N1/2-NW 1/4 of Section 21; NE1/4-NE1/4 of Section 20;
25 all in Township 15 South, Range 24 E.B. M.

26 0013 Arthur Taylor; Ivan & Barbara Darrington: W1/2-W1/2 and NE1/4-SW1/4 of
27 Section 17, all in Township 15 South, Range 24 E.B. M.

28 0014 Neil Durfee: S1/2-NE1/4 of Section 21, Township 15 South, Range 24 E.B. M.

29 III.

30 The waters of Stine and Sythe Creeks are not tributary to Almo
31 Creek or any other stream and the defendant watermaster of Water District
32 8-E, and the defendant State Reclamation Engineer, are to be enjoined from
interfering with the flow of Sythe and Stine Creeks and from measuring the
same.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

IV.
Defendant Louis Eames is the owner of 1.6 cubic feet per second (80 inches) of the waters of Almo Creek, to be diverted from North Almo Creek, for the irrigation of the SW 1/4 of the NW 1/4 of Section 13; SW 1/4 NE 1/4, SE 1/4 NE 1/4, SE 1/4 NW 1/4, of Section 14 all in Township 15 South, Range 24 East, Boise Meridian, in Cassia County, Idaho, with the right to have the same supplemented to the extent of 1.6 cubic feet per second (80 inches) to be diverted from Edwards Creek for the same lands, this right being supplementary and not additional. Priority date is March 17, 1879.

V.
The water master of District 8-E shall fill said Louis Eames water right from the North Fork of Almo Creek through his diversion therefrom, subject, however, to any water-exchange agreements made between the said Louis Eames and others.

Dated this 29th day of April, 1970.

Sherman J. Bellman
Judge, District Court.

51021

State of Idaho, County of Cassia ss
I hereby certify that this instrument was filed and recorded at request of
Arthur Nielsen at 30 minutes past 4 o'clock
P.M. this 5 day of May A.D. 1970 in my office and
 duly recorded on Film No. 65 as Inst. No. 51021
True
Ex-Officio Recorder
Frank B. Benson
3.00 Anna Black
Deputy

(Return to file)

transfer, in which case the administrative transfer proceeding is unnecessary. If the change is to be recommended in the report, then allocations staff should be informed of the recommendation.

If the transfer applied for may not be recommended as an accomplished transfer, then the right should not be recommended with the changes proposed in the transfer application until the transfer has been approved and the order approving the transfer has become final.

Where an order approving a transfer has been issued, but the order is not final at the time the report is prepared, the claim should be referred for further review by legal staff after the claim has been investigated.

Q. WHEN IS A RIGHT DECREED?

For purposes of preparing the director's report, a right will be deemed to have been decreed where the decree determines the amount, priority, and source of the right as against claimants of other water rights.

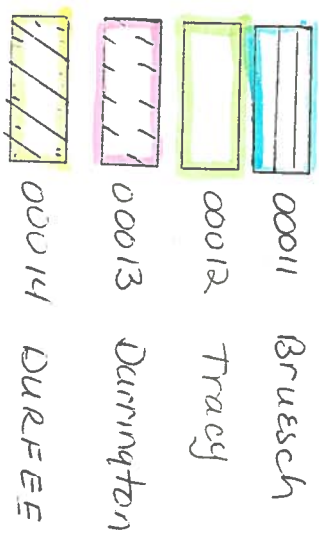
A right that is described in a decree that only determines ownership of a water right as against other purported owners of that same right are not considered decreed rights. Examples of such decrees include decrees in divorce, bankruptcy, foreclosure, and forfeiture proceedings (here, forfeiture refers to seizures of property for payment of debt or in criminal proceedings).

There may be rights described in the water right database with a basis of decree, that are based on a decree that did not adjudicate a right. Such rights should be reviewed as rights based on beneficial use, and if recommended, should be recommended with a basis of beneficial use. The claim should include a COMMENT that the decree on which the claim is based did not adjudicate water rights. However, if the right has been administered by the watermaster as a decreed right, then the claim should be referred for further review by legal staff after it has been investigated.

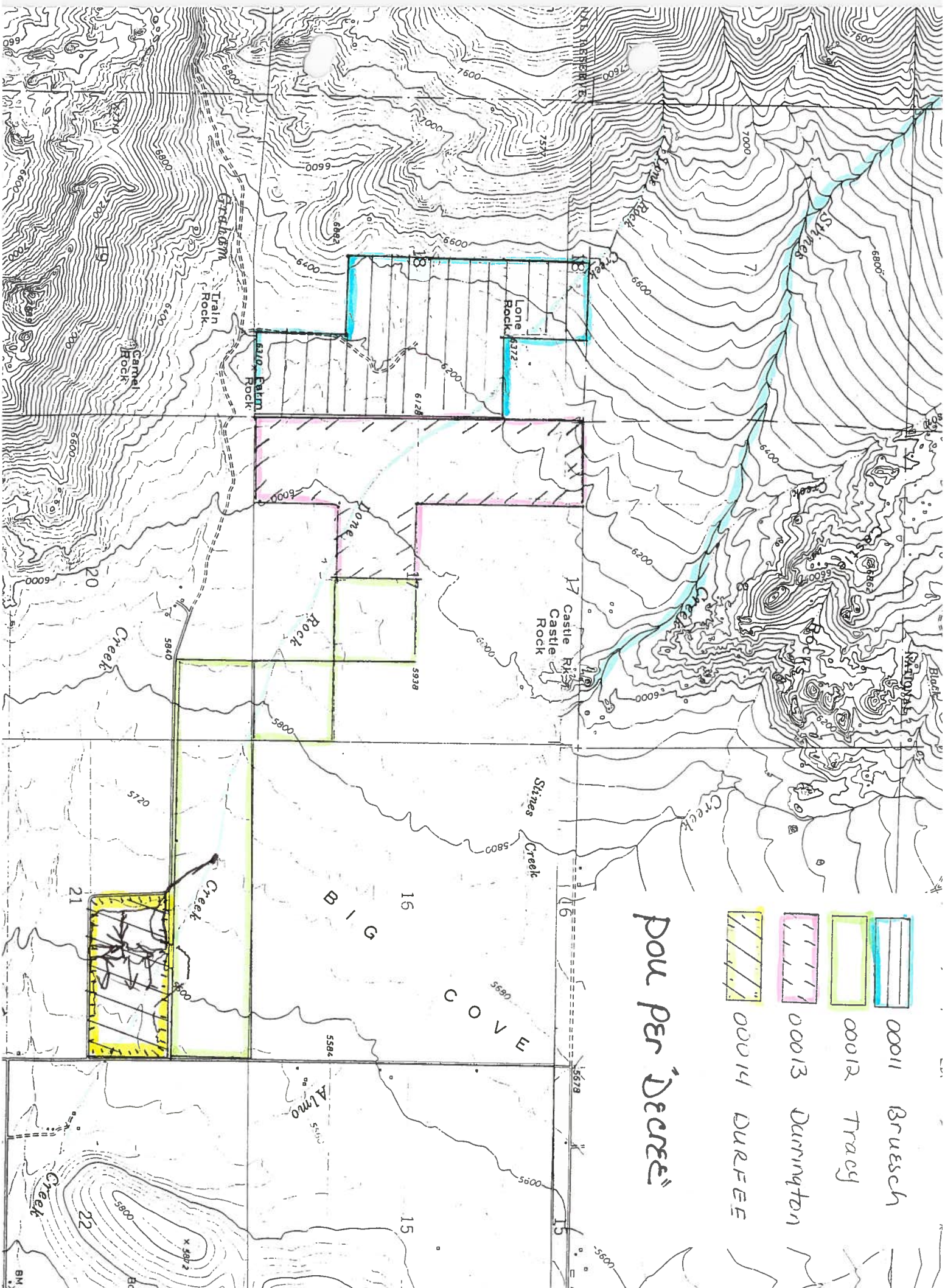
R. BASES FOR DISALLOWAL

A claim recommended for disallowal should have a status of "I". The claim should include a remark indicating the basis for disallowal. Adjudication Memo #32 lists standard remarks for basis for disallowal (the "P" prefix remarks.) If none of the standard remarks seem appropriate, then the water agent should contact legal staff.

The claim should also include a standard condition that offers a brief explanation of the basis for disallowal. Adjudication Memo #32 lists the conditions for the standard bases for disallowal (the "P" prefix conditions, which are numbered the same as the "P"



Don Per "Deene"



LAST: DUFFEE
ADDRESS: ALMO
CITY: ALMO
PHONE NUMBER: 208-824-5544
OWNER CODE: C
FIRST: NEIL R
STATE: ID ZIP: 83312

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE Y
FIELD EXAMINER Y() N()

CLAIM REMARKS: THIS CLAIM WAS DECREED AND IDENTIFIED IN THE ALMO WATER CO. DECREE. THE INFORMATION WAS NOT TRANSFERRED TO THE DATABASE BUT WAS ASSIGNED THIS NUMBER IN THE DECREE. THE AMOUNT OF WATER CLAIMED IS NOT BINDING OR RESTRICTING SINCE THE ACTUAL RIGHT IS CORRECTLY DESCRIBED AS "THE ENTIRE STREAM FLOW EVERY 10TH DAY, REGARDLESS OF FLOW." (AS PER CLAIMANT)

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Neal Duffee
DATE OF FIELD EXAM: 6/30/99 APPOINTMENT MADE: Y() N()
ACCOMPANIED BY: Claimant TIME: : A() P()
RELATIONSHIP TO CLAIMANT: PHONE NUMBER: () -
DIRECTIONS TO PROPERTY / NOTES:

Turn right at Welcome sign coming into Almo. Turn right on Big Court Road. Turn left at Bruesch Road. 15.80 ac to your right to your due west.

A. AJ CLAIM: # A43-00014 PRIORITY DATE: 04-01-1879 STAGE: D

B. WR RECORD: # 43-00014 PRIORITY DATE: - - 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:

Ambiguous Decree. Priority date not
in decree. Priority date based upon
Affidavit signed in 1839, enclosed in
exhibits

RECOMMENDED PRIORITY DATE:

04-01-1839

REVIEWED BY



DATE

2-2-2000

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A43-00014	15S	24E	7	SW	SW	NE			CASSIA		
A43-00014	15S	24E	17	NE	SW	SE			CASSIA		
A43-00014	15S	24E	17	SE	SE	SE	I		CASSIA		
A43-00014	15S	24E	21	SE	NE	NW	R		CASSIA		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
A43-00012 NONE

NONE

SOURCE: STINES CREEK

TRIB: ALMO CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
43-00014											

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
NONE A43-00012 NONE

SOURCE: STINE CREEK

TRIB:

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 ☐

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()
AJ FIELD EXAM (DATE OF FIELD EXAM 8-11-1999) NAME OF EXAMINER W Hancock Y() N()
OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

Location of diversion from Stines Creek to
Abigail ditch verified by GPS. File # SD81119a.
No tag set.
At 8 injection at SSSSS Sec 17
Re-diversion at SE NE NW Sec 21

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
15S	24E	7	SW	SW	NE				CASSIA		
15S	24E	17	NE	SW	SE				CASSIA		
15S	24E	17	SE	SE	SE			I	CASSIA		
15S	24E	21	SE	NE	NW			R	CASSIA		

SOURCE:

TRIB:

Stines CreekX

REVIEWED BY:

DATE: 8-2-2000

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

A. ROOT WATER RIGHT NUMBERS: A43-00014

B. POU LISTING											
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
15S	24E	21	SW	NE		DURFEE, NEIL R	A43-00014	/ 40.0	43-00014	/	
15S	24E	21	SE	NE		DURFEE, NEIL R	A43-00014	/ 40.0	43-00014	/	
			SE	NE		DURFEE, NEIL R	A43-10125	/	-	/	
			SE	NE		DURFEE, NEIL R	R43-10125	/	-	/	



ADDITIONAL POU FOUND

TOTAL ACRES A43-00014 80.00 78.0 ac

POU COUNTY: CASSIA

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

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

Y () N ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A43-10125	STOCKWATER	DURFEE, NEIL R	FROM 03-01 TO 12-31	0.030 CFS	
R43-10125	STOCKWATER	DURFEE, NEIL R	FROM 03-01 TO 12-31	0.030 CFS	

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: ALMO WATER CO.

Y () N ()

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, IDMR NO. _____; () TOPOGRAPHIC QUAD, IDMR NO. _____;

(X) NAPP, IDMR NO. 1987 Flight; () ASCS PHOTO; () OTHER _____

NOTES: _____

Unmanned area located & calculated with
Ape UTM 645 using 1987-88 NAPP Aerial
photography. 78 acres found

RECOMMENDATIONS:

TOTAL ACRES: _____

N/A ()

REVIEWED BY: _____

DATE: 2-2-2000

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A43-00014 IRRIGATION	FROM 04-01 TO 11-01	1.600 CFS	
TOTAL DIVERSION RATE/VOLUME		1.600 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
43-00014 IRRIGATION	FROM 03-15 TO 11-15	1.600 CFS	
TOTAL DIVERSION RATE/VOLUME			

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? ☒ Y ☐ ND. 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 ☐ NF. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDMR STANDARDS? ☐ Y ☒ NG. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDMR STANDARDS? ☒ Y ☐ N

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDMR 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 ☐ NJ. 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:

We claimed a spec with device and found as claimed.

No issues w/ device. Recommend issue std

AJ CLAIM TOTAL DIVERSION RATE:

1,600 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:

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

See attached

, SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 78 x 0.02 CFS/ACRE = 1.56 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 = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 200.0 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:

See attached explanation of entire
dryland ditch system.

MR RECORD CONDITIONS/REMARKS:

Priority date and point of diversion not given in decree. Decree entitles this right, along with rights 43-0011/0012/0013, to all the water of Stine Creek.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 1.600	DATABASE EXAMINER	DATABASE EXAMINER 200.0
	4-1 10-31	1.56	/	/
TOTAL FOR THIS RIGHT		1.600 1.56		200.0

NON-IRRIGATION USES CLAIMED: S/75 BEEF CATTLE.

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

REVIEWED BY:

DATE: 2-22-2000

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	(X)	()
FORFEIT/ABANDON	(X)	()
ADDITIONAL DIV. AMOUNT	(X)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-00014

DATABASE

EXAMINER

TOTAL DIVERSION RATE OF WR SPLITS

CFS

SPLITS:

OLD RIGHT
NUMBERSCURRENT
CLAIM NUMBERSDIVERSION
RATECURRENT "R"
CLAIM NUM."R" DIV.
RATEWR RIGHT
NUMBERSDIVERSION
RATE

43-00014

TOTAL CFS

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?DATABASE
NFIELD
EXAMINER
Y() N()

NOTES:

110 Splits

AUTHENTICATION:

SIGNATURE:



DATE:

22/2000

NAME OF FIELD EXAMINER:

Mike Hancock

TITLE:

Water Resource Agent

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	IDMR ID NO.	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED	IDMR ID NO.	Y() N()
☐ MAP	DATE OF PHOTO	IDMR ID NO.	Y() N()
☐ 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		Y() N()
☐ OTHER	DATE		Y() N()
☐ OTHER	DATE		Y() N()
☐ OTHER	DATE		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED		
☐ IDMR APPROVED TRANSFER	DATE TRANSFER APPROVED		
☐ SYSTEM DESCRIPTION	DATE DRAWN		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED		
☐ OTHER	DATE		
☐ OTHER	DATE		

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	Y							
POINT OF DIV	Y							
SOURCE	Y							
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

R PROOF

CVR

MAPS

PHOTOS

MISC

—

—

—

—

—