

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 43-94
Date Received: 5/17/89
Receipt No:
Received By:

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

1. Name of Claimant(s)

Name: KATHRYN H BARKER Phone: (801)375-7237
Address: 1621 W 950 N
PROVO UT USA 84604

AND

Name: RUEL BARKER Phone: (801)375-7237
Address: 1621 W 950 N
PROVO UT USA 84604

2. Date of Priority: 04/30/1879

3. Source: Cassia Creek Trib. to: Raft River

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
14S	25E	5	NE NW NW 0		CASSIA
14S	25E	5	SW NW NW 0		CASSIA
14S	25E	5	SE NE NW 0		CASSIA
14S	25E	5	NW SE NW 0		CASSIA
14S	25E	5	SE NW NW 0		CASSIA

5. Description of diverting works:

HEADGATE & MEASURING DEVICE, BARKER DITCH, RICE-LESSEY DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.1	

7. Total Quantity Appropriated is:
0.1 C.F.S.

all
SCANNED
DEC 29 2011

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14S	25E	5	NE NW	3	IRRIGATION	40
			NW NW	4	IRRIGATION	40
					Section Acres	80
					Total Acres	80

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:

14. Remarks:

CHANGE OF OWNERSHIP MADE BASED UPON WARRANTY DEED SUBMITTED TO THE
DEPT. THE WARRANTY DEED STATES IN PART ... AND ALL WATER AND WATER RIGHTS,
AND ALL OTHER RIGHTS AND PRIVILEGES... KKC 7-31-00

15. Basis of Claim: Decreed



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**

JULY 31, 2000

VIVIAN DARINGTON
1191 E 2000 S
ELBA ID 83342

RE: CHANGE OF OWNERSHIP FOR 43-00094, 43-00095 AND 43-00441

Dear Vivian

Based upon the information in the warranty deed, all of each of the rights were to be changed into Ruel's name which I have now done.

If you have any questions please contact this office.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures



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 KEMPTHORNI
GOVERNOR**

July 31, 2000

**KARL J. DREHER
DIRECTOR**

RUEL BARKER
1621 W 950 N
PROVO UT 84604

RE: CHANGE OF OWNERSHIP FOR 43-00094, 43-00095 AND 43-00441

Dear Ruel

Enclosed are the copies of the adjudication claims showing the change in ownership. They do not, however, represent the final recommendation. The recommendation should be out later this fall. I observed some of the ground being retained by Vivian as being irrigated but as the warranty deed indicated that you have received all of the water rights, I have changed the entire rights into your name. My recommendation will also reflect the same thing.

If you have any questions please contact this office.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

RECEIVE

JUL 12 2001

Department of Water Resources
Southern Region

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): 43-00441 43-0094
 Adjudication Claim No(s): 43-0095

2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant Vivian Darrington
1191 East 2000 South

4. New Owner/Claimant(s) Elba, ID 83342
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
 New Mailing Address Ruel Barker / Kay Barker
 City, State and ZIP Code 1621 W. 950 N Provo, UT 84601
 New Telephone Number (801) 375-7237

5. Date you acquired the property May 17, 2000

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) Ruel Barker
Kay Barker
 Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

RECEIVED

JUL 12 2000

Department of Water Resources
Southern Region

EXHIBIT C
PURCHASE MONEY MORTGAGE

MORTGAGE, made this 12th day of May, 2000, by RUEL M. BARKER and KATHRYN H. BARKER, husband and wife, of 1621 West 950 North, Provo, Utah 84604 ("Mortgagor") to VIVIAN DARRINGTON, a single person, of 1191 East 2000 South, Burley, Idaho 83318, ("Mortgagee").

W I T N E S S E T H:

The Mortgagor, for and in consideration of the sum of One Hundred Sixty-Eight Thousand Five Hundred and No/100 Dollars (\$168,500.00) and other good and valuable consideration, herein receipted for but not recited, in lawful money of the United States of America, receipt whereof is hereby acknowledged, have granted, bargained, sold, conveyed, assigned, transferred, set over and mortgaged unto the Mortgagee, the successors and assigns of Mortgagee, the real estate described on Schedule A located in Cassia County, State of Idaho.

AND TOGETHER with all and singular the improvements thereon and all water and water rights, and all other rights and privileges owned by the Mortgagor or belonging to, or with, leading to, connected with or usually had or enjoyed in connection with the real estate or any part thereof, whether or not hereinabove expressly mentioned or described and all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining and the rents, issues and profits

Attn: Kelly Christensen

RECEIVED

JUL 12 2000

Department of Water Resources
Southern Region

In the official documents, the property listed as lot 1 & 2 for Aunt Mamie property there is an 1894 water Decree on the the Job Adams decree.

We would like to update this file also and would appreciate your help with this.

Thank-you!

Any questions contact:

Tom Ottley

638-5571

or

Rue1 Barker

801-375-7237

SCHEDULE A

Parcel No. 1:

GROUND NOT IRRIGATED

The SW 1/4 of Section 33, Township 13 South, Range 25 East of the Boise Meridian, Cassia County, Idaho.

Less: (Tax 6460A)

PIU is East of Gardiner Quake App in grd.

A parcel of land located in the Northwest 1/4 of the Southwest 1/4 of Section 33, Township 13 South, Range 25 East of the Boise Meridian, Cassia County, Idaho, more particularly described as follows as surveyed by Desert West Land Surveys, Job No. 3621-95B1, dated 14 April 1995, and recorded as Instrument Number 237205, records of Cassia County, Idaho:

the cemetery { Beginning at the West 1/4 corner of said Section 33, said corner marked by a 5/8" rebar; Thence North 89°38'33" East (East rec.) along the 1/4 section line for a distance of 20.00 feet to the POINT OF BEGINNING;
Thence South 00°01'27" West (South rec.) for a distance of 330.00 feet (20 rods rec.) to a point;
Thence North 89°38'33" East (East rec.) for a distance of 466.54 feet to a point;
Thence North 00°16'41" East for a distance of 330.01 feet to a point on the 1/4 section line;
Thence South 89°38'33" West (West rec.) along said 1/4 section line for a distance of 468.01 feet to the POINT OF BEGINNING.

Less: (Tax 7381)

A parcel of land located in the Northwest 1/4 of the Southwest 1/4 of Section 33, Township 13 South, Range 25 East of the Boise Meridian, Cassia County, Idaho, more particularly described as follows:

Beginning at the West 1/4 corner of said Section 33, said corner marked by a 5/8" rebar which shall be the POINT OF BEGINNING;

Thence North 89°38'33" East along the 1/4 section line for a distance of 20.00 feet to a point;

RECEIVED

JUL 26 2000

Department of Water Resource
Southern Region

Thence South $00^{\circ}01'27''$ West (South, rec.) along the West line of the Elba Cemetery for a distance of 330.00 feet to a point;
Thence North $89^{\circ}38'33''$ East (East, rec.) along the South line of the Elba Cemetery for a distance of 466.54 feet to a point;
Thence South $00^{\circ}16'41''$ West for a distance of 42.99 feet to a $5/8''$ rebar;
Thence North $89^{\circ}24'10''$ West for a distance of 486.37 feet to a $5/8''$ rebar on the West line of Section 33;
Thence North $00^{\circ}01'27''$ East along said line for a distance of 339.67 feet to a $5/8''$ rebar;
Thence North $00^{\circ}01'27''$ East along said line for a distance of 25.21 feet to the POINT OF BEGINNING.

Parcel No. 2:

main in ground.
Lots 1, 2, 3, and 4 of Section 5, Township 14 South, Range 25 East of the Boise Meridian, Cassia County, Idaho.

Less:

A parcel of land located in Lot 3 of Section 5, Township 14 South, Range 25 East of the Boise Meridian described as follows:

(Darrington Farnstead)
Beginning at the N $1/4$ corner of said Section 5, said corner marked by a $5/8''$ rebar with a 3" cap on top which shall be the POINT OF BEGINNING;
Thence South $89^{\circ}58'00''$ West (West, rec.) along section line for a distance of 600.00 feet to a point;
Thence South $00^{\circ}30'23''$ East (South rec.) parallel to the East Boundary line of Lot 3 for a distance of 400.00 feet to a point;
Thence North $89^{\circ}58'00''$ East (East, Rec.) parallel to the North boundary line of Section 5 for a distance of 600.00 feet to the East boundary line of Lot 3;
Thence North $00^{\circ}30'23''$ West (North, rec.) along the East boundary line of Lot 3 for a distance of 400.00 feet to the POINT OF BEGINNING.

Parcel No. 3:

top portion of the SWNW
A parcel of land located in the Northwest quarter of Section 5, Township 14 South, Range 25, East of the Boise Meridian, Cassia County, Idaho, more particularly described as follows:

Beginning 65.12 rods North of the Southwest corner of the Northwest quarter of Section 5, Township 14 South, Range 25, East of the Boise Meridian, running thence East 80 rods, thence North 14.88 rods, thence West 80 rods, thence South 14.88 rods to point of beginning.

Parcel No. 4:

Top portion of the SE 1/4 NW
A parcel of land located in the Northwest quarter of Section 5, Township 14 South, Range 25, East of the Boise Meridian, Cassia County, Idaho, more particularly described as follows:

Beginning 65.12 rods North of the Southeast corner of the Northwest quarter of Section 5, Township 14 South, Range 25, East of the Boise Meridian, running thence West 80 rods, thence North 14.88 rods, thence east 80 rods, thence South 14.88 rods to point of beginning.

Less:

A parcel of land located in the Northwest quarter of Section 5, Township 14 South, Range 25, East of the Boise Meridian, Cassia County, Idaho, more particularly described as follows:

not part of ir gnd (see end of section for additional notes)
Beginning at the South 1/4 section corner of said Section 5, said corner marked by a U.S. GLO iron pipe with brass cap; thence North $00^{\circ}30'23''$ West along the East line of the W 1/2 of Section 5 for a distance of 2624.20 feet to the Center 1/4 section corner of Section 5; thence North $00^{\circ}30'23''$ West along the East line of the W 1/2 of Section 5 for a distance of 1074.48 feet to the NE corner of that property as deeded to Alvin & Mary J. Carpenter by Warranty Deed dated 31 May 1974 and recorded in the office of the County Recorder of Cassia County on 28 Mar. 1975 as Instrument Number 82172, which shall be the POINT OF BEGINNING;

Thence South $89^{\circ}48'21''$ West along the North line of the Carpenter Property as mentioned above for a distance of 473.01 feet;

Thence North $60^{\circ}08'52''$ East for a distance of 102.87 feet to a 1/2" rebar;

Thence North $70^{\circ}07'42''$ East for a distance of 31.37 feet to a 1/2" rebar;

Thence North 89°22'25" East for a distance of 346.42 feet to a 1/2" rebar;

Thence North 89°22'25" East for a distance of 7.32 feet to the East line of the SE 1/4 NW 1/4;

Thence South 00°30'23" East along the East line of the SE 1/4 NW 1/4 for a distance of 64.13 feet to the POINT OF

BEGINNING. *The parcel is on the hillside in the NE corner of the SE 1/4, it is outside of the irrigated ground. It describes the roadway into the Carpenter Property*

ALL IN CASSIA COUNTY, STATE OF IDAHO

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: A43-00094
Date Received: 5/17/1989
Receipt No: M003614
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEITH O. DARRINGTON 208-638-5551
Address: ELBA, ID 83326
OR
Name: VIVIAN W. DARRINGTON 208-638-5551
Address: ELBA, ID 83326

2. Date of Priority: APR 30, 1879

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	25E	5	SE	NE	NW		CASSIA
			NE	NW	NW		CASSIA
			SW	NW	NW		CASSIA
			SE	NW	NW		CASSIA
			NW	SE	NW		CASSIA

5. Description of diverting works:
HEADGATE & MEASURING DEVICE, BARKER DITCH, RICE-LESSEY DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A43-00094

Page 1

Date: 05/17/89

MICROFILMED
MAR 02 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	25E	5	NE		NW	3	IRR	40.0
			NW		NW	4	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:
43-0093, 0095, 43-00441

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL
Decree Defendant

vs

MICROFILMED
MAR 02 1993

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): Keith C. Harrington Date: 5-17-89

Date: _____

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 17th day

of May 19 89

Robert V. Horstall
Notary Public

Seal

Residing at Twin Falls, Idaho
My Commission Expires 1/16/1995

Christensen, Kelly

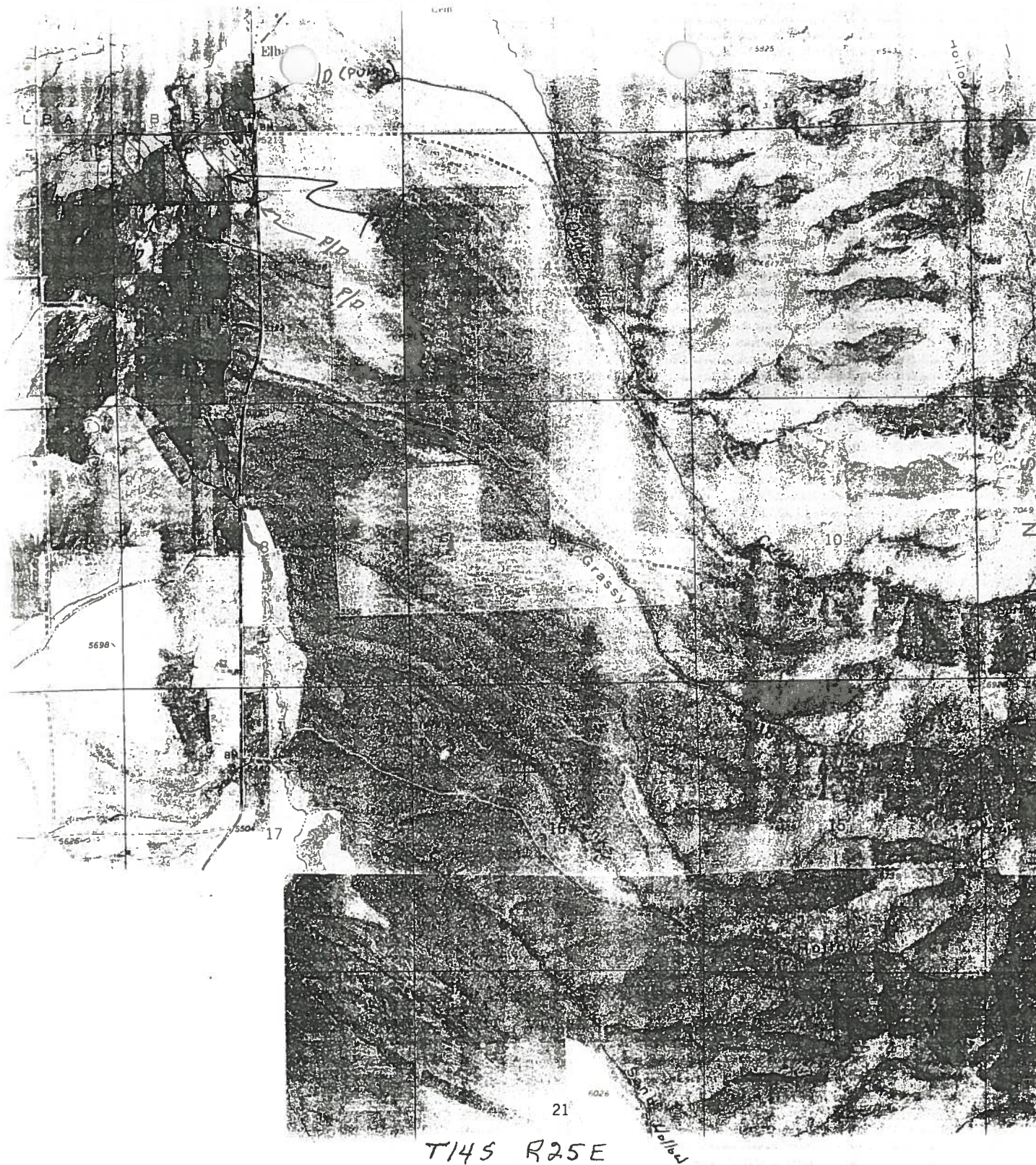
Subject: Laurie Darrington
Entry Type: Phone call

Start: Mon 8/30/99 12:00 AM
End: Mon 8/30/99 12:00 AM
Duration: 0 hours

I called her to discuss the Bar M rights 43-00015 through 43-00029. She indicated that she has 43-00018 on the books for Hall. (Kunu p/u?) She didn't think any other rights were being delivered.

We then started discussing the water rights for her parents. They are a43-00094, a43-00095, and a43-00441. She stated the A43-00093 was considered a high-water right and that her parents figured that they could just continue irrigating as they historically have been doing. When a watermaster is called on this right is not delivered. We then started to discuss the place of use. The place of use does extend into the S1/2 of the NW1/4 by about 15 acres. They worked through this with the county assessor's office approximately 2 to 3 years ago. I requested a copy of the adjusted warranty deed.

I set up an appointment to meet with her on Tues Sept 7 at 10:00 am.



T145 R25E

MICROFILMED
MAR 02 1993

11/14/2000

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

RIGHT NUMBER: 43-94

NAME AND ADDRESS: KATHRYN H BARKER
RUEL BARKER
1621 W 950 N
PROVO, UT 84604

VERIFIED BY *KKC**11-14-00*SOURCE: CASSIA CREEK
CROSS CREEKTRIBUTARY: RAFT RIVER
CASSIA CREEK

QUANTITY: 0.1 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.45 CFS. COMBINED RIGHT NOS: 43-94, 43-95, AND
43-441

PRIORITY DATE: 04/30/1879

POINT OF DIVERSION: T14S R24E S12 NWNENW Within CASSIA County
T14S R25E S6 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.10 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T14S R25E S5	SENEW	6.3	T14S R25E S5	SWNW	7.1
T14S R25E S5 LOT 3	NENW	27	T14S R25E S5 LOT 4	NWNW	32

72.4 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 72.4 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS. 43-94, 43-95, AND 43-441.

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

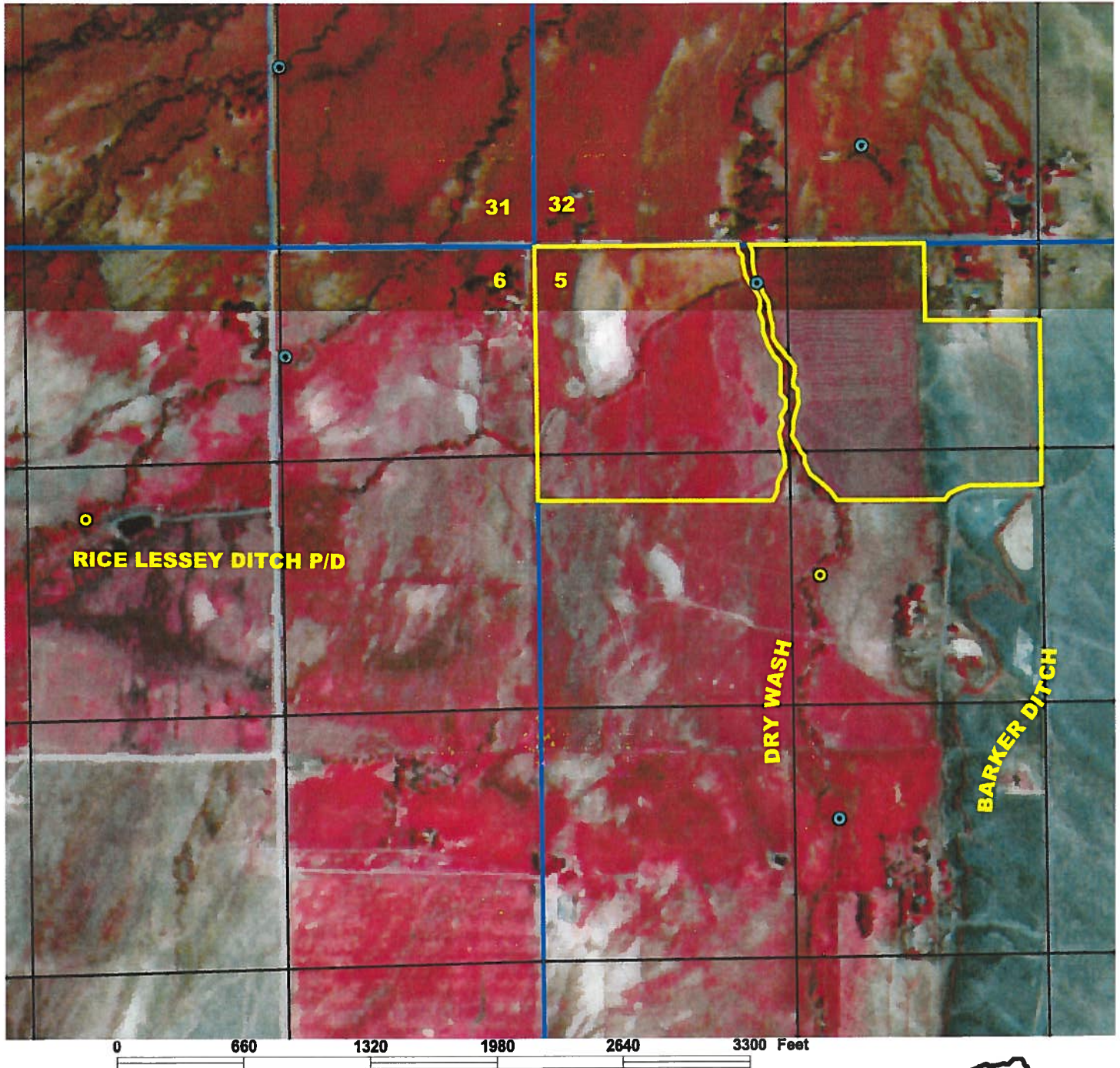
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

WATER IS DELIVERED THROUGH THE RICE LESSEY DITCH IN TWP
14S, RNG 25E, SEC 6, NWSWNE
WATER IS DELIVERED THROUGH THE BARKER DITCH IN TWP 14S,
RNG 24E, SEC 12, NWNENW

all
SCANNED
DEC 29 2011

**RECOMMENDED PLACE OF USE FOR
43-00094, 43-00094, and 43-00441**



PLACE OF USE

TWP 14S, RNG 25E, SEC 5

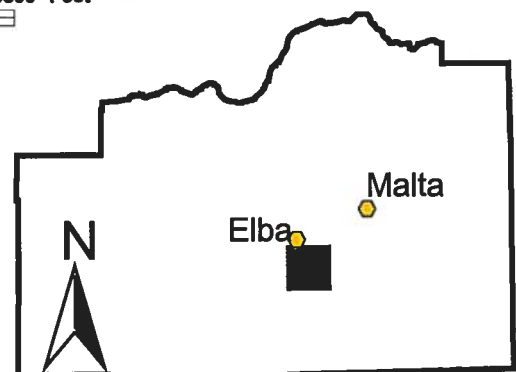
Data entry on AUG 2, 2000

GIS PLACE OF USE PRESENTATION

1987/1988 NAPP AERIAL PHOTOGRAPHY

DATA ENTRY BY KELLY K CHRISTENSEN

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



CLAIM NUMBER
43-00094
00095
00441

DATE
7-31-00

AGENT
KKC

TRANSFER NUMBER

CLAIMED ACRE TOTAL
80

GIS ACRE TOTAL
72.1

	TWP	RNG	SEC	NE				L34NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	14S	2SE	5	L				40	40											80
GIS								26.6	31.6	7.2	6.3									
RECOM								27	32	7.2	6.3									72.1
CLAIM	43-00441		5.					17.1	16.2		3.6					total				
GIS																				
RECOM								17	16							total				
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP
SHAPE NOS.
32
33

Lots 3 & 4 are $\approx$ 33 ac ea. The field boundary extends into the S $\frac{1}{2}$ NW $\frac{1}{4}$ making the Prop $\approx$ 80 acres. See Warranty deed submitted with Chg Ownership Darrington to Barker.

- B43-POD.SHP
- NOS.
DESCRIPTION
- 12
NENWNW Sec 5 (Dry Wash Pump site)
- 11
~~NW~~ SENW Sec 5 Dry Wash gravity div. KKC change based upon GPS Data.
- 10
NWSWNE Sec 6 (Rice-Lessey ditch)
- 13
NWNENW Sec 12 (Barker Ditch) ((14S-24E))

DBF TABLES UPDATED
B43-DBPOU.DBF 9-13-99 Revised 7-31-00
B43-DBPOD.DBF 9-13-99
JPEG LAYOUT
43-00094 Darrington

Dry Wash has been historically applied to approx 37 acres. The decree lists .80 cfs on 40 ac @ 1" As the P/U for Dry Wash is not clear I am recommending this right with a 40 AC limit

Decreed from Cassia Cr 43-94 - .10CFS
Both Rice Lessey & -95 1.20CFS
Barker Ditch 1.30CFS

Decreed from Dry Wash

43-441 - .80CFS

$$P/U = 72.4ac$$

$$\underline{.02 \text{ CFS/Ac}}$$

$$\underline{1.448 \text{ CFS}}$$

The recommended rates from Cassia Cr
is less than 1"/Ac for the recommended P/U.
No conveyance losses identified,

KKC

11-10-2000

Prepared by Kelly K Christensen
September 10, 1999

D:\Data\basin data\b43\ai

ANALYSIS FOR A43-00094 43-00095, & 43-00441

Historical practice has been that the property has and is irrigated from 3 different sources, Cassia Creek through the Rice Lessey Ditch, Cross Creek through the Barker Ditch, and Dry wash through a ditch and gravity system and a pump system. The claims list numerous points of diversion, however they represent where the ditches enter the property rather than where the water is diverted from the source. The adjudication recommendation describes the points of diversion at the location where the water is diverted from the sources.

The claims indicated that the place of use was in the N $\frac{1}{2}$ NW $\frac{1}{4}$. All aerial photography indicates that approximately 15 acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$. This was later confirmed by the county assessor. Apparently there has historically been confusion over the property boundaries for this property and the next two properties south of this system. The claimant submitted a revised warranty deed to correct the discrepancy. To the best of my knowledge those acres were part of the place of use prior to the Jobe Adams decree. I am therefore recommending these rights with the acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$ as part of the original place of use and, therefore, I do not consider them to be an enlargement of the original decreed place of use.

*See also warranty
submitted with
Chg of ownership
Darrington to
Barker
KKC 8-3-00*

Claims A43-00094 and A43-00095 were decreed as having Cassia Creek as the source. Other rights within the decree describe Cassia Creek as the source when in reality the correct source is actually another named stream tributary to Cassia Creek. The diversion from Cross Creek is considered to be in the same circumstance. Therefore, I am recommending both of these rights with two points of diversions. One from each source. Both sources are shown on the recommendations.

The claimant indicated that their historical use is to alternate the diversion of the rights between the two sources based upon the needs of the property. In general the northwestern corner of the property is irrigated from the Rice Lessey Ditch and the rest is irrigated from the Barker Ditch. All of the place of use can be irrigated from these two points of diversion.

Claim A43-00441 was decreed with the source being from Dry ^{Wash} ~~Creek~~ ^{KKC}. This source is diverted from two different locations, one a pumping and the other a gravity system.

The system operation currently is to use the gravity system to irrigate ground east of the Dry Wash as far east as the gravity system will allow. Ms Darrington indicated that the use is normally just in the early spring.

She further stated that during the irrigation season water rises in the Dry Wash channel below that point of diversion. The water that rises in the Dry Wash can be diverted through the pump system that has been established approximately 230 feet south of the point where the channel leaves the property. The water is delivered to the ground east of Dry Wash and up to the base of the hillside. This area is approximately $\frac{1}{2}$ of the NENW (lot 3). She indicated that they have also allowed the water in Dry Wash to enter the Rice Lessey Ditch just north of the pump location as an exchange system.

When they allow the Dry Wash water to enter the Rice Lessey Ditch, they then divert a matching amount from the Rice Lessey at the point where the ditch enters the property at the southwest corner of the NWNW quarter. That water is used to irrigate the same ground as previously described.

Virtually all of the owned property is irrigated through one system or another. The claimant indicated that since a secondary ditch system coming from the Barker ditch has been rerouted that they have difficulty irrigating a small area in the SW corner of the property. However, I am not excluding that ground from the recommended place of use.



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

BARKER DITCH

The Barker Ditch is diverted from Cross Creek within TWP 14S, RNG 24E, SEC 12, NWNENW. Cross Creek is located on the western side of the Elba valley.

The ditch runs on contour along the southern side of the valley through sec 6 and 8 of 14S, 25E. In sec 8 the ditch switches from running east southeast to running north, paralleling the highway. This is now the eastern portion of the valley. The ditch is also flumed under Dry Creek at that point and Dry Creek can be diverted into the Barker ditch at the same location. The ditch continues north until it reaches TWP 13S, RNG 24E, SEC 32. The ditch ends in that section.



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222 SHOSHONE ST E
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DIRECTOR

RICE-LESSY DITCH

The Rice-Lessy Ditch is diverted from Cassia Creek within 14S, 24E, SEC 06 NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$. The ditch runs east and slightly northerly through section 6 and then heads northeast across the NW $\frac{1}{4}$ of section 5 where it joins with an unnamed stream locally known as 'Dry Wash'. The combined channels then run north along the eastern border of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 32. Just north of the northeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 32 the natural channel for the Dry Wash disappears into a field and the ditch then runs northeast to the center of section 32. After crossing the county road the ditch splits with one branch going west to property currently owned by Edwards, Twitchel, and Hepworth. The other branch runs northeast and supplies water to the property currently owned by Ward and then Anderson. Anderson is the last user on the ditch system. The

Rice-Lessy ditch enters the Anderson property at the SW corner of the SE $\frac{1}{4}$ of section 29.

Remarks: WATER IS DELIVERED THROUGH THE RICE LESSEY DITCH IN TWP 14S,____
RNG 25E, SEC 6, NWSWNE._____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:02:23
04/14/99

PAGE: 15
QUICKLOOK INFORMATION

15
CLAIM NUMBER: A43-00094

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			9-10-99 KKC	N	KKC 9-14-99	KKC	KKC	
POINT OF DIV	Y		9-7-99 KKC	Y	1	1	1	
SOURCE			6-20-95 KKC	Y	1	1	1	
PLACE OF USE	Y		9-7-99 KKC	Y	1	1	1	
DIV. AMOUNT CFS/VOLUME			9-14-99 KKC	N	1	1	1	
CONSUMPTIVE USE	-		-					
PURPOSES OF USE			9-7-99 KKC	N	1	1	1	
PERIOD OF USE	Y		9-7-99 KKC	Y	1	1	1	
BASIS OF CLAIM			9-7-99 KKC	N	1	1	1	
REMARKS								

BARCODE UPDATED
WHOM/DATE

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 INCLUDE IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1976</u> IDWR ID NO. <u>DD-30</u>	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ MAP <u>GIS layout</u>	DATE OF PHOTO <u>1987-88</u> IDWR ID NO. _____	Y(☒) N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>1987 W-28</u>	Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO <u>1978 P-28</u>	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()

*as field
map
and
Recommendation*

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☒ SYSTEM DESCRIPTION	DATE DRAWN <u>9-14-99</u>	_____	<u>ongis.</u>
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>Ricelessey FPU @ SW corner - 6-20-95</u>	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☐ OTHER <u>Narrative of Ricelessey L. photo</u>	DATE <u>Started in 1995</u>	_____	_____
☐ OTHER <u>" " Barbra Ditch</u>	DATE <u>Started Sept, 13, 1999</u>	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

17:02:23
04/14/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A43-0D094

LAST: DARRINGTON FIRST: KEITH O
ADDRESS:
CITY: ELBA STATE: ID ZIP: 83326
PHONE NUMBER: 208-638-5551

OWNER CODE: C

LAST: DARRINGTON FIRST: VIVIAN W
ADDRESS:
CITY: ELBA STATE: ID ZIP: 83326
PHONE NUMBER: 208-638-5551

OWNER CODE: C

FIELD EXAM REQUIRED? FIELD
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE EXAMINER
N
NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Ms Darrington & her Daughter. PHONE NUMBER: () -
DATE OF FIELD EXAM: 9/7/99 APPOINTMENT MADE: Y(☒) N() TIME: : A() P()
ACCOMPANIED BY: PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A43-00094 PRIORITY DATE: 04-30-1879 STAGE: D

B. WR RECORD: # 43-00094 PRIORITY DATE: 04-30-1879 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(☒) N() *not for this property*

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: *the claim is based upon the decreed right of the same number. This claim is a close fit to the decreed right therefore I accept that it is representative of that decreed right.*

RECOMMENDED PRIORITY DATE:

04-30-1879 *OK*

REVIEWED BY *KKC*

DATE *9-10-99*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	POD			LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBE
				1/4	1/4	1/4					
A43-00094	14S	25E	5	SE	NE	NW			CASSIA		
A43-00094	14S	25E	5	NE	NW	NW			CASSIA		
A43-00094	14S	25E	5	SW	NW	NW			CASSIA		
A43-00094	14S	25E	5	SE	NW	NW			CASSIA		
A43-00094	14S	25E	5	NW	SE	NW			CASSIA		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A43-00095	R43-00095
A43-00441	R43-00124
A43-10178	R43-00441
	R43-10178

43-07D84

SOURCE: CASSIA CREEK

TRIB: RAFT RIVER

B. WR POINT OF DIVERSION AND SOURCE:

4300094 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CASSIA CREEK

TRIB: RAFT RIVER

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

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

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

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

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☐) N(☒)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(☒) N(☐)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y(☐) N(☐)

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y(☐) N(☐)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: See Analysis dated 9-10-99

KKC 9-14-99

The redirection from the Rice Lessey Ditch for this right occurs at the point where the ditch enters the property. This diversion is shared with the Barker claims (A43-00135 et al). There is a measurement device at this point. It is a parshall flume (C)

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
14S	25E	5	SE	NE	NW			CASSIA		
14S	25E	5	NE	NW	NW			CASSIA		
14S	25E	5	SW	NW	NW			CASSIA		
14S	25E	5	SE	NW	NW			CASSIA		
14S	25E	5	NW	SE	NW			CASSIA		
14S	25E	6	NW	SW	NE		X		RICE LESSEY DITCH	
14S	24E	12	NW	NE	NW		X		BARKER DITCH	

Source = Cassia Creek

Cross Creek

SOURCE: CASSIA CREEK

TRIB: RAFT RIVER

REVIEWED BY: KKC DATE: 9-10-99

See Photo # 2 Barker claim

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

(cont'd from above) with a 9" throat. Long term water marks on the flume indicate that the normal diversion is 1.4 to 1.78 c. This rate exceeds the combined decreed rates for the 2 claimed rights from Cassia Creek. As the system includes the Barker diversion this system can add to the total diverted water. The system can carry in excess of the decreed & recommended diversion rates. No rate limits regained.

994B
Corrects
Tax 994A.

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE POISE MERIDIAN,
CASSIA COUNTY, IDAHO, Section 5:

Beginning 65.12 rods North of the Southeast corner of
the Northwest quarter of said Section 5, running thence
West 80 rods, thence North 14.88 rods, thence East 80
rods, thence South 14.88 rods to point of beginning.

EXCEPTING THEREFROM the following:

Beginning at the South $\frac{1}{4}$ section corner of said Section
5, said corner marked by a U.S. GLO iron pipe with
brass cap; Thence North $00^{\circ}30'23''$ West along the East
line of the $W\frac{1}{2}$ of Section 5 for a distance of 2624.20
feet to the Center $\frac{1}{4}$ section corner of Section 5;
Thence North $00^{\circ}30'23''$ West along the East line of the
 $W\frac{1}{2}$ of Section 5 for a distance of 1074.48 feet to the
NE corner of that property as deeded to Alvin & Mary J.
Carpenter by Warranty Deed dated 31 May 1974 and
recorded in the office of the County Recorder of Cassia
County on 28 Mar. 1975 as Instrument Number 82172,
which shall be the POINT OF BEGINNING;

Thence South $89^{\circ}48'21''$ West along the North line
of the Carpenter Property as mentioned above for a
distance of 473.01 feet;

Thence North $60^{\circ}08'52''$ East for a distance of
102.87 feet to a $\frac{1}{2}''$ rebar;

Thence North $70^{\circ}07'42''$ East for a distance of
31.37 feet to a $\frac{1}{2}''$ rebar;

Thence North $89^{\circ}22'25''$ East for a distance of
346.42 feet to a $\frac{1}{2}''$ rebar;

Thence North $89^{\circ}22'25''$ East for a distance of 7.32
feet to the East line of the $SE\frac{1}{4}NW\frac{1}{4}$;

Thence South $00^{\circ}30'23''$ East along the East line of
the $SE\frac{1}{4}NW\frac{1}{4}$ for a distance of 64.13 feet to the POINT OF
BEGINNING.

Reference Quiet Title recorded October 8, 1996 on Film
No. 281 as Instrument Number 245508; QC245547 and
ROS246118. tdm 12/06/96.

6.84 A

993A

Same
description
as Tax 993,
which was
previously
cancelled.

Beginning ^{1074.48} 65.12 rods North of the Southwest corner of
the Northwest quarter of Section 5, Township 14, Range
25, running thence East 80 rods, thence North 14.88
rods, thence West 80 rods, thence South 14.88 rods to
point of beginning.

Reference Inst. #122464 in Book 44 of Deeds on pages
163 - 164 dated Dec. 16, 1936. tdm 01/03/95

7.44 A

1912-July 1443 0085 1.8 s.f.

for the irrigation of
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, Twp. 16 S. R. 27 E.B.M.

Sarah Boulware

1880-Mar. 143 0086 .34 s.f.c⁴¹

1882-Apr. 3093 0087 1.6 s.f.c⁴¹

1880-Mar. 143 0088 .06 s.f.c⁴¹

155-276
↘

Phillip Burrows

1884-Mar. 143 0089 2 s.f.c⁴¹

1886-Mar. 143 0090 1.6 s.f.c⁴¹

Burt J. Cottle

Ethel Cottle

1894-Apr. 1091 .4 s.f.c⁴¹

1886-Nov. 15 0092 .4 s.f.c⁴¹

Sarah Maria Darrington

1894-Apr. 1093 .3 s.f.c⁴¹

1879-Apr. 1094 .1 s.f.c⁴¹

1880-Apr. 1095 1.2 s.f.c⁴⁷

To be diverted from Cassia Creek
for the irrigation of
Lots 4 and 5, Sec. 6, Twp. 13
S. R. 27 E.B.M.

For the irrigation of a tract
described as follows: Beginning
40 rods East of the SW corner of
the NW $\frac{1}{4}$, Sec. 6, thence North
417.42 feet, thence East 291.29
feet, thence South 208.71 feet,
thence West 208.71 feet, thence
South 208.71 feet, thence West
182.52 feet to place of beginning.

To be diverted from Raft River
for the irrigation of E $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 5, Twp. 15 S. R. 27 E.B.M.

To be diverted from Raft River
for the irrigation of N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 5, Twp. 15 S. R. 27 E.B.M.

To be diverted from Cassia Creek
for the irrigation of the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 14, Twp. 13 S. R. 26 E.B.M.

To be diverted from Cassia Creek
for the irrigation of Lots 3 and 4,
Sec. 5, Twp. 14 S. R. 25 E.B.M.

43-441

A. ROOT WATER RIGHT NUMBERS: A43-00094
R43-00094

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
14S	25E	5	NE	NW	3	DARRINGTON, KEITH O	A43-00094 / 40.0	43-00094 /	31.0		
			NE	NW	3	DARRINGTON, KEITH O	A43-00441 / 35.0	43-00441 /			
			NE	NW	3	DARRINGTON, KEITH O	A43-10178 /	- /			
			NE	NW	3	DARRINGTON, VIVIAN W	A43-00095 / 40.0	43-00095 /			
			NE	NW	3	DARRINGTON, KEITH O	R43-00094 / 40.0	- /			
			NE	NW	3	DARRINGTON, VIVIAN W	R43-00095 / 40.0	- /			
			NE	NW	3	DARRINGTON, VIVIAN W	R43-00441 / 35.0	- /			
			NE	NW	3	DARRINGTON, KEITH O	R43-10178 /	- /			
			NE	NW	3	CASSIA CREEK IRRIGATION CO.		43-00015 /			
			NE	NW	3	DARRINGTON, SARAH MARIA		43-00093 /			
14S	25E	5	NW	NW	4	DARRINGTON, KEITH O	A43-00094 / 40.0	43-00094 /	34.0		
			NW	NW	4	DARRINGTON, KEITH O	A43-00441 / 35.0	43-00441 /			
			NW	NW	4	DARRINGTON, VIVIAN W	A43-00095 / 40.0	43-00095 /			
			NW	NW	4	DARRINGTON, KEITH O	R43-00094 / 40.0	- /			
			NW	NW	4	DARRINGTON, VIVIAN W	R43-00095 / 40.0	- /			
			NW	NW	4	DARRINGTON, VIVIAN W	R43-00441 / 35.0	- /			
			NW	NW	4	CASSIA CREEK IRRIGATION CO.		43-00015 /			
			NW	NW	4	DARRINGTON, SARAH MARIA		43-00093 /			

ADDITIONAL POU FOUND

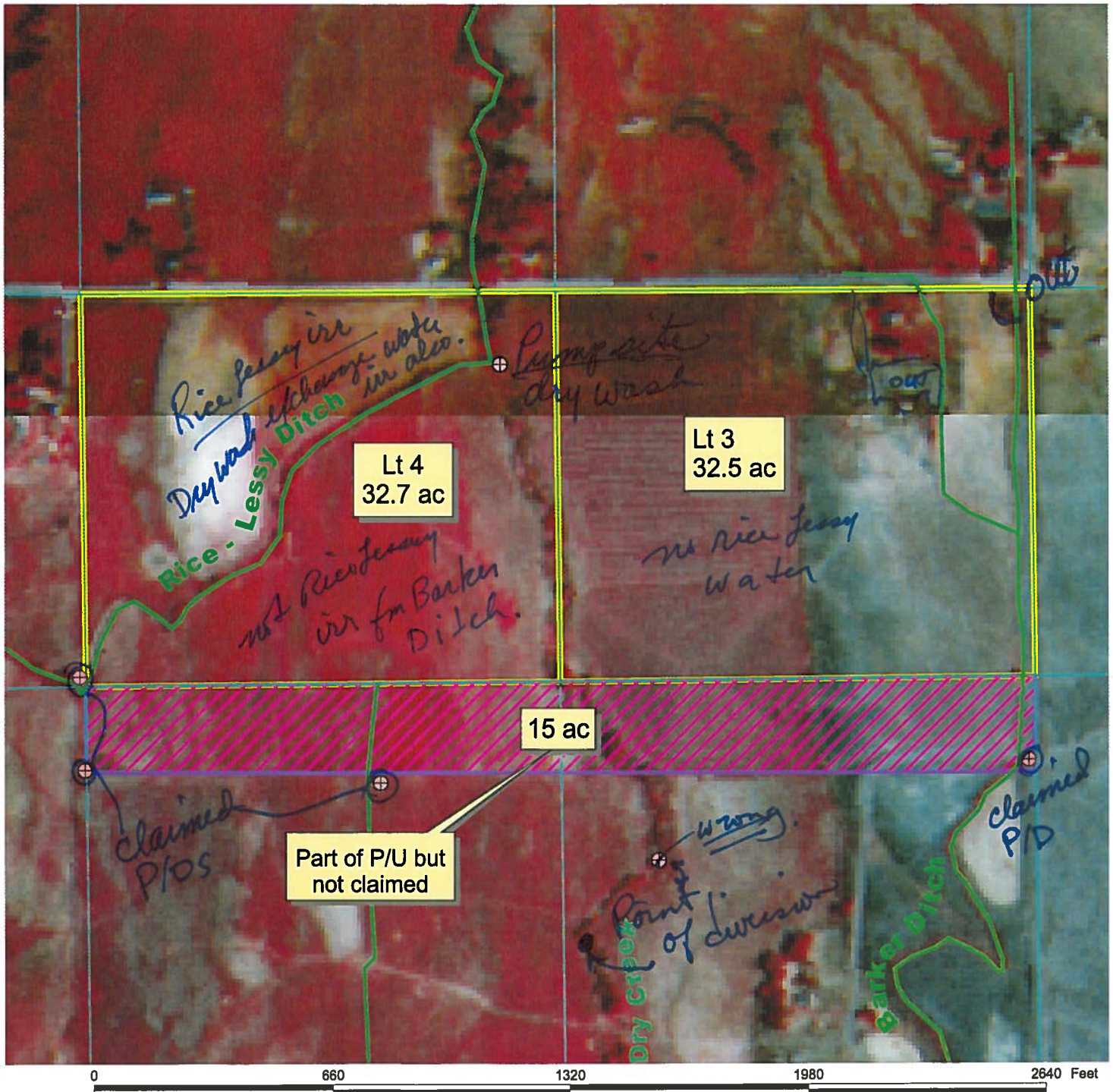
TOTAL ACRES	A43-00094	80.00	65.00
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POU COUNTY: CASSIA

IDAHO DEPARTMENT OF WATER RESOURCES

43-00094, 43-00095, & 43-00441

CLAIMED
PLACE OF USE LAYOUT



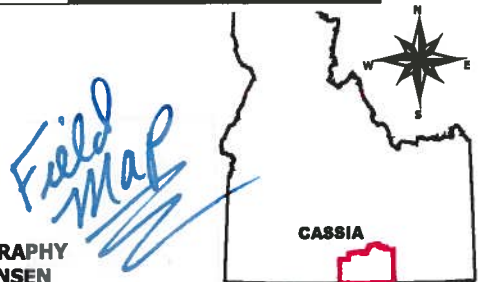
TWP 14S; RNG 25E; SEC 5

FIELD EXAM DATE AGENT
Sept 7, 1999 KKC

JPEG LAYOUT CREATED 4-13-99

- OUTSIDE CLAIMED P/U
- CLAIMED POINT OF DIVERSION
- CLAIMED PLACE OF USE
- SECTION LINES
- QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



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

Y(☒) N(☐)

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

see G is Land list and Attached analysis.

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A43-00094	CASSIA CREEK	DARRINGTON, KEITH O	0.100	0.001		
R43-00094	CASSIA CREEK	DARRINGTON, KEITH O	0.100	0.001		
R43-00095	CASSIA CREEK	DARRINGTON, VIVIAN W	1.200	0.015		
A43-00095	CASSIA CREEK	DARRINGTON, VIVIAN W	1.200	0.015		
A43-00441	DRY WASH	DARRINGTON, KEITH O	0.800	0.011		
R43-00441	DRY WASH	DARRINGTON, VIVIAN W	0.800	0.011		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A43-10178	DOMESTIC	DARRINGTON, KEITH O	FROM 01-01 TO 12-31	0.040 CFS	
A43-10178	STOCKWATER	DARRINGTON, KEITH O	FROM 01-01 TO 12-31	0.020 CFS	
R43-10178	DOMESTIC	DARRINGTON, KEITH O	FROM 01-01 TO 12-31	0.040 CFS	
R43-10178	STOCKWATER	DARRINGTON, KEITH O	FROM 01-01 TO 12-31	0.020 CFS	

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

Y(☐) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 43-0093, 0095, 43-00441

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.

See Analysis

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(☒)

PAGE: 7

PLACE OF USE REVIEW SHEET CONTINUED

7

CLAIM NUMBER: A43-00094

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: _____

RECOMMENDATIONS:

TOTAL ACRES: 77.5 N/A()

REVIEWED BY: KRC

DATE: 9-10-99

PAGE: 8

8

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

CLAIM NUMBER: A43-00094

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A43-00094 IRRIGATION	FROM 04-01 TO 11-01 ¹⁰⁻³¹	0.100 CFS	
TOTAL DIVERSION RATE/VOLUME		0.100 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
43-00094 IRRIGATION	FROM TO	0.100 CFS	
TOTAL DIVERSION RATE/VOLUME		0.100 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☐) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☒) N(☐)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☒) Y(☐) N(☐)

NOTES: 43-00094 Claimed/Recommended
00095 .10 cfs
1.20 Recom P/u
72.4 = 0.0179
total 1.30 cfs / 74.5 = 0.017 cfs/Acre
 the combined system is less than one inch
 to the acre. No div rate limits req. for the system

Period of use

No period of use decreed therefore
 I am recommending the standard
 irrigation season.

AJ CLAIM TOTAL DIVERSION RATE: 0.100 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.100 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 Cipolletti weir/ Parshall Flume, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 74.5 x 0.02 CFS/ACRE = .1 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 = 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: _____

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	04-01 11-01	0.100		0.0
<u>irr</u>	<u>4-1 10-31</u>	<u>.1</u>		
TOTAL FOR THIS RIGHT		0.100 <u>.1</u>		0.0

NON-IRRIGATION USES CLAIMED: NONE

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

REVIEWED BY: KKC

DATE: 9-10-99

FLAG: —

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXP-FØ6 P/D shared by —

EXP-FØ1 Rice Lesser Ditch
FØ1 Barker Ditch

POU1 E14 (~~74.5ac~~) 43-00094, 95, § 44/

EXPLANATORY CONDITIONS (CODE):

72.4 KKC

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-00094

TOTAL DIVERSION RATE OF WR SPLITS

0.100

N/A

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A43-00094	0.100	R43-00094	0.100	43-00094	0.100
TOTAL CFS		0.100		0.100		0.100

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 Y
FIELD EXAMINER Y() N()

NOTES:

See pg 4 for diversion rate analysis. Note dated 9-14-99

AUTHENTICATION:

SIGNATURE:

Kelly K. Christensen

DATE:

9-14-99

NAME OF FIELD EXAMINER:

TITLE:

Sr Water Resource Agent

CLAIM # A43-00094, A43-00095, AND A43-00441
DATE PHOTOS TAKEN; 06-20-95
PICTURE SET # 1

This photo set was taken just east of the point where the Rice-Lessy ditch leaves the Tom Ottley P/U for A43-00124 on the east side of the P/U. The pasture on the left (west) side of the division fence is the P/U for A43-00124 and the pasture on the right (east) is the P/U claimed by Darrington under A43-00094, A43-00095, and A43-00441. The diversion structure and measurement device on the east side of the fence is for the shared delivery system for Darrington and Barker (base claim A43-00135). You are looking northwest on the left to northeast on the right. The Barker P/U lays north of the county road which is just north of Tom Ottley's mother's farmstead and north and west of Tom Ottley's farmstead. The measurement device was a parshall flume with a nine inch throat and appeared to be in fair to good shape. The ditch bank on the side of the flume only came up to approximately 1/2 of the top of the flume. Some minor gravel was observed in the bottom of the flume. Long-term water mark in the flume read 0.6 to 0.7 inches on the staff gauge which is 1.4 to 1.78 cfs. No water was being diverted on this date.

RICE-LESSY
DITCH

PARSHALL
FLUME

DIVISION
FENCE

TOM'S MOTHER'S
FARMSTEAD

TOM OTTLEY'S
FARMSTEAD

