

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: **A43-00117**
Date Received: 11/ 6/1996
Receipt No: S019674
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: REID S STEWART
Address: 1655 SUNSET DRIVE
LOGAN UT

84321

801-753-2027

AND/OR

Name: RUTH O STEWART
Address: 1655 SUNSET DR
LOGAN UT

84321

801-753-2027

2. Date of Priority: JAN 31, 1884

3. Source: CLEAR CREEK
GROUNDWATER

Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	27E	29		SW	NE		CASSIA
			SE	SW	NE		CASSIA
				SW	NW		CASSIA

5. Description of diverting works:

HEADGATE SUMP PUMPS-CLEAR CREEK; 2 WELLS-BURIED AND SURFACE LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		

7. Total Quantity Appropriated is:

2.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	27E	20	NE	SW		IRR	40.0
			SE	SW		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0

Section Acres 160.0

Total Acres 160.0

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:

43-00116, -00118, -00119, -02299, -02387 AND -02509B.

14. Remarks:

CURRENT WATER USAGE UNDER THIS RIGHT INCLUDES THE DIVERSION OF OF THE DECREED WATER FROM BOTH THE SURFACE AND UNDERGROUND SOURCE AS DESCRIBED ABOVE. THIS CLAIM DOES NOT CHANGE THE IRRIGATED ACRES AS OUTLINED IN THE DECREE, BUT DOES INCLUDE GROUNDWATER AS AN ADDITIONAL POINT OF DIVERSION. THIS CHANGE TO ADDITIONAL POINTS OF DIVERSION HAS BEEN GRADUAL, THOUGH SOMETIMES ERRATIC, OVER THE YEARS DUE TO THE INCREASED WITHDRAWAL OF THE SUPPORTING GROUND WATERS TO CLEAR CREEK IN THE RAFT RIVER VALLEY. THIS HAS LED TO THE DECLINE IN THE HISTORIC FLOW OF CLEAR CREEK IN THE AREA, WHICH HAS NECESSITATED THIS CHANGE. THE ADDITION OF THESE POINTS OF DIVERSION DOES NOT EXPAND OR ENLARGE UPON THE IRRIGATED ACRES WHICH ARE AUTHORIZED BY THE DECREE, NOR DOES IT RELINQUISH THE RIGHT TO THE HISTORIC DIVERSION OF WATER FROM CLEAR CREEK, WHEN IT IS AVAILABLE ON THE SURFACE. THIS CHANGE MERELY ADDS TO THE DECREED RIGHT TWO ADDITIONAL POINTS OF DIVERSION TO INTERCEPT CLEAR CREEK UNDERFLOW. THE FEDERAL JOHNSON DECREE (1937) MAKES CLEAR THE RELATIONSHIP BETWEEN SURFACE WATERS AND GROUND WATERS IN THE CLEAR CREEK DRAINAGE AND THE INTERDEPENDENCY OF THE TWO SOURCES. THIS CLAIM RECOGNIZES THAT RELATIONSHIP.

3/18/1997, DJ: COMPUTER RECORD MODIFIED TO ADD ACRES TO TRACTS INADVERTANTLY OMITED UNDER ORIGINAL DATA ENTRY, BUT INDICATED ON ORIGINAL SUBMITTAL. FEES TOTALING \$210 MAY BE RECEIPTED IN WHOLE OR IN PART UNDER S008308 OR S019674.

15. Basis of Claim: DECREED

Water Right Number: 430117

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS ET AL

vs

Decree Defendant

**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 _____

Date Received _____

Receipt Number _____

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

RECEIVED

NOV 06 1996

Department of Water Resources
Southern Region

43-0117

Please type or print clearly

1. Name of Claimant (s) Reid S. and/or Ruth O. Stewart Phone (801) 753-2027
Mailing Address 1655 Sunset Drive, Logan UT Zip 84321

2. Date of Priority (Only one (1) per claim) 01-31-1884

3. Source of water supply (a) Clear Creek and/or ground water
which is tributary to (b) Raft River

4. a. Location of existing point of diversion is: Township 15S Range 27E Section 29,
SE 1/4 of SW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Cassia

Additional points of diversion if any: also wells in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29 T15S R27E

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

(see attachment)

*2 copies
recd
H*

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 11-15 amount 2.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 480 acre feet per annum.

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

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15S	27E	20									40			40		40	40		160

Total number of acres irrigated 160

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

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

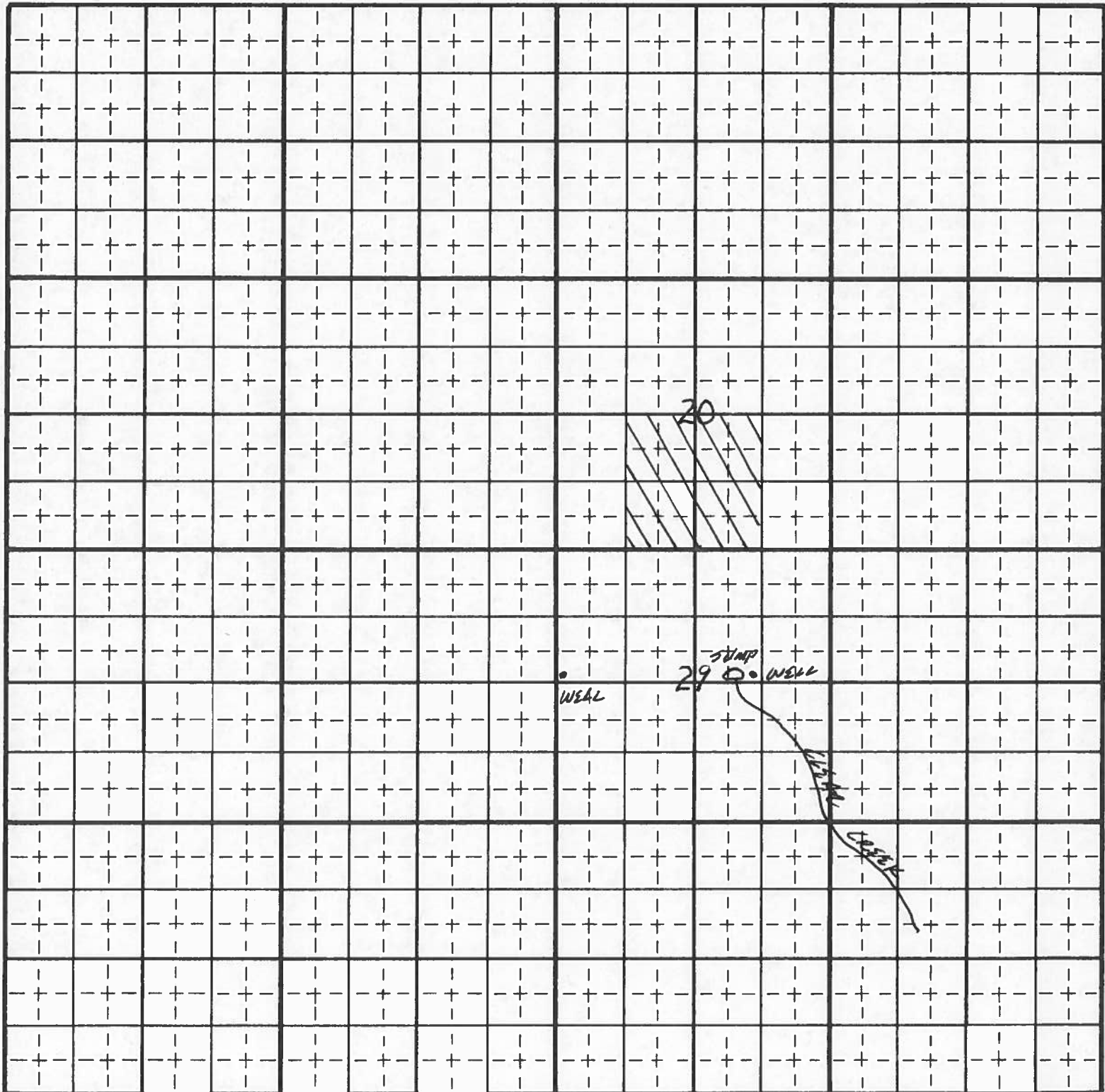
13. Describe any other water rights used at the same place and for the same purposes as described above.
(see attachment) or None ()

14. Remarks: (see attachment)

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T15S R27E



Last Name

Stewart

Ident No.

43-0117

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 43-0117
Court U.S. JUD. Dist. ID Case Number _____ Decree Date Oct. 18, 1928
Plaintiff vs Defendant Albion Idaho Land v. Jobe Adams et al.

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

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

Signature of Claimant (s) Rick Stewart Date 11-4-96
Luth O. Stewart Date 11-4-96

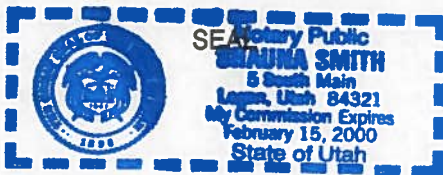
For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Utah)
County of Cache) SS.

Subscribed and sworn (or affirmed) before me this 4th day of November 19 96



Notary Public Shauna Smith
Residing at Logan, UT
My Commission Expires 2/15/00

Please Print Name

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

Signature _____

Address _____

Date _____

Last Name Stewart Ident. Number 43-0117

Copies White-State, Yellow-Claimant

Attachment to:

Notice of Claim to a Water Right
Snake River Basin Adjudication

Water Right No. 43-0117

Paragraph 5.

Diverting works from Clear Creek include headgate, ditch, sump and pumps. Diverting works from ground water include two wells and pumps. Waters from either source are commingled in a distribution system which includes buried and surface pipelines.

Paragraph 13.

In total on the properties are seven water rights which divert from the same sources and the waters are commingled and distributed throughout the properties. These rights include: 43-0116, 43-0117, 43-0118, 43-0119, 43-2299, 43-2387, and 43-2509B.

Paragraph 14.

Current water usage under this water right includes the diversion of the decreed water from both the surface and underground source as described above. This claim does not change the irrigated acres as outlined in the decree, but does include ground water as an additional point of diversion. This change to additional points of diversion has been gradual, though sometimes erratic, over the years due to the increased withdrawal of the supporting ground waters to Clear Creek in the Raft River Valley. This had led to the decline in the historic flow of Clear Creek in the area, which has necessitated this change. The addition of these points of diversion does not expand or enlarge upon the irrigated acres which are authorized by the decree, nor does it relinquish the right to the historic diversion of water from Clear Creek, when it is available on the surface. This change merely adds to the decreed right two additional points of diversion to intercept Clear Creek underflow. The Federal Johnson Decree (1937) makes clear the relationship between surface waters and ground waters in the Clear Creek drainage and the interdependency of the two sources. This claim recognizes that relationship.



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 26, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

REID S STEWART
1655 SUNSET DRIVE
LOGAN, UT 84321

RE: RIGHTS FROM CLEAR CREEK CLAIMED IN THE SNAKE RIVER BASIN
ADJUDICATION.

Dear Mr Stewart:

As a result of Judge Daniel C. Hurlbutt Jr's Order for Director's Report issued October 24, 1997 in SRBA Case No. 92-00014 Harold Jones and Ray Jones v. Naf Irrigation Company department staff will present draft recommendations for claims identifying Clear Creek as a source.

The meeting is scheduled for February 10, 1998 at 1 pm in the conference room of the Raft River Electric office in Malta. Please plan to attend this meeting or let us know if you won't be there.

David R. Tuthill, Jr., P.E., Chief, Adjudication Bureau will attend along with adjudication staff of the department's Twin Falls office.

The presentation will use geographic information systems (GIS) computer graphics that were developed from reviews of aerial photos showing 1987 irrigation usages photographed by the Soil Conservation Service.

Please contact me at 208-736-3033 to confirm that you will be able to come to the meeting and with any questions you may have about the review procedure.

Sincerely Yours,

Francis G. Hitchcock
Water Resources Agent, Sr.

cc: Patrick D. Brown, Esq.
Roger D. Ling, Esq.

RECEIVED

OCT 28 1997

Department of Water Resources
Southern RegionP102mky
Allen —IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re: SRBA

Case No. 39576

HAROLD JONES and RAY JONES

Plaintiffs,

v.

NAF IRRIGATION COMPANY, a
Utah Corporation; LARRY KEMPTON
in his capacity as an individual and as
president of NAF IRRIGATION
COMPANY; LAVERNE KEMPTON,
individually and in his capacity as Water
Master and Ditchrider for NAF
IRRIGATION COMPANY; MONTE
CAMBELL as an individual; and JEFF
SESSIONS doing business as ROUND
MOUNTAIN RANCH,

Defendants.

SRBA Case No. 92-00014

ORDER FOR DIRECTOR'S REPORT

This case is a dispute between several water rights holders on Clear Creek in the state of Idaho. The SRBA court has jurisdiction because the case requires a determination of one or more elements of the disputed water rights. *Young Harvey Walker v. Big Lost River Irrigation District*, 856 P. 2d 868, 124 Idaho 78 (1993). During the course of litigation, it has become apparent that trial

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ORDER FOR DIRECTOR'S REPORT
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10/24/97

OCT 30 1997

Page 1 of 3

Department of Water Resources
Southern Region

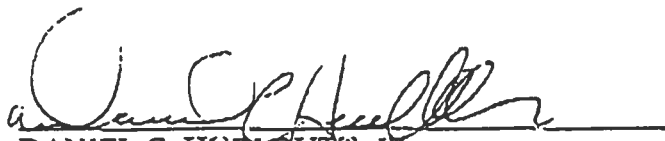
of the several water rights at issue is likely to result in duplicative litigation when the Clear Creek Stream System is reported in a Director's Report as part of the SRBA.

To avoid a multiplicity of litigation between these and other parties on Clear Creek, this court enters the following order:

1. The Idaho Department of Water Resources shall prepare a preliminary Director's Report for all, approximately thirty, water rights claimed in the Snake River Basin Adjudication on Clear Creek. This report shall be prepared and submitted to the court on or before February 27, 1998.
2. The court will serve copies of the preliminary Director's Report on each claimant included in the report.
3. All claimants included in the Director's Report for Clear Creek shall file objections to the report on or before March 27, 1998.
4. Any party wishing to file a response to an objection to the preliminary Director's Report shall file the response with the court on or before April 10, 1998.
5. A scheduling conference on all objections and responses filed to the preliminary Director's Report for Clear Creek will be held on Monday, April 13, 1998 at 10 a.m. in the district courthouse for the Snake River Basin Adjudication located at 253 3rd Avenue North, Twin Falls, Idaho. All parties and counsel are required to be personally present at this scheduling conference.
6. Parties in the *Jones v. NAF Irrigation Company et al* case pending before the court shall be allowed to continue discovery on issues raised in the pleadings.
7. The prior scheduling order and trial setting in *Jones v. NAF Irrigation, et al* is hereby vacated in favor of the schedule set forth in this order.

IT IS SO ORDERED.

DATED October 24, 1997.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER FOR DIRECTOR'S REPORT** was mailed on October 24, 1997, with sufficient first-class postage to the following:

Patrick D Brown
Hepworth, Lezamiz & Hohnhorst
PO Box 389
Twin Falls, ID 83303-0389

Roger D Ling
Ling, Nielson & Robinson
PO Box 396
Rupert, ID 83350



Deputy Clerk

R PROOF

CVR

MAPS

PHOTOS

MISC

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:49:51
01/06/98

CLAIM NUMBER: A43-00117
19

LAST: GUNNELL
ADDRESS:
CITY: N
PHONE NUMBER: 208-000-0000

FIRST: LOUIS J.
STATE: ID ZIP: 0

OWNER CODE: 0

LAST: STEWART
ADDRESS: 1655 SUNSET DRIVE
CITY: LOGAN
PHONE NUMBER: 801-753-2027

FIRST: REID S
STATE: UT ZIP: 84321

OWNER CODE: C

LAST: STEWART
ADDRESS: 1655 SUNSET DR
CITY: LOGAN
PHONE NUMBER: 801-753-2027

FIRST: RUTH O
STATE: UT ZIP: 84321

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN

CURRENT WATER USAGE UNDER THIS RIGHT INCLUDES THE DIVERSION OF OF THE DECREED WATER FROM BOTH THE SURFACE AND UNDERGROUND SOURCE AS DESCRIBED ABOVE. THIS CLAIM DOES NOT CHANGE THE IRRIGATED ACRES AS OUTLINED IN THE DECREE, BUT DOES INCLUDE GROUNDWATER AS AN ADDITIONAL POINT OF DIVERSION. THIS CHANGE TO ADDITIONAL POINTS OF DIVERSION HAS BEEN GRADUAL, THOUGH SOMETIMES ERRATIC, OVER THE YEARS DUE TO THE INCREASED WITHDRAWAL OF THE SUPPORTING GROUND WATERS TO CLEAR CREEK IN THE RAFT RIVER VALLEY. THIS HAS LED TO THE DECLINE IN THE HISTORIC FLOW OF CLEAR CREEK IN THE AREA, WHICH HAS NECESSITATED THIS CHANGE. THE ADDITION OF THESE POINTS OF DIVERSION DOES NOT EXPAND OR ENLARGE UPON THE IRRIGATED ACRES WHICH ARE AUTHORIZED BY THE DECREE, NOR DOES IT RELINQUISH THE RIGHT TO THE HISTORIC DIVERSION OF WATER FROM CLEAR CREEK, WHEN IT IS AVAILABLE ON THE SURFACE. THIS CHANGE MERELY ADDS TO THE DECREED RIGHT TWO ADDITIONAL POINTS OF DIVERSION TO INTERCEPT CLEAR CREEK UNDERFLOW. THE FEDERAL JOHNSON DECREE (1937) MAKES CLEAR THE RELATIONSHIP BETWEEN SURFACE WATERS AND GROUND WATERS IN THE CLEAR CREEK DRAINAGE AND THE INTERDEPENDENCY OF THE TWO SOURCES. THIS CLAIM RECOGNIZES THAT RELATIONSHIP.

3/18/1997, DJ: COMPUTER RECORD MODIFIED TO ADD ACRES TO TRACTS INADVERTANTLY OMITTED UNDER ORIGINAL DATA ENTRY, BUT INDICATED ON

CLAIM REMARKS (CONT'D):
ORIGINAL SUBMITTAL. FEES TOTALING \$210 MAY BE RECEIPTED IN WHOLE
OR IN PART UNDER S008308 OR S019674.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A43-00117 PRIORITY DATE: 01-31-1884 STAGE: D

B. WR RECORD: # 43-00117 PRIORITY DATE: 01-31-1884 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? Y() N()

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

* 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: * Johnson Decree is Dist Ct in Utah

RECOMMENDED PRIORITY DATE:

01-31-1884

REVIEWED BY TX DATE 1/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A43-00117	15S	27E	29					CASSIA		
A43-00117	15S	27E	29	SE	SW			CASSIA		
A43-00117	15S	27E	29		SW			CASSIA		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
 A43-00116 NONE
 A43-00118
 A43-00119
 A43-022998
 A43-02387
 A43-02509

A43-025098

SOURCE: CLEAR CREEK
GROUNDWATER

TRIB: RAFT RIVER

B. WR POINT OF DIVERSION AND SOURCE:

4300117 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CLEAR CREEK

TRIB: RAFT RIVER

Amalgams Deere

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

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

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

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

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

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

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

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

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM 9/6) NAME OF EXAMINER F HITCHCOCK Y(☒) N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

well pad's claimed w/ deer priority, not recommended

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
15S	27E	29	SE	SW	NE			CASSIA		
15S	27E	29		SW	NE			CASSIA		
15S	27E	29		SW	NW			CASSIA		

SOURCE:

Clear Creek

TRIB:

Sinks

Cassia

Pump Pond

REVIEWED BY:

JD

DATE:

1/98

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

A. ROOT WATER RIGHT NUMBERS: A43-00117

B. POU LISTING					
TWP	RNG	SEC	1/4	1/4	LOT NAME
			AJ #/ACRES	WR #/ACRES	LANDSAT DATA
15S	27E	20	NE	SW	STEWART, REID S
			A43-00117	/ 40.0	43-00117 /
					40.0
15S	27E	20	SE	SW	STEWART, REID S
			A43-00117	/ 40.0	43-00117 /
					40.0
15S	27E	20	NW	SE	STEWART, REID S
			A43-00117	/ 40.0	43-00117 /
					39.0
15S	27E	20	SW	SE	STEWART, REID S
			A43-00117	/ 40.0	43-00117 /
					40.0
ADDITIONAL POU FOUND					
					40 40

TOTAL ACRES A43-00117 160.00 159.00
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
NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 43-00116, -00118, -00119, -02299, -02387 AND -025098.

Y () N ()

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* 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.

N/A () Y () N ()

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: ☒ AERIAL PHOTOGRAPH, IDWR NO. _____; ☐ TOPOGRAPHIC QUAD, IDWR NO. _____;

☒ NAPP, IDWR NO. _____; ☒ ASCS PHOTO; ☐ OTHER _____

NOTES:

NAPP developed into GIS coverage

RECOMMENDATIONS:

TOTAL ACRES: 160 N/A ()

REVIEWED BY: J. Jones

DATE: 1/8/98

A. A4 CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A43-00117 IRRIGATION	FROM 03-15 TO 11-15	2.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
43-00117 IRRIGATION	FROM TO	2.000 CFS	
TOTAL DIVERSION RATE/VOLUME		2.000 CFS	

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

Y() N()

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

N/A() Y() N()

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

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

Y() N()

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

Y() N()

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

Y() N()

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

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

N/A() Y() N()

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

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

N/A() Y() N()

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

N/A() Y() N()

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

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

N/A() Y() N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 2.000 CFS
WR ROOT TOTAL DIVERSION RATE: 2.000 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A () Y (☒) N ()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A () Y (☒) N ()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

Y () N (☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y () N (☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 160 x 0.02 CFS/ACRE = 3.20 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 _____ = N/A

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 480.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ = N/A

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

HR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. COMS. USE
	FROM	TO		EXAMINER	EXAMINER	
IRRIGATION	03-15	11-15	2.000	OK		480.0
Ir	4/1	10/31				
TOTAL FOR THIS RIGHT			2.000			480.0

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: Jones

DATE: 2/5/98

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED
()
()
()
()

NEEDS REVIEW
()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-00117
TOTAL DIVERSION RATE OF WR SPLITS 2.000
EXAMINER 200
CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
43-00117	A43-00117	2.000	-		43-00117	2.000
TOTAL CFS						2.000

DIVERSION RATE REVIEW

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

FIELD EXAMINER
DATABASE Y () N ()

NOTES:

AUTHENTICATION:
SIGNATURE: [Signature] DATE: 2/5/98
NAME OF FIELD EXAMINER: ADH R + SUPER TITLE: ADH R + SUPER

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 _____		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:49:51
01/06/98

33
CLAIM NUMBER: A43-00117

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

OR IN PART UNDER S008308 OR S019674.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A43-00117

16:56:34
01/06/98
35

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 438	Field Inspection Flag: Presumption Flag:	