

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: **A43-00146A**
Date Received: 5/26/1989
Receipt No: S007349
Received By: _____

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

1. Name: J. RICHARD WARD 208-768-2668
Address: BOX 127
LEADORE ID 83464
AND/OR
Name: CINDY E. WARD 208-768-2668
Address: BOX 127
LEADORE ID 83464

2. Date of Priority: APR 30, 1882

3. Source: CROSS CREEK Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	24E	12	NE	SW	NW		CASSIA

5. Description of diverting works:
HEADGATE, BARKER DITCH TO HIGHLINE DITCH TO P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.250		

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

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14S	25E	6	SE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	25E	6	NW	SE		IRR	30.0
			SW	SE		IRR	10.0
						Section Acres	80.0
		7	NE	NW		IRR	40.0
						Section Acres	40.0
						Total Acres	120.0

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:
A43-00147A

14. Remarks:

THIS IS PART OF THE WR 43-00146 FOR .40 CFS.
62.5% OF THE WATER RIGHT CLAIMED.
DECREE SHOWS SOURCE OF WATER AS CASSIA CREEK. USGS LISTS CROSS
CREEK AS STREAM OF DIVERSION POINT. FROM THERE WATER IS CARRIED
BY BARKER DITCH THEN DIVERTED INTO THE HIGHLINE DITCH AND DE-
LIVERED TO THE P/U.

OWNERSHIP CHANGE 11/1/91 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

MICROFILMED

MAR 02 1993

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
MAR 02 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: April 12, 1991

LEGAL DESCRIPTION OF PROPERTY: Township 14 South Range 25 EBM.
Section 6, SE 1/4 of SW 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.
Section 7: NE 1/4 NW 1/4

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A 43-00146A, A 43-00147A -
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Elmo Elison and Louise M. Elison
HC 72 Box 2180
Malta, Idaho 83342
- ☐ New Owner/Claimant (Purchaser): J. Richard Ward and Cindy E. Ward
- ☐ New Mailing Address: Box 127
Leadore, Idaho 83464
- ☐ New Telephone Number: (208) 768 - 2668
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed (recorded)

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): J. Richard Ward Cindy E. Ward Date 4-19-91
J. Richard Ward Cindy E. Ward Date 4-19-91
- ☐ Signature of Former Owner/Claimant(s): Elmo Elison Louise M. Elison Date 4-19-91
Elmo Elison Louise M. Elison Date 4-19-91

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10/31/91 By: SC

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 10/31/91 By: SC

Claim Numbers of Split, if any:

RECEIVED
MICROFILMED
MAR 02 1993 MAY 10 1991

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Department of Water Resources
Southern Region

213042

WARRANTY DEED

boxed

For Value Received

ELMO ELISON and LOUISE M. ELISON, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
 J. RICHARD WARD and CINDY E. WARD, husband and wife
 Address: Box 127
 Leadore, Idaho 83464

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
 to-wit:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
 CASSIA COUNTY, IDAHO

Section 6: SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the following described parcel:

Beginning 10 rods South of the Northwest corner of
 the SE $\frac{1}{4}$ of said Section 6;
 Thence East 80 rods;
 Thence South 70 rods;
 Thence West 80 rods;
 Thence North 70 rods to the Point of Beginning.

Section 7: NE $\frac{1}{4}$ NW $\frac{1}{4}$
 TOGETHER WITH all water and water rights, ditches and ditch
 rights used thereon or appurtenant thereto including but not
 limited to Claim of Water Rights Identification #A43-00146A
 and A43-00147A.

SUBJECT TO:

Accruing taxes, levies and assessments; easements and rights-of-way
 of record, if any.

Recorded and indexed by
 30 APR 19 1991
 LARRY ROBERTS
 Notary Public
 Cassia County
 Idaho
 LK/ung

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
 and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
 and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
 free from all incumbrances except as above described and that Grantor will warrant and defend the
 same from all lawful claims whatsoever.

Dated: April 19, 1991

Elmo Elison
 Elmo Elison
Louise M. Elison
 Louise M. Elison

STATE OF IDAHO, COUNTY OF Cassia
 On this 19th day of April, 1991
 before me, a notary public in and for said State, per-
 sonally appeared

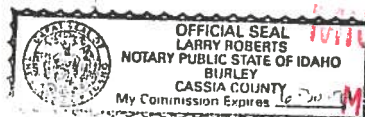
Elmo Elison and
 Louise M. Elison

known to me to be the persons whose names are
 subscribed to this within instrument, and acknowledged
 to me that they executed the same.

Notary Public

Residing at
 Commission expires:

, Idaho.



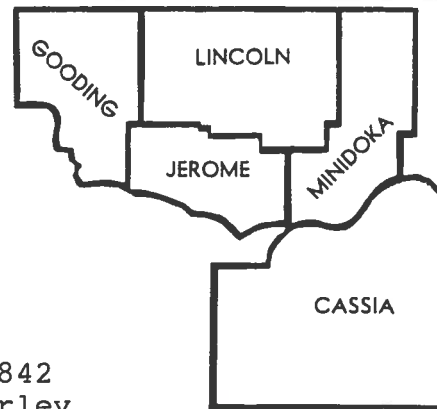
RECORDED AT THE REQUEST OF
 LAND TITLE & ESCROW

213042

MICROFILMED
 MAR 02 1993

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #2842
OFFICE: Burley

May 9, 1991

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

Dear Clerk:

Enclosed please find an original and one copy of a New Property Owner Notice of Change of Water Right Ownership executed by Elmo and Louise M. Elison and J. Richard and Cindy E. Ward.

Would you please make the necessary changes and return to this office a receipted copy.

Thank you.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Nancy Garrett
Escrow Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-4842 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

RECEIVED

MAY 10 1991

Department of Water Resources
Southern Region Office

MICROFILMED
MAR 02 1993

SD-ZZZ

Idaho Department of Water Resources
TWP-RNG-SECT QueryDate: 10/31/91
Time: 10:03:00

Twp	Rng	Sect	Tract	Lot	Acres	Use	Code	
14S	25E	7	NE NE			01		A43-00015
14S	25E	7	NE NE		40.0	01		A43-00371
14S	25E	7	NE NE		40.0	01		A43-00475
14S	25E	7	NE NE		20.0	01		A43-07107
14S	25E	7	NE NE		20.0	01		A43-10320
14S	25E	7	NE NE		40.0	01		A43-10594
14S	25E	7	NW NE		10.0	01		A43-00147B
14S	25E	7	NW NE			01		A43-00015
14S	25E	7	NW NE			01		A43-00147
14S	25E	7	NW NE NE NW		40.0	01		A43-00146A
14S	25E	7	NW NE NE NW		40.0	01		A43-00147A
14S	25E	7	NW NE			01		A43-00146
14S	25E	7	NW NE		10.0	01		A43-00146B
14S	25E	7	SW NE			01		A43-00015
14S	25E	7	SW NE		25.0	01		A43-00216
14S	25E	7	SW NE		25.0	01		A43-00281
14S	25E	7	SE NE			01		A43-00015

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(GOLD7=Bail Out)

(Menu _____)

MICROFILMED
MAR 02 1993

SD-33

Last Name: ELISON

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Des
-	ELISON						
-	LANO	C	A43-02324B	03/31/1950	GROUNDWATER	0.770	01 IRR
-	LOIS	C	A43-02324B	03/31/1950	GROUNDWATER	0.770	43 DOME
-	LANO	C	A43-02546	04/17/1962	GROUNDWATER	1.630	01 IRR
-	LOIS	C	A43-02546	04/17/1962	GROUNDWATER	1.630	01 IRR
-	LANO	C	A43-04000A	04/01/1948	GROUNDWATER	1.600	01 IRR
-	LOIS	C	A43-04000A	04/01/1948	GROUNDWATER	1.600	01 IRR
-	LOUISE	C	A43-00146A	04/30/1882	CROSS CREEK	0.250	01 IRR
-	ELMO	C	A43-00146A	04/30/1882	CROSS CREEK	0.250	01 IRR
-	ELMO	C	A43-00147A	04/30/1885	CROSS CREEK	0.500	01 IRR
-	LOUISE	C	A43-00147A	04/30/1885	CROSS CREEK	0.500	01 IRR
-	ELMO	C	A43-00164A	04/01/1871	RAFT RIVER	0.071	01 IRR
-	LOUISE	C	A43-00164A	04/01/1871	RAFT RIVER	0.071	01 IRR
-	ELMO	C	A43-00165B	04/30/1871	RAFT RIVER	0.229	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
MAR 12 1993

SD-36	Township: 14S	Range: 25E	Section: 7	Tract:	Lot:				
S	L	STATE	O	S	Max # Records				
E	O	Water	Name	W	T	Priority	Use		
L	Tract	Right No.	Last, First	N	AC	G	Date	Code	De
-	----	---	-----	-	--	-	-----	--	---
-	NENE	A43-00015	CASSIA CREEK IRRIG. CO	O			09/11/1883	01	IRR
-			SPLIT RIGHT	C				43	DOM
-	NENE	A43-00371	VAN KIRK, CHAS.	O	40	D	04/30/1880	01	IRR
-			HAWKER, RYAN	C					
-	NENE	A43-00475	VAN KIRK, CHAS.	O	40	D	04/30/1880	01	IRR
-			HAWKER, RYAN	C					
-	NENE	A43-07107	OTTLEY, REX A.	O	20	L	09/08/1977	01	IRR
-			HAWKER, RYAN	C					
-	NENE	A43-10320	HAWKER, RYAN	C	20	J	03/15/1935	01	IRR
-	NENE	A43-10594	HAWKER, RYAN	C	40	J	04/30/1880	01	IRR
-	NWNE	A43-00147B	BODEN, COLLEEN A.	C	10	D	04/30/1885	01	IRR
-			BODEN, CARL F.	C					
-	NWNE	A43-00015	CASSIA CREEK IRRIG. CO	O			09/11/1883	01	IRR
-			SPLIT RIGHT	C				43	DOM
-	NWNE	A43-00147	CORE NUMBER, ELLEN HOA	C		D	04/30/1885	01	IRR
-	NWNE	A43-00146A	ELISON, LOUISE	C	40	D	04/30/1882	01	IRR

MICROFILME
MAR 02 1993

SD-36	Township: 14S	Range: 25E	Section: 7	Tract:	Lot:			
S	L	STATE	O	S	Max # Records			
E	O	Name	W	T	Priority			
L	Tract	Water Right No.	N	AC	G			
		Last, First						
					Date			
					Code			
					De			
-	NWNE	A43-00146A	C	40	D	04/30/1882		
-	NWNE	A43-00147A	C	40	D	04/30/1885	01	IRR
-		ELISON, LOUISE	C					
-	NWNE	A43-00146	C		D	04/30/1882	01	IRR
-	NWNE	A43-00146B	C	10	D	04/30/1882	01	IRR
-		BODEN, COLLEEN A.	C					
-		BODEN, CARL F.	C					
-	SWNE	A43-00015	O			09/11/1883	01	IRR
-		SPLIT RIGHT	C				43	DOMI
-	SWNE	A43-00216	C	25	D	04/30/1880	01	IRR
-		HALFORD, HOWARD	C					
-		HALFORD, RAIDA	C					
-	SWNE	A43-00281	C	25	D	04/30/1885	01	IRR
-		HALFORD, HOWARD	C					
-		HALFORD, RAIDA	C					
-	SENE	A43-00015	O			09/11/1883	01	IRR
-		SPLIT RIGHT	C				43	DOMI
-	SENE	A43-00371	O	40	D	04/30/1880	01	IRR
-		VAN KIRK, CHAS.	O					
-		HAWKER, RYAN	C					

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
MAR 02 1993

SD-ZZZ

Idaho Department of Water Resources
TWP-RNG-SECT QueryDate: 10/31/
Time: 09:56:

Twp	Rng	Sect	Tract	Lot	Acres	Use Code	
14S	25E	6	SE SW	ok	40.0	01	A43-00146A
14S	25E	6	SE SW	ok	40.0	01	A43-00147A
14S	25E	6	SE SW			01	A43-00146
14S	25E	6	NE SE			01	A43-00015
14S	25E	6	NE SE			04	A43-10372
14S	25E	6	NE SE		40.0	01	A43-00371
14S	25E	6	NE SE		40.0	01	A43-00475
14S	25E	6	NE SE		36.0	01	A43-07107
14S	25E	6	NE SE			04	A43-10318
14S	25E	6	NE SE		40.0	01	A43-10320
14S	25E	6	NE SE		40.0	01	A43-00124
14S	25E	6	NE SE			43	A43-10372
14S	25E	6	NE SE			43	A43-10559
14S	25E	6	NE SE			04	A43-10559
14S	25E	6	NE SE		40.0	01	A43-10594
14S	25E	6	NW SE		10.0	01	A43-00147B
14S	25E	6	NW SE			01	A43-00147

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(GOLD7=Bail Out)

(Menu _____)

MICROFILMED
MAR 02 1993

SD-ZZZ

Idaho Department of Water Resources
TWP-RNG-SECT QueryDate: 10/31/
Time: 09:57:

Twp	Rng	Sect	Tract	Lot	Acres	Use Code	
14S	25E	6	NW SE			01	A43-00015
14S	25E	6	NW SE		30.0	01	A43-00146A
14S	25E	6	NW SE		30.0	01	A43-00147A
14S	25E	6	NW SE			04	A43-10220
14S	25E	6	NW SE			01	A43-00146
14S	25E	6	NW SE		10.0	01	A43-00146B
14S	25E	6	SW SE		40.0	01	A43-00147B
14S	25E	6	SW SE			01	A43-00015
14S	25E	6	SW SE			01	A43-00147
14S	25E	6	SW SE		10.0	01	A43-00146A
14S	25E	6	SW SE		10.0	01	A43-00147A
14S	25E	6	SW SE			01	A43-00146
14S	25E	6	SW SE		40.0	01	A43-00146B
14S	25E	6	SW SE		40.0	01	A43-10261
14S	25E	6	SE SE			01	A43-00015
14S	25E	6	SE SE		40.0	01	A43-00371
14S	25E	6	SE SE		40.0	01	A43-00475

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(GOLD7=Bail Out)

(Menu _____)

MICROFILMED
MAR 02 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

31-Oct-1991 13:28

NANCY GARRETT
ESCROW DEPARTMENT
LAND TITLE AND ESCROW INC.
BOX 177
BURLEY ID 83318

Re: Change of Ownership Adjudication Claim(s) A43-00146A & A43-00147A
ELMO and LOUISE M. ELISON & J. RICHARD and CINDY E. WARD

Dear Ms. Garrett:

Pursuant to the notification that you are representing the new claimants on the above-referenced Adjudication Claim(s), the Department has changed the record(s) of the current owner as you requested. Please note that both Adjudication Claims were originally data entered in error as in the NW1/4NE1/4 of Section 7, whereas, actual legal for Section 7 is the NE1/4NW1/4. This agrees with the legal description listed in the Warranty Deed. I am enclosing a copy of the computerized claim(s).

Please review the record(s) and should you have any questions, please feel free to call this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED
MAR 02 1993

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: A43-00146A
Date Received: 5/23/1989
Receipt No: 5007349
Received By: 40

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOUISE ELISON 208-645-2544
Address: HC 72 BOX 2180
MALTA, ID 83342
OR
Name: ELMO ELISON 208-645-2544
Address: HC 72 BOX 2180
MALTA, ID 83342

2. Date of Priority: APR 30, 1882

3. Source: CROSS CREEK Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	24E	12	NE	SW	NW		CASSIA

5. Description of diverting works:
HEADGATE, BARKER DITCH TO HIGHLINE DITCH TO P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.250		

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

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	25E	6	SE	SW		IRR	40.0
			NW	SE		IRR	30.0
			SW	SE		IRR	10.0
					Section Acres	80.0	
		7	NW	NE		IRR	40.0
						Section Acres	40.0
						Total Acres	120.0

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:
A43-00147A

14. Remarks:

THIS IS PART OF THE WR 43-00146 FOR .40 CFS.
62.5% OF THE WATER RIGHT CLAIMED.
DECREE SHOWS SOURCE OF WATER AS CASSIA CREEK. USGS LISTS CROSS
CREEK AS STREAM OF DIVERSION POINT. FROM THERE WATER IS CARRIED
BY BARKER DITCH THEN DIVERTED INTO THE HIGHLINE DITCH AND DE-
LIVERED TO THE P/U.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.

Decree Plaintiff

vs

JOBE ADAMS ET AL

Decree Defendant

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): Elmer Edison Date: 5-26-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of May 19 89
Al D. Minter
Notary Public

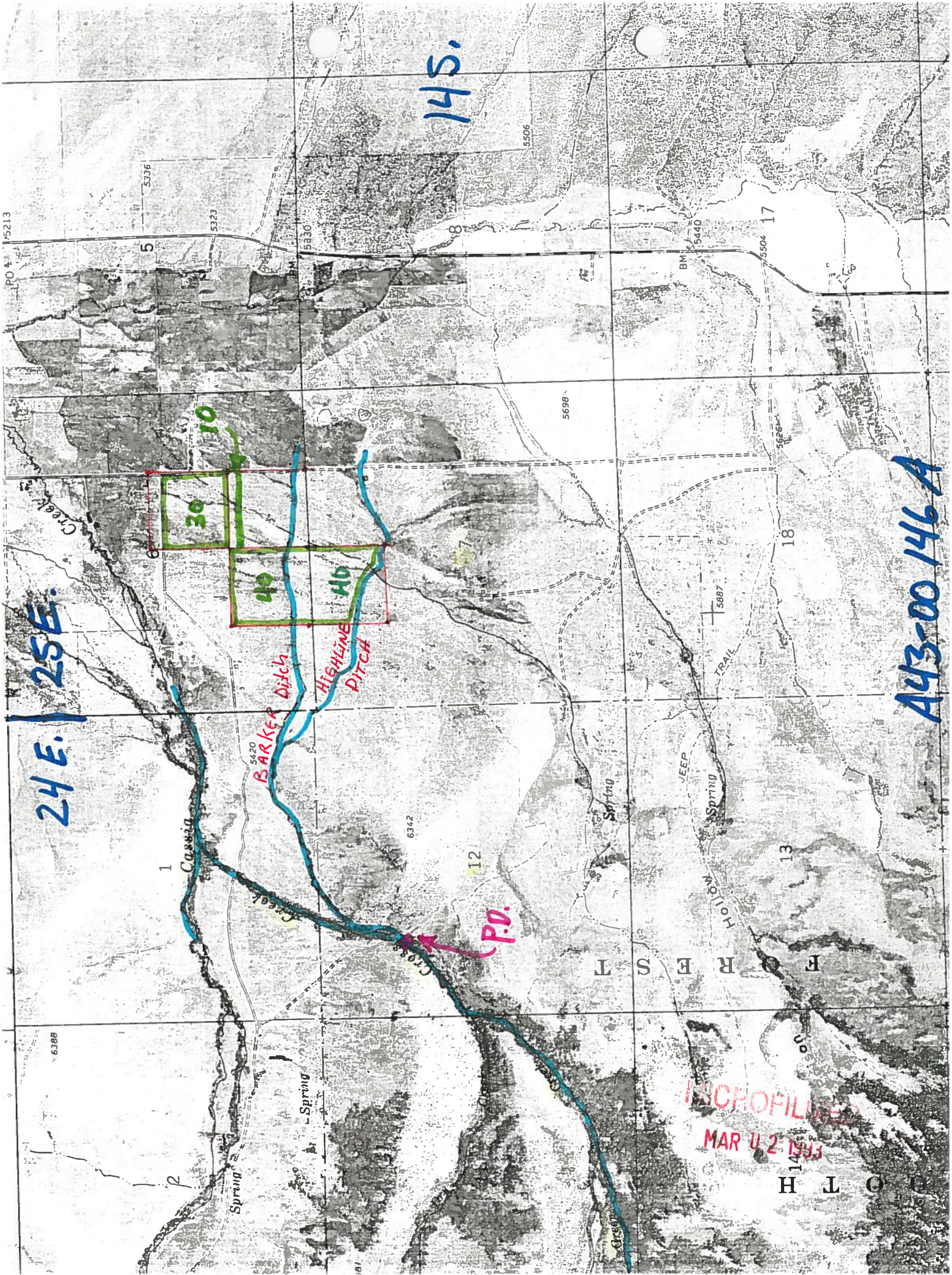
Seal

Residing at Kinsey, Id
My Commission Expires 6/30/90

24 E. | 25 E.

145.

A43-00 146 A



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-146A V1

WATER RIGHT NUMBER: 43-146A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ELMO ELISON 2076 S 2350 E MALTA, ID 83342 (208)645-2544
Current Owner	J RICHARD WARD PO BOX 127 LEADORE, ID 83464 (208)768-2668
Original Owner	LOUISE ELISON 2076 S 2350 E MALTA, ID 83342 (208)645-2544
Current Owner	CINDY E WARD PO BOX 127 LEADORE, ID 83464 (208)768-2668

Priority Date: 04/30/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CROSS CREEK	CASSIA CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.250 CFS	
	<u>Total Diversion:</u>	0.250 CFS	

Location of Point(s) of Diversion

CROSS CREEK	NW1/4NE1/4NW1/4	Sec. 12, Twp 14S, Rge 24E, B.M.
CASSIA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14S	25E	6												34.0				30.0	64.0
14S	25E	7					11.0												11.0

Total Acres: 75

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-146A V1

1. 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.

Remarks:

1. Explanatory WATER IS DELIVERED THROUGH THE BARKER DITCH AND THE OTTLEY DITCH.
2. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 75 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-146A, 43-147A AND 43-13127.
3. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 64 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-146A, AND 43-147A.

Comments:

1. kchrste 8/28/2001 CHANGE IN RECOMMENDATION
Comment: CLAIMANT FILED 43-13127 THAT IS IN A PPU WITH THE DECREED RIGHTS, THEREFORE THE PLACE OF USE WAS MODIFIED FOR THIS RIGHT.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: AND
Water District Number: 43C
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



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 DEPT INTERNET WEB SITE: [www/idwr.state.id.us](http://www.idwr.state.id.us)

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 28, 2001

RICHARD WARD
PO BOX 127
LEADORE ID 83464

RE: LATE CLAIM 43-13127 AND MODIFIED RECOMMENDATIONS FOR OVERLAPPING
RIGHTS 43-166A AND 43-147A.

Dear Richard

Enclosed is the data entered claim, the recommendation, and layout for 43-13127. Also enclosed are the modifications to 43-146A and 43-147A. My recommendations represent my current understanding of your system.

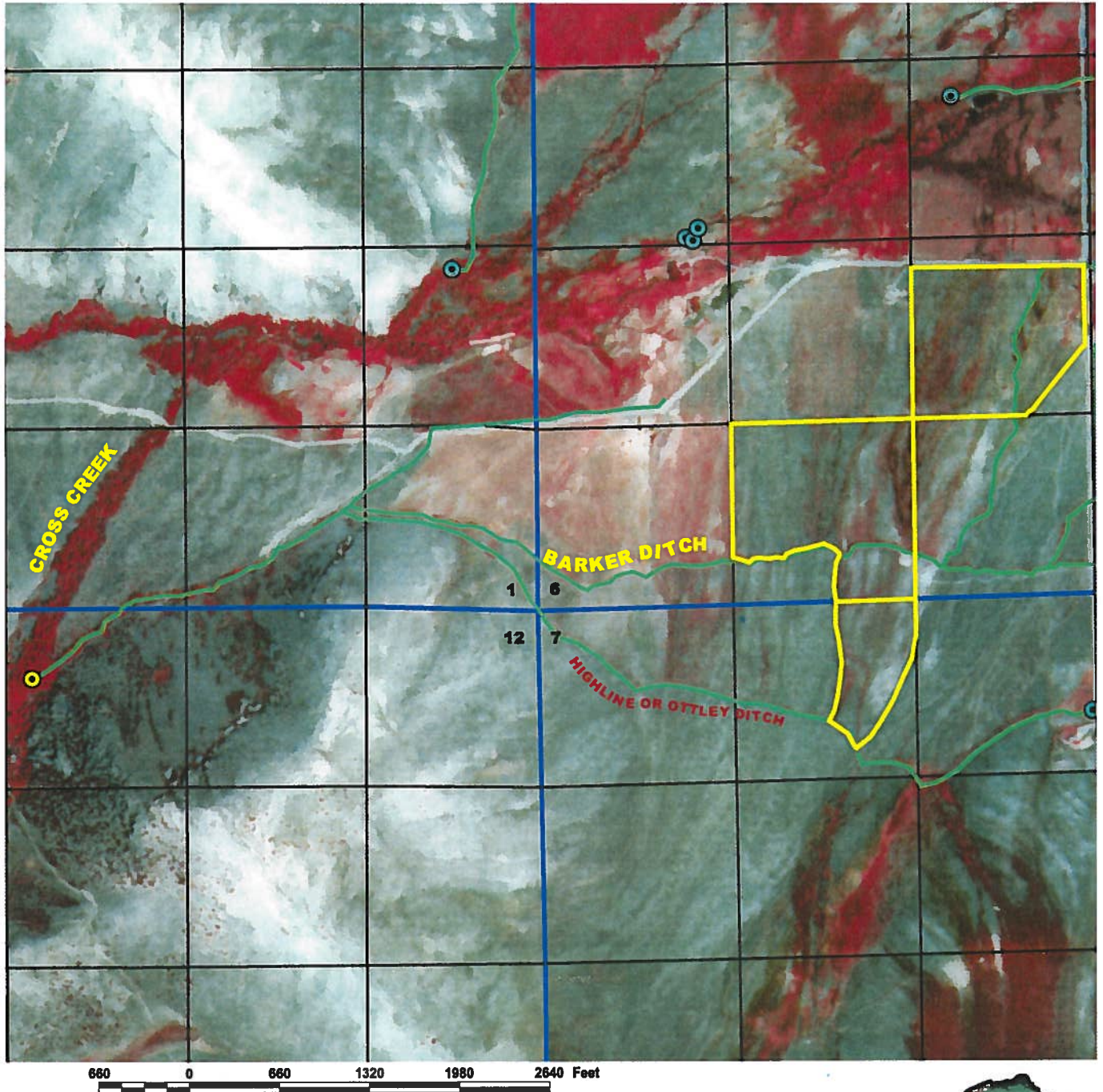
If you have any additional questions please give me a call.

Sincerely

Kelly K Christensen
Sr. Water Resource Agent
E-mail address: kchrste@idwr.state.id.us
Enclosures

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
43-146A, 43-147A, & 43-13127**



PLACE OF USE

TWP 14S, RNG 25E SEC 6 & 7

Data entry on AUGUST 28, 2001

GIS PLACE OF USE PRESENTATION

1987/1988 NAPP AERIAL PHOTOGRAPHY

DATA ENTRY BY KELLY K CHRISTENSEN

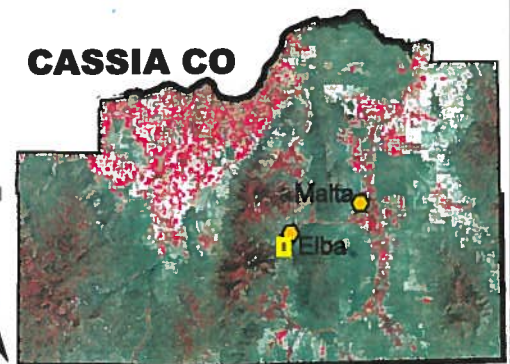
RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES

CASSIA CO



03/16/2001

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

RIGHT NUMBER: 43-146A

NAME AND ADDRESS: CINDY E WARD
J RICHARD WARD
BOX 127
LEADORE, ID 83464

SOURCE: CROSS CREEK

TRIBUTARY: CASSIA CREEK

QUANTITY: 0.25 CFS

VERIFIED BY KKC

PRIORITY DATE: 04/30/1882

POINT OF DIVERSION: T14S R24E S12

NWNENW

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.25 CFS

*Recommendation
modified 8-28-01
KKC*

PLACE OF USE:

IRRIGATION Within CASSIA County
T14S R25E S6

SESW

34

T14S R25E S6

NWSE

30

64 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 64 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-146A AND 43-147A

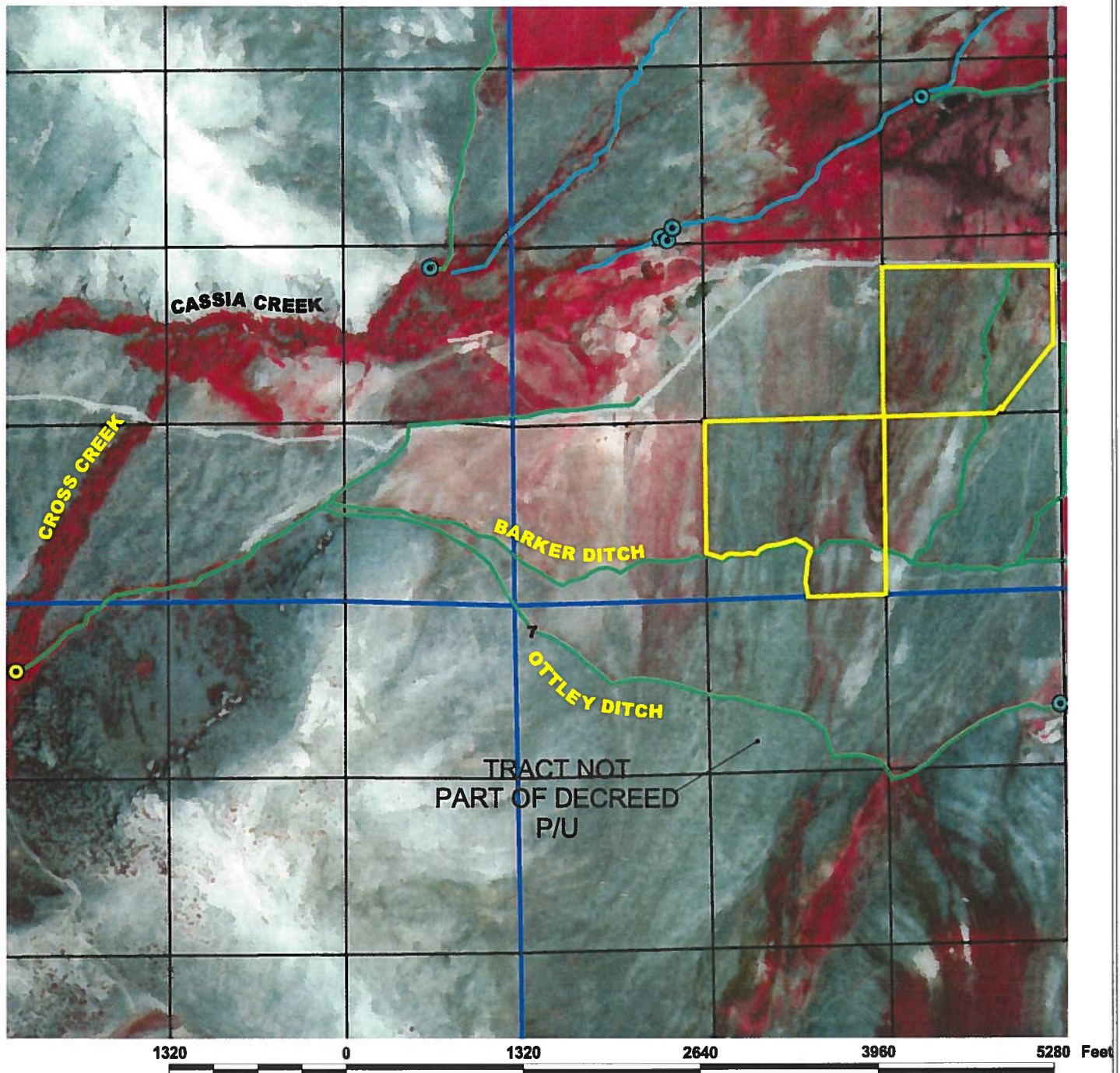
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 BARKER DITCH.

Idaho Department of Water Resources
RECOMMENDED PLACE OF USE FOR
43-146A, and 43-147A



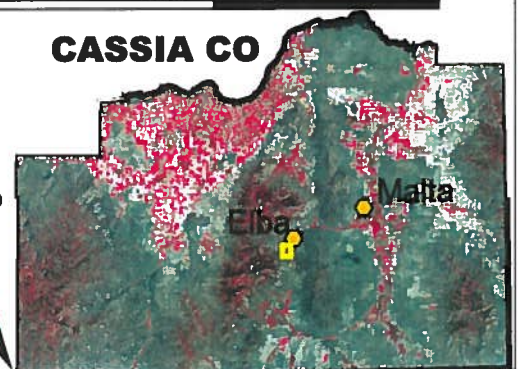
PLACE OF USE
TWP 14S, RNG 25E, SEC 6
Data entry on March 16, 2001

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

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



CASSIA CO





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

E-mail address: kchriste@idwr.state.id.us

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 6, 2001

RICHARD WARD
PO BOX 127
LEADORE ID 83464

RE: RESPONSE TO NOTICE OF ERROR FILINGS MADE MAY 30, 2001

Dear Richard

I have made the following changes to my recommendations for the following systems. Please review the maps and accompanying preliminary recommendations. The preliminary recommendations will be the department's recommendations to the court unless you have additional input.

System 1 43-208, 43-209, and 43-413

I deleted the ground that you identified as BLM ground. We had discussed that the northern portion of the place of use isn't being irrigated at this time but I have left it in the recommended place of use as it was part of the place of use in 1987. You may wish to pursue a transfer to move the place of use to the south. The primary issue you have to consider is that Idaho code 42-222 states that if you go 5 years without using a water right or a portion of that right, it is subject to forfeiture.

System 43-2060

I enlarged the place of use based upon the sketch you completed at the meeting. There were no discernable features in the NAPP photography to exactly identify the place of use. The shape I created exceeds the licensed place of use by about 2 acres so my recommendation is for the 5 licensed acres within the found place of use. The additional acres can be recognized under the permit, 43-7183 that has yet to be licensed.

System 43-146A and 43-147A

I have received the evidence of priority from Elmo that supports a 1953 development of the Ottley ditch off of the Barker ditch. I have enclosed a claim form for your use to file for a beneficial use right for the irrigation of the ground in TWP 14S, RNG 25E, SEC 7, NENW. I identified 11 acres in that quarter/quarter as irrigated. (see enclosed file notes map of the entire place of use. The filing fee for the beneficial use right will be \$50.00. The late fee is waived and there are no variable fees due for this filing as they were covered through the filings for the decreed rights. If you have questions about the claim filing procedure call me at this office and I can discuss them with you. I am not changing my recommendation for the decreed rights until I receive the new claim.

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 KEMPTHORNE
GOVERNOR**

March 19, 2001

**KARL J. DREHER
DIRECTOR**

RICHARD WARD
BOX 127
LEADORE ID 83464

RE: 43-146A AND 43-147A

Dear Richard

The recommendation for the above rights excludes 11 acres in Sec 7 NENW. This quarter is not part of the decreed place of use for the above listed rights. A beneficial use right is required before I can recognize those acres.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

CLAIM ^{00147A} A43-00146A INIT KKC
T. R. S. Q/Q
P/D 14S 24E 12 NWNEW
PHOTO ASCS W-30
DT.&ID. 1987 Flight

not listed as an
attachment as of
5-5-00
KKC

Found 16 acres between
the Barker & Ottley ditches
being irrigated.

BARKER DITCH

DIRT DITCH

10

NATURAL DRAIN

OTTLEY DITCH
AKA HIGHLAND D.

E L B A B

Hoggen 2/4

Brackish
irrigation

WARD
BARKER

Pierced
Index 7-1-94

3100

بسم الله الرحمن الرحيم

Banker

Wheatley

some evidence of
ice starting Apr 1907
New
7

5 last roll #2 in West

enlarged
200%

ELBA BASIN

BM 5213
PO

Creek

5

5323

DECEED
P/U

BM 5330

CLAIMED P/U
WARD

CLAIMED P/U
BODEN

5698

Map 2

FIELD EXAM ATTACHMENT

DATE: Start 6-21-94

PAGE: _____

AGENT: KKC

FILES: A43-00146A

00147A

ATTACHMENT SUBJECT: P/U Analysis

office notes: Decreed rights split. Claimed P/U for this portion of the decreed P/U falls within the decreed P/U except for the NENW of Sec 7. Claim also lists full 40 Acre tracts within each claimed quarter. This creates an overlap with the "B" portion which is claimed within the same quarters. (Boden Claims).

Source for 43-00146 decreed as Cassia Co. It appears to be in error (Cassia is physically not able to reach P/U without pumping). KKC office notes 6-21-94.

CLAIM NUMBER43-00146A-00147A

DATE5-5-00

TRANSFER NUMBER

AGENTKKC

CLAIMED ACRE TOTAL

GIS ACRE TOTAL

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	14S	25E	6												40		30	10	
GIS															34.2		29.9	-0-	
RECOM															34		30		6'
CLAIM			7					40											
GIS								11											
RECOM								11											
CLAIM																			
GIS																			
RECOM																			

B43-POU.SHP00146A - .25 acres within decreed P/U = 6 1/4 ac

SHAPE NOS.00147A - .50

1.75 CFSmax @ 1" / ft = 1.28 CFS

*.02

B43-POD.SHP

NOS. DESCRIPTION

The decree is for the 3 claimed 40's in sec 6 and the NW 1/4 of Sec 7.

The decree does NOT include the NE NW of Sec 7.

during a field exam for Stan Lloyd I asked when the Otley ditch was built. Stan stated that it was built at approximately the same time as the Elba-Almo road. He stated that the road was surveyed in 1952 and that the road was built in 53/54. Thereby dating the Otley ditch in that time frame. He said that the equip. used to build the road also built the Otley ditch.

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:39:28
05/04/00

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A43-00146A

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			RKC 7-1-94					
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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:39:28
05/04/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A43-00146A

LAST: ELISON FIRST: LOUISE
ADDRESS: HC 72 BOX 2180
CITY: MALTA STATE: ID ZIP: 83342
PHONE NUMBER: 208-645-2544

OWNER CODE: O

LAST: ELISON FIRST: ELMO
ADDRESS: HC 72 BOX 2180
CITY: MALTA STATE: ID ZIP: 83342
PHONE NUMBER: 208-645-2544

OWNER CODE: O

LAST: WARD FIRST: J RICHARD
ADDRESS: BOX 127
CITY: LEADORE STATE: ID ZIP: 83464
PHONE NUMBER: 208-768-2668

OWNER CODE: C

LAST: WARD FIRST: CINDY E
ADDRESS: BOX 127
CITY: LEADORE STATE: ID ZIP: 83464
PHONE NUMBER: 208-768-2668

OWNER CODE: C

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

CLAIM REMARKS: GEN THIS IS PART OF THE WR 43-00146 FOR .40 CFS.
62.5% OF THE WATER RIGHT CLAIMED.
DECREE SHOWS SOURCE OF WATER AS CASSIA CREEK. USGS LISTS CROSS
CREEK AS STREAM OF DIVERSION POINT. FROM THERE WATER IS CARRIED
BY BARKER DITCH THEN DIVERTED INTO THE HIGHLINE DITCH AND DE-
LIVERED TO THE P/U.

OWNERSHIP CHANGE 11/1/91 BY JG.

PAGE: 2
FIELD EXAMINATION INFORMATION

2
CLAIM NUMBER: A43-00146A

CONTACT PERSON: no one in field

PHONE NUMBER: () -

DATE OF FIELD EXAM: 7.1.94

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A43-00146A PRIORITY DATE: 04-30-1882 STAGE: D

: # 43-00146 PRIORITY DATE: 04-30-1882 STAGE: D

E PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()

THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()

S THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y() N()

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? A43-00146A & 00147A Y() N()

NOTES: these claims are part of a split of the original decreed rights
A majority of the claimed P/U matches the decreed P/U. I am
recognizing that these claims are part of the original decreed
claimed dates match the decreed dates. Recon as claimed

=====

RECOMMENDED PRIORITY DATE:

04-30-1882

REVIEWED BY KRC

DATE 5-5-00

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 NUMB
A43-00146A	14S	24E	12	NE	SW	NW		CASSIA		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

A43-00146B 43-10718

NONE

A43-00147A R43-00146B

A43-00344 R43-00147A

A43-00345 R43-00344

A43-00346 R43-00345

R43-00346

SOURCE: CROSS CREEK

TRIB: CASSIA CREEK

B. WR POINT OF DIVERSION AND SOURCE:

4300146 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 7-1-94 NAME OF EXAMINER KKC) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: the decreed rights identify Cassia Creek & Green Canyon Creek. The
Found P/D (one only) is out of Cross Creek. Cross Creek was not
identified in the decree. It probably was one of the 'Forks' of Cassia Cr.
The claimants did not know anything about a Green Canyon Creek div.
There are 2 ditch systems from Green Canyon Cr that may have
delivered water to the decreed P/U. One system is a ditch remnant

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 NB
14S	24E	12	NE	SW	NW			CASSIA		
			NW	NE	NW				Barker Ditch	13

SOURCE: Cross Creek TRIB: Cassia Creek

REVIEWED BY: KKC DATE: 5-5-00

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

running near the eastern border of Sec 12; along the hillside in many
spots the ditch has completely disappeared. The other ^{likely} possibility was that
it was tied into or related to Stan Lloyds decreed system in the SE corn
of Sec 12. Waste water off this ground & on the Haford property can
eventually reach the Otley Ditch and could be applied to the
claimed P/U. This was not claimed or identified as a use. I am
recognizing the Cross Creek div as the only source. This P/D
is the first diversion down stream from the Green Canyon Cr.
diversion. Water is diverted from the Barker ditch and applied
to the claimed P/U through Flood irrigation. The irrigated
ground in the ~~NE~~ NW of Sec 7 is NOT part of the decreed P/U

A. ROOT WATER RIGHT NUMBERS: A43-00146A
A43-00146B

R43-00146A

R43-00146B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
14S	25E	6	SE	SW		WARD, J RICHARD	A43-00146A / 40.0	- /	4.0		
			SE	SW		WARD, J RICHARD	A43-00147A / 40.0	- /			
			SE	SW		WARD, J RICHARD	R43-00146A / 40.0	- /			
			SE	SW		WARD, J RICHARD	R43-00147A / 40.0	- /			
			SE	SW		CASSIA CREEK IRRIGATION CO.		43-00015 /			
			SE	SW		HOAGLAND, ELLEN		43-00146 /			
			SE	SW		HOAGLAND, ELLEN		43-00147 /			
14S	25E	6	NW	SE		WARD, J RICHARD	A43-00146A / 30.0	- /	7.0		
			NW	SE		BODEN, COLLEEN A	A43-00147B / 10.0	- /			
			NW	SE		ELISON, LOUISE	A43-10220 /	- /			
			NW	SE		BODEN, COLLEEN A	A43-00146B / 10.0	- /			
			NW	SE		WARD, J RICHARD	A43-00147A / 30.0	- /			
			NW	SE		WARD, J RICHARD	R43-00146A / 30.0	- /			
			NW	SE		BODEN, COLLEEN A	R43-00146B / 10.0	- /			
			NW	SE		WARD, J RICHARD	R43-00147A / 30.0	- /			
			NW	SE		BODEN, COLLEEN A	R43-00147B / 10.0	- /			
			NW	SE		ELISON, LOUISE	R43-10220 /	- /			
			NW	SE		CASSIA CREEK IRRIGATION CO.					
			NW	SE		HOAGLAND, ELLEN					
			NW	SE		HOAGLAND, ELLEN					
14S	25E	6	SW	SE		WARD, J RICHARD		- /	1.0		
			SW	SE		BODEN, COLLEEN A		- /			
			SW	SE		BODEN, COLLEEN A		- /			
			SW	SE		WARD, J RICHARD		- /			
			SW	SE		WARD, J RICHARD		- /			
			SW	SE		BODEN, COLLEEN A		- /			
			SW	SE		WARD, J RICHARD		- /			
			SW	SE		BODEN, COLLEEN A		- /			
			SW	SE		CASSIA CREEK IRRIGATION CO.		43-00015 /			
			SW	SE		HOAGLAND, ELLEN		43-00146 /			
			SW	SE		HOAGLAND, ELLEN		43-00147 /			
14S	25E	7	NE	NW		WARD, J RICHARD	A43-00146A / 40.0	- /			
			NE	NW		WARD, J RICHARD	A43-00147A / 40.0	- /			
			NE	NW		WARD, J RICHARD	R43-00146A / 40.0	- /			
			NE	NW		WARD, J RICHARD	R43-00147A / 40.0	- /			

SEE GIS LAYOUT AND LAND LIST FORM
SHOWING ACRE COMPARISON AND
RECOMMENDATION
KKG

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NW		CASSIA CREEK IRRIGATION CO.		43-00015 /			

ADDITIONAL POU FOUND

*See land list
for P/U recommendation*

TOTAL ACRES A43-00146A 120.00 12.00

POU COUNTY: CASSIA

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 ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV.	DIV. VOL.	DIV.
				RATE/ACRE		VOL./ACRE
A43-00146A	CROSS CREEK	WARD, J RICHARD	0.250	0.002		
R43-00146A	CROSS CREEK	WARD, J RICHARD	0.250	0.002		
R43-00146B	CASSIA CREEK	BODEN, COLLEEN A	0.150	0.002		
A43-00146B	CASSIA CREEK	BODEN, COLLEEN A	0.150	0.002		
A43-00147A	CROSS CREEK	WARD, J RICHARD	0.500	0.004		
R43-00147A	CROSS CREEK	WARD, J RICHARD	0.500	0.004		
A43-00147B	GREEN CANYON CREEK	BODEN, COLLEEN A	0.300	0.005		
R43-00147B	GREEN CANYON CREEK	BODEN, COLLEEN A	0.300	0.005		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A43-10220	STOCKWATER	ELISON, LOUISE	FROM 01-01 TO 12-31	0.040 CFS	
R43-10220	STOCKWATER	ELISON, LOUISE	FROM 01-01 TO 12-31	0.040 CFS	

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A43-00147A

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, IDWR NO. DD-30; () TOPOGRAPHIC QUAD, IDWR NO. _____;

☒ NAPP, IDWR NO. Gis Rectified; ☒ ASCS PHOTO; ¹⁹⁷⁸⁻⁸⁷ () OTHER _____

NOTES: _____

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A()

REVIEWED BY: _____ DATE: _____

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A43-00146A IRRIGATION	FROM 04-01 TO 11-01 <i>LD 31</i>	0.250 CFS	
TOTAL DIVERSION RATE/VOLUME		0.250 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
43-00146 IRRIGATION	FROM TO	0.400 CFS	
TOTAL DIVERSION RATE/VOLUME		0.400 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: *no season of use was decided therefore I am recommending the current dept Standard. The claimed rate is less than 1"/Ac for the recommended P/U, therefore I am recommending the claimed rate*

AJ CLAIM TOTAL DIVERSION RATE: 0.25D CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.40D 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 The Barker ditch is a combined system SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ 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 = 300.0 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: 43-00146 diverted @ .40 CFS
00146A - .25 CFS ↓
00146B - .15 CFS ↓
 .40 CFS

43-00147 diverted at 0.80 CFS
00147A - .50 CFS ↓
00147B - .30 CFS ↓
 .80 CFS

Split analysis

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
IRRIGATION	04-01 ~~11-01~~ 10-31	DATABASE EXAMINER 0.250 _____ OK	DATABASE EXAMINER _____ _____	DATABASE EXAMINER 300.0 _____ _____ _____ _____
<u>u</u>	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT		0.250 _____	_____	300.0 _____

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: KRC

DATE: 5-5-00

FLAG: C CØ2

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 _____	☒	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-00146

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	0.400	_____	

See Pg 13

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A43-00146A	0.250	R43-00146A	0.250	43-00146	0.400
-	A43-DD146B	0.150	R43-00146B	0.150	-	
TOTAL CFS		0.400		0.400		0.400

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	FIELD EXAMINER
N	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

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 <u>DD30 1976</u> IDWR ID NO. _____	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ NAPP	DATE OF PHOTO <u>1987-88</u> IDWR ID NO. <u>Gas Rectified</u>	Y() N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>1978 - 1987</u>	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 ISSUED~~		
☐ IDWR APPROVED TRANSFER	~~DATE TRANSFER APPROVED~~		
☐ SYSTEM DESCRIPTION	~~DATE SYSTEM~~ Field Exam attachment 6-21-94		Ortho Photo showing Deeded P/U and Claimed P/U. preliminary map prior to exam identified as Map 2 (office notes pre exam)
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>6-22-94</u> <u>7-1-94</u>	<u>7</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>GIS Recon Layout</u>	DATE _____		
☐ OTHER <u>Land listing</u>	DATE <u>5-5-00</u>	<u>1</u>	

Ortho Photo with notes not dated but taken during visit with Stan Lloyd shows discussion of Otley Litch construction date identified as Map 1

Ortho photo enlarged 200% used as field notes - Dated 6-22-94