

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: A43-00230
Date Received: 5/23/1989 6-5-8
Receipt No: 5007493
Received By: RA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MITCHEL J. HUTCHISON
Address: HC. 61 BOX 1248
MALTA, ID 83342

AND/OR

Name: TOMMY R. HUTCHISON
Address: HC. 61 BOX 1248
MALTA, ID 83342

AND/OR

Name: THIRZA OTTLEY 208-638-5590
Address: HC. 61 BOX 1248
MALTA, ID 83342

2. Date of Priority: APR 30, 1880

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
13S	24E	36	SE	NE	NE		CASSIA
			NE	SE	NE		CASSIA

5. Description of diverting works:
WOODEN DIV. WORKS WITH DITCHES AND FLOOD IRR. AND SPRINKLER IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.700		

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

A.F.A.

8. Total consumptive use is 450.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A43-00230

Page

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05/23/89

MICROFILMED
MAR 02 1993
SCANNED
FEB 06 2012

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	25E	31	SW		NE		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NW		SW		IRR	30.0
							Section Acres	150.0
							Total Acres	150.0

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:
43-0231-0232

14. Remarks:
THERE IS ONE POINT OF DIV. WHICH IS ON THE 1/4-1/4 LINE.

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

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): Thirza Attley Date: 5/23/89

Date: _____

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of May 19 89

John Dale Corbin
Notary Public

Seal

Residing at Boonville
My Commission Expires 5/2/94

25 30

36 31 1877
T1308

42.28
S-31
T-13
R-25

42
T1309

40

40

24.0

40

2
39.2

40
T1310

30

1423
T1314

T1314

36 31 35.0

18

LMES
FEB 12 1993

02/01/2001

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

RIGHT NUMBER: 43-230

NAME AND ADDRESS: MITCHEL J HUTCHISON
TOMMY R HUTCHISON
THIRZA L OTTLEY
HC 61 BOX 1248
MALTA, ID 83342

VERIFIED BY KKC

SOURCE: CLYDE CREEK

TRIBUTARY: CASSIA CREEK

QUANTITY: 0.7 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.00 CFS. COMBINED RIGHTS 43-00230,
43-00231, 43-00332, 43-00333, 43-00334, 43-00335 AND 43-10213

PRIORITY DATE: 04/30/1880

POINT OF DIVERSION: T13S R24E S36

SWNE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4-01 10-31

QUANTITY
0.70 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T13S R25E S31	SWNE	38	T13S R25E S31	SWNW	42
T13S R25E S31	SENE	38	T13S R25E S31	NWSW	32

150 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 150 ACRES IN A SINGLE IRRIGATION SEASON COMBINED
RIGHT NOS. 43-00230, 43-00231, 43-00332, 43-00333, 43-00334, 43-00335
AND 43-10213

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 74 ACRES IN A SINGLE IRRIGATION SEASON COMBINED RIGHT
NOS. 43-00230 AND 43-00231

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

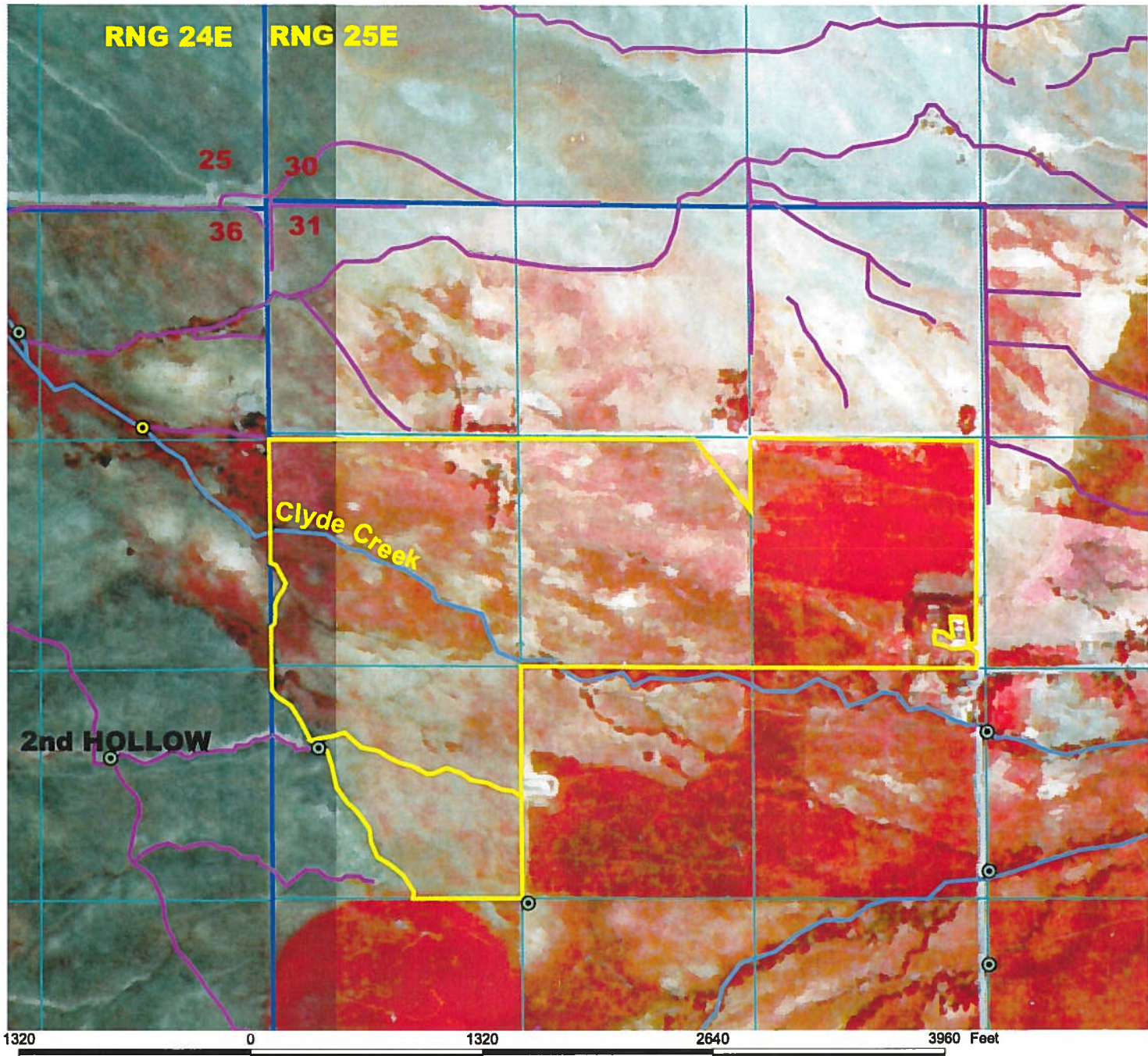
all
SCANNED
FEB 06 / 012

Water Right 43-230

1

IDAHO DEPARTMENT OF WATER RESOURCES

**RECOMMENDED PLACE OF USE
FOR 43-00230, 43-00231, 43-00332,
43-00333, 43-00334, AND 43-00335**

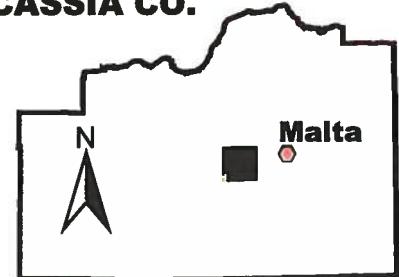


PLACE OF USE
TWP 13S RNG 25E, SEC 31
data entry on: May 25, 2000

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

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

CASSIA CO.



CLAIM NUMBER

43-00230 -00334

DATE

5-19-00

TRANSFER NUMBER

-00231 -00335

AGENT

KKC

CLAIMED ACRE TOTAL

151-00333 -00332

GIS ACRE TOTAL

150

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	13S	25E	31			40				40	40			30						1
GIS			31			38.1				42	38.2			31.9						
RECOM			31			38				42	38			32						1
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP

Recommendation is for

SHAPE NOS.

240241

B43-POD.SHP

NOS. DESCRIPTION

187Sec 36A43-00230 @ .70 cfsA43-00231 @ .70 cfsSW NENE3.05 cfs150 ac @ .02 cfs/ac = 3.00 cfslimit

DBF TABLES UPDATED

B43-DBPOU.DBF 5-25-00B43-DBPOD.DBF 5-25-00JPEG LAYOUT 43-00230, 332 Hutchison

MR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			7-15-94 KRC	N		KRC 5-23-00	KRC 5-24-00	
POINT OF DIV	Y			Y				
SOURCE				Y				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE	-			-				
PURPOSES				N				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM				N				
REMARKS	Y			Y				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

Bar code
 updated
 5-25-00
 KRC

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TOMMY R. HUTCHISON HC. 61 BOX 1248 MALTA ID 83342	04/30/1880	IRRIGATION	03-15 11-15	0.70 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:						0.70 CFS
C	THIRZA L. OTTLEY HC. 61 BOX 1248 MALTA ID 83342 (208) 638-5590					450.00 AFA
C	MITCHEL J. HUTCHISON HC. 61 BOX 1248 MALTA ID 83342					
Water Source: CASSIA CREEK		Tributary to: RAFT RIVER		Stage: DECREED		
Point(s) of Diversion:	T13S R24E S36	SENE	NESENE	CASSIA County		
Place of use Legal Description for: IRRIGATION						
NENE NENE SENE : NENM NMNM SNMW SENM : NESM NWSM SMSM SESM : NESE NWSE SWSE SESE : SUM ----- T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : ----- ----- 13S 25E 31 : 40 : 40 40 : 30 : 150.0 ----- TOTAL ACRES : 150.0						
POU County: CASSIA						
Non-Irrigation Uses: NONE						
Other Rights: 43-0231-0232						
Remarks: THERE IS ONE POINT OF DIV. WHICH IS ON THE 1/4-1/4 LINE.						
Dates: Exam Made Date: Verified Date:						
Misc:	Water District Number: 43C	Field Inspection Flag: Presumption Flag:				

LAST: HUTCHISON
ADDRESS: HC. 61 BOX 1248
CITY: MALTA
PHONE NUMBER: 208-000-0000
OWNER CODE: C

FIRST: TOMMY R.
STATE: ID ZIP: 83342

LAST: OTTLEY
ADDRESS: HC. 61 BOX 1248
CITY: MALTA
PHONE NUMBER: 208-638-5590
OWNER CODE: C

FIRST: THIRZA L.
STATE: ID ZIP: 83342

LAST: OTTLEY
ADDRESS: XXXXXXXX
CITY: XXXXXXXX
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: FRED H.
STATE: ID ZIP: 00000

LAST: OTTLEY
ADDRESS: XXXXXXXXXX
CITY: XXXXXXXXXX
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: ABBIE C.
STATE: ID ZIP: 00000000

LAST: HUTCHISON
ADDRESS: HC. 61 BOX 1248
CITY: MALTA
PHONE NUMBER: 208-000-0000
OWNER CODE: C

FIRST: MITCHEL J.
STATE: ID ZIP: 83342

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: THERE IS ONE POINT OF DIV. WHICH IS ON THE 1/4-1/4 LINE.

DATABASE
Y

FIELD
EXAMINER

CONTACT PERSON: Tommy Hutchison

PHONE NUMBER: () -

DATE OF FIELD EXAM: 7/15/94 APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: no one in field

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A43-00230

PRIORITY DATE: 04-30-1880

STAGE: D

B. WR RECORD: # 43-00230

PRIORITY DATE: 04-30-1880

STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
NFIELD
EXAMINERARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? (Y() N())
IF YES EXPLAIN.

NOTES:

Claimed date matches deceased date except as claimed
for the right is 43-00231
See also attached field notes dated 7-14 & 7-15-98 and
System analysis

RECOMMENDED PRIORITY DATE:

04-30-1880

REVIEWED BY

AKC

DATE

5-22-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A43-00230	13S	24E	36	SE	NE	NE		CASSIA
A43-00230	13S	24E	36	NE	SE	NE		CASSIA

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX	NONE
A43-00231	R43-00231	
A43-00232B	R43-00232B	
A43-00332	R43-00332	
A43-00333	R43-00333	
A43-00334	R43-00334	
A43-00335	R43-00335	
A43-10124	R43-10124	

SOURCE: CASSIA CREEK

TRIB: RAFT RIVER

B. WR POINT OF DIVERSION AND SOURCE:

4300230 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: CASSIA CREEK

TRIB: RAFT RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	

NOTES:

I found the P/O to be in the SW NE NE of Sec 36 using the U.S. and
 based upon my field exam. The P/O is on the North side of Clyde
 Creek and the ditch flows east to the NW corner of the recommended
 P/O. The ditch splits just east of the P/O with the southern ditch
 being I turned across Clyde Creek and continues in a southeasterly direction
 to the end of property in the center of the Strickland corner of the NW Sec 31
 the ditch crosses the 2nd bottom channel in the same NW Sec 31 (claimant
 under 43-10213.)

DIVERSION NAME

Figure 1

Garcia Peak

TRIB: ~~RAEI-RTVER~~

DATE: 2-25-00

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A43-00230
R43-00230

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13S	25E	31	SW	NE		HUTCHISON, TOMMY R.	A43-00230 /40.0	- /			40.0
			SW	NE		OTTLEY, THIRZA L.	R43-00333 /40.0	43-00333 /			
			SW	NE		OTTLEY, THIRZA	R43-10342 /	- /			
			SW	NE		OTTLEY, THIRZA	A43-10342 /	- /			
			SW	NE		OTTLEY, THIRZA L.	A43-00231 /40.0	- /			
			SW	NE		HUTCHISON, MITCHEL J.	A43-00332 /40.0	43-00332 /			
			SW	NE		OTTLEY, THIRZA L.	A43-00333 /40.0	- /			
			SW	NE		OTTLEY, THIRZA L.	A43-00334 /40.0	43-00334 /			
			SW	NE		HUTCHISON, TOMMY R.	A43-00335 /40.0	43-00335 /			
			SW	NE		HUTCHISON, MITCHEL J.	A43-00232B /40.0	- /			
			SW	NE		HUTCHISON, TOMMY R.	A43-00230 /40.0	- /			
			SW	NE		OTTLEY, THIRZA L.	R43-00231 /40.0	- /			
			SW	NE		HUTCHISON, MITCHEL J.	R43-00232B /40.0	- /			
			SW	NE		HUTCHISON, MITCHEL J.	R43-00332 /40.0	- /			
			SW	NE		HUTCHISON, MITCHEL J.	R43-00334 /40.0	- /			
			SW	NE		HUTCHISON, TOMMY R.	R43-00335 /40.0	- /			
			SW	NE		CASSIA CREEK IRRIGATION CO.	43-00015 /	- /			

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

13S	25E	31	SW	NW		HUTCHISON, TOMMY R.	A43-00230 /40.0	- /			
			SW	NW		OTTLEY, THIRZA L.	R43-00333 /40.0	- /			
			SW	NW		OTTLEY, THIRZA L.	A43-00231 /40.0	43-00231 /			
			SW	NW		HUTCHISON, MITCHEL J.	A43-00332 /40.0	- /			
			SW	NW		OTTLEY, THIRZA L.	A43-00333 /40.0	- /			
			SW	NW		OTTLEY, THIRZA L.	A43-00334 /40.0	- /			
			SW	NW		HUTCHISON, TOMMY R.	A43-00335 /40.0	- /			
			SW	NW		HUTCHISON, MITCHEL J.	A43-00232B /40.0	- /			
			SW	NW		HUTCHISON, TOMMY R.	R43-00230 /40.0	- /			
			SW	NW		OTTLEY, THIRZA L.	R43-00231 /40.0	- /			
			SW	NW		HUTCHISON, MITCHEL J.	R43-00232B /40.0	- /			
			SW	NW		HUTCHISON, MITCHEL J.	R43-00332 /40.0	- /			
			SW	NW		HUTCHISON, MITCHEL J.	R43-00334 /40.0	- /			
			SW	NW		HUTCHISON, TOMMY R.	R43-00335 /40.0	- /			
			SW	NW		CASSIA CREEK IRRIGATION CO.	43-00015 /	- /			
			SW	NW		OTTLEY, FRED H.	43-00232 /	- /			
			SW	NW		HUTCHISON, TOMMY	43-07304 /40.0	- /			
13S	25E	31	SE	NW		HUTCHISON, TOMMY R.	A43-00230 /40.0	- /			39.0
			SE	NW		HUTCHISON, MITCHEL J.	R43-00332 /40.0	43-00332 /			
			SE	NW		OTTLEY, THIRZA L.	A43-00231 /40.0	- /			
			SE	NW		HUTCHISON, MITCHEL J.	A43-00332 /40.0	- /			
			SE	NW		OTTLEY, THIRZA L.	A43-00333 /40.0	43-00333 /			
			SE	NW		HUTCHISON, TOMMY R.	A43-00335 /40.0	43-00335 /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13S	25E	31	SE	NW		OTTLEY, THIRZA L.	A43-00334 /40.0	43-00334 /			
			SE	NW		HUTCHISON, MITCHEL J.	A43-00232B /40.0	- /			
			SE	NW		HUTCHISON, TOMMY R.	R43-00230 /40.0	- /			
			SE	NW		OTTLEY, THIRZA L.	R43-00231 /40.0	- /			
			SE	NW		HUTCHISON, MITCHEL J.	R43-00232B /40.0	- /			
			SE	NW		OTTLEY, THIRZA L.	R43-00333 /40.0	- /			
			SE	NW		HUTCHISON, MITCHEL J.	R43-00334 /40.0	- /			
			SE	NW		HUTCHISON, TOMMY R.	R43-00335 /40.0	- /			
			SE	NW		CASSIA CREEK IRRIGATION CO.	43-00015 /	43-00015 /			
			SE	NW		HUTCHISON, TOMMY	43-07304 /40.0	43-07304 /40.0			
			NW	SW		HUTCHISON, TOMMY R.	A43-00230 /30.0	- /			
			NW	SW		HUTCHISON, MITCHEL J.	R43-00332 /30.0	- /			
			NW	SW		HUTCHISON, MITCHEL J.	R43-10213 /15.0	- /			
			NW	SW		OTTLEY, THIRZA L.	A43-00231 /30.0	43-00231 /			
			NW	SW		HUTCHISON, MITCHEL J.	A43-00332 /30.0	- /			
NW	SW		OTTLEY, THIRZA L.	A43-00333 /30.0	- /						
NW	SW		OTTLEY, THIRZA L.	A43-00334 /30.0	- /						
NW	SW		HUTCHISON, TOMMY R.	A43-00335 /30.0	- /						
NW	SW		HUTCHISON, MITCHEL J.	A43-00232B /30.0	- /						
NW	SW		HUTCHISON, TOMMY R.	R43-00230 /30.0	- /						
NW	SW		OTTLEY, THIRZA L.	R43-00231 /30.0	- /						
NW	SW		HUTCHISON, MITCHEL J.	R43-00232B /30.0	- /						
NW	SW		OTTLEY, THIRZA L.	R43-00333 /30.0	- /						
NW	SW		HUTCHISON, MITCHEL J.	R43-00334 /30.0	- /						
NW	SW		HUTCHISON, TOMMY R.	R43-00335 /30.0	- /						
NW	SW	3	CASSIA CREEK IRRIGATION CO.	43-u0015 /	43-u0015 /						
NW	SW	3	OTTLEY, FRED H.	43-00232 /	43-00232 /						
NW	SW	3	HUTCHISON, TOMMY	43-07304 /40.0	43-07304 /40.0						
							A43-00230	150.00			79.00

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

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, (Y) (N)
IF YES SEE ATTACHED SHEET: (X)

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER POU COUNTY: CASSIA
DUE TO POU DISCREPANCY? (Y/N) Y

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

PRESUMPTION FLAG:

NOTES:

See Attached documentation for system/claim

RECOMMENDATIONS:

TOTAL ACRES: 150

REVIEWED BY: KRC

DATE: 5-23-00

又蒙

$X_{(N)}$ this night is part of a combined

This right is part of a combined
 Right deeded system that was split
 30± years ago. See Attached narrative

FIELD
DATABASE EXAMINER

2

Flow Measurement
The above system capacity exceeds demand rate.
SEE ATTACHED CALCULATIONS.

See manuscript

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. DIV. RATE	DIV. VOL.	DIV. VOL./ACRE
A43-00230	CASSIA CREEK	HUTCHISON, TOMMY R.	0.700	0.004	
R43-00230	CASSIA CREEK	HUTCHISON, TOMMY R.	0.700	0.004	
R43-00231	CASSIA CREEK	OTLEY, THIRZA L.	0.700	0.004	
A43-00231	CASSIA CREEK	OTLEY, THIRZA L.	0.700	0.004	
R43-00232B	CASSIA CREEK	HUTCHISON, MITCHEL J.	0.800	0.005	
A43-00232B	CASSIA CREEK	HUTCHISON, MITCHEL J.	0.800	0.005	
A43-00332	CASSIA CREEK	HUTCHISON, MITCHEL J.	0.781	0.005	
R43-00332	CASSIA CREEK	HUTCHISON, MITCHEL J.	0.781	0.005	
A43-00333	CASSIA CREEK	OTLEY, THIRZA L.	0.235	0.001	
R43-00333	CASSIA CREEK	OTLEY, THIRZA L.	0.235	0.001	
A43-00334	CASSIA CREEK	OTLEY, THIRZA L.	0.937	0.006	
R43-00334	CASSIA CREEK	HUTCHISON, MITCHEL J.	0.937	0.006	
R43-00335	CASSIA CREEK	HUTCHISON, TOMMY R.	0.782	0.005	
A43-00335	CASSIA CREEK	HUTCHISON, TOMMY R.	0.782	0.005	
A43-10213	FIRST HOLLOW	HUTCHISON, MITCHEL J.	0.800	0.053	
R43-10213	FIRST HOLLOW	HUTCHISON, MITCHEL J.	0.800	0.053	

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R43-10342	DOMESTIC	OTILEY, THIRZA	FROM 01-01 TO 12-31	.040 CFS	
R43-10342	STOCKWATER	OTILEY, THIRZA	FROM 01-01 TO 12-31	.030 CFS	
A43-10342	DOMESTIC	OTILEY, THIRZA	FROM 01-01 TO 12-31	.040 CFS	
A43-10342	STOCKWATER	OTILEY, THIRZA	FROM 01-01 TO 12-31	.030 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 150 x 0.02 CFS/ACRE = 3.00 CFS
(Taken from P/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 450.0 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()
SEE DECREE FOR FURTHER DESCRIPTION OF P. U.

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

The system consists of 6 rights claimed to portions of the (4 claims = 1 right) recommended P/U.

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE
	FROM	TO		EXAMINER	EXAMINER	
IRRIGATION	4-1	10-31	0.700	EXAMINER	EXAMINER	450.0
TOTAL FOR THIS RIGHT	03-15	1-15	0.700			450.0

REVIEWED BY: KKC DATE: 5-23-00

RMK needed.

QNT when 43-00332

are comb limit to 3,000 CFS

1704 when

are comb limit to 150 Ac
are comb limit to 74 ac
230 & 231 are comb limit to 76 ac
3. when 332 → 335 are comb. limit to 76 ac

43-10213 is a right that overlaps on 15 of the 150 acre PDU, therefore this right must also be included in the PDU & QNT limit needs

need RMK

EXP - comb. of parts of

332 & 58

333 & 60

334 & 61

335 & 59

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-00230

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.700

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A43-00230	0.700	R43-00230	0.700	43-00230	0.700
TOTAL CFS		0.700		0.700		0.700

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 sheet attached? (Y/N)DATABASE
YFIELD
EXAMINER

NOTES:

N/A

AUTHENTICATION:

SIGNATURE: Kelly K. Christensen

DATE: 5-23-00

NAME OF FIELD EXAMINER:

TITLE:

SR Water Resource Agent.

DECREED RIGHTS BY ORIGINAL SYSTEM

SYSTEM 1	SYSTEM 2	SYSTEM 3
PORTIONS CLAIMED BY HAWKER & HUTCHISON	PORTIONS CLAIMED BY GARDINER & HUTCHISON	CLAIMED BY GARDINER
43-00230	43-00332	43-00058
43-00231	43-00333	43-00059
43-00232	43-00334	43-00060
	43-00335	43-00061

ANALYSIS FROM FIELD VERIFICATION MEETINGS WITH ALL THREE CLAIMANTS

SYSTEM 1

According to both claimants, predecessors reached an agreement to split the use of SYSTEM 1 with 43-00232 being appurtenant to the ground currently claimed by Hawker and 43-00230 and 43-00231 being appurtenant to the ground currently claimed by Hutchison. Delivery since that date has been based upon that agreement.

RECOMMENDATION ANALYSIS FOR SYSTEM 1

DECREED RIGHT 43-00232

Based upon §42-1426 and that the changes have been made with the knowledge of other users I accept the changes as an unrecorded transfer that unstacked the decreed rights, with 43-00232 being appurtenant to the property now owned and claimed by Ryan Hawker under A43-00232A. As the use represents all of the decreed right I am recommending that right to be renumbered as A43-00232 and recommended as described in the CVR. Claim A43-00232B is being recommended for disallowal based upon remark code P01 {NO LAWFUL APPROPRIATION SHOWN}.

DECREED RIGHTS 43-00230 AND 43-00231

Based upon §42-1426 and that the changes have been made with the knowledge of other users I accept the changes as an unrecorded transfer that unstacked the decreed rights, with these rights being appurtenant to the property now owned and claimed by Tommy Hutchison. I recognize those rights as valid as described in the CVR.

SYSTEM 2 & 3

Two combined rights systems were decreed to adjoining parcels and were decreed independent of the other system. One system consisted of rights 43-00058 through 43-00061 and the other system consisted of rights 43-00332 through 43-00335. Although not sequential, each individual right under the first system has a corresponding right in the second system with a matching priority date. (see table below)

According to claimants, historically the two systems were under one ownership for some time and operated as one delivery system. When the property was split, the intent was for

the ground now claimed by Gardiner to receive fifty percent of each right based upon priority date and the property claimed by Hutchison receiving the other fifty percent.

SPLIT ANALYSIS BASED UPON THE 50% SHARE AGREEMENT

Decreed Right	Decreed Rate	Priority Date	Claimant	Claim Number	Claimed Rate	Recommend Rate
43-00058	0.2196 cfs	April 30 1874	Gardiner	A43-11135	0.61 cfs	0.50 cfs
43-00332	0.7814 cfs		Hutchison	A43-00332	0.781 cfs	0.50 cfs
Total	1.001 cfs				Total	1.00 cfs
43-00059	0.0218 cfs	April 30 1882	Gardiner	A43-11136	0.413 cfs	0.40 cfs
43-00335	0.782 cfs		Hutchison	A43-00335	0.782 cfs	0.40 cfs
Total	0.80 cfs					0.80 cfs
43-00060	0.065 cfs	April 30 1883	Gardiner	A43-11137	0.183 cfs	0.15 cfs
43-00333	0.235 cfs		Hutchison	A43-00333	0.235 cfs	0.15 cfs
Total	0.30 cfs					0.30 cfs
43-00061	0.2626 cfs	April 30 1855	Gardiner	A43-11138	0.73 cfs	0.60 cfs
43-00334	0.9374 cfs		Hutchison	A43-00334	0.9374 cfs	0.60 cfs
Total	1.2000 cfs					1.20 cfs

RECOMMENDATION ANALYSIS FOR SYSTEM 2

The original decreed place of use has been split through a sale of that portion of the place of use in sec 31 NESW AND NWSE to Gardiner. The accepted agreement of that sale was that the water rights appurtenant to the 160 acres covered by system 2 and system 3 would be split fifty-fifty

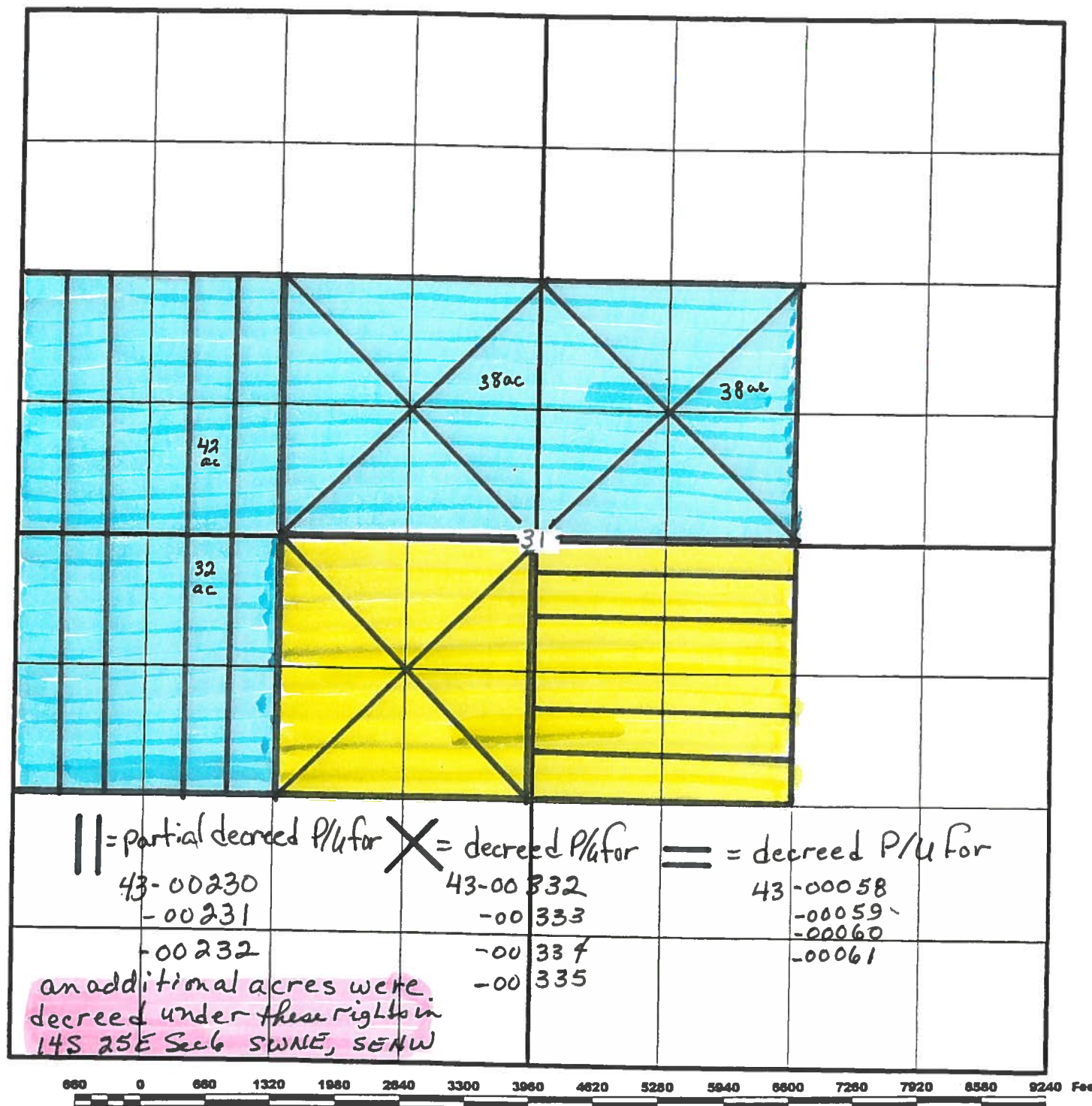
Gardiner's claims for system 2 are claimed within a permissible place of use (PPU) with the rights under system 3. Based upon §42-1426 and that the changes have been made with the knowledge of other users I accept the split as valid as agreed upon between the users and the use within the PPU as an unrecorded transfer.

Hutchison's claims for system 2 are also claimed within a PPU but with rights from system 1. During the field verification interview Tommy indicated that he was in agreement with the 50% split agreement. As his claims filed were filed based upon the system 2 decreed rights but for the entire diversion rates, I am recognizing that those claims represent the combined 50% from the matching decreed rights from system 2 and 3. Those claims are renumbered to better identify that they represent combined rights. Based upon §42-1426 and that the changes have been made with the knowledge of other users I accept the split as valid as agreed upon between the users and the use within the PPU as an unrecorded transfer.

RECOMMENDATION ANALYSIS FOR SYSTEM 3

System 3 was claimed by Gardiner and Hutchison and was verified as valid during the field verification visit. Based upon §42-1426 and that the changes have been made with the knowledge of other users I accept the use within the PPU as an unrecorded transfer. See also the analysis for system 2.

IDAHO DEPARTMENT OF WATER RESOURCES



 = HUTCHISON CLAIMED P/u

 = GARDNER CLAIMED P/u

 = HAWKER CLAIMED P/u

FIELD EXAM ATTACHMENT

orig in
A43-232ADATE: 7-14-94PAGE: 1/AGENT: KKCFILES: A43-00232A00232BATTACHMENT SUBJECT: Historical Use

Three Rights (43-00230, 43-00231, & 43-00232) were decreed to two separate parcels under one ownership. The system stayed under one ownership until sometime around 1975. The then owner (Lew Otley) split the parcel with one of his children receiving All of the Ground in Sec 31 (as identified in the decreed rights) & another the ground in Sec 6. At that time an agreement (verbal) was reached with which split the water rights based upon proximity dates. The Ground in Sec 31 received 43-00230 & 002 and the ground in Sec 6 received the 43-00232 right. Apparently water has been delivered in this manner since that date.

The current use is identified as an unrecorded transfer of portions of each of the 3 rights. Each claim requires a CØ5. The decree does not identify P/Ds & therefore I am assuming that the existing P/Ds are as decreed. No evidence to the contrary was found.

Claims A43-00230 & 00231 are recognized as valid for the ground in Sec 31. A43-00232B is recognized for disallowance for the same ground.

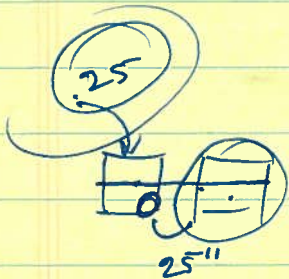
Claim A43-00232A is recognized as valid for the ground in Sec 6 (in full). 43-00230; & 43-00231 were not claimed in full or in part for the decreed P/D in Sec 6.

Info based upon conversations during a 6-27-94 field Exam for Ryan Hawker see Attached notes.

7-15-94
KKC

with Tommy Hut chison

332, 333, 334, 335 split in 1949



the agreement was to split water on a 50/50 share
for the ground covered by 332, 333, 334, 335 AND
58, 59, 60, 61.

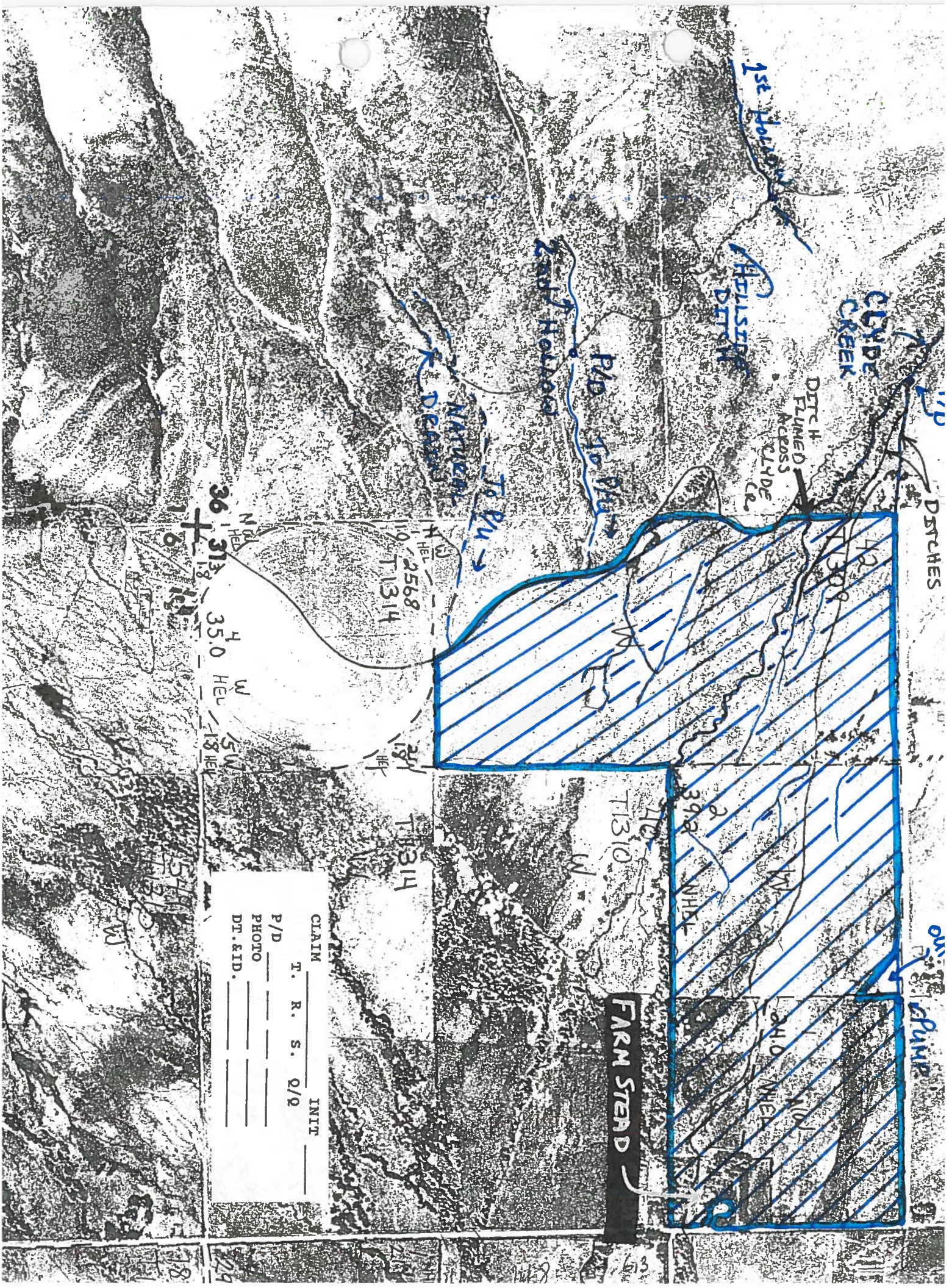
Calculations based upon a 50/50 split of All rights

DATE		GARDNER	OTTLEY
58-74 ⁴⁻³⁰	.2196	.2196	
332-74	<u>.7814</u>	.2809 *	<u>.500</u>
	1.0010 CFS <u>50.05 in.</u>		
59 82 ⁴⁻³⁰	.0218	.0218	
335 82 ✓	<u>.782</u>	.3782 *	.40
	.800 CFS <u>40 in.</u>		
60 83 ⁴⁻³⁰	.065	.065	
333 33 ✓	<u>.235</u>	.085 *	.15
	.300 CFS <u>15 in.</u>		
61 85 ⁴⁻³⁰	.2626	.2626	
334 85 ✓	<u>.9374</u>	.3374 *	.60
	1.2000 CFS <u>60 in.</u>		

Pg 2

claims 230, 231, 232

Historical split left 232 on portion now owned
by Hawker and the other two rights stay with Ostley
Both parties accept this as fact.



CLAIM _____ INIT _____
T. R. S. Q/Q
P/D _____
PHOTO _____
DT. EID. _____

FARM STEAD

CLAIM # A43-00230 SET; 00332 SET; AND OTHERS
DATE PHOTOS TAKEN; 7-15-94
PICTURE SET # 1

This photo shows the diversion from Clyde Creek and the measuring device (a SCS parshall flume with 9" throat). You are looking west on the left to northwest on the right. This P/D is approximately 250 yards west of the northwest corner of the P/U.

HEADGATE



MEASUREMENT DEVICE

CLAIM # A43-00230 SET; 00332 SET; AND OTHERS
DATE PHOTOS TAKEN; 7-15-94
PICTURE SET # 2

This photo set pans from the northeast on the left to the southeast on the right and shows all of the P/U for these claims. A hillside ditch running from left to right approximately 1/2 to 2/3rds of the way down the sagebrush slope is within this photo but is not distinguishable. This ditch catches spring run-off and carries the water to the southern end of the P/U.

CLYDE CREEK
DIVERSION

NORTHERN
BOUNDARY OF P/U

EASTERN
BOUNDARY



CLYDE CREEK

FIRST HOLLOW

SECOND HOLLOW

CLAIM # A43-00230 SET; 00332 SET; AND OTHERS
DATE PHOTOS TAKEN; 7-15-94
PICTURE SET # 3

This photo set shows the hillside diversion ditch. Of the portions of the ditch that I observed, the ditch was well defined with good depth and side structure. Note the fence corner as a physical reference for this location. You are looking east on the left to southeast on the right.

FENCE CORNER



CLAIM # A43-00230 SET; 00332 SET; AND OTHERS
DATE PHOTOS TAKEN; 7-15-94
PICTURE SET # 4

This photo set shows a pump used to irrigate the alfalfa field to the left of the division fence running through the center of this photo set. Clyde Creek water enters the vertically set cement culverts from the right through the just visible ditch. You are looking south on the right to southeast on the left.



DELIVERY LINE TO
TIE ONTO PUMP



SUPPLY DITCH