

79-4097B

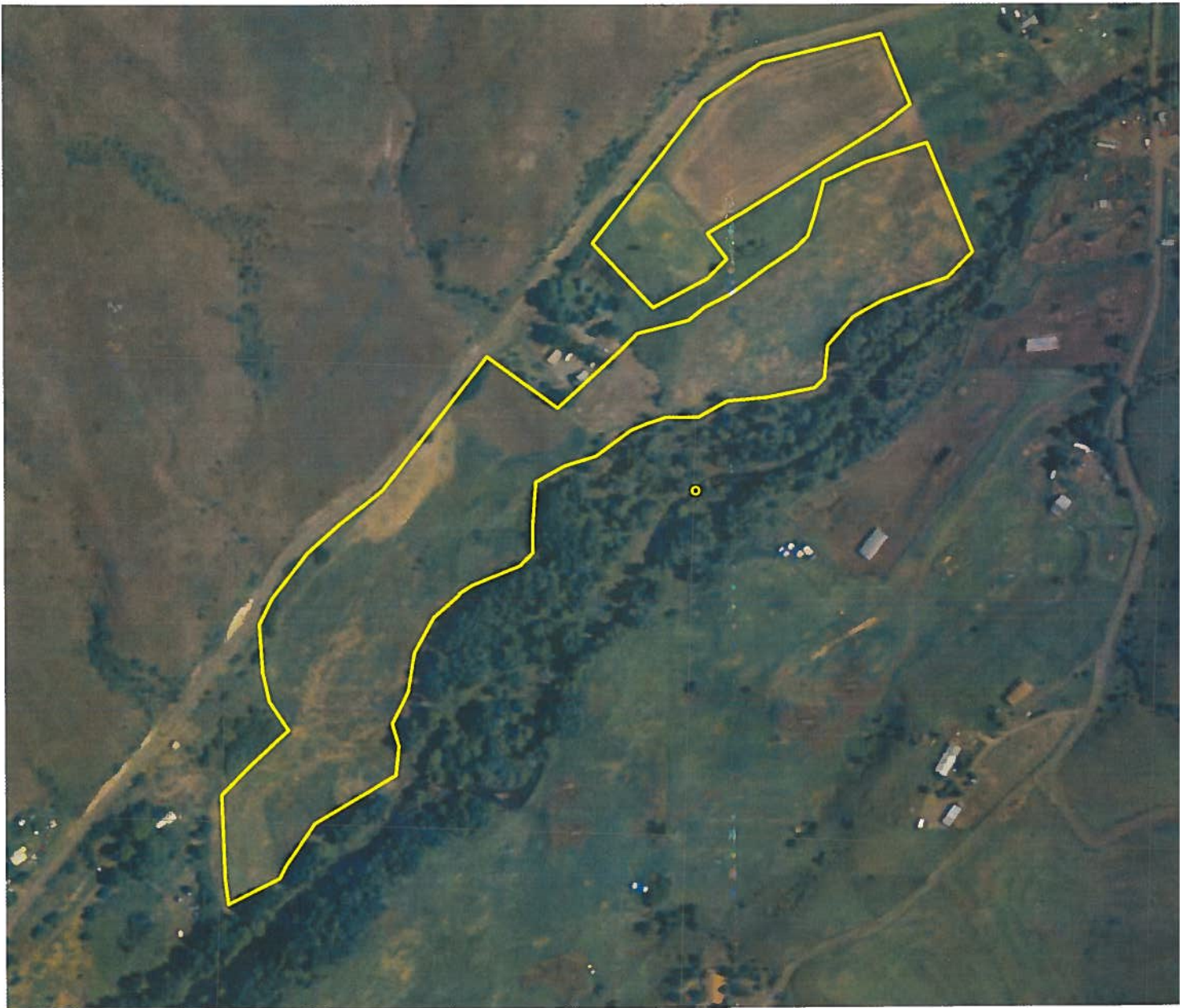
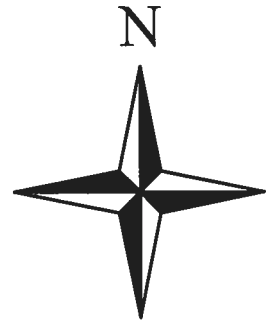
T28N R1E Sections 11, 12 & 14



Place of Use



Point of Diversion



11/21/2005

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

RIGHT NUMBER: 79-4097B

NAME AND ADDRESS: DENNIS K HARVEY
HC 01 BOX 140
WHITE BIRD ID 83554

LEAH A HARVEY
HC 01 BOX 140
WHITE BIRD ID 83554

SOURCE: WHITE BIRD CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.590 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/15/1892

POINT OF DIVERSION:

T28N R01E S12 SWSW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 10/31	0.570 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T28N R01E S11	NESE	3.0	T28N R01E S11	SESE	14.0
T28N R01E S12	NWSW	10.0	T28N R01E S12	SWSW	0.5
T28N R01E S14	NENE	0.9			

STOCKWATER same as IRRIGATION

28.4 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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 - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

79-4097B

Field Exam Notes

Date of Exam: July 21, 2005

The Point of Diversion (POD) is located on White Bird Creek, tributary to the Salmon River, and has a GPS location of **N45° 46' 28.8"** by **W116° 17' 07.1"**. The diversion consists of a pump and electric motor mounted on a concrete slab on the bank of the creek (*Photo 1*). When in use, a screen is placed on the end of the aluminum intake pipe which is then moved over into the creek (*Photo 2*). The pump and motor specifications are below (Also see *Photos 3 & 4*).

Motor:

Make: Westinghouse
Model: TBDP
HP: 25
Serial Number: 7004
RPM: 3515

Pump:

Make: Gould
Head: 240
Size: 2 x 2½-9
No: 795A062.3
(Unable to identify any other numbers)
Discharge: 2"
Intake: 3¾ " line down to 2½ "

The vertical distance between the water level in the creek and the pump on the day of the exam was approximately 56 inches. The lift from the pump to the sprinkler lines is not known, however, the fields are located in the long term flood plain of Whitebird Creek so there was not a large lift.

Irrigation is done entirely through sprinklers. The specifics of how many sprinklers are run at a time, the radius of a typical sprinkler, etc are not known.

Leah Harvey, co-claimant, stated that because of the heavy rain they had earlier in the spring and because of the cost of electricity, they had not irrigated this year and were not planning to do so for the remainder of the year, therefore flow measurements were not taken.

The livestock that are present drink from White Bird Creek directly and from a spring that is located on the property and do not use this claim.

A search of the IDWR public web site in conjunction with a conversation with Leah Harvey and an on site inspection indicated that there are no other water rights with the same POD or POU as this claim.

Field Examiner:



79-4097B



Photo 1: POD. Facing south. Intake line flips over into creek when in use.

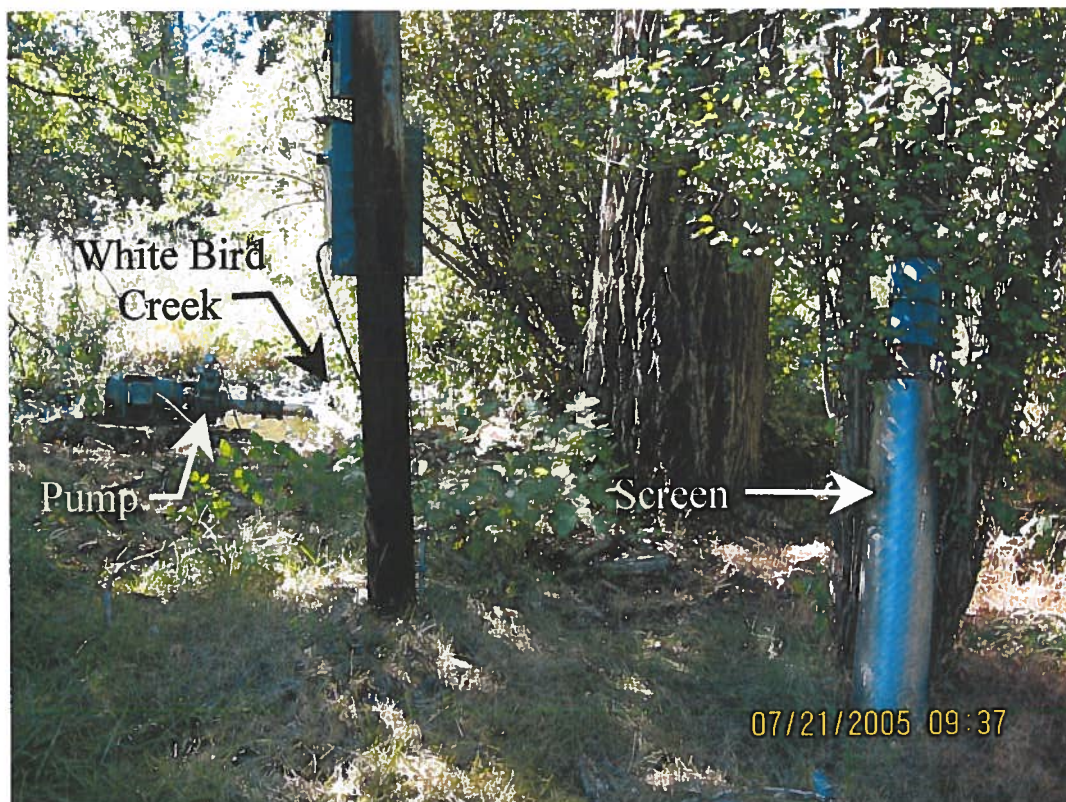


Photo 2: POD. Looking south over filter screen and pump.

79-4097B

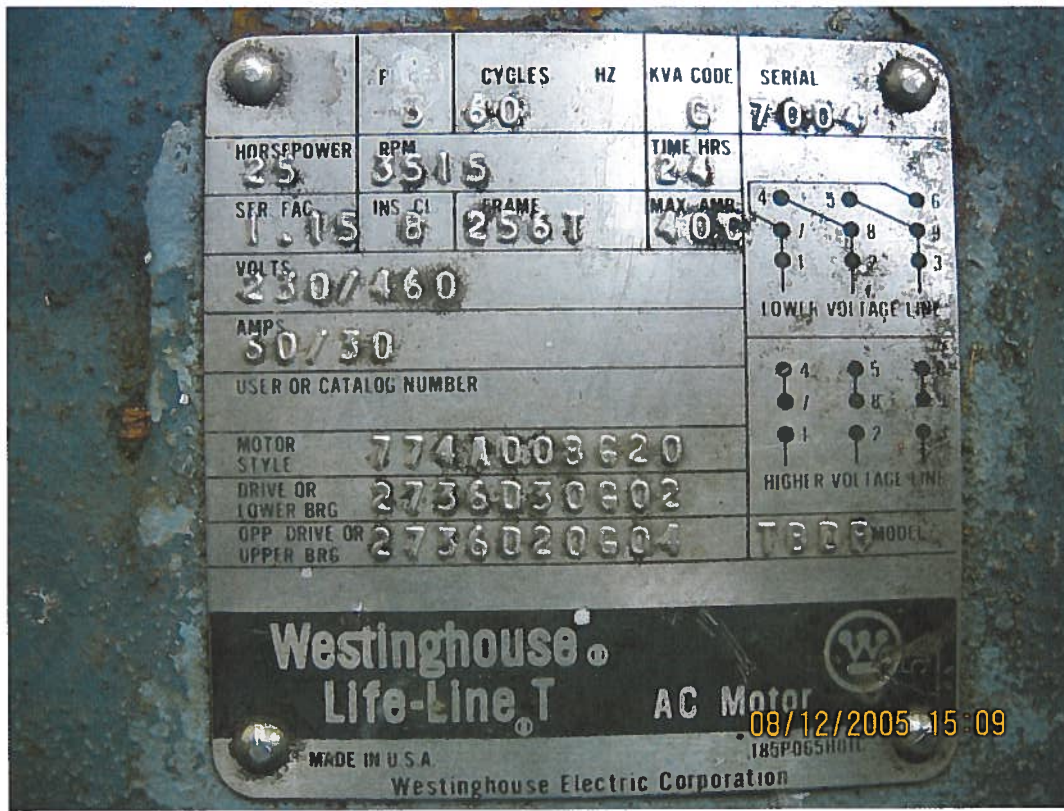
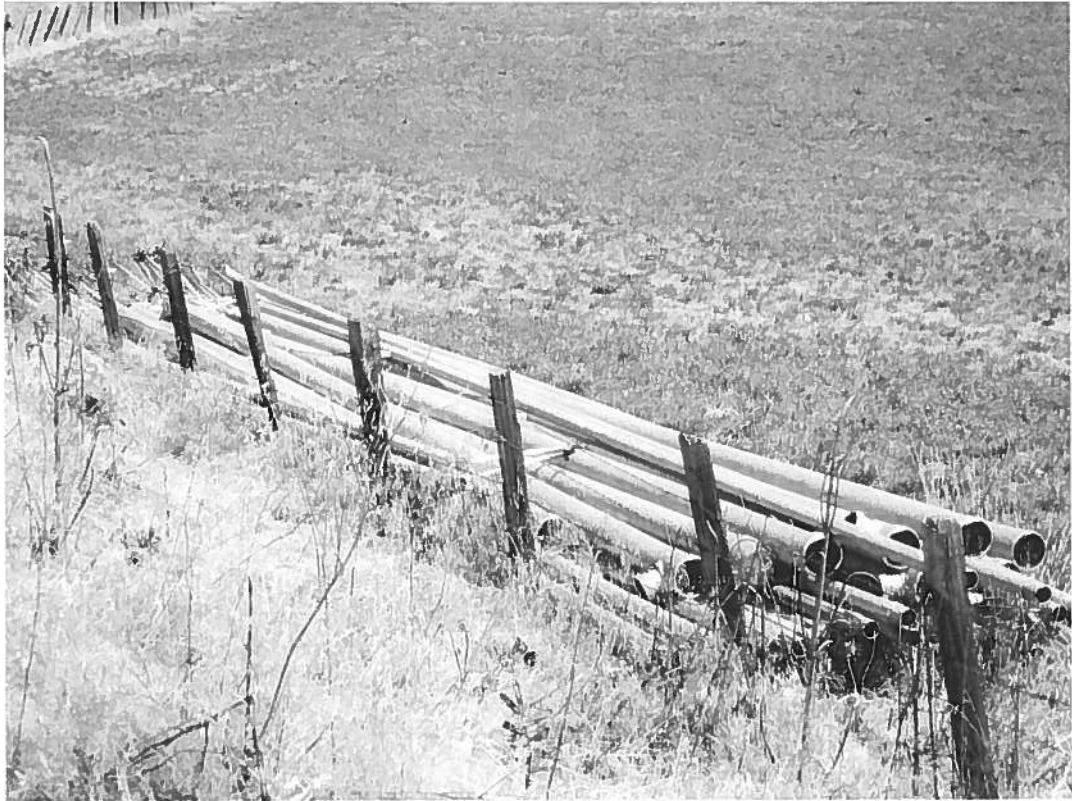


Photo 3: Motor plate.



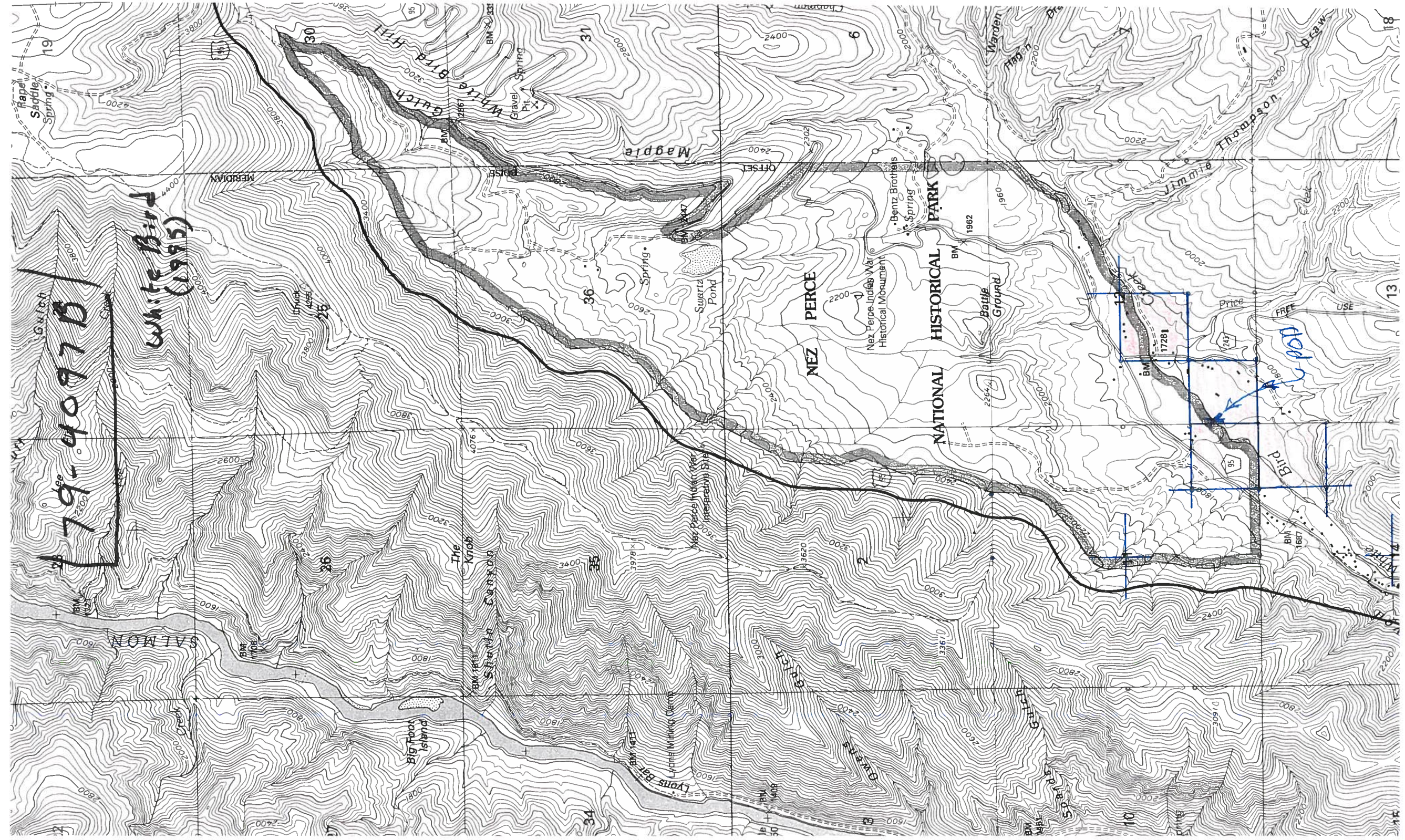
Photo 4: Pump plate.

79-4097B



79-4097B

White Bird
(1795)



Contacts Data Entry Form

Claim Number: 79-4097B

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	DENNIS K HARVEY	HC 01 BOX 140	WHITE BIRD	ID	83554	(208)839-2285
Current Owner	LEAH A HARVEY	HC 01 BOX 140	WHITE BIRD	ID	83554	(208)839-2285
Original Owner	ANDREW L DAHLQUIST	PO BOX 54	WHITE BIRD	ID	83554	(208)839-2249

Date of Field Exam: July 21, 2005 Time: 8:00Accompanied By: Leah Harvey Phone Number: 839-2285Relationship to Claimant: Co-Claimant

Directions to Property (if different from above) and/or update owner information:

Go up Whitebird Creek as is going up Old Grade.
About 1.3 miles from stop sign in town - White house
with green roof on right. Has black mailbox with
name. Located before dumpster.

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number 79-4097B

Claimed Priority Date: 1/1/1892

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 1/1/1892

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer:

Date:

Point of Diversion and Source Data Entry Form

Claim Number 79-4097B

Claimed Point of Diversion and Source

T28N R01E S12 SWSW Within IDAHO County Source: WHITE BIRD CREEK SALMON RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T28N R01E S12 SWSW Within IDAHO County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Whitebird Creek Salmon River

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
28N	01E	12		SW SW	Idaho	Whitebird Creek

Other rights from this POD? None

Document how the POD and Source were verified:

GPS unit (State of Idaho #269155) Garmin GPSmap 765 Ser# 93677492
N 45° 46' 28.8" by W 116° 17' 7.1"
USGS 7 1/2 min Topo Map
On Site Exam (C/3)

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 79-4097B

Claimed Place Of Use

T28N R01E S11	SESE	13.0	T28N R01E S12	NWSW	15.0
T28N R01E S12	SWSW	3.0	T28N R01E S14	NENE	2.0

Total Acres 33

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T28N R01E S11	SESE	13.0	T28N R01E S12	NWSW	15.0
T28N R01E S12	SWSW	3.0	T28N R01E S14	NENE	2.0

Total Acres 33

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
28N	01E	11	SESE		Idaho			Irrigation
28N	01E	12	NWSW		Idaho			Irr.
28N	01E	14	NENE		Idaho			Irr.

Total Acres _____

Document how the POU was verified:

Co-Claimant indicating on Photo Aerial Map

7 1/2 min USGS Topo Map

On Site Exam (6/3)

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 79-4097B

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
STOCKWATER IRRIGATION			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
STOCKWATER IRRIGATION			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irigation.				

Document how the Purpose of Use was verified:

Conversation with Co-Claimant (Leah Harvey)

On Site Inspection (J3)

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number 79-4097B

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/01	11/30	0.66	132
STOCKWATER	1/01	12/31	0.02	2.7

Overall Diversion Rate 0.68 Overall Diversion Volume 134.7

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**Water Right Period of Use and Diversion Rate**

Water Use	Start	End	Rate	Volume
IRRIGATION	3/01	11/30	0.66	132
STOCKWATER	1/01	12/31	0.02	2.7

Overall Diversion Rate 0.68 Overall Diversion Volume 134.7

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Overall Diversion Rate _____ Overall Diversion Volume _____

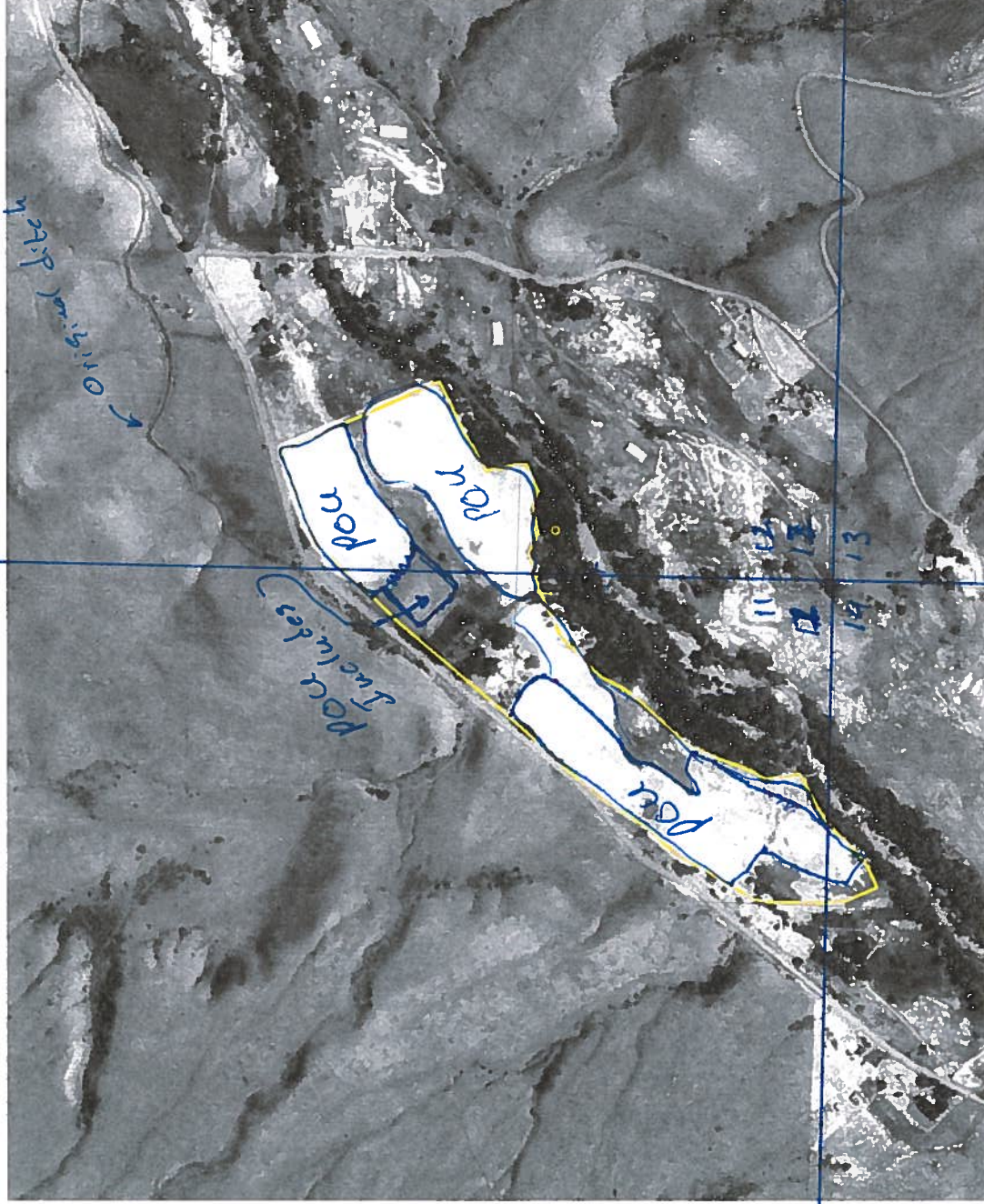
Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

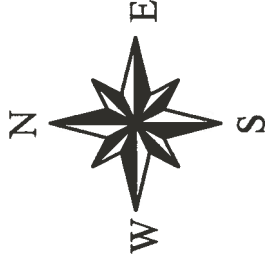
Date: _____

79-4097B

T28N R01E
Section(s) 11, 12 & 14



● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: August 28, 2004
Photography: 1992 DOQQ
Idaho Department of Water Resources

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: **A79-04097B**
Date Received: 7/25/1988
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DENNIS HARVEY 208-289-3857
Address: 1187 CEDAR RIDGE RD
KENDRICK ID 83537
OR
Name: LEAH HARVEY 208-289-3857
Address: 1187 CEDAR RIDGE RD
KENDRICK ID 83537

2. Date of Priority: JAN 1, 1892

3. Source: WHITE BIRD CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	12	SW	SW	SW		IDAHO

5. Description of diverting works:
IRRIGATION PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/30	0.660		132.00
STOCKWATER	01/01	12/31	0.020		2.70

7. Total Quantity Appropriated is:
0.680 C.F.S. (and/or) 134.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 1200 SHEEP.

MICROFILMED
OCT 24 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
28N	01E	11	SE	SE		IRR	13.0
						Section Acres	13.0
		12	NW	SW		IRR	15.0
			SW	SW		IRR	3.0
						Section Acres	18.0
		14	NE	NE		IRR	2.0
						Section Acres	2.0
						Total Acres	33.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

STOCKWATER FOR 1200 SHEEP PRIORITY 1892 ACCORDING TO FEDERAL LAND BANK RECORDS. THIS IS CLAIM TO WATER RIGHTS 79-4097 AND WAS FILED BY THE H. M. HAGEN ESTATE.

CLAIM AMENDED PER TRANSFER NO. 4644 APPROVED 9/6/1995.

AFTER SPECIFIC NOTIFICATION BY THE DEPT., THE RT. HOLDER SHALL INSTALL A SUITABLE MEASURING DEVICE OR SHALL ENTER INTO AN AGREEMENT WITH THE DEPT. TO DETERMINE THE AMOUNT OF WATER DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE INFORMATION TO THE DEPT.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4644 IN FILE.

THIS CLAIM IS A RESULT OF APPROVED TRANSFER NO. 4644, FEE PAID UNDER RECEIPT NO. N0000743. KW 12/4/1995

15. Basis of Claim: STATUTORY CLAIM

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): _____ 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 _____

W-ADJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4644
WATER RIGHT NO. 79-04097B

This is to certify that: DENNIS HARVEY
LEAH HARVEY
1187 CEDAR RIDGE RD
KENDRICK ID 83537

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/30	0.66 CFS	132.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	2.7 AF
Totals		0.68 CFS	134.7 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
WHITE BIRD CREEK	SALMON RIVER

Priority: 01/01/1892

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 12, Township 28N, Range 01E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
28N	01E	11	SESE 13			13
		12	NWSW 15	SWSW 3		18
		14	NENE 2			2
Total number of acres irrigated:						33

PLACE OF USE: STOCKWATER, same as IRRIGATION use

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OCT 24 1996

TRANSFER NO. 4644
WATER RIGHT NO. 79-04097B

CONDITIONS OF APPROVAL AND REMARKS

- T01 1. Approval of this transfer in no way confirms the right(s) claimed.
- R31 2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- 3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- T07 4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- ✓ 7. Stockwater use is for 1,200 sheep.

Dated this 6th day of

September, 1995

J. Shind Saylor
Chief, Water Alloc. Bureau

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OCT 24 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4644

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

JUN 02 1995

WATER RESOURCES
WESTERN REGION

Name of applicant Dennis Harvey or Leah Harvey Phone (208)289-3857
Post Office address 1187 Cedar Ridge Rd., Kendrick, ID 83537

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Original irrigation ditch is no longer usable. Property was split during sale.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
79-04097B JAN. 1, 1892 .650 IRR. 05/01 to 10/15
01/01/1892 .020 STOCK. 01/01 to 12/31
2. Total amount of water being transferred .670 cubic feet per second and/or A.F.F. acre-feet per annum.
(.68)
3. Source of water WHITEBIRD CREEK tributary to SALMON RIVER
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW		12	28N	01E	IDAHO	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
28N	01E	11																13	13
		12										15							15
		12											03						03
		14	02																02

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OCT 24 1996

Total acres 33.

PART 2

TRANS NO. 4644

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 79-04097

STAGE: STATUTORY CLAIM

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	05/01 to 10/15	0.94 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
	Totals	0.96 CFS

SOURCE

WHITE BIRD CREEK

TRIBUTARY OF

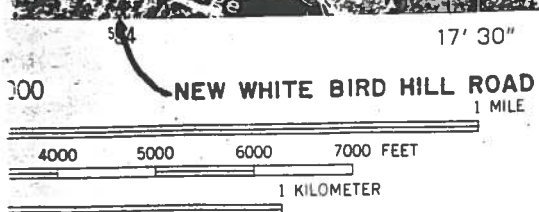
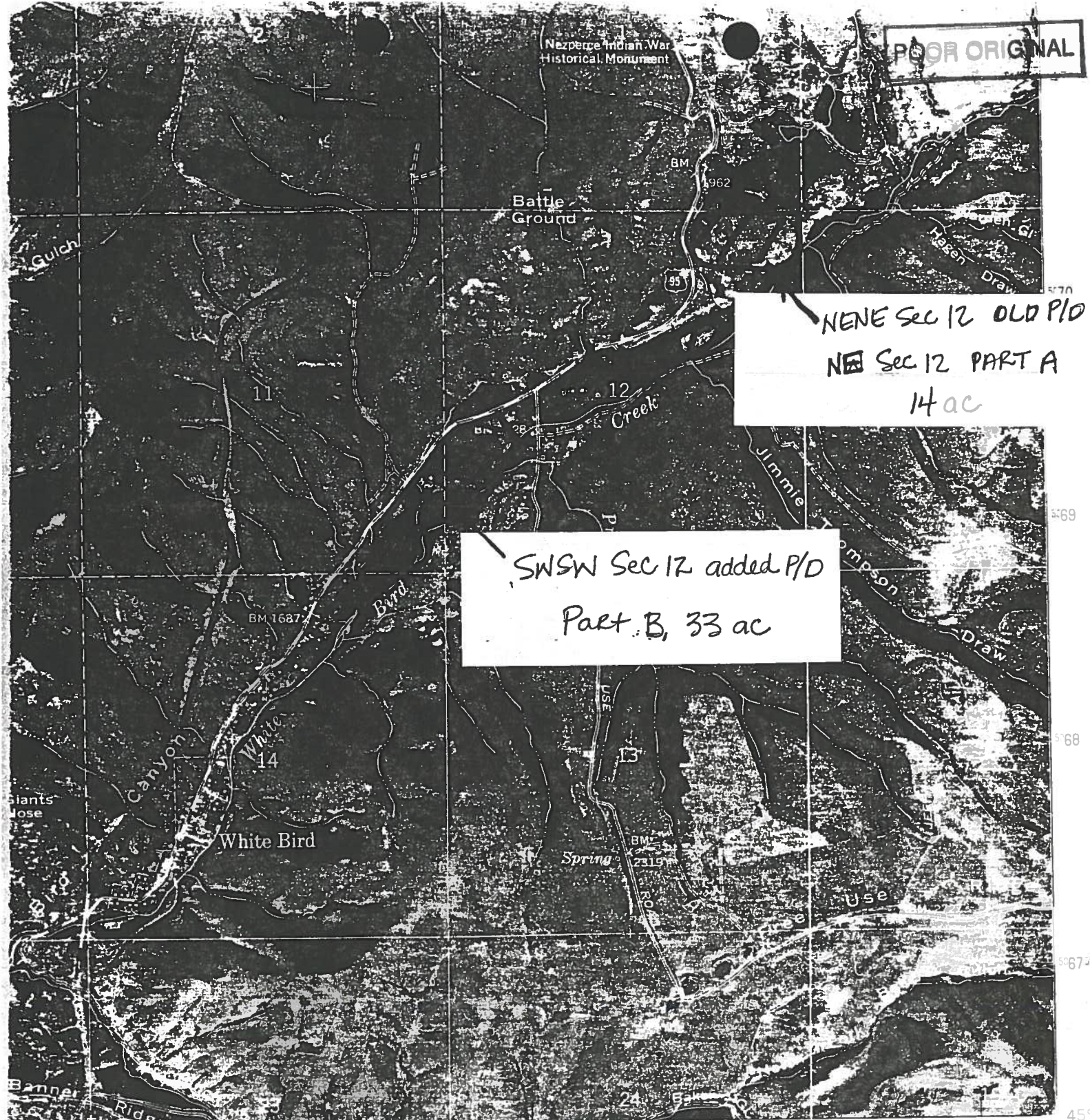
SALMON RIVER

Priority: 01/01/1892

LOCATION OF POINT(S) OF DIVERSION:NENE , Sec. 12, Township 28N, Range 01E
IDAHO CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
28N	01E	11	SESE 13			13
		12	NENE 9	NWNE 2	SWNE 3	
			NWSW 15	SWSW 3		32
		14	NENE 2			2
Total number of acres irrigated:						47

PLACE OF USE: STOCKWATER, same as IRRIGATION useCONDITIONS/REMARKS:MICROFILMED
OCT 24 1996



T28N R. 1 E. R. 2 E.

XFER
PERMIT INIT *Cyt*

T. R. S. Q/Q
P/D 28N 1E 12 NENE &
SCALE SWSW

PHOTO ID. N58



QUADRANGLE LOCATION

MICROFILMED WHITE BIRD, IDAHO
N4545-W11615/7.5
OCT 24 1996
1977

PURCHASED FROM
STATEHOUSE, BOISE, IDAHO 83720

POOR ORIGINAL

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Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

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OCT 24 1996

B. CHANGES IN NATURE OF USE

1 New Nature of Use

Amount
(cfs/ac-ft)

Hours/days/year

Period of Use

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.
I understand that any willful misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant)

day of

My commission expires

(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____

Date _____

6-2-95

Protest filed by _____

Fee _____

\$100 - W019279

Prelim. check by _____

cy4

Received by _____

Date _____

6-2-95

Copies of protest forwarded by _____

Pub. dates _____

Watermaster recommendation requested on _____

Recommended for _____

☐ approval ☐ denial

by _____

rec'd. _____

Copy of transfer sent to lien holder _____

PART 3

Transfer No. _____

Page 6 of 7

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: A79-04097
Date Received: 7/25/1988
Receipt No: N000743
Received By: ESK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANDREW L. DAHLQUIST 208-839-2249
Address: P.O. BOX 54
WHITE BIRD, ID 83554

2. Date of Priority: JAN 01, 1892

3. Source: WHITE BIRD CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	12		NE	NE		IDAHO

5. Description of diverting works:
ROCK DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/15	0.940		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/1200 SHEEP.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
28N	01E	11	SE	SE		IRR	13.0
Section Acres							13.0

A79-04097

Page 1

Date: 08/20/88

MICROFILMED
OCT 24 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
28N	01E	12	NE	NE		IRR	9.0
			NE	NW		IRR	2.0
			SW	NW		IRR	15.0
			NE	SW		IRR	3.0
			SW	SW		IRR	3.0
						Section Acres	32.0
		14	NE	NE		IRR	2.0
						Section Acres	2.0
						Total Acres	47.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

STOCKWATER FOR 1200 SHEEP PRIORTY 1892 ACCORDING TO FEDERAL LAND BANK RECORDS. THIS IS CALIM TO WATER RIGHTS 79-4097 AND WAS FILED BY THE H. M. HAGEN ESTATE.

15. Basis of Claim: STATUTORY CLAIM

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): _____ 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 _____

POOR ORIGINAL

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number

#79-04097

Date Received

07/25/88

Receipt Number

N000743

NOTICE OF CLAIM
TO A
WATER RIGHTDepartment of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW

Department of Water Resources
Northern District Office

Please type or print clearly

1. Name of Claimant (s) Andrew L. Dahlquist Phone (208) 839-2249
Mailing Address P.O. Box 54 White Bird Id. Zip 833542. Date of Priority (Only one (1) per claim) Jan 18923. Source of water supply (a) White Bird Creek
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 28 N Range 1 E Section 12,
_____ 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Idaho

Additional points of diversion if any: _____

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

Township 28 N Range 1 E Section 12, _____ 1/4 of NE 1/4 of NE 1/4,
Govt. Lot _____ B.M., County of Idahoending point is: Township 28 N Range 1 E Section 14, ~~NE~~ 1/4 of NE 1/4 of
NE 1/4, Govt. Lot _____ B.M., County of Idaho5. 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. Rock Dam

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from May 1 to Aug 1 amount 0.94 or _____

For Stockwater purposes from July 1 to _____ amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.96 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0.96 cfs acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1200 Sheep

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	
15N	1E	12	9				2		15		3		3						
							3												
25N	1E	11																13	
28N	1E	14	2																

Total number of acres irrigated 47

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

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

or None (-)

14. Remarks:

Stockwater for 1200 Sheep
Priority 1892 according to Federal Land Bank records
This is claim to water right 794097 and
was filed by the A.M. Hoot Estate

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Last Name Nikfust Ident No. A-0157

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

Scale: 2 inches equals 1 mile

Top 58N RIE Sections 12, 11, 14

The image shows a 16x16 grid of squares. Each square contains a crosshair pattern. The grid is divided into four 8x8 quadrants by a central vertical and horizontal line. The top-left and bottom-right quadrants contain a repeating pattern of crosses and dots. The top-right and bottom-left quadrants contain a repeating pattern of dots and crosses. The central 4x4 area contains a pattern of dots and crosses.

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Last Name

Ident No.

A75-5504-

Copies: White-Stat. Yellow-Claimant

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15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree ☐
If applicable provide IDWR Water Right Number 794097
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 4

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

Signature of Claimant (s) Andrew L. Dahlquist Date 22 Jan 1958
Date _____

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 Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 22nd day of July 1958

SEAL

Notary Public Patricia M. Cape

Residing at White Bird

My Commission Expires 10-2-93

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 Dahlquist Ident. Number A79-0408-

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Copies White-Date, Yellow-Claimant

OCT 26 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 03 25 95

LEGAL DESCRIPTION OF PROPERTY: Township 28N Range 01E
Section 11, 1/4 of NE 1/4 of SE 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

☐ 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) ~~XXXX-XXXXXX~~ A79-10202, A79-10203
Assigned by IDWR:

☐ Name and Address of Former Owner/Claimant(s)(Seller): ANDREW L. DAHLQUIST
BOX #54

☐ New Owner/Claimant (Purchaser): WHITEBIRD, ID 83554
DENNIS HARVEY OR LEAH HARVEY *PH*

☐ New Mailing Address: ~~1187 CEDAR RIDGE RD.~~ HC 01 Box 140
~~KENDRICK, ID 83537~~ White Bird, ID 83554

☐ New Telephone Number: ~~(208) 289-3857~~ 208-839-2285

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes XX 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

(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) Leah Harvey Date 5/31/95

☐ Signature of Former Owner/Claimant(s): Date

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

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: By:
Further Action Needed:

Further Action Taken
Date: By:
Final Review and Data-Entry
Date: By:
Claim Numbers of Split, if any:

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