

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: **A43-00417A**
Date Received: 3/22/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: NOEL B BOWCUT
Address: KEY RANCH
19 GRANADA PL
BURLEY ID

208-678-0080

83318

2. Date of Priority: APR 15, 1882

3. Source: SPRINGS

Trib. to: BLACKSMITH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	25E	11		NE	SW		CASSIA
				SE	SW		CASSIA
		14		NW	NW		CASSIA

5. Description of diverting works:
NATURAL DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.500		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	25E	11	NE	SW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	25E	11	SE	SW		IRR	30.0
						Section Acres	40.0
		14	NE	NW		IRR	38.0
						Section Acres	38.0
						Total Acres	78.0

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:
43-00368, 00369, 00370, 07080

14. Remarks:

RT. IS FOR ENTIRE FLOW OF SAID SPRINGS.

3.0 ESTIMATE, SPRINGS FLOW INCONSISTANT.

4/1/98 TF; ADDRESS CHANGED PER REQUEST FROM CLAIMANT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS ET. AL., AMENDED

vs Decree Defendant



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

June 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NOEL B BOWCUT
KEY RANCH
19 GRANADA PL
BURLEY ID 83318

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A43-00080, A43-00368, A43-00369A,
A43-00369B, A43-00370, A43-00417A, A43-00417B, A43-07080,
A43-10062
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in Address on the water right claim(s) referenced above. Our records have been updated accordingly.

Enclosed please find copies of your claims showing the change. Should you have any questions please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf
Enclosures

SD-0601-2	Last Name: BOWCUT	Noel Bowcut #19 Granada Place Burley, ID. 83318		STATE
S	First	O	Water	Priority
E	Name	W	Right No.	Date
L		N		Source
				Total
				Diversion
				Use
				Code Desc
BOWCUT				
NOEL B		C A43-00417A	04/15/1882	SPRINGS
NOEL B		C A43-00369	04/01/1894	CASSIA CREE
NOEL B		C A43-00370	04/30/1885	MAHOGANY SP
				SUMMIT CREE
				BLACKSMITH
NOEL		C A43-11142	10/18/1928	CLYDE CREEK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

Way Rinder

Noel Bowcut
#19 Granada Place
Burley, ID. 83318

[Signature]

RECEIVED

MAR 27 1998

Department of Water Resources
Southern Region

RECEIVED

MAR 17 1998

Department of Water Resources
Adjudication Bureau

RECEIVED

MAR 25 1998

Department of Water Resources
Eastern Region

RECEIVED

MAR 25

Department of Water Resources
Eastern Region

RECEIVED

MAR 25 1998

Department of Water Resources
Eastern Region

SD-0601-2 Last Name: BOWCUT
S O
E First W Water Priority
L Name N Right No. Date Source Total Use
Diversion Code Desc

Noel Bowcut
#19 Granada Place
Burley, ID. 83318

STATE

BOWCUT

NOEL B	C	A43-00080	04/01/1885	CASSIA CREE	1.000	01	IRR
NOEL B	C	A43-00417	04/15/1882	SPRINGS	3.000	01	IRR
NOEL B	C	A43-07080	07/22/1977	GROUNDWATER	0.640	01	IRR
NOEL B	C	A43-10062	06/01/1978	GROUNDWATER	0.040	43	DOMEST
NOEL B	C	A43-10063	01/01/1885	SPRING	0.050	04	STOCK

NOEL B	C	A43-00417B	04/15/1882	SPRINGS	1.500	01	IRR
NOEL B	C	43-10063	01/01/1885	SPRING	0.050	04	STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

Key Ranch
Noel Bowcut
#19 Granada Place
Burley, ID. 83318

RECEIVED

MAR 17 1998

Department of Water Resources
Adjudication Bureau

RECEIVED

MAR 1998

Department of Water Resources
Adjudication Bureau

RECEIVED

MAR 25 1998

Department of Water Resources
Eastern Region

SD-0601-2	Last Name: BOW		Noel Bowcut #19 Granada Place Burley, ID. 83318		Noel Bowcut #19 Granada Place Burley, ID. 83318		STATE	
S		O						
E	First	W	Water	Priority		Total	Use	
L	Name	N	Right No.	Date	Source	Diversion	Code Desc	

	BOWCUT							
	NOEL B	C	A43-00369A	04/01/1894	CASSIA CREE	2.200	01 IRR	
							04 STOCK	
	NOEL B	C	A43-00369B	04/01/1894	CASSIA CREE	1.140	01 IRR	
							04 STOCK	
								
	NOEL B	C	A43-00368	04/15/1882	CONNER CREE	1.000	01 IRR	
							04 STOCK	

(Enter=Continue) (GOLD7=This Query) (Menu _____)

Key Ranch
 Noel Bowcut
 #19 Granada Place
 Burley, ID. 83318


RECEIVED

MAR 17 1998

Department of Water Resources
 Adjudication Bureau

RECEIVED

MAR 25 1998

Department of Water Resources
 Eastern Region

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: A43-00417A
Date Received: 3/22/1989
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: NOEL B BOWCUT
Address: KEY RANCH
CONNER CR
MALTA ID

208-638-5592

83342

2. Date of Priority: APR 15, 1882

3. Source: SPRINGS

Trib. to: BLACKSMITH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	25E	11		NE	SW		CASSIA
				SE	SW		CASSIA
		14		NW	NW		CASSIA

5. Description of diverting works:
NATURAL DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.500		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	25E	11	NE	SW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	25E	11	SE	SW		IRR	30.0
						Section Acres	40.0
		14	NE	NW		IRR	38.0
						Section Acres	38.0
						Total Acres	78.0

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:

43-00368, 00369, 00370, 07080

14. Remarks:

RT. IS FOR ENTIRE FLOW OF SAID SPRINGS.

3.0 ESTIMATE, SPRINGS FLOW INCONSISTANT.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS ET. AL., AMENDED

vs Decree Defendant

Water Right Number - R43-00417

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
SPLIT RIGHT

VERIFIED BY *AKC*

*** O - ORIGINAL OWNER ***
BOWCUT

NOEL B

1 -
2 -
3 -
City- X
Phone - 208-000-0000
1 - KEY RANCH
2 - CONNER CR
3 -
City- MALTA
Phone - 208-638-5592

State- ID Zip- 83342

Priority Date - +
04/15/1882

Region - +
17 SOUTHERN

Stage - +

Status - +
Z - SEE REMARKS

Source - +
SPRINGS
SPLIT RIGHT

Tributary - +
BLACKSMITH CREEK

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion
13S	25E	11	NE SW SE SW NW NW			(31) CASSIA (31) CASSIA (31) CASSIA	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		3.000	
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +						
3.000						

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
13S	25E	11	NE SW		10.0		01	IRRIGATION	(31) CASSIA
13S	25E	11	SE SW		30.0		01	IRRIGATION	(31) CASSIA
13S	25E	14	NE NW		38.0		01	IRRIGATION	(31) CASSIA
13S	25E	14	NW NW		16.0		01	IRRIGATION	(31) CASSIA
13S	25E	14	SW NW		21.0		01	IRRIGATION	(31) CASSIA
13S	25E	14	SE NW		34.0		01	IRRIGATION	(31) CASSIA
					Total Acres:	149.0			

+ - - Diversion Means - NATURAL DIVERSION

+ - - Non-Irrigation Use - S/200 BEEF STOCK

Adjudication Rights Dates and Flags Area						
Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/29/1995	Civil Case Number	-	39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
Response Filed Date	- 00/00/0000	Verified Date	- 07/06/1995	Old Judicial District	-	
Claim Received Date	- 03/22/1989	Last Amended Date	- 00/00/0000	Temporary Right	-	P
		Receipt Number	- S006531	Water District	-	43C
		POU Ownership Flag	- Y	Federal/State Indicator	-	S
		Name Connector	-	Presumption Flag	-	
				Notice of Error Flag	-	

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: A43-00417
Date Received: 3/22/1989
Receipt No: S006631
Received By: *W*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NOEL B. BOWCUT 208-638-5592
Address: KEY RANCH
CONNER CR.
MALTA, ID 83342

2. Date of Priority: APR 15, 1882

3. Source: SPRINGS Trib. to: BLACKSMITH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	25E	11	NE	SW			CASSIA
			SE	SW			CASSIA
		14	NW	NW			CASSIA

5. Description of diverting works:
NATURAL DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 BEEF STOCK

A43-00417

Page 1

Date: 03/22/89

COPY

MICROFILMED

MAR 03 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
13S	25E	11	NE	SW		IRR	10.0	
			SE	SW		IRR	30.0	
							Section Acres	40.0
		14	NE	NW		IRR	38.0	
			NW	NW		IRR	16.0	
			SW	NW		IRR	21.0	
			SE	NW		IRR	34.0	
							Section Acres	109.0
							Total Acres	149.0

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:
43-00368, 00369, 00370, 07080

14. Remarks:
RT. IS FOR ENTIRE FLOW OF SAID SPRINGS.
3.0 ESTIMATE, SPRINGS FLOW INCONSISTANT.

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

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET. AL., AMENDED
Decree Defendant

vs

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): *Michael B. Bower* Date: 3-22-89
_____ Date: _____

State of Idaho)
County of TF) SS.

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

of March 19 89

Don White
Notary Public

Seal

Residing at TF

My Commission Expires 3/94



**DO
NOT
FILM**

Water Right Number - 43-00417 Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
UDY

M. C.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/15/1882 17 SOUTHERN D - DECREED

+ - - Source - - - - - + + - - Tributary - - - - - + +
SPRINGS BLACKSMITH CREEK

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - + +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

+ - - - - - - - - - - - - - - - Water Use - - - - - + +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

+ - - - - - - - - - - - - - - - Place of Use - - - - - + +
TwN Rng Sec Tract Lot Acres Code Description County

| | | | | | | | | |
|-----|-----|----|-------|--|--|----|------------|--------------|
| 13S | 25E | 14 | NE NW | | | 01 | IRRIGATION | (31) CASSIA |
| 13S | 25E | 14 | NW NW | | | 01 | IRRIGATION | (31) CASSIA |
| 13S | 25E | 14 | SW NW | | | 01 | IRRIGATION | (31) CASSIA |
| 13S | 25E | 14 | SE NW | | | 01 | IRRIGATION | (31) CASSIA |

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 43-0368, 0370

+ - - - - - - - - - - - - - - - Remarks - - - - - + +
RT. IS FOR ENTIRE FLOW OF SAID SPRINGS.

+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - + +
No Old Water Right Numbers found.

+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - + +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + Decree Date - +
ALBION-IDAHO LAND CO. JOBE ADAMS ET. AL., AMENDED 04/08/1929

| Water right number - | Prefix Translation: | WATER RIGHT |
|----------------------|---------------------|-------------------|
| 43-00417 | -Comments- | No Comments Found |

```
+ - - Audit Fields - 02/11/86 05/28/88 CONVERT
```

| | | | | | |
|-------------------|--------------|------------------|--------------|------------------|-------|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Exam to S.O. Date | - 00/00/0000 | Verified Date | - 05/20/1985 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - 43C |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 04/08/1929 | Presumption Flag | - | | |

NAME:

Bowcut

CLAIM: 43-00417A

CORRESPONDENCE

EVIDENCE OF

PRIORITY

*original claim
was A43-00417*

July 8, 2002

Noel B. Bowcut
Key Ranch
19 Granada Pl.
Burley, ID 83318

COPY

RE: Standard Form 5 in subcase 43-417A

Dear Mr. Bowcut:

Enclosed you will find an original Standard Form 5 (SF5) for water right number 43-417A. As you know, this document is the standard settlement agreement form used by the SRBA Court to resolve objections. Attached to the SF5 is the description of your water right showing the changes made based upon our conversation and concerns addressed in the objection filed by the BLM.

Please review the water right description carefully. If these changes meet with your approval, please initial the description page, sign the first page of the SF5 and return the form to IDWR in the envelope provided. IDWR will then forward the form to the BLM for their attorney's signature and for filing with the SRBA court. You will receive a copy of the signed original document for your records. Once the court receives the signed SF5, they should vacate the initial hearing set on this water right, scheduled for August 14th.

Should you have any questions or require any further assistance, please don't hesitate to contact me at 208-736-3033 or Paralegal Vicki Kelly at 208-327-5458. Thank you.

Sincerely,

Kelly Christensen
Sr. Water Resource Agent

Enclosure

Office of

CASSIA COUNTY ASSESSOR

Martell C. Holland

1459 Overland Avenue
Burley, Idaho 83318
Phone (208) 878-3540
Fax# (208) 878-1014

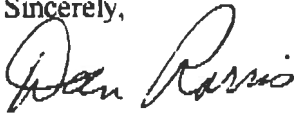
RECEIVED
JUN 24 2002
Department of Water Resources
Southern Region

June 24, 2002

Mr. Christensen,

Attached are copies of the deed to Mr. Bowcut, the H.E.S.212 survey and our plat. Our plat shows some of the irregularly shaped lots in Section 27. On the last page is the shape of Lot 2 and its acreage. I used this and the H.E.S. 212 survey to conclude that all of the NWSW belongs to Mr. Bowcut. If you have better information indicating that we are in error would you please fax it to us at the above number. Thank you for your help in this matter.

Sincerely,



Dan Morris
Mapper
Cassia County

160923

H. E. Survey No. 212
BoiseWARRANTY DEED

THIS INDENTURE made this 18th day of Sept, 1972
between DONALD W. CHANDLER and BERNICE CHANDLER husband and wife
hereinafter called the "Grantors" and NOEL B. BOWCUT and A. J.
FILLMORE, hereinafter called the "Grantees".

W I T N E S S E T H:

That the Grantors for and in consideration of the sum
of Ten Dollars (\$10.00), lawful money of the United States of
America and other good and valuable consideration, to the Grantees
in hand paid by the Grantees, the receipt whereof is hereby
acknowledged, have granted, bargained and sold and by these pre-
sents do grant, bargain and sell, convey and confirm unto the
Grantees, and to the Grantees' heirs and assigns forever, all of
the following described real estate situated in the County of
Cassia, State of Idaho, to-wit:

Township 13 South, Range 25 East of the Boise
Meridian, Cassia County, Idaho

Section 11: East Half Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$),
East Half Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$), Southwest
Quarter Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), West Half South-
East Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$), and Southeast Quarter Southeast
Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$)

Section 14: Northwest Quarter (NW $\frac{1}{4}$)

Township 13 South, Range 24 East of the Boise
Meridian, Cassia County, Idaho

Section 27: Lots One (1) and Two (2) and
Northwest Quarter Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$)

Section 28: Lot One (1) and Southeast Quarter
Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$)

H. E. Survey No. 212, embracing a portion of Township
Thirteen South of Range twenty-four East of the Boise
Meridian, Idaho, more particularly bounded and described
as follows: Beginning at corner No. 1 from which the
quarter corner to Section Thirty-four in Township
Thirteen South and Section Three in Township Fourteen
South, all in Range Twenty-four, East of the Boise
Meridian, bears South forty-one minutes East Ninety-
four and sixty-three-hundredths chains distant;
thence North eighty degrees thirty-two minutes West
forty-one and thirty-six-hundredths chains to corner
No. 2; thence North thirteen degrees forty-three
minutes East twenty-four and thirty-seven-hundredths

RECEIVED

JUN 24 2002

Department of Water Resources
Southern RegionPARSONS & SMITH
LAWYERS
BURLEY, IDAHO

1 chains to corner No. 3; thence South seventy-seven
2 degrees forty-seven minutes East sixteen and eight-
3 hundredths chains to corner No. 4; thence North
4 two degrees twenty-nine minutes West twenty and six-
5 hundredths chains to corner No. 5; thence South eighty-
6 seven degrees thirty-eight minutes East nineteen and
7 eighty-eight hundredths chains to corner No. 6;
8 thence South twenty-four minutes East forty-six
9 and twenty-eight-hundredths chains to corner
10 No. 1 the place of beginning.

11 EXCEPT from the above described property, all that
12 portion deeded to the State of Idaho for highway
13 purposes.

14 SUBJECT TO:

15 1973 taxes, levies and assessments and

16 An easement from Donald W. Chandler and Berniece
17 Chandler to Victor Redman, Jeannette Breslin and
18 Victor Redman, doing business under the firm
19 name and style of the Albion Telephone Company,
20 dated February 21, 1950, and recorded March 24,
21 1950, as instrument number 168766 in Book 14,
22 of Miscellaneous, page 141, records of
23 Cassia County, Idaho.

24 together with all water rights thereto.

25 TOGETHER with all and singular the tenements, heredita-
26 ments and appurtenances thereunto belonging or in anywise apper-
27 taining, the reversion and reversions, remainder and remainders,
28 rents, issues and profits thereof, and all estate, right, title
29 and interest in and to the said property as well in law as in
30 equity of the Grantors.

31 TO HAVE AND TO HOLD, all and singular the above-
32 mentioned and described premises, together with appurtenances unto
33 the Grantees and to the Grantees' heirs and assigns forever.
34 The Grantors and their heirs shall and will warrant, and by
35 these presents will forever defend the said premises in the
36 quiet and peaceable possession of the Grantees, and the
37 Grantees' heirs and assigns against the Grantors and the Grantors'
38 heirs, and against all and every person and persons whomsoever
39 lawfully claiming the same, except as aforesaid.

40 IN WITNESS WHEREOF, the Grantors have subscribed this

PARSONS & SMITH
LAWYERS
BURLEY, IDAHO

1 Deed the day and year first above written.

2

3

4 STATE OF IDAHO)
5 County of Cassia) ss

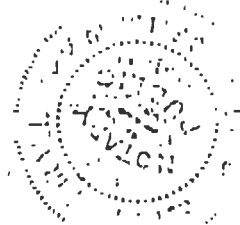
6 On this 18 day of Sept. 1972, before me, the
7 undersigned, a Notary Public in and for said State, personally
8 appeared DONALD W. CHANDLER and BERNICE CHANDLER, husband and wife
9 known to me to be the persons whose names are subscribed to the
10 within instrument and acknowledged to me that they executed
11 the same.

12 IN WITNESS WHEREOF, I have hereunto set my hand and
13 affixed my official seal, the day and year in this certificate
14 first above written.

15 E. Paul Thorne
Notary Public for Idaho
Residing at Boise Idaho

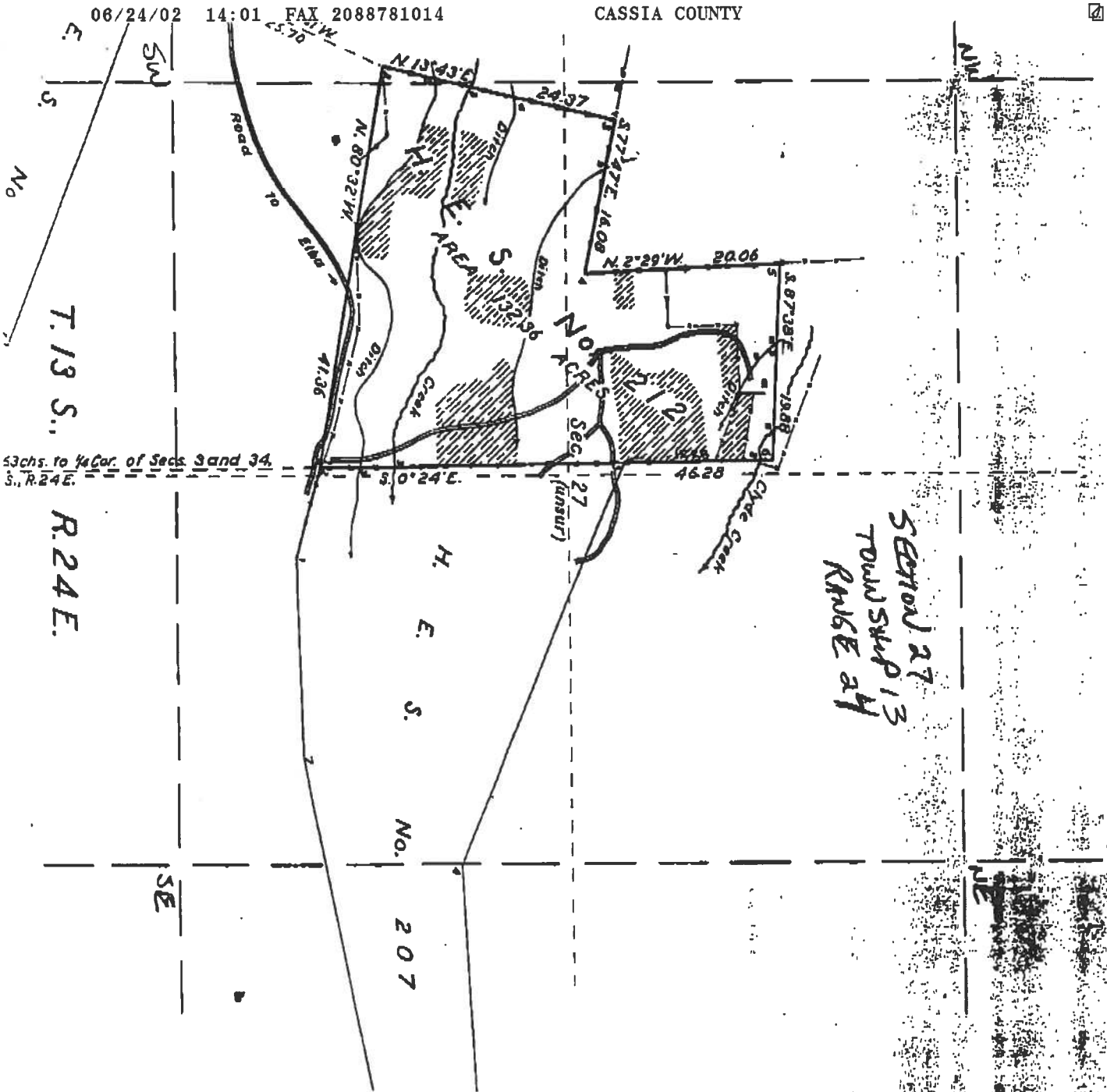
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PARSONS & SMITH
LAWYERS
BURLEY, IDAHO



RECORDED AT THE CLERK'S OFFICE
MAY 30 10 33 AM '84
CASSIA COUNTY, IDAHO
FRANK B. KEARNS
REGISTER
FEE \$10.00
163
1512 1/10 Tharanda Place
Burley

160923



PLAT OF
HOMESTEAD ENTRY SURVEY
FORMERLY
MINIDOKA NATIONAL

Section 27 unsurveyed, T. 13
Section 28 unsurveyed, T. 13

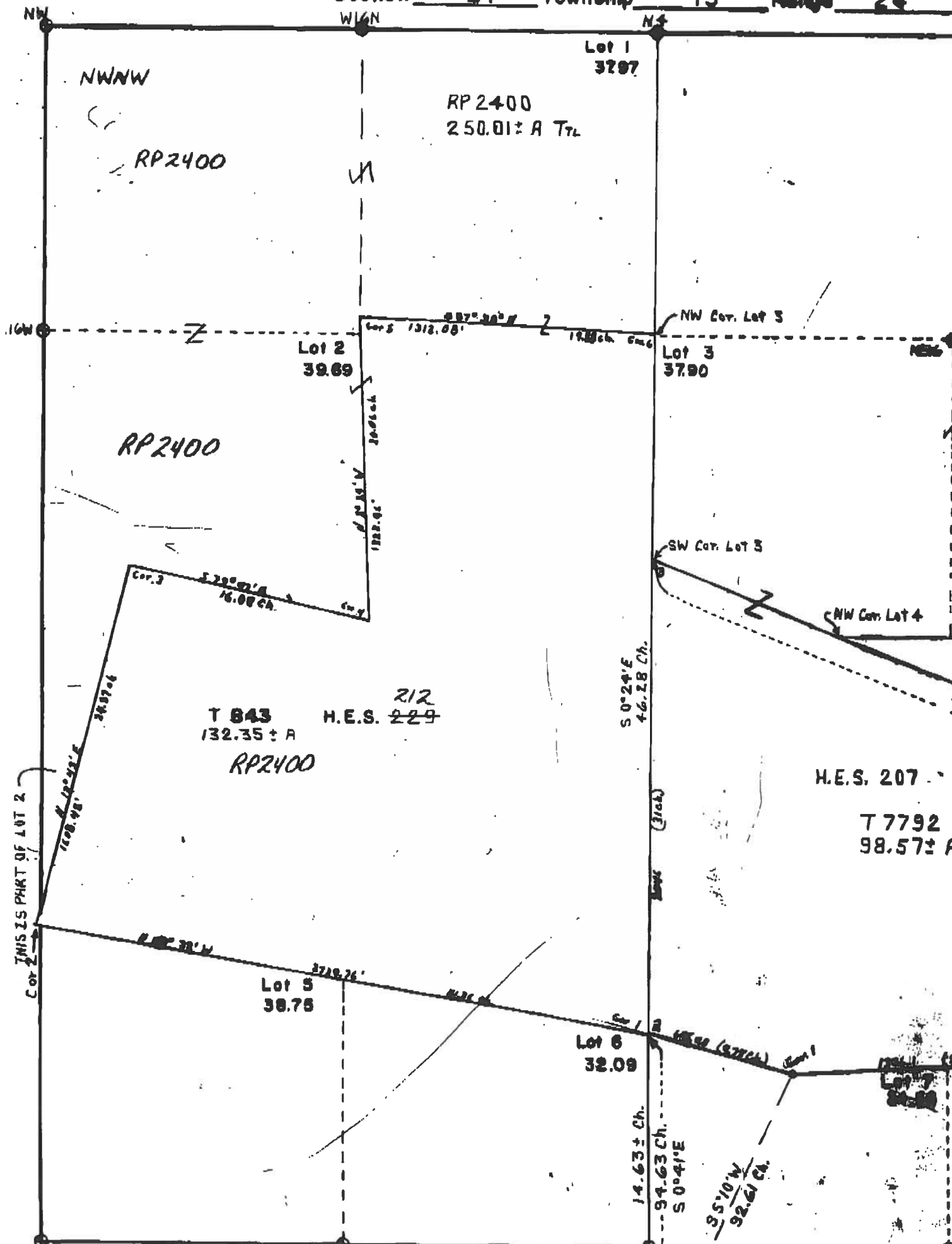
of the
Boise Meridian,
IDAHO,

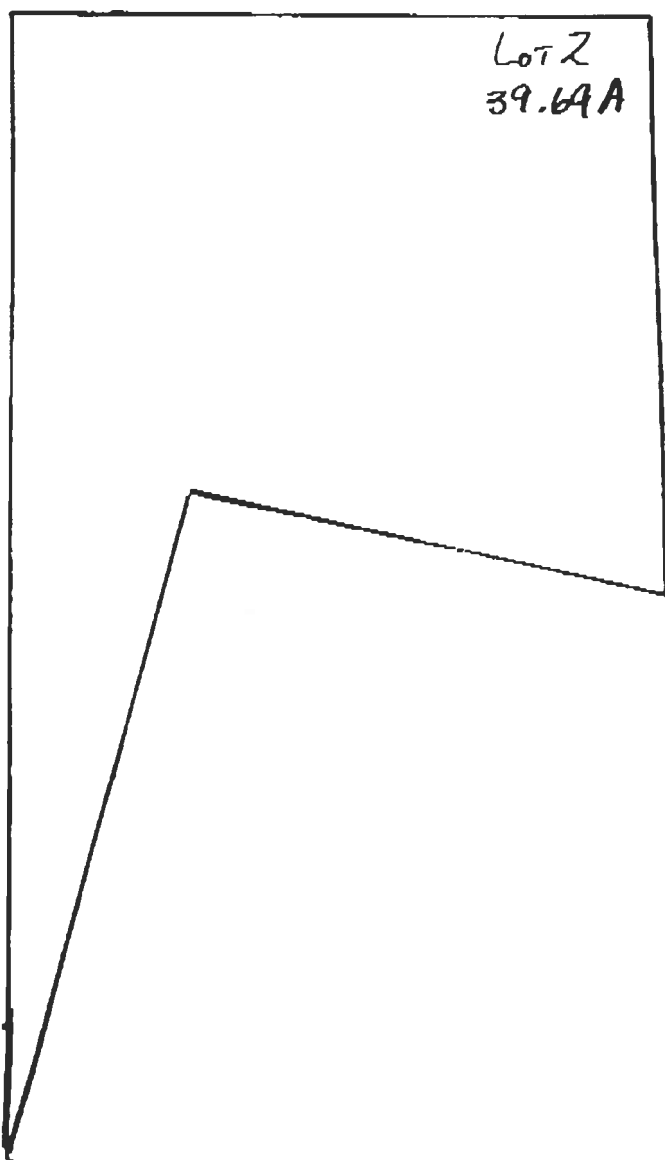
WILLIAM CHANDL
Claimant.

This plat of Homestead En
No. 212, situated in Section 2
in Township 13 South of Ran
and in Section 28 unsurveyed,
13 South of Range 24 East and
— surveyed in Township —
— and in Section — SU,
Township — of Range —
Boise Meridian
conformable to the field notes,
thereof, on file in this office, w
examined and approved

Office of U.S. Surveyor General,
Boise, Idaho, March 11, 1914.

Section 27 Township 13 Range 24





06/28/2002

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

RIGHT NUMBER: 43-417A
NAME AND ADDRESS: NOEL B BOWCUT
KEY RANCH
19 GRANADA PL
BURLEY ID 83318

COPY

SOURCE: SPRINGS TRIBUTARY: BLACKSMITH CREEK

QUANTITY: 0.62 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.45 CFS.

COMBINED RIGHTS: 43-00368, 43-00369A, 43-00369B, 43-00370, 43-00417A, 43-00417B AND 43-07080.

PRIORITY DATE: 04/15/1882

POINT OF DIVERSION:

T13S R25E S11 SWNESW Within CASSIA County

~~T13S R25E S11 NESWSW Within CASSIA County~~

T13S R25E S11 SESESW Within CASSIA County

T13S R25E S11 NWSESW Within CASSIA County

OLD P/D
NEW P/D
KKC

PURPOSE AND
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|---------------|-----------|
| IRRIGATION | 4/01 10/31 | 0.620 CFS |

PLACE OF USE: IRRIGATION Within CASSIA County

| | | | | | |
|---------------|------|------|---------------|------|------|
| T13S R25E S11 | SWNE | 9.7 | T13S R25E S11 | SENE | 3.3 |
| T13S R25E S11 | NESW | 16.0 | T13S R25E S11 | SESW | 34.0 |
| T13S R25E S11 | NWSE | 5.7 | T13S R25E S11 | SWSE | 3.3 |
| T13S R25E S14 | NENW | 38.0 | T13S R25E S14 | NWNW | 27.0 |
| T13S R25E S14 | SWNW | 40.0 | T13S R25E S14 | SENE | 34.0 |

211 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 211 ACRES IN A SINGLE IRRIGATION SEASON.

COMBINED RIGHTS: 43-00368, 43-00369A, 43-00369B, 43-00370, 43-00417A, 43-00417B AND 43-07080.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 31 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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: Decreed

Water Right 43-417A

122
RECEIVED

FEB 19 2002

Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

A. Subcase 43-00417A

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

_____) Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Noel B. Bowcut

Address: Key Ranch; 19 Granada Pl.; Burley, ID. 83318

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☒ **Point(s) of Diversion**

Should be: See attached

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POD. Claimant's water right should not include this POD.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

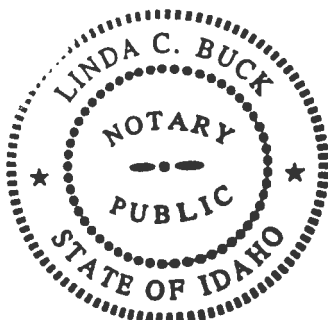
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Gary A. Madenford
(Signature of person filing objection)

Larry C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: February 7, 2002

Linda C. Buck



Linda C. Buck
Notary Public for Idaho
Residing at: Mountain Home
My Commission Expires: 12-21-2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on Feb. 8, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

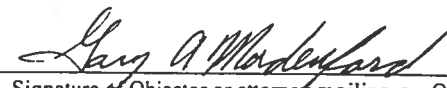
Name: Noel B. Bowcut
Address: Key Ranch; 19 Granada Pl.; Burley, ID. 83318
Name:
Address:;
Name:
Address:;
Name:
Address:;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

09/19/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-417A
NAME AND ADDRESS: NOEL B. BOWCUT
KEY RANCH
19 GRANADA PL
BURLEY ID 83318

POD ON BLM

-NO POD EXISTS ON BLM AT THIS LOCATION
-PERHAPS THIS IS A TYPOGRAPHICAL ERROR.

SOURCE: SPRINGS TRIBUTARY: BLACKSMITH CREEK

QUANTITY: 0.620 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 4.45 CFS. COMBINED RIGHTS: 43-00368, 43-00369A, 43-00369B,
43-00370, 43-00417A, 43-00417B AND 43-07080.

PRIORITY DATE: 04/15/1882

POINT OF
DIVERSION:

T13S R25E S11 SWNESW Within CASSIA County
T13S R25E S11 NESWSW Within CASSIA County *Blm*
T13S R25E S11 NWSESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION | 4/01 10/31 | 0.620 CFS |

PLACE OF USE: IRRIGATION Within CASSIA County

| | | | | | |
|---------------|------|------|---------------|------|------|
| T13S R25E S11 | SWNE | 9.7 | T13S R25E S11 | SENW | 3.3 |
| T13S R25E S11 | NESW | 16.0 | T13S R25E S11 | SESW | 34.0 |
| T13S R25E S11 | NWSE | 5.7 | T13S R25E S11 | SWSE | 3.3 |
| T13S R25E S14 | NENW | 38.0 | T13S R25E S14 | NWNW | 27.0 |
| T13S R25E S14 | SWNW | 40.0 | T13S R25E S14 | SENW | 34.0 |

211 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 211 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHTS:
43-00368, 43-00369A, 43-00369B, 43-00370, 43-00417A, 43-00417B AND
43-07080. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 31 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

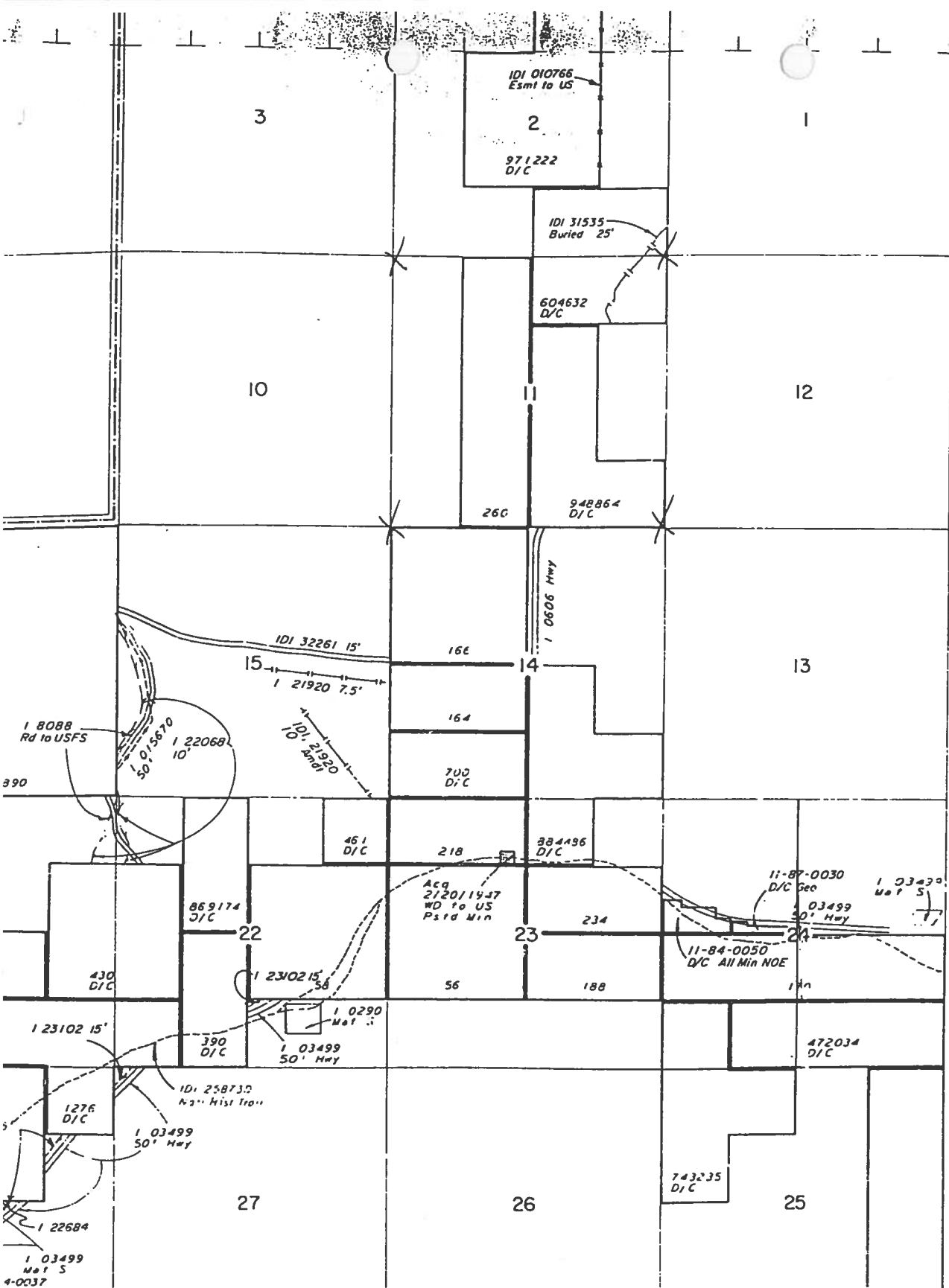
RESUR
TRACT

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exclud
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IDI 25
Hls
pub

IDI 181
Se



T13S, R25E Sec. 11

CASSIA COUNTY
TOWNSHIP DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES AND ACQUIRED LANDS

[illegible]

09999 Del PL in fact at Cong 1/23/1951
completed 1/13/1962. All of surface owned by USFS
including
09999 A 1 Sec B: 30a Giant

| | |
|-----------|------------------------|
| 09999 A 2 | Sec 8: not located |
| 09999 A 6 | Sec 7: 31 Independence |
| 09999 A 5 | Sec 7: 1 flagstaff |
| 09999 A 3 | Sec 8: 0 flagstaff |

$$I = \frac{1}{\pi} \int_0^{2\pi} d\theta \int_{-\infty}^{\infty} dt \left(\frac{1}{2} \dot{\phi}^2 + \frac{1}{2} (\partial_x \phi)^2 - V(\phi) \right)$$

101 1899 RAPP Landfill Log from 12/18/1937
Spc 33-SE NW

[illegible][illegible]

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

2. Once the problem is identified, the next step is to define the objectives and goals of the project. This helps to clarify what needs to be achieved and provides a clear direction for the team.

3. The third step is to develop a plan or strategy to address the problem. This involves breaking down the problem into smaller, manageable tasks and determining the resources needed to complete each task.

4. The fourth step is to implement the plan. This involves putting the strategy into action and monitoring progress regularly to ensure that the project is on track.

5. The final step is to evaluate the results of the project. This involves assessing the outcomes against the objectives and goals and identifying any areas for improvement or further action.

1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

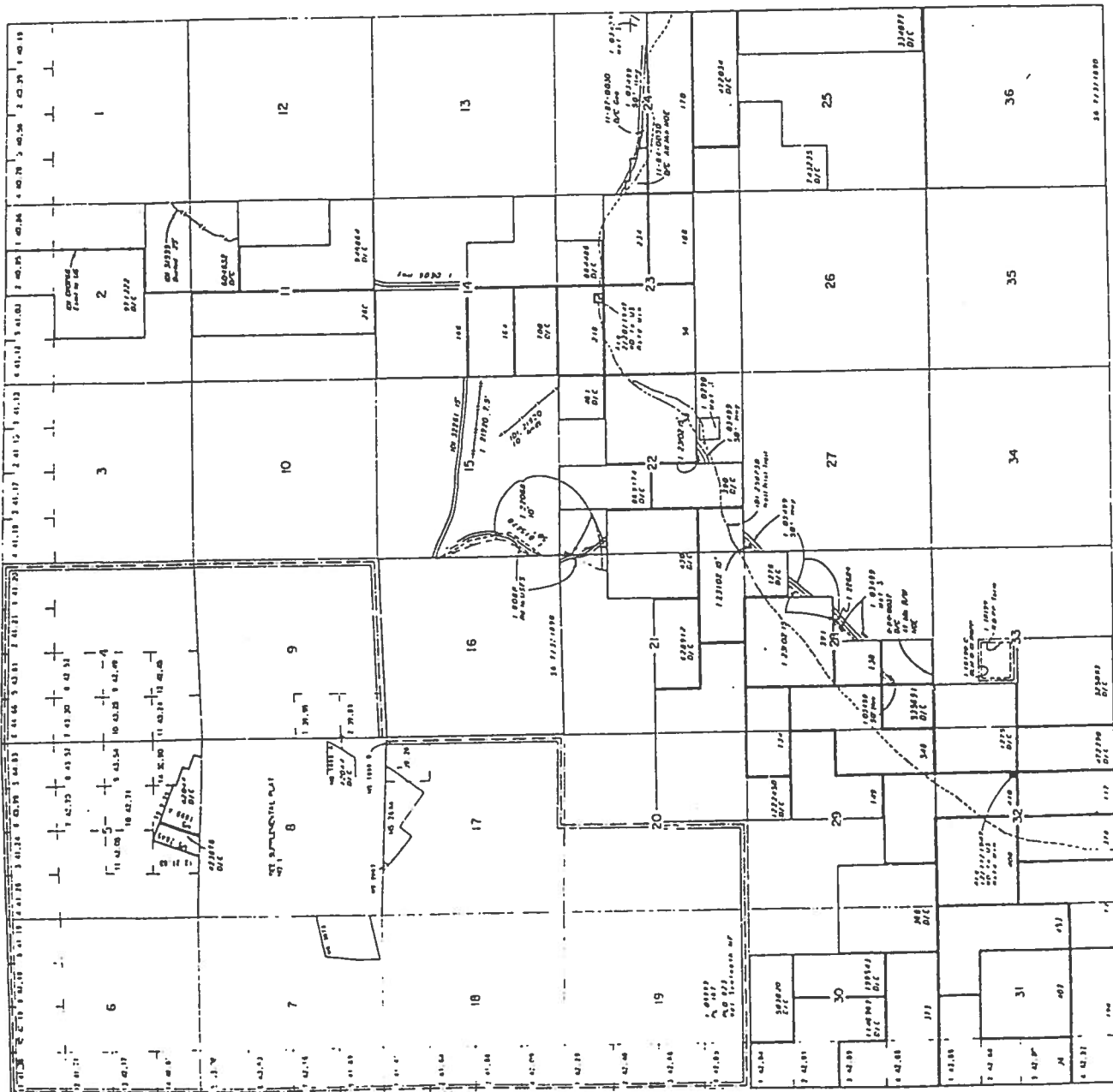
Figure 1. A schematic diagram of the experimental design. The diagram shows a sequence of events: a subject is presented with a stimulus (a word or picture), which is then processed by the brain. The brain's response is measured using a device (likely an EEG or MEG) and the results are analyzed using a computer. The diagram also shows a feedback loop where the results are used to adjust the stimulus or the processing parameters.

**NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES**

| | | |
|--|------|----|
| FOR ORDERS EFFECTING TRANSFERS, SEE BOOK OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS | DATE | 10 |
|--|------|----|

[illegible]

VALUES REPRESENT THE LAST
THE EFFECTIVE DATE. SEE
RATE OF THE ORIGINAL WITH-



WARNING: Slip Sliding!

The plot in the Bureau's Report of July 1968 should be used as a rough guide to the changing market data. But the Bureau for real and 15% rate changes, which may have been affected by loss of momentum of 1967, in other studies of 1968, to the additional increase for sufficient market requirements.

THE NOTATION B
ACTION TAKEN B
THE HISTORICAL
DRAWAL ORDER

SCALE IN ENGINE

From Mar
7 11
R 25L

05/07/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-417A

NOEL B BOWCUT
KEY RANCH
19 GRANADA PL
BURLEY ID 83318
Telephone Number: (208)678-0080

RECEIVED

MAY 23 2001

**Department of Water Resource
Southern Region**

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

YES I AGREE with this proposed recommendation: no changes need to be made.

DATE: 5-15-01 SIGNATURE: [Signature]

Please print your name: NOEL B. BOWCUT

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

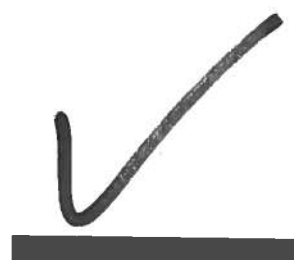
IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

1

R PROOF



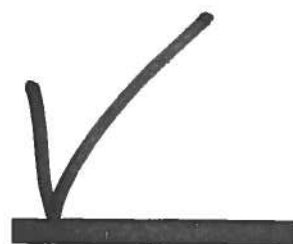
CVR



MAPS



PHOTOS



MISC



Water Right Number - R43-00417A

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
BOWCUT

NOEL B

1 - KEY RANCH
2 - 19 GRENADA PL
3 -
City- BURLEY
Phone - 208-678-0080

State- ID Zip- 83318

Priority Date - 04/15/1882

Region - 17 SOUTHERN

Stage - D - DECREED

Status -

Source - SPRINGS

Tributary - BLACKSMITH CREEK

Point of Diversion -

Twn Rng Sec Tract Lot RFlg County
13S 25E 11 SW NE SW (31) CASSIA
NE SW SW (31) CASSIA
NW SE SW (31) CASSIA
SIBLEY SPRING

| Code | Description | Period From | Period To | Water Use | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 04/01 | 10/31 | | 0.620 | |

Total Div. Rate - 0.620
Total Div. Volume -
Total Consumptive Use - D.D
KW Usage -

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Code | Description | County |
|--------------|-----|-----|-------|-----|-------|--------------|------------|-------------|--------|
| 13S | 25E | 11 | SW NE | | 9.7 | 01 | IRRIGATION | (31) CASSIA | |
| 13S | 25E | 11 | SE NW | | 3.3 | 01 | IRRIGATION | (31) CASSIA | |
| 13S | 25E | 11 | NE SW | | 16.0 | 01 | IRRIGATION | (31) CASSIA | |
| 13S | 25E | 11 | SE SW | | 34.0 | 01 | IRRIGATION | (31) CASSIA | |
| 13S | 25E | 11 | NW SE | | 5.7 | 01 | IRRIGATION | (31) CASSIA | |
| 13S | 25E | 11 | SW SE | | 3.3 | 01 | IRRIGATION | (31) CASSIA | |
| 13S | 25E | 14 | NE NW | | 38.0 | 01 | IRRIGATION | (31) CASSIA | |
| 13S | 25E | 14 | NW NW | | 27.0 | 01 | IRRIGATION | (31) CASSIA | |
| 13S | 25E | 14 | SW NW | | 40.0 | 01 | IRRIGATION | (31) CASSIA | |
| 13S | 25E | 14 | SE NW | | 34.0 | 01 | IRRIGATION | (31) CASSIA | |
| Total Acres: | | | | | 211.0 | | | | |

- - - Diversion Means - DITCHES THROUGH SPRING DISCHARGE AND A 2" PIPELINE
- - - Non-Irrigation Use -
- - - Other Rights for Same Use - 43-00369A, 43-00370, 43-00368, 43-00369B, 43-07080

Water right number - R43-00417A Prefix Translation: RESEARCH

QNT USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.45 CFS.
COMBINED RIGHTS: 43-00368, 43-00369A, 43-00369B, 43-00370,
43-00417A, 43-00417B AND 43-07080.

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 211 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHTS: 43-00368, 43-00369A, 43-00369B, 43-00370,
43-00417A, 43-00417B AND 43-07080.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 31 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

4300417 Old Water Right Numbers
A4300417

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.

Decree Plaintiff Decree Defendant Decree Date
ALBION-IDAHO LAND CO. JOBE ADAMS ET. AL., AMENDED 10/18/1928

Comments-
Date: 07/06/1995 User Id: KCHRISTE Subject: BASIS OF SPLIT
THE DECREED RIGHT DESCRIBES THE RIGHT AS ALL SPRINGS WITHIN THE PLACE OF USE. DURING THE FIELD VERIFICATION OF THE SYSTEM I
FOUND TWO DISTINCT SPRING SYSTEMS AND VARIOUS SPRING/SEEPS ON THE PROPERTY. THE SPLIT WAS MADE TO IDENTIFY THE INDEPENDENT SYSTEMS
AS USED. KKC
Date: 07/12/1995 User Id: KCHRISTE Subject: COPIED FROM REMARKS
RT. IS FOR ENTIRE FLOW OF SAID SPRINGS.
Date: 04/01/1998 User Id: TFAWCETT Subject: ADDRESS CHANGE 3.0 ESTIMATE, SPRINGS FLOW INCONSISTANT.
ADDRESS CHANGED PER REQUEST FROM CLAIMANT.

Audit Fields 03/06/00 KCHRISTE

Adjudication Rights Dates and Flags Area

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 06/29/1995 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 03/06/2000 | Old Judicial District | - |
| Claim Received Date | - 03/22/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - X777777 | Water District | - 43C |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - A |
| | | | | Notice of Error Flag | - |

CLAIM NUMBER 43-00368 -00370
43-07080 -00369A -00417A
-00369B -00417B

DATE 3-1-00
AGENT KKC

TRANSFER NUMBER
CLAIMED ACRE TOTAL 78
GIS ACRE TOTAL 211

| | 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 | 11 | | | | | | | | | 10 | | | 30 | | | | | 4 |
| GIS | | | 11 | | | 9.7 | | | | | 3.3 | 15.8 | | | 33.9 | | 5.7 | 3.3 | | |
| RECOM | | | | | | 9.7 | | | | | 3.3 | 16 | | | 34 | | 5.7 | 3.3 | | 7 |
| CLAIM | 13S | 25E | 14 | | | | | 38 | | | | | | | | | | | | 3 |
| GIS | | | 14 | | | | | 37.7 | 26.8 | 39.9 | 33.7 | | | | | | | | | |
| RECOM | | | | | | | | 38 | 27 | 40 | 34 | | | | | | | | | 1 |
| CLAIM | | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | | |

B43-POU.SHP

SHAPE NOS. 171

B43-POD.SHP

NOS. DESCRIPTION

110 Sec 11 NE SW SW AKA SIBLEY SPRING 1/2" line (Reduced to 1"). The spring in Sec 11 NW SE SW is

111 Sec 11 NW SE SW (domestic use also) also tied into a home at the farm site via a 2" (buried line)

112 Sec 11 SW NE SW (fired in with stock water) The third spring is also locally known as Sibley spring and is tied into the same ditch system previously described and is also piped to near the Section line (see above diagram)

DBF TABLES UPDATED this spring water is sometimes injected into a well during the winter months to improve water quality.

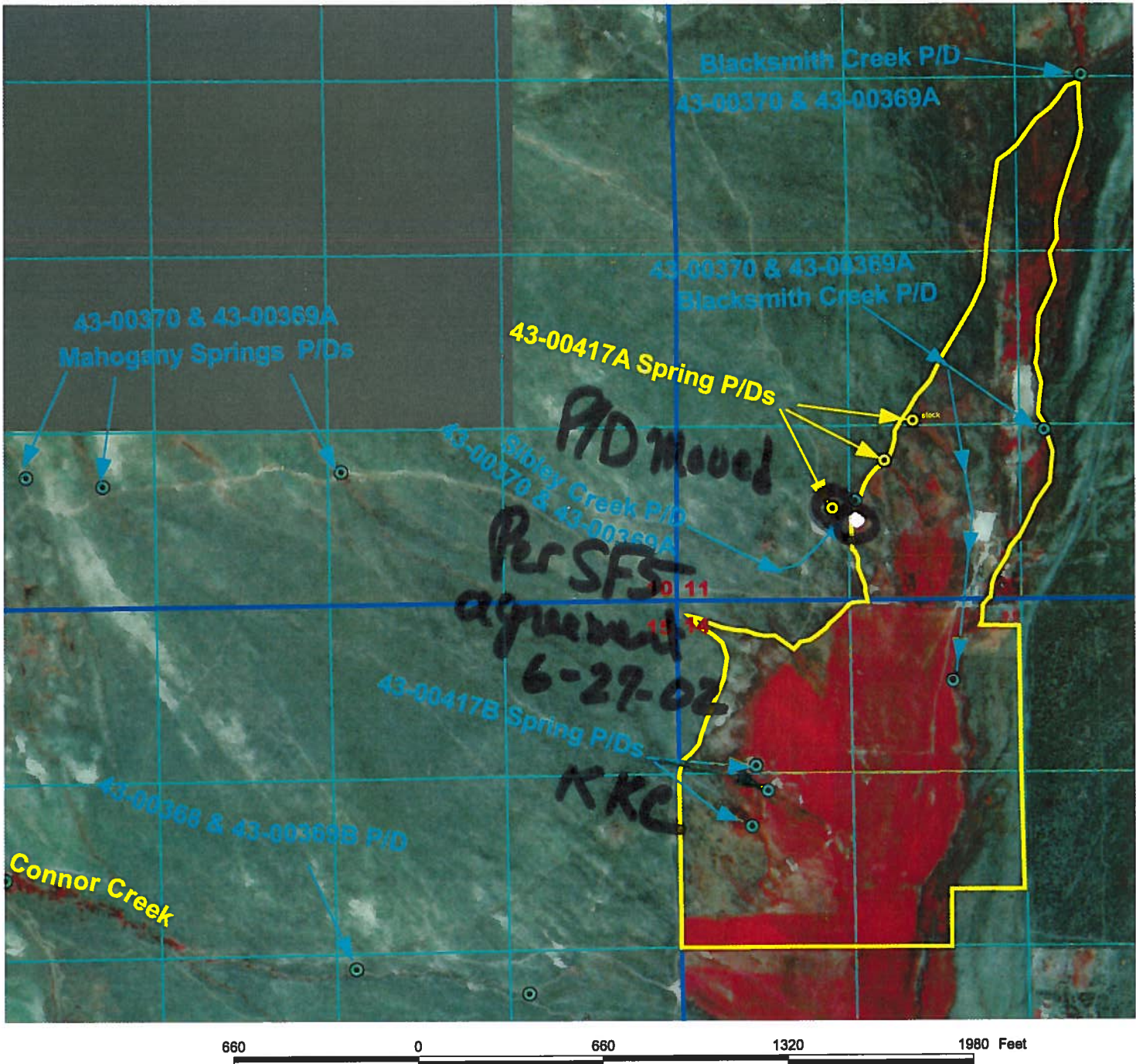
B43-DBPOU.DBF ✓

B43-DBPOD.DBF ✓

JPEG LAYOUT ✓ 43-00417A BOWCUT.JPG

IDAHO DEPARTMENT OF WATER RESOURCES

**RECOMMENDED PLACE OF USE
FOR 43-00417A**



PLACE OF USE
TWP 13S RNG 25E, SEC 11 & 14
data entry on: March 3, 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.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A43-00477A

14:46:25
07/12/95

| MR ELEMENT | DATA DISCREPANCY
Y/N | CORRESPONDENCE
SENT/RECEIVED
BY WHOM/DATE | FIELD EXAM
BY WHOM/DATE | CHANGE
CLAIM
Y/N | ELEMENT
DOCUMENTED
WHOM/DATE | COMPLETED
REVIEW
WHOM/DATE | COMPLETED
DATA ENTRY
WHOM/DATE | VERIFIED
DATE
WHOM/DATE |
|---------------------------|-------------------------|---|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE | | | | | | | | |
| POINT OF DIV | Y | | KKC
6-23-95
6-29-95 | N | KKC
6-7-95
KKC
7-12-95 | KKC
7-12-95 | KKC
7-12-95 | |
| SOURCE | | | " | N | " | " | " | |
| PLACE OF USE | Y | | " | Y | " | " | " | |
| DIV. AMOUNT
CFS/VOLUME | Y | | " | Y | " | " | KKC
7-13-95
KKC
7-12-95 | |
| CONSUMPTIVE USE | - | | " | Y | " | " | " | |
| PURPOSES OF USE | | | " | N | " | " | " | |
| PERIOD OF USE | Y | | " | Y | " | " | " | |
| BASIS OF CLAIM | Y | | " | N | " | " | " | |
| REMARKS | Y | | " | Y | " | " | " | |

BARCODE UPDATED
WHOM/DATE

LAST: BOWCUT
ADDRESS: KEY RANCH
CONNER CR
CITY: MALTA
PHONE NUMBER: 208-638-5592
STATE: ID ZIP: 83342
OWNER CODE: C

FIRST: NOEL B

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y
FIELD EXAMINER Y() N()
CLAIM REMARKS: RT. IS FOR ENTIRE FLOW OF SAID SPRINGS.
3.0 ESTIMATE, SPRINGS FLOW INCONSISTANT.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: COLLEEN & NOEL BOWCUT
DATE OF FIELD EXAM: 6/23/95 APPOINTMENT MADE: Y() N()
ACCOMPANIED BY: 6/29/95 BOTH
RELATIONSHIP TO CLAIMANT: OWNER
DIRECTIONS TO PROPERTY / NOTES:
need at farm had

PHONE NUMBER: () -
TIME: : A() P()
PHONE NUMBER: () -

A. AU CLAIM: # A43-00417A PRIORITY DATE: 04-15-1882 STAGE: D

B. WR RECORD: # 43-00417 PRIORITY DATE: 04-15-1882 STAGE: D

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

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?

* 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?

NOTES:

The claimed priority date matches the dividend date & opening use was found therefore I accept the date as claimed

Y(☒) N(☐)

Y(☐) N(☒)

Y(☐) N(☒)

N/A(☒) Y(☐) N(☐)

N/A(☒) Y(☐) N(☐)

N/A(☒) Y(☐) N(☐)

N/A(☒) Y(☐) N(☐)

N/A(☒) Y(☐) N(☐)

Y(☒) N(☐)

RECOMMENDED PRIORITY DATE:

04-15-1882

REVIEWED BY

KE

DATE

7-7-95

| RIGHT | TYP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-------|-----------|------|-----|-----|-----|-----|------|--------|----------------|------------------|
|-------|-----------|------|-----|-----|-----|-----|------|--------|----------------|------------------|

CASSIA
CASSIA
CASSIA

HR RECORDS IN SAME 40 ACRE TRACT

| A PREFIX | R PREFIX |
|-----------|-----------|
| A43-00368 | R43-00368 |
| A43-00370 | R43-00370 |
| A43-00417 | R43-10062 |
| A43-10062 | |

TRIR - BLACKSMITH CREEK

ENTER RIGHT NUMBER

TRIB: BLACKSMITH CREEK

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 "II" WITH THE APPROPRIATE EXPLANATORY CODE

N/A) YC) NC)

 $\gamma(NC)$

N/A () Y (X) NC ()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS DEVELOPED AND ENTER EACH WITH THE APPROPRIATE EXPLANATORY CODE

✓

Y

1. HOW WAS THE BOD AND SNIERGE VERBETERD?

(X) (N) ()

Y() NC)

6-29-95

See system description Attachment WP file - ADS: Bowcut-00417-System. 43C

dated July 12, 1995

43-00368 to 43-00370 bmc cut rec analysis 2000
dated 2-29-00 KKC

dated 2-29-00 KKG

| TWP. | RGE | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD | FLAG | COUNTY | DIVERSION NAME | DIVERSION NBR |
|------|-----|------|-----|-----|-----|-----|-----|------|--------|----------------|---------------|
| 13S | 25E | 11 | NE | SW | | | | | CASSIA | | |
| 13S | 25E | 11 | SE | SW | | | | | CASSIA | | |
| 13S | 25E | 14 | NW | NW | | | | | CASSIA | | |

SIBLEY SPRING

the north east and middle

spring are both in this 10 acre tract

we Remark $\mathbb{C} \cong \mathbb{C}^2$

SOURCE: SPRINGS OK

57

RIB: BLACKSMITH CREEK

o

seen on the photo CC-80

REVIEWED BY: KKC

DATE: 7-12-95

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

~~(1)~~ see above for name

G. SHOULD THE CLAIMED POB BE VERIFIED BY FIELD EXAM?

Y (X) 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 (X)

CHECK DOCUMENTS USED TO VERIFY POB:

(X) ORTHOPHOTOQUAD, IDWR NO. CC-80 ; () TOPOGRAPHIC QUAD, IDWR NO. ;
(X) NAPP, IDWR NO. CC-80; SE ; (X) ASCS PHOTO; () OTHER A-22 1978 Flight

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: 31 N/A ()

REVIEWED BY: KKC DATE: 7-12-95

A. AJ CLAIMED USES:

PURPOSE OF USE PERIOD OF USE (MONTH/DAY) DIV. RATE FOR EACH USE DIV. VOL. FOR EACH USE
A43-00417A IRRIGATION FROM 05-15 TO 11-15 1.500 CFS 1.500 CFS
TOTAL DIVERSION RATE/VOLUME

B. WR RECORDED USES:

PURPOSE OF USE PERIOD OF USE (MONTH/DAY) DIV. RATE FOR EACH USE DIV. VOL. FOR EACH USE
43-00417 IRRIGATION FROM TO
TOTAL DIVERSION RATE/VOLUME

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USER? ☒ Y ☐ N
D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? ☒ 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? ☐ 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? ☒ Y ☐ N

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

to be
decide if property was
all of property was
the notig was

NOTES: Purpose of Use: Sound flood in from the spring is 12" pipeline running SE across
irrigation: Don & Stockwater made me also developed from the north spring but
there were were not claimed in the adjudication.

PERIOD OF USE: not given in the decree. Recommended to Dept Standard

DIVERSION RATE: rate not given in the decree. The ~~avg~~ south spring natural

channel flow is 17 on staff gauge of depth 24"

that is with river. From 1st I water measured Bulletin No 552 .17" depth =

this measurement does not include flow from the north spring. Spring

flow had declined by estimate and the measurement represents 70% of

1 in per acre. The system has the capacity to carry more than 1" per

acre (.62 CFS) and at times the spring flow would be in excess of

the .62 CFS therefore I am

recommending this right at .62 CFS

47 CFS

AJ CLAIM TOTAL DIVERSION RATE: 1.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

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

N/A (X) Y () N ()

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

N/A () Y () N (X)

* 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 (X)

* 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 (X) N ()

E. MEASUREMENT METHOD See Pg 9 FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 31 x D.D2 CFS/ACRE = 62 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y (X) N ()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y () N (X)

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 31 x DIVERSION VOL. AF/A FOR AREA 3 =

TOTAL DIVERSION VOLUME 93 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A
ACRES 31 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 93 AF/A

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

for use in comments.

NOTES:

See Pg 10

MR RECORD CONDITIONS/REMARKS:
RT. IS FOR ENTIRE FLOW OF SAID SPRINGS.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

| PURPOSE OF USE | REC. PERIOD | | RATE CFS | REC. DIV | | VOL. AF/A | REC. CONS. USE | |
|----------------------|-------------|--------------|--------------|------------|----------|-----------|-----------------------|----------|
| | FROM | TO | | EXAMINER | EXAMINER | | EXAMINER | EXAMINER |
| IRRIGATION | 03-15 | 11-15 | 1.500 | | | | 0.0 | |
| <i>irr</i> | <i>4-1</i> | <i>10-31</i> | | <i>.62</i> | | | <i>93 for remarks</i> | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| TOTAL FOR THIS RIGHT | | | <i>1.500</i> | <i>.62</i> | | | 0.0 | |

NON-IRRIGATION USES CLAIMED: S/200 BEEF STOCK

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

REVIEWED BY: *KKC* DATE: *7-12-95*

FLAG: *A* *dispute not given in decree, PD not abated in decree.*

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

See a ~~attached~~ system. 43C
See a ~~map~~ - 004111
ADD: BOUNDRY - 004111
See land list attached
dated 3-1-00
KKC

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-00417
TOTAL DIVERSION RATE OF WR SPLITS _____ CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | R43-00417 | 3.000 | R43-00417 | 3.000 | 43-00417 | |
| - | R43-00417A | 1.500 | R43-00417A | 1.500 | - | |

TOTAL CFS 4.500 4.500

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 ()?

NOTES:

The decree indicated all springs at this site of flow & found two specific & separate spring systems and therefore split flow systems into parts A & B according to their uses and flow rates.

AUTHENTICATION:

SIGNATURE:

[Signature]

DATE: 7-12-95

NAME OF FIELD EXAMINER:

KELLY K. HESTENSON

TITLE:

SR WATER RIGHTS AGENT

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 CC-80 1976 IDNR ID NO. CC-80-N5 Y() N(X)

() TOPOGRAPHIC DATE FIELD CHECKED 7-31-87 IDNR ID NO. CC-80-N5 Y() N(X)

() NAPP DATE OF PHOTO 1978 IDNR ID NO. CC-80-N5 Y() N(X)

() ASCS AERIAL PHOTO DATE OF PHOTO 1978 IDNR ID NO. CC-80-N5 Y() N(X)

() ASCS COLOR SLIDE DATE OF PHOTO 1978 IDNR ID NO. CC-80-N5 Y() N(X)

() BLM OR USFS AERIAL PHOTO DATE OF PHOTO 1978 IDNR ID NO. CC-80-N5 Y() N(X)

() TOWNSHIP SURVEY (GOVERNMENT PLAT) DATE OF SURVEY 1978 IDNR ID NO. CC-80-N5 Y() N(X)

() SCS SOIL SURVEY MAP DATE ISSUED 1978 IDNR ID NO. CC-80-N5 Y() N(X)

() SUBDIVISION PLAT MAP DATE OF MAP 1978 IDNR ID NO. CC-80-N5 Y() N(X)

() OTHER DATE 1978 IDNR ID NO. CC-80-N5 Y() N(X)

() OTHER DATE 1978 IDNR ID NO. CC-80-N5 Y() N(X)

() OTHER DATE 1978 IDNR ID NO. CC-80-N5 Y() N(X)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

() LICENSING FIELD EXAM DATE OF FIELD EXAM _____

() WATER RIGHT LICENSE DATE LICENSE SIGNED _____

() IDMR APPROVED TRANSFER DATE TRANSFER APPROVED _____

() SYSTEM DESCRIPTION DATE 7-12-95 3 includes info for 417B

() PHOTOGRAPHS DATE 6-23-95 6 includes info for 417B

() SPLIT RIGHT REVIEW DATE REVIEW COMPLETED 7-12-95 3 includes info for 417B

() HUBBLE ANALYSIS DATE ANALYSIS COMPLETED 43-00368100370 Bas cut rec Analysis 2000 3pgs 2-24-00

() CONVEYANCE LOSS ANALYSIS DATE ANALYSIS COMPLETED Bas cut rec Analysis 2000 3pgs 2-24-00

() FLOW MEASUREMENT CALCULATIONS DATE SYSTEM MEASURED Bas cut rec Analysis 2000 3pgs 2-24-00

() OTHER Phthal list DATE 7-12-95 1 list all claims in general system

() OTHER ASCS Aerial Photos DATE 7-12-95 1 list all claims in general system

USED FOR FIELD NOTES

Field notes

Preliminary claim notes

One FM 6-23-95 2

6-23-95 1

copy orig

copy orig

CLAIM A43-00417A INIT KKC
T. R. S. Q/Q
P/D 13S 25E
PHOTO ASCS N-22
DT. & ID. 1978 ELIGHT

RECOMMENDED
P/U

ASCS SEC
CORNER MARKED
WRAPS

10 11
13 14

MANOYAN
SPRINGS
DITCH

10 11
13 14
15

MEASUREMENT
POINT

P/D

P/D

P/U for
A43-00417A

P/D

23

8

2 P/D & POND

P/D & POND

5

P/D

MEASUREMENT
POINT

21

P/U for
A43-00417B

Field notes. 6-23-95
KKC

Springs

Found 4 P/D's in Sec 10 on one ditch system
ditch carries water to P/D in NW corner of sec 14
locally known as Mahogany Sp. (all in general area)

Grove spring Area in
SW of sec 14
Divisions are 1. at dyke of upper pond

3. SE of lower dyke at bottom of orchard.

Sibley Spring in SW SW or SE SW sec
1 P/D developed via 60" culvert 6' buried 5'
ditch running NE from channel also piped 2" ~~plastic~~ "plast
line" to Sec 14

next spring NE of Sibley
same div works ditch runs SW to tie into Sib Sp.
ditch. Piped to house 2" line.

3rd spring
Plastic barrel div works buried line to cover
1 1/2 this reduced to 1" stock water claim no irrigation

Black Smith Cr. Water
3 P/Ds on system see map.
Connor Cr.
break on section line 11/14 no water North
Sibley Cr. div as it enters P/D. near
Sibley spring

10 11
+
15 14

GPS PT

PD measurement
6-29-98

main
Channel

E15

E218

E203

A
3.5

B
7.9

10 11
+
15 14

Sally Spring

3 paces

2 paces

E15

Field notes
6-23-95
KRC

E218

E203

A 3.5

B 7.9

F 4.8

43-00368, 43-00369A, 43-00369B, 43-00370,

43-00417A, 43-00417B AND 43-07080

BASIS FOR RECOMMENDATION

43-00368, 43-00370 and 43-00417 were decreed to the NW quarter of section 14. **43-00369** was decreed to the same tract as above and the E½SW¼ and E½NW¼ of Section 11. **43-07080** is a groundwater source right licensed partly on new ground and partly overlapping ground.

As a majority of the irrigated place of use has two or more overlapping rights for any specific area I am recommending all rights within a single permissible place of use. Each right, however, is being recognized with an acre limitation based upon the historical place of use covered specifically by that right.

43-00368 was decreed from Connor Creek. I found a delivery system from Connor Creek delivering water to the NW¼ of sec 14. The delivery system cannot deliver water to the entire recommended place of use in that quarter and is therefore recommended with an acre limitation to those acres that have historically irrigated from Connor Creek. The Connor Creek system does not irrigate any ground in Section 11. The ditch flow from Connor Creek is predominately northeast until it reaches the northern boarder of Sec 14. At that point the ditch runs east. Gravity flow is south to southeast. I found 87 irrigated acres under the Connor Creek source.

43-00369 was decreed with Cassia Creek as the source. Cassia Creek cannot reach any portion of this property. I have interpreted this right to be a later in priority date right from all decreed sources and as a supplemental right to the existing rights and therefore have split it according to the sources recognized on the other claims. The "A" portion is recognized as complementary to 43-00370 and is recommended with the same sources, p/ds, and place of use. The "B" portion is recognized as complementary to 43-00368 and is recommended with the same source, p/d, and place of use.

The decree for **43-00370** lists Mahogany Springs, Summit and Blacksmith Creeks as the sources for this right. Blacksmith Creek enters the property in the North end of the SW¼NE¼ of Section 11 (also the northern border of the recommended place of use). Stream flow from Blacksmith Creek is predominantly straight south. Although not clearly described in the decree, I am recognizing the irrigated acres in Section 11 and 14 as part of the decreed place of use for this right. Using the three sources, all of the irrigated place of use except for the southwest corner of the SW¼NW¼ of section 14 and that portion of the irrigated place of use east of Blacksmith Creek located in the E½NW¼ of section 14. Approximately 166 acres

The sources shown in the decree for **43-00417** are 'all springs' upon said land'. Although most of the springs are somewhat independent of each other, they are physically grouped in two geographical locations and therefore I have split this claim into two parts representing each spring grouping. Three springs are located in the S½SW¼ of section 11 and are part of the "A" split.(approximately 31 acres) The other springs are located in the W½NW¼ of section 14 and are part of the B" split. (approximately 28 acres) The springs are part of the gravity system and the irrigated place of use from these springs is limited in area by the ground slope.

43-07080 is the last right appurtenant to a portion of the total place of use. This right is from groundwater and a licensing field examination was conducted in 1883. The adjudication recommendation is based upon this examination. This right is limited to the 109 licensed acres.

DIVERSION RATE LIMIT ANALYSIS

The permissible place of use found was 211 acres. The combined diversion rates for all rates would exceed one inch per acre. Therefore a rate limit is required. Conveyance losses were calculated for the Connor Creek diversion (43-00368 and 43-00369B) Conveyance losses were not calculated for any of the other ditches.

| System claims | acre limitation | irr rate |
|----------------------|-----------------|---|
| 43-00368 & 43-00369B | 87 acres | 1.74 cfs (when the two rights are combined)
0.23 cfs conveyance losses |
| 43-00370 & 43-00369A | 166 acres | 3.32 cfs (when the two rights are combined) |
| 43-00417A | 31 acres | 0.62 cfs |
| 43-00417B | 28 acres | 0.56 cfs |
| 43-007080 | 109 acres | <u>0.64 cfs</u> |
| | total | 7.11 cfs |

| | |
|--|-----------------|
| System limits = 211 ac @ 0.02 cfs/acre = | 4.22 cfs |
| Total conveyance loss | <u>0.23 cfs</u> |
| Total system diversion rate limits | 4.45 cfs |

**BOWCUT SYSTEM ANALYSIS
FOR FARMSTEAD IN Tns 13S; Rng 25E; Secs 11 & 14 B.M.**

SPLIT ANALYSIS FOR A43-00369

This right was decreed as a blanket right for additional water for the entire place of use with the source listed as Cassia Creek. Cassia Creek is approximately one mile south of the southern edge of this property and water from Cassia Creek cannot physically reach this ground. Based upon historical practices in this area, as it relates to this claim and other rights similarly decreed, this right is recognized to be additional water from the same sources decreed as A 43-00368 (from Connor Creek) and A43-00370 (multiple sources) with earlier priority dates. As the base rights are being recommended for the actual place of use under its system, A43-00369 is being split to conform to each base system and diversion rate applicable to each system.

A43-00369A is recommended as overlapping with A43-00370 with the same sources and for the same place of use. I accept the originally decreed priority date as valid for this portion of the original right.

A43-00369B is recommended as overlapping with A43-00368 with the same source and for the same place of use. I accept the originally decreed priority date as valid for this portion of the original right.

**RECOMMENDATION ANALYSIS FOR DECREED RIGHT
43-00368 & A PORTION OF 43-00369**

A43-00368 and A43-00369B are recommended as Connor Creek diversions using the same P/D, delivery system and for the same P/U.
A43-00369B is for additional water with a later priority date.

| DECREE INFORMATION: | DECREED
RATE | DECREED
SOURCE | DECREED
RIGHT # |
|---------------------|-----------------|-------------------|--------------------|
| | 1.00 CFS | CONNOR CREEK | 43-00368 |
| | 3.34 CFS | CASSIA CREEK | 43-00369 |

Measured = system capacity > 1.00 cfs
Found P/U = 87 acres

DIVERSION RATE RECOMMENDATION:

LEGAL LIMIT AT 1" PER ACRE = 87 acres * .02cfs/acre = 1.74 CFS
RECOMMENDATION FOR A43-00368: 1.00 CFS
difference 0.74 CFS

RECOMMENDATION FOR A43-00369B 0.74 CFS

PLACE OF USE ANALYSIS

Water is delivered to the P/U through an earth ditch that forms the northwest and north borders of the P/U. The meadows are flood irrigated through various contour ditches and is at times co-mingled with water from the A43-00370 system and/or the A43-00417B system. The eastern boundary is formed by a natural channel that lays west of Blacksmith Creek and roughly parallels that channel. The southern boundary is the property line. Excess irrigation water from this system can irrigate a portion of the ground south of this system. A ditch running straight south from the point where the Connor Creek ditch enters the property and following the fence line forms the western border of the P/U.

RECOMMENDATION ANALYSIS FOR DECREED RIGHT 43-00370 & A PORTION OF 43-00369

A43-00370 and A43-00369A are recommended as multiple source diversions using the same P/Ds, delivery systems and for the same P/U. A43-00369A is for additional water with a later priority date.

DECREED RIGHT 43-00370

| DECREED
RATE | DECREED
SOURCE |
|-----------------|-------------------|
|-----------------|-------------------|

| | |
|----------|---|
| 1.20 CFS | MAHOGANY SPRINGS: not identified by the USGS on the quad maps but there is a spring system locally known as Mahogany springs
BLACKSMITH CREEK: identified as such by the USGS on the quad map
SUMMIT CREEK: USGS identifies a Summit Creek just north of this system but in basin 45. The next significant stream source used in this system is Sibley Creek as identified by the USGS and as such, is the recommended source under this decreed claim. |
|----------|---|

DECREED RIGHT 43-00369

3.34 CFS CASSIA CREEK (Recommended sources as listed above)
Measured = 1.09 cfs (the system was not at capacity)
Found P/U = 166 acres

POINT OF DIVERSION ANALYSIS

43-00370 was decreed as having three sources but without listing any diversion points. 43-00369 was decreed with Cassia Creek as the source. Cassia Creek has never and cannot be physically delivered to the found place of use without a pumping plant. In reviewing the Jobe-Adams decree, it is noted that many times tributaries to Cassia Creek are referred to as Cassia Creek. Therefore 43-00369 is being recommended as a split right with the sources agreeing with the overlapping right sources.

The adjudication claims are being recommended with three separate sources with the diversion points identified as found. Each source irrigates some ground independent of the other sources but also overlaps on some acres within the recommended place of use. I am recommending these sources as one system under this claim.

| SOURCE | P/D LEGAL DESCRIPTION |
|------------------|---|
| BLACKSMITH CREEK | TNS 13S; RNG 25E; SEC 11; SW ¹ / ₄ NW ¹ / ₄ NE ¹ / ₄ B.M. |
| | TNS 13S; RNG 25E; SEC 11; NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄ B.M. |
| | TNS 13S; RNG 25E; SEC 14; NE ¹ / ₄ NE ¹ / ₄ NW ¹ / ₄ B.M. |
| SIBLEY CREEK | TNS 13S; RNG 25E; SEC 11; NW ¹ / ₄ SE ¹ / ₄ SW ¹ / ₄ B.M. |
| MAHOGANY SPRINGS | TNS 13S; RNG 25E; SEC 10; NW ¹ / ₄ SW ¹ / ₄ SW ¹ / ₄ B.M. |
| | TNS 13S; RNG 25E; SEC 10; NE ¹ / ₄ SW ¹ / ₄ SW ¹ / ₄ B.M. |
| | TNS 13S; RNG 25E; SEC 10; NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄ B.M. |

DECREED RIGHT 43-00417

| DECREED
RATE | DECREED
SOURCE |
|-----------------|-------------------|
| ALL | ALL SPRINGS |

I found two significant spring systems and several other seep/spring areas. The springs are being recommended as two separate systems under parts A and B. The smaller spring seeps were not measured or specifically identified.

Analysis for A43-00417A (the north spring system consisting of three developed springs.

Measured = .47 cfs (includes a small flow from Sibley Creek but does not include the output of the two north springs within this system)

Found P/U = 31 acres

| | |
|---------|--|
| SPRINGS | TNS 13S; RNG 25E; SEC 11; NE ¹ / ₄ SW ¹ / ₄ SW ¹ / ₄ B.M. |
| | TNS 13S; RNG 25E; SEC 11; NW ¹ / ₄ SE ¹ / ₄ SW ¹ / ₄ B.M. (2 P/Ds) |

Analysis for A43-00417B (the south spring system consisting of three developed springs and two small ponds.

MEASURED = .66 cfs (the measurement includes all three springs except for a small seepage that was below the ditch. Both Mahogany Springs water and Connor Creek water was and had been diverted past this system and is not considered to have significantly impacted the springs discharge for measurement purposes.

Found P/U = 28 acres

| | |
|---------|---|
| SPRINGS | TNS 13S; RNG 25E; SEC 14; SW ¹ / ₄ NW ¹ / ₄ NW ¹ / ₄ B.M. |
| | TNS 13S; RNG 25E; SEC 14; NE ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ B.M. |
| | TNS 13S; RNG 25E; SEC 14; NW ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ B.M. |

CLAIM # A43-00417A
DATE PHOTOS TAKEN; 6-29-95
PICTURE # 1

This photo shows the spring development of the southwestern most spring of three. You are looking northwest in this photo. The stream flow at this point was too small to accurately measure with the available cipolletti weir. There is a buried two inch line from this spring running south southeast from the spring box to a point just north of the sec 11-14 section line. A measurement was made at that point. The claimants refer to this spring as Sibley Spring. Sibley Creek enters the spring system to the right of this location. I took a GPS site location reading on top of the spring cover for this spring.

GPS SITE

SIBLEY CREEK



CLAIM # A43-00417A
DATE PHOTOS TAKEN; 06-29-95
PICTURE SET # 2

This photo shows the measurement made of the water from the southern most spring and a small flow from Sibley Creek. The Sibley Creek flow on this date was negligible. The channel from the spring enters the picture on the right and the flow on the left is from the 2" buried pipeline shown in photo set # 3. The measurement was considered good and records the spring output on this date. No other water other than the small flow from Sibley Creek was part of this stream flow. This system ties into the Mahogany Springs Connor Creek ditch system south of the fenceline. You are looking east on the left to south on the right.

FARMSTEAD SPRING WATER
FROM PIPELINE



CHANNEL FROM SPRING

CLAIM # A43-00417A

DATE PHOTOS TAKEN; 06-29-95

PICTURE SET # 3

This photo shows the end of the buried pipeline from the southern spring and the measurement point shown in photo set # 2. The well casing is for domestic use for the southern most home on the farmstead currently occupied by Collen Bowcut. Collen indicated that during the winter he often injects the spring water into the domestic system as the water quality of the well goes down during the winter months. You are looking east on the left to south on the right.

COLLEN'S HOME

BLACKSMITH CREEK

CASSIA CREEK

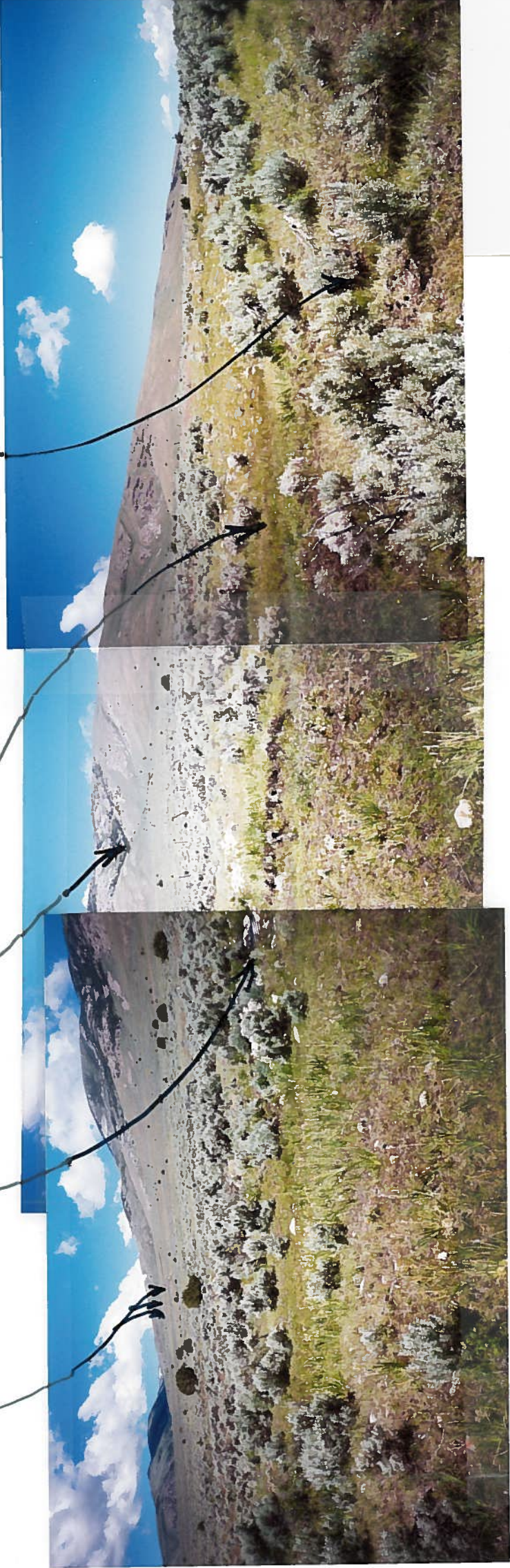
MEASUREMENT LOCATION



CLAIM # A43-00417A
DATE PHOTOS TAKEN; 06-23-95
PICTURE SET # 4

This photo set is looking northwest on the left to north on the right and shows the Sibley Creek channel entering the southern Spring (locally called Sibley Spring) channel. The spring and Sibley Creek water can be diverted to the northeast through a ditch shown in the foreground on the right. This spring also is developed with a 2" buried line running southeast toward the section line (shown in photo set 3).

MAHOGANY SPRINGS SIBLEY SPRING SIBLEY CREEK HEADWATERS SIBLEY CREEK CHANNEL DITCH GOING TO THE NORTHWEST



CLAIM # A43-00417A
DATE PHOTOS TAKEN; 06-23-95
PICTURE SET # 5

This photo set is looking southeast on the left to south on the right. Sibley Spring (the southern spring) is to the right of this photo set and the third spring is to the left. This spring is tied into a home within the trees via a buried 2" plastic line. The original line was a 1 1/2" steel line put in 50+ years ago (according to Collen Bowcut). There are ditches going left and right from this spring just beyond the fence.

| | | |
|---|------------------------------------|------------------------------------|
| STOCKWATER P/U FROM
NORTHEAST SPRING | DOMESTIC USE FROM
CENTER SPRING | DOMESTIC USE FROM
SIBLEY SPRING |
|---|------------------------------------|------------------------------------|

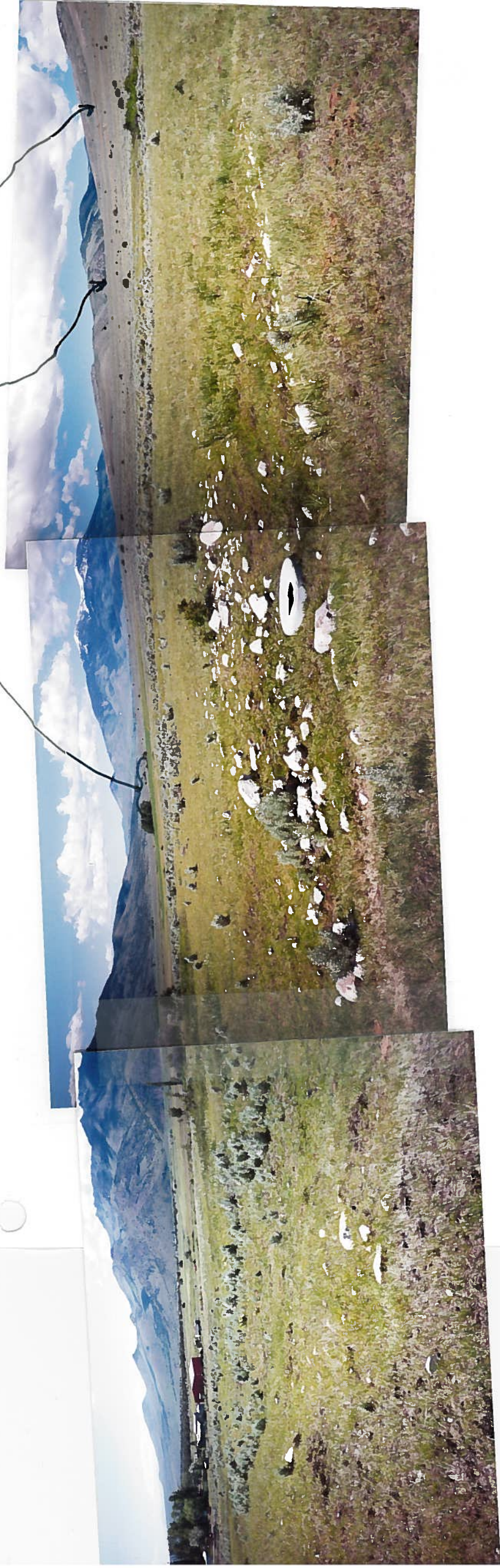


CLAIM # A43-00417A
DATE PHOTOS TAKEN; 06-23-95
PICTURE SET # 6

1 1/2" reduced to 1"

This photo set shows the northeast spring that is tied into the corral via a buried $\frac{1}{2}$ " line. Whenever there is excess water, the water can be spread via ditches below this spring development. You are looking southeast on the left toward the corrals and west southwest on the right.

P/D FOR A43-00417B CONNOR CREEK MAHOGANY SPRINGS



Preliminary Review Connor Corner Property

A43-00368 claimed Source Connor Cr (as decreed)

Claimed P/D's = Q Q's that is not part of original decree & not where Connor Cr runs.

A43-00369 Claimed & decreed Source = Cassia Cr probable source is Blacksmith Cr & or unnamed Stream.

Claimed P/D describes Connor Cr diversion.

A43-00370 Claimed & decreed source = Blk on & for Mahogany Springs & Summit on the photo shows Summit Cr in Basin 45; prob source is unnamed Stream that parallels HW-97 to the West. Mahog Sp not labeled on the Photo.

P/D legally identify P/Q. Question? is it works up stream in other Q.Q's?

A43-00417 Claim & decree list Source as Springs claim shows 3 Q.Q's

NOTE: 1) & it appears that Connor Creek water cannot reach Sec 11.

2) On the photo Source Sibley Cr reaches P/Q in NW 35 SW Sec 11. Should be shown on claim?