

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: **A43-02148**
Date Received: 8/14/1989
Receipt No: S008837
Received By: _____

AMENDED

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

AMENDED

1. Name: WILLIAM & VIRGINIA BRUESCH FAMILY TRUST 480-839-6738
Address: RICHARD BRUESCH TTEE
2513 E LOYOLA DR
TEMPE AZ 85282-4167

2. Date of Priority: NOV 22, 1913

3. Source: LONE ROCK CREEK Trib. to: ALMO CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	24E	18		SE	NW		CASSIA

5. Description of diverting works:
HEADGATES AND DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.460		
STOCKWATER	01/01	12/31	0.460		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	24E	18	NW	NE		IRR	40.0
			SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	24E	18	SE		NE		IRR	40.0
			NE		SE		IRR	40.0
Section Acres								160.0
Total Acres								160.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:

UNRECORDED EXPANSION OF 17 ACRES OVER LICENSE.

11-16-99: OWNERSHIP CHANGE PER NOTICE REC'D 10-24-99 - VH

1-20-2000: AMENDED CLAIM PER DOCUMENT SIGNED AND DATED 9-22-99.
CHANGED SOURCE TO LONE ROCK CREEK FROM STINES CREEK, REVISED POU
ACRES, REPLACED REMARKS WITH THE FOLLOWING REMARK. - VH

LONE ROCK CREEK IS IDENTIFIED AS SOUTH FORK STINES CREEK ON OLDER
RECORDS.

15. Basis of Claim: LICENSE

Water Right Number: 9854

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: **A43-02148**
Date Received: 8/14/1989
Receipt No: **S008837**
Received By: _____

William Wallace & Virginia E. Bruesch Family Trust
Richard Bruesch, Trustee
2513 E. Loyola Dr
Tempe AZ 85282-4167

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

AMENDED

1. Name: VIRGINIA BRUESCH 208-824-5516
Address: PO BOX 204
ALMO ID 83312

2. Date of Priority: NOV 22, 1913

3. Source: *Lone Rock* STINES CREEK Trib. to: ALMO CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	24E	18	SE	SE	NW		CASSIA

5. Description of diverting works:
HEADGATES AND DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
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STOCKWATER	01/01	12/31	0.460		

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0.460 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
~~15S~~	~~24E~~	~~18~~	~~SE~~	~~SE~~		~~IRR~~	~~40.0~~
15S	24E	18	NW	NE		IRR	40
15S	24E	18	SW	NE		IRR	40
15S	24E	18	SE	NE		IRR	40
15S	24E	18	NE	SE		IRR	40

A43-02148

Page 1

Date: 09/21/99

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
					Total Acres	40.0

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:

NONE

14. Remarks: *Lone Rock Creek is identified as south Fork of Stines Cr. on older records.*

~~SPELLING OF STYNES CREEK ON USGS MAPS IS STINES AND IS USED TO PROVIDE UNIFORM DESCRIPTION. DECREE: ALMO WATER C. V. DARRINGTON DECLARED STINES CREEK WATER IS NOT TRIBUTARY TO ANY STREAM. UNRECORDED EXPANSION OF 17 ACRES OVER LICENSE.~~

15. Basis of Claim: LICENSE

Water Right Number: 9854

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.

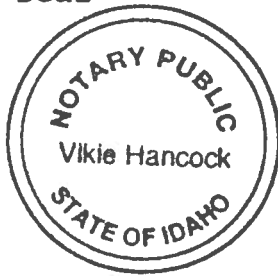
Signature of Claimant(s): WR Bunk Date: 9/22/99

Date: _____

State of Idaho)
County of Franklin) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of September 19 99 Vikie Hancock
Notary Public

Seal



Residing at Seven Falls, Idaho
My Commission Expires 5-7-2003

The William Wallace and Virginia E. Bruesch Family Trust
Almo, Idaho

TX

October 10, 1999

Vikie Hancock
Water Resource Agent
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RECEIVED

OCT 14 1999

Department of Water Resources
Southern Region

Subject: Change of Ownership Forms for: A43-00010, A43-00011, A43-00391A,
A43-00396A, A43-02026, A43-02148

Dear Vikie:

I am enclosing a completed "Notice of Change of Water Right Ownership" form as requested. Also enclosed is a copy of the Certificate of Trust and a Simple Fee Deed that describes the property in the Trust.

Our mother, Virginia Bruesch established the William Wallace & Virginia E. Bruesch Family Trust (hereinafter referred to as "Trust") on January 25, 1991. Upon her death on December 28, 1995 my brother, my sister and I became survivor trustees of the trust she created.

The following three individuals are Trustees, each with authority to manage the Trust:

William Richard Bruesch	Alan Wayne Bruesch	Janet Lee Powers
2513 E. Loyola Dr.	2516 Walnut Rd N W	PO Box 656
Tempe, AZ 85282-4167	Olympia, WA 98502-4110	Malta, ID 83342

I assumed that the NAPP Photos that you provided are suitable for the documents required in Question 2. I have attached a color copy of the photos.

In response to Question 6, we want to make it clear that all water rights and claims that were formerly available to our parents as private property owners are the same as now owned by the Trust. None of the rights have been split nor diminished by transfer of the property to the Trust. Additionally, the property is leased to Cordell Sheridan of Almo, and the number of cattle using stockwater varies throughout the year.

Please let me know if there is any additional information or documentation required to accompany the ownership change.

Sincerely,



Richard Bruesch, Trustee
cc: Alan and Janet, w/ encle

RECEIVED

OCT 14 1999

Department of Water Resources
Southern RegionSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).:

Adjudication Claim No(s).:

<u>A43-00010</u>	<u>A43-00391A</u>	<u>A43-02026</u>
<u>A43-00011</u>	<u>A43-00396A</u>	<u>A43-02148</u>

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former
Owner/ClaimantVirginia BrueschPO Box 204 ALMO ID 83312

4. New Owner/Claimant(s)

William Wallace & Virginia E. Bruesch Family TrustName Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

Richard Bruesch, Trustee

City, State and ZIP Code

2513 E Loyola Dr. Tempe AZ 85282-4167

New Telephone Number

(480) 839-6738

Date you acquired the property

December 28, 1995

If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate At least, 434Number and type of stock (varus) cattleDiversion rate in CFS All Available Number of homes 2 Other uses Ground water recharge

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Signature of New Owner
or Claimant(s)W. Bruesch
Trustee10/9/99

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

CERTIFICATE OF TRUST ESTABLISHMENT
AND TRUSTEE AUTHORITY
for
WILLIAM WALLACE & VIRGINIA E. BRUESCH
FAMILY TRUST

The undersigned desire to confirm the establishment of a revocable living trust named WILLIAM WALLACE & VIRGINIA E. BRUESCH FAMILY TRUST by the Trust Agreement executed on the date below indicated by and between the undersigned VIRGINIA M. ESTES BRUESCH as Trustor and VIRGINIA M. ESTES BRUESCH as initial Trustee, for the benefit of the Trustor during his lifetime, and ultimately for the benefit of their successor beneficiaries in interest.

The following provisions are found in said Trust Agreement and may be relied upon as a full statement of the matters covered by such provisions by any one dealing with the initial Trustee or a successor.

RESERVED RIGHTS OF TRUSTOR:

While Trustor is living and neither is incapacitated, he may, from time to time, alter or amend any of the terms of the Trust Agreement by a written instrument signed by them and delivered to the Trustee.

DISPOSITIVE PROVISIONS:

(1) During their his lifetimes the Trustor is the sole life beneficiary and the exclusive recipient of the economic benefits of the trust.

(2) Upon the death of the Trustor, the entire trust becomes irrevocable and is ultimately distributable to the Trustor's heirs or other successor beneficiaries in interest.

SUCCESSOR TRUSTEE:

(1) The Successor Trustee following the death, resignation, etc. of the Trustee shall be the named Successor Trustee:

1) Janet Lee B. Tolley, William Richard Bruesch, Alan Wayne Bruesch
2)

(2) Succession of any successor Trustee shall be upon the following events and upon the following evidence, and service of a

copy of such evidence upon any third party dealing with the successor Trustee, together with a copy of this Certificate of Trust Establishment and Trustee Authority and a copy of the acceptance of appointment of the successor Trustee, shall constitute proof of the power of the successor Trustee to act in place of the predecessor Trustee without necessity of any court proceeding or decree.

(a) Death of a Trustee as evidenced by a death certificate duly issued by the appropriate office of the state in which such death occurred.

(b) Unconditional resignation of a Trustee, evidenced by an unconditional resignation in writing as provided herein, of failure to accept the trust.

(c) Incapacity of a Trustee, evidenced by:

(i) A court order rendered by an appropriate court of the place of the Trustee's then residence, holding the Trustee to be legally incapacitated to act in his own behalf or on behalf of others, or appointing a Conservator or other protective; or

(ii) Duly executed written certificate of two disinterested licensed physicians of the state of the Trustee's then residence, each certifying that such physician has examined the Trustee and concluded that by reason of illness or physical or mental disability, the Trustee had at the date of said certificate, become incapacitated to act efficiently or rationally and prudently in the management of property.

CONDITIONAL RESIGNATION:

(1) As often as the initial Trustees or any Trustee from time to time serving deems such action to be advantageous to the trust or any beneficiary, they may do any of the following by written and acknowledged instrument:

(a) Conditionally resign and appoint as substitute Trustee any individual, individuals, bank, trust company, or combination thereof, wherever situated. The substitute Trustee shall have all the powers and discretion of the Trustee and the conditionally resigning Trustee shall have no responsibility for actions taken or not taken by the substitute Trustee.

(b) Conditionally appoint and designate another individual, individuals, bank, trust company, or combination thereof to act as Trustee or Co-Trustee.

(2) Succession of a substitute Trustee or designated Co-Trustee shall be evidenced by a written, acknowledged instrument signed by the conditionally resigning or conditionally appointing Trustee, and service of a copy of such evidence upon any third party dealing with

the substitute Trustee or a designated Trustee, together with a copy of this Certificate of Trust Establishment and Trustee Authority and a copy of the acceptance of appointment of the substitute Trustee or designated Trustee shall constitute proof of the power of the substitute Trustee to act in place of the conditionally resigning Trustee or to act as a designated Trustee together with the conditionally appointing Trustee.

TRUSTEE AUTHORITY:

(1) While the Original Trustee is living, he has the unrestricted authority to conduct any business of the Trust Estate, and any asset of the Trust Estate may be acquired, titled, or conveyed.

(2) The assertion by any Trustee that he is acting either alone or with another as a qualified Trustee shall be sufficient on its face and no person shall be put to further inquiry into the right of such Trustee to so act.

(3) No purchaser from or other person dealing with the Trustee shall be responsible for the application of any purchase money or thing of value paid or delivered to it, but the receipt of the Trustee shall be a full discharge; and no purchaser or other person dealing with the Trustee and no issuer, or transfer agent, or other agent of any issuer of any securities to which any dealing with the Trustee should relate, shall be under any obligation to ascertain or inquire into the power of the Trustee to purchase, sell, exchange, transfer, mortgage, pledge, lease, distribute or otherwise in any manner dispose of or deal with any security or any other property held by the Trustee or comprised in the Trust Estate.

(4) Title to the Trust Estate shall vest in each successor Trustee by virtue of its appointment and acceptance without any further instrument of conveyance or transfer. Each successor Trustee shall have all the rights, powers, discretion, obligations and immunities of the originally named Trustee.

(5) The certificate of the Trustee that it is acting according to the terms of the Trust Agreement shall fully protect all persons dealing with the Trustee.

TRUSTEE POWERS:

The Trustee shall have the power and authority to manage and control the Trust Estate, in such manner as the Trustee may deem advisable, and he shall have, enjoy, and exercise all powers and rights over and concerning the Trust Estate and the proceeds thereof as fully and amply as though the Trustee were the absolute and unqualified owner of the same, including by way of illustration and not of limitation of the following powers:

(1) To invest in any property, including without limitation, any and all corporate obligations, preferred or common stocks, bonds, mutual funds, market funds, index funds, money market mutual funds, cash management accounts, debentures, notes, shares of investment trusts and investment companies; mortgages, deeds of trusts, interests in general and limited partnerships, real estate, and insurance contracts;

(2) To buy stocks, bonds, commodities, and similar investments on margin or other leveraged accounts and to sell short such accounts, and to buy, sell, and write, commodity, stock, or other security options, futures, hedges, short positions, options, puts, calls, straddles, or any other form of securities or commodities position, interest, or contract, and for such purposes to maintain and operate margin accounts with brokers, and to pledge any securities held or purchased by the Trustee through such brokers as security for loans or advances made to the Trustee;

(3) To convey, dispose, and sell any trust property for cash or upon credit, and to grant options to purchase;

(4) To lend, to borrow, to execute promissory notes, to secure payment of borrowing by encumbrance, pledge, and grant of security instruments, to guarantee loans to the Co-Trustors, or either of them, and to encumber or to pledge trust property for loans made to the Co-Trustors or either of them by any individual, corporation, or entity;

(5) To lease as lessor or lessee for a term which may extend beyond the term of the trust;

(6) To improve trust property;

(7) To employ and compensate investment advisers, brokers, attorneys-in-fact, realtors, and other advisers and to delegate to such persons any discretion deemed proper by the Trustee;

(8) To hold securities or other property in the Trustee's name as Trustee, in the Trustee's own name, in the name of a nominee (with or without disclosure or any fiduciary relationship), or in bearer form; and

(9) To execute any and all documents on behalf of the trust.

ADMINISTRATIVE:

(1) The situs of the trust is the State of Idaho. All questions concerning its validity, construction, and administration shall be determined under the laws thereof.

(2) All interests arising under the Trust Agreement will vest within twenty-one (21) years after the death of the last survivor of

a group composed of the Co-Trustors and all Co-Trustors' descendants living at the date of death of the first Co-Trustor to die.

(3) Reproductions of this executed original (with reproduced signatures) shall be deemed to be original counterparts of this Certificate of Trust Establishment and Trustee Authority.

IN WITNESS WHEREOF, the undersigned declare under penalty of perjury that the foregoing is true and correct and that they have executed this Certificate of Trust Establishment and Trustee Authority this 25 day of January, 1991 in Box Elder County, State of Utah.

TRUSTOR AND TRUSTEE

Virginia M. Estes Bruesch
VIRGINIA M. ESTES BRUESCH

William M. Bruesch
WILLIAM M. BRUESCH

STATE OF UTAH)
 : ss.
COUNTY OF Box Elder)

On the 25 day of January, 1991, before me, the undersigned, a Notary Public in and for said County and State, personally appeared VIRGINIA M. ESTES BRUESCH, WILLIAM WALLACE BRUESCH personally known to me to be the person(s) whose names are subscribed to the within instrument and acknowledged to me that (t)he(y) executed it.

WITNESS my hand and official seal.

[Signature]
NOTARY PUBLIC
Residing at:
My Commission Expires:

212485

110
INDEXED

FEE SIMPLE DEED

THIS INDENTURE, made on the date designated below, between VIRGINIA M. ESTES BRUESCH, (hereinafter collectively called the "Grantor"), and VIRGINIA M. ESTES BRUESCH, as Trustee of WILLIAM WALLACE & VIRGINIA E. BRUESCH FAMILY TRUST, created under agreement dated on the date designated below, whose address is: Box 204, Almo, Idaho 83312.

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, receipt whereof is hereby acknowledged, grants, bargains, sells and conveys unto the Grantee, its successors and assigns, the following parcels of land situated in Cassia, state of Idaho, more particularly described in Exhibit "A", attached hereto and made a part thereof.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging or appertaining, and every right, title or interest, legal or equitable, of the Grantor, of, in and to the same.

TO HAVE AND TO HOLD the same unto the Grantee, its successors and assigns, and to their proper use, benefit and behoove forever.

Full power and authority is granted by this Deed to the Grantee, its successors and assigns, to protect, conserve, sell, lease, encumber or otherwise manage and dispose of the real property or any part of it.

In no case shall any party dealing with the Grantee, its successors and assigns, in relation to the real estate be obliged: (a) to see to the application of any funds paid or advanced on the premises; (b) to see that the terms of the trust agreement have been complied with; (c) to inquire into the necessity or expediency of any act of the Grantee; or (d) to inquire into the terms of the trust agreement.

Every deed or other instrument executed by the Grantee, its successors and assigns, in relation to the real estate shall be conclusive evidence in favor of every person relying upon or claiming under such instrument that; (a) at the time of its delivery the trust agreement was in full force and effect; (b) the instrument was executed in accordance with the terms, conditions and limitations contained in the trust agreement and is binding upon all beneficiaries under the trust agreement; (c) the Grantee was duly authorized and empowered to execute and deliver every such instrument; and (d) if the instrument is executed by a successor or successors in trust, the successor or successors in trust have been

Any contract, obligations or indebtedness incurred or entered into by the Grantee, its successors and assigns, in connection with the real estate may be entered into as the trustee of an express trust and not individually. The Grantee, its successors and assigns, shall have no obligation whatsoever with respect to any such contract, obligation or indebtedness except only as far as the trust property and funds in the actual possessions of the Grantee, its successors and assigns shall be applicable to its payment and discharge, and all persons and corporations whomsoever and whatsoever shall be charged with notice of this condition from the date of the filing for record of this Deed.

This conveyance is made for the purpose of conveying the property herein described to a trust established by the Grantor. The sole consideration for this Deed is \$10.00. Grantor shall pay all mortgages, if any, now encumbering the property conveyed hereby, and shall be and remain solely responsible therefor. This undertaking is solely for the benefit of the Grantee, its successors and assigns, and not for the benefit of any third parties.

Virginia M. Bruesch
VIRGINIA M. ESTES BRUESCH (Signature)

On the 25 day of January, 1991, personally appeared before me VIRGINIA M. ESTES BRUESCH the signer of the above instrument, who duly acknowledged to me that he executed the same.

2

TOWNSHIP 15 SOUTH, RANGE 24 EAST OF
THE BOISE MERIDIAN, CASSIA COUNTY,
IDAHO:

2 (Section 18: ~~W $\frac{1}{4}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$~~ - see P. 60
Section 19: ~~N $\frac{1}{2}$ NE $\frac{1}{4}$~~ .
Section 20: ~~NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, -N $\frac{1}{2}$ SE $\frac{1}{4}$, -NE $\frac{1}{4}$ SW $\frac{1}{4}$.~~
Section 21: ~~N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.~~
Section 28: ~~E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, -NE $\frac{1}{4}$ NW $\frac{1}{4}$.~~

212485

RECORDED AT THE REQUEST OF

Virginia D. Druach

FILM 224

MAR 20 3 24 PM '91

CASSIA COUNTY, IDAHO

FRANK E. KILGUS

RECORDED

FEE \$2.00

20

*Box 204
Elmo Id
83812*

91

Copy
100

212486

RECORDED AT THE REQUEST OF
Virginia M. Bruesch
FILM 224

MAR 20 3 24 PM '91

CASSIA COUNTY, IDAHO
FRANK E. KEARNS
RECORDED

*Box 201
Almo, Id.
83812*

//

Index

212486

ASSIGNMENT

THE UNDERSIGNED, VIRGINIA M. ESTES BRUESCH, and WILLIAM WALLACE BRUESCH of the County of Cassia, the State of Idaho, does hereby sell, transfer and assign without consideration, all rights, title and interest which I may have in all of my personal property and household effects of every kind, including but not limited to, furniture, fixtures, appliances, furnishings, pictures, antiques, silverware, china, glass, books, jewelry, wearing apparel, automobiles, boats, mobile homes, recreational vehicles, tools, equipment and all policies of fire, burglary and property damage, and other insurance on or in connection with the above-named or any other personal property which I now own or which I may own in the future to WILLIAM WALLACE & VIRGINIA E. BRUESCH FAMILY TRUST dated as designated below, VIRGINIA M. ESTES BRUESCH, WILLIAM WALLACE BRUESCH, Trustor and/or Trustee.

IN WITNESS HEREOF I have signed this Agreement this 25 day of January, 1991.

Virginia M. Bruesch
VIRGINIA M. ESTES BRUESCH

STATE OF UTAH)
COUNTY OF Box Elder) : ss.

SUBSCRIBED AND SWORN to before me this 25 day of January, 1991.

[Signature]
NOTARY PUBLIC
Residing in:
My Commission Expires:

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: A43-02148
Date Received: 8/14/1989
Receipt No: S008837
Received By: SC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIRGINIA BRUESCH 208-824-5516
Address: P.O. BOX 204
ALMO, ID 83312

2. Date of Priority: NOV 22, 1913

3. Source: STINES CREEK Trib. to: ALMO CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	24E	18	SE	NW			CASSIA

5. Description of diverting works:
HEADGATES AND DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.460		
STOCKWATER	01/01	12/31	0.460		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15S	24E	18	SE	SE		IRR	40.0
Section Acres							40.0

A43-02148

Page 1

Date: 08/14/89

MICROFILMED
MAR 03 1993

10. Place of Use: Continued

Total Acres 40.0

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:
NONE

14. Remarks:
SPELLING OF STYNES CREEK ON USGS MAPS IS STINES AND IS USED TO
PROVIDE UNIFORM DESCRIPTION. DECREE: ALMO WATER C. v. DARRINGTON
DECLARED STINES CREEK WATER IS NOT TRIBUTARY TO ANY STREAM.
UNRECORDED EXPANSION OF 17 ACRES OVER LICENSE.

15. Basis of Claim: LICENSE
Water Right Number: 9854

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 _____

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 443-02148

Date Received _____

Receipt Number _____

RECEIVED

AUG - 8 1989

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources
Southern Region Office

RECEIVED

JUL - 5 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) VIRGINIA BRVESCA Phone (208) 824-5516Mailing Address Box 204 ALMO IDAHO Zip 833122. Date of Priority (Only one (1) per claim) NOV 22, 19133. Source of water supply (a) STYMS CREEK
which is tributary to (b) ALMO CREEK4. a. Location of existing point of diversion is: Township 15 Range 24 Section 18,
SE 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

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

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

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

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

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

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

MICROFILMED

MAR 03 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION STOCK purposes from JAN 1 to DEC 31 amount ~~246~~ 46 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .46 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is .46 acre feet per annum.

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

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	
15	24	18																40	40

Total number of acres irrigated 40

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
SEE OTHER BRWESCH FILINGS or None ()

14. Remarks:

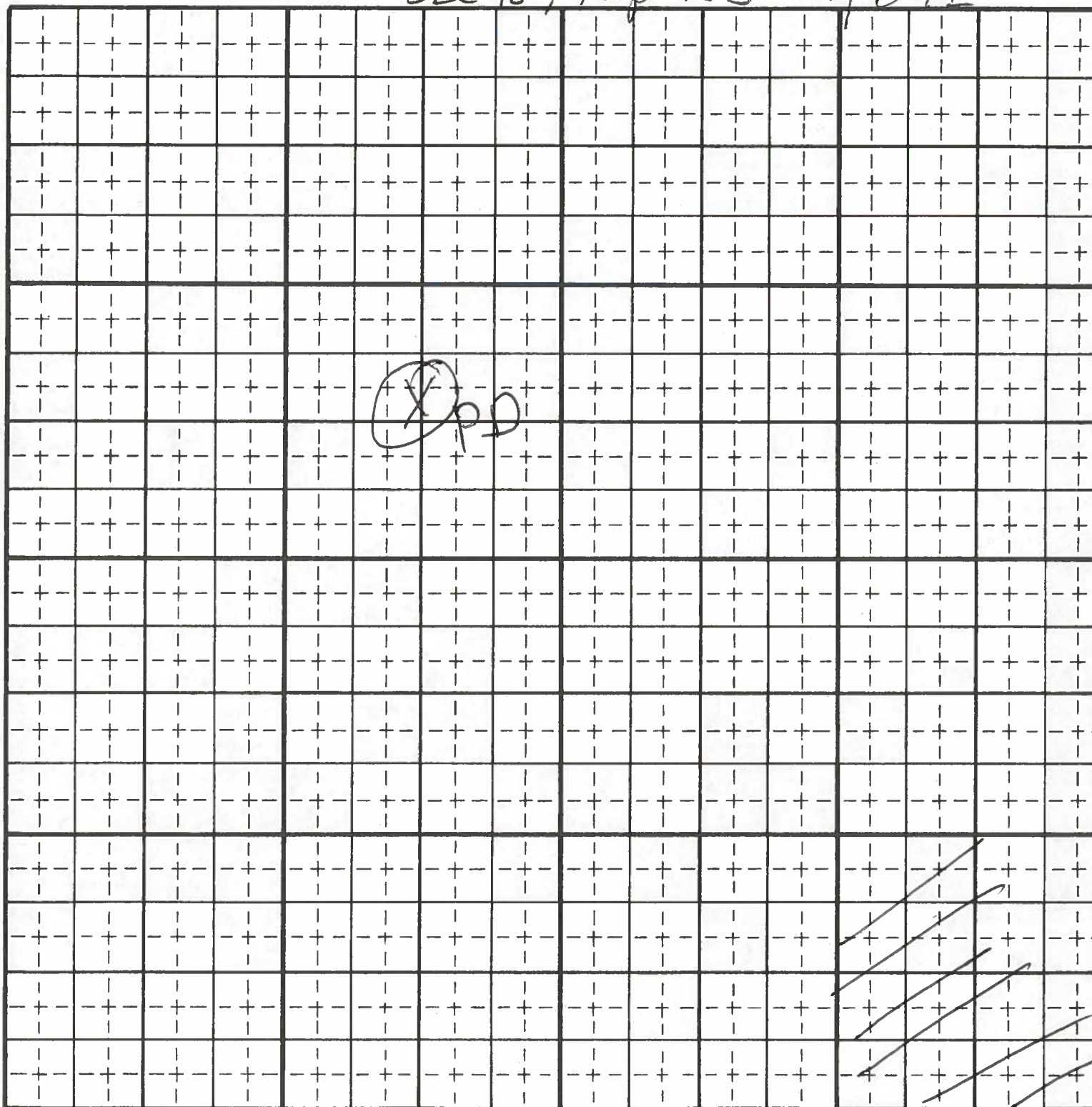
MICROFILMED
MAR 03 1993

Last Name BRWESCH Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

SEC 18, Twp 15S R9 24E



MICROFILMED

MAR 03 1993

Last Name BRVESCET Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ~~XXXX~~ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number 43-02148

Court _____ Case Number _____ Decree Date ~~XXXX~~

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 _____

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

Signature of Claimant (s) Virginia Brunch Date 8-7-89

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 _____)
County of CASSIA) SS.

Subscribed and sworn (or affirmed) before me this 5th day of AUGUST 19 89

SEAL

Notary Public William A. Parsons

Residing at Burley Idaho

My Commission Expires Life

Please Print Name

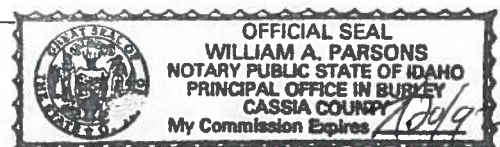
17. Notice of Appearance:

Notice is hereby given that I, WILLIAM A. PARSONS 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 William A. Parsons

Address Box 910 Burley Idaho 83318

Date 8-7-89



MICROFILMED

Last Name _____ Ident. Number _____

MAR 03 1993
Copies White-State, Yellow-Claimant

Water Right Number - 43-02148

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 9854

*** C - CURRENT OWNER ***
 DUFFEE
 LORENZO

1 -
 2 -
 3 -
 City- ALMO
 Phone -

State- ID Zip-

Priority Date - - - +
 11/22/1913 17

Stage - - - +
 L - LICENSE

Status - - - +

Source - - - - - +
 STYNES CREEK
 LONE ROCK CREEK

Tributary - - - - - +
 ALMO CREEK
 ALMO CREEK

Twn Rng Sec Tract Lot RFlg County
 15S 24E 7 NE SW (31) CASSIA
 15S 24E 18 NW NE (31) CASSIA

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

01 - IRRIGATION
 43 - DOMESTIC

0.460

Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - +
 0.460

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15S	24E	17	NW SW		12.0	01	IRRIGATION	(31) CASSIA
15S	24E	17	SW SW		5.0	01	IRRIGATION	(31) CASSIA
15S	24E	18	SE SE		6.0	01	IRRIGATION	(31) CASSIA

Total Acres: 23.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

REMARKS
 SPELLING OF STYNES CREEK ON USGS MAPS IS STYNES AND STEINS.
 LICENSE INCORRECTLY DESCRIBES POINT OF DIVERSION AS STYNES CK.,
 SOUTH FORK.

MICROFILMED

MAR 03 1993

Adj. flag translation: Standard Water Right Number

[illegible]

+ - - - Decree Defendant - - +

+ - Decree Date
00/00/0000

+ - - Audit Fields -

+-----Water Rights Dates and Flags Area

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Pretested Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	-
Start Work Date	00/00/0000	Verified Date	04/08/1985	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	-	Water District	-
Licensed Date	06/28/1979	Appl Received	00/00/0000	Transfer/Amended	-
Decree Date	00/00/0000				

MICROFILMED
MAR 03 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

William Parsons
P.O. Box 910
Burley, ID 83318

7-5-89
RECEIVED

AUG - 8 1989

Department of Water Resources
Southern Region Office

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and ~~your check~~ # No Check for \$ _____ which you submitted to our office. I am returning these pursuant to rule 10,4 of the Department's Adjudication Rules and Regulations. In checking your claim it appears that the following items need clarification:

- (✓) Item #2. Priority date (day/month/year)
 - (✓) Item #4. Point of Diversion Legal Description
 - () Item #6. Uses descriptions
 - () Item #9. Description of Non-irrigation uses
 - (✓) Item #10. Place of Use Legal Description
 - (✓) Item #16. Signature & Notarization
 - (✓) Improper fee (THE CORRECT FEE IS \$ _____ \$50/claim + \$1/ACRE)
 - (✓) Other or Remarks
- NEED 1/4-1/4 Descriptions

Complete p/u with ACRES irrigated
within each 40 acre tract.

If you will make the necessary corrections and return your claim with the correct fee and a copy of this letter within 30 DAYS of the date of this letter, your filing will be considered timely and will not be assessed an additional late fee of \$ 50.00.

Sincerely,

Steve Clelland
Water Right's Agent

enc:

MICROFILMED

MAR 03 1993

Index

202961

2265.890030

PARSONS, SMITH, STONE & FLETCHER
Attorneys for Estate
137 West 13th Street
P. O. Box 910
Burley, Idaho 83318

Telephone number (208)678-8382

RECEIVED

AUG - 8 1989

Department of Water Resources
Southern Region Office

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA
MAGISTRATE DIVISION

Estate of) Case No. ES-89-7-63
WILLIAM W. BRUESCH,) LETTERS TESTAMENTARY
Deceased.)

The will of William W. Bruesch, having been admitted to
informal probate, Virginia M. Bruesch is hereby appointed
Personal Representative of the estate.

WITNESS: Roy C. Holloway, Magistrate of the District
Court, County of Cassia, State of Idaho with the seal of the
Court affixed this 5th day of July, 1989.

Magistrate

MICROFILMED

MAR 03 1993

PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

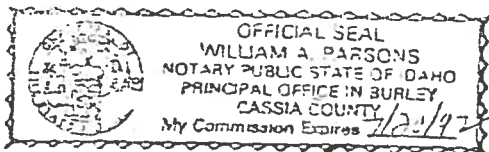
PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

1 STATE OF IDAHO)
2) ss
3 County of Cassia)

4 I, Virginia M. Bruesch, hereby accept the duties of
5 Personal Representative of the estate of William W. Bruesch,
6 deceased, and do solemnly swear that I will perform, according
7 to law, the duties of Personal Representative of the Estate of
8 William W. Bruesch, deceased.

9 Virginia M. Bruesch
Virginia M. Bruesch

10 June SUBSCRIBED AND SWORN to before me, this 26 day of
11 1989.



12 William A. Parsons
13 Notary Public for Idaho
14 Residing at _____
15 My Commission Expires: _____

16 25th July 1989
17
18 By pm
19 _____
20 _____

21
22
23
24
25
26
JUL 17 3 56 PM '89
CASSIA COUNTY, IDAHO
FRANK S. KEARNS
RECORDED
INDEXED
Burley, Idaho
823318

21 State of Idaho) ss.
22 County of Cassia)
23 I hereby certify the foregoing
24 to be a full, true and correct
25 copy of the original on file
26 in the above entitled action.

DATED 7/7/89

Frank S. Kearns
Clerk of the District Court

BY J. Marshall
Deputy

MICROFILMED
MAR 03 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Aug. 25, 1989

WILLIAM A PARSONS
P O BOX 910
BURLEY ID 83318

Re: A43-00010
A43-00011
A43-00396A
A43-00391A
A43-02148
A43-02026

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
MAR 03 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 3, 2000

Richard Bruesch, Trustee
William Wallace & Virginia E. Bruesch Family Trust
2513 E. Loyola Drive
Tempe, AZ 85282-4167

RE: Snake River Basin Adjudication (SRBA)

Dear Rich,

Enclosed please find your receipt for fees as well as copies of the eight new stockwater claims and one groundwater recharge claim filed in the SRBA. I am also including profile reports of the previously existing claims as they are now amended. I have taken the liberty of forwarding copies of the enclosed to your attorney, William Parsons, for his records. Please note that one of the claims for stockwater, located on Walters Creek Spring, is actually in IDWR Administrative Basin 45 (Goose Creek drainage), and will not be included in the upcoming Basin 43 Director's Report. We are scheduled to begin our review of claims in Basin 45 sometime next year.

I have made some progress in reviewing your claims on Graham and Stines Creeks. Cindy and I came up with some calculations of maximum capacity for both streams. I believe that the most liberal estimate of capacity is most in keeping with the stated use of *all* the water of Graham Creek. Based upon the information I have, I am planning to recommend 5.56 cfs as a diversion rate for your claim A43-00010 on Graham. That is not up to the standard of 1 inch (0.02 cfs) per acre for the number of acres we determined were actually irrigated, but I believe it is a valid representation of the diversion rate used on the ranch. For winter groundwater recharge claim A43-11212, I am recommending the exact rate of discharge that we measured on September 20, 1999, which is 0.42 cfs. I believe that you described the rate of flow that day as typical of winter flow in Graham Creek.

Regarding your Stines Creek claim number A43-00011, I am currently recommending 1.6 cfs, which is 1 inch per acre on the 80 acres found irrigated in section 18. For your information, we estimate the maximum capacity of the Hogland Ditch from Stines Creek at 2.74 cfs. Obviously, a small amount of water is being used to maximum benefit by everyone on the Stines Creek system.

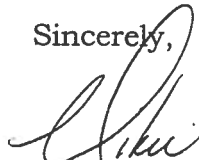
I am sending you some exhibits that I used to determine the priority dates of use on Stines and Graham. An affidavit signed in 1939 stipulates that the Hogland Ditch system from Stines Creek was first put to use in 1880, and I

am recommending an 1880 priority date for all the Stines Creek claims. The adjudication claims we received from your Mother, Ivan Darrington, Ted Tracy and Neil Durfee all used the date 3-17-1879, which is a miss-interpretation of the 1970 Almo Water Company -v- Darrington Decree (see section IV). If you don't have a copy of this decree handy, let me know and I'll send you one.

The document I'm using as proof of priority for water use on Graham Creek is the Kirk -v- Bartholomew Decree from 1893, which grants a water right to George Graham with a priority date of 4-30-1881. This decree was superceded by the 1928 Jobe Adams Decree in which that same water right was decreed to Almo Water Company. It gets complicated by probable errors in source descriptions and possible errors in land descriptions within both decrees, but it does provide evidence that George Graham was using water, probably Scythe (Graham) Creek water, on land within a portion of the ranch, in 1881. I am also enclosing an agreement signed in 1893 which indicates that the water referred to in the Kirk decree is actually Graham Creek, not Almo Creek.

I hope that the foregoing information will help explain my eventual recommendations to you. If you have any concerns or questions please don't hesitate to contact me, or to have Mr. Parson's contact me if you wish to have any of these documents more closely reviewed.

Sincerely,

A handwritten signature in cursive script, appearing to read "V. Hancock", written in black ink.

Vikie Hancock
Water Resource Agent



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 3, 2000

William A. Parsons
P.O. Box 910
Burley, Idaho 83318

RE: Snake River Basin Adjudication (SRBA)
Claims for William and Virginia Bruesch Family Trust

Dear Mr. Parsons:

Please find enclosed, copies of nine new claims filed in the Snake River Basin Adjudication by Richard Bruesch, Trustee of the Bruesch Family Trust. Please note that one of the claims for stockwater usage is located in IDWR Administrative Basin 45, and will not be included in the upcoming basin 43 Director's Report to the Court.

Also enclosed, for the purpose of updating your records, are profile reports of three claims originally filed in 1989 and recently amended by Mr. Bruesch.

If you have any concerns or questions after reviewing the enclosed documents, please don't hesitate to contact me at this office.

Sincerely,

Vikie Hancock
Water Resource Agent

Hancock, Vikie

From: Richard Bruesch [rbruesch@az.rmci.net]
Sent: Thursday, January 20, 2000 7:50 AM
To: Hancock, Vikie
Subject: SRBA Claims, Bruesch Ranch

Vikie,

Thank you for your prompt acknowledgment of receiving the claims package that we recently sent to you. Hope that the data entry goes well and that you can read my scribbling.

With regards to the amendments to the claims already on file:

A43 - 00010: Agree that stockwater as a use needs to be added and that 15 acres be added in NE of NE of S19.

A43 - 00011: Agree to add Stockwater as a use.

A43 - 02148: Agree to change source from Stines Creek to Lone Rock Creek, and change Remarks to read Lone Rock Creek is identified as South Fork Stines Creek in older records. The place of use should be 160 acres in Section 18, 40 each in the NW of NE (not NW NW), SW of NE, SE of SE, and NE of SE.

A43 - 02026: Agree with your statement in your 1/18/2000 email that use is stockwater use only at 0.06 cfs.

A43 - 00396A and A43 - 00391A: We confirm that no water from Almo Creek is used on the ranch, in fact the nearest irrigation canal carrying Almo Creek water passes below the eastern ranch property line. We agree that these two claims should be disallowed.

Thanks again for your help.

Rich

Hancock, Vikie

To: Bruesch, Richard
Subject: SRBA Claims

Richard,

I received your check for \$250.00 along with 8 claims for year-round stockwater and 1 claim for groundwater recharge during the non-irrigation season. I'll process those in the next couple of days, and send you printed Claim Forms. A quick inspection didn't find any filing problems with any of them but if I have questions when I go to do the data entry, I'll be in touch.

You mentioned revised claims in your email to me, and I wanted to verify that you wish to go ahead with the amendments that we talked about at our meeting at the ranch September 22nd. The amendments were as follows:

A43-00010 - Add stockwater as a Use
Add 15 acres in NE NE Sec 19

A43-00011 - Add stockwater as a Use

A43-02148 - Change source from Stines Cr. to Lone Rock Creek
Change remarks to read *Lone Rock Creek is identified as S. Fk. Stines Creek in older records.*
Change the Place of Use to 160 acres in Sec 18 - Specifically: 40 acres in the NWNW, SWNE, SENE, and NESE.

As soon as I know for sure that you want to proceed with these amendments, I'll complete the changes and send you copies of these revised claims, also.

In regard to claim A43-02026 - based upon a licensed diversion of 0.06 cfs, perfected by Theopholis Green for stockwater and the irrigation of 3 acres - I want to confirm that, per our meeting, my recommendation will be the right is more accurately described as stockwater use only, with a diversion rate of the licensed 0.06 cfs. Also, it was determined at the meeting on September 22nd, that no water from Almo Creek is used on the ranch, therefore claims A43-00396A and A4300391A should be disallowed.

I've had some feedback from Cindy at the State Office regarding the projected maximum capacity of Graham and Stines Creeks, so hope to come up with a figure to base my recommendation on sometime soon. Let me know about the amendments as soon as possible.

Vikie Hancock
IDWR

COMMUNICATION DOCUMENTATION

From: Vikie Hancock
1999

September 28,

Regarding:

SRBA Claims

Customer:

Richard Bruesch

[illegible]

Claimant called regarding a conversation with the office of his attorney, Bill Parsons. Richard stated that his sister expressed the opinion that their parents had already filed on all their water rights including all the stockwater on private and federal land. Richard called Parson's office and was told there were numerous water right files there, but he was unable to talk to Parsons, as the atty was out of the office. I told him that I would double check to see if there were any other claims here, and he was going to talk to Parsons later in the week. He told me to hold all the amendments he had made to his irrigation claims until he spoke to Parsons. I told him that, until I rec'd copies of the Trust documents conveying ownership to the siblings, that I could do nothing, anyway, and so I would keep everything on hold.

Subsequent checks of both AJ and WR statewide data bases under any possible spelling of the name Bruesch found no other claims in that name. I will await more info from Parsons or the claimant.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 24, 1999

Richard Bruesch
2513 E. Loyola Dr.
Tempe, AZ 85282

RE: Snake River Basin Adjudication (SRBA)
Various Claims

Dear Richard,

Enclosed are two competing claims for stockwater uses that you identified, and intend to file upon. In addition, there is one license issued to the BLM that they failed to file upon in the Adjudication. I believe this claim has an error in the location of the place of use, and that it actually corresponds to one of the ponds you intend to file upon in section 21 T15S R24E. The information may assist you in describing your stockwater claim.

I inquired on the best way to file claims on the two ponds. They can be claimed as two distinct and separate places of use with two separate points of diversion on one claim for stockwater storage and stockwater from storage. A claim for instream stockwater could not be combined with that, but would have to be on a separate claim and identify the beginning and ending points of the reach. Also, if you want to claim instream stockwater on your private property along Little Cove Creek, you do not want to combine that with a claim that includes uses on Federal land. Please note that, for some reason, these Federal Claims were not included in our first Director's Report, and so will be recommended to the Court concurrent with your claims.

I am also enclosing another Change of Ownership form, as I failed to remind you that we need to have this form completed and returned along with the trust documents that we went over. Again, only one trustee's signature will be sufficient.

The GIS print-outs include the acreage that you and Cordell noted and we agreed to add to your total irrigated place of use. These are still drafts, but are a good representation of the final product.

One final thing: our IDWR web site is www.idwr.state.id.us/. The SRBA web site is www.srba.id.us/. A good book on general Idaho water law is Handbook on Idaho Water Law by Givens Pursley LLP, PO Box 2720, Boise, Idaho 83701-2720.

It was a pleasure working with you, don't hesitate to call if I can be of any assistance.

Sincerely,

Vikie Hancock
Water Resource Agent

05/22/2002

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

RIGHT NUMBER: 43-2148

NAME AND ADDRESS: WILLIAM & VIRGINIA BRUESCH FAMILY TRUST
RICHARD BRUESCH TTEE
PO BOX 40280
MESA AZ 85274-0280

SOURCE: LONE ROCK CREEK

TRIBUTARY: ALMO CREEK

QUANTITY: 0.460 CFS

USE OF THIS RIGHT WITH RIGHT LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.60 CFS. COMBINED RIGHT NO.: 43-00011.

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 11/22/1913

POINT OF
DIVERSION: T15S R24E S18 NENWNE Within CASSIA 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	04/01 10/31	0.460 CFS

PLACE OF USE: STOCKWATER Within CASSIA County

T15S R24E S18	NWNE	T15S R24E S18	SWNE
T15S R24E S18	SENE	T15S R24E S18	NESE
<u>IRRIGATION Within CASSIA County</u>			
T15S R24E S18	NWNE	T15S R24E S18	SWNE 18.0
T15S R24E S18	SENE 41.0	T15S R24E S18	NESE 17.0

79.6 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 23 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH
RIGHT NO. 43-00011 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 80
ACRES 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 - License

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

COPY

2002 MAY 24 AM 11:28

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

**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	)	SUBCASE NO. 43-10, 43-11, 43-391A,
	)	43-396A, 43-2026, 43-2148, 43-11204,
Case No. 39576	)	43-11205, 43-11207, 43-11208, 43-11209,
	)	43-11210, 43-11211, 43-11212
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

Name and New Address of Claimant:

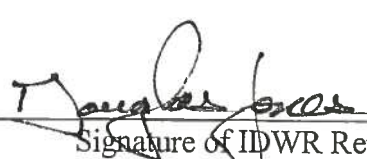
William & Virginia Bruesch Family Trust
Richard Bruesch Trustee
PO Box 40280
Mesa AZ 85274-0280

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: _____

5/23/02



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/24, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
William & Virginia Bruesch Family Trust
Richard Bruesch Trustee
PO Box 40280
Mesa AZ 85274-0280
3. One Copy to:
Each party in the subcase or attorney of record:
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 24, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM & VIRGINIA BRUESCH FAMILY TRUST
RICHARD BRUESCH TRUSTEE
PO BOX 40280
MESA AZ 85274-0280

RE: SRBA Claim(s) 43-10, 43-11, 43-391A, 43-396A, 43-2026
 43-2148, 43-11204, 43-11205, 43-11207,
 43-11208, 43-11209, 43-11210, 43-11211,
 43-11212

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

NCAD
RECEIVED

APR 08 2002

Department of Water Resources
Southern Region

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Claim Number(s):

43-10 | 43-11 | 43-2148 | 43-2026 | 43-11204 | 43-11025
43-11207 | 43-11208 | 43-11209 | 43-11210 | 43-11211

~~43-12908~~ 43-11212, 43-391A, 43-396A

Previous Mailing Address:

William & Virginia Bruesch Family Trust
Richard Bruesch, Trustee
2513 E Loyola Dr
Tempe AZ 85282-4167

New Mailing Address:

William & Virginia Bruesch Family Trust
Richard Bruesch, Trustee
P O Box 40280
Mesa AZ 85274-0280

Telephone Number:

(480) 839-6738

Signature of Claimant(s):

W R Bruesch

4/2/2002

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

SS
ADDRESS FM
Revised 12/13/1999

IDWR Use Only:
Data Entry: *[Signature]*

Date: 4/24/02

CID 46838

05/11/2001

**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: 43-2148

WILLIAM & VIRGINIA BRUESCH FAMILY TRUST
RICHARD BRUESCH TTEE
2513 E LOYOLA DR
TEMPE AZ 852824167
Telephone Number: (480)839-6738

RECEIVED
JUN 06 2001
Department of Water Resources
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:

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

DATE: 5/31/01 SIGNATURE: WR Bruesch
Please print your name: William Richard Bruesch, trustee

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

01/26/2001

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

RIGHT NUMBER: 43-2148

NAME AND ADDRESS: WILLIAM & VIRGINIA BRUESCH FAMILY TRUST
RICHARD BRUESCH TTEE
2513 E LOYOLA DR
TEMPE, AZ 852824167

SOURCE: LONE ROCK CREEK TRIBUTARY: ALMO CREEK

QUANTITY: 0.46 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.60 CFS. COMBINED RIGHT NO.:
43-00011

PRIORITY DATE: 11/22/1913

POINT OF DIVERSION: T15S R24E S18 NENWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-01 10-31	0.46 CFS
STOCKWATER	01-01 12-31	0.02 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County				
T15S R24E S18	NWNE	3.6	T15S R24E S18	SWNE 18
T15S R24E S18	SENE	41	T15S R24E S18	NESE 17
STOCKWATER Within CASSIA County				
T15S R24E S18	NWNE		T15S R24E S18	SWNE
T15S R24E S18	SENE		T15S R24E S18	NESE

79.6 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 23 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON. USE OF THIS RIGHT WITH RIGHT NO. 43-00011 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 80 ACRES 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.

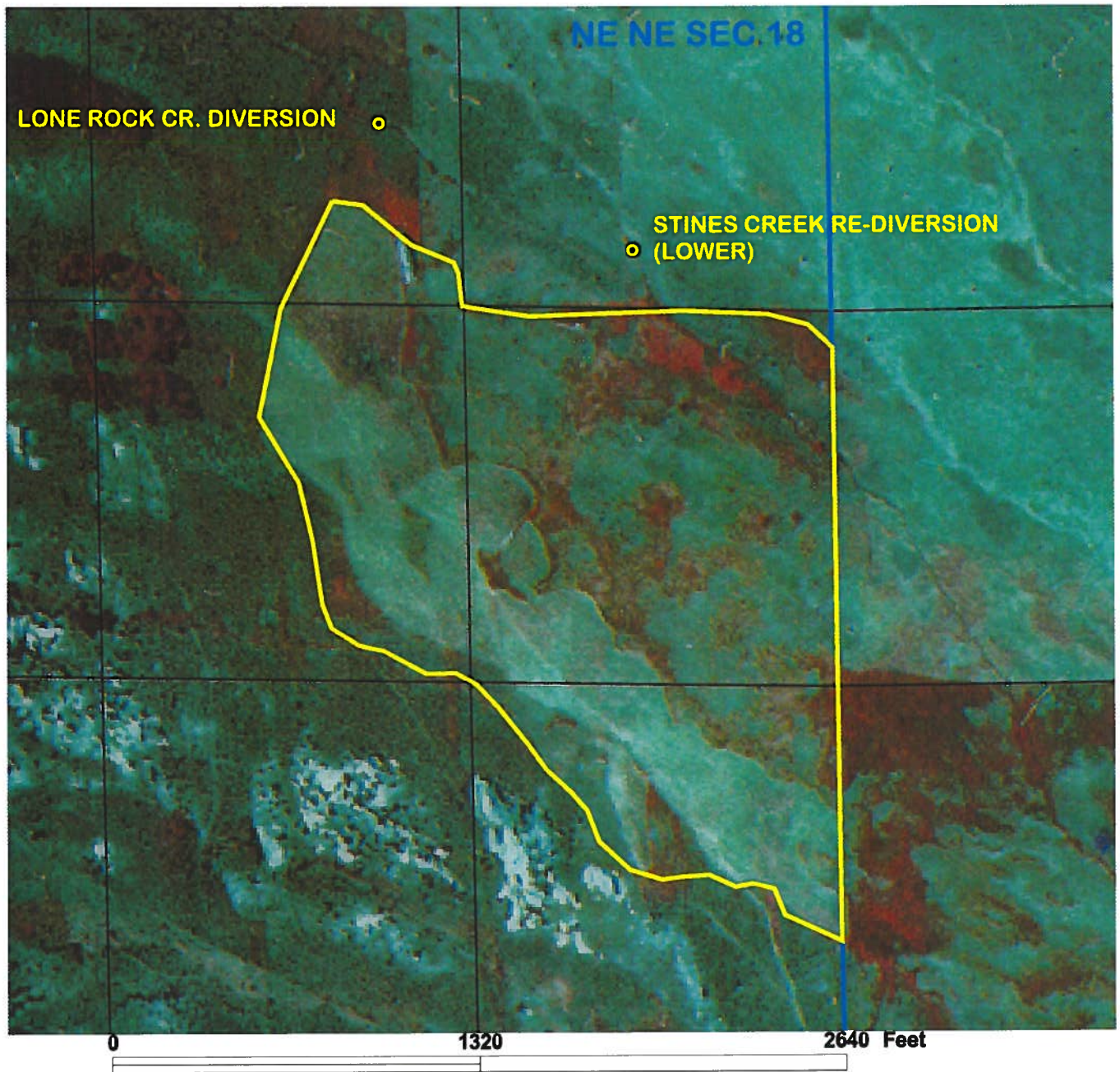
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Idaho Department of Water Resources

RIGHTS: 43-02148 and 43-00011

RECOMMENDED PLACE OF USE
TWP 15S, RNG 24E SEC 18
Data entry on January 21, 2000



● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY

DATA ENTRY BY VIKIE HANCOCK

Hancock, Vikie

From: Richard Bruesch [rbruesch@az.rmci.net]
[rbruesch@az.rmci.net]

Sent: Thursday, January 20, 2000 7:50 AM

To: Hancock, Vikie

Subject: SRBA Claims, Bruesch Ranch

Vikie,

Thank you for your prompt acknowledgment of receiving the claims package that we recently sent to you. Hope that the data entry goes well and that you can read my scribbling.

With regards to the amendments to the claims already on file:

A43 - 00010: Agree that stockwater as a use needs to be added and that 15 acres be added in NE of NE of S19.

A43 - 00011: Agree to add Stockwater as a use.

A43 - 02148: Agree to change source from Stines Creek to Lone Rock Creek, and change Remarks to read Lone Rock Creek is identified as South Fork Stines Creek in older records. The place of use should be 160 acres in Section 18, 40 each in the NW of NE (not NW NW), SW of NE, SE of SE, and NE of SE.

A43 - 02026: Agree with your statement in your 1/18/2000 email that use is stockwater use only at 0.06 cfs.

A43 - 00396A and A43 - 00391A: We confirm that no water from Almo Creek is used on the ranch, in fact the nearest irrigation canal carrying Almo Creek water passes below the eastern ranch property line. We agree that these two claims should be disallowed.

Thanks again for your help.

Rich

8/29/2001

RECOMMENDATION NOTES

From: Vikie Hancock

1/21/00

Regarding: Claim number A43-02148

This claim is based upon a 1913 license for 0.46 cfs on 23 acres. The licensed acres were originally the SWSW Sec 17, NWSW Sec 17 and SESE Sec 18, all T15S, R24E. The source was originally from S. Fk. Stines Creek – currently known as Lone Rock Creek (0.12 cfs) and also from Stines Creek (0.34 cfs).

The adjudication claim is for 0.46 cfs on 160 acres. There has been an accomplished change of place of use and an accomplished partial change of source. The claim also stated there was an expansion of acres, but I found no expansion, as there was no change in the method of irrigation that would indicate an increase in water use efficiency.

During my field exam, I observed that the Bruesch ranch diverts the entire flow of Lone Rock Creek into a ditch that runs laterally along the hillside to their hayfield in the NE ¼ of section 18. There was water in the creek, but it was apparent that the creek and ditch had a much greater capacity. I estimated that the ditch would convey the licensed 0.46 cfs., which concurs with notes regarding capacity on the original license.

Evidence supporting the accomplished change of place of use includes 1987 Napp photography and 1976 orthophotoquad, both in file, and 1956 aerial photo shown to me by claimant during my second field exam. This 1956 aerial photo clearly showed the diversion from Lone Rock creek and the ditch from it to the current place of use. The original licensed place of use included one tract subsequently purchased by claimant's father, and two tracts currently owned by Ivan Darrington. Claimant's right to change the licensed place of use was supported by oral testimony from long time resident Zen Taylor who also owned land adjacent to the Bruesch ranch (including the tracts now owned by Darrington) in the recent past. Taylor's statement was that his predecessor in interest, the Rice family, traded rights to the water in Lone Rock Creek to Bill Bruesch for use on the Bruesch Ranch. This same Rice is the party that traded shares in Stines Creek to Bill Bruesch. All water users owning land that the Lone Rock Creek channel passes through are aware that the Bruesch Ranch diverts it.

The original claimant, the late Virginia Bruesch assisted by Mr. Parsons, her attorney, did not claim Lone Rock Creek as the source for this license or any other right. Her son, Richard Bruesch, could only speculate that she was unaware of the oversight and confused by the source listed in the original license. Richard Bruesch's memories are that the ranch had a right to all the water of Lone Rock Creek and that the water diverted from Stines Creek has

always been recognized as one of the original 20 shares, having the same priority date as all other rights on Stines Creek, and so should not be included in this claim with a 1913 priority date. He amended this claim to reflect what has been the long standing practice of water use from Stines and Lone Rock Creeks on the ranch, which is the diversion of the entire flow of Lone Rock Creek, and the rotation of use of Stines Creek in equal cooperation with the other share holders. Based upon the information available, my recommendation is that an accomplished partial change of source has occurred. The 0.34 cfs of water originally diverted from Stines Creek via the Hogland ditch is now diverted from Lone Rock Creek making a total of 0.46 cfs diverted from Lone Rock Creek. Claimant's right to Stines Creek is claimed under A43-00011.

As stated earlier, I found no expansion of acres under this right, but do recommend that these 23 acres be included in an 80 acre permissible place of use.

CLAIM NUMBER: A43-02148

TOTAL DIVERSION:	0.46 CFS	
CONSUMPTIVE USE:		120.00 AFA

Stage: LICENSE

CASSIA County

MEMBERS

TOTAL ACRES

2018

POU County: CASSIA

Non-Irrigation Uses: STOCKWATER

Other Rights: NONE

REMARKS: SPELLING OF STYMES CREEK ON USGS MAPS IS STINES AND IS USED TO PROVIDE UNIFORM DESCRIPTION. DECREE: ALMO WATER C. V. DARRINGTON DECLARED STINES CREEK WATER IS NOT TRIBUTARY TO ANY STREAM. UNRECORDED EXPANSION OF 17 ACRES OVER LICENSE.

Dates: **Exam Made Date:** **Verified Date:** **04/08/1985**

Misc:	Water District Number:	Field Inspection Flag:

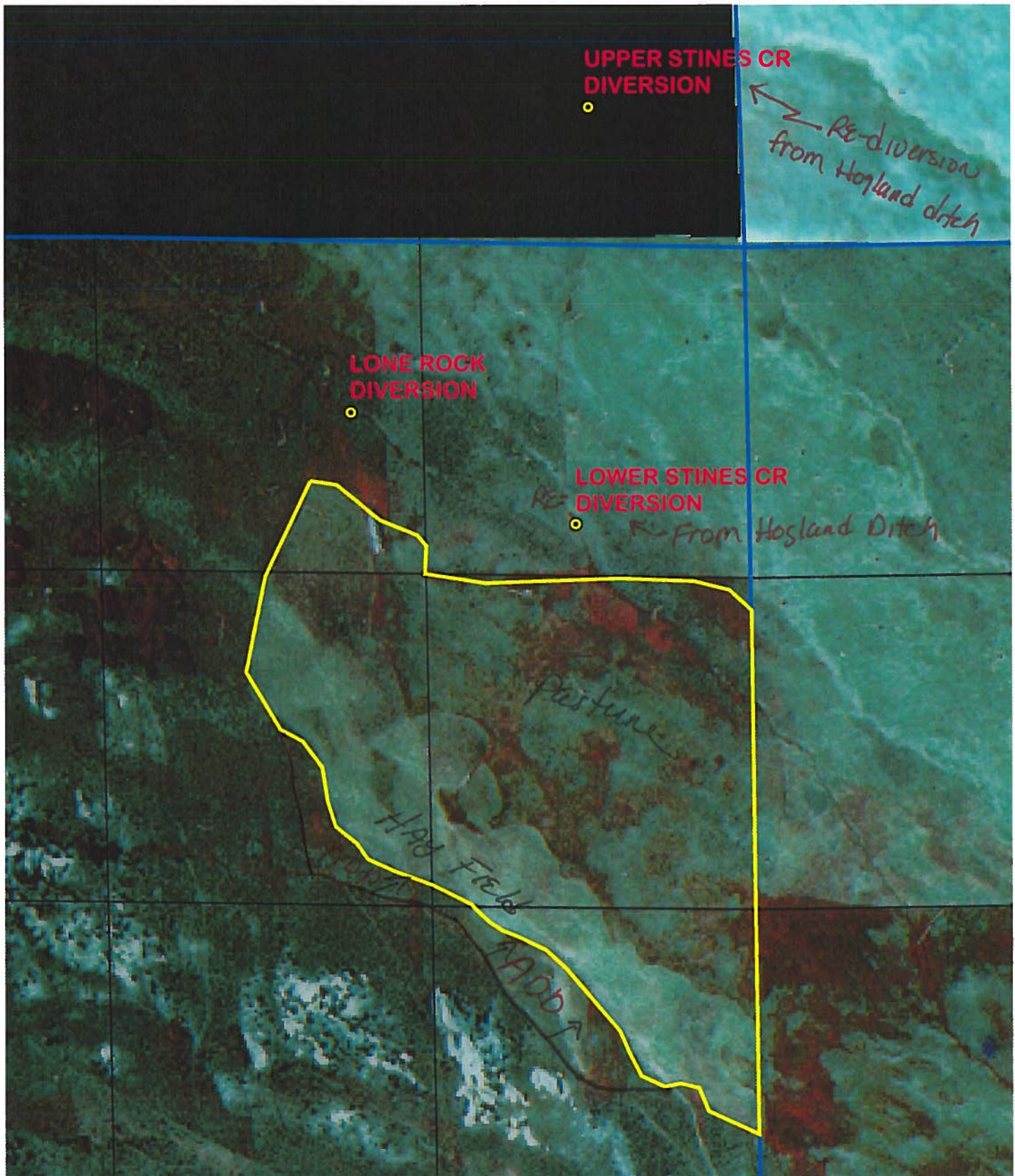
Do after
00011

FILE NOTES

CLAIM NO(S): 43-00011, 43-02148

DATE: 09-21-1999

72.3 acres



IDWR

V. HANCOCK

1987/88 NAPP PHOTOGRAPHY

ADD Per claimant 9-22-99

SEE F.E. W/43-00011.

43-0214P

1913 License

Accomplished Transfer of Source:

From: Stines Creek .34 cfs
Lone Rock Cr .12 cfs

To: Lone Rock Creek .46 cfs

Accomplished Transfer of Place of Use:

From: SESE Sec 18 6ac
SWSW Sec 17 5ac
NW SW Sec 17 12ac } 23 ac

To: NW NE Sec 18
SW NE Sec 18
SE NE Sec 18 } 23 ac ppu

Lone Rock Creek = S. Fk Stines Cr of license
Lone Rock not covered by any decree

V.H.

Stream: Stynes Creek and South Fork of Stynes Creek.
Amount: 23/50 of 1 cu.ft.
Use: Irrigation
Priority: November 22, 1913

STATE OF IDAHO

Water License No. 9854

DECRE

WHEREAS, On the 22nd day of November, A. D. 1913,

Lorenzo Durfee

of Almo, County of Cassia, State of Idaho, duly made application (No. 14665) to me for a permit to use 2 cubic feet per second of the waters of Stynes Creek and 4/10 of 1 cubic foot per second of the waters of South Fork of Stynes Creek, County of Cassia, State of Idaho, for Irrigation and domestic purposes, and

WHEREAS, On the 17th day of December, A. D. 1913, Permit No. 9854 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 17th day of June, A. D. 1914, and for the application to beneficial use of said water on or before the 17th day of June, A. D. 1914, and,

WHEREAS, On the 10th day of February, A. D. 1914,
Lorenzo Durfee

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 2.4 cubic feet per second of said waters, as evidenced by my Certificate No. 9854 dated February 25, 1914, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.4 cubic feet per second of said water, with date of priority of November 22, 1913, and

WHEREAS, On the 20th day of April, A. D. 1914,
Lorenzo Durfee

the holder of said permit, duly made proof of the application to beneficial use of 23/50 of 1 cubic foot per second of said water.

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Lorenzo Durfee

of Almo, County of Cassia, State of Idaho, the holder and owner of said Permit No. 9854, a perpetual right, dating from November 22, 1913 to the use of 17/50 of 1 cubic foot per second of the waters of Stynes Creek, and 6/50 of 1 cubic foot per second of the waters of South Fork of Stynes Creek.

in the County of Cassia and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted from Stynes Creek at a point in the NW¹/₄ of SW¹/₄, Sec. 7, and from South Fork of Stynes Creek at a point in the NW¹/₄ of NE¹/₄, Sec. 10, T. 15 S., R. 24 E.B.M.,

and conducted to and upon 23 acres, divided as follows: 12 acres in the NW¹/₄ of SW¹/₄ and 6 acres in the SW¹/₄ of SW¹/₄, Sec. 17, and 6 acres in the SE¹/₄ of SE¹/₄, Sec. 10, T. 15 S., R. 24 E.B.M.,

for the purpose of Irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 20th day of June
A. D. nineteen hundred and fourteen.

F. P. ZING

(Seal)

43 2148

State Engineer.

REPORT OF ENGINEER

1. State name of applicant and number of permit: *Lorenzo Dunfee #1*
2. State source of water supply: *So Fork Stynes Cr. & Spring*
3. Location of point of diversion: *NW 1/4 S. 16 & NE 1/4 S. 17, T. 15 N. R. 27 E*
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *Yes*

5. Describe works as they exist, giving dimensions of same as follows:

(a) Width of conduit at bottom: *Both 6"*

(b) Width at water line: *8"*

(c) Depth of water: *6"*

(d) Grade per mile: *100'*

(e) Capacity of ditches: *20" x 2 = 40"* second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent: *To full extent*

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *1/2 SW 1/4 S. 17 & SE 1/4 S. 18*

T. 15 N. R. 24 E
Land in crop: 1/2 NW 1/4 S. 17, 1/2 SW 1/4 S. 18
Total 23 acres

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

RECEIVED

JUN 22 1914

OFFICE OF STATE ENGINEER

STATE OF IDAHO,

County of _____

J. M. Burkett
June 8, 14

ss.

_____, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____

191

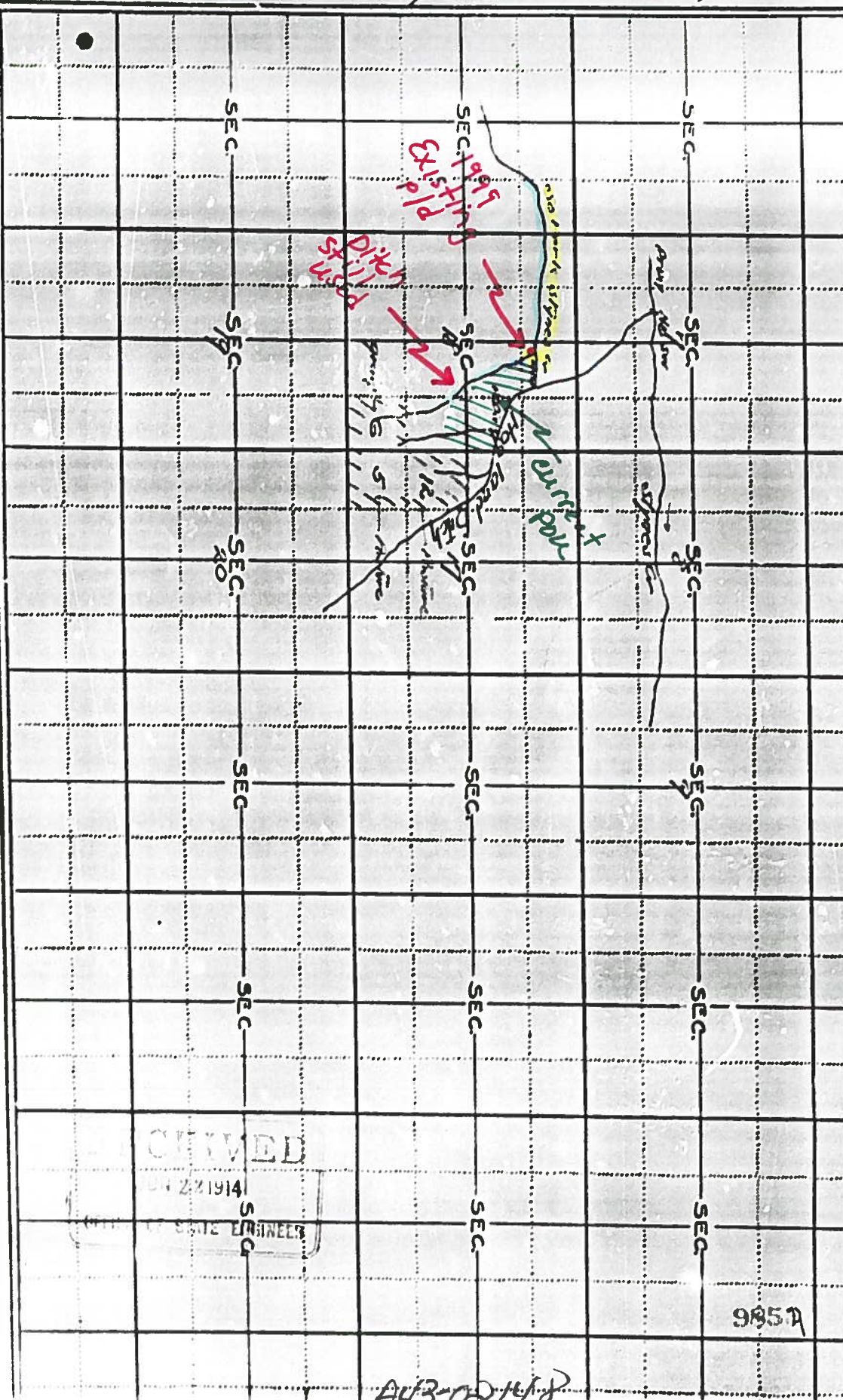
My Commission Expires _____

Notary Public

985A

A43-62148

Name of Applicant Lorenzo Durfee Permit # 9854



9854

A43-02148

UNITED STATES
BUREAU OF LAND MANAGEMENT
BIOLOGICAL SURVEY

R23E R24E

1976 Flight

274

275

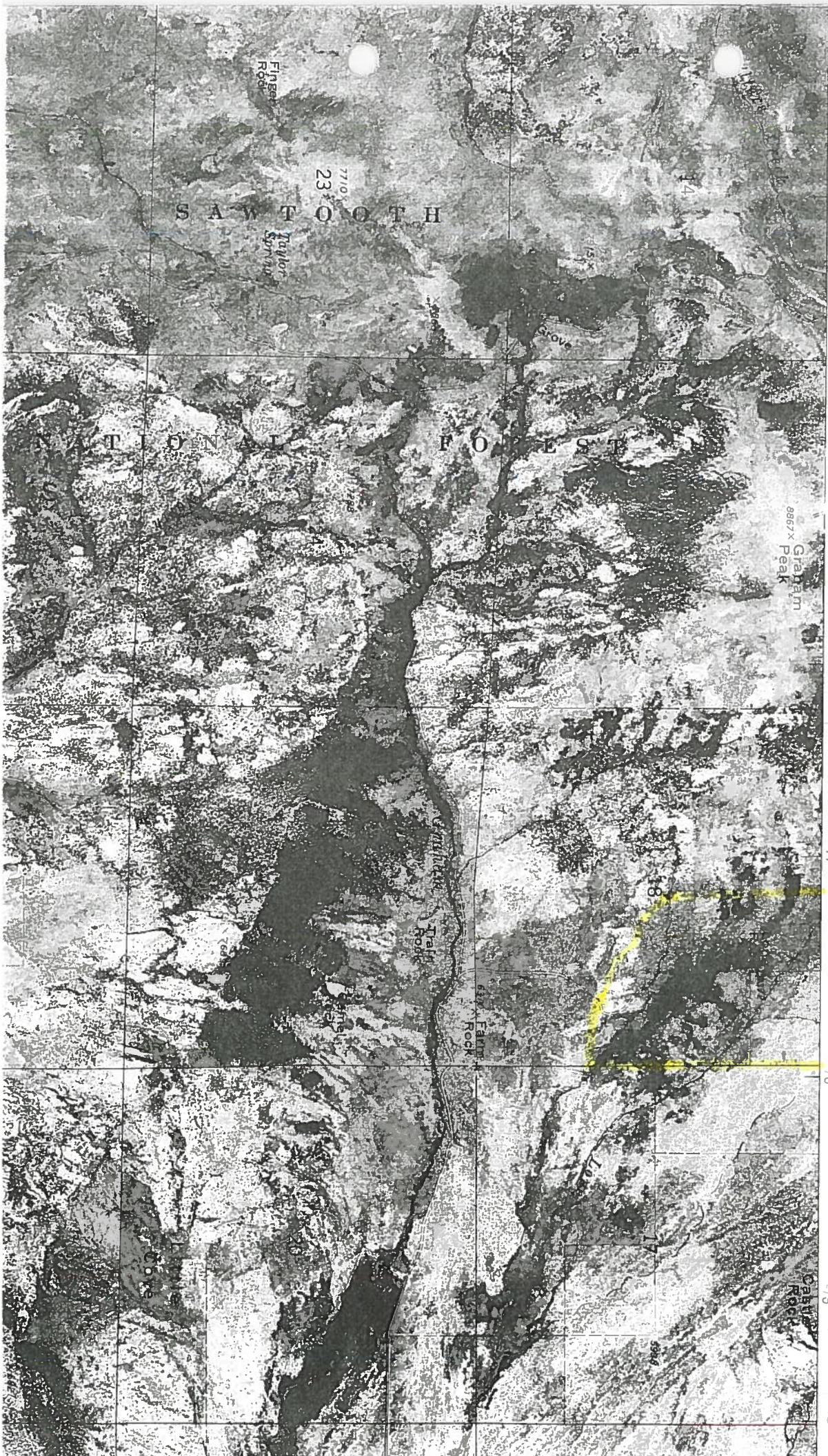
R 23 E 42' 30"

R 24 E 77

278

279

40'



A43-02148

State Of Idaho
County of Twin Falls { SS

Hogland Ditch

George L. Durfee - J.A. Graham and Alice Durfee Rice all sworn depose and say they were well acquainted with Ed and Abe Hogland Brothers, and that know of their own knowl. said Ed Hogland and Abe Hogland came to the vicinity where Almo is now located in the year 1880, and that the said Ed and Abe Hogland did during the year 1880 and 1881 construct an irrigation canal, for the purpose of diverting all the water of Stines Creek to certain lands described as follows

The East half of the Southwest quarter and the West half of the Southeast quarter and Southeast quarter of the South east quarter of Section Seventeen (17) and the North East quarter of the Northeast quarter of section Twenty (20) and the north half of the Northwest quarter of section Twenty one (21) All in Township Fifteen (15) N of Range Twenty Four (24) EBM In Cassia County State of Idaho

The affiants further say that the point of diversion from Stines Creek was in about the center of Section Seven (7) in Township Fifteen (15) Range Twenty Four (24) EBM that said canal was constructed for the

purpose of irrigating said lands and the affiants further state that the said Ed Hogland and Abe Hogland did use said water for the purpose of irrigating said land from 1880 to 1886 inclusive and that during that time the said water right was not molested or contested.

The said Affiants further say that this land was purchased from Ed and Abe Hogland by George L. Durfee and Nathaniel A. Rice in the year 1887 and that the water has been used continuously by the said George L. Durfee and Nathaniel A. Rice and their successors and assigns continuously since that date

###3

George L. Durfee
Alice Durfee Rice
J. A. Graham

On this Twenty first day of January 1939 before me to a Notary Public personally appeared George L. Durfee and J.A. Graham known to me to be the persons whose names to the above instrument and acknowledged to that the IN WITNESS WHEREOF, I have hereunto set my hand and the day and date in this certificate first above

AYB-02148

DOCKET
INDEX

43-A-1

RECEIVED

JUL 7 1970

Department of Water Administration

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA

* * * * *

ALMO WATER COMPANY, an Idaho corporation, et al,

Plaintiffs,

vs.

IVAN DARRINGTON, Watermaster of Water District 8-E, et al,

Defendants.

* * * * *

8968
4:30 P.
May 5 1970
Frank B. Kearns
w. H. Black
Docket

Civil No. 8968

D E C R E E

WHEREAS, On the 8th day of July, 1969, the plaintiffs, Almo Water Company, et al, duly filed their complaint in equity in the above-entitled Court, which cause was entitled Almo Water Company, an Idaho corporation, William W. Bruesch and Virginia Bruesch, husband and wife, Zenith Taylor and Colleen Taylor, husband and wife, Neil Durfee, a bachelor, Ivan Darrington and Barbara Darrington, husband and wife, and Arthur Taylor, plaintiffs, vs. Ivan Darrington, as WaterMaster of Water District 8-E, Owen Jones,

Richard Jones and Norma Jones, husband and wife, Louis Eames, R. Keith Higginson, State Reclamation Engineer, Glen Jones and Doris Jones, husband and wife, Arley Cahoon and Edna Cahoon, husband and wife, defendants, and

WHEREAS, Thereafter due and regular service of the summons was made upon all parties mentioned in said complaint by personal service thereon as shown by the records and file in said action, and

WHEREAS, The above entitled cause came on for hearing before the Honorable Sherman J. Bellwood, Judge of the above-entitled District Court, sitting at Burley, Cassia County, Idaho, within said district, the plaintiffs being represented by A. H. Neilson, John Coleman, and Robert C. Paine and the defendants being represented by Lawrence H. Duffin, except that defendant R. Keith Higginson, was represented by William D. Collins, Assistant Attorney General, who did not appear at said trial. The evidence in said cause was duly submitted and a transcript of the oral evidence was taken and the exhibits offered by the various parties were duly transmitted to the Court

443-02

1 for consideration, and the Court having taken said cause under advisement,
2 and being fully advised in the premises, did on the 18th day of March, 1970,
3 file its decision in writing directing the entry of a decree in accordance with
4 the views expressed therein.

5 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

6 I.

7 0010 William W. and Virginia Bruesch, husband and wife, are the owners
8 of all of the waters of Sythe Creek for the irrigation of the following described
9 lands in Cassia County, Idaho:

10 S 1/2 - NE 1/4, NW 1/4 - NE 1/4, NW 1/4 - NW 1/4 of
11 Section 20; E 1/2 - NW 1/4, W 1/2 - NE 1/4, SE 1/4,
12 NE 1/4, and N 1/2 - SE 1/4 of Section 20; N 1/2 - SW 1/4,
13 NW 1/4 - SE 1/4 of Section 21; all in Township 15 South,
14 Range 24, E., B.M.

15 II.

16 William W. and Virginia Bruesch, husband and wife, Zenith and
17 Colleen Taylor, husband and wife, Arthur Taylor, Ivan and Barbara
18 Darrington, husband and wife, and Neil Durfee are the owners of all of the
19 waters of Stine Creek for the irrigation of the following described lands in
20 Cassia County, Idaho:

21 0011 William W. & Virginia Bruesch: NW 1/4 - NE 1/4, S1/2-NE1/4, N1/2-SE1/4
22 and SE1/4-SE1/4 of Section 18, all in Township 15 South, Range 24 E.B. M.

23 0012 Zenith & Colleen Taylor: NW1/4-SE1/4, SE1/4-SE1/4 of Section 17; N1/2 -
24 NE1/4 of Section 21; N1/2-NW 1/4 of Section 21; NE1/4 - NE1/4 of Section 20;
25 all in Township 15 South, Range 24 E.B. M.

26 0013 Arthur Taylor; Ivan & Barbara Darrington: W1/2-W1/2 and NE1/4-SW1/4 of
27 Section 17, all in Township 15 South, Range 24 E.B. M.

28 0014 Neil Durfee: S1/2-NE1/4 of Section 21, Township 15 South, Range 24 E.B. M.

29 III.

30 The waters of Stine and Sythe Creeks are not tributary to Almo
31 Creek or any other stream and the defendant watermaster of Water District
32 8-E, and the defendant State Reclamation Engineer, are to be enjoined from
33 interfering with the flow of Sythe and Stine Creeks and from measuring the
34 same.

See Motion Dever

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IV.

Defendant Louis Eames is the owner of 1.6 cubic feet per second (80 inches) of the waters of Almo Creek, to be diverted from North Almo Creek, for the irrigation of the SW 1/4 of the NW 1/4 of Section 13; SW 1/4 NE 1/4, SE 1/4 NE 1/4, SE 1/4 NW 1/4, of Section 14 all in Township 15 South, Range 24 East, Boise Meridian, in Cassia County, Idaho, with the right to have the same supplemented to the extent of 1.6 cubic feet per second (80 inches) to be diverted from Edwards Creek for the same lands, this right being supplementary and not additional. Priority date is March 17, 1879.

V.

The water master of District 8-E shall fill said Louis Eames water right from the North Fork of Almo Creek through his diversion therefrom, subject, however, to any water-exchange agreements made between the said Louis Eames and others.

Dated this 29th day of April, 1970.

Sherman J. Bell
Judge, District Court.

51021

State of Idaho, County of Cassia ss
I, *A. H. Nielson*, Clerk of said County, do hereby certify that this instrument was filed and recorded at request of *P. H.* on this *5* day of *May* A.D. 1970 in my office and duly recorded on Film No. *44* as Inst. No. *51021*
Filed *3.00* by *Frank B. Jensen*
Ex-Officio Recorder
Theresa Black
Deputy

(Return to file)

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: 1
A43-02148

LAST: BRUESCH
ADDRESS: PO BOX 204
CITY: ALMO
PHONE NUMBER: 208-824-5516
STATE: ID ZIP: 83312

OWNER CODE: C

LAST: PARSONS
ADDRESS: PO BOX 910
CITY: BURLEY
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 83318

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y
FIELD EXAMINER
Y() N()

CLAIM REMARKS: SPELLING OF STINES CREEK ON USGS MAPS IS STINES AND IS USED TO
PROVIDE UNIFORM DESCRIPTION. DECREE: ALMO WATER C. V. DARRINGTON
DECLARED STINES CREEK WATER IS NOT TRIBUTARY TO ANY STREAM.
UNRECORDED EXPANSION OF 17 ACRES OVER LICENSE.

CONTACT PERSON:

Richard Buesch 9-22-99

PHONE NUMBER: () - -

DATE OF FIELD EXAM:

1-1-99 APPOINTMENT MADE: YES () NO ()

TIME: : A () P ()

ACCOMPANIED BY:

Cordell Sheridan 8-11-99 and

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT:

9-22-99

DIRECTIONS TO PROPERTY / NOTES:

Richard Buesch - Heir & Trustee
Cordell Sheridan - Tenant Rancher.

The Buesch grew up on the Ranch & is now
a retired engineer living in Tempe, AZ.
Sheridan owns & ranches the property & grew
up in Armo not far from the Buesch Ranch.

A. AJ CLAIM: # A43-02148 PRIORITY DATE: 11-22-1913 STAGE: L

B. WR RECORD: # 43-02148 PRIORITY DATE: 11-22-1913 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(✓) N()

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

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

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

PROOF OF BENEFICIAL USE SUBMITTED

N/A(✓) Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

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

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A(✓) Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(✓) N()

NOTES:

From information available to me it appears that the diversion amount licensed has been appropriated and put to beneficial use on at least 23 acres since 1913. Specific acres indicated have changed.

RECOMMENDED PRIORITY DATE: ✓

11-22-1913

REVIEWED BY



DATE

1-20-2000

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TRP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A43-02148	15S	24E	18				SE	NW	CASSIA		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: STINES CREEK

TRIB: ALMO CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TRP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
43-02148	15S	24E	7				NE	SW	CASSIA		
43-02148	15S	24E	18				NW	NE	CASSIA		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

A43-00011

NONE

SOURCE: STYNES CREEK

LONE ROCK CREEK

TRIB: ALMO CREEK

ALMO CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

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

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 6-8-1914)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM 8-11-99)

NAME OF EXAMINER

Hancock

Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

A. ROOT WATER RIGHT NUMBERS: A43-02148

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
15S	24E	18	SE	SE		BRUESCH, VIRGINIA	A43-02148 / 40.0	43-02148 / 6.0			
			SE	SE		BRUESCH, VIRGINIA	A43-00011 / 40.0	43-00011 /			

ADDITIONAL POU FOUND

See GHS log

TOTAL ACRES	A43-02148	40.00	6.00
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POU COUNTY: CASSIA

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

Y() N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A43-02148	STINES CREEK	BRUESCH, VIRGINIA	0.460	0.011		
A43-00011	STINES CREEK	BRUESCH, VIRGINIA	8.800	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

Y() N()

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

See attached

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

N/A() Y() N()

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

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

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

Y(☒) N(☐)

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

Y(☐) N(☒)

CHECK DOCUMENTS USED TO VERIFY POB:

(☒) ORTHOPHOTOQUAD, IDWR NO. 1976 ; (☒) TOPOGRAPHIC QUAD, IDWR NO. 1987-1988 ; (☒) MAP, IDWR NO. 1987-1988 ; (☒) ASCS PHOTO; () OTHER 1956

NOTES:

Accomplished transfer of Place of the from Sec 17 and SESE Section 18. 23 acre claim. Recommend 23 acre within a P.P. line the NE 1/4 Sec 18 and the SE 1/4 Sec 18 T15S R24E. It found no expansion of acre from the right. Place of the also completed from Street Creek.

RECOMMENDATIONS:

TOTAL ACRES: 23 N/A(☐)

REVIEWED BY: W. J. J. J. DATE: 1-20-2000

A. ALL CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A43-02148 IRRIGATION	FROM 01-01 TO 12-31	0.460 CFS	
A43-02148 STOCKWATER	FROM 01-01 TO 12-31	0.460 CFS	

TOTAL DIVERSION RATE/VOLUME 0.460 CFS

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
43-02148 IRRIGATION	FROM TO	0.460 CFS	
43-02148 DOMESTIC	FROM TO	0.460 CFS	
TOTAL DIVERSION RATE/VOLUME		0.460 CFS	

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

Y(✓) N()

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

N/A() Y(✓) N()

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

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

Y(✓) N()

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

Y() N(✓)

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

Y(✓) N()

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

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

N/A() Y(✓) N()

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

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

N/A() Y(✓) N()

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

N/A(✓) Y() N()

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

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

N/A(✓) Y() N()

NOTES:

There are licenses for irrigation & domestic (stockwater)
diversion rate as licensed, accomplished any
of source. v. 34 as originally diverted from Stines
But now diverted from low back check along
with the original 0.12 of from low Rd (S. Ft. Stines).
No space of this license. Recommend to
look standard

AJ CLAIM TOTAL DIVERSION RATE: 0.460 CFS
 WR ROOT RIGHT TOTAL DIVERSION RATE: 0.460 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(✓) N()

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

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

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

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(✓)

E. MEASUREMENT METHOD FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
 ACRES 23 x 0.02 CFS/ACRE = 0.46 CFS
 (Taken from pou review)

1b. CALCULATIONS

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
 ACRES 23 x DIVERSION VOL. AF/A FOR AREA 23 =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 120.0 AF/A
 ACRES 23 x CONSUMPTIVE VOL. AF/A FOR AREA 23 =

TOTAL CONSUMPTIVE USE AF/A

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

NOTES:

Lienor states that a diversion of $\frac{4}{10}$ of
1st was introduced from South Fork Stearns Creek
in 1913. ~~an~~ observation of the creek in
August 1999 estimates a capacity of approximately
the same. It is reasonable to conclude that
during high water season there is enough
water available from lower back Creek to
fulfill the 0.46 cfs demand, & therefore an
accomplished change by source has occurred.

MR RECORD CONDITIONS/REMARKS:

SPELLING OF STYNES CREEK ON USGS MAPS IS STYNES AND STEINS.
LICENSE INCORRECTLY DESCRIBES POINT OF DIVERSION AS STYNES CK.,
SOUTH FORK.

REC.

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

01-01	12-31
01-01	12-31

DATABASE EXAMINER
0.460
0.460

DATABASE EXAMINER

DATE	TIME	TEST	SCORE	REMARKS
120.0	120.0	120.0	120.0	120.0
120.0	120.0	120.0	120.0	120.0

1

NON-IRRIGATION USES CLAIMED: STOCKWATER

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

Amica

DATE:

1-20-2000

FLAG: E

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-02148

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.460 EXAMINER CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	-	-	-	-	43-02148	0.460
TOTAL CFS						0.460

DIVERSION RATE REVIEW

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

DATABASE N FIELD EXAMINER Y() N()

NOTES:

No Splits

AUTHENTICATION:

SIGNATURE: *Mike Hancock*DATE: *1-30-2000*NAME OF FIELD EXAMINER: *Mike Hancock*TITLE: *Water Bureau 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 _____	IDMR ID NO. _____	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____	IDMR ID NO. _____	Y() N()
☐ MAP	DATE OF PHOTO _____	IDMR ID NO. _____	Y() N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____		Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____		Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____		Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
☐ IDMR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☐ SYSTEM DESCRIPTION	DATE DRAWN _____		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
☐ OTHER _____	DATE _____		
☐ OTHER _____	DATE _____		

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

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC

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