

May 1, 2006

Chuck R. Charlton
P.O. Box 96
Ellis, ID 83235

Re: Snake River Basin Adjudication (SRBA)
Investigation of Claim No(s). 73-12047

Dear Chuck,

We are currently reviewing the water right claims in the SRBA and need your assistance.

It appears you may have an unclaimed water right from Patterson Creek (Spring Creek) and Duck Spring. This water is carried in the so-called "Ellis cross ditch" and delivered down the Ellis ditch and is a portion of a water right decreed in Hamilton v Swendsen as 73-73A. We have enclosed a claim form for your use. If you believe this claim is accurate, please sign the form, have your signature notarized, and return it as soon as possible. You may use the enclosed return envelope. You must also enclose the \$50.00 filing fee.

Please feel free to contact me at (208) 287-4914 if you have additional questions or concerns. You may also reach me using email: roxanne.brown@idwr.idaho.gov.

Sincerely,

Roxanne Brown
Water Rights Supervisor
Adjudication Bureau
Idaho Dept. of Water Resources

Enclosures

12/08/2006

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

RIGHT NUMBER: 73-12047

NAME AND ADDRESS: CHUCK R CHARLTON
PO BOX 96
ELLIS ID 83235

SOURCE: DUCK SPRING
PATTERSON CREEK

TRIBUTARY: PATTERSON CREEK
TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.350 CFS

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION:

T15N R21E S26 SWSW Injection Within LEMHI County

T15N R21E S26 SESW Within LEMHI County

T15N R21E S26 SWSE Within LEMHI County

T15N R21E S27 SESE Rediversion Within LEMHI County

Water diverted under this right is exchanged by injecting water diverted under this right into the Pahsimeroi River at the point of injection described above, and diverting an equal amount from the Pahsimeroi River at the point of rediversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.350 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S07 SENE 6.60

6.6 ACRES TOTAL

Right Nos. 73-12047, 73-12103, and 73-12104 are limited to the irrigation of a combined total of 6.6 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 - Decreed

Patterson Creek is also known as Spring Creek.

This right is a split from former right 73-73A.

12/08/2006

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PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-12047

NAME AND ADDRESS: CHUCK R CHARLTON
PO BOX 96
ELLIS ID 83235

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PATTERSON CREEK

TRIBUTARY: PATTERSON CREEK
TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.350 CFS

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION:

T15N R21E S26 SWSW Injection Within LEMHI County

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PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.350 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S07 SENE 6.60

6.6 ACRES TOTAL

Right Nos. 73-4026 and 73-12047 are limited to the irrigation of a combined total of 6.6 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 - Decreed

Patterson Creek is also known as Spring Creek.

This right is a split from former right 73-73A.



Idaho Department of Water Resources

SRBA Recommendation:

73-12047

(Irrigation)

Legend

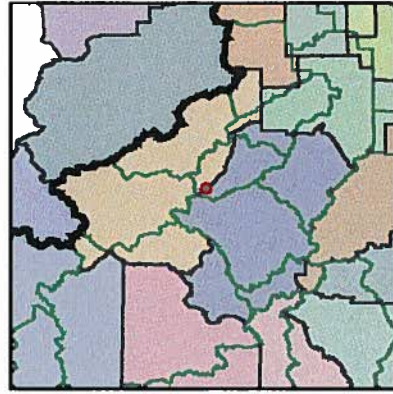
○ Point of Diversion

□ Place of Use

□ Townships

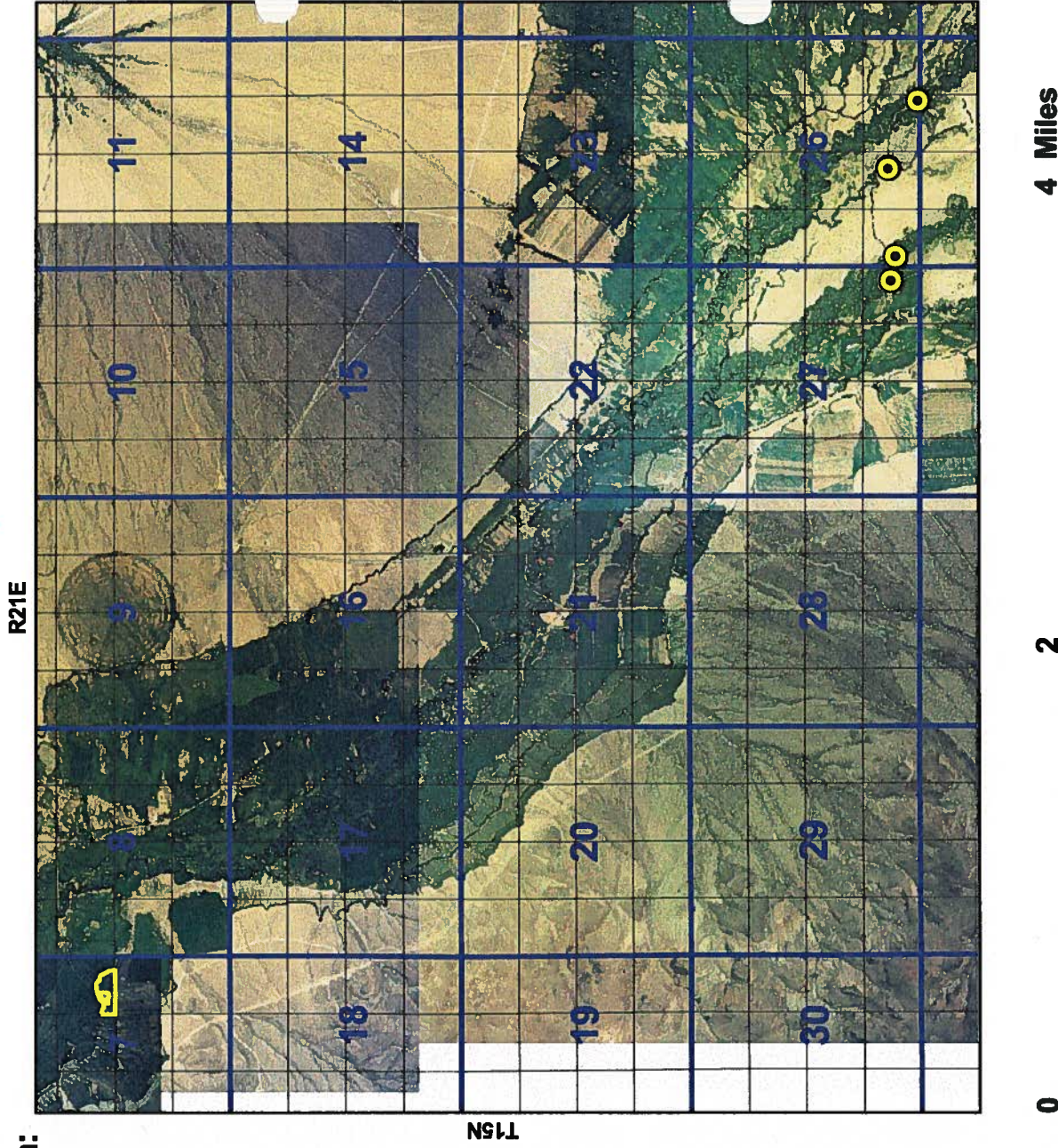
□ PLS Sections

□ Quarter Quarters



Lemhi, Custer Counties
IDWR Basin 73

Prepared by D. Shaff
On Friday, December 8, 2006
1987/88 Aerial Photography



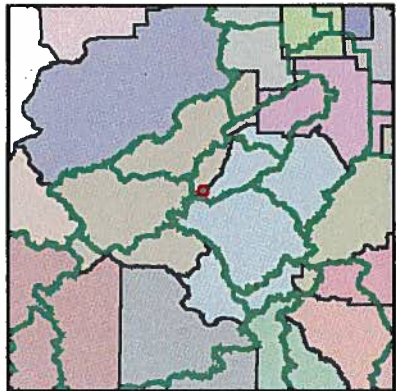


Idaho Department of Water Resources

SRBA Recommendation:
73-12047

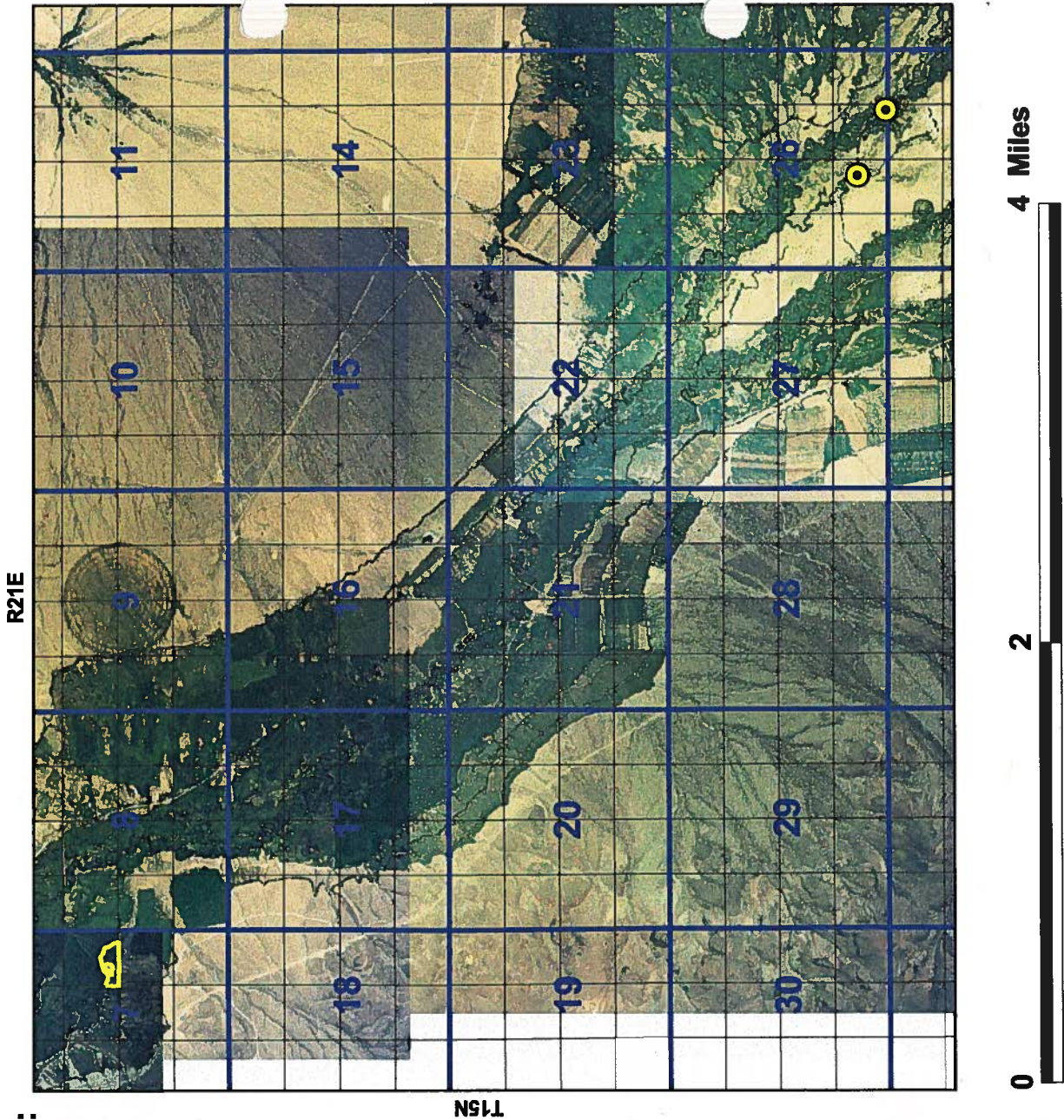
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Lemhi, Custer Counties
IDWR Basin 73

Prepared by R. Brown
On Friday, August 25, 2006
1987/88 Aerial Photography



08/25/2006

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

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PO BOX 96
ELLIS ID 83235

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PATTERSON CREEK

TRIBUTARY: PATTERSON CREEK
TRIBUTARY: PAHSIMEROI RIVER

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T15N R21E S26 SWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.350 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T15N R21E S07 SENE 6.60

6.6 ACRES TOTAL

Right Nos. 73-4026 and 73-12047 are limited to the irrigation of a combined total of 6.6 acres in a single irrigation season.

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Patterson Creek is also known as Spring Creek.

This right is a split from former right 73-73A.

Water Right Number: 73-73A **Patterson Creek and Duck Spring**
Diversion Rate: 1.4 CFS **Ellis ditch/P-9**

Water Right Number: 73-73A
Division Rate: 1.4 CFS
Reviewer Name: R. Brown
Date: 7/12/2006

[illegible]

Water Right Number: 73-73A

Diversion Rate: 1.4 CFS

Reviewer Name: R. Brown

Date: 38910

Split Tree

	73-12064 (120.0 ac & 1.05 cfs)
	73-12047 (40.0 ac & 0.35 cfs)

73-73A
(160.0 ac & 1.40 cfs)

Summary

[illegible]

Water Right Number: 73-73B **Diversion Rate:** 0.8 CFS **Reviewer Name:** R. Brown **Date:** 7/12/2006

[illegible]

5. That each of the parties to this action plaintiffs and defendants hereinafter named, or their predecessors in interest were at the time of the several appropriations of water, made as hereinafter set forth, the owners respectively of the several tracts of land set forth and described in the complaints, answers and cross-complaints, and that for the irrigation of the same the said parties, or their predecessors in interest, did respectively appropriate the quantities of water hereinafter stated, and on the dates and from the streams respectively hereinafter stated, and set opposite the names of each of said parties, such water being estimated under a four inch pressure, or its equivalent in cubic feet per second of time, and ever since said dates of the said several appropriations said water has been so diverted and used on said lands in the irrigation thereof.

6. That the following named persons parties to this suit are entitled to the uninterrupted use of the flow of the waters of Pahsimeroi River and its tributaries, forks, branches, springs and streams herein named, upon, the lands mentioned and described in the complaints, answers and cross-complaints herein and appertenant to said lands as hereinafter specified, in the following amounts and from the following dates, to-wit:

73 0073 ✓

A Roscoe Hamilton, from Spring Creek and Duck Spring 1.4 cubic feet per second of time and .8 cubic feet per second of time from the Pahsimeroi River with date of priority April 1, 1912, appurtenant to the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, T. 15 N., R. 21 E. B. M. through what is known as the Ellis Ditch.

73 0074 ✓

A George A. Ellis 3.4 cubic feet per second of time, from Spring Creek and Duck Spring, and 1.6 cubic feet per second