

12/24/2009

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

RIGHT NUMBER: 73-2015

NAME AND ADDRESS: CIRCLE PI LLC
HC 62 BOX 2295
MAY ID 83253

SOURCE: SULPHUR CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.200 CFS

PRIORITY DATE: 12/25/1904

POINT OF DIVERSION:

T14N R21E S12 SENE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.200 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T14N R21E S01	SWNW	0.20	T14N R21E S01	NESW	0.60
T14N R21E S01	NWSW	28.00	T14N R21E S01	SWSW	39.00
T14N R21E S01	SESW	9.00	T14N R21E S02 Lot 2	NWNE	7.00
T14N R21E S02	SWNE	28.00	T14N R21E S02	SENE	16.00
T14N R21E S02 Lot 3	NENW	27.00	T14N R21E S02 Lot 4	NWNW	38.00
T14N R21E S02	SWNW	39.00	T14N R21E S02	SENW	37.00
T14N R21E S02	NESW	40.00	T14N R21E S02	NWSW	40.00
T14N R21E S02	NESE	39.00	T14N R21E S02	NWSE	40.00
T14N R21E S02	SWSE	19.00	T14N R21E S02	SESE	40.00
T14N R21E S03 Lot 1	NENE	36.00	T14N R21E S03 Lot 2	NWNE	29.00
T14N R21E S03 Lot 3	NENW	35.00	T14N R21E S11	NENE	21.00
T14N R21E S12	NENW	19.00	T14N R21E S12	NWNW	40.00
T14N R21E S12	SWNW	28.00	T14N R21E S12	SENW	29.00

723.8 ACRES TOTAL

This right is limited to the irrigation of 106 acres within the place of use described above in a single irrigation season.

Place of use does not include federal public lands.

The rights listed below are limited to the irrigation of a combined total of 723.8 acres in a single irrigation season. Combined Right Nos.: 73-6, 73-12, 73-105, 73-107, 73-108, 73-114, 73-115, 73-2015, 73-2037, 73-2053, 73-7025, 73-10037, and 73-10063.

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 point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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: 73-2015
Date Received:
Receipt No:
Received By:

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

1. Name of Claimant(s): CIRCLE PI, LLC
HC 62, BOX 2295
MAY, ID 83253
2. Date of Priority: DECEMBER 25, 1904
3. Source: SULPHUR CREEK Trib. to: PAHSIMEROI RIVER
4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County Type
14N 21E 12 SE NE CUSTER
5. Description of diverting works:
6. Water is used for the following purposes:

Purpose	From	To	CFS	(or) AF/A
IRRIGATION	4/1	10/31	2.2	
STOCKWATER	1/1	12/31	2.2	
7. Total Quantity Appropriated is: 2.2 CFS
8. Total consumptive use: n/a
9. Non-irrigation uses: STOCKWATER, 1,000 HEAD RANGE CATTLE
10. Place of use:

TWP	RNG	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	21E	1							0.2		0.6	28	39	9					76.8
		2		7 (L2)	28	16	27 (L3)	38 (L4)	39	37	40	40			39	40	19	40	410.0
		3	36 (L1)	29 (L2)			35 (L3)												100.0
		11	21																21.0
		12					19	40	28	29									116.0

Total number of acres irrigated 723.8

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 106 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

DIVERSION RATE FOR STOCKWATER WAS CALCULATED USING AN ESTIMATE OF DITCH LOSS BASED ON WORSTELL AND NRCS SOIL DATA.

15. Basis of Claim: DECREED

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 Organizations:

I do solemnly swear or affirm that I am the Managing Member of Circle Pi, LLC, that I have signed the foregoing document in the space below as the Managing Member of Circle Pi, LLC and that the statements contained in the foregoing document are true and correct.

Ben Yates
Ben Yates

Managing Member, Circle Pi, LLC
10/5/09
Date

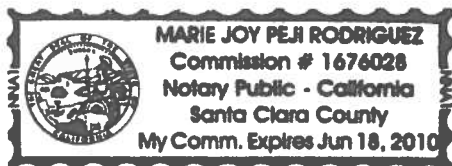
State of ~~Idaho~~ ^{MR} California)
County of Santa Clara) SS.

Subscribed and sworn (or affirmed) before me this 5th of October, 2009.

Marie Joy Peji Rodriguez
Notary Public

Residing at Santa Clara, California

My commission Expires June 18, 2010



CONVEYANCE LOSS - WORSTELL

NAME OF DITCH: Sulphur Creek BY: Roxanne Brown DATE: October 2, 2009

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)
1	2585	3.0	4.00	0.39
2	778	3.0	4.00	0.12
3	9800	3.0	4.00	1.49
4				0.00
5				0.00
6				0.00
7				0.00
8				0.00
9				0.00
TOTALS	13163			2.00

REACH = SECTION OF CHANNEL
 LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
 OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS
 AVE WIDTH = AVERAGE TOP WIDTH OF WATER SURFACE IN REACH
 SEEPAGE = SOIL SEEPAGE RATE OF REACH
 WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

Notes:

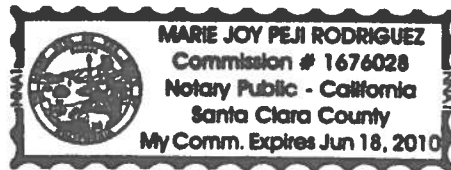
- 1 Length of ditch determination based on GIS imagery.
- 2 Width of ditch estimated.
- 3 Seepage factor based on Hart, "Estimating Seepage Losses from Canal Systems" (Worstell) and soil data from NRCS online database.

NRCS Data

Reach No	Soil No. and Description
1	No. 182 - Ringle gravelly loam
2	No. 58 - Dickeypeak-Biggrant complex
3	No. 197 - Snowslide gravelly loam

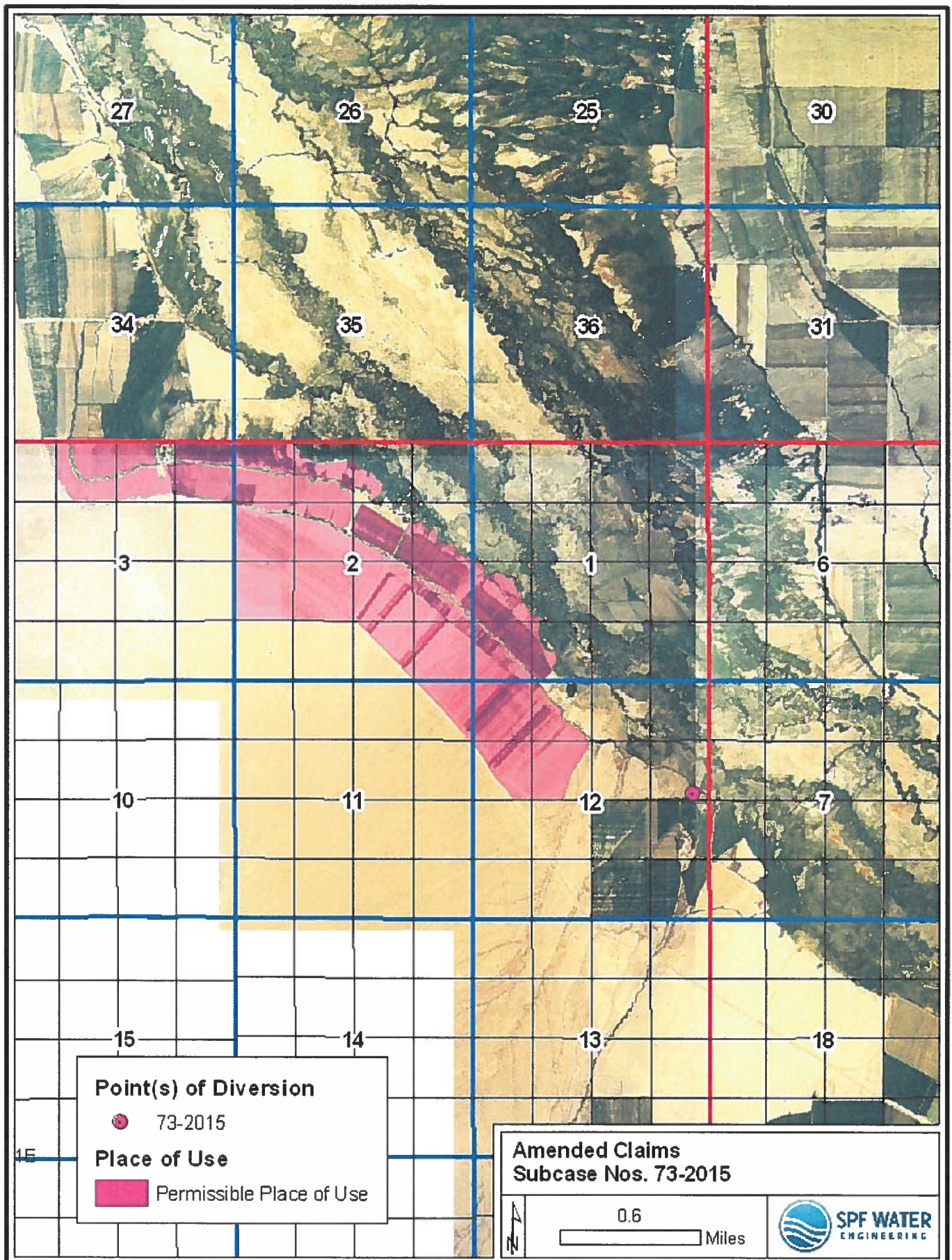
State of California
County of Santa Clara

Subscribed and sworn to (or affirmed) before me on this 5th
day of October, 2009, by Ben Yapas,
proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



(Seal)

Signature Marie Joy Peji Rodriguez



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

RIGHT NUMBER: 73-2015

NAME AND ADDRESS: CIRCLE PIE RANCHES PARTNERSHIP
C/O BEN YATES
HC 62 BOX 2295
MAY ID 83253

SOURCE: SULPHUR CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.200 CFS

PRIORITY DATE: 12/25/1904

POINT OF
DIVERSION: T14N R21E S12 SENE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.200 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T14N R21E S01	SWNW	0.20	T14N R21E S01	NESW	0.60
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T14N R21E S01	SESW	9.40	T14N R21E S02	SWNE	27.00
T14N R21E S02	SENE	15.00	T14N R21E S02	NESE	38.00
T14N R21E S02	NWSE	26.00	T14N R21E S02	SWSE	17.00
T14N R21E S02	SESE	40.00	T14N R21E S11	NENE	18.00
T14N R21E S12	NENW	18.00	T14N R21E S12	NWNW	40.00
T14N R21E S12	SWNW	23.00	T14N R21E S12	SENW	9.60

348.8 ACRES TOTAL

This right is limited to the irrigation of 106 acres within the place of use described above in a single irrigation season.

Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015 and 73-2053 are limited to the irrigation of a combined total of 348.8 acres in a single irrigation season.

Right Nos. 73-6, 73-12, 73-10063, 73-105, 73-107, 73-108, 73-114, 73-2015, 73-2053 and 73-7025 are limited to the irrigation of a combined total of 352.8 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.

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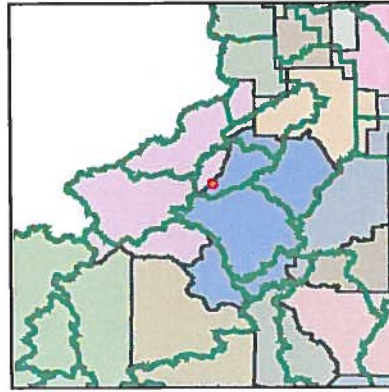
Idaho Department of Water Resources

Adjudication Claim:

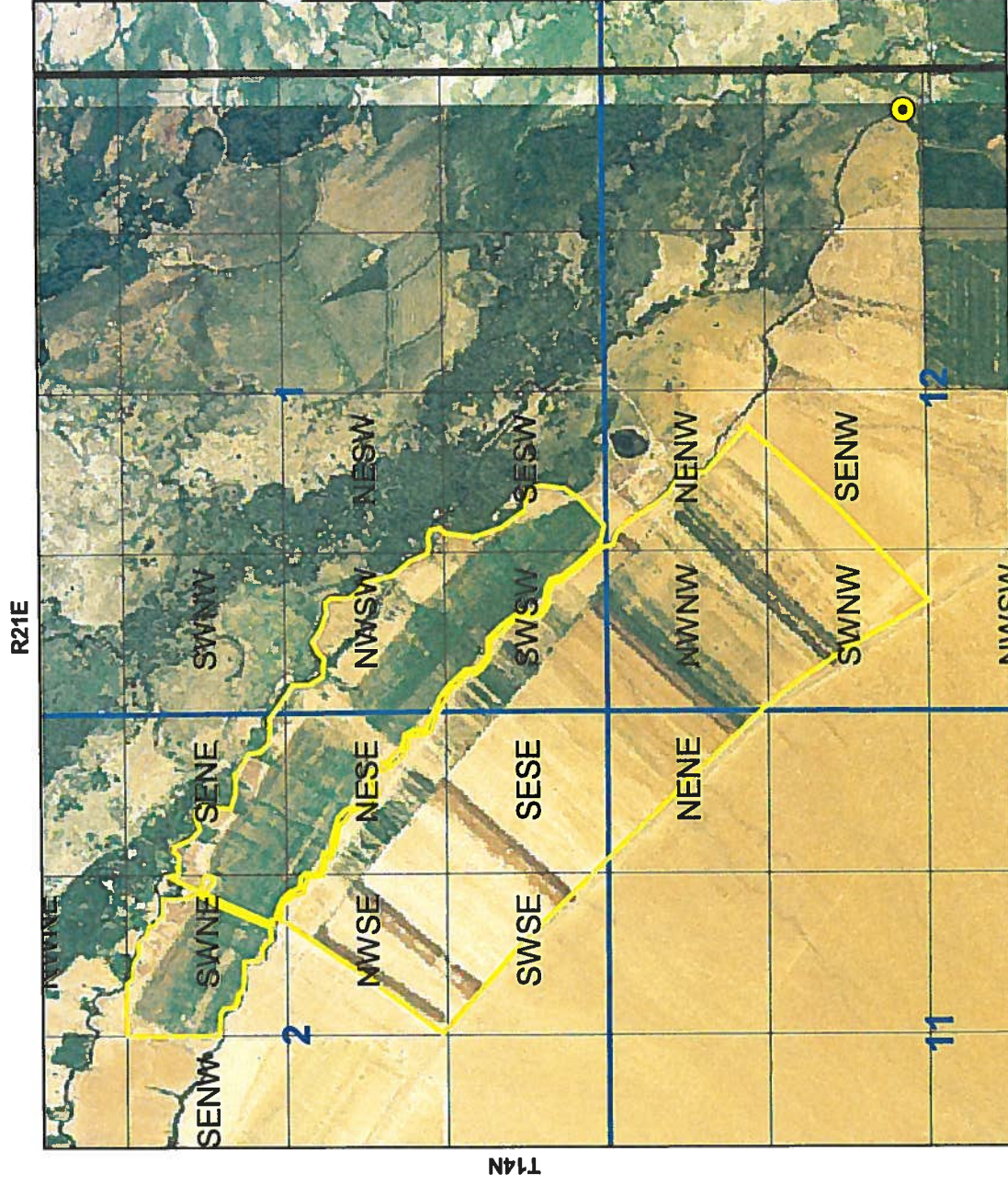
73-2015

Legend

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



Lemhi, Custer Counties
IDWR Basin 73



0 0.6 1.2 Miles

Prepared by R. Brown
On Tuesday, April 18, 2006
1987/88 Aerial Photography

04/18/2006

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

RIGHT NUMBER: 73-2015

NAME AND ADDRESS: CIRCLE PIE RANCHES PARTNERSHIP
C/O FRANK UNQUERA
HC 62 BOX 2295
MAY ID 83253

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TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.200 CFS

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T14N R21E S02	SESE	40.00	T14N R21E S11	NENE	18.00
T14N R21E S12	NENW	18.00	T14N R21E S12	NWNW	40.00
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