

04/10/2007

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

RIGHT NUMBER: 73-4017

NAME AND ADDRESS: DONALD M GREGORY JR
2741 UNION ST

SAN FRANCISCO CA 94123

PATRICIA D GUNTHER
2739 BRODERICK ST
SAN FRANCISCO CA 94123

RIVER VALLEY RANCH LLC
C/O STEVEN LAWRENCE
60 JENNIFER LN
ALAMO CA 94507

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.910 CFS

PRIORITY DATE: 02/18/1926

POINT OF
DIVERSION:

T15N R21E S7 NENE Within CUSTER County

T15N R21E S8 SESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.910 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T15N R21E S07	NENE	6.60	T15N R21E S07	NWNE	29.00
T15N R21E S07	SWNE	18.00	T15N R21E S07	NENW	17.00

70.6 ACRES TOTAL

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.

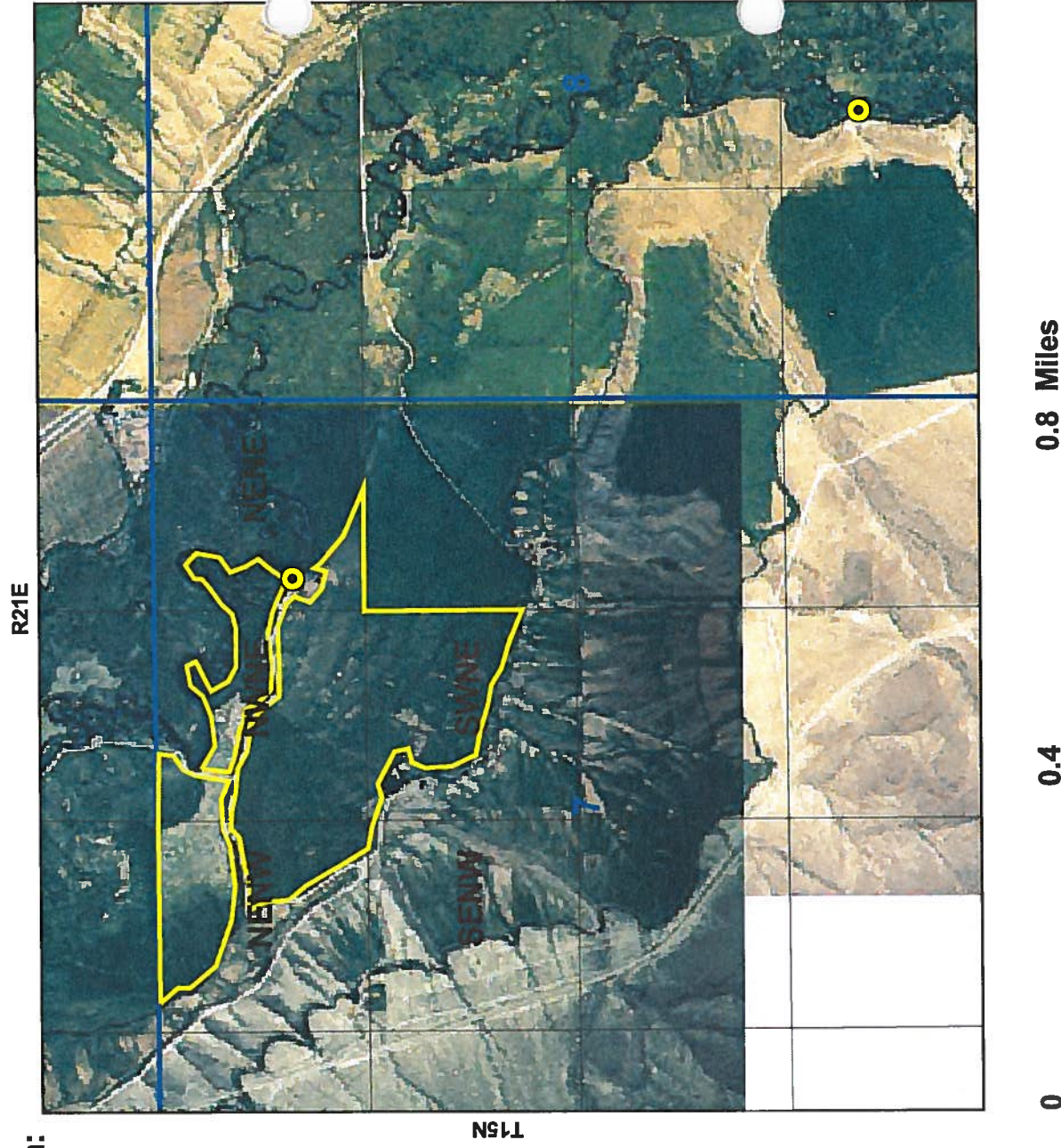
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



73-4017

Legend

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



**Prepared by D. Favreau
On Wednesday, May 31, 2006
1987/88 Aerial Photography**

07/13/2006

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

RIGHT NUMBER: 73-4017
NAME AND ADDRESS: DONALD M GREGORY JR
PO BOX 62
ELLIS ID 83235
GEORGE M BOWLES
505 SANSOME ST STE 1975
SAN FRANCISCO CA 94111
PATRICIA D GUNTHER
209 POST ST
STE 1104
SAN FRANCISCO CA 94108

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 1.910 CFS
PRIORITY DATE: 02/18/1926
POINT OF DIVERSION:

T15N R21E S7 NENE Within CUSTER County
T15N R21E S8 SESW 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	1.910 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T15N R21E S07	NENE	6.60	T15N R21E S07	NWNE	29.00
T15N R21E S07	SWNE	18.00	T15N R21E S07	NENW	17.00

70.6 ACRES TOTAL

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 - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-4017 V1

WATER RIGHT NUMBER: 73-4017 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD M GREGORY JR
Current Owner	GEORGE M BOWLES
Current Owner	PATRICIA D GUNTHER
Original Owner	DONALD A BLATZ

Priority Date: 02/18/1926

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
PAHSIMEROI RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	1.910 CFS	
	<u>Total Diversion:</u>	1.910 CFS	

Location of Point(s) of Diversion

PAHSIMEROI RIVER	NE1/4NE1/4	Sec. 7,	Twp 15N,	Rge 21E, B.M.
CUSTER County				
PAHSIMEROI RIVER	SE1/4SW1/4	Sec. 8,	Twp 15N,	Rge 21E, B.M.
CUSTER County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	21E	7	6.6	29.0	18.0		17.0												70.6

Total Acres: 70.6

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 73-4017 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	5/31/2006 9:47:00 AM	dfavreau	Updated shape
POD	5/31/2006 9:47:23 AM	dfavreau	Updated PLS
POD	5/31/2006 9:48:03 AM	dfavreau	Updated shape
POD	5/31/2006 9:48:16 AM	dfavreau	Updated PLS
POD	5/31/2006 10:39:19 AM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (No) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	5/31/2006 9:49:07 AM	dfavreau	Updated PLS for Active POU
Source	5/31/2006 10:39:53 AM	dfavreau	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (No) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - via GIS review of 1988 aerial photography
POU	5/31/2006 10:41:02 AM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (No) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - via GIS review of 1988 aerial photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-4017 V1

Use	5/31/2006 10:41:37 AM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (No) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - via GIS review of aerial photography
Season	5/31/2006 10:42:05 AM	dfavreau	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (No) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POU	5/31/2006 9:48:54 AM	dfavreau	Updated shape for Active POU
Quantity	7/13/2006 2:30:41 PM	rbrown	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - flow in ditches has been measured and is adequate to supply this claim; rate recommended is 0.02 cfs per acre plus conveyance loss calculated by the Worstall method.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-4017 V1

General	7/13/2006 2:24:48 PM	rbrown	(Yes) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 2. Was the owner or the owners predecessor in interest of the place of use joined in the later decree? (No) 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - affidavit of Ray Hamilton in file
Contacts	7/13/2006 2:28:28 PM	rbrown	(No) 1. Do you want to schedule an appointment?

Comment for 1: in-office review

Water Supply Bank:

Estimating Conveyance Loss using the Worstell Method Claim No. 73-4017 Hamilton-Matley ditch

Formula: $S = (w)(i)(0.0667)$ Where: S = loss in cfs per mile
 w = top width of the high water mark in feet
 i = loss rate in feet per day (see Table)

Type of soil	i (ft/day)
medium clay loam	0.5 - 1.5
impervious clay	0.5
medium soils	1.0
somewhat pervious soils	1.5 - 2.0
gravels	2.5 - 5.0

Worksheet: w = 5

i = 1.5

 ditch length (mi.) = 1

Conveyance Loss: S = 0.50

 Loss = 0.50 cfs