

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

RIGHT NUMBER: 2-52

NAME AND ADDRESS: JOHN ANCHUSTEGUI
3380 CATALINA LN
BOISE ID 83705

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.100 CFS

PRIORITY DATE: 03/15/1954

POINT OF
DIVERSION: T05S R04E S34 NWSW Lot 10 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	03/15 10/31	0.148 CFS
IRRIGATION	03/15 10/31	1.100 CFS

PLACE OF USE: IRRIGATION in OWYHEE County

T05S R04E S32	NESW	11.00	T05S R04E S32	NWSW	3.00
T05S R04E S32	NESE	18.00	T05S R04E S32	NWSE	20.00
T05S R04E S32	SWSE	2.00	T05S R04E S32	SESE	1.00

STOCKWATER same as IRRIGATION

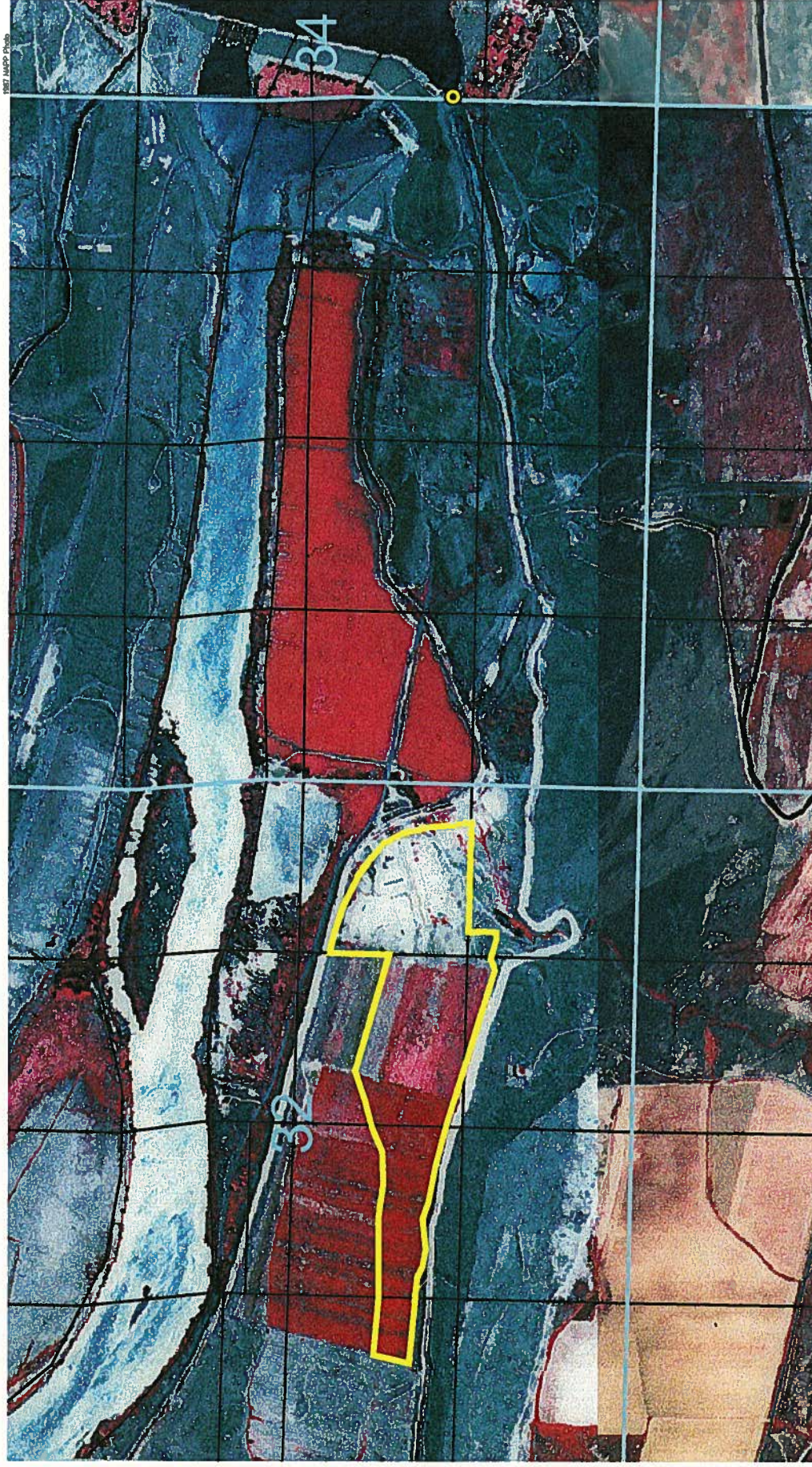
55 ACRES TOTAL

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



- Place of Use
- Point of Diversion
- Section Lines
- Quarter Quarter Lines

Claim Number: 02-00052
Legal: T05S, R04E, S32 & S34
Reviewed By: JLD 8/5/05

08/05/2005

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

RIGHT NUMBER: 2-52

NAME AND ADDRESS: JOHN ANCHUSTEGUI
3380 CATALINA LN
BOISE ID 83705

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.100 CFS

PRIORITY DATE: 03/15/1954

POINT OF DIVERSION:

T05S R04E S34 NWSW Lot 10 Within OWYHEE County

Point of diversion is on line dividing T5S, R4E, S33, and S34.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	03/15 10/31	0.148 CFS
IRRIGATION	03/15 10/31	1.100 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County

T05S R04E S32	NESW	11.0	T05S R04E S32	NWSW	3.0
T05S R04E S32	NESE	18.0	T05S R04E S32	NWSE	20.0
T05S R04E S32	SWSE	2.0	T05S R04E S32	SESE	1.0

STOCKWATER same as IRRIGATION

55 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

Number:
Date:
Notes:

2-00052

8/4/2005

☒ Layout ☐ CVR

☐ Pending

~~Owner:~~ claimant matches taxlot data

~~Priority date:~~ claimed 3/15/1954, evidence from ditch rider pointing to 1960 for irrigation of this land from the canal from 2-51 claim, statement by claimant indicates irrigation of this land began in 1954

~~POB:~~ Idaho Power Canal as per agreement with Totorica (previous owner)

~~Source:~~ Snake River as per diversion from Idaho Power Canal

~~POU:~~ 1974 aerial photography supports irrigation of claimed acres, evidence from ditch rider indicates irrigation of Totorica Place (described in other documents (deeds, etc) as the land of this water right and 2-00052)

~~Use:~~ irrigation as per ditch rider statement, aerial photography, etc

~~Season:~~ recommended as per Idaho Power agreement 4/10/1952 for 3/15-10/31

~~Quantity:~~ recommended as claimed. .7 cfs + 1.1 cfs (for 2-52) are less than allowable diversion as per Idaho Power Agreement, capacity to divert at Idaho Power Canal. less than 0.02 cfs/acre

2148



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 10, 2005

PENNY DEVLIN
PACIFIC INTERMOUNTAIN MORTGAGE COMPANY
2420 MAIN ST
BAKER CITY OR 97814

RE: Snake River Basin Adjudication (SRBA)
Notice of Pledge for Water Right Claims #2-51, 2-52, 2-10015
and Decrees 57-10546 and 57-11508
John P. and Jane E. Anchustegui

Dear Ms. Devlin:

We have added Pacific Intermountain Mortgage Company as the security interest owner of the above Water Right Claims and Decree #57-10546 as requested. However, Decree #57-11508 belongs to the Glenns Ferry Grazing Association, not the Anchusteguis.

Please contact me if you have any questions or concerns.

Sincerely,

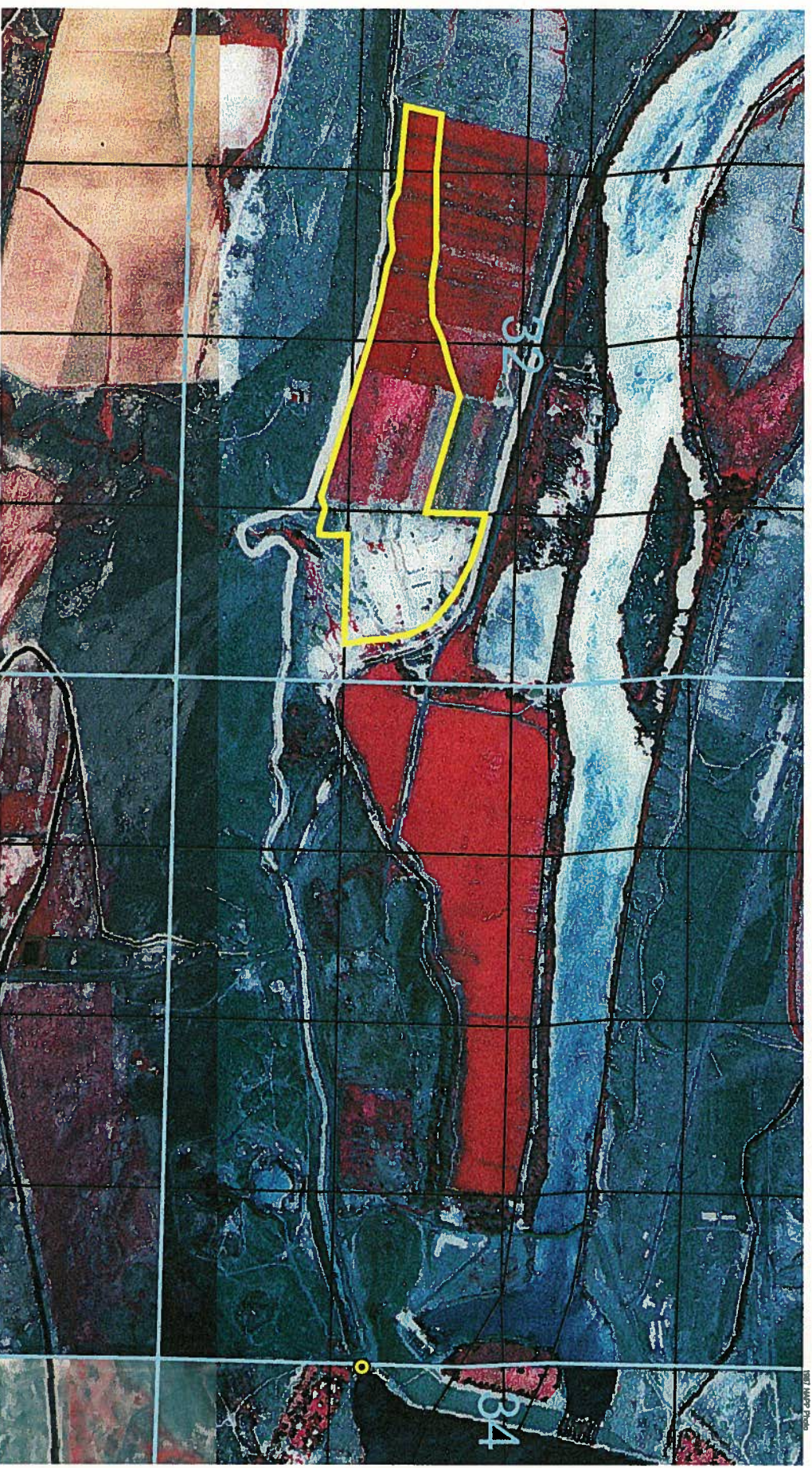
Steve J. Robischon
Adjudication Technical Section

SJR:ss:region

SCANNED

JAN 22 2009

Idaho Department of Water Resources



Claim Number: 02-00052
Legal: T05S, R04E, S32 & S34
Reviewed By: JLD 8/5/05

-  Place of Use
-  Point of Diversion
-  Section Lines
-  Quarter Quarter Lines



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-00052 Date: 8-19-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	55	4E	32									18	5			9	20	2	1	55
GIS												11	3			20	22	2.1	.9	59
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 55

Overlapping POU Claim #'s:

Total GIS Acres: 59

COMMENTS:

per claim map located in 02-00051 - digitized circled
acres on map matching claim

Idaho Department of Water Resources

Claim Number: 02-00052
Legal: T05S, R04E, S32
Reviewed By:

DRAFT

Point of Diversion
(located outside view)



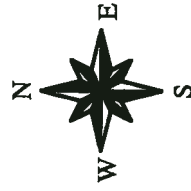
Place of Use



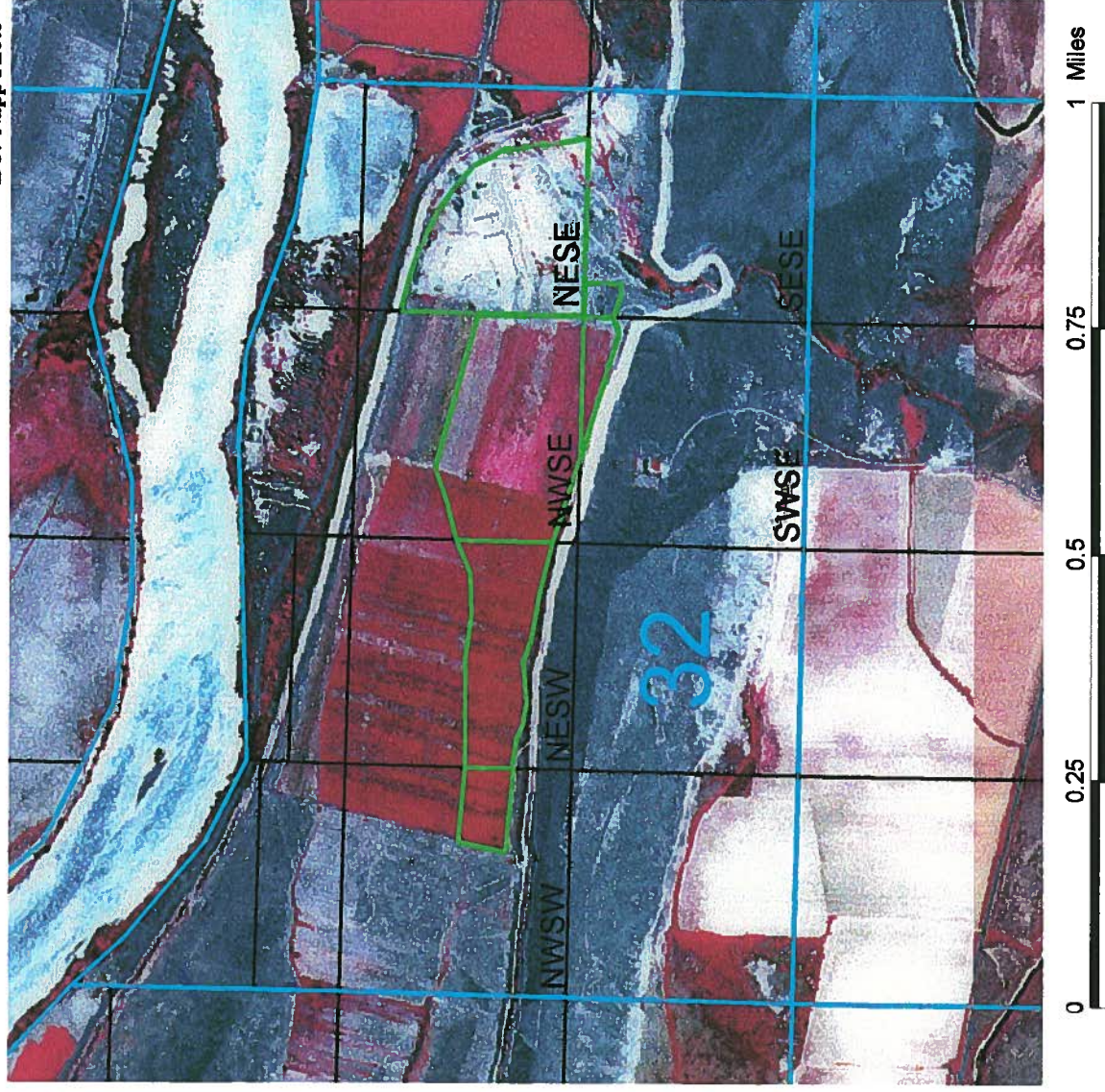
Section Lines



Quarter Quarter Lines



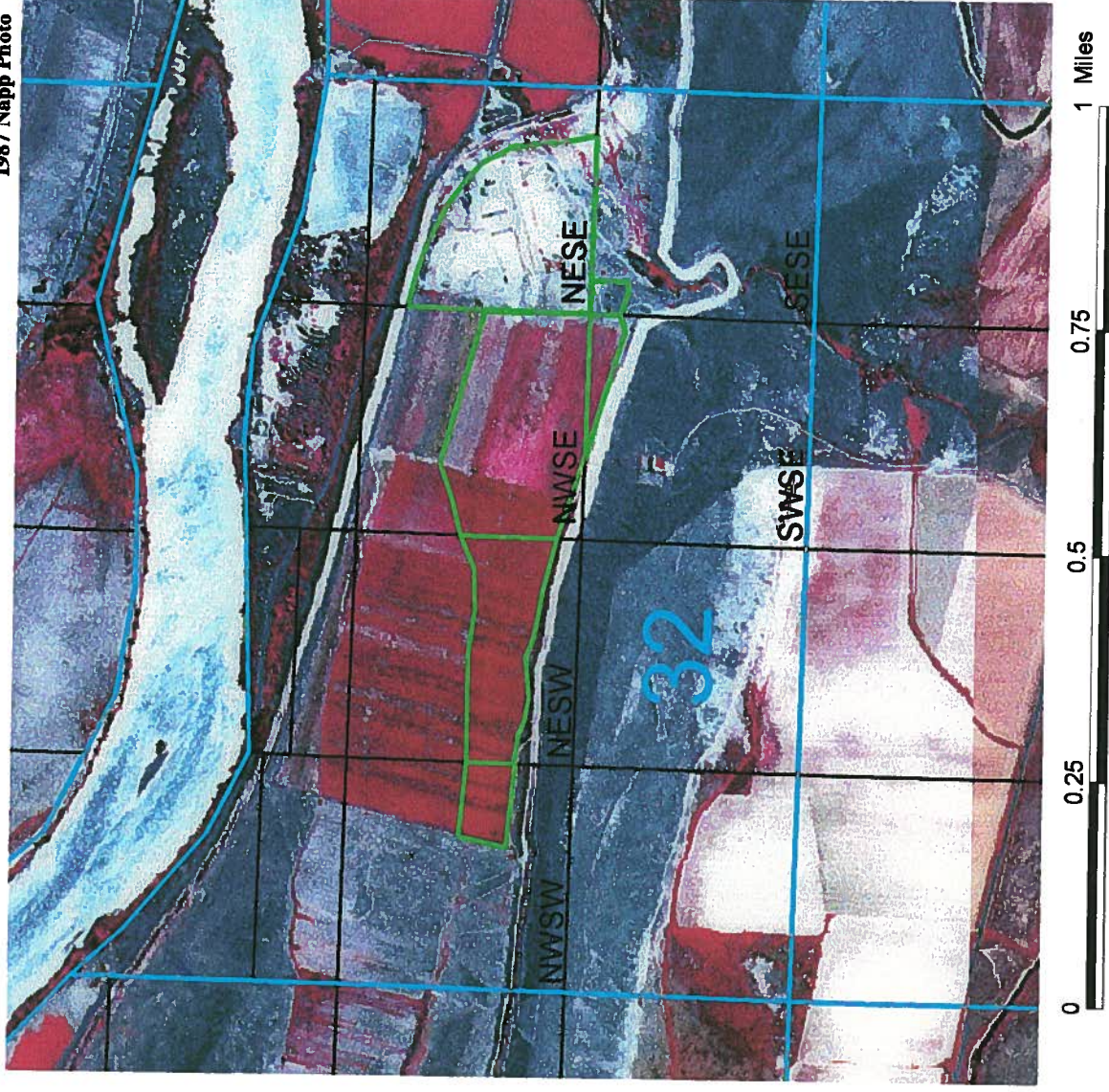
1987 Napp Photo



Idaho Department of Water Resources

Claim Number: 02-00052
Legal: T05S, R04E, S32
Reviewed By:

1987 Napp Photo



Point of Diversion
(located outside view)



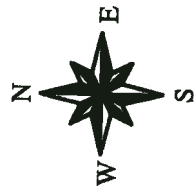
Place of Use



Section Lines



Quarter Quarter Lines



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: A02-00052

Date Received: 2/16/1989

Receipt No: W002212

Received By: Dfr

No late fee per extension.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN ANCHUSTEGUI
Address: 3380 CATALINA LN.
BOISE, ID

83705

2. Date of Priority: MAR 15, 1954

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	04E	34	NW	SW	SW	10	OWYHEE

5. Description of diverting works:

PUMP, PIPELINE, SPRINKLER & GRAVITY, CANAL FROM C.J. STRIKE RES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/31	1.100		
STOCKWATER	01/01	12/31	0.160		

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

A.F.A.

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

9. Non-irrigation uses:
STOCKWATER FOR 4000 SHEEP.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	04E	32	NE	SW		IRR	18.0
			NW	SW		IRR	5.0

A02-00052

Page 1

Date: 02/16/89

MICROFILMED

AUG 07 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	04E	32	NE	SE		IRR	9.0
			NW	SE		IRR	20.0
			SW	SE		IRR	2.0
			SE	SE		IRR	1.0

Section Acres 55.0

Total Acres 55.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
A02-00051

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): John Ambrosio Date: 2/16/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of Feb 19 89

D. E. Tuttle
Notary Public

Seal

Residing at Boix Id
My Commission Expires 9/15/1991

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON ~~BRUNEAU~~
BORDER.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

02-0052 I.D. No.	Map No.
\$ 65.00 Fee Paid	1940 ? Receipt No.

Notice is hereby given that Carl A. &/or Walter R. Hite
(Name of Claimant)

Bruneau, Idaho 83604

(Mailing Address)

(Zip Code)

Telephone No. _____

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 1/1/1954
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity <u>1.1 cfs</u> (CFS, GPD, AF)	Use <u>Irrigation</u> (Domestic, Irrigation, stock, etc.)	Period of Use From <u>3/15</u> (Mo., Day)	To <u>11/15</u> (Mo., Day)
		(Both dates inclusive)	
Quantity _____ (CFS, GPD, AF)	Use _____ (Domestic, Irrigation, stock, etc.)	Period of Use From _____ (Mo., Day)	To _____ (Mo., Day)
		(Both dates inclusive)	
Quantity _____ (CFS, GPD, AF)	Use _____ (Domestic, Irrigation, stock, etc.)	Period of Use From _____ (Mo., Day)	To _____ (Mo., Day)
		(Both dates inclusive)	
Quantity _____ (CFS, GPD, AF)	Use _____ (Domestic, Irrigation, stock, etc.)	Period of Use From _____ (Mo., Day)	To _____ (Mo., Day)
		(Both dates inclusive)	
- (4) 1.1 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 10 ¼ ¼
Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee County
Additional Points: _____
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Gravity flow from reservoir into canal, then gravity flow into pipeline with a pump from the pipeline for sprinkler irrigation and gravity irrigation.
- (6) A) Describe location of use by listing number of irrigated acres within each 40 acre tract in _____

NOV 0 3 1985

WICHOLOWED

Date Received 1/17/89

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

John Anchustegui

Name of Claimant

3380 Catalina Lane.

Post Office Address

Borise Id 83705

City, State, Zip Code

Department of Water Resources

Owyhee

County(s) where Place of Use is located

1/19/89

Date Claims Originally Due

02-0051, 02-0052, 02-2088 (Possibly another claim)

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Irrigation rts for Secs 32 & 33, T5S RYE ~~Secs~~ are interrelated and
the exact places of use have not been determined. Applicant needs to consult
with former owners Carl Hite and Segundo Tortorica prior to finalizing
Claimant requests an extension to 2/19, 1989. claims.

John Anchustegui
Signature

Owner

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby
X granted _____ denied,

and the filing deadline extended to 2/19, 1989.

Signed this 30 day of January, 1989.

Director or his designated agent

MICROFILME
AUG 07 1992

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON ~~WATERGATE BASIN~~
BORDER.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-0052	
~~02-0052~~	Map No.
\$65.00	1940 7
Fee Paid	Receipt No.

Notice is hereby given that Carl A. &/or Walter R. Hite
(Name of Claimant)

Bruneau, Idaho 83604

(Mailing Address)

(Zip Code)

Telephone No. _____

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 1/1/1954 3/15/1954

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 1.1 cfs Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 1.1 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 10 Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee County

Additional Points: SCI: 2720(1) 492.1

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Gravity flow from reservoir into canal, then gravity flow into pipeline with a pump from the pipeline for sprinkler irrigation and gravity irrigation.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location. Canal from C.T. Strike Reservoir (see 02-0051)

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
5S	4E	32									18	5			8	20	2	4	55
											10	2				13	2		27

Total no. of acres 55 27

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks Claimed in lieu of license 02-2088 (THIS RT. WAS FORMERLY ASSOCIATED WITH WATER LICENSE 02-2088, HOWEVER, FOLLOWING THE ENTRY OF THE DECREE IN THIS ABANDICATION, LICENSE 02-2088 IS NO LONGER OF ANY FORCE AND EFFECT.)

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use. ☐ B) Right decreed by court, cite title of case. _____

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

June 4, 1981

(Date)

Individual

Carl A. Hite
(Signature of Claimant)

(Signature of Spouse)

Organization

ONE 10 1984

State of Idaho

Organization

County of Ada

ss.

Seal

(Signature of Authorized Agent)

On this 4th day of June, in the year 1981 before me

a notary public, personally appeared Carl A. Hite

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

My commission expires _____

Life

Notary Public residing at _____

Boise

All refers to lands in Sec 35, Twp. 55, R 5
When we first looked at the Totorica
place in the summer of 1975 it was being
irrigated both by open flow and sprinkler
from a diversion point thru the bank of the
Grand View Mutual Canal in the NE $\frac{1}{4}$ - SW $\frac{1}{4}$
there was a ditch in which the water flowed
along the canal west thru a part of the NE $\frac{1}{4}$ of 54
and extended into the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$.

It also flowed east along the canal thru a part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of SE and possibly into the SE $\frac{1}{4}$ of SE $\frac{1}{4}$.

The land was corrugated North by a little earthen
from the ditch and the water flowed north by earthen
to a draw and down the draw in an easterly
direction and washed into the Grand View Canal
in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$

Another diversion point in the NW 1/4 of S1 led the water thru the bank and into an under ground pipe and took it north east to pumps which I believe to be located in lot 8 in the SW 1/4 of the NW 1/4. From the pumps a main line extended East by a little south a distance of approximately 310 ft thru what I think is lot 8 of the SW 1/4 of the NW 1/4 and the SE 1/4 of NW and ended in the NW 1/4 of SE 1/4. From the main line, hand lines with sprinklers irrigated the 1/2 of the lot.

land south of the main line to the draw and waste way referred to before.

1. What date did you start irrigating from the canal? Started irrigating 1954
The full length as indicated by A.S. C. S. Map 1980.

2. When was the pump put in?
Pump installed and land irrigated in 1969.

3. Had you irrigated north of the draw before the pump was in?
No.

4. How and when did the water right go from 1.6 sec. ft (80 in) to 90 inches.

5. Started irrigating from pump in the year. Totoricas paid bills for underground pipe. W. and Totoricaquena.

Agueda Totoricaquena

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

In the Matter of Permit No. 21948/02-2088)
in the name of TOTORICA CO.)
_____)

ORDER

WHEREAS, on February 20, 1951, Urbano Totoricaguena applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 0.7 cubic feet per second of water from the Snake River within Lot 10, Sec. 34, Twp. 5 S, Rge. 4 E, B.M., Owyhee County, to be used for irrigation purposes; and,

WHEREAS, on February 24, 1951, the Department approved said application and issued Permit No. 21948/02-2088 with the condition that one-fifth of the work be completed on or before August 24, 1953; and that the whole of said work be completed on or before February 24, 1956; and that the water be appropriated to a beneficial use on or before February 24, 1957; and,

WHEREAS, proof of completion of works was made on February 16, 1956; and,

WHEREAS, on August 1, 1972, the Department notified the permit holder that Permit No. 21948/02-2088 was subject to cancellation for failure to submit proof of beneficial use of water on or before February 24, 1957; and,

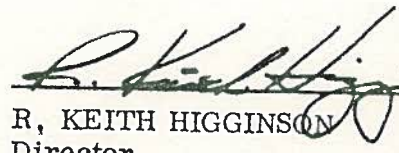
WHEREAS, on August 24, 1972, Urbano Totoricaguena assigned all his right, title and interest in and to Permit No. 21948/02-2088 to Totorica Company; and,

WHEREAS, proof of beneficial use of water was received by the Department on September 7, 1972; and,

WHEREAS, Section 42-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

IT IS, THEREFORE, HEREBY ORDERED that the priority under Permit No. 21948/02-2088 be advanced to September 4, 1966.

Dated this 18 day of September, 1972.


R, KEITH HIGGINSON
Director

NOV 10 1972
MICHOPIWED

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by RS

Date 3/03/82

Right No. 02-0052

Claimant HITE

Recommendation differs from claim:
(Document any differences)

☒ Yes

☐ No

☐ Disallow

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License 02-2088

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☒ Conveyance Loss Calculations. See printout included: MUTUAL CANAL

☐ Title abstract. ☐ In file. Or, Name & location _____

☒ County records. ☐ In file. Or, Name & location FILE OF IDAHO POWER AGREEMENTS

☒ Affidavits. ☒ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☒ A.S.C.S. Records. Year & Photograph No. IN FILE 02-0051

☒ Irrigation Company/District Records. ☐ In file. Or Name & location GRANDVIEW MUTUAL CANAL CO. OFFICE, GRANDVIEW
STATES 1.5 CFS BUT NO RECORDS OF CO. OR CLAIMANT JUSTIFY MORE THAN 1.5 CFS.

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☒ Yes ☐ No Date 2/17/82

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement _____ cfs. Amount recommended _____ cfs.

Type of measuring device: _____ Meter No. _____

Condition _____ Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 09 0-2 1980
GRANDVIEW, 3422-80-152,

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

APR 10 1982
UNCOLLECTED

M E M O

TO: 02-0051, 02-0052, 02-2088
FROM: Donald V. Shaff *DS*
DATE: November 3, 1983
SUBJECT: CLAIMANT'S WATER ASSESSMENTS

Carl Hite was in the office today to discuss his water rights in relation to the quantity of water he pays for to the Grand View Mutual Canal Company for conveyance. The 1952 Idaho Power contract signed by Hite's predecessor was for 80 miners inches (MI). Hite delivered documents, copies are in 02-0051, revealing the delivery and origin of an additional 10 MI. The 10 MI was acquired with the 10 acres of land purchased from D. O. and Thelma Bybee. The land is along the west line of Hite's property. The recommendation of these rights is consistent with the canal company charges and the power company agreement.

DVS/cjk

MICROFILMED

AUG 10 1994

UNITED STATES DEPARTMENT OF AGRICULTURE

SOIL CONSERVATION SERVICE

P.O. Box 167, Grand View, ID 83624

. Carl Hite
Star Rt. B Box 187 A
Bruneau, ID 83604

June 29, 1983

Dear Mr. Hite:

A check was made on your request for justification for a water right of 2 miners inches per acre on your farm.

The soils on the ranch are Aysees and Turbyfill Sandy Loams. Because of the floater rocks, crop production is pretty well limited to pasture and hay.

Pasture has a net water requirement of 26 acre inches based on a growing season from March 15 to October 15 for a total of 198 days.

Based on a seasonal water requirement, 2 miners inches per day would give you an irrigation efficiency of 13%. If we take the peak months of July and August, pasture needs are 6.78 and 5.60 acre inches respectively. Two miners inches per acre flow would then give an irrigation efficiency of 23% in July and 18% in August with the balance of the year considerably less efficient if water were run continuously at this rate. While 20% is not a good efficiency it is certainly within the range we have observed when making surface irrigation efficiency trials on these type soils.

If you were to convert back to surface irrigation on this place 2 miners inches per acre flow in July and August would probably be needed for peak pasture or hay production.

Sincerely,



Gene Crisman
District Conservationist
Mtn. Home, Idaho

MICROFILMED

AUG 10 1994



M E M O

TO: FILES 02-0051, 02-0052, 02-2088

FROM: D. Shaff

DATED: 4/14/82

SUBJECT:

After again reading the 1952 Idaho Power Contract at paragraph 10B I found the calculation of the diversion rate for these rights was incorrect. The contract provides that the ~~qualified~~^{quantified} amount will be measured at the outlet works from the canal rather than at the head of the Mutual canal. The ~~qualified~~^{quantified} amount does not include the canal loss. As such these rights should have the same 21% canal loss factored into the calculation of the right. This was not done in the previous review.

MICROFILMED

AUG 10 1994

M E M O R A N D U M

DATE: 3/3/82
TO: 02-0051, 02-0052, 02-2088
FROM: Don Shaff *DS*
SUBJECT: Review and Analysis

The dates of priority for the beneficial use rights were slightly advanced because the contract with Idaho Power in 1952 restricted delivery of water until March 15th. Therefore, beneficial use of water in the year stated both on the claim and in the predecessor's statement could have been no earlier than March 15th. Correspondingly, the ending day for the period of use was advanced to October 31 in agreement with the Idaho Power agreement.

The predecessor's statement also referred to a draw that cuts through this piece of property. The first irrigation from the canal was apparently on the land south of this draw. The land south of the draw totals 27 irrigated acres. It was this land that was recommended with the 1954 priority date. The land north of the ditch totals 50 irrigated acres. Although the claimant had filed 02-0052 in lieu of license 02-2088, I found it necessary and advantageous to the claimant to recommend a water right based on the license in part. My analysis of the first right would have otherwise placed the additional land and water under a 1969 priority which apparently was not true. The claimant had gained the use of an earlier right with the benefit of the license. Therefore, 25 acres of the 50 acres north of the ditch were recommended under 02-2088. The remainder of the claimant's irrigated acreage was recommended under 02-0051.

The total quantity recommended for each of the three claims varies slightly from either the claimed amount or the licensed amount. This is partly the result of the analysis of the irrigated acreage and the duty connected with that land. Each of the rights was recommended for more than .02 cfs per acre in light of a conveyance loss. This conveyance loss was not calculated specifically for these

MICROFILMED

AUG 10 1994

2 (Files 02-0051, 02-0052, 02-2088)

rights because the water for these rights is only part of a larger delivery of at least 97 cfs. The amounts recommended for the claimant's water rights exceeds the normal duty of .02 cfs per acre by only about 17%. A rough calculation of the conveyance loss for the mutual canal shows a percentage loss in excess of this amount. The rights of the claimant were not recommended with a greater conveyance loss incorporated because the claims as originally filed were for only 1.8 cfs and the Mutual Canal Co. assesses the claimant for this amount. In addition the contract with Idaho Power signed in 1952 is for no more water than this.

MICROFILMED

AUG 10 1994

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____
SNAKE RIVER FROM BASE OF MIDDLE
LAY TO OREGON DRAINAGE BASIN.
BORDER.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-0052	
I.D. No.	Map No.
\$65.00	19407
Fee Paid	Receipt No.

Notice is hereby given that Carl A. &/or Walter R. Hite
(Name of Claimant)
Bruneau, Idaho 83604 Telephone No. _____
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 1/1/1954
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | |
|---|--|--|-------------------------------|
| Quantity <u>1.1 cfs</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u>
(Mo., Day) | To <u>11/15</u>
(Mo., Day) |
| (Both dates inclusive) | | | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| (Both dates inclusive) | | | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| (Both dates inclusive) | | | |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____
(Mo., Day) | To _____
(Mo., Day) |
| (Both dates inclusive) | | | |
- (4) 1.1 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source Lot 10 ¼ _____
Sec. 34, Twp. 5S, Rge. 4E, B.M., Owyhee County
Additional Points: _____
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Gravity flow from reservoir into canal, then gravity flow into pipeline with a pump from the pipeline for sprinkler irrigation and gravity irrigation.
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
35	4E	32									18	5			9	20	2	1	55

Total no. of acres 55

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks Claimed in lieu of license 02-2088
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

June 7, 1981 (Date)
State of Idaho Organization _____
County of Ada ss. Seal _____
On this 4th day of June, in the year 1981 before me
a notary public, personally appeared Carl A. Hite
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.
My commission expires Life Notary Public residing at Boise