

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: **A43-10277**
Date Received: 5/30/1989
Receipt No: M003760
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: GARY NELSON 208-638-5534
Address: 1950 S 1192 W
ELBA ID 83326
AND/OR
Name: PAULA NELSON 208-638-5534
Address: 1950 S 1192 W
ELBA ID 83326

2. Date of Priority: JUN 20, 1910

3. Source: SPRING Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	24E	32	SW	SE	SW		CASSIA

5. Description of diverting works:
DUGOUT, POND OVER SPRINGS TO DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	25E	32	SE	SW		IRR	38.0

10. Place of Use: Continued

Section Acres 38.0

Total Acres 38.0

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:

A43-00247, A43-00246

14. Remarks:

CHANGE OF OWNERSHIP ENTERED 5-25-00 BASED UPON WARRANTY DEED. KKC

15. Basis of Claim: BENEFICIAL USE

STATE 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).: A43-10277 - A43-10279

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/Claimant Orvil Beecher
Elba ID 83324

4. New Owner/Claimant(s) GARY or Paula Nelson
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 1950 S 1192 W Elba ID 83324
City, State and ZIP Code _____
New Telephone Number (208) 638-5534

5. Date you acquired the property March 21 - 1997

6. 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 34 Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
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.

7. Signature of New Owner or Claimant(s) GARY C. Nelson. Paula B. Nelson
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. 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..

247999

PERSONAL REPRESENTATIVE'S
WARRANTY DEED

No #

For Value Received

DEBORAH B. JONES, Personal Representative of the Estate of Orvil E. Beecher,
deceased

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

GARY C. NELSON and PAULA BEECHER NELSON, husband and wife
Address: Elba, Idaho 83326

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

See attached Exhibit "A" for legal description

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Accruing taxes, levies and assessments; easements and rights of way of record if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

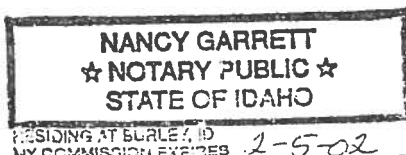
Dated: December 19, 1996

ESTATE OF ORVIL E. BEECHER

By: Deborah B. Jones
Deborah B. Jones, Personal Representative

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 20th day of March, 1997, Before me, the undersigned, a Notary Public in and for said State, personally appeared DEBORAH B. JONES, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Orvil E. Beecher, and acknowledged to me that she executed the same as such Personal Representative.



Nancy Garrett
Notary Public
Residing at: Burley, Idaho
My Commission expires: 2-5-02

Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32 of Township 13 South, Range 25 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the south $\frac{1}{4}$ section corner of Section 32 of T.13 S., R.25 E., B.M., said corner marked by a 5/8" rebar with 3" Cassia County Survey cap; Thence North 00 degrees 12 minutes 44 seconds East (N 00°13'09"E, rec.) along the east line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 408.93 feet which shall be the Point of Beginning;

THENCE North 86 degrees 07 minutes 24 seconds West for a distance of 39.03 feet to a $\frac{1}{2}$ " rebar;

THENCE North 86 degrees 07 minutes 24 seconds West for a distance of 248.27 feet to a $\frac{1}{2}$ " rebar;

THENCE South 00 degrees 37 minutes 10 seconds East for a distance of 138.52 feet to a $\frac{1}{2}$ " rebar;

THENCE South 01 degrees 27 minutes 16 seconds East for a distance of 290.09 feet to a $\frac{1}{2}$ " rebar on the south line of Section 32;

THENCE South 89 degrees 58 minutes 00 seconds West along the south line of Section 32 for a distance of 216.63 feet to a $\frac{1}{2}$ " rebar;

THENCE North 01 degrees 27 minutes 16 seconds West for a distance of 402.16 feet to a $\frac{1}{2}$ " rebar;

THENCE South 89 degrees 58 minutes 00 seconds West for a distance of 216.63 feet to a $\frac{1}{2}$ " rebar;

THENCE South 01 degrees 27 minutes 16 seconds East for a distance of 402.16 feet to a $\frac{1}{2}$ " rebar on the south line of Section 32;

THENCE South 89 degrees 58 minutes 00 seconds West along section line for a distance of 603.91 feet to a 5/8" rebar at the SW corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE North 00 degrees 01 minutes 04 seconds West along the west line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 1324.11 feet to a 5/8" rebar at the NW corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE North 89 degrees 55 minutes 46 seconds East along the north line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 1032.05 feet to a $\frac{1}{2}$ " rebar;

THENCE South 00 degrees 12 minutes 44 seconds West for a distance of 151.93 feet to a $\frac{1}{2}$ " rebar;

THENCE North 89 degrees 55 minutes 46 seconds East for a distance of 229.41 feet to a $\frac{1}{2}$ " rebar;

THENCE North 89 degrees 55 minutes 46 seconds East for a distance of 57.30 feet to the east line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;

THENCE South 00 degrees 12 minutes 44 seconds West along the east line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 764.12 feet to the Point of Beginning.

Said property contains 34.31 acres more or less and is subject to any easements or right of ways, existing or of record.

PREPARED BY:
Desert West Land Surveys
1751 Overland Ave.
Burley, Idaho 83318



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: A43-10277
Date Received: 5/30/1989
Receipt No: 1055160
Received By: JS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ORVIL BEECHER 208-638-5564
Address: BOX 465
ELBA, ID 83326

2. Date of Priority: JUN 20, 1910

3. Source: SPRING Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	24E	32	SW	SE	SW		CASSIA

5. Description of diverting works:
DUGOUT, POND OVER SPRINGS TO DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	25E	32	SE	SW		IRR	38.0
Section Acres							38.0
Total Acres							38.0

A43-10277

Page 1

Date: 05/30/89

MICROFILMED

MAR 04 1993

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:
A43-00247, A43-00246

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): *Orval E. Becker* Date: 5/30/89

Date: _____

State of Idaho)
County of Cassia) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of May 1989

Anna Baunhoff
Notary Public

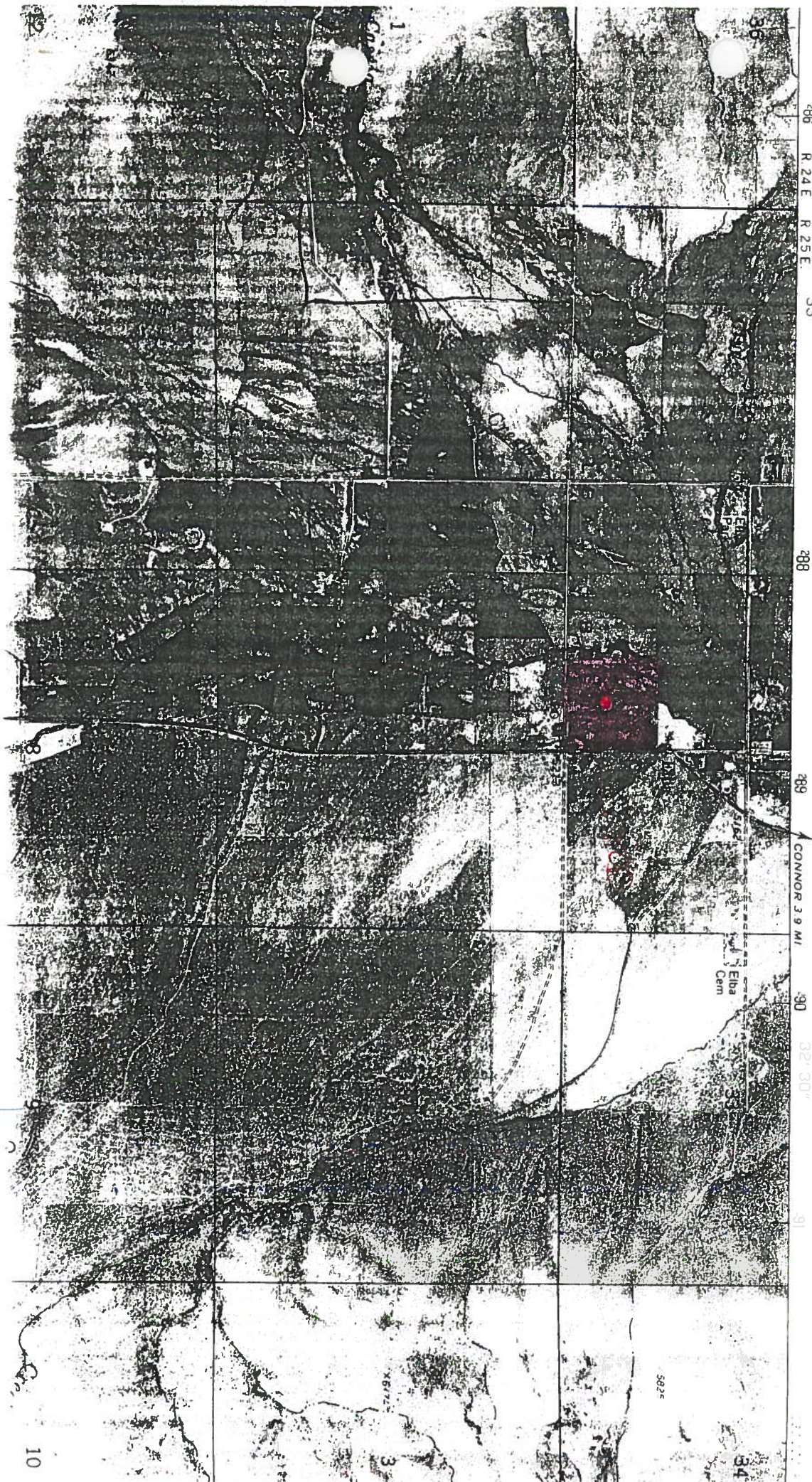
Seal

Residing at _____
My Commission Expires _____
Anna Baunhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994

R24E R25E

448-10277

MICROFILMED
MAR 4 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

September 13, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GARY NELSON
PO BOX 465
ELBA ID 83326

RE: ADJUDICATION REVIEW OF CLAIMS A43-00246, A43-00247, A43-00248, A43-10277, AND
A43-10279

Dear Gary

I am in the process of completing the recommendations for your adjudication claims. There are a few areas that need your input.

The decreed rights A43-00246, A43-00247, A43-00248 are tentatively recommended for 36 acres within the SESW of Sec 32. A43-00246 and A43-00247 are still in Orvil Beecher's name. A change of ownership is necessary. Other than that, I do not see any problems with these rights.

Although we discussed the development for A43-10277 (the spring near the center of the property) I do not have any documentation to substantiate the claimed priority date. I have to have that information before I can make a recommendation on that right. As the property was part of the Jobe-Adams decree, the earliest priority date that can be recognized is one day after the decree date or 10-19-1928. That is assuming that the spring was developed before the decree was finalized but for some unknown reason, not included in the decree. I have identified 5.6 acres using the department GIS system as being irrigated from a gravity system. This claim is also in Orville's name and requires a change of ownership.

A43-10279 is the claim for Black Sand Creek and Franks Hollow water diverted at the point where the Barker ditch goes under Dry Creek and also meets highway. The diversion structure is a culvert leading from Dry Creek to the Barker ditch. Although the majority of water may actually arise or come from the two claimed sources, the actual diversion is from Dry Creek and any water from other sources that reach that channel is then considered to be Dry Creek water. I expect to recommend this claim with Dry Creek as the source. This claim does not have evidence of priority either. If the first time that the Dry Creek water was intentionally diverted into the Barker Ditch was when the highway department installed the culvert then that would be the priority date. If there was a previous diversion structure that the culvert replaced, then the date that the earlier structure was constructed would be the priority date. I cannot recommend this right either, until I obtain evidence of priority. This claim needs to be included in the change of ownership from Orvil to the current owner.

I did not see any problems with the claims for the home property. If you have any questions please contact me at the above number.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

December 5, 1991

R. KEITH HIGGINSON
Director

A43-10277
ORVIL BEECHER
BOX 465

ELBA

ID 83326

RE: Evidence of Priority

RESPONSE DEADLINE

FEBRUARY 3, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **February 3, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 04 1993

11/30/2000

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

RIGHT NUMBER: 43-10277

NAME AND ADDRESS: GARY NELSON
PAULA NELSON
1950 S 1192 W
ELBA, ID 83326

SOURCE: SPRING

TRIBUTARY: CASSIA CREEK

QUANTITY: 0.11 CFS

VERIFIED BY KIC

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02
CFS PER ACRE. COMBINED RIGHT NOS. 43-246, 43-247, 43-248, 43-10277,
AND 43-10279.

PRIORITY DATE: 10/19/1928

POINT OF DIVERSION: T13S R25E S32

SWSESW

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.11 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County
T13S R25E S32

SESW 5.6

5.6 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 36 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHTS: 43-246, 43-247, 43-248, 43-10277, AND 43-10279.

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

11/30/2000

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

RIGHT NUMBER: 43-248

NAME AND ADDRESS: GARY NELSON
PAULA NELSON
1950 S 1192 W
ELBA, ID 83326

SOURCE: CASSIA CREEK
CROSS CREEK

TRIBUTARY: RAFT RIVER
CASSIA CREEK

QUANTITY: 0.1 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02
CFS PER ACRE. COMBINED RIGHT NOS. 43-246, 43-247, 43-248, 43-10277, AND
43-10279.

PRIORITY DATE: 04/30/1886

POINT OF DIVERSION: T14S R24E S12 NWNENW Within CASSIA County
T14S R25E S6 NWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.10 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County
T13S R25E S32 SESW 36

36 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 36 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHTS: 43-246, 43-247, 43-248, 43-10277, AND 43-10279.

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

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

1976

IDMR ID NO.

DD-30☒ Y ☐ N ☐ X☐ TOPOGRAPHIC

DATE FIELD CHECKED

1987 (7-31)

IDMR ID NO.

DD-30NW☐ Y ☐ N ☐ X☐ MAP

DATE OF PHOTO

1978 P/28

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ ASCS AERIAL PHOTO

DATE OF PHOTO

1978 P/28

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ ASCS COLOR SLIDE

DATE OF PHOTO

1978 P/28

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ BLM OR USFS AERIAL PHOTO

DATE OF PHOTO

1978 P/28

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

1978 P/28

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ SCS SOIL SURVEY MAP

DATE ISSUED

1978 P/28

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ SUBDIVISION PLAT MAP

DATE OF MAP

1978 P/28

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ OTHER

DATE

1978 P/28

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ OTHER

DATE

1978 P/28

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ OTHER

DATE

1978 P/28

IDMR ID NO.

382-42☐ Y ☐ N ☐ X

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

☐ LICENSING FIELD EXAM

DATE OF FIELD EXAM

1978 P/28

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ WATER RIGHT LICENSE

DATE LICENSE SIGNED

1978 P/28

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ IDMR APPROVED TRANSFER

DATE TRANSFER APPROVED

11-29-99

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☒ SYSTEM DESCRIPTIONDATE 11-29-9911-29-99

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☒ PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

6-12-95

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

6-12-95

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

6-12-95

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

6-12-95

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

2-16-78

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ OTHER Station claim 43-4080

DATE

2-16-78

IDMR ID NO.

382-42☐ Y ☐ N ☐ X☐ OTHER

DATE

2-16-78

IDMR ID NO.

382-42☐ Y ☐ N ☐ X

MR 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	Y							
POINT OF DIV	Y		KRC 6-12-95	Y	KRC 6-19-95	KRC 6-19-95		
SOURCE	Y		"	N	"	"		
PLACE OF USE	Y		"	Y	"	"		
DIV. AMOUNT CFS/VOLUME	Y		"	Y	"	"		
CONSUMPTIVE USE	-		"	Y	"	"		
PURPOSES OF USE	Y		"	N	"	"		
PERIOD OF USE	Y		X/KRC 6-19-95	Y	"	"		
BASIS OF CLAIM	Y							
REMARKS								

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:08:25
06/01/95

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A43-10277

LAST: BEECHER
ADDRESS: BOX 465
CITY: ELBA
PHONE NUMBER: 208-638-5564

FIRST: ORVIL
STATE: ID ZIP: 83326

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
N

FIELD
EXAMINER

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON: GARY NELSON

PHONE NUMBER: () -

DATE OF FIELD EXAM: 6/12/95

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: No one in field

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # 443-10277 PRIORITY DATE: 06-20-1910 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

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:

RECOMMENDED PRIORITY DATE:

REVIEWED BY

DATE

133,256

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A43-10277	94S 24E	32	SW	SE	SW				CASSIA		

OTHER AJ CLAIMS WITH SAME AJ POD
 A PREFIX R PREFIX
 A43-10276 R43-10276

MR RECORDS IN SAME 40 ACRE TRACT
 NONE

SOURCE: SPRING

TRIB: CASSIA CREEK

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A (X) 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 (X) Y () N ()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y (X) N ()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A (X) 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 (X)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y (X) N ()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y () N ()

AJ FIELD EXAM (DATE OF FIELD EXAM 6-12-95) NAME OF EXAMINER KKC Y (X) N ()

OTHER (DESCRIBE IN NOTES BELOW)

A. ROOT WATER RIGHT NUMBERS:

A43-10277
R43-10277

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
13S	25E	32	SE	SW		BEECHER, ORVIL	A43-10277 / 38.0	- / 1.0			40.0
			SE	SW		CHURCH OF JESUS CHRIST LATTER	R43-04160 / 1.0	43-04160 / 1.0			
			SE	SW		BEECHER, ORVIL	R43-10277 / 38.0	- /			
			SE	SW		BEECHER, ORVIL	R43-10279 / 38.0	- /			
			SE	SW		CHURCH OF JESUS CHRIST LATTER	A43-00246 / 38.0	43-00246 /			
			SE	SW		BEECHER, ORVIL	A43-00247 / 38.0	43-00247 /			
			SE	SW		BEECHER, ORVIL	A43-10276 / 38.0	- /			
			SE	SW		BEECHER, ORVIL	A43-10279 / 38.0	- /			
			SE	SW		BEECHER, ORVIL	R43-10276 /	- /			
			SE	SW		BEECHER, ORVIL	R43-00246 / 38.0	- /			
			SE	SW		BEECHER, ORVIL	R43-00247 / 38.0	- /			
			SE	SW		CASSIA CREEK IRRIGATION CO.	43-00015 /	43-00015 /			
			SE	SW		PARRISH, F. C.	43-00248 /	43-00248 /			
			SE	SW		BEECHER, ORVIL E.	43-04080 / 10.0	43-04080 / 10.0			
			SE	SW		BARKER, RUEL	43-04167 / 35.0	43-04167 / 35.0			

ADDITIONAL POU FOUND

TOTAL ACRES A43-10277

38.00

40.00

POU COUNTY: CASSIA

*Recom P/U modified
based upon acre calc from
GIS. KKC
11-30-99*

*See GIS layout
and land list.
See Also System
mananative dated
11-29-99
KKC*



ORIVILLE BEECHER CLAIMS ANALYSIS

The claims are used on a portion of 40 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32. The decree describes two exclusions of 50 feet and 20 feet along the south and east sides of the section for roadways. These exclusions total slightly greater than 2 acres. Also excluded is a lot in the southeast corner of the section of 1.5 acres. This ground is currently church property. All of the rest of the quarter is irrigated except for the pond area and ditch areas that are considered negligible. The total recommended acreage for this quarter is 36 acres. There are 3 decreed rights from Cassia Creek, one beneficial use claim from an unnamed stream locally known as Dry Wash, and one beneficial use claim for a spring fed pond all for the irrigation for all or a portion of the claimed place of use.

CASSIA CREEK - CROSS CREEK DIVERSIONS

DECREED RIGHTS: 43-00246	4-30-1880	0.30 CFS claimed as of 6-1-95
43-00247	4-30-1882	0.30 CFS claimed as of 6-1-95
43-00248	4-30-1886	<u>0.10 CFS claimed as of 8-2-95</u>
	total	0.70 CFS

The decree generically describes most tributaries as Cassia Creek within this geographical area, and Cross Creek is one so described. The Cross Creek water is delivered through the Barker ditch and irrigates a majority of the property. Cassia Creek water is delivered through the Rice Lessey Ditch and irrigates approximately 2 acres in the northwest corner of the recommended P/U. The decreed rights are taken arbitrarily from either source regardless of priority date therefore these rights are recommended for all of the P/U.

The Barker ditch enters the property at the southeast corner of the quarter/quarter and secondary ditches run north and west along the borders to irrigate the P/U via flood irrigation. The southeast corner of the property is the highest point of elevation on the property. The Barker ditch continues north (along the eastern border of the P/U to eventually reach additional users.

The re-diversion from the Rice Lessey ditch is shared with Ruel Barker for his property that lies directly north of this property.

SPRING DIVERSION

CLAIMED RIGHT: A43-10277

The spring is diverted by a small pond located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 32 that is within the place of use recommended for the other rights. The delivery system is ditches

running northeast and north east from the pond to the Rice Lessey ditch. The spring water can only be applied to ground north of the pond in a roughly U shaped pattern. The pond is used to accumulate the spring water and then divert a greater flow for irrigation purposes. Water from the Barker ditch can be diverted into the pond and then delivered to the ground covered by this system.

This use was not recognized in the Jobe Adams decree, although the spring was undoubtedly being used. Therefore I am recognizing this use for a priority date of 1 day after the decree or, 10-19-1928. For the 5.6 acres identified through arcview and at 0.11 cfs.

DRY WASH DIVERSION

CLAIMED RIGHT: A43-10279

The Dry Wash is diverted into the Barker ditch via a buried pipeline that runs from a cement structure that was constructed by the highway department at the point where the Dry Wash leaves the right-of-way for the Elba-Arco highway. That stream channel is normally dry during the late spring and summer months. The diversion point is located in Twp 14S; Rng 25E; Sec 8; NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ B.M. The Dry Wash water is applied to the irrigated ground through the same delivery system as the Cross Creek Water. Although live flow from Franks Hollow and Black Sand Creek are the predominate sources for water for Dry Wash, the actual diversion is from Dry Wash and is therefore recommended as such.

This system was not identified in the Jobe Adams decree and therefore I am recognizing this use with a priority date of 1 day after the decree or 10-19-1928 for the same 36 acres covered by the decreed rights. I am recognizing this right at the claimed rate of 0.66 cfs which is slightly less than 1 in per acre.

I am recommending the source as Dry Wash per the narrative above.

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

Y() N(☒)

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

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
A43-10277	SPRING	BEECHER, ORVIL	0.300	0.007		
R43-00246	CASSIA CREEK	BEECHER, ORVIL	0.300	0.007		
A43-00246	CASSIA CREEK	BEECHER, ORVIL	0.300	0.007		
A43-00247	CASSIA CREEK	BEECHER, ORVIL	0.300	0.007		
R43-00247	CASSIA CREEK	BEECHER, ORVIL	0.300	0.007		
A43-04160	GROUNDWATER	CHURCH OF JESUS CHRIST LATTER	0.070	0.070		
R43-04160	GROUNDWATER	CHURCH OF JESUS CHRIST LATTER	0.070	0.070		
R43-10277	SPRING	BEECHER, ORVIL	0.300	0.007		
R43-10279	BLACK SAND CREEK	BEECHER, ORVIL	0.660	0.017		
A43-10279	BLACK SAND CREEK	BEECHER, ORVIL	0.660	0.017		
	FRANKS HOLLOW					

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R43-04160	DOMESTIC	CHURCH OF JESUS CHRIST LATTER	FROM 01-01 TO 12-31	0.070 CFS	
A43-04160	DOMESTIC	CHURCH OF JESUS CHRIST LATTER	FROM 01-01 TO 12-31	0.070 CFS	
A43-10276	DOMESTIC	BEECHER, ORVIL	FROM 01-01 TO 12-31	0.040 CFS	
A43-10276	STOCKWATER	BEECHER, ORVIL	FROM 01-01 TO 12-31	0.030 CFS	
R43-10276	DOMESTIC	BEECHER, ORVIL	FROM 01-01 TO 12-31	0.040 CFS	
R43-10276	STOCKWATER	BEECHER, ORVIL	FROM 01-01 TO 12-31	0.030 CFS	

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

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A43-00247, A43-00246

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()

See attachment for November 11-29-99 about pump 11-29-99 Da lead KK

Service 8/11 2024 246 } complete flow 10279, over 1000 gal. flow in add. Above.

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

$$Y(\overline{\lambda})_N(\overline{\lambda})_A$$

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 POU: () ORTHOPHOTOQUAD, IDWR NO. DD-30; () TOPOGRAPHIC QUAD, IDWR NO. _____.

() NAPP, IDNR NO. DD-3044; () ASCS PHOTO; () OTHER P-28 1978 Aug 18

NOTES:

RECOMMENDATIONS:

TOTAL ACRES:

N/A()

REVIEWED BY:

DATE:

6-19-95

A. AD CLAIMED USES:

PURPOSE OF USE PERIOD OF USE (MONTH/DAY) RATE FOR EACH USE DIV. VOL. FOR EACH USE
4-1 10-31 recom for
443-10277 IRRIGATION FROM 05-15 2015 to 10-31-15 0.300 CFS 0.300 CFS
TOTAL DIVERSION RATE/VOLUME 0.300 CFS

B. WR RECORDED USES:

PURPOSE OF USE PERIOD OF USE (MONTH/DAY) DIV. RATE FOR EACH USE DIV. VOL. FOR EACH USE

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:

AJ CLAIM TOTAL DIVERSION RATE: 0.300 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A (X) Y () N ()
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A (X) 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 (X)

* 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 (X) N ()

E. MEASUREMENT METHOD *portable V notch weir. measured .29 cfs on staff gauge which is .115 cfs*

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE 5.8 ACRES x 0.02 CFS/ACRE = 110.2 CFS
(taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y () N (X) No
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y () N ()

2. IRRIGATION DIVERSION VOLUME = AF/A
CLAIMED DIVERSION VOLUME = AF/A

ACRES 7 x DIVERSION VOL. AF/A FOR AREA =
TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = AF/A

ACRES 7 x CONSUMPTIVE VOL. AF/A FOR AREA 3
TOTAL CONSUMPTIVE USE 21 AF/A *for credit*

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

*Based upon
water measurement
Bulletin # 552
Feb 1974
University of ID.*

NOTES: The spring output was measured prior to irrigation water from the Barker ditch system reaching the spring itself. Irrigation had commenced 7 to 10 days earlier, beginning in the SE corner of the P4 and going N along the east side of the P4. Based upon surface contours the ground is not on a line between the ditch, the spring and Canis Co. It is unlikely that the initial in flow was appreciable effect on the output of the spring. The claimant indicated that as the road profile southeast of the spring is saturated, the spring itself will increase.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
 FORFEIT/ABANDON _____
 ADDITIONAL DIV. AMOUNT _____

ACCEPTED
 AS CLAIMED ☒ REVIEW ☒
 () () () ()

*Original Backhoe in
 Passed away the estate by will
 1995 the estate by will
 be passed by will
 notified Gary Nelson of
 the RE over the
 the RE evidence
 on 11-29-99
 KKC*

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 43-10277

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

N/A

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
	R43-10277	0.300	R43-10277	0.300		
TOTAL CFS		0.300		0.300		

DATABASE EXAMINER CFS

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 EXAMINER FIELD
 N Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

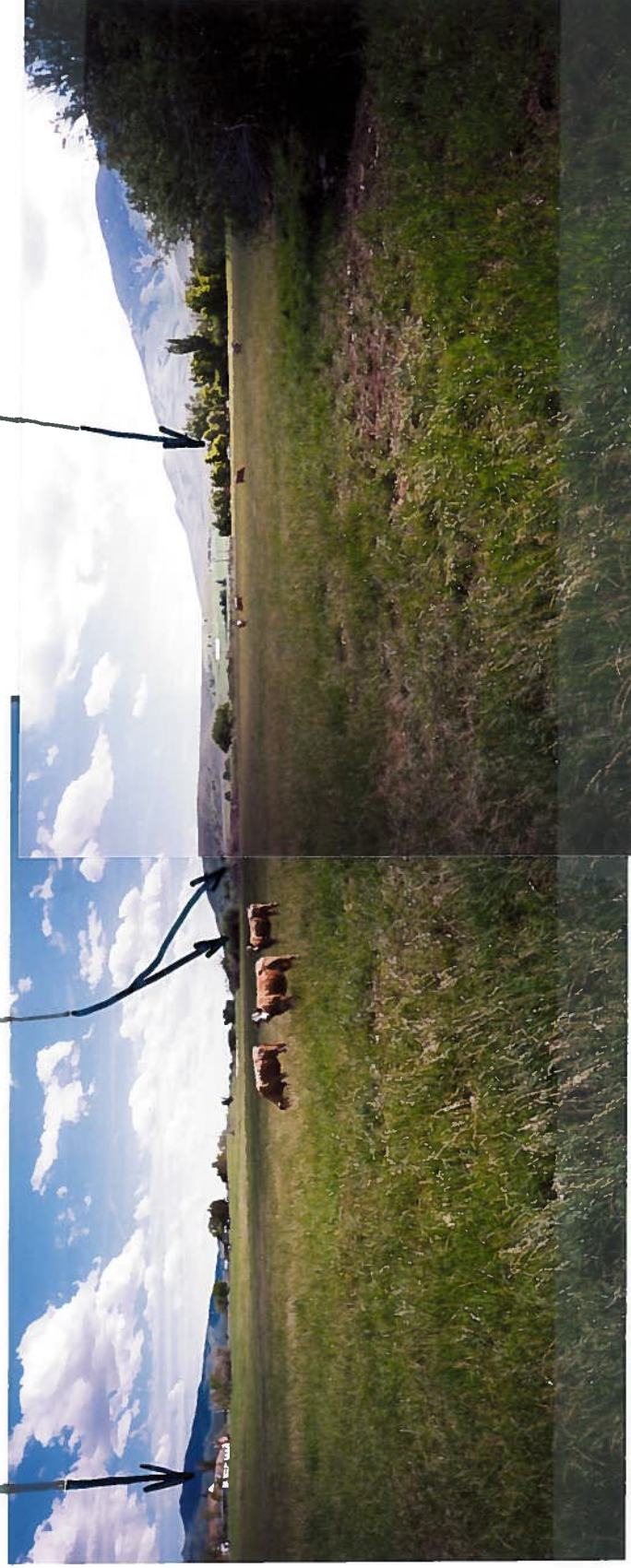
CLAIM # A43-10277 AND A43-00246
DATE PHOTOS TAKEN; 06-12-95
PICTURE SET # 4

You are looking southeast on the left toward the Church to south southwest on the right. The photo location is just east of the point where the Rice-Lessy ditch leaves the property on the northern border of the P/U. This ground is within the horseshoe area that is downstream from the spring shown in photo set 1.

CHURCH

SPRING AND POND

TOM OTTLEY FARMSTEAD



CLAIM # A43-10277 AND A43-00246
DATE PHOTOS TAKEN; 06-12-95
PICTURE SET # 3

You are looking north on the right down the church's western property fence and you are looking east on the left along the southern border of the recommended P/U. This photo shows irrigation to this corner.

PHOTO SET 1 SPRING

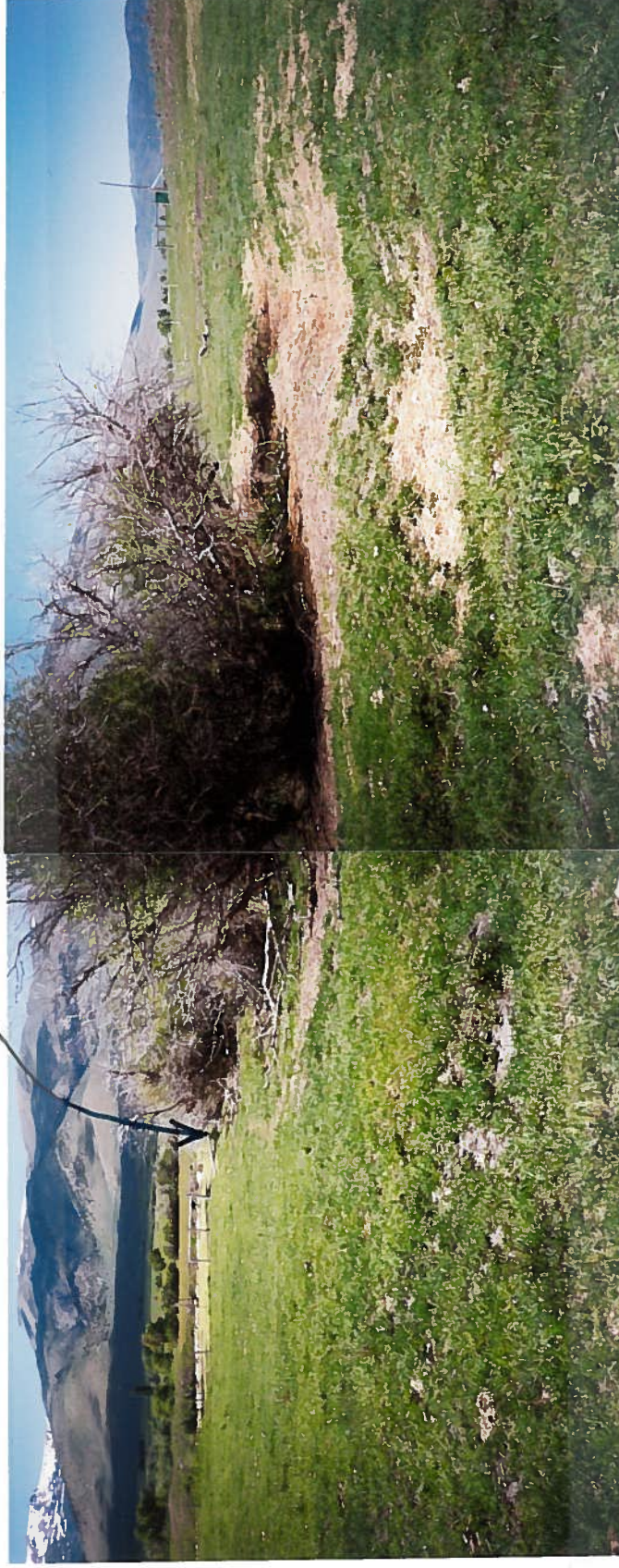
*TOM OTTLEY FARMSTEAD CASSIA CREEK (RICE-LESSY DITCH)
IS IN THE CLOSEST
TREE LINE*



CLAIM # A43-10277
DATE PHOTOS TAKEN; 06-12-95
PICTURE SET # 2

This photo set was taken to show the spring system in relationship to the measurement and that no water was entering the spring system. Note that the ground is dry around the willows. You are looking north in this photo set.

MEASUREMENT LOCATION (PHOTO SET 1)



CLAIM # A43-000277
DATE PHOTOS TAKEN; 06-12-95
PICTURE SET # 1

This photo shows the pond and the measurement point for the spring. I measured the spring discharge just prior to the pond but any water that may rise within the pond was not measured. I observed some spring seepage within the ditch channel at the measurement point. The spring flow was measured with a department temporary V notch weir and I found .115 cfs on this date. There was no water from other sources directly feeding the spring on this day. Irrigation from the Barker ditch had started in the southeast corner of the P/U but it did not appear to have been running long enough to have an effect on the spring output yet. You are looking northwest in this photo.



MEASUREMENT POINT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Notice is hereby given that **Orvil E. Beecher** (name of claimant)
Box 465, Elba, Idaho . claims a right to the diversion and beneficial use of
 (mailing address)
 public water of the State of Idaho

(1) Describe source of water (name of stream, lake, spring, etc., or ground water) **Unnamed Spring**
(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed **tributary to, Rice-Lessee Ditch**

Amount	0.3 cfs	Use	Irrigation	Period of Use	From	Mar 15	To	Nov 15
Amount		Use		Period of Use	From		To	
Amount		Use		Period of Use	From		To	
	(cfs, gpm or a/f)		(dum., irr., stock, etc.)					(both dates inclusive)

(3) Total quantity of water claimed: 0.3 cubic feet per second, or
per annum, and/or gallons per minute. acre feet

(4) Priority claimed: (the date water was first applied to beneficial use) **March, 1880**
A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1970. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 32 Twp. 138 Rce. 25E B. M. County of Cassia
Additional points of diversion:

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. gravity irrigation system

(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.

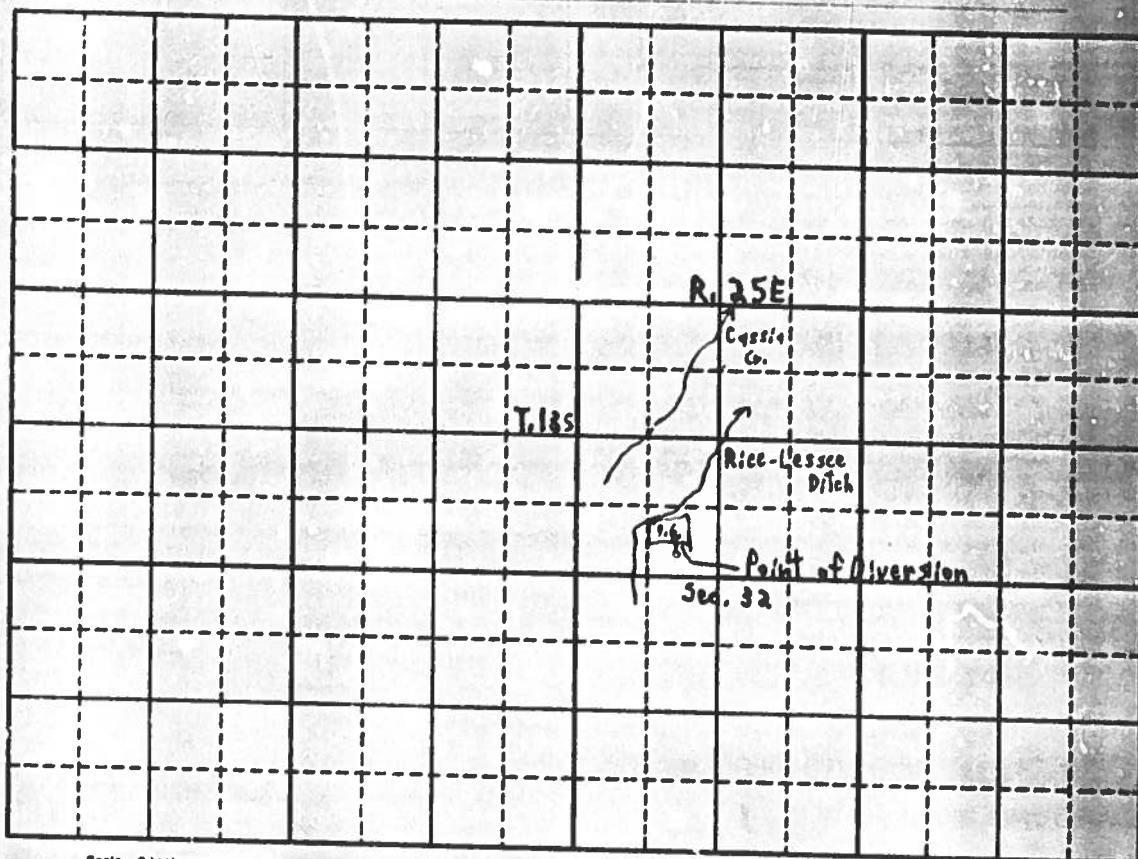
[illegible]

Total No. of acres 9.6

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

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

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Twin Falls)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Orvil E. Beecher
(Claimant)

Sworn to before me this 16th day of February, 19 78

Sheriff R. Merritt
Notary Public

Residing at Twin Falls, Idaho

My commission expires Life Term

For Department Use Only

Received by <u>J. S. Stanton</u>	Date <u>2-16-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>J. S.</u>	Date <u>2-21-78</u>		claimant by:	
\$10.00 fee received by <u>J. S.</u>	Date <u>2-16-78</u>			
Approved for publication by <u>uj</u>	Date <u>3/14/78</u>			
Published In <u>Idaho Falls</u>				
Dates <u>3/14/78</u>				