

07/10/2003

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

RIGHT NUMBER: 2-2150A

NAME AND ADDRESS: DOROTHY GAYLE UPTMOR
PO BOX 560
GLENN'S FERRY ID 83623

ROBERT E UPTMOR
PO BOX 560
GLENN'S FERRY ID 83623

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.560 CFS

PRIORITY DATE: 02/25/1959

POINT OF DIVERSION:

T05S R10E S22 NWSW Lot 7 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.560 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T05S R10E S21 Lot 7 SENE	11.0	T05S R10E S21 Lot 6 NESE	7.0
T05S R10E S22 Lot 6 SWNW	11.0	T05S R10E S22 Lot 7 NWSW	35.0

64 ACRES TOTAL

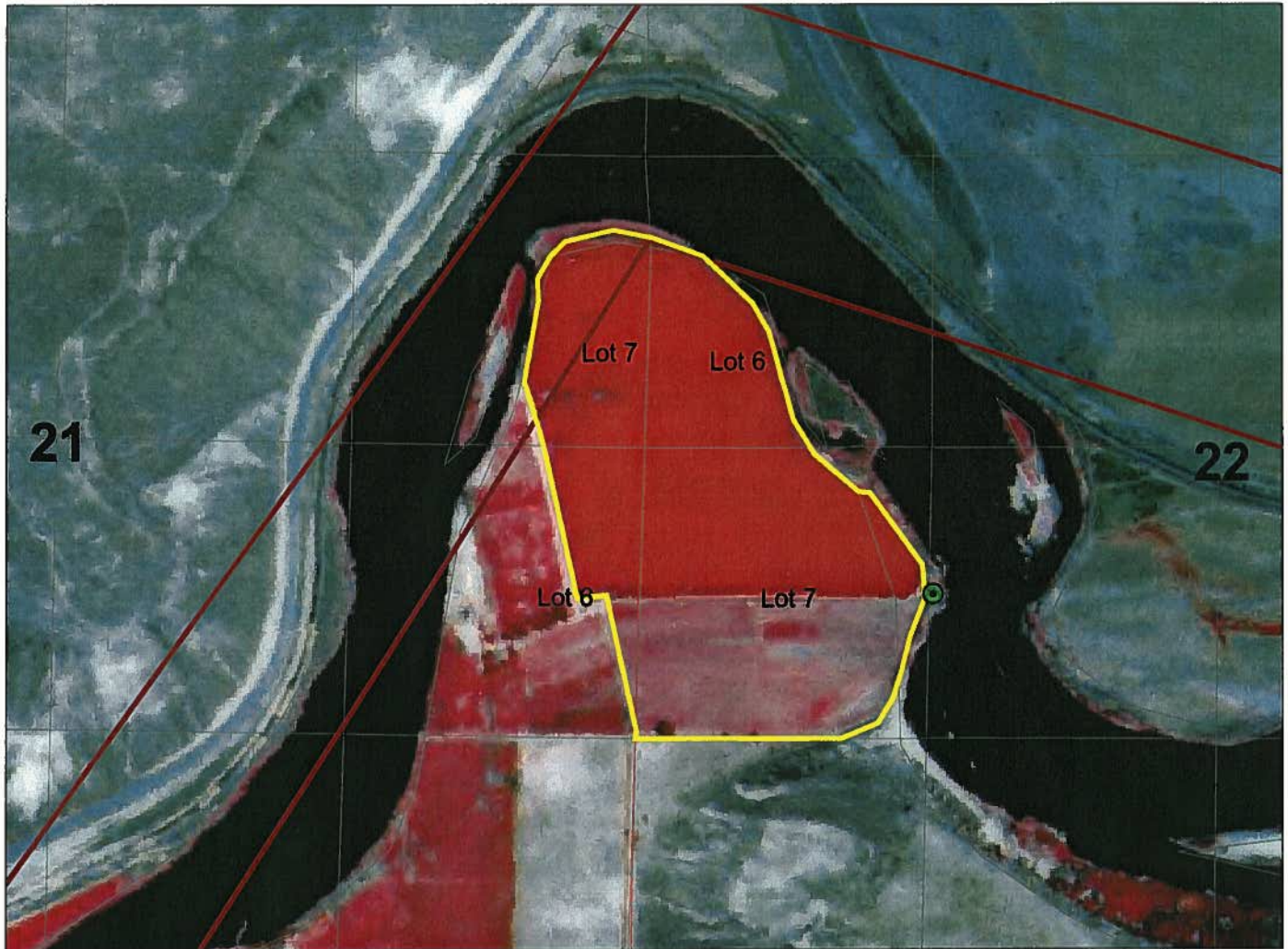
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: License

Idaho Department of Water Resources

Place of Use Layout 2-2150A

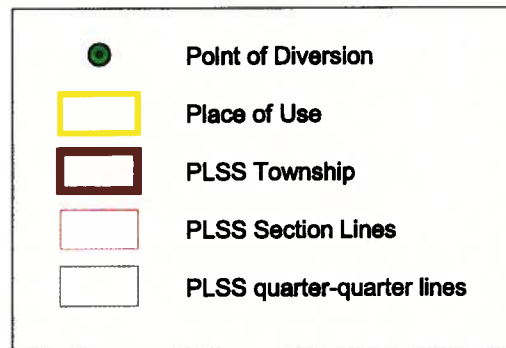


0 0.25 0.5 Miles

Township 5S Range 10E Sections 21 & 22



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: July 10, 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 11, 2003

ROBERT E UPTMOR
DOROTHY GAYLE UPTMOR
PO BOX 560
GLENN'S FERRY ID 83623

RE: Snake River Basin Adjudication (SRBA) claim A02-02150A

Dear Mr. & Mrs. Uptmor:

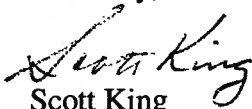
Per our recent telephone conversation, stockwater uses cannot be included in the recommendation for 02-2150A as this right was licensed for irrigation uses only. My apologies for not identifying this issue in earlier correspondence. Idaho does recognize incidental stockwater so that this use does not need to be specified as long as the use is incidental. However, in order to secure a recorded decreed right to divert water for non-incidental stockwater, a claim to such right must first be made.

A claim may be filed for de-minimus stockwater where the daily use is less than 13,000 gallons per day for a fee of \$25. I have included a blank claim form, and also a typed claim that you may use as is, or modify as you choose.

Also included are several pages copied from the license file 2-2150A including the application for permit, and depositions made by the holder and two witnesses for proof of application of water to beneficial use. These documents suggest that a waterwheel was once used to deliver irrigation water. However, they do not clearly establish a priority date. In addition, the remarks on the application suggest that any right that was developed earlier by waterwheel may have been sporadic, and also may have been abandoned for King Hill water. In order to recommend a beneficial use right for irrigation developed prior to the license, you would need to more clearly establish the date of priority and also document that the right continued to be used and was not lost to abandonment or forfeiture.

Again, if you have any questions about this matter, please let me know. I can be reached by mail at the above address, by email at sking@idwr.state.id.us or by phone at (208) 327-7897.

Sincerely,


Scott King
Enclosures

Uptmor's Silver Snake Ranch
PO Box 560
Glenns Ferry ID. 83623

RECEIVED

JUL - 1 2003

Department of Water Resources

June 30, 2003

State of Idaho
Dept. of Water Resources
P.O. Box 83720
Boise, Id. 83720-0098
Attn. Mr. Scott King

Re: Snake River Basin Adjudication (SRBA) claim A02-02350A

Dr. Mr. King

All is well on the Snake - just finished our 2nd cutting of alfalfa - looks good.

Thank you so much for helping us revise and bring our water claim from the Snake River up to date. We appreciate your attention to detail and professional approach.

Enclosed is our amended claim as suggested in your June 11, 2003 letter. Claim has been signed and notarized as requested.

Thank you.

Sincerely
Bob & Ytma

Enclosure

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 2-2150A
Date Received: 10/30/1989
Receipt No: W006570
Received By:

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

1. Name of Claimant(s)

DOROTHY GAYLE UPTMOR Phone: (208)366-2127
PO BOX 560
GLENNS FERRY ID USA 83623

ROBERT E UPTMOR Phone: (208)366-2127
PO BOX 560
GLENNS FERRY ID USA 83623

2. Date of Priority: 02/25/1959

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	10E	22	NW SW 7	ELMORE	

5. Description of diverting works:

PUMP, PIPELINE, HAND LINES, SPRINKLER SYSTEM, STOCK TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.56	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
2.56 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
STOCKWATER, UP TO 50 HD. BEEF

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	10E	21	SE	NE	7	IRRIGATION
			NE	SE	6	IRRIGATION
			Section Acres			
05S	10E	22	SW	NW	6	IRRIGATION
			NW	SW	7	IRRIGATION
			Section Acres			
Total Acres						64

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

SEE SN. RIVER CLAIM FOR 10.00 PAID, 10.00 SUB.'D. FROM THIS CLAIM SEE SN. RIVER CLAIM FOR STOCKWATER USE.

15. Basis of Claim: License
Water Right Number: 27801

16. Signature(s)

Terrell E. Githner
Dorothy Gayle Githner

(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: _____

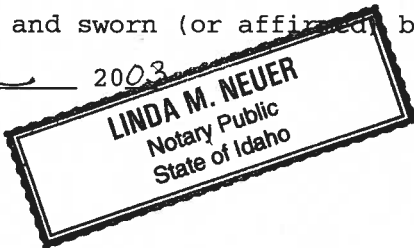
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Robert E. Gilmour Date: 06/30/03
Dorothy Kaye Tipton Date: 06/30/03

State of Idaho)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this 30th
of June 2003.



Linda M. Neuer
Notary Public

Residing at Hammett ID

My commission Expires MY COMMISSION EXPIRES:
April 30, 2005

CONVERSATION MEMORANDUM

EMPLOYEE: Scott King

FILE: 2-2150A

RE: My June 11 letter, Questions from claimant

DATE: 6-19-2003

NAME OF PARTY: Robert Uptmor

Mr Uptmor called re: my letter inviting an amended claim to claim the full 2" / acre, and also answer a question on ~~an~~ # of acres in each part A & B. Claimant was pleased with our suggestion to claim full flow, and didn't disagree with my split interpretation, but will review w/ Tungstrom's (part B owner) before signing or agreeing. Claimant had questions:

- 1) King Hill water was once used on this place. Can he claim any of it for an earlier priority?
- 2) If yes to above, what is rate per acre of King Hill?
- 3) Did predecessor sell King Hill water? Were shares permanently relinquished.

I advised I would seek what answers I could to these questions, and claimant plans to call me back next week or later.

Sh ^{over} end

6/30/2003

I spoke w/ Mr. Upton. I explained to claim part of King Hill, he would need to show that the shares of King Hill were removed from the district and then continued to be applied to his property. It sounds like this is not the case, and that shares were sold or relinquished. We also discussed that the 1959 license priority is pretty good for the Snake River / Basin 02 and as it stands now, cuts to this right will be rare.

S. King

- end



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 11, 2003

ROBERT E UPTMOR
DOROTHY GAYLE UPTMOR
PO BOX 560
GLENN'S FERRY ID 83623

RE: Snake River Basin Adjudication (SRBA) claim A02-02150A

Dear Mr. & Mrs. Uptmor:

I am currently reviewing the above referenced claim to a water right in the ongoing Snake River Basin Adjudication. Water Right 02-02150 was originally licensed for 3.2 cfs on 80 acres. Claim A02-02150A, in your name, is 1.34 cfs for 66 acres. Claim A02-02150B, in the name of Leroy & Grace Tingstrom, is 0.28 cfs for 14 acres. It appears that the total number of acres from the original license is claimed in full. However, the total flow is not claimed, and it appears that each portion of this right may claim the licensed rate of 0.04 cfs per acre ($3.2 \text{ cfs} \div 80 \text{ acres}$). This letter is to inform you of this discrepancy between the license and claim, and to invite you to submit an amended claim if you so choose.

My investigation thus far indicates a total of 64 irrigated acres for A02-02150A, and 16 irrigated acres for A02-02150B. This is different than the claimed amounts and is a reflection of my interpretation of the ownership split of this license. Enclosed is a preliminary place of use map depicting my interpretation of the split of the property and appurtenant water right. If you disagree with my interpretation, please advise me of such, and provide supporting documents such as a deed, that more clearly establishes your ownership of additional irrigated acres.

Also enclosed is an amended claim which is identical to your earlier claim except 1) the total acres is 64 instead of 66, and 2) the flow is 2.56 cfs instead of 1.34 cfs. If you agree with this change to your claim and wish to proceed with the amendment, please sign and notarize the claim, and return it to me at the above address. In addition, if you have any questions about this matter, please let me know. I can be reached by mail at the above address, by email at sking@idwr.state.id.us or by phone at (208) 327-7897.

Sincerely,

Scott King
Enclosure

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 2-2150A
Date Received: 10/30/1989
Receipt No: W006570
Received By:

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

1. Name of Claimant(s)

DOROTHY GAYLE UPTMOR Phone: (208)366-2127
PO BOX 560
GLENN'S FERRY ID USA 83623

ROBERT E UPTMOR Phone: (208)366-2127
PO BOX 560
GLENN'S FERRY ID USA 83623

2. Date of Priority: 02/25/1959

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	10E	22	NW SW 7	ELMORE	

5. Description of diverting works:

PUMP, PIPELINE, HAND LINES, SPRINKLER SYSTEM, STOCK TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.56	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
2.56 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
STOCKWATER, UP TO 50 HD. BEEF

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05S	10E	21	SE	NE	7	IRRIGATION	11
			NE	SE	6	IRRIGATION	7
05S	10E	22	SW	NW	6	IRRIGATION	11
			NW	SW	7	IRRIGATION	35
						Total Acres	64

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

SEE SN. RIVER CLAIM FOR 10.00 PAID, 10.00 SUB.'D. FROM THIS CLAIM SEE SN. RIVER CLAIM FOR STOCKWATER USE.

15. Basis of Claim: License
Water Right Number: 27801

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

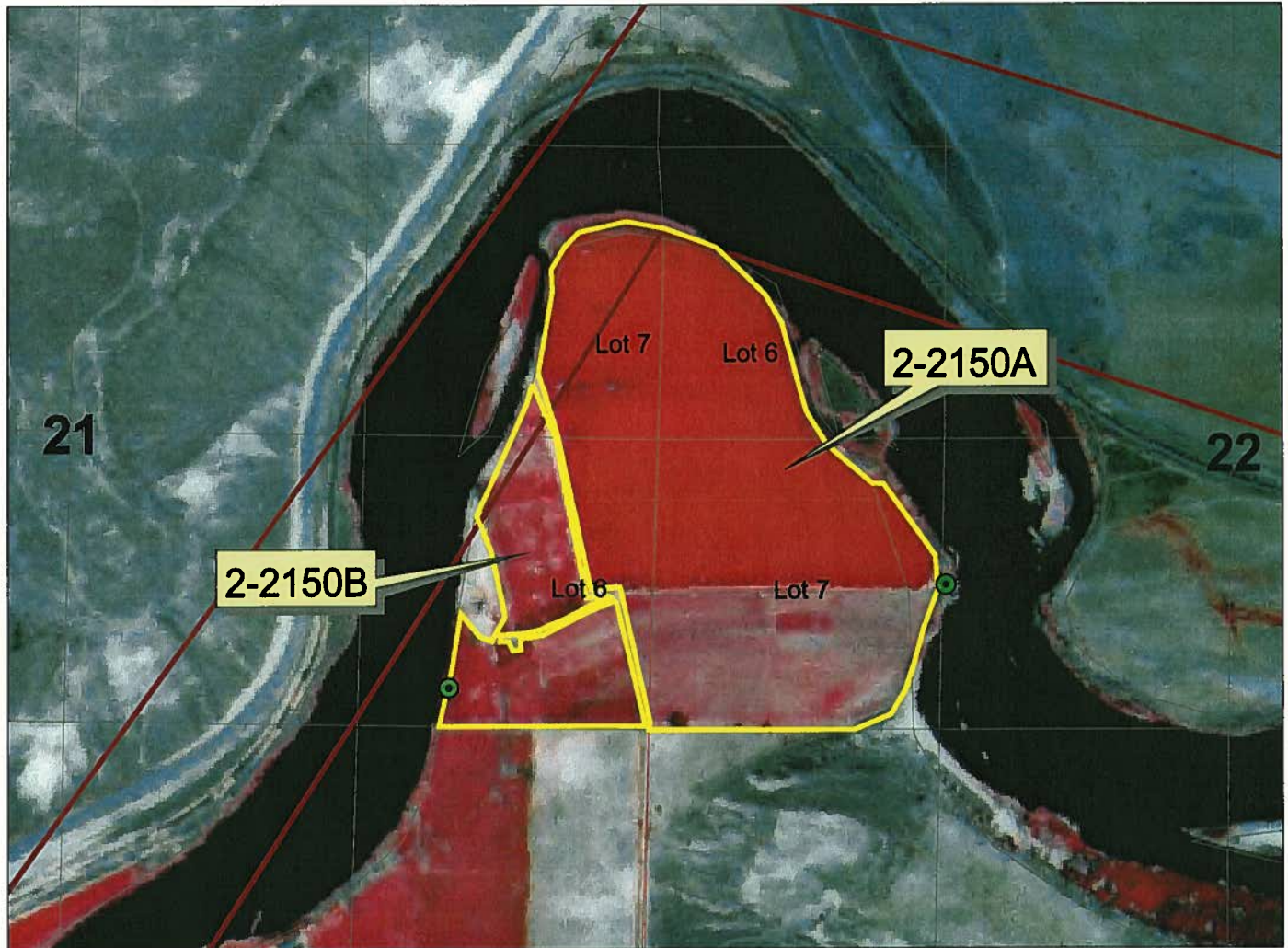
Notary Public

Residing at _____

My commission Expires _____

Idaho Department of Water Resources

Preliminary Place of Use Layout 2-2150A & 2-2150B

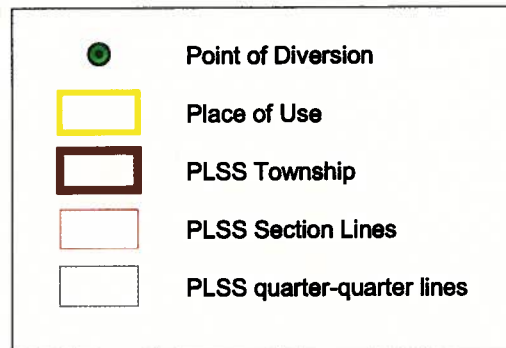


0 0.25 0.5 Miles

Township 5S Range 10E Sections 21 & 22



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: June 11, 2003



Idaho Department of Water Resources

Claim Number: 02-02150A
Legal: T05S, R10E, S21, 22
Reviewed By:

● Point of Diversion



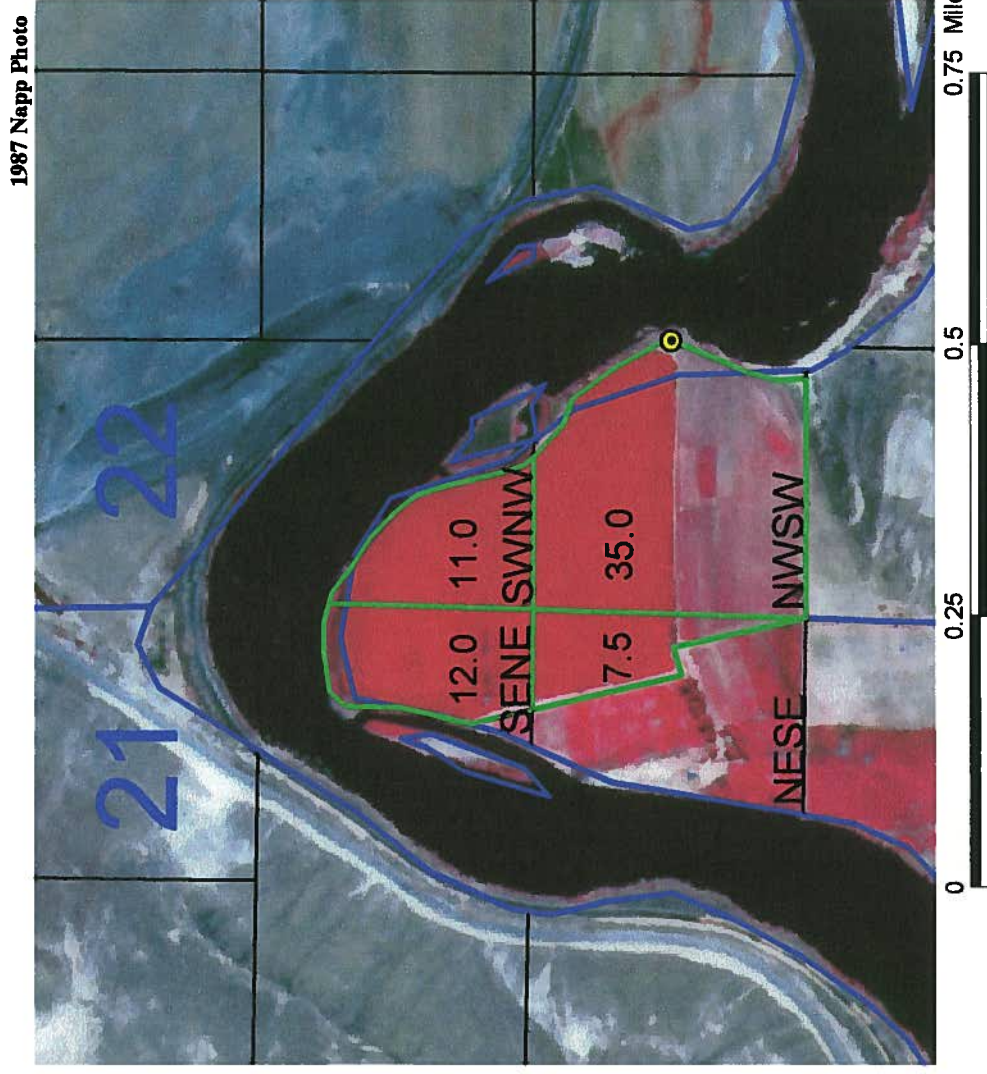
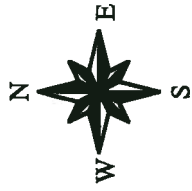
Place of Use



Section Lines



Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 02-02150A
Legal: T05S, R10E, S21, 22
Reviewed By:

● Point of Diversion



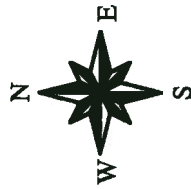
Place of Use



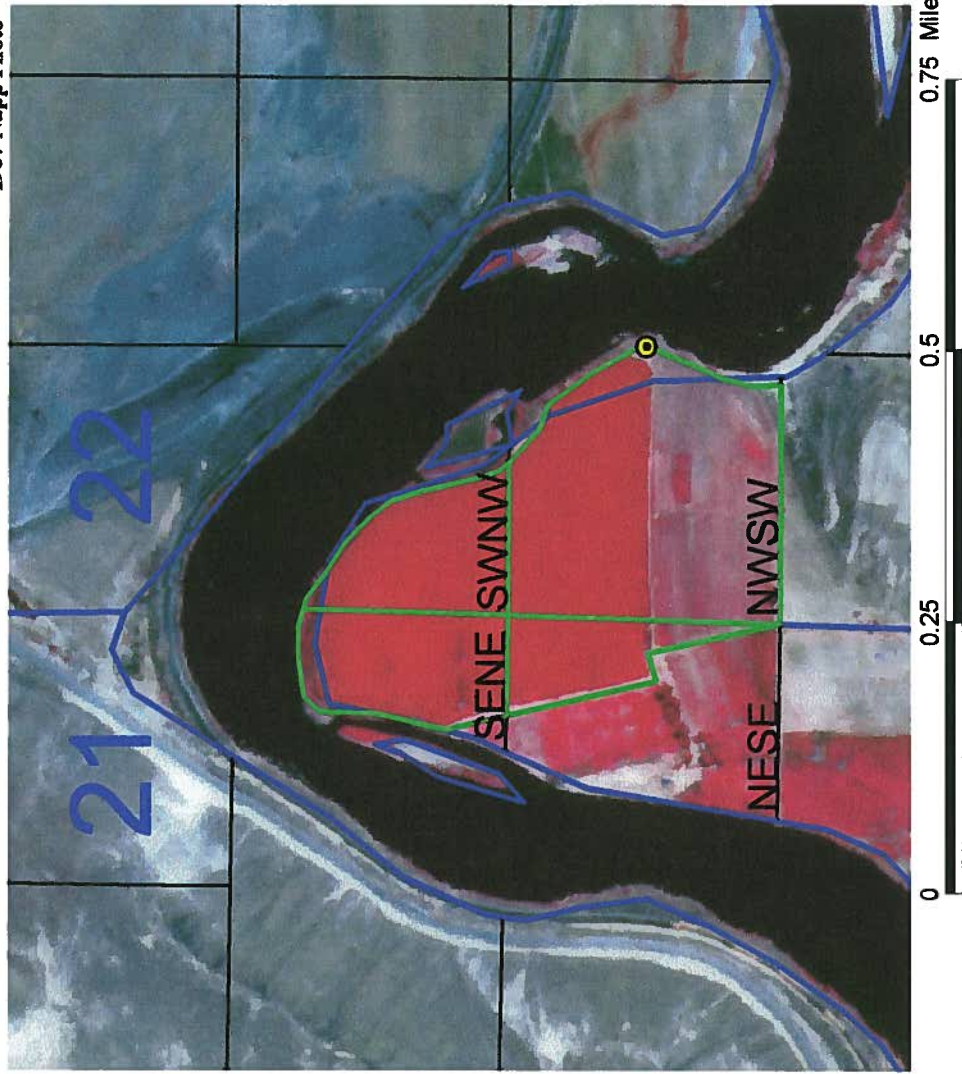
Section Lines



Quarter Quarter Lines



1987 Napp Photo



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: A02-02150A
Date Received: 10/30/1989
Receipt No: 4006570
Received By: Kah

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT E. UPTMOR 208-366-2127
Address: P.O. BOX 560
GLENN'S FERRY, ID 83623

OR

Name: DOROTHY GAYLE UPTMOR 208-366-2127
Address: P.O. BOX 560
GLENN'S FERRY, ID 83623

2. Date of Priority: FEB 25, 1959

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	10E	22	NW	SW		7	ELMORE

5. Description of diverting works:
PUMP, PIPELINE, HAND LINES, SPRINKLER SYSTEM, STOCK TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.340		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, UP TO 50 HD. BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	10E	21	SE	NE	7	IRR	10.0
			NE	SE	6	IRR	8.0
						Section Acres	18.0
		22	SW	NW	6	IRR	9.0
			NW	SW	7	IRR	39.0
						Section Acres	48.0
						Total Acres	66.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:
SEE SN. RIVER CLAIM FOR 10.00 PAID, 10.00 SUB.'D. FROM THIS CLAIM
SEE SN. RIVER CLAIM FOR STOCKWATER USE.

15. Basis of Claim: LICENSE
Water Right Number: 27801

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):

[Signature]

Date: 30 Oct 89

Date: _____

State of Idaho)

) SS.

County of ADA)

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

of OCT 19 89

[Signature]
Notary Public

Seal

Residing at

Ron Howerton

Residing at Boise, Idaho

My Commission Expires

My Commission Expires December 8, 1994



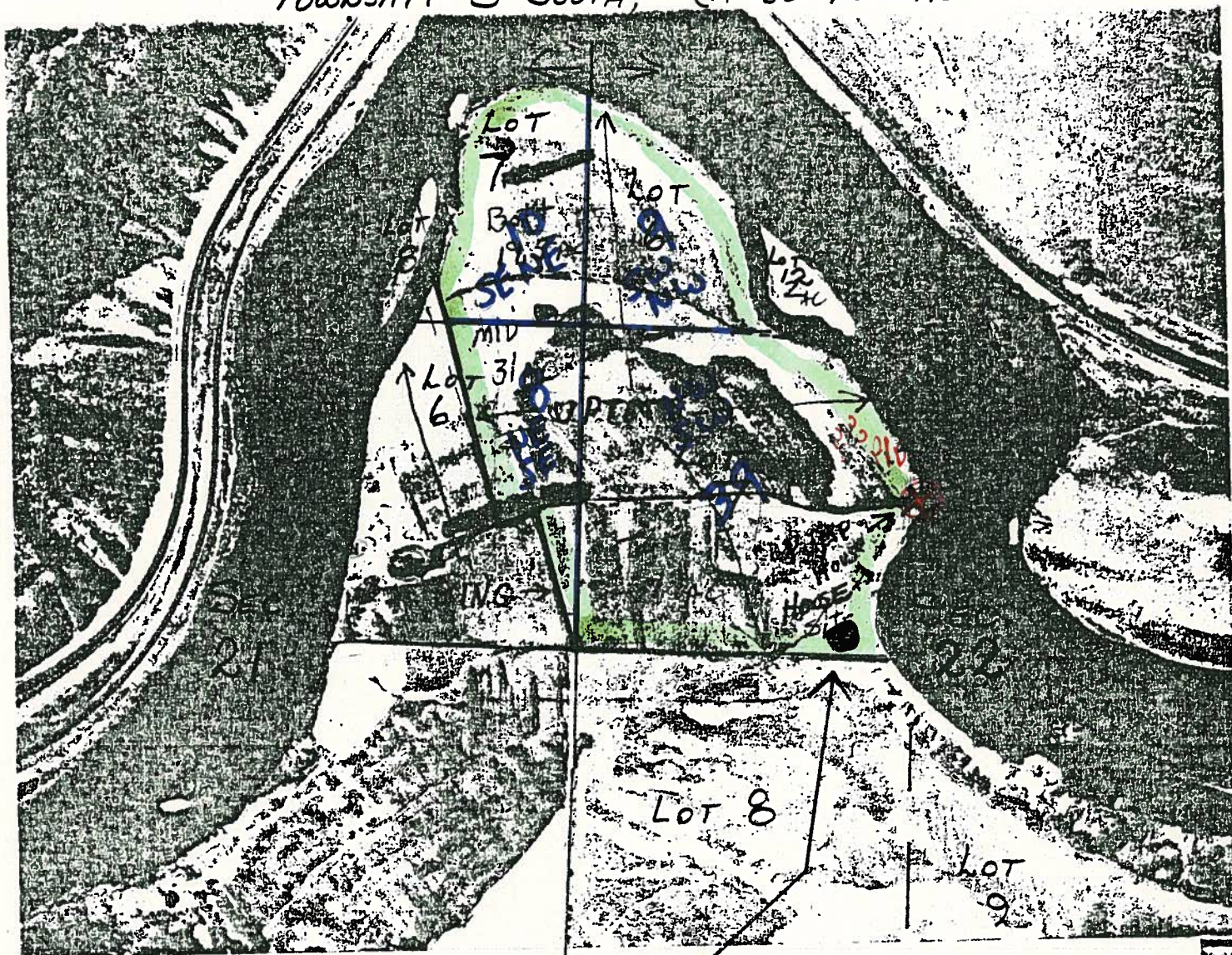
CONSERVATION PLAN MAP

Prepared by SOIL CONSERVATION SERVICE * UNITED STATES DEPARTMENT of AGRICULTURE
cooperating with

OWNER
OPERATOR

FARM NO. _____ DATE _____
SCALE 1 inch = 660' ACRES _____
PHOTO NO. _____

TOWNSHIP 5 SOUTH, RANGE 10 EAST



Top 19 ac.
Middle 31 ac.
Bottom 19.5 ac.
Island 2. ac.

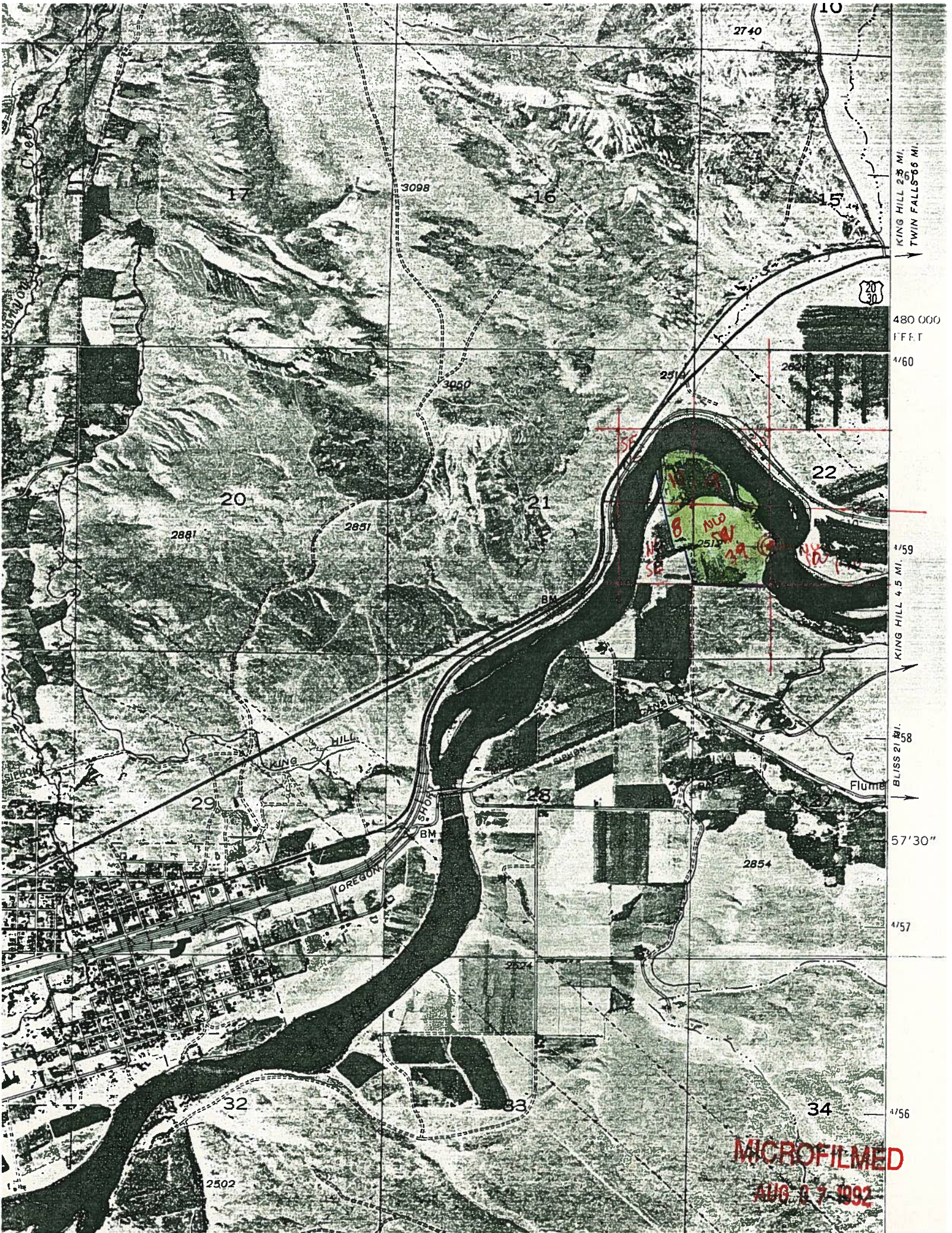
HOME SITE

LOCATED 1.5 miles East of Glenns Ferry
ON SNAKE RIVER.

00848-1

MICROFILMED

AUG 07 1992



KING HILL 2.5 MI.
TWIN FALLS 6.6 MI.

480 000
FEET

1/59
KING HILL 4.5 MI.

1/58
BLISS 2.1 MI.

57'30"

1/57

1/56

MICROFILMED
AUG 27 1992

State of Idaho
License and Certificate of Water Right

Water License No. 27801

Amount 3.2 c.f.s.

Water District No.

Priority February 25, 1959

THIS IS TO CERTIFY that J. P. MORRISON
of Hammett, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 25, 1959; that Permit No. 27801
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.2 second feet, was issued thereunder on August 6, 1964, showing that said works
were completed on the 2nd day of March, 1964; and that on the 2nd
day of March, 1964,

J. P. MORRISON

of Hammett, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Snake River
, a tributary of Columbia River, for the purpose of irrigation
, under Use Permit No. 27801 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

13 of Licenses at page 7926 on the 6th day of August, 1964;

The right hereby confirmed dates from February 25, 1959;

The Point of Diversion is located (lot 7)

in the NW 1/4 SW 1/4, Sec. 22, Tp. 5 S, R. 10 E., B. M. Elmore County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3.2 cubic feet per second.

Description and location of use:

Description and location of use.					
Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 S.	10 E.	21	SE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 7)	10	10
			NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 6)	25	25
		22	SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 6)	12	12
			NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 7)	33	<u>33</u>
			Total number of acres to be irrigated:		

According to Mr. Gene Morrison (J.P.'s son) the acreage
was under the King Hill Irrigation Dist. since the early
part of the century. Gene recalls, "We sold off the King Hill
water in the late 50's or early 60's and started pumping out
of the river". I purchased 66 of the 80 acres described above
in 1993. *Barth E. Tappan*

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

6th day of August, 1964.

MICROFILMED

AUG 07 1992

CARL E. TAPPAN

State Reclamation Engineer.

(SEAL)

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 ~~XXXXXXXXXXXX~~
border.

NOTICE OF CLAIM
TO A
WATER RIGHT

<u>02-2150</u>	
I.D. No.	Map No.
\$ <u>1000</u>	<u>19406</u>
Fee Paid	Receipt No.

Notice is hereby given that Robert E Uptmor + Mrs Robert E Uptmor
(Name of Claimant)
124 MATHER ST SAN ANTONIO TX 78241 Telephone No. 512-924-6037
(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) Water licence No. 27801 Feb 25, 1959 / FLASH 02-2150
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River
Approx. 1 mile East of Glenns Ferry 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: 54-73
Quantity 3.2 CFS Use IRRIGATION + STOCK Period of Use From MARCH To October
(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) 3.2 ON # 27801 FLASH 02-2150 TOTAL QUANTITY CLAIMED.
1.6 CFS or 50 Water ON
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 22, Twp. 5S, Rge. 10 E, B.M., ELMORE 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. 25HP P.m.p.
10" pipe to Top Field, open ditches to middle and bottom fields.
Plan to put into 12rd set At latest date.
- (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.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

* See ATTACHED letter Total no. of acres 20-72 ac.

* 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: PERSONAL Use Only
- (8) Remarks See Attached letter dated 17 Apr 1981

- (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. 27801 + FLASH 02-2150

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.

17 April 1981
(Date)

Robert E Uptmor
(Signature of Claimant)
Mrs Robert E Uptmor Dorothy Gayle Uptmor
(Signature of Spouse)
Organization _____

State of Texas ss. Organization _____
County of Bexar Seal _____

On this 17 day of April in the year 1981 before me
a notary public, personally appeared Robert E. Uptmor + Dorothy Gayle Uptmor

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 OTHER V. MEDRANO) executed the same.

Notary Public, Bexar County, Texas
My commission expires August 18, 1981 Notary Public residing at 5410 Timberhurst
San Antonio, Texas 78245

MICROFILMED

AUG 07 1992

LDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02150 A Date: 6-12-02

	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	53	10E	21				01-10									06-8				18
GIS							12									7.5				19.5
Claim			22							06-9				07-39						48
GIS										11				35						46
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 66

Overlapping FOU Claim #'s:

Total GIS Acres: 65.5

COMMENTS:

per claim map

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 DETERMINATION OF RIGHTS TO THE USE OF
Snake River from base of Milner Dam to Oregon border.

NOTICE OF CLAIM TO A WATER RIGHT

~~RAY ENDS 366-7316~~

02-2150A	I.D. No.	Map No.
\$ 10.00	Fee Paid	19406
		Receipt No.

4970A Notice is hereby given that Robert E Uptmor + Mrs Robert E Uptmor (Name of Claimant)
~~4807 AVENUE C, GREAT FALLS, MT 59405~~
~~124 MATHER ST SAN ANTONIO TX 78241~~ (Mailing Address) Telephone No. ~~512-924-6034~~ SEE 9/14/82 LETTER

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) Water licence No. 27801 Feb 25, 1959 / FLASH 02-2150
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River
Approx. 1 mile East of Glenns Ferry 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: 59-73
- | | | | | |
|---|----------------|-------------------------------------|------------|------------|
| Quantity <u>3.2 CFS</u> Use <u>IRRIGATION + STOCK</u> Period of Use From <u>MARCH</u> To <u>October</u> | (CFS, GPD, AF) | (Domestic, Irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| (Both dates inclusive) | | | | |
| Quantity <u>1.6</u> Use <u>IRRIGATION</u> Period of Use From <u>3/15</u> To <u>11/15</u> | (CFS, GPD, AF) | (Domestic, Irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| (Both dates inclusive) | | | | |
| Quantity <u>1.6</u> Use <u>SPRINKLER</u> Period of Use From <u></u> To <u></u> | (CFS, GPD, AF) | (Domestic, Irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| (Both dates inclusive) | | | | |
| Quantity <u>1.6</u> Use <u></u> Period of Use From <u></u> To <u></u> | (CFS, GPD, AF) | (Domestic, Irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| (Both dates inclusive) | | | | |
- (4) 3.2 ON # 27801 FLASH 02-2150 TOTAL QUANTITY CLAIMED. SE LOT 7
1.6 CFS or 50 Water ON
- (5) A) Point of Diversion: Give location of point where water is diverted from its source (NW 1/4 SW) % SW %
Sec. 22, Twp. 5S, Rge. 10 E, B.M., ELMORE County
Additional Points: SCI: 2720(1) 541.6
- 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. 25HP Pump. 10" pipe to Top Field, open ditches to middle and bottom Fields. Plan to put into 12rd set At latest date.
- (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.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>JS</u>	<u>10E</u>	<u>22</u>							<u>6.6</u>				<u>6.7</u>						
									<u>11</u>				<u>29</u>						<u>40</u>
		<u>21</u>				<u>6.7</u>								<u>6.6</u>					<u>19</u>
						<u>11</u>								<u>8</u>					

* See ATTACHED Letter

Total no. of acres 70-72
59

* 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: PERSONAL Use Only
- (8) Remarks See Attached Letter dated 17 Apr 1981

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

KEYPUNCHED

DW 9/17/84

- ☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 27801 + FLASH 02-2150

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.

17 April 1981
(Date)

State of Texas Organization
County of Bexar ss. Seal

On this 17 day of April in the year 1981 before me
a notary public, personally appeared Robert E. Uptmor + Dorothy Gayle Uptmor
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 JOHN V. MEDRANO) executed the same.

My commission expires August 18, 1981 Notary Public, Bexar County, Texas
My Commission Expires Aug 18, 1981 Notary Public residing at 5410 Timberhurst San Antonio, TX 78250

Individual Robert E Uptmor
(Signature of Claimant)
Dorothy Gayle Uptmor
(Signature of Spouse)

VINE 10 MAY

(Signature of Authorized Agent)

POOR ORIGINAL

02-2504

MICROFILMED
AUG 10 1994

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by D. SHAFF

Date 4/11/83

Right No. 02-2150A

Claimant UPRUDR

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

☐ Previous Statutory Claim.

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

☐ Decree. Name & date _____

☒ Conveyance Loss Calculations. See ^{KING REPORT} ~~printout~~ included.

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

☐ County records. ☐ In file. Or, Name & location _____

☐ 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. COPY ENCLOSED

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☒ Yes ☐ No Date _____

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

Measurement 2.784 cfs. Amount recommended 1.18 cfs.

Type of measuring device: CURRENT METER Meter No. _____

Condition Good Date _____ Time _____

Adjudication Photo(s) Used: Name or No. 197402 BLVD'S FERRY

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☒ Yes ☐ No

Remarks _____

INTER-DEPARTMENT MEMO — 1

FROM FORREST

DATE 8/10/83

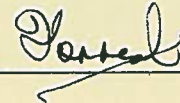
TO DON

MICROFILMED

AUG 10 1994

SUBJECT 02-2150A - COL. ROBT. DATMORE

DON: THE COL. WAS IN YESTERDAY ASKING FOR YOU AND ASKING GUIDANCE IN WHAT FIGURES TO USE IN FILING AN APP. THE LAND INVOLVED IS ACREAGE OVER AND ABOVE THE 59 ACRES YOU HAVE RECOMMENDED FOR 2150A. THE COL. FEELS THAT AT THIS TIME HE CANNOT AFFORD TO GO TO SPRINKLERS AS VERL KING RECOMMENDS. THEREFORE AFTER READING YOUR CORRESPONDENCE, TALKING WITH LEE, AND READING THE LETTER FROM GENE CRISMAN, (A WE (THE COL & I) SETTLED ON AN APPLICATION BASED ON THE 2" RATE GIVEN IN THE LETTER. AFTER READING THE CRISMAN LETTER, YOU MAY WANT TO FILE IT WITH 02-2150A FOR REFERENCE



SIGNATURE

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

9 Aug 83

Bob Uptmore
4447 Gumwood
Malmstrom AFB, Montana 59405

Dear Mr. Uptmor:

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

The soils on this farm are extremely variable due to their proximity to the Snake River. The soils consists mainly of: Turbyfill fine sandy loams on a 4 - 8% slope. Feltham loamy fine sands on a 1 - 3% slope. Cencove sandy loams on 0 - 12% slopes, and Vanderhoff loams on a 7 - 12% slope. Based on the supposition that all these soils have an effective 3 foot root zone the total water holding capacity varies from 3.7 acre inches to 6.6 acre inches with the available water holding capacity at half that figure for most of the crops raised on the farm. The water holding capacity by soils is Garbutt 6.6, Vanderhoff 6.5 Cencove 5.7, Turbyfill 5.7 and Feltham 3.7 inches total.

Crops commonly grown on the farm are beans, corn, alfalfa, barley, pasture and sugarbeets.

Of this group of crops alfalfa has the greatest water requirement at 32 inches based on an irrigation season from April 1 to October 10. This is a total of 193 days.

Based on a seasonal water requirement for alfalfa, 2 miners inches per day would give you an irrigation efficiency of 17%. If we take the peak months of July and August, alfalfa needs are 8.19 and 6.53 acre inches respectively. Two miners inch per acre flow would then give an irrigation efficiency of 27% in July and 22% in August with the balance of the year considerably less efficient if water were run continuously at this rate. While these efficiencies are not good they are at the top end of the range observed when we made surface irrigation efficiency trials on these type soils.

MICROFILMED

AUG 10 1994



For peak production of alfalfa, 2 miners inches per acre of flow would probably be needed for the months of June, July and August.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gene", with a stylized, cursive flourish.

Gene Crisman
District Conservationist
Mtn. Home/ Grandview

MICROFILMED

AUG 10 1994

4447 Gumwood
Great Falls, MT 59405
17 May 1983

02-21504

Mr. Donald Shaff
Department of Water Resources
Statehouse
Boise, Idaho 83720

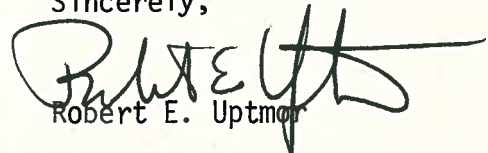
Dear Don:

I can't thank you enough for all the information with reference to my land. I would have to say that it's most complete and should contain everything I need to know if I simply apply myself.

Please know that I am hard at work digesting this material and gathering advice from the local USDA Soil Conservation Service and will do my best to be ready come July. Your offer to come to Glens Ferry is most kind and I will make sure that the proper arrangements are made as to exact time and location. Of course, you understand the entire visit may be scrapped if my presence is required here at Malmstrom, but that seems unlikely at this time.

Thanks once again and I am looking forward to meeting you.

Sincerely,


Robert E. Upton

RECEIVED

MAY 19 1983

MICROFILMED
Department of Water Resources
Western Regional Office
AUG 10 1994

May 12, 1983

Colonel Robert Uptmor
4447 Gumwood
Great Falls, MT 59405

RE: 02-2150A

Dear Colonel Uptmor:

Although no tone of urgency appeared in your letter dated May 3, 1983, I'll respond more promptly than I did to your earlier correspondence. With the stack of photocopied materials I have enclosed, you may need every day you can use between now and July to peruse it. My objective is to supply you with the data I have used; not overwhelm you with paper work overkill.

The matter I will address first is the 59 acres. Utilizing a copy of the MCS map you sent, I have outlined the irrigated part of your land. This line encompasses 59 acres. The limit of a water right is the amount beneficially used, in this case the number of irrigated acres. The amount of presently irrigated land has remained consistent for over five years, the period after which a part of all of a water right can be forfeited (lost) through continuous non-use. As of now, your 1959 water right will be recommended for 50 acres.

Barring the extenuating circumstances described below, this is not to say you cannot develop another water right for more land. Just as you envision your ranch, I can see another 20 or so acres irrigated by system improvements. To comply with the water law statutes though, this development will require a new water right. You can file for the additional land and water by mailing a completed application, or do it in July when you are in Idaho. I assumed the latter would be most convenient, and an application is not enclosed. At your command, I'll remedy any incorrect assumption promptly.

As to the amount of water for the 59 acres, I'll refer you to the photocopied materials, mailed in reverse chronological order. To help you

MICROFILMED

AUG 10 1984

Col. Uptmor
May 12, 1983
Page 2

interpret King's analysis, I'll explain some terms and points:

- alfalfa is the crop with the highest consumptive use requirement.
- AWHC: available water holding capacity, linear inches.
- CU: consumptive use, linear inches.
- .02 cfs = 1 miners inch (M-I) and is for measuring a rate of flow of water and has no direct relation to linear inches.

The extenuating circumstances referred to above involve what may be Idaho's greatest water right issue to date. A copy of a newspaper article is enclosed that fairly accurately summarizes the problem. The water right you would propose to develop by filing your application would confront you with the same dilemma presented in the article. For now, we put new upstream-from-Swan Falls water right applications on the shelf. No action is taken on those filings, but the date of priority over subsequent filers is preserved.

By your re-use of "detailed investigation" from my letter, I had better clarify some points. Verl King did not, nor did any of his agents, set foot on your land to do their study. His calculations were based on technical guides, bulletins and papers used as standard, acceptable methods to determine water requirements. A copy of the Department's policy for guiding an analysis of water requirements is enclosed.

My dependence on photocopies has not been, I hope, at the expense of properly answering your questions. If I failed to respond to your concerns, please write me again. I look forward to your possible visit in July. Should your schedule make a trip to Boise difficult, I could easily put together chores that would allow me to travel over to Glenns Ferry.

Regards,

DONALD V. SHAFF
Adjudications Unit Leader

DVS:sc

Enclosures

MICROFILMED
AUG 10 1994

4447 Gumwood
Great Falls, MT 59405
3 May 1983



Mr. Donald V. Shaff
State of Idaho
Department of Water Resources
450 W. State Street
Boise, Idaho 83720

Department of Water Resources
Western Regional Office

Dear Don:

Thank you so much for the update on my water rights. I wish you to know that I sincerely appreciate the efforts you expend in my behalf. As plans stand now, I will be able to handle my end of the bargain a little bit better come July-August of 1984. I will have reached mandatory retirement after 30 years and will be heading back to Glenns Ferry---I plan to make the ranch my one and only occupation.

Paragraph 3 of your April 25 letter indicates that a detailed investigation was accomplished by your department agricultural engineers--the following questions arise:

1. What is the climatic demand rate for the Glenns Ferry area? High? Moderate?
2. Did the Engineer take into consideration the various crops which I may be involved with? Grains? Row crops? Pasture?
3. Did he take soil samples in sufficient number to accurately determine the fields' water requirement?
4. May I have a copy of his report or at least a list of the criteria he used?

I guess the point that really concerns me the most as I review our previous correspondence is the apparent limitation of "59 irrigated acres." The continual reference to same indicates to me that future use of the other 21 or so acres was not considered. As you know, when I return I fully expect to (1) upgrade the irrigation system and (2) cover the entire 78-80 acres with either alfalfa, hay or pasture. I guess my question is: how do I go about making this point clear? Do I need to file another claim? Must it be backed up with a "specialist or expert agricultural engineer?" How do I go about obtaining such assistance? Will the USDA provide same? Do you have an address?

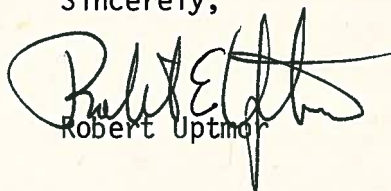
As you can see, my concern is, once again, will I have enough to irrigate properly when I return? I wish to protect all of my options and not be limited to either acreage or type of crops. I feel the top field, which is where my home and outbuildings will be located, would make an excellent pasture after some basic earth moving is accomplished. Incidentally, I do plan to go hard set or wheel lines.

MICROFILMED
AUG 10 1994

Don, once again I appreciate your efforts in my behalf and I am looking forward to meeting you personally. Tentative plans call for a week's visit to the Glens Ferry area in July. Perhaps if you supply me with some information as requested above, our meeting in mid-summer can be productive to the point whereby I'll have no more questions and we can finally settle the issue.

All's well in Montana. Spring wheat, barley, oats planting is complete and the farmers who know what they are talking about are expecting another great year. Hope the same is true along the Snake River Valley.

Sincerely,



Robert Upton

MICROFILMED

AUG 10 1994

April 25, 1983

Col. Robert E. Uptmor
4970 A Ave. C
Great Falls, MT 59405

Re: 02-2150A

Dear Col. Uptmor:

Again some time has passed since our last correspondence. I hope this finds you settled in Montana and well.

As best I could, on September 11, 1981, I measured the diversion of water from your pump. I used a ditch metering method as opposed to an in-line measurement. The former was less preferred, but proved adequate. On that date, I found the pump was diverting 2.78 cfs. This diversion rate is apparently about double the irrigation requirement of this farm.

A water requirement study request was prepared by the Department's agricultural engineer who found the irrigation requirement in the field was .011 cfs per acre. Therefore, the requirement would be less than .02 cfs per acre. He recommended, incidentally, also changing the irrigation method to sprinklers to reduce the effect of the slope of the ground. Using other factors that our engineer may not have used results in a diversion rate still of no more than .02 cfs per acre. Therefore, when all of the claims in the adjudication have been reviewed, your water right will be recommended at 1.18 cfs for use on 59 irrigated acres. At this point, you could submit additional documentation by a specialist or expert that would be weighed before that final recommendation is made.

Mr. Jack King did submit a claim for part of the water right developed by J. P. Morrison to which you both seceded. Although he claimed .92 cfs, a measurement made September 11, 1981 found he was diverting only .30 cfs. Unless documented otherwise, a water right from the Morrison water license will be recommended for Mr. King.

MICROFILMED
AUG 18 1984

Col. Robert E. Uptmor
April 22, 1983
Page 2

The original of your water right claim is made part of the court record. A copy of that record was returned to you. When all of the water rights in the adjudication have been reviewed, a draft proposed finding will be issued. At that time, you will receive a notice of our recommendation. The draft report gives you an opportunity to protest the recommendation and have a hearing on the matter before a final recommendation is sent to the district court. I wish I could be definite about a deadline for these events, but past circumstances within this agency have caused previous deadlines to come and go.

Thank you for your patience and perseverance.

Regards,

DONALD V. SHAFF
Adjudications Unit Leader

DVS:sc

MICROFILMED

AUG 10 1984

MEMORANDUM

TO: File 02-2150A

FROM: Don Shaff *DS*

DATE: 4-11-83

SUBJECT: Diversion Rate Analysis

~~Warring~~ ^{Exploring} the water requirement question beyond that done by Verl King, I can find no basis for recommending more than .02 cfs or one miner's inch per acre for this water right. Even assuming a 60% field application efficiency and ditch loss of 10% per mile, I found the diversion requirement was still slightly less than .02 cfs per acre. The 60% field application efficiency is rather standard for this crop and these types of soils according to the Food and Agricultural Organization Paper No. 24.

MICROFILMED

AUG 10 1994

4970A Avenue C
Great Falls, MT 59405
14 September 1982

Mr. Donald V. Shaff
State of Idaho
Department of Water Resources
92 South Cole Road
Boise, Idaho 83709

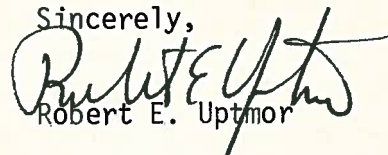
Dear Mr. Shaff:

It has been a year since our last correspondence (see enclosed). Since then, I have made some progress, i.e., I am now stationed in Montana; much closer than San Antonio, Texas. However, I still find it rather difficult to get down to Boise during any other time than a long weekend; during which period your office is usually closed. Once again, I must rely on correspondence and the aid of my present lessor, Mr. Ralph Crane.

Enclosed you will find two letters which may help you remember my case. Also note questions I have addressed to Mr. Crane. Basically, the problem remains the same. Has my water claim (02-2150) been settled between myself and Mr. Jack King? I have the receipt from your office dated 4 Jun 81 indicating that my claim has been registered; however, I have never received a copy of the actual claim document. Please forward as I am particularly interested in the CFS allowed. Additionally, I am still not clear on the point if the measurement from my pump was ever taken. If not, and it still is a requirement, please contact me and I'll attempt to make arrangements with the help of Mr. Crane. I have enclosed his address and telephone number and I am sure he will be most cooperative.

Please feel free to call me collect if you have additional questions. Thank you for your assistance.

Sincerely,


Robert E. Upton

Lessor: Mr. Ralph Crane
Box 177
Glens Ferry, Idaho 83623
Phone # 366-7489

My home phone: 406-761-1082
My duty phone: 406-731-2978

RECEIVED
SEP 21 1982

Department of Water Resources
Western Regional Office

MICROFILMED
AUG 10 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

August 3, 1982

MEMO

TO: Dave Shaw

FROM: Verl G. King

SUBJECT: ROBERT E. UPTMOR -
Claim to a Water Right - #02-2150A

An analysis has been made of the Robert E. Uptmor claim #02-2150A. The analysis was based on growing alfalfa, the highest water requirement crop grown on these soils. It was determined that water in excess of 1.0 miners inch per acre is not required to grow alfalfa or other crops common to these soil conditions.

A copy of the analysis is attached.

VGK:mb

MICROFILMED

AUG 10 1984

STUDY REQUEST
ROBERT E. UPTMOR
CLAIM # 02-2150A

7/27/82

I DATA:

28

CROP = ALFALFA

SOILS = (MOST CRITICAL) LOAMY SAND > 40" DEPTH

AWHC = 2.5 to 4.0" (USE 3.5" FOR ALFALFA)

C.U. = 8.19" IN JULY (SCS IRR. GUIDE - CLIMATIC AREA I)

= BULLETIN 516	CALDWELL	T.F.	Ave.
ALF(85%)	8.56	8.14	8.35
USE 8.2"			

II CALCULATIONS:

Ave. Pk. Monthly C.U. = $\frac{8.2}{31} = 0.2645$ "/DAY

MAX. IRR. USE BETWEEN IRR. = $USE, (60\%)(3.5) = 2.1$ "

PK. PERIOD C.U. (T.R. 21, TABLE 5) = 0.31 "/DAY

IRR. FREQ. = 6.77 DAYS ; USE 6 DAYS = $\frac{2.1}{.31}$

TRY REPLACING 70% = $0.70(2.1) = 1.47$

ST .31
INP .29
R2 .26
IT+ .24
TH .21

	USED	AVAIL. REMAINING	REPL.	BAL.
				2.1"
1. 6(0.31)	1.86	0.24"	1.47	1.71
2. 6(0.29)	1.74	-0.03	1.47	1.44 <

TRY REPLACING 75% = $.75(2.1) = 1.575$ "

1. 6(0.31)	1.86	0.24	1.57	1.81
2. 6(0.29)	1.74	0.07	1.57	1.64
3. 6(0.26)	1.56	0.08	1.57	1.65 <

MICROFILMED
AUG 10 1994

CROP NEED IS $1.57"/6 \text{ DAYS} = 0.262"/\text{DAY}$

$$\text{THEN } \frac{0.262}{24} = 0.009 \text{ CFS/AC.}$$
$$= 0.545 \text{ M-I/AC.}$$

AT 55% IRR EFF = 0.99 M.I./AC.

AT 60% " " = 0.90 " "

AT 65% " " = 0.84 " "

SPRINKLER IRR. IS RECOMMENDED FOR ALL
SLOPE GROUPS FOR THIS SOIL WITH EST. FIELD EFF. OF
70%.

AT 70% " " = 0.78 " "

WATER IN EXCESS OF 1.0 MINERS INCHES/ACRE IS
NOT REQUIRED FOR THESE LANDS & CROPS GROWN.

MICROFILMED

AUG 10 1994

FROM D. SHAFF

DATE 6/24/82

TO V. KING

SUBJECT 5/12/82 STUDY REQUEST (02-2150A)

THE SCS HAS RESPONDED WITH THE ATTACHED DATA. ADDITIONALLY, THE IRRIGATION METHOD IS CORRUGATES FROM AN EARTH DITCH ON THE SMALL SOUTH FIELD, AND FROM GATED PIPE ON THE LARGER FIELD. ALFALFA IS GROWN ON ALL THE FIELDS.


SIGNATURE

MICROFILMED
AUG 10 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

May 27, 1982

Gene Crisman
District Conservationist
Soil Conservation Service
282 S. 3rd W.
Mtn. Home, ID 83647

Re: 02-2150A

Dear Gene,

Col. Robert Uptmor has submitted a water right claim in the Snake River Adjudication for an amount of water in excess of the normal irrigation requirement. His land located near Glenns Ferry and in Sections 21 and 22, T 5S, R10E, is shown on a copy of a farm plan map.

Would you supply this agency's staff with the data requested on the attached sheet? I am familiar with items 1, 3 and 5. Supplied with this data, the water right can be evaluated and recommended to the district court. You may want to use the fact sheet also enclosed.

Thanks for your assistance and cooperation in this effort.

Regards,

DONALD V. SHAFF
Adjudication Unit Leader

DVS:aje

Enclosures

Attached is the information requested.

Gene

RECEIVED
MICROFILMED
JUN 24 1982
AUG 10 1984
Department of Water Resources
Western Regional Office

Bob Uptmor
South Glenns Ferry

SOIL DESCRIPTIONS

CvB - Cencove fine sandy loam, 0 to 4% slopes

This moderately deep well drained soil is developed in alluvium. The surface underlaying layer and substratum are sandy loam. Sand or sand and gravel is at 20 to 40 inches. The available water holding capacity is 2.2 to 4.4 inches. Water intake rate is 0.8 to 1.4 inches per hour. The permeability is 2.0 to 6.3 inches per hour.

MgB - Same as above

MgC - Same as above except slopes are 4 to 12%

MgE - Same as above except slopes are 4 to 12%

FmB - Feltham loamy sand, 0 to 12% slopes

This deep well drained soil is formed in alluvium or eolian material. The texture of the surface and underlaying layer is loamy sand. The substratum is loamy sand or sandy loam mixed with gravel. It is over 40 inches deep to sand or gravel. The available water holding capacity is 2.5 to 4.0 inches. Water intake rate is 1.5 to 2.0 inches per hour. The permeability is 6.3 to 20 inches per hour.

GaA - Garbutt silt loam, 0 to 4% slopes

This deep well drained soil is formed in alluvium. The texture of the surface, underlaying layer and substratum is silt loam. The soil may have slightly saline alkali spots. Sand or gravel may occur below 40 inches, but is generally below 60 inches. The available water holding capacity is 7.5 to 10 inches. Water intake rate is 0.4 to 0.9 inches per hour. The permeability of the subsoil is 0.5 to 1.5 inches per hour.

TC - Terrace escarpments

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AUG 10 1994

TyC - Turbyfill fine sandy loam, 4 to 8% slopes

This deep well drained soil is formed in alluvium. The surface underlaying layer and substratum have sandy loam textures. The soil is over 40 inches to sand and gravel or a hardpan. The available water holding capacity is 4.8 to 7.2 inches. Water intake rate is 0.6 to 1.2 inches per hour. The permeability of the underlaying layer is 0.6 to 2.0 inches per hour.

VbG - Typic Torriorthents - Rubbland comp., steep, 20 to 70% slopes

The composition of this mapping unit is about: 50% Typic Torriorthents and 15% Rubbleland. The soils in this unit are moderately deep to very deep and are well or somewhat excessively drained. They formed in alluvial and lacustrine despsits derived from mixed sources. These soils are coarse to medium textural with 0 to 50% rock fragments that range in size from pebbles to boulders. Inclusions of rock outcrop, soils similar to Typic Torriorthents that have a medium or moderately fine textured subsoil, and soils that are shallow to bedrock are present in some areas. The surface layer is quite variable and may range from sand to silt loam with up to 50% stones and boulders in the Typic Torriorthents. The Rubbleland consists of areas of stones and boulders with 50 to 100% cover on the surface. The underlying material in the Typic Torriorthents is just as variable and has exxentially the same range in texture and rock fragments as the surface layer. Some areas have mudstone, siltstone, or sandstone at moderate depths. The Rubbleland also may have bedrock at moderate depths below the stone and boulder cover. Available water capacity in the Typic Torriorthents is 0.6 to 7.0 inches in the moderately deep areas and 1.2 to 11.0 inches in the deep areas. The Rubbleland available water capacity is 0 to 6.0 inches. Permeability of the Typic Torriorthents in this unit ranges from 0.06 to more than 20.0 inches per hour in the material above the consolidated sediments or bedrock.

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AUG 10 1994

SCS CONS 16
OCTOBER 1974

CONSERVATION PLAN MAP

DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Owner Bab Upmar Operator _____
County Elmore State Idaho Date 7-79
Approximate acres 75 Approximate scale 8" = 1 mile
Cooperating with Elmore Soil Conservation Service Conservation District _____
Plan identification _____ Photo number 377-149
Assisted by _____ USDA Soil Conservation Service

POOR ORIGINAL



RE

96012-4
MICROFILMED
AUG 10 1994

DBS



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Storehouse

Boise, Idaho 83720

(208) 334-4440

May 24, 1982

MEMO

TO: Dave Shaw

FROM: Verl G. King *VGK*

SUBJECT: STUDY REQUEST DATED 5/12/82 TO WAYNE HAAS

Additional information is needed on the land served by the three claimants involved in the above referenced study request. The additional information needed is:

1. Field layouts.
2. Field slopes.
3. Type of irrigation used.
4. Soils data for each field including:

Soil type and textures of soil profile.

Water holding capacity of textures within the soil profile.

Intake family of each soil type.

5. Typical crops grown for a season and the acreage of each.

It is expected that information can be obtained from the USDA - Soil Conservation Service office in Mountain Home if you don't have this information on hand.

VGK:mb

MICROFILMED

AUG 10 1994

RECEIVED

MAY 25 1982

Department of Water Resources
Western Regional Office

STUDY/PROJECT REQUEST

TO: W. HaasFROM: D. Shaff *DS*Date Initiated 5/12/82THROUGH: D. ShawRequested Completion date 8/01/82TITLE: Determination of irrigation requirement on selected lands along
Snake RiverPROBLEM AND/OR PURPOSE: Three claimants in the Snake River Adjudication have
made water right filings for a diversion rate greater than .02 cfs/acre. One
claim is based on a license issued for .04 cfs/acre.SCOPE (level or extent of detail): Preparer must be prepared to defend study
findings in a possible Department and/or court hearing.

DESCRIPTIONS OF WORK REQUESTED:

1. Study copies of water right claims attached analyzing diversion works and
place of use.
2. Analyze soil maps, crop requirements, and other appropriate data.
3. Calculate irrigation requirement at the diversion point for each of the
projects.

Additional staff input and information from the adjudication files is available
on request.REQUEST ORIGINATOR: Adjudication UnitTYPE OF REPORT: Memorandum with calculationsDISPLAY TABLES: YES ☐ NO ☒ANTICIPATED MAN-DAY EFFORT: 5

MICROFILMED

AUG 10 1994

APPROVED BY: _____ ASSIGNED TO: _____ DATE: _____

ACTUAL MAN-DAYS: _____

REPORT OF EXAMINERS - ADJUDICATION DIVISION

Claim No. 02-2150A

1. Name of Applicant....UPT. MOR.....
2. Priority....10/25/1959.....
3. Source of Water....SNAKE RIVER.....
4. (Quan.) (Dom., Irr., Stk. water, etc.) (Period of Use)

..... cfs Use IRRIGATION From 3/15 To 11/15
..... cfs Use _____ From..... To.....
..... cfs Use _____ From..... To.....

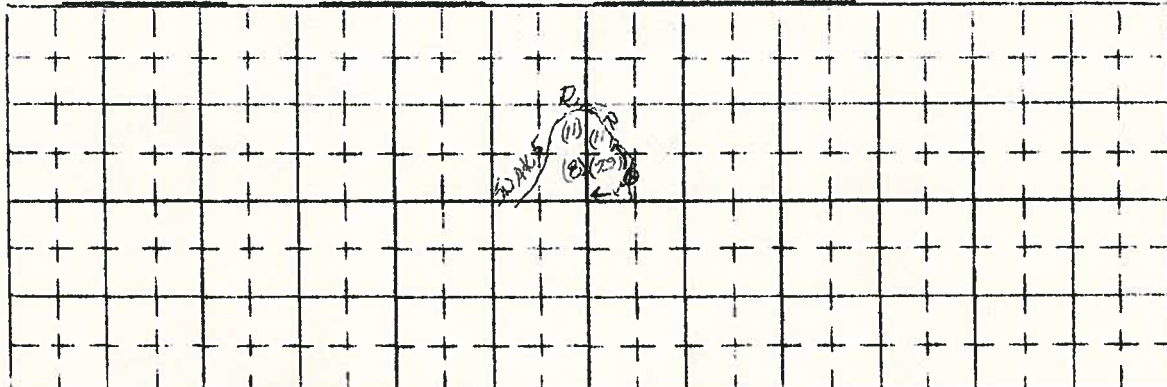
5. Location of Point of Diversion: LOT 7 (NW3W) of Section 22
Twp. 5S, Rge. 10E, County of ELMORE

6. Describe Diversion Works: MARATHON 25-HP MOTOR (MODEL FC 28ATT DR 763)
(B.B.W.F.I.) BERKELEY PUMP (SERIAL # 7731789) (MOD # E6ZPH), 12" MAIN
TO CHECK BOX, DITCHES & GATED PIPE, SAME AS 16A SYSTEM EXCEPT MOTOR & PUMP.

7. Describe Location of Use: DITCHES CROCKED WITH GRASS & FORBS.

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5S	10E	22							L.6				L.7						
									11				29						40
		21				L.7									L.6				
						11									8				19

TWP. RGE. COUNTY SCALE: 1" = 1 MILE



8. Purpose Other Than Irrigation: NONE.....

9. Remarks: DISCHARGE MEAS. ATTACHED. 1964 MEAS. WAS 367 CFS.

This examination was made on the 11 day of SEPTEMBER, 1961.

(Signed) [Signature] EXAMINER

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

ABOUT 15 FT.
FROM DISCHARGE PIPE
OUTLET. ABOUT 2:30 PM

Date 9/11, 1981 **DISCHARGE MEASUREMENT NOTES**

FROM SNAKE River at UPHOL, UPPER DITCH, ~~4000~~

Angle co- efficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjust- ed for hor. angle or -----	Area	Discharge
							At point	Mean in vertical			
29	EW										
28	06	12			25	49	.534			.30	.1600
32	04	12			50	51	.983			.44	.4325
36	04	12			60	48	1.24			.48	.5952
40	04	12			60	44	1.35			.48	.648
44	04	125			60	46	1.29			.50	.645
48	05	04			J	47	.148			.20	.0296
55	EW										
									A =	2.5105	
									DOWNSTREAM SIDE OF LANDING AT BRIDGE ABUT - 25 FT BELOW CHECK LOWER DITCH		
0	EW										
05	075	02			15	47	.351			.15	.053
10	05	04			5	46	.150			.20	.030
15	05	05			5	44	.155			.25	.039
20	05	04			10	58	.211			.20	.042
25	05	04			15	54	.311			.20	.062
30	075	02			15	54	.311			.15	.047
35	EW								B =	.273	
									A + B =	2.784	

MICROFILMED

AUG 19 1991

MICROFILMED

AUG 10 1994

No. _____ of _____ Sheets. Comp. by _____ Chk. by _____

9/11/81

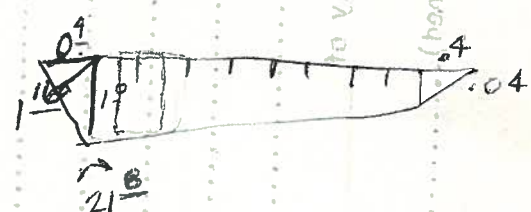
UPPER
DITCH
N 15' from
OUTLET
OF PIPE

EW 24	28	32	36	40	44	48	52
10	12	12	12	12	12	12	12
25/49	50/51	60/48	60/44	60/46	5/47		EW
.534	.983	1.24	1.35	1.29	.148		
0	05	10	15	20	25	30	35
EW	02	04	05	04	04	02	EW
	15/47	5/46	5/44	10/58	15/54	15/54	
	.351	.150	.155	.211	.311	.311	

RGE

CONCHA

SCALE: 1" = 1 MILE



SPARLING METER MEAS IN 64 367

MICROFILMED
AUG 10 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

(Office at the corner of
Franklin and Cole Roads)

(208) 334-2190

September 4, 1981

POOR ORIGINAL

Ray Evins
Glenns Ferry
Idaho 83623

Ref: 02-2150

Dear Mr. Evins:

On September 2nd I stopped to schedule a date for an examination with Jack King. At the same time I took a look at Colonel Uptmor's diversion works on the property you lease. If possible I would like to measure the amount of water diverted by your system on the same day, September 11th, as I measure Mr. King's.

The easiest and quickest method to make the measurement would be by using an access port described on the enclosed sheet. A measurement of the flow from each gate in the pipe can be made with a bucket or jug, but this method is less accurate. It may be possible to use the fitting that is on top of the pipe in the pumphouse if the elbow can be removed. The less-than-horizontal position described in the instruction sheet is a more accurate measuring method, but the vertical position can be used.

I will leave the decision for installing an access port up to you and/or Colonel Uptmor. However, I would like to measure the system using either method on the 11th. Perhaps I can see you then.

Regards,

Mr. Crane
No sheet enclosed - perhaps it went to
Mr. Evins.

RONALD V. SHAI
Regional Section Supervisor

DVS:je
10/1/81

Enclosure

cc: Colonel Uptmor ✓

RECEIVED

SEP 21 1982

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AUG 10 1994

Department of Water Resources
Western Regional Office

COPIED ON GOVERNMENT COPIER



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 334-2190

file copy

September 4, 1981

Ray Evins
Glenns Ferry
Idaho 83623

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Regards,

DONALD V. SHAFF
Adjudication Section Supervisor

DVS:aje

Enclosure

cc: ColonelUptmor

MICROFILMED

AUG 10 1994

124 Mather
San Antonio
Texas 78226
June 2, 1981

Dept. of Water Resources
92 S. Cole Rd
Boise Idaho 83709

Dear Mr. Shaff,

Enclosed is the check for
\$1000 to go with the water claim
filed by us.

Thank you for all of your
time and effort on our behalf
it is truly appreciated.

My husband shall contact
you on some questions that
are still not clear to him.

Sincerely

Gayle Uptmor

Mr. Robert E Uptmor

RECEIVED

JUN 4 1981

Department of Water Resources
Western Regional Office

MICROFILMED

AUG 10 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

POOR ORIGINAL

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

May 22, 1981

(Office at the corner of
Franklin and Cole Roads)

(208) 334-2190

Colonel Robert E. Uptmor
124 Mather Street
San Antonio, Texas 78241

Mr. Crane

*Additional water info -
generates the question is - is it easy*

Dear Colonel Uptmor:

I do apologize for taking some time to respond to your letter and the notice of claim you filed with our office. Originally I thought I would sort out the water right question between yourself and your Glenss Ferry neighbors, the Kings. Reconsidering, I think I'll leave this to our review process.

For now, the problem may be that both you and the Kings hold a part of the original license issued to J. P. Morrison. The lands originally irrigated by Morrison are split between you, and consequently, the amount of water appropriated by Morrison would be split between you. The Kings are working with one of the agents in this office to file their claim to water right. I am confident they will be claiming a part of the Morrison license that you also claim.

Under the circumstances, I believe I will retain your claim, but I have returned your check. The filing fee to claim this water right is \$10. Would you please issue another check for this Department?

I am afraid my discussions with Mr. Evans over the telephone were somewhat confusing. In your letter you referred to a flash 02-2150. That word flash should be substituted with a word slash or the appropriate punctuation (/). Some time ago the state indexed the water rights into river basins. The water right you have acquired through purchase would be shown as 27801/02-2150. Since you sent me a copy of that water right, I presume that you already have a copy of 02-2150.

For purposes of a township map, I reproduced the SCS map you sent with your claim. The survey descriptions have been written on the map. I think this may serve your purposes better than a geological survey map or a survey plat from this Department. This Department may have more recent aerial photography but it is not on a scale that would be easily used.

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AUG 10 1994

RECEIVED

SEP 21 1982

Department of Water Resources
Western Regional Office

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Colonel Robert E. Uptmor
May 22, 1981
Page 2

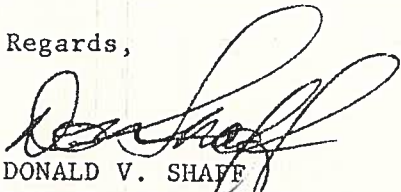
The spoken word via the telephone is apparently causing a breakdown between myself and Mr. Evans in understanding the rate of flow for your water right. Water in the state of Idaho is measured in cubic feet per second (cfs). This is equivalent to about 9 gallons per minute, or in other terms, one miner's inch. Under most circumstances a water right is licensed for .02 cfs per acre. In this case Mr. Morrison received a license for .04 cfs/acre.

In all likelihood we will want to measure the diversions made by your pump and that of the Kings. Mr. Evans will be advised in advance of any measurement so he may do the appropriate maintenance on the pump beforehand. The measurement taken and the examination of the irrigated lands will be used in making a recommendation of your water right to the court. The water license you have gained through purchase will be used in a part of that evaluation.

Another water right can be gained simply by filing an application for permit that would establish a new priority date for the new additional diversion. I have enclosed that application and instruction sheet for your use in the future. The priority date is based on the date of filing.

I believe for now the only thing I would need is a new check. Thank you for your extensive assistance and cooperation. If I can be of any help to you, please feel free to contact me.

Regards,


DONALD V. SHAFF
Adjudication Section Supervisor

DVS:hlh

Enclosure

Sent check - got receipt.

MICROFILMED

AUG 10 1994

U.S. GOVERNMENT PRINTING OFFICE

RECEIVED
APR 20 1981

Department of Water Resources
Western Regional Office

124 Mather
San Antonio TX 78226
April 17, 1981

Mr Don Shaff
Dept of Water Resources
92 South Cole Road
Boise ID 83709

Dear Sir:

I usually like to handle such matters in a timely manner, however you can appreciate my problem being stationed in San Antonio and not having access to local records, township maps, etc. With the help of Mr Ray Evins, Glenns Ferry ID and the U.S. Soil Conservation Agency, 630 South Main, San Antonio TX 78204, plus the documents I have available, I've tried to complete the form accurately. However, as you can see I still need your assistance.

I am deeply concerned that my actions now, through no fault of mine, may cause future problems, i.e., I would not be allowed to irrigate properly. With your help, I hope to avoid such a situation. I have taken the liberty of transcribing Mr Ray Evins' hand written letter to a type-written form. The information contained therein is a bit confusing to me but perhaps not to you since you assisted him in Boise. Also the figures outlined on the soil conservation plan map were derived using the ratio 1 inch equals 660'--this may or may not have been the scale of the map. I now wish to go through each item of the claim and make comments.

(1) I have Water License 27801 dated 25 Feb 59 included. I do not have a copy of FLASH 02-2150.

MICROFILMED
AUG 10 1994

(2) I believe this is correct.

(3) I am confused as to what to claim with reference to quantity. On the original claim it was 3.2 CFS and it was used for irrigation and stock watering between the dates April to October each year since at least 1959. As you see by the deed enclosed I acquired a portion of the land from Mr Keith Morrison in 1973. I had one round of irrigation and was then transferred to the Philippines for five years, then to Utah, then to Texas. During this period I can only assume that the Idaho Power Co in Glens Ferry has billings indicating that the pump was used and the land was irrigated by Mr Jim Kevan of Glens Ferry, my primary lessor.

(4) Once again the info in Mr Evins' letter is unclear. The first document reflects 3.2 CFS, the FLASH reflects 1.6 or 80 inches of water--which is correct?

(5) (a) I have used the coordinates indicated on the original water license 27801. To my knowledge its location hasn't changed since I acquired the land in March 73.

(5) (b) Probably the 25 horse power pump is used in conjunction with a 10" steel pipe to the upper field and open ditches to the two lower fields. I plan to improve this arrangement when I return to Idaho--go hard set over the entire 70 acres.

(6) (a) Neither Texas soil conservation personnel nor Mr Evins could tell me exactly where my three fields are located with reference to township records. I have therefore enclosed an aerial photo with appropriate markings.

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AUG 10 1994

(6) (b) Certain portions of the land have not been irrigated in the past due to unlevel terrain. I plan to be able to irrigate the entire 70-72 acres and may run about 30 head of cattle. Additionally I plan to build (see photo) and may use some of the water for domestic purposes.

(7) Personal use only.

(8) Self explanatory.

(9) Self explanatory.

In summary, my questions are:

1. Will these documents enable you to make a more accurate claim? If so, please reaccomplish, return, I'll sign and pay any additional fees required.

2. Please send a copy of FLASH 02-2150.

3. May I have a township map covering my property for future use?

4. Are updated aerial photos of the area in question available? If so, please send two copies.

5. I am a bit confused by paragraphs 2 and 3 of Mr Evins' letter--what is the CFS, 1.08, 1.8, or 1.6 CFS? Who determines and how? Can it be increased at a later date?

6. Para 6 of Claim--Do you need any further documents from Idaho? Can you possibly acquire them in my name and send copies?

MICROFILMED
AUG 10 1994

Mr Shaff - I know you're busy and I hate to be such a bother; however, I want this to be correct in all respects so that I may avoid future problems. I am enclosing a check for \$20.00--if more is required, please advise.

Very truly yours,



ROBERT E. UPTMOR

Home phone: 512-924-6037

Ofc phone: 512-925-6218

Address: 124 Mather

San Antonio TX 78226

- Encl:
1. Notice of Claim
 2. Ray Evins' 7 Apr letter
 3. License and Certificate of Water Rights,
Feb 25, 1959
 4. Agreement for Sale of Real Property,
5 Mar 73
 5. Annotated Conservation Plan Map 00648-1
 6. Personal Check \$20.00

MICROFILMED

AUG 10 1994

Post Marked 7 Apr 1981
Glenns Ferry ID

Bob

1. The information I have doesn't complete the form, but you have a Record of the Filing at Water Resources in Boise so there shouldn't be any problem. The man that give me the information is Don Shaff in Boise at this number 208-334-2190.

2. First water permit is dated Feb 25, 1959. The Filing shows 2" of water for 80 Acr. File No 27801. Then the next permit shows being split part for Jack King, the other part for your place. The Permit No is FLASH 02-2150. The Filing map shows 39 Acr at 4" of water per Acr on one place. The other place shows 45 Acr or 1.08 CFS or about 90" of water. The first filing showed 3.2 CFS. The split filing showed 1.6 CFS for each place. The 1.6 CFS would be about 80" of water.

3. I am not sure if the 1.08 CFS shouldn't be 1.8 CFS instead of 1.08 CFS.

4. The pump down at the river is a 25 horse power pump. Idaho power is estimating a cost of \$1,500.00 for this years pumping bill. The volume of water used for the past years, I have not found out.

5. The point of diversion of the pump is hard for me to tell exactly what I should put down, on Question number 5. I think it should be in parts of lots 6 & 7 Section 21 TWP-5S Rge 10E NE 1/4 of SE 1/4. The other would be Section 22 TWP-5S Rge-10E NW 1/4 of SE 1/4 Lots 6 & 7.

6. Sorry I took so long in getting this information for you. Mr Don Shaff said this information should be enough for this Water Right Claim. He said \$10.00 should be all you have to send with your papers.

7. I will have the lawyers fill out our lease agreement soon.

Thank you

/signed/

RAY EVINS

MICROFILMED

AUG 10 1994

Keith M...

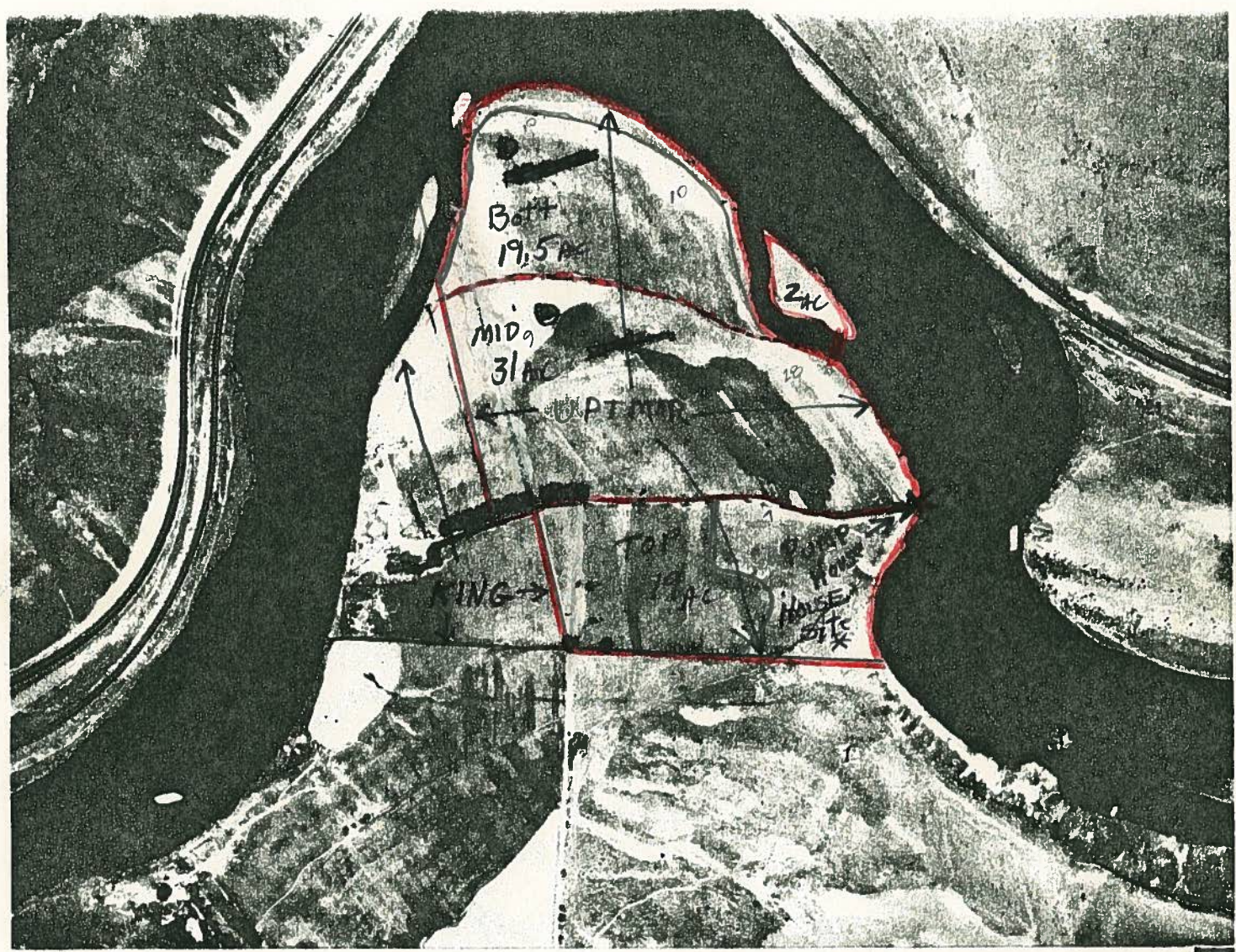
POOR ORIGINAL



CONSERVATION PLAN MAP

Prepared by SOIL CONSERVATION SERVICE * UNITED STATES DEPARTMENT of AGRICULTURE
cooperating with

SIC DISTRICT _____
OWNER _____ FARM NO. _____ DATE _____
OPERATOR _____ SCALE 1 inch = 660' ACRES _____
COUNTY _____ PHOTO NO. _____ APPROXIMATE APPROXIMATE



Top - 19 ac.
Middle - 31 ac.
Bottom - 19.5 ac.
Island - 2 ac

00648-1

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AUG 10 1994

1 Area = 208'

Col Upton

3rd MA 33233/34

May 22, 1981

02-2150

Colonel Robert E. Uptmor
124 Mather Street
San Antonio, Texas 78241

Dear Colonel Uptmor:

I do applogize for taking some time to respond to your letter and the notice of claim you filed with our office. Originally I thought I would sort out the water right question between yourself and your Glenns Ferry neighbors, the Kings. Reconsidering, I think I'll leave this to our review process.

For now, the problem may be that both you and the Kings hold a part of the original license issued to J. P. Morrison. The lands moriginally irrigated by Morris~~on~~ are split between you, and consequently, the amount of water appropriated by Morrison would be split between you. The Kings are working with one of the agents in this office to file their claim to water right. I am confident they will be claiming a part of the Morrison license that you also claim.

Under the circumstances, I believe I will retain your claim, but I have returned your check. The filing fee to claim this water right is \$10. Would you please issue another check for this Department?

I am afraid my discussions with Mr. Evans over the telephone were somewhat confusing. In your letter you referred to a flash 02-2150. That word flash should be substituted with a word slash or the appropriate punctuation (/). Some time ago the state indexed the water rights into river basins. The water right you have acquired through purchase would be shown as 27801/02-2150. Since you sent me a copy of that water right, I presume that you already have a copy of 02-2150.

For purposes of a township map, I reproduced the SCS map you sent with your claim. The survey descriptions have been written on the map. I think this may serve ~~your~~ purposes better than a geological survey map or a survey plat from the county. The SCS would be the best source for a recent aerial photo of your ranch. This Department may have more recent aerial photography but it is not on a scale that would be easily used.

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Colonel Robert E. Uptmor
May 22, 1981
Page 2

The spoken word via the telephone ~~one~~ is apparently causing a breakdown between myself and Mr. Evans in understanding the rate of flow for your water fight. Water in the state of Idaho is measured in cubic feet per second (cfs). This is equivalent to about 9 gallons per minute, or in other terms, one miner's inch. Under most circumstances a water right is licensed for .02 cfs per acre. In this case Mr. Morrison received a license for .04 cfs/acre.

In all likelihood we will want to measure the diversions made by your pump and that of the Kings. Mr. Evans will be advised in advance of any measurement so he may do the appropriate maintenance on the pump beforehand. The measurement taken and the examination of the irrigated lands will be used in making a recommendation of your water right to the court. The water license you have gained through purchase will be used in a part of that evaluation.

Another water right can be gained simply by filing an application for permit that would establish a new priority date for ~~an~~ new additional diversion. I have enclosed that application and instruction sheet for your use in the future. The priority date is based on the date of filing.

I believe for now the only thing I would need is a new check. Thank you for your extensive assistance and cooperation. If I can be of any help to you, please feel free to contact me.

Regards,

DONALD B. SHAFF
Adjudication Section Supervisor

DVS:hlh

Enclosure

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AUG 10 1984

AGREEMENT FOR SALE OF REAL PROPERTY

PARTIES:

KEITH P. MORRISON, also known as
KEITH MORRISON,

SELLER,

and

ROBERT EUGENE UPTMOR and
DOROTHY GAYLE UPTMOR,
husband and wife,

BUYERS.

SUBJECT:

ELMORE COUNTY
REAL PROPERTY

SALES AGREEMENT, made this 5th day of March, 1973,
between KEITH P. MORRISON, also known as Keith Morrison,
dealing in and with his sole and separate property and estate,
hereinafter designated as the seller, and ROBERT EUGENE UPTMOR
and DOROTHY GAYLE UPTMOR, husband and wife, hereinafter
designated as the buyers;

WITNESSETH: That for and in consideration of the sum of
Sixty Five Thousand Dollars (\$65,000.00), to be paid as herein-
after specified, and in consideration of the covenants and
agreements herein contained, the seller hereby agrees to sell
and convey and the buyers hereby agree to buy the following
described real property located in the County of Elmore,
State of Idaho, and particularly described as follows:

Lots Six and Seven of Section Twenty-two,
and those portions of Lots Six and Seven
of Section Twenty-one lying Northeast of
a line commencing at the corner common to
Lots Six and Seven of Section Twenty-one
and Lots Six and Seven of Section Twenty-
two, and running thence North 12°42'30" West
609.1 feet; thence South 68°32'30" West
147.3 feet; thence North 15°22'00" West
to Snake River, all located in Township
Five South, Range Ten East, Boise Meridian,

TOGETHER with all the water rights appurtenant
to said property and together with the
tenements, hereditaments and appurtenances
thereunto belonging or in anywise appertaining,
subject to the following:

Date Deposited

The Bank accepts the foregoing Escrow as a matter of accommodation, and stipulates that no liability shall attach to it because of this Escrow and the parties, by securing these Escrow instructions accepts the terms above specified.