

JAN 25 1994

Department of Water Resources

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: A71-00026A
Date Received: 12/15/1993
Receipt No: X111111
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: UNITED STATES OF AMERICA ACTING THROUGH 801-625-5360
Address: USDA FOREST SERVICE
324 25TH STREET
OGDEN UT 84401-2394

2. Date of Priority: MAY 1, 1902

3. Source: IRON CREEK Trib. to: VALLEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	13E	7	SE	SE	NE		CUSTER

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/30	0.120		

7. Total Quantity Appropriated is:
0.120 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	Lot	Use	Acres
10N	13E	5	SW	SE		IRR	13.0

Section Acres 13.0

10. Place of Use: Continued

Total Acres 13.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:
FOREST SERVICE RECORD ID = 04 14 17060201 59 0082
ACQUIRED PORTION OF DECREE, 71-00026.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

DAN J. CAVANAGH

Decree Plaintiff

WM. MERRITT, ET AL.

vs Decree Defendant

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 A71-00026A
Date Received 12-15-1993
Receipt Number X11111

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA (USDA Forest Service)
Address: 324 25th Street Phone (801) 625-5360
Ogden, Utah, 84401

2. Date of Priority: 5/1/1902

3. Source of water supply: Iron Creek Trib. To: Valley Creek

4. Location of Point of Diversion:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Tract</u>	<u>Gov't Lot</u>	<u>County</u>
10N	13E	7	SENE		Custer

5. Description of Diversion Works: Ditch

6. Water is used for the following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>C.F.S.</u>	<u>AFA</u>	<u>Well Depth</u>
Irrigation			0.12		

7. Total quantity appropriated is: 0.12 C.F.S.

8. Total consumptive use is: 0.12 C.F.S.

9. Non-irrigation uses: Livestock Numbers: N/A

10. Place of Use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Tract</u>	<u>Gov't Lot</u>	<u>County</u>
10N	13E	5	SWSE		Custer

Purpose of Use: Irrigation Acres Irrigated: 13

11. Place of use in Counties: Custer

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

13. Other Water Rights Used: None

14. Remarks: Acquired

15. Basis of Claim: Portion of Decree, 71-00026

Reference Information:

National Forest: Sawtooth

Forest Service Record ID: 04 14 17060201 59 0082

IDWR Water State Filing No.: A71-00026

Notice is hereby given that the United States Department of Justice will represent the Department of Agriculture, Forest Service, in all matters pertaining to the Snake River Basin Adjudication. All notices required by law to be mailed by the Director to the Claimant should be mailed to the individuals at the address below:

K. Jack Haugrud
Daria J. Zane
U.S. Department of Justice
Environment and Natural Resources Division
General Litigation Section
P.O. Box 663
Washington, D.C. 20044-0663
202-272-4134

This form is an attachment to a letter forwarding the claims of the U.S. Department of Agriculture, Forest Service. The signature and affirmation on such letter constitutes the signature of the authorized agent representing the United States of America required for each such claim.

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

06/22/99 14:09:47
Page 1

Water Right Number - R71-00026A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + Address - - - - +

*** C - CURRENT OWNER ***
AMERICA ACTING THROUGH

UNITED STATES OF

1 - USDA FOREST SERVICE
2 - 550 W FORT ST MSC 033
3 -
City- BOISE
Phone -

State- ID Zip- 83724

*** K - ALSO KNOWN AS ***
US DEPT OF AGRICULTURE

1 - FOREST SERVICE
2 - 550 W FORT ST MSC 033
3 -
City- BOISE
Phone -

State- ID Zip- 83724

USFS

1 -
2 -
3 -
City- X
Phone -
State- ID Zip- 0

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1902 17 SOUTHERN D - DECREED

+ - - Source - - - - - + - - - - - Tributary - - - - - +
IRON CREEK VALLEY CREEK

+ - - - - - Point of Diversion - - - - - +
TWN Rng Sec Tract Lot Rflg County
10N 13E 5 SW SE SW (37) CUSTER

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 10/31 0.090

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.090 0.0

+ - - - - - Place of Use - - - - - +
TWN Rng Sec Tract Lot Acres Code Description County
10N 13E 5 SW SE 9.6 01 IRRIGATION (37) CUSTER

Total Acres: 9.6

+ - - Diversion Means - DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 71-00027A

Prefix Translation: RESEARCH

..... Remarks

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 9.6 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 71-00026A & 71-00027A.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE:
DITCH AT SHSESM S5: 71-000268, 71-000278, 71-00026A, 71-00027A/
AND 71-00026C.
FOREST SERVICE RECORD ID = 04 14 17060201 59 0082

```

+-----+
+-----+ Old Water Right Numbers +-----+
7100026

```

```

+-----+
- - - - - Conditions of Approval - - - - -
- - - - - C13 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- - - - - IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- - - - - RIGHTS IN BASIN 71:
- - - - - WATER RIGHT NO. SOURCE
- - - - - NONE NONE
- - - - - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- - - - - IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- - - - - RIGHTS IN THE SNAKE RIVER BASIN:
- - - - - WATER RIGHT NO. SOURCE
- - - - - NONE NONE
- - - - - ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES
- - - - - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- - - - - CONJUNCTIVELY.

```

Decree Plaintiff	Decree Defendant	Decree Date
DAN J. CAVANAGH	WM. MERRITT, ET AL.	00/00/0000

Comments
Date: 07/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE OF RECORD THRU AJU10
CONDITION CODE(S) C13 ADDED IF NOT ALREADY PART
Date: 06/22/1999 User Id: AMERRITT Subject: RECOMMENDATIONS
DRAFTED FOR SFS CONSIDERATION.

+ - - Audit Fields - - +
06/22/99 AMERRITT

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	35916
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	12/15/1993	Last Amended Date	-	08/13/1993	Temporary Right	-	P
			Receipt Number	-	X111111	Water District	-	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-		Presumption Flag	-	
				-		Notice of Error Flag	-	

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

06/22/99 09:47:17
Page 1

Water Right Number - 71-00026A

Prefix Translation: WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
AMERICA ACTING THROUGH

UNITED STATES OF

1 - USDA FOREST SERVICE
2 - 550 W FORT ST MSC 033
3 -
City- BOISE
Phone -

State- ID Zip- 83724

*** K - ALSO KNOWN AS ***
US DEPT OF AGRICULTURE

1 - FOREST SERVICE
2 - 550 W FORT ST MSC 033
3 -
City- BOISE
Phone -

State- ID Zip- 83724

USFS

1 -
2 -
3 -
City- X
Phone -

State- ID Zip- 0

+ - Priority Date - - -
05/01/1902

+ - Region - - -
17 SOUTHERN

+ - Stage - - -
D - DECREED

+ - Status - - -

+ - Source - - -
IRON CREEK

+ - Tributary - - -
VALLEY CREEK

+ - Trn Rng Sec Tract Lot Rflg County Point of Diversion
10N 13E 5 SW SE SW (37) CUSTER

Division Name

01 - IRRIGATION

05/01

10/31

0.100

0.09

+ - Total Div. Rate + - Total Div. Volume + - Total Div. Capacity + - Total Consumptive Use + - KW Usage +
0.100 0.09 0.0

+ - Trn Rng Sec Tract Lot Acres Code Description County
10N 13E 5 SW SE 01 IRRIGATION (37) CUSTER

Total Acres: 9.6

+ - Diversion Means - DITCH

+ - Non-Irrigation Use -

+ - Other Rights for Same Use - 71-00027A

Water right number - 71-00026A

Prefix Translation: WATER RIGHT

Remarks

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 9.6 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 71-00026A & 71-00027A.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE:
DITCH AT SMSWSW S5: 71-00026B, 71-00027B, 71-00026A & 71-00027A.
FOREST SERVICE RECORD ID = 04 14 17060201 59 0082

+ 71-00026C

7100026 Old Water Right Numbers

C13 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 71:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Decree Plaintiff DAN J. CAVANAGH Decree Defendant WM. MERRITT, ET AL. Decree Date 00/00/0000

Audit Fields - 06/29/98 AMERRITT 07/21/98 CMU-DSHA 07/21/98 AUJ10-DS 07/22/98 NU-DSHAF 11/07/98 CPDSHAFF
11/10/98 ADT-DSHA 02/02/99 CM1-SEGB

Date: 07/21/1998 User Id: AUJ10-DS Subject: AUJ10 CONDITION UPDATE OF RECORD THRU AUJ10.
CONDITION CODE(S) C13 ADDED IF NOT ALREADY PART

Adjudication Rights Dates and Flags Area

Court Report Filing	Field Inspection Made	Civil Case Number
Objection Filed Date - 01/14/1999	Field Inspection Flag - 00/00/0000	Old Case Number - 39576
Response Filed Date - 00/00/0000	Verified Date - 08/13/1993	Old Judicial District - P
Claim Received Date - 12/15/1993	Last Amended Date - 00/00/0000	Water District - S
Proof Due Date - 00/00/0000	Receipt Number - X111111	Federal/State Indicator - S
Licensed Date - 00/00/0000	POU Ownership Flag - Y	Presumption Flag -
	Name Connector -	Notice of Error Flag -

RECEIVED
JAN 25 1999
Department of Water Resources
Southern Region

71-00026A
RECEIVED
JAN 15 1999
OFFICE OF THE
ATTORNEY GENERAL

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	A. Subcase No. 71-00026A
	)	
Case No. 39576	)	STANDARD FORM 1
	)	
	)	OBJECTION
_____	)	

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Dorothy Giffin
Address: P. O. Box 109
Stanley, Idaho 83278
Daytime Phone (208) 774-3525

Name & Address of Attorney, if any:
ROGER D. LING
LING, NIELSEN & ROBINSON
615 H Street, P. O. Box 396
Rupert, Idaho 83350

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: The United States of America
Acting through U.S.D.A. Forest Service
Address: 550 W. Fort Street, MSC 033
Boise, Idaho 83724

MAIL



D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es).)

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: .09 CFS
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** Water Rights Nos. 71-00026 and 71-00027
were decreed for the irrigation of 302.1 acres with 350 miners inches. Fifteen (15) acres of objector are
irrigated with .35 cfs, leaving only .09 cfs under this claim.

VERIFICATION (Must be Completed)

State of Idaho)

County of Minidoka)

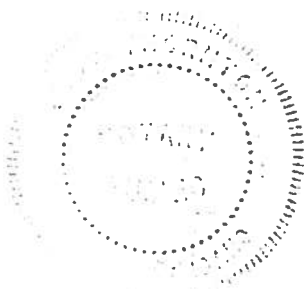
Roger D. Ling, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

Roger D. Ling
Attorney signing in representative capacity

Subscribed and sworn to before me on: January 13, 1999.



Judy Thornton Barnes
Notary Public for the State of Idaho
Residing at: Rupert, Idaho
My Commission Expires: 02/03/1999

INSTRUCTION FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on January 13, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

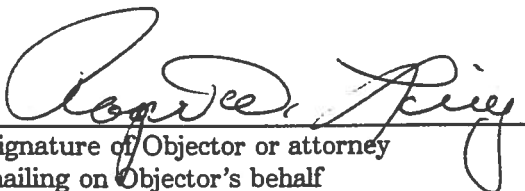
Name: The United States of America
Acting through the U.S.D.A. Forest Service
Address: 550 W. Fort Street, MSC 033
Boise, Idaho 83724

3. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 033
Boise, Idaho 83734


Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

JAN 14 1999

Department of Water Resources
Adjudication Bureau

RECEIVED

JAN 14 1999

Department of Water Resources

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

A. Subcase No. 71-00026A

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Dorothy Giffin

Address: P. O. Box 109
Stanley, Idaho 83278

Daytime Phone (208) 774-3525

Name & Address of Attorney, if any:
ROGER D. LING
LING, NIELSEN & ROBINSON
615 H Street, P. O. Box 396
Rupert, Idaho 83350

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: The United States of America
Acting through U.S.D.A. Forest Service
Address: 550 W. Fort Street, MSC 033
Boise, Idaho 83724

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es).)

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: .09 CFS
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** Water Rights Nos. 71-00026 and 71-00027
were decreed for the irrigation of 302.1 acres with 350 miners inches. Fifteen (15) acres of objector are
irrigated with .35 cfs, leaving only .09 cfs under this claim.

VERIFICATION (Must be Completed)

State of Idaho)
)
County of Minidoka)

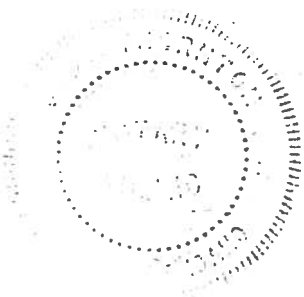
Roger D. Ling, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

Roger D. Ling
Attorney signing in representative capacity

Subscribed and sworn to before me on: January 13, 1999



Judy Thornton Barnes
Notary Public for the State of Idaho
Residing at: Rupert, Idaho
My Commission Expires: 02/03/1999

INSTRUCTION FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on January 13, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

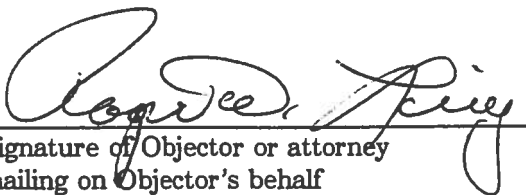
Name: The United States of America
Acting through the U.S.D.A. Forest Service
Address: 550 W. Fort Street, MSC 033
Boise, Idaho 83724

3. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 033
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf



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

156-97

1/4/99

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

JAN - 5 1999

LING, NIELSEN
& ROBINSON

Roger Ling
Ling, Nielsen & Robinson
PO BOX 396
RUPERT ID 83350-0396

RE: 71-60026 & 71-00027

Dear Roger,

Enclosed are printouts of the computer records for the recommended parts of the above listed decreed rights. The Estate of Tom J Ocamica had originally filed for the entire rights. However, the USFS had filed competing claims for a portion of original decree (Caravan v Merritt) award.

During claim review information was requested from the USFS to support partial ownership. Deeds from Ocamica through to the present were supplied supporting chain of water right appurtenance (i.e. no reservation of water made during land sale).

Since ownership by the USFS is apparent then the Welp's claims were recommended for the proportional rate. For numerical reference consistency the claims were renumbered by adding a "B" suffix.

Please give me a call if you have other questions.

Sincerely,
Douglas

AJ0743NP
(CD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

06/29/98 15:04:47
Page 1

Water Right Number - R71-00026A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
AMERICA ACTING THROUGH

UNITED STATES OF

1 - USDA FOREST SERVICE
2 - 550 W FORT STREET
3 - PO BOX 33C
City- BOISE
Phone - 208-000-0000

State- ID Zip- 83724

*** K - ALSO KNOWN AS ***
US DEPT OF AGRICULTURE

1 - FOREST SERVICE
2 - 550 W FORT STREET
3 - PO BOX 33C
City- BOISE
Phone - 208-000-0000

State- ID Zip- 83724

USFS

1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- UT Zip- 0

*** O - ORIGINAL OWNER ***
OCAMICA

MARIE L

1 - 6098 PLANTATION
2 -
3 -
City- BOISE
Phone - 208-853-4640

State- ID Zip- 83703

BROWN

JOHN

1 -
2 -
3 -
City- X
Phone - 208-000-0000
1 - 6098 PLANTATION
2 -
3 -
City- BOISE
Phone - 208-853-4640

State- ID Zip- X

OCAMICA

ESTATE OF TOM J

1 -
2 -
3 -
City- BOISE
Phone - 208-853-4640

State- ID Zip- 83703

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1902 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + - - - - - Tributary - - - - - +
IRON CREEK VALLEY CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
10N 13E 5 SW SE SW (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 09/30 0.100

Prefix Translation: RESEARCH

0.0	+	-	Total Consumptive Use	-	+	+	-	KW Usage	-	+
-----	---	---	-----------------------	---	---	---	---	----------	---	---

Total Acres: 9.6

+ - - Other Rights for Same Use - 71-00027A

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 9.6 ACRES IN A SINGLE IRRIGATION SEASON... COMBINED RIGHT NOS.: 71-00026A & 71-00027A.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE:
DITCH AT SUSEW S5: 71-00026B, 71-00027B, 71-00026A & 71-00027A.
FOREST SERVICE RECORD ID = 04 14 17060201 59 0082

- - - Conditions of Approval - - -
No Conditions of Approval found.

- - -Comments- -
No Comments Found

+ Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/15/1993	Last Amended Date	- 08/13/1993	Temporary Right	- P
		Receipt Number	- X111111	Water District	-
		PDU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

71-00026A

DATE: _____, 1998

71-00028A

REVIEWED BY _____

STANLEY BASIN SOIL REVIEW								
SOIL TYPE	OPTIMUM ROTATION	BORDER EFF	BORDER CFS/AC	FURROW EFF	FURROW CFS/AC	MAD	PF	BORDER / FURROW
AM1	4.00	3.5	0.30	22.3	0.05	1.00	1.14	6.09
BG1	5.00	5.8	0.19	34.3	0.03	1.32	1.13	5.99
CNB	7.00	7.8	0.14	47.3	0.02	1.82	1.11	6.20
GO1	14.66	25.5	0.04	24.6	0.04	3.65	1.07	0.96
LA4	4.00	3.7	0.30	23.6	0.05	1.06	1.14	6.46
PY1	5.66	6.3	0.17	37.9	0.03	1.46	1.12	5.98
RD1	5.66	6.3	0.17	37.9	0.03	1.46	1.12	5.98
RP1	4.33	6.9	0.16	35.2	0.03	1.13	1.13	5.18
SN1	2.66	2.47	0.45	15.4	0.07	0.69	1.14	6.30
ST1	3.33	3.2	0.36	20.3	0.05	0.91	1.14	6.65
TN1	4.66	4.2	0.26	26.9	0.04	1.21	1.13	6.44
TP4	9.33	9.5	0.11	60.0	0.02	2.31	1.10	6.24
WG1	2.66	2.4	0.45	14.9	0.07	0.67	1.14	6.12
WV1	13.00	17.4	0.06	50.3	0.02	3.24	1.08	2.91

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
<u>AL 1</u>	<u>4.00</u>	<u>10.0</u>	<u>9.6</u>	<u>0.20</u>	<u>1.15</u> CFS
_____	_____	_____	_____	_____	_____ CFS
_____	_____	_____	_____	_____	_____ CFS
_____	_____	_____	_____	_____	_____ CFS

TOTAL ACRES _____

DECREED RATE = _____

CLAIMED DIVERSION RATE = _____

ORIGINAL HUBBLE RATE = _____

MEASURED DIVERSION RATE = _____

71-00026A
71-00027A

IM NUMBERS

DATE 6/23/98

AGENT 40~

TRANSFER NUMBER

HOMESTEAD ENTRY NO.

CLAIMED ACRE TOTAL

GEOGRAPHIC INFO ACRES

LIGHT NO	TNS	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM																			
GIS	10N	13E	5																
ECOM																		9.6	9.6
CLAIM																			
GIS																			
ECOM																			
CLAIM																			
GIS																			
ECOM																			
CLAIM																			
GIS																			
ECOM																			

B71-DBPOD.SHP

NOS DESCRIPTION

125
Am 1
9.6

B71-DBPOU.SHP

SHAPE NOS

189 9.6

DBF TABLES UPDATED

B71-DBPOD.DBF

B71-DBPOU.DBF

Hello Doug:

Here's a list of the objected to water rights in basin 71. Dave and Peter will be picking up the original claims for filing with the court Tuesday morning. Southern also should have received copies of the basin 71 objections for the claim file--do you know if you did??

71-00026A	71-00026B	71-00028	71-00029	71-00033B
71-00034C	71-00035C	71-00036B	71-02047A	71-02047B
71-02054	71-02085B	71-04006	71-04018	71-04021
71-10057	71-10080	71-10081	71-10117	71-10139
71-10197	71-10631	71-10763	71-10764	

I'm trying to double check the overlaps (unobjected to) involved--we'll need those original claims also for Tuesday. They are:

71-00027B 71-10059

THANKS FOR YOUR HELP!! Any questions, call me at 327-5458.

FAX MEMORANDUM

TO: DOUG JONES - SOUTHERN AJ SUPERVISOR
FROM: VICKI KELLY - PARALEGAL
DATE: 2/10/99



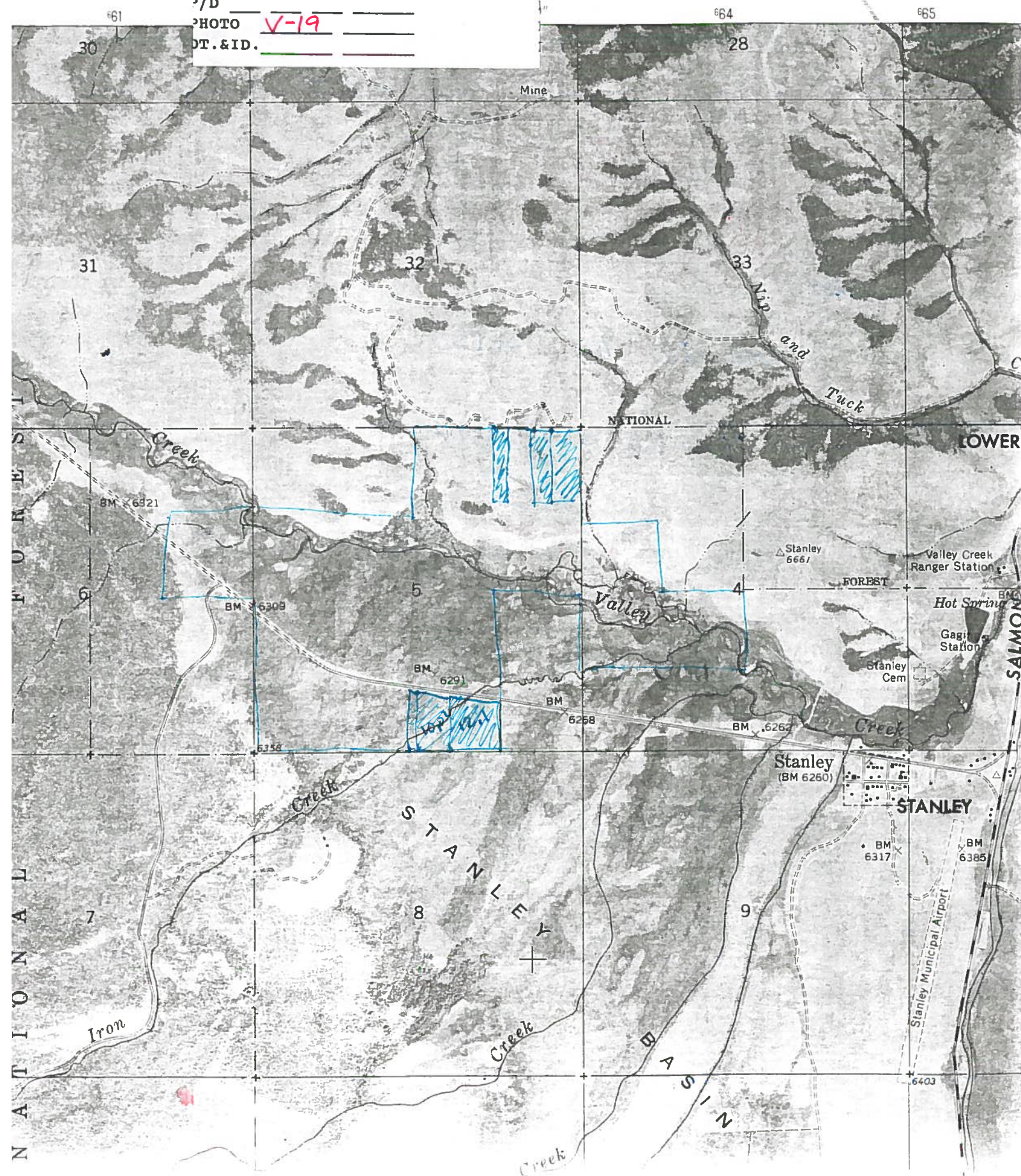
DEPARTMENT OF WATER RESOURCES

71-00020

Dead exceptions
Basin 71 *Basin 71*

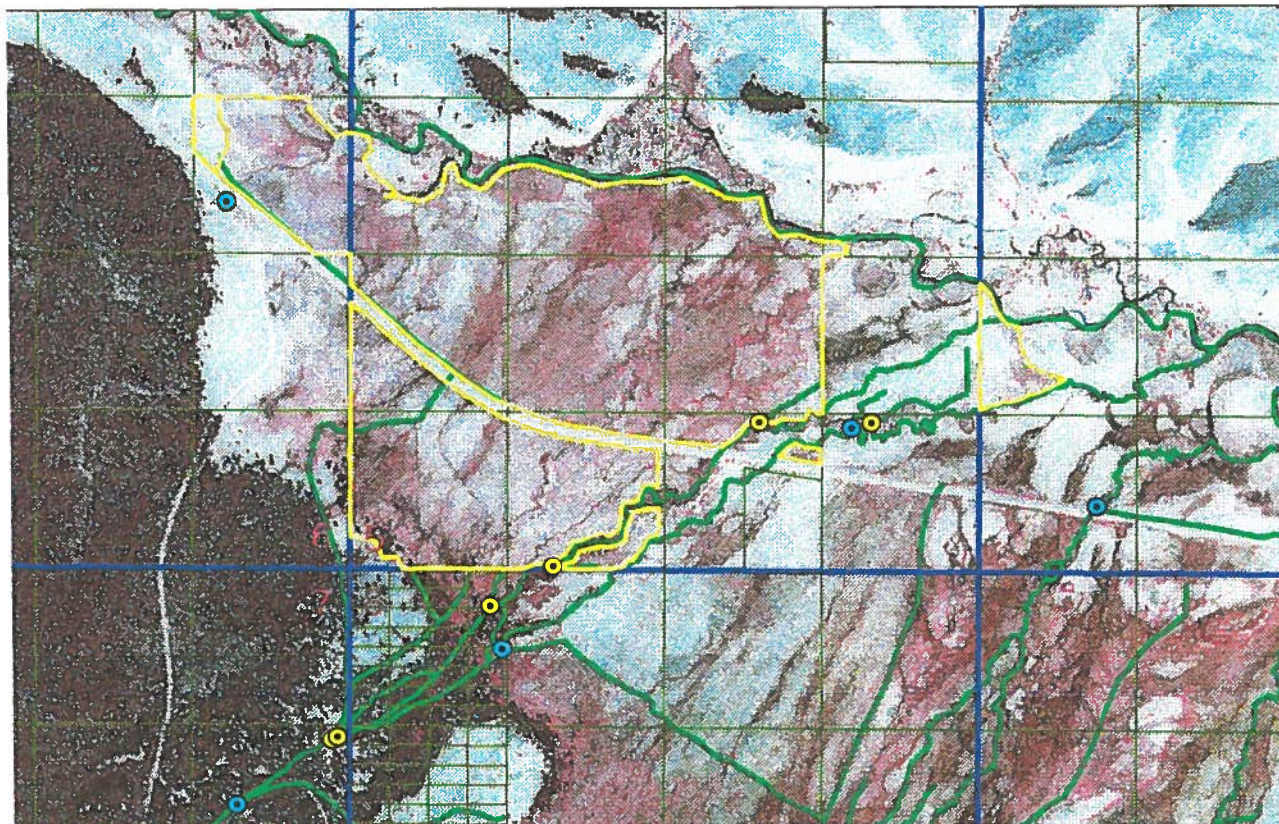
UNITED STATES
BUREAU OF THE INTERIOR
GEOLOGICAL SURVEY

CLAIM INIT _____
T. R. S. Q/Q _____
P/D _____
PHOTO V-19 _____
DT. & ID. _____



IDAHO DEPARTMENT OF WATER RESOURCES

71-00026B & 71-00027B



1320 0 1320 2640 3960 5280 6600 Feet

POU:

TWP 10N, RGE 13E, SEC 4, 5 & 6

POD:

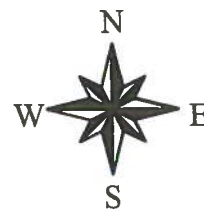
IRON CREEK -

2 PTS IN NESENE SEC 7;

NENWNW SEC 8;

SWSESW, NESWSE, NWSESE SEC 5;

TWP 10N, RGE 13E



- RECOMMENDED PLACE OF USE
- RECOMMENDED POINT OF DIVERSION
- SECTION LINES
- QUARTER QUARTER LINES
- STREAM AND DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY JUNE 1998
BY ALLEN MERRITT

C-53
T.OCAMICA
53C

3132
65

BLM LEASE
5070

65

FS

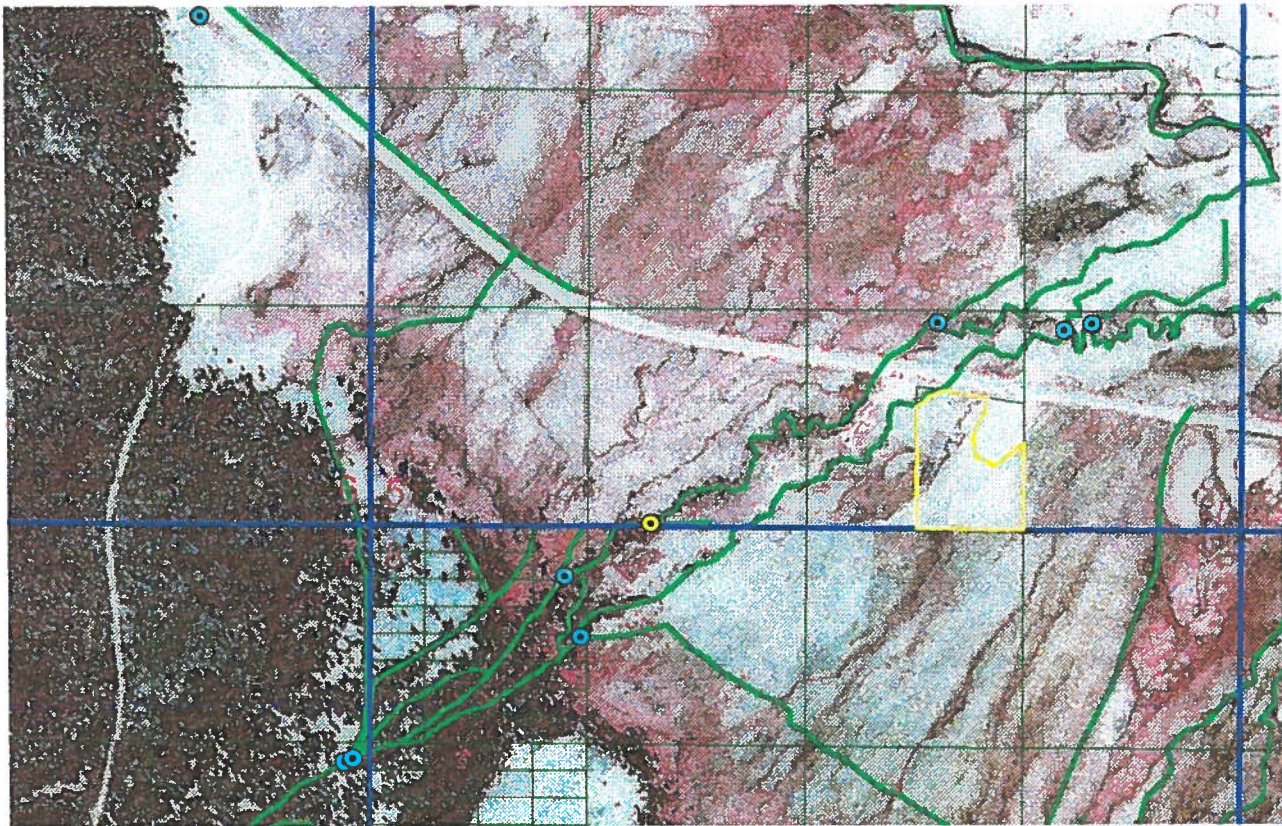
R 15E

18



IDAHO DEPARTMENT OF WATER RESOURCES

71-00026A & 71-00027A



1320 0 1320 2640 3960 5280 Feet

POU:

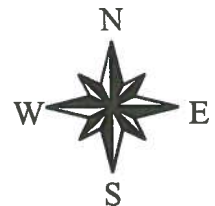
TWP 10N, RGE 13E, SEC 5

POD:

IRON CREEK -

SWSESW SEC 5;

TWP 10N, RGE 13E

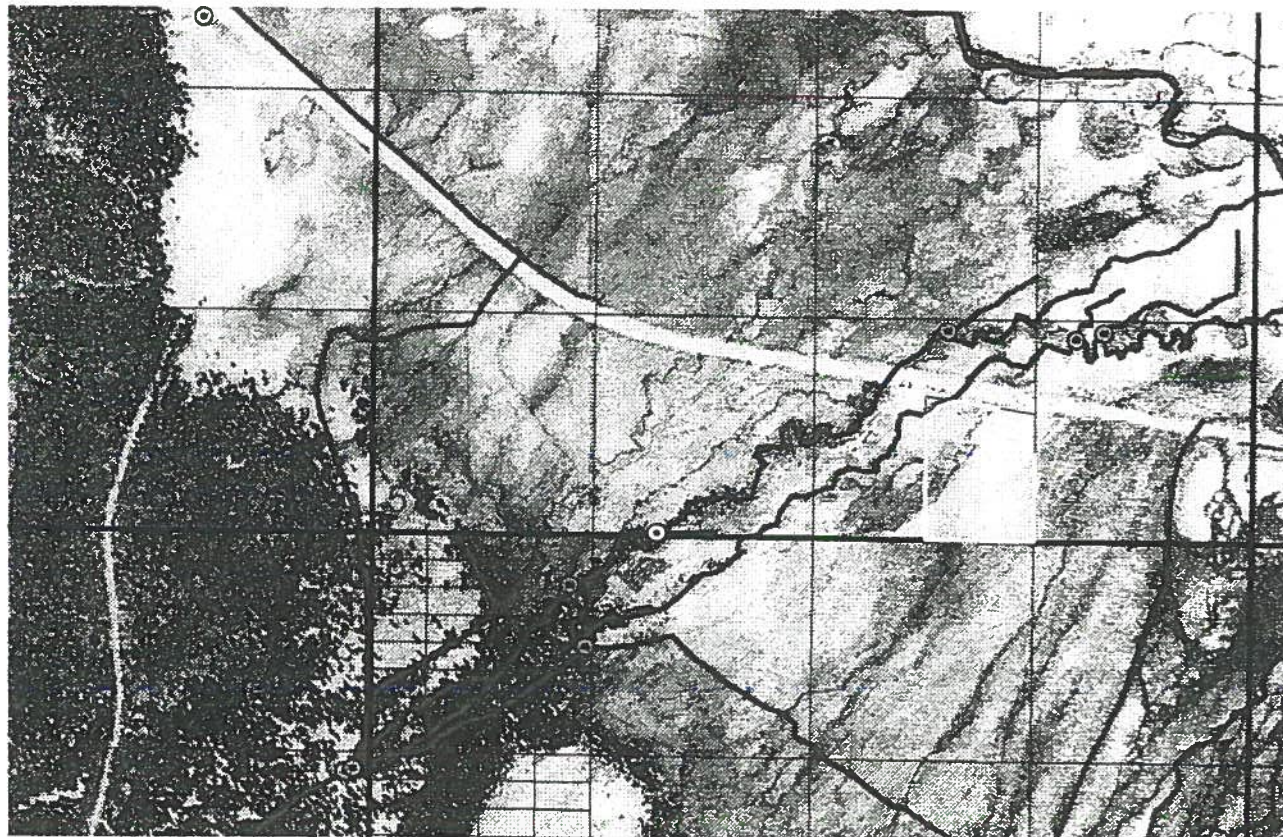


-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES
-  STREAM AND DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY JUNE 1998
BY ALLEN MERRITT

IDAHO DEPARTMENT OF WATER RESOURCES

71-00026A & 71-00027A



1320 0 1320 2640 3960 5280 Feet

POU:

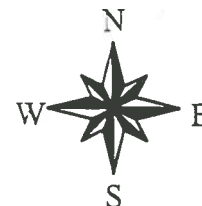
TWP 10N, RGE 13E, SEC 5

POD:

IRON CREEK -

SWSESW SEC 5;

TWP 10N, RGE 13E



RECOMMENDED PLACE OF USE

○ RECOMMENDED POINT OF DIVERSION

□ SECTION LINES

□ QUARTER QUARTER LINES

∧ STREAM AND DITCH CHANNELS

COPY

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY JUNE 1998
BY ALLEN MERRITT

IDAHO DEPARTMENT OF WATER RESOURCES
EXEL PROGRAM

FOR RIGHT NO: 71-00026

CREATED ON 2-1-94
BY ADM & KKC
MODIFIED DATE
5/5/98 BY ADM

BY: ADM
DATE: 6/23/98

BASE RATE: 3.00 CFS

OWNER	CLAIMED RATE	ACRES FOUND	FIRST SHARE OF BASE RATE	POTENTIAL SHARE OF BASE RATE	FIRST CUT	2ND ACRES	2ND SHARE	POTENTIAL SHARE OF REMAINING	SECOND CUT	PRELIM RATE	RATE PER ACRE
R71-00026A USFS	0.12	9.6	3.3%	0.100		9.6	3.3%	0.100	0.100	0.100	0.010
R71-00026B WEIP	3.00	277.5	96.7%	2.900		277.5	96.7%	2.900	2.900	2.900	0.010

0.10

2.90

SUMS	3.12	287.1	100.0%	3.000	0.000	287.1	100.0%	3.000	3.000	3.000
			FIRST ITERATION BALANCE							
			NOT ALLOCATED ==>		3.000 CFS					

TOTAL POTENTIAL
ALLOCATED RATE
BEFORE HUBBLE ==> 3.000 CFS

BALANCE NOT
ALLOCATED ==> 0.000 CFS

WARRANTY DEED 134474

This indenture made this 27th day of June, 19 75,
between THE TRUST FOR PUBLIC LAND, a California Corporation, authorized
to do business in the State of Idaho, GRANTOR and the UNITED STATES OF
AMERICA, GRANTEE.

WITNESSETH: That the said grantor, for and in consideration of the
sum of Sixty five thousand and no/100 dollars (\$65,000.00, to the grantor
in hand paid by the said grantee, the receipt of which is hereby acknowledged,
do by these presents grant, bargain, sell, convey and confirm unto the said
grantee, and its assigns, forever, all the certain lots, pieces, or parcels
of land situate, lying and being in the County of Custer, State of Idaho,
and bounded and particularly described as follows, to-wit:

Township 10 North, Range 13 East, Boise Meridian

That portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, described as
follows:

Beginning at a steel pin which lies North 89°19' West
along the Section line, 1318.35 feet from the Section
corner common to Sections 5, 4, 8 and 9, said township;
thence continuing along the Section line North 89°19'
West 649.45 feet to a steel pin; thence North 0°54'
East 859.76 feet to a steel pin on the southerly right
of way line of State Highway No. 21; thence South 80°
49'15" East along said right of way line 656.66 feet to
a steel pin; thence South 0°54' West, 762.70 feet to the
point of beginning, containing 12.1 acres, more or less.

Checked as to price, acreage,
description, and found correct.
[Signature]

TOGETHER with all ditch and the ditch rights and water
and water rights appurtenant thereto or used in connection
therewith.

SUBJECT to restrictions and covenants as shown in deed dated July 1,
1971 from Ocamica to Cole et al.

TOGETHER with all and singular the tenements, hereditaments, improve-
ments and appurtenances thereunto belonging, or in any wise appertaining,
and the reversion and reversions, remainder and remainders, rents, issues
and profits thereof.

TO HAVE AND TO HOLD all and singular the above mentioned and described
premises, together with the appurtenances, unto the said grantee and to
its successors and assigns forever, and the said grantors and its assigns,
the said premises in the quiet and peaceable possession of the said grantee,
its successors and assigns against the grantors and its assigns and against
all and every person and persons whosoever lawfully claimed or to claim the
same, shall and will WARRANT and do by these presents forever DEFEND.

And the said grantor for itself and its assigns, does covenant and agree to and with said grantee, and its assigns, that it is lawfully seized in fee of the aforegranted premises; that the same are free from all encumbrances; that it has a good right to sell and convey the same to the said grantee, aforesaid; and that the grantor does warrant and will forever defend the before-granted land and premises against the right, title, interest, or claim of all and every person whomsoever.

The acquiring agency is the U.S. Department of Agriculture, Forest Service.

IN WITNESS WHEREOF, the said grantor has hereunto set its hand and seal the day and year first above written.

THE TRUST FOR PUBLIC LAND

By Robert W. McIntyre

Title V.P. Finance

By Sarah L. Nicholson

Title Secretary

ATTEST:

Mary Cone

ACKNOWLEDGEMENT

STATE OF California)
County of San Francisco) ss.

On the 27th day of June, 19 75, personally appeared before me Robert W. McIntyre and Sarah L. Nicholson, the Vice President-Finance and Secretary respectively, the signers of the above instrument, who being by me duly sworn did say that they are Vice President-Finance and Secretary respectively, of THE TRUST FOR PUBLIC LAND, a California Corporation, authorized to do business in Idaho, and that said instrument was signed in behalf of said Corporation by authority duly delegated them by the Executive Committee of its Board of Directors and said corporation, and the Secretary thereof acknowledged to me that the said Corporation executed the same.

(SEAL)



Judith A. Milens
Notary Public for the State of California
Residing in San Francisco
My commission expires: December 2, 1977

No. 1508744
STATE OF IDAHO)
COUNTY OF CUSTER) ss.

This instrument was filed for record

at the request of Robert W. McIntyre
at 10 o'clock M. 19 75
and duly filmed and indexed in the
Records of Custer County, Idaho.

Mary Cone
Ex-Officio Recorder: Deputy

Robert W. McIntyre
Sarah L. Nicholson
Turnbull - Idaho 83301



WESTERN TITLE CO.

TITLE INSURANCE FOR CUSTER COUNTY, IDAHO

T. W. STIVERS, President
AVERY FLOYD, Vice President
MAX MATHEWS, Secretary-Treasurer

Titles Insured
by
Lawyers Title Insurance Corporation

February 19, 1975

Sawtooth National Recreation Area
P. O. Box 438
Ketchum, Idaho

Re: Our Order No. 279
Cole

Gentlemen:

We are prepared to issue title insurance policy of Lawyers Title Insurance Corporation in Standard form as of February 7, 1975, insuring the title to the following described real property in:

VESTEE: TOM J. OCAMICA AND MARIE L. OCAMICA, husband and wife

Township 10 North, Range 13 East, Boise Meridian, Custer County, Idaho.

Section 5: That portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 5, described as follows:

Beginning at a steel pin which lies North 89°19' West along the Section line, 1318.35 feet from the Section corner common to Section 5, 4, 8 and 9, Township 10 North, Range 13 East, Boise Meridian;
Thence continuing along the Section line North 89°19' West 649.45 feet to a steel pin;
Thence North 0°54' East 859.76 feet to a steel pin on the Southerly right-of-way line of State Highway No. 21;
Thence South 80°49'15" East along said right-of-way line 656.66 feet to a steel pin;
Thence South 0°54' West, 762.70 feet to the Point of Beginning.

SUBJECT TO:

1. No liability is assumed for possible unfiled Mechanics' or Materialmen's liens.
2. The Taxes for 1975, a lien but not yet due and payable, and the Taxes for all subsequent years.

4. The interest of Robert L. Cole and Virginia L. Cole, husband and wife, and Frank D. Chapman and Velma J. Chapman, husband and wife, by reason of an unrecorded contract of sale.

4. Restrictions contained in an unrecorded deed, a copy of which is attached.

5. MORTGAGE: From Tom J. Ocamica and Marie L. Ocamica, husband and wife, to Federal Land Bank of Spokane, Mortgagee, dated July 19, 1968, recorded July 25, 1968 in Book 18 of Mortgages, page 145, records of Custer County, Idaho.
TO SECURE: \$38,900.00.

5. Right-of-way and reservations as described and set up in deed dated November 26, 1966 from Tom J. Ocamica and Marie L. Ocamica, husband and wife, to State of Idaho recorded in Book 36 of Deeds, page 335, records of Custer County, Idaho.

7. An easement for road right of way as disclosed by deed to Custer County, dated April 13, 1926, recorded in Book 20 of Deeds, page 410, records of Custer County, Idaho.

8. MORTGAGE: From Robert L. Cole and Virginia L. Cole, husband and wife, to Clarence H. Cole and Blanche A. Cole, husband and wife, dated August 1, 1974, recorded August 9, 1974, as Instrument No. 137557, records of Custer County, Idaho.
TO SECURE: \$20,000.00

9. Public Law 92-400 creating Sawtooth National Recreation Area; Regulation promulgated thereunder published March 29, 1974, in Volume 39, Federal Register, pages 11544 to 11547.

NOTE: While the title insurance policy will not insure mineral rights, our records show said rights to go with the surface of the land.

WESTERN TITLE COMPANY

BY: *Ellen J. Holman*

TOM J. OCAMICA and MARIE L. OCAMICA, husband and wife, of Stanley, County of Custer, State of Idaho.

CLARENCE H. COLF and BLANCHE COLF, husband and wife, of Stanley, County of Custer, State of Idaho, and ROBERT COLF and VIRGINIA COLF, of Sparks, County of Washoe, State of Nevada,

CUSTER

A fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5 in Township 10 North, Range 13 East, Boise Meridian, more particularly described as follows, to-wit:

Beginning at a steel pin which lies North 89° 19' West along the section line, 1318.35 feet from the Section Corner common to Sections 5, 4, 8 and 9, Township 10 North, Range 13 East, Boise Meridian; thence continuing along the Section Line North 89° 19' West, 649.45 feet to a steel pin; thence North 0° 54' East, 859.76 feet to a steel pin on the Southerly right-of-way line of State Highway No. 21; thence South 80° 49' 15" East along said right-of-way line 656.66 feet to a steel pin; thence South 0° 54' West, 762.70 feet to the point of beginning, containing 12.102 acres.

TOGETHER With all ditch and ditch rights and water and water rights appurtenant thereto or used in connection therewith.

their

save and except the above described premises are restricted as follows: No trailer house type dwellings and no commercial business of any type shall be permitted or placed on the above described premises, and the same shall be used exclusively for residential purposes.

July 1, 1971.

CUSTER
July 71

TOM J. OCAMICA and MARIE L. OCAMICA,

s s are

they



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

28-Jan-1994 09:24

Randy Breamer
380 E Parkcenter Blvd
Suite 330
Boise, ID 83706

RE: Request For Further Information

Dear Mr. Breamer:

As you may already know last Wednesday, January 26, 1994, I phoned your office and talked with Mr. Bob Kenworthy regarding numerous issues that I need addressed before I finalize my recommendations for the USFS rights in the Sawtooth Valley. Dave Shaw, my boss, wants things wrapped up by March 1, 1994 so I would like a response to these issues as soon as possible, preferably by the first week in February.

The issues I discussed with Bob include:

A71-02004D I question the basis of claim. My review of the original license 71-02004 finds this water right was developed for other lands from a different P/D than what the USFS is presently irrigating. I have copies of unsigned deeds at the time the USFS obtained the property. One deed references a decreed right. One deed references license 71-02004. Since this is all contradictory and license 71-02004 is overclaimed and the amount claimed under A71-02004D does not appear to be sufficient to cover the ditch loss and irrigation application rate that appears to have been historically used I discussed with Bob that maybe you might consider changing the basis of the claim to "Beneficial Use" and claiming more water.

A71-00029A, A71-00028A & A71-02085C These claims by the USFS are for land that appears to have not been irrigated for some time or never irrigated by the sources claimed. I request information as to the aquisition of these water rights since the base rights are overclaimed and also information as to when these lands were last irrigated if ever.

A71-10725 This claim is for USFS land being irrigated by Neider. Neider has filed a competing claim which I have reviewed and it appears that I will allow 1 more acre than you have presently claimed. I discussed with Bob the possibility of you amending your claim accordingly.

A71-10729 This USFS claim is for a spring historically used at Redfish Lake Lodge. In reviewing the claim in the name of Redfish Lake Lodge for the well serving the Lodge I am under the impression that the spring use not been used for many years. Please provide evidence of when the spring was last used. Regarding related matters I discussed with Bob the claims filed in the name of Redfish Lake Lodge/See and licenses in their name not claimed. Maybe the USFS wishes to file claims for these uses.

A71-02053 This claim is for an old license that does not appear to have been used for a long time. I request information as to when when and by whom it was last used and if used recently how the property was irrigated.

A71-00063 & A71-02008 These claims have similar issues to A71-02053 listed above.

A71-00027A & A71-00026A These claims are for portions of decreed rights that have been fully claimed. In talking with these claimants I understand the water was reserved when Ocamica sold the property. I request that you supply me with deeds as to when the property was obtained by the USFS to confirm that you obtained the rights.

A71-04036 This claim is for land claimed by another (Fred Stewart) who indicated at the time of my field review he had been in litigation with the government. Could you enlighten me as to the outcome of this lawsuit and who owns the property.

Another issue was that of a well developed at Camp Luthy recently. You have claimed one well so I discussed with Bob the possibility of you filing something on the new well. (Either a claim or a permit)

This morning after I started this letter I talked to Bob again on the phone and we discussed a conference call tentatively for Feb 3, 1994 at 10:00am. Hopefully this letter will help us focus on the issues. I hope I have covered all but some new ones may crop up. I will talk to you next week.

Sincerely,



Allen D. Merritt, P.E.
Water Rights Supervisor

LAST: OCAMICA
ADDRESS: 6098 PLANTATION
CITY: BOISE
PHONE NUMBER: 208-853-4640
STATE: ID ZIP: 83703

OWNER CODE: 0

LAST: US DEPT OF AGRICULTURE
ADDRESS: FOREST SERVICE
550 W FORT STREET
PO BOX 33C
CITY: BOISE
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 83724

OWNER CODE: K

LAST: USFS
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000
STATE: UT ZIP: 0

OWNER CODE: K

LAST: AMERICA ACTING THROUGH
ADDRESS: USDA FOREST SERVICE
550 W FORT STREET
PO BOX 33C
CITY: BOISE
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 83724

OWNER CODE: C

LAST: BROWN
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: X

OWNER CODE: 0

LAST: OCAMICA
ADDRESS: 6098 PLANTATION
CITY: BOISE
PHONE NUMBER: 208-853-4640
STATE: ID ZIP: 83703

OWNER CODE: 0

FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS? Y Y() N()
CLAIM REMARKS: GEN FOREST SERVICE RECORD ID = 04 14 17060201 59 0082
ACQUIRED PORTION OF DECREE, 71-00026.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: () - -
DATE OF FIELD EXAM: _/_/_ APPOINTMENT MADE: Y() N() TIME: _ : _ A() P()
ACCOMPANIED BY: _____ RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A71-00026A	PRIORITY DATE: 05-01-1902	STAGE: D
B. WR RECORD: # 71-00026	PRIORITY DATE: 05-01-1902	STAGE: D
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:

05-01-1902

REVIEWED BY _____

DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TRP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A71-00026A	10N	13E	7			SE		NE		CUSTER	
OTHER AJ CLAIMS WITH SAME AJ POD											
WR RECORDS IN SAME 40 ACRE TRACT											
A PREFIX R PREFIX											
A71-00025A R71-00025B											
A71-00025B 71-00025											
A71-00026 71-00027											
A71-00027											
A71-00027A											
A71-10628											
A71-10726											

SOURCE: IRON CREEK

TRIB: VALLEY CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TRP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
71-00026	10N	13E	7			SE		NE		CUSTER	
OTHER WR RECORDS WITH SAME WR POD											
AJ CLAIMS IN SAME 40 ACRE TRACT											
A PREFIX R PREFIX											
71-00025 A71-00025A R71-00025B											
71-00027 A71-00025B											
A71-00026 A71-00026											
A71-00027 A71-00027											
A71-00027A A71-00027A											
A71-10628											
A71-10726											

SOURCE: IRON CREEK

TRIB: VALLEY CREEK

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

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

A. ROOT WATER RIGHT NUMBERS: A71-10628
R71-10628

A71-00026

A71-00026A

B. POU LISTING									
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA
10N	13E	5	SW	SE		AMERICA ACTING THROUGH, UNITEDA71-00026A / 13.0			41.0
			SW	SE		WELP, THEODORE M	A71-00026 / 15.0	71-00026 /	
			SW	SE		WELP, THEODORE M	A71-00027 / 15.0	71-00027 /	
			SW	SE		GIFFEN, HOWARD A	A71-10138 /		
			SW	SE		OCAMICA, TOM J	A71-10628 / 15.0		
			SW	SE		US DEPT OF AGRICULTURE	A71-00027A / 13.0		
			SW	SE		GIFFEN, DOROTHY	71-10138 /		
			SW	SE		GIFFEN, DOROTHY	A71-10139 / 15.0		
			SW	SE		GIFFEN, DOROTHY	71-07175 / 11.0		
			SW	SE		HANKINS, G. P.	71-02009 / 30.0		

ADDITIONAL POU FOUND

TOTAL ACRES	A71-00026A	13.00	41.00
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POU COUNTY: CUSTER

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.		DIV. VOL.	DIV. VOL./ACRE
				RATE/ACRE			
A71-00026A	IRON CREEK	AMERICA ACTING THROUGH, UNITED	0.120	0.009			
A71-00026	IRON CREEK	WELP, THEODORE M	3.000	0.010			
A71-00027	IRON CREEK	WELP, THEODORE M	4.000	0.013			
A71-00027A	IRON CREEK	US DEPT OF AGRICULTURE	0.163	0.012			
A71-10139	IRON CREEK	GIFFEN, DOROTHY	0.300	0.020			
A71-10628	IRON CREEK	OCAMICA, TOM J	7.000	0.025			

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A71-10138	DOMESTIC	GIFFEN, HOWARD A	FROM 01-01 TO 12-31	0.040 CFS	
71-10138	DOMESTIC	GIFFEN, DOROTHY	FROM 01-01 TO 12-31	0.040 CFS	

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

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()

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

Y() N()

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()

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A71-00026A IRRIGATION	FROM 05-01 TO 09-30	0.120 CFS	
TOTAL DIVERSION RATE/VOLUME		0.120 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
71-00026 IRRIGATION	FROM TO	3.000 CFS	
TOTAL DIVERSION RATE/VOLUME		3.000 CFS	

- 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 IDMR STANDARDS? ☐ Y ☐ N
- G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDMR STANDARDS? ☐ Y ☐ N
- * IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDMR 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: 0.120 CFS
HR ROOT RIGHT TOTAL DIVERSION RATE: 3.000 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A() 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()

* 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() N()

E. MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

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

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS. USE
	FROM	TO	RATE CFS	EXAMINER	VOL. AF/A	EXAMINER	
IRRIGATION	05-01	09-30	0.120	_____	_____	_____	0.0 _____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT			0.120	_____	_____	_____	0.0 _____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____ ACCEPTED _____ NEEDS _____
FORFEIT/ABANDON _____ AS CLAIMED _____ REVIEW _____
ADDITIONAL DIV. AMOUNT _____ () () ()
_____ () () ()
_____ () () ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-00026
TOTAL DIVERSION RATE OF WR SPLITS 4.000
EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
71-00026	A71-00026	3.000	-	-	71-00026	3.000
71-00027	A71-00026A	0.120	-	-	71-00027	4.000
-	A71-10628	7.000	-	-	-	-

TOTAL CFS 10.120 4.000

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 ()?

FIELD
EXAMINER
Y () N ()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

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	IDWR ID NO.	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED	IDWR ID NO.	Y() N()
() MAP	DATE OF PHOTO	IDWR ID NO.	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO		Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO		Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO		Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY		Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED		Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP		Y() N()
() OTHER	DATE		Y() N()
() OTHER	DATE		Y() N()
() OTHER	DATE		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

() LICENSING FIELD EXAM	DATE OF FIELD EXAM		
() WATER RIGHT LICENSE	DATE LICENSE SIGNED		
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED		
() SYSTEM DESCRIPTION	DATE DRAWN		
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN		
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED		
() OTHER	DATE		
() OTHER	DATE		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:45:55
06/15/98
34
CLAIM NUMBER: A71-00026A

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								
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A71-00026A

10:02:20
06/15/98
35

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH	05/01/1902	IRRIGATION	05-01 09-30	0.12 CFS	
TOTAL DIVERSION:					0.12 CFS	

Water Source: IRON CREEK Tributary to: VALLEY CREEK Stage: DECREED

Point(s) of Diversion: T10N R13E S07 SENE CUSTER County

Place of use Legal Description for: IRRIGATION

NE											
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt
10N	13E	5	:								
NE											
			:								
NW											
			:								
SW											
			:								
SE											
			:								
TOTAL ACRES											SUM
											13.0
											13.0

POU County: CUSTER

Other Rights: NONE

Remarks: GEN FOREST SERVICE RECORD ID = 04, 14, 17060201 59 0082
ACQUIRED PORTION OF DECREE, 71-00026.

Dates: Exam Made Date: Verified Date: Objection filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag: