

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: **A71-00030B**
Date Received: 1/22/1990
Receipt No: S011023
Received By: [Signature] 9/17/97

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WO-HE-LO SUBDIVISION 208-774-3591
Address: HC 64 BOX 9951
STANLEY ID 83278

2. Date of Priority: JUN 9, 1908

3. Source: FISHER CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	4	SE	NE			CUSTER

5. Description of diverting works:
HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/01	0.240		

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

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	4	SE	NE		IRR	8.0
Section Acres							8.0
Total Acres							8.0

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:

A71-07011, 07075, FOURTH OF JULY CREEK RIGHT 71-00037

14. Remarks:

PORTION OF 71-00030 DECREE. WATER USED FOR IRRIGATION OF 13 HOME SUBDIVISION. A SKETCH OF THE IRRIGATION SYSTEM FOR THE PASTURES IS ATTACHED. SCOTT RASMUSSEN, WHO IRRIGATES THE LANDS IN THE SUBDIVISION OF HIS MOTHER AS WELL AS THE OTHER PROPERTIES, HAS PHOTOGRAPHS AVAILABLE OF THE DITCHES AND PASTURES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/16/1940

DAN J. CAVANAGH

Decree Plaintiff

WM. MERRITT, ET AL.

vs Decree Defendant

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 I do not X ~~donot~~ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am representative of Wo-he-to Subdivision of
Title
Wo-he-to Subdivision, that I have signed the foregoing
Organization
document in the space below as representative of
Title
Wo-he-to Subdivision and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Representative of Wo-he-to Subdivision
Title and Organization
9/17/97
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of SEPTEMBER 19 97
[Signature]
Notary Public

Seal

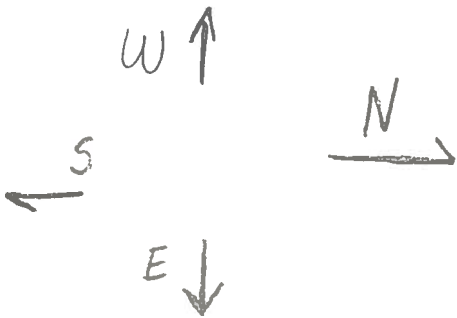
Residing at BOISE IDAHO
My Commission Expires JUNE 10, 2000

Wo-he-lo Subdivision

Irrigation System

1997

Map Not to Scale



-  Fence line, steel & wooden pole
-  Approximate Flood Plain
-  Irrigation Canals





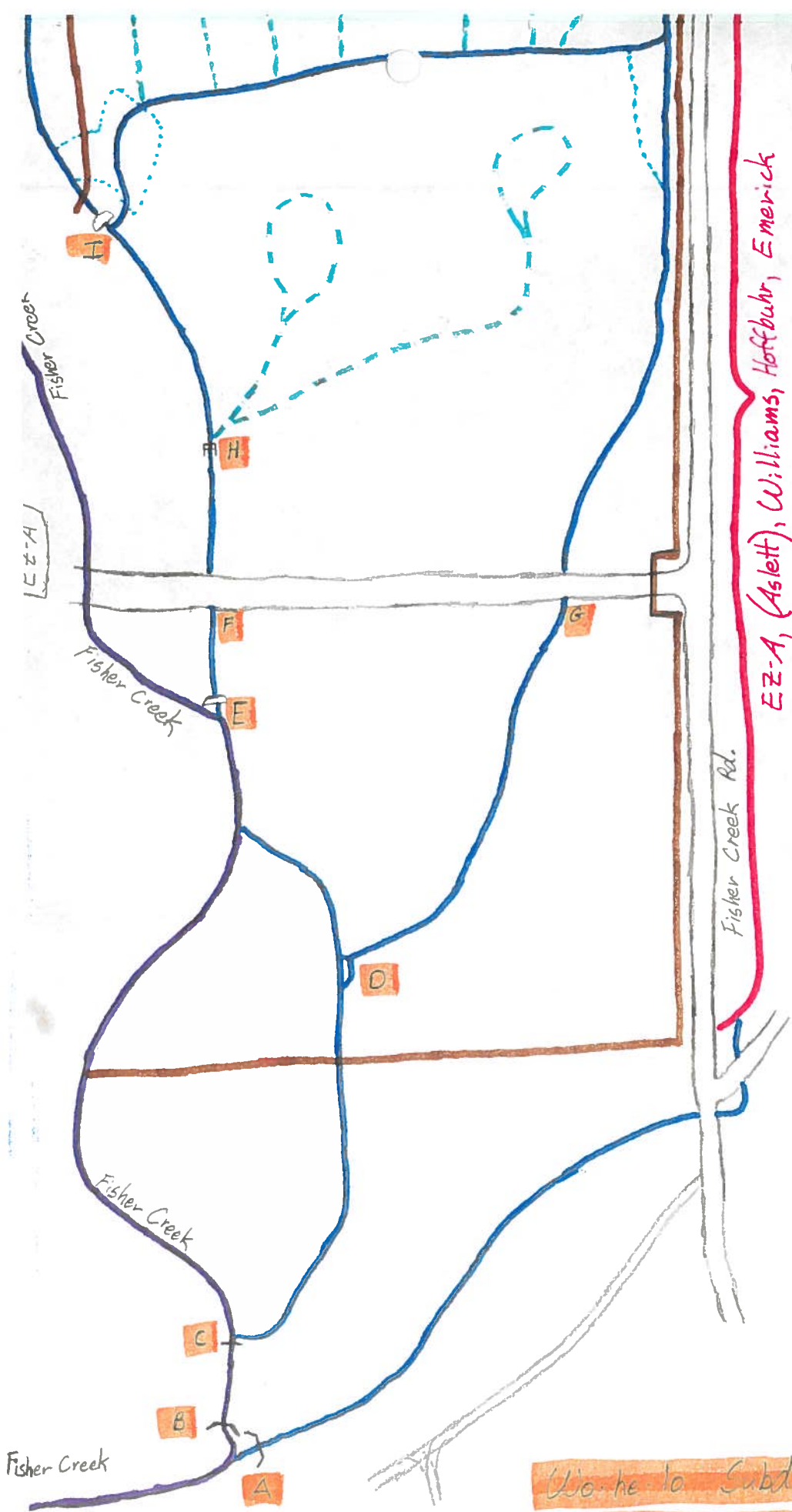
Fisher Creek Rd.

Bottom / Mystic Saddle Rd.

Fisher Creek Rd.

Rasmusen / Fordyce / Emerick

- T Turnout to Fisher Creek
- S Turnout to Fisher Creek
- R Tail Canal
- Q Intersection (Alternate Plastic Dam Insert for Big-S Canal)
- P Big-S Canal
- O Canal - Plastic Dam Insert
- N Tail Canal
- M Culvert #4
- L Culvert #3
- K Culvert #2
- J Culvert #1



I: Concrete & Plastic Dam
Insert - Canal

H: Wooden Gate

G: Culvert

F: Culvert

E: Concrete & Plastic Dam
Insert - Canal

D: Canal (Plastic Dam Insert)

C: Canal (Plastic Dam Insert)

B: Fisher Cr. Headgate

A: Headgate to Humphrey/
Lawler Canal

Map Not to Scale

Wheeler Subdivision

Irrigation System

1997

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: A71-00030B
Date Received: 1/22/1990
Receipt No: S011023
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WO-HE-LO SUBDIVISION 208-774-3591
Address: HC 64 BOX 9951
STANELY, ID 83278

2. Date of Priority: JUN 09, 1908

3. Source: FISHER CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	4	SE	NE			CUSTER

5. Description of diverting works:
HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/01	0.160		

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

8. Total consumptive use is 20.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	4	SE	NE		IRR	8.0

Section Acres 8.0

Total Acres 8.0

A71-00030B

Page 1

Date: 01/22/90

MICROFILMED

MAR 17 1993

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____ Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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:
A71-07011, 07075

14. Remarks:
PORTION OF 71-00030 DECREE. WATER USED FOR IRRIGATION OF
13 HOME SUBDIVISION.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/16/1940

DAN J. CAVANAGH
Decree Plaintiff

vs

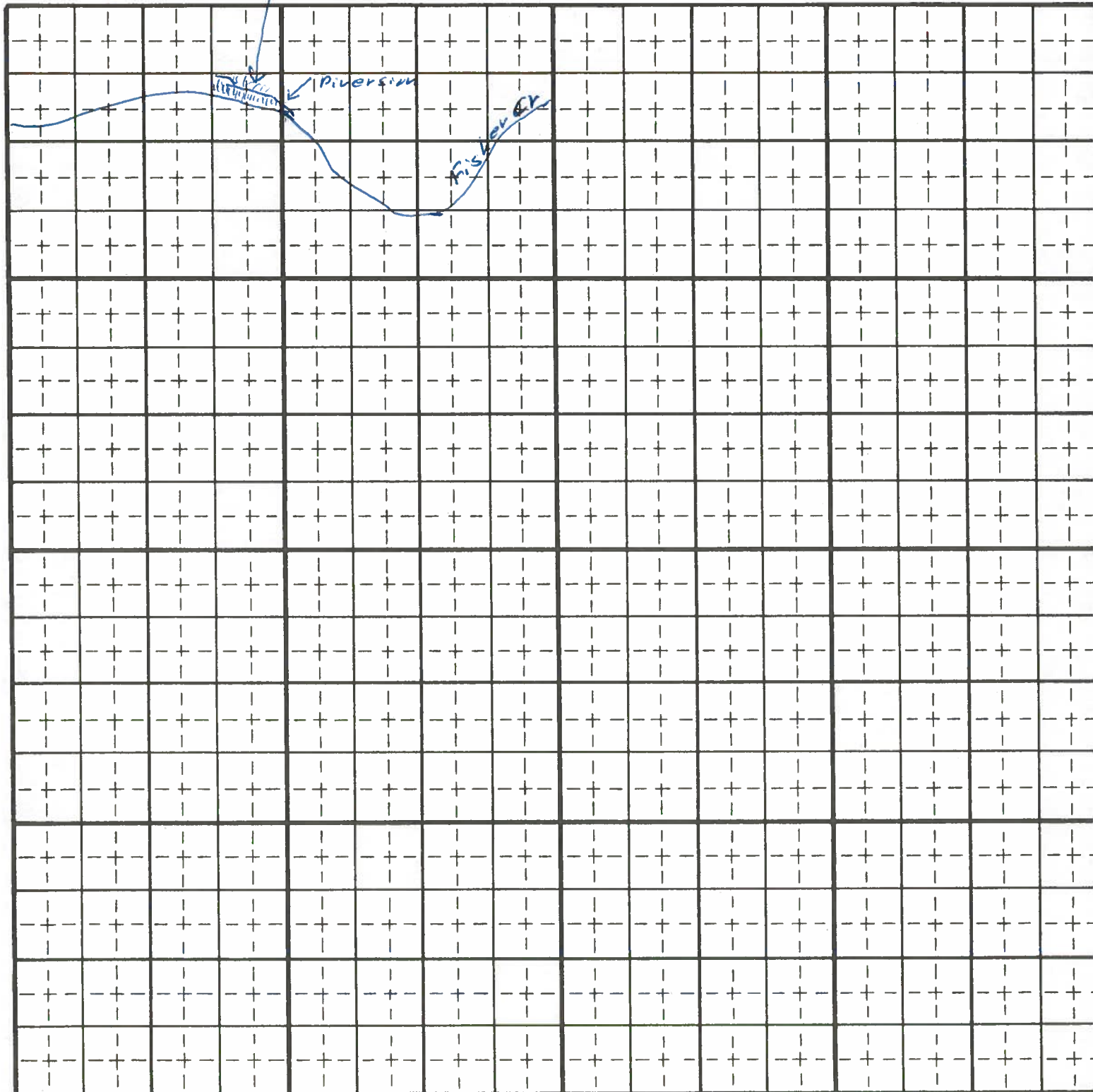
WM. MERRITT, ET AL.
Decree Defendant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T 8 N R 14 E

sec 4 place of use sec 3



Last Name WO-NE-LO Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant
MAR 17 1993

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President Title _____
of Wo-He-Lo Subdivision Organization _____, that I have signed the foregoing
document in the space below as President of Wo-He-Lo Subdivision
Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *Jeffrey M. Bitter*
Title and Organization President Wo-He-Lo Subdivision Date 1/11/90

State of Idaho/~~or~~ _____)
County of CUSTER) SS.

Subscribed and sworn (or affirmed) before me this 11 day of January 19 90

SEAL

Notary Public *Paul D. Neace*

Residing at *Stanley*

My Commission Expires 9-23-92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Wo-He-Lo Ident. Number _____

MICROFILMED

MAR 17 1992

Copies White State, Yellow Claimant

Water Right Number - 71-00030

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - -

+ - - - -

*** C - CURRENT OWNER ***
MC VEY

GEYER M.

MC VEY

MRS. GEYER M.

MCVEY

MERTON O.

MCVEY

EMMA

1 -	State- ID	Zip-
2 -		
3 -		
City-		
Phone - 208-000-0000		
1 -	State- ID	Zip-
2 -		
3 -		
City-		
Phone -		
1 -	State-	Zip-
2 -		
3 -		
City-		
Phone -		
1 -	State-	Zip-
2 -		
3 -		
City-		
Phone -		

+ - - Priority Date - - +
06/09/1908+ - - Region - - - +
17+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - - +
FISHER CREEK+ - - Tributary - - - - - +
SALMON RIVER

+ - - Twn Rng Sec Tract Lot RFlg County Point of Diversion - - - - - +

08N	14E	3	NW SW	(37)	CUSTER	
08N	14E	4	SW NE	(37)	CUSTER	
08N	14E	4	SE NE	(37)	CUSTER	
08N	14E	4	NE NW	(37)	CUSTER	

+ - - Code Description Period From Period To Water Use - - - - - Diversion Rate Diversion Volume

01 - IRRIGATION

1.400

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - +
1.400

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
08N	14E	3	SW NW			01	IRRIGATION	(37) CUSTER	
08N	14E	3	NW SW			01	IRRIGATION	(37) CUSTER	

MICROFILMED
MAR 17 1993

Adj. flag translation: Standard Water Right Number

Total Acres:

MICROFILMED
MAR 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

. Jan. 26, 1990

Re: A71-00030B
A71-07075
A71-07011

. WO-HE-LO SUBDIVISION
. HC 64 BOX 9951
. STANLEY ID 83278

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
MAR 17 1993

Water Right Number - R71-000308

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
WO-HE-LO SUBDIVISION

1 - HC 64 BOX 9951
2 -
3 -
City- STANLEY
Phone - 208-774-3591

State- ID Zip- 83278

Priority Date - +
06/09/1908

Region - +
17 SOUTHERN

Stage - +
D - DECREED

Status - +

Source - +
FISHER CREEK

Tributary - +
SALMON RIVER

TwN Rng Sec Tract Lot Rflg County Point of Diversion - +

08N 14E 3 SW SW NW (37) CUSTER
4 SE SE NE (37) CUSTER

Code Description Period from Period to Water Use Diversion Rate Diversion Volume

01 - IRRIGATION 05/01 09/30

0.070

Total Div. Rate - + Total Div. Volume - +
0.070

Total Consumptive Use - + KW Usage - +
0.0

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	14E	4	SE NE	5.9	01	IRRIGATION	(37) CUSTER	

Total Acres: 5.9

- - - - - Diversion Means - ROCK CHECKS TO EARTHEN DITCHES.

- - - - - Non-Irrigation Use -

- - - - - Other Rights for Same Use - 71-00031C & 71-00037C

- - - - - Remarks - - - - -

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 71-000308, 71-00031C & 71-00037C.
EXP THE FOLLOWING RIGHTS DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 71-00030B, 71-00031C & 71-00037C.

Water right number - R71-00030B

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - -
+ - - - - Old Water Right Numbers - - - - -
7100030

+ - - - - Conditions of Approval - - - - -
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

+ - - - - Decree Plaintiff - - - + Decree Date - +
DAN J. CAVANAGH WM. MERRITT, ET AL. 01/16/1940

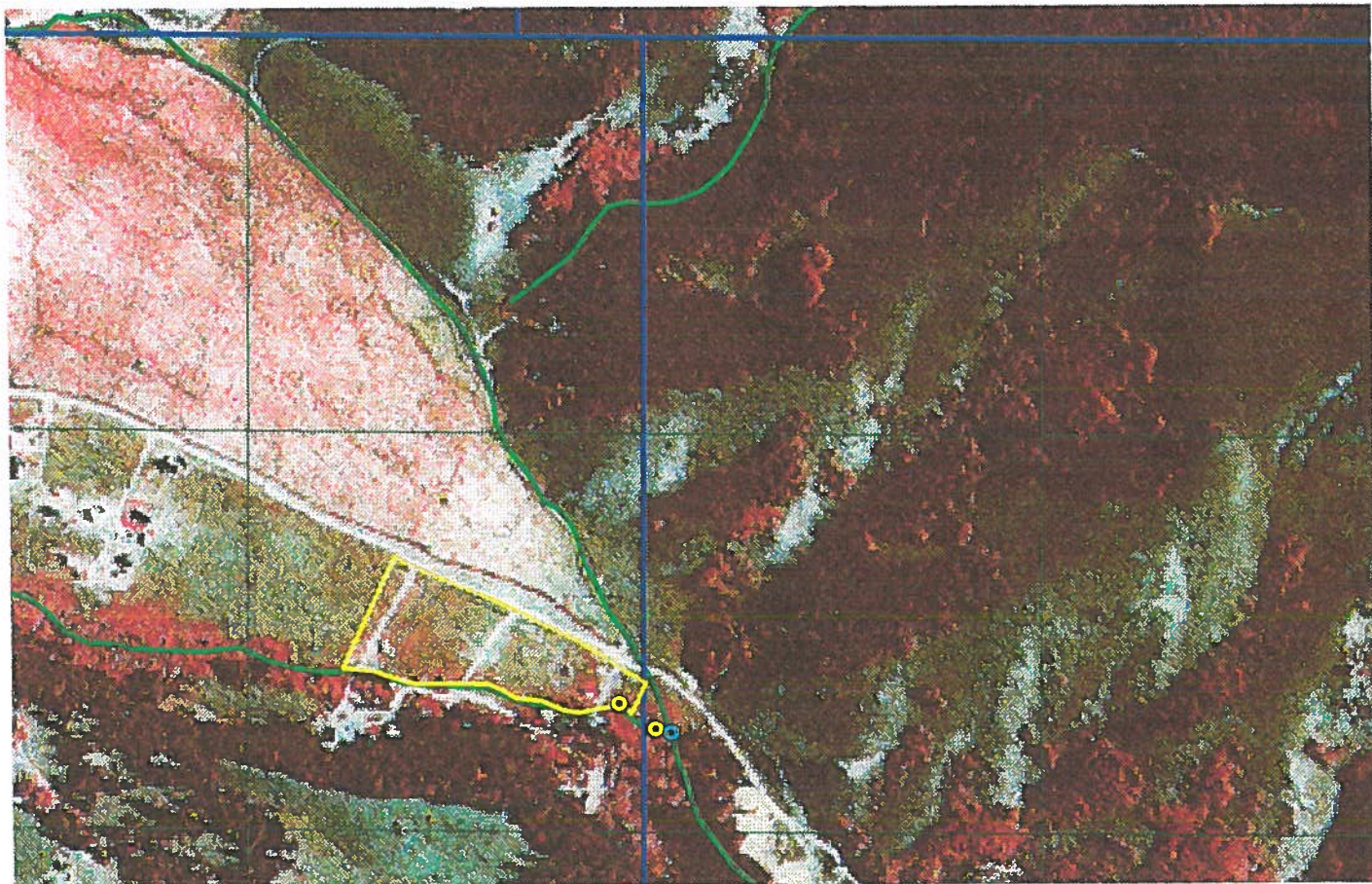
+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - +
06/01/98 AMERRITT

+ - - - - Adjudication Rights Dates and Flags Area - - - - -
Court Report Filing - 00/00/0000 Field Inspection Made - 09/08/1993 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 - 01/22/1990 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S011023 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - Presumption Flag -
Notice of Error Flag -

IDAHO DEPARTMENT OF WATER RESOURCES

71-00030B & 71-00031C



1320

0

1320

POU:

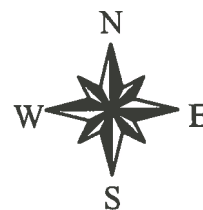
TWP 08N, RGE 14E, SEC 4

POD:

FISHER CREEK

SWSWNW SEC 3 & SESENE SEC 4

TWP 08N, RGE 14E



-  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 MAY 1998
BY ALLEN MERRITT

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

71-00030B 71-00037C
71-00031C

DATE: May 8, 1998

REVIEWED BY

AD

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
BG1	5.00	14	* 5.9	* 0.19	= 0.40 CFS
			*	*	= CFS
			*	*	= CFS
			*	*	= CFS

TOTAL ACRES

DECREED RATE

CLAIMED DIVERSION RATE

ORIGINAL HUBBLE RATE

MEASURED DIVERSION RATE

30B 0.07
31C 0.04
37C 0.08
0.19

Recommended 211.

71-00030B & 71-00001C
300 & 31C

LM NUMBERS _____

DATE 3/25/98

TRANSFER NUMBER _____

HOMESTEAD ENTRY NO. _____

AGENT AD~

CLAIMED ACRE TOTAL _____

GEOGRAPHIC INFO ACRES _____

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM																			
GIS	8N	14E	4				5.9												5.9
ECOM																			
CLAIM																			
GIS																			
ECOM																			
CLAIM																			
GIS																			
ECOM																			
CLAIM																			
GIS																			
ECOM																			

B71-DBPOD.SHP

NOS DESCRIPTION

64 SWSW NW Sec 3

72 SESE NE Sec 4

B71-DBPOU.SHP

SHAPE NOS

112 5.9

DBF TABLES UPDATED

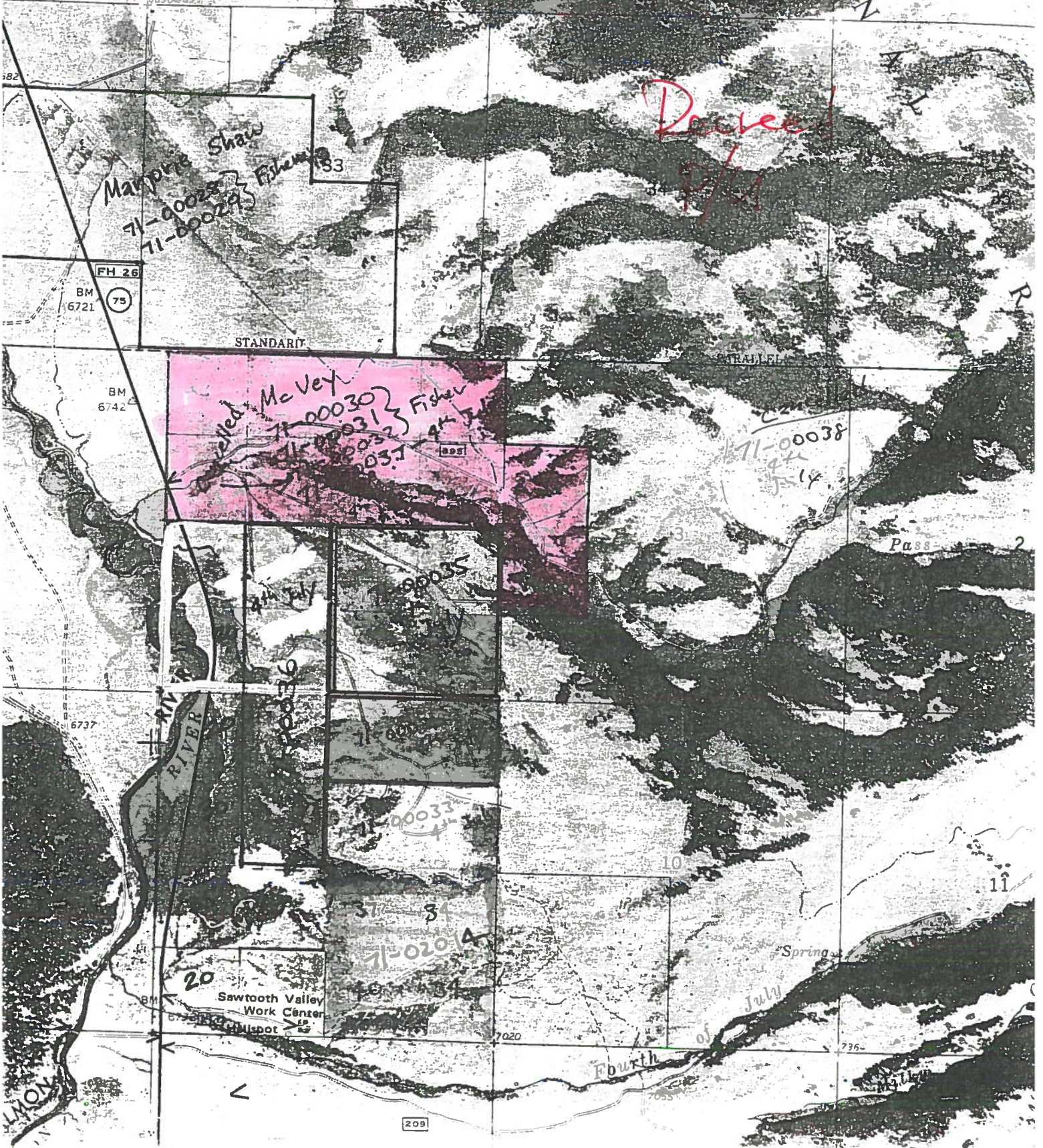
371-DBPOD.DBF

371-DBPOU.DBF

9

INDIAN

CLAIM	INIT
T. R. S. Q/Q	
P/D	
PHOTO	V-70
DT. & ID.	



IDAHO DEPARTMENT OF WATER RESOURCES
EXEL PROGRAM

FOR RIGHT NO: 71-00030

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

BY: ADM
DATE: #####

BASE RATE: 1.40 CFS

OWNER	CLAIMED RATE	ACRES FOUND IRRIGATED	FIRST SHARE OF BASE RATE	POTENTIAL SHARE OF BASE RATE	FIRST CUT	2ND ACRE ITERATION	2ND SHARE ITERATION	POTENTIAL SHARE OF REMAINING	SECOND CUT	PRELIM RATE SUMMARY	RATE PER ACRE
A71-00030B WOHELO	0.24	5.9	5.0%	0.070		5.9	5.0%	0.070	0.070	0.070	0.012
A71-00030C STONE	1.40	110.1	93.6%	1.311		110.1	93.6%	1.311	1.311	1.311	0.012
A71-00030D COOK	0.10	1.6	1.4%	0.019		1.6	1.4%	0.019	0.019	0.019	0.012

0.07
1.31
0.02
1.40

SUMS 1.74 117.6 100.0% 1.400 0.000 117.6 100.0% 1.400 1.400 1.400

FIRST ITERATION BALANCE
NOT ALLOCATED ==> 1.400 CFS

TOTAL POTENTIAL
ALLOCATED RATE 1.400 CFS
BEFORE HUBBLE ==>
BALANCE NOT
ALLOCATED ==> 0.000 CFS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A71-000308
38

11:37:08
05/28/98

LAST: WO-HE-LO SUBDIVISION
ADDRESS: HC 64 BOX 9951
CITY: STANLEY
PHONE NUMBER: 208-774-3591
STATE: ID ZIP: 83278

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y
FIELD EXAMINER
Y() N()

CLAIM REMARKS: GEN

PORTION OF 71-00030 DECREE. WATER USED FOR IRRIGATION OF
13 HOME SUBDIVISION. A SKETCH OF THE IRRIGATION SYSTEM FOR THE
PASTURES IS ATTACHED. SCOTT RASMUSSEN, WHO IRRIGATES THE LANDS
IN THE SUBDIVISION OF HIS MOTHER AS WELL AS THE OTHER PROPERTIES,
HAS PHOTOGRAPHS AVAILABLE OF THE DITCHES AND PASTURES.

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

DATE OF FIELD EXAM: 8/1/93

APPOINTMENT MADE: Y() N()

PHONE NUMBER: () -
TIME: : A() P()

ACCOMPANIED BY:

Mrs. Bitton

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

One of the members of S&S dric.

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A71-000308	PRIORITY DATE: 06-09-1908	STAGE: D
B. WR RECORD: # 71-00030	PRIORITY DATE: 06-09-1908	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:

06-09-1908

REVIEWED BY

DATE

Alm

6/1/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
-------	-----------	------	-----	-----	-----	-----	------	-----	--------	----------------	------------------

A71-000308 08N 14E 4 SE NE

CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX

R PREFIX

A71-00030A

71-10111

A71-00030C

71-10145

A71-00031A

R71-07011

A71-00031B

R71-07075

A71-00031C

A71-07011

A71-07075

A71-10111

A71-10145

71-00031
71-07011
71-07075

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
-------	-----------	------	-----	-----	-----	-----	------	-----	--------	----------------	------------------

71-00030 08N 14E 3
71-00030 08N 14E 4
71-00030 08N 14E 4
71-00030 08N 14E 4

NW SW
SE NE
SW NE
NW

CUSTER
CUSTER
CUSTER
CUSTER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX

R PREFIX

71-00031

71-02002

71-07011

71-07075

71-10111

71-10121

71-10145

71-10146

71-10158

71-10638

71-10646

R71-07011

R71-07075

R71-10118

***** 13 A PREFIX CLAIMS IN SAME 40 ACRE TRA

SOURCE: FISHER CREEK

TRIB: SALMON RIVER

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()

N/A) YC) NC)

$$Y(\frac{1}{2})N(\frac{1}{2})$$

Y() N()

Y() N()

 $\gamma(N)$

Y(____)N(____)

$$Y(\text{---})N(\text{---})$$

See map supplied by Russmuss

Two p/d exit (very crude)

$$(-)$$

3 SW SW NW

TRIB: SALMON RIVER

70-

83/19

()

✓ Rock chucks

0
~~0~~
w

A. ROOT WATER RIGHT NUMBERS:

A71-00030A
A71-00030B

A71-00030C

R71-00030A

R71-00030B

R71-00030C

R71-00030D

A71-00037C

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	14E	4	SE	NE		WO-HE-LO SUBDIVISION	A71-00030B / 8.0	-	/		5.0
			SE	NE		RASMUSSEN, JOY ARLEEN	71-10111 /	-	/		
			SE	NE		BITTON, JEFFREY M	A71-10145 /	-	/		
			SE	NE		ESTES, BURLEY	A71-10111 /	-	/		
			SE	NE		WO-HE-LO SUBDIVISION	A71-07011 /	71-07011 /	/		
			SE	NE		WO-HE-LO SUBDIVISION	A71-07075 /	71-07075 /	/		
			SE	NE		WO-HE-LO SUBDIVISION	R71-00030B / 5.5	-	/		
			SE	NE		WO-HE-LO SUBDIVISION	A71-00037C / 8.0	-	/		
			SE	NE		LAWLER FAMILY TRUST,	THE ANDREA71-00030C / 10.0	-	/		
			SE	NE		LAWLER FAMILY TRUST,	THE ANDREA71-00031B / 10.0	-	/		
			SE	NE		LAWLER FAMILY TRUST,	THE ANDREA71-00037B / 10.0	-	/		
			SE	NE		LAWLER FAMILY TRUST,	THE ANDREA71-00030C / 10.0	-	/		
			SE	NE		LAWLER FAMILY TRUST,	THE ANDREA71-00031B / 10.0	-	/		
			SE	NE		LAWLER FAMILY TRUST,	THE ANDREA71-00037B / 10.0	-	/		
			SE	NE		WO HE LO SUBDIVISION	R71-07011 /	-	/		
			SE	NE		WO HE LO SUBDIVISION	R71-07075 /	-	/		
			SE	NE		BITTON, JEFFREY M	71-10145 /	-	/		
			SE	NE		WO-HE-LO SUBDIVISION	A71-00031C / 8.0	-	/		
			SE	NE		MC VEY, GEYER M.	71-00030 /	-	/		
			SE	NE		MC VEY, GEYER M.	71-00031 /	-	/		
			SE	NE		MC VEY, GEYER M.	71-00037 /	-	/		

See GIS
Sheet

ADDITIONAL POU FOUND

5.9

TOTAL ACRES	A71-00030B	8.00	5.00
-------------	------------	------	------

POU COUNTY: CUSTER

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

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

Y () N ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV.		DIV. VOL.	VOL./ACRE
				RATE/ACRE			
A71-000308	FISHER CREEK	WO-HE-LO SUBDIVISION	0.240	0.030			
R71-000308	FISHER CREEK	WO-HE-LO SUBDIVISION	0.070	0.012			
R71-00030C	FISHER CREEK	LAWLER FAMILY TRUST, THE ANDRE	1.310	0.011			
A71-00030C	FISHER CREEK	LAWLER FAMILY TRUST, THE ANDRE	1.400	0.007			
A71-00031B	FISHER CREEK	LAWLER FAMILY TRUST, THE ANDRE	0.750	0.004			
R71-00031B	FISHER CREEK	LAWLER FAMILY TRUST, THE ANDRE	0.750	0.006			
A71-00031C	FISHER CREEK	WO-HE-LO SUBDIVISION	0.240	0.030			
R71-00037B	FOURTH OF JULY CREEK	LAWLER FAMILY TRUST, THE ANDRE	1.600	0.014			
A71-00037B	FOURTH OF JULY CREEK	LAWLER FAMILY TRUST, THE ANDRE	1.600	0.008			
A71-00037C	FOURTH OF JULY CREEK	WO-HE-LO SUBDIVISION	0.240	0.030			

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
71-10111	DOMESTIC	RASMUSSEN, JOY ARLEEN	FROM 01-01 TO 12-31	0.040 CFS	
A71-10145	DOMESTIC	BITTON, JEFFREY M	FROM 01-01 TO 12-31	0.040 CFS	
A71-10111	DOMESTIC	ESTES, BURLEY	FROM 01-01 TO 12-31	0.040 CFS	
A71-07011	DOMESTIC	WO-HE-LO SUBDIVISION	FROM 01-01 TO 12-31	0.280 CFS	
A71-07075	DOMESTIC	WO-HE-LO SUBDIVISION	FROM 01-01 TO 12-31	0.110 CFS	
A71-00037B	STOCKWATER	LAWLER FAMILY TRUST, THE ANDRE	FROM 04-01 TO 11-01	0.050 CFS	
R71-00037B	STOCKWATER	LAWLER FAMILY TRUST, THE ANDRE	FROM 05-01 TO D9-30	0.050 CFS	
R71-07011	DOMESTIC	WO HE LO SUBDIVISION	FROM 01-01 TO 12-31	0.130 CFS	
R71-07075	DOMESTIC	WO HE LO SUBDIVISION	FROM 01-01 TO 12-31	0.110 CFS	
71-10145	DOMESTIC	BITTON, JEFFREY M	FROM 01-01 TO 12-31	0.040 CFS	

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

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A71-07011, 07075, FOURTH OF JULY CREEK RIGHT 71-00037

Y () N ()

71-000308
31C
37C

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()

CHECK DOCUMENTS USED TO VERIFY POU: (☒) ORTHOPHOTOQUAD, IDMR NO. _____; () TOPOGRAPHIC QUAD, IDMR NO. _____;
(☒) NAPP, IDMR NO. _____; (☒) ASCS PHOTO; (☒) OTHER 615

NOTES: _____

Land only ivy, on north side
of Filler Ck within subdiv.
Wild Flooding.

RECOMMENDATIONS:

TOTAL ACRES: 5.9 N/A()

REVIEWED BY: AD DATE: 6/1/98

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

CLAIM NUMBER: A71-000308

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A71-000308 IRRIGATION	FROM 05-01 TO 10-01	0.240 CFS	
TOTAL DIVERSION RATE/VOLUME		0.240 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
71-00030 IRRIGATION	FROM TO	1.400 CFS	
TOTAL DIVERSION RATE/VOLUME		1.400 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 IDWR STANDARDS?

Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

NOTES: _____

AJ CLAIM TOTAL DIVERSION RATE: 0.240 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.400 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. FLOW MEASUREMENT

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 = 20.0 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 ()

NOTES:

MR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
	FROM	TO			
IRRIGATION	05-01	9/30 ~~10-01~~	0.07 ~~0.240~~		20.0 ~~20.0~~
TOTAL FOR THIS RIGHT			0.240 ~~0.240~~ 0.07		20.0 ~~20.0~~

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: AD DATE: 6/1/98

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

C03
POU1 5.9 years considered right limit.

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

POD consider vts.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMER
()
()
()
()
NEEDS REVIEW
()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-00030

TOTAL DIVERSION RATE OF WR SPLITS
DATABASE 1.400

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
71-00030	A71-00030A	0.070	R71-00030B	D.070	71-00030	1.400
-	A71-00030B	0.240	R71-00030C	1.310	-	-
-	A71-00030C	1.400	R71-00030D	0.020	-	-
-	A71-00037C	0.240	-	-	-	-

TOTAL CFS

1.950

1.400

1.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE N

FIELD EXAMINER
Y() N()

NOTES:

See Attached Split Sheet

AUTHENTICATION:

SIGNATURE:

Jim D. Mendenhall

DATE:

6/1/98

NAME OF FIELD EXAMINER:

TITLE:

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

COPY INCLUDED
IN FILE?

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

() ORTHOPHOTOQUAD DATE OF PHOTO IDMR ID NO. Y() N()

() TOPOGRAPHIC DATE FIELD CHECKED IDMR ID NO. Y() N()

() MAPP DATE OF PHOTO IDMR 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

() LICENSING FIELD EXAM DATE OF FIELD EXAM NO. OF PAGES NOTES

() WATER RIGHT LICENSE DATE LICENSE SIGNED

() IDMR 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

WR 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	Y							
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

AD-
6/1/98

PAGE: 18
PROFILE REPORT

Stage: DECREED

CUSTER County

27

Objection Filed Date:

Presumption Flag:

February 15, 1998

Mr. Allen D. Merritt, P.E.
Water Rights Supervisor
Southern Regional Office
222 Shoshone Street East
Twin Falls, ID 83301

RECEIVED

FEB 24 1998

Department of Water Resources
Southern Region

Dear Mr. Merritt:

I am writing regarding water right claim number A71-00030 B, and civil case number 39576 for the Wo-He-Lo subdivision near Obsidian on Fisher Creek.

My mother, Fern Estes, and I spoke with you at a meeting in Twin Falls on August 11, 1995, and at that time you were recommending that the subdivision water right be cut from 8 acres at .160 CFS to 5.5 acres at .07 CFS.

This recommendation was made when you looked over the property in 1993 with a Mr. Fred Humphrey, and at that time from your observation you said that the pasture was dry, and hadn't been watered in quite some time.

In 1993 the subdivision was having a difficult time getting water because the headgate had been locked several times.

This information was also in a letter you wrote dated September 14, 1993, and sent to Fred Humphrey, Larry Stone, Wo-He-Lo subdivision, and George Cook.

Since our meeting, the subdivision has a workable plan with the other claimants on this water right for minimal irrigation, but in drought years, if our allocation is cut to 5.5 acres at .07 CFS, we will not have enough water to adequately irrigate the pasture.

In August of 1997 I spoke on the phone with you regarding this issue, and you said that a decision had not been made, and if we could show some documentation that the pasture was being watered, you would consider changing your recommendation.

In September of 1997 my son, Scott Rasmussen, sent a map to you showing how the pasture was being watered, and pictures as proof of it being watered. He also filed a claim on behalf of the subdivision on water rights A71-00031 C and A7100037 C on September 17, 1997. The receipt number is C040170.

At a December 5, 1997 meeting of the Wo-He-Lo subdivision members, some of the members said they would send signed affidavits to your office stating that they had witnessed the pasture being watered from the early 1970's when the property was purchased up to present time.

If these documents and pictures have not been received by you, please let me know, and they will be sent again.

I hope to hear from you before your decision is made, and if you need more information, you can contact me at 707-426-1144 (home) 510-228-1262 (fax) or at 2848 Calle de Cordoba, Fairfield, CA 94533.

Thank You.

Sincerely,

Joy Rasmussen
Joy Rasmussen

R PROOF

CVR

MAPS

PHOTOS

MISC

—

—

—

—

—

Water Right Number - R71-000308

Prefix Translation: RESEARCH

Old (D) Number -

Last Name -

First Name -

Address -

*** C - CURRENT OWNER ***
WO-HE-LO SUBDIVISION

1 - HC 64 BOX 9951
2 -
3 -
City- STANLEY
Phone - 208-774-3591

State- ID Zip- 83278

Priority Date - 06/09/1908

Region - 17 SOUTHERN

D - DECREED

Status -

Source - FISHER CREEK

Tributary - SALMON RIVER

Twn Rng Sec Tract Lot RFlg County Point of Diversion

08N 14E 4 SE SE NE (37) CUSTER

Code	Description	Period from	Period to	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		05/01	09/30		0.070	

Total Div. Rate - 0.070

Total Consumptive Use - 11.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	14E	4	SE NE	5.5	01	IRRIGATION	(37) CUSTER	

Total Acres: 5.5

- - - Diversion Means - ROCK CHECK TO EARTHEN DITCH

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - NONE

Remarks - No Remarks found.

7100030

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

Water right number - R71-000308

Prefix Translation: RESEARCH

+ - - - - Decree Plaintiff - - - +
DAN J. CAVANAGH+ - - - - Decree Defendant - - - +
WM. MERRITT, ET AL.+ - Decree Date - +
01/16/1940- - - - - Comments - - - - -
No Comments Found+ - - Audit Fields - - - +
03/07/94 MERRITT

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +									
Court Report Filing	- 00/00/0000	Field Inspection Made	- 09/08/1993	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	- 01/22/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P				
		Receipt Number	- SD11023	Water District	-				
		POU Ownership Flag	- Y	Federal/State Indicator	- S				
		Name Connector	-	Presumption flag	-				
				Notice of Error flag	-				

IDAHO DEPARTMENT OF WATER RESOURCES
LOTUS FORM - SPLIT

FOR RIGHT NO: 71-00030

BY: ADM
DATE: 04-Mar-94

BASE RATE: 1.40 CFS

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

OWNER	CLAIMED RATE	ACRES FOUND	FIRST SHARE OF BASE RATE	POTENTIAL SHARE OF BASE RATE	FIRST CUT	2ND ACRE ITERATION	2ND SHARE ITERATION	POTENTIAL SHARE OF REMAINING	SECOND CUT	PRELIM RATE SUMMARY	RATE PER ACRE
BRADY	0.07	0									
WO-HE-LO	0.16	5.5	4.7%	0.066		5.5	4.7%	0.066	0.066	0.066	0.012
STONE	1.40	109.5	93.8%	1.314		109.5	93.8%	1.314	1.314	1.314	0.012
COOK	0.10	1.7	1.5%	0.020		1.7	1.5%	0.020	0.020	0.020	0.012
SUMS	1.73	116.7	100.0%	1.400	0.000	116.7	100.0%	1.400	1.400	1.400	

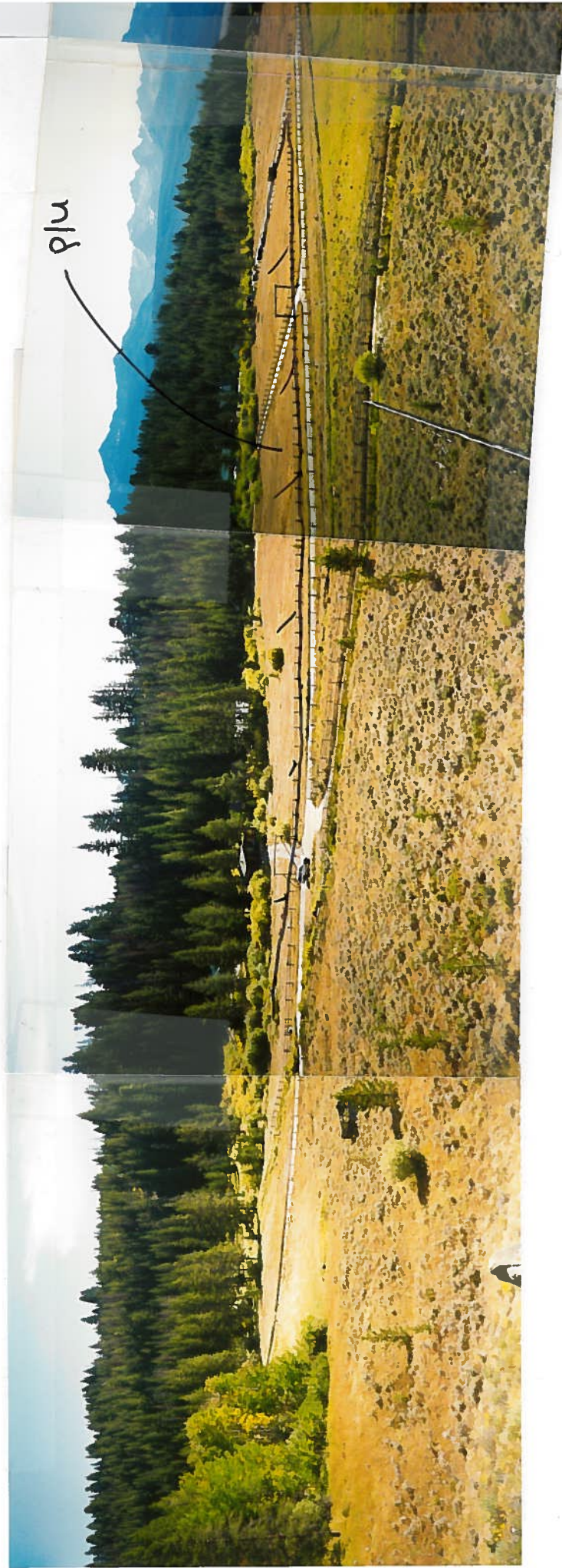
FIRST ITERATION BALANCE 1.400 CFS
NOT ALLOCATED ==>

TOTAL POTENTIAL
ALLOCATED RATE
BEFORE HUBBLE ==> 1.400 CFS
BALANCE NOT
ALLOCATED ==> -0.000 CFS

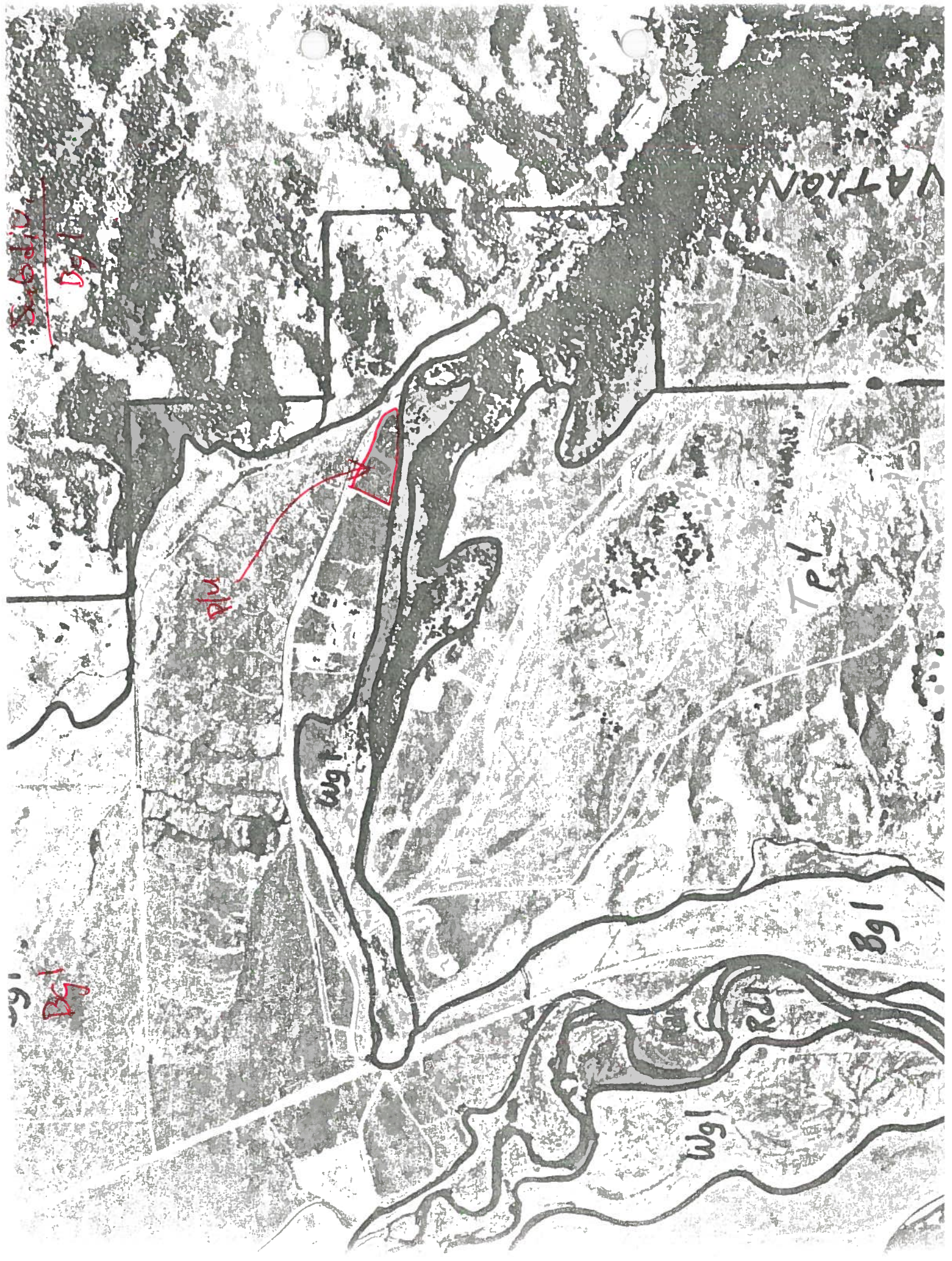
Domestic

A71-00030B

wo-HIE-Lo Subdiv.



Subdiv
Bgl



Bgl

Wgl

Wgl

Rgl

Bgl

Tpy

VATKON

plu

SOIL CHARACTERISTICS initials: ADM date: 06/25/93

Soil Type = BG1...VERY GRAVELLY LOAM

Source of Soils Data = SCS

soil depth (inches)		AWC (in/in)		PH		organic (%)		soil depth (ft)	AWC (inches)	intake family		AWC (ave)	
lower	upper	lower	upper	lower	upper	lower	upper			flood	furrow		alternate method
0	4	0.08	0.11	5.1	6	2	4	1	1.14	3	0.7	1	0.095
4	13	0.08	0.11	5.6	6.5			2	2.06			5	0.095
13	30	0.05	0.1	5.6	6.5			3	2.63			14	0.075
30	60	0.01	0.03	5.6	6.5			4	2.87		alternate method	31	0.02
								5	3.11			61	0
										NA	NA	61	0
												61	0
												61	0
												61	0
												61	0

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point	MAD (inches)
alfalfa (hay or seed)	5	0.5	1.56
corn (field or silage)	4	0.5	1.44
grain (winter or spring)	4	0.5	1.44
pasture (or grass hay)	3	0.5	1.32
other (enter below)			

Intake Family

choose base number for intake family from table below based on texture
base number (#'s 1 through 7) = 5

6

6

Intake Family

#	flood	furrow	texture
1	0.3	0.3	heavy clays, silty clay (> 60% clay)
2	0.5	0.35	clays, slit loam (lake laid), sandy clay
3	1	0.4	silty clay loam, clay loam, sandy clay loam, silt loam (stream laid)
4	1.5	0.5	silt loam (wind laid), loam, very fine sandy loam
5	2	0.55	sandy loam, fine sandy loam, gravelly loam
6	3	0.7	very fine sand, loamy sands, gravelly sandy loam
7	4	0.85	sand

If you wish to assign intake family by an alternate method (from Table A-3 in Hubble Report or other) enter your selection below.
Enter a value for both flood and furrow if known, otherwise enter zero.
If you do not wish to assign intake family by an alternate method enter zero for both values.

intake family (flood) = 0
intake family (furrow) = 0

H-HOOK RANCH

Fred C. Humphreys

RECEIVED

September 29, 1993

OCT 04 1993

Mr. Allen D. Merritt, P.E., Water Rights Supervisor
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

Dear Mr. Merritt:

Thank you for the information regarding the waters of Fisher Creek and Fourth of July Creek. I shall address the questions it raises in the order they appear in your letter.

First is the request of Fern Estes and her allegation that she had been without water all year because of the headgate's being locked. You and I examined these headgates on your inspection trip earlier this year and they were not locked then and have not been locked for at least three or four years since the padlocks were broken and never replaced. I have been up there four other times this summer. I have not - nor to the best of my knowledge, my irrigator - placed any locks on these dams. Water may have been shut off by my irrigator, Mr. Bitton's irrigator, or someone else; but I have a standing order with my irrigator to leave a flow down the old creek bed. He doesn't have a telephone, so I haven't discussed it with him since receiving your letter.

Listed in your claims file for Fisher Creek water were two filings of J. Robb Brady that I do not understand since to the best of my knowledge he owns no property on Fisher Creek. I also do not understand the split right and renumbered claim that shows up on the Fisher Creek water.

I readily concur that there are and have been a number of related problems with the distribution and management of Fisher Creek water, and placement of measuring devices would help in controlling the water. Since most of the problems seem to arise from the people who have an interest in the 25 percent of the water, it would be my suggestion that they form a ditch company that would be responsible for the distribution of that water; and inasmuch as most of those rights belong on the Stone filings and those in the subdivision, they could control that themselves.

Your observation as to a flooding is correct, but determining who was a party to this is next to impossible. Putting in new headgates that could be locked either open or closed by the ditchmaster for the Wo-He-Lo Subdivision would entail his being charged with this responsibility.

To date none of the parties on either Fisher Creek water or Fourth of July Creek water have contributed or offered to help cover any of the cost on either one of the two streams except Mr. Brady on the Fourth of July Creek water, and myself. Mr. Furey was helpful.

H-HOOK RANCH

Fred C. Humphreys

-2-

September 29, 1993

The map reprint you enclosed was not legible enough for me to determine all the information that was available on it.

I am enclosing a memorandum which pretty well describes my experience of my 27 years in the area.

I am sorry I was not available when your letter arrived so that I could have come up to go over this in person.

Best wishes.

Yours very truly,



Fred C. Humphreys

Enclosure.

1b

RECEIVED

OCT 01 1993

MEMORANDUM

Department of Water Resources
Southern Region Office

On August 20, 1966, Mr. Fred C. Humphreys and Mr. Ernest E. Day purchased approximately 375 acres from Mr. Jack Furey. The water rights on this property were three quarters of the water coming down Fisher Creek.

Subsequently Mr. Humphreys and Mr. Day, along with six other individuals, purchased 100 acres to the south of this property, which was then plotted into lots, and the road which was constructed into the property was turned over to Custer County. The property was thereafter referred to as the White Cloud Subdivision No. 1.

This property was all irrigated from Fourth of July Creek. The surplus water from Fourth of July Creek ran down the north side of a ridge to supplement the Fisher Creek water for use on the ground not owned by Humphreys - approximately 180 acres under McVey filing. There was no subdivision nor Scenic Easement property at the time. This ground was subdivided and a good share of it sold prior to the ERA being enacted into law.

The Fourth of July Creek water was necessary to irrigate that property along Fisher Creek not owned by Humphreys. The Forest Service raised objection to this open channeling of water down the hillside to this property; and since Humphreys was leasing the 150 acres from Furey and had use for the Fourth of July Creek water, he found the location of an old ditch facilitating transfer of the water from the Fourth of July Creek ditch to the Fisher Creek water and used it on the Furey property.

When the ground along Fisher Creek was subdivided, individuals built dwellings in the flood plain of Fisher Creek. To give better control of the Fisher Creek water, Humphreys constructed and put in diversion dams to divert the flow of the spring runoff water, or to the major user - 150 acres of the Furey property. Controlling the water was made difficult when dwellings were built along Fisher Creek as there was worriment every spring about high water going down the historic channel of Fisher Creek, with the threat of flooding these dwellings. Some people owning these dwellings took to blocking the creek off and letting the water go along the irrigation channel to my property, which washed out some of the irrigation ditches on that property and eroded the entry road on my property.

After this had happened for a number of years, Humphreys put padlocks on these diversions to let the spring runoff go down the historic channel of Fisher Creek. These padlocks were broken and the diversion points consistently tampered with and a certain amount of damage inflicted on them, until Humphreys contacted the Sheriff's Department at Challis and a deputy was sent up who talked to the people having dwellings along the creek. This stopped most of the interference with the water flow, but there is still a problem of people changing the diversion of water during the spring that and during the irrigation season.

Humphreys had continued to allow more than the allocated Fisher Creek water go past his take-out point so they could use the water for whatever.

For the 1993 season, the Stones, who now own the large plot of ground, leased it to the owner of a residence on Fisher Creek.

Considering all these problems for the demands of these many users of Fisher Creek water, the answer appears to lie in their forming a ditch company and having a take-out point that supplies all the users of the one quarter of the Fisher Creek water, and putting in the appropriate weirs so an accurate measurement and control can be maintained, and give up the dependence on the Fourth of July Creek water, despite the fact that there are probably more claims on Fisher Creek than the creek can supply.

To the best of my knowledge, there are no filings by the Fisher Creek users for the Fourth of July Creek water other than my filing on the Fourth of July Creek water to supplement the Fisher Creek water, even though historically this is not true.

There are a number of filings on this water, some of them being new owners since the Humphreys-Day filing was made on the surplus water for the 80 acres, which could be abandoned. This filing could be abandoned because of the change of ownership of the Furey property, and Humphreys receives only modest benefit from this source - i.e., your inspection this spring.

The 100 acres that was irrigated from Fisher Creek - which is now White Cloud Subdivision No. 1 - was never used for irrigation, and the ditches were all unmaintained, resulting in erosion down the steep face that was the western boundary of this property. Since there were water rights on the 100 acres, filing was made to beneficially use this water either on the Stone place or my place.

Since then the lady who bought the surplus property and the last subdivided lot on the property is entitled to the water, but the uncontrolled use of this water could still lead to erosion. The six small property owners on the brink of the hill - Mr. Day and I and four other owners of less than two acres each of this hill frontage property - have little interest in the water for irrigation. They will, however, have an interest in any erosion which transpires.



Fred C. Humphreys

September 29, 1993.



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

14-Sep-1993 10:59

Fred Humphreys
1919 S Phillipi
Boise, ID 83705

Larry Stone
PO Box 1300
Sun Valley, ID 83353

Wo-He-Lo Subdivision
% Jeff Bitton
HC 64 Box 9951
Stanley, ID 83278

George Cook
1241 Camino Lorado
San Marcos, CA 92069-7106

Dear Fisher Creek Waterusers:

I am writing this letter at the request of Fern Estes of Burley Idaho who is a homeowner in the Wo-He-Lo Subdivision. Fern has contacted our office since she alledges that the subdivision has been without water all year and that the headgate has been locked preventing them from taking water. I have also discovered other related problems with distribution and management of flood waters which have a bearing on the general discontent with the management of the water in the area. Since I am conducting the field review of the Adjudication claims that have been filed for the water rights in the Sawtooth Valley and have reviewed in the field the diversions from Fisher Creek I would like to convey the information thus far gathered to aid in cooperation between the parties involved.

All parties listed above have filed claims in the SRBA for diversion of Fisher Creek water. The Humphreys claims stem from the rights decreed to Marjorie Shaw (71-00028 and 71-00029). The other parties claims stem from those decreed to McVey (71-00030 and 71-00031). Additionally Humphreys claims water from 4th of July Creek under an unrecorded transfer of water off of the White Cloud Subdivision and Stone is going to amend his claim A37-00037 (originally decreed to McVey from 4th of July Creek) to that of 4th of July Creek. Note that these later rights are diverted from 4th of July Creek and then conveyed to Fisher Creek and then re-diverted from Fisher Creek.

The enclosed printout summerizes the amounts decreed, the priorities and the amounts being claimed. At present my review is not fully complete as to all aspects of all the claims involved however I do expect to recommend that Humphreys will retain all of 71-00028 and 71-00029 and the other parties will share in one way or another of 71-00030, 71-00031 and 71-00037. As to the extent of this sharing I am not certain and I am also not certain as to the extent of Humphreys claim on water from 4th of July Creek. I will finalize my recommendations for these claims this fall and you will be able to review these recommendations at the time of the notice of error procedure this winter.

PAGE 2

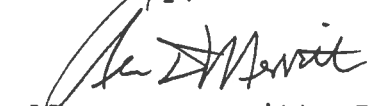
At present there does not exist measuring devices at any of the points of diversion nor at the point of injection of 4th of July Creek water into Fisher Creek. This makes regulation of the water very difficult.

Regarding the reported problem with delivery of water to the Wo-He-Lo Subdivision I conclude that all listed parties above have a valid interest in the use of Fisher Creek with equal priority during low flows (less than 8.6 cfs) and nobody has the authority to lock a headgate shut unless authorized by IDWR or a duly elected watermaster. Based on my assumption that only 71-00028, 71-00029, 71-00030, and 71-00031 are deliverable during low flows and discounting 4th of July water then Humphreys should get 75% of the water and the other parties should share 25% of the water. If all parties choose to rotate the water then Humphreys should get all the water 75% of the time and the other parties should share all the water 25% of the time. Note that this is subject to IDWR's final recommendation and subsequent court decree. If problems with delivery persist the final remedy is to establish a watermaster district and then you as waterusers would elect and compensate a watermaster to regulate the rights according to the decree in affect. Additionally measuring devices at the all points of diversion and points of injection would need to be installed by the waterusers.

Regarding the problem of flooding during the winter or spring it is my understanding that the Humphreys-Stone headgate has in the past been opened to alleviate flooding down the Fisher Creek channel. This action in itself has caused flood damage down this ditch and to protect from this happening Mr. Humphreys has at times locked his headgate shut. My only comment about this sort of problem is that anyone who would divert flood waters into a ditch without the full knowledge and consent of the owner would be fully responsible for the damage it may cause to the property along the ditch. It is my understanding that the natural Fisher Creek channel is that which flows west along the base of the bluff and crosses the highway just south of the Fisher Creek road and would be the natural channel inwhich flood waters would normally flow.

I have not yet had the opportunity to meet will all parties, however, I have been able to review in the field the diversion points, ect. If any party wished to meet with me I will be in the area again next week so please contact me at my office to schedule such a meeting.

Sincerely,



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

Water Right No.	Name Last, First	Clained O W N	Decreed Priority Date	Stg/ Sts	Source	Use Code Desc
A71-00028	HUMPHREYS, FRED DAY, ERNEST	C C	06/09/1908 4.20 4.20	D/	FISHER CREEK	01 IRR
A71-00029	HUMPHREYS, FRED DAY, ERNEST	C C	03/22/1910 2.25 2.25	D/	FISHER CREEK	01 IRR
A71-00030	RENUMBERED CLAIM, SPLIT RIGHT,	C C	06/09/1908 1.40 1.40	/Z	FISHER CREEK RENUMBERED CLAIM SPLIT RIGHT	01 IRR
A71-10085	George Cook	C	0.10			
A71-00030A	BRADY, J. ROBB	C	0.07	06/09/1908 D/	FISHER CREEK	01 IRR
A71-00030B	WO-HE-LO SUBDIVISION	C	0.16	06/09/1908 D/	FISHER CREEK	01 IRR
A71-00030C	STONE, RICHARD LARRY	C	1.40	06/09/1908 D/	FISHER CREEK	01 IRR
A71-00031	SPLIT RIGHT, RENUMBERED CLAIM,	C C	03/22/1910 0.75 0.75	/Z	FISHER CREEK RENUMBERED CLAIM SPLIT RIGHT	01 IRR
A71-00031A	BRADY, J. ROBB	C	0.04	03/22/1910 D/	FISHER CREEK	01 IRR
A71-00031B	STONE, RICHARD LARRY	C	0.75	03/22/1910 D/	FISHER CREEK	01 IRR
A71-00033	SPLIT RIGHT,	C	05/21/1918 0.90 0.90	/Z	FOURTH OF JULY C	01 IRR
A71-00033			05/21/1918	/Z	SPLIT RIGHT	
A71-00033A	MITCHELL, MARY J. MITCHELL, JAMES B.	C C	0.21	05/21/1918 D/	FOURTH OF JULY C	01 IRR
A71-00033B	HUMPHREYS, FRED DAY, ERNEST	C C	0.90	05/21/1918 D/	FOURTH OF JULY C	01 IRR
A71-00033C	STAHL TRUST, SHARLENE	C	0.42	05/21/1918 D/	FOURTH OF JULY C	01 IRR
A71-00033D	LAUDER, WINSTON LAUDER, JOANNE	C C	0.02	05/21/1918 D/	FOURTH OF JULY C	04 STOCK 43 DOMEST
A71-00034	SPLIT RIGHT,	C	02/27/1919 1.50 1.50	/Z	FOURTH OF JULY C	01 IRR
A71-00034A	OSBORN, ALMA MARIE	C	0.33	02/27/1919 D/	FOURTH OF JULY C	01 IRR
A71-00034B	STANFORD, CHARLOTTE	C	0.20	02/27/1919 D/	FOURTH OF JULY C	01 IRR
A71-00034C	HUMPHREYS, FRED DAY, ERNEST	C C	1.50	02/27/1919 D/	FOURTH OF JULY C	01 IRR
A71-00034D	BRADY, J. ROBB	C	0.10	02/27/1919 D/	FOURTH OF JULY C	01 IRR
A71-00034E	STAHL TRUST, SHARLENE	C	0.50	02/27/1919 D/	FOURTH OF JULY C	01 IRR
A71-00035	SPLIT RIGHT,	C	04/19/1919 3.00 3.00	/Z	FOURTH OF JULY C	01 IRR
A71-00035A	BRADY, J. ROBB	C	2.20	04/19/1919 D/	FOURTH OF JULY C	01 IRR
A71-00035B	STAHL TRUST, SHARLENE	C	0.12	04/19/1919 D/	FOURTH OF JULY C	01 IRR
A71-00035C	HUMPHREYS, FRED DAY, ERNEST	C C	3.00	04/19/1919 D/	FOURTH OF JULY C	01 IRR
A71-00036	SPLIT RIGHT,	C	07/11/1922 2.40 2.40	/Z	FOURTH OF JULY C	01 IRR
A71-00036A	FUREY, JACK B. RECINE, JR., LOUIS F.	C C	1.80	07/11/1922 D/	FOURTH OF JULY C	01 IRR
A71-00036B	HUMPHREYS, FRED DAY, ERNEST	C C	2.40	07/11/1922 D/	FOURTH OF JULY C	01 IRR
A71-00036C	BRADY, J. ROBB	C	0.80	07/11/1922 D/	FOURTH OF JULY C	01 IRR
A71-00037	RENUMBERED CLAIM, SPLIT RIGHT,	C C	04/19/1919 1.60 1.60	/Z	~~FISHER CREEK~~ RENUMBERED CLAIM	01 IRR
A71-00037			04/19/1919	/Z	SPLIT RIGHT	
A71-00037A	BRADY, J. ROBB	C	0.08	04/19/1919 D/	FOURTH OF JULY C	01 IRR
A71-00037B	STONE, RICHARD LARRY	C	1.60	04/19/1919 D/	~~FISHER CREEK~~	01 IRR
A71-00038	BRADY, J. ROBB	C	3.90	01/30/1939 D/	FOURTH OF JULY C	01 IRR

↑

Disallow

BSIDIAN

CLAIM	INIT
T. ☐	S. ☐ Q/Q ☐
P/D	
PHOTO	V-70
DT.&ID.	

Margorie Shaw

71-00028 }
71-00029 } Fisher

FH 26

BM 6721

75

STANDARD

BM 6742

Cancelled Mc Vey
71-00030 }
71-00031 } Fisher
71-00032 } 4th July
71-00033 }
71-00034 }

Cancelled
71-00038
4th July

4th July

71-00035
July

71-00033
4th July

71-00034

Sawtooth Valley
Work Center
Helipad

Fourth of July

Spring

Milk

UNION

FRED C. HUMPHREYS & ASSOCIATES

FRED C. HUMPHREYS
PRESIDENT

July 28, 1993

Mr. Jeff Bitton
Mystic Saddle Ranch
Stanley, Idaho 83340

Dear Jeff:

I was in Stanley yesterday for the first time in a month or so and stopped in with the Water Resource representative from Twin Falls.

We were going over the filings on my place, and we came by and looked at the diversion out of Fisher Creek, and went up to look at the amount of water coming down Fourth of July from the diversion. This was pretty minimal.

He had been up the day before on Rob Brady's place and looked at his diversion and use of Fourth of July water and also checked the diversion that comes down from the hill.

I also took him up on the subdivision on the mesa where most of that Fourth of July water had been used. The history of that is that the water came down the hill below about even with and a little below where your house is and was doing that when I bought the place I have. It made a hell of a mess - came down muddy and washing small trees and stuff down the hill, but did make kind of a pleasant roar.

After Day and I bought the property of the subdivision and had it plotted, the water escaped and with no one to control it washed badly several places along the west end of the subdivision. I took a tractor over and filled in so no more water would be used to irrigate the ground of the subdivision.

We had some rather lean times for water over on the Fisher Creek place, and before there was anything built on Fisher Creek or any of the bench ground up there I went over and changed what appeared to be an old access of Fourth of July water down to Fisher Creek.

About that time Rob Brady bought and built on the property he now has, and that pasture wanted water and also some of those little building east of the subdivision wanted water for that pasture.

WEST ONE PLAZA, SUITE 170, 2A
P. O. BOX 8242
BOISE, IDAHO 83733
(208) 383-7773

July 28, 1993

I do not know what - if any - filings Jack Furey has on Fourth of July water, but Mr. Stone has not filed on that water. By a 1909 decree all of the subdivision on Fisher Creek and the Stone place are entitled to either a quarter or a third of the Fisher Creek water. It is not a half as you have been led to believe. Jack Furey put in the diversion culvert and the one across the road, and they washed out on him two or three times, but those are now Mr. Stone's responsibility, as well as expense of their maintenance.

Enclosed is a map that shows the diversion for the Fourth of July Creek water. We have always had a certain amount of problems with the water - particularly for homes built along the creek like yours is. In early spring there are times, like this year, when Fisher Creek runs a hell of a lot of water; and like this year a whole head of water was running down our lot and we had to stop the run down the road and the High Line ditch. There have been several times we have had to get the backhoe in to take care of all the wash-outs and have the Fisher Creek water run around the hill for our little ditch.

For these reasons I built the diversions of the water where they are now and put them under lock and key, and there have been times the locks were broken. About the second or third year when this happened, I had the deputy sheriff come up from Challis and go to each residence along Fisher Creek to explain matters to them. Since then these interruptions have been modest, but not totally stopped.

Jeff, this is a history of the water. I don't know what Mr. Furey has told Mr. Stone and the other inhabitants of the ground he used to own, or what legal right Stone may have to Fourth of July water, but the diversion that I remember putting in was not a large enough opening to carry much water, and that would have to be changed. Also I suspect that any additional water that comes off it would have to be settled with Brady and the other users of that water.

I will be happy to share with you on the Stone pasture up to what you are legally entitled to, and in most years there has been a surplus which I am also happy to share. I would appreciate it if you do not worry Darrell any further about water as he knows nothing except what I told him about turning a minimal amount down Fisher Creek and what the ratio is of water coming down Fisher Creek to the Stone pasture. If some of these explanations aren't clear, you can call me at Payette at 642-7137.

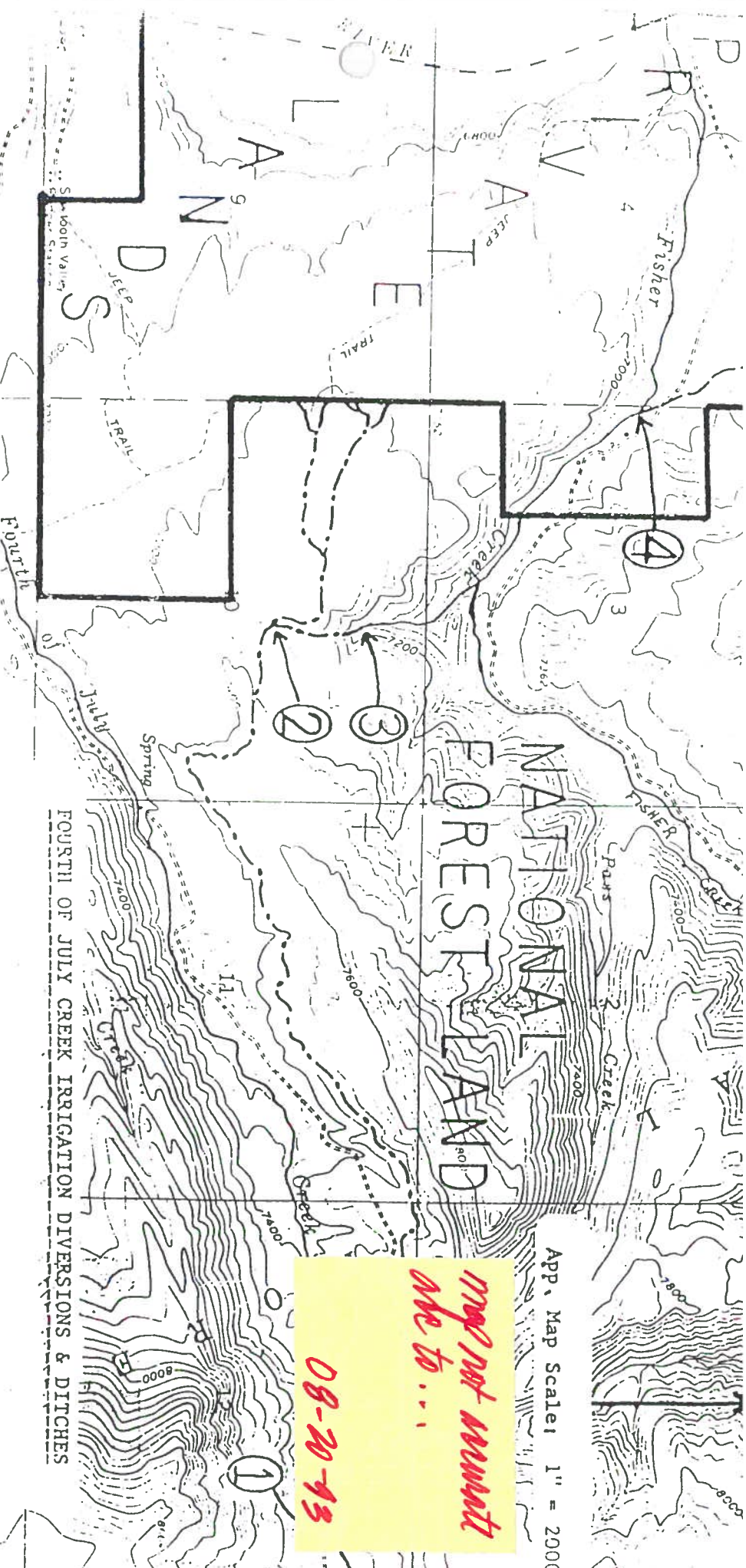
Sorry I missed you.

Sincerely,



Fred C. Humphreys
President

Enclosure



App. Map Scale: 1" = 2000

*map not accurate
date to...*
08-20-43

MAP CODE (NUMBER)

DESCRIPTION

Subject Irrigation Ditches on National Forest Land (Not Under Permit)

1 Main Headgate and Diversion Structure in Fourth of July Creek

2 In-Ditch Structure Diverting a Portion of Irrigation Water to Fisher Cr. Drainage

3 Point at Which Irrigation Water Enters a Natural Spring-Fed Wet Meadow, and Natural Tributary of Fisher Creek

4 Headgate/Diversion Structure in Fisher Creek (on Private Land) That Takes From Fisher Creek Both Natural Flows and Fourth of July Creek Water Introduced Into the Fisher Creek Drainage by Subject Irrigation Ditches

Irrigation Ditch (on Private Land) Transporting Water to Furey/Racine and

Washburnes/1st Drainage

To

Date

Time

A.M.
P.M.

WHILE YOU WERE OUT

Jeffrey Bittan
of Wo-ho Sub.

Phone

774-3591

AREA CODE

NUMBER

EXTENSION

Telephoned		Please call	
Called to see you		Will call again	
Wants to see you		Returned your call	

Message call in regards

to Fern Ester

Signed

B

To

Date

9-9-93

Time

11:30A.M.
P.M.

WHILE YOU WERE OUT

Fern Ester
of Burley

Phone

678-8035

AREA CODE

NUMBER

EXTENSION

Telephoned		Please call	
Called to see you	☒	Will call again	
Wants to see you		Returned your call	

Message please call Monday

am. has questions on
9/13. Called - No Answer
her water rights on

Wo-Ho Subdivision

A71-00030B

Signed

B

TELEPHONE MEMORANDUM

✓
Incoming Call
Outgoing Call
Returning Call

11 ¹⁰/_{AM}

TO:

H

678-0035

DATE:

08-27-93

FROM:

FERN ESTERIS

FILE:

FISHWATER CR - conflict

FILE NO:

SUBJECT:

still & water -

REMARKS:

exploration - want to use the water this season -

please call them - as season is ending and they still have no water

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

FI: _____

AGENT: H

DATE: 08-20-1993

A7200030B

RE:

FISHER CR -

NAME OF PARTY:

FERN FISTES - lot 4, 1/23 / Rose Conn
BURRICH 678-8035 734-7804

Jeff Bitton - Pres. WA-HA-LO SUB P.O.

Residence - 774-3591.

Debbie Bitton - Sec - handled paperwork

08-20-93 130/230

took this info -
va w/LH - & any
knowledge - you?

- 1970
Impe

hemlock B4 their nursery
erected out 10-12 yds - 19 would
A water meter
1942 - position of original building
1943 - same position

un-~~til~~-la-
diversa

Urban site

Cabin Handways

*diversions and
by Humphrey*

stone brought from Furay
(Smiley Cr.) pastureland!

Sawtooth Valley Work Center

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A71-10038

A71-00030B

RE: PROOF OF PRIORITY

DATE 3-29-93

NAME OF PARTY

JEFF BITTON

STANLEY, JD 83278

He was asking about the proof of priority request and said the well was even drilled in 1968. I searched the databases for "Wo-He-Lo" and "WoHeLo" and found these rights

A71-10038

A71-07011

A71-07075

A71-00030B

He requested a copy of
from D Fisher Creek.

(Copy Mems to A71-00030B.)