

RECEIVED

APR 03 1995

Department of Water Resources
Southern Region

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: A71-00033C
Date Received: 11/26/1991
Receipt No: C022457
Received By: AD

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SHARLENE K STAHL TRUST 208-774-2211
Address: PO BOX 307
STANLEY ID 83278

2. Date of Priority: MAY 21, 1918

3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	12	SW	NE	NE		CUSTER

5. Description of diverting works:
DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.510		

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

8. Total consumptive use is 32.0 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	9	NE	NE		IRR	3.0
			SE	NE		IRR	13.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	16.0
					Total Acres	16.0

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:
71-00034E

14. Remarks:
PROPERTY PURCHASED FROM HUMPHREYS/DAY 1-15-91.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

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 ___ do not ___ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Shirley K. Stahl Date: 3-28-95

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 28th day

of March 19 95

Colleen Nison
Notary Public

Seal

Residing at Stanley Idaho

My Commission Expires 7-1-98

RECEIVED

MAR 22 1995

AGREEMENT

Department of Water Resources

Southern Region

THIS Agreement is made this 14th day of March, 1995, by and between
SHARLENE K. STAHL, Trustee for the Sharlene K. Stahl Trust (hereinafter "Stahl") and
ROBB BRADY (hereinafter "Brady").

WITNESSETH:

WHEREAS, Stahl and Brady each own certain real property to which is appurtenant certain water rights from Fourth of July Creek; and

WHEREAS, a disagreement has arisen between Stahl and Brady concerning the amount of property which Stahl is entitled to irrigate, as well as the use of certain ditches located on the Brady property for the delivery of water to the Stahl property; and

WHEREAS, Stahl and Brady desire to resolve their differences on the terms and conditions hereinafter set forth.

1. Stahl and Brady agree that Stahl's irrigated acreage shall be limited to a total of Twenty-Four and Two-Tenths (24.2) acres. Of that amount, not more than Eight and Two-Tenths (8.2) acres will be irrigated by Stahl's utilization of the delivery ditch located on the southern boundary of the Brady property. The balance of the sixteen (16) acres of the Stahl property to be irrigated will have water delivered through a ditch located on property known as the "Mitchell property." For ease of reference, the map attached hereto as Exhibit "A," and by this reference incorporated herein, depicts the properties owned by Brady, Stahl, and Mitchell. The ditch on the Brady property is shown, however, the ditch through the Mitchell property providing water to the Stahl property is not shown. The parties agree that the ditch on the Brady property is adequate to serve that portion of the Stahl property which will be irrigated utilizing such ditch, and that the location and operation of the ditch and the headgates or outlet structures presently located thereon will not be changed without the mutual written agreement of the parties.

2. Stahl agrees to amend the claims filed on her behalf in the Snake River Basin Adjudication ("SRBA") to reflect the terms of this Agreement, as well as a proportionate reduction in the amount of water claimed for the agreed-upon Twenty-Four and Two-Tenths (24.2) acres. The claims shall be amended as follows:

- (a) A-71-00035B - withdrawn
- (b) A-71-00034E - reduced to .31 cfs
- (c) A-71-00033C - reduced to .51 cfs

3. Brady agrees not to protest or object to Stahl's water rights or claims in the SRBA subsequent to Stahl's performance of the obligations referenced in Paragraph 2 hereof. Furthermore, Brady agrees that Stahl shall be entitled to irrigate the lands referred to in Paragraph 1 hereof without interference by Brady.

4. Stahl acknowledges that this Agreement will result in a diminution in the amount of water originally claimed by Stahl in the above-referenced SRBA claims, and further will result in a diminution in the amount of acreage entitled to be irrigated from that originally claimed by Stahl. Nothing herein shall be deemed to preclude Stahl from acquiring water from other sources to irrigate the land referenced in Paragraph 1 hereof, or other land owned by Stahl.

5. Stahl and Brady agree to cooperate with other water users who obtain their irrigation water from Fourth of July Creek in procuring the necessary permits from the United States Forest Service for the conveyance ditch from Fourth of July Creek. It is the parties' intent that they, together with all other such affected water users, will share such costs on a pro-rata basis in the proportion that their amount of water rights shall bear to the total amount diverted to serve affected water users utilizing the same conveyancing system. Additionally, the parties agree to cooperate in forming a mutual ditch or lateral ditch users' organization to facilitate delivery of irrigation water.

6. Stahl and Brady agree that each of them has had the opportunity to consult with independent legal counsel concerning this Agreement and that each is entering into this Agreement after having had such opportunity.

7. This Agreement shall be binding upon the heirs, successors, and assigns of the parties hereto, and may, at the option of either of the parties, be recorded in the recorder's office of Custer County, Idaho.

8. If this Agreement shall become the subject matter of litigation, the prevailing party shall be entitled to recover all costs and attorneys' fees incurred from the non-prevailing party.

DATED this 7th day of March, 1995.

SHARLENE K. STAHL TRUST

By: Sharlene K. Stahl, Trustee
Sharlene K. Stahl, Trustee

Robb Brady
ROBB BRADY

STATE OF IDAHO)
)ss.
County of Custer)

On the 7th day of March, 1995, before me, a Notary Public, in and for said County and State, personally appeared SHARLENE K. STAHL, known or identified to me to be the Trustee of the Sharlene K. Stahl Trust, the trust that executed the foregoing instrument, and acknowledged to me that she executed the same in said trust name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Colleen Nixon
NOTARY PUBLIC FOR IDAHO
Residing at: Stanley Idaho
My commission expires: 7-1-98

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 14 day of March, 1995, before me, a Notary Public, in and for said County and State, personally appeared ROBB BRADY, known or identified to me to be the individual whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Carol A. Steele
NOTARY PUBLIC FOR IDAHO
Residing at: Idaho Falls
My commission expires: 4-27-2000

02169507.GDS

D2t2 Entry
Adm

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: A71-00033C
Date Received: 11/26/1991
Receipt No: C022457
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SHARLENE K STAHL TRUST 208-774-2211
Address: PO BOX 307
STANLEY ID 83278

2. Date of Priority: MAY 21, 1918

3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	12	SW	NE	NE		CUSTER

5. Description of diverting works:
DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.580		

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

8. Total consumptive use is 114.2 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	SW		IRR	0.1
			SW	SE		IRR	8.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	8.1
		9	NE	NE	IRR	6.0
			NW	NE	IRR	19.0
			SW	NE	IRR	7.0
			SE	NE	IRR	17.0
					Section Acres	49.0
					Total Acres	57.1

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:
71-00034E AND 71-00035B

14. Remarks:
PROPERTY PURCHASED FROM HUMPHREYS/DAY 1-15-91.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

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 ____ do not ____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

RECEIVED

FEB 09 1994

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

Ident. Number: A71-00033C
Date Received: 11/26/1991
Receipt No: C022457
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SHARLENE K. STAHL TRUST
Address: ~~421 VISTA DE LA PLAYA~~
~~SANTA BARBARA CA~~

208-774-2211 S.S.
805-965-4770

P.O. Box 307 S.S.
93109 Stanley, Idaho 83278 S.S.

2. Date of Priority: MAY 21, 1918

3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	12	SW	NE	NE		CUSTER

5. Description of diverting works:
DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.580		

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

8. Total consumptive use is 114.2 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	SW		IRR	0.1
			SW	SE		IRR	8.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	8.1
		9	NE	NE	IRR	6.0
			NW	NE	IRR	19.0
			SW	NE	IRR	7.0
			SE	NE	IRR	17.0
					Section Acres	49.0
					Total Acres	57.1

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14. Remarks:
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15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Shirley Stahl Date: 2-8-94

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of Feb. 19 94 Colleen Nixon
Notary Public

Seal

Residing at Stanley, Idaho
My Commission Expires 7-1-98



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

02-Feb-1994

Brian Ballard
PO Box 1617
Boise, ID 83701-1617

RE: Amend Stahl Claim A71-00033C

Dear Brian:

As we discussed in our phone conversation today it appears from my preliminary review of Mrs. Stahl's land that it has enjoyed more water and requires more water than was originally claimed undered A71-00033C. As we discussed before I can recommend more water Mrs. Stahl will have to amend her claim.

I have drafted an amendment as we discussed to increase the claimed amount. Please have Mrs. Stahl look this draft over carefully and make any changes she wishes in pen and initial. Once she gets it how she wants it please have her sign it before a notary and return it to me as soon as possible. (I need this back by next week if at all possible)

If you or Mrs. Stahl have questions please feel free to contact me at my office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Allen D. Merritt'.

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

Encl:

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: A71-00033C
Date Received: 11/25/1991
Receipt No: C022457
Received By: _____

RECEIVED
NOV 25 1991

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHARLENE K. STAHL TRUST 805-965-4770
Address: 421 VISTA DE LA PLAYA
SANTA BARBARA CA 93109

2. Date of Priority: MAY 21, 1918

3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	12	SW	NE	NE		CUSTER

5. Description of diverting works:
DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.480		

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

8. Total consumptive use is 114.2 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	SW		IRR	0.1
			SW	SE		IRR	8.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	8.1
		9	NE	NE	IRR	6.0
			NW	NE	IRR	19.0
			SW	NE	IRR	7.0
			SE	NE	IRR	17.0
					Section Acres	49.0
					Total Acres	57.1

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15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

DAN J. CAVANAGH
Decree Plaintiff

WM. MERRITT, ET AL.
vs Decree Defendant

16. Signature(s)

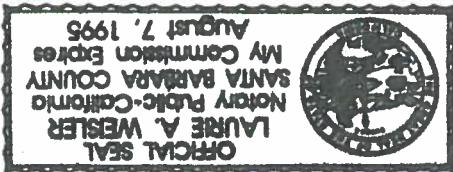
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

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

Sharlene K. Stahl
Signature of Authorized Agent



Title and Organization
November 8 1991
Date

State of Idaho California)
County of Santa Barbara) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of November 19 91

Laurie A. Weisler
Notary Public



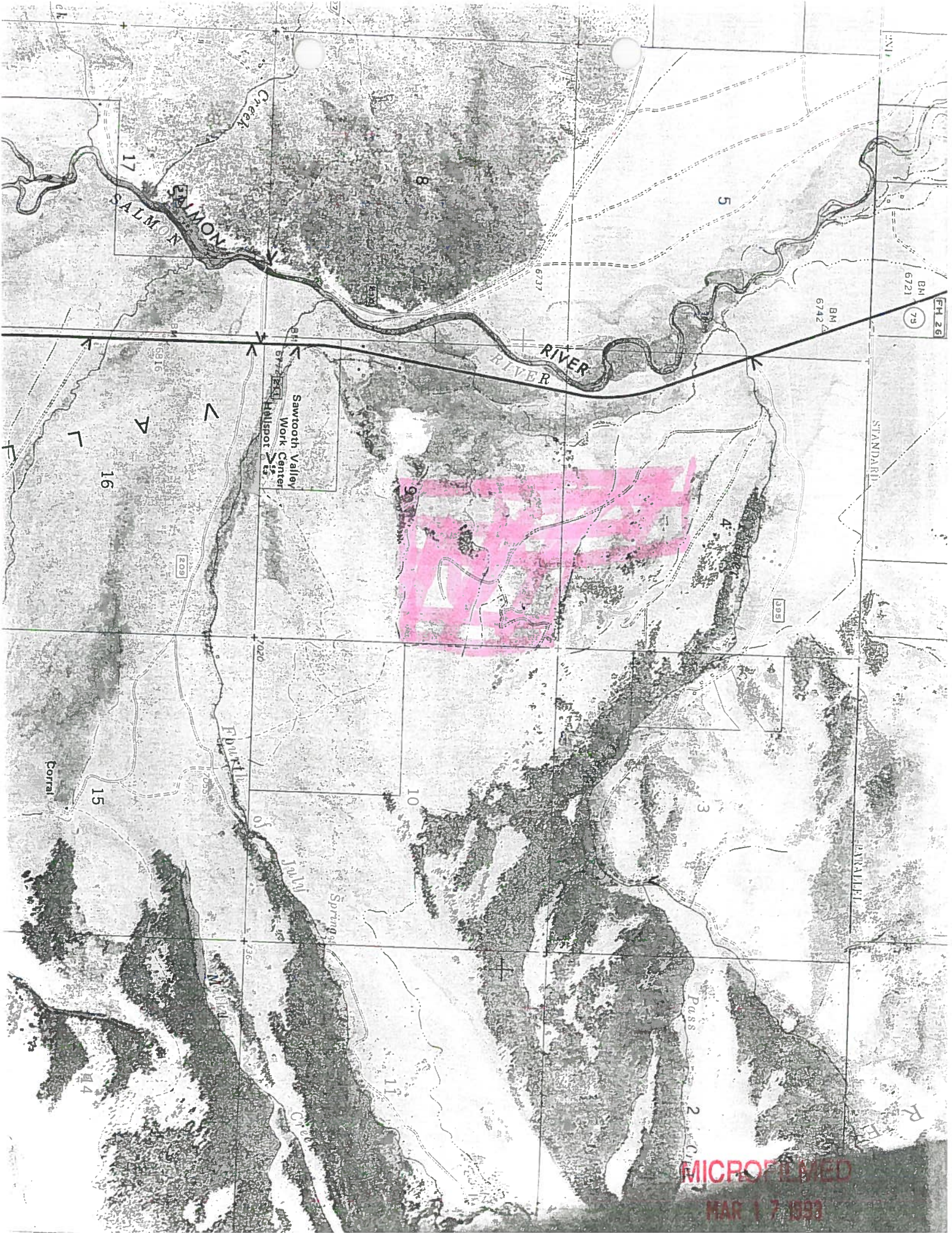
Residing at Santa Barbara
My Commission Expires 8/7/95

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name

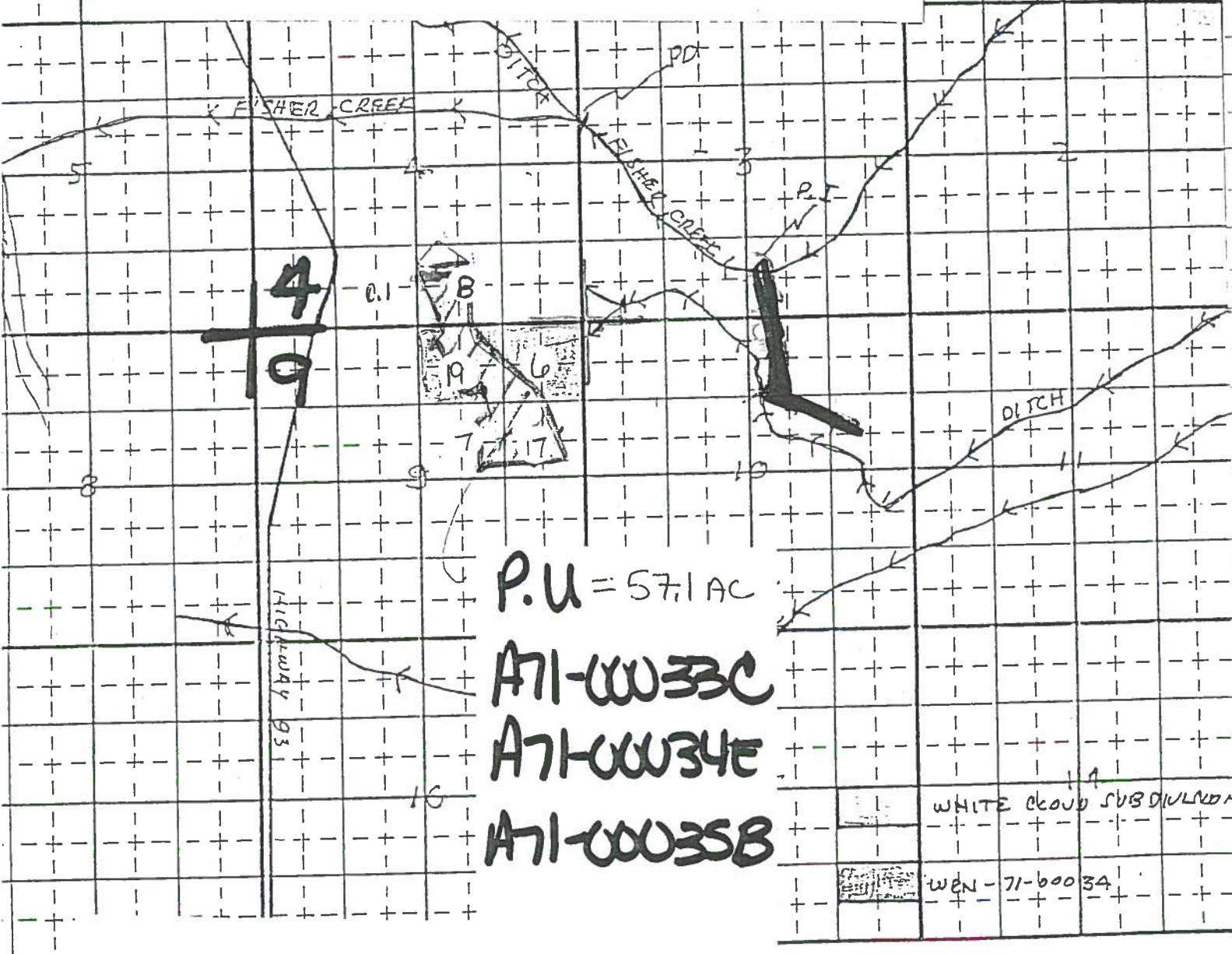
acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____



MICROFILMED
MAR 17 1993

T8N R14E
Secs 4 + 9



P.U. = 57.1 AC
A71-00033C
A71-00034E
A71-00035B

WHITE CLOUD SUBDIVISION

WEN-71-60034

Copies: White-State, Yellow-Claimant

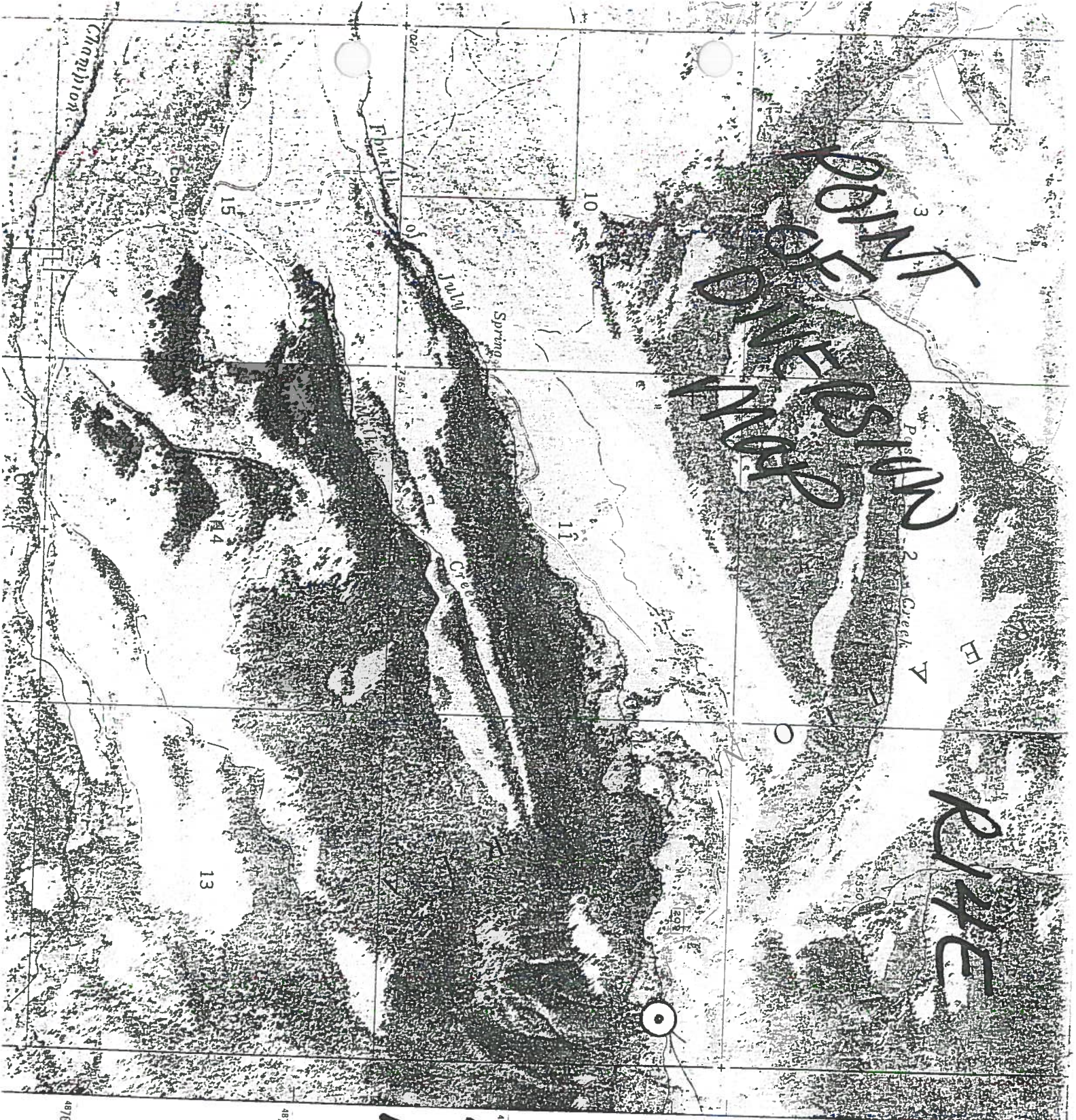
o. _____

5 20 15 20 60
11 7 MAR 17 1993 24

MICROFILMED

MAR 17 1993

24



T 8 N

T8N

MICROFILMED

MAR 17 1993

A71-00033C
A71-00034E
A71-00035B

LAW OFFICES OF
LAWSON, PEEBLES, BALLARD & EDSON

A PROFESSIONAL CORPORATION
SECURITY PACIFIC BANK BUILDING
280 SOUTH CAPITOL BOULEVARD
POST OFFICE BOX 448
BOISE, IDAHO 83701-0448
TELEPHONE 208-345-8700
FACSIMILE 208-389-9449

EDWARD A. LAWSON
RAND L. PEEBLES
BRIAN L. BALLARD
GARY W. EDSON
CAROL L. SHEPHARD
LESLIE THULLEN KUNICK
KENNETH R. ARMENT

KETCHUM OFFICE:
319 WALNUT AVE.
POST OFFICE BOX 297
KETCHUM, ID 83340
208-726-1700
FAX 208-726-9743

November 22, 1991

RECEIVED
NOV 25 1991

Department of Water Resources

Anna Baumhoff
Idaho Department of
Water Resources
1301 N. Orchard
Boise, ID 83706

Re: Notices of Claim
A71-00035B, A71-00034E, A71-00033C
Sharlene K. Stahl
Our File No.: 3.1.1548.1

Dear Ms. Baumhoff:

Pursuant to my meeting with you on September 19, 1991, I have forwarded the enclosed Notices of Claim to my client for her signature and return. Although some time has passed, I have obtained the Notices and am forwarding the same to you together with my client's check in the amount of \$207.00 made payable to the Idaho Department of Water Resources. As per your direction, I am sending this matter to your attention for filing.

Thank you for your assistance in this matter. If you have questions or require additional information, please do not hesitate to give me a call.

Very truly yours,

LAWSON, PEEBLES, BALLARD & EDSON

Brian L. Ballard

BLB/kah
Enclosures

MICROFILMED

MAR 17 1993

Water Right Number - R71-00033C

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
STAHL TRUST

SHARLENE K

1 - PO BOX 307
2 -
3 -
City- STANLEY
Phone - 208-774-2211

State- ID Zip- 83278

Priority Date - - +
05/21/1918

Region - - - +
17 SOUTHERN

Stage - - - +
D - DECREED

Status - - - +

Source - - - - -
FOURTH OF JULY CREEK

Tributary - - - - -
SALMON RIVER

Twn Rng Sec Tract Lot Rflg County Point of Diversion
08N 14E 12 SW NE NE (37) CUSTER

Code Description Period from Period to Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 09/30 0.510

Total Div. Rate - + Total Div. Volume - + Total Consumptive Use - + KM Usage - +
0.510 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	14E	4	SW SE		2.6	01	IRRIGATION	(37) CUSTER
08N	14E	9	NE NE		4.3	01	IRRIGATION	(37) CUSTER
08N	14E	9	NW NE		3.8	01	IRRIGATION	(37) CUSTER
08N	14E	9	SW NE		0.8	01	IRRIGATION	(37) CUSTER
08N	14E	9	SE NE		12.7	01	IRRIGATION	(37) CUSTER

Total Acres: 24.2

- - - Diversion Means - WOODEN & CONCRETE HEADGATE TO DITCHES TO FLOOD IRRIGATION

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 71-00034E

Remarks - - - - -

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 24.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 71-00033C & 71-00034E

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION

Water right number - R71-00033C

Prefix Translation: RESEARCH

 ON FOURTH OF JULY CREEK DESCRIBED ABOVE: 71-00033A, 71-00033B,
 71-00033C, 71-00033E, 71-00034A, 71-00034B, 71-00034C, 71-00034D,
 71-00034E, 71-00034F, 71-00034G, 71-00035A, 71-00036C, 71-00037B,
 71-00037C & 71-10763.
 THIS RIGHT SUBJECT TO AGREEMENT DATED MARCH 14TH, 1995 BETWEEN
 SHARLENE K STAHL TRUST AND ROBB BRADY.

 7100033 ----- Old Water Right Numbers -----

 C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
 - SECTION 42-1425, IDAHO CODE.

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

 Date: 02/14/1994 User Id: MERRITT Subject: COPIED FROM REMARKS
 PROPERTY PURCHASED FROM HUMPHREYS/DAY 1-15-'91.
 Date: 05/26/1998 User Id: AMERRITT Subject: COPIED FROM REMARKS
 1-17 CFS OF RIGHT NO. 71-10763 IS LIMITED TO USE FOR
 THE FOLLOWING RIGHTS ARE DIVERITED THROUGH POINT OF
 71-00034A, 71-00034B, 71-00034C, 71-00034D, 71-00034E, 71-00034F,
 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
 THE IRRIGATION OF A COMBINED TOTAL OF 45 ACRES IN A SINGLE
 COMBINED RIGHT NOS.: 71-00034E & 71-00035B
 CONVEYANCE LOSSES IN DELIVERY OF THIS AND OTHER RIGHTS.
 DIVERSION DESCRIBED ABOVE: 71-00033A, 71-00033B, 71-00033C,
 71-00035A, 71,00035B, 71-00036C, 71-00037B & 71-10763.
 TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 90.0 AF, AND TO
 IRRIGATION SEASON.

 Audit Fields - - +
 05/26/98 AMERRITT

 Adjudication Rights Dates and Flags Area -----
 Court Report Filing - 00/00/0000 Field Inspection Made - 09/22/1993 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 - 11/26/1991 Last Amended Date - 02/09/1994 Temporary Right - P
 Receipt Number - C022457 Water District -
 POU Ownership Flag - Y Federal/State Indicator - S
 Name Connector - Presumption Flag - D
 Notice of Error Flag -

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A71-00033C

15:25:42
05/26/98

LAST: STAHL TRUST FIRST: SHARLENE K
ADDRESS: PO BOX 307
CITY: STANLEY STATE: ID ZIP: 83278
PHONE NUMBER: 208-774-2211
OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE FIELD EXAMINER
Y Y() N()
CLAIM REMARKS: GEN PROPERTY PURCHASED FROM HUMPHREYS/DAY 1-15-91.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Sharlene Stahl
DATE OF FIELD EXAM: 8/25/93 APPOINTMENT MADE: Y() N() TIME: : A() P()
ACCOMPANIED BY: Sharlene Stahl PHONE NUMBER: () -
RELATIONSHIP TO CLAIMANT: Trustee
DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A71-00033C PRIORITY DATE: 05-21-1918 STAGE: D

B. WR RECORD: # 71-00033 PRIORITY DATE: 05-21-1918 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:

05-21-1918

REVIEWED BY

DATE

5/26/58

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A71-00033C	08N	14E	12	SW	NE	NE			CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
* **

71-00034
71-00035
71-00036
71-00037

* 22 A PREFIX CLAIMS WITH THIS POD
** 14 R PREFIX CLAIMS WITH THIS POD

SOURCE: FOURTH OF JULY CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
71-00033	08N	14E	12	NE	NE	NE			CUSTER		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

71-00034
71-00035
71-00036
71-00037
***** 22 A PREFIX CLAIMS IN SAME 40 ACRE TRA
***** 14 R PREFIX CLAIMS WITH THIS POD

SOURCE: FOURTH OF JULY 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() Y() N()

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

1. HOW WAS THE POD AND SOURCE VERIFIED?

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
08N	14E	12	SW	NE	NE			CUSTER		

SOURCE: FOURTH OF JULY CREEK **TRIB: SALMON RIVER**

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (X), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

wooden & conc. bridge to gravity drift.

A. ROOT WATER RIGHT NUMBERS:

	A71-00033A
	A71-00033B
	A71-00033C
	A71-00033D
	R71-00033A
	R71-00033B
	R71-00033C
	R71-00033D
	A71-00033E

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	14E	9	NE	NE	NE	STAHL TRUST, SHARLENE K	A71-00033C / 3.0	-	/		35.0
			NE	NE	NE	BRADY, J ROBB	A71-00030A / 5.0	-	/		
			NE	NE	NE	BRADY, J ROBB	A71-00031A / 5.0	-	/		
			NE	NE	NE	FOSTER, KENT W	A71-00034D / 5.0	-	/		
			NE	NE	NE	FOSTER, KENT W	A71-00037A / 5.0	-	/		
			NE	NE	NE	BRADY, J ROBB	A71-00038 / 5.0	-	/		
			NE	NE	NE	BRADY, J ROBB	A71-04000 / 5.0	-	/		
			NE	NE	NE	FOSTER, KENT W	R71-00035A / 6.0	-	/		
			NE	NE	NE	BRADY, J ROBB	R71-00036C / 6.0	-	/		
			NE	NE	NE	OSBORN, ALMA MARIE	A71-07015 /	71-07015	/		
			NE	NE	NE	STANFORD, CHARLOTTE	A71-00034B / 10.0	-	/		
			NE	NE	NE	STANFORD, CHARLOTTE	A71-07030 /	71-07030	/		
			NE	NE	NE	STAHL TRUST, SHARLENE K	A71-00034E / 3.2	-	/		
			NE	NE	NE	OSBORN, ALMA MARIE	A71-00034A / 16.0	-	/		
			NE	NE	NE	STAHL TRUST, SHARLENE K	R71-00033C / 7.0	-	/		
			NE	NE	NE	OSBORN, ALMA MARIE	R71-00034A / 12.0	-	/		
			NE	NE	NE	STANFORD, CHARLOTTE	R71-00034B / 10.0	-	/		
			NE	NE	NE	BALLARD, BRIAN	R71-00034E / 7.0	-	/		
			NE	NE	NE	LAUDER, WINSTON	R71-00034F /	-	/		
			NE	NE	NE	BRADY, J ROBB	A71-00035A / 5.0	-	/		
			NE	NE	NE	BRADY, J ROBB	A71-00036C / 5.0	-	/		
			NE	NE	NE	OSBORN, ALMA MARIE	R71-00034D / 4.7	-	/		
			NE	NE	NE	STANFORD, CHARLOTTE	71-07015 /	-	/		
			NE	NE	NE	MC VEY, MRS. GEYER M.	71-07030 /	71-00034	/		

See GIS Sheet

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
-----	-----	-----	-----	-----	-----	------	---------------	---------------	-----------------	----------------	------------------

SE	NE					MITCHELL, MARY J	A71-00033A / 10.5	-	/		
SE	NE					MITCHELL, MARY J	A71-10090 /	-	/		
SE	NE					MITCHELL, MARY J	71-10090 /	-	/		
SE	NE					MITCHELL, MARY J	R71-00033A / 10.5	-	/		
SE	NE					STAHL TRUST, SHARLENE K	R71-00033C / 17.0	-	/		
SE	NE					BALLARD, BRIAN	R71-00034E / 17.0	-	/		
SE	NE					BRANIFF, MARGARET L	A71-00033E / 8.0	-	/		
SE	NE					BRANIFF, MARGARET L	A71-00034G / 8.0	-	/		
SE	NE					MC VEY, GEYER M.		71-00033	/		

ADDITIONAL POU FOUND

TOTAL ACRES	A71-00033C	16.00	58.00
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POU COUNTY: CUSTER

24.2

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. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A71-00033C	FOURTH OF JULY CREEK	STAHL TRUST, SHARLENE K	0.510	0.031		
A71-00030A	FISHER CREEK	BRADY, J ROBB	0.070			
A71-00031A	FISHER CREEK	BRADY, J ROBB	0.040			
A71-00033A	FOURTH OF JULY CREEK	MITCHELL, MARY J	0.270	0.025		
A71-00033A	FOURTH OF JULY CREEK	MITCHELL, MARY J	0.270	0.025		
A71-00033C	FOURTH OF JULY CREEK	STAHL TRUST, SHARLENE K	0.580	0.012		
A71-00033E	FOURTH OF JULY CREEK	BRANIFF, MARGARET L	0.260	0.032		
A71-00034A	FOURTH OF JULY CREEK	OSBORN, ALMA MARIE	0.420	0.026		
A71-00034A	FOURTH OF JULY CREEK	OSBORN, ALMA MARIE	0.420	0.026		
A71-00034B	FOURTH OF JULY CREEK	STANFORD, CHARLOTTE	0.200	0.020		
A71-00034B	FOURTH OF JULY CREEK	STANFORD, CHARLOTTE	0.260	0.026		
A71-00034D	FOURTH OF JULY CREEK	BRADY, J ROBB	0.170	0.001		
A71-00034D	FOURTH OF JULY CREEK	FOSTER, KENT W	1.500	0.008		

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A71-00034E	FOURTH OF JULY CREEK	STAHL TRUST, SHARLENE K	0.310	0.037		
R71-00034E	FOURTH OF JULY CREEK	BALLARD, BRIAN	0.470	0.010		
A71-00034F	FOURTH OF JULY CREEK	LAUDER, WINSTON	0.060	0.030		
R71-00034F	FOURTH OF JULY CREEK	LAUDER, WINSTON	0.050	0.025		
A71-00034G	FOURTH OF JULY CREEK	BRANIFF, MARGARET L	0.260	0.032		
R71-00035A	FOURTH OF JULY CREEK	FOSTER, KENT W	2.840	0.023		
A71-00035A	FOURTH OF JULY CREEK	BRADY, J ROBB	3.000	0.016		
A71-00036C	FOURTH OF JULY CREEK	BRADY, J ROBB	2.400	0.013		
R71-00036C	FOURTH OF JULY CREEK	BRADY, J ROBB	0.880	0.007		
A71-00037A	FOURTH OF JULY CREEK	FOSTER, KENT W	1.600	0.008		
A71-00038	FOURTH OF JULY CREEK	BRADY, J ROBB	3.900	0.021		
A71-04000	SPRINGS	BRADY, J ROBB	1.000	0.005		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A71-07015	DOMESTIC	OSBORN, ALMA MARIE	FROM 01-01 TO 12-31	0.030 CFS	1.20 AF/A
A71-07030	DOMESTIC	STANFORD, CHARLOTTE	FROM 01-01 TO 12-31	0.040 CFS	
R71-00034F	STOCKWATER	LAUDER, WINSTON	FROM 05-01 TO 09-30	0.020 CFS	
A71-00034F	STOCKWATER	LAUDER, WINSTON	FROM 05-01 TO 09-30	0.020 CFS	
71-07015	DOMESTIC	OSBORN, ALMA MARIE	FROM 01-01 TO 12-31	0.030 CFS	1.20 AF/A
71-07030	DOMESTIC	STANFORD, CHARLOTTE	FROM 01-01 TO 12-31	0.040 CFS	
A71-10090	DOMESTIC	MITCHELL, MARY J	FROM 01-01 TO 12-31	0.080 CFS	
71-10090	DOMESTIC	MITCHELL, MARY J	FROM 01-01 TO 12-31	0.080 CFS	
A71-00033E	STOCKWATER	BRANIFF, MARGARET L	FROM 05-01 TO 09-30	0.020 CFS	
A71-00034G	STOCKWATER	BRANIFF, MARGARET L	FROM 05-01 TO 09-30	0.020 CFS	

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

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 71-00034E

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 GIS

NOTES: _____

RECOMMENDATIONS:

TOTAL ACRES: 24.2 N/A()

REVIEWED BY: AB DATE: 5/27/98

DIV. VOL. FOR EACH USE

0.510 CFS

0.510 CFS

DIV. VOL. FOR EACH USE

0.900 CFS

0.900 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: 0.510 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.900 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A () Y () N ()

N/A () Y () N ()

()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? * 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 Dyson Meter & Alkali, 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 = 32.0 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 ()

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
	FROM	TO			
IRRIGATION	04-15	10-15	0.510		32.0
<i>THIS</i>	<i>5/1</i>	<i>9/30</i>	<i>0.51</i>	<i>---</i>	<i>---</i>
TOTAL FOR THIS RIGHT			0.510		32.0

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY: *Alme*

DATE: *5/27/98*

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

Doc 1 considered liq. 24.2 acres

EXPLANATORY CONDITIONS (CODE):

POD considered wfr.

EXPLANATORY REMARKS (CODE):

use subject to agreement

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: 71-00033		DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS		0.900		
SPLITS:				
OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE
71-00033	A71-00033A	0.270	R71-00033A	0.270
-	A71-00033B	0.900	R71-00033B	0.050
-	A71-00033C	0.510	R71-00033C	0.580
-	A71-00033E	0.260	-	-
TOTAL CFS		1.940		0.900

See Attached Split analysis

DIVERSION RATE REVIEW

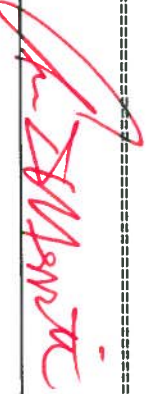
DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE N	FIELD EXAMINER Y() N()
------------	--------------------------

NOTES:

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()
☒ NAPP	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

15:25:42
05/26/98

17
CLAIM NUMBER: A71-00033C

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								
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

5/27/98
AA

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SHARLENE K STAHL TRUST	05/21/1918	IRRIGATION	04-15 10-15	0.51 CFS	
TOTAL DIVERSION:						32.00 AFA
CONSUMPTIVE USE:						

Water Source: FOURTH OF JULY CREEK

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion:

T08N R14E S12

SWNENE

CUSTER County

Place of use Legal Description for: IRRIGATION ME

NE

22

MS

5

T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
08N	14E	9	03			13													16.0
TOTAL ACRES																			16.0

POU County: CUSTER

Other Rights: 71-00034E

Remarks: GEN PROPERTY PURCHASED FROM HUMPHREYS/DAY 1-15-91.

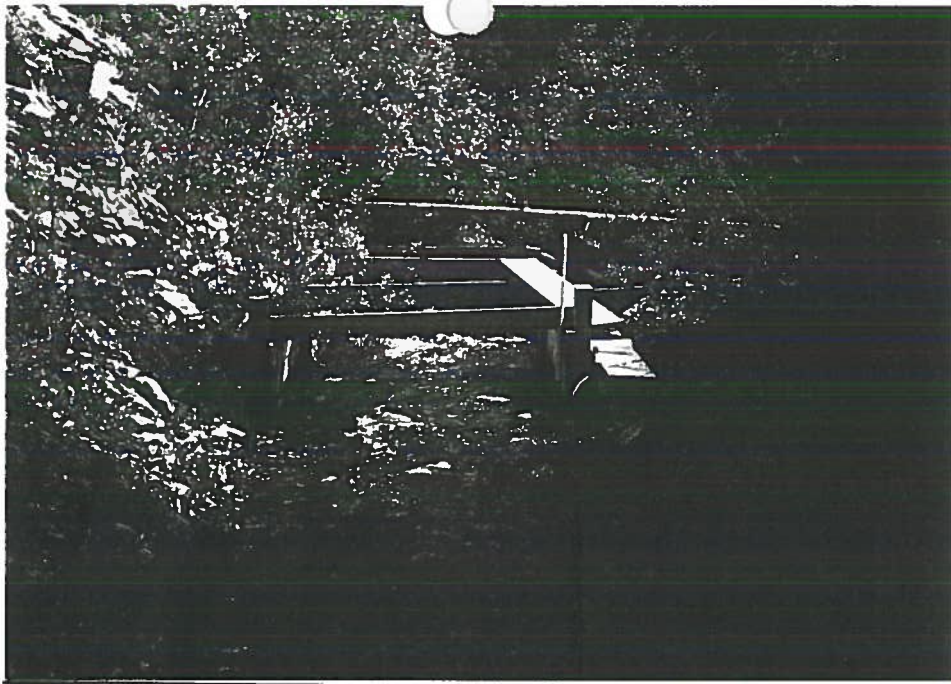
Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



6/30/93
AD~

P/D on
4th of July CK



Split of can21

→ To white cloud
Area



Ditches on
Brady Property

```

NAME OF STREAM OR DITCH      FOURTH OF JULY CREEK
LOCATION -----              AT HEAD OF DITCH
PURPOSE OF MEASUREMENT -- ADJUDICATION REVIEW
BASIS OF VELOCITY CALCULATIONS
IF YOU ARE USING A PYGMY METER ENTER ----- 1
IF YOU ARE USING A AA METER ENTER ----- 2

```

WATER RIGHT NUMBER IF APPLICABLE	----	BRADY & OTHERS
AGENT CONDUCTING MEASUREMENT	-----	ADM
ACCOMPANIED BY	-----	BRADY
PREMEASUREMENT SPIN TEST (MIN/SEC)	---	
POST MEASUREMENT SPIN TEST (MIN/SEC)	-	

FOLLOWING THE LAST ENTRY IN:
"DISTANCE FROM INIT PT" ENTRY MUST = "END"

[illegible]

FOLLOWING THE LAST ENTRY IN:
"DISTANCE FROM INIT PT" ENTRY MUST = "END"

WATER RIGHT NUMBER IF APPLICABLE -	BRADY & OTHERS
AGENT CONDUCTING MEASUREMENT -	ADM
ACCOMPANIED BY -	BRADY
PREMEASUREMENT SPIN TEST (MIN/SEC) -	
POST MEASUREMENT SPIN TEST (MIN/SEC) -	

[illegible]

[illegible]

NAME OF STREAM OR DITCH	FOURTH OF JULY CREEK
LOCATION	CONNER OF BRADY PROP
PURPOSE OF MEASUREMENT	ADJUDICATION REVIEW
BASIS OF VELOCITY CALCULATIONS	
IF YOU ARE USING A PYGMY METER ENTER	

FOLLOWING THE LAST ENTRY IN:
"DISTANCE FROM INIT PT" ENTRY MUST = "END"

[illegible]

4th of July Bench Area

**REEVALUATION OF IRRIGATION RATES
BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES**

CLAIM NUMBERS _____

DATE: May 8, 1998

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
TP4	9.33	14	*	0.11	= 0.07 CFS/AC
			*		= CFS
			*		= CFS

TOTAL ACRES _____

DECREED RATE = _____
CLAIMED DIVERSION RATE = _____
ORIGINAL HUBBLE RATE = _____
MEASURED DIVERSION RATE = _____

OK
0.51
0.31
0.82
24.2
= 0.03

FOR RIGHT NO: 71-00033

IDAHO DEPARTMENT OF WATER RESOURCES
EXEL PROGRAM

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

BY: ADM
DATE: #####

BASE RATE: 0.90 CFS

OWNER	CLAIMED RATE	ACRES FOUND	FIRST SHARE OF BASE RATE	POTENTIAL SHARE OF BASE RATE	FIRST CUT	2ND ACRE	2ND SHARE ITERATION	POTENTIAL SHARE OF REMAINING	SECOND CUT	PRELIM RATE	RATE PER ACRE
A71-00033A MITCHELL	0.27	9.5	24.9%	0.224		9.5	59.0%	0.230	0.230	0.230	0.024
A71-00033B HUMPHREYS	0.90	2.1	5.5%	0.050		2.1	13.0%	0.051	0.051	0.051	0.024
A71-00033C STAHL	0.51	2.2	57.7%	0.520	0.510					0.510	0.023
A71-00033E BRANIFF	0.26	4.5	11.8%	0.106		4.5	28.0%	0.109	0.109	0.109	0.024

0.23
0.05
0.51
0.11
0.90

SUMS	1.94	38.1	100.0%	0.900	0.510	16.1	100.0%	0.390	0.390	0.900
FIRST ITERATION BALANCE										
NOT ALLOCATED ==> 0.390 CFS										

Reduced to
16 by with
29 percent
Buddy

TOTAL POTENTIAL
ALLOCATED RATE
BEFORE HUBBLE ==> 0.900 CFS

BALANCE NOT
ALLOCATED ==> 0.000 CFS

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

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

71-00033C
71-00034E

TRANSFER NUMBER _____

AIM NUMBERS _____

DATE 3/28/98

HOMESTEAD ENTRY NO. _____

AGENT Adm

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															2.6	2.6
RECOM																			
CLAIM																			
GIS	8N	14E	9	1.9	2.5	3.8	0.8	12.7											21.2
RECOM				4.3															21.2
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B71-DBPOD.SHP 24.2

NOS	DESCRIPTION
50	

B71-DBPOU.SHP

SHAPE NOS
103 8.2
104 16.0
24.2

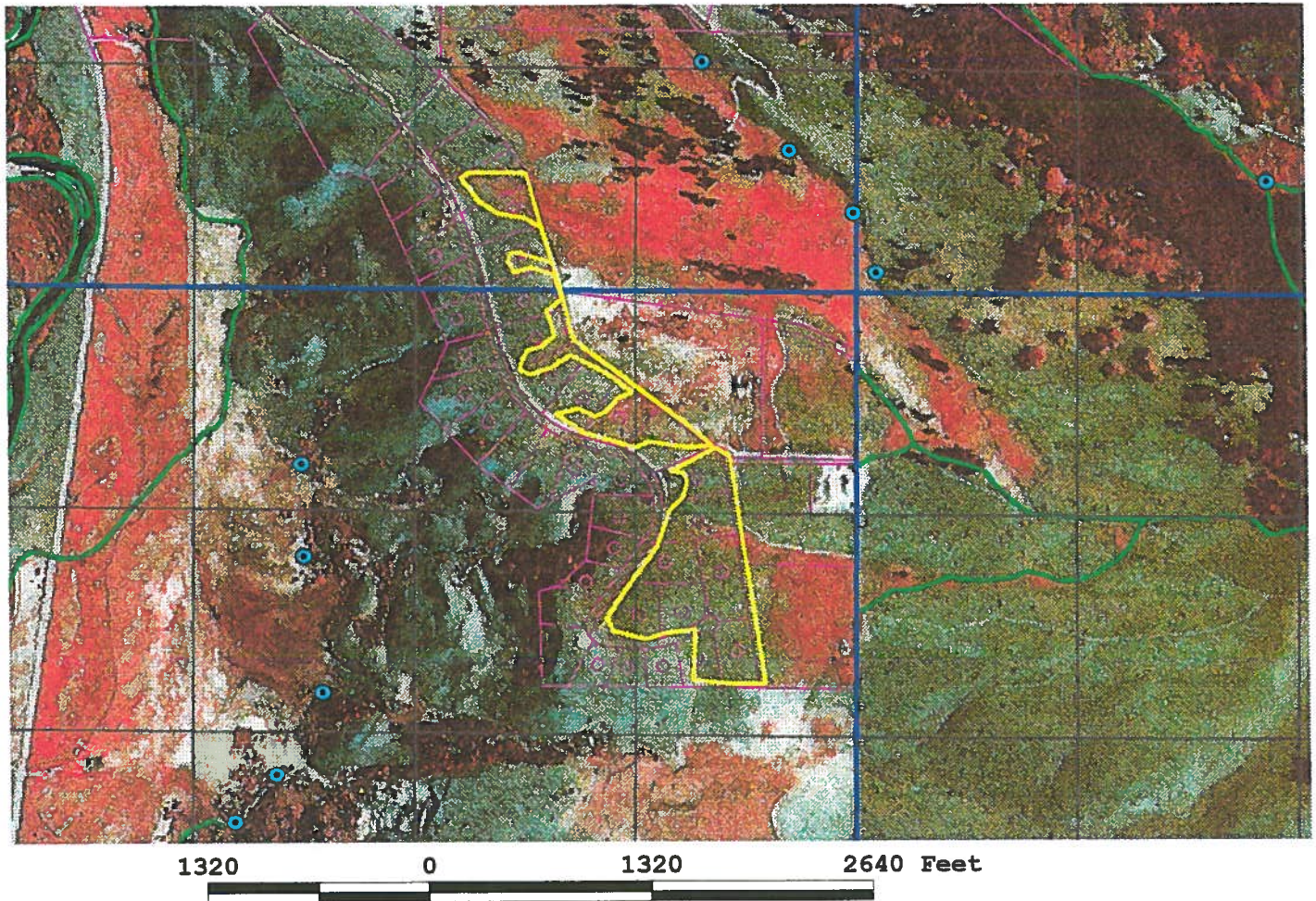
DBF TABLES UPDATED

B71-DBPOD.DBF

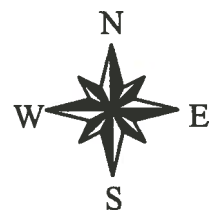
B71-DBPOU.DBF

IDAHO DEPARTMENT OF WATER RESOURCES

71-00033C & 71-00034E



POU:
TWP 08N, RGE 14E,
SEC 4 & 9
POD:
FOURTH OF JULY CREEK
TWP 08N, RGE 14E,
SWNE, SEC 12

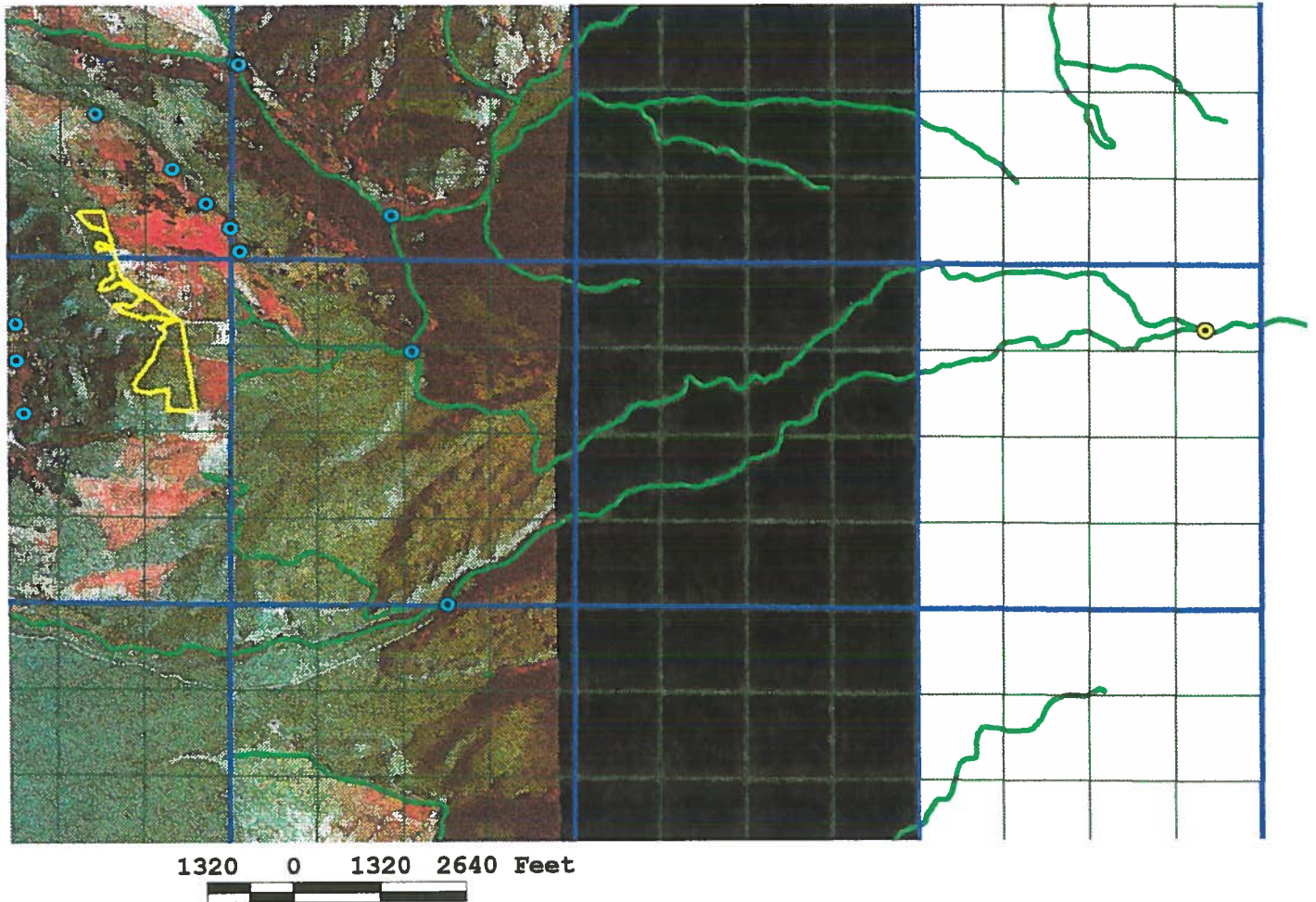


- RECOMMENDED PLACE OF USE
- RECOMMENDED POINT OF DIVERSION
- SECTION LINES
- QUARTER QUARTER LINES
- STREAM AND DITCH CHANNELS

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

IDAHO DEPARTMENT OF WATER RESOURCES

71-00033C & 71-00034E



POU:

TWP 08N, RGE 14E,
SEC 4 & 9

POD:

FOURTH OF JULY CREEK
TWP 08N, RGE 14E,
SWNE, SEC 12



- 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 MARCH 1998
BY ALLEN MERRITT

*Penny Braniff
1510 Cantera Avenue
Santa Barbara, CA 93110
(805) 682-3018*

RECEIVED

AUG 18 1997

Department of Water Resources
Southern Region

Douglas Jones, P.E.
Idaho Department of Water Resources
1341 Fillmore Street, Ste. 200
Twin Falls, ID 83301-3380

RE: SRBA Claims for 71-00033(Part) & 71-00034(Part)

Dear Mr. Jones:

Thank you for your letter of August 4, 1997. As per your instructions I am enclosing the Notarized modified claim forms along with a check for \$208.00 for claim filing fees.

You requested the name of a contact to arrange a field visit. Here are several. I'm not sure who is the most knowledgeable or available.

Patrick Brady
1585 Richards Avenue
Idaho Falls, ID 83404
(208) 524-4038

(Pat is the President of the Shaw Mesa Property Owners and as such is coordinating the Ditch Easement work us. He lives part-time in Stanley)

Jim Mitchell
10502 Jay Road
Boise, ID 83703
(208) 939-0707 or
774-3385

(Jim is the past President and is familiar with the process. His property adjoins mine and is served by 71-00033. He also is also a part-time resident in Stanley)

Sharlene Stahl
P.O. Box 307
Stanley, ID 83278
(208) 774-2211

(Sharlene is a newer resident, but a full-time one)

If you have any questions, please call and thanks for your help!

Sincerely

Penny Braniff

Enclosures

August 12, 1997

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

July 25, 1997

A71-00033C

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NOTE AJQZ AND WRQZ PRINTOUTS

Andrew Lawler
Sawtooth Valley Ranch
H.C. 64
Box 9945
Stanley, ID 83278

WERE INCLUDED WITH THIS LETTER.
COMMENTS REGARDING RECOMMENDATIONS
FOR DISALLOWED RIGHTS, COMBINATION
LIMITS, AND CONVEYANCE LOSS LIMITS
WERE INCLUDED ON THESE PRINTOUTS.
THIS INFORMATION WAS OBTAINED
FROM THE EXISTING "R" RECORDS.

Dear Mr. Lawler:

C. SKINNER

Pursuant to your recent request, I have researched the Department's records concerning water rights and claims for water out of Fourth of July Creek. I have included computer printouts that list the old original water right decrees, licenses, and statutory claims with their respective owners and amounts. In addition, I have enclosed computer printouts that list the various Snake River Basin Adjudication claims that have been filed, along with the claimant and the amount of water claimed.

I have attempted to clarify some of the information on the computer printouts regarding the Snake River Basin Adjudication claims. For example, the initial adjudication claims have all been highlighted in pink. These particular claims are the statements filed by the claimants describing their water right.

As part of the Snake River Basin Adjudication, our Department is required to review all of these initial adjudication claims. Upon the Snake River Basin Adjudication court's request, and after reviewing these claims, our Department will make a recommendation to the court on these adjudication claims. If no objections to the recommendation(s) are made, the court will eventually decree the water right(s). However, if objections are made to the recommendation(s) by the claimant or other parties, and the objections can not be resolved, the court will eventually make a decision and then decree the water right.

July 25, 1997
PAGE 2

Representative(s) from our Department have started the review process on the adjudication claims filed on the water out of Fourth of July Creek. Based on the Department's initial review process, enough information has been gathered to create some preliminary recommendations on these adjudication claims. I have highlighted these preliminary recommendations in blue on the enclosed computer printouts. It should be noted that these preliminary recommendations may be subject to additional revision(s) before final Department recommendations are filed with the Snake River Basin Adjudication court.

Final recommendations to the court have been made on some of the claims for water out of Fourth of July Creek. These final recommendations are highlighted in green on the enclosed computer printouts.

Please note that I have written several comments regarding some of the claims and preliminary recommendations on the enclosed computer printouts.

If you have any questions, or if I can be of any further assistance, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Corey Skinner".

Corey Skinner, EIT
Dam Safety Section

Enclosures

ROSHOLT, ROBERTSON & TUCKER

**Chartered
ATTORNEYS AT LAW**

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
THOMAS J. RYAN
GARY L. QUIGLEY
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO
ERIK P. SMITH

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

October 10, 1994

HAND DELIVERED

Mr. Allen Merritt
Idaho Department of Water Resources
222 Shoshone Street E.
Twin Falls, Idaho 83301

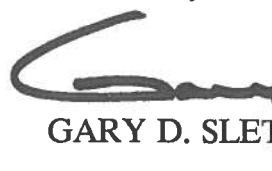
Re: Sharlene Stahl

Dear Allen:

Enclosed please find the original Affidavit of Jim Mitchell, a document which pertains to irrigation on Ms. Stahl's property. I am currently working with Mr. Brady's attorney, Kent Foster, to determine if we can arrive at an amicable resolution to this situation. In the interim, please place the original of this Affidavit, and photocopies thereof, in each file in which Ms. Stahl has claimed water rights in the SRBA.

If you have any questions or comments, please feel free to contact me at your convenience.

Yours truly,


GARY D. SLETTE

GDS:le
10109402.GDS

Enclosure

cc: Sharlene Stahl

1 5 6 15 11 11
OCT 11 1994
Department of Water Resources
Southern Region Office

OCT 11 1994

Department of Water Resources
Southern Region Office

BEFORE THE IDAHO DEPARTMENT OF WATER RESOURCES

In Re:)
SRBA Claims of Sharlene Stahl) AFFIDAVIT OF
) JIM MITCHELL
)
)

STATE OF IDAHO)
) ss.
County of Ada)

Jim Mitchell, duly sworn under oath, deposes and states as follows:

1. I own Lot 70 of the White Cloud Subdivision as shown on Exhibit "A" attached hereto, which lot is adjacent to the property owned by Sharlene Stahl (Lot 107).

2. I have owned that property for approximately twenty-five (25) years and am familiar with it, and the irrigation activities that have occurred thereon during that period.

3. I have personally observed the use of water for purposes of irrigation on Lot 107 of the White Cloud property, as shown on Exhibit "A" attached hereto. In fact, over the years, I have personally irrigated portions of that property. Water has been used annually on that property for the purpose of irrigation since the acquisition of our property by us in 1968. I am aware that her property has been irrigated during the previous five (5) years.

Further sayeth your affiant naught.



Jim Mitchell

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SUBSCRIBED AND SWORN to before me this 7 day of
October, 1994.

Gary Koepf
NOTARY PUBLIC FOR IDAHO
Residing at: Boise, ID
Commission Expires: 4/13/98

10059403.GDS

8-28-72

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CLOUDS

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EXHIBIT A

OCT 11 1994

Department of Water Resources
Southern Region Office

110

9/20/94

COMMUNICATION DOCUMENTATION

File No.: Stahl and Brady
Files

This form is to be used to document public record information requests regarding any SRBA claim or other water right. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request.

IDWR Employee/Agent Allen Merritt Date September 30, 1994

Contact person(s) Chuck Brockway

Nature of Contact: Chuck had been asked by Mr. Brady to review the files and Napp & other photos we have of the area.

Substance of Communication:

On Sept. 29th Chuck visited our office and reviewed the files in the 4th of July Creek area and borrowed the NAPP and the color USFS photo of the area for copying. We also made copies of some of the correspondence in the files. We discussed the water measurements I made on the creek and ditches and we discussed the wild flooding SCS program used to estimate the water requirements.

9/20/94

COMMUNICATION DOCUMENTATION

File No. A71-00033C

A71-00034E

A71-00035B

This form is to be used to document public record information requests regarding any SRBA claim or other water right. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request.

IDWR Employee/Agent Allen Merritt Date September 20, 1994

Contact person(s) Gary Slette & Eric Smith from Rosholt's Firm

Nature of Contact Inquire into Sharlene Stahl's claims from 4th of July Creek claims

Substance of Communication: Gary & Eric reviewed the Stahl & Brady & Osborn files. I explained the ditch system and they copied several maps and letters from the files as well as borrowing the NAPP photo and the 1972 color USFS photo I had of the area. Apparently Stahl has approached Rosholt's firm to represent her in the SRBA.



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

16-Aug-1994 10:55

Robb Brady
314 E Sunnyside Road
Idaho Falls, ID 83404

RE: Request for Copies of NAPP Photos

Dear Robb:

In response to your August 5, 1995 letter please find enclosed black & white copies of the two NAPP red shifted photos we possess as well as a black & white copy of a color photo I copied from the USFS Stanley office. You can probably appreciate that much of the information that color provides is lost to these copies. I do not have easy access to a color copier or I would have made color copies but I wanted to send the black & white copies anyway to allow you to look them over. I am also sending a sheet describing the process for obtaining photographs directly from the ASCS where we obtained the NAPP photos. I'm sure your local ASCS office could assist you ordering such photos. One advantage to this is that you could specify the year or years you wanted to look at. The other alternative would be for you to come to Twin Falls where I would lend you our color photos for a few hours so you could run down a color copier.

I hope this helps. If I can be of further assistance please feel free to contact our office. Please note our correct mailing address since your last letter was sent to our old address.

Sincerely,

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

Encl:

Robb Brady

314 East Sunnyside Road
Idaho Falls, Idaho 83404

RECEIVED

Allen Merritt
Idaho Dept. Water Resources
2148 4th Ave. East
Twin Falls, Idaho 83301.

AUG 09 1994

August 5th, 1994

Department of Water Resource
Southern Region Office

Dear Allen:

I would like to request copies of infrared satellite photos of the bluff between Fisher Creek and Fourth of July Creek in Sawtooth Valley. Specifically, I need photos of the 57 acres now owned by Sharlene Stahl, part of which is adjacent to our ranch on the bluff. All of the Stahl property directly west and bordering our ranch and bordering directly west that of Marie Osborne is sagebrush, save for a very small part of these tracts in grass from what I can determine must be overflow or subbing from our ranch or that of the Osborne property. Consequently, the photos on these particular tracts bordering me and the Osborne land is critical to our contention that these Stahl tracts have forfeited water right by reason of non-use decidedly in excess of five years. Please bill me for cost of getting and mailing the photos or let me advance the money immediately, whichever policy applies to your agency.

To the south of the Osborne property, the Stahl land has grass which I believe to be subbed from underground waters although it was irrigated at one time.. But Fred Humphery, who with Ernie Day of Boise sold the 57 acres to Mrs. Stahl, has informed me that the ditches in that area south of Osborne's were "snubbed off" in either 1982 or 1983, and that he would assign the date upon review of his records. The ditches were closed because a landslide believe to be related to hydrology on the irrigated acres above the Thousand Springs ranch down on the highway, occurred. The large landslide on the cliff of the bluff is still obvious from the highway. Consequently, I also need to request your examination of the irrigating history of the Stahl land south of the Osborne property to confirm justification of a proposed assignment of minimum water rights to the Stahl property.

May we thank you for your earnest studies in Sawtooth Valley. Knowing your work burden in the adjudication process, I am sorry to add to that burden but the information requested is critical to our position in this water matter.

sincerely

Robb Brady
314 E. Sunnyside Road
Idaho Falls, Idaho 8340 (Tel.:523-1954).



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

05-May-1994 13:37

Richard Burleigh
PO Box 1617
Boise, ID 83701

RE: Copies of Document

Dear Mr. Burleigh:

Per your request please find enclosed copies of documents from files related to the SRBA Claims associated with the diversion common to Stahl & Brady. I have enclosed a listing of the records on Fourth of July Creek (It is the rolled up document). Those numbers or files I have highlighted in yellow are those which I have sent you. The other records are for other rights from other diversions or for instream flow uses claimed by the Feds and/or Indian Tribes.

As a matter of explanation the documents I have provided do not include my draft recommendation but do in some situations include information I have gathered or generated during my review. I have not yet completed my final recommendation for many of these claims and additional documents will be added to these files as well as a "Claims Verification Report".

Please remit \$25.30 for the cost of the copies and postage.

Sincerely,

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

Encl:

Water Right No.	Current Owner Last, First	S T G	Priority Date	Basin: 71 Tributary	# Records Total Diversion	STATE Use Code Desc
L-02004	SPLIT RIGHT,		10/23/1909	SALMON RIVE	3.000	01 IRR
L-02004A	MUELLER, MARILYN AN L		10/23/1909	SALMON RIVE	0.100	01 IRR
L-00034A	OSBORN, ALMA MARIE D		02/27/1919	SALMON RIVE	0.420	01 IRR
L-02004B	JENSEN, MELBOURNE H L		10/23/1909	SALMON RIVE	0.040	01 IRR
L-02014	VANDERBILT, WILLIAM L		04/08/1916	SALMON RIVE	2.900	01 IRR
	VANDERBILT, ANN S					04 STOCK
1-00034	SPLIT RIGHT,		02/27/1919	SALMON RIVE	1.500	01 IRR
1-00034B	STANFORD, CHARLOTTE D		02/27/1919	SALMON RIVE	0.260	01 IRR
1-00033A	MITCHELL, MARY J D		05/21/1918	SALMON RIVE	0.270	01 IRR
	MITCHELL, JAMES B					
1-00033	SPLIT RIGHT,		05/21/1918	SALMON RIVE	0.900	01 IRR
1-00036	SPLIT RIGHT,		07/11/1922	SALMON RIVE	2.400	01 IRR
1-00036A	FUREY, JACK B. D		07/11/1922	SALMON RIVE	1.800	01 IRR
	RECINE, JR., LOUIS					
1-02004C	FUREY, JACK B. L		10/23/1909	SALMON RIVE	3.000	01 IRR
	RECINE, JR., LOUIS					
1-00033B	HUMPHREYS, FRED DAY, ERNEST D		05/21/1918	SALMON RIVE	0.900	01 IRR
1-00034C	HUMPHREYS, FRED DAY, ERNEST D		02/27/1919	SALMON RIVE	1.500	01 IRR
1-00035	SPLIT RIGHT,		04/19/1919	SALMON RIVE	3.000	01 IRR
1-00036B	HUMPHREYS, FRED DAY, ERNEST D		07/11/1922	SALMON RIVE	2.400	01 IRR
1-04052	ELLIS, ALLEN BOYD ELLIS, BARBARA A J		06/01/1931	SALMON RIVE	0.900	01 IRR
1-00034D	BRADY, J. ROBB D		02/27/1919	SALMON RIVE	1.500	01 IRR
1-00035A	BRADY, J. ROBB D		04/19/1919	SALMON RIVE	3.000	01 IRR
1-00036C	BRADY, J. ROBB D		07/11/1922	SALMON RIVE	2.400	01 IRR
1-00037A	BRADY, J. ROBB D		04/19/1919	SALMON RIVE	1.600	01 IRR
1-00038	BRADY, J. ROBB D		01/30/1939	SALMON RIVE	3.900	01 IRR
1-00035C	HUMPHREYS, FRED DAY, ERNEST D		04/19/1919	SALMON RIVE	3.000	01 IRR
1-00033C	STAHL TRUST, SHARLE D		05/21/1918	SALMON RIVE	0.580	01 IRR
1-00034E	STAHL TRUST, SHARLE D		02/27/1919	SALMON RIVE	0.500	01 IRR
1-00035B	STAHL TRUST, SHARLE D		04/19/1919	SALMON RIVE	0.162	01 IRR
1-00037B	STONE, RICHARD LARR D		04/19/1919	SALMON RIVE	1.600	01 IRR
						04 STOCK
71-00033D	RENUMBERED A71-0003		05/21/1918	SALMON RIVE	0.020	04 STOCK
						43 DOMEST
71-00034F	LAUDER, WINSTON LAUDER, JOANNE LAUDER, WINSTON DAY, ERNEST HUMPHREYS, FRED FUREY, JACK B RECINE JR, LOUIS F HUMPHREYS, FRED DAY, ERNEST D		02/27/1919	SALMON RIVE	0.060	04 STOCK 01 IRR
71-00035C			04/19/1919	SALMON RIVE	3.000	01 IRR
71-00036A		D	07/11/1922	SALMON RIVE	1.800	01 IRR
71-00036B			07/11/1922	SALMON RIVE	2.400	01 IRR
71-00037A	BRADY, J ROBB		04/19/1919	SALMON RIVE	0.080	01 IRR
71-00037B	STONE, RICHARD LARR D		04/19/1919	SALMON RIVE	1.600	01 IRR
						04 STOCK
71-00038	BRADY, J ROBB		01/30/1939	SALMON RIVE	3.900	01 IRR
71-02004C	FUREY, JACK B L		10/23/1909	SALMON RIVE	3.000	01 IRR
71-04052	RECINE JR, LOUIS F ELLIS, BARBARA A ELLIS, ALLEN BOYD	J	06/01/1931	SALMON RIVE	0.860	01 IRR
71-02004D	AMERICA ACTING THRO	L	10/23/1909	SALMON RIVE	0.500	01 IRR
71-10680	AMERICA, TRUSTEE, U F		00/00/0000	SALMON RIVE	0.000	59 FISHAB 59 FISHAB 59 FISHAB 59 FISHAB 59 FISHAB 59 FISHAB 59 FISHAB
71-10680		F	00/00/0000	SALMON RIVE	0.000	59 FISHAB 59 FISHAB 59 FISHAB 59 FISHAB 61 AVGFLO 62 BNKFLO 64 CHN MN
71-10708	NEZ PERCE TRIBE ACT	F	00/00/0000	SALMON RIVE	0.000	59 FISHAB 59 FISHAB 59 FISHAB 59 FISHAB 59 FISHAB 59 FISHAB 59 FISHAB 59 FISHAB
71-10708		F	00/00/0000	SALMON RIVE	0.000	59 FISHAB 59 FISHAB 59 FISHAB 59 FISHAB 61 AVGFLO 62 BNKFLO 64 CHN MN

[illegible]

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59 FISHAB
59 FISHAB
59 FISHAB
61 AVGFLO
62 BNKFLO
64 CHN MN
01 IRR

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01  IRR
04  STOCK
04  STOCK
01  IRR
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01 IRR
01 IRR

01 IRR
04 STOCK
43 DOMEST

01 IRR
01 IRR
01 IRR

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01 IRR
01 IRR
04 STOCK
01 IRR

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01 IRR
01 IRR
01 IRR

[illegible]

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01 IRR
01 IRR
67 MULT
67 MULT
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67 MULT
67 MULT
67 MULT
67 MULT

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(Menu)

Robb & Rose Brady

314 E. Sunnyside Road
Idaho Falls, Idaho 83404

RECEIVED

APR 29 1994

Department of Water Resources
Southern Region Office

Allen Merritt
Idaho Department of Water Resources
2148 4th Ave. East
Twin Falls, Idaho 83301.

April 27, 1994

Dear Allen:

In the course of a conversation with Fred Humpherys, who owns ranchs in Sawtooth Valley, he told me that he and Ernie Day had "snubbed off " ditches on the bluff on the property they owned in either 1982 or 1983 because irrigation water was badly eroding the sides of the bluff . This was about the time that irrigation water from the William Vanderbilt ranch , likely coupled with other underground water above the Jack Furey ranch down on the highway, caused a huge cave-in on the Furey ranch. You can easily view this cave-in where furey is cooperating with the Forest Service in planting trees there to stabilize the land.

Humpherys and Day owned the 57 acres which they sold to Sharlene Stahl , nearly 10 years after closeing off the ditch system. In other words, Stahl's property was not served with any irrigation water some eight years before she bought it. And she has not watered it with any ditch system since she bought it.

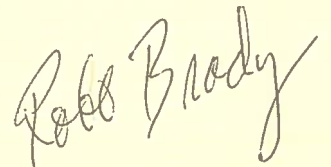
Humpherys is one of four ranchers, including myself, who are trying to devise a rotation irrigation system to keep Salmon spawning level flow in Fourth of July Creek. I plan to install a new headgate where Humpherys and myself divide water about a half mile behind the ranch in that long ditch which takes off from Fourth of July Creek . The Vanderbilt and the Furey ranchs , with takeoffs from the *creek further downstream , will also rotate water use. I think I also told you that I have hired the Silver Creek irrigation company of Picabo, Idaho, to update the gravity irrigation system on our 311 acres on the westside.

I thought I should forward this information about the Stahl proaperty to you.

I hope someday your long days will get shorter.

sincerely

Robb Brady
314 E. Sunnyside Road
Idaho Falls, Idaho 83404.



MEMO

- PUT IT IN WRITING -

MEMO RECEIVED

FROM: J. Robb Brady

APR 28 1994

TO: _____ DATE: _____ Department of Water Resources
Southern Region Office

you feel is the best decision on ~~what you~~ the data you have available. I fully appreciate you ~~am~~ can't have the time to fully research every small right to its infinitesimal degree.

Thanks again for your helpfulness in the past.

Robb Brady

314 E. Sunnyside Road
Idaho Falls, Idaho 83404.*Robb Brady*

MEMO

- PUT IT IN WRITING -

MEMO

RECEIVED

FROM: J. Robb Brady

APR 28 1994

TO: _____ DATE: _____ Department of Water Resources
Southern Region Office

Dear Allen:

I thought you should have this letter I mailed to Sharlene Stahl regarding her ~~was~~ contention of water right.

I would need to know when her proposed right comes up for challenge . The only water that the Stahl tract has received in front of me or in front of Marie Osborne's tract is whatever runoff water from our places occasionally drifted to ~~her land~~ Stahl's land. And I have been up there 28 years. I am ^{sure} ~~sure~~ that there are witnesses to the fact that the Stahl has not been watered and has forfeited a water right by reason of not being watered for at least five years...actually all the time I have been up there.

I appreciate that you have the responsibility of making what

RECEIVED

APR 28 1994

Department of Water Resources
Southern Region Office

Sharlene Stahl
P.O. Box 307
Stanley, Idaho 83278.

Dear Sharlene:

I understand you want to get irrigation water to your acreage on the bluff above Fisher Creek, and want to utilize a ditch through our adjacent ranch. Because your tract in front of our ranch and in front of that of Marie Osborne has never been irrigated with its own ditch system in my 28 years up there, it is my understanding and that of my water attorney that you do not now have a valid water right. Consequently, I have been advised by our water attorney not to allow watering through our ranch. To do so would strain our water right if not that of others on the bluff.

This is something I certainly do not prefer doing but in view of the problems we had with two other water right questions involving a water-through issue, and our attorney's questioning your water right, it is an action I feel I have to take. And our attorney is convinced we have to take this position even if there is a recommendation for a minimum water right on your acreage.

You may be interested in knowing that I am currently attempting to organize the four large ranchs utilizing Fourth of July Creek water to coordinate usage between themselves in how water time is divided. The four ranchs involved are: Mr. and Mrs. Fred Humpherys of Payette, Idaho, with 370 acres; Mr. and Mrs. Jack Furey of Challis with 350 acres; Bill and Ann Vanderbilt of Ketchum, with 320 acres; and myself and Rosej Brady with 168 acres. The idea is to have the four large ranchs useing the water coordinate usage between themselves in how water time is divided or shared.

Your request for water, in addition, comes at a critical time for water usage on the bluff. I am most interested, as I expect you are, in seeing this irrigation rotation plan work, not only for our interest to participate in the Salmon recovery effort but to avoid a potential buyout by the government, negotiated or through condemnation, of the collective water rights or land in our area. While the Forest Service does not now have authorized money to take such action, pressure to recover Salmon could very well see a concert of special funding through

RECEIVED

APR 28 1994

Department of Water Resources
Southern Region Office

the Marine Fisheries Agency recovery plan to do so in the next few years. If we can keep the creek from drying up before it reaches the Salmon river and with sufficient flow to allow spawning entry , we will have been successful in the water rotation proposal.

I invite your comments and suggestions.

I got a report today that the snow has melted away on the flat in Sawtooth Valley already. I think this will be one of our earliest snow fades in the valley. Rose and I are looking forward to getting up to the ranch within the next two weeks .

Thanks for listening and hope you and your daughter will be enjoying the special Sawtooth summer just ahead.

Our Best

Robb Brady
314 E. Sunnyside Road
Idaho Falls, Idaho 83404.
(Tel.208-523-1954) .

R PROOF

X

CVR

X

MAPS

X

PHOTOS

MISC

X

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Presumption Memorandum Status

AGENT _____

DATE _____

CLAIM NUMBER	STAGE	PRESUMPTION CATEGORY			WITHIN A PPU	
		1st	2nd	Accomplished transfer	(YES)	(NO)
_____	_____	_____	_____	_____	_____	_____

FIRST PRESUMPTION ISSUES: DATE OF CHANGE IF KNOWN: _____

RECOMMENDED ACRES WITHIN THE ORIGINAL DECREED P/U: _____

RECOMMENDED ACRES OUTSIDE OF DECREED P/U: _____

SECOND PRESUMPTION ISSUES: DATE OF CHANGE IF KNOWN: _____

ACCOMPLISHED TRANSFERS: DATE OF CHANGE IF KNOWN: _____

TYPE OF CHANGE: (P/D), (P/U), (N/U), OTHER _____

OVERLAPPING CLAIMS:	_____	ACRES	_____	ACRES
	_____	ACRES	_____	ACRES
	_____	ACRES	_____	ACRES
	_____	ACRES	_____	ACRES
	_____	ACRES	_____	ACRES

Water Right Number - R71-00033C

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

+ - - - - Address - - - - +

*** A - ATTORNEY ***
BALLARD

BRIAN

1 - PO BOX 448
2 -
3 -City- BOISE
Phone - 208-345-8700

State- ID Zip- 83701

*** C - CURRENT OWNER ***
STAHL TRUST

SHARLENE K

1 - PO BOX 307
2 -
3 -City- STANLEY
Phone - 208-774-2211

State- ID Zip- 83278

+ - - Priority Date - - +
05/21/1918+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

Source - - - - +
FOURTH OF JULY CREEK+ - - Tributary - - - - +
SALMON RIVER+ - - - - Point of Diversion - - - - +
TWN Rng Sec Tract Lot Rflg County

08N 14E 12 SW NE NE (37) CUSTER

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

01 - IRRIGATION 05/01 09/30

0.580

+ - Total Div. Rate - + + - Total Div. Volume - +
0.580+ - Total Consumptive Use - + + - KW Usage - +
0.0+ - - - - Place of Use - - - - +
TWN Rng Rng Sec Tract Lot Acres Code Description County

08N	14E	4	SW SE	5.0	01	IRRIGATION	(37) CUSTER
08N	14E	9	NE NE	7.0	01	IRRIGATION	(37) CUSTER
08N	14E	9	NW NE	11.0	01	IRRIGATION	(37) CUSTER
08N	14E	9	SW NE	5.0	01	IRRIGATION	(37) CUSTER
08N	14E	9	SE NE	17.0	01	IRRIGATION	(37) CUSTER

Total Acres: 45.0

+ - - Diversion Means - DITCH TO FLOOD IRRIGATION

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - 71-00034E AND 71-00035B

Prefix Translation: RESEARCH

1.17 CFS OF RIGHT NO. 71-10763 IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS AND OTHER RIGHTS.

DIVISION DESCRIBED ABOVE: 71-00033A, 71-00033B, 71-00033C,
71-00034A, 71-00034B, 71-00034C, 71-00034D, 71-00034E, 71-00034F,
71-00035A, 71, 00035B, 71-00036C, 71-00037B & 71-10763.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 90.0 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 45 ACRES IN A SINGLE IRRIGATION SEASON.

7100033

C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
- TO IDAHO CODE 42-1416(1).

+ - - - Decre
DAN J. CAVANAGH

Date: 02/14/1994 User Id: MERRITT Subject: COPIED FROM REMARKS
PROPERTY PURCHASED FROM HUMPHREYS/DAY 1-15-91.

02/14/94 MERRITT

Adjudication Rights Dates and Flags Area

Court Report Filing	-	00/00/0000
Objection Filed Date	-	00/00/0000
Response Filed Date	-	00/00/0000
Claim Received Date	-	11/26/1991

POU Ownership Flag
Name Connector

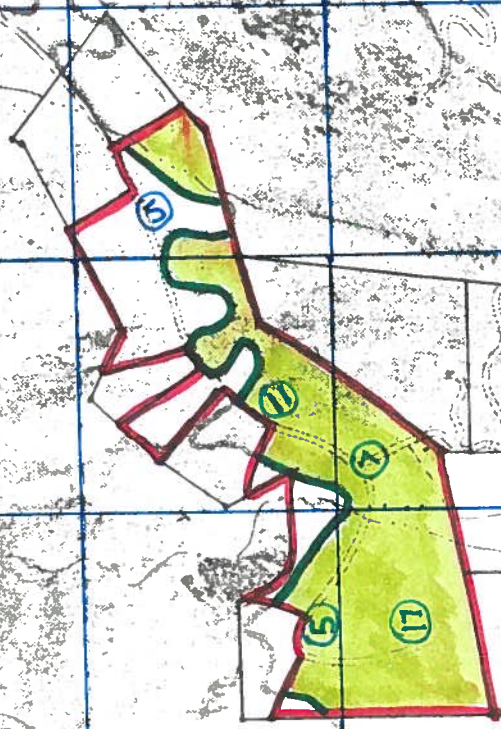
- Federal/State Indicator
- D Presumption Flag
- Notice of Error Flag

STANDARD

395

4

RIVER
RIVER



45 Ac.

Stahl
Property

Sawtooth Valley
Work Center

IDAHO DEPARTMENT OF WATER RESOURCES
LOTUS FORM - SPLIT

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

FOR RIGHT NO: 71-00033

BY: ADM
DATE: 02-Feb-94

BASE RATE: 0.90 CFS

OWNER	CLAIMED RATE	ACRES FOUND	FIRST SHARE OF BASE	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
A71-00033A MITCHELL	0.27	10.5	30.4%	0.274	0.270					0.270	0.026
A71-00033B HUMPHREYS	0.90	2	5.8%	0.052		2	8.3%	0.053	0.053	0.053	0.026
A71-00033C STAHL	0.58	22	63.8%	0.574		22	91.7%	0.578	0.578	0.578	0.026
A71-00033D LAUDER	0.02	0									

Re-number →
A71-00034 F

SUMS	1.77	34.5	100.0%	0.900	0.270	24	100.0%	0.630	0.630	0.900	
				FIRST ITERATION BALANCE	0.630 CFS						
				NOT ALLOCATED ==>							

TOTAL POTENTIAL
ALLOCATED RATE
BEFORE HUBBLE ==> 0.900 CFS

BALANCE NOT
ALLOCATED ==> 0.000 CFS

Soil Type = TP4...GRAVELLY LOAM
Source of Soils Data = SCS

[illegible]

crop	root depth (ft)	stress point	MAD (inches)
alfalfa (hay or seed)	5	0.5	3.50
corn (field or silage)	4	0.5	2.91
grain (winter or spring)	4	0.5	2.91
pasture (or grass hay)	3	0.5	2.31
other (enter below)			

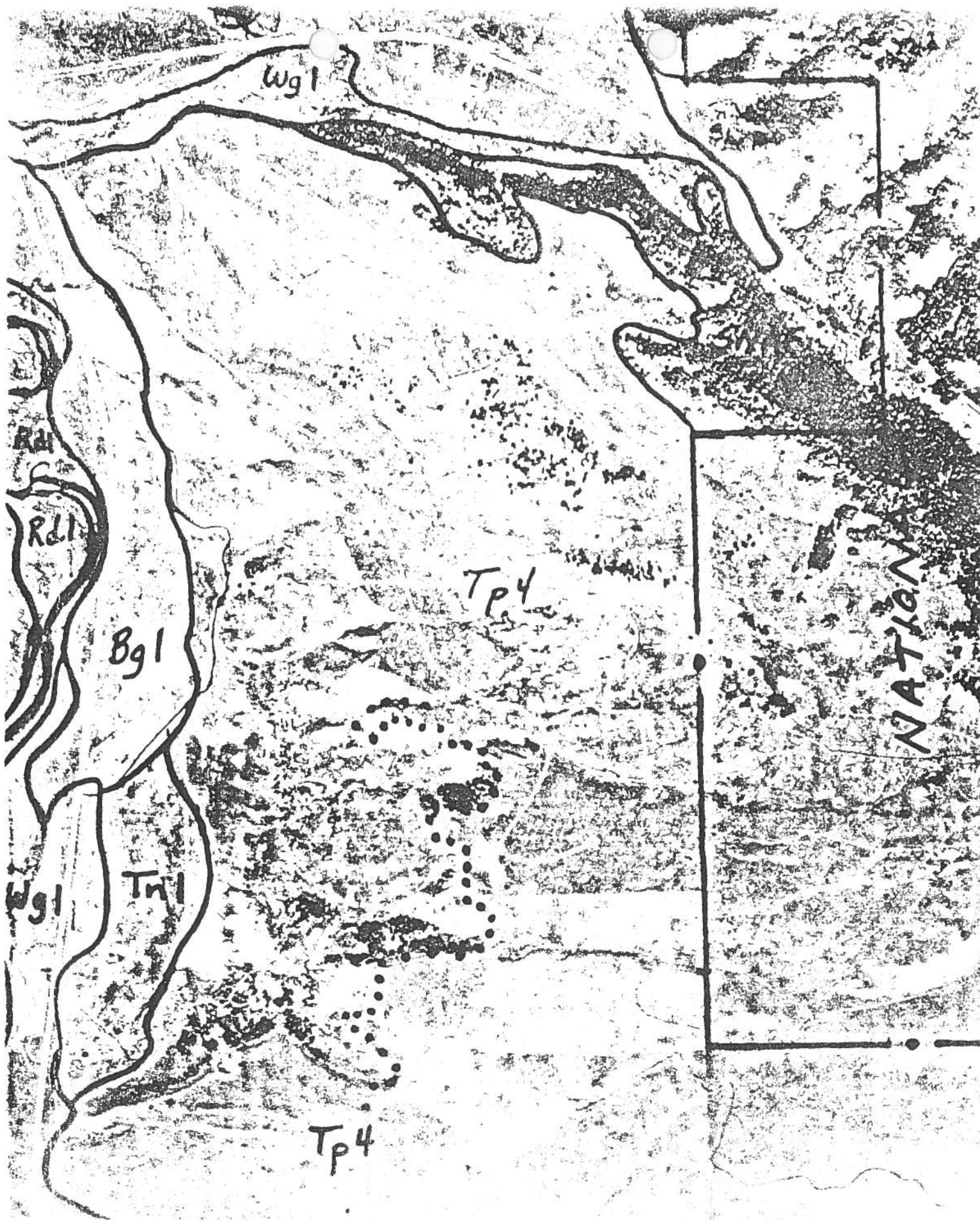
choose base number for intake family from table below based on texture
base number (#'s 1 through 7) = 5

6 6

#	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



GRADED BORDER EVALUATION

Job name: WHITECLOUD AREA
By: ADM

Location: TP4 10AC BASE 14DAY
Date: Feb 9, 1994

Roughness coefficient (n)= 0.250 Intake family (If)=3.00
Slope (S)= 0.0600 ft/ft Border width (W)= 35 ft
Net application (Fn)= 2.31 inches Border length (L)= 300 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Note:
0.60	Gross depth is less than required	gross application depth				
0.61	Gross depth is less than required	gross application depth				
0.62	Gross depth is less than required	gross application depth				
0.63	Gross depth is less than required	gross application depth				
0.64	Gross depth is less than required	gross application depth				
0.65	Gross depth is less than required	gross application depth				
0.66	Gross depth is less than required	gross application depth				
0.67	Gross depth is less than required	gross application depth				
0.68	Gross depth is less than required	gross application depth				
0.69	0.020	22.71	20.24	0.16	10.2	(2)
0.70	0.020	23.04	20.24	0.49	10.0	(2)
0.71	0.020	23.37	20.24	0.82	9.9	(2)
0.72	0.021	23.70	20.24	1.15	9.7	(2)
0.73	0.021	24.03	20.24	1.48	9.6	(2)
0.74	0.021	24.36	20.24	1.81	9.5	(2)

(2) Erosive stream-- non-sod forming crops.

GRADED BORDER EVALUATION

Job name: WHITECLOUD AREA
By: ADM

Location: TP4 10AC BASE 14DAY
Date: Feb 9, 1994

Roughness coefficient (n)= 0.250 Intake family (If)=3.00
Slope (S)= 0.0200 ft/ft Border width (W)= 35 ft
Net application (Fn)= 2.31 inches Border length (L)= 300 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Note
0.60	Gross depth is less than required	gross application depth				
0.61	Gross depth is less than required	gross application depth				
0.62	Gross depth is less than required	gross application depth				
0.63	Gross depth is less than required	gross application depth				
0.64	Gross depth is less than required	gross application depth				
0.65	Gross depth is less than required	gross application depth				
0.66	Gross depth is less than required	gross application depth				
0.67	Gross depth is less than required	gross application depth				
0.68	Gross depth is less than required	gross application depth				
0.69	0.020	22.71	20.25	0.15	10.2	
0.70	0.020	23.04	20.25	0.48	10.0	
0.71	0.020	23.37	20.25	0.81	9.9	
0.72	0.021	23.70	20.25	1.14	9.7	
0.73	0.021	24.03	20.25	1.47	9.6	
0.74	0.021	24.36	20.25	1.80	9.5	

GRADED BORDER EVALUATION

Job name: WHITECLOUD AREA
By: ADM

Location: TP4 10AC BASE 21DAY
Date:

Roughness coefficient (n)= 0.250 Intake family (If)=3.00
Slope (S)= 0.0600 ft/ft Border width (W)= 23 ft
Net application (Fn)= 2.31 inches Border length (L)= 300 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Note
0.40	Gross depth is less than required	gross application depth				
0.41	Gross depth is less than required	gross application depth				
0.42	Gross depth is less than required	gross application depth				
0.43	Gross depth is less than required	gross application depth				
0.44	Gross depth is less than required	gross application depth				
0.45	Gross depth is less than required	gross application depth				
0.46	0.020	23.04	20.24	0.49	10.0	(2)
0.47	0.020	23.54	20.24	0.99	9.8	(2)
0.48	0.021	24.04	20.24	1.49	9.6	(2)
0.49	0.021	24.54	20.24	1.99	9.4	(2)

(2) Erosive stream-- non-sod forming crops.

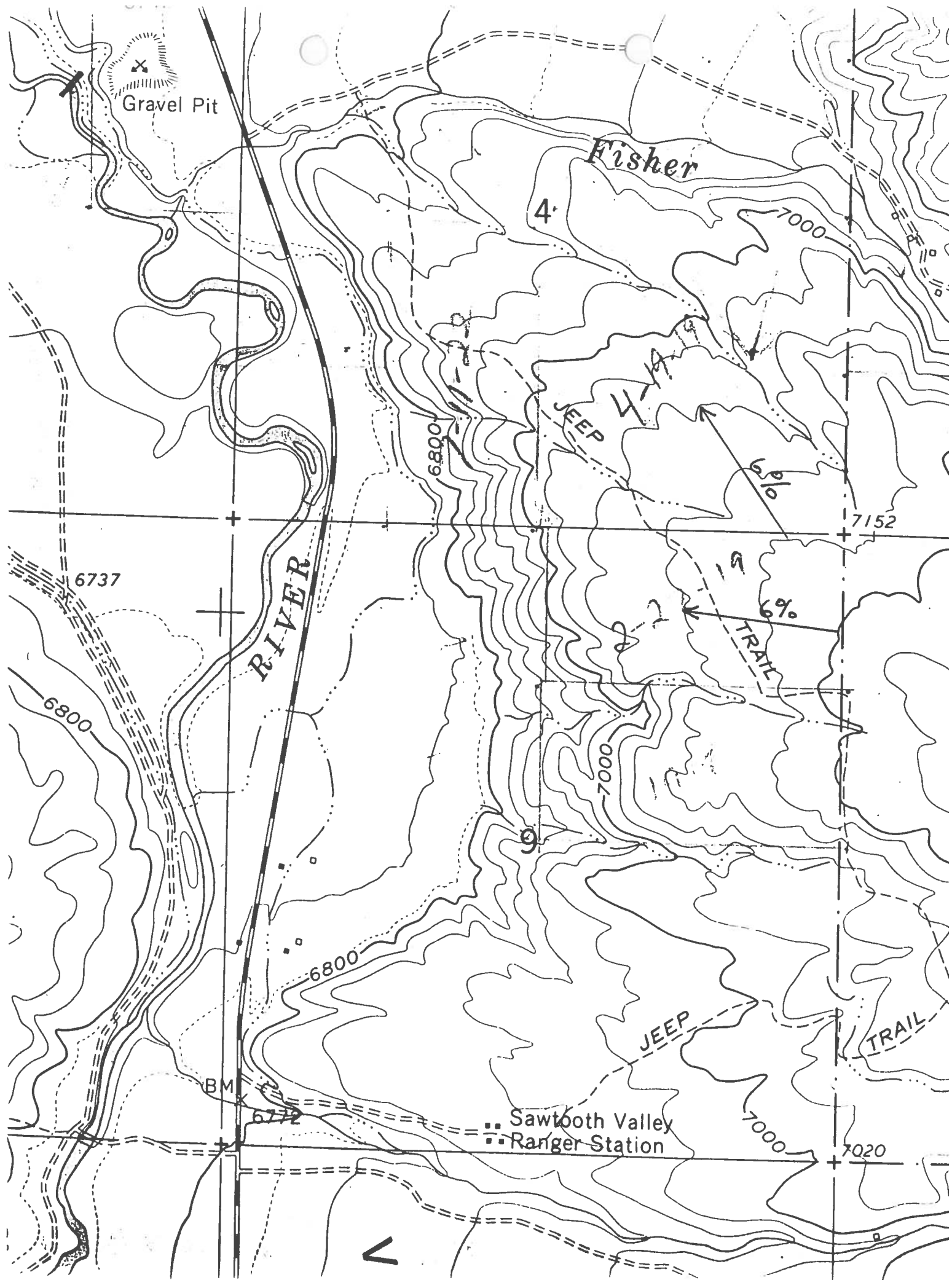
GRADED BORDER EVALUATION

Job name: WHITECLOUD AREA
By: ADM

Location: TP4 10AC BASE 21DAY
Date: Feb 9, 1994

Roughness coefficient (n)= 0.250 Intake family (If)=3.00
Slope (S)= 0.0200 ft/ft Border width (W)= 23 ft
Net application (Fn)= 2.31 inches Border length (L)= 300 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Note
0.40	Gross depth is less than required	gross application depth				
0.41	Gross depth is less than required	gross application depth				
0.42	Gross depth is less than required	gross application depth				
0.43	Gross depth is less than required	gross application depth				
0.44	Gross depth is less than required	gross application depth				
0.45	Gross depth is less than required	gross application depth				
0.46	0.020	23.04	20.25	0.48	10.0	
0.47	0.020	23.54	20.25	0.98	9.8	
0.48	0.021	24.04	20.25	1.48	9.6	
0.49	0.021	24.54	20.25	1.98	9.4	



HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS
FIRST INTERSTATE CENTER
877 MAIN STREET, SUITE 1000
POST OFFICE BOX 1617
BOISE, IDAHO 83701-617

TELEPHONE
(208) 344-6000

FAX
(208) 342-3829

KETCHUM OFFICE
319 WALNUT AVENUE
POST OFFICE BOX 297
KETCHUM, IDAHO 83340-0297

POCATELLO OFFICE
125 NORTH GARFIELD
POST OFFICE BOX 4167
POCATELLO, IDAHO 83205-4167

BRIAN L. BALLARD

December 9, 1993

RECEIVED

DEC 10 1993

Mr. Allen Merritt
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

Re: Sharlene Stahl

Dear Allen:

The enclosed maps should provide you with an adequate estimation of where Sharlene Stahl's property is located. Please let me know if you would require anything further.

Very truly yours,

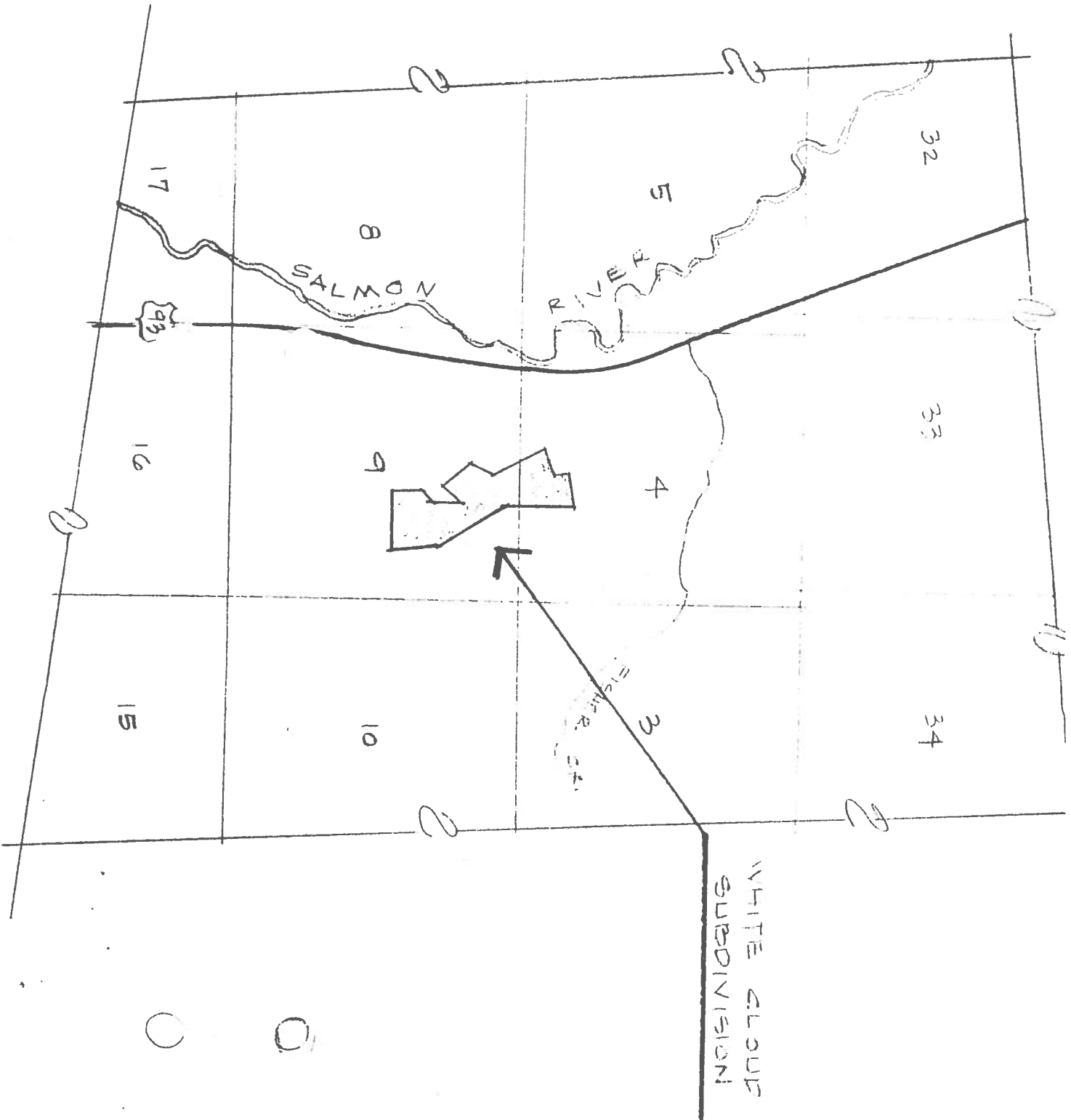
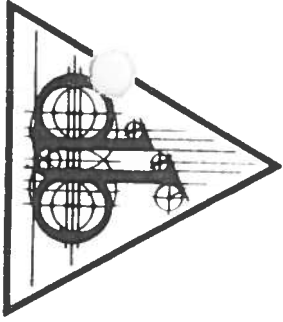
HAWLEY TROXELL ENNIS & HAWLEY

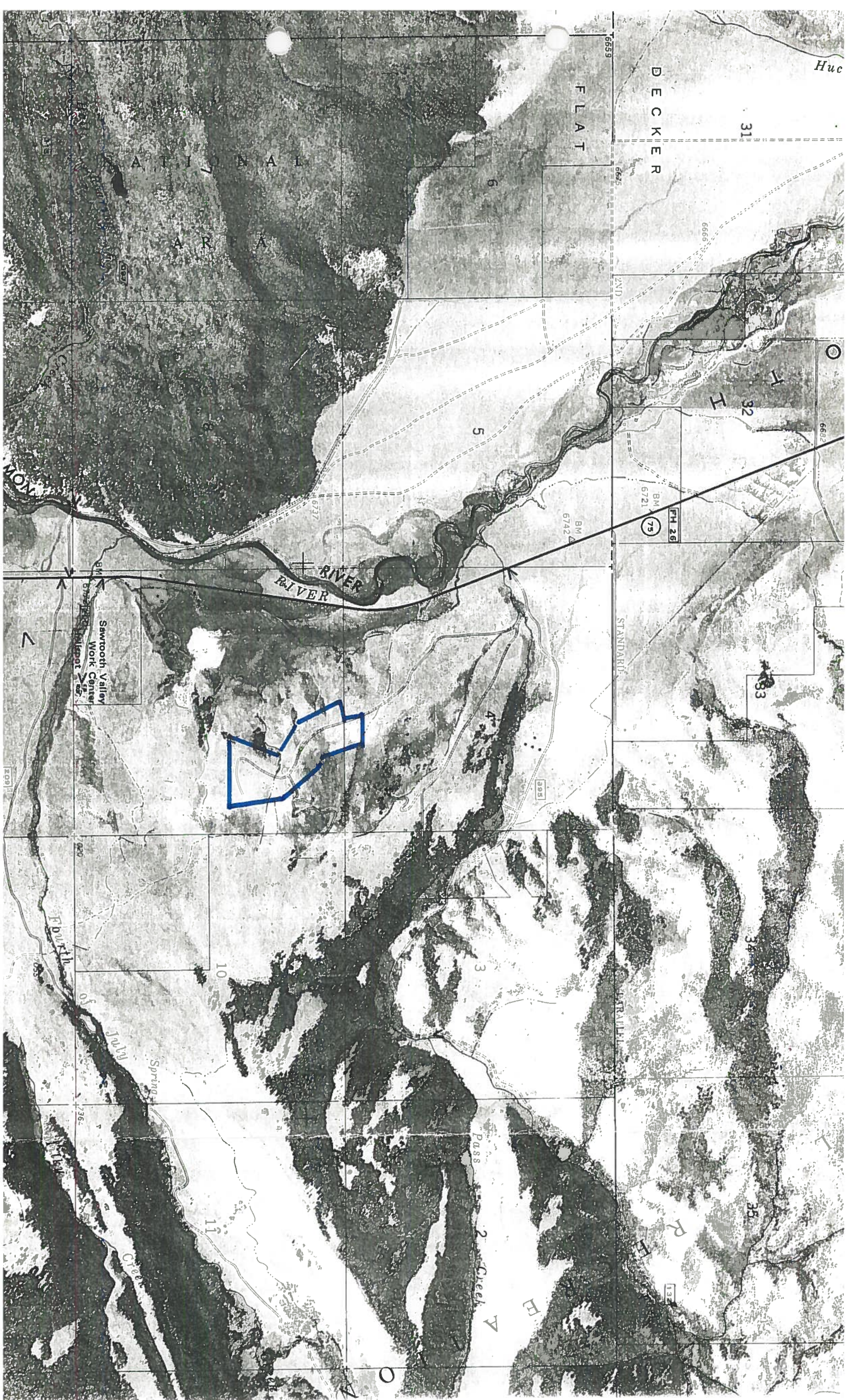
Brian L. Ballard

BLB/lkc

Enclosures

cc: Sharlene Stahl





Blue numbers were calculated w/
Anna Baumhoff at IDWR
9/19/91 in prep of claims

57 acres total
30 lots

1.9 acres ^{av.} ea lot

134 NOV 16 1965 07070

Silene in sections 4.3.3, 4.3.4, 4.3.5, 4.3.6, 4.3.7, 4.3.8, 4.3.9, 4.3.10, 4.3.11, 4.3.12, 4.3.13, 4.3.14, 4.3.15, 4.3.16, 4.3.17, 4.3.18, 4.3.19, 4.3.20, 4.3.21, 4.3.22, 4.3.23, 4.3.24, 4.3.25, 4.3.26, 4.3.27, 4.3.28, 4.3.29, 4.3.30, 4.3.31, 4.3.32, 4.3.33, 4.3.34, 4.3.35, 4.3.36, 4.3.37, 4.3.38, 4.3.39, 4.3.40, 4.3.41, 4.3.42, 4.3.43, 4.3.44, 4.3.45, 4.3.46, 4.3.47, 4.3.48, 4.3.49, 4.3.50, 4.3.51, 4.3.52, 4.3.53, 4.3.54, 4.3.55, 4.3.56, 4.3.57, 4.3.58, 4.3.59, 4.3.60, 4.3.61, 4.3.62, 4.3.63, 4.3.64, 4.3.65, 4.3.66, 4.3.67, 4.3.68, 4.3.69, 4.3.70, 4.3.71, 4.3.72, 4.3.73, 4.3.74, 4.3.75, 4.3.76, 4.3.77, 4.3.78, 4.3.79, 4.3.80, 4.3.81, 4.3.82, 4.3.83, 4.3.84, 4.3.85, 4.3.86, 4.3.87, 4.3.88, 4.3.89, 4.3.90, 4.3.91, 4.3.92, 4.3.93, 4.3.94, 4.3.95, 4.3.96, 4.3.97, 4.3.98, 4.3.99, 4.3.100, 4.3.101, 4.3.102, 4.3.103, 4.3.104, 4.3.105, 4.3.106, 4.3.107, 4.3.108, 4.3.109, 4.3.110, 4.3.111, 4.3.112, 4.3.113, 4.3.114, 4.3.115, 4.3.116, 4.3.117, 4.3.118, 4.3.119, 4.3.120, 4.3.121, 4.3.122, 4.3.123, 4.3.124, 4.3.125, 4.3.126, 4.3.127, 4.3.128, 4.3.129, 4.3.130, 4.3.131, 4.3.132, 4.3.133, 4.3.134, 4.3.135, 4.3.136, 4.3.137, 4.3.138, 4.3.139, 4.3.140, 4.3.141, 4.3.142, 4.3.143, 4.3.144, 4.3.145, 4.3.146, 4.3.147, 4.3.148, 4.3.149, 4.3.150, 4.3.151, 4.3.152, 4.3.153, 4.3.154, 4.3.155, 4.3.156, 4.3.157, 4.3.158, 4.3.159, 4.3.160, 4.3.161, 4.3.162, 4.3.163, 4.3.164, 4.3.165, 4.3.166, 4.3.167, 4.3.168, 4.3.169, 4.3.170, 4.3.171, 4.3.172, 4.3.173, 4.3.174, 4.3.175, 4.3.176, 4.3.177, 4.3.178, 4.3.179, 4.3.180, 4.3.181, 4.3.182, 4.3.183, 4.3.184, 4.3.185, 4.3.186, 4.3.187, 4.3.188, 4.3.189, 4.3.190, 4.3.191, 4.3.192, 4.3.193, 4.3.194, 4.3.195, 4.3.196, 4.3.197, 4.3.198, 4.3.199, 4.3.200, 4.3.201, 4.3.202, 4.3.203, 4.3.204, 4.3.205, 4.3.206, 4.3.207, 4.3.208, 4.3.209, 4.3.210, 4.3.211, 4.3.212, 4.3.213, 4.3.214, 4.3.215, 4.3.216, 4.3.217, 4.3.218, 4.3.219, 4.3.220, 4.3.221, 4.3.222, 4.3.223, 4.3.224, 4.3.225, 4.3.226, 4.3.227, 4.3.228, 4.3.229, 4.3.230, 4.3.231, 4.3.232, 4.3.233, 4.3.234, 4.3.235, 4.3.236, 4.3.237, 4.3.238, 4.3.239, 4.3.240, 4.3.241, 4.3.242, 4.3.243, 4.3.244, 4.3.245, 4.3.246, 4.3.247, 4.3.248, 4.3.249, 4.3.250, 4.3.251, 4.3.252, 4.3.253, 4.3.254, 4.3.255, 4.3.256, 4.3.257, 4.3.258, 4.3.259, 4.3.260, 4.3.261, 4.3.262, 4.3.263, 4.3.264, 4.3.265, 4.3.266, 4.3.267, 4.3.268, 4.3.269, 4.3.270, 4.3.271, 4.3.272, 4.3.273, 4.3.274, 4.3.275, 4.3.276, 4.3.277, 4.3.278, 4.3.279, 4.3.280, 4.3.281, 4.3.282, 4.3.283, 4.3.284, 4.3.285, 4.3.286, 4.3.287, 4.3.288, 4.3.289, 4.3.290, 4.3.291, 4.3.292, 4.3.293, 4.3.294, 4.3.295, 4.3.296, 4.3.297, 4.3.298, 4.3.299, 4.3.300, 4.3.301, 4.3.302, 4.3.303, 4.3.304, 4.3.305, 4.3.306, 4.3.307, 4.3.308, 4.3.309, 4.3.310, 4.3.311, 4.3.312, 4.3.313, 4.3.314, 4.3.315, 4.3.316, 4.3.317, 4.3.318, 4.3.319, 4.3.320, 4.3.321, 4.3.322, 4.3.323, 4.3.324, 4.3.325, 4.3.326, 4.3.327, 4.3.328, 4.3.329, 4.3.330, 4.3.331, 4.3.332, 4.3.333, 4.3.334, 4.3.335, 4.3.336, 4.3.337, 4.3.338, 4.3.339, 4.3.340, 4.3.341, 4.3.342, 4.3.343, 4.3.344, 4.3.345, 4.3.346, 4.3.347, 4.3.348, 4.3.349, 4.3.350, 4.3.351, 4.3.352, 4.3.353, 4.3.354, 4.3.355, 4.3.356, 4.3.357, 4.3.358, 4.3.359, 4.3.360, 4.3.361, 4.3.362, 4.3.363, 4.3.364, 4.3.365, 4.3.366, 4.3.367, 4.3.368, 4.3.369, 4.3.370, 4.3.371, 4.3.372, 4.3.373, 4.3.374, 4.3.375, 4.3.376, 4.3.377, 4.3.378, 4.3.379, 4.3.380, 4.3.381, 4.3.382, 4.3.383, 4.3.384, 4.3.385, 4.3.386, 4.3.387, 4.3.388, 4.3.389, 4.3.390, 4.3.391, 4.3.392, 4.3.393, 4.3.394, 4.3.395, 4.3.396, 4.3.397, 4.3.398, 4.3.399, 4.3.400, 4.3.401, 4.3.402, 4.3.403, 4.3.404, 4.3.405, 4.3.406, 4.3.407, 4.3.408, 4.3.409, 4.3.410, 4.3.411, 4.3.412, 4.3.413, 4.3.414, 4.3.415, 4.3.416, 4.3.417, 4.3.418, 4.3.419, 4.3.420, 4.3.421, 4.3.422, 4.3.423, 4.3.424, 4.3.425, 4.3.426, 4.3.427, 4.3.428, 4.3.429, 4.3.430, 4.3.431, 4.3.432, 4.3.433, 4.3.434, 4.3.435, 4.3.436, 4.3.437, 4.3.438, 4.3.439, 4.3.440, 4.3.441, 4.3.442, 4.3.443, 4.3.444, 4.3.445, 4.3.446, 4.3.447, 4.3.448, 4.3.449, 4.3.450, 4.3.451, 4.3.452, 4.3.453, 4.3.454, 4.3.455, 4.3.456, 4.3.457, 4.3.458, 4.3.459, 4.3.460, 4.3.461, 4.3.462, 4.3.463, 4.3.464, 4.3.465, 4.3.466, 4.3.467, 4.3

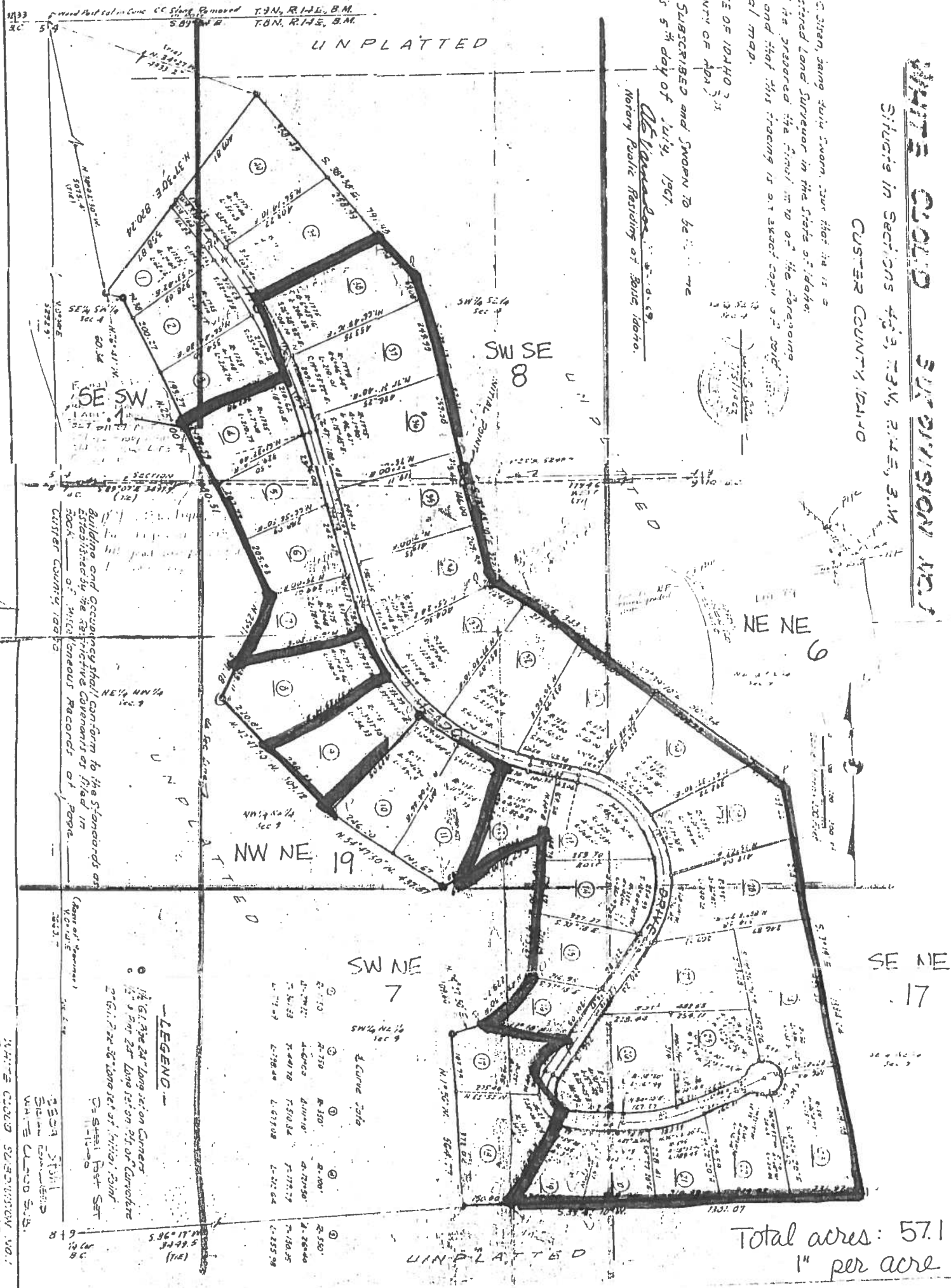
CUSTER COUNTY, IDAHO

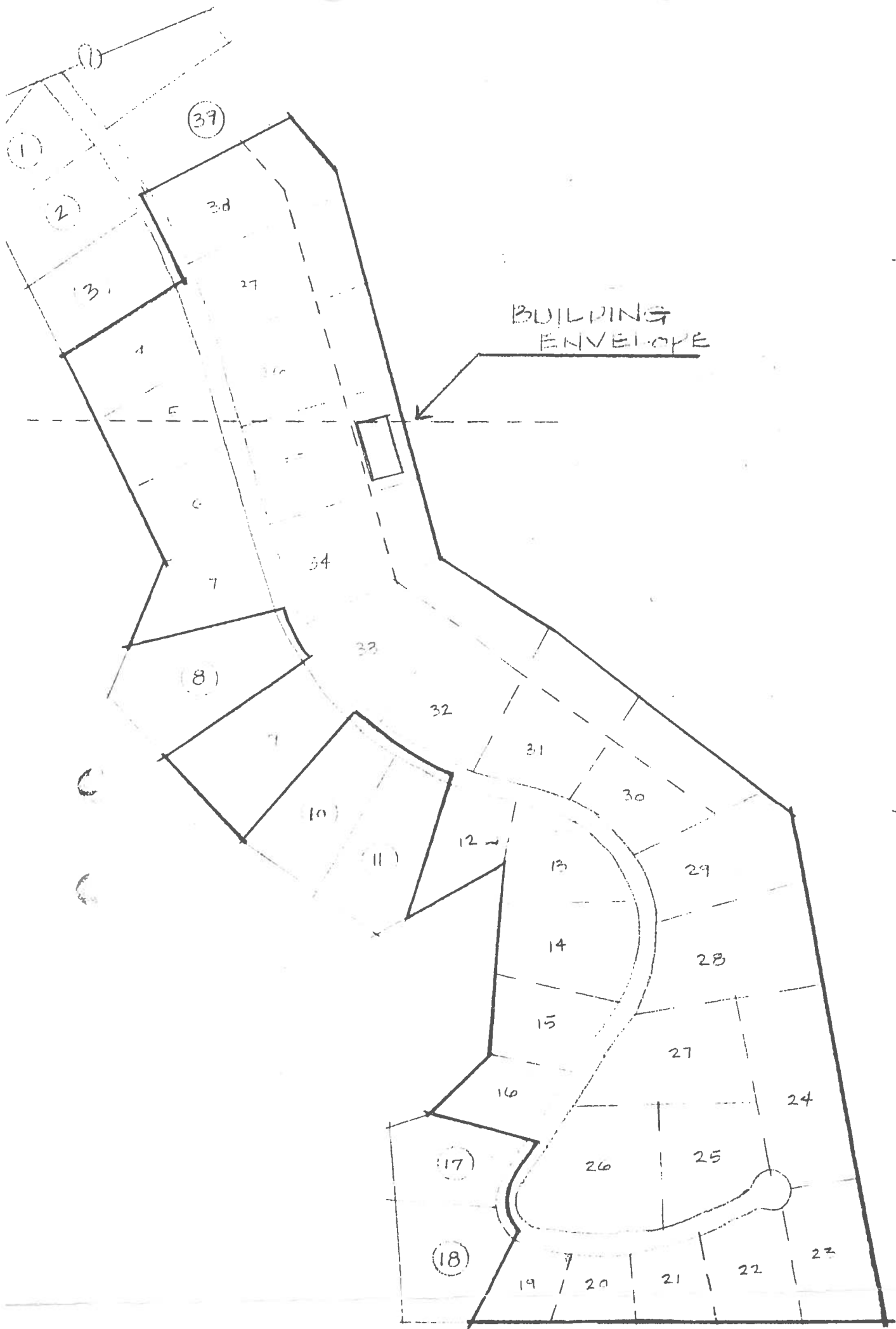
Ubel. Usten, being still young. But now he is registered land surveyor in the State's office; that is, he graduated the "Civil" map or the "Engineering" map and that his training is as exact as possible.

STATE OF IDAHO
COUNTY OF ADA

SUBSCRIBED and SWORN to be
this 5th day of July, 1967.

Attest: Notary Public Residing at Boise, Idaho.





SUBDIVISION PLAN

NO SCALE

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS
FIRST INTERSTATE CENTER
677 MAIN STREET, SUITE 1000
POST OFFICE BOX 1617
BOISE, IDAHO 83701-617

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POST OFFICE BOX 297
KETCHUM, IDAHO 83340-0297

POCATELLO OFFICE
125 NORTH GARFIELD
POST OFFICE BOX 4167
POCATELLO, IDAHO 83205-4167

BRIAN L. BALLARD

November 17, 1993

VIA FACSIMILE 736-3037

Allen Merritt
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Sharlene Stahl
Water Right Nos. 71-00033C, 71-00034E, 71-00035B

Dear Allen:

This is to provide you with a history of my involvement in these matters, and my assessment of the status of the water rights to which my client, Sharlene Stahl, is entitled. I request that this letter be considered at your meeting scheduled for today, together with the affidavits and deed I have already submitted.

In October of 1990, I specifically discussed the matter of water rights for White Cloud Subdivision with Noel Sitton, the selling agent for the owners of the property. She clearly communicated to me that Earnest E. Day, one of the owners of the property, represented that water rights appurtenant to the property were included in the sale.

Subsequently, I met first with Bob Worstel from the Twin Falls office of the I.D.W.R., and then with Anna Baumhoff, Senior Water Resource Agent with the Boise office of the I.D.W.R.

I retrieved from the I.D.W.R. the records regarding the water rights, including the Cavanaugh Decree of January 16, 1940, Water Rights Summary Reports, and Adjudication Listings of Water Rights claimed.

Specifically, in my meetings with Anna Baumhoff, it was determined that there were three decreed water rights appurtenant to the property being purchased by Sharlene Stahl, pursuant to the Cavanaugh Decree, to wit: 71-00033, 71-00034 and 71-00035. In particular the Adjudication Listing for A71-00034C, a copy of which I enclose herewith, set forth in the Remarks the following: "THIS WATER FOR IRRIGATED PASTURE LOCATED IN WHITE CLOUD SUBDIVISION." At the recommendation of Ms. Baumhoff, claims were filed on all three water rights.

HAWLEY TROXELL ENNIS & HAWLEY

Allen Merritt
November 17, 1993
Page 2

Clearly, at least as recently as October of 1990, the date of the Adjudication Listing enclosed herewith, Fred Humphreys and Ernest Day asserted a claim to water rights appurtenant to and being used specifically upon White Cloud Subdivision. This claim is substantiated by the confirmation of Mr. Day made to Noel Sitton and relayed to me. This claim is also substantiated by the Memorandum of Fred C. Humphreys, dated September 29, 1993, which says that White Cloud Subdivision "was all irrigated from Fourth of July Creek."

Apparently, and as further substantiated by the affidavits of Philip Coonts and Marie Osborne, there has been recent and continuing use of the water in White Cloud Subdivision. Further, as clear from the Memorandum of Humphreys and his letter of September 29, 1993, there was historical usage of Fourth of July Creek water upon Sharlene Stahl's property, although there may have been informal "leases" of this water, as recently as 1993.

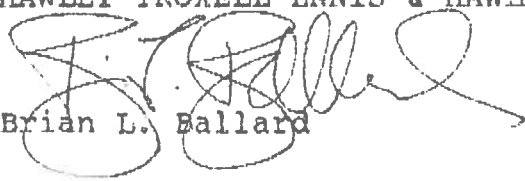
Mr. Humphreys states that "the lady who bought the surplus property and the last subdivided lot in the property is entitled to the water." "The lady" is Sharlene Stahl. Certainly, the water has not been abandoned or forfeited, as it has continuously been used by Mr. Humphreys, either within White Cloud Subdivision or elsewhere under the aforementioned informal arrangements.

Sharlene Stahl owns 57 acres. She is entitled to the decreed water rights appurtenant to this acreage as have been historically applied. The affidavits submitted and the letter and memorandum of Mr. Humphreys concur. It is hoped that your recommendations will correspond.

Please call if you have any questions or would require further discussion of these matters. As always, I thank you for your courtesy and cooperation.

Very truly yours,

HAWLEY TROXELL ENNIS & HAWLEY


Brian L. Ballard

BLB/lkc

Enclosures

cc: Sharlene Stahl

A35807NP
(SD-117)IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTSDATE: 10/12/90
PAGE: 4

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A71-00034C	GEYER M. MC VEY MRS. GEYER M. MC VEY MERTON O. MCVEY EMMA MCVEY X ID 0	02/27/1919	IRRIGATION	04-15 10-15	1.50 CFS	DECREED
	FRED HUMPHREYS ERNEST DAY 1919 S PHILLIPI BOISE ID 83705					
	MARK W. RICHEY 207 W WASHINGTON BOISE ID 837025592					
					1.50 CFS TOTAL 0.00 AFA TOTAL	
	SOURCE: FOURTH OF JULY CREEK OTHER RIGHTS: NONE CONDITIONS OF APPROVAL:					
	REMARKS: THIS WATER FOR IRRIGATED PASTURE LOCATED IN WHITE CLOUD SUBDIVISION.					
	POINT OF DIVERSION: T08N R14E S12					
	PLACE OF USE: IRRIGATION T08N R14E S04 T08N R14E S09					
	75.0 ACRES TOTAL					
			SWSE 15.0 NWSE 20.0			SESE 20.0

HAWLEY TROXELL ENNIS & HAWLEY
Attorneys and Counselors

First Interstate Center
877 Main Street, Suite 1000
Boise, Idaho 83702

Telephone: (208) 344-6000
FAX: (208) 342-3829
Electronic Data Transfer: (208) 344-8290

FAX COVER SHEET

November 17, 1993

Confidentiality Notice: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the US Postal Service. Thank you.

TO: Mr. Allen Merritt
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301
FAX number: 736-3037
Voice number:

FROM: Brian L. Ballard
HAWLEY TROXELL ENNIS & HAWLEY
HTEH File No. 31180-1

RE: Sharlene Stahl

PAGES: Number of pages, including this cover sheet: 4

CALL BACK: If the transmission to you was incomplete or not legible, please call the individual above listed at (208) 344-6000 or call the FAX operator at (208) 344-6000, ext. 640.

ADDITIONAL MESSAGE:

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

FIRST INTERSTATE CENTER
877 MAIN STREET, SUITE 1000
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BOISE, IDAHO 83701-617

TELEPHONE
(208) 344-6000

FAX
(208) 342-3829

KETCHUM OFFICE

319 WALNUT AVENUE
POST OFFICE BOX 297
KETCHUM, IDAHO 83340-0297

POCATELLO OFFICE

125 NORTH GARFIELD
POST OFFICE BOX 4167
POCATELLO, IDAHO 83205-4167

BRIAN L. BALLARD

November 15, 1993

RECEIVED

NOV 16 1993

Department of Water Resources
Southern Region Office

Mr. Allen Merritt
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Re: Sharlene Stahl

Dear Allen:

As per your request, enclosed please find the originals of the previously faxed documents and a copy of the recorded Warranty Deed. Please note that the Warranty Deed provides that all water rights appurtenant to the property are conveyed. Moreover, the Affidavits of Philip Coonts and Marie Osborne clearly indicate that water has been beneficially applied within recent years.

Thank you for your continuing courtesy and cooperation. Please call if you have any questions. I will, of course, be in contact if and when I obtain additional information.

Very truly yours,

HAWLEY TROXELL ENNIS & HAWLEY

Brian L. Ballard

BLB/lkc

Enclosures

cc: Sharlene Stahl

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NOV 16 1993

Department of Water Resources
Southern Region Office

ORIGINAL

AFFIDAVIT OF MARIE OSBORNE

COMES NOW, MARIE OSBORNE, being first duly sworn on oath, deposes and says:

1. My name is Marie Osborne. I am a resident of Custer County, Idaho. My address is 4 Shaw Mesa, Box 149 ^{STARLEY, -} ₈₃₋₂₇₈ My telephone number is 774-3559. I have been a resident of Custer County since 1972.

2. My property backs up to and abuts the property currently owned by Sharlene K. Stahl, which is more specifically described as Lots 4 through 7, 9, 12 through 16, 19 through 28, and 30 through 38 of the White Cloud Subdivision No. 1, located in Custer County, Idaho. As a result, I am familiar with Ms. Stahl's property and the activities that occur thereon.

3. My reason for making this Affidavit is to attest to the beneficial use of water on the property of Ms. Stahl.

4. I have personally observed the use of water for the purpose of irrigation on Ms. Stahl's property. Water has been used on this property continuously for the purpose of irrigation since at least the early 1970s to within the last five years. To the best of my recollection, I last observed the use of water for irrigation purposes on this property in the summer of 1990.

Further your affiant sayeth naught.

A. Marie Osborn
MARIE OSBORNE

STATE OF IDAHO)

County of Custer)

ss.

SUBSCRIBED AND SWORN before me this 24th day of SEP
September, 1993.

Russell A. McCay
Notary Public for Idaho
Residing at Stanley, Idaho 83278
My commission expires 4-24-97

RECEIVED

NOV 16 1993

Department of Water Resources
Southern Region Office

ORIGINAL

AFFIDAVIT OF PHILIP COONTS

COMES NOW, PHILIP COONTS, being first duly sworn on oath, deposes and says:

1. My name is Philip Coonts. I am a resident of Custer County, Idaho. My address is HC64 Box 9908 Stanley 8327. My telephone number is 774-3341. I have been a resident of Custer County since 1972, seasonally and year-round.

2. I have performed various caretaking, maintenance and other functions for Marie Osborne since 1979. The property of of Ms. Osborne backs up to and abuts the property of Sharlene K. Stahl, which is more specifically identified as Lots 4 through 7, 9, 12 through 16, 19 through 28 and 30 through 38 of the White Cloud Subdivision No. 1, located in Custer County, Idaho. I am available throughout the year to provide necessary services for the property owners in this area and have been hired to perform various services for the neighbors of Ms. Osborne including Robert Brady, Winston Lauder and Ms. Stahl. As a result, I frequently visit the area around Ms. Stahl's property and am familiar with Ms. Stahl's property and the activities that occur thereon.

3. My reason for making this Affidavit is to attest to the beneficial use of water on the property of Ms. Stahl.

4. I have personally observed the use of water for the purpose of irrigation on Ms. Stahl's property. Water has been used on this property continuously for the purpose of irrigation since at least the early 1970s to within the last five years. To the best of my recollection, I last observed the use of water for irrigation purposes on this property in the summer of 1990.

Further your affiant sayeth naught.

Philip Coonts
PHILIP COONTS

STATE OF IDAHO)
County of Custer) ss.

SUBSCRIBED AND SWORN before me this 28th day of
September, 1993.

Colleen Nixon
Notary Public for Idaho
Residing at Starley, Idaho
My commission expires 7-1-98

WARRANTY DEED

WARRANTY DEED

RECEIVED

NOV 16 1993

For Value Received: ERNEST E. Day & Lois H. Day, husband & wife, Donald M. Day & Suzanna Day, husband & wife, Robert L. Day & Charlotte L. Day, husband & wife, James E. Bruce & Lois Bruce, husband & wife, Charles D. Day & Leota Day, husband & wife, Fred C. Humphreys & Christine A. Humphreys, husband & wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
Sharlene K. Stahl, Trustee for the Sharlene K. Stahl Trust
whose address is: 421 Vista de la Ploya, Santa Barbara, CA, 93109

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

Lots 4, 5, 6, 7, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37 and 38 of White Cloud Subdivision No. 1, Custer County, Idaho, according to the official plat thereof on file in the Office of the County Recorder of Custer County, Idaho.

Also:

Lot 29 of White Cloud Subdivision No. 1, according to the official plat thereof on file in the Office of the County Recorder of Custer County, Idaho excepting therefrom: the Northerly 16 feet of said Lot 29.

Together with all water rights appurtenant thereto, provided however that Grantor makes no representations or warranties to water rights, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: November 13, 1990

Ernest E. Day
Ernest E. Day
Donald M. Day
Donald M. Day
Robert L. Day
Robert L. Day
James E. Bruce
James E. Bruce
Charles D. Day
Charles D. Day
Fred C. Humphreys
Fred C. Humphreys

Lois H. Day
Lois H. Day
Suzanna Day
Suzanna Day
Charlotte L. Day
Charlotte L. Day
Lois Bruce
Lois Bruce
Leota Day
Leota Day
Christine A. Humphreys
Christine A. Humphreys

Notary Public

County of Blaine

On Nov 24, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared Ernest E. Day and Lois H. Day, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose names are subscribed to the within instrument and acknowledged by me that he/she/they executed the same.

Witness my hand and official seal.

Mary E. Kellner
Notary Public



Post-It [®] brand fax transmittal memo 7671		# of pages > 8
To: <u>Bryan Ballard</u>	From: <u>Charles</u>	
Co.:	Co.:	
Dept.:	Phone #	
Fax # <u>344-6505</u>	Fax #	

COPY

178088
RECEIVED

NOV 16 1993

Department of Water Resources
Southern District OfficeState of IllinoisCounty of Rock

On November 1, 1993 before me, the undersigned, a Notary Public in and for said State, personally appeared Donald M. Day and Suzanne Day, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature Mary B. KelleherCommission Expires 3-20-94State of IllinoisCounty of Rock

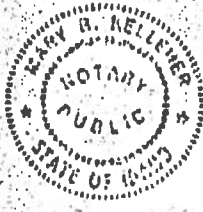
On November 18, 1993 before me, the undersigned, a Notary Public in and for said State, personally appeared Robert L. Day and Charlotte L. Day, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature Mary B. KelleherCommission Expires 3-20-94State of IllinoisCounty of Rock

On Nov 27, 1993 before me, the undersigned, a Notary Public in and for said State, personally appeared James S. Bruce and Lois Bruce, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature Mary B. KelleherCommission Expires 3-20-94State of IllinoisCounty of Rock

On November 29, 1993 before me, the undersigned, a Notary Public in and for said State, personally appeared Charles D. Day and Laura Day, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature Mary B. KelleherCommission Expires 3-20-94

1980's

State of Idaho

County of Blaine

On 13th day of Nov. 1991 before me, the undersigned, a Notary Public in and for said State, personally appeared Fred C. Humphreys and Christine A. Humphreys, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Signature of Notary Public
Commission Expires 12-14-92
Notary Public
State of Idaho

RECEIVED

NOV 6 1993

Department of Water Resources
Southern Region Office

0192025
Custer County Reg. of
First American Bank
Time 2:30 P.M.
1-15-1991
Ethel M. Pock, Clerk
Hanna, Deputy
\$ 9.00

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.

lb

M E M O R A N D U M

OCT 01 1993

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	Claimed O W N	Decreed Priority Date	Stg/ Sts	Source	Use Code Desc
A71-00028	HUMPHREYS, FRED DAY, ERNEST	4.20 C	06/09/1908	D/	FISHER CREEK	01 IRR
A71-00029	HUMPHREYS, FRED DAY, ERNEST	2.25 C	03/22/1910	D/	FISHER CREEK	01 IRR
A71-00030	RENUMBERED CLAIM, SPLIT RIGHT,	C	06/09/1908	/Z	FISHER CREEK RENUMBERED CLAIM SPLIT RIGHT	01 IRR
A71-10085	George Cook	0.10 C	06/09/1908	D/	FISHER CREEK	01 IRR
A71-00030A	BRADY, J. ROBB	0.07 C	06/09/1908	D/	FISHER CREEK	01 IRR
A71-00030B	WO-HE-LO SUBDIVISION	0.16 C	06/09/1908	D/	FISHER CREEK	01 IRR
A71-00030C	STONE, RICHARD LARRY	1.40 C	06/09/1908	D/	FISHER CREEK	01 IRR
A71-00031	SPLIT RIGHT, RENUMBERED CLAIM,	C	03/22/1910	/Z	FISHER CREEK RENUMBERED CLAIM SPLIT RIGHT	01 IRR
A71-00031A	BRADY, J. ROBB	0.04 C	03/22/1910	D/	FISHER CREEK	01 IRR
A71-00031B	STONE, RICHARD LARRY	0.75 C	03/22/1910	D/	FISHER CREEK	01 IRR
A71-00033	SPLIT RIGHT,	C	05/21/1918	/Z	FOURTH OF JULY C	01 IRR
A71-00033			05/21/1918	/Z	SPLIT RIGHT	
A71-00033A	MITCHELL, MARY J. MITCHELL, JAMES B.	0.21 C	05/21/1918	D/	FOURTH OF JULY C	01 IRR
A71-00033B	HUMPHREYS, FRED DAY, ERNEST	0.90 C	05/21/1918	D/	FOURTH OF JULY C	01 IRR
A71-00033C	STAHL TRUST, SHARLENE	0.42 C	05/21/1918	D/	FOURTH OF JULY C	01 IRR
A71-00033D	LAUDER, WINSTON LAUDER, JOANNE	0.02 C	05/21/1918	D/	FOURTH OF JULY C	04 STOCK 43 DOMEST
A71-00034	SPLIT RIGHT,	C	02/27/1919	/Z	FOURTH OF JULY C	01 IRR
A71-00034A	OSBORN, ALMA MARIE	0.33 C	02/27/1919	D/	FOURTH OF JULY C	01 IRR
A71-00034B	STANFORD, CHARLOTTE	0.20 C	02/27/1919	D/	FOURTH OF JULY C	01 IRR
A71-00034C	HUMPHREYS, FRED DAY, ERNEST	1.50 C	02/27/1919	D/	FOURTH OF JULY C	01 IRR
A71-00034D	BRADY, J. ROBB	0.10 C	02/27/1919	D/	FOURTH OF JULY C	01 IRR
A71-00034E	STAHL TRUST, SHARLENE	0.56 C	02/27/1919	D/	FOURTH OF JULY C	01 IRR
A71-00035	SPLIT RIGHT,	C	04/19/1919	/Z	FOURTH OF JULY C	01 IRR
A71-00035A	BRADY, J. ROBB	2.20 C	04/19/1919	D/	FOURTH OF JULY C	01 IRR
A71-00035B	STAHL TRUST, SHARLENE	0.12 C	04/19/1919	D/	FOURTH OF JULY C	01 IRR
A71-00035C	HUMPHREYS, FRED DAY, ERNEST	3.00 C	04/19/1919	D/	FOURTH OF JULY C	01 IRR
A71-00036	SPLIT RIGHT,	C	07/11/1922	/Z	FOURTH OF JULY C	01 IRR
A71-00036A	FUREY, JACK B. RECINE, JR., LOUIS F.	1.80 C	07/11/1922	D/	FOURTH OF JULY C	01 IRR
A71-00036B	HUMPHREYS, FRED DAY, ERNEST	2.40 C	07/11/1922	D/	FOURTH OF JULY C	01 IRR
A71-00036C	BRADY, J. ROBB	0.80 C	07/11/1922	D/	FOURTH OF JULY C	01 IRR
A71-00037	RENUMBERED CLAIM, SPLIT RIGHT,	C	04/19/1919	/Z	FISHER CREEK RENUMBERED CLAIM	01 IRR
A71-00037			04/19/1919	/Z	SPLIT RIGHT	
A71-00037A	BRADY, J. ROBB	0.08 C	04/19/1919	D/	FOURTH OF JULY C	01 IRR
A71-00037B	STONE, RICHARD LARRY	1.60 C	04/19/1919	D/	FISHER CREEK	01 IRR
A71-00038	BRADY, J. ROBB	3.90 C	01/30/1939	D/	FOURTH OF JULY C	01 IRR

↑

Disallow

BSIDIAN

T. S. Q/Q

P/D

PHOTO

DT.&ID.

V-70

Manjorie Shaw

71-00028
71-00029

Fisher

FH 26

BM
6721

75

STANDARD

BM
6742

Cancelled McVey
71-00030
71-00031
71-00032
71-00033
4th July

Fisher

Cancelled
71-00038
4th July

Pass

6737

RIVER
20

00036

71-00035
4th July

71-00033
4th July

Sawtooth Valley
Work Center
Helipad

Spring

Fourth

July

Wilku

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 yesteday 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.

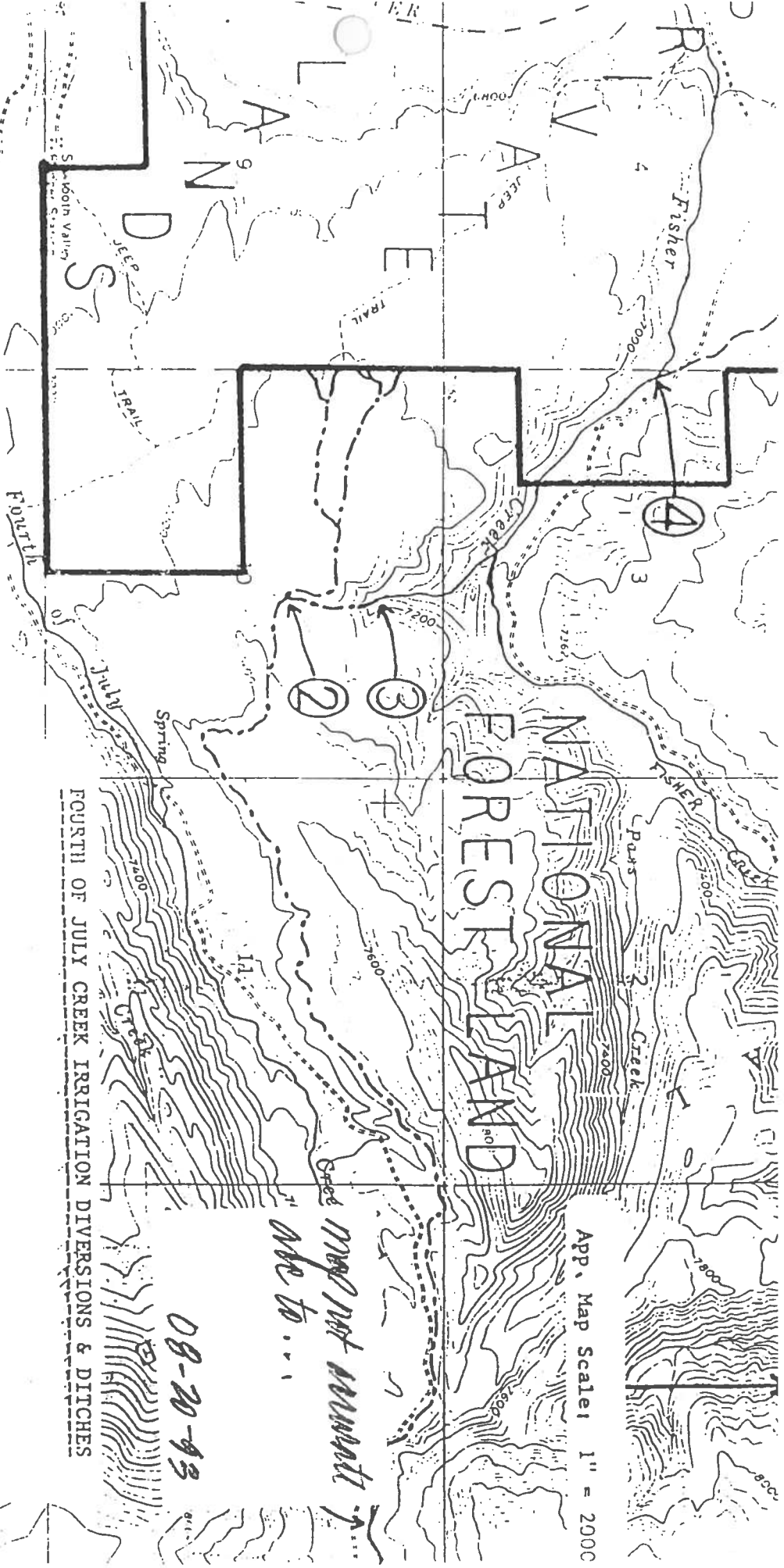
Sorry I missed you.

Sincerely,



Fred C. Humphreys
President

Enclosure



App. Map Scale: 1" = 2000

08-20-93

*See map not accurate
due to...*

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 Humboldt/19th Divisions