

NAME:

PETERS

CLAIM: 71-00040H

CORRESPONDENCE



EVIDENCE OF

PRIORITY

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: **A71-00040H**
Date Received: 1/11/1990
Receipt No: X777777
Received By: _____

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

1. Name: JAMES R PETERS
Address: 605 BROAD RUN ROAD
WEST CHESTER PA

610-793-2117

19382

2. Date of Priority: MAY 1, 1912

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	12E	4	SW	NW	NE		CUSTER

5. Description of diverting works:
ROCK DIVERSIONS, COLLECTION DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.430		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	12E	11	NE	NE		IRR	14.7
			SW	NE		IRR	8.6
			SE	NE		IRR	15.1
			NE	SE		IRR	1.3
			NW	SE		IRR	0.3

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
		12	SW	NW	IRR	3.0
					Section Acres	3.0
					Total Acres	43.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A71-00039H

14. Remarks:

P/U IS H.E.S. 109.

THIS IS FOR A 2/3 PORTION OF WR 71-00040.

***THE ORIGINAL CLAIM A71-00040B WAS SPLIT BASED UPON THE FORMER OWNER'S SIGNATURE ON FORM 42-1409(7). THE SPLIT IS AS FOLLOWS:

PART C TO BERMAN FOR 1.93 CFS

PART D TO BRUBAKER FOR 0.47 CFS FOR LOT 6 OF THE THOMPSON CREEK RANCH SUBDIVISION. KKC 5-8-95

CLAIM SPLIT ON 7-26-1996 BY KKC. OWNERSHIP CHANGE BASED UPON SF 1409-(7) SIGNED BY NEW OWNER WITH WARRANTY DEED. PROPORTIONATE SPLIT BASED UPON THE RECOMMENDED PLACE OF USE TABLE I CREATED.

PART E TO HILL FOR 1.04 CFS (FOR LOTS 1,2, & 3 OF SUBDIVISION)

PART F TO BERMAN FOR 0.89 CFS (FOR LOTS 4 & 5 OF SUBDIVISION).

AN ADMINISTRATIVE MODIFICATION WAS MADE TO THE PLACE OF USE TO REFLECT THE PLACE OF USE AS IDENTIFIED THROUGH THE GIS PROCESS. THIS IS CONSIDERED A MODIFICATION OF THE SPLIT DURING THE CHANGE OF OWNERSHIP PROCESS. THE DIVERSION RATE FOR THIS SPLIT WAS ALSO MODIFIED TO REFLECT THE PLACE OF USE CHANGE KKC 3-27-98

PART E TO HILL FOR 1.08 CFS (FOR LOTS 1,2, & 3 OF SUBDIVISION)

PART F TO BERMAN FOR 0.84 CFS (FOR LOTS 4 & 5 OF SUBDIVISION).

OWNERSHIP CHANGE AND SPLIT RIGHT DATA ENTERED ON 3-30-98 BY KKC. PART F WAS SPLIT INTO PARTS G AND H BASED UPON THE GIS PLACE OF USE CALCULATIONS AND PROPORTIONATE RATE PER ACRE CALCULATIONS.

PART G REFLECTS THE IRRIGATED GROUND ONLY, IN THE PLACE OF USE.

PART H PLACE OF USE CONATAINS BOTH IRRIGATED GROUND AND NON IRRIGATED GROUND

PART G TO MANONEY FOR 0.41 CFS (FOR LOT 4 OF THE SUBDIVISION).

PART H TO PETERS FOR 0.43 CFS (FOR LOT 5 OF THE SUBDIVISION).

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/16/1940

DAN J. CAVANAGH

Decree Plaintiff

WM. MERRITT, ET AL

vs Decree Defendant



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 31, 1998

JAMES R PETERS
605 BROAD RUN ROAD
WEST CHESTER PA 19382

RE: CHANGE OF OWNERSHIP AND MODIFICATION TO ADJUDICATION CLAIMS
A71-00039B, A71-00040B, AND A71-10136 AND SUBSEQUENT SPLITS

Dear Mr Peters

I have enclosed documents that cover the history of the original adjudication claims filed by Mr Berman, as modified through the GIS process, for all ownership changes including your purchase of lot 5 of the Thompson Creek Subdivision. Normally, I do not provide a history of ownership changes prior to the current change, but as most all claims have been modified and I have to notify other owners as well, I created a packet to allow each individual to review those changes to see the effect on their portion of the original claims.

This project became complex only in that the subdivision was created with boundaries that lay approximately 42° to the quarter/quarter (QQ) lines. As water rights have historically been recorded by irrigated ground per QQ the diagonal lots create QQs with small acreage that was difficult to calculate using equipment previously available. The GIS program allows for more accurate identification of small acreage per QQ therefore the driving factor for the modifications.

I have included a chart, a split tree, a reevaluation analysis, and a GIS layout showing the subdivision to assist you in the review of the packet.

If you have any questions please contact this office and I will assist you.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures



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

March 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DANIEL L. BERMAN
50 S MAIN ST STE 1250
SALT LAKE CITY UT 84144

RE: CHANGE OF OWNERSHIP AND MODIFICATION TO ADJUDICATION CLAIMS
A71-00039B, A71-00040B, AND A71-10136 AND SUBSEQUENT SPLITS

Dear Mr. Berman

I have enclosed documents that cover the history of the original adjudication claims you filed and as modified through the GIS process, for all ownership changes of the Thompson Creek Subdivision. Normally, I do not provide a history of ownership changes prior to the current change, but as most all claims have been modified and I have to notify other owners as well, I created a packet to allow each individual to review those changes to see the effect on their portion of the original claims.

This project became complex only in that the subdivision was created with boundaries that lay approximately 42° to the quarter/quarter (QQ) lines. As water rights have historically been recorded by irrigated ground per QQ the diagonal lots create QQs with small acreage that was difficult to calculate using equipment previously available. The GIS program allows for more accurate identification of small acreage per QQ therefore the driving factor for the modifications.

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If you have any questions please contact this office and I will assist you.

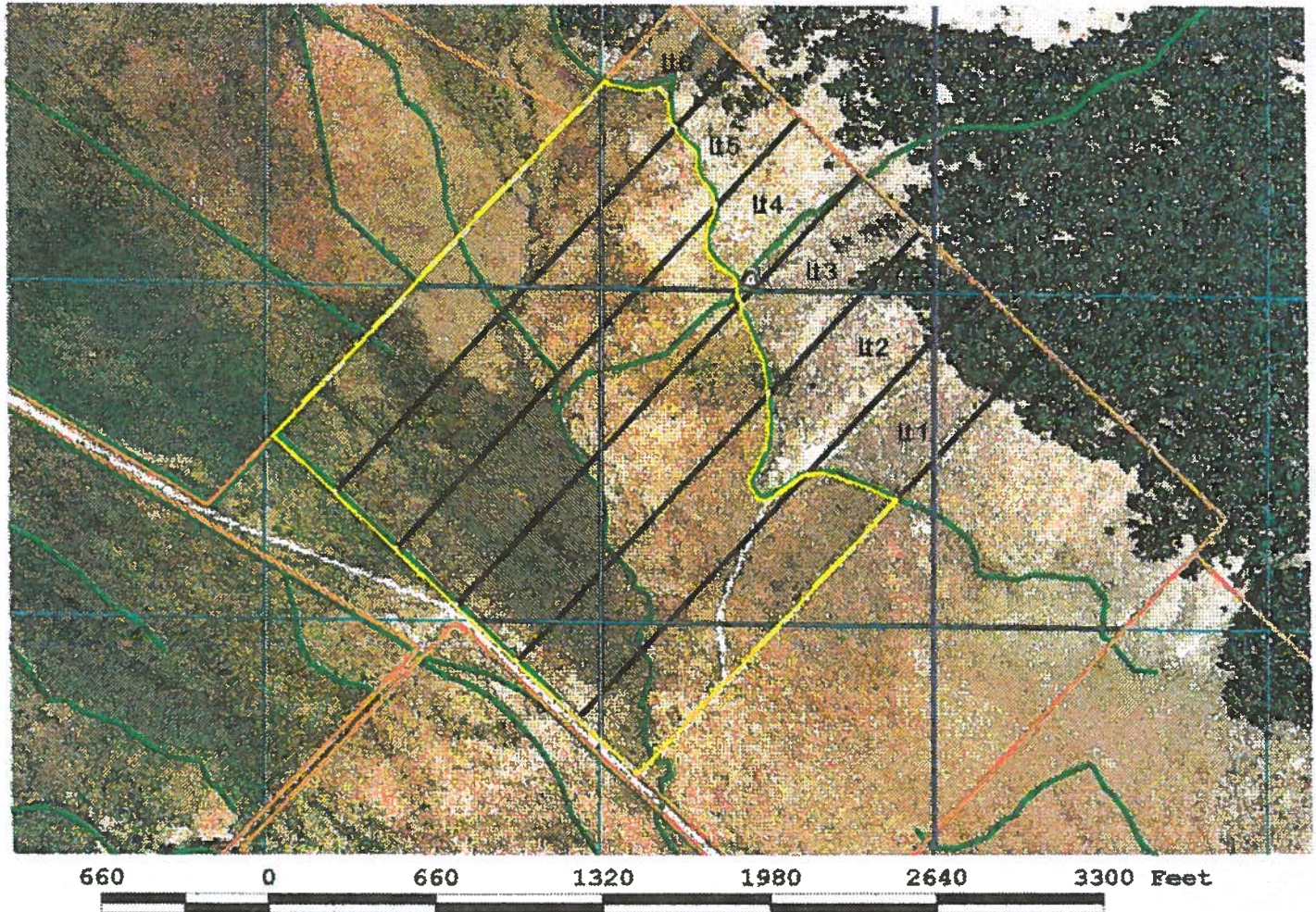
Sincerely

Kelly K Christensen
Sr Water Resource Agent

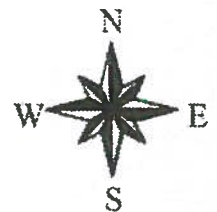
Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

FOR SPLITS RELATING TO, 71-00039, 71-00040, & 71-10136 HES- 109 (part) THOMPSON CREEK SUBDIVISION



RECOMMENDED PLACE OF USE
VALLEY AND MC GOWAN CR = 76.5 ACRES
THOMPSON CR = 24 ACRES
DATA ENTRY ON MARCH 5, 1998
TWP 11N, RNG 12E,
SEC 11 NE1/4, & N1/2SE1/4



- RECOMMENDED PLACE OF USE
- RECOMMENDED POINT OF DIVERSION
- SECTION LINES
- QUARTER QUARTER LINES
- THOMPSON CREEK SUBDIVISION
- HOMESTEAD ENTRY BOUNDARY
- STREAM AND DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
1992 USFS PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

OCT 30 1996

Please print or type
(see instructions on back of page)

Department of Water Resources
Southern Region

DATE OF CLOSING: 9/20/96

LEGAL DESCRIPTION OF PROPERTY: Township 11 North Range 12 East
Section 11, 1/4 of 1/4 of 1/4, Govt. Lot, BM.
Lot, Block, Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet.

Thompson Creek Ranch Subdivision, Lot 5

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s) A portion of A71-00039B, A71-00040B, A71-10136
Assigned by IDWR:

[] Name and Address of Former Owner/Claimant(s)(Seller): Daniel L. Berman
50 S. Main St. Suite 1250

[] New Owner/Claimant (Purchaser): Salt Lake City, UT 84144
James R. Peters

[] New Mailing Address: 605 Broad Run Road
West Chester, PA 19382

[] New Telephone Number: (610) 793 - 2117

[] Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

See attached letter from the Idaho Department of Water Resources dated April 12, 1995

[] Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s): James R. Peters Date 9/26/96

[] Signature of Former Owner/Claimant(s): Daniel L. Berman Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



REEVALUATION OF THOMPSON CREEK SUBDIVISION LOTS AS IT AFFECTS ADJUDICATION CLAIMS BASED ON 71-00039, 71-00040, AND A71-10136

The department has adopted the computerized Geographic Information System (GIS) as the tool of the future for water rights recording and analysis. This tool provides a greater degree of accuracy, a visual representation of the place of use, and is less prone to error.

The initial claims filed by Mr Berman have currently been proportionately split three different times based upon ownership changes for specific subdivision lots. The original splits of these rights were based upon orthophotography and planimeter acre calculations. The GIS process has calculated the place of use by both overall acreage and acreage by quarter/quarters within each lot (GIS maps attached.) Through GIS there has been a slight acre shift for the irrigated ground within the subdivision and this shift is the basis for the modification of the splits of the original claims.

As a unit GIS calculated an additional 3.5 acres irrigated under adjudication claims A71-00039B and A71-00040B. More acres were claimed under those two rights than was found irrigated. All non-irrigated acres stayed with the split portion that was under Mr Berman's name. As the splits were made, only actually irrigated acres were split from the base right for (A71-00039D & A71-00040D the Brubaker sale), (A71-00039E & A71-00040E the Hill sale), and (A71-00039G & A71-00040G the Mahoney sale). The place of use for (A71-00039H & A71-00040H the Peters sale) includes the recognized 13.8 irrigated acres and the balance of 29.2 non-irrigated acres. The recommendation to the SRBA court will not reflect non-irrigated acres.

Again using GIS, an additional 6 acres irrigated were identified under claim A71-10136. They bring the total irrigated place of use under A71-10136 to three acres more than claimed. That shortage is currently identified under A71-10136B and will be addressed specifically with the Hills.

Because of the increase in acres and the shift within each lot, the proportional rate that is appurtenant to each lot also changed in most cases. See the attached table showing the place of use segregated by lot and quarter/quarter. See also, the attached split tree that identifies the appurtenant diversion rates per lot.

SALE TO BRUBAKER (lot 6)

The required modifications begin with the first change of ownership where lot 6 was sold to Mr Brubaker.

PLACE OF USE COMPARISON			
lot no.	original lot acres	gis lot acres	proportionate share of P/U
6	14.5	15	20%

MODIFICATION SUMMARY

claim number	original div rate	gis div rate	original acres	gis acres
A71-00039D	.16 cfs	.16 cfs	14.5	15.0
A71-00040D	.48 cfs	.48 cfs	14.5	15.0
A71-00039C	.64 cfs	.64 cfs	88.5	88.0
A71-00040C	.48 cfs	.48 cfs	88.5	88.0

The found irrigated acreage increased $\frac{1}{2}$ acre and the place of use by quarter/quarter (QQ) has also changed. This, however, did not change the proportionate diversion rate for either right. All four rights have been modified to reflect the $\frac{1}{2}$ acre and QQ change. This data reflects irrigated ground only.

SALE TO HILL (lots 1, 2, and 3)

This sale includes a change in acres and also the proportionate rate per acre, therefore, the six rights (post split) have been modified as follows:

PLACE OF USE COMPARISON						
for A71-00039E & A71-00040E				for A71-10136A		
lot no.	original lot acres	gis lot acres	proportionate share of P/U	original lot acres	gis lot acres	proportionate share of P/U
1	10	11	14%	8.0	9.0	38%
2	10	11.3	15%	5.5	5.5	23%
3	11.5	12.4	16%	5.5	6.7	28%
total	31.5	34.7		total	19.0	21.2

MODIFICATION SUMMARY

claim number	original div rate	gis div rate	original acres	gis acres
A71-00039E	.35 cfs	.36 cfs	31.5	34.7
A71-00040E	1.04 cfs	1.08 cfs	31.5	34.7

A71-10136A	.36 cfs	.35 cfs	19.0	21.2
A71-00039F	.29 cfs	.28 cfs	57.0	53.3
A71-00040F	.89 cfs	.84 cfs	57.0	53.3
A71-10136B	.04 cfs	.05 cfs	19.0	21.2

SALE TO HILL (continued)

For Valley Creek and McGowan Creek water GIS calculated an additional 3.2 acres and for Thompson Creek Gis calculated 2.1 additional acres. Based upon a proportionate acre calculation the diversion rates for each right also has to be adjusted. All 6 rights involved in the splits have been modified based upon the GIS calculations. This data reflects irrigated ground only.

SALE TO MICHAEL MAHONEY

As the split rights were not generated using the original planimeter data, no modification of the rights is required. They reflect GIS information only. However, the original planimeter data can be compared to the GIS data through the use of the enclosed charts and tables.

<u>claim number</u>	<u>gis div rate</u>	<u>gis acres</u>
A71-00039G	.14 cfs	13.0
A71-00040G	.41 cfs	13.0
A71-10136B	.05 cfs	2.8

This data reflects irrigated ground only.

SALE TO PETERS (lot 5)

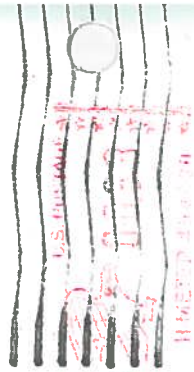
The balance of the place of use remains with the claim portions now in Mr Peter's name. Unlike the previous claims these rights include the originally claimed ground that was found to be outside the irrigated ground.

<u>claim number</u>	<u>gis div rate</u>	<u>gis acres</u>
A71-00039H	.14 cfs	13.8
A71-00040H	.43 cfs	13.8

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707



- ☒ Forwarding Order Expired
- ☐ Insufficient Address
- ☐ Moved, Left No Address
- ☐ Unclaimed ☐ Refused
- ☐ Attempted - Not Known
- ☐ No Such Street
- ☐ No Such Number
- ☐ No Receipt
- ☐ Deceased
- ☐ Vacant



71-006404

NAME AND ADDRESS:
JAMES R PETERS
605 BROAD RUN ROAD
WEST CHESTER, PA 19382

ORIGIN: VALLEY CREEK TRIBUTARY: SALMON

RECEIVED

JUL 01 1989

Department of Water Resources
Southeast Region

F.O.E. RD4 F-4-P 3/26/89
19382-1703 04



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

SEP 29 1998

Department of Water Resources
Southern Region

August 4, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES PETERS
PO BOX 15725
PHILADELPHIA PA 19103-0725

Re: Snake River Basin Adjudication (SRBA)
Water Rights #71-00039H & 71-00040H
Change of Address

9-24-98
Response

Dear Water Right Holder:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water right claims you have, and return the letter by August 17, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone Number

R71-00039H

JAMES W. PETERS

605
WEST

PETE605* 193820080 1597 06 07/30/98
FORWARD TIME EXP RTN TO SEND
PETERS' JAMES
PO BOX 15725
PHILADELPHIA PA 19103-0725

RETURN TO SENDER



R PROOF

X

CVR

X

MAPS

See
71-00039H

PHOTOS

see
71-00039D

MISC

X

AJ0743NP
(00-124)

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

05/20/98 14:27:52
Page 1

Water Right Number - R71-00040H

Prefix Translation:

RESEARCH

Old (D) Number -

Last Name -

First Name -

Address -

*** C - CURRENT OWNER ***

PETERS

JAMES R

1 - 605 BROAD RUN ROAD

State- PA

2 -

City- WEST CHESTER

3 -

Phone - 610-793-2117

*** O - ORIGINAL OWNER ***
BERMAN

DANIEL L

1 - 50 S MAIN ST SUITE 1250

State- UT

2 -

City- SALT LAKE CITY

3 -

Phone - 801-328-2200

Priority Date - +
05/01/1912

Region - +
17 SOUTHERN

Stage - +
D - DECREED

Status - +

Source - +
VALLEY CREEK

Tributary - +
SALMON RIVER

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

11N 12E 4 NE SW NE (37) CUSTER

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

01 - IRRIGATION

05/01 09/30

0.430

Total Div. Rate - + Total Div. Volume - +
0.430

Total Consumptive Use - + Total KW Usage - +
0.0

Place of Use - +
Twn Rng Sec Tract Lot Acres Code Description County

11N	12E	11	NE NE	3.9	01	IRRIGATION	(37) CUSTER
11N	12E	11	NW NE	1.1	01	IRRIGATION	(37) CUSTER
11N	12E	11	SW NE	9.2	01	IRRIGATION	(37) CUSTER
11N	12E	11	SE NE	0.3	01	IRRIGATION	(37) CUSTER

Total Acres: 14.5

- - - Diversion Means - ROCK DIVERSIONS, COLLECTION DITCH

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 71-00039H

VERIFIED BY KRC

Water right number - R71-00040H

Prefix Translation: RESEARCH

Remarks

POU1 THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 14.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 71-00039H & 71-00040H.

GEN PROPERTY IS ALSO KNOWN AS A PORTION OF HOMESTEAD ENTRY SURVEY
NO. 109.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE: 71-00040A, 71-00040D, 71-00040E,
71-00040G, 71-00040H, 71-00041, 71-00042A, 71-00042B, 71-00043,
71-00045, 71-00047, 71-00050, & 71-00052.
PROPERTY IS ALSO KNOWN AS A THOMPSON CREEK SUBDIVISION LOT 5.

Old Water Right Numbers

710004D
A7100040F

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

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

Date: 05/20/1998 User Id: KCHRISTE Subject: COPIED FROM REMARKS
P/U IS H.E.S. 109.

***THE ORIGINAL CLAIM A71-00040B WAS SPLIT BASED UPON THE FORMER
PART C TO BERMAN FOR 1.93 CFS
RANCH SUBDIVISION. KKC 5-8-95
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MODIFIED TO REFLECT THE PLACE OF USE CHANGE KKC 3-27-98
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OWNERSHIP CHANGE AND SPLIT RIGHT DATA ENTERED ON 3-30-98 BY KKC.
USE CALCULATIONS AND PROPORTIONATE RATE PER ACRE CALCULATIONS.
PART H PLACE OF USE CONTAINS BOTH IRRIGATED GROUND AND NON
PART G TO MANONEY FOR 0.41 CFS (FOR LOT 4 OF THE SUBDIVISION).

THIS IS FOR A 2/3 PORTION OF WR 71-00040.
OWNER'S SIGNATURE ON FORM 42-1409(7). THE SPLIT IS AS FOLLOWS:
PART D TO BRUBAKER FOR 0.47 CFS FOR LOT 6 OF THE THOMPSON CREEK

1409-(7) SIGNED BY NEW OWNER WITH WARRANTY DEED. PROPORTIONATE
PART E TO HILL FOR 1.04 CFS (FOR LOTS 1,2, & 3 OF SUBDIVISION)

REFLECT THE PLACE OF USE AS IDENTIFIED THROUGH THE GIS PROCESS.
OF OWNERSHIP PROCESS. THE DIVERSION RATE FOR THIS SPLIT WAS ALSO
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PART F WAS SPLIT INTO PARTS G AND H BASED UPON THE GIS PLACE OF
PART G REFLECTS THE IRRIGATED GROUND ONLY, IN THE PLACE OF USE.
IRRIGATED GROUND
PART H TO PETERS FOR 0.43 CFS (FOR LOT 5 OF THE SUBDIVISION).

Audit Fields 05/20/98 KCHRISTE

Court Report Filing - 00/00/0000 Field Inspection Made - 09/14/1993 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 -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:45:36
05/18/98

PAGE: 20
QUICKLOOK INFORMATION

42
CLAIM NUMBER: A71-00040H

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			9-14-93 KKE	N	1256	KKC 3-27-94	KKE 5-20-98	
POINT OF DIV			"	Y	"	"	1	
SOURCE			"	N	11	"		
PLACE OF USE	Y		"	Y	"	KKC 3-30-98		
DIV. AMOUNT CFS/VOLUME	Y		"	N	156	"		
CONSUMPTIVE USE	-		-	-	-			
PURPOSES OF USE			5-20-98 "	N	6	KKC 5-20-98		
PERIOD OF USE	Y		"	Y	6	"		
BASIS OF CLAIM	Y		"	N	6	"		
REMARKS	Y		"	Y	6	"	✓	

BARCODE UPDATED
WHOM/DATE

AGE: 19
LIST OF MAPS USED AND ATTACHMENTS

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

COPY INCLUDED
IN FILE?

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1971</u> IDWR ID NO. <u>4-68</u>	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()
☒ SCSS SOIL SURVEY MAP	DATE ISSUED <u>245-110</u>	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>Casa Field note map</u>	DATE <u>USDA-F 173-11 8-28-92</u>	Y() N() ☒
☒ OTHER <u>GIS</u>	DATE <u>1992 USFS</u>	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 <u>6-2-94</u>	<u>3</u>	<u>general Valley overview</u>
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☒ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED <u>Revised 5-8-98 (1pg)</u>	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>9-21-93</u>	<u>2</u>	_____
☐ OTHER <u>See Attached sheet.</u>	DATE _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

**ATTACHMENTS TO FIELD REPORT (PG 17) FOR RIGHTS RELATING TO:
71-00039B (SPLIT), 71-00040B (SPLIT) & 71-10136 (SPLIT)**

<u>attachment</u>	<u>date</u>	<u>pages</u>	<u>comments</u>
SUBDIVISION SPLIT TABLE	3-16-98	1	Basis of recom. Developed using GIS
REEVALUATION ANALYSIS OF TABLE & SUBDIV SPLITS	Not dated	3	Completed with subdivision table
BASIS OF RECOMMENDATION @ 00039B, 00040B, & 10136	5-13-98	1	
GIS ACRE LISTING & COMPARISON TABLE	3-16-98	1	
SPLIT TREE	3-26-98	1	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:45:36
05/18/98

PAGE: 1
GENERAL INFORMATION

23
CLAIM NUMBER: A71-00040H

LAST: PETERS FIRST: JAMES R
ADDRESS: 605 BROAD RUN ROAD
CITY: WEST CHESTER STATE: PA ZIP: 19382
PHONE NUMBER: 610-793-2117

OWNER CODE: C

LAST: BERMAN FIRST: DANIEL L
ADDRESS: 50 S MAIN ST SUITE 1250
CITY: SALT LAKE CITY STATE: UT ZIP: 84144
PHONE NUMBER: 801-328-2200

OWNER CODE: O

FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS?	Y	Y() N()

CLAIM REMARKS: GEN P/U IS H.E.S. 109.

THIS IS FOR A 2/3 PORTION OF WR 71-00040.

***THE ORIGINAL CLAIM A71-00040B WAS SPLIT BASED UPON THE FORMER
OWNER'S SIGNATURE ON FORM 42-1409(7). THE SPLIT IS AS FOLLOWS:
PART C TO BERMAN FOR 1.93 CFS
PART D TO BRUBAKER FOR 0.47 CFS FOR LOT 6 OF THE THOMPSON CREEK
RANCH SUBDIVISION. KKC 5-8-95

CLAIM SPLIT ON 7-26-1996 BY KKC. OWNERSHIP CHANGE BASED UPON SF
1409-(7) SIGNED BY NEW OWNER WITH WARRANTY DEED. PROPORTIONATE
SPLIT BASED UPON THE RECOMMENDED PLACE OF USE TABLE I CREATED.
PART E TO HILL FOR 1.04 CFS (FOR LOTS 1,2, & 3 OF SUBDIVISION)
PART F TO BERMAN FOR 0.89 CFS (FOR LOTS 4 & 5 OF SUBDIVISION).

AN ADMINISTRATIVE MODIFICATION WAS MADE TO THE PLACE OF USE TO
REFLECT THE PLACE OF USE AS IDENTIFIED THROUGH THE GIS PROCESS.
THIS IS CONSIDERED A MODIFICATION OF THE SPLIT DURING THE CHANGE
OF OWNERSHIP PROCESS. THE DIVERSION RATE FOR THIS SPLIT WAS ALSO
MODIFIED TO REFLECT THE PLACE OF USE CHANGE KKC 3-27-98
PART E TO HILL FOR 1.08 CFS (FOR LOTS 1,2, & 3 OF SUBDIVISION)
PART F TO BERMAN FOR 0.84 CFS (FOR LOTS 4 & 5 OF SUBDIVISION).

OWNERSHIP CHANGE AND SPLIT RIGHT DATA ENTERED ON 3-30-98 BY KKC.
PART F WAS SPLIT INTO PARTS G AND H BASED UPON THE GIS PLACE OF
USE CALCULATIONS AND PROPORTIONATE RATE PER ACRE CALCULATIONS.
PART G REFLECTS THE IRRIGATED GROUND ONLY, IN THE PLACE OF USE.
PART H PLACE OF USE CONATAINS BOTH IRRIGATED GROUND AND NON
IRRIGATED GROUND
PART G TO MANONEY FOR 0.41 CFS (FOR LOT 4 OF THE SUBDIVISION).

CLAIM REMARKS (CONT'D):

PART H TO PETERS FOR 0.43 CFS (FOR LOT 5 OF THE SUBDIVISION).

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Noel Howard

PHONE NUMBER: () -

DATE OF FIELD EXAM: 9/14/93

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: no one in field

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A71-00040H PRIORITY DATE: 05-01-1912 STAGE: D

B. WR RECORD: # 71-00040 PRIORITY DATE: 05-01-1912 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: the claimed priority date matches the decreed date & the
claimed P/U matches the decreed P/U

therefore I accept the date as claimed.

RECOMMENDED PRIORITY DATE:

05-01-1912

REVIEWED BY Kkc

DATE 5-20-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A71-00040H	11N 12E	4	SW	NW	NE			CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A71-00040A	R71-00040A
A71-00040D	R71-00042A
A71-00040E	
A71-00040G	
A71-00041	
A71-00042A	
A71-00047	

WR RECORDS IN SAME 40 ACRE TRACT

71-00043
71-00045
71-00047

SOURCE: VALLEY CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
71-00040	11N 12E	4		NW	NE			CUSTER		

OTHER WR RECORDS WITH SAME WR POD

71-00043
71-00045
71-00047

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A71-00040A	R71-00040A
A71-00040D	R71-00042A
A71-00040E	
A71-00040G	
A71-00041	
A71-00042A	
A71-00047	

SOURCE: VALLEY CREEK

TRIB: SALMON RIVER

✓ verified from field
exam & on the photo
U68

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.

Flag "C"
CØ3

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()

F. IS THE CLAIMED SOURCE 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 SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y() N(☒)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y(☒) N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM 9-14-93 NAME OF EXAMINER KKC) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: I found the PID in the NESWNE. Apparently the Forest Service reconstructed the diversion structure downstream from the original PID. Date is unknown. Legal desc. was verified thru a field exam and ortho photo.

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY CLUSTER	DIVERSION NAME	DIVERSION NBR
11N	12E	4	☒ SW	☒ NW	☐ NE					
			<u>NE</u>	<u>SW</u>					<u>(tied in with USFS fish screen VC-6)</u>	

SOURCE: VALLEY CREEK OK

TRIB: SALMON RIVER OK

REVIEWED BY: KKC

DATE: 5-20-98

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

dated 5-13-98

FIELD EXAM ATTACHMENT

DATE: 6-2-94PAGE: 1/3AGENT: KKC

FILES: _____

ATTACHMENT SUBJECT: P/D SYSTEM FOR 11N 12E Sec 4 NW SW NE *

F06::71-00040A, 71-00040B, 71-00042A, 71-00042B, 71-00045,
71-00047, & 71-00050. Related Fish Screen VC-6.

The Forest Service reconstructed the di structure at a location
other than decreed. Date of change unknown at this time.

The ditch leaves the P/D and runs south east along the eastern
border of the Valley. The ditch intercepts Hanna Creek in
11N, 12E Sec 3 NW NE SW with the first major control structure
at this point. The water can be split with one channel rough
using the old Hanna Cr channel to carry water to the north end
of the Mahoney/Kennedy Property that lays west of the Cow camp road
and is the northern most P/D between Valley C & the Cow camp road
the other Channel continues southeast along the eastern border
of the Valley to the North end of the northern most P/D east
of the Cow camp road. The ditch again divides with
one main ditch paralleling the Cow Camp road on the east and
the other again forming the eastern boundary of the irrigated
portion of the Valley. This portion of the ditch intercepts
McGowan Creek in 11N 12E Sec 2 SW SW SE. The main ditch
does not actually join with the McGowan Creek ditch but appears
that it may have at one time. The P/D in this general area
running south & east is a series of drainage channels
and this area appears to be naturally swampy. Valley Creek
water flows across this property and into HES 109 all

* Decreed right 71-00043 Co HES 274 is also diverted from the same P/D but is physically removed from the common overlapping system of the other rights. It is claimed in part under A71-00043 Forest Service.

FIELD EXAM ATTACHMENT

DATE: 6-2-94PAGE: 2/3AGENT: KKC

FILES: _____

ATTACHMENT SUBJECT: _____

along the NE $\frac{1}{2}$ of the border. The McGowan Creek Ditch (and Valley Cr from Sec 4 somewhat) forms the eastern boundary for the HES 109 & into HES-133. This ditch system runs to HES 421 where it ends. For the HES's (portions of that lay east of the cow camp road (excluding HES-274) are in general irrigated concurrently in that as one HES is irrigated the tail water is either spread directly onto the next HES or is accumulated into a drain or a ditch to be respread. Although this could be considered waste water, no one has claimed it as such. There are also swampy areas that may or may not be created by the Valley Cr, Hanna Cr, and/or McGowan Cr diversions. This interrelationship runs from HES 271 (the eastern $\frac{1}{2}$) thru HES 270, thru HES 109, thru HES 133, thru HES 421, and HES 319. All east of the Cow camp road. Water flows in general east & south from the cow camp road to the center of the irrigated meadows and south & east from the ditch system that forms the eastern boundary of the irrigated ground. This pattern is clearly visible on USDA F 173-13, 173-11 & others of the 8-28-72 flight similar USDA-F aerial photos 677-193 9-9-77 flight ASCS Aerial flight ~~271~~ 8-22-52 # DRF-3-167. Other photo U68 to a certain extent also shows this relationship.

Irrigation practices for the fields west of the cow camp road

FIELD EXAM ATTACHMENT

DATE: 6-2-94PAGE: 3/3AGENT: KKC

FILES: _____

ATTACHMENT SUBJECT: _____

and east of Valley Creek is also irrigated in a similar manner. From the SW $\frac{1}{2}$ of HES 271 thru HES 272, thru HES 420 and into HES 577

The channel running South from the Hanna diversion that enters the northern portion of the Mahoney/Kearney property west of the cow camp road & part of the HES 274 is either spread across the meadow and/or allowed to stay in a ditch that roughly divides that pasture in half running straight southeast to HES 272 where it is again either spread across the northern portion of the HES or continues in the same ditch & straight thru the middle of HES 272 to HES-420. A ditch follows the cow camp road (on the west side) thru HES-271, 272 420 and into 577. These HES's also share the water similar to the system east of the cow camp road.

Control of water diverted from section four ends roughly in the NW NW of sec. 13. HES 577 & HES 421 receive some water from the Sec 4 diversion but primarily receive water from other diversions and/or sources.

A small acreage west of Valley Creek and within HES 272 is irrigated from Elk Creek. The western portion of HES 420 is also irrigated from Elk Creek but from a diff P/O. This P/O is shared with the deeded right that has been split for two parcels in HES 577. The irrigated ground west of Valley Cr in HES 422 is irrigated from back Cr. No other ground west of Valley Cr was found to be currently irrigated (this includes HES 273)

A. ROOT WATER RIGHT NUMBERS: A71-00040A
A71-00040B
A71-00040G
A71-00040H
R71-00040F
R71-00040A
R71-00040B
A71-00040D
A71-00040E
A71-00040F
R71-00040C
R71-00040D

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11N	12E	11	NE	NE		PETERS, JAMES R	A71-00040H / 14.7	- /	33.0		
			NE	NE		US DEPT OF AGRICULTURE	A71-10202 /	- /			
			NE	NE		BRUBAKER, FRED HAROLD	R71-00040D / 2.1	- /			
			NE	NE		US DEPT OF AGRICULTURE	71-10202 /	- /			
			NE	NE		BRUBAKER, FRED HAROLD	A71-00039D / 2.1	- /			
			NE	NE		MAHONEY, J MICHAEL	A71-00039G / 1.2	- /			
			NE	NE		PETERS, JAMES R	A71-00039H / 14.7	- /			
			NE	NE		BRUBAKER, FRED HAROLD	A71-00040D / 2.1	- /			
			NE	NE		MAHONEY, J MICHAEL	A71-00040G / 1.2	- /			
			NE	NE		HILL, PAUL	A71-10136A / 7.0	- /			
			NE	NE		MAHONEY, J MICHAEL	A71-10136B / 1.0	- /			
			NE	NE		US DEPT OF AGRICULTURE	F71-10202 /	- /			
			NE	NE		THOMPSON, JOHN H.		71-00039 /			
			NE	NE		THOMPSON, JOHN H.		71-00040 /			
11N	12E	11	SW	NE		PETERS, JAMES R	A71-00040H / 8.6	- /	40.0		
			SW	NE		US DEPT OF AGRICULTURE	A71-00041 /	71-00041 /			
			SW	NE		GROOM, BRIT	R71-10136B / 1.0	- /			
			SW	NE		BRUBAKER, FRED HAROLD	R71-00040D / 7.9	- /			
			SW	NE		MAHONEY JR LIFETIME TRUST II,	A71-00047 / 3.0	71-00047 /			
			SW	NE		BRUBAKER, FRED HAROLD	A71-00039D / 7.9	- /			
			SW	NE		HILL, PAUL	A71-00039E / 4.8	- /			

See Attachment

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	NE		MAHONEY, J MICHAEL	A71-00039G / 7.7	- /			
			SW	NE		PETERS, JAMES R	A71-00039H / 8.6	- /			
			SW	NE		BRUBAKER, FRED HAROLD	A71-00040D / 7.9	- /			
			SW	NE		HILL, PAUL	A71-00040E / 4.8	- /			
			SW	NE		MAHONEY, J MICHAEL	A71-00040G / 7.7	- /			
			SW	NE		MAHONEY JR LIFETIME TRUST II,	R71-00047 / 3.0	- /			
			SW	NE		HILL, PAUL	R71-00039E / 4.8	- /			
			SW	NE		THOMPSON, JOHN H.		71-00039 /			
			SW	NE		THOMPSON, JOHN H.		71-00040 /			
			SW	NE		M BAR M INC.		71-00048 /			
11N	12E	11	SE	NE		PETERS, JAMES R	A71-00040H / 15.1	- /	35.0		
			SE	NE		HILL, PAUL	R71-10136A / 17.0	- /			
			SE	NE		GROOM, BRIT	R71-10136B / 1.0	- /			
			SE	NE		MAHONEY JR LIFETIME TRUST II,	A71-00039A / 10.0	- /			
			SE	NE		MAHONEY JR LIFETIME TRUST II,	A71-00040A / 10.0	- /			
			SE	NE		HILL, PAUL	A71-00039E / 18.8	- /			
			SE	NE		MAHONEY, J MICHAEL	A71-00039G / 4.1	- /			
			SE	NE		PETERS, JAMES R	A71-00039H / 15.1	- /			
			SE	NE		HILL, PAUL	A71-00040E / 18.8	- /			
			SE	NE		MAHONEY, J MICHAEL	A71-00040G / 4.1	- /			
			SE	NE		HILL, PAUL	A71-10136A / 8.2	- /			
			SE	NE		MAHONEY, J MICHAEL	A71-10136B / 1.8	- /			
			SE	NE		MAHONEY JR LIFETIME TRUST II,	R71-00039A / 10.0	- /			
			SE	NE		MAHONEY JR LIFETIME TRUST II,	R71-00040A / 10.0	- /			
			SE	NE		HILL, PAUL	R71-00039E / 18.8	- /			
			SE	NE		THOMPSON, JOHN H.		71-00039 /			
			SE	NE		THOMPSON, JOHN H.		71-00040 /			
11N	12E	11	NE	SE		PETERS, JAMES R	A71-00040H / 1.3	- /	40.0		
			NE	SE		BROWNING, KENT C	R71-00045 / 8.0	71-00045 /			
			NE	SE		BROWNING, KATHRYN M	A71-00045 / 8.0	- /			
			NE	SE		US DEPT OF AGRICULTURE	A71-00050 /	71-00050 /			
			NE	SE		HILL, PAUL	R71-10136A / 2.0	- /			
			NE	SE		MAHONEY JR LIFETIME TRUST II,	A71-00040A / 25.0	- /			
			NE	SE		HILL, PAUL	A71-00039E / 5.7	- /			
			NE	SE		PETERS, JAMES R	A71-00039H / 1.3	- /			
			NE	SE		HILL, PAUL	A71-00040E / 5.7	- /			
			NE	SE		MAHONEY JR LIFETIME TRUST II,	R71-00039A / 25.0	- /			
			NE	SE		MAHONEY JR LIFETIME TRUST II,	R71-00040A / 25.0	- /			
			NE	SE		MAHONEY JR LIFETIME TRUST II,	A71-00039A / 25.0	- /			
			NE	SE		HILL, PAUL	R71-00039E / 5.7	- /			
			NE	SE		THOMPSON, JOHN H.		71-00039 /			
			NE	SE		THOMPSON, JOHN H.		71-00040 /			
			NE	SE		DARRAH, BEN		71-00046 /			
11N	12E	11	NW	SE		PETERS, JAMES R	A71-00040H / 0.3	- /	40.0		
			NW	SE		BROWNING, KENT C	R71-00045 / 28.0	71-00045 /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	SE		BROWNING, KATHRYN M	A71-00045 / 28.0	- /			
			NW	SE		MAHONEY JR LIFETIME TRUST II,	A71-00047 / 5.0	71-00047 /			
			NW	SE		HILL, PAUL	A71-00039E / 2.7	- /			
			NW	SE		PETERS, JAMES R	A71-00039H / 0.3	- /			
			NW	SE		HILL, PAUL	A71-00040E / 2.7	- /			
			NW	SE		MAHONEY JR LIFETIME TRUST II,	R71-00047 / 7.0	- /			
			NW	SE		HILL, PAUL	R71-00039E / 2.7	- /			
			NW	SE		THOMPSON, JOHN H.		71-00039 /			
			NW	SE		THOMPSON, JOHN H.		71-00040 /			
			NW	SE		DARRAH, BEN		71-00046 /			
			NW	SE		M BAR M INC.		71-00048 /			
11N	12E	12	SW	NW		PETERS, JAMES R	A71-00040H / 3.0	- /	24.0		
			SW	NW		US DEPT OF AGRICULTURE	A71-00050 /	71-00050 /			
			SW	NW		MAHONEY JR LIFETIME TRUST II,	A71-00039A / 7.0	- /			
			SW	NW		MAHONEY JR LIFETIME TRUST II,	A71-00040A / 7.0	- /			
			SW	NW		PETERS, JAMES R	A71-00039H / 3.0	- /			
			SW	NW		HILL, PAUL	A71-10136A / 3.0	- /			
			SW	NW		MAHONEY JR LIFETIME TRUST II,	R71-00039A / 7.0	- /			
			SW	NW		MAHONEY JR LIFETIME TRUST II,	R71-00040A / 7.0	- /			
			SW	NW		THOMPSON, JOHN H.		71-00039 /			
			SW	NW		THOMPSON, JOHN H.		71-00040 /			

ADDITIONAL POU FOUND

TOTAL ACRES A71-00040H 43.00 212.00

POU COUNTY: CUSTER

found 14.5 Acres

*See Valley Co Subanalysis
& GIS land list*

CLAIM NUMBERS A71-00039 H DATE 5-18-98 Lot 5 TRANSFER NUMBER _____
 _____ A71-00030 H AGENT KKC HOMESTEAD ENTRY NO. _____
 _____ 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	11A	12E	11																
GIS			11	3.9	1.1	9.2	.3												14.8
CLAIM																			
GIS																			
CLAIM																			
GIS																			
CLAIM																			
GIS																			

B71-DBPOD.SHP

NOS	DESCRIPTION
32	Sec 4 N15SW NE Valley Cr P.D. for A71-00040 H
34	Sec 2 SWSWSE Mc Gowan Cr for A71-00039 H

B71-DBPOU.SHP

SHAPE NOS
~~124~~
124

DBF TABLES UPDATED

B71-DBPOD.DBF _____

B71-DBPOU.DBF _____

**VALLEY CREEK SUBDIVISION ANALYSIS OF THE PLACE OF USE
BY SUBDIVISION LOT AND WATER RIGHT SOURCE FOR ADJUDICATION
CLAIMS A71-00039B, A71-00040B, AND A71-10316
AND ANY SUBSEQUENT SPLITS THEREOF**

ACRES IRRIGATED FROM VALLEY CREEK AND MC GOWAN CREEK										ACRES IRRIGATED FROM THOMPSON CREEK				
lot #	NE $\frac{1}{4}$ NE $\frac{1}{4}$	NW $\frac{1}{4}$ NE $\frac{1}{4}$	SW $\frac{1}{4}$ NE $\frac{1}{4}$	SE $\frac{1}{4}$ NE $\frac{1}{4}$	NE $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ SE $\frac{1}{4}$	LOT TOTAL	% OF TOTAL	SW $\frac{1}{4}$ NE $\frac{1}{4}$	SE $\frac{1}{4}$ NE $\frac{1}{4}$	NE $\frac{1}{4}$ SE $\frac{1}{4}$	LOT TOTAL	% OF TOTAL	
1				5.7	4.9	.2	11.0	0.14		5.7	3.3	9.0	0.38	
2			.4	6.3	.8	1.9	11.3	0.15		5.4	.1	5.5	0.23	
3			4.4	6.8		.6	12.4	0.16	.1	6.6		6.7	0.28	
4	1.2		7.7	4.1			13.0	0.17	1	1.8		2.8	0.12	
5	3.2	1.1	9.2	.3			13.8	0.18				0.0	0.00	
6	2.1	5.7	7.2				15.0	0.20				0.0	0.00	
Q/Q TOTAL	6.50	6.8	28.9	23.2	5.7	2.7	76.5	1.00	1.1	19.5	3.4	24.0	1.01	

The acreage by lot and quarter/quarter have been calculated through the GIS system on 3-16-1998. This data supersedes the previous lot acre calculations completed using a planimeter on 12-14-1994.



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

KJC
May 13, 1998

**BASIS OF RECOMMENDATION FOR:
RIGHTS SPLIT FROM A71-00039B, A71-00040B, AND A71-10136**

The irrigated P/U for subdivision lots 1 through 6 of the Thompson Creek Subdivision are identified and operated as a common area (see Thompson Creek Subdivision plat submitted with the change of ownership, Berman-to-Hill). As the irrigation of the subdivision lots is operated as a system, the analysis is also based upon that system and then 'broken down' per lot owner.

The A71-00039 series rights have McGowan creek as a source and this system covers all 76.5 found irrigated acres within the sub division. The portion appurtenant to the sub division is 0.80 cfs which is ≈ 0.01 cfs/acre.

The A71-00040 series rights have Valley creek as a source and this system covers the same 76.5 found irrigated acres. The portion appurtenant to the subdivision is 2.40 cfs or ≈ 0.03 cfs/acre.

The A71-10136 series rights have Thompson creek as a source and only cover 24 acres of the subdivision (all within lots 1 through 4). This right was claimed at 0.40 cfs or ≈ 0.017 cfs/acre.

The revised Hubble analysis calculations for the 76.5 acres indicate a maximum requirement of 5.60 cfs. the three rights when combined are for 3.60 cfs which is less than the Hubble analysis requirement, therefore, the recommendation is for the claimed rates and subsequently split through the ownership changes on a proportional rate per acre basis.

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

Y() N(~~X~~)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A71-00040H	VALLEY CREEK	PETERS, JAMES R	0.430	0.010		
R71-00039A	MC GOWAN-HANNAH CREEK	MAHONEY JR LIFETIME TRUST II,	0.430	0.008		
A71-00039A	MC GOWAN CREEK	MAHONEY JR LIFETIME TRUST II,	0.430	0.008		
	HANNAH CREEK					
A71-00039D	MC GOWAN CREEK	BRUBAKER, FRED HAROLD	0.160	0.010		
	HANNA CREEK					
R71-00039E	MC GOWAN CREEK	HILL, PAUL	0.360	0.011		
A71-00039E	MC GOWAN CREEK	HILL, PAUL	0.360	0.011		
	HANNA CREEK					
A71-00039G	MC GOWAN CREEK	MAHONEY, J MICHAEL	0.140	0.010		
	HANNA CREEK					
A71-00039H	MC GOWAN CREEK	PETERS, JAMES R	0.140	0.003		
	HANNA CREEK					
A71-00040A	VALLEY CREEK	MAHONEY JR LIFETIME TRUST II,	1.200	0.024		
R71-00040A	VALLEY CREEK	MAHONEY JR LIFETIME TRUST II,	1.200	0.024		
A71-00040D	VALLEY CREEK	BRUBAKER, FRED HAROLD	0.480	0.032		
R71-00040D	VALLEY CREEK	BRUBAKER, FRED HAROLD	0.480	0.032		
A71-00040E	VALLEY CREEK	HILL, PAUL	1.080	0.033		
A71-00040G	VALLEY CREEK	MAHONEY, J MICHAEL	0.410	0.031		
A71-00041	VALLEY CREEK	US DEPT OF AGRICULTURE	4.800	0.030		
R71-00045	VALLEY CREEK	BROWNING, KENT C	3.000	0.023		
A71-00045	VALLEY CREEK	BROWNING, KATHRYN M	3.000	0.023		
A71-00047	VALLEY CREEK	MAHONEY JR LIFETIME TRUST II,	3.630	0.023		
R71-00047	VALLEY CREEK	MAHONEY JR LIFETIME TRUST II,	3.600	0.033		
A71-00050	VALLEY CREEK	US DEPT OF AGRICULTURE	4.800	0.030		
R71-10136A	THOMPSON CREEK	HILL, PAUL	0.360	0.018		
A71-10136A	THOMPSON CREEK	HILL, PAUL	0.350	0.019		
A71-10136B	THOMPSON CREEK	MAHONEY, J MICHAEL	0.050	0.017		
R71-10136B	THOMPSON CREEK	GROOM, BRIT	0.040	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A71-10202	STOCKWATER	US DEPT OF AGRICULTURE	FROM 06-01 TO 10-31	0.030 CFS	
71-10202	STOCKWATER	US DEPT OF AGRICULTURE	FROM 06-01 TO 10-31	0.020 CFS	
F71-10202	STOCKWATER	US DEPT OF AGRICULTURE	FROM 06-01 TO 10-31	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: A71-00039H

*Split based upon table
calc & reeval
of split right analysis*

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(☒)



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REC
1341 FILLMORE ST STE 200
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KARL J DREHER
DIRECTOR

REEVALUATION OF THOMPSON CREEK SUBDIVISION LOTS AS IT AFFECTS ADJUDICATION CLAIMS BASED ON 71-00039, 71-00040, AND A71-10136

The department has adopted the computerized Geographic Information System (GIS) as the tool of the future for water rights recording and analysis. This tool provides a greater degree of accuracy, a visual representation of the place of use, and is less prone to error.

The initial claims filed by Mr Berman have currently been proportionately split three different times based upon ownership changes for specific subdivision lots. The original splits of these rights were based upon orthophotography and planimeter acre calculations. The GIS process has calculated the place of use by both overall acreage and acreage by quarter/quarters within each lot (GIS maps attached.) Through GIS there has been a slight acre shift for the irrigated ground within the subdivision and this shift is the basis for the modification of the splits of the original claims.

As a unit GIS calculated an additional 3.5 acres irrigated under adjudication claims A71-00039B and A71-00040B. More acres were claimed under those two rights than was found irrigated. All non-irrigated acres stayed with the split portion that was under Mr Berman's name. As the splits were made, only actually irrigated acres were split from the base right for (A71-00039D & A71-00040D the Brubaker sale), (A71-00039E & A71-00040E the Hill sale), and (A71-00039G & A71-00040G the Mahoney sale). The place of use for (A71-00039H & A71-00040H the Peters sale) includes the recognized 13.8 irrigated acres and the balance of 29.2 non-irrigated acres. The recommendation to the SRBA court will not reflect non-irrigated acres.

Again using GIS, an additional 6 acres irrigated were identified under claim A71-10136. They bring the total irrigated place of use under A71-10136 to three acres more than claimed. That shortage is currently identified under A71-10136B and will be addressed specifically with the Hills.

Because of the increase in acres and the shift within each lot, the proportional rate that is appurtenant to each lot also changed in most cases. See the attached table showing the place of use segregated by lot and quarter/quarter. See also, the attached split tree that identifies the appurtenant diversion rates per lot.

SALE TO BRUBAKER (lot 6)

The required modifications begin with the first change of ownership where lot 6 was sold to Mr Brubaker.

PLACE OF USE COMPARISON			
lot no.	original lot acres	gis lot acres	proportionate share of P/U
6	14.5	15	20%

MODIFICATION SUMMARY

claim number	original div rate	gis div rate	original acres	gis acres
A71-00039D	.16 cfs	.16 cfs	14.5	15.0
A71-00040D	.48 cfs	.48 cfs	14.5	15.0
A71-00039C	.64 cfs	.64 cfs	88.5	88.0
A71-00040C	.48 cfs	.48 cfs	88.5	88.0

The found irrigated acreage increased $\frac{1}{2}$ acre and the place of use by quarter/quarter (QQ) has also changed. This, however, did not change the proportionate diversion rate for either right. All four rights have been modified to reflect the $\frac{1}{2}$ acre and QQ change. This data reflects irrigated ground only.

SALE TO HILL (lots 1, 2, and 3)

This sale includes a change in acres and also the proportionate rate per acre, therefore, the six rights (post split) have been modified as follows:

PLACE OF USE COMPARISON

for A71-00039E & A71-00040E				for A71-10136A		
lot no.	original lot acres	gis lot acres	proportionate share of P/U	original lot acres	gis lot acres	proportionate share of P/U
1	10	11	14%	8.0	9.0	38%
2	10	11.3	15%	5.5	5.5	23%
3	11.5	12.4	16%	5.5	6.7	28%
total	31.5	34.7		total	19.0	21.2

MODIFICATION SUMMARY

claim number	original div rate	gis div rate	original acres	gis acres
A71-00039E	.35 cfs	.36 cfs	31.5	34.7
A71-00040E	1.04 cfs	1.08 cfs	31.5	34.7

A71-10136A	.36 cfs	.35 cfs	19.0	21.2
A71-00039F	.29 cfs	.28 cfs	57.0	53.3
A71-00040F	.89 cfs	.84 cfs	57.0	53.3
A71-10136B	.04 cfs	.05 cfs	19.0	21.2

SALE TO HILL (continued)

For Valley Creek and McGowan Creek water GIS calculated an additional 3.2 acres and for Thompson Creek Gis calculated 2.1 additional acres. Based upon a proportionate acre calculation the diversion rates for each right also has to be adjusted. All 6 rights involved in the splits have been modified based upon the GIS calculations. This data reflects irrigated ground only.

SALE TO MICHAEL MAHONEY

As the split rights were not generated using the original planimeter data, no modification of the rights is required. They reflect GIS information only. However, the original planimeter data can be compared to the GIS data through the use of the enclosed charts and tables.

<u>claim number</u>	<u>gis div rate</u>	<u>gis acres</u>
A71-00039G	.14 cfs	13.0
A71-00040G	.41 cfs	13.0
A71-10136B	.05 cfs	2.8

This data reflects irrigated ground only.

SALE TO PETERS (lot 5)

The balance of the place of use remains with the claim portions now in Mr Peter's name. Unlike the previous claims these rights include the originally claimed ground that was found to be outside the irrigated ground.

<u>claim number</u>	<u>gis div rate</u>	<u>gis acres</u>
A71-00039H	.14 cfs	13.8
A71-00040H	.43 cfs	13.8

() NAPP, IDWR NO. USDA-F 173-11 8-28-72; () ASCS PHOTO; (~~X~~) OTHER GIS 1992 USFS

NOTES: _____

DATE: 5-20-98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A71-00040H IRRIGATION	FROM <u>5</u> -01 TO <u>9</u> -30	0.430 CFS	
TOTAL DIVERSION RATE/VOLUME		0.430 CFS	

*irrigation season was
not decreed. Recommended
current Dept 5 standard*

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
71-00040 IRRIGATION	FROM TO	3.600 CFS	
TOTAL DIVERSION RATE/VOLUME		3.600 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(X) N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(X) 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(X)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y() N(X)

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

Y(X) 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(X)

* 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(X) N()

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

N/A(X) 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(X) Y() N()

*see attached reevaluation
of T Cr. sub. (3pg rpt)*

NOTES:

See attached revised Hubble Analysis
Basis of Reconn

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

Fov
CLAIM NUMBERS *band/split From: A71-00039B*
A71-00040B A31-10136

DATE: May 8, 1998

REVIEWED BY *ARC*

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
TP1	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
AM1	4	10	* 6	* .30	= .72 CFS
RPI	4.33	10	* 70.5	* .16	= 4.88 CFS
			*	*	= CFS
			*	*	= CFS

5.60 CFS total
 LICENSED/DECREED RATE(S) = *3.20 CFS (2 rights)*
 CLAIMED DIVERSION RATES = *3.60 CFS (all 3 rights)*
 ORIGINAL HUBBLE RATE =
 MEASURED DIVERSION RATE = *1.60 CFS McGowan Thompson & not meaus.*

INFORMATION SUPPLIED VIA A PHONE CONVERSATION WITH PHYLLIS
ROSE (ID DEPT FISH AND GAME) ON 10-19-93.

VALLEY CREEK DIVERSION MEASUREMENTS FOR FISH SCREEN OPERATION

<i>dis location</i> VCI (SILVA DITCH)	06-29-93	4.30 CFS	
	07-27-93	3.80 CFS	
	09-01-93	6.40 CFS	
	08-01-59	8.30 CFS	
VC2	06-29-93	1.10 CFS	
	07-27-93	0.80 CFS	
	09-01-93	0.60 CFS	
	08-25-59	5.70 CFS	
	58 or 59	8.50 CFS	
VC3 <i>makoney</i>	06-29-93	5.50 CFS	
	07-27-93	3.80 CFS	
	09-01-93	1.60 CFS	
	08-01-59	5.20 CFS	
VC4 <i>Sec 11 SESESE</i>	1992	NO DIVERSION FOUND	
	1993	NO DIVERSION FOUND	
	1959	4.40 CFS	
VC5 <i>abandoned</i>			
VC6 <i>Sec 4 NESW NE</i>	07-28-93	3.10 CFS	<i>ditch not at capacity</i>
	09-01-93	2.20 CFS	<i>" " " "</i>
	1959	35.0 CFS	(questionable measurement)
VALLEY CR COMMUNITY DITCH		16.0 CFS	(questionable measurement)

ELK CREEK DIVERSION MEASUREMENTS FOR FISH SCREEN OPERATION

EC1	06-29-93	2.10 CFS
	07-27-93	3.30 CFS
	1959	8.70 CFS
EC2	06-29-93	2.30 CFS
	07-27-93	1.20 CFS
	1959	0.70 CFS

AJ CLAIM TOTAL DIVERSION RATE: 0.430 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 3.600 CFS

as split

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

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD See ID Dept Fish & Game measurement dated 10-19-93 (attached), SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

1b. CALCULATIONS

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

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()

see Attachments

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES:

WR RECORD CONDITIONS/REMARKS:

*no overlap limitations
required, as claimed rates are
less than the excess flow calculations.*

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01 5 9 30	DATABASE EXAMINER 0.430 ✓	DATABASE EXAMINER	DATABASE EXAMINER 0.0
TOTAL FOR THIS RIGHT		0.430 ✓		0.0

NON-IRRIGATION USES CLAIMED: n/a

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

REVIEWED BY: KKC

DATE: 5-20-98

FLAG: C

STANDARD CONDITIONS (CODE):

C63

STANDARD REMARKS (CODE):

JØ1 thomp Ci Sub lt 5
exp FØ6 Common P/O 71-00040A, D, E, G, H & others.
GEN JØ2 part of Hcs 109
POU1 E14 14.5A 39A & 40H

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

*See split
free*

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-00040

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	3.600	_____	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
71-00040	A71-00040A	1.200	R71-00040A	1.200	71-00040	3.600
A71-00040C	A71-00040D	0.480	R71-00040D	0.480	-	
-	A71-00040E	1.080	-		-	
-	A71-00040G	0.410	-		-	
-	A71-00040H	0.430	-		-	
TOTAL CFS		3.600		1.680		3.600

DIVERSION RATE REVIEW

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

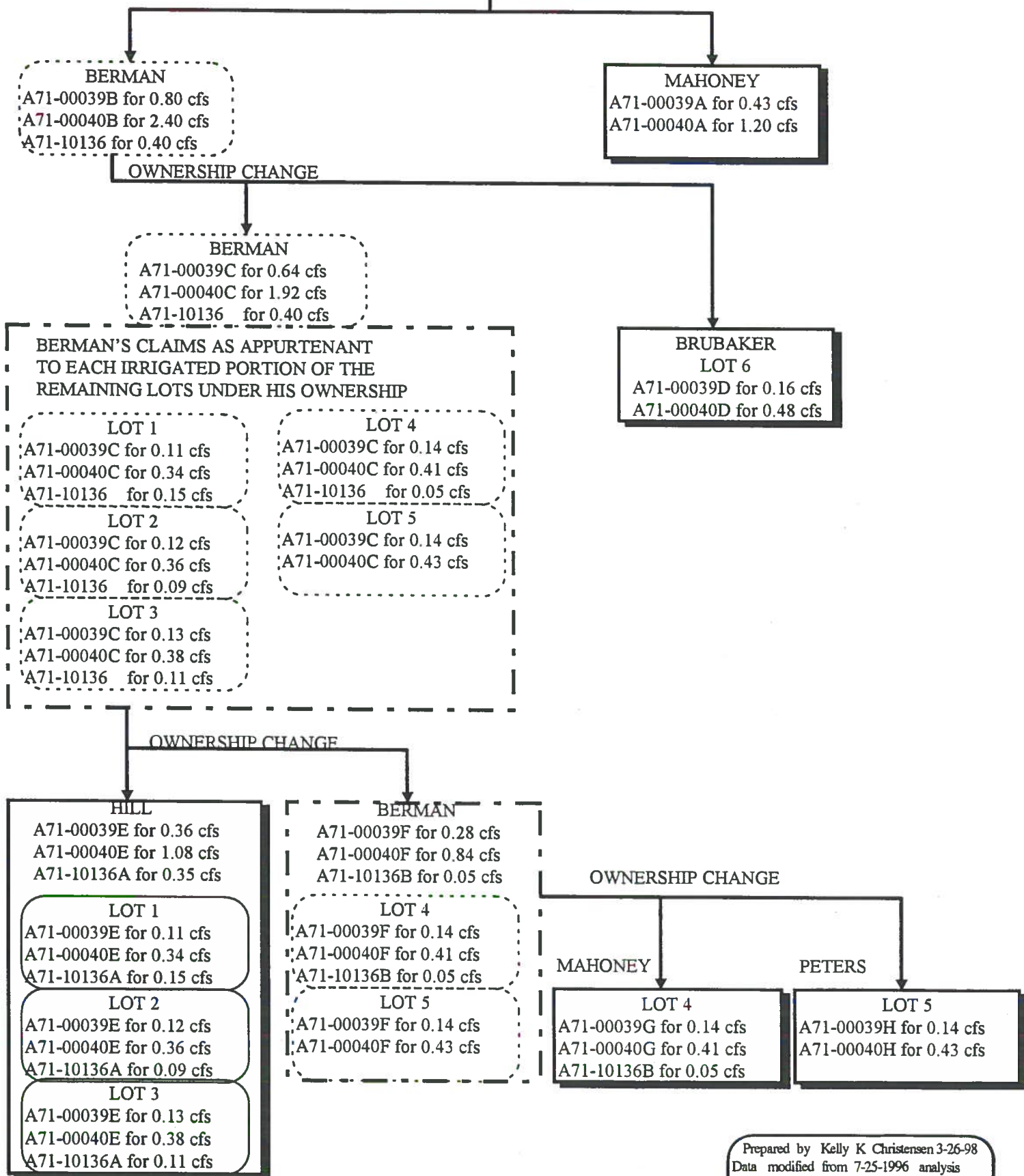
DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

AUTHENTICATION: DATE: 5-20-98

SIGNATURE: Kelly K. Christensen
EXAMINER: KELLY K CHRISTENSEN
SR WATER RESOURCE AGENT

SPLIT TREE FOR:
-00039 for 1.20 cfs McGowan Cr
71-00040 for 3.60 cfs Valley Cr
A71-10136 for 0.40 cfs Thompson Cr



Prepared by Kelly K Christensen 3-26-98
Data modified from 7-25-1996 analysis
File; C:\Winnet\Profiles\Personal\Kchris\Thompson Creek Sub Tree

FIELD NOTES
EXAM DATE 9-14-93
KLC

McGowan

P. S. Davidson

CLAIM _____ INIT _____
T. R. S. 9/2
P/D _____
PHOTO USDA-E 677-193
DT. RID. 9-19-77 E894E

McGowan