

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

AJ0749NP
No. 71-00042A

Remarks: DIVERSION DESCRIBED ABOVE: 71-00040A, 71-000400, 71-00040E,
71-00040G, 71-00040H, 71-00041, 71-00042A, 71-00042B, 71-00043A,
71-00043B, 71-00045, 71-00047, 71-00049B, 71-00050, & 71-00052.

Objection Filed Date:

Dates: Exam Made Date: 09/16/1993 Verified Date:

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

Comments: Date: 11/19/1993 User-ID: GIVENS Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 11/12/93 FORMER OWNER JAMES COX
KENNEDY NEW OWNER THE ATLANTA-MAHONEY TRUST C/O RICHARD L.
BRAUNSTEIN. COPY OF WARRANTY DEED SUBMITTED WITH FORM.

Date: 05/26/1998 User-ID: KCHRISTE Subject: COPIED FROM REMARKS
A TRIBUTARY OF VALLEY CREEK IS PICKED UP AT THE 2ND P/D AND
USED AS AVAILABLE. THE LANDS USED ARE A PORTION OF H.E.S. #271.
LOCATIONS ARE ESTIMATED. ALSO, SOME LANDS HAVE BEEN EXCHANGED
WITH THE U.S.A. OR DISPOSED OF WITHIN H.E.S. #271 IN RETURN
FOR LANDS IN H.E.S. 274. ORIGINAL WATER RIGHT RETAINED.
CLAIMANT INCREASED ORIGINAL 4.8 CFS TO 4.85 CFS FOR STOCK USE.

CHANGE OF OWNERSHIP RECEIVED 11/12/93 BY JG.

Date: 07/09/1998 User-ID: KCHRISTE Subject: OWNERSHIP CHANGE
CHANGE DATA ENTERED 7-9-98 KKC BASED UPON WARRANTY DEEDS.

Date: 07/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C13 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 05/17/1999 User-ID: CTIMM Subject: ADDRESS CHANGE
CHANGED ADDRESS AS PER REQUEST RECEIVED 03/29/99. C.T.

Audit: 05/17/99 CTIMM

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 71-00042A

SOURCE:	VALLEY CREEK		TRIBUTARY: SALMON RIVER	
QUANTITY:	3.21 CFS			
PRIORITY DATE:	05/01/1914			
POINT OF DIVERSION:	T11N R12E S04	NESWNE	Within Custer County	
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY	
	Irrigation	05-01 TO 10-31	3.21 CFS	
PLACE OF USE:	Irrigation		Within Custer County	
	T11N R12E S03	SESW 17.0	SESE 0.3	
		SWSE 16.5		
	S10	NWNE 32.0	SWNE 0.8	
		NENW 6.4	NENE 12.0	
	85.0 Acres Total			


Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

THIS FILE WAS MICROFILMED INTO
ANOTHER CLAIM AND DOES NOT
HAVE A MICRO FILM RECORD UNDER
THIS CLAIM NUMBER.

THE ENTIRE CLAIM NEEDS TO BE
RECOPIED UNDER A71-00043A.

KKC 9-22-98

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: **A71-00042A**
Date Received: 1/ 8/1990
Receipt No: S010874
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MARTHA MAHONEY SADLER 561-655-7702
Address: PO BOX 3263
PALM BEACH FL 33480

2. Date of Priority: MAY 1, 1914

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	12E	3		NW	SW		CUSTER
		4		NW	NE		CUSTER

5. Description of diverting works:
ROCK DIVERSION, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.200		
STOCKWATER	04/01	12/01	0.050		

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

8. Total consumptive use is 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 COWS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	12E	3	SW	SW		IRR	1.0
			SE	SW		IRR	22.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	12E	3	SW	SE		IRR	12.0
						Section Acres	35.0
		10	NE	NE		IRR	12.0
			NW	NE		IRR	39.0
			SW	NE		IRR	18.0
			NE	NW		IRR	18.0
			SE	NW		IRR	4.0
						Section Acres	91.0
						Total Acres	126.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

A TRIBUTARY OF VALLEY CREEK IS PICKED UP AT THE 2ND P/D AND USED AS AVAILABLE. THE LANDS USED ARE A PORTION OF H.E.S. #271. LOCATIONS ARE ESTIMATED. ALSO, SOME LANDS HAVE BEEN EXCHANGED WITH THE U.S.A. OR DISPOSED OF WITHIN H.E.S. #271 IN RETURN FOR LANDS IN H.E.S. 274. ORIGINAL WATER RIGHT RETAINED. CLAIMANT INCREASED ORIGINAL 4.8 CFS TO 4.85 CFS FOR STOCK USE.

CHANGE OF OWNERSHIP RECEIVED 11/12/93 BY JG.

O.60 CFS WAS SPLIT FROM THIS RIGHT INTO A71-00043A PRIMARILY BASED UPON A WARRANTY DEED SUBMITTED BY THE USDA-F IDENTIFYING THEIR PORTION OF THE RIGHTS APPURTENANT TO THEIR PURCHASE OF PARTS OF HES-271 AND HES-274. KKC 5-22-98

OWNERSHIP CHANGE DATA ENTERED 7-9-98 KKC

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /



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**

July 9, 1998

MARTHA MAHONEY SADLER
PO BOX 3263
PALM BEACH FL 33480

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS A71-00042A & A71-00043A

Dear Ms Sadler

Enclosed is your change of ownership form and the two updated rights. Please review the copies to confirm that the data entry is correct. The claims represent the original filings and may not necessarily represent the final recommendation for these rights. The department will be mailing the proposed recommendation of these rights later this month and the data on that proposal will reflect my recommendation. Additional instructions will accompany the proposed director's report.

Sincerely

A handwritten signature in black ink, reading 'Kelly K. Christensen'. The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Kelly K Christensen
Senior Water Resource Agent
Enclosures

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

JUL 06 1998

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

Department of Water Resources
 Southern Region

1. Water Right No(s).: A71-00042A, A71-00043A
 Adjudication Claim No(s).: A71-00042A, A71-00043A

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant THE ATLANTA MAHONEY TRUST
C/O RICHARD L BRAUNSTEIN
1255 23RD ST NORTHWEST
WASHINGTON DC 20037

4. New Owner/Claimant(s) MARTHA MAHONEY SADLER
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address PO BOX 3263
 City, State and ZIP Code PALM BEACH FL 33480
 New Telephone Number (561) 655-7702

5. Date you acquired the property 5/1/97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Martha Mahoney Sadler
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226-0036

TELEPHONE

(208) 879-4488

FAX

(208) 879-4248

June 24, 1998

RECEIVED

JUL 06 1998

Department of Water Resources
Southern Region

Kelly K. Christensen
State of Idaho
Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RE: Water Rights A71-00043A and A71-00042A

Dear Kelly:

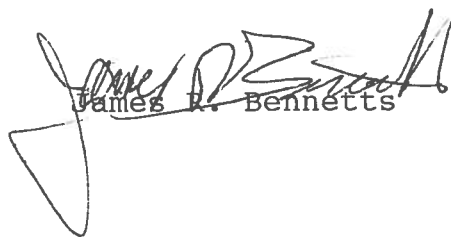
Please find enclosed the Change of Ownership form dealing with HES 271 and HES 274 which has been executed by Martha Mahoney Sadler. I've also attached copies of the recorded Deed from the Atlanta Mahoney Trust to the three children of Daniel J. Mahoney, Jr. (0213300) and the Deeds to Martha Mahoney Sadler from her sister and brother (0213301 and 0213302).

I have sent the Change of Ownership to Martha with the attachments, and therefore the mailing to you will be direct from her in order to speed the process.

I also refer you to your letter to me dated May 21, 1998 and to our subsequent telephone calls.

Call if there are questions. Thanks.

Very truly yours,


James R. Bennetts

JRB:k

C213300

WARRANTY DEED
(BY TRUSTEE)

FOR VALUE RECEIVED, RICHARD L. BRAUNSTEIN, Trustee of the that certain trust which was created by JAMES M. COX under a Deed of Trust dated February 22, 1941, for the benefit of DANIEL J. MAHONEY and the descendants ("The Atlanta Mahoney Trust"), Grantor, whose current address is c/o RICHARD L. BRAUNSTEIN, 1200 New Hampshire Avenue, Washington, D.C. 20036-3802, does hereby Sell and Convey unto MARTHA MAHONEY SADLER, HELEN MAHONEY PARDOE and DANIEL J. MAHONEY III, as Tenants in Common, with equal equities, interests and obligations, Grantees, whose current address is c/o MARTHA MAHONEY SADLER, 874 South County Road, Palm Beach, Florida 33480, the following described premises, in Custer County, Idaho, to-wit:

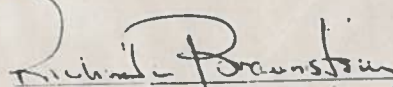
See Exhibit "A" attached hereto and made a part hereof.

SUBJECT HOWEVER TO All encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all encumbrances save and excepting therefrom all encumbrances, covenants, conditions, restrictions and easements of sight and/or of record as recorded in the records of Custer County, Idaho, and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 25, 1997

THE ATLANTA MAHONEY TRUST


Richard L. Braunstein, Trustee

213300

STATE OF
District of Columbia :ss.
County of)

On this 25th day of April, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD L. BRAUNSTEIN, Trustee of the ATLANTA MAHONEY TRUST, known to me to be the said Trustee and known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as such Trustee.

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



James J. McCall
Notary Public for District of Columbia
Residing at 1519 Morris St. NW
My Commission Expires: 2/28/99

213300
Custer County Reg. of.
Custer County Title

3:10 P. M.
5-1 1997
Liana J. Murphy
90 Secretary

213300

EXHIBIT "A"

The land referred to in this exhibit is situated in the State of Idaho, County of Custer and is described as follows:

A fraction of H.E.S. No. 271 and H.E.S. No. 274, being portions of Sections 3 and 10, Township 11 North, Range 12 East, Boise Meridian, Custer County Idaho described as:

Beginning at Corner No. 1 of H.E.S. No. 274 which point is North $89^{\circ} 54'$ West from the North Quarter Corner of Section 10, Township 11 North, Range 12 East, 289.52 feet; thence North $89^{\circ} 54'$ West, 742.5 feet to Corner No. 2 of H.E.S. No. 274; thence North $29^{\circ} 30'$ West, 794.04 feet to the Southwest Corner of the land described in the Deed to Kathryn Huntington Amos dated March 27, 1945, recorded April 1, 1945, in Book 26, Deeds, Page 579, records of Custer County, Idaho; thence North $87^{\circ} 00'$ East, 1135.95 feet along the South line of said Amos land; thence South $82^{\circ} 15'$ East, 642 feet to Corner No. 4 of H.E.S. No. 271 identical with Corner No. 7 of H.E.S. No. 274; thence South $76^{\circ} 27'$ East, 439.5 feet along the South and West side of the road; thence South $62^{\circ} 55'$ East, 228.7 feet along the South and West side of the road; thence South $46^{\circ} 55'$ East, 1492 feet along the South and West side of the road to Corner No. 8 of H.E.S. No. 271; thence South $42^{\circ} 46'$ West, 2319.24 feet to Corner No. 7 of H.E.S. No. 271; thence North $42^{\circ} 21'$ West, 2100.78 feet to Corner No. 6 of H.E.S. 271; thence North $42^{\circ} 35'$ East, 957 feet to Corner No. 1 of H.E.S. 274 to the Place of Beginning.

EXCEPTING THEREFROM ROAD RIGHT OF WAY.

0213301

WARRANTY DEED

FOR VALUE RECEIVED, HELEN MAHONEY PARDOE, a married woman dealing with her sole and separate property, Grantor, whose current address is 234 East 49th Street, New York, New York 10017, does hereby Sell and Convey unto MARTHA MAHONEY SADLER, Grantee, whose current address is 874 South County Road, Palm Beach, Florida 33480, an undivided one-third (1/3) interest (being all of Grantor's interest, equity and title) in and to the following described premises, in Custer County, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

SUBJECT HOWEVER TO All encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, her successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all encumbrances save and excepting therefrom all encumbrances, covenants, conditions, restrictions and easements of sight and/or of record as recorded in the records of Custer County, Idaho, and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: April 29, 1997

Helen M. Pardoe
Helen Mahoney Pardoe

STATE OF NY)
) ss.
County of NY)

On this 29 day of APRIL, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared HELEN MAHONEY PARDOE, a married woman dealing with her sole and separate property, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

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

Attended
Notary Public for
Residing at

My Commission Expires:
CHANDRAMOHAN ARCOT
Notary Public, State of New York
No 01AR5047674
Qualified in Nassau County
My Commission Expires August 7, 1997



213301

EXHIBIT "A"

The land referred to in this exhibit is situated in the State of Idaho, County of Custer and is described as follows:

A fraction of H.E.S. No. 271 and H.E.S. No. 274, being portions of Sections 3 and 10, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho described as:

Beginning at Corner No. 1 of H.E.S. No. 274 which point is North $89^{\circ} 54'$ West from the North Quarter Corner of Section 10, Township 11 North, Range 12 East, 289.52 feet; thence North $89^{\circ} 54'$ West, 742.5 feet to Corner No. 2 of H.E.S. No. 274; thence North $29^{\circ} 30'$ West, 794.04 feet to the Southwest Corner of the land described in the Deed to Kathryn Huntington Amos dated March 27, 1945, recorded April 1, 1945, in Book 26, Deeds, Page 579, records of Custer County, Idaho, thence North $87^{\circ} 00'$ East, 1135.95 feet along the South line of said Amos land; thence South $82^{\circ} 15'$ East, 642 feet to Corner No. 4 of H.E.S. No. 271 identical with Corner No. 7 of H.E.S. No. 274; thence South $76^{\circ} 27'$ East, 439.5 feet along the South and West side of the road; thence South $62^{\circ} 55'$ East, 228.7 feet along the South and West side of the road; thence South $46^{\circ} 55'$ East, 1492 feet along the South and West side of the road to Corner No. 8 of H.E.S. No. 271; thence South $42^{\circ} 46'$ West, 2319.24 feet to Corner No. 7 of H.E.S. No. 271; thence North $42^{\circ} 21'$ West, 2100.78 feet to Corner No. 6 of H.E.S. 271; thence North $42^{\circ} 35'$ East, 957 feet to Corner No. 1 of H.E.S. 274 to the Place of Beginning.

EXCEPTING THEREFROM ROAD RIGHT OF WAY.

213301
Custer County Reg. of
Custer County Title
- 310 P. 11.
5-1-97
Wanda J. Murphy
- 6th

WARRANTY DEED

OFFICIAL NOTARY SEAL
PEGGY R MARTZ
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. 004523
MY COMMISSION EXPIRES 12/31/2017

213302

EXHIBIT "A"

The land referred to in this exhibit is situated in the State of Idaho, County of Custer and is described as follows:

A fraction of H.E.S. No. 271 and H.E.S. No. 274, being portions of Sections 3 and 10, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho described as:

Beginning at Corner No. 1 of H.E.S. No. 274 which point is North $89^{\circ} 54'$ West from the North Quarter Corner of Section 10, Township 11 North, Range 12 East, 289.52 feet; thence North $89^{\circ} 54'$ West, 742.5 feet to Corner No. 2 of H.E.S. No. 274; thence North $29^{\circ} 30'$ West, 794.04 feet to the Southwest Corner of the land described in the Deed to Kathryn Huntington Amos dated March 27, 1945, recorded April 1, 1945, in Book 26, Deeds, Page 579, records of Custer County, Idaho, thence North $87^{\circ} 00'$ East, 1135.95 feet along the South line of said Amos land; thence South $82^{\circ} 15'$ East, 642 feet to Corner No. 4 of H.E.S. No. 271 identical with Corner No. 7 of H.E.S. No. 274; thence South $76^{\circ} 27'$ East, 439.5 feet along the South and West side of the road, thence South $62^{\circ} 55'$ East, 228.7 feet along the South and West side of the road, thence South $46^{\circ} 55'$ East, 1492 feet along the South and West side of the road to Corner No. 8 of H.E.S. No. 271; thence South $42^{\circ} 46'$ West, 2319.24 feet to Corner No. 7 of H.E.S. No. 271; thence North $42^{\circ} 21'$ West, 2100.78 feet to Corner No. 6 of H.E.S. 271; thence North $42^{\circ} 35'$ East, 957 feet to Corner No. 1 of H.E.S. 274 to the Place of Beginning.

EXCEPTING THEREFROM ROAD RIGHT OF WAY.

213302
Custer County, Idaho
Custer County, Idaho

3:10 P. M.

5-1-97

E. J. Murphy
-6-

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226-0036

TELEPHONE
(208) 879-4488

FAX
(208) 879-4248

June 24, 1998

RECEIVED

JUN 25 1998

Department of Water Resources
Southern Region

Kelly Christensen
State of Idaho
Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RE: A71-00043A and A71-00042A

Dear Kelly:

I've sent the Change of Ownership on the above to Martha Mahoney Sadler (and the copies of the necessary deeds) to complete the transfer from the Atlanta Mahoney Trust. She will be mailing it back to you after execution.

If there are any other questions, please let me know.

Very truly yours,


James R. Bennetts

JRB:k

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: **A71-00042A**
Date Received: 1/ 8/1990
Receipt No: S010874
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: THE ATLANTA MAHONEY TRUST
Address: C/O RICHARD L BRAUNSTEIN
1255 23RD ST NORTHWEST
WASHINGTON DC

208-857-2500

20037

2. Date of Priority: MAY 1, 1914

3. Source: VALLEY CREEK

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	12E	3		NW	SW		CUSTER
		4		NW	NE		CUSTER

5. Description of diverting works:
ROCK DIVERSION, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.200		
STOCKWATER	04/01	12/01	0.050		

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

A.F.A.

8. Total consumptive use is 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 COWS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	12E	3	SW	SW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	12E	3	SE	SW		IRR	22.0
			SW	SE		IRR	12.0
			Section Acres				35.0
		10	NE	NE		IRR	12.0
			NW	NE		IRR	39.0
			SW	NE		IRR	18.0
			NE	NW		IRR	18.0
			SE	NW		IRR	4.0
			Section Acres				91.0
			Total Acres				126.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

A TRIBUTARY OF VALLEY CREEK IS PICKED UP AT THE 2ND P/D AND USED AS AVAILABLE. THE LANDS USED ARE A PORTION OF H.E.S. #271. LOCATIONS ARE ESTIMATED. ALSO, SOME LANDS HAVE BEEN EXCHANGED WITH THE U.S.A. OR DISPOSED OF WITHIN H.E.S. #271 IN RETURN FOR LANDS IN H.E.S. 274. ORIGINAL WATER RIGHT RETAINED. CLAIMANT INCREASED ORIGINAL 4.8 CFS TO 4.85 CFS FOR STOCK USE.

CHANGE OF OWNERSHIP RECEIVED 11/12/93 BY JG.

O.60 CFS WAS SPLIT FROM THIS RIGHT INTO A71-00043A PRIMARILY BASED UPON A WARRANTY DEED SUBMITTED BY THE USDA-F IDENTIFYING THEIR PORTION OF THE RIGHTS APPURTENANT TO THEIR PURCHASE OF PARTS OF HES-271 AND HES-274. KKC 5-22-98

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /



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**

May 28, 1998

DANIEL MAHONEY JR
C/O JOHN D WARD ESQ
1200 NEW HAMPSHIRE AVE NW SUITE 800
WASHINGTON DC 20036-6802

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A71-00042A

Dear Mr Ward

The department has tentatively scheduled the first of July 1998 as the date that we will submit a director's report to the SRBA court for irrigation rights in basin 71.

After reviewing warranty deed 182401 and the original Kennedy claim, it appears to me that the intent of that claim was to claim all water appurtenant to the two portions of the HESs that Kennedy owned. Because A71-00043A has a 1915 priority date I cannot recommend both portions under one claim with a 1914 priority date. Based upon that documentation, I have split a portion of A71-00042A off the original claim and have identified it as A71-00043A. I did not renumber the base claim.

I have attached a summary of my tentative recommendation of claims held by Atlanta Mahoney Trust which are appurtenant to HES 271 and HES 274. If the claims are acceptable as they stand (see attached recommended rights) then you need to do nothing, however, if there is an element or elements that you disagree with then please contact me to discuss what needs to be done.

As previously communicated, the ownership of this particular claim is still in the name of Atlanta Mahoney Trust. As this claim was not included in an earlier change of ownership submitted, the department was unable to change this right. If you want this ownership changed, please submit a completed change of ownership form and the necessary documentation to identify the current owner.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures
cc: James Bennetts



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

May 21, 1998

JAMES BENNETTS
PO BOX 36
CHALLIS ID 83226

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A71-00042A

Dear Jim

The department has tentatively scheduled the first of July 1998 as the date that we will submit a director's report to the SRBA court for irrigation rights in basin 71.

After reviewing warranty deed 182401 and the original Kennedy claim, it appears to me that the intent of that claim was to claim all water appurtenant to the two portions of the HESs that Kennedy owned. Because A71-00043A has a 1915 priority date I cannot recommend both portions under one claim with a 1914 priority date. Based upon that documentation, I have split a portion of A71-00042A off the original claim and have identified it as A71-00043A. I did not renumber the base claim.

I have attached a summary of my tentative recommendation of claims held by Atlanta Mahoney Trust which are appurtenant to HES 271 and HES 274. If the claims are acceptable as they stand (see attached recommended rights) then you need to do nothing, however, if there is an element or elements that you disagree with then please contact me to discuss what needs to be done.

As previously communicated, the ownership of this particular claim is still in the name of Atlanta Mahoney Trust. As this claim was not included in an earlier change of ownership submitted, the department was unable to change this right. If you want this ownership changed, please submit a completed change of ownership form and the necessary documentation to identify the current owner.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures
cc: Daniel Mahoney Jr



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

April 8, 1998

JAMES BENNETTS
PO BOX 36
CHALLIS ID 83226

RE: ANALYSIS OF SPLIT OF HES 274 AND HES 271 AND RELATED DECREED
RIGHTS 71-00042 AND 71-00043

Dear Jim

Enclosed for the split right review is a two page SUMMARY OF RIGHTS analysis, a GIS layout for the two HESSs, and the land listing of acres by quarter/quarter as determined by the GIS program. The GIS layout shows the recommended place of use boundary by owner, the HES binderies and the 2 acre parcel that is outside both HESSs. Please review these documents and if you have any questions give me a call. The GIS representation of the water right is the expected method for the department to record water rights in the future. We are just beginning to develop the system.

I have also enclosed an irrigation claim form and a change of ownership form for your use. I visited with my supervisor and we determined that no late fees are applicable for the new claim if Mr Mahoney elects to file. There would be no variable fees due either (assuming that additional acres are not claimed). The only fee due would be the \$50.00 filing fee.

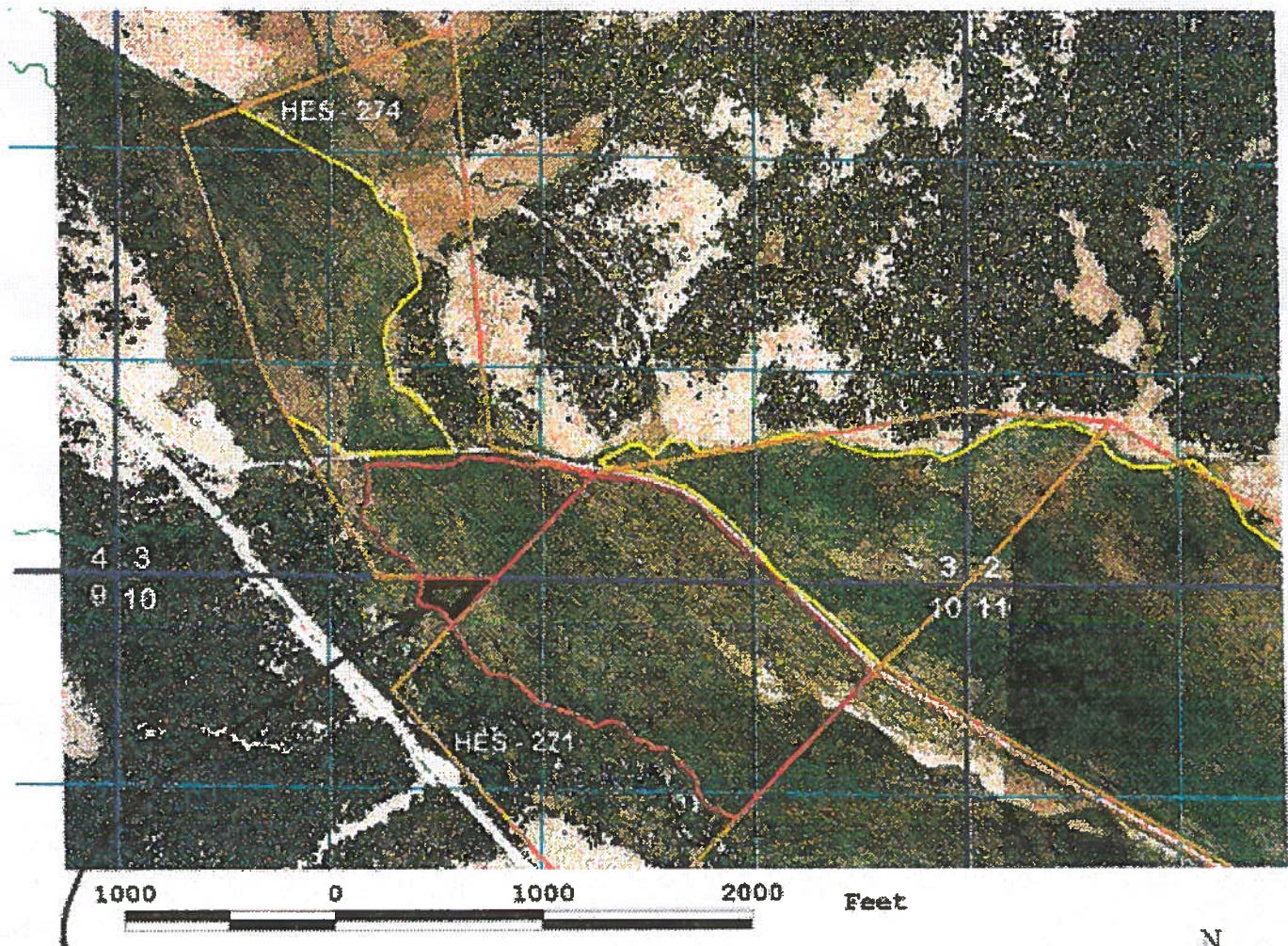
On a side note, we received a letter that you addressed to Frank Hitchcock concerning the desire to amend A75-10053. We have forwarded that letter to our eastern office as basin 75 is within their jurisdiction. For your information, Frank is no longer working for the department. His work load is currently being parceled out to other agents within this region as the need arises.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

HES 271 AND 274 LOCATED IN TWP 11N, RNG 12E SPLIT BY OWNERSHIP USFS AND MAHONEY



AREA OUTSIDE
HES BOUNDARIES
1.9 ACRES $\approx$ 2 ACRES

IRRIGATED ACRES
HES 271 FOREST SERVICE - 47 acres
HES 271 MAHONEY - 68 acres
TOTAL 115 acres

HES 274 FOREST SERVICE - 43 acres
OUTSIDE HES USFS - 2 acres
HES 274 MAHONEY - 47 acres
OUTSIDE HES MAHONEY - 2 acres
TOTAL 94 acres

-  RECOMMENDED PLACE OF USE MAHONEY
-  RECOMMENDED PLACE OF USE USFS
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  HOMESTEAD ENTRY BOUNDARY
-  QUARTER QUARTER LINES
-  STREAM AND DITCH CHANNELS

RECOMMENDED PLACE OF USE
DATA ENTRY ON MARCH 13, 1998
GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

STATE OF IDAHO
IDA DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 71-00042, 71-00041
Together with all other appurtenant or overlapping rights.
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) THE DANIEL J. MAHONEY, JR. LIFETIME TRUST II
c/o JOHN D WARD ESQ.
1200 NEW HAMPSHIRE AVE NW SUITE 800
WASHINGTON, D.C. 20036-6802

4. New Owner/Claimant(s) MARTHA MAHONEY SADLER
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address 874 SOUTH COUNTY ROAD, P. O. BOX 3261
City, State and ZIP Code PALM BEACH FLORIDA 33480
New Telephone Number (561) 655 - 6040

RECEIVED

AUG 22 1997

Department of Water Resources
Southern Region

5. Date you acquired the property 4/28/97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Martha Mahoney Sadler Date April 28, 1997

Date _____

(Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

FOR VALUE RECEIVED, DANIEL J. MAHONEY III, a married man dealing with his sole and separate property, Grantor, whose current address is 234 El Brillo Way, Palm Beach, Florida 33480, does hereby Sell and Convey unto MARTHA MAHONEY SADLER, Grantee, whose current address is 874 South County Road, Palm Beach, Florida 33480, an undivided one-third (1/3) interest (being all of Grantor's interest, equity and title) in and to the following described premises, in Custer County, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

SUBJECT HOWEVER TO All encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, her successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all encumbrances save and excepting therefrom all encumbrances, covenants, conditions, restrictions and easements of sight and/or of record as recorded in the records of Custer County, Idaho, and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: 4/28/97


Daniel J. Mahoney III

STATE OF Florida)
County of Palm Beach) :ss.

On this 28th day of April, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared DANIEL J. MAHONEY III, a married man dealing with his sole and separate property, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

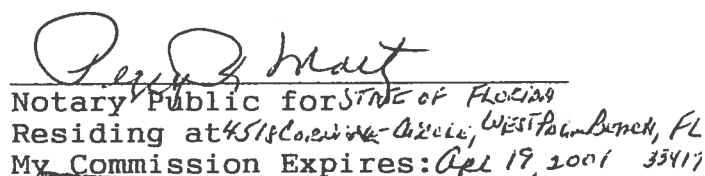
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.



RECEIVED

AUG 22 1997

Department of Water Resources
Southern Region


Notary Public for STATE OF Florida
Residing at 4518 Co. Rd. 200, West Palm Beach, FL
My Commission Expires: Apr 19, 2001 33417

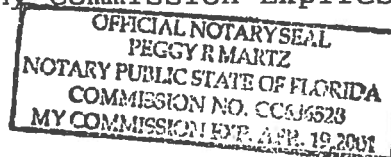


EXHIBIT "A"

The land referred to in this exhibit is situated in the State of Idaho, County of Custer and is described as follows:

A fraction of H.E.S. No. 271 and H.E.S. No. 274, being portions of Sections 3 and 10, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho described as:

Beginning at Corner No. 1 of H.E.S. No. 274 which point is North 89° 54' West from the North Quarter Corner of Section 10, Township 11 North, Range 12 East, 289.52 feet; thence North 89° 54' West, 742.5 feet to Corner No. 2 of H.E.S. No. 274; thence North 29° 30' West, 794.04 feet to the Southwest Corner of the land described in the Deed to Kathryn Huntington Amos dated March 27, 1945, recorded April 1, 1945, in Book 26, Deeds, Page 579, records of Custer County, Idaho; thence North 87° 00' East, 1135.95 feet along the South line of said Amos land; thence South 82° 15' East, 642 feet to Corner No. 4 of H.E.S. No. 271 identical with Corner No. 7 of H.E.S. No. 274; thence South 76° 27' East, 439.5 feet along the South and West side of the road; thence South 62° 55' East, 228.7 feet along the South and West side of the road; thence South 46° 55' East, 1492 feet along the South and West side of the road to Corner No. 8 of H.E.S. No. 271; thence South 42° 46' West, 2319.24 feet to Corner No. 7 of H.E.S. No. 271; thence North 42° 21' West, 2100.78 feet to Corner No. 6 of H.E.S. 271; thence North 42° 35' East, 957 feet to Corner No. 1 of H.E.S. 274 to the Place of Beginning.

EXCEPTING THEREFROM ROAD RIGHT OF WAY.

213302
 Custer County Rec. of
Custer County Title
 Time 3:10 P. M.
5-1 1997
 Ethel M. Peck, Clerk
Wanda J. Murphy
6th Deputy

WARRANTY DEED

FOR VALUE RECEIVED, HELEN MAHONEY PARDOE, a married woman dealing with her sole and separate property, Grantor, whose current address is 234 East 49th Street, New York, New York 10017, does hereby Sell and Convey unto MARTHA MAHONEY SADLER, Grantee, whose current address is 874 South County Road, Palm Beach, Florida 33480, an undivided one-third (1/3) interest (being all of Grantor's interest, equity and title) in and to the following described premises, in Custer County, Idaho, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

SUBJECT HOWEVER TO All encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, her successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that she is the owner in fee simple of said premises; that they are free from all encumbrances save and excepting therefrom all encumbrances, covenants, conditions, restrictions and easements of sight and/or of record as recorded in the records of Custer County, Idaho, and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: April 29, 1997

Helen M. Pardoe
Helen Mahoney Pardoe

STATE OF NY)
) :ss.
County of NY)

On this 29 day of APRIL, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared HELEN MAHONEY PARDOE, a married woman dealing with her sole and separate property, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

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

RECEIVED

AUG 22 1997

Department of Water Resources
Southern Region

Chandramohan Arcot
Notary Public for
Residing at
My Commission Expires:
CHANDRAMOHAN ARCOT
Notary Public, State of New York
No. 01AR5047674
Qualified in Nassau County
My Commission Expires August 7, 1997

EXHIBIT "A"

The land referred to in this exhibit is situated in the State of Idaho, County of Custer and is described as follows:

A fraction of H.E.S. No. 271 and H.E.S. No. 274, being portions of Sections 3 and 10, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho described as:

Beginning at Corner No. 1 of H.E.S. No. 274 which point is North 89° 54' West from the North Quarter Corner of Section 10, Township 11 North, Range 12 East, 289.52 feet; thence North 89° 54' West, 742.5 feet to Corner No. 2 of H.E.S. No. 274; thence North 29° 30' West, 794.04 feet to the Southwest Corner of the land described in the Deed to Kathryn Huntington Amos dated March 27, 1945, recorded April 1, 1945, in Book 26, Deeds, Page 579, records of Custer County, Idaho; thence North 87° 00' East, 1135.95 feet along the South line of said Amos land; thence South 82° 15' East, 642 feet to Corner No. 4 of H.E.S. No. 271 identical with Corner No. 7 of H.E.S. No. 274; thence South 76° 27' East, 439.5 feet along the South and West side of the road; thence South 62° 55' East, 228.7 feet along the South and West side of the road; thence South 46° 55' East, 1492 feet along the South and West side of the road to Corner No. 8 of H.E.S. No. 271; thence South 42° 46' West, 2319.24 feet to Corner No. 7 of H.E.S. No. 271; thence North 42° 21' West, 2100.78 feet to Corner No. 6 of H.E.S. 271; thence North 42° 35' East, 957 feet to Corner No. 1 of H.E.S. 274 to the Place of Beginning.

EXCEPTING THEREFROM ROAD RIGHT OF WAY.

213301
 Custer County Reg. of
Custer County Title
 Time 3:10 P.M.
5-1 1997
 Ethel M. Pack, Clerk
Wanda J. Murphy
 6¹⁰ Deputy

WARRANTY DEED
(BY TRUSTEE)

FOR VALUE RECEIVED, RICHARD L. BRAUNSTEIN, Trustee of the that certain trust which was created by JAMES M. COX under a Deed of Trust dated February 22, 1941, for the benefit of DANIEL J. MAHONEY and the descendants ("The Atlanta Mahoney Trust"), Grantor, whose current address is c/o RICHARD L. BRAUNSTEIN, 1200 New Hampshire Avenue, Washington, D.C. 20036-6802, does hereby Sell and Convey unto MARTHA MAHONEY SADLER, HELEN MAHONEY PARDOE and DANIEL J. MAHONEY III, as Tenants in Common, with equal equities, interests and obligations, Grantees, whose current address is c/o MARTHA MAHONEY SADLER, 874 South County Road, Palm Beach, Florida 33480, the following described premises, in Custer County, Idaho, to-wit:

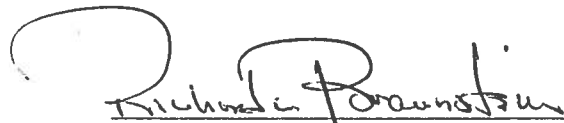
See Exhibit "A" attached hereto and made a part hereof.

SUBJECT HOWEVER TO All encumbrances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all encumbrances save and excepting therefrom all encumbrances, covenants, conditions, restrictions and easements of sight and/or of record as recorded in the records of Custer County, Idaho, and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 25, 1997

THE ATLANTA MAHONEY TRUST


Richard L. Braunstein, Trustee

RECEIVED

AUG 22 1997

Department of Water Resources
Southern Region

STATE OF)
 District of Columbia) ss.
 County of)

On this 25th day of April, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD L. BRAUNSTEIN, Trustee of the ATLANTA MAHONEY TRUST, known to me to be the said Trustee and known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as such Trustee.

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



Wanda J. Murphy
 Notary Public for District of Columbia
 Residing at 1618 Monroe St, NW
 My Commission Expires: 2/28/99

213300
 Custer County Reg. of.
Custer County Title
 Date 3:10 P.M.
5-1 1997
 Ethel M. Peck, Clerk
Wanda J. Murphy
90 Deputy

EXHIBIT "A"

213300

The land referred to in this exhibit is situated in the State of Idaho, County of Custer and is described as follows:

A fraction of H.E.S. No. 271 and H.E.S. No. 274, being portions of Sections 3 and 10, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho described as:

Beginning at Corner No. 1 of H.E.S. No. 274 which point is North $89^{\circ} 54'$ West from the North Quarter Corner of Section 10, Township 11 North, Range 12 East, 289.52 feet; thence North $89^{\circ} 54'$ West, 742.5 feet to Corner No. 2 of H.E.S. No. 274; thence North $29^{\circ} 30'$ West, 794.04 feet to the Southwest Corner of the land described in the Deed to Kathryn Huntington Amos dated March 27, 1945, recorded April 1, 1945, in Book 26, Deeds, Page 579, records of Custer County, Idaho; thence North $87^{\circ} 00'$ East, 1135.95 feet along the South line of said Amos land; thence South $82^{\circ} 15'$ East, 642 feet to Corner No. 4 of H.E.S. No. 271 identical with Corner No. 7 of H.E.S. No. 274; thence South $76^{\circ} 27'$ East, 439.5 feet along the South and West side of the road; thence South $62^{\circ} 55'$ East, 228.7 feet along the South and West side of the road; thence South $46^{\circ} 55'$ East, 1492 feet along the South and West side of the road to Corner No. 8 of H.E.S. No. 271; thence South $42^{\circ} 46'$ West, 2319.24 feet to Corner No. 7 of H.E.S. No. 271; thence North $42^{\circ} 21'$ West, 2100.78 feet to Corner No. 6 of H.E.S. 271; thence North $42^{\circ} 35'$ East, 957 feet to Corner No. 1 of H.E.S. 274 to the Place of Beginning.

EXCEPTING THEREFROM ROAD RIGHT OF WAY.

8/9/94

COMMUNICATION DOCUMENTATION

Claim No. A71-00049 & 00042B

This form is to be used to document public record information requests regarding any SRBA claim or claims. 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. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K. Christensen Date 6-15-94

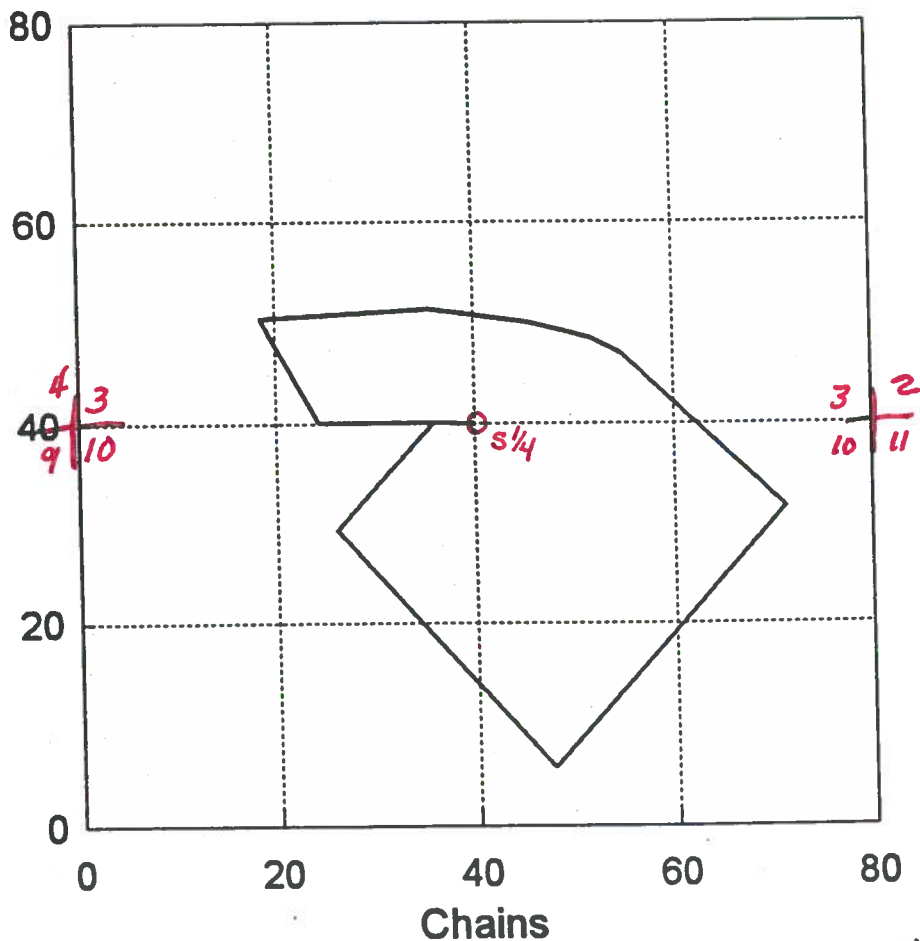
Contact Person(s) Val Hancock - Dan Kimpton Ranger @ Stanley.

in Seth Phalen in Stanley 208-774-3681 contact by field
work in Valley Cr. may be Mark Moulton - Paul Rees (N. of Ketchum)
Nature of Contact preliminary review of Valley Ranger
creek claims.

Substance of Communication Review of claims. Discussed the
conflict between Forest Service & Melhorny where
rights are split. He will send deeds to see if they
specify a div rate agreement. Discussed in general
possible P/R boundaries and that generally the new ones
will be for fewer acres than claimed.

METES & BOUNDS

Sec ___, T ___, R ___



Plot of Schedule A. of warranty
Deed 0205045 Filed in Custer
Co. Sept 28, 1993
Kennedy to Richard L Braunstein
Trustee for
Daniel Mahoney



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

JULY 16, 1997

DANIEL MAHONEY JR
C/O JOHN D WARD ESQ
1200 NEW HAMPSHIRE AVE
NW SUITE 800
WASHINGTON DC 20036-6802

RE: NAME CHANGE ON WATER RIGHT CLAIM

DEAR MR. MAHONEY:

I RECENTLY COMPLETED THE NAME CHANGE THAT YOU REQUESTED FOR YOUR IDAHO WATER RIGHT CLAIMS. THE PAPERWORK VERIFYING THIS SHOULD HAVE BEEN RECEIVED A FEW DAYS AGO.

IN FURTHER RESEARCH, I DISCOVERED A CLAIM (A71-00042A) UNDER THE NAME OF ATLANTA MAHONEY TRUST. DO YOU WANT THIS ONE'S NAME CHANGED TO MATCH THE OTHERS? IF SO, ANOTHER OWNERSHIP CHANGE MUST BE COMPLETED.

I HAVE ALSO FOUND THAT JAMES BENNETTS IS THE ATTORNEY-ON-RECORD FOR CLAIM A71-00053. HE IS ON NONE OF THE OTHERS. WOULD YOU LIKE THIS CHANGED? I AM ENCLOSING PROFILE REPORTS OF THESE CLAIMS, ALONG WITH BOTH A CHANGE OF OWNERSHIP AND A CHANGE OF ATTORNEY.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT ME AT THIS OFFICE. THANK YOU FOR YOUR TIME.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L. BACKLUND
S.R.B.A. RECORDS CLERK

ENCLOSURES

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: **A71-00042A**
Date Received: 1/ 8/1990
Receipt No: S010874
Received By: _____

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

1. Name: THE ATLANTA MAHONEY TRUST 208-857-2500
Address: C/O RICHARD L BRAUNSTEIN
1255 23RD ST NORTHWEST
WASHINGTON DC 20037

2. Date of Priority: MAY 1, 1914

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	12E	3		NW	SW		CUSTER
		4		NW	NE		CUSTER

5. Description of diverting works:
ROCK DIVERSION, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.800		
STOCKWATER	04/01	12/01	0.050		

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

8. Total consumptive use is 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 COWS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	12E	3	SW	SW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	12E	3	SE	SW		IRR	22.0
			SW	SE		IRR	12.0
					Section Acres		35.0
		10	NE	NE		IRR	12.0
			NW	NE		IRR	39.0
			SW	NE		IRR	18.0
			NE	NW		IRR	18.0
			SE	NW		IRR	4.0
					Section Acres		91.0
					Total Acres		126.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

A TRIBUTARY OF VALLEY CREEK IS PICKED UP AT THE 2ND P/D AND USED AS AVAILABLE. THE LANDS USED ARE A PORTION OF H.E.S. #271. LOCATIONS ARE ESTIMATED. ALSO, SOME LANDS HAVE BEEN EXCHANGED WITH THE U.S.A. OR DISPOSED OF WITHIN H.E.S. #271 IN RETURN FOR LANDS IN H.E.S. 274. ORIGINAL WATER RIGHT RETAINED. CLAIMANT INCREASED ORIGINAL 4.8 CFS TO 4.85 CFS FOR STOCK USE.

CHANGE OF OWNERSHIP RECEIVED 11/12/93 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

DAN J. CAVANAGH

Decree Plaintiff

WM. MERRITT, ET AL.

vs Decree Defendant



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

NOV 19, 1993

THE ATLANTA-MAHONEY TRUST
C/O RICHARD L. BRAUNSTEIN
1255 23RD ST NORTHWEST
WASHINGTON DC 20037

RE: ADJUDICATION CLAIM(S) A71-00042 - KENNEDY

Dear Claimant(s):

Pursuant to the notification that you now own the property with the above-referenced Adjudication Claim(s), we have changed the Department's record(s) as you have requested. I found that A71-00042 had been split - the legal description in the Warranty Deed goes with A71-00042A. Please review the record(s) for accuracy.

Should you have any questions, please feel free to contact me at this office.

Sincerely,

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

Judy Givens
Adjudication Secretary

/jg

c.c. James R. Bennetts
Attorney at Law
PO Box 36
Challis, ID 83226

(208) 879-4488

JAMES R. BENNETTS
ATTORNEY AT LAW
P.O. Box 36
CHALLIS, IDAHO 83226

November 10, 1993

RECEIVED

NOV 12 1993

Department of Water Resources
Southern Region Office

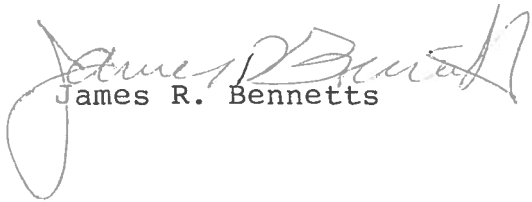
Idaho Dept. of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re: The Atlanta-Mahoney Trust

Dear Sirs:

Enclosed is NEW PROPERTY OWNER NOTICE OF CHANGE OF
WATER RIGHT OWNERSHIP in the above matter.

Very truly yours,


James R. Bennetts

JRB:jab
Enclosure

RECEIVED

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

NOV 12 1993

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

Department of Water Resources
Southern Region Office

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____ 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. See deed attached.

- [] 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) Assigned by IDWR: A71-00042 S/B A71-00042A see letter 11/19/93 jg
- [] Name and Address of Former Owner/Claimant(s)(Seller): JAMES COX KENNEDY
P.O. BOX 105357
ATLANTA GA 30348
- [] New Owner/Claimant (Purchaser): THE ATLANTA-MAHONEY TRUST c/o RICHARD L. BRAUNSTEIN
- [] New Mailing Address: 1255 23rd Street Northwest
Washington D.C. 20037
- [] New Telephone Number: (202) 857 - 2500
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: Warranty Deed

(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): Richard L. Braunstein, Trustee Date 10-16-93
- [] Signature of Former Owner/Claimant(s): James C. Kennedy Date 9-27-93

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date 11/19/93 By SC

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

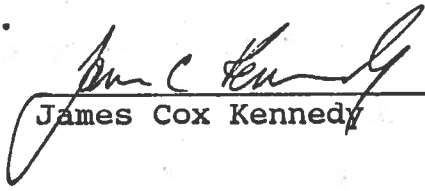
WARRANTY DEED

FOR VALUE RECEIVED, JAMES COX KENNEDY, a married man dealing with his sole and separate property, the Grantor, does hereby grant, bargain, sell and convey unto Richard L. Braunstein, Trustee, the sole Trustee of that certain trust which was created by James M. Cox under a Deed of Trust dated February 22, 1941 for the benefit of Daniel J. Mahoney and his descendants ("The Atlanta-Mahoney Trust"), the Grantee, whose current address is 1255 23rd Street Northwest, Washington, D.C. 20037, the following described premises, to wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all incumbrances except matters of record as revealed in that certain Owner's Title Insurance Commitment issued by First American Title Insurance Company through Custer County Title, Inc. under Commitment No. 8276 on August 13, 1993 and that he will warrant and defend the same from all lawful claims of parties claiming by, through or under Grantor.

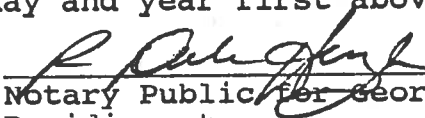
Dated: September 27th, 1993.


James Cox Kennedy

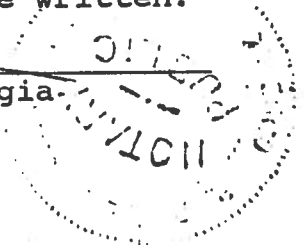
STATE OF GEORGIA)
 : SS
County of DeKalb)

On this 27th day of September, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared JAMES COX KENNEDY, a married man dealing with his sole and separate property, known to me to be the person whose name is subscribed to the foregoing 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 first above written.


Notary Public for Georgia
Residing at:
My Commission Expires:

Notary Public, Cobb County, Georgia
My Commission Expires March 14, 1995



205045

EXHIBIT "A"

A fraction of H.E.S. No. 271 and H.E.S. No. 274, being portions of Sections 3 and 10, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at Corner No. 1 of H.E.S. No. 274 which point is North 89°54' West from the North Quarter Corner of Section 10, Township 11 North, Range 12 East, 289.52 feet; thence North 89°54' West, 742.5 feet to Corner No. 2 of H.E.S. No. 274; thence North 29°30' West, 794.04 feet to the Southwest Corner of the land described in the Deed to Kathryn Huntington Anos dated March 27, 1945, recorded April 1, 1945, in Book 26, Deeds, Page 579, records of Custer County, Idaho; thence North 87°00' East, 1135.95 feet along the South line of said Anos land; thence South 82°15' East, 642 feet to Corner No. 4 of H.E.S. No. 271, identical with Corner No. 7 of H.E.S. No. 274; thence South 76°27' East, 439.5 feet along the South and West side of the road; thence South 62°55' East 228.7 feet along the South and West side of the road; thence South 46°55' East, 1492 feet along the South and West side of the road to Corner No. 8 of H.E.S. No. 271; thence South 42°46' West, 2319.24 feet to Corner No. 7 of H.E.S. No. 271; thence North 42°21' West, 2100.78 feet to Corner No. 6 of H.E.S. No. 271; thence North 42°35' East, 957 feet to Corner No. 1 of H.E.S. 274 to the Place of Beginning.

EXCEPTING THEREFROM ROAD RIGHT OF WAY.

TOGETHER WITH All appurtenant water and ditch rights.

0205045

#

Custer County Reg. of

Custer CountyTitleTime 3:50 P.M.Sept 28 1993

Ethel M. Peck, Clerk

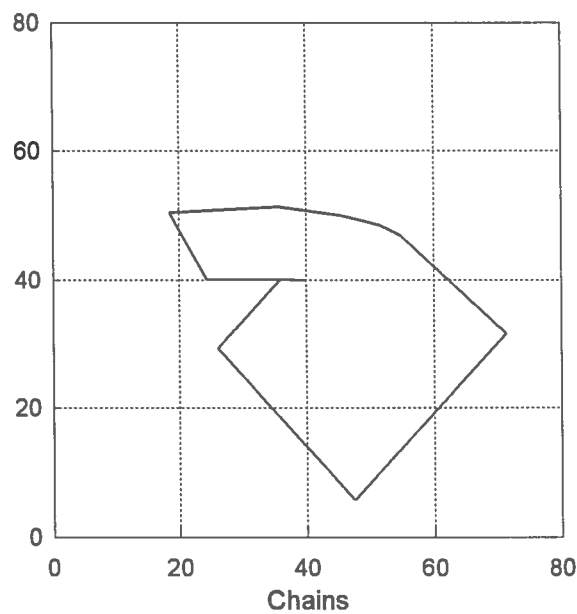
Wanda J. Murphy

Deputy

\$ 6.00

METES & BOUNDS

Sec ___, T___, R___



PLOT IS FROM SCHEDULE A OF
WARRANTY DEED 0205045
Filed in Quater County
Sept 28, 1993

Property transfer from Kennedy to Richard L. Braunstein
Trustee created for the
benefit of Daniel Q.
Mahoney.

RIGHT: 71-00042_____

CLAIMANT: MAHONEY_____

METES AND BOUNDS TABLE

X-COR	Y-COR	ANGLE			BEARING	DIST (FT)	CUM ACRES
		DEGREES	MINUTES	SECONDS			
40.00	40.00						-0.00
35.61	40.01	89.00	54.00	0.00	nw	289.52	-0.02
24.36	40.03	89.00	54.00	0.00	nw	742.50	-19.50
18.44	50.50	29.00	30.00	0.00	nw	794.04	-20.66
35.63	51.40	87.00	0.00	0.00	ne	1135.95	-20.72
45.27	50.09	82.00	15.00	0.00	se	642.00	-22.05
51.74	48.53	76.00	27.00	0.00	se	439.50	-24.14
54.82	46.95	62.00	55.00	0.00	se	228.70	-59.78
71.33	31.51	46.00	55.00	0.00	se	1492.00	-109.84
47.47	5.71	42.00	46.00	0.00	sw	2319.24	-117.48
26.03	29.23	42.00	21.00	0.00	nw	2100.78	-127.15
35.84	39.91	42.00	35.00	0.00	ne	957.00	-127.15
35.84	39.91						-127.15

08/31/95 09:30 AM

ACRES = 127.15

By: KKC_____

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: A71-00042A
Date Received: 1/ 8/1990
Receipt No: S010874
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JAMES COX KENNEDY 404-843-5102
Address: P.O. BOX 105357
ATLANTA GA 30348

2. Date of Priority: MAY 1, 1914

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	12E	3		NW	SW		CUSTER
		4		NW	NE		CUSTER

5. Description of diverting works:
ROCK DIVERSION, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.800		
STOCKWATER	04/01	12/01	0.050		

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

8. Total consumptive use is 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 COWS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	12E	3	SW	SW		IRR	1.0
			SE	SW		IRR	22.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	12E	3	SW	SE		IRR	12.0
						Section Acres	35.0
		10	NE	NE		IRR	12.0
			NW	NE		IRR	39.0
			SW	NE		IRR	18.0
			NE	NW		IRR	18.0
			SE	NW		IRR	4.0
						Section Acres	91.0
						Total Acres	126.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

A TRIBUTARY OF VALLEY CREEK IS PICKED UP AT THE 2ND P/D AND USED AS AVAILABLE. THE LANDS USED ARE A PORTION OF H.E.S. #271. LOCATIONS ARE ESTIMATED. ALSO, SOME LANDS HAVE BEEN EXCHANGED WITH THE U.S.A. OR DISPOSED OF WITHIN H.E.S. #271 IN RETURN FOR LANDS IN H.E.S. 274. ORIGINAL WATER RIGHT RETAINED. CLAIMANT INCREASED ORIGINAL 4.8 CFS TO 4.85 CFS FOR STOCK USE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

DAN J. CAVANAGH

Decree Plaintiff

WM. MERRITT, ET AL.

vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 26, 1993

James Cox Kennedy
P.O. Box 105357
Atlanta, GA 30348

RE: Snake River Basin Adjudication (SRBA)
Custer County - #A71-00042A
Identification Number Change

Dear Mr. Kennedy:

The Identification Number of your Notice of Claim to a Water Right has been changed from A71-00042 to A71-00042A. The suffix "A" has been added to the number in order to distinguish your claim from other claims that may claim a portion of the same original water right. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Please refer to this record number in any future inquiries or correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff'.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:region
Enclosure:

Computer-generated Copy of A71-00042A

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: A71-00042
Date Received: 1/08/1990
Receipt No: S010874
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES COX KENNEDY 404-843-5102
Address: P.O. BOX 105357
ATLANTA, GA 30348

2. Date of Priority: MAY 01, 1914

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	3		NW	SW		CUSTER
		4		NW	NE		CUSTER

5. Description of diverting works:
ROCK DIVERSION, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.800		
STOCKWATER	04/01	12/01	0.050		

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

8. Total consumptive use is 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 COWS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	12E	3	SW	SW		IRR	1.0

A71-00042

Page 1

Date: 01/08/90

MICROFILMED
MAR 17 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	12E	3	SE	SW		IRR	22.0
			SW	SE		IRR	12.0
			Section Acres				35.0
		10	NE	NE		IRR	12.0
			NW	NE		IRR	39.0
			SW	NE		IRR	18.0
			NE	NW		IRR	18.0
			SE	NW		IRR	4.0
			Section Acres				91.0
			Total Acres				126.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

A TRIBUTARY OF VALLEY CREEK IS PICKED UP AT THE 2ND P/D AND USED AS AVAILABLE. THE LANDS USED ARE A PORTION OF H.E.S. #271. LOCATIONS ARE ESTIMATED. ALSO, SOME LANDS HAVE BEEN EXCHANGED WITH THE U.S.A. OR DISPOSED OF WITHIN H.E.S. #271 IN RETURN FOR LANDS IN H.E.S. 274. ORIGINAL WATER RIGHT RETAINED. CLAIMANT INCREASED ORIGINAL 4.8 CFS TO 4.85 CFS FOR STOCK USE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

DAN J. CAVANAGH

Decree Plaintiff

vs

WM. MERRITT, ET AL.

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

**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 71-00042

Date Received _____

Receipt Number _____

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

RECEIVED

JAN 8 1990

Department of Water Resources
Southern Region Office

Please type or print clearly

- Name of Claimant (s) JAMES COX KENNEDY Phone (404) 843-5102
Mailing Address P. O. Box 105357, Atlanta, Georgia Zip 30348
- Date of Priority (Only one (1) per claim) 05/01/1914
- Source of water supply (a) Valley Creek
which is tributary to (b) Salmon River
- a. Location of existing point of diversion is: Township 11 N Range 12 E Section 4,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of Custer
Additional points of diversion if any: Section 3, NW 1/4 SW 1/4, Township 11 N., Range 12 E., B.M.
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Rock diversion, ditch 8 feet wide and
varying depth, water control works at second point of diversion.

MICROFILMED**MAR 17 1993**

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 4.8 or _____

For Livestock purposes from 04/01 to 12/01 amount 0.05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.85 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 250 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Up to 150 cows use springs and creek at times during period.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11 N	12 E	3											1	22			12		35
		10	12	39	18		18			4									91

Total number of acres irrigated 126

11. In which county (ies) are lands listed above as place of use located? Custer

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

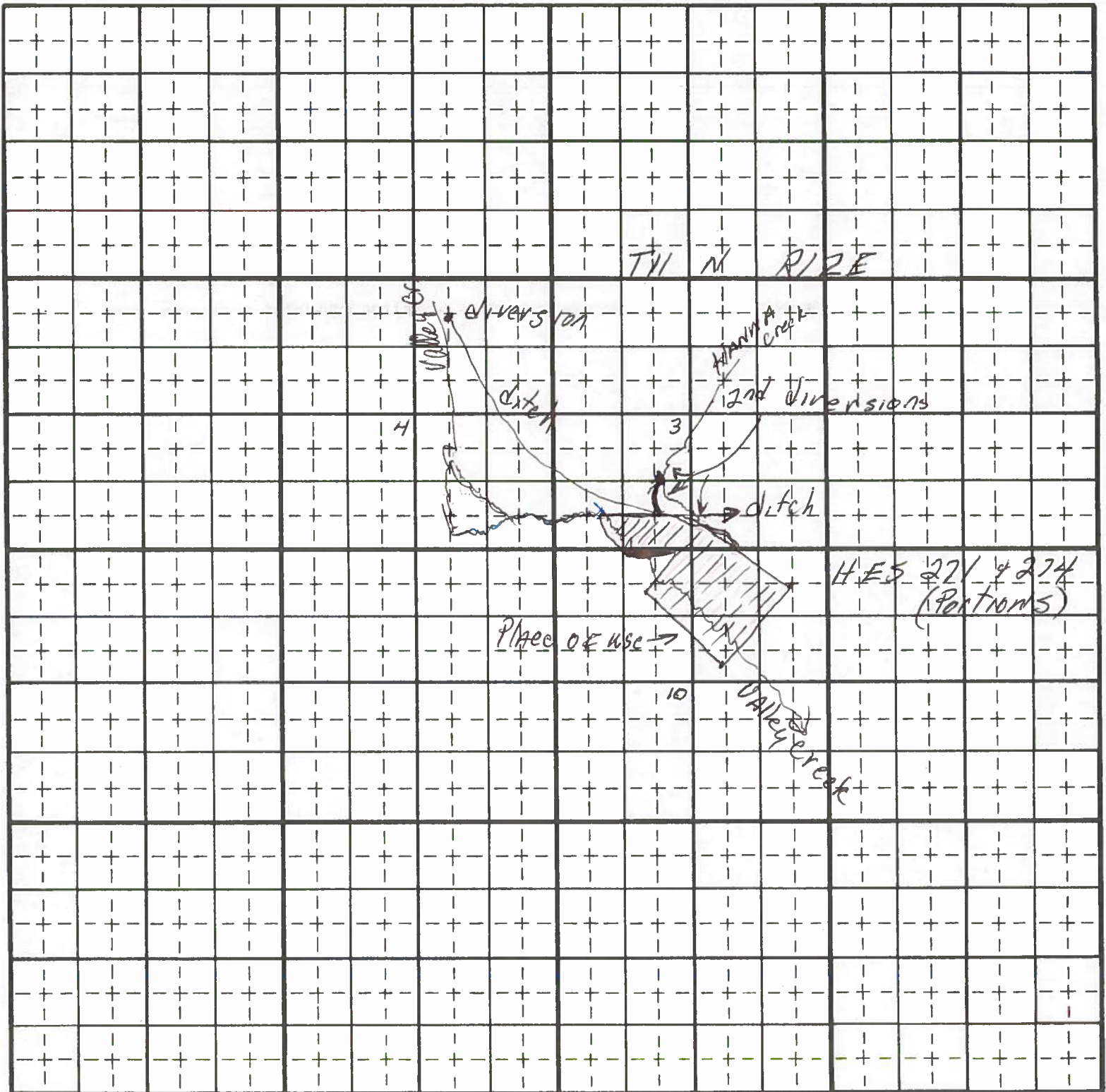
A tributary of Valley Creek is picked up at the second point of diversion and used as available. The lands where used are a portion of H.E.S. #271. Locations are estimated. Also, some lands have been exchanged with the U.S.A. or disposed of within H.E.S. #271 in return for lands in H.E.S. 274. Original water right retained.

Last Name (J. COX) KENNEDY Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



Last Name (T. Cox) Kennedy Ident No. _____

MICROFILMED

Copies: White-Stamp Yellow-Clamp MAR 17 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 71-00042
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 0

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

Signature of Claimant (s) James Cox Kennedy Date 1/2/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Georgia)
County of DeKalb) SS.

Subscribed and sworn (or affirmed) before me this 2nd day of January 19 90
~~December~~

SEAL

Notary Public Munda J. Jones

Residing at 3819 Donaldson Dr., Chamblee, Ga 30341

My Commission Expires _____
Notary Public, DeKalb County, Georgia
My Commission Expires April 25, 1993

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name (J. COX) KENNEDY Ident. Number _____

MICROFILMED

MAR 17 1993
Copies Made - State, Yellow - Claimant

Old (D) Number -

Address - - - - -

STATU

(37) CUSTER

Diversion Volume

4.800

4.800

[illegible]

+ - - Diversion Means -

MICROFILMED
MAR 17 1993

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/06/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 01/16/1940				

MICROFILMED
MAR 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Jan. 10, 1990

Re: A71-00042

JAMES COX KENNEDY
P O BOX 105357
ATLANTA GA 30348

Dear Claimant(s):

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

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

Yours truly,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 17 1993

Water Right Number - R71-00042

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
SPLIT RIGHTVERIFIED BY: *RHC**** O - ORIGINAL OWNER ***
THE ATLANTA MANONEY TRUST1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 0

KENNEDY

JAMES COX

1 - C/O RICHARD L BRAUNSTEIN
2 - 12255 23RD ST NORTHWEST
3 -
City- WASHINGTON
Phone - 208-857-2500
1 - PO BOX 105357
2 -
3 -
City- ATLANTA
Phone - 404-843-5102

State- DC Zip- 20037

State- GA Zip- 30348

+ - - Priority Date - - +
05/01/1914+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +

+ - - Status - - - +
2 - SEE REMARKSSource -
VALLEY CREEK
SPLIT RIGHTTributary -
SALMON RIVER

+ - - Point of Diversion - - - - +

+ - -
Twn Rng Sec Tract Lot RFlg County
11N 12E 3 NW SM (37) CUSTER
4 NW NE (37) CUSTER+ - -
Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 4.800
04 - STOCKWATER 04/01 12/01 0.050+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.850 250.0+ - -
Twn Rng Sec Tract Lot Acres Place of Use Code Description County
11N 12E 3 SW SW 1.0 01 IRRIGATION (37) CUSTER
11N 12E 3 SE SW 22.0 01 IRRIGATION (37) CUSTER
11N 12E 3 SW SE 12.0 01 IRRIGATION (37) CUSTER
11N 12E 10 NE NE 12.0 01 IRRIGATION (37) CUSTER
11N 12E 10 NW NE 39.0 01 IRRIGATION (37) CUSTER
11N 12E 10 SW NE 18.0 01 IRRIGATION (37) CUSTER
11N 12E 10 NE NW 18.0 01 IRRIGATION (37) CUSTER

MICROFILMED

OCT 27 1994

Water right number - R71-00042

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
11N	12E	10	SE NW		4.0	01	IRRIGATION	(37) CUSTER

Total Acres: 126.0

+ - - Diversion Means - ROCK DIVERSION, DITCH

+ - - Non-Irrigation Use - S/150 COWS

+ - - Other Rights for Same Use - NONE

+ - - SEE NO. 71-00042A. Remarks

+ - - No Old Water Right Numbers Found

+ - - No Conditions of Approval found.

+ - - Decree Plaintiff DAN J. CAVANAGH

+ - - Decree Defendant WM. MERRITT, ET AL.

+ - Decree Date 00/00/0000

+ - - Comments: Date: 06/03/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
A TRIBUTARY OF VALLEY CREEK IS PICKED UP AT THE 2ND P/D AND
LOCATIONS ARE ESTIMATED. ALSO, SOME LANDS HAVE BEEN EXCHANGED
FOR LANDS IN H.E.S. 274. ORIGINAL WATER RIGHT RETAINED. USED AS AVAILABLE. THE LANDS USED ARE A PORTION OF H.E.S. #271.
CLAIMANT INCREASED ORIGINAL 4.8 CFS TO 4.85 CFS FOR STOCK USE.

+ - - Audit Fields 06/03/94 CHRISTEN

+ - - Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 06/03/1994	Old Judicial District	-
Claim Received Date	- 01/08/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010874	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- D
				Notice of Error Flag	-

MICROFILMED

OCT 27 1994

FIELD EXAM ATTACHMENT

DATE: 6-3-94

PAGE: 1/1

AGENT: KKC

FILES: A71-00042

ATTACHMENT SUBJECT: SPLIT

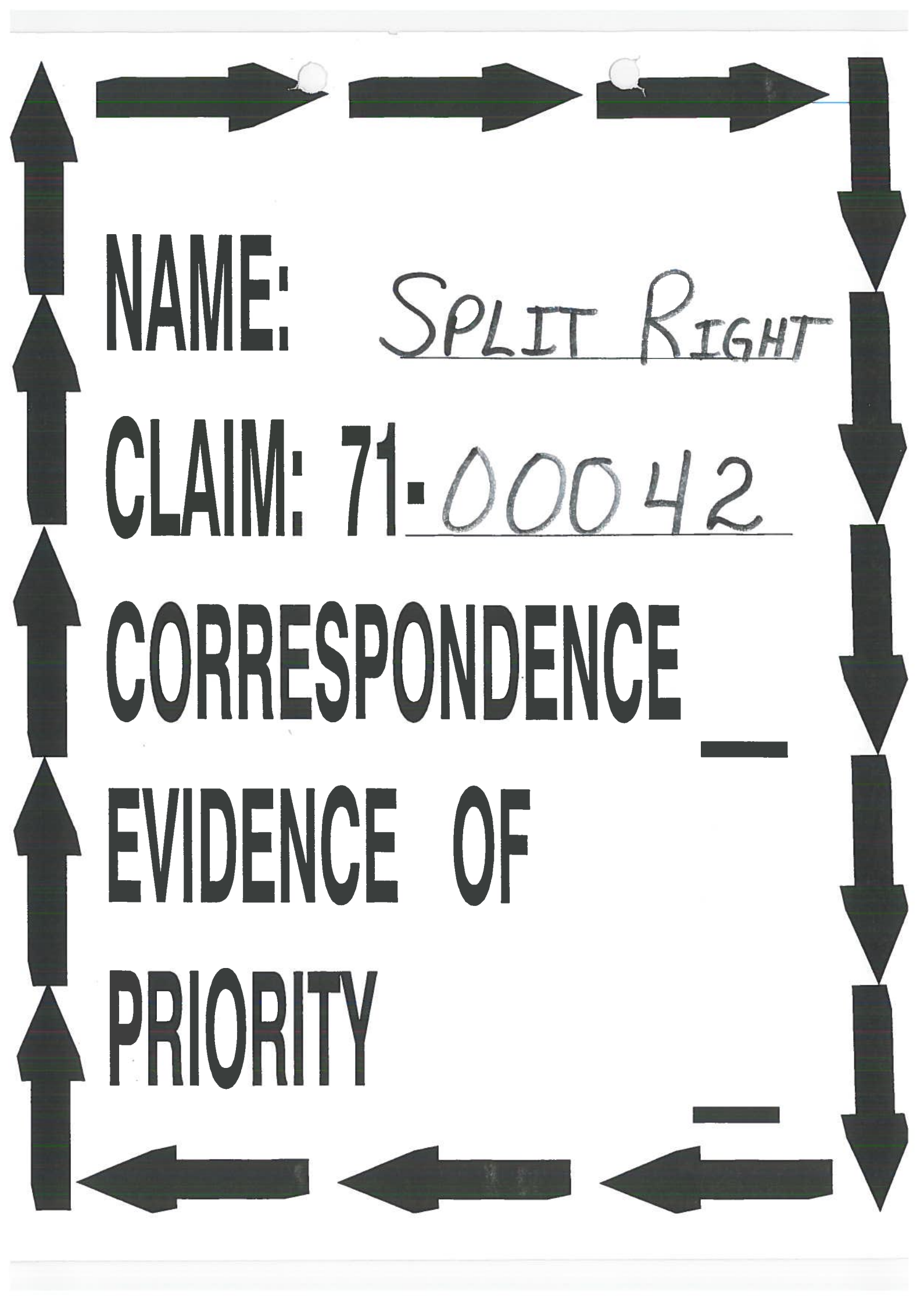
Kennedy originally filed his claim against 71-00042 as A71-00042 and claimed the entire right. Subsequently the Forest Service filed against that deceased right under A71-00042B.

Kennedy's claim was then renumbered from A71-00042 to A71-00042A.

KKC

MICROFILMED

OCT 27 1994



NAME:

SPLIT RIGHT

CLAIM: 71-00042

CORRESPONDENCE

EVIDENCE OF

PRIORITY



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

SOUTHERN REGION

June 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARTHA MAHONEY SADLER
PO BOX 1024
PALM BEACH FL 33480

RE: Snake River Basin Adjudication (SRBA)
Notice of Claims No. A71-00043A, A71-00042A
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in Address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Cheryl E. Timm'.

Cheryl E. Timm
Records Clerk, SRBA

MARTHA MAHONEY SADLER

P. O. Box 1024
Palm Beach, Florida 33480

March 23, 1999

RECEIVED

MAR 29 1999

Department of Water Resources
Southern Region

IDWR Southern Regional Office
1341 Fillmore St., Suite 200
Twin Falls, ID. 83301-3380

Gentlemen:

In connection with recent Decrees received, I would appreciate it if you would change the mailing address on your records for Water Right 71-00042A and Water Right 71-00043A to:

Martha Mahoney Sadler
P. O. Box 1024
Palm Beach, FL. 33480

You are currently using an old address of P. O. Box 3263, Palm Beach, Florida.

Thank you.

Sincerely,



Secretary to Martha M. Sadler

Enc.

data entered 5/17/99 at
↓

Water Right Number - R71-00042A

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
SADLER

MARTHA MAHONEY

1 - PO BOX 3263
2 -
3 -
City- PALM BEACH
Phone - 561-655-7702

State- FL Zip- 33480

*** O - ORIGINAL OWNER ***
KENNEDY

JAMES COX

1 - PO BOX 105357
2 -
3 -
City- ATLANTA
Phone - 404-843-5102
1 - C/O RICHARD L BRAUNSTEIN
2 - 1255 23RD ST NORTHWEST
3 -
City- WASHINGTON
Phone - 208-857-2500

State- GA Zip- 30348
State- DC Zip- 20037

ATLANTA MAHONEY TRUST

THE

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1914 17 SOUTHERN D - DECREED

+ - - Source - - - - - + + - - - Tributary - - - - - +
VALLEY CREEK SALMON RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
11N 12E 4 NE SW NE (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 09/30 3.210

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.210 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
11N 12E 3 SE SW 17.0 01 IRRIGATION (37) CUSTER
11N 12E 3 SW SE 16.5 01 IRRIGATION (37) CUSTER
11N 12E 3 SE SE 0.3 01 IRRIGATION (37) CUSTER
11N 12E 10 NE NE 12.0 01 IRRIGATION (37) CUSTER
11N 12E 10 NW NE 32.0 01 IRRIGATION (37) CUSTER
11N 12E 10 SW NE 0.8 01 IRRIGATION (37) CUSTER
11N 12E 10 NE NW 6.4 01 IRRIGATION (37) CUSTER

Total Acres: 85.0

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

..... Remarks

PROPERTY IS ALSO KNOWN AS A PORTION OF HOMESTEAD ENTRY SURVEY NOS 271 AND 274.

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, 71-00043A, 71-00043B, 71-00045, 71-00047, 71-00049B, 71-00050, & 71-00052.

```

+-----+-----+-----+-----+-----+-----+-----+-----+
7100042                                     Old Water Right Numbers
+-----+-----+-----+-----+-----+-----+-----+-----+

```

```

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

+	-	Comments-
Date: 11/19/1993	User Id: GIVENS	Subject: OWNERSHIP CHANGE
CHANGE OF OWNERSHIP RECEIVED 11/12/93 FORMER OWNER JAMES COX		
BRAUNSTEIN. COPY OF WARRANTY DEED SUBMITTED WITH FORM.		
Date: 05/26/1998	User Id: KCHRISTE	Subject: COPIED FROM REMARKS
A TRIBUTARY OF VALLEY CREEK IS PICKED UP AT THE 2ND P/D AND		
LOCATIONS ARE ESTIMATED. ALSO, SOME LANDS HAVE BEEN EXCHANGED		
FOR LANDS IN H.E.S. 274. ORIGINAL WATER RIGHT RETAINED.		

Date: 07/09/1998	User Id: KCHRISTE	Subject: OWNERSHIP CHANGE
CHANGE DATA ENTERED 7-9-98 KCC BASED UPON WARRANTY DEEDS.		
KENNEDY NEW OWNER THE ATLANTA-MAHONEY TRUST C/O RICHARD L.		
USED AS AVAILABLE. THE LANDS USED ARE A PORTION OF H.E.S. #271.		
WITH THE U.S.A. OR DISPOSED OF WITHIN H.E.S. #271 IN RETURN		
CLAIMANT INCREASED ORIGINAL 4.8 CFS TO 4.85 CFS FOR STOCK USE.		
CHANGE OF OWNERSHIP RECEIVED 11/12/93 BY JG.		

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

Court Report Filing	-	00/00/0000	Field Inspection Made	-	09/16/1993	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

07:29:59
05/26/98

PAGE: 17
QUICKLOOK INFORMATION

17
CLAIM NUMBER: A71-D0042A

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			9-16-93 KKC	N	11256	KKC 5-26-98	KKC 5-26-98	
POINT OF DIV	Y		9-15-93 "	Y	"	"		
SOURCE			9-16-93 "	N	"	"		
PLACE OF USE	Y		"	Y	"	"		
DIV. AMOUNT CFS/VOLUME	Y		9-16-93	Y	"	"		
CONSUMPTIVE USE	-		-	-				
PURPOSES OF USE	Y		5-26-98 KKC	Y	6			
PERIOD OF USE	Y		"	Y	"			
BASIS OF CLAIM	Y		"	N	"			
REMARKS	Y		"	Y	"			

BARCODE UPDATED
WHOM/DATE

AGE: 19
LIST OF MAPS USED AND ATTACHMENTS

19
CLAIM NUMBER: A71-00039H

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 <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()
☒ SCS SOIL SURVEY MAP	DATE ISSUED <u>245-110</u>	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>Casa Grande 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 _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:29:59
05/26/98

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A71-00042A

LAST: ATLANTA MAHONEY TRUST FIRST: THE
ADDRESS: C/O RICHARD L BRAUNSTEIN
1255 23RD ST NORTHWEST
CITY: WASHINGTON STATE: DC ZIP: 20037
PHONE NUMBER: 208-857-2500

OWNER CODE: C

LAST: KENNEDY FIRST: JAMES COX
ADDRESS: PO BOX 105357
CITY: ATLANTA STATE: GA ZIP: 30348
PHONE NUMBER: 404-843-5102

OWNER CODE: O

FIELD EXAM REQUIRED?

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

CLAIM REMARKS: GEN A TRIBUTARY OF VALLEY CREEK IS PICKED UP AT THE 2ND P/D AND
USED AS AVAILABLE. THE LANDS USED ARE A PORTION OF H.E.S. #271.
LOCATIONS ARE ESTIMATED. ALSO, SOME LANDS HAVE BEEN EXCHANGED
WITH THE U.S.A. OR DISPOSED OF WITHIN H.E.S. #271 IN RETURN
FOR LANDS IN H.E.S. 274. ORIGINAL WATER RIGHT RETAINED.
CLAIMANT INCREASED ORIGINAL 4.8 CFS TO 4.85 CFS FOR STOCK USE.

CHANGE OF OWNERSHIP RECEIVED 11/12/93 BY JG.

0.60 CFS WAS SPLIT FROM THIS RIGHT INTO A71-00043A PRIMARILY
BASED UPON A WARRANTY DEED SUBMITTED BY THE USDA-F IDENTIFYING
THEIR PORTION OF THE RIGHTS APPURTENANT TO THEIR PURCHASE OF
PARTS OF HES-271 AND HES-274. KKC 5-22-98

CONTACT PERSON: Dave Muscavage

PHONE NUMBER: () -

DATE OF FIELD EXAM: 9/16/93

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: no one in field

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: son manager/irrigator

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A71-00042A PRIORITY DATE: 05-01-1914 STAGE: D

B. WR RECORD: # 71-00042 PRIORITY DATE: 05-01-1914 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 and the claimed P/4
matches a portion of the decreed P/4
(claim is for just a portion of the original decreed
right)

therefore I accept the date
as claimed

=====

RECOMMENDED PRIORITY DATE:

05-01-1914

REVIEWED BY KXC

DATE 5-26-98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
							FLAG			
A71-00042A	11N	12E					NW SW		CUSTER	
A71-00042A	11N	12E					NW NE		CUSTER	

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A71-00040A NONE

A71-00040D

A71-00040E

A71-00040G

A71-00040H

A71-00041

A71-00043A

A71-00047

WR RECORDS IN SAME 40 ACRE TRACT

71-00040

71-00043

71-00045

71-00047

71-07148

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	COUNTY	DIVERSION NAME	DIVERSION NUMBER
							FLAG			
71-00042	11N	12E					NW NE		CUSTER	

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

71-00041

A71-00042B

NONE

SOURCE: VALLEY 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(~~X~~)

* 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(~~X~~)

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

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(~~X~~) 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(7) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(~~X~~) N()

I. HOW WAS THE POD AND SOURCE VERIFIED? Field exam 9-15-93

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

XKC

Y() N()

AJ FIELD EXAM

(DATE OF FIELD EXAM _____)

NAME OF EXAMINER _____

Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: No known P/O found in Sec 10. No local residents recall of a P/O in Sec 10. I found water being delivered to the P/O from the P/O in Sec 4. I also found where Hanna Cr is diverted (via the delivery system of ~~the~~ Valley Cr in Sec 4 but this source is derived from a different right and a diff HES. only Sec 4 Valley Cr diversion is recognized as valid.

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 CUSTER CUSTER	DIVERSION NAME	DIVERSION NBR
14N	12E	3	NW	SW						
11N	12E	4	NW	NE						
			NE SW							

SOURCE: VALLEY CREEK

TRIB: SALMON RIVER

REVIEWED BY:

XKC

DATE: 5-26-98

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

A. ROOT WATER RIGHT NUMBERS: A71-00042A
A71-00042B

R71-00042A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11N	12E	3	SW	SW		ATLANTA MAHONEY TRUST, THE	A71-00042A / 1.0	- /	5.0		
			SW	SW		AMERICA ACTING THROUGH, UNITED	F71-10200 /	- /			
			SW	SW		ATLANTA MAHONEY TRUST, THE	R71-00042A / 1.0	- /			
			SW	SW		US DEPT OF AGRICULTURE	71-10200 /	- /			
			SW	SW		ATLANTA MAHONEY TRUST, THE	A71-00043A / 1.0	- /			
			SW	SW		US DEPT OF AGRICULTURE	A71-00043B /	- /			
			SW	SW		THOMPSON, JOHN		71-00043 /			
11N	12E	3	SE	SW		ATLANTA MAHONEY TRUST, THE	A71-00042A / 22.0	- /	39.0		
			SE	SW		AMERICA ACTING THROUGH, UNITED	F71-10200 /	- /			
			SE	SW		ATLANTA MAHONEY TRUST, THE	R71-00042A / 22.0	- /			
			SE	SW		US DEPT OF AGRICULTURE	71-10200 /	- /			
			SE	SW		US DEPT OF AGRICULTURE	71-10204 /	- /			
			SE	SW		ATLANTA MAHONEY TRUST, THE	A71-00043A / 22.0	- /			
			SE	SW		US DEPT OF AGRICULTURE	A71-00043B /	- /			
			SE	SW		THOMPSON, JOHN		71-00042 /			
			SE	SW		THOMPSON, JOHN		71-00043 /			
			SE	SW		STATE OF IDAHO		71-07148 /			
11N	12E	3	SW	SE		ATLANTA MAHONEY TRUST, THE	A71-00042A / 12.0	- /	35.0		
			SW	SE		US DEPT OF AGRICULTURE	A71-00042B /	- /			
			SW	SE		ATLANTA MAHONEY TRUST, THE	R71-00042A / 12.0	- /			
			SW	SE		ATLANTA MAHONEY TRUST, THE	A71-00043A / 12.0	- /			
			SW	SE		THOMPSON, JOHN		71-00042 /			
			SW	SE		THOMPSON, JOHN		71-00043 /			
11N	12E	10	NE	NE		ATLANTA MAHONEY TRUST, THE	A71-00042A / 12.0	- /	40.0		
			NE	NE		US DEPT OF AGRICULTURE	A71-00041 /	71-00041 /			
			NE	NE		US DEPT OF AGRICULTURE	A71-00042B /	- /			
			NE	NE		ATLANTA MAHONEY TRUST, THE	R71-00042A / 12.0	- /			
			NE	NE		MAHONEY JR LIFETIME TRUST II,	A71-00047 / 15.0	71-00047 /			
			NE	NE		MAHONEY JR LIFETIME TRUST II,	R71-00047 / 13.0	- /			
			NE	NE		ATLANTA MAHONEY TRUST, THE	A71-00043A / 12.0	- /			
			NE	NE		THOMPSON, JOHN		71-00042 /			
			NE	NE		M BAR M INC.		71-00048 /			
11N	12E	10	NW	NE		ATLANTA MAHONEY TRUST, THE	A71-00042A / 39.0	- /	37.0		
			NW	NE		US DEPT OF AGRICULTURE	A71-00042B /	- /			
			NW	NE		ATLANTA MAHONEY TRUST, THE	R71-00042A / 39.0	- /			
			NW	NE		ATLANTA MAHONEY TRUST, THE	A71-00043A / 39.0	- /			

*See Attached
GIS
landlist*

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANOSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	NE		THOMPSON, JOHN		71-00042 /			
11N	12E	10	SW	NE		ATLANTA MAHONEY TRUST, THE	A71-00042A / 18.0	- /		4.0	
			SW	NE		ATLANTA MAHONEY TRUST, THE	R71-00042A / 18.0	- /			
			SW	NE		MAHONEY JR LIFETIME TRUST II,	A71-00047 / 5.0	71-00047 /			
			SW	NE		ATLANTA MAHONEY TRUST, THE	A71-00043A / 18.0	- /			
			SW	NE		THOMPSON, JOHN		71-00042 /			
			SW	NE		M BAR M INC.		71-00048 /			
11N	12E	10	NE	NW		ATLANTA MAHONEY TRUST, THE	A71-00042A / 18.0	- /		13.0	
			NE	NW		US DEPT OF AGRICULTURE	A71-10200 /	- /			
			NE	NW		ATLANTA MAHONEY TRUST, THE	R71-00042A / 18.0	- /			
			NE	NW		US DEPT OF AGRICULTURE	71-10200 /	- /			
			NE	NW		ATLANTA MAHONEY TRUST, THE	A71-00043A / 18.0	- /			
			NE	NW		THOMPSON, JOHN		71-00042 /			
11N	12E	10	SE	NW		ATLANTA MAHONEY TRUST, THE	A71-00042A / 4.0	- /			
			SE	NW		ATLANTA MAHONEY TRUST, THE	R71-00042A / 4.0	- /			
			SE	NW		ATLANTA MAHONEY TRUST, THE	A71-00043A / 4.0	- /			
			SE	NW		THOMPSON, JOHN		71-00042 /			

ADDITIONAL POU FOUND

TOTAL ACRES	A71-00042A	126.00	173.00
-------------	------------	--------	--------

POU COUNTY: CUSTER

*Recom
85 Acres
See GIS
Land list*

CLAIM NUMBERS A71-00042A

DATE 6-12-98

TRANSFER NUMBER _____

AGENT KKC

HOMESTEAD ENTRY NO. _____

CLAIMED ACRE TOTAL _____

GEOGRAPHIC INFO ACRES 85

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	11N	12E	3											1	22			12	
GIS			3											-0-	165			164	.3
RECOM	ACRES WITHIN			HES 271															
	Acres within			HES 274															
CLAIM	PPU			total PPU															
GIS															17			165	.3
RECOM																			33.1
CLAIM	11N	12E	10	12	39	18		18			4	All acres within HES-271							
GIS			10	123	32	.8		8.3			-0-								
RECOM			10	12	32	.8		6.4			-0-								
CLAIM								1.9 acres are outside the HES boundary and are not recommended.											
GIS																			
RECOM																			

B71-DBPOD.SHP

NOS DESCRIPTION

32 Sec 4

NESWNE

A71-00042A was decreed to HES 271
I found 67.4 acres irrigated within
the PPU relating to HES 271
therefore 71-00042A is limited to 67.4A
within the PPU of BSA.

B71-DBPOU.SHP

SHAPE NOS

A71-00043A was decreed to HES 274
I found 17 acres irrigated within the
PPU relating to HES 274
therefore 71-00043A is limited to 17A
within the PPU of BSA.

the PPD is shared with multiple rights
all related to VC % fish screen.

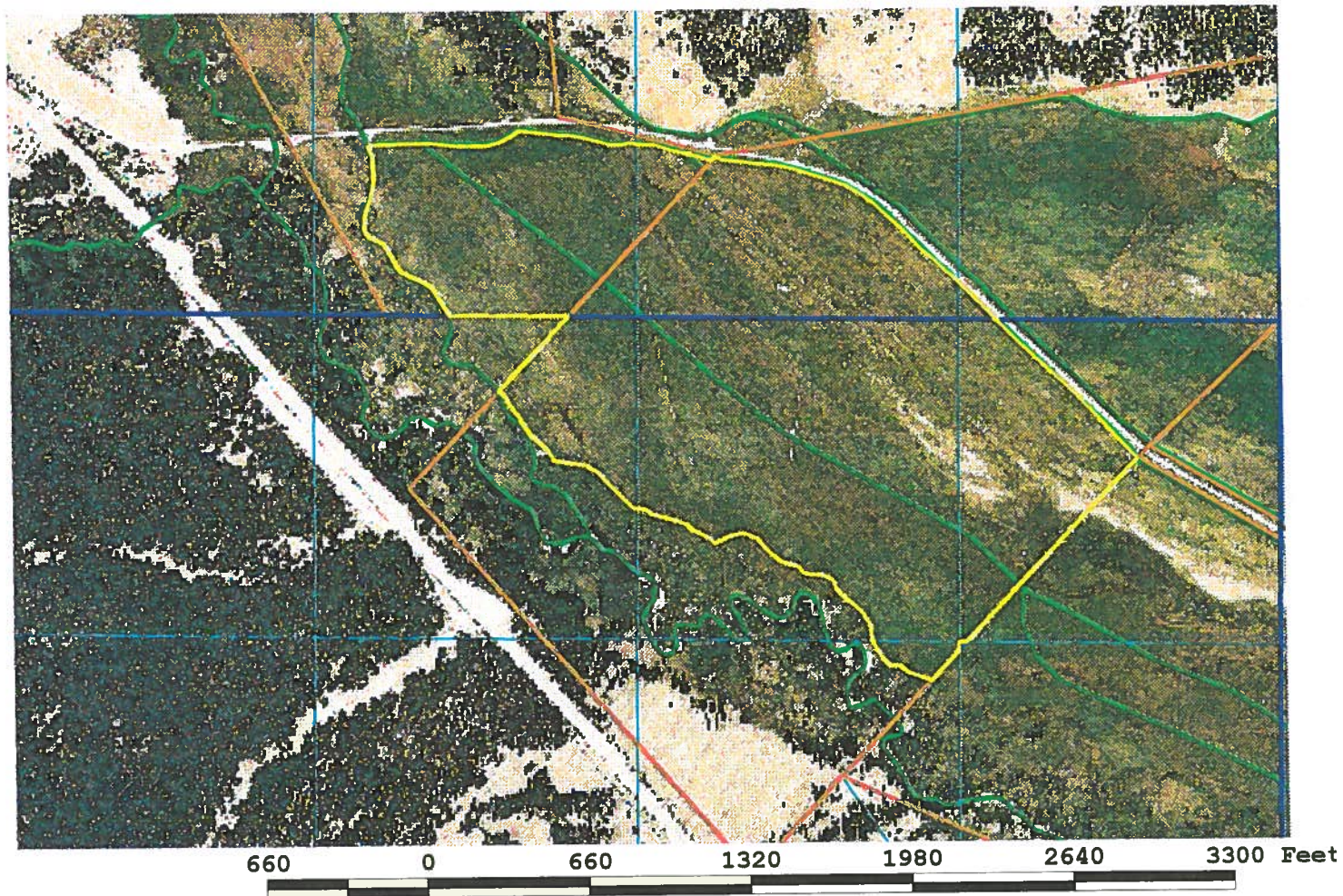
DBF TABLES UPDATED

B71-DBPOD.DBF

B71-DBPOU.DBF

IDAHO DEPARTMENT OF WATER RESOURCES

71-00042A & 71-00043A
HES- 271 & 274 (PART)
MAHONEY



RECOMMENDED PLACE OF USE = 85 ACRES
DATA ENTRY ON MAY 26, 1998
TWP 11N, RNG 12E,
SEC 3, SESW, & SWSE
SEC 10, N1/2NE1/4, SWNE, & NENW



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

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

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

Y(~~X~~) N()

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

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
A71-00042A	VALLEY CREEK	ATLANTA MAHONEY TRUST, THE	4.250	0.033		
A71-00041	VALLEY CREEK	US DEPT OF AGRICULTURE	4.800	0.030		
R71-00042A	VALLEY CREEK	ATLANTA MAHONEY TRUST, THE	4.850	0.038		
A71-00042B	VALLEY CREEK	US DEPT OF AGRICULTURE	1.590	0.027		
A71-00043A	VALLEY CREEK	ATLANTA MAHONEY TRUST, THE	0.600	0.004		
A71-00043B	VALLEY CREEK	US DEPT OF AGRICULTURE	2.600	0.035		
R71-00047	VALLEY CREEK	MAHONEY JR LIFETIME TRUST II,	3.600	0.033		
A71-00047	VALLEY CREEK	MAHONEY JR LIFETIME TRUST II,	3.630	0.023		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A71-00042A	STOCKWATER	ATLANTA MAHONEY TRUST, THE	FROM 04-01 TO 12-01	0.050 CFS	
F71-10200	STOCKWATER	AMERICA ACTING THROUGH, UNITED	FROM 06-01 TO 10-31	0.020 CFS	
71-10200	STOCKWATER	US DEPT OF AGRICULTURE	FROM 06-01 TO 10-31	0.020 CFS	
71-10204	STOCKWATER	US DEPT OF AGRICULTURE	FROM 06-01 TO 10-31	0.020 CFS	
A71-10200	STOCKWATER	US DEPT OF AGRICULTURE	FROM 06-01 TO 10-31	0.030 CFS	

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

Y(~~X~~) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

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

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

Y(~~X~~) 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(~~X~~)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. 4-68; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() NAPP, IDWR NO. _____; () ASCS PHOTO; ☒ OTHER GIS 1992
USDA-F 677-A3 USDA-F

NOTES: 9-9-77 Right

RECOMMENDATIONS:

TOTAL ACRES: 86 N/A()

REVIEWED BY: XKC DATE: 5-26-98



**ANALYSIS OF CLAIMS AGAINST:
71-00042 & 71-00043**

DECREED RIGHT 71-00042

Place of use = HES-271
Priority date = 5-1-1914
Diversion rate = 4.80 cfs
Source = Valley Cr only
P/D = Twp 11N, Rng 12E,
sec 10 NWNE

DECREED RIGHT 71-00043

Place of use = HES-274
Priority date = 5-1-1915
Diversion rate = 3.20 cfs
Source = Valley Cr only
P/D = Twp 11N, Rng 12E,
sec 4 NWNE

CLAIMS AGAINST THE DECREED RIGHTS

**A71-00042A claimant = KENNEDY
(prior to split)**

Place of use = HES-271 & HES-274
126 acres total
Priority date = 5-1-1914
Diversion rate = 4.80 cfs irr
0.05 cfs stockwater
Source = Valley Cr only claimed
source but remarks
indicate Hanna Cr
also. P/D legal also
indicates Hanna Cr.
P/D = 11N, 12E, sec 4 NWNE
11N, 12E, sec 3 NWSW

**A71-00043A (split from A71-00042A)
(see analysis for basis of split)**

Place of use = HES-271 & HES-274
126 acres total
Priority date = 5-1-1915
Diversion rate = 0.60 cfs irr
Source = Valley Cr only
P/D = 11N, 12E, sec 4 NWNE

**A71-00042B claimant = USDA-F
(as claimed)**

Place of use = HES-271
unspecified acres
Priority date = 5-1-1914
Diversion rate = 1.59 cfs irr
Source = Valley Cr
P/D = 11N, 12E, sec 4 SENE
11N, 12E, sec 10 NWNE

**A71-00043 claimant = USDA-F
(renumbered to A71-00043B)**

Place of use = HES-274
unspecified acres
Priority date = 5-1-1915
Diversion rate = 3.20 cfs irr
Source = Valley Cr
P/D = 11N, 12E, sec 4 NWNE

WARRANTY DEED 182401 CONVEYS 1.586 cfs

WARRANTY DEED 182401 CONVEYS 2.60 cfs

ANALYSIS OF RECOMMENDATION AS OF May 21, 1998

PLACE OF USE

A71-00042B is recommended as claimed on the found irrigated and owned portion of HES-271 and A71-00043B is recommended as claimed on the found irrigated and owned portion of HES-274 (to the USDA-F). No ground outside the HES boundaries is included in the recommended place of use.

A71-00042A and A71-00043A are recommended on a permissible place of use covering parts of both HES 271 and HES-274 as found irrigated and claimed by Kennedy. No ground outside the HES boundaries is included in the recommended place of use.

CLAIM	PRIORITY DATE	DIVERSION RATE	CLAIM	PRIORITY DATE	DIVERSION RATE
A71-00042A	5-1-1914	3.21 cfs	A71-00043A	5-1-1915	0.60 cfs
A71-00042B	5-1-1914	<u>1.59 cfs</u>	A71-00043*	5-1-1915	<u>2.60 cfs</u>
	total	<u>4.80 cfs</u>		total	<u>3.20 cfs</u>

*(renumbered to A71-00043B)

SOURCE (for all 4 claims) P/D LEGAL DESCRIPTION

Valley Creek TNS 11N; RNG 12E; SEC 4; NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$

(above is the recommended legal for all claims as the decree describes only Valley creek as the source and only that P/D from Valley Cr can deliver water to the HESSs. Hanna Creek is decreed to a different HES under a different right.)

BASIS FOR A71-00042A & A71-00042B RECOMMENDATIONS DIVERSION RATE ANALYSIS

The warranty deed submitted by USDA-F indicates that their portion of 71-00042 is 1.59 cfs and their portion of 71-00043 is 2.60 cfs. The rate expressed in the warranty deed is the diversion rate recommendation for A71-00042B.

As that warranty deed specifically identifies a portion of the diversion rate from each right as being appurtenant to the USDA-F property the balance is therefore considered appurtenant to the property claimed by Kennedy.

The balance of 3.21 cfs from 71-00042 is the recognized rate for Kennedy under A71-00042A.

BASIS FOR A71-00043A & A71-00043B RECOMMENDATIONS

Again, the specified 2.60 cfs in the warranty deed is the diversion rate recommendation for A71-00042B.

Because the priority dates are different for each right and to recognize all of the appurtenant water for the Kennedy place of use under one claim would require the priority date to be advanced to the later date (5-1-1915), I split 0.60 cfs from A71-00042A. The 0.60 cfs represents the balance of the rate specified for 71-00043 as identified in the USDA-F warranty deed. That rate is recognized under A71-00043A with the 1915 priority date.

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A71-00042A IRRIGATION	FROM ⁵ 04-01 TO ^{9 30} 11-01	4.200 CFS	
A71-00042A STOCKWATER	FROM 04-01 TO 12-01	0.050 CFS	
TOTAL DIVERSION RATE/VOLUME		4.250 CFS	

*Recom
dept 5 standard
no period of use
given in decree*

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
71-00042 IRRIGATION	FROM TO	4.800 CFS	
TOTAL DIVERSION RATE/VOLUME		4.800 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?

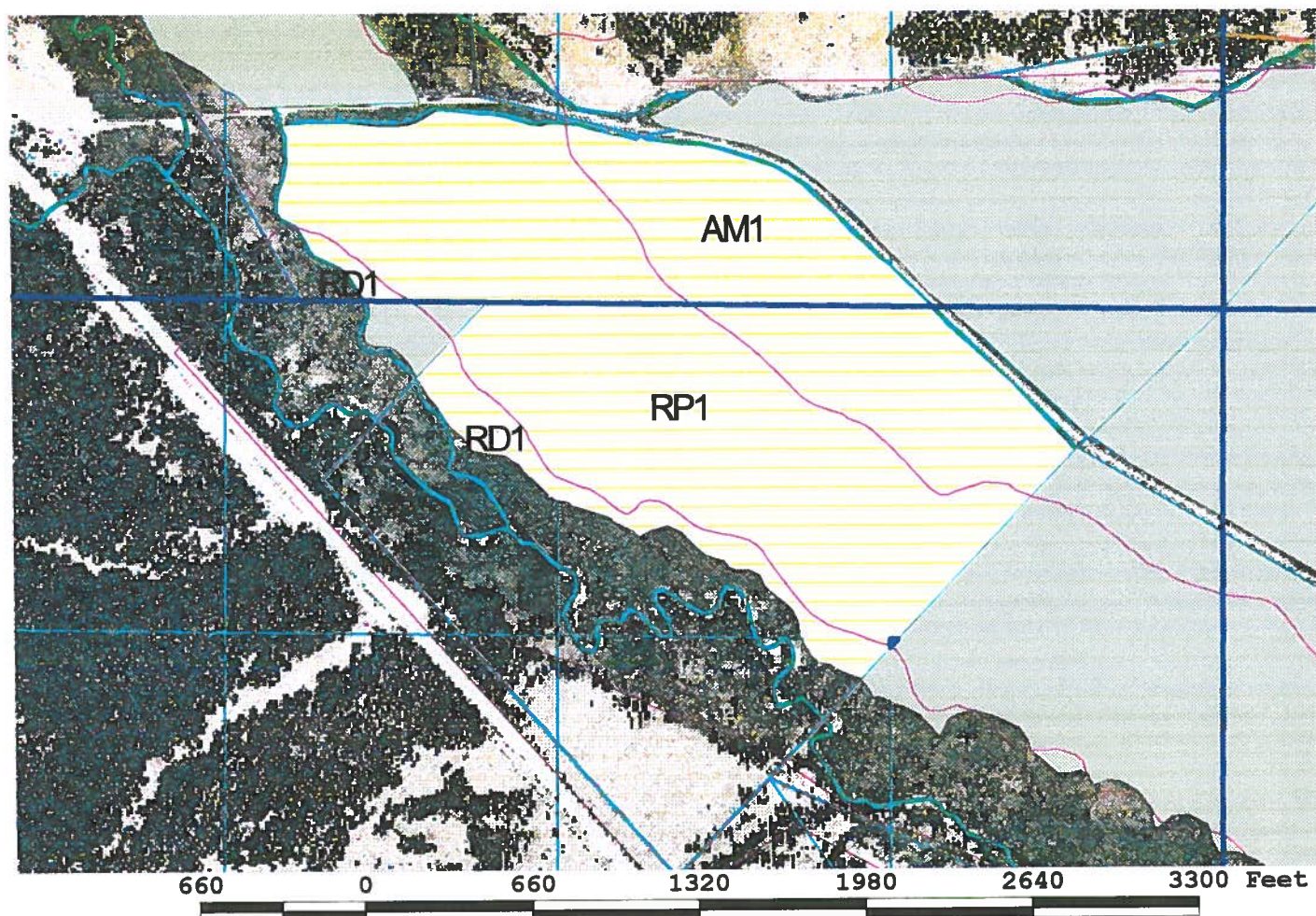
N/A(☒) Y(☐) N(☐)

*See attached
Analysis*

NOTES: See Attached Bubble Analysis sheet

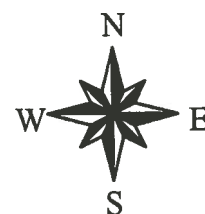
IDAHO DEPARTMENT OF WATER RESOURCES

71-00042A, & 71-000 43A
HES- 271 & 274 (part)
MAHONEY



SOILS OVERLAY USING SCS SOILS TEMPLATE
DATA ENTRY ON MAY 26, 1998

SOIL TYPE	ACRES
AM1	25.9
RP1	52.6
RD1	6.5



- RECOMMENDED PLACE OF USE
- SOILS BOUNDARY
- SECTION LINES
- QUARTER QUARTER LINES
- HOMESTEAD ENTRY BOUNDARY

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

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

CLAIM NUMBERS

A71-00042A

A71-00043A

DATE: May 26, 1998

REVIEWED BY KKE

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	15	* 26	* .3	= 2.08 CFS
RP1	4.33	15	* 5.3	* .16	= 2.45 CFS
RD1	5.66	15	* 7	* .17	= 1.19 CFS
			*	*	= CFS
					4.97 CFS

TOTAL ACRES

DECREED RATE =

CLAIMED DIVERSION RATE =

ORIGINAL HUBBLE RATE =

MEASURED DIVERSION RATE =

A71-00042A - 3.21

A71-00043A - .60

max allowable rate 3.81 CFS
for split analysis

per Valley Co
standard
operation

AJ CLAIM TOTAL DIVERSION RATE: 4.250 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 4.800 CFS

See analysis sheet

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 of F & G attachment dated 10-19-93, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

1b. CALCULATIONS

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

See Hubble Analysis Attachment

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 = _____ 250.0 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 ()

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

VC1 <i>div location</i> (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>mahoney</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

[illegible]

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	<u>5</u> 04-01	<u>9 30</u> 11-01	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
STOCKWATER	<u>04-01</u>	<u>12-01</u>	1.200	<u>3.21</u>			250.0	
			0.050				250.0	
TOTAL FOR THIS RIGHT								

NON-IRRIGATION USES CLAIMED: S/150 COWS

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

REVIEWED BY: KKC DATE: 5-26-98

FLAG: C

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):
EX F06 - all Valley C Claims for
Sec 4 P/O
POU (K06) This is limited to 60% within P/O
GEN J02 Portion of (271 & 274)

EXPLANATORY CONDITIONS (CODE):

C C03
C05

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

*ownership
chg pending
see letter to claimant*

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-00042

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
4.800

EXAMINER

CFS

See Attachment

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
71-00042	A71-00042A	4.250	R71-00042A	4.850	71-00042	4.800
-	A71-00042B	1.590	-		-	
TOTAL CFS		5.840		4.850		4.800

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	FIELD EXAMINER
N	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Kelly K. Christensen DATE: 5-26-98

NAME OF FIELD EXAMINER: KELLY K. CHRISTENSEN TITLE: Split Water Resource Agent

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 <u>1971</u> IDWR ID NO. <u>11-68</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()
☒ SCS SOIL SURVEY MAP	DATE ISSUED <u>245-110</u> & GIS OVERLAY provided <u>5-98</u>	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☐ OTHER <u>as a field map</u>	DATE <u>9-9-77 USDAF 677-193</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 _____	_____	_____
☐ 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 _____	_____	_____

9-16-93
Pg 1/2

Kennedy P/U.

Lateral Litches come off main ditch thru west portions P/U. (several at least 7)
P/U not in char to Valley Cr.

~~Father~~ Spring use is with two heads of Water and can cover P/U in 4 to 5 days to do bottom & 6 to 7 to do upper lands. Set normal 1 in use is in conjunction with Neft land Es. 1 div only. uses northern most P/U

Orig in
A71-00042A

^{Ben} Muscavog Es of Kennedy

This is also not in to Valley Cr.
Approx 10 day to ir Bottom (using 2 heads)
8 days for top half. Mix of 12 & 24 hr sets. Bottom mostly 12 hr sets.
Top mostly 12 hrs. some 24 hr sets. 1 div tied in with Kennedy

Domestic Use from Elk Creek (00048)
water runs into Ponds used to use a hyd ram after Pond

P/U tied in with A71-00039A.

lower P/U ir ~~then~~ uses natural drainage to carry water to P/U upper end is dependent on main upper ditch a natural wet area is thru middle which is created by ir practices and once

9-16-93 Pg 2/

it is established by ir doesn't need to be
ir again. 3 days to ir lower portion
2 days for upper portion 10 dry days. (Rotate
with Yacomella.

ir practices are being modified to compensate
for forest Service non use up stream from P/u
1. McGowan Cr 1 Hanna Cr. Valley Cr (common system)

P/u So of Scales:

P/D on Christensen

NE corner ir via funnel Cr. ir practices
lower portion 10 days, center section 6 days. Top
portion irregular (whenever water is available)

two major portions ir conjunctively if water
thru ^{not} drain thru Yacomella carries water other
wise Rotate with lower portion. no dry days

Middle section 12 hr sets if rotating with
lower field otherwise 24 hr sets if conjunctive ir.
on lower section upper portion where lateral
ditches = 12 hr sets lower section 24 hrs

3 P/Ds 1 on Christensen 1 natural channel thru
1. Hanna Cr. Yacomella

Park Creek P/u Ground West of Park
Cr not ir. takes 10 to 14 day to irrigate
mostly 24 hr sets, a few 12 hr sets. 1 P/D only

Ground E of Park Creek but West of Cow Camp
ir takes 8 to 10 days all 12 hr sets. 1 P/D only

CLAIM

INIT

KKC

T. R. S. Q/Q

P/D

PHOTO ASCS DAF-3-167

DT. & ID. 8-22-58 FLIGHT

RECOMMENDED P/Ds

VALLEY CR. 11N 12E SEC 4 NESW NE
HANNA CR. 11N 12E SEC 3 NW NESW
MCGOWAN CR. 11N 12E SEC 2 SW SW SE
THOMPSON CR. 11N 12E SEC 11 SW NE NE

90

ELK CREEK

MAIN DITCHES

McGOWAN CR.

HANNA

P/D

P/D

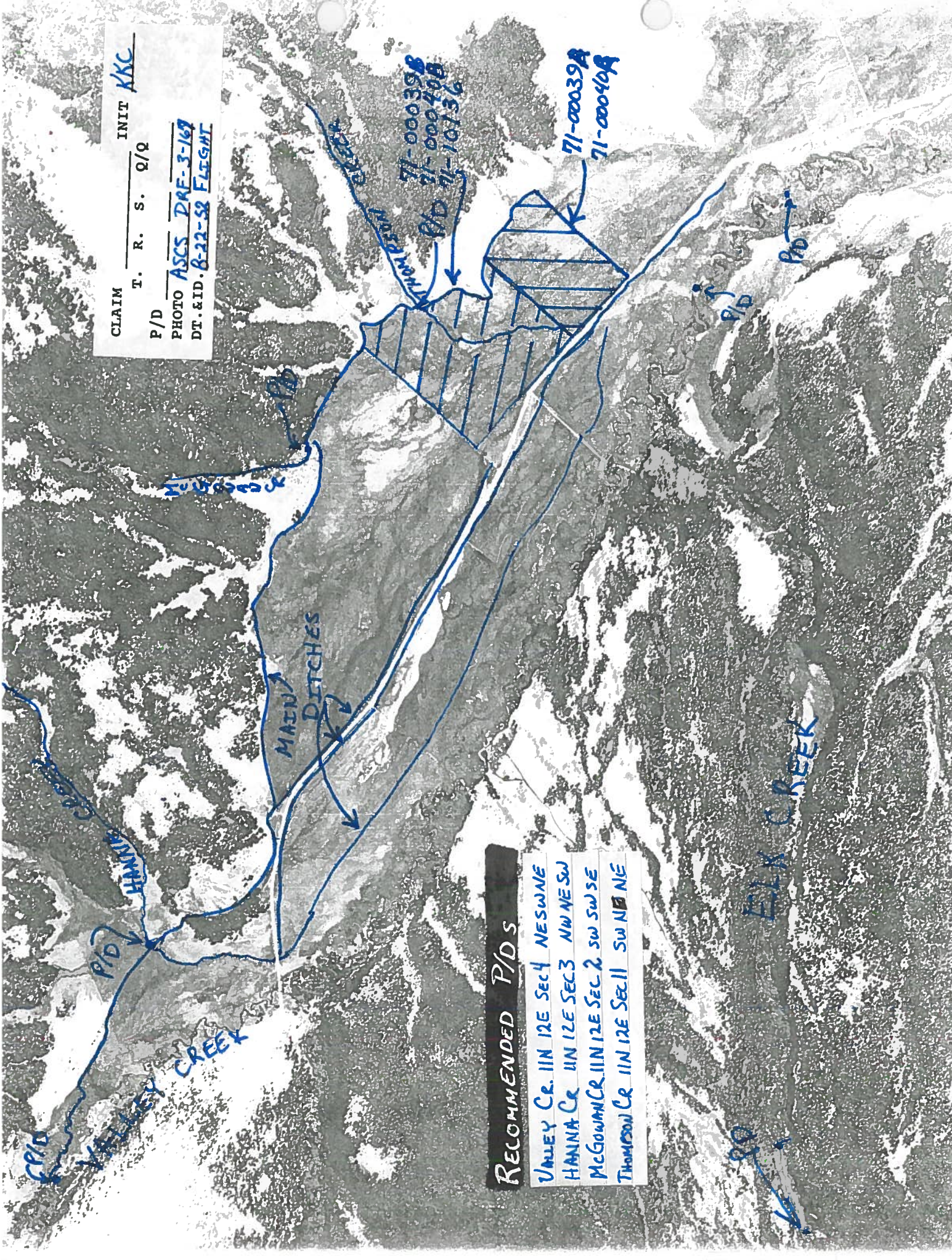
71-000398
71-000408
P/D 71-10136

71-000398
71-000408

P/D

P/D

VALLEY CREEK





1995

PRELIMINARY FIELD VERIFICATION ANALYSIS

FOR DECREED RIGHTS 71-00042 AND 71-00043

Both decreed rights are appurtenant to Homestead Entries (HES) that have split ownership between the Forest Service and Daniel Mahoney. As of this date, no independent information is known to exist that details the rate of flow appurtenant to each respective owner's property. Lacking that information the following analysis is based upon a proportionate split of the diversion rates based upon the individual ownership of, and the total found irrigated ground.

ANALYSIS OF 71-00042

DECREED TO HES-271 CONTAINING 159 ACRES

The recommended P/U for both the Forest Service and Mahoney is based upon my field verification visits of 9-16-93 and 8-17-95. The found border on the north and northeast sides of the P/U is the main ditch from Valley /Hanna Creek. The boundary on the west and southwest is either the property boundary or a natural channel (old stream channels) that keep irrigation water from flowing across the assorted low lands between the channel and the current Valley Creek channel. The excluded area is sub irrigated from the accumulating irrigation water and/or Valley Creek. Two acres within a pie wedge shaped piece of ground between and along the southwest side of HES-274 and HES-271 is outside of either HES but is part of the irrigated ground. The split analysis excludes that ground.

ANALYSIS OF 71-00043

DECREED TO HES-274 CONTAINING 127 ACRES

The found border for the eastern portion of the HES is primarily the main Valley/Hanna Creek ditch or a secondary ditch that swings through the western edge of a pine tree grove along the southeastern portion of the HES except for the northeast corner of the HES. Another secondary ditch diverted from the main ditch near the northwest corner and paralleling the HES northern boundary irrigates an eight to ten acre parcel that lays between the diversion, northeast of the main ditch, and west of a small channel that runs roughly southeast from the northern boundary to Hanna Creek. A portion of that ground is naturally swampy with no definitive boundary on the east portion of that ground. The west boundary for the USDA-F is the HES boundary fence. The southern border is the Cow Camp Road.

The portion owned by Mahoney is bordered on the north and northeast by the Cow Camp Road and the old creek channel on the southwest. The southeastern border is the HES boundary with irrigation carrying into HES-271. No physical division occurs between the two HESS along this border. There is a pie wedge portion of ground

1995

formed by the Cow Camp Road and a buck fence along the northern border of the Mahoney property. Based upon the warranty deed submitted to the department, that ground although outside of the Mahoney pasture belongs to Mahoney and is included within the found acres identified for Mahoney within HES-274.

<u>DECREED RIGHT</u>	<u>HOMESTEAD ENTRY</u>	<u>MAHONEY P/U</u>	<u>USDA-F P/U</u>	<u>TOTAL ACRES IRRIGATED</u>	<u>DECREED RATE</u>
71-00042	HES 271	65 acres	45 acres	110 acres	4.80 cfs
71-00043	HES 274	19 acres	51 acres	70 acres	2.60 cfs

PROPORTIONATE SPLIT BASED UPON FOUND IRRIGATED ACRES

HES-271 MAHONEY SHARE = $\frac{65}{110} = 59\% * 4.80 = \underline{\underline{2.84 \text{ CFS}}}$

HES-271 USDA-F SHARE = $\frac{45}{110} = 41\% * 4.80 = \underline{\underline{1.96 \text{ CFS}}}$

HES-274 MAHONEY SHARE = $\frac{19}{70} = 27\% * 2.60 = \underline{\underline{0.71 \text{ CFS}}}$

HES-274 USDA-F SHARE = $\frac{51}{70} = 73\% * 2.60 = \underline{\underline{1.89 \text{ CFS}}}$

1995

33 34
4 3

34 35
3 2

T-10N
T-11N

CLAIM A71-00042 INIT KKC
T. R. S. Q/Q
P/D _____
PHOTO ortho 11-68 200%
DT.&ID. 1971 Flight

RECOMMENDED P/U
FOR THE FOREST
SERVICE

RECOMMENDED P/U
FOR MAHONEY

TOTAL RECOMMENDED ACRES BY
CLAIMANT USE PER HOMESTEAD ENTRY
RELATED HOMESTEAD ENTRIES:
HES 271 DECREEED RIGHT 71-00042
HES 274 DECREEED RIGHT 71-00043

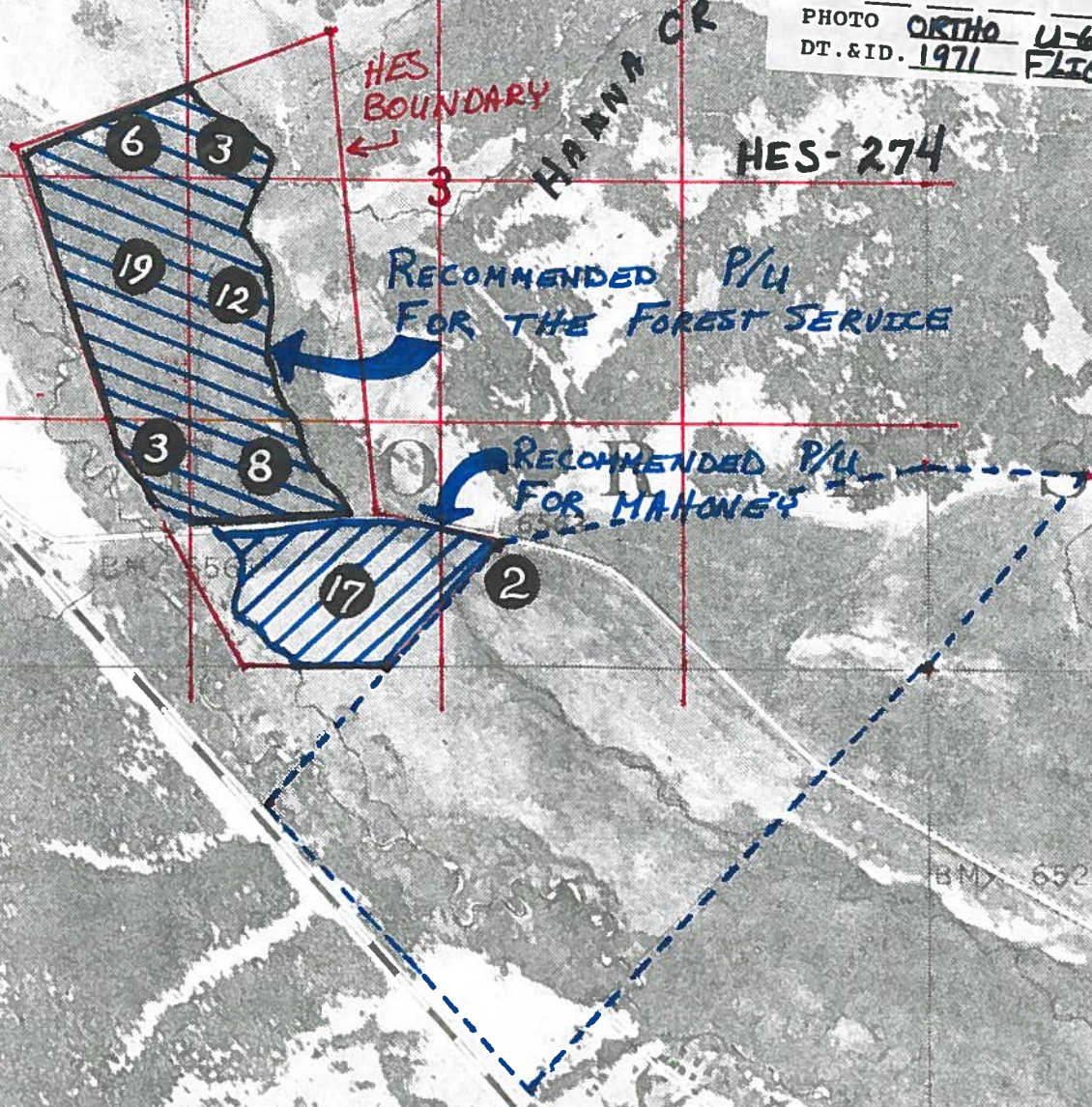
A71-00042A (MAHONEY) 65 AC
A71-00042B (USDA-F) 45 AC
A71-00043A (MAHONEY) 19 AC
A71-00043B (USDA-F) 51 AC

SCALE: 1" = 1003.8'

CA = $\frac{(1003.8)^2 \cdot .009699}{43,560} = 2244$

1995

CLAIM A71-00043 INIT KKC
 T. R. S. Q/Q
 P/D _____
 PHOTO ORTHO U-68 ENLARGED
 DT. & ID. 1971 FLIGHT 200%



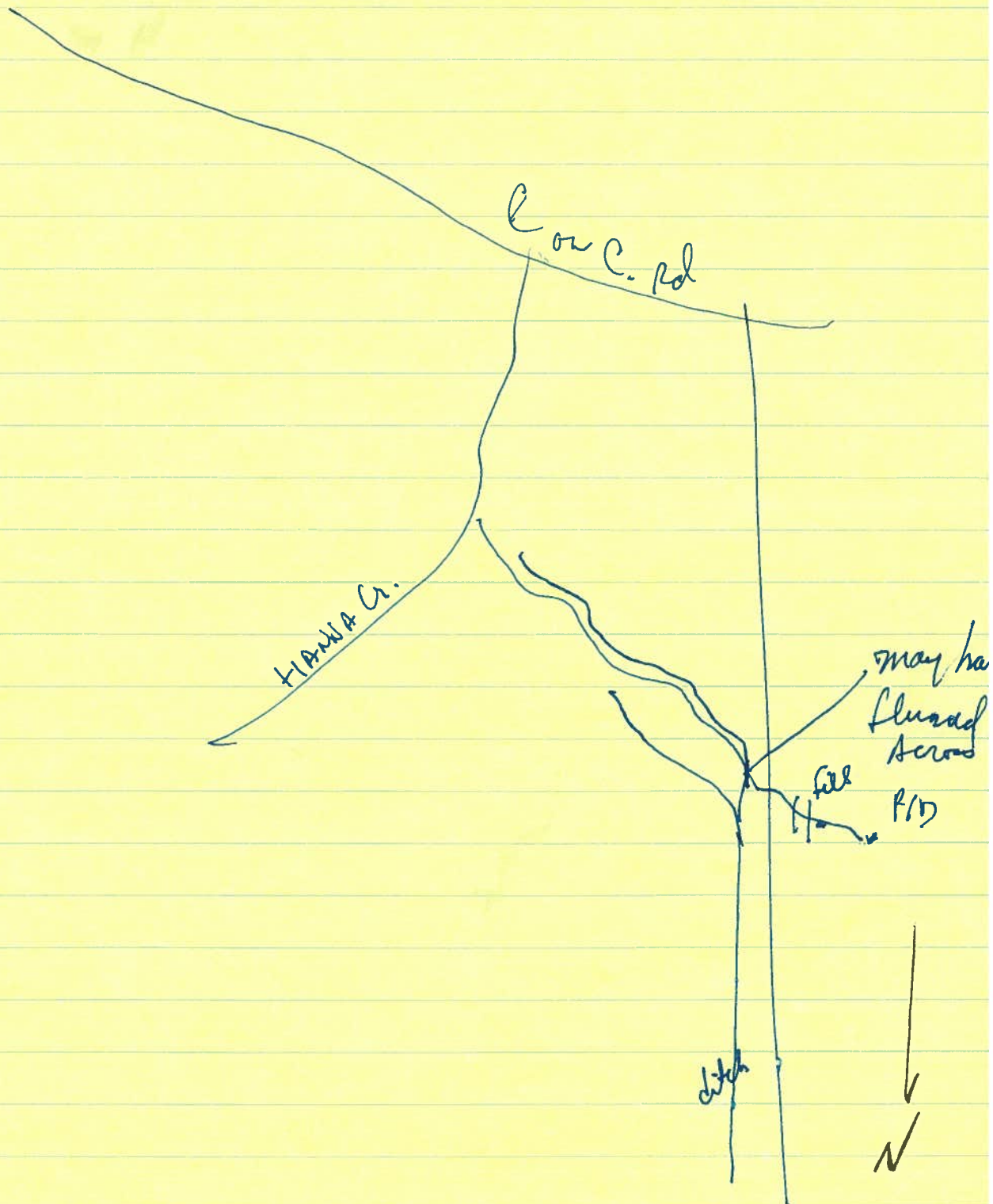
TOTAL RECOMMENDED ACRES BY CLAIMANT USE PER HOMESTEAD ENTRY RELATED HOMESTEAD ENTRIES:	
HES 271 DECREEED RIGHT 71-00042	
HES 274 DECREEED RIGHT 71-00043	
A71-00042A (MAHONEY)	65 AC
A71-00042B (USDA-F)	45 AC
A71-00043A (MAHONEY)	19 AC
A71-00043B (USDA-F)	51 AC

SCALE: $1" = 1003.8'$

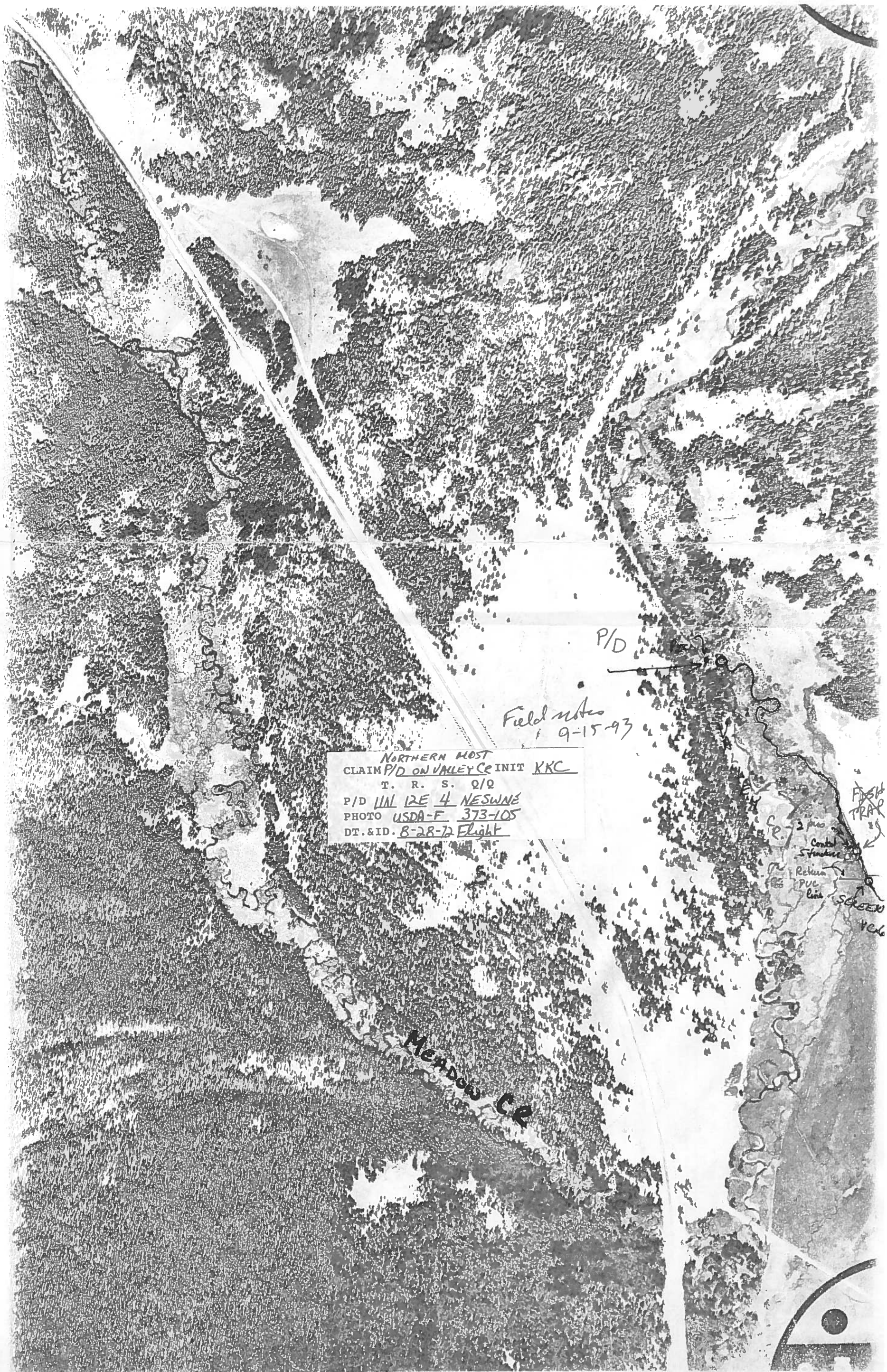
$$CA = \frac{(1003.8)^2 \cdot .009699}{43,560} = .2244$$

Field notes
8-17-94
KKC

1. Pic approx 40' from P/O look NW shows ditch filled in with rock to make crossing. fill has grass established.



For Christensen
Yacomella Litch
div



P/D

Field notes
9-15-93

NORTHERN MOST
CLAIM P/D ON VALLEY CR INIT KKC
T. R. S. Q/Q
P/D 111 12E 4 NESWNE
PHOTO USDA-F 373-105
DT. & ID. 8-28-72 Flight

FISH
TRAP

Control
Structure
Return
PUC
Line

Meadow CR



ELK CO. WATER

Domestic
A 77-00048

3 ft

CATCH
DITCH

Pit

Rt. 166

CLAIM A 77-00048 INIT RKC
T. R. S. 8/8 9-9-77
P/D UN 12E 4
PHOTO ID. USDA-F 677-193

$CA = (768)^2 \times .009699$
 43560
 $CA = 0.13133$

$89 \text{ units} = 2040'$
 $29.66' \text{ per unit}$

F16

9-9-27

CLAIM # A71-00042A
DATE PHOTOS TAKEN; 9-16-93
PICTURE SET # 1

This photo set was taken from a point north of the P/U and covers all of the P/U which is beyond the road and within the fence bordering the road. You are looking southeast on the left to west on the right. Water from the P/D in section 4 enters the property at two major points as marked. In general, there is a natural drain along the far side of the field that prevents irrigation water from flowing across the low ground to Valley Creek. The upper one half of that drain is marked on orthophotograph U-68 as the natural channel for Hanna Creek. This area is delineated by the change in vegetation from grass pasture to grass/shrub ground. This ground appears to receive sub irrigation from Valley Creek itself and is not included in the recommended P/U.

EASTERN MAIN DITCH WESTERN MAIN DITCH HANNA CREEK CHANNEL



ξ Makomy to South.