

1/23/95

RECEIVED

JAN 30 1995

Department of Water Resources
Southern Region

Kelly K. Christensen

S. Water Resource Agent -

In regard to your letter to
Antony Geronella dated December
20, 1994 and Re: Snake River Adj
Claims A71-00051, and A71-0052.

Your question was when was
there a change in the point of diversion -
This happened in the early 1940's when
Kathryn Huntington and my great
Uncle Ray Cheivers had a serious
disagreement where by Kathryn
kept taking water out of Uncle
Ray's ditch to irrigate the land
on the west side of the road which
belonged to the Huntington family ~~and~~
and was known as the Triple H Ranch -
Uncle Ray got mad and told

Rathryn to take the ditch and
 he would build a new one.
 At that time Uncle Ray owned
 the "Paul Place" just South of
 the cattle scales ~~at the time~~
 so this ditch serves both ranches.
 I was about 10 years old when
 this happened and I was born in
 1935.

Madge E. Yacomella

Mother of: Tom Yacomella

Bill Yacomella

Antony Yacomella

Wife of: Tony S. Yacomella



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

December 20, 1994

ANTONY YACOMELLA
PO BOX 51
CHALLIS ID 83326

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS A71-00051, AND A71-00052

Dear Mr Yacomella

During my field verification I observed that Valley Creek water reaches your property from the point of diversion in 11N 12E SEC 4 SW $\frac{1}{4}$ NE $\frac{1}{4}$ by various ditches and natural channels to irrigate the north and central portion of your property and from a point of diversion in 11N 12E SEC 13 NW $\frac{1}{4}$ NW $\frac{1}{4}$ which irrigates the southwestern portion of the property.

The decree reads that the only point of diversion from Valley Creek was a point of diversion in 11N 12E SEC 11 SE $\frac{1}{4}$ SE $\frac{1}{4}$. I found that the ditch from that diversion ran from Valley Creek southeast toward the Cow Camp road where it at one time branched near the northwest point of your property. However, I found that the branch that ran toward your property had a stub post buried in the ditch and that there was no culvert under the Cow Camp road to allow water from this diversion to reach your property. The other branch continued southeast and was flumed across the ditch from the point of diversion in 11N 12E SEC 13 NW $\frac{1}{4}$ NW $\frac{1}{4}$. That branch eventually was used to irrigate a portion of the ground east of Valley Creek that is within HES-577.

As your current diversions represent an unrecorded transfer I am required to obtain the dates that the point of diversion in SEC 11 was abandoned and the point of diversions from SEC 4 and SEC 13 were placed into use. Please provide the information with as much history as is necessary to document those changes.

If you have any questions please contact me at this office.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures



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

24-Aug-1994

ANTONY YACOMELLA
PO BOX 51
CHALLIS ID 83326

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS A71-00049A,
A71-00051, AND A71-00052

Dear Mr Yacomella

I discussed the conflict with the adjudication claims with Tom when I was in Challis last week and am enclosing copies of the decree that relate to your claims. My field verification of your place of use for homestead entry 421 basically confirmed that those rights were as claimed. However, my recommendation of those rights will reflect the irrigated acres rather than the entire homestead entry.

Your claim A71-00049A was decreed to homestead entry 134 which lays south of your property and east of Mahoney's property is now owned by the Forest Service. That right has been claimed by the Forest Service in its entirety. Based upon the information I have received concerning your and the Forest Services' claims it is my intention to recommend that right as appurtenant to the Forest Service property.

If you have any further questions or information relating to that claim, please contact me at this office.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

enclosures

thirty-six minutes east nine and sixty-nine hundredths chains to corner No. 7 the place of beginning, containing one hundred fifty-nine and ninety-five hundredths acres, according to the Official Plat of the Survey of the said land returned to the General Land Office by the Surveyor General;

71 0050 And appurtenant to said lands, they are entitled to 240 miner's inches (4.8 cubic feet per second of time) of the waters of Valley Creek, diverted from said Valley Creek and carried down through the properties now owned by John H. Thompson and Josephine Thompson as hereindescribed, to and upon the said lands of the said Melvin Chivers and Stella Chivers, with date of priority May 1, 1915.

Roy Chivers and Elizabeth Chivers are the owners of, and entitled to the possession of the following described lands situated in Custer County, State of Idaho, to-wit:

H. E. Survey No. 421, embracing a portion of Sections twelve and thirteen in Township eleven north of range twelve east of the Boise Meridian, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1, identical with the east corner to said sections twelve and thirteen; thence, south 9 minutes west four and eighty-three hundredths chains to corner No. 2; thence, south sixty-eight degrees thirty-eight minutes west six and three-hundredths chains to corner No. 3; thence, north seven degrees twenty-four minutes west twenty-eight and fifteen hundredths chains to corner No. 4; thence, south forty-seven degrees twenty-four minutes east eighteen and sixty-seven hundredths chains to corner No. 5; thence, north forty-two degrees thirty-six minutes east seventeen and one-tenth chains to corner No. 6; thence, north forty-two degrees thirty-six minutes east forty-one and sixty-eight hundredths chains to corner No. 7; thence, south sixty-four degrees twenty-three minutes east twelve chains to corner No. 8; thence, south three minutes east twenty-five and fifty-four hundredths chains to corner No. 1, the place of beginning, containing one hundred fifty-seven and eighty-five hundredths acres, according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor General;

-12-

71 0051 And appurtenant to said lands, they are entitled to 120 miner's inches (or 2.4 cubic feet per second of time) of the waters of Tennell Creek, a tributary of Valley Creek, with date of priority May 1, 1915, and with point of diversion from said Tennell Creek at a point located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 11 North, Range 13 E. B. M., and they are also entitled to 120 miner's inches (or 2.4 cubic feet per second of time) of the waters of Valley Creek, with date of priority May 1, 1915, and with point of diversion from said Valley Creek at a point located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, Township 11 North, Range 12, E. B. M.

Theodore Cameron, a single man, is the owner of and entitled to the possession of the following described lands, situated in Custer County, State of Idaho, to-wit:

H. E. Survey No. 422, embracing a portion of Sections thirteen, fourteen and twenty-four in Township eleven north of Range twelve east of the Boise Meridian. more particularly bounded and described

sixty four hundredths chains to corner No. 3; thence north forty-two degrees forty-six minutes east two and seven-tenths chains to corner No. 6; thence south sixty degrees twenty minutes east ten and eighteen hundredths chains to corner No. 1, the place of beginning containing one hundred fifty-nine and twenty-one hundredths acres, according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor General.

71 0047 And appurtenant to said lands it is entitled to 180 miner's inches (or 3.8 cubic feet per second of time) of the waters of Valley Creek, with date of priority May 1, 1914, and with point of diversion from said Valley Creek at a point located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, Township 11 North, Range 12, East Boise Meridian; and it is also entitled to 80 miner's inches (or 1.6 cubic feet per second of time) of the waters of Elk Creek, a tributary of Valley Creek, with date of priority May 1, 1939, and with point of diversion from said Elk Creek at a point located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Township 11 North Range 12, E. B. M.

Melvin Chivers and Stella Chivers, William Chivers and Estelle Chivers, Roy Chivers and Elizabeth Chivers, Mike Gini and Emma Gini, Frank Oster and Beatrice Oster and Pete Piva and Louisa Piva, are the owners and are entitled to the possession of the following described lands, situated in Custer County, State of Idaho, to-wit :

A tract of 159.02 acres within the Challis National Forest, embraced in Homestead Entry Survey No. 134, List 4-881 in Sections 13 and 24, surveyed township 11 north, range 12 East, and Sections 18 and 19, surveyed township 11 north, Range 13 East, Boise Meridian, more particularly described by metes and bounds as follows: Beginning at corner No. 1 from whence the corner common to Sections 13-24-18 and 19 township 11 north, ranges 12 and 13 east, Boise Meridian bears north 0° 1' west 2.97 chains distant; thence north 82° 16' East 10.54 chains to corner No. 2; thence north 15° 40' west 1.63 chains to corner No. 3; thence north 15° 40' west 37 chains to corner No. 4; thence north 15° 40' west 25.17 chains to corner No. 5; thence north 45° 00' west 11.41 chains to corner No. 6; thence south 69° 27' west 17.42 chains to corner No. 7; thence south 16° 15' east 64.38 chains to corner No. 8; thence south 16° 15' east 4.78 chains to corner No. 9; thence north

-11-

71 0049 And appurtenant to said lands, they are entitled to 240 miner's inches (or 4.8 cubic feet per second of time) of the waters of Valley Creek, with date of priority May 1, 1904, and with point of diversion from said Valley Creek at a point located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, Township 11 North, Range 12, E. B. M.

Melvin Chivers and Stella Chivers are the owners of, and entitled to the possession of the following described lands, situated in Custer County, State of Idaho, to-wit:

H. E. Survey No. 133, embracing a portion of Sections eleven, twelve and thirteen in Township eleven north, Range twelve east of the Boise Meridian, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1 from which the

50 02

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: A71-00051
Date Received: 12-7-89
Receipt No: M005330
Received By: AS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANTONY R. YACOMELLA 208-879-2300
Address: P.O. BOX 51
CHALLIS, ID 83226
AND/OR
Name: BILL ROY YACOMELLA 208-879-2300
Address: P.O. BOX 51
CHALLIS, ID 83226
AND/OR
Name: THOMAS LEE YACOMELLA 208-879-2300
Address: P.O. BOX 51
CHALLIS, ID 83226
AND/OR
Name: TONY S. YACOMELLA 208-879-2300
Address: P.O. BOX 51
CHALLIS, ID 83226

2. Date of Priority: MAY 01, 1915

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	13E	12	SE	SW	SE		CUSTER
		13	NE	NW	NE		CUSTER

5. Description of diverting works:
HEADGATE, OPEN DITCH FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.400		

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

A.F.A.

A71-00051

Page 1

Date: 12/07/89

MICROFILMED
MAR 17 1993

8. Total consumptive use is 392.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11N	12E	12	NE		SE		IRR	14.0
			SW		SE		IRR	20.0
			SE		SE		IRR	40.0
							Section Acres	74.0
		13	NE		NE		IRR	20.0
			NW		NE		IRR	31.0
			NE		NW		IRR	27.0
			NW		NW		IRR	2.0
			SE		NW		IRR	3.0
							Section Acres	83.0
							Total Acres	157.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
71-00052, 71-00049A

14. Remarks:

P/U IS H. E. S. 421.

THERE IS ONE MAJOR POINT OF DIVERSION AND 2 OTHERS LOCATED
WITH-IN THE SAME 10 ACRE LEGAL. NE,NW,NE SECTION 13.

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: 2

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): Bill Roy Yacomella Date: 12/2/89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of December 19 89

Anna Baunhoff
Notary Public

Seal

Residing at Anna Baunhoff, Notary Public
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 7, 1994



TIN

11N
12E

R PROOF

CVR

MAPS

PHOTOS

MISC

—

—

—

—

—

Old (D) Number -

VERIFIED BY

6-3-98

State- ID Zip- 83226

State- ID Zip- 83226

State- ID Zip- 83226

+ - - Region - - +
17 SOUTHERN- - Tributary
VALLEY CREEK

Point	County	CUSTER	CUSTER	CUSTER
(37)				
(37)				
(37)				

01 - IRRIGATION

2.400

Twin	Rng
11N	12E
11N	12E
11N	12E
11N	12E

24.1

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - 71-00052

POD 2 POINTS OF DIVERSION LOCATED IN T11N, R13E, S13, NENMNE.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 71-00052 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 71.1 ACRES IN A SINGLE IRRIGATION SEASON.

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 421.

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

MM. MERRITT, ET AL.

	Comments
Date: 03/14/1995	User Id: KCHRISTE
Subject: COPIED FROM REMARKS	
P/U IS H. E. S. 421.	
THERE IS ONE MAJOR POINT OF DIVERSION AND 2 OTHERS LOCATED	WITHIN THE SAME 10 ACRE LEGAL. NE, NW, NE SECTION 13.

+ - - Audit Fields - - +
06/03/98 KCHRISTE

	Court Report Filing	- 00/00/0000	Field Inspection Made	- 09/15/1993	Civil Case Number	-	39576
	Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-	
	Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-	
	Claim Received Date	- 12/07/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P	
			Receipt Number	- M005330	Water District	-	
			POU Ownership Flag	- Y	Federal/State Indicator	- S	
			Name Connector	- AND/OR	Presumption Flag	- C	
					Notice of Error Flag	-	

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	ELEMENT DOCUMENTED WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			KKC 9-15-93	N	KKC 2-15-95	KKC 3-14-95		
POINT OF DIV	Y		"	Y	"	"		
SOURCE			"	N	"	"		
PLACE OF USE	Y		Y	Y	"	"		
DIV. AMOUNT CFS/VOLUME			"		"			
CONSUMPTIVE USE	-		"	Y	2-18-95	KKC 3-14-95		
PURPOSES OF USE			"	N	2-17-95	"		
PERIOD OF USE	Y		"	Y	2-17-95	"		
BASIS OF CLAIM			"	N	"	"		
REMARKS	Y					"		

BARCODE UPDATED
WHOM/DATE

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

COPY INCLUDED

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)

IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

4-68-1971

IN FILE?

☐ ORTHOPHOTOQUAD

DATE OF PHOTO

IDMR ID NO.

4-69-1974

Y() N()

☐ TOPOGRAPHIC

DATE FIELD CHECKED

IDMR ID NO.

Y() N()

☐ MAP

DATE OF PHOTO

IDMR ID NO.

Y() N()

☐ ASCS AERIAL PHOTO

DATE OF PHOTO

IDMR ID NO.

8-22-52

Y() N()

☐ ASCS COLOR SLIDE

DATE OF PHOTO

IDMR ID NO.

8-22-52

Y() N()

☐ BLM OR USFS AERIAL PHOTO

DATE OF PHOTO

IDMR ID NO.

8-22-52

Y() N()

☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)

DATE OF SURVEY

IDMR ID NO.

8-22-52

Y() N()

☐ SCS SOIL SURVEY MAP

DATE ISSUED

IDMR ID NO.

8-22-52

Y() N()

☐ SUBDIVISION PLAT MAP

DATE OF MAP

IDMR ID NO.

8-22-52

Y() N()

☐ OTHER USDA-F 173-12

DATE

IDMR ID NO.

8-22-52

Y() N()

☐ OTHER

DATE

IDMR ID NO.

8-22-52

Y() N()

☐ OTHER

DATE

IDMR ID NO.

8-22-52

Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF

PAGES

NOTES

☐ LICENSING FIELD EXAM

DATE OF FIELD EXAM

IDMR ID NO.

8-22-52

Y() N()

☐ WATER RIGHT LICENSE

DATE LICENSE SIGNED

IDMR ID NO.

8-22-52

Y() N()

☐ IDMR APPROVED TRANSFER

DATE TRANSFER APPROVED

IDMR ID NO.

8-22-52

Y() N()

☐ SYSTEM DESCRIPTION

DATE

IDMR ID NO.

8-22-52

Y() N()

☐ PHOTOGRAPHS

DATE(S) PHOTOS TAKEN

IDMR ID NO.

8-22-52

Y() N()

☐ SPLIT RIGHT REVIEW

DATE REVIEW COMPLETED

IDMR ID NO.

8-22-52

Y() N()

☐ HUBBLE ANALYSIS

DATE ANALYSIS COMPLETED

IDMR ID NO.

8-22-52

Y() N()

☐ CONVEYANCE LOSS ANALYSIS

DATE ANALYSIS COMPLETED

IDMR ID NO.

8-22-52

Y() N()

☐ FLOW MEASUREMENT CALCULATIONS

DATE SYSTEM MEASURED

IDMR ID NO.

8-22-52

Y() N()

☐ OTHER

DATE

IDMR ID NO.

8-22-52

Y() N()

☐ OTHER

DATE

IDMR ID NO.

8-22-52

Y() N()

LAST: CHIVERS
ADDRESS:
CITY: NA
PHONE NUMBER: 208-000-0000

FIRST: ROY
STATE: ID ZIP: 0

OWNER CODE: 0

LAST: CHIVERS
ADDRESS:
CITY: NA
PHONE NUMBER: 208-000-0000

FIRST: ELIZABETH
STATE: ID ZIP: 0

OWNER CODE: 0

LAST: VACOMELLA
ADDRESS: P.O. BOX 51
CITY: CHALLIS
PHONE NUMBER: 208-879-2300

FIRST: BILL ROY
STATE: ID ZIP: 83226

OWNER CODE: C

LAST: VACOMELLA
ADDRESS: P.O. BOX 51
CITY: CHALLIS
PHONE NUMBER: 208-879-2300

FIRST: ANTONY R.
STATE: ID ZIP: 83226

OWNER CODE: C

LAST: VACOMELLA
ADDRESS: P.O. BOX 51
CITY: CHALLIS
PHONE NUMBER: 208-879-2300

FIRST: THOMAS LEE
STATE: ID ZIP: 83226

OWNER CODE: C

LAST: YACOMELLA
ADDRESS: P.O. BOX 51
CITY: CHALLIS
PHONE NUMBER: 208-879-2300

FIRST: TONY S.
STATE: ID ZIP: 83226

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: P/U IS H. E. S. 421.

THERE IS ONE MAJOR POINT OF DIVERSION AND 2 OTHERS LOCATED WITH-IN THE SAME 10 ACRE LEGAL. NE, NW, NE SECTION 13.

DATABASE

Y

FIELD
EXAMINER
Y() N()

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

Tom & Toni Yacomella

PHONE NUMBER: () -

DATE OF FIELD EXAM:

9/15/93

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY:

Both part time

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT:

Deceased

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A71-00051 PRIORITY DATE: 05-01-1915 STAGE: D

B. WR RECORD: # 71-00051 PRIORITY DATE: 05-01-1915 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 decree date and the found P/TZ matches the decree P/TZ therefore I accept the priority date as claimed.

RECOMMENDED PRIORITY DATE:

05-01-1915

REVIEWED BY

RKC

DATE

2-15-95

[illegible]

CUSTER
CUSTER

MR RECORDS IN SAME 40 ACRE TRACT

NONE

TRIB: VALLEY CREEK

DOI

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

CUSTER

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

TRIB: VALLEY CREEK 07

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?

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

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

Y(~~X~~) N()

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

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y(____) N(____)

AJ FIELD EXAM (DATE OF FIELD EXAM 9-15-93 NAME OF EXAMINER JKC) Y(X) N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: The first P/D is very close to the OK line between the SESE & the SESE. I am calling the P/D to be in the SESE of Sec 12 as claimed this conflicts with the deeded P/D in sec 7. That location would be upstream from the found P/D and no physical evidence was found to indicate that the P/D even existed further upstream than the found P/D. The claimants indicated no knowledge of a P/D other than the one found. could help.

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
11N	13E	12	SE	SW	SE			CUSTER		
11N	13E	13	NE	NW	NE			CUSTER		

11N 13E 12 NW SE SE 12-2-98
 11N 13E 13 NE NW NE 2 P/Ds within the same 10 Acre tract

12 SE SW SE 12-2-98
 12 SE SW SE 12-2-98

SOURCE: TENNELL CREEK

TRIB: VALLEY CREEK

REVIEWED BY: KKC

DATE: 2-15-95

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

Therefore I am identifying this right with a change in P/D as clearly only and no physical change ever happening. The above P/D carries water north of the channel to irrigate ground in the NE corner of the P/A. There are two other diversions from the Tennell Creek channel one in the ~~SESE~~ and one in the ~~SESE~~ of Sec 13. The Tennell Creek channel is basically part of the irrigator ditch system once it enters the P/A. The channel does at times carry Valley Creek water also. Tennell Creek water only irrigates ground on the eastern portion of the P/A. See map for location. One other P/D was found on a side channel leading to Tennell that in 1934 this is recognized as part of Flag claim and CO3 (change considered clerical rather than

Found a total of 4 P/Ds.
 KKC
 12-2-98

10. Tennell Creek, NW 12-2-98

an unrecorded transfer

TWP RING SEC 1/4 1/4 LOT NAME

AJ
#/ACRESMR
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES

NW NE CHIVERS, MELVIN

71-00049 /

11N 12E 13

NE NW YACOMELLA, BILL ROY

A71-00051 / 27.0 71-00051 / 41.0

NE NW YACOMELLA, ANTONY R.

A71-00049A / 27.0 71-00052 /

NE NW YACOMELLA, ANTONY R.

A71-00052 / 27.0 71-00052 /

NE NW YACOMELLA, TONY S

R71-00049A / 27.0 - /

NE NW YACOMELLA, ANTONY R

R71-00051 / 27.0 - /

NE NW YACOMELLA, ANTONY R

R71-00052 / 27.0 - /

NE NW HAUGRUD, JACK AND/OR GEOFFREY

A71-00050 / 71-00050 /

11N 12E 13

NW NW YACOMELLA, BILL ROY

A71-00051 / 2.0 71-00051 / 39.0

NW NW BROWNING, KATHRYN M

A71-00045 / 17.0 71-00045 /

NW NW BROWNING, KENT C

A71-00046 / 18.0 71-00046 /

NW NW BROWNING, KENT C

R71-00045 / 17.0 - /

NW NW BROWNING, KENT C

R71-00046 / 18.0 - /

NW NW YACOMELLA, ANTONY R.

A71-00049A / 18.0 71-00044 /

NW NW YACOMELLA, ANTONY R.

A71-00052 / 2.0 71-00052 /

NW NW YACOMELLA, TONY S

A71-00052 / 2.0 - /

NW NW YACOMELLA, ANTONY R

R71-00049A / 2.0 - /

NW NW YACOMELLA, ANTONY R

R71-00051 / 2.0 - /

NW NW YACOMELLA, ANTONY R

R71-00052 / 2.0 - /

NW NW HAUGRUD, JACK AND/OR GEOFFREY

A71-00050 / 71-00050 /

NW NW BROWNING, KENT C

A71-00044 / 18.0 - /

NW NW STATE OF IDAHO

71-07157 /

NW NW STATE OF IDAHO

L71-07156 /

11N 12E 13

SE NW YACOMELLA, BILL ROY

A71-00051 / 3.0 71-00051 / 39.0

SE NW BROWNING, KATHRYN M

A71-00045 / 8.0 - /

SE NW BROWNING, KENT C

A71-00046 / 1.0 - /

SE NW BROWNING, KENT C

R71-00045 / 8.0 - /

SE NW BROWNING, KENT C

R71-00044 / 1.0 71-00044 /

SE NW YACOMELLA, ANTONY R.

A71-00049A / 3.0 - /

SE NW YACOMELLA, ANTONY R.

A71-00052 / 3.0 71-00052 /

SE NW MAHONEY, JR., DANIEL J.

A71-00057 / 30.0 71-00057 /

SE NW YACOMELLA, TONY S

A71-00049A / 3.0 - /

SE NW YACOMELLA, ANTONY R

R71-00051 / 3.0 - /

SE NW YACOMELLA, ANTONY R

R71-00052 / 3.0 - /

SE NW BROWNING, KENT C

A71-00044 / 1.0 - /

SE NW BROWNING, KENT C

R71-00046 / 1.0 - /

SE NW MAHONEY, JR., DANIEL J

R71-00057 / 17.0 - /

SE NW STATE OF IDAHO

71-07158 /

ADDITIONAL POU FOUND

TOTAL ACRES

A71-00051

157.00

226.00

24.1

KRC 6-2-08

Source = Tennell Cr

CLAIM NUMBERS 71-00051

DATE 3-18-98

AGENT KKC

TRANSFER NUMBER _____

HOMESTEAD ENTRY NO. 421

CLAIMED ACRE TOTAL 157

GEOGRAPHIC INFO ACRES 241

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	<u>11N</u>	<u>12E</u>	<u>12</u>													<u>14</u>		<u>20</u>	<u>40</u>
GIS			<u>12</u>															<u>4</u>	<u>2.1</u>
RECOM																			
CLAIM	<u>11N</u>	<u>12E</u>	<u>13</u>	<u>20</u>	<u>31</u>			<u>27</u>	<u>2</u>		<u>3</u>								
GIS				<u>1</u>	<u>30.9</u>			<u>243</u>	<u>2.1</u>		<u>6.6</u>								
RECOM	<u>Tennell Cr</u>			<u>1</u>	<u>18</u>														
	<u>Valley Cr P/4</u>				<u>17</u>			<u>24</u>	<u>2.1</u>		<u>6.6</u>								
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

from Valley Cr →

Tennell Cr →

4 Acre overlap

B71-DBPOD.SHP

NOS DESCRIPTION

36 Sec 12 SE SWSE

37 Sec 13 NENWNE

38 " " "

40 Sec 12 NWSESE

The GIS acres represent all irrigated ground within the HES regardless of the source. The irrigated acres shown but not recommended under this right are recommended under 71-00052. There is a 4 acre segment that overlaps with Valley Cr Water (polygon #67)

B71-DBPOU.SHP

SHAPE NOS

66 - Tennell Cr P/4

67 - Tennell Cr & Valley Cr

68 - Valley Cr

P/D #40 is actually a tributary to Tennell Cr with the P/D approx 70 feet from Tennell Cr. Approx 3 acres are irrigated from this source. This is, however, considered to be part of the Tennell Cr decreed right.

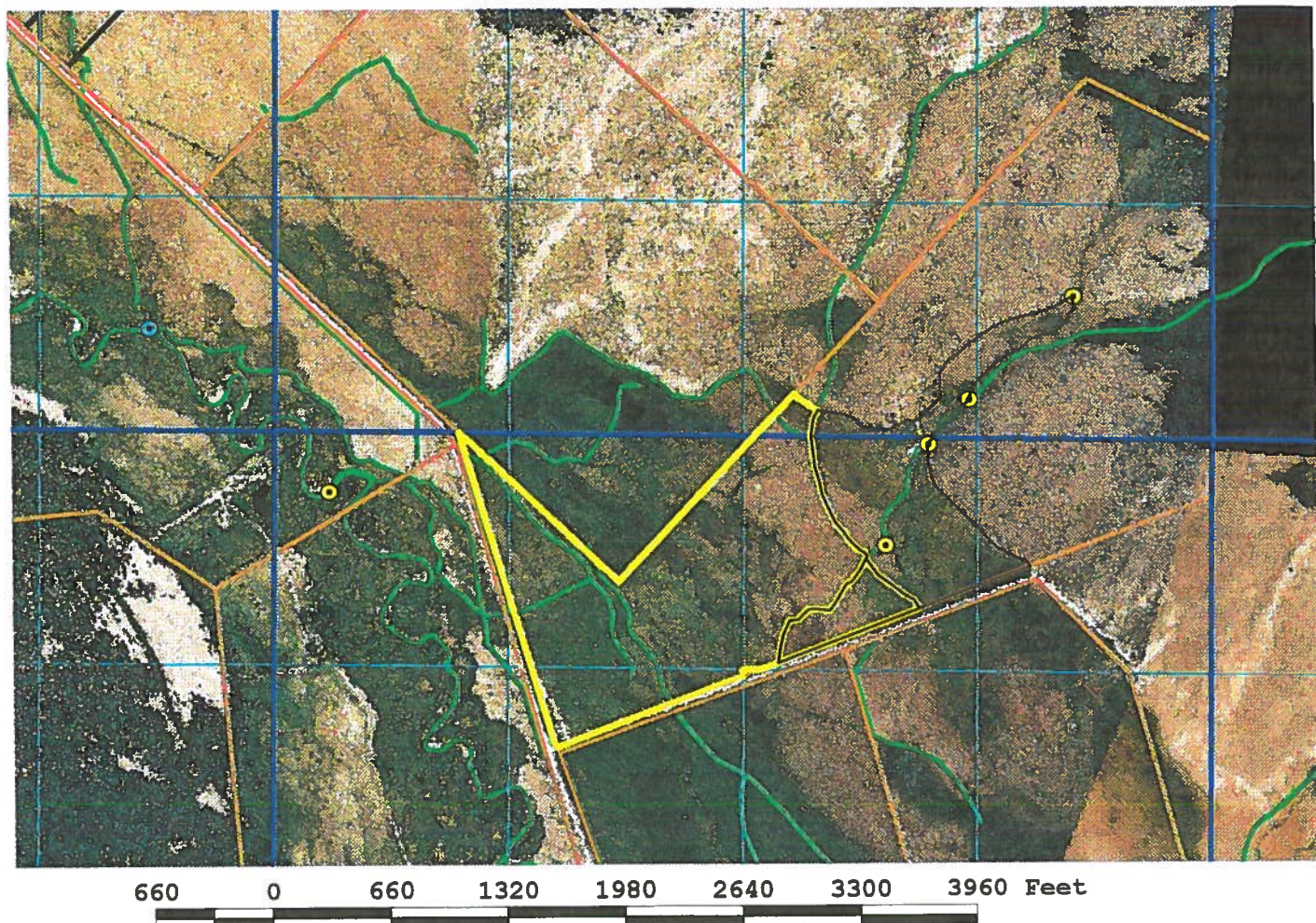
DBF TABLES UPDATED

B71-DBPOD.DBF

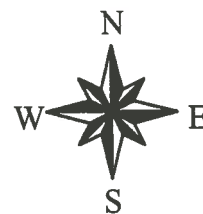
B71-DBPOU.DBF

IDAHO DEPARTMENT OF WATER RESOURCES

□ 71-00051 SOURCE = TENNELL CREEK
□ 71-00052 SOURCE = VALLEY CREEK
HES 421



RECOMMENDED PLACE OF USE
71-00051 = 24.1 ACRES
71-00052 = 51.0 ACRES
DATA ENTRY ON MARCH 18, 1998
TWP 11N, RNG 12E,
SEC 12, NESE, & S1/2SE1/4
SEC 13, N1/2NE1/4, N1/2NW1/4, & SENW



- 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

FIELD EXAM ATTACHMENT

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

FILES: _____

ATTACHMENT SUBJECT: P/D SYSTEM FOR 11N 12E Sec 4 NE SW NE *F06:: 71-00040A, 71-00040B, 71-00042A, 71-00042B, 71-00045,
71-00047, & 71-00050. Related Fish Screen VC-6.

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

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

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

FIELD EXAM ATTACHMENT

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

FILES: _____

ATTACHMENT SUBJECT: _____

along the NE $\frac{1}{2}$ of the border. The McGowan Creek Ditch (and Valley Cr from Sec 4 somewhat) forms the eastern boundary for the HES 109 & into HES-133. This ditch system runs to HES 421 where it ends. For the HES's (portions of that lay east of the Cow camp road (excluding HES-274) are in general irrigated concurrently in that as one HES is irrigated the tail water is either spread directly onto the next HES or is accumulated into a drain or ditch to be respread. Although this could be considered waste water no one has claimed it as such. There are also swampy areas that may or may not be created by the Valley Cr, Hanna Cr, and McGowan Cr diversions. This interrelationship runs from HES 271 (the eastern $\frac{1}{2}$) thru HES 270, thru HES 109, thru HES 133, thru HES 421, and HES 319. All east of the Cow camp road. Water flows in general east & south from the cow camp road to the center of the irrigated meads and south & east from the ditch system that forms the eastern boundary of the irrigated ground. This pattern is clearly visible on USDA F 173-13, 173-11 & others of the 8-28-72 flight similar USDA-F aerial photos 677-193 9-9-77 ASCS Aerial flight ~~777~~ 8-22-52 # DRF-3-167. On the Photo 777 to a certain extent also shows this relationship.

irrigation practices for the fields west of the cow camp road

FIELD EXAM ATTACHMENT

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

FILES: _____

ATTACHMENT SUBJECT: _____

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

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

Control of water diverted from section four ends roughly in the NW $\frac{1}{4}$ of sec. 13. HES 577 & HES 421 receive some water from the Sec 4 diversion but primarily receive water from other diversions and/or sources.

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

SYSTEM ANALYSIS FOR HES-421

The ground is irrigated from Valley Creek under A71-00052 and from Tennell Creek under A71-00051. There is a four acre overlap on the irrigated ground. (see map).

SYSTEM DESCRIPTION FOR TENNELL CREEK

There is one major diversion from Tennell Creek on the eastern most portion of the P/U with the ditch running west southwest and north of the farmstead. The ground is flood irrigated and can run southwest to a natural drainage in the property. This drainage forms the border between the recommended P/U for Valley Creek water and Tennell Creek water. This drainage runs southeast to rejoin the Tennell Creek channel roughly in the middle in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of sec 13. The four acres that overlap between the two systems start at this point and lay south of the Tennell Creek channel.

Once Tennell Creek enters the P/U it basically become part of the delivery system. There are two major diversions from Tennell Creek between the first diversion and the drainage, Tennell Creek juncture described above.

SYSTEM DESCRIPTION FOR VALLEY CREEK

The portion of the P/U identified as receiving Valley Creek water receives that water from two different P/Ds. The P/D in 11N, 12E, SEC 4 is an interdependent delivery system for the irrigated ground east of the Cow Camp road, (see memo to the file dated 6-2-94). All of the ground can receive water from this system but the southwest portion primarily receives water from the P/D in sec 11. That diversion point was changed in the 1940s (see letter from Madge Yacomella dated 1-23-95) due to a conflict with a neighbor.

There is a two acre slew area located on the eastern end of the P/U and along the border between HES-421 and HES-133. That ground can receive water from the Valley Creek diversion system from the point of diversion located in sec 4 and as such is included within the recommended P/U for the Valley Creek system.

All of the P/U is irrigated through a series of ditches that crisscrosses the property.

POU COUNTY: CLUSTER

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

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

Y () N (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
A71-00051	TENNELL CREEK	YACOMELLA, BILL ROY	2.400	0.015		
R71-00044	ELK CREEK	BROWNING, KENT C	4.800	0.032		
A71-00044	ELK CREEK	BROWNING, KENT C	4.800	0.032		
A71-00045	VALLEY CREEK	BROWNING, KATHRYN M	3.000	0.023		
R71-00045	VALLEY CREEK	BROWNING, KENT C	3.000	0.023		
A71-00046	ELK CREEK	BROWNING, KENT C	1.600	0.010		
R71-00046	ELK CREEK	BROWNING, KENT C	1.600	0.010		
A71-00049A	VALLEY CREEK	YACOMELLA, ANTONY R.	1.020	0.006		
R71-00049A	VALLEY CREEK	YACOMELLA, TONY S	1.020	0.006		
A71-00049B	VALLEY CREEK	HAUGRUD, JACK AND/OR GEOFFREY	4.800	0.030		
A71-00050	VALLEY CREEK	HAUGRUD, JACK AND/OR GEOFFREY	4.800	0.030		
R71-00051	TENNELL CREEK	YACOMELLA, ANTONY R	2.400	0.015		
A71-00052	VALLEY CREEK	YACOMELLA, ANTONY R.	2.400	0.015		
R71-00052	VALLEY CREEK	YACOMELLA, ANTONY R	2.400	0.015		
R71-00057	VALLEY CREEK	MAHONEY JR., DANIEL J	4.800	0.030		
A71-00057	VALLEY CREEK	MAHONEY, JR., DANIEL J.	4.830	0.030		

LIST OF ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION:

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R71-10317	STOCKWATER	HAUGRUD, JACK AND/OR GEOFFREY	FROM 06-01 TO 10-31	.030 CFS	
A71-10317	STOCKWATER	HAUGRUD, JACK AND/OR GEOFFREY	FROM 06-01 TO 10-31	.030 CFS	
A71-10098	DOMESTIC	YACOMELLA, ANTONY R.	FROM 01-01 TO 12-31	.035 CFS	
R71-10098	DOMESTIC	YACOMELLA, ANTONY R	FROM 01-01 TO 12-31	.035 CFS	

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

Y (X) N ()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 71-00052, 71-00049A

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

N/A () Y () N ()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

See memo dated 2-17-95 and 6-2-94 for description of system and overlaps.

Recommended for disallowal. Applicant to HES-134

- G. SHOULD THE CLAIMED POB BE VERIFIED BY FIELD EXAM? Y(☒) N(☐)
- H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y(☐) N(☒)

CHECK DOCUMENTS USED TO VERIFY POB: (X) ORTHOPHOTOQUAD, IDMR NO. 4-684-69; (X) TOPOGRAPHIC QUAD, IDMR NO. _____;

() NAPP, IDMR NO. _____; () ASCS PHOTO; () OTHER USDAE-173-12

NOTES: _____ 8-28-72 file

GTS system

RECOMMENDATIONS:

TOTAL ACRES: 24.1 KAC N/A()

REVIEWED BY: KAC DATE: 2-17-95

A. AS CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A71-00051 IRRIGATION	FROM 04-01 TO 10-01	2,400 CFS	

TOTAL DIVERSION RATE/VOLUME 2,400 CFS

5-01 9-30

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
71-00051 IRRIGATION	FROM TO	2,400 CFS	
		2,400 CFS	

TOTAL DIVERSION RATE/VOLUME

2,400 CFS

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

Y() N()

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

N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N()

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

Y() N()

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

Y() N()

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

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

N/A() Y() N()

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

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

N/A() Y() N()

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

N/A() Y() N()

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

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

N/A() Y() N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 2.400 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 2.400 CFS

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

N/A () Y (☒) N ()

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

N/A () Y () N (☒)

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

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

Y () N (☒)

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

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y (☒) N ()

E.

FLOW MEASUREMENT

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS.

F.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 21 x 0.02 CFS/ACRE = .42 CFS

(Taken from pou review)

1b. CALCULATIONS

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 392.5 AF/A

ACRES 21 x CONSUMPTIVE VOL. AF/A FOR AREA 2 =TOTAL CONSUMPTIVE USE 42 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 21 x DIVERSION VOL. AF/A FOR AREA 2TOTAL DIVERSION VOLUME 42 AF/A

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

Surface water

NOTES: Flow low analysis was run for the 21 acres covered by the Tedwell Co. water (see Attached analysis sheet)

claimed & decreed rate = 2.40 CFS
 Analysis rate = 1.44 2.53 based upon the Revised
 measured capacity = see below bubble analysis @ 7 days retention

The system was not carrying much water this late in the season. The delivery system in the stream channel/ditch system with all flow from Tedwell Co. naturally going into the HES. Spring flows at times exceed the decreed rate and as the water reaches the irrigator's ground it can all be diverted onto the P/U at various locations therefore except the decreed rate as the recommended rate for this right.

WR RECORD CONDITIONS/REMARKS:

P/U IS H. E. S. 421.
 AC. IRRIG. NOT SPECIFIED. FARM = 157.85 AC.

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

A71-00051

DATE: 6-1 ~~MAY 8~~ 1998

(Source = Tennell Cr)

REVIEWED BY KKC

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

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

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

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
RPI	4.33	7	* 22	* .16	= 2.17 CFS
LA4	4	7	* 2.1	* .3	= .36 CFS
			*	*	= CFS
			*	*	= CFS

2.53 CFS

TOTAL ACRES _____

DECREED RATE = 2.40 CFS

CLAIMED DIVERSION RATE = _____

ORIGINAL HUBBLE RATE = _____

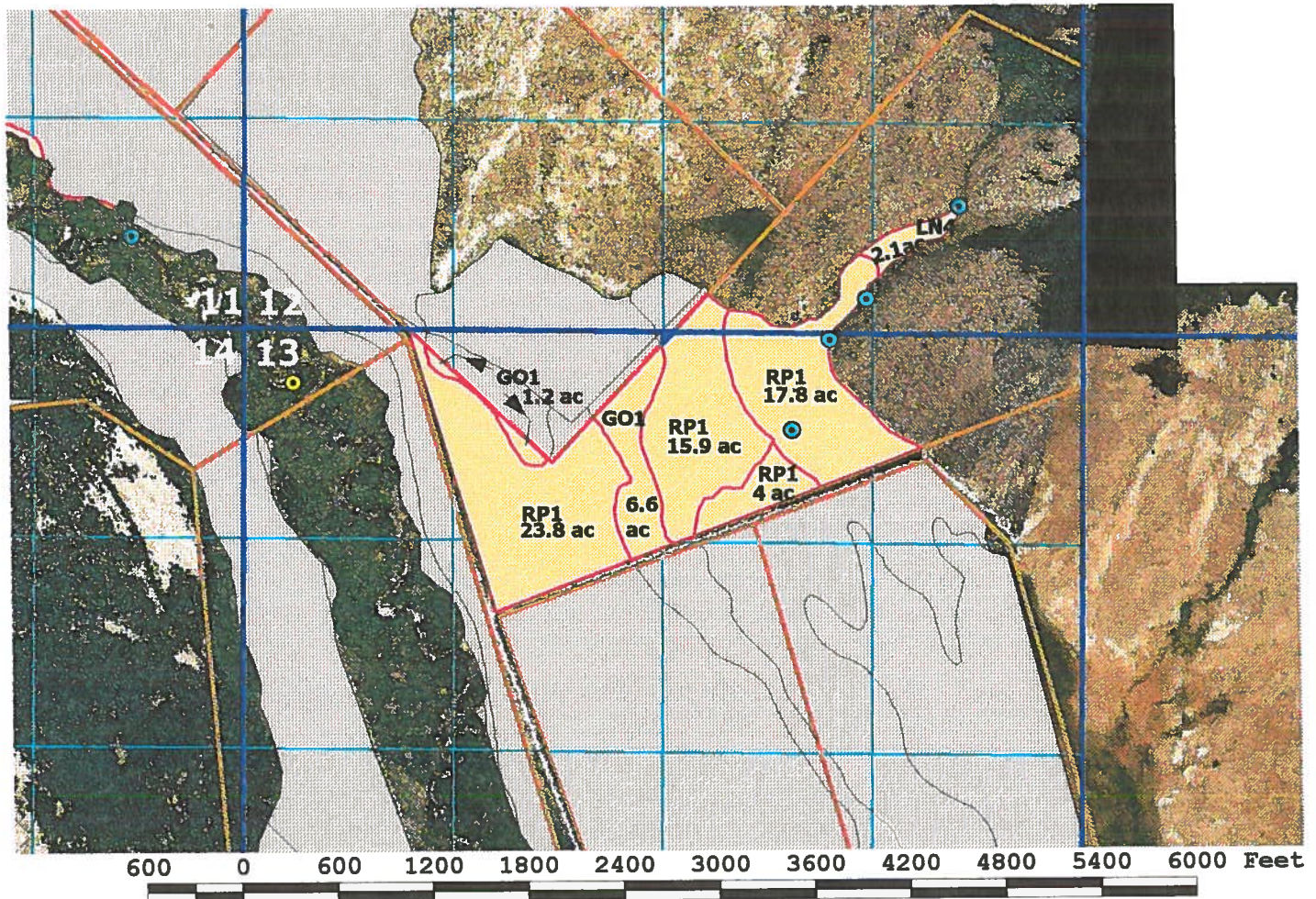
MEASURED DIVERSION RATE = _____

IDAHO DEPARTMENT OF WATER RESOURCES

71-00051, & 71-00052

HES- 421

YACOMELLA



PLACE OF USE SOILS ANALYSIS
USING SCS SOILS OVERLAY
DATA ENTRY ON MAY 29, 1998

CLAIM	SOIL TYPE	ACRES
71-00051	RP1	~~3~~ 21.8
	LA4	2.1
71-00052	RP1	43.7
	GO1	7.8



- 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

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	2.400		
<i>irrigation</i>	<i>5-1 9-30</i>	<i>2.40</i>		
TOTAL FOR THIS RIGHT		2.400		392.5

NON-IRRIGATION USES CLAIMED:

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

REVIEWED BY:

KKC

DATE:

6-2-98

FLAG:

C

STANDARD CONDITIONS (CODE):

C03

STANDARD REMARKS (CODE):

POU1 E11 thirrt w 71-00052 limited to 75.1 Acres
GEN J03 portion of HES 421
POD F02 2PDS in 11W 12E 13 NE NW 05

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	☒	☐
FORFEIT/ABANDON	☐	☐
ADDITIONAL DIV. AMOUNT	☐	☐

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-00051

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.400

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A71-00051	2.400	R71-00051	2.400	71-00051	2.400

TOTAL CFS 2.400

2.400

2.400

DIVERSION RATE REVIEW

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

NOTES:

AUTHENTICATION: DATE: 6-2-98

DATE:

SIGNATURE: Kelly K Christensen

TITLE:

EXAMINER: KELLY K CHRISTENSEN
SR WATER RESOURCE AGENT

20201

16037 173 21



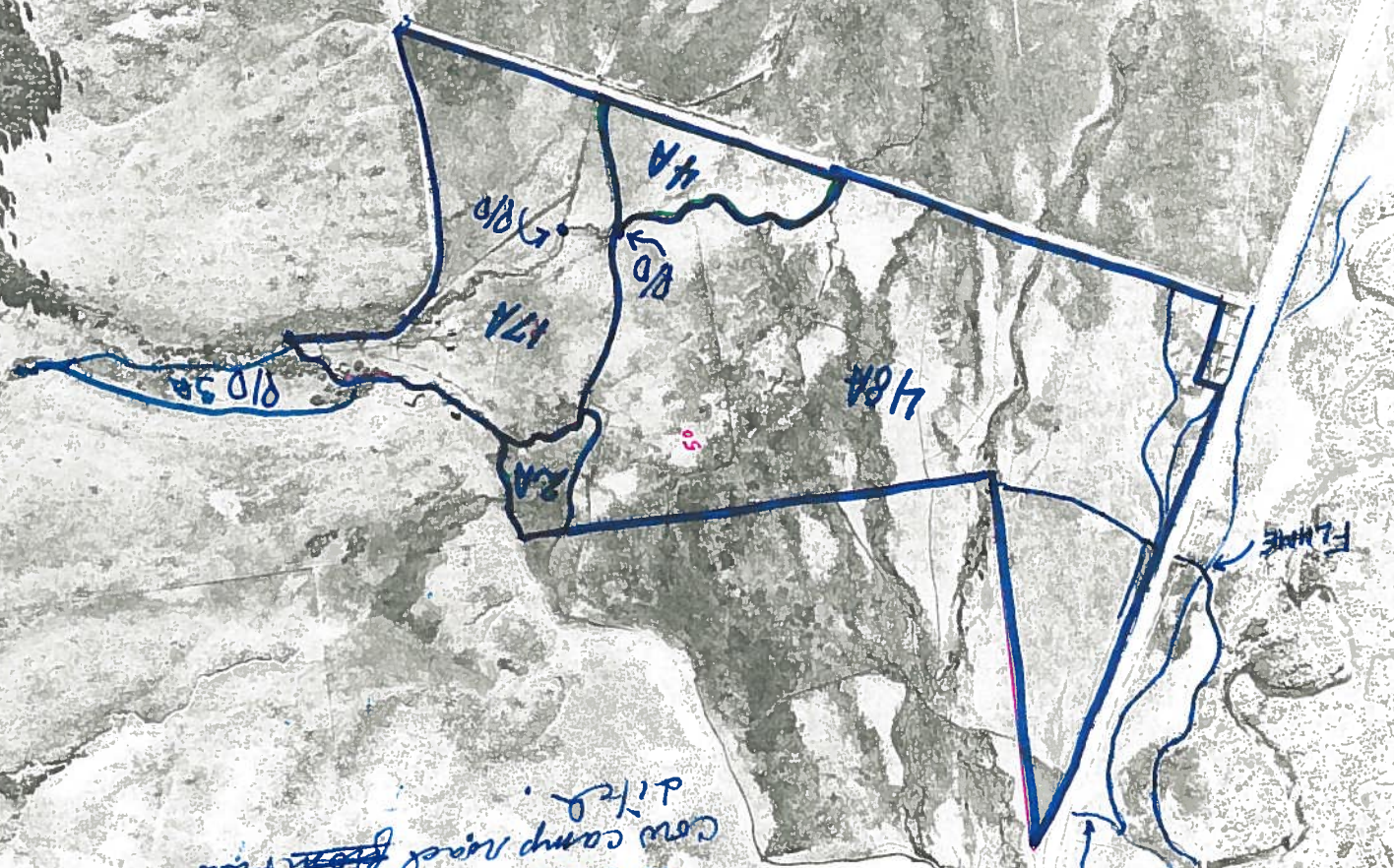
SCALE: 1" = 6.12'
 $CA = \frac{1.612 \times 10^2 + .009699}{.08340} = 43,560$

CLAIM INIT T. R. S. Q/Q P/D PHOTO USDA-F 173-12 DT. RID. 8-28-72 Ely, UT

Field notes

Field notes
8-19-74
KRC

Adeline blocked off with stakepost fence in dirt. No cement under fence line. No camp near dirt.



CLAIM # A71-00052
DATE PHOTOS TAKEN; 9-14-93
PICTURE SET # 1

This set was taken northeast of the pasture division fence and is looking southeast on the right to northeast on the left. Shown is two channels entering the P/U at this point with the channel on the left naturally splitting at this point. No evidence of an effort to control the water within this general area was observed. The channels eventually reach the main ditch shown in picture set # 7 and that area is considered the diversion point for Thompson Creek. The main ditch is larger than the natural stream channels and therefore could carry all of the normal Thompson Creek flow. The two main channels within this picture set carry water from slightly different drainages with the left channel corresponding to the Thompson Creek channel as outlined on the Ortho photo U-68. The fence line shown is the northeastern boundary for the Mahoney property (claims A71-00039B, A71-00040B, & A71-10136).



CLAIM # A71-00052
DATE PHOTOS TAKEN; 9-15-93
PICTURE # 2 & 3

The photo on the left is looking south across the Tennell Creek drainage. This area is naturally swampy and is not considered as a part of the irrigated P/U. The photo on the right was taken from the same spot but is looking southwest. Only a small area roughly corresponding to the gap separates the pictures from overlapping. A small ditch catches water from the channel on the right and runs along the hillside running toward the cabins and irrigates the slope from the ditch to the swamp area. Tennell Creek is diverted beyond the tree allowing water to either go to the left of the cabins or through the ground around the cabins. (see picture # 4) Valley Creek runs just this side of the timber in the background.

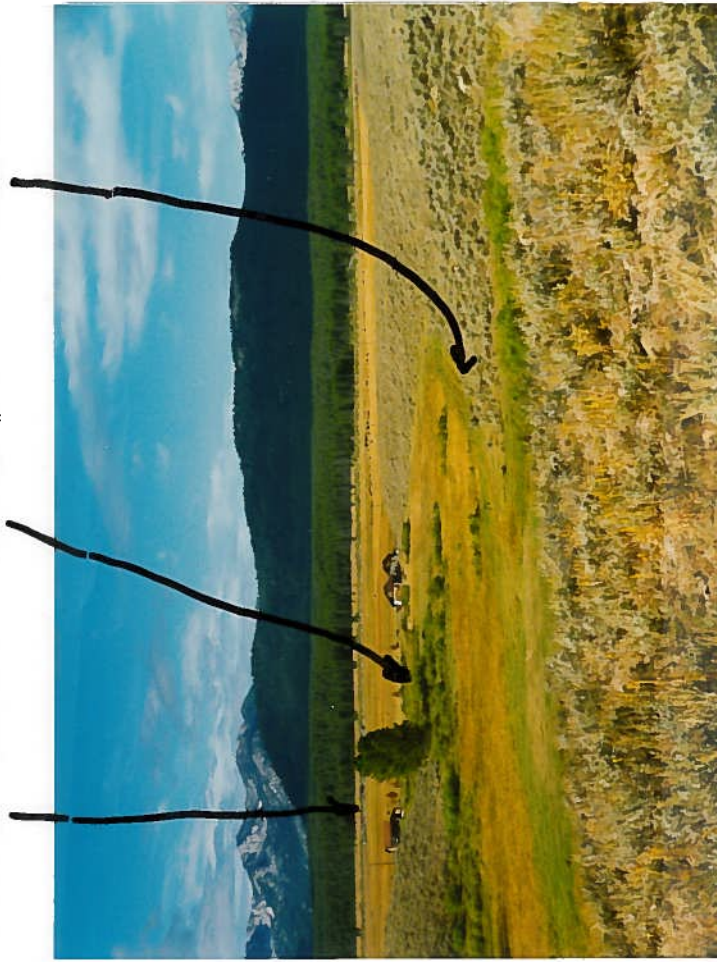
TENNELL CREEK



COW CAMP CORRALS

PICTURE # 4

SMALL DITCH



CLAIM # A71-00052
DATE PHOTO TAKEN; 9-15-93
PICTURE # 4

This photo shows the diversion structure on Tennell Creek as described for picture # 3. Water either goes to the left along the hillside and left of the cabins or goes right and through the cabin area. You are looking southwest in this photo.



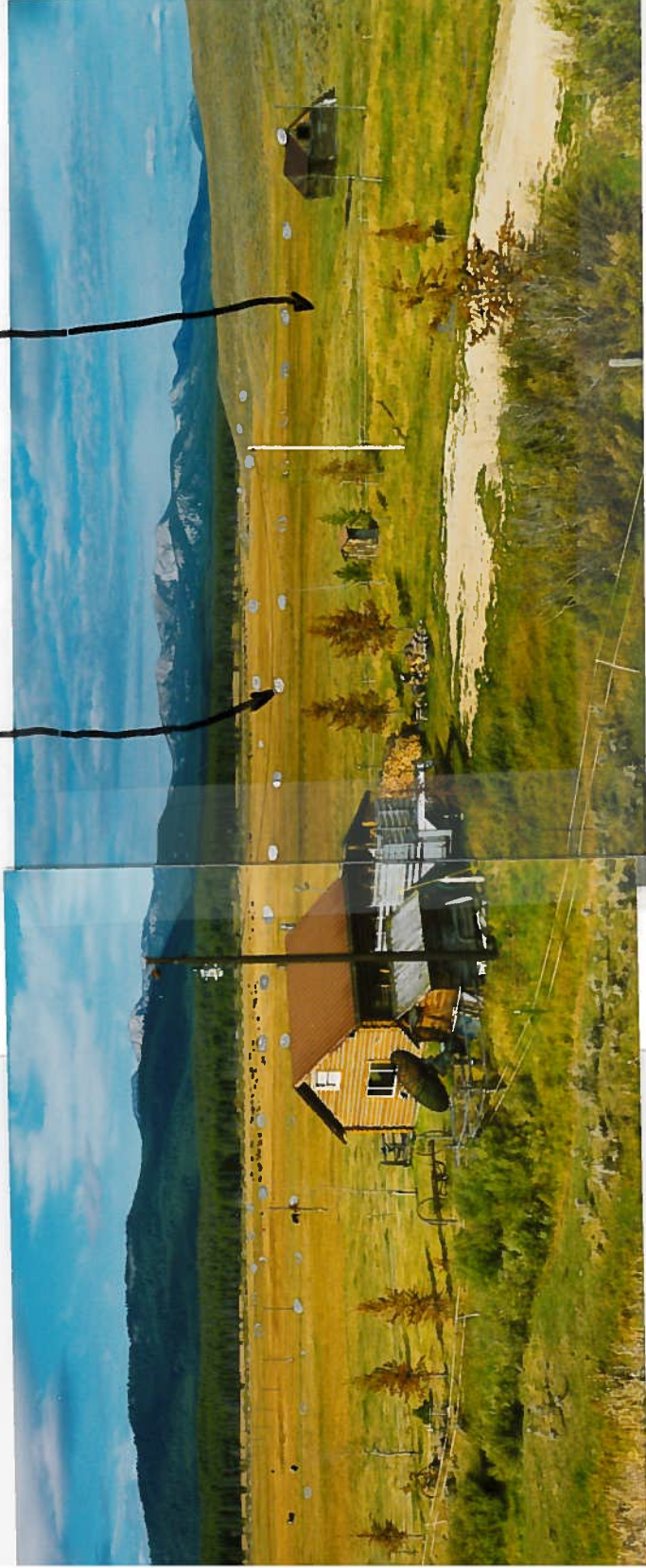
CLAIM # A71-00052
DATE PHOTOS TAKEN; 9-15-93
PICTURE SET # 5

This photo set shows the northeastern portion of the P/U and how Tennell Creek relates to the rest of the system. As previously described Tennell Creek comes in from the right and is split into two ditch systems. One follows the base of the hill in the foreground and the other ditch runs beside the far cabin. The area beyond the small central cabin is a naturally swampy area that also receives water from Valley Creek.

NORTHERN BOUNDARY

SWAMPY AREA

TENNEL CREEK DITCH



CLAIM # A71-00052
DATE PHOTOS TAKEN; 9-15-93
PICTURE SET # 6

This photo set covers the southern portion of the P/U and is looking west on the left to northwest on the right.

SOUTH END
OF P/U

TENNEL CREEK
NATURAL CHANNEL

COW CAMP
CORRALS

APPROXIMATE LOCATION FOR
ONE OF THE VALLEY CR. DIVERSIONS

