

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: A71-00058  
Date Received: 7/12/1993  
Receipt No: S015980  
Received By: O/C A.B.

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: JIM SILVA 208-886-7512  
Address: 110 E 420 N  
SHOSHONE ID 83352  
AND/OR  
Name: FRED SILVA  
Address: 1923 N 2ND ST  
BOISE ID 83702

2. Date of Priority: MAY 1, 1915

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   | 13      | SE     | SE     | SW     |     | CUSTER |
|          |       | 24      | NE     | SE     | SW     |     | CUSTER |

5. Description of diverting works:  
TWO CHECK DAMS TO EARTHEN DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 05/01 | 09/30 | 4.800 |      |        |

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

8. Total consumptive use is 274.0 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   | 24      | SW  |    | NE  |     | IRR           | 14.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 12.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 29.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 33.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 2.0   |
|          |       |         |     |    |     |     | Section Acres | 90.0  |
|          |       | 25      | NE  |    | NE  |     | IRR           | 6.0   |
|          |       |         | NW  |    | NE  |     | IRR           | 19.0  |
|          |       |         | SW  |    | NE  |     | IRR           | 3.0   |
|          |       |         | NE  |    | NW  |     | IRR           | 16.0  |
|          |       |         | SE  |    | NW  |     | IRR           | 3.0   |
|          |       |         |     |    |     |     | Section Acres | 47.0  |
|          |       |         |     |    |     |     | Total Acres   | 137.0 |

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:  
P/U IS H. E. S. 273.  
\*\*\*\*\*  
OWNERSHIP CHANGE MADE 5/12/97 BY TLB.

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  
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 04 1997

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.

Department of Water Resources  
Southern Region

1. Water Right No(s).:

~~A 71-00058~~ 03

Adjudication Claim No(s).:

A 71-00058

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

SILVA DOROTHY - 110 E 420 N SHOSHONE IDAHO 83352  
SILVA JIM - 110 E 420 N SHOSHONE IDAHO 83352  
SILVA FRED - 110 E 420 N SHOSHONE IDAHO 83352

4. New Owner/Claimant(s)

SILVA JIM 110 E 420 N SHOSHONE IDAHO 83352  
SILVA Fred 1423 N 25th BOISE IDAHO 83702

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
110 E 420 N SHOSHONE IDAHO 83352

City, State and ZIP Code

SHOSHONE IDAHO 83352

New Telephone Number

(208) 886-7512

5. Date you acquired the property

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 137

Number and type of stock

150 Beef Cattle

Diversion rate in CFS 4.800

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)

Fred Silva

(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..

Water Right Number - A71-00058

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
SILVA

DOROTHY

1 - 110 E 420 N  
2 -  
3 -

State- ID Zip- 83352

SILVA

JIM

City- SHOSHONE  
Phone - 208-886-7652  
1 - 110 E 420 N  
2 -  
3 -

State- ID Zip- 83352

SILVA

FRED

City- SHOSHONE  
Phone - 208-886-7652  
1 - 110 E 420 N  
2 -  
3 -  
City- SHOSHONE  
Phone - 208-886-7652

State- ID Zip- 83352

\*\*\* O - ORIGINAL OWNER \*\*\*  
SILVA

ARTHUR

1 -  
2 -  
3 -  
City- X  
Phone - 208-000-0000  
1 -  
2 -  
3 -  
City- X  
Phone - 208-000-0000

State- ID Zip- 0

SILVA

HATTIE I

State- ID Zip- 0

+ - - Priority Date - - +  
05/01/1915

+ - - - - Region - - - +  
17 SOUTHERN

+ - - - - Stage - - - +  
D - DECREED

+ - - - - Status - - - +

+ - - - - Source - - - - +  
VALLEY CREEK

+ - - - - Tributary - - - - +  
SALMON RIVER

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

11N 12E 13 SE SE SW (37) CUSTER  
24 NE SE SW (37) CUSTER

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

01 - IRRIGATION

05/01 09/30

4.800

+ - Total Div. Rate - + + - Total Div. Volume - +  
4.800

+ - Total Consumptive Use - + + - KW Usage - +  
274.0

Water right number - A71-00058

Prefix Translation: ADJUDICATION CLAIM

| Tmn          |     | Rng | Sec   | Tract | Lot | Acres      | Place of Use Code | Description | County |
|--------------|-----|-----|-------|-------|-----|------------|-------------------|-------------|--------|
| 11N          | 12E | 24  | SW NE | 14.0  | 01  | IRRIGATION | (37)              | CUSTER      |        |
| 11N          | 12E | 24  | SE SW | 12.0  | 01  | IRRIGATION | (37)              | CUSTER      |        |
| 11N          | 12E | 24  | NW SE | 29.0  | 01  | IRRIGATION | (37)              | CUSTER      |        |
| 11N          | 12E | 24  | SW SE | 33.0  | 01  | IRRIGATION | (37)              | CUSTER      |        |
| 11N          | 12E | 24  | SE SE | 2.0   | 01  | IRRIGATION | (37)              | CUSTER      |        |
| 11N          | 12E | 25  | NE NE | 6.0   | 01  | IRRIGATION | (37)              | CUSTER      |        |
| 11N          | 12E | 25  | NW NE | 19.0  | 01  | IRRIGATION | (37)              | CUSTER      |        |
| 11N          | 12E | 25  | SW NE | 3.0   | 01  | IRRIGATION | (37)              | CUSTER      |        |
| 11N          | 12E | 25  | NE NW | 16.0  | 01  | IRRIGATION | (37)              | CUSTER      |        |
| 11N          | 12E | 25  | SE NW | 3.0   | 01  | IRRIGATION | (37)              | CUSTER      |        |
| Total Acres: |     |     |       |       |     |            | 137.0             |             |        |

- - - Diversion Means - TWO CHECK DAMS TO EARTHEN DITCHES

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - NONE

- - - Remarks -

GEN P/U IS H. E. S. 273.

+ - - - - No Old Water Right Numbers Found - - - - - Old Water Right Numbers - - - - -

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

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

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

+ - - Audit fields - - +  
00/00/00

+ - - - - 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 | Verified Date         | - 00/00/0000 | Old Judicial District   | -       |
| Response Filed Date  | - 00/00/0000 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
| Claim Received Date  | - 07/12/1993 | Receipt Number        | - S015980    | Water District          | -       |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S     |
|                      |              | Name Connector        | - AND/OR     | Presumption Flag        | -       |
|                      |              |                       |              | Notice of Error Flag    | -       |

**Presumption Flag:**

AJ0749NP  
No. A71-10135

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

DATE: 03/17/97  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | DOROTHY SILVA  | 06/25/1986       | STOCKWATER | 01-01 12-31           | 0.02 CFS          |                     |
| C                | FREDERIC SILVA |                  | DOMESTIC   | 01-01 12-31           | 0.02 CFS          |                     |
| C                | THERESA SILVA  |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                |                  |            |                       | 0.04 CFS          |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T11N R12E S36

SESMSE

CUSTER County

Place of use Legal Description for: STOCKWATER

|            | NE                        | NW                        | SW                        | SE                        |
|------------|---------------------------|---------------------------|---------------------------|---------------------------|
| T R S      | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac |
| 11N 12E 36 | :                         | :                         | :                         | :                         |

Place of use Legal Description for: DOMESTIC

|            | NE                        | NW                        | SW                        | SE                        |
|------------|---------------------------|---------------------------|---------------------------|---------------------------|
| T R S      | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac |
| 11N 12E 36 | :                         | :                         | :                         | :                         |

POU County: CUSTER

Non-Irrigation Uses: D/1 HOME, S/7 HORSES

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection filed Date:

Misc: Water District Number:

Field Inspection Flag:  
Presumption Flag:

SD-0601-2 Last Name: SILVA

Num: 03-14-1997

STATE

| S<br>E<br>L | First<br>Name | O<br>W<br>N | Water<br>Right No. | Priority<br>Date | Source      | Total<br>Diversion | Use<br>Code Desc |
|-------------|---------------|-------------|--------------------|------------------|-------------|--------------------|------------------|
| -----       |               |             |                    |                  |             |                    |                  |
| -           | SILVA         |             |                    |                  |             |                    |                  |
| -           | ANDREW J      | C           | A71-10113          | 08/31/1960       | GROUNDWATER | 0.060              | 43 DOMEST        |
| -           | ANDREW J      | C           | R71-10113          | 08/31/1960       | GROUNDWATER | 0.060              | 43 DOMEST        |
| -           | ARTHUR        | O           | A71-00058          | 05/01/1915       | VALLEY CREE | 4.800              | 01 IRR           |
| -           | DOROTHY       | C           | A71-00058          | 05/01/1915       | VALLEY CREE | 4.800              | 01 IRR           |
| -           | DOROTHY       | C           | A71-10135          | 06/25/1986       | GROUNDWATER | 0.040              | 43 DOMEST        |
| -           |               |             |                    |                  |             |                    | 04 STOCK         |
| -           | DOROTHY       | C           | R71-00058          | 05/01/1915       | VALLEY CREE | 4.800              | 01 IRR           |
| -           | DOROTHY       | C           | R71-10135          | 06/25/1986       | GROUNDWATER | 0.040              | 43 DOMEST        |
| -           |               |             |                    |                  |             |                    | 04 STOCK         |
| -           | FRED          | C           | A71-00058          | 05/01/1915       | VALLEY CREE | 4.800              | 01 IRR           |
| -           | FRED          | C           | R71-00058          | 05/01/1915       | VALLEY CREE | 4.800              | 01 IRR           |
| -           | FREDERIC      | C           | A71-10135          | 06/25/1986       | GROUNDWATER | 0.040              | 43 DOMEST        |
| -           |               |             |                    |                  |             |                    | 04 STOCK         |
| -           | FREDERIC      | C           | R71-10135          | 06/25/1986       | GROUNDWATER | 0.040              | 43 DOMEST        |
| -           |               |             |                    |                  |             |                    | 04 STOCK         |

(Enter=Continue)

(GOLD7=This Query)

(Menu \_\_\_\_\_)

6/9/94

# COMMUNICATION DOCUMENTATION

**Claim No. R71-10135 ET AL**

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 Frank Hitchcock

March 10, 1997 12:57pm

NAME: SILVA AT 336-7128

RE: R71-10135 ADDRESS

TT 1:40 PM-TF 2:45 PM-TCW. PROPERTY IS NOW SOLELY OWNED BY CURRENT CO-CLAIMANT FREDERICK SILVA. I GOT THE HOME AND WORK PHONE NUMBER FROM JIM SINCE DOROTHY HAS PASSED AWAY.

HE THEN ASKED ME ABOUT HIS LATE FATHER'S PROPERTY IN THE STANLEY BASIN AND SAID THAT HIS FATHER IS ALSO GONE BUT THE CLAIM(S) ARE STILL IN HIS FATHER'S NAME. SUGGESTED THAT I WOULD FOLLOW UP WITH HIM ON THE CLAIMS BUT ASKED FOR 7-10 WORKING DAYS TO GET THE MATERIAL TO HIM .

CLAIMS WERE FILED IN THE NAME OF FLOYD FOR 160 ACRE RANCH PROPERTY  
IN THE STANLEY BASIN.

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

March 17, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

MR FREDERIC SILVA  
1923 N 25TH  
BOISE, ID 83702

RE: OWNERSHIP OF WATER RIGHT A71-10135 THE DOMESTIC WELL IN THE  
CROOKED CREEK RANCH SUBDIVISION AND A71-00058 THE DECREED  
IRRIGATION RIGHT FROM VALLEY CREEK.

Hello Mr. Silva:

I'm reviewing the domestic claim so that the court can issue decrees in the Snake River Basin Adjudication case. You may remember the filing of the claims in 1990 and 1993 respectively.

The ownership of the domestic well is split three ways as is the irrigation usage (copies of the claims enclosed for your review) in the names of the Silva family.

I talked to Jim Silva on the phone 03-10-1997 and he said that you are the sole owner of the subdivision property. I enclose one of our department forms for your use to make the changes to your domestic well claim. Return it to me as soon as you can and I will update the claim and send you copies of the changes.

Jim mentioned irrigation usage claimed in the name of Floyd. Is the ownership of the Valley Creek decreed right the correct one and do you or the family need to change the change the names on it? If both claims are in the same name or names you could put the water right numbers on one of the forms for your convenience.

I'm sure you're busy so if you have any questions as to what this all means please call me in Twin Falls at 736-3033 or fax to me at 736-3037 during business hours.

Sincerely Yours,

Francis G. Hitchcock  
Water Resource Agent Sr.

cc: Jim Silva ✓

enclosures

COPY



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380  
Phone: (208) 736-3033 FAX: (208) 736-3037

March 17, 1997

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✓ I'm sure you're busy so if you have any questions as to what this all means please call me in Twin Falls at 736-3033 or fax to me at 736-3037 during business hours.

Sincerely Yours,

Francis G. Hitchcock  
Water Resource Agent Sr.

cc: Jim Silva

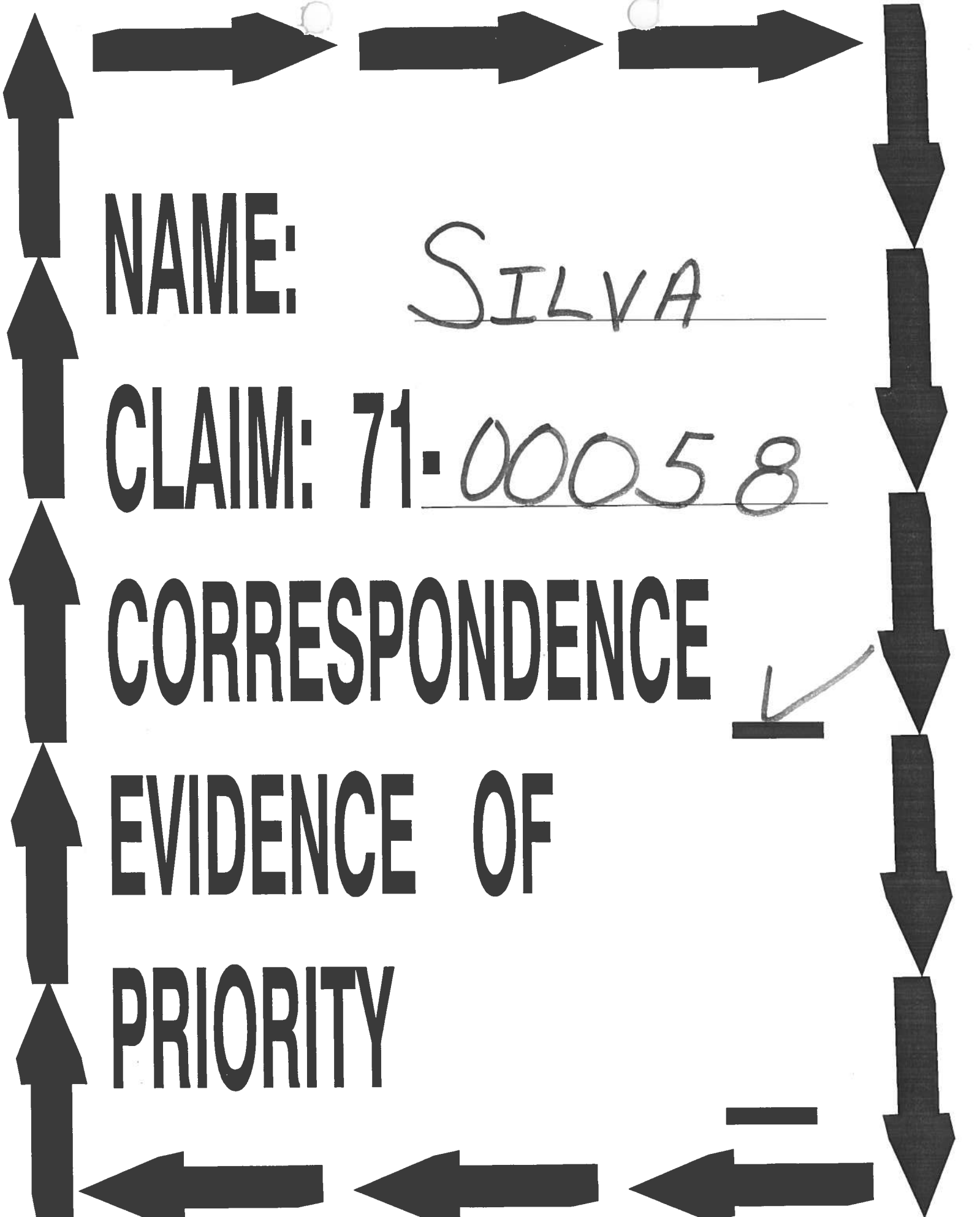
enclosures

*MR. SILVA: Please let me hear from you so that the court decree of the usage can be accurate. Deadline for changes is almost here.*

*Thomson  
JH*

*sent 03-31-1997*

COPY



**NAME:**

SILVA

**CLAIM:** 71-00058

**CORRESPONDENCE**

**EVIDENCE OF**

**PRIORITY**



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

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A71-00058**  
Date Received: 7/12/1993  
Receipt No: S015980  
Received By: ADL

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

1. Name: DOROTHY SILVA 208-886-7652  
Address: 110 E 420 N  
SHOSHONE ID 83352

AND/OR

Name: JIM SILVA 208-886-7652  
Address: 110 E 420 N  
SHOSHONE ID 83352

AND/OR

Name: FRED SILVA 208-886-7652  
Address: 110 E 420 N  
SHOSHONE ID 83352

2. Date of Priority: MAY 1, 1915

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   | 13      | SE     | SE     | SW     |     | CUSTER |
|          |       | 24      | NE     | SE     | SW     |     | CUSTER |

5. Description of diverting works:  
TWO CHECK DAMS TO EARTHEN DITCHES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 05/01 | 09/30 | 4.800 |      |        |

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

A.F.A.

8. Total consumptive use is 274.0 Acre Feet Per Annum

9. Non-irrigation uses:

**MICROFILMED**  
**OCT 27 1994**

10. Place of Use:

| Township      | Range | Section | 1/4           | of | 1/4 | Lot | Use   | Acres   |
|---------------|-------|---------|---------------|----|-----|-----|-------|---------|
| 11N           | 12E   | 24      | SW            |    | NE  |     | IRR   | 14.0 11 |
|               |       |         | SE            |    | SW  |     | IRR   | 12.0    |
|               |       |         | NW            |    | SE  |     | IRR   | 29.0 34 |
|               |       |         | SW            |    | SE  |     | IRR   | 33.0 28 |
|               |       |         | SE            |    | SE  |     | IRR   | 2.0 1   |
|               |       |         | Section Acres |    |     |     |       |         |
|               |       | 25      | NE            |    | NE  |     | IRR   | 6.0 1   |
|               |       |         | NW            |    | NE  |     | IRR   | 19.0 15 |
|               |       |         | SW            |    | NE  |     | IRR   | 3.0     |
|               |       |         | NE            |    | NW  |     | IRR   | 16.0    |
|               |       |         | SE            |    | NW  |     | IRR   | 3.0     |
| Section Acres |       |         |               |    |     |     | 47.0  |         |
| Total Acres   |       |         |               |    |     |     | 137.0 |         |

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:  
P/U IS H. E. S. 273.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

DAN J. CAVANAGH  
Decree Plaintiff

WM. MERRITT, ET AL.  
vs Decree Defendant

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**MICROFILMED**  
**OCT 27 1994**

**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):

Jim Silva

Date: 7-12-93

Date: \_\_\_\_\_

State of Idaho )

)

SS.

County of

Twin Falls

)

Subscribed and sworn (or affirmed) before me this 12<sup>th</sup> day

of July 19 93

Ken M. Mott  
Notary Public

Seal

Residing at

Kimberly, ID

My Commission Expires

6/30/94

**MICROFILMED**  
**061 27 1994**

POOR ORIGINAL

TINN RIZE

MICROFILMED

12

13

24

25

Cow Camp

Stanley

656

2'30"

657

658

659000m E.

11500

240 000

PRINCIPAL HIGHWAYS

Interstate Route

U.S. Route

State Route

Produced by the Geologic  
in cooperation with the  
orthophotograph prepared from

FOOF ORIGINAL



061 2 1994

3919

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Presumption Memorandum Status

AGENT

KKC

DATE

5-17-94

CLAIM NUMBER STAGE PRESUMPTION CATEGORY WITHIN A PPU

1st 2nd Accomplished transfer (YES) (NO)

A71-00055

chng P/D

A71-00058

FIRST PRESUMPTION ISSUES: DATE OF CHANGE IF KNOWN: \_\_\_\_\_

RECOMMENDED ACRES WITHIN THE ORIGINAL DECREED P/U: \_\_\_\_\_

RECOMMENDED ACRES OUTSIDE OF DECREED P/U: \_\_\_\_\_

SECOND PRESUMPTION ISSUES: DATE OF CHANGE IF KNOWN: \_\_\_\_\_

ACCOMPLISHED TRANSFERS: DATE OF CHANGE IF KNOWN: Pre 1972

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

P/D changed from decreed location upstream to  
claimed location when Valley Creek stream bed changed  
and bypassed the orig P/D

OVERLAPPING CLAIMS: A71-00058 shows same Division system ACRES \_\_\_\_\_ ACRES \_\_\_\_\_

ACRES \_\_\_\_\_ ACRES \_\_\_\_\_

ACRES \_\_\_\_\_ ACRES \_\_\_\_\_

ACRES \_\_\_\_\_ ACRES \_\_\_\_\_

ACRES \_\_\_\_\_ ACRES \_\_\_\_\_

**MICROFILMED**

**6-1-1994**



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

August 3, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

JIM SILVA  
524 W 7TH ST  
PO BOX 743  
SHOSHONE ID 83352

RE: Snake River Basin Adjudication (SRBA)  
Notice of Claim No. A71-00058  
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. Enclosed please find a computer printout showing the requested change.

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

Sincerely,

Trish Fawcett  
Technical Records Specialist

/tf

July 22, 1998

RECEIVED

JUL 30 1998

NOTICE OF ERROR

REPLY

RECEIVED

JUL 28 1998

Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:** August 14, 1998

Water right number: 71-00058

JIM SILVA

~~110 E 420 N~~

SHOSHONE ID 83352

524 W 7th St Box 743



Mr. Arthur J. Silva  
P.O. Box 743  
Shoshone, ID 83352-0743

Daytime Telephone Number: <sup>208</sup> 961 1522 or <sup>208</sup> 886-7512  
Evening Telephone Number: 208-886-7512

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

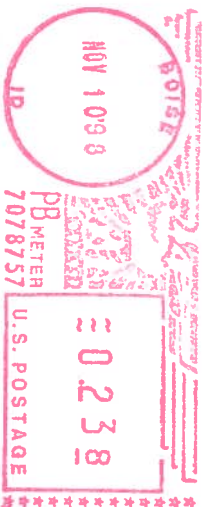
☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 7-27-98 SIGNATURE: Jim Silva  
Please print your name: Jim SILVA

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
1301 North Orchard Street, P.O. Box 83720  
Boise, Idaho 83720-0098

ADDRESS SERVICE  
REQUESTED

PRESORTED  
FIRST CLASS



RECEIVED

DEC 02 1998

Department of Water Resources  
Southern Region

RECEIVED

NOV 16 1998

Department of Water Resources

IMPORTANT WATER RIGHT INFORMATION



71-00058  
FRED SILVA  
1923 N 2ND ST  
BOISE ID 83702

83702/83702  
83702



Dept. of Water Resources  
Adjudication Bureau  
P. O. Box 83720  
Boise, ID 83720-0098

R71-00058  
FRED SILVA  
1923 N 2ND ST  
BOISE

ID 83702

NO SUCH  
NUMBER

RECEIVED  
AUG 05 1998  
Department of Water Resources  
Southern Region

RECEIVED  
JUL 29 1998  
Department of Water Resources

RECEIVED  
AUG 14 1998  
Department of Water Resources  
Southern Region



71-00058

July 22, 1998

**NOTICE OF ERROR  
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:** August 14, 1998

Water right number: 71-00058

FRED SILVA  
1923 N 2ND ST  
BOISE ID 83702

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
  
  
  
  
  
  
  
  
  
  
2. Describe the changes you wish to make in the proposed recommendation:
  
  
  
  
  
  
  
  
  
  
3. Give a brief explanation as to why you disagree with these portions:

\_\_\_\_ I AGREE with this proposed recommendation; no changes need to be made.

DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_  
Please print your name: \_\_\_\_\_

RIGHT NUMBER: 71-00058

NAME AND ADDRESS: JIM SILVA  
110 E 420 N  
SHOSHONE ID 83352FRED SILVA  
1923 N 2ND ST  
BOISE ID 83702

SOURCE: VALLEY CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 4.8 CFS

PRIORITY-DATE: 05/01/1915

POINT OF DIVERSION T11N R12E S13 SESESW Within CUSTER County

## PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|----------------|---------------|----------|
|                | IRRIGATION     | 05-01 10-31   | 4.8 CFS  |

| PLACE OF USE: | IRRIGATION     | Within CUSTER County              |
|---------------|----------------|-----------------------------------|
|               | T11N R12E S24  | SWNE 10 NESW 0.2 SESW 0.3 NWSE 34 |
|               |                | SWSE 32 SESE 1.3                  |
|               | S25            | NENE 2.2 NWNE 16                  |
|               | 96 ACRES TOTAL |                                   |

CONSUMPTIVE USE: 190.0 AFY

## OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
RIGHTS IN BASIN 71:

| WATER RIGHT NO. | SOURCE |
|-----------------|--------|
| NONE            | NONE   |

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER  
IN BASIN 71 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER  
RIGHTS IN THE SNAKE RIVER BASIN:

| WATER RIGHT NO. | SOURCE |
|-----------------|--------|
| NONE            | NONE   |

ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES  
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED  
CONJUNCTIVELY.

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 273.

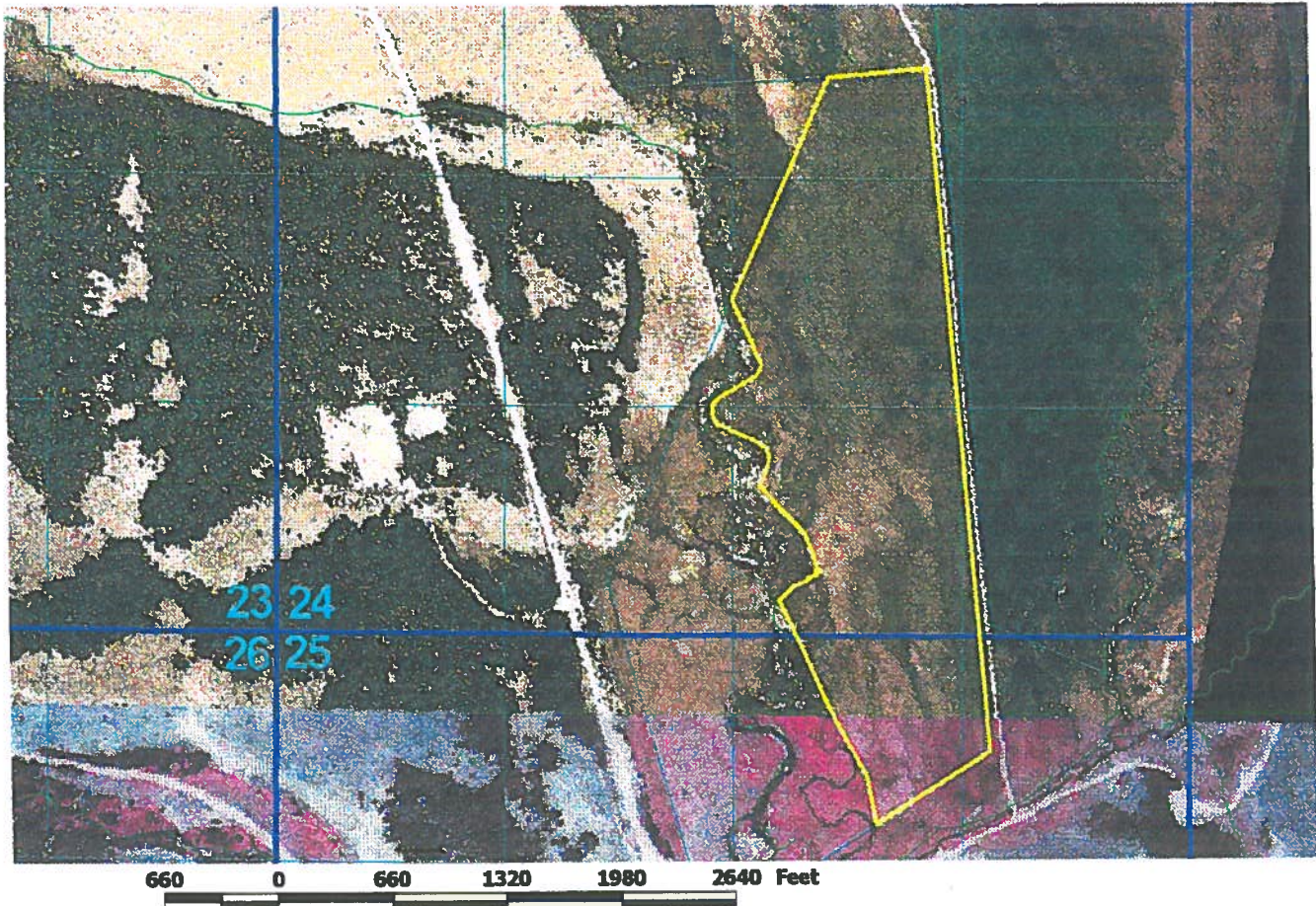
EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

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

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF  
DIVERSION DESCRIBED ABOVE: 71-00055 AND 71-00058.

# IDAHO DEPARTMENT OF WATER RESOURCES

71-0 0058  
SOURCE = VALLEY CREEK  
SILVA



RECOMMENDED PLACE OF USE  
DATA ENTRY ON JUNE 10, 1998  
TWP 11N; RNG 12E;  
SEC 24 & SEC 25

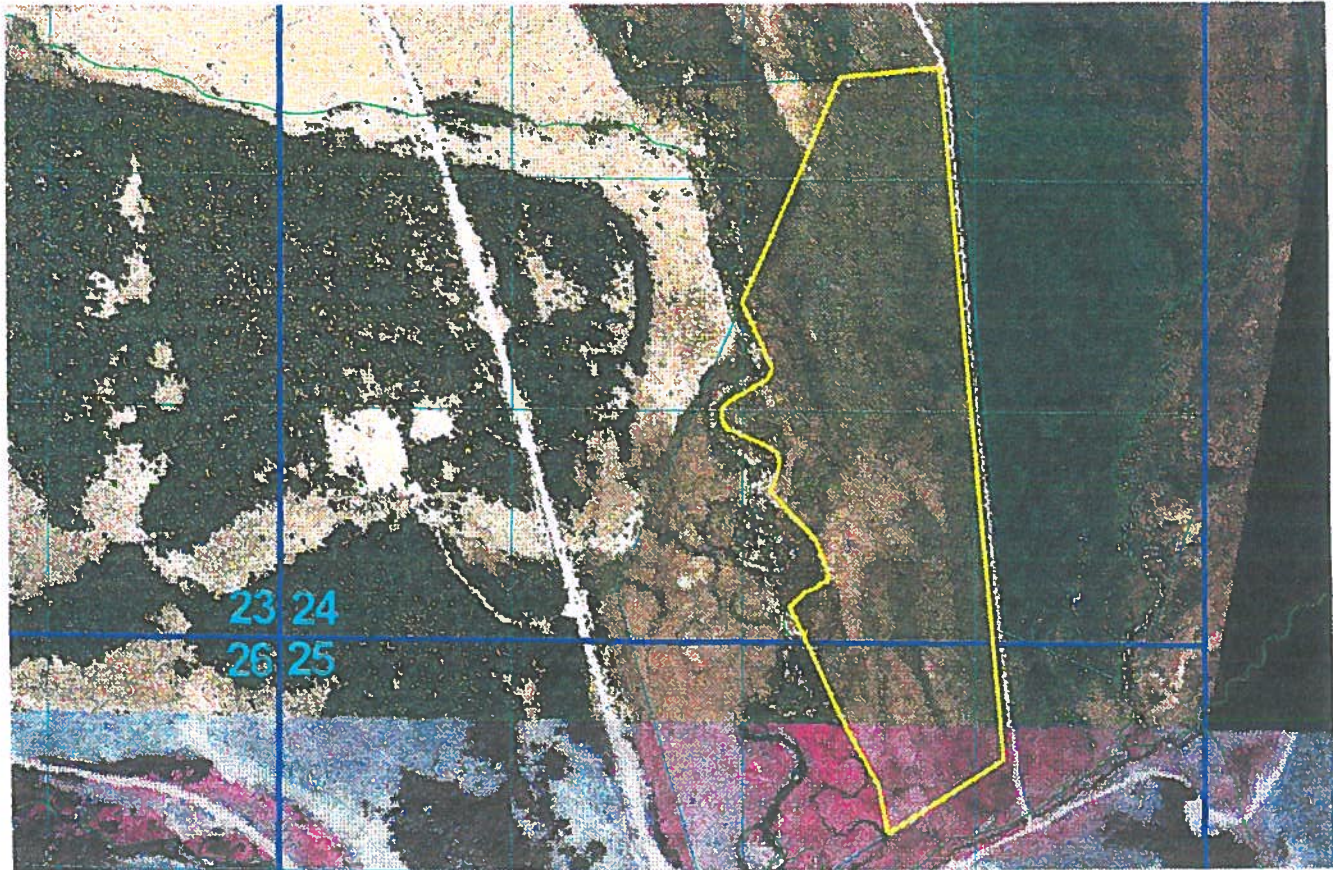


- ⊙ RECOMMENDED POINT OF DIVERSION
- ▭ RECOMMENDED PLACE OF USE
- ▭ SECTION LINES
- ▭ QUARTER QUARTER LINES
- ~ STREAMS AND DITCHES

GIS PLACE OF USE PRESENTATION  
1987 AND/OR 1988 NAPP PHOTOGRAPHY  
DATA ENTRY BY KELLY K CHRISTENSEN

# IDAHO DEPARTMENT OF WATER RESOURCES

71-0 0058  
SOURCE = VALLEY CREEK  
SILVA



660 0 660 1320 1980 2640 Feet

RECOMMENDED PLACE OF USE  
DATA ENTRY ON JUNE 10, 1998  
TWP 11N; RNG 12E;  
SEC 24 & SEC 25



- ⊙ RECOMMENDED POINT OF DIVERSION
- ▭ RECOMMENDED PLACE OF USE
- ▭ SECTION LINES
- ▭ QUARTER QUARTER LINES
- ~ STREAMS AND DITCHES

GIS PLACE OF USE PRESENTATION  
1987 AND/OR 1988 NAPP PHOTOGRAPHY  
DATA ENTRY BY KELLY K CHRISTENSEN



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

July 24, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) in the Snake River Basin Adjudication (SRBA). We have enclosed a print-out showing our preliminary recommendation regarding how your water right should be reported to the SRBA District Court.

Please review the preliminary recommendation carefully. If there is any information on the print-out you believe is inaccurate, please fill out the enclosed reply indicating what changes you believe should be made. Further instructions to assist you with the review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your water right is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area. **The meeting will be held on Thursday, August 6<sup>th</sup> at 7:00 p.m. at the Community Center in Stanley, Idaho.** Please come to the public meeting, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right. Please bring any and all information you have which will help the Department understand your water rights and describe them accurately.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary so that accurate information is provided to the SRBA District Court.

We look forward to hearing from you.

Sincerely,

Karl J. Dreher  
Director

Enclosures

DISTRICT COURT  
SNAKE RIVER BASIN ADJUDICATION  
STATE OF IDAHO



DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
(208) 736-3011  
FAX (208) 736-2121

SRBA CHAMBERS  
P.O. BOX 2707  
TWIN FALLS, IDAHO 83303-2707

Dear Water Right Claimant,

To help you with your water right claim(s) in the Snake River Basin Adjudication, this information is sent to you by the Idaho Department of Water Resources (IDWR). Included are the following important documents which I ask you to please read carefully because they give you the opportunity to save a great deal of time and money:

**1. Preliminary Recommendation.** This is IDWR's *initial* conclusion about your water right and how it should be reported to the SRBA Court. It is not filed with the court, but is provided to you to help correct errors or resolve any disagreement you may have over its content. This document has been prepared following IDWR's investigation and may be different than the claim(s) you filed.

Please review this preliminary recommendation carefully to find any errors or disagreements you have with IDWR's findings.

**2. Error Correction/Settlement Process.** This is a special service provided to you by IDWR to help you correct errors and resolve any other disagreement you have before the recommendations are filed with the court.

A description of how to work with IDWR is included. Our experience in the SRBA shows that by working in cooperation with IDWR most errors and differences can be addressed before coming into court. It's well worth your time to take full advantage of IDWR's helpful service. If your disagreement cannot be resolved, you will be able to file an objection to IDWR's recommendation when it is filed in court and have the final decision made by the Presiding Judge.

This error correction service is an important opportunity for you to work together with IDWR to make sure your water right claim(s) are decreed accurately. There is no cost to you other than your time reviewing the preliminary recommendation and talking to IDWR about any problem you see.

The goal of the SRBA is to see that your water right(s) are decreed by the court as accurately and fairly as possible. It is important to me that this is done efficiently in order to reduce your costs and present you with your decree.

I strongly encourage you to take full advantage of this opportunity to use the fine and courteous service provided by IDWR.

Sincerely yours,

  
Daniel C. Hurlbutt, Jr.  
Presiding Judge  
Snake River Basin Adjudication

## INSTRUCTIONS FOR COMPLETING THE NOTICE OF ERROR REPLY FORM

- Please review the preliminary recommendation carefully. Your name, water right number and address have been pre-printed on this reply for your convenience. Check to be sure the pre-printed information on this form is accurate.

- If you are a new owner and need to change the name on the enclosed preliminary recommendation, please use the form entitled "*Notice of Change of Water Right Ownership*". Please follow the instructions on that form carefully and provide the Department with the necessary documents as identified on that form.

- Please fill in your daytime and evening telephone numbers.

- If there is any portion of the preliminary recommendation which is inaccurate or you disagree, please complete item number 1, 2 and 3 on the reply, sign where indicated, attach a stamp to the envelope provided and return the reply to the Southern Region. This reply must be mailed before August 14, 1998. If IDWR has questions about the information included in your reply, a staff member will be in contact with you to set up an appointment. You may also return the reply in person at the public meeting on August 6, 1998 at 7:00 p.m. at the Community Center, Stanley, Idaho.

- If you do **not** provide a reply, IDWR will submit the information contained in the enclosed preliminary recommendation as a Director's Report to the District Court. At that stage, making changes will require you to file court papers and attend court hearings.

- If you have questions or do not understand this process, please feel free to call the adjudication hotline toll free number: **1-800-451-4129** or contact the IDWR Southern Regional Office, located at 1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380, telephone number: **208-736-3033**.

**STATE OF IDAHO**  
**IDAHO 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 or Adjudication Claim No(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 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 \_\_\_\_\_  
\_\_\_\_\_

4. New Owner/Claimant(s) \_\_\_\_\_

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address \_\_\_\_\_

City, State and ZIP Code \_\_\_\_\_

New Telephone Number (    ) \_\_\_\_\_

5. Date you acquired the property \_\_\_\_\_

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 \_\_\_\_\_

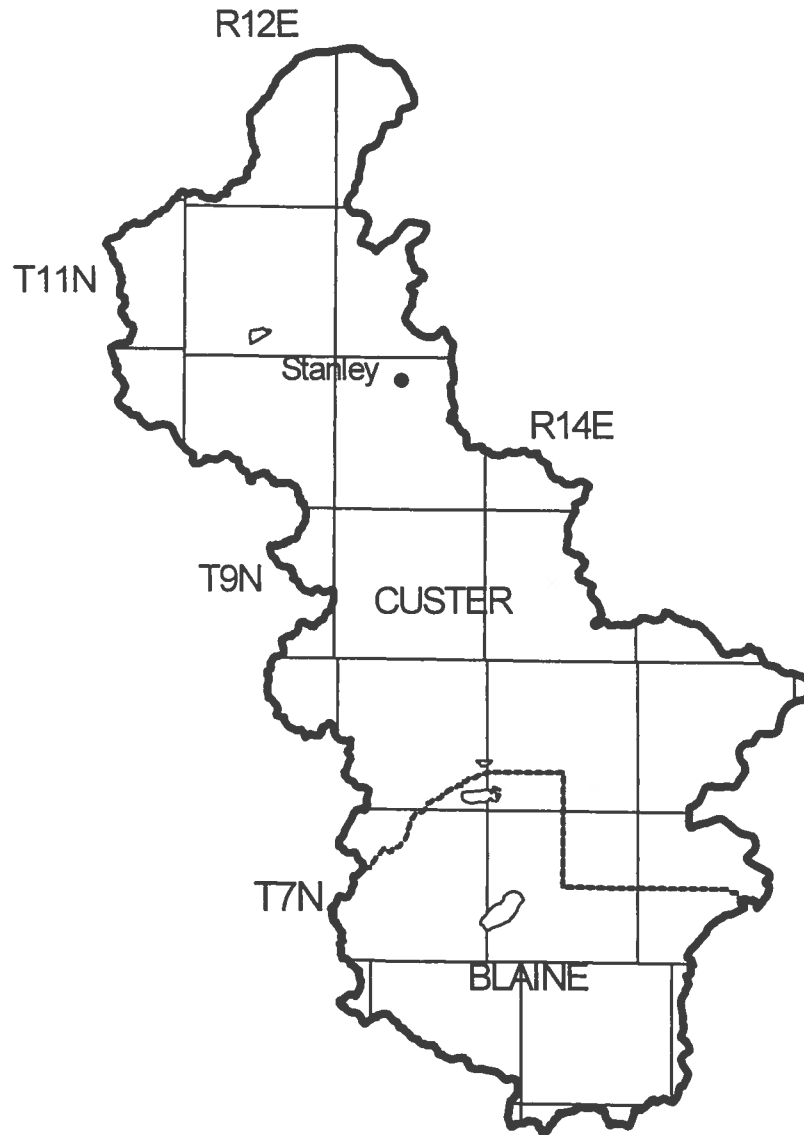
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner \_\_\_\_\_  
or Claimant(s) \_\_\_\_\_

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this 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.

# BASIN 71



**R PROOF**

**CVR**

**MAPS**

**PHOTOS**

**MISC**

**MICROFILMED**

**OCT 27 1994**

AJ0743NP  
(00-124)

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

06/10/98 16:00:51  
Page 1

Water Right Number - R71-00058

Prefix Translation: RESEARCH

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
SILVA

JIM

1 - 110 E 420 N  
2 -  
3 -  
City- SHOSHONE  
Phone - 208-886-7512  
1 - 1923 N 2ND ST  
2 -  
3 -

State- ID Zip- 83352

SILVA

FRED

City- BOISE  
Phone - 208-000-0000

State- ID Zip- 83702

\*\*\* O - ORIGINAL OWNER \*\*\*  
SILVA

DOROTHY

1 - 110 E 420 N  
2 -  
3 -  
City- SHOSHONE  
Phone - 208-886-7652

State- ID Zip- 83352

+ - - Priority Date - - +  
05/01/1915

+ - - - - Region - - - +  
17 SOUTHERN

+ - - - - Stage - - - +  
D - DECREED

+ - - - - Status - - - +

+ - - Source - - - - +  
VALLEY CREEK

+ - - - - Tributary - - - - +  
SALMON RIVER

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

11N 12E 13 SE SE SW (37) CUSTER

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

01 - IRRIGATION

05/01

09/30

4.800

+ - Total Div. Rate - + + - Total Div. Volume - +  
4.800

+ - Total Consumptive Use - + + - KW Usage - +  
190.0

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

|     |     |    |       |      |    |            |             |
|-----|-----|----|-------|------|----|------------|-------------|
| 11N | 12E | 24 | SW NE | 10.0 | 01 | IRRIGATION | (37) CUSTER |
| 11N | 12E | 24 | NE SW | 0.2  | 01 | IRRIGATION | (37) CUSTER |
| 11N | 12E | 24 | SE SW | 0.3  | 01 | IRRIGATION | (37) CUSTER |
| 11N | 12E | 24 | SW SE | 34.0 | 01 | IRRIGATION | (37) CUSTER |
| 11N | 12E | 24 | SW SE | 32.0 | 01 | IRRIGATION | (37) CUSTER |
| 11N | 12E | 24 | SE SE | 1.3  | 01 | IRRIGATION | (37) CUSTER |
| 11N | 12E | 25 | NE NE | 2.2  | 01 | IRRIGATION | (37) CUSTER |
| 11N | 12E | 25 | NW NE | 16.0 | 01 | IRRIGATION | (37) CUSTER |

Total Acres: 96.0



Water Right Number - R71-00058

Prefix Translation:

Old (D) Number -

\*\*\* C - CURRENT OWNER \*\*\*  
SILVA

JIM

1 - 110 E 420 N

State- ID Zip- 83352

SILVA

DOROTHY

2 -  
3 -  
City- SHOSHONE  
Phone - 208-886-7652  
1 - 110 E 420 N

State- ID Zip- 83352

SILVA

FRED

2 -  
3 -  
City- SHOSHONE  
Phone - 208-886-7652  
1 - 110 E 420 N

State- ID Zip- 83352

Priority Date - - -  
05/01/1915

Region - - -  
17 SOUTHERN

Stage - - -  
DECREE

Status - - -

Source - - -  
VALLEY CREEK

Tributary - - -  
SALMON RIVER

Point of Diversion - - -

11N 12E 13 SE SE SW (37) CUSTER

Code Description

Period from Period To

Water Use - - -  
Diversion Rate Diversion Volume

01 - IRRIGATION

05/01

09/30

4.800

Total Div. Rate - - -  
4.800

Total Consumptive Use - - -  
190.0

KW Usage - - -

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Code       | Description | County |
|-----|-----|-----|-------|-----|-------|--------------|------------|-------------|--------|
| 11N | 12E | 24  | SW NE |     | 9.0   | 01           | IRRIGATION | (37) CUSTER |        |
| 11N | 12E | 24  | NW SE |     | 32.0  | 01           | IRRIGATION | (37) CUSTER |        |
| 11N | 12E | 24  | SW SE |     | 31.0  | 01           | IRRIGATION | (37) CUSTER |        |
| 11N | 12E | 24  | SE SE |     | 2.5   | 01           | IRRIGATION | (37) CUSTER |        |
| 11N | 12E | 25  | NE NE |     | 3.5   | 01           | IRRIGATION | (37) CUSTER |        |
| 11N | 12E | 25  | NW NE |     | 17.0  | 01           | IRRIGATION | (37) CUSTER |        |

Total Acres: 95.0

Diversion Means - ONE CHECK DAM TO EARTHEN DITCHES

MICROFILMED  
OCT 27 1994

MICROFILMED  
OCT 27 1994

VERIFIED BY *[Signature]*

Water right number - R71-00058

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

REMARKS  
PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 273.  
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF  
DIVERSION DESCRIBED ABOVE: 71-00055 AND 71-00058.

+ - - No Old Water Right Numbers Found - - - - - Old Water Right Numbers - - - - -

+ - - - - - Conditions of Approval - - - - -  
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
- PURSUANT TO IDAHO CODE 42-1416A.

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

Date: 05/25/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS  
P/U IS H. E. S. 273.

+ - - Audit Fields - - +  
05/25/94 CHRISTEN

| Adjudication Rights Dates and Flags Area |   |            |                       |   |            |                         |   |       |  |
|------------------------------------------|---|------------|-----------------------|---|------------|-------------------------|---|-------|--|
| Court Report Filing                      | - | 00/00/0000 | Field Inspection Made | - | 09/14/1993 | Civil Case Number       | - | 39576 |  |
| Objection Filed Date                     | - | 00/00/0000 | Field Inspection Flag | - | 05/25/1994 | Old Case Number         | - |       |  |
| Response Filed Date                      | - | 00/00/0000 | Verified Date         | - | 00/00/0000 | Old Judicial District   | - |       |  |
| Claim Received Date                      | - | 07/12/1993 | Last Amended Date     | - | 00/00/0000 | Temporary Right         | - | P     |  |
|                                          |   |            | Receipt Number        | - | S015980    | Water District          | - |       |  |
|                                          |   |            | POU Ownership Flag    | - | Y          | Federal/State Indicator | - | S     |  |
|                                          |   |            | Name Connector        | - | AND/OR     | Presumption Flag        | - | C     |  |
|                                          |   |            |                       |   |            | Notice of Error Flag    | - |       |  |

MICROFILMED  
OCT 27 1994

| MR ELEMENT                | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | VERIFIED BY<br>CODE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                   |                                                 | KKC<br>9-14-93             | N                      | 1,2,5,6             | *KC<br>5-23-94                   |                                      |                               |
| POINT OF DIV              | Y                 |                                                 | "                          | Y                      | "                   | "                                |                                      |                               |
| SOURCE                    |                   |                                                 | "                          | N                      | "                   | "                                |                                      |                               |
| PLACE OF USE              | Y                 |                                                 | "                          | Y                      | "                   | KKC<br>5-25-93                   |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME |                   |                                                 | "                          | N                      | "                   | "                                |                                      |                               |
| CONSUMPTIVE USE           | -                 |                                                 | "                          | Y                      | 6                   | "                                |                                      |                               |
| PURPOSES                  |                   |                                                 | "                          | N                      | "                   | "                                |                                      |                               |
| PERIOD OF USE             | Y                 |                                                 | "                          | N                      | "                   | "                                |                                      |                               |
| BASIS OF CLAIM            |                   |                                                 | "                          | N                      | "                   | "                                |                                      |                               |
| REMARKS                   | Y                 |                                                 | "                          | Y                      | "                   | "                                |                                      |                               |

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1  
ASCS MAP = 2  
WATERMASTER RECORDS = 3  
NAPP PHOTOS = 4  
FIELD EXAM = 5  
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER WAS  
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES

MAPS USED: 373-1/12 } DATE:  
USDA-F 173-13 } 8-28-72  
ORTHO 4-68-1971 & 4-69-1974  
SCS-502 245-110  
USDA-F 192-71 7-28-92  
ASCS - DRF-3-167 8-22-52  
ORTHO  
USDA-F 677-195 9-9-77  
BLM " 677-213 " "

MICROFILMED  
OCT 27 1994

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

15:19:32  
02/14/94

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A71-00058

LAST: SILVA  
ADDRESS:  
CITY: X  
PHONE NUMBER: 208-000-0000  
OWNER CODE: 0

FIRST: ARTHUR  
STATE: ID ZIP: 0

LAST: SILVA  
ADDRESS:  
CITY: X  
PHONE NUMBER: 208-000-0000  
OWNER CODE: 0

FIRST: HATTIE I  
STATE: ID ZIP: 0

LAST: SILVA  
ADDRESS: 110 E 420 N  
CITY: SHOSHONE  
PHONE NUMBER: 208-886-7652  
OWNER CODE: C

FIRST: DOROTHY  
STATE: ID ZIP: 83352

LAST: SILVA  
ADDRESS: 110 E 420 N  
CITY: SHOSHONE  
PHONE NUMBER: 208-886-7652  
OWNER CODE: C

FIRST: JIM  
STATE: ID ZIP: 83352

LAST: SILVA  
ADDRESS: 110 E 420 N  
CITY: SHOSHONE  
PHONE NUMBER: 208-886-7652  
OWNER CODE: C

FIRST: FRED  
STATE: ID ZIP: 83352

FIELD EXAM REQUIRED?  
VERIFICATION REQUIRED DUE TO REMARKS?  
CLAIM REMARKS: P/U IS H. E. S. 273.

DATABASE  
Y  
FIELD EXAMINER

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OCT 27 1994

CONTACT PERSON: Ed Seldra

PHONE NUMBER: ( ) -

DATE OF FIELD EXAM: 9/14/93

APPOINTMENT MADE: Y( ) N( )

TIME: : A( ) P( )

ACCOMPANIED BY: same

PHONE NUMBER: ( ) -

RELATIONSHIP TO CLAIMANT: Barbara Ann

DIRECTIONS TO PROPERTY / NOTES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MICROFILMED  
OCT 27 1994

A. AJ CLAIM: # A71-00058 PRIORITY DATE: 05-01-1915 STAGE: D  
B. WR RECORD: # 71-00058 PRIORITY DATE: 05-01-1915 STAGE: D

C. FIELD EXAM REQUIRED?  
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE EXAMINER  
N Y

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y( ) N( )  
IF YES EXPLAIN.

NOTES:

*the claimed priority date matches the  
deced date however I recommend  
the date as claimed*

RECOMMENDED PRIORITY DATE:

05-01-1915

REVIEWED BY

*KRC*

DATE

*5-23-94*

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OCT 27 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A71-00058 | 11N  | 12E  | 13   | SE  | SE  | SW  |     | CUSTER |
| A71-00058 | 11N  | 12E  | 24   | NE  | SE  | SW  |     | CUSTER |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX  
A71-00055 R71-00055

MR RECORDS IN SAME 40 ACRE TRACT  
NONE

SOURCE: VALLEY CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 71-00058 | 11N  | 12E  | 24   |     | NW  | NE  |     | CUSTER |

OTHER WR RECORDS WITH SAME WR POD  
AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX  
NONE NONE

SOURCE: VALLEY CREEK

TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

| DUE TO POD DISCREPANCY?    | (Y/N) | DATABASE | FIELD EXAMINER |
|----------------------------|-------|----------|----------------|
| DUE TO SOURCE DISCREPANCY? | (Y/N) | Y        |                |
|                            | N     |          |                |

NOTES:

I found 1 existing PD in the SESE of Sec 13 as claimed. This PD has been moved from the NW1/4 of Sec 14 as claimed when Valley Creek changed course & bypassed the dike structure to the current location. The new dike ditch joining the original aqueduct at the original dike location (see picture at # 2) and this was the historical aqueduct leading to the PM. Date of change unknown but the USDA-F aerial photo 193-14 8-28-1972 flight shows the Sec 13 dike and the change in the valley or channel as the change is prior to 1972. The ASCS photo DAF-3-167 8-22-52 flight shows the original system only. The PD in the NESE of Sec 24 is for diversion water used to irrigate a new west of Valley Creek (HRS)

Found in the SW 1/4 Sec 24

MICROFILMED  
OCT 27 1994



A. ROOT WATER RIGHT NUMBERS: A71-00058

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                    | AJ<br>#/ACRES   | MR<br>#/ACRES | LAND<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|-------------------------|-----------------|---------------|--------------|----------------|------------------|
| 11N         | 12E | 24  | SW  | NE  |     | SILVA, DOROTHY          | A71-00058 /14.0 | 71-00058 /    |              |                | 39.0             |
|             |     |     | SW  | NE  |     | MAHONEY, JR., DANIEL J. | A71-00054 /15.0 | 71-00054 /    |              |                |                  |
|             |     |     | SW  | NE  |     | MAHONEY JR, DANIEL J    | R71-00054 /15.0 | 71-00053 /    |              |                |                  |
|             |     |     | SW  | NE  |     | CAMERON, THEODORE       |                 | 71-00053 /    |              |                |                  |
|             |     |     | SW  | NE  |     | PETERS, COSETTE L.      |                 | 71-00053 /    |              |                |                  |
| 11N         | 12E | 24  | SE  | SW  |     | SILVA, DOROTHY          | A71-00058 /12.0 | 71-00058 /    |              |                | 22.0             |
| 11N         | 12E | 24  | NW  | SE  |     | SILVA, DOROTHY          | A71-00058 /29.0 | 71-00058 /    |              |                | 39.0             |
|             |     |     | NW  | SE  |     | PETERS, COSETTE L.      |                 | 71-00055 /    |              |                |                  |
| 11N         | 12E | 24  | SW  | SE  |     | SILVA, DOROTHY          | A71-00058 /33.0 | 71-00058 /    |              |                | 37.0             |
| 11N         | 12E | 24  | SE  | SE  |     | SILVA, DOROTHY          | A71-00058 / 2.0 | 71-00058 /    |              |                | 31.0             |
|             |     |     | SE  | SE  |     | PIVA, PIERO             | A71-00055 /22.0 | 71-00055 /    |              |                |                  |
|             |     |     | SE  | SE  |     | PIVA, PIERO             | R71-00055 /22.0 | -             |              |                |                  |
|             |     |     | SE  | SE  |     | PIVA LAND & CATTLE CO   |                 | 71-07142 /    |              |                |                  |
| 11N         | 12E | 25  | NE  | NE  |     | SILVA, DOROTHY          | A71-00058 / 6.0 | 71-00058 /    |              |                | 17.0             |
|             |     |     | NE  | NE  |     | PETERS, COSETTE L.      |                 | 71-00055 /    |              |                |                  |
| 11N         | 12E | 25  | NW  | NE  |     | SILVA, DOROTHY          | A71-00058 /19.0 | 71-00058 /    |              |                | 39.0             |
|             |     |     | NW  | NE  |     | WILLIAMS, NANCY B.      | A71-10105 /     | -             |              |                |                  |
|             |     |     | NW  | NE  |     | WILLIAMS, NANCY B.      | R71-10105 /     | -             |              |                |                  |
| 11N         | 12E | 25  | SW  | NE  |     | SILVA, DOROTHY          | A71-00058 / 3.0 | 71-00058 /    |              |                | 2.0              |
| 11N         | 12E | 25  | NE  | NW  |     | SILVA, DOROTHY          | A71-00058 /16.0 | 71-00058 /    |              |                | 16.0             |
| 11N         | 12E | 25  | SE  | NW  |     | SILVA, DOROTHY          | A71-00058 / 3.0 | 71-00058 /    |              |                | 1.0              |
| TOTAL ACRES |     |     |     |     |     |                         | A71-00058 /37.0 |               |              |                | 251.00           |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? DUE TO POU DISCREPANCY? (Y/N) DATABASE Y FIELD EXAMINER 4 POU COUNTY: CUSTER

*Handwritten notes:*  
 P/u found well east of valley  
 only. Pasture west of valley  
 or not irrigated for at least  
 the past 7 years. Also P/D  
 not listed in the decree & subject  
 to disallowal based upon explanation  
 in decree & basis of claim in the decree.  
 No irrigation photo 71-68 & 69. Edward 2006

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PRESUMPTION FLAG: none

NOTES:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

~~95~~  
KRC

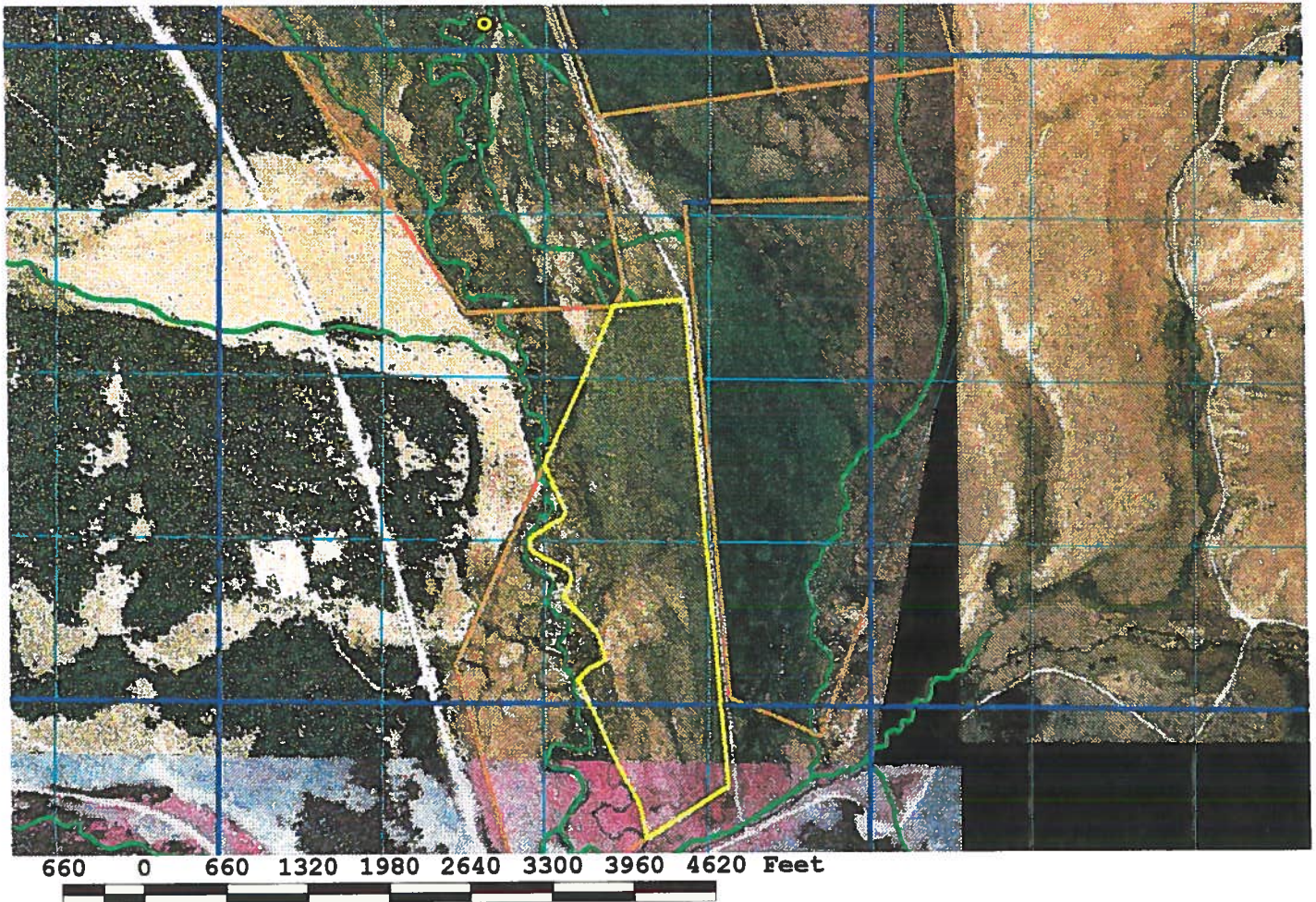
DATE:

5-25-94

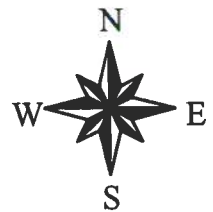
MICROFILMED  
OCT 27 1994

# IDAHO DEPARTMENT OF WATER RESOURCES

71-00058  
Source = Valley Creek  
HES- 137



RECOMMENDED PLACE OF USE = 96 ACRES  
DATA ENTRY ON MARCH 18, 1998  
TWP 11N, RNG 12E,  
SEC 24 SWNE, SE1/2SW1/4, NWSE & S1/2SE1/4  
SEC 25, N1/2NE1/4



- 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

CLAIM NUMBERS A71-00058

DATE 3-17-98

TRANSFER NUMBER \_\_\_\_\_

AGENT KKC

HOMESTEAD ENTRY NO. 273

CLAIMED ACRE TOTAL 137

GEOGRAPHIC INFO ACRES 96

| 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 | 24  |     |      | 14   |    |     |    |    |     |    |    | 12 |    | 29   | 33   | 2   |    | 90   |
| GIS      |     |     |     |     |      | 10.1 |    |     |    |    |     | .2 |    | .3 |    | 34.1 | 31.9 | 1.3 |    |      |
| RECOM    |     |     |     |     |      | 10   |    |     |    |    |     | .2 |    | .3 |    | 34   | 32   | 1.3 |    | 77.8 |
| CLAIM    | 11N | 12E | 25  | 6   | 19   | 3    |    | 16  |    |    | 3   |    |    |    |    |      |      |     |    | 47   |
| GIS      |     |     |     | 2.2 | 15.7 | -0-  |    | -0- |    |    | -0- |    |    |    |    |      |      |     |    | 19.1 |
| RECOM    |     |     |     | 2.2 | 16   |      |    |     |    |    |     |    |    |    |    |      |      |     |    | 18.2 |
| CLAIM    |     |     |     |     |      |      |    |     |    |    |     |    |    |    |    |      |      |     |    |      |
| GIS      |     |     |     |     |      |      |    |     |    |    |     |    |    |    |    |      |      |     |    |      |
| RECOM    |     |     |     |     |      |      |    |     |    |    |     |    |    |    |    |      |      |     |    |      |
| CLAIM    |     |     |     |     |      |      |    |     |    |    |     |    |    |    |    |      |      |     |    |      |
| GIS      |     |     |     |     |      |      |    |     |    |    |     |    |    |    |    |      |      |     |    |      |
| RECOM    |     |     |     |     |      |      |    |     |    |    |     |    |    |    |    |      |      |     |    |      |

B71-DBPOD.SHP

NOS DESCRIPTION

54 Sec 13 SESESW

B71-DBPOU.SHP

SHAPE NOS

86 polygon created on 306

DBF TABLES UPDATED

B71-DBPOD.DBF ✓

B71-DBPOU.DBF ✓

A. AJ CLAIMED USES:

PURPOSES  
A71-00058 IRRIGATION

MONTH/DAY  
FROM 05-01 TO 09-30

DIVERSION QUANTITY  
4.800 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

4.800 CFS

B. WR RECORDED USES:

PURPOSES  
71-00058 IRRIGATION

MONTH/DAY  
FROM TO

DIVERSION QUANTITY  
4.800 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

4.800 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)  
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)  
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE EXAMINER  
N N  
Y N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y( ) N( )  
Y( ) N( )

Explain in notes, below.

NOTES:

Flow analysis indicates a required div rate of 4.78 CFS for the found a wr. and the up stem capacity is greater than claimed and as the claimed & decided rate is within less than 1% of recommended the claimed rate of 4.8 CFS,

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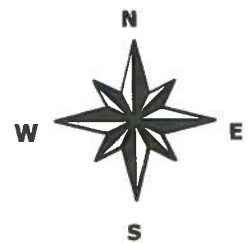
See 10-10-98  
KRC

# IDAHO DEPARTMENT OF WATER RESOURCES

71-00058  
SOURCE = VALLEY CREEK  
SILVA



PLACE OF USE SOILS ANALYSIS  
DATA ENTRY ON JUNE 10, 1998  
SOIL TYPE ACRES  
AM1 53.4  
RP1 25.3  
RD1 17.3



RECOMMENDED PLACE OF USE  
SOILS BOUNDARY  
QUARTER QUARTER LINES  
SECTION LINES

GIS PLACE OF USE PRESENTATION  
1987 AND/OR 1988 NAPP PHOTOGRAPHY  
DATA ENTRY BY KELLY K CHRISTENSEN

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

CLAIM NUMBERS A71-00058

DATE: 6-10, 1998

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 |
|-----------|----------------------------|---------------------------|-----------------------------|-----------------------|----------------------|
| AM1       | 4                          | 21                        | * 53.4                      | * .30                 | = 3.05 CFS           |
| RP1       | 4.33                       | 21                        | * 25.3                      | * .16                 | = .83 CFS            |
| RD1       | 5.66                       | 21                        | * 17.3                      | * .17                 | = .79 CFS            |
|           |                            |                           | *                           | *                     | =  CFS               |

4.67 CFS

TOTAL ACRES \_\_\_\_\_

DECREED RATE = \_\_\_\_\_

CLAIMED DIVERSION RATE = \_\_\_\_\_

ORIGINAL HUBBLE RATE = \_\_\_\_\_

MEASURED DIVERSION RATE = \_\_\_\_\_

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y( ☒ ) N( ☐ )

AJ TOTAL CLAIMED DIVERSION RATE: 4.800 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.800 CFS

TANIGIRIO POOL

\*\*\* IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. \*\*\*  
\*\* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. \*\*

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD DATABASE EXAMINER  
4

B.

MEASUREMENT METHOD

FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y( ☐ ) N( ☒ ) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE       | NAME                    | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|--------------|-------------------------|-----------|----------------|-----------|----------------|
| A71-00058 | VALLEY CREEK | SILVA, DOROTHY          | 4.800     | 0.035          | 6-29-93   | 4.30 CFS       |
| R71-00054 | VALLEY CREEK | MAHONEY JR, DANIEL J.   | 2.430     | 0.020          | 7-27-93   | 3.80 CFS       |
| A71-00054 | VALLEY CREEK | MAHONEY, JR., DANIEL J. | 2.430     | 0.020          | 9-1-93    | 6.40 CFS       |
| R71-00055 | VALLEY CREEK | PIVA, PIERO             | 4.000     | 0.044          | 8-1-59    | 8.30 CFS       |
| A71-00055 | VALLEY CREEK | PIVA, PIERO             | 4.000     | 0.044          |           |                |

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

| CLAIM NO. | PURPOSES | NAME               | MONTH/DAY           | RATE     | VOLUME |
|-----------|----------|--------------------|---------------------|----------|--------|
| A71-10106 | DOMESTIC | WILLIAMS, NANCY B. | FROM 01-01 TO 12-31 | .020 CFS |        |
| R71-10106 | DOMESTIC | WILLIAMS, NANCY B. | FROM 01-01 TO 12-31 | .020 CFS |        |

A71-00055 is from the same PD but is a different area  
Remark F 06.

the system was measured by the  
tail of Gange in conjunction with  
their first power operations (11-1)  
on 10-19-93

their measurements were.

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JUL 19 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 95 x 0.02 CFS/ACRE = 1.90 CFS  
(Taken from P/U review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE?

Y( ☒ ) N( ☐ )

\*\*\* IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ☒ ) N( ☐ ) \*\*\*

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 274.0 AF/A

ACRES 95 x CONSUMPTIVE VOL. AF/A FOR AREA 2 =

TOTAL CONSUMPTIVE USE 190 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME =

ACRES N/A Surface x DIVERSION VOL. AF/A FOR AREA AF/A =

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ☐ ) N( ☐ )

P/U IS H. E. S. 273.

AC. IRRIG. NOT SPECIFIED. FARM = 158.27 AC.

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

See Received  
Hubble Hubble  
6-10-98  
HKE

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OCT 27 1994

RECOMMENDATIONS:

| REC.<br>PURPOSES     | REC. PERIOD<br>FROM TO | REC. DIV<br>RATE CFS | REC. DIV<br>VOL. AF/A | REC. CONS.<br>USE |
|----------------------|------------------------|----------------------|-----------------------|-------------------|
| IRRIGATION           | 05-01 09-30            | 4.800                |                       |                   |
| TOTAL FOR THIS RIGHT |                        | 4.800                |                       |                   |

REVIEWED BY:

*XKC*

DATE:

*5-25-94*

FILED  
JUN 27 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP \_\_\_\_\_  
FORFEIT/ABANDON \_\_\_\_\_  
ADDITIONAL DIV. AMOUNT \_\_\_\_\_

ACCEPTED  
AS CLAIMED ☒ NEEDS  
REVIEW ☐  
( ) ( )  
( ) ( )  
( ) ( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-00058  
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
4.800

EXAMINER  
N/A

CFS

SPLITS:

OLD RIGHT  
NUMBERS  
A71-00058

CURRENT  
CLAIM NUMBERS

DIVERSION  
RATE  
4.800

CURRENT "R"  
CLAIM NUM.

"R" DIV.  
RATE

WR RIGHT  
NUMBERS  
71-00058

DIVERSION  
RATE  
4.800

TOTAL CFS

4.800

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 sheet attached? (Y/N)

DATABASE  
Y

FIELD  
EXAMINER

NOTES:

*Reviewed by Kelly S. Christman*

AUTHENTICATION:

SIGNATURE:

*Kelly S. Christman*

DATE:

*5-25-94*

NAME OF FIELD EXAMINER:

TITLE:

*State Resource Agent*

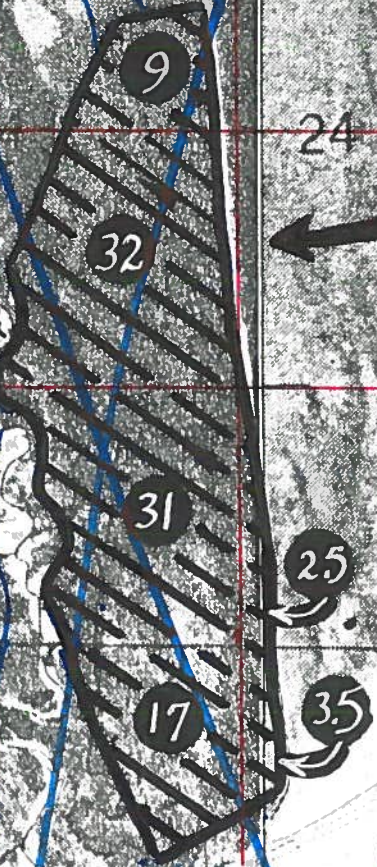
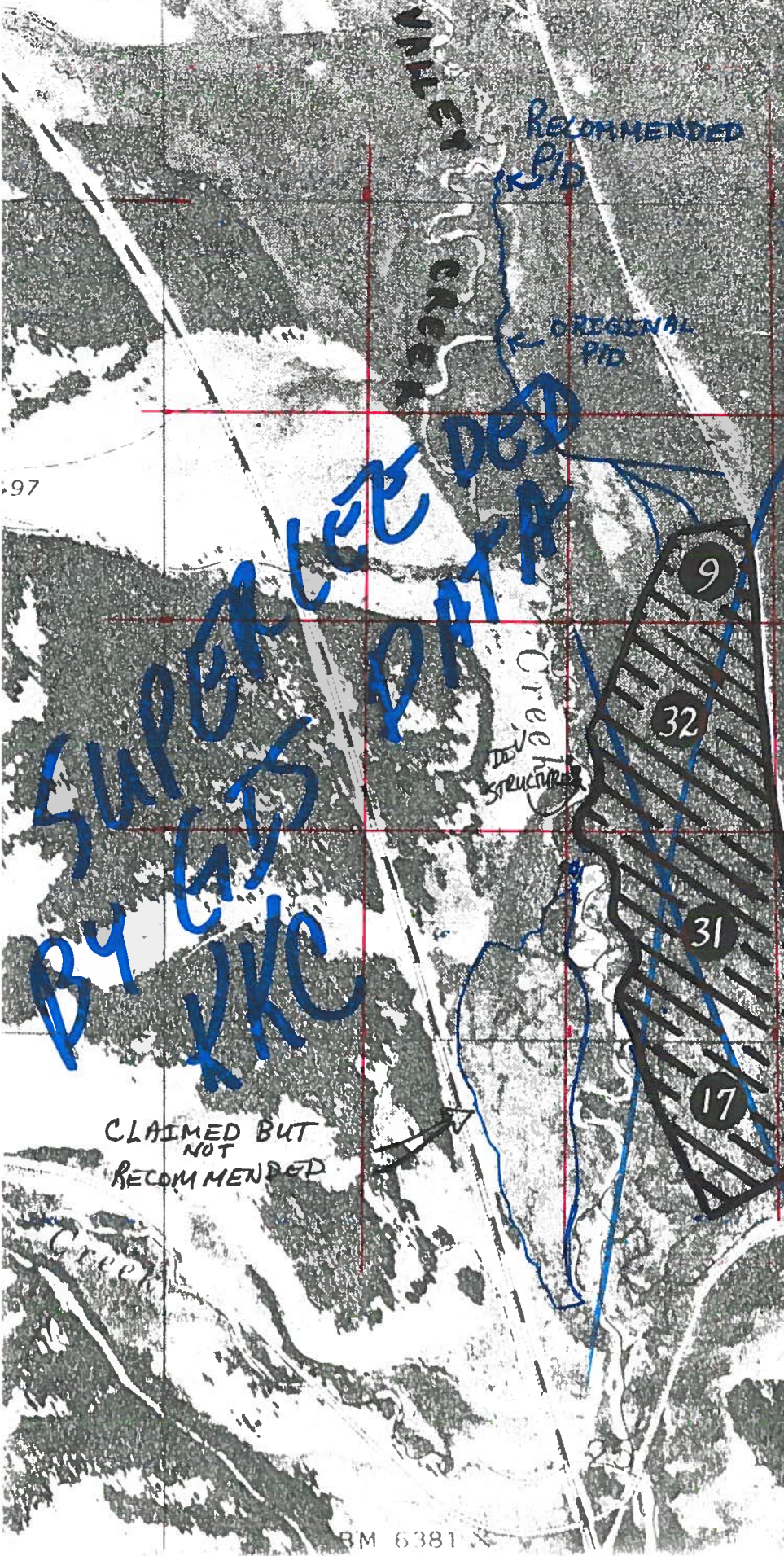
MICROFILMED  
JUL 27 1994

POOR ORIGINAL

CLAIM A71-00058 INIT KKC  
T. R. S. Q/Q  
P/D 11N 12E 13 SESESW  
PHOTO U-68 & U-69 enlarged 200%  
DT.&ID. 1971 1974

SCALE: 1" = 1006'

CA =  $(1006)^2 \times .009699 = 2253$   
43,560



24 **RECOMMENDED P/D**

Stanley

POOR ORIGINAL

**MICROFILMED**  
OCT 27 1994

POOR ORIGINAL

7/28/92  
USDA - F

MICROFILMED  
DEC 27 1994

← P/D  
Sec 13

12

614140

192-71

21 days  
24 hr sets

P/D

P/D

P/D

P/D

P/D

P/D

P/D

P/D

P/D

P/D

P/D

P/D

P/D

P/D

P/D

P/D

P/D

P/D

SCALE: 1" = 594

CA =  $\frac{(594)^2 \times .009699}{43,560}$  = .0785

Field notes KKC 9-14-93

CLAIM A71-00058 INIT KKC  
T. R. S. Q/Q  
P/D 11N 12E 13 SESEW enlarged 20%  
PHOTO (P/D off-map)  
DT. & ID. USDA-F 192-71 7-28-92 P/D

9-9-77

F16

POOR ORIGINAL

MICROFILMED

001 27

CLAIM A71-00058 INIT KKC  
 T. R. S. Q/Q  
 P/D enlarged  
 PHOTO USDA-F 607-23 300%  
 DT.&ID. 9-9-77 FLSH

AREA NO LONGER  
 LEASED

PIC #5  
 PIC #6  
 PIC #7

AREA NOT  
 RECOMMENDED

PIC SET  
 #8

A71-00058

A71-00055

SCALE: 1" = 782'

CA =  $\frac{(782)^2 \times .009699}{43,560} = .1362$

CLAIM # A71-00055 & A71-00058  
DATE PHOTO TAKEN; 9-14-93  
PICTURE # 1 P/D BOTH RIGHTS

POOR ORIGINAL

This photo shows the P/D for the combined system for the above two claims. Two channels carry Water from Valley Creek and join just outside the picture range on the left. You are looking southwest. The channel in the foreground is return water from VC-2 fish screen.

FISH SCREEN CHANNEL

DIVERSION CHANNELS

DIVERSION WORKS



PICTURE # 2

This photo shows the original P/D before Valley Creek changed channels. This pond is a portion of the old channel but it is now a part of the current delivery system. You are looking north on the left to north on the right.

VALLEY CREEK

DAM IN OLD STREAM CHANNEL



CLAIM # A71-00055 & A71-00058  
DATE PHOTOS TAKEN; 9-14-93  
PICTURE SET # 3

POOR ORIGINAL

MICROFILMED

This photo set shows the separation point for the two rights. The ditch running to the left is going southeast to the P/U for A71-00055. The ditch going right (south) goes to the P/U for A71-00058 which is the ground beyond the fence shown in this photo.



POOR ORIGINAL

MICROFILMED

65/27/99

g the north border of the P/U and is looking southwest on the  
t. The Cow Camp road runs along the east side of this P/U and  
n the left photo.

VALLEY CREEK



CM # A71-00058

3 PHOTOS TAKEN; 9-14-93

PURE SET # 4

POOR ORIGINAL

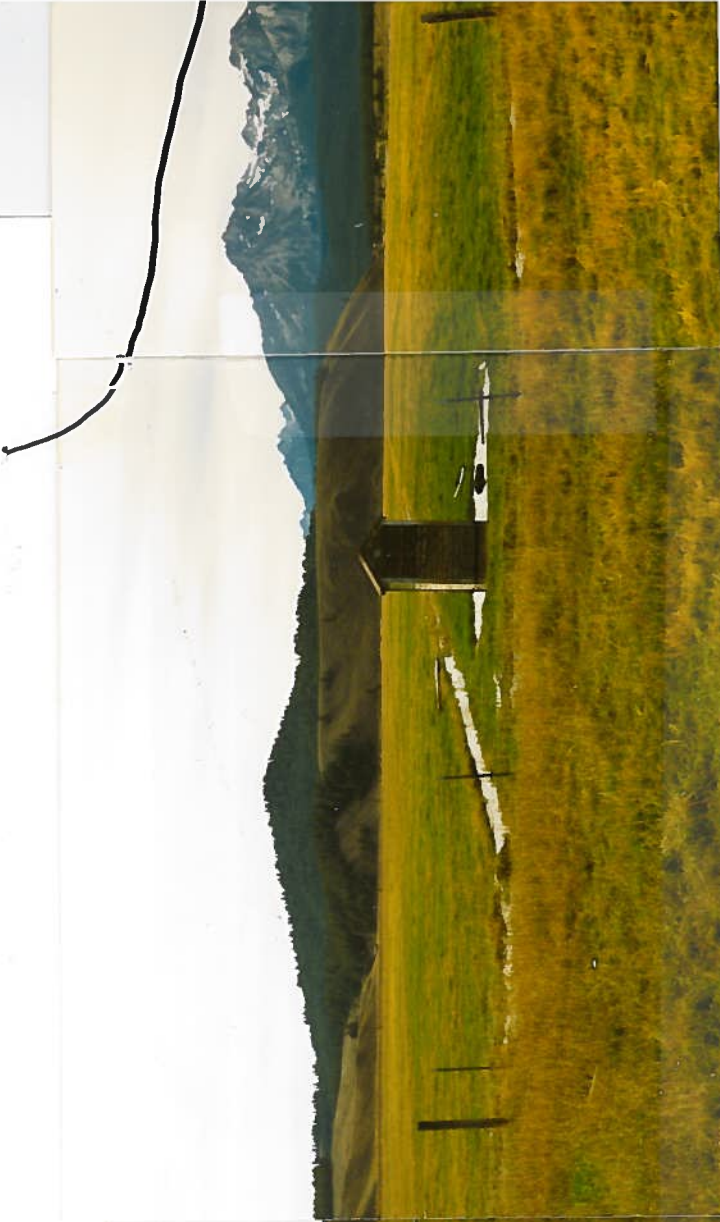
MICROFILMED

; photo set was taken along the north border of the P/U and is looking southwest of the  
it to southeast on the left. The Cow Camp road runs along the east side of this P/U and  
lows the fenceline shown in the left photo.

CAMP ROAD



VALLEY CREEK

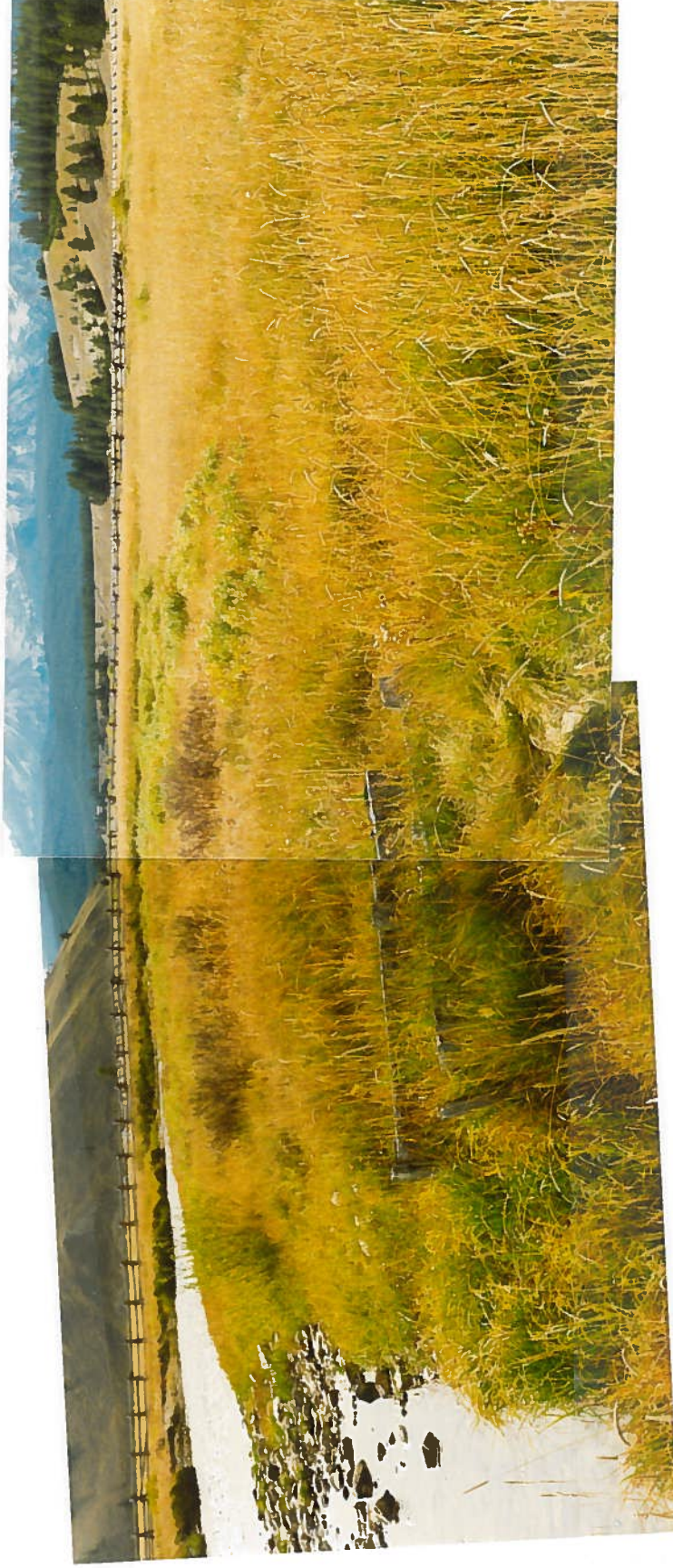


CLAIM # A71-00058  
DATE PHOTOS TAKEN; 9-14-93  
PICTURE SET # 5

POOR ORIGINAL

This photo shows the diversion structure for the ground west of Valley Creek. You are looking southwest on the right to south on the left. Note that the grass is identical on both sides of the ditch as well as in and in front of the structure. The ground across Valley Creek is a portion of the eastern P/U shown in picture set # 4. Picture # 6 was taken from a point just outside this picture set range on the right.

OCT 27 1994



CLAIM # A71-00058  
DATE PHOTO TAKEN; 9-14-93  
PICTURE # 6

This photo shows the continuation of the ditch from the P/D shown in photo # 5. You are looking southwest. Again note that there is no difference between either side of the ditch.

DITCH ROUTE



PICTURE # 7

This photo shows Valley Creek at the P/D shown in photo # 5. Note no visible diversion works evident in the water or against the bank. You are looking northeast. Note that at this point irrigation comes to Valley Creek on the far side of the Creek.

DIVERSION STRUCTURE



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OCT 27 1994

CLAIM # A71-00058

DATE PHOTOS TAKEN; 9-14-93

PICTURE SET # 8

MICROFILMED

OCT 27 1994

This photo was taken from the edge of highway 21 and is looking north on the left to east to the right. This set covers the claimed P/U on both sides of Valley Creek.

P/D FOR P/U

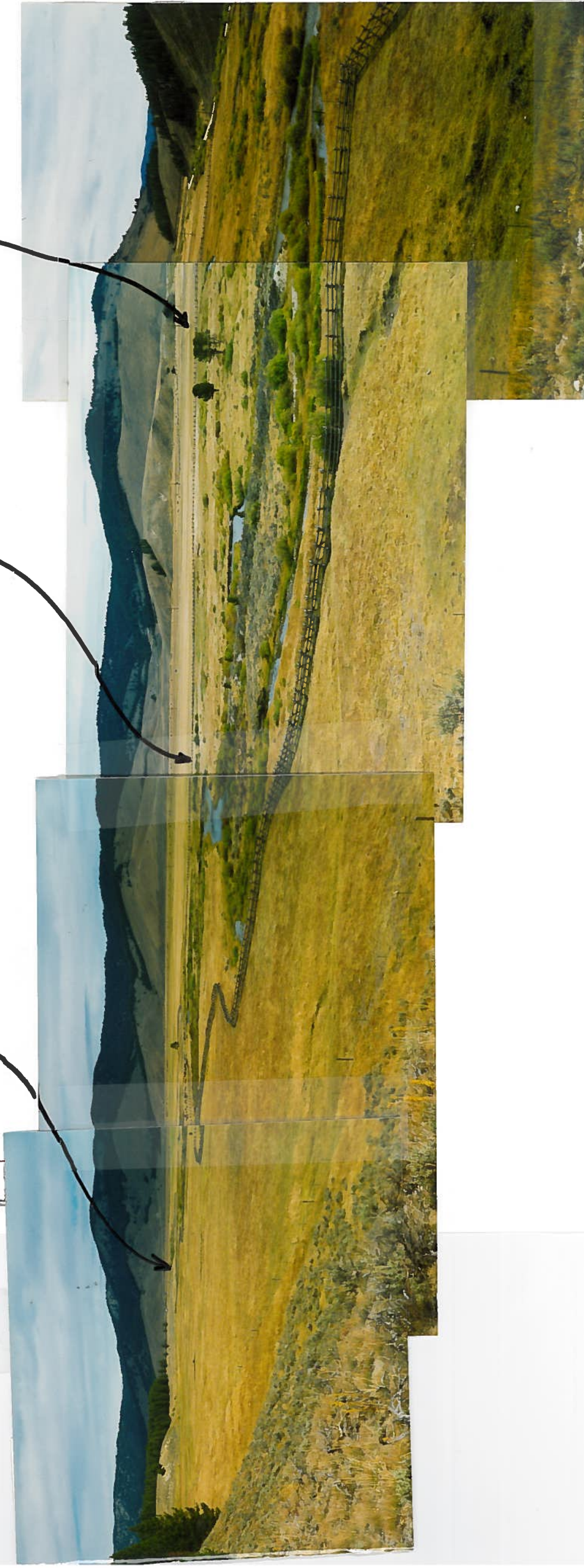
WEST OF VALLEY CREEK

FENCELINE FOR P/U

EAST OF VALLEY CREEK

SOUTH END OF P/U

EAST OF VALLEY CREEK



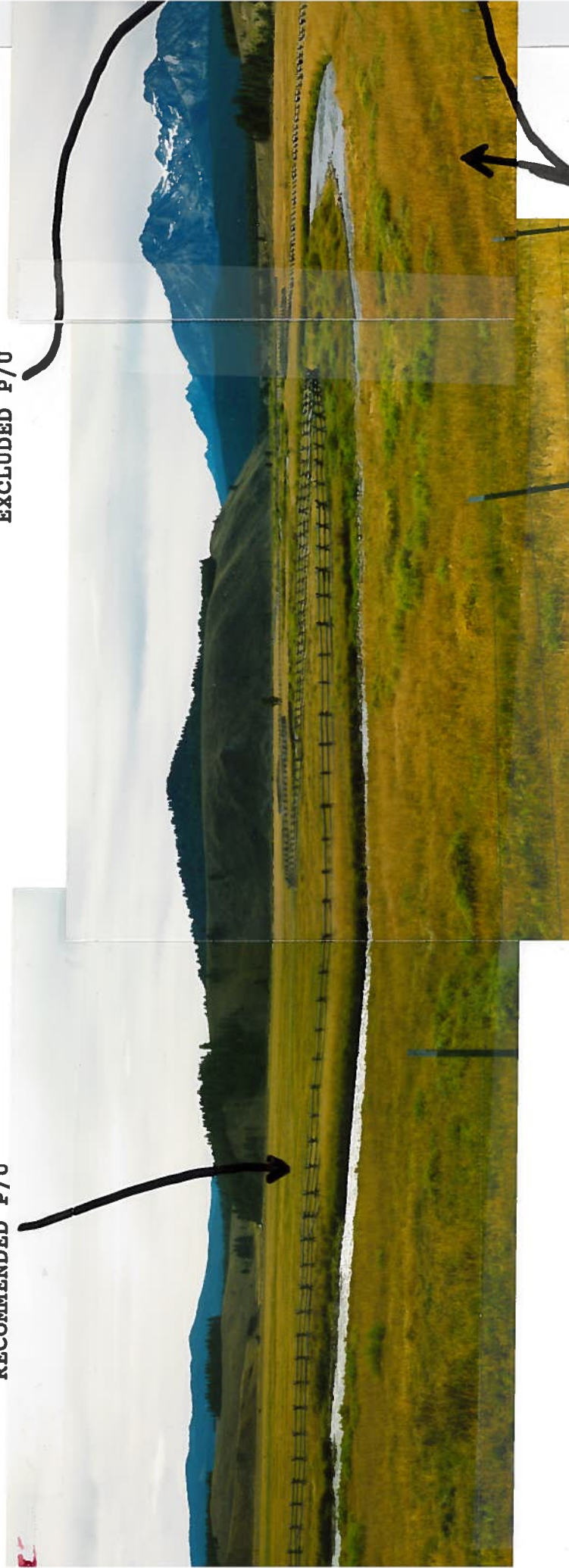
CLAIM # A71-10058  
DATE PHOTOS TAKEN; 9-14-93  
PICTURE SET # 9

**MICROFILMED**  
JUL 27 1994

This photo set was taken west and slightly south of the diversion structure claimed for the irrigation of acres west of Valley Creek. The claimed place of use would be beyond the fences on the right. Note that the ditch follows the base of the hillside and, apparently, the before they can resume irrigating the ditch has to be moved inside (east of) the wire fence. You are looking south southwest on the right to southeast on the left.

RECOMMENDED P/U

EXCLUDED P/U



DITCH CHANNEL

# GRADED BORDER EVALUATION

Job name: A71-00058  
By: KKC

Location: AM1 SOIL FOR 69 ACRES  
Date: May 25, 1994

Roughness coefficient (n)= 0.250 Intake family (If)=4.00  
Slope (S)= 0.0200 ft/ft Border width (W)= 159 ft  
Net application (Fn)= 1.00 inches Border length (L)= 300 ft  
Inflow time (Ti)= 8 hours, 0 minutes

| Flow per<br>Border<br>(cfs) | Unit<br>Flow<br>(cfs/ft) | Gross<br>Application<br>(in)      | Deep<br>Percolation<br>(in) | Runoff<br>(in) | Application<br>Efficiency<br>(percent) | Notes |
|-----------------------------|--------------------------|-----------------------------------|-----------------------------|----------------|----------------------------------------|-------|
| 3.85                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 3.86                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 3.87                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 3.88                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 3.89                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 3.90                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 3.91                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 3.92                        |                          | Gross depth is less than required | gross application depth     |                |                                        |       |
| 3.93                        | 0.025                    | 28.47                             | 27.45                       | 0.03           | 3.5                                    |       |
| 3.94                        | 0.025                    | 28.55                             | 27.45                       | 0.10           | 3.5                                    |       |
| 3.95                        | 0.025                    | 28.62                             | 27.45                       | 0.17           | 3.5                                    |       |

AM1 soil - 3.93cfs for 69A.  
RPI soil - .85cfs for 26A  
                      
Totals 4.78cfs for 95A

Super  
Cured  
10-98  
KHC

MICROFILMED  
OCT 27 1994

\*\*\*\*\*  
SOIL CHARACTERISTICS

CLAIM NO. --- A71-00058  
AGENT ----- KKC  
DATE ----- 05/25/94

Lotus Program:  
IRR-PRAC.WK3  
Date form revised:  
4/21/93 by KKC

Soil Type = AM1...VERY GRAVELLY, SANDY LOAM  
Source of Soils Data = Printout From SCS State Office

| soil depth<br>(inches) |       | AWC<br>(in/in) |       | PH    |       | organic<br>(%) |       | soil depth<br>(ft) | AWC<br>(inches) | intake<br>family |        |
|------------------------|-------|----------------|-------|-------|-------|----------------|-------|--------------------|-----------------|------------------|--------|
| lower                  | upper | lower          | upper | lower | upper | lower          | upper |                    |                 | flood            | furrow |
| 0                      | 3     | 0.07           | 0.08  | 5.6   | 6.5   | 2              | 4     | 1                  | 0.86            | 4                | 0.85   |
| 3                      | 14    | 0.06           | 0.08  | 5.6   | 6.5   |                |       | 2                  | 1.49            |                  |        |
| 14                     | 32    | 0.04           | 0.06  | 5.6   | 6.5   |                |       | 3                  | 1.99            |                  |        |
| 32                     | 60    | 0.02           | 0.03  | 5.6   | 6.5   |                |       | 4                  | 2.30            | alternate        |        |
|                        |       |                |       |       |       |                |       | 5                  | 2.60            | method           |        |
|                        |       |                |       |       |       |                |       |                    |                 | NA               | NA     |

#### Management Allowed Deficit (MAD)

| crop                     | root<br>depth<br>(ft) | stress<br>point (INCHES) | MAD  | FIELD NOTES AND CALCULATIONS                         |          |         |         |
|--------------------------|-----------------------|--------------------------|------|------------------------------------------------------|----------|---------|---------|
|                          |                       |                          |      | FIELD 1                                              | FIELD 2  | FIELD 3 | FIELD 4 |
| alfalfa (hay or seed)    | 5                     | 0.5                      | 1.30 | FIELD WIDTH                                          | 10020    | 0       |         |
| corn (field or silage)   | 4                     | 0.5                      | 1.15 | IRRIGATION DAYS                                      | 21       |         |         |
| grain (winter or spring) | 4                     | 0.5                      | 1.15 | DRY DAYS                                             | 0        |         |         |
| pasture (or grass hay)   | 3                     | 0.5                      | 1.00 | SET TIME(hours)                                      | 8        |         |         |
| other (enter below)      |                       |                          |      | CALCULATED RUN (run = acres*43560/width)             |          |         |         |
|                          |                       |                          |      | LENGTH (RUN) =                                       | 300      |         |         |
|                          |                       |                          |      | CALCULATED BORDER WIDTH (ditch length/irr days * cha |          |         |         |
|                          |                       |                          |      | WIDTH =                                              | 159      |         |         |
|                          |                       |                          |      | THEORETICAL ROTATION (mad/net irr req in inches per  |          |         |         |
|                          |                       |                          |      | SELECTED MAD =                                       | 1        |         |         |
|                          |                       |                          |      | ROTATION =                                           | 5.8 DAYS |         |         |

#### \*\*\*\*\* PEAK IRRIGATION DIVERSION REQUIREMENT AT FIELD

Weather Station = STANLEY  
Figure No = 10-73

| crop    | acres | system | recomm.<br>eff. | Net Irrigation Requirement (mm/day) |     |      |      |      |      |      |     |
|---------|-------|--------|-----------------|-------------------------------------|-----|------|------|------|------|------|-----|
|         |       |        |                 | mar                                 | apr | may  | jun  | jul  | aug  | sep  | oct |
| PASTURE | 69    | FLOOD  |                 |                                     |     | 1.61 | 4.07 | 4.35 | 3.34 | 2.24 |     |

Summary 69 1.61 4.07 4.35 3.34 2.24

Peak Net Irrigation Requirement (mm/day) = 4.35

\*\*\*\*\*  
Program Operation based upon "GUIDELINES FOR THE EVALUATION OF IRRIGATION DIVERSION RATES"  
HUBBLE ENGINEERING INC. OCTOBER 1991  
Soil Characteristics based upon SOIL CONSERVATION SERVICE STUDIES  
Peak Irrigation Diversion based upon ALLEN & BROCKWAY WEATHER INFORMATION 1983

MICROFILMED  
OCT 27 1994

# GRADED BORDER EVALUATION

Job name: A71-00058  
By: KKC

Location: RP1 SOIL FOR 26 ACRES  
Date: May 25, 1994

Roughness coefficient (n)= 0.250 Intake family (If)=2.00  
Slope (S)= 0.0200 ft/ft Border width (W)= 60 ft  
Net application (Fn)= 1.13 inches Border length (L)= 300 ft  
Inflow time (Ti)= 8 hours, 0 minutes

| Flow per<br>Border<br>(cfs) | Unit<br>Flow<br>(cfs/ft)                                  | Gross<br>Application<br>(in) | Deep<br>Percolation<br>(in) | Runoff<br>(in) | Application<br>Efficiency<br>(percent) | Notes |
|-----------------------------|-----------------------------------------------------------|------------------------------|-----------------------------|----------------|----------------------------------------|-------|
| 0.80                        | Gross depth is less than required gross application depth |                              |                             |                |                                        |       |
| 0.81                        | Gross depth is less than required gross application depth |                              |                             |                |                                        |       |
| 0.82                        | Gross depth is less than required gross application depth |                              |                             |                |                                        |       |
| 0.83                        | Gross depth is less than required gross application depth |                              |                             |                |                                        |       |
| 0.84                        | Gross depth is less than required gross application depth |                              |                             |                |                                        |       |
| 0.85                        | 0.014                                                     | 16.32                        | 15.16                       | 0.03           | 6.9                                    |       |
| 0.86                        | 0.014                                                     | 16.51                        | 15.16                       | 0.22           | 6.8                                    |       |
| 0.87                        | 0.015                                                     | 16.70                        | 15.16                       | 0.42           | 6.8                                    |       |
| 0.88                        | 0.015                                                     | 16.90                        | 15.16                       | 0.61           | 6.7                                    |       |
| 0.89                        | 0.015                                                     | 17.09                        | 15.16                       | 0.80           | 6.6                                    |       |

*Handwritten signature: KKC*

MICROFILMED  
OCT 27 1994

\*\*\*\*\*

SOIL CHARACTERISTICS

Soil Type = RP1...LOAM

Source of Soils Data = Printout From SCS State Office

CLAIM NO. --- A71-00058  
AGENT ----- KKC  
DATE ----- 05/25/94

Lotus Program:  
IRR-PRAC.WK3  
Date form revised:  
4/21/93 by KKC

| soil depth<br>(inches) |       | AWC<br>(in/in) |       | PH    |       | organic<br>(%) |       | soil depth<br>(ft) |      | AWC<br>(inches) |  | intake<br>family |        |
|------------------------|-------|----------------|-------|-------|-------|----------------|-------|--------------------|------|-----------------|--|------------------|--------|
| lower                  | upper | lower          | upper | lower | upper | lower          | upper |                    |      |                 |  | flood            | furrow |
| 0                      | 7     | 0.14           | 0.18  | 5.6   | 6.5   | 2              | 4     | 1                  | 1.60 |                 |  | 2                | 0.55   |
| 7                      | 13    | 0.07           | 0.12  | 6.1   | 7.3   |                |       | 2                  | 1.97 |                 |  |                  |        |
| 13                     | 60    | 0.02           | 0.03  | 6.1   | 7.3   |                |       | 3                  | 2.27 |                 |  |                  |        |
|                        |       |                |       |       |       |                |       | 4                  | 2.57 |                 |  | alternate        |        |
|                        |       |                |       |       |       |                |       | 5                  | 2.87 |                 |  | method           |        |
|                        |       |                |       |       |       |                |       |                    |      |                 |  | NA               | NA     |

Management Allowed Deficit (MAD)

| crop                     | root<br>depth<br>(ft) | stress<br>point (INCHES) | MAD  | FIELD NOTES AND CALCULATIONS                         |         |         |         |
|--------------------------|-----------------------|--------------------------|------|------------------------------------------------------|---------|---------|---------|
|                          |                       |                          |      | FIELD 1                                              | FIELD 2 | FIELD 3 | FIELD 4 |
| alfalfa (hay or seed)    | 5                     | 0.5                      | 1.43 | FIELD WIDTH 3775                                     | 0       |         |         |
| corn (field or silage)   | 4                     | 0.5                      | 1.28 | IRRIGATION DAYS 21                                   |         |         |         |
| grain (winter or spring) | 4                     | 0.5                      | 1.28 | DRY DAYS 0                                           |         |         |         |
| pasture (or grass hay)   | 3                     | 0.5                      | 1.13 | SET TIME(hours) 8                                    |         |         |         |
| other (enter below)      |                       |                          |      | CALCULATED RUN (run = acres*43560/width)             |         |         |         |
|                          |                       |                          |      | LENGTH (RUN) = 300                                   |         |         |         |
|                          |                       |                          |      | CALCULATED BORDER WIDTH (ditch length/irr days * cha |         |         |         |
|                          |                       |                          |      | WIDTH = 60                                           |         |         |         |
|                          |                       |                          |      | THEORETICAL ROTATION (mad/net irr req in inches per  |         |         |         |
|                          |                       |                          |      | SELECTED MAD = 1.13                                  |         |         |         |
|                          |                       |                          |      | ROTATION = 6.6 DAYS                                  |         |         |         |

\*\*\*\*\*

PEAK IRRIGATION DIVERSION REQUIREMENT AT FIELD

Weather Station = STANLEY  
Figure No = 10-73

| crop    | acres | system | recomm.<br>eff. | Net Irrigation Requirement (mm/day) |     |      |      |      |      |      |
|---------|-------|--------|-----------------|-------------------------------------|-----|------|------|------|------|------|
|         |       |        |                 | mar                                 | apr | may  | jun  | jul  | aug  | sep  |
| PASTURE | 26    | FLOOD  |                 |                                     |     | 1.61 | 4.07 | 4.35 | 3.34 | 2.24 |

Summary 26  
Peak Net Irrigation Requirement (mm/day) = 4.35

Program Operation based upon "GUIDELINES FOR THE EVALUATION OF IRRIGATION DIVERSION RATES"  
HUBBLE ENGINEERING INC. OCTOBER 1991  
Soil Characteristics based upon SOIL CONSERVATION SERVICE STUDIES  
Peak Irrigation Diversion based upon ALLEN & BROCKWAY WEATHER INFORMATION 1983

MICROFILMED

OCT 27 1994

Fred Silva

P/U fenced along Valley Cr.  
irr.

P/D E of Valley Cr.

Piva & Silva uses same P/D

Pic #1 P/D E of Valley Cr just So of Mahoney home  
pic has 2 diversions joining about 30' from river  
in foreground is the return channel from VC-2 (Mahoney dis)

Pics #2 & 3. old P/D now a pond. Valley Cr to left

Per Fred Silva the ~~for~~ Forest Service has required  
them to fence off Valley Creek. (no stock allowed)

Personal observation leads me to believe that  
the irr can & does extend beyond the fence to Valley Cr.  
and those acres are recommended within the  
P/U.

Per Fred Silva the ground West of valley creek  
has not been irrigated for some time. The fence line  
has been moved away from the hill side and a new  
ditch needs to be built to conform to the new Boundary.  
I asked for an affidavit from his brother stating  
the last date that irr occurred. He further stated  
that it was not irr 7 years ago as they dried up the P/U to  
build a fence.

MICROFILMED

1994

General;

71 0057 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 NW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 13, Township 11 North, Range 12, E. B. M.

Arthur Silva and Hattie I. Silva 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. 273, embracing a portion of Sections twenty-four and twenty-five 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, from which the quarter corner to said Sections twenty-four and twenty-five, bears east nine and fifty-six hundredths chains distant; thence, north sixteen degrees twelve minutes west four and seventy-seven hundredths chains to corner No. 2; thence north twenty-three degrees thirty-six minutes east forty-eight and thirty-four hundredths chains to corner No. 3; thence north eighty-four degrees twelve minutes east eight and forty-nine hundredths chains to corner No. 4; thence south five degrees twenty-five minutes east forty-nine and ninety-three hundredths chains to corner No. 5; thence south five degrees twenty-five minutes east ten and five-hundredths chains to corner No. 6; thence south fifty six degrees fifty nine minutes west twenty-nine and thirty-one hundredths chains to corner No. 7; thence north sixteen degrees twelve minutes west twenty-seven and four hundredths chains to corner No. 1, the place of beginning, containing one hundred fifty-eight and twenty-seven 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 0058 And appurtenant to said land, 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, 1915, and with point of diversion from said Valley Creek at a point located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 24, Township 11 North, Range 12, E. B. M.

It is further ADJUDGED AND DECREED, that the water rights as hereinbefore set forth are established, quieted and confirmed, and that all parties to this action, and all persons claiming under them, their attorneys, agents, servants and employees are hereby perpetually restrained, prohibited and enjoined from interfering with the rights awarded to the others as this decree provides.

It is further ADJUDGED AND DECREED, that the water decreed to the respective tracts of land of the respective parties to this action by this decree has been applied to and used upon the respective tracts of land for

-15-

copy of Pg 15 of  
Cavanagh vs Meritt

For A71-00058  
MICROFILMED

DEC 27 1994

RE HES - 273

(NOTE ONLY 1 P/D identified)