

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: A71-00067
Date Received: 11/16/1988
Receipt No: S003860
Received By: JCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS M. ROBERTSON 208-734-1224
Address: 156 SECOND AVE. W.
P.O. BOX 525
TWIN FALLS, ID 83303-0525

2. Date of Priority: JUL 01, 1930

3. Source: ALTURAS LAKE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	32	SW	NE			BLAINE

5. Description of diverting works:
DITCHES CARRY WATER TO LANDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	7.424		

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

8. Total consumptive use is 454.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	28	NW	NW		IRR	6.0
			SW	NW		IRR	6.0

A71-00067

Page 1

Date: 11/16/88

MICROFILMED
MAR 17 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	14E	28	NW	SW		IRR	6.0
			SW	SW		IRR	9.0
			Section Acres				27.0
		29	NE	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				200.0
			Total Acres				227.0

11. Place of use in counties: CUSTER, BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
SOURCE NAMED INCORRECTLY IN DECREE AS LAKE CREEK.
SEE DECREE FOR RESTRICTIONS ON TRANSFER & USE OF RT.
THOMAS M. ROBERTSON, A TENANT IN COMMON, ON BEHALF OF DAVID L.
MILLER, EDITH C. ROBERTSON, JACK CLARK ROBERTSON, MARY
ROBERTSON PAGE, BENJAMIN ROBERTSON PAGE, AND TRUSTEE FOR
ALEXANDER CLARK PAGE AND TIMOTHY MARKHAM PAGE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

L. L. BRECKINRIDGE CO.
Decree Plaintiff

vs

MORGAN C. WILLIAMS ET AL
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576

A71-00067

5003860

RECEIVED

OCT 26 1988

Department of Water Resources
Southern Region Office

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

Please type or print clearly THOMAS M. ROBERTSON, a tenant in common, on behalf of DAVID L. MILLER,
EDITH C. ROBERTSON, JACK CLARK ROBERTSON, MARY ROBERTSON PAGE, BENJAMIN
ROBERTSON PAGE, and TRUSTEE FOR ALEXANDER CLARK PAGE AND

1. Name of Claimant (s) TIMOTHY MARKHAM PAGE Phone (208) 734-1224

Mailing Address 156 Second Avenue West, P.O. Box 525, Twin Falls ID Zip 83303-0525

2. Date of Priority (Only one (1) per claim) 07-01-1930

3. Source of water supply (a) ALTURAS LAKE CREEK
which is tributary to (b) SALMON RIVER

4. a. Location of existing point of diversion is: Township 8N Range 14E Section 32,
1/4 of SW 1/4 of NE 1/4, Govt. Lot, B.M., County of BLAINE

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

DITCHES CARRY WATER TO LANDS.

MICROFILMED**MAR 17 1993**

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04-15 to 10-15 amount 7.424 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 7.424 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is 454 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
8N	14E	28						6	6			6	9						27
8N	14E	29	40			40									40	40		40	200

Total number of acres irrigated 227

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

12. Do you own the property listed above as place of use? Yes XXX No

If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

14. Remarks: DECREE INCORRECTLY LISTS SOURCE AS LAKE CREEK. DECREE LISTS ACREAGE AS 185.6. CLATMANT HAS APPLIED WATER TO BENEFICIAL USE ON THE LANDS INDICATED.

MICROFILMED

Last Name ROBERTSON, ET AL. Ident No. A71-00067

MAR 17 1993
Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree XXX
If applicable provide IDWR Water Right Number 71-00067
Court 4th Judicial District Case Number _____ Decree Date 7-19-1948
Plaintiff vs Defendant LL BRECKENRIDGE V. WILLIAMS, ET AL.

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

Number of attachments _____

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

Signature of Claimant (s) Thomas M Robertson Date 10-25-88

Date _____

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

of _____ Title _____
Organization _____, that I have signed the foregoing

document in the space below as _____ of _____
Title _____ Organization _____

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 25th day of October 19 88.

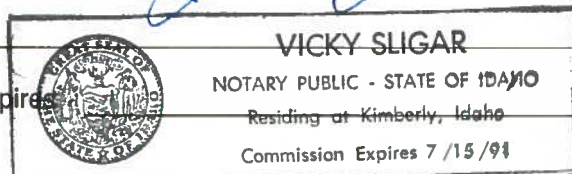
SEAL

Notary Public Vicky Sligar

Residing at _____

My Commission Expires _____

Please Print Name



17. Notice of Appearance:

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

Signature Thomas M Robertson

Address Box 525 Twin Falls ID 83303-0525

Date 10-25-88

Last Name ROBERTSON, ET AL. Ident. Number A71-00067

MICROFILMED

MAR 17 1993
Copies White State, Yellow Claimant

LEGAL DESCRIPTION

BLAINE COUNTY

Township 8 North, Range 14 East, Boise Meridian

Section 28: W1/2 SW1/4, West of center line of State Highway 75.

6 acres

Section 29: SE1/4 SE1/4, N1/2 SE1/4

9 acres

120 acres

CUSTER COUNTY

Township 8 North, Range 14 East, Boise Meridian

Section 28: W1/2 NW1/4 West of State Highway 75.

6 acres

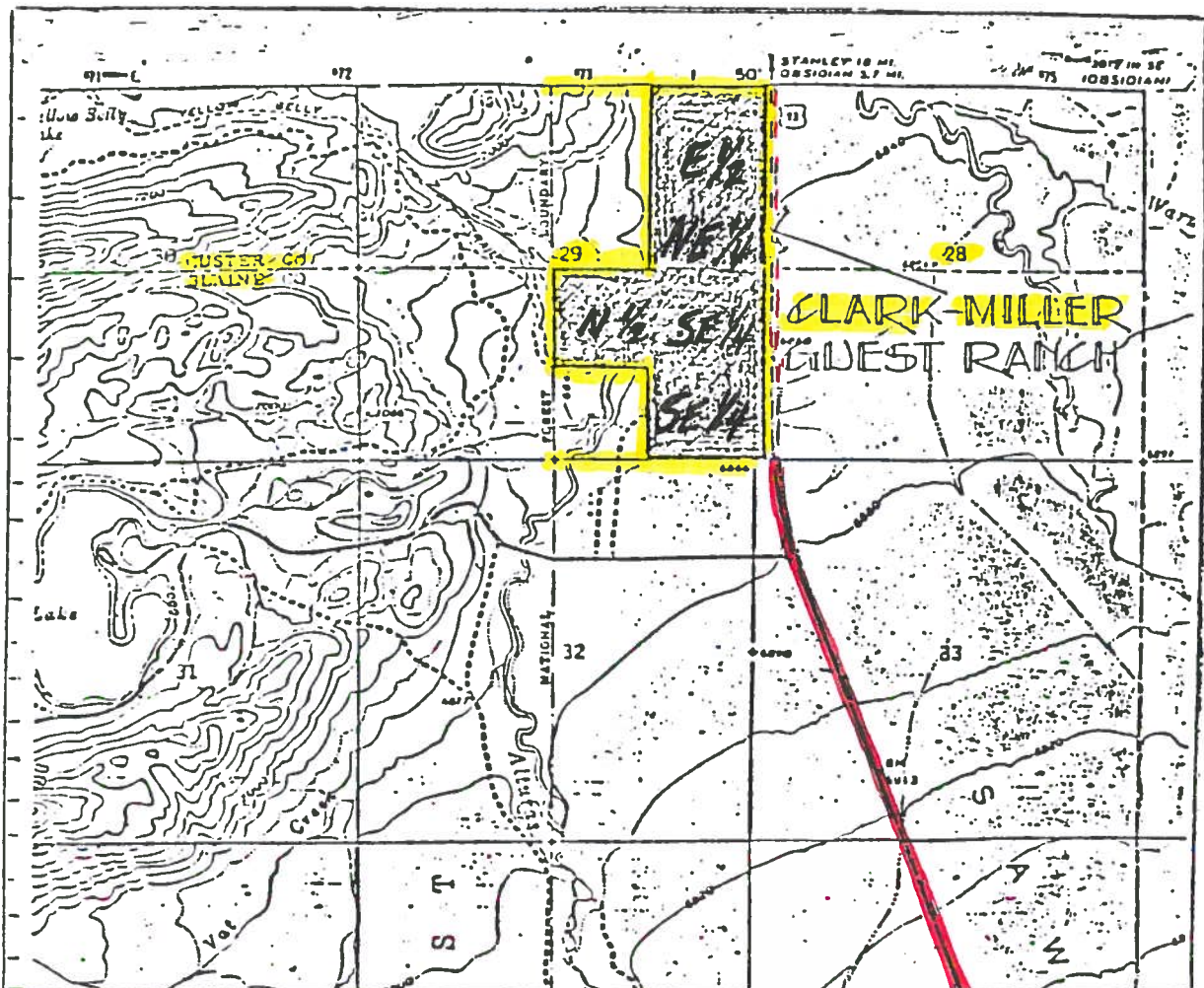
Section 29: E1/2 NE1/4

6 acres

80 acres

This parcel contains 227 acres, more or less,
and is designated as the "easement area".

227 acres



STATE
HWY
75

MICROFILMED

MAR 17 1993

ROBERTSON et al

A71-00067

Water Right Number - R71-00067

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
ROBERTSON

THOMAS M

1 - 156 SECOND AVE W
2 - PO BOX 525
3 -
City- TWIN FALLS
Phone - 208-734-1224

State- ID Zip- 833030525

--- Priority Date --- + --- Region --- + --- Stage --- + --- Status --- +
07/01/1930 17 SOUTHERN D - DECREED

--- Source --- + --- Tributary --- +
ALTURAS LAKE CREEK SALMON RIVER

--- Point of Diversion --- +
Twn Rng Sec Tract Lot RFlg County
08N 14E 32 SW NE (13) BLAINE OBLITERATED

--- Code --- Description --- Period From --- Period To --- Water Use --- Diversion Rate --- Diversion Volume ---
01 - IRRIGATION 05/01 09/30 7.424

--- Total Div. Rate --- + --- Total Div. Volume --- + --- Total Consumptive Use --- + --- KW Usage --- +
7.424 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
08N	14E	28	SW NW		3.2	01	IRRIGATION	(37) CUSTER	
08N	14E	28	NW SW		4.7	01	IRRIGATION	(13) BLAINE	
08N	14E	28	SW SW		6.0	01	IRRIGATION	(13) BLAINE	
08N	14E	29	SE NE		14.4	01	IRRIGATION	(37) CUSTER	
08N	14E	29	NE SE		37.2	01	IRRIGATION	(13) BLAINE	
08N	14E	29	NW SE		1.4	01	IRRIGATION	(13) BLAINE	
08N	14E	29	SE SE		39.9	01	IRRIGATION	(13) BLAINE	

Total Acres: 106.8

--- Diversion Means - GRAVITY DITCH

--- Non-Irrigation Use - NONE

--- Other Rights for Same Use - NONE

--- Remarks ---

POD THE DIVERSION WORKS FOR THE POINT OF DIVERSION DESCRIBED ABOVE
HAS BEEN OBLITERATED. CONTINUED VIABILITY OF THIS RIGHT
REQUIRES THAT THE POINT OF DIVERSION BE RE-ESTABLISHED PURSUANT

Water right number - R71-00067

Prefix Translation: RESEARCH

Remarks
TO SECTION 42-222 OF THE IDAHO CODE BY THE IRRIGATION SEASON OF
2003 OR THIS RIGHT IS DEEMED FORFEITED.

GEN
THE PLACE OF USE DESCRIBED ABOVE HAS HISTORICALLY BEEN
IRRIGATED BY SUB-WATER CAUSED BY IRRIGATION OF ADJACENT LANDS TO
THE EAST AND SOUTH OF THE DESCRIBED PLACE OF USE. DURING SUCH
TIMES THAT SUB-WATER EXISTS WHICH CAUSES A CONDITION THAT THE
PLACE OF USE REQUIRES NO INDEPENDENT IRRIGATION, THIS RIGHT
SHALL BE HELD IN ABEYANCE AND THE TIME SUCH CONDITION EXISTS
SHALL NOT BE CONSIDERED IN DETERMINING FORFEITURE. DURING SUCH
TIMES THAT SUB-WATER DOES NOT EXIST THE TIME SUCH CONDITION
EXISTS SHALL BE CONSIDERED IN DETERMINATION OF FORFEITURE
PURSUANT TO SECTION 42-222 OF THE IDAHO CODE.

No Old Water Right Numbers Found

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff
L. L. BRECKINRIDGE CO.

Decree Defendant
MORGAN C. WILLIAMS ET AL

Decree Date
00/00/0000

Date: 10/28/1993 User Id: MERRITT Subject: COPIED FROM REMARKS
SOURCE NAMED INCORRECTLY IN DECREE AS LAKE CREEK.
THOMAS M. ROBERTSON, A TENANT IN COMMON, ON BEHALF OF DAVID L.
ROBERTSON PAGE, BENJAMIN ROBERTSON PAGE, AND TRUSTEE FOR
Date: 10/28/1993 User Id: MERRITT Subject: FORFEITURE
THIS RIGHT PRESENTS AN UNUSUAL SITUATION. THE LANDS COVERED
CAUSED BY IRRIGATION OF ADJOINING LANDS. (ENRIGHT PROPERTY)
TO AN OWNERSHIP CHANGE INWHICH THE FEDERAL GOVERNMENT HAS
TO PROTECT STREAM FLOWS IN ALTURAS LAKE CREEK AND THE SALMON
DECREE RECOGNIZED THE RELATIONSHIP BETWEEN IRRIGATION OF ADJACENT
THE DECREE SPECIFICALLY PROTECTED THIS RIGHT AS LONG AS SUB-WATER
DIVERSION WORKS HAVE BEEN OBLITERATED. NOW THAT USE OF THIS
IN REALITY THE P/D DESCRIBED NO LONGER HAS THE CREEK RUNNING
SINCE THIS REQUIRES CHANGING THE P/D SECTION 42-222 SHOULD APPLY.
IS QUESTIONABLE IT SEEMS THAT THE ORIGINAL INTENT OF THE FIRST
AGAIN.

Comments
SEE DECREE FOR RESTRICTIONS ON TRANSFER & USE OF RT.
MILLER, EDITH C. ROBERTSON, JACK CLARK ROBERTSON, MARY
ALEXANDER CLARK PAGE AND TIMOTHY MARKHAM PAGE.

UNDER THIS RIGHT HAVE HISTORICALLY BEEN WATERED BY SUB-WATER
THESE ADJOINING LANDS HAVE NOT BEEN IRRIGATED SINCE 1992 DUE
PURCHASED THE PROPERTY TO CONTROL THE WATER RIGHTS IN AN EFFORT
RIVER IN AN EFFORT TO ENHANCE SALMON RECOVERY. THE ORIGINAL
LANDS AND THE POSSIBLE PROBLEMS WITH ABANDONMENT OF THE RIGHT.
EXISTED. FOR MANY YEARS THIS WAS THE CASE AND THE ORIGINAL
RIGHT MAY BE REQUIRED AGAIN NO DIVERSION WORKS EXIST AND
TROUGH IT. THIS REQUIRES THAT A NEW P/D BE ESTABLISHED AND
AT PRESENT THE STATUS OF FUTURE IRRIGATION OF THE ADJACENT LAND
DECREE BE CARRIED FORWARD IF EVER THESE LANDS ARE IRRIGATED

Audit Fields
05/06/98 AMERRITT

Court Report Filing - 00/00/0000 field Inspection Made - 09/09/1993 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 field Inspection Flag - 00/00/0000 Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -

Water right number - R71-00067

Prefix Translation: RESEARCH

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +		
Claim Received Date - 11/16/1988	Last Amended Date - 00/00/0000	Temporary Right - P
	Receipt Number - S003860	Water District -
	POU Ownership Flag - Y	Federal/State Indicator - S
	Name Connector -	Presumption Flag -
		Notice of Error Flag -

5/6/98
ADH

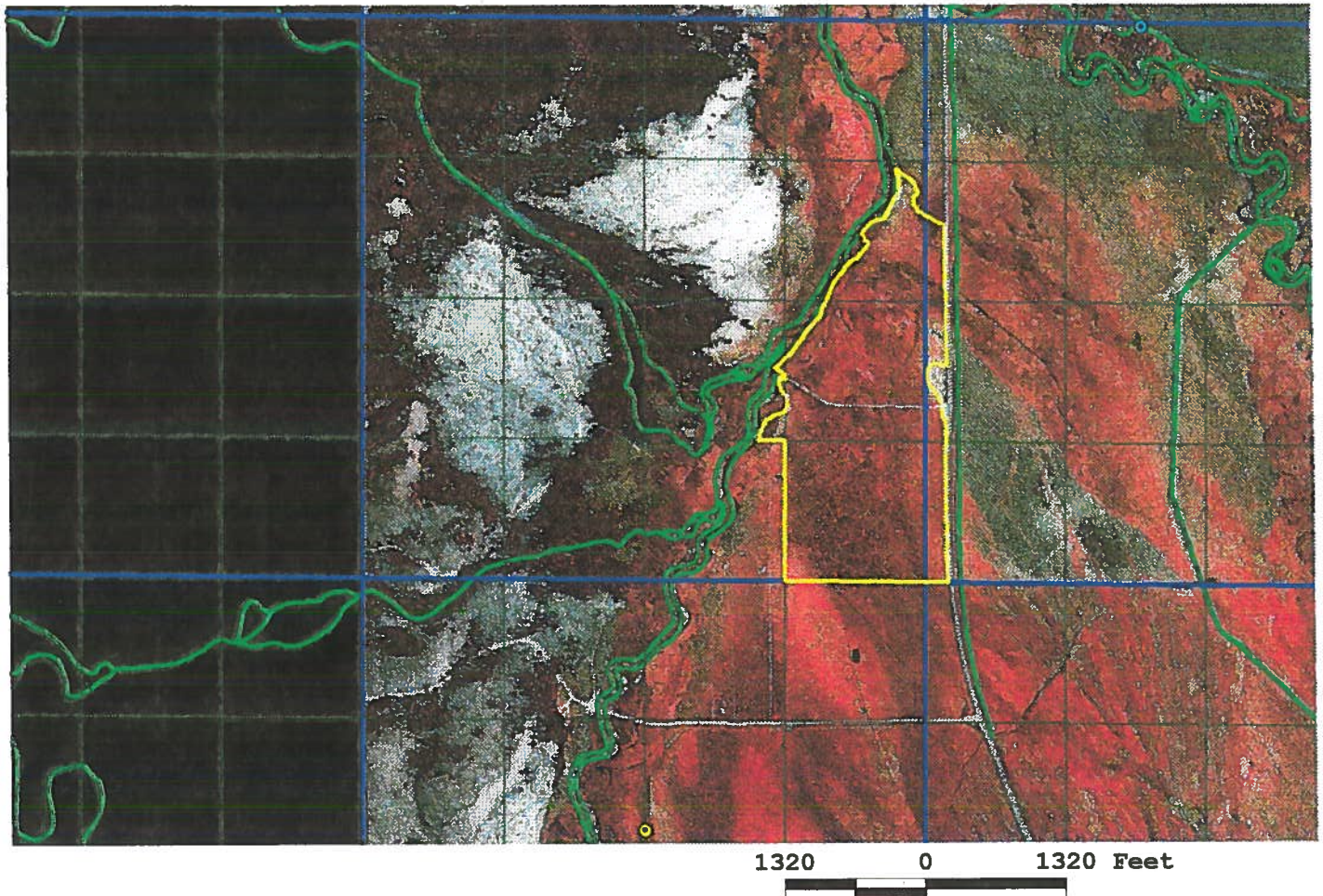
Re-evaluation

By using GIS the zones have been determined to be 106.8 zones (slightly less than first determination of 109).

Recommend 106.8 zones. On first determination the claimed rate of 7.424 cfs was justified using Hubble analysis. Modifications to procedure would justify more so claimed rate is again recommended.

IDAHO DEPARTMENT OF WATER RESOURCES

71-00067



POU:

**TWP 8N, RNG 14E,
SEC 28 & 29**

POD:

Presently obliterated



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

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

71-00067

CLAIM NUMBERS

DATE

3/16/98

AGENT

APM

TRANSFER NUMBER

HOMESTEAD ENTRY NO.

CLAIMED ACRE TOTAL

GEOGRAPHIC INFO ACRES

RIGHT NO	TNS	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM																			
GIS	8N	14E	28					6	6			6	9						
RECOM										3.2		4.7	6.0						13.0
										3.2		4.7	6.0						13.0
CLAIM				40			40									40	40		40
GIS			29				14.4									37.2	2.3 1.1		37.9
RECOM							14.4									37.2	1.4		39.9
																			92.0
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B71-DBPOD.SHP

NOS DESCRIPTION

43 SWNE Sec 32 8N, 14E

106.0

106.0

B71-DBPOU.SHP

SHAPE NOS

75

DBF TABLES UPDATED

B71-DBPOD.DBF

B71-DBPOU.DBF

From: DWR60::AMERRITT 9-FEB-1998 16:30:01.75
To: DWR03::NSPENCER
CC: AMERRITT
Subj: Thomas Robertson claim A71-00067

I do not know if you recall this claim, it is the one that was somewhat unusual in that in our investigation it was a right that was decreed a protection against forfeiture as long as sub-water from adjacent land (Enright's old property not irrigated since 1991) sub-irrigated the property. Our investigation found no point of diversion for this right.

I discussed this right with you in 1993 and we created special conditions that we would recommend the right as long as the owner filed a transfer to identify a point of diversion by 1997. To date no transfer has been filed.

I believe this claim needs legal review again and possibly the recommendation changed to disallowal due to forfeiture.

2/10/98

Conv. with DTatill.
Dave suggest we extend period for
transfer another 5 yrs. in recommendation
to allow claim.

Water Right Number - R71-00067

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
ROBERTSON

THOMAS M

1 - 156 SECOND AVE W
2 - PO BOX 525
3 -
City- TWIN FALLS
Phone - 208-734-1224

State- ID Zip- 833030525

+ - - Priority Date - - +
07/01/1930+ - - - - Region - - - +
17 SOUTHERN+ - - - - Stage - - - +
D - DECREED

+ - - - - Status - - - +

+ - - - - Source - - - - +
ALTURAS LAKE CREEK+ - - - - Tributary - - - - +
SALMON RIVER+ - - - - Point of Diversion - - - - +
Twn Rng Sec Tract Lot Rflg County
08N 14E 32 SW NE (13) BLAINE+ - - - - Water Use - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

05/01 09/30

7.424

+ - Total Div. Rate - + - Total Div. Volume - +
7.424+ - Total Consumptive Use - + - KM Usage - +
218.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
08N	14E	28	SW NW		5.0	01	IRRIGATION	(37) CUSTER	
08N	14E	28	NW SW		4.0	01	IRRIGATION	(13) BLAINE	
08N	14E	28	SW SW		6.0	01	IRRIGATION	(13) BLAINE	
08N	14E	29	SE NE		15.0	01	IRRIGATION	(37) CUSTER	
08N	14E	29	NE SE		37.0	01	IRRIGATION	(13) BLAINE	
08N	14E	29	NW SE		2.0	01	IRRIGATION	(13) BLAINE	
08N	14E	29	SE SE		40.0	01	IRRIGATION	(13) BLAINE	

Total Acres: 109.0

+ - - Diversion Means - GRAVITY DITCH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - +
THE DIVERSION WORKS FOR THE POINT OF DIVERSION DESCRIBED ABOVE
HAVE BEEN OBLITERATED. CONTINUED VIABILITY OF THIS RIGHT
REQUIRES THAT THE POINT OF DIVERSION BE RE-ESTABLISHED PURSUANTMICROFILMED
OCT 27 1994

Water right number - R71-00067

Prefix Translation: RESEARCH

TO SECTION 42-222 OF THE IDAHO CODE BY THE IRRIGATION SEASON OF 1997 OR THIS RIGHT IS DEEMED FORFEITED.
THE PLACE OF USE DESCRIBED ABOVE HAS HISTORICALLY BEEN IRRIGATED BY SUB-WATER CAUSED BY IRRIGATION OF ADJACENT LANDS TO THE EAST AND SOUTH OF THE DESCRIBED PLACE OF USE. DURING SUCH TIMES THAT SUB-WATER EXISTS WHICH CAUSES A CONDITION THAT THE PLACE OF USE REQUIRES NO INDEPENDENT IRRIGATION, THIS RIGHT SHALL BE HELD IN ABEYANCE AND THE TIME SUCH CONDITION EXISTS SHALL NOT BE CONSIDERED IN DETERMINING FORFEITURE. DURING SUCH TIMES THAT SUB-WATER DOES NOT EXIST THE TIME SUCH CONDITION EXISTS SHALL BE CONSIDERED IN DETERMINATION OF FORFEITURE PURSUANT TO SECTION 42-222 OF THE IDAHO CODE.

No Old Water Right Numbers Found

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff
L. L. BRECKINRIDGE CO.

Decree Defendant
MORGAN C. WILLIAMS ET AL

Decree Date
00/00/0000

Date: 10/28/1993 User Id: MERRITT Subject: COPIED FROM REMARKS

SOURCE NAMED INCORRECTLY IN DECREE AS LAKE CREEK. THOMAS M. ROBERTSON, A TENANT IN COMMON, ON BEHALF OF DAVID L. ROBERTSON PAGE, BENJAMIN ROBERTSON PAGE, AND TRUSTEE FOR

Date: 10/28/1993 User Id: MERRITT Subject: FORFEITURE

THIS RIGHT PRESENTS AN UNUSUAL SITUATION. THE LANDS COVERED CAUSED BY IRRIGATION OF ADJOINING LANDS. (ENRIGHT PROPERTY) TO AN OWNERSHIP CHANGE INWHICH THE FEDERAL GOVERNMENT HAS TO PROTECT STREAM FLOWS IN ALTURAS LAKE CREEK AND THE SALMON DECREE RECOGNIZED THE RELATIONSHIP BETWEEN IRRIGATION OF ADJACENT LANDS AND THE POSSIBLE PROBLEMS WITH ABANDONMENT OF THE RIGHT. THE DECREE SPECIFICALLY PROTECTED THIS RIGHT AS LONG AS SUB-WATER DIVERSION WORKS HAVE BEEN OBLITERATED. NOW THAT USE OF THIS IN REALITY THE P/D DESCRIBED NO LONGER HAS THE CREEK RUNNING SINCE THIS REQUIRES CHANGING THE P/D SECTION 42-222 SHOULD APPLY. IS QUESTIONABLE IT SEEMS THAT THE ORIGINAL INTENT OF THE FIRST AGAIN.

SEE DECREE FOR RESTRICTIONS ON TRANSFER & USE OF RT. MILLER, EDITH C. ROBERTSON, JACK CLARK ROBERTSON, MARY ALEXANDER CLARK PAGE AND TIMOTHY MARKHAM PAGE.

UNDER THIS RIGHT HAVE HISTORICALLY BEEN WATERED BY SUB-WATER THESE ADJOINING LANDS HAVE NOT BEEN IRRIGATED SINCE 1992 DUE PURCHASED THE PROPERTY TO CONTROL THE WATER RIGHTS IN AN EFFORT RIVER IN AN EFFORT TO ENHANCE SALMON RECOVERY. THE ORIGINAL LANDS AND THE POSSIBLE PROBLEMS WITH ABANDONMENT OF THE RIGHT. EXISTED. FOR MANY YEARS THIS WAS THE CASE AND THE ORIGINAL RIGHT MAY BE REQUIRED AGAIN NO DIVERSION WORKS EXIST AND TROUGH IT. THIS REQUIRES THAT A NEW P/D BE ESTABLISHED AND AT PRESENT THE STATUS OF FUTURE IRRIGATION OF THE ADJACENT LAND DECREE BE CARRIED FORWARD IF EVER THESE LANDS ARE IRRIGATED

Audit Fields
10/28/93 MERRITT

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 09/09/1993	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/16/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S003860	Water District	-

MICROFILMED

OCT 27 1994

Water right number - R71-00067

Prefix Translation: RESEARCH

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

POU Ownership Flag	- Y	Federal/State Indicator	- S
Name Connector	-	Presumption Flag	-
		Notice of Error Flag	-

MICROFILMED
OCT 27 1994

Soil Breakdown on 124d

	<u>unit</u>	<u>portion</u>	<u>Acres</u>
Rp 1	1639	.60	65
Wg 1	481 + 116	.22	24
Tn 1	312	.11	12
Go 1	205	.07	8
	<u>2753</u>	<u>1.00</u>	<u>109 acres</u>

Opt. Rotation

Rp 1	$\frac{1.13}{0.17}$	≈ 7 days
Wg 1	$\frac{0.67}{0.17}$	≈ 4 days.
Tn 1	$\frac{1.21}{0.17}$	≈ 7 days
Go 1	$\frac{3.54}{0.17}$	≈ 21 days.

Rp 1	65 Ac	6.36 cfs
Wg 1	24 Ac	7.19 cfs
Tn 1	12 Ac	2.05 cfs
Go 1	8 Ac	<u>0.15 cfs</u>
		15.75 cfs

$\therefore$ 15.75 cfs is justified under optimum rotation conditions.

$\therefore$ Recommend 7.424 claimed.

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OCT 27 1994

GRADED BORDER EVALUATION

Job name: ROBERTSON

Location: RP1 65AC 7DAYS

By: ADM

Date:

Roughness coefficient (n)= 0.250

Intake family (If)=2.00

Slope (S)= 0.0100 ft/ft

Border width (W)= 337 ft

Net application (Fn)= 1.13 inches

Border length (L)= 400 ft

Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
6.30	Gross depth is less than required gross application depth					
6.31	Gross depth is less than required gross application depth					
6.32	Gross depth is less than required gross application depth					
6.33	Gross depth is less than required gross application depth					
6.34	Gross depth is less than required gross application depth					
6.35	Gross depth is less than required gross application depth					
6.36	0.019	16.31	15.17	0.00	6.9	
6.37	0.019	16.33	15.17	0.03	6.9	
6.38	0.019	16.36	15.17	0.06	6.9	
6.39	0.019	16.38	15.17	0.08	6.9	
6.40	0.019	16.41	15.17	0.11	6.9	

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OCT 27 1994

SOIL CHARACTERISTICS

initials:

ADM

date: 06/25/93

Soil Type = RP1...LOAM

Source of Soils Data = SCS

soil depth (inches)		AWC (in/in)		PH		organic (%)		soil depth (inches) (ft)	AWC (inches)		intake family		AWC (ave)
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	1	0.16
7	13	0.07	0.12	6.1	7.3			2	1.97			8	0.095
13	60	0.02	0.03	6.1	7.3			3	2.27			14	0.025
								4	2.57			61	0
								5	2.87			61	0
										alternate method		61	0
										NA	NA	61	0
												61	0
												61	0
												61	0

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point	MAD (inches)
alfalfa (hay or seed)	5	0.5	1.43
corn (field or silage)	4	0.5	1.28
grain (winter or spring)	4	0.5	1.28
pasture (or grass hay)	3	0.5	1.13
other (enter below)			

Intake Family

choose base number for intake family from table below based on texture
base number (#'s 1 through 7) = 4

5

5

Intake Family

#	flood	furrow	texture
1	0.3	0.3	heavy clays, silty clay (> 60% clay)
2	0.5	0.35	clays, slit loam (lake laid), sandy clay
3	1	0.4	silty clay loam, clay loam, sandy clay loam, silt loam (stream laid)
4	1.5	0.5	silt loam (wind laid), loam, very fine sandy loam
5	2	0.55	sandy loam, fine sandy loam, gravelly loam
6	3	0.7	very fine sand, loamy sands, gravelly sandy loam
7	4	0.85	sand

If you wish to assign intake family by an alternate method (from Table A-3 in Hubble Report or other) enter your selection below.
Enter a value for both flood and furrow if known, otherwise enter zero.
If you do not wish to assign intake family by an alternate method enter zero for both values.

intake family (flood) = 0
intake family (furrow) = 0

MICROFILMED

OCT 27 1994

GRADED BORDER EVALUATION

Job name: ROBERTSON
By: ADM

Location: WG1 24AC 4DAYS
Date: Oct 28, 1993

Roughness coefficient (n)= 0.250 Intake family (If)=4.00
Slope (S)= 0.0100 ft/ft Border width (W)= 218 ft
Net application (Fn)= 0.67 inches Border length (L)= 400 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
7.10	Gross depth is less than required	gross application depth				
7.11	Gross depth is less than required	gross application depth				
7.12	Gross depth is less than required	gross application depth				
7.13	Gross depth is less than required	gross application depth				
7.14	Gross depth is less than required	gross application depth				
7.15	Gross depth is less than required	gross application depth				
7.16	Gross depth is less than required	gross application depth				
7.17	Gross depth is less than required	gross application depth				
7.18	Gross depth is less than required	gross application depth				
7.19	0.033	28.50	27.80	0.02	2.4	
7.20	0.033	28.54	27.80	0.06	2.3	

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OCT 27 1994

SOIL CHARACTERISTICS

initials:

ADM

date: 06/24/93

Soil Type = **WG1...VERY GRAVELLY SANDY LOAM**

Source of Soils Data = SCS

soil depth (inches)		AWC (in/in)		PH		organic (%)		soil depth (ft)	AWC (inches)	intake family			AWC (ave)
lower	upper	lower	upper	lower	upper	lower	upper			flood	furrow		
0	5	0.04	0.08	6.6	7.3	2	4	1	0.63	4	0.85	1	0.06
5	11	0.03	0.07	6.6	7.3			2	0.99			6	0.05
11	60	0.02	0.04	6.6	7.3			3	1.35			12	0.03
								4	1.71	alternate		61	0
								5	2.07	method		61	0
										NA	NA	61	0
												61	0
												61	0
												61	0
												61	0

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point	MAD (inches)
alfalfa (hay or seed)	5	0.5	1.03
corn (field or silage)	4	0.5	0.85
grain (winter or spring)	4	0.5	0.85
pasture (or grass hay)	3	0.5	0.67
other (enter below)			

Intake Family

choose base number for intake family from table below based on texture
base number (#'s 1 through 7) = 6

7

7

Intake Family

#	flood	furrow	texture
1	0.3	0.3	heavy clays, silty clay (> 60% clay)
2	0.5	0.35	clays, slit loam (lake laid), sandy clay
3	1	0.4	silty clay loam, clay loam, sandy clay loam, silt loam (stream laid)
4	1.5	0.5	silt loam (wind laid), loam, very fine sandy loam
5	2	0.55	sandy loam, fine sandy loam, gravelly loam
6	3	0.7	very fine sand, loamy sands, gravelly sandy loam
7	4	0.85	sand

If you wish to assign intake family by an alternate method (from Table A-3 in Hubble Report or other) enter your selection below.
Enter a value for both flood and furrow if known, otherwise enter zero.
If you do not wish to assign intake family by an alternate method enter zero for both values.

intake family (flood) = 0
intake family (furrow) = 0

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OCT 27 1994

GRADED BORDER EVALUATION

Job name: ROBERTSON
By: ADM

Location: TN1 12AC 7DAYS
Date: Oct 28, 1993

Roughness coefficient (n)= 0.250 Intake family (If)=4.00
Slope (S)= 0.0100 ft/ft Border width (W)= 62 ft
Net application (Fn)= 1.21 inches Border length (L)= 400 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
2.00	Gross depth is less than required gross application depth					
2.01	Gross depth is less than required gross application depth					
2.02	Gross depth is less than required gross application depth					
2.03	Gross depth is less than required gross application depth					
2.04	Gross depth is less than required gross application depth					
2.05	0.033	28.57	27.26	0.09	4.2	
2.06	0.033	28.71	27.26	0.23	4.2	
2.07	0.033	28.85	27.26	0.37	4.2	
2.08	0.034	28.99	27.26	0.51	4.2	
2.09	0.034	29.13	27.26	0.65	4.2	
2.10	0.034	29.26	27.26	0.79	4.1	

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SOIL CHARACTERISTICS

initials:

ADM

date: 06/25/93

Soil Type = TN1...GRAVELLY SANDY LOAM

Source of Soils Data = SCS

soil depth (inches)		AWC (in/in)		PH		organic (%)		soil depth (ft)	AWC (inches)		intake family		AWC (ave)
lower	upper	lower	upper	lower	upper	lower	upper				flood	furrow	
0	4	0.08	0.1	5.6	7.3	2	3	1	1.12		4	0.85	1
4	22	0.07	0.12	5.6	7.3			2	2.12				5
22	60	0.02	0.03	5.6	7.3			3	2.42				23
								4	2.72				61
								5	3.02		alternate method		61
											NA	NA	61
													61
													61
													61
													61

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point	MAD (inches)
alfalfa (hay or seed)	5	0.5	1.51
corn (field or silage)	4	0.5	1.36
grain (winter or spring)	4	0.5	1.36
pasture (or grass hay)	3	0.5	1.21
other (enter below)			

Intake Family

choose base number for intake family from table below based on texture
base number (#'s 1 through 7) = 6

7

7

Intake Family

#	flood	furrow	texture
1	0.3	0.3	heavy clays, silty clay (> 60% clay)
2	0.5	0.35	clays, slit loam (lake laid), sandy clay
3	1	0.4	silty clay loam, clay loam, sandy clay loam, silt loam (stream laid)
4	1.5	0.5	silt loam (wind laid), loam, very fine sandy loam
5	2	0.55	sandy loam, fine sandy loam, gravelly loam
6	3	0.7	very fine sand, loamy sands, gravelly sandy loam
7	4	0.85	sand

If you wish to assign intake family by an alternate method (from Table A-3 in Hubble Report or other) enter your selection below.
Enter a value for both flood and furrow if known, otherwise enter zero.
If you do not wish to assign intake family by an alternate method enter zero for both values.

intake family (flood) = 0
intake family (furrow) = 0

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OCT 27 1994

GRADED BORDER EVALUATION

Job name: ROBERTSON
By: ADM

Location: GO1 8AC 21DAYS
Date: Oct 28, 1993

Roughness coefficient (n)= 0.250 Intake family (If)=1.00
Slope (S)= 0.0100 ft/ft Border width (W)= 14 ft
Net application (Fn)= 3.56 inches Border length (L)= 400 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
0.10	Gross depth is less than required	gross application depth				
0.11	Gross depth is less than required	gross application depth				
0.12	Gross depth is less than required	gross application depth				
0.13	Gross depth is less than required	gross application depth				
0.14	Gross depth is less than required	gross application depth				
0.15	0.011	9.26	5.67	0.03	38.5	
0.16	0.011	9.87	5.67	0.64	36.1	
0.17	0.012	10.49	5.67	1.26	33.9	
0.18	0.013	11.11	5.67	1.88	32.0	
0.19	0.014	11.73	5.67	2.50	30.4	

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SOIL CHARACTERISTICS initials: ADM date: 06/25/93

Soil Type = GO1...HEMIC MATERIAL
Source of Soils Data = SCS

soil depth (inches)		AWC (in/in)		PH		organic (%)		soil depth (ft)	AWC (inches)	intake family		AWC (ave)	
lower	upper	lower	upper	lower	upper	lower	upper			flood	furrow		
0	6	0.2	0.28	5.1	6	40	80	1	3.00	1	0.4	1	0.24
6	27	0.22	0.3	5.6	6.5			2	6.12			7	0.26
27	60	0.02	0.03	6.1	7.3			3	7.13			28	0.025
								4	7.43	alternate method		61	0
								5	7.73			61	0
										NA	NA	61	0
												61	0
												61	0
												61	0

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point	MAD (inches)
alfalfa (hay or seed)	5	0.5	3.86
corn (field or silage)	4	0.5	3.71
grain (winter or spring)	4	0.5	3.71
pasture (or grass hay)	3	0.5	3.56
other (enter below)			

Intake Family

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

3 3

Intake Family

#	flood	furrow	texture
1	0.3	0.3	heavy clays, silty clay (> 60% clay)
2	0.5	0.35	clays, slit loam (lake laid), sandy clay
3	1	0.4	silty clay loam, clay loam, sandy clay loam, silt loam (stream laid)
4	1.5	0.5	silt loam (wind laid), loam, very fine sandy loam
5	2	0.55	sandy loam, fine sandy loam, gravelly loam
6	3	0.7	very fine sand, loamy sands, gravelly sandy loam
7	4	0.85	sand

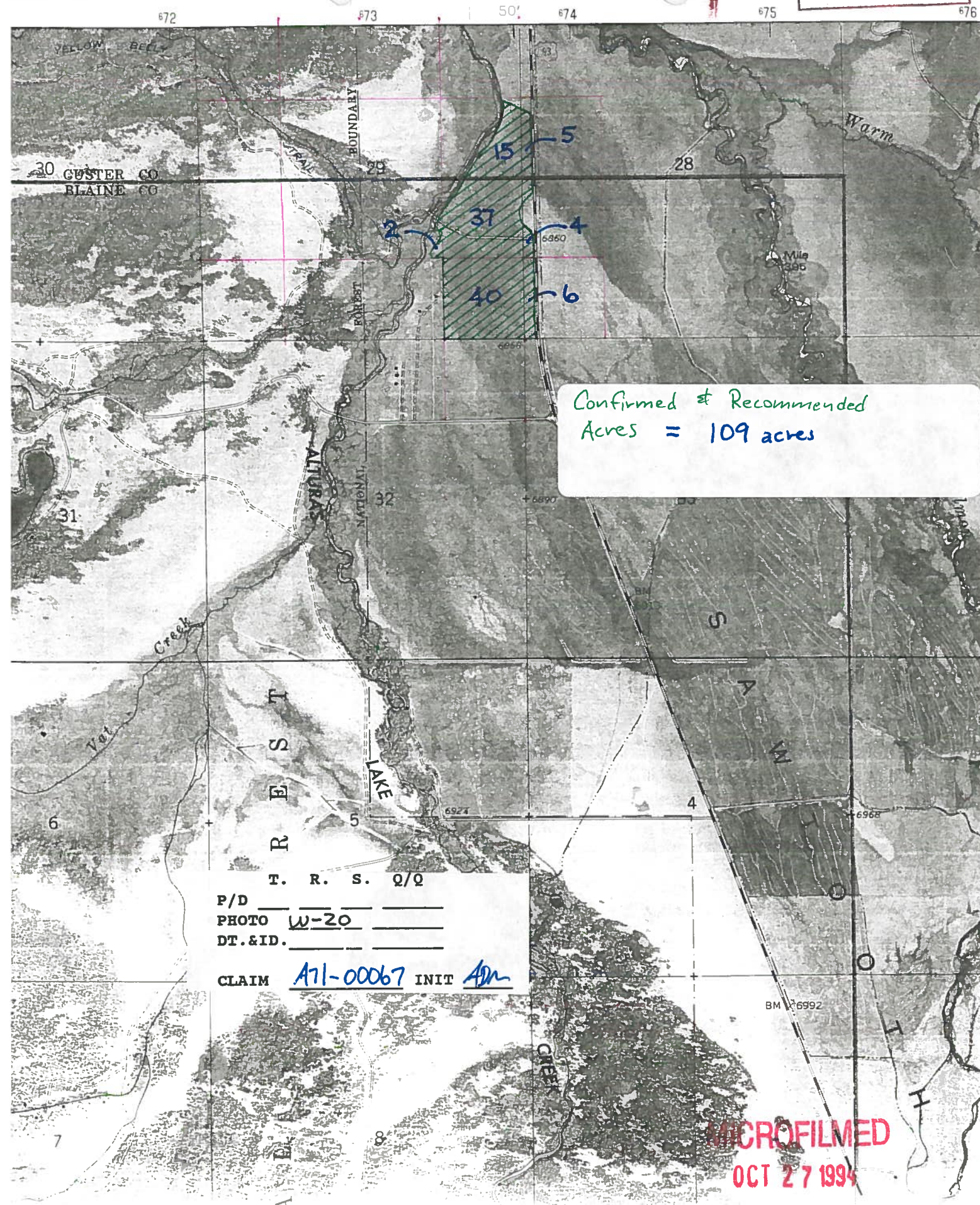
If you wish to assign intake family by an alternate method (from Table A-3 in Hubble Report or other) enter your selection below.
Enter a value for both flood and furrow if known, otherwise enter zero.
If you do not wish to assign intake family by an alternate method enter zero for both values.

intake family (flood) = 0
intake family (furrow) = 0

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001 2 / 1354

POOR ORIGINAL



1/1 SW
RAMER

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

114°52'30"
44°00'

671000m E

672

673

50'

STANLEY 18 MI.
OBSIDIAN 5.7 MI.

4873000m N.

4872

4871

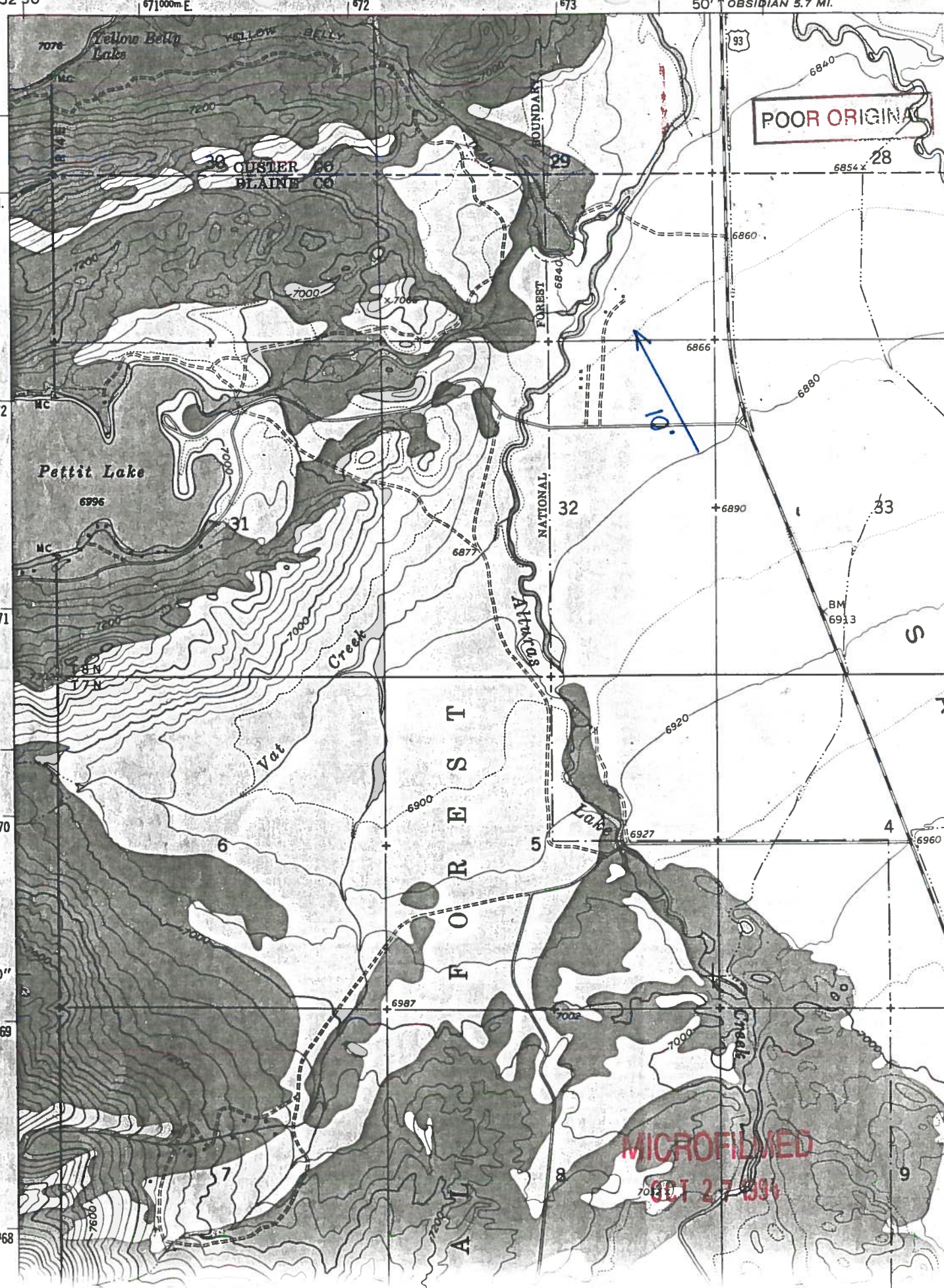
4870

57'30"

4869

4868

POOR ORIGINAL



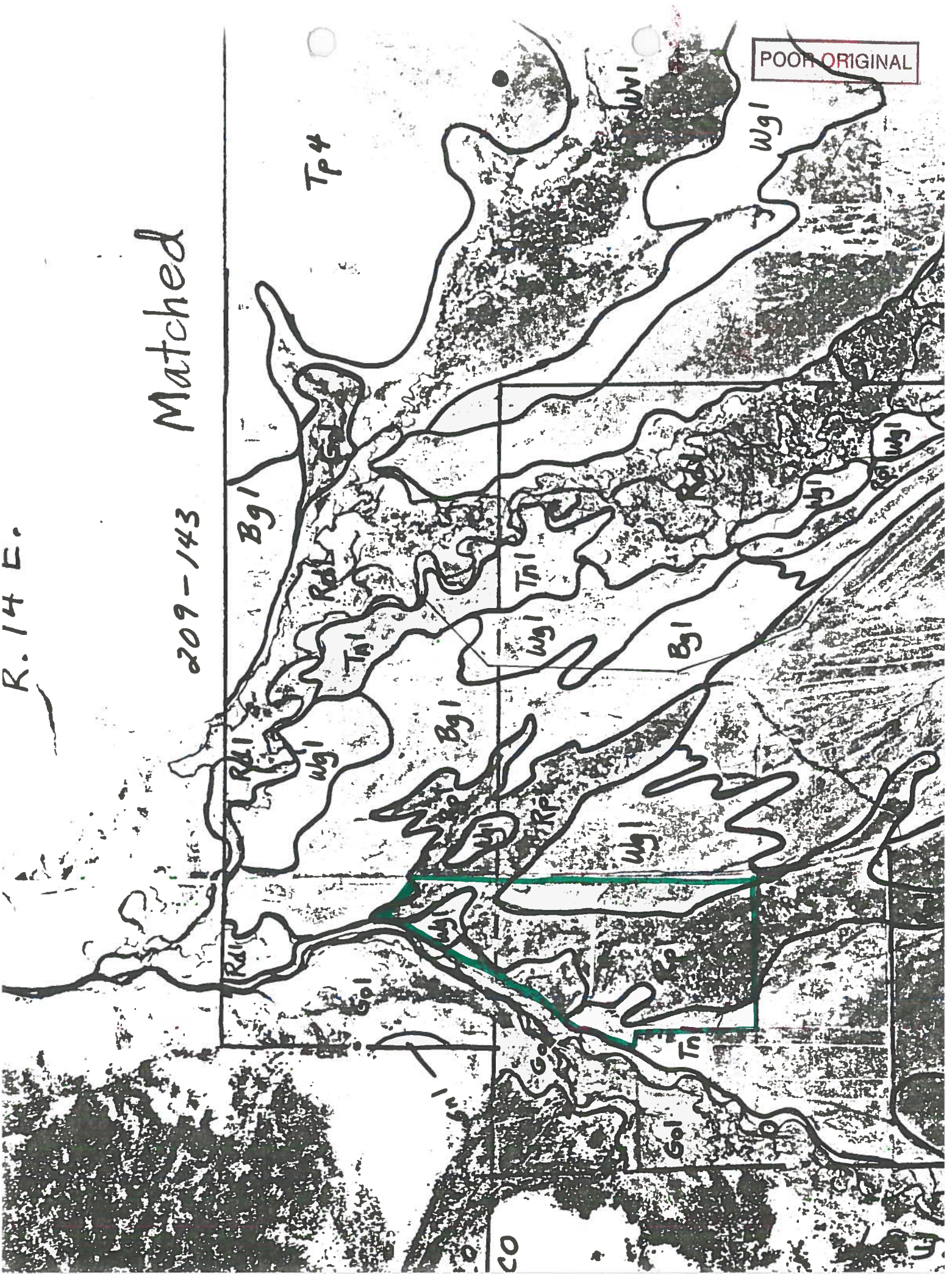
R. 14 E.

Matched

209-143

TP 4

POOR ORIGINAL



IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

L. L. BRECKENRIDGE COMPANY, a
corporation,
Plaintiff,
-vs-
MORGAN C. WILLIAMS; TED WILLIAMS and
MRS. TED WILLIAMS, his wife; D. M.
WILLIAMS and CARRIE WILLIAMS, his wife;
HUGH BRADFORD and MRS. HUGH BRADFORD,
his wife; PAUL CLARK and NELLIE CLARK,
his wife; J. W. NEWMAN and RACHEL F.
NEWMAN, his wife; D. F. CLARK and NELLIE
B. CLARK, his wife; WALTER WADE; MARGARET
W. WEST; FRANK G. FISHER and ELECTA J.
FISHER, his wife; C. M. FOLLY and ESTHER
M. FOLEY, his wife; SANDY BROOKS, a
single man; ROBERT H. BRAILSFORD, WIL-
LIAM S. BRAILSFORD and FREDERICK M.
BRAILSFORD; ROY VADER and ONA VADER, his
wife,
Defendants.

DE C R E E

The above entitled action came on for hearing the 15th day of June,
1948, before Hon. D. H. Sutphen, Judge of the District Court of the Fourth Judi-
cial District of the State of Idaho, sitting in chambers at Gooding, Idaho.

The following parties appeared: plaintiff L. L. Breckenridge Company,
by R. P. Perry, J. R. Keenen and John H. Daly, of the firm of Perry, Keenen,
Robertson & Daly, its attorneys; defendants Roy Vader and Ona Vader, by J. L.
Eberle, B. S. Varian and R. W. N. Balleisen, of the firm of Richards & Hope,
their attorneys; defendants and cross-complainants Hugh Bradford and Mrs. Hugh
Bradford, his wife, by Everett B. Taylor, their attorney; defendants D. F. Clark
and Nellie B. Clark, by T. M. Robertson, their attorney; defendant Ernest W.
West by Harry Benoit, her attorney; and defendants Robert H. Brailsford, William
S. Brailsford and Frederick M. Brailsford, in person.

The following defendants, to-wit: Morgan C. Williams, Ted Williams, Mrs.
Ted Williams, D. M. Williams, Carrie Williams, Paul Clark, Nellie Clark, J. W.

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POOR ORIGINAL

East, Boise Meridian; said water right is hereafter called Lake Creek Water Right No. 3.

-10-

71 1988 To plaintiff L. L. Breckenridge Company, a corporation, against all defendants, a water right of 537.50 miner's inches, or 10.75 cubic feet per second of time, continuous flow, of the waters of Lake Creek, with priority of July 1, 1930, for the irrigation of and domestic purposes on those lands in Blaine County, Idaho, described as follows:

112 acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) and the South Half of the Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$)

156.75 Acres in the Southeast Quarter (SE $\frac{1}{4}$)

All in Section Thirty-two (32), Township Eight (8) North, Range Fourteen (14) East, Boise Meridian.

Diverted at any or all of the following diversion points:

- A point in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 4
- A point in Lot 4 of Section 5.
- A point in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 9.

All in Township 7 North, Range 14 East, Boise Meridian.

in such ratio as plaintiff may elect from time to time during each irrigation season but not so as to exceed a diversion of the total quantity of water hereby awarded; said water right is designated as Lake Creek Water Right No. 4-A.

-11-

71 1962 To the defendants D. F. Clark and Nellie B. Clark, his wife, against plaintiff and defendants Hugh Bradford and Mrs. Hugh Bradford, his wife, and Margaret W. West, a water right of 371.2 miner's inches, or 7.424 cubic feet per second of time, continuous flow, of the waters of Lake Creek with priority of July 1, 1930, for the irrigation of and domestic purposes on those lands in Blaine and Custer Counties, Idaho, described as follows:

10 acres of West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section Twenty-eight (28), West of U. S. Highway No. 93;

11.6 acres of West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Twenty-eight (28), West of U. S. Highway No. 93;

69 acres of East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Twenty-nine (29);

All of the East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$), and

15 acres of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Twenty-nine (29),

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All being in Township Eight (8) North, Range Fourteen
(14) East, Boise, Meridian,

P/O no longer there.

diverted at a point in the SW_{1/4} of the NE_{1/4} of Section 32, Township 8 North, Range 14 East, Boise Meridian; said water right is designated as Lake Creek Water Right No. 4-B, which said water right is subject to the restrictions and limitations set forth in the succeeding paragraph.

-12-

The lands of defendants D. F. Clark and Nellie B. Clark, his wife, which are described in the preceding paragraph are at the present time sub-irrigated, and independent irrigation of them is at this time unnecessary, which conditions may be caused by the ordinary irrigation operations conducted by plaintiff on its higher lands to the south, in consideration of which premises plaintiff and said defendants agree that so long as independent diversion of irrigation water from Lake Creek and the direct irrigation of defendants' lands continues unnecessary by reason of their being sub-irrigated as aforesaid the water right of the said defendants shall be held in abeyance but without non-use thereof constituting any abandonment of the water right, and said water right shall be revived against the plaintiff and its successors and assigns should defendants' lands cease for any cause to be sub-irrigated but that if sub-irrigation ceases by reason of drainage operations conducted by defendants on their lands, it shall be the obligation of the defendants to use the water developed by such drainage operations, to the extent practical, in the place of direct diversion from Lake Creek, and they shall apply such used drainage water against their appropriation, and provided also that the water right of the defendants Clark is restricted solely to the lands owned by them preceding described and may not be transferred to other lands; and further that the stipulations of this paragraph shall be deemed covenants running with the land and shall bind all parties subsequently coming into the ownership of the defendants' lands before described.

-13-

71 1968 To plaintiff, L. L. Breckenridge Company, a corporation, against all defendants, a water right of 616 miner's inches, or 12.320 cubic feet per second of time, continuous flow, of the waters of Lake Creek, with priority of July 1, 1908, for the irrigation of and domestic purposes on 308 acres of the NW_{1/4} and SW_{1/4} of Section 33, Township 8 North, Range 14 East, Boise Meridian, Blaine County, Idaho, diverted at:

- A point in the SW_{1/4} of the SW_{1/4} of Section 4.
- A point in Lot 4 of Section 5.
- A point in the NW_{1/4} of the NW_{1/4} of Section 9.

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This protects right from forfeiture while land is sub-irrigated.

POOR ORIGINAL

said period any party to this action may apply to the Court or a judge thereof for
a correction of such error.

DATED This 19th day of July, 1948.

D. H. Sutphen

Judge of the District Court.

STATE OF IDAHO,) SS
COUNTY OF BLAINE,)

I, B. P. Thamm, Clerk of the District Court of the Fourth Judicial
District of the State of Idaho, in and for the County of Blaine, do hereby cer-
tify that the foregoing is a full, true and correct copy of the original DECREE
in the above entitled action now on file in my office.

Given under my hand and the seal of said Court in my office, at Heiley,
this 27th. day of December, A. D., 1948.

Attest:

B. P. Thamm Clerk.

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OCT 27 1994

N 8-1

NOT SIGNED
MICHOELTIED

(STATE)

C-81
N.B. CLARK
81C

D.L. (Buckland)
(Buckland Ave)

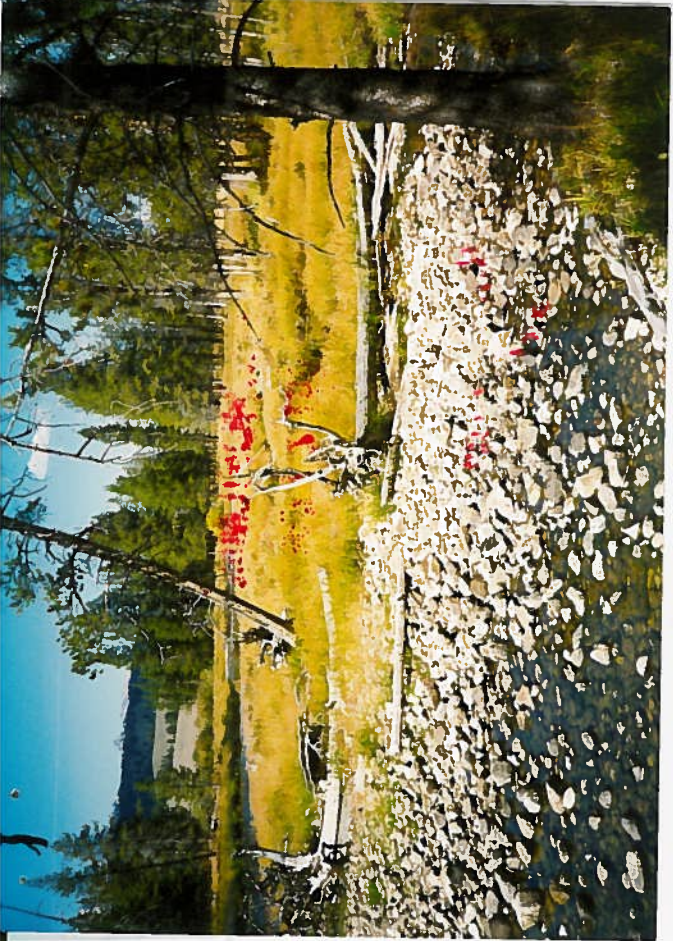
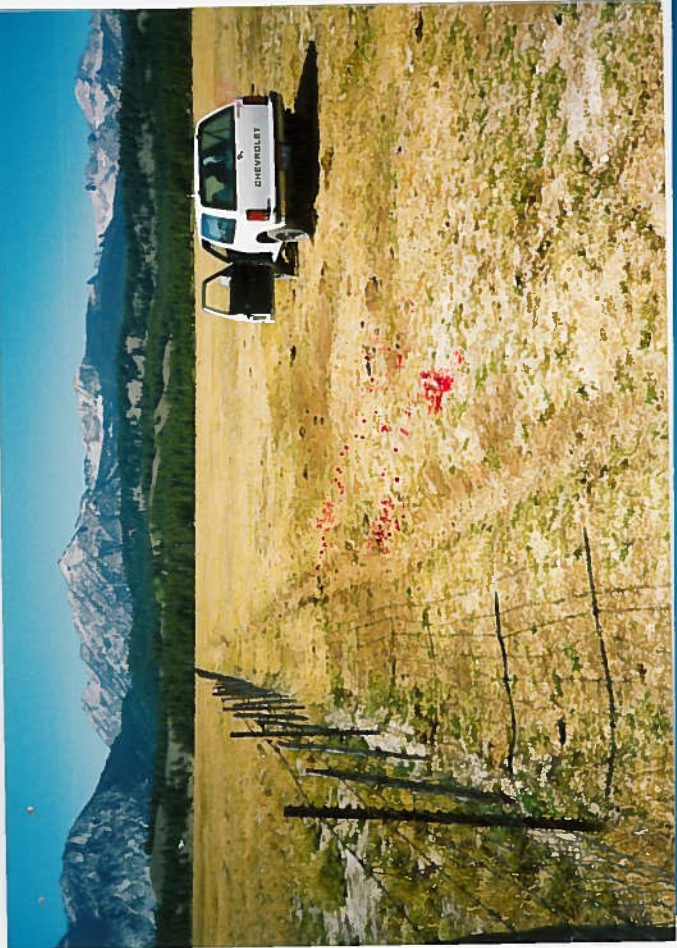
Sub-leased
lands

2928
3233

This P/O closest
to P/O described in
decree.

P/O
old
road
2

R 14 E



A71-00067

9/9/93

ADm

possible old P/D
in NESESW sec 32
(This may be place
where CK wished out
ditch or maybe it
was P/D)

POOR ORIGINAL

possible old P/D
in NW NW NE sec 5
(some evidence ditch
may have come out of
CK ~~here~~ but is
speculation)

Near SW corner property

Location where ditch
enters property.

Note drain ditch
reported to have been
built in 1962 cuts
off old ditch so
right has not been
used since 1962.

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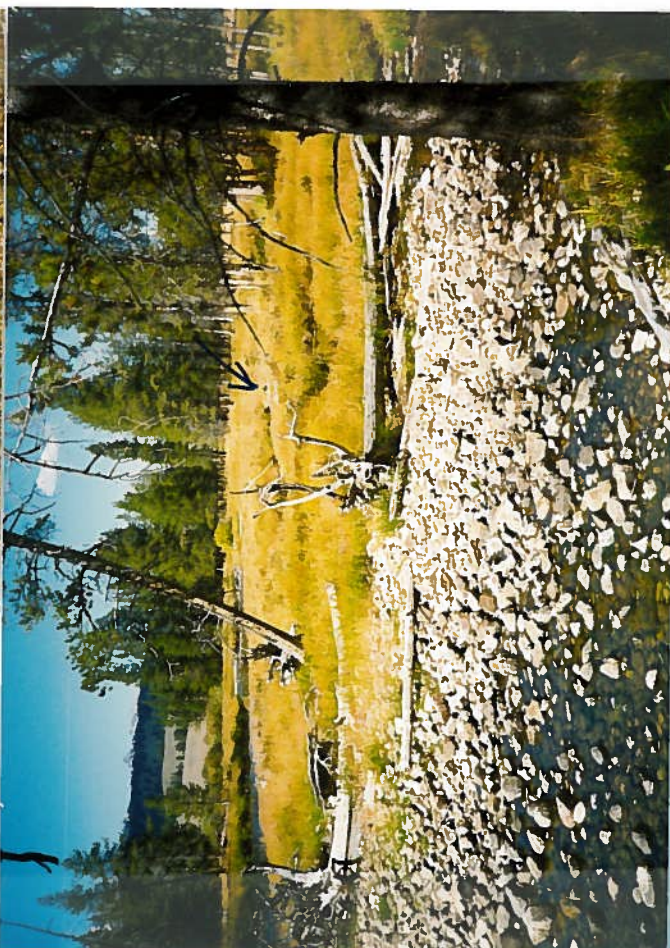
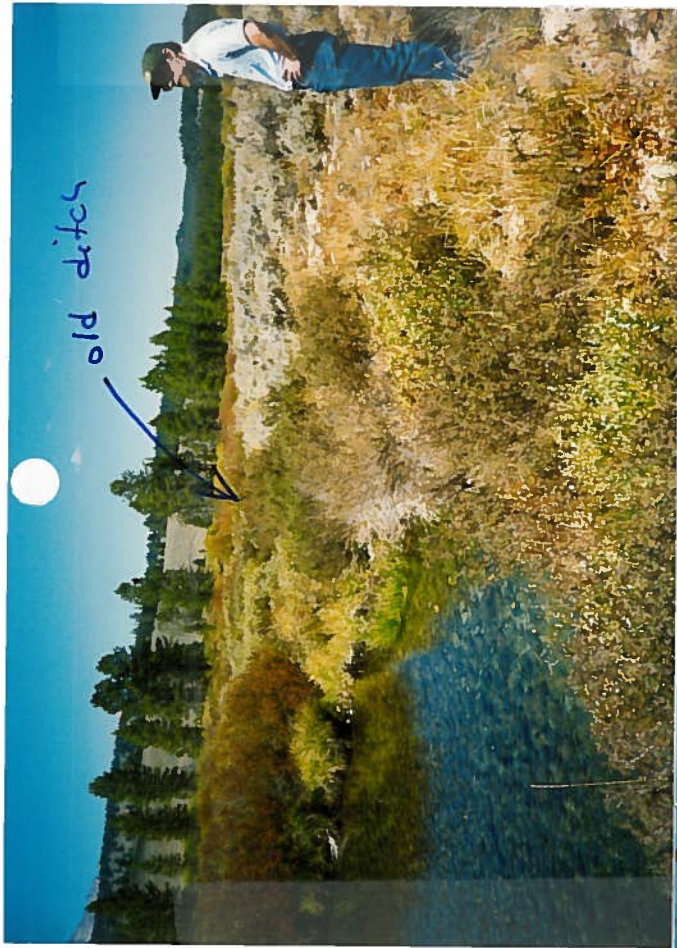


Photo from SE corner of property.
 Claimant indicates ditches to drain sub-water
 off of land. This year no sub-water.



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Claimant indicates
 that water normally
 stands in many parts
 of field. See rust
 line. This year
 no sub-water.

POOR ORIGINAL

A71-00067
 9/9/93
 ADM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

06:16:00
05/27/92

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A71-00067

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			Adm				Adm	
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y			Y	1,2,4,5			
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y			Y	Standard			
BASIS OF CLAIM								
REMARKS	Y		Adm	Y	6		Adm	

"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 VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

6 - Review of Data

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

06:16:00
05/27/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A71-00067

LAST: ROBERTSON FIRST: THOMAS M.
ADDRESS: 156 SECOND AVE. W.
P.O. BOX 525
CITY: TWIN FALLS STATE: ID ZIP: 833030525
PHONE NUMBER: 208-734-1224

OWNER CODE: C

FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS? Y

CLAIM REMARKS: SOURCE NAMED INCORRECTLY IN DECREE AS LAKE CREEK.
SEE DECREE FOR RESTRICTIONS ON TRANSFER & USE OF RT.
THOMAS M. ROBERTSON, A TENANT IN COMMON, ON BEHALF OF DAVID L.
MILLER, EDITH C. ROBERTSON, JACK CLARK ROBERTSON, MARY
ROBERTSON PAGE, BENJAMIN ROBERTSON PAGE, AND TRUSTEE FOR
ALEXANDER CLARK PAGE AND TIMOTHY MARKHAM PAGE.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Thomas Robertson PHONE NUMBER: () -
DATE OF FIELD EXAM: 9/9/93 APPOINTMENT MADE: Y() N() TIME: : A() P()
ACCOMPANIED BY: Thomas Robertson PHONE NUMBER: () -
RELATIONSHIP TO CLAIMANT: same
DIRECTIONS TO PROPERTY / REMARKS:
Met @ gate by dumpster @ 1:00

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A. AJ CLAIM: # A71-00067 PRIORITY DATE: 07-01-1930 STAGE: D
B. WR RECORD: # 71-00067 PRIORITY DATE: 07-01-1930 STAGE: D

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

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

REMARKS: _____

RECOMMENDED PRIORITY DATE:
07-01-1930

REVIEWED BY *ADa* DATE 10/28/93

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A71-00067	08N	14E	32		SW	NE		BLAINE
OTHER AJ CLAIMS WITH SAME AJ POD				WR RECORDS IN SAME 40 ACRE TRACT				
A PREFIX NONE				R PREFIX NONE 71-00065				

SOURCE: ALTURAS LAKE CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
71-00067	08N	14E	32		SW	NE		BLAINE
OTHER WR RECORDS WITH SAME WR POD				AJ CLAIMS IN SAME 40 ACRE TRACT				
71-00065				A PREFIX NONE R PREFIX NONE				

SOURCE: ALTURAS LAKE CREEK

TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

No P/D @ present. Claimant should re-establish P/D under 42-222. Use must be established within next 4 yrs or right is forfeited.

SW NE is where P/D was deuced but evidence in field indicates P/D may be further up creek. See attached ASCS map photo. Recommend P/D is claimed

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:						COUNTY
TWP.	RGE.	SEC.	1/4	1/4	1/4	
8N	14E	32		SW	NE	Blaine

SOURCE: ALTURAS LAKE CREEK TRIB: SALMON RIVER

REVIEWED BY: *Adm* DATE: 10/28/93

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A. ROOT WATER RIGHT NUMBERS: A71-00067

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	14E	28	NW	NW		ROBERTSON, THOMAS M.	A71-00067 / 6.0	71-00067 /	17.0	☒	☒
			NW	NW		ENRIGHT ENTERPRISES INC.	A71-00059 / 40.0	71-00059 /			
			NW	NW		ENRIGHT ENTERPRISES INC.	A71-00061 / 40.0	71-00061 /			
08N	14E	28	SW	NW		ROBERTSON, THOMAS M.	A71-00067 / 6.0	71-00067 /	38.0	☒	☒
			SW	NW		ENRIGHT ENTERPRISES, INC.	A71-00064B / 32.4	- /		5	5
			SW	NW		L.L. BRECKINRIDGE CO.		71-00064 / 32.0			
08N	14E	28	NW	SW		ROBERTSON, THOMAS M.	A71-00067 / 6.0	71-00067 /	32.0	☒	☒
			NW	SW		ENRIGHT ENTERPRISES, INC.	A71-00064B / 36.0	- /		4	4
			NW	SW		L.L. BRECKINRIDGE CO.		71-00064 /			
08N	14E	28	SW	SW		ROBERTSON, THOMAS M.	A71-00067 / 9.0	71-00067 /	17.0	☒	☒
			SW	SW		ENRIGHT ENTERPRISES, INC.	A71-00064B / 36.0	- /		6	6
			SW	SW		L.L. BRECKINRIDGE CO.		71-00064 /			
08N	14E	29	NE	NE		ROBERTSON, THOMAS M.	A71-00067 / 40.0	71-00067 /	34.0	☒	☒
			NE	NE		ROBERTSON, THOMAS M.	A71-10048 /	- /			
08N	14E	29	SE	NE		ROBERTSON, THOMAS M.	A71-00067 / 40.0	71-00067 /	36.0	☒	☒
			SE	NE		ROBERTSON, THOMAS M.	A71-10048 /	- /		15	15
08N	14E	29	NE	SE		ROBERTSON, THOMAS M.	A71-00067 / 40.0	71-00067 /	31.0	☒	☒
			NE	SE		ROBERTSON, THOMAS M.	A71-00067 / 40.0	71-00067 /	36.0	☒	☒
			NW	SE		ROBERTSON, THOMAS M.	A71-10047 /	- /		2	2
			NW	SE		ROBERTSON, THOMAS M.	A71-10049 /	- /			
08N	14E	29	SE	SE		ROBERTSON, THOMAS M.	A71-00067 / 40.0	71-00067 /	36.0	☒	☒
			SE	SE		ROBERTSON, THOMAS M.	A71-00067 / 40.0	71-00067 /	36.0	☒	☒
TOTAL ACRES							A71-00067	227.00	277.00		

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

POU COUNTY: CUSTER, BLAINE

Recognized only zones in pasture that are subirrigated
it could be watered from CLK by gravity.

PRESUMPTION FLAG:

REMARKS:

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OCT 27 1994

RECOMMENDATIONS:

TOTAL ACRES: 109
REVIEWED BY: AD

DATE: 10/28/93

A. AJ CLAIMED USES:

	PURPOSES	FROM	MONTH/DAY TO	DIVERSION QUANTITY
A71-00067	IRRIGATION	04-15	10-15	7.424 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED				7.424 CFS

B. WR RECORDED USES:

	PURPOSES	FROM	MONTH/DAY TO	DIVERSION QUANTITY
71-00067	IRRIGATION	FROM	TO	7.424 CFS
71-00067	DOMESTIC	FROM	TO	7.424 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED				7.424 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER? Y(☒) N() Explain in remarks, below.

REMARKS: 5/1 - 9/30 Standard Irrig. Season

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 7.424 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 7.424 CFS

*** 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 remarks. **

FLOW MEASUREMENT REQUIRED? ☐ FIELD
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) DATABASE EXAMINER Y

B. FLOW MEASUREMENT
MEASUREMENT METHOD None, 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
A71-00067	ALTURAS LAKE CREEK	ROBERTSON , THOMAS M.	7.424	0.032		
A71-00059	SALMON RIVER	ENRIGHT ENTERPRISES INC.	25.600	0.017		
A71-00061	SALMON RIVER	ENRIGHT ENTERPRISES INC.	40.000	0.026		
A71-00064B	ALTURAS LAKE CREEK	ENRIGHT ENTERPRISES, INC.	7.860	0.040		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A71-10048	STOCKWATER	ROBERTSON , THOMAS M.	FROM 06-01 TO 11-01	.070 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 109 x 0.02 CFS/ACRE = _____ 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 = 454.0 AF/A
ACRES 109 x CONSUMPTIVE VOL. AF/A FOR AREA 2.0 =
TOTAL CONSUMPTIVE USE 218 AF/A

3. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = _____ AF/A
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ = N/A
TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:
SEE ATTACHED SHEET? Y(____) N(N/A)

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

N/A

RECEIVED
JUL 2 1994

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
<u>Irrig.</u>	<u>5/1</u>	<u>9/30</u>	<u>7.424</u>		<u>—</u>		<u>218</u>	

TOTAL FOR THIS RIGHT

REVIEWED BY:

DATE:

10/28/97

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Oct 27 1997

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()

NEEDS
REVIEW
()
(X)
()

Talked with Nick 25-1-94
decree if he decided it
appears right protected

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B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-00067

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
7.424

EXAMINER

CFS

N/A

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A71-00067

7.424

-

71-00067

7.424

TOTAL CFS

7.424

7.424

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

REMARKS:

AUTHENTICATION:

SIGNATURE: 

DATE: 10/28/93

NAME OF FIELD EXAMINER:

TITLE:

09:02:54
05/27/92

CLAIM NUMBER: A71-0006

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