

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: **A71-04021**
Date Received: 1/11/1990
Receipt No: S010924
Received By: _____

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

1. Name: W MICHAEL HUMPHREYS 617-431-1229
Address: C/O H HOOK RANCH
10495 STONE QUARRY RD
PAYETTE ID 83661

AND

Name: CANDACE P HUMPHREYS 617-431-1229
Address: C/O H HOOK RANCH
10495 STONE QUARRY RD
PAYETTE ID 83661

2. Date of Priority: APR 1, 1940

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	14E	22		NE	NE		CUSTER
		23		NW	NW		CUSTER

5. Description of diverting works:
WOOD & CONCRETE DIVERSION, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.800		

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

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	14E	21	NE		NE		IRR	20.0
			SE		NE		IRR	20.0
			Section Acres					40.0
		22	NW		NE		IRR	20.0
			NE		NW		IRR	30.0
			NW		NW		IRR	30.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NW		SW		IRR	40.0
			Section Acres					200.0
			Total Acres					240.0

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:
CHANGE OF OWNERSHIP RECEIVED 7/21/93 FORMER OWNERS JACK W. REDMOND II, RANDALL HAYS, TRUSTEE NEW OWNERS W. MICHAEL & CANDACE P. HUMPHREYS. COPY OF WARRANTY AND QUITCLAIM DEED SUBMITTED WITH FORM.

15. Basis of Claim: STATUTORY CLAIM

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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: MAY 28, 1993LEGAL DESCRIPTION OF PROPERTY: Township 8 NORTH Range 14 EAST
Section 15, 1/4 of 1/4 of 1/4, Govt. Lot _____

Lot _____, Block _____, Subdivision/Townsite _____

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

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

☐ Water Right Number(s) Assigned by IDWR: A71-04021; A71-02047(A); A71-10140

☐ Name and Address of Former Owner/Claimant(s)(Seller): JACK W. REDMOND II 9577 GOLF COURSE DR. WEST LAKE CALIF. 91362
RANDALL HAYS, TRUSTEE 5627 TERRA BELLA LN. CAMARILLO CALIF. 93010

☐ New Owner/Claimant (Purchaser): W. MICHAEL & CANDACE P. HUMPHREYS

☐ New Mailing Address: C/O H. HOOK RANCH
10495 STONE QUARRY ROAD
PAYETTE IDAHO 83661

☐ New Telephone Number: (617) 431 - 1229

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

☐ Attach proof of ownership, describe proof attached: SEE ATTACHED QUITCLAIM DEED
SEE ATTACHED WARRANTY DEED WITH LEGAL DESCRIPTION

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

☐ Signature of New Owner/Claimant(s): W. Michael Humphreys Date 6/28/93
Candace P. Humphreys Date 6/28/93

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6/17/93 By: LC

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

Order No. 18831

WARRANTY DEED

FOR VALUE RECEIVED

Jack W. Redmond, II, a married man, as his sole and separate property, as to an undivided 1/2 interest, and Randall L. Hays, Trustee of The Randall L. Hays Trust Dated November 2, 1992, as to an undivided 1/2 interest

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

W. Michael Humphreys, a married man, as his sole and separate property

GRANTEE(s) whose address is: c/o H. Hook Ranch, 10495 Stone Quarry Road, Payette, ID 83661

the following described real property in Custer County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

This Warranty Deed may be executed in counterparts, each shall be deemed an original regardless of the date executed and delivered, and said counterparts shall constitute one and the same instrument.

Subject To: Taxes, easements, restrictions and encumbrances of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 24, 1993

Jack W. Redmond, II
Jack W. Redmond, II

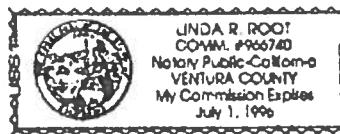
Randall L. Hays
Randall L. Hays, Trustee

State of California
County of ~~Ventura~~

On this May 26, 1993, before me, a notary public in and for said State, personally appeared Jack W. Redmond, II personally known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

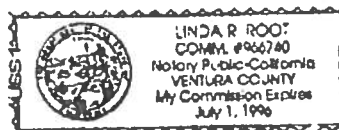
Linda R. Root
Notary Public
Residing at 8054 TROMA, VENTURA, CA
Commission Expires: July 1, 1996



State of ~~CALIFORNIA~~
County of ~~Ventura~~

On this May 26, 1993, before me, a notary public in and for said State, personally appeared Randall L. Hays known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of The Randall L. Hays Trust Dated November 2, 1992 and acknowledged to me that he/she executed the same on behalf of said trust.

Linda R. Root
Notary Public
Residing at 8054 TROMA, VENTURA, CA
Commission Expires: July 1, 1996



Witness confirmed

Custer County, Idaho

Custer County, Idaho

Time 2:45 P.M.

5-28-1993

Ethel M. Peck, Clerk

12:00 Deputy

LEGAL DESCRIPTION TO WARRANTY DEED BETWEEN JACK W. REDMOND, II, RANDALL L. HAYS,
TRUSTEE AND W. MICHAEL HUMPHREYS

PROPERTY DESCRIPTION:

TOWNSHIP 8 NORTH, RANGE 14 EAST, BOISE MERIDIAN, CUSTER COUNTY,
IDaho

SECTION 15: A tract of land in the South 1/2 more particularly
described as follows:

BEGINNING at a stone marking the Southwest corner of said Section
15;

THENCE running North 0°2' West, along the Westerly boundary
of said Section 15 for 391.00 feet;
THENCE South 75°41' East for 349.0 feet;
THENCE South 79°30' East for 657.0 feet;
THENCE North 0°02' West for 728.0 feet;
THENCE South 77°59' East for 367.0 feet;
THENCE South 68°31' East for 556.0 feet;
THENCE South 53°02' East for 213.0 feet;
THENCE South 60°06' East for 713.0 feet;
THENCE South 69°59' East along a line which is parallel to
and 150.0 feet North of the Southerly boundary of
said Section 15 for 934.7 feet;
THENCE South for 150.0 feet;
THENCE North 39°59' West along the Southerly boundary of
said Section 15 for 3,633.6 feet to the POINT OF
BEGINNING.

TOWNSHIP 8 NORTH, RANGE 14 EAST, BOISE MERIDIAN, CUSTER COUNTY,
IDaho

SECTION 22: All of the NW1/4

TOWNSHIP 8 NORTH, RANGE 14 EAST, BOISE MERIDIAN, CUSTER COUNTY,
IDaho

SECTION 22: All of the NW1/4SW1/4

SECTION 21: All of the E1/2NE1/4

Section 22: All of the W3/4 of the NW1/4NE1/4

EXCEPT:

TOWNSHIP 8 NORTH, RANGE 14 EAST, BOISE MERIDIAN, CUSTER COUNTY,
IDaho

SECTION 21: That part described as follows:

BEGINNING at a point located on the Northwest corner of the
E1/2NE1/4 of Section 21;

THENCE South 1252.2 feet to the real POINT OF BEGINNING;

THENCE East a distance of 208.7 feet;

THENCE South a distance of 208.7 feet;

THENCE West a distance of 208.7 feet;

THENCE North to the POINT OF BEGINNING.

AND EXCEPT:

TOWNSHIP 8 NORTH, RANGE 14 EAST, BOISE MERIDIAN, CUSTER COUNTY,
IDaho

SECTION 21: That part described as follows:

BEGINNING at a point located on the Northwest corner of the
E1/2NE1/4 of Section 21;

THENCE South 1460.9 feet to the real POINT OF BEGINNING;

THENCE East a distance of 208.7 feet;

THENCE South a distance of 208.7 feet;

THENCE West a distance of 208.7 feet;

THENCE North to the POINT OF BEGINNING.

AND EXCEPT:

TOWNSHIP 8 NORTH, RANGE 14 EAST, BOISE MERIDIAN, CUSTER COUNTY,
IDaho

SECTION 21: That part of Section 21 described as follows:

BEGINNING at a point of the Northwest corner of the E1/2NE1/4 of
said Section 21;

THENCE South 1043.5 feet to the real POINT OF BEGINNING

THENCE East a distance of 208.7 feet;

THENCE South a distance of 208.7 feet;

THENCE West a distance of 208.7 feet;

THENCE North to the POINT OF BEGINNING.

AND EXCEPT:

TOWNSHIP 3 NORTH, RANGE 14 EAST BOISE MERIDIAN, CUSTER COUNTY,
IDAHO

SECTION 21: That part of Section 21 described as follows:

BEGINNING at a point located on the Northwest corner of the
E1/2NE1/4 of said Section 21;

THENCE South 625.1 feet to the real POINT OF BEGINNING;

THENCE East a distance of 208.7 feet;

THENCE South a distance of 417.4 feet;

THENCE West a distance of 208.7 feet;

THENCE North to the POINT OF BEGINNING.

AND EXCEPT:

TOWNSHIP 3 NORTH, RANGE 14 EAST, BOISE MERIDIAN, CUSTER COUNTY,
IDAHO

SECTION 21: That part of Section 21 described as follows:

BEGINNING at a point located on the Northwest corner of the
E1/2NE1/4 of said Section 21;

THENCE South 417.4 feet to the real POINT OF BEGINNING;

THENCE East a distance of 208.7 feet;

THENCE South a distance of 208.7 feet;

THENCE West a distance of 208.7 feet;

THENCE North to the real POINT OF BEGINNING.

TOGETHER WITH a Deed of Easement recorded July 13, 1987, as
instrument No. 185500, records of Custer County, Idaho.

QUITCLAIM DEED

FOR VALUE RECEIVED

W. Michael Humphreys, a married man as his sole and separate property

does hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

W. Michael Humphreys and Candace P. Humphreys, husband and wife

whose address is: ~~11400 K Bock Wilestyx IN 04104~~ C/O H HOOK RANCH
10495 STONE QUARRY ROAD
PAYETTE, IDAHO 83661

the following described premises situated in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

together with their appurtenances.

Dated: May 24, 1993

W. Michael Humphreys
W. Michael Humphreys

State of Massachusetts
County of Suffolk

On this May 25 1993, before me, a notary public in and for said State, personally appeared W. Michael Humphreys known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Theresa Conroy
Notary Public
Residing at 66 Danvers St, Danvers, MA
Commission Expires: Nov. 25, 1994 02138



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 17, 1993

W MICHAEL & CANDACE P. HUMPHREYS
% H HOOK RANCH
10495 STONE QUARRY RD
PAYETTE ID 83661

RE: Adjudication Claim(s) No. A71-04021, A71-02047A, A71-10140
JACK W REDMOND II RANDALL HAYS TRUSTEE

Dear Claimant(s):

Pursuant to notification that you presently own the property in which the above-referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of our recommendation to the court noting the change in claimant.

Please review the record(s) and if you have any questions, please contact this office.

Sincerely,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures

c.c. Andy Brassey, Attorney at Law
PO BOX 609
BOISE ID 83701

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Jack Redmond for Randall Hays Phone 805-495-0449
 Post Office address 4577 Golf Course Dr., Westlake, CA 91362

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes (see attached topo copy). To irrigate domestic grounds and small pasture. we will be merely irrigating east of the present pasture area. The net water use change will be zero.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>A71-04021</u>	<u>4/1/1940</u>	<u>4.76 cfs</u>	<u>Irrigation</u>	<u>4/15</u> to <u>10/15</u>
		<u>0.04 cfs</u>	<u>Aesthetic</u>	<u>4/15</u> to <u>10/15</u>
<u>71-04021</u>	<u>4-1-1940</u>	<u>4.76 cfs</u>	<u>Irrigation</u>	<u>4-15</u> to <u>10-15</u>
		<u>0.04 cfs</u>	<u>Aesthetic</u>	<u>4-15</u> to <u>10-15</u>

2. Total amount of water being transferred 4.80 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Champion Creek tributary to Salmon River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use: J is aesthetic use in pond

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>8N</u>	<u>14E</u>	<u>22</u>		<u>18</u>			<u>30</u>	<u>30</u>	<u>40</u>	<u>40</u>	<u>40</u>								<u>198</u>
		<u>21</u>	<u>20</u>			<u>20</u>													<u>40</u>
		<u>22</u>		<u>J</u>															

MICROFILMED

MAR 17 1993

A 71-04021
T# 71-04021

PART 1**6. General Information:**

- a. Description of diversion system Headgate, ditch to Historic place of use, pump (1 1/2 hp) in ditch line up to aesthetic pond (65'x26'x5'), pump in pond to irrigate
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes / No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
3 acres will be dried up ^{below} to provide diversion rate and irrigate 1 acre up above

d. Remarks:**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A71-04021 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Champion Creek tributary to Salmon River4. Date or priority 4/11/1940

5. Water is used for the following purpose:

amount 4.80 cfs for Irrigation purposes from 4/15 to 10/15
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 4.80 cubic feet per second and/or 480 (consumption) acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NE	22	8N	14E	Custer	
		NW	NW	23	8N	14E	Custer	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	14E	21	20			20													40
		22		20			30	30	40	40	40								200

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MAR 17 1993

Total acres 240

9. Describe any other water rights used for the same purpose as described above: _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 71-04021 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Champion Creek tributary to Salmon River4. Date or priority 4-1-1940

5. Water is used for the following purpose:

amount 4.80 cfs for Irrig. purposes from 4-15 to 10-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 4.80 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	23	8N	14E	Custer	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	14E	21	20			20													40
		22		20			30	30	40	40		40							200

MICROFILMED

MAR 17 1993

Total acres 240

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

(208) 879-4488

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

RECEIVED

MAY 01 1992

Department of Water Resources
Southern Region Office

April 30, 1992

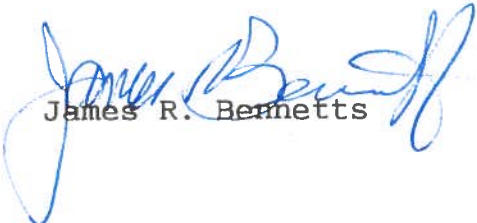
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re: Redmond-Hayes
Water Rights Nos. A71-4021, A71-2047A

Dear Sirs:

Please find enclosed an affidavit to be placed in the Redmond-Hayes file regarding the above water rights.

Very truly yours,


James R. Bennetts

JRB:jab
Enclosures

cc: Dr. Jack Redmond

MICROFILMED

MAR 17 1993

AFFIDAVIT - WATER USE

RE: WATER RIGHT NO. A71-4021
A71-2047

RECEIVED

MAY 04 1992

Department of Water Resources
Southern Region Office

STATE OF IDAHO)
 : ss.
County of Custer)

The undersigned, first being duly sworn, deposes and says as follows:

1. I was born in 1921 and in my early years I resided on a ranch in Custer County, Idaho, now owned by Jack W. Redmond and Randall Hays. The property was located on Champion Creek in Township 8 North, Range 14 East.

2. I have reviewed both attached copies of Notice of Claim in regard to the above rights, and from my own recollection and memory I can state that I observed water from Champion Creek being applied to the lands in Section 15 as early as 1930 although I am certain that the original use was earlier than my first recollections.

3. This space is for your recollections about use in Sections 21 and 22....

From my own recollection and memory, I can remember water from Champion Creek being used in section 21 and 22 as early as 1930 but my older brother Martin told me it was used before 1930.
DATED: April 29, 1992.

Wally Young
Wally Young

SUBSCRIBED AND SWORN TO before me this 29th day of April, 1992.

BR Jackson
Notary Public for Idaho
Residing at: Hazelton, ID
My Comm. Expires: 12/12/92

MICROFILMED

MAR 17 1993

AFFIDAVIT - WATER USE

RECEIVED

RE: WATER RIGHT NO. **A71-4021**
A71-2047

OCT 26 1992

Department of Water Resources
Southern Region Office

STATE OF IDAHO)
 : ss.
County of Custer)

The undersigned, first being duly sworn, deposes and says as follows:

1. I was born in ^{Idaho} ~~Heglar~~ and in my early years I resided on a ranch in Custer County, Idaho, now owned by Jack W. Redmond and Randall Hays. The property was located on Champion Creek in Township 8 North, Range 14 East.

2. I have reviewed both attached copies of Notice of Claim in regard to the above rights, and from my own recollection and memory I can state that I observed water from Champion Creek being applied to the lands in Section 15 as early as 1920 although I am certain that the original use was earlier than my first recollections.

3. From my own recollection and memory, I can remember water from Champion Creek being used in Sections 21 and 22 as early as 1919.

Other comments:

*we moved to Champion Creek in 1917
and the folks started clearing the ground of sage
brush and Mark ditch started water*

DATED: October 21, 1992.

Martin Young
Martin Young

SUBSCRIBED and SWORN TO before me this 21 day of October, 1992.

Carolyn L Farber
Notary Public for Idaho
Residing at: Emmett, Idaho
My Comm. Expires: 1-14-1994

MICROFILMED

MAR 17 1993

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

(208) 879-4488

April 30, 1992

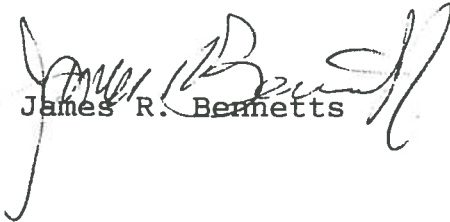
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re: Redmond-Hayes
Water Rights Nos. ~~A71-40217~~ A71-2047A

Dear Sirs:

Please find enclosed an affidavit to be placed in the Redmond-Hayes file regarding the above water rights.

Very truly yours,


James R. Bennetts

JRB:jab
Enclosures

cc: Dr. Jack Redmond

MICROFILMED
MAR 17 1993

AFFIDAVIT - WATER USE

RECEIVED

RE: WATER RIGHT NO. A71-04021 APR 27 1992

Department of Water Resources
Southern Region Office

STATE OF IDAHO)
: ss.
County of Custer)

The undersigned, first being duly sworn, deposes and says as follows:

1. I was an adult in 1957 when I purchased certain lands in Township 8 North, Range 14 East, Custer County, Idaho.

2. From that date forward, I have been familiar with the irrigation use of Champion Creek, a tributary to Salmon River

3. I have reviewed various maps and plats of the area, as well as the above water right as exhibited on the attached Exhibit A and I state that water was being delivered to the lands described under the place of use on such Exhibit as early as the spring and summer of 1957.

4. These statements are based on my own knowledge, memory and recollection.

5. The above is accurate to the best of my knowledge and belief.

DATED: April 24th, 1992.

Ray Lavery
Ray Lavery

SUBSCRIBED AND SWORN TO before me this 24th day of April, 1992.

Jo Ann Bennetts
Notary Public for Idaho
Residing at: Challis
My Comm. Expires: 8-5-94

MICROFILMED

MAR 17 1993

Water Right Number - A71-04021

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***
REDMOND, LI

JACK V.

1 - 4577 GOLF COURSE DR.
2 -
3 -
City- WESTLAKE
Phone - 805-485-5150
1 - 5627 TERRA BELLA LN.
2 -
3 -

State- CA Zip- 91362

WAYS

RANDALL

City- CAMARILLO
Phone - 206-000-0800

State- CA Zip- 93010

Priority Date - 04/01/1940

Region - 17 SOUTHERN

Stage - S - STATUTORY CLAIM

Status -

Source - CHAMPION CREEK

Tributary - SALMON RIVER

Ln	Ring	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
----	------	-----	-------	-----	------	--------	--------------------	---------------------------------------

08M	14E	22	NE NE			(37) CLUSTER		
		23	NW NW			(37) CLUSTER		

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

01 - IRRIGATION 04/15 10/15 4.800

Total Div. Rate - 4.800 Total Div. Volume - 4.800 Total Div. Capacity - 4.800 Total Consumptive Use - 4.800

Ln	Ring	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
08N	14E	21	NE NE		20.0	01 IRRIGATION		(37) CLUSTER	
08N	14E	21	SE NE		20.0	01 IRRIGATION		(37) CLUSTER	
08N	14E	22	NW NE		20.0	01 IRRIGATION		(37) CLUSTER	
08N	14E	22	NE NW		30.0	01 IRRIGATION		(37) CLUSTER	
08N	14E	22	NW NW		30.0	01 IRRIGATION		(37) CLUSTER	
08N	14E	22	SW NW		40.0	01 IRRIGATION		(37) CLUSTER	
08N	14E	22	SE NW		40.0	01 IRRIGATION		(37) CLUSTER	
08N	14E	22	NW SW		40.0	01 IRRIGATION		(37) CLUSTER	

Total Acres: 240.0

- - - Diversion Means - WOOD & CONCRETE DIVERSION, DITCH
- - - Non-Irrigation Use -
- - - Other Rights for Same Use - NONE

MICROFILMED
MAR 17 1993

Water right number - A71-04021

Prefix translation: ADJUDICATION CLAIM

Remarks
No Remarks found.

A7104021

Old Water Right Numbers

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff

Decree Date
00/00/0000

Audit fields - 01/11/90 CELLANO

Comments
No Comments Found

Adjudication Rights Dates and Flags Area

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	01/11/1990	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	00/00/0000	Last Amended Date	-	00/00/0000	Temporary Right	-	P
Proof Due Date	-	00/00/0000	Proof Made Date	-	00/00/0000	Water District	-	
Licensed Date	-	00/00/0000	Receipt Number	-	S010924	Federal/State Indicator	-	S
Claims Tape Error Flag	-		POU Ownership Flag	-	T	Presumption Flag	-	
Fee Exempt Flag	-		Name Connector	-	OR	Notice of Error Flag	-	

MICROFILMED
MAR 17 1993

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226

(208) 879-4488

April 24, 1992

RECEIVED

APR 27 1992

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

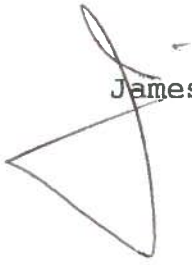
Re: Redmond & Hayes, No. A71-04021

Dear Sirs:

We are enclosing an Affidavit in regard to the above water right.

We are in the process of visiting with occupants of the property during the 1930's and 1940's. Hopefully, we will be able to establish use as of the priority date within a few weeks. From my conversations with Allen Merritt and others, I assume we will be able to continue to submit information until the proofs are submitted to the Court.

Very truly yours,


James R. Bennetts

JRB:jab
Enclosure

cc: Dr. Jack Redmond

MICROFILMED

MAR 17 1993



ate of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

March 2, 1992

R. KEITH HIGGINSON
Director

A71-04021
JACK W. REDMOND, II
4577 GOLF COURSE DR.

WESTLAKE CA 91362

RE: Evidence of Priority

RESPONSE DEADLINE
MAY 1, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by May 1, 1992, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

March 2, 1992

R. KEITH HIGGINSON
Director

A71-04021
RANDALL HAYS
5627 TERRA BELLA LN.

CAMARILLO

CA 93010

RE: Evidence of Priority

RESPONSE DEADLINE

MAY 1, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit.** The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

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Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **May 1, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED
MAR 17 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

JANUARY 11, 1990

JACK W. REDMOND, II
RANDALL L. HAYS
4577 GOLF COURSE DR.
WESTLAKE, CA 91362

DEAR SIRs,

PLEASE FIND ENCLOSED YOUR COMPUTER GENERATED ADJUDICATION CLAIMS AND THEIR RECEIPTS. YOUR CLAIMS HAVE ALL BEEN SUCCESSFULLY ADDED TO THE RECORD. ALSO FIND RECEIPT S010926 FOR THE ADJUDICATION DOCKET SHEET SUBSCRIPTION YOU HAVE REQUESTED; YOUR NAME HAS BEEN ADDED TO THE NEWSLETTER SUBSCRIPTION MAILING LIST.

YOU WILL FIND CHECK NUMBER 509 FOR \$7.50, A DOCKET SHEET SUBSCRIPTION, RETURNED TO YOU. I AM RETURNING THIS CHECK BECAUSE IT DUPLICATES THE DOCKET SHEET SUBSCRIPTION YOU PURCHASED AS SHOWN ON RECEIPT NUMBER S010926.

IF MY DECISION TO RETURN THE CHECK MEETS WITH YOUR APPROVAL THEN NO FURTHER ACTION IS REQUIRED BY YOU. IF, HOWEVER, YOU DO WANT TWO DOCKET SHEET SUBSCRIPTIONS PLEASE RETURN THE CHECK AND INDICATE THE ADDRESS TO ADD IN THE SUBSCRIPTION MAILING LIST.

PLEASE CONTACT OUR OFFICE IF YOU HAVE ANY QUESTIONS.

SINCERELY,


STEVE CLELLAND
WATER RESOURCE AGENT

ENC:

MICROFILMED
MAR 17 1993

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

COPY

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 A71-04021
Date Received _____
Receipt Number 5010924 su

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JAN 10 1990

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) JACK W. REDMOND, II Phone (805) 485 5150

Mailing Address 4577 GOLF COURSE DRIVE WESTLAKE, CALIF Zip 91362

2. Date of Priority (Only one (1) per claim) APRIL 1, 1940

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

4. a. Location of existing point of diversion is: Township 8N Range 14E Section 23,
NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of CUSTER, IDAHO

Additional points of diversion if any: TWN 8N; R14E; S22; NE 1/4 of NE 1/4; Custer County

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.

In Section 23 a diversion ditch approximately 6' wide and 2-3 feet deep
exists. The diversion is constructed of wood and concrete. Maintenance of
the ditch and berms has occurred over time. In Section 22 a diversion ditch
approximately 3-5 feet and 1-2 feet deep is made of wood, etc.

MAR 17 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from APR 15 to OCT 15 amount 4.80 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.80 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 480 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

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	21	20			20													40
8N	14E	22		20			30	30	40	40		40							200

Total number of acres irrigated 240

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

12. Do you own the property listed above as place of use? Yes ☒ 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:

1. ADDITIONAL CLAIMANT: RANDALL HAYS
5627 TERRA BELLA LANE
CAMARILLO, CALIFORNIA 93010

MAR 17 1993

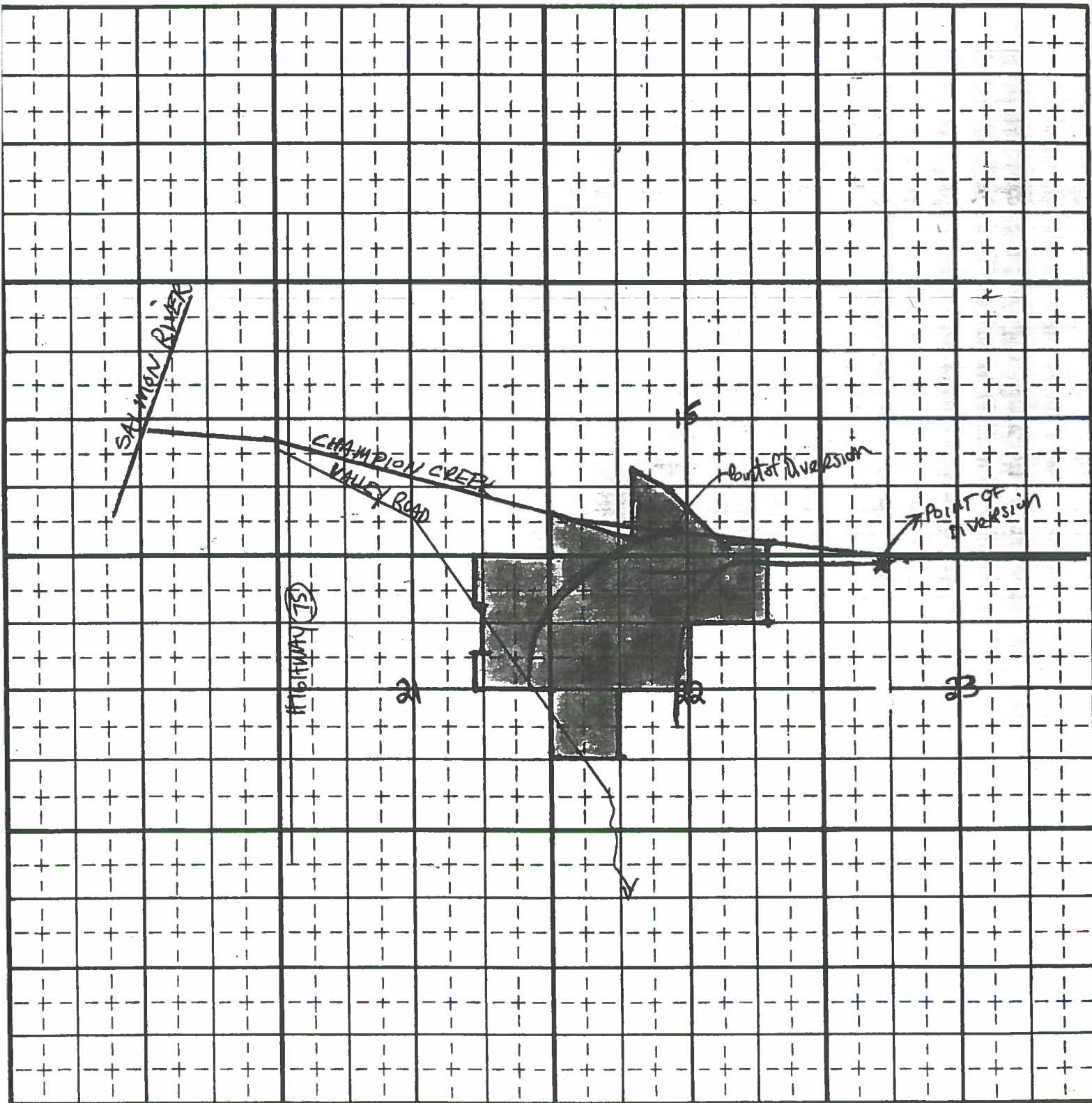
Last Name REDMOND/HAYS Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

TOWNSHIP 8N RANGE 14E CUSTER COUNTY, ID



— = IRRIGATION DITCHES
= PLACE OF USE

MICROFILMED

Last Name REDMOND/HAYS

Ident No.

Copies: White State, Yellow 99100
MAR 17 1988

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐ Decree ☐

If applicable provide IDWR Water Right Number 71-4021

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do XX 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) John W. Redmond Date 1-2-89

Randall C Hays Date 1-2-89

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

of _____ Title _____, that I have signed the foregoing

document in the space below as _____ of _____

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 CALIFORNIA)
County of LOS ANGELES) SS.

Subscribed and sworn (or affirmed) before me this 2ND day of JANUARY 19 90

Notary Public Marilyn Montaperto

Residing at 16861 PARTHENIA ST., SEPULVEDA, CA 91343

My Commission Expires May 3, 1991

Please Print Name



17. Notice of Appearance:

Notice is hereby given that I, JIM BENNETTS 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 Jim Bennett

Address P.O. BOX 36 CHALLIS, IDAHO 83226

Date 1-7-90

Last Name REDMOND/HAYS Ident. Number _____

MICROFILMED

Copies of this State, 1990-1999-Claimant

= area of use

MAR 17 1993
Alturas Lake
Creek Lake

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: A71-04021
Date Received: 1/11/1990
Receipt No: S010924
Received By: _____

DATA ENTERED BY SCC
DATE 1-11-90

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK W. REDMOND, II 805-485-5150
Address: 4577 GOLF COURSE DR.
WESTLAKE, CA 91362

OR

Name: RANDALL HAYS
Address: 5627 TERRA BELLA LN.
CAMARILLO, CA 93010

2. Date of Priority: APR 01, 1940

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	14E	22	NE	NE	NE		CUSTER
		23	NW	NW	NW		CUSTER

5. Description of diverting works:
WOOD & CONCRETE DIVERSION, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.800		

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

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A71-04021

Page 1

Date: 01/11/90

MICROFILMED
MAR 17 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	14E	21	NE		NE		IRR	20.0
			SE		NE		IRR	20.0
							Section Acres	40.0
		22	NW		NE		IRR	20.0
			NE		NW		IRR	30.0
			NW		NW		IRR	30.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NW		SW		IRR	40.0
							Section Acres	200.0
							Total Acres	240.0

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:

15. Basis of Claim: STATUTORY CLAIM

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 _____

Remarks	Kemmerer	Laverty	Forest Service	Miser	Beckman	Nelson	Water Right Number	Amount	Priority
Duplicate	X						71-4018	2.40	01/01/1925
	2.30/115"					0.50/25"	71-2047	2.80	03/25/1925
		1.3/65"					71-2034A	1.30	09/01/1928
		2.6/130"					71-2033A	2.60	/1928
0.20 missing	2.80/140"		0.30/15"				71-2054	3.30	07/28/1930
				1.10/55"			71-2026	1.10	07/29/1930
Exception filed Moore							71-4021 ✓	4.80	04/01/1940
		1.40/70"					71-2033B	1.40	10/19/1940
		1.54/77"					71-2034B	1.54	10/19/1940
				2.00/100"			71-2077	2.00 Champ 0.7 Warm	08/22/1949
		1.90/95"					71-4006		06/01/1962

25"

55"

100"

15"

437"

255"

Total

MICROFILMED
MAR 17 1993

"EXHIBIT A"

Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho.

Section 15: A tract of land in the S $\frac{1}{2}$ more particularly described as follows:

BEGINNING at a stone marking the Southwest corner of said Section 15
 Thence running North 0°2' West, along the Westerly boundary of
 said Section 15 for 391.00 feet;
 Thence South 75°41' East for 349.0 feet;
 Thence South 79°30' East for 658.0 feet;
 Thence North 0°02' West for 728.0 feet;
 Thence South 77°59' East for 367.0 feet;
 Thence South 68°31' East for 556.0 feet;
 Thence South 53°02' East for 213.0 feet;
 Thence South 60°06' East for 713.0 feet;
 Thence South 89°59' East along a line which is parallel to and
 150.0 feet north of the southerly boundary of said Section 15
 for 984.7 feet;
 Thence South for 150.0 feet;
 Thence North 89°59' West along the southerly boundary of said
 Section 15 for 3,633.6 feet to the POINT OF BEGINNING.

Section 22: All of the NW $\frac{1}{4}$
 Section 22: All of the NW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 21: All of the E $\frac{1}{2}$ NE $\frac{1}{4}$
 Section 22: All of the West $\frac{3}{4}$ of NW $\frac{1}{4}$ NE $\frac{1}{4}$.

EXCEPT:

Section 21: That part described as follows:
 Beginning at a point located on the Northwest corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$
 of Section 21;
 Thence South 1252.2 feet to the REAL POINT OF BEGINNING;
 Thence East a distance of 208.7 feet;
 Thence South a distance of 208.7 feet;
 Thence West a distance of 208.7 feet;
 Thence North to the POINT OF BEGINNING.

Section 21: That part described as follows:
 Beginning at a point located on the Northwest corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$
 of Section 21;
 Thence South 1460.9 feet to the REAL POINT OF BEGINNING;
 Thence East a distance of 208.7 feet;
 Thence South a distance of 208.7 feet;
 Thence West a distance of 208.7 feet;
 Thence North to the POINT OF BEGINNING.

MICROFILMED

MAR 17 1993

Section 21: That part of Section 21 described as follows:
Beginning at a point on the Northwest corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of said
Section 21;
Thence South 1043.5 feet to the REAL POINT OF BEGINNING;
Thence East a distance of 208.7 feet;
Thence South a distance of 208.7 feet;
Thence West a distance of 208.7 feet;
Thence North to the POINT OF BEGINNING.

Section 21: That part of Section 21 described as follows:
Beginning at a point located on the Northwest corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$
of said Section 21;
Thence South 626.1 feet to the REAL POINT OF BEGINNING;
Thence East a distance of 208.7 feet;
Thence South a distance of 417.4 feet;
Thence West a distance of 208.7 feet;
Thence North to the POINT OF BEGINNING.

AND EXCEPT:

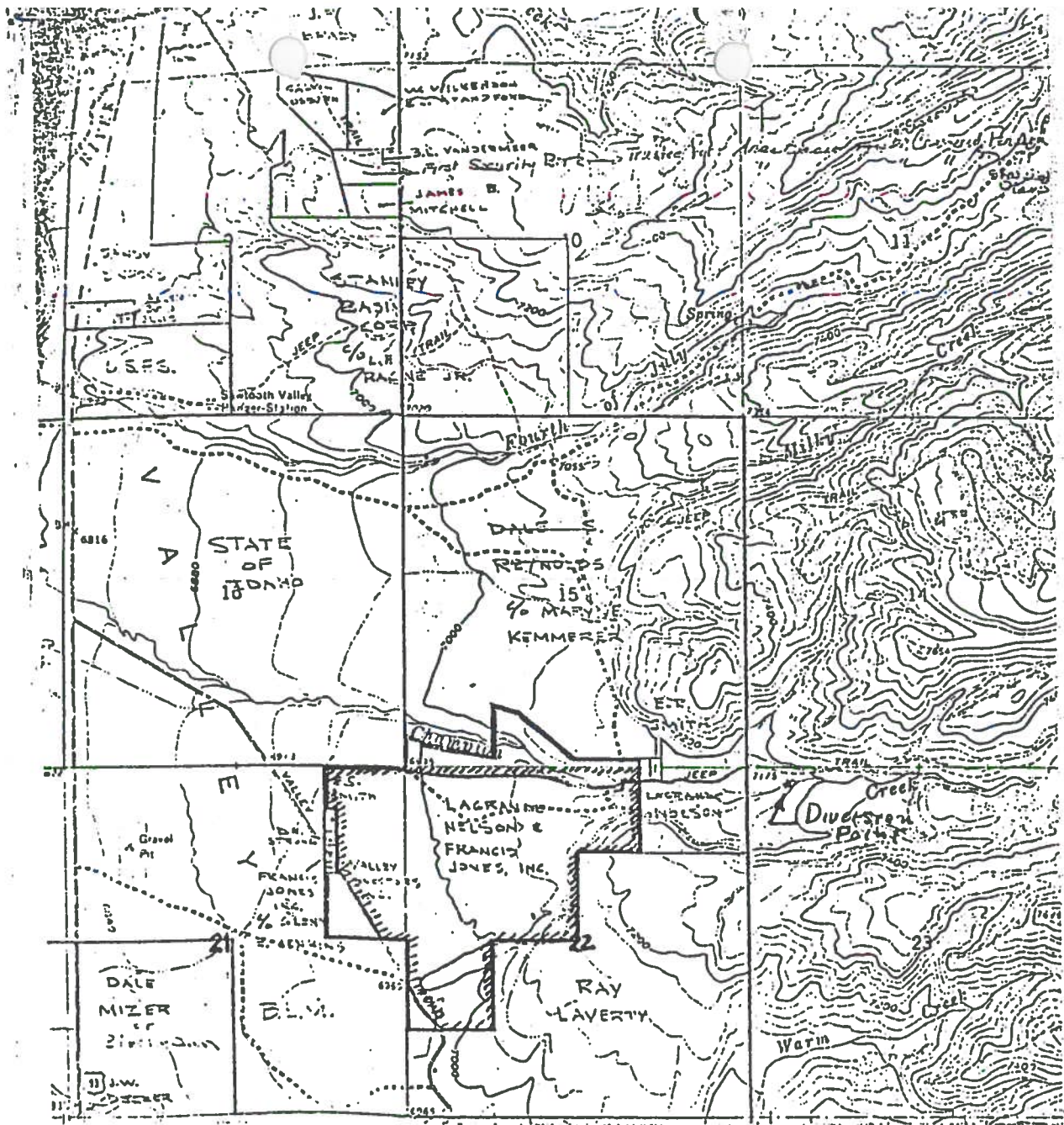
Township 8 North, Range 14 East, Boise Meridian, Custer County,
Idaho.

Section 21: That part of Section 21 described as follows:
Beginning at a point located on the Northwest corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$
of said Section 21;
Thence South 417.4 feet to the REAL POINT OF BEGINNING;
Thence East a distance of 208.7 feet;
Thence South a distance of 208.7 feet;
Thence West a distance of 208.7 feet;
Thence North to the REAL POINT OF BEGINNING.

REDMOND/HAYS

MICROFILMED

MAR 17 1993



T.8N, R.14E., B.M.

REDMOND/HAYS
TWN8N, 14E, S15, 21, 22
CUSTER COUNTY

COPY

CAROL J. DACE
NOTARY PUBLIC - CALIFORNIA
RIVERSIDE COUNTY
My comm. expires FEB 12, 1993
My commission expires 2-12-83

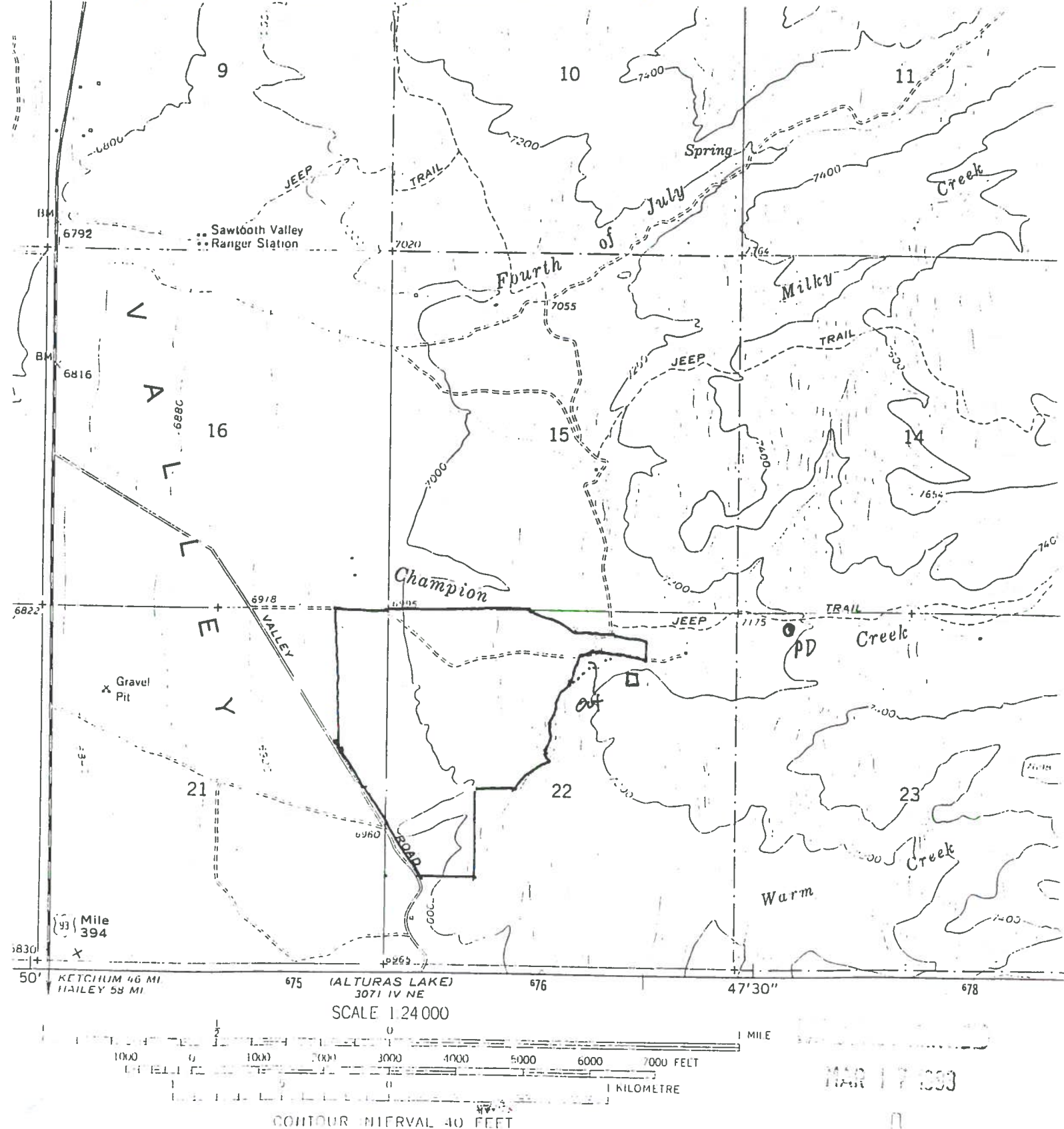
Notary Public
Residing at 44-061 7-21-06
Charm Lee, Ca.

FOR DEPARTMENT USE ONLY

Received by 2020211 Date 7-23-81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by 92 Date 4-24-81 claimant by: UNRECORDED
\$20.00 fee received by 2020211 Date 4-24-81
Published in Custer Publishing
Dates 5/4 & 5/11/81 MAR 17 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



MAR 17 1990



**DO
NOT
FILM**

WR5809NP
No. 71-04021

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/05/92
PAGE: 59

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACK E. MONROE	04/01/1940	IRRIGATION	04-15 10-15	4.80 CFS	

TOTAL DIVERSION: 4.80 CFS

Water Source: CHAMPION CREEK Tributary to: SALMON RIVER Stage: STATUTORY CLAIM

Point(s) of Diversion: T08N R14E S23 NW NW

Place of use legal Description for: IRRIGATION																	
			NE			NW			SW			SE					
			NENE	NWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SESW	NESE	NWSE	SESE		
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
T	R	S	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
08N	14E	21	:	20	:	20	:	30	30	40	40	:	:	40	:	:	40.0
08N	14E	22	:	20	:	:	30	30	40	40	:	:	:	40	:	:	200.0

CUSTER COUNTY PROPERTY TAX

RP08N14E2206

T A X P R E M I U M I N D E R #

PARCEL NO: RP 08N14E220601 A

TAX YEAR BILL NO TAX PENALTY INTEREST

90 2ND 4475 2160.46

TOTAL

2160.46

CODE AREA: 36-00

DATE: 5/06/91

AMOUNT VALID THROUGH 6/20/91

TOTAL DUE: 2160.46

TRACT 1968 *

NW4, NW4SW4

SEC 22 T8N R14E

REDMOND, JACK W II
E HAYS, RANDAL L
451 W GONZALES RD SUITE 320
OXNARD, CA 93030

RECEIPT NOT VALID UNTIL CHECK CLEARS
THANK YOU

* West 3/4 of NW 1/4 NE 1/4 Sec. 22 8N 14E

Per telecon w/Custer Co. Assessor 9-12-91 Dd

MICROFILMED

MAR 17 1993

T#
71 04021

08/18/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 71-4021

NAME AND ADDRESS: CANDACE P HUMPHREYS
W MICHAEL HUMPHREYS
C/O H HOOK RANCH
10495 STONE QUARRY RD
PAYETTE, ID 83661

SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 4.8 CFS

PRIORITY DATE: 04/01/1940

POINT OF DIVERSION: T08N R14E S23 NENWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05-01 10-31	4.8 CFS

PLACE OF USE:

<u>IRRIGATION Within CUSTER County</u>			
T08N R14E S22	NWNW	15.7	T08N R14E S22 NENW 30.6
T08N R14E S22	NWNE	6.1	T08N R14E S22 SWNW 12.3
T08N R14E S22	SENW	27.3	T08N R14E S22 NWSW 12.3
T08N R14E S22	NESW	4	
108.3 ACRES TOTAL			

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 71-10278, 71-10080, 71-10081, 71-04006, 71-10277 & 71-02026

M e m o r a n d u m

To: Dave T. *DT*
From: D. Shaff *DS*
Date: January 13, 2003
Subject: POU Shape for 71-4021

Nick tells me you worked with Jim Speck and Sheryl Chapman to settle the Humphrey right. The difficulty is the present shape file reflects the description in the director's report recommendation and not what was settled and decreed. Lori's notes on the partial decree copy demonstrate the disparity. I have now modified the SQL Server data to match the decree. I think we should have a corresponding shape file. If you will mark the layout, I will act as scribe to modify the shape. The blue numbers on the layout are from the initial recommendation. The red numbers are the acres for the place of use in the SF5 and decree. Thanks.

Don -

Plz see line drawn on attached map.

Thanks, Dave

RECEIVED

AUG 09 2004

Department of Water Resources
Southern Region

Don't fix?

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

2001 FEB -1 PM 3: 22

In Re SRBA)

Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 71-04021

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS:

CANDACE P HUMPHREYS
W MICHAEL HUMPHREYS
C/O H HOOK RANCH
10495 STONE QUARRY RD
PAYETTE, ID 83661

SOURCE:

CHAMPION CREEK

TRIBUTARY: SALMON RIVER

QUANTITY:

4.80 CFS

PRIORITY DATE:

04/01/1940

POINT OF DIVERSION:

T08N R14E S23

NENWNW

Within Custer County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
05-01 TO 10-31

QUANTITY
4.80 CFS

PLACE OF USE:

Irrigation
T08N R14E S21

NENE 11.0
NESE 2.0

Within Custer County
SENE 21.0

S22

NWNE 2.0 Rec 6.1

NENW 17.0 Rec 30.6

NWNW 17.0 Rec 15.7

SWNW 39.0 Rec 12.3

SENE 25.0 Rec 27.3

NESW 4.0

NWSW 25.0 Rec 12.3

163.0 Acres Total

USE OF WATER UNDER THIS RIGHT IS LIMITED TO 108.3 ACRES IN A
SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

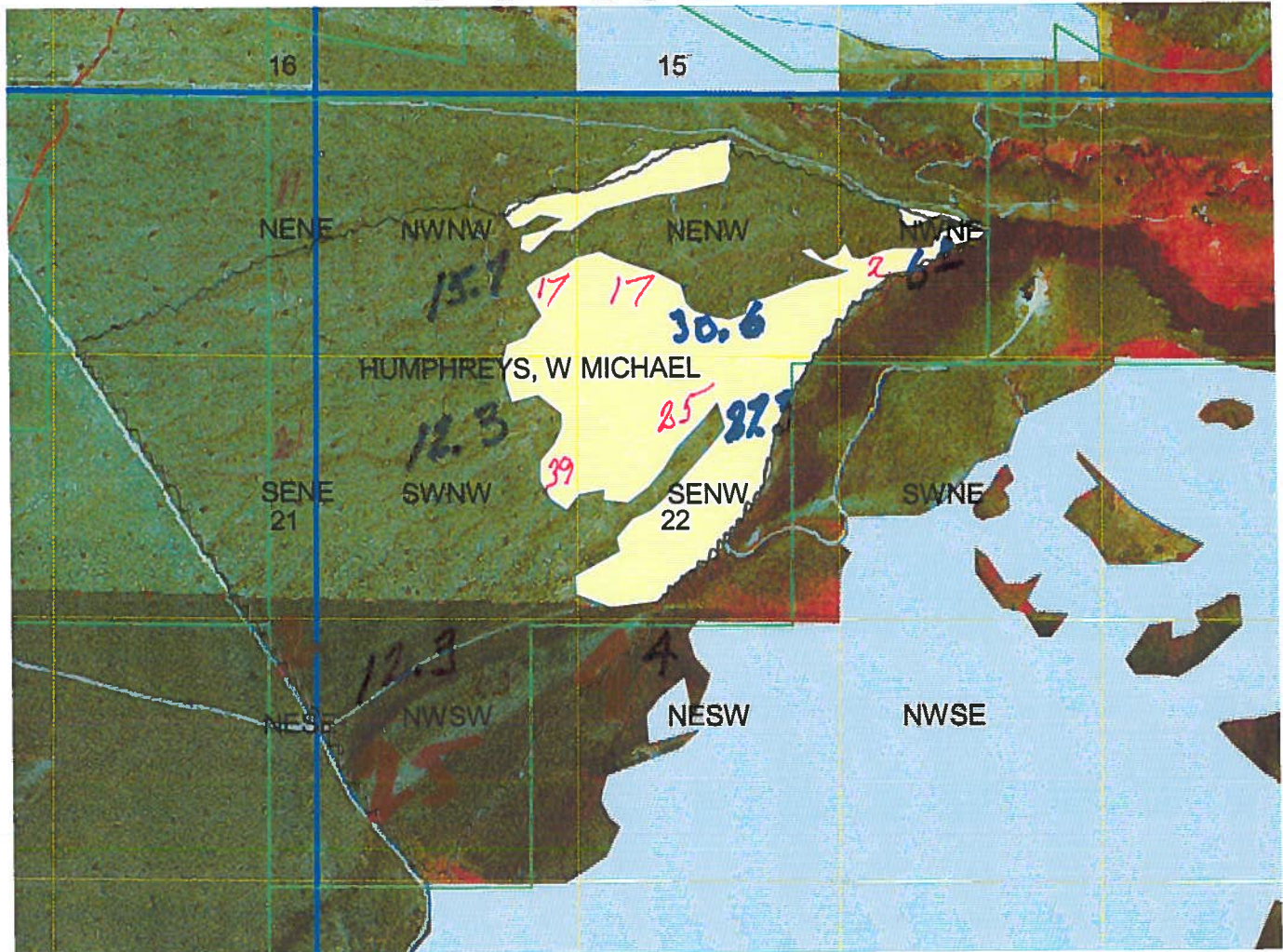
RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

R Burdick
Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

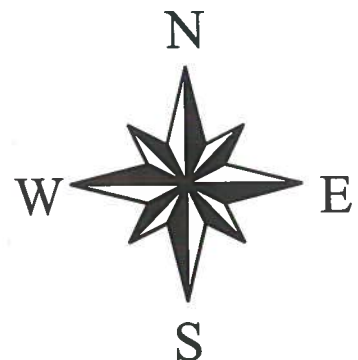
Humphreys (Speck)

71-4021



0.2 0 0.2 0.4 Miles

- County BoundariesCuster taxlots
- Sections
- QQ
- GCDB08N14E GCDB
- Recommendation POD
- Recommendation POU
- Administrative BasinsAdminbas.shp



11-22-1999	ORDER VACATING EVENT ON 12061999 AT 1000		
11-22-1999	HEARING HELD - PRETRIAL CONFERENCE	PH	11-22-1999 1000
11-22-1999	MINUTES - PRETRIAL CONFERENCE		
12-07-1999	AMENDED TRIAL SCHEDULING ORDER	TV	07-05-2000 1000
	PRETRIAL CONFERENCE	PS	06-22-2000 1000
	EXCHANGE WITNESS/EXHIBITS	ZZ	06-22-2000 1000
06-22-2000	HEARING HELD - PRETRIAL CONFERENCE	PH	06-22-2000 1000
06-22-2000	MINUTES - PRETRIAL CONFERENCE		
06-22-2000	2ND AMENDED TRIAL SCHEDULING ORDER	TV	08-24-2000 1000
08-23-2000	ORDER VACATING TRIAL		
08-23-2000	STANDARD FORMS 5 DUE	6B	09-14-2000
12-20-2000	STANDARD FORM 5 FILED		12-20-2000
12-20-2000	AMENDED RECOMMENDATION ATTACHED TO SF5	8B	12-20-2000
	CHG QUANTITY TO 4.8 CFS, ADD POU;		
	(NOT IN EXCESS OF CLAIMED AMOUNTS)		
12-21-2000	REPORT & RECOMMENDATION OF MASTER	CB	01-29-2001
12-21-2000	NOTICE OF ISSUANCE - MASTERS R&R		
12-21-2000	CERTIFICATE OF MAILING - MASTER R&R		
02-01-2001	ORDER OF PARTIAL DECREE		
02-01-2001	CERTIFICATE OF MAILING - PARTIAL DECREE		
02-01-2001	PARTIAL DECREE FILED		02-01-2001

[Return to SRBA Home Page](#)

SRBA

SUBCASE SUMMARY REPORT 71-04021

[Return to SRBA Home Page](#)

SRBA
01-13-2003

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 71-04021 FILE#: 00105
CLAIMANT: HUMPHREYS, W MICHAEL
C/O H HOOK RANCH
10495 STONE QUARRY RD

PAYETTE ID 83661
STATUS: PD ISSUED SPECIAL MASTER: BURDICK, HON. ROGER S.
WATER SOURCE: CHAMPION CREEK, SALMON RIVER
ISSUES: QUANTITY OF WATER USED
POINT(S) OF DIVERSION DESCRIPTION
PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

**** PARTIES INVOLVED ****

W MICHAEL HUMPHREYS	C ATTY: JAMES P. SPECK
W MICHAEL HUMPHREYS	O ATTY: JAMES P. SPECK
C PETRE HUMPHREYS	O ATTY: JAMES P. SPECK
CANDACE P HUMPHREYS	C ATTY: JAMES P. SPECK

**** ROA ENTRIES ****

01-13-1999	OBJ 01 F/B HUMPHREYS, MICHAEL & CANDACE	RB	05-17-1999 0001
01-14-1999	OBJ 02 F/B HUMPHREYS, C.PETRE & W.MICHAEL	RB	05-17-1999 0002
03-15-1999	NOTICE OF SUBSTITUTION OF COUNSEL (SPECK REPLACING SEMANKO (SPECK NOW REPRESENTS W MICHAEL & C PETRE HUMPHREYS)		
04-20-1999	NOTICE SETTING SCHEDULING CONFERENCE	SV	06-22-1999 0200
06-17-1999	AMENDED ORDER OF REFERENCE APPOINTING BILYEU SPECIAL MASTER FOR IRRIGATION & OTHER CLAIMS IN REPORTING AREA 4 BASIN 71		
06-22-1999	ORDER RESETTING SCHEDULING CONFERENCE	SS	08-17-1999 0200
08-18-1999	TRIAL SCHEDULING ORDER (5-DAY TRIAL)	TV	12-06-1999 1000
	DISCOVERY CUTOFF, DEADLINE MTN CONSOLIDATE	DC	09-29-1999 0445
	DEADLINE FOR MTN FOR SUMMARY JUDGMENT	ZZ	09-29-1999 0445
	SUPPLEMENTAL DIR RPT DUE (A01 SEC 10G2A)	ZB	09-29-1999 0445
	PRETRIAL CONFERENCE (BY PHONE)	PS	11-22-1999 0445
	DEADLINE TRIAL BRIEFS/EXCHANCE WITNESS AND EXHIBIT LISTS	ZZ	11-22-1999 0445
08-18-1999	TRIAL SCHEDULING ORDER		12-06-1999 1000
	DEADLINE FOR FILING MOTIONS TO AMEND CLAIM 8/27/99		
	OBJECTIONS TO MOTION TO AMEND DUE 9/17/99		
	AMENDED DIR RPTS TO AMENDED CLAIM 9/24/99		
	OBJECTION TO AMENDED DIR RPT DUE 10/22/99		
10-08-1999	AFFIDAVIT OF DAVID TUTHILL, JR SUBMITTING SUPPLEMENTAL DIRECTOR'S REPORT		
10-08-1999	SUPPLEMENTAL DIRECTOR'S REPORT		

RECEIVED

SEP 17 1999

Department of Water Resources
Southern Region

RECEIVED

AUG 30 1999

Department of Water Resources

**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

I, W. MICHAEL HUMPHREYS, individually and as trustee of THE HUMPHREYS TRUST, designate and appoint JAMES P. SPECK, of Blaine County, Idaho, as my attorney in fact and agent (subsequently called "Agent") to act in my name and for my benefit for the specific purposes stated herein only. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. My agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that I now have or may hereafter acquire, RELATING ONLY TO the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. DISABILITY OF PRINCIPAL. This Special Power of Attorney shall not be affected by disability of the principal.

5. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to my Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to my Agent shall incur any liability to us or our estates as a result of permitting the Agent to exercise any power.

6. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

7. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, I have executed this Special Power of Attorney this 26th day of April, 1999.


W. MICHAEL HUMPHREYS

STATE OF Massachusetts)
) ss.
County of Essex)

On this 26th day of April, 1999, before me, the undersigned notary public in and for said state, personally appeared W. MICHAEL HUMPHREYS, known to me to be the person whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.


Notary Public for Com. of Massachusetts
Residing at: Swampscott, MA
Commission expires 4/6/01

SARA C. DENNISTON
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 327-7900
Fax: (208) 327-5400

In Re SRBA Claimant

Case No. 39576

STATE OF IDAHO

) SS.

County of Ada

3. My educational background includes a Bachelor of Science degree in agricultural engineering from Colorado State University at Fort Collins, Colorado, in 1974, and a Master of Science degree in civil engineering from the University of Colorado at Boulder, Colorado, in 1977.

1975. I have also attended and presented papers at numerous seminars on water rights investigation and administration.

4. I have been registered as a professional engineer in Idaho since 1979.

5. I have worked for IDWR for 22 years in the following positions respectively: Adjudication Section Supervisor; Payette Adjudication Supervisor; Water Allocation Section Supervisor; Regional Office Manager of IDWR's Western Regional Office; and currently as Adjudication Bureau Chief. In these positions I have investigated hundreds of water rights, including reviewing their descriptions in decrees, licenses and permits. I have supervised the distribution of water to water right holders and resolved disputes between competing water users. I have extensive first-hand knowledge of how water rights for a variety of uses interact with other water rights from the same source. I have extensive first-hand experience with the difficulty of resolving disputes between water right holders when the water use under a right is not adequately described.

6. I am familiar with the factual and legal basis for IDWR's policy regarding its recommendation of quantity, irrigated acreage, and remarks relating to specific elements of water rights.

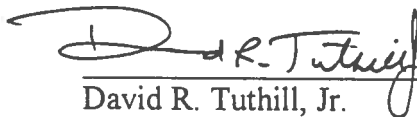
7. I have either personal knowledge of the facts I testify to in this Affidavit, or they are available to me from IDWR records and personnel, and are the type of facts or data that are regularly and customarily considered by experts in the field of water use and water right investigation and administration to be a reasonable basis to form an opinion about such water use or water right.

8. I adopt as my testimony and incorporate in this Affidavit the Legal Principles and the Conclusions portions of the Supplemental Director's Report Regarding Claim to Water Right No. 71-04021 dated October 6, 1999, attached to this Affidavit as Exhibit 1.

9. Attachment A to Exhibit 1 is a printed color copy representing a shape file in IDWR's Geographical Information System database. This printed copy is the type of data regularly and customarily considered by experts in the field of water use and water right investigation and administration to be a reasonable basis to assist in forming an opinion about such water use or water right.

10. In Exhibit 1, I set forth my factual understanding of the law which underlies my opinion on behalf of IDWR regarding its description of specific elements of water right numbers 71-04021. To the extent, if any, these statements are inaccurate as a matter of fact, the opinions expressed in my report may change.

Dated this 6th day of October, 1999



David R. Tuthill, Jr.

SUBSCRIBED AND SWORN before me this 6th day of October, 1999



Notary Public for the State of Idaho
Residing at: Boise
My commission expires: 2/25/2003

EXHIBIT 1

**SUPPLEMENTAL DIRECTOR'S REPORT REGARDING CLAIM
TO WATER RIGHT NO. 71-04021**

In Re SRBA
Twin Falls County Civil Case No. 39576
Subcase No. 71-04021

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director
David R. Tuthill Jr., Adjudication Bureau Chief

October 6, 1999

The Director of the Idaho Department of Water Resources (IDWR) submits this Supplemental Director's Report Regarding Claim to Water Right No. 71-04021 in accordance with Idaho Code § 42-1412(4) and Administrative Order 1. This supplemental director's report was prepared under the supervision of Karl J. Dreher, Director, and David R. Tuthill Jr., Adjudication Bureau Chief for IDWR. The following persons assisted in the preparation of the following portions of this report:

Allen Merritt, Regional Manager, IDWR Southern Region investigated claim number 71-04021 prepared the recommendations for this claim and helped to prepare this Supplemental Report.

Doug Jones, Regional Supervisor, IDWR Southern Region helped to prepare this Supplemental Report.

LEGAL PRINCIPLES UNDERLYING RECOMMENDATION OF WATER RIGHT NUMBER 71-04021

IDWR's recommendations of the water rights are based upon its application of the following legal principles. These principles are not described for purposes of legal argument, but simply for the purpose of describing the basis of IDWR's recommendations for these water rights. If IDWR's understanding of these principles is erroneous or inaccurate, the conclusions reached in this report may change.

1. Beneficial use is the basis, measure and extent of any water right.
2. The description of the beneficial use is the description of the water right.
3. Because beneficial use is the basis, measure and extent of any water right, a water right holder is entitled to irrigate only those lands on which water has been historically put to beneficial use pursuant to that water right.
4. Because beneficial use is the basis, measure and extent of any water right, a water right holder is entitled to use only that quantity of water that has historically been put to beneficial use on those lands historically irrigated pursuant to that water right.

FACTUAL FINDINGS UNDERLYING RECOMMENDATION OF WATER RIGHT NUMBER 71-04021

I. Basis of Claim

- A. Water right number 71-04021 is a beneficial use right.

II. Investigation of Water Right No. 71-04021

This report addresses those elements of water right number 71-04021 that are in dispute. IDWR understands those elements to be Place of Use (irrigated acreage), point of diversion, and quantity of water.

A. Place of Use (Irrigated Acreage)

1. IDWR recommended a total of 46.2 irrigated acres. IDWR recommended this acreage based on the following:

- a. On 8/19/1993, IDWR Regional Manager Allen Merritt visited the claimed place of use, conducted a field examination and observed an irrigated parcel within the area claimed under water right number 71-04021. During the field exam, Mr. Merritt observed water flowing in some of the distribution ditches and measured flow in the main ditch. Mr. Merritt also observed that large areas of the place of use had mature sage brush ground cover. Other areas were clear of sage brush and covered in pasture grasses.
- b. Following the field examination, Mr. Merritt confirmed the existence and location of the irrigated fields found during the field examination using 1987 and 1988 NAPP photograph numbers 437-22 and 441-137 which show areas irrigated and unirrigated.
- c. Mr. Merritt determined the size of the irrigated parcel by using GIS technology. IDWR therefore recommends 46.2 acres as irrigated under water right number 71-04021.

2. Attachment A, attached hereto, is a copy of a Geographic Information Systems Shape File delineating in yellow the place of use recommended by IDWR under water right number 71-04021. It is based on 8-8-1987 NAPP photograph no. 437-22 and 8-22-1988 NAPP photograph no. 441-137.

B. Point of Diversion

1. This water right is diverted through the same point of diversion as water right numbers 71-10278, 71-10080, 71-10081, 71-04006, 71-10277, and 71-02026.

2. IDWR recommended the point of diversion at NENWNW section 23, T8N, R14E, B.M.. IDWR recommended this point of diversion based on the following:

- a. During the field examination on 8/19/1993, Mr. Merritt observed the location of the recommended point of diversion in section 23. At no time was a ditch for this property from Champion Creek in section 22 observed. Therefore the claimed point of diversion in section 22 was not recommended.

This location is also confirmed by the mapped location of the ditch on the USGS 7.5 Minute Quadrangle map, titled Obsidian Quadrangle.

C. Quantity

1. IDWR recommended 3.75 cfs under water right number 71-04021. IDWR recommended this quantity based on the following:
 - a. During his 8/19/1993 field exam, Mr. Merritt observed that the irrigated tract of 46.2 acres was flood irrigated.
 - b. Mr. Merritt used the Hubble methodology to determine that the field irrigation requirement is 3.14 cfs
 - c. Mr. Merritt then determined that the conveyance loss in order to deliver the field irrigation requirement through the delivery ditch is .61 cfs.
 - d. Mr. Merritt determined that diversion of 3.75 cfs is the extent of beneficial use under water right number 71-04021.

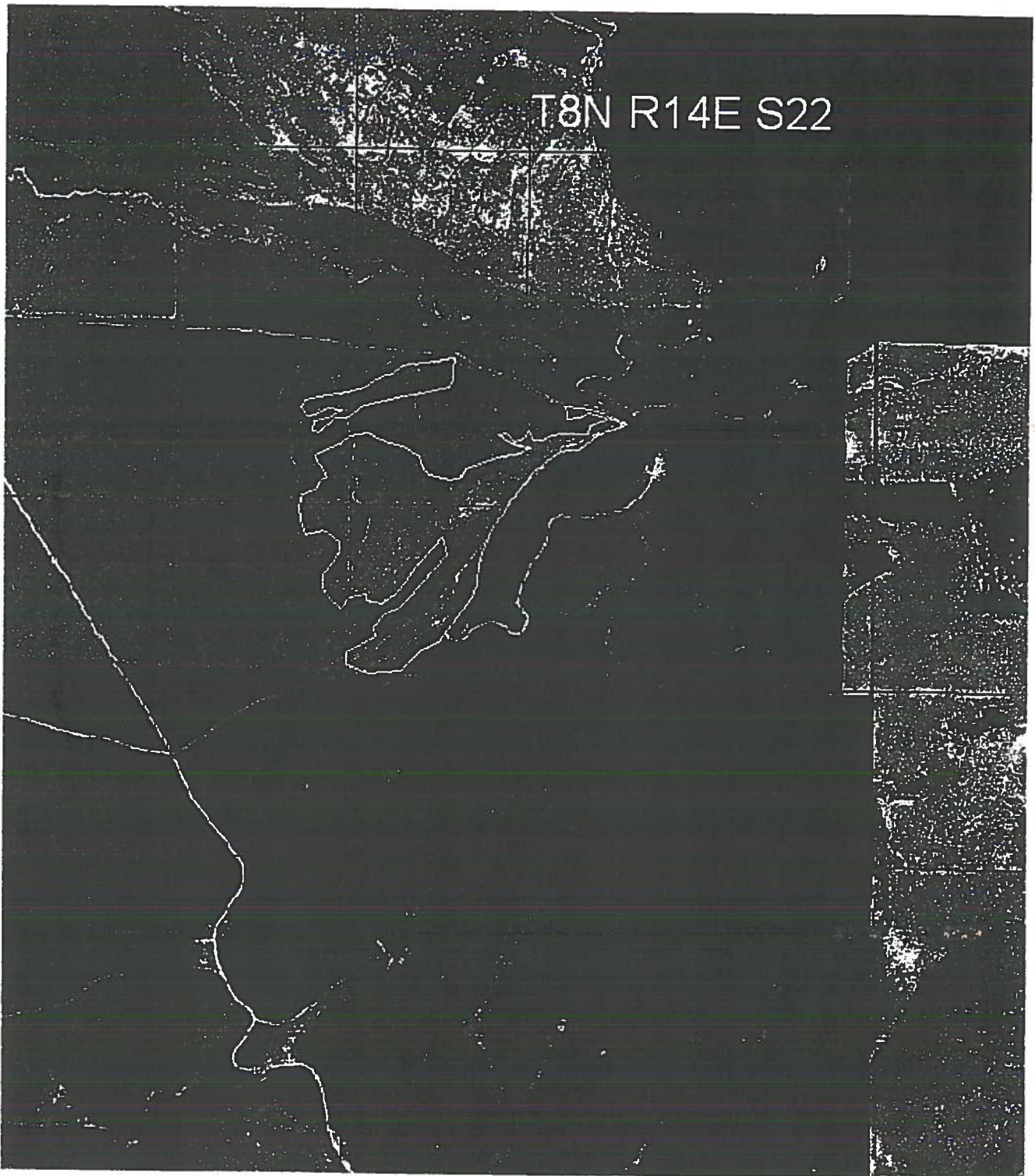
CONCLUSION

Based on the foregoing legal principles and factual findings, IDWR has determined that its recommendation for claim to water right number 71-04021 as represented in Attachment B is accurate and should be so recommended by the Special Master.

ATTACHMENT A

IDAHO DEPARTMENT OF WATER RESOURCES

71-04021



1320 0 1320 2640 3960 Feet

-  Section Lines
-  Quarter/Quarter Lines
- Recommended Place of Use



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 1987 and/or 1988 NAP
DATA ENTRY: May, 1998
By: Allen Merritt

ATTACHMENT B

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-28-1999
PAGE: A-7

RIGHTS FROM: SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 71-04021

NAME & ADDRESS: CANDACE P HUMPHREYS
C/O H HOOK RANCH
10495 STONE QARRY RD
PAYETTE ID 83661

W MICHAEL HUMPHREYS
C/O H HOOK RANCH
10495 STONE QUARRY RD
PAYETTE ID 83661

SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 3.75 CFS

PRIORITY DATE: 04/01/1940

POINT OF DIVERSION: T08N R14E S23 NENWNW Within CUSTER County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	05-01 10-31	3.75 CFS

PLACE OF USE:	IRRIGATION	Within CUSTER County			
	T08N R14E S22	NWNE 2.8	NENW 14.4	NWNW 3.9	SWNW 3.5
		SENEW 21.6			
	46.2 ACRES TOTAL				

OTHER PROVISIONS 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-28-1999

PAGE: A-8

RIGHTS FROM: SOURCE: CHAMPION CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 71-04021 (CONT)

EXPLANATORY MATERIAL: (CONT)

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 71-10278, 71-10080, 71-10081,
71-04006, 71-10277 & 71-02026.

0.61 CFS OF THIS RIGHT IS FOR CONVEYANCE LOSS.

EXHIBIT 2

SARA C. DENNISTON
Deputy Attorney General
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 327-7900
Fax: (208) 327-5400

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

Subcase No. 71-04021

AFFIDAVIT OF ALLEN MERRITT

STATE OF IDAHO)
County of Ada) ss.

Allen Merritt, being first duly sworn on oath, deposes and states as follows:

1. My name is Allen Merritt, and I am the Regional Manager of the Southern Region office of the Idaho Department of Water Resources (IDWR). I make the following statements based upon my personal knowledge of the facts related therein.

2. My work address is Idaho Department of Water Resources (IDWR), Southern Regional Office, 1241 Fillmore St, Suite 200, Twin Falls, ID 83301-3380. I reside in Twin Falls, Idaho.

3. I have previously been qualified by the Snake River Basin Adjudication Court as an expert in the field of water rights investigation, and so testified as such in numerous other

trials and hearings in front of the Snake River Basin Adjudication Court, and participated in numerous settlement conferences and meetings with parties to the Snake River Basin Adjudication.

4. My educational background and relevant work experience is described in Exhibit 1 to this affidavit.

5. I conducted the investigation of claims to water right number 71-04021. I also prepared the recommendation for this claim.

6. Based on my investigation and knowledge of this claim, I adopt as my testimony and incorporate in this Affidavit the Factual findings portions of the Supplemental Director's Report Regarding Claim to Water Right number 71-04021 dated October 6, 1999, attached to the Affidavit of David R. Tuthill, Jr. as Exhibit 1.

Dated this 7th day of October, 1999



Allen Merritt

SUBSCRIBED AND SWORN before me this 7th day of October, 1999


Notary Public for the State of Idaho
Residing at: Buhl ID
My commission expires: 8/8/2001

ALLEN MERRITT
EDUCATION AND WORK EXPERIENCE

1. My educational background includes an A.A. degree in Mathematics from the College of Southern Idaho in 1971; a B.S. degree in Civil Engineering from the University of Idaho in 1973; and a M.S. in Civil Engineering from the University of Idaho in 1982.
2. I have been registered as a professional engineer in Idaho since 1982. My P.E. certificate is No.4454. To become registered, I spent over four years as an engineer-in-training and passed an eight hour exam.
3. During the winter of 1973 to the winter of 1974 I worked for "Accurate Systems" in Twin Falls, Idaho, a private engineering consultant firm. My duties included property surveying, drafting, and preliminary subdivision design.
4. From late winter of 1974 to the early summer of 1975 I worked for "G.T. Newcomb, Inc." in Twin Falls Idaho. My duties included supervising a construction crew installing pivot sprinkler systems.
5. In the early summer of 1975 I began my employment with IDWR. From 1975 to 1976 I worked in Southern Region as a water right agent. My duties included reviewing various types of applications processed within the region, conducting beneficial use field exams for licensing of water right permits, drafting recommendations for licensing of water right permits, and conducting other water related data collection.
6. From spring of 1976 to the summer of 1979, while working with IDWR, I was a "Water Right Analyst". My duties expanded to include dam safety inspections for dams within the region. In the fall of 1977 to the spring of 1978 I returned to the University of Idaho.
7. During the period at the University of Idaho from the fall of 1977 to the spring of 1978 I attended class for my M.S. degree. During that period I also worked as a graduate assistant for professor Calvin Warnick and my duties included collection of field data for various graduate studies involving irrigation systems and power use. I also drafted figures and reduced data for various other graduate projects assisting other students.
8. In the spring of 1978 I returned to Twin Falls and began again working for IDWR in Twin Falls. In the summer of 1979 I became a "Senior Water Resource Analyst" and worked in this capacity until the fall of 1984. My duties included those described above with more responsible charge. I conducted the more difficult field exams and reviewed the work of others. At times I managed the office while the region's supervisor was absent. During this period I conducted numerous construction inspections for the development of the Cyprus Mine's tailings and sediment retention dams near Challis Idaho.
9. From the fall of 1984 to the spring of 1988 I continued working for IDWR in Twin Falls as a "Water Resource Engineer". Once I obtained my P.E. license the position was eventually upgraded to a "Water Resource Engineer". My duties were much the same as the "Senior Water Resource Analyst" position listed above.
10. Shortly after the commencement of the SRBA, in the spring of 1988, I changed positions within IDWR at Twin Falls and became a "Water Rights Supervisor". My duties included but were not limited to supervising six staff in Twin Falls assigned to the SRBA project. I all coordinated with others in the SRBA Bureau within IDWR to formulate procedures for claims review. I personally assisted in taking thousands of claims and conducted hundreds of claim verifications and recommendations. I worked in this capacity until the fall of 1994.

11. From 1994 to the present I have worked for IDWR in Twin Falls as the "Regional Manager". My duties include overseeing all activities at the Southern Region Office. Among the matters I oversee are personnel, salary and budgetary matters, water right permitting and licensing, dam safety issues, stream channel alteration issues, well construction issues, and coordination and participation with the SRBA unit in Twin Falls.
12. My additional training since college has included, but is not limited to: short courses by the Idaho Personnel Commission including "Elements of Supervision" and "The How and When of Discipline"; various training sessions provided by IDWR including "Arcview computer program use", "Team building", "Sexual Harassment", "Violence in the Work Place" and "Internal Control and Planning". I have also participated in training classes provided by Polysonics/Flosonics for use of the Tyme-Flyte measuring equipment as well as another by BPA for conducting energy audits of irrigation systems. I have also attended workshops involving the topic of "groundwater" and "measurement of water". I have also attended the "Western States Conference of Engineers" where water related issues were discussed.
13. I have lived since childhood in the vicinity of Twin Falls, Idaho except for the time spent at the University of Idaho in Moscow, Idaho as described above.

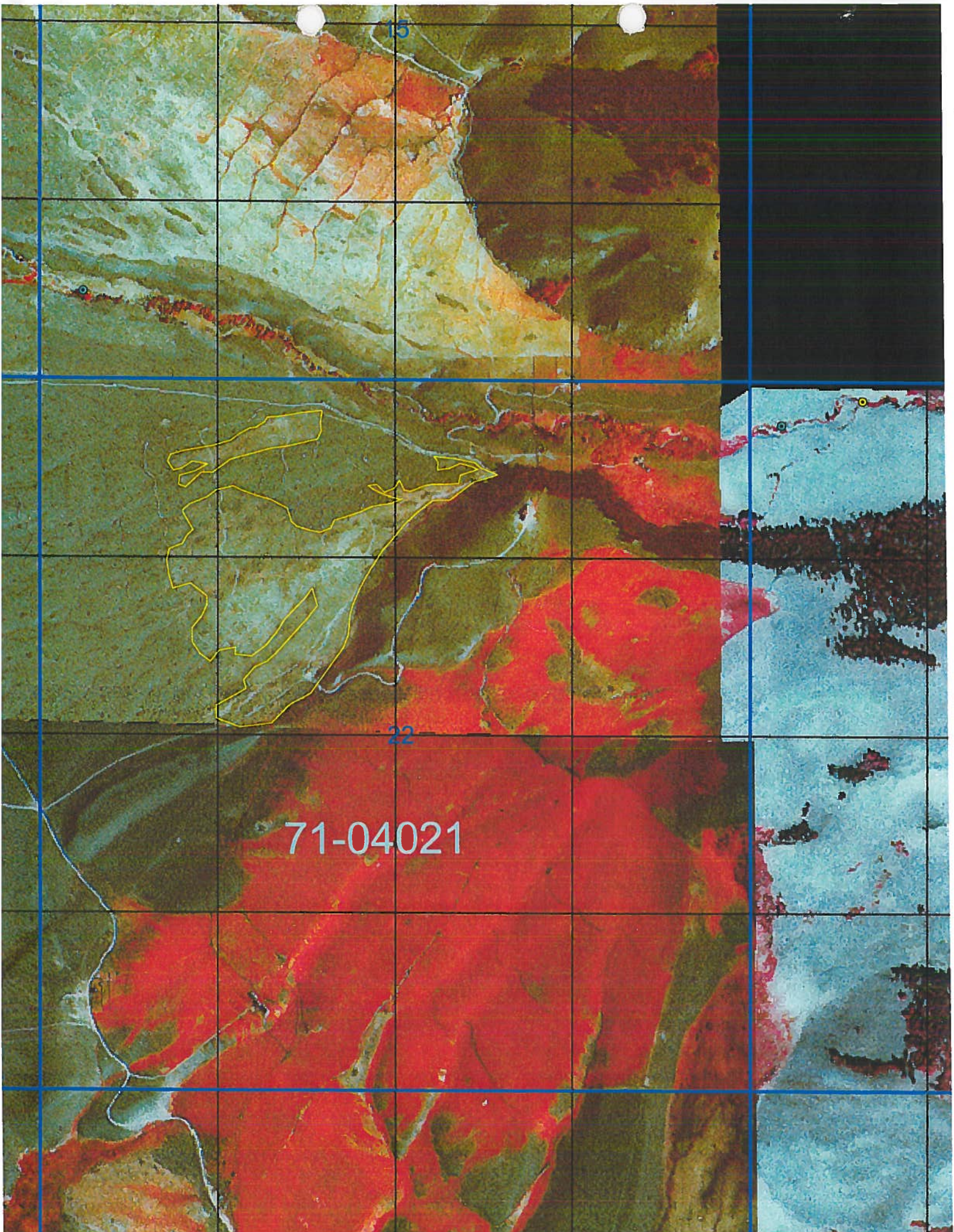
DATED this 7th day of October, 1999.

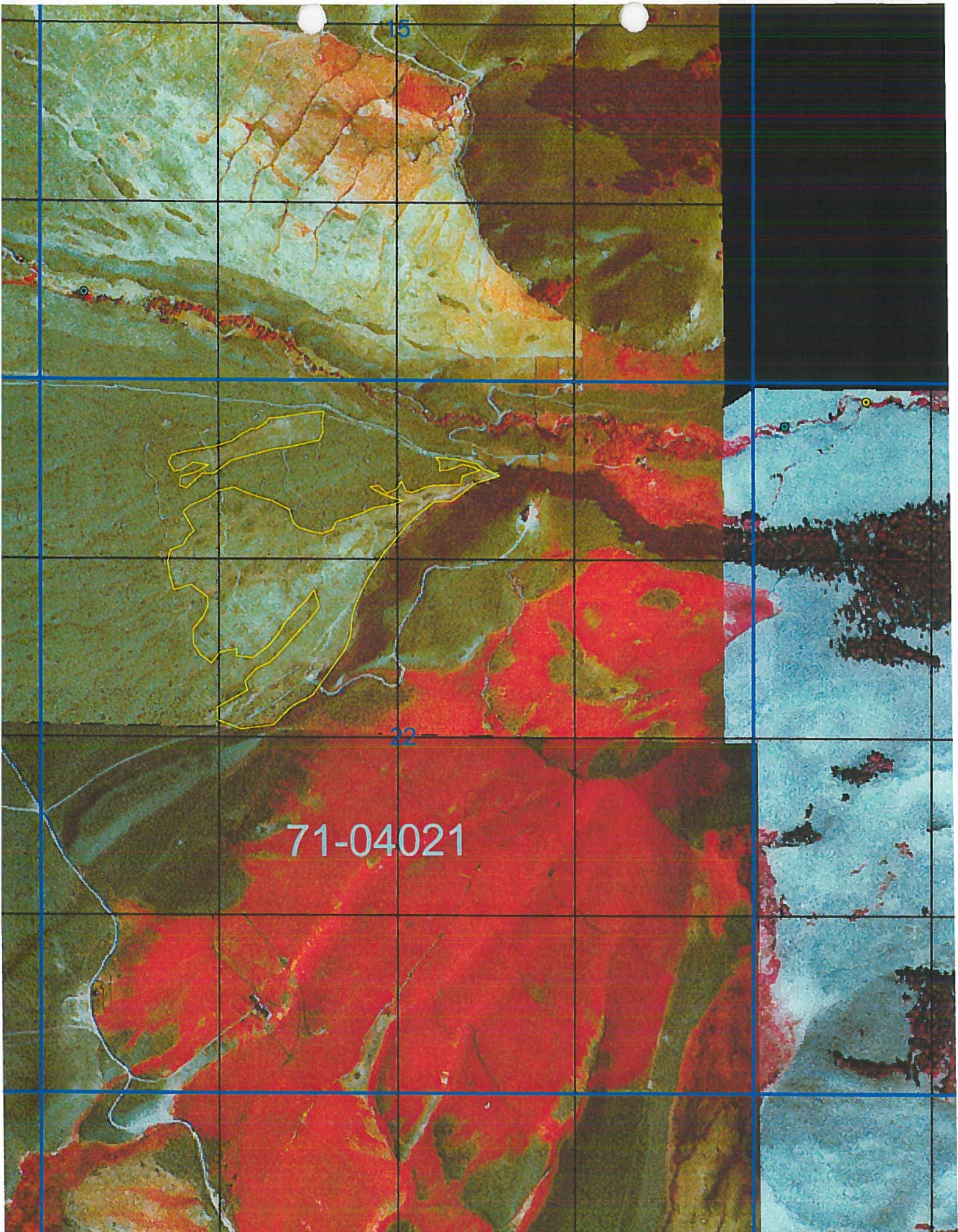


Allen Merritt, PE

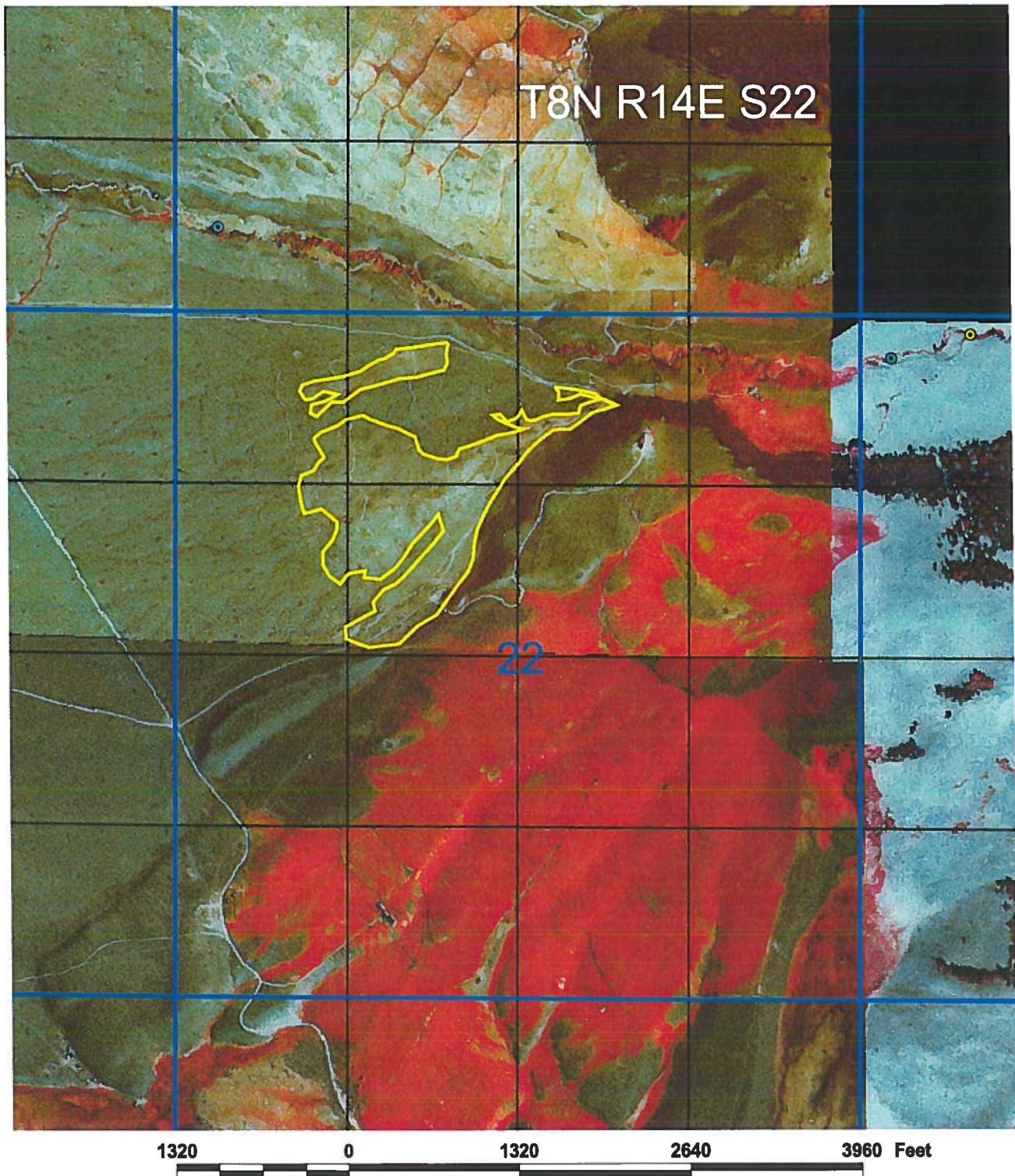
SUBSCRIBED AND SWORN before me, a Notary Public in and for the State of Idaho, this ____ day of October, 1999.

Notary Public for Idaho,
Residing in _____, Idaho
My commission expires: _____





71-04021



-  Section Lines
-  Quarter/Quarter Lines
-  Recommended Place of Use
-  Recommended Point(s) of Diversion



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 1987 and/or 1988 NAPP
DATA ENTRY: May, 1998
By: Allen Merritt
(Layout by: D. Jones)

AJ0743NP
(00-124)

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

05/13/98 15:05:22
Page 1

Water Right Number - R71-04021

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
HUMPHREYS

W MICHAEL

1 - C/O H HOOK RANCH
2 - 10495 STONE QUARRY RD
3 -

State- ID Zip- 83661

HUMPHREYS

CANDACE P

City- PAYETTE
Phone - 617-431-1229
1 - C/O H HOOK RANCH
2 - 10495 STONE QUARRY RD
3 -

State- ID Zip- 83661

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/01/1940 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
CHAMPION CREEK SALMON RIVER

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

08N 14E 23 NE NW NW (37) CUSTER

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

01 - IRRIGATION 05/01 09/30 3.750

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.750 0.0

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Description | County |
|-----|-----|-----|-------|-----|-------|--------------|-------------|-------------|
| 08N | 14E | 22 | NW NE | | 2.8 | 01 | IRRIGATION | (37) CUSTER |
| 08N | 14E | 22 | NE NW | | 14.4 | 01 | IRRIGATION | (37) CUSTER |
| 08N | 14E | 22 | NW NW | | 3.9 | 01 | IRRIGATION | (37) CUSTER |
| 08N | 14E | 22 | SW NW | | 3.5 | 01 | IRRIGATION | (37) CUSTER |
| 08N | 14E | 22 | SE NW | | 21.6 | 01 | IRRIGATION | (37) CUSTER |

Total Acres: 46.2

+ - - Diversion Means - CHECK DAM TO EARTHEN DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Prefix Translation: RESEARCH

+ + + + + Remarks + + + + +

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 71-10278, 71-10080, 71-10081, 71-04006, 71-10277 & 71-02026.

0.61 CFS OF THIS RIGHT IS FOR CONVEYANCE LOSS.

-----+
A7104021 Old Water Right Numbers -----+

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

| Decree Plaintiff | Decree Defendant | Decree Date |
|------------------|------------------|-------------|
| 00/00/0000 | | |

| Date: | User Id: | Subject: | Comments: |
|--|----------|------------------|---|
| 09/17/1993 | GIVENS | OWNERSHIP CHANGE | |
| CHANGE OF OWNERSHIP RECEIVED 7/21/93 FORMER OWNER JACK W. | | | REDMOND, II, RANDALL HAYS, TRUSTEE NEW OWNER W. MICHAEL & CANDACE |
| P. HUMFREYS. COPY OF WARRANTY DEED AND QUITCLAIM DEED SUBMITTED WITH FORM. | | | |

05/13/98 AMERRITT

[illegible]

The Director of the Idaho Department of Water Resources (IDWR) submits this Supplemental Director's Report Regarding Claim to Water Right No. 71-04021 in accordance with Idaho Code § 42-1412(4) and Administrative Order 1. This supplemental director's report was prepared under the supervision of Karl J. Dreher, Director, and David R. Tuthill Jr., Adjudication Bureau Chief for IDWR. The following persons assisted in the preparation of the following portions of this report:

Allen Merritt, Regional Manger, IDWR Southern Region investigated claim number 71-04021 prepared the recommendations for this claim and helped to prepare this Supplemental Report.

Doug Jones, Regional Supervisor, IDWR Southern Region helped to prepare this Supplemental Report.

This report addresses those elements of water right number 71-04021 that are in dispute. IDWR understands those elements to be Place of Use (irrigated acreage), Quantity (flow rate) and point of diversion.

LEGAL PRINCIPLES UNDERLYING RECOMMENDATION OF WATER RIGHT NUMBER 71-04021

IDWR's recommendations of the water rights are based upon its application of the following legal principles. These principles are not described for purposes of legal argument, but simply for the purpose of describing the basis of IDWR's recommendations for these water rights. If IDWR's understanding of these principles is erroneous or inaccurate, the conclusions reached in this report may change.

1. Beneficial use is the basis, measure and extent of any water right.
2. The description of the beneficial use is the description of the water right.
3. Because beneficial use is the basis, measure and extent of any water right, a water right holder is entitled to irrigate only those lands on which water has been historically put to beneficial use pursuant to that water right.
4. Because beneficial use is the basis, measure and extent of any water right, a water right holder is entitled to use only that quantity of water that has historically been put to beneficial use on those lands historically irrigated pursuant to that water right.

FACTUAL FINDINGS UNDERLYING RECOMMENDATION OF WATER RIGHT NUMBER 71-04021

I. Basis of Claim

Water right number 71-04021 is a beneficial use right.

CCAFET

II. Investigation of Water Right No. 71-04021

A. Place of Use (Irrigated Acreage)

1. IDWR recommended a total of 46.2 irrigated acres. IDWR recommended this acreage based on the following:
 - a. On 8/19/1993, IDWR Regional Manager Allen Merritt visited the claimed place of use, conducted a field examination and observed an irrigated parcel within the area claimed under water right number 71-04021. \
 - b. Mr Merritt observed water flowing in some of the distribution ditches and measured flow in the main ditch.
 - c. Mr Merritt observed that large areas of the place of use had mature sage brush ground cover. Other areas were clear of sage brush and covered in pasture grasses.
 - d. Following the field examination, Mr. Merritt confirmed the existence and location of the irrigated fields found during the field examination using 1987 and 1988 NAPP photograph numbers 437-22 and 441-137 which show areas irrigated and unirrigated.
 - e. Mr. Merritt determined the size of the irrigated parcel by using GIS technology. IDWR therefore recommends 46.2 acres as irrigated under water right number 71-04021.
2. Attachment __, attached hereto, is a copy of a Geographic Information Systems Shape File delineating in yellow the place of use recommended by IDWR under water right number 71-04021. It is based on 8-8-1987 NAPP photograph no. 437-22 and 8-22-1988 NAPP photograph no. 441-137.

B. Point of Diversion

1. This water right is diverted through the same point of diversion as water right numbers 71-10278, 71-10080, 71-10081, 71-04006, 71-10277, and 71-02026.
2. IDWR recommended the point of diversion at the northeast quarter of the northwest quarter of the northwest quarter of section 23 in township 8 north, range 14 east, Boise Meridian. IDWR recommended this point of diversion based on the following:
 - a. During the field examination on 8/19/1993, Mr. Merritt observed the location of the recommended point of diversion in Sec. 23. At no time was a ditch for this property from Champion Creek in Sec 22 observed. Therefore the claimed point of diversion in Sec. 22 was not recommended.

DRAFT

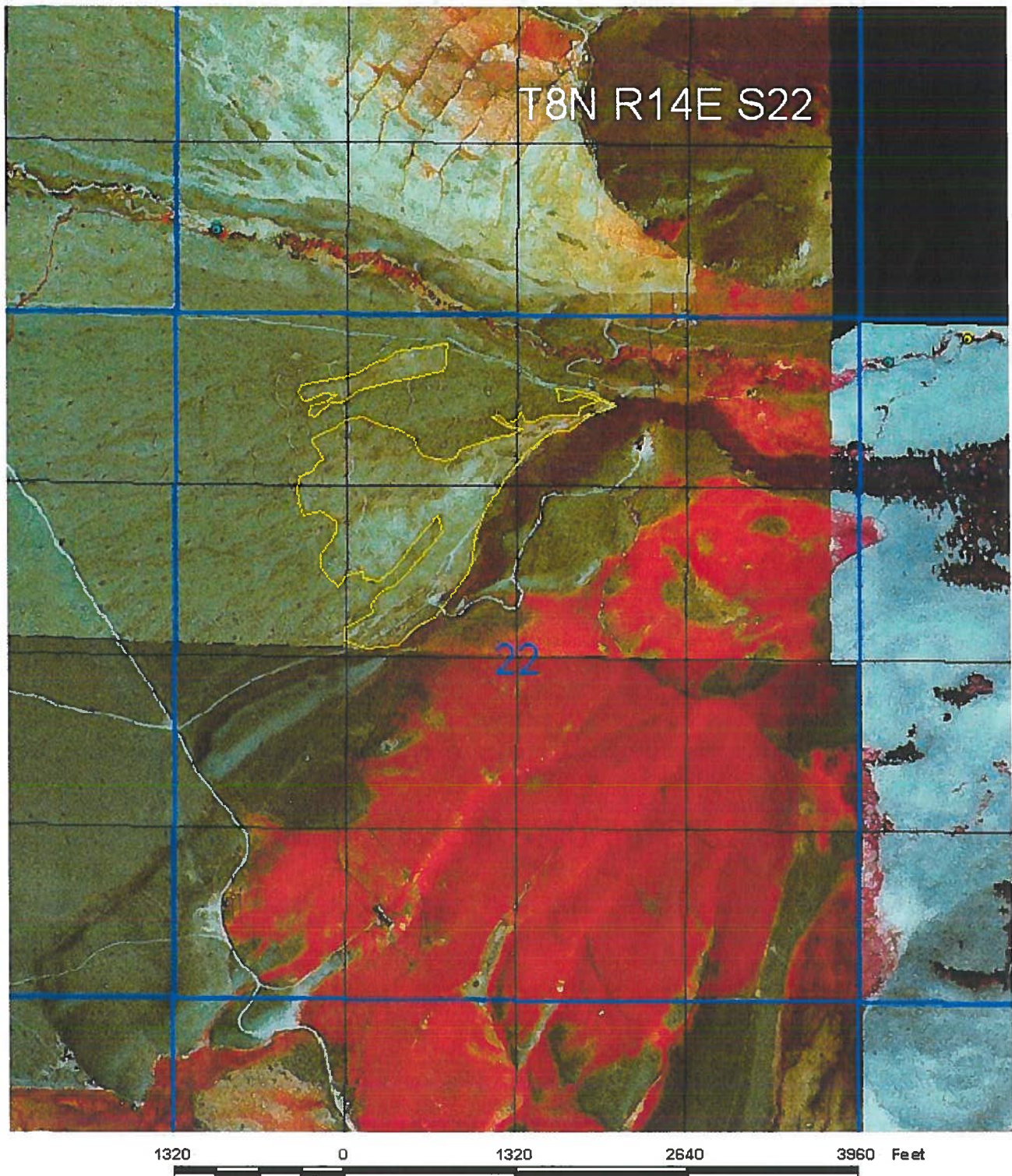
- b. Mr. Merritt confirmed the location of the recommended point of diversion by GIS plotting in relation to the NAPP aerial photography information described above. This location is also confirmed by the mapped location of the ditch on the USGS 7.5 Minute Quadrangle map, titled Obsidian Quadrangle.
- C. **Quantity**
 - 1. IDWR recommended 3.75 cfs under water right number 71-04021. IDWR recommended this quantity base on the following:
 - a. Hubble and conveyance loss analyses determined that a total of 3.75 cfs is required to irrigate the 46.2 acres recommended.
 - b. Conveyance loss to deliver the Field Irrigation Requirement, calculated in the Hubble analysis to be 3.14 cfs, through the delivery ditch is 0.61 cfs.
 - c. Diversion of 3.75 cfs is the extent of beneficial use under water right number 71-04021.

CONCLUSION

Based on the foregoing legal principles and factual findings, IDWR has determined that its recommendation for claim to water right number 71-04021 as represented in Attachment – is accurate and should be so recommended by the Special Master.

DRAFT

71-04021



-  Section Lines
-  Quarter/Quarter Lines
-  Recommended Place of Use
-  Recommended Point(s) of Diversion



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 1987 and/or 1988 NAPP
DATA ENTRY: May, 1998
By: Allen Merritt
(Layout by: D. Jones)

RECEIVED

JAN 22 1999

Department of Water Resources

RECEIVED

FEB 05 1999

Department of Water Resources
Southern Region

1999 JAN 14 PM 4:44

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

A. Subcase 71-04021

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: C. Petre Humphreys
W. Michael Humphreys

Address: 72 Abbott Road
Wellesley, MA 02181

Daytime Phone: (617) 431-1229

Name & Address of Attorney, if any:

Norman M. Semanko
Rosholt, Robertson & Tucker
P.O. Box 1906
Twin Falls, ID 83303-1906

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Candace P. Humphreys
W. Michael Humphreys

Address: c/o H Hook Ranch
10495 Stone Quarry Rd
Payette, ID 83661

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address:
Should be:
2. ☐ Source:
Should be:
3. ☒ Quantity:
Should be: Diversion rate of 4.8 cfs, as claimed.
4. ☐ Priority Date:
Should be:
5. ☐ Point(s) of Diversion:
Should be:
6. ☐ Instream Flow Description:
Should be:
7. ☐ Purpose(s) of Use:
Should be:
8. ☐ Period of Year:
Should be:
9. ☒ Place of Use:
Should be: 145 acres.
11. I object because:
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

- E. **REASONS SUPPORTING OBJECTION(S):** The quantity of water and number of acres recommended (3.75 cfs/46.2 acres) are less than the historic quantity of water used and the number of acres historically irrigated.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Twin Falls)

Norman M. Semanko, duly sworn, upon oath, deposes and says:

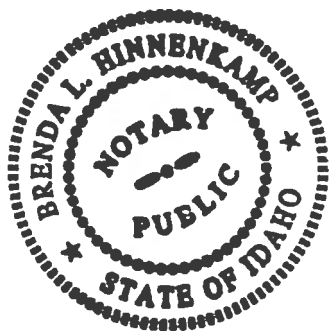
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

N. M. Semanko

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: **January 14, 1999**



Brenda L. Hinnenkamp

NOTARY PUBLIC FOR IDAHO
Residing at: *Twin Falls, Id*
My commission expires: *9/11/2004*

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all of the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I hereby certify that on January 14, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1.

Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2.

One copy to the owner of the water right at the following address:

C. Petre Humphreys
W. Michael Humphreys
72 Abbott Road
Wellesley, MA 02181

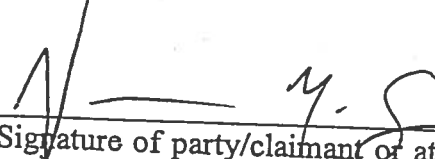
3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environmental and Natural Resource Division -
550 West Fort Street, MSC 033
Boise, Idaho 83724

HUMPHRY5.OBJ


Signature of party/claimant or attorney
mailing on Objector's behalf

71-04021

RECEIVED

JAN 14 1999

Department of Water Resources

RECEIVED

JAN 25 1999

Department of Water Resources
Southern Region

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

In Re SRBA

Case No. 39576

A. Subcase 71-04021

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: W. Michael Humphreys & Candace P. Humphreys

Address: 10495 Stone Quarry Road
Payette, ID 83661

Daytime Phone: (781) 890-2244

Name & Address of Attorney, if any:

James P. Speck
SPECK & AANESTAD
A Professional Corporation
PO Box 987
Ketchum, ID 83340

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: W. Michael Humphreys & Candace P. Humphreys

Address: 10495 Stone Quarry Road
Payette, ID 83661

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☒ **Quantity**
Should be: 4.8 cfs
4. ☐ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: As stated in the Notice of Claim
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: 240 acres in the locations stated in the Notice of Claim
10. **I object because:**
 - ☐ This water should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): Water has been beneficially used in the amount and on the places of use state in the Notice of Claim.

F. VERIFICATION (Must be completed)

State of Idaho)
) ss.
County of Blaine)

James P. Speck, being first duly sworn, upon oath, deposes and says:

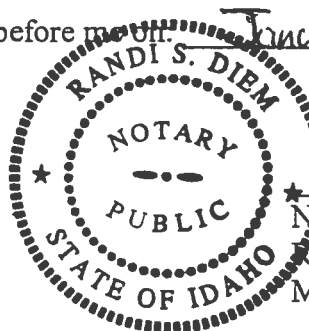
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

J.P. Speck
(Attorney signing in representative capacity)

Subscribed and sworn to before me on _____

January 12, 1999



Randi S. Diem
Notary Public for Idaho
Residing at Blaine Co., ID
My Commission expires 8-29-03

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all of the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 12, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

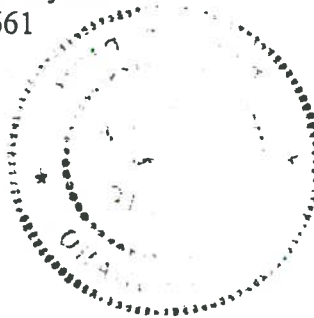
Name: W. Michael Humphreys & Candace P. Humphreys
Address: 10495 Stone Quarry Road
Payette, ID 83661

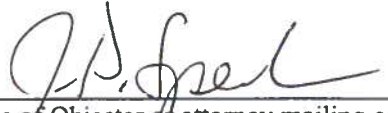
3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, Box 33
Boise, Idaho 83734





Signature of Objector or attorney mailing on
Objector's behalf

Hello Doug:

Here's a list of the objected to water rights in basin 71. Dave and Peter will be picking up the original claims for filing with the court Tuesday morning. Southern also should have received copies of the basin 71 objections for the claim file--do you know if you did??

| | | | | |
|-----------|-----------|-----------|-----------|-----------|
| 71-00026A | 71-00026B | 71-00028 | 71-00029 | 71-00033B |
| 71-00034C | 71-00035C | 71-00036B | 71-02047A | 71-02047B |
| 71-02054 | 71-02085B | 71-04006 | 71-04018 | 71-04021 |
| 71-10057 | 71-10080 | 71-10081 | 71-10117 | 71-10139 |
| 71-10197 | 71-10631 | 71-10763 | 71-10764 | |

I'm trying to double check the overlaps (unobjected to) involved--we'll need those original claims also for Tuesday. They are:

71-00027B 71-10059

THANKS FOR YOUR HELP!! Any questions, call me at 327-5458.

FAX MEMORANDUM

TO: DOUG JONES - SOUTHERN AJ SUPERVISOR
FROM: VICKI KELLY - PARALEGAL
DATE: 2/10/99

Hello Doug:

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| | | | | |
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| 71-00034C | 71-00035C | 71-00036B | 71-02047A | 71-02047B |
| 71-02054 | 71-02085B | 71-04006 | 71-04018 | 71-04021 |
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FAX MEMORANDUM

TO: DOUG JONES - SOUTHERN AJ SUPERVISOR
FROM: VICKI KELLY - PARALEGAL
DATE: 2/10/99

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

September 8, 1998

RECEIVED

SEP 09 1998

Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: W. Michael and Candice P. Humphreys - Basin 71 Water Rights

Dear Allen:

I represent W. Michael and Candice P. Humphreys who own, individually or through the Humphreys' family, various properties in Basin 71. Will you please send me copies of the complete SRBA claim files including, but not limited to, the claim verification reports, for the following water rights:

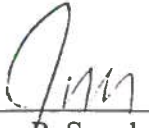
71-02047A
71-04021
71-00028
71-00029
71-00033B
71-10764

71-00034C
71-00035C
71-00036B
71-10763
71-02085

Please call me right away if you have any questions about this request. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
cc: clients

72 Abbott Road
Wellesley, MA 02181
August 13, 1998

RECEIVED

AUG 19 1998

Department of Water Resources
Southern Region

VIA Federal Express

Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83705

RECEIVED

AUG 19 1998

Department of Water Resources
Southern Region

Dear Sirs;

I have enclosed Notice of Error Reply Forms for the following Snake River Basin
Adjudication water right claims, in the name of W. Michael & Candace P. Humphreys,
and W. Michael & Candace P. Humphreys, as Trustees of The Humphreys Trust:

71-10080
71-10081
71-04006
71-02047A
71-04021
71-02047B /
71-02054 /
71-04018 /

Sincerely,



W. Michael Humphreys

July 22, 1998

NOTICE OF ERROR
REPLY

RECEIVED

AUG 14 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: 71-04021

W MICHAEL HUMPHREYS
CANDACE P HUMPHREYS
C/O H HOOK RANCH
10495 STONE QUARRY RD
PAYETTE ID 83661

RECEIVED

AUG 19 1998

Department of Water Resources
Southern Region

Daytime Telephone Number: 781-890.2244
Evening Telephone Number: 781.431.1229

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity
of Acres

2. Describe the changes you wish to make in the proposed recommendation:

Quantity should be 4.8 CFS as claimed
of Acres should be 240 as claimed.

3. Give a brief explanation as to why you disagree with these portions:

8-12-98 W. Michael Humphreys

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

DATE: _____ SIGNATURE: _____
Please print your name: _____

> Mary @ Southern

11-1-93

I wanted to notify you that Transfer No. 3890 has been withdrawn. No further action will be taken other than microfilming. The database has been updated to reflect the changed status of the transfer, "W" for withdrawn in WRX.

Does this affect your tracking in files? Let me know if I should continue to notify you or if checking WRX would be sufficient.

Tom Skaggs (S.O.)

RECEIVED

WR No. 71-04021A.B
Redmond

NOV 03 1993

Department of Water Resources
Southern Region Office

5/13/98

71-04021 Excess Flow analysis

Modified method finds 3.14 cfs justified for I.R.

Est. conveyance loss is:

$$\text{Est. } C = 6.0$$

$$\begin{aligned} \text{loss} &= \frac{4000' \times 4' \times 6.0 \times 1.0915}{86400} \times \frac{1'}{2} \text{ slope} \\ &= 0.6 \text{ cfs} \end{aligned}$$

$\therefore$ Total Recommendation is 3.75 cfs.

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

CLAIM NUMBERS 71-04021

DATE: May 8, 1998

REVIEWED BY _____

| STANLEY BASIN SOIL REVIEW | | | | | | | | |
|---------------------------|------------------|------------|---------------|------------|---------------|------|------|-----------------|
| SOIL TYPE | OPTIMUM ROTATION | BORDER EFF | BORDER CFS/AC | FURROW EFF | FURROW CFS/AC | MAD | PF | BORDER / FURROW |
| AM1 | 4.00 | 3.5 | 0.30 | 22.3 | 0.05 | 1.00 | 1.14 | 6.09 |
| BG1 | 5.00 | 5.8 | 0.19 | 34.3 | 0.03 | 1.32 | 1.13 | 5.99 |
| CNB | 7.00 | 7.8 | 0.14 | 47.3 | 0.02 | 1.82 | 1.11 | 6.20 |
| GO1 | 14.66 | 25.5 | 0.04 | 24.6 | 0.04 | 3.65 | 1.07 | 0.96 |
| LA4 | 4.00 | 3.7 | 0.30 | 23.6 | 0.05 | 1.06 | 1.14 | 6.46 |
| PY1 | 5.66 | 6.3 | 0.17 | 37.9 | 0.03 | 1.46 | 1.12 | 5.98 |
| RD1 | 5.66 | 6.3 | 0.17 | 37.9 | 0.03 | 1.46 | 1.12 | 5.98 |
| RP1 | 4.33 | 6.9 | 0.16 | 35.2 | 0.03 | 1.13 | 1.13 | 5.18 |
| SN1 | 2.66 | 2.47 | 0.45 | 15.4 | 0.07 | 0.69 | 1.14 | 6.30 |
| ST1 | 3.33 | 3.2 | 0.36 | 20.3 | 0.05 | 0.91 | 1.14 | 6.65 |
| TN1 | 4.66 | 4.2 | 0.26 | 26.9 | 0.04 | 1.21 | 1.13 | 6.44 |
| TP1 | 9.33 | 9.5 | 0.11 | 60.0 | 0.02 | 2.31 | 1.10 | 6.24 |
| WG1 | 2.66 | 2.4 | 0.45 | 14.9 | 0.07 | 0.67 | 1.14 | 6.12 |
| WV1 | 13.00 | 17.4 | 0.06 | 50.3 | 0.02 | 3.24 | 1.08 | 2.91 |
| | | | | | | | | |

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

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

| SOIL TYPE | OPTIMAL ROTATION / (chart) | ACTUAL ROTATION / (field) | * ACRES PER SOIL TYPE (field) | * RATE PER ACRE (chart) | = TOTAL DIVERSION RATE |
|-----------|----------------------------|---------------------------|-------------------------------|-------------------------|------------------------|
| BG1 | 5.00 | 14 days * | ~~46.2~~ 46.2 * | 0.19 | = 3.14 CFS |
| | | | | | = CFS |
| | | | | | = CFS |
| | | | | | = CFS |

TOTAL ACRES 46.2

DECREED RATE =

CLAIMED DIVERSION RATE =

ORIGINAL HUBBLE RATE =

MEASURED DIVERSION RATE =

+ 0.61 conveyance

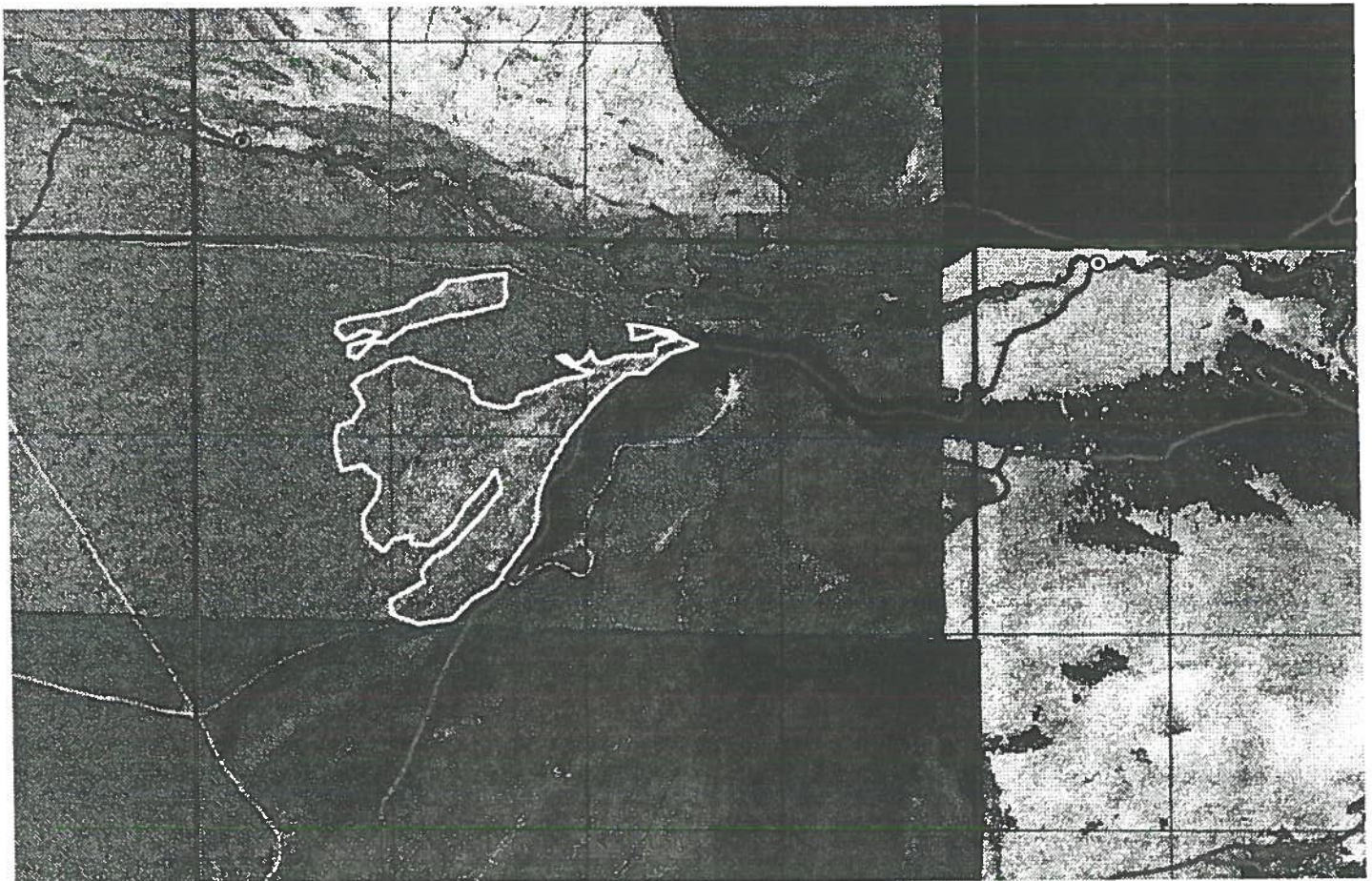
4.80 cfs 3.75 cfs

* Assumed.
L2 velocity indicated
2-5 WKS on lower ditch.

IDAHO DEPARTMENT OF WATER RESOURCES

71-04021

COPY



1320 0 1320 2640 Feet

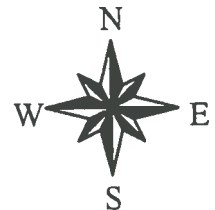
POU:

TWP 08N, RGE 14E, SEC 22

POD: CHAMPION CREEK

TWP 08N, RGE 14E

NENWNW SEC 23



RECOMMENDED PLACE OF USE

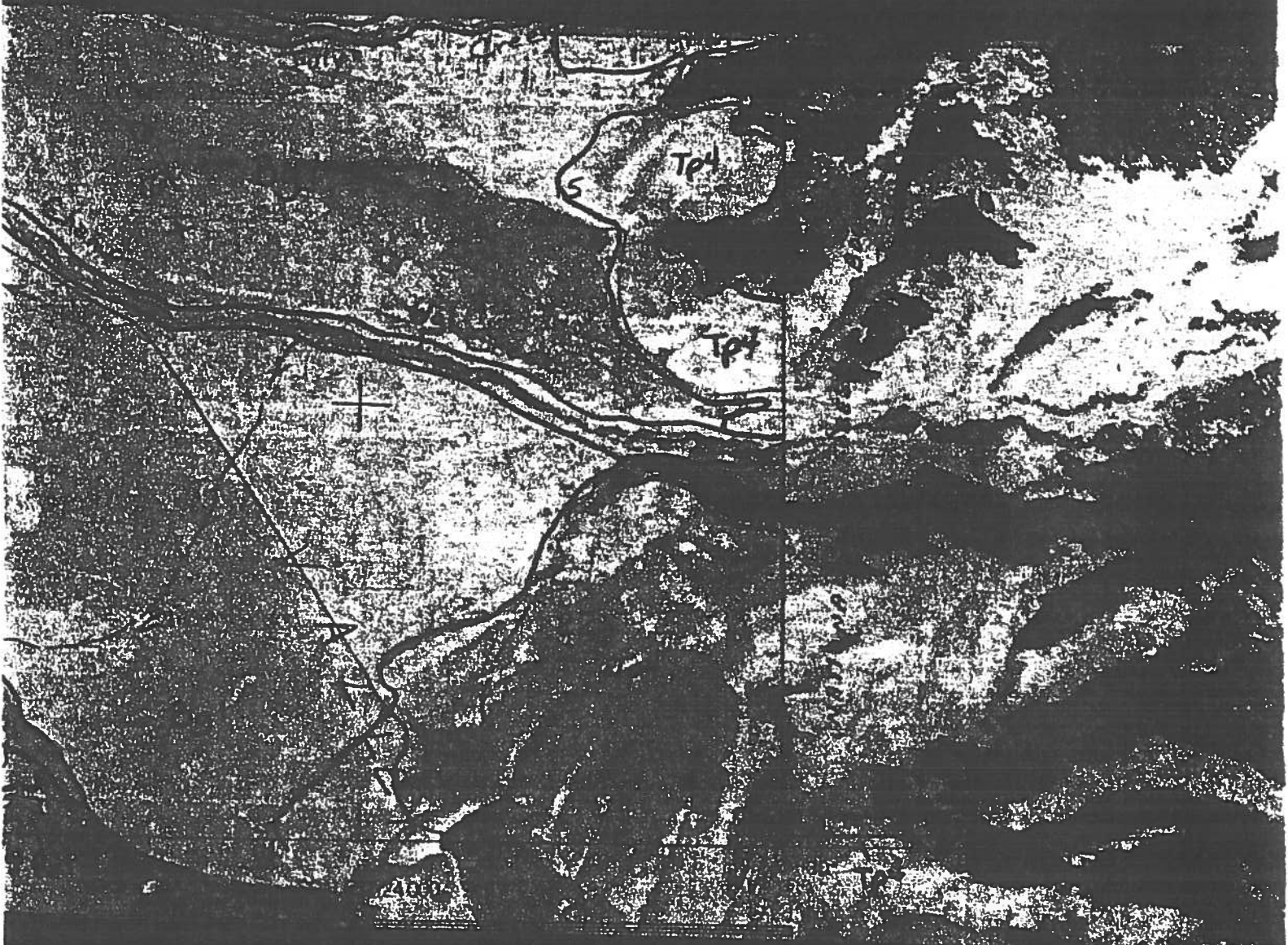
⊙ RECOMMENDED POINT OF DIVERSION

□ SECTION LINES

□ QUARTER QUARTER LINES

~ STREAM AND DITCH CHANNELS

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



POU #88 deleted 5/13/98

IDAHO DEPARTMENT OF WATER RESOURCES

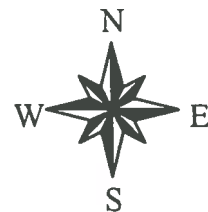
COPY

Revised not owned 71-04021



1320 0 1320 2640 Feet

POU:
TWP 8N, RNG 14E,
SEC ~~15~~ & 22
POD: CHAMPION CREEK
TWP 08N, RGE 14E
NENWNW SEC 23



- 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

71-04001

CLAIM NUMBERS _____

DATE 3/23/98

TRANSFER NUMBER _____

HOMESTEAD ENTRY NO. _____

AGENT ADL

CLAIMED ACRE TOTAL _____

GEOGRAPHIC INFO ACRES _____

| RIGHT
NO | | | | NE | | | | NW | | | | SW | | | | SE | | | |
|-------------|-----|-----|-----|----|-----|----|----|------|-----|-----|------|----|----|----|-----|----|----|----|------|
| | TNS | RNG | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| CLAIM | | | | | | | | 0.2 | | | | | | | | | | | |
| GIS | 8N | 14E | 22 | | 2.8 | | | 3.5 | 1.4 | 3.5 | 21.6 | | | | | | | | 46.2 |
| RECOM | | | | | | | | 10.7 | 2.5 | | | | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | 8N | 14E | 15 | | | | | | | | | | | | 5.1 | | | | 5.1 |
| RECOM | | | | | | | | | | | | | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |

B71-DBPOD.SHP

NOS DESCRIPTION

48 NENW/4th
Sec 23

51.3
46.2

B71-DBPOU.SHP

SHAPE NOS

~~88~~ 5.1
89 4.9
90 41.2

DBF TABLES UPDATED

B71-DBPOD.DBF ✓

B71-DBPOU.DBF ✓

7/1/95

NAME OF STREAM OR DITCH CHAMPION CREEK
LOCATION ----- LAVERTY LOWER (YOUNG)
PURPOSE OF MEASUREMENT -- ADJUDICATION REVIEW
BASIS OF VELOCITY CALCULATIONS
IF YOU ARE USING A PYGMY METER ENTER ----- 1
IF YOU ARE USING A AA METER ENTER ----- 2
ENTRY ----- 1
FOLLOWING THE LAST ENTRY IN:
"DISTANCE FROM INIT PT" ENTRY MUST = "END"

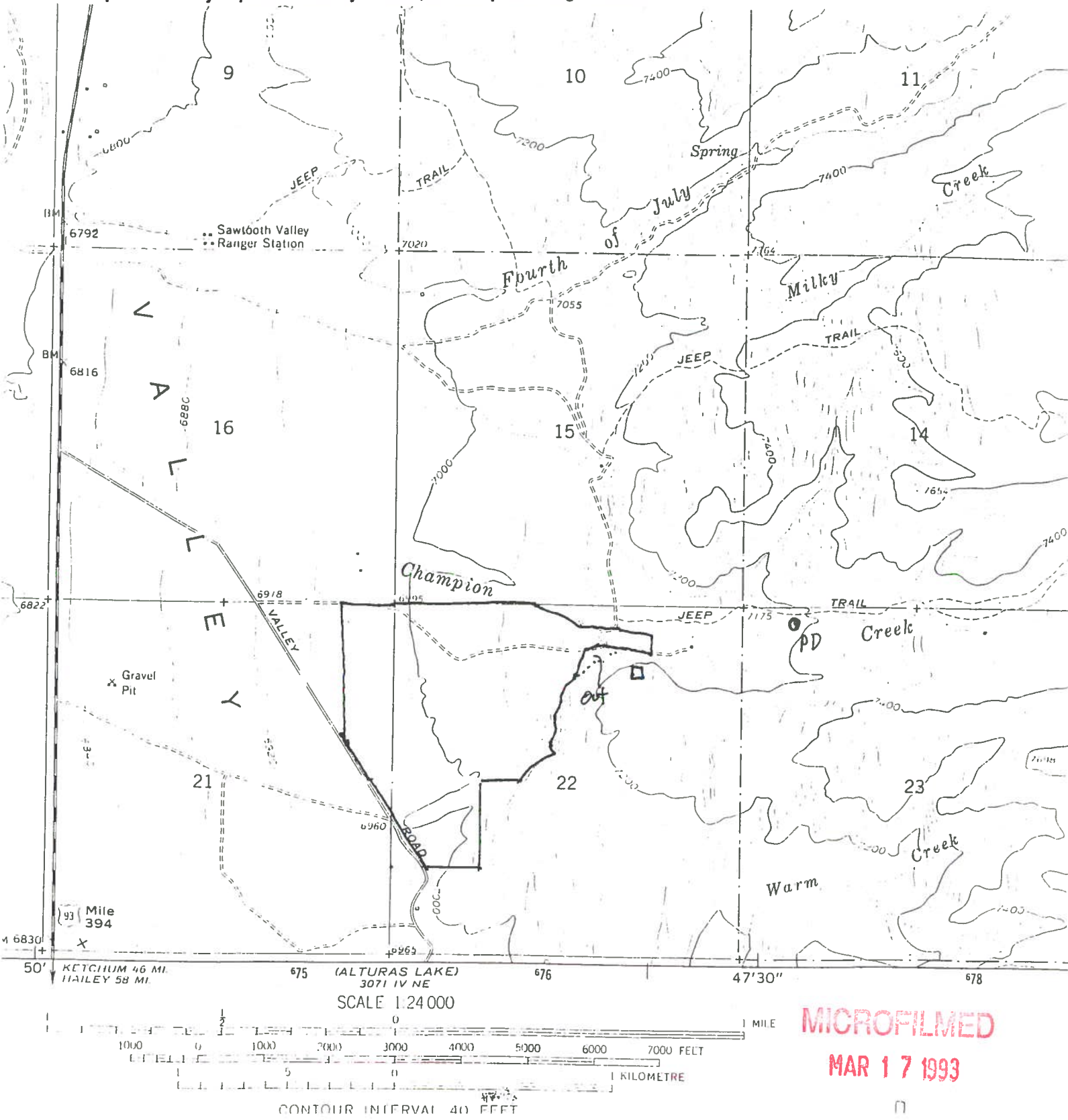
WATER RIGHT NUMBER IF APPLICABLE -----
AGENT CONDUCTING MEASUREMENT -----
ACCOMPANIED BY -----
PREMEASUREMENT SPIN TEST (MIN/SEC) ---
POST MEASUREMENT SPIN TEST (MIN/SEC) -
RAY LAVERTY
ADM
GLADYS LAVERTY

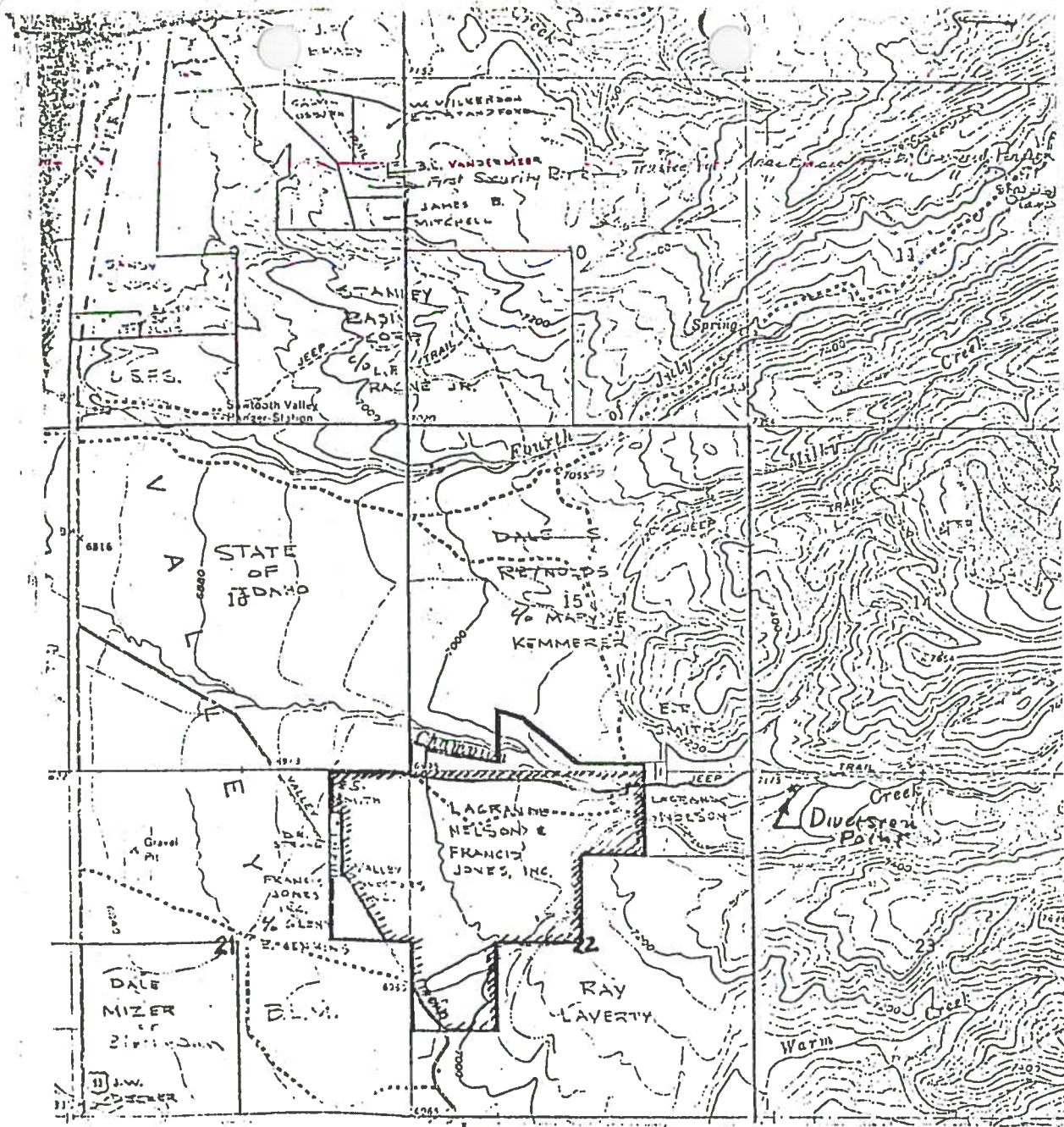
| INITIAL POINT | ANGLE
OF
COEFFICIENT | DISTANCE
FROM
INIT PT | DEPTH
IN
FEET | CALC
DEPTH
END PTS | VELOCITY DATA | | | CALC
WIDTH | AREA
IN
SQ FT | CALCULATED VELOCITY | | | DISCHARGE
IN CFS |
|---------------|----------------------------|-----------------------------|---------------------|--------------------------|-------------------------|-----------------------------|----------|---------------|---------------------|-----------------------|-----------------------|------------------|---------------------|
| | | | | | 1ST MEASUREMENT
REVS | 2ND MEASUREMENT
TIME/SEC | TIME/SEC | | | 1ST POINT
VELOCITY | 2ND POINT
VELOCITY | MEAN
VELOCITY | |
| 1.50 | | 0.72 | | 0.36 | 10 | 10.9 | | 0.15 | 0.054 | 0.92 | | 0.46 | 0.02 |
| 1.80 | | 0.75 | | | 20 | 15.8 | | 0.35 | 0.252 | 1.27 | | 0.92 | 0.23 |
| 2.20 | | 0.70 | | | 30 | 15.1 | | 0.40 | 0.300 | 1.99 | | 1.27 | 0.38 |
| 2.60 | | 0.70 | | | 50 | 16.3 | | 0.40 | 0.280 | 3.07 | | 1.99 | 0.56 |
| 3.00 | | 0.70 | | | 50 | 17.1 | | 0.40 | 0.280 | 2.92 | | 2.92 | 0.86 |
| 3.40 | | 0.70 | | | 50 | 19.6 | | 0.40 | 0.280 | 2.55 | | 2.92 | 0.82 |
| 3.80 | | 0.68 | | | 50 | 19.6 | | 0.40 | 0.272 | 2.55 | | 2.55 | 0.71 |
| 4.20 | | 0.70 | | | 50 | 16.0 | | 0.40 | 0.280 | 3.13 | | 3.13 | 0.88 |
| 4.60 | | 0.60 | | | 50 | 23.6 | | 0.45 | 0.270 | 2.12 | | 2.12 | 0.57 |
| 5.00 | | 0.60 | | | 50 | 23.8 | | 0.50 | 0.300 | 2.10 | | 2.10 | 0.63 |
| 5.50 | | 0.60 | | | 50 | 23.0 | | 0.50 | 0.300 | 2.17 | | 2.17 | 0.65 |
| 6.00 | | 0.60 | | | 50 | 21.7 | | 0.50 | 0.300 | 2.30 | | 2.30 | 0.69 |
| 6.50 | | 0.65 | | | 50 | 24.2 | | 0.50 | 0.325 | 2.07 | | 2.07 | 0.67 |
| 7.00 | | 0.70 | | | 50 | 37.1 | | 0.65 | 0.455 | 1.35 | | 1.35 | 0.61 |
| 7.50 | | | | | | | | 0.40 | 0.140 | | | 0.67 | 0.09 |
| 8.30 | | | | | | | | | | | | | |
| END | | | | 0.35 | | | | | | | | | 9.08 |



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.





T.8N, R.14E, B.M.

REDMOND/HAYS
TWN8N, 14E, S15, 21, 22
CUSTER COUNTY

BARBARA J. DACE
Notary Public
RIVERSIDE COUNTY
My commission expires FEB 12, 1993

Notary Public
Residing at 44-001 9th St
Farmstead, Ca

My commission expires

2-12-83

FOR DEPARTMENT USE ONLY

Received by 222344 Date 4-23-81 Exception filed by:
Prelim. check by 97 Date 4-24-81
\$20.00 fee received by 222344 Date 4-24-81
Published in Custer Publishing
Dates 5/14 + 5/15/81

Forwarded to
claimant by:

MICROFILMED

MAR 17 1993



020 119

9-9-77

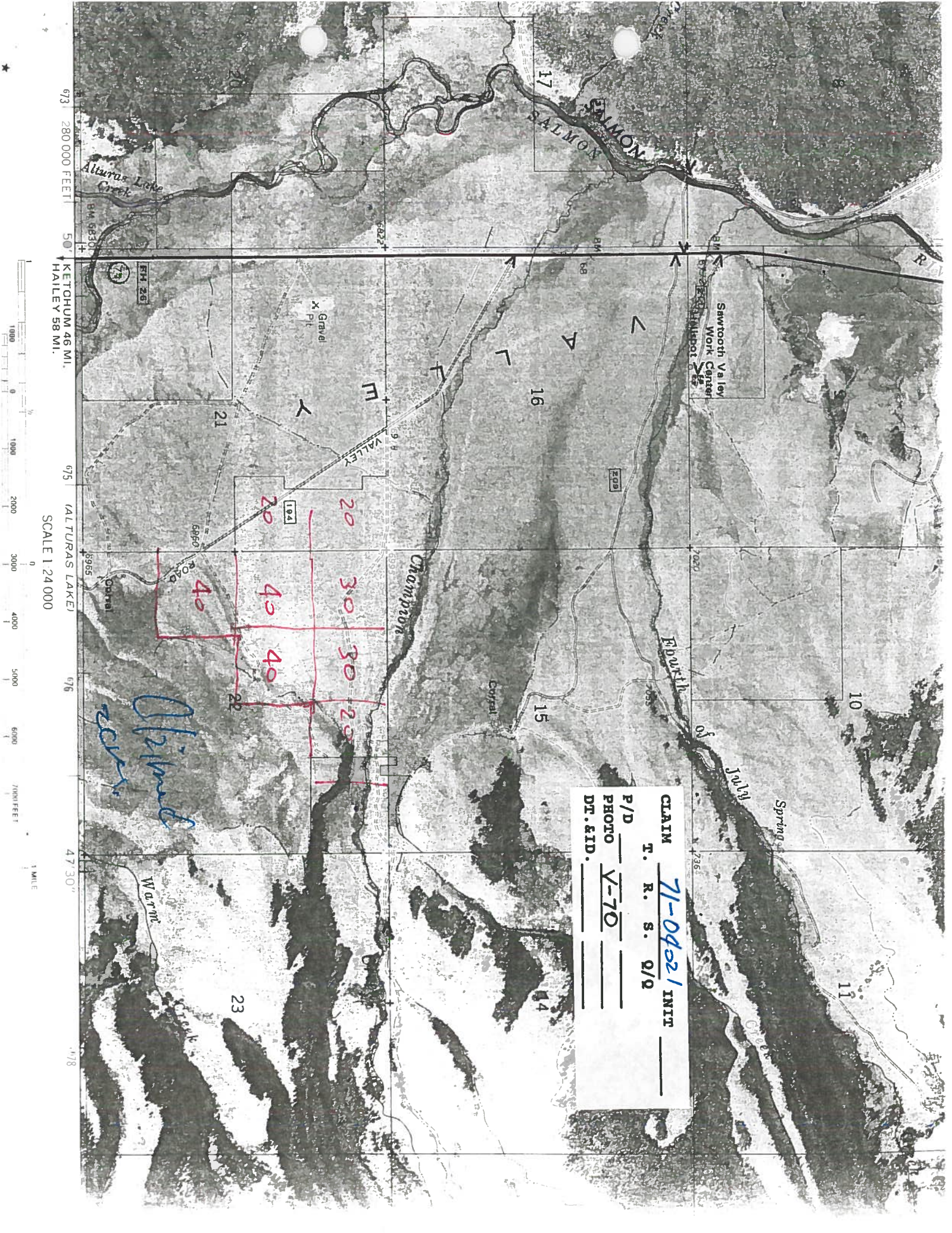
16

51

16037

1277

14



| | | | |
|--------------|----------|------|-----|
| CLAIM | 71-04021 | INIT | ___ |
| T. R. S. Q/Q | | | |
| P/D | Y-70 | | |
| PHOTO | | | |
| DT.FID | | | |

SCALE 1:24,000

0 1000 2000 3000 4000 5000 6000 7000 FEET

1 MILE

673 280 000 FEET

50' KETCHUM 46 MI. HAILEY 58 MI.

675 ALTURAS LAKE

676 47 30"

678

PART 3**B. CHANGES IN NATURE OF USE**

1 New Nature of Use Amount Hours/days/year Period of Use
Aesthetic (cfs/ac-ft) on demand 4/15 to 10/15
0.04 to

2. Quantity and quality of return flows and location of discharge:

No discharge

3. Describe effects on other water uses resulting from the proposed change:

Dry up 2 acres of pasture to provide on demand pump rate

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature]

(Signature of Applicant)

Subscribed and sworn to before me this 13th day of June, 19 91.

[Signature]

(Notary Public)

My commission expires Dec 7, 1994

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachments

Received by DRJ Date 6/13/91

Protest filed by _____

Prelim. check by J.F. Stanton Fee \$50 5013440

Received by DRJ Date 6-13-91

Published in Challis Messenger

Copies of protest forwarded by _____

Pub. dates 12/24 + 12/31/91

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by [Signature]

Copy of transfer sent to lien holder _____

002143

8-28-72

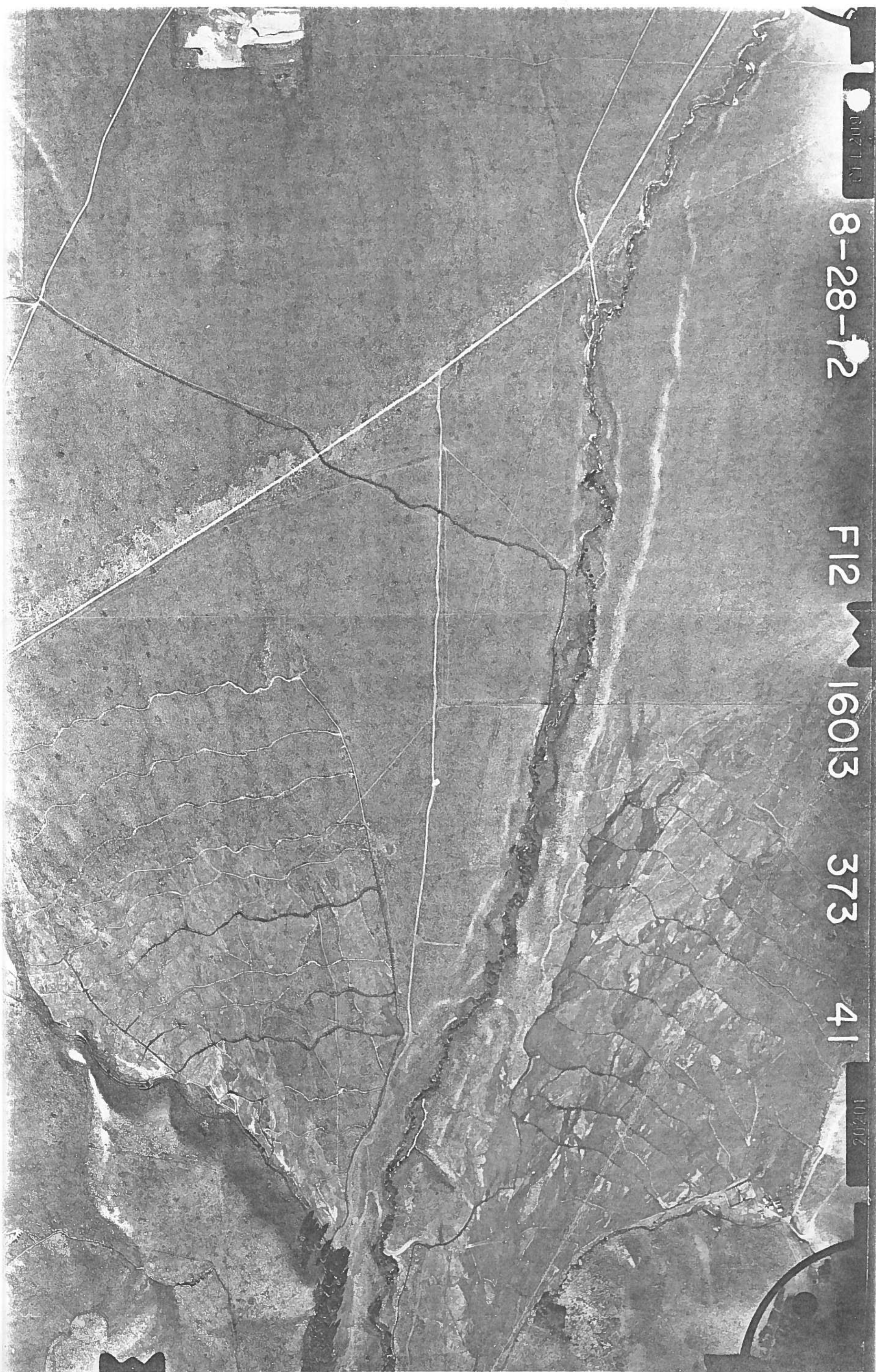
F12

16013

373

41

10202

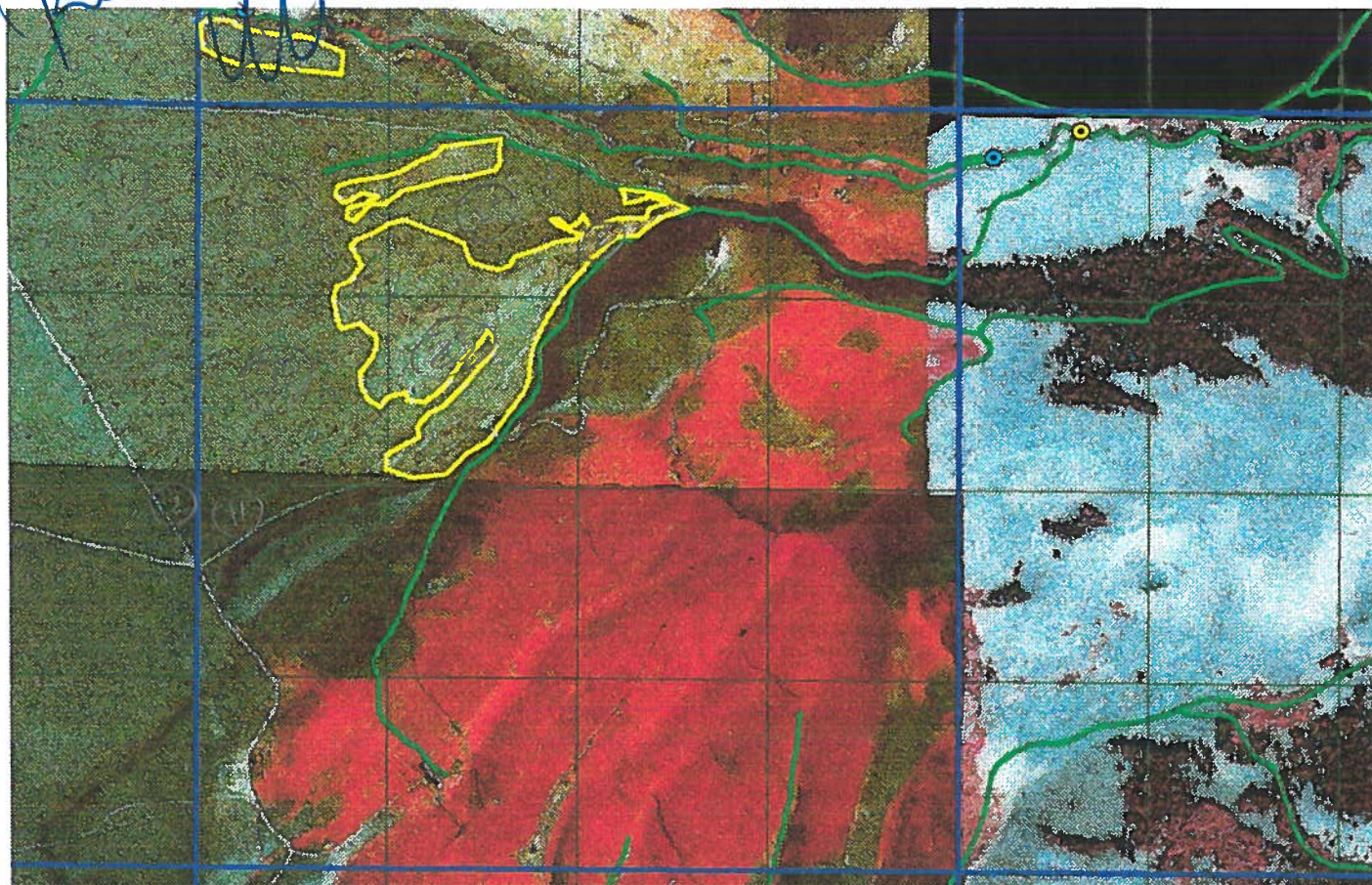




POU #88 deleted 5/13/98

IDAHO DEPARTMENT OF WATER RESOURCES

Revised
not owned
71-04021



1320 0 1320 2640 Feet

POU:

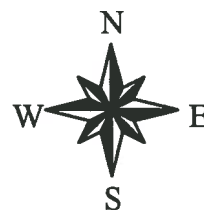
TWP 8N, RNG 14E,

SEC ~~15~~ & 22

POD: CHAMPION CREEK

TWP 08N, RGE 14E

NENWNW SEC 23

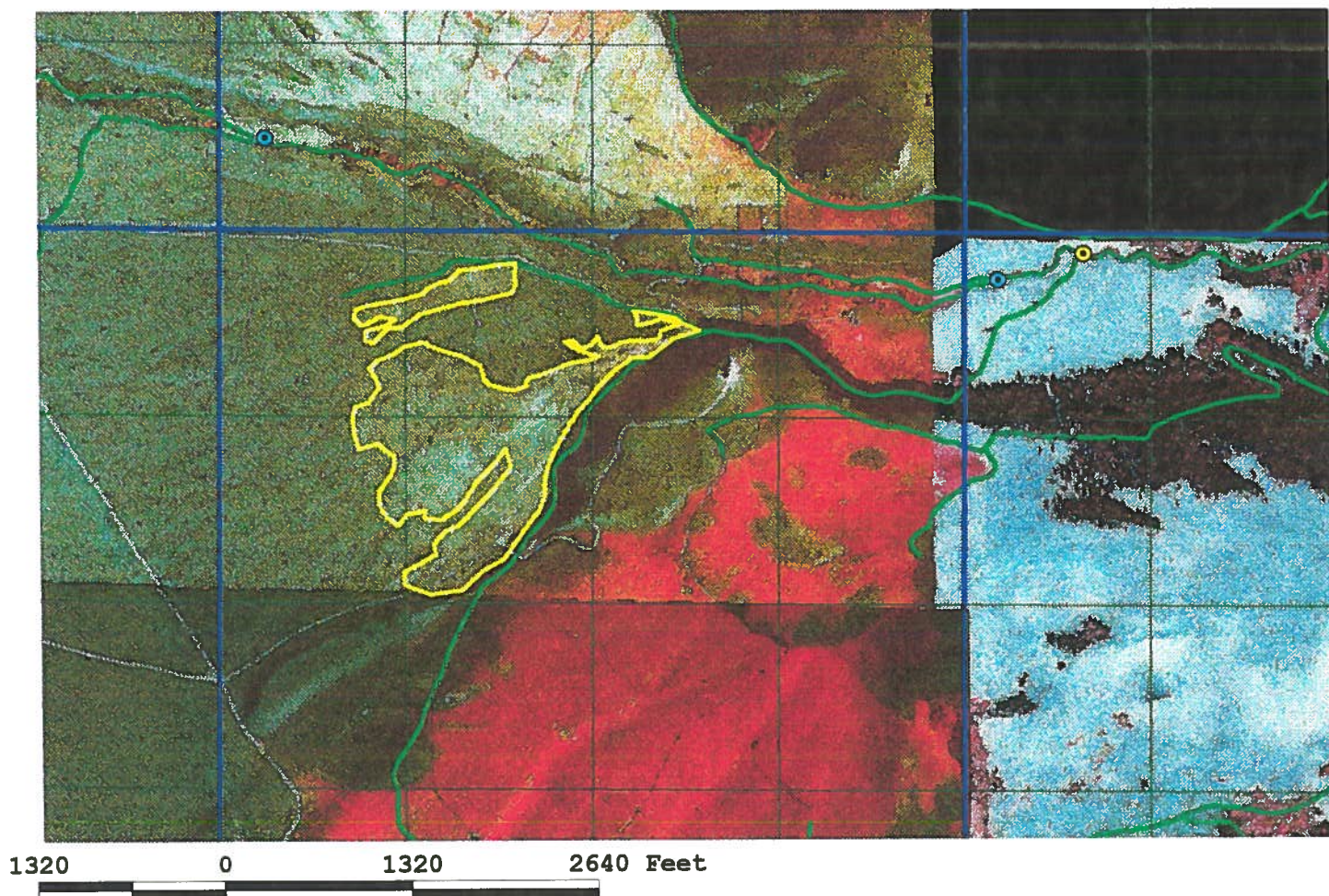


- RECOMMENDED PLACE OF USE
- RECOMMENDED POINT OF DIVERSION
- SECTION LINES
- QUARTER QUARTER LINES
- STREAM AND DITCH CHANNELS

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

IDAHO DEPARTMENT OF WATER RESOURCES

71-04021



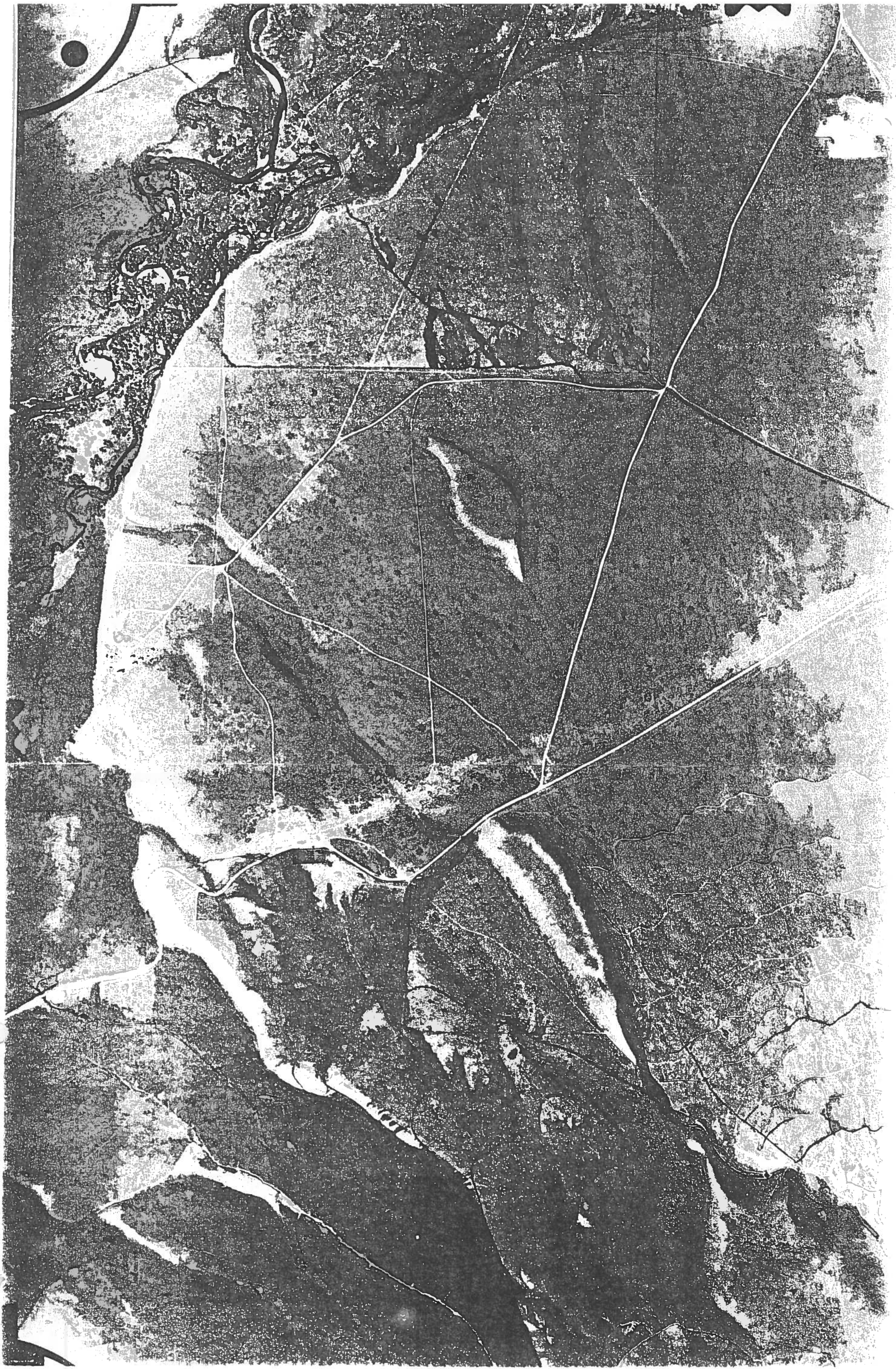
POU:
TWP 08N, RGE 14E, SEC 22
POD: CHAMPION CREEK
TWP 08N, RGE 14E
NENWNW SEC 23



- 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 MAY 1998
BY ALLEN MERRITT





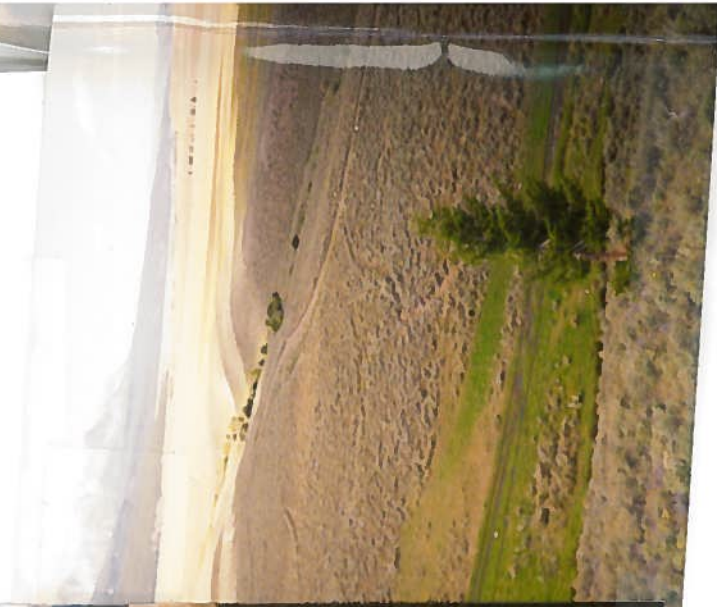
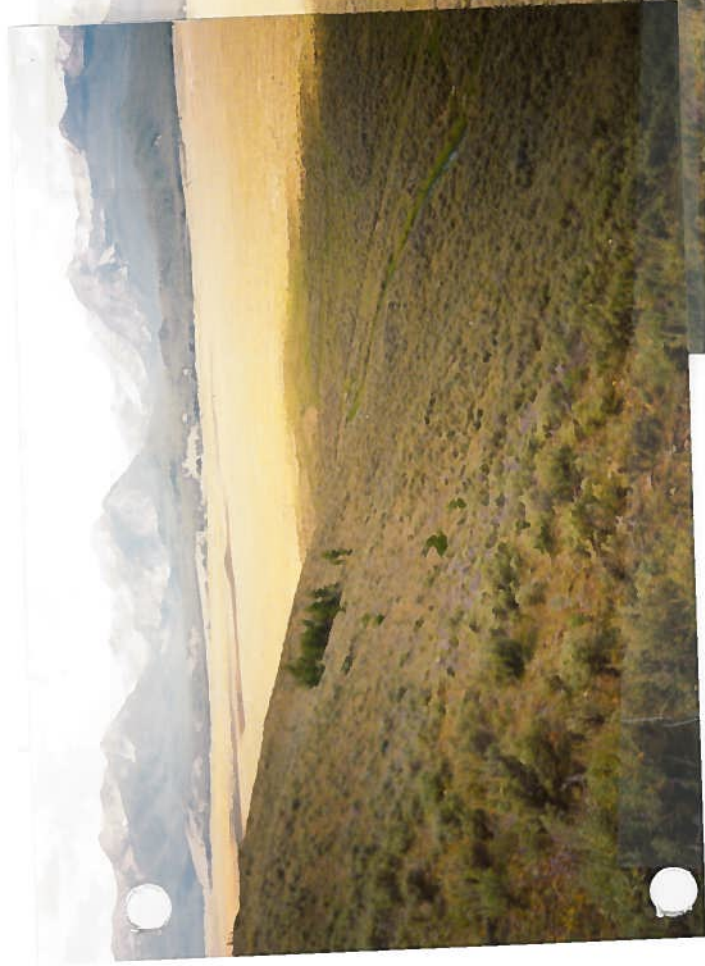
8-28-72

F12 16013

373

41

8/19/93 AD-



View from near Humphrey's house overlooked
claimed irrigated land. Old ditches present
but much of land overgrown with sagebrush.

RECEIVED

DEC 03 1993

Department of Water Resources
Southern Region Office

72 Abbott Road
Wellesley, MA 02181
Monday, November 29, 1993

Allen Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Dear Allen:

Sherl Chapman has completed his report on the irrigated acres on my property in the Sawtooth Valley after his site visit two weeks ago.

In the interest of time, I have asked him today to send a copy to you directly.

Please let me know if you have not received your copy of his report by the first of next week.

Thanks again for your assistance.

Sincerely,



W. Michael Humphreys

Sherl L. Chapman Consulting, Inc.

410 S. Orchard / Suite 144 / Boise, Idaho 83705 / Phone (208) 344-6690 / Fax (208) 344-2744

RECEIVED

NOV 30 1993

Department of Water Resources
Southern Region Office

COPY

TO: Mr. W. Michael Humphreys
FROM: Sherl L. Chapman, President
DATE: November 29, 1993
SUBJECT: IRRIGATED ACREAGE - STANLEY RANCH

This office was contacted in November, 1993, regarding potential irrigated acreage on the Humphreys Ranch on Champion Creek near Stanley, Idaho. The Idaho Department of Water Resources had conducted an analysis of the water rights on the ranch, in particular, SRBA Claims A71-04021 and A71-02047A in an effort to determine irrigated acreage. It appears that the Department utilized landsat imagery as the basis for determination of irrigated acreage on the ranch. According to data provided Mr. Humphreys by Allen D. Merritt, October 5, 1993, it is his recommendation that 37 acres be designated as the total irrigated acreage for the ranch. Mr. Humphreys contacted this office through his attorney, William Ringert, in an effort to determine whether or not the Department recommendation is accurate and, if not, what the actual irrigated acreage might be on the ranch. A field visit was made to the ranch by this author November 15, 1993, prior to snowfall in the area. The entire Humphreys Ranch was inspected, primarily on foot, and as a base, aerial photographs, landsat imagery and U.S. Geological Survey 7.5 minute quadrangle maps were all used as basis and for comparison.

Quadrangle maps used include the Obsidian and Alturas Lake 7.5 minute quadrangle maps, U.S. Forest Service photos EGT1-79 and EGT1-80 taken 7/23/59 and a landsat image provided by Mr. Humphries, date unknown. Additionally, two photographs were taken, both showing diversion facilities on the property.

The areas appearing to have been irrigated in the past from Champion Creek were drawn on the aerial photographs and the quadrangle maps in the field and compared with the landsat photographs during the visit to the ranch. Upon returning to the office, the areas noted on the aerial photographs and quadrangle map were then laid out by 40 acre tract and acreages within each 40 acre tract determined by use of a planimeter. It was determined, through this technique, that the total acreage appearing to have been irrigated on the ranch totals approximately 145 acres, as opposed to 37 acres. The ditches on the property are in existence and it is apparent that water has been run through those ditches, at least during the preceding irrigation season. While much of the area is covered by sparse sagebrush growth, it is not uncommon in intermontane valleys, such as this, to irrigate such terraces and fans without removal of the native vegetation in an effort to enhance natural forage grasses for grazing. Based on a review of the files and existing practices in this area, the conclusion is made that irrigation of this

Specialist In

Ground-Water Hydrology / Water Rights / Water Well Design / Geothermal Resources

Mr. W. Michael Humphreys
November 29, 1993
Page 2

property was, in fact, used to enhance natural forage for grazing purposes. While the landsat imagery does not show major reflectance from this area, it is not unusual to have relatively minimal reflectance or enhancement where natural grasses are developed as opposed to cultivated irrigated cropland. However, use of water in this manner is a beneficial use since it enhances natural growth and allows for commercial utilization of the property over and above that of the natural conditions. In addition, Mr. Lavery, an adjacent rancher, has indicated, by affidavit, that water has been diverted onto these lands in the past, thus lending support to the premise that forage grasses were enhanced on the property.

The acreages determined by the computer assisted planimetric procedure are as follows:

TOWNSHIP 8N, RANGE 14E

SECTION 21

NENE - 11 acres
SENE - 21 acres
NESE - 2 acres

SECTION 22

NWNE - 2 acres
NENW - 17 acres
NWNW - 17 acres
SWNW - 39 acres
SENW - 25 acres
NWSW - 11 acres

The conclusions drawn by this investigation are that irrigation has taken place on the property through distribution of water into as many as 10 contour ditches with water diverted from Champion Creek and that the use of water was to enhance natural forage grasses for commercial cattle production. The total acreage found is approximately 145 acres using three separate sources of mapping and planimeter techniques.

If any questions arise regarding this report, please contact Sherl L. Chapman, 410 S. Orchard, Suite 144, Boise, Idaho 83705.

Sherl L. Chapman Consulting, Inc.
410 S. Orchard / Suite 144
Boise, Idaho 83705



Mr. Allen D. Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301



72 Abbott Road
Wellesley Hills, MA 02181
Wednesday, November 03, 1993

Allen Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

RECEIVED

NOV 08 1993

Department of Water Resources
Southern Region Office

Dear Allen:

Thank you for the landsat data which you sent to me on October 5. I think this is exactly what we were looking for.

At the suggestion of Bill Ringert, I have retained a hydrologist named Sherl Chapman. I have asked him to make a site visit and perform a computer analysis of the irrigated acres to provide further documentation for your report. Mr Chapman intends to visit the property during the week of November 15 and have his report to me before the end of November. If the weather cooperates, I hope to have this material to you by the first week in December.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, reading "W. Michael Humphreys" with a stylized flourish at the end.

W. Michael Humphreys



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

05-Oct-1993 14:31

W Michael Humphreys
72 Abbott Rd
Wellesley Hills, MA 02181

RE: SRBA Claims A71-04021 & A71-02047A

Dear Mr. Humphreys:

In response to your letter dated September 30, 1993 I have printed out the landsat data as you requested for the sections around your ranch and the Laverty's ranch. These printouts are enclosed. Please note that I have highlighted in yellow those tracts which may include Laverty's irrigated land and I have highlighted in red those tracts which may include your property. These data are complete for these sections so if there is not a listing for a specific tract it is assumed that the potentially irrigated acres for that tract is zero. Please also note that the printout often show two listings for some tracts; the difference being the cty code. The proper cty code for your area is 37 instead of 13 so the proper reading of acres are those associated with cty code 37. I hope this is the data you wanted. If you have questions please let me know.

In your letter you also requested additional time inwhich to submit evidence to support your claims before I draft my recommendation. I am willing to review any supporting evidence to support your claims until the deadline to have my draft ready for the notice of error procedure. At present no deadline has been firmly set however I expect it will be close to December before all recommendations will be finalized. If you do not get whatever you are going to submit in by that time, I will finalize my recommendation and you may address whatever problem you have with the recommendation in the notice of error procedure or if not taken care of at that time you may file a formal objection to the Director's Report with the court. I have enclosed a copy of a brochure that explains the process after the Director's report has been filed. This brochure was prepared for the three basins inwhich Director's reports have been filed with the court.

I hope this helps you in understanding the process. If I can be of further assistance please feel free to contact me at my office.

Sincerely,

Allen D. Merritt, P.E.
Water Rights Supervisor

SD-ZZZ

Idaho Department of Water Resources
TWP-RNG-SECT Query

Date: 10/05/93
Time: 14:13:08

| Tw | Rng | Sect | Tract | Lot | Acres | Cty | Comments |
|-----|-----|------|-------|-----|-------|-----|----------|
| 08N | 14E | 21 | SW NW | | 1.0 | 37 | |
| 08N | 14E | 21 | NW SW | | 11.0 | 13 | |
| 08N | 14E | 21 | NW SW | | 21.0 | 37 | |
| 08N | 14E | 21 | SW SW | | 33.0 | 13 | |
| 08N | 14E | 21 | SW SW | | 32.0 | 37 | |
| 08N | 14E | 21 | SE SW | | 3.0 | 13 | |
| 08N | 14E | 21 | SE SW | | 15.0 | 37 | |
| 08N | 14E | 21 | SE SE | | 2.0 | 13 | |

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(GOLD7=Bail Out)

(Menu _____)

SD-ZZZ

Idaho Department of Water Resources
TWP-RNG-SECT QueryDate: 10/05/93
Time: 14:10:19

| Tw | Rng | Sect | Tract | Lot | Acres | Cty | Comments |
|-----|-----|------|-------|-----|-------|-----|----------|
| 08N | 14E | 27 | NE NE | | 19.0 | 13 | |
| 08N | 14E | 27 | NE NE | | 19.0 | 37 | |
| 08N | 14E | 27 | NW NE | | 8.0 | 13 | |
| 08N | 14E | 27 | NW NE | | 23.0 | 37 | |
| 08N | 14E | 27 | SW NE | | 13.0 | 13 | |
| 08N | 14E | 27 | SW NE | | 1.0 | 37 | |
| 08N | 14E | 27 | SE NE | | 5.0 | 13 | |
| 08N | 14E | 27 | SE NE | | 19.0 | 37 | |
| 08N | 14E | 27 | NE NW | | 34.0 | 13 | |
| 08N | 14E | 27 | NE NW | | 39.0 | 37 | |
| 08N | 14E | 27 | NW NW | | 36.0 | 13 | |
| 08N | 14E | 27 | NW NW | | 34.0 | 37 | |
| 08N | 14E | 27 | SW NW | | 34.0 | 13 | |
| 08N | 14E | 27 | SW NW | | 33.0 | 37 | |
| 08N | 14E | 27 | SE NW | | 18.0 | 13 | |
| 08N | 14E | 27 | SE NW | | 33.0 | 37 | |
| 08N | 14E | 27 | NE SW | | 31.0 | 13 | |

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(GOLD7=Bail Out)

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SD-ZZZ

Idaho Department of Water Resources
TWP-RNG-SECT QueryDate: 10/05/93
Time: 14:10:44

| Tw | Rng | Sect | Tract | Lot | Acres | Cty | Comments |
|-----|-----|------|-------|-----|-------|-----|----------|
| 08N | 14E | 27 | NE SW | | 37.0 | 37 | |
| 08N | 14E | 27 | NW SW | | 39.0 | 13 | |
| 08N | 14E | 27 | NW SW | | 39.0 | 37 | |
| 08N | 14E | 27 | SW SW | | 26.0 | 13 | |
| 08N | 14E | 27 | SW SW | | 16.0 | 37 | |
| 08N | 14E | 27 | SE SW | | 35.0 | 13 | |
| 08N | 14E | 27 | SE SW | | 39.0 | 37 | |
| 08N | 14E | 27 | NE SE | | 15.0 | 13 | |
| 08N | 14E | 27 | NE SE | | 18.0 | 37 | |
| 08N | 14E | 27 | NW SE | | 34.0 | 13 | |
| 08N | 14E | 27 | NW SE | | 30.0 | 37 | |
| 08N | 14E | 27 | SW SE | | 30.0 | 13 | |
| 08N | 14E | 27 | SW SE | | 37.0 | 37 | |
| 08N | 14E | 27 | SE SE | | 5.0 | 13 | |
| 08N | 14E | 27 | SE SE | | 11.0 | 37 | |

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(GOLD7=Bail Out)

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SD-ZZZ

Idaho Department of Water Resources
TWP-RNG-SECT Query

Date: 10/05/93

Time: 14:09:08

| Tw | Rng | Sect | Tract | Lot | Acres | Cty | Comments |
|-----|-----|------|-------|-----|-------|-----|----------|
| 08N | 14E | 15 | SW NW | | 16.0 | 13 | |
| 08N | 14E | 15 | SW NW | | 4.0 | 37 | |
| 08N | 14E | 15 | SE NW | | 3.0 | 13 | |
| 08N | 14E | 15 | SE NW | | 1.0 | 37 | |
| 08N | 14E | 15 | NE SW | | 36.0 | 13 | |
| 08N | 14E | 15 | NE SW | | 36.0 | 37 | |
| 08N | 14E | 15 | NW SW | | 35.0 | 13 | |
| 08N | 14E | 15 | NW SW | | 14.0 | 37 | |
| 08N | 14E | 15 | SW SW | | 11.0 | 13 | |
| 08N | 14E | 15 | SW SW | | 8.0 | 37 | |
| 08N | 14E | 15 | SE SW | | 24.0 | 13 | |
| 08N | 14E | 15 | SE SW | | 15.0 | 37 | |
| 08N | 14E | 15 | NW SE | | 13.0 | 37 | |
| 08N | 14E | 15 | SW SE | | 23.0 | 13 | |
| 08N | 14E | 15 | SW SE | | 27.0 | 37 | |
| 08N | 14E | 15 | SE SE | | 5.0 | 13 | |
| 08N | 14E | 15 | SE SE | | 8.0 | 37 | |

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(GOLD7=Bail Out)

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SD-ZZZ

Idaho Department of Water Resources
TWP-RNG-SECT Query

Date: 10/05/93

Time: 14:12:04

| TwP | Rng | Sect | Tract | Lot | Acres | Cty | Comments |
|-----|-----|------|-------|-----|-------|-----|----------|
| 08N | 14E | 22 | NE NE | | 19.0 | 13 | |
| 08N | 14E | 22 | NE NE | | 25.0 | 37 | |
| 08N | 14E | 22 | NW NE | | 21.0 | 13 | |
| 08N | 14E | 22 | NW NE | | 5.0 | 37 | |
| 08N | 14E | 22 | SW NE | | 37.0 | 13 | |
| 08N | 14E | 22 | SW NE | | 31.0 | 37 | |
| 08N | 14E | 22 | SE NE | | 16.0 | 13 | |
| 08N | 14E | 22 | SE NE | | 31.0 | 37 | |
| 08N | 14E | 22 | SW NW | | 2.0 | 13 | |
| 08N | 14E | 22 | SE NW | | 20.0 | 13 | |
| 08N | 14E | 22 | SE NW | | 10.0 | 37 | |
| 08N | 14E | 22 | NE SW | | 41.0 | 13 | |
| 08N | 14E | 22 | NE SW | | 36.0 | 37 | |
| 08N | 14E | 22 | NW SW | | 24.0 | 13 | |
| 08N | 14E | 22 | NW SW | | 6.0 | 37 | |
| 08N | 14E | 22 | SW SW | | 35.0 | 13 | |
| 08N | 14E | 22 | SW SW | | 22.0 | 37 | |

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SD-ZZZ

Idaho Department of Water Resources
TWP-RNG-SECT Query

Date: 10/05/93

Time: 14:12:20

| TwP | Rng | Sect | Tract | Lot | Acres | Cty | Comments |
|-----|-----|------|-------|-----|-------|-----|----------|
| 08N | 14E | 22 | SE SW | | 43.0 | 13 | |
| 08N | 14E | 22 | SE SW | | 42.0 | 37 | |
| 08N | 14E | 22 | NE SE | | 22.0 | 13 | |
| 08N | 14E | 22 | NE SE | | 37.0 | 37 | |
| 08N | 14E | 22 | NW SE | | 37.0 | 13 | |
| 08N | 14E | 22 | NW SE | | 40.0 | 37 | |
| 08N | 14E | 22 | SW SE | | 34.0 | 13 | |
| 08N | 14E | 22 | SW SE | | 40.0 | 37 | |
| 08N | 14E | 22 | SE SE | | 28.0 | 13 | |
| 08N | 14E | 22 | SE SE | | 39.0 | 37 | |

72 Abbott Road
Wellesley Hills, MA 02181
September 30, 1993

RECEIVED

OCT 05 1993

Department of Water Resources
Southern Region Office

Mr. Allen Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Dear Mr. Merritt:

I am writing to ask if you would please give me another 60 days to provide additional material to accompany your report summarizing your inspection of my property south of Obsidian, in the Sawtooth valley, Custer County. We have ordered the two aerial photos from the serial numbers you provided me, but the water attorney I have retained in Boise, Mr. Bill Ringert, has not yet received the copies. In addition, he has been very busy and needs more time to help me formulate my response. I hope you will please allow me this additional time.

While I was visiting Stanley this summer, I talked with my neighbors, the Laverty's, about their pasture that they had for sale. I am exploring the issues of their water rights and I would very much appreciate if you could send to me the LandSat satellite calculation of what the Laverty's irrigated acres amounts to. (If it is easier, you can reach me during the day at 617/345-6740, evenings at 617/431-1229.)

Thank you for your help. I look forward to talking with you again,

Sincerely,



W. Michael Humphreys

72 Abbott Road
Wellesley, MA 02181
Tuesday, August 31, 1993

RECEIVED

SEP 07 1993

Department of Water Resources
Southern Region Office

Allan Merritt
Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, ID 83301

Dear Allan:

Thank you for the opportunity to meet with you last week at my property in the Sawtooth Valley.

I would like to take the opportunity to provide additional documentation to support your report on the beneficial use claims made by the prior owners of my property, Jack Redmond and Randy Hayes.

I hope to be able to respond by October 1, 1993 as we discussed last week.

Sincerely,

A handwritten signature in cursive script, appearing to read "W. Michael Humphreys".

W. Michael Humphreys

COPY

673 280000 1111 50

KETCHUM 46 MI.
HAILEY 58 MI.

675

SCALE 1:24,000

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17 30

CLAIM 71-04021 INIT
T. R. S. Q/Q
P/D
PHOTO V-70
DT. ID.



Warm

Sawtooth Valley

Spring

Creek

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COPY



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:10:51
05/28/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A71-04021

LAST: REDMOND, I
ADDRESS: 4577 GOLF COURSE DR.
CITY: WESTLAKE
PHONE NUMBER: 805-485-5150
OWNER CODE: C

FIRST: JACK W.
STATE: CA ZIP: 91362
HAYS
ADDRESS: 5627 TERRA BELLA LN.
CITY: CAMARILLO
PHONE NUMBER: 208-000-0000
STATE: CA ZIP: 93010

OWNER CODE: C
FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM
DATABASE
FIELD EXAMINER

CONTACT PERSON: Michael Humphress

DATE OF FIELD EXAM: 8/19/98 APPOINTMENT MADE: Y(☒) N(☐)

ACCOMPANIED BY: Michael Humphress

RELATIONSHIP TO CLAIMANT: Son

DIRECTIONS TO PROPERTY / REMARKS:

PHONE NUMBER: ()
TIME: : A() P()
PHONE NUMBER: ()

A. AJ CLAIM: # A71-04021 PRIORITY DATE: 04-01-1940 STAGE: 5
B. WR RECORD: # 71-04021 PRIORITY DATE: 04-01-1940 STAGE: 5

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD EXAMINER
N

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

REMARKS:

See 1 affidavit submitted which support
use back 25 file 25 use claimed.

RECOMMENDED PRIORITY DATE:

04-01-1940

REVIEWED BY

DATE

5/13/98

| | RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTR |
|----|-------|------|------|------|-----|-----|-----|-----|------|
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| DATE | TIME | BY | REMARKS |
|-----------|------|-----|---------|
| 471-04021 | 08N | 14E | 23 |
| 471-04021 | 08N | 14E | 23 |

| | |
|----------------------------------|----------------------------------|
| OTHER AJ CLAIMS WITH SAME AJ POD | WR RECORDS IN SAME 40 ACRE INALL |
| A PREFIX | 71-02026 |
| A71-02047A | 71-04006 |
| R PREFIX | |
| NONE | |

71-02026
71-04006
71-07067
T71-04021

TRIBE: SALMON RIVER

| | TWP. | RGE. | SEC. | 1/4 | 1/4 | LOT | CNTY |
|-------|------|------|------|-----|-----|-----|------|
| RIGHT | | | | | | | |

| | | | | | | |
|----------|-----|-----|----|----|----|--------|
| 71-04021 | 08N | 14E | 23 | NW | NW | CUSTER |
|----------|-----|-----|----|----|----|--------|

OTHER WR RECORDS WITH SAME WR POI
AJ CLAIMS IN SAME 40 ACRE TRACT
A DEFTY B DEFTY

| | | |
|-----------|-----------|------|
| 71-02026 | A71-02026 | NONE |
| 71-04006 | A71-04006 | |
| T71-04021 | A71-10081 | |

TRIB: SALMON RIVER

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

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. RGE. SEC.

1/4 1/4 1/4 LOT

COUNTY

SW 14E 23

NE NW NW

Custer

SOURCE: CHAMPION CREEK

TRIE: SALMON RIVER

REVIEWED BY:

AM

DATE:

5/10/98

Determined by F.E. & GIS of
guard map.

A. ROOT WATER RIGHT NUMBERS: A71-04021

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|----------------------|---------------|---------------|-----------------|----------------|------------------|
| 08N | 14E | 21 | NE | NE | | REDMOND, II, JACK W. | A71-04021 | 71-04021 | 720.0 | | |
| | | | NE | NE | | REDMOND, II, JACK W. | | 71-04021 | 720.0 | | |
| 08N | 14E | 21 | SE | NE | | REDMOND, II, JACK W. | A71-04021 | 71-04021 | 720.0 | | |
| | | | SE | NE | | REDMOND, II, JACK W. | | 71-04021 | 720.0 | | |
| 08N | 14E | 22 | NW | NE | | REDMOND, II, JACK W. | A71-04021 | 71-04021 | 720.0 | | 5.0 |
| | | | NW | NE | | REDMOND, II, JACK W. | A71-10140 | | | | |
| | | | NW | NE | | REDMOND, II, JACK W. | | 71-04021 | 720.0 | | |
| 08N | 14E | 22 | NE | NW | | REDMOND, II, JACK W. | A71-04021 | 71-04021 | 730.0 | | |
| | | | NE | NW | | REDMOND, II, JACK W. | | 71-04021 | 730.0 | | |
| 08N | 14E | 22 | NW | NW | | REDMOND, II, JACK W. | A71-04021 | 71-04021 | 730.0 | | |
| | | | NW | NW | | REDMOND, II, JACK W. | | 71-04021 | 730.0 | | |
| 08N | 14E | 22 | SW | NW | | REDMOND, II, JACK W. | A71-04021 | 71-04021 | 740.0 | | |
| | | | SW | NW | | REDMOND, II, JACK W. | | 71-04021 | 740.0 | | |
| 08N | 14E | 22 | SE | NW | | REDMOND, II, JACK W. | A71-04021 | 71-04021 | 740.0 | | 10.0 |
| | | | SE | NW | | REDMOND, II, JACK W. | | 71-04021 | 740.0 | | |
| 08N | 14E | 22 | NW | SW | | REDMOND, II, JACK W. | A71-04021 | 71-04021 | 740.0 | | 6.0 |
| | | | NW | SW | | REDMOND, II, JACK W. | | 71-04021 | 740.0 | | |
| TOTAL ACRES | | | | | | | A71-04021 | | 240.00 | | 21.00 |

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

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

See GIS Sheet

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

46.2

REVIEWED BY:

AB

DATE:

5/12/98

Number of acres irrigated is at issue.
Does not appear right is used much.
Land very hilly. See photos.

A. AJ CLAIMED USES:

PURPOSES
A71-04021 IRRIGATION

MONTH/DAY
FROM 04-15 TO 10-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
4.800 CFS
4.800 CFS

B. WR RECORDED USES:

PURPOSES
71-04021 IRRIGATION

MONTH/DAY
FROM 04-15 TO 10-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
4.800 CFS
4.800 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?
RECOMMEND TO WR STANDARDS OR OTHER?

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

Explain in remarks, below.

REMARKS:

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

*** 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?

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

FIELD
DATABASE EXAMINER
Y

B.

MEASUREMENT METHOD

FLOW MEASUREMENT

SEE ATTACHED CALCULATIONS.

*With measured
7/1/92*

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|----------|----------------------|---------------------|----------|--------|
| A71-10140 | DOMESTIC | REDMOND, TI, JACK W. | FROM 01-01 TO 12-31 | .030 CFS | |

0.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 46.2 X 0.02 CFS/ACRE = CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(☒) N(☐)

See excess flow sheets.

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 480.0 AE/A

ACRES 46.2 X CONSUMPTIVE VOL. AE/A FOR AREA =

TOTAL CONSUMPTIVE USE AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES 46.2 X DIVERSION VOL. AE/A FOR AREA =

TOTAL DIVERSION VOLUME AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(☐) N(☐)

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

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRRIGATION

04-15

15-15

4.500

3.75

DATABASE

EXAMINER

~~4.500~~

DATABASE

EXAMINER

TOTAL FOR THIS RIGHT

5/1

9/30

4.500

3.75

DATABASE

EXAMINER

~~4.500~~

DATABASE

EXAMINER

REVIEWED BY:

AB

DATE:

5/13/98

IR = 3.14 cfs

Cons. Ls = 0.61 cfs

3.75 cfs

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREIGN/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()

NEEDS
REVIEW
()
()
()

See sheet

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-04021

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
4.800

EXAMINER

CES

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

A71-04021

A71-04021

4.800

-

71-04021

4.800

TOTAL CES

4.800

4.800

DIVERSION RATE REVIEW

DO THE SUM CES RATE OF THE SPLITS EQUAL THE ROOT RIGHT CES RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

[Signature]

DATE:

5/13/98

TITLE:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:10:51
05/28/92

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QUICKLOOK INFORMATION

CLAIM NUMBER: A71-04021

| 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 | | | | | | | | |
| POINT OF DIV | Y | | | | | | | |
| PLACE OF USE | Y | | | | | | | |
| DIV. AMOUNT
CFS/VOLUME | | | | | | | | |
| CONSUMPTIVE USE | - | | | | | | | |
| PURPOSES | | | | | | | | |
| PERIOD OF USE | | | | | | | | |
| BASIS OF CLAIM | | | | | | | | |
| REMARKS | | | | | | | | |

VERIFIED BY CODES

TOPO MAP/ORTHO-PG = 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.

AA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

03:11:46
05/28/92

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PROFILE REPORT

CLAIM NUMBER: A71-04021

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|--|------------------|------------|--------------------------------------|-------------------|---------------------|
| C | JACK W. REDMOND, II
4577 GOLF COURSE DR.
WESTLAKE CA 91362
(805) 485-5150 | 04/01/1940 | IRRIGATION | 04-15 10-15 | 4.80 CFS | 480.0 AFA |
| | | | | TOTAL DIVERSION:
CONSUMPTIVE USE: | 4.80 CFS | 480.0 AFA |

C RANDALL HAYS
5627 TERRA BELLA LN.
CAMARILLO CA 93010

Water Source: CHAMPION CREEK

Tributary to: SALMON RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T08N R14E S22
S23

NENE
NW1W

CUSTER County
CUSTER County

| Place of use | | Legal Description for: IRRIGATION | | | | | | | | | | | | TOTAL ACRES | | | | | |
|--------------|---|-----------------------------------|---|---|---|-------|---|---|---|-------|---|---|---|-------------|---|---|---|-------|--|
| | | NE | | | | NW | | | | SW | | | | SE | | | | | |
| | | NENE | | | | NENW | | | | NWSW | | | | NENE | | | | SUM | |
| T R S | | Lt Ac | | | | Lt Ac | | | | Lt Ac | | | | Lt Ac | | | | | |
| 08N 14E 21 | : | 20 | : | : | : | 20 | : | : | : | 40 | : | : | : | 40 | : | : | : | 40.0 | |
| 08N 14E 22 | : | 20 | : | : | : | 30 | : | : | : | 30 | : | : | : | 40 | : | : | : | 200.0 | |
| | | | | | | | | | | | | | | | | | | 240.0 | |

POU County: CUSTER

Other Rights: NONE

| | | |
|--------|------------------------|------------------------|
| Dates: | Exam Made Date: | Verified Date: |
| Misc: | Water District Number: | Field Inspection Flag: |
| | | Presumption Flag: |