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JAN 22 1999

Department of Water Resources

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FEB 05 1999

Department of Water Resources
Southern Region

1999 JUN 21 11:12

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) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
)
) Water Rights 71-04039 and 71-04040B
)

IDWR has completed the following Administrative Proceeding:

☒ Change of Address
☐ Substitution of Party
☐ I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: HAROLD PHARRIS
New Address: PO BOX 9
HAZELTON ID 83335

Claimant's Water Rights: 71-04039 and 71-04040B

The Claimant has filed Objections or Responses to the following water rights:

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
1/6/1999

71-04039 AND 71-04040B

PAGE 1

CERTIFICATE OF MAILING

I certify that on 1-12-99 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

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:
Each party in the subcase, or attorney of record:

VIRGINIA PHARRIS
HAROLD G PHARRIS
PO BOX 9
HAZELTON ID 83335

BLICK BROTHERS PARTNERSHIP
PO BOX 635
CASTLEFORD ID 83321
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Sandy Egbert
Signature of person or attorney mailing the form

RIGHTS FROM: SOURCE: CLEVELAND CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 71-04039

NAME & ADDRESS: VIRGINIA PHARRIS
HAROLD G PHARRIS
PO BOX 9
HAZELTON ID 83335

SOURCE: CLEVELAND CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.6 CFS

PRIORITY DATE: 05/16/1922

POINT OF DIVERSION: T10N R14E S31 SENESE Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 05-01 10-31 0.6 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T10N R14E S31 NWSW 0.4 SWSW 5.3
5.7 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
PROPERTY IS PORTION OF HOMESTEAD ENTRY NO. 594.

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) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Rights 71-04039 and 71-04040B

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☐ Substitution of Party
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New Address: PO BOX 9
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Claimant's Water Rights: 71-04039 and 71-04040B

The Claimant has filed Objections or Responses to the following water rights:

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
1/6/1999

71-04039 AND 71-04040B

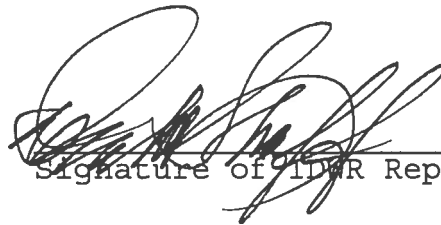
PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

1/07/99

A handwritten signature in black ink, appearing to be "D. A. Hoff", is written over a horizontal line.

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 1-12-99 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
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2. One Copy to:
Each party in the subcase, or attorney of record:

VIRGINIA PHARRIS
HAROLD G PHARRIS
PO BOX 9
HAZELTON ID 83335

BLICK BROTHERS PARTNERSHIP
PO BOX 635
CASTLEFORD ID 83321
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Sandy Egbert
Signature of person or attorney mailing the form

RIGHTS FROM: SOURCE: CLEVELAND CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 71-04039
NAME & ADDRESS: VIRGINIA PHARRIS
HAROLD G PHARRIS
PO BOX 9
HAZELTON ID 83335
SOURCE: CLEVELAND CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.6 CFS
PRIORITY DATE: 05/16/1922
POINT OF DIVERSION: T10N R14E S31 SENESE Within CUSTER County
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 05-01 10-31 0.6 CFS
PLACE OF USE: IRRIGATION Within CUSTER County
T10N R14E S31 NWSW 0.4 SWSW 5.3
5.7 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
PROPERTY IS PORTION OF HOMESTEAD ENTRY NO. 594.

RIGHTS FROM: SOURCE: BOUNDARY CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 71-040408
NAME & ADDRESS: BLICK BROTHERS PARTNERSHIP
PO BOX 635
CASTLEFORD ID 83321

HAROLD G PHARRIS
PO BOX 9
HAZELTON ID 83335

SOURCE: BOUNDARY CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 1.5 CFS
PRIORITY DATE: 05/16/1922
POINT OF DIVERSION: T10N R14E S31 NWSNW Within CUSTER County
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 05-01 10-31 1.5 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T10N R14E S31 SWNW 4.7 SENW 3.6 NESW 1 NWSW 6.7
16 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: JAN-6-1999
PAGE: A-2

RIGHTS FROM: SOURCE: BOUNDARY CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 71-040408 (CONT)

EXPLANATORY MATERIAL: (CONT)

PROPERTY IS PORTION OF HOMESTEAD ENTRY NO. 594.
0.13 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.

AJ0749NP
No. 71-04039

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

DATE: 01/05/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	VIRGINIA PHARRIS	05/16/1922	IRRIGATION	05-01 1D-31	0.600 CFS	
C	HAROLD G PHARRIS					
	PO BOX 9					
	HAZELTON ID 83335					
	(208) 829-5324					
			TOTAL DIVERSION:		0.600 CFS	

Water Source: CLEVELAND CREEK Tributary to: SALMON RIVER Stage: BENEFICIAL USE

Point(s) of Diversion: T10N R14E S31 SENESE CUSTER County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	
T R S	NENE NENE SENE	NEW NWNW SNW	NESW NWSW SMSW SESW	NESE NWSE SWE SESE	SUM
	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	
10N 14E 31	:	:	: .4 05	:	5.7
					5.7
					TOTAL ACRES

POU County: CUSTER

Other Rights: NONE

Conditions of Approval:

- C13 - 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
 - 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
 - ALL WATER RIGHTS WITHIN BASIN 71 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Remarks: EXP PROPERTY IS PORTION OF HOMESTEAD ENTRY NO. 594.

Dates: Exam Made Date: 08/26/1993 Verified Date: Objection Filed Date:

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

AJ0749NP
No. 71-04039

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

DATE: 01/05/99
PAGE: 2

Comments:

Date: 12/06/1993 User-ID: MERRITT Subject: COPIED FROM REMARKS
THE P/U ACRES LISTED HEREIN IS DIFFERENT THAN THE CLAIMANT'S
PORTION OF 17.0 ACRES LISTED IN A71-04040.

Date: 06/17/1998 User-ID: AMERRITT Subject: COPIED FROM REMARKS
PROPERTY IS PORTION OF HOMESTEAD ENTRY NO. 594.

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

Date: 01/05/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 01/05/99 SSHERMAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

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JAN 05 1999

Department of Water Resources

PHILIP E. BATT
GOVERNOR

December 30, 1998

KARL J. DREHER
DIRECTOR

HAROLD AND VIRGINIA PHARRIS
PO BOX 9
HAZELTON ID 83335

Re: Snake River Basin Adjudication (SRBA)
Water Rights #71-04039 & 71-04040B
Change of Address

*Records modified, NCAP
Plg ared.
01-05-99, m*

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by January 11, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Harold & Virginia Pharris
Claimant Signature

Telephone No.
827-5324

Notice to Mailer of Correction in Address

Addressee's Account Number (All numbers, dates, and letters)

+71-04040B 71-04039

☐ No account number on mail

☐ Account number illegible

Addressee's Name

Virginia - HAROLD G. PHARRIS

Old Address (Include apartment or suite number)

P.O. Box 8

City, State, and ZIP Code

HAZELTON, ID 83335

New Address (Include apartment or suite number)

P.O. Box 9

City, State, and ZIP Code

HAZELTON, ID 83335

This card is furnished: ☒ For address correction, as requested (your mailpiece was forwarded).

☐ In place of Form 3579 (see reason for nondelivery below).

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

☐ Moved, left no address

☐ No such street

☐ No such number

☐ Refused

☐ Attempted, not known

☐ Unclaimed

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: A71-04039
Date Received: 11/07/1989
Receipt No: S010393
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD G. PHARRIS 208-829-5324
Address: P.O. BOX 8
HAZELTON, ID 83335
OR
Name: VIRGINIA PHARRIS 208-829-5324
Address: P.O. BOX 8
HAZELTON, ID 83335

2. Date of Priority: MAY 16, 1922

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	14E	31	SW	SW	SW		CUSTER

5. Description of diverting works:
CHECKDAM, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	06/15	10/01	0.600		

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

8. Total consumptive use is 42.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	14E	31	SW	SW		IRR	17.0
Section Acres							17.0
Total Acres							17.0

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:
A71-04040

14. Remarks:
THE P/U ACRES LISTED HEREIN IS DIFFERENT THAN THE CLAIMANT'S
PORTION OF 17.0 ACRES LISTED IN A71-04040.

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): Harold G. Pharris Date: 11/7/89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of November 19 89 Steve C. [Signature]
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7 1994



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

A71-04039
HAROLD G. PHARRIS
VIRGINIA PHARRIS
P.O. BOX 8
HAZELTON

ID 83335

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

RECEIVED

IN THE MATTER OF:)
WATER RIGHT #A71-04039)
A71-04040A & A71-04040B)
STATE OF IDAHO)
COUNTY OF _____)

AFFIDAVIT

APR 29 1992

Department of Water Resources
Southern Region Office

Harold G. Pharris, being first duly sworn, deposes and says:
This affidavit is being prepared on the 27th day of April, 1992,
in accordance with water rights application number A71-04039, A71-
04040A and A71-04040B.

I first purchased the property in Custer County appurtenant to
these water rights in 1942. At that time the land was being
irrigated and water was used to water our livestock. I was under
the impression, because of what was told to me by the previous
owners, that the water in "Bettis Creek" now called "Boundary Creek
(see attached U.S. Forest Service Letter) and the water in
Cleveland Creek had been used in their entirety to water said
property since the early 1900's. The Deeds all reflect water
rights including the original U.S. Patent #843325, issued January
16, 1922.

The water in both streams may in the early spring have more
water than we might be entitled to, but later in the year the full
stream flow is required to irrigate this property and water the
livestock.

It is impossible to acquire affidavits from previous owners as
they are all deceased. However, we feel from previous conversation
with former owners that there has been water used on this property
as early as 1916 but at the very least a water right was
established in January of 1922, because the patent from the
Homestead gives any vested and accrued water rights. It is our
understanding that the land was being used for agriculture at that
time.

This land was partially divided and 15 acres sold to George
and John Blick in 1962. At that time the deed reflects (copy
attached), that one second foot was deeded with their property and
two second feet with the property retained by us. There are
presently no other users of water from these streams and as I
stated earlier for most of the year there is no more than enough
water available for use other than this property.

Harold G. Pharris (Sub)
Harold G. Pharris

Subscribed and sworn to before me this 29 day of April, 1992.

Curtis S. Sorenson
(Notary Public) Twin Falls, Idaho

Residing at Twin Falls, Idaho

My commission expires July 18, 1992

MICROFILMED
MAR 17 1993

IN THE MATTER OF:

A71-04040A

State of Idaho

County of Twin Falls

RECEIVED

APR 29 1992

AFFIDAVIT

Department of Water Resources
Southern Region Office

John W. Blick

being first duly sworn,

deposes and says: We purchased land on Boundry Creek from Harold G. Pharris
and Virginia Pharris in 1962. At that time we received a deeded water
right for one second foot of water from Bettis Creek (now called Boundry
Creek.) This land was divided into two parcels, with one half the water
right to me and one half to my brother, now deceased and is owned by
Blick Brothers, a partnership. This water right would go back to the
same date that Harold has applied for. This affidavit is for application
of water rights A71-04040A and is attached to the affidavit of Harold G.
Pharris as the same claim evidence applies.

John W. Blick
(signature)

Subscribed and sworn to before me this 24th day of April 19 92.

Marie J. Odenwald
(notary public)

Residing at Buhl, Idaho
My commission expires 10/12/94

MAR 17 1993

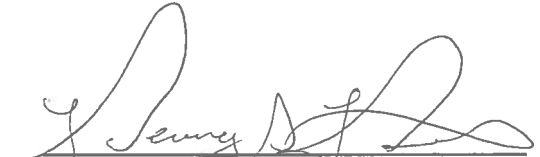
IN THE MATTER OF:)
WATER RIGHT #A71-04040B)
_____)
STATE OF IDAHO)
_____)
COUNTY OF Twin Falls)

RECEIVED

AFFIDAVIT APR 29 1992

Department of Water Resources
Southern Region Office

Benny G. Blick being first duly sworn, deposes and says: My father and my uncle, George Blick and John Blick, purchased land on Boundary Creek from Harold G. Pharris and Virginia Pharris in 1962. Since that time my father and mother have passed away and the land is now owned by Blick Brothers, a partnership. In 1962, they received a deeded water right for one second foot of water from Bettis Creek (now called Boundary Creek). This land was divided into two parcels and one-half of the water right should go to each parcel. This water right would go back to the same date that Harold has applied for. This affidavit is for application of water rights A71-04040B and is attached to the affidavit of Harold G. Pharris as the same claim evidence applies.


Benny G. Blick

Subscribed and sworn to before me this 27th day of April, 1992.


(Notary Public)

Residing at Buhl

My commission expires: 10/12/94

MICROFILMED

MAR 17 1993



United States
Department of
Agriculture

Forest
Service

Sawtooth
National
Forest

1525 Addison Avenue East
Twin Falls, ID 83301

RECEIVED

Reply to 5400

APR 29 1992

Date June 17, 1983

Department of Water Resources
Southern Region Office

Mr. Pat Pharris
Box 57
Hazelton, ID 83335

A7L-4040A } Boundary
A71-4040B }

A71-4039 Cleveland

Dear Mr. Pharris:

This letter is in response to your request to determine when "Bettis Creek" was renamed Boundary Creek, located in Section 31, T.10N., R.14E., B.M.

We have searched our records and old maps from 1907 to the present.

Our records indicate that this creek was not officially named and placed on a Forest Service Map until 1927, which was named Boundary Creek and has had that name to this date.

The private property which this creek flows through was patented in May, 1922, by W. A. Wright as H.E.S. 594. At that time the Homestead map and surveyors notes did not show a name for this creek. Prior maps of 1907, 1913 and 1919 also did not show a name for the creek in question.

My only guess would be that somewhere prior to 1927, the local people in that area just referred to the creek as Bettis Creek, as we do not have any record, officially or unofficially, of that name.

I hope this information will be of some help to you. Please let us know if we can be of further assistance.

Sincerely,

Dee J. Strickling

DEE J. STRICKLING
Realty Specialist
Sawtooth N.F.

MICROFILMED

MAR 17 1993



THE UNITED STATES OF AMERICA,

RECEIVED

To all to Whom these Presents shall Come,

APR 29 1992

Greeting:

WHEREAS, A Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of William A. Wright has been established and duly consummated, in conformity to law, for the H. E. Survey No. 594, embracing a portion of, approximately, Section thirty-one in Township ten north of Range fourteen east of the Boise Meridian, Idaho, more particularly bounded and described as follows:

Beginning at corner No. 1, identical with the southeast corner to Section thirty-six in Township ten north of range thirteen east of the Boise Meridian; thence, north eleven minutes east, thirty-nine and ninety-eight-hundredths chains to corner No. 2; thence, north fourteen minutes east, five and ten-hundredths chains to corner No. 3; thence, north seventy-three degrees forty-seven minutes east, twenty-six chains to corner No. 4; thence, south fifty degrees one minute east, fifteen and fifty-six-hundredths chains to corner No. 5; thence, south twenty-five minutes west, nineteen and ninety-four-hundredths chains to corner No. 6; thence, south thirty-seven degrees six minutes west, twenty-eight chains to corner No. 7; thence, north eighty-nine degrees fifty-nine minutes west, twenty and four-hundredths chains to corner No. 1, the place of beginning, containing one hundred fifty-nine and two-hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant, the tract of Land above described; TO HAVE AND TO HOLD the said tract of land, with the appurtenances thereof, unto the said claimant, and to the heirs and assigns of the said claimant, forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

This patent is issued in lieu of Patent No. 843325, dated January 16, 1922, which has been canceled because of an error in the description.

IN TESTIMONY WHEREOF, I, Warren G. Harding, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed. GIVEN under my hand, in the District of Columbia, the THIRTY-FIRST day of MAY in the year of our Lord one thousand nine hundred and TWENTY-TWO and of the Independence of the United States the

MICROFILMED

MAR 17 1993

By Bonnie Stilwell
Deputy

RECEIVED

APR 29 1992

Department of Water Resources
Southern Region Office

No. 117076

WARRANTY DEED

Fees, \$ 1.50

\$1.10 in Revenue Stamps
Attached and Cancelled

For Value Received, we, HAROLD G. PHARRIS and VIRGINIA PHARRIS, husband and wife at all times during ownership of the hereinafter described property the grantors, do hereby grant, bargain, sell and convey unto GEORGE BLICK, whose wife's name is MARIE BLICK, & JOHN BLICK, whose wife's name is JOSEPHINE BLICK The grantees the following described premises, in Custer County Idaho, to-wit:

Beginning at corner No. 1, identical with the southeast corner of Section 36, Township 10 North, Range 13 East, Boise Meridian:

Thence N 0° 11' E for a distance of 2638.63 feet to Corner No. 2 which is the true point of beginning;
Thence N 0° 14' E for a distance of 336.6 feet to Corner No. 3;
Thence N 73° 47' E for a distance of 1716.0 feet to Corner No. 4;
Thence S 50° 01' E for a distance of 388.48 feet;
Thence S 73° 47' W for a distance of 2027.43 feet to Corner No. 2, the true point of beginning, containing in all 14.33 acres, more or less;

Together with one second foot of the waters of Bettis Creek appurtenant to said premises.

All of said land is situated in approximately Section 31, Township 10 North, Range 14 East, Boise Meridian, Idaho, said tract of land being a portion of the H. E. Survey No. 594, U. S. Patent No. Hailey 020481 and 023057, dated May 31, 1922 and recorded September 5, 1922 in Book 16 of Deeds, page 122, Custer County, Idaho,

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances. and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 24, 1962.

Harold G. Pharris

Virginia Pharris

STATE OF IDAHO, COUNTY OF JEROME

On this 24th day of January, 1962, before me, a notary public in and for said State, personally appeared HAROLD G. PHARRIS and VIRGINIA PHARRIS, husband and wife known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

(Seal)

Frank M. Rettig
Notary Public
Residing at Jerome, Idaho
Comm. Expires 12/24/62

RECEIVED

APR 29 1992

Department of Water Resources
Southern Region Office

STATE OF IDAHO, COUNTY OF CUSTER,

I hereby certify that this instrument was filed for record at the request of George Blick at 30 minutes past 2:00 o'clock p. m. / 1962, in my office, and duly recorded in Book 34 of Deeds at page 478

Eva Mann
Ex-Officio Recorder

By Bonnie Stilwell
Deputy.

Fees \$ 1.50

No Revenue Stamps Attached

No. 117077

WARRANTY DEED

THIS INDENTURE, Made the 10th day of May in the year of our Lord one thousand nine hundred and sixty-one between Merle L. Fleming, an unmarried man, of Stanley County of Custer State of Idaho the party of the first part, and Richard H. Neustaedter & Jane H Neustaedter, husband & wife of Stanley County of Custer State of Idaho, the parties of the second part.

WITNESSETH. That the said party of the first part, for and in consideration of the sum of Valuable Con-

For Value Received, GEORGE L. BLICK & MARIE BLICK, his wife, & JOHN W. BLICK & JOSPHINE BLICK, HIS wife, respectively husbands & wives during entire ownership of hereinafter described property,

the grantor; do hereby grant, bargain, sell and convey unto HAROLD G. PHARRIS and VIRGINIA PHARRIS, his wife the grantee, the following described premises, in Custer County Idaho, to wit:

A tract of land in approximately Section 31, Township 10 North, Range 14 East, Boise Meridian, Idaho, said tract of land being a portion of the H. E. Survey No. 594, U. S. Patent No. Hailey 020481 and 023057, dated May 31, 1922 and recorded September 5, 1922 in Book 16 of Deeds, page 122, Custer County, Idaho, more particularly described as follows:

Beginning at Corner No. 1 which is identical to the southeast corner of Section 36, Township 10 North, Range 13 East, Boise Meridian;

Thence N 0°11' E for a distance of 2638.68 feet to Corner No. 2;

Thence N 73°47' W for a distance of 2027.43 feet;

Thence S 50°01' E for a distance of 638.48 feet to corner No. 5;

Thence S 0° 25' W for a distance of 1316.04 feet to corner No. 6;

Thence S 37°06' W for a distance of 1848.0 feet to corner No. 7;

Thence N 89° 59' W for a distance of 1322.64 feet to the point of beginning, containing in all 144.70 acres more or less.

Together with two second feet of the waters of Bettis Creek appurtenant to said premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

RECEIVED

APR 29 1992

Department of Water Resources
Southern Region Office

names are subscribed to the within instrument and acknowledged to me that they executed the same.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Seal)

Andrew F. James
Notary public for the State of Idaho
Residing at Gooding in said state.

RECEIVED

APR 29 1992

Department of Water Resources
Southern Region Office

STATE OF IDAHO)
County of Gooding) ss.

On this 22 day of October, 1963, before me, the undersigned, a Notary Public in and for said state, personally appeared Wilford S. Dunn, a single man, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

(Seal)

Marcus P. Koll
Notary Public for Idaho; Residing at
Wendell, Idaho.

State of Idaho,)
County of Custer) ss.

I hereby certify that this instrument was filed for record at the request of Custer County Title, Inc. at 30 minutes past 4:00 o'clock P. M. April 22, 1964 in my office and recorded in Book 35 Page 201 of the records of deeds.

Fees \$1.50

County Recorder

No. 118600

WARRANTY DEED

THIS INDENTURE, Made the 22nd day of April in the year of our Lord one thousand nine hundred and

between DAN WOOLLEY aka DAN M. WOOLLEY and GERRY WOOLLEY, aka GERALDINE WOOLLEY, husband and

Fees \$1.50

Eva Mann
Ex-Officio Recorder

By Margaret Lentz
Deputy

RECEIVED

APR 29 1992

Department of Water Resources
Southern Region Office

No. 118673

WARRANTY DEED

For Value Received, GEORGE L. BLICK & MARIE BLICK, his wife, & JOHN W. BLICK & JOSEPHINE BLICK, HIS wife, respectively husbands & wives during entire ownership of hereinafter described property, the grantors do hereby grant, bargain, sell and convey unto HAROLD G. PHARRIS and VIRGINIA PHARRIS, his wife the grantee, the following described premises, in Custer County Idaho, to wit:

A tract of land in approximately Section 31, Township 10 North, Range 14 East, Boise Meridian, Idaho, said tract of land being a portion of the H. E. Survey No. 594, U. S. Patent No. Hailey 020481 and 023057, dated May 31, 1922 and recorded September 5, 1922 in Book 16 of Deeds, page 122, Custer County, Idaho, more particularly described as follows:

Beginning at Corner No. 1 which is identical to the southeast corner of Section 36, Township 10 North, Range 13 East, Boise Meridian;

Thence N 0° 11' E for a distance of 2638.68 feet to Corner No. 2;

Thence N 73° 47' ^E W for a distance of 2027.43 feet;

Thence S 50° 01' E for a distance of 638.48 feet to corner No. 5;

Thence S 0° 25' W for a distance of 1316.04 feet to corner No. 6;

Thence S 37° 06' W for a distance of 1848.0 feet to corner No. 7;

Thence N 89° 59' W for a distance of 1322.64 feet to the point of beginning, containing in all 144.70 acres more or less.

Together with two second feet of the waters of Bettis Creek appurtenant to said premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

35

RECEIVED

APR 29 1992

Department of Water Resources
Southern Region Office

Dated: January 24, 1962

George L. Blick

John W. Blick

Marie Blick

Josephine Blick

STATE OF IDAHO, COUNTY OF JEROME

On this 24th day of January, 1962 before me, a notary public in and for said State, personally appeared GEORGE L. BLICK & MARIE BLICK his wife, and JOHN W. BLICK & JOSEPHINE BLICK, his wife known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

(Seal)

Frank M. Rettig
Notary Public
Residing at Jerome, Idaho
Comm. Expires 12/24/62

STATE OF IDAHO, COUNTY OF Custer

I hereby certify that this instrument was filed for record at the request of Harold G. Pharris at 30 minutes past 11:00 o'clock a.m., this 22nd day of April, 1964, in my office, and duly recorded in Book 35 of Deeds at page 200.

Fees \$1.20

Eva Mann
Ex-Officio Recorder

4



United States
Department of
Agriculture

Forest
Service

Sawtooth
National
Forest

1525 Addison Avenue East
Twin Falls, ID 83301

For A71-4040A } BOUNDARY CREEK
4040B }

Reply to: 5400

Date: June 17, 1983

A71-04039 - CLEVELAND CR.

Mr. Pat Pharris
Box 57
Hazelton, ID 83335

OK for pressure
flow reg. & ditch
loss.

Dear Mr. Pharris:

This letter is in response to your request to determine when "Bettis Creek" was renamed Boundary Creek, located in Section 31, T.10N., R.14E., B.M.

We have searched our records and old maps from 1907 to the present.

Our records indicate that this creek was not officially named and placed on a Forest Service Map until 1927, which was named Boundary Creek and has had that name to this date.

The private property which this creek flows through was patented in May, 1922, by W. A. Wright as H.E.S. 594. At that time the Homestead map and surveyors notes did not show a name for this creek. Prior maps of 1907, 1913 and 1919 also did not show a name for the creek in question.

My only guess would be that somewhere prior to 1927, the local people in that area just referred to the creek as Bettis Creek, as we do not have any record, officially or unofficially, of that name.

I hope this information will be of some help to you. Please let us know if we can be of further assistance.

Sincerely,


DEE J. STRICKLING
Realty Specialist
Sawtooth N.F.



MICROFILMED

MAR 17 1993

FS-6200-11(8-80)

THE UNITED STATES OF AMERICA,

To all to Whom these Presents shall Come,

Greeting:

WHEREAS, A Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of William A. Wright has been established and duly consummated, in conformity to law, for the H. E. Survey No. 594, embracing a portion of, approximately, Section thirty-one in Township ten north of Range fourteen east of the Boise Meridian, Idaho, more particularly bounded and described as follows:

Beginning at corner No. 1, identical with the southeast corner to Section thirty-six in Township ten north of range thirteen east of the Boise Meridian; thence, north eleven minutes east, thirty-nine and ninety-eight-hundredths chains to corner No. 2; thence, north fourteen minutes east, five and ten-hundredths chains to corner No. 3; thence, north seventy-three degrees forty-seven minutes east, twenty-six chains to corner No. 4; thence, south fifty degrees one minute east, fifteen and fifty-six-hundredths chains to corner No. 5; thence, south twenty-five minutes west, nineteen and ninety-four-hundredths chains to corner No. 6; thence, south thirty-seven degrees six minutes west, twenty-eight chains to corner No. 7; thence, north eighty-nine degrees fifty-nine minutes west, twenty and four-hundredths chains to corner No. 1, the place of beginning, containing one hundred fifty-nine and two-hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant, the tract of Land above described; TO HAVE AND TO HOLD the said tract of land, with the appurtenances thereof, unto the said claimant, and to the heirs and assigns of the said claimant, forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

This patent is issued in lieu of Patent No. 843325, dated January 16, 1922, which has been canceled because of an error in the description.

IN TESTIMONY WHEREOF, I, Warren G. Harding, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed. GIVEN under my hand, in the District of Columbia, the THIRTY-FIRST day of MAY in the year of our Lord one thousand nine hundred and TWENTY-TWO and of the Independence of the United States the one hundred and FORTY-SIXTH.

Old (D) Number -

State- ID Zip- 83335

State- ID Zip- 83335

```

- - Source - - - - - +
CLEVELAND CREEK
+ - - - - Tributary - - - - -
SALMON RIVER

```

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		05/01	09/30		0.600	

		Place of Use				County
Twn	Ring	Sec	Tract	Lot	Acres	Description
10N	14E	31	NW SW		0.4	01 IRRIGATION
10N	14E	31	SW SW		5.3	01 IRRIGATION
						(37) CUSTER
						(37) CUSTER

..... Remarks

PROPERTY IS PORTION OF HOMESTEAD ENTRY NO. 594..

AJ0743NP
(00-124)

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

06/17/98 11:32:30
Page 2

Water right number - R71-04039

Prefix Translation: RESEARCH

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

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

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

+ - - - - Comments - - - - -
Date: 12/06/1993 User Id: MERRITT Subject: COPIED FROM REMARKS
THE P/U ACRES LISTED HEREIN IS DIFFERENT THAN THE CLAIMANT'S PORTION OF 17.0 ACRES LISTED IN A71-04040.
Date: 06/17/1998 User Id: AMERRITT Subject: COPIED FROM REMARKS
PROPERTY IS PORTION OF HOMESTEAD ENTRY NO. 594.

+ - - Audit Fields - - +
06/17/98 AMERRITT

+ - - - - Adjudication Rights Dates and Flags Area - - - - -
Court Report Filing - 00/00/0000 Field Inspection Made - 08/26/1993 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 11/07/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S010393 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - OR Presumption Flag -
Notice of Error Flag -

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

71-04039

DATE: 6/17/98 1998

REVIEWED BY

AR

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

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

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

SOIL TYPE	OPTIMAL / ROTATION (chart)	ACTUAL / ROTATION (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
Tn1	4.66	9	5.7	0.26	0.77 CFS
					CFS
					CFS

TOTAL ACRES

DECREED RATE =

CLAIMED DIVERSION RATE = 0.60

ORIGINAL HUBBLE RATE =

MEASURED DIVERSION RATE =

71-04039

TRANSFER NUMBER _____

CLAIM NUMBERS _____ DATE _____

HOMESTEAD ENTRY NO. _____

AGENT _____

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																			
GIS	10N	14E	31									0.4	5.3						5.7
ECOM																			
CLAIM																			
GIS																			
ECOM																			
CLAIM																			
GIS																			
ECOM																			
CLAIM																			
GIS																			
ECOM																			

B71-DBPOD.SHP

NOS DESCRIPTION

112 SENESE
Sec 36
TION, RISE

Tn1
5.5

L24
0.2

B71-DBPOU.SHP

SHAPE NOS

170 5.7

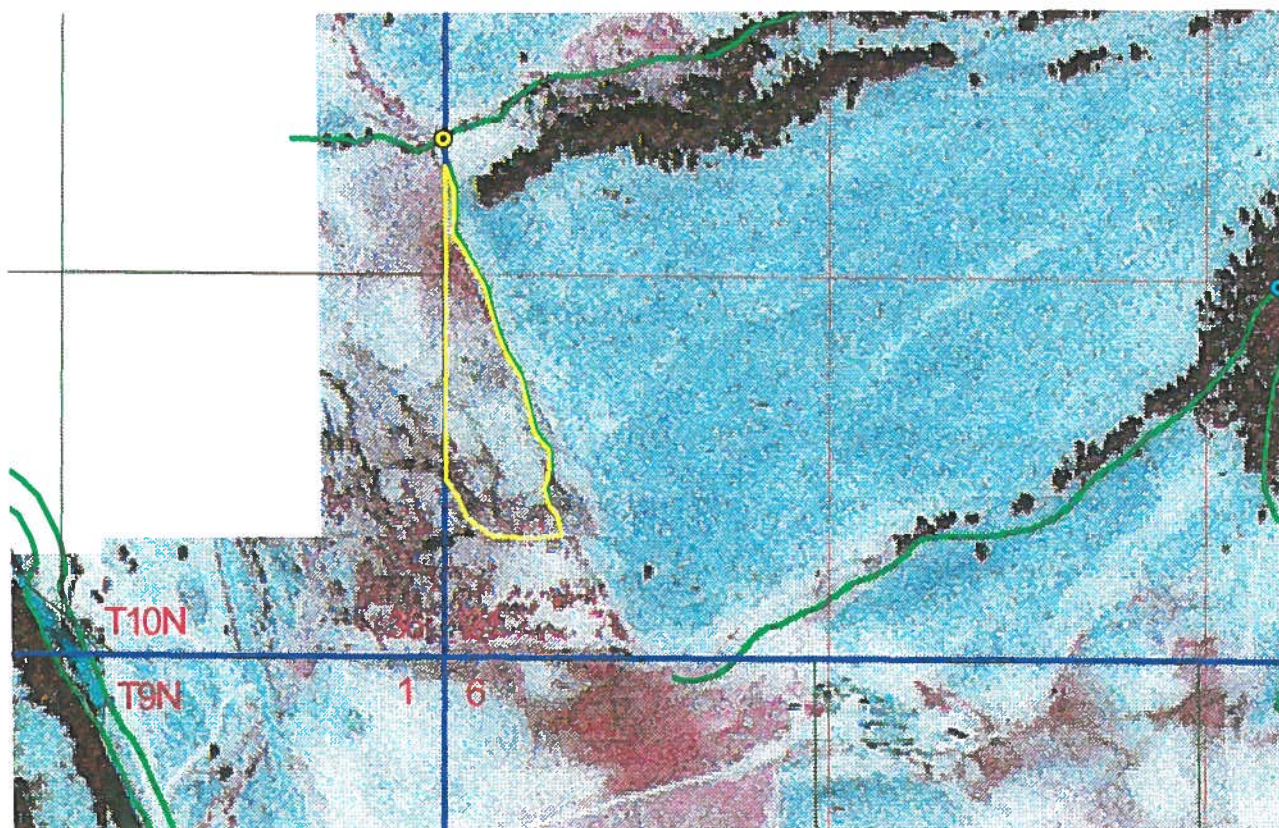
DBF TABLES UPDATED

B71-DBPOD.DBF

B71-DBPOU.DBF

IDAHO DEPARTMENT OF WATER RESOURCES

71-04039



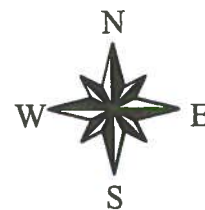
POU:

TWP 10N, RGE 14E, SEC 31

POD:

CLEVELAND CREEK - SENESE

SEC 36, TWP 10N, RGE 13E



- 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 JUNE 1998
BY ALLEN MERRITT

R PROOF

X

CVR

X

MAPS

X

PHOTOS

X

MISC

X

MICROFILMED
OCT 27 1994

Water Right Number - R71-04039

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
PHARRIS VIRGINIA
1 - PO BOX 8
2 -
3 -
City- HAZELTON
Phone - 208-829-5324
1 - PO BOX 8
2 -
3 -
City- HAZELTON
Phone - 208-829-5324
State- ID Zip- 83335

PHARRIS HAROLD G
State- ID Zip- 83335

Priority Date - 05/16/1922
Region - 17 SOUTHERN
J - BENEFICIAL USE
Status -

Source - CLEVELAND CREEK
Tributary - SALMON RIVER

Point of Diversion -
Twn Rng Sec Tract Lot Rflg County
10N 14E 31 SW NW SW (37) CUSTER

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 09/30 0.600

Total Div. Rate - 0.600
Total Div. Volume -
Total Consumptive Use - 18.0
KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
10N	14E	31	NW SW		1.0	01	IRRIGATION	(37) CUSTER
10N	14E	31	SW SW		8.0	01	IRRIGATION	(37) CUSTER

Total Acres: 9.0

Diversion Means - CHECKDAM, DITCH
Non-Irrigation Use -
Other Rights for Same Use - NONE
Remarks -
PROPERTY IS PORTION OF HOMESTEAD ENTRY NO. 594.

MICROFILMED
OCT 27 1994

Water right number - R71-04039 Prefix Translation: RESEARCH

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

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

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

+ - - - - - Comments - - - - - +
Date: 12/06/1993 User Id: MERRITT Subject: COPIED FROM REMARKS
THE P/U ACRES LISTED HEREIN IS DIFFERENT THAN THE CLAIMANT'S PORTION OF 17.0 ACRES LISTED IN A71-04040.

+ - - - - - Audit Fields - - - - - +
01/18/94 MERRITT

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 08/26/1993 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 11/07/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S010393 POU Ownership Flag - Y Water District -
Name Connector - OR Federal/State Indicator - S
Notice of Error Flag - Presumption Flag -
Notice of Error Flag -

MICROFILMED
OCT 27 1994

POOR ORIGINAL

← A71-04039

P/D

8

9

Pharris Property

Black Property

Cleveland

HES 594

Gr & CC

State Land
~~Federal Land~~

MICROFILMED

Original MSEP 27 1994

A71-02015

GRADED BORDER EVALUATION

Job name: PHARRIS LOWER FIELD
By: ADM

Location: TN1 9AC 14DAY
Date: Dec 6, 1993

Roughness coefficient (n)= 0.250 Intake family (If)=4.00
Slope (S)= 0.0200 ft/ft Border width (W)= 23 ft
Net application (Fn)= 1.21 inches Border length (L)= 400 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
0.70		Gross depth is less than required	gross application depth			
0.71		Gross depth is less than required	gross application depth			
0.72		Gross depth is less than required	gross application depth			
0.73		Gross depth is less than required	gross application depth			
0.74		Gross depth is less than required	gross application depth			
0.75		Gross depth is less than required	gross application depth			
0.76	0.033	28.55	27.24	0.10	4.2	
0.77	0.033	28.93	27.24	0.48	4.2	
0.78	0.034	29.30	27.24	0.85	4.1	
0.79	0.034	29.68	27.24	1.23	4.1	
0.80	0.035	30.05	27.24	1.60	4.0	

Analysis justifies 0.76 cfs

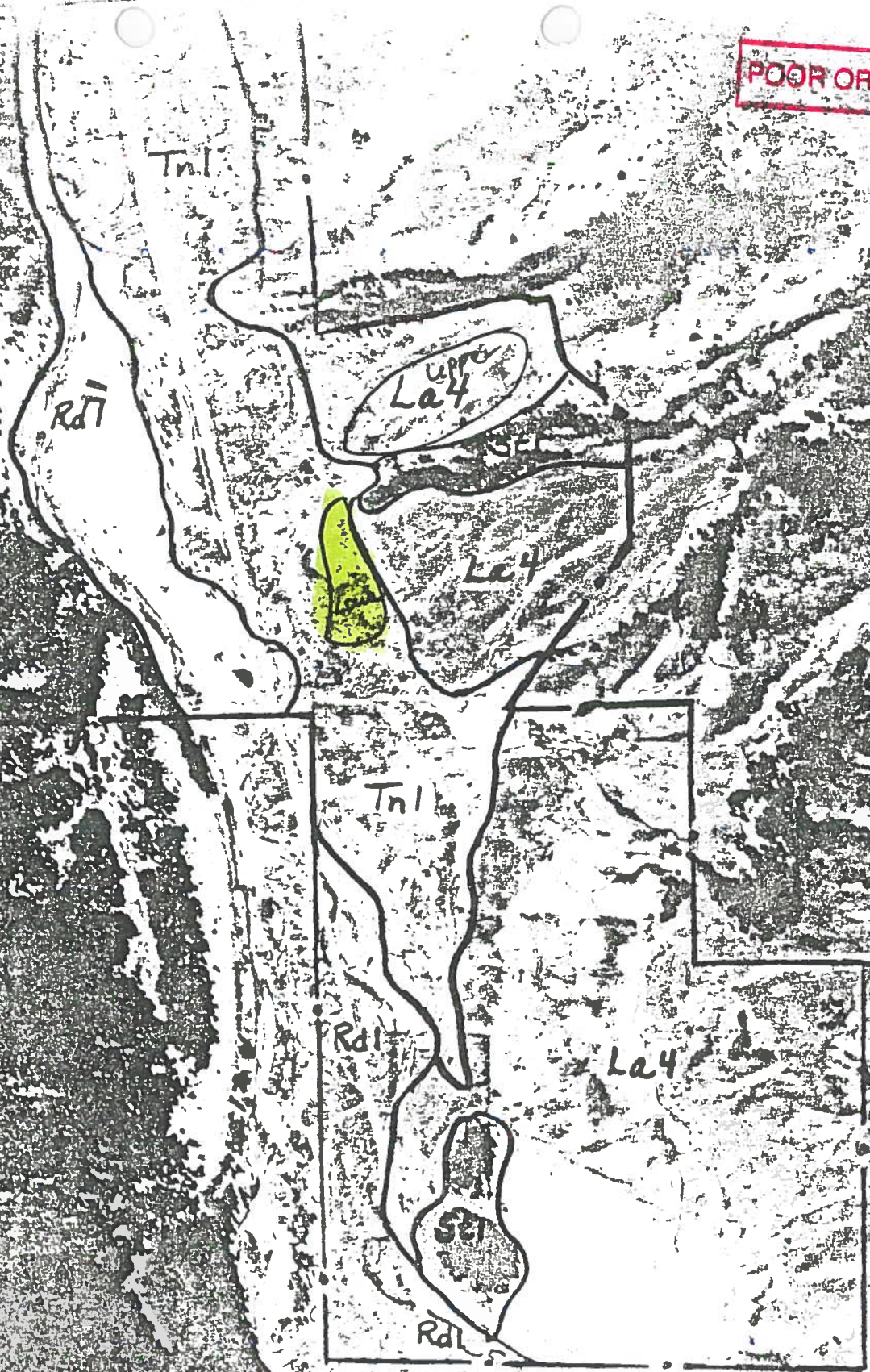
Div. capacity of ditch est. to be 0.98.

Claimed amt. is 0.60

∴ allow claimed amt.

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OCT 27 1994

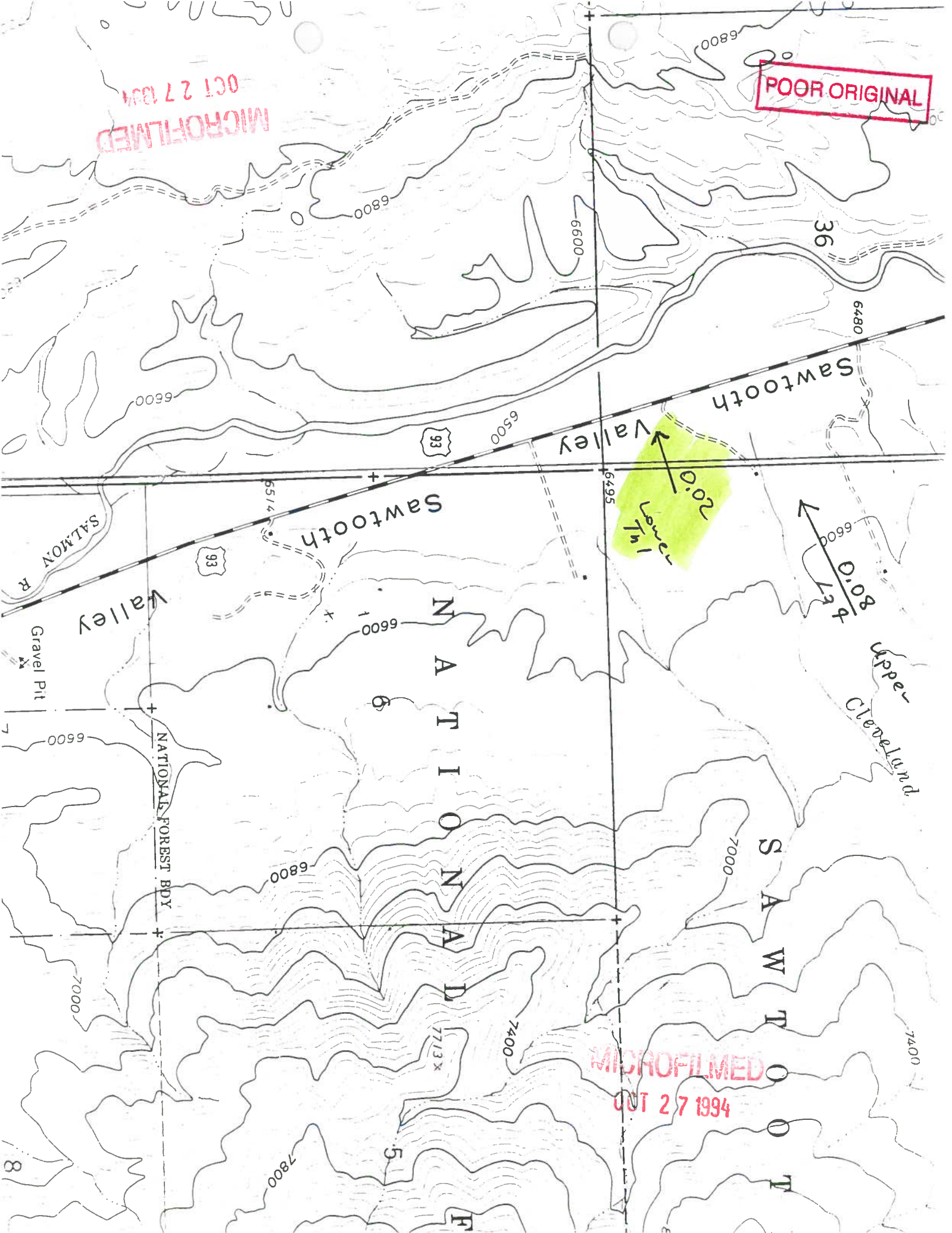
POOR ORIGINAL



NOTED
OCT 27 1994

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OCT 27 1994

POOR ORIGINAL



MICROFILMED
OCT 27 1994

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

Soil Type = TN1...GRAVELLY SANDY LOAM
Source of Soils Data = SCS

soil depth (inches)		AWC (in/in)		PH		organic (%)		soil depth (ft)	AWC (inches)	intake family		AWC (ave)
lower	upper	lower	upper	lower	upper	lower	upper			flood	furrow	
0	4	0.08	0.1	5.6	7.3	2	3	1	1.12	<u>4</u>	0.85	1 0.09
4	22	0.07	0.12	5.6	7.3			2	2.12			5 0.095
22	60	0.02	0.03	5.6	7.3			3	2.42			23 0.025
								4	2.72			61 0
								5	3.02			61 0
										alternate method		61 0
										NA	NA	61 0
												61 0
												61 0
												61 0

Management Allowed Deficit (MAD)

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

Intake Family

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

7 7

Intake Family

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

If you wish to assign intake family by an alternate method (from Table A-3 in Hubble Report or other) enter your selection below.
Enter a value for both flood and furrow if known, otherwise enter zero.
If you do not wish to assign intake family by an alternate method enter zero for both values.
intake family (flood) = 0
intake family (furrow) = 0

MICROFILMED
OCT 27 1994

A71-04039



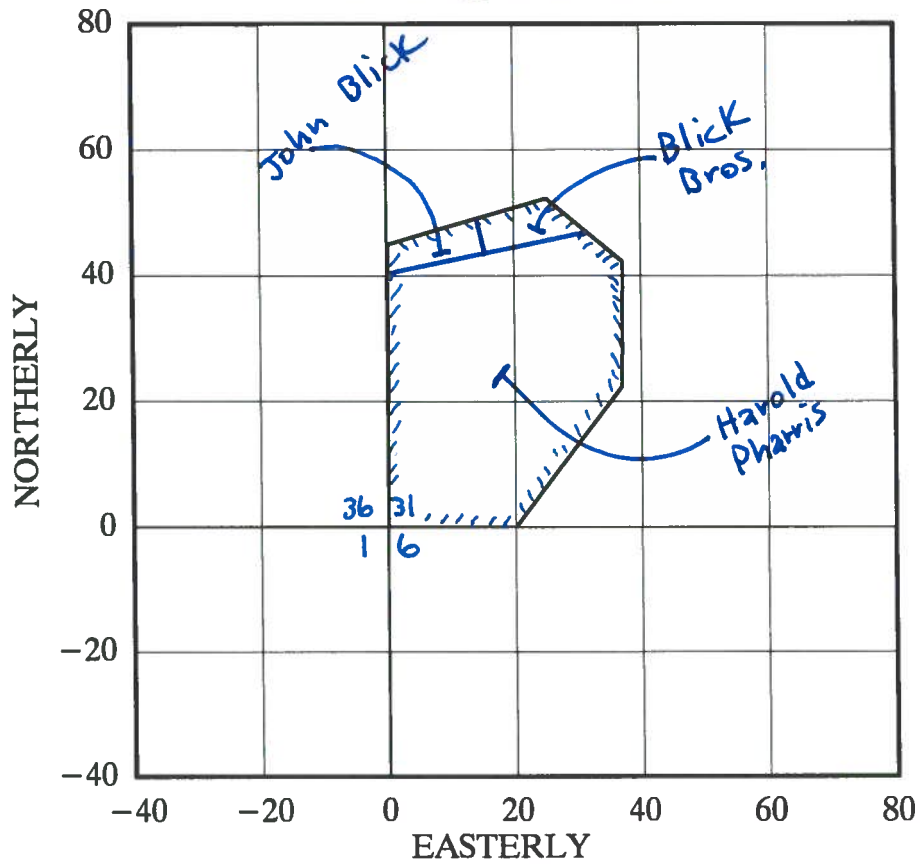
POOR ORIGINAL

Point of Diversion

Left to Right (Mr. Pharris & John Blick)

MICROFILMED
OCT 27 1981

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



HES 594

Constructed from deeds
found in A71-04039 and
field review

MICROFILMED
MAY 27 1994

MEETS AND BOUNDS TABLE

	X-COR	Y-COR	ANGLE			BEARING DIST (FT)	CUM ACRES
			DEGREES	MINUTES	SECONDS		
BEGIN POINT COR.	0.00	0.00					0.26
(SEE SHEET)	0.13	39.98	0.00	11.00	0.00 NE	2638.68	0.33
	0.15	45.08	0.00	14.00	0.00 NE	336.60	9.50
	25.11	52.34	73.00	47.00	0.00 NE	1716.00	-21.57
	37.04	42.34	50.00	1.00	0.00 SE	1026.96	-95.28
-QUAD COEF-	36.89	22.40	0.00	25.00	0.00 SW	1316.04	-158.81
IF NE, X=1,Y=1	20.00	0.07	37.00	6.00	0.00 SW	1848.00	-158.80
IF SE, X=1,Y=-1	-0.04	0.08	89.00	59.00	0.00 NW	1322.64	-158.80
IF SW, X=-1,Y=-1	-0.04	0.08					-158.80
IF NW, X=-1,Y=1	-0.04	0.08					-158.80
	-0.04	0.08					-158.80
	-0.04	0.08					-158.80
	-0.04	0.08					-158.80
	-0.04	0.08					-158.80

From Deed found in
A71-04039

MICROFILMED
OCT 27 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

03:34:02
05/28/92

CLAIM NUMBER: A71-04039

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 DIO	Y		Y	1,2,5				
SOURCE								
PLACE OF USE	Y		Y	1,2,4,1,5				
DIO AMOUNT CES/VOLUME			Y	2,1c				
CONSDRPTIVE USE	-		Y	2,1c				
PURPOSES								
PERIOD OF USE			Y	Standard				
BASIS OF CLAIM								
REMARKS	Y							

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.

RECEIVED
OCT 27 1994

RECEIVED
OCT 27 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

03:34:02
05/28/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A/1-04039

LAST: PHARRIS
ADDRESS: P.O. BOX 8
CITY: HAZELTON
PHONE NUMBER: 208-839-5324
OWNER CODE: C

FIRST: HAROLD G.
STATE: ID ZIP: 83335

F: PHARRIS
ADDRESS: P.O. BOX 8
CITY: HAZELTON
PHONE NUMBER: 208-839-5324
OWNER CODE: C

FIRST: VIRGINIA
STATE: ID ZIP: 83335

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

CLAIM REMARKS: THE P/U ACRES LISTED HEREIN IS DIFFERENT THAN THE CLAIMANT'S
PORTION OF 17.0 ACRES LISTED IN A/1-04040.

MICROFILMED
OCT 27 1994

CONTACT PERSON: Harold Pharris

DATE OF FIELD EXAM: 8/26/93 APPOINTMENT MADE: Y() N()

ACCOMPANIED BY: Mr. Pharris

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

Mr. Dick was also present.

MICROFILMED

SEP 27 1994

A. AJ CLAIM: # A71-04039 PRIORITY DATE: 05-16-1922 STAGE: S
B. WR RECORD: # 71-04039 PRIORITY DATE: 05-16-1922 STAGE: S *J*

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

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

REMARKS:

*Affidavit by Plurif's supports use of wife
in 1942 and there is an indication or general
understanding that wife was used at time the
last was preferred, in 1922. This sounds
reasonable so recommend 5/16/1922 as claimed*

RECOMMENDED PRIORITY DATE:
05-16-1922

REVIEWED BY

DATE

1/18/93

MICROFILMED

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A71-04039	10N	14E	31		SW	SW		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: CLEVELAND CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
71-04039	10N	14E	31		SW	SW		CUSTER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: CLEVELAND CREEK

TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

Determined P/D is within fence on the road & projection of Sec 31 on aerial photo.

MICROFILMED
JUN 7 1994

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:		1/4		LOT	COUNTY
TWP.	RGE.	SEC.			
10N	14E	31	SW NW SW		Custer
SOURCE: CLEVELAND CREEK					
TRIP: SALMON RIVER					
REVIEWED BY: <i>AD</i>					DATE: 1/18/93

MICROFILMED
JUL 27 1993

A. ROOT WATER RIGHT NUMBERS: A71-04039
B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	14E	31	SW	SW		PHARRIS, HAROLD G.	A71-04039 717.0	71-04039 717.0		8	10
						TOTAL ACRES	A71-04039	17.00		17.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(X) N()
IF YES SEE ATTACHED SHEET: Russ 1 ✓

C. FIELD EXAM REQUIRED? 9
DUE TO POU DISCREPANCY? (Y/N) Y DATABASE FIELD EXAMINER POU COUNTY: CUSTER 9

PRESUMPTION FLAG: 9

REMARKS: Land is also irrigated in Sec 36 T10N, R13E Approx 14Ac
but this is state land and not owned by Pharris. I contacted Dept. of Land
on 12/10/93 & talked with Don McNeiry and informed him of the
trespass.

RECOMMENDATIONS: 9
TOTAL ACRES: 9
REVIEWED BY: APL DATE: 1/18/93

RECEIVED
A71-04039

A. AJ CLAIMED USES:

PURPOSES
A71-04039 IRRIGATION

MONTH/DAY
FROM 06-15 TO 10-01

DIVERSION QUANTITY
.600 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.600 CFS

B. WR RECORDED USES:

PURPOSES
71-04039 IRRIGATION

MONTH/DAY
FROM 06-15 TO 10-01

DIVERSION QUANTITY
.600 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.600 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?
RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(☒)
Y(☒) N()

Explain in remarks, below.

REMARKS:

See 5/1 to 9/30

MICROFILMED
OCT 27 1984

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

AJ TOTAL CLAIMED DIVERSION RATE: 0.600 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.600 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

MEASUREMENT METHOD Minutis Calc, SEE ATTACHED CALCULATIONS.

Below

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

OTHER RIGHTS LISTED IN CLAIM: A71-04040

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

$$Q = \frac{1.49}{n} R^{2/3} S^{1/2} A$$

$$Q = \frac{1.49}{0.03} \left(\frac{11.2}{3.2} \right)^{2/3} (0.001)^{1/2} (1.2)$$

$$= 0.98 \text{ ft}^3/\text{sec}$$

Excess flow justifies 0.76
Allow 0.60 filed on

$$A = 1.0 \times 1.2 = 1.2$$

$$R = \frac{1.2}{1.0 + 1.0 + 1.2} = 0.38$$

$$S = \text{Assume } 0.001$$

$$n = 0.03 \text{ Chow pp 112 (earth, some weeds)}$$

RECORDED
27 1994

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 9 $\times$ 0.02 CFS/ACRE = 0.18 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 42.5 AE/A

ACRES 9 $\times$ CONSUMPTIVE VOL. AE/A FOR AKEA 18.0 =

TOTAL CONSUMPTIVE USE 2.0 AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES 9 $\times$ DIVERSION VOL. AE/A FOR AKEA N/A =

TOTAL DIVERSION VOLUME N/A AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

Excess flow results
24hr

0.76 justified
∴ 416 - 0.60 claimed

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRRIGATION

~~06-15~~ 10-01
5/1 9/30

DATABASE EXAMINER
0.600

DATABASE EXAMINER

DATABASE EXAMINER
42.5
42.5

TOTAL FOR THIS RIGHT

REVIEWED BY:

DATE:

1/18/94

RECEIVED
FEB 1 1994
FEB 1 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-04039
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.600

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "K" CLAIM NUM.	"K" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A71-04039	0.600	-		71-04039	0.600
TOTAL CFS						0.600

DIVERSION RATE REVIEW

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

FIELD
EXAMINER
Y

REMARKS:

D/c is HES 594

AUTHENTICATION:

SIGNATURE: *A. Stant*

DATE:

1/18/92

NAME OF FIELD EXAMINER:

TITLE:

RECORDED
OCT 27 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

03:44:26
05/28/92

CLAIM NUMBER: A71-04039

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAROLD G. PHARRIS VIRGINIA PHARRIS P.O. BOX 8 HAZELTON ID 83335 (208) 829-5324	05/16/1922	IRRIGATION	06-15 10-01	0.60 CFS	4215 SAFA
TOTAL DIVERSION: CONSUMPTIVE USE:						0.60 CFS
Water Source: CLEVELAND CREEK						
Tributary to: SALMON RIVER						
Point(s) of Diversion: TION R14E S31 SWSW						
Price of use Legal Description for: IRRIGATION						
T	R S	NE NE NE SW NE SENE	NE NW NW NW SENE	NE NE NE NE NE	NE NE NE NE NE	SUM
10N 14E 31		Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac	17.0
TOTAL ACRES						17.0

POU County: CUSTER

Other Rights: A71-04040

Remarks: THE P/U ACRES LISTED HEREIN IS DIFFERENT THAN THE CLAIMANT'S
PORTION OF 17.0 ACRES LISTED IN A71-04040.

Dates: Exam Made Date: 01/28/1986

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

Stage: STATUTORY CLAIM
CUSTER County

DIVERSION RATE
DIVERSION VOLUME

UCC 411