

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: A71-04050  
Date Received: 9/25/1989  
Receipt No: S009315  
Received By:                     

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: J. DON SESSIONS  
Address: STAR RT.  
KETCHUM, ID 83340 208-774-3366  
AND/OR  
Name: NEDRA SESSIONS  
Address: STAR RT.  
KETCHUM, ID 83340 208-774-3366
2. Date of Priority: JUN 01, 1969
3. Source: SALMON RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:  
Township 08N Range 14E Section 5 1/4 of 1/4 of 1/4 Lot County  
SW NE CUSTER
5. Description of diverting works:  
DITCH
6. Water is used for the following purposes:  
Purpose From To C.F.S. (or) A.F.A.  
IRRIGATION 05/15 09/30 0.140
7. Total Quantity Appropriated is:  
0.140 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 14.0 Acre Feet Per Annum.
9. Non-irrigation uses:

A71-04050

Page 1

Date: 09/25/89

MICROFILMED  
MAR 17 1993

10. Place of Use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 09N           | 14E   | 29      | NE SW      |     | IRR | 7.0   |
| Section Acres |       |         |            |     |     | 7.0   |
| Total Acres   |       |         |            |     |     | 7.0   |

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

(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.

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

A71-04050  
J. DON SESSIONS  
NEDRA SESSIONS  
STAR RT.  
KETCHUM

ID 83340

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,

A handwritten signature in cursive script, appearing to read 'Allen Merritt'.

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

R. KEITH HIGGINSON  
Director

09-Feb-1993 10:03

J. Don & Nedra Sessions  
Star Rt  
Ketchum, ID 83340

RE: Evidence of Priority \*\*\* SECOND REQUEST \*\*\*  
SRBA Claims A71-04048, A71-04049 and A71-04050

Dear Claimant:

Our records indicate that your claim(s) referenced above is based on either a "Statutory Claim" or "Beneficial Use" of the water. Before the Department can make a recommendation to the Court for claims of this type we are required to substantiate with supporting evidence the "Priority Date" which has been claimed. We have previously requested that you submit this supporting evidence in our letter dated March 2, 1992. To date we have not received the requested documentation.

Again we are enclosing a brochure outlining the types of evidence you may submit and a computer printout of your claim for reference. We request that you submit your evidence before April 1, 1993.

**SPECIAL NOTE:**

- \*It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a notarized affidavit.
- \*Please reference the above claim number(s) on your response.
- \*If we do not receive the requested documentation your claim(s) will be recommended to the Court for disallowal due to lack of evidence supporting the priority date.

If you have questions or need other assistance please contact this office.

Sincerely,

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

Encl:

MICROFILMED

MAR 17 1993

IN THE MATTER OF:

A71-04050

State of Idaho

County of \_\_\_\_\_

AFFIDAVIT

Don Sessions

being first duly sworn,

deposes and says: we purchased the property  
in 1971 and at that time previous  
owners had irrigated the property from  
wastewater from ranches above. We  
discontinued use of the old ditches  
and use two portable ditch pumps  
in the waste ditch to continue the  
irrigation use.

J. Don Sessions  
(signature)

Subscribed and sworn to before me this 3<sup>rd</sup> day of June 19 93.

Christine  
MICROFILMED  
(notary public) 6/27/94

Residing at Kimberly, ID  
My commission expires 6/20/94

AJ0749NP  
No. 71-04050

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

DATE: 05/12/99  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS   | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | J DON SESSIONS   | 06/01/1969       | IRRIGATION | 05-01 10-31           | 0.060 CFS         |                     |
| C             | NEDRA SESSIONS   |                  |            |                       |                   |                     |
|               | HC 64 BOX 9696   |                  |            |                       |                   |                     |
|               | KETCHUM ID 83340 |                  |            |                       |                   |                     |
|               | (208) 774-3366   |                  |            |                       |                   |                     |
|               |                  |                  |            |                       | TOTAL DIVERSION:  | 0.060 CFS           |

Water Source: UNNAMED DRAIN

Tributary to: WILLIAMS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T09N R14E S29

NENESW

CUSTER County

Place of use Legal Description for: IRRIGATION

|                           | NE       | NW       | SW       | SE       |             |
|---------------------------|----------|----------|----------|----------|-------------|
| T R S : Lt Ac Lt Ac Lt Ac | NE NE NE | SE NE NE | SW NE NE | SE NE NE | SUM         |
| 09N 14E 29 :              |          |          | 04       |          | .5          |
|                           |          |          |          |          | TOTAL ACRES |
|                           |          |          |          |          | 4.5         |

POU County: CUSTER

Other Rights: NONE

Conditions of Approval:

- G01 - THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL
- APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS
  - GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO
  - CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT,
  - OR TO RECAPTURE IT.
- G02 - THIS RIGHT IS SUBJECT TO ADMINISTRATION AS PART OF THE NATURAL
- SOURCE TO WHICH THE WASTE IS TRIBUTARY.
- 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: POD

EXP

TWO POINTS OF DIVERSION LOCATED IN NENESW S29, T09N, R14E.  
A LARGE PORTION OF THE WATER COMPRISING THE UNNAMED DRAIN IS

RECEIVED

MAY 21 1999

Department of Water Resources  
Southern Region

AJ0749NP  
No. 71-04050

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

DATE: 05/12/99  
PAGE: 2

Remarks:

WASTE WATER ORIGINALLY DIVERTED FROM THE SALMON RIVER WITHIN  
THE SWEENEY S05 AND SENESE S08, T08N, R14E.

Dates:

Exam Made Date: 06/03/1993

Verified Date:

Objection Filed Date:

Misc:

Water District Number: Field Inspection Flag:  
Presumption Flag:

Comments:

Date: 08/12/1993 User-ID: MERRITT Subject: LOCATION OF IRRIGATED LAND  
THE TWO PORTABLE PUMPS COVERED UNDER THIS RIGHT IRRIGATE THE  
LAND EAST OF THE DRAIN DITCH. THIS LAND HAS IN THE PAST BEEN  
IRRIGATED BY GRAVITY BUT DUE TO ALTERATIONS OF THE GRAVITY  
DITCHES THE TWO PUMPS HAVE BEEN USED TO MAINTAIN THE IRRIGATION.  
THE LAWNS IN FRONT OF THE MOTEL/CAFE & STORE ARE WATERED FROM  
THE SPRING & WELL SYSTEM.

Date: 06/12/1998 User-ID: AMERRITT Subject: COPIED FROM REMARKS  
TWO POINTS OF DIVERSION LOCATED IN NENESM S29, T09N, R14E.  
A LARGE PORTION OF THE WATER COMPRISING THE UNNAMED DRAIN IS  
WASTE WATER ORIGINALLY DIVERTED FROM THE SALMON RIVER WITHIN  
THE SWEENEY S05 AND SENESE S08, T08N, R14E.

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: 05/12/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE  
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit:

05/12/99 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

DIRK KEMPTHORNE  
GOVERNOR

May 6, 1999

KARL J. DREHER  
DIRECTOR

RECEIVED

MAY 12 1999

J DON AND NEDRA <sup>S</sup>SESSIONS  
HC 64 BOX 9696  
KETCHUM ID 83340

Re: Snake River Basin Adjudication (SRBA)  
Water Rights #71-04048, ~~71-04049~~ & 71-04050  
Change of Address

Department of Water Resources

*records changed, reattached.*

*MS 5-12-99*

Dear Water Right Holders:

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 can be sent only to the address on your water right 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 May 17, 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 referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

*Sally*

Sally Sherman  
Technical Records Specialist  
Adjudication Bureau

SS:region

#####

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

*J. Don Sessions*  
Claimant Signature

*208 774.3366*  
Telephone No.

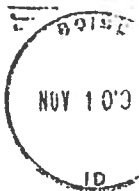
return  
↓ to sender ↓ fee due 50¢

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300

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

ADDRESS SERVICE  
REQUESTED

PRESORTED  
FIRST CLASS



Hc64 Box 9696

IMPORTANT WATER RIGHT INFORMATION

+ 71-04049  
71-04050

71-04048  
J DON SESSIONS  
NEDRA SESSIONS  
STAR RT  
KETCHUM ID 83340

83340



U.S. POSTAL SERVICE  
PS FORM 3547

AJ07/3NP  
(CD-124)

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

06/12/98 14:25:37  
Page 1

Water Right Number - R71-04050

Prefix Translation:

RESEARCH

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
SESSIONS

J DON

1 - STAR RT  
2 -  
3 -

State- ID Zip- 83340

SESSIONS

NEDRA

City- KETCHUM  
Phone - 208-774-3366  
1 - STAR RT  
2 -  
3 -  
City- KETCHUM  
Phone - 208-774-3366

State- ID Zip- 83340

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
06/01/1969 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + - - - - Tributary - - - - -  
UNNAMED DRAIN WILLIAMS CREEK

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

09N 14E 29 NE NE SW (37) CUSTER TWO PORTABLE PUMPS

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

01 - IRRIGATION 05/01 09/30

0.060

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
0.060 0.0

+ - - - - Place of Use - - - - -  
Twn Rng Sec Tract Lot Acres Code Description County  
09N 14E 29 NE SW 4.0 01 IRRIGATION (37) CUSTER  
09N 14E 29 NW SE 0.5 01 IRRIGATION (37) CUSTER

Total Acres: 4.5

+ - - Diversion Means - TWO PORTABLE DITCH PUMPS IN DRAIN DITCH

+ - - Non-Irrigation Use -

+ - - other Rights for Same Use - NONE

+ - - - - Remarks - - - - -

POD TWO POINTS OF DIVERSION LOCATED IN NENESW S29, T09N, R14E.

EXP A LARGE PORTION OF THE WATER COMPRISING THE UNNAMED DRAIN IS

Water right number - R71-04050

Prefix Translation: RESEARCH

REMARKS  
WASTE WATER ORIGINALLY DIVERTED FROM THE SALMON RIVER WITHIN  
THE SWEENEY S05 AND SENESE S08, T08N, R14E.

NO OLD WATER RIGHT NUMBERS FOUND

CONDITIONS OF APPROVAL  
G01 - THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL  
APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS  
GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO  
CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT,  
OR TO RECAPTURE IT.  
G02 - THIS RIGHT IS SUBJECT TO ADMINISTRATION AS PART OF THE NATURAL  
SOURCE TO WHICH THE WASTE IS TRIBUTARY.

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

COMMENTS  
Date: 08/12/1993 User Id: MERRITT Subject: LOCATION OF IRRIGATED LAND  
THE TWO PORTABLE PUMPS COVERED UNDER THIS RIGHT IRRIGATE THE  
LAND EAST OF THE DRAIN DITCH. THIS LAND HAS IN THE PAST BEEN  
IRRIGATED BY GRAVITY BUT DUE TO ALTERATIONS OF THE GRAVITY  
DITCHES THE TWO PUMPS HAVE BEEN USED TO MAINTAIN THE IRRIGATION.  
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Date: 06/12/1998 User Id: AMERRITT Subject: COPIED FROM REMARKS  
TWO POINTS OF DIVERSION LOCATED IN NENESH S29, T09N, R14E.  
A LARGE PORTION OF THE WATER COMPRISING THE UNNAMED DRAIN IS  
WASTE WATER ORIGINALLY DIVERTED FROM THE SALMON RIVER WITHIN  
THE SWEENEY S05 AND SENESE S08, T08N, R14E.

Audit Fields - - - - -  
06/12/98 AMERRITT

ADJUDICATION RIGHTS DATES AND FLAGS AREA  
Court Report Filing - 00/00/0000 Field Inspection Made - 06/03/1993 Civil Case Number - 39576  
Objection Filed Date - 00/00/0000 Field Inspection Flag - 00/00/0000 Old Case Number -  
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -  
Claim Received Date - 09/25/1989 Last Amended Date - 00/00/0000 Temporary Right - P  
Receipt Number - S009315 Water District -  
POU Ownership Flag - Y Federal/State Indicator - S  
Name Connector - AND/OR Presumption Flag -  
Notice of Error Flag -

CLAIM NUMBERS 71-04050

DATE 6/11/98  
AGENT AD

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

HOMESTEAD ENTRY NO. \_\_\_\_\_

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      | 2N  | 14E | 29  |    |    |    |    |    |    |    |    | 4.0 |    |    |    | 0.5 |    |    | 4.5 |
| ECOM     |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |     |
| CLAIM    |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |     |
| GIS      |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |     |
| ECOM     |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |     |
| CLAIM    |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |     |
| GIS      |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |     |
| ECOM     |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |     |
| CLAIM    |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |     |
| GIS      |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |     |
| ECOM     |     |     |     |    |    |    |    |    |    |    |    |     |    |    |    |     |    |    |     |

B71-DBPOD.SHP

| NOS | DESCRIPTION    |
|-----|----------------|
| 101 | NENE SW Sec 29 |
| 102 |                |
|     |                |
|     |                |
|     |                |
|     |                |
|     |                |
|     |                |
|     |                |

B<sub>9</sub> 1  
4.5

B71-DBPOU.SHP

| SHAPE NOS |
|-----------|
| 157       |
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|           |
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|           |

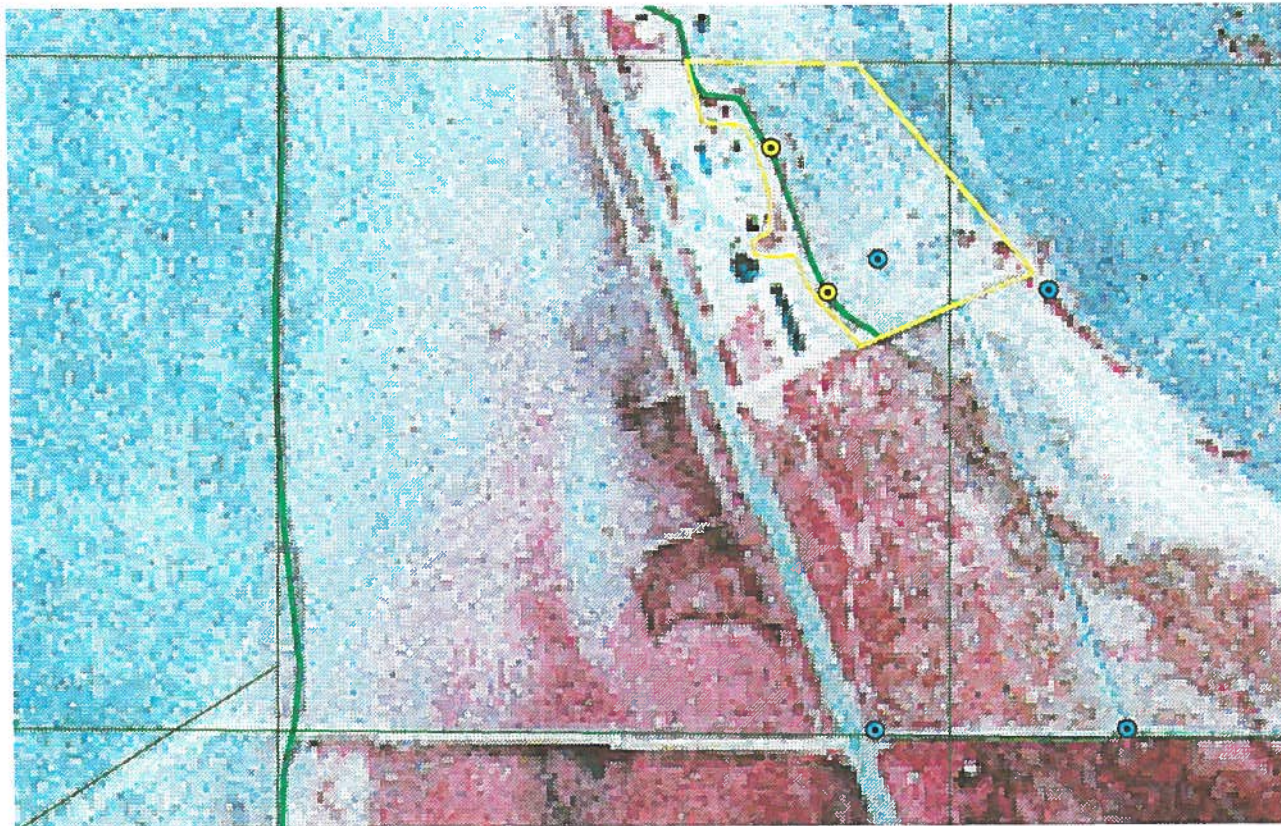
DBF TABLES UPDATED

B71-DBPOD.DBF ✓

B71-DBPOU.DBF ✓

# IDAHO DEPARTMENT OF WATER RESOURCES

## 71-04050



0

1320

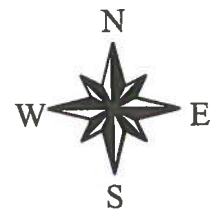
POU:

TWP 09N, RGE 14E, SEC 29

POD:

UNNAMED DRAIN - 2 PTS IN NENESW

SEC 29, TWP 09N, RGE 14E



-  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

MISC

**MICROFILMED**

OCT 27 1994

Water Right Number - R71-04050

Prefix Translation: RESEARCH

Old (D) Number -

\*\*\* C - CURRENT OWNER \*\*\*  
SESSIONS

J DON

1 - STAR RT  
2 -  
3 -

State- ID Zip- 83340

SESSIONS

NEDRA

City- KETCHUM  
Phone - 208-774-3366  
1 - STAR RT  
2 -  
3 -  
City- KETCHUM  
Phone - 208-774-3366

State- ID Zip- 83340

Priority Date - 06/01/1969

Region - 17 SOUTHERN

Stage - J - BENEFICIAL USE

Status -

Source - UNNAMED DRAIN

Tributary - WILLIAMS CREEK

Twn Rng Sec Tract Lot Rflg County Point of Diversion  
09N 14E 29 NE NE SW (37) CUSTER TWO PORTABLE PUMPS

| Code                                            | Description | Period From | Period To | Water Use | Diversion Rate | Diversion Volume                             |
|-------------------------------------------------|-------------|-------------|-----------|-----------|----------------|----------------------------------------------|
| 01 - IRRIGATION                                 |             | 05/01       | 09/30     |           | 0.060          |                                              |
| + - Total Div. Rate - + - Total Div. Volume - + |             |             |           |           |                |                                              |
|                                                 |             |             |           |           | 0.060          |                                              |
|                                                 |             |             |           |           |                | + - Total Consumptive Use - + - KW Usage - + |
|                                                 |             |             |           |           |                | 8.0                                          |

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County      |
|-----|-----|-----|-------|-----|-------|------|-------------|-------------|
| 09N | 14E | 29  | NE SW |     | 3.5   | 01   | IRRIGATION  | (37) CUSTER |
| 09N | 14E | 29  | NW SE |     | 0.5   | 01   | IRRIGATION  | (37) CUSTER |

Total Acres: 4.0

Diversion Means - TWO PORTABLE DITCH PUMPS IN DRAIN DITCH

Non-Irrigation Use -

Other Rights for Same Use - NONE

Remarks

TWO POINTS OF DIVERSION LOCATED IN NENESW S29, T09N, R14E.  
A LARGE PORTION OF THE WATER COMPRISING THE UNNAMED DRAIN IS  
WASTE WATER ORIGINALLY DIVERTED FROM THE SALMON RIVER WITHIN

MICROFILMED  
OCT 27 1994

MICROFILMED  
OCT 27 1994

Water right number - R71-04050 Prefix Translation: RESEARCH

THE SWEENE S05 AND SENESE S08, T08N, R14E.

No Old Water Right Numbers Found

- G01 - THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT, OR TO RECAPTURE IT.
- G02 - THIS RIGHT IS SUBJECT TO ADMINISTRATION AS PART OF THE NATURAL SOURCE TO WHICH THE WASTE IS TRIBUTARY.

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

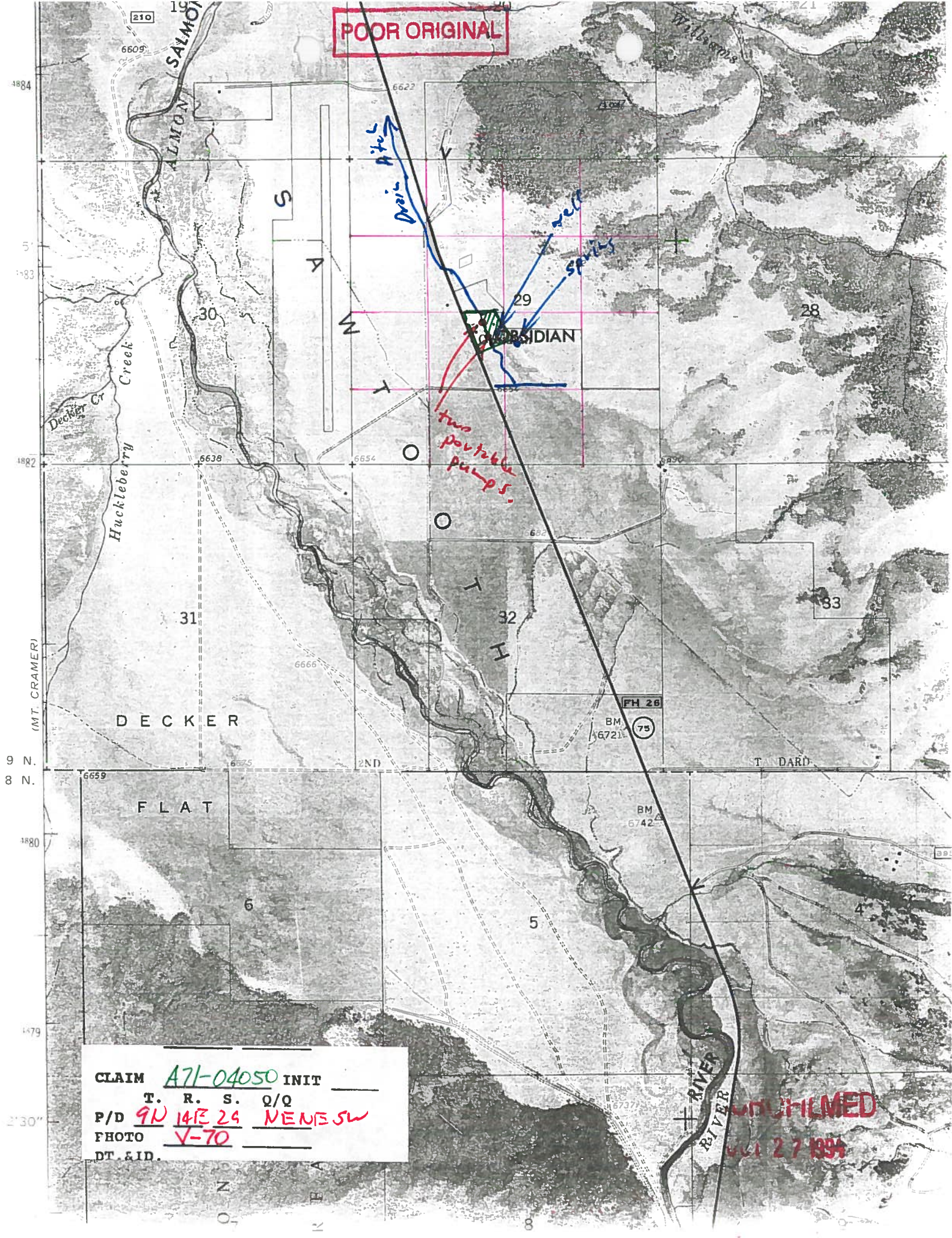
Date: 08/12/1993 User Id: MERRITT Subject: LOCATION OF IRRIGATED LAND  
THE TWO PORTABLE PUMPS COVERED UNDER THIS RIGHT IRRIGATE THE LAND EAST OF THE DRAIN DITCH. THIS LAND HAS IN THE PAST BEEN IRRIGATED BY GRAVITY BUT DUE TO ALTERATIONS OF THE GRAVITY DITCHES THE TWO PUMPS HAVE BEEN USED TO MAINTAIN THE IRRIGATION. THE LAWS INFRONT OF THE MOTEL/CAFE & STORE ARE WATERED FROM THE SPRING & WELL SYSTEM.

Audit fields - 02/08/94 MERRITT

| Adjudication Rights Dates and Flags Area |              |                       |              |                         |     |       |  |  |  |
|------------------------------------------|--------------|-----------------------|--------------|-------------------------|-----|-------|--|--|--|
| Court Report Filing                      | - 00/00/0000 | Field Inspection Made | - 06/03/1993 | 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                      | - 09/25/1989 | Last Amended Date     | -            | Temporary Right         | - P |       |  |  |  |
|                                          |              | Receipt Number        | - S009315    | Water District          | -   |       |  |  |  |
|                                          |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S |       |  |  |  |
|                                          |              | Name Connector        | - AND/OR     | Presumption Flag        | -   |       |  |  |  |
|                                          |              |                       |              | Notice of Error Flag    | -   |       |  |  |  |

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OCT 27 1994

POOR ORIGINAL



CLAIM A71-04050 INIT         
T. R. S. Q/Q  
P/D 9N 14E 24 NENE SW  
PHOTO V-70  
DT. & ID.       

UNFILMED  
JUL 27 1994

POOR ORIGINAL

SP-12

SP-12

MICROFILMED  
OCT 27 1964

PAGE: 1  
GENERAL INFORMATION

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A71-04050

03:34:02  
05/28/92

LAST: SESSIONS  
ADDRESS: STAR RT.  
CITY: KETCHUM  
PHONE NUMBER: 208-774-3366

FIRST: J. DON  
STATE: ID ZIP: 83340

OWNER CODE: C

J: SESSIONS  
ADDRESS: STAR RT.  
CITY: KETCHUM  
PHONE NUMBER: 208-774-3366

FIRST: NEURA  
STATE: ID ZIP: 83340

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE FIELD  
N EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

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Q61 27 1994

CONTACT PERSON: \_\_\_\_\_

*Don Sessions*

PHONE NUMBER: (\_\_\_\_) \_\_\_\_\_

DATE OF FIELD EXAM: *6/3/93*

APPOINTMENT MADE: Y(\_\_\_\_) N(\_\_\_\_)

TIME: \_\_\_\_:\_\_\_\_ A(\_\_\_\_) P(\_\_\_\_)

ACCOMPANIED BY: \_\_\_\_\_

PHONE NUMBER: (\_\_\_\_) \_\_\_\_\_

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / REMARKS:

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001 27 1994

A. AJ CLAIM: # A71-04050 PRIORITY DATE: 06-01-1969 STAGE: S  
B. WR RECORD: # 71-04050 PRIORITY DATE: 06-01-1969 STAGE: S

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( ) ☒

REMARKS:

The source of the water in the drain ditch is mainly water from the original source from the Salton River in the 30's (see 71-04037) Affidavit is dated 1968 purchased is 1971 and 1st irrigated at that time. Affidavit would support use in 1970. Claims on either side of property from source recommended as 5/1/1970. Recommend 1968 as claimed; 1st probably irrigated for 2 long time since as 1st on either side.

RECOMMENDED PRIORITY DATE:

06-01-1969

REVIEWED BY

AM

DATE

10/24/93

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OCT 27 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A71-04050 | 08N  | 14E  | 5    |     |     |     |     | CUSTER |

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

WR RECORDS IN SAME 40 ACRE TRACT

71-04005

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY   |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 71-04050 | 08N  | 14E  | 5    |     |     |     |     | CUSTER |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX

71-04005

A71-04037

NONE

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

No direct diversion from the Salmon River. Source is from drain which enters waste water from fields above & seeps. @ P/D consists of two portable pumps placed in drain @ P/u. P/D confirmed using outlo. 2 P/Ds in MENESSE Sec. 29.

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

1/4 1/4

1/4

LOT

COUNTY

7N 14E 2S

NE NE

SW

Custer

SOURCE: ~~SANDEN RIVER~~

TRIBE: ~~SNARE RIVER~~

REVIEWED BY:

DATE:

10/22/93

AD

Unmanned Drive

williams ck

MICROFILMED

NOV 27 1994

A. ROOT WATER RIGHT NUMBERS: A71-04050  
B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME             | AJ<br>#/ACRES   | WR<br>#/ACRES  | LANDSAT<br>DATA | FIELD<br>EXAM. |
|-------------|-----|-----|-----|-----|-----|------------------|-----------------|----------------|-----------------|----------------|
| 05N         | 14E | 29  | NE  | SW  |     | SESSIONS, J. DON | A71-04050 / 7.0 | 71-04050 / 7.0 | 16.0            |                |
|             |     |     | NE  | SW  |     | SESSIONS, J. DON | A71-04048 /     | 71-04048 /     |                 | 3.5            |
|             |     |     | NE  | SW  |     | SESSIONS, J. DON | A71-04049 /     | 71-04049 /     |                 |                |
|             |     |     | NE  | SW  |     | STEWART, FRED R. | A71-04036 / 8.0 | 71-04036 / 8.0 |                 |                |
|             |     |     | NE  | SW  |     | STEWART, FRED    | 71-07115 / 5.0  |                |                 |                |
| TOTAL ACRES |     |     |     |     |     |                  | A71-04050 7.00  | 7.00           | 16.00           |                |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N( )

NW SE

0.5

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OCT 20 1994

C. FIELD EXAM REQUIRED? DATABASE EXAMINER POU COUNTY: CUSTER

DUE TO POU DISCREPANCY? (Y/N)

4.0

PRESUMPTION FLAG:

REMARKS:

Some of the land claimed is irrigated is without flow wells & springs & not from this ditch.

RECOMMENDATIONS:

TOTAL ACRES: 4.0

REVIEWED BY: *ADW*

DATE: 10/22/93

A. AJ CLAIMED USES:

PURPOSES  
A71-04050 IRRIGATION

MONTH/DAY  
FROM 05-15 TO 09-30

DIVERSION QUANTITY

.140 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.140 CFS

B. WR RECORDED USES:

PURPOSES  
71-04050 IRRIGATION

MONTH/DAY  
FROM 05-15 TO 09-30

DIVERSION QUANTITY

.140 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.140 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

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

Explain in remarks, below.

REMARKS:

*Change to standard 5/1 - 9/30*

MICROFILMED

061 27 1994

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

AJ TOTAL CLAIMED DIVERSION RATE: 0.140 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.140 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

Pump rating

SEE ATTACHED CALCULATIONS.

See calc. below

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

OTHER RIGHTS LISTED IN CLAIM:

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE       | NAME             | DIV. RATE | RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|--------------|------------------|-----------|-----------|-----------|----------------|
| A71-04050 | SALMON RIVER | SESSIONS, J. DON | 0.140     | 0.020     |           |                |
| A71-04036 | FISHER CREEK | STEWART, FRED R. | 0.800     | 0.040     |           |                |

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

| CLAIM NO. | PURPOSES   | NAME             | MONTH/DAY           | RATE      | VOLUME |
|-----------|------------|------------------|---------------------|-----------|--------|
| A71-04048 | COMMERCIAL | SESSIONS, J. DON | FROM 01-01 TO 12-31 | 0.020 CFS |        |

During F.E. Mr. Sessions showed me the Catalog which he ordered the 2 pumps and the literature indicated the pumps supplied 720 gph.

2X (  $\frac{720 \text{ gph}}{60 \text{ min/hr}} = 4488 \text{ gpm/hr}$  ) @ 0.06 cts

Pumps not installed in ditch @ time of exam because of wet rainy weather and no need to irrigate.

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OCT 27 1994

10.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE <sup>1.03</sup>  
ACRES 4.0 x 0.07 CFS/ACRE = 0.12 CFS  
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED <sup>1.03</sup> 0.02 CFS/ACRE? Y( ) N(☒)

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 14.0 AF/A

ACRES 4.0 x CONSUMPTIVE VOL. AF/A FOR AREA 2.0 =

TOTAL CONSUMPTIVE USE 8.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 4.0 x DIVERSION VOL. AF/A FOR AREA 3.0 =

TOTAL DIVERSION VOLUME 12.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N( ) N/A.

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

None.

$$0.06 \times 1.98 \times 153 = 18 \text{ AFA}$$

∴ possible that pumps provide 12.0 AFA.

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**OCT 27 1994**

RECOMMENDATIONS:

REC.  
PURPOSES

REC. PERIOD  
FROM TO

REC. DIV  
RATE CFS

REC. DIV  
VOL. AF/A

REC. CONS.  
USE

IRRIGATION

~~05-15~~

~~09-30~~

~~0.140~~

~~0.06~~

~~12.0~~

~~14.0~~

~~8.0~~

TOTAL FOR THIS RIGHT

REVIEWED BY:

*AD*

DATE:

~~DATE~~

*10/22/93*

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OCT 27 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: 71-04050  
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
0.140

EXAMINER

CFS

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A71-04050                | 0.140             | -                         | -                | 71-04050            | 0.140             |
| TOTAL CFS            |                          | 0.140             |                           |                  |                     | 0.140             |

DIVERSION RATE REVIEW

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

DATABASE  
Y

FIELD  
EXAMINER

REMARKS:

AUTHENTICATION:  
SIGNATURE:

*A. J. Monte*

DATE:

10/22/93

NAME OF FIELD EXAMINER:

TITLE:

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OCT 27 1994

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

03:34:02  
05/28/92

CLAIM NUMBER: A71-04050

| WR ELEMENT                | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | VERIFIED BY<br>CODE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>WHOM/DATE |
|---------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-----------------------|
| PRIORITY DATE             |                   |                                                 | ADN                        | N                      |                     |                                  | ADN                                  |                       |
| POINT OF DIV              | Y                 |                                                 |                            | Y                      | 5,14                |                                  |                                      |                       |
| SOURCE                    |                   |                                                 |                            | Y                      | 5                   |                                  |                                      |                       |
| PLACE OF USE              | Y                 |                                                 |                            | Y                      | 5,14                |                                  |                                      |                       |
| DIV. AMOUNT<br>CFS/VOLUME |                   |                                                 |                            | Y                      | calc.               |                                  |                                      |                       |
| CONSUMPTIVE USE           | -                 |                                                 |                            | Y                      | calc.               |                                  |                                      |                       |
| PURPOSES                  |                   |                                                 |                            | N                      |                     |                                  |                                      |                       |
| PERIOD OF USE             |                   |                                                 |                            | Y                      | studied             |                                  |                                      |                       |
| BASIS OF CLAIM            |                   |                                                 |                            | N                      |                     |                                  |                                      |                       |
| REMARKS                   |                   |                                                 |                            |                        |                     |                                  |                                      |                       |

\*VERIFIED BY\* CODES

- TOPO MAP/ORTHO-PH = 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.

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

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

04:20:35  
05/28/92

CLAIM NUMBER: A71-04050

| OWNER CODE | NAME & ADDRESS                                                                      | PRIORITY DATE | WATER USE  | USE PERIOD FROM TO                   | DIVERSION RATE | DIVERSION VOLUME |
|------------|-------------------------------------------------------------------------------------|---------------|------------|--------------------------------------|----------------|------------------|
| C          | J. DON SESSIONS<br>NEURA SESSIONS<br>STAR RT.<br>KETCHUM ID 83340<br>(208) 774-3366 | 06/01/1969    | IRRIGATION | 05-15 09-30                          | 0.14 CFS       | 1.00 AC          |
|            |                                                                                     |               |            | TOTAL DIVERSION:<br>CONSUMPTIVE USE: | 0.14 CFS       | 1.00 AC          |

Water Source: SALMON RIVER

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM  
CUSTER County

| Point(s) of Diversion:                         | TOBN R14E S05                                                                               | SWNE |
|------------------------------------------------|---------------------------------------------------------------------------------------------|------|
| Place of use Legal Description for: IRRIGATION |                                                                                             |      |
| T R S : Lt Ac Lt Ac Lt Ac Lt Ac                | NENE NUNE SWNE SENE : NENW NUNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE : SUM |      |
| 09N 14E 29 :                                   |                                                                                             | 07   |
| TOTAL ACRES                                    |                                                                                             | 7.0  |

POU County: CUSTER

Dates: Exam Made Date: Verified Date: 01/28/1986  
Misc: Water District Number: Field Inspection Flag: Presumption Flag:

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

WR5809NP  
No. 71-04050

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 09/05/92  
PAGE: 81

| OWNER<br>CODE    | NAME & ADDRESS  | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-----------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | J. DON SESSIONS | 06/01/1969       | IRRIGATION | 05-15 09-30           | 0.14 CFS          |                     |
| TOTAL DIVERSION: |                 |                  |            |                       | 0.14 CFS          |                     |

Water Source: SALMON RIVER Tributary to: SNAKE RIVER Stage: STATUTORY CLAIM

Point(s) of Diversion: T08N R14E S05 SW NE

Place of use legal Description for: IRRIGATION

| NE          |     |    |   | NW   |      |      |    | SW   |      |      |    | SE   |      |      |    |      |      |      |    |     |     |
|-------------|-----|----|---|------|------|------|----|------|------|------|----|------|------|------|----|------|------|------|----|-----|-----|
| T           | R   | S  | : | NENE | NWNE | SWNE | :  | NENW | NWNW | SWNW | :  | NESW | NWSW | SWSW | :  | NESE | NUSE | SWSE | :  | SUM |     |
| 09N         | 14E | 29 | : | Lt   | Ac   | Lt   | Ac | Lt   | Ac   | Lt   | Ac | Lt   | Ac   | Lt   | Ac | :    | Lt   | Ac   | Lt | Ac  | 7.0 |
| TOTAL ACRES |     |    |   |      |      |      |    |      |      |      |    |      |      |      |    |      |      |      |    |     | 7.0 |

Pou County: CUSTER

Other Water Rights Listing Overlapping Place(s) of use:  
71-04036 71-07115

Dates: App. Received: 06/01/1969  
Proof Due Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:  
Misc: Water District Number: Field Exam Fee:  
Audit: 01/28/86 05/28/88 CONVERT

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OCT 27 1994