

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: A71-10853
Date Received: 11/15/1995
Receipt No: S018664
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROGER A BROWNING TRUST 310-278-5100
Address: ROGER A BROWNING
360 N BEDFORD DR # 204
BEVERLY HILLS CA 90210
AND
Name: KATHERINE A BROWNING 310-278-5100
Address: 360 N BEDFORD DR #204
BEVERLY HILLS CA 90210

2. Date of Priority: MAY 15, 1921

3. Source: GOAT CREEK Trib. to: VALLEY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	13E	8		SE	SW		CUSTER

5. Description of diverting works:
GRAVEL AND DIRT DIVERSION DAM TO DITCH THENCE NE TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	09/30	0.300		

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

8. Total consumptive use is 18.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	13E	8	SW	SE		IRR	8.0
Section Acres							8.0
Total Acres							8.0

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:

WATER FROM DOWNSTREAM POINT OF DIVERSION, SAME SOURCE

14. Remarks:

WATER IS USED WITH AND IS INTERMINGLED WITH WATER FROM THE SAME S
SOURCE WITH DOWNSTREAM POINT OF DIVERSION

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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

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

CIVIL CASE NUMBER

Ident. Number

Date Received

Receipt Number

Department of Water Resources
Southern Region
39576

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

RECEIVED

NOV 07 1995

Department of Water Resources
Southern Region

Please type or print clearly Roger A. Browning, Trustee under the Roger A. Browning Trust
dated November 3, 1992 as to a one-half interest and

1. Name of Claimant (s) Katherine A. Browning as to a one-half interest Phone (310) 278-5100

Mailing Address 360 N Bedford Dr #204, Beverly Hills, California Zip 90210

2. Date of Priority (Only one (1) per claim) May 15, 1921

3. Source of water supply (a) Goat Creek
which is tributary to (b) Salmon River via Valley Creek

4. a. Location of existing point of diversion is: Township 10N Range 13E Section 8,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, E B.M., County of Custer

Additional points of diversion if any:

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

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

Govt. Lot B.M., County of

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Gravel and dirt diversion dam to ditch
thence easterly and northerly to place of use.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 05/01 to 09/30 amount 0.3 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.3 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 18 acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10N	13E	8															8		8

Total number of acres irrigated 8

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Water from downstream point of diversion - same source (see Remarks) or None ()

14. Remarks:

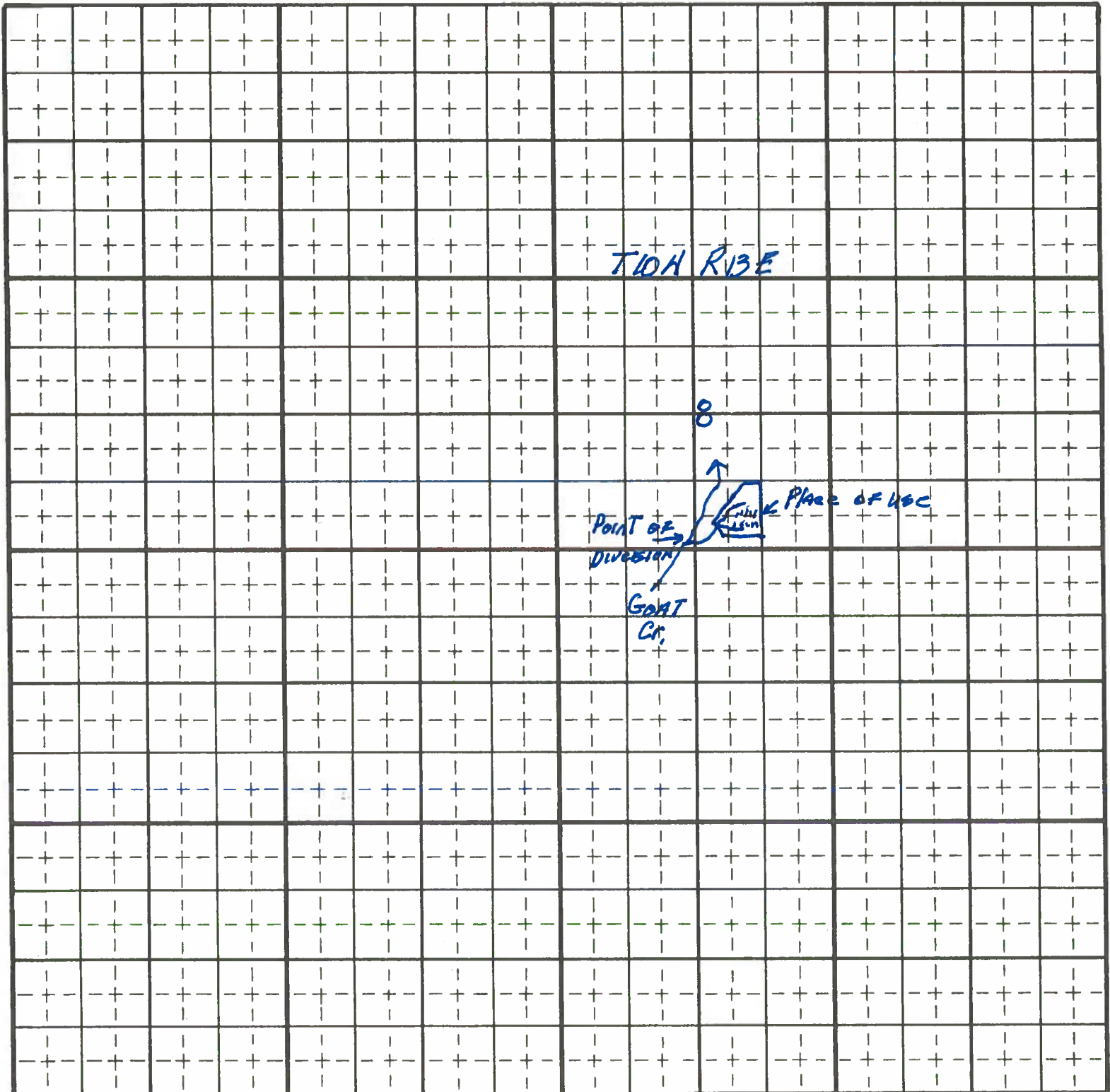
Water is used with and is intermingled with water from the same source with
downstream point of diversion

Last Name Browning Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



Last Name Browning Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) _____

Date Nov 3, 1995

Date Nov 3, 1995

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

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of ~~Idaho~~ CALIFORNIA)

) SS.

County of LOS ANGELES)

Subscribed and sworn (or affirmed) before me this THIRD day of NOVEMBER 19 95



Notary Public

Janet Lee Stoakley

Residing at 12114 HERBERT St, LA CA 90066

My Commission Expires JUNE 22, 1999

Please Print Name JANET LEE STOAKLEY

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Browning Ident. Number _____

Copies White-State, Yellow-Claimant

July 28, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

AUG 10 1998

Department of Water Resources
Southern Region

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

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

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

Water right number: 71-10853

ROGER A BROWNING TRUST
ROGER A BROWNING
360 N BEDFORD DR # 204
BEVERLY HILLS CA 90210

Daytime Telephone Number:

Evening Telephone Number:

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

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

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

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

DATE: 7/31/98

SIGNATURE:

Please print your name:

ROGER A. BROWNING

July 28, 1998

NOTICE OF ERROR
REPLY

11-10053 W
RECEIVED

AUG 10 1998

Department of Water Resources
Southern Region

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

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

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

Water right number: 71-10853

KATHERINE A BROWNING
360 N BEDFORD DR #204
BEVERLY HILLS CA 90210

Daytime Telephone Number:

Evening Telephone Number:

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

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

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

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

DATE: 7/31/98 SIGNATURE: Katherine A. Browning
Please print your name: KATHERINE A. BROWNING

AUG 05 1998

Department of Water Resources
Southern Region

DATE: 07/27/98
PAGE: 1

AJ0749NP
No. R71-10853
IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROGER A BROWNING TRUST ROGER A BROWNING 360 N BEDFORD DR # 204 BEVERLY HILLS CA 90210 (310) 278-5100	05/15/1921	IRRIGATION	05-01 10-31	0.30 CFS	
					TOTAL DIVERSION:	0.30 CFS

C KATHERINE A BROWNING
360 N BEDFORD DR #204
BEVERLY HILLS CA 90210
(310) 278-5100

Water Source: GOAT CREEK
Tributary to: VALLEY CREEK
Stage: BENEFICIAL USE

Point(s) of Diversion: T10N R13E S17 NW/NE/SE CUSTER County

Place of use	Legal Description	for:	IRRIGATION	NE	NW	SW	SE	SUM
T R S	NE NE NW SENE : Lt Ac Lt Ac Lt Ac	NE NW NW NW SENE : Lt Ac Lt Ac Lt Ac	NE NW NW NW SENE : Lt Ac Lt Ac Lt Ac	NE NW NW NW SENE : Lt Ac Lt Ac Lt Ac	NE NW NW NW SENE : Lt Ac Lt Ac Lt Ac	NE NW NW NW SENE : Lt Ac Lt Ac Lt Ac	NE NW NW NW SENE : Lt Ac Lt Ac Lt Ac	NE NW NW NW SENE : Lt Ac Lt Ac Lt Ac
10N 13E 8	:	:	:	:	:	:	:	:
								TOTAL ACRES 13.0

POU County: CUSTER

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: POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 8 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 71-10854 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 13 ACRES IN A SINGLE IRRIGATION
SEASON.

EXP RIGHT NOS. 71-00006, 71-00007, 71-00016, 71-00019A, 71-00019B,

[Handwritten signature]
7/27/98

AJ0749NP
No. R71-10853

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

DATE: 07/27/98
PAGE: 2

Remarks: 71-00020A, 71-00020B, 71-00021A, 71-00021B, 71-04022, 71-04053,
71-10190, 71-10644, 71-10853 ARE DIVERSED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Water Right Number - R71-10854

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BROWNING

KATHERINE A

1 - 360 N BEDFORD DR #204
2 -
3 -
City- BEVERLY HILLS
Phone - 310-278-5100
1 - ROGER A BROWNING
2 - 360 N BEDFORD DR # 204
3 -
City- BEVERLY HILLS
Phone - 310-278-5100

State- CA Zip- 90210

ROGER A BROWNING TRUST

State- CA Zip- 90210

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +

01/17/1940

17 SOUTHERN

J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

GOAT CREEK

VALLEY CREEK

+ - - - - Point of Diversion - - - - - +

TwN Rng Sec Tract Lot Rflg County

10N 13E 8 SE SE SW (37) CUSTER

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

01 - IRRIGATION 05/01 10/31 0.200

04 - STOCKWATER 01/01 12/31 0.020

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

0.220

0.0

+ - - - - Place of Use - - - - - +

TwN Rng Sec Tract Lot Acres Code Description County

10N 13E 8 SW SE 13.0 01 IRRIGATION (37) CUSTER

Total Acres: 13.0

+ - - Diversion Means - GRAVEL AND DIRT DIVERSION DAM TO DITCH THENCE TO PLACE OF USE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

POU1 USE OF THIS RIGHT WITH RIGHT NO. 71-10853 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 13 ACRES IN A SINGLE IRRIGATION SEASON.

CLAIM NUMBERS 71-10853
71-10854

DATE 2/1/98
AGENT DJ

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
53 CLAIM	10N	13E	8															8	
GIS																		13	
RECOM																		8	
CLAIM																			
54 CLAIM																		5	
GIS																		13	
RECOM																		5	
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B71-DBPOD.SHP

NOS DESCRIPTION

137 NW1/4NW1/4S17

139 SE1/4SW1/4S8

10853
10854
13 ac PDU - can't tell which acres can be served by which PDU

B71-DBPOU.SHP

SHAPE NOS

223

DBF TABLES UPDATED

B71-DBPOD.DBF

B71-DBPOU.DBF

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

71-10853

71-10854

DATE: 7/8, 1998

REVIEWED BY [Signature]

STANLEY BASIN SOIL REVIEW

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

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

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

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
AM1	4	14	* 2	* .3	= .17 CFS
RD1	5.66	14	* 9.0	* .17	= .62 CFS
RP1	4.33	14	* 2.0	* .16	= .10 CFS
			*	*	= CFS

TOTAL ACRES 13

DECREED RATE =

CLAIMED DIVERSION RATE =

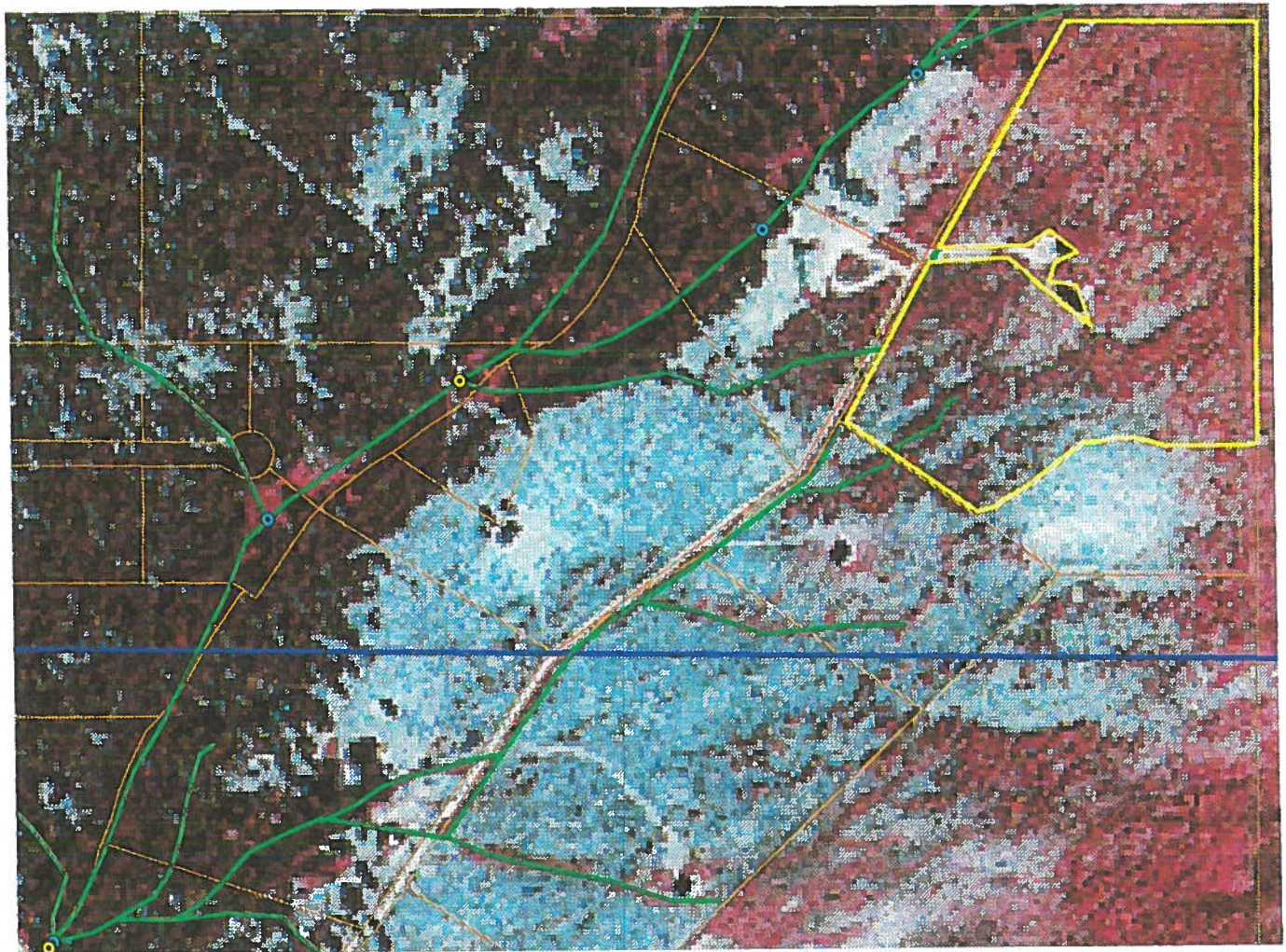
ORIGINAL HUBBLE RATE =

MEASURED DIVERSION RATE =

.89

IDAHO DEPARTMENT OF WATER RESOURCES

71-10853 & 71-10854



330 0 330 660 990 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  STREAMS AND DITCHES
-  SECTION LINES
-  QUARTER/QUARTER LINES
-  TAX LOT (PROPERTY) LINES



GIS REPRESENTATION OF CLAIM RECOMMENDATION
1987 NAPP PHOTOGRAPHY
DATA ENTRY BY: DOUGLAS JONES
DATA ENTERED: 7/8/97