

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: A71-10854
Date Received: 11/15/1995
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

AND
Name: ROGER A BROWNING TRUST 310-278-5100
Address: ROGER A BROWNING
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	SW	SE			CUSTER

5. Description of diverting works:
GRAVEL AND DIRT DIVERSION DAM TO DITCH THENCE E 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	0.200		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, EIGHT TO TEN HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	13E	8	SW	SE		IRR	5.0
Section Acres							5.0
Total Acres							5.0

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 UPSTREAM POINT OF DIVERSION, SAME SOURCE

14. Remarks:

WATER IS USED WITH AND IS INTERMINGLED WITH WATER FROM THE SAME S
SOURCE WITH UPSTREAM 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: _____

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

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Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 07 1995
Department of Water Resources
Southern Region

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

1. Name of Claimant (s) as to a one-half interest Phone (310) 278-5100
Mailing Address 360 N Bedford Dr #204, Beverly Hills CA 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 SW 1/4 of SE 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 to place of use. At point of use, gasoline
booster pump with varying size pipe is used to sprinkle as a
supplement to gravity flow system of ditches.

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 0.2 or _____

For Stockwater purposes from 01/01 to 12/31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .22 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 15 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 8 - 10 horses

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															5		5

Total number of acres irrigated 5

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 upstream 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
upstream point of diversion.

Last Name Browning Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

POI

POU

GC

POINT OF USE

0 1 mile

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) [Signature]

Date Nov 3 1995

[Signature]

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~~ or CALIFORNIA)
County of LOS ANGELES) SS.

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



Notary Public [Signature]

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: 71-10854

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

Daytime Telephone Number:

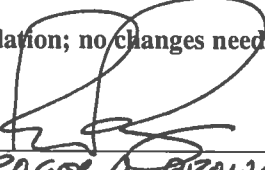
Evening Telephone Number:

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**

71-10854
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: 71-10854

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

RECEIVED

AJD749NP
No. R71-10854

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

DATE: 07/27/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
				FROM	TO		
C	KATHERINE A BROWNING 360 N BEDFORD DR #204 BEVERLY HILLS CA 90210 (310) 278-5100	01/17/1940	IRRIGATION STOCKWATER	05-01	10-31	0.20 CFS 0.02 CFS	
TOTAL DIVERSION:						0.22 CFS	

RECEIVED
AUG 05 1998

Department of Water Resources
Southern Region

C ROGER A BROWNING TRUST
ROGER 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 S08 SESESW CUSTER County

Place of use Legal Description for: IRRIGATION											
NE			NW			SW			SE		
NENE	NWNE	SENE	NENW	NWNW	SENW	NESW	NWSW	SWSW	NESS	NWSE	SWSE
T	R	S	1	2	3	4	5	6	7	8	9
10N	13E	8									
TOTAL ACRES										13	13.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

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

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.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 5 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

127/98

AJ0749NP
No. R71-10854

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

DATE: 07/27/98
PAGE: 2

Remarks: EXP RIGHT NOS. 71-10144, 71-040558 & 71-10854 ARE DIVERTED THROUGH
POINT OF DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: Objection filed Date:

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

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.

[illegible]

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

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

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

	+ - - - - -	-Comments-	+ - - - - +
Date:	07/17/1998	User Id: DJONES	Subject: COPIED FROM REMARKS
	WATER IS USED WITH AND IS INTERMINGLED WITH WATER FROM THE SAME S SOURCE WITH UPSTREAM POINT OF DIVERSION		

+ - - Audit Fields - - + 07/17/98 DJONES

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/15/1995	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S018664	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

71-10853
AIM NUMBERS ~~71-10848~~ 71-10854
DATE 2/1/98
AGENT DJ

TRANSFER NUMBER _____
HOMESTEAD ENTRY NO. _____
CLAIMED ACRE TOTAL _____
GEOGRAPHIC INFO ACRES _____

RIGHT NO	TNS	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	10N	13E	8															8	
GIS																		13	
RECOM																		8	
CLAIM																		5	
GIS																		13	
RECOM																		5	
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B71-DBPOD.SHP
NOS DESCRIPTION
137 NW1/4NW1/4S17 108.53
139 SE1/4SE1/4SW1/4S8 108.54
13 ac PPU - can't tell which acres can be served by which p/d
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 TD

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

2.1.3 (2)

9.1 (9.1)
2.2 (2.2)

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	*	* .3	= .17 CFS
RD1	5.66	14	* 9.0	* .17	= .62 CFS
RP1	4.33	14	* 2.0	* .16	= .10 CFS
			*	*	= CFS

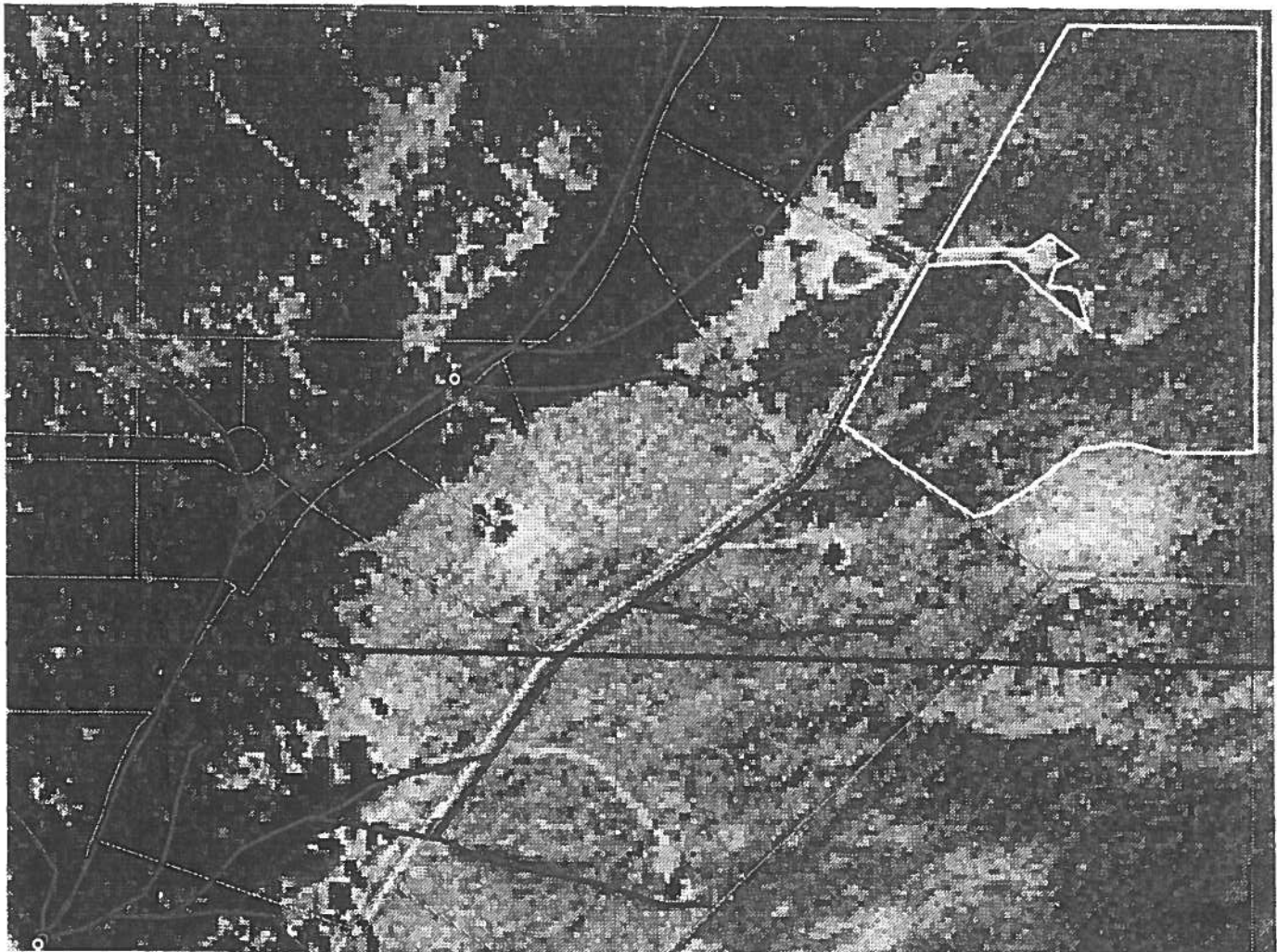
TOTAL ACRES 13

89

DECREED RATE =
CLAIMED DIVERSION RATE =
ORIGINAL HUBBLE RATE =
MEASURED DIVERSION RATE =

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