

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

RECEIVED

MAR 20 1990

Ident. Number: A41-10062
Date Received: 3/08/1990
Receipt No: M006178
Received By: _____

Department of Water Resources
Southern Region Office

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

1. Name: 7 U D RANCHES 208-548-2684
Address:

ROCKLAND, ID 83271

OR

Name: DAN MC HARGUE

Address: ROCKLAND, ID 83271

2. Date of Priority: JUN 01, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	31E	5	NW	NW			POWER

5. Description of diverting works:
WELL/PUMP 120 FEET DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.120		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ UP TO 400 HEAD CATTLE D/ ONE HORN

A41-10062

Page 1

Date: 03/08/90

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MAR 02 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	31E	5	NW	NW		STOCK	
			NW	NW		DOMEST	

11. Place of use in counties: POWER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: 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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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Identification No. A41-10062Date Received 3/7/90Receipt Number MO06178

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

- X 1. Name of Claimant (s) DAN McHARGUE / 7 UD RANCHES, IDAHO Phone () 548-2684
- X Mailing Address Rockland, Idaho Zip 832
2. Date of Priority (Only one per claim) JUNE 1, 1940 Month/Day/Year
3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____
which is tributary to (b) SNAKE RIVER VIA ROCK CREEK Name or kind of source
4. Location of point of diversion is: Township 10 South Range 31 EAST BOISE MERIDIAN
Section 5, NW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____, BM.,
County of POWER
- Additional points of diversion if any: NONE
5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. 120' WELL - 6" CASING 1 hp electric motor
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
- | | | | | | | |
|----------------------------|---------------|------------------|----|--------------------|--------|-------------------|
| For <u>domestic</u> | purposes from | <u>JANUARY 1</u> | to | <u>December 31</u> | amount | <u>0.04</u> (cfs) |
| (Both dates are inclusive) | | | | | | |
| For <u>stockwater</u> | purposes from | <u>JANUARY 1</u> | to | <u>December 31</u> | amount | <u>0.12</u> |
- X 7. Total quantity claimed 0.16 (cfs)
8. Total consumptive use claimed is de minimus
9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 House hold - 400 head CATTLE w/ calves

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10. Place of use is: Township: 10 S. Range 31 EBM
Section 5, NW 1/4 of NW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

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.
() None or _____

14. Remarks: well on McHargue property where well & house is & 74D
owns ground where stockwater is used

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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.

X Number of Attachments 0

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

Signature of Claimant (s) 74D Ranches by Harold Erickson Date 3-7-90
Danny R McHargue Date 3-7-90

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

of 74D Ranches Title _____ that I have signed the foregoing
document in the space below as PARTNER Organization of 74D Ranches
Title _____ Organization _____

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

Signature of Authorized Agent Harold Erickson Date 3/7/90
Title and Organization PARTNER 74D Ranches, a partnership

State of Idaho/or _____)
County of Power) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 7th day of March 19 90

SEAL

Notary Public Ben Caraness
Residing at am. Falls, Idaho
My Commission Expires 11/5/91

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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MAR 12 1993

AJ5856NP

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

DATE: SEP-29-1997
PAGE: A-35

RIGHT NUMBER: 41-10062

NAME & ADDRESS: DAN MCHARGUE
ROCKLAND ID 83271

7 U D RANCHES
PO BOX 177
ROCKLAND ID 83271

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1940

POINT OF DIVERSION: T10S R31E S05 LOT 4 (SWNWNW) Within POWER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within POWER County
T10S R31E S05 Lot 4 (NWNW)

DOMESTIC Within POWER County
T10S R31E S05 Lot 4 (NWNW)

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
DOMESTIC, 1 HOUSE; STOCKWATER, 400 CATTLE

DIVERSION
VOLUME

TOTAL DIVERSION: 0.04 CFS

POWER County

DATA ENTERED BY S. J.
DATE 9-24-97

9/29/97

Water Right Number - R41-10062

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
7 U D RANCHES

MCHARGUE

DAN

1 -
2 -
3 -
City- ROCKLAND
Phone - 208-548-2684
1 -
2 -
3 -
City- ROCKLAND
Phone - 208-000-0000

State- ID Zip- 83271
State- ID Zip- 83271

+ - Priority Date - +
06/01/1940

+ - Region - +
17 SOUTHERN

+ - Stage - +
J - BENEFICIAL USE

+ - Status - +

GROUNDWATER

Tributary

10S 31E 5 SW NW NW 4 (77) POWER

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31		0.040	
43 - DOMESTIC		01/01	12/31		0.040	

+ - Total Div. Rate - + - Total Div. Volume - +
0.040

+ - Total Consumptive Use - + - KW Usage - +
0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
10S	31E	5	NW NW	4		04	STOCKWATER	(77) POWER
10S	31E	5	NW NW	4		43	DOMESTIC	(77) POWER

Total Acres:

- + - - Diversion Means - 6"X 120' WELL, 1 HP PUMP
- + - - Non-Irrigation Use - DOMESTIC, 1 HOUSE; STOCKWATER, 400 CATTLE
- + - - Other Rights for Same Use - NONE

Remarks -
No Remarks found.

partial decree
7-24-98
JK

Water right number - R41-10062 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: 09/21/1994 User Id: SCELLAN Subject: REMARKS FROM CLAIM
WELL IS ON MCHARGUE PROPERTY WHERE WELL & HOUSE IS & JUD OWNS ROUND WHERE STOCKWATER IS USED.

+ - - Audit Fields - - +
09/21/94 SCELLAN

+ - - - - Adjudication Rights Dates and Flags Area - - - - -
Court Report Filing - 00/00/0000 Field Inspection Made - 07/21/1994 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - 09/21/1994 Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 03/07/1990 Last Amended Date - M006178 Temporary Right - P
Receipt Number - Y Water District -
POU Ownership Flag - OR Federal/State Indicator - S
Name Connector - Notice of Error Flag -

CLAIM NO. A41-10062

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR DOMESTIC AND STOCKWATER CLAIMS IN PLACE OF A CVR

1. ☒ No Change NAME:
NEW OWNER: _____
☒ No Change ADDRESS:
NEW ADDRESS: _____

☒ DATA ENTRY STANDARDS CHECKED?

2. ☒ No Change - DATE OF PRIORITY: No Field Verification Needed.
CHANGE- Priority date, per claimant, is _____
(if the priority date, based on your exam, seems questionable,
explain in COMMENTS.)

3. ☒ No Change - SOURCE:
CHANGE - Different Source found: _____

4. ☒ No Change - POINT OF DIVERSION:
Point of diversion is different than the claim
New P/D: Twp. 10S, Rge. 31E, Sec. 5, SW 1/4 NW 1/4 NW 1/4 LOT 4

Note: If the 10-acre tract is shown on the claim, then
verification of the 10-acre parcel is needed. Otherwise the
10-acre tract is not required, unless the source is a spring.

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS:

Incomplete desc., complete items missing, IF KNOWN.

HP of pump 1 HP Static water level _____ Well depth 120
Casing size 6" Pumping water level _____ Gravity flow _____
Method of irr. _____

EST. THEO. CALL. $\frac{8.8(1).70}{120 + (50 \times 2.31)} = 0.026 \text{ cfs}$

6. ☒ No Change - WATER USES:
Different uses, (list uses found).

Use Stock From _____ To _____ Amount 0.09 cfs _____ af
Use Dom OK From _____ To _____ Amount _____ cfs _____ af

Cannot Divert 0.09 cfs
(per Appendix IV chert)
400 Hd cattle

7. ☒ No Change - TOTAL VOLUME:
Change found, The new total is, -- -- -- 0.04 cfs _____ af

8. N/A

9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

allow per std
Domestic Rate
0.04

☒ DATA ENTRY STANDARDS (correct to..)

10. ☐ No Change - PLACE OF USE: (If changed, list below.)

Use Twp. Rge. Sec. 1/4, 1/4, 1/4

Use

Twp.

Rge .

Sec.

1/4,

 $1/4,$ $1/4$

add. Lot 4

11. $\overline{\quad}$ Checked: N/A

12. $\bar{}$ Checked: N/A

13. ☒ No change - OTHER RIGHTS FOR SAME USE:
CHANGE:

14. ☒ None REMARKS: (copy existing remarks to comments in "R")
Add the following standard remarks:

LIST STANDARD REMARKS FOR THE RECOMMENDATION:

1: [added Remarks to
claim]

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - J (circle one)

COMMENTS:(pertinent to field examination)

Based on Description, given in Claims, of the well system
this well cannot divert more than the typical 0.04 cfs;
Certainly not the 0.16 cfs claimed.

ATTACHMENTS: Attached to This Form. Attachments are in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM

DATE EXAM CONDUCTED: 7-21-94

FIELD EXAMINER:

Signature

REVIEWED BY/DATE:

DATA ENTRY BY/DATE:

VERIFICATION BY/DATE: