

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

APR 10 1990

Ident. Number: A41-00032E

Date Received:

Receipt No: M 006244

Received By: ES

Department of Water Resources  
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MILTON T. POULSON 208-548-2686  
Address: P.O. BOX 267  
ROCKLAND, ID 83271

OR

Name: PAULINE POULSON 208-548-2686  
Address: P.O. BOX 267  
ROCKLAND, ID 83271

2. Date of Priority: JUN 01, 1882

3. Source: ROCK CREEK, EAST FORK Trib. to: ROCK CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10S      | 31E   | 4       | NW     | SE     | SW     |     | POWER  |

5. Description of diverting works:  
VIA VALDEZ DITCH.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.040  |      |        |

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

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

A41-00032E

Page 1

Date: 03/15/90

MICROFILME

MAR 04 1993

10. Place of Use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 10S           | 31E   | 7       | NE NE      | 1   | IRR | 1.0   |
| Section Acres |       |         |            |     |     | 1.0   |
| Total Acres   |       |         |            |     |     | 1.0   |

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:

AC. IRRIG. = 22.5.

P/U MAY BE INCORRECT. SEE TRANS. 2849.

THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN ARBITRATOR'S FINDINGS AND CONCLUSIONS. THE ONLY PARTY LISTED IN PLEADINGS IS H. P. HOUTZ.

|  
THIS WATER RIGHT IS ASSUMED TO BE SPLIT FROM RIGHT 41-00032A AS INDICATED FROM WATER MASTER RECORDS AND FROM COPIES OF ATTACHED PROPERTY DEEDS DATING BACK TO 1906. THE DEEDS INDICATE 2 MINERS INCHES OF WATER, WITH 1882 PRIORITY DATE WAS ALLOTTED TO THIS PROPERTY.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

HOUTZ

Decree Plaintiff

vs

ET AL.

Decree Defendant

T9S

T10S

PART OF DIVERSION

PLACE OF USE

T10S

VALDEZ  
PITCH

R 30 E  
R 31 E

MICROFILM

MAR 04 1993

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: 4

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): Milton T. Paulson Date: Mar. 15, 1990  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Power ) SS.

Subscribed and sworn (or affirmed) before me this 15 day  
of March 19 90

[Signature]  
Notary Public

Seal

Residing at Idaho Falls, Id.  
My Commission Expires 22 Aug 1994

WARRANTY DEED

THIS INDENTURE, made this 1<sup>st</sup> day of October, 1973, between CURTIS R. COMAN and MARY JANE COMAN, husband and wife, of American Falls, County of Power, State of Idaho, the parties of the first part, and MILTON T. POULSON and PAULINE L. POULSON, husband and wife, whose address is Rockland, Idaho, the parties of the second part;

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, grant, bargain, sell and convey and confirm unto said parties of the second part, and to their heirs and assigns forever, all that certain lot, piece or parcel of land, situate, lying and being in the County of Power, State of Idaho, bounded and more particularly described as follows, to-wit:

Commencing at a point 2 rods South and 40 rods West of the Northeast corner of Section 7, in Township 10 South, Range 31 East Boise Meridian, Idaho: running thence South 14 rods, thence East 13 rods 5 feet and 6 inches, thence North 14 rods, thence West 13 rods, 5 feet and 6 inches to place of beginning.

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said parties of the second part, and to their heirs and assigns forever, and the said parties of the first

MICROFILME  
MAR 04 1993

part, and their heirs, warrant the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Curtis Coman (SEAL)

Mary Jane Coman (SEAL)

STATE OF IDAHO )  
County of Burnham : ss

On this 5<sup>th</sup> day of October, 1973, before me, the undersigned, a Notary Public in and for said State, personally appeared CURTIS R. COMAN and MARY JANE COMAN, husband and wife, known to me to be the persons whose names are subscribed to the foregoing 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.



INDEXED  
Instrument No. 108210  
State of Idaho }  
County Power } ss  
I hereby certify that this instrument was filed for record at the request of Milton Paulson  
Filed at 11:41  
o'clock A. M., this 10th  
day of May 1974, and  
corded as instrument  
No. 108210 in Drawer  
#3

Geraldine Olson  
NOTARY PUBLIC FOR IDAHO  
Residing at: \_\_\_\_\_

Idaho Hall, Recorder  
Margaret Blasco -2-  
Deputy

But 267 Rockland

This Indenture, Made this 15th day of June in the year of our Lord one thousand nine hundred and Six between Joseph Henrie and Olive Henrie (his wife)  
of Rockland County of Oneida State of Idaho  
part ies of the first part, and Mrs. Violet Doyle  
of Rockland County of Oneida State of Idaho  
the party of the second part. WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Four Hundred (\$400.00) DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have Granted, Bargained and Sold, and by these presents do Grant, Bargain, Sell, Convey and Confirm, unto the said party of the second part, and to her heirs and assigns forever, all the following described real estate, situated in Power County, State of Idaho, to-wit:

Commencing at a point Two (2) rods South and Forty (40) rods West of the North East corner of Section Seven (7) in Township Ten (10) South of Range Thirty one (31) East of Boise Meridian, in Idaho. Running South fourteen (14) rods thence East Thirteen (13) rods Five (5) feet and Six (6) inches; thence North Fourteen (14) rods; thence West Thirteen (13) rods Five (5) feet and Six (6) inches to place of beginning. Together with one (1) inch of water right allotted in the year 1882, by the finding of the arbitration, and flowing through the Valdez and Barnard Ditch, taken from the East fork of Rock Creek, This Deed is given in place of one give to James K. Batters and not on record on the above described land.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to her heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, her heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal, the day and year first above written.

Signed, Sealed and Delivered in Presence of  
N. P. Jensen  
John S. Robinson

Mrs. Olive Henrie (SEAL.)  
Joseph Henrie (SEAL.)  
(SEAL.)  
(SEAL.)

STATE OF IDAHO, ss. On this Sixteen day of June in the year 1906,  
County of Oneida before me, Isaac Thorn, Jr. Notary Public in and for said County, personally appeared Joseph Henrie

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. And on this Sixteenth day of June in the year 1906, before me, the officer above described, personally appeared Olive Henrie known to me to be the person whose name is subscribed to the within instrument, described as a married woman; and upon an examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same, and that she does not wish to retract such execution.

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



My commission expires

191

Isaac Thorn, Jr.  
Notary Public.

Filed for record at request of the 28th day of July

A. D. 1906, at 2:11 o'clock P. M.

By Deputy.

W. H. Richards.

Ex-Officio Recorder.

COMPARED

This Indenture, Made this 30th day of September in the year of our Lord one thousand nine hundred and five between Isaac Thorn, Jr., and Alice M. Thorn, his wife  
of Rockland County of Oneida State of Idaho  
parties of the first part, and Andrew May  
of Rockland County of Oneida State of Idaho  
the party of the second part, WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Five Hundred (\$500.00) DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have Granted, Bargained and Sold, and by these presents do Grant, Bargain, Sell, Convey and Confirm, unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Power County, State of Idaho, to-wit:

Commencing at a point two (2) rods South and twenty six (26) rods and Eleven (11) feet West of the North East corner of Section Seven (7) in Township ten (10) South of Range Thirty one East of Boise Meridian. Running South fourteen (14) rods, thence East ten (10) rods, thence North sixteen (16) rods, thence West ten (10) rods to place of beginning. Together with one (1) inh of water right, awarded to said place in the year 1882, and flowing through what is known as the Gaudelupe Valdez Irrigating Ditch.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals, the day and year first above written.

Signed, Sealed and Delivered in Presence of  
D. H. Hillhouse

Isaac Thorn, Jr. (SEAL.)  
Alice M. Thorn (SEAL.)  
(SEAL.)  
(SEAL.)

STATE OF IDAHO,  
County of Oneida  
before me, John S. Robinson  
Isaac Thorn, Jr.

ss. On this Thirtieth day of September in the year 1905,  
a Justice of Peace in and for said County, personally appeared

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. And on this thirtieth day of September in the year 1905, before me, the officer above described, personally appeared Alice M. Thorn known to me to be the person whose name is subscribed to the within instrument, described as a married woman; and upon an examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same, and that she does not wish to retract such execution.

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

John S. Robinson  
Justice of Peace



My commission expires

191

Filed for record at request of  
the 8 day of Oct

A. D. 1906, at 9:20 o'clock A. M.

W. H. Richards

By W. D. Williams Deputy.

Ex-Officio Recorder.

COMPARED

# WARRANTY DEED

For Value Received GROVER NELSON and HELEN NELSON, husband and wife of Rockland, Idaho

the grantors, do hereby grant, bargain, sell and convey unto MILTON T. FOULSON and PAULINE L. FOULSON, husband and wife. Box 269, Rockland, Idaho.

the grantees, the following described premises, in Power County Idaho, to-wit:

A parcel of land in Section 7, Township 10 South, Range 31 East, Boise Meridian more particularly described as follows:

Beginning at a point two (2) rods South and twenty-six (26) rods eleven (11) feet West of the Northeast (NE) corner of said Section 7, Township 10 South, Range 31 East, Boise Meridian thence running South fourteen (14) rods, thence East ten (10) rods, thence North fourteen (14) rods, thence West ten (10) rods to the place of beginning containing .38 acres. Subject to easements together with water rights thereon.

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: May 2, 1974

## STATE OF IDAHO, COUNTY OF POWER

On this 2nd day of May, 1974, before me, a notary public in and for said State, personally appeared GROVER NELSON and HELEN NELSON, 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.

Residing at Pocatello, Idaho  
Comm. Expires

## STATE OF IDAHO, COUNTY OF POWER

I hereby certify that this instrument was filed for record at the request of Grover Nelson and Helen Nelson

at 25 minutes past 4 o'clock, p.m., this 2nd day of May, 1974, in my office, and duly recorded in Book of Deeds at page 10354

Ex-Officio Recorder

By [Signature] Deputy.  
Fees \$  
Mail to:

INSTRUMENT NO.

MICROFILMED  
MAR 04 1993

41-00032 SPLIT REVIEW

10/21/99  
secWR

-32B

(1.34 cts)

-32B

UDY

(C)

(.34)

R

(.34)

&lt;#4651&gt;

32C

RALPHS

(.20)

.228

32D

Lesley

(.18)

.18

32E

Poulson

(.04)

.02

-32A

(1.86 cts)

32F

City

(.68)

.212

+ 0.036

= .248

Remaining  
Balance

32G

MAY

(.12)

.12

32H

KRESS

(.10)

~~.10~~ .064

1.66

.988

overclaimed

1.20 cts

60"

(1.20 - .988) = .212

June 11, 1999

**NOTICE OF ERROR  
REPLY**

**RECEIVED**  
**JUN 22 1999**  
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: July 9, 1999**

Water right number: 41-00032E

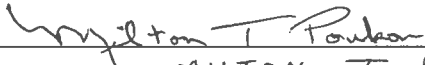
MILTON T POULSON  
PAULINE POULSON  
PO BOX 267  
ROCKLAND ID 83271

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:

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

DATE: June 20, 1999 SIGNATURE:   
Please print your name: MILTON T POULSON

AJ0749NP  
No. R41-00032E

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

DATE: 06/09/99  
PAGE: 1

VERIFIED BY

*Sw*

| OWNER<br>CODE    | NAME & ADDRESS    | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | MILTON T POULSON  | 06/01/1882       | IRRIGATION | 04-01 10-31           | 0.02 CFS          |                     |
| C                | PAULINE POULSON   |                  |            |                       |                   |                     |
|                  | PO BOX 267        |                  |            |                       |                   |                     |
|                  | ROCKLAND ID 83271 |                  |            |                       |                   |                     |
|                  | (208) 548-2686    |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                   |                  |            |                       | 0.02 CFS          |                     |

Water Source: ROCK CREEK, EAST FORK

Tributary to: ROCK CREEK

Stage: DECREED

Point(s) of Diversion:

T10S R31E S04

NESWSW

POMER County

| Place of use legal Description for: IRRIGATION |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |
|------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| NE                                             |     |     |     | NW  |     |     |     | SW  |     |     |     | SE  |     |     |     |
| T                                              | R   | S   | Ac  | NE  | NE  | NE  | NE  | NE  | NE  | NE  | NE  | NE  | NE  | NE  | SUM |
| ---                                            | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 10S                                            | 31E | 7   | 01  | :   | :   | :   | :   | :   | :   | :   | :   | :   | :   | :   | 1.0 |
| TOTAL ACRES                                    |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 1.0 |

POU County: POMER

Other Rights: NONE

Dates: Exam Made Date: 08/30/1994

Verified Date:

06/09/1999

Objection Filed Date:

Misc: Water District Number: 41

Field Inspection Flag: Y  
Presumption Flag:

# IDAHO DEPT OF WATER RESOURCES

## 41-00032E



660 0 660 Feet

- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- ▬ SECTION LINES
- 1/4 - 1/4 LINES

T10S R31E SEC. 7, NENE

GIS PLACE OF USE PRESENTATION  
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND  
DATE: June 9, 1999



CLAIM NUMBER

A41-00032 E

DATE

6/9/99

AGENT

SW

TRANSFER NUMBER

CLAIMED ACRE TOTAL 1.0

GIS ACRE TOTAL

.9

Not "Lot 1"  
as claimed →

|       | TWP | RNG | SEC | NE  |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-------|-----|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
|       |     |     |     | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| CLAIM | 10S | 31E | 7   | 1.0 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| GIS   |     |     |     | 0.9 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 10 |
| RECOM |     |     |     | 1.0 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | .9 |
|       |     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 10 |
| CLAIM |     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| GIS   |     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| RECOM |     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| CLAIM |     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| GIS   |     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| RECOM |     |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

B41-POU.SHP

SHAPE NOS.

77

B41-POD.SHP

NOS. DESCRIPTION

4

VALDEZ DITCH: 10S 31E S4, NESWSW

DBF TABLES UPDATED

B41-DBPOU.DBF

B41-DBPOD.DBF

JPEG LAYOUT

41-00032 E.jpg

round up to claimed acre.  
allow 1" of water as decreed duty has shown,  
and as deed listed.

Consideration of 0.03 cfs/ac IDWR STD. is pending  
split review of 41-00032.

3/10/00  
SW



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

~~CECLAND ANDREWS~~

Governor PHILIP E. BATT

R. KEITH HIGGINSON

Director

February 10, 1995

Dear Wateruser:

In response to the Bench Ditch Irrigation Company's letter to IDWR dated January 25, 1995, this letter is being sent to all waterusers of record in the Basin 41 Water District.

As you may know, the arbitration for delivery of water that has operated in the Rockland valley for over 100 years has been very effective in allowing the delivery of water rights by the local watermaster. The box method described in the arbitration has worked to divide the waters fairly, but recent studies of the boxes have determined the actual flow rates that have been delivered for years are different than the rates listed in the arbitration. This is largely due to the fact that the box method, as applied in the valley, is not a standard measuring device.

It is IDWR's position that:

Rights recommended in the ongoing Snake River Basin Adjudication, will be based on the historical beneficial use and historical diversion rate represented by use of the box method.

Conversion to an approved, standard measuring device is encouraged but should not result in a increase in the amount of water diverted. IDWR requests, before any old diversion structure is removed or destroyed, to view and measure the historical diversion rate as delivered by the box described in the arbitration.

Any change in measuring devices or structures that results in an increase of diversion rates above the historical beneficial use will result in injury to junior right holders within the Rock Creek system.

We look forward to working with all waterusers in the district. SRBA examinations will resume in the spring of 1995 and IDWR will measure and evaluate all of the structures diverting from Rock Creek and the East Fork of Rock Creek. If you have questions please contact me at my office in Twin Falls.

Sincerely,

STEVE CLELLAND  
Water Resource Agent

AAI-00032E

AA1-00032E

POULSON

8-30-94

scu

BB86 NW NAPP shows irrigation

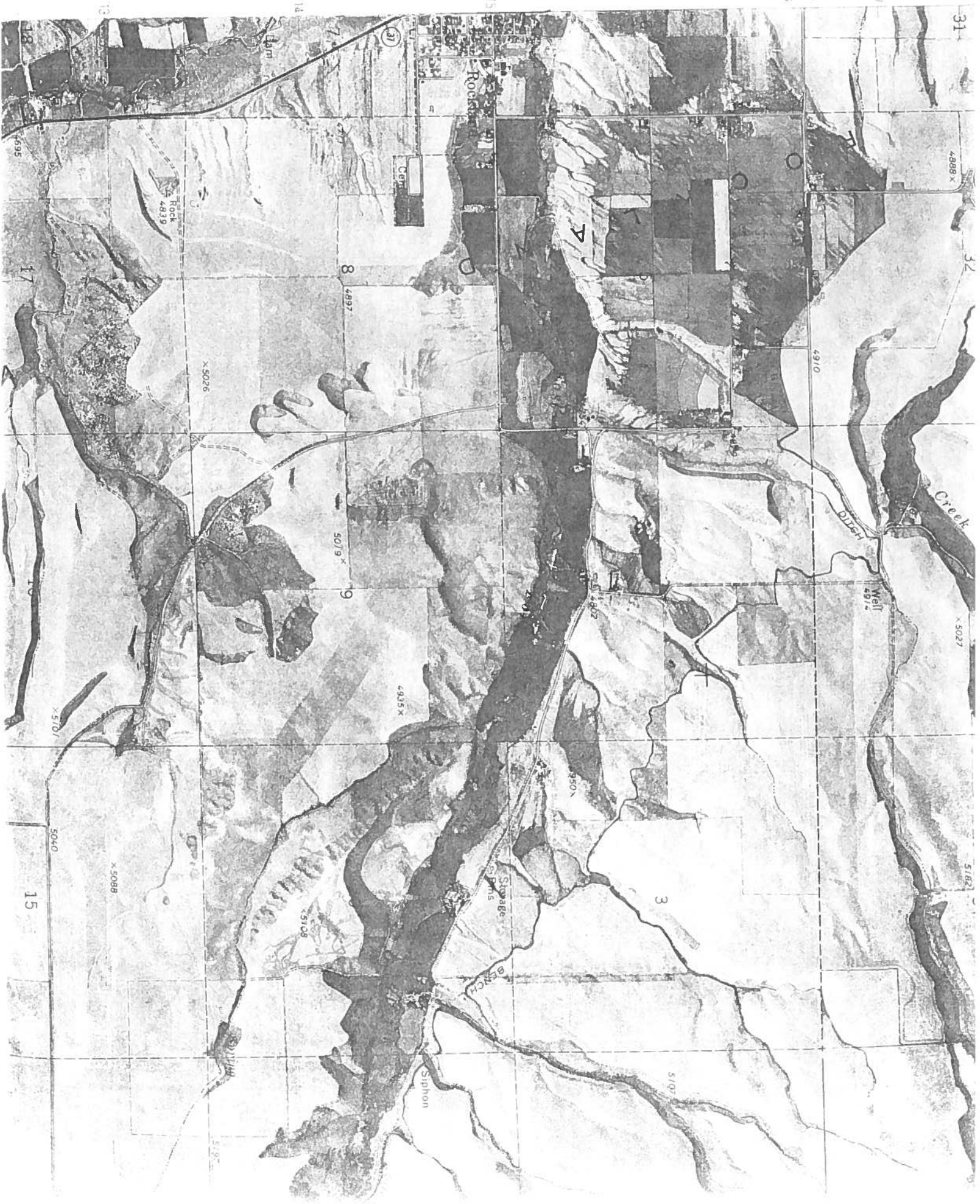
last users on Ditch?

6/9/99 scu

Review of Deed attached to claim indicates 1" of water was given to this parcel.

Appears (2) parcels have been claimed, each given 1" of water.





STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

11:11:12  
04/22/91

PAGE: 13  
QUICKLOOK INFORMATION

CLAIM NUMBER: A41-00032E

| MR 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>DATE<br>WHOM/DATE |
|---------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             | Y                 |                                                 | 8-30-98<br>CWN             |                        |                     |                                  |                                      |                               |
| POINT OF DIV              | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| SOURCE                    | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| PLACE OF USE              | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| PURPOSES                  | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| PERIOD OF USE             | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| BASIS OF CLAIM            | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |
| REMARKS                   | Y                 |                                                 |                            |                        |                     |                                  |                                      |                               |

"VERIFIED BY" CODES

TOPO MAP/ORIHO-PQ = 1  
ASCS MAP = 2  
WATERMASTER RECORDS = 3  
MAPP 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.

Water Right Number - A41-00032E

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
POULSON

MILTON T.

1 - P.O. BOX 267  
2 -  
3 -

State- ID Zip- 83271

POULSON

PAULINE

City- ROCKLAND  
Phone - 208-548-2686  
1 - P.O. BOX 267  
2 -  
3 -  
City- ROCKLAND  
Phone - 208-548-2686

State- ID Zip- 83271

\*\*\* O - ORIGINAL OWNER \*\*\*  
PARRY

1 -  
2 -  
3 -  
City- ROCKLAND  
Phone - 208-548-2201

State- ID Zip- 83271

+ - - Priority Date - - +  
06/01/1882

+ - - - - Region - - - +  
17 SOUTHERN

+ - - - - Stage - - - +  
D - DECREED

+ - - - - Status - - - +

+ - - - - Source - - - - +  
ROCK CREEK, EAST FORK

+ - - - - Tributary - - - - +  
ROCK CREEK

+ - - - - Point of Diversion - - - - +  
Stream Index (Blank if no Index Code)

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

+ - - - - Water Use - - - - +  
Code Description Period from Period to Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

11/01

0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - Km Usage - +  
0.040 6.0

+ - - - - Place of Use - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County

10S 31E 7 NE NE 1 1.0 01 IRRIGATION (77) POWER

Total Acres: 1.0

+ - - Diversion Means - VIA VALDEZ DITCH.

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

Water right number - A41-00032E

Prefix translation: ADJUDICATION CLAIM

Remarks - - - - -  
AC. IRRIG. = 22.5.  
P/U MAY BE INCORRECT. SEE TRANS. 2849.  
THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN  
ARBITRATOR'S FINDINGS AND CONCLUSIONS. THE ONLY PARTY  
LISTED IN PLEADINGS IS H. P. HOUTZ.  
THIS WATER RIGHT IS ASSUMED TO BE SPLIT FROM RIGHT 41-00032A  
AS INDICATED FROM WATER MASTER RECORDS AND FROM COPIES OF  
ATTACHED PROPERTY DEEDS DATING BACK TO 1906. THE DEEDS  
INDICATE 2 MINERS INCHES OF WATER, WITH 1882 PRIORITY DATE  
WAS ALLOTTED TO THIS PROPERTY.

A4100032A

Old Water Right Numbers

Conditions of Approval  
No Conditions of Approval found.

Decree Plaintiff - - - +  
HOUTZ

Decree Defendant - - - +  
ET AL.

Decree Date - - +  
00/00/0000

Audit Fields - 03/15/90 MOBILES3

Comments - - - - -  
No Comments Found

Adjudication Rights Dates and Flags Area

|                        |              |                       |              |                         |         |
|------------------------|--------------|-----------------------|--------------|-------------------------|---------|
| 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 | - Y          | Old Case Number         | -       |
| Response Filed Date    | - 00/00/0000 | Verified Date         | - 00/00/0000 | Old Judicial District   | -       |
| Claim Received Date    | - 03/15/1990 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
| Proof Due Date         | - 00/00/0000 | Proof Made Date       | - 00/00/0000 | Water District          | - 41    |
| Licensed Date          | - 00/00/0000 | Receipt Number        | - M006244    | Federal/State Indicator | - S     |
| Claims Tape Error Flag | -            | POU Ownership Flag    | - Y          | Presumption Flag        | -       |
| Fee Exempt Flag        | -            | Name Connector        | - OR         |                         |         |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

11:11:12  
04/22/91

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A41-00032E

LAST: PARRY  
ADDRESS: ROCKLAND  
CITY: ROCKLAND  
PHONE NUMBER: 208-548-2201  
STATE: ID ZIP: 83271  
OWNER CODE: 0

LAST: POULSON  
ADDRESS: P.O. BOX 267  
CITY: ROCKLAND  
PHONE NUMBER: 208-548-2686  
STATE: ID ZIP: 83271  
OWNER CODE: C

LAST: POULSON  
ADDRESS: P.O. BOX 267  
CITY: ROCKLAND  
PHONE NUMBER: 208-548-2686  
STATE: ID ZIP: 83271

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE  
Y

FIELD  
EXAMINER

CLAIM REMARKS:

AC. IRRIG. = 22.5.  
P/U MAY BE INCORRECT. SEE TRANS. 2849.  
THE SUPPORTING DOCUMENT IS NOT A DECREE BUT IS MERELY AN  
ARBITRATOR'S FINDINGS AND CONCLUSIONS. THE ONLY PARTY  
LISTED IN PLEADINGS IS H. P. HOUTZ.

THIS WATER RIGHT IS ASSUMED TO BE SPLIT FROM RIGHT 41-00032A  
AS INDICATED FROM WATER MASTER RECORDS AND FROM COPIES OF  
ATTACHED PROPERTY DEEDS DATING BACK TO 1906. THE DEEDS  
INDICATE 2 MINERS INCHES OF WATER, WITH 1882 PRIORITY DATE  
WAS ALLOTTED TO THIS PROPERTY.

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

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

DATE OF FIELD EXAM: \_\_\_\_/\_\_\_\_/\_\_\_\_

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

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

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

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

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

DIRECTIONS TO PROPERTY / REMARKS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A. AJ CLAIM: # A41-00032E PRIORITY DATE: 06-01-1882 STAGE: D  
B. WR RECORD: # 41-00032 PRIORITY DATE: - - STAGE:

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

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

REMARKS:

RECOMMENDED PRIORITY DATE:

REVIEWED BY

DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT      | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY  |
|------------|------|------|------|-----|-----|-----|-----|-------|
| A41-00032E | 10S  | 31E  | 4    | NW  | SE  | SW  |     | POWER |

OTHER AJ CLAIMS WITH SAME AJ POD      HR RECORDS IN SAME 40 ACRE TRACT

A PREFIX      R PREFIX      NONE

NONE

SOURCE: ROCK CREEK, EAST FORK

TRIB: ROCK CREEK

B. WR POINT OF DIVERSION AND SOURCE:

4100032      THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

C. FIELD EXAM REQUIRED?

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

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | LOT | COUNTY |
|------|------|------|-----|-----|-----|--------|
|      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |
|      |      |      |     |     |     |        |

SOURCE:      TRIB:      DATE:      REVIEWED BY:

A. ROOT WATER RIGHT NUMBERS:

A41-00032C  
A41-00032D

A41-00032E

A41-00032F

A41-00032G

A41-00032H

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT | NAME                           | AJ<br>#/ACRES    | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----|--------------------------------|------------------|---------------|-----------------|----------------|------------------|
| TOS         | 31E | 7   | NE  | NE  | 1   | POULSON, MILTON T.             | A41-00032E / 1.0 | -             | 42.0            |                |                  |
|             |     |     | NE  | NE  |     | RALPHS, V.C.                   | A41-00032C / 5.0 | -             |                 |                |                  |
|             |     |     | NE  | NE  |     | RALPHS, V.C.                   | A41-10012 /      | -             |                 |                |                  |
|             |     |     | NE  | NE  |     | RALPHS, V.C.                   | A41-10013 /      | -             |                 |                |                  |
|             |     |     | NE  | NE  |     | ROCKLAND WATER AND SEWER ASSOC | A41-04023 /      | -             |                 |                |                  |
|             |     |     | NE  | NE  |     | CITY OF ROCKLAND               | A41-00002B / 5.0 | -             |                 |                |                  |
|             |     |     | NE  | NE  |     | CITY OF ROCKLAND               | A41-00025C / 5.0 | -             |                 |                |                  |
|             |     |     | NE  | NE  |     | CITY OF ROCKLAND               | A41-00032F / 5.0 | -             |                 |                |                  |
|             |     |     | NE  | NE  |     | U.S. DEPT. OF INTERIOR         | 41-02030 /       | -             |                 |                |                  |
| TOTAL ACRES |     |     |     |     |     | A41-00032E                     | 1.00             |               | 42.00           |                |                  |

*Not  
Deeded  
Here*

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE FIELD  
EXAMINER

Y

**PRESUMPTION FLAG:**

REMARKS:

[illegible]

**RECOMMENDATIONS:**

**TOTAL ACRES:**

REVIEWED BY:

DATE:

A. AJ CLAIMED USES:

PURPOSES  
A41-00032E IRRIGATION

MONTH/DAY  
FROM 04-01 TO 11-01

DIVERSION QUANTITY  
.040 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.040 CFS

B. WR RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y( ) N( )

RECOMMEND TO WR STANDARDS OR OTHER?

Y( ) N( ) Explain in remarks, below.

REMARKS:

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

AJ TOTAL CLAIMED DIVERSION RATE: 0.040 CFS  
MR ROOT RIGHT TOTAL DIVERSION RATE: 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) Y FIELD DATABASE EXAMINER

B. MEASUREMENT METHOD \_\_\_\_\_, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM      | SOURCE                | NAME               | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|-----------------------|--------------------|-----------|----------------|-----------|----------------|
| A41-00032E | ROCK CREEK, EAST FORK | POULSON, MILTON T. | 0.040     | 0.040          |           |                |
| A41-00032C | ROCK CREEK, EAST FORK | RALPHS, V.C.       | 0.350     | 0.020          |           |                |
| A41-00025C | ROCK CREEK, EAST FORK | CITY OF ROCKLAND   | 0.400     | 0.004          |           |                |
| A41-00032F | ROCK CREEK, EAST FORK | CITY OF ROCKLAND   | 0.680     | 0.007          |           |                |

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

| CLAIM NO. | PURPOSES   | NAME                           | MONTH/DAY           | RATE     | VOLUME |
|-----------|------------|--------------------------------|---------------------|----------|--------|
| A41-10012 | DOMESTIC   | RALPHS, V.C.                   | FROM 01-01 TO 12-31 | .040 CFS |        |
| A41-10012 | STOCKWATER | RALPHS, V.C.                   | FROM 01-01 TO 12-31 | .020 CFS |        |
| A41-10013 | STOCKWATER | RALPHS, V.C.                   | FROM 01-01 TO 12-31 | .020 CFS |        |
| A41-04023 | MUNICIPAL  | ROCKLAND WATER AND SEWER ASSOC | FROM 01-01 TO 12-31 | .670 CFS |        |

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES \_\_\_\_\_ x 0.02 CFS/ACRE = \_\_\_\_\_ CFS  
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 6.0 AF/A

ACRES \_\_\_\_\_ x CONSUMPTIVE VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL CONSUMPTIVE USE \_\_\_\_\_ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = \_\_\_\_\_ AF/A

ACRES \_\_\_\_\_ x DIVERSION VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL DIVERSION VOLUME \_\_\_\_\_ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N( )

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

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**RECOMMENDATIONS:**

**REC.  
PURPOSES**

REC. PERIOD  
FROM TO

REC. DIV  
RATE CFS

REC. DIV  
VOL. AF/A

REC. CONS.  
USE

**DATABASE EXAMINER****DATABASE EXAMINER****DATABASE EXAMINER**

TOTAL FOR THIS RIGHT

REVIEWED BY:

DATE:

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP \_\_\_\_\_  
FORFEIT/ABANDON \_\_\_\_\_  
ADDITIONAL DIV. AMOUNT \_\_\_\_\_

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 41-00032  
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
2.060

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 |
|----------------------|--------------------------|-------------------|---------------------------|------------------|-----------------------|-------------------|
| A41-00032A           | A41-00032C               | 0.350             | -                         | -                | 41-00032A             | 0.860             |
| -                    | A41-00032D               | 0.180             | -                         | -                | -                     | -                 |
| A41-00032A           | A41-00032E               | 0.040             | -                         | -                | 41-00032A             | 0.860             |
| -                    | A41-00032F               | 0.680             | -                         | -                | -                     | -                 |
| -                    | A41-00032G               | 0.120             | -                         | -                | -                     | -                 |
| A41-00032B           | A41-00032B               | 0.340             | -                         | -                | 41-00032B<br>41-00032 | 0.340             |
| -                    | -                        | -                 | -                         | -                | -                     | -                 |

TOTAL CFS 1.710

2.060

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 N FIELD EXAMINER

REMARKS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AUTHENTICATION:

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

NAME OF FIELD EXAMINER: \_\_\_\_\_

TITLE: \_\_\_\_\_

Water Right Number - 41-00032E Prefix Translation: WATER RIGHT Old (D) Number -

Last Name - + First Name - + Address - +

Priority Date - + Region - + Stage - + Status - +  
00/00/0000 ERROR IN REGION

Source - + Tributary - +

Twn Rng Sec Tract Lot RFlg County Point of Diversion - Stream Index (Blank if no Index Code)

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

Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - +

Twn Rng Sec Tract Lot Acres Code Description County

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks -  
No Remarks found.

- - - 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 -  
No Comments Found

- - - Water Rights Dates and Flags Area -

Proof Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -  
Approved/Denied - 00/00/0000 Protested Date - 00/00/0000 Swan Falls -  
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right -  
Exam to S.O. Date - 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -  
Order Show Cause - 00/00/0000 Receipt Number - Water District -  
Licensed Date - 00/00/0000 Appl Received - 00/00/0000 Transfer/Amended -  
Decree Date - 00/00/0000 Presumption Flag -