

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: **A41-00040C**
Date Received: 1/ 9/1992
Receipt No: S014050
Received By: _____

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

1. Name: KEVIN BOYER 208-548-2744
Address: PO BOX 310
ROCKLAND ID 83271
AND/OR
Name: ANITA BOYER 208-548-2744
Address: PO BOX 310
ROCKLAND ID 83271

2. Date of Priority: MAY 15, 1884

3. Source: ROCK CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	30E	23	NE	SE	SE	R	POWER
			SW	SE	SE	R	POWER
			SE	SE	SE	R	POWER
		25	SW	NW	SW		POWER

5. Description of diverting works:
HILLHOUSE-MAY DITCH TO FLOOD IRRIGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.160		32.00

7. Total Quantity Appropriated is:
0.160 C.F.S. (and/or) 32.00 A.F.A.

8. Total consumptive use is 24.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/25 BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	30E	23	SE		SE		IRR	8.0
			SE		SE		STOCK	

Section Acres 8.0

Total Acres	8.0
-------------	-----

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:

P/U NOT GIVEN IN DECREE
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 WR IS A PORTION OF THE WR 41-00040.
HILLHOUSE-MAY DITCH IS AKA LOWER WEST DITCH (PER USGS MAP).

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/ 6/1903

<u>HOUTZ</u>	<u>ET AL</u>
Decree Plaintiff	vs Decree 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 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 _____

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

RECEIVED

JUL 07 1999

Department of Water Resources
 Southern Region

1. Water Right or Adjudication Claim No(s): 41-00040C

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Vernon Nelson

P.O. Box 191, Rockland, ID 83271

4. New Owner/Claimant(s)

Kevin or Anita Boyer

Name Connector (Check one): [] and, ☒ or, [] and/or

New Mailing Address

P.O. Box 310

City, State and ZIP Code

Rockland, ID 83271

New Telephone Number

(208) 548-2744

5. Date you acquired the property

Sept 1, 1998

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 8 Number and type of stock _____

Diversion rate in CFS 0.16 Number of homes 1 Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

K. Boyer

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Change made: 7/7/99 sc

WARRANTY DEED

KB
AB

For Value Received VERNON L. NELSON and KATHRYN L. NELSON, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

KEVIN BOYER and ANITA BOYER, husband and wife

whose address is: P.O. Box 310, Rockland, ID 83271

Hereinafter called the Grantee, the following described premises situated in POWER County, Idaho, to-wit:

TOWNSHIP 9 SOUTH, RANGE 30 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO:

SECTION 23: SE $\frac{1}{4}$ SE $\frac{1}{4}$

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: August 3, 1998

VERNON L. NELSON

KATHRYN L. NELSON

STATE OF IDAHO)

: ss

COUNTY OF BANNOCK)

On This 3RD day of AUGUST, in the year 1998, before me, a Notary Public in and for said State, personally appeared VERNON L. NELSON and KATHRYN L. NELSON, known or identified to me to be the person(s) whose name(s) ARE subscribed to the within Instrument, and acknowledged to me that THEY executed the same.

Notary Public of Idaho
Residing at POCATELLO, ID.
Commission Expires: 4-28-99

16-
62.9

R 30 E

#85

T. Deeg

6-
72.1

T-366

T-367

2060

#1372
Nelson 7-UD

Kevin
Boyer

1-
34.8

1-
14.8

NHEL
2-
7.3

23 24

26 25

T
9
S

T-367

C

1- 14.8 +
2- 7.2 +

0002

22. *

* I-18 L *

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: **A41-00040C**
Date Received: 1/ 9/1992
Receipt No: S014050
Received By: *[Signature]*

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

1. Name: GROVER NELSON 208-548-2392
Address: P.O. BOX 342
ROCKLAND ID 83271

AND/OR

Name: VERNON NELSON 208-548-2690
Address: P O BOX 191
ROCKLAND ID 83271

AND/OR

Name: KATHRYN NELSON 208-548-2690
Address: P O BOX 191
ROCKLAND ID 83271

2. Date of Priority: MAY 15, 1884

3. Source: ROCK CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
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			SW	SE	SE	R	POWER
			SE	SE	SE	R	POWER
		25	SW	NW	SW		POWER

5. Description of diverting works:
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6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.727		32.00

7. Total Quantity Appropriated is:
0.160 C.F.S. (and/or) 32.00 A.F.A.

8. Total consumptive use is 24.0 Acre Feet Per Annum.

10. Place of Use:

Section Acres 8.0

Total Acres	8.0
-------------	-----

MAR 04 1993

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): Vernon T. Nelson Date: 1/9/92

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of January 19 92 Robert V. Horstell
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires January 13, 1995

LOWAY ET-AL

FARREN L. PORATH

FARREN L. PORATH

J-15

7 UD RANCHES, FISH

C/O FAROLD NELSON

NELSON

GROVER NELSON

T-14

T-5

7 UD RANCHES,

C/O FAROLD NELSON

NELSON

Ranches Artshp
Farold Nelson

R3DE

7 UD RANCHES, FISH

C/O FAROLD NELSON

7 UD RANCHES,
C/O FAROLD NELSON

T-53

A41-00040C

C/O FAROLD NELSON

T-54

T-51

T-45

GIBBERT LYNN
HUNTER
ET-UX

7 UD RANCHES, FISH
C/O FAROLD NELSON

T-64

GIBBERT LYNN
HUNTER
ET-UX

T-91

7 UD RANCHES,
C/O FAROLD NELSON

T-63

MICROFILMED
MAR 04 1993

342

55'

343

300 000 FEET

42° 3

41-7036
(Potash)

3-13-78

Storage
Bins

P/U

A41-00040C

T
9
5

R30E

T
10
5

LANDING STRIP

ROAD

Rockland

MICROFILMED

MAR 04 1993

BR 85

INDIAN SPRINGS 9 MI
11 MI TO INTERSTATE 15W

340
FEE

T. 9

T. 11

35

471

15 MI

DATE: 10/22/99
PAGE: 1

ROCKLAND ID 83271
(208) 548-2744

Stage: DECREED

POWER County

NE

T	R	S	NAME	NAME	NAME	NAME	NAME	NAME	SUM
09S	30E	23	lt	Ac	lt	Ac	lt	Ac	lt
09S	30E	23	lt <td>Ac <td>lt <td>Ac <td>lt <td>Ac <td>lt</td> </td></td></td></td></td>	Ac <td>lt <td>Ac <td>lt <td>Ac <td>lt</td> </td></td></td></td>	lt <td>Ac <td>lt <td>Ac <td>lt</td> </td></td></td>	Ac <td>lt <td>Ac <td>lt</td> </td></td>	lt <td>Ac <td>lt</td> </td>	Ac <td>lt</td>	lt
TOTAL ACRES									08
									8.0
									8.0

Other Rights: NONE

USE OF THIS RIGHT WITH RIGHT NO. 41-10229 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 12 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: 07/15/1994 Verified Date: 10/22/1999 Objection Filed Date:

Misc: Water District Number: 41 Field Inspection Flag: 0
Presumption Flag: 0

$$3.06'' = 0.0612 \text{ fs}$$

DATE: 07/07/99
PAGE: 1

Stage: DECREED

POWER County

Misc: Water District Number: 41 Field Inspection Flag: D
Presumption Flag:

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

DATE: 06/10/99
PAGE: 1

RECEIVED BY 

DIVERSION
VOLUME

0.16 CFS

Stage: DECREED

POWER County

SE

08
=

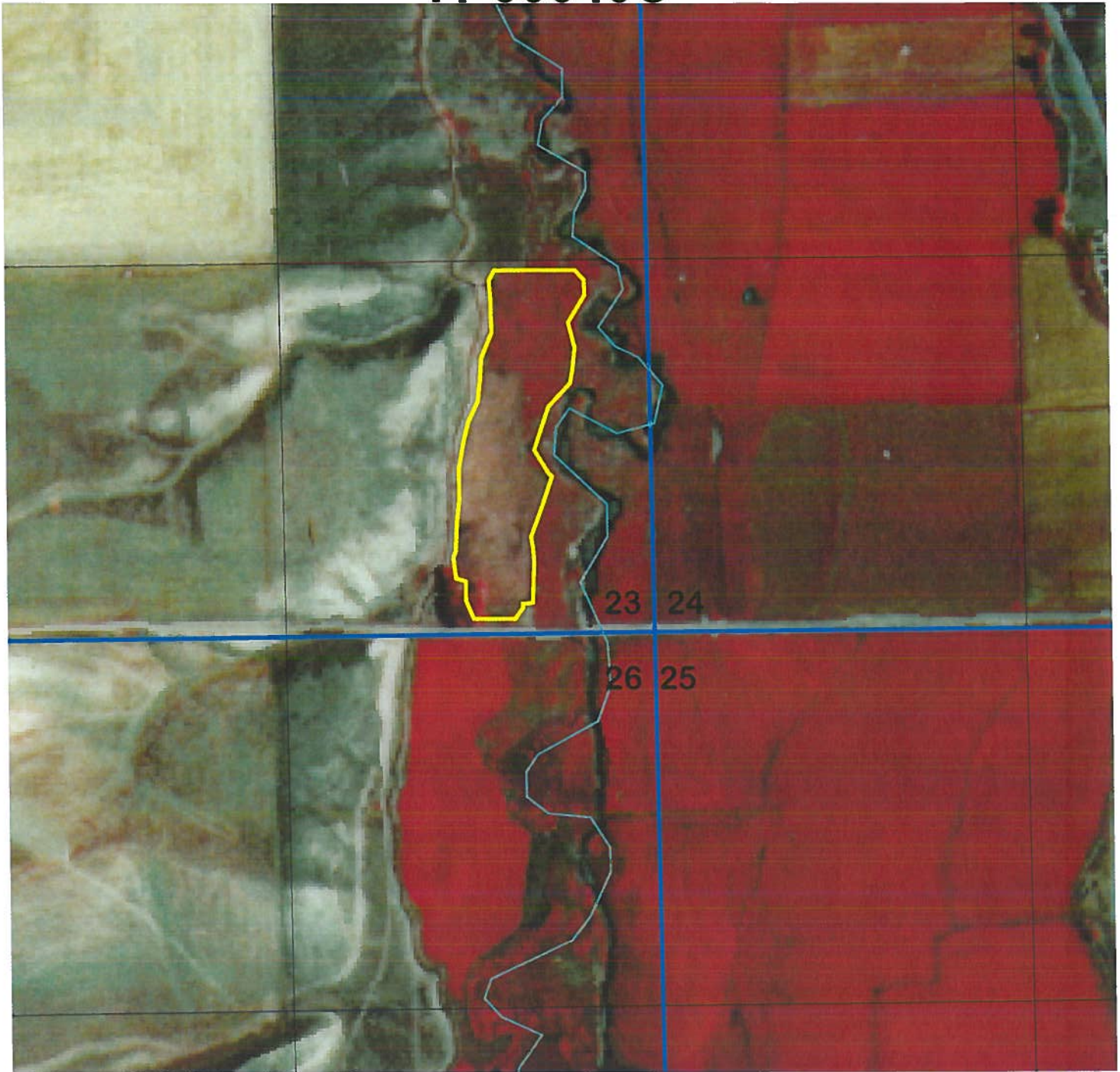
Objection Filed Date:

Presumption Flag: D

Presumption Flag: D

IDAHO DEPT OF WATER RESOURCES

41-00040C



660 0 660 1320 Feet



T9S R30E SEC. 23, SESE

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

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

DATA ENTRY BY: STEVE CLELLAND
DATE: June 10, 1999

CLAIM NUMBERS

A41-00040C

DATE

5/5/99

AGENT

TRANSFER NUMBER

HOMESTEAD ENTRY NO.

CLAIMED ACRE TOTAL

GEOGRAPHIC INFO ACRES

8

10.8 8.1

	TNS	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	95	30E	23																8
GIS																			9.1/10.8
RECOM																			8.1
																			8.1
CLAIM																			8
GIS																			8
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B41-POU.SHP

SHAPE NOS.

94

Look closely @ PoD. ✓ OK by Exam Sec 8/3/95
 Revised draft pou shape based on exam observations.

B41-POD.SHP

NOS. DESCRIPTION

44

Lower West Ditch: T9S, R30E, S25 SWNWSW

DBF TABLES UPDATED

B41-DBPOU.DBF

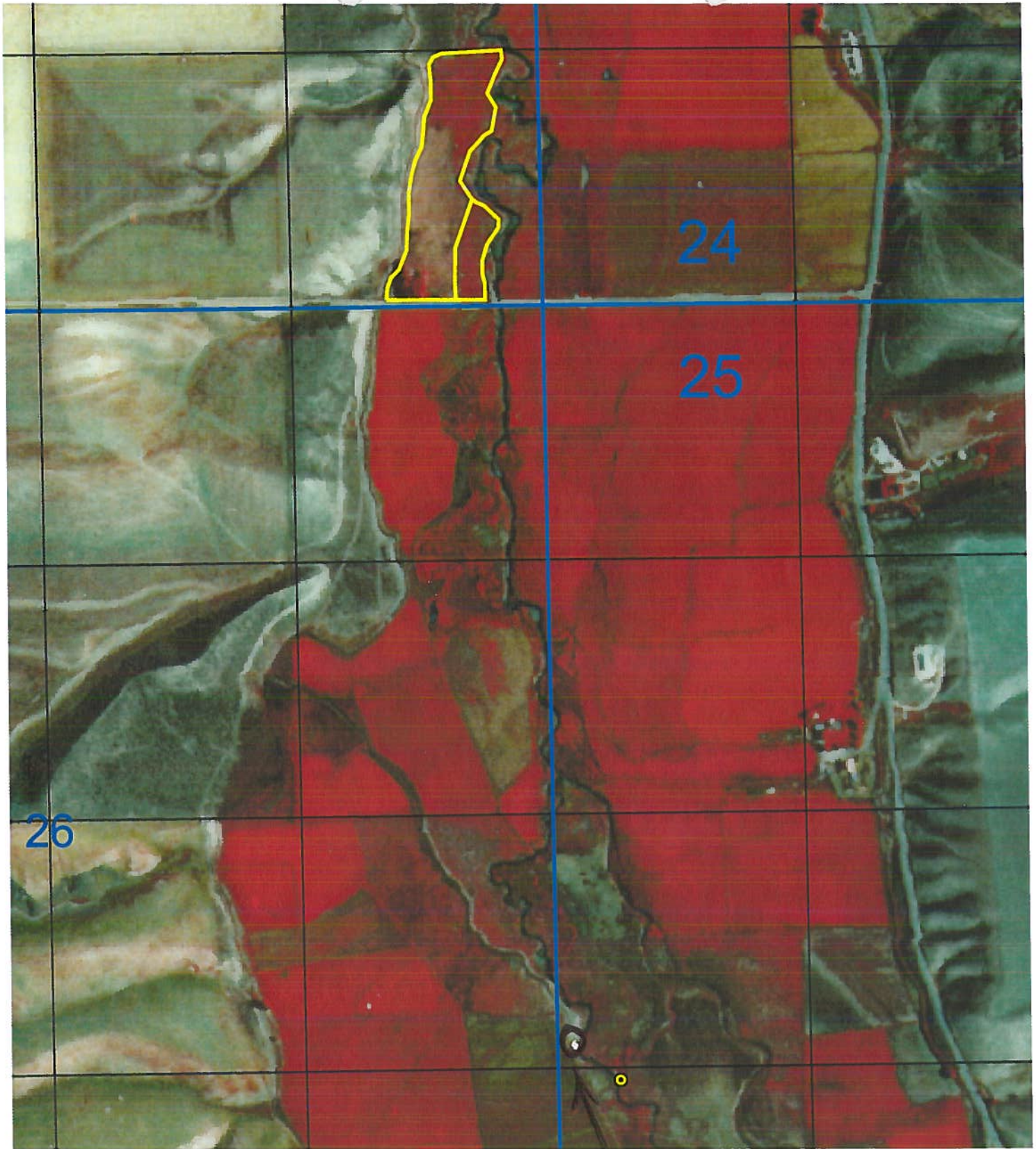
B41-DBPOD.DBF

JPEG LAYOUT

41-00040C.jpg

PRELIMINARY DATA

Revised 6/10/99 sa



1320 0 1320 2640 Feet

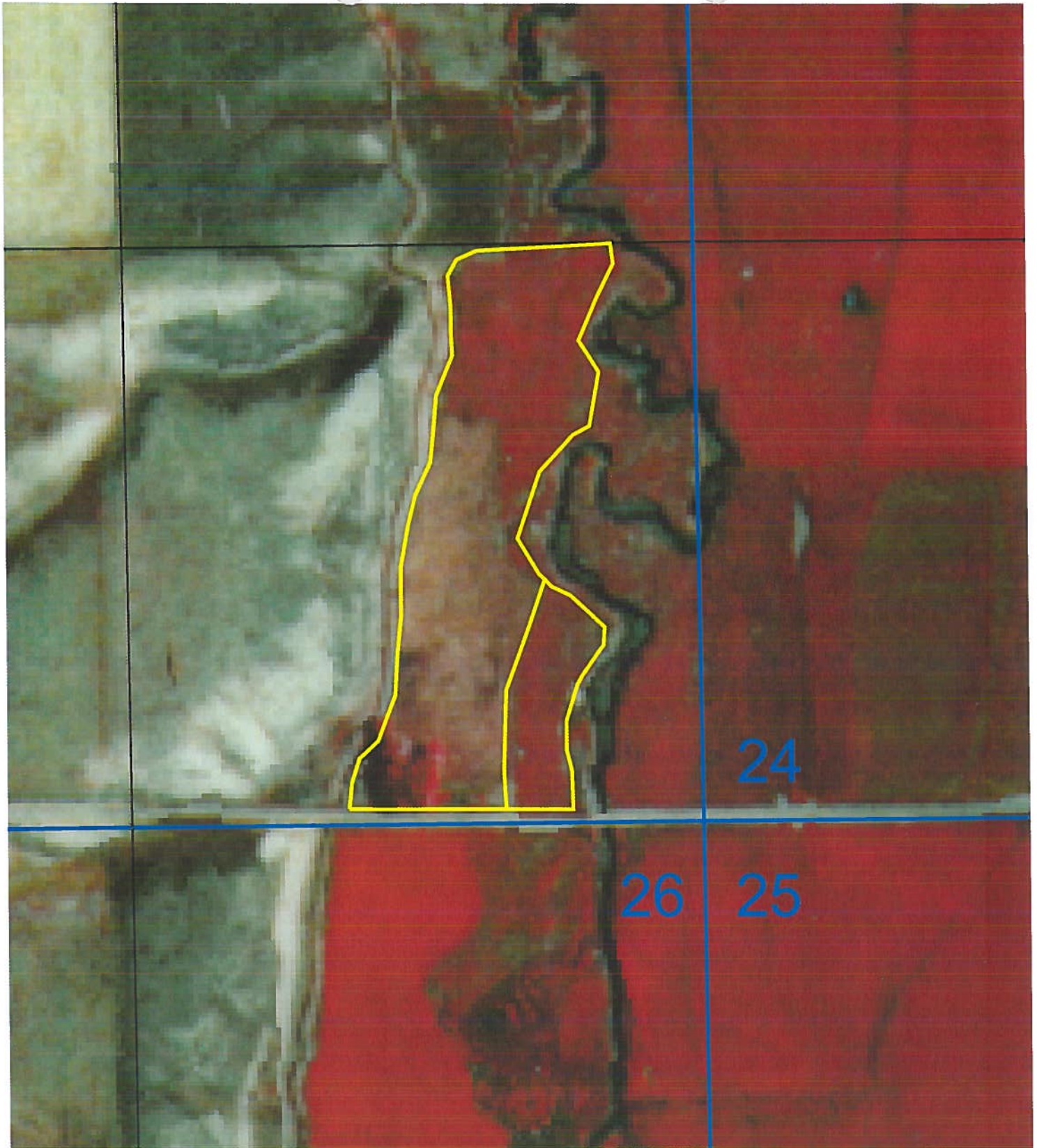
-  Property of Interest
-  Point(s) of Diversion
-  Section Lines
-  Quarter/Quarter Lines

A41-00040C
Field Copy

POD

T9S R30E





660 0 660 Feet

-  Property of Interest
-  Point(s) of Diversion
-  Section Lines
-  Quarter/Quarter Lines

A41-00040C
Field Copy

T9S R30E 23





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

~~KEITH HIGGINSON~~

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

A41-000 40 C G. NELSON

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:11:58
07/20/95
16
CLAIM NUMBER: A41-00040C

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		1-15-94 CJ					
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

POWER	County
POWER	County

TOTAL ACRES

Field Inspection Flag: D
Presumption Flag:

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

() ORTHOPHOTOQUAD	DATE OF PHOTO	IDMR ID NO.	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED	IDMR ID NO.	Y() N()
() MAPP	DATE OF PHOTO	IDMR ID NO.	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO		Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO		Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO		Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY		Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED		Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP		Y() N()
() OTHER	DATE		Y() N()
() OTHER	DATE		Y() N()
() OTHER	DATE		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

() LICENSING FIELD EXAM	DATE OF FIELD EXAM		
() WATER RIGHT LICENSE	DATE LICENSE SIGNED		
() IDMR APPROVED TRANSFER	DATE TRANSFER APPROVED		
() SYSTEM DESCRIPTION	DATE DRAWN		
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN		
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED		
() OTHER	DATE		
() OTHER	DATE		

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:11:58
07/20/95

CLAIM NUMBER: A41-00040C
1

LAST: NELSON FIRST: GROVER
ADDRESS: PO BOX 342 STATE: ID ZIP: 83271
CITY: ROCKLAND
PHONE NUMBER: 208-548-2392

OWNER CODE: C
LAST: NELSON FIRST: VERNON
ADDRESS: P O BOX 191 STATE: ID ZIP: 83271
CITY: ROCKLAND
PHONE NUMBER: 208-548-2690

OWNER CODE: C
LAST: NELSON FIRST: KATHRYN
ADDRESS: P O BOX 191 STATE: ID ZIP: 83271
CITY: ROCKLAND
PHONE NUMBER: 208-548-2690

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE EXAMINER
Y () N ()

CLAIM REMARKS: P/U NOT GIVEN IN DECREE
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 WR IS A PORTION OF THE WR 41-00040.
HILLHOUSE-MAY DITCH IS AKA LOWER WEST DITCH (PER USGS MAP).

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 / NOTES:

A. AJ CLAIM: # A41-00040C PRIORITY DATE: 05-15-1884 STAGE: D

B. WR RECORD: # 41-00040 PRIORITY DATE: 05-15-1884 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS? N/A() Y() N()

PROOF OF BENEFICIAL USE SUBMITTED N/A() Y() N()

FIELD EXAM COMPLETED N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE N/A() Y() N()

LICENSE ISSUED N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A() Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()

NOTES:

RECOMMENDED PRIORITY DATE:

05-15-1884

REVIEWED BY DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TMP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A41-00040C	09S	30E	23	NE	SE	SE	R	POWER		
A41-00040C	09S	30E	23	SW	SE	SE	R	POWER		
A41-00040C	09S	30E	23	SE	SE	SE	R	POWER		
A41-00040C	09S	30E	25	SW	NW	SW		POWER		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A41-00040
A41-00040B
R PREFIX
NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: ROCK CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TMP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
41-00040	09S	30E	25	NW	SW			POWER		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
R PREFIX

NONE

A41-00040
A41-00040B
NONE

SOURCE: ROCK CREEK

TRIB: SNAKE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____)

NAME OF EXAMINER _____

Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
09S	30E	23	NE	SE	SE		R	POWER		
09S	30E	23	SW	SE	SE		R	POWER		
09S	30E	23	SE	SE	SE		R	POWER		
09S	30E	25	SW	NW	SW			POWER		

SOURCE: ROCK CREEK

TRIB: SNAKE RIVER

REVIEWED BY: _____

DATE: _____

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A41-00040
A41-00040B

A41-00040C

B. POU LISTING				AJ #/ACRES	HR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
TWP	RNG	SEC	1/4 1/4 LOT NAME					
09S	30E	23	SE SE NELSON, GROVER SE SE MAY, J. I. SE SE UNITED STATES DITCH	A41-00040C / 8.0	41-00040 / 41-00046 /			33.0
09S	30E	23	SE SE NELSON, GROVER SE SE MAY, J. I. SE SE UNITED STATES DITCH	A41-00040C /	41-00040 / 41-00046 /			33.0

ADDITIONAL POU FOUND

TOTAL ACRES	A41-00040C	8.00	66.00
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POU COUNTY: POWER

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED? Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

- E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
- * IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.
- F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A() Y() N()
- G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()
- H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDMR NO. _____; () TOPOGRAPHIC QUAD, IDMR NO. _____;
 () NAPP, IDMR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

TOTAL ACRES: _____ N/A (____)

REVIEWED BY: _____ DATE: _____

[illegible]

A. A1 CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A41-00040C IRRIGATION	FROM 04-01 TO 10-31	0.160 CFS	32.00 AF/A
TOTAL DIVERSION RATE/VOLUME		0.160 CFS	32.00 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
41-00040 IRRIGATION	FROM TO	1.000 CFS	
TOTAL DIVERSION RATE/VOLUME		1.000 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

NOTES: _____

AJ CLAIM TOTAL DIVERSION RATE: 0.160 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.000 CFS

- A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
- B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()
- * ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.
- C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()
- * IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.
- D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. MEASUREMENT METHOD _____, FLOW MEASUREMENT _____, SEE ATTACHED CALCULATIONS.

- F. RATE/VOLUME CALCULATIONS: (IRRIGATION)
- 1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)
- 1b. CALCULATIONS
IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()
2. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = 32.00 AF/A
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =
TOTAL DIVERSION VOLUME _____ AF/A
3. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = 24.0 AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AF/A
4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

MR RECORD CONDITIONS/REMARKS:

P/JU NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER. 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.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 10-31	DATABASE EXAMINER 0.160	DATABASE EXAMINER 32.00	DATABASE EXAMINER 24.0
TOTAL FOR THIS RIGHT		0.160	32.00	24.0

NON-IRRIGATION USES CLAIMED: S/25 BEEF CATTLE

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____ DATE: _____

FLAG: D _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____ ACCEPTED AS CLAIMED _____ NEEDS REVIEW _____
FORFEIT/ABANDON _____ () () () ()
ADDITIONAL DIV. AMOUNT _____ () () () ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 41-00040
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	-	-	-	-	41-00040	1.000
-	-	-	-	-	41-00040	1.000
-	-	-	-	-	41-00040	1.000

TOTAL CFS

1.000

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE N FIELD EXAMINER Y () N ()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____