

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: A41-00041A
Date Received: 3/02/1990
Receipt No: S011374
Received By: See

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EVELYN ROPER 208-548-2464
Address: P.O. BOX 246
AMERICAN FALLS, ID 83211

2. Date of Priority: MAY 20, 1884

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	30E	15	NE	NE	SE		POWER

5. Description of diverting works:
CONCRETE CHECK DAM AND DITCHES, PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	1.500		

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

8. Total consumptive use is 512.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	30E	10	SW	SW		IRR	20.0
			SE	SW		IRR	10.0
						Section Acres	30.0

A41-00041A

Page 1

Date: 03/26/90

MICROFILMED

MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	30E	15	NE		NE		IRR	5.0
			NW		NE		IRR	35.0
			SW		NE		IRR	35.0
			SE		NE		IRR	30.0
			NE		NW		IRR	35.0
			NW		NW		IRR	30.0
			SE		NW		IRR	5.0

Section Acres 175.0

Total Acres 205.0

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:
A41-02024 & U.S. DITCH

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/06/1903

HOUTZ

Decree Plaintiff

vs

ET AL.

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 _____

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IRRIGATION	04/01	10/15	1.500		

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

8. Total consumptive use is 512.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	30E	10	SW	SE	SE SW	IRR	10.0
			SE	SE	SW SW	IRR	20.0
						Section Acres	30.0

A41-00041A

Correct

1

Date: 03/02/90

30 Acres

1/4-1/4

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MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	30E	15	NE		NE		IRR	5.0
			NW		NE		IRR	35.0
			SW		NE		IRR	35.0
			SE		NE		IRR	30.0
			NE		NW		IRR	35.0
			NW		NW		IRR	30.0
			SE		NW		IRR	5.0

Section Acres 175.0

Total Acres 205.0

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Case Number:
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HOUTZ

Decree Plaintiff

vs

ET AL.

Decree Defendant

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Number of attachments: _____

For Individuals:

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Signature of Claimant(s): Evelyn Roper Date: 3/2/90
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of March 19 90 Steve Call
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

INTER-DEPARTMENT MEMO — 1

FROM STEVE CLELAND

TO 141-00041 A

SUBJECT Data Entry Error

DATE 3-26-90

Corrected a entry error made at filing; Map was
correct as filed. Claim now agrees w/ Maps.

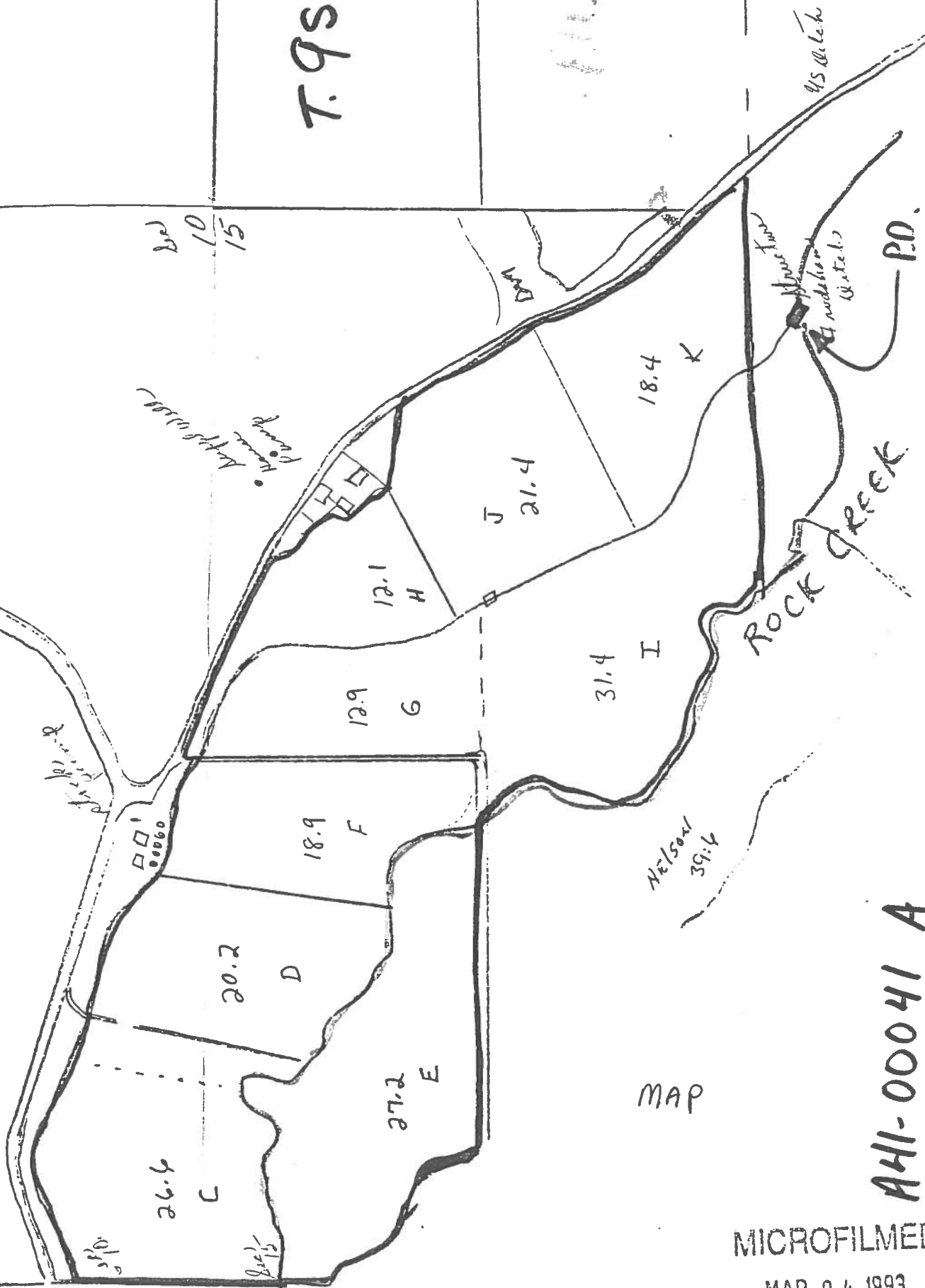
MICROFILMED

Sec

~~MAR 28 1993~~

R. 30 E.

T. 9 S.



MAP

MICROFILMED

MAR 04 1993

AHI-00041 A



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. E, Twin Falls, Idaho 83301

(208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mar. 30, 1990

Re: A41-02024
A41-00041A

EVELYN ROPER
P O BOX 246
AMERICAN FALLS ID 83211

Dear Claimant(s):

Please review the computer generated claim(s) for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILME

MAR 04 1993

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8. Total consumptive use is 512.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	30E	10	SW	SE	SE SW	IRR	10.0
			SE	SE	SW SW	IRR	20.0
						Section Acres	30.0

A41-00041A

Page 1

Date: 03/02/90

MICROFILMED

MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	30E	15	NE		NE		IRR	5.0
			NW		NE		IRR	35.0
			SW		NE		IRR	35.0
			SE		NE		IRR	30.0
			NE		NW		IRR	35.0
			NW		NW		IRR	30.0
			SE		NW		IRR	5.0

Section Acres 175.0

Total Acres 205.0

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:
A41-02024 & U.S. DITCH

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 6/06/1903

HOUTZ

Decree Plaintiff

vs

ET AL.

Decree Defendant

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For Individuals:

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Signature of Claimant(s): Evelyn Roper Date: 3/2/90

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of March 19 90 Steve Cull
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

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9. Non-irrigation uses:

10. Place of Use:

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09S	30E	10	SW	SW		IRR	20.0
			SE	SW		IRR	10.0
Section Acres							30.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	30E	15	NE		NE		IRR	5.0
			NW		NE		IRR	35.0
			SW		NE		IRR	35.0
			SE		NE		IRR	30.0
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							Section Acres	175.0
							Total Acres	205.0

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14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 6/06/1903

<u>HOUTZ</u>		<u>ET AL.</u>
Decree Plaintiff	vs	Decree Defendant

16. Signature(s)

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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 _____

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	30E	10	SW	SE	SE SW	IRR	10.0
			SE	SE	SW SW	IRR	20.0
						Section Acres	30.0

A41-00041A

1

Date: 03/02/90

Correct
30 Acres
1/4-1/4

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MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	30E	15	NE	NE		IRR	5.0
			NW	NE		IRR	35.0
			SW	NE		IRR	35.0
			SE	NE		IRR	30.0
			NE	NW		IRR	35.0
			NW	NW		IRR	30.0
			SE	NW		IRR	5.0

Section Acres 175.0

Total Acres 205.0

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HOUTZ

Decree Plaintiff

vs

ET AL.

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For Individuals:

Signature of Claimant(s): Lucy Roper Date: 3/2/90
Date: _____

Subscribed and sworn (or affirmed) before me this 2nd day
of March 19 90 Steve C. [Signature]
Notary Public

Residing at Turn Falls
My Commission Expires Dec 7, 1994

कि.मो.वि.

T. 9. S.

Pu.

45 10.6h

debit
credit

2

A hand-drawn map showing a green line representing a road or path, and a blue line representing a creek. The text "Rock Creek" is written in blue ink along the blue line.

Nelson
39:4

44-00041 A

MICROFILME

MAR 04 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. E, Twin Falls, Idaho 83301

(208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mar. 30, 1990

Re: A41-02024

A41-00041A

EVELYN ROPER
P O BOX 246
AMERICAN FALLS ID 83211

Dear Claimant(s):

Please review the computer generated claim(s) for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILM

MAR 04 199

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

DATE: 10/19/99
PAGE: 1

PRIORITY	WATER USE
DATE	IRRIGATION
05/20/1884	

USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
04-01 10-31	1,500 CFS	
DIVERSION:	1,500 CFS	

AMERICAN FALLS ID 83211
(208) 548-2464

Water Source: ROCK CREEK

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T09S R30E S15

NWNESE

Place of use Legal Description for: IRRIGATION

NE

ANN

MS

T	R	S	NENE	NUNE	SUNE	SENE	NENW	NUNW	SUNW	SENW	NESW	NUSW	SWSW	SESW	NESE	NUSE	SWSE	SESE	SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
09S	30E	10																	28.0
09S	30E	15	03	31	33	29		29	09				20	08					140.0
																			168.0
																			TOTAL ACRES

POU County: POWER

Other Rights: 41-02024, 41-10264 & U.S. DITCH (41-00039 & 46)

Remarks: POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 75.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 195.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 41-000041A, 41-02024 & 41-10264

Dates: **Exam Made Date:**

Verified Date:

10/19/1999

Objection Filed Date:

Misc: Water District Number: 41

Field Inspection Flag:
Presumption Flag:

Field Inspection Flag:
Presumption Flag:

10/15/99

	<u>ROPER</u>	Review	See
41-00041 A	1.5 cfs	168.0 AC	(^{100%} over)
- 02024 (GW)	1.45 cfs	195.4 AC	←
		<u>195.4 AC</u>	

(HW) 41-10263 1.5 cfs 168.0
~~205.0~~ AC

(Claimed 8.0 cfs)
41-10264 (New Claim) Based on 168.0 AC
 Beneficial use.

this claim is based on the abandoned mining use as described in the Old Decree numbers 41-0004 & 41-00047. Supports flows of up to 400"
 The Decree makes it clear this right was not used for irrigation or during irrigation season and therefore the earliest date the right could be appropriated would be after the decree in 1903.
 Given the late date of priority and the fact the POU is on the End of the Rock Creek;
~~It is being recommended as 6-7-1903.~~

Combined duty: 168 AC covered by these rights:

- 41 A	.0089 cfs/AC	(MAIN)
- 2024 (GW)	.0074	(Alt. Source)
- 10263 (HW)	.0089	(High Water)
- 10264		
US Ditch (39/46)	(.6") 6 .0120	(TRUE RATE)
	<u>.0368</u> cfs/AC	

KOPER 10/15/99
Sen

Combined duty:

Main right (41A) combined with standard uniform rate allowed under US Ditch (39 & 46) give 1"/Ac. How much to allow from "New Claim" (10264)?

- High Water can be added w/o problems.
- Well water can be allowed at full flow w/ some limit to combined flow rate.

* Decree Notes: 41-00041

Decree finds 100 acres & 100" water limit of 1"/Acre is valid here.

Revised alternate:

- 41A	75"	75 AC. ^{LIMIT}	0.02 cfs/Ac
- 2024	72.5"	195.4 AC.	.007
- 10264	(okay as high water flow only)		

{ US Ditch $\left(\begin{smallmatrix} 597 \text{ AC} \\ - 350 \text{ AC} \end{smallmatrix} \right) = 247 \text{ AC}$ w/o water when applied at 1",
most of the 247 is from the 168 overlap

therefore,

allow $\frac{195.4 \text{ AC}}{168} - 75 \text{ AC} = 120.4 \text{ AC.} \neq 120" \left(\begin{smallmatrix} 2.4 \\ \text{cfs} \end{smallmatrix} \right)$

- 120⁶⁴ claims:

120.4 AC

120.4" (2.4 cfs)

limit to 120.4 acres in 195.4 AC PPU

(P. 2) 93

Combined flow: - 41A, - 2024, - 10264, ~~10264~~
@ 1"/AC

10/19/99
sc

- 12063 & 12064 : (*updated analysis)

After further consideration of these rights I believe the following to be a correct rec'd of the right. Generally any right after the decree date of June 6, 1903 would be considered a High Water right. Since all High Water uses are being rec'd as an option to the Gen. provisions, I consider both these rights to be high water claims and are duplicates in effect. IDWR is allowing 1"/acre additional flow as high water therefore for the 195.4 acres would get 195.4" or 3.9 cts

flow >

priority >

All high water rec'ds get equal priority of 4-1-1909 so they cannot undercut the recorded historical delivery of 41-02001 as a licensed high water right.

FINAL Recommendations:

41-00041 A	75"	75 Ac. (limit)	.02 cts/ac
41-2024	72.5"	195.4 AC.	.007 cts/ac.
41-12063	<disallow>	—	—
41-12064	195.4"	<u>195.4 AC</u>	.02 cts/ac

* Some overlap occurs w/
US Ditch but only exceeds 1"/ac
during high water uses; No limits.

→ Combined POU acre limit
= 195.4 ac.

CLAIM NUMBERS

A41-00041A

DATE

4/30/99

TRANSFER NUMBER

HOMESTEAD ENTRY NO.

CLAIMED ACRE TOTAL

205

GEOGRAPHIC INFO ACRES

192.4

AGENT

TJ

	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	10											20	10				
GIS														20	8				
RECOM														20	8				
CLAIM			15	5	35	35	30	35	30		5								
GIS				4.1	31	34	29	31	30		5.5								
RECOM				3.7	31	33	29	29	19.1		5.2								
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B41-POU.SHP

SHAPE NOS.

120 (West POU)

102 (East POU)

Complete Overlap w/ US Ditch (41-00039/41-00046)
on Acres = 168 (also complete overlap w/ well
41-02024)

75" limits acres to 15 acre, based on Decreed duty of water
within the 168 ac PPU

- Due to the Size of PPU in US Ditch (5974)
there is still no combined use limit.

B41-POD.SHP

NOS. DESCRIPTION

25

FRODSHAM DITCH:

T9S R30E S15 NWNESE

- Combined use limit on POU between
41-00041A & 41-02024

71

WELL: S15, NEWWNE

DBF TABLES UPDATED

B41-DBPOU.DBF

B41-DBPOD.DBF

JPEG LAYOUT

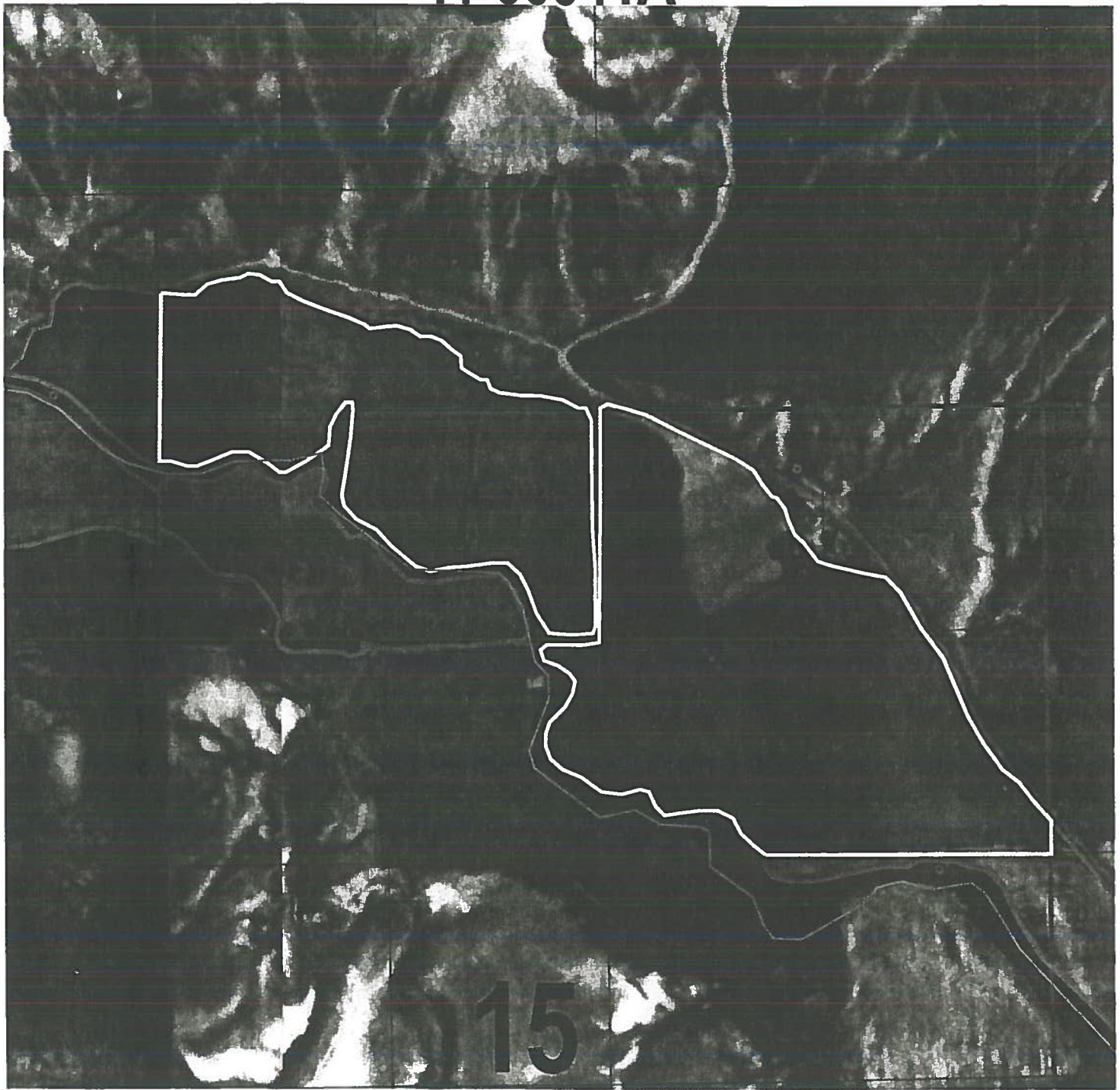
41-00041A.jpg & 41-02024.jpg

PRELIMINARY DATA

Revised 6/11/99 scu

IDAHO DEPT OF WATER RESOURCES

41-00041A



660 0 660 1320 Feet



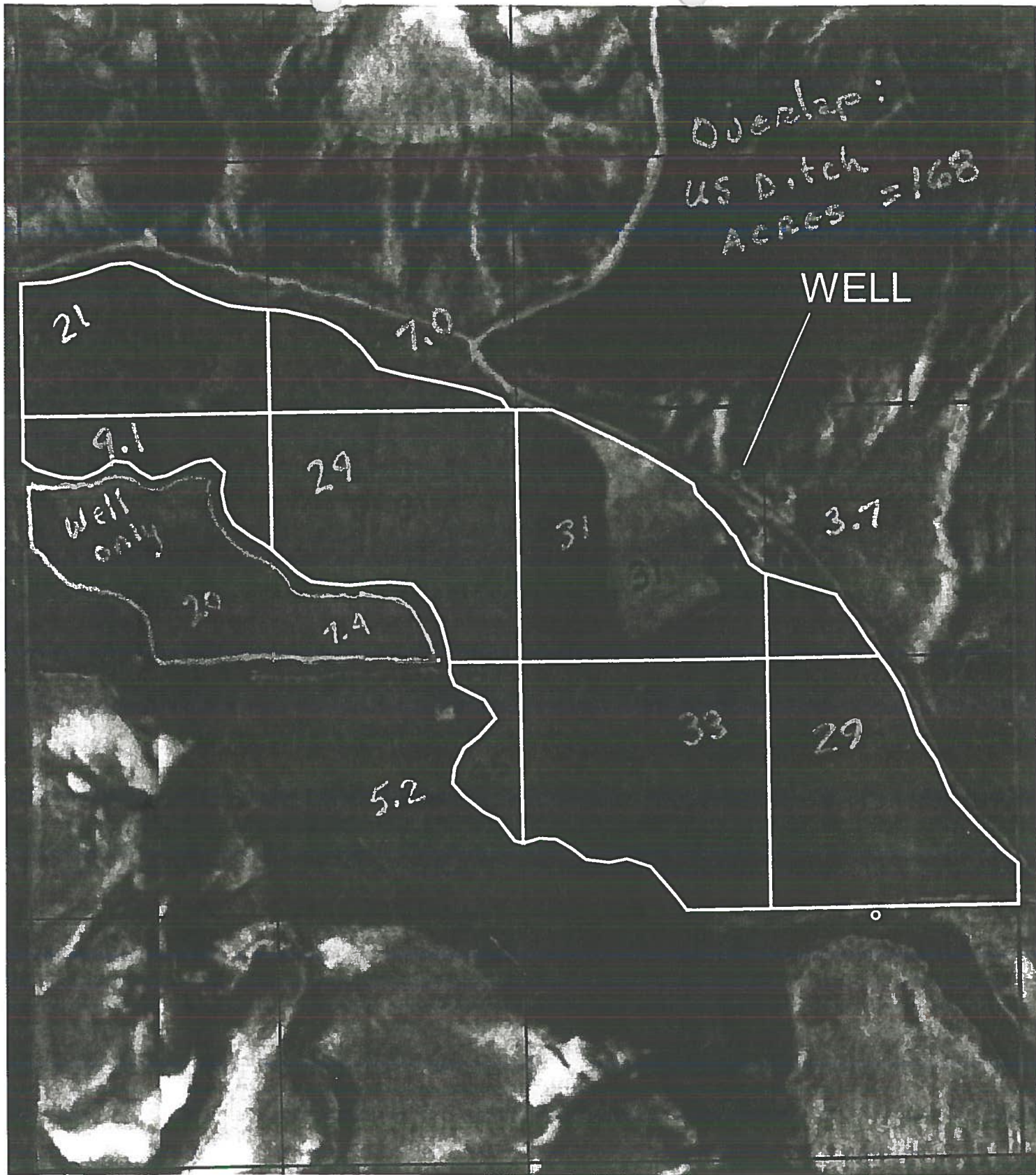
T9S R30E SEC. 10 & 15

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

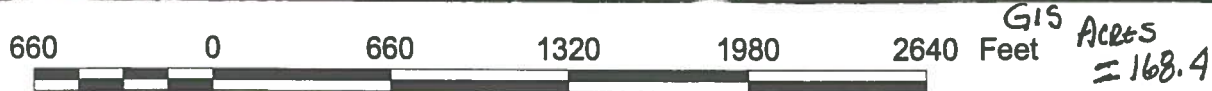
DATA ENTRY BY: STEVE CLELLAND
DATE: June 11, 1999

RECOMMENDED PLACE OF USE

- POINT OF DIVERSION
- Λ SECTION LINES
- 1/4 - 1/4 LINES



Russell
Saw
6/11/99



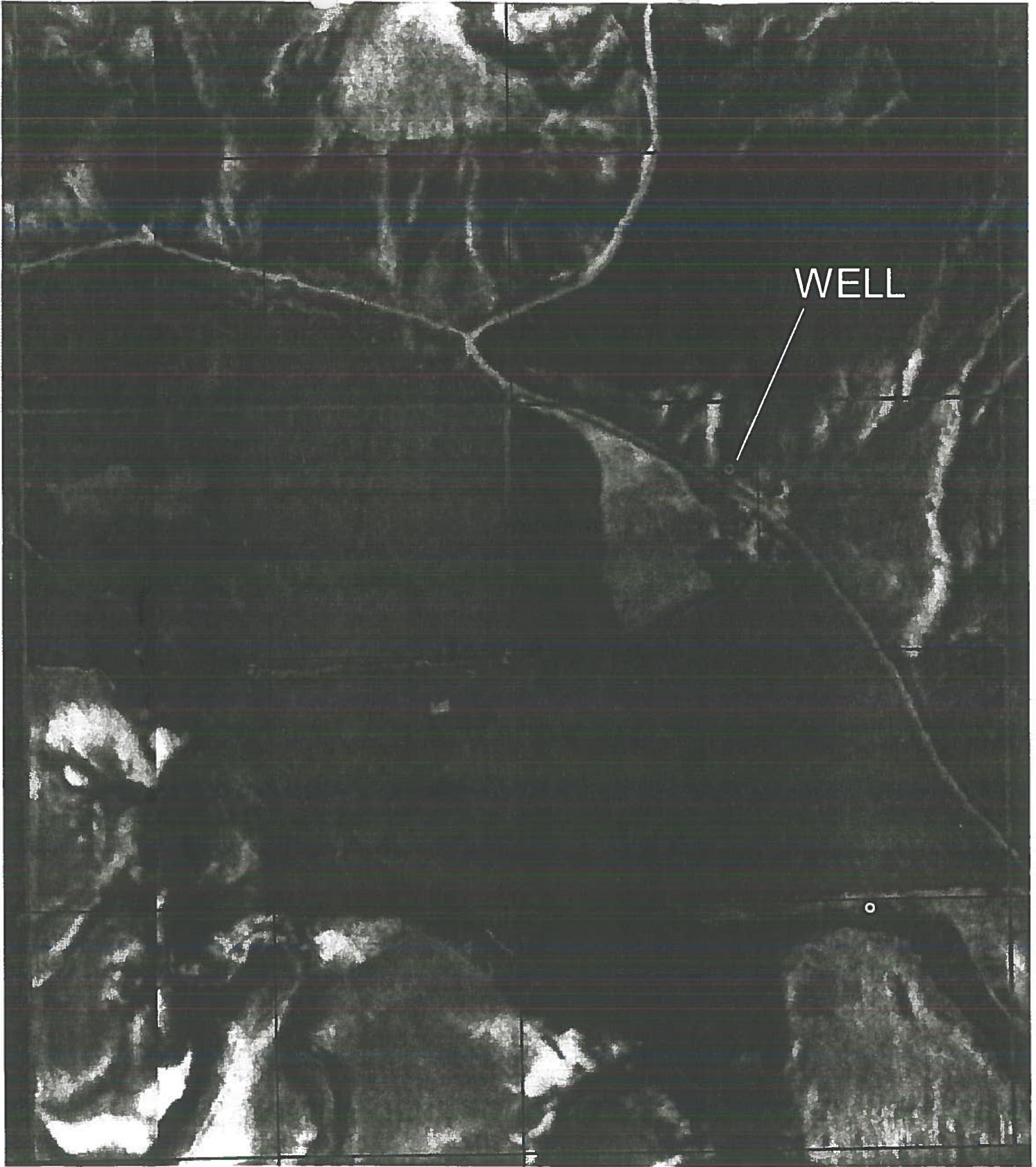
- Property of Interest
- Point(s) of Diversion
- Section Lines
- Quarter/Quarter Lines

A41-00041A
A41-02024
Field Copy

Only Well acre
= 27.4
T9S R30E



ALL TOTAL Ac. = 195.4



660 0 660 1320 1980 2640 Feet

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

A41-00041A
A41-02024
Field Copy

T9S R30E





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

A41-00041A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:10:14
04/22/91

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A41-00041A

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

"VERIFIED BY" CODES

TOPO MAP/ORTHO-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.

	+-----+-----+-----+
	- - - - -
	Remarks
	- - - - -
	No Remarks found.
	- - - - -
	+-----+-----+-----+

Water right number - A41-00041A	Prefix Translation: ADJUDICATION CLAIM
+ - - - -	- Old Water Right Numbers
+ - - - -	- Old Water Right Numbers
A4100041A	
+ - - - -	- Conditions of Approval
No Conditions of Approval found.	
+ - - - - Decree Plaintiff	+ - - - - Decree Defendant
HOUTZ	ET AL.
+ - - Audit Fields - 03/02/90 CLELLAND 03/26/90 CLELLAND	+ - Decree Date - 06/06/1903
+ - - - -	- Comments-
No Comments Found	
+ - - - -	- Adjudication Rights Dates and Flags Area
Court Report Filing	- 00/00/0000
Objection Filed Date	- 00/00/0000
Response Filed Date	- 00/00/0000
Claim Received Date	- 03/02/1990
Proof Due Date	- 00/00/0000
Licensed Date	- 00/00/0000
Claims Tape Error Flag	-
Fee Exempt Flag	-
Field Inspection Made	- 00/00/0000
Field Inspection Flag	-
Verified Date	- 00/00/0000
Last Amended Date	- 00/00/0000
Proof Made Date	- 00/00/0000
Receipt Number	- S011374
POU Ownership Flag	- Y
Name Connector	-
Civil Case Number	- 39576
Old Case Number	-
Old Judicial District	-
Temporary Right	- P
Water District	-
Federal/State Indicator	- S
Presumption Flag	-

12:10:14
04/22/91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A41-00041A

LAST: ROPER
ADDRESS: P.O. BOX 246
CITY: AMERICAN FALLS
PHONE NUMBER: 208-548-2464

FIRST: EVELYN
STATE: ID ID ZIP: 83211

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE N

FIELD EXAMINER

FIELD EXAMINATION INFORMATION

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: # A41-00041A PRIORITY DATE: 05-20-1884 STAGE: D
B. WR RECORD: # 41-00041A PRIORITY DATE: 05-20-1884 STAGE: D

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

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()

REMARKS:

RECOMMENDED PRIORITY DATE:
05-20-1884

REVIEWED BY _____ DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A41-00041A	09S	30E	15	NE	NE	SE		POWER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A41-00041B NONE 41-00041B
WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: ROCK CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
41-00041A	09S	30E	15	NE	NE	SE		POWER

OTHER WR RECORDS WITH SAME WR POD
41-00041B
AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A41-00041B NONE

SOURCE: ROCK CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY? (Y/N)	Y N	____

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:			
TWP.	RGE.	SEC.	1/4
---	---	---	---
---	---	---	---
SOURCE: ROCK CREEK			1/4

SOURCE: SNAKE RIVER			---

COUNTY			---

REVIEWED BY: _____ DATE: _____

A. ROOT WATER RIGHT NUMBERS:
A41-00041A
A41-00041B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	30E	10	SE	SW		ROPER, EVELYN	A41-00041A /10.0	41-00041A /	20.0		
			SE	SW		ROPER, EVELYN	A41-10037 /	-			
			SE	SW		UNITED STATES DITCH CO.	A41-00039 /10.0	-			
			SE	SW		UNITED STATES DITCH CO.	A41-00046 /10.0	-			
			SE	SW		ROPER, EVELYN	A41-02024 /10.0	-			
09S	30E	10	SW	SW		ROPER, EVELYN	A41-00041A /20.0	41-00041A /	31.0		
			SW	SW		UNITED STATES DITCH CO.	A41-00046 /20.0	-			
			SW	SW		UNITED STATES DITCH CO.	A41-00039 /20.0	-			
			SW	SW		ROPER, EVELYN	A41-02024 /20.0	-			
09S	30E	15	NE	NE		ROPER, EVELYN	A41-00041A / 5.0	-	15.0		
			NE	NE		ROPER, EVELYN	A41-10038 /	-			
			NE	NE		UNITED STATES DITCH CO.	A41-00039 / 5.0	-			
			NE	NE		UNITED STATES DITCH CO.	A41-00046 / 5.0	41-00046 /			
			NE	NE		ROPER, EVELYN	A41-02024 / 5.0	41-02024 / 5.0			
09S	30E	15	NW	NE		ROPER, EVELYN	A41-00041A /35.0	41-00041A /	35.0		
			NW	NE		UNITED STATES DITCH CO.	A41-00039 /35.0	-			
			NW	NE		UNITED STATES DITCH CO.	A41-00046 /35.0	41-00046 /			
			NW	NE		ROPER, EVELYN	A41-02024 /35.0	41-02024 /35.0			
09S	30E	15	SW	NE		ROPER, EVELYN	A41-00041A /35.0	41-00041A /	35.0		
			SW	NE		UNITED STATES DITCH CO.	A41-00039 /30.0	-			
			SW	NE		UNITED STATES DITCH CO.	A41-00046 /30.0	41-00046 /			
			SW	NE		ROPER, EVELYN	A41-02024 /35.0	41-02024 /35.0			
			SW	NE		ROCKLAND VALLEY RANCHES	41-07068 / 3.0				
09S	30E	15	SE	NE		ROPER, EVELYN	A41-00041A /30.0	41-00041A /	37.0		
			SE	NE		UNITED STATES DITCH CO.	A41-00039 /32.0	-			
			SE	NE		UNITED STATES DITCH CO.	A41-00046 /32.0	41-00046 /			
			SE	NE		ROPER, EVELYN	A41-02024 /30.0	41-02024 /30.0			
09S	30E	15	NE	NW		ROPER, EVELYN	A41-00041A /35.0	41-00041A /	37.0		
			NE	NW		UNITED STATES DITCH CO.	A41-00039 /35.0	-			
			NE	NW		UNITED STATES DITCH CO.	A41-00046 /35.0	-			
			NE	NW		ROPER, EVELYN	A41-02024 /35.0	41-02024 /35.0			
09S	30E	15	NW	NW		ROPER, EVELYN	A41-00041A /30.0	41-00041A /	35.0		
			NW	NW		UNITED STATES DITCH CO.	A41-00039 /30.0	-			
			NW	NW		UNITED STATES DITCH CO.	A41-00046 /30.0	-			
			NW	NW		ROPER, EVELYN	A41-02024 /30.0	41-02024 /30.0			
09S	30E	15	SE	NW		ROPER, EVELYN	A41-00041A / 5.0	41-00041A /	37.0		
			SE	NW		UNITED STATES DITCH CO.	A41-00039 / 5.0	-			
			SE	NW		UNITED STATES DITCH CO.	A41-00046 / 5.0	-			
			SE	NW		ROPER, EVELYN	A41-02024 / 5.0	41-02024 / 5.0			

282.00

205.00

A41-00041A

TOTAL ACRES

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()

IF YES SEE ATTACHED SHEET:

FIELD EXAMINER

DATABASE Y

C. FIELD EXAM REQUIRED?

DUE TO POJ DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A41-00041A IRRIGATION	FROM 04-01 TO 10-15	1,500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1,500 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
41-00041A IRRIGATION	FROM 04-01 TO 10-15	1,500 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1,500 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

Y() N()

Explain in remarks, below.

REMARKS:

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

AJ TOTAL CLAIMED DIVERSION RATE: 1.500 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.500 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?

FIELD DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B.

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

FLOW MEASUREMENT

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

OTHER RIGHTS LISTED IN CLAIM: A41-02024 & U.S. DITCH

LIST ALL RIGHTS WITH A SAME POJ AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A41-00041A	ROCK CREEK	ROPER , EVELYN	1.500	0.007		
A41-00039	ROCK CREEK	UNITED STATES DITCH CO.	1.000	0.001		
A41-02024	GROUNDWATER	ROPER , EVELYN	1.450	0.007		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A41-10037	STOCKWATER	ROPER , EVELYN	FROM 01-01 TO 12-31	.040 CFS	
A41-10038	DOMESTIC	ROPER , EVELYN	FROM 01-01 TO 12-31	.040 CFS	
A41-10038	STOCKWATER	ROPER , EVELYN	FROM 01-01 TO 12-31	.040 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

1b. CALCULATIONS

ACRES _____ x 0.02 CFS/ACRE = _____ CFS

(Taken from p/u review)

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 = 512.5 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.)

=====						
RECOMMENDATIONS:						
REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE		
IRRIGATION	04-01 10-15	DATABASE EXAMINER	DATABASE EXAMINER	DATABASE	EXAMINER	
		1.500		512.5		
TOTAL FOR THIS RIGHT		1.500		512.5		
=====						
REVIEWED BY: _____		DATE: _____				
=====						

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP

FORFEIT/ABANDON

ADDITIONAL DIV. AMOUNT

ACCEPTED AS CLAIMED

NEEDS REVIEW

8. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 41-00041

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 2.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A41-00041A	A41-00041A	1.500	-		41-00041A	1.500
A41-00041B	A41-00041B	0.500	-		41-00041B	0.500
			-		41-00041	

TOTAL CFS 2.000

2.000

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 sheet attached? (Y/N)

DATABASE N

FIELD EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: DATE:

NAME OF FIELD EXAMINER: TITLE:

Water Right Number - 41-00041A Prefix Translation: WATER RIGHT Old (D) Number -

*** C - CURRENT OWNER *** JAMES 1 - State- ID Zip-

FRODSHAM 2 - City- 208-000-0000 Status -

3 - Phone - Stage - D - DECREE Tributary -

ROCK CREEK SNAKE RIVER Stream Index (Blank if no Index Code)

09S 30E 15 NE SE (77) POWER Point of Diversion Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/15 1.500 Total Div. Capacity -

1.500 Total Div. Rate - Total Div. Volume - Total Div. Capacity -

Twn	Rng	Sec	Description	Tract	Lot	Acres	Place of Use	Code	Description	County
09S	30E	10	SW SW	10			01	IRRIGATION	(77) POWER	
09S	30E	10	SE SW	10			01	IRRIGATION	(77) POWER	
09S	30E	15	NW NE	15			01	IRRIGATION	(77) POWER	
09S	30E	15	SW NE	15			01	IRRIGATION	(77) POWER	
09S	30E	15	SE NE	15			01	IRRIGATION	(77) POWER	
09S	30E	15	NE NW	15			01	IRRIGATION	(77) POWER	
09S	30E	15	NW NW	15			01	IRRIGATION	(77) POWER	
09S	30E	15	SE NW	15			01	IRRIGATION	(77) POWER	

*** Diversion Means -

*** Non-Irrigation Use -

*** Other Rights for Same Use -

AC. IRRIG. = 75.
RT. IS FOR 3/4 OF 2 CFS, BUT FULL 2 CFS IS USED IN ROTATION WITH
OTHER OWNERS OF 41-0041.
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.

[illegible]

AJ0749NP
No. R41-00041A

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

DATE: 10/19/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EVELYN ROPER PO BOX 246 AMERICAN FALLS ID 83211 (208) 548-2464	05/20/1984	IRRIGATION	04-01 10-31	1.500 CFS	
TOTAL DIVERSION:					1.500 CFS	

Water Source: ROCK CREEK Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T09S R30E S15 NW/4SE POWER County

Place of use Legal Description for: IRRIGATION		NW		SW		SE		
T	R	S	NE	SE	SW	SE	SW	SUM
09S	30E	10	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: 28.0
09S	30E	15	: 03	: 31	: 33	: 29	: 29	: 09
								: 05
								: 20
								: 08
TOTAL ACRES								: 140.0
								: 168.0

POU County: POWER

Other Rights: 41-02024, 41-10264 & U.S. DITCH (41-00039 & 46)

Remarks: POU1
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 75.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 195.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 41-00041A, 41-02024 &
41-10264

Dates: Exam Made Date: 10/19/1999 Verified Date: Objection Filed Date:

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

10/15/99

	<u>ROPER</u>	Review	See 100% (over)
41-00041 A	1.5 cfs	168.0 AC	
- 02024 (GW)	1.45 cfs	195.4 AC	←
		<u>195.4 AC</u>	

(HW) 41-10263 1.5 cfs 168.0
~~205.0~~ AC

(Claimed
8.0 cfs)

41-10264 (New Claim) Based on Beneficial use. 168.0 AC

this claim is based on the abandoned mining uses as described in the Old Decree numbers 41-00042 & 41-00047. Supports flows of up to 400"
The Decree makes it clear this right was not used for irrigation or during irrigation season and therefore the earliest date the right could be appropriated would be after the decree in 1903.
Given the late date of priority and the fact the POU is on the end of the Rock Creek;
~~It is being recommended as 6-7-1903.~~

Combined duty: 168 AC covered by these rights:

- 41 A	.0089 cfs/AC	(MAIN)
- 2024 (GW)	.0074	(Alt. Source)
- 10263 (HW)	.0089	(High Water)
- 10264		
US Ditch (39/46)	(.6") 6 .0120	(TRUE RATE?)
	<u>.0368</u> cfs/AC	

KOPER 10/15/99
ser

Combined duty:

Main right (41A) combined with standard uniform rate allowed under US Ditch (39 & 46) gives 1"/Ac. How much to allow from "New Claim" (10264)?

- High Water can be added w/o problems.
- Well water can be allowed at full flow w/ some limit to combined flow rate.

* Decree Notes: 41-00041

decree finds 100 acres & 100" water limit of 1"/acre is valid here.

Revised alternate:

			<u>LIMIT</u>
- 41 A	75"	75 AC.	0.02 cfs/Ac
- 2024	72.5"	195.4 AC.	.007
- 10264	(okay as high water flow only)		

{ US Ditch ($\begin{smallmatrix} 597 \text{ AC} \\ - 350 \text{ AC} \end{smallmatrix}$) = 247 AC w/o water when applied at 1"/Ac.
most of the 247 is from the 168 overlap here

therefore,

allow $\frac{195.4 \text{ AC.}}{168} - 75_{\text{AC}} = 120.4 \text{ AC.} \neq 120" \left(\frac{2.4}{\text{cfs}} \right)$

- 120⁶⁴ claims:

120.4 AC

120.4" (2.4 cfs)

limit to 120.4 acres in 195.4 AC PPU.

Combined flow: - 41A, - 2024, - 10264, ~~10264~~
@ 1"/AC

Roper Review - p.3

10/19/99
scw

- 12063 & 12064 : (* updated analysis)

After further consideration of these rights I believe the following to be a correct rec'd of the right. Generally any right after the decree date of June 6, 1903 would be considered a High Water right. Since all High Water uses are being rec'd as an option to the Gen. provisions, I consider both these rights to be high water claims and are duplicates in effect. IDWR is allowing 1"/acre additional flow as high water therefore for the 195.4 acres would get 195.4" or 3.9 cfs.

All high water rec'ds get equal priority of 4-1-1909 so they cannot undercut the recorded historical delivery of 41-02001 as a licensed high water right.

FINAL Recommendations:

41-00041 A	75"	75 Ac. (limit)	.02 cfs/Ac
41-2024	72.5"	195.4 AC.	.007 cfs/Ac.
41-12063	<disallow>	—	—
41-12064	195.4"	<u>195.4 AC</u>	.02 cfs/Ac

* Some overlap occurs w/
US Ditch but only exceeds 1"/Ac
during high water uses; No limits.

→ Combined POU acre limit
= 195.4 ac.

AJ0749NP
No. R41-00041A

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

DATE: 06/11/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EVELYN ROPER PO BOX 246 AMERICAN FALLS ID 83211 (208) 548-2464	05/20/1884	IRRIGATION	04-01 10-31	1.50 CFS	
TOTAL DIVERSION:					1.50 CFS	

Water Source: ROCK CREEK Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T09S R30E S15 POWER County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S : Lt Ac	NE NE	NE NW	NE SW	NE SE	
09S 30E 10 :	31	33	29	29	09
09S 30E 15 :	03	31	33	29	05
TOTAL ACRES					168.0

POU County: POWER

Other Rights: 41-02024 & U.S. DITCH (41-00039 & 46)

Remarks: POU1
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 75.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 41-02024 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 195.4 ACRES IN A SINGLE
IRRIGATION SEASON.

Dates: Exam Made Date: 06/11/1999 Verified Date: Objection Filed Date:

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

CLAIM NUMBERS

A41-00041A

DATE

4/30/99

TRANSFER NUMBER

HOMESTEAD ENTRY NO.

AGENT

CLAIMED ACRE TOTAL

205

GEOGRAPHIC INFO ACRES

192.6

	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	10											20	10				30
GIS														20	8				28
RECOM														20	8				28
CLAIM			15	5	35	35	30	35	30		5								17
GIS				4.1	31	34	29	31	30		5.5								16.4
RECOM				3.7	31	33	29	29	9.1		5.2								
				"	"	"	"	7.4	20		"								
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B41-POU.SHP

SHAPE NOS.

120 (West POU)

102 (East POU)

Complete overlap w/ US Ditch (41-00039/41-00046)
on Acres = 168 (also complete overlap w/ well
41-02024)

75" limits acres to 15 acre, based on decreed duty of water
within the 168 ac PPU

- Due to the Size of PPU in US Ditch (597 ac)
there is still no combined use limit.

B41-POD.SHP

NOS. DESCRIPTION

25

FRODSHAM DITCH:
T95 R30E S15 NWNESE

- Combined use limit on POU between
41-00041A & 41-02024

71

WELL: S15, NEWNE

DBF TABLES UPDATED

B41-DBPOU.DBF

B41-DBPOD.DBF

JPEG LAYOUT

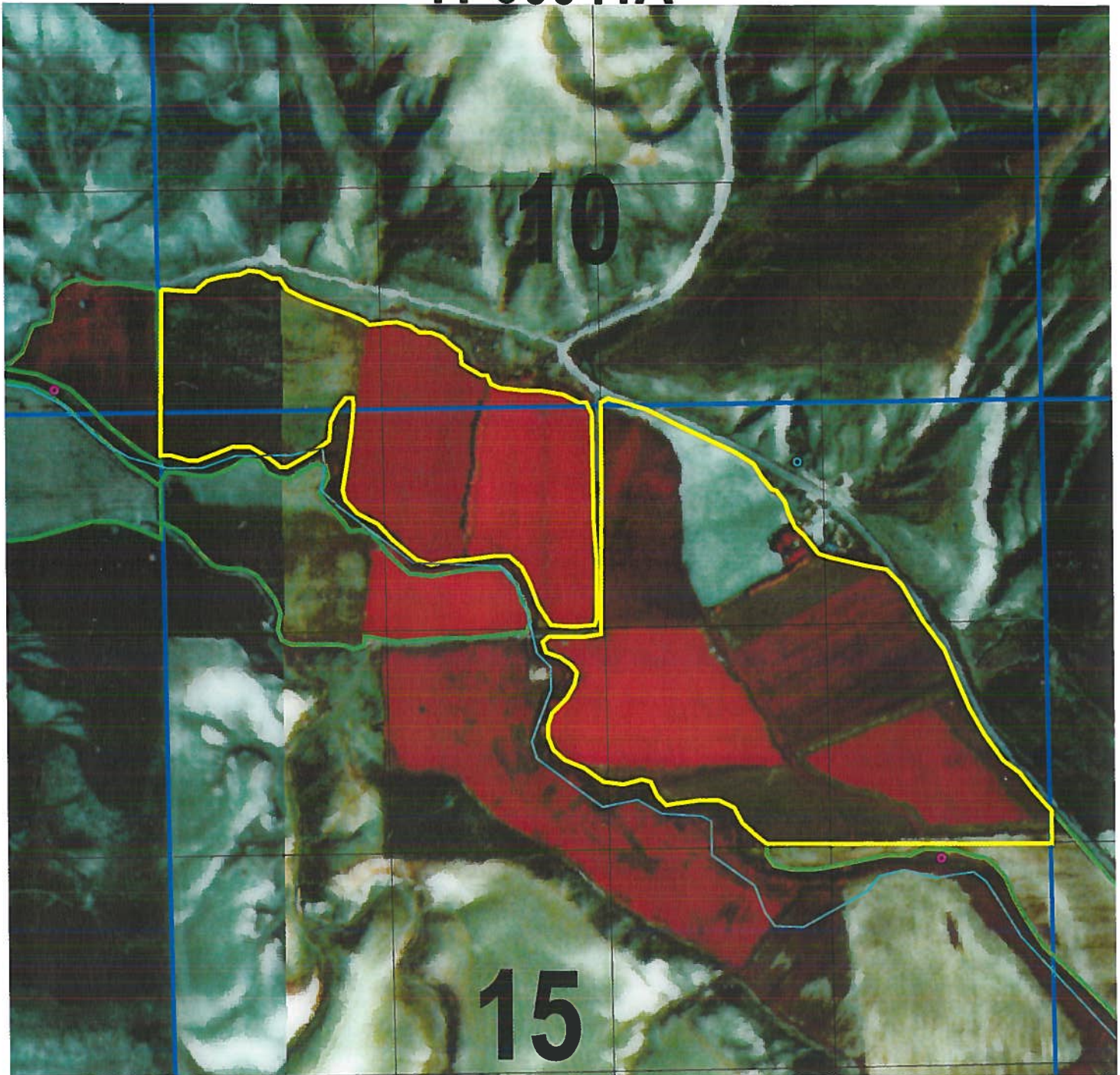
41-00041A.jpg & 41-02024.jpg

PRELIMINARY DATA

Revised 6/11/99 scu

IDAHO DEPT OF WATER RESOURCES

41-00041A



660 0 660 1320 Feet

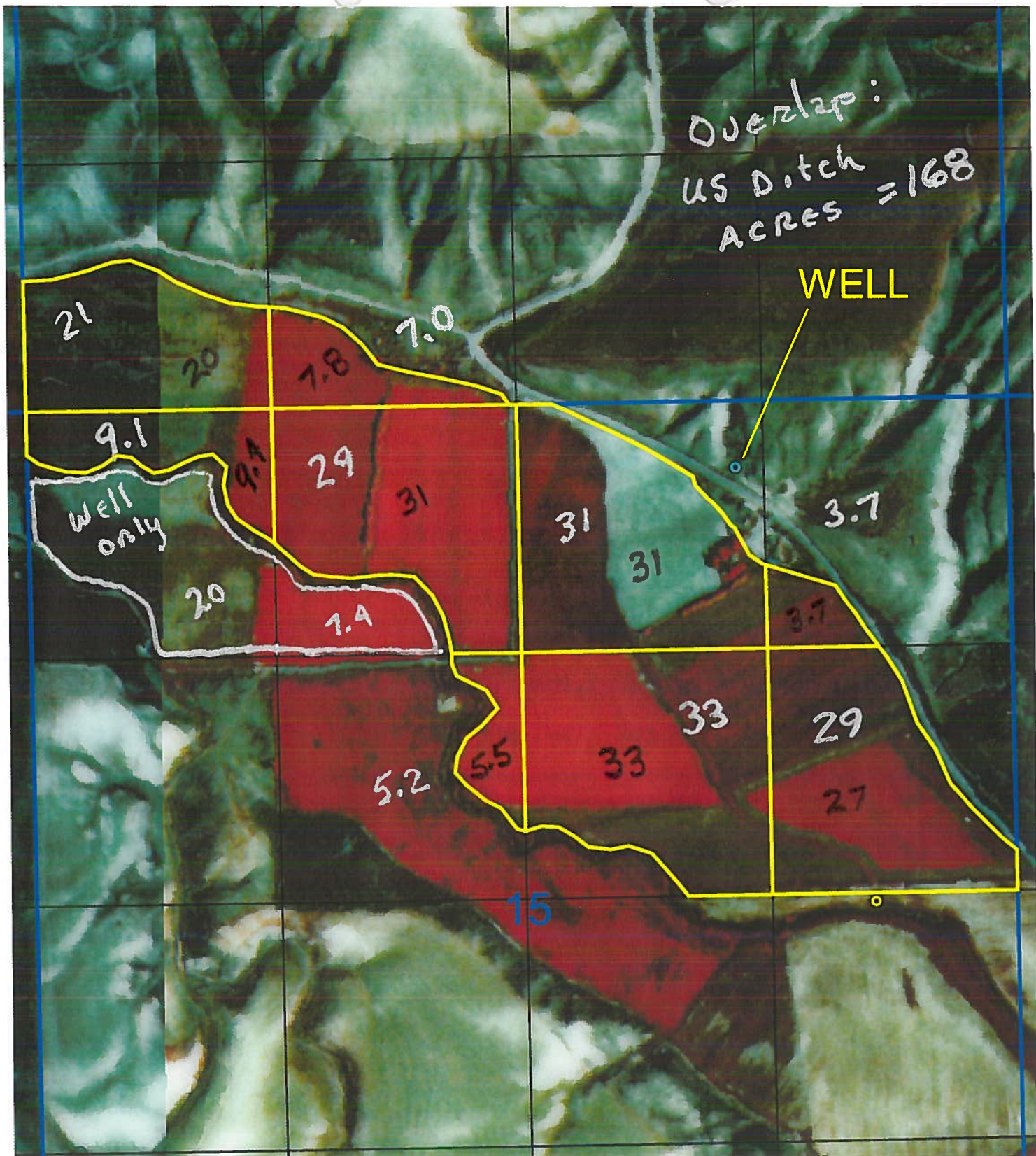


T9S R30E SEC. 10 & 15

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

DATA ENTRY BY: STEVE CLELLAND
DATE: June 11, 1999

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



Revised
Sat 6/11/99



GIS Acres = 168.4

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

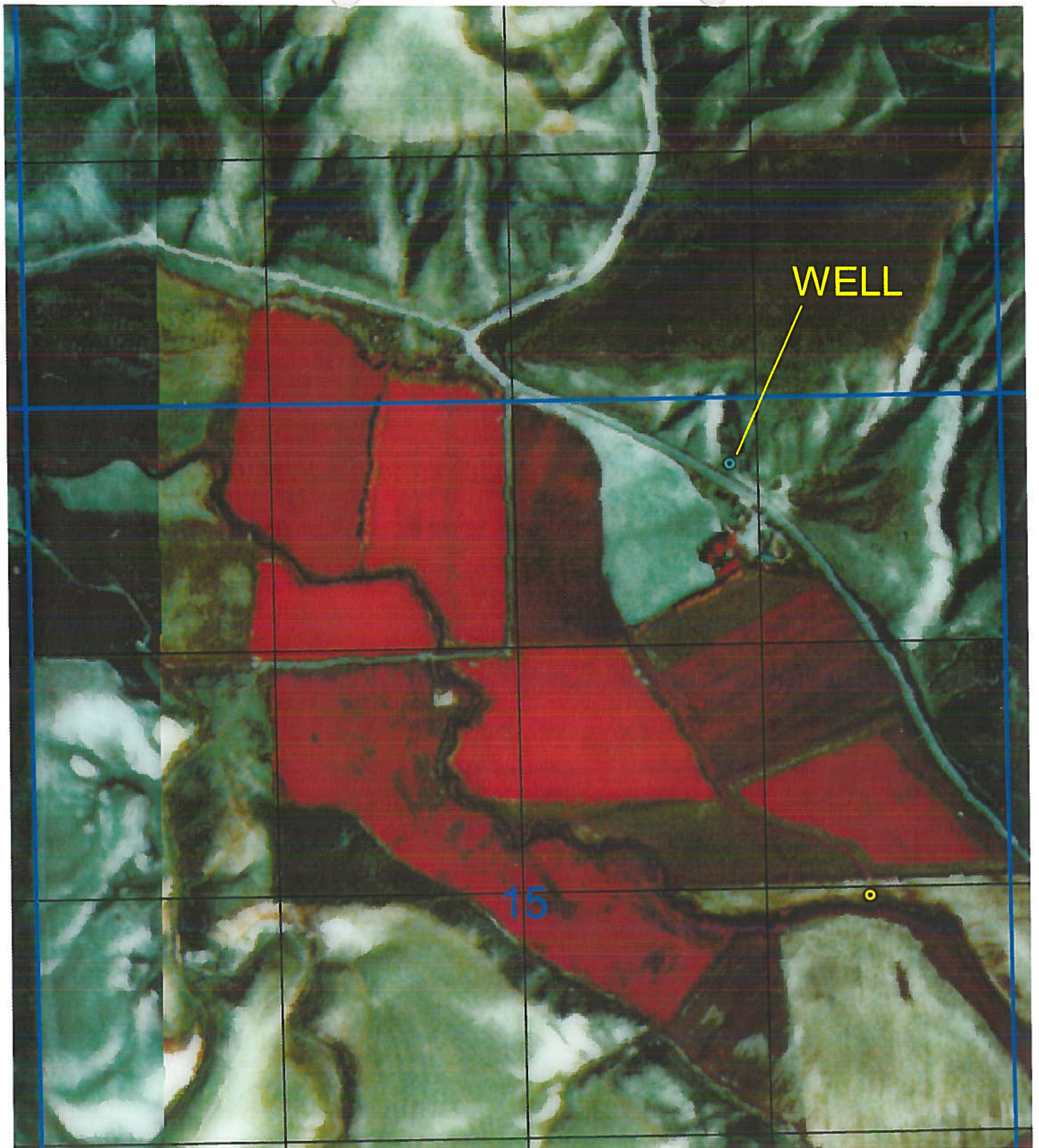
A41-00041A
A41-02024
Field Copy

Only Well acre = 27.4

T9S R30E



ALL TOTAL Ac. = 195.4



660 0 660 1320 1980 2640 Feet

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

A41-00041A
A41-02024
Field Copy

T9S R30E





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

A41-00091A

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

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP 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 - A41-00041A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

Last Name -

First Name -

Address -

*** C - CURRENT OWNER ***
ROPER

EVELYN

1 - P.O. BOX 246
2 -
3 -

CITY- AMERICAN FALLS
Phone - 208-548-2464

State- ID Zip- 83211

Priority Date - 05/20/1884

Region - 17 SOUTHERN

Stage - D - DECREED

Status -

Source - ROCK CREEK

Tributary - SNAKE RIVER

Turn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
09S	30E	15	NE NE SE			(77) POWER		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/15		1.500	

Total Div. Rate - 1.500 Total Div. Volume - 1.500 Total Div. Capacity - 512.5 Total Consumptive Use - 512.5 KW Usage -

Turn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
09S	30E	10	SW SW		20.0	01 IRRIGATION		(77) POWER	
09S	30E	10	SE SW		10.0	01 IRRIGATION		(77) POWER	
09S	30E	15	NE NE		5.0	01 IRRIGATION		(77) POWER	
09S	30E	15	SW NE		35.0	01 IRRIGATION		(77) POWER	
09S	30E	15	SW NE		35.0	01 IRRIGATION		(77) POWER	
09S	30E	15	SE NE		30.0	01 IRRIGATION		(77) POWER	
09S	30E	15	NE NW		35.0	01 IRRIGATION		(77) POWER	
09S	30E	15	NW NW		30.0	01 IRRIGATION		(77) POWER	
09S	30E	15	SE NW		5.0	01 IRRIGATION		(77) POWER	

Total Acres: 205.0

- - - - - Diversion Means - CONCRETE CHECK DAM AND DITCHES, PUMP TO SPRINKLERS

- - - - - Non-Irrigation Use -

- - - - - Other Rights for Same Use - A41-02024 & U.S. DITCH

- - - - - Remarks - No Remarks found.

Water right number - A41-00041A

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Old Water Right Numbers - - - - - +

+ - - - - - Old Water Right Numbers - - - - - +

A4100041A

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.+ - - - - - Decree Plaintiff - - - + + - - - - - Decree Defendant - - - + + - Decree Date - +
HOUTZ ET AL. 06/06/1903

+ - - - - - Audit Fields - 03/02/90 CLELAND 03/26/90 CLELAND

+ - - - - - -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	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S011374	Federal/State Indicator	- S
Claims Tape Error Flag	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

LAST: ROPER
ADDRESS: P.O. BOX 246
CITY: AMERICAN FALLS
PHONE NUMBER: 208-548-2464

FIRST: EVELYN
STATE: ID ZIP: 83211

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE N FIELD EXAMINER

FIELD EXAMINATION INFORMATION

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: # A41-00041A PRIORITY DATE: 05-20-1884 STAGE: D

B. MR RECORD: # 41-00041A PRIORITY DATE: 05-20-1884 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD
N EXAMINER

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

REMARKS:

RECOMMENDED PRIORITY DATE:

05-20-1884

REVIEWED BY

DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A41-00041A	09S	30E	15	NE	NE	SE		POWER

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
A41-00041B NONE

41-00041B

SOURCE: ROCK CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
41-00041A	09S	30E	15	NE	SE			POWER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
41-00041B A41-00041B NONE

SOURCE: ROCK CREEK

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:	1/4	1/4	LOT	COUNTY
TWP. RGE. SEC.				

---	---	---	---	---
---	---	---	---	---

SOURCE: ROCK CREEK		TRIB: SNAKE RIVER		
--------------------	--	-------------------	--	--

REVIEWED BY: _____	DATE: _____
--------------------	-------------

A. ROOT WATER RIGHT NUMBERS: A41-DD041A
A41-00041B

B. POULISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	30E	10	SE	SW		ROPER, EVELYN	A41-00041A / 10.0	41-00041A /			20.0
			SE	SW		ROPER, EVELYN	A41-10037 /	-	/		
			SE	SW		UNITED STATES DITCH CO.	A41-00039 / 10.0	-	/		
			SE	SW		UNITED STATES DITCH CO.	A41-00046 / 10.0	-	/		
			SE	SW		ROPER, EVELYN	A41-02024 / 10.0	-	/		
09S	30E	10	SW	SW		ROPER, EVELYN	A41-00041A / 20.0	41-00041A /			31.0
			SW	SW		UNITED STATES DITCH CO.	A41-00046 / 20.0	-	/		
			SW	SW		UNITED STATES DITCH CO.	A41-00039 / 20.0	-	/		
			SW	SW		ROPER, EVELYN	A41-02024 / 20.0	-	/		
09S	30E	15	NE	NE		ROPER, EVELYN	A41-00041A / 5.0	-	/		15.0
			NE	NE		ROPER, EVELYN	A41-10038 /	-	/		
			NE	NE		UNITED STATES DITCH CO.	A41-00039 / 5.0	-	/		
			NE	NE		UNITED STATES DITCH CO.	A41-00046 / 5.0	41-00046 /			
			NE	NE		ROPER, EVELYN	A41-02024 / 5.0	41-02024 /	5.0		
09S	30E	15	NW	NE		ROPER, EVELYN	A41-00041A / 35.0	41-00041A /			35.0
			NW	NE		UNITED STATES DITCH CO.	A41-00039 / 35.0	-	/		
			NW	NE		UNITED STATES DITCH CO.	A41-00046 / 35.0	41-00046 /			
			NW	NE		ROPER, EVELYN	A41-02024 / 35.0	41-02024 /	35.0		
09S	30E	15	SW	NE		ROPER, EVELYN	A41-00041A / 35.0	41-00041A /			35.0
			SW	NE		UNITED STATES DITCH CO.	A41-00039 / 30.0	-	/		
			SW	NE		UNITED STATES DITCH CO.	A41-00046 / 30.0	41-00046 /			
			SW	NE		ROPER, EVELYN	A41-02024 / 35.0	41-02024 /	35.0		
			SW	NE		ROCKLAND VALLEY RANCHES	41-07068 / 3.0				
09S	30E	15	SE	NE		ROPER, EVELYN	A41-00041A / 30.0	41-00041A /			37.0
			SE	NE		UNITED STATES DITCH CO.	A41-00039 / 32.0	-	/		
			SE	NE		UNITED STATES DITCH CO.	A41-00046 / 32.0	41-00046 /			
			SE	NE		ROPER, EVELYN	A41-02024 / 30.0	41-02024 /	30.0		
09S	30E	15	NE	NW		ROPER, EVELYN	A41-00041A / 35.0	41-00041A /			37.0
			NE	NW		UNITED STATES DITCH CO.	A41-00039 / 35.0	-	/		
			NE	NW		UNITED STATES DITCH CO.	A41-00046 / 35.0	-	/		
			NE	NW		ROPER, EVELYN	A41-02024 / 35.0	41-02024 /	35.0		
09S	30E	15	NW	NW		ROPER, EVELYN	A41-00041A / 30.0	41-00041A /			35.0
			NW	NW		UNITED STATES DITCH CO.	A41-00039 / 30.0	-	/		
			NW	NW		UNITED STATES DITCH CO.	A41-00046 / 30.0	-	/		
			NW	NW		ROPER, EVELYN	A41-02024 / 30.0	41-02024 /	30.0		
09S	30E	15	SE	NW		ROPER, EVELYN	A41-00041A / 5.0	41-00041A /			37.0
			SE	NW		UNITED STATES DITCH CO.	A41-00039 / 5.0	-	/		
			SE	NW		UNITED STATES DITCH CO.	A41-00046 / 5.0	-	/		
			SE	NW		ROPER, EVELYN	A41-02024 / 5.0	41-02024 /	5.0		

205

282

TOTAL ACRES A41-00041A

205.00

282.00

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 EXAMINER
Y

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

A. AJ CLAIMED USES:

PURPOSES
A41-00041A IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-15

DIVERSION QUANTITY
1.500 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.500 CFS

B. WR RECORDED USES:

PURPOSES
41-00041A IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-15

DIVERSION QUANTITY
1.500 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.500 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.500 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?

FIELD DATABASE EXAMINER
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A41-02024 & U.S. DITCH

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A41-00041A	ROCK CREEK	ROPER, EVELYN	1.500	0.007		
A41-00039	ROCK CREEK	UNITED STATES DITCH CO.	1.000	0.001		
A41-02024	GROUNDWATER	ROPER, EVELYN	1.450	0.007		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A41-10037	STOCKWATER	ROPER, EVELYN	FROM 01-01 TO 12-31	.040 CFS	
A41-10038	DOMESTIC	ROPER, EVELYN	FROM 01-01 TO 12-31	.040 CFS	
A41-10038	STOCKWATER	ROPER, EVELYN	FROM 01-01 TO 12-31	.040 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 = 512.5 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.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
	FROM	TO			
IRRIGATION	04-01	10-15	DATABASE EXAMINER 1.500	DATABASE EXAMINER	DATABASE EXAMINER 512.5
TOTAL FOR THIS RIGHT			1.500		512.5

REVIEWED BY: _____

DATE: _____

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: 41-00041

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A41-00041A	A41-00041A	1.500	-	-	41-00041A	1.500
A41-00041B	A41-00041B	0.500	-	-	41-00041B	0.500
					41-00041	

TOTAL CFS

2.000

2.000

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 sheet attached? (Y/N)DATABASE
NFIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

Water Right Number - 41-00041A

Prefix Translation:

WATER RIGHT

Old (D) Number -

Last Name -

First Name -

Address -

*** C - CURRENT OWNER ***
FRODSHAM

JAMES

1 -
2 -
3 -City -
Phone - 208-000-0000

State- ID Zip-

Priority Date - 05/20/1884

Region - 17 SOUTHERN

D - DECREED

Status -

Source - ROCK CREEK

Tributary - SNAKE RIVER

Twn Rng Sec Tract Lot Rflg County Point of Diversion -

Stream Index (Blank if no Index Code)

09S 30E 15 NE SE (77) POWER

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

01 - IRRIGATION

04/01 10/15

1.500

Total Div. Rate - 1.500 Total Div. Volume - Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
09S	30E	10	SW SW			01 IRRIGATION	01	IRRIGATION	(77)) POWER
09S	30E	10	SE SW			01 IRRIGATION	01	IRRIGATION	(77)) POWER
09S	30E	15	NW NE			01 IRRIGATION	01	IRRIGATION	(77)) POWER
09S	30E	15	SW NE			01 IRRIGATION	01	IRRIGATION	(77)) POWER
09S	30E	15	SE NE			01 IRRIGATION	01	IRRIGATION	(77)) POWER
09S	30E	15	NE NW			01 IRRIGATION	01	IRRIGATION	(77)) POWER
09S	30E	15	NW NW			01 IRRIGATION	01	IRRIGATION	(77)) POWER
09S	30E	15	SE NW			01 IRRIGATION	01	IRRIGATION	(77)) POWER

+ - - - Diversion Means -

+ - - - Non-Irrigation Use -

+ - - - Other Rights for Same Use -

+ - - - Remarks -

AC. IRRIG. = 75.
RT. IS FOR 3/4 OF 2 CFS, BUT FULL 2 CFS IS USED IN ROTATION WITH
OTHER OWNERS OF 41-0041.
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.

WATER RIGHT

[illegible]

INTER-DEPARTMENT MEMO — 1

FROM *STEVE CHILLAND*

DATE *3-26-90*

TO *1441-00041 A*

SUBJECT *Data Entry error*

*Corrected a entry error made at filing; Map was
correct as filed. Claim now agrees w/ Map.*

Sc

MICROFILMED

~~MAR 20 1993~~