

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: A41-00021A
Date Received: 4/ 5/1990
Receipt No: X777777
Received By: _____

Department of Water Resources
Southern Region Office

1661 01 100

RECEIVED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEFF ALLEN 208-548-2603
Address: P.O. BOX 311
ROCKLAND ID 83271

AND

Name: MARY K MUNK TRUST 208-548-2240
Address: C/O MARTIN MUNK
P O BOX 112
ROCKLAND ID 83271

AND

Name: MELVIN R MUNK TRUST 208-548-2240
Address: C/O MARTIN MUNK
P O BOX 112
ROCKLAND ID 83271

2. Date of Priority: MAY 1, 1883

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	10	SE	SW	NE		POWER
			SE	SE	NE		POWER

5. Description of diverting works:
STANGER DITCH (15")

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.300		

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

8. Total consumptive use is 82.5 Acre Feet Per Annum.

A41-00021A

Page 1

Date: 09/17/91

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9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	31E	3	SW	SW		IRR	10.0
						Section Acres	10.0
		10	NW	NE		IRR	3.0
			NE	NW		IRR	12.0
			NW	NW		IRR	8.0
						Section Acres	23.0
						Total Acres	33.0

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:
A41-00022

14. Remarks:

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.

CHANGE IN P/U OCCURRED PER UN-RECORDED TRANSFER AND P/U LISTED
IN DECREE HAS NEVER BEEN IRRIGATED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

HOUTZ

Decree Plaintiff

ET AL.

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
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 18, 1991

Martin Munk
P.O. Box 112
Rockland, ID 83271

RECEIVED

RE: Snake River Basin Adjudication (SRBA) A41-00021A
Power County - Change of Ownership - A41-00022
Melvin R. Munk and Mary K. Munk Trust

OCT 10 1991

Department of Water Resources
Southern Region Office

Dear Mr. Munk:

Thank you for your response to my letter of June 20, 1991. Unfortunately, I am unable to describe the right in the manner you wish with the information I presently have on hand.

Claims #A41-00021 and #A41-00022, as originally filed by Jeff Allen, both had the same legal description, and therefore would appear to require splitting in proportion to the amount of land which changed hands.

As the department is not in a position to make decisions on who owns which portion of water rights, I propose that the water right files A41-00021 and A41-00022 each be put into both of your names (copies attached). Pending field investigation the coming year, we can get together with you personally on the property for a determination of which portion belongs to whom.

This will in no way jeopardize yours or Mr. Allen's right to this water.

I will be forwarding the documentation I have received from you to our southern region office in Twin Falls where the original file is located. We might be able to resolve this before the field exam is completed if you were to go into our southern region office and work personally with someone there showing them on a map how and where the water is conveyed.

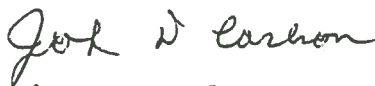
One other option would be to have Mr. Allen sign an ownership change and have him describe the above on the form, exactly how much water and which acres are irrigated for each of the two rights.

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Martin Munk
September 18, 1991
Page Two

Thank you for working with me on this matter. I will hold this file information for two weeks before forwarding to our southern office in case you have any further information you would like to send.

Sincerely,


John D. Carlson
Adjudication Supervisor

JDC:sf:south

Enclosures:

A41-00021A+B and A4100022.

cc: Jeff Allen w/enclosures w/ownership form

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50 + 42 = 9192

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: A41-00021
Date Received: 2/15/1990
Receipt No: 5011826
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEFF ALLEN 208-548-2603
Address: P.O. BOX 311
ROCKLAND, ID 83271

2. Date of Priority: MAY 01, 1883

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	Lot	County
10S	31E	10	SE	SW	NE		POWER
			SE	SE	NE		POWER

5. Description of diverting works:
VIA DANIELSON DITCH (10") AND STANGER DITCH (40")

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

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

8. Total consumptive use is 230.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	31E	3	SW	SW		IRR	10.0

Section Acres 10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	31E	10	NW	NE		IRR	7.0
			SW	NE		IRR	20.0
			NE	NW		IRR	25.0
			NW	NW		IRR	25.0
			SE	NW		IRR	5.0
						Section Acres	82.0
						Total Acres	92.0

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:
A41-00022

14. Remarks:

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.

CHANGE IN P/U OCCURRED PER UN-RECORDED TRANSFER AND P/U LISTED
IN DECREE HAS NEVER BEEN IRRIGATED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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): Jeff D Zella Date: April 13, 1990

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of April 19 90
Steve [Signature]
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires December 7, 1994

T. 9S.

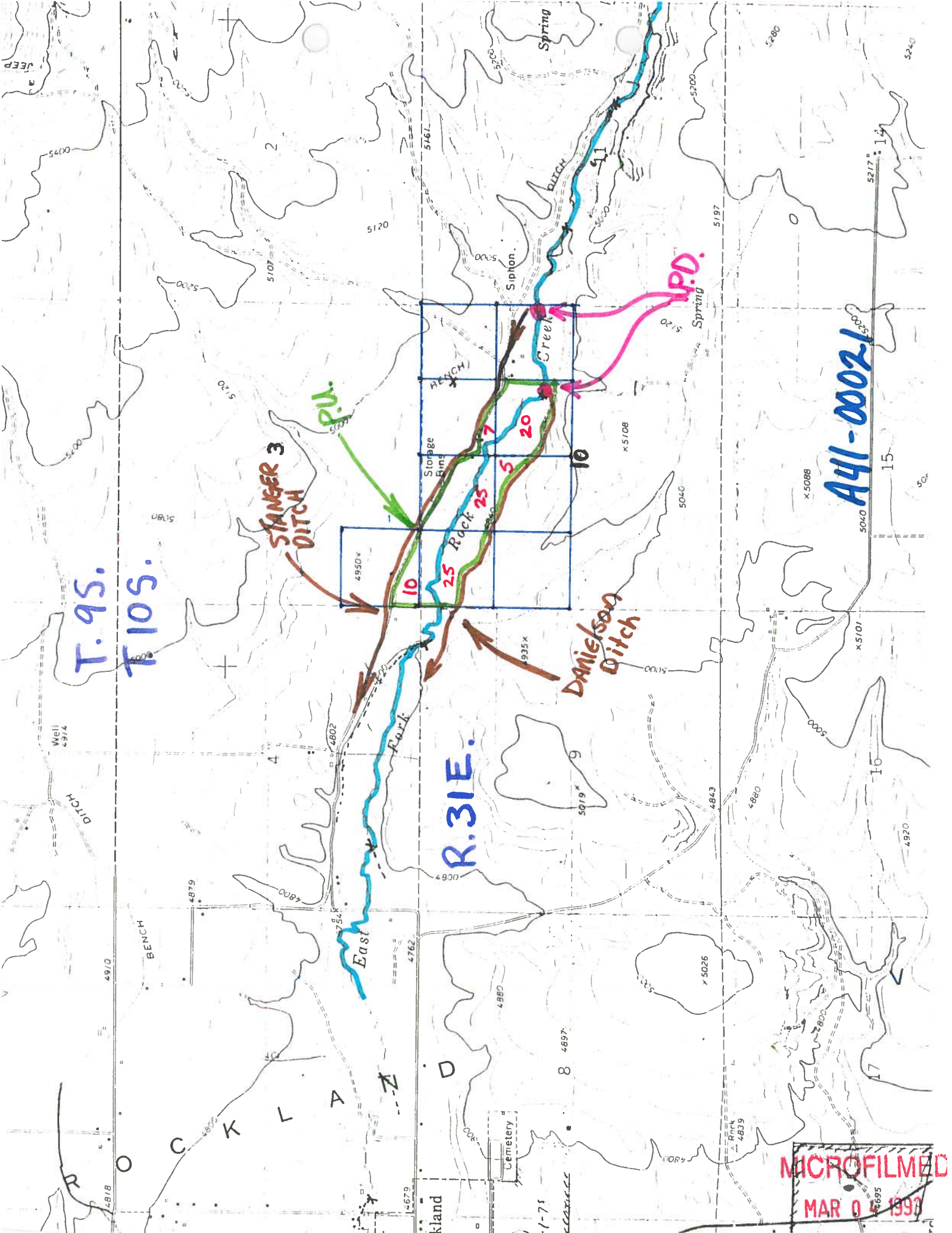
T. 10S.

R. 31E.

A41-00021

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

MAY 22 1991

DATE OF CLOSING: 4-23-91

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____

Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM _____

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

See attached

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s) Assigned by IDWR: A41-00022 & A41-00021

[] Name and Address of Former Owner/Claimant(s)(Seller): Jeff Allen
P. O. Box 311
Rockland, Idaho 83271

[] New Owner/Claimant (Purchaser): Melvin R. Munk and Mary K. Munk Trust

[] New Mailing Address: c/o Martin Munk
P. O. Box 112
Rockland, Idaho 83271

[] New Telephone Number: (208) 548-2240

[] Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
STANGER DITCH (# A41-00021) 40" is split with 15" remaining
with FORMER OWNER & 25" transferring to new owner. All other rights
(# A41-00021 & A41-00022) transfer to new owner

[] Attach proof of ownership, describe proof attached: Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) Melvin R. Munk and Mary K. Munk Trust Date 5-10-91
by Martin Munk Date 5-10-91

[] Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 30, 1991

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Melvin R. Munk and Mary K. Munk Trust
c/o Martin Munk
P.O. Box 112
Rockland, ID 83271

Department of Water Resources
Southern Region Office

RE: Snake River Basin Adjudication (SRBA)
Power County - Change of Ownership A41-00021,
A41-00022, A41-10027, A41-10029 & A41-10138

Dear Mr. Munk:

Thank you for submitting the change of ownership for the Munk property. In reviewing the two water rights described on the form (A41-00021 and A41-00022), A41-00022 has been changed into the new owner's name, and I have enclosed a copy for your file. In reviewing A41-00021 (proof report enclosed), it was noted that this right as filed is for .50 inches (1.0 CFS) and covers the same land as A41-00022. Please adjust the rate in inches which the previous and new owner has a right to, and describe which acres belong to whom. I have enclosed a map to assist you in describing the separate properties.

Also, in comparing the legal description supplied and the claims filed with the Department, three Domestic and Stockwater claims were located which may be on the lands purchased (A41-10027, A41-10029, A41-10138). Please review these rights to confirm if any should be changed to the new name.

Thank you for reviewing this information.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:sf:state:tf

Enclosures:

Proof Reports of #A41-00021, A41-10027,
A41-10029 & A41-10138

Map

Claim #A41-00022

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 20, 1991

Melvin R. Munk and Mary K. Munk Trust
C/O Martin Munk
P.O. Box 112
Rockland, ID 83271

RE: Snake River Basin Adjudication (SRBA)
Power County - A41-00021B and A41-00022
Change of Ownership

Dear Mr. Munk:

Thank you for sending the description and map of the right I had a question on. In reviewing the information, I have created a split for A41-00021B.

I still have a couple of questions regarding the above rights.

1. Should A41-00022 be split to describe the same place of uses as A41-00021A and B? If so, how much water is to be assigned to each portion?
2. Rights A41-00021 and A41-00022 list two separate 10 Ac. tracts for a legal description of the point of diversion. Does each legal describe the diversion works for the Danielson and Stanger ditches, respectively?

While the above can be resolved when the claims are reviewed, the best information available should be utilized at this time. Please get back with me as soon as possible, as Basin 41 is the next basin scheduled for review.

Sincerely,

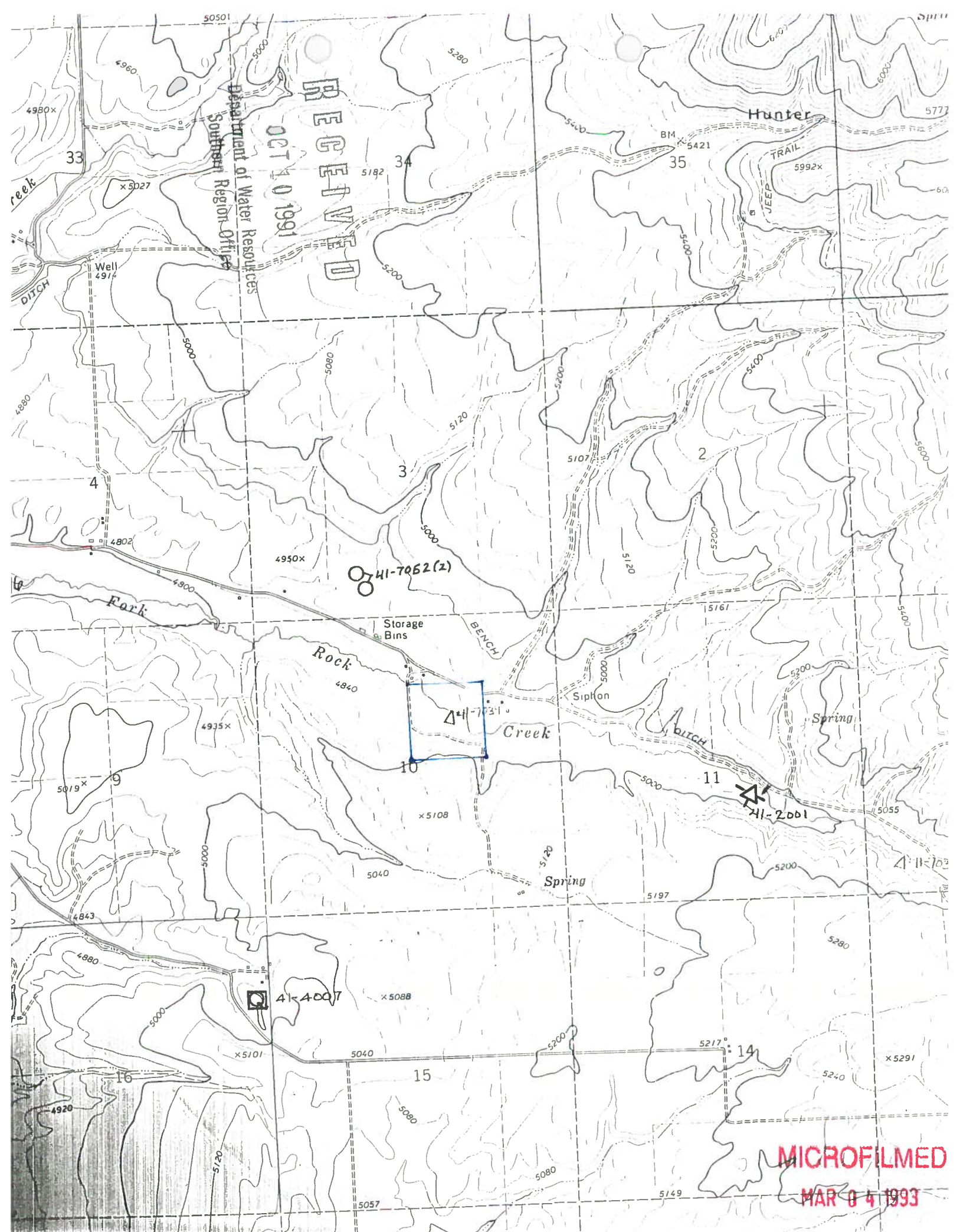
A handwritten signature in cursive script that reads 'John D. Carlson'.

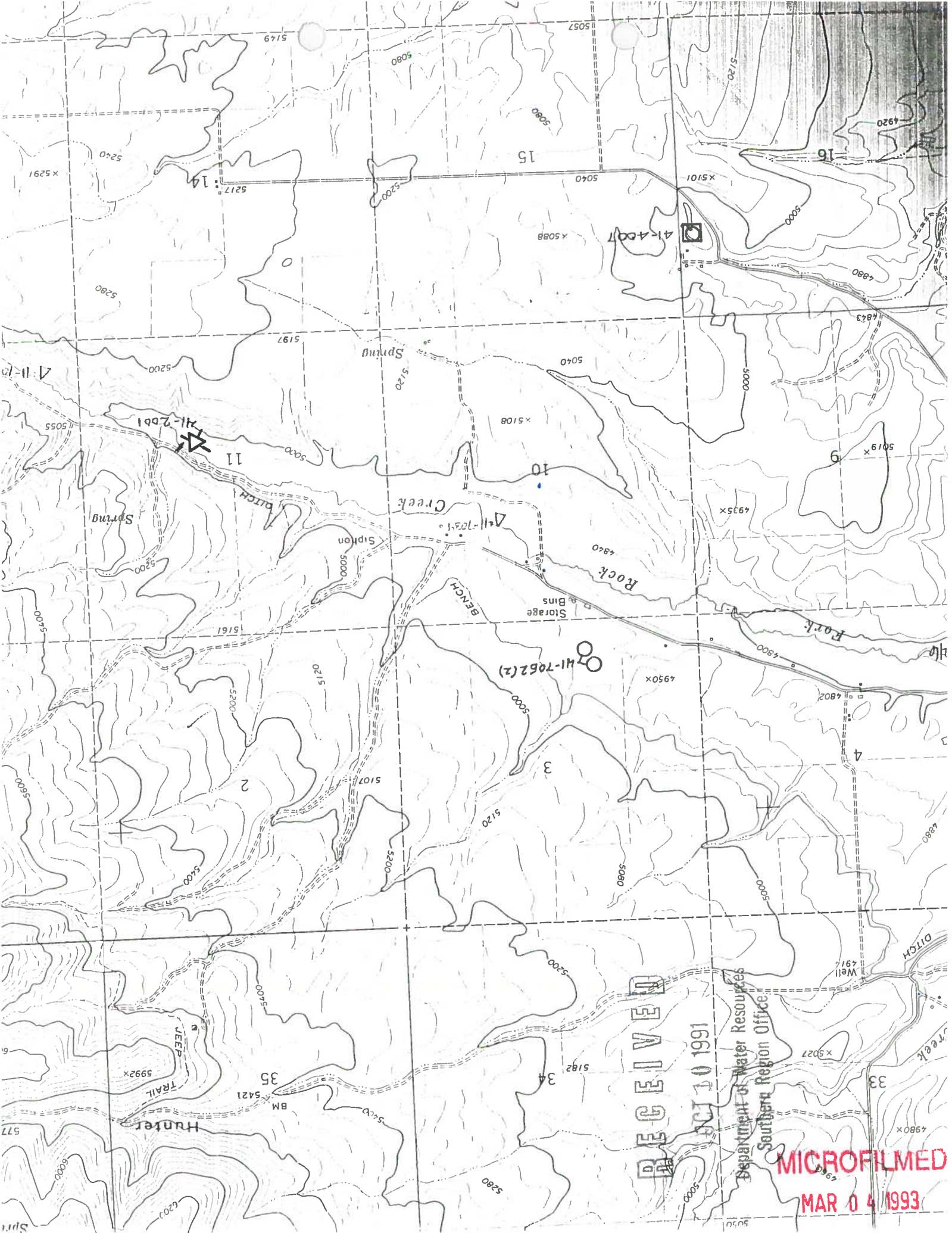
John D. Carlson
Adjudication Supervisor

JDC:sf:state
Enclosures:
A41-00021A & A41-00021B
cc: Jeff Allen

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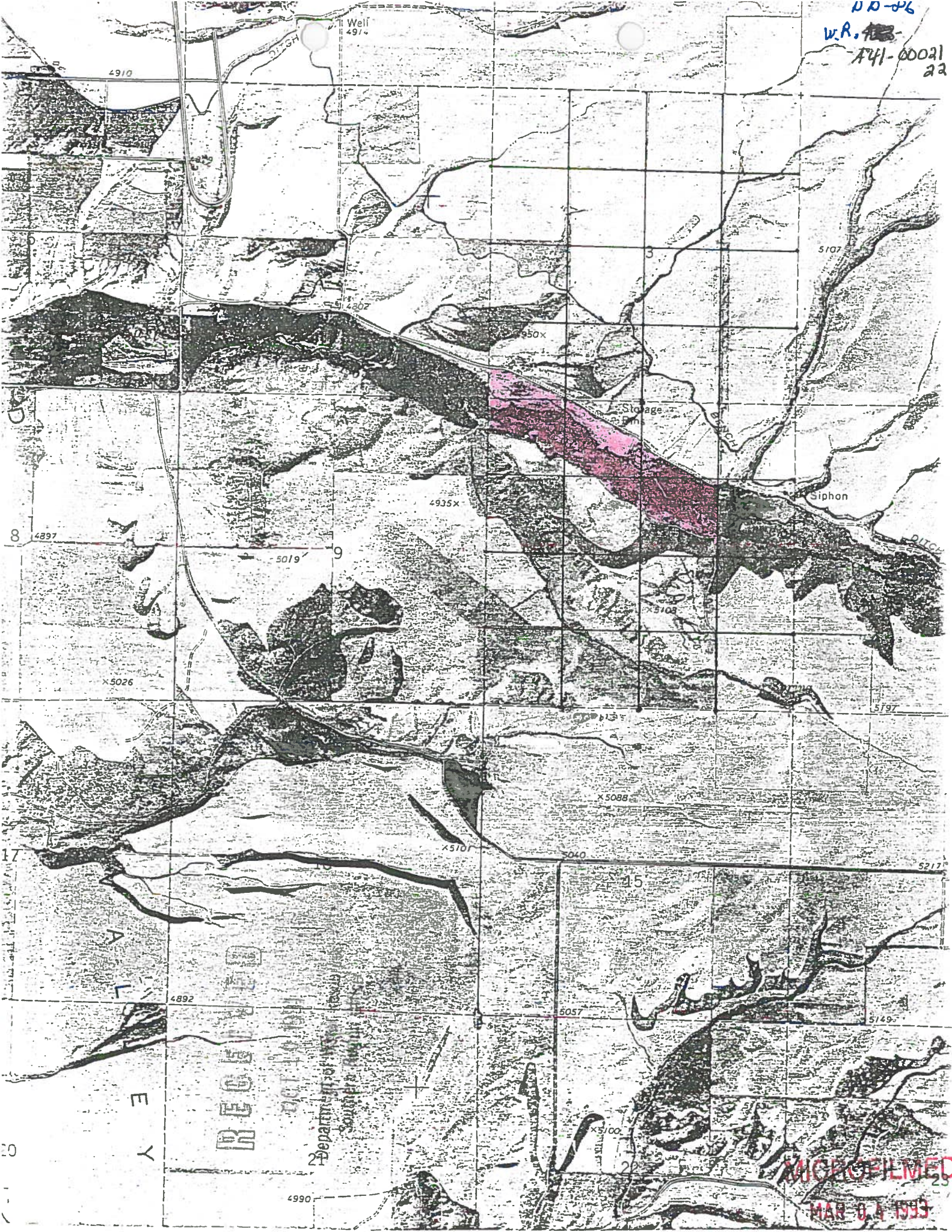
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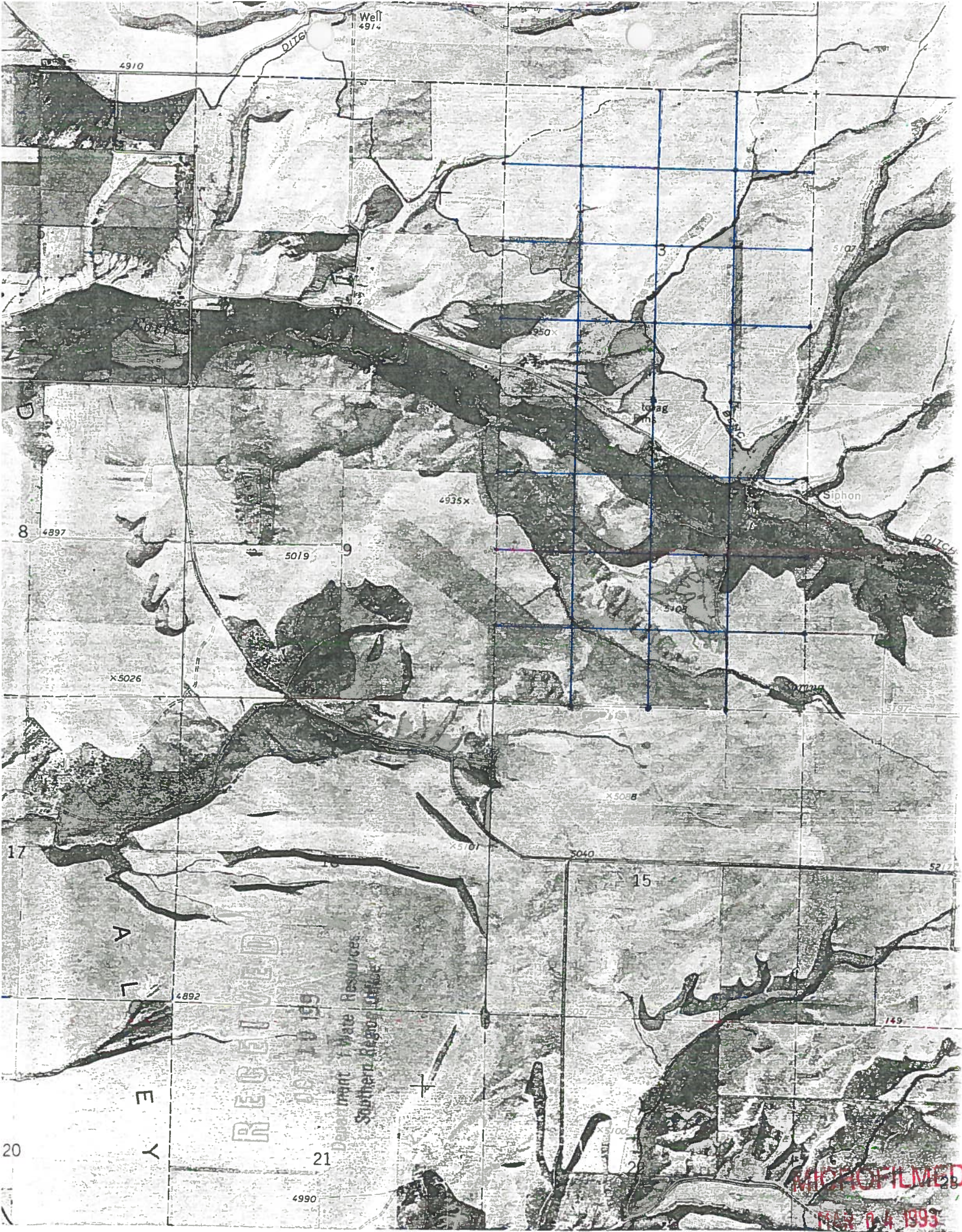
Department of Water Resources
Southern Region Office

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44-00021
22



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MAR 9 4 1993



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MAY 04 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS BY PLACE OF USE

AJ0721NP
(OD-21)

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USE CODE	WATER RIGHT NO.	LAST NAME	O	STG	PRIORITY DATE	WATER SOURCE
10S	31E	3	NW SW 1\4 1\4	10.0	01.04		A41-00023	BENCH DITCH IRRIGA	C	D	03/15/1885	ROCK CREEK, EAST FORK
10S	31E	3	NW SW	10.0	01.04		A41-00018	BENCH DITCH IRRIGA	C	D	05/15/1887	ROCK CREEK, EAST FORK
10S	31E	3	NW SW	10.0	01.04		A41-02001	BENCH DITCH IRRIGA	C	L	09/14/1908	ROCK CREEK, EAST FORK
10S	31E	3	NW SW	10.0	01.04		A41-10009	BENCH DITCH IRRIGA	C	D	05/10/1884	ROCK CREEK, EAST FORK
10S	31E	3	NW SW	10.0	01.04		A41-00020A	BENCH DITCH IRRIGA	C	D	02/15/1879	ROCK CREEK, EAST FORK
10S	31E	3	NW SW	10.0	01.04		A41-00031A	BENCH DITCH IRRIGA	C	D	10/01/1883	ROCK CREEK, EAST FORK
10S	31E	3	SW SW	17.0	01.04		~~A41-00018~~	BENCH DITCH IRRIGA	C	D	03/15/1885	ROCK CREEK, EAST FORK
10S	31E	3	SW SW	10.0	01		A41-00021	ALLEN	C	D	05/01/1883	ROCK CREEK, EAST FORK
10S	31E	3	SW SW	17.0	01.04		A41-00018	BENCH DITCH IRRIGA	C	D	05/15/1887	ROCK CREEK, EAST FORK
10S	31E	3	SW SW	17.0	01.04		A41-02001	BENCH DITCH IRRIGA	C	L	09/14/1908	ROCK CREEK, EAST FORK
10S	31E	3	SW SW	17.0	01.04		A41-10009	BENCH DITCH IRRIGA	C	D	05/10/1884	ROCK CREEK, EAST FORK
10S	31E	3	SW SW	17.0	01.04		~~A41-00020A~~	BENCH DITCH IRRIGA	C	D	02/15/1879	ROCK CREEK, EAST FORK
10S	31E	3	SW SW	17.0	01.04		A41-00031A	BENCH DITCH IRRIGA	C	D	10/01/1883	ROCK CREEK, EAST FORK
10S	31E	3	SW SW	43.04			A41-10138	WEGNER	C	J	03/15/1885	GROUNDWATER
							WEGNER	WEGNER	C			
							WEGNER	WEGNER	C			
							WEGNER	WEGNER	C			
10S	31E	3	SW SW	43.04			A41-10138	WEGNER	C	J	03/15/1885	GROUNDWATER
							WEGNER	WEGNER	C			
							WEGNER	WEGNER	C			
							WEGNER	WEGNER	C			
10S	31E	3	SW SW	10.0	01		A41-00022	ALLEN	C	D	10/01/1885	ROCK CREEK, EAST FORK
10S	31E	3	SE SW	33.0	01.04		A41-00023	BENCH DITCH IRRIGA	C	D	03/15/1885	ROCK CREEK, EAST FORK
10S	31E	3	SE SW	33.0	01.04		A41-00018	BENCH DITCH IRRIGA	C	D	05/15/1887	ROCK CREEK, EAST FORK
10S	31E	3	SE SW	33.0	01.04		A41-02001	BENCH DITCH IRRIGA	C	L	09/14/1908	ROCK CREEK, EAST FORK
10S	31E	3	SE SW	33.0	01.04		A41-10009	BENCH DITCH IRRIGA	C	D	05/10/1884	ROCK CREEK, EAST FORK
10S	31E	3	SE SW	33.0	01.04		A41-00020A	BENCH DITCH IRRIGA	C	D	02/15/1879	ROCK CREEK, EAST FORK

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Department of Water Resources
Southern Region Office

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS BY PLACE OF USE

AJ0721NP
(OD-21)

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USE CODE	WATER RIGHT NO.	LAST NAME	O	STG	PRIORITY DATE	WATER SOURCE
10S	32E	18	NW 1\4 1\4	NW 1	34		A41-07074	STATE OF IDAHO WATER	C	P	09/12/1984	ROCK CREEK, EAST FORK

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Department of Water Resources
Southern Region Office

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USE CODE	WATER RIGHT NO.	LAST NAME	O	STG	PRIORITY DATE	WATER SOURCE
10S	31E	10	NE NE	1/4 1/4	5.0	01	A41-00019	MUNK	C	D	05/01/1885	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		28.5	01,04	A41-00018	BENCH DITCH IRRIGA	C	D	05/15/1887	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		7.0	01	A41-00021	ALLEN	C	D	05/01/1883	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		7.0	01	A41-00023	ALLEN	C	D	10/01/1885	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		28.5	01,04	A41-00023	BENCH DITCH IRRIGA	C	D	03/15/1885	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		28.5	01,04	A41-02001	BENCH DITCH IRRIGA	C	L	09/14/1908	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		28.5	01,04	A41-10009	BENCH DITCH IRRIGA	C	D	05/10/1884	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		28.5	01,04	A41-00020A	BENCH DITCH IRRIGA	C	D	02/15/1879	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		28.5	01,04	A41-00031A	BENCH DITCH IRRIGA	C	D	10/01/1883	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		43.04		A41-10027	ALLEN	C	J	05/01/1883	SPRINGS
10S	31E	10	NW NE		43.04		A41-10027	ALLEN	C	J	05/01/1883	SPRINGS
10S	31E	10	NW NE		43.04		A41-10029	ALLEN	C	J	07/05/1984	GROUNDWATER
10S	31E	10	NW NE		43.04		A41-10029	ALLEN	C	J	07/05/1984	GROUNDWATER
10S	31E	10	SW NE		20.0	01	A41-00021	ALLEN	C	D	05/01/1883	ROCK CREEK, EAST FORK
10S	31E	10	SW NE		20.0	01	A41-00022	ALLEN	C	D	10/01/1885	ROCK CREEK, EAST FORK
10S	31E	10	SE NE		43		A41-10049	MUNK	C	J	06/01/1971	GROUNDWATER
10S	31E	10	SE NE		43.04		A41-10052	MUNK	C	J	03/01/1883	SPRING
10S	31E	10	SE NE		43.04		A41-10052	MUNK	C	J	03/01/1883	SPRING
10S	31E	10	SE NE		25.0	01	A41-00019	MUNK	C	D	05/01/1885	ROCK CREEK, EAST FORK
10S	31E	10	SE NE		43		A41-10114	MUNK	C	J	04/01/1961	GROUNDWATER
10S	31E	10	NE NW		2.0	01,04	A41-00018	BENCH DITCH IRRIGA	C	D	05/15/1887	ROCK CREEK, EAST FORK
10S	31E	10	NE NW		25.0	01	A41-00021	ALLEN	C	D	05/01/1883	ROCK CREEK, EAST FORK
10S	31E	10	NE NW		2.0	01,04	A41-00023	BENCH DITCH IRRIGA	C	D	03/15/1885	ROCK CREEK, EAST FORK
10S	31E	10	NE NW		2.0	01,04	A41-02001	BENCH DITCH IRRIGA	C	L	09/14/1908	ROCK CREEK, EAST FORK

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Department of Water Resources
Southern Region Office

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TWP	RNG	SECT	TRACT	LOT	ACRES	WATER	WATER	WATER	LAST	O	STG	PRIORITY	WATER
						USE	RIGHT	NO.	NAME	C		DATE	SOURCE
						CODE							
10S	31E	3	SE SW	1\4 1\4	33.0	01.04	A41-00031A	✓	BENCH DITCH IRRIGA	C	D	10/01/1883	ROCK CREEK, EAST FORK
10S	31E	3	SW SE		12.9	01.04	A41-00023	✓	BENCH DITCH IRRIGA	C	D	03/15/1885	ROCK CREEK, EAST FORK
10S	31E	3	SW SE		12.9	01.04	A41-00018	✓	BENCH DITCH IRRIGA	C	D	05/15/1887	ROCK CREEK, EAST FORK
10S	31E	3	SW SE		12.9	01.04	A41-02001	✓	BENCH DITCH IRRIGA	C	L	09/14/1908	ROCK CREEK, EAST FORK
10S	31E	3	SW SE		12.9	01.04	A41-10009	✓	BENCH DITCH IRRIGA	C	D	05/10/1884	ROCK CREEK, EAST FORK
10S	31E	3	SW SE		12.9	01.04	A41-00020A	✓	BENCH DITCH IRRIGA	C	D	02/15/1879	ROCK CREEK, EAST FORK
10S	31E	3	SW SE		12.9	01.04	A41-00031A	✓	BENCH DITCH IRRIGA	C	D	10/01/1883	ROCK CREEK, EAST FORK

RECEIVED
OCT 10 1991
Department of Water Resources
Southern Region Office
MICROFILMED
MAR 04 1993

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER	USE	CODE	WATER	RIGHT	NO.	LAST	NAME	O	STG	PRIORITY	DATE	WATER	SOURCE
10S	31E	10	NE NW 1/4 1/4		2.0	01,04			A41-10009			BENCH DITCH	IRRIGA	C	D	05/10/1884	05/10/1884	ROCK CREEK, EAST FORK	
10S	31E	10	NE NW		2.0	01,04			A41-00020A			BENCH DITCH	IRRIGA	C	D	02/15/1879	02/15/1879	ROCK CREEK, EAST FORK	
10S	31E	10	NE NW		2.0	01,04			A41-00031A			BENCH DITCH	IRRIGA	C	D	10/01/1883	10/01/1883	ROCK CREEK, EAST FORK	
10S	31E	10	NE NW		25.0	01			A41-00022			ALLEN		C	D	10/01/1885	10/01/1885	ROCK CREEK, EAST FORK	
10S	31E	10	NW NW		25.0	01			A41-00021			ALLEN		C	D	05/01/1883	05/01/1883	ROCK CREEK, EAST FORK	
10S	31E	10	NW NW		25.0	01			A41-00022			ALLEN		C	D	10/01/1885	10/01/1885	ROCK CREEK, EAST FORK	
10S	31E	10	SE NW		5.0	01			A41-00021			ALLEN		C	D	05/01/1883	05/01/1883	ROCK CREEK, EAST FORK	
10S	31E	10	SE NW		5.0	01			A41-00022			ALLEN		C	D	10/01/1885	10/01/1885	ROCK CREEK, EAST FORK	

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OCT 10 1991
Department of Water Resources
Southern Region Office
MICROFILMED
MAR 04 1993

Page 1

Old (D) Number -

[illegible]

1 - P.O. BOX 311
2 -
3 -

City- ROCKLAND
Phone - 208-548-2603
State- ID Zip- 83271

+ - -	Priority Date	- - +	+ - - - Region	- - - +	+ - - Stage	- - - +	Status	- - - +
	05/01/1983		17 SOUTHERN		D - DECEED			

```

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

```

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

10S	31E	10	SE	SW	NE	(77)	POWER
10S	31E	10	SE	SE	NE	(77)	POWER

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

01 - IRRIGATION	04/01	11/01	1.000
-----------------	-------	-------	-------

+ - Total Div. Rate	- +	+ - Total Div. Volume	- +	+ - Total Div. Capacity	- +	+ - Total Consumptive Use	- +	+ - KW Usage
	1.000						230.0	

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

10S	31E	3	SW SW	10.0	01	IRRIGATION	(77)	POWER
10S	31E	10	NW NE	7.0	01	IRRIGATION	(77)	POWER
10S	31E	10	SW NE	20.0	01	IRRIGATION	(77)	POWER
10S	31E	10	NE NW	25.0	01	IRRIGATION	(77)	POWER
10S	31E	10	NW NW	25.0	01	IRRIGATION	(77)	POWER
10S	31E	10	SE NW	5.0	01	IRRIGATION	(77)	POWER

Total Acres: 92.0

+ - - Diversion Means - VIA DANIELSON DITCH (10") AND STANGER DITCH (40")

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A41-00022

	Remarks
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.	

CHANGE IN P/U OCCURRED PER UN-RECORDED TRANSFER AND P/U LISTED

OCT 10 1991

Department of Water Resources
Southern Region Office

MAR 04 1993

MICROFILMED
MAR 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Paul D.



IMPORTANT WATER RIGHT INFORMATION

41-00021A

JEFF ALLEN
PO BOX 311
ROCKLAND ID 83271

RECEIVED

NOV 9 1999

Department of Water Resources

11/11/99

11/11/99



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

41-00021A
JEFF ALLEN
PO BOX 311
ROCKLAND ID 83271

RECEIVED
NOV 9 1999
Department of Water Resources

RE: Water Rights in Reporting Area 7, Basin 41
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in basin 41 (the Rock Creek drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note you have 60 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in American Falls, Malad, and Burley, and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed early next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: October 29, 1999

PAGE: 1

RIGHT NUMBER: 41-00021A

NAME AND ADDRESS: JEFF ALLEN
PO BOX 311
ROCKLAND ID 83271

SOURCE: ROCK CREEK, EAST FORK TRIBUTARY: ROCK CREEK

QUANTITY: 0.3 CFS

THE QUANTITY LISTED ABOVE SHALL BE MEASURED AT THE POINT OF
DIVERSION LISTED FOR THIS RIGHT BY MEANS OF A MEASURING BOX OF
THE TYPE AND DIMENSIONS DECREED BY IN RE HOUTZ ET AL (ONEIDA
COUNTY, SIXTH JUDICIAL DISTRICT COURT, JUNE 6, 1903). ANY CHANGE
IN THE METHOD OF MEASUREMENT SHALL CONSTITUTE A CHANGE IN THE
POINT OF DIVERSION REQUIRING APPROVAL BY THE IDAHO DEPARTMENT OF
WATER RESOURCES AS A TRANSFER PURSUANT TO I.C. SECTION 42-222.

PRIORITY-DATE: 05/01/1883

POINT OF DIVERSION T10S R31E S11 SESWNW Within POWER County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.3 CFS

PLACE OF USE:	IRRIGATION	Within POWER County
	T10S R31E S03	SWSW 7
	S10	NENW 1 NWNW 7
	15 ACRES TOTAL	

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

Dept. of Water Resources
Adjudication Bureau
P.O. Box 83720
Boise, ID 83720-0098

ATTEMPTED - NOT KNOWN

ATTEMPTED - NOT KNOWN

ATTEMPTED - NOT KNOWN



R41-00021A
JEFF ALLEN
PO BOX 311
ROCKLAND

ID 83271



Department of Water Resources
Southern Region

JUL 01 1999

RECEIVED

RECEIVED

JUN 23 1999

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 11, 1999

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) in the Snake River Basin Adjudication (SRBA). We have enclosed a print-out showing our preliminary recommendation regarding how your water right should be reported to the SRBA District Court.

Please review the preliminary recommendation carefully. If there is any information on the print-out you believe is inaccurate, please fill out the enclosed reply indicating what changes you believe should be made. Further instructions to assist you with the review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your water right is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area. **The meeting will be held on Wednesday, June 30, 1999, at 7:00 p.m. in the Rockland City Hall, 135 South Main.** Please come to the public meeting, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right. Please bring any and all information you have which will help the Department understand your water rights and describe them accurately.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary so that accurate information is provided to the SRBA District Court.

We look forward to hearing from you.

Sincerely,

Karl J. Dreher
Director

Enclosures

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Dear Water Right Claimant:

To help you with your water right claim(s) in the Snake River Basin Adjudication, this letter of explanation is being sent to you along with information sent by the Idaho Department of Water Resources (IDWR). Included are the following important documents which I ask you to please read carefully because they give you the opportunity to save a great deal of time and money:

1. **Preliminary Recommendation.** This is IDWR's *initial* finding and conclusion about your water right and how it should be reported to the SRBA Court. This preliminary recommendation is not filed with the court, but is provided to you to help correct errors or resolve any disagreement you may have over its content. This document has been prepared following IDWR's investigation and may be different than the claim(s) you actually filed.

Therefore, please review this preliminary recommendation carefully to find any errors or disagreements you have with IDWR's findings.

2. **Error Correction/Settlement Process.** This preliminary recommendation is a special service provided to you by IDWR to help you correct errors and resolve any other disagreement you have before the actual recommendations are ultimately filed with the court.

A description of how to work with IDWR is included. Our experience in the SRBA shows that by working in cooperation with IDWR most errors and differences can be addressed before coming into court. It's well worth your time to take full advantage of IDWR's helpful service. If your disagreement cannot be resolved, you will be able to file an objection to IDWR's actual recommendation when it is filed in court and have the final decision made by the Presiding Judge.

This error correction service is an important opportunity for you to work together with IDWR to make sure your water right claim(s) are decreed accurately. There is no cost to you other than your time reviewing the preliminary recommendation and talking to IDWR about any problem you see. Of course, you may always employ the services of an attorney if you wish.

The goal of the SRBA is to see that your water right(s) are decreed by the court as accurately and fairly as possible. It is important to me that this is done efficiently in order to reduce your costs and present you with your decree.

I strongly encourage you to take full advantage of this opportunity to use the fine and courteous service provided by IDWR.

Sincerely yours,

A handwritten signature in black ink that reads "B. Wood".

Barry Wood
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

INSTRUCTIONS FOR COMPLETING THE NOTICE OF ERROR REPLY FORM

- Please review the preliminary recommendation carefully. Your name, water right number and address have been pre-printed on this reply for your convenience. Check to be sure the pre-printed information on this form is accurate.

- If you are a new owner and need to change the name on the enclosed preliminary recommendation, please use the form entitled "*Notice of Change of Water Right Ownership*". Please follow the instructions on that form carefully and provide the Department with the necessary documents as identified on that form.

- Please fill in your daytime and evening telephone numbers.

- If there is any portion of the preliminary recommendation which is inaccurate or with which you disagree, please complete item numbers 1, 2 and 3 on the reply, sign where indicated, attach a stamp to the envelope provided and return the reply to the Southern Region.

This reply must be mailed before July 9, 1999. If IDWR has questions about the information included in your reply, a staff member will be in contact with you to set up an appointment. You may also return the reply in person at the public meeting on June 30, 1999 at 7:00 p.m. at the Rockland City Hall, 135 South Main, Rockland, Idaho..

- If you do **not** provide a reply, IDWR will submit the information contained in the enclosed preliminary recommendation as a Director's Report to the District Court. At that stage, making changes will require you to file court papers and attend court hearings.

- If you have questions or do not understand this process, please feel free to call the adjudication hotline toll free number: **1-800-451-4129** or contact the IDWR Southern Regional Office, located at 1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380, telephone number: **208-736-3033**.

June 11, 1999

**NOTICE OF ERROR
REPLY**

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: 41-00021A

JEFF ALLEN
PO BOX 311
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:

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

DATE: _____ SIGNATURE: _____
Please print your name: _____

RIGHT NUMBER: 41-00021ANAME AND ADDRESS: MARY K MUNK TRUST
MELVIN R MUNK TRUST
C/O MARTIN MUNK
PO BOX 112
ROCKLAND ID 83271JEFF ALLEN
PO BOX 311
ROCKLAND ID 83271

SOURCE: ROCK CREEK, EAST FORK TRIBUTARY: ROCK CREEK

QUANTITY: 0.3 CFS

PRIORITY-DATE: 05/01/1883

POINT OF DIVERSION T10S R31E S11 SESWNW Within POWER County

PURPOSE AND

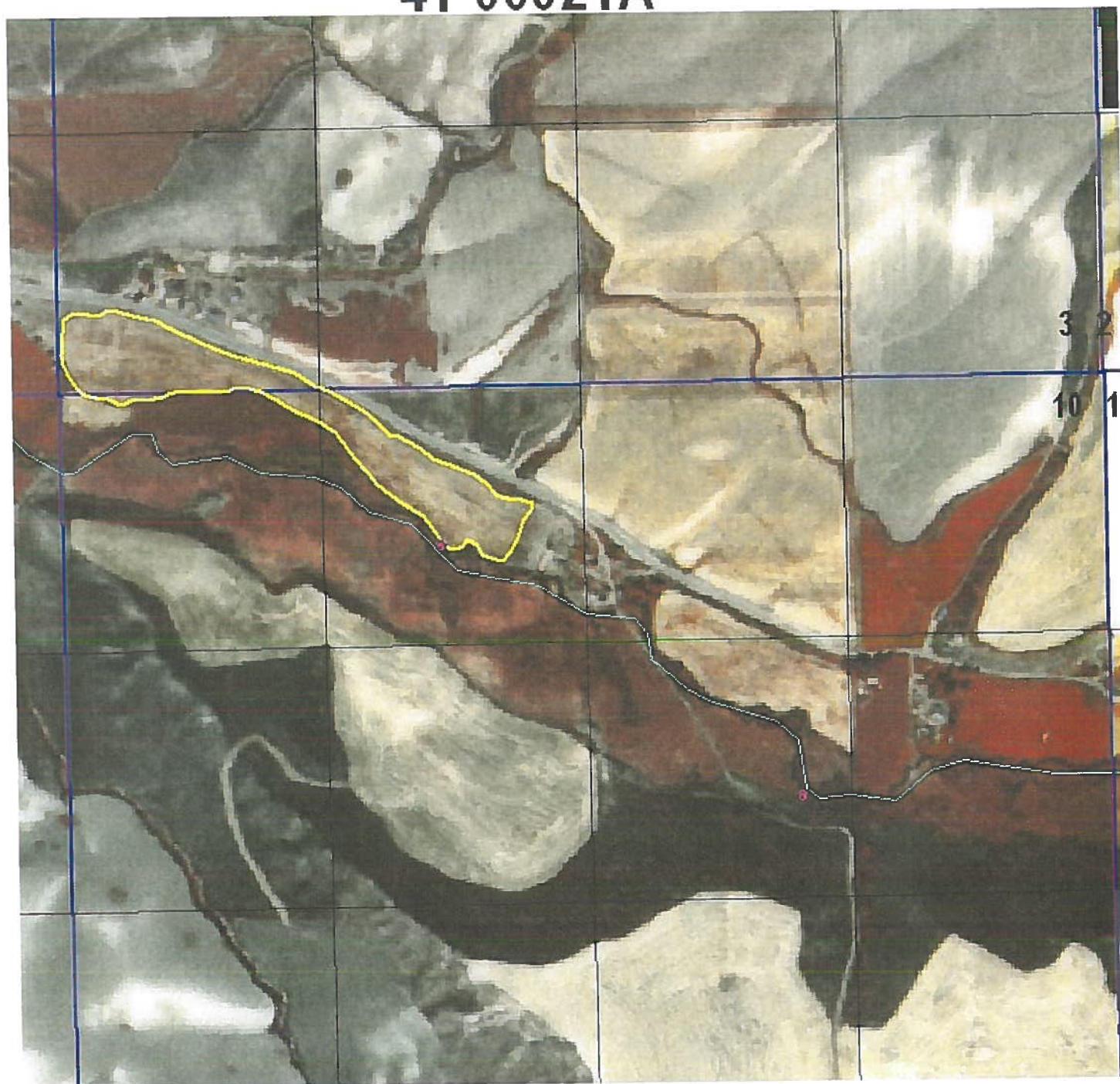
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.3 CFS

PLACE OF USE: IRRIGATION Within POWER County
 T10S R31E S03 SWSW 7
 S10 NENW 1 NWNW 7
 15 ACRES TOTAL

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

IDAHO DEPT OF WATER RESOURCES

41-00021A



660 0 660 1320 Feet

T10S R31E SEC. 3 & 10



- 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 15, 1999

[illegible]

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

A41-00021A

A41-00021B

A41-00022

DATE

6/15/99

AGENT

SW

TRANSFER NUMBER

CLAIMED ACRE TOTAL 92

GIS ACRE TOTAL 61.6

(all filed on same POU)

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
LAIM	10s	31E	3											10					10
GIS			(A) only											7.3					7.3
ECOM														7				(A) 7	
LAIM			10		7	20		25	25		5								82
GIS			(A)		2.1	6.6	(A)	1.3	7.4		—							(A) 17.4	
ECOM		NORTH	(B)		0.6	9.8		10	11		5							(B) 36.4	
		SOUTH			2.7	16.3		10	11		5							(B) 45	
LAIM																		(A) 8	
GIS																			
ECOM																			

Change of ownership filed but No Deed found - exact
 ownerships unclear:

SHAPE NOS.

16 → (NW) 16 ac.
 (NE) 8.7 ac.
 (South) 36 ac.
 60.7 ac

41-00021 A (ALLEN) STANGER DITCH

41-00021 B } MUNK &
 41-00022 } ALLEN - Danielson Ditch

341-POD.SHP

NOS. DESCRIPTION

T10S R31E,

STANGER DITCH: S11, SESWNW

6- DANIELSON DITCH: S10, SESWNE

limit set: Decree duty of Water 1"/Ac.
 →

21A: 15" on 15Ac.

21B: 35" on 35Ac

22: 10" on 10Ac.

DBF TABLES UPDATED

41-DBPOU.DBF

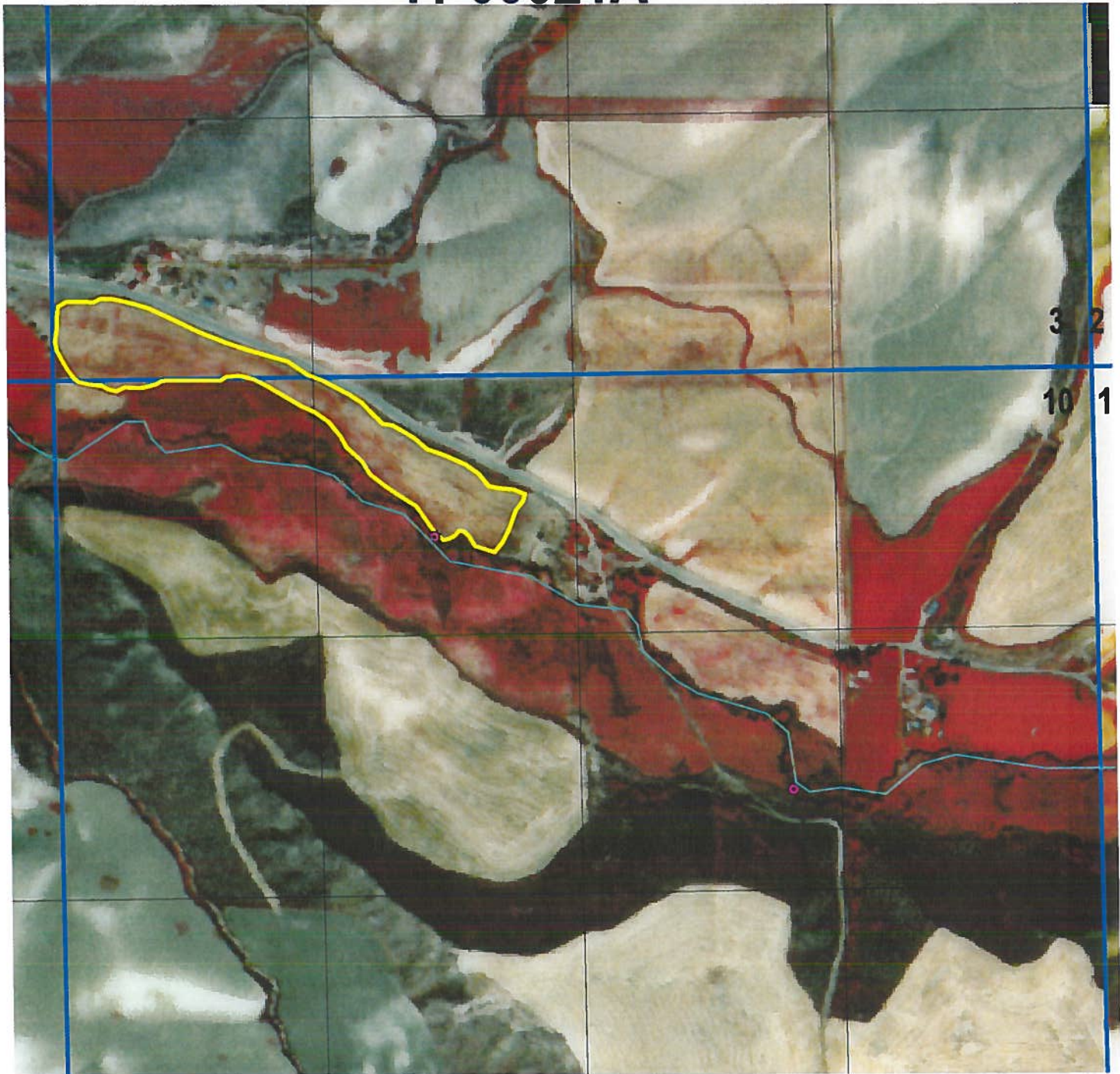
41-DBPOD.DBF

PEG LAYOUT

✓ 41-00021A.jpg & 41-00021B.jpg
 ✓ 3/10/00 SW

IDAHO DEPT OF WATER RESOURCES

41-00021A



660 0 660 1320 Feet

T10S R31E SEC. 3 & 10



- 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 15, 1999

DRAFT

16

36

41-00021 A
STANGER
DITCH

21B &
22

8.7

41-00021B
41-00022
Danielson
Ditch

60.7 AC
(in yellow)

DRAFT
5/10/99 SCC

A41-00021/22

Water Dist #1 East Fork

All Dates 1800

Page 1

H2O:RIGHTSEFORK

1: DECREE NUMBERS

E NUMBER DECREE OWNER PRESENT OWNER DELIVERY DITCH INCHES PRIORITY/DATE COMMENTS

2	H.P. HOUTZ	CHARLES, IVAN	CITY	5	May 1 86	
2	H.P. HOUTZ	TURNB, COX, RALPH,	WOODS	5	May 1 86	~~800~~ Names Turnbough, Cox, Ralphs, Nelson, Brown
8	H.A. FEAS	NELSON, RICHARD	BENCH	10	May 15 87	TRANSFER 244
9	GEORGE STANGER	MUNK, MELVIN	STANGER	40	May 1 85	2 INCHES DOMESTIC??
0	GUDELUPÉ VALDE ?	?	?	5	Feb 15 79	
0	GUADELUPE VALD	NELSON, GLENNA	BENCH	20	Feb 15 79	TRANSFER APPLIED FOR 3-10-1983
0	GUDELUPÉ VALDE	WOODWORTH, JIM	VALDEZ	37.5	Feb 15 79	
0	GUDELUPÉ VALDE	BARNARD, CHARLES	VALDEZ	18.75	Feb 15 79	
0	GUDELUPÉ VALDE	NELSON, ORVILLE	VALDEZ	18.75	Feb 15 79	
11	GUDELUPÉ VALDE	NELSON, GLENNA	DANIELSON	10	May 1 83	
11	GUDELUPÉ VALDE	NELSON, GLENNA	STANGER	40	May 1 83	
12	NEIL DANIELSON	NELSON, GLENNA	DANIELSON	10	Oct 1 85	
14	H.C. WOODS	RALPHS, ALVIN	CITY	5	Mar 12 81	
14	H.C. WOODS	PERMAN, HAROLD	TYLER	20	Mar 12 81	
14	H.C. WOODS	RALPHS, ALVIN	WOODS	45	Mar 12 81	
25	H. HOUTZ JR.	ROCKLAND CITY	CITY	20	Mar 12 81	
25	H. HOUTZ JR.	MCHARGUE-NELSON	TYLER	4	Mar 12 81	
25	H. HOUTZ JR.	TOBIAS, ELAINE	TYLER	10	Mar 12 81	
25-23	JAMES SHERMAN	NELSON, MELVIN	BENCH	10	Mar 15 85	NEEDS TO BE TRANSFERED Ditch Stock Certificate
26	J. LEWIS	NELSON, MELVIN	?? Danickson	10	May 1 88	NEEDS TO BE TRANSFERED
27	LEWIS LANCE	PERMAN, HAROLD	PAYNE	89	Aug 1 79	
27	LEWIS LANCE	TYLER, HAROLD	TYLER	10	Aug 1 79	
27	LEWIS LANCE	FOULSON, MILTON	VALDEZ	1	Aug 15 79	
28	D.C. TYLER	PERMAN, HAROLD	TYLER	40	Jun 15 83	
29	L.S. BARNARD	MAY, LEE or NELSON	?? Valdez?	10	Oct 1 83	THIS WATER ON DEED TO L. MAY PRESENTLY BEINGS DILIVERE
29	L.S. BARNARD	NELSON, MELVIN	BUDGE	30	Oct 1 83	
41-03	JOSEPH HENERY	UNDER RESEARCH	CITY AND VALDE	25	Jun 1 86	This Water Split Between City + Valdez ditch
30	D.A. BUDGE	ANDERSON, BURTON	BUDGE	16	Oct 1 83	Some How
30	D.A. BUDGE	LISH BROS.	BUDGE	1	Oct 1 83	See Back of This Page
30	D.A. BUDGE	NELSON, MELVIN	BUDGE	8	Oct 1 83	Combine
30	D.A. BUDGE	ANDERSON, BURTON	VALDEZ	10	Oct 1 83	
31 A	PROMOTORY STOC	NELSON, MELVIN	BENCH	5	Oct 1 83	WATER ON DITCH STOCK CERTIFICATE, DELIVERD TWICE???
31	PROMOTORY STOC	NELSON, MELVIN	BUDGE	10	Oct 1 83	
31	PROMOTORY STOC	NELSON, MELVIN	DANIELSON	15	Oct 1 83	
48	PROMOTORY STOC	NELSON, MELVIN	DANIELSON	10	Jun 1 85	see Back of This Page.
32	JOSEPH HENRY	UNDER RESEARCH	CITY AND VALDE	50	Jun 1 82	This Water Split Between City + Valdez Ditch some How
34	D.C. TYLER	COX, GLENN	TYLER	6	May 1 85	NEEDS TO BE TRANSFERED
34	D.C. TYLER	TYLER, HAROLD	TYLER	24	May 1 85	
36	BENCH DITCH	BENCH DITCH	BENCH	325	May 10 84	400 Total
36	BENCH DITCH	BENCH DITCH	BENCH	75	May 10 84	DOMESTIC WATER
37	H.D. LISH	MAY, LEE	VALDEZ	28.5	May 10 90	
37	H.D. LISH	MORRIS, DAVE	VALDEZ	1.5	May 10 90	
1001	BENCH DITCH	BENCH DITCH	BENCH	450	Sep 14 1908	THIS DATE IS SEP 14, 1908

63"

1.26 cf



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

REGULATORY DIVISION

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

A91-00021A

A41-00021 (A41-00022)

7-7-94

Su

Appears to be a split between Munk & Allen.
Stanger Ditch serving Allen's pool around the
Dany Barn is dry... irrigation is by sprinklers.

Munk portion across EFRC is by gravity
& earth ditch.



A41-00021

J. ALLEN

RE-VERSION
 PUMP SITE
 from Stanger ditch.
 POU AREA

PHOTO:
 R41-8
 by SCW
 7-7-99

Water Right Number - A41-00021A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
MUNK TRUST

MELVIN R

ALLEN

JEFF

1 - C/O MARTIN MUNK
2 - P O BOX 112
3 -
City- ROCKLAND
Phone - 208-548-2240
1 - P.O. BOX 311
2 -
3 -

State- ID Zip- 83271

MUNK TRUST

MARY K

City- ROCKLAND
Phone - 208-548-2603
1 - C/O MARTIN MUNK
2 - P O BOX 112
3 -
City- ROCKLAND
Phone - 208-548-2240

State- ID Zip- 83271

+ - - Priority Date - - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1983 17 SOUTHERN D - DECREED

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
10S 31E 10 SE SW NE (77) POWER
SE SE NE (77) POWER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.300

+ - - Total Div. Rate - - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.300 82.5

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10S 31E 3 SW SW 10.0 01 IRRIGATION (77) POWER
10S 31E 10 NW NE 3.0 01 IRRIGATION (77) POWER
10S 31E 10 NE NW 12.0 01 IRRIGATION (77) POWER
10S 31E 10 NW NW 8.0 01 IRRIGATION (77) POWER

Total Acres: 33.0

+ - - Diversion Means - STANGER DITCH (15")

Prefix Translation: ADJUDICATION CLAIM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A41-00022

..... Remarks

Remarks
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.

CHANGE IN P/U OCCURRED PER UN-RECORDED TRANSFER AND P/U LISTED IN DECREE HAS NEVER BEEN IRRIGATED.

----- Old Water Right Numbers -----
A4100021

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

[illegible]

+ - - Audit Fields - - +
00/00/00[illegible]

40
Jeff Allen

Water Right Number - 41-00021A

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.

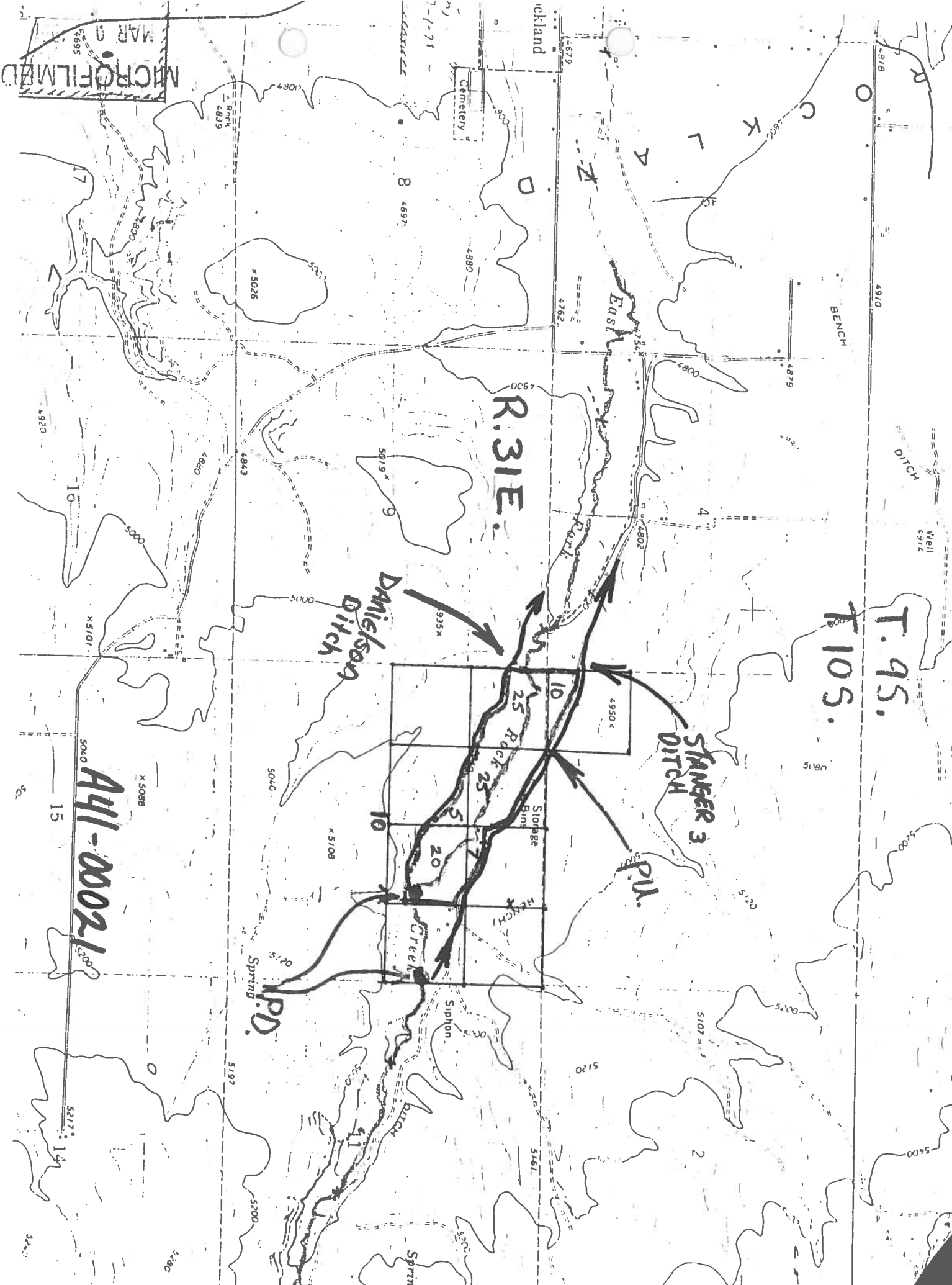
Decree Plaintiff - + Decree Defendant - + Decree Date - +
00/00/0000

Comments
No Comments Found

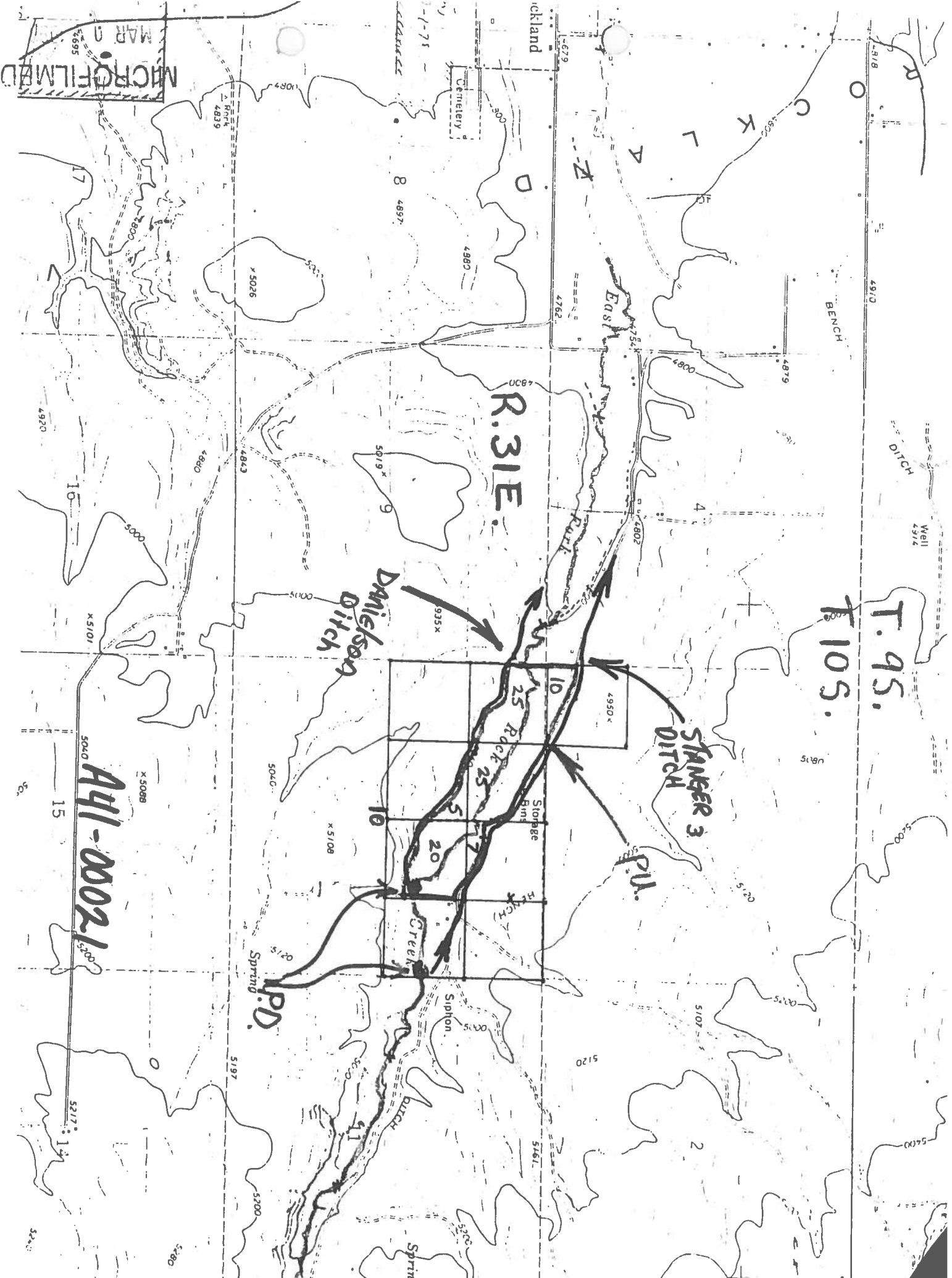
Water Rights Dates and Flags Area

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	-		-

MAR 9 1965
MICROFILMED



MAR 9 1965
MICROFILMED



ickland

Cemetery

BENCH

DITCH

Well

R. 31E

T. 95.
T. 105.

DANIELSON
DITCH

STANGER 3
DITCH

PU.

441-00021

APD

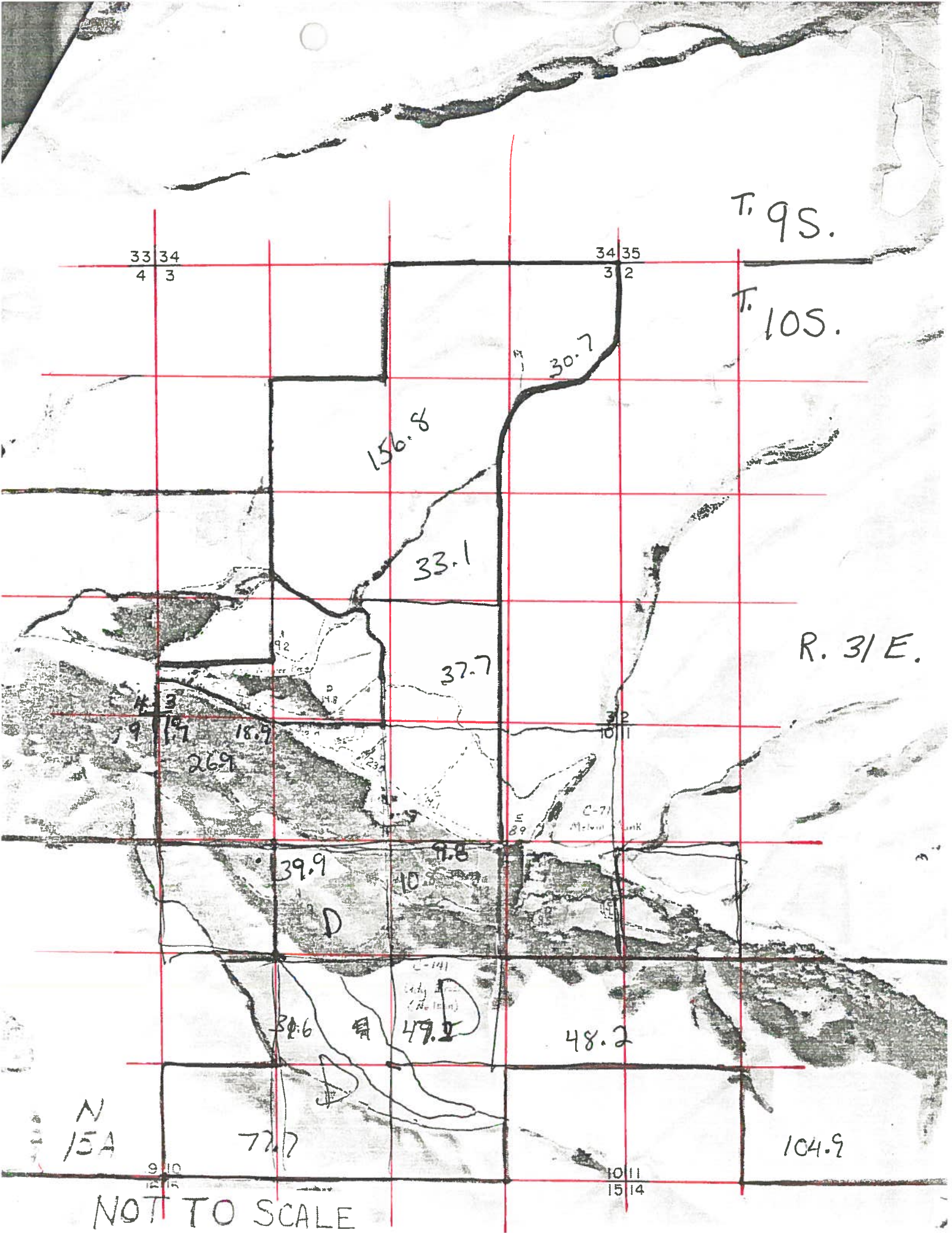
Storage
Bins

HATCH

Creek

Siphon

Spring



T. 9S.

T. 10S.

R. 31 E.

33 34
4 3

34 35
3 2

30.7

156.8

33.1

37.7

18.7
26.9

92

14.8

23.9

32
10 11

C-71
Melvin Link

39.9

9.8

10.5

D

C-141

City of
(No. 1000)

34.6

49.2

48.2

77.7

104.9

9 10
12 13

10 11
15 14

NOT TO SCALE

N
15A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:19:47
04/19/91

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A41-00021

MR 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	Y							
BASIS OF CLAIM								
REMARKS	Y							

"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 - A41-00021

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
ALLEN

JEFF

1 - P.O. BOX 311
2 -
3 -

City- ROCKLAND
Phone - 208-548-2603

State- ID Zip- 83271

+ - - Priority Date - - +
05/01/1883

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

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

+ - - - - Status - - - +

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

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

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

10S 31E 10 SE SW NE (77) POWER
10S 31E 10 SE SE NE (77) POWER

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

01 - IRRIGATION

04/01

11/01

1.000

+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.000 230.0

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

10S	31E	3	SW SW	10.0	01	IRRIGATION	(77) POWER
10S	31E	10	NW NE	7.0	01	IRRIGATION	(77) POWER
10S	31E	10	SW NE	20.0	01	IRRIGATION	(77) POWER
10S	31E	10	NE NW	25.0	01	IRRIGATION	(77) POWER
10S	31E	10	NW NW	25.0	01	IRRIGATION	(77) POWER
10S	31E	10	SE NW	5.0	01	IRRIGATION	(77) POWER

Total Acres: 92.0

+ - - Diversion Means - VIA DANIELSON DITCH (10") AND STANGER DITCH (40")

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A41-00022

+ - - - - Remarks - - - - - +
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.
CHANGE IN P/U OCCURRED PER UN-RECORDED TRANSFER AND P/U LISTED

Water right number - A41-00021

Prefix Translation: ADJUDICATION CLAIM

IN DECREE HAS NEVER BEEN IRRIGATED.

A4100021

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 - 04/06/90 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	- 04/05/1990	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	- S011826	Federal/State Indicator	- S
Claims Tape Error Flag	-	POU Ownership Flag	- Y	Presumption Flag	- D
Fee Exempt Flag	-	Name Connector	-		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:19:47
04/19/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A41-00021

LAST: ALLEN FIRST: JEFF
ADDRESS: P.O. BOX 311
CITY: ROCKLAND STATE: ID ZIP: 83271
PHONE NUMBER: 208-548-2603
OWNER CODE: C

FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS? Y

CLAIM REMARKS: 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.
CHANGE IN P/U OCCURRED PER UN-RECORDED TRANSFER AND P/U LISTED
IN DECREE HAS NEVER BEEN IRRIGATED.

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: # A41-00021 PRIORITY DATE: 05-01-1883 STAGE: D
B. WR RECORD: # 41-00021 PRIORITY DATE: 05-01-1883 STAGE: D

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

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

REMARKS:

RECOMMENDED PRIORITY DATE:
05-01-1883

REVIEWED BY _____ DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A41-00021	10S	31E	10	SE	SE	NE		POWER
A41-00021	10S	31E	10	SE	SW	NE		POWER

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX	MR RECORDS IN SAME 40 ACRE TRACT
A41-00022	NONE	41-00022
A41-00026		41-00026
A41-00048		
A41-10091		

SOURCE: ROCK CREEK, EAST FORK

TRIB: ROCK CREEK

B. WR POINT OF DIVERSION AND SOURCE:

4100021 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: ROCK CREEK, EAST FORK

TRIB: ROCK CREEK

C. FIELD EXAM REQUIRED?

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

REMARKS:

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

— — — — —
— — — — —

SOURCE: ROCK CREEK, EAST FORK TRIB: ROCK CREEK

REVIEWED BY: _____ DATE: _____

A. ROOT WATER RIGHT NUMBERS: A41-00021

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	31E	10	NW	NE		ALLEN, JEFF	A41-00021 / 7.0	41-00021 /			38.0
			NW	NE		BENCH DITCH IRRIGATION CO.	A41-00018 /28.5	-			
			NW	NE		ALLEN, JEFF	A41-00022 / 7.0	-			
			NW	NE		BENCH DITCH IRRIGATION CO.	A41-00023 /28.5	-			
			NW	NE		BENCH DITCH IRRIGATION CO.	A41-02001 /28.5	41-02001 /30.0			
			NW	NE		BENCH DITCH IRRIGATION CO.	A41-10009 /28.5	-			
			NW	NE		BENCH DITCH IRRIGATION CO.	A41-00020A /28.5	-			
			NW	NE		BENCH DITCH IRRIGATION CO.	A41-00031A /28.5	-			
			NW	NE		ALLEN, JEFF	A41-10027 /	-			
			NW	NE		ALLEN, JEFF	A41-10029 /	-			
			NW	NE		ALLEN, JEFF	R41-10027 /	-			
			NW	NE		BENCH DITCH USERS		41-00035 /			
10S	31E	10	SW	NE		ALLEN, JEFF	A41-00021 /20.0	41-00021 /			29.0
			SW	NE		ALLEN, JEFF	A41-00022 /20.0	-			
10S	31E	10	NW	NW		ALLEN, JEFF	A41-00021 /25.0	-			31.0
			NW	NW		ALLEN, JEFF	A41-00022 /25.0	-			
10S	31E	10	NE	NW		ALLEN, JEFF	A41-00021 /25.0	-			37.0
			NE	NW		BENCH DITCH IRRIGATION CO.	A41-00018 / 2.0	-			
			NE	NW		BENCH DITCH IRRIGATION CO.	A41-00023 / 2.0	-			
			NE	NW		BENCH DITCH IRRIGATION CO.	A41-02001 / 2.0	41-02001 /30.0			
			NE	NW		BENCH DITCH IRRIGATION CO.	A41-10009 / 2.0	-			
			NE	NW		BENCH DITCH IRRIGATION CO.	A41-00020A / 2.0	-			
			NE	NW		BENCH DITCH IRRIGATION CO.	A41-00031A / 2.0	-			
			NE	NW		ALLEN, JEFF	A41-00022 /25.0	-			
10S	31E	10	SE	NW		ALLEN, JEFF	A41-00021 / 5.0	41-00021 /			10.0
			SE	NW		ALLEN, JEFF	A41-00022 / 5.0	41-00022 /			
10S	31E	3	SW	SW		ALLEN, JEFF	A41-00021 /10.0	-			24.0
			SW	SW		BENCH DITCH IRRIGATION CO.	A41-00023 /17.0	41-00023 /			
			SW	SW		BENCH DITCH IRRIGATION CO.	A41-00018 /17.0	-			
			SW	SW		BENCH DITCH IRRIGATION CO.	A41-02001 /17.0	41-02001 /20.0			
			SW	SW		BENCH DITCH IRRIGATION CO.	A41-10009 /17.0	-			
			SW	SW		BENCH DITCH IRRIGATION CO.	A41-00020A /17.0	-			
			SW	SW		BENCH DITCH IRRIGATION CO.	A41-00031A /17.0	-			
			SW	SW		WEGNER, STEPHEN	A41-10138 /	-			
			SW	SW		ALLEN, JEFF	A41-00022 /10.0	-			
			SW	SW		BENCH DITCH USERS		41-00035 /			
TOTAL ACRES							A41-00021	92.00			169.00

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 Y FIELD EXAMINER

PRESUMPTION FLAG: D

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

A. AJ CLAIMED USES:

PURPOSES
A41-00021 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
1.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.000 CFS

B. WR RECORDED USES:

PURPOSES
41-00021 IRRIGATION

MONTH/DAY
FROM TO

DIVERSION QUANTITY
1.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.000 CFS

PRESUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

	FIELD 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)	Y

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: 1.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.000 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) N

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: A41-00022

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A41-00021	ROCK CREEK, EAST FORK	ALLEN, JEFF	1.000	0.010		
A41-00018	ROCK CREEK, EAST FORK	BENCH DITCH IRRIGATION CO.	0.200			
A41-00023	ROCK CREEK, EAST FORK	BENCH DITCH IRRIGATION CO.	0.200			
A41-02001	ROCK CREEK, EAST FORK	BENCH DITCH IRRIGATION CO.	9.000	0.010		
A41-10009	ROCK CREEK, EAST FORK	BENCH DITCH IRRIGATION CO.	9.500	0.010		
A41-00020A	ROCK CREEK, EAST FORK	BENCH DITCH IRRIGATION CO.	0.400			
A41-00031A	ROCK CREEK, EAST FORK	BENCH DITCH IRRIGATION CO.	0.100			

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A41-10027	DOMESTIC	ALLEN, JEFF	FROM 01-01 TO 12-31	.040 CFS	
A41-10027	STOCKWATER	ALLEN, JEFF	FROM 01-01 TO 12-31	.070 CFS	
A41-10029	DOMESTIC	ALLEN, JEFF	FROM 01-01 TO 12-31	.040 CFS	
A41-10029	STOCKWATER	ALLEN, JEFF	FROM 01-01 TO 12-31	.070 CFS	
R41-10027	DOMESTIC	ALLEN, JEFF	FROM 01-01 TO 12-31	.040 CFS	
R41-10027	STOCKWATER	ALLEN, JEFF	FROM 01-01 TO 12-31	.070 CFS	
A41-10138	DOMESTIC	WEGNER, STEPHEN	FROM 01-01 TO 12-31	.060 CFS	
A41-10138	STOCKWATER	WEGNER, STEPHEN	FROM 01-01 TO 12-31	.020 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 = 230.0 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.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 1.000	DATABASE EXAMINER	DATABASE EXAMINER 230.0
TOTAL FOR THIS RIGHT		1.000		230.0

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: 41-00021

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
A41-00021	A41-00021	1.000	-		41-00021	1.000

TOTAL CFS

1.000

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 sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:
SIGNATURE: _____ DATE: _____
NAME OF FIELD EXAMINER: _____ TITLE: _____

Water Right Number - 41-00021

Prefix Translation:

WATER RIGHT

Old (D) Number -

Last Name -

First Name -

Address -

*** C - CURENT OWNER ***
VALDEZ

GUADELUPE

1 -
2 -
3 -

City-
Phone -

State- Zip-

Priority Date - 05/01/1883

Region - 17 SOUTHERN

Stage - D - DECREED

Status -

Source - ROCK CREEK, EAST FORK

Tributary - ROCK CREEK

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

01 - IRRIGATION

1.000

Total Div. Rate - 1.000 Total Div. Volume - 1.000 Total Div. Capacity -

Twn	Rng	Sec	Tract	lot	Acres	Place of Use	Code	Description	County
10S	31E	10	NW NE			01	IRRIGATION		(77) POWER
10S	31E	10	SW NE			01	IRRIGATION		(77) POWER
10S	31E	10	SW NW			01	IRRIGATION		(77) POWER
10S	31E	10	SE NW			01	IRRIGATION		(77) POWER

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

- - - Remarks -

AC. IRR.=60.
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.

- - - Old Water Right Numbers -
No Old Water Right Numbers found.

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

WATER RIGHT

+ - Decree Date - +
06/06/1903

+ - - - - Comments - - - - +
No Comments Found

+ - - Audit fields - 01/27/87 05/28/88 CONVERT 09/25/90 CURTIS

+-----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	-	04/11/1983	Shan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	- P
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	- 41
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	06/06/1903	Presumption Flag	-			

AJ0721NP
(0D-21)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS BY PLACE OF USE

DATE: 05/23/91
PAGE: 1

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER	USE	CODE	WATER	LAST	O	STG	PRIORITY	WATER
			1\4	1\4					RIGHT	NAME	C		DATE	SOURCE
									NO.					
10S	31E	3	NW	SW	10.0	01,04			A41-00023	BENCH DITCH IRRIGA	C	D	03/15/1885	ROCK CREEK, EAST FORK
10S	31E	3	NW	SW	10.0	01,04			A41-00018	BENCH DITCH IRRIGA	C	D	05/15/1887	ROCK CREEK, EAST FORK
10S	31E	3	NW	SW	10.0	01,04			A41-02001	BENCH DITCH IRRIGA	C	L	09/14/1908	ROCK CREEK, EAST FORK
10S	31E	3	NW	SW	10.0	01,04			A41-10009	BENCH DITCH IRRIGA	C	D	05/10/1884	ROCK CREEK, EAST FORK
10S	31E	3	NW	SW	10.0	01,04			A41-00020A	BENCH DITCH IRRIGA	C	D	02/15/1879	ROCK CREEK, EAST FORK
10S	31E	3	NW	SW	10.0	01,04			A41-00031A	BENCH DITCH IRRIGA	C	D	10/01/1883	ROCK CREEK, EAST FORK
10S	31E	3	NW	SW	10.0	01,04			A41-00023	BENCH DITCH IRRIGA	C	D	03/15/1885	ROCK CREEK, EAST FORK
10S	31E	3	SW	SW	17.0	01,04			A41-00021	ALLEN	C	D	05/01/1883	ROCK CREEK, EAST FORK
10S	31E	3	SW	SW	10.0	01			A41-00018	BENCH DITCH IRRIGA	C	D	05/15/1887	ROCK CREEK, EAST FORK
10S	31E	3	SW	SW	17.0	01,04			A41-02001	BENCH DITCH IRRIGA	C	L	09/14/1908	ROCK CREEK, EAST FORK
10S	31E	3	SW	SW	17.0	01,04			A41-10009	BENCH DITCH IRRIGA	C	D	05/10/1884	ROCK CREEK, EAST FORK
10S	31E	3	SW	SW	17.0	01,04			A41-00020A	BENCH DITCH IRRIGA	C	D	02/15/1879	ROCK CREEK, EAST FORK
10S	31E	3	SW	SW	17.0	01,04			A41-00031A	BENCH DITCH IRRIGA	C	D	10/01/1883	ROCK CREEK, EAST FORK
10S	31E	3	SW	SW	17.0	01,04			A41-10138	WEGNER	C	J	03/15/1885	GROUNDWATER
										WEGNER	C			
										WEGNER	C			
										WEGNER	C			
10S	31E	3	SW	SW	43,04				A41-10138	WEGNER	C	J	03/15/1885	GROUNDWATER
										WEGNER	C			
										WEGNER	C			
										WEGNER	C			
10S	31E	3	SW	SW	43,04				A41-00022	ALLEN	C	D	10/01/1885	ROCK CREEK, EAST FORK
10S	31E	3	SE	SW	33.0	01,04			A41-00023	BENCH DITCH IRRIGA	C	D	03/15/1885	ROCK CREEK, EAST FORK
10S	31E	3	SE	SW	33.0	01,04			A41-00018	BENCH DITCH IRRIGA	C	D	05/15/1887	ROCK CREEK, EAST FORK
10S	31E	3	SE	SW	33.0	01,04			A41-02001	BENCH DITCH IRRIGA	C	L	09/14/1908	ROCK CREEK, EAST FORK
10S	31E	3	SE	SW	33.0	01,04			A41-10009	BENCH DITCH IRRIGA	C	D	05/10/1884	ROCK CREEK, EAST FORK
10S	31E	3	SE	SW	33.0	01,04			A41-00020A	BENCH DITCH IRRIGA	C	D	02/15/1879	ROCK CREEK, EAST FORK
10S	31E	3	SE	SW	33.0	01,04			A41-00023	BENCH DITCH IRRIGA	C	D	03/15/1885	ROCK CREEK, EAST FORK

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS BY PLACE OF USE

DATE: 05/23/91
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TWP	RNG	SECT	TRACT	LOT	ACRES	WATER	USE	CODE	WATER	LAST	STG	PRIORITY	WATER
			1\4	1\4					RIGHT	NAME		DATE	SOURCE
									NO.				
10S	31E	3	SE	SW	33.0				A41-00031A	BENCH DITCH IRRIGA	C	10/01/1883	ROCK CREEK, EAST FORK
10S	31E	3	SW	SE	12.9				A41-00023	BENCH DITCH IRRIGA	C	03/15/1885	ROCK CREEK, EAST FORK
10S	31E	3	SW	SE	12.9				A41-00018	BENCH DITCH IRRIGA	C	05/15/1887	ROCK CREEK, EAST FORK
10S	31E	3	SW	SE	12.9				A41-02001	BENCH DITCH IRRIGA	C	09/14/1908	ROCK CREEK, EAST FORK
10S	31E	3	SW	SE	12.9				A41-10009	BENCH DITCH IRRIGA	C	05/10/1884	ROCK CREEK, EAST FORK
10S	31E	3	SW	SE	12.9				A41-00020A	BENCH DITCH IRRIGA	C	02/15/1879	ROCK CREEK, EAST FORK
10S	31E	3	SW	SE	12.9				A41-00031A	BENCH DITCH IRRIGA	C	10/01/1883	ROCK CREEK, EAST FORK

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Southern Region Office

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS BY PLACE OF USE

TWP	RNG	SECT	TRACT 1\4 1\4	LOT	ACRES	WATER USE CODE	WATER RIGHT NO.	LAST NAME	O	STG	PRIORITY DATE	WATER SOURCE
10S	31E	10	NE NE		5.0	01	A41-00019	MUNK	C	D	05/01/1885	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		28.5	01,04	A41-00018	BENCH DITCH IRRIGA	C	D	05/15/1887	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		7.0	01	A41-00021	ALLEN	C	D	05/01/1883	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		7.0	01	A41-00022	ALLEN	C	D	10/01/1885	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		28.5	01,04	A41-00023	BENCH DITCH IRRIGA	C	D	03/15/1885	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		28.5	01,04	A41-02001	BENCH DITCH IRRIGA	C	L	09/14/1908	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		28.5	01,04	A41-10009	BENCH DITCH IRRIGA	C	D	05/10/1884	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		28.5	01,04	A41-00020A	BENCH DITCH IRRIGA	C	D	02/15/1879	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		28.5	01,04	A41-00031A	BENCH DITCH IRRIGA	C	D	10/01/1883	ROCK CREEK, EAST FORK
10S	31E	10	NW NE		43,04		A41-10027	ALLEN	C	J	05/01/1883	SPRINGS
10S	31E	10	NW NE		43,04		A41-10027	ALLEN	C	J	05/01/1883	SPRINGS
10S	31E	10	NW NE		43,04		A41-10029	ALLEN	C	J	07/05/1984	GROUNDWATER
10S	31E	10	NW NE		43,04		A41-10029	ALLEN	C	J	07/05/1984	GROUNDWATER
10S	31E	10	NW NE		20.0	01	A41-00021	ALLEN	C	D	05/01/1883	ROCK CREEK, EAST FORK
10S	31E	10	SW NE		20.0	01	A41-00022	ALLEN	C	D	10/01/1885	ROCK CREEK, EAST FORK
10S	31E	10	SW NE		43		A41-10049	MUNK	C	J	06/01/1971	GROUNDWATER
10S	31E	10	SE NE		43,04		A41-10052	MUNK	C	J	03/01/1883	SPRING
10S	31E	10	SE NE		43,04		A41-10052	MUNK	C	J	03/01/1883	SPRING
10S	31E	10	SE NE		25.0	01	A41-00019	MUNK	C	D	05/01/1885	ROCK CREEK, EAST FORK
10S	31E	10	SE NE		43		A41-10114	MUNK	C	J	04/01/1961	GROUNDWATER
10S	31E	10	NE NW		2.0	01,04	A41-00018	BENCH DITCH IRRIGA	C	D	05/15/1887	ROCK CREEK, EAST FORK
10S	31E	10	NE NW		25.0	01	A41-00021	ALLEN	C	D	05/01/1883	ROCK CREEK, EAST FORK
10S	31E	10	NE NW		2.0	01,04	A41-00023	BENCH DITCH IRRIGA	C	D	03/15/1885	ROCK CREEK, EAST FORK
10S	31E	10	NE NW		2.0	01,04	A41-02001	BENCH DITCH IRRIGA	C	L	09/14/1908	ROCK CREEK, EAST FORK

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Southern Region Office

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS BY PLACE OF USE

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TWP	RNG	SECT	TRACT 1\4 1\4	LOT	ACRES	WATER USE CODE	WATER RIGHT NO.	LAST NAME	O	STG	PRIORITY DATE	WATER SOURCE
10S	31E	10	NE NW		2.0	01,04	A41-10009	BENCH DITCH IRRIGA	C	D	05/10/1884	ROCK CREEK, EAST FORK
10S	31E	10	NE NW		2.0	01,04	A41-00020A	BENCH DITCH IRRIGA	C	D	02/15/1879	ROCK CREEK, EAST FORK
10S	31E	10	NE NW		2.0	01,04	A41-00031A	BENCH DITCH IRRIGA	C	D	10/01/1883	ROCK CREEK, EAST FORK
10S	31E	10	NE NW		25.0	01	A41-00022	ALLEN	C	D	10/01/1885	ROCK CREEK, EAST FORK
10S	31E	10	NW NW		25.0	01	A41-00021	ALLEN	C	D	05/01/1883	ROCK CREEK, EAST FORK
10S	31E	10	NW NW		25.0	01	A41-00022	ALLEN	C	D	10/01/1885	ROCK CREEK, EAST FORK
10S	31E	10	NW NW		5.0	01	A41-00021	ALLEN	C	D	05/01/1883	ROCK CREEK, EAST FORK
10S	31E	10	SE NW		5.0	01	A41-00022	ALLEN	C	D	10/01/1885	ROCK CREEK, EAST FORK

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Southern Region Office

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER USE CODE	WATER RIGHT NO.	LAST NAME	O	STG	PRIORITY DATE	WATER SOURCE
10S	32E	18	NW	NW	1	34	A41-07074	STATE OF IDAHO	C	P	09/12/1984	ROCK CREEK, EAST FORK

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VIN NELSON
MARILYN or
AN L. WILLIAMS

MARTIN L. MONK
ET-AL

T-78

Stephen E.
L. Williams
ET-AL

MARTIN L. MONK
ET-AL

STATE

T-149

Melvin & Mary
Monk Trust

T-210

STATE

MELVIN NELSON
C/O MARILYN or
DEAN L. WILLIAMS

MARTIN

NELSON

ILYN or
WILLIAMS

T-78

T-230

% Stephen E.
Werner
et al

NELSON
ILYN or
WILLIAMS

STATE

T-149

T-240

Melvin & Mary
Munk Trust

Melvin & Mary
Munk Trust



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

~~KECHLA ANDRUS~~

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

A41-00021 B

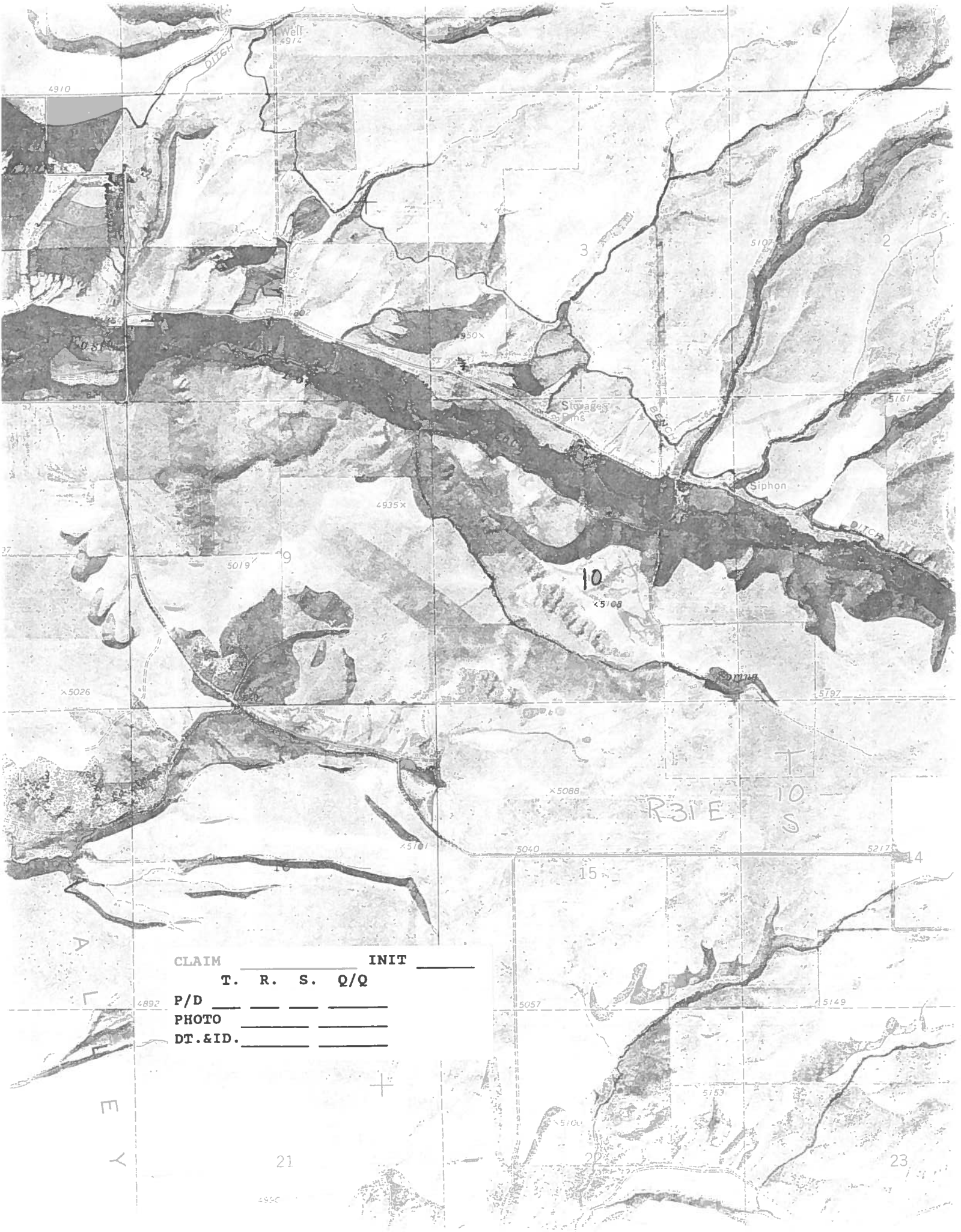
LISTING OF MAPS USED IN REVIEW OF THIS FILE

CLAIM NUMBER: _____.

DESCRIPTION OF MAP	ID NUMBERS	MAP DATE	COPY IN FILE?
ORTHOPHOTOQUAD (OPQ)	BB86	8-20-76	☒ YES / NO
ASCS MAP (Co. Assessor)	L17		☒ YES / NO
NAPP PHOTO	384-7 BB86 NW	7-31-87	YES / ☒ NO
BLM AERIAL			YES / NO
SUBDIVISION PLAT			YES / NO
TOPOGRAPHIC QUAD			YES / NO
GOVERNMENT LOT MAP			YES / NO
SCS SOILS MAP			YES / NO
OTHER:			
			YES / NO
			YES / NO
			YES / NO
			YES / NO
			YES / NO
			YES / NO

=====

REMARKS:



CLAIM _____ INIT _____
T. R. S. Q/Q

P/D _____
PHOTO _____
DT.&ID. _____



Photo:
R91-7
by SCE
7-7-94



Photo:
R91-7
Amy Sca
7-7-94

Photo:
R41-7
7-7-94
by SW

