

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: A41-00024A
Date Received: 2/09/1990
Receipt No: S011159
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EXCALIBUR RANCHES INC. 208-548-2311
Address: P.O. BOX 357
ROCKLAND, ID 83271

2. Date of Priority: MAR 12, 1881

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	5	NE	SW	SW		POWER

5. Description of diverting works:
VIA WOODS-TYLER DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 137.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	31E	31	SW	NW	2	IRR	11.2
			NW	SW	3	IRR	6.0
			SW	SW	4	IRR	7.3
			SE	SW		IRR	10.0

Section Acres 34.5

A41-00024A

Page 1

Date: 02/09/90

MICROFILM

MAR 04 1990

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	31E	6	SE	SW		IRR	20.5
Section Acres							20.5
Total Acres							55.0

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:
A41-00028 & A41-04006A

14. Remarks:
THIS CLAIM IS FOR A PORTION OF WR 41-00024. THIS WATER IS
COMBINED WITH OTHER WR'S AND USED IN ONE SYSTEM.

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 Organizations:

I do solemnly swear or affirm that I am V.P. of _____ Title

Excelsior Ranches Inc. Organization, that I have signed the foregoing document in the space below as _____ Title

Excelsior Ranches Inc. Organization and that the statements contained in the foregoing document are true and correct.

Merrill H. Herman
Signature of Authorized Agent

V.P. Excelsior Ranches Inc.
Title and Organization

9 Feb. 1990
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of February 1990
Sturcell
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

R30E

R31E

30 29
31 32



577
Palphs
T95

T105
BFR Farms
(Ray Palphs)

#217
Dan Palphs

L-182
R

Not To Scale

MICROFILME

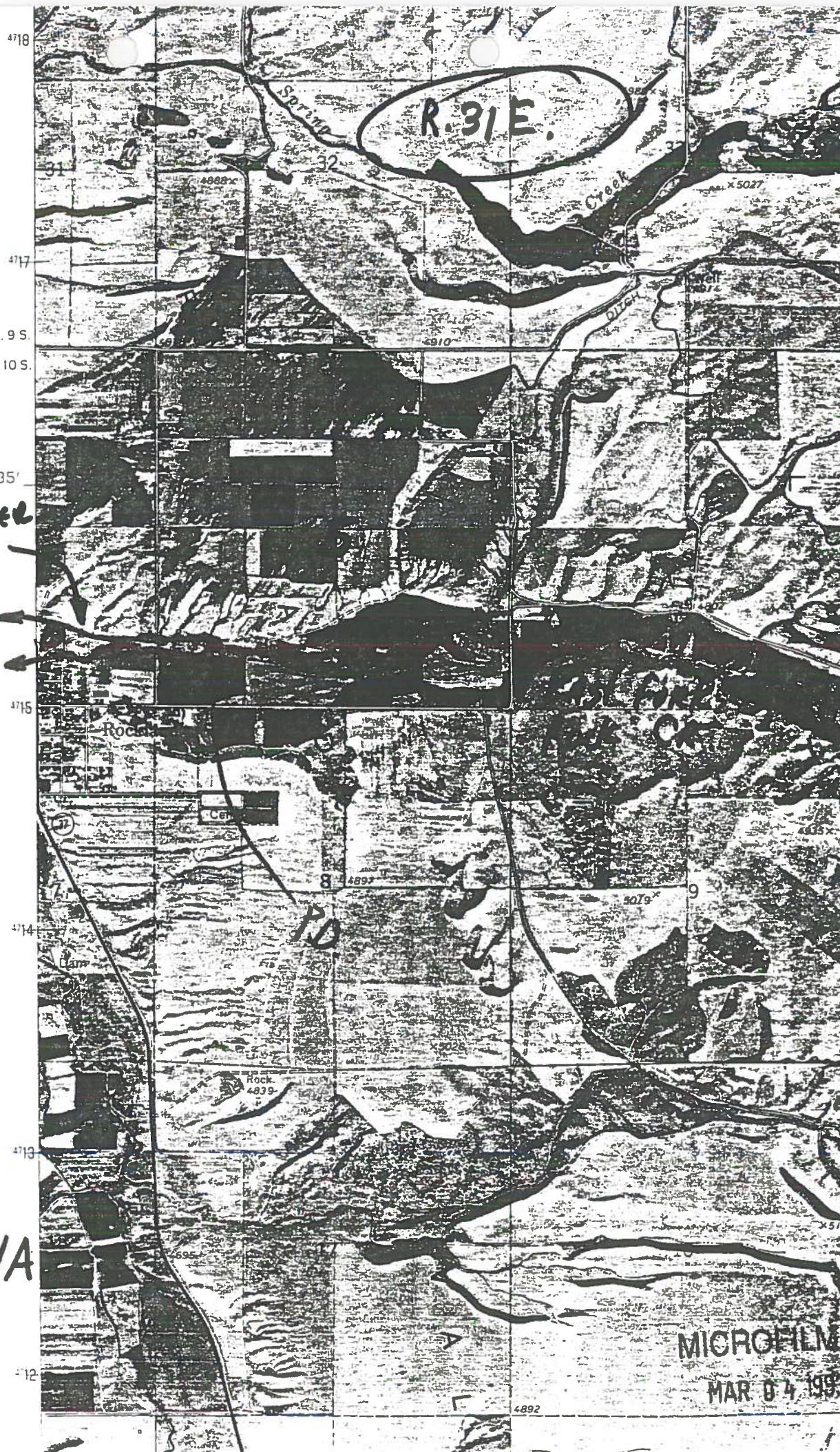
A41-00024A

MAR 04 1993

T9S
T10S

Woods-Tyler
Ditch

A41-00024A



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Section Acres 34.5

A41-00024A

Page 1

Date: 02/09/90

MICROFILME

MAR 04 1993

10. Place of Use: Continued

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HOUTZ

Decree Plaintiff

vs

ET AL.

Decree Defendant

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Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am V.P. of
Title
Excelsior Rancher Inc., that I have signed the foregoing
Organization
document in the space below as V.P. of
Title
Excelsior Rancher Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

Mendel H. German
Signature of Authorized Agent

V.P. Excelsior Rancher Inc.
Title and Organization

9 Feb. 1990
Date

State of Idaho)
County of Twinn Falls) SS.

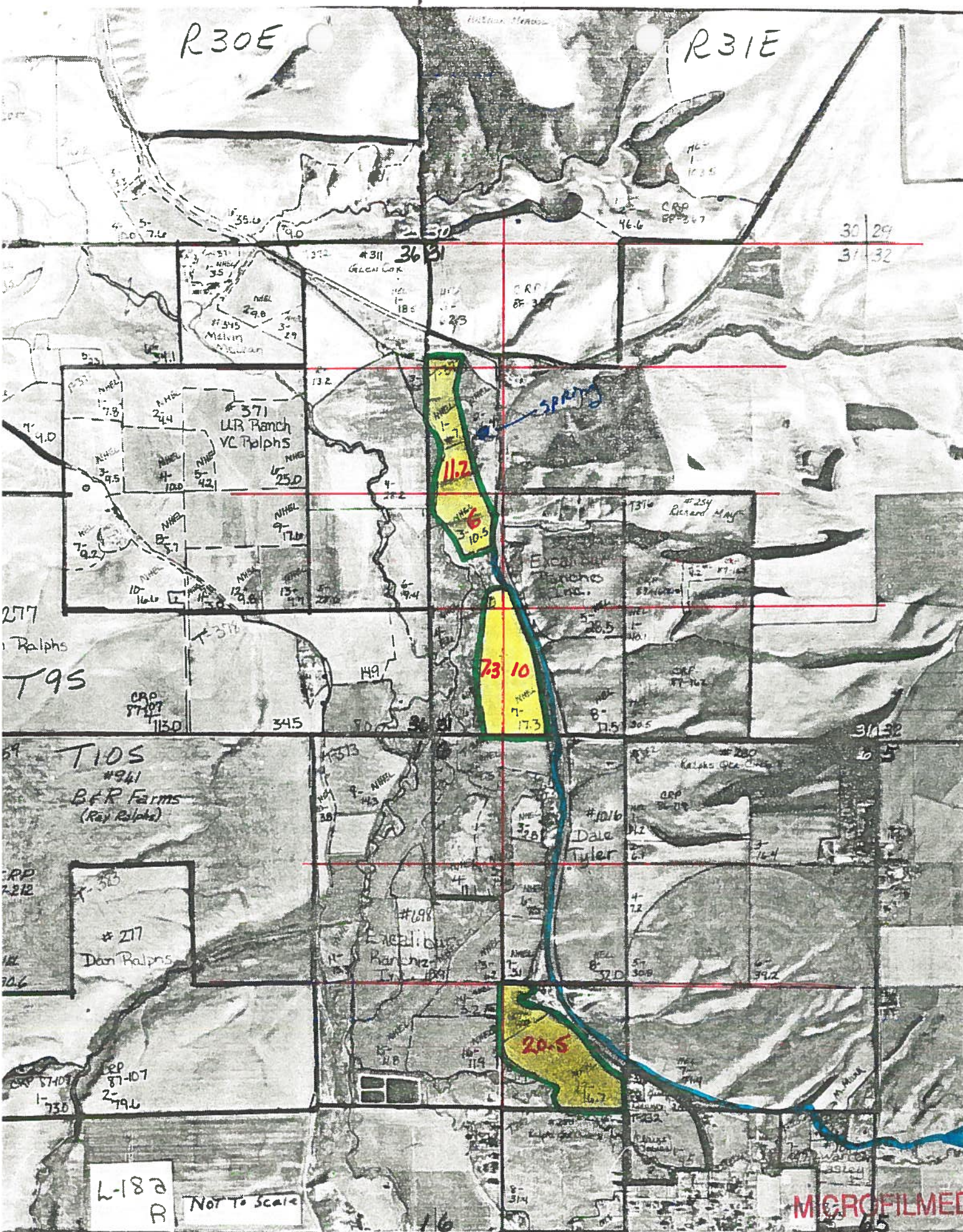
Subscribed and sworn (or affirmed) before me this 9th day
of February 1990
Sturcell
Notary Public

Seal

Residing at Twinn Falls
My Commission Expires Dec 7, 1994

R30E

R31E



L-182
R

NOT TO SCALE

MICROFILMED

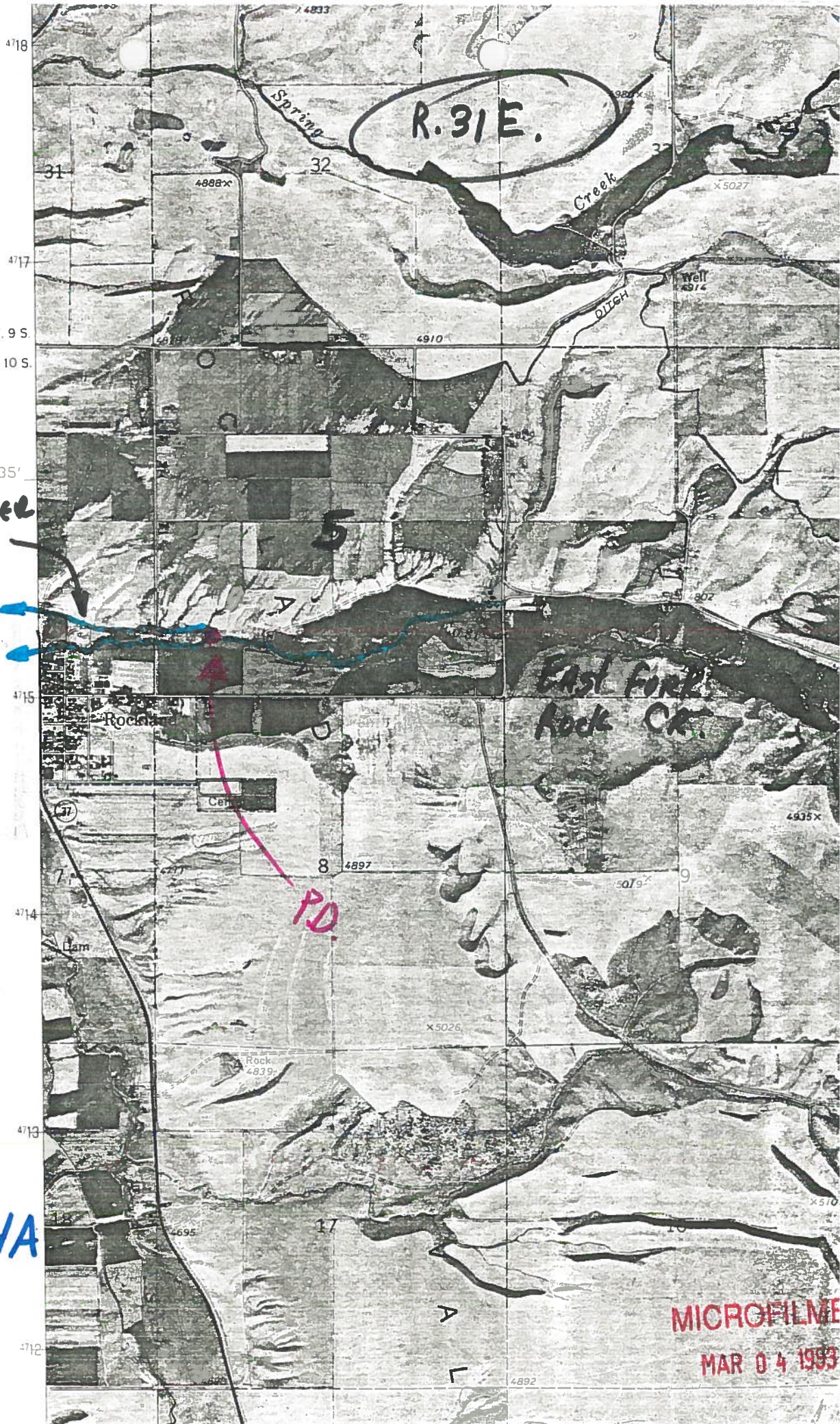
MAR 04 1993

A41-00024A

T9S
T10S

Woods-Tyler
Ditch

A41-00024A



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ROCKLAND, ID 83271
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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 | 5 | NE | SW | SW | | POWER |
5. Description of diverting works:
VIA WOODS-TYLER DITCH
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.400 | | |
7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 137.5 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

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A41-00024A

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Date: 02/09/90

MICROFILM

MAR 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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Section Acres						20.5
Total Acres						55.0

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Decree Plaintiff

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Merrill H. Herman
Signature of Authorized Agent

V.P. Excelsior Rancher Inc.
Title and Organization

9 Feb. 1990
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of February 1990
Shirley
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

R31E



MAR 04 1993

A44-00024A

T9S
T10S

woods-Tyler
Ditch —

A41-00024A

MICROFILM
MAR 04 1993

Claim No. A41-00024A

IDWR Employee/Agent: Steve Clelland

12/14/99 12:15 PM

RE:

APPT.

OBJ. TO RECOMMENDATION

He wanted to go over the details of his recommendation in B41. I explained the reasoning behind my recommendations as based on the decree and the claims. I told him he is welcome to try and overcome the limits set out in the decree if he chooses but I am not able to do so. I gave him copies of the Obj. forms and offered any assistance necessary to review the files again or provide copies.

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: 41-07011

EXCALIBUR RANCHES INC

~~C/O HAROLD PERMANN~~

~~PO BOX 173~~

ROCKLAND ID 83271

P.O. Box 387

CHANGE OF
ADDRESS

for ALL
CLAIMS:

- 10018

- 7011

- 0027C

- 0024A

- 0028

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: _____

EXCALIBUR RANCHES INC by ALAN L PERMANN

IDWR Southern Regional Office, 1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380, (208) 736-3033

Change of Address: 10/22/99 see

A41-00024A

Water Right Number - R41-00024A

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
EXCALIBUR RANCHES INC1 - PO BOX 357
2 -
3 -
City- ROCKLAND
Phone - 208-548-2311

State- ID Zip- 83271

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/12/1881 17 SOUTHERN 0 - DECEED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
ROCK CREEK, EAST FORK ROCK CREEK+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

10S 31E 5 NW SW SW (77) POWER TYLER DITCH

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

01 - IRRIGATION

04/01

10/31

0.400

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.400+ - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

| | | | | | | | | | |
|-----|-----|----|-------|---|------|----|------------|------|-------|
| 09S | 31E | 31 | NW NW | 1 | 0.5 | 01 | IRRIGATION | (77) | POWER |
| 09S | 31E | 31 | SW NW | 2 | 10.0 | 01 | IRRIGATION | (77) | POWER |
| 09S | 31E | 31 | NE SW | | 0.6 | 01 | IRRIGATION | (77) | POWER |
| 09S | 31E | 31 | NW SW | 3 | 7.5 | 01 | IRRIGATION | (77) | POWER |
| 09S | 31E | 31 | SW SW | 4 | 5.5 | 01 | IRRIGATION | (77) | POWER |
| 09S | 31E | 31 | SE SW | | 11.0 | 01 | IRRIGATION | (77) | POWER |
| 10S | 31E | 6 | NE NW | | 0.6 | 01 | IRRIGATION | (77) | POWER |
| 10S | 31E | 6 | NW NW | | 0.3 | 01 | IRRIGATION | (77) | POWER |
| 10S | 31E | 6 | SE SW | | 19.0 | 01 | IRRIGATION | (77) | POWER |

Total Acres: 55.0

+ - - Diversion Means - VIA TYLER DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 41-00028

+ - - - - - - - - - - - - - Remarks - - - - - +

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20.0 ACRES WITHIN

[illegible]

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

5

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|--|------------------|------------|-----------------------|-------------------|---------------------|
| C | EXCALIBUR RANCHES INC
PO BOX 357
ROCKLAND ID 83271
(208) 548-2311 | 03/12/1881 | IRRIGATION | 04-01 10-31 | 0.40 CFS | |
| | | | | TOTAL DIVERSION: | 0.40 CFS | |

| Water Source: | ROCK CREEK, EAST FORK | Tributary to: | ROCK CREEK | Stage: | DECREED |
|---------------------|-----------------------|---------------|------------|--------|---------|
| Point of Diversion: | T10S R31E S05 | NW1/4SW | | POWER | County |

[illegible]

POW County: POWER

Other Rights: 41-00028

Remarks: POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20.0 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

| Dates: | Exam Made Date: | Verified Date: | Objection Filed Date: |
|--------|-----------------|----------------|-----------------------|
| | | 06/10/1999 | |

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

IDAHO DEPT OF WATER RESOURCES

41-00024A & 41-00028



660 0 660 1320 Feet

RECOMMENDED PLACE OF USE

- ◉ POINT OF DIVERSION
- ~ SECTION LINES
- 1/4 - 1/4 LINES

T9S R31E SEC. 31
T10S R31E SEC. 6



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

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

CLAIM NUMBER

A41-00028

DATE

4/23/99

TRANSFER NUMBER

A41-00024A

AGENT

TJ

CLAIMED ACRE TOTAL

55

GIS ACRE TOTAL

54

| | TWP | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | |
|-------|-----|-----|-----|----|----|----|----|-----|-----|------|----|-----|-----|-----|----|----|----|----|----|
| | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| CLAIM | 9S | 31E | 31 | | | | | | | 11.2 | | | 6 | 7.3 | 10 | | | | |
| GIS | | | | | | | | .5 | 9.5 | | | .6 | 7.5 | 5.4 | 11 | | | | |
| RECOM | | | | | | | | 0.5 | 10 | | | .6 | 7.5 | 5.5 | 11 | | | | |
| CLAIM | 10S | 30E | 6 | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | .6 | .2 | | | .19 | | | | | | | |
| RECOM | 10S | 31E | 6 | | | | | .6 | .3 | | | .19 | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |

B41-POU.SHP

* Note wrong range (should be 31E). ✓

SHAPE NOS.

94

North pou = 17 AC

95

Mid pou = 18 AC

93

South pou = 19 AC

see attached interview sheet of 6/10/99 sc

B41-POD.SHP

* Re'il 55 AC as claimed & shown.

NOS. DESCRIPTION

10

TYLER DITCH: T10S R31E S5, NWSWSW

DBF TABLES UPDATED

B41-DBPOU.DBF

B41-DBPOD.DBF

JPEG LAYOUT

41-00024A.jpg

Preliminary — Revised 6/10/99 sc

6/10/99
su

POU Review of: A41-00024A
A41-00028

| | | | | |
|-------|------|-------|-------|---------------|
| - 24A | 0.40 | (20") | 55 ac | 55 |
| - 28A | 0.80 | (40") | 55 ac | |
| | | 60" | | |

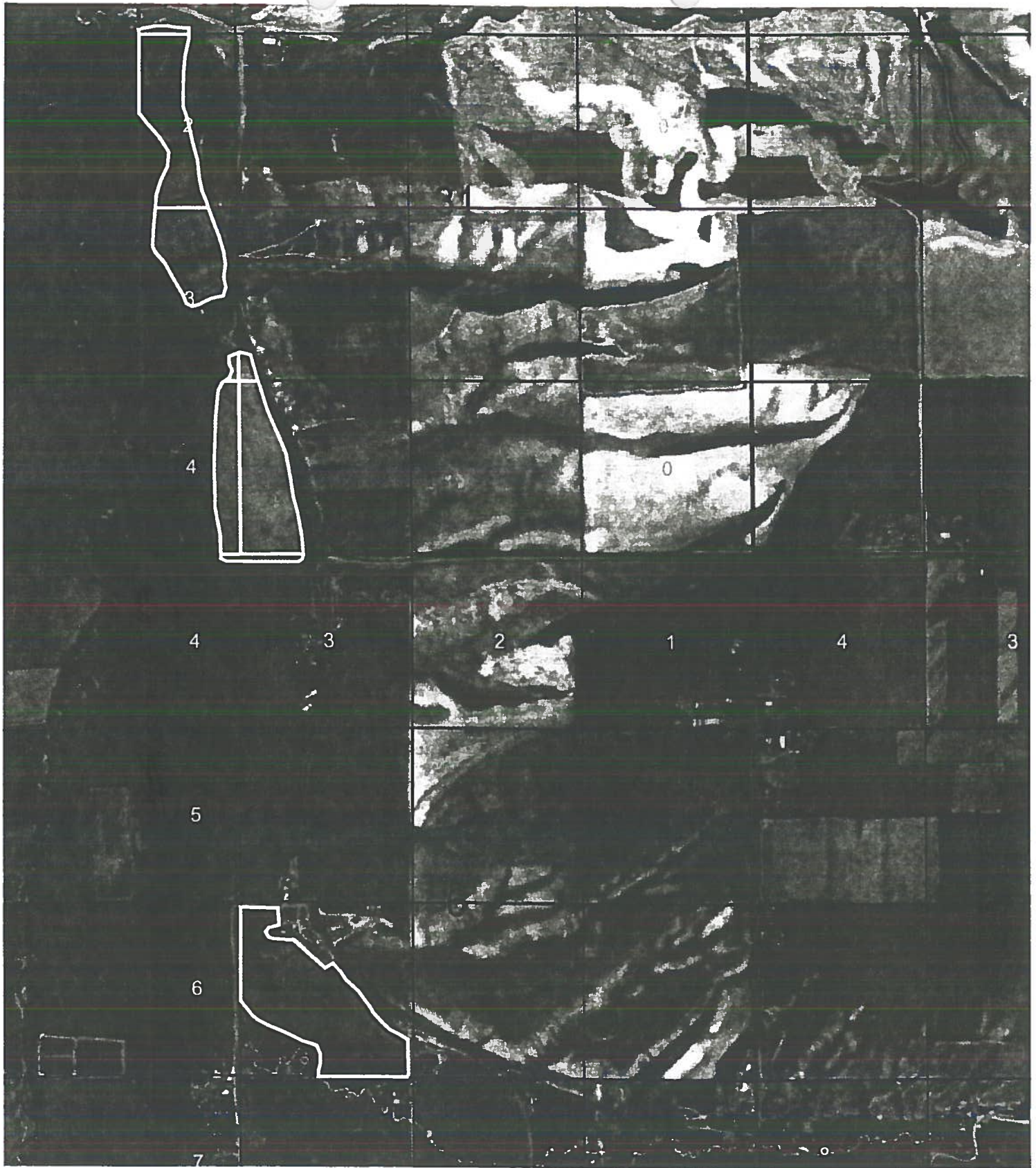
→ duty of water as decreed
limits pou to 60 ac.

While I did not meet w/ claimant specifically to
Review the SRBA claims I did observe this land and
all surrounding parcels during the summers of 1994 & 1995

Allow decreed duty of water on 55 acres, = 55"
therefore, 5" deducted from the latest priority right;
June 15, 1883 (41-00028).

Recommendation:

| | | | |
|-------|------|-------|---------------------------|
| - 24A | 0.40 | (20") | limit to 20 ac. in P.P.U. |
| - 28 | 0.70 | (35") | " " 35 ac. in P.P.U. |



1320 0 1320 2640 3960 Feet

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

-000Z4A
41-00028
Field Copy

T09S R31E S31
T10S R31E S6





660 0 660 1320 Feet

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

A41-00024A
A41-00028
Field Copy

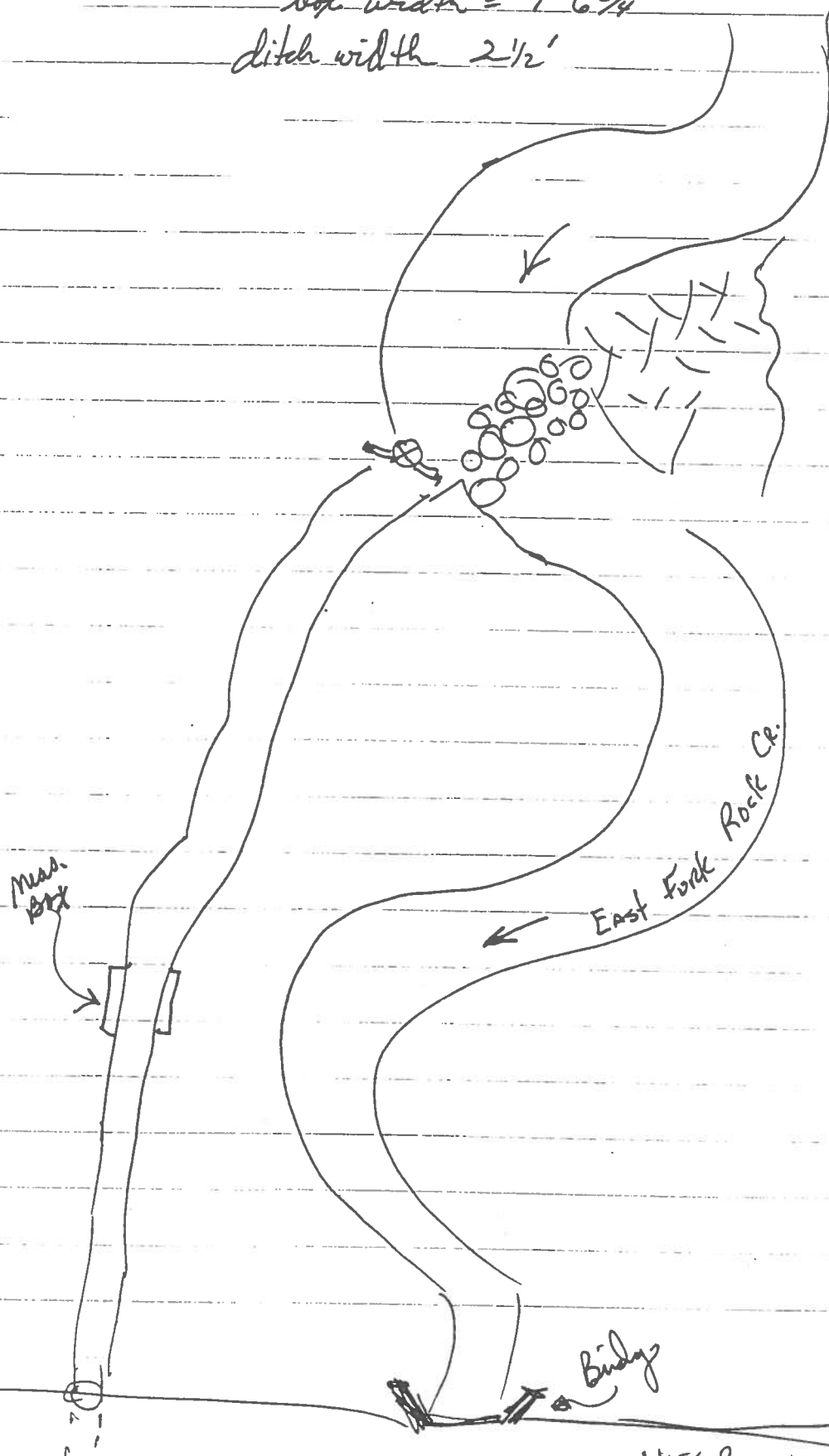
T9S R31E



7-21-94

TYLER DITCH

box width = $1'6\frac{3}{4}"$
ditch width $2\frac{1}{2}'$





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

~~KEITH 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

A41-000024

| 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 | Y | | | | | | | |
| CONSUMPTIVE USE | - | | | | | | | |
| PURPOSES | | | | | | | | |
| PERIOD OF USE | Y | | | | | | | |
| BASIS OF CLAIM | Y | | | | | | | |
| 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 - A41-00024A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***
EXCALIBUR RANCHES INC.
Last Name - First Name - Address -
1 - P.O. BOX 357
2 -
3 -
City- ROCKLAND
Phone - 208-548-2311
State- ID Zip- 83271

Priority Date - 03/12/1881
Region - 17 SOUTHERN
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 5 NE SW SW (77) POWER

Code Description Period from Period to Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.400

Total Div. Rate - 0.400
Total Div. Volume -
Total Div. Capacity -
Total Consumptive Use - 137.5
KW Usage -

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Code | Description | County |
|-----|-----|-----|-------|-----|-------|--------------|------|-------------|------------|
| 09S | 31E | 31 | SW NW | 2 | 11.2 | | 01 | IRRIGATION | (77) POWER |
| 09S | 31E | 31 | NW SW | 3 | 6.0 | | 01 | IRRIGATION | (77) POWER |
| 09S | 31E | 31 | SW SW | 4 | 7.3 | | 01 | IRRIGATION | (77) POWER |
| 09S | 31E | 31 | SE SW | | 10.0 | | 01 | IRRIGATION | (77) POWER |
| 10S | 31E | 6 | SE SW | | 20.5 | | 01 | IRRIGATION | (77) POWER |

Total Acres: 55.0

- - - Diversion Means - VIA WOODS-TYLER DITCH

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - A41-00028 & A41-04006A

Remarks -
THIS CLAIM IS FOR A PORTION OF WR 41-00024. THIS WATER IS
COMBINED WITH OTHER WR'S AND USED IN ONE SYSTEM.

A4100024
Old Water Right Numbers -

No Conditions of Approval found.

ET AL.

00/00/0000

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 | - | 02/09/1990 | 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 | - | S011159 | Federal/State Indicator | - | S |
| Claims Tape Error Flag | - | | POU Ownership Flag | - | Y | Presumption Flag | - | D |
| Fee Exempt Flag | - | | Name Connector | - | | | | |

LAST: EXCALIBUR RANCHES INC.
ADDRESS: P.O. BOX 357
CITY: ROCKLAND
PHONE NUMBER: 208-548-2311

FIRST:
STATE: ID ZIP: 83271

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS CLAIM IS FOR A PORTION OF WR 41-00024. THIS WATER IS
COMBINED WITH OTHER WR'S AND USED IN ONE SYSTEM.

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: # A41-00024A PRIORITY DATE: 03-12-1881 STAGE: D

B. WR RECORD: # 41-00024 PRIORITY DATE: 03-12-1881 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE N FIELD EXAMINER

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

REMARKS:

RECOMMENDED PRIORITY DATE:
03-12-1881

REVIEWED BY DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|------------|------|------|------|-----|-----|-----|-----|-------|
| A41-00024A | 10S | 31E | 5 | NE | SW | SW | | POWER |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A41-00028
A41-00032C
A41-00002A

WR RECORDS IN SAME 40 ACRE TRACT

41-00027B
41-00028
41-00033
41-00034

SOURCE: ROCK CREEK, EAST FORK

TRIB: ROCK CREEK

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|-------|
| 41-00024 | 10S | 31E | 6 | SW | SE | | | POWER |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

41-00002

A41-00034A
A41-10128
A41-00032F

NONE

SOURCE: ROCK CREEK, EAST FORK

TRIB: ROCK CREEK

C. FIELD EXAM REQUIRED?

| | DUE TO POD DISCREPANCY?
(Y/N) | DATABASE
Y | FIELD
EXAMINER |
|--|----------------------------------|---------------|-------------------|
| | | 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: A41-00024A
A41-00024B

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | MR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|--------------------------------|------------------|---------------|-----------------|----------------|------------------|
| 10S | 31E | 6 | SE | SW | | EXCALIBUR RANCHES INC. | A41-00024A /20.5 | - | / | | 41.0 |
| | | | SE | SW | | ROCKLAND WATER AND SEWER ASSOC | A41-04023 / | - | / | | |
| | | | SE | SW | | CITY OF ROCKLAND | A41-00002B / 5.0 | - | / | | |
| | | | SE | SW | | CITY OF ROCKLAND | A41-00025C / 5.0 | - | / | | |
| | | | SE | SW | | CITY OF ROCKLAND | A41-00032F / 5.0 | - | / | | |
| | | | SE | SW | | RALPHS , REYNOLD | A41-00024B /31.4 | - | / | | |
| | | | SE | SW | | MOSS , NORMAN K. | A41-10141 / | - | / | | |
| | | | SE | SW | | WOOD , HEBER C. | | 41-00024 | / | | |
| 09S | 31E | 31 | SW | NW | 2 | EXCALIBUR RANCHES INC. | A41-00024A /11.2 | - | / | | 16.0 |
| | | | SW | NW | 2 | EXCALIBUR RANCHES INC. | A41-00028 /11.2 | 41-00028 | / | | |
| | | | SW | NW | | ROBINSON , GORDON FRED | | 41-04033 | / 9.0 | | |
| 09S | 31E | 31 | NW | SW | 3 | EXCALIBUR RANCHES INC. | A41-00024A / 6.0 | - | / | | 20.0 |
| | | | NW | SW | 3 | EXCALIBUR RANCHES INC. | A41-00028 / 6.0 | 41-00028 | / | | |
| 09S | 31E | 31 | SW | SW | 4 | EXCALIBUR RANCHES INC. | A41-00024A / 7.3 | - | / | | 20.0 |
| | | | SW | SW | 4 | EXCALIBUR RANCHES INC. | A41-00028 / 7.3 | 41-00028 | / | | |
| 09S | 31E | 31 | SE | SW | | EXCALIBUR RANCHES INC. | A41-00024A /10.0 | - | / | | 40.0 |
| | | | SE | SW | | EXCALIBUR RANCHES INC. | A41-00028 /10.0 | 41-00028 | / | | |
| | | | SE | SW | | EXCALIBUR RANCHES INC. | A41-07011 /23.0 | 41-07011 | /25.0 | | |
| TOTAL ACRES | | | | | | A41-00024A | 55.00 | | | | 137.00 |

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

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

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.400 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: A41-00028 & A41-04006A

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|-----------------------|------------------------|-----------|----------------|-----------|----------------|
| A41-00024A | ROCK CREEK, EAST FORK | EXCALIBUR RANCHES INC. | 0.400 | 0.007 | | |
| A41-00002B | ROCK CREEK, EAST FORK | CITY OF ROCKLAND | 0.100 | 0.001 | | |
| A41-00032F | ROCK CREEK, EAST FORK | CITY OF ROCKLAND | 0.680 | 0.007 | | |
| A41-00024B | ROCK CREEK, EAST FORK | RALPHS, REYNOLD | 1.000 | 0.031 | | |
| | SPLIT RIGHT | | | | | |
| A41-00028 | ROCK CREEK, EAST FORK | EXCALIBUR RANCHES INC. | 0.800 | 0.014 | | |
| A41-07011 | GROUNDWATER | EXCALIBUR RANCHES INC. | 0.310 | 0.006 | 150.60 | 3.20 |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|-----------|--------------------------------|---------------------|----------|--------|
| A41-04023 | MUNICIPAL | ROCKLAND WATER AND SEWER ASSOC | FROM 01-01 TO 12-31 | .670 CFS | |
| A41-10141 | DOMESTIC | MOSS, NORMAN K. | FROM 01-01 TO 12-31 | .040 CFS | |

A. AD CLAIMED USES:

PURPOSES
A41-00024A IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
.400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.400 CFS

B. WR RECORDED USES:

PURPOSES
41-00024 IRRIGATION

MONTH/DAY
FROM TO

DIVERSION QUANTITY
1.400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.400 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) | Y |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

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 = 137.5 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 11-01 | 0.400 | | 137.5 |
| TOTAL FOR THIS RIGHT | | 0.400 | | 137.5 |

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: 41-00024

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.400

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| A41-00024 | A41-00024A | 0.400 | - | | 41-00024 | 1.400 |
| - | A41-00024B | 1.000 | - | | - | |

TOTAL CFS 1.400

1.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)

DATABASE
N

FIELD
EXAMINER

IF NO, is the written review sheet attached? (Y/N)

REMARKS:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

A41-00024A

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Steve Clelland

12/14/99 12:15 PM

NAME:

RE:

MERRILL PERMANN

APPT.

OBJ. TO RECOMMENDATION

He wanted to go over the details of his recommendation in B41. I explained the reasoning behind my recommendations as based on the decree and the claims. I told him he is welcome to try and overcome the limits set out in the decree if he chooses but I am not able to do so. I gave him copies of the Obj. forms and offered any assistance necessary to review the files again or provide copies.

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: 41-07011

EXCALIBUR RANCHES INC

~~C/O HAROLD PERMANN~~

~~PO BOX 173~~

ROCKLAND ID 83271

P.O. BOX 387

CHANGE OF
ADDRESS

for ALL
CLAIMS:

- 10018

- 7011

- 0027C

- 0024A

- 0028

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: _____

EXCALIBUR RANCHES INC by ALAN L PERMANN

IDWR Southern Regional Office, 1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380, (208) 736-3033

Change of Address: 10/22/99 see

A41-00024A

Water Right Number - R41-00024A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - - - - First Name - - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

EXCALIBUR RANCHES INC

1 - PO BOX 357

2 -

3 -

City- ROCKLAND

State- ID Zip- 83271

Phone - 208-548-2311

+ - - Priority Date - - +

03/12/1881

+ - - Region - - - +

17 SOUTHERN

+ - - Stage - - - +

D - DECREE

+ - - Status - - - +

+ - - Source - - - - +

ROCK CREEK, EAST FORK

+ - - Tributary - - - - +

ROCK CREEK

+ - - Point of Diversion - - - - - +

| Twn | Rng | Sec | Tract | Lot | Rflg | County | TYLER DITCH |
|-----|-----|-----|----------|-----|------|--------|-------------|
| 10S | 31E | 5 | NW SW SW | | (77) | POWER | |

+ - - Description - - - - - +

Water Use - - - - - +

Period From - - - - - +

Period To - - - - - +

Diversion Rate - - - - - +

Diversion Volume - - - - - +

01 - IRRIGATION

04/01

10/31

0.400

+ - Total Div. Rate - +

0.400

+ - Total Div. Volume - +

+ - Total Consumptive Use - +

0.0

+ - KW Usage - +

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|------------|
| 09S | 31E | 31 | NW NW | 1 | 0.5 | 01 | IRRIGATION | (77) POWER |
| 09S | 31E | 31 | SW NW | 2 | 10.0 | 01 | IRRIGATION | (77) POWER |
| 09S | 31E | 31 | NE SW | | 0.6 | 01 | IRRIGATION | (77) POWER |
| 09S | 31E | 31 | NW SW | 3 | 7.5 | 01 | IRRIGATION | (77) POWER |
| 09S | 31E | 31 | SW SW | 4 | 5.5 | 01 | IRRIGATION | (77) POWER |
| 09S | 31E | 31 | SE SW | | 11.0 | 01 | IRRIGATION | (77) POWER |
| 10S | 31E | 6 | NE NW | | 0.6 | 01 | IRRIGATION | (77) POWER |
| 10S | 31E | 6 | NW NW | | 0.3 | 01 | IRRIGATION | (77) POWER |
| 10S | 31E | 6 | SE SW | | 19.0 | 01 | IRRIGATION | (77) POWER |

Total Acres: 55.0

+ - - Diversion Means - VIA TYLER DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 41-00028

+ - - Remarks - - - - - +

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20.0 ACRES WITHIN

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Prefix Translation: RESEARCH

Water right number - R41-00024A

+ - - - - - Remarks - - - - - +

THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NOS. 41-00028 & 41-10235 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 55 ACRES IN A
A SINGLE IRRIGATION SEASON.

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

A4100024

+ - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - + Decree Defendant - - - + Decree Date - - - +

HOUTZ ET AL.

+ - - - - - Comments - - - - - +

Date: 06/10/1999 User Id: SCLELLAN Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR A PORTION OF WR 41-00024. THIS WATER IS COMBINED WITH OTHER WR'S AND USED IN ONE SYSTEM.

+ - - - - - Audit Fields - - - +

10/14/99 DJONES

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

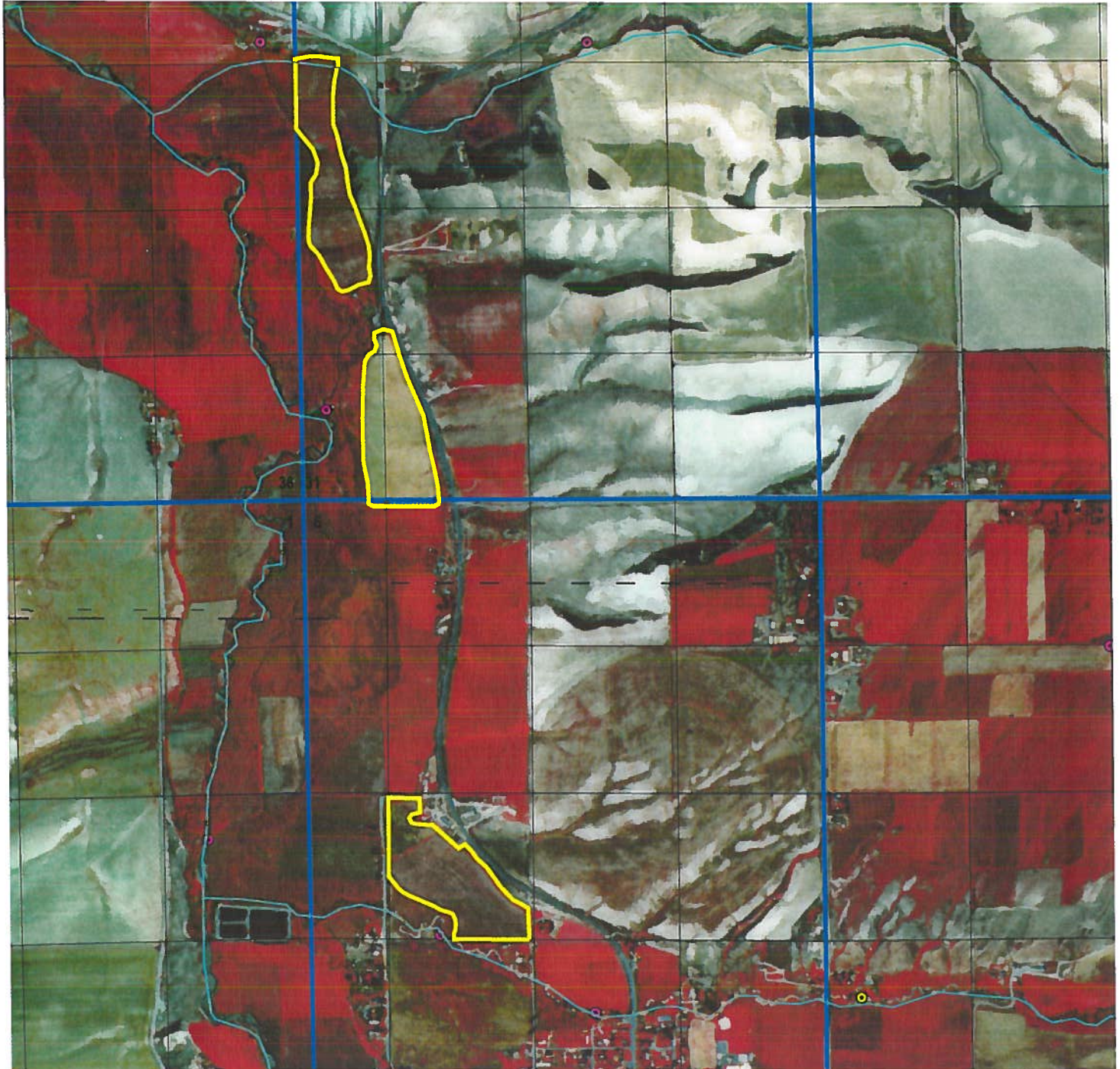
| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 02/09/1990 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S011159 | Water District | - 41 |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - D |
| | | | | Notice of Error Flag | - |

DATE: 06/10/99
PAGE: 1

Field Inspection Flag: D
Presumption Flag:

IDAHO DEPT OF WATER RESOURCES

41-00024A & 41-00028



660 0 660 1320 Feet

T9S R31E SEC. 31
T10S R31E SEC. 6



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

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

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

CLAIM NUMBER A41-00028 DATE 4/23/99
A41-00024A AGENT TJ

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 55
 GIS ACRE TOTAL 54.3

| | TWP | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | |
|-------|-----|-----|-----|----|----|----|----|-----|----|------|----|------|-----|-----|----|----|----|----|----|-----|
| | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| CLAIM | 9S | 31E | 31 | | | | | | | 11.2 | | | 6 | 7.3 | 10 | | | | | 34. |
| GIS | | | | | | | | .41 | .5 | 9.5 | | .6 | 7.5 | 5.4 | 11 | | | | | 34. |
| RECOM | | | | | | | | 0.5 | 10 | | | .6 | 7.5 | 5.5 | 11 | | | | | 35. |
| CLAIM | 10S | 30E | 6 | | | | | | | | | 20.5 | | | | | | | | 20. |
| GIS | | | | | | | | .6 | .2 | | | 19 | | | | | | | | 19. |
| RECOM | 10S | 31E | 6 | | | | | .6 | .3 | | | 19 | | | | | | | | 19. |
| CLAIM | | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | | |

B41-POU.SHP

** Note wrong range (should be 31E). ✓*

SHAPE NOS.

94 North Pou = 17ac
 95 Mid pou = 18ac
 93 South pou = 19ac

see attached view sheet of 6/10/99 sa

B41-POD.SHP

** Re'd 55 AC as claimed & shown.*

NOS. DESCRIPTION

10 TYLER DITCH: T10S R31E S5, NWSWSW

DBF TABLES UPDATED

B41-DBPOU.DBF

✓ 3/10/00 sa

B41-DBPOD.DBF

JPEG LAYOUT

✓ 41-00024A.jpg

Preliminary — Revised 6/10/99 sa

6/10/99
SC

POU Review of: A41-00024A
A41-00028

- 24A 0.40 (20") 55 AC ~~Im~~

- 28A 0.80 (40") 55 AC

60"

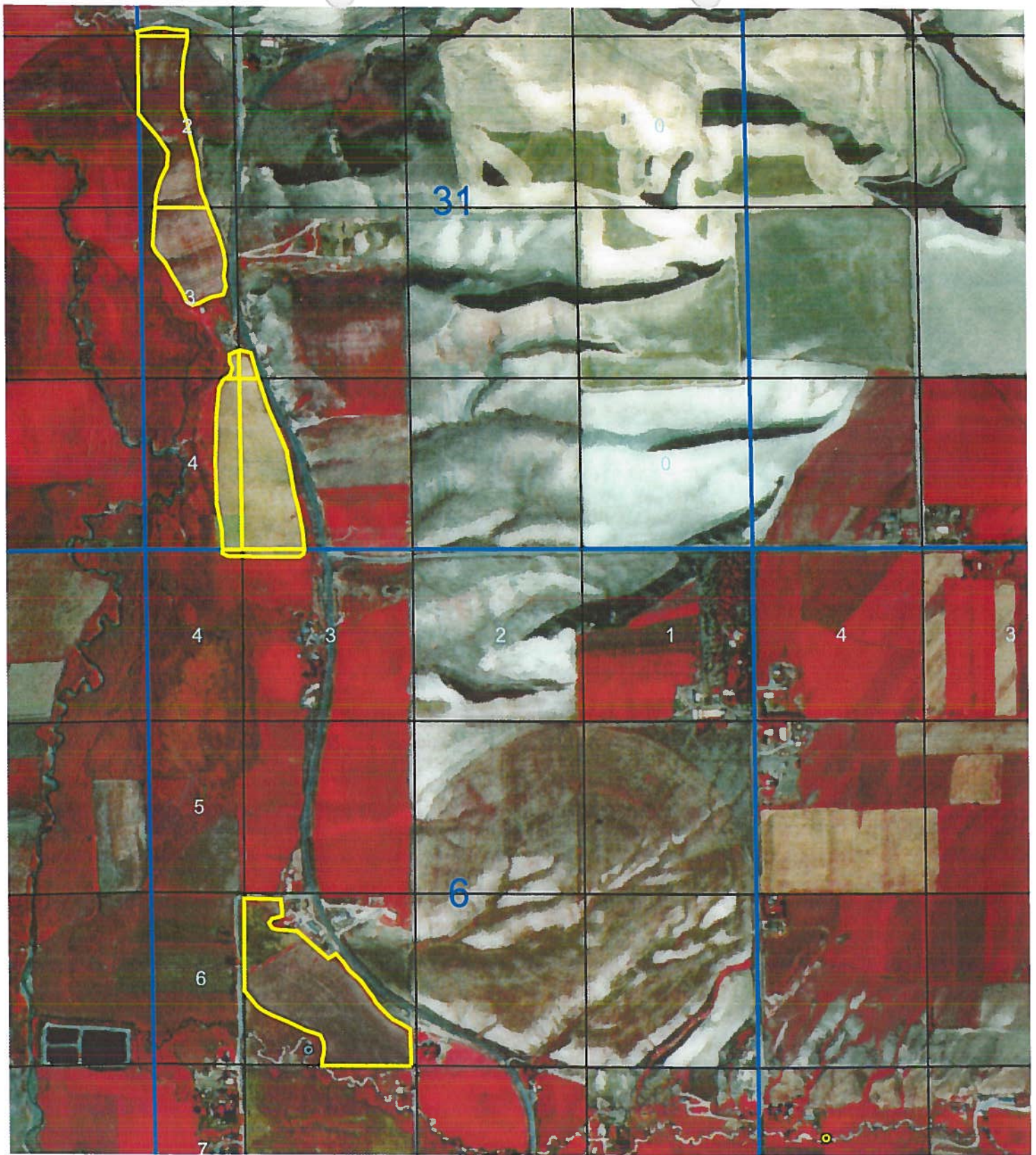
→ duty of water as decreed
limits pou to 60 ac.

While I did not meet w/ claimant specifically to
Review the SRBA claims I did observe this land and
all surrounding parcels during the summers of 1994 & 1995

Allow decreed duty of water on 55 acres, = 55"
therefore, 5" deducted from the latest priority right;
June 15, 1883 (41-00028).

Recommendation:

| | | | |
|-------|------|-------|---------------------------|
| - 24A | 0.40 | (20") | limit to 20 ac. in P.P.U. |
| - 28 | 0.70 | (35") | " " 35 ac. in P.P.U. |



1320 0 1320 2640 3960 Feet

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

-00024A
 41-00028
 Field Copy

T09S R31E S31
 T10S R31E S6





660 0 660 1320 Feet

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

A41-00024A
A41-00028
Field Copy

T9S R31E

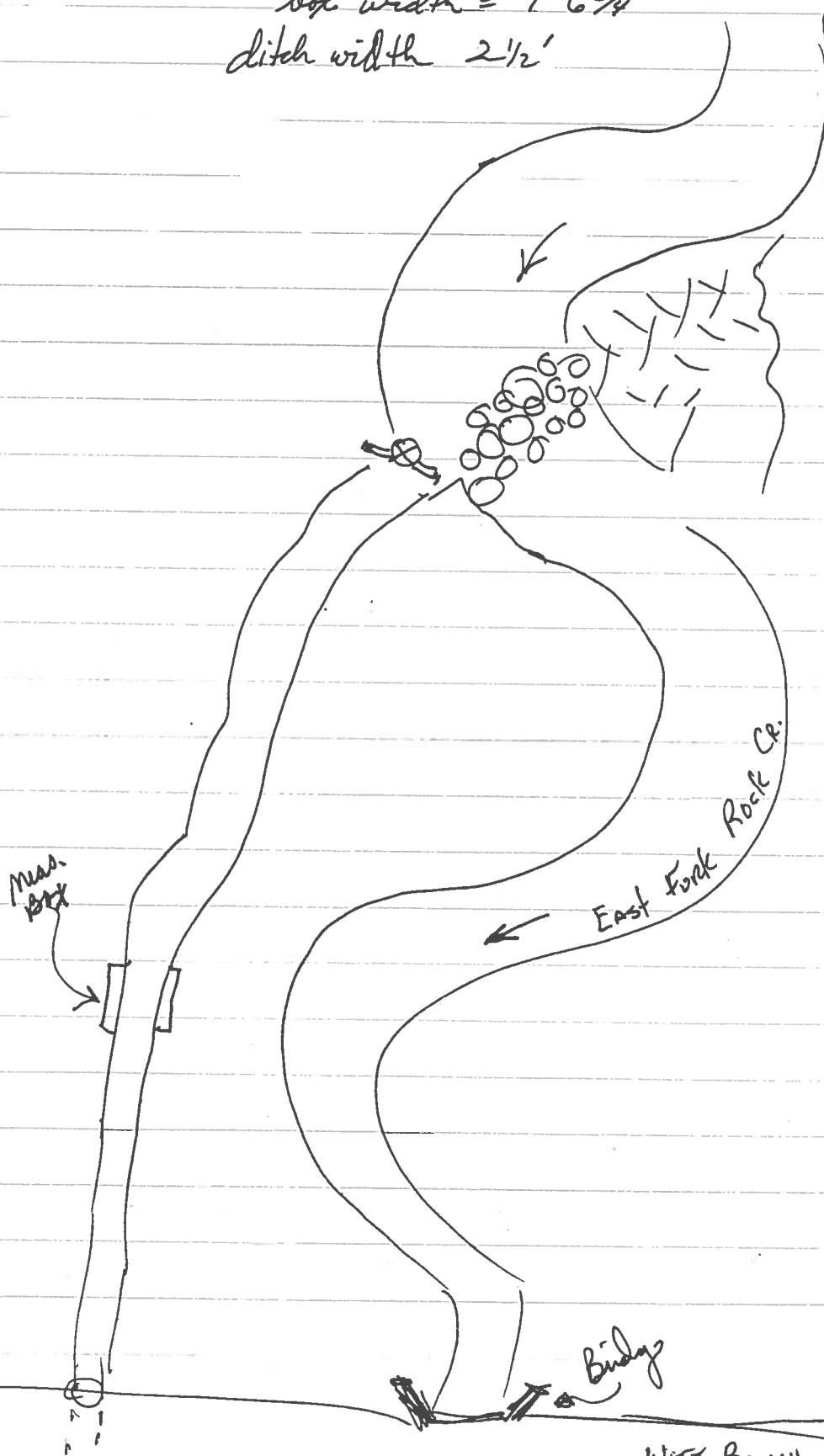


7-21-94

TYLER DITCH

box width = $1'6\frac{3}{4}"$

ditch width $2\frac{1}{2}'$



West Branch R.



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

A41-000024

| 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 | Y | | | | | | | |
| CONSUMPTIVE USE | - | | | | | | | |
| PURPOSES | | | | | | | | |
| PERIOD OF USE | Y | | | | | | | |
| BASIS OF CLAIM | Y | | | | | | | |
| 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 - A41-00024A

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***
EXCALIBUR RANCHES INC.1 - P.O. BOX 357
2 -
3 -City- ROCKLAND
Phone - 208-548-2311

State- ID Zip- 83271

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

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
03/12/1881 17 SOUTHERN D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
ROCK CREEK, EAST FORK ROCK CREEK+ - - - - - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - -
Twn Rng Sec Tract Lot Rflg County
10S 31E 5 NE SW SW (77) POWER+ - - - - - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - -
Code Description Period From Period To
01 - IRRIGATION 04/01 11/01 0.400+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.400 0.400 137.5+ - - - - - - - - - - - - - - - Place of Use - - - - - Description - - - - - County - - - - -
Twn Rng Sec Tract Lot Acres Code
09S 31E 31 SW NW 2 11.2 D1 IRRIGATION (77) POWER
09S 31E 31 NW SW 3 6.0 01 IRRIGATION (77) POWER
09S 31E 31 SW SW 4 7.3 01 IRRIGATION (77) POWER
09S 31E 31 SE SW 10.D 01 IRRIGATION (77) POWER
10S 31E 6 SE SW 20.5 01 IRRIGATION (77) POWER

Total Acres: 55.0

+ - - Diversion Means - VIA WOODS-TYLER DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A41-00028 & A41-04006A

+ - - - - - - - - - - - - - - - Remarks - - - - -
THIS CLAIM IS FOR A PORTION OF WR 41-00024. THIS WATER IS
COMBINED WITH OTHER WR'S AND USED IN ONE SYSTEM.+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - -
A4100024

Prefix Translation: ADJUDICATION CLAIM

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

Decree Defendant - - - +
ET AL.

- - -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 | - | 02/09/1990 | 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 | - | S011159 | Federal/State Indicator | - | S |
| Claims Tape Error Flg | - | | POU Ownership Flag | - | Y | Presumption Flag | - | D |
| Fee Exempt Flag | - | | Name Connector | - | | | - | |

LAST: EXCALIBUR RANCHES INC.
ADDRESS: P.O. BOX 357
CITY: ROCKLAND
PHONE NUMBER: 208-548-2311

FIRST:
STATE: ID ZIP: 83271

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS CLAIM IS FOR A PORTION OF WR 41-00024. THIS WATER IS
COMBINED WITH OTHER WR'S AND USED IN ONE SYSTEM.

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: # A41-00024A PRIORITY DATE: 03-12-1881 STAGE: D

B. WR RECORD: # 41-00024 PRIORITY DATE: 03-12-1881 STAGE: D

C. FIELD EXAM REQUIRED?

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

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

REMARKS:

RECOMMENDED PRIORITY DATE:

03-12-1881

REVIEWED BY _____

DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|------------|------|------|------|-----|-----|-----|-----|-------|
| A41-00024A | 10S | 31E | 5 | NE | SW | SW | | POWER |

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX
A41-00028
A41-00032C
A41-00002A

41-00027B
41-00028
41-00033
41-00034

SOURCE: ROCK CREEK, EAST FORK

TRIB: ROCK CREEK

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|-------|
| 41-00024 | 10S | 31E | 6 | | SW | SE | | POWER |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

41-00002

A41-00034A
A41-10128
A41-00032F

NONE

A PREFIX
R PREFIX

SOURCE: ROCK CREEK, EAST FORK

TRIB: ROCK CREEK

C. FIELD EXAM REQUIRED?

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

A41-00024A
A41-00024B

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|--------------------------------|------------------|----------------|-----------------|----------------|------------------|
| 10S | 31E | 6 | SE | SW | | EXCALIBUR RANCHES INC. | A41-00024A /20.5 | - | / | | 41.0 |
| | | | SE | SW | | ROCKLAND WATER AND SEWER ASSOC | A41-04023 / | - | / | | |
| | | | SE | SW | | CITY OF ROCKLAND | A41-00002B / 5.0 | - | / | | |
| | | | SE | SW | | CITY OF ROCKLAND | A41-00025C / 5.0 | - | / | | |
| | | | SE | SW | | CITY OF ROCKLAND | A41-00032F / 5.0 | - | / | | |
| | | | SE | SW | | RALPHS , REYNOLD | A41-00024B /31.4 | - | / | | |
| | | | SE | SW | | MOSS , NORMAN K. | A41-10141 / | - | / | | |
| | | | SE | SW | | WOOD , HEBER C. | A41-00024 / | - | / | | |
| 09S | 31E | 31 | SW | NW | 2 | EXCALIBUR RANCHES INC. | A41-00024A /11.2 | - | / | | 16.0 |
| | | | SW | NW | 2 | EXCALIBUR RANCHES INC. | A41-00028 /11.2 | 41-00028 / | | | |
| | | | SW | NW | | ROBINSON , GORDON FRED | | 41-04033 / 9.0 | | | |
| 09S | 31E | 31 | NW | SW | 3 | EXCALIBUR RANCHES INC. | A41-00024A / 6.0 | - | / | | 20.0 |
| | | | NW | SW | 3 | EXCALIBUR RANCHES INC. | A41-00028 / 6.0 | 41-00028 / | | | |
| 09S | 31E | 31 | SW | SW | 4 | EXCALIBUR RANCHES INC. | A41-00024A / 7.3 | - | / | | 20.0 |
| | | | SW | SW | 4 | EXCALIBUR RANCHES INC. | A41-00028 / 7.3 | 41-00028 / | | | |
| 09S | 31E | 31 | SE | SW | | EXCALIBUR RANCHES INC. | A41-00024A /10.0 | - | / | | 40.0 |
| | | | SE | SW | | EXCALIBUR RANCHES INC. | A41-00028 /10.0 | 41-00028 / | | | |
| | | | SE | SW | | EXCALIBUR RANCHES INC. | A41-07011 /23.0 | 41-07011 /25.0 | | | |
| TOTAL ACRES | | | | | | A41-00024A | 55.00 | | | | 137.00 |

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. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.400 CFS
HR ROOT RIGHT TOTAL DIVERSION RATE: 1.400 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: A41-00028 & A41-04006A

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|--------------------------------------|------------------------|-----------|----------------|-----------|----------------|
| A41-00024A | ROCK CREEK, EAST FORK | EXCALIBUR RANCHES INC. | 0.400 | 0.007 | | |
| A41-00002B | ROCK CREEK, EAST FORK | CITY OF ROCKLAND | 0.100 | 0.001 | | |
| A41-00032F | ROCK CREEK, EAST FORK | CITY OF ROCKLAND | 0.680 | 0.007 | | |
| A41-00024B | ROCK CREEK, EAST FORK | RALPHS, REYNOLD | 1.000 | 0.031 | | |
| A41-00028 | SPLIT RIGHT
ROCK CREEK, EAST FORK | EXCALIBUR RANCHES INC. | 0.800 | 0.014 | | |
| A41-07011 | GROUNDWATER | EXCALIBUR RANCHES INC. | 0.310 | 0.006 | 150.60 | 3.20 |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|-----------|--------------------------------|---------------------|----------|--------|
| A41-04023 | MUNICIPAL | ROCKLAND WATER AND SEWER ASSOC | FROM 01-01 TO 12-31 | .670 CFS | |
| A41-10141 | DOMESTIC | MOSS, NORMAN K. | FROM 01-01 TO 12-31 | .040 CFS | |

A. AJ CLAIMED USES:

PURPOSES
A41-00024A IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
.400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.400 CFS

B. WR RECORDED USES:

PURPOSES
41-00024 IRRIGATION

MONTH/DAY
FROM TO

DIVERSION QUANTITY
1.400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.400 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) | Y |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | Y |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

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 = 137.5 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 | 11-01 | DATABASE EXAMINER
0.400 | DATABASE EXAMINER | DATABASE EXAMINER
137.5 |
| TOTAL FOR THIS RIGHT | | | 0.400 | | 137.5 |

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: 41-00024

| DATABASE | EXAMINER | CFS |
|----------|----------|-----|
| 1.400 | | |

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| A41-00024 | A41-00024A | 0.400 | - | | 41-00024 | 1.400 |
| - | A41-00024B | 1.000 | - | | - | |
| TOTAL CFS | | | | | | 1.400 |

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 | FIELD
EXAMINER |
|----------|-------------------|
| N | |

REMARKS:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____