

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: **A72-00012H**

Date Received: 12/ 6/1989

Receipt No: X777777

Received By: name change *JK*

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

1. Name: FALMA MOYE CULLINANE 208-879-4508
Address: PO BOX 969
CHALLIS ID 83226

AND/OR

Name: RAY CULLINANE 208-879-4508
Address: PO BOX 969
CHALLIS ID 83226

2. Date of Priority: MAY 1, 1879

3. Source: CHALLIS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	8	NW	NE			CUSTER

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	9	NE	NE		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	9	SE	NE		IRR	5.0
Section Acres							10.0
Total Acres							10.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS FOR 25 INCHES OF DECREED RIGHT 72-00012.

OWNERSHIP CHANGE 2/21/92 BY JG.

ORIGINALLY CLAIMED AS A72-10198. jr

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STEPHENS ET. AL.

Decree Plaintiff

SHAW 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 _____



NEW PROPERTY OWNER NOTICE CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUL 25 1996

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

- [] 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: A72000125 ? A72000124, A72-10199
- [] Name and Address of Former Owner/Claimant(s)(Seller): FALMA J. MOYE
Box 1145
Challis, ID 83826
- [] New Owner/Claimant (Purchaser): FALMA AND RAY CULLINANE
- [] New Mailing Address: Box 969
Challis, ID 83226
- [] New Telephone Number: () _____ - _____
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: _____

(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): Falma Moye Cullinane Date 7/25/96
R. Cullinane Date 7/25/96
- [] Signature of Former Owner/Claimant(s): Falma J. Moye Date 7/25/96
 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: 8/13/96 By: [Signature]

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

August 13, 1996

FALMA MOYE CULLINANE
RAY CULLINANE
PO BOX 969
CHALLIS ID 83226

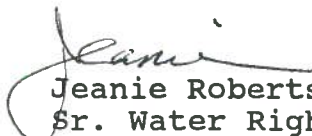
Re: Name Change for Adjudication Claims #A72-00012H, A72-00012J,
A72-10199
MOYE/CULLINANE

Dear Mr. and Mrs. Cullinane:

I have changed the name on the above mentioned adjudication claims into both of your names, as you requested. Please find enclosed a copy of the computer records of the claims noting the name changes. Please review them and if you have any corrections or questions, feel free to call this office.

I checked our records and found only the one domestic claim (A72-10199) and no claim was found on the artesian well you mentioned. There is part of an old licensed right (72-02104A) which appears to be appurtenant to your property and remains unclaimed at this time. I have enclosed a proof report of it and if you feel it is a right you still use and wish to make a claim, the first step is filing the enclosed REQUEST FOR EXTENSION OF TIME TO FILE ADJUDICATION CLAIMS with the State Office in Boise. Upon approval and the decision of whether or not to charge late fees, I can forward claim forms to you along with instructions.

Sincerely,


Jeanie Robertson
Sr. Water Right Agent

/jr
Enclosures

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: **A72-00012H**

Date Received: 12/ 6/1989

Receipt No: X777777

Received By: Remembered Lt. X
(A72-10198)

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

1. Name: FALMA J MOYE 208-879-4508
Address: PO BOX 1145
CHALLIS ID 83226

2. Date of Priority: MAY 1, 1879

3. Source: CHALLIS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	8	NW	NE			CUSTER

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	9	NE	NE		IRR	5.0
			SE	NE		IRR	5.0

Section Acres 10.0

10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS FOR 25 INCHES OF DECREED RIGHT 72-00012.

OWNERSHIP CHANGE 2/21/92 BY JG.

ORIGINALLY CLAIMED AS A72-10198. jr

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STEPHENS ET. AL.

Decree Plaintiff

SHAW 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

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

April 11, 1996

FALMA J. MOYE
PO BOX 1145
CHALLIS ID 83226

RE: Snake River Basin Adjudication (SRBA)
Notice of Claims #A72-10198 and A72-00021B
Identification Number Change

Dear Claimant:

The Identification Numbers of your Notices of Claim to a Water Right have been changed from A72-10198 to A72-00012H and A72-00021B to A72-00012J. These changes in numbers have been done to better reflect the fact that they are a part of original decree 72-00012. These changes do not affect your claims in any other way.

Enclosed are computer-generated copies of your claims with the new Identification Numbers. Refer to these new Identification Numbers in any future inquiries or correspondence.

Please do not hesitate to contact this office, if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Jeanie".

Jeanie Robertson
Water Rights Agent

/jr

Enclosure:

Copies of Claim A72-00012H and A72-00012J

AJ0743NP
(CD-124)

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

04/11/96 09:48:14
Page 1

Water Right Number - A72-10198

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
RENUMBERED CLAIM (A72-00012H)

1 -
2 -
3 -
City- X
Phone - 208-000-0000
State- ID Zip- 0

*** O - ORIGINAL OWNER ***
SURGEON

ROBERT E
1 - BOX 59
2 -
3 -
City- CHALLIS
Phone - 208-879-4226
1 - BOX 59
2 -
3 -
City- CHALLIS
Phone - 208-879-4226
1 - PO BOX 1145
2 -
3 -
City- CHALLIS
Phone - 208-000-0000
State- ID Zip- 83226

SURGEON

SIMONNE

MOYE

FALMA J

State- ID Zip- 83226
State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1879 17 SOUTHERN Z - SEE REMARKS

Source - - - - -
CHALLIS CREEK
RENUMBERED CLAIM
Tributary
SALMON RIVER

+ - - - - Point of Diversion - - - - -
Twn Rng Sec Tract Lot Rflg County
14N 19E 8 NW NE (37) CUSTER

+ - - - - Water Use - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.500

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - Km Usage - +
0.500 25.0

+ - - - - Place of Use - - - - -
Twn Rng Sec Tract Lot Acres Code Description County
14N 19E 9 NE NE 5.0 01 IRRIGATION (37) CUSTER
14N 19E 9 SE NE 5.0 01 IRRIGATION (37) CUSTER
Total Acres: 10.0

Prefix translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - NONE

..... Remarks

THIS CLAIM IS FOR 25 INCHES OF DECREED RIGHT 72-00012.

OWNERSHIP CHANGE 2/21/92 BY JG.

THIS CLAIM HAS BEEN RENUMBERED TO A72-00012H. jrr

7200012E Old Water Right Numbers

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

	Decree Plaintiff	Decree Defendant	Decree Date
STEPHENS ET. AL.			00/00/0000
SHAW ET. AL.			

No Comments Found

04/11/96 JROBERTS

Adjudication Rights Dates and Flags Area			
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000
Claim Received Date	- 12/06/1989	Last Amended Date	- 00/00/0000
		Receipt Number	- M005311
		POU Ownership Flag	- Y
		Name Connector	- AND/OR
		Civil Case Number	- 39576
		Old Case Number	-
		Old Judicial District	-
		Temporary Right	- P
		Water District	- 72C
		Federal/State Indicator	- S
		Presumption Flag	-
		Notice of Error Flag	-

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: ~~A72-10198~~ ^{A72-00012H}

Date Received: 12/ 6/1989

Receipt No: M005311

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FALMA J. MOYE
Address: P.O. BOX 1145
CHALLIS ID

83226

2. Date of Priority: MAY 1, 1879

3. Source: CHALLIS CREEK

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	8	SE	NW	NE		CUSTER

SE NW NE

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

A.F.A.

8. Total consumptive use is

25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	9	NE	NE		IRR	5.0
			SE	NE		IRR	5.0

Section Acres 10.0

MICROFILMED

10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS FOR 25 INCHES OF DECREED RIGHT 72-00012B.

OWNERSHIP CHANGE 2/21/92 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STEPHENS ET. AL.
Decree Plaintiff

SHAW 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: _____

MICROFILMED

MAR 18 1993

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
MAR 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Falma Moya
P. O. Box 1145
Challis, ID
83226

February 4, 1992

RE: SRBA Claims A72-10198 & A72-10199, Robert & Simonne Surgeon

Dear Ms. Moya;

Our records show that two Snake River Basin Adjudication claims have been filed on your property by the Surgeons. Copies of the claims are enclosed. With the deed you sent, these claims can be put in your name. This change will be done by our adjudication section, but I am not sure just when this will happen due to their work backlog. When the changes are made, you will receive copies of the claims showing you as the claimant. Our records show no irrigation wells on this property.

If you have further questions, please feel free to contact this office.

Sincerely,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

MICROFILMED

MAR 18 1993

Felma Moya

TRACT I:

A portion of Lot 24, Rocky Mountain Meadows, Custer County, Idaho, as shown by the Official Plat thereof, recorded as instrument No. 158530, records of Custer County, Idaho, more particularly described as follows; to-wit:

Commencing at the corner common to Sections 3, 4, 9, and 10, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; thence South $0^{\circ}18'44''$ East, 770.00 feet on and along the Section line common to said Section 9 and 10 to the Northeast corner of Lot 24, Rocky Mountain Meadows Subdivision; thence South $89^{\circ}21'53''$ West, 409.00 feet on and along the North line of said Lot 24 to the Point of Beginning of this description; thence continuing South $89^{\circ}21'53''$ West, 501.00 feet on and along the North line of said Lot 24 to the Northwest corner thereof; thence South $0^{\circ}18'44''$ East, 1044.35 feet on and along the West line of said Lot 24 to the Southwest corner thereof, being also the Northwesterly right-of-way line of a County Road; thence North $72^{\circ}49'08''$ East, 377.08 feet on and along said curve 225.06 feet, said curve having a delta angle of $6^{\circ}07'04''$ and a radius of 2120.00 feet; thence North $5^{\circ}22'49''$ West 887.38 feet to the North line of said Lot 24 and the Point of Beginning.

EXCEPTING THEREFROM

A parcel of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more specifically described as follows: Commencing at the Northeast Section Corner of said Section 9, a distance of 770.00 feet on a bearing of South $0^{\circ}18'44''$ East along the East boundary of Section 9, thence South $89^{\circ}21'53''$ West, 820.00 feet to a point on the Easterly bank of Challis Creek and being the REAL POINT OF BEGINNING; thence South $46^{\circ}09'13''$ West, 124.14 feet along said Easterly bank; thence North $0^{\circ}18'44''$ West, 85.00 feet; thence North $89^{\circ}21'53''$ East, 90.00 feet to the Real Point of Beginning.

TRACT II:

A parcel of land located in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more specifically described as follows:

Commencing at the Northeast Section Corner of said Section 9, a distance of 770.00 feet on a bearing of South $0^{\circ}18'44''$ East along the East boundary of Section 9; thence South $89^{\circ}21'53''$ West, 910.00 feet; thence South $0^{\circ}18'44''$ East, 298.66 feet to the REAL POINT OF BEGINNING; thence South $22^{\circ}05'11''$ West, 112.92 feet; thence South $8^{\circ}01'09''$ East, 320.86 feet; thence North $0^{\circ}18'44''$ West, 422.36 feet to the Real Point of Beginning.

RECEIVED

FEB 04 1992

Department of Water Resources
Southern Region Office

MAY 18 1992

UNRECORDED

WARRANTY DEED

0200369

For Value Received

ROBERT E. SURGEON and SIMONNE B. SURGEON, husband and wife,

the grantor S, do hereby grant, bargain, sell and convey unto

FALMA J. MOYE, an unmarried person,

the grantee, whose current address is PO Box 1145, Challis, ID 83226,

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

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances except that certain Deed of Trust dated November 3, 1983, executed by Robert C. Cunningham and Elaine I. Cunningham, husband and wife, to Custer County Title, Inc., as Successor Trustee for Danny M. Cafferty and Billie Lou Cafferty, husband and wife, Beneficiary, recorded November 7, 1983, as instrument No. 169558, and as assigned, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: July 15, 1991.

Robert E. Surgeon
Robert E. Surgeon

Simonne B. Surgeon
Simonne B. Surgeon

STATE OF IDAHO
COUNTY OF Custer

On this 25 day of July, 1991, in the year 1991, before me, a Notary Public, personally appeared ROBERT E. SURGEON & SIMONNE B. SURGEON, husband and wife, known or identified to me to be the person whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Ethel M. Peck
Notary Public

Residing at 11/211, Idaho.

My Comm. Expires: 3/12/92

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at the request of Custer County Title

at 30 minutes past 11 o'clock A.M.,
this 8th day of October,
1991, in my office, and duly recorded in Book
of Deeds at page

Ethel M. Peck

Ex-Officio Recorder

By Wandy Murphy

Deputy.

Fees \$ 6.00
Mail to:

INSTRUMENT No.

Chicago Title Insurance
Company of Idaho





REAL ESTATE PURCHASE & SALE AGREEMENT & RECEIPT FOR EARNEST MONEY



THIS IS A LEGALLY BINDING CONTRACT. READ THE ENTIRE DOCUMENT, INCLUDING THE GENERAL PRINTED PROVISIONS ON THE REVERSE SIDE AND ANY ATTACHMENTS, CAREFULLY, BEFORE SIGNING. IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY BEFORE SIGNING.

This form is printed and distributed by the Idaho Association of REALTORS®. This form has been designed for and is provided only for use by real estate professionals licensed by the Idaho Real Estate Commission who are also members of the National Association of REALTORS®. Use by any other person is prohibited.

Palma J. Moye (hereinafter called "Buyer") agrees to purchase, and
Robert & Simone Surgeon (hereinafter called "Seller") agrees to sell the following property located in Charlottesville
 County of Custer, State of Idaho, commonly known as Bob Surgeon Ranch Property

and legally described as: See attached
 (A FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED, OR ATTACHED HERETO PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes Broker to insert over Buyer's signature the correct legal description of the property if it is unavailable at the time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

1. EARNEST MONEY

(a) Buyer hereby deposits and receipt is hereby acknowledged of Two Hundred Dollars (\$ 200.00)
 in the form of ☒ Cash, ☐ Personal Check, ☐ Cashier's Check, ☐ Note Due _____, or ☐ _____
 (b) Said Earnest Money to be deposited in trust account, ☒ Upon acceptance by all parties, or ☐ _____, 19____, and held by ☐ Listing Broker,
☐ Selling Broker, ☒ Other Custer Co. Title for the benefit of the parties hereto, and the Selling
 Broker shall hold the fully executed broker's copy of this agreement.

2. TOTAL PURCHASE PRICE IS thirty thousand Dollars (\$ 30,000.00) payable as follows:

(a) \$ 8,000.00 Cash down, including the above deposited Earnest Money.
 (b) \$ _____ Balance of the purchase price which does not include Mortgage Insurance Premium where applicable, which will be paid as follows:
Buyer asks that seller carry 8,000.00 at 9% over 3 years.
No prepayment penalty. approx 170/mo.

3. This agreement ☐ is, ☒ is not contingent upon Buyer qualifying for: ☐ FHA, ☐ VA, ☐ Conventional, ☐ FmHA, ☐ IHA, ☐ Assumption of existing loan(s)

(a) ☐ NEW FINANCING Purchase loan of not less than \$ _____ at _____ % interest per annum with a _____ year term. (If FHA or VA loan is sought, read the applicable provisions on the reverse side hereof.) Buyer to pay no more than _____ points plus origination fee, if any. Seller to pay the discount points necessary in order to obtain above described interest rate but points not to exceed _____.

(b) ☒ ASSUMPTION of existing loan of approximately \$ 14,000. at no more than 9 % interest. or existing rate.

4. This agreement ☐ is, ☒ is not contingent upon the sale and closing on property owned by Buyer described as _____
 before _____ listed with _____.

5. If there are contingencies stated herein, Seller ☐ shall, ☐ shall not have the right to continue to offer the property for sale. If the property is to remain on the market, the provisions of Paragraph J on page 2 hereof will apply and the number of days applicable to Paragraph J shall be _____ banking days.

6. The following items are specifically EXCLUDED FROM THE SALE: The 76' Champion Trailer

The following items are specifically INCLUDED IN THE SALE: Any irrigation equipment, pumps, etc. & all water rights

7. COSTS PAID BY: Costs in addition to those listed below may be incurred by Buyer and/or Seller. Any costs or fees necessary to the closing of this transaction are not included in the purchase price and shall be borne 50% by the Seller and 50% by the Buyer, unless otherwise agreed herein, or provided by law or required by lender. Buyer shall purchase Seller's reserve account if loan assumption.

B = Buyer S = Seller N/A = Not Applicable

Costs Paid By:	Appraisal	Loan Assumption Fee	Well Inspection	Pump/Inspect Septic	City/County Code Inspection	Document Preparation Fee	Lenders Extended Policy (add prem.)	Purchasers Extended Policy (add prem.)	Survey	Title Policy	
	N/A	8	N/A	N/A	N/A	B/S	N/A	N/A	N/A	S	

8. Buyer shall pay for fuel in tank, amount to be determined by the supplier at Seller's expense.

Discount points to be paid as agreed herein. As a result of any city or county inspections SELLER MAY BE REQUIRED TO MAKE REPAIRS to the property in order to comply with the housing code and Seller agrees to hold the Buyer, the Listing Broker, the Selling Broker, and/or their representatives harmless for any such required repairs or upgrade WHETHER A SALE IS COMPLETED UNDER THIS AGREEMENT OR NOT. Cost of agreed repairs, if any, not to exceed \$ AS IS.

Liens, encumbrances or defects in title to the property which are to be discharged by Seller, assumed or waived by the Buyer or which title will be taken subject to by the Buyer (not otherwise set forth herein) are: NONE

9. Custer County Title Company shall provide the title policy and preliminary report of commitment required herein.

10. CLOSING. The "closing agent" shall be Patsy Kind. The Broker responsible for closing is Eric Robie.

On or before the closing date, Buyer and Seller shall deposit with the closing agent all funds and instruments necessary to complete the sale. The closing date shall be on or before October 5, 1990.

11. POSSESSION. Seller shall deliver possession to Buyer on or before Dec. 3, 1990, and taxes and water assessments (using the last available assessment as a basis), rents, insurance premiums, interest and reserves on loans, liens, or obligations assumed or taken subject to, and utilities shall be prorated as of closing except: Electrical to be read when the meter vacates

12. The following additional terms and conditions apply to this agreement: Buyer would like to rent Trailer until June 30, 1990. Trailer removed & rental to be negot. but defined by 5-3-90.

13. AGENCY DISCLOSURE. At the time of the signing of this agreement the agent working with the Buyer represented the Seller and the agent working with the Seller represented the Seller. Each party signing this document confirms that prior written disclosure of agency was provided to him/her in this transaction. Each party to this transaction has read and understands the contents of the agency disclosure brochure previously received.

14. ACCEPTANCE. Seller shall have until the 19 day of Sept, 1990, 11 o'clock ☐ AM, ☒ PM, local time at the location of the subject property to accept this offer. Unless accepted, this offer shall lapse and the Broker shall return the Earnest Money to the Buyer.

15. BUYER'S SIGNATURE

Buyer Palma J. Moye Address 9280 W. Charlotte Road, Charlottesville, VA 22904
 Buyer _____ Phone: (H) _____ (W) _____

16. ACCEPTANCE BY SELLER. The undersigned Seller accepts Buyer's offer the _____ day of _____, 19____, _____ o'clock ☐ AM, ☐ PM, and further agrees to pay a total brokerage fee of \$ _____ to _____ (Brokerage) for services, payable at closing.

Seller _____ Address: _____
 Seller _____ Phone: (H) _____ (W) _____

STATE OF

County of _____

On this _____ day of _____, in the year of 19____, before me, _____, personally appeared _____

known or identified to me, to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he _____ executed the same.

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

NOTARY PUBLIC FOR _____
 Residing at _____ My Bond Expires: 1991

DOCUMENT RECEIPT: (Alternative A or B must be completed).

☐ A. I/We acknowledge receipt of a complete copy of the foregoing Agreement bearing all signatures above this line:

SIGNATURE OF SELLER(S) _____ Date _____ SIGNATURE OF BUYER(S) _____ Date _____

☐ B. I personally caused a true, correct and complete copy of the foregoing agreement bearing all signatures to be mailed on _____ 19____

by Certified Mail, return receipt requested to the ☐ Seller, ☐ Buyer.

RECEIVED

FEB 04 1992

Department of Water Resources
Southern Region Office

B 1145
Challis, J/83226

Mr Stanton

Enclosed is a copy 1) my sale agreement,
2) the warranty Deed and 3) the legal description
of my property. I would like to have all
water rights transferred to my name. Have
rights from an irrigation and overflow ditch
as well as a domestic and irrigation well.
Please contact me, if there is a fee or if
you need any additional information.

Thank you

Felma May

MICROFILMED

MAR 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

21-Feb-1992 11:47

FALMA J. MOYE
PO BOX 1145
CHALLIS ID 83226

Re: Ownership Change for Adjudication Claim NO.(S): A72-10198 -
A72-10199 - SURGEON, ROBERT & SIMONNE

Dear Claimant(s):

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claim(s) is appurtenant, the Department has changed the record of the current owners as you requested. Please find enclosed a copy of the computer record of the claim(s) noting the change in claimant.

Please review the record and if you have any corrections or questions, please feel free to call this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED

MAR 18 1993

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: A72-10198
Date Received: 11/16/1989
Receipt No: M005311
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT E. SURGEON 208-879-4226
Address: BOX 59
CHALLIS, ID 83226

AND/OR

Name: SIMONNE SURGEON 208-879-4226
Address: BOX 59
CHALLIS, ID 83226

2. Date of Priority: MAY 01, 1879

3. Source: CHALLIS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
14N	19E	8	NW NE		CUSTER

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	19E	9	NE	NE	IRR	5.0
			SE	NE	IRR	5.0
Section Acres						10.0
Total Acres						10.0

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
THIS CLAIM IS FOR 25 INCHES OF DECREED RIGHT 72-00012B.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

STEPHENS ET. AL.

Decree Plaintiff

vs

SHAW 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): *Leonard D. Surgeon* Date: 12-6-89
_____ Date: _____

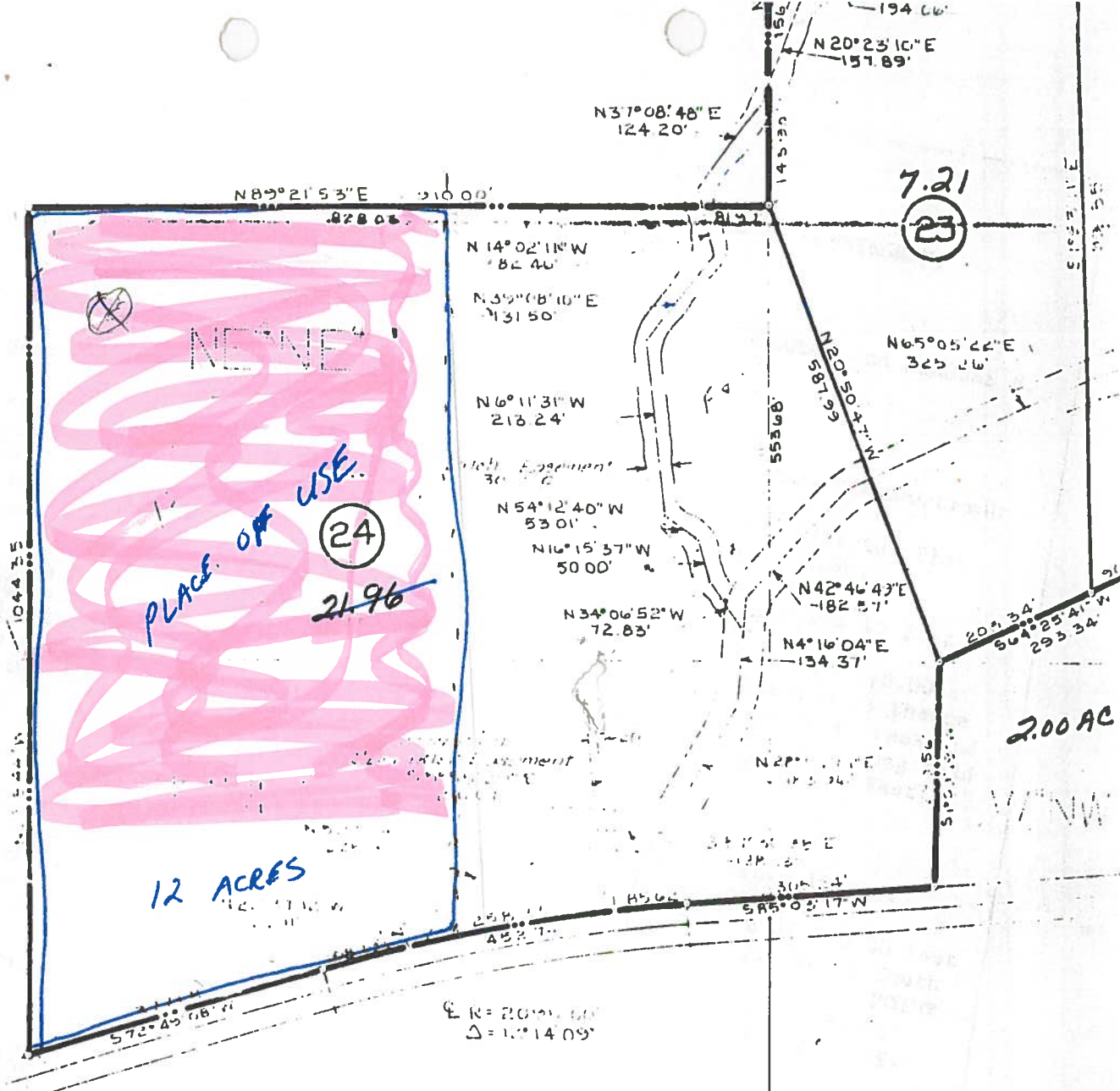
State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of December 19 89

Anthony J. Obush
Notary Public

Seal

Residing at *Shoshone Falls*
My Commission Expires 9/12/1994



A 72-10198

Approx Scale 1" = 200'

- Set 1/4
- Set 1/4
- Bour
- Lot
- ③ Lot

9 10 Set 5/8" x 30" Steel Bar w/ 2" Aluminum Cap

MICROFILMED

MAR 18 1993

9 #4611A
 1.1031(d) 2 Example II

(TWIN PEAKS SE)

32'30"

1 040 000
FEET



P/W 72-10198

5070

5103

Charlis
Airport

Sewage Disposal
Ponds

BM 5001

MICROFILMED

MAR 18 1993

DITCH

Radio
Relay Sta

WARRANTY DEED

For Value Received ROBERT C. CUNNINGHAM and ELAINE I. CUNNINGHAM,
husband and wife,

The grantors, do hereby grant, bargain, sell and convey unto ROBERT E. SURGEON and SIMONNE B. SURGEON, husband and wife,

the grantees, whose current address is P. O. Box 59
Challis, Idaho 83226,
Custer

County Idaho, to-wit:

Tract I:

Lot 24, Rocky Mountain Meadows, Custer County, Idaho, as shown by the Official Plat thereof, recorded as instrument No. 158530, records of Custer County, Idaho, EXCEPTING THEREFROM,

A parcel of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more specifically described as follows:
Commencing at the Northeast Section Corner of said Section 9, a distance of 770.00 feet on a bearing of South 0°18'44" East along the East boundary of Section 9; thence South 89°21'53" West, 820.00 feet to a point on the Easterly bank of Challis Creek and being the REAL POINT OF BEGINNING; thence South 46°09'13" West, 124.14 feet along said Easterly bank; thence North 0°18'44" West, 85.00 feet; thence North 89°21'53" East, 90.00 feet to the Real Point of Beginning.

Tract II:

A parcel of land located in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more specifically described as follows:
Commencing at the Northeast Section Corner of said Section 9, a distance of 770.00 feet on a bearing of South 0°18'44" East along the East boundary of Section 9; thence South 89°21'53" West, 910.00 feet; thence South 0°18'44" East, 298.66 feet to the REAL POINT OF BEGINNING; thence South 22°05'11" West, 112.92 feet; thence South 8°01'09" East, 320.86 feet; thence North 0°18'44" West, 422.36 feet to the Real Point of Beginning.

TOGETHER WITH ²⁵ inches of 1879 water.

ALL OF THE ABOVE LANDS, Including Tract II above, are conveyed SUBJECT TO Those certain Sanitary regulations and Restrictive Covenants dated June 3, 1981, from Robert C. Cunningham and Elaine I. Cunningham, husband and wife, to the Public, recorded June 16, 1981, as instrument Nos. 158531 and 158532, records of Custer County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances except all restrictions, covenants and easements of sight and record, and also SUBJECT TO that obligation in the approximate amount of \$17,000.00, secured by that certain Deed of Trust recorded November 7, 1983, as instrument No. 169558, records of Custer County, Idaho, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 10, 1983.

Robert C. Cunningham

Elaine I. Cunningham

MICROFILMED

MAR 18 1993

STATE OF IDAHO, COUNTY OF CUSTER

On this 10th day of November, 1983, before me, a notary public in and for the said State, personally appeared ROBERT C. CUNNINGHAM and ELAINE I. CUNNINGHAM, husband and wife,

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at the request of

at this minutes past o'clock M., day of

in my office, and duly recorded in Book

of Deeds at Page



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

January 15, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RAY CULLINANE
FALMA MOY CULLINANE
PO BOX 969
CHALLIS ID 83226

RE: 72-00012H, 72-00012J

Dear Mr. and Mrs. Cullinane,

This letter is in response to the Notices of Error (NOEs) you recently filed with IDWR regarding the Director's proposed recommendations of the claims listed above. Your NOEs questioned the sizes of the Place of Use.

I have re-drawn the areas on the GIS map. This allowed me to change my recommendation to 7.5 acres from 6.2 acres on 72-00012H, and to 4.9 acres from 4.4 acres on 72-00012J.

I have enclosed copies of the new Preliminary Recommendations and new GIS print-outs for your records. You should be receiving the actual Director's Reports by the end of the month which will reflect these corrections.

Sincerely,

Jeanie Robertson
Senior Water Resource Agent

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: January 15, 1999

PAGE: 1

RIGHT NUMBER: 72-00012H

NAME AND ADDRESS: RAY CULLINANE
FALMA MOYE CULLINANE
PO BOX 969
CHALLIS ID 83226

SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.4 CFS

PRIORITY-DATE: 05/01/1879

POINT OF DIVERSION T14N R19E S08 SENWNE Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.4 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T14N R19E S09 NENE 4.7 SENE 2.8
7.5 ACRES TOTAL

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

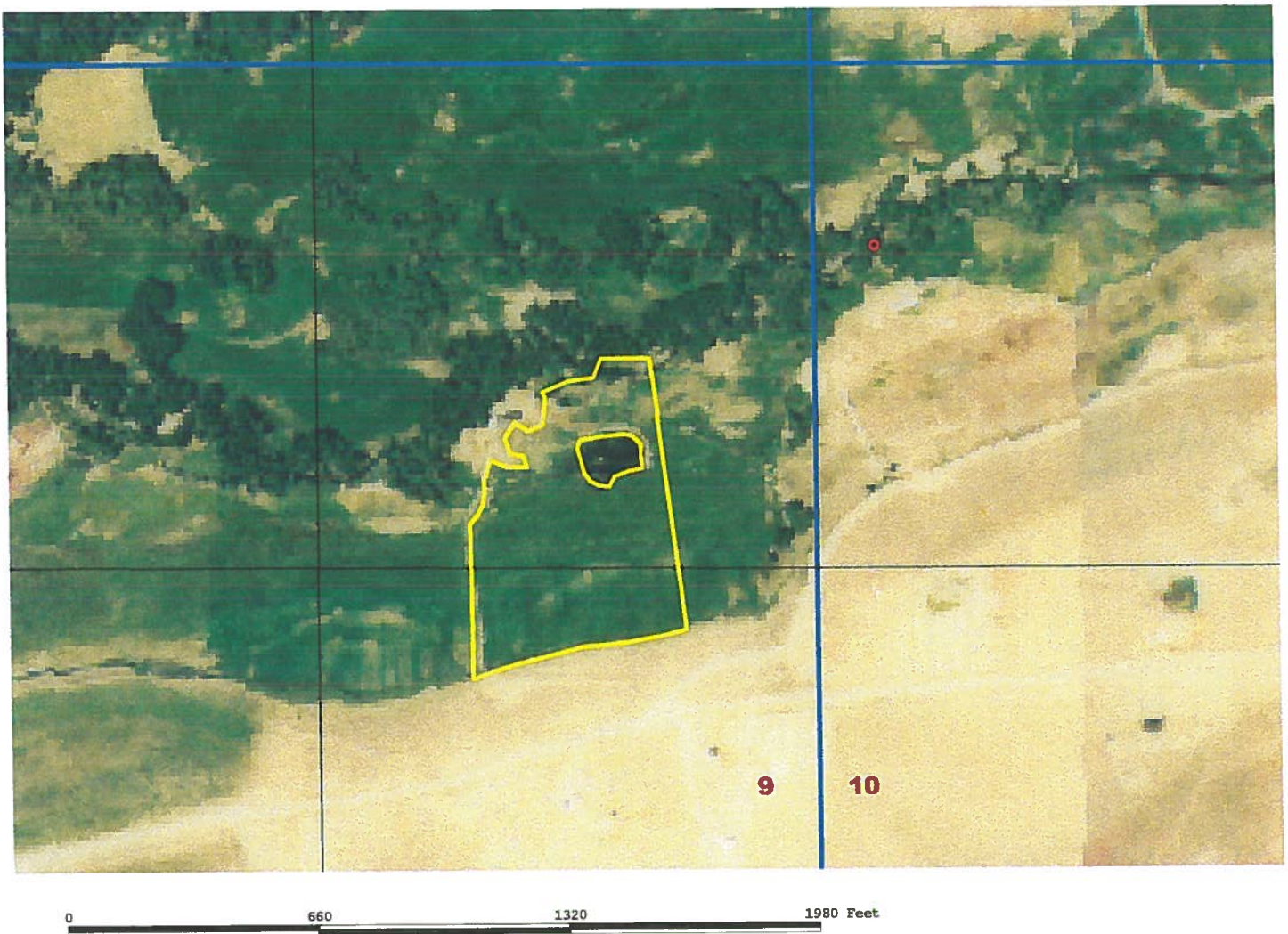
ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

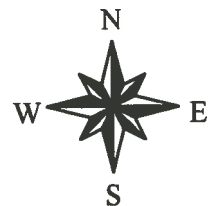
EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

IDAHO DEPARTMENT OF WATER RESOURCES

72-00012H



RECOMMENDED PLACE OF USE
DATA ENTRY ON JAN.15, 1999
TWP 14N, 19E, SEC . 9



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

AJ0749NP
No. R72-00012H

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

DATE: 01/13/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAY CULLINANE	05/01/1879	IRRIGATION	04-01 10-31	0.40 CFS	
C	FALMA MORE CULLINANE					
TOTAL DIVERSION:					0.40 CFS	

Water Source: CHALLIS CREEK
Tributary to: SALMON RIVER
Stage: DECREED

Point(s) of Diversion: T14N R19E S08 SEMNE
CLUSTER County

Place of use	Legal Description for:	IRRIGATION	NE	NW	SW	SE	SUM			
T	R S : Lt Ac	NE NE	SW NE	SE NE	NW NW	SW NW	SE NW	SE SE	SE SE	SUM
14N 19E 9	: 04	: 02	: 02	: 02	: 02	: 02	: 02	: 02	: 02	: 02
TOTAL ACRES										7.5

POU County: CLUSTER

Other Rights: NONE.

Conditions of Approval:

- C16
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN BASIN 72:
 - WATER RIGHT NO. SOURCE
 - NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE
 - ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Remarks: GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 72-C.

Dates: Exam Made Date: Verified Date: 01/13/1999 Objection Filed Date:

Misc: Water District Number: 72C Field Inspection Flag:
Presumption Flag:

Comments:

Date: 02/09/1993 User-ID: WORSTELL Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR 25 INCHES OF DECREED RIGHT 72-00012.
OWNERSHIP CHANGE 2/21/92 BY JG.
ORIGINALLY CLAIMED AS A72-10198, DETERMINED TO BE PART OF WATER
RIGHT 72-00012E AND RENUMBERED. jr

Date: 04/23/1994 User-ID: WORSTELL Subject: COMBINED OPERATION
THIS CLAIM IS MANAGED IN COMMON WITH CLAIM R72-00012J.

Date: 08/13/1996 User-ID: JROBERTS Subject: NAME CHANGE
FALMA MARRIED RAY CULLINANE AND ADDED HIS NAME TO CLAIM. jr

Date: 11/18/1998 User-ID: JROBERTS Subject: DIVERSION RATE RECOMMENDATION
SEE SPLIT ANALYSIS OF 72-00012E IN FILE.

Date: 11/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 01/13/1999 User-ID: JROBERTS Subject: CHANGED POU
PER NOE, ADDED ACRES IN NENE.

Audit: 01/13/99 JROBERTS

November 20, 1998

Did not receive until after Dec 20 - traveling -
Attached photo corrects a ~~an~~ unigated

NOTICE OF ERROR
REPLY

RECEIVED
JAN 12 1999
Department of Water Resources
Southern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 72-00012H

RAY CULLINANE
FALMA MOYE CULLINANE
PO BOX 969
CHALLIS ID 83226

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:

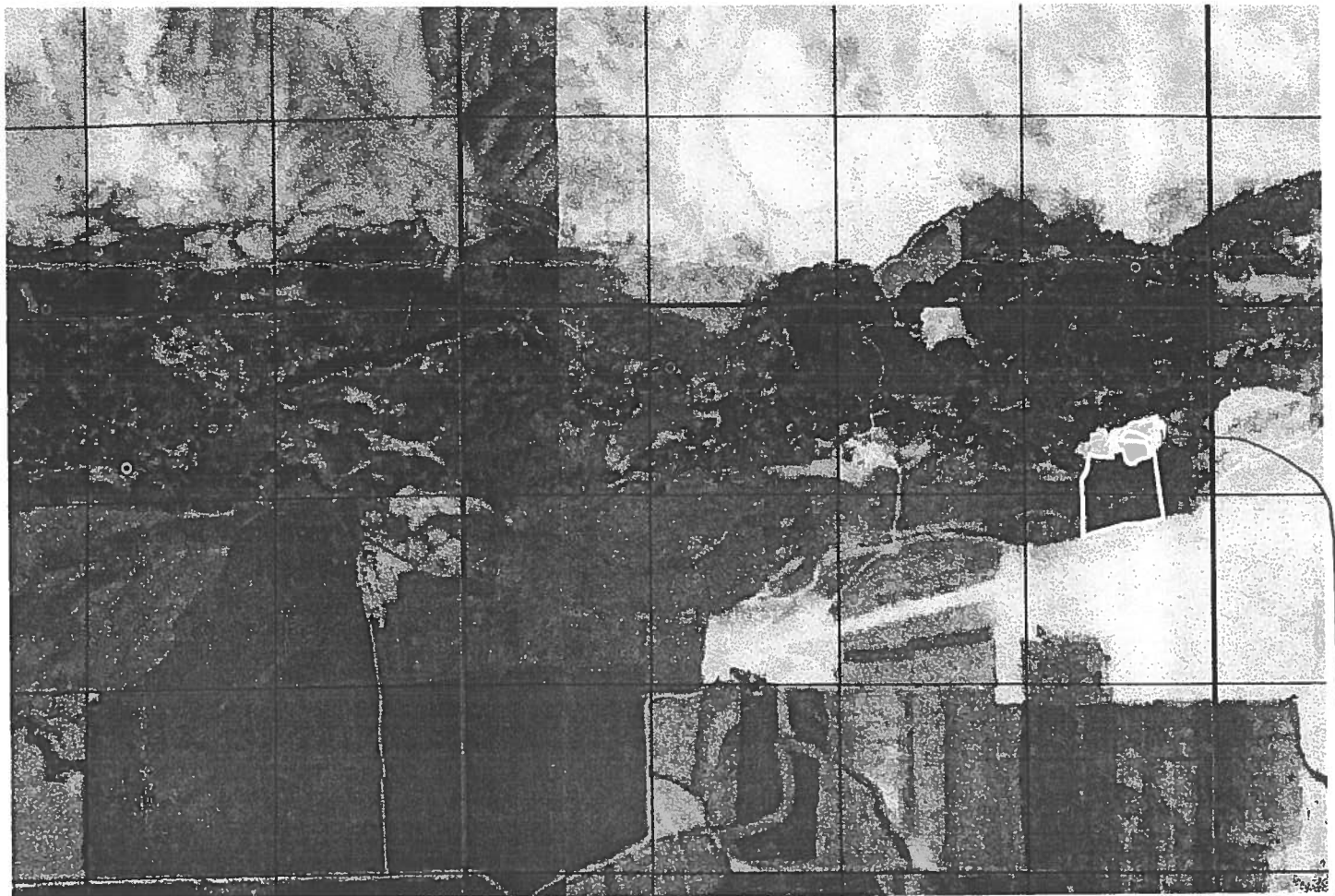
See photo that
corrects area
unigated

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

DATE: Jan 5 1999 SIGNATURE: Falma Moye Cullinan.
Please print your name: FALMA MOYE CULLINAN

IDAHO DEPARTMENT OF WATER RESOURCES

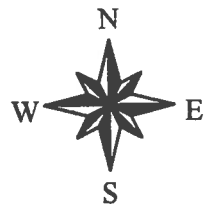
72-00012H



0 660 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 21, 1998
TWP 14N, 19E, SEC . 9

*area irrigated
is larger than
shown*



RECOMMENDED PLACE OF USE

⊙ RECOMMENDED POINT OF DIVERSION

□ SECTION LINES

□ QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

DATE: 11/18/98
PAGE: 1

(REGIONAL)

Stage: DECREED

CUSTER County

•

2.9

Other Rights: NONE.

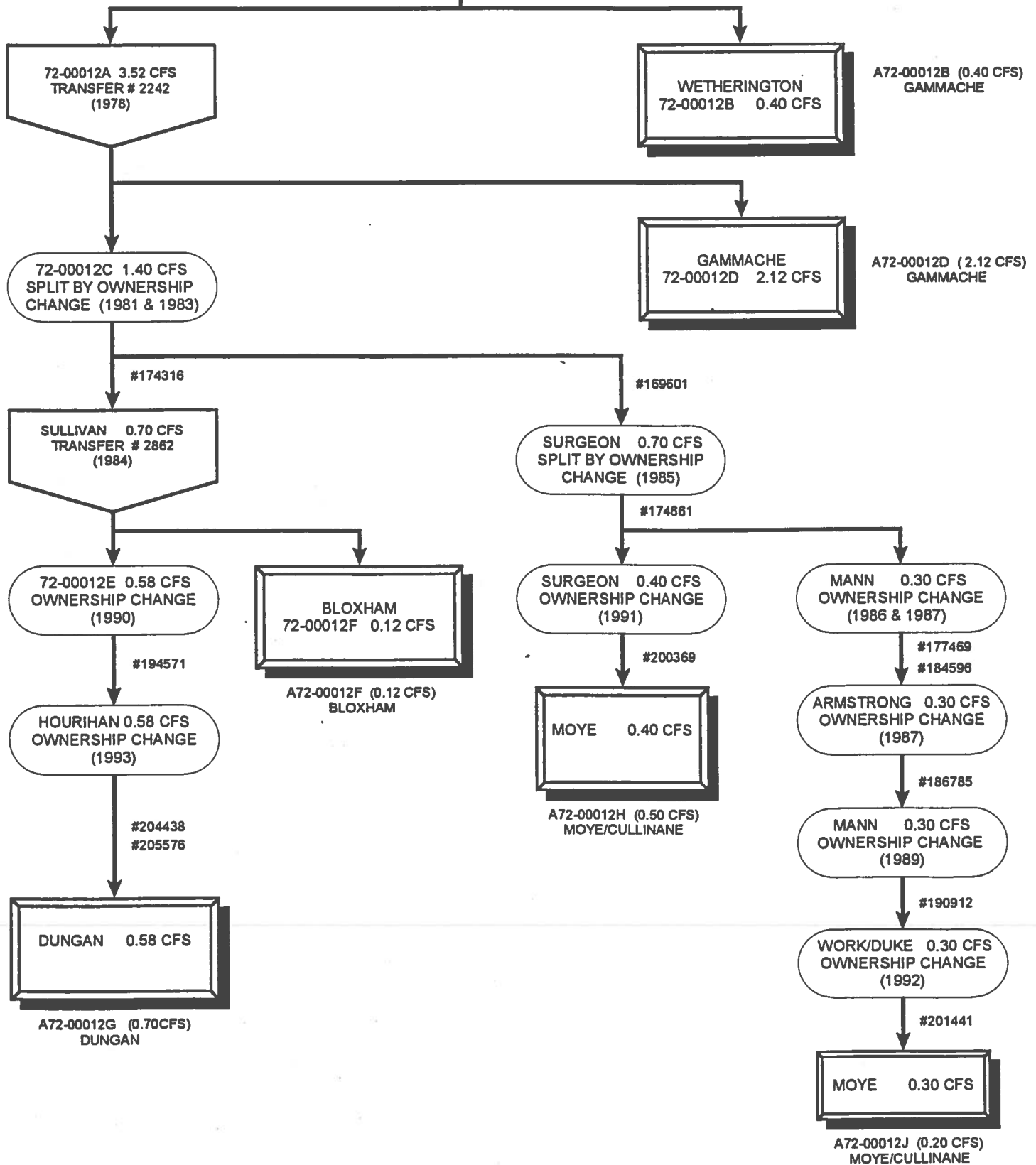
Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

UPDATED
10-25-96 BY CWS

OWNERSHIP
SPLIT TREE FOR
72-00012
3.92 CFS

TRANSFER # 869
(1956)



CLAIM NUMBER72-000/2H

DATE10/21/98

TRANSFER NUMBER

AGENTJ

CLAIMED ACRE TOTAL10

GIS ACRE TOTAL6.3

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	14N	19E	9	5			5													10
GIS	14N	19E	9	3.44			2.81													6.25
RECOM	14N	19E	9	3.4			2.8													6.3
				4.7			2.8													7.5
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP

SHAPE NOS.
256

Master updated 1-15-99 J

B72-DBPOD.SHP

NOS. DESCRIPTION

123 14N, 19E, 08 SENWNE

11-16-98 J

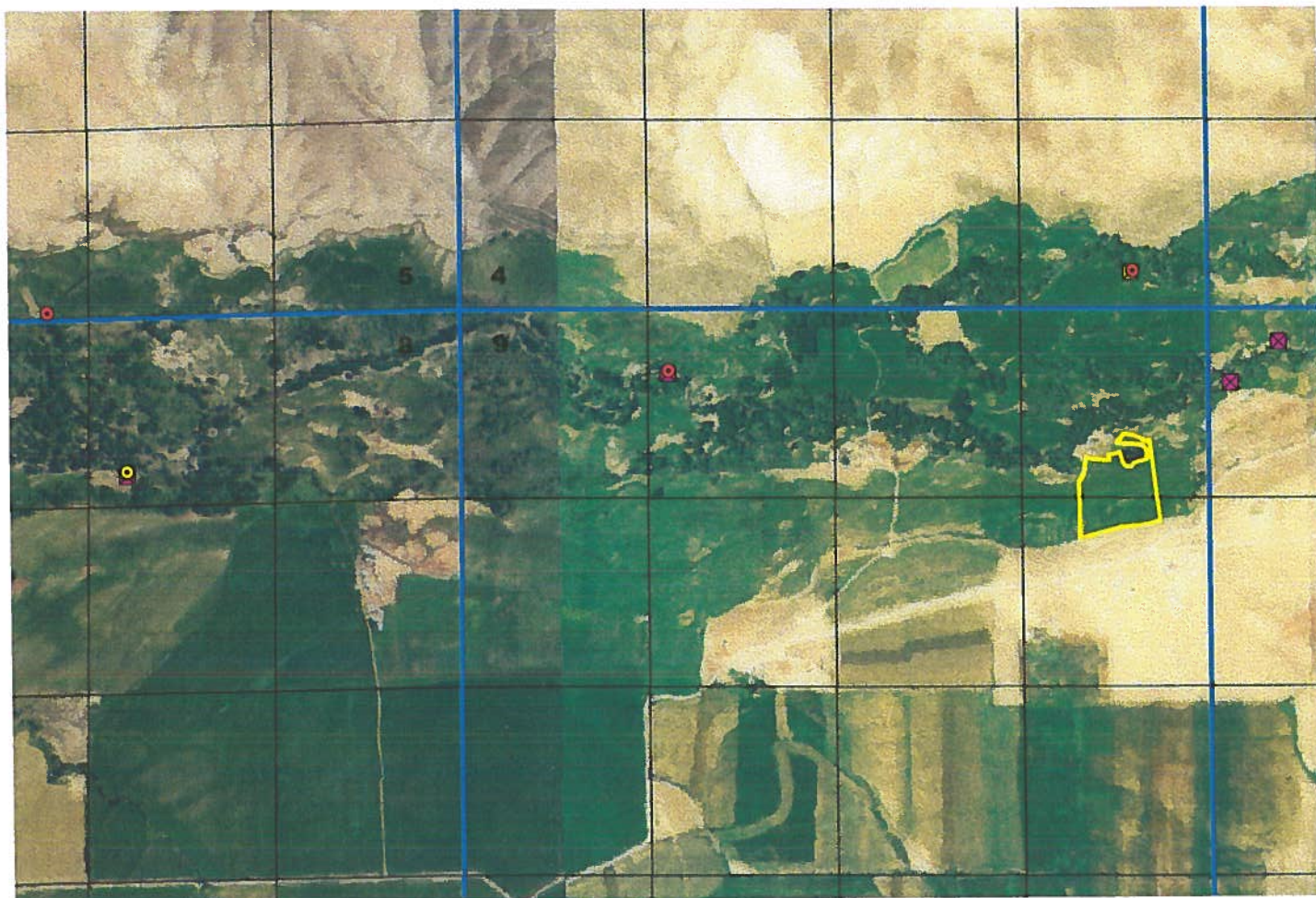
DBF TABLES UPDATED

B72-DBPOU.DBF ✓

B72-DBPOD.DBF ✓

IDAHO DEPARTMENT OF WATER RESOURCES

72-00012H



0 660 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 21, 1998
TWP 14N, 19E, SEC . 9



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00012 H

DATE: 11/18, 1998

REVIEWED BY

[Signature]

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION		SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA		PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62	PD2	.11	.12			5.15	4.74
BB1	.09	.09			6.09	6.17	Q	.26	.21			13.2	10.4
BC1	.16	.17			5.82	5.46	RD1	.14	.15			4.89	4.57
BK1	.07	.06			10.62	11.86	RE2	.29	.21			3.15	4.74
BT1	.18	.16			3.99	4.19							
BT2	.41	.32			2.34	2.87	RP1	.19	.21			4.89	4.57
CB1	.06	.06			11.55	13.47	SH1	.06	.05			9.37	12.10
CHA	.21	.21			4.52	4.76	SOC	.08	.07			7.38	8.08
CP1	.36	.36			2.61	2.78	SSA	.15	.14			4.79	5.01
DAF	.18	.15			5.33	7.27							
DB1	.13	.11			5.66	6.65	SXF	.12	.11			6.14	6.80
DBB	.13	.11			5.71	6.69	TC1	.06	.06			9.82	9.55
DBC	.13	.11			5.71	6.69	TD1	.04	.03			12.46	16.50
DMF	.18	.21			5.12	4.72	TS1	.08	.08			9.82	9.55
DRF	.18	.19			9.08	9.68	WB2	.13	.13			5.37	5.43
DT2	.05	.04			12.46	16.50	WAA	.19	.16			3.81	4.23
DWA	.14	.14			4.79	5.01	WBB	.17	.14			3.36	3.84
G01	.10	.12			12.47	10.51	WC1	.07	.06			11.24	13.45
KEG	.08	.07			8.73	10.06	WPT	.19	.15			3.16	3.69
MBF	.15	.12			7.65	5.81	WV1	.07	.06			11.24	13.45
MUG	.15	.14			4.54	4.98	XHS						
NDL	.13	.12			5.30	6.06	YN1	.18	.14			5.38	6.92

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
ATC	6.49	?	5	.15	= .75 CFS
Wcl	11.24	?	1.2	.07	= .08 CFS
					= CFS
					= .83 CFS

TOTAL ACRES 6.2

DECREED RATE =

CLAIMED DIVERSION RATE =

MEASURED DIVERSION RATE =

.5 *rec. as claimed*

Water Right Number - A72-02104C Prefix Translation: ADJUDICATION CLAIM Old (D) Number - 26145

Last Name First Name Address

** C - CURRENT OWNER **

UNCLAIMED
1 -
2 -
3 -
City- XXXXXXXXX State- ID Zip- 000000
Phone - 208-000-0000

** O - ORIGINAL OWNER **

BRADBURY MILLIE
1 -
2 -
3 -
City- CHALLIS State- ID Zip- 00000
Phone - 208-000-0000

Priority Date Region Stage Status
10/17/1955 17 SOUTHERN N - NOT CLAIMED

Source Tributary
UNNAMED STREAM DRAIN

WN	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name
4N	19E	9	SE NW			(37) CUSTER		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	1.440	

Total Div. Rate - 1.440
Total Div. Volume -
Total Div. Capacity -
Total Consumptive Use - 0.0
KW Usage -

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	19E	9	NE NE		12.0	01	IRRIGATION	(37) CUSTER
14N	19E	9	SE NE		5.0	01	IRRIGATION	(37) CUSTER
14N	19E	10	NE NW		10.0	01	IRRIGATION	(37) CUSTER
14N	19E	10	NW NW		22.8	01	IRRIGATION	(37) CUSTER
Total Acres:					49.8			

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

17 Ac. x .02 cfs/Ac. = .34
available for
moye?

WR5809NP
No. 72-02104A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/24/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MILLIE BRADBURY	10/17/1955	IRRIGATION	04/01 11/01	1.740 CFS	
TOTAL DIVERSION:					1.740 CFS	

Water Source: UNNAMED STREAM

Tributary to: DRAIN

Stage: LICENSE

Point(s) of Diversion: T14N R19E S09

SENW

CUSTER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
14N	19E	3	:											12	25					:	37.0
14N	19E	9	:	12				05												:	17.0
14N	19E	10	:						10	22										:	32.8
TOTAL ACRES																				86.8	

Pou County: CUSTER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
72-02104B

Other Water Rights Listing Overlapping Place(s) of use:
72-00012D 72-00012E 72-00012F 72-00015 72-00025B 72-02104B 72-04162 72-07540 72-07561 T72-00012G
T72-00012H

Dates: App. Received: Priority Date: 10/17/1955
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 07/10/1979

Misc: Water District Number: Field Exam Fee:

Audit: 10/26/89 CURTIS

09/24/96 C.S.

AFTER 1978 (TRANSFER # 2242)

1.40 cfs REMAINED OF 72-00012 (APPARENTLY OWNED BY THE CUNNINGHAM'S)

#174316
06/30/81
0.70 cfs (SULLIVAN'S)

#18601
11/10/82
0.70 cfs (SURGEON'S)

T# 2862
SALE AGREEMENT
10/21/81
TRANSFER # 2862
APPROVED IN 1981

#174661
01/11/85
0.30 cfs (MAHNS)

0.58 cfs (SULLIVAN'S)

0.12 cfs
BLOXHAM'S
A72-00012 F

0.40 cfs SURGEON'S

#177469 07/26/86
0.30 cfs (ARMSTRONG)

194571
(includes all water rights)

0.58 cfs (HOURIHAN)

1438
#205576
(no mention of water)

0.58 cfs
KINGAN
72-00012 G

#200369
07/15/91

0.40 cfs (MOYE)
A72-00012 H

#184596
MAY '87
0.30 cfs (ARMSTRONG)

#186785
INDENTURE 10/22/87
("all appurtenances")

0.30 cfs (MAHNS)

#190912 01/10/89
("and appurtenances")

0.30 cfs (SUE WORK/DUKE)
#201441 04/08/92

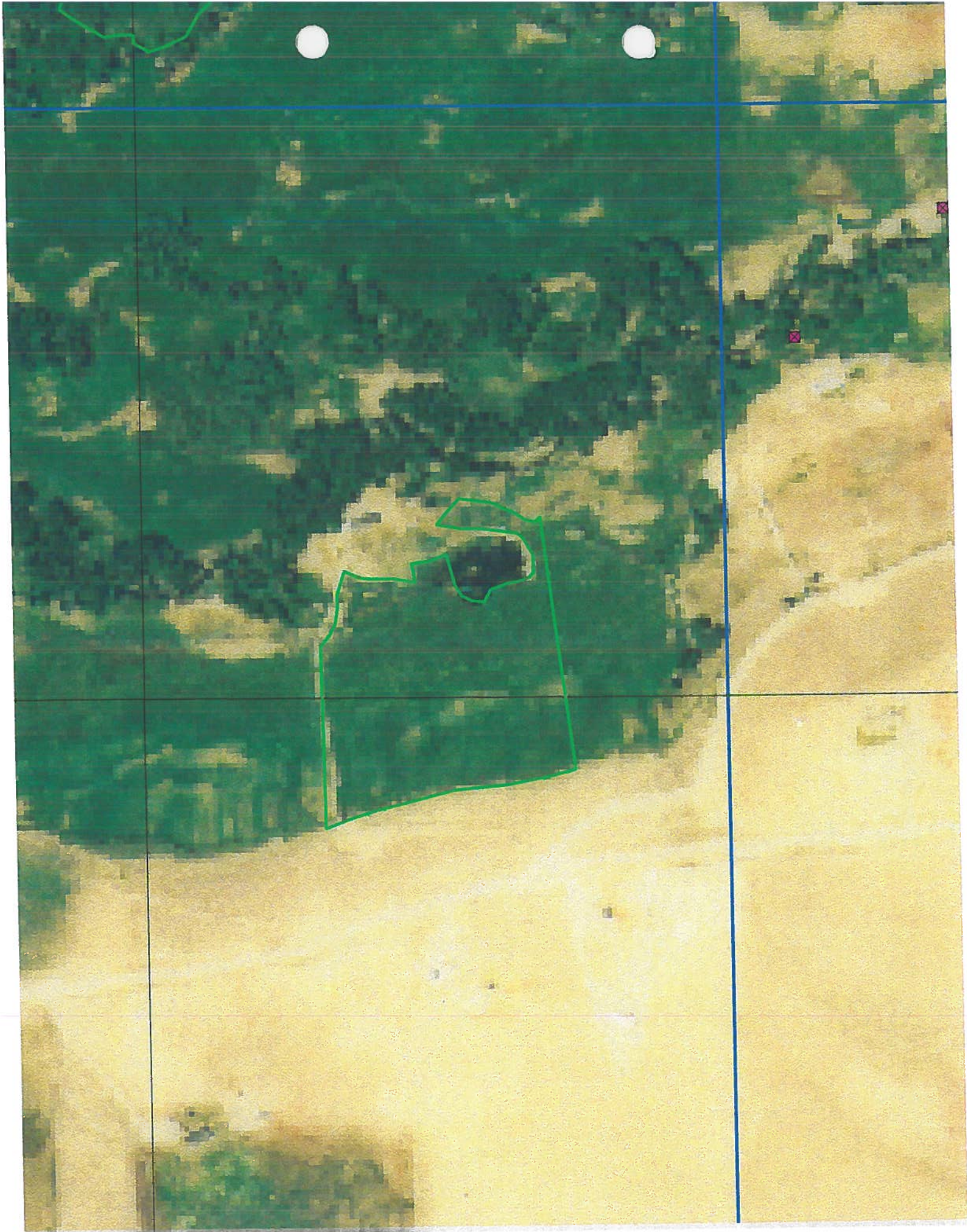
0.30 cfs (MOYE)
A72-00012 J



3.44 Ac.

2.81 Ac.

72-00012 H



72-00012 H

1.3 Ac.

THE FOLLOWING IS A COPY OF PROVISIONS 1 TO INCLUSIVE OF PART A AND PROVISIONS 1 TO 6 INCLUSIVE OF PART B WHICH ARE INCORPORATED BY REFERENCE IN THE DEED OF TRUST APPEARING ON THE REVERSE SIDE HEREOF.

[illegible][illegible][illegible][illegible][illegible][illegible]

DEED OF TRUST
WITH POWER OF SALE

GRANTOK

TITF AND TRIST COMPANY

TRISTEE

BENEFICIARY



TITLE AND TRUST COMPANY
300 North State Street
Baltimore, Md. 21201

[illegible]

**THE PROMISSORY NOTE OR NOTES, AND ANY EVIDENCES OR FURTHER AND/OR
ADDITIONAL ADVANCES MUST BE PRESENTED WITH THIS REQUEST**

1. Introduction

19

TITHE AND TRUST COMPANY, Trustees.

You are hereby authorized and requested to execute a promissory note and deliver same to

The contract stipulated that the contractor shall

Addendum

Page 10 of 10

INSTRUMENT NO.

TRACT 11:

A portion of Lot 24, Rocky Mountain Meadows, Custer County, Idaho, as shown by the official plat thereof, recorded as Instrument No. 158530, records of Custer County, Idaho, more particularly described as follows, to-wit:

Commencing at the corner common to Sections 1, 8, 9 and 10, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; thence South $0^{\circ}18'44''$ East, 770.00 feet on and along the section line common to said Sections 9 and 10 to the Northeast corner of Lot 24, Rocky Mountain Meadows Subdivision; thence South $89^{\circ}21'53''$ West, 409.00 feet on and along the North line of said Lot 24 to the Point of Beginning of this description; thence continuing South $89^{\circ}21'53''$ West, 501.00 feet on and along the North line of said Lot 24 to the Northwest corner thereof; thence South $0^{\circ}18'44''$ East, 1044.35 feet on and along the West line of said Lot 24 to the Southwest corner thereof; being also the Northwest right-of-way line of a County Road; thence North $72^{\circ}49'02''$ East, 377.08 feet on and along said right-of-way to a point of curvature; thence Northeasterly on and along said curve 226.37 feet, said curve having a delta angle of $6^{\circ}07'04''$ and a radius of 2120.00 feet; thence North $5^{\circ}22'49''$ West, 251.35 feet to the North line of said Lot 24 and the Point of Beginning.

CONTAINING THEREFROM.

A parcel of land located in the E1/4 of Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more specifically described as follows: Commencing at the Northeast Section Corner of said Section 9, a distance of 770.00 feet on a bearing of South $0^{\circ}18'44''$ East along the East boundary of Section 9; thence South $89^{\circ}21'53''$ West, 310.00 feet to a point on the Easterly bank of Challis Creek and being the REAL POINT OF BEGINNING; thence South $45^{\circ}09'13''$ West, 124.14 feet along said Easterly bank; thence North $0^{\circ}18'44''$ West, 55.00 feet; thence North $89^{\circ}21'53''$ East, 90.00 feet to the Real Point of Beginning.

TRACT 12:

A parcel of land located in the E1/4 of Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more specifically described as follows: Commencing at the Northeast Section Corner of said Section 9, a distance of 770.00 feet on a bearing of South $0^{\circ}18'44''$ East along the East boundary of Section 9; thence South $89^{\circ}21'53''$ West, 910.00 feet; thence South $0^{\circ}18'44''$ East, 298.66 feet to the REAL POINT OF BEGINNING; thence South $22^{\circ}05'11''$ West, 112.92 feet; thence South $8^{\circ}01'09''$ East, 320.86 feet; thence North $0^{\circ}18'44''$ West, 422.36 feet to the Real Point of Beginning.

ALL OF THE ABOVE LANDS, SUBJECT TO Those certain Sanitary regulations and Restrictive Covenants dated June 3, 1981, from Robert C. Cunningham and Elaine I. Cunningham, husband and wife, to the Public, recorded June 16, 1981, as instrument Nos. 158531 and 158532, records of Custer County, Idaho.

TOGETHER WITH 20 inches of 1879 water.

169558

THIS DEED OF TRUST, Made this 3rd day of November, 1983
BETWEEN ROBERT C. CUNNINGHAM AND ELAINE I. CUNNINGHAM, husband and
wife, herein called GRANTOR,

whose address is 1070 North Cole, Boise, Idaho 83704

TITLE AND TRUST COMPANY, an Idaho corporation, herein called TRUSTEE, and
JANNY M. CAFFERTY AND BILLIE LOU CAFFERTY, husband and wife, herein called BENEFICIARY.
WITNESSETH That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE
IN TRUST WITH POWER OF SALE, that property in the County of
State of Idaho, described as follows, either located within an incorporated city or village at the date hereof, or
containing not more than twenty acres:

See Exhibit "A" attached hereto and made a part hereof.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given
to and conferred upon Beneficiary to collect and apply such rents, issues and profits, for the purpose of securing payment of the
indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of SEVENTEEN THOUSAND
DOLLARS AND NO/100 Dollars, (\$ 17,000.00)

and to secure payment of all such further sums as may hereafter be
loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest,
for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together
with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances
or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this
Deed of Trust that it shall stand as continuing security until paid for all such advances together with interest thereon.

To protect the security of this Deed of Trust, Grantor agrees:

By the execution of this Deed of Trust and the Note hereby secured that provisions 1 to 6 inclusive of Part A and provisions 1 to 9
inclusive of Part B of the Master Form Deed of Trust which was recorded December 7, 1972, as Instrument No. 829115, Ada County,
Idaho Mortgage Records shall be and they are hereby incorporated and made an integral part hereof for all purposes as though set
forth herein at length.

Request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the Grantor
at the address hereinafter designated.

Robert C. Cunningham

ROBERT C. CUNNINGHAM

Elaine I. Cunningham

ELAINE I. CUNNINGHAM

STATE OF IDAHO COUNTY OF
On this 3rd day of Nov., 1983,
before me a Notary Public and for said state personally
appeared
ROBERT C. CUNNINGHAM and
ELAINE I. CUNNINGHAM



STATE OF IDAHO COUNTY OF Custer
I HEREBY CERTIFY That this instrument was filed for record at
the request of C.C.I.
at 20 minutes past 2 o'clock P.M.,
this 7th day of Nov
1983, in my office, and duly recorded in Book
of Mortgages at page

Ethel M. Beck
Ex-Officio Recorder
Viola G. Duffey Deputy
Filed 6:00
Mortgage C.C.I.

INSTRUMENT No.

A To pr
1. I
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3. I
4. I
5. I
6. I
7. I
8. I
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For Value Received We, Robert E. Surgeon and Simonne B. Surgeon,
husband and wife,

the grantor^s, do hereby grant, bargain, sell and convey unto
Don A. Mann and Glenda G. Mann, husband and wife,

the grantees, whose current address is Box 131, Donnelly, Idaho 83615

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

See Attached Exhibit A:

TOGETHER WITH 15 miner inches of 1879 Challis Creek Water.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee^s,
heirs and assigns forever. And the said Grantor do hereby covenant to and
with the said Grantee, that ^{their} he y ^{the} owner^s in fee simple of said premises; that they are free
from all incumbrances

SUBJECT TO current taxes.

and that ^{he} will warrant and defend the same from all lawful claims whatsoever.

Dated: August 14, 1985

Robert E. Surgeon
Simonne B. Surgeon

STATE OF IDAHO, COUNTY OF Custer
On this 14th day of August, 1985,
before me, a notary public in and for the said State, per-
sonally appeared Robert E. Surgeon and
Simonne B. Surgeon,

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Patricia A. Smith
Notary Public
Residing at Challis, Idaho
Comm. Expires Lifet

STATE OF IDAHO, COUNTY OF Custer
I hereby certify that this instrument was filed for record at
the request of Custer County

at 30 minutes past o'clock P.M.,
this 14th day of August,
1985, in my office, and duly recorded in Book
of Deeds at Page

Echols M. Peck
Ex-Officio Recorder

By *Ruth Robinson* Deputy.

Fees \$ 4.00
Mail to:

A p
hy
Cusi

Comm
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slor
to a
east
corn
20°5
Poin

174661

Description

Exhibit "A"

A portion of Lot 24, Rocky Mountain Meadows, Custer County, Idaho, as shown by the Official Plat thereof, recorded as instrument No. 158530, records of Custer County, Idaho, more particularly described as follows, to wit:

Commencing at the corner common to Sections 3, 4, 9, and 10, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; thence South 0°18'44" East, 770.00 feet on and along the section line common to said Sections 9 and 10 to the Northeast corner of Lot 24, Rocky Mountain Meadows Subdivision the True Point of Beginning; thence South 89°21'53" West, 409.00 feet on and along the North line of said Lot 24; thence South 5°22'49" East, 887.38 feet to a point on the northerly right-of-way line of a County Road; thence easterly along said County Road right-of-way 532.71 feet; to the Southeast corner of said Lot 24; thence North 1°09'19" East, 280.56 feet; thence North 20°50'47" West 587.99 feet to the Northeast corner of said Lot 24, the True Point of Beginning.

P.C.S.

SBS

ty Idaho, to-wit:

the said Grantee^s,
reby covenant to and
es; that they are free

ever.

Custer
out was filed for record at
unity Trust

o'clock P. M.,
August
d 15 1908

Back

RIGHT: _____

Cunningham → Cofferty
11-3-83
Tract I

CLAIMANT: _____

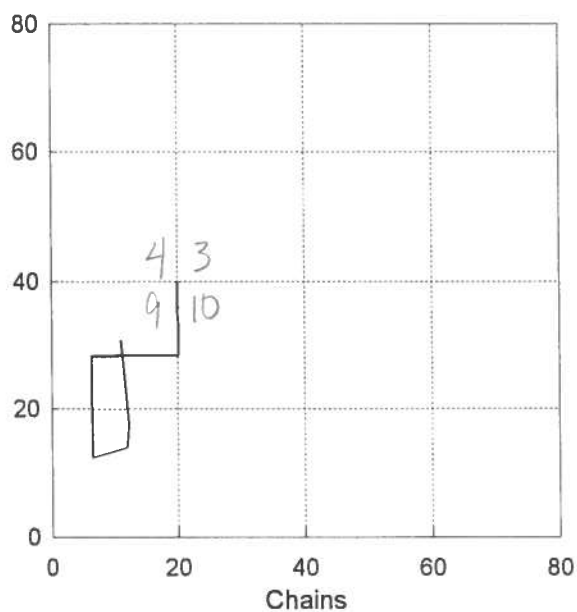
METES AND BOUNDS TABLE

X-COR	Y-COR	ANGLE			BEARING	DIST (FT)	CUM ACRES
		DEGREES	MINUTES	SECONDS			
=====							
20.00	40.00						-0.04
20.06	28.33	0.00	18.00	44.00	se	770.00	-0.02
13.87	28.26	89.00	21.00	53.00	sw	409.00	0.07
6.28	28.18	89.00	21.00	53.00	sw	501.00	21.71
6.36	12.36	0.00	18.00	44.00	se	1044.35	19.87
11.82	14.05	72.00	49.00	8.00	ne	377.08	17.15
12.19	17.46	6.00	7.00	4.00	ne	226.37	5.84
10.93	30.84	5.00	22.00	49.00	nw	887.38	5.84
10.93	30.84						5.84
10.93	30.84						5.84
10.93	30.84						5.84
10.93	30.84						5.84
10.93	30.84						5.84

RIGHT: _____

CLAIMANT: _____

METES & BOUNDS
Sec ____, T____, R____

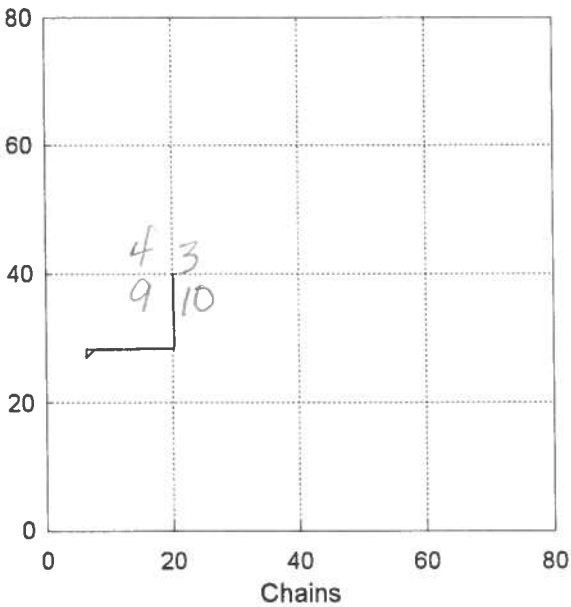


RIGHT: _____

Excepting Parcel

CLAIMANT: _____

METES & BOUNDS
Sec ____, T____, R____



RIGHT: _____

CLAIMANT: _____

METES AND BOUNDS TABLE

X-COR	Y-COR	ANGLE		BEARING	DIST (FT)	CUM ACRES
		DEGREES	MINUTES	SECONDS		
20.00	40.00					-0.04
20.06	28.33	0.00	18.00	44.00 se	770.00	0.05
7.64	28.20	89.00	21.00	53.00 sw	820.00	1.75
6.28	26.89	46.00	9.00	13.00 sw	124.14	-0.02
6.28	28.18	0.00	18.00	44.00 nw	85.00	-0.04
7.64	28.20	89.00	21.00	53.00 ne	90.00	-0.04
7.64	28.20					-0.04
7.64	28.20					-0.04
7.64	28.20					-0.04
7.64	28.20					-0.04
7.64	28.20					-0.04
7.64	28.20					-0.04
7.64	28.20					-0.04

RIGHT: _____

*Cunningham → Cofferty
Tract II*

CLAIMANT: _____

METES AND BOUNDS TABLE

X-COR	Y-COR	ANGLE			BEARING	DIST (FT)	CUM ACRES
		DEGREES	MINUTES	SECONDS			
20.00	40.00						-0.04
20.06	28.33	0.00	18.00	44.00	se	770.00	0.07
6.28	28.18	89.00	21.00	53.00	sw	910.00	6.27
6.30	23.66	0.00	18.00	44.00	se	298.66	8.49
5.66	22.07	22.00	5.00	11.00	sw	112.92	15.24
6.34	17.26	8.00	1.00	9.00	se	320.86	6.48
6.30	23.66	0.00	18.00	44.00	nw	422.36	6.48
6.30	23.66						6.48
6.30	23.66						6.48
6.30	23.66						6.48
6.30	23.66						6.48
6.30	23.66						6.48
6.30	23.66						6.48

08/21/96 04:10 PM

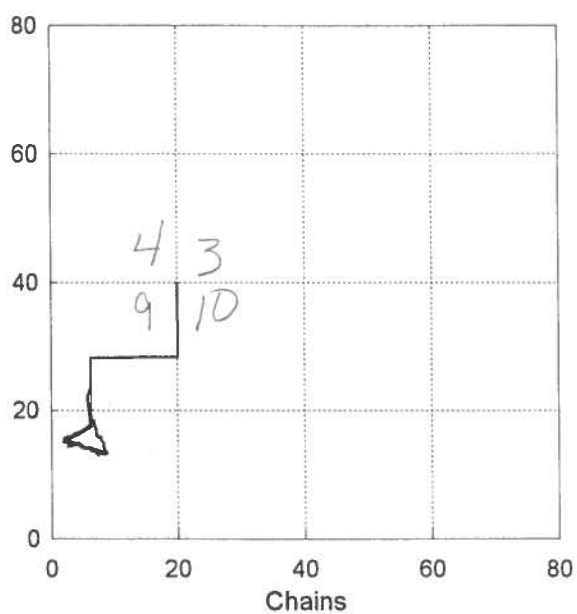
2.
ACRES = 6.48

By: _____

RIGHT: _____

CLAIMANT: _____

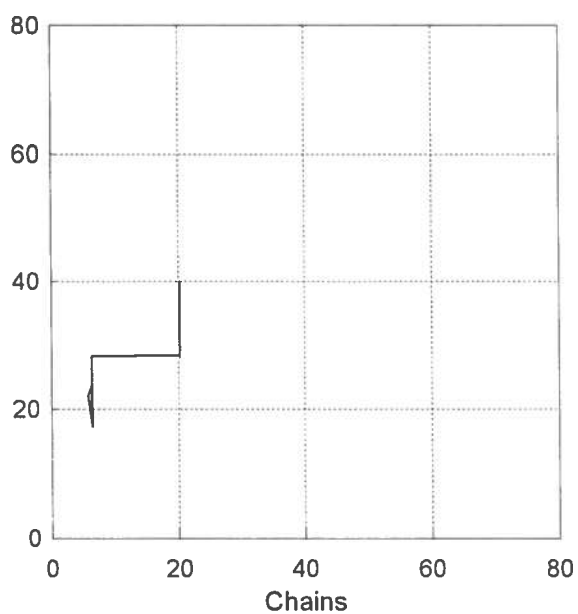
METES & BOUNDS
Sec ____, T____, R____



RIGHT: _____

CLAIMANT: _____

METES & BOUNDS
Sec ____, T____, R____



7

08/21/96 05:00 PM

ACRES = 6.48

By: _____

RIGHT: _____

CLAIMANT: _____

METES AND BOUNDS TABLE

X-COR	Y-COR	ANGLE			BEARING	DIST (FT)	CUM ACRES
		DEGREES	MINUTES	SECONDS			
20.00	40.00						-0.04
20.06	28.33	0.00	18.00		44.00 se	770.00	0.07
6.28	28.18	89.00	21.00		53.00 sw	910.00	6.27
6.30	23.66	0.00	18.00		44.00 se	298.66	8.49
5.66	22.07	22.00	5.00		11.00 sw	112.92	15.24
6.34	17.26	8.00	1.00		9.00 se	320.86	6.48
6.30	23.66	0.00	18.00		44.00 nw	422.36	6.48
6.30	23.66						6.48
6.30	23.66						6.48
6.30	23.66						6.48
6.30	23.66						6.48
6.30	23.66						6.48
6.30	23.66						6.48

RIGHT: _____

Surgeon to Mann
8-14-85
(15")

CLAIMANT: _____

METES AND BOUNDS TABLE

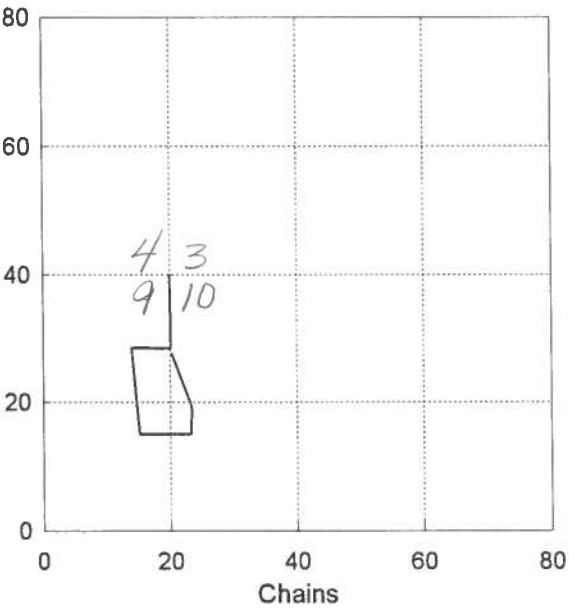
X-COR	Y-COR	ANGLE			BEARING	DIST (FT)	CUM ACRES
		DEGREES	MINUTES	SECONDS			
=====							
20.00	40.00						-0.04
20.06	28.33	0.00	18.00	44.00	se	770.00	-0.06
13.87	28.40	89.00	21.00	53.00	nw	409.00	7.31
15.13	15.02	5.00	22.00	49.00	se	887.38	7.31
23.20	15.02	90.00	0.00	0.00	ne	532.71	8.69
23.28	19.27	1.00	9.00	19.00	ne	280.56	10.10
20.11	27.59	20.00	50.00	47.00	nw	587.99	10.10
20.11	27.59						10.10
20.11	27.59						10.10
20.11	27.59						10.10
20.11	27.59						10.10
20.11	27.59						10.10
20.11	27.59						10.10
20.11	27.59						10.10

RIGHT: _____

CLAIMANT: _____

METES & BOUNDS

Sec ____, T____, R____



W.R.

72-00012
3.92 cfs (Mullik)
T# 869

(A)
3.52 cfs
T# 2242

(B)
(Wetherington)
.4 cfs

(C)
1.40 cfs
.2862

(D)
(Gammache)
2.12 cfs
159 Ac

(E)
(Bryham)
.12 cfs
12 Ac.
.28 cfs

AJ

A72-00012 B
(Gammache)
.4 cfs
46 Ac.

A72-00012 D
(Gammache)
2.12 cfs
159 Ac.

A72-00012 E
(split claim)

A72-00012 F
(Bryham)
.12 cfs
12 Ac

A72-10073

.7 cfs (Bryham)

50 Ac.

(Remunb. to A72-00012 G)

A72-10198
.5 cfs (Moye)
10 Ac.

(Remunb. to A72-00012 H)

A72-00021 B
.2 cfs (Moye)
10 Ac.

(Remunb. to A72-00012 I)

8/1/96

- need to determine actual M. area for E (before split & not divided), then there usually dead trail back and see what amount was conveyed and who brought what first divide up according to date and if not enough left - last guy gets who's left

Wanda 204438
Humber 205576

200369 }
201441 } More
190912 }

Water City, Colorado Office
879-2325

- Mye from Superior
- 5/6 20" - as table as exhibit 4?
- Mye from Lake
- any mention of species
- W.R. amount
- Super H7D
- any mention of species
- W.R. amount

- check WIM records for delivery amounts
- check BLM photo/invoice

Mayor → Superior 15"

(over)

6/9/94

COMMUNICATION DOCUMENTATION

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 JEANIE M ROBERTSON

DATE

CUSTOMER

June 24, 1996 8:36am

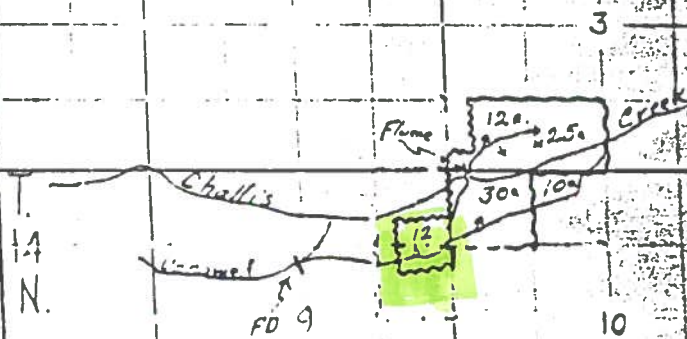
FALMA MOYE A72-00012H, A72-00012J

SUBJECT: QUESTIONS ON BOB'S RECOMMENDATIONS??

phone call (X) walk-in (.)

Had some questions on the acres and diversion amounts Bob has recommended for her claims. On 72-00012H he found 7.3 acres irrigated out of 10 claimed and cut the diversion from .5 cfs to .35 cfs. On 72-00012J he found 4.9 acres irrigated out of 10 claimed, but recommended the .2 cfs as claimed. She feels he may have considered a 3 acre field that she does irrigate to be part of the area he described as sub-irrigated. This field lies beyond the "sub" area. She doesn't mind the recommended "acres" as much as the fact that she still wants her 35" of decreed water, because the P/D is way up the ditch. I told her that I planned to be in Challis in the near future and I would be happy to meet with her and she could show me her place and we could go over her irrigation practices. She said they are building a house out there and I could reach her @ 838-2473 (temporarily) or her new husband, Ray Cullinane, could be reached at work @ 879-5204 (Middle Fork Ranger District).

R 19 E.



Subdivisions = Six
Area = 94 acres
Q = 94 inches

State of Idaho License and Certificate of Water Right

Water License No. 26145

Amount 1,19,9,2,3,4.

Water District No.

Priority October 17, 1955

THIS IS TO CERTIFY that MILLIE BRADBURY of Challis, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 17, 1955; that Permit No. 26145 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2 second feet, was issued thereunder on June 27, 1956, showing that said works were completed on the 22nd day of June, 1956; and that on the 7th day of August, 1956, Millie Bradbury

of Challis, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Unnamed Stream, a tributary of natural drain, for the purpose of Agriculture (farming), under Use Permit No. 26145 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume of Licenses at page 5872, on the 17th day of December, 1956;

The right hereby confirmed dates from October 17, 1955;

The Point of Diversion is located

In the 22 1/4 Sec. 9, Tp. 14 N. R. 19 E. B. M. County Custer

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
14	19	10	1	5	10
			2	5	30
			3	25	12
			4	35	25
			5	5	12
			6	10	5
Total number of acres actually irrigated					94

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness my hand and sign, of the State Reclamation Engineer, affixed at Boise, Idaho, this 19th day of December, 1956.

MARK R. KULP

State Reclamation Engineer.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No.

This permit is for

In Water District No.

1. Name of applicant *Ella Bradley*
2. Source of water supply: *waste waters which naturally drain off property owned by*
3. Location of point of diversion: Is in the *SE 1/4* of Section *2*
T. *22 N.* R. *12 E.*, T. 22 County of *Custer*

4. Describe works as they exist, giving dimensions and capacities of same: *Natural drainage and waste water collect in the unnamed stream which is actually an old channel of Challis Cr. It does not now have a distinct connection to the present channel but at the P.D. all the water is turned into the ditch and flows to fields by gravity. Ditch is 2 to 3 foot w. in bottom and is fast flowing.*

5. Water is used for: *Irrigation*
6. State whether or not water has been turned into works of diversion: *yes.*

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

*1. 35 acres in the SW 1/4 of Sec. 3,
T. 22 N., R. 12 E., S. 22, 10 acres in the SE 1/4 of Sec. 2,
T. 22 N., R. 12 E., S. 22, 11.25 acres in the NW 1/4 of Sec. 2,
T. 22 N., R. 12 E., S. 22, 12.5 acres in the SE 1/4 of Sec. 2,
T. 22 N., R. 12 E., S. 22.*

*Water is turned across the stream in a board flume
2' x 4' x 70' long*

(Insert map or attached plat, showing location and details of above description.)

8. What uses, if any, would the water here appropriated finally reach?

(Describe)

*The quantity of water is used on this ground
and returns to the stream flow eventually.*

day of *October*, 19*38*
(Signed) *E. H. Humphrey*
Engineer

October 19, 1956

RE: Permit No. 26145

Millie Bradbury
Challis
Idaho

Dear Madam:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. 26145 which shows that you have irrigated 94 acres of land in the S4SW1/4 Section 3; N4NW1/4 Section 10; and the E4NE1/4 Section 9, Township 14 North, Range 19 East, B.M., with the waters of an unnamed stream (waste water), with point of diversion in the SE1/4NW1/4 Section 9, same Township and Range.

However, since the NE1/4NW1/4 Section 10 was not included in your original Permit, the enclosed application for amendment to the land list should be completed and returned to this department for record.

A License can then be issued for 1.88 second feet of water upon receipt of the statutory license fee of \$12.00, being at the rate of \$2.00 for each 40 acre subdivision in which the land is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hl1
Enc.

26145

Water Right Number - A72-02104C

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 26145

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

*** C - CURRENT OWNER ***
UNCLAIMED1 -
2 -
3 -
City- XXXXXXXXX State- ID Zip- 0000000
Phone - 208-000-0000*** O - ORIGINAL OWNER ***
BRADBURY

MILLIE

1 -
2 -
3 -
City- CHALLIS State- ID Zip- 00000
Phone - 208-000-0000+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
10/17/1955 17 SOUTHERN N - NOT CLAIMED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
UNNAMED STREAM DRAIN+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
14N 19E 9 SE NW (37) CUSTER+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.440+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.440 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
14N 19E 9 NE NE 12.0 01 IRRIGATION (37) CUSTER
14N 19E 9 SE NE 5.0 01 IRRIGATION (37) CUSTER
14N 19E 10 NE NW 10.0 01 IRRIGATION (37) CUSTER
14N 19E 10 NW NW 22.8 01 IRRIGATION (37) CUSTER
Total Acres: 49.8

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

GEN THIS REPRESENTS THE UNCLAIMED PORTION OF A72-02104A 1.44 CFS. jr

Water right number - A72-02104C

Prefix Translation: ADJUDICATION CLAIM

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

+ - - - - 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

+ - - Audit Fields - 04/11/96 JROBERTS

+ - - - - -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	- 11/16/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X999999	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

SD-0611-2 Basin: 72 Starting Water Right: 02104

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	72-02104			00/00/0000	/			WR
-	72-02104A	BRADBURY, MILLIE	C	10/17/1955	L/	UNNAMED STREAM	IRR	WR
-	72-02104B	ROWLAND, MARY	C	10/17/1955	L/	UNNAMED STREAM	IRR	WR
-		ROWLAND, CARROLL	C					
-	A72-02104A	SPLIT RIGHT	C	10/17/1955	/Z	UNNAMED STREAM SPLIT RIGHT	IRR	AJ
-	A72-02104B	LOTT, CAL H	C	10/17/1955	L/	UNNAMED STREAM	IRR	AJ
-	A72-02104C	UNCLAIMED	C	10/17/1955	/N	UNNAMED STREAM	IRR	AJ
-	A72-02104D	DUNGAN, WATANA	C	10/17/1955	L/	UNNAMED STREAM	IRR	AJ
-		DUNGAN, JIM L	C					
-	A72-02104B	LOTT, CAL H	C	10/17/1955	L/	UNNAMED STREAM	IRR	AJ
-	R72-02104B	LOTT, CAL H	C	10/17/1955	/Z	UNNAMED STREAM	IRR	AJ
-	R72-10074	RENUMBERED RIGHT (R7	C	10/17/1955	/Z	UNNAMED STREAM RENUMBERED RIGHT	IRR	AJ
-	R72-02104			00/00/0000	/Z			AJ

* Decreed copied to Water Right Database (GOLD7=This Query)
 (Enter=Continue) (GOLD6=Print Profile Rpt) (GOLD8=Cancel) (Menu _____)

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
—	R72-02104A	SPLIT RIGHT	C	10/17/1955	/Z	UNNAMED STREAM SPLIT RIGHT	IRR	AJ
—	R72-02104B	LOTT, CAL H	C	10/17/1955	/Z	UNNAMED STREAM	IRR	AJ
—	R72-02104C	UNCLAIMED	C	10/17/1955	/N	UNNAMED STREAM	IRR	AJ
—	R72-02104D	DUNGAN, WATANA	C	10/17/1955	L/	UNNAMED STREAM	IRR	AJ
—		DUNGAN, JIM L	C					

* Decreed copied to Water Right Database (GOLD7=This Query)
(Enter=Continue) (GOLD6=Print Profile Rpt) (GOLD8=Cancel) (Menu _____)

Water Right Number - R72-00012H

Prefix Translation: RESEARCH

Old (0) Number -

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

*** C - CURRENT OWNER ***
CULLINANE

FALMA MOYE

CULLINANE

RAY

*** O - ORIGINAL OWNER ***
SURGEON

ROBERT E

SURGEON

SIMONNE

MOYE

FALMA J

1 - PO BOX 969
2 -
3 -
City- CHALLIS
Phone - 208-879-4508
1 - PO BOX 969
2 -
3 -
City- CHALLIS
Phone - 208-879-4508
1 - BOX 59
2 -
3 -
City- CHALLIS
Phone - 208-879-4226
1 - PO BOX 1145
2 -
3 -
City- CHALLIS
Phone - 208-000-0000
State- ID Zip- 83226
State- ID Zip- 83226
State- ID Zip- 83226
State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1879 17 SOUTHERN D - OECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
CHALLIS CREEK SALMON RIVER

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
TWN Rng Sec Tract Lot RFlg County
14N 19E 8 SE NW NE (37) CUSTER

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.350

+ - Total Oiv. Rate - + + - Total Oiv. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.350 18.2

Water right number - R72-00012H

Prefix Translation: RESEARCH

| Tw | | Rng | Sec | Tract | Lot | Acres | Place of Use | Code | Description | County |
|-----|-----|-----|-------|-------|-----|-------|--------------|------------|-------------|-------------|
| 14N | 19E | 9 | NE NE | SE NE | | 5.5 | 01 | IRRIGATION | | (37) CUSTER |
| 14N | 19E | 9 | SE NE | | | 1.8 | 01 | IRRIGATION | | (37) CUSTER |

Total Acres: 7.3

- - - Diversion Means - HEADGATE/DITCH

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - NONE.

- - - Remarks
No Remarks found.

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

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

- - - Decree Plaintiff - - - + - - - Decree Defendant - - - + - - - Decree Date - - - +
STEPHENS ET. AL. SHAW ET. AL. 00/00/0000

- - - Comments - - - - -
Date: 02/09/1993 User Id: WORSTELL Subject: COPIED FROM REMARKS OWNERSHIP CHANGE 2/21/92 BY JG.
THIS CLAIM IS FOR 25 INCHES OF DECREED RIGHT 72-00012.
ORIGINALLY CLAIMED AS A72-10198, DETERMINED TO BE PART OF WATER RIGHT 72-00012E AND RENUMBERED. jr
Date: 04/23/1994 User Id: WORSTELL Subject: COMBINED OPERATION
THIS CLAIM IS MANAGED IN COMMON WITH CLAIM R72-00012J.
Date: 08/13/1996 User Id: JROBERTS Subject: NAME CHANGE
FALMA MARRIED RAY CULLINANE AND ADDED HIS NAME TO CLAIM. jr

- - - Audit Fields - - - +
08/13/96 JROBERTS

- - - 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 | - 12/06/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - M005311 | Water District | - 72C |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

Water Right Number - R72-00012H

Prefix Translation:

RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***

MOYE

FALMA J

1 - PO BOX 1145
2 -
3 -

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***

SURGEON

ROBERT E

1 - BOX 59
2 -
3 -

State- ID Zip- 83226

SURGEON

SIMONNE

City- CHALLIS
Phone - 208-879-4226

State- ID Zip- 83226

Priority Date - - +
05/01/1879

Region - - - +
17 SOUTHERN

Stage - - - +
D - DECREED

Status - - - +

Source - - - - - +
CHALLIS CREEK

Tributary - - - - - +
SALMON RIVER

Turn Rng Sec Tract Lot Rflg County Point of Diversion - - - - - +
14N 19E 8 SE NW NE (37) CUSTER

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.350

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.350 18.2

| Turn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|------|-----|-----|-------|-----|-------|------|-------------|-------------|
| 14N | 19E | 9 | NE NE | | 5.5 | 01 | IRRIGATION | (37) CUSTER |
| 14N | 19E | 9 | SE NE | | 1.8 | 01 | IRRIGATION | (37) CUSTER |

Total Acres: 7.3

+ - - Diversion Means - HEADGATE/DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE.

Water right number - R72-00012H

Prefix Translation: RESEARCH

Remarks
No Remarks found.

7200012E

Old Water Right Numbers

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff - - - +
STEPHENS ET. AL.

Decree Defendant - - - +
SHAW ET. AL.

Decree Date - - +
00/00/0000

Date: 02/09/1993 User Id: WORSTELL Subject: COPIED FROM REMARKS

OWNERSHIP CHANGE 2/21/92 BY JG.

THIS CLAIM IS FOR 25 INCHES OF DECREED RIGHT 72-00012.

ORIGINALLY CLAIMED AS A72-10198, DETERMINED TO BE PART OF WATER RIGHT 72-00012E AND RENUMBERED. JR

Date: 04/23/1994 User Id: WORSTELL Subject: COMBINED OPERATION
THIS CLAIM IS MANAGED IN COMMON WITH CLAIM R72-00012J.

Audit Fields - - +
04/11/96 JROBERTS

Adjudication Rights Dates and Flags Area

| Court Report Filing | Field Inspection Made | Civil Case Number |
|-----------------------------------|------------------------------------|-----------------------------|
| Objection Filed Date - 00/00/0000 | Field Inspection Flag - 00/00/0000 | Old Case Number - 39576 |
| Response Filed Date - 00/00/0000 | Verified Date - 00/00/0000 | Old Judicial District - |
| Claim Received Date - 12/06/1989 | Last Amended Date - 00/00/0000 | Temporary Right - P |
| | Receipt Number - M005311 | Water District - 72C |
| | POU Ownership Flag - Y | Federal/State Indicator - S |
| | Name Connector - AND/OR | Presumption Flag - |
| | | Notice of Error Flag - |

POOR ORIGINAL

small pond

MICROFILMED

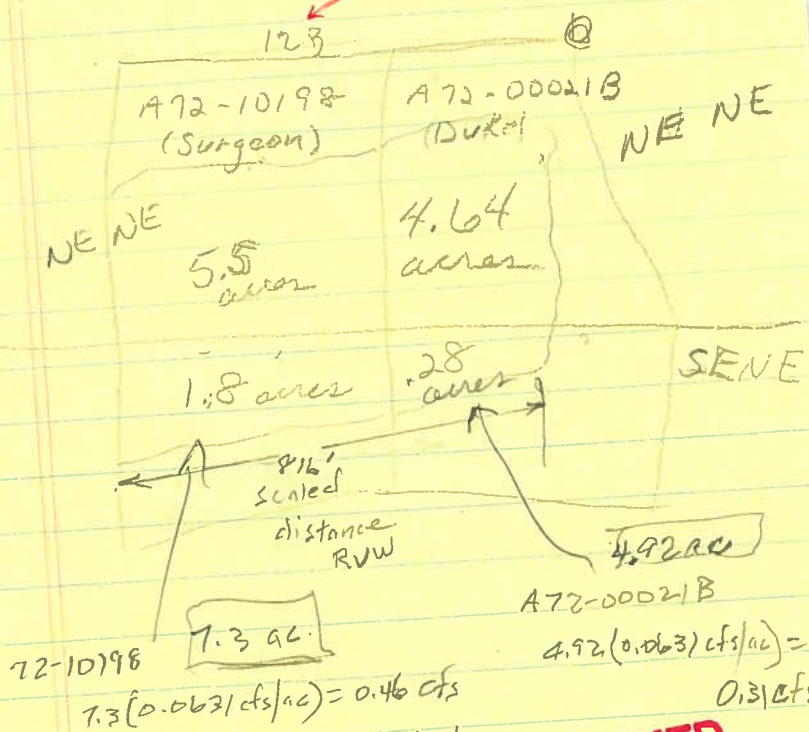
OCT 31 1996

POOR ORIGINAL

12B

POOR ORIGINAL

Claimed on 72-10263



By Hubble
Analysis

MICROFILMED
By Hubble
Analysis

OCT 31 1994

12.22 ac Total.

$$\frac{.08 \text{ cfs}}{12.22 \text{ ac}} = 0.0065 \text{ cfs.}$$

MICROFILMED

OCT 31 1994

Water Right Number - R72-00012H

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +
*** C - CURRENT OWNER ***
MOYE+ - First Name - - +
FALMA J.

+ - - - - Address - - - - +

1 - P.O. BOX 1145
2 -
3 -City- CHALLIS
Phone - 208-000-0000

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
SURGEON

ROBERT E.

1 - BOX 59
2 -
3 -City- CHALLIS
Phone - 208-879-4226
1 - BOX 59
2 -
3 -

State- ID Zip- 83226

SURGEON

SIMONNE

City- CHALLIS
Phone - 208-879-4226

State- ID Zip- 83226

+ - - Priority Date - - +
05/01/1879+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - +
CHALLIS CREEK+ - - Tributary - - - - +
SALMON RIVER+ - - - - Point of Diversion - - - - +
Twn Rng Sec Tract Lot Rflg County

14N 19E 8 SE NW NE (37) CUSTER

+ - - - - Water Use - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.350+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.350 18.2+ - - - - Place of Use - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
14N 19E 9 NE NE 5.5 01 IRRIGATION (37) CUSTER
14N 19E 9 SE NE 1.8 01 IRRIGATION (37) CUSTER

Total Acres: 7.3

+ - - Diversion Means - HEADGATE/DITCH

+ - - Non-Irrigation Use -

MICROFILMED

OCT 31 1994

Water right number - R72-00012H Prefix Translation: RESEARCH

Other Rights for Same Use - NONE

Remarks - No Remarks found.

7200012E Old Water Right Numbers -

Conditions of Approval - No Conditions of Approval found.

Decree Plaintiff - STEPHENS ET. AL. Decree Defendant - SHAH ET. AL. Decree Date - 00/00/0000

Comments - Date: 02/09/1993 User Id: WORSTELL Subject: COPIED FROM REMARKS THIS CLAIM IS FOR 25 INCHES OF DECREED RIGHT 72-00012. OWNERSHIP CHANGE 2/21/92 BY JG. Date: 04/23/1994 User Id: WORSTELL Subject: COMBINED OPERATION THIS CLAIM IS MANAGED IN COMMON WITH CLAIM R72-00012J.

Audit Fields - 04/23/94 WORSTELL

| 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 | - 04/23/1994 | Old Judicial District | - | | | | |
| Claim Received Date | - 12/06/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P | | | | |
| | | Receipt Number | - M005311 | Water District | - 72C | | | | |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S | | | | |
| | | Name Connector | - AND/OR | Presumption Flag | - | | | | |
| | | | | Notice of Error Flag | - | | | | |

MICROFILMED 001 3 1 1994

Water Right Number - R72-10198 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - Last Name - - - - + - First Name - - - - + - - - - Address - - - - +
*** C - CURRENT OWNER ***
MOYE
FALMA J.
1 - P.O. BOX 1145
2 -
3 -
City- CHALLIS
Phone - 208-000-0000
State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
SURGEON
ROBERT E.
1 - BOX 59
2 -
3 -
City- CHALLIS
Phone - 208-879-4226
State- ID Zip- 83226

SURGEON
SIMONNE
1 - BOX 59
2 -
3 -
City- CHALLIS
Phone - 208-879-4226
State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1879 17 SOUTHERN
+ - - - - Source - - - - - + - - - - Tributary - - - - -
CHALLIS CREEK
SALMON RIVER
2 - SEE REMARKS

+ - - - - Point of Diversion - - - - -
Twn Rng Sec Tract Lot RFlg County
14N 19E 8 NW NE (37) CUSTER

+ - - - - Water Use - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.500
+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
D.350 18.2

+ - - - - Place of Use - - - - -
Twn Rng Sec Tract Lot Acres Code Description County
14N 19E 9 NE NE 01 IRRIGATION (37) CUSTER
14N 19E 9 SE NE 01 IRRIGATION (37) CUSTER

Total Acres: 7.3

+ - - Diversion Means - HEADGATE/DITCH
+ - - Non-Irrigation Use -
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Water right number - R72-10198

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

RECOMMENDED AS RIGHT NO. 72-00012H

7200012E

Old Water Right Numbers

Conditions of Approval
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +
STEPHENS ET. AL.

+ - - - Decree Defendant - - - +
SHAW ET. AL.

+ - Decree Date - +
00/00/0000

Date: 02/09/1993 User Id: WORSTELL Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR 25 INCHES OF DECREED RIGHT 72-00012.
OWNERSHIP CHANGE 2/21/92 BY JG.

+ - - Audit Fields - - +
04/23/94 WORSTELL

+ - - - - 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 | - 04/23/1994 | Old Judicial District | - |
| Claim Received Date | - 12/06/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - M005311 | Water District | - 72C |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

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STATE OF TEXAS
DEPARTMENT OF WATER RESOURCES
ADMINISTRATIVE CLAIM SETTLEMENT REPORT

1A-05-03
02/06/93
R72-00012H

| ITEM ELEMENT | ITEM EVAL
Y/N | PROPOSED/RECEIVED
DATE/RECEIVED
BY NUMBER/DATE | ITEM EVAL
BY NUMBER/DATE | CLAIMED
PI ATM
Y/N | RECEIVED BY
FORM | PROPOSED/RECEIVED
DATE/RECEIVED
BY NUMBER/DATE | RECEIVED
DATE/RECEIVED
BY NUMBER/DATE |
|--------------------------|------------------|--|-----------------------------|--------------------------|---------------------|--|---|
| PROPERTY RATE | Y | | | N | | | |
| WORTH OF PI | Y | | | N | | | |
| REPAIR | Y | | | N | | | |
| STATE OF USE | Y | | | N | | | |
| PIU AMOUNT
RES/NUMBER | Y | | | N | | | |
| CONSTRUCTION USE | - | | | Y | 5 | | |
| WARRANTY | Y | | | N | 5 | | |
| WORTH OF USE | Y | | | Y | 6 | | |
| WORTH OF PI ATM | Y | | | Y | 6 | | |
| REMARKS | Y | | | Y | | | |

RW 8/1/93

R.V. 4/20/94 RW 4/23/94

TOP MAP/NOTATION-EN = 1
AFC MAP = 2
WARRANTY/RECEIVED = 3
PIU AMOUNT = 4
PIU AMOUNT = 5
OTHER (SEE REMARKS) = 6

10-9C-7 7/16/88

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THREE COPS ARE USED TO INDICATE HOW THE PIU EVALUATION RECEIVED THE INFORMATION
FROM FOR THE PIU EVALUATION. INFORMATION ARE AT COPS WHICH APPLY

Recommended as
R 72-00012H - a split
from 72-00012E

DATE: 1
GENERAL INFORMATION

STATE OF TEXAS
DEPARTMENT OF WATER RESOURCES
AUTOMATIC CLAIM VERIFICATION REPORT

CLAIM NUMBER: A77-10100

1A-70600
06/06/97

FACT: QUESTION
ANSWERS: NOY EQ
CITY: PHALITE
PHONE NUMBER: 208-879-4026
OWNER CODE: 0

FIRST: DUDLEY B.
STATE: TN ZIP: 37226

FACT: QUESTION
ANSWERS: NOY EQ
CITY: PHALITE
PHONE NUMBER: 208-879-4026
OWNER CODE: 0

FIRST: SIMONNE
STATE: TN ZIP: 37226

FACT: MOVE
ANSWERS: P.N. NOY 11A5
CITY: PHALITE
PHONE NUMBER: 208-879-4000
OWNER CODE: 0

FIRST: FAIRMA T.
STATE: TN ZIP: 37226

FACT: MOVE
ANSWERS: P.N. NOY 11A5
CITY: PHALITE
PHONE NUMBER: 208-879-4000
OWNER CODE: 0

FIRST: FAIRMA T.
STATE: TN ZIP: 37226

FACT: MOVE
ANSWERS: P.N. NOY 11A5
CITY: PHALITE
PHONE NUMBER: 208-879-4000
OWNER CODE: 0

FIRST: FAIRMA T.
STATE: TN ZIP: 37226

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CONTACT PERSON:

Falma Moyo

DATE OF FIELD EXAM:

8/11/93

APPOINTMENT MADE: Y

✓

N

Y

N

TIME:

Y

N

DATE:

Y

N

BY:

Y

N

DEPARTMENT TO CONTACT:

N/A

INSTRUCTIONS TO PROPERTY / REMARKS:

see attached "conversation memorandum", dated 8/11/93 by RVU.

Also see "remarks" in CVR for ~~42-00024B~~ 42-00012J

Recommended as 72-00012H to reflect its split from decreed
Right 72-00012E

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CONVERSATION MEMORANDUM

NAME OF PARTY Falina Moya
EMPLOYEE: Robert Worstell

DATE Aug. 11, 1993
~~March 25, 1994~~
FILE A72-0002113
A72-10198
00012H

RE: Field Exam - Adjudication

I met with Ms Moya to examine her 2 claims. She showed me the flood irrigation system she uses. She is ^{near} the end of a long ditch (Bradbury Ditch) that serves part of the Bradbury property and ~~the~~ part of the Gammache property. One claim "below" her (A72-10073 - Hourihan) also lists this ditch as part of their water supply. Ms. Moya has difficulty in receiving enough water to irrigate her pasture on these 2 claims.

Much of these pastures are in a "sub" area that is affected by run-off and seepage from the fields that are west of Moya's property. A small pond just east and south of her buildings is filled by run-off from these areas. Ms Moya pastures her horses on these pasture and occasionally has other animals use them.

She showed me an "artesian well" near her buildings that "sometimes flows 4 to 5 gal/min". A large 12" steel pipe can be used to take water from this well south thru the pond and across the pasture to the south edge of the pasture to discharge into the main diversion ditch. There was no pump on the well and no record of any water right, permit, or Adjudication claim for this well.

Ms Moya said that she covers the pasture irrigation in about 5 days with 2 sets/day.

The head gate near the south west corner of this property is a wood gate with a 13 1/2" x 9" opening.
(0.84 sq. ft.)

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A. AT CLAIM # A72-10190 PROPERTY NAME: AC-01-1079 CTAGE: D
B. BY PERSON: NO WATER RIGHT PERIOD TO WATER RITE AT CLAIM
C. FROM EVALUATION: DATE TO PROPERTY NAME DISCREPANCY? (Y/N) DATABASE Y EVALUATED *N*

ARE THERE ANY OTHER REASONS TO QUESTION THE PROPERTY NAME CLAIM? Y () N (*✓*)
IF YES EXPLAIN

REMARKS:

Decided
A split from W/R # 72-00012E which has a priority date of 5/1/1879

RECOMMENDED PRIORITY NAME:

5-1-1879

REVIEWED BY *R.D. St.*

DATE

2/9/93

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JUL 31 1994

A. AT PLATINUM SITE OF INTERSTION AND SOURCE:

| DATE | TIME | DATE | TIME | DATE | TIME | DATE | TIME |
|-----------|------|------|------|------|------|------|------|
| 477-10100 | 14N | 100 | 0 | SE | 100 | 100 | 100 |

NUMBER AT PLATINUM SITE OF INTERSTION

A. PROPERTY
NONE

SOURCE: QUALITY COPY

NOTE: SALMON RIVER

B. NO POINT OF INTERSTION AND SOURCE:

THERE IS NO WATER POINT RECORD WITH THE SAME PLATINUM NUMBER

SOURCE: NO SOURCE FOR RECORD

NOTE: NO TYPED COPY FOR RECORD

C. FIELD EVALUATION RESULTS:

| DATE TO FOR DISCREPANCY? | (Y/N) | DATE TO FOR DISCREPANCY? | (Y/N) | FIELD EVALUATION |
|--------------------------|-------|--------------------------|-------|------------------|
| DATE TO FOR DISCREPANCY? | (Y/N) | DATE TO FOR DISCREPANCY? | (Y/N) | Y |

REMARKS:

Managed as a common system with 72-000125

DECOMMISSIONED PLATINUM(S) OF INTERSTION AND SOURCE:

DATE: 14N 195 8

DATE: SE NW NE

DATE: Custer

SOURCE: <Hall's Creek

PROPERTY: NONE

DATE: Salmon River 4/21/94

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A. BOUNT WATER RIGHT NUMBERS: 472-10072
472-10108

B. BOUNT TITLING

| PLAT | DATE | CDR | 1/4 | 1/4 | TOT | NAME | A ¹
#/ACRES | WD
#/ACRES | TAKE
DATA | FEET
BY | ACRES |
|------|------|-----|-----|-----|-----|----------------------|---------------------------|-----------------|--------------|------------|-------|
| 101 | 100 | 9 | NE | NE | | MOYE EATMAN T. | 472-10108 / 5.0 | - | | | 27.0 |
| | | | NE | NE | | RAMMARUE ANTHONY T. | 472-000120 / 5.0 | 72-000120 / 5.0 | | | 6.8 |
| | | | NE | NE | | RAMMARUE UTILITAM T. | 472-000250 / 5.0 | 72-000250 / 5.0 | | | 5.5 |
| | | | NE | NE | | MOYE EATMAN T. | 472-10108 / 5.0 | - | | | 5.5 |
| | | | NE | NE | | RAMMARUE UTILITAM T. | 472-04162 / 5.0 | 72-04162 / 5.0 | | | 1.8 |
| | | | NE | NE | | UTILITAM UTILITAM T. | 72-000120 / 5.0 | 72-000120 / 5.0 | | | 1.8 |
| | | | NE | NE | | UTILITAM UTILITAM T. | 72-021044 / 5.0 | 72-021044 / 5.0 | | | 1.8 |
| | | | NE | NE | | RAMMARUE ANTHONY | 72-07415 / 5.0 | - | | | 1.8 |
| | | | NE | NE | | MOYE EATMAN T. | 472-10108 / 5.0 | - | | | 1.8 |
| | | | NE | NE | | RAMMARUE ANTHONY T. | 472-000120 / 5.0 | 72-000120 / 5.0 | | | 1.8 |
| | | | NE | NE | | RAMMARUE UTILITAM T. | 472-000250 / 5.0 | 72-000250 / 5.0 | | | 1.8 |
| | | | NE | NE | | MOYE EATMAN T. | 472-10108 / 5.0 | - | | | 1.8 |
| | | | NE | NE | | RAMMARUE UTILITAM T. | 472-04162 / 5.0 | 72-04162 / 5.0 | | | 1.8 |
| | | | NE | NE | | UTILITAM UTILITAM T. | 72-000120 / 5.0 | 72-000120 / 5.0 | | | 1.8 |
| | | | NE | NE | | UTILITAM UTILITAM T. | 72-021044 / 5.0 | 72-021044 / 5.0 | | | 1.8 |
| | | | NE | NE | | RAMMARUE ANTHONY | 72-07415 / 5.0 | - | | | 1.8 |
| | | | NE | NE | | TOTAL ACRES | 472-10108 | 10.00 | | | 69.00 |

ARE THERE ANY OTHER PLATS IN THE STATE OTHER THAN THE ONE ABOVE? YES ☒ NO ☐

IF YES, GIVE ADDRESS OF EACH: YES ☒ NO ☐

Total Property owned was claimed in adjudication
Only 7.3 acres were found to be irrigated

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UCI 3 1 1994

DESCRIPTION OF AC

DEMANDS

DESCRIPTION

TOTAL AMOUNT

PAID BY

7.3

R.O. 21

DATE

4/21/94

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JUL 31 1994

$$T(\lambda) = \frac{1}{\lambda} \left(\frac{1}{\lambda} - \frac{1}{\lambda^2} \right) = \frac{1}{\lambda^2} - \frac{1}{\lambda^3}$$

2475/1714

2018 NA-17 TN 11-17

51126717

ANALYST: R. L. MURPHY

ATTENDING CLIMATE

TOP SECRET TNA ET AFR

— FETTER PLAN CONTINUED —

PRIT
EYAKHMET
TATAPACE

| | | | |
|------|-------------------|------------------|--------|
| TIME | DATE-TIME | DTGPPRANFY? | /Y/N |
| TIME | TU TIME-POINT | EATD DTGPPRANFY? | /Y/ANY |
| TIME | TU DEPTON PRGM/TU | DTGPPRANFY? | /Y/ANY |

Y L

DEPT. OF I.G.P.

СЕРГЕЙ АЛЕКСАНДРОВИЧ

РЕЗЮМЕ НА 77-ИХ СТАНАРДИС НА ПИЛИТЕ

THE UNIVERSITY OF CHICAGO

✓

Evening in park, Boston.

New Standard Period of Use.

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1. TUBERCULOSIS SURVEILLANCE REPORT DATE / TIME CALCULATIONS (TUBERCULOSIS)

1. TUBERCULOSIS DATE
 7.3 0.02 CFS/AREA = 0.146
 (taken from p/n history)

TUBE AMOUNT PLATE EXCEED 0.02 CFS/AREA? ☒ YES ☐ NO

4.4 IS THE SURVEILLANCE REPORT FOR THE PTF AND ATTACHED? ☒ YES ☐ NO *See below*

2. TUBERCULOSIS CONCENTRATION USE

PLATE CONCENTRATION USE = 05.0 ΔF/A

AREA 7.3 0.02 CFS/AREA 0.146 = 2.5

TOTAL CONCENTRATION USE 18.2 ΔF/A

3. TUBERCULOSIS SURVEILLANCE USE

PLATE SURVEILLANCE USE = ΔF/A

AREA 0.02 CFS/AREA 0.146 = N/A

TOTAL SURVEILLANCE USE ΔF/A

4. CALCULATIONS FOR THE OTHER THAN TUBERCULOSIS

SEE ATTACHED SURVEY ☐ YES ☐ NO

REMARKS: (Include limitations on concentration use for combined plates)

Hubble analysis justifies up to 0.77 cfs diversion rate.

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 01 31 100

=====

REF
DIFFERENCES

REF REF
FROM TO

REF THU
DATE CPG

REF THU
UNIT AP/A

REF CORR
REF

Irrigation

4/15 10/15

0.35

N/A

18.2

TOTAL FOR THIS STUDY

REVIEWED BY:

R.L.K.

DATE:

4/21/94

from split of T2-DD012E

REFILMED

01 1994

STAT 1101-10100

ACCEPTED BY
AC PLATONER
()
()
()
NOTES
RETURN
()
()

SEE ATTACHED SHEET

CPG

25/11

PLATE

1000

256

U. S. A. 1964

Y

4/21/94
Sir Adjudication Agent

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ОСІ 31

PATM MIMDED = 677-70700

THE UNIVERSITY OF CHICAGO

35 1 25 25

$\Gamma_{\mathcal{C}} = \{ \gamma \in \Gamma \mid \gamma \text{ is a } \mathcal{C}\text{-curve} \}$

0157ED 781110

[illegible]

Right: NONE

DATE RECD 3/31/97 BY T6

Verifiability

Fig. 1. Transformation E_{12} and E_{21} .

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OC 3 1 1983

POOR ORIGINAL

4 3
9 10

Challis Creek

small pond

Ditch

3 2
10 11

CLAIM A72-10198 INIT JK

T. R. S. Q/Q

P/D 14N 19E 8 SE NW NE

PHOTO ID. BLM 10-9C-7 7/14/88

ENCL 2X

9 10
18 15

10 11
15 14

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OCT 31 1984



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 20, 1994

Ms Falma Moye
P O Box 1145
Challis ID 83226

RE: Adjudication Claims
A72-00021B & A72-10198

Dear Ms Moye;

In reply to the note we received from you on April 6, concerning the landowners who have claims for water use from the same ditch that supplies your irrigation water; our records show that Gammaches have claimed a 30 acre area that is irrigated from that ditch and Bradburys (now owned by Bauchmans) claimed an 85 acre area that is irrigated from that ditch. The ditch also runs through part of the Cox property and 10 acres lie near the ditch but they have not claimed any irrigation from that ditch. Mr. Hourihan (now owned by Dungan) also claimed water use from that ditch. This 50 acres lies at the end of the ditch - northeast of your place and across Challis Creek from you.

I am just completing the review of your 2 adjudication claims which I field-examined last August 11 with you. When I compared these 2 properties to aerial photos of the area I found that only part of the areas are being irrigated. Claim A72-00021B (made by Rina Sue Duke) was for 10 acres- the total property- but only 4.9 acres are below the ditch and are actually irrigated. Robert Surgeon (Claim A72-10198) also claimed his total 10 acres of property but only 7.3 acres are actually being irrigated. The balances of these properties lies on the hillside slopes above the ditch that brings the irrigation water by gravity flow. The total irrigated area for your two properties will be recommended as 12.2 acres.

Claim A72-00021B is based on decreed right 72-00021 as referred to in item 14(Remarks) on that claim. My research showed that this was an error. This Decreed right did not apply to the tract of land that covers your properties. Our records show that all of the flow of water right 72-00021 was moved by transfer #2167 (on Sept. 6, 1977) and combined with 3 other rights for application to another place of use under adjudication claim A72-10263. The decreed right that relates to both your properties is 72-00012E -the same as is referred to in your claim A72-10198 (by Surgeon). Both of your claims will be recommended with new numbers that will show them as further splits from decreed right 72-00012E.

I will retire May 1, 1994, but I have conferred with Allen Merritt, of this office, regarding these changes and I will still be living in Twin Falls to confer with if needed.

Respectfully,

Robert V. Worstell
Robert V. Worstell
1504 Poplar Ave
Twin Falls, ID. 83301

Phone (208) 733-5840

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OCT 31 1994

R PROOF



CVR



MAPS



PHOTOS

see elim
72-000123

MISC



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MAR 18 1993