

MAR 28 1994

Department of Water Resources
Southern Region Office

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: A72-00029C
Date Received: 11/17/1989
Receipt No: S010495
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: R. RICHARD BURCHILL 208-879-2731
Address: P.O. BOX 291
CHALLIS ID 83226
AND/OR
Name: RUTH E. BURCHILL 208-879-2731
Address: P.O. BOX 291
CHALLIS ID 83226

2. Date of Priority: MAY 1, 1897

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	18E	4	SW	SW	NW		CUSTER
		5	NW	NE	NE	1	CUSTER

5. Description of diverting works:
WOOD CONTROL GATES, 12" RECT. WEIRS & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.760		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 87.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH

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COPY

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	18E	4	NE		NW	3	IRR	1.0
			NE		NW	3	STOCK	
			SW		NW		IRR	26.0
			SW		NW		STOCK	
			SE		NW		IRR	3.0
			SE		NW		STOCK	
							Section Acres	30.0
		5	SE		NE		IRR	5.0
			SE		NE		STOCK	
							Section Acres	5.0
							Total Acres	35.0

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:

THE PLACE OF USE IS A PORTION OF H.E.S. 148.

THE POINT OF DIVERSION IS WITHIN H.E.S. 587.

NOTE THAT GOV'T LOT 3 WAS SPLIT BY H.E.S. 148 AND THAT PORTION NOT IS H.E.S. 148 IS CALLED GOV'T LOT 7.

THIS CLAIM AMENDED TO INCLUDE THE DIVERSION POINT ON CHALLIS CRK.

RVW 3/16/94

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STEPHENS, ET. AL.

Decree Plaintiff

SHAW, ET. AL.

vs Decree Defendant

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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 X 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): R. Richard Burchill Date: 03-22-94
Ruth E. Burchill Date: 3-22-94

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of March 19 94
Darren Hamilton
Notary Public

Seal

Residing at Challis
My Commission Expires 10/21/94

MICROFILMED
OCT 28 1994

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: A72-00029C
Date Received: 11/14/1989
Receipt No: 5010495
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R. RICHARD BURCHILL 208-879-2731
Address: P.O. BOX 291
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AND/OR
Name: RUTH E. BURCHILL 208-879-2731
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2. Date of Priority: MAY 01, 1897

3. Source: WHITE VALLEY CREEK Trib. to: CHALLIS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	18E	5	NW	NE	NE	1	CUSTER

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.760		
STOCKWATER	01/01	12/31	0.020		

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S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH

A72-00029C

Page 1

Date: 11/17/89

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MAR 17 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	18E	4	NE	NW	3	IRR	1.0
			NE	NW	3	STOCK	
			SW	NW		IRR	26.0
			SW	NW		STOCK	
			SE	NW		IRR	3.0
			SE	NW		STOCK	
			Section Acres				30.0
		5	SE	NE		IRR	5.0
			SE	NE		STOCK	
			Section Acres				5.0
			Total Acres				35.0

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:

THE PLACE OF USE IS A PORTION OF H.E.S. 148.

THE POINT OF DIVERSION IS WITHIN H.E.S. 587.

NOTE THAT GOV'T LOT 3 WAS SPLIT BY H.E.S. 148 AND THAT PORTION NOT IN H.E.S. 148 IS CALLED GOV'T LOT 7.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STEPHENS, ET. AL.

Decree Plaintiff

vs

SHAW, ET. AL.

Decree Defendant

29

28

27

Pats

F

O

R

S

32

255

092

33

173

34

P/D

086

086

5441

080

5

Creek

254

080

A 72-00029 C

A T I O N

9

10

Jeffs

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MAR 17 1993

Spring

Springs

079

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: 3 ^{1 Decd}
^{2 Maps}

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): R. Richard Burchell Date: 11-17-1989
Ruth E Burchell Date:

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of Nov. 19 89
Notary Public

Seal

Residing at Kimbury, Id.
My Commission Expires 6/30/94

WARRANTY DEED

For Value Received JESS RANKIN, an unmarried man,

the grantor, does hereby grant, bargain, sell and convey unto
R. R. B. RICHARD BURCHILL and BETSY BURCHILL, husband and wife,
 the grantees, whose current address is P.O. Box 291, Challis, ID 83226

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

A fraction of HES 148 located in Section 4 and 5, T. 14 N., R. 18 E.,
 Boise Meridian, Custer County, Idaho, described as follows:

Beginning at Corner #1, HES 148 run thence S. 66° 35' 36" E. a distance of
 328.00 ft. to Corner #2;

Thence N. 61° 24' 24" E. a distance of 1688.86 ft. to Corner #3;
 Thence S. 65° 14' 21" E. along line 3-4 a distance of 208.00 ft.;
 Thence S. 00° 21' 37" W. a distance of 180.00 ft.;
 Thence S. 86° 08' 41" W. a distance of 557.73 ft.;
 Thence N. 00° 21' 37" E. a distance of 28.57 ft.;
 Thence S. 61° 24' 24" W. a distance of 498.00 ft.;
 Thence S. 24° 00' 23" E. a distance of 1642.22 ft. to a point on line 6-7, HES 148;
 Thence N. 88° 31' 01" W. along line 6-7, a distance of 1116.70 ft. to Corner #7;
 Thence N. 34° 42' 29" W. a distance of 935.28 ft. to Corner #8;
 Thence N. 35° 40' 02" W. a distance of 956.44 ft. to Corner #9;
 Thence S. 66° 58' 07" E. a distance of 608.86 ft. to Corner #1, the POINT OF
 BEGINNING.

Parcel contains 43.39 acres.

TOGETHER WITH water rights as follows:

38 inches of May 1, 1897 water from Challis Creek--Bear Creek drainage.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
 their heirs and assigns forever. And the said Grantor does hereby covenant to and
 with the said Grantees, that he is the owner in fee simple of said premises; that they are free
 from all incumbrances

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

Dated:

6/20/89

Jess Rankin
 Jess Rankin

STATE OF IDAHO, COUNTY OF CUSTER }
 I, the undersigned, Notary Public, personally appeared
 JESS RANKIN, an unmarried man,
 known to me to be the person whose name is
 subscribed to the within instrument, and acknowledged to me that
 he executed the same.

Dawn Sundell
 Notary Public
 My Comm. Expires: 7-15-92

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

at 31 minutes past 2:00 o'clock P.M.,
 this 20th day of June,
 1989, in my office, and duly recorded in Book
 of Deeds at Page

Ethel M. Lock
 Ex-Officio Recorder
 By *Anna Nyler* Deputy.

Fees \$ 3.00
 Mail to: CCT

INSTRUMENT No. 192022

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MAR 17 1993

10



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MAR 17 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

16-Mar-1994

MR & MRS R. RICHARD BURCHILL
P O BOX 291
CHALLIS IDAHO 83226

RE: Amendment of Claim A72-00029C

Dear Mr & Mrs Burchill;

I have amended your claim A72-00029C as requested by phone by David Walrath and agreed to by Allen Merritt of this office.

I am enclosing 2 copies of the amended claim. Please examine them and sign one copy, have your signature notarized and return it to us for our files. The second copy is for your files.

Please contact us if you have any questions.

Respectfully,

A handwritten signature in cursive script, reading 'Robert V. Worstell'.

Robert V. Worstell
Sr. Adjudication Agent

2 Enclosures



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

11-Mar-1994

MR & MRS R. RICHARD BURCHILL
P O BOX 291
CHALLIS IDAHO 83226

RE: Adjudication Claim Late Fee

Dear Mr & Mrs Burchill;

I have received your recent Notice of Claim to a Water Right for the 8.5 acre parcel of your place that is irrigated by water diverted from Challis Creek. It all appears to be in order, except that an additional amount of fee is required before it can be processed. I am returning your check #2699 so that you can correct this problem. When I reviewed this new claim I found that you have already paid the variable fee for these acres under the fees paid for Claim A72-00029C. However it is still necessary that you pay the basic \$50 fee plus a \$50 late fee to establish this claim - for a total of \$100.

I am enclosing a Request For Extension of Time (Form 42-1409) which you may complete and submit to our State Office in Boise. If this extension is granted by that office, you will be eligible for a refund of the \$50 late fee that you have paid to have this claim put in the Adjudication records. The claim must be in the computer records before you can apply for this refund. Please give this matter your prompt attention. Thank you--

Respectfully,

Robert V. Worstell
Sr. Adjudication Agent

1 Enclosure

to Worstell
Phone Reply from David Walrath 3/15/94 - about amending
(son-in-law)
claim A72-00029C instead. Merritt said OK.



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 23, 1999

Richard Burchill
PO Box 291
Challis, ID
83226

Dear Mr. Burchill;

I have reached several conclusions regarding your situation on Challis Creek and its tributaries. Your claim #72-00029C lists the diversion as being in the SE/NE/NE Sec. 5, but Jeannie and I both agree that it is probably in the SW/NE/NE Sec. 5. The recommendation says that White Valley Creek is tributary to Challis Creek, but it is tributary to Bear Creek as you stated.

Claim 72-10044B does not list White Valley Creek as a source of high water, but this is the only stream that could historically water the land you bought from Rankin. I found another ½ acre of irrigated land in the NE/NW Sec. 5, making this tract 3.3 acres instead of the 2.8 acres recommended. We have never heard from Mr. Rankin regarding our recommendations, so had no way of knowing that there was a problem.

Without trying to give you ANY legal advice, I suggest that you petition the SRBA Court (PO Box 2707, Twin Falls, ID, 83303) to amend our recommendations to change the data described above. A simple letter from you should suffice, and I have been told that the Court is usually sympathetic to claimants in these situations. This is different from an objection, which the Court would probably not allow at this late date, although both procedures apparently accomplish the same thing.

I think that adding White Valley Creek as a source of flood water is especially important here, as this will remove a potential problem with your transfer. These claims could be decreed at any time, so it is important that you act as quickly as possible. Once the decrees are issued, the only way to change the claims will be through the transfer process. Land that was left out of the decree cannot be added back in with a transfer, so the SRBA process is more flexible in some ways. Let me know what happens so that I can proceed with reviewing your transfer at the appropriate time.



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Regards,

James E. Stanton
Sr. Water Resource Agent

MEMO

TO: File

DATE: 11/17/1999

FROM: J E STANTON

SUBJECT: Water Rights of Robert Burchill, Challis Creek Drainage

Last Friday I spent most of the day with Mr. Burchill reviewing his water rights in relation to a water transfer that he recently applied for. In order to properly evaluate the application, I needed to get a clear understanding of all the water used on his property and that of neighbor Steve Rankin (Burchill recently bought about 13 acres from Rankin). My analysis by water right is as follows:

1. 72-00029C (Burchill)

Is diverted from White Valley Creek in the NW/NE/NE Sec. 5 (in HES 587 per Bob Worstell), not in the SE/NE/NE S. 5 as recommended. Of the 38" under this right, between 19 & 30" have been diverted at this point according to Burchill. The other p/d for this right is on Challis Creek in Sec. 4 as recommended; from 8 to 19" have been diverted at this point. The diversion rates vary with irrigation needs of the 2 separate parcels irrigated from these 2 points, up to the 38" allowed. White Valley Creek is tributary to Bear Creek, not to Challis Creek as shown. No water is diverted from Bear Creek under this right, so that source is wrong.

*notes indicate * had to move about 200' to get GPS reading, so okay*

it was changed via SFS

yes

(didn't recommend Bear Cr. for this right!)

2. 72-00029B (Rankin)

The p/d from White Valley Creek needs to be changed as for 0029C. This diversion serves the land sold by Rankin to Burchill (all north of Bear Cr.). This right has also been diverted from Challis Creek at 2 points in the SE/SW/NW Sec. 4 for use on about 24 of the 30 remaining recommended acres kept by Rankin. According to Burchill, this right (11") was moved around among the 3 diversions as needed until this year. Rankin kept all of this right on his remaining land, so must file a transfer to change the p/d & p/u. Again, White Valley Cr. is trib to Bear Cr., not Challis Creek. The SRBA recommendation shows only White Valley Creek as a source for this right.

(that's all they claimed)
*Burchill amended his claim to add Challis Cr. POD but Rankin did not, * the Challis Cr. POD was recommended under 10044A to Rankin*

3. R72-10044A (Rankin)

The p/d on Pats Creek and the 2 on Challis Creek appear to be incorrect. The diversion from Pats Creek has been obliterated, along with the diversion ditch. The ditch from Bear Creek did not appear to be usable either (Burchill used to use these ditches to water the NE 6 acres or so of the recommended p/u when he lived there in the early 1990's, but new owners have basically trashed the place). There was a garden & a 6.2-acre pasture here in the past. Pats Creek is tributary to Bear Creek, not to Challis Creek as shown. The rest of the ground has been watered only from Challis Creek..

OK

4. R72-10044B (Burchill)

The land bought by Burchill is north of Bear Creek and upstream from the Pats Creek and Bear Creek diversions. It is physically impossible to water it from the listed sources by gravity flow. It could only be watered from White Valley Creek, but this source is not listed on the claim. What happened is that Burchill agreed to give up the use of 72-00029B (11") on this ground in exchange for 10" of 10044, which is his estimate of the carrying capacity of a 4" pipeline from Pats Creek.

5. 72-07431

This right includes 1.1 acres west of the Burchill homesite that is already irrigated under 00029C. The permit was for 3 acres of irrigation, and that is what was licensed. But the pipeline from springs along Pats Creek dumps directly into the ditch from White Valley Creek. This ditch runs easterly along the bottom of the hill below the Burchill home clear to the end of his property, so this diversion actually irrigates about 11 more acres than what is licensed (and has since 1994). This source is used on the 12.1 acres from mid-July on as White Valley Creek dries up.

6. Conclusions

Until this year, R72-00029B was used on the 11 irrigated acres previously owned by Rankin but now owned by Burchill. But this right was withheld by Rankin for use on his remaining land watered from Challis Creek. A transfer by Rankin is required to reflect this change. The land under Bear Creek/Pats Creek (a little over 6 acres) may or may not have a valid water right; it may have been forfeited for non-use.

Claim R72-10044B was never used on the ground bought by Burchill from the claimed sources. It appears that this ground has always been watered from White Valley Creek. But with only 49" available under 00029B & C, and with Rankin withholding 11" of it, Burchill has probably lost the right to irrigate this parcel from this source. Based on my conversation with Burchill, I don't think that more than 49" have been diverted from White Valley Creek. Therefore, no flood water would have been used on this parcel from any source prior to 1994. This claim should be denied. If this claim is denied, and the Rankin transfer is approved (has not been filed yet), there will be no water right for the 11 acres.

Burchill has been irrigating this parcel illegally from springs tributary to Pats Creek since 1994. This use occurs from about mid-July on as White Valley Creek dries up or is cut off by the watermaster. With the moratoriums that are in place in this area, there is no way to legalize this diversion unless there is an existing water right that could be moved to Pats Creek (the transfer should include both sources). Unless such a transfer is approved, Burchill should be required to keep Pats Creek water out of the ditch from White Valley Creek; he can still irrigate the 1.1 acres west of his homesite via surface pipeline, which he does now.

Based on information previously discussed, I think that 72-00029C be split into 2 parts. Each part has a separate source, p/d, p/u and flow rate. This will help the watermaster deliver these rights, and be useful in the transfer process.

Robertson, Jean

From: Denniston, Sara
Sent: Tuesday, September 14, 1999 8:39 AM
To: Robertson, Jean
Subject: RE: SF5 for Burchill (72-00029C)

Thanks!

-----Original Message-----

From: Robertson, Jean
Sent: Monday, September 13, 1999 2:12 PM
To: Denniston, Sara
Subject: SF5 for Burchill (72-00029C)

Got the signed and initialed SF5 back, which I have also signed and initialed. Since this one does not have your signature, I will forward it to you in the State Office mail so you can sign and also take care of the Certificate of Mailing!
Thanks, Jeanie

For	<u>Pouy</u>	Urgent ☐
Date	<u>10/27/99</u>	Time <u>10:50 am</u>
While You Were Out		
M		
Of	<u>Pick Burchill</u>	
Phone	<u>879-2731</u>	
	AREA CODE	NUMBER EXTENSION
Telephoned	☐	Please Call ☒
Came To See You	☐	Will Call Again ☐
Returned Your Call	☐	Wants To See You ☐
Message		
<u>Rep Terry Hammock</u>		
<u>case # 39-576</u>		
<u>sub 72-00029C</u>		
Signed _____		

9711  ADAMS BUSINESS FORMS

10/27 : DJ

Spoke w/ Teri Hranac about setting hearing after SF-5 filed. She is going to set aside hearing, made in error. Called Burchill back w/ word.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 27, 1999

R RICHARD BURCHILL
RUTH E BURCHILL
PO BOX 291
CHALLIS ID 83226

RE: STANDARD FORM 5 - 72-00029C

Dear Mr. and Mrs. Burchill,

After you left the office today, I did some checking before filing the SF5, which we had all signed and initialed, with the court. I then realized that the Season of Use (04/01 to 10/31) was actually correct! I apologize, but now I'm afraid that we need to initial and sign the enclosed forms again. (This version only changes the Source from Bear Creek to Challis Creek and leaves the Season of Use as is.)

Please sign and date the first page and just initial the bottom of the subsequent pages. I have enclosed a stamped, self-addressed envelope to return everything to me. I will then take care of the rest of the process. I apologize again for this inconvenience, but this should fix the problem once and for all.

Call me if you have any questions.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

SUBCASE NO: 72-00029C

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

THIS FORM MAY ONLY BE USED IF ALL PARTIES HAVE STIPULATED TO ALL ELEMENTS OF ONE WATER RIGHT AND MAY BE SUBMITTED AT ANY TIME FOLLOWING THE CLOSE OF THE STATUTORY RESPONSE PERIOD.

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

R. Richard Burchill 08-27-99 R. Richard Burchill 08-27-99
Claimant Date Objector Date

Janie Robertson 8/27/99 Ida 8/27/99
IDWR Concurrence Date IDWR Attorney (as to form) Date

72-00029C (CONT.)

RIGHTS FROM: SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-00029C

NAME AND ADDRESS: R RICHARD BURCHILL
RUTH E BURCHILL
PO BOX 291
CHALLIS ID 83226

SOURCE: WHITE VALLEY CREEK TRIBUTARY: CHALLIS CREEK
CHALLIS CREEK R.R.B. SALMON RIVER R.R.B.
BEAR CREEK * CHALLIS CREEK *

QUANTITY: 0.76 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/01/1897

POINT OF DIVERSION: T14N R18E S04 SWSNW Within CUSTER County
S05 LOT 1 (SENESE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	STOCKWATER	04-15 04-01 10-31 10-15	0.76 CFS
		04-15 04-01 10-31 10-15	0.02 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T14N R18E S04	NENW 0.6	NWNW 1.2	SWNW 25
S05	NENE 0.2	SENE 3	

30 ACRES TOTAL

STOCKWATER Within CUSTER County

T14N R18E S04	NENW	SWNW
S05	NENE	SENE

OTHER PROVISIONS 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
-----------------	--------

72-00029C (CONT.)

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH
~~S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH~~

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on _____, 1999, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

U.S. Department of Justice
Environment and Natural
Resources Division
550 West Fort Street, Box 33
Boise, ID 83724-0663

Signature of person or attorney mailing the form

AJ0743NP
(00-124)

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

07/29/99 15:43:54
Page 1

Water Right Number - R72-00029C

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
BURCHILL R RICHARD
1 - PO BOX 291
2 -
3 -
City- CHALLIS
Phone - 208-879-2731
1 - PO BOX 291
2 -
3 -
City- CHALLIS
Phone - 208-879-2731
State- ID Zip- 83226

BURCHILL RUTH E
State- ID Zip- 83226

Priority Date - 05/01/1897
Region - 17 SOUTHERN
Stage - D - DECREED
Status -

Source - WHITE VALLEY CREEK
CHALLIS CREEK
Tributary - CHALLIS CREEK
SALMON RIVER

Tm	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
14N	18E	4	SW SW NW	1	(37)	CUSTER	CHALLIS CREEK
		5	SE NE NE		(37)	CUSTER	WHITE VALLEY CREEK

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31		0.760	
04 - STOCKWATER		04/01	10/31		0.020	

Total Div. Rate - 0.760
Total Div. Volume -
Total Consumptive Use - 0.0
KW Usage -

Tm	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	18E	4	NE NW		0.6		01	IRRIGATION	(37) CUSTER
14N	18E	4	NW NW		1.2		01	IRRIGATION	(37) CUSTER
14N	18E	4	SW NW		25.0		01	IRRIGATION	(37) CUSTER
14N	18E	5	NE NE		0.2		01	IRRIGATION	(37) CUSTER
14N	18E	5	SE NE		3.0		01	IRRIGATION	(37) CUSTER
14N	18E	4	NE NW				04	STOCKWATER	(37) CUSTER
14N	18E	4	SW NW				04	STOCKWATER	(37) CUSTER
14N	18E	5	NE NE				04	STOCKWATER	(37) CUSTER
14N	18E	5	SE NE				04	STOCKWATER	(37) CUSTER

Total Acres: 30.0

- - Diversion Means - ROCK DAMS, WOOD CONTROL GATES, 12" RECT. WEIRS & DITCHES

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

[illegible]

PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.

EXP S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH

7200029 Old Water Right Numbers

+-----+ Conditions of Approval +-----+
 C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 +-----+

- RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
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90	90
91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

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
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
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97	97
98	98
99	99
100	100

QUESTION	ANSWER
1. Which of the following is not a characteristic of a good leader?	NONE
2. Which of the following is not a characteristic of a good leader?	NONE

- ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCECES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED

- CONJUNCTIVELY.

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.

N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL

- USE -

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

[+](#)
[-](#)
[Comments](#)
[+](#)
[-](#)
[Comments](#)
[+](#)
[-](#)
[Comments](#)

Date: 02/18/1993 User Id: WORSTELL Subject: COPIED FROM REMARKS
THE PLACE OF USE IS A PORTION OF H.E.S. 148. THE POINT OF DIVERSION IS WITHIN H.E.S. 587.

NOTE THAT GOV'T LOT 3 WAS SPLIT BY H.E.S. 148 AND THAT PORTION NOT IS H.E.S. 148 IS CALLED GOV'T LOT 7.

Date: 03/24/1994 User Id: WORSTELL Subject: AMENDMENT

CLAIM AMENDED TO INCLUDE CHALLIS CREEK POINT OF DIVERSION THAT WAS OMITTED IN INITIAL

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: 01/15/1999 User Id: JROBERTS Subject: CONDITION CODES NUS AN
ADDED CONDITION CODES N05 AND N08 FOR STOCKWATER PORTION OF RIGHT

ADDED CONDITION CODES N03 AND N08 FOR STOCKWATER PORTION OF RISHI
Date: 07/29/1989 User Id: JROBERTS Subject: CHANGED POD TO CHALLIS CREEK PER OBJECTION

OBJECTION STATED ONE POINT OF DIVERSION SHOULD BE CHALLIS CREEK, AS CLAIMED, NOT BEAR CREEK, AS RECOMMENDED. WATERMASTER CONFIRMED

LOCATION AS CHALLIS CREEK. (READY FOR SFS). j

07/29/99 JROBERTS

AJ0743NP
(OD-124)

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

07/29/99 15:43:55
Page 3

Water right number - R72-00029C

Prefix Translation: RESEARCH

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +	
Court Report Filing	- 01/29/1999
Objection Filed Date	- 05/26/1999
Response Filed Date	- 00/00/0000
Claim Received Date	- 11/17/1989
Field Inspection Made	- 09/30/1993
Field Inspection Flag	-
Verified Date	- 00/00/0000
Last Amended Date	- 00/00/0000
Receipt Number	- S010495
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	-

SD-4112
INQUIRY

Idaho Department of Water Resources
Adjudication Screen 4

Date: 07/29/99
Time: 15:50:34

Water Right Number: 72-00029C

Stage/Status:	D/	Receipt Number:	S010495
Court Report Filing Date:	1/29/1999	State/Federal Indicator:	S
Objection Filed Date:	5/26/1999	Old Judicial District:	
Response Filed Date:	/ /	Old Case Number:	
Claim Received Date:	11/17/1989	PoU Ownership Flag:	Y
Field Inspection Date:	/ /	Field Inspection Flag:	
Verified Date:	1/13/1999	Notice of Error Flag:	
Civil Case Number:	39576	Total Acres:	30.0
Water District Number:	72C		

(GOLD8=Cancel)

RECEIVED

JUN 01 1999

Department of Water Resources
Southern Region

RECEIVED

MAY 26 1999

Department of Water Resources

RECEIVED

MAY 17 1999

Department of Water Resources
Southern Region

JR.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase

72-00029C

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

R. RICHARD BURCHILL

Address:

Box 291

CHALLIS, ID. 83226

Daytime Phone: (208) 879-2731

Name & Address of Attorney, if any:

NONE YET

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

R. RICHARD + RUTH E BURCHILL

Address:

Box 291

CHALLIS, ID. 83226

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address

Should be: _____

2. ☐ Source

Should be: WHITE VALLEY CREEK AND CHALLIS CREEK

3. ☐ Quantity

Should be: _____

4. ☐ Priority Date

Should be: MAY 1ST 1897

5. ☐ Point(s) of Diversion

Should be: GPS SITE LOND A0007594
ON CHALLIS CREEK, NOT BEAR CREEK

6. ☐ Instream Flow Description

Should be: _____

7. ☐ Purpose(s) of Use

Should be: _____

8. ☐ Period of Year

Should be: _____

9. ☐ Place of Use

Should be: _____

11. I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

THE DIVERSION IS AND ALWAYS HAS BEEN ON CHALLIS CREEK,
NOT BEAR CREEK.

RECEIVED
MAY 17 1999
Department of Water Resources
Southern Region

F.

VERIFICATION (Must be Completed)

State of Idaho)
County of Custer)ss.

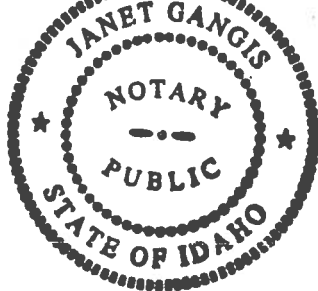
Ruth & Richard Burchill, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Ruth E Burchill
R. Richard Burchill
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: _____



May 14, 1999
Janet Gangis
Notary Public for _____
Residing at: Challis
My Commission Expires: 4/30/04

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on May 24, 1997, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: R. RICHARD BURCHILL
Address: Box 291
CHALLIS, ID. 83226

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

R. Richard Burchill

Signature of Objector or attorney mailing on Objector's behalf



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

MARK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

5-18-99

April 23, 1999

RICHARD BURCHILL
PO BOX 291
CHALLIS ID 83226

RE: STANDARD FORM

Dear Mr. Burchill,

Enclosed is an SF1 for you
for 72-00029C. Jack Cha
the sources as White Vall
be White Valley Creek and

Please follow the instructions
have any questions, feel free to
Snake River Basin Adjudication

Dear Mr. Burchill,
Unfortunately, I cannot
receive this "original" objection
form. You must complete
the certificate of mailing
on page 4 & sign it. Mail
original to the court and copies
to other parties as per
mailing instructions on page 3,
at the bottom. These are rules
of the court, not our
department. Thanks,

Jeanie

Sincerely,

Jeanie

Jeanie Robertson
Sr. Water Resource Agent

COPY

sent original back.
told to complete
cert. of mailing

RECEIVED

MAY 17 1999

Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

72-00029C

In Re SRBA

A. Subcase 72-00029C
(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: R. RICHARD BURCHILL

Address: Box 291

CHALLIS, ID. 83226

Daytime Phone: (208) 879-2731

Name & Address of Attorney, if any:

NONE YET

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: R. RICHARD + RUTH E BURCHILL

Address: Box 291

CHALLIS, ID. 83226

RECEIVED
MAY 17 1999

Department of Water Resources
Southern Region

F. VERIFICATION (Must be Completed)

State of Idaho)
County of Custer)ss.

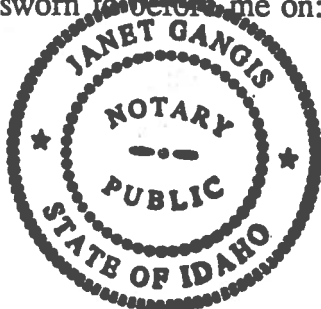
Ruth & Richard Burchill, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Ruth E Burchill
R. Richard Burchill
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: _____



May 14, 1999
Janet Gangis
Notary Public for _____
Residing at: Challis
My Commission Expires: 4/30/04

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.



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

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

February 26, 1999

R RICHARD BURCHILL
PO BOX 291
CHALLIS ID 83226

RE: 72-00029C

Dear Mr. Burchill,

This letter is in response to your letter dated February 1, 1999 in which you again asked that year-round stockwater use be allowed on this water right.

As I mentioned before, your claim was based on a part of 72-00029, a decree for irrigation use during the irrigation season. We consider stockwater use to be "incidental to irrigation" and allow stockwater use to be included as part of the water right during the irrigation season on such rights.

You may continue to water your stock year-round when water is available, as stockwater use is considered deferrable by the department and not required to have a water right.

If you would like a "water right" for year-round stockwater use, the only way is to file a new beneficial use claim with the priority date of when you started watering the stock. The filing fees for this type of claim is \$25.00.

Your area has already been reported to the court, so you must also file a Standard Form 4 (SF4), MOTION TO FILE A LATE CLAIM with the court in order for the claim to be accepted.

If you wish to pursue this option, I would be happy to send you the forms and answer any questions you have about the process. Feel free to give me a call at the office.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

Also, you mentioned the original
agreed did not mention stock water.
If you are using the original
deed as your base it was
split (3) three ways. 71 inches

1. Aguil 22 inches
2. Busch 38 "
3. Ranker 11 "

I'll enclose photo copies in
case you have lost them.

Sincerely, Robert Ranker

P. S. ALLAN MERRITT TOOK
INFORMATION 1989

Feb. 1, 1999

Jeanie Robertson

1341 Fullmore St.

Suit 200,

Twin Falls, Id. 83301-3380

72-00029C

Dear Jeanie,

I'll go through this water
basin with you one more
time. I agreed on priority date
as being 05-01-1897 not 1879.

It was only mentioned to see
if it could be changed to
make it more simple for water-
masters as we have a new one
every year.

Now the stock water:

We applied and paid for stock-
water year round as some of the
pasture land was isolated from
our streams. We are not filing
again!! We already have a ad-
judication claim filed report.

RECEIVED

FEB 03 1999

Department of Water Resources
Southern Region

RECEIVED

FEB 03 1999

Department of Water Resources
Southern Region

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: **A72-00029C**
Date Received: **11/17/1989**
Receipt No: **S010495**
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: R. RICHARD BURCHILL 208-879-2731
Address: P.O. BOX 291
CHALLIS ID 83226
AND/OR
Name: RUTH E. BURCHILL 208-879-2731
Address: P.O. BOX 291
CHALLIS ID 83226

2. Date of Priority: MAY 1, 1897

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	18E	4	SW	SW	NW		CUSTER
		5	NW	NE	NE	1	CUSTER

5. Description of diverting works:
WOOD CONTROL GATES, 12" RECT. WEIRS & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.760		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 87.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH

Water Right Number - R72-00029C

Prefix Translation:

RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BURCHILL

R. RICHARD

1 - P.O. BOX 291

State- ID Zip- 83226

BURCHILL

RUTH E.

2 -

City- CHALLIS
Phone - 208-879-2731
1 - P.O. BOX 291

State- ID Zip- 83226

+ - - Priority Date - - +
05/01/1897

+ - - - Region - - - +
17 SOUTHERN

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

+ - - - Status - - - +

Source - - - - +
WHITE VALLEY CREEK

Tributary - - - - +
CHALLIS CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
14N 18E 5 SW NE NE 5 (37) CUSTER

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

01 - IRRIGATION
04 - STOCKWATER

04/15
01/01

10/15
12/31

0.590
0.020

+ - Total Div. Rate - + + - Total Div. Volume - +
0.590

+ - Total Consumptive Use - + + - KW Usage - +
52.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
14N	18E	4	NW NW		0.2	01 IRRIGATION	(37) CUSTER	
14N	18E	4	SW NW		13.9	01 IRRIGATION	(37) CUSTER	
14N	18E	5	NE NE		1.7	01 IRRIGATION	(37) CUSTER	
14N	18E	5	SE NE		5.0	01 IRRIGATION	(37) CUSTER	
14N	18E	4	NE NW			04 STOCKWATER	(37) CUSTER	
14N	18E	4	SW NW			04 STOCKWATER	(37) CUSTER	
14N	18E	5	NE NE			04 STOCKWATER	(37) CUSTER	
14N	18E	5	SE NE			04 STOCKWATER	(37) CUSTER	

Total Acres: 20.8

+ - - Diversion Means - ROCK DAM, WOOD CONTROL GATE, 12" RECT. CONT. WEIR & DITCH

+ - - Non-Irrigation Use - S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH

Water right number - R72-00029C

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

REMARKS
PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.
RIGHT LISTED BELOW IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF
DIVERSION OF THESE RIGHTS IS LIMITED TO 1.1 CFS.
OTHER RIGHT NO.: 72-00029B.

A7200029

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: 02/18/1993 User Id: WORSTELL Subject: COPIED FROM REMARKS

THE PLACE OF USE IS A PORTION OF H.E.S. 148.
NOTE THAT GOV'T LOT 3 WAS SPLIT BY H.E.S. 148 AND THAT PORTION NOT IS H.E.S. 148 IS CALLED GOV'T LOT 7.

+ - - Audit Fields
00/00/00

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	- 01/20/1994	Old Judicial District	-
Claim Received Date	- 11/17/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010495	Water District	- 72C
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- D
				Notice of Error Flag	-



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 21, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

R RICHARD BURCHILL
RUTH E BURCHILL
PO BOX 291
CHALLIS ID 83226

RE: 72-00029C

Dear Mr. and Mrs. Burchill,

This letter is in response to the Notice of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendation of the claim listed above. Your NOE questioned the Priority Date, year-round Stockwater Use, and size of the Place of Use.

According to our records, the decree for your property has the priority date of 1897, not 1879, as you believed. Also, the original decree did not mention stockwater. I can only recommend the stockwater use during the same season as the irrigation use. (You could file a separate claim for year-round stockwater use, based on beneficial use, not the decree. As the Director's Report will soon be issued in your area, you must first file a motion with the court to file a late claim, SF4 enclosed for this purpose.)

As for the size of the Place of Use (30 acres), that is what I determined to be irrigated from Challis and White Valley Creeks, based on information in the file. Perhaps the additional 5 acres is up by your house and covered by Permit #72-07431, not irrigated in 1987, the time of the commencement of the adjudication, and which your claim should reflect.

If you still do not agree with the proposed IDWR recommendation to the court, you may file an objection with the court. The final recommendations are due to be mailed later this month and should be received in early February. The objection process will be explained with your Final Recommendation.

Sincerely,

Jeanie Robertson
Senior Water Resource Agent

AJ0749NP
No. R72-00029C

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	R RICHARD BURCHILL	05/01/1897	IRRIGATION	04-01 10-31	0.76 CFS	
C	RUTH E BURCHILL		STOCKWATER	04-01 10-31	0.02 CFS	
					TOTAL DIVERSION:	0.76 CFS

Water Source: WHITE VALLEY CREEK
BEAR CREEK

Tributary to: CHALLIS CREEK
CHALLIS CREEK

Stage: DECREED

Point(s) of Diversion: T14N R18E S04 SWSNW
S05 Lot01(SENENE) CUSTER County
CUSTER County

Place of use Legal Description for: IRRIGATION

NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac	NE NW SENE : NENW NWNW SWSW	SESW : NESW NWSW SWSW	SESE : NESE NWSE SWESE	
14N 18E 4 :	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	26.8
14N 18E 5 :	.2 03 : .6 01 25	:	:	3.2
TOTAL ACRES				30.0

Place of use Legal Description for: STOCKWATER

NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac	NE NW SENE : NENW NWNW SWSW	SESW : NESW NWSW SWSW	SESE : NESE NWSE SWESE	
14N 18E 4 :	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	26.8
14N 18E 5 :	S : S S	:	:	3.2
TOTAL ACRES				30.0

POU County: CUSTER

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.
- THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.

N05

Conditions of Approval:

N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

Remarks: GEN PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.

EXP S / 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH

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

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

Comments: Date: 02/18/1993 User-ID: WORSTELL Subject: COPIED FROM REMARKS
THE PLACE OF USE IS A PORTION OF H.E.S. 148.
THE POINT OF DIVERSION IS WITHIN H.E.S. 587.
NOTE THAT GOV'T LOT 3 WAS SPLIT BY H.E.S. 148 AND THAT PORTION
NOT IS H.E.S. 148 IS CALLED GOV'T LOT 7.

Date: 03/24/1994 User-ID: WORSTELL Subject: AMENDMENT
CLAIM AMENDED TO INCLUDE CHALLIS CREEK POINT OF DIVERSION THAT
WAS OMITTED IN INITIAL FILING.

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: CONDITION CODES N05 AND N08
ADDED CONDITION CODES N05 AND N08 FOR STOCKWATER PORTION OF RIGHT

Audit: 01/13/99 JROBERTS

November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED
DEC 16 1998
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: 72-00029C

R RICHARD BURCHILL
RUTH E BURCHILL
PO BOX 291
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):

YEARS AGO THE NUMBERS WERE TRANSPOSED ON PRIORITY DATE FROM 1879 TO 1899, IT WOULD BE BENEFICIAL TO BOTH US AND WATER MASTER IF THIS COULD BE CORRECTED.

2. Describe the changes you wish to make in the proposed recommendation:

OUR STOCKWATER DECREE IS YEAR ROUND 01-01 - 12-31

3. Give a brief explanation as to why you disagree with these portions:

TOTAL ACRES IS 35 TOTAL ACRES NOT 30
IT IS WHAT WE PAID FOR IN 1989
WHEN PROPERTY WAS PURCHASED.

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

DATE: 12-02-98

SIGNATURE:

R. Richard Burchill

Please print your name:

R. RICHARD BURCHILL

RIGHT NUMBER: 72-00029C

NAME AND ADDRESS: R RICHARD BURCHILL
RUTH E BURCHILL
PO BOX 291
CHALLIS ID 83226

SOURCE: WHITE VALLEY CREEK TRIBUTARY: CHALLIS CREEK
BEAR CREEK CHALLIS CREEK

QUANTITY: 0.76 CFS

PRIORITY-DATE: 05/01/1897 *CHANGE*

POINT OF DIVERSION T14N R18E S04 SWSNW Within CUSTER County
S05 LOT 1 (SENE)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	0.76 CFS
	STOCKWATER	<i>WRONG</i> 04-01 10-31	0.02 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

	T14N R18E S04	NENW	0.6	NWNW	1.2	SWNW	25
	S05	NENE	0.2	SENE	3		

WRONG 30 ACRES TOTAL

STOCKWATER	Within CUSTER County
T14N R18E S04	NENW SWNW
S05	NENE SENE

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.

PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH

RECEIVED

DEC 1989

Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF ID
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: 3957

Ident. Number: A72-00029
Date Received: 11/14/1989
Receipt No: 5010495
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R. RICHARD BURCHILL 208-879-2731
Address: P.O. BOX 291
CHALLIS, ID 83226
AND/OR
Name: RUTH E. BURCHILL 208-879-2731
Address: P.O. BOX 291
CHALLIS, ID 83226

2. Date of Priority: MAY 01, 1897

3. Source: WHITE VALLEY CREEK Trib. to: CHALLIS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	18E	5	NW	NE	NE	1	CUSTER

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.760		
<u>STOCKWATER</u>	<u>YEAR ROUND</u>	<u>01/01</u> <u>12/31</u>	0.020	=	1" For 241

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

A.F.A.

8. Total consumptive use is 87.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH

A72-00029C

Page 1

Date: 11/17/89

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	18E	4	NE	NW	3	IRR	1.0
			NE	NW	3	STOCK	
			SW	NW		IRR	26.0
			SW	NW		STOCK	
			SE	NW		IRR	3.0
			SE	NW		STOCK	
			Section Acres				30.0
		5	SE	NE		IRR	5.0
			SE	NE		STOCK	
			Section Acres				5.0
			Total Acres				<u>35.0</u>

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:
THE PLACE OF USE IS A PORTION OF H.E.S. 148.
THE POINT OF DIVERSION IS WITHIN H.E.S. 587.
NOTE THAT GOV'T LOT 3 WAS SPLIT BY H.E.S. 148 AND THAT PORTION
NOT IS H.E.S. 148 IS CALLED GOV'T LOT 7.

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

STEPHENS, ET. AL. vs SHAW, ET. AL.
Decree Plaintiff Decree Defendant

Water Right Number - R72-00029C

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
BURCHILL

R RICHARD

BURCHILL

RUTH E

1 - PO BOX 291
2 -
3 -
City- CHALLIS
Phone - 208-879-2731
1 - PO BOX 291
2 -
3 -
City- CHALLIS
Phone - 208-879-2731

State- ID Zip- 83226

State- ID Zip- 83226

Priority Date - +
05/01/1897

Region - +
17 SOUTHERN

Stage - +
D - DECREED

Status - +

Source - +
WHITE VALLEY CREEK
BEAR CREEK

Tributary - +
CHALLIS CREEK
CHALLIS CREEK

Twn Rng Sec Tract Lot Rflg County Point of Diversion
14N 18E 4 SM SM NW (37) CUSTER
5 SE NE NE 1 (37) CUSTER

Code Description Period from Period to Water Use
01 - IRRIGATION 04/01 10/31
04 - STOCKWATER 04/01 10/31

Diversion Rate Diversion Volume

+ - Total Div. Rate - + + - Total Div. Volume - +
0.760

+ - Total Consumptive Use - + + - KW Usage - +
0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	18E	4	NE NW		0.6	01	IRRIGATION	(37) CUSTER	
14N	18E	4	NW NW		1.2	01	IRRIGATION	(37) CUSTER	
14N	18E	4	SM NW		25.0	01	IRRIGATION	(37) CUSTER	
14N	18E	5	NE NE		0.2	01	IRRIGATION	(37) CUSTER	
14N	18E	5	SE NE		3.0	01	IRRIGATION	(37) CUSTER	
14N	18E	4	NE NW			04	STOCKWATER	(37) CUSTER	
14N	18E	4	SM NW			04	STOCKWATER	(37) CUSTER	
14N	18E	5	NE NE			04	STOCKWATER	(37) CUSTER	
14N	18E	5	SE NE			04	STOCKWATER	(37) CUSTER	

Total Acres: 30.0

+ - Diversion Means - ROCK DAMS, WOOD CONTROL GATES, 12" RECT. WEIRS & DITCHES

VERIFIED BY KRC
11-14-98

no chg R/D or
removed

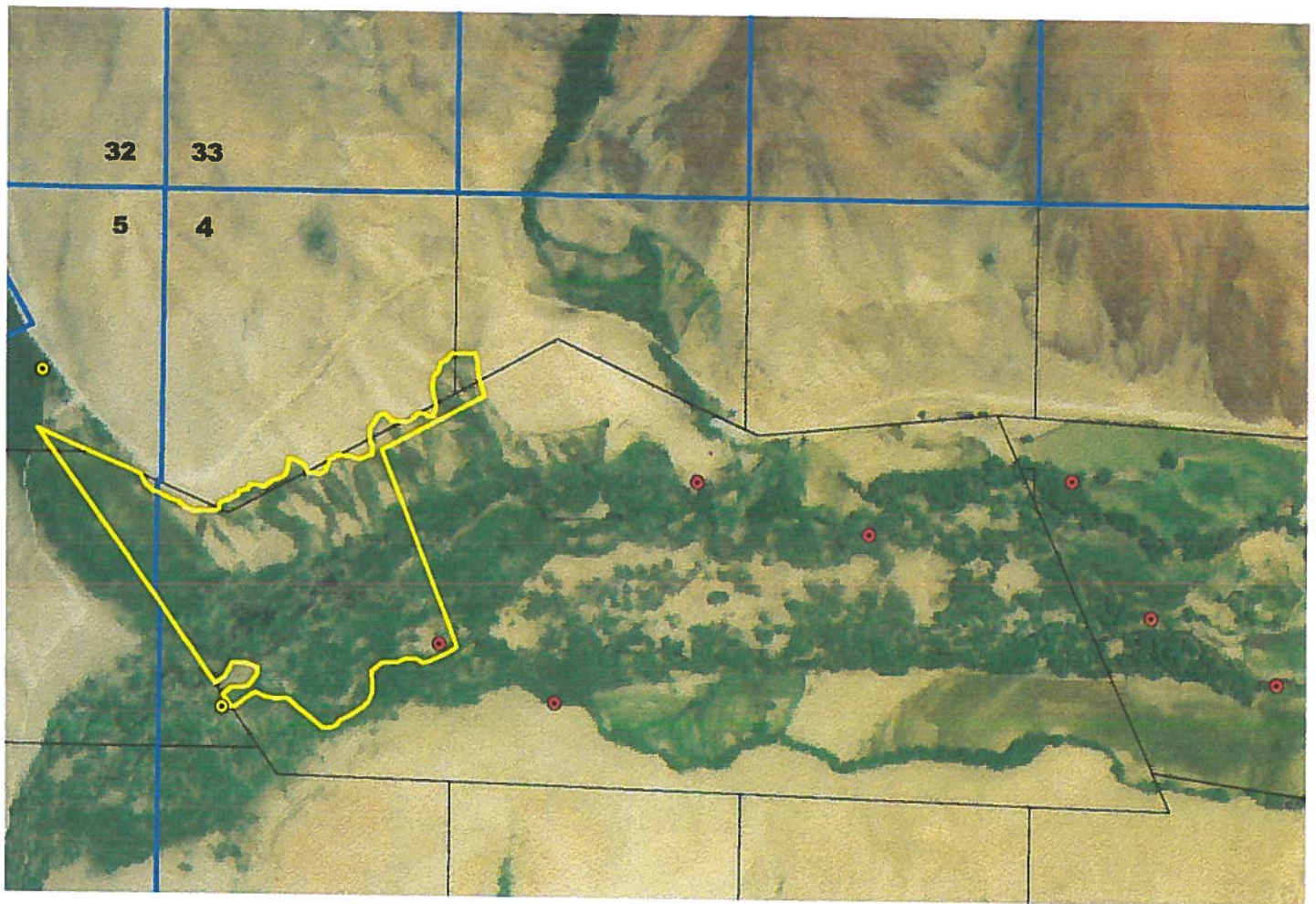
Presumption Flag
Notice of Error Flag

ANALYSIS OF DECREED RIGHT 72-00092 AS SPLIT AND CLAIMED IN THE ADJUDICATION. A CONFLICT EXISTS AS THE DECREED RIGHT HAS BEEN OVER CLAIMED		
72-00029 DECREED FOR 71 INCHES OR 1.42 CFS		
72-00029A claimed .44 cfs	72-00029B claimed .568 cfs 72-10044 claimed 1.70 cfs	72-00029C claimed .76 cfs
2 Warranty deeds provided Simpson to Axline 11" or .22cfs Daley to Axline 11" or .22 cfs Total .44cfs	No warranty deeds provided	1 Warranty deed provided Rankin to Burchill 38" or .76 cfs
Hubble analysis rate 0.97 cfs	Hubble analysis rate 3.91 cfs	Hubble analysis rate 2.82 cfs
72-00029A 0.44 cfs	Decreed rate 1.42 cfs	
72-00029C 0.76 cfs	less 1.20 cfs	
total 1.20 cfs	0.22 cfs available for 72-00029B	
RECOMMENDED RATES		
72-00029A 0.44 cfs	72-00029B 0.22 cfs	72-00029C 0.76 cfs
	72-10044 1.70 cfs	

Kelly K Christensen
Senior Water Resource Agent
Prepared 11-14-1998

IDAHO DEPARTMENT OF WATER RESOURCES

72-00029C



0 660 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON OCT. 26, 1998
TWP 14N, 18E, SEC. 4 & 5



-  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

CLAIM NUMBER 72-00029C

DATE 10/26/98

TRANSFER NUMBER _____

AGENT R

CLAIMED ACRE TOTAL 35

GIS ACRE TOTAL 30

	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	18E	4					1		26	3									30
GIS	14N	18E	4					.6	1.2	25	0									26
RECOM	14N	18E	4					.6	1.2	25	0									26
CLAIM	14N	18E	5				5													5
GIS	14N	18E	5	.2			3													3.
RECOM	14N	18E	5	.2			3													3.
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP _____

SHAPE NOS. 324 _____

B72-DBPOD.SHP _____

NOS. DESCRIPTION 188 14N, 18E, 5 SENE NE (White Valley)

189 14N, 18E, 4 SWSWNW (Bear Cr.)

DBF TABLES UPDATED _____

B72-DBPOU.DBF ☒

B72-DBPOD.DBF ☒

JPEG LAYOUT ☒

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS _____

DATE: _____, 1998

REVIEWED BY _____

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	RE2	.29	.21			3.15	4.74
BK1	.07	.06			10.62	11.86	RP1	.19	.21			4.89	4.57
BT1	.18	.16			3.99	4.19	SH1	.06	.05			9.37	12.10
BT2	.41	.32			2.34	2.87	SOC	.08	.07			7.38	8.08
CB1	.06	.06			11.55	13.47	SSA	.15	.14			4.79	5.01
CHA	.21	.21			4.52	4.76	SXF	.12	.11			6.14	6.80
CP1	.36	.36			2.61	2.78	TC1	.06	.06			9.82	9.55
DAF	.18	.15			5.33	7.27	TD1	.04	.03			12.46	16.50
DB1	.13	.11			5.66	6.65	WB2	.13	.13			5.37	5.43
DEB	.13	.11			5.71	6.69							
DBC	.13	.11			5.71	6.69	WAA	.19	.16			3.81	4.23
DMF	.18	.21			5.12	4.72	WBB	.17	.14			3.36	3.84
DRF	.18	.19			9.08	9.68	WC1	.07	.06			11.24	13.45
DT2	.05	.04			12.46	16.50	WPT	.19	.15			3.16	3.69
DWA	.14	.14			4.79	5.01	WV1	.07	.06			11.24	13.45
G01	.10	.12			12.47	10.51	XHS						
KEG	.08	.07			8.73	10.06	YN1	.18	.14			5.38	6.92
MBF	.15	.12			7.65	5.81							
MUG	.15	.14			4.54	4.98							
NDL	.13	.12			5.30	6.06							

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
CP1	2.61	10	30	.36	2.82 CFS
	/	/	*	*	CFS
	/	/	*	*	CFS
	/	/	*	*	CFS

TOTAL ACRES _____

DECREED RATE = _____

CLAIMED DIVERSION RATE = _____

MEASURED DIVERSION RATE = _____

SD-0611-2 Basin: 72 Starting Water Right: 00029

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	72-00029	SEXTON, PATRICK	C	05/01/1897	D/	WHITE VALLEY CRE	IRR	WR
-	R72-00029A	AXLINE, KEITH .44 cfs	C	05/01/1897	D/	CHALLIS CREEK	IRR	AJ
-		AXLINE, PATRICIA 12 Ac.	C			BEAR CREEK		
-		AXLINE, SCOTT NWNE, SENE (4)	C					
-	R72-00029B	RANKIN, JESS .568 cfs	C	05/01/1897	D/	WHITE VALLEY CRE	IRR	AJ
-		RANKIN, STEVE 63 Ac.	C					
-	A72-00029	SPLIT RIGHT NWNE, SENE (4) SENE, SENW	C	05/01/1897	/Z	WHITE VALLEY CRE	IRR	AJ
-						SPLIT RIGHT		
-	A72-00029A	AXLINE, KEITH	C	05/01/1897	D/	CHALLIS CREEK	IRR	AJ
-		AXLINE, PATRICIA	C			BEAR CREEK		
-		AXLINE, SCOTT	C					
-	A72-00029B	RANKIN, JESS	C	05/01/1897	D/	WHITE VALLEY CRE	IRR	AJ
-		RANKIN, STEVE	C					
-	A72-00029C	BURCHILL, R RICHARD	C	05/01/1897	D/	WHITE VALLEY CRE	IRR	AJ
-		BURCHILL, RUTH E	C			CHALLIS CREEK	STOCK	

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

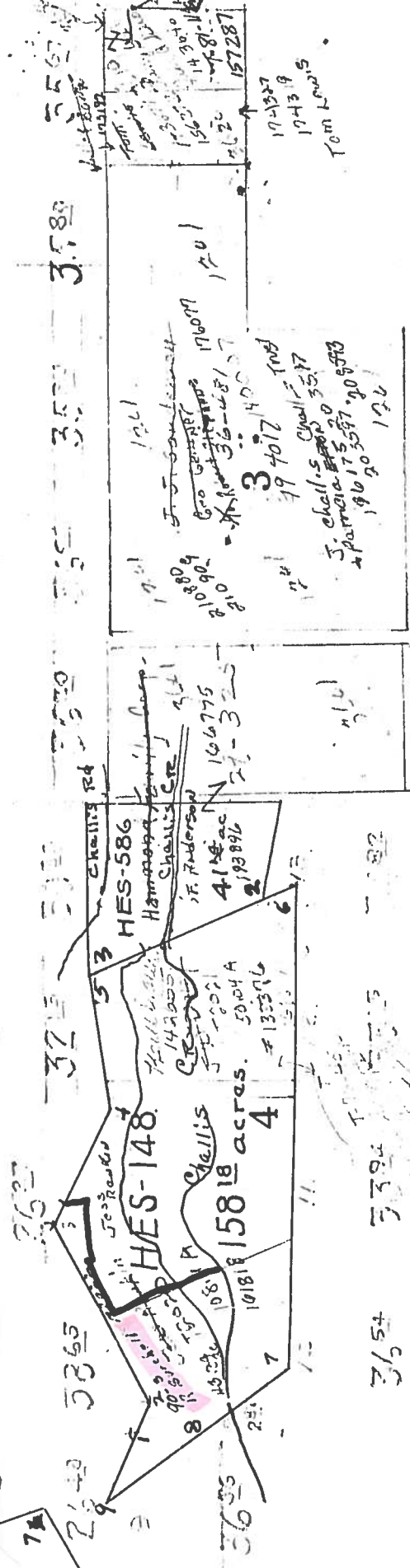
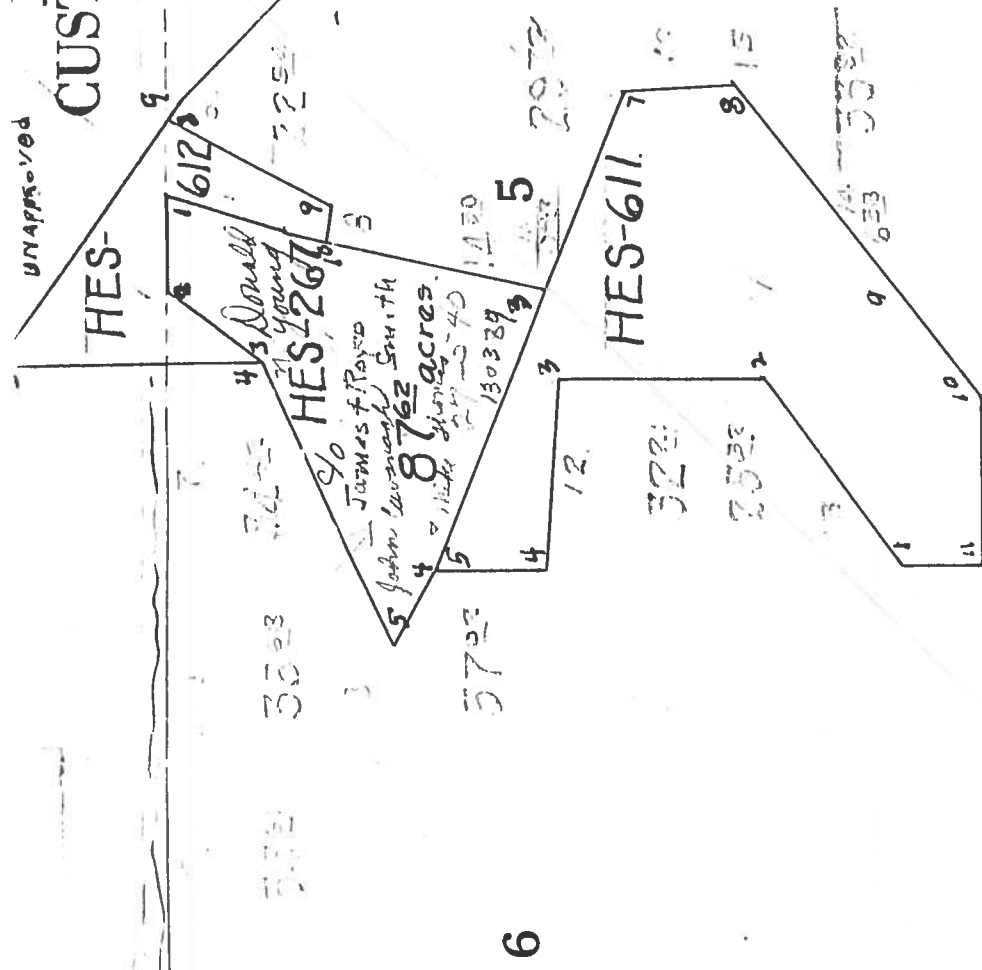
1.76 cfs
35 Ac.
(4) WENW, SWNW (4)
(4) SENW, SENE S

Decree = 1.42 cfs , 147.34 Ac. (0.0096 cfs/Ac)

Claimed = .44 (A)	12 Ac.	Rec.
.568 (B)	63 Ac.	12
.76 (C)	35 Ac.	44
1.768 cfs;	110 Ac.	35
		91

1.42 cfs (decree) ÷ 91 rec. Ac. = .0156 cfs/Ac.

CUSTER COUNTY, IDAHO—Township No. 14 N Range No. 18 E Boise Meridian



2

8

9

10

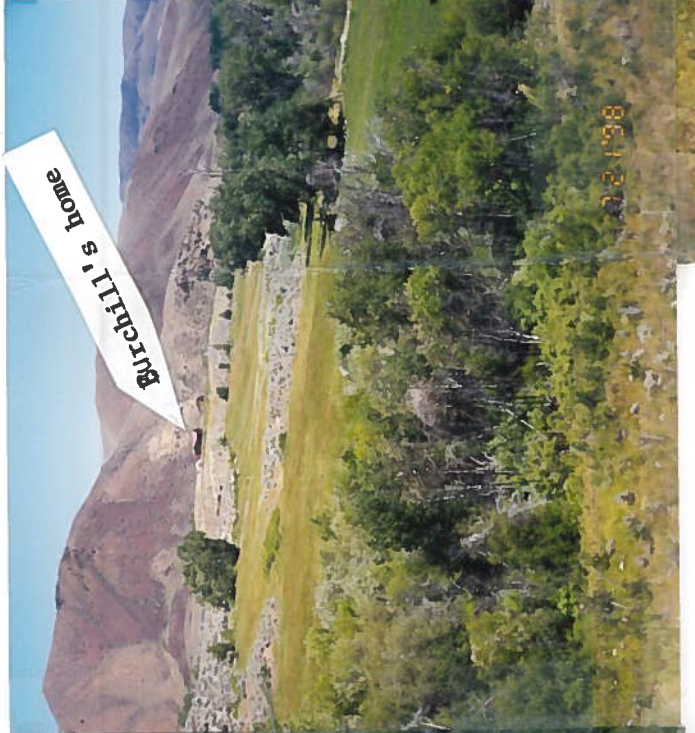
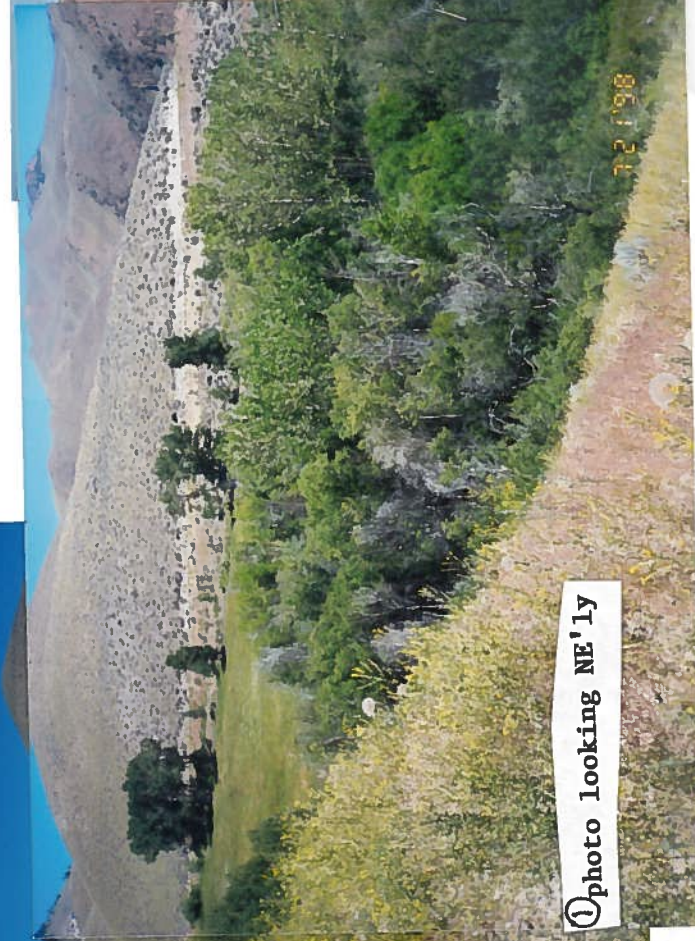
(;

15

15
16



① photo looking NE'ly



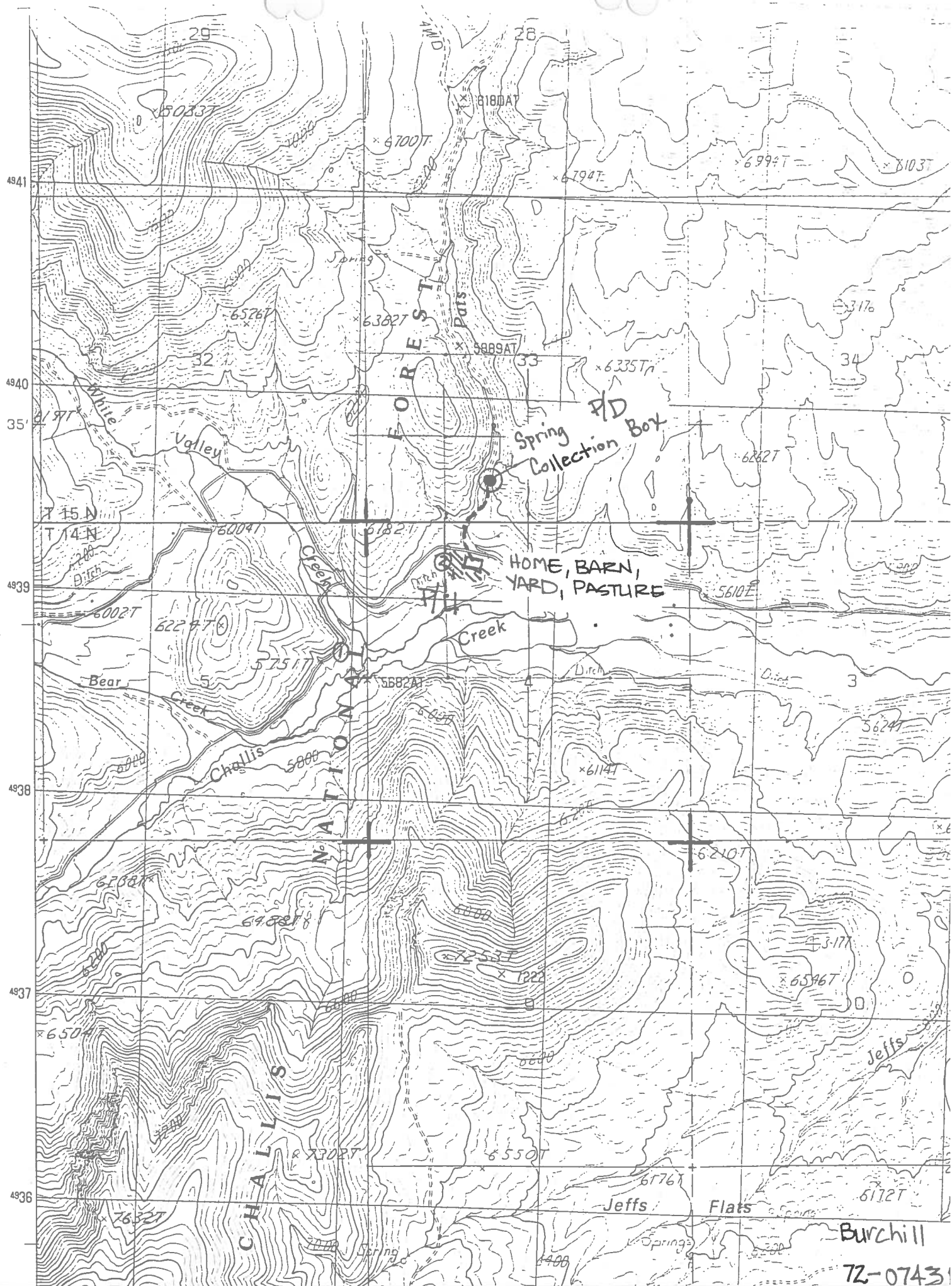
Burchill's home



Flow

Challis Creek

② photo looking W'ly



29. That the cross complainant, Patrick Sexton, be and he is hereby awarded the right to the use of 71 inches of the flow of the waters of Whit Valley Creek, same being a tributary of Challis Creek, for the irrigation of his land, described as a portion of unsurveyed land situated approximately on portions of sections 32 and 33, in township 14 1/2 north, range 19 east Boise meridian, containing 147.34 acres, his right thereto to date from May 1st, 1897.

30. That the cross complainant, C. C. Shaw, be and he is hereby awarded the right to the use of 50 inches of the flow of the waters of Eddy Creek, a tributary of Challis Creek, for the irrigation of his land described as that certain ranch of fifty acres situated on Eddy Creek about one mile from the mouth of said creek in sections 34 and 27, township 15 north, range 18 east Boise meridian, his right thereto to date from May 30th, 1903.

31. That the cross complainant, L. E. Welch, be and he is hereby awarded the right to the use of 52 inches of the flow of the waters of Challis Creek for the irrigation of his land, described as the south half of the southeast quarter and the east half of the southwest quarter of section five, township 14 north, range 19 east Boise meridian, his right thereto to date from February 26th, 1909.

72-0033 32. That the defendants, J. C. Fox, Geo. Coryell and J. M. Hill, be and they are hereby awarded the right to the use of (See supplementary Decree File 265) cubic feet per second of the flow of the waters of Challis Creek, under the terms and conditions imposed by the license or permits of the State Engineer of the State of Idaho, their right thereto to date from the 22nd day of July, 1909, and the said defendants are given until the 22nd day of January, 1912, to perform one fifth of the work necessary to divert the said amount of water, and until the 22nd day of July, 1918, thereafter to complete such diversion works and put the said amount of water to a beneficial use, as provided by the terms of their said permit.

Done in open Court this 9th day of October, 1911

J. M. Stevens,
Judge.

Filed November 21st, 1911.

E. J. Michael,

Clerk

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED
OCT 28 1994

Water Right Number - R72-00029C

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BURCHILL

R. RICHARD

1 - P.O. BOX 291
2 -
3 -

State- ID Zip- 83226

BURCHILL

RUTH E.

City- CHALLIS
Phone - 208-879-2731
1 - P.O. BOX 291
2 -
3 -City- CHALLIS
Phone - 208-879-2731

State- ID Zip- 83226

+ - - Priority Date - - +
05/01/1897 17 SOUTHERN+ - - - - Stage - - - - +
D - DECREED

+ - - - - Status - - - - +

Source - - - - -
WHITE VALLEY CREEK
CHALLIS CREEKTributary - - - - -
CHALLIS CREEK
SALMON RIVER+ - - - - Point of Diversion - - - - -
Twn Rng Sec Tract Lot Rflg County14N 18E 4 SW SW NW (37) CUSTER
5 NW NE NE 1 (37) CUSTER+ - - - - Water Use - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume01 - IRRIGATION 04/15 10/15 0.710
04 - STOCKWATER 01/01 12/31 0.020+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
0.710 73.2+ - - - - Place of Use - - - - -
Twn Rng Sec Tract Lot Acres Code Description County
14N 18E 4 NW NW 0.2 01 IRRIGATION (37) CUSTER
14N 18E 4 SW NW 22.4 01 IRRIGATION (37) CUSTER
14N 18E 5 NE NE 1.7 01 IRRIGATION (37) CUSTER
14N 18E 5 SE NE 5.0 01 IRRIGATION (37) CUSTER
14N 18E 4 NE NW 04 STOCKWATER (37) CUSTER
14N 18E 4 SW NW 04 STOCKWATER (37) CUSTER
14N 18E 5 NE NE 04 STOCKWATER (37) CUSTER
14N 18E 5 SE NE 04 STOCKWATER (37) CUSTER

Total Acres: 29.3

+ - - Diversion Means - ROCK DAMS, WOOD CONTROL GATES, 12" RECT. WEIRS & DITCHES

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OCT 28 1994

Water right number - R72-00029C

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use - S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH

+ - - Other Rights for Same Use - NONE

Remarks

PROPERTY IS ALSO KNOWN AS PART OF HOMESTEAD ENTRY NO. 148.
PART OF RIGHT LISTED BELOW IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE (SEC 5) AND THE TOTAL COMBINED RATE OF
DIVERSION OF THESE RIGHTS IS LIMITED TO 1.1 CFS.
OTHER RIGHT NO.: 72-00029B.
PART OF THIS RIGHT AND RIGHT NO. 72-10044 ARE EACH DIVERTED THRU
THE SEC. 4 PT OF DIV DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE
OF DIVERSION OF THESE RIGHTS IS LIMITED TO 0.62 CFS.

A7200029

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

Comments

Date: 02/18/1993 User Id: WORSTELL Subject: COPIED FROM REMARKS
THE PLACE OF USE IS A PORTION OF H.E.S. 148. THE POINT OF DIVERSION IS WITHIN H.E.S. 587.
NOTE THAT GOV'T LOT 3 WAS SPLIT BY H.E.S. 148 AND THAT PORTION NOT IS H.E.S. 148 IS CALLED GOV'T LOT 7.
Date: 03/24/1994 User Id: WORSTELL Subject: AMENDMENT
CLAIM AMENDED TO INCLUDE CHALLIS CREEK POINT OF DIVERSION THAT WAS OMITTED IN INITIAL FILING.

+ - - Audit Fields - - +
03/24/94 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	- 03/24/1994	Old Judicial District	-
Claim Received Date	- 11/17/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010495	Water District	- 72C
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- D
				Notice of Error Flag	-

MICROFILMED

OCT 28 1994

DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

05/30/92

CLAIM NUMBER: A72-00029C

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N				
POINT OF DIV	Y		RLW 9/30/93	AY	1,5	RLW 3/24/94	RLW 3/24/94	
SOURCE				N				
FACE OF USE	Y			AY	1,5			
DIV. AMOUNT CES/VOLUME	Y			Y	1,5			
CONSUMPTIVE USE	-			Y/AY				
PURPOSES	Y			N				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y				

VERIFIED BY CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 AERIAL PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

 T774 USGS 4 Pat's Creek @ Quadrangle - 1989 Prov. Edition
 BLM 24ID-88-AC 5-78-27 7/1/1988

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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OCT 28 1994

PAGE: 1
GENERAL INFORMATION

STATE OF ARIZONA
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

05/30/92

CLAIM NUMBER: A72-00029C

LAST: BURCHILL
ADDRESS: P.O. BOX 291
CITY: CHALLIS
PHONE NUMBER: 208-879-2731

FIRST: R. RICHARD
ID ID ZIP: 83226

OWNER CODE: C

LAST: GEXTON
ADDRESS: P.O. BOX 291
CITY: CHALLIS
PHONE NUMBER: 208-000-0000

FIRST: PATRICK
ID ID ZIP: 0

OWNER CODE: 0

LAST: BURCHILL
ADDRESS: P.O. BOX 291
CITY: CHALLIS
PHONE NUMBER: 208-879-2731

FIRST: RUTH E.

STATE: ID ZIP: 83226

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE FIELD
EXAMINER Y

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THE PLACE OF USE IS A PORTION OF H.E.S. 148.
THE POINT OF DIVERSION IS WITHIN H.E.S. 587.
NOTE THAT GOV'T LOT 3 WAS SPLIT BY H.E.S. 148 AND THAT PORTION
NOT IS H.E.S. 148 IS CALLED GOV'T LOT 7.

Delete

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OCT 28 1994

CONTACT PERSON: None

PHONE NUMBER: () -

DATE OF FIELD EXAM: 9/30/93APPOINTMENT MADE: Y (☒) N ()

TIME: () A () P ()

ACCOMPANIED BY: -

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

Several attempts were made to set a time to meet with Mr. Burchill. He works out of state (in Nevada?) much of the year and is also an outfitter part of the year. I finally made an appointment early in September but it was cancelled so the exam was made with no claimant present (see letter) 9/29/93.

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OCT 28 1994

A. AJ CLAIM: # A72-00029C

PRIORITY DATE: 05-01-1897

STAGE: D

B. WR RECORD: # 72-00029

PRIORITY DATE: 05-01-1897

STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
NFIELD
EXAMINER
N

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

REMARKS:

RECOMMENDED PRIORITY DATE:

05-01-1897

REVIEWED BY

DATE

2/18/93

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OCT 28 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-00029C	14N	18E	5	SW	NE	NE	15	CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: WHITE VALLEY CREEK

TRIB: CHALLIS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

7200029 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: WHITE VALLEY CREEK

TRIB: CHALLIS CREEK

C. FIELD EXAM REQUIRED?

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

REMARKS:

The flow to these ditches is measured by a 12" rectangular contracted weirs ~~The~~ ^{One} ditch serves 20.8 acres under this claim and 13.3 acres under under claim 72-00029B - a total of 34.1 acres. The Challis Creek Diversion serves 8.5 acres under this claim and 7.3 acres under claim 72-10044, (0.21 cfs). Total = 0.21 cfs + 0.41 cfs = 0.62 cfs.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:		1/4		LOT	COUNTY
TWP.	RGE.	SEC.			
14N	18E	5	SW	NE	NE
					5
					Custer.

SOURCE: WHITE VALLEY CREEK
 CHALLIS CREEK
 REVIEWED BY: *M. V. SV*
 TRIB: CHALLIS CREEK
 DATE: *Salmon River 1/5/94*

MICROFILMED
 OCT 28 1994

A72-00039A
A72-00039B

A773-00029C

1995
FALCRES

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

POU COUNTY: CUSTER

72-07431 is a permit for spring water from

Pat's Creek drainage
(attached.)

See the plot of ownership on the USGS topog map of this drain.

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FBI - JACKSON

PRESUMPTION FLAG: D

REMARKS:

See the plot of ownership boundaries on the USGS topog. map of
this claims area

This claim amended to show diversion from Chatlis Creek that Perm
migration of 8.5 acres that lie between the Chatlis Creek and White Valley
Creek Channels

RECOMMENDATIONS:

TOTAL ACRES:

20.8

REVIEWED BY:

G.L.N.

DATE:

4/5/94

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OCT 28 1994

A. AS CLAIMED USES:

PURPOSES
A72-00029C IRRIGATION
A72-00029C STOCKWATERMONTH/DAY
FROM 04-01 TO 11-01
FROM 01-01 TO 12-31DIVERSION QUANTITY
.760 CFS
.020 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.760 CFS

B. WR RECORDED USES:

PURPOSES
72-00029 IRRIGATIONMONTH/DAY
FROM TODIVERSION QUANTITY
1.420 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.420 CFS

RESUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

Explain in remarks, below.

REMARKS:

*New Standard period of use*MICROFILMED
OCT 28 1994

Y(☒) N(☐)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 0.760 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.420 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

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

FIELD EXAMINER
Y ☒ N

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OCT 28 1994

MEASUREMENT METHOD 2-1' Belt Cord Weirs, SEE ATTACHED CALCULATIONS.

FLOW MEASUREMENT

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-00029C	WHITE VALLEY CREEK	BURCHILL, R. RICHARD	0.760	0.021		
A72-00029B	WHITE VALLEY CREEK	RANKIN, JESS	0.568	0.008		
A72-10044	BEAR CREEK	RANKIN, JESS	1.700	0.026		
	CHALLIS CREEK					

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10045	DOMESTIC	RANKIN, JESS	FROM 01-01 TO 12-31	.060 CFS	

Capacity 0.3 to 0.62 cfs
Range 1.1 cfs maximum
Serves 34.1 acres
0.68 cfs @ 1"/acre

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

13. IRRIGATION RATE
ACRES 35 X 0.02 CFS/ACRE = 0.710 CFS
(Taken from p/u review) 0.586

DOS AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(☒) N(☐)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(☐) N(☒) ***

See Hubble Analysis

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 87.5 AE/A

ACRES 35.293 X CONSUMPTIVE VOL. AE/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 87.5 AE/A
586 73.2

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES N/A X DIVERSION VOL. AE/A FOR AREA N/A =

TOTAL DIVERSION VOLUME N/A AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(☐) N(☐)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

1.42 cfs (denied) = 0.0242

58.6 ac. (total of

3 claims)

20.8 ac. X 0.0283 = 0.594 cfs.

29.3 ac X 0.0242 = 0.71 cfs

Claim Amended to include a diversion from Challis Creek that irrigates 8.5 more acres. This P/D overlooked when this claim was filed initially.

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RECOMMENDATIONS:

REC. PERIOD
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

*Irrigation
Stock*

*4/15 10/15
1/1 12/31*

DATABASE EXAMINER

DATABASE EXAMINER

DATABASE EXAMINER

TOTAL FOR THIS RIGHT

VIEWED BY:

[Signature]

DATE:

1/20/94

0.71 2.0 2.54

0.02

*0.59 cfs
0.71 cfs*

N/A

MICROFILMED
73.2
73.2

OCT 2 1994

1.42 cfs decreed

*99 acres claimed
on Decree*

0.0143 cfs/ac

2.08

0.297

0.297

0.297 cfs

*58.6 acres
(Total of 3 claims)*

*0.0242
0.0263 cfs/ac*

0.71 cfs

0.0242

0.0263

0.71 cfs

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREEIT/ABANDON
ADDITIONAL DIV. ARDONT

ACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00029

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.420

EXAMINER

CES

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A72-00029	A72-00029A	0.440	-	-	72-00029	1.420
	A72-00029B	0.368	-	-		
A72-00029	A72-00029C	0.760	-	-	72-00029	1.420

TOTAL CES 1.768

1.420

DIVERSION RATE REVIEW

DO THE SUM CES RATE OF THE SPLITS EQUAL THE ROOT RIGHT CES RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
NFIELD
EXAMINER
2

REMARKS:

See attached Sheet

AUTHENTICATION:

SIGNATURE:

Robert D. Morstell

DATE:

3/24/94

NAME OF FIELD EXAMINER:

ROBERT MORSTELL

TITLE:

Sr Adjudication Agent

MICROFILMED
OCT 28 1994

OWNER
CODE

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
RATE

DIVERSION
VOLUME

C R. RICHARD BURCHILL
RUTH E. BURCHILL
P.O. BOX 291
CHALLIS ID 83226
(208) 879-2731

05/01/1897 IRRIGATION
STOCKWATER

04-01 11-01
01-01 12-31
0.76 CFS
0.02 CFS
TOTAL DIVERSION:
CONSUMPTIVE USE:

0.76 CFS
87.7 AFA

Water Source: WHITE VALLEY CREEK

Tributary to: CHALLIS CREEK

Stage: DEGREE
CUSTER County

Point(s) of Diversion:

T14N R18E S05 Lot 1 (NWNE)

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S	NENE Lt Ac	NWNW Lt Ac	NESW Lt Ac	SESE Lt Ac	
14N 18E 4	NE Lt Ac	NW Lt Ac	SW Lt Ac	SE Lt Ac	30.0
14N 18E 5	NE Lt Ac	NW Lt Ac	SW Lt Ac	SE Lt Ac	5.0
					35.0
					TOTAL ACRES

Place of use Legal Description for: STOCKWATER

	NE	NW	SW	SE	SUM
T R S	NENE Lt Ac	NWNW Lt Ac	NESW Lt Ac	SESE Lt Ac	
14N 18E 4	NE Lt Ac	NW Lt Ac	SW Lt Ac	SE Lt Ac	30.0
14N 18E 5	NE Lt Ac	NW Lt Ac	SW Lt Ac	SE Lt Ac	5.0
					35.0
					TOTAL ACRES

POU County: CUSTER

Non-Irrigation Uses: S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH

Other Rights: NONE

Non-Irrigation Use: S/ 20 CATTLE &/OR HORSES DRINK FROM STREAM & DITCH

Remarks: THE PLACE OF USE IS A PORTION OF H.E.S. 148.
THE POINT OF DIVERSION IS WITHIN H.E.S. 587.
NOTE THAT GOV'T LOT 3 WAS SPLIT BY H.E.S. 148 AND THAT PORTION
NOT IS H.E.S. 148 IS CALLED GOV'T LOT 7.

Dates: Exam Made Date: 05/06/1985

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

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OCT 28 1994

POOR ORIGINAL

FORE

5889A

33

757

x6282T

6182

Weir

5600

x5610T

Creek Ownership Boundaries 72-00029C

Ditch

4

5800

6000

x6114T

6200

x6210T

NATIONAL

Amended PUD

56824T

Copied from USGS Map
"Pat's Creek" Quadrangle
1989 Provisional Edition
Enlarged 2 MICROFILMED
OCT 28 1994

Approx Scale
1" = 1000'

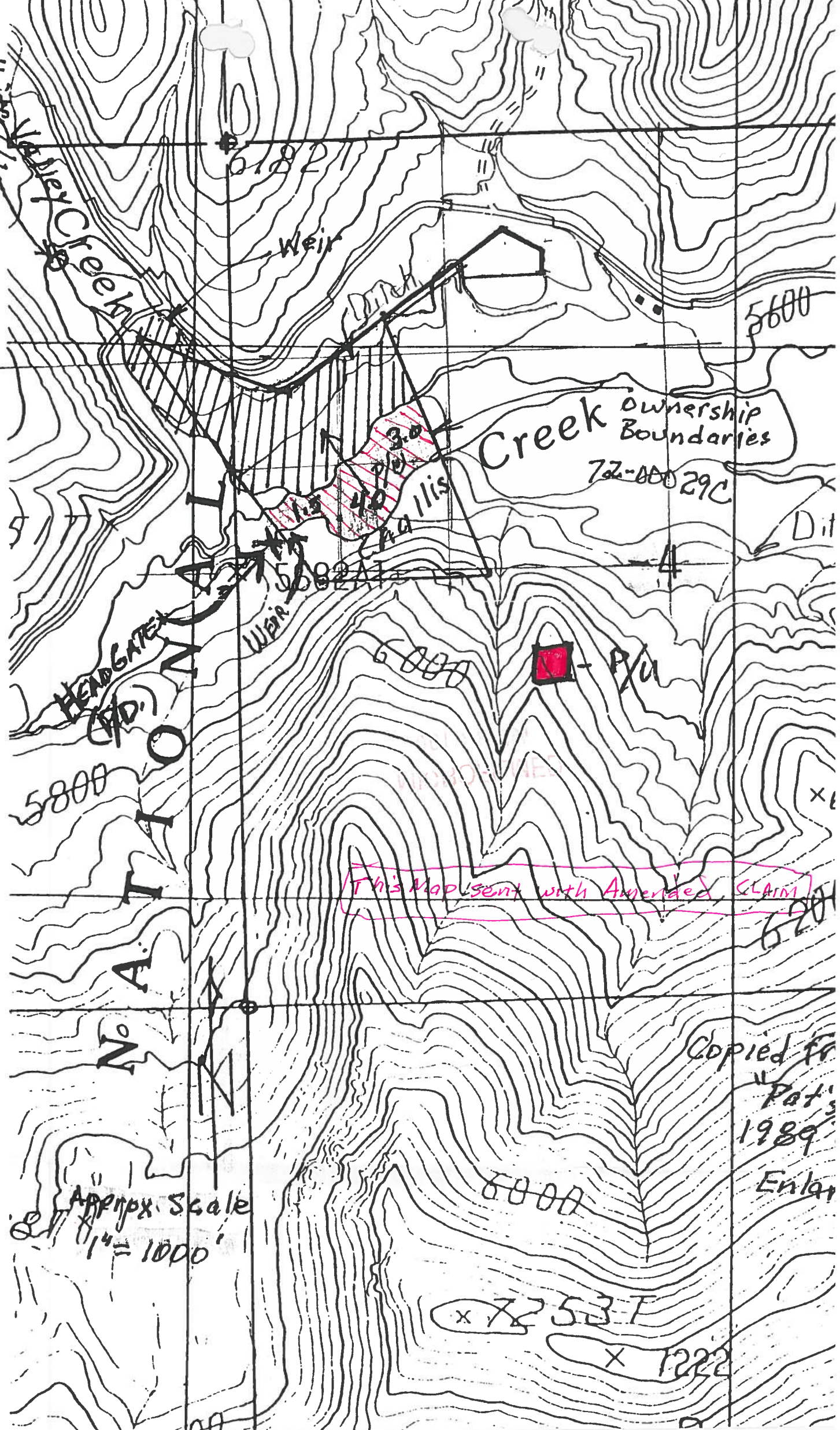
5000

x7253T

x 1222

600

White P/2414M



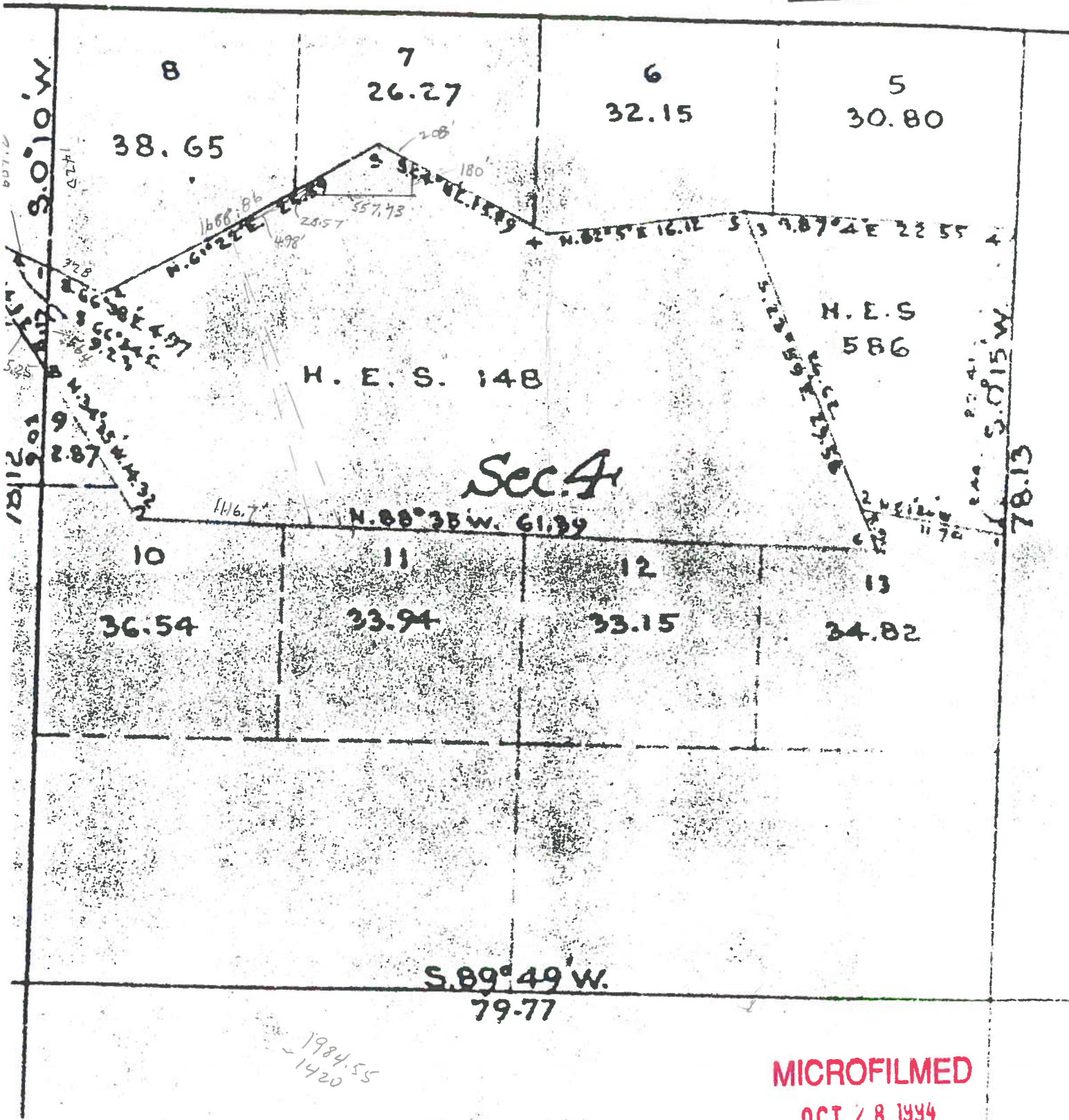
Apprx. Scale
1" = 1000'

This Map sent with Amended Claim

Copied for
Pat's
1989
Enlar

x 7253 F
x 1222

POOR ORIGINAL



This supplemental plat of Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13

POOR ORIGINAL

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OCT 28 1994

CUSTER COUNTY, IDAHO—Township No. 14 N Range No. 12 E

HES-587
UNAPPROVED

HES-

HES-261
Donnell
16126
2254
2648
3865
2627
3215
3088
3620
3606
3594

HES-148
Rankin
15818
3394
3315
3482
4114 ac
106795
24-325

HES-611
1430
5
2972
3654
3394
3315
3482

A72-00029C
Burckill

A72-00029B
Rankin

A72-00029A
Axline

J. J. Sanderson
36-481

72-00029C

POOR ORIGINAL



R20-11
9/30/93

Burchill/Rankin Viewed from upstream
Weir



R20-11
9/30/93

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As above Viewed from downstream.

72-000 29C



POOR ORIGINAL

R20-10
9/30/93

BURCHILL/Raukin Diversion from Eddy Creek
Rock Dam with Canvas + wood control gate
View looking upstream



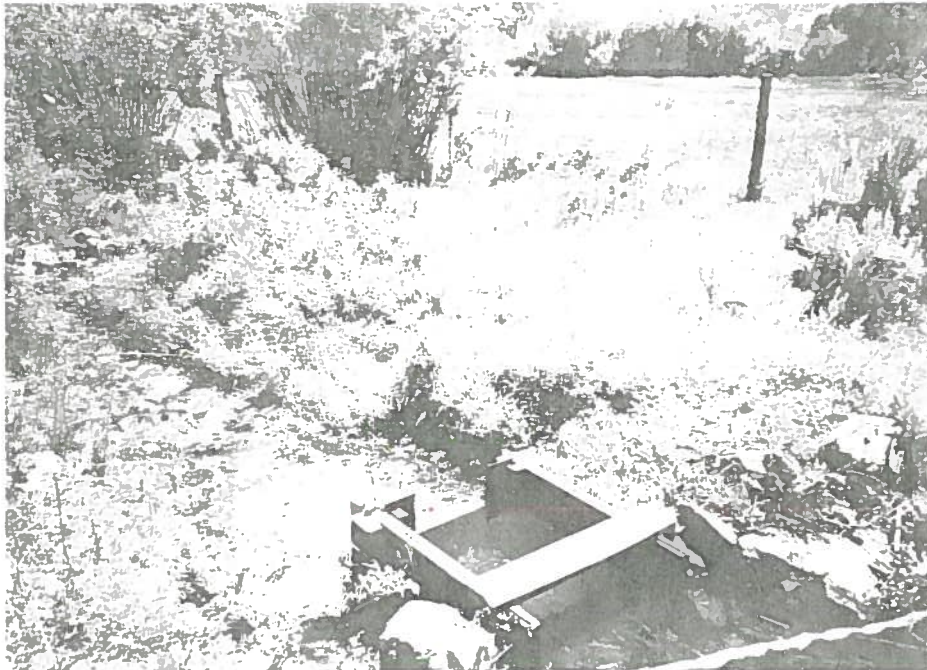
R20-9
9/30/93

MICROFILMED

OCT 28 1994

As above View looking at upstream side of control gate

POOR ORIGINAL



R11-3
7/16/1993

Rankin Weir view Looking Downstream
Burchill



MICROFILMED
OCT 28 1994

R11-4
7/16/1993

Rankin/Burchill Weir

POOR ORIGINAL



R 11-00

Diversion Conveyance



*Steve Rankin by
control structure*

MICROFILMED
OCT 28 1994



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

20-Sep-1993

MR & MRS R RICHARD BURCHILL
P O BOX 291
CHALLIS ID 832266

Re: Adjudication Claim A72-00029C - Field Examination

Dear Mr & Mrs Burchill:

I can meet with you on Friday, October 1 late in the afternoon as we discussed in our phone conversation week before last. Can we meet at about 5 pm at your home on Challis Creek? This is the last day I am scheduling work in the Challis Creek area for these reviews. I have planned 2 other reviews for that Friday.

Contact me if this time and place is not convenient for you.

9/28

*Cancelled by phone call
from Mrs Burchill.
Examined alone.*

Respectfully,

Robert V. Worstell
Robert V. Worstell
Sr. Adjudication Agent

MICROFILMED
OCT 28 1994

To whom it may concern:

I know that water from CHALLIS CREEK AT
THE POINT OF DIVERSION: T14N R18E SEC 4
SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$

HAS IRRIGATED PASTURE HISTORICALLY AT PLACE OF
USE [T14N R18E SEC 4
[8.5 ACRES IN SW $\frac{1}{4}$ NW $\frac{1}{4}$]]. TO MY KNOWLEDGE,

THIS DITCH & HEADGATE HAVE BEEN USED ALONG WITH
THE DECREED WATER FROM WHITE VALLEY CREEK WITH
A PRIORITY DATE OF 5/1/1897.

Laura Bishop
Challis Idaho.
Box 526

March 7-1994

IDAHO FORMS OF ACKNOWLEDGMENT

1. Acknowledgment Certificate (Individual Known by Notary)

State of Idaho

County of Custer §

On this 7th day of Mar, in the year of 1994, before
me SHARON HAMILTON, personally appeared LAURA BISHOP, before
known to me to be the person whose name is subscribed to the within instrument,
and acknowledged to me that he (she) (they) executed the same. Subscribed and
sworn to before me this 7th day of Mar, 1994.

RECEIVED

MAR 10 1994
Department of Water Resources
Southern Region Office

192022

WARRANTY DEED

For Value Received JESS RANKIN, an unmarried man,

the grantor , does hereby grant, bargain, sell and convey unto

R. R. B. RICHARD BURCHILL and BETSY BURCHILL, husband and wife,

the grantee s, whose current address is P.O. Box 291, Challis, ID 83226

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

A fraction of HES 148 located in Section 4 and 5, T. 14 N., R. 18 E.,
Boise Meridian, Custer County, Idaho, described as follows:

Beginning at Corner #1, HES 148 run thence S. 66° 35' 36" E. a distance of
328.00 ft. to Corner #2;

Thence N. 61° 24' 24" E. a distance of 1688.86 ft. to Corner #3;
Thence S. 65° 14' 21" E. along line 3-4 a distance of 208.00 ft.;
Thence S. 00° 21' 37" W. a distance of 180.00 ft.;
Thence S. 86° 08' 41" W. a distance of 557.73 ft.;
Thence N. 00° 21' 37" E. a distance of 28.57 ft.;
Thence S. 61° 24' 24" W. a distance of 498.00 ft.;
Thence S. 24° 00' 23" E. a distance of 1642.22 ft. to a point on line 6-7, HES 148;
Thence N. 88° 31' 01" W. along line 6-7, a distance of 1116.70 ft. to Corner #7;
Thence N. 34° 42' 29" W. a distance of 935.28 ft. to Corner #8;
Thence N. 35° 40' 02" W. a distance of 956.44 ft. to Corner #9;
Thence S. 66° 58' 07" E. a distance of 608.86 ft. to Corner #1, the POINT OF
BEGINNING.

Parcel contains 43.39 acres.

TOGETHER WITH water rights as follows:

38 inches of May 1, 1897 water from Challis Creek - Bear Creek drainage.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees ,
their heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantees , that he is the owner in fee simple of said premises; that they are free
from all incumbrances

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

Dated:

10/20/89

Jess Rankin
Jess Rankin

STATE OF IDAHO, COUNTY OF Custer

I hereby certify that this instrument was filed for record at

Boise County Idaho

CONTINUATION OF ABSTRACT OF TITLE TO THE LAND DESCRIBED
IN THE CAPTION HERETO

UNITED STATES,
Grantor

To

Patriok Sexton

Grantee

Certificate No.

Hailey 012953

No.

Character of Instrument, U. S. Patent

Date of Instrument,

February 7th, 1919

Date of Record,

September 19th, 1919

Book 6 of Patents, Page 638

Issued by authority of the Act of Congress of May 20th, 1862
and the Acts supplementary thereto.

Executed by the President Woodrow Wilson

By M. P. Leror Secretary

L. Q. C. Lamar

Recorder of the General Land Office

Seal of the General Land Office Affixed Yes

Recorded Vol., Page

Recorded No. 664625

DESCRIPTION:

H. E. Survey No. 148, embracing a portion of Section four and five in Township fourteen North of Range eighteen east of the Boise Meridian, Idaho, more particularly bounded and described as follows:

Beginning at corner No. 1, from which the corner to Section five and four Township fourteen north and section thirty-two and thirty-three in Township fifteen north all in Range eighteen east of the Boise Meridian, bears north fifteen minutes east twenty and forty-two hundredths chains distant; thence south sixty-six degrees thirty-eight minutes east four and ninety-seven hundredths chains to corner No. 2; thence north sixty-one degrees twenty-

two minutes east twenty-five and fifty-nine hundredths chains to corner No. 3; thence, south sixty-four degrees eleven minutes east fifteen and eighty-nine hundredths chains to corner No. 4; thence north eighty-two degrees five minutes east sixteen and twelve-hundredths chains to corner No. 5; thence south twenty-three degrees fifty-nine minutes east twenty-nine and fifty-eight hundredths chains to corner No. 6; thence north eighty-eight degrees thirty-five minutes west sixty-one and thirty-nine hundredths chains to corner No. 7; thence north thirty-four degrees thirty-five minutes west fourteen and thirty-two hundredths chains to corner No. 8; thence north thirty-five degrees thirty-eight minutes west fourteen and fifty-two hundredths chains to corner No. 9; thence south sixty-six degrees fifty-four minutes east nine and twenty-three hundredths chains to corner No. 1, the place of beginning, containing one hundred fifty-eight and fifteen-hundredths acres, according to the Official Plat of the Survey of said lands returned to the General Land Office by the Surveyor General.

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF CUSTER.

~~John~~ Stephens et al)
vs.)
C. C. Shaw, et al.)

DECREE.

This cause coming on to be heard this 9th day of October, 1911, before the Court, sitting without a jury, Geo. E. Keyes., Esq. and F. J. Cowen, Esq., appearing as counsel for the plaintiffs and M. A. Brown, Esq., appearing as counsel for certain defendants, and L. E. Glennon, Esq., appearing as counsel for certain defendants, and all of the said parties having by their respective counsel, in open court, submitted to the court their agreed statement of facts, and the same having been duly considered by the court, and from which the court has determined its findings of fact and conclusions of law, which findings and conclusions have been filed herein, wherein Judgment has been ordered to be entered in accordance therewith.

Whereupon it is ordered, adjudged and decreed, and this does order, adjudge and decree as follows:

That the cross complainant, Patrick Sexton, be and he is hereby awarded the right to the use of 71 inches of the flow of the waters of White Valley Creek, same being a tributary of Challis Creek, for the irrigation of his land, described as a portion of unsurveyed land situated approximately on portions of sections 32 and 33,

in Twp. 14 North, Range 19 E. Boise Meridian, containing 147.34 acres,
his right thereto to date from May 1st, 1897.

Done in open Court this 9th, day of October, 1911.

J. M. Stevens,
Judge.

Filed November 21, 1911.

E. J. Michael
Clerk

(Recorded in Book 1 of Judgments at page 666 to 671 inc.)

GRADED BORDER EVALUATION

Job name: 72-00029C
By: RVW

Location: DBB SOIL 20.8 ACRES
Date: 1/20/94

Roughness coefficient (n)= 0.250 Intake family (If)=2.00
Slope (S)= 0.1400 ft/ft Border width (W)= 59 ft
Net application (Fn)= 1.69 inches Border length (L)= 509 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
1.39	Gross depth is less than required gross application depth					
1.40	Gross depth is less than required gross application depth					
1.41	Gross depth is less than required gross application depth					
1.42	0.024	16.34	14.59	0.06	10.3	(2) (3) (4)
1.43	0.024	16.46	14.59	0.17	10.3	(2) (3) (4)
1.44	0.024	16.57	14.59	0.29	10.2	(2) (3) (4)
1.45	0.025	16.69	14.59	0.40	10.1	(2) (3) (4)
1.46	0.025	16.80	14.59	0.52	10.1	(2) (3) (4)
1.47	0.025	16.92	14.59	0.63	10.0	(2) (3) (4)

- (2) Erosive stream-- non-sod forming crops.
- (3) Erosive stream-- sod forming crops.
- (4) Less than minimum recommended depth of flow.

HUBBLE ANALYSIS

$$\frac{1.45 \text{ cfs}}{20.8 \text{ ac}} \approx 0.07 \text{ cfs/ac.}$$

$$3.5 \text{ inch/ac.}$$

$$20.8 + 8.5 = 29.3$$

CLAIM NO. --- 72-00029C Lotus Program:
 AGENT ----- RVW IRR-PRAC.WK3
 DATE ----- 01/20/94 Date form revised:
 4/21/93 by KKC

 SOIL CHARACTERISTICS

Soil Type = DBB; DAWTONIA...GRAVELLY LOAM
 Source of Soils Data = Printout From SCS State Office

soil depth (inches)		AWC (in/in)		PH		organic (%)		soil depth (ft)	AWC (inches)	intake family	
lower	upper	lower	upper	lower	upper	lower	upper			flood	furrow
0	4	0.12	0.15	6.6	7.3	1	2	1	1.34	2	0.55
4	24	0.09	0.11	7.4	7.8			1	1.44		
24	60	0.06	0.08	7.9	8.4			3	3.38		
								4	4.22	alternate	
								5	5.06	method	
										NA	NA

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point	MAD (INCHES)	FIELD NOTES AND CALCULATIONS			
				FIELD 1	FIELD 2	FIELD 3	FIELD 4
				FIELD WIDTH	1781	0	
				IRRIGATION DAYS	10		
				DRY DAYS	0		
				SET TIME(hours)	8		
				CALCULATED RUN (run = acres*43560/width)			
				RUN =	509		
				CALCULATED BORDER WIDTH (ditch length/irr days * cha			
				WIDTH =	59		
				THEORETICAL ROTATION (mad/net irr req in inches per			
				SELECTED MAD =	1.69		
				ROTATION =	7.3 DAYS		

 PEAK IRRIGATION DIVERSION REQUIREMENT AT FIELD

Weather Station = CHALLIS
 Figure No = 10-15

crop	acres	system	recomm. eff.	Net Irrigation Requirement (mm/day)							
				mar	apr	may	jun	jul	aug	sep	oct
PASTURE	20.8	FLOOD	10.4		1.47	3.84	4.87	5.86	4.56	3.23	2.07
ALFALFA		FLOOD			1.28	4.51	5.65	6.25	4.45	2.52	0.7

Summary 20.8 10 1.47 3.84 4.87 5.86 4.56 3.23 2.07
 Peak Net Irrigation Requirement (mm/day) = 5.86

HUBBLE ANALYSIS

Program Operation based upon "GUIDELINES FOR THE EVALUATION OF IRRIGATION DIVERSION RATES"
 HUBBLE ENGINEERING INC. OCTOBER 1991
 Soil Characteristics based upon SOIL CONSERVATION SERVICE STUDIES
 Peak Irrigation Diversion based upon ALLEN & BROCKWAY WEATHER INFORMATION 1983