

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: A72-00049
Date Received: 1/ 3/1990
Receipt No: S010820
Received By: OK ALB

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: THE DANIEL J MAHONEY JR LIFETIME TRUST II 202-776-2546
Address: C/O JOHN D WARD ESQ
1200 NEW HAMPSHIRE AVE
NW SUITE 800
WASHINGTON DC 20036-6802

2. Date of Priority: MAR 22, 1878

3. Source: TEWALT SLOUGH Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	26		NE	NW		CUSTER

5. Description of diverting works:
DAM IN SLOUGH AND DITCH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	23	NW	NE		IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	23	SW	NE	3	IRR	22.0
			NE	NW		IRR	30.0
			SE	NW		IRR	30.0
						Section Acres	110.0
						Total Acres	110.0

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:
STATUTORY CLAIM #72-04027

14. Remarks:

AC. IRR=110

THESE LANDS ARE CURRENTLY UNDER CONTRACT FOR SALE TO
DANIEL J. MAHONEY, JR., 375 SOUTH COUNTY ROAD, SUITE 201
PALM BEACH FL 33480

OWNERSHIP CHANGE 11/2/90 BY JG.

CHANGED ADDRESSES TO MATCH FOR MAILING PURPOSES ONLY 3/27/95 DMS

ADDRESS CHANGE 5/31/95 jr

OWNERSHIP CHANGE MADE 4/9/97 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ADAMS ET. AL.

Decree Plaintiff

VANDERVOORT ET. AL.

vs Decree Defendant

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. R72-00049

OWNER CODE: C
NAME & ADDRESS: THE DANIEL J MAHONEY JR LIFETIME TRUST II
C/O JOHN D WARD ESQ
1200 NEW HAMPSHIRE AVE
NW SUITE 800
WASHINGTON DC 200366802
(202) 776-2546
PRIORITY DATE: 03/22/1878
WATER USE: IRRIGATION STOCKWATER
DIVERSION RATE: 0.40 CFS
0.09 CFS
0.49 CFS
DIVERSION VOLUME: 75.00 AFA
TOTAL DIVERSION: CONSUMPTIVE USE:

Water Source: TEWALT SLOUGH
Tributary to: SALMON RIVER
Point(s) of Diversion: T14N R19E S26
Stage: DECREED
CUSTER County

Place of use Legal Description for: IRRIGATION

NE										SW										SE										SUM									
NENE										NENW										NWSW										NUSE									
S										SENW										SESW										SESE									
Lt										Lt										Lt										Lt									
Ac										Ac										Ac										Ac									
:										:										:										:									
14N 19E 23										:										:										:									
28 03-22										:										:										:									
30										:										:										:									
30										:										:										:									
TOTAL ACRES										:										:										:									
110.0										:										:										:									
110.0										:										:										:									

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: CUSTER
Non-Irrigation Uses: S/400 CATTLE
Other Rights: STATUTORY CLAIM #72-04027

Remarks: GEN AC. IRR=110
THESE LANDS ARE CURRENTLY UNDER CONTRACT FOR SALE TO
DANIEL J. MAHONEY, JR., 375 SOUTH COUNTY ROAD, SUITE 201
PALM BEACH FL 33480

OWNERSHIP CHANGE 11/2/90 BY JG.
ADDRESS CHANGE 5/31/95 jr

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: 728 Field Inspection Flag:
Presumption 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

JUN 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

THE DANIEL J MAHONEY JR LIFETIME TRUST II
JOHN D WARD ESQ
1200 NEW HAMPSHIRE AVE
WASHINGTON D.C. 20036-6802

RE: SRBA CLAIM(S): SEE ENCLOSED
MAHONEY

DEAR MR. WARD:

PURSUANT TO THE NOTIFICATION THAT YOUR CLIENT HAS CHANGED NAMES ON THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

THESE CLAIM NUMBERS WERE ALL THAT WERE FOUND UNDER MAHONEY'S NAME. THE OTHER NUMBERS ON YOUR LIST WERE EITHER OWNED BY ANOTHER PARTY OR ARE NOT IN EXSISTANCE ANYMORE.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script, reading 'Tara L. Backlund'.

TARA L. BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

OCT 16 1996

Department of Water Resources
Southern Region

DATE OF CLOSING: _____

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

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: _____ See attached Exhibit "A"
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): _____ DANIEL J. MAHONEY, JR. _____
- ☐ New Owner/Claimant (Purchaser): _____ THE DANIEL J. MAHONEY, JR. LIFETIME TRUST II _____
- ☐ New Mailing Address: _____ c/o JOHN D. WARD, ESQ. _____
1200 NEW HAMPSHIRE AVE. NW SUITE 800
WASHINGTON, D.C. 20036-6802
- ☐ New Telephone Number: _____ (202) 776-2546
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) _____ Date _____
_____ Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____
(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 6/21/97 By: HLB

Claim Numbers of Split, if any:

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

EXHIBIT "A"

MAHONEY WATER RIGHT NUMBERS

71-0039	72-00005
71-00039	✓ A72-00005✓
✓ A71-00039A-	72-00049
71-0040	✓ A72-00049✓
71-00040	#72-00049
✓ A71-00040A-	72-04027
71-00041	✓ A72-04027✓
71-00042	#72-04027
71-00043	72-04138
71-00044	A72-04138
71-00045	✓ A72-04138A-
71-00046	✓ A72-04138B✓
71-00047	72-04139
✓ A71-00047-	✓ A72-04139-
71-00048	72-04140
✓ A71-00048-	✓ A72-04140✓
71-00049	72-04165
71-00050	✓ A72-04165✓
71-00051	#72-04165
71-00052	✓ 72-04166
71-00053	✓ A72-04166✓
✓ A71-00053-	#72-04166
71-0054	A72-04167
71-00054	✓ A72-04167A✓
✓ A71-00054-	✓ A72-04167B✓
71-00055✓	✓ A72-10353✓
71-00057	✓ A72-10362✓
✓ A71-00057-	A72-10430
71-00058✓	A72-10437
	A72-10480
	A71-10481
	A71-10482

and all other water rights appurtenant to the property described in the attached deed.

0211998

WARRANTY DEED

FOR VALUE RECEIVED, DANIEL J. MAHONEY, JR., A/K/A DAN MAHONEY, Grantor, does Bargain, Sell and Convey unto DANIEL J. MAHONEY, JR. AND RICHARD L. BRAUNSTEIN, Trustees of THE DANIEL J. MAHONEY, JR. LIFETIME TRUST II, dated the 25th day of July, 1996, (the current address is c/o JOHN D. WARD, ESQ., 1200 New Hampshire Avenue, Washington, D.C. 20036-6802), the Grantee, the following described premises in Custer County, Idaho, to-wit:

ANY AND ALL OF GRANTOR'S RIGHT, TITLE, EQUITY OR INTEREST IN OR TO ANY PART OR ALL OF THE FOLLOWING DESCRIBED PROPERTY IN CUSTER COUNTY, IDAHO:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, its successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all encumbrances save and excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County Idaho, and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: Aug 15th, 1996.

Daniel J. Mahoney Jr.
Daniel J. Mahoney, Jr.
a/k/a Dan Mahoney

211998

STATE OF IDAHO)
County of Custer) ss.
On this 15th day of August, 1996, before
me, a Notary Public, per-
sonally appeared DANIEL
J. MAHONEY, a/k/a DAN
MAHONEY, known
or identified to me
to be the person whose
name is subscribed to
the within instrument
and acknowledged to me
that he executed the
same.

[Signature]
Notary Public for Idaho
Residing at Challis
Commission Expires 1-21-99

STATE OF IDAHO, COUNTY OF CUSTER
I hereby certify that this instru-
ment was filed for record at the
request of Dame Bennett
at 17 minutes past 1
o'clock P.M., this 17th day of
Sept., 1996, in my office,
and duly recorded in Book _____
of Deeds at page _____.

Ethel M. Peck

Ex-Officio Recorder

BY Wendy Murphy Deputy

Fee: \$ 21.00
Mail to:

EXHIBIT "A"

A parcel of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as:

Commencing at the Southwest corner of said Section 14, a distance of 1058.85 feet on a bearing of South 89°58'16" East along the South boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the Real Point of Beginning; thence North 0°08'49" East 1347.73 feet along an existing fence line to a fence corner; thence South 81°58'13" East 265.38 feet along an existing fence line to the East boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°58'16" West 261.56 feet to the Real Point of Beginning, said parcel contains 8.001 acres, more or less; save and except the following parcel:

Commencing at the South quarter corner of said Section 14, a distance of 1035.35 feet on a bearing of North 0°11'26" East along the East boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the Real Point of Beginning; thence North 0°11'26" East 282.69 feet to the Northeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°56'20" West 1320.08 feet to the Northwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°56'20" West 57.10 feet to a point on an existing fence line; thence South 81°58'13" East 251.78 feet along said fence line; thence South 77°32'28" East 1154.10 feet along said fence line to the Real Point of Beginning, said parcel contains 4.211 acres, more or less.

Lots 5 and 8, and all of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, Save and except the West 30 feet and that portion of the North 30 feet extending from the Northwest corner East across the existing slough.

Lots 2 and 3, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, all in Section 23, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho.

The E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, save and except lands otherwise herein conveyed.

A parcel of land situate and lying in Custer County, Idaho, described as follows, to-wit:

Commencing at the Northeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, Township 14 North, Range 19 East, Boise Meridian; thence South along the East boundary of the described NE $\frac{1}{4}$ NW $\frac{1}{4}$, 750 feet to the True Point of Beginning; thence continuing South 1320 feet; thence East 1320 feet; thence North 1320 feet; thence West 1320

feet to the True Point of Beginning, containing 40 acres, more or less.

A fraction of HES No. 109 situate and lying in Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Beginning at Corner No. 1 from which the corner of Sections 1, 2, 11 and 12, Township 11 North, Range 12 East, Boise Meridian, bears North 3° West 1130.58 feet distant; thence South 47°19' East 601.22 feet to the Southeast side of the Thompson Creek right-of-way, this being the True Point of Beginning; thence South 47°19' East 978.82 feet to Corner No. 2 of HES No. 109; thence South 42°36' West 2346.96 feet to Corner No. 4; thence North 47°26' West 979.28 feet to the Southeast side of the Thompson Creek right-of-way; thence North 42°36' East 2346.96 feet along the Thompson Creek right-of-way to the Northeasterly side of said HES No. 109 and the True Point of Beginning.

HES No. 272, in approximately Sections 10 and 11, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho.

HES No. 319, in approximately Sections 13 and 24, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, and in approximately Sections 18 and 19, Township 11 North, Range 13 East, Boise Meridian.

A fraction of HES No. 422, Section 13, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Commencing at Corner No. 11 of said HES No. 422, run thence South 20°52' East along the Easterly boundary of HES No. 422 a distance of 405.02 feet to the Point of Beginning and the Northeasterly corner of the tract of land herein described; continuing thence South 20°52' East 405.02 feet; thence South 84°57' West 670.73 feet; thence North 20°52' West 405.02 feet; thence North 84°57' East 670.73 feet to the Point of Beginning.

A fraction of HES No. 422, Section 13, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Beginning at Corner No. 11 of said HES No. 422, run thence South 20°52' East along the Easterly boundary of HES No. 422 a distance of 405.02 feet; thence South 84°57' West 670.73 feet; thence North 20°52' West 405.02 feet to a point on the Northerly boundary of HES No. 422; thence North 84°57' East along the Northerly boundary of HES No. 422 a distance of 670.73 feet to the Point of Beginning.

A fraction of HES No. 422, Section 13, Township 11 North, 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Commencing at Corner No. 11 of said HES No. 422, run thence South 20°52' East along the Easterly boundary of HES No. 422 a distance of 1620.08 feet; thence South 84°57' West 670.73 feet to the Point of Beginning and the Northeasterly corner of the tract of land herein described; thence South 20°52' East 405.02 feet; thence South 84°57' West 670.73 feet; thence North 20°52' West 405.02 feet; thence North 84°57' East 670.73 feet to the Point of Beginning, containing 6.0 acres, more or less.

A fraction of HES No. 422, Section 13, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Commencing at Corner No. 11 of said HES No. 422, run thence South 20°52' East along the Easterly boundary of HES No. 422 a distance of 810.04 feet to the Point of Beginning, and the Northeasterly corner of the tract of land herein described; continuing thence South 20°52' East 405.02 feet; thence South 84°57' West 670.73 feet; thence North 20°52' West 405.02 feet; thence North 84°57' East 670.73 feet to the Point of Beginning.

A fraction of HES No. 422, Section 13, Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Commencing at Corner No. 11 of said HES No. 422, run thence South 20°52' East along the Easterly boundary of HES No. 422 a distance of 1215.06 feet; thence South 84°57' West 670.73 feet to the Point of Beginning and the Northeasterly corner of the tract of land herein described; thence South 20°52' East 405.02 feet; thence South 84°57' West 670.73 feet; thence North 20°52' West 405.02 feet; thence North 84°57' East 670.73 feet to the Point of Beginning, containing 6.0 acres, more or less.

All of HES No. 422, Section 13, Township 11 North Range 12 East, Boise Meridian, Custer County, Idaho, save and except land otherwise herein conveyed.

A fraction of Lot 3, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

All of said Lot 3, save and except a 30-foot right-of-way over that portion of said lot lying East of the existing slough and the old Salmon River channel.

A parcel of land located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

The SW $\frac{1}{4}$ SW $\frac{1}{4}$, save and except a parcel of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 14 North Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Commencing at the Southwest corner of said Section 14, a distance of 1058.85 feet on a bearing of South 89°58'16" East along the South boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the Real Point of Beginning; thence North 0°08'49" East 1347.73 feet along an existing fence line to a fence corner; thence South 81°58'13" East 265.38 feet along an existing fence line to the East boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence South 0°12'16" West 1310.79 feet to the Southeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°58'16" West 261.56 feet to the Real Point of Beginning, containing 8.002 acres, more or less.

The N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho.

A parcel of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the South quarter corner of said Section 14, a distance of 1035.35 feet on a bearing of North 0°11'26" East along the East boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the Real Point of Beginning; thence North 0°11'26" East 282.69 feet to the Northeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°56'20" West 1320.08 feet to the Northwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence North 89°56'20" West 57.10 feet to a point on an existing fence line; thence South 81°58'13" East 251.78 feet along said fence line; thence South 77°32'28" East 1154.10 feet along said fence line to the Real Point of Beginning, containing 4.211 acres, more or less.

A fraction of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

All the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 14 North, Range 19 East, lying East of U.S. Highway No. 93 right-of-way.

A fraction of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

All of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 14 North, Range 19 East, Boise Meridian, save and except 2.00 acres, more or less, deeded for highway purposes.

The NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho.

All of Grantor's interest in a parcel of land lying within Township 11 North, Range 12 East, Boise Meridian, Custer County, Idaho, described as follows, to-wit:

Beginning at Corner No. 1 which is identical to the East Section corner common to Sections 12 and 13, Township 11 North, Range 12 East, Boise Meridian; thence South 9° West 4.83 chains to Corner No. 2 of HES No. 421; thence South 68°38' West 60.03 chains to Corner No. 3, the Point of Beginning of this description; thence North 17°24' West 270 feet to Corner No. 1; thence North 68°38' East 120 feet to Corner No. 2; thence South 17°24' East 270 feet to Corner No. 3; thence South 68°38' West 120 feet to the Point of Beginning, containing .74 acre, more or less.

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: A72-00049

Date Received: 1/ 3/1990

Receipt No: S010820

Received By: address change

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DANIEL J MAHONEY JR 208-832-5566
Address: 1200 S OCEAN BLVD
PALM BEACH FL 33480

2. Date of Priority: MAR 22, 1878

3. Source: TEWALT SLOUGH Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	26		NE	NW		CUSTER

5. Description of diverting works:
DAM IN SLOUGH AND DITCH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	23	NW	NE		IRR	28.0
			SW	NE	3	IRR	22.0
			NE	NW		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	19E	23	SE NW		IRR	30.0
Section Acres						110.0
Total Acres						110.0

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:
STATUTORY CLAIM #72-04027

14. Remarks:
AC. IRR=110
THESE LANDS ARE CURRENTLY UNDER CONTRACT FOR SALE TO
DANIEL J. MAHONEY, JR., 375 SOUTH COUNTY ROAD, SUITE 201
PALM BEACH FL 33480

OWNERSHIP CHANGE 11/2/90 BY JG.
CHANGED ADDRESSES TO MATCH FOR MAILING PURPOSES ONLY 3/27/95 DMS
ADDRESS CHANGE 5/31/95 jr

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

<u>ADAMS ET. AL.</u>	<u>VANDERVOORT ET. AL.</u>
Decree Plaintiff	vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

RECEIVED

APR 18 1994

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[✓] Water Right Number (s): A72-04165 A72-04167-A A71-10005 WATER RESOURCES
A72-04138 A72-04167B WESTERN REGION
A72-04139 A72-10362
A72-04140 A72-04027
A72-04166 A72-04138A

[✓] Old Mailing Address: Dan Mahoney, c/o Sawtooth Properties
375 South County Road, Suite 201
Palm Beach, FL. 33480

[✓] New Mailing Address: Daniel J. Mahoney, Jr.
1200 South Ocean Blvd.
Palm Beach, FL. 33480

A72-00005
A72-00009
?
address
change?

~~New~~ Telephone Number: (407) 832 - 5566

[✓] Signature of Claimant: Daniel J. Mahoney Jr
Date: April 11, 1994

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: 5/5/94 By: AC

Further Action Needed:
Further Action Taken

Date: By:
Final Review and Data-Entry
Date: By:

R F W E

APR 18 1994

Department of Water Resources
Southern Region Office

SEND TO YOUR NEAREST
REGION OFFICE:

Western Region Office Southern Region Office
2735 Airport Way 222 Shoshone St. East
Boise, ID 83705 Twin Falls ID 83301
(208) 334-2190 (208) 734-3578

State Office
1301 N. Orchard St.
Boise, ID 83720
(208) 327-7900

Eastern Region Office Northern Region Office
150 Shoup Ave. #15 1910 Northwest Blvd. #210
Idaho Falls ID 83402 Coeur d'Alene ID 83814
(208) 525-7161 (208) 756-4639

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: **A72-00049**
Date Received: 1/03/1990
Receipt No: S010820
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DANIEL J. MAHONEY, JR. 208-879-4488
Address: C/O JAMES R. BENNETTS, ESQ.
P.O. BOX 36
CHALLIS, ID 83226

2. Date of Priority: MAR 22, 1878

3. Source: TEWALT SLOUGH Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	26		NE	NW		CUSTER

5. Description of diverting works:
DAM IN SLOUGH AND DITCH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14N	19E	23	NW	NE		IRR	28.0
			SW	NE	3	IRR	22.0

A72-00049

Page 1

Date: 11/02/90

MICROFILMED
MAR 18 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	23	NE	NW		IRR	30.0
			SE	NW		IRR	30.0
Section Acres							110.0
Total Acres							110.0

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:
STATUTORY CLAIM #72-04027

14. Remarks:
AC. IRR=110
THESE LANDS ARE CURRENTLY UNDER CONTRACT FOR SALE TO
DANIEL J. MAHONEY, JR., 375 SOUTH COUNTY ROAD, SUITE 201
PALM BEACH FL 33480

OWNERSHIP CHANGE 11/2/90 BY JG.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ADAMS ET. AL.

Decree Plaintiff

vs

VANDERVOORT ET. AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

02-Nov-1990 12:38

James R. Bennetts
Attorney at Law
P O Box 36
Challis, ID 83226

Re: Change of OWNERSHIP form from Thomas W. Chivers, et al to Daniel J. Mahoney, Jr.

Nos: A72-04167A, A72-04138A, A72-04165, A72-04027, A72-04167B, A72-04166,
A72-00049, A72-10353, A72-10362

Dear Mr. Bennetts:

The Department has changed the name of the above-listed adjudication water rights. Please review the enclosed copies, should you have any questions, please contact this office.

Sincerely,

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

Judy Givens
Secretary

/jg

Enclosures

MICROFILMED

MAR 18 1993

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A72-04167A, A72-04138A, A72-04165, A72-04027, A72-0416
A72-04166, A72-00049, A72-10353, A72-10362

[] Name and Address of
Former Claimant(s): THOMAS W. CHIVERS, AILEEN E. CHIVERS, THOMAS E. CHIVER
ROY EDWARD CHIVERS
P. O. Box 528
Challis, Idaho 83226

[] New Claimant(s): DANIEL J. MAHONEY, JR.
c/o JAMES R. BENNETTS, ESQ.

RECEIVED

[] New Mailing Address: P. O. Box 36 OCT 16 1990
Challis, ID 83226 Department of Water Resour
Southern Region Office

New Telephone Number: (208) 879 - 4488

[] Does the change in ownership result in a splitting of the
water right claimed? yes X no
If yes, then describe the portion of the water right that is
now claimed by the new owner:

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

[] Signature of New Claimant(s): Daniel J. Mahoney, Jr.
Daniel J. Mahoney, Jr.

Date: _____

MICROFILMED

MAR 18 1993

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s):

Thomas H. Chivis

Date: _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10/31/90 By: JC

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 10/31/90 By: JC

Claim Numbers of Split, if any:

After form has been completed, please return to the nearest IDWR office below:

WESTERN REGIONAL OFFICE

2735 AIRPORT WAY
BOISE, IDAHO 83705
(208) 334-2190

EASTERN REGIONAL OFFICE

150 SHOUP SUITE #15
IDAHO FALLS, IDAHO 83402
(208) 525-7161

STATE OFFICE

1301 N. ORCHARD ST.
STATEHOUSE MAIL
BOISE, IDAHO 83720
(208) 327-7906

SOUTHERN REGIONAL OFFICE

222 SHOSHONE STREET EAST
TWIN FALLS, ID 83301
(208) 734-3578

NORTHERN REGIONAL OFFICE

1910 NORTHWEST BLVD. SUITE 210
COEUR D'ALENE, IDAHO 83814
(208) 765-4639

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: A72-00049
Date Received: 1/03/1990
Receipt No: S010820
Received By: R. L. H.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS W. CHIVERS 208-879-2355
Address: P.O. BOX 528
CHALLIS, ID 83226

2. Date of Priority: MAR 22, 1878

3. Source: TEWALT SLOUGH Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	26	NE	NW			CUSTER

5. Description of diverting works:
DAM IN SLOUGH AND DITCH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.090		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	23	NW	NE		IRR	28.0
			SW	NE	3	IRR	22.0

A72-00049

Page 1

Date: 01/03/90

MICROFILMED

MAR 18 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	23	NE	NW		IRR	30.0
			SE	NW		IRR	30.0
					Section Acres		110.0
					Total Acres		110.0

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:
STATUTORY CLAIM #72-04027

14. Remarks:
AC. IRR=110
THESE LANDS ARE CURRENTLY UNDER CONTRACT FOR SALE TO
DANIEL J. MAHONEY, JR., 375 SOUTH COUNTY ROAD, SUITE 201
PALM BEACH FL 33480

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ADAMS ET. AL.

Decree Plaintiff

vs

VANDERVOORT ET. AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

A72-00049

Date Received

12-26-89

Receipt Number

5010820

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 26 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) THOMAS W. CHIVERS Phone (208) 879-2355Mailing Address P. O. Box 528, Challis, Idaho Zip 832262. Date of Priority (Only one (1) per claim) 03/22/18783. Source of water supply (a) Tewalt Slough
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 14 N Range 19 E Section 26,
1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of Custer

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Dam in slough to open earth ditch 5-6
feet wide to point of use.

MICROFILMED

MAR 18 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 04/01 to 11/01 amount 0.4 or _____

For Livestock purposes from 01/01 to 12/31 amount 0.09 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.49 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 75 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 300-400 head of cattle on springs, river and open channels.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14N	19E	23		28	22	Lot 3	30			30									110

Total number of acres irrigated 110

11. In which county (ies) are lands listed above as place of use located? Custer

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
Statutory claim based on 72-04027. or None ()

14. Remarks: These lands are currently under contract for sale to DANIEL J. MAHONEY, JR.
whose address is: 375 South County Road, Suite 201, Palm Beach, FL 33480.

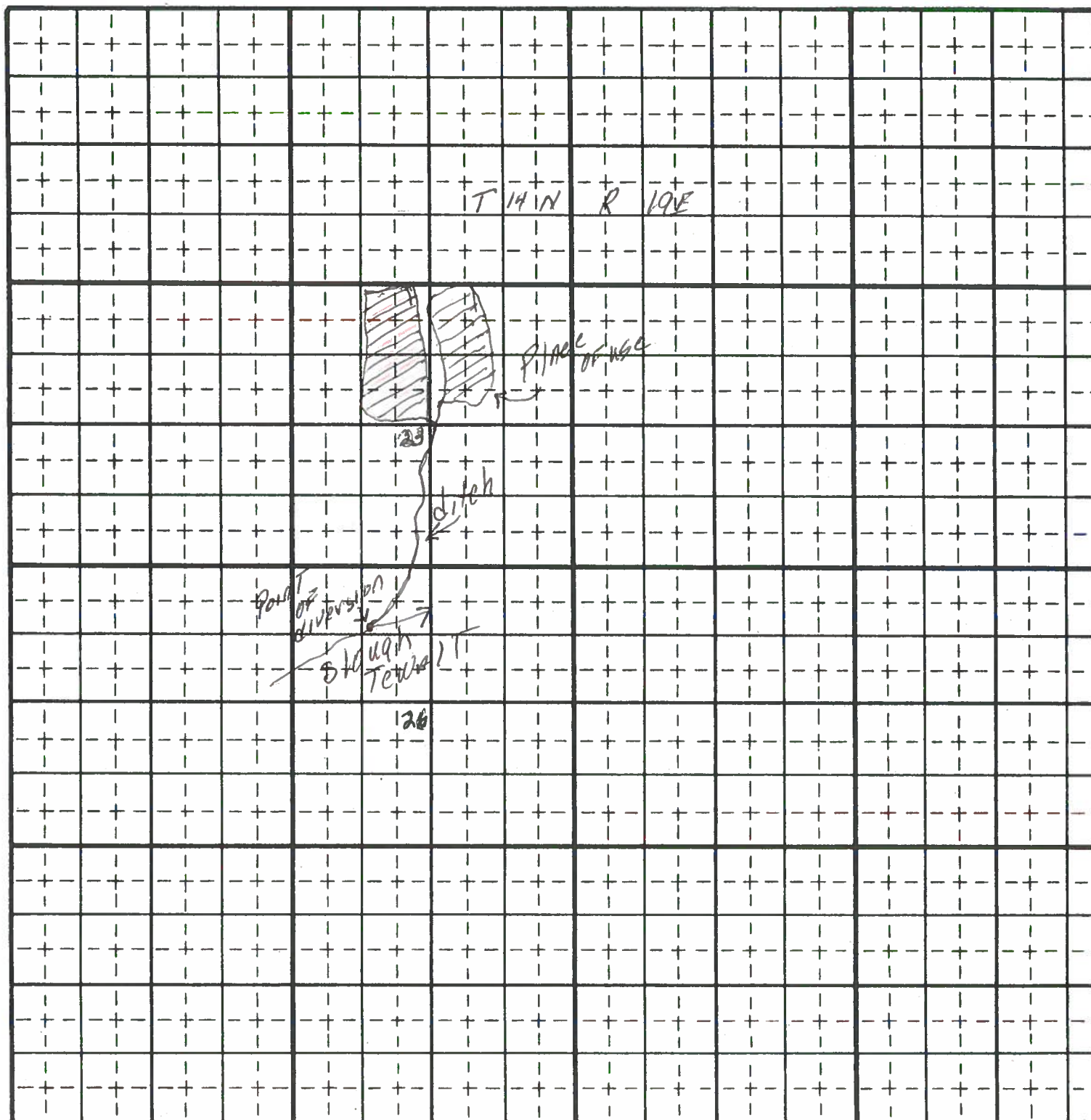
Last Name CHIVERS Ident No. _____

MICROFILMED

Copies: White-State, Yellow-Claimant
MAR 18 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name

Chivers

Ident No.

Copies: White State, Yellow Claimant

MICROFILMED

MAR 18 1955

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 72-00049
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Thomas W. Chivers Date 12-20-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Thomas W. Chivers

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Butte) SS.

Subscribed and sworn (or affirmed) before me this 20th day of December 1989

SEAL

Notary Public Donna R. Bennett

Residing at Challis Idaho

My Commission Expires 1-13-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name CHIVERS Ident. Number _____

MICROFILMED

Copies White-State, Yellow-Claimant

MAR 18 1993

JAMES R. BENNETTS

ATTORNEY AT LAW

P.O. Box 36

CHALLIS, IDAHO 83226

(208) 879-4488

December 22, 1989

Idaho Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Re: CHIVERS (MAHONEY PURCHASER)

Dear Sirs:

Enclosed are 6 Notices of Claim to a Water Right for irrigation and stockwater and 1 Notice of Claim to a Water Right for domestic water, along with my trust account check in the amount of \$733.00 to cover fees.

Very truly yours,


James R. Bennetts

JRB:jab
Enclosures

RECEIVED

DEC 26 1989

Department of Water Resources
Southern Region Office

MICROFILMED

MAR 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Jan. 4, 1990

THOMAS W CHIVERS
P O BOX 528
CHALLIS ID 83226

Re: A72-00049
A72-04027
A72-04165
A72-04166
A72-04167B
A72-10353
A72-10362

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

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

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 18 1993

JAN. 5, 1990

MEMO to Dave Shaw, Adjudication Section
State Office, IDWR, Boise, ID
FROM: Robert Worstell, Southern Region

SUBJECT: Adjudication Refund - (S010820)

A \$110 refund is needed for an acreage overcharge for duplicated acreages between claims A72-00049 and A72-04027 (Thomas W. Chivers -Claimant). The proofs of these 2 claims and Receipt #S010820 are attached.

The fees were paid from the trust account of Attorney James R. Bennetts of Challis, Idaho (see attached transmittal letter). Please send the refund to his trust account with a letter of explanation. Thank you.

Respectfully,



Robert V. Worstell
WR Agent, Southern Region

MICROFILMED

MAR 18 1993

MAHONEY CLAIMS

75

EXAMS:

5/27/93

9/26 & 27/98

This File is Supplement to:

72-00005 ← FILED HERE

72-00049

-04027

-04166

-04139

-04140

-04138 A-B

-04165

-04167 A-B

-10362

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

[Faint, illegible markings]

Water Source:	TEWALT SLOUGH	Tributary to:	SALMON RIVER	Stage:	DECREED
Point(s) of Diversion:	T14N R19E S23	SESEW		CUSTER County	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Other Rights: 72-04027

- 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.

Remarks: POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 167.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-04027, 72-04165, & 72-04166. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 110 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

AJ0749NP
No. R72-00049

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

DATE: 12/07/98
PAGE: 2

=====

Dates:	Exam Made Date: 05/27/1993	Verified Date: 12/07/1998	Objection Filed Date:
Misc:	Water District Number: 728	Field Inspection Flag:	Presumption Flag:

=====

LAIM NUMBER A72-00049
 DATE 12/7/98
 TRANSFER NUMBER _____

AGENT SC
 CLAIMED ACRE TOTAL 110
 GIS ACRE TOTAL 136.8

	TWP	RNG	SEC	NE <u>L3</u>				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
LAIM	<u>14N</u>	<u>19E</u>	<u>23</u>		<u>28</u>	<u>22</u>		<u>30</u>			<u>30</u>									<u>110</u>
GIS					<u>33</u>	<u>33</u>	<u>.8</u>	<u>30</u>			<u>40</u>									<u>136.8</u>
ECOM					<u>33</u>	<u>33</u>	<u>.8</u>	<u>30</u>			<u>40</u>									<u>136.8</u>
LAIM																				
GIS																				
ECOM																				
LAIM																				
GIS																				
ECOM																				

B72-DBPOU.SHP

Complete pou overlap w/ 4166 (67 ac) (NE)

SHAPE NOS.

Partial overlap w/ 4027 (~~66.8~~ 70 = ^{136.8} 137 ac) (NW+NE)
 # 425 = 67 ac
 # 476 = 70 ac

B72-DBPOD.SHP

NOS.
 DESCRIPTION

324 TEWALT Slough - S.23, SESESW

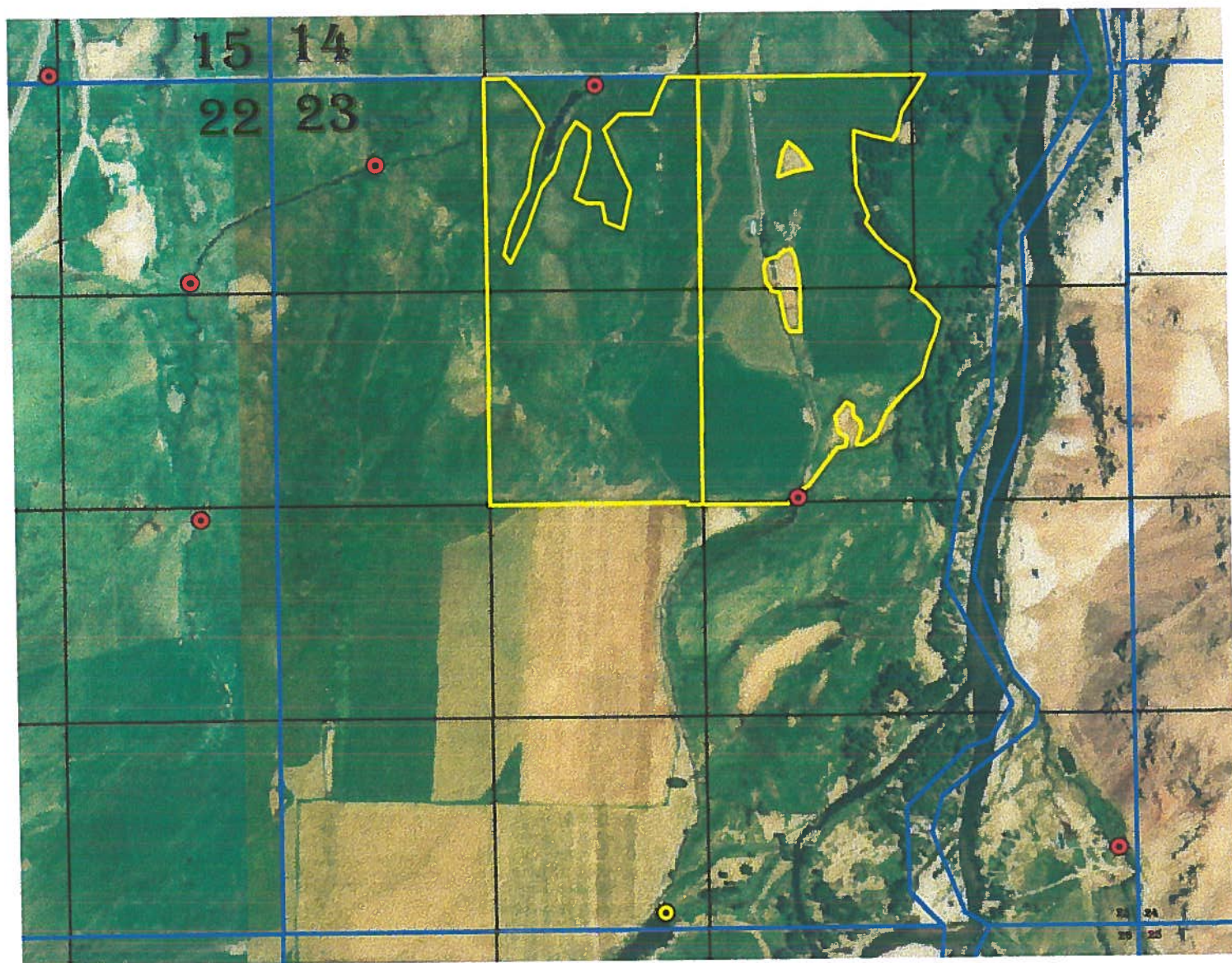
DBF TABLES UPDATED

B72-DBPOU.DBF ✓
 B72-DBPOD.DBF ✓
 JPEG LAYOUT ✓

72-00049.jpg

IDAHO DEPARTMENT OF WATER RESOURCES

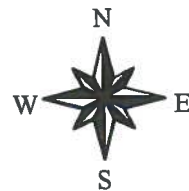
72-00049



660 0 660 1320 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

TWN: 14N
RNG: 19E
SEC: 23



GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND

DATE: DEC. 7, 1998

MAINEY CLAIM REVIEW

12/4/98

see

CLAIM	Cfs	POU	SOURCE
(D) 160 AC - 0005	1.6	285	SPRINGS / CHALLIS CREEK
REC. 1.6		82 AC.	SPR. / PHILLIPS SL
- 4139	2.4	285	WW SPRINGS / CHALLIS CREEK
REC. 2.4		82 AC.	WW / PHILLIPS SL
- 10362	1.5	65 AC	unnamed spr. / Phillips
- 4140	0.7	6 AC	WW Spring / CHALLIS CR.

(SW)	- 00049	.49	110 AC	TEWAIT SL. / S.R.
Limit mainline POU 167.3 AC.	Rec'd:	.49 cfs	→ 110 AC	
	- 4027	5.68	142 AC	unnamed SPR. / S.R.
			→ 142	Ti. Slough
	- 4166	1.0	30 AC	unnamed SPRINGS / S.R.
			→ 30 (Apr 67 AC)	
	- 4167			
	- 4165	1.0	36 AC	unnamed SPR / S.R.
			→ 30.5 AC	

(SW)	- 4167 A	1.14	35 AC	SPRING WASTEWATER / CHALLIS CR.
	B	1.0	25 AC	Phillips SL. / S.R.
	Rec'd { A-		→ 35 AC	
	{ B-		→ 22	
	- 4138 A	0.76	38 AC	WW SPR. / S.R.
	B	6.0	285 AC	" "
	Rec'd { A-	.76	→ 38	
	{ B-	6.0	→ 216 AC	same

Combined Use Limits:

12/7/98
SCC

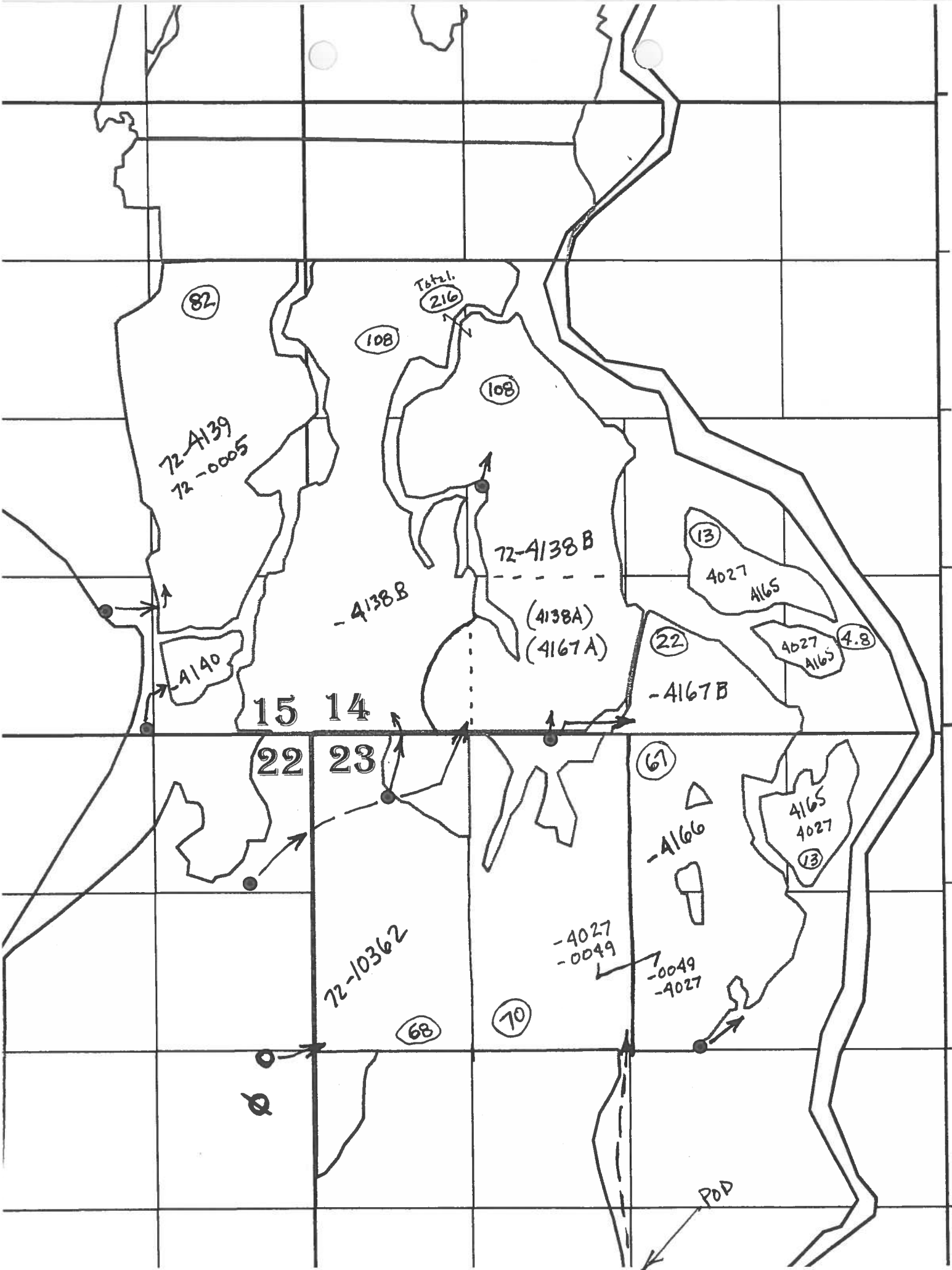
<u>POU:</u>	<u>Rec'd Acres</u>	
72-00049	140	} Combined limit 167.3 ac.
- 4165	30.5	
- 4166	30	
- 4027	142	

* proof of priority for beneficial use
claims, based on James Bennetts,
= 1927

Sources are Tewalt Slough & unnamed Stream

<u>Quantity:</u>	<u>claim</u>	<u>Rec'd</u>	
72-00049	.49	0.49	
- 4165	1.00	.61	(.02)
- 4166	1.00	.60	(.02)
- 4027	5.68	2.84	(.02)

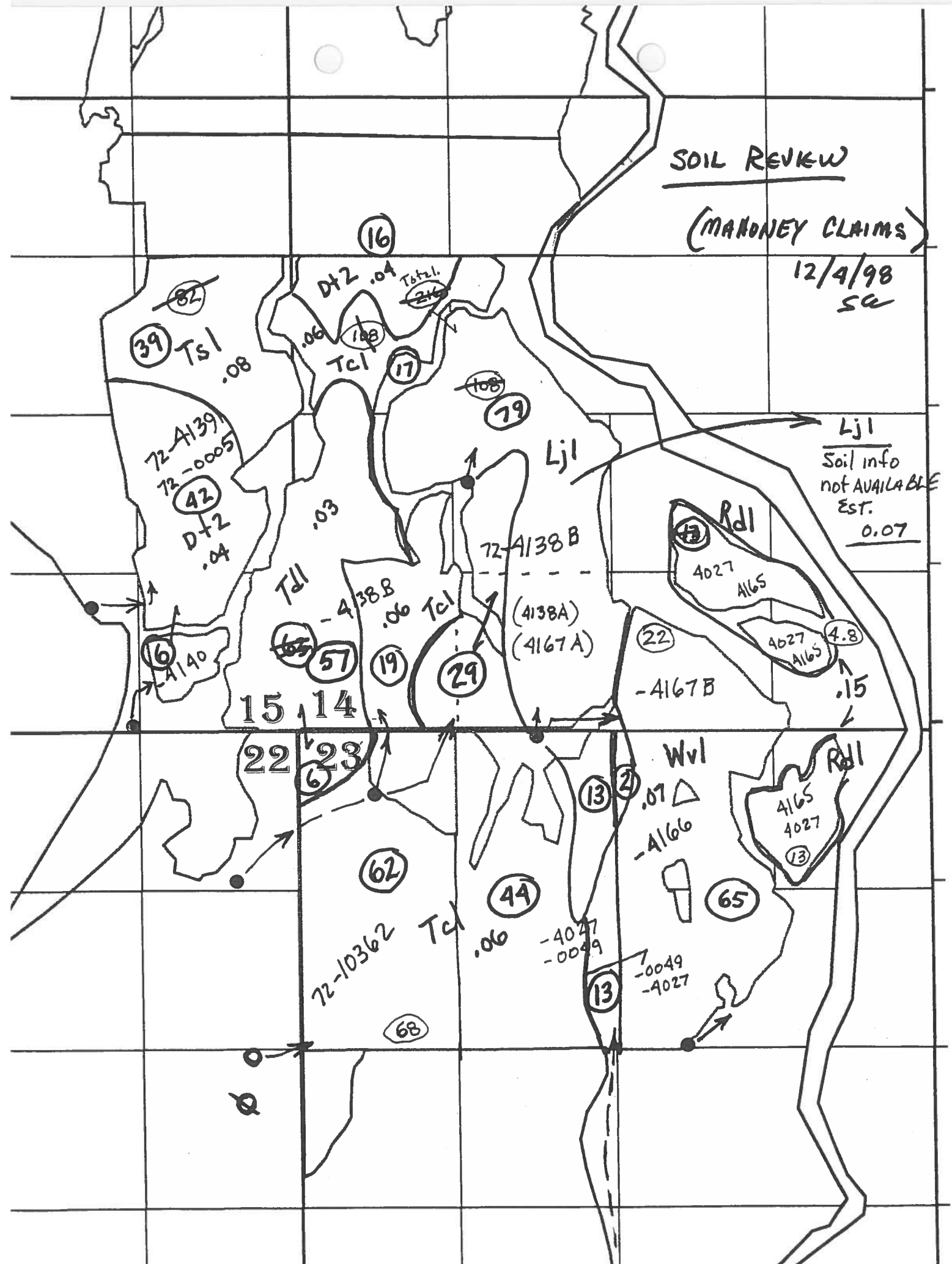
Unable to measure water deliveries and
I cannot find measurements by R.V.W., therefore
I am limited to the delivery rate of 0.02 cfs/ac.

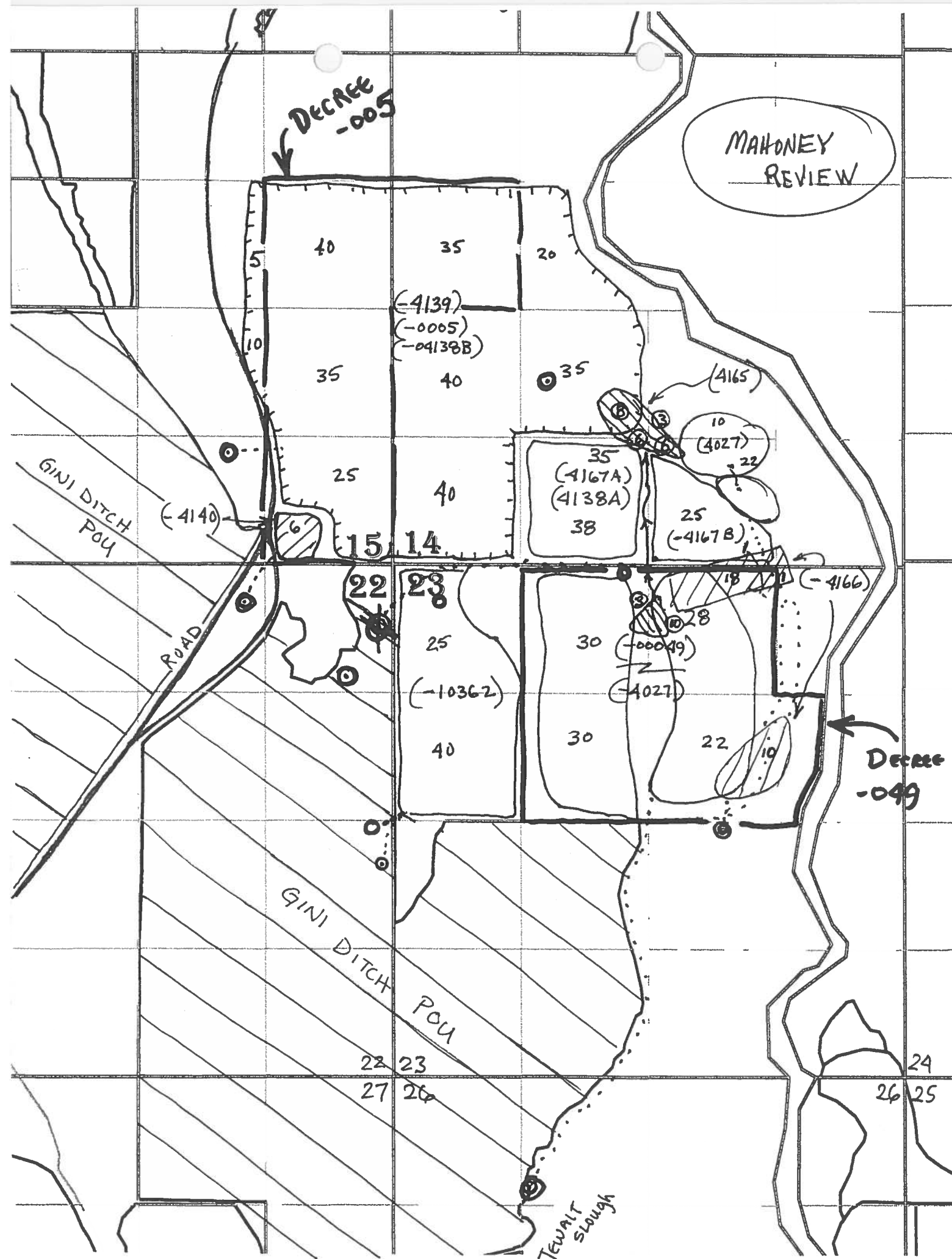


(MADONEY CLAIMS)

12/4/98
SC

Lj1
Soil info
not AVAILABLE
EST.
0.07





DATE: 12/04/98
PAGE: 2

DIVERSION
VOLUME

0.400 CFS

Stage: DECKREED

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE				
		NAME	SNAME	SENE	NEWN	NWNW	SWNW	SESW	NESE	NWSE	SWSE	SESE
T	R	Ac	lt	Ac	lt	Ac	lt	Ac	lt	Ac	lt	Ac
---	---	---	---	---	---	---	---	---	---	---	---	---
14N	19E	23	:	I	03-1	03-1	:	I	:	:	:	:

Pou County: CUSTER

Remarks: GEN AC. IRR=171.9

Dates: **App. Received:** **Priority Date:** 03/22/1878

Exam Made Date: _____ Exam Sent to S.O.: _____

Licensed Date:

Misc: Water District Number: 728 Field Exam Fee:

Audit:	05/06/85	05/28/88	CONVERT
--------	----------	----------	---------

Field Exam Fee:

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A72-00049

LAST: HARRINGTON
ADDRESS:
CITY: XXX
PHONE NUMBER: 208-000-0000
STATE: ID ZIP: 000

OWNER CODE: 0

LAST: CHIVERS
ADDRESS: PO BOX 528
CITY: CHALLIS
PHONE NUMBER: 208-879-2355
STATE: ID ZIP: 83226

OWNER CODE: 0

LAST: MAHONEY JR
ADDRESS: C/O JAMES R BENNETTS ESQ
PO BOX 36
CITY: CHALLIS
PHONE NUMBER: 208-879-4488
STATE: ID ZIP: 83226

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE Y
FIELD EXAMINER Y() N()

CLAIM REMARKS: AC. IRR=110
THESE LANDS ARE CURRENTLY UNDER CONTRACT FOR SALE TO
DANIEL J. MAHONEY, JR., 375 SOUTH COUNTY ROAD, SUITE 201
PALM BEACH FL 33480

OWNERSHIP CHANGE 11/2/90 BY JG.
CHANGED ADDRESSES TO MATCH FOR MAILING PURPOSES ONLY 3/27/95 DMS

FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A/C-00049

CONTACT PERSON: _____

PHONE NUMBER: () - -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Contact:

J. Bennett

* made call to Roy

9-22-93

Num by: Roy Piva
879-44523

A. AJ CLAIM: # A72-00049 PRIORITY DATE: 03-22-1878 STAGE: D

B. WR RECORD: # 72-00049 PRIORITY DATE: 03-22-1878 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

NOTES:

RECOMMENDED PRIORITY DATE:

03-22-1878

REVIEWED BY

DATE

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TRP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A72-00049	14N	19E			NE	NW				
								CUSTER		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
A72-04027 R72-04027
A72-10167 R72-10167

72-04027

SOURCE: TEWALT SLOUGH

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

7200049 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: TEWALT SLOUGH

TRIB: SALMON RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

A. ROOT WATER RIGHT NUMBERS: A72-00049
R72-00049

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
14N	19E	23	NW	NE	3	MAHONEY JR, DANIEL J	A72-00049 / 28.0	72-00049 / 28.0			40.0
			NW	NE	3	MAHONEY JR, DANIEL J	A72-04027 / 28.0	72-04027 / 28.0			
			NW	NE	3	MAHONEY JR, DANIEL J	A72-04165 / 3.0	72-04165 / 1.0			
			NW	NE	3	MAHONEY JR, DANIEL J	A72-04166 / 18.0	72-04166 / 18.0			
			NW	NE	3	MAHONEY JR, DANIEL J	A72-10353 /	-			
			NW	NE	3	MAHONEY JR, DANIEL J	R72-00049 / 28.0	-			
			NW	NE	3	MAHONEY JR, DANIEL J	R72-04027 / 28.0	-			
			NW	NE	3	MAHONEY JR, DANIEL J	R72-04165 / 3.0	-			
			NW	NE	3	MAHONEY JR, DANIEL J	R72-04166 / 18.0	-			
			NW	NE	3	MAHONEY JR, DANIEL J	R72-10353 /	-			
14N	19E	23	SW	NE	3	MAHONEY JR, DANIEL J	A72-00049 / 22.0	72-00049 / 22.0			51.0
			SW	NE	3	MAHONEY JR, DANIEL J	A72-04027 / 22.0	72-04027 / 22.0			
			SW	NE	3	MAHONEY JR, DANIEL J	A72-04166 / 10.0	72-04166 / 10.0			
			SW	NE	3	MAHONEY JR, DANIEL J	R72-00049 / 22.0	-			
			SW	NE	3	MAHONEY JR, DANIEL J	R72-04027 / 22.0	-			
			SW	NE	3	MAHONEY JR, DANIEL J	R72-04166 / 10.0	-			
14N	19E	23	NE	NW	3	MAHONEY JR, DANIEL J	A72-00049 / 30.0	72-00049 / 30.0			41.0
			NE	NW	3	MAHONEY JR, DANIEL J	A72-04027 / 30.0	72-04027 / 30.0			
			NE	NW	3	MAHONEY JR, DANIEL J	R72-00049 / 30.0	-			
			NE	NW	3	MAHONEY JR, DANIEL J	R72-04027 / 30.0	-			
14N	19E	23	SE	NW	3	MAHONEY JR, DANIEL J	A72-00049 / 30.0	72-00049 / 30.0			40.0
			SE	NW	3	MAHONEY JR, DANIEL J	A72-04027 / 30.0	72-04027 / 30.0			
			SE	NW	3	MAHONEY JR, DANIEL J	R72-00049 / 30.0	-			
			SE	NW	3	MAHONEY JR, DANIEL J	R72-04027 / 30.0	-			

ADDITIONAL POU FOUND

TOTAL ACRES A72-00049 110.00 172.00

POU COUNTY: CUSTER

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-00049	TEWALT SLOUGH	MAHONEY JR, DANIEL J	0.490	0.004		
R72-00049	TEWALT SLOUGH	MAHONEY JR, DANIEL J	0.490	0.004		
A72-04027	UNNAMED SPRING & SLOUGH	MAHONEY JR, DANIEL J	5.680	0.040		
R72-04027	UNNAMED SPRING & SLOUGH	MAHONEY JR, DANIEL J	5.680	0.040		
R72-04165	UNNAMED SPRINGS	MAHONEY JR, DANIEL J	1.000	0.027		
A72-04165	UNNAMED SPRINGS	MAHONEY JR, DANIEL J	1.000	0.027		
A72-04166	UNNAMED SPRING	MAHONEY JR, DANIEL J	1.000	0.033		
R72-04166	UNNAMED SPRING	MAHONEY JR, DANIEL J	1.000	0.033		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-00049	STOCKWATER	MAHONEY JR, DANIEL J	FROM 01-01 TO 12-31	0.090 CFS	
A72-10353	DOMESTIC	MAHONEY JR, DANIEL J	FROM 01-01 TO 12-31	0.040 CFS	
R72-10353	DOMESTIC	MAHONEY JR, DANIEL J	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: STATUTORY CLAIM #72-04027

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A72-00049 IRRIGATION	FROM 04-01 TO 11-01	0.400 CFS	
A72-00049 STOCKWATER	FROM 01-01 TO 12-31	0.090 CFS	

TOTAL DIVERSION RATE/VOLUME 0.490 CFS

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
72-00049 IRRIGATION	FROM TO	0.400 CFS	
TOTAL DIVERSION RATE/VOLUME		0.400 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.490 CFS
 WR ROOT RIGHT TOTAL DIVERSION RATE: 0.400 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
 B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE 1b. CALCULATIONS
 ACRES x 0.02 CFS/ACRE = CFS

(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
 IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 75.0 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00049
TOTAL DIVERSION RATE OF MR SPLITS
DATABASE 0.400 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	MR RIGHT NUMBERS	DIVERSION RATE
-	R72-00049	0.490	R72-00049	0.490	72-00049	0.400
TOTAL CFS		0.490		0.490		0.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

FIELD
EXAMINER
Y() N()
DATABASE
N

NOTES:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

LIST OF MAPS USED AND ATTACHMENTS

CLAIM NUMBER: A/c-uuu4y

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

() ORTHOPHOTOQUAD	DATE OF PHOTO _____	IDMR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____	IDMR ID NO. _____	Y() N()
() MAP	DATE OF PHOTO _____	IDMR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____		Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____		Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____		Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____		Y() N()
() OTHER _____	DATE _____		Y() N()
() OTHER _____	DATE _____		Y() N()
() OTHER _____	DATE _____		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____		
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
() IDMR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
() SYSTEM DESCRIPTION	DATE DRAWN _____		
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
() OTHER _____	DATE _____		
() OTHER _____	DATE _____		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:06:40
05/27/95

PAGE: 16
QUICKLOOK INFORMATION

CLAIM NUMBER: A72-00049
16

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

BARCODE UPDATED
WHOM/DATE

CLAIM NUMBER: A72-00049

TOTAL DIVERSION:	0.49 CFS	75.00 AFA
CONSUMPTIVE USE:		

Stage: DECREED

CUSTER County

MS

TOTAL ACRES

Other Rights: STATUTORY CLAIM #72-D4027

THESE LANDS ARE CURRENTLY UNDER CONTRACT FOR SALE TO DANIEL J. MAHONEY, JR., 375 SOUTH COUNTY ROAD, SUITE 201

OWNERSHIP CHANGE 11/2/90 BY JG.
CHANGED ADDRESSES TO MATCH FOR MAILING PURPOSES ONLY 3/27/95 DMS

Verified Date:

Field Inspection Flag:

Presumption Flag:

R PROOF

CVR

MAPS

PHOTOS

MISC

—

X

—

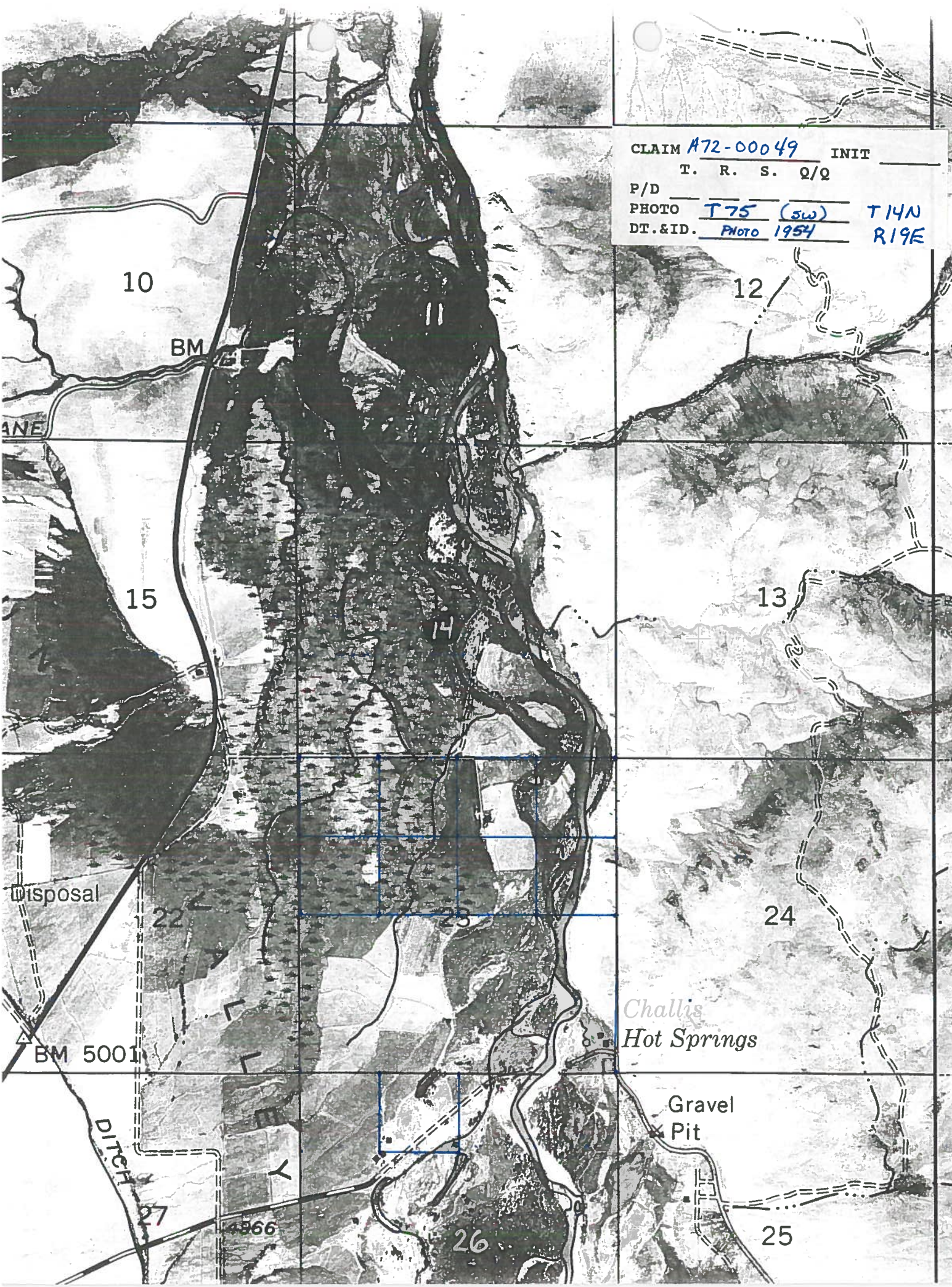
X

—

—

—

CLAIM A72-00049 INIT _____
T. R. S. Q/Q
P/D _____
PHOTO T75 (sw) T14N
DT.&ID. PHOTO 1954 R19E



CLAIM 172-00049 INIT
T. R. S. Q/Q

P/D
PHOTO T 75 (SW) T 14N
DT. & ID. PHOTO 1954 R 19E

Field
map

10

BM

12

15

13

Disposal

24

BM 5001

Challis
Hot Springs

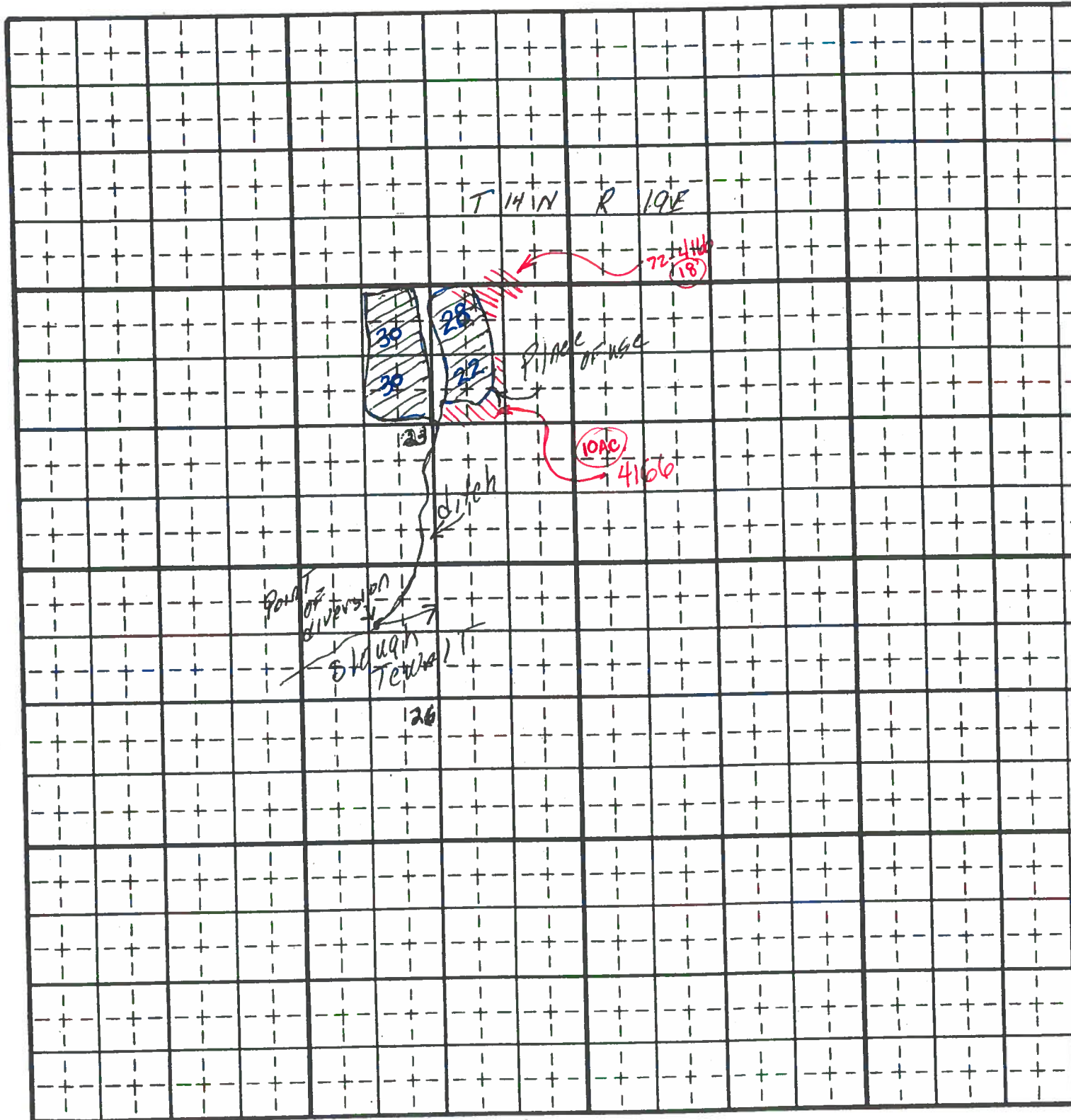
Gravel
Pit

DITCH

4966

26

25



CLAIMED POL 110 Acres

Last Name Chivers

Ident No. A72-00049

Copies: White-State, Yellow-Claimant

05:28:14
05/30/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A72-00049

WR ELEMENT	PRIORITY DATE	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
POINT OF DIV		Y							
SOURCE									
PLACE OF USE		Y							
DIV. AMOUNT CFS/VOLUME		Y							
CONSUMPTIVE USE									
PURPOSES		Y							
PERIOD OF USE		Y							
BASIS OF CLAIM		Y							
REMARKS		Y							

"VERIFIED BY" CODES

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

SW
11-13-92

4027
4165
4164
RVW ~~4167B~~
RVW ~~10357~~
10362

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

CLAIM NUMBER: A72-00049

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

```
Field Inspection Flag="
Presumption Flag="
```

LAST: ~~HAIRINGTON~~ FIRST: J. A.
ADDRESS: ~~XXX~~ STATE: ID ZIP: 000
CITY: ~~208-000-0000~~
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

LAST: CHIVERS FIRST: THOMAS W.
ADDRESS: P.O. BOX 528
CITY: CHALLIS STATE: ID ZIP: 83226
PHONE NUMBER: 208-879-2355
OWNER CODE: 0

LAST: MAHONEY JR. FIRST: DANIEL J.
ADDRESS: C/b JAMES R. BENNETTS, ESQ.
CITY: P.O. BOX 36 STATE: ID ZIP: 83226
PHONE NUMBER: 208-879-4488

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS:

AC. IRR=110
THESE LANDS ARE CURRENTLY UNDER CONTRACT FOR SALE TO
DANIEL J. MAHONEY, JR., 375 SOUTH COUNTY ROAD, SUITE 201
PALM BEACH FL 33480

OWNERSHIP CHANGE 11/2/90 BY JG.

[illegible]

PHONE NUMBER: () - -

APPOINTMENT MADE: Y() N() TIME: A() P()

PHONE NUMBER: () -

PRIORITY DATE REVIEW PAGE

A. AJ CLAIM: # 672-00049 PRIORITY DATE: 03-22-1878 STAGE: D

B. WR RECORD: # 72-00049 PRIORITY DATE: 03-22-1878 STAGE: D

C. FIELD EXAM REQUIRED? DATABASE N FIELD EXAMINER ☒

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

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

REMARKS:

RECOMMENDED PRIORITY DATE:
03-22-1878

REVIEWED BY *Sw* DATE *11-12-92*

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-00049	14N	19E	26		NE	NW		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD WR RECORDS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A72-04027 NONE 72-04027

SOURCE: TEWALT SLOUGH

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

7200049 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: TEWALT SLOUGH

TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

PUNINT OF DIVERSTION REVIEW SHEET CUNILINUED

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

SOURCE: TEWALT SLOUGH TRIB: SALMON RIVER

REVIEWED BY: DATE:

A. ROOT WATER RIGHT NUMBERS: A72-00049

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	#/ACRES	MR	LANDSAT	FIELD	RECOMM.
								#/ACRES	DATA	EXAM.	ACRES
14N	19E	23	NW	NE		MAHONEY, JR., DANIEL J.	A72-00049	728.0	72-00049	7	40.0
			NW	NE		MAHONEY, JR., DANIEL J.	A72-04027	/28.0	72-04027	/28.0	
			NW	NE		MAHONEY, JR., DANIEL J.	A72-04165	/3.0	72-04165	/1.0	
			NW	NE		MAHONEY, JR., DANIEL J.	A72-04166	/18.0	72-04166	/18.0	
			NW	NE		MAHONEY, JR., DANIEL J.	A72-10353	/		/	
14N	19E	23	SW	NE	3	MAHONEY, JR., DANIEL J.	A72-00049	722.0	72-00049	7	51.0
			SW	NE	3	MAHONEY, JR., DANIEL J.	A72-04027	/22.0	72-04027	/22.0	
			SW	NE	3	MAHONEY, JR., DANIEL J.	A72-04166	/10.0	72-04166	/10.0	
14N	19E	23	NE	NW		MAHONEY, JR., DANIEL J.	A72-00049	730.0	72-00049	7	41.0
			NE	NW		MAHONEY, JR., DANIEL J.	A72-04027	/30.0	72-04027	/30.0	
14N	19E	23	SE	NW		MAHONEY, JR., DANIEL J.	A72-00049	730.0	72-00049	7	40.0
			SE	NW		MAHONEY, JR., DANIEL J.	A72-04027	/30.0	72-04027	/30.0	
TOTAL ACRES							A72-00049	110.00			172.00

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

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

PRESUMPTION FLAG:

REMARKS: WR PROOF attached to claim.
WR Number List POU = 171.9

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A72-00049 IRRIGATION	FROM 04-01 TO 11-01	.400 CFS
A72-00049 STOCKWATER	FROM 01-01 TO 12-31	.090 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.490 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
72-00049 IRRIGATION	FROM TO	.400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.400 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(____) N(____)

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

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

AJ TOTAL CLAIMED DIVERSION RATE: 0.490 CFS
 WR ROOT RIGHT TOTAL DIVERSION RATE: 0.400 CFS

*** IF ND or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
 ** If an amount smaller than the original diversion rate is **
 ** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED? FIELD DATABASE EXAMINER

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

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: STATUTORY CLAIM #72-04027

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-00049	TEWALT SLOUGH	MAHONEY, JR., DANIEL J.	0.490	0.004		
A72-04027	UNNAMED SPRINGS & SLOUGH	MAHONEY, JR., DANIEL J.	5.680	0.040		
A72-04165	UNNAMED SPRINGS	MAHONEY, JR., DANIEL J.	1.000	0.027		
A72-04166	UNNAMED SPRINGS	MAHONEY, JR., DANIEL J.	1.000	0.033		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10353	DOMESTIC	MAHONEY, JR., DANIEL J.	FROM 01-01 TO 12-31	.040 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

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

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 75.0 AF/A
 ACRES ----- X CONSUMPTIVE VOL. AF/A FOR AREA ----- =
 TOTAL CONSUMPTIVE USE ----- AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
 ACRES ----- X DIVERSION VOL. AF/A FOR AREA ----- =
 TOTAL DIVERSION VOLUME ----- AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

RECOMMENDATIONS:

REC
PURPOSES

REC PERIOD
FROM TO

REC RATE
DATE CFS

DATABASE EXAMINER

REC VOL. AF/A
DIV

DATABASE EXAMINER

REC CONS.
USE

DATABASE EXAMINER

TOTAL FOR THIS RIGHT

REVIEWED BY:

DATE:

ACCEPTED
AS CLAIMED

NEEDS
REVIEW

CES

DIVERSION
KATE

0.400

0.400

FIELD EXAMINER

Water Right Number - 72-00049

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***

HARRINGTON

J. A.

1 -
2 -
3 -
City-
phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

03/22/1878 17 D - DECREED

+ - - - - Source - - - - - + - - - - Tributary - - - - -

TEWALT SLOUGH SALMON RIVER

+ - - - - Twn Rng Sec Tract Lot Rflg County Point of Diversion - - - - -

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

01 - IRRIGATION

0.400

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

0.400

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
14N	19E	23	NW NE		2.8	01	IRRIGATION	37 CUSTER
14N	19E	23	SW NE	3	2.2	01	IRRIGATION	37 CUSTER
14N	19E	23	SE NE	3	3.0	01	IRRIGATION	37 CUSTER
14N	19E	23	NE NW		3.0	01	IRRIGATION	37 CUSTER
14N	19E	23	SE NW		3.0	01	IRRIGATION	37 CUSTER

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - AC. IRR=171.9

+ - - - - Remarks - - - - -

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

+ - - - - No Conditions of Approval found.

WALTER KIGHT LUTHERS FAVORABLE REACTION
(REGIONAL)

(REGIONAL)

Adj. flag translation: Standard Water Right Number

+ - - - Decree Defendant - - +
VANDERVOORT ET. AL.

	-	Decree Date	-	+
		05/19/1914		

+ - - Audit Fields -

	Water Rights Dates and Flaps Area	
+-----+-----+		

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Postested Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	P
Start Work Date	00/00/0000	Verified date	05/06/1985	DLE/Carrey Act	-
Order Show Cause	00/00/0000	Receipt Number		Water District	72B
Licensed Date	00/00/0000	Appl Received	00/00/0000	Transfer/Amended	-
Decree Date	05/19/1914				