

RECEIVED

DEC 18 1997

Department of Water Resources
Southern RegionSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned. 72-00051M 72-00057B

1. Water Right No(s): 72-10297A - 72-11703 - 72-04058 - 72-00124
 Adjudication Claim No(s): AJ5853 NP

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
Divorce Decree AND Case # CV-95-83
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Michael Shannon and Paris Almond.
P.O.B. 1039 Challis, ID 83224

4. New Owner/Claimant(s) Michael Shannon
 New Mailing Address P.O.B. 121 Challis ID. 83224
 City, State and ZIP Code _____
 New Telephone Number (208) 879-2501

5. Date you acquired the property ~~Sept 1, 1995~~ Oct 2, 1995

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate ~~10.5~~ Number and type of stock 40 hd beef.
 Diversion rate in CFS 6.88 comb. Number of homes N/A Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Michael D. Shannon
Michael D. Shannon
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

DISTRICT COURT
CUSTER COUNTY
IDAHO

Oct 2 10 51 AM '95

JOHN S. CHAPMAN
MARTIN, CHAPMAN, SCHILD & LASSAW, CHTD.
476 North Twelfth Street, Suite 100
P. O. Box 2898
Boise, Idaho 83701
Telephone: (208) 343-6485

**IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CUSTER**

PARIS ALMOND,	)	
vs.	)	Case No. CV-95-83
	)	
MICHAEL D. SHANNON,	)	JUDGMENT AND DECREE
	)	OF DIVORCE
Defendant.	)	
	)	

The above entitled matter coming on regularly to be heard in open Court this 2nd day of October, 1995, the Plaintiff appearing in person and with counsel and the Defendant neither appearing in person nor by counsel; and it appearing to the satisfaction of the Court that the Defendant was duly, regularly and personally served with Summons and Complaint on the 28th day of August, 1995, by accepting service of Summons and Complaint, in Challis, Idaho, and that the time for the Defendant to appear and plead to said Complaint having expired, and the Defendant failing, refusing and neglecting to appear and plead to said Complaint, and proper Affidavit for default having been filed, the default of the Defendant was duly and regularly entered; the Plaintiff introduced evidence in support of his Complaint, and Plaintiff's residency being duly corroborated by law, and the Court being fully advised in the premises, and finding that the allegations of Plaintiff's

Complaint are true and that Plaintiff is entitled to relief thereon;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, and this does Order, Adjudge and Decree as follows:

1. That the bonds of matrimony existing between the parties hereby be and the same are hereby dissolved and terminated, that the Plaintiff be and he is hereby awarded a judgment of divorce of and from the Defendant herein on the grounds of irreconcilable differences, and that each of the parties is restored to the status of a single person.

2. That the Plaintiff and Defendant be awarded joint custody of the minor child of the parties, NORA ANN SHANNON, born October 8, 1987, with the physical custody in the Plaintiff, subject to the right of reasonable visitation granted to the Defendant as specified in the Child Custody and Property Settlement Agreement dated September 1, 1995, attached hereto and incorporated herein.

3. That the Court hereby approves, ratifies and confirms that certain Child Custody and Property Settlement Agreement entered into by the parties on the 1st day of September, 1995, which was introduced into evidence and of which a true copy is attached to this Judgment as Exhibit "A", and by the Court's approval as hereinabove expressed, the Court hereby expressly incorporates said Exhibit "A" into this Judgment and Decree of Divorce, and the parties are hereby ordered to comply with all of the terms and provisions of said Exhibit "A".

4. That the firm of Martin, Chapman, Schild & Lassaw, Chtd. and the attorneys of said firm, are hereby granted leave to withdraw as attorneys of record for the Plaintiff, and notice is hereby given to the parties involved in the above entitled action that the withdrawal by the firm of Martin, Chapman, Park & Burkett and the attorneys of said firm, as the attorneys of record for the Plaintiff, shall become effective on the date that the time for appeal from the final judgment herein granted has expired providing there are no proceedings pending at that time.

DONE AND DATED this 2ND day of October, 1995.

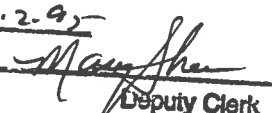


JUDGE Charles J. Roos

STATE OF IDAHO)
COUNTY OF CUSTER)SS

I hereby certify that the foregoing is a full,
true and correct copy of the original on file
in this office.

Date 10.2.95


Deputy Clerk

SCHEDULE "B"

HUSBAND'S PROPERTY:

The entire Peck Place (which contains a total of 730 acres), including the residence: 3 bdrm., 1 bth. shop, 75' x 25' metal bldg., and 1910 water rights.

Johnny Smith Place - 15 acres,

Irrigated pasture *and water right* \$ 37,500.00

1990 Gooseneck trailer \$ 1,250.00
ID No. 007211Spcn

1984 Mustang convertible \$ 2,500.00
ID No. 1FABP27M1EF174369

1973 Yamaha cycle \$ 200.00
ID No. AT1221514

1968 Ford pickup \$ 20,000.00
Handmade art vehicle, "The Tank"
ID No. F10BCD49761

1966 Ford pickup \$ 1,500.00
ID No. F26YR888303

1963 Honda cycle \$ 300.00
ID No. 63H1387

1950 GMC pickup \$ 2,000.00
ID No. 2336

1946 Chevy 1-1/2 ton \$ 1,000.00
ID No. 9MS4813419

1939 Chevy flatbed truck 1-1/2 ton \$ 1,200.00
ID No. IVD065473

Miscellaneous vehicles,
not registered:

Toyota Landcruiser
GMC flatbed pickup
Ford pickup F-100, plate 7C61
GMC cattle truck, plate 4243
Chevy dumptruck, plate 4242
Rambler sedan, plate 1B58729
Flatbed pickup, plate Comm KA894
1959 Ford stationwagon

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: A72-00124
Date Received: 1/10/1990
Receipt No: E011587
Received By: CA

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MICHAEL DAN SHANNON 208-879-2501
Address: P.O. BOX 1039
CHALLIS ID 83226
AND/OR
Name: PARIS ALMOND 208-879-2501
Address: P.O. BOX 1039
CHALLIS ID 83226

2. Date of Priority: MAY 15, 1879

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	18E	36		SW	NE		CUSTER
			NW	NE	SW		CUSTER
				NW	SW		CUSTER

5. Description of diverting works:
HEADGATES, 3 DITCHES, PARSHALL FLUMES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.020		

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

8. Total consumptive use is 500.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	18E	36	SW	NE		IRR	20.0
			SE	NE		IRR	30.0
			NE	SE		IRR	10.0
			NW	SE		IRR	25.0
			Section Acres				85.0
	19E	31	SW	NW		IRR	20.0
			SE	NW		IRR	15.0
			NE	SW		IRR	40.0
			NW	SW		IRR	25.0
			NW	SE		IRR	15.0
			Section Acres				115.0
			Total Acres				200.0

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:

A72-10297, (COMBINED DECREED RIGHTS 72-00125 & 72-00126)

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

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: _____

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): Michael Shannon Date: April 8, '93
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of April 8 19 93 Carol Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name

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 _____

Name Change

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

RECEIVED

Ident. Number: A72-00124
Date Received: 1/10/1990
Receipt No: E011587
Received By: _____

JUN 12 1991

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Eastern District Office

1. Name: MICHAEL DAN SHANNON
Address: P.O. BOX 1039
CHALLIS, ID

208-879-2501

83226

AND/OR

Name: PARIS ALMOND
Address: P.O. BOX 1039
CHALLIS, ID

208-879-2501

83226

2. Date of Priority: MAY 15, 1879

3. Source: GARDEN CREEK

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	18E	36	NW	NE	SW		CUSTER

5. Description of diverting works:
HEADGATES, 2 DITCHES, PARSCHAL FLUMES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.020		

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

A.F.A.

8. Total consumptive use is 500.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A72-00124

Page 1

Date: 05/24/91

MICROFILMED
MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	18E	31	SW		NW		IRR	20.0
	19E		SE		NW		IRR	15.0
			NE		SW		IRR	40.0
			NW		SW		IRR	25.0
			NW		SE		IRR	15.0
								Section Acres 115.0
14N	19E	36	SW		NE		IRR	20.0
			SE		NE		IRR	30.0
			NE		SE		IRR	10.0
			NW		SE		IRR	25.0
								Section Acres 85.0
								Total Acres 200.0

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:
A72-10297, (COMBINED DECREED RIGHTS 72-00125 & 72-00126)

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

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: _____

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 _____

WARRANTY DEED

RECEIVED

JUN 12 1991

For Value Received DAVID L. PETERSON AND EVELYN J. PETERSON, Husband and wife,
Department of Water Resources
Eastern District Office

the grantors , do hereby grant, bargain, sell and convey unto

MICHAEL DAN SHANNON AND PARIS ALMOND, Husband and wife

the grantees , whose current address is P.O. Box 1039, Challis, Idaho 83226

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

See Exhibit "A", attached hereto and incorporated by reference herein as though fully set forth.

STATE OF IDAHO
COUNTY OF Custer ss.
On this 17th day of May in the year
19 91, before me, a Notary Public, personally appeared
David L. Peterson
known or identified to me to be the person whose name is
subscribed to the within instrument as the attorney in fact of
Evelyn J. Peterson and acknowledged to
me that he subscribed the name of
thereto as principal, and his (her) own name as attorney in fact.
Susan Sundell
Notary Public
Residing at Challis Idaho
Commission expires: 7-15-92

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee - ,
heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees , that they the
owners in fee simple of said premises; that they are free from all incumbrances

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MAR 18 1993

TRACT A

PARCEL NO. 1

RECEIVED

JUN 12 1991 :

TOWNSHIP 14 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

Department of Water Resources
Eastern District Office

Section 36: $W\frac{1}{2}SE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$ EXCEPTING THEREFROM the following described parcels:

A fraction of the $SE\frac{1}{4}NE\frac{1}{4}$, and the $NE\frac{1}{4}NE\frac{1}{4}$, Section 36, Township 14 North, Range 18 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at the Northeast corner of Section 36, said township and range; thence North $89^{\circ}57'03''$ West 1316.02 feet on and along the North line of said Section to the Northeast $1/16$ corner; thence South $0^{\circ}05'00''$ East, 1626.16 feet to the intersection of the center of Garden Creek Road; thence the following courses along said center of road;
North $56^{\circ}52'53''$ East, 214.89 feet; thence
North $70^{\circ}18'04''$ East, 92.03 feet; thence
South $85^{\circ}13'46''$ East, 289.13 feet; thence
South $78^{\circ}53'40''$ East, 85.99 feet; thence
South $85^{\circ}48'00''$ East, 103.45 feet; thence
South $89^{\circ}50'01''$ East, 228.52 feet; thence
North $78^{\circ}06'18''$ East, 95.96 feet; thence
North $65^{\circ}07'52''$ East, 99.99 feet; thence
North $74^{\circ}28'45''$ East, 89.47 feet; thence
South $70^{\circ}33'13''$ East, 78.68 feet to the intersection of the North-South range line between Range 18 East and Range 19 East, Boise Meridian, thence North $0^{\circ}05'00''$ West 1403.84 feet on and along said Range line to the Northwest corner of Section 31, Township 14 North, Range 19 East, Boise Meridian, thence continuing on and along said range line North $0^{\circ}08'00''$ West 62.04 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM the following described as:

Commencing at the South Quarter corner of Section 36, Township 14 North, Range 18 East, Boise Meridian, Custer County, Idaho, thence North on and along the North-South centerline of said Section 36, 2697.13 feet to the Point of Beginning of this description; thence South $64^{\circ}12'26''$ West 99.61 feet; thence North $9^{\circ}12'21''$ West, 353.30 feet to the approximate South right of way of Garden Creek Road; thence the following four courses along said right of way;
North $67^{\circ}30'38''$ East, 220.03 feet; thence

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MAR 18 1993

PARCEL NO. 2

TOWNSHIP 14 NORTH, RANGE 19 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

Section 31: Lot 3, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$.

PARCEL NO. 3

TOWNSHIP 14 NORTH, RANGE 19 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

Section 31: A portion of Lot 2 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Beginning at the Southwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, the TRUE POINT OF BEGINNING; thence East 55 feet along the South boundary line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence North 201 feet to a point which is the Southeast corner of the land described in the deed to Gerald Robinson, et. ux., recorded as instrument No. 127801, records of said Custer County Recorder; thence North 79°05' West, 599.5 feet along the South boundary line of said Robinson land; to the Southwest corner of said Robinson land; thence North 728 feet along the West boundary line of said Robinson land to a point on the South boundary line of the land described in the deed to Ray Keppner, et. ux., in Book 34 Deeds, Page 276, records of said County Recorder; thence along the South boundary line of said Keppner land South 74°10' West, 421.4 feet; thence South 54°10' West, 375.2 feet; thence South 63°05' West, 86.4 feet; thence South 69°45' West, 184.0 feet; thence South 79°30' West, 184.0 feet; thence South 87° West, 382.7 feet; thence North 89°35' West, 479.5 feet, to a point 162 feet East of the West line of said Lot 2; thence North 8°20' West, 735 feet along the West boundary line of said Keppner land to a point 57 feet East of the Northwest corner of said Lot 2; thence West 57 feet along the North boundary line of said Lot 2 to the Northwest corner of said Lot 2; thence South 0°22'25" West, 1320 feet, more or less to the Southwest corner of said Lot 2; thence North 89°40'30" East, 2657.16 feet, more or less, along the South boundary line of said Lot 2 and the South boundary line of said SE $\frac{1}{4}$ NW $\frac{1}{4}$ to the True Point of Beginning;

EXCEPT the following described parcel:

Beginning at a point which bears North 10°04' West, 3,055.6 feet from the Quarter Corner between Sections 6 and 31, Township 13 North and 14 North, Range 19 East, Boise Meridian, thence

MICROFILMED
MAR 18 1993

TRACT B

TOWNSHIP 14 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

Section 36; NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$.

TOGETHER WITH:

- 1.02 CFS of Seller's 3/1/1879 water rights.
- 1.06 CFS of Seller's 8/15/1910 water rights.
- 1.50 CFS of Seller's 8/15/1910 water rights.

MICROFILMED

MAR 18 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUN 12 1991

DATE OF CLOSING: 5/17/91

Department of Water Resources
Eastern District Office

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

RECEIVED

JUN 13 1991

[] 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) Department of Water Resources
Southern Region Office

[] Water Right Number(s) Assigned by IDWR: (A72-00124) (A72-10297) (A72-10411)

[] Name and Address of Former Owner/Claimant(s)(Seller): Joseph Peck
P.O. Box 57 Challis, ID 83226

[] New Owner/Claimant (Purchaser): Michael Shannon/Paris Almond

[] New Mailing Address: P.O. Box 1039
Challis, ID. 83226

[] New Telephone Number: (208) 819 - 2501

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

[] Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s): Michael D. Shannon Date May 23, 1991

[] Signature of Former Owner/Claimant(s): _____ 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: 5/23/91 By: RME

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 5/23/91 By: RME

Claim Numbers of Split, if any:

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

MICROFILMED

MAR 18 1993

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-00124
Date Received: 1/10/1990
Receipt No: E011587
Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSEPH PECK
Address: P.O. BOX 57
CHALLIS, ID 83226

208-879-2303

2. Date of Priority: MAY 15, 1879

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	18E	36	NW	NE	SW		CUSTER

5. Description of diverting works:
HEADGATES, 2 DITCHES, PARSCHAL FLUMES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.020		

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

8. Total consumptive use is 500.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	18E	31	SW	NW		IRR	20.0
			SE	NW		IRR	15.0
			NE	SW		IRR	40.0

A72-00124

Page 1

Date: 01/15/90

MICROFILMED
MAR 18 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	18E	31	NW	SW		IRR	25.0
			NW	SE		IRR	15.0
			Section Acres				115.0
		36	SW	NE		IRR	20.0
			SE	NE		IRR	30.0
			NE	SE		IRR	10.0
			NW	SE		IRR	25.0
			Section Acres				85.0
			Total Acres				200.0

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:
A72-10297, (COMBINED DECREED RIGHTS 72-00125 & 72-00126)

14. Remarks:

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

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: _____

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

COPY

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

A72-00124

Date Received

1-10-90

Receipt Number

6011587

RAO

CV

RECEIVED

JAN 12 1990

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

JAN 10 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Joseph Peck Phone (208) 879-2303

Mailing Address P.O. Box 57, Challis, ID Zip 83226

2. Date of Priority (Only one (1) per claim) 5-15-89

3. Source of water supply (a) Garden Creek
which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 14N Range 18E Section 36,
NW 1/4 of NE 1/4 of SW 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. 2 ditches, headgates

parshall flumes.

MICROFILMED

MAR 18 1993

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4-1 to 11-1 amount 1.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.02 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 4.02 5500 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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	18E	36			20	30									10	25			85
14N	19E	31							20	15	40	25				15			115

Total number of acres irrigated 200

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.
A72-10297 (combined decreed rts 72-00125 & 00126) or None ()

14. Remarks:

Last Name _____ Ident No. _____

MICROFILMED

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

54.10

50 NE

1500

1500

1500

MICRO

MAR 1 8 1963

1500 NE

15. Basis of Claim (check one) Be. ☐ Special Use ☐ Posted Notice ☐ License ☐ Permit ☐

Decree ☒

If applicable provide IDWR Water Right Number 72-0124

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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1 (map)

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

Signature of Claimant (s) *Joseph P. Kelly* Date 12/11/89

Date _____

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

of _____, Title _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn: (or affirmed) before me this 11th day of December 1989

SEAL

Notary Public *Helen Harrington*

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho

My Commission Expires December 1, 1994

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 _____

MICROFILMED

MAR 18 1993

Copies White-State, Yellow-Claimant

Last Name _____ Ident. Number _____



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. 19, 1990

Re: A72-10411

A72-00124

A72-10297

JOSEPH PECK
P O BOX 57
CHALLIS ID 83226

Dear Claimant(s):

Please review the computer generated claim(s) 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,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 18 1993



NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUN 12 1991

DATE OF CLOSING: 5/17/91

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

Department of Water Resources
Eastern District Office

RECEIVED

JUN 13 1991

[] 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: (A72-00124) (A72-10297) (A72-10411)

[] Name and Address of Former Owner/Claimant(s) (Seller): Joseph Peck
P.O. Box 57 Challis, ID 83226

[] New Owner/Claimant (Purchaser): Michael Shannon/Paris Almond

[] New Mailing Address: P.O. Box 1039
Challis, ID. 83226

[] New Telephone Number: (208) 879-2501

[] 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: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s): Michael D. Shannon Date May 23, 1991

[] Signature of Former Owner/Claimant(s): _____ 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: 5/23/91 By: RME

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 5/23/91 By: RME

Claim Numbers of Split, if any:

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

MICROFILMED

MAR 18 1993

RECEIVED

JUN - 3 1999

Department of Water Resources

RECEIVED

JUN 29 1999

Department of Water Resources
Southern Region

KC

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: _72-00124 _
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 387-0835

Name and Address of Attorney, if any:

Randall J. Bramer
550 West Fort Street
MSC 033
Boise, Idaho 83724

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

Name: Michael Dan Shannon
Address: Paris Almond
P.O. Box 1039
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:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Places of Use**
Should be: See E below.
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 places of use shown in the Directors Report are in error. T14N R18E S31 is all National Forest System land. The claimants are not authorized to occupy the National Forest for this purpose. We believe the places of use should read T14N R19E S31 and T14N R18E S36.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

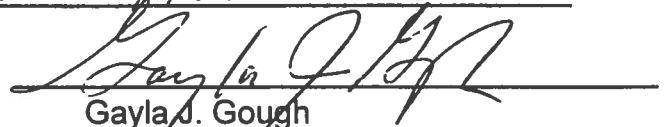
Michael Collette , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

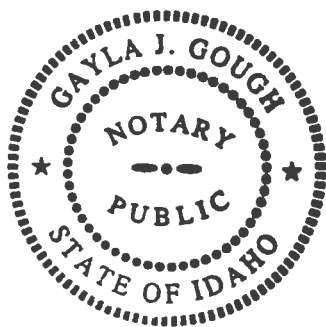
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objections)


(Attorney signing in representative capacity)

Subscribed and sworn before me on: June 2, 1999


Gayla J. Gough



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

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 JUN 2 1999, 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:

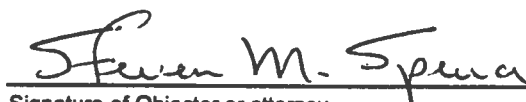
Name: Michael Dan Shannon
Address: Paris Almond
P.O. Box 1039
Challis, ID 83226

3. — Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

JUN - 3 1999

Department of Water Resources

RECEIVED

JUN 29 1999

Department of Water Resources
Southern Region

KC

**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: _72-11763 _
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 387-0835

Name and Address of Attorney, if any:

Randall J. Bramer
550 West Fort Street
MSC 033
Boise, Idaho 83724

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

Name: Michael D. Shannon
Address: P.O. Box 1039
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:

3. ☐ **Quantity**

Should be:

4. ☐ **Priority Date**

Should be:

5. ☐ **Point(s) of Diversion**

Should be:

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☒ **Places of Use**

Should be: See E below.

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 places of use shown in the Directors Report are incorrect. T14N R18E S31 is all National Forest System land. The claimant is not authorized to occupy the National Forest for this purpose. We believe the places of use should read T14N R19E S31 and T14N R18E S36.

[illegible]

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.

Mukul Chatterjee
(Signature of person filing objections)

(Attorney signing in representative capacity)

Subscribed and sworn before me on: June 2, 1999

Gayla J. Gough



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

INSTRUCTIONS FOR MAILING

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

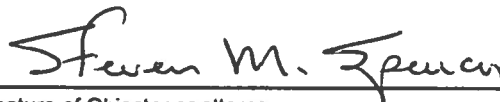
Name: Michael D. Shannon
Address: P.O. Box 1039
Challis, ID 83226

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES

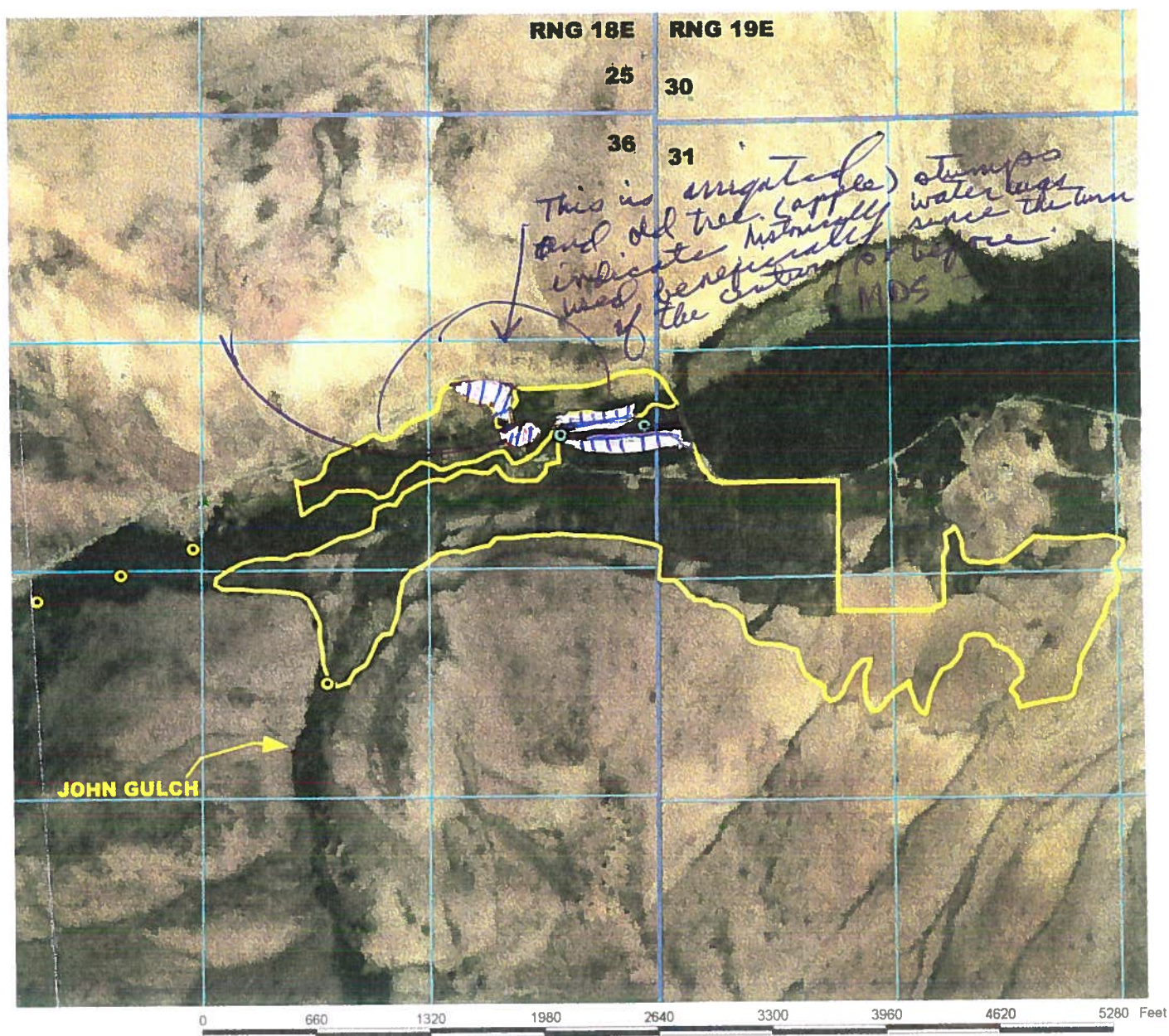
72-00124, 72-10297A, & 72-04058

SOURCE = GARDEN CREEK

72-11763

SOURCE = JOHN GULCH

SHANNON



RECOMMENDED PLACE OF USE

TWP 14N RNG 18E, SEC 36

TWP 14N RNG 19E, SEC 31

data entry on October 15, 1998



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

GIS PLACE OF USE PRESENTATION
1992 USDA-F AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

November 20, 1998

**NOTICE OF ERROR
REPLY**

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

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.
YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 72-00124

MICHAEL DAN SHANNON
~~PARIS ALMOND~~
PO BOX ~~1039~~ 121
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):

*white-out on map supplied by
IDWR*

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

include excluded areas as irrigated.

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

*These areas are irrigated now and
historically.*

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

DATE:

Dec 17 '98

SIGNATURE:

Michael D. Shannon

Please print your name:

Michael D. Shannon

Water Right Number - R72-00124

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
SHANNON

MICHAEL DAN

1 - PO BOX 121
2 -
3 -
City- CHALLIS
Phone - 208-879-2501

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
PECK

JOSEPH

1 - PO BOX 57
2 -
3 -
City- CHALLIS
Phone - 208-879-2303
1 - PO BOX 1039
2 -
3 -
City- CHALLIS
Phone - 208-879-2501

State- ID Zip- 83226

ALMOND

PARIS

State- ID Zip- 83226

+ - - Priority Date - - +
05/15/1879

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

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

+ - - - - Status - - - +

+ - - - - Source - - - - +
GARDEN CREEK

+ - - - - Tributary - - - - +
SALMON RIVER

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

14N 18E 36 SE SE NW (37) CUSTER
NE NE SW (37) CUSTER
NW NE SW (37) CUSTER

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

01 - IRRIGATION

04/01 10/31

1.020

+ - Total Div. Rate - + + - Total Div. Volume - +
1.020

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

Twn	Rng	Sec	Tract	Lot	Acre	Place of Use	Code	Description	County
14N	18E	31	SW NW	2	15.0	01	IRRIGATION	(37) CUSTER	
14N	18E	31	SE NW		3.6	01	IRRIGATION	(37) CUSTER	
14N	18E	31	NE SW		15.0	01	IRRIGATION	(37) CUSTER	
14N	18E	31	NW SW	3	11.0	01	IRRIGATION	(37) CUSTER	
14N	18E	36	SW NE		9.7	01	IRRIGATION	(37) CUSTER	
14N	18E	36	SE NE		24.0	01	IRRIGATION	(37) CUSTER	
14N	18E	36	NW SE		7.3	01	IRRIGATION	(37) CUSTER	

Total Acres: 85.6

VERIFIED BY: *hlc*
12-21-98

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - 72-10297, 72-04058, AND 72-11763

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

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 85.6 ACRES IN A SINGLE IRRIGATION SEASON. A COMBINED RIGHT NOS.: 72-00124, 72-04058, 72-10297A, AND 72-11763.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF DIVERSION IN TWP 14N, RANG 18E, SEC 36, NENESM. 72-00124, 72-04056 72-10297A, 72-10017, 72-00125B, 72-00125C, 72-04061A, 72-04061B, AND 72-00126A.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF DIVERSION IN TWP 14N, RANG 18E, SEC 36, SESENM. 72-00124, 72-04056 72-10297A, & 72-10297B.

Old Water Right Numbers

Conditions of Approval

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:

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. SC

NONE

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

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

+ - Decree Date - +
05/19/1914



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

December 21, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MIKE SHANNON
PO BOX 121
CHALLIS ID 83226

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS: A72-00051M &
A72-00057M

Dear Mike

A72-00051M & A72-00057M (Johnny Smith Place)

I have reviewed your Notice of Error (NOE) response and am changing my recommendation to include the southeast corner of the place of use.

While reviewing your file I reviewed your warranty deed and noticed that I had incorrectly drawn your northern border for the place of use. I have corrected that line. My original recommendation followed the Quarter/Quarter line whereas the warranty specifies S. 85°06'43" E. Once I made both corrections to the P/U, GIS calculated the acreage to be 5 acres in the NWSW and 10 acres in the NESW. I believe that this should resolve the questions you had with this recommendation.

A72-00124, A72-10297A, & A72-04058 (Klug Place)

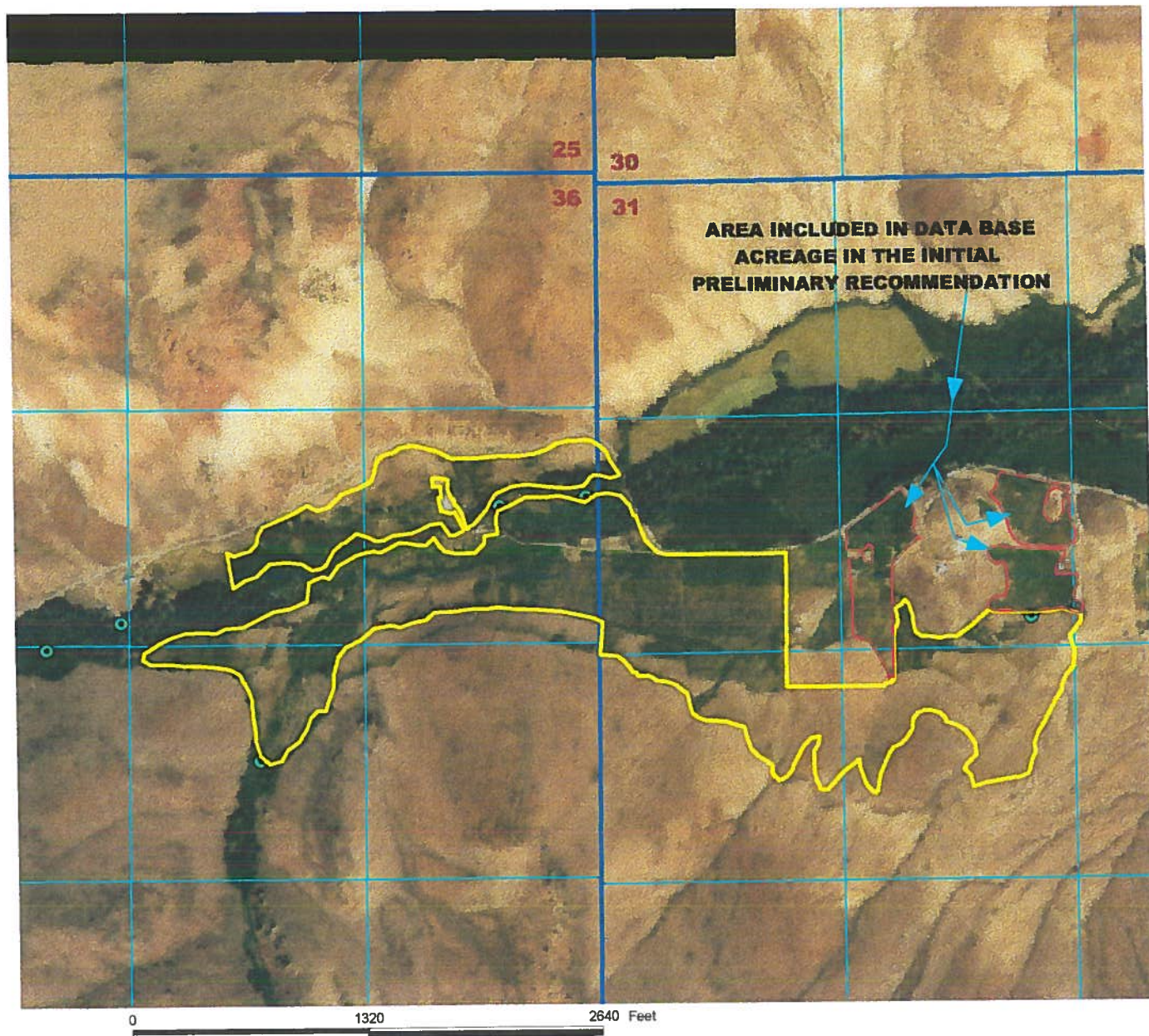
I have added the areas you identified as irrigated through the NOE process. Again, in reviewing my earlier recommendation I found that I had included the place of uses for the three parcels owned by other claimants within Sec 31 SENW. The recommended shape file as identified through GIS has not changed except for the 2 acres I added around your home. I have corrected this error in the data base and the related elements in the revised recommendation. I apologize for my error and the confusion that it may cause.

If you need additional, information please contact me.

Sincerely

Kelly K Christensen
Senior Water Resource Agent
Enclosure

72-00124, 72-10297A, & 72-04058
PLACE OF USE MODIFICATION BASED UPON
NOTICE OF ERROR



PLACE OF USE
TWP 14N, RNG 18E, SEC 36
TWP 14N, RNG 19E, SEC 31
data entry on December 21, 1998



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

GIS PLACE OF USE PRESENTATION
1992 USDA-F AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

Revised P/U Recommendation

CLAIM NUMBER

72-00124

DATE

12-21

TRANSFER NUMBER

72-6297A

AGENT

KKC

CLAIMED ACRE TOTAL 200

72-04058

GIS ACRE TOTAL 85.6

	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	36			26	30									10	25			85
GIS			36			9.7	24.4										7.3			
RECOM						9.7	24										7.3			41
Prior RECOM.						9.7	22 ^{1.8*}										7.3			39
CLAIM	14N	18E	31					20	15	40	25					15				115
GIS			31					15.1	3.6	15.1	10.7					...				
RECOM								15	3.6	15	11									44
Prior Recom								15	14 ^{2.8*}	15	11									55
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP

SHAPE NOS.

B72-DBPOD.SHP

NOS. DESCRIPTION

1. * Based upon NOE submitted & added 2 Acres to the Recommended P/U consisting of the old orchard North of the home site & Ground N of Heppners south ditch and Garden Creek.

2 * (SENT Sec 31) the previous recommendation included 10.4 acres in error. I included all irrigated ground South of Garden Creek in that Q Q but the 10.4 acres are the Recommended P/U for 3 other systems and they are included in other claims.

Diversion Rate recommendation calculations.

DBF TABLES UPDATED 72-00124 - 1.02 cfs (Recom) Revised

B72-DBPOU.DBF - 10297A - 2.06 cfs

soils Rate Balance recomme

B72-DBPOD.DBF 3.08 cfs

6.31 cfs for 72-04058

JPEG LAYOUT

3.08 cfs

3.23 cfs

REVIEW OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

Revised Soils Analysis

DATE: 12-21, 1998

BASED UPON REVISED P/U RECOMMENDATION

REVIEWED BY KKC

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DAF	.18	.15			5.33	7.27
DB1	.13	.11			5.66	6.65
DBB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DRF	.18	.19			9.08	9.68
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
G01	.10	.12			12.47	10.51
KEG	.08	.07			8.73	10.06
MBF	.15	.12			7.65	5.81
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
PD2	.11	.12			5.15	4.74
Q	.26	.21			13.2	10.4
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

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

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

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
DBB	5.71	10	9.3	.13	= .69 CFS
YN1	5.38	10	27.0	.18	= 2.13 CFS
DBC	5.71	10	21.7	.13	= 1.61 CFS
DAF	5.33	10	18	.18	= 1.54 CFS
Sprinkler			17	.02	= .34
TOTAL ACRES			86	DECREED RATE	=
				CLAIMED DIVERSION RATE	=
				MEASURED DIVERSION RATE	=

6.31

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

11/03/98 08:41:23
Page 1

Water Right Number - R72-00124

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

SHANNON

MICHAEL DAN

1 - PO BOX 1039

2 -

3 -

City- CHALLIS

Phone - 208-879-2501

VERIFIED BY KAC
11-3-98

State- ID Zip- 83226

ALMOND

PARIS

1 - PO BOX 1039

2 -

3 -

City- CHALLIS

Phone - 208-879-2501

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***

PECK

JOSEPH

1 - PO BOX 57

2 -

3 -

City- CHALLIS

Phone - 208-879-2303

State- ID Zip- 83226

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/15/1879 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GARDEN CREEK SALMON RIVER

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

TwN	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name
-----	-----	-----	-------	-----	------	--------	----------------

14N	18E	36	SE SE NW		(37)	CUSTER	65 129
			NE NE SW		(37)	CUSTER	65 131
			NW NE SW		(37)	CUSTER	65 130

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	----------------	------------------

01 - IRRIGATION		04/15	10/15	1.020	
-----------------	--	-------	-------	-------	--

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.020 0.0

+ - - - - Place of Use - - - - - +

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	18E	31	SW NW	2	15.0	01	IRRIGATION	(37) CUSTER
14N	18E	31	SE NW		14.0	01	IRRIGATION	(37) CUSTER
14N	18E	31	NE SW		15.0	01	IRRIGATION	(37) CUSTER
14N	18E	31	NW SW	3	11.0	01	IRRIGATION	(37) CUSTER
14N	18E	36	SW NE		9.7	01	IRRIGATION	(37) CUSTER
14N	18E	36	SE NE		22.0	01	IRRIGATION	(37) CUSTER
14N	18E	36	NW SE		7.3	01	IRRIGATION	(37) CUSTER

Total Acres: 94.0

65 233
234

Water right number - R72-00124

Prefix Translation: RESEARCH

+ - - Diversion Means - HEADGATES, 3 DITCHES, AND GRAVITY SPRINKLER FROM 1 DITCH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - 72-10297, 72-04058, AND 72-11763

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

QNT USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 6.88 CFS. COMBINED RIGHT NOS: 72-00124
72-04058, AND 72-10297A.

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 94 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00124, 72-04058, 72-10297A, AND 72-11763.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 72-00124, 72-04058, AND 72-10297A.
THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION IN TWP 14N, RNG 18E, SEC 36, NENESW. 72-00124, 72-04058
72-10297A, 72-10017, 72-00125B, 72-00125C, 72-04061A, 72-04061B,
AND 72-00126A.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION IN TWP 14N, RNG 18E, SEC 36, SESENW. 72-00124, 72-04058
72-10297A, & 72-10297B.

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

No Old Water Right Numbers found.

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

No Conditions of Approval found.

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

ADAMS, ET. AL.

VANDERVOORT, ET. AL.

05/19/1914

+ - - Audit Fields - 10/28/92 CHRISTEN 06/23/93 CHRISTEN 11/01/93 CHRISTEN 03/30/95 POST-STD 10/15/98 KCHRISTE
10/16/98 KCHRISTE 10/19/98 KCHRISTE

+ - - - - Comments - - - - -

No Comments Found

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 05/18/1993	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/10/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 72B
Licensed Date	- 00/00/0000	Receipt Number	- E011587	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

IDaho DEPARTMENT OF WATER RESOURCES

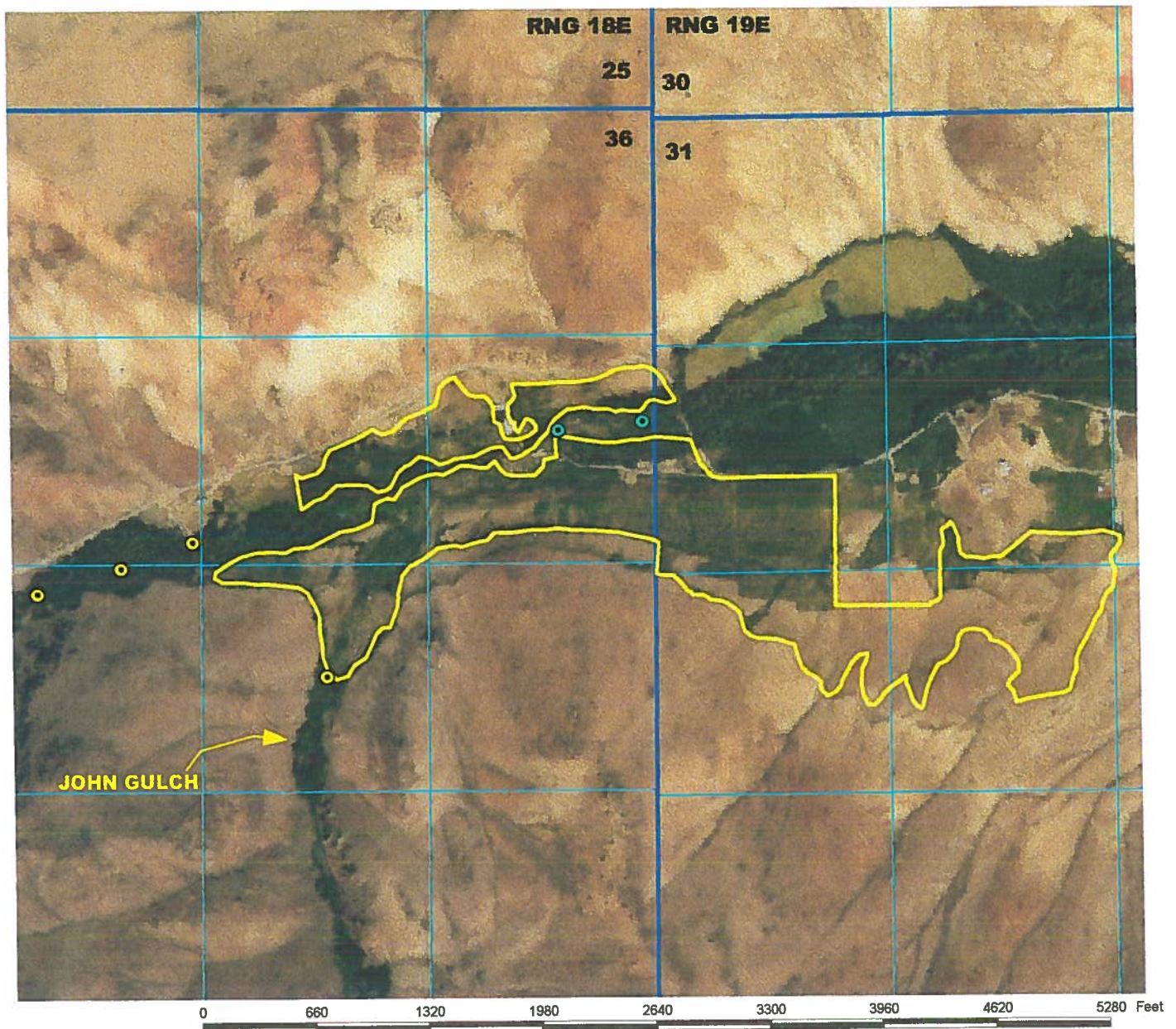
72-00124, 72-10297A, & 72-04058

SOURCE = GARDEN CREEK

72-11763

SOURCE = JOHN GULCH

SHANNON



RECOMMENDED PLACE OF USE
TWP 14N RNG 18E, SEC 36
TWP 14N RNG 19E, SEC 31
data entry on October 15, 1998



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

GIS PLACE OF USE PRESENTATION
1992 USDA-F AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

CLAIM NUMBER 72-00124 72-00297A DATE 10-15-98 TRANSFER NUMBER _____
72-D4058 AGENT KKC CLAIMED ACRE TOTAL 200
John Gulch 72-11763 GIS ACRE TOTAL 94

				NE				NW				SW				SE				
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	14N	18E	36			20	30									10	25			85
GIS						9.7	22									-0-	7.3			
RECOM						9.7	22										7.3			39
CLAIM	14N	19E	31							20	15	40	25			15				115
GIS										15	14.3	15.1	10.7			-0-				
RECOM										15	14	15	11			-0-				55
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP
SHAPE NOS. 233
234
B72-DBPOD.SHP
NOS. DESCRIPTION 130 Sec 36 NWNESW
131 Sec 36 NENESW
129 Sec 36 SESENW 1327
DBF TABLES UPDATED John Gulch - Sec 36 NENWSE
B72-DBPOU.DBF (72-001058)
B72-DBPOD.DBF 11763

the John Gulch water can reach virtually all of the P/U South of Garden Creek. Therefore I am recommending that right (72-011763) within the PPU although the diversion rate is not sufficient to irrigate all of the P/U independent of Garden Creek water. POU limit = acres within the PPU of 94 acres.

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00124 72-10297A

DATE: 10-15, 1998

72-04058

REVIEWED BY KKC

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DAF	.18	.15			5.33	7.27
DB1	.13	.11			5.66	6.65
DBB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DRF	.18	.19			9.08	9.68
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
GO1	.10	.12			12.47	10.51
KEG	.08	.07			8.73	10.06
MBF	.15	.12			7.65	5.81
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06
PD2	.11	.12			5.15	4.74
Q	.26	.21			13.2	10.4
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

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

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

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
DBB	5.71	10	83	.13	.62 CFS
YN1	5.38	10	21.0	.18	2.03 CFS
DBC	5.71	10	31.7	.13	2.35 CFS
DAF	5.33	10	16	.18	1.54 CFS
			17 Ac.	.02	.34
					3.08

TOTAL ACRES

DECREED RATE =

CLAIMED DIVERSION RATE = 6.00 for 4058

MEASURED DIVERSION RATE = 15.75 CFS

Soils Analysis is limiting factor
Recom 72-00124 - 1.02 CFS
10297A - 2.06 CFS
Total 3.08 CFS
6.88 - Soils
3.80 CFS for 72-04058

total
6.88 CFS

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED
NOV 01 1984

Water Right Number - R72-00124

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + Address - - - - +
 *** C - CURRENT OWNER ***
 SHANNON
 MICHAEL DAN
 1 - PO BOX 1039
 2 -
 3 -
 City- CHALLIS
 Phone - 208-879-2501
 1 - PO BOX 1039
 2 -
 3 -
 City- CHALLIS
 Phone - 208-879-2501
 State- ID Zip- 83226
 State- ID Zip- 83226

ALMOND

PARIS

*** O - ORIGINAL OWNER ***
PECK

JOSEPH

1 - P.O. BOX 57
 2 -
 3 -
 City- CHALLIS
 Phone - 208-879-2303

State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
 05/15/1879 17 SOUTHERN D - DECREED

+ - - Source - - - - - +
 GARDEN CREEK
 + - - - - Tributary - - - - -
 SALMON RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
14N	18E	36	NE NE SW NW NE SW	(37) (37)	CUSTER CUSTER		

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15		10/15	1.020	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
 1.020 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
14N	18E	31	SW NW	2	7.0	01 IRRIGATION	01	IRRIGATION	(37) CUSTER
14N	18E	31	SE NW		1.0	01 IRRIGATION	01	IRRIGATION	(37) CUSTER
14N	18E	31	NE SW		18.0	01 IRRIGATION	01	IRRIGATION	(37) CUSTER
14N	18E	31	NW SW	3	15.0	01 IRRIGATION	01	IRRIGATION	(37) CUSTER
14N	18E	36	SW NE		7.0	01 IRRIGATION	01	IRRIGATION	(37) CUSTER
14N	18E	36	SE NE		22.0	01 IRRIGATION	01	IRRIGATION	(37) CUSTER
14N	18E	36	NE SE		1.0	01 IRRIGATION	01	IRRIGATION	(37) CUSTER
14N	18E	36	NW SE		9.0	01 IRRIGATION	01	IRRIGATION	(37) CUSTER

MICROFILMED
 NOV 01 1994

Water right number - R72-00124

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
-----	-----	-----	-------	-----	-------	------	-------------	--------

Total Acres: 80.0

+ - - Diversion Means - HEADGATES, 3 DITCHES, AND GRAVITY SPRINKLER FROM 1 DITCH

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - 72-10297, 72-04058, AND 72-11763

Remarks

TWO POINTS OF DIVERSION LOCATED IN NENESW, S-36, T14N, R18E.
USE OF THIS RIGHT WITH OTHER RIGHTS IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.45 CFS, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 200 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 80 ACRES IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 72-04058, 72-10297, 72-10017
72-00125B, 72-00125C, 72-04061A, 72-04061B, AND 72-00126A.
A DIVERSION RATE OF .068 CFS PER ACRE AT THE FIELD HEADGATE IS
INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED
ABOVE.

+ - - No Old Water Right Numbers Found

Conditions of Approval

C01 - THIS RIGHT INCLUDES AN EXPANSION IN IRRIGATED ACRES PURSUANT
- TO IDAHO CODE 42-1416(1).

Decree Plaintiff - - - +

ADAMS, ET. AL.

Decree Defendant - - - +

VANDERVOORT, ET. AL.

Decree Date - +

05/19/1914

Comments

No Comments Found

Audit Fields - - +

11/01/93 CHRISTEN

+ - - Adjudication Rights Dates and Flags Area

Court Report Filing	Field Inspection Made	Civil Case Number
- 00/00/0000	- 05/18/1993	- 39576
Objection Filed Date	Field Inspection Flag	Old Case Number
- 00/00/0000	- 11/01/1993	- Old Judicial District
Response Filed Date	Verified Date	- 00/00/0000
- 00/00/0000	- 00/00/0000	- Temporary Right
Claim Received Date	Last Amended Date	- P
- 01/10/1990	- E011587	- 72B
	Receipt Number	Water District
	- Y	Federal/State Indicator
	POU Ownership Flag	- S
	Name Connector	Presumption Flag
	- AND/OR	- D
	Notice of Error Flag	-

MICROFILMED
NOV 01 1994

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			6-21-93 K K C	N	6	6-21-93 K K C		
POINT OF DIV	Y		5-18-93 K K C	Y	62, 45, 6	6-21-93 K K C		
SOURCE			5-18-93 K K C	N	"	6-21-93 K K C		
PLACE OF USE	Y		5-18-93 K K C	Y	"	6-22-93 K K C		
DIV. AMOUNT CFS/VOLUME			11-1-93 K K C	N	12, 45, 6	11-1-93 K K C		
CONSUMPTIVE USE			6-22-93 K K C	Y	"	6-22-93 K K C		
PURPOSES			6-22-93 K K C	N	6	✓		
PERIOD OF USE	Y		6-22-93 K K C	Y	6			
BASIS OF CLAIM			6-22-93 K K C	N	6	✓		
REMARKS			11-1-93 K K C	Y	6	11-1-93 K K C		

"VERIFIED BY" CODES

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

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

MICROFILMED
NOV 01 1994

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A72-00124

11:16:31
06/23/93

LAST: PECK
ADDRESS: P.O. BOX 57
CITY: CHALLIS
PHONE NUMBER: 208-879-2303

FIRST: JOSEPH
STATE: ID ZIP: 83226

OWNER CODE: 0

LAST: SHANNON
ADDRESS: P.O. BOX 1039
CITY: CHALLIS
PHONE NUMBER: 208-879-2501

FIRST: MICHAEL DAN
STATE: ID ZIP: 83226

OWNER CODE: C

LAST: ALMOND
ADDRESS: P.O. BOX 1039
CITY: CHALLIS
PHONE NUMBER: 208-879-2501

FIRST: PARIS
STATE: ID ZIP: 83226

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

DATABASE FIELD
N EXAMINER

MICROFILMED
NOV 0 1 1994

CONTACT PERSON: Mike Shannon

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 4/1/93 APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: 5-18-93
6-14-93

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: owner

DIRECTIONS TO PROPERTY / NOTES:

MICROFILMED
NOV 0 1 1994

A. AJ CLAIM: # A72-00124 PRIORITY DATE: 05-15-1879 STAGE: D
B. WR RECORD: # 72-00124 PRIORITY DATE: 05-15-1879 STAGE: D

C. FIELD EXAM REQUIRED?

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

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

NOTES: Claimed priority date matches decreed priority date and the
claimed P/R agrees with the decreed P/R. Therefore accept claimed
priority date as valid.

Decreed P/R matches Claimed P/R some language (warranty deal)
that missing a portion of 1990 water but excludes this
particular priority date water.

RECOMMENDED PRIORITY DATE:

05-15-1879

REVIEWED BY

KKC

DATE

6-21-93

MICROFILMED
NOV 01 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY	CUSTER CUSTER CUSTER
A72-00124	14N	18E	36		SW	NE			
A72-00124	14N	18E	36	NW	NE	SW			
A72-00124	14N	18E	36		NW	SW			

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX	WR RECORDS IN SAME 40 ACRE TRACT
A72-00126A	R72-04061B	72-04058
A72-04058	R72-10297	72-04061
A72-04061B		
A72-10297		

SOURCE: GARDEN CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

7200124 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: GARDEN CREEK

TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	<u>Y</u> <u>AC</u>

NOTES:

3 P/Ds were found during the 5-18-93 field exam and all three are in the NE 1/4 of Sec 36. Two Pods are in the NE 10 acre quarter (needs Remarks code F02) and one was found in the NW 10 acre quarter. (See map)

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A. ROOT WATER RIGHT NUMBERS:

A72-00124
R72-00124

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
14N	18E	36	SW	NE		SHANNON, MICHAEL DAN	A72-00124 /20.0	72-00124 /			26.0
			SW	NE		SHANNON, MICHAEL D	A72-11763 /20.0	-			
			SW	NE		SHANNON, MICHAEL DAN	R72-00124 /20.0	-			
			SW	NE		ALMOND, PARIS	R72-10297 /20.0	-			
			SW	NE		SHANNON, MICHAEL	A72-10297 /20.0	-			
			SW	NE		SHANNON, MICHAEL D	A72-04058 /20.0	72-04058 /40.0			
			SW	NE		US DEPT OF INTERIOR	A72-15797 /	-			
14N	18E	36	SE	NE		SHANNON, MICHAEL DAN	A72-00124 /30.0	72-00124 /			29.0
			SE	NE		SHANNON, MICHAEL D	A72-04058 /30.0	72-04058 /40.0			
			SE	NE		SHANNON, MICHAEL D	A72-11763 /30.0	-			
			SE	NE		SHANNON, MICHAEL DAN	R72-00124 /30.0	-			
			SE	NE		SHANNON, MICHAEL DAN	A72-10411 /	-			
			SE	NE		ALMOND, PARIS	R72-10297 /30.0	-			
			SE	NE		SHANNON, MICHAEL	A72-10297 /30.0	-			
14N	18E	36	NE	SE		SHANNON, MICHAEL DAN	A72-00124 /10.0	-			
			NE	SE		SHANNON, MICHAEL DAN	R72-00124 /10.0	-			
			NE	SE		ALMOND, PARIS	R72-10297 /10.0	-			
			NE	SE		SHANNON, MICHAEL	A72-10297 /10.0	-			
			NE	SE		SHANNON, MICHAEL D	A72-04058 /10.0	72-04058 /10.0			
			NE	SE		SHANNON, MICHAEL D	A72-11763 /10.0	-			
14N	18E	36	NW	SE		SHANNON, MICHAEL DAN	A72-00124 /25.0	72-00124 /			2.0
			NW	SE		SHANNON, MICHAEL D	A72-04058 /25.0	72-04058 /40.0			
			NW	SE		SHANNON, MICHAEL D	A72-11763 /25.0	-			
			NW	SE		SHANNON, MICHAEL DAN	R72-00124 /25.0	-			
			NW	SE		ALMOND, PARIS	R72-10297 /25.0	-			
			NW	SE		SHANNON, MICHAEL	A72-10297 /25.0	-			
			NW	SE		US DEPT OF INTERIOR	A72-15263 /	-			
			NW	SE		US DEPT OF INTERIOR	A72-15264 /	-			
			NW	SE		US DEPT OF INTERIOR	A72-15798 /	-			
14N	19E	31	SW	NW		SHANNON, MICHAEL DAN	A72-00124 /20.0	-			
			SW	NW		SHANNON, MICHAEL D	A72-11763 /20.0	-			
			SW	NW		KEPPNER, ESTHER	A72-11735 /17.0	-			
			SW	NW		ALMOND, PARIS	R72-10297 /20.0	-			
			SW	NW		KEPPNER, ESTHER	R72-11735 /17.0	-			
			SW	NW		SHANNON, MICHAEL	A72-10297 /20.0	-			
			SW	NW		SHANNON, MICHAEL D	A72-04058 /20.0	72-04058 /10.0			
			SW	NW		KEPPNER, RAY	A72-04057 /17.0	72-04057 /20.0			
			SW	NW		KEPPNER, RAY	R72-04057 /17.0	-			

for Place of Use
Recommendation
see attached
Pg 41 dated 6-22-93
XKC

map and recommendation

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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
SW NW 2 KLUG, ALEX							72-00125	/			
14N	19E	31	SE	NW		SHANNON, MICHAEL DAN	A72-00124 /15.0	-	/		35.0
			SE	NW		WOOD, DEBORAH K	A72-04061B / 5.0	-	/		
			SE	NW		WOOD, DAVID M	A72-07041B / 5.0	-	/		
			SE	NW		WOOD, DAVID M	A72-10020 /	-	/		
			SE	NW		ARMBRUSTER, MARK A.	A72-10017 / 5.0	-	/		
			SE	NW		MONZINGO, DON	A72-10016 /	-	/		
			SE	NW		WOOD, DAVID M	R72-07041B / 4.0	-	/		
			SE	NW		KEPPNER, RAY	A72-04057 /15.0	72-04057	/	8.0	
			SE	NW		KEPPNER, RAY	A72-00125B / 4.5	-	/		
			SE	NW		KING, GENE	A72-10273 /	-	/		
			SE	NW		KEPPNER, ESTHER	A72-11735 /15.0	-	/		
			SE	NW		KING, GENE	R72-00125B / 4.5	-	/		
			SE	NW		KEPPNER, RAY	R72-04057 /15.0	-	/		
			SE	NW		MONZINGO, DON	R72-04061A / 5.0	-	/		
			SE	NW		ARMBRUSTER, MARK A.	R72-10017 / 5.0	-	/		
			SE	NW		KEPPNER, ESTHER	R72-11735 /15.0	-	/		
			SE	NW		ALMOND, PARIS	R72-10297 /15.0	-	/		
			SE	NW		WOOD, DEBORAH K	A72-00126A / 5.0	-	/		
			SE	NW		WOOD, DAVID M	R72-04061B / 5.0	-	/		
			SE	NW		ARMBRUSTER, MARK	A72-07041A / 5.0	-	/		
			SE	NW		ARMBRUSTER, VICKI	R72-07041A / 5.0	-	/		
			SE	NW		SHANNON, MICHAEL D	A72-10297 /15.0	-	/		
			SE	NW		SHANNON, MICHAEL D	A72-04058 /15.0	72-04058	/	40.0	
			SE	NW		SHANNON, MICHAEL D	A72-11763 /15.0	-	/		
			SE	NW		WOOD, DAVID M	R72-00126A / 4.0	-	/		
			SE	NW		MONZINGO, MARY	R72-10016 /	-	/		
			SE	NW		WOOD, DAVID M	R72-10020 /	-	/		
			SE	NW		THOMPSON, GEORGE	72-00054 /	-	/		
			SE	NW		ROBINSON, GERALD	72-04061 / 9.0	-	/		
			SE	NW		ROBINSON, GERALD	72-04062 / 9.0	-	/		
			SE	NW		ROBINSON, GERALD	72-07041 /10.0	-	/		
14N	19E	31	NE	SW		SHANNON, MICHAEL DAN	A72-00124 /40.0	-	/		8.0
			NE	SW		KING, GENE	A72-00125B / 1.5	-	/		
			NE	SW		KING, GENE	R72-00125B / 1.5	-	/		
			NE	SW		ALMOND, PARIS	R72-10297 /40.0	-	/		
			NE	SW		SHANNON, MICHAEL D	A72-10297 /40.0	-	/		
			NE	SW		SHANNON, MICHAEL D	A72-04058 /40.0	72-04058	/	40.0	
			NE	SW		SHANNON, MICHAEL D	A72-11763 /40.0	-	/		
			NE	SW		KLUG, MARGARETHA	72-00126 /	-	/		
14N	19E	31	NW	SW		SHANNON, MICHAEL DAN	A72-00124 /25.0	-	/		
			NW	SW		SHANNON, MICHAEL D	A72-04058 /25.0	72-04058	/	20.0	
			NW	SW		HURLESS, GREGORY S.	A72-00125C / 1.7	-	/		
			NW	SW		HURLESS, GREGORY S.	R72-00125C / 1.7	-	/		

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TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	SW		ALMOND, PARIS	R72-10297 /25.0	-	/		
			NW	SW		SHANNON, MICHAEL	A72-10297 /25.0	-	/		
			NW	SW		SHANNON, MICHAEL D	A72-11763 /25.0	-	/		
			NW	SW	3	KLUG, ALEX		72-00125 /			
14N	19E	31	NW	SE		SHANNON, MICHAEL DAN	A72-00124 /15.0	-	/		
			NW	SE		SHANNON, MICHAEL D	A72-04058 /15.0	72-04058 /40.0			
			NW	SE		SHANNON, MICHAEL D	A72-11763 /15.0	-	/		
			NW	SE		ALMOND, PARIS	R72-10297 /15.0	-	/		
			NW	SE		SHANNON, MICHAEL	A72-10297 /15.0	-	/		
			NW	SE		KLUG, MARGARETHA		72-00126 /			
TOTAL ACRES						A72-00124	200.00			100.00	

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

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

PRESUMPTION FLAG:

NOTES:

This is a combined right system with 3 rights with different priority date from Garden Creek and right from John Gulch, all for a common P/U.

see attached "Sip done" 6-22-93

KKC Page 1 thru 3

*Remark
E13
F06
codes needed*

RECOMMENDATIONS: *see also Map.*
see also general field notes dated 4-1-93 1 page
5-18-93 2 pages

TOTAL ACRES: 80

REVIEWED BY: KKC DATE: 6-22-93

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A. AJ CLAIMED USES:

PURPOSES
A72-00124 IRRIGATIONMONTH/DAY
FROM 04-01 TO 11-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.020 CFS
1.020 CFS

4-15 10-15

B. WR RECORDED USES:

PURPOSES
72-00124 IRRIGATIONMONTH/DAY
FROM TO

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.020 CFS
1.020 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y () N (X)
Y (X) N ()

Explain in notes, below.

NOTES:

Recommend changing period of use to dept standards for in use.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 1.020 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.020 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 notes. **

FLOW MEASUREMENT REQUIRED?

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

FIELD
DATABASE EXAMINER

B.

MEASUREMENT METHOD 15.75, SEE ATTACHED CALCULATIONS.

FLOW MEASUREMENT

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

OTHER RIGHTS LISTED IN CLAIM: A72-10297, (COMBINED DECREED RIGHTS 72-00125 & 72-00126)

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-00124	GARDEN CREEK	SHANNON, MICHAEL DAN	1.020	0.005		
R72-00124	GARDEN CREEK	SHANNON, MICHAEL DAN	1.020	0.005		
A72-00125B	GARDEN CREEK	KING, GENE	0.150	0.025		
R72-00125B	GARDEN CREEK	KING, GENE	0.150	0.025		
R72-00125C	GARDEN CREEK	HURLESS, GREGORY S.	0.200	0.029		
A72-00125C	GARDEN CREEK	HURLESS, GREGORY S.	0.200	0.029		
R72-00126A	GARDEN CREEK	WOOD, DAVID M	0.100	0.025		
A72-00126A	GARDEN CREEK	WOOD, DAVID M	0.100	0.025		
R72-00126A	GARDEN CREEK	WOOD, DEBORAH K	0.100	0.020		
A72-00126A	GARDEN CREEK	WOOD, DEBORAH K	0.100	0.020		
R72-04057	GARDEN CREEK	KEPPNER, RAY	2.400	0.019		
A72-04057	GARDEN CREEK	KEPPNER, RAY	2.400	0.019		
A72-04058	GARDEN CREEK	SHANNON, MICHAEL D	6.000	0.030		
R72-04061A	GARDEN CREEK (HIGH WATER)	MONZINGO, DON	0.400	0.080		
A72-04061A	GARDEN CREEK (HIGH WATER)	ARMBRUSTER, MARK	0.400	0.080		
R72-04061B	GARDEN CREEK	WOOD, DAVID M	0.400	0.080		
A72-04061B	GARDEN CREEK	WOOD, DAVID M	0.400	0.080		
R72-07041A	WASTEWATER	ARMBRUSTER, MARK	0.100	0.020		
A72-07041A	WASTEWATER	ARMBRUSTER, VICKI	0.100	0.020		
R72-07041B	WASTE WATER	WOOD, DAVID M	0.080	0.020		

the system capacity per P/D
 $P/D \# 1 = 5.25$
 $P/D \# 2 = 5.25$
 $P/D \# 3 = 5.25$
15.75
Found being divided 5-18-93
@ 14" $\rightarrow$ P/D #1 = .99
P/D #2 = 2.33
P/D #3 = 4.94
8.2653
Division rate for parallel flows determined on "Water Measurement Handbook published by Univ. of Ill Feb 1976 Bulletin No 532 Table 7."

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CLAIM NO.	SOURCE	NAME	DIV.	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-07041B	WASTE WATER	WOOD, DAVID M	0.100	0.020			
A72-10017	GARDEN CREEK	ARMBRUSTER, MARK A.	0.100	0.020			
R72-10017	GARDEN CREEK	ARMBRUSTER, MARK A.	0.100	0.020			
R72-10297	GARDEN CREEK	ALMOND, PARIS	2.660	0.013			
A72-10297	GARDEN CREEK	SHANNON, MICHAEL	2.660	0.013			
R72-11735	GARDEN CREEK	KEPNER, ESTHER	2.420	0.019			
A72-11735	GARDEN CREEK	KEPNER, ESTHER	2.420	0.019			
A72-11763	JOHN GULCH	SHANNON, MICHAEL D	0.160				

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-15797	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.010 CFS	
A72-15797	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.010 CFS	
A72-10411	DOMESTIC	SHANNON, MICHAEL DAN	FROM 01-01 TO 12-31	.040 CFS	
A72-10411	STOCKWATER	SHANNON, MICHAEL DAN	FROM 01-01 TO 12-31	.020 CFS	
A72-15263	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.010 CFS	
A72-15263	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.010 CFS	
A72-15264	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.010 CFS	
A72-15264	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.010 CFS	
A72-15798	WILDLIFE	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.010 CFS	
A72-15798	STOCKWATER	US DEPT OF INTERIOR	FROM 01-01 TO 12-31	.010 CFS	
A72-10020	DOMESTIC	WOOD, DAVID M	FROM 01-01 TO 12-31	.040 CFS	
A72-10020	STOCKWATER	WOOD, DAVID M	FROM 01-01 TO 12-31	.020 CFS	
A72-10016	DOMESTIC	MONZINGO, DON	FROM 01-01 TO 12-31	.040 CFS	
A72-10273	DOMESTIC	KING, GENE	FROM 01-01 TO 12-31	.065 CFS	
R72-10016	DOMESTIC	MONZINGO, MARY	FROM 01-01 TO 12-31	.040 CFS	
R72-10020	DOMESTIC	WOOD, DAVID M	FROM 01-01 TO 12-31	.040 CFS	
R72-10020	STOCKWATER	WOOD, DAVID M	FROM 01-01 TO 12-31	.020 CFS	

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 80 x 0.02 CFS/ACRE = 1.60 CFS
(Taken from p/u review)

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

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

1b. CALCULATIONS

Please show calculations made for this system.

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 500.0 AF/A

ACRES 80 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 = 200 AF/A

TOTAL CONSUMPTIVE USE 200 AF/A

*For combined rights
Remark code 513*

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()

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

The system is capable of delivering greater than 1" per acre. This claim has the earliest priority date of all claimed rights; the rate claimed for the PUA is less than 1" per acre therefore it is recommended this right is full.

See also attached analysis.

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RECOMMENDATIONS:

REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
4-15 10-15 04-01 11-01	1.020 1.02		500.0 0
IRRIGATION	1.020		500.0
TOTAL FOR THIS RIGHT			

REVIEWED BY: KKC

DATE: 6-22-93

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNTACCEPTED
AS CLAIMED
() ()
() ()
() ()NEEDS
REVIEW
() ()
() ()
() ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00124

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.020

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERSCURRENT
CLAIM NUMBERSDIVERSION
RATECURRENT "R"
CLAIM NUM."R" DIV.
RATEWR RIGHT
NUMBERSDIVERSION
RATE

A72-00124

1.020

R72-00124

1.020

72-00124

1.020

TOTAL CFS

1.020

1.020

DIVERSION RATE REVIEW

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

NOTES:

See attached split review
dated 6-22-98
2 page plus copy of
warranty deed.

this right was never split
according to the warranty
deed. just the 1910 priority
right.

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AUTHENTICATION:

SIGNATURE:



DATE:

1-1-93

NAME OF FIELD EXAMINER:

TITLE:

Sr. Water Resource Agent

POOR ORIGINAL

CLAIM

INIT

T. R. S. Q/O

P/D 144 R-RE 36 NE 50 (3 PDS)

PHOTO X-13

DT. & ID. 1978 F-2911

NE

2

ST. 0.0

ST. 0.0

36 31 101

25 30

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JOHN
GULCH

ASCS SECTION CORNERS MARKED BY
THE ASCS WERE ADJUSTED TO
CONFORM TO THE ORTHO PHOTOS
U-24 & T-74. LOCATIONS
BASED UPON PHYSICAL FEATURES.

SCALE FOR PLANIMETER ADJUSTED
FOR ODD SCALE.
1" = 686.8' PLANIMETER
FACTOR USED: 0.1050
 $CA = (686.8)^2 \times .009699 = 43560$ (FOR SHORT
ARM)

LOT
4

18E

19E

14N

36 31 101

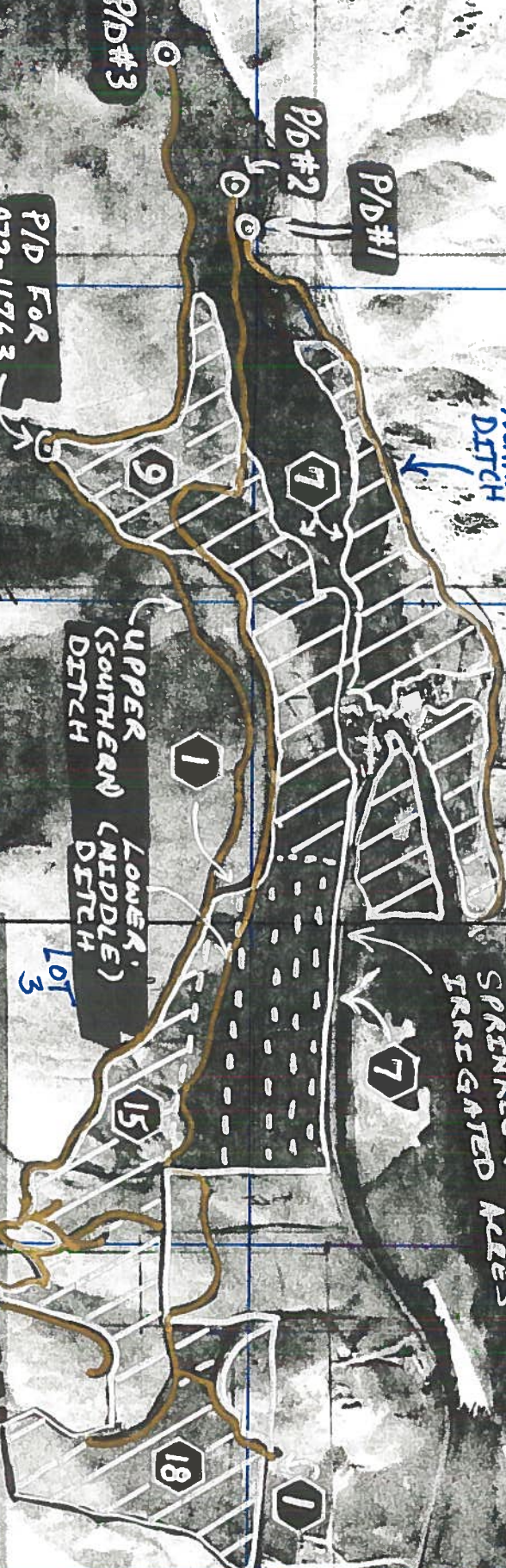
162

UPPER
(SOUTHERN
DITCH
DITCH

LOT
3

SPRINKLER
IRRIGATED
ACRES

BEGINNING OF
PIPELINE AS OF
1992



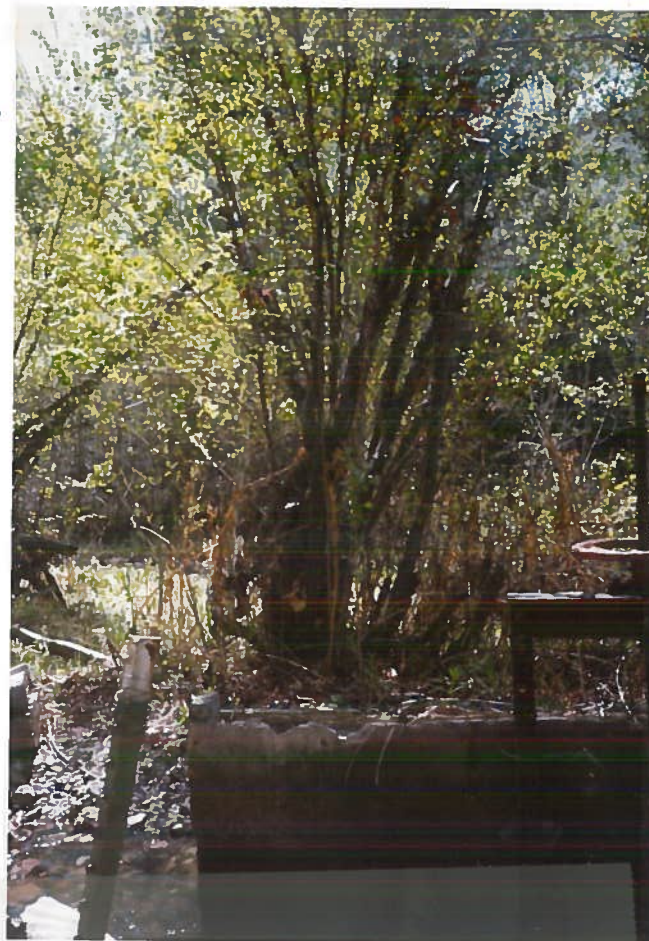
POOR ORIGINAL

Claims (multiple) P/D for Lower Shannon ditch (southern P/U; northern ditch). Also the source for Armbruster, Wood, King, & Hurless.

PHOTO TAKEN ON 5-18-93

PICTURE # 4

This shows the corner of the diversion structure and the hillside in the background for a physical reference. This photo is looking south southeast.



PICTURE # 5

This picture shows the measurement device and the photo is looking northeast.



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POOR ORIGINAL

Claims (multiple) P/D for Northern Shannon ditch (Ditch runs NE from P/D to the Garden Creek road and then parallels the road.)

PHOTO TAKEN ON 5-18-93

PICTURE # 6

This picture shows the corner of the diversion works, the measurement device, and a farmstead (as a physical reference). This photo is looking northeast.

MEASUREMENT DEVICE

DIVERSION STRUCTURE



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CLAIMS (multiple); P/D for Upper Shannon ditch (southern most ditch)
DATE PHOTOS TAKEN; 5-18-93
PICTURE SET # 1

POOR ORIGINAL

This picture set was taken to identify the general area for this diversion. The picture was taken from the Garden Creek Road and is looking east on the left to southeast on the right. Note the rock outcropping as also shown in Picture # 2.

ROCK OUTCROPPING



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POOR ORIGINAL

Claims (multiple) P/D for Upper Shannon ditch (southern most ditch)
PHOTO TAKEN ON 5-18-93
PICTURE # 2

This picture catches the tip of the diversion structure and captures the rock outcropping as pictured in picture set # 1. This photo is looking southeast.



PICTURE # 3 (below)

This picture is looking west toward the P/D. The diversion structure is in the photo but is not recognizable in the photo. The water flowing through the throat of the weir is within approximately one inch of the top cross braces.



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GRADED BORDER EVALUATION

Job name: A72-00124 etc.
By: KKC

Location: DBC SOILS FOR 33 ACRES
Date: Nov 1, 1993

Roughness coefficient (n)= 0.250 Intake family (If)=2.00
Slope (S)= 0.0400 ft/ft Border width (W)= 236 ft
Net application (Fn)= 1.69 inches Border length (L)= 203 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
2.20	Gross depth is less than required gross application depth					
2.21	Gross depth is less than required gross application depth					
2.22	Gross depth is less than required gross application depth					
2.23	Gross depth is less than required gross application depth					
2.24	Gross depth is less than required gross application depth					
2.25	Gross depth is less than required gross application depth					
2.26	0.010	16.30	14.59	0.02	10.4	(4)
2.27	0.010	16.38	14.59	0.09	10.3	(4)
2.28	0.010	16.45	14.59	0.16	10.3	(4)
2.29	0.010	16.52	14.59	0.24	10.2	(4)
2.30	0.010	16.59	14.59	0.31	10.2	(4)

(4) Less than minimum recommended depth of flow.

MICROFILMED
NOV 01 1994

CLAIM NO. --- SHANNON CLAIMS A72-00124 Lotus Program:
 AGENT ----- KKC IRR-PRAC.WK3
 DATE ----- 11/01/93 Date form revised:
 4/21/93 by KKC

 SOIL CHARACTERISTICS

Soil Type = DBC; 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 (INCHES)	MAD	FIELD NOTES AND CALCULATIONS			
				FIELD 1	FIELD 2	FIELD 3	FIELD 4
				FIELD WIDTH	7080	0	
				IRRIGATION DAYS	10		
				DRY DAYS	0		
				SET TIME(hours)	8		
alfalfa (hay or seed)	5	0.5	2.53	CALCULATED RUN (run = acres*43560/width)			
corn (field or silage)	4	0.5	2.11	LENGTH (RUN) = 203			
grain (winter or spring)	4	0.5	2.11	CALCULATED BORDER WIDTH (ditch length/irr days * cha			
pasture (or grass hay)	3	0.5	1.69	WIDTH = 236			
other (enter below)				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	33	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 33 1.47 3.84 4.87 5.86 4.56 3.23 2.07
 Peak Net Irrigation Requirement (mm/day) = 5.86

 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

MICROFILMED
 NOV 01 1994

CLAIM NO. --- A72-00124 etc
 AGENT ----- KKC
 DATE ----- 11/01/93
 Lotus Program:
 IRR-PRAC.WK3
 Date form revised:
 4/21/93 by KKC

 SOIL CHARACTERISTICS

Soil Type = YN1; YEARIAN...VERY STONY 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	2	0.11	0.14	6.6	7.3	3	4	1	1.15	3	0.7
2	12	0.07	0.11	6.6	7.8			1	1.24		
12	60	0.06	0.11	6.6	7.8			3	3.19		
								4	4.21	alternate	
								5	5.23	method	
										NA	NA

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point (INCHES)	MAD	FIELD NOTES AND CALCULATIONS				
				FIELD 1	FIELD 2	FIELD 3	FIELD 4	
				FIELD WIDTH	7000	0		
				IRRIGATION DAYS	10			
				DRY DAYS	0			
				SET TIME(hours)	8			
alfalfa (hay or seed)	5	0.5	2.62	CALCULATED RUN (run = acres*43560/width)				
corn (field or silage)	4	0.5	2.11	LENGTH (RUN) = 187				
grain (winter or spring)	4	0.5	2.11	CALCULATED BOROER WIDTH (ditch length/irr days * cha				
pasture (or grass hay)	3	0.5	1.60	WIDTH = 233				
other (enter below)				THEORETICAL ROTATION (mad/net irr req in inches per				
				SELECTED MAD = 1.6				
				ROTATION = 6.9 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
PASTURE	30	FLOOD	7.1	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 30 7 1.47 3.84 4.87 5.86 4.56 3.23 2.07
 Peak Net Irrigation Requirement (mm/day) = 5.86

 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

MICROFILMED
 NOV 01 1994

GRADED BORDER EVALUATION

Job name: A72-00124 etc
By: KKC

Location: YN1 SOILS FOR 30 ACRES
Date:

Roughness coefficient (n)= 0.250 Intake family (If)=3.00
Slope (S)= 0.0400 ft/ft Border width (W)= 233 ft
Net application (Fn)= 1.60 inches Border length (L)= 187 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
2.80	Gross depth is less than required	gross application depth				
2.81	Gross depth is less than required	gross application depth				
2.82	Gross depth is less than required	gross application depth				
2.83	Gross depth is less than required	gross application depth				
2.84	Gross depth is less than required	gross application depth				
2.85	0.012	22.61	20.95	0.05	7.1	
2.86	0.012	22.69	20.95	0.13	7.1	
2.87	0.012	22.76	20.95	0.21	7.0	
2.88	0.012	22.84	20.95	0.29	7.0	
2.89	0.012	22.92	20.95	0.37	7.0	
2.90	0.012	23.00	20.95	0.45	7.0	

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NOV 0 1 1994

5-18-93

Mike Shannon

He was not sure how the deeded rights were transferred to the Johnny Smith Place. He would check around & obtain affidavit if he could.

We discussed his claims in general & he felt that he probably would not try to substantiate the 51M claim as there is more water claimed under 57 than there is acres. The rate for that claim alone will prob. be reduced. I did not do a field verification of the P/A for those claims at this time.

I took pictures of the div points for the 'Klug' property. The first pictures were of the Div point that supplied water to the Northern Part of the P/A. The second set covers the 'lower' ditch on the south side of the P/A. This ditch also supplies water to Armbruster, Wood, King, Harless rights.

The third P/D is the 'upper' ditch on the south side. The ditch was recently cleaned and was running at capacity; Both the ditch and the Parshall. This ditch is the original source for the waste water license for Wood Armbruster.

Two pic of Johnny Smith div. diverting .6" on staff gage. The ditch to Shannon's was not full. 9" throat. 5-18-93 (diff system)

Recommended P/U worksheet

Pg 1/1

CLAIM NUMBER A72-00124 A72-04058 DATE 6-22-93

A72-0297 A72-11763 AGENT KKC

CLAIM NUMBER				NE				NW				SW				SE				TOTAL ACRE
	T N S	R N G	S E C	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	
SEC 31																				
NORTH	SYSTEM	NO ACRES																		
SOUTH	SYSTEM	14N	18E	31						7	1	18	15							4
QUARTER	TOTALS									7	1	18	15							4

CLAIM NUMBER				NE				NW				SW				SE				TOTAL ACRE
	T N S	R N G	S E C	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	
SEC 36																				
NORTH	SYSTEM	14N	19E	36			5	12												1
SOUTH	SYSTEM						2	10								1	9			2
QUARTER	TOTALS						7	22								1	9			3

SYSTEM TOTAL 80

The acre recommendation per QQ was calculated from the ASCS Aerial photo X-13 (1978 Flight). The section corners marked by the ASCS were relocated based upon comparison of significant physical features found in the ASCS photo, the Ortho photo (T-74 & U-24) and the BLM coloph 5-BC-13 (7-1-88 Flight). The orthophoto section corners were considered as more accurate.

The section corner changes resulted in a scale of 1" = 686.8'. The planimeter scale was modified to match that scale.

The acres marked as sprinkler irrigated was determined to be 17 acres. (see map)

MICROFILMED

NOV 01 1994

REMARK AND CONDITION CODE WORKSHEET

SYSTEM CLAIM NUMBERS A72 10297 _____
A72 00124 _____
A72 04058 _____

AGENT
INITIALS KKC
DATE 6-22-93

[illegible]

already entered in R72-00124 (can copy over):

Note GIT Lts in Sec 31

MICROFILMED
NOV 01 1994

11-1-93

POOR ORIGINAL

Diversion rate analysis

Found 80 acres irrigated:

Analysis is subdivided on irrigation method and/or soil type. All segments are concurrently irrigated therefore the rates recommended are additive

soil type	div method	No. of Acres	Bordw Analysis rate recommended
YNI	flood	30	2.85 CFS
DBC	flood	33	2.26 CFS
DBC	sprinkler	<u>17</u>	<u>.34</u> CFS (at 0.02 CFS/ACRE)
total		<u>80</u>	<u>5.45 CFS</u>

$$\frac{5.45}{80} = 0.068 \text{ CFS/Acre}$$

(For remark code DØ8)

MICROFILMED
NOV 01 1994

1-1-93

Decreed diversion Rates Analysis

POOR ORIGINAL

Decreed Rights Appurtenant	Priority	Area	rate	
72-00125	8-15-1916	84	1.06 CFS	
72-00126	8-15-1910	80	1.60 CFS	
(Subtotal)		164	2.66 CFS	2.66 CFS
72-00124	5-15-79	NotATED	1.02 CFS	1.02 CFS
Total				3.68 CFS

Claims based upon Warranty deed transfers against 1910 decreed water recognized as valid.

A72-00125 B	0.15 CFS	
A72-00125 C	0.15 CFS	
A72-00126 A	0.10 CFS	
A72-10017	0.10 CFS	
A72-10297	2.06 CFS	
Total		2.66 CFS

1879 water

A72-00124	1.02 CFS	1.02 CFS
(only claim)		3.68 CFS

MICROFILMED

NOV 01 1994

POOR ORIGINAL

Mike Shannon Field notes 4-1-93

P/U: starting on west end of P/U.

South of Garden creek to the lower ditch is mostly irrigated to corner in main road. Some small areas are missed by the irr water. Visual estimation indicates one or two spots ranging in size from approx $\frac{1}{2}$ Acre to 1 Acre.

~~After~~ No irr from upper ditch to lower ditch.

After bend in road: South of road all irr from ~~upper~~ ^{lower} ditch to road. Also starting nearly due south of bend (slightly east) Ground between lower & upper ditch irrigated

NOTE: aluminum pipe in field indicating sprinkler irr of lower ditch to road.

Lower ditch users

Shannon	} in order of use.
Hyrless	
King	
Armbruster	
Woods	

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POOR ORIGINAL

Mike Shannon

He was not sure how the deeded rights were transferred to the Johnny Smith Place. He would check around & obtain affidavits if he could.

We discussed his claims in general & he felt that he probably would not try to substantiate the 51M claim as there is more water claimed under 57 than there is acres. The rate for that claim alone will prob. be reduced. I did not do a field verification of the P/U for those claims at this time.

I took pictures of the div points for the 'Klug' property. The first pictures were of the Div point that supplied water to the Northern Part of the P/U. The second set covers the "lower" ditch on the south side of the P/U. This ditch also supplies water to Armbruster, Wood, King, Harless rights.

The third P/D is the 'upper' ditch on the south side. The ditch was recently cleaned and was running at capacity; Both the ditch and the Parshall. This ditch is the original source for the waste water license for Wood/Armbruster.

Two pic of Johnny Smith div. **MICROFILMED**
1.6" on staff gage. The ditch to Shannon's was not full.
9" throat. 5-18-93 (diff system) **NOV 01 1994**

File in 72-10124 Klug prop

south division reading .7

12" throat

middle ditch

upper ditch 12" throat

1.2" depth

GENERAL FIELD NOTES

5-18-93

Pg 2/2

Shannon divisions

south of Garden Cr.

POOR ORIGINAL

parshall wires both places ditches have the capacity when cleaned to carry the maximum measurable amount per parshall the upper ditch was carrying the maximum flow & the ditch was handling that rate.

MICROFILMED

NOV 01 1994

POOR ORIGINAL

Hand written notes are based upon
County records obtained 4-14-93
and analyzed as of 6-22-93.
Original warranty deed copies
placed in File #72-00124

ALEX & MARTHA KLUG DECREED RIGHTS
72-00125 & 72-00126 (both 8-15-1910 priority)
72-00125 @ 1.06cfs for 84 acres
72-00126 @ 1.60cfs for 80 acres

Preliminary split noted
as of 12-31-92
KRC
an exception in the deed describes
property now owned by KRC (outside
current P/A)

First transfer date as
recorded through county records.

Based upon 127800 10-14-69

JEROLD ROBINSON

DOC # 1. WARRANTY DEED DATED 9-1-1969
COUNTY RECORD NO. 127801 CONVEYED .20 CFS
DOC # 2 MEMO OF UNDERSTANDING DATED 9-30-69
COUNTY RECORD NO. 127802 ON 10-14-69

Based upon 135633 7-17-73
MCKISSIE/Vanderhoeven

WARRANTY DEED DATED 10-29-69
COUNTY RECORD NO. 135660
CONVEYED .30 CFS

Based upon 136037 8-28-73
JOE PECK
WARRANTY DEED NO. 136037 DATED 11-30-1970
REFERENCES 3.06 CFS AND EXCLUDES .30 CFS
DEEDED TO MCKISSIE/Vanderhoeven
IT IMPLIES THAT 2.76 CFS WAS CONVEYED.

MONZINGO
WARRANTY DEED DATED
8-18-81 RECORDED 8-20-81
INST # 159893 FOR .10 CFS

LINCH

HARDMAN
1982

CONVEYED .30 CFS

HARTWELL

(PER MONZ. TRANSFER AP)
PURCHASED .15 CFS FOR 6.5 ACRES
IN AUG 81 (RECORDED 9-4-81 ??)

KING

CONVEYED .15 CFS

ADJUDICATION CLAIMS FILED:
PORTIONS OF 72-00125 &
72-00126 CLAIMED AS:

A72-10017
MONZINGO
.20 CFS
NOW
ARMBRUSTER
.20 CFS

A72-00126A
LINCH
.10 CFS
now
listed

A72-00125C
HURLESS
.20 CFS

A72-00125B
KING
.15 CFS

ALL OF 72-00125 &
72-00126 CLAIMED AS:
A72-10297
SHANNON/ALMOND
2.66 CFS

The explanation specifically
identify the P/A @ 0.30cfs
now owned by Hurdless
warranty deed recorded
on 8-28-73

Same property was decreed
in 127801. The deed recorded
on 10-14-69
Hurdless & King. Also indicates a
transfer of .30 CFS. Recorded
on 7-17-73

RECORDED

POOR ORIGINAL

System description based upon diversion points to P/U.

Three P/Ds from Garden Creek were found.
(see map for numbering system) All three ditches supply water for the Shannon Claims with Garden Cr. as a source (A72-00124, A72-10297, & A72-04058)

Each Diversion also supplies water to another user or group of users.

P/D # 1 also supplies water to Bob Andrews
(claim not filed as of 6-22-93)

P/D # 2 supplies water to the following users in order of use:

Hurless - A72-00125C

King - A72-00125B

Armbruster - A72-10017

A72-04061A

Wood - A72-00126A

A72-04061B

P/D # 3 is the original source for waste water claimed & previously licensed for:

Armbruster A72-07041A

Wood A72-07041B

The system from P/D #3 that generated the waste water for A72-07041A & B is now being converted to sprinkler irrigation making the waste water no longer available. However, this claim is being recommended as 5 years of non-use has

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NOV 01 1994

MICROFILMED

Sep Desc

6-22-93 Pg 2/3
KRC

POOR ORIGINAL

not occurred. the ditch systems has the capacity to carry the combined total of each right, therefore, no capacity limitation is required. Some wastewater may be available from P/D #2 (end of ditch).

System Analysis for the Shannon Prop only:

Garden Cr. Claims A72-00124, A72-10297, & A72-04058.

John Gulch Claim A72-11763

As of commencement, all of the P/U covered by P/D #1 was under flood irrigation and the analysis for this ground was based upon flood irr. The ground east of the farmstead is currently being converted to gravity pressure, sprinkler irr with plans to add additional ground in the future to Gravity sprinkler. Spring water originating on the property west of the farmstead is also used for irrigation but was not claimed.

P/D #2 delivers water to a majority of the P/U South of Garden Creek. Approx 17 acres (see map) have historically been sprinkler irrigated (originally via a portable pump & now by gravity pressure) and has been recognized as such in the div rate analysis. The balance has historically been flood irrigated.

The ground on the east side of the P/U & south of Armbruster/Wood is now irrigated via gravity flood from this P/D but does not cover a lot of ground (Area not determined). Some of this water would be available to Wood/Armbruster as wastewater for their use.

MICROFILMED
NOV 01 1994

Sup. Desc

POOR ORIGINAL

6-22-93 Pg 3/3
KKC

P/D #3 irrigates the ground furthest south and the pump system for sprinkler ir. originated from this ditch. the end of this ditch has been converted to a pipeline (see map) in 1992 and the majority of the Ground (the 18 Acres in the NE SW sec 31 is now sprinkler irrigated (gravity pressure).

Where the ditch crosses John Gulch is also the P/D for A72-11763. That system is that the ditch merely catches any water originating from John Gulch & carries the water east. Making the P/U for John Gulch water that Ground east of that point & South of Garden Creek. The Gulch ~~is~~ has several small seeps that generate water and reaches the ditch. As the ditch has the capacity to carry a greater rate than claimed, the claimed rate is the limiting factor. Mike Shanna stated that the seeps go down by the end of the season.

MICROFILMED
NOV 01 1994

Split Review

6-22-93
KRC

Pg 1/2

Analysis of Unrecorded Transfer
& Preliminary Recommendations

POOR ORIGINAL

Based upon warranty deed information. Watson Perry transferred more 1910 decreed water (72-00125 & 72-00126) than was originally decreed. The recording dates are as follows.

County recording date

10-14-89 Perry to Robinson for .20 CFS (deed 127800)

now Armbruster A72-10017 Recommended at .10 CFS

Wood A72-00126 A " " .10 CFS

7-17-73 Perry to McKissie for .30 CFS

based upon quit claim deed 135633

From Klug to Perry for the current claim 1/4

Now Hurless A72-00125 C Recommended at .15 CFS

King A72-00125 B Recommended at .15 CFS

8-28-73 Perry to Peck (deed 136037)

Now Shannon A72-10297 Recommended at 2.06 CFS

see also the attached flow chart.

MICROFILMED
NOV 01 1994

CUSTER COUNTY
Clerk of the District Court

EX-OFFICIO AUDITOR-RECORDER
P.O. Box 385
CHALLIS, IDAHO 83226

April 12, 1993

RECEIVED
APR 14 1993
Department of Water Resources
Southern Region Office

Kelly Christensen
Department of Water Resources
222 Shoshone St E
Twin Falls ID 83301

Dear Mr. Christensen:

Please send \$14.00 to the address above for copies of record.

You also requested instrument #135360, but the names were not the ones you mentioned (Perry to McKaffee) they were Kosterman to Virginia Dodge. If you still want copies of this document please let me know.

Sincerely,

Wanda J. Murphy

Deputy Clerk
Wanda J. Murphy

MICROFILMED
NOV 01 1994

RECEIVED

127800

P. 11

1903

300-QUITCLAIM DEED

Printed and for sale by Ames-York Company, Boise

QUITCLAIM DEED

127800

THIS INDENTURE, Made this 1st day of September,

in the year of our Lord one thousand nine hundred and sixty-nine, between
MARtha T. KLUG and ALEX KLUG, husband and wife, KATHLEEN WILLIAMS, a
married woman, individually, and her husband, AMOS WILLIAMS, as Trustee
for Alex Klug or Martha Klug, and individually, (sometimes known as Joseph A.
Williams)
of Challis County of Custer

State of Idaho, the parties of the first part, and
WATSON E. PERRY and PHYLLIS D. PERRY, husband and wife,

of Challis County of Custer,
State of Idaho, the parties of the second part.

WITNESSETH That the said parties of the first part, for and in consideration of the sum of
TEN AND NO/100 - - - - - DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of
the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release
and forever QUITCLAIM, unto the said parties of the second part, and to their heirs and
assigns, all those certain lots, pieces or parcels of land, situate, lying and being in
the x County of Custer, State of Idaho, bounded and particularly
described as follows, to-wit:

A portion of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
and of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
Section 31, Township 14 North, Range 19 East, Boise Meridian, more
particularly described and bounded as follows, to-wit:

Commencing at the South quarter corner of said Section 31, thence due
North 2,575.70 feet, more or less, to the Southwest corner of said
Southwest Quarter Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), thence East 55 feet along
the South line of said Southwest Quarter Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$),
thence due North 201.0 feet to the real point of beginning; thence
continuing due North 728.0 feet, more or less, to a point in the South
line of the Garden Creek Road, thence North 79° 05' West 599.5 feet
along the South line of said Garden Creek Road, thence due South 728.0
feet, more or less, to a point North 79° 05' West from the point of
beginning, thence South 79° 05' East 599.5 feet to the point of begin-
ning, containing 10.0 acres, more or less.
TOGETHER WITH 10 inches of 1910-decreed water from Garden Creek, a
tributary of Salmon River, located in Custer County, Idaho; and
TOGETHER WITH an Easement for ditch and ditch-way purposes over the
lands of the Grantors adjacent to, adjoining, and contiguous with
the above-described property as the same has been customarily and
usually used prior to this conveyance.

MICROFILM
NOV 0 1 1963



RECEIVED

127800

Pg 2 1/2

APR 14 1969

Department of Water Resources

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the part ~~ies~~ of the second part, and to ~~their~~ heirs and assigns forever.

IN WITNESS WHEREOF, The said part ~~ies~~ of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

[Handwritten signatures and names of witnesses, each followed by a bracket and the word "Seal"]

STATE OF IDAHO

County of Custer

ss.

On this 22nd day of September In the year 1969, before me

the undersigned, a Notary Public
In and for said State, personally appeared ALEX KLUG and MARTHA T. KLUG, husband and wife, and AMOS WILLIAMS and KATHLEEN WILLIAMS, husband and wife,

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

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

[Handwritten signature]

Notary Public for the State of Idaho,
Residing at Challis, Idaho, 83226
My Com. Expires: 7-14-72

QUITCLAIM DEED

. 19

STATE OF IDAHO.

ss.

County of Custer

I hereby certify that this instrument was filed

for record at request of

[Handwritten notes and signatures in the bottom right section, including "Book Realty", "at 3:00 minutes past 1:00 day of 14th", "of Challis, A.D. 1969", "in my office, and duly registered", "indexed", "GEO. M. MANN", "ESQ. Clerk Recorder"]

By *[Signature]*
Fees \$ *[Amount]*
Mail to *[Address]*

RECEIVED

APR 14 1993

Department of Water Resources

Southern Region Office

127801

Pg 1/2

203- WARRANTY DEED

Printed and for sale by Syme-Tark Company, Boise

THIS INCENTURE, Made this 12th day of September,
in the year of our Lord one thousand nine hundred and sixty-nine, between
WATSON E. PERRY and PHYLLIS D. PERRY, husband and wife,
of Challis, County of Custer, State of Idaho,
the parties of the first part, and
GERALD ROBINSON and LIDA A. ROBINSON, husband and wife,
of Cobalt, County of Lemhi, State of Idaho,
the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
TEN AND NO/100 - - - - - DOLLARS,

lawful money of the United States of America, and other good and valuable consideration,
to them in hand paid by the said
parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties
of the second part, and to their heirs and assigns forever, all of the following described real estate,
situated in the County of Custer, State of Idaho, to-wit:

A portion of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
and of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
Section 31, Township 14 North, Range 19 East, Boise Meridian, more
particularly bounded and described as follows, to-wit:
Commencing at the South quarter corner of said Section 31, thence due
North 2,575.70 feet, more or less, to the Southwest corner of said
Southwest Quarter Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), thence East 55 feet
along the South line of said Southwest Quarter Northeast Quarter
(SW $\frac{1}{4}$ NE $\frac{1}{4}$), thence due North 201.0 feet to the real point of beginning;
thence continuing due North 728.0 feet, more or less, to a point in
the South line of the Garden Creek Road, thence North 79° 05' West
599.5 feet along the South line of said Garden Creek Road, thence
due South 728.0 feet, more or less, to a point North 79° 05' West
from the point of beginning, thence South 79° 05' East 599.5 feet to
the point of beginning, containing 10.0 acres, more or less.
TOGETHER WITH 10 inches of 1910-decreed water from Garden Creek, a
tributary of Salmon River, located in Custer County, Idaho; and
TOGETHER WITH an Easement for ditch and ditch-way purposes over the
lands of the Grantors adjacent to, adjoining, and contiguous with
the above-described property as the same has been customarily and
usually used prior to this conveyance.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto
belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents,
issues and profits thereof; and all estate, right, title and interest in and to the said property, as well
in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with
the appurtenances unto the parties of the second part, and to their heirs and assigns forever.

And the parties of the first part, and their heirs, shall and will warrant and by these presents
forever defend the premises in the quiet and peaceable possession of the parties of the second part, their
heirs and assigns, against the parties of the first part, and their heirs, and against all and every
person and persons whomsoever, lawfully claiming the same shall and will WARRANT and by these presents
forever DEFEND.

RECEIVED

127801

APR 14 1969

Pg 2/2

Department of Water Resources
Southern Region Office

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Watson E. Perry [Seal]
Phyllis D. Perry [Seal]
[Seal]
[Seal]

STATE OF IDAHO

County of **Custer**

ss.

On this *12th*

day of **September**

in the year **1969**, before me

the undersigned

, a Notary Public

in and for said State, personally appeared

WATSON E. PERRY and PHYLLIS D. PERRY, husband and wife,

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

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

James B. Smith
Notary Public for the State of Idaho,
Residing at **Challis**, Idaho **83226**
My Com. Expires: **1-2-71**

WARRANTY DEED

No. *127801*

-TO-

Dated *12*, 19 *69*
STATE OF IDAHO
County of *Custer*

I hereby certify that this instrument was filed

for record at request of

Wood Kuster at *30* minutes past *1:50*

o'clock *P.* M., this *14th* day

of *October*, A. D. *1969*

in my office, and duly *replied* *to*

and *by* *me* *James B. Smith*

Notary Public

Ex-Officio Recorder.

By *James B. Smith*

Fees, *\$2.00*

Mail to

Deputy

STAN-YEAR COMPANY, INC.

RECEIVED

127802

FOOT ORIGINAL

APR 14 1969

Department of Water Resources
Southern Region Office

Pg 1/3

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING, Made and entered into this 30th day of September, 1969, by and between WATSON E. PERRY and PHYLLIS D. PERRY, husband and wife, of Challis, County of Custer, State of Idaho, hereinafter referred to as "Perrys", and GERALD ROBINSON and LIDA A. ROBINSON, husband and wife, of Cobalt, County of Lemhi, State of Idaho, hereinafter referred to as "Robinsons";

W I T N E S S E T H:

WHEREAS, Perrys have sold and conveyed certain property to Robinsons, said property being more particularly described as follows, to-wit:

A portion of the Southwest Quarter of the Northeast Quarter (SW¹/₄NE¹/₄) and of the Southeast Quarter of the Northwest Quarter (SE¹/₄NW¹/₄), Section 31, Township 14 North, Range 19 East, Boise Meridian, more particularly bounded and described as follows, to-wit:

Commencing at the South quarter corner of said Section 31, thence due North 2,575.70 feet, more or less, to the Southwest corner of said Southwest Quarter Northeast Quarter (SW¹/₄NE¹/₄), thence East 55 feet along the South line of said Southwest Quarter Northeast Quarter (SW¹/₄NE¹/₄), thence due North 201.0 feet to the real point of beginning; thence continuing due North 728.0 feet, more or less, to a point in the South line of the Garden Creek Road, thence North 79° 05' West 599.5 feet along the South line of said Garden Creek Road, thence due South 728.0 feet, more or less, to a point North 79° 05' West from the point of beginning, thence South 79° 05' East 599.5 feet to the point of beginning, containing 10.0 acres, more or less; and

WHEREAS, Together with said property, Perrys did convey, transfer and assign 10 inches of that 1910-decreed water from Garden Creek, a tributary of Salmon River, Custer County, Idaho; and

JAMES R. BENNETTS
ATTORNEY AT LAW
CHALLIS, IDAHO 83226

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POOR ORIGINAL

APR 14 1993

Department of Water Resources

Southern Region Office

127802

Pg 2/3

WHEREAS, The parties do want to reach further understandings and agreements pertaining to the ditch rights and ditch-way involved over the lands of Perrys; and

WHEREAS, The parties do desire to set forth in full their complete understandings and agreements in regard thereto;

NOW, THEREFORE, In consideration of FIVE AND NO/100 DOLLARS (\$5.00), in hand paid each party by the other, and in further consideration of the covenants and agreements and understandings herein contained, it is understood and agreed as follows, to-wit:

1. That Robinsons are entitled to 10 inches of that certain water right from Garden Creek presently held by Perrys, such water to be taken under the 1910 decree to the waters of Garden Creek, a tributary of Salmon River, Custer County, Idaho.

2. It is further the understanding and agreement of the parties that Robinsons may continue to deliver the water to the property purchased by them and above-described over the adjoining property of Perrys through the usual and established ditch and ditch-ways, subject, however, to the further understanding and agreement that Robinsons must respond by maintaining and doing such repair and ditch work upon the ditch and ditch-way in direct proportion that their water bears to the total being carried in or through such ditch or ditches.

IN WITNESS WHEREOF, The parties hereto have hereunto set their hands and seals the day and year in this Memorandum of

JAMES R. BENNETTS
ATTORNEY AT LAW
CHALLIS, IDAHO 83226

JAMES R. BENNETTS
ATTORNEY AT LAW
CHALLIS, IDAHO 83226

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127802

APR 14 1993

Pg 3/3

Department of Water Resources
Southern Region Office

Understanding first above written.

Watson E. Perry
Watson E. Perry

Phyllis D. Perry
Phyllis D. Perry

Gerald Robinson
Gerald Robinson

Lida A. Robinson
Lida A. Robinson

STATE OF IDAHO,)
: ss.
County of Custer)

On this 14 day of October, 1969, before me, the under-
signed, a Notary Public in and for said State, personally appeared
WATSON E. PERRY, PHYLLIS D. PERRY, GERALD ROBINSON and LIDA A.
ROBINSON, known to me to be the persons whose names are subscribed
to the foregoing instrument and acknowledged to me that they
executed the same.

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

No. 127802
State of Idaho) ss.
County of Custer)

This instrument was filed for
record at the request of _____
at _____ P. M.
_____ 1969
and duly filed and indexed in the
Records of Custer County, Idaho.

Ex-Officio Recorder.

By _____
Deputy.

James R. Bennett
Notary Public for Idaho
P.O. Address: Challis, Idaho 83226
My Com. Expires: 7-24-72

JAMES P. BENNETTS
ATTORNEY AT LAW
CHALLIS, IDAHO 83226

JAMES R. BENNETT
ATTORNEY AT
CHALLIS, IDAHO

FOR OFFICIAL USE ONLY

RECEIVED

APR 14 1993

136037

Pg 1/4

204—WARRANTY DEED—LONG (611)

Printed for sale by Burns-York Company, Boise

THIS INDENTURE, Made this 30th day of November
in the year of our Lord one thousand nine hundred and seventy,
between WATSON E. PERRY and PHYLLIS D. PERRY, husband and wife,
of the County of Custer,
State of Idaho, the parties of the first part, and
JOSEPH M. PECK and ETHEL M. PECK, husband and wife,
of the County of Lemhi,
State of Idaho, the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
TEN AND NO/100-----DOLLARS,
and other good and valuable consideration,
lawful money of the United States of America, to them in hand paid by the
said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties
of the second part, and to their heirs and assigns forever, all the following described real estate,
situated in the County of Custer
State of Idaho, to wit:

PARCEL NO. 1: Section 36: West Half of the Southeast Quarter (W 1/2 SE 1/4), South Half of the Northeast Quarter (S 1/2 NE 1/4), Township 14 North, Range 18 East, Boise Meridian.
PARCEL NO. 2: Section 31: Lot 3, Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4), Township 14 North, Range 19 East, Boise Meridian.
PARCEL NO. 3: A portion of Lot 2 and the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) and the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) described as follows: BEGINNING at the Southwest corner of said SW 1/4 NE 1/4, the TRUE POINT OF BEGINNING; thence East 55 feet along the South boundary line of said SW 1/4 NE 1/4; thence North 201 feet to a point which is the Southeast corner of the land described in the deed to Gerald Robinson, et. ux., recorded as Reception Number 127801, records of said County Recorder; thence North 79° 05' West 599.5 feet along the South boundary line of said Robinson land to the Southwest corner of said Robinson land; thence North 728 feet along the West boundary line of said Robinson land to a point on the South boundary line of the land described in the deed to Ray Keppner, et. ux., in Book 34, Page 276, records of said County Recorder; thence along the South boundary line of said Keppner land South 74° 10' West 421.4 feet; thence South 54° 10' West 375.2 feet; thence South 63° 05' West 86.4 feet; thence South 69° 45' West 184.0 feet; thence South 79° 30' West 184.0 feet; thence South 87° West 382.7 feet; thence North 89° 35' West 479.5 feet; to a point 162 feet East of the West line of said Lot 2; thence North 8° 20' West 735. feet along the West boundary line of said Keppner land to a point 57 feet East of the Northwest corner of said Lot 2; thence West 57 feet along the North boundary line of said Lot 2 to the Northwest corner of said Lot 2; thence South 0° 22' 25" West 1320 feet, more or less, to the Southwest corner of said Lot 2; thence North 89° 41' 30" East 2657.16 feet, more or less, along the South boundary line of said Lot 2 and the South boundary line of said SE 1/4 NW 1/4 to the true point of beginning, in Township 14 North, Range 19 East, Boise Meridian, EXCEPTING AND RESERVING THEREFROM a tract described as follows: BEGINNING at a point, which bears North 10° 04' West 3,055.6 feet from the Quarter corner between Sections 6 and 31, Township 13 and 14 North, Range 19 East, Boise Meridian; thence North 0° 11' West 595.2 feet; thence South 83° 32' West 97.5 feet; thence South 72° 15' West 187.9 feet; thence South 70° 26' West 80.8 feet; thence South 55° 46' West 371.5 feet; thence South 59° 52' West 87.1 feet; thence South 64° 28' West 69.7 feet; thence South 74° 08' West 313.0 feet; thence South 0° 11' East 728.8 feet; thence North 89° 49' East 623.6 feet; thence North 0° 11' West 593.3 feet; thence North 89° 49' East 476.2 feet to the real and true point of beginning; the above described parcel of land is situated in Section 31, Township 14 North, Range 19 East, Boise Meridian, and

excepting
17.5 Acres &
30cfs of
1910 Water
Prop now
owned by
King &
Hudson
Mitchell

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issues a
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RECEIVED

APR 14 1993

136037

Pg 2/4

Department of Water Resources
Custer County Office

contains 5.0 acres of land on a hill and 12.5 acres of meadowland for a total of 17.5 acres bounded by this description, and is TOGETHER WITH 15 inches of 1910-decreed water from Garden Creek, a tributary of Salmon River, located in Custer County, Idaho; and TOGETHER WITH an Easement for ditch and ditch-way purposes, and TOGETHER WITH the obligation of pro-rata maintenance.

TOGETHER WITH all water and water rights, being approximately 51 inches of 1879 priority and 153 inches of 1910 priority, and ditch and ditch rights, range and range rights used in connection with the above-described property.

ts and appurtenances thereunto
emainder and remainders, rents,
nd to the said property, as well

tioned and described premises,

and to their heirs and

r heirs, the said premises

nd part, their

heir heirs, and against all

claim the same shall and will

re hereunto set their

Perry [Seal]

W. Perry [Seal]

[Seal]

[Seal]

in the year 1970, before me

a Notary Public

d PHYLLIS D. PERRY,

d to the within instrument, and

ted my official seal, the day and

Page 2 of 4
STANDARD COMPANY, SEAS

RECEIVED

APR 14 1993

Department of Water Resources

136037

Pg 3/4

contains 5.0 ac
total of 17.5 a
inches of 1910-
River, located
ditch and ditch
maintenance.

TOGETHER WITH a
of 1879 priorit
rights, range a
property.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property, as well in law as in equity, of the said parties of the first part:

TO HAVE AND TO HOLD. All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF. The said parties of the first part have hereunto set their hands and seals the day and year first above written
SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Watson E. Perry [Seal]
Phyllis D. Perry [Seal]
[Seal]
[Seal]

STATE OF IDAHO,

County of Custer

On this 30th day of December in the year 1970, before me

the undersigned a Notary Public

in and for said State, personally appeared WATSON E. PERRY and PHYLLIS D. PERRY, husband and wife,

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

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

Bertie M. Rood
Notary Public

Residing at Challis, Idaho
My Com. Expires: 1-2-91 7-17-72

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APR 14 1903

Department of Water Resources
Southern Region Office

Rg/B 4/4

land for a
FHER WITH 15
of Salmon
Easement for
on of pro-rat

51 inches
and ditch
above-describe

No. 20051

WARRANTY DEED

-TO-

Dated _____, 19__

STATE OF IDAHO,

County of _____

I hereby certify that this instrument was

filed for record at request of

at _____ minutes past

o'clock P. M., this

of _____

A. D. 19__

in my office, and duly recorded in Book

of _____ at page

By _____
Deputy.

Fee, \$ 1.00

OFFICE OF THE COUNTY CLERK, BOISE

NOV 0 1 1903
MICROFILMED



RECEIVED

APR 14 1993

Department of Water Resources
Southern Region Office

135633

Pg 1/1

REVENUE STAMPS

QUITCLAIM DEED

For Value Received MARTHA T. KLUG and ALEX KLUG, husband and wife, KATHLEEN WILLIAMS, a married woman, individually, and her husband, AMOS WILLIAMS, as Trustee for Alex Klug or Martha Klug, and individually, do hereby convey, release, remise and forever quit claim unto WATSON N. PERRY and PHYLLIS D. PERRY, husband and wife

the following described premises, to-wit:

Beginning at a point, which bears N. 10°04' W. 3055.6 feet from the 4 corner between sections 6 and 31, T. 13 and 14 N., R. 19 E., S. M.; thence N. 0°11' W. 595.2 feet; thence S. 83°22' W., 97.5 feet; thence S. 72°15' W. 187.9 feet; thence S. 70°26' W. 80.8 feet; thence S. 55°46' W. 371.5 feet; thence S. 89°32' W. 57.1 feet; thence S. 64°28' W. 69.7 feet; thence S. 74°08' W. 313.0 feet; thence S. 0°11' E. 728.8 feet; thence N. 89°49' E. 623.6 feet; thence N. 0°11' W. 593.3 feet; thence N. 89°49' E. 476.2 feet to the real and true point of beginning.

The above described parcel of land is situated in section 31, T. 14 N., R. 19 E., S. M. and contains 5.9 acres of land on a hill and 12.5 acres of meadowland for a total of 17.5 acres bounded by this description.

TOGETHER WITH 18 inches of 1910-decreed water from Garden Creek, a tributary of Salmon River, located in Custer County, Idaho; and TOGETHER WITH an Easement for ditch and ditch-way purposes over the lands of the Grantors adjacent to, adjoining, and contiguous with the above-described property as the same has been customarily and usually used prior to this conveyance, and TOGETHER WITH the obligation of pro-rata maintenance.

together with their appurtenances.

Dated: October 27, 1969.

Martha Klug
Alex Klug

Kathleen Williams
Amos Williams
Trustee for Alex Klug or Martha Klug

STATE OF IDAHO, COUNTY OF Custer
On this 30th day of October, 1969,
before me, a notary public in and for said State, personally
appeared Martha T. Klug and Alex Klug,
Kathleen Williams, and Amos Williams
as Trustee for Alex Klug or Martha
Klug, and individually

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

David M. Boyd
Notary Public
Residing at *Chubb, Idaho*
Comm. Expires *7-14-75*

135633

State of Idaho }
County of Custer }

This instrument was filed for
record at the request of
David C. Van Allen
on *28* day of *Oct* 19*69*
and duly filed and indexed in
Records of Custer County, Idaho.
David C. Van Allen
County Recorder

FOR ORIGINAL

TOWNSHIP
RANGE
SECTION

$\frac{1}{2}$ mi²

29.3' per unit

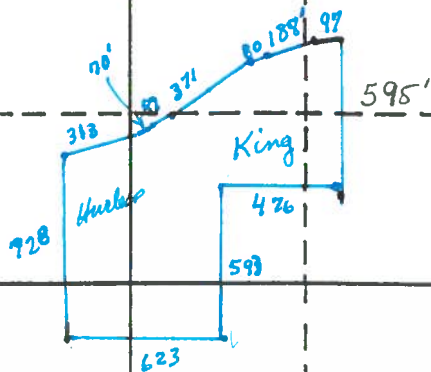
warranty deed

RE: 135633

5 acres on hill } 17.5 total acres
12.5 acres meadow

+ 15" of water @ 0.30 CFS

also referenced in 136037 as an exception
to prop. being sold.



MICROFILMED

NOV 01 1994

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APR 14 1903
Department of Water Resources
Southern Region Office

130258

Pg 1/2

POOR ORIGINAL

203—WARRANTY DEED

THIS INDENTURE, Made this 8th day of July
in the year of our Lord one thousand nine hundred and sixty-five, between
ALEX KIUG and MARTHA KIUG, husband and wife,
of the X County of Custer, State of Idaho
the parties of the first part, and WATSON E. PERRY and PHYLLIS PERRY,
husband and wife,
of the X County of Custer, State of Idaho
the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
TEN AND NO/100 DOLLARS,

and other good and valuable consideration,
lawful money of the United States of America,

to them in hand paid by the said
parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties
of the second part, and to their heirs and assigns forever, all of the following described real estate,
situated in the X County of Custer, State of Idaho, to-wit:

The South Half of the Northeast Quarter, and the West Half of
the Southeast Quarter of Section 36, Township 14 North, Range 18 East of
the Boise Meridian; Lots 2 and 3, the Northeast Quarter of the Southwest
Quarter, and the Northwest Quarter of the Southeast Quarter of Section 31,
Township 14 North, Range 19 East of the Boise Meridian;

ALSO, that part of the Southwest Quarter of the Northeast Quarter
and of the Southeast Quarter of the Northwest Quarter of said Section 31,
described as follows: Beginning at a point 55 feet East of the Southeast
corner of the Southeast Quarter of the Northwest Quarter, running thence
North 92° feet; thence North 79°05' West 599.5 feet; thence South 74°10'
West 421.4 feet; thence South 54°10' West 375.2 feet; thence South 63°05'
West 86.4 feet to a point on the West line of said Southeast Quarter of
the Northwest Quarter, 650 feet South of the Northwest corner of said
Southeast Quarter of the Northwest Quarter, thence South 670 feet to the
Southwest corner of said Southeast Quarter of the Northwest Quarter; thence
East 1375 feet to the Southeast corner of said Southeast Quarter of the
Northwest Quarter; thence East 55 feet, to the point of beginning;

~~TOGETHER WITH all water and water rights, ditch and ditch rights,
range and range rights used in connection with the above described property;~~

EXCEPTING AND RESERVING a tract described as follows: Beginning at
the Northeast corner of said Lot 2, Section 31, Township 14 North, Range
19, thence South along the East line of said lot 650 feet; thence South
89°45' West 184 feet; thence South 79°30' West 124 feet; thence South 87° West
382.7 feet; thence North 89°35' West 479.5 feet to a point 162 feet East
of the West line of said lot; thence North 8°20' West 735 feet to a point
on the North line of said lot 57 feet East of the Northwest corner of said
lot thence East 1314.5 feet to the point of beginning;

~~TOGETHER WITH all water and water rights, ditch and ditch rights,
range and range rights used in connection with the above described property.~~

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereto
belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents,
issues and profits thereof; and all estate, right, title and interest in and to the said property, as well
in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together
with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever
and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable
possession of the said parties of the second part, their heirs and assigns, against the said parties of
the first part, and their heirs, and against all and every person and persons whomsoever, lawfully
claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

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APR 14 1993

Department of Water Resources
Southwest Region Office

WEST ORIGINAL

130258

Pg 2/2

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal on the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Alex Klug [Seal]
Martha Klug [Seal]
[Seal]
[Seal]

STATE OF IDAHO

County of Custer ss.

On this 8th day of July in the year 19 65, before me

the undersigned, a Notary Public

in and for said State, personally appeared

ALEX KLUG and MARTHA KLUG,

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

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



James R. Bennett
Notary Public for the State of Idaho,
Residing at Challis, Idaho

My Com. Exp: 1-2-67

No. 130258
WARRANTY DEED

-70-

Dated 19 65
STATE OF IDAHO
County of Custer

I hereby certify that this instrument was filed

for record at request of

Paul Resatny

at 30 minutes past 11:30
o'clock A. M. this 11th day

of December, A. D. 19 70

by my self, and duly recorded in the land

records of the County of Custer in and

for the purpose of being recorded.

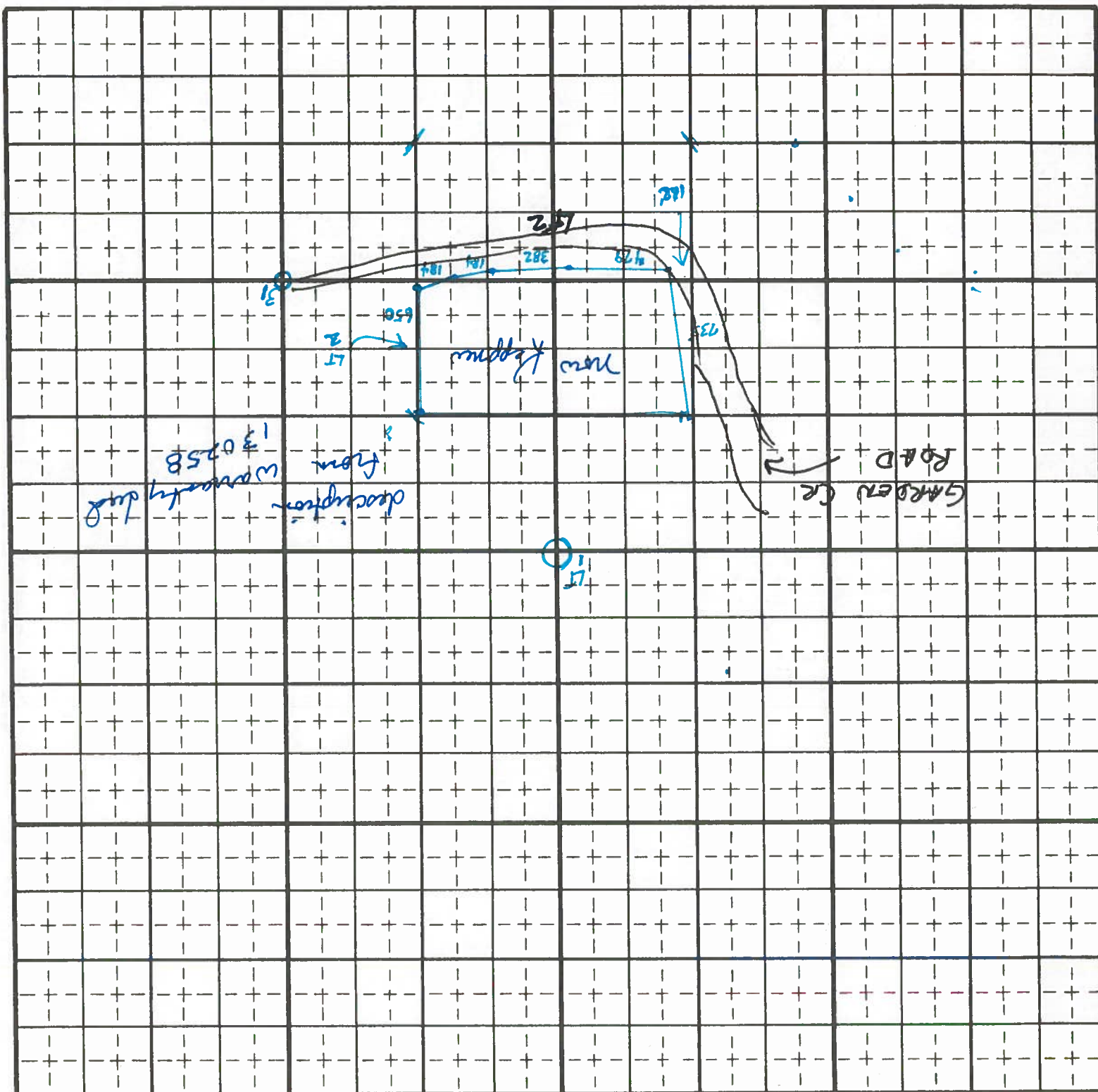
By *James R. Bennett*
Notary Public

For 1.10

Mail to

FROM YOUR COMPLETION, SIGN

Scale: 2 inches equals 1 mile



ALEX & MARTHA KLUG DECREED RIGHTS
72-00125 & 72-00126 (both 8-15-1910 priority)
72-00125 @ 1.06cfs for 84 acres
72-00126 @ 1.60cfs for 80 acres

*Preliminary split news
as of 12-31-92
KKE*

WATSON PERRY
DOC # 1. WARRANTY DEED READS (and all water rights)
DATED: 7-8-65 COUNTY RECORD NO. 130258
DOC # 2. QUIT CLAIM DEED DATED 9-1-1969 COUNTY RECORD NO. 127800
REFERENCES .20 CFS OF 1910 WATER
DOC # 3. QUIT CLAIM DEED DATED 10-29-69 COUNTY RECORD NO. 135633
REFERENCES .30 CFS OF 1910 WATER FOR 17.5 ACRES
COMBINED TOTAL = 2.66cfs for 164 acres

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JEROLD ROBINSON
DOC # 1. WARRANTY DEED DATED 9-1-1969
COUNTY RECORD NO. 127801 CONVEYED .20 CFS
DOC # 2 MEMO OF UNDERSTANDING DATED 9-30-69
COUNTY RECORD NO. 127802 ON 10-14-69

MCKISSIE/VanderHoeven
WARRANTY DEED DATED 10-29-69
COUNTY RECORD NO. 135360
CONVEYED .30 CFS

JOE PECK
WARRANTY DEED NO. 136037 DATED 11-30-1970
REFERENCES 3.06 CFS AND EXCLUDES .30 CFS
DEEDED TO MCKISSIE/VanderHoeven
IT IMPLIES THAT 2.76 CFS WAS CONVEYED.

MONZINGO
WARRANTY DEED DATED
8-18-81 RECORDED 8-20-81
INST # 159893 FOR .10 CFS

LINCH

DEEDED .10 CFS

HARDMAN
1982
CONVEYED .30 CFS

HARTWELL

(PER MONZ. TRANSFER AP)
PURCHASED .15 CFS FOR 6.5 ACRES
IN AUG 81 (RECORDED 9-4-81 ??)

KING

CONVEYED .15 CFS

ADJUDICATION CLAIMS FILED:

PORTIONS OF 72-00125 &
72-00126 CLAIMED AS:
A72-10017
MONZINGO
.20 CFS

A72-00126A
LINCH
.10 CFS

A72-00125C
HURLESS
.20 CFS

A72-00125B
KING
.15 CFS

ALL OF 72-00125 &
72-00126 CLAIMED AS:
A72-10297
SHANNON/ALMOND
2.66 CFS

NOW
ARMBRUSTER
.20 CFS

DECREED

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
DECREED P/U 72-00124	14N	18E	36		40	40	40					40									1.02CFS
DECREED P/U 72-00125	14N	19E	31						42			42								84	1.06CFS
DECREED P/U 72-00126	14N	19E	31											40	40					80	1.60CFS
DECREED P/U 72-7041	14N	19E	31							10										10	0.20CFS

P/D OVERLAP BUT ACRES NOT OVERLAPPING, USE FOR SYSTEM TOTAL CALCULATIONS

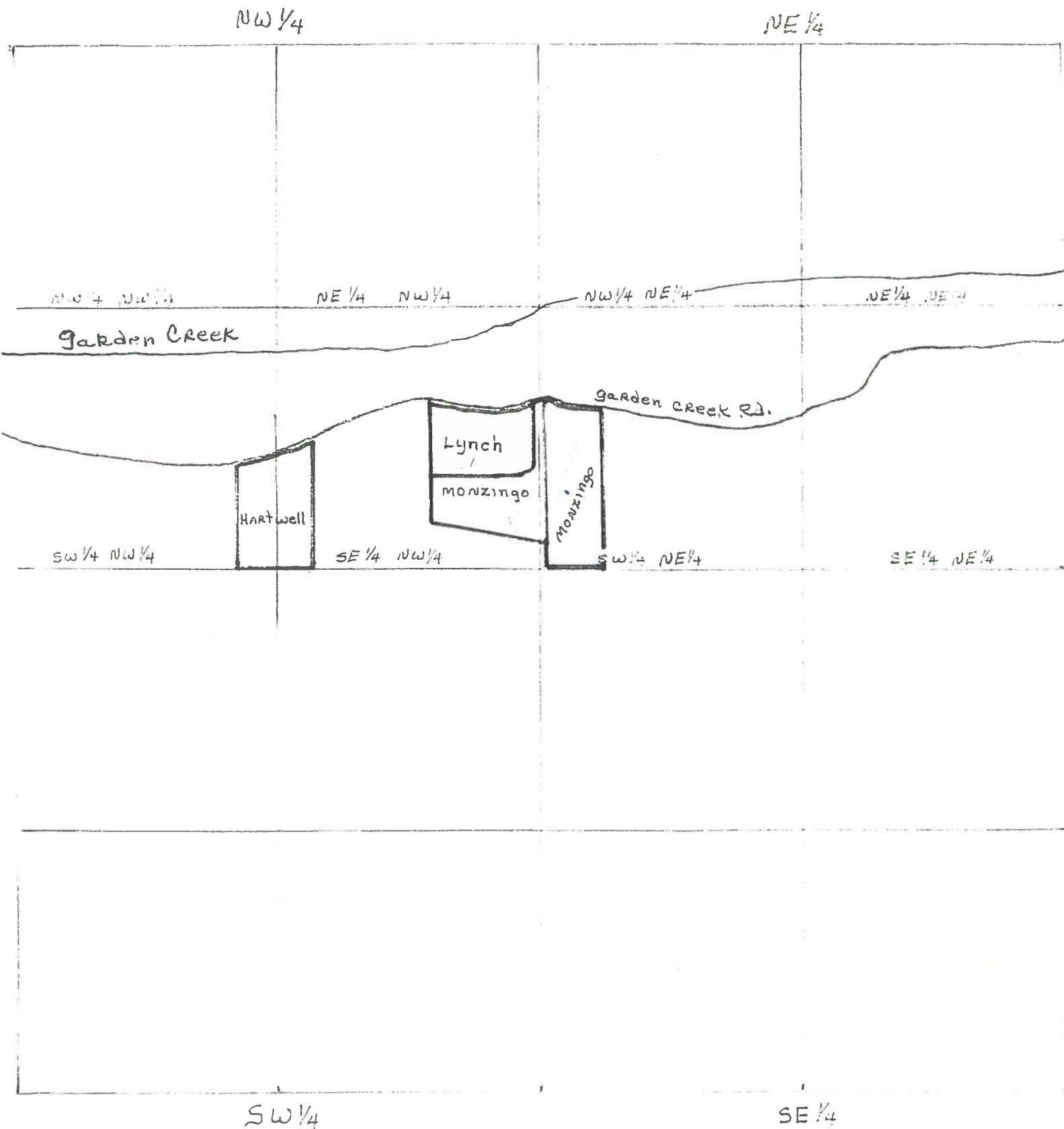
CLAIMED

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
Shannon A72-00124	14N	19E	31						20	15	40	25				15				115	1.02CFS
	14N	18E	36			20	30									10	25			85	
Shannon * A72-10297	14N	19E	31						20	15	40	25				15				115	2.66CFS
	14N	18E	36			20	30									10	25			85	
King A72-00125B	14N	19E	31						4.5	1.5										6	.15CFS
Hurless A72-00125C	N/N	19E	31			5										1.7				6.7	.20CFS
Lynch ** A72-00126A	14N	19E	31						5											5	.10CFS
** A72-7041B	14N	19E	31						5											5	.10CFS
Armbruster *** A72-10017	14N	19E	31						5											5	.10CFS
** A72-7041A	14N	19E	31						5											5	.10CFS
Armbruster A72-4061A	14N	19E	31						5											5	.40CFS
Lynch A72-4061B	14N	19E	31						5											5	.40CFS

* REPRESENTS THE TOTAL COMBINATION OF 72-00125 & 72-00126
** SOURCE = WASTE WATER
*** Represents a claimed portion of 72-00125 & 72-00126 (COMBINED)

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original in temp transfer file
Garden Creek: Monz.
Peck
etc.



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CL I NO

DATE

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
DECREED P/4	72-00124	14N	18E	36		40	40	40					40									1.02 CFS
DECREED	72-00125	14N	19E	31					42				42								84	1.06 CFS
DECREED	72-00126	14N	19E	31													40	40			80	1.60 CFS
CLAIMED	A72-00124	14N	18E	31					20	15	40	25					15				115	(124) 1.02 CFS
CLAIMED *	A72-10297	14N	18	36			20	30									10	25			85	(10297) 2.66 CFS

* REPRESENTS A COMBINATION OF PORTIONS OF 72-00125 & 72-00126

72-00124 - entire decreed right claimed by Shannon/Almond no other claimants against this right

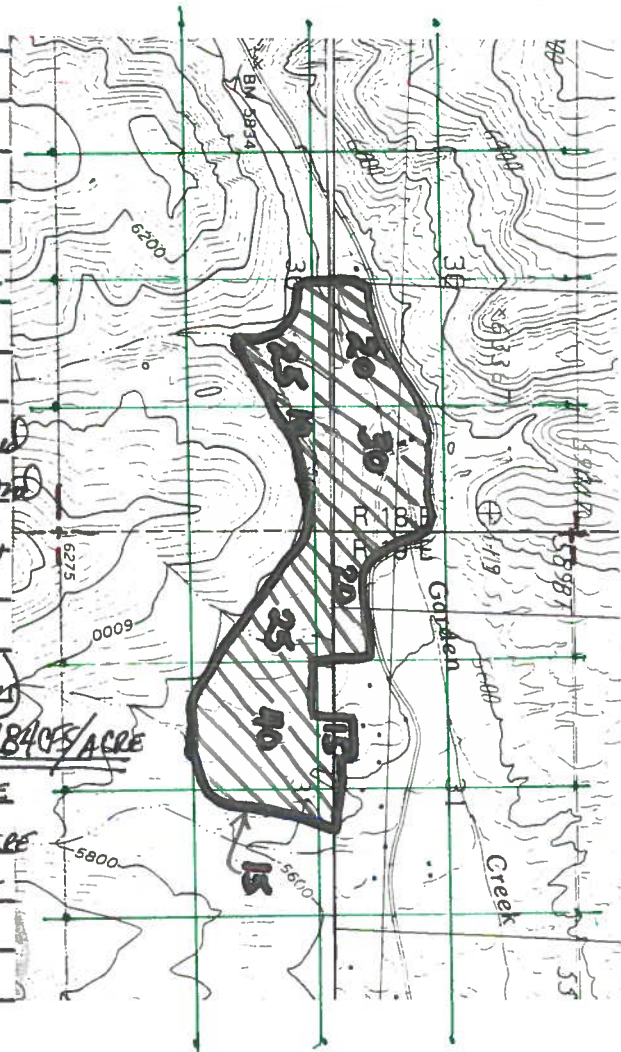
72-00125 } entire
- 00126 } combined rate claimed by Shannon/Almond. additional portions claimed by King, Lynch, and Hurdless.

Rate/Acre claimed (combined system)
(A72-00124/10297) $3.68 \text{ CFS} / 260 \text{ A} = 0.0184 \text{ CFS/ACRE}$

A72-00125B $.15 \text{ CFS} / 6 \text{ ACRES} = .025 \text{ CFS/ACRE}$

A72-00125C $.20 \text{ CFS} / 6.7 \text{ ACRES} = .02985 \text{ CFS/ACRE}$

A72-00126A $.10 \text{ CFS} / 5 \text{ ACRES} = .02 \text{ CFS/ACRE}$



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At present it appears that Monzingo and Lynch now have 5" each of 1910 water which is derived from Robinsons 10" and Hartwell and King now have 7½" each of 1910 water which is derived from McKissie and Van der Houven's 15".

Decreed

72-0125 - 53"

72-0126 - 80"

Total 133"

Deeded

Peck	138"
Monzingo	5"
Lynch	5"
Hartwell	7½"
King	7½"
Total	<u>163"</u>

As can be seen there is an apparent discrepancy between the amount of 1910 water decreed and what has been deeded. Because of this it appears to me to be inappropriate to proceed to draft transfers until this problem is resolved. I am presenting this information to you and your neighbors so that you can take whatever action you deem necessary to resolve this problem or investigate the matter further to find something which I have not yet uncovered which may have a bearing.

Please note that you have sent us an application for transfer and paid the \$30.00 filing fee which we can return if you decide not to proceed with the application for transfer. Please keep us informed of your progress in resolving this matter.

Sincerely,



Allen D. Merritt
Sr. Water Resource Analyst

ADW:marya

cc: Peck
Lynch
Hartwell
King

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