

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: **A72-00125C**
Date Received: 12/ 7/1989
Receipt No: M005341
Received By: _____

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

1. Name: ROBERT TESSMER 208-879-2879
Address: PO BOX 56
CHALLIS ID 83226

AND

Name: CONNIE TESSMER 208-879-2879
Address: PO BOX 56
CHALLIS ID 83226

2. Date of Priority: AUG 15, 1910

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	NE	NE	SW		CUSTER

5. Description of diverting works:
DAM, HEADGATES, OPEN DITCHES FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		

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

8. Total consumptive use is 16.8 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	31	SW	NE		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	31	NW	SW		IRR	1.7
Section Acres							6.7
Total Acres							6.7

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 72-00125.
ADDRESS CHANGE MADE 1-12-95 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ADAMS, ET. AL.

Decree Plaintiff

VANDERVOORT, ET. AL.

vs

Decree Defendant



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

September 19, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT TESSMER
CONNIE TESSMER
PO BOX 56
CHALLIS ID 83226

RE: SRBA Claim(s) 72-10281, A72-00125C

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding claim 72-10281. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Enclosed you will also find a copy of claim A72-00125C showing you as the current owner. Since this claim has not yet been reported to the SRBA Court in a Director's Report, it was not necessary to file a Notice of Completed Administrative Proceeding with the court. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', is written over a horizontal line.

Trish Fawcett
Technical Records Specialist

/tf

Enclosure

cc: A J Mitchell
Tonia Mitchell

CUSTER COUNTY TITLE, INC.

P.O. Box 370
Challis, ID 83226
208 879-4424

RECEIVED

JUN 02 1997

Department of Water Resources
Southern Region

May 27, 1997

RE: 9522 : Mitchell-Tessmer

Idaho Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

Dear Sirs,

Please find enclosed Notice of Change of Water Right Ownership, copy of recorded Warranty Deed, and Plat map.

If you have any questions, please contact the new owner directly.

Respectfully,



Susan Swindell
Secretary

enc.

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP JUN 02 1997

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Department of Water Resources
Southern Region

1. Water Right No(s).: A72-00125C and A72-10281
 Adjudication Claim No(s).: _____

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.
AND
 - 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 A.J. and Tonia Mitchell
P.O. Box 1298 Challis, Idaho 83226

4. New Owner/Claimant(s) Robert and Connie Tessmer
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address P.O. Box 56
 City, State and ZIP Code Challis, Idaho 83226
 New Telephone Number (208) 879-2879

5. Date you acquired the property 5/23/97

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 _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ 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) Robert M. Tessmer
Connie Tessmer
 (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..

WARRANTY DEED

For Value Received A.J. MITCHELL and TONIA S. MITCHELL, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto ROBERT M. TESSMER and CONNIE J. TESSMER, husband and wife, the Grantees, whose current address is 4500 S. 35th West, Idaho Falls, Idaho 83402, the following described premises, in Custer County, Idaho, to-wit:

A portion of Section 31, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at a point which is North 34°05'55" West, 2910.97 feet from the South Quarter Corner of Section 31 said township and range; thence North 0°11'00" West, 728.80 feet to a point; thence North 74°08'00" East, 313.00 feet to a point; thence North 64°28'00" East, 69.70 feet to a point; thence South 1°39'28" East, 843.53 feet to a point; thence South 89°49'00" West, 386.04 feet to the POINT OF BEGINNING. As shown by the Official record of Survey filed June 16 1995, as instrument No. 208903, records of Custer County, Idaho

EXCEPTING THEREFROM County Road right-of-way.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 21 day of MAY, 1997.

A.J. Mitchell
A.J. MITCHELL

Tonia S. Mitchell
TONIA S. MITCHELL

STATE OF IDAHO)

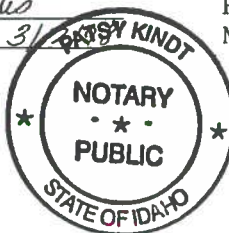
: ss

County of CUSTER)

On this 21 day of
May, 1997, before
me, a Notary Public, per-
sonally appeared A.J. Mitchell
AND TONIA S. Mitchell

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

Notary Kindt
Notary Public for Idaho
Residing at Challis
Commission Expires 3/1/2000



STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of Custer County Title
at 45 minutes past 3
o'clock P.M., this 23rd day of May
1997, in my office, and duly recorded in Book
_____ of Deeds at page _____.

Ethel M. Peck
Ex-Officio Recorder

BY _____ Deputy

Fee: \$ 3.00
Mail to: CCT

RECEIVED
JUN 02 1997
Department of Water Resources
Southern Region

Ray Keppner

P.B. Ray Keppner

1314.5

LOT 2

Ray Keppner
34-276
T-625

Garden Creek

N89°35'W 479.5 S87°W 382.7

approx 17.92 ac.

S89°40'30"W 266.77

LOT 3

Alex King
27-151

approx 40.16

RECEIVED

JUN 02 1997

Department of Water Resources
Southern Region

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

11/28/2000

RIGHT NUMBER: 72-125C

NAME AND ADDRESS: KATHY LYN MAUGHAN
RANDALL G MAUGHAN
PO BOX 1354
CHALLIS, ID 83226

SOURCE: GARDEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.15 CFS

PRIORITY DATE: 08/15/1910

POINT OF DIVERSION: T14N R18E S36 NENESW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	0.15 CFS

PLACE OF USE:

<u>IRRIGATION Within CUSTER County</u>				
T14N R19E S31	SWNW	3	T14N R19E S31	SENW 0.4

3.4 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

November 28, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KATHY LYN MAUGHAN
RANDALL G MAUGHAN
PO BOX 1354
CHALLIS ID 83226

RE: Decreed Water Right 72-00125C

Dear Mr. and Mrs. Maughan:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copy of the computer record of the water right noting the change in owner. Review this record and if there is an error, or you have any questions, please contact this office.

Sincerely,

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

Trish Fawcett
Technical Records Specialist

enc.

SEP 17 1999

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.

1. Water Right No(s).: A 72-10281 & A 72-00125C
Adjudication Claim No(s).: _____
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.
AND
 - 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 Robert & Connie Tessmer
P.O. Box 56 Challis, ID.
4. New Owner/Claimant(s) Randall G. & Kathy Lyn Maughan
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address P.O. Box 1354
City, State and ZIP Code Challis, ID. 83226
New Telephone Number (208) 879-2112
5. Date you acquired the property 8/27/99
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 _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ 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) Kathy Lyn Maughan
(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..

C219279

WARRANTY DEED

For Value Received ROBERT M. TESSMER AND CONNIE J. TESSMER, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto RANDALL G. MAUGHAN AND KATHY LYN MAUGHAN, husband and wife, the Grantees, whose current address is Rt. 1 Box 101A, Moore, Idaho 83255, the following described premises, in Custer County, Idaho, to-wit:

A portion of Section 31, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at a point which is North 34°05'55" West, 2910.97 feet from the South Quarter Corner of Section 31 said township and range; thence North 0°11'00" West, 728.80 feet to a point; thence North 74°08'00" East, 313.00 feet to a point; thence North 64°28'00" East, 69.70 feet to a point; thence South 1°39'28" East, 843.53 feet to a point; thence South 89°49'00" West, 386.04 feet to the POINT OF BEGINNING. As shown by the Official record of Survey filed June 16, 1995, as instrument No. 208903, records of Custer County, Idaho.

RECEIVED

SEP 17 1999

Department of Water Resources
Southern Region

EXCEPTING THEREFROM County Road right-of-way.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 27 day of August, 1999.

Robert M. Tessmer

ROBERT M. TESSMER

Connie J. Tessmer

CONNIE J. TESSMER

STATE OF:)
: ss

County of: CUSTER)

On this 27 day of August, 1999, before me, a Notary Public, personally appeared Robert M. Tessmer and Connie J. Tessmer known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Ratna Kinde

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at the request of Custer County Title at 44 minutes past 11 o'clock A.M., this 27 day of August 1999, in my office, and duly recorded in Book _____ of Deeds at page _____.

Ethel M. Peck

Ex-Officio Recorder

BY Linda Phelps
Deputy

WARRANTY DEED

For Value Received FRANKIE JEAN POLSON, a widow, the Grantor, does hereby grant, bargain, sell and convey unto STEPHEN G. COPE, a single man, the Grantee, whose current address is P.O. Box 1348, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

A parcel of land in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, Township 14 North, Range 19 East, Custer County, Idaho, described as:

Commencing at the Northeast corner of Section 17, Township 14 North, Range 19 East, Boise Meridian; thence West along the Section Line 1320.00 feet to the Northwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, of said Section 17; thence South 0°03' East along the West line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 2402.0 feet to the TRUE POINT OF BEGINNING; thence North 83°20' East, 1064.5 feet to the center of a road; thence North 09°21' West, 10.00 feet along the center of a road; thence North 23°33' West, 211.79 feet along the center of a road; thence South 83°20' West, 977.85 feet to the West line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence South 0°03' East, 214.00 feet to the POINT OF BEGINNING.

RECEIVED
SEP 17 1999
Department of Water Resources
Sawtooth Region

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

Dated: This 23 day of August, 1999.

Frankie Jean Polson
FRANKIE JEAN POLSON

STATE OF:)
: ss

County of: CUSTER

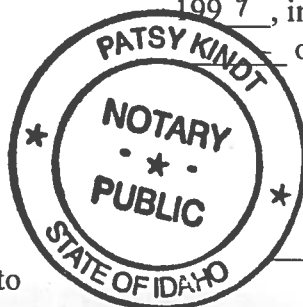
On this 23 day of
August, 1999, before
me, a Notary Public, personally appeared Frankie
Jean Polson

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

D L 11

STATE OF IDAHO, COUNTY OF CUSTER

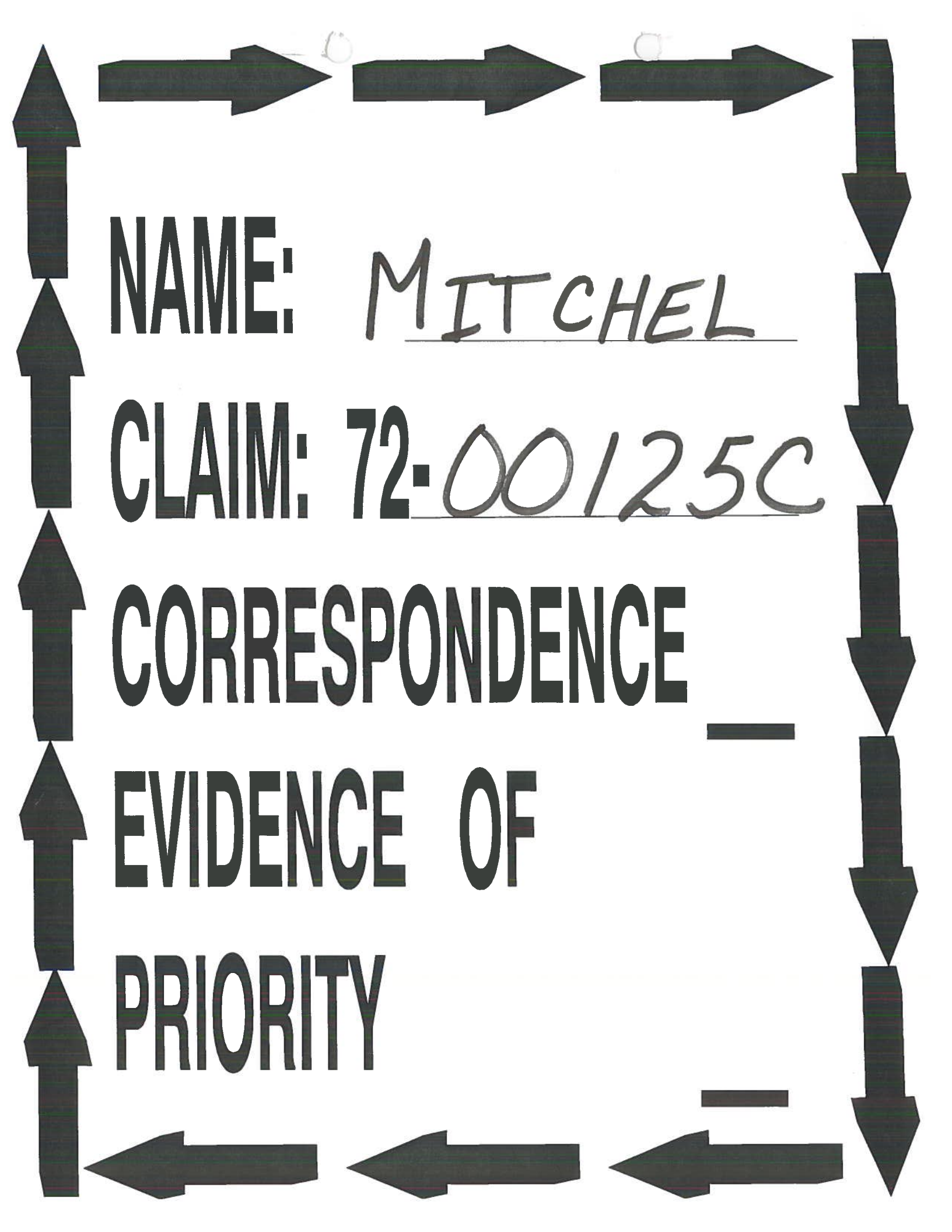
I hereby certify that this instrument was filed for
record at the request of Custer County Title
at 45 minutes past 3
o'clock P.M., this 23rd day of August
1999, in my office, and duly recorded in Book
of Deeds at page -.



Ethel M Peck
Ex-Officio Recorder

BY

Janet Manais



NAME: MITCHEL

CLAIM: 72-00125C

CORRESPONDENCE

EVIDENCE OF

PRIORITY

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: **A72-00125C**
Date Received: 12/ 7/1989
Receipt No: M005341
Received By: _____

~~COPY FOR
YOUR FILES~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~COPY FOR
YOUR FILES~~

1. Name: A J MITCHELL 208-336-1370
Address: 1940 MANITOU
BOISE ID 83706
AND
Name: TONIA MITCHELL 208-336-1370
Address: 1940 MANITOU
BOISE ID 83706
2. Date of Priority: AUG 15, 1910
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	NE	NE	SW		CUSTER
5. Description of diverting works:
DAM, HEADGATES, OPEN DITCHES FLOOD IRRIGATION
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		
7. Total Quantity Appropriated is:
0.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 16.8 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	31	SW	NE		IRR	5.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	31	NW	SW		IRR	1.7
Section Acres							6.7
Total Acres							6.7

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 72-00125.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ADAMS, ET. AL.

Decree Plaintiff

VANDERVOORT, ET. AL.

vs Decree Defendant

MICROFILMED
NOV 01 1994

CHANGE IN ADDRESS OF NOTICE OF CLAIM

5. 0 1 5 1 0

[] Water Right Number (s): A72-00125C
A72-10281

JAN 10 1995

Department of Water Resources
Southern Region Office

[] Old Mailing Address: AS + Tonia Mitchell
1940 Manitou
Boise, Id 83706

[] New Mailing Address: AS + Tonia Mitchell
P.O. Box 1298
Challis, ID 83226

New Telephone Number: (208) 879-5637

[] Signature of Claimant: Tonia J Mitchell
Date: 1-9-95

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1-12-95

By: HLB

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date: 1-12-95

By: HLB.

SEND TO YOUR NEAREST
REGION OFFICE:

Western Region Office
2735 Airport Way
Boise, ID 83705
(208) 334-2190

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

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

Eastern Region Office
150 Shoup Ave. #15
Idaho Falls ID 83402
(208) 525-7161

Northern Region Office
1910 Northwest Blvd. #210
Coeur d'Alene ID 83814
(208) 756-4539

Mitchell
P.O. Box 1298
Challis, ID 83301

Idaho Dept. Water Resources
222 Shoshone St. East
Twin Falls, ID 83301



Water Right Number - A72-00125C

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***
MITCHELL

A J

MITCHELL

TONIA

*** O - ORIGINAL OWNER ***
HURLESS

GREGORY S.

KLUG

ALEX

HURLESS

MARGARET A.

1 - PO BOX 1298
2 -
3 -
City- CHALLIS
Phone - 208-879-5637
1 - PO BOX 1298
2 -
3 -
City- CHALLIS
Phone - 208-879-5637
1 - P.O. BOX 1045
2 -
3 -
City- CHALLIS
Phone - 208-879-4250
1 - P.O. BOX 1045
2 -
3 -
City- N
Phone - 208-000-0000
1 - P.O. BOX 1045
2 -
3 -
City- CHALLIS
Phone - 208-879-4250
State- ID Zip- 83226
State- ID Zip- 83226
State- ID Zip- 83226
State- ID Zip- 0

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/15/1910 17 SOUTHERN D - DECREED

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

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

+ - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period from Period to Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.200 16.8

Water right number - A72-00125C

Prefix Translation: ADJUDICATION CLAIM

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|-------------|
| 14N | 19E | 31 | SW NE | | 5.0 | 01 | IRRIGATION | (37) CUSTER |
| 14N | 19E | 31 | NW SW | | 1.7 | 01 | IRRIGATION | (37) CUSTER |

Total Acres: 6.7

- - - Diversion Means - DAM, HEADGATES, OPEN DITCHES FLOOD IRRIGATION

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - NONE

Remarks
THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 72-00125.
ADDRESS CHANGE MADE 1-12-95 BY TLB.

- - - A7200125 - - - Old Water Right Numbers - - -

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

- - - Decree Plaintiff - - - +
ADAMS, ET. AL. VANDERVOORT, ET. AL. + Decree Date - +
00/00/0000

- - - Comments - - -
No Comments Found

- - - Audit Fields - - - +
01/12/95 TBACKLUN

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

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 12/07/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - M005341 | Water District | - 72B |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND | Presumption Flag | - |
| | | | | Notice of Error Flag | - |



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

27-Oct-1993

A J MITCHELL
TONIA MITCHELL
1940 MANITOU
BOISE ID 83706

Re: Ownership Change for Adjudication Claim #A72-00125C, A72-10281
HURLESS/MITCHELL

Dear Claimant(s):

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

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

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures

MICROFILMED
NOV 01 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

SEP 07 1993

DATE OF CLOSING: 3 Sept. 93Department of Water Resources
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: Township 14 N Range 19E
 Section 31, SE 1/4 of SW 1/4 of NW 1/4, Govt. Lot ----, BM.
 Lot ---, Block, ---, Subdivision/Townsite -----.
 If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) Assigned by IDWR: A72-00125C A72-10281
- [] Name and Address of Former Owner/Claimant(s)(Seller): Gregory S. Hurless
Margaret A. Hurless
- [] New Owner/Claimant (Purchaser): A.J. Mitchell and Tonia Mitchell
- [] New Mailing Address: 1940 Manitou, Boise, Idaho 83706
- [] New Telephone Number: (208) 336 - 1370
- [] 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: Copy of 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): A.J. Mitchell Date 9-3-93
Tonia Mitchell Date 9/3/93
- [] Signature of Former Owner/Claimant(s): Gregory S. Hurless Date 9/3/93
Margaret A. Hurless Date 9/3/93

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____

Further Action Needed:

Further Action Taken
Date: _____ By: _____Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

NOV 01 1994

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

WARRANTY DEED

0204870

For Value Received

GREGORY S. HURLESS and MARGARET A. HURLESS, husband and wife,

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

A.J. MITCHELL and TONIA S. MITCHELL, husband and wife,

the grantee s, whose current address is, 1940 Manitou, Boise, ID 83706,
the following described premises. to-wit:

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

RECEIVED

SEP 07 1993

Department of Water Resources
Southern Region Office

MICROFILMED

NOV 01 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A72-00125C
Date Received: 12/07/1989
Receipt No: MOD 5341
Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GREGORY S. HURLESS 208-879-4250
Address: P.O. BOX 1045
CHALLIS, ID 83226

AND/OR

Name: MARGARET A. HURLESS 208-879-4250
Address: P.O. BOX 1045
CHALLIS, ID 83226

2. Date of Priority: AUG 15, 1910

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

4. Point of Diversion:

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

5. Description of diverting works:
DAM, HEADGATES, OPEN DITCHES FLOOD IRRIGATION

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.200 | | |

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

8. Total consumptive use is 16.8 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 14N | 19E | 31 | SW | NE | | IRR | 5.0 |
| | | | NW | SW | | IRR | 1.7 |
| Section Acres | | | | | | | 6.7 |
| Total Acres | | | | | | | 6.7 |

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 72-00125.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ADAMS, ET. AL.

Decree Plaintiff

vs

VANDERVOORT, ET. AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: 1

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): X *August S. Hurlst* Date: 12/2/89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of December 19 89
Anna Baunhoff
Notary Public

Seal

Residing at Anna Baunhoff, Notary Public
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 7, 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 10, 2001

RECEIVED

SEP 21 2001

Department of Water Resources
Southern Region

RANDALL AND KATHY MAUGHAN
PO BOX 1354
CHALLIS ID 83226

RE: Snake River Basin Adjudication (SRBA)
Water Rights #72-125C and 72-10281

Dear Water Right Holders:

We have been advised you are the current owners of the property and water rights shown above. I am enclosing the copy of the partial decrees for the water rights referenced above which you may keep for your records. Before we can modify our records to reflect your ownership of the property and water rights referenced above, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use.

Please see Item 8 in the instructions of the ownership change form (highlighted). Because water rights #72-125C and 72-10281 have been partially-decreed, there is a \$25.00 ownership change fee per water right required before we can modify our records.

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosures:

Partial decrees #72-125C and 72-10281
Form 42-248/42-1409(6)

c: Former Owners

RECEIVED

JUL 12 2001

State of Idaho

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTOR

RECEIVED

SEP 21 2001

Department of Water Resources
Southern RegionCHANGE OF OWNERSHIP
LETTER SENT 8-8-01work: 533-7796
FAX: 533-7224

July 6, 2001

CONNIE TESSMER
ROBERT TESSMER
3195 N 3350 W
MOORE ID 83255-8710

New owners address:

P.O. Box 1354
Challis ID 83226RE: Snake River Basin Adjudication (SRBA)
Water Rights #34-218A, 34-10245, 72-125C, 72-10281

Dear Water Right Holders: all records modified 8-8-01

Mail sent to you by the SRBA Court was returned to the SRBA Court by the Postal Service. We received the returned mail on July 2. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by July 31, 2001. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman

Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

we no longer own this property. It's not our responsibility to get the forms to change this. I believe it falls in the hands of the new owners (Randy & Kathy Maughan) 879-2112

we now own a home in Moore and have water rights registered at

The address is correct as shown above or as otherwise changed. that address 3074 N 3400

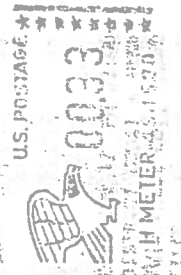
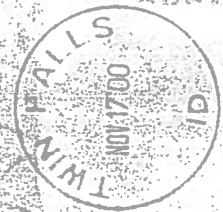
Water Right Holder's Signature

Telephone No.

Moore ID
83255
phone # (208) 554-2025

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

3A-218A-245
3A-24-10C
72-1258
72-1028
72



NAME AND ADDRESS:

CONNIE TESSER
ROBERT TESSER
PO BOX 54
CHALLIS, ID 83226

TESSER 0222620011099 04 11/22/00
FORWARD TIME EXP ATN TO SEND
TESSER 3350 W
MOORE ID 03225-0710
RETURN TO SENDER

0222620011099



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 30, 2001

RECEIVED

SEP 21 2001

Department of Water Resources
Southern Region

RANDALL AND KATHY MAUGHAN
PO BOX 1354
CHALLIS ID 83226

RE: Snake River Basin Adjudication (SRBA)
Water Rights #72-125C and 72-10281

Dear Mr. and Mrs. Maughan:

We are returning your Notice of Change in Water Right Ownership you submitted in response to our August 10, 2001, letter to you. The ownership change you submitted in November, 2000, was sufficient to have these records changed to your names.

Therefore, the fees paid by you in the amount of \$50.00 on receipt #C055864 will be refunded by the State Auditor's Office. You should receive a check in the near future.

We apologize for the confusion.

Sincerely,

Donald V. Shaff
Manager
Adjudication Technical Section

DVS:ss:ref

Enclosure:

Receipt #C055864

REFUND REQUEST

TO: S. Sherman to Log In
 FOR: D. Shaff/D. Allen
 FROM: S. Sherman Date: 8-29-01
 SUBJ: Receipt No. C055864 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR Randall G. or Kathy Maughan
 Address P.O. Box 1354
Chellis ID 83226

Claimant(s) if NOT Payor _____

Refund Amount \$ 50.00 Claim Location (Region/Claimant)

Extension Filed? Y/N NA Copy Attached? Y/N NA

Late Fees Paid? Y/N NA Late Fee Receipt # N/A

S.O. Verified Ext. by _____ on _____ D.B. Query by n/a

Refund Generated By () Agent () Claimant (S. Sherman)

Refund Category:
 insufficient fees / claim incomplete / withdrawn / (o-pmt)

Date of Last Correspondence (copy attached) 8-10-01

| Claim No. | Use* | Fees Paid | Correct Fee | Rec't # |
|-------------------|-----------|-------------|-------------|----------------|
| <u>72-1250</u> | <u>01</u> | <u>\$25</u> | <u>0</u> | <u>C055864</u> |
| * <u>72-10281</u> | <u>43</u> | <u>\$25</u> | <u>0</u> | <u>C055864</u> |
| _____ | _____ | \$ _____ | _____ | _____ |
| _____ | _____ | \$ _____ | _____ | _____ |
| _____ | _____ | \$ _____ | _____ | _____ |
| Total | _____ | \$ _____ | \$ _____ | _____ |

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N (due to duplicate ownership change forms. my error.)

Region AJ Spvsr. Approval _____ S.O. AJ Spvsr. Approval _____
 Don Shaff Approval 8-29-01 Hold _____ To Fiscal 8-30-01
 Logged 8-29-01
 Data Base Modified? Y/N NA A &/or R Records By _____ on _____

November 20, 1998

NOTICE OF ERROR
REPLY

72-00125C
RECEIVED

DEC 21 1998

Department of Water Resources
Southern Region

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

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

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

Water right number: 72-00125C

ROBERT TESSMER
CONNIE TESSMER
PO BOX 56
CHALLIS ID 83226

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

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

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

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

DATE: 12/13/98 SIGNATURE: Connie Tessmer
Please print your name: Connie J. Tessmer

Water Right Number - R72-00125C

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

TESSMER ROBERT 1 - PO BOX 56 VERIFIED BY KKC
2 - 11-3-98
3 -
City- CHALLIS State- ID Zip- 83226
Phone - 208-879-2879

TESSMER CONNNIE 1 - PO BOX 56
2 -
3 -
City- CHALLIS State- ID Zip- 83226
Phone - 208-879-2879

*** O - ORIGINAL OWNER ***

HURLESS MARGARET A 1 - PO BOX 1045
2 -
3 -
City- CHALLIS State- ID Zip- 83226
Phone - 208-879-4250

MITCHELL TONIA 1 - PO BOX 1298
2 -
3 -
City- CHALLIS State- ID Zip- 83226
Phone - 208-879-5637

HURLESS GREGORY S 1 - PO BOX 1045
2 -
3 -
City- CHALLIS State- ID Zip- 83226
Phone - 208-879-4250

MITCHELL A J 1 - PO BOX 1298
2 -
3 -
City- CHALLIS State- ID Zip- 83226
Phone - 208-879-5637

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/15/1910 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 NE NE SW (37) CUSTER

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

01 - IRRIGATION 04/15 10/15 0.150

Prefix Translation: RESEARCH

| + - Total Div. Rate - + | | + - Total Div. Volume - + | | + - Total Div. Capacity - + | | + - Total Consumptive Use - + | | + - KW Usage - + | |
|-------------------------|--|---------------------------|--|-----------------------------|--|-------------------------------|--|------------------|--|
| 0.150 | | | | | | 0.0 | | | |

| Place of Use | | | | | | | | | |
|--------------|-----|-----|-------|-----|-------|------|-------------|--------|--------|
| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County | |
| 14N | 19E | 31 | SW NW | | 3.0 | 01 | IRRIGATION | (37) | CUSTER |
| 14N | 19E | 31 | SE NW | | 0.4 | 01 | IRRIGATION | (37) | CUSTER |

Total Acres: 3.4 *GV-238*

+ - - Diversion Means - DAM, HEADGATES, OPEN DITCHES FLOOD IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks +

EXP 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.

```
+-----+-----+-----+ 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 10/25/93 CHRISTEN 10/27/93 CHRISTEN 01/12/95 TBACKLUN 03/30/95 POST-STD
                     09/03/97 JROBERTS 10/20/98 KCHRISTE
```

+ -Comments- +

Date: 10/22/1993 User Id: CHRISTEN Subject: OWNERSHIP CHANGE ON 10-22-93

OWNERSHIP OF CLAIM CHANGED BASED UPON PREVIOUS OWNER SIGNATURE ON CHANGE FORM. KKC

Date: 10/25/1993 User Id: CHRISTEN Subject: COPIED FROM REMARKS

THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 72-00125. OWNERSHIP CHANGE DATA ENTERED ON 10-22-93 KKC

Date: 01/12/1995 User Id: TBACKLUN Subject: ADDRESS CHANGE

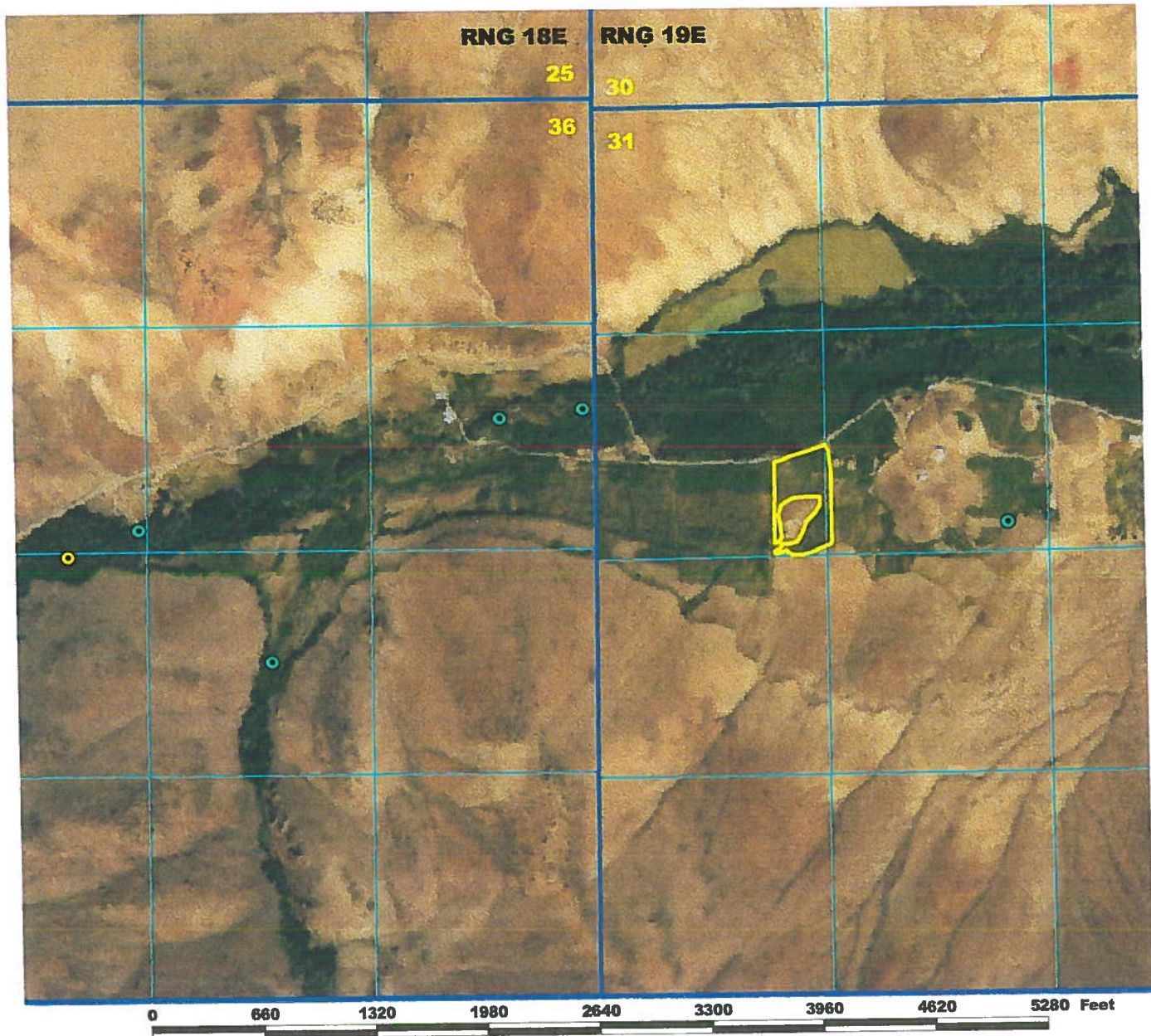
ADDRESS CHANGE MADE 1-12-95.

Date: 09/03/1997 User Id: JRO

FORM AND WARRANTY DEED RECEIVED 6/2/97 FROM AJ AND TONIA MI

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 04/01/1993 | 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 | - 12/07/1989 | 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 | - M005341 | Federal/State Indicator | - S |

72-00125C
SOURCE = GARDEN CREEK



RECOMMENDED PLACE OF USE
TWP 14N RNG 19E, SEC 31
data entry on October 20, 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 72-00125C DATE 10-20-98 TRANSFER NUMBER _____
AGENT RKC CLAIMED ACRE TOTAL 6.7
GIS ACRE TOTAL 3.4

| | TWP | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | |
|-------|------------|------------|-----------|----|----|----------|----|----|----|----|----|----|------------|----|----|----|----|----|------------|
| | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| CLAIM | <u>14N</u> | <u>19E</u> | <u>31</u> | | | <u>5</u> | | | | | | | <u>1.7</u> | | | | | | <u>6.7</u> |
| GIS | | | | | | <u>3</u> | | | | | | | <u>.4</u> | | | | | | <u>3.4</u> |
| RECOM | | | | | | <u>3</u> | | | | | | | <u>.4</u> | | | | | | <u>3.4</u> |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |

B72-DBPOU.SHP _____
SHAPE NOS. _____
238

_____ Claimed Soils Warranty deed ~~*~~
B72-DBPOD.SHP 0.20CFS .25CFS specifies 0.15CFS

NOS. DESCRIPTION
131 Sec 36 Recom 0.15CFS
NENESW

DBF TABLES UPDATED _____
B72-DBPOU.DBF ☒
B72-DBPOD.DBF ☒
9 Peg: ☒

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00125C

DATE: 10-20, 1998

REVIEWED BY KRC

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 |
| <u>DBC</u> | <u>.13</u> | <u>.11</u> | | | <u>5.71</u> | <u>6.69</u> |
| 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 |

| 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 |
|------------|----------------------------|---------------------------|-----------------------------|-----------------------|----------------------|
| <u>DBC</u> | <u>5.71</u> | <u>10</u> | <u>3.4</u> | <u>.13</u> | <u>= 2.5</u> CFS |
| | | | | | = CFS |
| | | | | | = CFS |
| | | | | | = CFS |

TOTAL ACRES _____

DECREED RATE = _____

CLAIMED DIVERSION RATE = _____

MEASURED DIVERSION RATE = _____

MITCHELL

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
HURLESS

GREGORY S.

1 - P.O. BOX 1045

State- IO Zip- 83226

City- CHALLIS
Phone - 208-879-4250
1 - P.O. BOX 1045

HURLESS

MARGARET A.

State- ID Zip- 83226

City- CHALLIS
phone - 208-879-4250

| + - - Priority Date - - + | + - - Region - - - + | + - - Stage - - - + | + - - Status - - - + |
|---------------------------|----------------------|---------------------|----------------------|
| 08/15/1910 | 17 SOUTHERN | D - DECREED | |

| | |
|----------------|-----------------|
| + - - - Source | - - - Tributary |
| GARON CREEK | SALMON RIVER |

| + | un | Rng | Sec | Tract | Lot | Rflg | County | Point of Diversion | + |
|---|----|-----|-----|-------|-----|------|--------|--------------------|---|
|---|----|-----|-----|-------|-----|------|--------|--------------------|---|

(37) CUSTER

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

| | | | |
|-------------------------|---------------------------|-------------------------------|------------------|
| 01 - IRRIGATION | 04/15 | 10/15 | 0.150 |
| + - Total Div. Rate - + | + - Total Div. Volume - + | + - Total Consumptive Use - + | + - KW Usage - + |
| 0.150 | | 7.5 | |

| Twn | Rng | Sec | Tract | Lot | Place of Use | Description | County |
|-----|-----|-----|-------|-----|--------------|-------------|-------------|
| 14N | 19E | 31 | SW NW | 1.0 | 01 | IRRIGATION | (37) CUSTER |
| 14N | 19E | 31 | SE NW | 2.0 | 01 | IRRIGATION | (37) CUSTER |

Total Acres: 3.0

DEC 03 1996

Water right number - R72-00125C Prefix Translation: RESEARCH

+ - - Diversion Means - DAM, HEADGATES, OPEN DITCHES FLOOD IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

THE FOLLOWING RIGHTS ARE ALSO OVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00125B, 04061A, 04061B, 10017,
10297, 00126A, 00124, & 04058.
A DIVERSION RATE OF 0.05 CFS PER ACRE AT THE FIELD HEADGATE IS
INCLUDED IN THE RATE OF DIVERSION FOR THE PLACE OF USE DESCRIBED
ABOVE.

+ - - - - - 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

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

Date: 10/22/1993 User Id: CHRISTEN Subject: OWNERSHIP CHANGE ON 10-22-93
OWNERSHIP OF CLAIM CHANGED BASED UPON PREVIOUS OWNER SIGNATURE ON CHANGE FORM. KKC
Date: 10/25/1993 User Id: CHRISTEN Subject: COPIED FROM REMARKS OWNERSHIP CHANGE DATA ENTERED ON 10-22-93 KKC
THIS CLAIM REPRESENTS A PORTION OF DECREEED RIGHT 72-00125.
Date: 01/12/1995 User Id: TBACKLUN Subject: ADDRESS CHANGE
ADDRESS CHANGE MADE 1-12-95.

+ - - Audit Fields - - +

01/12/95 TBACKLUN

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

Court Report Filing - 00/00/0000 Field Inspection Made - 04/01/1993 Civil Case Number - 39576

Objection Filed Date - 00/00/0000 Field Inspection Flag -

Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Case Number -

Claim Received Date - 12/07/1989 Last Amended Date - 00/00/0000 Temporary Right - P Old Judicial District -

Receipt Number - M005341 Water District - 72B

POU Ownership Flag - Y Federal/State Indicator - S

Name Connector - AND Presumption Flag -

Notice of Error Flag -

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A72-00125C
Date Received: 12/ 7/1989
Receipt No: M005341
Received By: _____

~~COPY FOR~~
~~JUDICIAL FILES~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~YOUR FILE~~
~~YOUR FILE~~

1. Name: A J MITCHELL 208-879-5637
Address: PO BOX 1298
CHALLIS ID 83226
AND
Name: TONIA MITCHELL 208-879-5637
Address: PO BOX 1298
CHALLIS ID 83226

2. Date of Priority: AUG 15, 1910

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 | NE | NE | SW | | CUSTER |

5. Description of diverting works:
DAM, HEADGATES, OPEN DITCHES FLOOD IRRIGATION

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.200 | | |

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

8. Total consumptive use is 16.8 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 14N | 19E | 31 | SW | NE | | IRR | 5.0 |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 14N | 19E | 31 | NW | SW | | IRR | 1.7 |

Section Acres 6.7

Total Acres 6.7

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 72-00125.
ADDRESS CHANGE MADE 1-12-95 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ADAMS, ET. AL.

Decree Plaintiff

VANDERVOORT, ET. AL.

vs Decree Defendant

R PROOF

CVR

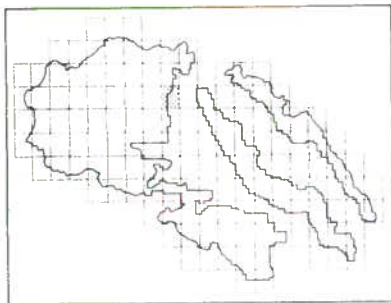
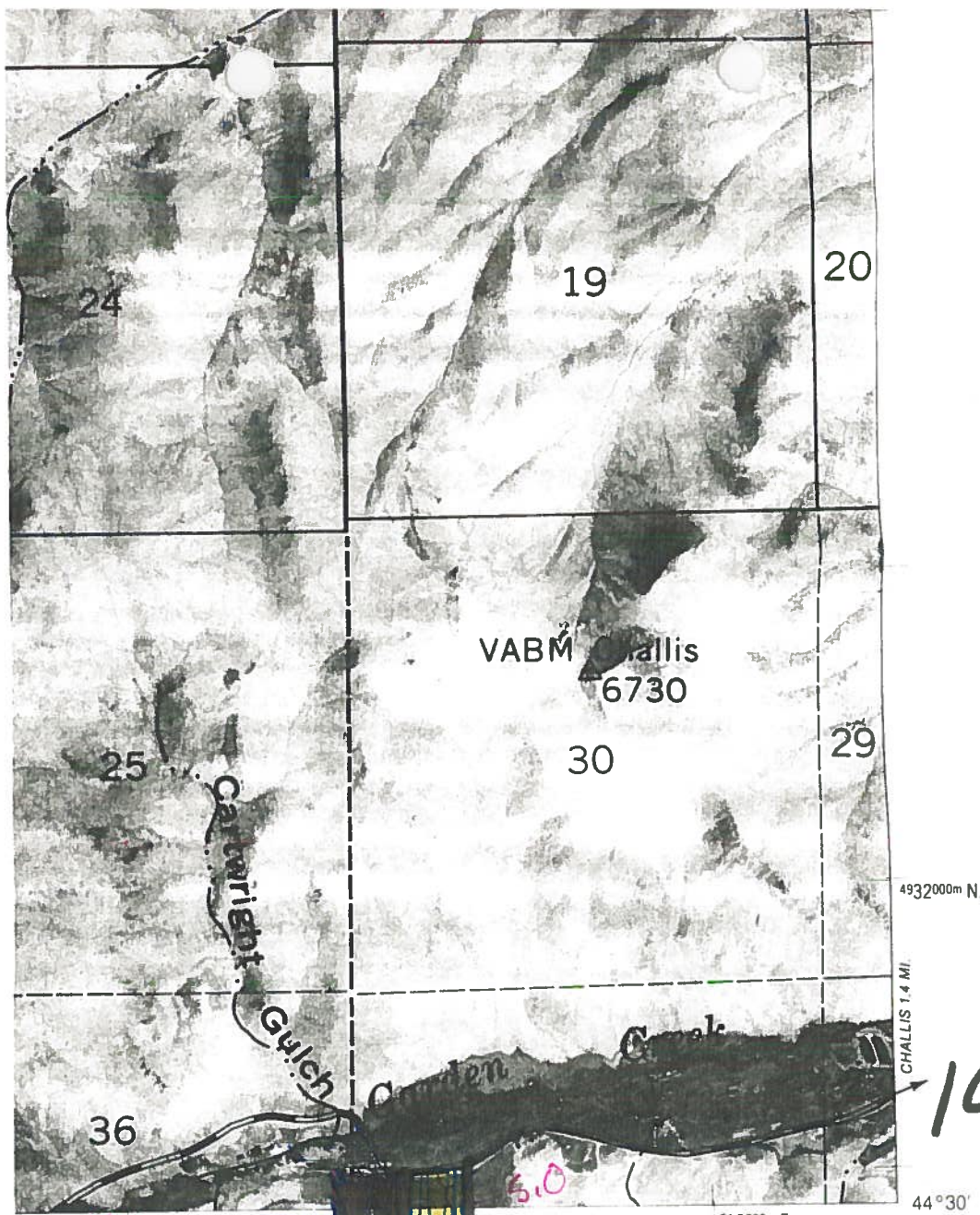
MAPS

PHOTOS

MISC

MICROFILMED

NOV 0 1 1994



CHALLIS NATIONAL FOREST

A72-UXR5C
 TWIN PEAKS SE, IDAHO
 N4430-11415/7.5
 1956

MICROFILMED
MAR 18 1993

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 record
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

**MICROFILMED
MAR 18 1993**

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

DECLARED

| 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 | | |
| DECLARED P/U 72-00124 | | 14N | 18E | 36 | | 40 | 40 | 40 | | | | 40 | | | | | | | | | 1.02CFS |
| DECLARED P/U 72-00125 | | 14N | 19E | 31 | | | | | | 42 | | 42 | | | | | | | | 84 | 1.06CFS |
| DECLARED P/U 72-00126 | | 14N | 19E | 31 | | | | | | | | | | | 40 | 40 | | | | 80 | 1.60CFS |
| DECLARED 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 P/U 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 |
| Armbruster ** 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 |

MICROFILMED
MAR 18 1993

* REPRESENTS THE TOTAL COMBINATION OF 72-00125 & 72-00126

** SOURCE = WASTE WATER

*** Represents a claimed portion of 72-00125 & 72-00126 (COMBINED)

EXHIBIT "A"

204870

A portion of Section 31, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at a point which bears North 10°04' West, 3,055.6 feet from the quarter corner between Sections 6 and 31, Townships 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; EXCEPTING THEREFROM that portion Northeast of the following described line:

Beginning at a point which bears North 10°04' West, 3,055.6 feet from the South Quarter Corner of said Section 31; thence South 89°49' West, 259.4 feet; thence North 18°10' West, 486.0 feet.

ALSO EXCEPTING THEREFROM:

A portion of Section 31, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at a point which bears North 10°04' West, 3,055.6 feet from the quarter corner between Sections 6 and 31, Townships 13 and 14 North, Range 19 East, Boise Meridian, thence South 89°49' West, 259.4 feet to the Point of Beginning; thence continuing South 89°49' West, 216.8 feet; thence South 0°11' East, 593.3 feet; thence South 89°49' West, 237.56 feet; thence North 1°39'28" West, 843.53 feet; thence North 59°52' East, 87.1 feet; thence North 55°46' East, 302.5 feet; thence South 18°10' East, 488.78 feet, (recorde 486.0 feet) more or less to the Point of Beginning.

SUBJECT TO an Easement for an irrigation ditch and incidental purposes across said land granted by Deed dated September 1, 1969, from Alex Klug, et. al., to Watson E. Perry and Phyllis D. Perry, husband and wife, recorded October 14, 1969, as instrument No. 127800, and in Memorandum of Understanding from Watson E. Perry, et. ux., to Gerald Robison, et., ux., dated September 30, 1969, and recorded October 14, 1969, as instrument No. 127802, all records of Custer County, Idaho.

MICROFILMED

NOV 01 1994

Water Right Number - R72-00125C

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
MITCHELL

A J

1 - 1940 MANITOU
2 -
3 -

State- ID Zip- 83706

MITCHELL

TONIA

City- BOISE
Phone - 208-336-1370
1 - 1940 MANITOU
2 -
3 -

State- ID Zip- 83706

*** O - ORIGINAL OWNER ***
HURLESS

GREGORY S.

1 - P.O. BOX 1045
2 -
3 -

State- ID Zip- 83226

HURLESS

MARGARET A.

City- CHALLIS
Phone - 208-879-4250
1 - P.O. BOX 1045
2 -
3 -

State- ID Zip- 83226

Priority Date - - +
08/15/1910

Region - - - +
17 SOUTHERN

Stage - - - +
D - DECREED

Status - - - +

Source - - - - +
GARDEN CREEK

Tributary - - - - +
SALMON RIVER

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

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

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

01 - IRRIGATION 04/15 10/15 0.150

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.150 7.5

| Trn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|-------------|
| 14N | 19E | 31 | SW NW | | 1.0 | 01 | IRRIGATION | (37) CUSTER |
| 14N | 19E | 31 | SE NW | | 2.0 | 01 | IRRIGATION | (37) CUSTER |

Total Acres: 3.0

MICROFILMED
NOV 0 1 1994

VERIFIED BY *SHC*

MICROFILMED
NOV 01 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A72-00125C

15:33:56
10/22/93

| MR 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 | | | KKC
10-22-93 | N | 6 | KKC 10-22-93 | | |
| POINT OF DIV | Y | | 10-22 | N | 1,5,6 | 10-22 | | |
| SOURCE | | | 10-22 | N | 6,6,5 | 10-22 | | |
| PLACE OF USE | Y | | KKC
4-1-93 | Y | 1,2,5,6 | KKC 10-25 | | |
| DIV. AMOUNT
CFS/VOLUME | Y | | 10-25 | Y | 1,5,6 | 10-25 | | |
| CONSUMPTIVE USE | - | | 10-25 | Y | 6 | 10-25 | | |
| PURPOSES | | | 10-25 | Y | 6 | 10-25 | | |
| PERIOD OF USE | Y | | 10-25 | N | 6 | 10-25 | | |
| BASIS OF CLAIM | Y | | 10-27 | N | 6 | 10-27 | | |
| REMARKS | Y | | 10-27 | Y | 6 | 10-27 | | |

"VERIFIED BY" CODES

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

MAPS USED: DATE:
ASCS 4-12 1978
ORTHO T-74 U-24 1956
NAPP
BLM 5-8C-1

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:33:56
10/22/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A72-00125C

LAST: HURLESS
ADDRESS: P.O. BOX 1045
CITY: CHALLIS
PHONE NUMBER: 208-879-4250
OWNER CODE: C

FIRST: GREGORY S.
STATE: ID ZIP: 83226

LAST: KLUG
ADDRESS:
CITY: N
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: ALEX
STATE: ID ZIP: 0

LAST: HURLESS
ADDRESS: P.O. BOX 1045
CITY: CHALLIS
PHONE NUMBER: 208-879-4250
OWNER CODE: C

FIRST: MARGARET A.
STATE: ID ZIP: 83226

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: THIS CLAIM REPRESENTS A PORTION OF DECREED RIGHT 72-00125.

DATABASE
Y
FIELD EXAMINER

MICROFILMED
NOV 01 1994

CONTACT PERSON: Mr

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 4/1/93

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: Margaret Hulse

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: owner

DIRECTIONS TO PROPERTY / NOTES:

MICROFILMED
NOV 01 1994

A. AJ CLAIM: # A72-00125C PRIORITY DATE: 08-15-1910 STAGE: D
B. WR RECORD: # 72-00125 PRIORITY DATE: 08-15-1910 STAGE: D

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

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

NOTES: Claimed priority date matches deceased priority date.
Warranty deed research indicates intent to transfer 1910 estate.
(see add itional attached analysis sheets)

Recommend as claimed.

RECOMMENDED PRIORITY DATE:
08-15-1910

REVIEWED BY KKC DATE 10-22-93

MICROFILMED

NOV 6 1 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|------------|------|------|------|-----|-----|-----|-----|--------|
| A72-00125C | 14N | 18E | 36 | NE | NE | SW | | CUSTER |

OTHER AJ CLAIMS WITH SAME AJ POD

MR RECORDS IN SAME 40 ACRE TRACT

A PREFIX
A72-00125B

72-04058

R PREFIX
R72-00124
R72-00125B
R72-04058
R72-10297

SOURCE: GARDEN CREEK

TRIB: SALMON RIVER

B. MR POINT OF DIVERSION AND SOURCE:

7200125 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 | |

NOTES:

Claimed legal matches found PD so identification on the photo 11-24. 2 PDs are within this 10 acre tract but the other div point seems a little going N of Garden creek for a different upper.

Accept as claimed.

| | |
|-----|-----|
| 7/4 | 7/4 |
|-----|-----|

1/4

LOT

COUNTY

DIVERSION NAME

SOURCE: GARDEN CREEK

TRIB: SALMON RIVER

REVIEWED BY:

Kto

DATE: _____

10-22-93

SYSTEM DESCRIPTION:

MICROFILMED
NOV 01 1994

A72-10017
A72-00125

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME |
|-----|-----|-----|-----|-----|-----|------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

| | |
|-------------|------------|
| TOTAL ACRES | A72-00125C |
|-------------|------------|

6.70

21-00

See Pg 7 for Recommendation

Wrong! Should be SEW

0. Part of original property
but irrigated ground
is north of the 40 Ave line
in the SW 1/4

Send
NUSW

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y FIELD EXAMINER

POU COUNTY: CUSTER

PRESUMPTION FLAG:

NOTES:

RECOMMENDATIONS:

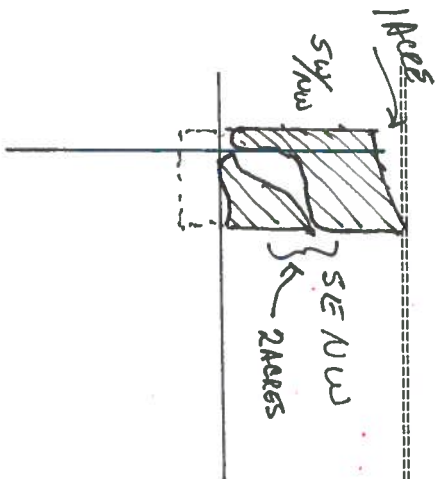
TOTAL ACRES:

3

REVIEWED BY:

KKE

DATE: 10-25-93



Recommend

SW 1/4
SE 1/4

1 Acre
2 Acres

to total acres in P/U = 3 Acres

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A. AJ CLAIMED USES:

PURPOSES
A72-00125C IRRIGATION

FROM 04-01 TO 04-01

4-15-10-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.200 CFS

B. WR RECORDED USES:

PURPOSES
72-00125 IRRIGATION

FROM MONTH/DAY TO MONTH/DAY

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.060 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

| DUE TO WATER-USE DISCREPANCY? | (Y/N) | DATABASE | FIELD EXAMINER |
|------------------------------------|-------|----------|----------------|
| 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 season of use be changed to Dept Standards.

.30 CFS was transferred to General now owned by King and Mattie in 1969 that .30 CFS was subsequently split by Howard in sales to Howard and King with .15 CFS going to each piece of property. Analysis indicates a maximum allowable div rate (including efficiency) of 1.21 CFS

I recommend 0.15 CFS Based upon the unrecorded transfer as shown in warranty deeds.

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$$Y(\frac{1}{N})$$

| | |
|-------|-----|
| 0.200 | CFS |
| 1.060 | 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. **

~~FIELD~~
DATABASE EXAMINER
Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD 5.98, SEE ATTACHED CALCULATIONS.

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE | NAME | DIV. | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|--------------|----------------------|-------|-----------|----------------|-----------|----------------|
| A72-00125C | GARDEN CREEK | HURLESS, GREGORY S. | 0.200 | 0.029 | | | |
| A72-00124 | GARDEN CREEK | SHANNON, MICHAEL DAN | 1.020 | 0.005 | | | |
| R72-00125C | GARDEN CREEK | HURLESS, GREGORY S. | 0.200 | 0.029 | | | |
| 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 | | | |
| R72-07268 | GROUNDWATER | STERLING, DOLLY | 0.060 | 0.013 | | 15.80 | 3.51 |
| A72-07268 | GROUNDWATER | SHANNON, MICHAEL | 0.190 | 0.036 | | | |
| A72-10297 | GARDEN CREEK | KEPPNER, ESTHER | 2.660 | 0.013 | | | |
| A72-11735 | GARDEN CREEK | KEPPNER, ESTHER | 2.420 | 0.019 | | | |
| R72-11735 | GARDEN CREEK | SHANNON, MICHAEL D | 2.420 | 0.019 | | | |
| A72-11763 | JOHN GULCH | | 0.160 | | | | |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|----------|-----------------|---------------------|----------|----------|
| R72-07268 | DOMESTIC | STERLING, DOLLY | FROM 01-01 TO 12-31 | .040 CFS | .60 AF/A |

CLAIM NUMBER: A72-00125C

9

N (X)

ed. ***

12" photograph of a person in a car, possibly a driver, with a license plate that appears to be "A72-00125C". The photo is a black and white print, and the person is wearing a dark jacket. The photo is placed on a white background, and there is a small "X" mark next to the photo.

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| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|------------|---------------------|---------------------|----------|--------|
| A72-10078 | DOMESTIC | KEPNER, RAY | FROM 01-01 TO 12-31 | .040 CFS | |
| A72-10079 | DOMESTIC | KEPNER, RAY | FROM 01-01 TO 12-31 | .040 CFS | |
| A72-10281 | DOMESTIC | HURLESS, GREGORY S. | FROM 01-01 TO 12-31 | .040 CFS | |
| A72-07268 | DOMESTIC | STERLING, DOLLY | FROM 01-01 TO 12-31 | .020 CFS | |
| A72-07268 | STOCKWATER | STERLING, DOLLY | FROM 01-01 TO 12-31 | .020 CFS | |
| R72-10078 | DOMESTIC | KEPNER, ESTHER | FROM 01-01 TO 12-31 | .040 CFS | |
| R72-10079 | DOMESTIC | KEPNER, ESTHER | FROM 01-01 TO 12-31 | .040 CFS | |

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 3 x 0.02 CFS/ACRE = 0.06 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 16.8 AF/A
ACRES 3 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 7.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A Surface 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(☐)

1b. CALCULATIONS

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AC. DESCRIBED = 84.

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

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------|---|----------------------|-----------------------|-------------------|
| IRRIGATION | ~~4-15~~ 10-15
~~10-15~~ 10-15 | 0.200 | 115 | 16.8 |
| TOTAL FOR THIS RIGHT | | 0.200 | | 16.8 |

REVIEWED BY: KKC DATE: 10/25/93

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ACCEPTED AS CLAIMED *cc* NEEDS REVIEW

1.  1
 2.  2
 3.  3
 4.  4
 5.  5
 6.  6
 7.  7
 8.  8
 9.  9
 10.  10
 11.  11
 12.  12
 13.  13
 14.  14
 15.  15

CFS

DIVERSION
RATE

6.400

FIELD
EXAMINER

N
DATABASE

NOTES:

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AUTHENTICATION:

SIGNATURE:

Kelly K. Christensen

DATE:

10-25-93

NAME OF FIELD EXAMINER:

TITLE: *St. Luke's Research Agent*

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POOR ORIGINAL

24

25 | 30
36 | 31

30 | 29
31 | 32

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NOV 0 1 1994

Pb

OUT

Pu

3 Areas investigated

14

13

10

17

POOR ORIGINAL

CLAIM A72-00125C INIT KKC
 T. R. S. Q/Q
 P/D 14N 18E 36 NE/NE.SW (#2)
 PHOTO (T-74) 1956 Flight
 DT. & ID. on file

20

VABM Challis
 6730

26

25

30

29

Gulch

Cartwright

Gulch

Garden

Creek

35

#3

P/P 36

#2 P/P

#1 P/D

MAP

T-74 - 1956 Flight

P/u for
 A72-00125C

P/u for
 A72-00125B

P/u for A72-00126A
 A72-04061B
 A72-07041B

P/u for A72-10017
 A72-04061A
 A72-07041A

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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

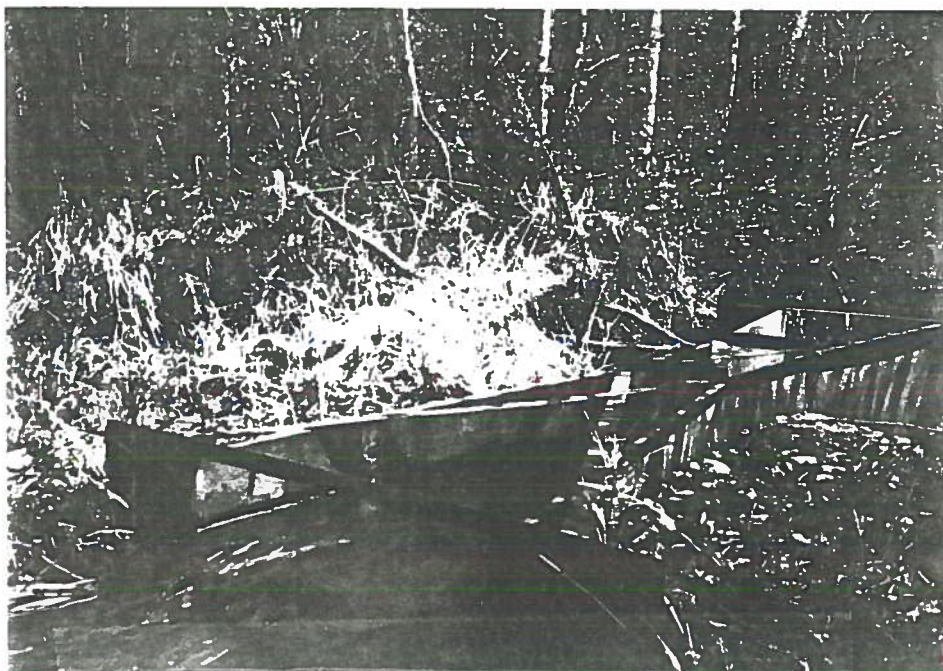
PICTURE # 4

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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CLAIM NO. --- A72-00125C
AGENT ----- KKC
DATE ----- 10/25/93
Lotus Program:
IRR-PRAC.WK3
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 | MAD
(INCHES) | FIELD NOTES AND CALCULATIONS | | | |
|------|-----------------------|-----------------|-----------------|--|----------|---------|---------|
| | | | | FIELD 1 | FIELD 2 | FIELD 3 | FIELD 4 |
| | | | | FIELD WIDTH | 730 | 0 | |
| | | | | IRRIGATION DAYS | 7 | | |
| | | | | DRY DAYS | 3 | | |
| | | | | SET TIME(hours) | 8 | | |
| | | | | CALCULATED RUN (run = acres*43560/width) | | | |
| | | | | LENGTH (RUN) = | 179 | | |
| | | | | CALCULATED BORDER WIDTH (ditch length/irr days * cha | | | |
| | | | | WIDTH = | 24 | | |
| | | | | 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. | mar | Net Irrigation Requirement (mm/day) | | | | | | |
|---------|-------|--------|-----------------|-----|-------------------------------------|------|------|------|------|------|------|
| | | | | | apr | may | jun | jul | aug | sep | oct |
| PASTURE | 3 | FLOOD | 10.3 | | 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 | 3 | | 10 | | 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

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GRADED BORDER EVALUATION

Job name: A72-00125C

Location: DBC SOILS FOR 3 ACRES

By: KKC

Date: Oct 25, 1993

Roughness coefficient (n)= 0.250

Intake family (If)=2.00

Slope (S)= 0.0600 ft/ft

Border width (W)= 24 ft

Net application (Fn)= 1.69 inches

Border length (L)= 179 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 |
|-----------------------------|---|------------------------------|-----------------------------|----------------|--|-------|
| 0.18 | Gross depth is less than required gross application depth | | | | | |
| 0.19 | Gross depth is less than required gross application depth | | | | | |
| 0.20 | Gross depth is less than required gross application depth | | | | | |
| 0.21 | 0.009 | 16.89 | 14.59 | 0.61 | 10.0 | (4) |
| 0.22 | 0.009 | 17.70 | 14.59 | 1.42 | 9.5 | (4) |
| 0.23 | 0.010 | 18.50 | 14.59 | 2.22 | 9.1 | (4) |
| 0.24 | 0.010 | 19.31 | 14.59 | 3.02 | 8.8 | (4) |
| 0.25 | 0.010 | 20.11 | 14.59 | 3.83 | 8.4 | (4) |
| 0.26 | 0.011 | 20.92 | 14.59 | 4.63 | 8.1 | (4) |

(4) Less than minimum recommended depth of flow.

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-18-93

POOR ORIGINAL

Mike Shannon

He was not sure how the decreed 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/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, Herbers 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

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relevant
A72-00125C

capacity
5.28 CFS
KKE 10-25-93

POOR ORIGINAL

WPS (Leave Pg 2/2)

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

DOC # 1. WARRANTY DEED READS (and all water rights)
DATED: 7-8-65 COUNTY RECORD NO. 130258
REFERENCES .20 CFS OF 1910 WATER
REFERENCES .30 CFS OF 1910 WATER FOR 17.5 ACRES
COMBINED TOTAL = 2.66cfs for 164 acres

an exception in the deed describes
property now owned by Kippner (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

135633
MCKISSIE/Vanderhoeven
WARRANTY DEED DATED 10-29-69
COUNTY RECORD NO. 135660
CONVEYED .30 CFS

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

Based upon 8-28-73

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

LINCH

DECEASED .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

Same property as described
in 127801. The deed recorded
on 10-14-69.
describes P/A as owned by
Hurler & King. Also includes a
transfer of .30 CFS. The record
on 7-17-73

The exception specifically
identifies the P/A @ 0.30cfs
now owned by Hurler & King
warranty deed recorded
on 8-28-73

POOR ORIGINAL

LOT 2

Ray Koppert

$$\begin{array}{r} 34 \\ + 270 \\ \hline \end{array}$$

Lot 3

72-0125
84 Ac.

72-0125
84 Ac.

72-0124
80AC

72-0124
80AC

Lot 1

7-833-B
166998
Gary
Marlone

Easy

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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. **MICROFILMED**
waste water no longer available. **NOV 9 1994** ~~Harvest~~ This claim is being recommended as 5 years of non-use has

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/A 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/A 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/A & 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 Armbruster/Wood as wastewater for their use.

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P/D #3 irrigates the ground furthest south and the pump system for sprinkler iri 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 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.

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Analysis of Unrecorded transfer & Preliminary Recommendations

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 A72-00126A " " .10 CFS

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

based upon quit claim deed 135633

From Klug to Perry for the current claimed P/U

Now Hurless A72-00125C Recommended at .15 CFS

King A72-00125B Recommended at .15 CFS

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

Now Shannon A72-10297 Recommended at 2.16 CFS

see also the attached flow chart.

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1-1-93

Decreed diversion Rates Analysis

| Decreed Rights Appurtenant | Priority | Acre | rate | |
|----------------------------|-----------|-----------|-----------------|-----------------|
| 72-00125 | 8-15-1916 | 84 | 1.06 CFS | |
| 72-00126 | 8-15-1910 | <u>80</u> | <u>1.60 CFS</u> | |
| (subtotal) | | 164 | 2.66 CFS | 2.66 CFS |
| 72-00124 | 5-15-79 | NotATED | 1.02 CFS | <u>1.02 CFS</u> |
| total | | | | 3.68 CFS. |

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

| | | |
|------------|-----------------|-----------------|
| A72-00125B | 0.15 CFS | |
| A72-00125C | 0.15 CFS | |
| A72-00126A | 0.10 CFS | |
| A72-10017 | 0.10 CFS | |
| A72-10297 | <u>2.16 CFS</u> | |
| total | | <u>2.66 CFS</u> |

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NOV 1 1994

11-1-93

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 | irrig method | No. of Acres | Border 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 | 80 | <u>5.45 CFS</u> |

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

(For remark code DØ8)

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NOV 01 1994

Southern Region Office

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 E. 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 1/4 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°32' 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. 271.5 feet; thence S. 59°52' W. 87.1 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 5.0 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 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 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 29, 1969.

Martha T. Klug
Alex Klug

Kathleen Williams
Amos Williams
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.

Daniel M. [Signature]
Notary Public
Custer, Idaho
Expiring 9-14-75

No. 1356383
State of Idaho) ss.
County of Custer)

This instrument was filed for
record at the request of
Martha T. Klug, Alex Klug, Kathleen Williams, Amos Williams
on 10/30/69 at 12:17 PM
and duly filed and indexed in
Records of Custer County, Idaho.
Marie Sullivan
Ex-Officio Recorder.

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136037

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 84° 10' West 375.2 feet; thence South 63° 05' West 86.4 feet; thence South 63° 45' West 184.0 feet; thence South 79° 30' West 184.0 feet; thence South 67° 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 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 395.2 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

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excepting
 17.5 Acres &
 300 FS of
 1910 W.A.M.
 Prop now
 owned by
 King &
 Mitchell

NOTIFIED
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REVIEW

136037

Pg 2/4

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-rat 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.

to and appurtenances thereunto
remainder and remainders, rents,
and to the said property, as well

located and described premises,
and to their heirs and
their heirs, the said premises
and part, their
heirs, and against all
claim the same shall and will

whereunto set their

[Seal]

[Seal]

[Seal]

[Seal]

In the year 1979, before me

a Notary Public

G. PHYLLIS D. PERRY,

d to the within instrument, and

ed my official seal, the day and

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

TOGETHER WITH a
of 1879 priority
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 November 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.

MICROFILMED

Notary Public

Residing at Challis, Idaho
My Com. Expires: 1-14-72

POOR ORIGINAL

RECEIVED

APR 14 1944

Department of Water Resources
Southern District

Rg/B 4/4

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

51 inches
and ditch
above-describe

No. 1000
WARRANTY DEED

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

day

of

A. D. 19

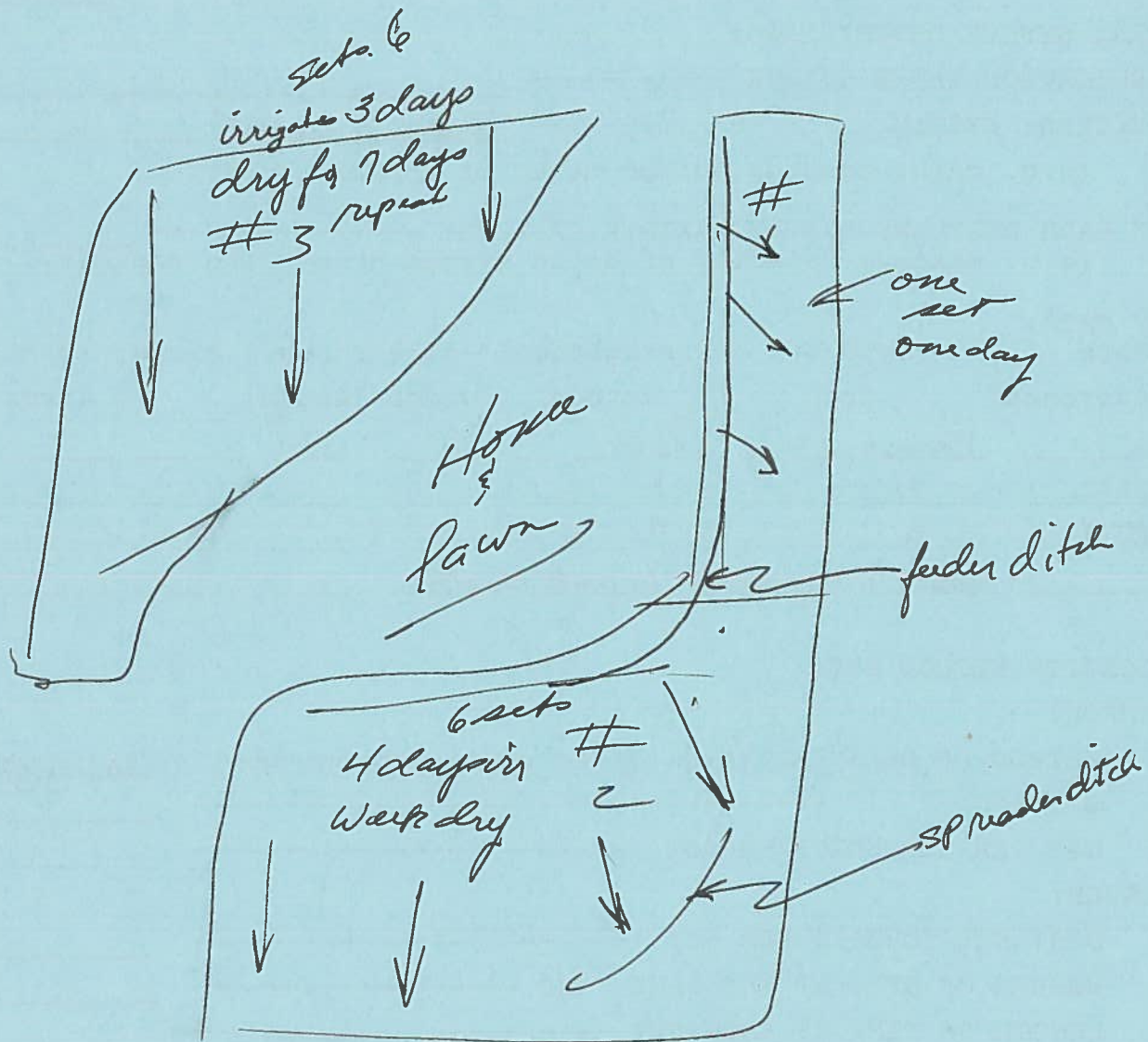
in my office, and duly recorded in Book
of at page

By Ex-Officio Recorder
Deputy

Fee, \$

State of Idaho, County of

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no fates with neighbors normally
when water low.

EXCESSIVE FLOW SYSTEM ANALYSIS WORKSHEET

Hurlers

CLAIM NO. A72-00125C
 DATE 8-4-1-93
 AGENT KKC

GENERAL SYSTEM DESCRIPTION:

IRRIGATION WATER SOURCE -----

DELIVERY SYSTEM ----- DITCH (LOWER)
 (e.g. canal company, ditch name, or sprinkler system)

ON FARM DELIVERY SYSTEM MAXIMUM CAPACITY -----
 (e.g. maximum capacity of ditch system or pumping capacity)

FIELD DATA:

| photo
reference | type of
crop | irrigation
method | dimensions
width length | slope | total
acres |
|---------------------------------------|-----------------|----------------------|----------------------------|-------|----------------|
| #1 | Pasture (Grass) | Flood | 40 150? | — | — |
| #2 | " " | " | | | |
| #3 | " " | " | | | |
| <u>Lawn irrigated with well water</u> | | | | | |

APPLICATION METHOD DATA:

FURROW:

METHOD OF DELIVERY (e.g. gated pipe; syphon tube)

SPACING -----

GPM PER CORRUGATE/FURROW -----

BORDER:

DISTANCE COVERED PER SET -----

NUMBER OF SETS AT THE SAME TIME -----

LENGTH OF TIME OF EACH SET -----

IRRIGATION ROTATION:

IRRIGATION DAYS TO COVER P/U -----

DRY DAYS BETWEEN IRRIGATIONS -----

TOTAL ROTATION DAYS -----

in Dampierville

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