

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: A72-00159A

Date Received: 11/ 3/1989

Receipt No: S010367

Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: TINA W SHOBE 208-879-2456
Address: HC 82 BOX 4023
CHALLIS ID 83226

2. Date of Priority: MAY 1, 1919

3. Source: WEST FORK OF MORGAN CR. Trib. to: MORGAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	19E	32	NW	NE	NW		CUSTER

5. Description of diverting works:
PLASTIC IRRIG. DAM, DITCH, FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	5.180		

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

8. Total consumptive use is 135.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	19E	32	NE	NE		IRR	1.0
			NW	NE		IRR	19.0
			SW	NE		IRR	3.0
			SE	NE		IRR	7.0
			NE	NW		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	19E	32	NE	SE		IRR	7.0
						Section Acres	42.0
		33	NW	SW		IRR	6.0
			SW	SW		IRR	7.0
						Section Acres	13.0
						Total Acres	55.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00158A, 00160A, 10035

14. Remarks:

TRANS. 3091
***** OWNERSHIP CHANGE MADE BASED UPON ORIGINAL CLAIMANT'S
SIGNATURE. KKC *****
***** CLAIM AMENDED ON 2-8-94 TO CHANGE DIVERSION RATE AND TO ADD
9 ACRES TO THE P/U. KKC. *****

OWNERSHIP CHANGE MADE 7/19/97 BY TLB.

1/4/99 TF; CLAIMANT NAME CHANGED FROM BRUGGENKAMP TO SHOBE.
OWNERSHIP OF THIS CLAIM HAS NEVER CHANGED. CLAIMANTS LAST NAME
HAS CHANGED DUE TO REMARRIAGE: TINA W HOURIHAN BRUGGENKAMP SHOBE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

IVAN HUGHES, ET AL
Decree Plaintiff

VAL JONES, ET AL
vs Decree Defendant

STATE 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.

RECEIVED
DEC 16 1998
Department of Water Resources
Southern Region

1. Water Right No(s).: 72-00158A, 72-00159A, 72-00160A, 72-10035
Adjudication Claim No(s).: 72-16278 - (remove John H. Bruggenkamp)
: see also Quit Claim deed attached to 93, owner change.
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 Tina W. Bruggenkamp
HC82 BOX 4023, Challis, ID 83226
4. New Owner/Claimant(s) Tina W. Shobe
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address same address
City, State and ZIP Code _____
New Telephone Number () no change
5. Date you acquired the property _____
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) Tina W. Shobe
(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..

QUITCLAIM DEED

For Value Received I, Tina W. Shobe, Formerly known as Tina W. Bruggenkamp

do hereby convey, release, remise and forever quitclaim unto Tina W. Shobe

whose current address is HC 82, Box 4023, Challis, ID 83226

the following described premises, to-wit:

H. W. Survey No. 147 embracing a portion of approximately Sections 29, 32, and 33 Township 16 North, Range 19 East, Boise Meridian. Custer County, Idaho, more particularly bounded and described as follows:

Beginning at Corner No. 1 from which the North corner to Section 4 and 5 in Township 15 North, Range 19 East, bears South 22°08' West, 12.42 chains; thence North 33°52' East, 10.83 chains to Corner No. 2; thence North 45°37' West, 20.73 chains to Corner No. 3; thence North 37°56' West, 24.67 chains to Corner No. 4; thence North 14°19' West, 17.8 chains to Corner No. 5; thence North 43°25' West, 25.46 chains to Corner No. 6; thence South 37°54' West, 20.75 chains to Corner No. 7; thence South 76°46' East, 15.68 chains to Corner No. 8; thence South 36°20' East, 72.81 chains to Corner No. 1; the place of beginning.

together with their appurtenances.

Dated: 12-11-98

Tina W. Bruggenkamp

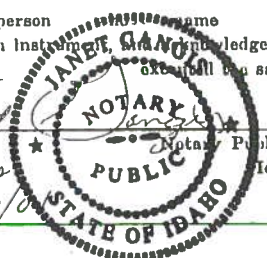
Tina W. Shobe

STATE OF IDAHO, COUNTY OF

On this 11th day of December, 1998, before me, a notary public in and for the said State, personally appeared Tina Shobe

known to me to be the person subscribed to the within instrument and acknowledged to me that she executed the same.

Residing at Challis
Comm. Expires 4/30/00



STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of Tina W. Shobe

at 13 minutes past 10:00 o'clock P.M.,
this 11 day of December, 1998, in my office, and duly recorded in Book of Deeds at Page

Edward M. Rich
Ex-Officio Recorder

By *Barbara C. Bredbre* Deputy.

Fees \$ 300
Mail to:

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: A72-00159A
Date Received: 11/03/1989
Receipt No: S010367
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TINA W. HOURIHAN
Address: HC 82 BOX 4023
CHALLIS, ID 83226

208-879-4718

2. Date of Priority: MAY 01, 1919

3. Source: WEST FORK OF MORGAN CR. Trib. to: MORGAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	19E	32	NW	NE	NW		CUSTER

5. Description of diverting works:
PLASTIC IRRIG. DAM, DITCH, FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.460		

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

8. Total consumptive use is 135.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	19E	32	NE	NE		IRR	1.0
			NW	NE		IRR	15.0
			SW	NE		IRR	3.0
			SE	NE		IRR	3.0

A72-00159A

Page 1

Date: 11/03/89

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MAR 18 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	19E	32	NE	NW		IRR	4.0
			NE	SE		IRR	5.0
			SE	SE		IRR	1.0
					Section Acres		32.0
		33	NW	SW		IRR	5.0
			SW	SW		IRR	8.0
					Section Acres		13.0
					Total Acres		45.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

A72-00158A, 00160A, 10035

trans. 3091

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

IVAN HUGHES, ET AL

Decree Plaintiff

vs

VAL JONES, ET AL

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

72-00159

Date Received

Receipt Number

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

NOV 2 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Tina W. Hourihan Phone (208) 879-4718Mailing Address HC 82- BOX 4023, Challis, ID Zip 832262. Date of Priority (Only one (1) per claim) May 1, 19193. Source of water supply (a) West Fork of Morgan Cr.
which is tributary to (b) Morgan Cr.4. a. Location of existing point of diversion is: Township 16 N Range 19 E Section 32,
NW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Custer

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.A plastic irrigation dam is used
to turn the water from the West fork of Morgan Cr. into our
ditch system. We flood irrigate.

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MAR 18 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from May 1 to Nov 1 amount 0.46 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.46 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 135 acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16N	19E	32	1	15	3	3	4								5			1	32
16N	19E	33										5	8						13
16N	19E	29												X			X		

Total number of acres irrigated 45

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

12. Do you own the property listed above as place of use? Yes XX No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

IDWR - # 72-00158 and # 72-00160 or None ()

14. Remarks:

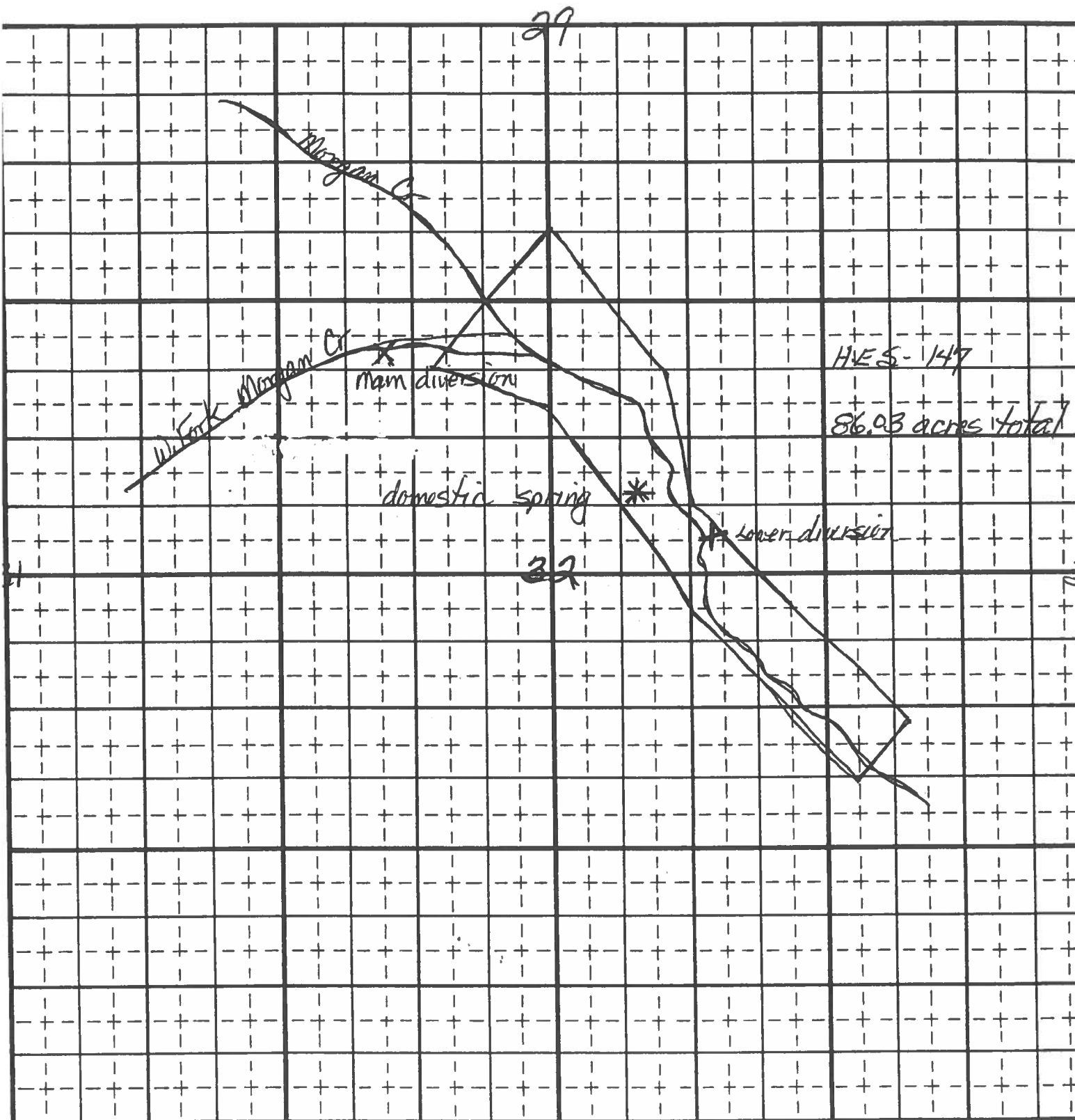
Last Name Houirhan Ident No. # 72-00159

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Copies MAR 1 8 1983 State, Year-Claimant

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

Scale: 2 inches equals 1 mile



MICROFILMED

MAR 18 1993

Last Name Houriha

Ident No. #72-00159

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Bel. Special Use _____ Posted Notice _____ License _____ Permit _____

Decree XX

If applicable provide IDWR Water Right Number #72-00159

Court Sixth District Case Number _____ Decree Date 5/2/1935

Plaintiff vs Defendant Ivan Hughes et al vs Val Jones et al

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) Tina W. Hourihan Date Nov. 1, 1989

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 1st day of November 19 89

SEAL

Notary Public Jami L Brausen

Residing at Challis

My Commission Expires 6-8-92

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Hourihan Ident. Number #72-00159

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MAR 18 1992
Copies White State, Yellow Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Nov. 7, 1989

Re: A72-10035
A72-00158A
A72-00159A
A72-00160A

TINA HOURIHAN
HC 82 BOX 4023
CHALLIS ID 83226

Dear Claimant(s):

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

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

Yours truly,

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

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 18 1993

RECEIVED

FEB 14 1994

Department of Water Resources
Southern Region Office

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A72-00159A
Date Received: 11/ 3/1989
Receipt No: S010367
Received By: _____

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

1. Name: JOHN H BRUGGENKAMP 208-879-2456
Address: HC 82 BOX 4023
CHALLIS ID 83226
AND
Name: TINA W BRUGGENKAMP 208-879-2456
Address: HC 82 BOX 4023
CHALLIS ID 83226

2. Date of Priority: MAY 1, 1919

3. Source: WEST FORK OF MORGAN CR. Trib. to: MORGAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	19E	32	NW	NE	NW		CUSTER

5. Description of diverting works:
PLASTIC IRRIG. DAM, DITCH, FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.460 5.18		

7. Total Quantity Appropriated is:
~~0.460~~ C.F.S. (and/or) ~~1.0~~ A.F.A.

8. Total consumptive use is 135.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	19E	32	NE	NE		IRR	1.0

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NOV 01 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	19E	32	NW	NE		IRR	15.0
			SW	NE		IRR	3.0
			SE	NE		IRR	3.0
			NE	NW		IRR	4.0
			NE	SE		IRR	5.0
			SE	SE		IRR	1.0
							38.0
						Section Acres	32.0
		33	NW	SW		IRR	6.0
			SW	SW		IRR	8.0
							14.0
						Section Acres	13.0
						Total Acres	54.0 45.0

JB
4B

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00158A, 00160A, 10035

14. Remarks:
TRANS. 3091
***** OWNERSHIP CHANGE MADE BASED UPON ORIGINAL CLAIMANT'S
SIGNATURE. KKC *****

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

IVAN HUGHES, ET AL
Decree Plaintiff

VAL JONES, ET AL
vs Decree Defendant

16. Signature(s) x

John Bruggenkamp

x *Tina W. Bruggenkamp*

(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:

MICROFILMED
NOV 01 1994

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): John Bruggenkamp Date: 2-9-94
Tina W. Bruggenkamp Date: 2-9-94

State of Idaho)
County of Luster) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of February 19 94 Charlotte K. Porter
Notary Public

Seal

Residing at Bohemia, Idaho
My Commission Expires 7-14-98

MICROFILMED
NOV 01 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

07-Jan-1994

TINA BRUGGENKAMP
HC 82 BOX 4023
CHALLIS ID 83226

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A72-00158A,
A72-00159A, & A72-00160A

Dear Ms Bruggenkamp

I have started the final review of your adjudication filings and have found several items that need your input.

ADDITIONAL ACRES FOUND

First, using a combination of the ortho photograph T - 25 and the BLM 7-9D-6 aerial photograph, I find that your irrigated ground is 54 acres rather than the 45 acres identified on the 1985 transfer that split off a portion of your decreed rights for domestic purposes. Looking at the quarter/quarter numbers it appears that there must have been a difference in scale that underestimated the place of use during the transfer analysis. If you agree with me and wish to claim the additional nine acres you can amend your claims to include those acres. There would be a \$1.00 per acre fee due for those acres or a total fee of \$9.00 for the new acres. I have enclosed copies of your three decreed claims for your use if you elect to claim those acres.

EXCESS FLOW ANALYSIS

Excess flows (high water use greater than one inch per acre) can be recommended if; 1. a priority date can be established, 2. the need for excess flows are identified, 3. capacity to divert that rate exists, and 4. that use is claimed.

1. If excess flows have been used on the decreed place of use since the decree date of 5-2-1935 and some evidence of priority supporting that date is submitted I can accept that as a valid priority date. If you submit evidence that supports a later date which is prior to the mandatory permit statutes of May 20, 1971, that date will become your priority date. Uses developed after May 20, 1971 require a permit and

MICROFILMED
NOV 01 1994

BRUGGENKAMP
PAGE 2
07-Jan-1994

I cannot recommend a beneficial use claim after that date. Enclosed is a pamphlet discussing Evidence of Priority. Other claimants on Morgan Creek have filed for excess flows and have filed affidavits addressing that use to support the priority date claimed.

2. Using a rotation practice of seven days and soil information supplied by the Soil Conservation Service, excess flow analysis indicates an optimum diversion rate requirement of 5.18 cfs. This calculation is sufficient to establish the need for excess flows for your 54 acres.

3. I measured your two diversions and found 4.05 cfs being diverted. This rate does not include the spring water that rises in the ditch around the farmstead. I will note that that water as being used but as I have no way of quantifying that water it will not be formally included on your claims as a source.

RATE SUMMARY

Measured	----	4.05 cfs	Excess flow analysis	5.18 cfs
Total decreed -		<u>1.15 cfs</u>		<u>1.15 cfs</u>
not claimed ---		2.90 cfs		4.03 cfs

I can recognize up to the system capacity of 4.05 cfs or (if you can demonstrate the ability to divert) the analysis limit of 5.18 cfs.

4. If you wish to claim the excess flows an additional claim is necessary which requires an additional \$50.00 filing fee. As your original claims were filed timely there will not be a late filing fee assessed. I have enclosed a claim form for your use if you decide to file.

SUMMARY

1. To claim the additional 9 acres all three original claims must be amended. Just cross out any incorrect information, enter the correct information above that entry, initial the change, sign the claim form, and have your signature notarized. I have enclosed an aerial photo showing the basis for my acre analysis and a quarter/quarter acre summary. Fees due would be a total of \$9.00.

MICROFILMED
NOV 01 1994

BRUGGENKAMP
PAGE 3
07-Jan-1994

2. To claim the excess flow a new claim is required. The claim form should be filled out completely except for the third page that requests a sketch of the P/U. As I have already identified the P/U through a field examination a sketch is not necessary. This form must also be notarized. Fees due would be \$50.00 (all variable fees have previously been paid).

3. Evidence of priority for the excess flow claim is necessary.

If you have any further questions please contact this office and I will discuss them with you.

Sincerely



Kelly K. Christensen
Sr. Water Resource Agent

enclosures

P.S. as your change of ownership form lists your names with {AND}, Both of your signatures are required before the amendments are valid.

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
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Ident. Number: **A72-00159A**
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ACQUIRED UNDER STATE LAW**

1. Name: JOHN H BRUGGENKAMP 208-879-2456
Address: HC 82 BOX 4023
CHALLIS ID 83226

AND

Name: TINA W BRUGGENKAMP 208-879-2456
Address: HC 82 BOX 4023
CHALLIS ID 83226

2. Date of Priority: MAY 1, 1919

3. Source: WEST FORK OF MORGAN CR. Trib. to: MORGAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	19E	32	NW	NE	NW		CUSTER

5. Description of diverting works:
PLASTIC IRRIG. DAM, DITCH, FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.460		

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

8. Total consumptive use is 135.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
16N	19E	32	NE	NE		IRR	1.0

A72-00159A

Page 1

Date: 01/07/94

MICROFILMED
NOV 01 1994

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	19E	32	NW		NE		IRR	15.0
			SW		NE		IRR	3.0
			SE		NE		IRR	3.0
			NE		NW		IRR	4.0
			NE		SE		IRR	5.0
			SE		SE		IRR	1.0
			Section Acres					32.0
		33	NW		SW		IRR	5.0
			SW		SW		IRR	8.0
			Section Acres					13.0
			Total Acres					45.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00158A, 00160A, 10035

14. Remarks:
TRANS. 3091
***** OWNERSHIP CHANGE MADE BASED UPON ORIGINAL CLAIMANT'S
SIGNATURE. KKC *****

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

IVAN HUGHES, ET AL
Decree Plaintiff

VAL JONES, ET AL
vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

MICROFILMED
NOV 01 1994

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
NOV 01 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 3-5-93

LEGAL DESCRIPTION OF PROPERTY: Township 16 North Range 19 East, Boise Meridian
Sections 29, 32 + 33 1/4 of 1/4 of 1/4, Govt. Lot , BM. Custer County
Lot , Block , Subdivision/Townsite . H.E. Survey No 147
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) **R E C E I V E**
- [] Water Right Number(s) Assigned by IDWR: 72-00158, 72-00159, + 72-00160 **MAR 24 1993**
Department of Water Resources
Southern Region Office
- [] Name and Address of Former Owner/Claimant(s)(Seller): Tina W. Hourihan
HC 82-Box 4023
Challis, ID 83226
- [] New Owner/Claimant (Purchaser): John H. + Tina W. Bruggenkamp
- [] New Mailing Address: HC 82-Box 4023
Challis, ID 83226
- [] New Telephone Number: (208) 879-2456
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: Quitclaim Deed *See 72-00158A KKC*
(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): John H. Bruggenkamp Date 3-20-93
Tina W. Bruggenkamp Date 3-20-93
- [] Signature of Former Owner/Claimant(s): Tina W. Hourihan Date
Date

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

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: By:
Further Action Needed:
Further Action Taken
Date: By:
Final Review and Data-Entry
Date: By:
Claim Numbers of Split, if any:

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

MICROFILMED
NOV 01 1993

Water Right Number - R72-00159A

Prefix Translation:

RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

SHOBE

TINA W

1 - HC 82 BOX 4023

2 -

3 -

City- CHALLIS

Phone - 208-879-2456

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***

TINA W

1 - HC 82 BOX 4023

2 -

3 -

City- CHALLIS

Phone - 208-879-4718

State- ID Zip- 83226

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

05/01/1919 17 SOUTHERN D - DECREED

Source - - - - - +

MORGAN CREEK, WEST FORK

MORGAN CREEK

Tributary - - - - -

MORGAN CREEK

SALMON RIVER

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

Twn	Rng	Sec	Tract	Lot	Rflg	County
16N	19E	32	NE NW NW	(37)	CUSTER	(37) CUSTER
			NE NE SE	(37)	CUSTER	

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

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	0.460	

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

0.460 0.460 0.0

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

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
16N	19E	29	SW SE		0.6	01	IRRIGATION	(37) CUSTER
16N	19E	32	NW NE		17.0	01	IRRIGATION	(37) CUSTER
16N	19E	32	SW NE		2.8	01	IRRIGATION	(37) CUSTER
16N	19E	32	SE NE		5.4	01	IRRIGATION	(37) CUSTER
16N	19E	32	NE NW		5.9	01	IRRIGATION	(37) CUSTER
16N	19E	32	NE SE		8.8	01	IRRIGATION	(37) CUSTER
16N	19E	33	NW SE		5.8	01	IRRIGATION	(37) CUSTER
16N	19E	33	SW SW		4.0	01	IRRIGATION	(37) CUSTER

Total Acres: 50.3

+ - - Diversion Means - PLASTIC IRRIG. DAMS, DITCHES, TO FLOOD IRRIGATION.

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - 72-00158A, 72-00160A, 72-16278

Remarks

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.93 CFS.
COMBINED RIGHT NOS: 72-00158A, 72-00159A, 72-00160A, AND 72-162787A

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 50.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS: 72-00158A, 72-00159A, 72-00160A, AND 72-16278/9. USE OF THIS RIGHT IS LIMITED TO HOMESTEAD ENTRY # 147.

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 147.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 72-00158A, 72-00159A, 72-00160A, & 72-16278.

No Old Water Right Numbers Found

Old Water Right Numbers

----- Conditions of Approval -----
C02 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER

- RIGHTS IN BASIN 72:

	NONE	NONE
THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER		

- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATERWAYS IN THE SHAKT PIVER BASIN.

WATER RIGHT NO.	SOURCE
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
29	29
30	30
31	31
32	32
33	33
34	34
35	35
36	36
37	37
38	38
39	39
40	40
41	41
42	42
43	43
44	44
45	45
46	46
47	47
48	48
49	49
50	50
51	51
52	52
53	53
54	54
55	55
56	56
57	57
58	58
59	59
60	60
61	61
62	62
63	63
64	64
65	65
66	66
67	67
68	68
69	69
70	70
71	71
72	72
73	73
74	74
75	75
76	76
77	77
78	78
79	79
80	80
81	81
82	82
83	83
84	84
85	85
86	86
87	87
88	88
89	89
90	90
91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

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

- CONJUNCTIVELY.

- Decree Plaintiff - - +
HES, ET AL

Decree Defendant
VAL JONES, ET AL

+ - Decree Date - +
05/02/1935

+	-----	Comments-----	+
	Date: 03/17/1994	User Id: CHRISTEN	Subject: COPIED FROM REMARKS
	TRANS. 3091		
	Date: 07/18/1997	User Id: TBACKLUN	Subject: OWNERSHIP CHANGE
	O/C MADE FROM 1409(7),	QUITCLAIM DEEDS,	& DIVORCE DECREE.

Prefix Translation: RESEARCH

12/29/99 KCHRISTE

Adjudication Rights Dates and Flags Area					
Court Report Filing	- 01/29/1999	Field Inspection Made	- 08/05/1993	Civil Case Number	- 39576
Objection Filed Date	- 06/02/1999	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/03/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 72F
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	- C
				Notice of Error Flag	-

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, December 29, 1999 4:30 PM
To: Denniston, Sara
Subject: SF5 SHOBE 72-00158A, 00159A, 00160A, AND 16278

I created the R records today (12-29-1999) for the above listed claims. I deleted 1 acre from Sec 33 SWSW place of use and then reduced the permissible place of use POU1 remark by 1 acre also. I added the court dates and field exam dates back into the dates and flags fields. Basin 72 GIS master has been updated and a copy of the layout is attached.

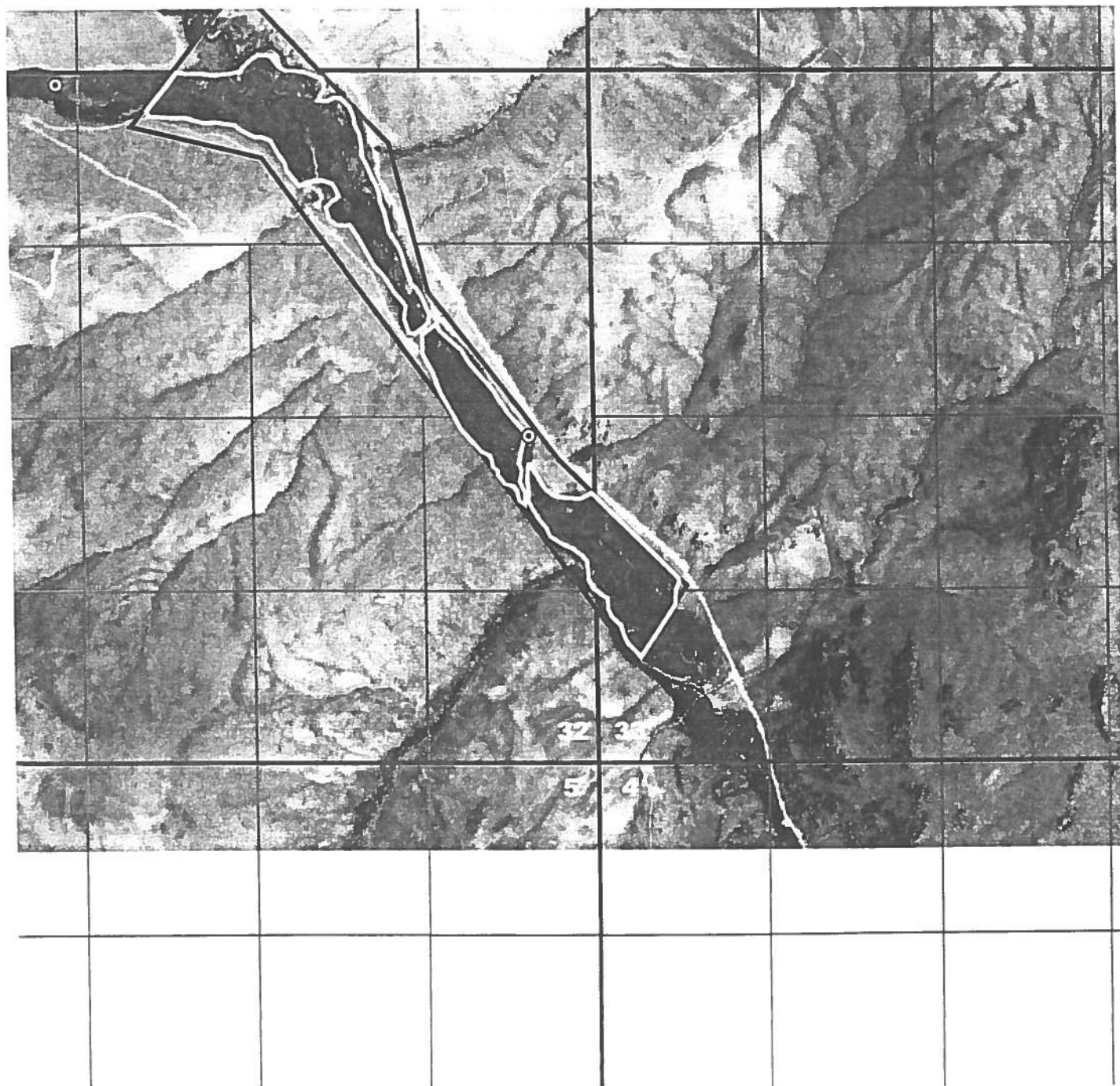


72-00158a sf5 p-u
shobe.jpg

As the diversion rate was not addressed in the settlement, I did not address it in the records update.

Kelly K Christensen

**RECOMMENDED PLACE OF USE
BASED UPON SETTLEMENT CONFERENCE
HELD 12-2-99**



**RECOMMENDED PLACE OF USE
TWP 16N, RNG 19E, SEC 29, 32, 33
Data Entry on December 29, 1999**



- ⊙ **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

72-00158A 72-16278

DATE

12-29-99

TRANSFER NUMBER

00159A

AGENT

K KC

CLAIMED ACRE TOTAL 55

00160A

GIS ACRE TOTAL 50.3

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	16N	19E	32	1	19	3	7	5								7			4
GIS					17	2.8	5.4	5.9								8.8			
RECOM					17	2.8	5.4	5.9								8.8			3
CLAIM	16N	19E	33										6	7					1
GIS													5.8	4					
RECOM													5.8	4					0
CLAIM	16N	19E	29															-0-	
GIS																		.6	1
RECOM																		.6	1
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP

SHAPE NOS.

182 Modified
183 Shape
184 used the
same
Shape #.

Based upon the 12-2-99 SFS settlement
1 acre in the SWSW of Sec 33 was outside
of the HES Boundary and thereby on BLM
Ground. This acre was agreed upon to be
excluded from the recommended P/71.
(The original recommendation was for
5 acres in Sec 33 SWSW)
No Change to P/D. or div rates.

B72-DBPOD.SHP

NOS. DESCRIPTION

98 Sec 32
NENWNW

Source = W. Fork Morgan Cr

99 Sec 32

NENESE

Source = Morgan Cr

DBF TABLES UPDATED

B72-DBPOU.DBF

B72-DBPOD.DBF

RECEIVED

DEC 6 1999

Department of Water Resources

DISTRICT COURT SRBA
FIFTH JUDICIAL DISTRICT
COUNTY OF TWIN FALLS, STATE OF IDAHO

DEC 2 1999

BY _____
CLERK
DEPUTY CLERK

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

In Re SRBA

Subcase 72-0159A
(Insert Water Right Number)

Case 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

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

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

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

Date: 12/2/99

Tina W. Shobe
(Claimant)

Sam C. Brim
(Objector) FWP
OF ATTORNEYS FOR THE UNITED STATES

Janis Robertson
IDWR Concurrence & Water Res. Agent
AS TO FORM
12/2/99
Attorney for IDWR

AJ5856NP
1999

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: NOV-17-

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

PAGE: A-120

RIGHTS FROM: SOURCE: MORGAN CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-00159A

NAME & ADDRESS: TINA W SHOBE
HC 82 BOX 4023
CHALLIS ID 83226

SOURCE: MORGAN CREEK, WEST FORK TRIBUTARY: MORGAN CREEK
MORGAN CREEK SALMON RIVER

QUANTITY: 0.46 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.93 CFS.
COMBINED RIGHT NOS: 72-00158A, 72-00159A, 72-00160A, AND 72-16278

PRIORITY DATE: 05/01/1919

POINT OF DIVERSION: T16N R19E S32 NENWNW Within CUSTER County
NENESE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 0.46 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T16N R19E S29 SWSE 0.6
S32 NENE 17 SWNE 2.8 SENE 5.4 NENW 5.9
NESE 8.8
S33 NWSW 5.8 SWSW 5.4
54.3 50.3 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
OF A COMBINED TOTAL OF ~~54.3~~ 50.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS: 72-00158A, 72-00159A, 72-00160A, AND 72-16278
USE OF THIS RIGHT IS LIMITED TO HOMESTEAD ENTRY #147.

FWP

MS

AJ5856NP
NOV-17-1999

IDAHO DEPARTMENT OF WATER RESOURCES

DATE:

PAGE: A-121

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHTS FROM: SOURCE: MORGAN CREEK TRIBUTARY: SALMON RIVER
RIGHT NUMBER: 72-00159A (CONT)

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

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

WATER RIGHT NO. SOURCE
NONE NONE

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

WATER RIGHT NO. SOURCE
NONE NONE

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

~~PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 147.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 72-00158A, 72-00159A, 72-00160A, &
72-16278

FWP

JS

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on December 2, 1997, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

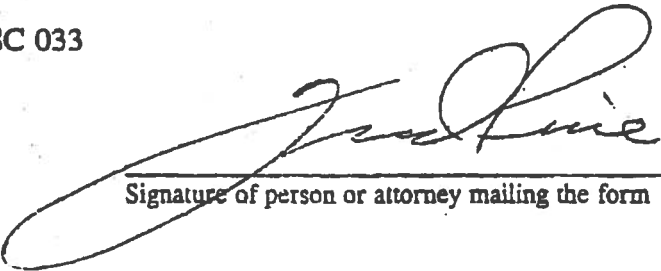
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

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

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Adjudication Team
550 W Fort St., MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

RECEIVED KC

JUN 29 1999

Department of Water Resources
Southern Region

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

In Re SRBA

Case No. 39576

A. Subcase 72-00159A

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494
United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

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

Name: Tina W Shobe

Address: HC 82 Box 4023 Challis, ID 83226

Name:

Address:

Name:

Address:

Name:

Address:

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

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

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

E. REASONS SUPPORTING OBJECTION(S):

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho)

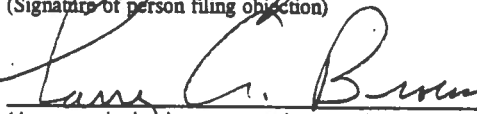
) ss.

County of Ada)

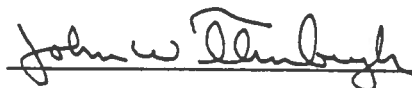
Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999



John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: Tina W Shobe
Address: HC 82 Box 4023 Challis, ID 83226
Name:
Address:
Name:
Address:
Name:
Address:

3. Copies to:

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

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

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


Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-545

RIGHTS FROM: SOURCE: MORGAN CREEK TRIBUTARY: SALMON RIVER
RIGHT NUMBER: 72-00159A

NAME & ADDRESS: TINA W SHOBE
HC 82 BOX 4023
CHALLIS ID 83226

SOURCE: MORGAN CREEK, WEST FORK TRIBUTARY: MORGAN CREEK
MORGAN CREEK SALMON RIVER

QUANTITY: 0.46 CFS

USE OF THIE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.93 CFS.
COMBINED RIGHT NOS: 72-00158A, 72-00159A, 72-00160A, AND 72-16278

PRIORITY DATE: 05/01/1919

POINT OF DIVERSION: T16N R19E S32 NENWNW BLM Within CUSTER County
NENESE BLM

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 04-01 10-31 0.46 CFS

PLACE OF USE: IRRIGATION Within CUSTER County
T16N R19E S29 SWSE 0.6 BLM/PUT
S32 NWNE 17 BLM/PUT SWNE 2.8 BLM/PUT SENE 5.4 BLM/PUT NENW 5.3 BLM/PUT
S33 NESE 8.8 BLM/PUT
51.3 ACRES TOTAL NWSW 5.8 BLM/PUT SWSW 5 BLM/PUT

USE OF THIS RIGHT IS LIMITED TO HES 147

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
OF A COMBINED TOTAL OF 51.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS: 72-00158A, 72-00159A, 72-00160A, AND 72-16278

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

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JAN-26-1999
PAGE: A-546

RIGHTS FROM: SOURCE: MORGAN CREEK TRIBUTARY: SALMON RIVER
RIGHT NUMBER: 72-00159A (CONT)

OTHER PROVISIONS: (CONT)

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

WATER RIGHT NO.	SOURCE
NONE	NONE

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

WATER RIGHT NO.	SOURCE
NONE	NONE

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

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 147.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - DECREE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 72-00158A, 72-00159A, 72-00160A, &
72-16278.

November 20, 1998

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 72-00159A

TINA W BRUGGENKAMP
HC 82 BOX 4023
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: 12-9-98 SIGNATURE: Tina W. Shobe
Please print your name: _____

AJ5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

11/03/98 13:59:36
Page 1

Water Right Number - R72-00159A

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

BRUGGENKAMP

TINA W

1 - HC 82 BOX 4023

2 -

3 -

City- CHALLIS

Phone - 208-879-2456

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***

HOURIHAN

TINA W

1 - HC 82 BOX 4023

2 -

3 -

City- CHALLIS

Phone - 208-879-4718

State- ID Zip- 83226

BRUGGENKAMP

JOHN H

1 - HC 82 BOX 4023

2 -

3 -

City- CHALLIS

Phone - 208-879-2456

State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1919 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
MORGAN CREEK, WEST FORK MORGAN CREEK
MORGAN CREEK SALMON RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
16N 19E 32 NE NW NW (37) CUSTER
NE NE SE (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.460

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.460 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
16N 19E 29 SW SE 0.6 01 IRRIGATION (37) CUSTER
16N 19E 32 NW NE 17.0 01 IRRIGATION (37) CUSTER
16N 19E 32 SW NE 2.8 01 IRRIGATION (37) CUSTER
16N 19E 32 SE NE 5.4 01 IRRIGATION (37) CUSTER
16N 19E 32 NE NW 5.9 01 IRRIGATION (37) CUSTER
16N 19E 32 NE SE 8.8 01 IRRIGATION (37) CUSTER
16N 19E 33 NW SW 5.8 01 IRRIGATION (37) CUSTER
16N 19E 33 SW SW 5.0 01 IRRIGATION (37) CUSTER

Total Acres: 51.3

Water right number - R72-00159A

Prefix Translation: RESEARCH

+ - - Diversion Means - PLASTIC IRRIG. DAMS, DITCHES, TO FLOOD IRRIGATION.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-00158A, 72-00160A, 72-16278

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

QNT USE OF THIE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.93 CFS.
COMBINED RIGHT NOS: 72-00158A, 72-00159A, 72-00160A, AND 72-16278

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
OF A COMBINED TOTAL OF 51.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS: 72-00158A, 72-00159A, 72-00160A, AND 72-16278

GEN PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 147.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 72-00158A, 72-00159A, 72-00160A, &
72-16278.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
C02 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
IVAN HUGHES, ET AL VAL JONES, ET AL 05/02/1935

+ - - Audit Fields - 11/13/92 CLELLAND 03/17/94 CHRISTEN 03/30/95 POST-STD 05/06/96 RMCCARTH 07/18/97 TBACKLUN
10/12/98 KCHRISTE

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

Date: 03/17/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
TRANS. 3091

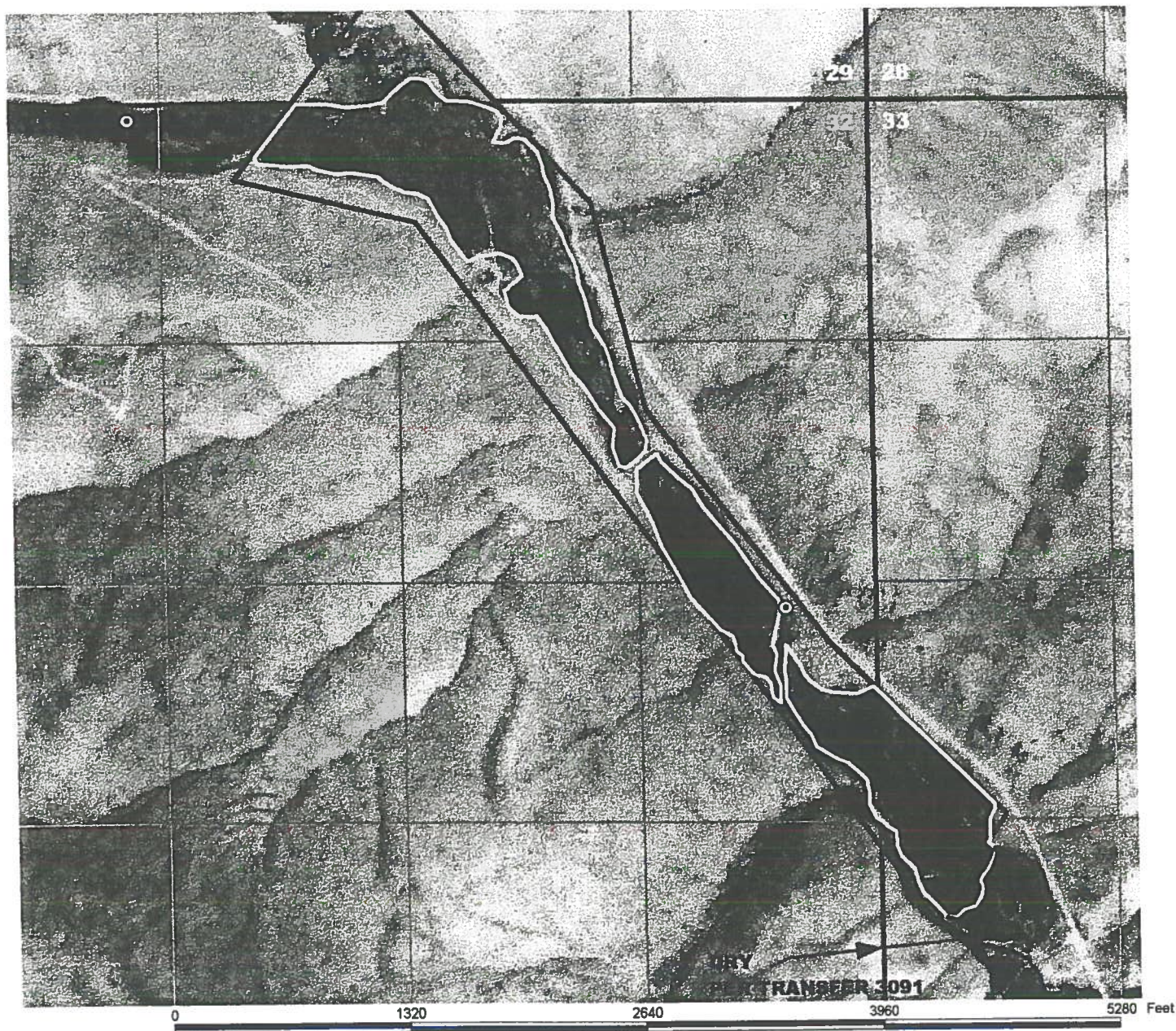
Date: 07/18/1997 User Id: TBACKLUN Subject: OWNERSHIP CHANGE
O/C MADE FROM 1409(7), QUITCLAIM DEEDS, & DIVORCE DECREE.

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 08/05/1993	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	- 11/03/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 72F
Licensed Date	- 00/00/0000	Receipt Number	- S010367	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	- AND	Notice of Error Flag	-

IDAHO DEPARTMENT OF WATER RESOURCES

**72-00158A, & 72-00159A, 72-00160A, 72-16278
BRUGGENKAMP**



**RECOMMENDED PLACE OF USE
TWP 16N RNG 19E, SEC 29, 32 & 33
data entry on October 12, 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**

AIM NUMBER 72-00158A 72-00159A DATE 10-12-98
72-00160A 72-16278 AGENT KKC

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 55
 GIS ACRE TOTAL 51.3

				NE				NW				SW				SE				
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
AIM	16N	19E	32	1	19	3	7	5								7				42
GIS					17	2.8	5.4	5.9								8.8				
ECOM					17	2.8	5.4	5.9								8.8				39.9
													6	7						13
AIM	16N	19E	32										5.8	5						
GIS													5.8	5						10.
ECOM																				
AIM	16N	19E	29															-0-		
GIS																		.6		.6
ECOM																		.6		.6

72-DBPOU.SHP unioned into 3 polygons.
 SHAPE NOS. the Southernmost end of the property was
182 "dried up" through transfer 3091.
183
184

372-DBPOD.SHP
 NOS. DESCRIPTION
 98 Sec 32 Source =
NENW1/4 W. Fork Morgan Cr

$$\begin{array}{r}
 3.93 \\
 - 1.15 \\
 \hline
 2.78
 \end{array}$$
Rate = 4.05 CFS
Hubble

99 Sec 32 Source = 72-00158A - 18.46 CFS Rate
NENE1/4 Morgan Cr. 72-00159A , 46 CFS 3.93 C
72-00160A , 23 CFS.
1.15 CFS
72-16278 5.18 CFS

DBF TABLES UPDATED
 B72-DBPOU.DBF ☒
 B72-DBPOD.DBF ☒

Limiting factor

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00158A 72-00159A
72-00160A 72-16278

DATE: 10-12, 1998

REVIEWED BY KKC

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DB1	.13	.11			5.66	6.65
DBB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DRF	.18	.19			9.08	9.68
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
GO1	.10	.12			12.47	10.51
KEG	.08	.07			8.73	10.06
MBF	.15	.12			7.65	5.81
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

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	
BC1	5.82	12	* 35.7	* .16	= 3.98	CFS
RP1	4.89	12	* 15.6	* .19	= 1.21	CFS
			*	*	=	CFS
			*	*	=	CFS
TOTAL ACRES						3.93 CFS
DECREED RATE =						
CLAIMED DIVERSION RATE =						
MEASURED DIVERSION RATE =						

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: A72-00159A
Date Received: 11/ 3/1989
Receipt No: S010367
Received By: *OJC AB*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: TINA W BRUGGENKAMP
Address: HC 82 BOX 4023
CHALLIS ID

208-879-2456

83226

2. Date of Priority: MAY 1, 1919

3. Source: WEST FORK OF MORGAN CR. Trib. to: MORGAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	19E	32	NW	NE	NW		CUSTER

5. Description of diverting works:
PLASTIC IRRIG. DAM, DITCH, FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	11/01	5.180		

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

8. Total consumptive use is 135.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
16N	19E	32	NE	NE		IRR	1.0
			NW	NE		IRR	19.0
			SW	NE		IRR	3.0
			SE	NE		IRR	7.0
			NE	NW		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	19E	32	NE	SE		IRR	7.0
						Section Acres	42.0
		33	NW	SW		IRR	6.0
			SW	SW		IRR	7.0
						Section Acres	13.0
						Total Acres	55.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00158A, 00160A, 10035

14. Remarks:
TRANS. 3091
***** OWNERSHIP CHANGE MADE BASED UPON ORIGINAL CLAIMANT'S
SIGNATURE. KKC *****
***** CLAIM AMENDED ON 2-8-94 TO CHANGE DIVERSION RATE AND TO ADD
9 ACRES TO THE P/U. KKC. *****

OWNERSHIP CHANGE MADE 7/19/97 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

IVAN HUGHES, ET AL
Decree Plaintiff

VAL JONES, 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

AUG 18, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TINA BRUGGERKAMP
HC 82 BOX 4023
CHALLIS ID 83226

RE: SRBA CLAIM(S): A72-00158A, 00159A, 00160A, 10035
HOURIHAN

DEAR CLAIMANT(S):

IN PURSUANT TO THE NOTIFICATION OF THE NAME CHANGE ON THE PROPERTY WITH ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE UPDATED THE DEPARTMENT'S RECORDS. PLEASE REVIEW THESE COPIES FOR ACCURACY. THESE COPIES ARE FOR YOUR RECORDS.

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

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L. BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

ENCLOSURES

RECEIVED

MAY 15 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

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).: A72-10035, A72-00158A, A72-00159A, A72-00160A
 Adjudication Claim No(s).: AJ5855 NP ?

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating you 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 AERIA PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Tina W. Hourihan

4. New Owner/Claimant(s)

Tina W. BruggenkampName Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

HC B2 BOX 4023

City, State and ZIP Code

Challis, ID 83226

New Telephone Number

(208) 879-2456

5. Date you acquired the property

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 space 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)

Tina W. Bruggenkamp5/13/97

(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..

NAME: John H Bruggenkamp
ADDRESS: Box 1206 Challis, Id 83226
TELEPHONE: 879-5000

DISTRICT COURT
CUSTER COUNTY
IDAHO

SEP 25 4 02 PM '96

IN THE DISTRICT COURT OF THE 7th JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF Custer

Plaintiff,
John H. Bruggenkamp

vs.

Defendant
Tina W. Bruggenkamp

CASE NO. CV-96-138
COMPLAINT

COMES NOW the Plaintiff, and for cause of action against the Defendant complains
and alleges as follows:

I
Plaintiff is, and has been, a resident of the State of Idaho for a period of six weeks
next proceeding the filing of this Complaint.

II
Plaintiff and Defendant were married on January 1, 19 93
in Challis, Idaho, and have been and still are
husband and wife.

III
CHILDREN, CUSTODY AND VISITATION

- ☒ A. Plaintiff and Defendant have had no children as a result of this marriage.
☐ B. During the course of the marriage the Plaintiff and Defendant have had issue of
said marriage, namely:

NAME

DATE OF BIRTH

VI

FORMER NAME

Prior to the marriage, the Defendant had the name of Tina W. Hourihan.

VII

GROUNDS

During the course of the marriage between the Plaintiff and Defendant there have arisen certain irreconcilable disputes and differences that cannot be resolved, and therefore the marriage should be dissolved.

WHEREFORE, Plaintiff prays for judgment as follows:

① That the bonds of matrimony now existing between the Plaintiff and Defendant be dissolved and that the Plaintiff be awarded a decree of divorce on the grounds of irreconcilable difference.

N/A 2. That the _____ be awarded the custody of the minor children of the parties, subject to reasonable visitations rights in the _____, those children being:

N/A 3. That the _____ be ordered to pay the sum of dollars(\$ _____) per month, per child for support of the minor children of the parties, said sum payable to the Clerk of this Court on the first day of each and every month until each child attains the age of majority or becomes emancipated.

4. That the Community residence of the parties:

☐ Be granted to the Defendant, subject to lien in favor of the N/A in the amount of \$ 0, CR

☐ Be sold and the net proceeds of sale divided equally between the parties; OR

☐ Be sold and the _____ pay the _____ the sum of \$ _____ from the net proceeds of sale.

5. That the Court divide the community property of the parties in the following manner:

To the Plaintiff:

*As agreed by both parties
in Schedule "A"*

To the Defendant:

203735

QUITCLAIM DEED

For Value Received I, TINA W. BRUGGENKAMP, FORMERLY KNOWN AS TINA W. HOURIHAN,

do hereby convey, release, remise and forever quitclaim unto JOHN H. BRUGGENKAMP AND TINA W. BRUGGENKAMP, HUSBAND AND WIFE,

whose current address is HC 82, BOX 4023, CHALLIS, IDAHO 83226

the following described premises, to-wit:

H. E. Survey No. 147 embracing a portion of approximately Sections 29, 32, and 33, Township 16 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly bounded and described as follows:

Beginning at Corner No. 1 from which the North corner to Section 4 and 5 in Township 15 North, Range 19 East, bears South 22°8' West, 12.42 chains; thence North 33°52' East, 10.83 chains to Corner No. 2; thence North 45°37' West, 20.73 chains to Corner No. 3; thence North 37°56' West, 24.67 chains to Corner No. 4; thence North 14°19' West, 17.8 chains to Corner No. 5; thence North 43°25' West, 25.46 chains to Corner No. 6; thence South 37°54' West, 20.75 chains to Corner No. 7; thence South 76°46' East, 15.68 chains to Corner No. 8; thence South 36°20' East, 72.81 chains to Corner No. 1, the Place of Beginning.

together with their appurtenances.

Dated: 3-5-93

Tina W. Hourihan

Tina W. Bruggenkamp

STATE OF IDAHO, COUNTY OF CUSTER
On this 5th day of MARCH, 1993,
before me, a notary public in and for the said State, personally appeared TINA W. Hourihan
now known as TINA W. Bruggenkamp

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Betsy Kende
Notary Public
Challis, Idaho

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at the request of Tina W. Bruggenkamp
at 29 minutes past 5 o'clock P.M.
this 5th day of March
1993, in my office, and duly recorded in Book
of Deeds at Page

Ethel M. Pede
Ex-Officio Recorder
By Wanda J. Murphy Deputy.
Fees \$ 3.00
Mail to:

QUITCLAIM DEED

For Value Received

JOHN H. BRUGGERKAMP

do hereby convey, release, remise and forever quitclaim unto TINA BRUGGERKAMP
whose current address is HC82 BOX 4023 CHALLIS, ID 83226
the following described premises, to-wit:

*See attached
legal description*

together with their appurtenances.

Dated: 7-25-96

John H. Bruggerkamp

STATE OF IDAHO, COUNTY OF Custer
On this 25 day of September, 1996,
before me, a notary public in and for the said State, personally appeared

John H. Bruggerkamp

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Shirley Swindell
Notary Public

Residing at Challis, Idaho
Comm. Expires 7-21-98

STATE OF IDAHO, COUNTY OF

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

at _____ minutes past _____ o'clock M.,
this _____ day of _____,
19____, in my office, and duly recorded in Book
of Deeds at Page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

R PROOF

CVR

MAPS

PHOTOS

MISC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Presumption Memorandum Status

AGENT XX KKC

DATE 3-21-94

CLAIM NUMBER	STAGE	PRESUMPTION CATEGORY			WITHIN A PPU	
		1st	2nd	Accomplished transfer	(YES)	(NO)
<u>A72-00159A</u>	<u> </u>	<u> </u>	<u> </u>	<u>CØ2 CØ3</u>	<u>X</u>	<u> </u>

FIRST PRESUMPTION ISSUES: DATE OF CHANGE IF KNOWN: _____
RECOMMENDED ACRES WITHIN THE ORIGINAL DECREED P/U: _____
RECOMMENDED ACRES OUTSIDE OF DECREED P/U: _____

SECOND PRESUMPTION ISSUES: DATE OF CHANGE IF KNOWN: _____

ACCOMPLISHED TRANSFERS: DATE OF CHANGE IF KNOWN: Nothing recognized
TYPE OF CHANGE: (P/D), P/U), (N/U), (OTHER) (Physical)

Chg considered a clerical correction of decree info
regarding P/D location & source identification

OVERLAPPING CLAIMS: <u>A72-00158A</u>	ACRES	_____	ACRES
<u>160A</u>	ACRES	_____	ACRES
<u>16278</u>	ACRES	_____	ACRES
_____	ACRES	_____	ACRES
_____	ACRES	_____	ACRES

MICROFILMED
No. 01-1114

Water Right Number - R72-00159A

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BRUGENKAMP

TINA W

BRUGENKAMP

JOHN H

VERIFIED BY *KKC*

1 - HC 82 BOX 4023
2 -
3 -
City- CHALLIS
Phone - 208-879-2456
1 - HC 82 BOX 4023
2 -
3 -
City- CHALLIS
Phone - 208-879-2456

State- ID Zip- 83226

State- ID Zip- 83226

*** 0 - ORIGINAL OWNER ***
HOURIHAN

TINA W.

1 - HC 82 BOX 4023
2 -
3 -
City- CHALLIS
Phone - 208-879-4718

State- ID Zip- 83226

+ - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1919 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - Tributary - - - - - +
WEST FORK MORGAN CREEK MORGAN CREEK
MORGAN CREEK SALMON RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
16N 19E 32 NE NW NW (37) CUSTER
NE NE SW (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.460

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.460 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
16N 19E 32 NW NE 19.0 01 IRRIGATION (37) CUSTER
16N 19E 32 SW NE 3.0 01 IRRIGATION (37) CUSTER
16N 19E 32 SE NE 7.0 01 IRRIGATION (37) CUSTER
16N 19E 32 NE NW 5.0 01 IRRIGATION (37) CUSTER
16N 19E 32 NE SE 7.0 01 IRRIGATION (37) CUSTER
16N 19E 33 NW SW 6.0 01 IRRIGATION (37) CUSTER
16N 19E 33 SW SW 7.0 01 IRRIGATION (37) CUSTER

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NOV 0 1 1984

Water right number - R72-00159A

Prefix Translation: RESEARCH

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

Total Acres: 54.0

+ - - - - Diversion Means - PLASTIC IRRIG. DAMS, DITCHES, TO FLOOD IRRIGATION.

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use - 72-00158A, 72-00160A, 72-16278

Remarks - - - - -

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE: 72-00158A, 72-00160A, & 72-16278. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.05 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 135 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 54 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00158A, 72-00160A, AND 72-16278. PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 147.

+ - - - - No Old Water Right Numbers Found - - - - - Old Water Right Numbers - - - - -

C02 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO IDAHO CODE 42-1416A.

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO IDAHO CODE 42-1416A.

Decree Plaintiff	Decree Defendant	Decree Date
IVAN HUGHES, ET AL	VAL JONES, ET AL	05/02/1935

Date: 03/17/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS TRANS. 3091

Comments - - - - -

+ - - - - Audit Fields - - - - -
03/17/94 CHRISTEN

Adjudication Rights Dates and Flags Area		Civil Case Number	
Court Report Filing	- 00/00/0000	Field Inspection Made	- 08/05/1993
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-
Response Filed Date	- 00/00/0000	Verified Date	- 03/17/1994
Claim Received Date	- 11/03/1989	Last Amended Date	- 00/00/0000
		Receipt Number	- S010367
		POU Ownership Flag	- Y
		Name Connector	- AND
		Notice of Error Flag	-

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NOV 01 1994

05/30/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A72-00159A

LAST: HOUKIHAN
ADDRESS: HC 82 BOX 4023
CITY: CHALLIS
PHONE NUMBER: 208-879-4718

FIRST: TINA W.
STATE: ID ZIP: 83226

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE FIELD
EXAMINER

REMARKS: TRANS. 3091

FIELD EXAMINATION INFORMATION

CONTACT PERSON: *TINA BRUGGERMAN*

DATE OF FIELD EXAM: *8/5/93*

APPOINTMENT MADE: Y() N()

PHONE NUMBER: () - -

ACCOMPANIED BY: *TINA, Pauline*

TIME: A() P()

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

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NOV 01 1994

A. AJ CLAIM: # A72-00159A

PRIORITY DATE: 05-01-1919

STAGE: D

B. WR RECORD: # 72-00159

PRIORITY DATE: 05-01-1919

STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
NFIELD
EXAMINER

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

IF YES EXPLAIN.

REMARKS:

Claimed Priority matches Decreed Priority
found P/T matches Decreed P/T

Heurba & accept Priority date as claimed

RECOMMENDED PRIORITY DATE:

05-01-1919

REVIEWED BY

XKC

DATE

3-17-94

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-00159A	16N	19E	32	NW	NE	NW		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD
 A PREFIX R PREFIX
 A72-00158A NONE

SOURCE: WEST FORK OF MORGAN CR.

TRIB: MORGAN CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
00159	16N	19E	32	NW	NW	NE		CUSTER

OTHER WR RECORDS WITH SAME WR POD
 AJ CLAIMS IN SAME 40 ACRE TRACT
 A PREFIX R PREFIX

72-00158
 72-00160

SOURCE: MORGAN CREEK

TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

Found 2 P/D's; Decree indicates 2 P/D's in the same Q Q with M. Carr the source the decree legal roughly agrees with the Northern P/D found on the West Fork Moga Cr. The second found P/D (on Morgan Creek paper) is considered to be in strata and to be the second described P/D listed in the decree. The decree appears to have been date entered in error (1 P/D date entered twice). Recommend as indicated and flag again legal def with C P 3 (topographic change just as decreed flag) flag the added source with a C P 2. again topographic change just as decreed flag

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SOURCE: REVIEWED HY:



THE

LATE

3-17-94

COUNTY
Morgan Co
Missouri,
4

RECOMMENDED POINT(S) OF DIVERGENCE TWP. RGE. SEC.	AND SOURCE: 1/4 1/4	LOT	COUNTY
16W 19E 32	NE NW NE NE	NW SW	-Source W. F. Morgan Co
			-Source Morris Co.

16N 19E 32

NE NW
NE NE

NEW
-Source with mg
SW
-Source Morad Co.

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A. ROOT WATER RIGHT NUMBERS: A72-00159A

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16N	19E	32	NE	NE		HOURIHAN, TINA W.	A72-00159A / 1.0	-	-	0	0
			NE	NE		HOURIHAN, TINA W.	A72-00158A / 1.0	-	-		
			NE	NE		HOURIHAN, TINA W.	A72-00160A / 1.0	-	-		
16N	19E	32	NW	NE		HOURIHAN, TINA W.	A72-00159A / 15.0	-	-	19	19
			NW	NE		HOURIHAN, TINA W.	A72-00158A / 15.0	-	-		
			NW	NE		HOURIHAN, TINA W.	A72-00160A / 15.0	-	-		
			NW	NE		HOURIHAN, TINA	A72-10035 /	-	-		
16N	19E	32	SW	NE		HOURIHAN, TINA W.	A72-00159A / 3.0	-	-		
			SW	NE		HOURIHAN, TINA W.	A72-00158A / 3.0	-	-		
			SW	NE		HOURIHAN, CORNELIUS	A72-00160A / 3.0	-	-		
			SW	NE		HOURIHAN, CORNELIUS	72-00158	/	/	3	3
			SW	NE		HOURIHAN, CORNELIUS	72-00159	/	/		
			SW	NE		HOURIHAN, CORNELIUS	72-00160	/	/		
16N	19E	32	SE	NE		HOURIHAN, TINA W.	A72-00159A / 3.0	-	-	7	7
			SE	NE		HOURIHAN, TINA W.	A72-00158A / 3.0	-	-		
			SE	NE		HOURIHAN, TINA W.	A72-00160A / 3.0	-	-		
16N	19E	32	NE	NW		HOURIHAN, TINA W.	A72-00159A / 4.0	-	-	5	5
			NE	NW		HOURIHAN, TINA W.	A72-00158A / 4.0	-	-		
			NE	NW		HOURIHAN, TINA W.	A72-00160A / 4.0	-	-		
16N	19E	32	NE	SE		HOURIHAN, TINA W.	A72-00159A / 5.0	-	-	7	7
			NE	SE		HOURIHAN, TINA W.	A72-00158A / 5.0	-	-		
			NE	SE		HOURIHAN, TINA W.	A72-00160A / 5.0	-	-		
16N	19E	32	SE	SE		HOURIHAN, TINA W.	A72-00159A / 1.0	-	-	0	0
			SE	SE		HOURIHAN, TINA W.	A72-00158A / 1.0	-	-		
			SE	SE		HOURIHAN, TINA W.	A72-00160A / 1.0	-	-		
16N	19E	33	NW	SW		HOURIHAN, TINA W.	A72-00159A / 5.0	-	-	6	6
			NW	SW		HOURIHAN, TINA W.	A72-00158A / 5.0	-	-		
			NW	SW		HOURIHAN, TINA W.	A72-00160A / 5.0	-	-		
16N	19E	33	SW	SW		HOURIHAN, TINA W.	A72-00159A / 8.0	-	-	7	7
			SW	SW		HOURIHAN, TINA W.	A72-00158A / 8.0	-	-		
			SW	SW		HOURIHAN, TINA W.	A72-00160A / 8.0	-	-		
TOTAL ACRES							A72-00159A	45.00			

5454
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ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)
 IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATEBASE Y FIELD EXAMINER

POU COUNTY: CUSTER

PRESUMPTION FLAG:

REMARKS:

I found more acres than identified on the transfer which I consider
 to be based upon better mapping & field verification of the PTA. I consider
 this to be a correction of the transfer.
 PTA is within the HES - 147 as decreed.

RECOMMENDATIONS:

TOTAL ACRES:

5460

REVIEWED BY:

DATE: 3-17-94

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A. AS CLAIMED USES:

PURPOSES
A72-00159A IRRIGATIONFROM 05-01 TO 07-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
460 CFS
460 CFS

4-15
10-15
Recompute
Sept 5 found.

B. WR RECORDED USES:

PURPOSES
72-00159 DOMESTICMONTH/DAY
FROM 01-01 TO 12-31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
040 CFS
040 CFS

C. ASSUMPTION FLAG:

D. FIELD EXAM REQUIRED?

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

E. PERIOD OF USE:

RECOMMEND AS CLAIMED?
RECOMMEND TO WR STANDARDS OR OTHER?

	Y ()	N ()	EXPLAIN IN REMARKS, BELOW.
	(X)	()	

REMARKS:

The claimed 46 CFS agrees with the split portion located upon transfer. 309 found system analysis indicates that the right combined with the right fall will be in the required and a system limit for the found P/u. Rate OK as claimed.

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Y(☒) N(☐)

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 0.460 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.040 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN REMARKS. **

FLOW MEASUREMENT REQUIRED?

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

FIELD EXAMINER
Y

MEASUREMENT METHOD

4.05 CES, SEE ATTACHED CALCULATIONS.

FLOW MEASUREMENT

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

OTHER RIGHTS LISTED IN CLAIM: A72-001584, 001604, 10035

LIST ALL RIGHTS WITH A SAME FOU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-001584	WEST FORK OF MORGAN CR.	HOURIHAN, TINA W.	0.460	0.010		
A72-001584	WEST FORK OF MORGAN CR.	HOURIHAN, TINA W.	0.460	0.010		
A72-001604	MORGAN CREEK	HOURIHAN, TINA W.	0.230	0.005		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
2-10035	DOMESTIC	HOURIHAN, TINA	FROM 01-01 TO 12-31	.040 CFS	

3 nights (001584, 001594, & 001604) were decreed from the same P/Ds, & P/D, & some
(just diff priority dates for different rates. 72-16278 is a beneficial use claim)
that has a priority date 1 day after the decree and is recommended
rate determined to be valid in excess of an inch per acre up to the
system capacity. All rights are for the same P/D

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NOV 0 1 1994

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 54 $\times$ 0.02 CFS/ACRE = 1.08 CFS
(Taken from p/u review)

1b. CALCULATIONS

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 = 135.0 AE/A

ACRES $\times$ CONSUMPTIVE VOL. AE/A FOR AREA

TOTAL CONSUMPTIVE USE AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES $\times$ DIVERSION VOL. AE/A FOR AREA =

TOTAL DIVERSION VOLUME AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

*system
could not be located
see worksheet*

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RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

DATABASE EXAMINER

DATABASE EXAMINER

DATABASE EXAMINER

div

4-15 10-15

46

—

—

TOTAL FOR THIS RIGHT

REVIEWED BY:

KKc

DATE:

3-17-94

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREST/ABANDON
ADDITIONAL DIV. AMOUNTACCEPTED
AS CLAIMED
() () ()
() () ()
Accepted

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00159

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.040

EXAMINER

CFS

SPLITS:

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

- 72-00159A

0.460

-

72-00159

0.040

TOTAL CFS

0.460

0.040

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)DATABASE
NFIELD
EXAMINER

REMARKS:

Split is transfer 3091 (Attached)

AUTHENTICATION:

SIGNATURE:

Jelly K. Christensen

DATE:

3-17-94

NAME OF FIELD EXAMINER:

TITLE:

As Water Resource Agent

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WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			8-3-93 KRC	N		KRC 3-17-94		
POINT OF DIV	Y		"	Y	"	"		
SOURCE	Y		"	Y	"	"		
USE OF USE	Y		"	Y	"	"		
DIV. AMOUNT CFS/VOLUME	Y		"	N	"	"		
CONSUMPTIVE USE	-		"	Y	"	"		
PURPOSES	Y		"	N	6	"		
PERIOD OF USE	Y		"	Y	"	"		
BASIS OF CLAIM	Y		"	N	"	"		
REMARKS	Y		"	Y	"	1		

Sw

11-25-92

"VERIFIED BY" CODES

MAPS USED:

DATE:

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

ASCS
ORTHO T-25 1966
NAPP SCSSOILAMP 243-32
BLM 7-9D-6 7-10-88

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

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MUV 0 1 1994

1972
1

POOR ORIGINAL

A72-00158A, 00159A

CLAIM E 00160A INIT KKC

T. R. 54 010 NW SW

P/D 16N 19E 39 NE NE SW

PHOTO BLM 7-10-6

DT. & ID. 7-10-88 Flight

SCALE: 1" = 1097'

$$CA = \frac{(1097)^2 \cdot .009699}{43,560} = .2680$$

P/D#1

MEASUREMENT
LOCATION

FARMSTEAD

P/D#2

MEASUREMENT
LOCATION

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NOV 01 1984

POOR ORIGINAL

(287.1 1)
(TWIN PEAKS NE)

T. 16 N.
40'
T. 15 N.

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NOV 01 1994



CLAIM NO. --- A72-00158, 00159, 00160. Lotus Program:
 AGENT ----- KKC IRR-PRAC.WK3
 DATE ----- 01/07/94 Date form revised:
 4/21/93 by KKC

 SOIL CHARACTERISTICS

Soil Type = RP1; FEZIP...FINE SANDY LOAM, GRAVELLY SANDY 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	6	0.1	0.14	6.1	7.3	2	3	1	1.17	3	0.7
6	16	0.06	0.09	6.1	7.3			1	1.25		
16	26	0.1	0.14	6.1	7.3			3	2.92		
26	60	0.01	0.04	6.1	7.3			4	3.22	alternate	
								5	3.52	method	
										NA	NA

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point (INCHES)	MAD
alfalfa (hay or seed)	5	0.5	1.76
corn (field or silage)	4	0.5	1.61
grain (winter or spring)	4	0.5	1.61
pasture (or grass hay)	3	0.5	1.46
other (enter below)			

=====

FIELD NOTES AND CALCULATIONS

	FIELD 1	FIELD 2	FIELD 3	FIELD 4
FIELD WIDTH	2900	0		
IRRIGATION DAYS	7			
DRY DAYS	0			
SET TIME(hours)	8			
CALCULATED RUN (run = acres*43560/width)				
LENGTH (RUN) =	240			
CALCULATED BORDER WIDTH (ditch length/irr days * cha				
WIDTH =	138			
THEORETICAL ROTATION (mad/net irr req in inches per				
SELECTED MAD =	1.46			
ROTATION =	6.3 DAYS			

PEAK IRRIGATION DIVERSION REQUIREMENT AT FIELD

Weather Station = CHALLIS
 Figure No = 10-15

crop	acres	system	recomm. eff.	Net Irrigation Requirement (mm/day)						
				mar	apr	may	jun	jul	aug	sep
PASTURE	16	FLOOD	6.4	1.47	3.84	4.87	5.86	4.56	3.23	2.07
ALFALFA	0	FLOOD		1.28	4.51	5.65	6.25	4.45	2.52	0.7

Summary	16		6	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: A72-00158, 00159, 160
By: KKC

Location: RP1 SOIL FOR 16 ACRES
Date:

Roughness coefficient (n)= 0.250

Intake family (If)=3.00

Slope (S)= 0.0200 ft/ft

Border width (W)= 138 ft

Net application (Fn)= 1.46 inches

Border length (L)= 240 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)	Note
2.15	Gross depth is less than required gross application depth					
2.16	Gross depth is less than required gross application depth					
2.17	0.016	22.64	21.10	0.09	6.4	
2.18	0.016	22.75	21.10	0.19	6.4	
2.19	0.016	22.85	21.10	0.29	6.4	
2.20	0.016	22.96	21.10	0.40	6.4	
2.21	0.016	23.06	21.10	0.50	6.3	
2.22	0.016	23.17	21.10	0.61	6.3	
2.23	0.016	23.27	21.10	0.71	6.3	
2.24	0.016	23.37	21.10	0.82	6.2	
2.25	0.016	23.48	21.10	0.92	6.2	

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NOV 01 1994

CLAIM NO. --- A72-00158, 00159, 00160 Lotus Program:
 AGENT ----- KKC IRR-PRAC.WK3
 DATE ----- 01/07/94 Date form revised:
 4/21/93 by KKC

 SOIL CHARACTERISTICS

Soil Type = BC1; BIGLOST...GRAVELLY FINE SANDY 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			
0	5	0.11	0.14	6.6	7.8			1	1.57	flood
5	23	0.12	0.15	6.6	7.8	2	3	1	1.71	3
23	60	0.02	0.04	6.6	7.8			3	3.44	furrow
								4	3.80	0.7
								5	4.17	alternate method
										NA
										NA

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point (INCHES)	MAD (INCHES)	FIELD NOTES AND CALCULATIONS				
				FIELD 1	FIELD 2	FIELD 3	FIELD 4	
				FIELD WIDTH	6900	0		
				IRRIGATION DAYS	12			
				DRY DAYS	0			
				SET TIME(hours)	8			
alfalfa (hay or seed)	5	0.5	2.08	CALCULATED RUN (run = acres*43560/width)				
corn (field or silage)	4	0.5	1.90	LENGTH (RUN) =	240			
grain (winter or spring)	4	0.5	1.90	CALCULATED BORDER WIDTH (ditch length/irr days * cha				
pasture (or grass hay)	3	0.5	1.72	WIDTH =	192			
other (enter below)				THEORETICAL ROTATION (mad/net irr req in inches per				
				SELECTED MAD =	1.72			
				ROTATION =	7.5 DAYS			

PEAK IRRIGATION DIVERSION REQUIREMENT AT FIELD

Weather Station = CHALLIS
 Figure No = 10-15

crop	acres	system	recomm. eff.	Net Irrigation Requirement (mm/day)							
				mar	apr	may	jun	jul	aug	sep	oct
PASTURE	38	FLOOD	7.6		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	38		8		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 1982

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GRADED BORDER EVALUATION

Job name: A72-00158, 00159, 0160
By: KKC

Location: BC1 SOIL FOR 38 ACRES
Date: Jan 7, 1994

Roughness coefficient (n)= 0.250 Intake family (If)=3.00
Slope (S)= 0.0200 ft/ft Border width (W)= 192 ft
Net application (Fn)= 1.72 inches Border length (L)= 240 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)	Note
2.95	Gross depth is less than required	gross application depth				
2.96	Gross depth is less than required	gross application depth				
2.97	Gross depth is less than required	gross application depth				
2.98	Gross depth is less than required	gross application depth				
2.99	Gross depth is less than required	gross application depth				
3.00	Gross depth is less than required	gross application depth				
3.01	0.016	22.57	20.84	0.02	7.6	
3.02	0.016	22.65	20.84	0.09	7.6	
3.03	0.016	22.72	20.84	0.17	7.6	
3.04	0.016	22.80	20.84	0.24	7.5	
3.05	0.016	22.87	20.84	0.32	7.5	

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REMARK AND CONDITION CODE WORKSHEET

SYSTEM CLAIM NUMBERS A72-00158AAGENT
INITIALS _____
DATE _____CLAIM NO.
OR ENTRY
ORDERREMARK
CODE

ENTRY DATA

CONDITION
CODESTAGE
OR
STATUSPRESUMPTION
CODE

F06

72-00158A

00159A

00160A

~~160~~ 16278

E12

4.05 ← system capacity

~~578~~ CFS

135 (54A @ 2.5AF.)

54

C02

C03

J02

HES-147

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NOV 01 1994

CLAIM NUMBER _____ DATE _____

AGENT _____

CLAIM NUMBER				NE				NW				SW				SE				TOT ACF
	T N S	R N G	S E C	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	
Found		16	19	32		19	3	7	5							7				4
CLAIMED ON ALL CLAIMS		16	19	32	1	15	3	3	4							5			1	30

CLAIM NUMBER				NE				NW				SW				SE				TOT, ACR
	T N S	R N G	S E C	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	N E	N W	S W	S E	
		16	19	33									6	7						1
			33										5	8						

HES- 147

total 5

decreased data

A72-00158A .46 CFS 5-1-1906

00159A .46 CFS 5-1-1919

00160A .23 CFS 9-14-1931

Total 1.15 CFS

2 PDS declined in Decree no both being in SE 1/4 of Sec 29

Insured to be in error

Measured a total of 4.05 CFS

Excess Flow Analysis BCI 3.01 CFS

RPI 2.17 CFS

5.18 CFS

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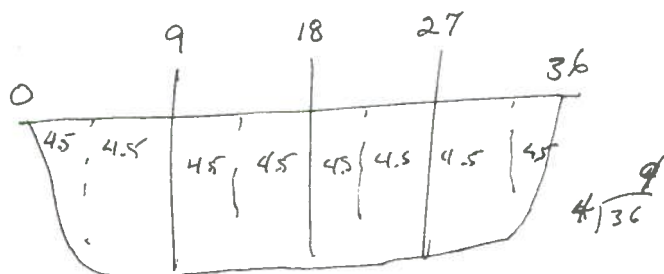
9-1-13

Bugger camp

southern div to us

Ground just north of

BLM camp ground



Stat Depth Rev Sec

1 5.5" 40 1.04.59

2 7" 40 40.28

3 5" 40 54.22

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NOV 01 1994

NAME OF STREAM OR DITCH MORGAN CREEK
 LOCATION ----- SOUTHERN MOST P/D
 PURPOSE OF MEASUREMENT -- ADJUDICATION REVIEW
 BASIS OF VELOCITY CALCULATIONS
 IF YOU ARE USING A PYGMY METER ENTER ----- 1
 IF YOU ARE USING A AA METER ENTER ----- 2
 ENTRY ----- 1

WATER RIGHT NUMBER IF APPLICABLE ----- A72-00158A, 00159A, & 00160A
 AGENT CONDUCTING MEASUREMENT & DATE -- KKC 9-01-93
 ACCOMPANIED BY ----- NO ONE
 PREMEASUREMENT SPIN TEST (MIN/SEC) ---
 POST MEASUREMENT SPIN TEST (MIN/SEC) -

FOLLOWING THE LAST ENTRY IN: "END"
 "DISTANCE FROM INIT PT" ENTRY MUST =

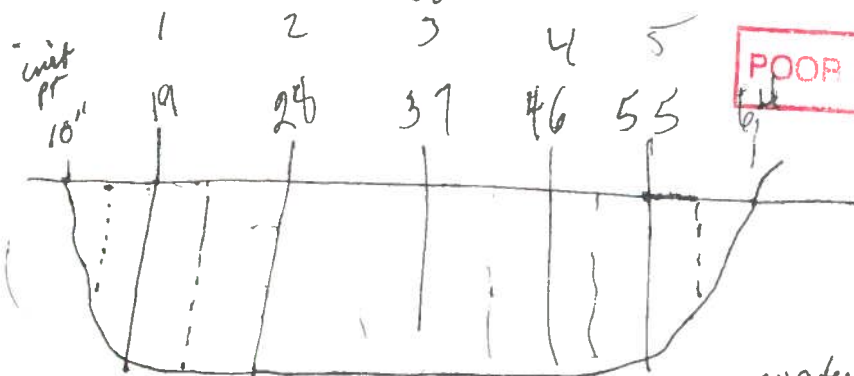
INITIAL POINT	ANGLE OF COEFFICIENT	DISTANCE FROM INIT PT	DEPTH IN FEET	CALC DEPTH END PTS	1ST MEASUREMENT REVS	VELOCITY DATA		CALC WIDTH	AREA IN SQ FT	CALCULATED VELOCITY			DISCHARGE IN CFS
						2ND MEASUREMENT TIME/SEC	TIME/SEC			1ST POINT VELOCITY	2ND POINT VELOCITY	MEAN VELOCITY	
0.00				0.23				0.38	0.086				
0.75			0.46		40	64.6		0.75	0.344	0.62		0.31	0.03
1.50			0.58		40	40.3		0.75	0.438	0.99		0.99	0.43
2.25			0.42		40	54.2		0.75	0.313	0.74		0.74	0.23
3.00				0.21				0.38	0.078			0.37	0.03
END													
													0.93

MICROFILMED
 NOV 0 1 1994

8-16-93

4:30 PM

A72-00/58A Brugginkamp



POOP ORIGINAL

sprinkling down measurement

water clear, bottom gravelly on large rocks, channel relatively clear of vegetation. sides relative vertical measurement considered good.

Accompanied by Brett Barry measurement location approx 300 yards below P/O. 150 yards before P/u.

Northern P/O out of West Ho of Morgan Creek.

init pt	depth	Red	Sec
1	.3'	60	1.00.19
2	.5'	60	32.56
		60	28.78
3	.55	60	31.81
			32.00
4	.55	60	30.06
			31.13
5	.4	60	39.69
			38.44

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NAME OF STREAM OR DITCH WEST FORK MORGAN CREEK
 LOCATION ----- APPROX 300 YDS BELOW P/D
 PURPOSE OF MEASUREMENT --- ADJUDICATION REVIEW
 BASIS OF VELOCITY CALCULATIONS
 IF YOU ARE USING A PYGMY METER ENTER ----- 1
 IF YOU ARE USING A AA METER ENTER ----- 2
 ENTRY ----- 1

WATER RIGHT NUMBER IF APPLICABLE -----
 AGENT CONDUCTING MEASUREMENT & DATE ---
 ACCOMPANIED BY -----
 PREMEASUREMENT SPIN TEST (MIN/SEC) ---
 POST MEASUREMENT SPIN TEST (MIN/SEC) -

FOLLOWING THE LAST ENTRY IN: "END"
 "DISTANCE FROM INIT PT" ENTRY MUST =

INITIAL POINT	ANGLE OF COEFFICIENT	DISTANCE FROM INIT PT	DEPTH IN FEET	CALC DEPTH END PTS	1ST MEASUREMENT REVS	VELOCITY DATA		CALC WIDTH	AREA IN SQ FT	CALCULATED VELOCITY			DISCHARGE IN CFS
						2ND MEASUREMENT TIME/SEC	TIME/SEC			1ST POINT VELOCITY	2ND POINT VELOCITY	MEAN VELOCITY	
0.83			0.30	0.15	60	60.2		0.38	0.056	1.00		1.10	0.06
1.58			0.50		60	30.7		0.75	0.225	1.00		1.00	0.22
2.33			0.55		60	31.9		0.75	0.375	1.96		1.96	0.73
3.08			0.55		60	30.6		0.75	0.413	1.88		1.88	0.78
3.83			0.40		60	39.1		0.75	0.413	1.96		1.96	0.81
4.58				0.20	60			0.75	0.300	1.54		1.54	0.46
5.33								0.38	0.075			0.77	0.06
END													3.12

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8-5-93

northernmost P/D on West Fork. } operate concurrent
2nd P/D out of Morgan Creek } as necessary

West Fork 7 day rotation, bottom portion irrigated with
tail water.

2nd P/D 7 days.

set time varies from 8 to 24 hours.

Domestic use, source spring, Pump ^{Solar.} up for lawn & Garden area
Household use is a hydrolic ram lifting water to a 1000 Gal
holding tank. then gravity to house.

Pic # 4 looking NW from edge of switch back looking toward P/D

Pic # 5 looking SE at Morgan Creek div.

#6 Dom storage looking NNE ^{to dom stor.}

#7 ~~Dom Storage~~ Hyd. ram housing & solar pump ^{irr only}
hyd. ram approx 5' fall on intake 40' rise to storage tank
owner estimate 40 GPM flow to produce 1 GPM to storage
Solar pump runs 1 sprinkler est. @ 5 GPM.

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NOV 01 1994

A72-00159A

RECEIVED
AUG 11 1984

Form No. 222

Department of Water Resources
Sawtooth District Office

CHANGE IN NATURE OF USE

JUL 24 1985

Transfer No. 3091

Water Right No. A) 72-0158
B) 72-0159
C) 72-0160

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Cornelius &/or Tina Hourihan Phone 879-4718

Post Office address P. O. Box 398, Challis, ID 83226

A DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to Earl Millick
(Name)
in case of Ivan Hughes et al vs Val Jones et al
dated in 5-2-1935 in Sixth District county of Custer
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

purchase of land & water rights

3. Source of water Morgan Creek tributary to Salmon River

4. Date of priority A) 5-1-1906 B) 5-1-1919 C) 9-14-1931

5. Water is used for the following purposes:

amount A) 0.50 cfs for Irrigation purposes from _____ to _____
amount B) 0.50 cfs for " purposes from _____ to _____
amount C) 0.25 cfs for " purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.25 cubic feet per second
&/or
b. 2 pts. acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29
Township 16N Range 19E, B.M., in Custer County
Additional points of diversion, if any _____

8. Lands irrigated or place of use: P. U. is H. E. S. #147, containing 80.04 acres.
Aerial photo shows 45 irrigated acres.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16N	19E	29												X			X		32
		32	X	X	X	X	X						5		X		X		13
		33										5	8						

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Total number of acres to be irrigated 45

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years _____

7-0158
7-0159
7-0160
T# 3091

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (if the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 0.04 fs B) 0.04 cfs C) 0.02 cfs
cubic feet per second total for all 0.04 cfs combined
&/or
b. 0.04 acre feet per annum
2. Point of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29 Township 16N
Range 19E, B.M., Custer County
Additional points _____

3. Place of use:

TWP	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
16N	19E	33											4						4

Total number of acres to be irrigated 4

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information A) 0.04 cfs B) 0.04 cfs C) 0.02 cfs
a. Amount of water to be diverted 0.04 c.f.s. &/or _____ acre feet
b. Description of diverting works Headbox & pipeline from spring to home
c. Describe the reasons for the proposed changes Use existing water rights to develop a domestic water supply for a home to be built on the property. Water will be for year-around use in the home.
2. Change in point of diversion
Point of diversion NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32 Township 16N
Range 19E, B.M., Custer County
Additional points _____
3. Change in place of use
a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
Land will no longer be irrigated

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RECEIVED

NOV 14 1984

Department of Natural Resources
Southern Utah Unit Office

POOR ORIGINAL

3414
Bud L. Nelson

MICROFILMED

NOV 01 1994

TAYLOR RANCH OUTFITTER
CON & TINA HOURIHAN
P.O. BOX 398
CHALLIS, ID 83226
PHONE (208) 879-4718

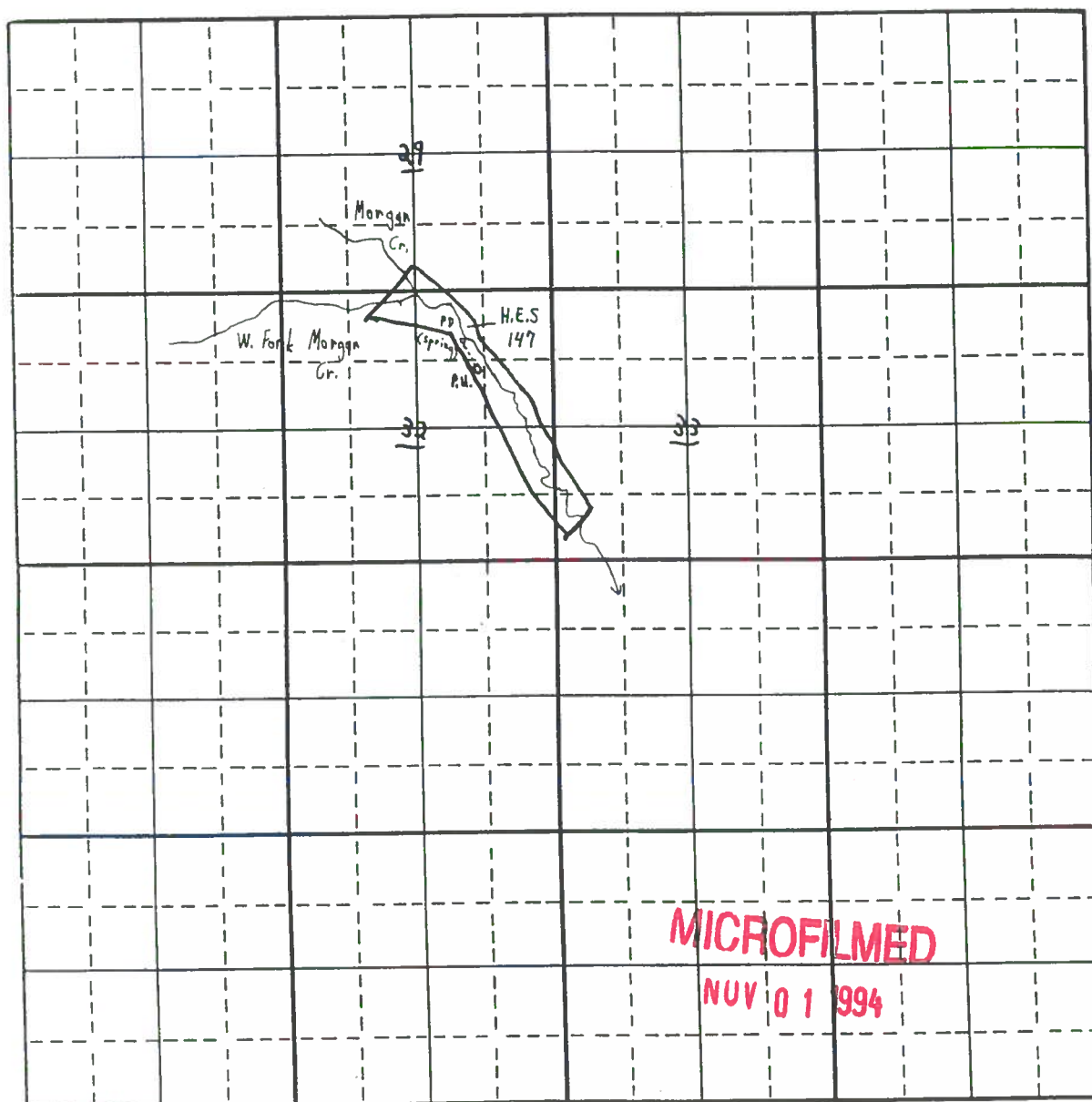
c. Describe the lands of use to which the right will be transferred:

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16N	19E	32			X														

X = P. U. for domestic use

Total number of acres to be irrigated _____

- Describe any other water rights used for the same purpose as described above. _____
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



REMARKS

Purpose of this transfer is to change the nature of use of a portion of the existing rights from irrigation to domestic use. Irrigation ~~is~~ requirement is 3.0 AFA/acre x 4 acres = 12.0 AFA available for domestic use. Standard domestic use is 0.6 AFA for in-house use. So ^{no} increase in volume will occur if change in use is allowed.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Tina Hourihan
(Signature of Applicant)

Subscribed and sworn to before me this 9TH day of AUGUST, 19 84

[Signature]
(Notary Public)

My commission expires Mar. 16, 1985

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 72-0158/0159/0160 and said application is hereby APPROVED, subject to the following limitations and conditions:
Use of water under this right is subject to control by the watermaster of State
Water District No. 72F, Morgan Creek.

Witness my hand this 22nd day of July, 19 85

A. Glen Saxton
Chief, Operations Bureau

marga 5/8/84 FOR DEPARTMENT USE ONLY

Received by [Signature] Date 11-14-84 Protest filed by None
Prelim. check by ADA Fee \$30.00 # 33163
Receipted by [Signature] Date 8/12/84
Published in Eastern Broadcasting Co.
Pub. dates 12/6 + 12/13/84
Watermaster recommendation requested on N/A
rec'd. _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by ADA Jim

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NOV 01 1994

Water Right Number - 72-00159

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
HOURIHAN
Last Name - - - - - + First Name - - - - - + Address - - - - - +
CORNELIUS
1 - P.O. BOX 398
2 -
3 -
City- CHALLIS
Phone -
1 - P.O. BOX 398
2 -
3 -
City- CHALLIS
Phone -
State- ID Zip- 83226

HOURIHAN

TIMA

*** O - ORIGINAL OWNER ***
MILICK

EARL

1 -
2 -
3 -
City-
Phone -
State- Zip- 83226

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1919 17 SOUTHERN D - DECREED

+ - - Source - - - - - + + - - Tributary - - - - - +
MORGAN CREEK SALMON RIVER

+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
16N 19E 32 NW NE (37) CUSTER

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.040

+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
16N 19E 32 SW NE 43 DOMESTIC (37) CUSTER

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-0158, 72-0160

+ - - - - - Remarks - - - - - +
TRANS. 3091.

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NOV 01 1994

Water right number - 72-00159

Prefix Translation:

WATER RIGHT

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

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 72F.

+ - - - - - Decree Plaintiff - - - + + - - - Decree Date - +
IVAN HUGHES ET AL VAL JONES ET AL 05/02/1935

+ - - - - - Comments - - - - - +
No Comments Found

+ - - - - - Audit Fields - 10/29/85 05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 10/29/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 72F
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- T
Decree Date	- 05/02/1935	Presumption Flag	-		

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NOV 0 1 1994