

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: A72-00185B
Date Received: 11/29/1989
Receipt No: M005267
Received By: B

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: TED L. MALONE 208-879-2420
Address: H.C. 63 BOX 1749
CHALLIS, ID 83226

AND/OR

Name: HELEN P. MALONE 208-879-2420
Address: H.C. 63 BOX 1749
CHALLIS, ID 83226

2. Date of Priority: APR 01, 1887

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	19E	16	NW	SW	SE	7	CUSTER

5. Description of diverting works:
VIA UPPER MCGOWAN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		

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

8. Total consumptive use is 5.6 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	36	SE	SW		IRR	2.2
Section Acres							2.2
Total Acres							2.2

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS CLAIM IS BASED ON A PORTION OF DECREE 72-00185.

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

CHARLES B. JENSON ET AL
Decree Plaintiff

vs

RICHARD BENNETTS 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): Helen P Malone Date: 12 5 89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of December 1989
Anna Baunhoff
Notary Public

Seal

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

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IN RE THE GENERAL ADJUDICATION
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CHALLIS, ID 83226

2. Date of Priority: APR 01, 1887

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	19E	16	NW	SW	SE	7	CUSTER

5. Description of diverting works:
VIA LOWER MCGOWAN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		

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

8. Total consumptive use is 5.6 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	36	SE	SW		IRR	2.2
Section Acres							2.2
Total Acres							2.2

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS BASED ON A PORTION OF DECREE 72-00185.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

CHARLES B. JENSON ET AL

Decree Plaintiff

vs

RICHARD BENNETTS ET AL

Decree Defendant

DATE: 02/10/98
PAGE: 1

Misc: Water District Number: Field Inspection Flag: A
Presumption Flag:

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

DATE: 11/17/98
PAGE: 1

ಆವೇಶ

ga

Stage: DECREED

CUSTER County

NE-

TOTAL ACRES

Conditions of Approval:

- MAINTAINED AS A PART OF THE DIVERTING WORKS.

COMBINED ANNUAL DIVERSION VOLUME OF 7.4 AF.

Objection Filed Date:

Presumption Flag:

Presumption Flag:

CLAIM NUMBER A72-00185B
A72-07246

DATE 10/1/98
 AGENT see

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 2.2
 GIS ACRE TOTAL 2.7

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	13N	19E	2															2.2	2.2
GIS																		2.7	2.7
ECOM																		2.2	2.2
																		<u>1.9</u>	1.9
CLAIM																			
GIS																			
ECOM																			
CLAIM																			
GIS																			
ECOM																			

172-DBPOU.SHP
 SHAPE NOS. 146

Pou in GIS plot includes house, road etc.; a general lot outline and claimed 2.2 acres are within this lot. 1.9 Acres recommended as licensed.

172-DBPOD.SHP
 JOS. DESCRIPTION

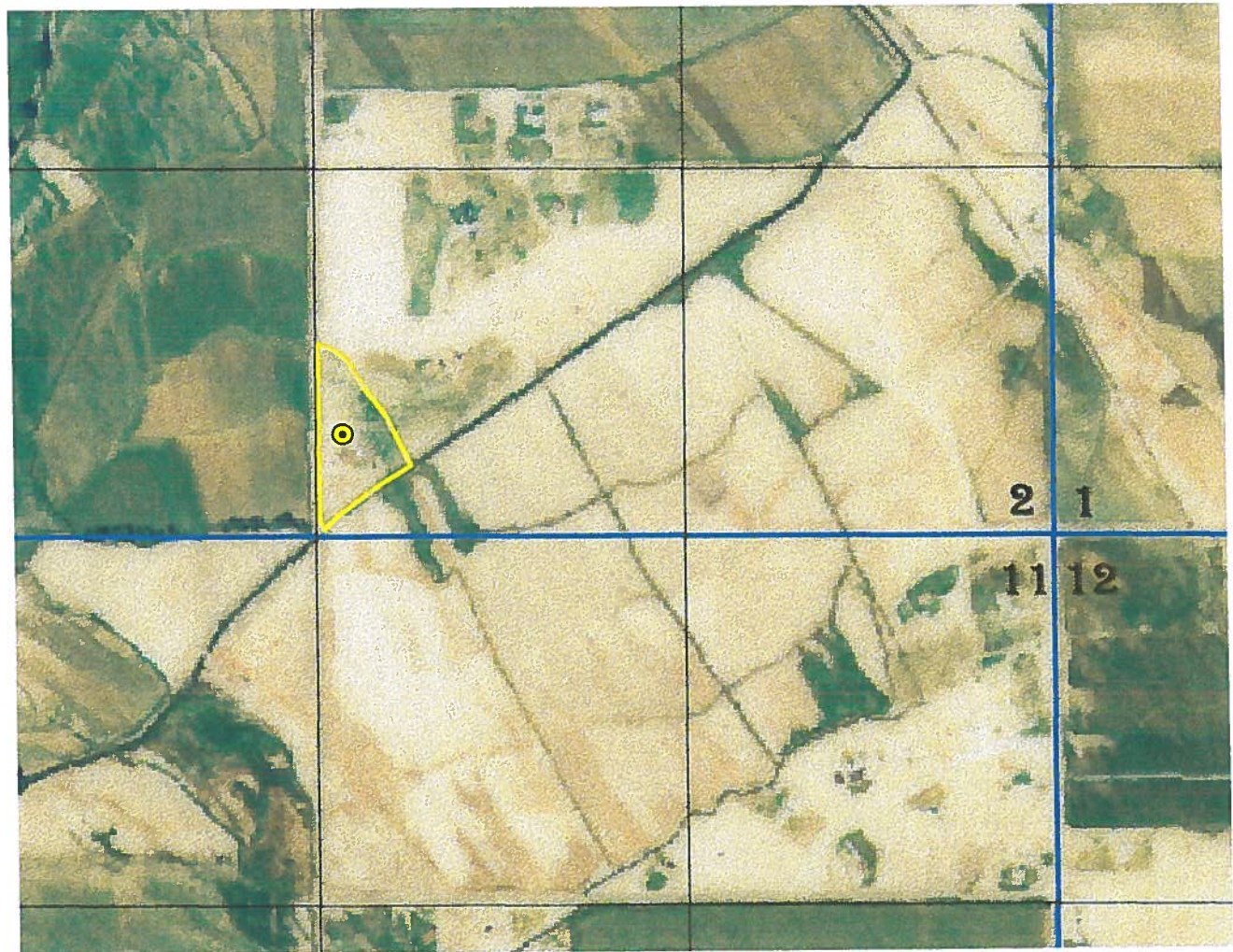
61 (Challis In. Canal) same place of use and GIS exhibit.
 64 (well for 72-7246)
 GIS shape is based in part on the drawing of the lot as shown in the license Exam.

DBF TABLES UPDATED

172-DBPOU.DBF ✓ 10/6/98
 172-DBPOD.DBF ✓ see

IDAHO DEPARTMENT OF WATER RESOURCES

72-00185B & 72-07246



660 0 660 1320 Feet



TWN: 13N
RNG: 19E
SEC: 02
SWSE

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

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

DATE: OCT. 8, 1998

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

1. Name: TED L MALONE 208-879-2420
Address: HC 63 BOX 1749
CHALLIS ID 83226
AND/OR
Name: HELEN P MALONE 208-879-2420
Address: HC 63 BOX 1749
CHALLIS ID 83226

2. Date of Priority: APR 1, 1887

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	19E	32	SW	NE		5	CUSTER

5. Description of diverting works:
ROCK WING IN RIVER, HEADGATE AND CANAL TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.060		7.70

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 7.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	36	SE	SW		IRR	2.2
Section Acres							2.2
Total Acres							2.2

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS BASED ON A PORTION OF DECREE 72-00185.

2/10/98 tf; CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4806.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

CHARLES B. JENSON ET AL
Decree Plaintiff

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

Number of attachments: 0

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): Helen P Malone Date: 11 29 89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of Nov. 19 89

[Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92



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

February 10, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TED L MALONE
HELEN P MALONE
HC 63 BOX 1749
CHALLIS ID 83226

RE: Amendment of SRBA Claim A72-00185B

Dear Claimant:

Pursuant to the approval of Transfer No. 4806, the above referenced Notice of Claim in the Snake River Basin Adjudication has been amended to conform with the transfer. Please find enclosed a printout of the way your claim record has been modified. Please check this modified record over carefully to verify they correctly reflect your intended change. If you have questions please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enc.

Southern-Adj.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4806
WATER RIGHT NO. 72-00185B

RECEIVED

FEB 07 1997

This is to certify that: **TED L MALONE**
HELEN P MALONE
HC 63 BOX 1749
CHALLIS ID 83226

Department of Water Resources
Southern Region

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	7.7 AF
<u>SOURCE</u>	<u>TRIBUTARY OF</u>		
SALMON RIVER	SNAKE RIVER		

Priority: 04/01/1887

LOCATION OF POINT(S) OF DIVERSION: Lot 5(SWNE), Sec. 32, Township 13N, Range 19E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13N	19E	2	SWSE	2.2		2.2
Total number of acres irrigated:						2.2

CONDITIONS OF APPROVAL AND REMARKS

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

TRANSFER NO. 4806
WATER RIGHT NO. 72-00185B

CONDITIONS OF APPROVAL AND REMARKS

6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 4th day of February, 1997.

J. Glen Saylor
Chief, Water Alloc. Bureau

Page 1 of 6
RECEIVED

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

Transfer No. 4806

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Department of Water Resources

Southern Region
 Name of applicant Ted L For Hlin P. Malone Phone (208) 874.2420
 Post Office address HC-63 Box 1749 Challis ID. 83226

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes elimination of three Salmon River
diversions by consolidation into Challis Irrigation ^{Company} ~~District~~ canal and to
reflect current irrigation practices

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount ^{per phone} _(cfs/ac-ft) ^{call} ₄₋₁₁₋₉₆ Nature of Use Period of Use
TL-00185 04/01/1857 ~~0.60~~ 0.06 irrigation 04-01 to 11-01
 _____ to _____
 _____ to _____
 _____ to _____
2. Total amount of water being transferred ~~5.00~~ 0.06 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Salmon River tributary to Sawtooth River
4. Point(s) of Diversion:

per phone call 4-11-96 sec

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
5	NW	SW	NE	32	13N	12E	Custer	S-32 Challis Irrigation Company
								Canal

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
13N	19E	2															2.2		2.2

Total acres 2.2

PART 1**6. General Information:**

a. Description of diversion system rock wing in river, headgate and canal to place of
use

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

land would not be irrigated

d. Remarks:

Adjudication claim A72-0015B describes this portion of 72-0015B

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 72-00185 Decreed to George McGowan Co.
 in case of Charles B. Jensen Et. Al vs. Richard Bennetts Et Al
 dated 02/12/1915 in Idaho county of Custer
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Salmon River tributary to Snake River

4. Date or priority 04-01-1887

5. Water is used for the following purpose:

amount 40.00 cfs for irrigation purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 40.00 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
5		SW	SW	13N	16E	16	Custer	NONE listed (Upper McGowan Ditch)

8. Lands irrigated or place of use:

Twp.	Rge.	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	
13N	16E	1						I											
		2	I	I															
14N	19E	35	I	I	I	I					I	I			I	I	I	I	
		36					I	I	I	I									

Total acres _____

9. Describe any other water rights used for the same purpose as described above NONE

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

X If yes, describe _____**DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

- per phone call
Sec.
4-11-96
1. amount 0.06 cfs for irrigation purposes from 04-01 to 11-01
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
5		SW	SE	16	13N	19E	Custer	Upper McGowan Ditch

3. Lands irrigated or place of use:

Twp.	Rge.	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	
14N	19E	36												2.2					2.2

Total acres 2.2**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

- Sec.
4-11-96
1. amount 39.4 cfs for irrigation purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

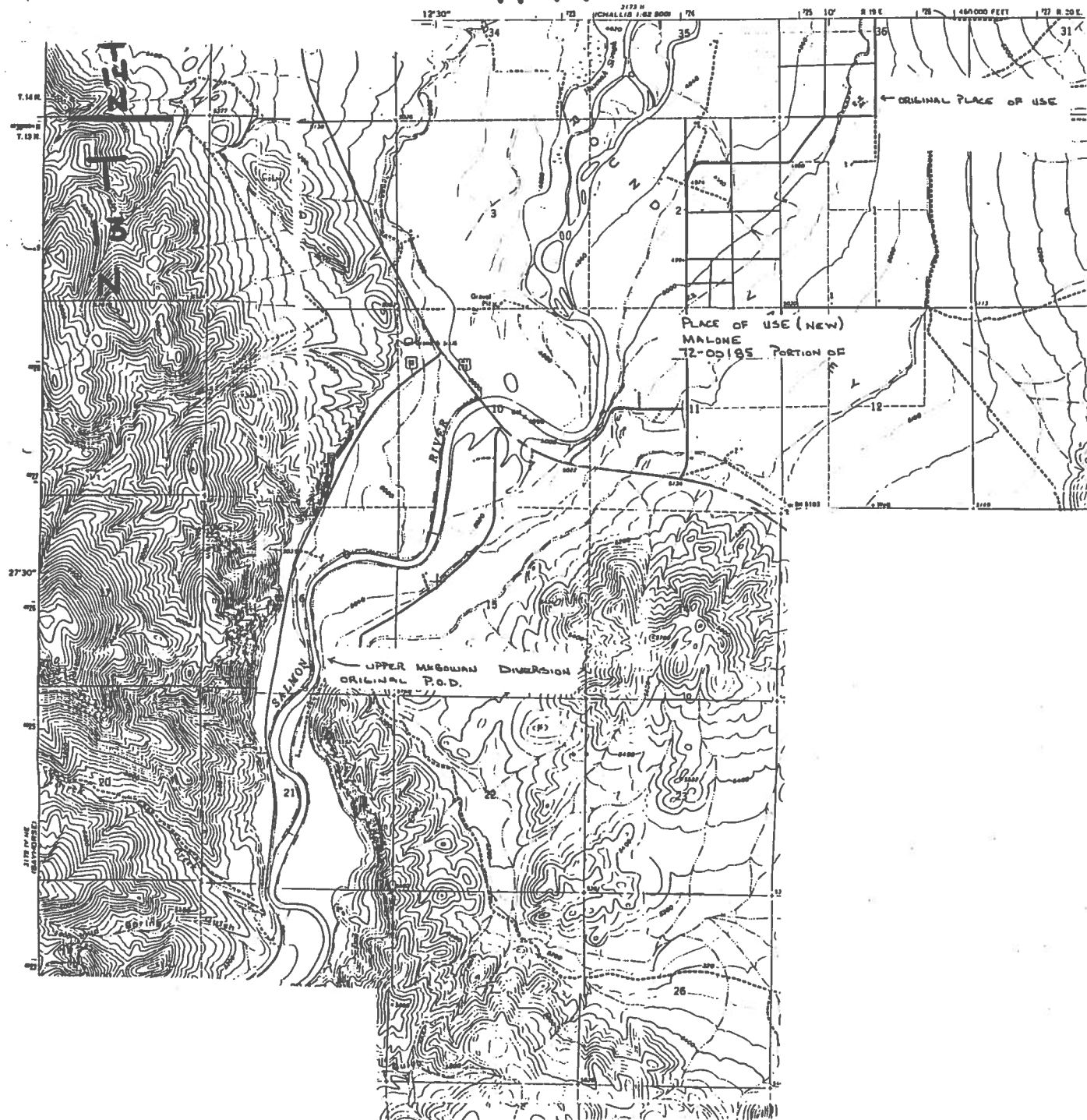
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
5		SW	SE	16	13N	19E	Custer	Upper McGowan Ditch

3. Lands irrigated or place of use:

Twp.	Rge.	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	
13N	19E	1						I											
		2	I	I															
14N	19E	35	I	I	I	I					I	I			I	I	I	I	
		36					I	I	I	I	I	I	I	I					

Total acres _____

BRADBURY
IDA
7.5 MINUTE
H/W/L



T # 4806

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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 willful misrepresentations made in this application may result in voiding its approval.

Helen P Malone
(Signature of Applicant)

Subscribed and sworn to before me this 6th day of March, 19 96.

[Signature]
(Notary Public)

My commission expires 6-3-2000

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by [Signature] Date 3-7-96

Protest filed by _____

Prelim. check by [Signature] Fee \$100.00 50189/2

Received by [Signature] Date 3-7-96

Published in The Challis Messenger

Copies of protest forwarded by _____

Pub. dates 4/25 + 5/2/96

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

RECEIVED

MAR 08 1996

**Department of Water Resources
Southern Region**

ECREED

74

72-00185

POOF ORIGINAL

23

35

25

36

Deeded land

NESW

SESW

CLAIMED LAND

2

Actual
USE
LAND

DECEED
POU
72-00187

10

12

SALMON RIVER

72-00186
DECEED
POU

CLAIM A72-00185 B INIT Sec

T. R. S. Q/Q 2-11-94

P/D 425 OPQ

DT.&ID. 7-24-74

SEC 3/7/96

DECEED
POU'S

NOV 11

T #4806

FOOT ORIGINAL

should be the
"UPPER" McGowan Ditch

SCC
9-8-93

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Pasture ground house is normally irrigated with pump in lower McGowan Ditch, but well was previously used & can still be used if needed (according to Mr. Malone)
Stockwater use for a few horses is minimal. Include under domestic use.
Irrigation is for pasture & lawn, 1.9 acres total.

pump
in
Ditch
used

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Domestic	1-1	12-31	0.04	0.6
Irrigation	4-1	11-1	0.04	5.7
Stockwater	1-1	12-31		
			Totals:	0.04 6.3

2. Recommended Amendments

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

J. AUTHENTICATION

Field Examiner's Name J.E. Stanton
Signature J.E. Stanton
Certification Date 4/10/91
Field Report Preparation Date 11-8-90



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Assessment:

Statement by IDWR staff indicates
pump in Upper McGowan Ditch in use at this date.

See
2/7/96

NOV 01 1994

A72-00185 B

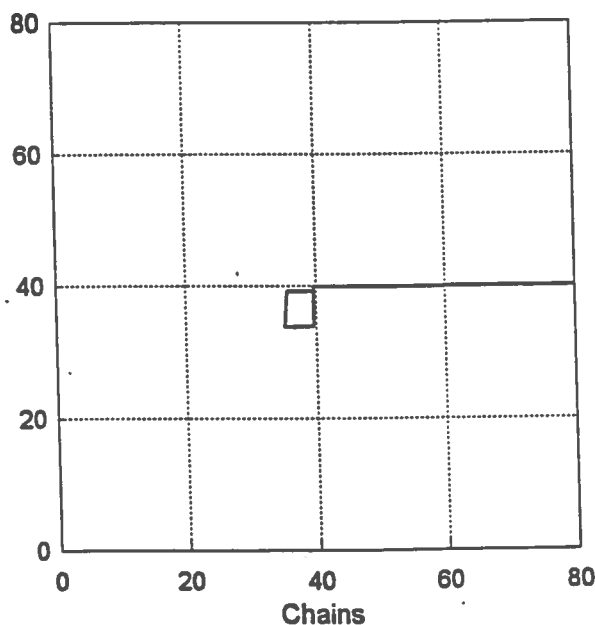
Memo to Trans

RIGHT: _____

CLAIMANT: _____

Memo to transfer

METES & BOUNDS
Sec 36, T 14 N, R 19 E



As described in Warranty Deed:

Howard to Malone on 10-3-77

Original Por of Right

A72-00185B

03/07/96 01:47 PM

ACRES = 0.73

By: SCC

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-07246 &
A72-00185B

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

January 26, 1996 2:23pm

NAME:
MARK OLSON

CALLIN

RE:
TED & HELEN MALONE

HE WANTED TO KNOW WHAT I HAD FOUND OUT ON THEIR WATER RIGHTS... I WAS NOT AWARE I WAS STILL WORKING ON ANYTHING FOR HIM OR THEM. WE DISCUSSED THE POSSIBILITIES OF THEIR CLAIMED RIGHTS AND REACHED THE FINAL OPTIONS.

1. FOR A72-07246 -- THEY ARE THINKING OF SWITCHING THIS G.W. RIGHT TO A SURFACE RIGHT AND TAKING IT FROM THE CHALLIS CANAL... I SUGGESTED THEY SUBMIT A WRITTEN PROPOSAL TO THE DEPT. OR ACTUALLY FILE A TRANSFER.

2. FOR A72-00185B -- THIS RIGHT IS BEING RECOMMENDED FOR DISALLOWAL SINCE NO OWNERSHIP OF THE RIGHT CAN BE SHOWN AND NO USE OF THE RIGHT HAS BEEN SHOWN.

THEY WANT TO KNOW HOW TO PROCEED WITH GETTING THEIR RIGHT FROM THE CHALLIS CANAL SINCE OTHER USERS HAVE OFFERED ACCESS TO A PIPELINE FOR THEIR USE. THE FIRST STEP IS TO IDENTIFY IF THEY HAVE A WATER RIGHT... AT THIS POINT THEY HAVE NO RIGHT TO DIVERT FROM THE CHALLIS CANAL.

THEY WILL BE IN CONTACT WITH ME TO DISCUSS THE MATTER FURTHER.

MICROFILMED

DEC 04 1996

RECEIVED

JUN 07 1996

Department of Water Resources
Southern Region

Box 1089

Challis, Idaho 83226

April 9, 1996

To Whom it May Concern;

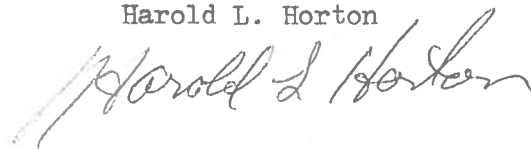
As a neighbor, I am writing this letter at the request of Ted and Helen Malone. I am aware that Ben Howard deeded a couple of acres to the Malones (SESW, T14N, R19E) along with 3 minor inches of Salmon River "Water. This water was delivered via the Upper McGowan Ditch.

The Malones have another acreage at Keyes Acres (Sec 2 Township 13N.. Range 19E).. To the best of my knowledge the Malones irrigate this property using the water rights deeded from Ben Howard (SESW, T14N, R19E).

I can testify that they use hand line sprinklers and pump from the canal known as the Upper McGowan Ditch during the years of 1988 thru 1994 to irrigate the property at the Keyes Acres. The purpose of the irrigation was for horse pasture.

Yours Truly,

Harold L. Horton



MICROFILMED

DEC 04 1996

County of Custer
State of Idaho

Harold L. Horton, is the person who appeared above and put his signature this

10th day of April 1996.

Charlotte D. Miller

Notary for Custer County,
Idaho

177-11125R

As a neighbor, I am writing this letter at the request of Ted and Helen Malone. I am aware that Ben Howard deeded a couple of acres to the Malones (SESW, T14N, R19E) along with 3 minor inches of Salmon River Water. This water is delivered via the Upper McGowan Ditch.

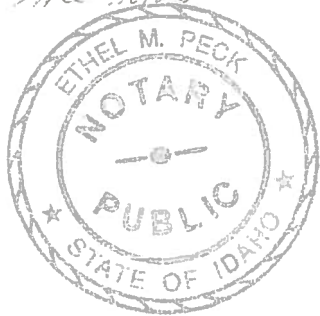
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I can testify that they use hand line sprinklers and pump from the canal known as the Upper McGowan Ditch during the years 1981 to 1994 to irrigate their property at the Keyes Acres. The purpose of irrigation has been horse pasture.

Larry M Chamberlain

*State of Idaho }
County of Custer }*

*Subscribed & sworn to before
me this 10th day of April, 1996.*



*Ethel M. Peck
Notary Public
Challis
3-19-98*

MICROFILMED
DEC 04 1996

RECEIVED

JUN 07 1996

**Department of Water Resources
Southern Region**

A72-00185 B

I, Patricia Swain Bergey, lived on the property adjoining to the east of Ted & Helen Malone's property 1 mile north on Hot Springs road from October 1984 until October 1990. During that time they irrigated their property from the canal (known as the Upper McGowan ditch) every year.

Patricia Swain Bergey

Signed before me this 7th of March 1996

James E. Diker

Com. expires: 6-3-2000

MICROFILMED
DEC 04 1996

RECEIVED

JUN 07 1996

Department of Water Resources
Southern Region

A72-00185 B

Helen Malone
#63 box 1479
Chino del 83226

RECEIVED

JUN 07 1996

Department of Water Resources
Southern Region

MICROFILMED

DEC 4 1995



Steve Cleland
222 Ashshore
Jum Falls del 833

A72-00185B

Steve here are a
few letters that
you had requested
several weeks ago.
Would you please
file them with our
files. Thank you
Helen Malone

5.50 AFA

Stage: DECREED

T13N R19E S16 Lot07(NHSHSE)

CUSTER County

TOTAL ACRES

Other Rights: 72-07246

Dates: **Exam Made Date:** 09/10/1993 **Verified Date:** 04/16/1996 **Objection Filed Date:**

Field Inspection Flag: A
Presumption Flag:

Comments: Date: 02/11/1994 User-ID: CLELAND Subject: COPIED FROM REMARKS

Date: 02/11/1994 User-ID: CLELLAND Subject: DISALLONAL
1. NO WATER RIGHT FOR THE SITE EXAMINED WITH PUMP FOUND.
2. NO OWNERSHIP FOR THE POU OR THE 72-00185 WATER RIGHT CLAIMED
AS BASIS OF RIGHT.

Date: 04/10/1996 User-ID: SCELLEMAN Subject: RECOMMENDATION
BASED ON WARRANTY DEED AND MAPS, 3 MINERS INCHES WAS SOLD TO THE
CLAIMANTS IN 1977. THEY BEGAN TO USE THIS WATER ON LAND IN SEC-
02 AS SHOWN HEREIN AND NEVER USED IT ON THE PARCEL LISTED IN THE
DEED. ACCOMPLISHED TRANSFER APPEARS TO BE VALID AND AFFIDAVITS
ARE FORTHCOMING TO DOCUMENT THIS WATER USAGE.

Audit: 04/16/96 SCLELLAN

COMMUNICATION DOCUMENTATION

Claim No. A72-00185B

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

April 11, 1996 4:48pm

NAME:
HELEN MALONE CALLOUT 879-2420

RE:
TRANSFER CORRECTIONS

I CALLED TO CONFIRM SOME MINOR CLARIFICATIONS TO THE APPLICATION FOR TRANSFER, THE QUANTITY SHOULD BE 0.06 CFS AND NOT 0.60 CFS AS SHOWN. TO MORE ACCURATELY DESCRIBE THE POINT OF DIVERSION I ASKED HER IF WE COULD ADD THE GOVERNMENT LOT NUMBER 5. SHE AGREED TO BOTH CHANGES.

SHE STATED SHE WOULD BE SENDING AFFIDAVITS TO SUPPORT THE ACCOMPLISHED POB TRANSFER FROM 1977. I TOLD HER THE CLAIM A72-00185B WILL BE RECOMMENDED FOR 3 MINERS INCHES.

MICROFILMED

DEC 04 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

March 19, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

TED L &/OR HELEN P MALONE
HC 63 BOX 1749
CHALLIS ID 83226

RE: SRBA CLAIM A72-00185B AND PROPOSED TRANSFER

DEAR MR. & MRS. MALONE,

I have reviewed the warranty deed information you submitted to me regarding the disallowed recommendation of your SRBA claim. Several points have been clarified concerning your claim and proposed transfer.

First, the land you listed in your claim as the place of use (POU) is not the land that was sold to you in the warranty deed you sent to me. The deed listed the NESW of Section 36 while the claim was for the SESW of Sec. 36.

Secondly, the deed conveys 3 miners inches (0.06 cfs) to you, but, it is not clear if this water was the right appurtenant to the land you purchased or if it is water independent from that POU, since the POU has never been irrigated.

Third, I have still not received the affidavits describing this water use in the past. Please be specific as to uses and dates in requesting affidavits.

Finally, the transfer you filed has been received by IDWR and is awaiting resolution of this SRBA review before proceeding. There are some minor errors in the application as filed. You listed the amount as 0.60 cfs instead of 0.06 cfs as shown in your claim and deed.

We look forward to your submittal of evidence and documentation of the history for your claimed water right and feel free to contact our office if you have further questions.

Sincerely,

STEVE CLELLAND
Water Resource Agent

ENC:

- Map of decreed POU.
- Metes & Bounds map.

MICROFILMED
DEC 04 1996

DECREED
POU
72-00185

POOR ORIGINAL

T
14
N

T
13
N

SALMON
RIVER

35

25

36

NESW

SESW

Deeded
land

CLAIMED
LAND

2

1

Actual
USE
LAND

DECREED
POU
72-00187

72-00186
DECREED
POU

12

CLAIM A72-00185 B INIT SEC

T. R. S. Q/Q 2-11-94

P/D

PHOTO U25 OPQ

DT.&ID. 7-24-74

SEC 3/7/96

DECREED
POU'S

MICHOPIE

DEC 04 1996

FOOT ORIGINAL

should be the
"UPPER" McGowan Ditch

SCC
9-8-93

pump
in
Ditch
used

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Pasture ground here is normally irrigated with pump in lower McGowan Ditch, but well was previously used & can still be used if needed (according to Mr. Malone)
Stockwater use for a few horses is minimal. Include under domestic use.
Irrigation is for pasture & lawn, 1.9 acres total.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Domestic	1-1	12-31	0.04	0.6
Irrigation	4-1	11-1	0.04	5.7
Stockwater	1-1	12-31		
Totals:			0.04	6.3

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

- ☒ None
☐ Other

J. AUTHENTICATION

Field Examiner's Name J. E. Stanton
Signature J. E. Stanton
Certification Date 4/14/91
Field Report Preparation Date 11-8-90



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Assessment:

Statement by IDWR staff indicates
pump in Upper McGowan Ditch in use at this date.

See
2/7/96

MICROFILMED
DEC 04 1996

A72-00185 B

10

IDWR Employee/Agent Steve Clelland

March 6, 1996 9:30 am

RE:

CALLIN

TRANS. INFO FOR RIGHT

I TOLD HER I HAD NOT RUN THE METES AND BOUNDS FOR THE DESCRIPTION YET SO I COULD NOT ANSWER. I QUESTIONED THE HISTORY OF THE PROPERTY AND USES: SHE BOUGHT IN 1977 FROM HOWARD, DID NOT IRRIG. THE LAND IN SEC. 36 BUT MOVED IT TO THE CURRENT HOMESITE IN SEC. 2 AND HAS IRRIGATED EVERY YEAR SINCE THEN. (EXCEPT THE LAST TWO YEARS WHILE BUILDING A HOUSE).

I TOLD HER SHE COULD FILE THE TRANSFER NOW AND IF THEY DO NOT LIKE MY RECOMMENDATION LATER THEY CAN WITHDRAW THE TRANSFER AND GET THEIR MONEY BACK, AS LONG AS IT HASN'T BEEN ADVERTISED YET. I WILL BE COORDINATING EFFORTS WITH MARK OLSEN AND OUR OTHER OFFICE STAFF TO RESOLVE THIS QUICKLY.

CLAIM: A72-00185B

MICROFILMED
DEC 04 1996

February 26, 1996

RECEIVED

FEB 27 1996

Steve Clelland
222 Shoshone Street East
Twin Falls, ID 83301-6105

Department of Water Resources
Southern Region

CERTIFIED Return Receipt Requested

Dear Steve:

I am responding to your letter dated January 31, 1996.

I have enclosed a certified copy of my deed showing deeded water right for SESW, T14N, R19E. I hope this will clear up a lot of issues. We purchased the property from Ben Howard. (The majority of the ranch is now owned by Cliff Hansen. I don't understand why Garth Chivers is showed as owner to my knowledge he never owned my property only borders it.) The upper McGowan ditch is the water source running by this property.

I am wanting to transfer my right from the above to my property on sec 2 Township 13N. Range 19E. This is where we have been using our water from the Upper McGowan ditch since 1981. The members of the Upper McGowan ditch were/are aware of this fact. We realize we have a ground water right. We want to keep it for the yard/garden area, stock water, and drinking well. We would like to transfer the surface water to continue irrigating our pasture.

I am aware that the property that I am irrigating from the Upper McGowan ditch was watered via the Keyes Ditch. I did not/do not have rights from the Keyes ditch but do have 3 minor inches from the Upper McGowan ditch which runs through the border of this parcel.

I do not have all the data you require at this time. I have contacted a few people to write letter as to there being aware of my water rights on the Upper McGowan Ditch and that they have seen us irrigate the other property by sprinklers between 1981 to 1984 (we have not irrigated last two years because of house construction.)

I am hoping seeing the certified copy of the deed will help clear up our ownership and legal claim to three minor inches of water. Can I go ahead with the transference papers? Please feel free to contact me at work at 879-2344 or at home 879-2420.

Sincerely,

Helen P. Malone

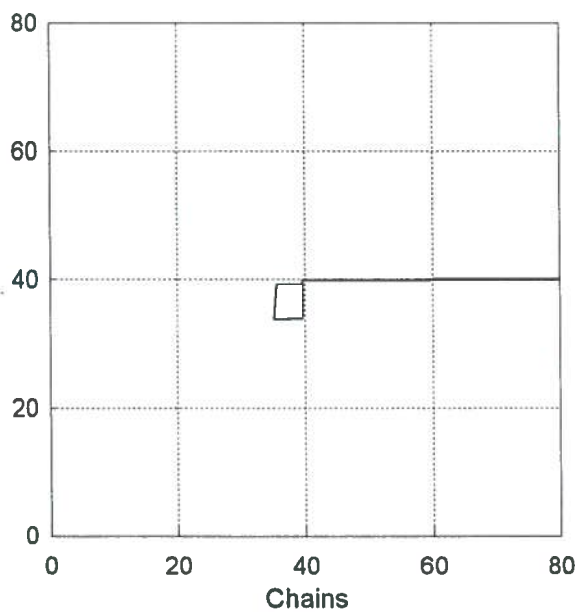
Helen P. Malone
HC 63 Box 1749
Challis, ID 83226

MICROFILMED
DEC 04 1996

RIGHT: _____

CLAIMANT: _____

METES & BOUNDS
Sec 36, T 14 N, R 19 E



*As described in Warranty Deed:
Howard to Malone on 10-3-77*

MICROFILMED
DEC 04 1996

A72-00185B

03/07/96 01:47 PM

ACRES = 0.73

By: _____

FOUR ORIGINAL

RECEIVED

FEB 27 1978

Department of Water Resources
Southern Region

WARRANTY DEED

For Value Received

BEN HOWARD and DOROTHY M. HOWARD, a/k/a DOROTHY HOWARD, husband and wife,
the grantor s, do hereby grant, bargain, sell and convey unto

TED L. MALONE and HELEN K. MALONE, husband and wife,
the grantee s, whose current address is Box 705
Battle Mountain, Nevada 89820
the following described premises, in Custer County Idaho, to-wit:

A parcel of land located in the NE 1/4 SW 1/4, Section 36, T. 14 N., R. 19 E., B. M., Custer County, Idaho, more particularly described as follows:

Commencing at the East Quarter Corner of said Section 36, a distance of 2,668.34 feet on a bearing of S. 89°47' W. along the center of section line; thence S. 0°01'04" W., 43.76 feet to the REAL POINT OF BEGINNING. From this REAL POINT OF BEGINNING continue on a bearing of S. 0°01'04" W., 352.24 feet; Thence S. 89°47'00" W., 294.43 feet; Thence N. 4°51'57" E., 353.63 feet; Thence N. 89°47'00" E., 264.54 feet to the REAL POINT OF BEGINNING, said parcel containing 2.26 Acres, More or Less.

TOGETHER with ditch rights and water rights for three miners inches of Salmon River water.

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

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

Dated: October 3, 1977.

B. Howard
Dorothy M. Howard

STATE OF IDAHO, COUNTY OF Custer
On this 3rd day of October, 1977,
before me, the undersigned, a Notary Public in and for the said State, personally appearing
BEN HOWARD and DOROTHY M. HOWARD,
a/k/a DOROTHY HOWARD, husband and
wife,
known to me to be the person s whose name s are
subscribed to this instrument, and acknowledged to
me that they executed the same.
June Bennett
Residence at Challis Notary Public
Comm. Expires life , Idaho

STATE OF IDAHO, COUNTY OF Custer
I hereby certify that this instrument was filed for record at
the request of Dorothy Howard
at 15 minutes past 1 o'clock P.M.
this 30 day of December,
1977, in my office, and duly recorded in Book
of Deeds at Page
Marie Sullivan
Ex-Officio Recorder
By Diana Howard Deputy.
Fees \$ 1.00
Mail to Dorothy Howard

INSTRUMENT No. 146143

STATE OF IDAHO)
COUNTY OF CUSTER)SS

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

Date 2-7-96

146143

Wanda J. Murphy
Deputy Clerk

MICROFILMED
DEC 04 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

January 31, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

TED &/OR HELEN MALONE
HC 63 BOX 1749
CHALLIS ID 83226

RE: REVIEW OF SRBA CLAIM A72-00185B

Dear Mrs. Malone,

Enclosed you will find the Application for Transfer form and instructions as we discussed on the phone this day. I have also included copies from the review file of your water right claim **A72-00185B** to better clarify my view of the right as claimed.

As I looked over the file this is my explanation of the recommendation. You claimed a right for a parcel in section 36, SESW, T14N, R19E and claimed 2.2 acres were irrigated from the old decreed right **72-00185**. This right is appurtenant to that parcel, however, the entire tract of land is shown by ASCS maps to be owned by Garth Chivers. Did you buy a portion off land from him or did your predecessor? If so perhaps you can show the deeds that lead to your current ownership.

According to the directions given to me by phone to locate the parcel currently being irrigated I found the house and parcel next to the Upper McGowan Ditch. I found the 1.5 hp pump and 4 inch sprinkler lines around the house area. This land was not claimed as the place of use in the claim and the water right found for the use on that parcel was **A72-07246**. YOU DO HAVE a right to irrigate 1.9 acres from the groundwater well for the parcel in section 2.

In summary, the claimed place of use does not appear to be owned by you. The place of use being irrigated is not part of the right **72-00185** but rather decreed as **72-00187**, however that right was delivered via the Keyes Ditch. Your irrigation of the parcel in section 2 appears to have been developed in 1983 under a groundwater right **A72-07246**. BASED ON THE INFORMATION CURRENTLY AVAILABLE YOUR RIGHT IS BEING RECOMMENDED FOR DISALLOWAL: NO LAWFUL APPROPRIATION SHOWN.

Please remember this is not the final determination of your SRBA claim. It is subject to change as new information is made available to us or during the court's review in preparation for the decree of this right.

If you have any further questions please feel free to call me at our office.

Sincerely,

STEVE CLELLAND
Water Resource Agent

enc:

MICROFILME

DEC 04 1996

SD-0604-2 Township: 14N Range: 19E Section: 36 Tract: SESW Lot: 66

S	L	Water	Name	O	S	Max #	Records	66
E	O	Right	Last, First	W	T	Priority	Use	
L	Tract	T	No.	N	AC	G	Date	Code Desc
---	---	---	---	---	---	---	---	---
---	SESW		72-00146	CHIVERS, GARTH	C		D	11/01/1885 43 DOME
---				GEORGE MC GOWAN CO. LT	C			
---	SESW	→	72-00185	GEORGE MC GOWAN CO.	C		D	04/01/1887 01 IRR
---	SESW		72-00238	CHIVERS BROTHERS	C		D	06/01/1890 01 IRR
---	SESW		72-04178	WESTERGARD, GOLDEN C.	C	40	S	04/01/1952 01 IRR
---				JOHNSON, J. LYNN	C			
---				CHIVERS, GARTH T.	C			
---				HANSEN, CLIFF	C			
---	SESW		L72-07051	CHALLIS IRRIGATION CO	C	40	L	03/29/1976 01 IRR

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

WR4Q

For Land claimed,

THIS shows the WATER rights
on RECORD at IDWR for it.

Indicates to us that any water right
here belongs exclusively to
Garth Chivers & one by CHALLIS IRR.

Steve

MICROFILMED
DEC 04 1996

Enclosure to Ma LONE
1-31-96 scv

CVR PAGE

9 10 93

opt. for 8-20-93
could not complete the opt.
called to no chudule - no contact.

MICROFILMED

DEC 04 1996

Exam completed w/o Claimant's
presence on site, at location described to me by phone. 8/20
POU claimed is not here at site found.
POU claimed is not home. It is owned by Quiero.
Basis of claim is not correct ownership of 72-00185
Possible forfeiture of use of 72-00187 on site. Examined (1984-1990) - Double wide off house
Area under the upper McGowan Pitch where
this site is located has been subdivided, irrigation
has been forfeited on all remaining lots herein.

MICROFILMED

NOV 01 1994

Enclosure to Malone
1-31-96 sec

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00185B

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IDWR Employee/Agent Steve Clelland

January 31, 1996 11:01am

NAME:

HELEN MALONE

CALLIN

RE:

TRANSFER OF 72-00185B

SHE IS FOLLOWING UP ON THE CALL I HAD WITH MARK OLSEN. I EXPLAINED THE RIGHT IS CURRENTLY BEING RECOMMENDED FOR DISALLOWAL BASED ON BY EXAM AND REVIEW OF THE FILE INFORMATION. SHE DESCRIBED THE RIGHT AS BEING DECREED TO ONE PARCEL THEY OWNED BUT THEN THEY MOVED IT TO ANOTHER PARCEL THEY OWNED; IDWR TOLD THEM NOT TO FILE THE PROPER TRANSFER UNTIL THEY WERE SURE THAT IS WHERE THEY WANTED THE WATER SINCE THEY COULD NOT REVERSE THE PROCESS. SHE SAID THIS WAS THE DISCUSSION FROM ABOUT 10 YEARS AGO WITH THE DEPT.

I SUGGESTED SHE DESCRIBE THE DATES AND TIMES OF THE CHANGE THAT OCCURRED WITH THIS WATER RIGHT AND SEND THEM IN FOR REVIEW WITH THIS RIGHT. INCLUDE INFO ON THE PUMP AND SPRINKLER SYSTEM USED ALSO. SHE SAID THE HAD 14 JOINTS OF PIPE BUT COULD ONLY RUN 7 AT A TIME. SHE ALSO SAID SHE COULD GET AFFIDAVITS FROM THE OTHER USERS ON THE DITCH WHO APPROVED HER PUMPING FROM THE DITCH.

SHE REQUESTED A TRANSFER FORM TO BEGIN THE SWITCH TO THE CHALLIS CANAL. SEND TO ADDRESS AS LISTED IN CLAIM A72-00185B.
WORK PHONE: 879-2344 TILL 4 PM.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-07246 &

A72-00185B

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IDWR Employee/Agent Steve Clelland

January 26, 1996 2:23pm

NAME:

MARK OLSON

CALLIN

RE:

TED & HELEN MALONE

HE WANTED TO KNOW WHAT I HAD FOUND OUT ON THEIR WATER RIGHTS... I WAS NOT AWARE I WAS STILL WORKING ON ANYTHING FOR HIM OR THEM. WE DISCUSSED THE POSSIBILITIES OF THEIR CLAIMED RIGHTS AND REACHED THE FINAL OPTIONS.

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THEY WANT TO KNOW HOW TO PROCEED WITH GETTING THEIR RIGHT FROM THE CHALLIS CANAL SINCE OTHER USERS HAVE OFFERED ACCESS TO A PIPELINE FOR THEIR USE. THE FIRST STEP IS TO IDENTIFY IF THEY HAVE A WATER RIGHT... AT THIS POINT THEY HAVE NO RIGHT TO DIVERT FROM THE CHALLIS CANAL.

THEY WILL BE IN CONTACT WITH ME TO DISCUSS THE MATTER FURTHER.

MICROFILMED
DEC 6 4 1996

6/9/94

COMMUNICATION DOCUMENTATION

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IDWR Employee/Agent JEANIE M ROBERTSON

DATE

CUSTOMER

October 5, 1995 4:12pm **HELEN MALONE** A72-00185B, A72-07246

SUBJECT: QUESTIONS ON FEDERAL AND INDIAN CLAIMS???

phone call (X) walk-in (.)

She was calling on behalf of herself and some of her neighbors in the Upper and Lower McGowan Ditch. Apparently, they will be having some meetings tomorrow night and she wanted to save us from a flurry of calls. She wanted to know if I could do a query by legal description that would tell them which claims might impact theirs, so they could file objections. I told her there really wasn't an easy way and FAXed her a letter, a copy of the "Using the Director's Report Part II" guide, a copy of an Objection form, and suggested she contact the SRBA court with questions on filing as a group and how the withdrawal of claims by the Forest Service last week impacted objections.

MICROFILMED
DEC 04 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

October 5, 1995

HELEN MALONE
(208) 879-2344
FAX 879-5246

Dear Helen,

In answer to some of your questions regarding the Federal and Indian Claims, I'm afraid there isn't an easy way for me to query legal descriptions to help identify the claims which may impact your claims and those of your neighbors. In an effort to aid you in the process of searching, I am FAXing you a guide on how to use and wade through the information. I might draw your attention on page 5 to Basin 72 - the Salmon River drainage in Challis area - A-2941 to A-3571. These claims are located in Volumes #3 and #4. I caution you, however, that there may also be other claims which could affect your claims, such as any which are upstream from your area.

As you may have heard, the Forest Service withdrew over 3,000 of their instream flow claims last Friday. I would suggest you contact the SRBA Court @ (208) 736-3011 as to what that means to you and if you still need to file Objections on those claims and also as to just what numbers are involved.

As to whether you can file Objections as a group, I suggest you again ask the SRBA Court for clarification. You may need legal representation in that case. I've enclosed a copy of the Objection form which also gives more information on that process.

If you still feel you need a large query done by legal description, I suggest you contact Don Shaff at our State Office in Boise. That number is (208) 327-7932, or there is a toll-free number at 1-800-451-4129. We have also been told that Claimants with questions on the Federal and Indian Claims can call the Idaho Attorney General's office at (208) 334-2400.

I wish I could be of more help, but since I can't offer legal advice, I can only help you find the information. Please call if you have any other questions.

Sincerely,

Jeanie Robertson
Water Right Agent, Adjudication

(Your particular claims are A72-07246, A72-00185B)

MICROFILMED
DEC 04 1996

R PROOF

CVR

MAPS

PHOTOS

MISC

—

—

—

—

—

VERIFIED BY *See*

Water Right Number - R72-00185B

Prefix Translation:

RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
MALONE

TED L

1 - HC 63 BOX 1749
2 -
3 -

State- ID Zip- 83226

MALONE

HELEN P

City- CHALLIS
Phone - 208-879-2420
1 - HC 63 BOX 1749
2 -
3 -

State- ID Zip- 83226

Priority Date - - -
04/01/1887

Region - - -
17 SOUTHERN

Stage - - -

Status - - -
I - DISALLOWED

Source - - -
SALMON RIVER

Tributary - - -
SNAKE RIVER

Twn Rng Sec Tract Lot RFlg County Point of Diversion
13N 19E 16 NW SW SE 7 (37) CUSTER

Code Description Period from Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.060

Total Div. Rate - + - Total Div. Volume - +
0.600

Total Consumptive Use - + - KW Usage - +
5.6

Twn Rng Sec Tract Lot Acres Place of Use Code Description County
14N 19E 36 SE SW 2.2 01 IRRIGATION (37) CUSTER

Total Acres: 2.2

- - - Diversion Means - VIA UPPER MCGOWAN DITCH

- - - Non-Irrigation Use - NONE

- - - Other Rights for Same Use - NONE

Remarks
NO LAWFUL APPROPRIATION SHOWN.

MICROFILMED
NOV 10 1 1994

Water right number - R72-001858

Prefix Translation: RESEARCH

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

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

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

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

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

+ - - - - Decree Plaintiff - - - +

CHARLES B. JENSON ET AL

+ - - - - Decree Defendant - - - +

RICHARD BENNETTS ET AL

+ - - - - Decree Date - - - +

00/00/0000

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

Date: 02/11/1994 User Id: CLELLAND Subject: COPIED FROM REMARKS

THIS CLAIM IS BASED ON A PORTION OF DECREE 72-00185.

Date: 02/11/1994 User Id: CLELLAND Subject: DISALLOWAL

1. NO WATER RIGHT FOR THE SITE EXAMINED WITH PUMP FOUND.

AS BASIS OF RIGHT.

2. NO OWNERSHIP FOR THE POU OR THE 72-00185 WATER RIGHT CLAIMED

+ - - Audit fields - - +

02/11/94 CLELLAND

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

Court Report Filing - 00/00/0000

Field Inspection Made - 09/10/1993

Civil Case Number - 39576

Objection Filed Date - 00/00/0000

Old Case Number -

Response Filed Date - 00/00/0000

Verified Date - 02/11/1994

Old Judicial District -

Claim Received Date - 11/29/1989

Last Amended Date - 12/05/1989

Temporary Right - P

Receipt Number - M005267

Water District -

POU Ownership Flag - Y

Federal/State Indicator - S

Presumption Flag - D

Name Connector - AND/OR

Notice of Error Flag -

MICROFILMED
NOV 01 1994

~~LAST: GEORGE MC GOWAN CO.~~ FIRST:
~~ADDRESS:~~ NA STATE: ID ZIP: 00
~~CITY:~~ NA
~~PHONE NUMBER: 208-000-0000~~

~~OWNER CODE: 0~~

LAST: MALONE FIRST: TED L.
ADDRESS: H.C. 63 BOX 1749
CITY: CHALLIS STATE: ID ZIP: 83226
PHONE NUMBER: 208-879-2420

OWNER CODE: C

LAST: MALONE FIRST: HELEN P.
ADDRESS: H.C. 63 BOX 1749
CITY: CHALLIS STATE: ID ZIP: 83226
PHONE NUMBER: 208-879-2420

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS CLAIM IS BASED ON A PORTION OF DECREE 72-00185.

*No valid ownership of this
right found. See attached
search pages
for correct portion*

MICROFILMED
NOV 01 1994

CONTACT PERSON: _____

DATE OF FIELD EXAM: 9/10/93APPOINTMENT MADE: Y(☒) N(☐)PHONE NUMBER: () : A() P()

ACCOMPANIED BY: _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

oppt. for 8-20-93

PHONE NUMBER: () : could not complete the oppt.
called to reschedule - no contact.

Exam completed w/o Claimant's

presence on site, at location described to me by phone.

POU claimed is not here at site found.

POU claimed is not home. It is owned by Oliver.

Basis of claim is not correct ownership of 72-00185

Possible forfeiture of use of 72-00187 on Cont. Examined (1984-1990)

Area under the upper McGowan Patch where

this site is located has been subdivided, irrigation

has been forfeited on all remaining lots herein.

8/20

Tues 2:30 pm

0.9 mi HSE

- Double wide driveway

Blue

MICROFILMED

NOV 01 1994

A. AJ CLAIM: # A72-00185B PRIORITY DATE: 04-01-1987 STAGE: D

B. WR RECORD: # 72-00185 PRIORITY DATE: 04-01-1987 STAGE: D

C. FIELD EXAM REQUIRED? DATABASE N FIELD EXAMINER

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

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

REMARKS:

72-00185 not the correct basis for this claim.

RECOMMENDED PRIORITY DATE:

04-01-1987

Disallowed

REVIEWED BY

See

DATE

2-11-94

MICROFILMED
NOV 01 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-00185B	13N	19E	16	NW	SW	SE	7	CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
NONE NONE

72-04178

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

7200185 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

Channel POD is the diversion for Upper McGowan Ditch.

See 2-11-94

MICROFILMED

NOV 01 1994

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

SOURCE: SALMON RIVER TRIB: SNAKE RIVER

REVIEWED BY: DATE:

MICROFILMED
NOV 01 1994

A. ROOT WATER RIGHT NUMBERS:

A72-00185
A72-00185A

A72-00185B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
14N	19E	36	SE	SW		MALONE, TED L.	A72-00185B	72-2			40.0
			SE	SW		CHIVERS, GARTH T.	A72-10117	/			
			SE	SW		CHIVERS, GARTH T.	A72-10120	/15.0			
			SE	SW		CHALLIS IRRIGATION CO.	A72-07051	/40.0			
			SE	SW		CHALLIS IRRIGATION CO.	A72-07269	/40.0			
			SE	SW		CHALLIS IRRIGATION CO.	A72-10325	/40.0			
			SE	SW		CHALLIS IRRIGATION CO.	A72-10324	/40.0			
			SE	SW		CHIVERS, GARTH					
			SE	SW		GEORGE MC GOWAN CO.	72-00146	/			
			SE	SW		CHIVERS BROTHERS	72-00185	/			
			SE	SW		WESTERBARD, GOLDEN C.	72-00238	/			
			SE	SW			72-04178	/40.0			
TOTAL ACRES						A72-00185B	2.20				40.00

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

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER POU COUNTY: CUSTER

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG: D

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

MICROFILMED

NOV 01 1997

A. AS CLAIMED USES:

PURPOSES MONTH/DAY DIVERSION QUANTITY
 672-00185 IRRIGATION FROM 04-01 TO 11-01 .060 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED .600 CFS

B. WR RECORDED USES:

PURPOSES MONTH/DAY DIVERSION QUANTITY
 72-00185 IRRIGATION FROM TO 40.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED 40.000 CFS

SUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()
 RECOMMEND TO WR STANDARDS OR OTHER? Y() N() Explain in remarks, below.

REMARKS:

MICROFILMED

NOV 8 1 1984

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE:

0.600 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:

40.000 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?

FIELD
DATABASE EXAMINER

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

Y

FLOW MEASUREMENT

MEASUREMENT METHOD

SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-00185B	SALMON RIVER	MALONE, TED L.	0.600	0.272		
A72-07051	SALMON RIVER	CHALLIS IRRIGATION CO.	47.400	0.012		
A72-07269	SALMON RIVER	CHALLIS IRRIGATION CO.	1.200			
A72-10120	SALMON RIVER	CHIVERS, GARTH T.	9.600	0.035		
A72-10324	SALMON RIVER	CHALLIS IRRIGATION CO.	52.520	0.013		
A72-10325	SALMON RIVER	CHALLIS IRRIGATION CO.	24.980	0.006		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10117	STOCKWATER	CHIVERS, GARTH T.	FROM 01-01 TO 12-31	0.070 CFS	
A72-10117	DOMESTIC	CHIVERS, GARTH T.	FROM 01-01 TO 12-31	0.040 CFS	

MICROFILMED
NOV 01 1984

10.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

13. IRRIGATION RATE

ACRES ----- X 0.02 CFS/ACRE = 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 = 5.6 AF/A

ACRES ----- X CONSUMPTIVE VOL. AF/A FOR AREA ----- =

TOTAL CONSUMPTIVE USE ----- AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME ----- AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

MICROFILMED
NOV 04 1994

RECOMMENDATIONS:

REC. PURPOSE

Discharge

REC. PERIOD FROM TO

04-01 11-01

REC. DIV RATE CFS

0.060

REC. DIV VOL. AF/A

0.060

REC. CONS. USE

0.060

TOTAL FOR THIS RIGHT

0.600

5.6

REVIEWED BY:

See

DATE:

2-11-94

Comments:

at this time of review I cannot verify the case or dimensions as claimed. I may have discovered the Comments intent to cover the land also covered in A 72-7246 but his intent is not clear other than as claimed.

FD1 = no lawful appropriation shown

(no water right for the site & planned no ownership of doc or base water right as claimed)

MICROFILMED
NOV-11-94
1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREIGN/ABANDON
ADDITIONAL DIV. AMOUNT

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00185

TOTAL DIVERSION RATE OF WR SPLITS
DATABASE
40.000

EXAMINER
CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "K" CLAIM NUM.	"K" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A72-00185	A72-00185A	10.000	-	-	72-00185	40.000
A72-00185	A72-00185B	0.600	-	-	72-00185	40.000
TOTAL CFS						40.000

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
N
FIELD
EXAMINER

REMARKS:

Disalons

AUTHENTICATION
SIGNATURE: *Steve Cood*
DATE: *2-11-94*
NAME OF FIELD EXAMINER: _____
TITLE: _____

MICROFILMED
NOV 01 1994

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	☒		9-10-93 See	Disallowed	12456	See 2-11-94	See 2-11-94	See 2-11-94
SOURCE								
PLACE OF USE	☒				12456			
DIV. AMOUNT CFS/VOLUME	☒							
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM	☒				156			
REMARKS	☒			181	6.			

See
12-15-92

"VERIFIED BY" CODES

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

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

MICROFILMED
NOV 04 1994

See
2-11-94

Comments:
@ Reid

MICROFILMED
NOV 01 1994

R19E

POOR ORIGINAL

T
14
N

35

36

per
ASCS
EST. all 1/4
POU
w/1/2 belong
to Chivers
(see A72-10120)

LOWER
MCGOWAN
DITCH

CLAIMANTS POU
UNDER A72-1246

UPPER
MCGOWAN
DITCH

T
13
N

SALMON
RIVER

CLAIM A72-001858 INIT Sw
T. R. S. Q/Q

P/D
PHOTO U25 OPQ
DT.&ID. 7-24-74

MICROFILMED
NOV 01 1994

SD-0604-2 Township: <u>13N</u>		Range: <u>19E</u>		Section: <u>2</u>		Tract: <u>SWSE</u>		Lot: <u>73</u>	
S	L	Water	Name	O	S	Max #	Records	73	
E	O	Right	Last, First	W	T	Priority	Use		
L	Tract	T	No.	N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---
---	SWSE	72-00186A	KEYES, JACK	C	13	D	11/18/1890	01	IRR
---			BENNETTS, RICHARD	O					
---			LEWIS, GERRY K	C					
---			GUY, MARY K	C					
---	SWSE	<u>72-00187</u>	KEYES, JACK	C	13	D	11/18/1890	01	IRR
---			BENNETTS, ELLEN	O					
---			LEWIS, GERRY K	C					
---			GUY, MARY K	C					
---	SWSE	72-07446	SCHNABEL, ROBERT	C	2	P	12/06/1989	01	IRR
---			SCHNABEL, SHAWNA	C				43	DOMES
---	SWSE	72-07246	MALONE, TED L	C	1	L	01/11/1983	01	IRR
---			MALONE, HELEN P	C				04	STOCK
---								43	DOMES
---	SWSE	72-07510	FORESTIER, GEORGE B	C	4	P	03/19/1993	01	IRR
---	SWSE	72-00035	CHALLIS IRRIGATION CO.	C	12	D	06/01/1957	01	IRR
---	SWSE	72-07436	GRIFFITH, NADINE	C	5	P	12/11/1989	01	IRR

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

Water right Query WRQ4
for legal above.
searching for correct secured right portion.

this claim not based on ownership
of 72-00185 portion.

May have some claim to portion of

72-00187 at this point of Review

2-11-94
MICROFILMED
NOV 11 1994

SD-62
INQUIRY

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 02/11/94
Time: 14:30:45

Water Right Number: A72-00186

FIRST PAGE

13. Remarks: THIS WATER RIGHT IS SPLIT. THIS CLAIM IS FOR REFERENCE ONLY.
A72-00186A FOR 2.0 CFS - 120 AC GEORGE KEYES EST.
A72-00186B - 4.5 CFS - 104 AC - WINTER

THIS RIGHT IS OVERCLAIMED. ALB 3-3-92

*Decreed
4.5 cfs to Richard Bennett*

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

SD-62
INQUIRY

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 02/11/94
Time: 14:31:20

Water Right Number: A72-00187

FIRST PAGE

13. Remarks: THIS CLAIM HAS BEEN RENUMBERED TO: A72-00187B BECAUSE....

THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:

A72-00187A - 0.105 CFS - 2.5 AC - HALEY

A72-00187B - 3.50 CFS - 120 AC - KEYES, GUY AND LEWIS

THIS RIGHT HAS BEEN OVERCLAIMED. ALB 3-9-92

*Decreed
3.5 cfs to Ellen Bennett*

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

MICROFILMED

NOV 01 1994

A72-00185 B

DECREED
POU
72-00185

POOR ORIGINAL

RISE

T
14
N

35

25

36

2

1

T
13
N

DECREE
POU
72-00187

10

12

SALMON RIVER

72-00186
DECREE
POU

DECREED
POU'S

CLAIM A72-00185 B INIT SCC
T. R. S. Q/Q

P/D
PHOTO U25 OPQ
DT.&ID. 7-24-74

2-11-94
NOV 01 1994

POOR ORIGINAL

4

3

2

T
13
N

10

POU

UPPER mcGOWAN DITCH

R 19E

POD

A72-00185B
CLAIM A72-7246 INIT See
T. R. S. Q/Q
P/D
PHOTO U25 (NE)
DT.&ID. 7-24-74

MICROFILMED
NOV 01 1994

9-10-93
Sc

1 1/2 HP

QVS Johnson Water Sys

Ser # 780

Model # SP155-68213

POOR ORIGINAL

1 1/2" Black plastic pipe
to 4" sprinkler lines

(Copied from file Jacket

2-11-94

Sc

A7200185B



8/20

Tue 2:30 PM

0.9 mi H.S.R.

- Double wide off-ramp
Blue

MICROFILMED
NOV 01 1994

POOR ORIGINAL

A72-7246

A72-00185B

should be the
"UPPER" McGowan Ditch

sw
9-3-93

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Pasture around house is normally irrigated with pump in Lower McGowan Ditch, but well was previously used & can still be used if needed (according to Mr. Malone).
Stockwater use for a few horses is minimal. Include under domestic use.
Irrigation is for pasture & lawn, 1.8 acres total.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1-1	12-31	0.04	0.6
Irrigation	4-1	11-1	0.04	5.7
Stockwater	1-1	12-31		
Totals:			0.04	6.3

2. Recommended Amendments

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

J. AUTHENTICATION

Field Examiner's Name J.E. Stanton
Signature J.E. Stanton
Certification Date 4/10/91
Field Report Preparation Date 11-8-90



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

LICENSE EXAM
FROM 72-7246
FILE

MICROFILMED

NOV 01 1994

Water Right Number - 72-00185

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
GEORGE MC GOWAN CO.

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

Priority Date - 04/01/1987
Region - 17 SOUTHERN
Stage - D - DECREED
Status -

Source - SALMON RIVER
Tributary - SNAKE RIVER

Point of Diversion -
Stream Index (Blank if no Index Code)

Code - Description - Period From - Period To - Water Use - Diversion Rate - Diversion Volume -
01 - IRRIGATION
40.000

Total Div. Rate - 40.000
Total Div. Volume -
Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
13N	19E	1	NW NW	4		01	IRRIGATION	(37) CUSTER	
13N	19E	2	NE NE	1		01	IRRIGATION	(37) CUSTER	
13N	19E	2	NW NE	2		01	IRRIGATION	(37) CUSTER	
14N	19E	35	NE NE			01	IRRIGATION	(37) CUSTER	
14N	19E	35	NW NE	1		01	IRRIGATION	(37) CUSTER	
14N	19E	35	SW NE			01	IRRIGATION	(37) CUSTER	
14N	19E	35	SE NE			01	IRRIGATION	(37) CUSTER	
14N	19E	35	NW SW			01	IRRIGATION	(37) CUSTER	
14N	19E	35	NE SW	6		01	IRRIGATION	(37) CUSTER	
14N	19E	35	NW SE			01	IRRIGATION	(37) CUSTER	
14N	19E	35	NW SE			01	IRRIGATION	(37) CUSTER	
14N	19E	35	SW SE			01	IRRIGATION	(37) CUSTER	
14N	19E	35	SE SE			01	IRRIGATION	(37) CUSTER	
14N	19E	36	NE NW			01	IRRIGATION	(37) CUSTER	
14N	19E	36	NW NW			01	IRRIGATION	(37) CUSTER	
14N	19E	36	SW NW			01	IRRIGATION	(37) CUSTER	
14N	19E	36	SE NW			01	IRRIGATION	(37) CUSTER	
14N	19E	36	NE SW			01	IRRIGATION	(37) CUSTER	
14N	19E	36	NW SW			01	IRRIGATION	(37) CUSTER	
14N	19E	36	SE SW			01	IRRIGATION	(37) CUSTER	
14N	19E	36	SW SW			01	IRRIGATION	(37) CUSTER	
14N	19E	36	SE SW			01	IRRIGATION	(37) CUSTER	

- - - Diversion Means -

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NOV 01 1994

WATER RIGHT

LESS 10.29 AC. FROM LOT 2, SEC. 2.

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

+ - Decree Date - +
02/12/1915

No Comments Found

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

- Field Exam Fee
- Swan Falls
- Temporary Right
- DLE/Carey Act
- Water District
- Transfer/Amended

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1994