

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: A72-00186B
Date Received: 12/04/1989
Receipt No: M005297
Received By: AB

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: FRED M. WINTER 208-233-0717
Address: 87 VALLEY VIEW
POCATELLO, ID 83204

AND/OR

Name: KATHERINE K. WINTER 208-233-0717
Address: 87 VALLEY VIEW
POCATELLO, ID 83204

2. Date of Priority: NOV 18, 1890

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	28	NE	NE	NW		CUSTER

5. Description of diverting works:
WING DAM IN RIVER WITH DITCHES AND FLOOD AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.500		

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

8. Total consumptive use is 260.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A72-00186B

Page 1

Date: 12/06/89

MICROFILMED
MAR 18 1993

Water Right Number - 72-00186

Prefix Translation:

WATER RIGHT

Old (D) Number -

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

+ - First Name - - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BENNETTS

RICHARD

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - +
11/18/1890+ - - 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

4.500

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
4.500

| Tw | Rng | Sec | Tract | Lot | Acres | Place of Use | Code | Description | County |
|-----|-----|-----|-------|-----|-------|--------------|------|-------------|-------------|
| 13N | 19E | 11 | NW NE | | | | 01 | IRRIGATION | (37) CUSTER |
| 13N | 19E | 11 | NE NW | | | | 01 | IRRIGATION | (37) CUSTER |
| 13N | 19E | 11 | SW NW | 3 | | | 01 | IRRIGATION | (37) CUSTER |
| 13N | 19E | 11 | SE NW | | | | 01 | IRRIGATION | (37) CUSTER |

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - Remarks - - - - -
No Remarks found.+ - - - - - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.+ - - - - - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
CHARLES B. JENSON ET AL RICHARD BENNETTS ET AL 02/12/1915MICROFILMED
NOV 01 1994

WATER RIGHT

No Comments Found

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 | Tested Date | - | 00/00/0000 | Swan Falls | - |
| Proof Made Date | - | 00/00/0000 | Hearing Date | - | 00/00/0000 | Temporary Right | - |
| Exam to S.O. Date | - | 00/00/0000 | Verified Date | - | 01/28/1985 | DLE/Carey Act | - |
| Order Show Cause | - | 00/00/0000 | Receipt Number | - | | Water District | - |
| Licensed Date | - | 00/00/0000 | Appl Received | - | 00/00/0000 | Transfer/Amended | - |
| Decree Date | - | 02/12/1915 | Presumption Flag | - | | | |

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 13N | 19E | 11 | NE | NW | | IRR | 35.0 |
| | | | NW | NW | | IRR | 18.0 |
| | | | SW | NW | 3 | IRR | 12.0 |
| | | | SE | NW | | IRR | 39.0 |
| | | | | | | Section Acres | 104.0 |
| | | | | | | Total Acres | 104.0 |

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:
NONE

14. Remarks:
THIS WATER RIGHT IS SPLIT.

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

CHARLES B. JENSON ET AL
Decree Plaintiff

vs

RICHARD BENNETTS ET AL
Decree Defendant

(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.

For Individuals:

Signature of Claimant(s): Katherine K. Winter Date: 12/6/89
Date:

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of December, 19 89 *Anna Bauer*

e this 6th day
Anna Baumloff
Notary Public

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

MICROFILMED
MAR 18 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A72-00186B
Date Received: 12/04/1989
Receipt No: M005297
Received By: Joe

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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Address: 87 VALLEY VIEW
POCATELLO, ID 83204

AND/OR

Name: CATHERINE E. WINTER 208-233-0717
Address: 87 VALLEY VIEW
POCATELLO, ID 83204

2. Date of Priority: NOV 18, 1890

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 | 28 | NE | NE | NW | | CUSTER |

5. Description of diverting works:
WING DAM IN RIVER WITH DITCHES AND FLOOD AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 4.500 | | |

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

8. Total consumptive use is 260.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 13N | 19E | 11 | NE | | NW | | IRR | 35.0 |
| | | | NW | | NW | | IRR | 18.0 |
| | | | SW | | NW | 3 | IRR | 12.0 |
| | | | SE | | NW | | IRR | 39.0 |
| | | | | | | | Section Acres | 104.0 |
| | | | | | | | Total Acres | 104.0 |

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:
NONE

14. Remarks:
THIS WATER RIGHT IS SPLIT.

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): Fred M. Winter Date: 12-31-89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 4 day
of Dec 19 89 John D. Carlson
Notary Public

Seal

Residing at Bow ID
My Commission Expires 6/2/94



4-25

MICROFILMED
MAR 18 1993



23

25

MICROFILMED
MAR 18 1993



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

March 26, 2003

Ms. Diana Delaney
Clerk of the Court
Snake River Basin Adjudication Court
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Re: SRBA Partial Decree No. 72-186B (Winter)

Dear Diana:

I am writing you to call attention to a clerical error that IDWR has discovered in its recommendation of water right no. 72-186B, an irrigation right held by Fred and Katherine Winter. This error has been carried over into the partial decree of this right. Since the error clearly is clerical in nature I believe that the SRBA Court on its own motion may correct the error pursuant to Rule 60(a), Idaho Rules of Civil Procedure.

Water right no. 72-186 was originally decreed in 1915 for a diversion rate of 4.5 cfs. It subsequently was split into "A" and "B" portions.

The "A" portion, consisting of a diversion rate of 2.0 cfs, for the irrigation of 104 acres, was correctly recommended on January 29, 1999, and subsequently correctly decreed to Joe and Toni Sullivan on November 17, 2000.

The "B" portion initially was claimed incorrectly for the entire 4.5 cfs originally decreed to 72-186 before it was split. This error subsequently was corrected by an amended SRBA claim, which tracked Transfer No. 4812, approved February 4, 1997. That transfer, and the amended claim that came from it, correctly described the "B" portion of the right as having a diversion rate of 2.5 cfs, and a diversion volume of 259 AFY, for the irrigation of 74 acres.

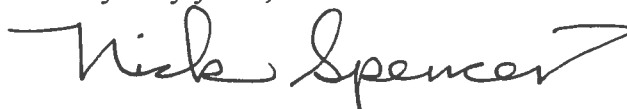
When the amended claim was filed IDWR created an electronic version of it. However, pursuant to its policy of maintaining a chronological history of each claim, IDWR did not delete its electronic record of the original claim. Unfortunately, at the time it prepared its recommendation of 72-186B, IDWR inadvertently used the original

Ms. Diana Delaney
March 26, 2003
Page 2

version of the claim instead of the amended version. This error was not discovered. On January 29, 1999, IDWR filed its recommendation of the claim with the SRBA Court. The recommendation incorrectly described the right as having a diversion rate of 4.5 cfs, and a diversion volume of 259 AFA, for the irrigation of 74 acres. While the number of acres and the diversion volume were correct, the diversion rate should have been listed as 2.5 cfs rather than 4.5 cfs. However, no objection to the recommendation was filed, and it went to partial decree on November 17, 2000. The partial decree carried over the diversion rate error from the recommendation.

Based on this situation I would ask the Court to consider exercising its Rule 60(a) authority to correct the partial decree accordingly.

Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer". The signature is written in a cursive, flowing style.

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

Cc: Don Shaff
Fred and Katherine Winter

Rule 60A Change for 72-186B

Chronology

2/15/1915

Decree to Richard Bennett of 4.5 cfs identified later by IDWR as 72-186
Charles B Jenson et al v Richard Bennett et al; 6th Judicial District, Custer Co.

11/08/1989

Keyes, Lewis, Guy file Claim 72-186A for 2.0 cfs.

12/04/1989 and 12/06/1989

Fred Winter on the 4th and Katherine Winter on the 6th file separate but co-
ownership Claim 72-186B for 4.5 cfs.

8/13/1992

Lewis, Application for Transfer #4022 for 72-186A
Approved 10/18/1993 for 2.0 cfs, 364 AFY, 104 Acres.

9/07/1993

Change of ownership to Sullivan for 72-186A

10/30/1995

Winter, Application for Transfer #4812 for 72-186B

4/22/1996

Winter amends Claim 72-186B
Changes amount to 3.0 cfs.

2/04/1997

Winter, Transfer approved, 2.50 cfs, 259 AFY, 74 Acres.
Amended Claim 72-186B, 42-1409(2).

1/29/1999

Director's Report Filed
72-186A, Sullivan, 2.0 cfs, 364 AFY, 104 Acres.
72-186B, Winter, 4.5 cfs, 259 AFY, 74 Acres.
Failed to reflect transfer and amended claim.

11/17/2000

Partial Decree
72-186A, Sullivan, 2.0 cfs, 364 AFY, 104 Acres.
72-186B, Winter, 4.5 cfs, 259 AFY, 74 Acres.

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

DATE: 11/16/98
PAGE: 1

Signature

| | |
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| 59 | 59 |
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| 3 | 3 |
| 2 | 2 |
| 1 | 1 |

DIVERSION
VOLUME

259.00 AFA

259.00 AFA

Stage: DECREED

CLUSTER County

2

74.0

Other Rights: NONE

Conditions of Approval:

M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE

- MAINTAINED AS A PART OF THE DIVERTING WORKS.

Dates: Exam Made Date: 08/03/1993 Verified Date: 11/16/1998 Objection Filed Date:

| | | | |
|-------|------------------------|------------------------|---|
| Misc: | Water District Number: | Field Inspection Flag: | C |
| | | Presumption Flag: | |

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

A72-00186 B

DATE: 11/16, 1998

REVIEWED BY San

CHALLIS AREA SOIL REVIEW

| SOIL TYPE | BORDER CFS/AC | | FURROW CFS/AC | | OPTIMUM ROTATION | | SOIL TYPE | BORDER CFS/AC | | FURROW CFS/AC | | OPTIMUM ROTATION | |
|-----------|---------------|------|---------------|------|------------------|---------|-----------|---------------|------|---------------|------|------------------|---------|
| | PAST | ALFA | PAST | ALFA | PASTURE | ALFALFA | | PAST | ALFA | PAST | ALFA | PASTURE | ALFALFA |
| ATC | .15 | .13 | | | 6.49 | 7.62 | PD2 | .11 | .12 | | | 5.15 | 4.74 |
| BB1 | .09 | .09 | | | 6.09 | 6.17 | Q | .26 | .21 | | | 13.2 | 10.4 |
| BC1 | .16 | .17 | | | 5.82 | 5.46 | RE2 | .29 | .21 | | | 3.15 | 4.74 |
| BK1 | .07 | .06 | | | 10.62 | 11.86 | RP1 | .19 | .21 | | | 4.89 | 4.57 |
| BT1 | .18 | .16 | | | 3.99 | 4.19 | SH1 | .06 | .05 | | | 9.37 | 12.10 |
| BT2 | .41 | .32 | | | 2.34 | 2.87 | SOC | .08 | .07 | | | 7.38 | 8.08 |
| CB1 | .06 | .06 | | | 11.55 | 13.47 | SSA | .15 | .14 | | | 4.79 | 5.01 |
| CHA | .21 | .21 | | | 4.52 | 4.76 | SXF | .12 | .11 | | | 6.14 | 6.80 |
| CP1 | .36 | .36 | | | 2.61 | 2.78 | TC1 | .06 | .06 | | | 9.82 | 9.55 |
| DB1 | .13 | .11 | | | 5.66 | 6.65 | TD1 | .04 | .03 | | | 12.46 | 16.50 |
| DBB | .13 | .11 | | | 5.71 | 6.69 | WB2 | .13 | .13 | | | 5.37 | 5.43 |
| DBC | .13 | .11 | | | 5.71 | 6.69 | WAA | .19 | .16 | | | 3.81 | 4.23 |
| DMF | .18 | .21 | | | 5.12 | 4.72 | WBB | .17 | .14 | | | 3.36 | 3.84 |
| DRF | .18 | .19 | | | 9.08 | 9.68 | WC1 | .07 | .06 | | | 11.24 | 13.45 |
| DT2 | .05 | .04 | | | 12.46 | 16.50 | WPT | .19 | .15 | | | 3.16 | 3.69 |
| DWA | .14 | .14 | | | 4.79 | 5.01 | WV1 | .07 | .06 | | | 11.24 | 13.45 |
| G01 | .10 | .12 | | | 12.47 | 10.51 | XHS | | | | | | |
| KEG | .08 | .07 | | | 8.73 | 10.06 | YN1 | .18 | .14 | | | 5.38 | 6.92 |
| MBF | .15 | .12 | | | 7.65 | 5.81 | | | | | | | |
| MUG | .15 | .14 | | | 4.54 | 4.98 | | | | | | | |
| NDL | .13 | .12 | | | 5.30 | 6.06 | | | | | | | |

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 |
|-----------|----------------------------|---------------------------|-----------------------------|-----------------------|----------------------|
| | / | | * | * | = |
| | / | | * | * | = |
| | / | | * | * | = |
| | / | | * | * | = |

TOTAL ACRES 74

DECREED RATE =

CLAIMED DIVERSION RATE =

MEASURED DIVERSION RATE =

9.62 CFS
CFS
CFS
CFS

Limit of claim

4.50 cfs

CLAIM NUMBERS A72-00186BDATE 10/7/98AGENT sce

TRANSFER NUMBER _____

HOMESTEAD ENTRY NO. _____

CLAIMED ACRE TOTAL 79GEOGRAPHIC INFO ACRES 79

| RIGHT
NO | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | |
|-------------|------------|------------|-----------|----|----|----|----|-----------|----------|-----------|-----------|----|----|----|----|----|----|----|----|
| | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| CLAIM | <u>13N</u> | <u>19E</u> | <u>11</u> | | | | | <u>21</u> | <u>2</u> | <u>12</u> | <u>39</u> | | | | | | | | |
| GIS | | | | | | | | <u>24</u> | <u>2</u> | <u>11</u> | <u>37</u> | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |

B72-DBPOD.SHP

NOS DESCRIPTION

61 CIC

Claim was based on transfer & draft SRBA Recommendation.
Distribution of acreage has been more accurately shown
by GIS methods. Correction is allowed by trans. Comments #7.

B72-DBPOU.SHP

SHAPE NOS

147

DBF TABLES UPDATED

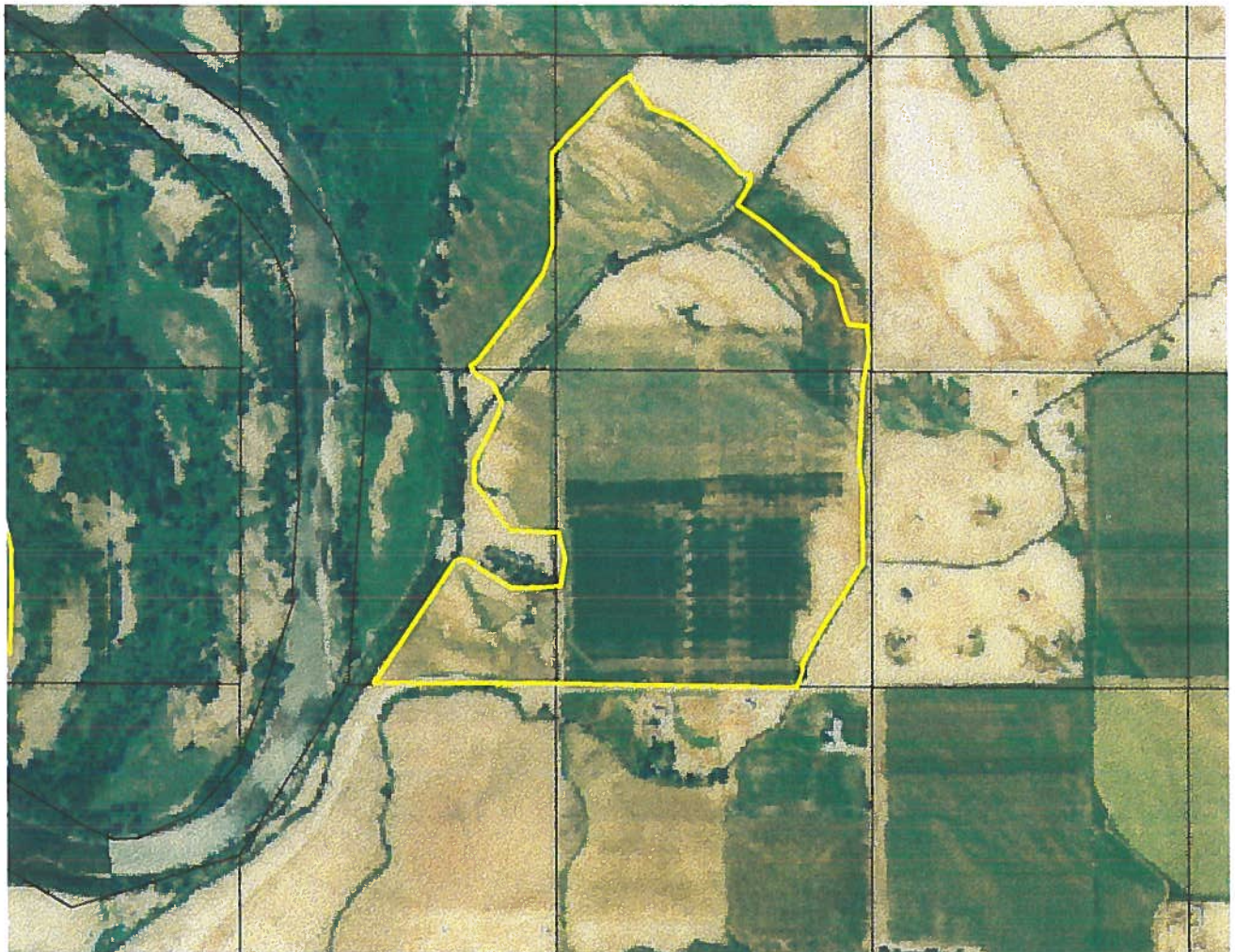
B72-DBPOD.DBF

B72-DBPOU.DBF

10/8/98 sce

IDAHO DEPARTMENT OF WATER RESOURCES

72-00186B



660 0 660 1320 Feet



TWN: 13N

RNG: 19E

SEC: 11

NW

-  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. 7, 1998

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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Address: 87 VALLEY VIEW
POCATELLO ID 83204

AND/OR

Name: FRED M WINTER 208-233-0717
Address: 87 VALLEY VIEW
POCATELLO ID 83204

2. Date of Priority: NOV 18, 1890

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 DAM - CEMENT HEADGATE

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 2.500 | | 259.00 |

7. Total Quantity Appropriated is:
2.500 C.F.S. (and/or) 259.00 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 |
|----------|-------|---------|-----|----|-----|-----|-----|-------|
| 13N | 19E | 11 | NE | | NW | | IRR | 21.0 |
| | | | NW | | NW | 1 | IRR | 2.0 |
| | | | SW | | NW | 3 | IRR | 12.0 |
| | | | SE | | NW | | IRR | 39.0 |

Section Acres 74.0

Total Acres 74.0

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:
NONE

14. Remarks:

THIS WATER RIGHT IS SPLIT.

2/9/98 TF; CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 4812.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

CHARLES B. JENSON ET AL
Decree Plaintiff

RICHARD BENNETTS ET AL
vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

February 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FRED M WINTER
KATHERINE K WINTER
87 VALLEY VIEW
POCATELLO ID 83204

RE: Amendment of SRBA Claim A72-00186B

Dear Claimant:

Pursuant to the approval of Transfer No. 4812, 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 records have been modified. Please check these modified records 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.

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

DATE: 02/12/98
PAGE: 1

| | | | | | |
|------------------------|----------------------------|---------------|-------------|---------------|---------|
| Water Source: | SALMON RIVER | Tributary to: | SNAKE RIVER | Stage: | DECREED |
| Point(s) of Diversion: | T13N R19E S32 Lot05(SWNE) | | | | |
| | | | | CUSTER County | |

Point(s) of Diversion: T13N R19E S32 Lot05(SWNE)

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: CUSTER

Other Rights: NONE

Conditions of Approval:

- A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.

Remarks: EXP WATER IS DELIVERED THROUGH CHALLIS IRRIGATION CO. CANAL

| Dates: | Exam Made Date: | 08/03/1993 | Verified Date: | Objection Filed Date: |
|--------|-----------------|------------|----------------|-----------------------|
| | | | | |

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

Southern Adz

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1997

FRED M. WINTER
KATHERINE K. WINTER
87 VALLEY VIEW
POCATELLO ID 83204

RECEIVED

FEB 07 1997

RE: Transfer No. 4812
Water Right No. 72-00186B

Department of Water Resources
Southern Region

Dear Water Right Holder:

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4812). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer.

The accompanying **transfer approval** should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties, if any, to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

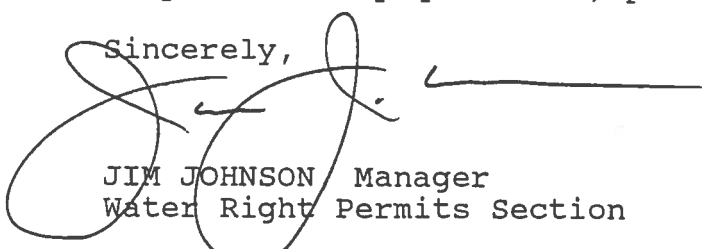
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please feel free to contact me.

Sincerely,



JIM JOHNSON Manager
Water Right Permits Section

JJ:ph

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4812
WATER RIGHT NO. 72-00186B

This is to certify that: FRED M WINTER
KATHERINE K WINTER
87 VALLEY VIEW
POCATELLO ID 83204

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 | 2.50 CFS | 259.0 AF |

| <u>SOURCE</u> | <u>TRIBUTARY OF</u> |
|---------------|---------------------|
| SALMON RIVER | SNAKE RIVER |

Priority: 11/18/1890

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 | 11 | NENW 21 | Lot 1(NWNW) | 2 | Lot 3(SWNW) | 12 | 74 |
| | | | SENE 39 | | | | | 74 |
| | | | | Total number of acres irrigated: | | | | 74 |

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. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre for the lands above.
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. 4812
WATER RIGHT NO. 72-00186B

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.


Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 48

RECEIVED
NOV 02 1994
Department of Water Resources
Southern Region

APPLICATION FOR TRANSFER OF WATER RIGHT**PART 1**Name of applicant FRED M WINTER AND KATHERINE K WINTER Phone (208) 233-0717Post Office address 87 Valley View, Pocatello, Idaho 83204**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 Applicant has more efficient delivery through Challis Irrigation Co. canal.

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-------------------|-------------------|--|-------------------|------------------------------|
| <u>A72-00186B</u> | <u>11/18/1890</u> | <u>4.5 cfs</u>
<u>3.0 cfs</u> <i>R.W.</i> | <u>Irrigation</u> | <u>04/01</u> to <u>11/01</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred 4.5 cfs cubic feet per second and/or _____ acre-feet per an
3. Source of water Salmon River 3.0 cfs *R.W.* tributary to Snake River
4. Point(s) of Diversion: 4/22/94

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|----|----|----|------|------|------|--------|--------------------------|
| | NW | SW | NE | 32 | 13N | 19E | Custer | Challis Irrigation canal |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

5. Lands irrigated or place of use: No Change

| Twp. | Rge. | Sec. | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Total |
|-------|
| | | | 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 | 11 | | | | | 35 | 18 | 12 | 39 | | | | | | | | | 104 |
| | | | | | | | | | 143 | | | | | | | | | | |
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| |

Total acres 104

PART 1

6. General Information:

a. Description of diversion system Rock wing dam - cement headgate

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgage 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:
N/A

d. Remarks:

Applicant wishes to move the point of diversion upstream to an existing ditch and has secured permission and the right to do so from the other parties.

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. 72-00186A Decreed to Richard Bennetts et.al.
in case of Charles B. Jenson et.al. vs. Richard Bennetts et.al.
dated 02/12/1915 in Challis county of Custer
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. same on file with the Idaho Department of Water Resources.
- d. Transfer No. 4022 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 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 11/18/1890

5. Water is used for the following purpose:

amount 4.5 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) Claim 4.5 3.0

6. Total amount of water under right Decree 2.5 cubic feet per second and/or _____ acre-feet per ann

7. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|----|----|----|------|------|------|--------|--------------------------|
| | NE | NE | NW | 28 | 13N | 19E | Custer | Keyes-Bennetts ditch |
| | | | | | | | | |
| | | | | | | | | |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Total |
|-------|
| | | | 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 | 11 | | | | | 35 | 18 | 12 | 39 | | | | | | | | | 104 |
| | | | | | | | | | 173 | | | | | | | | | | |
| |
| |
| |

Total acres 104

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 of non-
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ 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 | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Total |
|-------|
| | | | 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 | |
| |
| |
| |
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| |

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ 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 | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ | | | | NW ¼ | | | | SW ¼ | | | | SE ¼ | | | | Total |
|-------|
| | | | 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 | |
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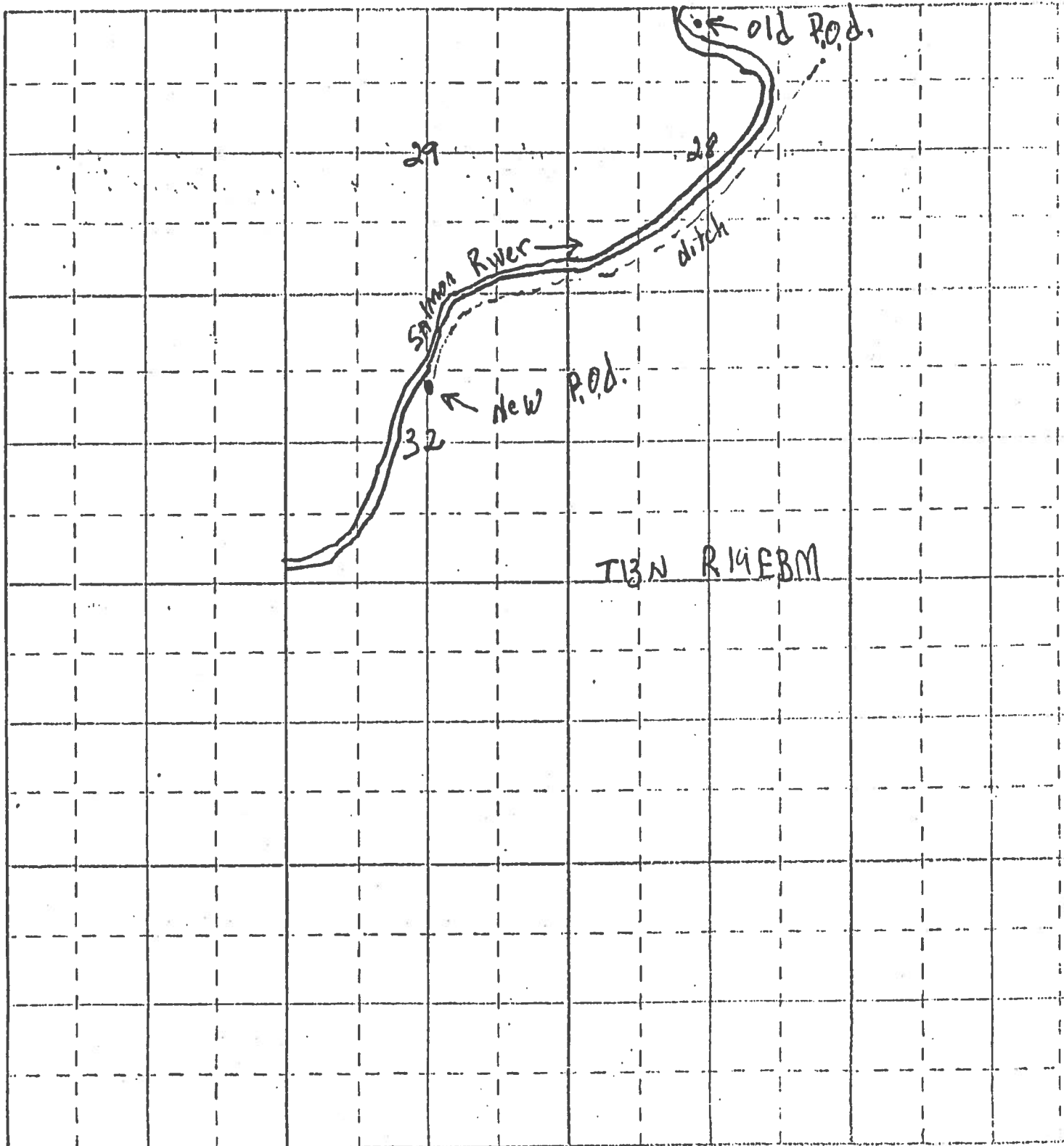
Total acres _____

5 7 6

T # 481

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

B. CHANGES IN NATURE OF USE

1. New Nature of Use None Amount (cfs/ac-ft) Hours/days/year Period of Use
 _____ to _____
 _____ to _____

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

No change

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

No intervening ditches or diversions other than small pumps.

Water will be removed from river 1-1/2 miles upstream from
present diversion. Transportation losses will likely be reduced
due to more efficient delivery. This transfer is supported by BPA,
Idaho Fish & Game, Shoshone-Bannock tribes and others.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement 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.

Catherine L. Winter - Fred N. Winter
 (Signature of Applicant)

Subscribed and sworn to before me this 30th day of October, 1995

James D. Bennett
 (Notary Public)

My commission expires 1-21-99

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by th Date 11-2-95 Protest filed by _____

Prelim. check by J.F. Stanton Fee \$100.00 5018631

Receipted by PS Date 11-2-95

Published in The Challis Messenger Copies of protest forwarded by _____

Pub. dates 5/16 & 5/23/96 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☐ approval ☐

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

RECEIVED

NOV 02 1995

Department of Water Resources
 Southern Region

TO: File

DATE: April 25, 1996

FROM: Jim Stanton

SUBJECT: Fred Winter Transfer App. #4812

In reviewing this transfer, I have worked with Steve Clelland of the SRBA staff. Steve has reviewed the claims on 72-0186 & 0187. He has determined that Transfer 4022 was never implemented. Therefore, basing the Winter transfer on T. 4022 makes no sense and just creates a big mess. The Winter transfer is therefore based on the SRBA claim, which more closely reflects the actual use of this right. Steve has recognized a flow rate of 3.0 cfs at the new p/d, as the large amount of ditch loss that occurs thru the present diversion will not occur thru the Challis Irrig. Co. canal. Steve recommends fewer acres than are claimed, so approval of the transfer should reflect the SRBA findings. Since it could be months before the director's report for Basin 72 comes out, and since the existing Keyes-Bennetts Ditch is being abandoned by all users this year, we should approve the Winter transfer (and all others on the Keyes & Upper & Lower McGowan Ditches) as soon as possible; flow rates and p/u should only be approved per SRBA findings in order to avoid expansions of these rights.

MEMO

TO: A72-00186B
FROM: STEVE CLELLAND *sc*
DATE: April 22, 1996

RE: REVISION OF RECOMMENDATION; TRANSFER REVIEW

I met with Mr. & Mrs. Winter to resolve questions on the water right and the associated pending transfer. They began stating the excesses claimed and received by the other claimant this decreed right, Joe & Tonie Sullivan. We reviewed the decree information and the maps in the files and I should them where I had recommended the claim A72-00186A (Sullivan's) for disallowal. This meant the entire right was available for meeting their needs proven so. They stated they only wanted the 150" they have been using.

I explained the acres I recommended and the diversion amount I found and supported. They showed me a schematic map they had brought and explained the historic irrigation areas. Mr. Winter told me someday he plans to irrigate the entire 104 acres and reminded him the water rights we are discussing are for uses that currently or have recently existed. At the end of our discussion I agreed to recommend an additional 9.0 acres in NENW, Sec. 11. This results in a flow increase of 0.18 cfs and they amended their SRBA claim to reflect this change. See revised profile sheet for details.

I offered to review any additional data or proof they could provide that might demonstrate the irrigation history of the property as claimed. Also, revised the proposed transfer for this right to list the diversion rate as 3.0 cfs.

It appears the Transfer #4022 on right 72-00186 should not be a limiting factor on this claim or transfer. Please see remarks of Transfer #4022, the combined rate of the rights is 2.08 cfs which can be supplied by the right 72-00187, and in information supplied in the SRBA claim for the right the system flow design is for 1.40 cfs. Transfer #4022 moved the point of diversion of the rights to now be diverted into and delivered from the Challis Irrigation Canal. based upon my previous work with conveyance losses, addition of this 2.08 cfs to the larger canal will not increase the conveyance losses significantly. Therefore the final remark in Transfer #4022 stating 3.42 cfs is used for conveyance losses appears to be a simple subtraction of the 2.08 cfs from the 5.50 cfs as claimed and not representative of the actual use of the right.

[mm:winter-transfer.mm]

87 VALLEY VIEW
POCATELLO, ID 83204

COUNTY: CUSTER
SOURCE: SALMON RIVER
WATER USE:
IRRIGATION

TRIBUTARY: SNAKE RIVER
DIVERSION RATE:
3.000
3.000

PERIOD FROM: 04/01
PERIOD TO: 11/01

TOTAL:

POINT OF DIVERSION:

Twp 13N Rge 19E Sec 28
Tract NE NE NW Lot

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

| | | NE | | | | NW | | | | SW | | | | SE | | | | |
|--|--|------|--|-----|--|-----|--|-----|--|-----|--|-----|--|-----|--|-----|--|--|
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| | | SW | | SW | | SW | | SW | | | | | | | | | | |

6/9/94

COMMUNICATION DOCUMENTATION

TRANSFER

Claim No. A72-00186B

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

March 12, 1996 4:17pm

NAME:

FRED WINTER

CALLIN

RE:

WATER RIGHT ERROR

HE BELIEVES THERE IS AN ERROR IN THE WATER RIGHT NUMBER ASSIGNED TO HIS CLAIM. HE SAYS IT SHOULD BE 72-000187 FOR 175" AND NOT 72-00186 AS RECORDED. MY REVIEWS OF THIS MATTER CONSISTENTLY FIND THE LAND HE OWNS WAS DECREED THE PORTION FROM 72-00186 AND NOTHING FROM 72-00187. THE OWNERS OF -00187 MAY HAVE A PORTION OF -00186 HOWEVER.

I TOLD HIM ALL WE COULD RELY ON IS WHAT IS IN THE DECREE AND IF HE HAS PROOF OF SOMETHING THAT HAS CHANGED SINCE THEN WE ARE INTERESTED IN GETTING A COPY. HE SAID NOTHING HAS CHANGED IT HAS ALWAYS BEEN THIS WAY. HE REFERRED TO SEVERAL LAND DESCRIPTIONS AND MENTIONED A "10.25 PARCEL ACROSS THE RIVER". HE MENTIONED THE RIGHT 72-00185 WITHIN SECTION 2 (THIS RIGHT DOES HAVE A REMARK EXCEPTING THE 10.25 AC FROM THE POU).

SUGGESTED I SEND HIM MY MAP OF THE AREA AND RIGHTS TO REVIEW AND THEN WE COULD REVIEW MORE IF NECESSARY. ALSO SUGGESTED HE COULD FILE THE TRANSFER ON THE POD WITH THE RIGHT IDWR RECOGNIZES AS APPURTENANT (72-00186) AND SEND A LETTER ALONG WITH PROOF SHOWING WHY THE CORRECT RIGHT SHOULD BE 72-00187.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00186B

Transfer 72-00186B

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IDWR Employee/Agent Steve Clelland

March 11, 1996 9:47am

NAME:

FRED WINTER

CALLBACK

RE:

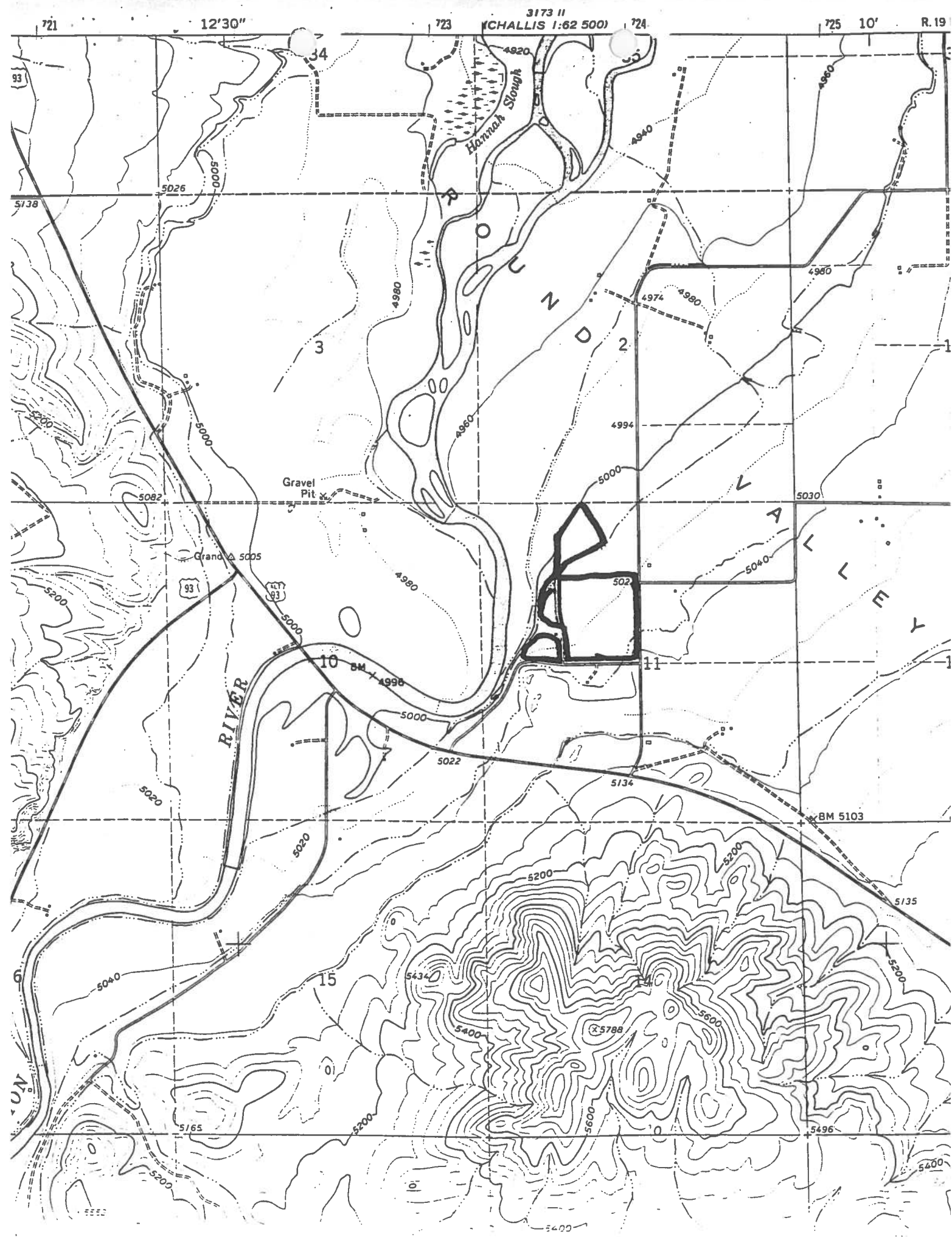
TRANSFER OF KEYES DITCH

TRIED TO RETURN HIS CALL AT THE NUMBER GIVEN: 829-2591,
OPERATOR SAYS NUMBER CANNOT BE COMPLETED.

<IDWR NOTE> I REVIEWED THE TRANSFER FILE AND THE SRBA CLAIM FILE A72-00186B AND FIND THER CLAIM APPEARS TO BE CORRECT FOR THE POU CLAIMED. THE LAND HE OWNS AND IRRIGATES IS THE LAND ORIGINALLY DECREED 72-00186. THERE IS NO LINK TO SHOW HIS OWNERSHIP OF THE DECREED RIGHT 72-00187 WHICH IS CLAIMED BY GERRY LEWIS ET.AL.

THERE APPEARS TO BE SUFFICIENT WATER RECOMMENDED IN THE SRBA TO COVER HIS ACTUAL USES OF IRRIGATION; 4.50 CFS. THE TRANSFER SHOULD PROBABLY BE THE LIMITING FORCE ON FLOW RATES ABOVE THAT NEEDED FOR F.I.R. AND CONVEYANCE LOSSES, AS SHOWN BY THE HUBBLE ANALYSIS, FOR THE NEW DIVERSION AND DELIVERY THROUGH THE CHALLIS CANAL SYSTEM.

IDWR TRANSFER #4022 SHOWS PORTION OF THE RIGHT 72-00186 AS BEING OWNED BY GERRY LEWIS ET.AL. BUT THIS DOES NOT FIT WITH THE FACTS AS FOUND DURING THE FIELD EXAMS CONDUCTED IN 1993.



27'30"

4926

4925

3172 IV NE
(BAYHORSE)

4923

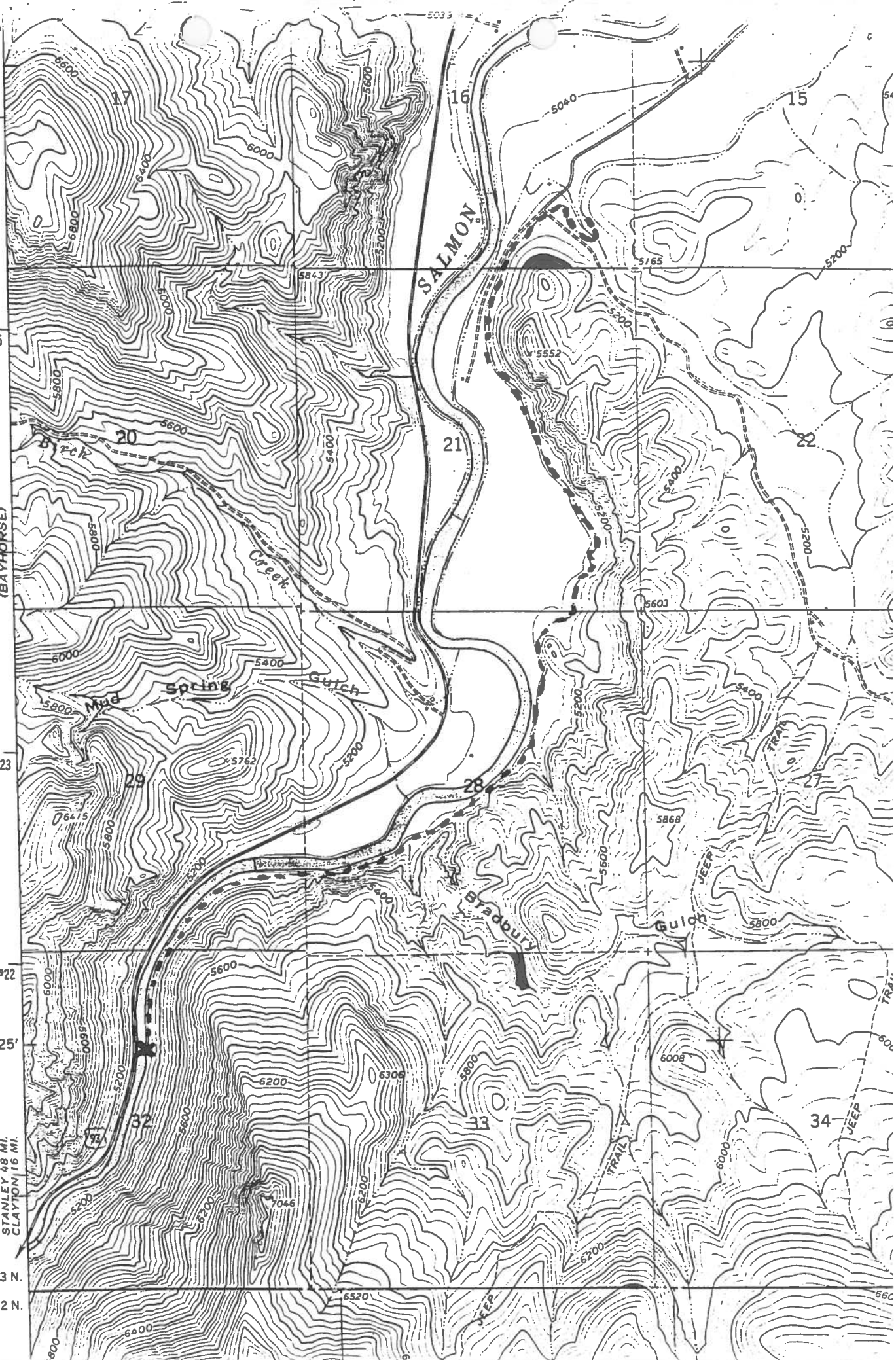
4922

25'

STANLEY 48 MI.
CLAYTON 16 MI.

T. 13 N.

T. 12 N.



6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00186B

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IDWR Employee/Agent Steve Clelland

December 13, 1995 4:15PM

NAME:
FRED WINTER

CALLIN

RE:
TRANSFER AND HIS RIGHT

HE AGAIN CALLED TO SAY HIS RIGHT IS MESSED UP. HE DOES NOT OWN ANY PART OF 72-00186 ONLY 175" OF RIGHT 72-00187. HE WAS AGITATED THAT THIS IS SO CONFUSING TO THE DEPT.

I TOLD HIM I WOULD REVIEW THE TRANSFER FILE AND DETERMINE WHAT WAS BEING REPRESENTED AND THEN I WILL CALL HIM BACK ON THUR. (12/14).

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. _____

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

December 11, 1995 4:13pm

NAME:
FRED WINTER CALLIN

RE:
TRANS. LETTER FROM IDWR

HE CALLED ME AND SAID THE TRANSFER INFO IS ALL MESSED UP AND WAS MESSED UP BY "THE GUY FROM BOISE" AND THEN THE MISTAKE WAS USED BY BENNETTS TO PASS ON TO IDWR. HE SAYS HE HAS 175 INCHES AND NO MORE; THAT IS ALL HE HAS EVER HAD OR WANTED. SAYS HE HAS A PAPER THERE THAT REFLECTS HIS RIGHT AND THAT IS THE ONE HE WILL SIGN AND NOTARIZE TO RETURN.

AJ0749NP
No. R72-001868

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

DATE: 04/22/96
PAGE: 1

OWNER
CODE NAME & ADDRESS
C FRED M WINTER
C KATHERINE K WINTER

PRIORITY
DATE 11/18/1890
WATER USE IRRIGATION

USE PERIOD FROM 04-15 TO 10-15
DIVERSION RATE 3.00 CFS
TOTAL DIVERSION: 3.00 CFS
CONSUMPTIVE USE: 185.00 AFA

Water Source: SALMON RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T13N R19E S28 Lot01(NENENM)

CUSTER County

Place of use legal Description for: IRRIGATION

| | NE | NW | SW | SE | SUM |
|---------------------------------|----|-------|-------|----|------|
| T R S : Lt Ac Lt Ac Lt Ac Lt Ac | NE | NW | SW | SE | SUM |
| 13N 19E 11 : | 21 | 01-02 | 03-12 | 39 | |
| TOTAL ACRES | | | | | 74.0 |

POU County: CUSTER

Other Rights: NONE

Remarks: GEN

WATER IS DELIVERED THROUGH KEYES DITCH.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00184, 72-04020 & 72-10496.

Dates:

Exam Made Date: 08/03/1993

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag: C
Presumption Flag:

Comments: Date: 06/03/1994 User-ID: CLELLAND Subject: COPIED FROM REMARKS
THIS WATER RIGHT IS SPLIT.

Date: 06/03/1994 User-ID: CLELLAND Subject: RECOMMENDATION
A DIVERSION RATE OF 0.02 CFS PER ACRE AT THE FIELD HEADGATE IS
INCLUDED IN THE RATE OF DIVERSION FOR 41 ACRES UNDER SPRINKLER;
A RATE OF 0.04 CFS PER ACRE FOR 6 ACRES GRAVITY FLOOD AND A RATE

DEC 03 1996

AJ0749NP
No. RT2-001868

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

DATE: 04/22/96
PAGE: 2

Comments:

Date: 06/03/1994 User-ID: CLELAND Subject: RECOMMENDATION
OF 0.098 CFS PER ACRE FOR 18 ACRES OF GRAVITY FLOOD IRRIGATION,
ALL PER HUBBLE ANALYSIS REVIEW.
CONVEYANCE LOSSES AMOUNT IS LIMITED BY THE TOTAL CLAIMED AMOUNT.
CALCULATED LOSSES ACTUALLY = 4.71 CFS.

Date: 04/22/1996 User-ID: SCLELLAN Subject: COPIED FROM REMARKS
WATER IS DELIVERED THROUGH KEYES DITCH.
1.68 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE
LOSSES IN DELIVERY OF THIS RIGHT.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00184, 72-04020 & 72-10496.

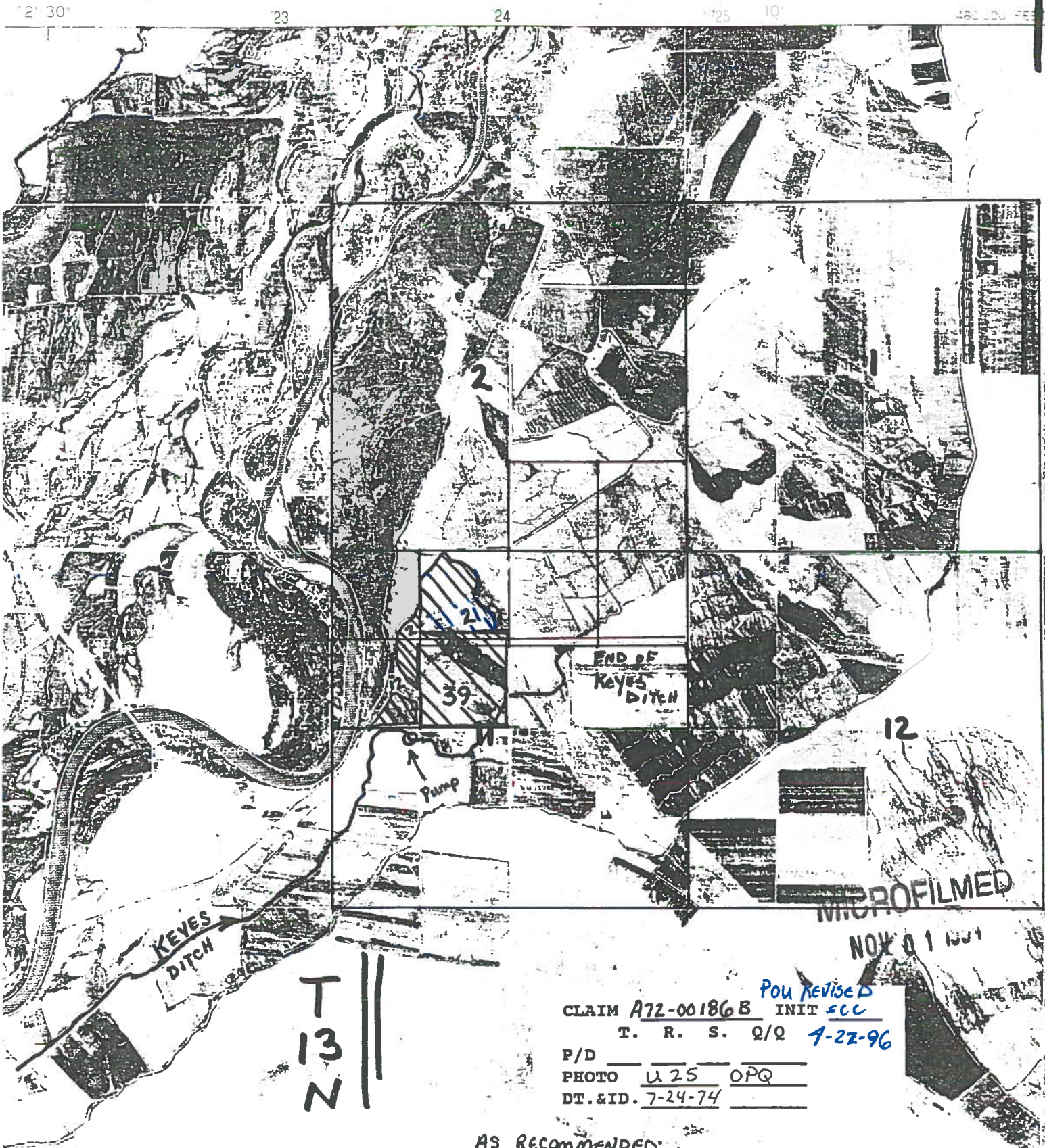
Date: 04/22/1996 User-ID: SCLELLAN Subject: TRANSFER OF POD
DELIVERY SYSTEM OF THIS RIGHT HAS BEEN CHANGED AND MOVED TO THE
CHALLIS IRRIGATION CANAL. CONV. LOSSES WILL BE MINIMAL.

Audit: 04/22/96 SCLELLAN

DEC 03 1996

R19E

POOR ORIGINAL



MICROFILMED
NOV 01 1991

CLAIM A72-00186 B POU REVISED INIT SCC
T. R. S. Q/Q 1-22-96
P/D _____
PHOTO U 25 OPQ
DT. & ID. 7-24-74

AS RECOMMENDED:

~~66~~ Ac. 74 Ac.

DEC 03 1996

MEMO

TO: A72-00186B
FROM: STEVE CLELLAND *sc*
DATE: April 22, 1996

RE: REVISION OF RECOMMENDATION; TRANSFER REVIEW

=====

I met with Mr. & Mrs. Winter to resolve questions on their water right and the associated pending transfer. They began by stating the excesses claimed and received by the other claimant to this decreed right, Joe & Tonie Sullivan. We reviewed the decreed information and the maps in the files and I showed them where I had recommended the claim A72-00186A (Sullivan's) for disallowal. This meant the entire right was available for meeting their needs if proven so. They stated they only wanted the 150" they have been using.

I explained the acres I recommended and the diversion amount I found and supported. They showed me a schematic map they had brought and explained the historic irrigation areas. Mr. Winter told me someday he plans to irrigate the entire 104 acres and I reminded him the water rights we are discussing are for uses that currently or have recently existed. At the end of our discussion I agreed to recommend an additional 9.0 acres in NENW, Sec. 11. This results in a flow increase of 0.18 cfs and they amended their SRBA claim to reflect this change. See revised profile sheet for details.

I offered to review any additional data or proof they could provide that might demonstrate the irrigation history of the property as claimed. Also, revised the proposed transfer for this right to list the diversion rate as 3.0 cfs.

It appears the Transfer #4022 on right 72-00186 should not be a limiting factor on this claim or transfer. Please see remarks of Transfer #4022, the combined rate of the rights is 2.08 cfs which can be supplied by the right 72-00187, and in information supplied in the SRBA claim for the right the system flow design is for 1.40 cfs. Transfer #4022 moved the point of diversion of the rights to now be diverted into and delivered from the Challis Irrigation Canal. based upon my previous work with conveyance losses, addition of this 2.08 cfs to the larger canal will not increase the conveyance losses significantly. Therefore the final remark in Transfer #4022 stating 3.42 cfs is used for conveyance losses appears to be a simple subtraction of the 2.08 cfs from the 5.50 cfs as claimed and not representative of the actual use of the right.

[mm:winter-transfer.mm]

DEC 03 1996

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: A72-00186B
Date Received: 12/ 4/1989
Receipt No: M005297
Received By: Sc

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: FRED M WINTER 208-233-0717
Address: 87 VALLEY VIEW
POCATELLO ID 83204
AND/OR
Name: KATHERINE K WINTER 208-233-0717
Address: 87 VALLEY VIEW
POCATELLO ID 83204

2. Date of Priority: NOV 18, 1890

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 | 28 | NE | NE | NW | | CUSTER |

5. Description of diverting works:
WING DAM IN RIVER WITH DITCHES AND FLOOD AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 3.000 | | |

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

8. Total consumptive use is 260.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|-----|-------|
| 13N | 19E | 11 | NE | | NW | | IRR | 35.0 |
| | | | NW | | NW | | IRR | 18.0 |
| | | | SW | | NW | 3 | IRR | 12.0 |
| | | | SE | | NW | | IRR | 39.0 |

Section Acres 104.0

Total Acres 104.0

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:
NONE

14. Remarks:
THIS WATER RIGHT IS SPLIT.

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

Number of attachments:

DEC 03 1996

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): Frank M. Winter Date: 4-22-96

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 22ND day
of April 19 96 Steve Cadd
Notary Public

Seal

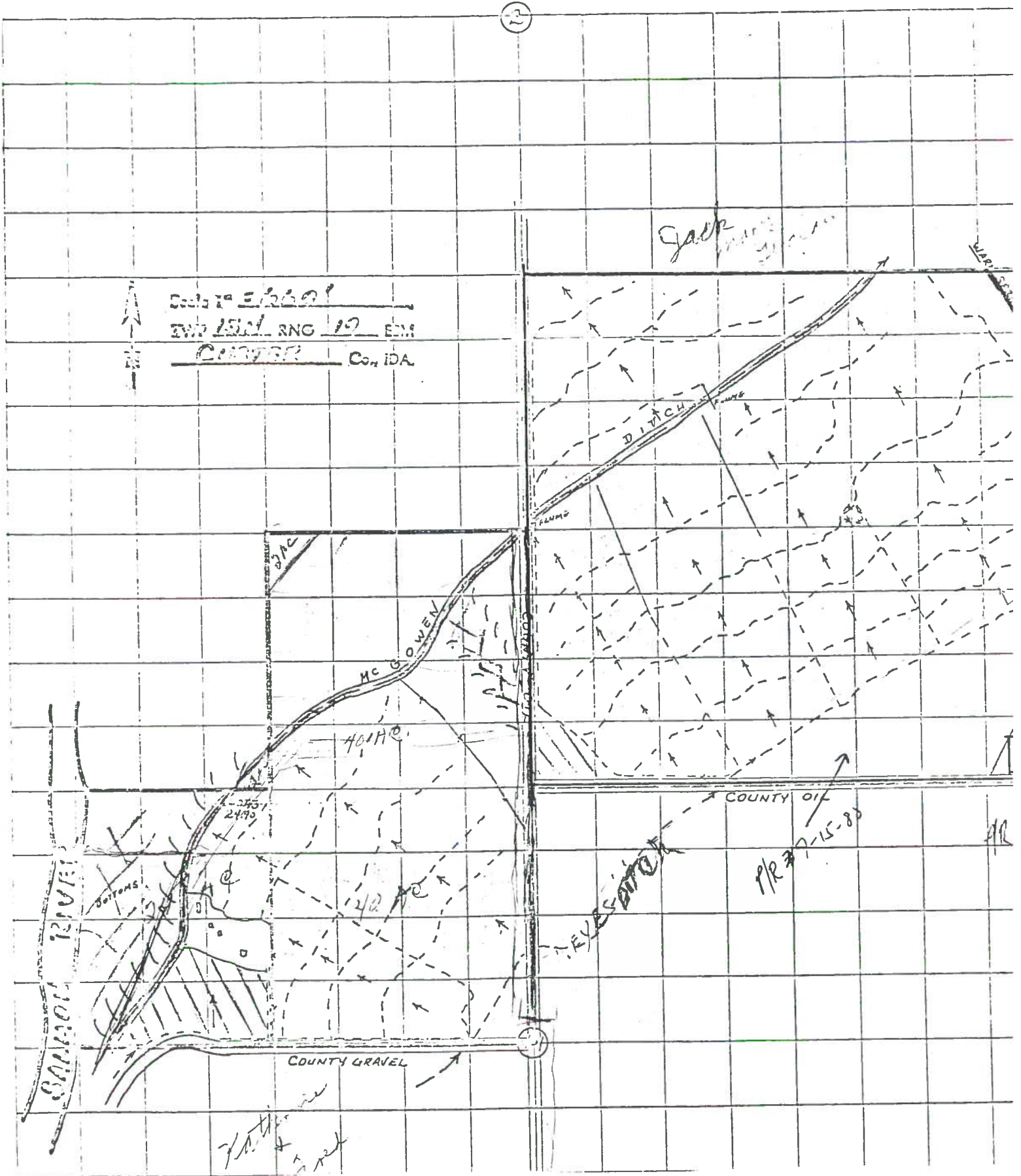
Residing at Twin Falls
My Commission Expires 12-7-2000

DEC 03 1996

Use Standard Legend. Indicate road and flow direction and distance to nearest town. Indicate points of company supply. Show scale of supply. Designate section numbers at section centers. If more than one source of irrigation supply, indicate area served by each.

12

Section 12 E 24 29
Twp 15N Rng 10 E 1N
Center Co. IDA



A72-00186 B WINTER
DEC 03 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 13, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

FRED WINTER
BOX 161
CHALLIS ID 83226

RE: MAP OF DECREED AREAS

DEAR MR. WINTER,

Enclosed is the map of the decreed areas as we discussed on the telephone on March 12, 1996.

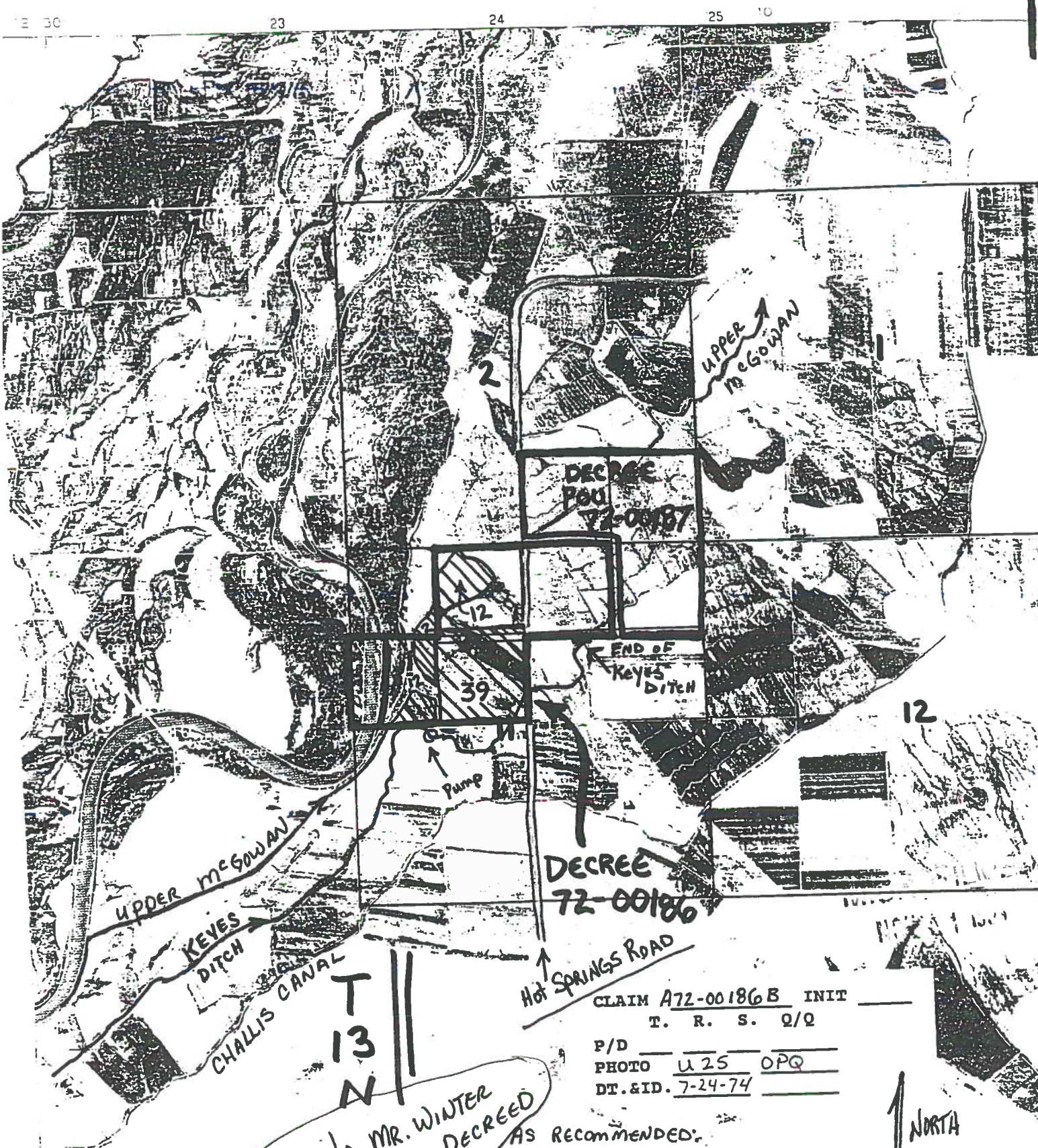
I hope this helps to clarify the situation.

Sincerely,

STEVE CLELLAND
Water Resource Agent

ENC:

POOF



* Copy to MR. WINTER
TO SHOW DECREE
POU

CLAIM A72-00186B INIT _____
T. R. S. Q/Q
P/D _____
PHOTO U 25 OPQ
DT. & ID. 7-24-74

AS RECOMMENDED:
= 66 Ac.

1 NORTH

DEC 03 1996

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00186B

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IDWR Employee/Agent Steve Clelland

March 12, 1996 4:17pm

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DEC 03 1996

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-00186B

Transfer 72-00186B

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IDWR Employee/Agent Steve Clelland

March 11, 1996 9:47am

NAME:

FRED WINTER

CALLBACK

RE:

TRANSFER OF KEYES DITCH

TRIED TO RETURN HIS CALL AT THE NUMBER GIVEN: 829-2591,
OPERATOR SAYS NUMBER CANNOT BE COMPLETED.

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THERE APPEARS TO BE SUFFICIENT WATER RECOMMENDED IN THE SRBA TO COVER HIS ACTUAL USES OF IRRIGATION; 4.50 CFS. THE TRANSFER SHOULD PROBABLY BE THE LIMITING FORCE ON FLOW RATES ABOVE THAT NEEDED FOR F.I.R. AND CONVEYANCE LOSSES, AS SHOWN BY THE HUBBLE ANALYSIS, FOR THE NEW DIVERSION AND DELIVERY THROUGH THE CHALLIS CANAL SYSTEM.

IDWR TRANSFER #4022 SHOWS PORTION OF THE RIGHT 72-00186 AS BEING OWNED BY GERRY LEWIS ET.AL. BUT THIS DOES NOT FIT WITH THE FACTS AS FOUND DURING THE FIELD EXAMS CONDUCTED IN 1993.

DEC 03 1996

DEC 03 1996

COMMUNICATION DOCUMENTATION

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December 13, 1995 4:15PM

TRANSFER AND HIS RIGHT

I TOLD HIM I WOULD REVIEW THE TRANSFER FILE AND DETERMINE WHAT WAS BEING REPRESENTED AND THEN I WILL CALL HIM BACK ON THUR. (12/14).

DEC 03 1996

COMMUNICATION DOCUMENTATION

Claim No. A72-00186B &

A72-16025

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IDWR Employee/Agent Steve Clelland

May 22, 1995 11:27am

NAME:

FRED WINTER

CALLIN

RE:

CHANGED POD ON WATER RIGHT

HE HAS MOVED HIS POD FOR HIS RIGHT FROM THE KEYES DITCH TO THE CHALLIS IRRIGATION CANAL. WANTS TO KNOW WHAT TO DO NEXT... SUGGESTED HE FILE THE CORRECT PAPER DOCUMENTS WITH IDWR. I WILL SEND HIM THE FORM.

HE ALSO FURTHER REPORTS THE WARM SPRING CHANNEL HAS BEEN DRIED UP THROUGH THE WINTER MONTHS. HE HAS FILED A CLAIM TO THIS FLOW AND SAYS INGRAM & HUNT HAVE DIVERTED THE WATER AWAY FROM HISTORICAL USES... I SUGGESTED HE WRITE A LETTER TO OUTLINE THE SITUATION TO THE DIRECTOR OR REGIONAL MANAGER OF IDWR. HE WANTS ME TO STOP BY WHEN I'M UP THERE AND SHOW IT TO ME.

ADDRESS: BOX 161, CHALLIS, 83226.

CLAIMS: A72-00186B & A72-16025.

DEC 03 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

May 22, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

FRED WINTER
PO BOX 161
CHALLIS ID 83226

RE: TRANSFER APPLICATION OF POINT OF DIVERSION

DEAR MR. WINTER,

Enclosed please find the Transfer Application you requested for the changes you have made in the Point of Diversion of your water right. I have also enclosed some proof sheets as they describe your current water right on our records to assist you in completing the form.

If you wish to pursue the matter of the Warm Spring water flows I suggest you write a letter, describing the situation and send it to our IDWR Director or Regional Manager, Allen Merritt.

If you need further assistance please call our office.

Sincerely,

STEVE CLELLAND
Water Resource Agent

ENC:

A72-00186B
DEC 03 1996

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|--------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C | FRED M WINTER | 11/18/1890 | IRRIGATION | D4-15 1D-15 | 4.50 CFS | |
| C | KATHERINE K WINTER | | | | | |
| | 87 VALLEY VIEW | | | | | |
| | POCATELLO ID 83204 | | | | | |
| | (208) 233-0717 | | | | | |
| | | | | | TOTAL DIVERSION: | 162.50 AFA |
| | | | | | CONSUMPTIVE USE: | |

Water Source: SALMON RIVER Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T13N R19E S28 Lot01(NENENM) CUSTER County

| Place of use Legal Description for: IRRIGATION | | | | | | | | | | | |
|--|------|------|------|------|------|------|------|------|------|------|------|
| NE | | | NW | | | SW | | | SE | | |
| | NAME | SENE | NAME | NAME | SENW | NAME | NAME | SESW | NAME | NAME | SESE |
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AJ0749NP
No. RTZ-D01868

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

DATE: 06/09/94
PAGE: 2

Comments:

Date: 06/03/1994 User-ID: CLELLAND Subject: RECOMMENDATION
OF 0.098 CFS PER ACRE FOR 18 ACRES OF GRAVITY FLOOD IRRIGATION,
ALL PER HUBBLE ANALYSIS REVIEW.
CONVEYANCE LOSSES AMOUNT IS LIMITED BY THE TOTAL CLAIMED AMOUNT.
CALCULATED LOSSES ACTUALLY = 4.71 CFS.

Audit: 06/09/94, CLELLAND

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NOV 01 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Presumption Memorandum Status

AGENT A72-00186 B

DATE 6-9-94

Steve Clelland
CLAIM NUMBER STAGE PRESUMPTION CATEGORY WITHIN A PPU
1st 2nd Accomplished transfer (YES) (NO)
_____ X _____

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: ?
TYPE OF CHANGE: (P/D), (P/U), (N/U), OTHER

Only 2 acres are not w/in the Decree PDU and it is irrigated by a agreement of Westergard, who irrigates 2 acres in return. <see CUR notes to explain swap>

Sec. 11 NW NW 2.0 Acres

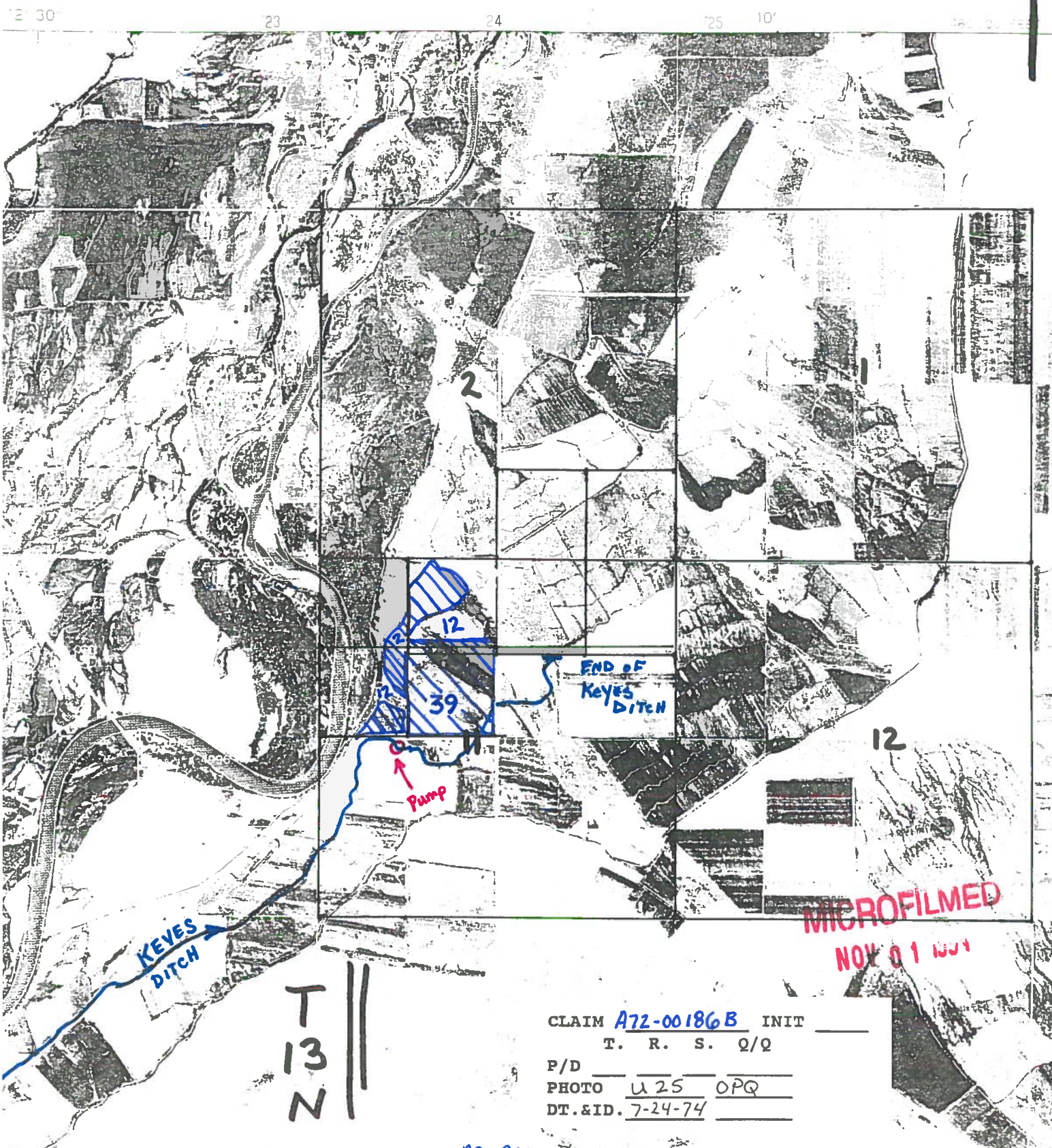
| | | | | |
|---------------------|-------|-------|-------|-------|
| OVERLAPPING CLAIMS: | _____ | ACRES | _____ | ACRES |
| | _____ | ACRES | _____ | ACRES |
| | _____ | ACRES | _____ | ACRES |
| | _____ | ACRES | _____ | ACRES |
| | _____ | ACRES | _____ | ACRES |

MICROFILMED
NOV 01 1994

R19E

F

POOR ORIGINAL



MICROFILMED
NOV 01 1974

CLAIM A72-00186B INIT

T. R. S. Q/Q

P/D

PHOTO U 25 OPQ

DT. & ID. 7-24-74

AS RECOMMENDED:
= 66 Ac.

POOR ORIGINAL

R19E

T13E

IDFG
FISH
SCREEN
S-30

KEYES
DITCH

POD

KEYES
DITCH
POD

T13N R19E
S28

NENENW
LOT 1

28

MICROFILMED

NOV 01 1994

A72-00186B

POD
PUMP
REDIV.

LAST: WINTER
ADDRESS: 87 VALLEY VIEW
CITY: POCATELLO
PHONE NUMBER: 208-233-0717

FIRST: FRED M.

STATE: ID ZIP: 83204

OWNER CODE: C

~~LAST: BENNETT/S~~
~~ADDRESS:~~
~~CITY:~~ CHALLIS
~~PHONE NUMBER:~~ 208-000-0000
~~OWNER CODE:~~ 0

FIRST: RICHARD

STATE: ID ZIP: 83226

LAST: WINTER
ADDRESS: 87 VALLEY VIEW
CITY: POCATELLO
PHONE NUMBER: 208-233-0717

FIRST: KATHERINE K.

STATE: ID ZIP: 83204

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

Y

CLAIM REMARKS: THIS WATER RIGHT IS SPLIT.

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NOV 01 1994

CONTACT PERSON: Fred & Katherine Wente

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 8/3/93

APPOINTMENT MADE: Y () N (X)

TIME: : A () P ()

ACCOMPANIED BY: -

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: -

DIRECTIONS TO PROPERTY / REMARKS:

Met w/ both claimants on 8-3-93 at the farm site; they reviewed the claims w/ me and explained how the lands are irrigated. They mentioned the possible move to the Chellis Canal.

They explained how they irrigate a 2 ac piece for their vegetables and fruit trees. And they asked about the water rights from Washoulay Creek in the winter & how do they file? etc.

I confirmed the system and lanes and was after I left their trailer.

Dr
8-3-94

MICROFILMED

NOV 01 1994

A. AJ CLAIM: # A72-00186B PRIORITY DATE: 11-18-1890 STAGE: D

B. WK RECORD: # 72-00186 PRIORITY DATE: 11-18-1890 STAGE: D

C. FIELD EXAM REQUIRED? FIELD EXAMINER

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

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

REMARKS: as per Jones

RECOMMENDED PRIORITY DATE: 11-18-1890

REVIEWED BY *su* DATE 6-3-94

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Nov 01 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|------------|------|------|------|-----|-----|-----|-----|--------|
| A72-00186B | 13N | 19E | 28 | NE | NE | NW | | CUSTER |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A72-00186A

A72-00187A

A72-00187B

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

000186 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)

Y

DATABASE

FIELD EXAMINER

Y

REMARKS:

Confirmed the POD, ^{SWER} Ditch system by Gram & ODD, ABCS, Glen maps.
 (see maps list for actual ID #5)

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

BN 19E 28

NE NE NW

1

COUNTY

Custer

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

REVIEWED BY:

SW

DATE:

6-3-94

Via Keyes Ditch

MICROFILMED

U I 1994

A. ROOT WATER RIGHT NUMBERS: A72-00186A
A72-00186B

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|--|---|----------------------|--|----------------|------------------|
| 13N | 19E | 11 | NE | NW | 1 | WINTER FRED R.
SALMON RIVER HERFORD RANCH
BENNETTS, RICHARD | A72-00186B
A72-10235 / 2.0 | -
72-00186 | 38.0
/ <i>Drainage
and irrigated</i> | 12 | 12 |
| 13N | 19E | 11 | NW | NW | 1 | WINTER FRED R.
SALMON RIVER HERFORD RANCH | A72-00186B
A72-04192C / 19.0 | -
72-00243 | * <i>Winter
Data not on
this parcel,
owned by
Westergard</i> | 20 | 2 |
| 13N | 19E | 11 | NW | NW | 1 | BURSTEDT, FRANK
BURSTEDT, FRANK | A72-10235 / 11.5 | 72-04005
72-04178 | / 32.0 | | |
| 13N | 19E | 11 | NW | NW | 1 | WESTERGARD, GOLDEN C.
WESTERGARD, GOLDEN C. | 72-04192 / 17.0 | 72-00186 | / | | |
| 13N | 19E | 11 | SW | NW | 3 | WINTER FRED R.
SALMON RIVER HERFORD RANCH
SALMON RIVER HERFORD RANCH | A72-00186B
A72-04192C / 2.0
A72-10235 / 1.0 | -
-
- | 20.0
/ | 12 | 12 |
| 13N | 19E | 11 | SW | NW | 3 | STATE OF IDAHO
BENNETTS, RICHARD | A72-10504 / | 72-00186 | / | | |
| 13N | 19E | 11 | SE | NW | | WINTER FRED R.
BENNETTS, RICHARD | A72-00186B
A72-00186B / 39.0 | 72-00186 | 40.0 | 39 | 39 |
| TOTAL ACRES | | | | | | | A72-00186B | 104.00 | 101.00 | 66 | 65 |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)

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

DUE TO POU DISCREPANCY? (Y/N)

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Nov 01 1994

PRESUMPTION FLAG:

REMARKS:

Confirmed irrigation & storage by team & several maps & photos.

Note: 2 acres owned by Whitin in NE 1/4 (NW corner) is watered under Whetungard's system and is listed as such in A72-10235. 2 acres owned by Whetungard is irrigated by Whitin's system under this right. This is by Mutual agreement since neither can irrigate their own lands under their system.

RECOMMENDATIONS:

TOTAL ACRES: 65.0

REVIEWED BY: SW

DATE: 6-3-94

This 2 ac. swap is the only land not covered under the Decree
— acc simplified transfer.

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Nov 01 1994

A. AJ CLAIMED USES:

PURPOSES
A72-00186B IRRIGATION

MONTH/DAY
FROM 04-11 TO 04-11

4-15-10-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
4.500 CFS

B. WR RECORDED USES:

PURPOSES
72-00186 IRRIGATION

MONTH/DAY
FROM TO

DIVERSION QUANTITY
4.500 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

C. ASSUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?
RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

At Reason

MICROFILMED
Nov 04 1989

Y(☒) N()

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AT TOTAL CLAIMED DIVERSION RATE: 4.500 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.500 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
DATABASE EXAMINER
Y

Q = 6.81 cfs

MEASUREMENT METHOD

Current Meter @ Keyes Ditch

SEE ATTACHED CALCULATIONS.

@ Fall Season S-30

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 |
|------------|--------------|----------------------------|-----------|----------------|-----------|----------------|
| A72-001868 | SALMON RIVER | WINTER FRED M. | 4.500 | 0.043 | | |
| A72-04192C | SALMON RIVER | SALMON RIVER HERFORD RANCH | 15.000 | 0.050 | | |
| A72-10235 | SALMON RIVER | SALMON RIVER HERFORD RANCH | 10.000 | 0.105 | | |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|------------------|----------------|---------------------|----------|--------|
| A72-10504 | FISH PROPAGATION | STATE OF IDAHO | FROM 03-15 TO 11-15 | .800 CFS | |

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MAY 01 1994

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 65 $\times$ 0.02 CFS/ACRE = 1.3 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE?

Y (X) N ()

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 260.0 AE/A

ACRES 65 $\times$ CONSUMPTIVE VOL. AE/A FOR AREA 25 =

TOTAL CONSUMPTIVE USE 162.5 AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

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

TOTAL DIVERSION VOLUME N/A AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y () N ()

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

Conservation Reserve

TOTAL 7.53 cfs

4.71

limited to Rain amount =

4.50 cfs

FR = 2.82

Com. loss = 1.68

4.50 cfs

41
Spurber irrigation on 1" per acre
limited to 1" per acre
 $\left(\frac{39 \times 0.02 \text{ cfs/acre}}{41} \right) = 0.82 \text{ cfs}$

Hubble analysis Review
18 Ac w/b 2 oil
 $\times 0.098 \text{ cfs/acre} = 1.76 \text{ cfs}$
6 Ac SOC soil
 $\times 0.04 \text{ cfs/acre} = 0.24 \text{ cfs}$
FR = 2.82 cfs

REPROFILED
Nov 10 1994

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRRIGATION

04-11

10-15

4.500

4.5

4.500

N/A

200.00

162.5

TOTAL FOR THIS RIGHT

REVIEWED BY:

See

DATE:

6-9-94

F01 = Keyes Ditch

D02 = 1.68

F06 =

Comm:

D08 cm.

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NOV 01 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00186

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
4.500

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|---------------------------|---------------------|-------------------|
| - | A72-00186A | 2.000 | - | 2.82 FA | - | - |
| - | A72-00186B | 4.500 | - | 2.82 + | 72-00186 | 4.500 |
| TOTAL CFS | | 6.500 | | | | 4.500 |

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:

*The Denver right is split in ownership
the portion that was allotted to the Hayes Ranch has been
reexamined as forfeited or abandoned.*

AUTHENTICATION

SIGNATURE:



DATE:

6-9-94

NAME OF FIELD EXAMINER:

TITLE:

MICROFILMED
AUG 9 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 RATE | ☒ | | 8-3-93
See | ☒ | 6. | See
6-3-94 | See
6-9-94 | See
6-9-94 |
| POINT OF DIV | ☒ | | | ☒ | 156 | | | |
| SOURCE | ☒ | | | ☒ | 156 | | | |
| PLACE OF USE | ☒ | | | ☒ | 12456 | | | |
| DIV. AMOUNT
CES/VOLUME | ☒ | | | ☒ | 6. (#4) | | | |
| CONSUMPTIVE USE | ☒ | | | ☒ | | | | |
| PURPOSES | ☒ | | | ☒ | | | | |
| PERIOD OF USE | ☒ | | | ☒ | 6. STDS | | | |
| BASIS OF CLAIM | ☒ | | | ☒ | | | | |
| REMARKS | ☒ | | | ☒ | 6. | | | |

12-21-92

See

VERIFIED BY CODES

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

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

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MAY 01 1994

DIVERSION RATE
 DIVERSION VOLUME

162.5
~~770.5~~ AEA

Stage: **INCREED**

CUSTER County

100

65

Other Rights: NONE

3 → move to comm-

$$F_{D1} = \text{Kaya Dışık}$$
$$D_{D2} = 1,68$$

FD-6- 72-00184

-4020
-10496
See
6-3-94

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NOV 01 1994

100% ORIGINAL

R19E R

25

NOTE

2Ac. owned by Winters is part of the Westgard field (see A72-10235)
2Ac. owned by Westgard is irrigated by Winters under this claim + A72-00868

104Ac. POB CLAIMED ACRES

END OF KEYES DITCH

irrigated acres per Exam ()
= NENW - 10+2
NWNW - 2
SWNW - 39
SE NW - 39

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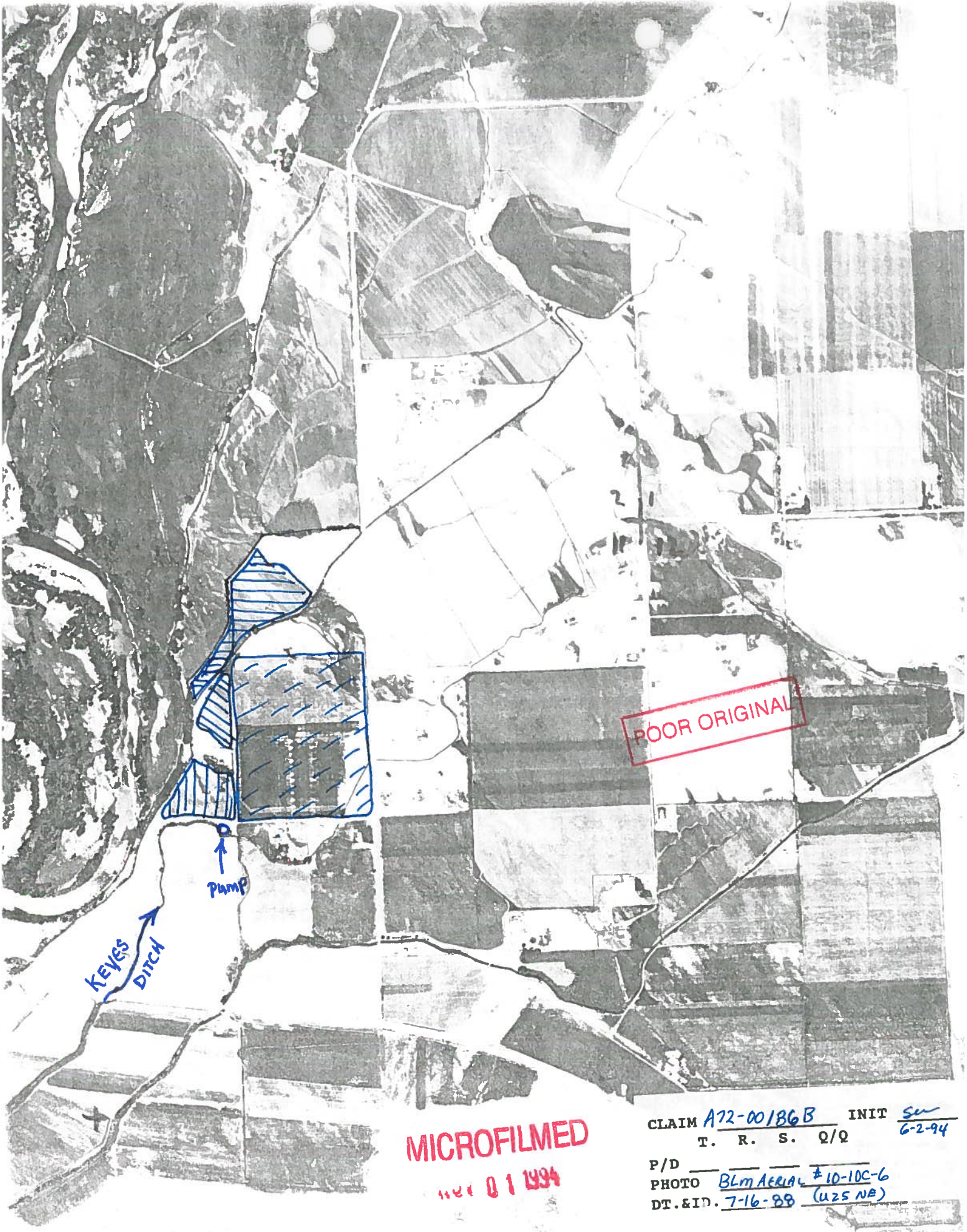
NOV 01 1994

CLAIM A72-001868 INIT Sw
T. R. S. Q/Q 6-2-94
P/D _____
PHOTO U 25 OPQ
DT. & ID. 7-24-74

T
13
N

(AS CLAIMED)

Review & Exam
MAP



MICROFILMED

NOV 8 1994

CLAIM A72-00186B INIT SW
T. R. S. Q/Q 6-2-94
P/D _____
PHOTO BLM Aerial #10-10C-6
DT.&ID. 7-16-88 (U25 NA)

TELOPE HILLS
SUB.

S. N. LAMIER

C. H. WILSON

A. GETTY

H. CHASE

POOR ORIGINAL

ASCS MAP
1903-118
AP-13
c. 1918

AP 12-00186 B
9/2-94

MICROFILMED
MAY 01 1994

SWAPPED
IR RIG

21
112

DECREED
POU
72-00185

POOR ORIGINAL

T
14
N

35

36

T
13
N

2

1

2 AC.
OUTSIDE
DECREED

DECREED
POU
72-00187

EXISTING
POU

12

SALMON RIVER

72-00186
DECREED
POU

MICROFILMED

NOV 01 1984

CLAIM A72-00185 B INIT SCC

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

P/D U25 OPQ

DT.&ID. 7-24-74

6-2-94
sw

DECREED
POUS

A72-00186B

POD ORIGINAL

2

WB2

WB2 SOILS
18 AC.
2600' 2900' WIDTH

2 AC
IN SPRINKLER

END OF
Keyes
DITCH

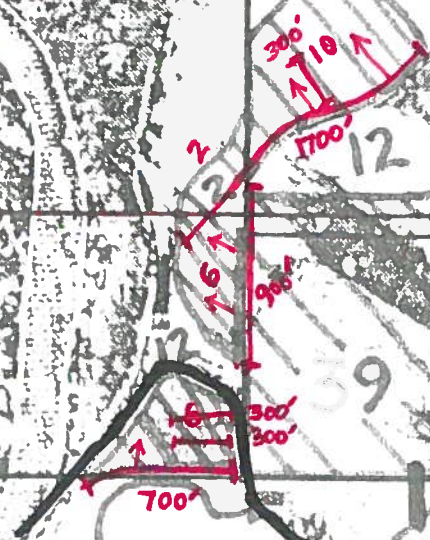
MICROFILMED

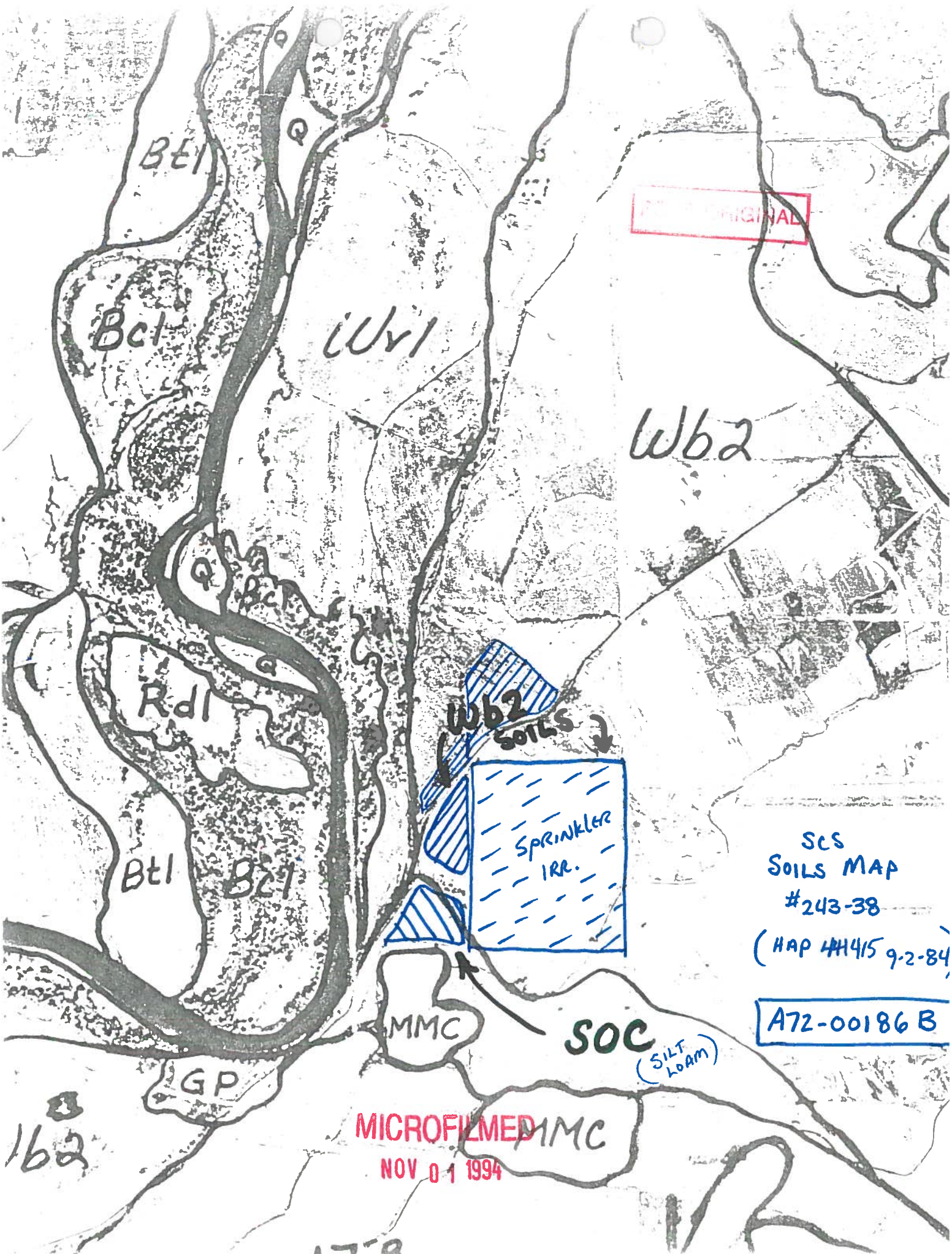
NOV 0 1 1984

SOC

SOC SOILS
6 AC.
1300' width

HABOLE ANALYSIS REVIEW





ORIGINAL

SCS
SOILS MAP
#243-38
(HAP 44415 9-2-84)

A72-00186 B

MICROFILMED
NOV 01 1994

162

172

GRADED BORDER EVALUATION

Job name: A72-00186B
By: SCC

Location: WB2 SOIL 18 AC PASTUR
Date: Jun 3, 1994

Roughness coefficient (n)= 0.250 Intake family (If)=2.00
Slope (S)= 0.0200 ft/ft Border width (W)= 138 ft
Net application (Fn)= 1.59 inches Border length (L)= 270 ft
Inflow time (Ti)= 8 hours, 0 minutes

| Flow per
Border
(cfs) | Unit
Flow
(cfs/ft) | Gross
Application
(in) | Deep
Percolation
(in) | Runoff
(in) | Application
Efficiency
(percent) | Notes |
|-----------------------------|--------------------------|---|-----------------------------|----------------|--|-------|
| 1.70 | | Gross depth is less than required gross application depth | | | | |
| 1.71 | | Gross depth is less than required gross application depth | | | | |
| 1.72 | | Gross depth is less than required gross application depth | | | | |
| 1.73 | | Gross depth is less than required gross application depth | | | | |
| 1.74 | | Gross depth is less than required gross application depth | | | | |
| 1.75 | | Gross depth is less than required gross application depth | | | | |
| 1.76 | 0.013 | 16.32 | 14.70 | 0.04 | 9.7 | |
| 1.77 | 0.013 | 16.42 | 14.70 | 0.13 | 9.7 | |
| 1.78 | 0.013 | 16.51 | 14.70 | 0.22 | 9.6 | |
| 1.79 | 0.013 | 16.60 | 14.70 | 0.31 | 9.6 | |
| 1.80 | 0.013 | 16.70 | 14.70 | 0.41 | 9.5 | |

$$\frac{1.76 \text{ cfs}}{18 \text{ Ac}} = 0.098 \text{ cfs/Ac}$$

MICROFILMED
NOV 01 1994

CLAIM NO. --- A72-001868 Lotus Program:
 AGENT ----- SCC IRR-PRAC.WK3
 DATE ----- 06/03/94 Date form revised:
 4/21/93 by KKC

 SOIL CHARACTERISTICS

Soil Type = WB2; Zer...GRAVELLY LOAM
 Source of Soils Data = Printout From SCS State Office

| soil depth
(inches) | | AWC
(in/in) | | PH | | organic
(%) | | soil depth
(ft) | AWC
(inches) | intake
family | |
|------------------------|-------|----------------|-------|-------|-------|----------------|-------|--------------------|-----------------|------------------|--------|
| lower | upper | lower | upper | lower | upper | lower | upper | | | flood | furrow |
| 0 | 3 | 0.11 | 0.16 | 7.4 | 8.4 | 1 | 2 | 1 | 1.47 | 2 | 0.55 |
| 3 | 9 | 0.1 | 0.15 | 7.4 | 9 | | | 1 | 1.58 | | |
| 9 | 21 | 0.08 | 0.13 | 7.9 | 9 | | | 3 | 3.18 | | |
| 21 | 32 | 0.03 | 0.08 | 7.9 | 9 | | | 4 | 3.66 | alternate | |
| 32 | 60 | 0.03 | 0.05 | 7.9 | 9 | | | 5 | 4.14 | 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 | 2900 | 0 | | |
| | | | | IRRIGATION DAYS | 7 | | | |
| | | | | DRY DAYS | 0 | | | |
| | | | | SET TIME(hours) | 8 | | | |
| alfalfa (hay or seed) | 5 | 0.5 | 2.07 | CALCULATED RUN (run = acres*43560/width) | | | | |
| corn (field or silage) | 4 | 0.5 | 1.83 | RUN = | 270 | | | |
| grain (winter or spring) | 4 | 0.5 | 1.83 | CALCULATED BORDER WIDTH (ditch length/irr days * cha | | | | |
| pasture (or grass hay) | 3 | 0.5 | 1.59 | WIDTH = | 138 | | | |
| other (enter below) | | | | THEORETICAL ROTATION (mad/net irr req in inches per | | | | |
| | | | | SELECTED MAD = | 1.59 | | | |
| | | | | ROTATION = | 6.9 DAYS | | | |

 PEAK IRRIGATION DIVERSION REQUIREMENT AT FIELD

Weather Station = CHALLIS
 Figure No = 10-15

| crop | acres | system | recomm.
eff. | Net Irrigation Requirement (mm/day) | | | | | | | |
|---------|-------|--------|-----------------|-------------------------------------|------|------|------|------|------|------|------|
| | | | | mar | apr | may | jun | jul | aug | sep | oct |
| PASTURE | 18 | FLOOD | 12.7 | | 1.47 | 3.84 | 4.87 | 5.86 | 4.56 | 3.23 | 2.07 |
| ALFALFA | | FLOOD | 12.7 | | 1.28 | 4.51 | 5.65 | 6.25 | 4.45 | 2.52 | 0.7 |

Summary 18 13 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 1988

MICROFILMED
 NOV 01 1994

GRADED BORDER EVALUATION

Job name: A72-00186B
By: SCC

Location: SOC SOIL 6 AC PASTURE
Date: Jun 3, 1994

Roughness coefficient (n)= 0.250 Intake family (If)=1.00
Slope (S)= 0.0200 ft/ft Border width (W)= 43 ft
Net application (Fn)= 2.17 inches Border length (L)= 201 ft
Inflow time (Ti)= 8 hours, 0 minutes

| Flow per
Border
(cfs) | Unit
Flow
(cfs/ft) | Gross
Application
(in) | Deep
Percolation
(in) | Runoff
(in) | Application
Efficiency
(percent) | Notes |
|-----------------------------|--------------------------|---|-----------------------------|----------------|--|-------|
| 0.20 | | Gross depth is less than required gross application depth | | | | |
| 0.21 | | Gross depth is less than required gross application depth | | | | |
| 0.22 | | Gross depth is less than required gross application depth | | | | |
| 0.23 | | Gross depth is less than required gross application depth | | | | |
| 0.24 | 0.006 | 9.60 | 7.05 | 0.37 | 22.6 | (4) |
| 0.25 | 0.006 | 10.00 | 7.05 | 0.77 | 21.7 | (4) |
| 0.26 | 0.006 | 10.40 | 7.05 | 1.17 | 20.9 | (4) |
| 0.27 | 0.006 | 10.80 | 7.05 | 1.57 | 20.1 | (4) |
| 0.28 | 0.007 | 11.20 | 7.05 | 1.97 | 19.4 | (4) |
| 0.29 | 0.007 | 11.60 | 7.05 | 2.37 | 18.7 | (4) |

(4) Less than minimum recommended depth of flow.

$$\frac{0.24 \text{ cfs}}{6 \text{ AC}} = 0.04 \text{ cfs/AC}$$

MICROFILMED
NOV 01 1994

CLAIM NO. --- A72-00186B Lotus Program:
 AGENT ----- SCC IRR-PRAC.WK3
 DATE ----- 06/03/94 Date form revised:
 4/21/93 by KKC

 SOIL CHARACTERISTICS

Soil Type = SOC; SPARMO... SILT LOAM, 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 | 5 | 0.17 | 0.2 | 7.4 | 8.4 | 1 | 2 | 1 | 1.70 | 1 | 0.4 |
| 5 | 37 | 0.09 | 0.13 | 7.9 | 9 | | | 1 | 1.81 | | |
| 37 | 60 | 0.05 | 0.09 | 7.9 | 9 | | | 3 | 4.33 | | |
| | | | | | | | | 4 | 5.22 | alternate | |
| | | | | | | | | 5 | 6.06 | method | |
| | | | | | | | | | | NA | NA |

Management Allowed Deficit (MAD)

| crop | root
depth
(ft) | stress
point (INCHES) | MAD | FIELD NOTES AND CALCULATIONS | | | | |
|--------------------------|-----------------------|--------------------------|------|--|---------|---------|---------|--|
| | | | | FIELD 1 | FIELD 2 | FIELD 3 | FIELD 4 | |
| | | | | FIELD WIDTH | 1300 | 0 | | |
| | | | | IRRIGATION DAYS | 10 | | | |
| | | | | DRY DAYS | 0 | | | |
| | | | | SET TIME(hours) | 8 | | | |
| alfalfa (hay or seed) | 5 | 0.5 | 3.03 | CALCULATED RUN (run = acres*43560/width) | | | | |
| corn (field or silage) | 4 | 0.5 | 2.61 | LENGTH (RUN) = 201 | | | | |
| grain (winter or spring) | 4 | 0.5 | 2.61 | CALCULATED BORDER WIDTH (ditch length/irr days * cha | | | | |
| pasture (or grass hay) | 3 | 0.5 | 2.17 | WIDTH = 43 | | | | |
| other (enter below) | | | | THEORETICAL ROTATION (mad/net irr req in inches per | | | | |
| | | | | SELECTED MAD = 2.17 | | | | |
| | | | | ROTATION = 9.4 DAYS | | | | |

 PEAK IRRIGATION DIVERSION REQUIREMENT AT FIELD

Weather Station = CHALLIS
 Figure No = 10-15

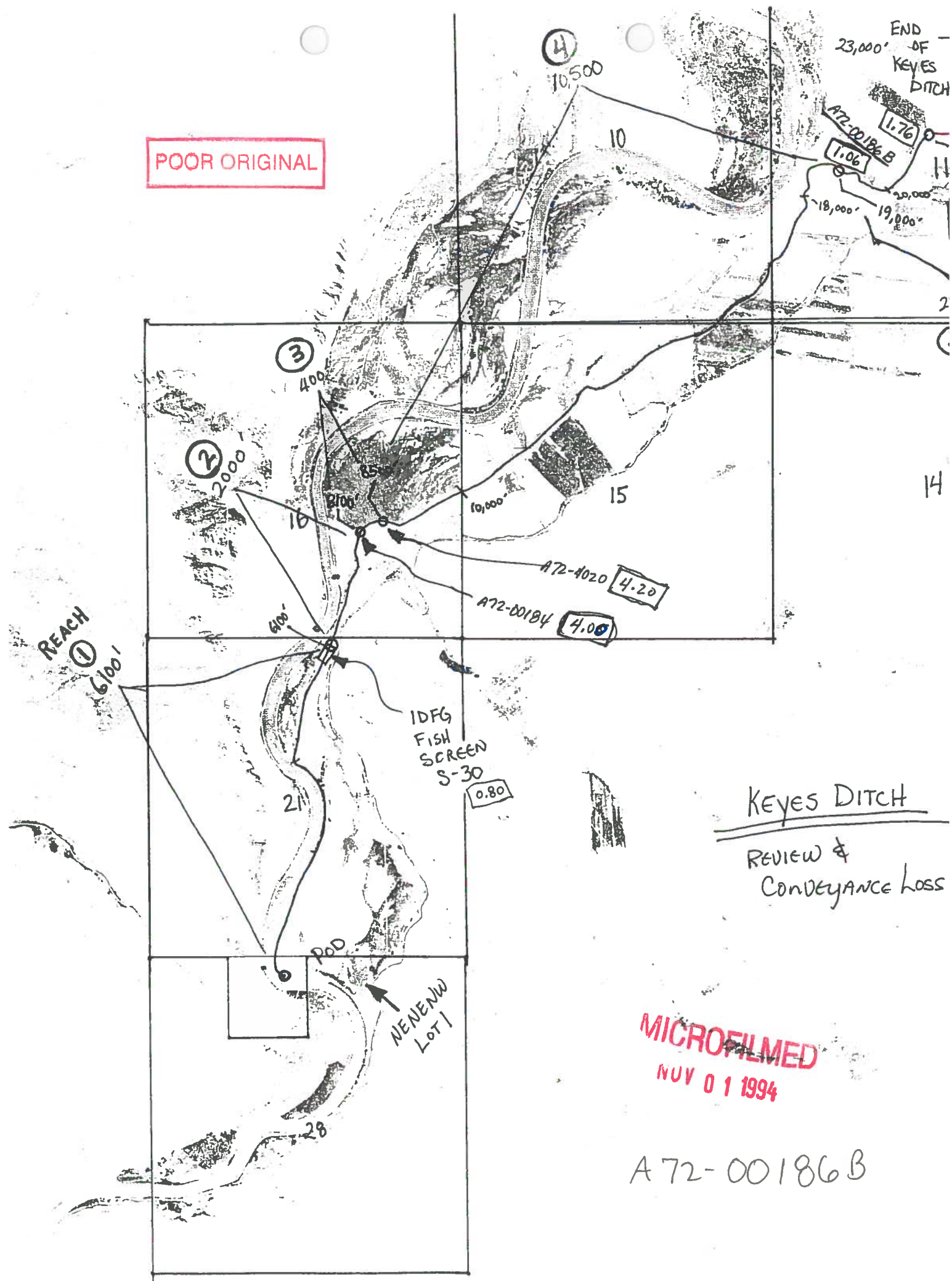
| crop | acres | system | recomm.
eff. | Net Irrigation Requirement (mm/day) | | | | | | | |
|---------|-------|--------|-----------------|-------------------------------------|------|------|------|------|------|------|------|
| | | | | mar | apr | may | jun | jul | aug | sep | oct |
| PASTURE | 6 | 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 | 6 | | 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

MICROFILMED
 NOV 01 1994

POOR ORIGINAL



Keyes Ditch

REVIEW &
CONVEYANCE LOSS

MICROFILMED

NOV 01 1994

A72-00186B

CONVEYANCE LOSS - WORSTELL

AGENT -----SCC
 DATE -----08-Jun-94
 CONVEYANCE OR
 SOURCE NAME -----SALMON RIVER, KEYES DITCH
 RELATED CLAIMS -A72-00184, A72-00186B, A72-04020

*This is the
 calculated amount
 needed, cannot verify
 the full amount as
 the project is 6-9-94*

A72-00186B

REACH LENGTH

(FT)

AVE WIDTH

(FT)

SEEPAGE
(FT/DAY)

WORSTELL LOSS
(CFS)

DELIVERY
(CFS)

DELIVERY LEFT
(CFS)

LOSS FACTOR

DELIVERY LOSS
(CFS)

FLOW
(CFS)

| | | | | | | | | | |
|----|-------|------|------|------|------|-------|--------|------|-------|
| 1 | 6100 | 10.0 | 2.50 | 1.93 | 0.80 | 11.87 | 0.1623 | 0.13 | 18.60 |
| 2 | 2000 | 10.0 | 2.50 | 0.63 | 4.05 | 11.07 | 0.0571 | 0.89 | 15.87 |
| 3 | 400 | 10.0 | 2.50 | 0.13 | 4.20 | 7.02 | 0.0180 | 1.00 | 11.19 |
| 4 | 10500 | 10.0 | 2.50 | 3.32 | 1.06 | 2.82 | 1.1759 | 1.50 | 6.86 |
| 5 | 2300 | 10.0 | 2.50 | 0.73 | 1.76 | 1.76 | 0.4127 | 3.21 | 2.49 |
| 6 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 7 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 8 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 9 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 10 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 11 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 12 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 13 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 14 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 15 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 16 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 17 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 18 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 19 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |
| 20 | | | | 0.00 | | 0.00 | 0.0000 | 0.00 | 0.00 |

TOTALS 21300

6.73

11.87

6.73

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Nov 01 1994

4.71

REACH = SECTION OF CHANNEL
 LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
 OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS
 AVE WIDTH = AVERAGE TOP WIDTH OF REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH
WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD
DELIVERY = TOTAL DELIVERIES IN REACH
DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)
LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT
DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH

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Nov 01 1994

NAME OF STREAM OR DITCH ----- KEYES DITCH: SALMON RIVER
 LOCATION ----- BELOW FISH SCREEN S30
 PURPOSE OF MEASUREMENT -- ADJUDICATION REVIEW
 BASIS OF VELOCITY CALCULATIONS ----- 1
 IF YOU ARE USING A PYGMY METER ENTER ----- 2
 IF YOU ARE USING A AA METER ENTER ----- 2
 ENTRY ----- =
 FOLLOWING THE LAST ENTRY IN: "END"
 "DISTANCE FROM INIT PT" ENTRY MUST = "END"

WATER RIGHT NUMBER IF APPLICABLE -----
 AGENT CONDUCTING MEASUREMENT & DATE -- SCC 6-30-93
 ACCOMPANIED BY ----- N/A
 PREMEASUREMENT SPIN TEST (MIN/SEC) --- OK 2:20
 POST MEASUREMENT SPIN TEST (MIN/SEC) - OK 2:20

| 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 REVS | TIME/SEC | TIME/SEC | | | 1ST POINT VELOCITY | 2ND POINT VELOCITY | MEAN VELOCITY | |
| 1.99 | | 2.00 | 0.40 | 0.20 | 0 | | | | 0.00 | 0.001 | 0.18 | | | 0.00 |
| 2.00 | | 3.00 | 0.85 | | 7 | | 45.0 | | 0.51 | 0.202 | 0.25 | | | 0.00 0.05 |
| 3.00 | | 4.00 | 1.20 | | 14 | | 48.0 | | 1.00 | 0.850 | 0.36 | | | 0.31 |
| 4.00 | | 5.00 | 1.40 | | 10 | | 49.0 | | 1.00 | 1.200 | 0.66 | | | 0.79 |
| 5.00 | | 6.00 | 1.50 | | 15 | | 58.0 | | 1.00 | 1.400 | 0.46 | | | 0.65 |
| 6.00 | | 7.00 | 1.50 | | 10 | | 52.0 | | 1.00 | 1.500 | 0.58 | | | 0.88 |
| 7.00 | | 8.00 | 1.60 | | 15 | | 41.0 | | 1.00 | 1.500 | 0.44 | | | 0.66 |
| 8.00 | | 9.00 | 1.70 | | 15 | | 55.0 | | 1.00 | 1.600 | 0.82 | | | 1.31 |
| 9.00 | | 10.00 | 1.45 | | 15 | | 51.0 | | 1.00 | 1.700 | 0.61 | | | 1.04 |
| 10.00 | | 11.00 | 0.90 | 0.45 | 3 | | 45.0 | | 1.00 | 1.450 | 0.66 | | | 0.96 |
| 11.00 | | 12.00 | | | | | | | 1.00 | 0.900 | 0.17 | | | 0.15 |
| END | | | | | | | | | 0.50 | 0.225 | | | | 0.02 |
| | | | | | | | | | | | | | | 6.76 |

6.81 cf/s

Problems in Delivery of water through this ditch have forced the users to change Delivery Ditches. This measurement does not reflect Ditch Capacity.

10-20-93 **MICROFILMED**

See NOV 01 1994

Problems in Delivery of water through this ditch have forced the users to change Delivery Ditches. This measurement does not reflect Ditch Capacity.

See 6-9-94

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Water Right No.
(if applicable)

Open Channel Discharge Measurement Notes

A. GENERAL INFORMATION

1. Name of stream or ditch: KREE DITCH @ Fish SCREEN S30
2. Location: _____
3. Person conducting measurement: STEVE CLELLAND
4. Date and time of measurement: 6-30-93 6pm - 6:40pm
5. Accompanied by: N/A
6. Measuring device size and ID no.: AA # 090148
7. Spin test before measurement OK? OK 2:20 after measurement OK? OK 2:20
8. Purpose of measurement: AJ Claims

B. MEASUREMENT DATA

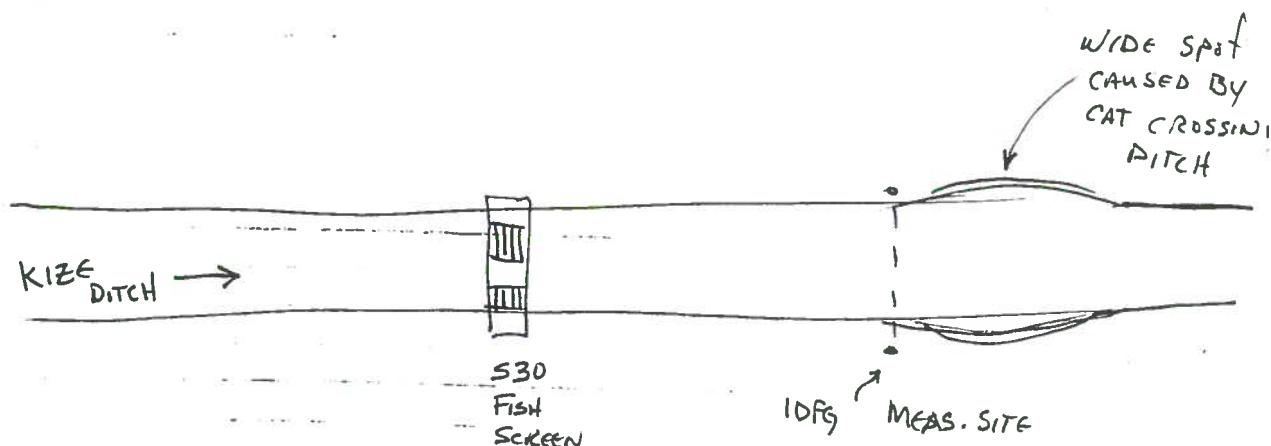
[illegible]

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NOV 9 1994

C. DIAGRAMS

1. Measurement Location

Scale: _____ = _____



2. Cross-Section of Measurement

Scale _____ = _____



POOR ORIGINAL

Muddy Bottom w/ Medium Moss Growth

USED A SHOVEL TO REMOVE SOME MOSS TO GET CONSISTENT FLOW + SPIN OF THE AA METER.

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D. SUMMARY INFORMATION

1. Measurement rated _____ excellent ☒ good _____ fair _____ poor

2. Remarks: _____

3. Width: _____ Area: _____ Discharge in cubic feet per second: _____

DATE _____

SIGNATURE OF PERSON CONDUCTING MEASUREMENT _____

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A72-00186B

RE: OWNERSHIP OF LAND

DATE 6-2-94

NAME OF PARTY

TOM VACOMELLA

879-2325

@ Custer Co. Assessor's office

I asked about the land in T13N R19E
sect 11 NW 1/4 owned by Winter, Fred or Katherine.

He said Katherine Winter

owns

Lot 3

E 1/2 NW 1/4

of Sect. 11 = 97.5 Ac.

None in Lot 1, sec. 11

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NOV 01 1994

~~10/27~~ 8-3-93

472-00186B

Find Winters

- pump in Keyes ditch

US Lactine

30 Hp

ID # 9503449-574 R064085

1760 RPM

Berkley Pump

1900 RPM

7582354

MICROFILMED

472-00186B
WINTERS

EXAM
ON

FIELD NOTES
by SC
8-3-93

OR ORIGINAL

WINTERS

A72-00186B



3-93

VIEW OF GRAVITY IRRIG. PASTURE
MICHU FILMED
NOV 01 1994

POOR ORIGINAL

NOTE: INFLOW OF
WATER FROM
CHALLIS IRE. CO.

WINTERS

A72-00186 B



← Keyes Ditch
Flow

Pump in Keyes Ditch

8-3-93

TO WINTERS POU

PHOTO: R72-27
by sec

MICROFILMED
NOV 01 1994

Water Right Number - 72-00186

Prefix Translation:

WATER RIGHT

Old (D) Number -

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

+ - First Name - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
BENNETTS

RICHARD

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - +
11/18/1890+ - - 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

4.500

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
4.500

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use Code | Description | County |
|-----|-----|-----|-------|-----|-------|-------------------|-------------|-------------|
| 13N | 19E | 11 | NW NE | | | 01 | IRRIGATION | (37) CUSTER |
| 13N | 19E | 11 | NE NW | | | 01 | IRRIGATION | (37) CUSTER |
| 13N | 19E | 11 | SW NW | 3 | | 01 | IRRIGATION | (37) CUSTER |
| 13N | 19E | 11 | SE NW | | | 01 | IRRIGATION | (37) CUSTER |

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - -
No Remarks found.+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
CHARLES B. JENSON ET AL RICHARD BENNETTS ET AL 02/12/1915MICROFILMED
NOV 01 1994

WATER RIGHT

No Comments Found

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 | Tested Date | - | 00/00/0000 | Swan Falls | - |
| Proof Made Date | - | 00/00/0000 | Hearing Date | - | 00/00/0000 | Temporary Right | - |
| Exam to S.O. Date | - | 00/00/0000 | Verified Date | - | 01/28/1985 | DLE/Carey Act | - |
| Order Show Cause | - | 00/00/0000 | Receipt Number | - | | Water District | - |
| Licensed Date | - | 00/00/0000 | Appl Received | - | 00/00/0000 | Transfer/Amended | - |
| Decree Date | - | 02/12/1915 | Presumption Flag | - | | | |