

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: **A72-00235**
Date Received: 11/16/1989
Receipt No: M005238
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GARY LEUZINGER 208-357-5405
Address: 518 E 1000 N
FIRTH ID 83236
OR
Name: TIMOTHY LEUZINGER 208-579-2215
Address: BOX 157
CHALLIS ID 83226
OR
Name: KAREN DOWTON 208-876-4225
Address: BOX 7
ELLIS ID 83235
2. Date of Priority: MAY 1, 1936
3. Source: WEST PASS CREEK Trib. to: SALMON RIVER, EAST FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 08N | 17E | 29 | SE | SW | SW | | CUSTER |
| | | 32 | SE | NW | NW | | CUSTER |
| | | | NW | SE | NW | | CUSTER |
5. Description of diverting works:
DITCHES, GRAVITY FLOW
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1.660 | | |
7. Total Quantity Appropriated is:
1.660 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 362.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	17E	29	NE		SW		IRR	10.0
			NW		SW		IRR	15.0
			SW		SW		IRR	40.0
			SE		SW		IRR	9.0
							Section Acres	74.0
		31	NE		NE		IRR	5.0
			SE		NE		IRR	6.0
							Section Acres	11.0
		32	NW		NW		IRR	40.0
			SW		NW		IRR	20.0
							Section Acres	60.0
							Total Acres	145.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

A72-00234, A72-04130

14. Remarks:

P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.

12-11-98: ADDED 2 POINTS OF DIVERSION PER CONVERSATION WITH
CLIAMANTS 12-9-98 IN CHALLIS. ALSO UPDATED OWNERSHIP PER NOTICE
REC'D 12-9-98 - VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

GOSSI, ET. AL.

Decree Plaintiff

GIAMPEDRAGLIA, ET. AL.

vs

Decree Defendant

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 _____

Date Received _____

Receipt Number _____

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

A72-00235

Please type or print clearly

1. Name of Claimant (s) Gary Leuzinger et al Phone (208) 357-5405Mailing Address 518 E 1000 N Furth, Idaho Zip 832362. Date of Priority (Only one (1) per claim) as claimed See Exhibit 13. Source of water supply (a) as claimed - See Exhibit 1
which is tributary to (b) as claimed - See Exhibit 14. a. Location of existing point of diversion is: Township 08N Range 17E Section 32,1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of CusterAdditional points of diversion if any: ~~SEC 29 SW SW~~ 32 NE SW NW

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

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

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

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

1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.AS CLAIMED - See Exhibit 1

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) AS CLAIMED (cfs) and/or (b) _____ (acre feet)
SEE EX 1

8. Total consumptive use claimed is AS CLAIMED acre feet per annum.
SEE EXHIBIT 1

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) AS CLAIMED - see EXHIBIT 1

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? AS CLAIMED - SEE EXHIBIT 1

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
AS CLAIMED - SEE EXHIBIT 1 or None ()

14. Remarks:

Last Name Leusinger

Ident No. A72-00235
amended

Copies: White -State, Yellow-Claimant

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows of these squares.

Leuzinger

PA72-04235

~~was~~
amended

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number AS CLAIMED Decree Date _____
Plaintiff vs Defendant see ex 1

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) X [Signature] Date 12-7-98
Date _____

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

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

document in the space below as _____ of _____
Title Organization

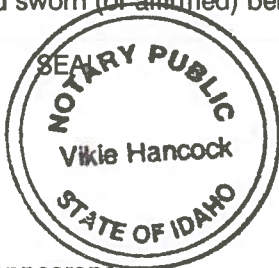
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 9th day of December 19 98



Notary Public [Signature]

Residing at Turn Falls, Idaho

My Commission Expires 5-7-2003

Please Print Name

Vikie Hancock

17. Notice of Appearance.

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

Signature _____

Address _____

Date _____

Last Name Leusinger Ident. Number A72 00235
amended

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
DEC 17 1998
Department of Water Resources
Southern Region

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

1. Water Right No(s).: 72-00234, 72-00235, 72-04130
Adjudication Claim No(s).: _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant	Virginia Leuzinger Box 157, Challis Id.	Gary Leuzinger Box 157, Challis, Id.	Tim Leuzinger Box 157, Challis, Id.
4. New Owner/Claimant(s)	Karen Dauton	Gary Leuzinger	Tim Leuzinger
New Mailing Address	Box 7	518 E. 1000 N.	Box 157
City, State and ZIP Code	Ellis, Idaho 83235	Firth, Id. 83236	Challis, Id. 83226
New Telephone Number	(208) 876-4225	(208) 357-5405	(208) 879-2215

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 82 Number and type of stock 150

Diversion rate in CFS _____ Number of homes _____ Other uses _____

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

7. Signature of New Owner or Claimant(s) Karen A. Dauton, Gary Leuzinger, Tim Leuzinger

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

QUITCLAIM DEED

THIS INDENTURE is made this 8th day of FEBRUARY, 1995, between Virginia Nellie Leuzinger, a widow dealing with her sole and separate property, "Grantor" and Timothy Leuzinger, as his sole and separate property as to both income and principal, whose address is Box 157, Challis, Idaho 83226, "Grantee,"

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged, the Grantor does hereby QUITCLAIM unto the Grantee an undivided .067 interest in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

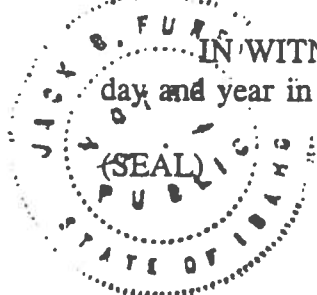
IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day and year first above set forth.

Virginia Nellie Leuzinger
Virginia Nellie Leuzinger

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 8th day of FEBRUARY, 1995, before me, JACK B. FURRY, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie Leuzinger, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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



Jack B. Furry
Notary Public for State of Idaho
Residing at: Challis, Idaho
My Commission Expires: 3/5/97

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

A fraction of Tract B. of H.E.S. No. 722 in approximate unsurveyed Section 29, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, according to the plat accepted by the U.S. Surveyor General's office at Boise, Idaho, August 18, 1920, described as:

Beginning at Corner No. 6 of said H.E.S.; thence North $13^{\circ}38'$ West, 850 feet to Corner No. 7 of said H.E.S.; thence North $31^{\circ}00'$ East along the Northwesternly boundary of said H.E.S. 307 feet; thence South $13^{\circ}38'$ East, 850 feet, more or less, to the Northwesternly line of the road; thence South $26^{\circ}44'$ West along said Northwesternly line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

208489
Custer County Reg. Ct.
Peterson, Moss, Olsen,
Meacham & Co.
Time 11:55 A.M.
3-30-95
Ethel M. Peterson
Barbara C. Peterson
6⁰⁰

0208488

QUITCLAIM DEED

THIS INDENTURE is made this 8th day of FEBRUARY, 1995, between Virginia Nellie Leuzinger, a widow dealing with her sole and separate property, "Grantor" and Gary Leuzinger and Linda Leuzinger husband and wife, whose address is 518 East 100 North, Firth, Idaho, "Grantees,"

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged, the Grantor does hereby QUITCLAIM unto the Grantees an undivided .067 interest to each of them in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day and year first above set forth.

Virginia Nellie Leuzinger
Virginia Nellie Leuzinger

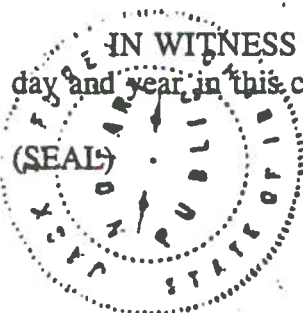
STATE OF IDAHO)

) ss.

County of Bonneville)

On this 8th day of FEBRUARY, 1995, before me, JACK B. FUREY, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie Leuzinger, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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



Jack B. Furey
Notary Public for State of Idaho
Residing at: Challis, Idaho
My Commission Expires: 3/9/97

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

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Beginning at Corner No. 6 of said H.E.S.; thence North $13^{\circ}38'$ West, 850 feet to Corner No. 7 of said H.E.S.; thence North $31^{\circ}00'$ East along the Northwestern boundary of said H.E.S. 307 feet; thence South $13^{\circ}38'$ East, 850 feet, more or less, to the Northwestern line of the road; thence South $26^{\circ}44'$ West along said Northwestern line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

208488
Custer County Reg. of
Peterson, Moss, Olsen,
Meacham & Carr
11:55 A.M.
3-30-95
Barbara C. Meacham
6⁰⁰

QUITCLAIM DEED

THIS INDENTURE is made this 8th day of FEBRUARY, 1995
 between Virginia Nellie Leuzinger, a widow dealing with her sole and separate
 property, "Grantor" and Sidney Dowton and Karen Dowton husband and wife, whose address
 is Box 7, Ellis, ID 83235, "Grantees,"

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged,
 the Grantor does hereby QUITCLAIM unto the Grantees an undivided .067 interest to each of
 them in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances
 thereunto belonging or in anywise appertaining.

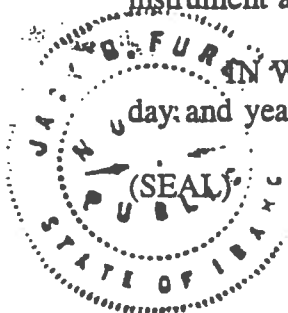
IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day
 and year first above set forth.

Virginia Nellie Leuzinger
 Virginia Nellie Leuzinger

STATE OF IDAHO)
) ss.
 County of Bonneville)

On this 8th day of FEBRUARY, 1995, before me, JAR B. FURRY, the
 undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie
 Leuzinger, known to me to be the persons whose names are subscribed to the foregoing
 instrument and acknowledged to me that they executed the same.

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



Jar B. Furry
 Notary Public for State of Idaho
 Residing at: Ballis, there in
 My Commission Expires: 3/5/97

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

A fraction of Tract B. of H.E.S. No. 722 in approximate unsurveyed Section 29, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, according to the plat accepted by the U.S. Surveyor General's office at Boise, Idaho, August 18, 1920, described as:

Beginning at Corner No. 6 of said H.E.S.; thence North $13^{\circ}38'$ West, 850 feet to Corner No. 7 of said H.E.S.; thence North $31^{\circ}00'$ East along the Northwestern boundary of said H.E.S. 307 feet; thence South $13^{\circ}38'$ East, 850 feet, more or less, to the Northwestern line of the road; thence South $26^{\circ}44'$ West along said Northwestern line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

208490
Custer County Reg. of
Petersen, Miss. Olsen
Macham & Carr
11:55 A.M.
3-301395
Barbara C. Bluelove
602 Dep't

QUITCLAIM DEED

THIS INDENTURE is made this 26 day of Dec., 1994,
between Virginia Nellie Leuzinger, a widow dealing with her sole and separate
property, "Grantor" and Gary Leuzinger and Linda Leuzinger husband and wife, whose
address is 518 E. 1000 No. Fifth, "Grantees,"
Idaho

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged,
the Grantor does hereby QUITCLAIM unto the Grantees an undivided .067 interest to each of
them in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances
thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day
and year first above set forth.

Virginia Nellie Leuzinger
Virginia Nellie Leuzinger

STATE OF IDAHO)

County of Custer) ss.
Benneville)

On this 26 day of December, 1994, before me, JARP B. FURLEY, the
undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie
Leuzinger, known to me to be the persons whose names are subscribed to the foregoing
instrument and acknowledged to me that they executed the same.

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

(SEAL)

Jarp B. Furley
Notary Public for State of Idaho
Residing at: CHAMBER TOWN
My Commission Expires: 3/5/97

EXHIBIT "A"

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0208547

 Custer County Recd. of
Petersen, Moss Olsen
Maecham & Carr
 10:45 A.M.
 4-12 1995
 Clerk H. Peck Clerk
Wendy Murphy
 6⁰⁰ Deputy

QUITCLAIM DEED

THIS INDENTURE is made this 26 day of Dec., 1994,
 between Virginia Nellie Leuzinger, a widow dealing with her sole and separate
 property, "Grantor" and Sidney Dowton and Karen Dowton husband and wife, whose address
 is Box 7, Ellis, Id., "Grantees,"
 83235

WITNESSETH:

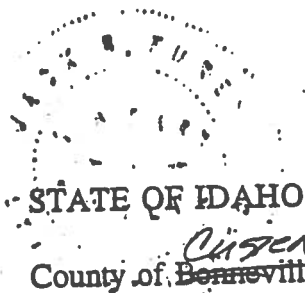
For good and adequate consideration, receipt thereof being hereby acknowledged,
 the Grantor does hereby QUITCLAIM unto the Grantees an undivided .067 interest to each of
 them in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances
 thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day
 and year first above set forth.

Virginia Nellie Leuzinger
 Virginia Nellie Leuzinger



)
) ss.
)

On this 26 day of December, 1994, before me, JACK B. FURRY, the
 undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie
 Leuzinger, known to me to be the persons whose names are subscribed to the foregoing
 instrument and acknowledged to me that they executed the same.

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

(SEAL)

JACK B. FURRY
 Notary Public for State of Idaho
 Residing at: CHALLIS, IDAHO
 My Commission Expires: 3/5/97

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

A fraction of Tract B. of H.E.S. No. 722 in approximate unsurveyed Section 29, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, according to the plat accepted by the U.S. Surveyor General's office at Boise, Idaho, August 18, 1920, described as:

Beginning at Corner No. 6 of said H.E.S.; thence North $13^{\circ}38'$ West, 850 feet to Corner No. 7 of said H.E.S.; thence North $31^{\circ}00'$ East along the Northwesternly boundary of said H.E.S. 307 feet; thence South $13^{\circ}38'$ East, 850 feet, more or less, to the Northwesternly line of the road; thence South $26^{\circ}44'$ West along said Northwesternly line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

0208548

if _____
 Custer County Rec. of
Petersen, Moss, Olsen
Meacham & Carr

10:46 A.M.

4-12-1995

Shirley M. Peck, Clerk
Wendy Murphy
 Deputy
 6

QUITCLAIM DEED

THIS INDENTURE is made this 27 day of Dec., 1994,
 between Virginia Nellie Leuzinger, a widow dealing with her sole and separate
 property, "Grantor" and Timothy Leuzinger, as his sole and separate property as to both income
 and principal, whose address is Box 157 Challis, Id., "Grantee,"
 83226

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged,
 the Grantor does hereby QUITCLAIM unto the Grantee an undivided .067 interest in
 and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances
 thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day
 and year first above set forth.

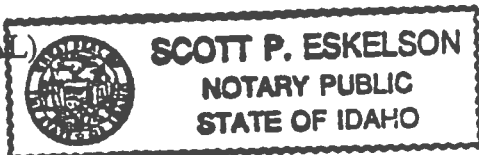
Virginia Nellie Leuzinger
 Virginia Nellie Leuzinger

STATE OF IDAHO)
) ss.
 County of Bonneville)

On this 27th day of Dec., 1994, before me, Scott P. Eskelson the
 undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie
 Leuzinger, known to me to be the persons whose names are subscribed to the foregoing
 instrument and acknowledged to me that they executed the same.

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

(SEAL)



Idaho Falls, Idaho
 Commission Expires 10-25-99

Scott P. Eskelson
 Notary Public for State of Idaho
 Residing at: Id Falls
 My Commission Expires: 10-25-99

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

A fraction of Tract B. of H.E.S. No. 722 in approximate unsurveyed Section 29, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, according to the plat accepted by the U.S. Surveyor General's office at Boise, Idaho, August 18, 1920, described as:

Beginning at Corner No. 6 of said H.E.S.; thence North $13^{\circ}38'$ West, 850 feet to Corner No. 7 of said H.E.S.; thence North $31^{\circ}00'$ East along the Northwestern boundary of said H.E.S. 307 feet; thence South $13^{\circ}38'$ East, 850 feet, more or less, to the Northwestern line of the road; thence South $26^{\circ}44'$ West along said Northwestern line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

0208549

Custer County Reg. of
Petersen Bros. Olsen
Meacham & Co.

10:48 A.M.

4-12-1395

Wanda J. Murphy
6th

QUITCLAIM DEED

THIS INDENTURE is made this 3 day of March, 1997,
between Virginia Nellie Leuzinger, a widow dealing with her sole and separate property,
"Grantor," and Sidney Dowton and Karen Dowton, husband and wife, whose address is Box
7, Ellis, ID 83235, "Grantees,"

WITNESSETH:

For good and adequate consideration receipt thereof being hereby acknowledged,
the Grantor does hereby QUITCLAIM unto the Grantees an undivided .066 interest to each of
them in and to property located in Custer County, Idaho, described as follows. to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

TOGETHER WITH all and singular the tenements, hereditaments and
appurtenances thereunto belonging or in anywise appertaining.

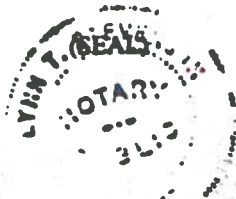
IN WITNESS WHEREOF the said Grantor has executed this instrument as of the
day and year first above set forth.

Virginia Nellie Leuzinger
Virginia Nellie Leuzinger

STATE OF IDAHO)
) ss.
County of Custer)

On this 3rd day of March, 1997, before me, Robert T. Stevenson
the undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia
Nellie Leuzinger, known to me to be the person whose name is subscribed to the foregoing
instrument and acknowledged to me that she executed the same.

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



Robert T. Stevenson
Notary Public for State of Idaho
Residing at: Challis
My Commission Expires: 4-24-97

QUITCLAIM DEED -1-

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

A fraction of Tract B. of H.E.S. No. 722 in approximate unsurveyed Section 29, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, according to the plat accepted by the U.S. Surveyor General's office at Boise, Idaho, August 18, 1920, described as:

Beginning at Corner No. 6 of said H.E.S.; thence North $13^{\circ}38'$ West, 850 feet to Corner No. 7 of said H.E.S.; thence North $31^{\circ}00'$ East along the Northwestern boundary of said H.E.S. 307 feet; thence South $13^{\circ}38'$ East, 850 feet, more or less, to the Northwestern line of the road; thence South $26^{\circ}44'$ West along said Northwestern line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

0212979

CUSTER COUNTY, IDAHO
Peterson, Mrs.

111404 14
 3-7-1927
Clayton Murphy
 16

QUIT CLAIM DEED

THIS INDENTURE is made this 3 day of March, 1997,
between Virginia Nellie Leuzinger, a widow dealing with her sole and separate property,
"Grantor," and Timothy Leuzinger, as his sole and separate property as to both income and
principal, whose address is Box 157, Challis, Idaho, ID 83226, "Grantee,"

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged, the Grantor does hereby QUITCLAIM unto the Grantee an undivided .066 interest in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

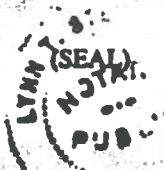
IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day and year first above set forth.

Virginia Nellie Leuzinger

STATE OF IDAHO)
) ss.
County of Custer)

On this 1st day of March, 1997, before me, [Signature],
the undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie Leuzinger, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

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



From: Stevenson
Notary Public for State of Idaho
Residing at: Boise
My Commission Expires: _____

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

A fraction of Tract B. of H.E.S. No. 722 in approximate unsurveyed Section 29, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, according to the plat accepted by the U.S. Surveyor General's office at Boise, Idaho, August 18, 1920, described as:

Beginning at Corner No. 6 of said H.E.S.; thence North $13^{\circ}38'$ West, 850 feet to Corner No. 7 of said H.E.S.; thence North $31^{\circ}00'$ East along the Northwestern boundary of said H.E.S. 307 feet; thence South $13^{\circ}38'$ East, 850 feet, more or less, to the Northwestern line of the road; thence South $26^{\circ}44'$ West along said Northwestern line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

0212978

Custer County Reg. of
Peterson Trust

11-10-44
3-7-1927

E. H. M. Pack, Reg.
Wendy J. Murphy
-6-

212980

QUITCLAIM DEED

THIS INDENTURE is made this 3 day of March, 1997, between Virginia Nellie Leuzinger, a widow dealing with her sole and separate property, "Grantor," and Gary Leuzinger and Linda Leuzinger, husband and wife, whose address is 581 East 100 North, Firth, Idaho, "Grantees,"

WITNESSETH:

For good and adequate consideration, receipt thereof being hereby acknowledged, the Grantor does hereby QUITCLAIM unto the Grantees an undivided .066 interest to each of them in and to property located in Custer County, Idaho, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF the said Grantor has executed this instrument as of the day and year first above set forth.

Virginia Nellie Leuzinger
Virginia Nellie Leuzinger

STATE OF IDAHO)
) ss.
County of Custer)

On this 3rd day of March, 1997, before me, Lynn T. Stevenson, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Nellie Leuzinger, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

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

LYNN T. STEVENSON
(SEAL)

Lynn T. Stevenson
Notary Public for State of Idaho
Residing at: Challis
My Commission Expires: 4-24-97

212980

EXHIBIT "A"

Tracts A, B, and C of Homestead Entry Survey #597, and Tracts A and B of Homestead Entry #722, embracing a portion of approximately Sections 29, 30, 31, and 32, Township 8 North, Range 17, E.B.M., LESS the following described tract, to-wit:

A fraction of Tract B. of H.E.S. No. 722 in approximate unsurveyed Section 29, Township 8 North, Range 17 East, Boise Meridian, Custer County, Idaho, according to the plat accepted by the U.S. Surveyor General's office at Boise, Idaho, August 18, 1920, described as:

Beginning at Corner No. 6 of said H.E.S.; thence North 13°38' West, 850 feet to Corner No. 7 of said H.E.S.; thence North 31°00' East along the Northwestern boundary of said H.E.S. 307 feet; thence South 13°38' East, 850 feet, more or less, to the Northwestern line of the road; thence South 26°44' West along said Northwestern line of said road 307 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less.

212980

Custer County Reg. of
Peterson

11:40.4

3:7

E. W. Murphy

USDA-FmHA
Form FmHA 19
(Rev. 6-44)

THIS MO
DOUG:

residing in _____
HC62
herein called "B"

Department of A
herein called the
WHEREA
agreement(s) or
is payable to the
upon any default

Date of Instrum
March 4, 1997

THIS

(The interest
may be increased
And the no
thereof pursuant
statutes administ
And it is I
Government, or
secure payment
or attach to the
Government ag
And this I
which may be
amount due un
NOW
in the event the
payment of the
the payment of
Borrower's age
of any default
made by the C
Borrower com
and assign

of _____
S

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: A72-00235

Date Received: 11/16/1989

Receipt No: 1005238

Received By: hat

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIRGINIA LEUZINGER 208-879-2215
Address: BOX 157
CHALLIS, ID 83226

OR

Name: GARY LEUZINGER
Address: BOX 157
CHALLIS, ID 83226

OR

Name: TIMOTHY LEUZINGER
Address: BOX 157
CHALLIS, ID 83226

2. Date of Priority: MAY 01, 1936

3. Source: WEST PASS CREEK Trib. to: SALMON RIVER, EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	17E	32	NW	SE	NW		CUSTER

5. Description of diverting works:
DITCHES, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.660		

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

8. Total consumptive use is 362.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A72-00235

Page

1

11/16/89

Ex 1 page 1 of 4

MICROFILMED
MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	17E	29	NE	SW		IRR	10.0
			NW	SW		IRR	15.0
			SW	SW		IRR	40.0
			SE	SW		IRR	9.0
			Section Acres				74.0
		31	NE	NE		IRR	5.0
			SE	NE		IRR	6.0
			Section Acres				11.0
		32	NW	NW		IRR	40.0
			SW	NW		IRR	20.0
			Section Acres				60.0
			Total Acres				145.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-00234, A72-04130

14. Remarks:
P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.

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

GOSSI, ET. AL.

Decree Plaintiff

vs

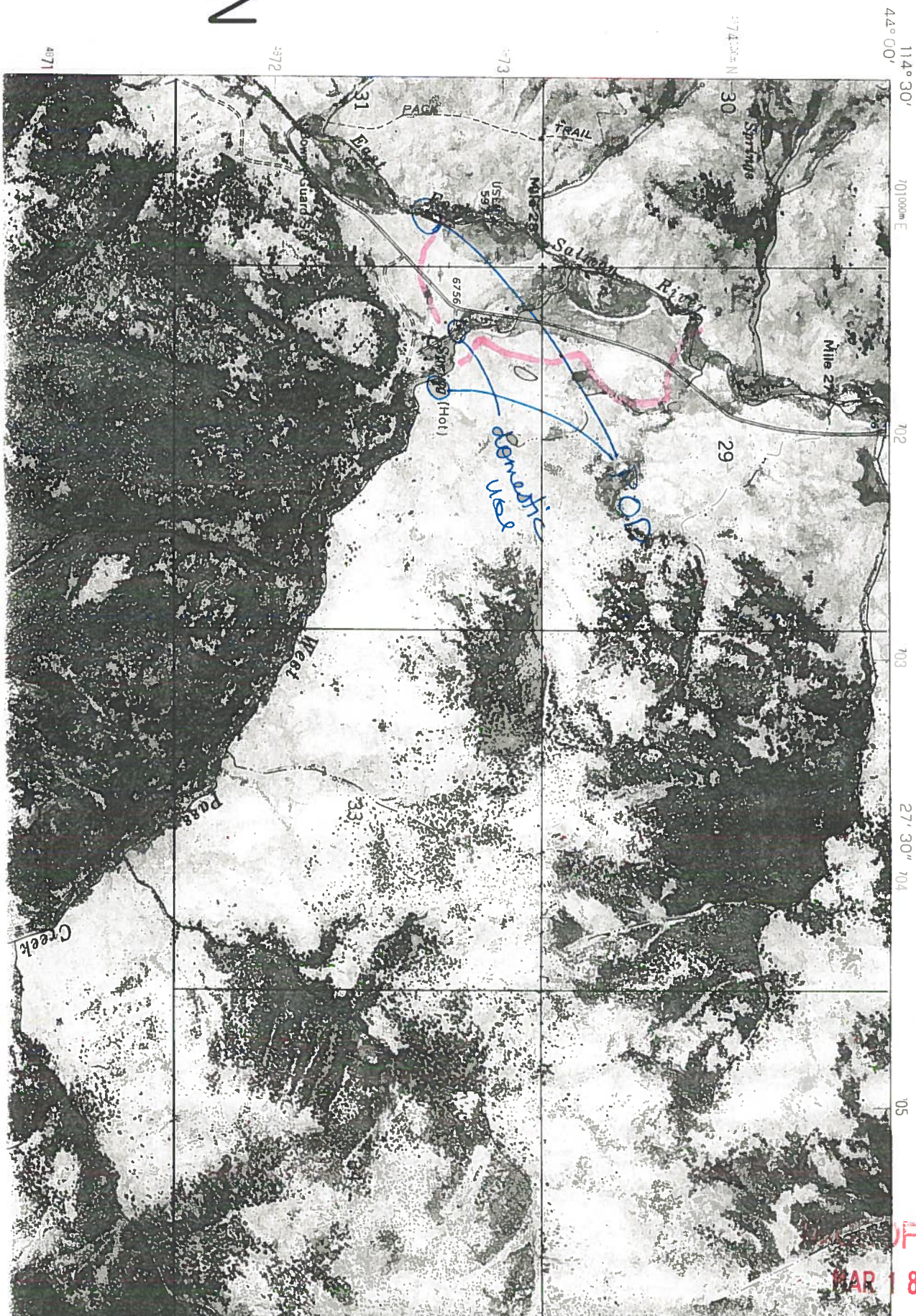
GIAMPEDRAGLIA, ET. AL.

Decree Defendant



DEPARTMENT OF WATER RESOURCES

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



Ex 1
PAR 304

FILED
MAR 18 1993

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): X Virginia Fenzinger Date: 11-16-89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of November 19 89
Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 72-235 V1

WATER RIGHT NUMBER: 72-235 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAREN A DOWTON PO BOX 7 ELLIS, ID 83235 (208)876-4225
Current Owner	GARY LEUZINGER 118 E 1000 N FIRTH, ID 53236 (208)357-5405
Original Owner	VIRGINIA LEUZINGER PO BOX 157 CHALLIS, ID 83226 (208)879-2215
Original Owner	ROSE NOWACKI , ZZ
Current Owner	TIMOTHY LEUZINGER BOX 157 CHALLIS, ID 83226 (208)579-2215

Priority Date: 05/01/1936

Basis: Decreed

Status: Active

Source

WEST PASS CREEK

Tributary

EAST FORK SALMON RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 10/31

Diversion Rate

1.660 CFS

Annual VolumeTotal Diversion:

1.660 CFS

Location of Point(s) of Diversion

WEST PASS CREEK

SE1/4SW1/4SW1/4

Sec. 29, Twp 08N, Rge 17E, B.M.

CUSTER County

WEST PASS CREEK

SE1/4NW1/4NW1/4

Sec. 32, Twp 08N, Rge 17E, B.M.

CUSTER County

WEST PASS CREEK

NW1/4SE1/4NE1/4

Sec. 32, Twp 08N, Rge 17E, B.M.

CUSTER County

*Embr*Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 72-235 V1

08N 17E 29			3.3		13.0	9.5	22.0	6.0		53.8
08N 17E 31		14.0								14.0
08N 17E 32			7.4							7.4
Total Acres: 75.2										

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 72-00234 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 75.2 ACRES IN A SINGLE IRRIGATION SEASON.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.86 CFS. COMBINED RIGHT NO 72-00234
5. PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 597 & 722

Remarks:Comments:

1. VHANCOCK 11/9/1998 COPIED FROM REMARKS

Comment: P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY; VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.

2. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3. VHANCOCK 12/11/1998 ADDITION OF P/D

Comment: TWO POINTS OF DIVERSION ON WEST PASS CREEK WERE ADDED PER CONVERSAION WITH CLAIMANTS IN CHALLIS 12-9-98. ALSO OWNERSHIP UPDATED PER NOTICE RECD 12-9-98. AMENDED CLAIM FILED.

4. djones 11/30/2007 POD Error

Comment: Legal description of POD in S32 NWSENE is wrong, should be S32 NWSENW.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 72-235 V1

Dates and Other Information:

Decreed Date: 11/17/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.86		75.2
Combined Water Rights: 72-234 , 72-235		

Water Supply Bank:

Water Right Report 72-235

WATER RIGHT NUMBER: 72-235

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAREN A DOWTON PO BOX 7 ELLIS, ID 83235 (208)876-4225
Current Owner	GARY LEUZINGER 118 E 1000 N FIRTH, ID 53236 (208)357-5405
Original Owner	VIRGINIA LEUZINGER PO BOX 157 CHALLIS, ID 83226 (208)879-2215
Original Owner	ROSE NOWACKI , ZZ
Current Owner	TIMOTHY LEUZINGER BOX 157 CHALLIS, ID 83226 (208)579-2215

Status: Active

EAST FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	1.660 CFS	
	Total Diversion:	1.660 CFS	

WEST PASS CREEK CUSTER County	SE1/4SW1/4SW1/4	Sec. 29, Twp 08N, Rge 17E, B.M.
WEST PASS CREEK CUSTER County	SE1/4NW1/4NW1/4	Sec. 32, Twp 08N, Rge 17E, B.M.
WEST PASS CREEK CUSTER County	NW1/4SE1/4NE1/4	Sec. 32, Twp 08N, Rge 17E, B.M.

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-235

08N 17E 29		3.3	13.0	9.5	22.0	6.0	53.8
08N 17E 31	14.0						14.0
08N 17E 32		7.4					7.4
Total Acres: 75.2							

Conditions of Approval:

1. USE OF THIS RIGHT WITH RIGHT NO. 72-00234 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 75.2 ACRES IN A SINGLE IRRIGATION SEASON.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.86 CFS. COMBINED RIGHT NO 72-00234
5. PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 597 & 722

Remarks:Comments:

1. VHANCOCK 11/9/1998 COPIED FROM REMARKS

Comment: P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY; VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.

2. AJU10-DS 11/21/1998 AJU10 CONDITION UPDATE

Comment: CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3. VHANCOCK 12/11/1998 ADDITION OF P/D

Comment: TWO POINTS OF DIVERSION ON WEST PASS CREEK WERE ADDED PER CONVERSAION WITH CLAIMANTS IN CHALLIS 12-9-98. ALSO OWNERSHIP UPDATED PER NOTICE REC'D 12-9-98. AMENDED CLAIM FILED.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-235

Dates and Other Information:

Licensed Date:
Decreed Date: 11/17/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.86		75.2

Combined Water Rights: 72-234 , 72-235

Water Supply Bank:

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 72-00235

NAME AND ADDRESS: TIMOTHY LEUZINGER
BOX 157
CHALLIS, ID 83226

KAREN DOWTON
BOX 7
ELLIS, ID 83235

GARY LEUZINGER
118 E 1000 N
FIRTH, ID 53236

SOURCE: WEST PASS CREEK TRIBUTARY: SALMON RIVER, EAST FORK
QUANTITY: 1.66 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.86 CFS. COMBINED RIGHT NO
72-00234

PRIORITY DATE: 05/01/1936

POINT OF DIVERSION: T08N R17E S29 SESWS Within Custer County
S32 NWSNE
SENWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.66 CFS

PLACE OF USE:	Irrigation	Within Custer County
	T08N R17E S29	SENW 3.3 NWSW 9.5 SESW 6.0 S31 NENE 14.0 S32 MWNW 7.4 75.2 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 72-00234 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 75.2 ACRES IN A SINGLE
IRRIGATION SEASON.

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

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 597 & 722
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

SRBA

PARTIAL DECREE 72-00235

Issued on 11-17-2000.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS: TIMOTHY LEUZINGER
BOX 157
CHALLIS, ID 83226
KAREN DOWTON
BOX 7
ELLIS, ID 83235
GARY LEUZINGER
118 E 1000 N
FIRTH, ID 53236

SOURCE: WEST PASS CREEK TRIBUTARY: SALMON RIVER, EAST FORK
QUANTITY: 1.66 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO
TOTAL COMBINED DIVERSION RATE OF 2.86 CFS. COMBINED RIGHT
72-00234

PRIORITY DATE: 05/01/1936

POINT OF DIVERSION: T08N R17E S29 SESWSW Within Custer County
S32 NWSENE
SENWNW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTIT
Irrigation 04-01 TO 10-31 1.66 C

PLACE OF USE: Irrigation Within Custer
T08N R17E S29 SENW 3.3 NESW 13.0
NWSW 9.5 SWSW 22.0
SESW 6.0
S31 NENE 14.0
S32 NWNW 7.4
75.2 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 72-00234 IS LIMITED TO
IRRIGATION OF A COMBINED TOTAL OF 75.2 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:
PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 59
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIO
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFI
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN T
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

[Return to SRBA Home Page](http://164.165.134.61/F7200235XX.HTM)

COMMUNICATION DOCUMENTATION

December 16, 1998

Regarding:

72-04130

From: Vikie Hancock

Customer:

Gary Leuzinger

[illegible]

Gary Leuzinger called to tell me that the changes to claims 72-00234, 72-00235 and 72-04130 looked good except for an explanatory remark on 72-04130.

He requested that I be more descriptive about the complex of springs, and specify that they only divert from the hot part of the spring complex for domestic. The irrigation water comes from a mixture of hot and cold water. He also wanted to make sure there was a remark that the natural channel of the spring, even with no diversion, would not reach the East Fork Salmon River, but had sunk into the ground. I added to the explanatory remark and sent him a profile report so that he could review the change.

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

12/11/98 14:18:13
Page 1

Water Right Number - R72-00235

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
LEUZINGER

TIMOTHY

1 - BOX 157
2 -
3 -
City- CHALLIS
Phone - 208-000-0000
1 - 118 E 1000 N

State- ID Zip- 83226

LEUZINGER

GARY

2 -
3 -
City- FIRTH
Phone - 208-357-5405
1 - BOX 7

State- ID Zip- 53236

DOWTON

KAREN

2 -
3 -
City- ELLIS
Phone - 208-876-4225

State- ID Zip- 83235

*** O - ORIGINAL OWNER ***
NOMACKI

ROSE

1 -
2 -
3 -
City- X
Phone - 208-000-0000
1 - BOX 157
2 -
3 -

State- ID Zip- 0

LEUZINGER

VIRGINIA

City- CHALLIS
Phone - 208-879-2215

State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/01/1936 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
WEST PASS CREEK SALMON RIVER, EAST FORK

+ - - - - TwN Rng Sec Tract Lot RFlg County Point of Diversion - - - - - +
08N 17E 29 SE SW SW (37) CUSTER
32 NW SE NE (37) CUSTER
SE NW NW (37) CUSTER

+ - - - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.660
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.660 0.0

Water right number - R72-00235

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08N	17E	29	SE NW		3.3	01	IRRIGATION	(37) CUSTER
08N	17E	29	NE SW		13.0	01	IRRIGATION	(37) CUSTER
08N	17E	29	NW SW		9.5	01	IRRIGATION	(37) CUSTER
08N	17E	29	SW SW		22.0	01	IRRIGATION	(37) CUSTER
08N	17E	29	SE SW		6.0	01	IRRIGATION	(37) CUSTER
08N	17E	31	NE NE		14.0	01	IRRIGATION	(37) CUSTER
08N	17E	32	NW NW		7.4	01	IRRIGATION	(37) CUSTER
Total Acres:					75.2			

+ - - Diversion Means - DITCHES, GRAVITY FLOW

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 72-00234, 72-04130

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

ONT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.86 CFS. COMBINED RIGHT NO
72-00234

POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-00234 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 75.2 ACRES IN A SINGLE
IRRIGATION SEASON.

GEN PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 597 & 722

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

7200234

C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

C16 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

- WATER RIGHT NO. SOURCE

- NONE SOURCE

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

- WATER RIGHT NO. SOURCE

- NONE SOURCE

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

AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

12/11/98 14:18:14
Page 3

Water right number - R72-00235

Prefix Translation: RESEARCH

+ - - - - Decree Plaintiff - - - - + - - - - Decree Defendant - - - - + - - - - Decree Date - - - - +
GOSSI, ET. AL. GIAMPEDRAGLIA, ET. AL. 00/00/0000

+ - - - - Comments - - - - -
Date: 11/09/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.
P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
Date: 11/21/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE OF RECORD THRU AJU10.
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
Date: 12/11/1998 User Id: VHANCOCK Subject: ADDITION OF P/D CONVERSATION WITH CLAIMANTS IN CHALLIS 12-9-98. ALSO OWNERSHIP
TWO POINTS OF DIVERSION ON WEST PASS CREEK WERE ADDED PER
UPDATED PER NOTICE REC'D 12-9-98. AMENDED CLAIM FILED.

+ - - Audit Fields - - - +
12/11/98 VHANCOCK

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +									
Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576	
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-		
Response Filed Date	-	00/00/0000	Verified Date	-	12/11/1998	Old Judicial District	-		
Claim Received Date	-	11/16/1989	Last Amended Date	-	00/00/0000	Temporary Right	-	P	
			Receipt Number	-	M005238	Water District	-		
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S	
			Name Connector	-	OR	Presumption Flag	-		
						Notice of Error Flag	-		

LAIM NUMBER 72-00234 DATE 10-12-98 TRANSFER NUMBER _____
72-00235 AGENT 12A CLAIMED ACRE TOTAL 145
 GIS ACRE TOTAL 75.2

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
LAIM	08N	17E	29								2	10	15	40	9.0					74.0
GIS											3.3	13	9.5	22	6.0					53.8
ECOM											33	13	9.5	22	6.0					53.8
LAIM	8N	17E	31	5			6													11
GIS				14			2													14
ECOM				14			2													14
LAIM	8N	17E	32					40	20											60
GIS								7.4	2											7.4
ECOM								7.4	2											7.4

B72-DBPOU.SHP all within desired track

SHAPE NOS.
347 14 ac
348 7 ac } 75 ac
349 54 ac }

B72-DBPOD.SHP

NOS. DESCRIPTION
208 E FK = NW SE NE Sec 31 TOPN R17E EF 27
209 West Pass Cr = NW SE NE Sec 32 TOPN R17E
319 West Pass Cr SE NW NW Sec 32 TOPN R17E
320 West Pass Cr SE SW SW Sec 29 TOPN R17E

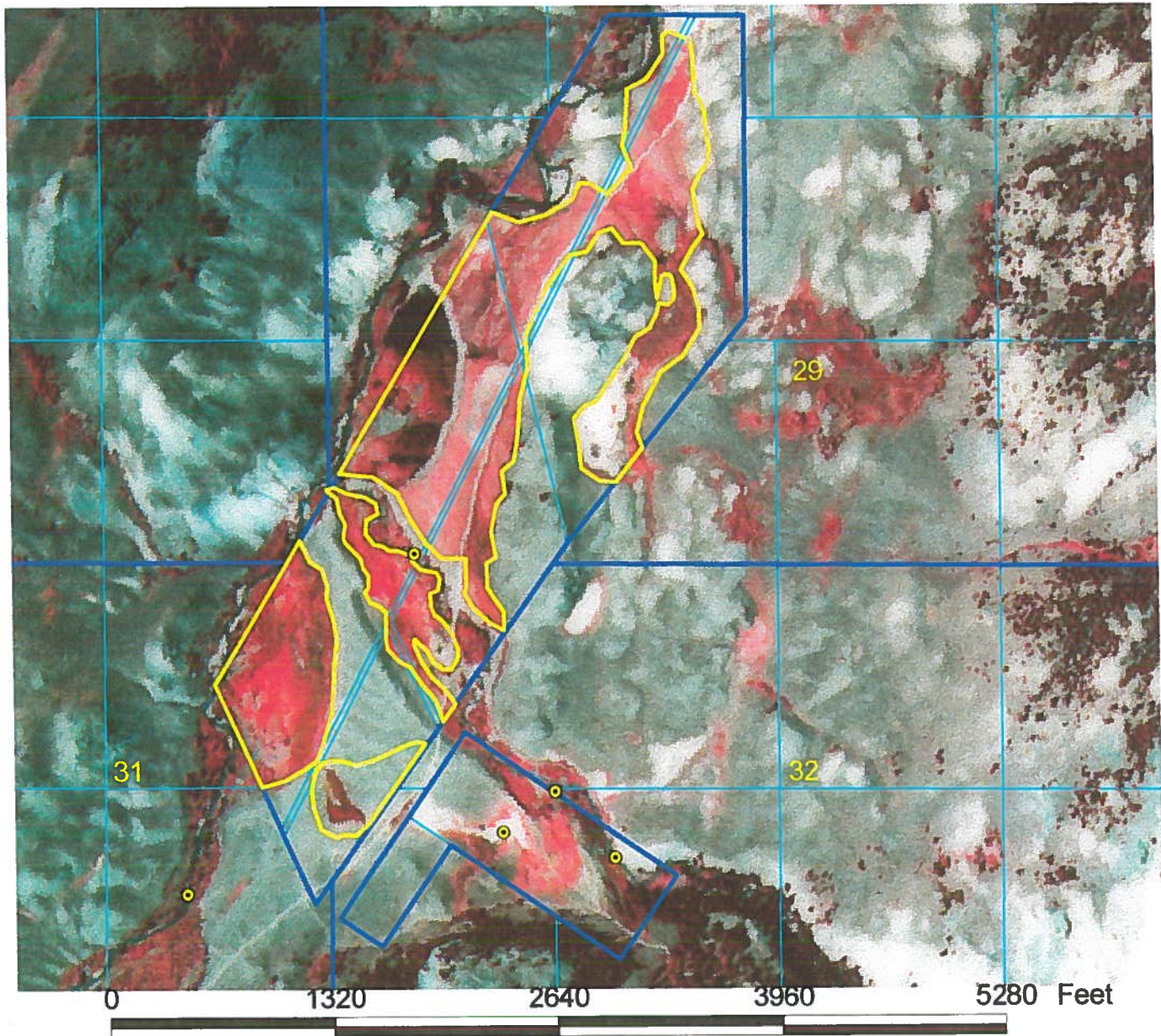
DBF TABLES UPDATED

B72-DBPOU.DBF ☒
 B72-DBPOD.DBF ☒

2.15 12/11/00

**RIGHTS 72-00234, 72-00235
and 72-04130**

**RECOMMENDED PLACE OF USE
TWP 08N, RNG 17E, SEC 29,31,32
data entry on December 11, 1998**



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



**GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOTGRAPHY
DATA ENTRY BY VIKIE HANCOCK**



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

December 14, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Gary Leuzinger
Timothy Leuzinger
Karen Dowton
118 E 1000 N
Firth, Idaho 83236

RE: Snake River Basin Adjudication (SRBA)
Claim Numbers: A72-00234, A72-00235, A72-04130

Dear Claimants:

I am taking the liberty of sending this copy of the amended and updated claims referenced above to Gary and Linda, as the changes were made under their direction. The points of diversion added to claims 72-00234 and 72-00235 should be exactly as we determined in Challis on Wednesday, but please check to make sure you agree with the data as it now appears.

Regarding claim number 72-04130, I calculated the acres that Gary drew on the GIS image, and determined that the area encompassed 4.5 acres. This is significantly less than the 10 acres that we roughly guessed it was, so I had to adjust the amount of water recommended for irrigation. I recommended 0.36 cfs for irrigation use based upon a soil and climate analysis, which indicates that under the most extreme conditions, you may need as much as .08 cfs per acre to adequately irrigate the particular 4.5 acres allowed under this right. Be aware that the Department did not have exact soils information for your acreage, so I based my calculations on data from similar properties downstream. In addition, I recommended the original 0.04 cfs for domestic use, which brings the total diversion from the spring to 0.40 cfs.

Please contact me if this does not meet with your approval. Baring any further communication from you, I'll assume that you wish me to go ahead and recommend your rights to the court as they now appear. I want to thank you for taking the time to talk to me on the 9th. It was a pleasure to work with you, and to meet and talk with your mother, Virginia. If I can be of any further assistance, let me know - otherwise, have a great Holiday and enjoy your winter down south.

Sincerely,

Vikie Hancock
Water Resource Agent

November 20, 1998

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 72-00234 72-00235 72-04130

VIRGINIA LEUZINGER TIM Leuzinger
GARY LEUZINGER Karen Dowton
BOX 157
CHALLIS ID 83226

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
a. Change names as per "Notice of Change of Water Right Ownership" attached.
b. add points of diversion as per attachment A
c. add land irrigated by hot water - marked "5" on attachment A
d. establish POD for domestic water on water right 72-04130 as attachment A
e. correct 72-04130 to add 4CFM hot water for irrigation use (see 5) on attachment A (10 acres)
2. Describe the changes you wish to make in the proposed recommendation:
(1) Title of property has changed (see attachment D)
(2) Latest version of 72-04130 does not show established use of hot water for irrigation (see attachment A, B, C)
(3) established POD are not shown so - POD 5, 2 & 4 (see attachment A)
(4) on right 72-04129 change "source" from tributary of West Pass Creek to tributary of East Fork of Salmon River (see attachment B & C)
3. Give a brief explanation as to why you disagree with these portions:
Established use of hot water for irrigation not shown IDWR Agent assigned wrong string to water rights.

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

DATE: 12-9-98 SIGNATURE: Virginia Leuzinger Gary Leuzinger
Please print your name: VIRGINIA LEUZINGER Gary Leuzinger

CONVERSATION MEMO

Date: 12/9/98

Regarding:
72-00234 - 00235
 - 04130

Customer:
Gary Leuzinger

From: Vikie Hancock

[illegible]

me & Mrs Leuzinger and Virginia Leuzinger brought maps to document 2 additional points of diversion from West Pass creek (00234 & 00235) and the conveyance works for irrigation from the Hot Spring (04130).

He located and labeled the points of diversion and places of use on the GDS polygon shape file sent to him. POB's were numbered and POU's were ~~numbered~~ ^{labeled} with corresponding numbers.

They also brought deeds to document change of ownership from Virginia Leazerger to the three siblings. Gary Tim & Karen

Sw. amended claim was prepared,
signed & notarized, this date.

See NOE dated 12/9/98

RIGHT 72-00234 and 72-00235 and 72-041130
LEUZINGER

RECOMMENDED PLACE OF USE
TWP 08N, RNG 17E, SEC 29, 31, 32
data entry on October 12, 1998



0 660 1320 1980 2640 3300 3960 Feet

ORIGINAL IN 72-00234



* POD 5 is also
POD for Domestic
USE on right # 72-04131

- RECOMMENDED PLACE OF USE
- RECOMMENDED POINT OF DIVERSION
- SECTION LINES
- QUARTER/QUARTER LINES
- SUBDIVISION LOT BOUNDARIES

GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOTGRAPHY
DATA ENTRY BY VIKIE HANCOCK

A10763NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

11/09/98 11:45:45
Page 1

Water Right Number - R72-00235

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
LEUZINGER

TIMOTHY

1 - BOX 157
2 -
3 -

State- ID Zip- 83226

LEUZINGER

VIRGINIA

City- CHALLIS
Phone - 208-000-0000
1 - BOX 157
2 -
3 -

State- ID Zip- 83226

LEUZINGER

GARY

City- CHALLIS
Phone - 208-879-2215
1 - BOX 157
2 -
3 -

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
NOMACKI

ROSE

1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 0

+ - - Priority Date - - +
05/01/1936

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

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

+ - - - - Status - - - +

+ - - Source - - - - +
WEST PASS CREEK

+ - - - - Tributary - - - - +
SALMON RIVER, EAST FORK

+ - - - - Point of Diversion - - - - +
Twn Rng Sec Tract Lot RFlg County
08N 17E 32 NW SE NE (37) CUSTER

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

01 - IRRIGATION

04/01 10/31

1.660

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.660 0.0

+ - - - - Place of Use - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08N 17E 29 SE NW 01 IRRIGATION (37) CUSTER
08N 17E 29 NE SW 01 IRRIGATION (37) CUSTER
08N 17E 29 SW SW 01 IRRIGATION (37) CUSTER
08N 17E 29 SW SW 01 IRRIGATION (37) CUSTER
08N 17E 29 SE SW 01 IRRIGATION (37) CUSTER
08N 17E 31 NE NE 01 IRRIGATION (37) CUSTER
08N 17E 32 NW NW 01 IRRIGATION (37) CUSTER

Water right number - R72-00235

Prefix Translation: RESEARCH

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

Total Acres: 75.2

- - - Diversion Means - DITCHES, GRAVITY FLOW

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 72-00234, 72-04130

- - - - - Remarks - - - - -

QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.86 CFS. COMBINED RIGHT NO
72-00234

POU1 USE OF THIS RIGHT WITH RIGHT NO. 72-00234, IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 75.2 ACRES IN A SINGLE
IRRIGATION SEASON.

GEN PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NO. 597 & 722

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

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

- - - - - Decree Plaintiff - - - - - Decree Defendant - - - - - Decree Date - - - - -
GOSSJ, ET. AL. GIAMPEDRAGLIA, ET. AL. 00/00/0000

- - - - - Comments - - - - -
Date: 11/09/1998 User Id: VHANCOCK Subject: COPIED FROM REMARKS
P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY; VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.

- - - Audit Fields - - -
11/09/98 VHANCOCK

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 11/09/1998	Old Judicial District	-
Claim Received Date	- 11/16/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M005238	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

CLAIM NUMBER
72-00234

DATE
10-12-98

TRANSFER NUMBER

72-00235

AGENT
WA

CLAIMED ACRE TOTAL
145

GIS ACRE TOTAL
75.2

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	08N	17E	29								0	10	15	40	9.0					74.0
GIS											3.3	13	9.5	22	6.0					53.8
RECOM											33	13	9.5	22	6.0					53.8
CLAIM	8N	17E	31	5			6													11
GIS				14			0													14
RECOM				14			0													14
CLAIM	8N	17E	32					40	20											60
GIS								7.4	0											7.4
RECOM								7.4	0											7.4

B72-DBPOU.SHP
all within decreed tracks

SHAPE NOS.

347
14 ac

348
7 ac

349
54 ac

75 ac

B72-DBPOD.SHP

NOS. DESCRIPTION

208 E FK = NW SE NE Sec 31 T08N R17E EF 27

209 West Paso Cr = NW SE NE Sec 32 T08N R17E

DBF TABLES UPDATED

B72-DBPOU.DBF

B72-DBPOD.DBF

**RIGHT 72-00234 and 72-00235
LEUZINGER**

**RECOMMENDED PLACE OF USE
TWP 08N, RNG 17E, SEC 29, 31, 32
data entry on October 12, 1998**



- ⊙ RECOMMENDED PLACE OF USE
- ⊙ RECOMMENDED POINT OF DIVERSION
- SECTION LINES
- QUARTER/QUARTER LINES
- SUBDIVISION LOT BOUNDARIES

**GIS PLACE OF USE PRESENTATION
1987 OR 1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK**

00228
00229

tenant to said land she is entitled to 1.32 cubic feet per second of time of use of the East Fork of the Salmon River with date of priority May 1, 1885 and also .5 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1936 and with point of diversion in the SE¹/₄ NW¹/₄, Section 12, Township 10, North, Range 18, T. B. M.

00230

That FREDOLIN TETZINGER is the owner of 11.56 acres in the NE¹/₄ NW¹/₄, all of S¹/₂ NW¹/₄, N¹/₂ SW¹/₄, Section 13, NW¹/₄, NE¹/₄ NW¹/₄, NE¹/₄ SW¹/₄, Section 24, all in Township 10 North, Range 18, T. B. M., and appurtenant to said land he is entitled to 8 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1880 and with points of diversion in the SE¹/₄ NW¹/₄ and NE¹/₄ NW¹/₄, Section 24, Township 10 North, Range 18, T. B. M.

00231
00232

That MARION PEEL and LLOYD PEEL are the owners of SW¹/₄ SE¹/₄ SW¹/₄, Section 15, W¹/₂ NE¹/₄, E¹/₂ NW¹/₄, NW¹/₄ SE¹/₄, NE¹/₄ SW¹/₄, Section 22, Township 9 North, Range 17, T. B. M., and appurtenant to said land they are entitled to .8 cubic feet per second of time of the waters of Little Boulder Creek with date of priority May 1, 1920 and 1.2 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1926 and with points of diversion in the SE¹/₄ SE¹/₄, NE¹/₄ NW¹/₄, Section 22, Township 9 North, Range 17, T. B. M.

That ANTHONY BRICKER and JACKIE BRICKER are the owners of SE¹/₄ SW¹/₄, SW¹/₄ SE¹/₄, Section 4, NE¹/₄ NW¹/₄, NW¹/₄ NE¹/₄, Section 19, Township 8 North, Range 17, T. B. M., and appurtenant to said land they are entitled to 1.2 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority August 1, 1925.

00233

That ROSE NOWACKI is the owner of Tracts "A", "B", and "C" in H. E. Survey No. 597 and Tracts "A" and "B" in H. E. Survey No. 722, embracing a portion of, approximately, Sections 29, 30, 31 and 32 in Township 8 North, Range 17, T. B. M., and appurtenant to said land she is entitled to 1.2 cubic feet per second of time of the waters of West Pass Creek and the East Fork of the Salmon River, with date of priority May 1, 1926 and she is also entitled to 1.66 cubic feet per second of time of the waters of West Pass Creek, with date of priority May 1, 1936.

00234

That GIAPPEDAGATA BERWALDO is the owner of SW¹/₄ NE¹/₄, Section 35, Township 11 North, Range 18, E. B. M., and appurtenant to said land he is entitled to .3 cubic feet per second of time of the waters of the East Fork of the Salmon River with date of priority May 1, 1885

00236

IT IS HEREBY ADJUDGED AND DECREED That each of the parties to this action shall pay his or her own costs of this action.

9.

That each and every of the parties to this suit, plaintiffs and defendants, their agents, servants, attorneys and employees, and each, every and all persons acting in aid of and for any of the parties to this suit, are hereby forever restrained and enjoined from in

DECREE

NAME OF STREAM OR DITCH **WEST PASS CREEK**
 LOCATION -----
 PURPOSE OF MEASUREMENT -- **MAIN DIVERSION FROM SOURCE**
 BASIS OF VELOCITY CALCULATIONS **ADJUDICATION REVIEW**
 IF YOU ARE USING A PYGMY METER ENTER ----- 1
 IF YOU ARE USING A AA METER ENTER ----- 2
 ENTRY ----- 1

WATER RIGHT NUMBER IF APPLICABLE -----
 AGENT CONDUCTING MEASUREMENT & DATE --
 ACCOMPANIED BY -----
 PREMEASUREMENT SPIN TEST (MIN/SEC) ---
 POST MEASUREMENT SPIN TEST (MIN/SEC) -
 REPORTING DATE **FEB 14 1994**

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

INITIAL POINT	ANGLE OF COEFFICIENT	DISTANCE FROM INIT PT	DEPTH IN FEET	CALC DEPTH END PTS	VELOCITY DATA				CALC WIDTH	AREA IN SQ FT	CALCULATED VELOCITY				DISCHARGE IN CFS
					1ST MEASUREMENT REVS	2ND MEASUREMENT REVS	1ST TIME/SEC	2ND TIME/SEC			1ST POINT VELOCITY	2ND POINT VELOCITY	MEAN VELOCITY		
		4.00	0.45	0.23	72	73	40.0	40.0	-0.30	-0.067	1.80	1.83	1.81	0.91	-0.06
		3.40	0.50		54	57	40.0	40.0	-0.60	-0.270	1.35	1.43	1.39	0.49	-0.49
		2.80	0.60		92	93	44.4	44.3	-0.60	-0.360	2.07	2.10	2.09	0.75	-0.75
		2.20	0.50		78	69	40.0	40.0	-0.90	-0.450	1.95	1.73	1.84	0.83	-0.83
		1.60	0.48		49	51	40.0	40.0	-0.80	0.000	1.23	1.28	1.26	0.92	0.00
		0.40	0.00		0		0.0								
END		0.00	0.00	0.00					1.50	0.000				0.00	-2.54
END		3.00													

MEASUREMENTS

WATER RIGHT NUMBER IF APPLICABLE ----- LEUZINGER
AGENT CONDUCTING MEASUREMENT & DATE ----- 88 09-01-1993
ACCOMPANIED BY ----- FH
PREMEASUREMENT SPIN TEST (MIN/SEC) -----
POST MEASUREMENT SPIN TEST (MIN/SEC) -----
REPORT DATE ----- FEB 14 1994

FEB 14 1994

[illegible]

R.F.W 4.0

1st 3.4

Depth .45

72 sec in 40 S

73 sec in 40 S

2nd 2.8

Depth .50

54 sec in 40 S

57 sec in 40 S

3rd 2.2

Depth .60

92 sec in 44.41 S

93 sec in 44.31 S

4th 1.6

Depth .50

78 sec in 40 S

69 sec in 40 S

5th 1.0

Depth .475

49 sec in 40 S

51 sec in 40 S

R.F.W 0.4

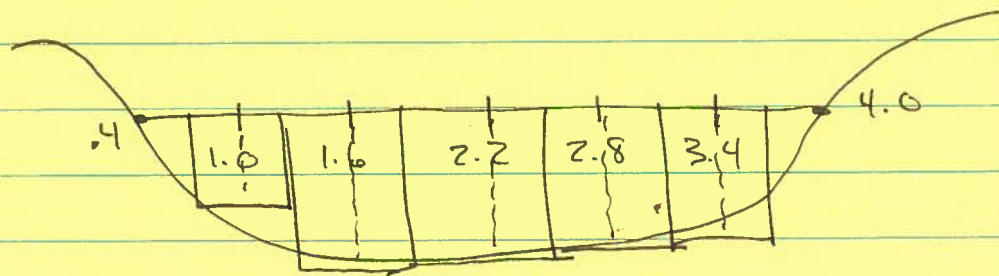
around [3.0 cfs]

[2.75 cfs]

9-1-93

1:00 P.M.

Rough sketch



Main Diversion off West Pass (see
[Lenzinger - claim])

LENZINGER - W. PASS CR. (MAIN DIVERSION)

1.2	EF/WP	1926
<u>1.66</u>	WP	1934
2.86		

W/P diversion	2.54 (smallest)
EF diversion	2.28

$$\begin{array}{r}
 75.2 \text{ ac total} \\
 - 14.0 \text{ ac watered by EF \& .91 cfs} \\
 \hline
 \text{of west pass (rediversion)}
 \end{array}$$

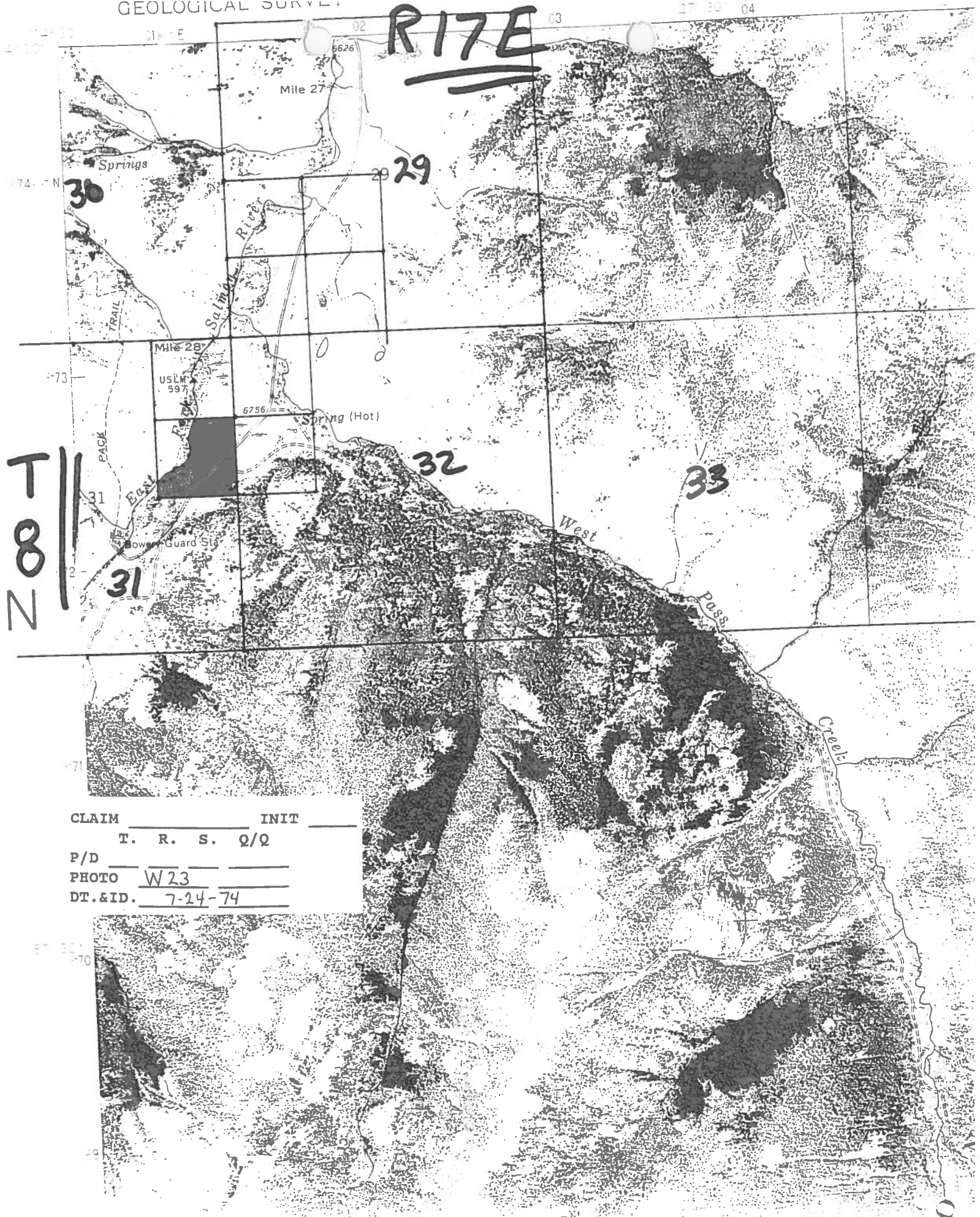
$$61.2 \times .03 = 1.836$$

2.54	← main diversion
<u>-.91</u>	← rediversion
1.63	from west Pass

Recommended diversion rate based on
 BOIC info downstream
 indicates requirement
 greater than claimed

DIVERSION RATE

R17E



T
8
N

CLAIM _____ INIT _____
 T. R. S. Q/Q
 P/D _____
 PHOTO W23
 DT.&ID. 7-24-74

AREA MAP

CLAIM NUMBER: A72-00235

OWNER NAME & ADDRESS
C TIMOTHY LEUZINGER
C VIRGINIA LEUZINGER

PRIORITY DATE
05/01/1936

WATER USE
IRRIGATION

USE PERIOD FROM TO
04-01 11-01

DIVERSION RATE
1.66 CFS

DIVERSION VOLUME
362,350 AFA

TOTAL DIVERSION:
CONSUMPTIVE USE:

Water Source: WEST PASS CREEK

Tributary to: SALMON RIVER, EAST FORK

Stage: DECREED

Point(s) of Diversion:

T08N R17E S32

MUSENM

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 Lt Ac Lt Ac Lt Ac Lt Ac Lt Ac					
08N 17E 29 :					74.0
08N 17E 31 :					11.0
08N 17E 32 :					60.0
TOTAL ACRES					145.0

POU County: CUSTER

Other Rights: A72-00234, A72-04130

Remarks: P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.

Dates: Exam Made Date: 05/06/1985
Verified Date: 05/06/1985

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

JO-2 #ES 597, 722

E03

E04 28645 -00234

E11 75 acuo

OK per anal
similar soils
discontinuous

See 80

LAST: LEUZINGER
ADDRESS: BOX 157
CITY: CHALLIS
PHONE NUMBER: 208-000-0000

FIRST: TIMOTHY

STATE: ID ZIP: 83226

OWNER CODE: C

LAST: NOWACKI
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: ROSE

STATE: ID ZIP: 0

OWNER CODE: 0

LAST: LEUZINGER
ADDRESS: BOX 157
CITY: CHALLIS
PHONE NUMBER: 208-879-2215

FIRST: VIRGINIA

STATE: ID ZIP: 83226

OWNER CODE: C

LAST: LEUZINGER
ADDRESS: BOX 157
CITY: CHALLIS
PHONE NUMBER: 208-000-0000

FIRST: GARY

STATE: ID ZIP: 83226

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y FIELD EXAMINER Y() N()

CLAIM REMARKS: P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____) TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A72-00235 PRIORITY DATE: 05-01-1936 STAGE: D

B. WR RECORD: # 72-00235 PRIORITY DATE: 05-01-1936 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A() Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y() N()

NOTES:

RECOMMENDED PRIORITY DATE:

05-01-1936

REVIEWED BY _____

DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A72-00235	08N	17E	32	NW	SE	NW				CUSTER	

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE
MR RECORDS IN SAME 40 ACRE TRACT
72-02102

SOURCE: WEST PASS CREEK

TRIB: SALMON RIVER, EAST FORK

B. MR POINT OF DIVERSION AND SOURCE:

7200235 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: WEST PASS CREEK

TRIB: SALMON RIVER, EAST FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (_____)
 DOB

TPP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD	FLAG	COUNTY	CUSTER	DIVERSION NAME	DIVERSION NBR
08N	17E	32	NM	SE	NM							

SOURCE: WEST PASS CREEK

TRIB: SALMON RIVER, EAST FORK

REVIEWED BY:

DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A72-00235
R72-00235

B. POU LISTING					AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
TWP	RNG	SEC	1/4	1/4 LOT					
08N	17E	29	NE	SW	LEUZINGER, TIMOTHY	A72-00235 / 10.0	72-00235 /		
			NE	SW	LEUZINGER, VIRGINIA	A72-00234 / 10.0	72-00234 /		
			NE	SW	LEUZINGER, VIRGINIA	A72-04130 / 10.0	- /		
			NE	SW	LEUZINGER, VIRGINIA	R72-00234 / 10.0	- /		
			NE	SW	LEUZINGER, TIMOTHY	R72-00235 / 10.0	- /		
08N	17E	29	NW	SW	LEUZINGER, TIMOTHY	A72-00235 / 15.0	72-00235 /		
			NW	SW	LEUZINGER, VIRGINIA	A72-00234 / 15.0	72-00234 /		
			NW	SW	LEUZINGER, VIRGINIA	A72-04130 / 15.0	- /		
			NW	SW	LEUZINGER, VIRGINIA	R72-00234 / 15.0	- /		
			NW	SW	LEUZINGER, TIMOTHY	R72-00235 / 15.0	- /		
08N	17E	29	SW	SW	LEUZINGER, TIMOTHY	A72-00235 / 40.0	72-00235 /		
			SW	SW	LEUZINGER, VIRGINIA	A72-00234 / 40.0	72-00234 /		
			SW	SW	LEUZINGER, VIRGINIA	A72-04130 / 40.0	- /		
			SW	SW	LEUZINGER, VIRGINIA	R72-00234 / 40.0	- /		
			SW	SW	LEUZINGER, TIMOTHY	R72-00235 / 40.0	- /		
08N	17E	29	SE	SW	LEUZINGER, TIMOTHY	A72-00235 / 9.0	72-00235 /		
			SE	SW	LEUZINGER, VIRGINIA	A72-00234 / 9.0	72-00234 /		
			SE	SW	LEUZINGER, VIRGINIA	A72-04130 / 9.0	- /		
			SE	SW	LEUZINGER, VIRGINIA	R72-00234 / 9.0	- /		
			SE	SW	LEUZINGER, TIMOTHY	R72-00235 / 9.0	- /		
08N	17E	31	NE	NE	LEUZINGER, TIMOTHY	A72-00235 / 5.0	72-00235 /		
			NE	NE	LEUZINGER, VIRGINIA	A72-00234 / 5.0	72-00234 /		
			NE	NE	LEUZINGER, VIRGINIA	A72-04130 / 5.0	72-04130 /	12.0	
			NE	NE	LEUZINGER, VIRGINIA	R72-00234 / 5.0	- /		
			NE	NE	LEUZINGER, TIMOTHY	R72-00235 / 5.0	- /		
08N	17E	31	SE	NE	LEUZINGER, TIMOTHY	A72-00235 / 6.0	72-00235 /		
			SE	NE	LEUZINGER, VIRGINIA	A72-00234 / 6.0	72-00234 /		
			SE	NE	LEUZINGER, VIRGINIA	A72-04130 / 6.0	72-04130 /	10.0	
			SE	NE	LEUZINGER, VIRGINIA	R72-00234 / 6.0	- /		
			SE	NE	LEUZINGER, TIMOTHY	R72-00235 / 6.0	- /		
08N	17E	32	NW	NW	LEUZINGER, TIMOTHY	A72-00235 / 40.0	72-00235 /		
			NW	NW	LEUZINGER, VIRGINIA	A72-00234 / 40.0	72-00234 /		
			NW	NW	LEUZINGER, VIRGINIA	A72-04130 / 40.0	72-04130 /	20.0	
			NW	NW	HAUGRUD, JACK AND/OR GEOFFREY	R72-10871 /	- /		
			NW	NW	LEUZINGER, VIRGINIA	R72-00234 / 40.0	- /		
			NW	NW	LEUZINGER, TIMOTHY	R72-00235 / 40.0	- /		

TUP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	17E	32	SW	NW		LEUZINGER, TIMOTHY	A72-00235 / 20.0	72-00235 /			
			SW	NW		LEUZINGER, VIRGINIA	A72-00234 / 20.0	72-00234 /			
			SW	NW		LEUZINGER, VIRGINIA	A72-04130 / 20.0	72-04130 / 18.0			
			SW	NW		LEUZINGER, VIRGINIA	R72-00234 / 20.0	-			
			SW	NW		LEUZINGER, TIMOTHY	R72-00235 / 20.0	/			

ADDITIONAL POU FOUND

TOTAL ACRES	A72-00235	145.00
-------------	-----------	--------

POU COUNTY: CUSTER

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-00235	WEST PASS CREEK	LEUZINGER, TIMOTHY	1.660	0.011		
A72-00234	WEST PASS CREEK	LEUZINGER, VIRGINIA	1.200	0.008		
R72-00234	SALMON RIVER, EAST FORK	LEUZINGER, VIRGINIA	1.200	0.008		
R72-00235	WEST PASS CREEK	LEUZINGER, TIMOTHY	1.660	0.011		
A72-04130	SALMON RIVER, EAST FORK	LEUZINGER, VIRGINIA	1.200	0.008		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-04130	DOMESTIC	LEUZINGER, VIRGINIA	FROM 01-01 TO 12-31	0.040 CFS	
R72-10871	STOCKWATER	HAUGRUD, JACK AND/OR GEOFFREY	FROM 06-01 TO 10-31	0.020 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A72-00234, A72-04130

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

NOTES:

REVIEWED BY: _____

DATE: _____

[illegible]

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A72-00235 IRRIGATION	FROM 04-01 TO 11-01	1.660 CFS	
TOTAL DIVERSION RATE/VOLUME		1.660 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
72-00235 IRRIGATION	FROM TO	1.660 CFS	
TOTAL DIVERSION RATE/VOLUME		1.660 CFS	

- C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()
- D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
- * IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.
- E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()
- F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()
- G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()
- * IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.
- H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
- * IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.
- I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()
- J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
- * IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.
- K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

NOTES:

[illegible]

AJ CLAIM TOTAL DIVERSION RATE: 1.660 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 1.660 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES x 0.02 CFS/ACRE = CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 362.5 AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

HR RECORD CONDITIONS/REMARKS:

ONLY AGRICULTURE.
P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.
AC. IRRIG. NOT SPECIFIED. FARM = 153.52 AC.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 1.660	DATABASE EXAMINER	DATABASE EXAMINER 362.5
TOTAL FOR THIS RIGHT		1.660		362.5

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED
() ()
() ()
() ()

NEEDS REVIEW
() ()
() ()
() ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00235
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.660

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	R72-00235	1.660	R72-00235	1.660	72-00235	1.660
TOTAL CFS		1.660		1.660		1.660

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE Y FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:
SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT		COPY INCLUDED IN FILE?	
TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION		
☐ ORTHOPHOTOQUAD	DATE OF PHOTO _____	IDMR ID NO. _____	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____	IDMR ID NO. _____	Y() N()
☐ MAPP	DATE OF PHOTO _____	IDMR ID NO. _____	Y() N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____		Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____		Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____		Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()
=====			
LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
☐ IDMR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☐ SYSTEM DESCRIPTION	DATE DRAWN _____		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
☐ OTHER _____	DATE _____		
☐ OTHER _____	DATE _____		

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

Water Right Number - 72-00235

Prefix Translation:

WATER RIGHT

Old (D) Number -

Last Name -

First Name -

Address -

*** C - CURRENT OWNER ***
NOWACKI

ROSE

1 -
2 -
3 -
City-
Phone -

State- Zip-

Priority Date -
05/01/1936

Region -
17 SOUTHERN

Stage -
D - DECREED

Status -

Source -
WEST PASS CREEK

Tributary -
SALMON RIVER, EAST FORK

Trn Rng Sec Tract Lot Rflg County Point of Diversion - Stream Index (Blank if no Index Code)

01 - IRRIGATION

1.660

Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - +
1.660

Trn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
08N	17E	29	SE NW			01	IRRIGATION	(37) CUSTER	
08N	17E	29	NE SW			01	IRRIGATION	(37) CUSTER	
08N	17E	29	NW SW			01	IRRIGATION	(37) CUSTER	
08N	17E	29	SW SW			01	IRRIGATION	(37) CUSTER	
08N	17E	29	SE SW			01	IRRIGATION	(37) CUSTER	
08N	17E	30	SE SE			01	IRRIGATION	(37) CUSTER	
08N	17E	31	NE NE			01	IRRIGATION	(37) CUSTER	
08N	17E	31	SE NE			01	IRRIGATION	(37) CUSTER	
08N	17E	32	NW NW			01	IRRIGATION	(37) CUSTER	
08N	17E	32	SW NW			01	IRRIGATION	(37) CUSTER	

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks -
P/U IS ALL OF H.E.S. 597 & 722 EXCEPT ROAD RIGHTS OF WAY;
VERIFIED BY B.L.M. LAND STATUS RECORDS IN BOISE.
AC. IRRIG. NOT SPECIFIED. FARM = 153.52 AC.

Water right number - 72-00235

Prefix Translation:

WATER RIGHT

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

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

No Old Water Right Numbers found.

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

No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - +

+ - - - - - Decree Defendant - - - +

+ - Decree Date - +
02/14/1938

GOSJI, ET. AL.

GIAMPEDRAGLIA, ET. AL.

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

No Comments found

+ - - Audit Fields - 02/11/86 05/28/88 CONVERT

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

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 05/06/1985	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	- 02/14/1938	Presumption Flag	-		